UNITED STATES OF AMERICA

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 88th CONGRESS
FIRST SESSION

## VOLUME 109—PART 1

JANUARY 9, 1963, TO JANUARY 30, 1963
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of America

Congressional Record

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## SENATE

### WEDNESDAY, JANUARY 9, 1963

The 9th day of January being the day prescribed by Public Law No. 864, 87th Congress, 2d session, for the meeting of the 1st session of the 88th Congress, the Senate assembled in its Chamber at the Capitol.

LYNDON B. JOHNSON, of Texas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D.D., of the city of Washington, D.C., offered the following prayer:

Let us lift our hearts in prayer:

Our Father, God, amid earth's shadows Thou art the reality in all, above all, beyond all, the inspiration and consolation of our changing days and years.

In the stillness of this hallowed moment, with an anxious world eager to listen to what is said and done in this historic Chamber, we come devoutly praying for Thy divine guidance, Thy Kindly Light, without which our feeble hands will falter, and our striving will be losing.

In Thee alone are the meaning and glory of life and the benediction in which all things move.

In this high hour, as the storied gavel has fallen with its new summons for deliberation and decision to those who here represent the Nation's will and the Nation's voice, above all sectional and party labels and shibboleths, may there be lifted at the very beginning of this session the fervent petition whose melody makes us one—God bless America.

As in this shrine of each patriot's devotion, public servants will take upon their lips this day the solemn words of the oath of office, "So help me God," may that battlecry, like the sound of a great amen, belt the globe as trumpets pealing.

May that vow bombard the ears of those who, imagining a vain thing, have not Thee in awe, and who thus deal in chains and fetters of the mind.

From militant millions in this free land may the individual realization of America's awesome mission, as the torch of the world, sound forth the proud witness to the faith that makes our cause invincible as that sign is written in the heavens and on the earth, "So help me God."

In the Redeemer's name we ask it. Amen.

### DEATH OF SENATOR CHAVEZ

Mr. ANDERSON. Mr. President, it is my sad duty to announce to the Senate the death on November 18, 1962, of my longtime friend and colleague, the highly respected senior Senator from New Mexico, the Honorable DENNIS CHAVEZ. At a subsequent time we shall submit a formal resolution relative to his death.

### DEATH OF SENATOR KERR

Mr. MANSFIELD. Mr. President, it is with deep regret that I announce to the Senate the death on Tuesday, January 1, 1963, of our colleague, the senior Senator from Oklahoma, Mr. KERR.

For the information of the Senate, it is my intention to confer with the minority leader, the Senator from Illinois [Mr. DIRKSEN], the Senators from New Mexico and Oklahoma, and the families of the deceased Senators, for the purpose of setting a day upon which eulogies of the deceased Senators may be given. In this connection, ample notice will be given to the Members of the Senate.

### CREDENTIALS—APPOINTMENT AND ELECTION CERTIFICATES

The VICE PRESIDENT. The Chair lays before the Senate the credentials of 5 Senators elected at the November election to fill vacancies in certain terms; the credentials of 34 Senators elected for 6-year terms beginning January 3; and the certificates of appointment of 2 Senators to fill vacancies.

All certificates, the Chair has been advised, are in the forms suggested by the Senate, and in the case of vacancies are as follows:

For terms expiring January 2, 1965: EDWARD M. KENNEDY, of Massachusetts; and EDWIN L. MECHEM, of New Mexico, appointed to fill the vacancy caused by the death of Senator Chavez.

For terms expiring January 2, 1967: LEN B. JORDAN, of Idaho, previously appointed; THOMAS J. MCINTYRE, of New Hampshire; JAMES B. PEARSON, of Kansas, previously appointed; MILWARD L. SIMPSON, of Wyoming; and J. HOWARD EDMONDSON, of Oklahoma, appointed to fill the vacancy caused by the death of Senator Kerr.

Without objection, all credentials will be printed in the RECORD without being read.

The credentials are as follows:

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962, GEORGE D. AIKEN was duly chosen by the qualified electors of the State of Vermont a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, and our seal hereto affixed at Montpelier, this 15th day of November, in the year of our Lord 1962.

F. RAY KEYSER, Jr.,
*Governor.*

By the Governor:
[SEAL] HOWARD E. ARMSTRONG,
*Secretary of State.*

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STATE OF INDIANA,
*Executive Department,*
*Indianapolis, Ind.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962, BIRCH E. BAYH, JR., was duly chosen by the qualified electors of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Matthew E. Welsh, and our seal hereto affixed at Indianapolis, Ind., this 26th day of November, in the year of our Lord 1962.

MATTHEW E. WELSH,
*Governor.*

By the Governor:
[SEAL] CHARLES O. HENDRICK,
*Secretary of State.*

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STATE OF UTAH,
*Executive Department.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962, WALLACE F. BENNETT was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, George D. Clyde, and our seal hereto affixed at Salt Lake City, this 26th day of November, in the year of our Lord 1962.

GEORGE D. CLYDE,
*Governor.*

By the Governor:
[SEAL] LAMONT F. TORONTO,
*Secretary of State.*

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STATE OF NEVADA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that at a general election held in the State of Nevada on Tuesday, the 6th day of November 1962, ALAN BIBLE was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963, having received the highest number of votes cast for said office at said election, as appears by the certificate of the duly constituted and qualified board of canvassers now on file in the office of the secretary of state at Carson City, Nev.

In testimony whereof I have hereunto set my hand and caused the great seal of state to be affixed at Carson City, this 10th day of December, in the year of our Lord 1962.

Grant Sawyer,
*Governor.*

By the Governor:
[seal] John Koontz,
*Secretary of State.*

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To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Daniel B. Brewster** was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, J. Millard Tawes, and our seal hereto affixed at the city of Annapolis, this 29th day of November, in the year of our Lord 1962.

J. Millard Tawes,
*Governor.*

[seal] Lloyd L. Simpkins,
*Secretary of State.*

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Certification of Election
State of Kansas,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Frank Carlson** was duly chosen by the qualified electors of the State of Kansas a Senator from said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: The Honorable John Anderson, Jr., our Governor, and our seal hereto affixed at Topeka, this 10th day of December, in the year of our Lord 1962.

John Anderson, Jr.,
*Governor.*

By the Governor:
[seal] Paul R. Shanahan,
*Secretary of State.*

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Certificate of Election for 6-Year Term
State of Idaho,
Executive Department,
*Boise, Idaho.*

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Frank Church** was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Robert E. Smylie, and our seal hereto affixed at Boise, Idaho, this 8th day of November, in the year of our Lord 1962.

Robert E. Smylie,
*Governor.*

By the Governor:
[seal] Arnold Williams,
*Secretary of State.*

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Governor's Office.
In the Name and by Authority of the Commonwealth of Pennsylvania

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Joseph S. Clark** was duly chosen by the qualified electors of the Commonwealth of Pennsylvania a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, David L. Lawrence, and our seal hereto affixed at the city of Harrisburg, this 21st day of December, in the year of our Lord 1962.

David L. Lawrence,
*Governor.*

By the Governor:
[seal] E. James Trimarchi, Jr.,
*Secretary of the Commonwealth.*

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The State of New Hampshire,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Norris Cotton** was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor and our seal hereto affixed at Concord this 30th day of November, in the year of our Lord 1962.

Wesley Powell,
*Governor.*

By the Governor with advice of the council:
[seal] Robert L. Stark,
*Secretary of State.*

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State of Illinois.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Everett McKinley Dirksen** was duly chosen by the qualified electors of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January.

Witness: His Excellency our Governor, Otto Kerner, and our seal hereto affixed at Springfield, this 29th day of November, in the year of our Lord 1962.

Otto Kerner,
*Governor.*

By the Governor:
[seal] Charles F. Carpentier,
*Secretary of State.*

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State of Colorado,
Office of the Secretary of State.

To the President of the Senate of the United States:

I, George J. Baker, secretary of state of the State of Colorado, do hereby certify that on the 6th day of November 1962 **Peter H. Dominick** was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Colorado, at the city of Denver, this 7th day of December A.D. 1962.

Stephen L. R. McNichols,
[seal] Geo. J. Baker,
*Secretary of State.*
By F. J. Serafini,
*Deputy.*

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Certificate of Appointment

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Oklahoma, I, George Nigh, the Governor of said State, do hereby appoint **J. Howard Edmondson**, a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Senator Robert S. Kerr, is filled by election as provided by law.

Witness: His Excellency our Governor, George Nigh, and our seal hereto affixed at Oklahoma City this 7th day of January, in the year of our Lord 1963.

George Nigh,
*Governor.*

By the Governor:
[seal] William N. Christian,
*Secretary of State.*

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State of North Carolina,
Department of State.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Sam J. Ervin, Jr.** was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Terry Sanford, and our seal hereto affixed at Raleigh this 28th day of November, in the year of our Lord 1962.

Terry Sanford,
*Governor.*

By the Governor:
[seal] ——— ———,
*Secretary of State.*

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Proclamation
State of Arkansas,
Executive Department,

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **J. William Fulbright** was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Orval E. Faubus, and our seal hereto affixed at Little Rock, Ark., this 29th day of November, in the year of our Lord 1962.

Orval E. Faubus,
*Governor.*

By the Governor:
[seal] Nancy J. Hall,
*Secretary of State.*

---

State of Alaska,
Office of the Governor,
Juneau.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Ernest Gruening** was duly chosen by the qualified electors of the State of Alaska a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, William A. Egan, and our seal hereto affixed at Juneau, Alaska, this 3d day of December, in the year of our Lord 1962.

William A. Egan,
*Governor.*

By the Governor:
[seal] Hugh J. Wade,
*Secretary of State.*

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Certificate of Election for 6-Year Term
State House,
Phoenix, Ariz.,
Office of the Governor.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 **Carl Hayden** was chosen by the qualified electors of the State of Arizona a Senator from this State to represent this State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Paul J. Fannin, and our seal hereto affixed at

Phoenix, the capital, this 26th day of November, in the year of our Lord 1962.

PAUL J. FANNIN,
*Governor.*

By the Governor:
[SEAL] WESLEY BOLIN,
*Secretary of State.*

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STATE OF IOWA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **BOURKE B. HICKENLOOPER** was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Norman A. Erbe, and our seal hereto affixed at Des Moines, Iowa, this 18th day of December, in the year of our Lord 1962.

NORMAN A. ERBE,
*Governor.*

By the Governor:
[SEAL] MELVIN D. SYMHORST,
*Secretary of State.*

---

CERTIFICATE OF ELECTION FOR 6-YEAR TERM, U.S. SENATOR

STATE OF ALABAMA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **LISTER HILL** was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, John Patterson, and our seal hereto affixed at Montgomery, the 16th day of November, in the year of our Lord 1962.

JOHN PATTERSON,
*Governor of Alabama.*

Attest:
[SEAL] BETTYE FRINK,
*Secretary of State.*

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CERTIFICATE OF ELECTION FOR 6-YEAR TERM

STATE OF HAWAII,
EXECUTIVE CHAMBERS,
*Honolulu, Hawaii.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **DAN K. INOUYE** was duly chosen by the qualified electors of the State of Hawaii a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, William F. Quinn, and our seal hereto affixed at Iolani Palace in Honolulu, Hawaii, this 15th day of November, in the year of our Lord 1962.

WILLIAM F. QUINN,
*Governor of Hawaii.*

By the Governor:
[SEAL] JAMES K. KEALOHA,
*Lieutenant Governor.*

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CERTIFICATE OF ELECTION FOR 6-YEAR TERM

STATE OF NEW YORK,
EXECUTIVE CHAMBER.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **JACOB K. JAVITS** was duly chosen by the qualified electors of the State of New York a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Nelson A. Rockefeller, and our seal hereto affixed at 5 p.m. this 19th day of December, in the year of our Lord 1962.

NELSON A. ROCKEFELLER,
*Governor.*

By the Governor:
[SEAL] CAROLINE K. SIMON,
*Secretary of State.*

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CERTIFICATE OF ELECTION FOR 6-YEAR TERM

STATE OF SOUTH CAROLINA,
EXECUTIVE OFFICE,
*Columbia.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **OLIN DEWITT JOHNSTON** was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Ernest F. Hollings, and our seal hereto affixed at Columbia, S.C., this 24th day of November, in the year of our Lord 1962.

ERNEST F. HOLLINGS,
*Governor.*

By the Governor:
[SEAL] O. FRANK THORNTON,
*Secretary of State.*

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CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

STATE OF IDAHO,
EXECUTIVE DEPARTMENT,
*Boise, Idaho.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **LEN B. JORDAN** was duly chosen by the qualified electors of the State of Idaho a Senator for the unexpired term ending at noon on the 3d day of January 1967, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Henry C. Dworshak.

Witness: His Excellency our Governor, and our seal hereto affixed at Boise, Idaho, this 8th day of November, in the year of our Lord 1962.

ROBERT E. SMYLIE,
*Governor.*

By the Governor:
[SEAL] ARNOLD WILLIAMS,
*Secretary of State.*

---

THE COMMONWEALTH OF MASSACHUSETTS,
COUNCIL CHAMBER, STATE HOUSE,
*Boston, November 21, 1962.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **EDWARD M. KENNEDY** of Boston, was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator for the unexpired term ending at noon on the 3d day of January 1965, to fill the vacancy in the representation from said Commonwealth in the Senate of the United States caused by the resignation of the Honorable John F. Kennedy.

Given under my hand at Boston this 21st day of November, in the year of our Lord 1962.

EDWARD F. MCLAUGHLIN,
*Lieutenant Governor, Acting Governor.*

Witness the great seal of the Commonwealth of Massachusetts in my official custody and possession.

[SEAL] KEVIN H. WHITE,
*Secretary of the Commonwealth.*

---

STATE OF CALIFORNIA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **THOMAS H. KUCHEL** was duly chosen by the qualified electors of the State of California a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Edmund G. Brown, and our seal hereto affixed at Sacramento this 18th day of December, in the year of our Lord 1962.

EDMUND G. BROWN,
*Governor.*

By the Governor:
[SEAL] FRANK JORDAN,
*Secretary of State.*

---

CERTIFICATE OF ELECTION, U.S. SENATOR

THE STATE OF OHIO.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **FRANK J. LAUSCHE** was duly chosen by the qualified electors of the State of Ohio a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Michael V. DiSalle, and our seal hereto affixed, at Columbus, Ohio, this 21st day of December, in the year of our Lord 1962.

MICHAEL V. DISALLE,
*Governor.*

By the Governor:
[SEAL] TED W. BROWN,
*Secretary of State.*

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CERTIFICATE OF ELECTION FOR 6-YEAR TERM

EXECUTIVE OFFICE,
STATE OF MISSOURI,
*Jefferson City, December 17, 1962.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **EDWARD V. LONG** was duly chosen by the qualified electors of the State of Missouri a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, John M. Dalton, and our seal hereto affixed, at Jefferson City, Mo., this 17th day of December, in the year of our Lord 1962.

JOHN M. DALTON,
*Governor.*

By the Governor:
[SEAL] WARREN E. HEARNES,
*Secretary of State.*

---

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 6th day of November 1962 **RUSSELL B. LONG** was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Jimmie H. Davis, and our seal hereto affixed at Baton Rouge, this 21st day of November, in the year of our Lord 1962.

JIMMIE H. DAVIS,
*Governor.*

By the Governor:
[SEAL] WADE O. MARTIN, JR.,
*Secretary of State.*

State of Washington,
Office of the Governor.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Warren G. Magnuson was duly chosen by the qualified electors of the State of Washington a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Albert D. Rosellini, and our seal hereto affixed at Olympia this 4th day of December, in the year of our Lord 1962.

Albert D. Rosellini,
*Governor.*

By the Governor:
[seal] Victor A. Meyers,
*Secretary of State.*

---

Certificate of Election for 6-Year Term

State of South Dakota,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 George S. McGovern was duly chosen by the qualified electors of the State of South Dakota a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Archie Gubbrud, and our seal hereto affixed at Pierre, S. Dak., this 6th day of December, in the year of our Lord 1962.

Archie Gubbrud,
*Governor.*

By the Governor:
[seal] Essie Wiedenman,
*Assistant Secretary of State.*

---

The State of New Hampshire,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Thomas J. McIntyre was duly chosen by the qualified electors of the State of New Hampshire a Senator for the unexpired term ending at noon on the 3d day of January 1967 to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Styles Bridges.

Witness: His Excellency our Governor, and our seal hereto affixed at Concord, this 9th day of November, in the year of our Lord 1962.

Wesley Powell,
*Governor.*

By the Governor with advice of the council:
[seal] Robert L. Stark,
*Secretary of State.*

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Executive Office,
Santa Fe, N. Mex.

Whereas a vacancy exists in New Mexico's representation in the Senate of the United States, caused by the death of Dennis Chavez, of New Mexico.

Now, therefore, I, Tom Bolack, Governor of the State of New Mexico, by virtue of the authority in me vested by law, and for the purpose of filling said vacancy, do hereby appoint Edwin L. Mechem a Senator from the State of New Mexico, in the Senate of the United States, until the people of New Mexico shall fill said vacancy by election, and until his successor so elected shall have qualified for the office according to law.

Done at the executive office this 30th day of November 1962.

Witness my hand and the great seal of the State of New Mexico.

Tom Bolack,
*Governor.*

Attest:
[seal] Betty Fiorina,
*Secretary of State.*

State of Oklahoma,
Executive Chambers,
*Oklahoma City, December 7, 1962.*

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 A. S. Mike Monroney was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for a term of 6 years, beginning on the 9th day of January 1963.

Witness: His Excellency our Governor, J. Howard Edmondson, and our seal hereto affixed at Oklahoma City, this 7th day of December in the year of our Lord 1962.

J. Howard Edmondson,
*Governor.*

By the Governor:
[seal] William N. Christian,
*Secretary of State.*

---

Certificate of Election for 6-Year Term

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Wayne Morse was duly chosen by the qualified electors of the State of Oregon a Senator from said State to represent said State in the Senate of the United States for a term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Mark O. Hatfield, and our seal hereto affixed at Salem, Oreg., this 3d day of December in the year of our Lord 1962.

Mark O. Hatfield,
*Governor.*

By the Governor:
[seal] Powell Appling, Jr.,
*Secretary of State.*

---

Certificate of Election for 6-Year Term

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Thruston B. Morton was duly chosen by the qualified electors of the State of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, Bert Combs, and our seal hereto affixed at Frankfort, this 19th day of December in the year of our Lord 1962.

Bert Combs,
*Governor of Kentucky.*
[seal] Henry H. Carter,
*Secretary of State.*

---

The State of Wisconsin,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Gaylord Nelson was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State to represent said State in the Senate of the United States for the full term of 6 years, commencing on the 3d day of January A.D. 1963.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State of Wisconsin to be affixed. Done at the capitol, in the city of Madison, this 29th day of November in the year of our Lord 1962.

Gaylord Nelson,
*Governor.*

By the Governor:
[seal] Robert C. Zimmerman,
*Secretary of State.*

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Certificate of Election

State of Kansas,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 James B. Pearson was duly chosen by the qualified electors of the State of Kansas a Senator for the unexpired term ending at noon on the 3d day of January 1967, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of the Honorable Andrew F. Schoeppel.

Witness: The Honorable John Anderson, Jr., our Governor, and our seal hereto affixed at Topeka, this 10th day of December, in the year of our Lord 1962.

John Anderson, Jr.,
*Governor.*

By the Governor:
[seal] Paul R. Shanahan,
*Secretary of State.*

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State of Connecticut,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Abraham A. Ribicoff was duly chosen by the qualified electors of the State of Connecticut a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, John Dempsey, and our seal hereto affixed at Hartford, this 28th day of November, in the year of our Lord 1962.

John Dempsey,
*Governor.*

By the Governor:
[seal] Ella T. Grasso,
*Secretary of State.*

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Certificate of Election for Unexpired Term

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Milward L. Simpson was duly chosen by the qualified electors of the State of Wyoming a Senator for the unexpired term ending at noon on the 3d day of January 1967, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Keith Thomson.

Witness: His Excellency our Acting Governor, and our seal hereto affixed at Cheyenne this 6th day of December, in the year of our Lord 1962.

Jack R. Gage,
*Acting Governor.*

By the Acting Governor:
[seal] Robert Outsen,
*Deputy Secretary of State.*

To the President of the Senate of the United States:

This is to certify that on the 6th day of November, A.D. 1962, George A. Smathers was duly chosen by the qualified electors of the State of Florida a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January, A.D. 1963.

Witness: His Excellency our Governor, Farris Bryant, and our seal hereto affixed at Tallahassee, this 13th day of December, in the year of our Lord 1962.

F. Bryant,
*Governor.*

By the Governor:
[seal] J. M. Adorn,
*Secretary of State.*

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Certificate of Election

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962, Hon. Herman E. Talmadge was duly chosen by the qualified electors of the State of Georgia as a Senator from said State to represent said State in the Senate of the United States for a term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, S. Ernest Vandiver, and our seal hereto affixed at Atlanta, Ga., this 21st day of November, in the year of our Lord 1962.

S. Ernest Vandiver,
*Governor.*

By the Governor:
[SEAL] Ben W. Fortson, Jr.,
*Secretary of State.*

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Department of State,
State of North Dakota.

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 1962 Milton R. Young was duly chosen by the qualified electors of the State of North Dakota a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1963.

Witness: His Excellency our Governor, William L. Guy, and our seal hereto affixed at this 27th day of November, in the year of our Lord 1962.

William L. Guy,
*Governor.*

By the Governor:
[SEAL] Ben Meier,
*Secretary of State.*

## ADMINISTRATION OF OATHS

**The VICE PRESIDENT.** The Senators to be sworn in will present themselves at the desk, in groups of four, as their names are called in alphabetical order. The clerk will call the names.

The legislative clerk (Edward E. Mansur) called the names of Mr. Aiken, Mr. Bayh, Mr. Bennett, and Mr. Bible.

These Senators, escorted by Mr. Prouty, Mr. Hartke, Mr. Moss, and Mr. Cannon, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Brewster, Mr. Carlson, Mr. Church, and Mr. Clark.

These Senators, escorted by Mr. Beall, Mr. Williams of Delaware, Mr. Mansfield, and Mr. Scott, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Cotton, Mr. Dirksen, Mr. Dominick, and Mr. Edmondson.

These Senators, escorted by Mrs. Smith of Maine, Mr. Douglas, Mr. Allott, and Mr. Mansfield, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Ervin, Mr. Gruening, Mr. Hayden, and Mr. Hickenlooper.

These Senators, accompanied by Mr. Jordan of North Carolina, Mr. Bartlett, Mr. Goldwater, and Mr. Miller, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Hill, Mr. Inouye, Mr. Javits, and Mr. Johnston.

These Senators, accompanied by Mr. Sparkman, Mr. Fong, Mr. Keating, and Mr. Thurmond, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Jordan of Idaho, Mr. Kennedy, Mr. Kuchel, and Mr. Lausche.

These Senators, escorted by Mr. Church, Mr. Saltonstall, Mr. Engle, and Mr. Young of Ohio, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Long of Missouri, Mr. Long of Louisiana, Mr. Magnuson, and Mr. McGovern.

These Senators, escorted by Mr. Symington, Mr. Ellender, Mr. Jackson, and Mr. Mundt, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. McIntyre, Mr. Mechem, Mr. Monroney, and Mr. Morse.

These Senators, escorted by Mr. Cotton, Mr. Anderson, Mr. Edmondson, and Mrs. Neuberger, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Morton, Mr. Nelson, Mr. Pearson, and Mr. Ribicoff.

These Senators, escorted by Mr. Cooper, Mr. Proxmire, Mr. Carlson, and Mr. Dodd, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Simpson, Mr. Smathers, Mr. Talmadge, and Mr. Young of North Dakota.

These Senators, escorted by Mr. McGee, Mr. Holland, Mr. Russell, and Mr. Burdick, respectively, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they severally subscribed to the oath in the official oath book.

## CALL OF THE ROLL

**Mr. MANSFIELD.** Mr. President, I suggest the absence of a quorum.

**The VICE PRESIDENT.** The Senator from Montana suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 1 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

**Mr. ROBERTSON.** Mr. President, the senior Senator from Virginia [Mr. Byrd] is unavoidably absent because of a virus infection. He expects to be present Monday.

**Mr. HUMPHREY.** I announce that the Senator from Arkansas [Mr. Fulbright] is necessarily absent.

**The VICE PRESIDENT.** A quorum is present.

## LIST OF SENATORS BY STATES

*Alabama.*—Lister Hill and John J. Sparkman.

*Alaska.*—E. L. Bartlett and Ernest Gruening.

*Arizona.*—Carl Hayden and Barry Goldwater.

*Arkansas.*—John L. McClellan and J. W. Fulbright.

*California.*—Thomas H. Kuchel and Clair Engle.

*Colorado.*—Gordon Allott and Peter H. Dominick.

*Connecticut.*—Thomas J. Dodd and Abraham A. Ribicoff.

*Delaware.*—John J. Williams and J. Caleb Boggs.

*Florida.*—Spessard L. Holland and George A. Smathers.

*Georgia.*—Richard B. Russell and Herman E. Talmadge.

*Hawaii.*—Hiram L. Fong and Daniel K. Inouye.

*Idaho.*—Frank Church and Len B. Jordan.

*Illinois.*—Paul H. Douglas and Everett M. Dirksen.

*Indiana.*—Vance Hartke and Birch E. Bayh.

*Iowa.*—Bourke B. Hickenlooper and Jack Miller.

*Kansas.*—Frank Carlson and James B. Pearson.

*Kentucky.*—John Sherman Cooper and Thruston B. Morton.

*Louisiana.*—Allen J. Ellender and Russell B. Long.

*Maine.*—Margaret Chase Smith and Edmund S. Muskie.

*Maryland.*—J. Glenn Beall and Daniel B. Brewster.

*Massachusetts.*—Leverett Saltonstall and Edward M. Kennedy.

*Michigan.*—Pat McNamara and Philip A. Hart.

*Minnesota.*—Hubert H. Humphrey and Eugene J. McCarthy.

*Mississippi.*—James O. Eastland and John Stennis.

*Missouri.*—Stuart Symington and Edward V. Long.

*Montana.*—Mike Mansfield and Lee Metcalf.

*Nebraska.*—Roman L. Hruska and Carl T. Curtis.

*Nevada.*—Alan Bible and Howard W. Cannon.

*New Hampshire.*—Norris Cotton and Thomas J. McIntyre.

*New Jersey.*—Clifford P. Case and Harrison A. Williams, Jr.

*New Mexico.*—Clinton P. Anderson and Edwin L. Mechem.

*New York.*—Jacob K. Javits and Kenneth B. Keating.

*North Carolina.*—Sam J. Ervin, Jr., and B. Everett Jordan.

*North Dakota.*—Milton R. Young and Quentin Burdick.

*Ohio.*—Frank J. Lausche and Stephen M. Young.

*Oklahoma.*—A. S. Mike Monroney and J. Howard Edmondson.

*Oregon.*—Wayne Morse and Maurine B. Neuberger.

*Pennsylvania.*—Joseph S. Clark and Hugh Scott.

*Rhode Island.*—John O. Pastore and Claiborne Pell.

*South Carolina.*—Olin D. Johnston and Strom Thurmond.

*South Dakota.*—Karl E. Mundt and George S. McGovern.

*Tennessee.*—Estes Kefauver and Albert Gore.

*Texas.*—Ralph W. Yarborough and John G. Tower.

*Utah.*—Wallace F. Bennett and Frank E. Moss.

*Vermont.*—George D. Aiken and Winston L. Prouty.

*Virginia.*—Harry Flood Byrd and A. Willis Robertson.

*Washington.*—Warren G. Magnuson and Henry M. Jackson.

*West Virginia.*—Jennings Randolph and Robert C. Byrd.

*Wisconsin.*—William Proxmire and Gaylord Nelson.

*Wyoming.*—Gale W. McGee and Milward L. Simpson.

## NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD submitted the following resolution (S. Res. 1), which was read, considered by unanimous consent, and agreed to:

> *Resolved,* That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. The Chair appoints the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] members of the committee on the part of the Senate.

## NOTIFICATION TO THE HOUSE

Mr. DIRKSEN submitted the following resolution (S. Res. 2), which was read, considered by unanimous consent, and agreed to:

> *Resolved,* That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

## HOUR OF DAILY MEETING

Mr. HUMPHREY submitted the following resolution (S. Res. 3), which was read, considered by unanimous consent, and agreed to:

> *Resolved,* That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in accordance with the established practice of the Senate, I wish to inform the Senate, in cooperation with the distinguished minority leader, that there will be no introduction of bills, and other matters of business transacted, until after the President has delivered his annual message to Congress.

I should like to say, as long as I am on the subject, with respect to certain legislation, which it was thought would likely be brought up in the Senate on the opening day of the 1st session of the 88th Congress, it is our hope and anticipation that such legislation will be withheld for introduction until after the President has delivered his message on the state of the Union, on Monday next.

In behalf of the minority leader and myself, I wish to assure every Member of the Senate, regardless of his position on the subject, that his rights will be protected fully. I hope that in that spirit we can begin to meet that question on that basis next week.

## ELECTION OF PRESIDENT PRO TEMPORE

The VICE PRESIDENT. The tenure of office of the President pro tempore having expired, by reason of the expiration of his term of office as a Senator, the Senate will now proceed to the election of a President pro tempore.

Mr. MANSFIELD submitted a resolution (S. Res. 4) which was read as follows:

> *Resolved,* That Honorable CARL HAYDEN, a Senator from the State of Arizona, be, and he is hereby, elected President of the Senate pro tempore, to hold office during the pleasure of the Senate, in accordance with the resolution of the Senate adopted on the 12th day of March 1890 on the subject.

The Senate proceeded to consider the resolution.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment to the resolution, and ask that it be stated.

The LEGISLATIVE CLERK. The amendment is to strike out "CARL HAYDEN, a Senator from the State of Arizona", and to insert in lieu thereof "GEORGE D. AIKEN, a Senator from the State of Vermont".

Mr. DIRKSEN. Mr. President, Shakespeare causes one of his characters to say, "Not that I loved Caesar less, but that I loved Rome more."

I am certain that our distinguished colleague, the senior Senator from Arizona, will appreciate the fact that we do not love him less, but that it is only that we love our duty and responsibility more, and should assert it in the name of our party. So I am proud to submit the name of the dean of the Republicans in the Senate, GEORGE DAVID AIKEN, of Vermont.

If we examine the biography of this distinguished Member of the Senate, we note that he styles himself simply as "occupation, farmer."

He reminds us of Cincinnatus, who forsook the plow in ancient day to undertake public responsibility.

Over a period of time GEORGE AIKEN has served as a local representative in his State, has served with distinction as Governor of his State, has served with distinction as a Senator of the United States, and in November of 1962 was elected for a fifth term as a Senator from Vermont. That is indeed a great mark of trust and confidence on the part of the people of the sovereign State of Vermont.

GEORGE AIKEN has the courage of a lion. He is superbly candid. He has that enviable frugality which is a great virtue in these spending days.

I am confident that he will be like his namesake, David of old, who reached into the Brook of Elah, and there found smooth stones for his slingshot with which to humble Goliath. In the same spirit, GEORGE AIKEN will reach into the Brook of Elah, wherever it may be in Vermont, and with smooth stones vanquish all the Philistine forces of evil which either threaten or jeopardize this Republic.

I therefore proudly present the name of GEORGE DAVID AIKEN as our nominee for President pro tempore. [Applause, Senators rising.]

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. MANSFIELD. Mr. President, I know that this situation is a little unusual, but I should like to say that, in my opinion, our respective parties have put forth their very best men. It is not a case of differentiation between these two men on the basis of integrity, sincerity, ability, or devotion to their State, or their country, or this institution known as the Senate of the United States.

I am indeed sorry that I am in the position where I cannot vote for my good friend, the senior Senator from Vermont [Mr. AIKEN]. However, I am indeed happy that we have two such outstanding individuals to present to the Senate as the Senator from Vermont [Mr. AIKEN], and the dean of the Senate, the Senator from Arizona [Mr. HAYDEN].

Mr. PROUTY. Mr. President, I venture to say that if the election of the President pro tempore were to be conducted on a nonpartisan basis, all of us would be hard put to decide for which one of these two men we should vote.

I like to think that the minority is a vital force in this Republic. I venture the prediction that before he completes his present term of office, the dean of the

Republicans in the Senate, my senior colleague, will in fact be elected President pro tempore.

How is it possible to calculate the value of a friend and to assess the life of a great man when the friend and the great man are one and the same person? One could more easily compute the radiance of a sunset or measure the elusiveness of a rainbow.

This man—this friend—of whom I shall speak, each day writes by his own deeds imperishable pages in the history of Vermont and the Nation. To attempt to illumine his career by mere words would be like adding a flashlight to the brightness of the sun.

In this century, no other candidate for public office in his State has achieved such winning majorities or deserved them more. This man—this friend—has the universal affection of our people and the love and respect of nearly everyone at home and abroad.

Oh, yes; he has his enemies; but they are the ancient ones that have plagued mankind since the arrival of Adam. May he always be with us to extinguish and vanquish these foul foes—despair, poverty, ignorance, and disease.

And may God give us the courage to follow his banner in this fight.

The world likes a man—as I like a friend—who can stand up on his own two feet and face the crowd and get along without always going along.

The world likes a man who is in no one's pocket save the pocket of his own conscience.

As I look around me in this Chamber, where he has served so nobly and so tirelessly, I see the faces of 98 other Senators who are honored as I am to call George Aiken a friend—and on this issue, the middle aisle does not divide us.

For years—yes, decades—my beloved colleague has been the first Republican and first citizen in the hearts of all Vermont.

I think I have always known that someday he would be the first Republican in the Senate, and I am happy to second his nomination for President pro tempore with vigor, with love, with respect, and in the deepest sense of friendship.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. AIKEN. Mr. President——

The VICE PRESIDENT. Without objection, the resolution is agreed to; and the Chair appoints the Senator from Vermont [Mr. Aiken] to escort the newly elected President pro tempore to the desk so that he may take the oath as President pro tempore.

Mr. AIKEN escorted Mr. Hayden to the desk, where Mr. Hayden took the oath as President pro tempore. [Applause, Senators rising.]

## NOTIFICATION TO THE PRESIDENT OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. MANSFIELD submitted a resolution (S. Res. 5), which was read, considered by unanimous consent, and agreed to, as follows:

*Resolved,* That the President of the United States be notified of the election of Carl Hayden, a Senator from the State of Arizona, as President of the Senate pro tempore.

## NOTIFICATION TO THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. MANSFIELD submitted a resolution (S. Res. 6), which was read, considered by unanimous consent, and agreed to, as follows:

*Resolved,* That the House of Representatives be notified of the election of Hon. Carl Hayden, a Senator from the State of Arizona, as President of the Senate pro tempore.

## DEATH OF SENATOR CHAVEZ OF NEW MEXICO—RESOLUTION

Mr. ANDERSON. Mr. President, I submit a resolution relating to the death of Senator Dennis Chavez, of New Mexico.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk (Emery L. Frazier) read the resolution (S. Res. 7), as follows:

*Resolved,* That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Dennis Chavez, late a Senator from the State of New Mexico.

*Resolved,* That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from New Mexico.

The resolution was unanimously agreed to.

## DEATH OF SENATOR KERR OF OKLAHOMA

Mr. MONRONEY. Mr. President, I submit a resolution relating to the death of Senator Robert S. Kerr, of Oklahoma, in whose death Oklahoma has lost its outstanding native son.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 8), as follows:

*Resolved,* That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Robert S. Kerr, late a Senator from the State of Oklahoma.

*Resolved,* That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

## LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, earlier today, in cooperation with the distinguished Senator from Illinois [Mr. Dirksen], the minority leader, I informed the Senate that the rights of every Member of this body with respect to the question which will be pending before the Senate next week will be fully protected. Since that time we have consulted with the Parliamentarian and have been assured that that is the case.

Once again, I wish to reiterate that the rights of every Senator will be protected.

Mr. ANDERSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. ANDERSON. Article I, section 5, of the Constitution declares that "each House may determine the rules of its proceedings," and I desire to announce that on Monday, after the delivery of the message of the President, I shall, on behalf of the Senator from Kentucky [Mr. Morton] and myself, submit a notice of a motion to amend rule XXII, and a resolution to amend said rule to permit cloture of debate under certain circumstances by a vote of three-fifths of the Senators present and voting.

Mr. HUMPHREY. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. I desire to announce that on Monday, following the state of the Union address and the offering of the motion by the Senator from New Mexico [Mr. Anderson], I shall offer, on behalf of myself and the Senator from California [Mr. Kuchel], the Senator from Illinois [Mr. Douglas], the Senator from New Jersey [Mr. Case], the senior Senator from Pennsylvania [Mr. Clark], the senior Senator from New York [Mr. Javits], the Senator from Michigan [Mr. Hart], the junior Senator from New York [Mr. Keating], the Senator from New Jersey [Mr. Williams], the junior Senator from Pennsylvania [Mr. Scott], the junior Senator from California [Mr. Engle], and the Senator from Maryland [Mr. Beall], and in pursuance of article I, section 5, of the Constitution, which provides that "each House may determine the rules of its proceedings," a notice in writing of a motion to amend rule XXII and a resolution to amend said rule to permit cloture of debate by a vote of a constitutional majority of the Senate after a full and fair discussion.

This is merely a notice of intent under the proviso which has been announced by the majority leader that all rights are reserved without prejudice.

Mr. MORSE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. Mr. President, I serve notice that, under the rules of the Senate, I shall offer on Monday next my own resolution with respect to cloture.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. Will the distinguished majority leader and the distinguished minority leader likewise give assurance that the rights of those who believe this entire procedure is out of order will be protected?

Mr. MANSFIELD. The rights of every Senator will be protected.

Mr. RUSSELL. I give notice that various points of order will be made to the proposed amendments.

### REPORT OF THE NOTIFICATION COMMITTEE

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to move that the Senate stand in recess until 12 o'clock noon tomorrow; to have a brief, pro forma meeting of the Senate tomorrow; and then to have the Senate recess until 12 o'clock noon on Monday next.

At this time, Mr. President, on behalf of the committee appointed to notify the President of the United States that a quorum of the two Houses has assembled and is ready to receive any communication he may be pleased to make, I desire to report that it has performed that duty, and that the President replied that on Monday, January 14, at 12:30 p.m., he would deliver to Congress his message on the state of the Union. It is anticipated that, after convening on Monday, the Senate will proceed as a body to the Hall of the House of Representatives, starting at approximately 12:15 p.m.

### RECESS

Mr. MANSFIELD. Mr. President, as a further mark of respect to the memory of the deceased Senators, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 12 o'clock and 57 minutes p.m.) the Senate took a recess until tomorrow, January 10, 1963, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 9, 1963

This being the day fixed by the provisions of Public Law 864, 87th Congress, 2d session, approved October 23, 1962, for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 88th Congress met in the Hall, and at 12 o'clock noon were called to order by Hon. Ralph R. Roberts, Clerk of the 87th Congress.

### PRAYER

Rev. Bernard Braskamp, D.D., Chaplain of the 87th Congress, offered the following prayer:

The motto above the Speaker's chair reminds us of this Old Testament Beatitude: Psalm 2: 12: *Blessed are all they who put their trust in God.*

Most merciful and gracious God, in whom we find our help and our hope for each new year, we have entered this Chamber, hallowed by Thy divine presence, as the chosen Representatives and officers of the 88th Congress.

Going up and down the courts of memory, we are reminded of that great day in history when the God-trusting and God-loving Pilgrim Fathers set sail in a little ship at whose prow there stood the Invisible Pilot whom they trusted would guide them safely to the shores of the golden west.

What a solemn and sacred moment that was when that small company of patriots gathered in its cabin and stepped forward and signed that memorable document called the Mayflower compact and exclaimed, "In the name of God, amen."

Likewise on this day of high and holy significance we are here to stand with uplifted right hand, to take the oath of our lofty vocation, humbly saying within our hearts, "So help me God."

Hear us as we reverently unite in offering unto Thee the prayer of our blessed Lord:

*Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, on earth, as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever.*

Amen.

### CALL OF THE ROLL

The CLERK. Representatives-elect of the 88th Congress, this is the day fixed by law for the meeting of the 88th Congress; and, as the law directs, the Clerk of the House has prepared the official roll of Representatives-elect.

Certificates of election covering 435 seats in the 88th Congress have been received and are now on file with the Clerk of the 87th Congress. The names of those persons whose credentials show they were regularly elected in accordance with the laws of the several States of the United States will be called.

As the roll is called, following the alphabetical order of the States beginning with the State of Alabama, Representatives-elect will answer to their names to determine whether a quorum is present.

The reading clerk will call the roll by States.

The reading clerk called the roll by States, and the following Representatives-elect answered to their names:

[Roll No. 1]

#### ALABAMA

(at large)

Grant
Andrews
Roberts, Kenneth A.
Rains
Selden
Elliott
Jones, Robert E.
Huddleston

#### ALASKA

Rivers, Ralph J. (at large)

#### ARIZONA

Rhodes, John J.
Senner
Udall

#### ARKANSAS

Gathings
Mills
Trimble
Harris

#### CALIFORNIA

Johnson, Harold T.
Moss
Leggett
Shelley
Mailliard
Cohelan
Miller, George P.
Edwards
Gubser
Younger
Talcott
Teague, Charles M.
Baldwin
McFall
Sisk
King, Cecil R.
Hagen, Harlan
Holifield
Smith, H. Allen
Hawkins
Corman
Doyle
Lipscomb
Cameron
Roosevelt
Burkhalter
Bell
Brown, George E.
Roybal
Wilson, Charles H.
Hosmer
Sheppard
Hanna
Utt
Wilson, Bob
Van Deerlin
Martin, Minor C.

#### COLORADO

Rogers, Byron G.
Brotzman
Chenoweth
Aspinall

#### CONNECTICUT

Daddario
St. Onge
Giaimo
Sibal
Monagan
Grabowski (at large)

#### DELAWARE

McDowell (at large)

#### FLORIDA

Sikes
Bennett, Charles E.
Pepper
Fascell
Herlong
Rogers, Paul G.
Haley
Matthews
Fuqua
Gibbons
Gurney
Cramer

#### GEORGIA

Hagan, G. Elliott
Pilcher
Forrester
Flynt
Weltner
Vinson
Davis, John W.
Tuten
Landrum
Stephens

#### HAWAII

(at large)

Gill
Matsunaga

#### IDAHO

White
Harding

#### ILLINOIS

Dawson
O'Hara, Barratt
Murphy, William T.
Derwinski
Kluczynski
O'Brien, Thomas J.
Libonati
Rostenkowski
Finnegan
Collier
Pucinski
McClory
Rumsfeld
Hoffman
Reid, Charlotte T.
Anderson
Arends
Michel
McLoskey
Findley
Gray
Springer
Shipley
Price

#### INDIANA

Madden
Halleck
Brademas
Adair
Roush
Roudebush
Bray
Denton
Wilson, Earl
Harvey, Ralph
Bruce

#### IOWA

Schwengel
Bromwell
Gross
Kyl
Smith, Neal
Hoeven
Jensen

#### KANSAS

Dole
Avery
Ellsworth
Shriver
Skubitz

#### KENTUCKY

Stubblefield
Natcher
Snyder
Chelf
Siler
Watts
Perkins

#### LOUISIANA

Hébert
Boggs
Willis
Waggonner
Passman
Morrison
Thompson, T. A
Long, Gillis William

#### MAINE

Tupper
McIntire

#### MARYLAND

Morton
Long, Clarence D.
Garmatz
Fallon
Lankford
Mathias
Friedel
Sickles (at large)

#### MASSACHUSETTS

Conte
Boland
Philbin
Donohue
Morse
Bates
Macdonald
O'Neill
McCormack
Martin, Jos. W.
Burke
Keith

#### MICHIGAN

Nedzi
Meader
Johansen
Hutchinson
Ford
Chamberlain
O'Hara, James G.
Harvey, James
Griffin
Cederberg
Knox
Bennett, John B.
Diggs
Ryan, Harold M.
Dingell
Lesinski
Griffiths
Broomfield
Staebler (at large)

#### MINNESOTA

Quie
Nelsen
MacGregor
Karth
Fraser
Olson, Alec G.
Langen
Blatnik

#### MISSISSIPPI

Abernethy
Whitten
Williams
Winstead
Colmer

#### MISSOURI

Karsten
Curtis
Sullivan
Randall
Bolling
Hull
Hall
Ichord
Cannon
Jones, Paul C.

#### MONTANA

Olsen, Arnold
Battin

NEBRASKA

Beermann
Cunningham
Martin, Dave

NEVADA

Baring (at large)

NEW HAMPSHIRE

Wyman
Cleveland

NEW JERSEY

Cahill
Glenn
Auchincloss
Thompson, Frank, Jr.
Frelinghuysen
Dwyer
Widnall
Joelson
Osmers
Rodino
Minish
Wallhauser
Gallagher
Daniels
Patten

NEW MEXICO

(at large)

Montoya
Morris

NEW YORK

Pike
Grover
Derounian
Wydler
Becker
Halpern
Addabbo
Rosenthal
Delaney
Celler
Keogh
Kelly
Multer
Rooney
Carey
Murphy, John M.
Lindsay
Powell
Farbstein
Ryan, William Fitts
Healey
Gilbert
Buckley
Fino
Barry
Reid, Ogden R.
St. George
Wharton
O'Brien, Leo W.
King, Carleton J.
Kilburn
Pirnie
Robison
Riehlman
Stratton
Horton
Ostertag
Goodell
Pillion
Miller, William E.
Dulski

NORTH CAROLINA

Bonner
Fountain
Henderson
Cooley
Scott
Kornegay
Lennon
Jonas
Broyhill, James T.
Whitener
Taylor

NORTH DAKOTA

Nygaard
Short

OHIO

Rich
Clancy
Schenck
McCulloch
Latta
Harsha
Brown, Clarence J.
Betts
Ashley
Abele
Bolton, Oliver P.
Devine
Mosher
Ayres
Secrest
Bow
Ashbrook
Hays
Kirwan
Feighan
Vanik
Bolton, Frances P.
Minshall
Taft (at large)

OKLAHOMA

Belcher
Edmondson
Albert
Steed
Jarman
Wickersham

OREGON

Norblad
Ullman
Green, Edith
Duncan

PENNSYLVANIA

Barrett
Nix
Byrne, James A.
Toll
Green, William J., Jr.
Rhodes, George M.
Milliken
Curtin
Dague
McDade
Flood
Whalley
Schweiker
Moorhead
Walter
Kunkel
Schneebeli
Corbett
Goodling
Holland
Dent
Saylor
Gavin
Weaver
Clark
Morgan
Fulton, James G.

RHODE ISLAND

St. Germain
Fogarty

SOUTH CAROLINA

Rivers, L. Mendel
Watson
Dorn
Ashmore
Hemphill
McMillan

SOUTH DAKOTA

Reifel
Berry

TENNESSEE

Quillen
Baker
Brock
Evins
Fulton, Richard
Bass
Davis, Clifford
Murray (not sworn)
Everett

TEXAS

Patman
Brooks
Beckworth
Roberts, Ray
Alger
Teague, Olin E.
Dowdy
Thomas
Thompson, Clark W.
Thornberry
Poage
Wright
Purcell
Young
Kilgore
Foreman
Burleson
Rogers, Walter
Mahon
Gonzalez
Fisher
Casey
Pool (at large)

UTAH

Burton
Lloyd

VERMONT

Stafford (at large)

VIRGINIA

Downing
Hardy
Gary
Abbitt
Tuck
Poff
Marsh
Smith, Howard W.
Jennings
Broyhill, Joel T.

WASHINGTON

Pelly
Westland
Hansen
May
Horan
Tollefson
Stinson

WEST VIRGINIA

Moore
Staggers
Slack
Hechler
Kee

WISCONSIN

Schadeberg
Kastenmeier
Thomson, Vernon W.
Zablocki
Reuss
Van Pelt
Laird
Byrnes, John W.
Johnson, Lester R.
O'Konski

WYOMING

Harrison, William Henry (at large)

The **Clerk**. The rollcall discloses that 433 Members-elect have answered to their names. A quorum is present.

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## STATEMENT REGARDING CERTAIN CREDENTIALS

The **Clerk**. The Clerk wishes to state that credentials are on file showing the election of the Honorable **Antonio Fernós-Isern**, as the Resident Commissioner from the Commonwealth of Puerto Rico.

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## ELECTION OF SPEAKER

The **Clerk**. The next order of business is the election of a Speaker of the House of Representatives for the 88th Congress.

The Clerk recognizes the gentleman from Pennsylvania [Mr. **Walter**].

Mr. WALTER. Mr. Clerk, as chairman of the Democratic caucus, I am directed by the unanimous vote of that caucus to present for election to the office of Speaker of the House of Representatives of the 88th Congress the name of the Honorable **John W. McCormack**, a Representative-elect from the Commonwealth of Massachusetts.

The **Clerk**. The Clerk recognizes the gentleman from Michigan [Mr. **Ford**].

Mr. FORD. Mr. Clerk, by authority, by direction, and by unanimous vote of the Republican conference, I nominate for Speaker of the House of Representatives the Honorable **Charles A. Halleck**, a Representative-elect from the State of Indiana to the 88th Congress.

The **Clerk**. The names of the gentleman from Massachusetts the Honorable **John W. McCormack**, and the gentleman from Indiana, the Honorable **Charles A. Halleck**, have been placed in nomination.

Are there further nominations? [After a pause.] If there are no further nominations, the Clerk will appoint the following to act as tellers: The gentleman from Texas, Mr. **Burleson**; the gentleman from Ohio, Mr. **Schenck**; the gentlewoman from Missouri, Mrs. **Sullivan**; the gentlewoman from Illinois, Mrs. **Reid**.

The tellers will come forward and take their places at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding will indicate by surname the nominee of their choice.

The Clerk called the roll.

The tellers having taken their places, the House proceeded to vote for Speaker.

The following is the result of the vote:

[Roll No. 2]

McCORMACK

Abbitt
Abernethy
Addabbo
Albert
Andrews
Ashley
Ashmore
Aspinall
Baring
Barrett
Bass
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brooks, Tex.
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrne, Pa.
Cameron
Cannon
Carey
Casey
Celler
Chelf
Clark
Cohelan
Colmer
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Doyle
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fisher
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Haley
Hanna
Hansen
Harding
Hardy
Harris
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord, Mo.
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lennon
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Marsh
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pilcher
Poage
Pool
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St. Germain
St. Onge
Scott
Secrest
Selden
Senner
Shelley
Sheppard
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Smith, Va.
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuck
Tuten
Udall, Morris K.
Ullman
Van Deerlin
Vanik
Vinson
Waggonner
Walter
Watson
Watts
Weltner
White
Whitener
Whitten
Wickersham
Williams
Willis
Wilson, Charles H.
Winstead
Wright
Young
Zablocki

HALLECK

Abele
Adair
Alger
Anderson
Arends
Ashbrook
Auchincloss
Avery
Ayres

Baker
Baldwin
Barry
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Chenoweth
Clancy
Cleveland
Collier
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dwyer
Ellsworth
Findley
Fino
Ford
Foreman
Frelinghuysen
Fulton, Pa.
Gavin
Glenn
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Hall
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Horton
Hosmer
Hutchinson
Jensen
Johansen
Jonas
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
Norblad
Nygaard
O'Konski
Osmers
Ostertag
Pelly
Pillion
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tupper
Utt
Van Pelt
Wallhauser
Weaver
Westland
Whalley
Wharton
Widnall
Wilson, Bob
Wilson, Ind.
Wydler
Wyman
Younger

ANSWERED "PRESENT"—2

Halleck
McCormack

The CLERK. The tellers agree in their tally. The total number of votes cast is 433, of which the gentleman from Massachusetts, the Honorable JOHN W. MCCORMACK, received 256, and the gentleman from Indiana, the Honorable CHARLES A. HALLECK, received 175, present 2.

Therefore, the gentleman from Massachusetts, the Honorable JOHN W. MCCORMACK, is duly elected Speaker of the House of Representatives for the 88th Congress, having received a majority of the votes cast.

The Clerk appoints the following committee to escort the Speaker-elect to the chair: The gentleman from Oklahoma [Mr. ALBERT] and the gentleman from Indiana [Mr. HALLECK].

The Doorkeeper announced the Speaker-elect of the House of Representatives of the 88th Congress, who was escorted to the chair by the committee of escort.

Mr. HALLECK. Mr. Speaker and my colleagues of the 88th Congress, the result of this election comes as no surprise to me. I was told I was ahead in the early returns.

Mr. Speaker, I am getting a little tired of losing these elections to you Democrats, but I have not given up.

And as long as I lost, I am happy to have lost to one of the ablest, fairest, and most friendly men I have ever known in my life. He has proved himself all of these things as Speaker of the past Congress, as I am sure he shall prove them as the Speaker of this Congress. He is one of my longtime friends.

Will you permit just a personal reminiscence? I came here first in 1935, and I was the lone Republican Member from Indiana. That was a rather sorry situation, and we were outnumbered then more than we are now.

To say I was nervous when I made my first speech is putting it mildly. It involved an item in an appropriation bill of real importance to me and of even greater importance to one of my constituents.

I was trying as best I could to solicit a little help on the majority side among some of the freshman Members with whom I had become acquainted. After my presentation, surprised was I to have a man on the Democratic side of the aisle get up. I did not even know him, and I am sure he did not know me. He came to my assistance, and everything turned out all right. That man was the gentleman from Massachusetts, JOHN MCCORMACK.

To the newcomers on both sides of the aisle may I say that in my opinion you are entering upon one of the most interesting, exciting, and rewarding experiences of your life. You will feel here as I felt back in 1935 the warmth of personal friendship and the strength of a helping hand.

Now, beyond that may I say again, Mr. Speaker, we, on my side of the aisle, like the people on your side of the aisle, will devote our energies to the best interests of our country. There will be differences among us, but they shall be differences that do not involve malice, do not involve ill will, but are simply honest differences of opinion among people of good will. So, we shall do the best we can, responsible, as I hope all of us shall be, for the well-being of this great land of ours.

So, Members of the House, it is my great privilege to present to you the Speaker of all of us for this, the 88th Congress of the United States.

The SPEAKER. My distinguished colleagues and dear friends, I am deeply touched by the generous remarks made by my friend, the gentleman from Indiana [Mr. HALLECK] in again presenting me to my colleagues to occupy the high and responsible office of Speaker of this great body. I was deeply touched by the action of my Democratic colleagues yesterday in caucus in again selecting me as their choice for Speaker of the National House of Representatives. By that action they conveyed to me a message of friendship and respect which I shall always cherish.

I am also deeply appreciative of the action of the House today, despite the fact as Mr. HALLECK previously stated, that in the early returns I was behind, the Democratic stronghold came in and I was elected by the Members of the House as the Speaker of this great body.

The office of Speaker is a great trust. It has two main responsibilities: one political, as leader of his party in the House; the other parliamentary, as Speaker of the House.

Those who served with me in the past know that as majority leader I have always tried to be fair in debate or otherwise although I was always vigorous in advancing the cause of the Democratic Party. As Speaker I hope that during the past year I exercised that judgment that carries out the trust that is imposed upon any man who is Speaker of this great body.

As Speaker of the House I shall always protect the dignity and the prerogatives of this great body. I shall always protect the rights of all Members under the rules of the House. Further than that, not only as Speaker but as JOHN MCCORMACK, as an individual—because it is a part of my basic code of life—I shall always be fair to all of my colleagues. My office will be open and I shall be always glad for a visit.

We have our party differences, but if on the personal level there is anything I can do for any of my colleagues, my office doors are always open and I shall always be glad to cooperate in every way that I possibly can.

This is no occasion for extended remarks on my part. The gentleman from Indiana, CHARLIE HALLECK, of course, has raised the question in a humorous way, and in a humorous way I respond, referring to the fact that he has been presenting Speakers of the House of Representatives who are Democrats, and that he is looking forward to the day when, I suppose, a Democrat will be presenting him.

Of course, the judgment of the people last fall was sound. I am satisfied and I am confident that with the policies that the Democratic Party enunciates and which we hope our Republican friends will support the people in their wisdom will pursue the same course for many, many years to come, not only as they did last fall, reelecting a Democratic Congress and in this case a Democratic House of Representatives, and they will continue to do so for many years to come.

So, CHARLIE, with all my respect for you and my friendship for you, I hope your ambitions will be long delayed.

I love the House of Representatives. I have served in this body for 35 years, the greater part of my public life. The atmosphere of this room permeates my mind every minute of the day I am sitting here. Every day is a new day to me, as if I were a new Member. This is the greatest legislative body in the world. I am proud of the record of this body, and particularly in the field of national defense and a firm foreign policy. We have a strong Congress, and in the world of today the fact that we have a strong Congress that stands for strength is of paramount importance in connection with the clash that exists in the world today and imposed upon free peoples and free nations by international communism, an evil, sinister movement, determined upon world domination.

We have had bipartisan support particularly in the fields of foreign affairs and national defense throughout the years without regard to whether the Chief Executive of our country was a

Democrat or Republican. The national interest of our country is transcendent and is superior and over and above the arena of politics. I hope that the bipartisan policy will continue during this Congress and I am confident that it will. For not only involved, as I see it, is the way of life and the form of government in which we believe, but the form of government and the way of life that children and your children's children of all Americans are going to possess, because as I see it this is being decided today for the world of tomorrow for many years to come. That depends upon the sound judgment of those in responsible positions, the penetrating minds looking into the future as far as the human mind can look, their courage in forming and carrying out policy not only at the executive level but on the congressional level. Each cooperating with the other, is going to bring about assured success.

That will mean that we are going to live in a world in which we believe and under the form of government that we possess today. It will mean that our children and our children's children will live under the same form of government and in the same kind of world. As I see it, that is a matter of vital importance not only to us of this generation but to the generations that are to come. Their fate, their future outlook are being decided now. That enters into every consideration. Politics has no relationship to it when we pass upon those great questions of national defense and of sound foreign policy that will assure success for ourselves and for future generations of Americans.

I am proud of this House. I am proud of its record. I am proud of the bipartisan policy that has existed throughout the years. I am confident that during the next 2 years, with the shift that has taken place in our favor in the last several months, we will be able to capitalize on that shift and roll back the forces of atheistic, international communism and ultimately bring about the world of peace that we all seek.

When any great crisis arose in our country, as we look through history, whoever occupied the White House rose to meet the challenges of his day. Certainly today we have in the White House, in President Kennedy, a man of great ability, a man of keen and penetrating mind, a man who evaluates soundly, and a man of unlimited courage.

With such a leader and with a strong Congress acting in cooperation I have no doubt as to the result; the cause of freedom and liberty will prevail.

Again I thank you, my colleagues, for the courtesies you have extended me and particularly again I should like to thank my Democratic colleagues for selecting me yesterday as their nominee for Speaker.

I now ask my distinguished friend, the dean of the House of Representatives, one of the greatest Americans of all time, the gentleman from Georgia [Mr. Vinson], to administer the oath.

Mr. VINSON then administered the oath of office to the gentleman from Massachusetts [Mr. McCormack].

## SWEARING IN OF MEMBERS

The SPEAKER. According to precedent, the Chair will swear in all Members at this time. The Members will rise. The Chair will now administer the oath of office.

The Members and the Resident Commissioner from Puerto Rico rose and the Speaker administered to them the oath of office.

## MAJORITY LEADER

Mr. WALTER. Mr. Speaker, as chairman of the Democratic caucus, I have been directed by that caucus to inform the House that the Democratic members have selected as majority leader the gentleman from Oklahoma, the Honorable Carl Albert.

## MINORITY LEADER

Mr. FORD. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to notify the House that the gentleman from Indiana, the Honorable Charles A. Halleck, has been selected as minority leader of the House.

## ELECTION OF CLERK, SERGEANT AT ARMS, DOORKEEPER, POSTMASTER, AND CHAPLAIN

Mr. WALTER. Mr. Speaker, I offer a resolution (H. Res. 1) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That Ralph R. Roberts, of the State of Indiana, be, and he is hereby, chosen Clerk of the House of Representatives;

That Zeake W. Johnson, Jr., of the State of Tennessee, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William M. Miller, of the State of Mississippi, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That H. H. Morris, of the State of Kentucky, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Reverend Bernard Braskamp, D.D. of the District of Columbia, be, and he is hereby chosen Chaplain of the House of Representatives.

Mr. FORD. Mr. Speaker, I intend to offer a substitute to the resolution offered by the gentleman from Pennsylvania, but before doing so I yield to the gentleman from Iowa [Mr. Hoeven] for a motion.

Mr. HOEVEN. Mr. Speaker, I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER. The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

The resolution was agreed to.

Mr. FORD. Mr. Speaker, I offer a substitute to the resolution offered by the gentleman from Pennsylvania.

The Clerk read the resolution, as follows:

*Resolved,* That Harry L. Brookshire, of the State of Ohio, be, and he is hereby, chosen Clerk of the House of Representatives;

That William R. Bonsell, of the State of Pennsylvania, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That Tom J. Kennamer, of the State of Missouri, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Beecher Hess, of the State of Ohio, be, and he is hereby, chosen Postmaster of the House of Representatives.

The substitute resolution was rejected.

The SPEAKER. The question is on the resolution offered by the gentleman from Pennsylvania.

The resolution was agreed to.

The SPEAKER. Will the officers elected present themselves in the well of the House.

The officers-elect presented themselves at the bar of the House and took the oath of office.

## NOTIFICATION TO SENATE OF ORGANIZATION OF HOUSE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 2) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that John W. McCormack, a Representative from the State of Massachusetts, has been elected Speaker; and Ralph R. Roberts, a citizen of the State of Indiana, Clerk of the House of Representatives of the Eighty-eighth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 3) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members of the committee to notify the President the gentleman from Oklahoma, Mr. Albert; the gentleman from Pennsylvania, Mr. Walter; and the gentleman from Indiana, Mr. Halleck.

## AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. CANNON. Mr. Speaker, I offer a privileged resolution (H. Res. 4) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected JOHN W. MCCORMACK, a Representative from the State of Massachusetts, Speaker, and Ralph R. Roberts, a citizen of the State of Indiana, Clerk of the House of Representatives of the Eighty-eighth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

### RULES OF THE HOUSE OF REPRESENTATIVES

**Mr. ALBERT.** Mr. Speaker, I offer a privileged resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That the Rules of the House of Representatives of the Eighty-seventh Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the House of Representatives of the Eighty-eighth Congress, with the following amendment therein as a part thereof, to wit:

Strike out subsection (p) of rule X and insert in lieu thereof the following:

"(p) Committee on Rules, to consist of fifteen members."

**The SPEAKER.** The gentleman from Oklahoma [Mr. ALBERT] is recognized for 1 hour.

**Mr. ALBERT.** Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I ask unanimous consent that all Members may revise and extend their remarks on the subject under discussion at this time.

**The SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

**The SPEAKER.** The gentleman from Oklahoma is recognized.

**Mr. ALBERT.** Mr. Speaker, the purpose of this resolution is to increase the size of the Committee on Rules from 12 to 15 members.

This resolution will do no more nor less than make permanent the rule under which we operated during the 87th Congress.

The experience of the last 2 years has allayed every fear which was expressed at the time the temporary rule was adopted.

Opponents of this resolution contended that if it was passed it would lead to packing and purging of all the committees of the House, to floods of closed rules being reported, and to other consequences too dire to contemplate.

The experience of the 87th Congress under two Speakers has proved that these fears were unfounded. Now our Republican friends want to purge and to pack: they want to purge a Democrat and pack on a Republican.

This change in the Committee on Rules did not dismantle the Committee on Rules or undermine its authority.

It had no adverse effect on any other committee of the House.

It did not alter the prerogatives of the chairman or any other member of the Committee on Rules.

All it did was to establish the principal of majority rule and responsible government in the Committee on Rules and make the Committee on Rules the servant and not the master of the House.

There is nothing sacrosanct about a 12-man committee.

Historically the Rules Committee has consisted of an odd number of members during many Congresses.

Under the permanent rules of the House every committee of the House has an odd number of members except the Committee on Rules where a tie vote thwarts the entire legislative process.

Opponents of this resolution argue that it is not needed—that under other procedures the majority may always express its will.

Any Member who has served in this House as much as one term knows that as a practical matter this is not true.

They talk about suspension of the rules.

This is an extraordinary procedure requiring a two-thirds vote under which debate is limited and the opportunity to offer amendments is denied.

This procedure is one under which historically, except on very rare occasions, major legislation is not considered.

They talk about the discharge petition.

This is only a safety valve, which may be used to circumvent not only the Committee on Rules but all legislative committees of the House.

If we were to start reporting a large number of major bills of a controversial character under discharge petitions, we might as well abolish the committee system.

We would be denying ourselves the use of those procedures which have been developed through the years for the orderly consideration of legislation.

This extraordinary procedure is certainly no substitute for the general rules of the House.

They talk about Calendar Wednesday.

Every time a matter is brought out under the Calendar Wednesday procedure, the same Members who oppose this resolution resort to every kind of dilatory tactic, every kind of delay, every kind of filibuster which the rules of the House make possible.

Calendar Wednesday is limited in scope.

This is not a procedure designed to protect majority rule: This rule is available only to committees.

We believe that the majority of the Members of this House should have a reasonable opportunity to have major legislation considered under the regular rules of the House.

This is the issue here.

I hope the resolution is agreed to.

**The SPEAKER.** The time of the gentleman from Oklahoma has expired.

**Mr. ALBERT.** Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Indiana [Mr. HALLECK].

**Mr. HALLECK.** Mr. Speaker, I am opposed to the adoption of this resolution. It is unwise, it is unnecessary, it is inadvisable, and I think it is highly improper that we adopt it at this time. It is no secret that I was against this sort of move 2 years ago. My view did not prevail at that time. The Committee on Rules membership was increased from 12 to 15.

If I understand the majority leader correctly—and I do not have to elaborate here on the high respect and regard I have for him—he said that many things we prophesied did not come to pass.

Let me comment on that by saying from what I could observe it did not make much difference that the membership of the Rules Committee was increased from 12 to 15. An education bill came before the committee of 15 in 1961 and it was defeated decisively in committee. I recall that subsequently an omnibus educational facilities bill was called up on Calendar Wednesday, bypassing the Rules Committee. What happened? The House of Representatives correctly refused to consider it, by a vote of 242 to 170.

I say the pending proposal is unwise. You will observe that this is a permanent increase in the committee membership. In the resolution, reference is made to the 1946 Reorganization Act that established the size of the committees. This is the first time that an attempt has been made to change the basic act with respect to numbers. Certainly, temporarily we have increased numbers, but never have we attempted to make the change permanent before today.

May I say the arguments for this proposition are based on erroneous and invalid assumptions. Even the Chief Executive—for whom I have the highest regard, and for whom I have come down here in the well of the House and fought for things he said were important, some of them not very popular back home in my area—has stated, "I hope that the Rules Committee is kept to its present number, because we can't function if it isn't. We are through if we lose. Our whole program, in my opinion, would be emasculated."

I say the record disproves that.

If I may be permitted to add, with all humility, that the President's statement is something of an affront, not only to the Republican members of the Rules Committee, on which I served at one time, but to all members of the Rules Committee—and I am not so sure the affront does not apply to the whole Congress, because, after all, it is our business, our responsibility, to legislate for the good of this country.

I say that the record disproves the validity of the President's contention because the Republican members of the Rules Committee for years, including the last 2 years, have helped to vote out rules on highly controversial measures, many of them they did not believe in. Who can stand up here and say that the Members on my side, and I say generally on both sides of the aisle, did not support measures that needed to be enacted?

There are times when the Rules Committee should not report measures. I have been majority leader twice. I am proud we had a Rules Committee that had courage enough and stamina enough to stand up against reporting measures to the floor, many of which would have bankrupted the Treasury of the United States.

So I say again, Mr. Speaker, whatever is reported by any legislative committee, whether the Rules Committee is 15 or 12, has its fair chance of being considered on the floor.

I trust the resolution will be voted down, and that then we can proceed to the adoption of rules of the House as they existed before the past Congress.

**Mr. ALBERT.** Mr. Speaker, I yield to the distinguished gentleman from Louisiana [Mr. Boggs] 5 minutes.

**Mr. BOGGS.** Mr. Speaker, I would venture that at the time that we debated this issue at the beginning of the 87th Congress the vast majority of the Members of this body did not even know that the resolution which we adopted with respect to the Committee on Rules was limited to the 87th Congress. I am convinced of the fact that most of them thought at that time that we were permanently changing the ratio on the Committee on Rules to 15 to 10. So, this is not a new issue confronting us today. What we are trying to do is maintain the committee at 15.

Now, I had hoped that this issue would not come up. I can say, and I think with all sincerity, that the leadership cooperated with the chairman and the other members of the Committee on Rules throughout the 87th Congress. I know of no effort at any time on the part of the Speaker or anyone else associated with the scheduling of legislation to run roughshod over the Committee on Rules or any other committee. Early this winter some of our Members, upon returning here, began talking about the 21-day rule and of curbing the jurisdiction of the Committee on Rules. I was opposed to this and it was my feeling that the matter would be resolved without any difficulty and that the chairman of the committee would not join issue in light of existing full cooperation between him and the Speaker. That did not happen. So, here today we are debating the matter all over again.

Now, let us reduce this thing to its fundamentals. We are told that this is a packing device. That is a word that so many people use. I have heard this committee compared to a court. It has no relationship to a court, as everybody knows. It is an agency of the Congress of the United States, created to carry out the will of the majority of the Congress of the United States and to carry on the business of legislating. For 80 years the Committee on Rules was not even a standing committee of the House. In five Congresses the Speaker did not even appoint a Committee on Rules. The membership has been 5, 11, 12, 14, and 15 at various times. The notion that there is something sacrosanct about the number is not so.

Now, let us talk about "packing." I read in the press—and I do not know whether this is so or not, but I read—and if I am wrong, I want someone to correct me—that at the Republican conference on yesterday the conference voted unanimously 145 to nothing, as I read it, to vote down the previous question here today so that an amendment could be offered which would provide for a Committee on Rules of 9 to 6 rather than 10 to 5. Now, if I am wrong about that, I hope that the minority leader will correct me. Am I wrong about that news report?

**Mr. HALLECK.** Mr. Speaker, will the gentleman yield?

**Mr. BOGGS.** Surely.

**Mr. HALLECK.** I was down at the White House, and the gentleman was present at the meeting.

**Mr. BOGGS.** Yes.

**Mr. HALLECK.** And I was not here at the conclusion of the caucus. But I think his understanding of what happened is correct, and shortly the gentleman from Wisconsin [Mr. Laird] will explain that in some detail.

**Mr. BOGGS.** I thank the gentleman from the bottom of my heart.

What this means is that this so-called packing issue has gone out the window. The Republican opposition wants to pack the committee by adding a Republican and purge it by removing a Democrat.

**Mr. HALLECK.** Mr. Speaker, will the gentleman from Louisiana yield to me?

**Mr. BOGGS.** Surely.

**Mr. HALLECK.** It is true that the gentleman from Louisiana is a member of the great Committee on Ways and Means?

**Mr. BOGGS.** Correct.

**Mr. HALLECK.** It is composed of a membership of 15 to 10, is it not?

**Mr. BOGGS.** Yes, sir.

**Mr. HALLECK.** And has been that way since we have been here?

**Mr. BOGGS.** Right.

**Mr. HALLECK.** If the gentleman will yield further, would the gentleman think of us putting two or three more Democrats on that committee just because the gentleman wanted to get something out of that committee that the gentleman could not otherwise get out?

**Mr. BOGGS.** The Ways and Means Committee is a legislative committee. The Rules Committee is procedural, but the gentleman has not replied to my statement, because I said to the gentleman if there be a principle involved—and I think there is—I think the principle is whether or not democracy works, and not one of packing.

**The SPEAKER.** The time of the gentleman from Louisiana [Mr. Boggs] has expired.

**Mr. BOGGS.** Would the gentleman from Oklahoma yield me additional time? May I have 3 additional minutes?

**Mr. ALBERT.** I yield the gentleman 3 additional minutes.

**Mr. BOGGS.** Back in the 87th Congress, some people proposed that my good friend, the gentleman from Mississippi [Mr. Colmer], be purged from the committee. I was one of those who went to Speaker Rayburn—God bless his soul—and said "Mr. Speaker, this cannot happen." I was opposed to it. Now I am opposed to a proposition today which will purge from this committee Congressman Sisk if the Republican proposition is adopted, because that is exactly what it means.

Members of the House know that the gentleman from Missouri [Mr. Curtis] who is my good friend, made a speech here in 1961 and here is what he said. I quote from him directly:

> I remember in the 83d Congress when we won by a majority of 6, at which time we packed the Rules Committee, if one wants to use that term, 2 to 1 or 8 to 4, the Ways and Means Committee 15 to 10, the Appropriations Committee 30 to 20. The principle is a sound principle and I think in this instance we make a mistake as the Republican Party to oppose this basic proposal.

In other words, what the gentleman from Missouri [Mr. Curtis] was saying was that had the Republicans elected a majority of the House of Representatives, the gentleman from Indiana [Mr. Halleck] would have had his way. The Committee on Ways and Means would be 15 to 10 Republicans rather than 15 to 10 Democrats. The Committee on Rules would be 15 to 10 Republicans rather than 15 to 10 Democrats. Yet no one would call this purging or packing these two committees.

But bear in mind that the Rules Committee is not a legislative committee. It is a policy committee and designed to respond to the majority whether it be Republican or Democratic.

**Mr. ALBERT.** Mr. Speaker, will the gentleman yield to me?

**Mr. BOGGS.** I would be happy to yield to the distinguished majority leader.

**Mr. ALBERT.** On the question raised by the distinguished minority leader in changing the membership of the Committee on Ways and Means, the Committee on Ways and Means is a legislative committee and the matter of a 2-to-1 ratio on legislative committees has never been the practice of the House of Representatives. The Committee on Rules is a committee which has more to do with the procedures of the House of Representatives than any other body in the Congress.

**Mr. BOGGS.** Exactly. Let me make this one final point, and I do not say this in any partisan way. I address this to my dear friends, my colleagues who come from the South. I like to use the expression that the great former Speaker used: "I am a Democrat without prefix or suffix." I am proud to be a Democrat. I am proud to be a southerner and a native of Mississippi. I am proud to be a citizen of the greatest country on earth—the United States of America.

There were many people who predicted that those of us who said democracy ought to work, that the majority ought to be able to assert its will, that 435 Members ought to be able to vote rather than just 6 Members on an issue, that we were going to be defeated. What really happened? I look over here and I see my great friend, the gentleman from Louisiana [Mr. Long] sitting in Congress. He defeated a very dear friend of mine, the gentleman from Louisiana, Mr. Harold McSween, who voted the other way.

Then I look about and I see a young man from Georgia sitting back here. He looks like a very fine man. I was devoted to Judge Davis. He was very close to my dear friend, the gentleman from Virginia [Mr. Smith]. He took the well of this House, if I remember correctly, and predicted all of these dire things. Well, there sits this young man. I am sorry that Judge Davis is not here.

I could go on and call this roll. Over here on your side I saw today the distinguished new Governor of Pennsylvania, Governor Scranton, and God bless him. I think he is going to make a great Governor. But I remember how he voted on this issue, and I look back and I do not believe there is a single Member who sits on the Republican side who voted to let democracy work who was defeated.

I say to the Members of the House from the South who are afraid, "Do not be afraid. The Democratic Party is being built stronger than ever in the South." I am glad the Republicans are making strides in the South. I think it is a good thing for our country. It is good to have a strong two-party system.

But these are the issues. I trust that the motion of the gentleman from Oklahoma will prevail.

Mr. ALBERT. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. Laird].

### FAIRPLAY AMENDMENTS

Mr. LAIRD. Mr. Speaker, I think it is well for us first to review where we are in the House proceedings. The gentleman from Oklahoma, I understand, will move the previous question after his hour has expired. We will have a vote on whether to put the previous question at that time. If the previous question motion carries, debate will be ended and there will be no opportunity to consider amendments to the Rules of the House of Representatives for the 88th Congress.

I believe it is most important that today we be given an opportunity to discuss fully and fairly the Rules of the House of Representatives. There have been many times during my 10-year period of service here in the House when I have heard Members on both sides of the aisle criticize various House rules. This is the proper time to give real consideration to the Rules of the House of Representatives. It is my hope that the motion on the previous question will fail. If this motion fails it is my intent to see that the amendments approved by the Republican conference yesterday are offered.

The fairplay amendments are as follows:

> Amend the resolution by striking out line 6, page 1, and inserting in lieu thereof the following amendments therein as a part thereof, to wit: Strike out subsection (p) of rule X and insert in lieu thereof the following:
>
> "(p) Committee on Rules, to consist of 15 members (9 majority and 6 minority)."
>
> That rule XI is hereby amended by adding at the end thereof:
>
> "(r) All House standing and investigative committee staffs shall be composed 40 per centum of members selected by, responsible to, and serving at the pleasure of a majority of minority committee members."
>
> That rule XXVIII, clause 2, is hereby amended by striking out the period and inserting a colon, and adding the following: "*Provided*, That time for discussion on conference reports shall be divided, with 50 per centum of the time to be controlled by the majority party and 50 per centum by the minority party."

I do not see why the majority party should fear these amendments. They should be willing to debate them individually, and then vote them up or down. By moving the previous question adequate debate on these amendments cannot be had and it would not give the minority party an opportunity to present its case fully and thoroughly.

In this last election 48 percent of the American people voted for Republican congressional candidates. It is true that as far as the membership is concerned we have only 40 percent of the Members. But we feel that as a minority party we should be given recognition for that 40 percent membership here in the House of Representatives if representative government is truly to work. We are not asking for 48 percent; we are asking for 40 percent which represents our membership.

It should be understood that if I should ever be fortunate enough to be a member of the majority party in some future Congress, I would support these very same amendments for the minority. These fairplay amendments are absolutely necessary and vital so that the House of Representatives may have true two-party interplay.

Mr. Speaker, what are these amendments. The first proposed amendment to the rules providing for fairplay would establish that the Rules Committee be made up of 15 members. We will not argue with the majority if they insist on that particular number. I do not want to get into a numbers game as far as the total membership is concerned, but this amendment would provide that the minority would have the same representation on this committee as we have Members in the House of Representatives; the same ratio that prevails in the Committee on Ways and Means, the same ratio that prevails in the Committee on Appropriations. That is 40 percent, which is our representation in the House.

The second amendment would provide that 40 percent of the committee staffs would have to have the approval of a majority of the minority.

The majority party has access to a tremendous amount of help from the executive branch of our Government.

The minority party is in a position where it has responsibilities to a vast segment of the people of the United States, but we do not have adequate staffing of many of the committees. This would provide that 40 percent of those staffs would have the approval of a majority of the minority.

The third amendment which we would like to propose with the approval of the Republican conference would provide that the minority party would have equal time of conference reports. Legislation today is being written more and more in conference. It is most important that the minority party, in order to present adequately its position on the floor of the House and to the American people, be given the assurance that when a conference report comes to the floor of the House of Representatives the minority party under the rules of the House of Representatives be recognized for one-half of the time.

These are the three amendments we propose. But if the previous question is voted down, it gives an opportunity for other amendments that may have been discussed by other Members to be considered as well. It is my hope that the previous question will be voted down. Certainly the minority party cannot be placed in a position where it supports the adoption of the rules as set forth in the Albert resolution, because they do not give proper protection to the minority. We in the minority are simply asking for fairplay.

Mr. ALBERT. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Louisiana [Mr. Hébert].

Mr. HÉBERT. Mr. Speaker, I was born a Democrat, I have lived as a Democrat, and I will die as a Democrat. I learned the philosophy of the Democratic Party at the knee of my father, who echoed the philosophy he heard at the knee of his father about the principles of the Democratic Party. I believe in that philosophy today as I believed in it then. Principles do not change with the times. I still live in the shadow of that which I learned in my youth, in full cognizance of the fact that, while being a member of the Democratic Party, I have the right to disagree and not be disagreeable.

I am not a party hack and I am not a party pawn. Let us get the record straight. I am opposed to the packing, fixing, stacking, or whatever other synonym you may use, whether it comes from my own side of the aisle or from the other side of the aisle. The principle of packing is wrong, no matter who advances it, whether it be from the Democratic or Republican side, and it is on principle that I speak and address you today.

As dean of the Louisiana delegation, I declined to call a caucus on this subject. I held this was a matter of decision and determination for each individual to make with himself, his constituency and his conscience. I accept that rule myself and feel confident that I echo the wishes and the will of my constituency, which has sent me here for 22 years, longer than any man in the history of my district. So I think I represent their wishes. My conscience dictates that I stand up to the principles in which I believe. If I failed to rise here today and take this opportunity to state my position I would not be worthy of the seat which I occupy in this House.

Walk with me in spirit down to the Jefferson Memorial. Lift your eyes and read what is written in that circle above the statue of Thomas Jefferson:

> I have pledged upon the altar of God eternal hostility to any form of tyranny over the mind of man.

That is the principle involved here today. This may not be the most sophisticated group of individuals in the world, but it is certainly not the most naive. We all know that this proposition is a device for control. This is changing the rules to suit the purpose of the moment. This is a device, not even subtle, to use the tyranny of control by numbers over the Rules Committee.

It was 50 years ago, almost to the day, that the then called liberals in the House changed the rules of this body and wrested the power of tyranny and control over the minds of individuals from the then Republican Speaker Joe Cannon. The fight was led by that great Missourian Champ Clark who became one of our great Speakers of the House of Representatives and almost the Democratic nominee for the office of President of the United States. He was backed up by that great Alabaman Oscar Underwood from the South—yes. And, incidentally, I might say I have no objection to being called a southern Democrat. I am proud of it and I hope I always hold my head high and say, "Yes, classify me as a southern Democrat, if you will; you pay me tribute and homage, and do me honor."

What did these liberals do 50 years ago? They formed a Rules Committee to wrest the power of tyranny from the then Speaker of the House. My distinguished colleague from New Orleans has told you this is a permanent piece of legislation. He is correct, and therein is the danger. There is the real danger.

**Mr. ALBERT.** Mr. Speaker, will my colleague and dear friend yield?

**Mr. HÉBERT.** Certainly, I yield to my colleague.

**Mr. ALBERT.** Does not the gentleman think it is just as important to wrest undue power from six Members as the House wrested such undue power from one Member in the past?

**Mr. HÉBERT.** I think it is most important that the will of the majority of this House be worked. I think the majority here should prevail and I do not think anybody in this House should have the power and control over what the majority of the House wants. I do not care whether it is 1 man, 6 men, or 20 men. The gentleman has put his finger on the real issue. Any time 218 Members of this body want a bill considered on the floor of this House, they just have to walk a few steps and sign a discharge petition and the fact that the majority does not sign such a petition means that they do not want it.

It is the principle of majority rule that I fight for today, be it on a committee or in the House itself. Packing is not majority rule; packing is the exercise of tyranny over the minds of men which Jefferson cried out against and to which I subscribe. Packing a committee or a court is repugnant to the democratic processes and I denounce it.

Anybody who believes in majority rule cannot support this insidious device to thwart the will of the duly constituted Committee on Rules as provided in the Reorganization Act.

It should be of more than passing interest to the membership of this House and particularly to my southern colleagues to review the names of the organizations and individuals who have joined together to send letters to Members of Congress urging them to pack the Rules Committee.

This list speaks more eloquently than anything I may say here today. Read the list and ask yourselves if you accept the philosophy of how many of these organizations from the NAACP down to the very end.

It is most interesting to see some of my colleagues from the South and some of my conservative Republican friends standing shoulder to shoulder phalanx-like with such organizations.

Here is the list:

National Association for the Advancement of Colored People: Roy Wilkins, executive secretary.

American Veterans Committee: Murray Gross, national chairman.

American Civil Liberties Union: John deJ. Pemberton, Jr., executive director.

Textile Workers Union of America: John W. Edelman, Washington representative.

International Union of Electrical, Radio & Machine Workers: James B. Carey, president.

Friends Committee on National Legislation: Edward F. Snyder, executive secretary.

Union of American Hebrew Congregations: Rabbi Richard G. Hirsch, director, religious action center.

Japanese American Citizens League: Mike Masaoka, Washington representative.

American Federation of State, County, and Municipal Employees: Arnold S. Zander, president.

American Jewish Committee: A. M. Sonnabend, president.

Transport Workers Union of America: Matthew Guinan, secretary-treasurer.

Unitarian Fellowship for Social Justice: Rev. Robert Zoerheide, vice chairman.

American Newspaper Guild: Charles A. Perlik, Jr., secretary-treasurer.

United Automobile, Aerospace & Agricultural Workers of America: Walter P. Reuther, president.

National Farmers Union: James Patton, president.

Anti-Defamation League of B'nai B'rith: Benjamin R. Epstein, national director.

Women's International League for Peace and Freedom (U.S. Section): Dr. Dorothy H. Hutchinson, president.

Americans for Democratic Action: Joseph L. Rauh, Jr., vice chairman.

Industrial Union Department, AFL–CIO: Walter P. Reuther, president.

American Jewish Congress: Rabbi Joachim Prinz, president.

Catholic Council on Civil Liberties: Matthew Clarke, Washington representative.

National Alliance of Postal Employees: Ashby G. Smith, president.

Delta Sigma Theta Sorority: Miss Marie Barksdale, executive director.

Jewish War Veterans: Morton L. London, national commander.

United Rubber, Cork, Linoleum & Plastic Workers of America: George Burdon, president.

Council for Christian Social Action of the United Church of Christ: Dr. Ray Gibbons, director.

Brotherhood of Sleeping Car Porters: A. Philip Randolph, president.

**Mr. ALBERT.** Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Roosevelt].

**Mr. ROOSEVELT.** Mr. Speaker, there are a number of us from both sides of the aisle who had hoped today to offer an amendment to the rules that would deal with the transfer of the jurisdiction of the House Un-American Activities Committee to the Committee on the Judiciary. However, it becomes very obvious today that the only way to do this would be to help the Republican minority defeat the proposition of the previous question and thus to attack the leadership from this side of the aisle; therefore, there are a number of us who have introduced and will introduce a House resolution to accomplish our purpose. This resolution will be referred to the Committee on Rules and I am happy to tell my colleagues that the distinguished chairman of the House Committee on Un-American Activities, the gentleman from Pennsylvania [Mr. Walter], has agreed with me that he would join in a request that it be heard by the committee. I am satisfied therefore this House will at a later date be able to work its will on this question. Those of us who want this action to be taken will have our day in court. We have no right to ask for more. I hope therefore that the leadership on this side of the aisle will be supported and a large majority cast for the motion of the gentleman from Oklahoma. The basic issue involved in my resolution will be fully discussed soon.

**The SPEAKER.** The time of the gentleman from California has expired.

**Mr. ALBERT.** Mr. Speaker, I yield 7 minutes to the gentleman from Ohio [Mr. Brown].

**Mr. BROWN of Ohio.** Mr. Speaker, almost an hour ago I listened with very rapt attention to one of the most eloquent speeches I have heard in a long, long time, when our beloved Speaker, and my good personal friend, the gentleman from Massachusetts, John McCormack, assumed the speakership of this House for the 88th Congress.

In his great address, it is true, he indicated his rather firm conviction and belief that perhaps all of the virtues which have come to mankind throughout the centuries now rest within the confines of his own political party, while all of the vices to which men have fallen victim throughout the centuries belonged to those of us who may be members of the opposite party. There may be some disagreement about that.

But I do not believe any of us can disagree with that which the Speaker said when he called upon the membership of this House to cast aside partisanship in the consideration of the great issues that come before us. So, despite some peculiar statements which have been made here, I shall not make a political speech or attempt to make a political issue out of the problem that now confronts us.

Let me fix in your minds clearly, if I may, my position. I have the very firm conviction that it is just as ethically and morally wrong for a President of the United States to attempt to pack a committee of the Congress of the United States for purely political purposes and to gain his way, whether he be a Democrat or Republican, as for a President of the United States to attempt to pack the Supreme Court in order to get a judicial decision that will please him and go the way he wants it to go; or just as wrong morally and ethically as for a great labor leader to attempt to pack a jury in order to get an acquittal of a criminal charge against himself.

I say to you that such is wrong, that it is evil, that regardless of whether we are Democrats or Republicans we should have the manhood and the moral fiber to stand up and denounce that which is evil and is wrong, and to vote against it, because there can be nothing gained permanently by doing that which we know in our own hearts and souls is wrong. As the ranking minority member of the Rules Committee I am just a bit provoked, discouraged and disheartened by statements to the effect that legislation will be emasculated in our committee unless the committee is packed by the addition of three new members which, of course, in turn would reduce the effectiveness of the minority Members of the House, and of the committee itself.

Let us look at the record, as the late Al Smith—by the way, a great member of the Democratic Party—often said in the past. There are about 20,000 bills and resolutions introduced in each Congress. Out of that number relatively few ever come before the Rules Committee of the House for 90 percent are stopped in the legislative committees of the House. Do we hear nothing about their being obstructionists? No. Many of them are stopped in the Ways and Means Committee of this House, the great Ways and Means Committee, or in the Judiciary Committee, and some other great committee where we have very able and honest men. That is where such bills are stopped.

Let us look further at the record for a moment as to what happened when we had only 12 members of the Rules Committee, 8 from the majority and 4 from the minority party, and I refer to the 86th Congress. Requests for hearings were made for 146 bills. Hearings were held on 124, and rules were granted to send to the floor for consideration 111 of those bills. Only five rules were denied. One of the bills that was before the Rules Committee, and not heard, was passed on the Consent Calendar, eight under suspension, and some were superseded by other bills when mistakes were found in them.

Nineteen Senate bills came before the House committee in the 86th Congress. There were requests for hearings on that number, and hearings were held on 15. Fourteen rules, out of the 15 requested, were granted.

Does that look as if there was any blocking of the House's right to vote on this legislation?

Let us look at the record for another moment. Reference was made a while ago as to the right of the Congress to get a vote on any bill any time it pleases by signing a discharge petition. In the last 24 or 25 years there have been only 2 discharge petitions signed by a majority of the Members of this House, out of some 212 discharge petitions filed. Does that look as if the great, bad ogre, the Rules Committee, whether it be made up of Democrats or Republicans, has been blocking the House of Representatives from working its will? Only one bill was passed on a Calendar Wednesday. Dozens were turned down.

I say to you, this whole proposal, this whole suggested resolution, is simply to cover up, and to control the actions, politically if you please, of a committee of this Congress, something that is morally and ethically wrong, and you and I know it.

Mr. ALBERT. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, we are talking today about a question that has been debated in this House ever since most of us were born, as to what to do about the Rules Committee. It will be debated when we are gone. Everything has been said about it, I think, that can be said. Certainly I have debated it on numerous occasions. I do not want to go into an extended debate because I have not the allotted time.

As you were told by the gentleman from Louisiana [Mr. HÉBERT], the Rules Committee was set up in order to take away the power of one man to determine what should come before this House. This is an effort to put it back where it came from.

The previous Speaker, our beloved friend, Mr. Rayburn, did not want it as a permanent proposition, and he wrote the resolution, or had it written, that fixed it as a one-term proposition.

Mr. Speaker, I would like to say a few plain words to some folks who come from my part of the country.

I have been a Democrat all my life. I have never voted anything but the Democratic ticket. I have some prefixes and suffixes which the gentleman from Louisiana [Mr. BOGGS], my distinguished friend, said he did not have. I am a conservative Democrat, I am a southern Democrat, and I believe my country's welfare is more important than any political party and I further believe that this matter of packing the Rules Committee affects more closely our area of the country than anywhere else.

If this resolution passes, you all know what it means, and it will happen again, and that is to say whenever the President wants a bill passed or the Speaker wants a bill submitted to the floor, he gets it. Now, I think that there ought to be some discretion about this matter so that the Committee on Rules could do now like they have done in the past, at least give the matter some looking over, give it some consideration and a little time, so that the country might know what some of these measures are about. I hope none of my southern friends are going to be complaining around here when certain measures come up that are going to come up, and come up quite promptly, if the Committee on Rules is packed again. And, I hope that when they go to vote on this resolution that they will remember that there are some things involved in this that will greatly and adversely affect their States; not just how many people should be on the Committee on Rules or who shall govern the Committee on Rules. But, it is known that there are many important things to our part of the country that are involved in this packing of the Committee on Rules as it was 2 years ago. And, I hope that at least those Members who voted against the packing before will see fit to do the same thing again, because I believe it is vital to the interests of their States, and I know there are some things that will be coming up that I know you will be against. Do you want it to come out of the committee like the Committee on Ways and Means or some other committee one day, get a rule the next day, bring it up the next day before you have a chance to study it and know what it is about and providing your people an opportunity back home to express their views to you? Now, I am not talking about civil rights. We got licked on that. It should have taught us a lesson, but I am afraid it did not.

Let me say for the benefit of some of the new Members who will soon learn this procedure, we are here in a very difficult fiscal situation. We have run deficit budgets for years and years and years on top of years. We have increased our debt until the interest on it is twice what the whole budget was when I came to the Congress. And, we are over $300 billion in debt now. And, there will not be but 2 or 3 months from now when you will be called upon to again increase the debt limit, and you are going to have to do it if you pass the kind of a budget that the papers say will be presented to us, which will be the largest budget presented to this or any other country at any time in the history of the world, while along with that you are going to be asked to vote a tax cut while you increase expenses. Now, are you going to put yourself in a position like that? Are you going to yield up every little leverage or every little weapon you may have to defeat measures so unsound? Are you going to yield some of your prerogatives and privileges here today that are going to adversely affect your people for the next 20 years? If you do, that is your business and none of mine. I hope that the Members will vote on the rollcall like they would vote if this was a secret ballot, and I would have no fear of its consequences.

I conclude my remarks by including the following editorial from yesterday's Evening Star of Washington, D.C., which expresses my views completely, succinctly, and accurately:

### RULES FIGHT

As all brave men must, Speaker MCCORMACK talks confidently of leading his forces to victory in tomorrow's battle over the size of the House Rules Committee. And perhaps the vote will vindicate him on this score.

But we do not think the Speaker is justified in his gloomy forecast of party failure if the size of the committee is restored to 12 instead of 15. Mr. MCCORMACK did not go as far as the President, who said last month that his program would be emasculated unless the committee is again enlarged. But the Speaker did suggest that the Democrats, as the majority party, could not discharge their responsibilities with a 12-member Rules Committee.

The facts, in our judgment, do not support this despairing view. Someone has to decide which bills will be brought before the House for action and which will not. Otherwise chaos would result. For years, until severe pressure by the newly elected President brought about the packing of the Rules Committee in the 87th Congress, that group did the job. And on the whole it did well. If the Rules Committee should be packed again with complaisant members so that it becomes nothing more than a rubberstamp, then the Speaker, presumably acting by direction of the President, will decide which bills will be voted on and which will not. If such a situation appeals to the House, all well and good.

The fact is, however, that it is not necessary to pack the Rules Committee in order to get a vote on any bill which a majority of the Members wants to vote on. There are several ways in which a bill that is bottled up in the committee can be brought to the floor. The simplest, perhaps, is through a petition signed by a bare majority of the House membership. This is more difficult, of course, than cracking the whip over a packed committee. But it is not unduly difficult if the desire is there.

The real difficulty arises in the case of administration-backed bills to which House Members are opposed, but for which they would have to vote for political reasons if the measures should be brought to the floor. In these situations, the reluctant Members are happy to see the bills buried in the Rules Committee and, of course, will not sign discharge petitions. But it does not follow from this that the Rules Committee is thwarting the will of the majority, and every House Member knows it.

Mr. STRATTON. Mr. Speaker, I intend to support the resolution offered by the gentleman from Oklahoma [Mr. ALBERT] to fix the membership of the Committee on Rules at 15 members.

The issue here, as I see it, is a very simple one. It is not a matter of whether the various bills reported by the Committee on Rules are or are not good and sound bills. It is simply a matter of whether the decision as to the merits of legislation reported favorably from the various standing committees of the House should be made by the House itself or by a single committee of the House.

I cannot subscribe to the theory that it is well or proper for any committee or group of Members to hold a veto over the action of the House as a whole. I cannot support the theory that the right to determine whether a particular bill reported by a standing committee should or should not be passed can properly be delegated to any small group of Members of the House. I believe these decisions can only be made by the House as a whole. If the day ever comes when Members of the House have to be protected from themselves by having the Committee on Rules make decisions for them, then we have no business continuing to serve.

The enlargement of the committee is intended to facilitate its proper function which is simply to determine the circumstances under which legislation will be considered by the House, and to prevent the committee from improperly exercising the function of passing finally and ultimately on the merits of this legislation.

Mr. DORN. Mr. Speaker, this is an open attempt by the executive branch of the Government to control directly one of the most powerful committees of Congress. Executive control of the House Rules Committee means another step toward a Hitler-type rubberstamp Congress. Already the Supreme Court has dangerously usurped the legislative power of Congress. This cold, blatant bid to further dominate Congress—this time by the executive branch—is a stark, naked attempt to deprive the people of a direct voice in national affairs and national legislation.

In 1961 the rule-packing forces were led by the House Speaker, an officer of our own choosing in the legislative branch. This time the rule-packing campaign is commanded by the executive branch openly, which is an unconstitutional, unwarranted, and unnecessary effort to usurp the power of Congress as guaranteed by the Constitution.

Executive packing of the Rules Committee will be the first step to launch the Nation on another Federal wild-spending spree. It is the first step of the Washington planners to nationalize education, to control and nationalize medicine and hospitalization, and to legalize and establish a domestic peace corps. It will lead to expanded welfare and so-called depressed area giveaways, also needless additional foreign aid. It will be a grandiose freedom ride on a national scale and further regimentation of the States, local communities, and the individual.

Those of us who oppose packing of the Rules Committee are for constitutional government. We are for States rights, rights of communities, and individual freedom. We are for a sound dollar which will benefit all of the American people, but most of all the workingman. We are for a balanced budget. We are for eliminating deficit financing. We are for fiscal responsibility.

If this Nation is to be preserved and kept fiscally sound and the value of our dollar protected and gold protected, we must defeat this nefarious attempt to pack and make a rubberstamp of the Rules Committee.

Mr. RYAN of New York. Mr. Speaker, I support the resolution offered by the distinguished majority leader which will increase the size of the Committee on Rules from 12 to 15 members. I believe that this is a minimum change which is needed to deal with the power of the Committee on Rules to block legislation. I do not believe that the Committee on Rules, consisting of 12 or 15 or any other number of members, should be able to determine the substantive merit of particular legislation. Yet, this is exactly the role the Committee on Rules has assumed. And the gentleman from Virginia, Judge SMITH, has said candidly and unequivocally that a 12-member committee is in the interest of the conservative bloc. I will vote for the 15 members, but I believe more basic reforms are necessary to overcome the obstructionism of the Committee on Rules.

Mr. Speaker, it is most regrettable that the House will not have the opportunity to consider adoption of the 21-day rule and the 7-day rule on conference reports.

The 21-day rule would provide that, if the Committee on Rules shall adversely report, or fail to report within 21 calendar days after reference, any resolution pending before the committee providing for an order of business for the consideration by the House of any public bill or joint resolution favorably reported by a committee of the House, on days when it shall be in order to call up motions to discharge committees it shall be in order for the chairman or any member of the committee which reported such bill or joint resolution to call up for consideration by the House the resolution which the Committee on Rules has adversely reported or failed to report. Therefore, the House could make its own decisions on recommendations made to it by its legislative committees.

The 7-day rule on conference reports would permit the House to send bills passed by both it and the Senate to a House-Senate conference, after 7 legislative days of inaction by the Committee on Rules. Thus, the entire House, not merely two or three members of the Committee on Rules, could decide whether or not to send the bill to conference.

It should be noted that the 21-day rule was adopted by the 81st Congress, and it worked very well in 1949–50 in bringing important measures to the House floor for a vote. For example, it brought an anti-poll-tax bill and a rivers and harbors bill to the floor for a successful vote, and it forced action on housing and minimum wage bills. In fact, seven of the eight measures brought to the floor by use of the 21-day rule passed the House.

The mere expansion of the Committee on Rules to 15 will not necessarily enable the House to deal effectively and constructively with the multitude of crucial and pressing domestic and international problems this Nation faces. In fact, even with an enlarged committee, vital legislation was blocked in the 87th Congress. The administration was blocked on 2 major bills, aid to education and a Department of Urban Affairs, and was also stopped cold on 22 other bills. Among the bills drafted and voted out by legislative committees and bottled up by the Committee on Rules were: The mass transit bill, the Youth Conservation Corps bill, bills to provide grants for medical and dental school construction and loans for medical and dental students, three migratory labor bills passed by the Senate and reported by the House committee, a bill to establish a Federal Equal Employment Opportunities Committee, and a bill to prohibit Federal aid to impacted school districts which are segregated.

Mr. Speaker, the great unfinished business facing America is civil rights. It is very doubtful that the 15-member committee will clear civil rights measures. Therefore, the 21-day rule is essential to prevent the Committee on Rules from blocking effective civil rights legislation.

To regain its constitutional and necessary role as the major policymaking and problem-solving branch of Government, Congress must revise its organization and operations.

For example, the House must have the power to send bills to a House-Senate conference to work out differences in

House and Senate versions, when a conference has been blocked by inaction of the Committee on Rules.

The House must also overcome its inability to consider home-rule legislation for the District of Columbia. The House Committee on the District of Columbia has never permitted a home-rule bill to reach the floor for a vote, notwithstanding the fact that five times since 1948 the other body has passed home-rule legislation, both major party platforms have advocated it since 1948, and Presidents Truman, Eisenhower, and Kennedy have all supported home rule.

I have introduced today a concurrent resolution to establish a Joint Committee on the Organization of the Congress. This resolution is identical to House Concurrent Resolution 577 which I introduced in the 87th Congress. The proposed committee composed of seven Representatives and seven Senators would make a full study of the organization and operation of the Congress and recommend improvements to strengthen it, simplify and expedite its work, improve its relations with other branches of Government, and enable it to meet its constitutional responsibilities.

The committee's studies would include the organization and operation of each House of Congress and the relation between them, their relations with other branches of Government, and the employment and remuneration of officers and employees of the two Houses, their committees, and Members.

The committee would also study the structure of, and relation between, the various committees, the rules, parliamentary procedure, practices, and precedents of either House, and the matter of consolidation and reorganization of committees and their jurisdictions.

Mr. Speaker, I urge the establishment of this committee with the hope that it will make recommendations which, if adopted, will enable the Congress to function as a truly representative and democratic body, able and willing to effectively enact legislation on all the major problems of today.

**Mr. WATSON.** Mr. Speaker, despite the admonitions of some that a freshman Congressman should be seen and not heard, I am compelled to speak out on this vitally important matter. We are not debating a temporary change of the numerical composition of the Rules Committee as was done during the last Congress, but what is done today will result in a permanent change in the organization of this important committee.

As the distinguished gentlemen from Louisiana [Mr. HÉBERT] has so eloquently said, this proposed change in the rules is not designed to give a broader representation on the committee so that bills might be more carefully considered, but the move appears to be prompted to suit the purpose of the moment. Very well a movement so motivated to serve the hour could rise up to haunt this august body in the years ahead as we strive to save our country from bankruptcy and prevent further usurpation of our individual freedoms.

It is passing strange that the sage advice of Judge SMITH, the wise and experienced chairman of the Rules Committee, could be so blindly ignored in reaching a decision on the issue. I wholeheartedly concur in his remarks, and if in taking this position I am labeled as a southern Democrat or a conservative, I shall accept the label and be proud of the name.

In conclusion, may I say that in my humble opinion the effort being made today to pack the Rules Committee will ultimately destroy the effectiveness of this committee in determining the orderly consideration of legislation by this body. As I have said before, rather than attempt to pass a measure by manipulating the membership of a committee, may I respectfully suggest that the authors of this resolution attempt to have their legislation conform to the majority wishes of the Rules Committee and the House of Representatives.

**Mr. ALBERT.** Mr. Speaker, I yield 5 minutes to the distinguished Speaker of the House of Representatives, the Honorable JOHN MCCORMACK.

**Mr. McCORMACK.** Mr. Speaker, to listen to the arguments of some of our friends, one would think that there is something sacred in the number 12 for the Rules Committee. As the gentleman from Louisiana [Mr. BOGGS] pointed out, the Rules Committee at one time was five, an odd number. Another time it was 11, an odd number. The odd number enables the majority vote. A 6-to-6 vote means that a rule is not reported out. If my friend, the distinguished gentleman from Virginia [Mr. SMITH], took the floor and said that a 6-to-6 vote would be an affirmative vote, the gentleman would be on sounder ground. But a 6-to-6 vote is a negative vote.

I have always felt throughout the years that the Rules Committee should be a majority. Two years ago we did not make it 13 because we wanted to keep the ratio of 2 to 1. If we went to 13 there would be 9 Democrats and 4 Republicans, and we did not want to disturb the ratio. That is an agreement which has existed between the parties and the leadership for years, that on the Committee on Rules there would be a ratio of 2 to 1. Also that the Committee on Ways and Means would be 15 to 10. We are not going to try and disturb the Committee on Ways and Means now, although you give us the precedent for doing so in the action of your conference yesterday when you wanted a Rules Committee of 15, with 6 on the minority side. We could construe that as a violation of the understanding over the years, but as far as I am concerned I see no intention of doing so now.

The Republican conference yesterday agreed to the proposition of 15. There is no principle involved in connection with the size of a committee. It is purely a procedural matter. In what position will my Republican friends be when now they admit the committee should be composed of 15 members when they vote against the 15-man committee when that vote comes up in the House, as I expect it will a little later in the afternoon?

The great majority of my Republican friends—you note I say the "great majority"—have opposed the 15-man committee in the past. Now they say a 15-man committee is desirable by a division of 9 of the majority and 6 of the minority.

If one studies the Rules of the House of Representatives, one will find that there is not one committee which divides among the majority and the minority. The Committee on Banking and Currency is to consist of 27 members, the Committee on the District of Columbia is to consist of 25 members, the Committee on Education and Labor is to consist of 25 members, and so on down the line.

This is the first time that I know of when an attempt has been made to write into the Rules of the House of Representatives the number that shall be on the majority side and the number that shall be on the minority side. That has always been a matter of discussion from Congress to Congress between the leadership of both parties. Then when there is a little embarrassing situation in one party or another, we recognize that and we sort of get together and take care of it. For example, we have increased any number of committees. The Committee on Agriculture under the rules is 27. It is now 35. We will have to keep that increase a little later by resolution of this Congress. The Committee on Appropriations under the rules is 43. It is now 50.

The Committee on Banking and Currency under the rules is 27, and it is now 30. The Committee on Education under the rules is 25, and it was 31 in the last Congress and it will be 31 in this Congress. So on down the line. I can name any number of other committees where under the rules there is prescribed a certain membership, but actually in the last Congress and in the past Congresses their membership is greater than the rules provide. In each Congress we had to provide for that and we will have to do it in this Congress.

**Mr. HALLECK.** Mr. Speaker, will the gentleman yield?

**Mr. McCORMACK.** I yield to the gentleman from Indiana.

**Mr. HALLECK.** Mr. Speaker, will the gentleman agree with me in the statement that I made when I talked on this matter that in no instance where we have increased the number of members on a committee has it been for the sort of purpose that is here involved?

**Mr. McCORMACK.** Will the gentleman please repeat that statement?

**Mr. HALLECK.** Will the gentleman agree with the statement that I made heretofore—and he realizes that he and I have sat together as majority and minority members to work out the division on the committees—will he agree with me that in no instance when we have increased the number on a committee for a particular Congress has it ever been done for the purpose that is perfectly obvious here in connection with this increase from 12 to 15?

**Mr. McCORMACK.** Of course, what is perfectly obvious is the fact, as I hope, that a majority of the House will want to make the Committee on Rules more representative of the will of the House, and enable the Members of the House to have a reasonable opportunity to pass upon major measures. Now, to answer specifically the gentleman's question, I will say this. I cannot answer for every Congress in the past, but we have sat down and ironed these things out, and the committees, practically all of them, are greater in number than is provided by the rules. So there is nothing sacred about the number of members on the committees. That is what I am emphasizing.

As Sam Rayburn said 2 years ago—and I quote:

> I think the House should be allowed on great measures to work its will and it cannot work its will if the Committee on Rules is so constituted as not to allow the House to pass on those things.

That is a sound proposition. With an even number of members on the Committee on Rules, it constitutes as to many measures a means of denying the House the opportunity to pass upon important legislation. The step we took 2 years ago was a wise one. The step we took 2 years ago was a proper one. The step we are now about to take, to make this number permanent, if the resolution is adopted, is a sound one because, if my Republican friends by any chance should win 2 years from now, they will not be faced with this situation that faces us today.

This is a procedural matter and from every angle that anyone can look at it, the number of 15 members on this committee should be maintained.

Mr. Speaker, I urge my colleagues to adopt the resolution.

**Mr. ALBERT.** Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I take this time to state the parliamentary situation. As I understand from the remarks of the gentleman from Wisconsin [Mr. LAIRD], a separate vote will probably be demanded on the previous question, which I shall move at the conclusion of my remarks. The position of the majority is that the vote should be "yea" on the previous question and "yea" on the resolution.

**Mr. HALLECK.** Mr. Speaker, will the gentleman yield?

**Mr. ALBERT.** I yield to the gentleman from Indiana.

**Mr. HALLECK.** Mr. Speaker, it has been my understanding that if the resolution offered by the gentleman from Oklahoma be defeated, immediately thereupon the gentleman from Virginia [Mr. SMITH] as chairman of the Committee on Rules, will be recognized to offer the rules of the 87th Congress as the rules of the 88th Congress.

**Mr. ALBERT.** The majority leader is not in a position to know whom the Speaker will recognize on the disposition of this matter.

Mr. Speaker, I move the previous question on the resolution.

**The SPEAKER.** The question is on ordering the previous question.

**Mr. LAIRD.** Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 249, nays 183, not voting 1, as follows:

[Roll No. 3]

YEAS—249

Abbitt
Addabbo
Albert
Andrews
Ashley
Ashmore
Aspinall
Baring
Barrett
Bass
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrnes
Cameron
Carey
Casey
Celler
Chelf
Clark
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Doyle
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fisher
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.

Griffiths
Hagan, Ga.
Hagen, Calif.
Haley
Hanna
Hansen
Harding
Hardy
Harris
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lennon
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Marsh
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper

Perkins
Philbin
Pike
Pilcher
Poage
Pool
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St. Germain
St. Onge
Scott
Secrest
Selden
Senner
Shelley
Sheppard
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Smith, Va.
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuck
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Waggonner
Walter
Watson
Watts
Weltner
White
Whitener
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—183

Abele
Abernethy
Adair
Alger
Anderson
Arends
Ashbrook
Auchincloss
Avery
Ayres
Baker

Baldwin
Barry
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts

Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio

Broyhill, N.C.
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cahill
Cannon
Cederberg
Chamberlain
Chenoweth
Clancy
Cleveland
Collier
Colmer
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dwyer
Ellsworth
Findley
Fino
Ford
Foreman
Frelinghuysen
Fulton, Pa.
Gathings
Gavin
Glenn
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven

Hoffman
Horan
Horton
Hosmer
Hutchinson
Jensen
Johansen
Jonas
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
Norblad
Nygaard
O'Konski
Osmers
Ostertag
Pelly
Pillion
Pirnie
Poff

Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tupper
Utt
Van Pelt
Wallhauser
Weaver
Westland
Whalley
Wharton
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NOT VOTING—1

Murray

So the previous question was ordered.

Mr. DAVIS of Tennessee and Mr. ASHLEY changed their votes from "nay" to "yea."

**The SPEAKER.** The question is on agreeing to the resolution.

**Mr. BROWN of Ohio.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 235, nays 196, not voting 2, as follows:

[Roll No. 4]

YEAS—235

Addabbo
Albert
Ashley
Aspinall
Ayres
Baldwin
Barrett
Bass
Bates
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Broomfield
Brown, Calif.
Buckley
Burke
Burkhalter
Byrne, Pa.
Cahill
Cameron
Carey
Celler
Chelf
Clark
Cohelan
Conte

Cooley
Corbett
Corman
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Doyle
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Flood
Flynt
Fogarty
Forrester

Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Hagan, Ga.
Hagen, Calif.
Halpern
Hanna
Hansen
Harding
Harris
Hawkins
Hays
Healey
Hechler
Hemphill
Henderson
Holifield
Holland

Horton
Hull
Ichord
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Landrum
Lankford
Leggett
Lesinski
Libonati
Lindsay
Long, La.
Long, Md.
McDade
McDowell
McFall
Macdonald
Madden
Mahon
Martin, Mass.
Mathias
Matsunaga
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Morse
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pilcher
Poage
Pool
Powell
Price
Pucinski
Purcell
Rains
Randall
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St. Germain
St. Onge
Saylor
Secrest
Senner
Shelley
Sheppard
Shipley
Sibal
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tupper
Tuten
Udall, Morris K.
Ullman
Van Deerlin
Vanik
Vinson
Wallhauser
Walter
Watts
Weltner
White
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—196

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Baker
Baring
Barry
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Burton
Byrnes, Wis.
Cannon
Casey
Cederberg
Chamberlain
Chenoweth
Clancy
Cleveland
Collier
Colmer
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Tenn.
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Everett
Findley
Fisher
Ford
Foreman
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Gary
Gathings
Gavin
Goodell
Goodling
Grant
Griffin
Gross
Gubser
Gurney
Haley
Hall
Halleck
Hardy
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Herlong
Hoeven
Hoffman
Horan
Hosmer
Huddleston
Hutchinson
Jarman
Jensen
Johansen
Jonas
Jones, Mo.
Keith
Kilburn
Kilgore
King, N.Y.
Knox
Kornegay
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
McClory
McCulloch
McIntire
McLoskey
McMillan
MacGregor
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Matthews
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morton
Mosher
Nelsen
Norblad
Nygaard
Ostertag
Passman
Pelly
Pillion
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Rivers, S.C.
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
St. George
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Selden
Short
Shriver
Siler
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Springer
Stinson
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Utt
Van Pelt
Waggonner
Watson
Weaver
Westland
Whalley
Wharton
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NOT VOTING—2

Murray
White

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## DOMESTIC PEACE CORPS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, today, simultaneously with the opening of the 88th Congress, I introduced a bill to establish a domestic Peace Corps, which I trust will win solid bipartisan approval.

The legislation is similar to the proposal I offered in the 87th Congress which won so much public support. Again, I emphasize the need for such legislation, and trust that it will be given priority during the current session.

Do we really need a domestic Peace Corps? Is not this type of volunteer social service only needed by underdeveloped nations? What situations at home could possibly warrant our airlifting volunteers from one city to another, or transporting people from one section of their home city or county to another one?

The answer is this: The evils and side effects of an industrial and urban society and economy. Such phenomena as the dismal hovels of the underprivileged in our large cities, the depressed areas left behind by change in some industrialized States or the superfluity of talent and manpower laying fallow in rural America, because of the shrinking agricultural sector of our economy.

But the need does not arise solely from the economic facts, but rather from the effect these facts have had upon so many American lives. The bold fact, in fact, that many of our youth, many of our first generation immigrants, many members of minorities or backward areas cannot adjust to our complex way of life, to modern America without new awarenesses, without more education and training, without help.

Who can give them that help? A domestic Peace Corps of volunteers who know the basics of adjustment, have the education to communicate them, and who could afford the time and expense, if there were only Federal backing.

More specifically, I should like for one thing to see the volunteers of such a corps respond to the words of David Hackett, Executive Director of the President's Committee on Juvenile Delinquency and Youth Crime, when he said:

> We must admit in all honesty that we are losing the fight against delinquency. Our control and treatment services have not been able to stem the tide.
>
> The high rates of recidivism offer abundant evidence that correctional services cannot do the job alone. Nor is it just a matter of the quality or the quantity of these services.
>
> We have been dealing with the end results, and overall we have not been dealing with them successfully. Clearly, we cannot relax our efforts to increase the effectiveness of our corrective services.
>
> But to win this fight, we must prevent delinquency, not just correct it.

Too, in addition to Hackett's warning on delinquency, there are the following figures on youth in general: 26 million young persons will enter the labor market in 1963; 7½ million of them will do so before having finished high school, and 2½ million will be grammar school dropouts. Moreover, all of this is coming about in the context of an economy depending more and more on automation and demanding even for an apprenticeship that a youth have a high school diploma.

Thus, as far as a corps of volunteers is concerned, all these youths—the delinquent, the idle, or the struggling and rejected minority group member—are in need of the training, counseling, and liaison between themselves and the constructive world that the volunteers' presence among them would give.

Also, I want you to consider some other figures in conjunction with the youth statistics. These are the various estimates available on the shortage of social workers in the 1960's. In a publication of the American Public Welfare Association recently, various leaders in their fields emphasized:

> That only token service is currently given toward protecting children and strengthening family life, and this by overworked staff members.

For example, one-third of the urban counties and one-half of the rural counties in the Nation have no public child-welfare workers.

A broader view of the facts is that of the dean of the school of social work at the University of Chicago. He has been quoted as saying that America has less than half of the recreational workers she needs and less than 25 percent of the social workers in general.

Add to this, the sometimes too low level of education of many social workers—only 7 out of 10 have their B.A., and among probation officers, three-fourths of the workers lack their bachelor's degree.

This combination of many groping youths with too few counselors to guide them brings only too quickly to mind James Bryant Conant's appellation of "social dynamite." Moreover, it will, indeed, be detonated unless America brings her other kind of social dynamite in to work on the problem—her recently graduated and capable young people, and also, her recently retired, and trained older population.

Too, would not such an enlistment of volunteer talent not only fit into the present American framework, but also into the American heritage? Three things make me say, unqualifiedly "yes." The first is the American tradition of volunteer help and assistance.

Americans from teen age to old age have worked all through our history and development as volunteers in hospitals, supplemented community educational efforts, supervised play and recreation, aided skilled social workers, and assisted with correctional and vocational rehabilitation.

My second reason, of course, is the success of the foreign corps. My third and last the existing American framework and awareness—the countless programs, urban and rural, begun in the last few years under the auspices of a private foundation like the Ford Foundation, or under the auspices of the more recent Federal legislation—the Juvenile Delinquency Act of 1961.

In fact, a perfect example of exactly how a domestic corps might cooperate with these fund allocating programs is the recent two-pronged project in central Harlem, New York City.

One of the two prongs or organizations involved will be associated community teams, and its manpowers will be three groups of volunteers who will work as teaching, nursery school, child guidance personnel, hospital, orphanage and temporary custody institution aids. The three groups will consist of privileged youth from the central Harlem area, 18 years old and older; youths from other areas; and adults, again from central Harlem.

To me, this small New York project is just a microcosm of my ideas for a larger corps.

The great potential of this legislation is limitless. I urgently appeal for its early consideration, for like its predecessor, I believe it is one idea worthy of dauntless enthusiasm and unanimous bipartisan support.

## APPOINTMENT OF MINORITY EMPLOYEES

Mr. FORD. Mr. Speaker, I offer a resolution (H. Res. 6) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That pursuant to the Legislative Pay Act of 1929, as amended, six minority employees authorized therein shall be the following-named persons, effective January 3, 1963, until otherwise ordered by the House, to wit: Harry L. Brookshire and William R. Bonsell, to receive gross compensation of $18,979.13 per annum, respectively; Tom J. Kennamer, to receive gross compensation of $15,815.94 per annum; Beecher Hess, to receive gross compensation of $13,918.03 per annum; Walter P. Kennedy (minority pair clerk), to receive compensation at the basic rate of $5,000 per annum; and Donald H. Ackerman, Jr., to receive compensation at the basic rate of $7,000 per annum.

The resolution was agreed to.

## RESIGNATION AS MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., November 13, 1962.*
Hon. JOHN W. MCCORMACK,
*The Speaker, U.S. House of Representatives, Room F-4, the Capitol, Washington, D.C.*

DEAR MR. SPEAKER: I have today tendered to the Governor of Mississippi my resignation as a Representative in Congress from the Third District of Mississippi, effective at noon, November 14.

With every assurance of high esteem, I am,
Cordially,
FRANK E. SMITH,
*Member of Congress.*

## RESIGNATION AS MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication which was read:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., December 20, 1962.*
Hon. JOHN MCCORMACK,
*Speaker of the House of Representatives, U.S. Capitol, Washington, D.C.*

DEAR SPEAKER: Please be advised that I recently submitted my resignation from the 87th Congress to Gov. Michael V. DiSalle to be effective at midnight December 13, 1962.

I have submitted my resignation in order to qualify for appointment by Governor DiSalle to the common pleas court bench here in my home county.

It is with regret that I am not able to look forward to serving as a Member of the 88th Congress under your leadership. I wish you and the Members of the 88th Congress the best during the coming 2 years.

I would appreciate it if you would take necessary steps to advise the appropriate officers at the Capitol of my resignation as of the above-mentioned date.

Sincerely yours,
ROBERT E. COOK.

## ELECTION OF MEMBERS TO COMMITTEE ON WAYS AND MEANS

Mr. WALTER. Mr. Speaker, I offer a resolution (H. Res. 7) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That the following-named Members be, and they are hereby, elected members of the Standing Committee of the House of Representatives on Ways and Means:

WILBUR D. MILLS (chairman), Arkansas; CECIL R. KING, California; THOMAS J. O'BRIEN, Illinois; HALE BOGGS, Louisiana; EUGENE J. KEOGH, New York; FRANK M. KARSTEN, Missouri; A. S. HERLONG, JR., Florida; WILLIAM J. GREEN, JR., Pennsylvania; JOHN C. WATTS, Kentucky; AL ULLMAN, Oregon; JAMES A. BURKE, Massachusetts; CLARK W. THOMPSON, Texas; MARTHA W. GRIFFITHS, Michigan.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## DAILY HOUR OF MEETING

Mr. SMITH of Virginia. Mr. Speaker, I offer a resolution (H. Res. 8) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had adopted the following resolutions:

S. RES. 1

*Resolved,* That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

S. RES. 2

*Resolved,* That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

## REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 12:30 o'clock p.m., January 14, 1963, at a joint session of the two Houses.

## JOINT SESSION

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Con. Res. 1) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the two Houses of Congress assemble in the Hall of the House of Representatives on January 14, 1963, at 12:30 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## AUTHORIZING SPEAKER TO DECLARE A RECESS ON JANUARY 14, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on Monday, January 14, 1963, it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## INTRODUCTION AND REFERENCE OF BILLS TODAY

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills today.

As Members are aware, they have the privilege today of introducing bills. Heretofore on the opening day of a new Congress several thousand bills have been introduced. It will be readily apparent to all Members that it may be a physical impossibility for the Speaker to examine each bill for reference today. The Chair will do his best to refer as many bills as possible, but he will ask the indulgence of Members if he is unable to refer all the bills that may be introduced. Those bills which are not referred and do not appear in the RECORD as of today will be included in the next day's RECORD and printed with a date as of today. The Chair feels that he should make this statement at this time so that Members of the House may understand.

## COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I offer a resolution (H. Res. 9) and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved,* That the Committee on Appropriations and the subcommittees thereof be authorized to sit during the sessions and recesses of the Eighty-eighth Congress.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

## APPOINTMENT OF DEMOCRATIC WHIP

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time, and I do so with great personal pleasure, as I consider it a high honor indeed, to advise the Members of the House that during the 88th Congress the distinguished gentleman from Louisiana [Mr. BOGGS] will serve as Democratic whip of the House of Representatives.

## PRIVILEGES OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 10) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas, by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

*Resolved,* That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

*Resolved,* That during any recess or adjournment of the Eighty-eighth Congress, when a subpena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, be authorized to appear before said court at the place and time named in any such subpena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

*Resolved,* That when any said court determines upon the materiality and the relevancy of the papers or documents called for in the subpena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant, except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied, nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

*Resolved,* That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpena or other orders are issued and served as aforesaid.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## THE LATE HONORABLE DENNIS CHAVEZ, A SENATOR FROM THE STATE OF NEW MEXICO

Mr. MONTOYA. Mr. Speaker, I offer a resolution (H. Res. 11) and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved,* That the House has heard with profound sorrow of the death of the Honorable Dennis Chavez, a Senator of the United States from the State of New Mexico.

*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

The resolution was agreed to.

## THE LATE HONORABLE ROBERT S. KERR

Mr. STEED. Mr. Speaker, I offer a resolution (H. Res. 12) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That the House has heard with profound sorrow of the death of the Honorable Robert S. Kerr, a Senator of the United States from the State of Oklahoma.

*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

The resolution was agreed to.

## ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that as a further mark of respect to the memory of the deceased, the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Thursday, January 10, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

The following executive communications were submitted subsequent to the adjournment of the 87th Congress, 2d session, pursuant to House Resolution 837, 87th Congress.

2629. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Office of Defense Lending, Treasury Department, for the fiscal year ending June 30, 1962 (H. Doc. No. 617); to the Committee on Government Operations, and ordered to be printed pursuant to House Resolution 837, 87th Congress.

2630. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Inland Waterways Corporation for the fiscal year ended June 30, 1962. The Corporation is under the supervision of the Department of Commerce (H. Doc. No. 618); to the Committee on Government Operations, and ordered to be printed pursuant to House Resolution 837, 87th Congress.

[*Submitted January 9, 1963*]

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk, U.S. House of Representatives, transmitting a report for the period July 1, 1961, to June 30, 1962, as prepared by the Committee on House Administration pursuant to the provisions of House Resolution 476 of the 87th Congress, pursuant to paragraph 102, of title 2 of the Code of Laws of the United States; to the Committee on House Administration.

2. A letter from the Clerk, U.S. House of Representatives, transmitting a report for the period July 1, 1961, to June 30, 1962, as prepared by the Committee on House Administration pursuant to the provisions of House Resolution 476 of the 87th Congress, pursuant to paragraphs 103 and 104, of title 2 of the Code of Laws of the United States; to the Committee on House Administration.

3. A letter from the Governor, Farm Credit Administration, transmitting the 29th Annual Report of the Farm Credit Administration on the work of the cooperative farm credit system (including the report of the Federal Farm Credit Board), for the fiscal year ended June 30, 1962, pursuant to section 3 of the Federal Farm Loan Act, as amended. (H. Doc. No. 18); referred to the Committee on Agriculture and ordered to be printed with illustrations.

4. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I agreements under the Agriculture Trade Development and Assistance Act of 1954, pursuant to Public Law 480, 83d Congress, as amended, for the month of September 1962; to the Committee on Agriculture.

5. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I agreements under the Agriculture Trade Development and Assistance Act of 1954, pursuant to Public Law 480, 83d Congress, as amended, for the month of November 1962; to the Committee on Agriculture.

6. A letter from the Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I agreements under the Agriculture

Trade Development and Assistance Act of 1954, pursuant to Public Law 480, 83d Congress, as amended, for the month of October 1962; to the Committee on Agriculture.

7. A letter from the Secretary of the Interior, Chairman, Migratory Bird Conservation Commission, transmitting the report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1962, pursuant to 45 Stat. 1222; 16 U.S.C. 715b; to the Committee on Agriculture.

8. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Salaries and expenses, White House Police," for the fiscal year 1963, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

9. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Salaries and expenses, U.S. Secret Service," for the fiscal year 1963, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

10. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Salaries and expenses, Division of Disbursement" for the fiscal year 1963, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

11. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Administering the public debt" for the fiscal year 1963, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

12. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Veterans' Administration for "Compensation and pensions" for the fiscal year 1963, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

13. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Selective Service System for "Salaries and expenses" for the fiscal year 1963, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

14. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Department of Justice for "Support of U.S. prisoners," for the fiscal year 1963, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

15. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Department of Health, Education, and Welfare for "Hospitals and medical care, Public Health Service," for the fiscal year 1963, has been apportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

16. A letter from the Assistant Secretary of the Interior, relative to reporting that an adequate soil survey and land classification of the lands in the Chief Joseph Dam project, Greater Wenatchee division, Washington, has been completed as a part of the formulation of a definite plan for project development, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

17. A letter from the Administrator, Veterans' Administration, relative to reporting two violations of subsection (h) of section 3679 of the Revised Statutes, of overobligations of amounts permitted by agency regulations issued pursuant to the aforementioned legislation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(i)(2)); to the Committee on Appropriations.

18. A letter from the Secretary of the Air Force, transmitting a report of the Air Force military construction contracts awarded by the Department of the Air Force without formal advertising for the period January 1 through June 30, 1962, pursuant to section 605, Public Law 87-57; to the Committee on Armed Services.

19. A letter from the Secretary of the Air Force, transmitting a report of the number of officers assigned or detailed as of the end of the first quarter of fiscal year 1963 (September 30, 1962), pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

20. A letter from the Secretary of the Army, transmitting the report of the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff on September 30, 1962, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

21. A letter from the Deputy Secretary of Defense, transmitting a report on the real and personal property of the Department of Defense as of June 30, 1962, pursuant to the National Security Act of 1947, as amended; to the Committee on Armed Services.

22. A letter from the Assistant Secretary of Defense, Office of Civil Defense, transmitting the 44th report on the Federal contributions program for the quarter ending June 30, 1962, pursuant to subsections 201(i) and 205 of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

23. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting reports submitted by the Departments of the Army, Navy, and Air Force, and the Defense Supply for the period January through June 30, 1962, listing contracts negotiated under authority of sections 2304 (a)(11) and 2304(a)(16) of title 10, United States Code, pursuant to section 2304(e) of title 10, United States Code; to the Committee on Armed Services.

24. A letter from the Assistant Secretary of Defense, Office of Civil Defense, transmitting the fifth report on property acquisitions of emergency supplies and equipment for the quarter ending September 30, 1962, authorized by Executive Order 10952, effective August 1, 1961, pursuant to subsection 201 (h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

25. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting a statistical supplement, "Stockpile Report to the Congress," for the period ending June 1962, pursuant to section 4 of the Strategic and Critical Materials Stock Piling Act, Public Law 520, 79th Congress; to the Committee on Armed Services.

26. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of cadmium declared in excess of stockpile needs, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b(e); to the Committee on Armed Services.

27. A letter from the Secretary of Health, Education, and Welfare, transmitting the report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending September 30, 1962, authorized by Executive Order 10958, effective August 14, 1961, pursuant to subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

28. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a request for the donation of certain condemned boats to the city of Roanoke, Va., for exhibition purposes, pursuant to 10 U.S.C. 7308(c); to the Committee on Armed Services.

29. A letter from the Administrative Assistant Secretary, Treasury Department, transmitting a report of negotiated purchases and contracts made by the Coast Guard under clause 11 of subsection (a) of section 2304e of title 10, United States Code, since May 19, 1962, pursuant to section 2304e of title 10, United States Code; to the Committee on Armed Services.

30. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting the annual reports of officers of the Veterans of Foreign Wars of the United States and a report of audit for the fiscal year ending August 31, 1962, pursuant to Public Law 630, 74th Congress; to the Committee on Armed Services.

31. A letter from the Attorney General, transmitting a report containing the results of our continuing review of the outstanding voluntary agreements and programs, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

32. A letter from the Acting Secretary of Commerce, transmitting the 61st Quarterly Report on Export Control covering the 3d quarter 1962, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

33. A letter from the Comptroller of the Currency, transmitting the Annual Report of the Comptroller of the Currency for the year 1961; to the Committee on Banking and Currency.

34. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the August 1962 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

35. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the September 1962 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

36. A letter from the Acting Administrator, General Services Administration, transmitting a report on the progress of the liquidation activities of the national defense, war and reconversion activities of Reconstruction Finance Corporation, pursuant to Public Law 163, 83d Congress, as amended, and with Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

37. A letter from the Secretary of the Treasury, transmitting a report to the Congress covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the quarterly period ending September 30, 1962, pursuant to 67 Stat. 230, and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

38. A letter from the Chairman, District of Columbia Redevelopment Land Agency, transmitting the Annual Report of the District of Columbia Redevelopment Land Agency for the fiscal year ending June 30, 1962, pursuant to section 15 of the District of Columbia Redevelopment Act of 1945 (Public Law 592, 79th Cong.); to the Committee on the District of Columbia.

39. A letter from the Chairman, National Capital Planning Commission, transmitting a report showing lands acquired by the Commission during the fiscal year 1962, for the development of the park, parkway, and playground system of the National Capital and its environs, pursuant to section 13 of Public Law 592, approved July 19, 1952; to the Committee on the District of Columbia.

40. A letter from the Executive Secretary, Public Utilities Commission of the District of Columbia, transmitting the 49th Annual Report of the Public Utilities Commission of the District of Columbia for the calendar year 1961 pursuant to paragraphs 14 and 20 of section 8 of an act making appropriations for the District of Columbia for fiscal year ending June 30, 1914, approved March 4, 1913; to the Committee on the District of Columbia.

41. A letter from the Director, Congressional Liaison Staff, Agency for International Development, Department of State, transmitting the quarterly report on the programing and the obligation of the contingency fund, for the quarter ending September 30, 1962, pursuant to section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

42. A letter from the Secretary of the Treasury, transmitting the third semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of June 30, 1962, pursuant to Public Law 87-195; to the Committee on Foreign Affairs.

43. A letter from the Assistant Administrator, Congressional Liaison, Agency for International Development, Department of State, transmitting a copy of the Agency's reply to the report of the Comptroller General of the United States transmitted to the Speaker of the House of Representatives on September 21, 1962—the report (B-125060) related to the examination of the economic and technical assistance program for Korea, fiscal years 1957-61; to the Committee on Government Operations.

44. A letter from the Administrative Assistant, Secretary of Agriculture, transmitting the report of disposals of foreign excess property for the fiscal year ending June 30, 1962, pursuant to Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

45. A letter from the Assistant Secretary of Defense, transmitting the annual report of the Department of Defense relative to its disposition of foreign excess personal property located in areas outside the United States, Puerto Rico, and the Virgin Islands for the fiscal year 1962, pursuant to Public Law 152, 81st Congress; to the Committee on Government Operations.

46. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report of personal property received by State surplus property agencies for distribution and also a report of real property disposed of for the period July 1 through September 30, 1962, pursuant to section 203(o) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

47. A letter from the Comptroller General of the United States, transmitting a report on the review of the health research facilities construction program administered by the National Institutes of Health, Public Health Service, Department of Health, Education, and Welfare, February 1962, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

48. A letter from the Comptroller General of the United States, transmitting a report on the review of personnel, leave, and travel policies applicable to non-Federal employees in the low-rent public housing program, Public Housing Administration, Housing and Home Finance Agency, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

49. A letter from the Comptroller General of the United States, transmitting a report on unauthorized division, by the Forest Service, Department of Agriculture, of revenues from the sale of special permits for hunting and fishing in national forests, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

50. A letter from the Comptroller General of the United States, transmitting a report on the review of selected phases of workable programs for community improvement under the administration of the Fort Worth regional office, Housing and Home Finance Agency; to the Committee on Government Operations.

51. A letter from the Comptroller General of the United States, transmitting a report on review of automatic data processing activities at selected regional offices, General Services Administration, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

52. A letter from the Comptroller General of the United States, transmitting a report on review of air travel at the national office of the Internal Revenue Service, Treasury Department, during the months of July 1961 through February 1962, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

53. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Panama Canal Company, fiscal year 1962, pursuant to the Government Corporation Control Act (31 U.S.C. 841); to the Committee on Government Operations.

54. A letter from the Comptroller General of the United States, transmitting a report on the review of the supply management of submarine equipment and spare parts by the Ships Parts Control Center, Mechanicsburg, Pa., Department of the Navy, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

55. A letter from the Comptroller General of the United States, transmitting a report on the review of selected slum clearance and urban renewal activities under the administration of the New York regional office, Housing and Home Finance Agency, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

56. A letter from the Comptroller General of the United States, transmitting a report on the review of the status of prior recommendations of the General Accounting Office concerning selected activities at the Aircraft Repair and Supply Base, U.S. Coast Guard, Treasury Department, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

No. 57. A letter from the Comptroller General of the United States, transmitting a report on the review of the sales of high-temperature alloy scrap by the Department of Defense installations in the continental United States, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

58. A letter from the Comptroller General of the United States, transmitting a report on examination into the pricing of 14 subcontracts for components of Polaris missiles awarded to Systron-Donner Corp., Concord, Calif., under Navy cost-plus-a-fixed-fee contracts with Lockheed Aircraft Corp., Sunnyvale, Calif., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

59. A letter from the Comptroller General of the United States, transmitting a report of the review certain records management activities of the National Archives and Records Service, General Services Administration, December 1961, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

60. A letter from the Comptroller General of the United States, transmitting a report on the examination of pricing of F-101 airplane aft fuselage assemblies purchased from the Temco Aircraft Corp., Dallas, Tex., by the McDonnell Aircraft Corp., St. Louis, Mo., under Department of the Air Force contracts, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

61. A letter from the Comptroller General of the United States, transmitting a report on the review of the procurement of mobile inspection equipment vans from the Boeing Co., Seattle, Wash., under Department of the Air Force negotiated contract AF 33(600)-36319, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

62. A letter from the Comptroller General of the United States, transmitting a report on the review of certain aspect of the Post Office Department's real estate program relating to leasing of major facilities and certain other facilities under long-term leases, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and Public Law 86-682 (39 U.S.C. 2206); to the Committee on Government Operations.

63. A letter from the Comptroller General of the United States, transmitting a report on the review of the administration and utilization of U.S.-owned foreign currencies in selected countries, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

64. A letter from the Comptroller General of the United States, transmitting a report on the review of the Federal surplus property program of the Office of Civil and Defense Mobilization, Executive Office of the President, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the

Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

65. A letter from the Comptroller General of the United States, transmitting a report on the review of the surplus disposal program and related programs of the Federal Aviation Agency, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

66. A letter from the Comptroller General of the United States, transmitting a report on the examination of the costs and manpower involved in the maintenance of noncombat vehicles in the Department of Defense during the fiscal years 1961 and 1962, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

67. A letter from the Comptroller General of the United States, transmitting a report of excessive amounts of overhead costs charged to Government cost-type contracts by the Quincy yard of the Bethlehem Steel Co., Quincy, Mass., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

68. A letter from the Comptroller General of the United States, transmitting a report on the review of the management of jet aircraft engines by the Air Training Command in its ground training programs for the Department of the Air Force, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

69. A letter from the Comptroller General of the United States, transmitting a report on the review of the pricing of spare parts purchased under the Department of the Navy fixed-price contracts negotiated with the Aeroflex Corp., Aeroflex Laboratories Division, Long Island City, N.Y., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

70. A letter from the Comptroller General of the United States, transmitting a report on the review of the provisional payments made under the Department of the Navy contract NObser–59595 with the Hazeltine Electronics Division, Hazeltine Corp., Little Neck, N.Y., pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

71. A letter from the Comptroller General of the United States, transmitting a report on the review of the utilization of excess personal property and disposal of surplus personal property at selected installations of the General Services Administration and other Federal agencies, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

72. A letter from the Comptroller General of the United States, transmitting a report on the audit of financial statements of the Columbia River power system and related activities, for the fiscal year 1962, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

73. A letter from the Comptroller General of the United States, transmitting a report on the review of certain land exchanges, Pacific Northwest region (region 6), Forest Service, Department of Agriculture, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

74. A letter from the Comptroller General of the United States, transmitting a report on the review of the stock funds and related consumer funds in the Department of Defense (pt. II), pursuant to the Budget and Accounting Act of 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

75. A letter from the Comptroller General of the United States, transmitting a report on the review of air travel by personnel of the Public Housing Administration, Housing and Home Finance Agency, October 1962, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

76. A letter from the Secretary of the Interior, transmitting determinations relating to the deferment of 1963 and 1964 charges payable by the Casper-Alcova Irrigation District, Kendrick project, Wyoming, pursuant to Public Law 86–308; to the Committee on Interior and Insular Affairs.

77. A letter from the Assistant Secretary of the Interior, transmitting copies of six orders and supporting documents covering cancellations and adjustments for the fiscal year 1962 substantiating charges of the Government existing as debts against individual Indians or tribes of Indians, pursuant to 47 Stat. 564; to the Committee on Interior and Insular Affairs.

78. A letter from the Secretary of Commerce, transmitting a report that the Department had conducted no commissary activities outside the continental United States during the fiscal year 1962, pursuant to 5 U.S.C. 596a; to the Committee on Interstate and Foreign Commerce.

79. A letter from the Secretary of Commerce, transmitting a report of the activities under title XIII of the Federal Aviation Act of 1958 as of September 30, 1962, relative to providing war risk insurance, pursuant to section 1309 of the act; to the Committee on Interstate and Foreign Commerce.

80. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of September 30, 1962, pursuant to section 5(e) of the Communications Act as amended July 16, 1962, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

81. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of October 31, 1962, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

82. A letter from the Secretary of the Air Force, transmitting a report of claims settled and not settled arising out of the crash of a U.S. Air Force aircraft at Little Rock, Ark., on March 31, 1960, pursuant to Public Law 476, 86th Congress (74 Stat. 147); to the Committee on the Judiciary.

83. A letter from the national president, American War Mothers, transmitting the reports of the American War Mothers for the periods from September 1, 1959, to September 1, 1962, inclusive; to the Committee on the Judiciary.

84. A letter from the Secretary of the Army, transmitting the report of claims settled under the Federal Tort Claims Act by the Department of the Army during fiscal year 1962, pursuant to section 2673, title 28, United States Code; to the Committee on the Judiciary.

85. A letter from the Secretary of the Army, transmitting a report of claims settled by the Department of the Army during fiscal year 1962, pursuant to section 2732(f), title 10, United States Code; to the Committee on the Judiciary.

86. A letter from the Attorney General, transmitting the report on the administration of the Foreign Agents Registration Act covering the calendar year 1961, pursuant to section 11 of the Foreign Agents Registration Act of 1938, as amended; to the Committee on the Judiciary.

87. A letter from the President, Conference of State Societies, transmitting an audit report of the society for the year ended June 30, 1962, pursuant to 66 Stat. 40; to the Committee on the Judiciary.

88. A letter from the Deputy Administrator, Federal Aviation Agency, transmitting the report of all claims paid by the Federal Aviation Agency during the fiscal year 1962 under part 2 of said act, pursuant to section 404 of the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

89. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissible to the United States under law, pursuant to section 212(a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

90. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting lists of names of aliens and copies of orders entered in cases where the authority contained in section 212(d) (3) of the Immigration and Nationality Act was exercised in their behalf, pursuant to section 212(d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

91. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting lists of names of aliens and orders entered in cases where the authority contained in section 212(d) (3) of the Immigration and Nationality Act was exercised in their behalf, pursuant to section 212(d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

92. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of the orders entered in the cases of certain aliens who have been found admissible to the United States under law, pursuant to section 212(a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

93. A letter from the National Adjutant Paymaster, Marine Corps League, transmitting a copy of the minutes of the 39th Annual Convention of the Marine Corps League with a statement of receipts and disbursements for the calendar year 1961, pursuant to 50 Stat. 559; to the Committee on the Judiciary.

94. A letter from the Secretary of the Treasury, transmitting a report listing the tort claims approved for payment in the fiscal year 1962 with brief descriptions of each, pursuant to section 2673, title 28, United States Code; to the Committee on the Judiciary.

95. A letter from the national secretary-treasurer, Sons of Union Veterans of the Civil War, transmitting the annual certified public accountant's audit and the annual report of the activities of the Sons of Union Veterans of the Civil War for the fiscal year ending June 30, 1962, pursuant to section 15(a) and section 16 of Public Law 605, 83d Congress; to the Committee on the Judiciary.

96. A letter from the Administrator, Veterans' Administration, transmitting an original report of the tort claims paid by this Administration during the fiscal year ended

June 30, 1962, pursuant to section 404 of the Federal Tort Claims Act, title IV, Public Law 601, 79th Congress (28 U.S.C. 2673); to the Committee on the Judiciary.

97. A letter from the national quartermaster, Veterans of World War I of the U.S.A., Inc., transmitting the ninth annual convention proceedings and the financial report for the year ended August 31, 1961, pursuant to Public Law 85–530; to the Committee on the Judiciary.

98. A letter from the Secretary of Commerce, transmitting a report of the activities under title XII of the Merchant Marine Act of 1936, as amended as of September 30, 1962, providing war risk insurance and certain marine and liability insurance for the American public; to the Committee on Merchant Marine and Fisheries.

99. A letter from the Acting Secretary of Commerce, transmitting the quarterly report of the Maritime Administration on the activities and transactions of the Administration under the Merchant Ship Sales Act of 1956, from July 1 through September 30, 1962, pursuant to section 13 of the act; to the Committee on Merchant Marine and Fisheries.

100. A letter from the Administrative Assistant Secretary, Department of the Interior, transmitting a supplemental report relative to a grade GS–17 position of the general schedule of the Classification Act of 1949, as amended, pursuant to Public Law 87–793; to the Committee on Post Office and Civil Service.

101. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 8, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the Au Gres River, Mich., authorized by the Flood Control Act, approved June 30, 1948; to the Committee on Public Works.

102. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the determination that the use of funds for the construction of a hydrostatic test facility at the Marshall Space Flight Center is necessary, pursuant to 75 Stat. 216, 217; to the Committee on Science and Astronautics.

103. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics showing the need for the construction of four multipurpose warehouse-type buildings at the Goddard Space Flight Center, Greenbelt, Md., pursuant to 76 Stat. 383; to the Committee on Science and Astronautics.

104. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the justifications for proposed authorizations and appropriations presented by the Administration to the committees of the Congress during the 2d session of the 87th Congress, pursuant to 76 Stat. 383; to the Committee on Science and Astronautics.

105. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to traffic delays incurred by Government personnel at the Langley Research Center, Hampton, Va., pursuant to 76 Stat. 383; to the Committee on Science and Astronautics.

106. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to making funds available for improvements to the highway between Las Vegas, Nev., and the Joint Atomic Energy Commission test site, pursuant to 76 Stat. 382, 383; to the Committee on Science and Astronautics.

107. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the construction and equipment of a magnetic fields component test facility at the Goddard Space Flight Center, Greenbelt, Md., pursuant to 76 Stat. 216, 217; to the Committee on Science and Astronautics.

108. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the Apollo spacecraft awarded to North American Aviation, Inc., pursuant to 76 Stat. 382; to the Committee on Science and Astronautics.

109. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the contract with the Douglas Aircraft Co., Inc., Santa Monica, Calif., for the research, development, and testing of the Saturn S–IV B, pursuant to 76 Stat. 382; to the Committee on Science and Astronautics.

110. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics supplementing a report dated October 29, 1962, relative to buildings at the Goddard Space Flight Center, Greenbelt, Md., pursuant to 76 Stat. 383; to the Committee on Science and Astronautics.

111. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics showing changes in justification of appropriations for facilities at the National Aeronautics and Space Administration nuclear rocket development station in Nevada, pursuant to 76 Stat. 216, 217; to the Committee on Science and Astronautics.

112. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics showing the need for the construction of a mission control center at the Manned Spacecraft Center, Houston, Tex., pursuant to 76 Stat. 383; to the Committee on Science and Astronautics.

113. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the reallocation of fiscal year 1962 and 1963 funds for the J–2 rocket, pursuant to 76 Stat. 382, 383; to the Committee on Science and Astronautics.

114. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics relative to the allocation of additional funds for a project at the National Aeronautics and Space Administration-Ames Research Center, Moffett Field, Calif., pursuant to 76 Stat. 216, 217; to the Committee on Science and Astronautics.

115. A letter from the Comptroller General of the United States, transmitting a report on the audit of the financial statements of the Tennessee Valley Authority for the fiscal year ended June 30, 1962, pursuant to 31 U.S.C. 841 (H. Doc. No. 32); to the Committee on Government Operations and ordered to be printed.

116. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the report of the proceedings of the Annual Report of the Judicial Conference of the United States, held at Washington, D.C., September 19–20, 1962 (H. Doc. No. 33); to the Committee on the Judiciary and ordered to be printed.

117. A letter from the Secretary of Agriculture, transmitting a draft of legislation to make permanent the definition of "peanuts" which is now in effect through the 1963 crop under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

118. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill to amend the Commodity Exchange Act, as amended; to the Committee on Agriculture.

119. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to clarify the authority of the Secretary of Agriculture to prescribe contract violations which warrant termination of soil bank contracts and the authority of State agricultural stabilization and conservation committees to impose civil penalties required by section 123 of the Soil Bank Act; to the Committee on Agriculture.

120. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds; to the Committee on Agriculture.

121. A letter from the Deputy Administrator, Veterans' Administration, transmitting a report of a violation of subsection (h) of the Revised Statutes, as amended, consisting of an overobligation of the amount permitted by agency regulations, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(i)(2)); to the Committee on Appropriations.

122. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation for grants to States for public assistance for the fiscal year 1963, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

123. A letter from the Secretary of Agriculture, transmitting a report of a possible violation of section 3679 of the Revised Statutes, as amended, and regulations promulgated thereunder by the Department of Agriculture, involving overobligation of an allotment of funds; to the Committee on Appropriations.

124. A letter from the Secretary of Defense, transmitting several reports covering violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations Within the Department of Defense"; to the Committee on Appropriations.

125. A letter from the Administrator, Housing and Home Finance Agency, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

126. A letter from the Secretary of the Army, transmitting the required report of the Army aviation personnel above the rank of major, pursuant to (60 Stat. 20; 37 U.S.C. 118a–1); to the Committee on Armed Services.

127. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification that a project has been approved for the construction of an Army National Guard Armory at Greensboro, Ala., pursuant to 10 U.S.C. 2233a; to the Committee on Armed Services.

128. A letter from the Deputy Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period January 1 to June 30, 1962, pursuant to Public Law 520, 79th Congress; to the Committee on Armed Services.

129. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report of defense procurement from small and other business firms for the period from July to October 1962, pursuant to section 10(d) of the Small Busi-

ness Act; to the Committee on Banking and Currency.

130. A letter from the vice president, the Chesapeake & Potomac Telephone Co., transmitting the annual report of the company for the year 1962; to the Committee on the District of Columbia.

131. A letter from the Comptroller General of the United States, transmitting a report on examination into the pricing of subcontracts for nuclear submarine components awarded by the Plant Apparatus Department of Westinghouse Electric Corp., Pittsburgh, Pa., to another department of Westinghouse and charged to the Navy under cost-plus-a-fixed-fee contracts; to the Committee on Government Operations.

132. A letter from the Comptroller General of the United States, transmitting the report on audit of Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., for the fiscal year 1962, pursuant to 22 U.S.C. 278a; to the Committee on Government Operations.

133. A letter from the Chairman, Federal Power Commission, transmitting a report showing the permits and licenses for hydroelectric projects issued by the Federal Power Commission during the fiscal year ended June 30, 1962, and the names and compensation of persons employed by the Commission during that period, pursuant to section 4(d) of the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

134. A letter from the Secretary of the Interior transmitting a report on continuing studies of the quality of water of the Colorado River system, pursuant to section 15 of the act of Congress approved April 11, 1956; to the Committee on Interior and Insular Affairs.

135. A letter from the Assistant Secretary of the Interior transmitting his determinations relating to deferment of certain construction payments due the United States from the Mirage Flats Irrigation District, Mirage Flats project, Nebraska; to the Committee on Interior and Insular Affairs.

136. A letter from the Assistant Secretary of the Interior, transmitting the sixth annual report on the status of the Colorado River storage project and participating projects, pursuant to (70 Stat. 105); to the Committee on Interior and Insular Affairs.

137. A letter from the Assistant Secretary of the Air Force, transmitting a draft of legislation for the relief of Maj. Donald B. Powers, U.S. Air Force; to the Committee on the Judiciary.

138. A letter from the Assistant Secretary of the Air Force, transmitting a draft of legislation for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force, to the Committee on the Judiciary.

139. A letter from the Director, U.S. Arms Control and Disarmament Agency, transmitting the annual report on the 14 scientific or professional positions established in the U.S. Arms Control and Disarmament Agency to effectuate those research and development functions of the Agency which require the services of specially qualified personnel, pursuant to Public Law 87-367; to the Committee on Post Office and Civil Service.

140. A letter from the Director of Personnel, Department of Commerce, transmitting the Department of Commerce report of scientific and professional positions established under the authority contained in 72 Stat. 213a, 5 U.S.C. 1161(e), pursuant to 72 Stat. 214, 5 U.S.C. 1163; to the Committee on Post Office and Civil Service.

141. A letter from the Administrative Assistant Secretary of the Interior, transmitting additional information relating to a letter of December 22, 1961, which dealt with professional positions in the Department of the Interior, pursuant to Public Law 313, 80th Congress; to the Committee on Post Office and Civil Service.

142. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and section 3 of 76 Stat. 382, 383; to the Committee on Science and Astronautics.

143. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

144. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of 76 Stat. 382, 383; to the Committee on Science and Astronautics.

145. A letter from the Board of Directors, Tennessee Valley Authority, transmitting the 29th Annual Report of the Activities of the TVA during the fiscal year ending June 30, 1962; to the Committee on Public Works.

146. A letter from the Acting Chairman, Subversive Activities Control Board, transmitting the 12th Annual Report of the Subversive Activities Control Board, pursuant to Public Law 831, 81st Congress; to the Committee on Un-American Activities.

147. A letter from the Chairman, the Renegotiation Board, transmitting the Seventh Annual Report of the Renegotiation Board, pursuant to section 114 of Public Law 870, 84th Congress; to the Committee on Ways and Means.

148. A letter from the Clerk, U.S. House of Representatives, submitting a list of reports which it is the duty of any officer or department to make to Congress, pursuant to rule III, clause 2, of the Rules of the House of Representatives (H. Doc. No. 23); to the Committee on House Administration and ordered to be printed.

149. A letter from the Postmaster General, Chairman, Board of Trustees, transmitting the report of operations of the Postal Savings System for the fiscal year ended June 30, 1962, pursuant to section 1 of the act approved June 25, 1910 (H. Doc. No. 11); to the Committee on Post Office and Civil Service and ordered to be printed.

150. A letter from the Administrator, Veterans' Administration, transmitting a report of the activities of the Veterans' Administration for the fiscal year ending June 30, 1962, pursuant to the provisions of 38 U.S.C. 214 (H. Doc. No. 8); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

151. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting relative to reporting that the appropriation to the Department of Justice for "Salaries and expenses, U.S. attorneys and marshals" for the fiscal year 1963, has been reapportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

152. A letter from the Secretary of the Air Force, transmitting a draft of a bill to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes; to the Committee on Armed Services.

153. A letter from the General Counsel, Department of Defense, transmitting a draft of a bill to amend the National Industrial Reserve Act of 1948; to the Committee on Armed Services.

154. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a bill to amend the District of Columbia Traffic Act, 1925, as amended; to the Committee on the District of Columbia.

155. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia; to the Committee on the District of Columbia.

156. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a bill to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained; to the Committee on the District of Columbia.

157. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a bill to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced; to the Committee on the District of Columbia.

158. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a bill to amend the act of February 9, 1907, entitled "An act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia," as amended, with respect to the minimum age limitation for registration; to the Committee on the District of Columbia.

159. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a bill to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939, as amended; to the Committee on the District of Columbia.

160. A letter from the Secretary of the Treasury, transmitting the Combined Statement of Receipts, Expenditures, and Balances of the U.S. Government for the fiscal year ended June 30, 1962, pursuant to section 15 of the act of July 31, 1894 (5 U.S.C. 264), and section 114 of the act of September 12, 1950 (31 U.S.C. 66b); to the Committee on Government Operations.

161. A letter from the Comptroller General of the United States, transmitting a report on the review of the local currency military budget support program for Korea; to the Committee on Government Operations.

162. A letter from the Comptroller General of the United States, transmitting a report on the review of the administration of construction of certain launch facilities for the Atlas and Titan intercontinental ballistic missiles at selected Air Force bases; to the Committee on Government Operations.

163. A letter from the Chairman, Interstate Commerce Commission, transmitting the 76th Annual Report of the Interstate Commerce Commission for the fiscal year ended June 30, 1962; to the Committee on Interstate and Foreign Commerce.

164. A letter from the Assistant Secretary of the Air Force, transmitting a draft of a bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force; to the Committee on Merchant Marine and Fisheries.

165. A letter from the Librarian of Congress, relative to positions in the Legislative Reference Service of the Library of Congress within the purview of subsection (c) of section 505 of the Classification Act of 1949, as amended, allocated to grades 16, 17, and

18 of the general schedule, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

166. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of the orders entered in the cases of certain aliens who have been found admissible to the United States, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

167. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

The following reports of committees on public bills and resolutions were submitted subsequent to the adjournment of the 87th Congress, 2d session:

Mr. GEORGE P. MILLER: Committee on Science and Astronautics. Report pursuant to House Resolution 55 pertaining to Project Advent (Rept. No. 2558). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on Un-American Activities. Annual report for 1961 (Rept. No. 2559). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE P. MILLER: Committee on Science and Astronautics. Report on communications satellite experiments (Rept. No. 2560). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE P. MILLER: Committee on Science and Astronautics. Report on space and the weather (Rept. No. 2561). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report on small business and Government procurement (Rept. No. 2562). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. Report pursuant to House Resolution 399, 87th Congress, 1st session (Rept. No. 2563). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report on organization and operation of the Small Business Administration (Rept. No. 2564). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report on Small Business problems in the dairy industry (Rept. No. 2565). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 46 pertaining to small business problems of the poultry industry (Rept. No. 2566). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 46 pertains to small business problems created by the petroleum imports (Rept. No. 2567). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 46 pertaining to opportunities for small business in foreign trade (Rept. No. 2568). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Final Report of the Select Committee on Small Business (Rept. No. 2569). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Special Committee To Investigate Campaign Expenditures. Report on campaign expenditures (Rept. No. 2570). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 46 pertaining to small business in television and radio (Rept. No. 2571). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H.R. 1. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 2. A bill to incorporate the Eleanor Roosevelt Foundation; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H.R. 3. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 4. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. SLACK:

H.R. 5. A bill to provide for the establishment of the Coal River National Recreation Demonstration Area in the State of West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 6. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

By Mr. PERKINS:

H.R. 7. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. HARRIS:

H.R. 8. A bill to amend the Natural Gas Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEOGH:

H.R. 9. A bill to amend the act of September 14, 1959, relating to the power of States to impose net income taxes on income derived from interstate commerce; to the Committee on the Judiciary.

By Mr. BECKWORTH:

H.R. 10. A bill to extend the apportionment requirements in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PATMAN:

H.R. 11. A bill—

DECLARATION OF PURPOSE AND POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discriminations; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Clayton Act as amended by the Robinson-Patman Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity of all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 12. A bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BONNER:

H.R. 13. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. JONES of Missouri:

H.R. 14. A bill to make cotton available to domestic users at prices more competitive with prices foreign users pay for cotton, to make cotton prices more competitive with prices of competing fibers, to authorize the Secretary to permit cotton growers to plant additional acreage for the 1963 and succeeding crops of upland cotton, and for other purposes; to the Committee on Agriculture.

By Mrs. SULLIVAN:

H.R. 15. A bill to provide for the establishment of a special 7-year program of Federal scholarship and fellowship grants to individuals, and a program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children; to the Committee on Education and Labor.

By Mr. MAHON:

H.R. 16. A bill to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes," approved July 6, 1946, as amended; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 17. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Columbus Bend project, Texas; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California:

H.R. 18. A bill to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures; to the Committee on Science and Astronautics.

By Mr. WALTER:

H.R. 19. A bill to amend section 375 of title 28, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 20. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. BOW:

H.R. 21. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 22. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for certain amounts set aside by a taxpayer for the higher education of prospective college students in his family, and a tax credit for certain amounts otherwise paid as educational expenses to institutions of higher education; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 23. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 24. A bill to protect the right of individuals to be free from discrimination or segregation by reason of race, color, religion, or national origin; to the Committee on the Judiciary.

H.R. 25. A bill to authorize the Attorney General to institute for the United States a civil action for preventive relief whenever any acts have been committed which would give rise to a cause of action under section 1980 of the Revised Statutes; to the Committee on the Judiciary.

H.R. 26. A bill to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes; to the Committee on the Judiciary.

H.R. 27. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 28. A bill to prohibit the use of Government property by any organization practicing segregation on the basis of race, creed, or color; to the Committee on Public Works.

By Mr. PRICE:

H.R. 29. A bill to provide for the securing of custody and disposition by the United States of missiles, rockets, earth satellites, and similar devices adaptable to military uses, and for other purposes; to the Committee on Science and Astronautics.

H.R. 30. A bill to provide for the establishment of a national cemetery in Madison or St. Clair Counties, Ill.; to the Committee on Interior and Insular Affairs.

H.R. 31. A bill to establish permanent firing squads for national cemeteries in which burials are conducted; to the Committee on Armed Services.

H.R. 32. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. ROUDEBUSH:

H.R. 33. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions of $100 per month to World War I veterans, subject to a $2,400 and $3,600 annual income limitation; to provide that retirement income such as social security shall not be counted as income; to provide that such pension shall be increased by 10 percent where the veteran served overseas during World War I; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H.R. 34. A bill making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes; to the Committee on Appropriations.

By Mr. CELLER:

H.R. 35. A bill to provide for an increase in judicial salaries; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H.R. 36. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 37. A bill to amend title 28 of the United States Code to establish certain qualifications for persons appointed to the Supreme Court and to provide that persons who have held certain Federal and State offices shall be ineligible for appointment to any Federal judgeship within 5 years after leaving such offices; to the Committee on the Judiciary.

H.R. 38. A bill to amend title 18, United States Code, to proscribe travel in interstate or foreign commerce for purposes of inciting to riot or committing other unlawful acts; to the Committee on the Judiciary.

H.R. 39. A bill to amend the act of June 4, 1948, as it relates to the appointment of the District of Columbia Armory Board; to the Committee on the District of Columbia.

H.R. 40. A bill to assist the States to provide additional facilities for research at the State agricultural experiment stations; to the Committee on Agriculture.

By Mr. BECKWORTH:

H.R. 41. A bill to provide that when a family's home is being acquired by the United States, in determining the price to be paid for such home, the agency acquiring such home may take into account the same considerations as would be taken into account by such family in determining whether or not to sell their home voluntarily; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 42. A bill to grant authority to the Federal courts to deny bail to defendants in certain criminal cases involving crimes affecting national security; to the Committee on the Judiciary.

H.R. 43. A bill to amend title 28 of the United States Code ("Judiciary and Judicial Procedure") to provide for a U.S. Administrative Court, and for other purposes; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 44. A bill to amend the Immigration and Nationality Act so as to provide that the base year for determining any quota shall be 1960; to the Committee on the Judiciary.

By Mrs. FRANCES P. BOLTON:

H.R. 45. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 46. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be reduced from 65 to 60; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 47. A bill to provide for the temporary suspension of the duty on cork stoppers; to the Committee on Ways and Means.

H.R. 48. A bill to provide for the temporary suspension of the duty on corkboard insulation; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 49. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Ways and Means.

By Mr. JOHNSON of Wisconsin:

H.R. 50. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. FLYNT:

H.R. 51. A bill to amend section 90 of title 28, United States Code, so as to provide for a new division within the northern judicial district of the State of Georgia, and for other purposes; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 52. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain amounts paid for the education of the taxpayer, his spouse, or his dependents; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 53. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

H.R. 54. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents at a college or university; to the Committee on Ways and Means.

H.R. 55. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 56. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 57. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 58. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 59. A bill to provide for the protection of residential and business realty in the District of Columbia which is not substandard and which is held by homeowners and small businessmen in urban renewal project areas in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 60. A bill to provide for the planning, authorization, and establishment of regional parks, monuments, historical parks and seashores, recreational areas, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 61. A bill to provide for an inventory of unpatented mining claims on lands under the jurisdiction of the Secretary of Agriculture and for the removal of unauthorized occupancies of unpatented mining claims, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 62. A bill to amend title V of the Housing Act of 1949 to provide additional funds for farm housing loans, and for other purposes; to the Committee on Banking and Currency.

By Mr. MARTIN of Nebraska:

H.R. 63. A bill to amend the act of August 3, 1956, to authorize the Secretary of the Interior to acquire certain land in Sherman County, Nebr.; to the Committee on Interior and Insular Affairs.

H.R. 64. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mid-State reclamation project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATTHEWS:

H.R. 65. A bill to prohibit the courts of the United States and all other Federal agencies from deciding or considering any matter drawing in question the administration by the several States of their respective educational systems; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 66. A bill to amend the Bankruptcy Act to increase the amount of wages entitled to priority to $1,800 and to provide that pension and welfare benefits earned by an employee shall have the same priority as direct wages; to the Committee on the Judiciary.

H.R. 67. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of payments under retirement plans of certain exempt organizations; to the Committee on Ways and Means.

By Mr. OSTERTAG:

H.R. 68. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain other educational expenses paid by him for the education of himself, his spouse, or any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 69. A bill to amend the Internal Revenue Code of 1954 so as to provide that lawful expenditures for legislative purposes shall be allowed as deductions from gross income; to the Committee on Ways and Means.

H.R. 70. A bill to amend the Tariff Act of 1930 to provide that limestone spalls, fragments, and fines may be imported free of duty; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 71. A bill to supplement the antitrust laws of the United States against restraint of trade or commerce by preventing manufacturers of motor vehicles from financing and insuring the sales of their products; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H.R. 72. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 73. A bill to provide for the merger of certain Coast Guard appropriations for operating expenses, Reserve training, and retired pay; to the Committee on Merchant Marine and Fisheries.

H.R. 74. A bill to provide medical care for certain Coast and Geodetic Survey retired ship's officers and crewmembers and their dependents, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 75. A bill to provide for exceptions to the rules of navigation in certain cases; to the Committee on Merchant Marine and Fisheries.

H.R. 76. A bill to restrict the liability of vessel owners and others in suits based upon the warranty of seaworthiness, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 77. A bill to encourage and promote safety in the merchant marine by requiring that seamen on vessels of the United States meet certain physical requirements; to the Committee on Merchant Marine and Fisheries.

H.R. 78. A bill to amend section 88 of title 14, United States Code, entitled "Coast Guard"; to the Committee on Merchant Marine and Fisheries.

H.R. 79. A bill to amend title 14, United States Code, to require authorization for certain appropriations; to the Committee on Merchant Marine and Fisheries.

H.R. 80. A bill to authorize a study of means of increasing the capacity and security of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 81. A bill to simplify the admeasurement of small vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 82. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; to the Committee on Merchant Marine and Fisheries.

H.R. 83. A bill to amend section 802 of the Merchant Marine Act, 1936, as amended, to provide that owners of vessels requisitioned by the United States shall be accorded preference toward reacquiring these vessels when they can be released by the Government, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BYRNES of Wisconsin:

H.R. 84. A bill to authorize redetermination under the Civil Service Retirement Act of annuities of certain reemployed annuitants; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 85. A bill to amend the Internal Revenue Code of 1954 to reduce the percentage depletion rate for oil and gas wells from 27½ to 12½ percent in three stages; to the Committee on Ways and Means.

H.R. 86. A bill to provide for payment for hospital services, skilled nursing home services, and home health services furnished to aged beneficiaries under the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 87. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 88. A bill to amend section 503 of title 38, United States Code, to provide that workmen's compensation payments shall be disregarded in the computation of income for purposes of payment of pensions, and for other purposes; to the Committee on Veterans Affairs.

H.R. 89. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; and to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 90. A bill to amend the Internal Revenue Code to provide an additional income tax exemption to certain physically handicapped individuals; to the Committee on Ways and Means.

H.R. 91. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption to a taxpayer supporting a dependent who is permanently handicapped; to the Committee on Ways and Means.

H.R. 92. A bill to provide for payment for hospital services, skilled nursing home services, and home health services furnished to aged beneficiaries under the old-age survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 93. A bill to direct the Secretary of the Interior to initiate a salmon and steelhead development program in California; to the Committee on Merchant Marine and Fisheries.

By Mr. HOLLAND:

H.R. 94. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 95. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. KEOGH:

H.R. 96. A bill to amend the Tariff Act of 1930 so as to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty, and for other purposes; to the Committee on Ways and Means.

H.R. 97. A bill to provide certain exemptions from Federal excise taxes for nonprofit organizations for the blind which are now provided for nonprofit educational organizations; to the Committee on Ways and Means.

H.R. 98. A bill to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer; to the Committee on Ways and Means.

H.R. 99. A bill to provide that for estate tax purposes a donor's gross estate shall not include certain property which he transferred before his death for the benefit of minors; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 100. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments; to the Committee on Agriculture.

H.R. 101. A bill to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

H.R. 102. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 103. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 104. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for expenses incurred in the construction of residential fallout shelters of approved type and design; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 105. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RHODES of Arizona:

H.R. 106. A bill to provide that certain public lands of the United States shall be disposed of for their highest and best use, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 107. A bill to amend section 206 of the Labor-Management Relations Act of 1947; to the Committee on Education and Labor.

H.R. 108. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

H.R. 109. A bill to provide that certain public lands in Yuma and Maricopa Counties, Ariz., may be appropriated or disposed of under the public land laws subject to the right in the United States to flood the lands in connection with the Painted Rock Reservoir project; to the Committee on Interior and Insular Affairs.

H.R. 110. A bill to designate the Glen Canyon Dam, to be constructed in connection with the Colorado River storage project, as the "Eisenhower Dam"; to the Committee on Interior and Insular Affairs.

H.R. 111. A bill to provide for national cemeteries in the State of Arizona; to the Committee on Interior and Insular Affairs.

H.R. 112. A bill to amend the enabling act of the State of Arizona for the purpose of facilitating the sale or lease of certain lands granted to such State to local governments for use for public purposes; to the Committee on Interior and Insular Affairs.

H.R. 113. A bill to provide that the President shall include in the budget submitted to the Congress under section 201 of the Budget and Accounting Act, 1921, an item for not less than $2 billion to be applied toward reduction of the national debt; to the Committee on Government Operations.

H.R. 114. A bill to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country; to the Committee on the Judiciary.

H.R. 115. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

By Mr. ROBERTS of Alabama:

H.R. 116. A bill to amend section 4 of the Submerged Lands Act to approve and confirm the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 117. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

H.R. 118. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of a dependent's income derived under State community property laws for purposes of determining the taxpayer's entitlement to a personal exemption for such dependent; to the Committee on Ways and Means.

H.R. 119. A bill to amend the Desert Land Act to permit anyone who is a citizen, or who has filed his declaration of intention to become a citizen, of the United States to make entry of desert lands; to the Committee on Interior and Insular Affairs.

H.R. 120. A bill to provide that certain information relating to the national security shall be made available to the Speaker of the House of Representatives; to the Committee on Post Office and Civil Service.

H.R. 121. A bill to amend title 28 of the United States Code to require that all decisions of the Supreme Court shall be participated in by the full Court, and that any vacancies or absences in the membership of the Court shall be temporarily filled by circuit judges; to the Committee on the Judiciary.

H.R. 122. A bill to require loyalty declarations from employees of Government suppliers and from labor organizations representing the employees of such suppliers; to the Committee on the Judiciary.

By Mr. SILER:

H.R. 123. A bill to provide for the establishment of a new fish hatchery on or near the Cumberland River in the eastern part of the State of Kentucky; to the Committee on Merchant Marine and Fisheries.

H.R. 124. A bill to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service; to the Committee on Post Office and Civil Service.

H.R. 125. A bill to promote the general welfare, foreign policy, and security of the United States; to the Committee on Ways and Means.

H.R. 126. A bill to provide for higher basic salaries in cases of assignments of postal field service employees to higher positions for more than 1 day in any calendar year; to the Committee on Post Office and Civil Service.

By Mr. SISK:

H.R. 127. A bill to provide for the withdrawal of wine from bonded wine cellars without payment of tax, for use in the manufacture of preparations unfit for internal human use; to the Committee on Ways and Means.

H.R. 128. A bill to amend the Internal Revenue Code of 1954 to permit the deduction of irrigation and other water district assessments; to the Committee on Ways and Means.

H.R. 129. A bill to amend section 4253 of the Internal Revenue Code of 1954 to exempt from the communications tax certain amounts paid to mutual or cooperative telephone companies for the repair or replacement of poles, wires, and other equipment; to the Committee on Ways and Means.

H.R. 130. A bill to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961; to the Committee on Interior and Insular Affairs.

H.R. 131. A bill to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. SULLIVAN:

H.R. 132. A bill to provide that the retailers excise tax on luggage, handbags, etc., shall not apply to women's purses and handbags sold at retail for less than $15; to the Committee on Ways and Means.

By Mr. ROBERTS of Alabama:

H.R. 133. A bill to amend title III of the Public Health Service Act to establish a National Accident Prevention Center; to the Committee on Interstate and Foreign Commerce.

H.R. 134. A bill to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 135. A bill to amend section 138 of the Legislative Reorganization Act of 1946 so as to provide for the reduction of the public debt by at least 10 percent of the estimated overall Federal receipts for each fiscal year; to the Committee on Rules.

H.R. 136. A bill to amend the Veterans' Preference Act of 1944 to provide that certain persons entitled to veterans' disability compensation shall be entitled to veterans' preference; to the Committee on Post Office and Civil Service.

By Mr. UDALL:

H.R. 137. A bill to establish a U.S. Tax Commission which shall adjust the rates of the Federal income taxes so that for each 4-year period Federal receipts will exceed Federal expenditures by at least $4 billion; to the Committee on Ways and Means.

H.R. 138. A bill to establish a U.S. Tax Commission which shall adjust the rates for the Federal income taxes so that each year the budget will be balanced and the national debt reduced; to the Committee on Ways and Means.

H.R. 139. A bill to provide that the President shall adjust the rates of the Federal income taxes so that for each 4-year period Federal receipts will exceed Federal expenditures by at least $4 billion; to the Committee on Ways and Means.

H.R. 140. A bill to provide that the President shall adjust the rates for the Federal income taxes so that each year the budget will be balanced and the national debt reduced; to the Committee on Ways and Means.

H.R. 141. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

H.R. 142. A bill to protect postal patrons from obnoxious and offensive mail matter; to the Committee on Post Office and Civil Service.

H.R. 143. A bill to amend the enabling act of the State of Arizona for the purpose of facilitating the sale or lease of certain lands granted to such State to local governments for use for public purposes; to the Committee on Interior and Insular Affairs.

By Mr. GROSS:

H.R. 144. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war or grave national emergency declared by the Congress, and to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. ABERNETHY:

H.R. 145. A bill to create an Agricultural Research and Development Commission, to provide for more effective research programs designed to expand markets for agricultural and forestry products, to reduce surpluses, to increase farm income, and to benefit consumers, and for other purposes; to the Committee on Agriculture.

H.R. 146. A bill to designate the Veterans' Administration hospital at Jackson, Miss., as the John Elliott Rankin Memorial Veterans Hospital; to the Committee on Veterans' Affairs.

H.R. 147. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 148. A bill to amend chapter 71 of title 38, United States Code, to permit judicial review of decisions of the Board of Veterans' Appeals in compensation and pension claims; to the Committee on Veterans' Affairs.

By Mr. ASHLEY:

H.R. 149. A bill to limit the liability of shipowners, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BECKWORTH:

H.R. 150. A bill to amend the Agricultural Adjustment Act of 1938 to provide minimum acreage allotments for recognized peanut farmers; to the Committee on Agriculture.

H.R. 151. A bill to amend the Agricultural Adjustment Act of 1938 to increase in certain cases the minimum acreage allotment for cotton; to the Committee on Agriculture.

H.R. 152. A bill to amend title II of the Social Security Act to provide that a woman who is permanently and totally disabled may become entitled to widow's insurance benefits without regard to her age (and without losing her entitlement (if any) to disability insurance benefits); to the Committee on Ways and Means.

H.R. 153. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze with only four quarters of coverage; to the Committee on Ways and Means.

H.R. 154. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents at a college or university; to the Committee on Ways and Means.

H.R. 155. A bill to amend title II of the Social Security Act to provide that income derived by an individual from a trade or business carried on by a partnership shall not constitute earnings for purposes of deductions on account of work unless he renders personal services in such trade or business; to the Committee on Ways and Means.

H.R. 156. A bill to amend title I of the Social Security Act to provide increased Federal matching of State old-age assistance expenditures thereunder; to the Committee on Ways and Means.

H.R. 157. A bill to provide for the establishment of a commission on problems of small towns and rural counties; to the Committee on Government Operations.

H.R. 158. A bill to amend title II of the Social Security Act to provide that a woman who is otherwise qualified may become entitled to wife's insurance benefits or widow's insurance benefits without regard to her age if she is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 159. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 160. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction allowed a woman or widower for the expenses of providing for the care of certain dependents; to the Committee on Ways and Means.

H.R. 161. A bill to eliminate the requirement that outpatient dental treatment and related appliances for service-connected disabilities be furnished on a one-time completion basis; to the Committee on Veterans' Affairs.

H.R. 162. A bill to amend chapter 33 of title 38, United States Code, to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 163. A bill to amend title II of the Social Security Act to permit the payment of disability insurance benefits, to an individual otherwise qualified therefor, from the beginning of such individual's disability; to the Committee on Ways and Means.

H.R. 164. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,600 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 165. A bill to amend title II of the Social Security Act to provide coverage under the old-age, survivors, and disability insurance system for self-employed tree farmers; to the Committee on Ways and Means.

H.R. 166. A bill to amend title II of the Social Security Act to provide benefits thereunder for certain individuals who have paid social security taxes as employers but have not themselves become entitled to such benefits; to the Committee on Ways and Means.

H.R. 167. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for the unmarried dependent sister of an individual who dies leaving no other survivors eligible for benefits under such title; to the Committee on Ways and Means.

H.R. 168. A bill to amend section 101 of title 38, United States Code, to extend full wartime benefits to persons who served in the Armed Forces of the United States for 90 days or more in Mexico or on its borders during the period beginning on May 9, 1916, and ending on April 6, 1917, and to extend full wartime survivor benefits to the survivors of such persons; to the Committee on Veterans' Affairs.

H.R. 169. A bill to provide for the payment of pensions to veterans of World War I and their widows and children at the same rates as apply in the case of veterans of the Spanish-American War, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 170. A bill to amend section 610 of title 38, United States Code, to provide that certain veterans shall be furnished hospital care without regard to administrative limitations; to the Committee on Veterans' Affairs.

H.R. 171. A bill to amend section 610 of title 38, United States Code, to provide hospital care for peacetime veterans on the same basis as such care is provided for wartime veterans; to the Committee on Veterans' Affairs.

H.R. 172. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 173. A bill to eliminate the requirement that veterans have served for 90 days or more to qualify for certain benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 174. A bill to amend section 312 of title 38, United States Code, to provide that disabilities of certain veterans held as prisoners of war for 2 or more years by the Japanese during World War II shall be considered to be service connected; to the Committee on Veterans' Affairs.

H.R. 175. A bill to amend section 402 of the Veterans' Benefits Act of 1957 with respect to determinations of permanent and total disability; to the Committee on Veterans' Affairs.

H.R. 176. A bill to amend section 510 of the Veterans' Benefits Act of 1957 to authorize the granting of hospital care to veterans in need thereof; to the Committee on Veterans' Affairs.

H.R. 177. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from wartime service-connected disability; to the Committee on Veterans' Affairs.

By Mr. BENNETT of Florida:

H.R. 178. A bill to amend section 1074 of title 10, United States Code, to provide more adequate facilities for medical care for retired members of the uniformed services and their dependents, and for other purposes; to the Committee on Armed Services.

H.R. 179. A bill to amend title 38 of the United States Code to prohibit the award of contracts by the United States to certain persons; to the Committee on Veterans' Affairs.

H.R. 180. A bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FORD:

H.R. 181. A bill to direct the Interstate Commerce Commission to make regulations that certain railroad vehicles be equipped with reflectors or luminous material so that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 182. A bill to provide that Federal funds shall not be used for loans, grants, or other financial assistance to provide housing with respect to which there is any discrimination against occupancy on account of race, religion, color, ancestry, or national origin; to the Committee on Banking and Currency.

H.R. 183. A bill to amend the Interstate Commerce Act so as to prohibit the segregation of passengers on account of race or color; to the Committee on Interstate and Foreign Commerce.

H.R. 184. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 185. A bill to prohibit the application of unreasonable literacy requirements with respect to the right to vote; to the Committee on the Judiciary.

H.R. 186. A bill to amend the act of September 14, 1959, with respect to sales and use taxes imposed by States on sales and other business activities in interstate commerce, and authorizing studies by congressional committees of this type of taxation; to the Committee on the Judiciary.

H.R. 187. A bill for the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

H.R. 188. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 189. A bill to authorize the conveyance of certain Federal land under the jurisdiction of the Naval Ordnance Test Station, China Lake, Calif., to the county of Kern, State of California; to the Committee on Armed Services.

By Mr. LESINSKI:

H.R. 190. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

H.R. 191. A bill to amend the Civil Service Retirement Act to provide for the inclusion of certain additional types of compensation within the meaning of the term "basic salary" for the purposes of such act; to the Committee on Post Office and Civil Service.

H.R. 192. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to retirement fund; to the Committee on Post Office and Civil Service.

By Mr. MATTHEWS:

H.R. 193. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. O'NEILL:

H.R. 194. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 195. A bill to amend section 4142 (relating to the definition of radio and television components) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. O'NEILL (by request):

H.R. 196. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. PELLY:

H.R. 197. A bill to amend chapter 25 of the Internal Revenue Code of 1954 to provide for the withholding of income tax from purses and like payments received by professional athletes not compensated on a regular basis; to the Committee on Ways and Means.

By Mr. ROGERS of Texas:

H.R. 198. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 199. A bill to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears; to the Committee on Veterans' Affairs.

H.R. 200. A bill to repeal chapter 43 of title 38, United States Code; to the Committee on Veterans' Affairs.

H.R. 201. A bill to amend section 4113 of title 38, United States Code, to provide that the Administrator of Veterans' Affairs shall make necessary arrangements for sale of homes of employees of the Department of Medicine and Surgery who are transferred by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 202. A bill to amend section 4001 of title 38, United States Code, to prescribe qualifications for members of the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 203. A bill for the relief of certain persons having summer homes in the Rio Grande Canyon summer home group, in the Rio Grande National Forest; to the Committee on Agriculture.

H.R. 204. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Ways and Means.

H.R. 205. A bill to amend the Tariff Act of 1930 with respect to the persons for whose benefit imported articles must be marked with the country of origin, and for other purposes; to the Committee on Ways and Means.

H.R. 206. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Education and Labor.

H.R. 207. A bill to provide that three Members of the House of Representatives and three Members of the Senate shall be members of the American Battle Monuments Commission; to the Committee on Foreign Affairs.

H.R. 208. A bill to amend section 215 of title 38, United States Code, to provide for the compilation and publication of all regulations of the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 209. A bill to provide veterans' mortgage protection life insurance; to the Committee on Veterans' Affairs.

H.R. 210. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 211. A bill to amend title 38, United States Code, to provide increases in rates of dependency and indemnity compensation payable to children and parents of deceased veterans; to the Committee on Veterans' Affairs.

H.R. 212. A bill to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; to the Committee on Veterans' Affairs.

H.R. 213. A bill to amend section 3203 of title 38, United States Code, to provide that veterans entitled to pension who are being maintained in State homes shall receive pension at the rate of $30 per month; to the Committee on Veterans' Affairs.

H.R. 214. A bill to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia; to the Committee on Veterans' Affairs.

H.R. 215. A bill to provide that the House Committee on Veterans' Affairs shall be informed before the initiation of construction of any new veterans' hospitals; to the Committee on Veterans' Affairs.

H.R. 216. A bill to amend section 314(k) of title 38, United States Code, to provide additional compensation to veterans whose lifespan has been reduced 5 or more years by serious service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 217. A bill to amend chapter 11 of title 38, United States Code, to provide for payment to veterans suffering from seriously disabling service-connected disabilities a lump-sum settlement as compensation for the reduction in their expected lifespan attributable to such disabilities; to the Committee on Veterans' Affairs.

H.R. 218. A bill to amend chapter 11 of title 38, United States Code, to provide additional disability compensation for seriously disabled veterans as partial compensation for the reduction in their life expectancy because of their disabilities; to the Committee on Veterans' Affairs.

H.R. 219. A bill to amend title 38, United States Code, to provide that pension for non-service-connected disability or death, or for age, shall not be paid under laws administered by the Veterans' Administration to any alien who is not a resident of the United States; to the Committee on Veterans' Affairs.

H.R. 220. A bill to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan; to the Committee on Veterans' Affairs.

**By Mr. TEAGUE of Texas** (by request):

H.R. 221. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from wartime service-connected disability; to the Committee on Veterans' Affairs.

H.R. 222. A bill to amend title 38, United States Code, to provide that certain special hand or foot controls for automobiles shall be considered to be prosthetic appliances; to the Committee on Veterans' Affairs.

H.R. 223. A bill to remove the time limitation for applications by disabled veterans for assistance toward the purchase of automobiles or other conveyances; to the Committee on Veterans' Affairs.

H.R. 224. A bill to amend chapter 17 of title 38, United States Code, to provide for assistance to veterans in need of regular aid and attendance in obtaining drugs and biologicals; to the Committee on Veterans' Affairs.

H.R. 225. A bill to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphan's educational assistance program shall be by State approving agencies; to the Committee on Veterans' Affairs.

H.R. 226. A bill to amend section 612, title 38, United States Code, to authorize the furnishing of medical services to veterans in receipt of pension based upon the need for regular aid and attendance; to the Committee on Veterans' Affairs.

H.R. 227. A bill to amend section 4107 of title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers; to the Committee on Veterans' Affairs.

H.R. 228. A bill to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers; to the Committee on Veterans' Affairs.

H.R. 229. A bill to amend chapter 73 of title 38, United States Code, to make a career in the Department of Medicine and Surgery more attractive; to the Committee on Veterans' Affairs.

H.R. 230. A bill to extend the maximum maturity of Veterans' Administration-guaranteed or insured home loans from 30 to 35 years; to the Committee on Veterans' Affairs.

H.R. 231. A bill to amend section 1901(a) of title 38, United States Code, to make eligible the automobile assistance or allowance provided by law for certain veterans of World War II and the Korean conflict, for those veterans of World War I who may otherwise qualify; to the Committee on Veterans' Affairs.

H.R. 232. A bill to amend sections 210(c) and 355 of title 38, United States Code, to stabilize and "freeze" as of January 1, 1963, the Veterans' Administration "Schedule for Rating Disabilities," 1945 edition, and the extensions thereto, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 233. A bill to provide waiver of premiums on national service life insurance policies for certain totally disabled veterans without regard to age limitations; to the Committee on Veterans' Affairs.

H.R. 234. A bill to amend section 410(a) of title 38, United States Code, to provide for the payment of dependency and indemnity compensation to certain survivors of deceased veterans who were rated 100 percent disabled by reason of service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 235. A bill to amend section 110 of title 38, United States Code, to provide for the preservation of total disability ratings under laws administered by the Veterans' Administration where such ratings have been in force for 15 years or more; to the Committee on Veterans' Affairs.

H.R. 236. A bill to amend section 101 (11) and (12) of title 38, United States Code, to make available all benefits provided by law for veterans of war service to those members of the U.S. Armed Forces who are wounded, injured, or disabled at any time as a direct result of armed conflict, or while engaged in extrahazardous service, including service under conditions simulating war; to the Committee on Veterans' Affairs.

H.R. 237. A bill to amend section 312(3) of title 38, United States Code, to include the reinfection type of pulmonary tuberculosis in the provision relative to presumptive service connection for active tuberculous disease; to the Committee on Veterans' Affairs.

H.R. 238. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for malignant tumor (cancer) which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 239. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for the psychoses which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 240. A bill to amend section 3203(f) of title 38, United States Code, to provide that pension based upon the need of regular aid and attendance shall be reduced upon hospitalization at Government expense under the same terms and conditions as apply to veterans receiving such hospitalization while receiving an allowance for aid and attendance under section 314(r) of title 38, United States Code; to the Committee on Veterans' Affairs.

H.R. 241. A bill to amend section 617 of title 38, United States Code, to provide authority for furnishing therapeutic and rehabilitative devices to pensioners in need of regular aid and attendance; to the Committee on Veterans' Affairs.

H.R. 242. A bill to amend section 1820 of title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 243. A bill to amend section 314(k) of title 38, United States Code, to authorize payment of statutory awards for each anatomical loss or loss of use specified therein; to the Committee on Veterans' Affairs.

H.R. 244. A bill to amend title 38, United States Code, to provide additional pension and medical assistance to veterans suffering from seriously disabling non-service-connected disabilities; to provide for expansion of health facilities for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 245. A bill to amend chapter 17 of title 38, United States Code, to permit the furnishing of nursing care to certain beneficiaries of the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 246. A bill to amend section 641 of title 38, United States Code, to provide for the payment of a portion of the cost to the States of furnishing nursing home care to veterans of any war; to the Committee on Veterans' Affairs.

H.R. 247. A bill to amend chapter 17 of title 38, United States Code, to provide assistance to veterans in need of regular aid and attendance who are receiving nursing home care; to the Committee on Veterans' Affairs.

H.R. 248. A bill to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing for certain blind veterans who have suffered the loss or loss of use of a lower extremity; to the Committee on Veterans' Affairs.

H.R. 249. A bill to amend section 632 of title 38, United States Code, to provide for an extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans; to the Committee on Veterans' Affairs.

H.R. 250. A bill to amend section 359, title 38, United States Code, to require 6 months' notice to the veteran concerned and/or his duly authorized representative with full opportunity for the submission of evidence in those instances wherein the Veterans' Administration is considering the severance of service connection; to the Committee on Veterans' Affairs.

H.R. 251. A bill to amend section 523(b), chapter 15, of title 38, United States Code, to enable certain permanently and totally disabled veterans to receive the full rate of disability compensation found payable for their wartime service-connected disabilities, and also a proportionate amount of disability pension under a specified formula; to the Committee on Veterans' Affairs.

H.R. 252. A bill to amend section 315 of title 38, United States Code, to provide additional compensation for dependents in cases rated by the Veterans' Administration as not less than 40 percent; to the Committee on Veterans' Affairs.

H.R. 253. A bill to amend section 311 of title 38, United States Code, so as to provide a stronger presumption of soundness under certain conditions in wartime cases; to the Committee on Veterans' Affairs.

By Mr. UDALL:

H.R. 254. A bill to amend the Stock-Raising Homestead Act to clarify the liability of mineral prospectors; to the Committee on Interior and Insular Affairs.

H.R. 255. A bill to provide for the orderly classification and disposition of public lands not required for any Federal purpose; to the Committee on Interior and Insular Affairs.

H.R. 256. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

By Mr. WILSON of Indiana:

H.R. 257. A bill to encourage liquidation of frozen capital assets and reinvestment of a substantial portion thereof in medium-term Government bonds bearing a low rate of interest by amending subchapter of title I of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 258. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.R. 259. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. CAREY:

H.R. 260. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. ABERNETHY:

H.R. 261. A bill to provide for the issuance of a special postage stamp in honor of the memory of Jefferson Davis; to the Committee on Post Office and Civil Service.

H.R. 262. A bill to provide that certain real property under the jurisdiction of the Secretary of the Interior shall be transferred to the Secretary of the Army and made a part of the Arlington National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. ALGER:

H.R. 263. A bill to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof, and for other purposes; to the Committee on Foreign Affairs.

H.R. 264. A bill to limit and prevent certain concerted activities by labor organizations which interfere with or obstruct or impede the free production of goods for commerce or the free flow thereof in commerce, and for other purposes; to the Committee on Education and Labor.

By Mr. BAKER:

H.R. 265. A bill to amend the Internal Revenue Code of 1954 so as to provide for reform of personal and corporate income tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. BALDWIN:

H.R. 266. A bill to provide Federal assistance in the construction of fallout shelters in connection with schools and hospitals; to the Committee on Armed Services.

H.R. 267. A bill to define the status of retired officers of the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 268. A bill to provide benefits for members and survivors of members of Philippine Scouts on the same basis as such benefits are provided for other members of the Armed Forces and their survivors, and for other purposes; to the Committee on Armed Services.

H.R. 269. A bill to provide assistance in the field of special education to institutions of higher education, and to the States, for training personnel and undertaking research and demonstration projects, and to establish, for consultation in connection therewith, an advisory council and technical advisory committees; and to amend the Vocational Rehabilitation Act to provide services to determine rehabilitation potential, to expand vocational rehabilitation services, and to make grants for construction of rehabilitation facilities and workshops; to the Committee on Education and Labor.

H.R. 270. A bill to provide that the rates of compensation of officers and employees subject to the Classification Act of 1949 shall hereafter be fixed and adjusted by wage boards on the basis of prevailing rates and practices; to the Committee on Post Office and Civil Service.

H.R. 271. A bill to amend section 1613 of title 38, United States Code, to provide that in determining the period within which a veteran must complete his program of education or training, the Administrator shall disregard periods during which the veteran was unable to pursue his program by reason of disability; to the Committee on Veterans' Affairs.

H.R. 272. A bill to amend the public assistance provisions of the Social Security Act to eliminate deductions due to homeownership; to the Committee on Ways and Means.

H.R. 273. A bill to amend the Davis-Bacon Act to extend its application to contracts for the maintenance of Federal installations; to the Committee on Education and Labor.

H.R. 274. A bill to amend Public Laws 815 and 874, 81st Congress, to extend for 2 years the provisions thereof which would otherwise expire; to the Committee on Education and Labor.

H.R. 275. A bill to provide for the determination of the compensation of firefighting personnel in accordance with prevailing rates, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BARING:

H.R. 276. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

H.R. 277. A bill to amend the act of April 22, 1960, relative to the transfer of certain public lands to the Colorado River Commission of Nevada; to the Committee on Interior and Insular Affairs.

H.R. 278. A bill to amend the Mineral Leasing Act of 1920 in order to authorize geothermal steam leases under the provisions of such act; to the Committee on Interior and Insular Affairs.

H.R. 279. A bill to establish in the Department of the Interior a Gold Procurement and Sales Agency, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 280. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 281. A bill to amend the Internal Revenue Code of 1954 to increase the percentage rate applicable to domestic gold ores for purposes of the deduction for depletion; to the Committee on Ways and Means.

H.R. 282. A bill to provide that hereafter the Director of the Federal Bureau of Investigation in the Department of Justice shall be appointed by the President, by and with the advice and consent of the Senate, from among career officers or employees of such Bureau; to the Committee on the Judiciary.

H.R. 283. A bill to provide for a Veterans' Administration general medical and surgical hospital of 200 beds at Clark County, Nev.; to the Committee on Veterans' Affairs.

H.R. 284. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

H.R. 285. A bill to permit the free marketing of newly mined gold; to the Committee on Banking and Currency.

H.R. 286. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

By Mr. BARING (by request):

H.R. 287. A bill to amend title II of the Social Security Act to include Nevada among those States which are permitted to divide their retirement systems into two parts for purposes of obtaining social security coverage under Federal-State agreement; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 288. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard; to the Committee on Armed Services.

H.R. 289. A bill to amend section 454 of title 38, United States Code, to provide an exclusion from income for veterans' survivors eligible for pensions, for amounts paid by them for debts of the veteran and expenses of his last illness and burial; to the Committee on Veterans' Affairs.

By Mr. BECKWORTH:

H.R. 290. A bill to provide for post cards of a distinctive color for nonbusiness messages with a postage rate of 1 cent; to the Committee on Post Office and Civil Service.

H.R. 291. A bill to amend section 8 of title 13 of the United States Code to except certain persons from the requirement of paying fees for certain census data; to the Committee on Post Office and Civil Service.

H.R. 292. A bill to provide that the former owners of land acquired by the United States shall, in certain cases, have the right to reacquire the mineral rights in such land when it is sold by the United States; to the Committee on Interior and Insular Affairs.

H.R. 293. A bill to provide for Federal assistance, on a dollar-matching basis, to State and local governments and agencies thereof for planning, constructing, operating, and maintaining water conservation and water storage projects; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 294. A bill to provide for the establishment of an effective Federal aid program to assist States in the development of certain outdoor recreational resources; to the Committee on Interior and Insular Affairs.

H.R. 295. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 296. A bill to provide that the United States shall reimburse the States for that portion of the construction cost of certain schools which is attributable to Negroes and Indians; to the Committee on Education and Labor.

H.R. 297. A bill to establish in the Department of Health, Education, and Welfare an Office for Senior Citizens, and for other purposes; to the Committee on Education and Labor.

By Mr. BOW:

H.R. 298. A bill to prohibit discrimination on account of sex in the payment of wages by certain employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 299. A bill to provide for the establishment of a U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 300. A bill to provide for a Capitol Pages' Selection and Residence Board which shall be responsible for the selection of pages for the Senate and House of Representatives and for providing a residence for such pages, and for other purposes; to the Committee on House Administration.

H.R. 301. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled under such title; to the Committee on Ways and Means.

H.R. 302. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 303. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

H.R. 304. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct for income tax purposes certain special assessments and other charges made against him or his property under local law without regard to whether they tend to increase the value of such property; to the Committee on Ways and Means.

H.R. 305. A bill to amend the Internal Revenue Code of 1954 to permit an individual who moves to obtain employment to deduct moving and traveling expenses, and to permit him to treat as a capital loss any loss incurred on the sale of his home; to the Committee on Ways and Means.

H.R. 306. A bill to require the use of humane methods of trapping animals and birds on lands and waterways under the jurisdiction of the United States; to the Committee on the Judiciary.

H.R. 307. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

By Mr. CANNON:

H.R. 308. A bill to direct the Commissioner of Eductaion to assist in the establishment of a Carver Memorial Library, and for other purposes; to the Committee on Education and Labor.

By Mr. CHAMBERLAIN:

H.R. 309. A bill to increase from $600 to $750 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 310. A bill to authorize private transactions involving the sale, acquisition or holding of gold within the United States, its territories and possessions, and for other purposes; to the Committee on Banking and Currency.

H.R. 311. A bill to provide for two judicial districts and the appointment of an additional Federal judge for the State of Colorado; to the Committee on the Judiciary.

H.R. 312. A bill to provide for payment of a death gratuity in certain cases involving deaths of members of the uniformed services after June 27, 1950, and before January 1, 1957; to the Committee on Armed Services.

H.R. 313. A bill to amend title I of the Social Security Act to provide that the ownership by an individual of his home shall not be taken into account in determining his need for old-age assistance; to the Committee on Ways and Means.

H.R. 314. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 315. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

By Mr. COHELAN:

H.R. 316. A bill to prohibit discrimination in employment because of race, religion, color, national origin, ancestry, or age; to the Committee on Education and Labor.

H.R. 317. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. CRAMER:

H.R. 318. A bill to provide for the establishment of a Bureau of Senior Citizens within the Department of Health, Education, and Welfare; to provide for an Assistant Secretary to the Department of Health, Education, and Welfare to direct said Bureau; to authorize Federal funds to conduct and encourage research and studies into the fields of gerontology, geriatrics, and allied problems of senior citizens; assist in the operation of projects to help senior citizens; and for other purposes; to the Committee on Education and Labor.

By Mr. CUNNINGHAM:

H.R. 319. A bill to protect postal patrons from obscene mail matter and Communist propaganda; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 320. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

By Mrs. DWYER:

H.R. 321. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. ELLSWORTH:

H.R. 322. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness), and to reduce corporate normal taxes as of January 1963 (instead of July 1963 as presently scheduled); to the Committee on Ways and Means.

By Mr. FLYNT:

H.R. 323. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 324. A bill to establish a National Institute of the Arts and Humanities, to authorize programs of information, education, advisory services, and financial assistance for the encouragement and advancement of artistic and cultural activities, and for the development of a more widespread appreciation of America's cultural heritage and accomplishments, and for other purposes; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 325. A bill to provide assistance in the field of special education to institutions of higher education, and to the States, for training personnel and undertaking research and demonstration projects, and to establish, for consultation in connection therewith, an advisory council and technical advisory committees; and to amend the Vocational Rehabilitation Act to provide services to determine rehabilitation potential, to expand vocational rehabilitation services, and to make grants for construction of rehabilitation facilities and workshops; to the Committee on Education and Labor.

H.R. 326. A bill to amend the Library Services Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain college and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

By Mr. GILBERT:

H.R. 327. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 328. A bill to amend title 39, United States Code, to provide an allowance for work clothing for certain postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 329. A bill to authorize Federal financial assistance for school construction and teachers' salaries; to the Committee on Education and Labor.

H.R. 330. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 331. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. GOODELL:

H.R. 332. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. MARTIN of Nebraska:

H.R. 333. A bill to prevent the application or exercise of monopoly power by employers and labor organizations in employing or representing labor, to amend the Labor Management Relations Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 334. A bill to provide for a study of the advisability of establishing the West Coast Skyline National Parkway; to the Committee on Interior and Insular Affairs.

By Mr. HAGEN of California:

H.R. 335. A bill to extend for 5 years the period within which World War II and Korean conflict veterans shall have a preferred right of application under the homestead or desert land laws or the Small Tract Act of June 1, 1938, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 336. A bill to establish a National Spelling Commission to reform the spelling of English words, to publish the U.S. Official Dictionary, and for other purposes; to the Committee on Education and Labor.

H.R. 337. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 338. A bill to establish a Domestic Peace Corps; to the Committee on Education and Labor.

By Mr. HERLONG:

H.R. 339. A bill to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes; to the Committee on Ways and Means.

H.R. 340. A bill to amend section 1371 of the Internal Revenue Code of 1954 to allow a trust with only one individual as a current income beneficiary to be 1 of the 10 shareholders specified in said section; to the Committee on Ways and Means.

H.R. 341. A bill to amend the Internal Revenue Code of 1954 to provide that charitable contributions to museums by individuals shall be deductible for income tax purposes under the 30-percent limitation of adjusted gross income; to the Committee on Ways and Means.

H.R. 342. A bill to repeal the retailers excise tax on toilet preparations, and for other purposes; to the Committee on Ways and Means.

H.R. 343. A bill to amend certain provisions of the Internal Revenue Code of 1954, and certain provisions of title 28, United States Code, relating to taxation; to the Committee on Ways and Means.

H.R. 344. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 345. A bill to amend the Internal Revenue Code of 1954 to provide for the deferment of income from service contracts; to the Committee on Ways and Means.

H.R. 346. A bill to amend the Internal Revenue Code of 1954 to require the filing and publication of additional information by certain tax-exempt nonprofit organizations which conduct public fund drives, in order to protect the public against improper utilization of the proceeds of such drives; to the Committee on Ways and Means.

H.R. 347. A bill to amend sections 1231, 272, and 631 of the Internal Revenue Code of 1954 with respect to iron ore royalties; to the Committee on Ways and Means.

H.R. 348. A bill to amend the Internal Revenue Code of 1954 so as to provide for reform of personal and corporate income tax rates, and for other purposes; to the Committee on Ways and Means.

H.R. 349. A bill to amend section 7(b)(2) of the Small Business Act to authorize loans to small business concerns in areas affected by freezes or windstorms; to the Committee on Banking and Currency.

H.R. 350. A bill to amend title 38, United States Code, to provide a statutory presumption of "line of duty" incurrence of injury or disease; to the Committee on Veterans' Affairs.

H.R. 351. A bill to provide for at Veterans' Administration hospital in the Halifax area of Volusia County, Fla.; to the Committee on Veterans' Affairs.

H.R. 352. A bill to create the Freedom Commission and the Freedom Academy; to research and develop an integrated, operational science to win the nonmilitary part of the global struggle between freedom and communism; and to train Government personnel, private citizens, and foreign students in this science; to the Committee on Un-American Activities.

By Mr. HOLLAND:

H.R. 353. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

H.R. 354. A bill to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals; to the Committee on Education and Labor.

H.R. 355. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 32 hours, and for other purposes; to the Committee on Education and Labor.

By Mr. HUDDLESTON:

H.R. 356. A bill to limit and regulate the appellate jurisdiction of the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 357. A bill to revise the Internal Revenue Code of 1954 with respect to deductions from gross income for percentage depletion in the case of mines, wells, and other natural mineral deposits; to the Committee on Ways and Means.

H.R. 358. A bill to amend section 304 of the Tariff Act of 1930 to require that all cast iron pipe and fittings imported into the United States be marked with the name of the country of its origin; to the Committee on Ways and Means.

H.R. 359. A bill to amend section 801 of title 38, United States Code, to permit totally blinded veterans to obtain assistance in the acquisition of specially adapted housing; to the Committee on Veterans' Affairs.

H.R. 360. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana, as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources, within said boundaries; to the Committee on the Judiciary.

H. R. 361. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. HULL:

H.R. 362. A bill to provide for the stockpiling, storage, and distribution of essential foodstuffs and other essential items for the sustenance of the civilian population of the United States, its territories, possessions, and the District of Columbia in the event of enemy attack or other disaster; to the Committee on Armed Services.

By Mr. JOHANSEN:

H.R. 363. A bill to make it a criminal offense to deprive, or threaten to deprive, any person of Federal employment for refusing to contribute to a political party or candidate; to the Committee on House Administration.

H.R. 364. A bill to provide an exemption from participation in the Federal old-age and survivors insurance program for individuals who are opposed to participation in such program on grounds of conscience or religious belief; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 365. A bill to provide study periods for post office clerks and terminal and transfer clerks; to the Committee on Post Office and Civil Service.

H.R. 366. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

H.R. 367. A bill granting leave of absence to postal employees on account of death in family; to the Committee on Post Office and Civil Service.

H.R. 368. A bill to establish the seniority status of employees in the field postal service; to the Committee on Post Office and Civil Service.

By Mr. KNOX:

H.R. 369. A bill to amend sections 1231, 272, and 631 of the Internal Revenue Code of 1954 with respect to iron ore royalties; to the Committee on Ways and Means.

H.R. 370. A bill to amend the Tariff Act of 1930 with respect to the duty treatment of certain bread; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 371. A bill to provide for the conveyance of certain surplus property of the United States to Cumberland County, N.C.; to the Committee on Government Operations.

By Mr. LESINSKI:

H.R. 372. A bill to amend section 402 of the Federal Employees Uniform Allowance Act, approved September 1, 1954 (title IV, Public Law 763, 83d Cong.), as amended; to the Committee on Post Office and Civil Service.

H.R. 373. A bill to correct an inequity in the promotional procedure for postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 374. A bill to amend the Annual and Sick Leave Act of 1951, to increase the annual and sick leave which may be earned and accumulated by officers and employees of the Federal Government; to the Committee on Post Office and Civil Service.

H.R. 375. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

H.R. 376. A bill to modernize certain provisions of the Civil Service Retirement Act relating to immediate retirement; to the Committee on Post Office and Civil Service.

H.R. 377. A bill to amend the Foreign Assistance Act of 1961 to encourage the establishment of free democratic governments in the nations of central and eastern Europe which are presently under Soviet domination and control; to the Committee on Foreign Affairs.

H.R. 378. A bill to amend the Internal Revenue Code of 1954 to provide a gradual increase over a 12-year period in the personal income tax exemptions of an individual taxpayer (from $600 to $1,200) and in the surtax exemption of a corporate taxpayer (from $25,000 to $50,000); to the Committee on Ways and Means.

H.R. 379. A bill to terminate the retailers and manufacturers excise taxes (other than taxes for the highway trust fund and taxes for fish and wildlife purposes) and the excise taxes on facilities and services; to the Committee on Ways and Means.

H.R. 380. A bill to amend the Internal Revenue Code of 1954 to increase the personal income tax exemptions from $600 to $800, and for other purposes; to the Committee on Ways and Means.

H.R. 381. A bill to amend the Internal Revenue Code of 1954 to provide a gradual increase over a 2-year period in the personal income tax exemptions of an individual taxpayer (from $600 to $700) and in the surtax exemption of a corporate taxpayer (from $25,000 to $29,000); to the Committee on Ways and Means.

H.R. 382. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 10 percent and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60, and for other purposes; to the Committee on Ways and Means.

By Mr. McINTIRE:

H.R. 383. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for certain expenses of attending colleges and universities; to the Committee on Ways and Means.

By Mr. MAILLIARD:

H.R. 384. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

By Mr. NATCHER:

H.R. 385. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 386. A bill to extend veteran benefits to persons serving in the Armed Forces between November 12, 1918, and July 2, 1921; to the Committee on Veterans Affairs.

H.R. 387. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 388. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. NORBLAD:

H.R. 389. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. NYGAARD:

H.R. 390. A bill to designate the Grand Forks Air Force Base as the Lerom Air Force Base; to the Committee on Armed Services.

By Mr. O'NEILL:

H.R. 391. A bill to provide for the issuance of a series of special postage stamps to be known as the signers-for-freedom stamps, honoring the signers of the Declaration of Independence; to the Committee on Post Office and Civil Service.

H.R. 392. A bill to provide Federal cooperation in a program to preserve certain historic properties in the city of Boston, Mass., and vicinity, associated with the colonial and Revolutionary periods of American history; to authorize the establishment of the Boston National Historic Sites; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 393. A bill to make retrocession to the Commonwealth of Massachusetts of jurisdiction over certain land in the vicinity of Fort Devens, Mass.; to the Committee on Armed Services.

By Mr. POFF:

H.R. 394. A bill to amend sections 1, 17a, 57j, 64a(5), 67b, 67e, and 70c of the Bankruptcy Act, and for other purposes; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 395. A bill to amend title 10, United States Code, to provide for the identification of a military airlift command as a specified command, to provide for its military mission, and to eliminate unnecessary duplication in airlift; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 396. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

H.R. 397. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. RHODES of Pennsylvania:

H.R. 398. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 399. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 400. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States to make a pilgrimage to such cemeteries; to the Committee on Armed Services.

H.R. 401. A bill to amend part B of title IV of the Veterans' Benefits Act of 1957 to grant a pension of $100 per month to all veterans of World War I who are 60 years of age or older; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 402. A bill to strengthen the competitive enterprise system by assisting qualified small-business concerns to obtain leases of commercial and industrial property, where stringent credit requirements tend to exclude such concerns, by authorizing the Small Business Administration to guarantee, directly or in cooperation with others, the payment of rentals under such leases; to the Committee on Banking and Currency.

H.R. 403. A bill to provide that the Secretary of Commerce shall conduct a study to determine the practicability and desirability of the adoption by the United States of the metric system of weights and measures; to the Committee on Science and Astronautics.

H.R. 404. A bill to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; to the Committee on Education and Labor.

H.R. 405. A bill to prohibit discrimination in employment in certain cases because of race, religion, color, national origin, ancestry, or age; to the Committee on Education and Labor.

H.R. 406. A bill to direct the Commissioner of Education to assist in the establishment of a Carver Memorial Library, and for other purposes; to the Committee on Education and Labor.

H.R. 407. A bill to change the name of the Small Business Administration to the Federal Small Business Administration; to the Committee on Banking and Currency.

H.R. 408. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

H.R. 409. A bill to prohibit discrimination on account of sex in the payment of wages by certain employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

H.R. 410. A bill to amend the National Housing Act to help elderly persons obtain FHA assistance in home repair financing; to the Committee on Banking and Currency.

By Mr. ROUDEBUSH:

H.R. 411. A bill to amend section 312 of title 38, United States Code, to provide a 6-year presumption of service-connection of tuberculous disease in the case of former prisoners of war; to the Committee on Veterans' Affairs.

By Mr. SHORT:

H.R. 412. A bill to designate the Grand Forks Air Force Base as the Lerom Air Force Base; to the Committee on Armed Services.

By Mr. SILER:

H.R. 413. A bill to amend section 503 of title 38 of the United States Code, to provide that, for purposes of determining the annual income of an individual eligible for pension, payments of State bonus for military service shall be excluded; to the Committee on Veterans' Affairs.

By Mr. STRATTON:

H.R. 414. A bill to prohibit advertising in commerce of articles produced in the Soviet Zone of Germany unless the advertisement clearly states that fact; to the Committee on Interstate and Foreign Commerce.

H.R. 415. A bill to amend section 202(b) of the Mutual Security Act of 1954 so as to require that dollar funds made available to foreign countries by the Development Loan Fund for the purchase of materials or supplies shall be utilized for the purchase of materials or supplies produced in areas of substantial and persistent unemployment in the United States; to the Committee on Foreign Affairs.

H.R. 416. A bill to amend the Agricultural Act of 1949 to permit the donation of surplus agricultural commodities for use in the assistance of the unemployed in certain cases; to the Committee on Agriculture.

H.R. 417. A bill to provide for the filing of bonds by packers to secure the performance of their obligations with respect to purchases in commerce of livestock; to the Committee on Agriculture.

H.R. 418. A bill to authorize the donation by Commodity Credit Corporation of surplus feeds to State agencies to provide feed for livestock in areas determined to be emergency areas, and for other purposes; to the Committee on Agriculture.

H.R. 419. A bill to provide a program to test the effectiveness of promoting the consumption of fluid milk through advertising and other means; to the Committee on Agriculture.

H.R. 420. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit certain payments under milk marketing orders; to the Committee on Agriculture.

H.R. 421. A bill to provide vocational rehabilitation, education and training, mustering out and loan guarantee benefits for Reserves and members of the National Guard called or ordered to active duty, or members of the Armed Forces whose enlistments are extended, after July 30, 1961, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 422. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction for certain facilities in areas of substantial unemployment; to the Committee on Ways and Means.

H.R. 423. A bill to amend the Internal Revenue Code of 1954, as amended; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 424. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 425. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted from $1,200 to $1,800 yearly without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 426. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 427. A bill to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof, and for other purposes; to the Committee on Foreign Affairs.

H.R. 428. A bill to abolish the Arms Control and Disarmament Agency and transfer its functions to the National Security Agency; to the Committee on Foreign Affairs.

By Mr. WALLHAUSER:

H.R. 429. A bill to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases; to the Committee on Post Office and Civil Service.

By Mr. WINSTEAD:

H.R. 430. A bill to amend section 332 of title 10 of the United States Code to limit the use of the Armed Forces to enforce Federal laws or the orders of Federal courts; to the Committee on Armed Services.

H.R. 431. A bill to amend title 10 of the United States Code to prohibit the calling of the National Guard into Federal service except in time of war or invasion or upon the request of a State; to the Committee on Armed Services.

By Mr. YOUNGER:

H.R. 432. A bill to advance certain officers on the retired list without affecting retirement pay; to the Committee on Armed Services.

H.R. 433. A bill to provide that certain surplus property of the United States may be donated for park or recreational purposes; to the Committee on Government Operations.

H.R. 434. A bill to create a Department of Urbiculture, and to prescribe its functions; to the Committee on Government Operations.

By Mr. ZABLOCKI:

H.R. 435. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to men at age 60 and to women at age 60; to the Committee on Ways and Means.

H.R. 436. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 437. A bill to permit withholding on the compensation of Federal employees for purposes of income taxes imposed by certain municipalities; to the Committee on Ways and Means.

H.R. 438. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. BALDWIN:

H.R. 439. A bill to provide for the establishment of the John Muir National Monument; to the Committee on Interior and Insular Affairs.

By Mr. BATES:

H.R. 440. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education or for the higher education of any of his dependents; to the Committee on Ways and Means.

H.R. 441. A bill to amend title II of the Social Security Act to provide benefits thereunder for foster children; to the Committee on Ways and Means.

H.R. 442. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the admissions tax in the case of events for the benefit of a society for the prevention of cruelty to children; to the Committee on Ways and Means.

By Mr. BENNETT of Florida:

H.R. 443. A bill to require certain safety devices on motor vehicles sold, shipped, or used in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOW:

H.R. 444. A bill to strengthen State governments, to provide financial assistance to States for educational purposes by returning a portion of the Federal taxes collected therein, and for other purposes; to the Committee on Education and Labor.

By Mr. BRADEMAS:

H.R. 445. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on musical instruments; to the Committee on Ways and Means.

H.R. 446. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. POWELL:

H.R. 447. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 448. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. O'HARA of Michigan:

H.R. 449. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 450. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. GOODELL:

H.R. 451. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. BYRNE of Pennsylvania:

H.R. 452. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are over 62 years of age; to the Committee on Veterans' Affairs.

By Mr. BYRNES of Wisconsin:

H.R. 453. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for a portion of any amounts paid for accident or health insurance; to the Committee on Ways and Means.

H.R. 454. A bill to amend the Internal Revenue Code of 1954 to change the gross income limitation on the allowance of personal exemptions for certain dependents to an adjusted gross income limitation; to the Committee on Ways and Means.

H.R. 455. A bill to make it a criminal offense to deprive, or threaten to deprive, any person of Federal employment for refusing to contribute to a political party or candidate; to the Committee on House Administration.

By Mr. CANNON:

H.R. 456. A bill to promote economy in Government by reducing the rate at which individual income taxes are withheld at the source; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 457. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution, and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN:

H.R. 458. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 459. A bill to encourage the discovery, development, and production of domestic gold; to the Committee on Interior and Insular Affairs.

By Mr. COHELAN:

H.R. 460. A bill to transfer to the free list of the Tariff Act of 1930 book bindings or covers imported by certain institutions; to the Committee on Ways and Means.

H.R. 461. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. CRAMER:

H.R. 462. A bill to amend title II of the Social Security Act to reduce from 72 to 70 the age at which beneficiaries are no longer subject to restrictions on outside earnings; to the Committee on Ways and Means.

H.R. 463. A bill to amend the Internal Revenue Code of 1954 to provide that the cost of all medicine and drugs for the taxpayer and his spouse, rather than only the excess over 1 percent of adjusted gross income as otherwise provided, may be included in computing the medical expense deduction where such taxpayer or spouse is 65 or over; to the Committee on Ways and Means.

H.R. 464. A bill to amend the Internal Revenue Code of 1954 to provide that annuities under the Civil Service Retirement Act shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 465. A bill to amend section 107 of the Internal Revenue Code of 1954 to provide that a portion of the compensation of chaplains employed by the Veterans' Administration shall be considered as a rental allowance; to the Committee on Ways and Means.

H.R. 466. A bill to amend the Internal Revenue Code of 1954 to disallow criminal expenditures; to the Committee on Ways and Means.

H.R. 467. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 468. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted from $1,200 to $1,800 yearly without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 469. A bill to amend section 612(e) of title 38, United States Code, to authorize the furnishing of outpatient medical services to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. CUNNINGHAM:

H.R. 470. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. DADDARIO:

H.R. 471. A bill to amend the National Aeronautics and Space Act of 1958 with respect to property rights in inventions; to the Committee on Science and Astronautics.

By Mr. DAGUE:

H.R. 472. A bill to provide an exemption from participation in the Federal old-age and survivors insurance program for individuals who are opposed to participation in such program on grounds of conscience or religious belief; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 473. A bill to provide for the establishment of a permanent program of additional unemployment compensation, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing occupational training or retraining and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax to increase the rate of the Federal unemployment tax, to establish a Federal additional compensation and equalization account in the unemployment trust fund, and for other purposes; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 474. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 475. A bill to amend the Subversive Activities Control Act of 1950 to provide penalties for becoming or remaining a member of Communist-action organizations, and for other purposes; to the Committee on Un-American Activities.

By Mr. EDMONDSON:

H.R. 476. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the condemnation of certain property by the United States or a State, or from the sale of such property to the United States or a State under threat or imminence of condemnation; to the Committee on Ways and Means.

H.R. 477. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 478. A bill to authorize appropriation for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 479. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. EVERETT:

H.R. 480. A bill to amend section 612(f) to authorize outpatient treatment for nonservice-connected disabilities for veterans with a service-connected disability; to the Committee on Veterans' Affairs.

By Mr. FEIGHAN:

H.R. 481. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. FORD:

H.R. 482. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled under such title; to the Committee on Ways and Means.

H.R. 483. A bill to amend the public assistance provisions of the Social Security Act to permit the payment of assistance to individuals in nonpublic mental institutions; to the Committee on Ways and Means.

H.R. 484. A bill to amend title II of the Social Security Act to include Michigan among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 485. A bill to authorize assistance for the construction of cooperative educational centers of excellence where institutions of higher education in the same locality can share the specialized facilities of such centers; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 486. A bill to amend the Social Security Act to authorize the Secretary of Health, Education, and Welfare to enter into agreements with the States to provide for a private, voluntary medical care insurance program for certain persons over the age of 65, and to authorize payments by the Secretary to States to cover part of the costs of such insurance; to the Committee on Ways and Means.

H.R. 487. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system, in coordination with coverage under the other Federal retirement systems (but subject to an election in the case of those currently serving), for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 488. A bill to amend chapter 15 of title 38, United States Code, to revise the pension program for World War I, World War II, and Korean conflict veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HAGEN of California:

H.R. 489. A bill to establish in the Department of the Interior a Gold Procurement and Sales Agency, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. HANSEN:

H.R. 490. A bill to provide for the construction of a new Veterans' Administration hospital at Vancouver, Wash.; to the Committee on Veterans' Affairs.

By Mr. HOFFMAN:

H.R. 491. A bill vesting in the American Battle Monuments Commission the care and maintenance of the original Iwo Jima Memorial on Mount Suribachi, Iwo Jima, Volcano Islands; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON:

H.R. 492. A bill to amend the St. Lawrence Seaway Act to provide that the St. Lawrence Seaway Development Corporation shall not engage in publicity or promotion of the St. Lawrence Seaway; to the Committee on Public Works.

By Mr. HULL:

H.R. 493. A bill authorizing construction of a bridge across the Missouri River in the vicinity of St. Joseph, Mo.; to the Committee on Public Works.

H.R. 494. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war, national disaster, emergency, or economic depression, and to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 495. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. JOHANSEN:

H.R. 496. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of California:

H.R. 497. A bill to amend the Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937; to the Committee on Agriculture.

By Mr. KEOGH:

H.R. 498. A bill to provide a charitable contribution deduction of up to 30 percent for contributions to nonprofit museums, libraries, and other facilities in support of the arts; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 499. A bill to provide that motor vehicles sold or shipped in commerce must be equipped with seat belts which meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. LANKFORD:

H.R. 500. A bill to extend for 2 additional years the temporary provisions of Public Laws 815 and 874, 81st Congress; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 501. A bill to provide an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 502. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

H.R. 503. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 504. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

H.R. 505. A bill to amend the Home Owners Loan Act of 1933 to prohibit Federal savings and loan associations from having more than three branches, and for other purposes; to the Committee on Banking and Currency.

H.R. 506. A bill to amend the Federal Reserve Act to require U.S. obligations to be sold at not less than par value, and for other purposes; to the Committee on Banking and Currency.

H.R. 507. A bill to encourage and promote the establishment of an Inter-American Court of Justice; to the Committee on Foreign Affairs.

H.R. 508. A bill to amend the Mutual Security Act of 1954 to provide for the establishment and support of a Western Hemisphere police force; to the Committee on Foreign Affairs.

H.R. 509. A bill to create a National Peace Agency and to prescribe its functions; to the Committee on Foreign Affairs.

H.R. 510. A bill to establish a Foreign Service Officers' Training Corps; to the Committee on Foreign Affairs.

H.R. 511. A bill to provide for the waiver of income taxes on series E U.S. savings bonds, and for other purposes; to the Committee on Ways and Means.

H.R. 512. A bill to equalize income tax revenues, and for other purposes; to the Committee on Ways and Means.

H.R. 513. A bill to repeal certain miscellaneous excise taxes; to the Committee on Ways and Means.

H.R. 514. A bill to amend title II of the Social Security Act to provide that certain military service of a veteran entitled to a civil service retirement annuity may be counted for social security purposes if he irrevocably elects to exclude such service from the computation of such annuity; to the Committee on Ways and Means.

H.R. 515. A bill to provide voluntary coverage under the Federal old-age, survivors, and disability insurance system for self-employed physicians; to the Committee on Ways and Means.

H.R. 516. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 517. A bill to amend section 103 of the Internal Revenue Code of 1954, to provide that the interest on certain obligations shall not be tax exempt; to the Committee on Ways and Means.

H.R. 518. A bill to provide income tax exemptions for members of the Armed Forces serving outside the United States; to the Committee on Ways and Means.

H.R. 519. A bill to amend the Social Security Act to permit the use of social security records to aid in locating runaway parents; to the Committee on Ways and Means.

H.R. 520. A bill to provide for the payment of premiums on savings bonds and savings certificates, and for other purposes; to the Committee on Ways and Means.

H.R. 521. A bill to amend the Second Liberty Bond Act to provide that savings type investors shall have priority in the allotment of certain bonds; to the Committee on Ways and Means.

H.R. 522. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

H.R. 523. A bill to designate judicial precedents which shall be binding in the administration and enforcement of the internal revenue laws; to the Committee on Ways and Means.

H.R. 524. A bill to amend the Internal Revenue Code of 1954 to provide that, in the case of stock or stock options issued or granted in whole or in part for services rendered, the gain therefrom shall be treated as ordinary income, and for other purposes; to the Committee on Ways and Means.

H.R. 525. A bill to assist small business and persons engaged in small business by allowing a deduction, for Federal income tax purposes, for additional investment in depreciable assets, inventory, and accounts receivable; to the Committee on Ways and Means.

H.R. 526. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 527. A bill to establish reciprocal import quotas upon the importation of confectionery and chocolate into the United States from foreign countries which impose quotas upon imports of confectionery and chocolate from the United States; to the Committee on Ways and Means.

H.R. 528. A bill to amend the Tariff Act of 1930 with respect to the finality of determinations relating to the assessment of duties or charges on certain imported merchandise; to the Committee on Ways and Means.

H.R. 529. A bill to amend the Tariff Act of 1930 to provide for the refund of duties paid on certain merchandise stolen while in the custody of the Post Office Department; to the Committee on Ways and Means.

H.R. 530. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

H.R. 531. A bill to amend the Internal Revenue Code of 1954 so as to impose a graduated tax on the taxable income of corporations; to the Committee on Ways and Means.

H.R. 532. A bill to provide that communications relating to income tax which are mailed to a taxpayer shall not bear on the outer covering any markings which disclose information concerning such taxpayer's income or tax liability; to the Committee on Ways and Means.

H.R. 533. A bill to exempt from income tax, annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

H.R. 534. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 535. A bill to amend title 18, Criminal Code, to declare certain papers, pamphlets, books, pictures, and writings nonmailable, to provide a penalty for mailing same, and for other purposes; to the Committee on the Judiciary.

H.R. 536. A bill to amend title 18 of the United States Code to prohibit the use of U.S. savings stamps for trade promotion; to the Committee on the Judiciary.

H.R. 537. A bill to amend the act entitled "An act to promote export trade, and for other purposes," approved April 10, 1918, to provide that no export trade association shall restrict any foreign buyer from dealing, directly or through an agent of his own selection, with any producer, manufacturer, or seller; to the Committee on the Judiciary.

H.R. 538. A bill to confer jurisdiction upon the Court of Claims to review de novo claims for benefits and payments under laws administered by the Veterans' Administration; to the Committee on the Judiciary.

H.R. 539. A bill to amend the Immigration and Nationality Act to provide that clergymen who are naturalized citizens shall not lose their nationality by residence abroad, even though they are not representatives of American organizations, if they devote full time to their clerical duties, and for other purposes; to the Committee on the Judiciary.

H.R. 540. A bill to permit aliens registered on former quota waiting lists maintained prior to January 1, 1944, to be placed on the appropriate quota waiting lists maintained under authority of the Immigration and Nationality Act without loss of priority of their original registration; to the Committee on the Judiciary.

H.R. 541. A bill to amend the Administrative Procedure Act so as to require every agency of the Federal Government to furnish to certain additional persons copies of certain notices or communications; to the Committee on the Judiciary.

H.R. 542. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

H.R. 543. A bill to prevent discrimination in any public or semipublic place or by any public or semipublic transportation against members of the Armed Forces because of race, color, or creed; to the Committee on the Judiciary.

H.R. 544. A bill to amend title 28 of the United States Code to provide that State law shall, in certain cases, determine the number of jurors which constitute a jury and the number of jurors who must agree in order that there be a valid verdict; to the Committee on the Judiciary.

H.R. 545. A bill to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice, and authorize the imposition of life imprisonment in lieu thereof; to the Committee on the Judiciary.

H.R. 546. A bill to amend the Clayton Act to declare private antitrust suits to be impressed with a substantial public interest; to the Committee on the Judiciary.

H.R. 547. A bill to amend section 1346 of title 28, United States Code, to permit suits against the United States arising out of contracts entered into by nonappropriated fund activities of or under departments and agencies of the United States; to the Committee on the Judiciary.

H.R. 548. A bill to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means; to the Committee on the Judiciary.

H.R. 549. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen; to the Committee on the Judiciary.

H.R. 550. A bill to amend the Administrative Procedure Act, as amended, and for other purposes; to the Committee on the Judiciary.

H.R. 551. A bill to amend section 4B of the Clayton Act; to the Committee on the Judiciary.

H.R. 552. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 553. A bill to amend title 18, United States Code, to make it unlawful to furnish transportation to certain unemployed persons and members of their family in order to cause any such person to move to another State, and for other purposes; to the Committee on the Judiciary.

H.R. 554. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 555. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on House Administration.

H.R. 556. A bill to authorize each Member of the House of Representatives to employ an administrative assistant; to the Committee on House Administration.

H.R. 557. A bill to provide for the grading of meat and for informing the ultimate user of such grade; to the Committee on Agriculture.

H.R. 558. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 559. A bill to amend the Investment Advisers Act of 1940 to require disclosure by investment advisers of transactions for their own account in any investments of the type with respect to which they render advisory services; to the Committee on Interstate and Foreign Commerce.

H.R. 560. A bill to provide for the distribution of motor-vehicle tires, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 561. A bill to prohibit certain tampering with speedometers on motor vehicles used in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 562. A bill to require the Surgeon General to undertake a special research program with respect to cystic fibrosis; to the Committee on Interstate and Foreign Commerce.

H.R. 563. A bill to prohibit the shipment in interstate commerce of plastic bags unless such bags are labeled or manufactured in accordance with standards prescribed by the Secretary of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 564. A bill to amend the Civil Aeronautics Act of 1938, with respect to the practice of overbooking passenger space reservations; to the Committee on Interstate and Foreign Commerce.

H.R. 565. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing for fair competitive acts, practices, and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 566. A bill to amend the Securities Exchange Act of 1934 to require officers and directors of any issuer of registered securities to periodically report the extent to which, and the purposes for which, their holdings of such securities are pledged, hypothecated, or loaned; to the Committee on Interstate and Foreign Commerce.

H.R. 567. A bill to amend the Federal Trade Commission Act with respect to certain contracts and agreements between manufacturers of motor vehicles and their franchised dealers, to permit the establishment of exclusive representation by dealers and to restrict franchised dealers from reselling to certain unauthorized persons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 568. A bill to prevent the sale of automobiles with unauthorized equipment, parts, and accessories, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H.R. 569. A bill to provide for the regulation of motor vehicles on the highways of the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 570. A bill to require certificates of fitness in the sale of automobiles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 571. A bill to provide for a nationally uniform system of automobile registration; to the Committee on Interstate and Foreign Commerce.

H.R. 572. A bill to amend section 3 of the Securities Act of 1933 so as to remove the exemption of securities offered for sale and sold in only one State; to the Committee on Interstate and Foreign Commerce.

H.R. 573. A bill to amend the Railroad Retirement Act of 1937 to provide that an individual with 40 years' service may retire regardless of age; to the Committee on Interstate and Foreign Commerce.

H.R. 574. A bill to promote the safety of employees and travelers upon common carriers by railroads engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 575. A bill to amend section 2 of the Automobile Information Disclosure Act so as to include the Commonwealth of Puerto Rico, Guam, and the Virgin Islands within the provisions of such act; to the Committee on Interstate and Foreign Commerce.

H.R. 576. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 577. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

H.R. 578. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting by means of radio or television of amateur or professional boxing matches; to the Committee on Interstate and Foreign Commerce.

H.R. 579. A bill to amend part I of title III of the Communications Act of 1934, to make it unlawful for broadcasters to make unauthorized deletions from certain matter submitted for broadcasting; to the Committee on Interstate and Foreign Commerce.

H.R. 580. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

H.R. 581. A bill to amend section 17 of the Federal Home Loan Bank Act and to amend section 5 of the Home Owners Loan Act of 1933 to establish an International Home Loan Bank; to the Committee on Banking and Currency.

By Mr. PATMAN:

H.R. 582. A bill to amend section 17 of the Federal Home Loan Bank Act and to amend section 5 of the Home Owners Loan Act of 1933; to the Committee on Banking and Currency.

H.R. 583. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 584. A bill to amend the Internal Revenue Code of 1954 so as to permit certain tax-exempt organizations to engage in certain activities for the purpose of influencing legislation directly relevant to the purpose which qualify such organizations for tax exemption, without losing certain benefits under the code; to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 585. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. PUCINSKI:

H.R. 586. A bill to authorize the issuance of savings bonus bonds, and for other purposes; to the Committee on Ways and Means.

H.R. 587. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 588. A bill to amend the Internal Revenue Code of 1954 to provide for the nonrecognition of gain on the disposition of stock of a corporation by a retiring employee of such corporation, where the employee is required to make such disposition and where he reinvests the proceeds thereof in other securities; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 589. A bill to provide for the relocation and reestablishment of the members of the Papago Indian Tribe inhabiting the village of Sil Murk, which adjoins the Gila Bend Indian Reservation; to the Committee on Public Works.

H.R. 590. A bill to suspend temporarily the application of certain provisions of the act of June 13, 1906, as amended by the act of October 4, 1961 (75 Stat. 775), to articles produced through handicraft industry by members of tribes, bands, or groups of American Indians; to the Committee on Interstate and Foreign Commerce.

By Mr. SELDEN:

H.R. 591. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 592. A bill to amend title IV of the Social Security Act to deny Federal assistance, under the program of aid to dependent children, for the families of women who are the mothers of two or more illegitimate children; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 593. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 594. A bill to amend the Federal Trade Commission Act to provide for the issuance of temporary cease-and-desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings; to the Committee on Interstate and Foreign Commerce.

By Mr. STRATTON:

H.R. 595. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 596. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 597. A bill to amend the Internal Revenue Code of 1954 to provide that employers having pension plans under which payments are correlated with social security benefits shall be subject to an additional tax in cases where increases in such benefits result in a reduction in their own contributions under such plans and are not passed on to their retired employees; to the Committee on Ways and Means.

H.R. 598. A bill to provide for uniform annual observances of certain national holidays on Mondays; to the Committee on the Judiciary.

H.R. 599. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

H.R. 600. A bill to amend the National Defense Education Act of 1958 in order to provide financial assistance to public community colleges for strengthening science, mathematics, modern foreign language, and technical instruction; to the Committee on Education and Labor.

H.R. 601. A bill to amend title 10 of the United States Code to provide that certain rifles may be loaned to the Italian American War Veterans of the United States; to the Committee on Armed Services.

H.R. 602. A bill to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters; to the Committee on Banking and Currency.

H.R. 603. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to municipalities and to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 604. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949, to provide that priority shall be given in sales of surplus property to persons planning to utilize such property in areas of substantial labor surplus in such ways as to increase employment in such areas; to the Committee on Government Operations.

H.R. 605. A bill to provide that manufacturers located in areas of substantial labor surplus in the United States shall be entitled to preference in obtaining contracts to furnish articles, materials, or supplies for use by the Federal Government; to the Committee on Public Works.

H.R. 606. A bill to amend the act of June 22, 1936, relative to flood control and for other purposes; to the Committee on Public Works.

H.R. 607. A bill to direct the Secretary of Commerce to undertake studies of the economic effects of deactivating certain permanent military installations situated in areas of substantial unemployment; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 608. A bill to amend section 7 of the act of August 18, 1941, to provide that 75 percent of all moneys derived by the United States from certain recreational activities in connection with lands required for flood control shall be used first for construction of certain hard surface connecting highways, and for other purposes; to the Committee on Public Works.

H.R. 609. A bill to amend the Flood Control Act of 1958 with respect to certain reservoir projects in Texas; to the Committee on Public Works.

H.R. 610. A bill to amend the Water Supply Act of 1958 to remove certain restrictions in that act; to the Committee on Public Works.

H.R. 611. A bill to amend the Tariff Act of 1930 with respect to the persons for whose benefit imported articles made of cotton fiber must be marked with the country of origin, and for other purposes; to the Committee on Ways and Means.

H.R. 612. A bill to amend the act establishing the U.S. Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe, San Antonio, Nueces, and San Jacinto River Basins; to the Committee on Public Works.

H.R. 613. A bill to provide career status as rural carriers without examination to certain qualified substitute rural carriers of record in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wisconsin:

H.R. 614. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

H.R. 615. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 616. A bill to provide for a national self-help dairy stabilization program and to provide for an adequate balanced and orderly flow of milk and dairy products in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

By Mr. YOUNGER:

H.R. 617. A bill to amend section 551 of the Tariff Act of 1930 so as to permit the designation of air freight forwarders as carriers of bonded merchandise; to the Committee on Ways and Means.

H.R. 618. A bill relating to life insurance taken out to cover estimated liability for the Federal estate tax; to the Committee on Ways and Means.

H.R. 619. A bill to amend the Internal Revenue Code of 1954 and the Internal Revenue Code of 1939 to provide that no documentary stamp tax shall be imposed with respect to any conveyance to which a State or political subdivision is a party; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 620. A bill to provide for continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to, gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other mediums relating to weather, communications, travel, and other areas of information; also to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest; to the Committee on Interior and Insular Affairs.

By Mrs. FRANCES P. BOLTON:

H.R. 621. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 622. A bill to amend title II of the Social Security Act to provide that the unmarried child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

H.R. 623. A bill to amend chapter 33 of title 38, United States Code, to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

By Mr. GILBERT:

H.R. 624. A bill to amend the National Labor Relations Act so as to permit the National Labor Relations Board to refuse to certify a labor organization for the purposes of collective bargaining which engages in certain discriminatory practices; to the Committee on Education and Labor.

H.R. 625. A bill to withhold Federal aid from schools which discriminate between students by reason of their race, color, religion, ancestry, or national origin; to the Committee on Education and Labor.

H.R. 626. A bill to amend the National Labor Relations Act so as to make it an unfair labor practice for a labor organization or its agents to discriminate among its members on the basis of race, color, creed, or national origin; to the Committee on Education and Labor.

By Mr. HOLLAND:

H.R. 627. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 628. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 629. A bill to amend the National Defense Education Act of 1958 in order to provide a program to improve school library resources needed for teaching and learning; to the Committee on Education and Labor.

By Mr. LAIRD:

H.R. 630. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education and high schools; to the Committee on Ways and Means.

H.R. 631. A bill to provide financial assistance to the States by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 632. A bill to appropriate funds for the construction of the Cape Fear River Basin project, North Carolina; to the Committee on Appropriations.

H.R. 633. A bill to appropriate funds for the construction of a navigation project at Wilmington Harbor, N.C.; to the Committee on Appropriations.

H.R. 634. A bill to appropriate funds for the construction of the Wrightsville Beach project, North Carolina; to the Committee on Appropriations.

H.R. 635. A bill to appropriate funds for the construction of the Carolina Beach and vicinity project, North Carolina; to the Committee on Appropriations.

H.R. 636. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. LESINSKI:

H.R. 637. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. MACDONALD:

H.R. 638. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 639. A bill to amend the Internal Revenue Code of 1954 to allow an individual a deduction from gross income for tuition paid by him for his own education or for the education of other individuals at institutions of higher education; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 640. A bill to establish a program of survival food depots in order to provide subsistence for the large numbers of the civilian population of the United States who would be evacuated from the devastated areas in the event of attack on the United States; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 641. A bill to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MULTER:

H.R. 642. A bill to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit and note liabilities, and to permit domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors; to the Committee on Banking and Currency.

H.R. 643. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

H.R. 644. A bill providing equal pay for equal work for women, and for other purposes; to the Committee on Education and Labor.

H.R. 645. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

H.R. 646. A bill to amend the Federal Employees' Compensation Act to extend coverage to certain persons engaged in civil defense; to the Committee on Education and Labor.

H.R. 647. A bill to amend the National Defense Education Act of 1958 to provide for a college scholarship program; to the Committee on Education and Labor.

H.R. 648. A bill to amend the act providing financial assistance for local educational agencies in areas affected by Federal activities in order to provide educational assistance under the provisions of such act to the District of Columbia and to make the change in the District of Columbia motor fuel tax law needed to insure that such assistance will be fully effective; to the Committee on Education and Labor.

H.R. 649. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 650. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act to require that any stock option issued by an insured bank or savings and loan association be made available to the general public on equal terms (or, if offered only to shareholders, be made available on equal terms to all of them); to the Committee on Banking and Currency.

H.R. 651. A bill to amend the Federal Reserve Act to provide for the retirement of Federal Reserve bank stock and the substitution of interest-bearing deposits in lieu thereof; to the Committee on Banking and Currency.

H.R. 652. A bill to amend section 402(a) of the National Housing Act to change the name of the Federal Savings and Loan Insurance Corporation; to the Committee on Banking and Currency.

H.R. 653. A bill to amend section 5210 of the Revised Statutes to provide that lists of the shareholders of national banks shall be available for inspection by committees of Congress, and for other purposes; to the Committee on Banking and Currency.

H.R. 654. A bill to authorize the regulation of the solicitation of proxies in respect of securities issued by certain banks, and for other purposes; to the Committee on Banking and Currency.

H.R. 655. A bill to amend section 6 of the Federal Deposit Insurance Act to provide for the holding of public hearings in connection with the issuance of certain certificates and the making of certain findings and determinations and for other purposes; to the Committee on Banking and Currency.

H.R. 656. A bill to amend section 23A of the Federal Reserve Act; to the Committee on Banking and Currency.

H.R. 657. A bill to strengthen the competitive enterprise system by assisting qualified small-business concerns to obtain leases of commercial and industrial property, where stringent credit requirements tend to exclude such concerns, by authorizing the Small Business Administration to guarantee, directly or in cooperation with others, the payment of rentals under such leases; to the Committee on Banking and Currency.

H.R. 658. A bill to amend section 3 of the Federal Deposit Insurance Act to include within the definition of "State banks" branches of foreign banks authorized under State law to accept deposits; to the Committee on Banking and Currency.

H.R. 659. A bill to require banks insured by the Federal Deposit Insurance Corporation to convert inactive demand accounts into savings accounts in certain circumstances; to the Committee on Banking and Currency.

H.R. 660. A bill to amend section 24 of the Federal Reserve Act to permit national banks to make loans on unimproved real estate in certain circumstances; to the Committee on Banking and Currency.

H.R. 661. A bill to amend section 5200 of the Revised Statutes to increase the amount of loans which a national bank may make to any one borrower to 15 percent of its capital stock and surplus, and for other purposes; to the Committee on Banking and Currency.

H.R. 662. A bill to amend title IV of the National Housing Act; to the Committee on Banking and Currency.

H.R. 663. A bill to prohibit banks insured by the Federal Deposit Insurance Corporation from accepting deposits in excess of certain percentages of their outstanding real estate loans; to the Committee on Banking and Currency.

H.R. 664. A bill to provide for fuel allocations and priorities during emergencies; to the Committee on Banking and Currency.

H.R. 665. A bill to provide for disaster loans to small business concerns which suffer economic injury due to federally aided highway construction programs; to the Committee on Banking and Currency.

H.R. 666. A bill to amend the Small Business Act to provide that a small-business concern may not be denied assistance thereunder solely because of the type of business in which it is engaged, if such business is lawful in the community where such concern is located; to the Committee on Banking and Currency.

H.R. 667. A bill to aid in controlling inflation, and for other purposes; to the Committee on Banking and Currency.

H.R. 668. A bill to amend section 6 of the Federal Deposit Insurance Act to provide for the holding of public hearings in connection with the issuance of certain certificates and the making of certain findings and determinations and for other purposes; to the Committee on Banking and Currency.

H.R. 669. A bill to protect the integrity and independence of national banks by strengthening the laws relating to ownership of stock in such banks; to the Committee on Banking and Currency.

H.R. 670. A bill to amend section 608 of the National Housing Act to prevent the charging of excessive rents, resulting from unduly high estimates of costs, in the case of property covered by a mortgage insured under such section; to the Committee on Banking and Currency.

H.R. 671. A bill to amend the Housing Act of 1949 to provide that the full cost of opening, widening, and improving streets along the boundary of an urban renewal project shall be includible as a part of the local grant-in-aid for such project; to the Committee on Banking and Currency.

H.R. 672. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

H.R. 673. A bill to amend section 9 of the Federal Reserve Act, section 18(d) of the Federal Deposit Insurance Act, section 5155 of the Revised Statutes, and section 5 of the Home Owners Loan Act of 1933; to the Committee on Banking and Currency.

H.R. 674. A bill to provide that the Joint Committee on Defense Production shall develop a program of economic controls to stabilize the economy and safeguard the national defense in time of emergency; to the Committee on Banking and Currency.

H.R. 675. A bill to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901; to the Committee on the District of Columbia.

H.R. 676. A bill to provide for a dual banking system in the District of Columbia; to the Committee on the District of Columbia.

H.R. 677. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 with respect to the deduction of medical expenses; to the Committee on the District of Columbia.

H.R. 678. A bill to amend the act of July 8, 1932 (relating to dangerous weapons in the District of Columbia), to create a presumption in connection with the possession of certain dangerous weapons; to the Committee on the District of Columbia.

H.R. 679. A bill to provide certain incentives for the repair, improvement, renovation, and restoration of residential and commercial property under the tax laws of the District of Columbia, to provide that existing housing in urban renewal areas in the District of Columbia shall be rehabilitated, restored, and preserved in all possible cases, and for other purposes; to the Committee on the District of Columbia.

H.R. 680. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit certain advertising with respect to price, and to prohibit false advertising in the District of Columbia relating to alcoholic beverages; to the Committee on the District of Columbia.

H.R. 681. A bill relating to the practice of law in the District of Columbia; to the Committee on the District of Columbia.

H.R. 682. A bill to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties; to the Committee on the District of Columbia.

H.R. 683. A bill to authorize the Commissioners of the District of Columbia to acquire, contract, operate, and regulate a public off-street parking facility; to the Committee on the District of Columbia.

H.R. 684. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit false advertising in the District of Columbia relating to alcoholic beverages; to the Committee on the District of Columbia.

H.R. 685. A bill to provide for the establishment of a municipal arts council representative of local nonprofit organizations and institutions, including educational organizations and institutions, in the District of Columbia with active programs in the arts, to set aside for such local cultural activities 1 mill out of each $1 of tax revenue of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 686. A bill to prohibit the discharge of members of the Armed Forces under conditions other than honorable except pursuant to the sentence of a court-martial; to the Committee on Armed Services.

H.R. 687. A bill to amend section 2310 of title 10 of the United States Code, relating to determinations and decisions as to procurement; to the Committee on Armed Services.

H.R. 688. A bill to establish a board (outside of the Department of Defense) to review and correct discharges and dismissals of former members of the Armed Forces; to the Committee on Armed Services.

H.R. 689. A bill to amend title 10 of the United States Code to encourage competition in procurement by the armed services, and for other purposes; to the Committee on Armed Services.

H.R. 690. A bill to amend chapter 67 of title 10, United States Code, to provide retired pay for reservists who have 10 or more years of satisfactory Federal service and who performed active duty for 5 or more years in the aggregate during World War I, World War II, and the Korean conflict; to the Committee on Armed Services.

H.R. 691. A bill to provide for the procurement of judge advocates and law specialist officers for the Army, Navy, Air Force, and Coast Guard, and for other purposes; to the Committee on Armed Services.

H.R. 692. A bill to withhold Federal aid from National Guard organizations which practice discrimination or segregation on account of race, color, or creed; to the Committee on Armed Services.

H.R. 693. A bill to promote certain prisoners of war in Korea upon their discharge from the Armed Forces; to the Committee on Armed Services.

H.R. 694. A bill to amend titles 10 and 14 of the United States Code to provide that cadets and midshipmen entering the service academies hereafter shall agree to serve 10 years on duty after graduation; to the Committee on Armed Services.

H.R. 695. A bill to amend section 15 of the Universal Military Training and Service Act to permit certain enlistments in the Armed Forces; to the Committee on Armed Services.

H.R. 696. A bill to provide that the next cruiser commissioned in the U.S. Navy shall be named the *Brooklyn*; to the Committee on Armed Services.

H.R. 697. A bill to amend section 1963 of title 28 of the United States Code to provide for the registration of that portion of divorce decrees providing for the payment of money or the transfer of property which have been entered in certain district courts of the United States; to the Committee on the Judiciary.

H.R. 698. A bill to amend title 28 of the United States Code with respect to the eligibility of members of the bar of the U.S. Supreme Court to practice before all courts of appeals and district courts of the United States; to the Committee on the Judiciary.

H.R. 699. A bill to require the establishment of congressional election districts composed of contiguous and compact territories, and to require that the districts so established within any one State shall contain approximately the same number of inhabitants; to the Committee on the Judiciary.

H.R. 700. A bill to provide for the publication before entry of decrees, judgments, and orders entered by consent upon the merits of civil antitrust proceedings; to the Committee on the Judiciary.

H.R. 701. A bill to prescribe a national policy with respect to the acquisition and disposition of proprietary rights in scientific and technical information obtained and inventions made through the expenditure of public funds; to establish, in the executive branch of the Government, a Federal Inventions Administration to administer in the public interest the proprietary rights of the United States with respect to such information and inventions; to encourage the contribution to the United States of inventions of significant value for national defense, public health, or any national scientific program; and for other purposes; to the Committee on the Judiciary.

H.R. 702. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 703. A bill to amend the Bank Holding Company Act to prohibit the approval by the Federal Reserve Board of bank holding company operations unauthorized by State law or disapproved by State authorities; to the Committee on Banking and Currency.

H.R. 704. A bill to amend the Federal Reserve Act to provide that the terms of office of the Chairman and Vice Chairman of the Board of Governors of the Federal Reserve System shall expire upon the expiration of the term of office of the President; to the Committee on Banking and Currency.

H.R. 705. A bill to amend the Small Business Act to abolish the Loan Policy Board of the Small Business Administration; to the Committee on Banking and Currency.

H.R. 706. A bill to provide that no member of the Board of Directors of the Federal Deposit Insurance Corporation shall hold any other public office or position and for other purposes; to the Committee on Banking and Currency.

H.R. 707. A bill to provide a method for determining presidential inability, and for other purposes; to the Committee on the Judiciary.

H.R. 708. A bill to supplement the Sherman Act and the Federal Trade Commission Act by prohibiting automobile manufacturers from engaging in the businesses of financing and insuring automobiles purchased by consumers, and for other purposes; to the Committee on the Judiciary.

H.R. 709. A bill to fortify the antitrust policy of the United States against concentration of economic power and the use or abuse of that power to the detriment of the national economy by preventing manufacturers from financing the sales of their products; to the Committee on the Judiciary.

H.R. 710. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen; to the Committee on the Judiciary.

H.R. 711. A bill to provide an additional remedy for persons having a claim against the United States arising out of contracts relating to certain vessels; to the Committee on the Judiciary.

H.R. 712. A bill to amend paragraph 1798(c)(2) of the Tariff Act of 1930 to eliminate the present temporary reductions in the exemption from duty enjoyed by returning residents in cases where the articles involved were obtained with foreign currencies purchased from the United States, and for other purposes; to the Committee on Ways and Means.

H.R. 713. A bill relating to the Italian American War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

H.R. 714. A bill to amend sections 512 and 513 of the Servicemen's Readjustment Act of 1944 to provide direct loan funds, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 715. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits for veterans of service after January 31, 1955; to the Committee on Veterans' Affairs.

H.R. 716. A bill to amend section 1613 of title 38, United States Code, to provide that periods spent on active duty pursuant to recall occurring after August 1, 1961, and before January 1, 1962, shall not be counted in determining the period within which certain education and training must be initiated or completed; to the Committee on Veterans' Affairs.

H.R. 717. A bill to authorize the Architect of the Capitol to reimburse the owners and tenants of certain real property acquired as additions to the U.S. Capitol Grounds for their moving expenses; to the Committee on Public Works.

H.R. 718. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 719. A bill to authorize the retirement under the Civil Service Retirement Act, without reduction in annuity and regardless of age, of employees who have completed 40 years of service; to the Committee on Post Office and Civil Service.

H.R. 720. A bill to provide for the separation from the service of certain Government employees who have unpaid judgments against them, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 721. A bill to provide free postage for first-class letter mail matter sent by members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

H.R. 722. A bill to provide that certain Government officers and employees shall be excused from duty for a sufficient period of time to vote in elections; to the Committee on Post Office and Civil Service.

H.R. 723. A bill to provide for the issuance of a special postage stamp in honor of Col. David (Mickey) Marcus; to the Committee on Post Office and Civil Service.

H.R. 724. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 725. A bill to amend the Classification Act of 1949, as amended, so as to authorize longevity step increases for officers and employees in grades above grade 15 of the general schedule; to the Committee on Post Office and Civil Service.

H.R. 726. A bill to amend the act of August 11, 1939, relating to domestically produced fishery products to establish a fund for the advancement of commercial fisheries; to the Committee on Merchant Marine and Fisheries.

H.R. 727. A bill to protect the position of the Government under Government-insured ship mortgages and to prevent unfair competition in the carriage of cargo preference shipments by certain vessels having Government-insured ship mortgages; to the Committee on Merchant Marine and Fisheries.

H.R. 728. A bill to authorize the President, under certain conditions, to control, regulate, and allocate the use and distribution of medicinal substances for the purpose of protecting and preserving the health of the American people; to the Committee on Banking and Currency.

H.R. 729. A bill to establish the Federal Deposit and Savings Insurance Board to manage the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation, and for other purposes; to the Committee on Banking and Currency.

H.R. 730. A bill to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 731. A bill to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substances to determine the alcoholic content of his blood, and for other purposes; to the Committee on the District of Columbia.

H.R. 732. A bill to amend the Home Owner's Loan Act of 1933 to provide that certain proceedings shall be conducted in accordance with the Administrative Procedure Act; to the Committee on Banking and Currency.

H.R. 733. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act to prohibit banks and savings and loan associations from employing inducements other than the payment of interest or dividends to obtain deposits and similar funds from the public; to the Committee on Banking and Currency.

By Mr. NATCHER:

H.R. 734. A bill to provide for a more comprehensive development and utilization of natural water resources in plans and construction of reservoir projects; to the Committee on Public Works.

H.R. 735. A bill to provide for Federal participation and cooperation with States and local interests in developing water supplies in connection wth the constructon, maintenance, and operation of Federal navigation, flood control, or multiple-purpose projects; to the Committee on Public Works.

By Mr. NELSEN:

H.R. 736. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against the undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ALGER:

H.R. 737. A bill to provide a simple alternative to the Internal Revenue Code of 1954; to tax the broadest tax base (national income) at the lowest rate that will overbalance the budget, and thereby stabilize prices, raise net personal incomes, and promote economic growth; and for other purposes; to the Committee on Ways and Means.

H.R. 738. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Ways and Means.

H.R. 739. A bill to amend the Internal Revenue Code of 1954 to eliminate the withholding of income tax from wages and salaries; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 740. A bill to amend title II of the Housing Act of 1959 to extend the program of loans for housing for the elderly so as to include housing for handicapped families and persons, and to enable occupancy of such housing by the handicapped at rentals they can afford by authorizing grants to maintain its solvency where rentals are reduced for this purpose; to the Committee on Banking and Currency.

By Mr. BATES:

H.R. 741. A bill to amend clause (3) of section 402(a) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Interstate and Foreign Commerce.

By Mr. BOGGS:

H.R. 742. A bill relating to the transportation and gas distribution facilities operated by New Orleans Public Service, Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc.; to the Committee on Interstate and Foreign Commerce.

H.R. 743. A bill to protect the public health by regulating the manufacture, compounding, processing, distribution, and possession of habit forming barbiturate and amphetamine drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 744. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 745. A bill to relieve hardship for displaced families and businesses by assisting in their relocation and by providing them with mortgage financing under a new low-rent private housing program, and for other purposes; to the Committee on Banking and Currency.

H.R. 746. A bill to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 747. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 748. A bill to authorize the Administrator of the Housing and Home Finance Agency to assist State and local governments and their public instrumentalities in planning and providing for necessary community facilities to preserve and improve essential mass transportation services in urban and metropolitan areas; to the Committee on Banking and Currency.

By Mr. BYRNES of Wisconsin:

H.R. 749. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CEDERBERG:

H.R. 750. A bill to amend sections 303 and 310 of the Communications Act of 1934 to provide that the Federal Communications Commission may, if it finds that the national security would not be endangered, issue licenses for the operation of an amateur station to certain aliens for any temporary period, not in excess of 3 years; to the Committee on Interstate and Foreign Commerce.

H.R. 751. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending high school; to the Committee on Ways and Means.

H.R. 752. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on household type incinerator and garbage disposal units; to the Committee on Ways and Means.

H.R. 753. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 754. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 755. A bill to provide a tax incentive for the employment of physically handicapped workers; to the Committee on Ways and Means.

H.R. 756. A bill to amend title II of the Social Security Act to include Michigan among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

H.R. 757. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to men at age 63 and to women at age 60; to the Committee on Ways and Means.

H.R. 758. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him for transportation to and from work; to the Committee on Ways and Means.

H.R. 759. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 760. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer with adjusted gross income of $7,500 or less a deduction for the expenses of tuition and certain other fees and charges paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 761. A bill to amend the Internal Revenue Code of 1954 to repeal the retailers excise tax on luggage, handbags, etc.; to the Committee on Ways and Means.

H.R. 762. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. CHELF:

H.R. 763. A bill to increase from $600 to $900 the income tax exemption allowed each taxpayer, each dependent, and $1,200 for a dependent child (until said dependent reaches 24 years of age) while attending any accredited business school, college, or university; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 764. A bill to authorize additional social security coverage for certain employees of Alameda County, Calif., who were formerly city employees, so as to afford them the same coverage as is available to other employees of such county; to the Committee on Ways and Means.

H.R. 765. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. CRAMER:

H.R. 766. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance and tax credits, and for other purposes; to the Committee on Ways and Means.

H.R. 767. A bill to amend the Small Business Act of 1953 to authorize the Small Business Administration to make loans to any small business concern in an area affected by a freeze by adding freeze as a disaster covered by the act; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 768. A bill to provide for Federal lotteries to raise funds to provide for a reduction in the national debt and a reduction in the Federal individual income taxes; to the Committee on Ways and Means.

By Mr. FORD:

H.R. 769. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 770. A bill to amend section 202(c) of the Interstate Commerce Act to provide for partial exemption from the provisions of part II of such act of terminal area motor carrier operations performed by or for common carriers by water in interstate commerce subject to the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRIFFITHS:

H.R. 771. A bill to amend section 101(7) of the Federal Aviation Act of 1958, so as to include flight attendants within the definition of "airman"; to the Committee on Interstate and Foreign Commerce.

H.R. 772. A bill to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich.; to the Committee on Banking and Currency.

By Mr. GUBSER:

H.R. 773. A bill to authorize the Secretary of Health, Education, and Welfare to enter into agreements with each of the States, Commonwealths, territories, and the District of Columbia to provide for a private, voluntary medical care insurance program for certain persons over the age of 65, and to authorize payments by the Secretary to States to cover part of the costs of such insurance; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND:

H.R. 774. A bill to provide a 1-year moratorium on principal payments under Federal Housing Administration insured and Veterans' Administration guaranteed mortgages for mortgagors who are unemployed and unable to make such payments through no fault of their own, and for other purposes; to the Committee on Banking and Currency.

H.R. 775. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. HOSMER:

H.R. 776. A bill to amend title 38, United States Code, to provide that for the purposes of all laws administered by the Veterans' Administration net gain from the sale of a home by a beneficiary shall not be considered as income; to the Committee on Veterans' Affairs.

By Mr. HULL:

H.R. 777. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted during a calendar year from $1,200 to $1,800 without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 778. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 779. A bill to amend section 214 of the Internal Revenue Code of 1954 (relating to deduction of expenses for the care of certain dependents); to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 780. A bill to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947; to the Committee on Ways and Means.

H.R. 781. A bill to provide that tips received by an employee in the course of his employment shall be included as part of his wages for old-age, survivors, and disability insurance purposes and for purposes of income-tax withholding; to the Committee on Ways and Means.

H.R. 782. A bill to amend title II of the Social Security Act to permit payment of benefits thereunder in addition to any compensation or pension payable by the Veterans' Administration on the basis of the death of a World War II veteran; to the Committee on Ways and Means.

H.R. 783. A bill to amend the Internal Revenue Code of 1954 so as to permit railroad corporations to take full advantage of tax-relief measures enacted or granted by the States and their political subdivisions; to the Committee on Ways and Means.

H.R. 784. A bill to provide that certain caps shall be dutiable under paragraph 1504 of the Tariff Act of 1930; to the Committee on Ways and Means.

H.R. 785. A bill to amend the Internal Revenue Code of 1954 to permit corporations to qualify as real estate investment trusts; to the Committee on Ways and Means.

By Mr. KILGORE:

H.R. 786. A bill to provide for the settlement of claims of certain inhabitants of the United States living in the area inundated by the sudden floods of the Rio Grande as a result of the construction of the Falcon Dam, and for other purposes; to the Committee on the Judiciary.

By Mr. KUNKEL:

H.R. 787. A bill to amend the Railway Labor Act to specify certain procedures for use by system, group, or regional boards of adjustment, including provision for the payment by the mediation board of compensation to referees sitting with such boards of adjustment; to the Committee on Interstate and Foreign Commerce.

H.R. 788. A bill to amend the Railroad Retirement Act of 1937 to provide that the spouse of an individual receiving a disability annuity may if otherwise qualified become entitled to a spouse's annuity regardless of whether such individual has attained age 65; to the Committee on Interstate and Foreign Commerce.

By Mr. LAIRD:

H.R. 789. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. LENNON:

H.R. 790. A bill to revise the Federal Flood Insurance Act of 1956 to provide a basis for more effective protection against flood damage, and for other purposes; to the Committee on Banking and Currency.

By Mr. MAILLIARD:

H.R. 791. A bill to establish a Federal commission on the disposition of Alcatraz Island; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 792. A bill to provide readjustment assistance to veterans who serve in the Armed Forces between January 31, 1955, and July 1, 1963; to the Committee on Veterans' Affairs.

By Mr. MONAGAN:

H.R. 793. A bill to amend title 38, United States Code, to permit for 1 year, the granting of national service life insurance to veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 794. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 795. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

H.R. 796. A bill to authorize the Comptroller of the Currency to establish reasonable maximum service charges which may be levied on dormant accounts by national banks; to the Committee on Banking and Currency.

By Mr. NIX:

H.R. 797. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. PATMAN:

H.R. 798. A bill to strengthen the competitive enterprise system by assisting qualified small business concerns to obtain leases of commercial and industrial property, where stringent credit requirements tend to exclude such concerns, by authorizing the Small Business Administration to guarantee, directly or in cooperation with others, the payment of rentals under such leases; to the Committee on Banking and Currency.

H.R. 799. A bill to amend the Small Investment Act of 1958; to the Committee on Banking and Currency.

H.R. 800. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing for fair competitive acts, practices, and methods of competition and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PIKE:

H.R. 801. A bill to amend clause (3) of section 402(a) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Interstate and Foreign Commerce.

By Mr. POFF:

H.R. 802. A bill to amend the Railroad Retirement Act of 1937, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 803. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

H.R. 804. A bill to repeal the provisions of the Railroad Retirement Act which reduce the annuities of the spouses of retired employees, and the survivors of deceased employees, by the amount of certain monthly benefits payable under the Social Security Act; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 805. A bill to amend section 601 of the Federal Aviation Act to require identification markings on the underside of the wings of certain aircraft; to the Committee on Interstate and Foreign Commerce.

H.R. 806. A bill to amend the act of March 2, 1944, defining "nonfat dry milk," in order to include within that term nonfat dry milk to which vitamin A or D has been added; to the Committee on Interstate and Foreign Commerce.

H.R. 807. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 808. A bill to amend section 601(a) of the Federal Aviation Act of 1958 so as to require the placement of recording devices in certain aircraft as an aid to air accident investigation; to the Committee on Interstate and Foreign Commerce.

By Mrs. ST. GEORGE:

H.R. 809. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 810. A bill to amend the Railroad Retirement Act of 1937 so as to provide a spouse a full annuity regardless of age under certain conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 811. A bill to amend the Internal Revenue Code of 1954 to provide that annuities under the Civil Service Retirement Act shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 812. A bill to amend the Internal Revenue Code of 1954 to exempt from the manufacturers' excise tax certain automobiles furnished without charge to schools for use in driver training programs; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 813. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted from $1,200 to $1,800 yearly without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. SIBAL:

H.R. 814. A bill to amend paragraph 1101(b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacture of polishing felts; to the Committee on Ways and Means.

H.R. 815. A bill to amend paragraph 1529(a) of the Tariff Act of 1930 with respect to the classification of certain hair rollers and curlers; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 816. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 817. A bill to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 818. A bill to amend the Internal Revenue Code of 1954 to exempt a corporation from the corporate income tax where its operations are carried on in an economically depressed area and provide employment for a specified minimum number of persons in that area; to the Committee on Ways and Means.

H.R. 819. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 820. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. THOMPSON of Louisiana:

H.R. 821. A bill to amend section 541 of title 38, United States Code, to eliminate the requirement that certain widows of World War I veterans must have been married to the veteran for 5 or more years in order to qualify for pension; to the Committee on Veterans' Affairs.

H.R. 822. A bill to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 823. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the manufacturers' excise tax on business machines in the case of articles purchased for the exclusive use of a church or a convention or association of churches; to the Committee on Ways and Means.

By Mr. WALTER:

H.R. 824. A bill to incorporate Science Service, Inc., for the purposes indicated by Public Law 85-875; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 825. A bill to amend section 406(b) of the Federal Aviation Act of 1958 to limit the right of certain air carriers to receive subsidy payments; to the Committee on Interstate and Foreign Commerce.

H.R. 826. A bill to create the National Capital Airports Corp., to provide for the operation of the federally owned civil airports in the District of Columbia or its vicinity by the corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 827. A bill to amend the Interstate Commerce Act to provide that disabled persons meeting certain requirements may not be prohibited from operating motor vehicles in interstate or foreign commerce under certain rules and regulations of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 828. A bill to amend the Federal Aviation Act of 1958 to provide for the separation of subsidy and airmail rates, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 829. A bill to provide that the provisions of the Natural Gas Act shall not apply to the sale of natural gas, as an incident of its production and gathering, by an independent producer not engaged in the interstate transmission of natural gas; to the Committee on Interstate and Foreign Commerce.

H.R. 830. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the tax on club dues for nonprofit hunting and fishing clubs; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 831. A bill to amend the Internal Revenue Code of 1954 to provide one additional personal exemption for each $1,200 the taxpayer spends during the taxable year for the educational expenses of his dependent children; to the Committee on Ways and Means.

By Mr. YOUNGER:

H.R. 832. A bill to amend the Railway Labor Act to classify yardmasters with train- and yard-service employees for the purpose of that act; to the Committee on Interstate and Foreign Commerce.

H.R. 833. A bill to amend the Federal Aviation Act of 1958, so as to add thereto provisions with respect to through bills of lading and liability for loss, damage, or injury to property; to the Committee on Interstate and Foreign Commerce.

H.R. 834. A bill to provide for the assessment and collection of fees to cover the cost of operation of certain regulatory agencies; to the Committee on Interstate and Foreign Commerce.

H.R. 835. A bill to amend section 406(b) of the Civil Aeronautics Act of 1938 to provide that if it is determined that a domestic trunkline carrier is not entitled to subsidy for any period such carrier shall thereafter be ineligible for subsidy with respect to its domestic operations; to the Committee on Interstate and Foreign Commerce.

H.R. 836. A bill to prohibit the introduction of merchandise into interstate commerce if a guarantee is made with respect to such merchandise unless the merchandise bears a complete return address; to the Committee on Interstate and Foreign Commerce.

By Mr. ZABLOCKI:

H.R. 837. A bill to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War I or World War II; to the Committee on Veterans' Affairs.

H.R. 838. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 839. A bill to provide for the establishment of a Permanent Commission on Governmental Operations; to the Committee on Government Operations.

H.R. 840. A bill to provide for the authorization of funds to be appropriated to the National Science Foundation; to the Committee on Government Operations.

H.R. 841. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. BENNETT of Florida:

H.R. 842. A bill to amend section 1371 of the Internal Revenue Code of 1954 to allow certain testamentary trusts to qualify as shareholders in electing small business corporations; to the Committee on Ways and Means.

H.R. 843. A bill to encourage the States to hold preferential primary elections for the nomination of candidates for the office of President, and for other purposes; to the Committee on House Administration.

By Mr. BERRY:

H.R. 844. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

H.R. 845. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 846. A bill to provide increases in annuities granted under the Panama Canal Construction Service Annuity Act of May 29, 1944; to the Committee on Merchant Marine and Fisheries.

H.R. 847. A bill to authorize the Secretary of Agriculture to exchange certain lands at the Southern Regional Research Laboratory with the city of New Orleans, La., and the New Orleans City Park Improvement Association, for certain other lands adjacent to such laboratory; to the Committee on Agriculture.

H.R. 848. A bill to amend section 72 of the Internal Revenue Code of 1954 to permit retired employees to elect use of either subsection (b) or subsection (d) to report income from employees' annuities; to the Committee on Ways and Means.

H.R. 849. A bill to remove the excise tax on musical instruments, and for other purposes; to the Committee on Ways and Means.

H.R. 850. A bill to amend section 302(b)(1) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 851. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 852. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 853. A bill to amend the Internal Revenue Code of 1954, as amended, by provision of a deduction for expenditures for reconversion of structures in a slum clearance program or rehabilitation project; to the Committee on Ways and Means.

H.R. 854. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and Means.

H.R. 855. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of property expropriated, intervened in, or otherwise confiscated by Cuba; to the Committee on Ways and Means.

H.R. 856. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

H.R. 857. A bill to amend the Internal Revenue Code of 1954 to exempt nonprofit hospitals from certain excise taxes; to the Committee on Ways and Means.

H.R. 858. A bill to amend, clarify, and make certain the applicability of section 4233 of the Internal Revenue Code of 1954, relating to exemptions from tax imposed under section 4231 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 859. A bill to amend the Tariff Act of 1930 to provide for the free importation of wire which is to be used in automatic baling machines for baling hay and other farm products; to the Committee on Ways and Means.

H.R. 860. A bill to reduce the manufacturers excise tax on self-contained air-conditioning units; to the Committee on Ways and Means.

H.R. 861. A bill to amend the Internal Revenue Code of 1954 to permit a gift to an educational institution to be deducted as a charitable contribution even though it is made to provide a scholarship for a specified individual, so long as such individual is not a relative of the donor; to the Committee on Ways and Means.

H.R. 862. A bill to direct the Secretary of the Army to establish a national cemetery in the southern portion of Louisiana; to the Committee on Interior and Insular Affairs.

By Mr. BOW:

H.R. 863. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CEDERBERG:

H.R. 864. A bill to provide a different basis for determining the amount of money to be made available to the State of Michigan because of the location of national forest lands within such State, and for other purposes; to the Committee on Agriculture.

By Mr. CHAMBERLAIN:

H.R. 865. A bill to provide a residence for pages; to the Committee on House Administration.

H.R. 866. A bill to establish a free guide service for the U.S. Capitol Building; to the Committee on House Administration.

H.R. 867. A bill to amend the Budget and Accounting Act, 1921, to provide for the retirement of the public debt by setting aside the first 3 percent of the budget receipts of the United States for each fiscal year for the sole purpose of retirement of obligations counted as part of the public debt; to the Committee on Government Operations.

H.R. 868. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 869. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to the Committee on Government Operations.

By Mr. COHELAN:

H.R. 870. A bill to make the Commission on Civil Rights a permanent agency in the executive branch of the Government, to broaden the scope of the duties of the Commission, and for other purposes; to the Committee on the Judiciary.

H.R. 871. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 872. A bill to reduce from 10 to 5 percent the manufacturing tax on television sets, radios, and certain other entertainment equipment; to the Committee on Ways and Means.

H.R. 873. A bill to amend the Internal Revenue Code of 1954 to allow an individual a deduction from gross income for expenses incurred by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 874. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, to authorize student assistance for study in such institutions, and to provide financial assistance to the States for the construction of certain public community college facilities; to the Committee on Education and Labor.

H.R. 875. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. CRAMER:

H.R. 876. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws by amending chapter 1 of title 1 of the United States Code; to the Committee on the Judiciary.

H.R. 877. A bill to provide for the establishment of a U.S. Diplomatic Academy; to the Committee on Foreign Affairs.

By Mr. CURTIN:

H.R. 878. A bill to create a U.S. Academy of Foreign Service; to the Committee on Foreign Affairs.

By Mr. CURTIS:

H.R. 879. A bill to establish a U.S. Trading Corporation to meet the challenge of attempted Soviet penetration of world markets, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DINGELL:

H.R. 880. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOYLE:

H.R. 881. A bill to extend for 4 years the temporary provisions of Public Laws 815 and 874, 81st Congress, which relate to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Education and Labor.

By Mr. FORD:

H.R 882. A bill to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel; to the Committee on the Judiciary.

By Mr. GROSS:

H.R. 883. A bill to amend part I of the Interstate Commerce Act to direct the Interstate Commerce Commission to make regulations requiring that freight and other unlighted cars be so equipped that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

H.R. 884. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

H.R. 885. A bill to amend the Mutual Security Act of 1954 relating to certain reports required of expenditures by committees, members, and employees of Congress, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HALEY:

H.R. 886. A bill to amend the Budget and Accounting Act, 1921, to provide for the retirement of the public debt by setting aside the first 5 percent of the budget receipts of the United States for each fiscal year for the sole purpose of retirement of obligations counted as part of the public debt; to the Committee on Government Operations.

H.R. 887. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income); to the Committee on Ways and Means.

H.R. 888. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds at Bay Pines, Fla.; to the Committee on Veterans' Affairs.

By Mr. HOFFMAN:

H.R. 889. A bill to provide that until the national debt is retired, not less than 10 percent of the net budget receipts of the United States for each fiscal year shall be utilized solely for reduction of the national debt; to the Committee on Government Operations.

By Mr. HOLLAND:

H.R. 890. A bill to provide that primary elections and runoff primary elections for nomination of candidates for the Senate and House of Representatives shall be held on the same day throughout the United States; to the Committee on House Administration.

By Mr. HOSMER:

H.R. 891. A bill to increase, in the case of children who are attending school, from 18 to 21 years the age until which child's insurance benefits may be received under title II of the Social Security Act; to the Committee on Ways and Means.

H.R. 892. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits, and to reduce an individual's earnings for purposes of such deductions in any year by the amount of his medical expenses for such year; to the Committee on Ways and Means.

By Mr. HULL:

H.R. 893. A bill to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing; to the Committee on House Administration.

By Mr. JARMAN:

H.R. 894. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 895. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. KELLY:

H.R. 896. A bill providing that there shall be equal pay for equal work for women; to the Committee on Education and Labor.

H.R. 897. A bill to repeal the retailers excise tax on handbags; to the Committee on Ways and Means.

H.R. 898. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 899. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By Mr. KILGORE:

H.R. 900. A bill to authorize the Donna-Rio Bravo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Donna, Tex.; to the Committee on Foreign Affairs.

By Mr. LENNON:

H.R. 901. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to authorize the donation of surplus property to boys' homes; to the Committee on Government Operations.

H.R. 902. A bill to provide for import fees on cotton products during periods the United States is subsidizing the export of cotton; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 903. A bill to amend section 1913 of title 18, United States Code, to make clear that the prohibition against lobbying with appropriated funds applies to the heads of executive departments and agencies; to the Committee on the Judiciary.

By Mr. McINTIRE:

H.R. 904. A bill to prohibit trading in Irish potato futures on commodity exchanges; to the Committee on Agriculture.

By Mr. MacGREGOR:

H.R. 905. A bill to amend the Mutual Security Act of 1954 relating to certain reports required of expenditures by committees, Members, and employees of Congress, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MAHON:

H.R. 906. A bill to amend subsection (e) of section 44 of the Trademark Act; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 907. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 908. A bill to amend title 3 of the Sugar Act of 1948 to provide for the establishment of fair and reasonable minimum wage rates for workers employed on sugar farms, and for other purposes; to the Committee on Agriculture.

By Mr. MATHIAS:

H.R. 909. A bill to extend for 2 years the temporary provisions of Public Laws 815 and 874, 81st Congress, which relate to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Education and Labor.

By Mr. OSMERS:

H.R. 910. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 911. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits to persons who served in the Armed Forces on or after January 1, 1962, in combat zones, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PATMAN:

H.R. 912. A bill to amend the Clayton Act to declare private antitrust suits to be impressed with a substantial public interest; to the Committee on the Judiciary.

H.R. 913. A bill to amend the Clayton Act so as to supplement existing laws against unlawful restraints and monopolies by providing that violations of the Robinson-Patman Act shall constitute violations of the antitrust laws; to the Committee on the Judiciary.

H.R. 914. A bill to amend section 4B of the Clayton Act; to the Committee on the Judiciary.

By Mr. POFF:

H.R. 915. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 916. A bill to amend the Railroad Retirement Act of 1937 to permit an annuitant to receive his annuity even though he renders compensated service for the outside employer by whom he was last employed before his annuity began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 917. A bill to provide a credit against the Federal income tax for additional State and local taxes imposed for school purposes; to the Committee on Ways and Means.

H.R. 918. A bill to provide a tax incentive for the employment of older workers; to the Committee on Ways and Means.

H.R. 919. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 920. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

H.R. 921. A bill to provide for the establishment of a permanent commission on aircraft noise abatement problems; to the Committee on Interstate and Foreign Commerce.

H.R. 922. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 923. A bill to provide for payment for hospital services, skilled nursing home services, and home health services furnished to aged beneficiaries under the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 924. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain other educational expenses paid by him for the education of a dependent at a private nonprofit elementary or secondary school; to the Committee on Ways and Means.

H.R. 925. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

H.R. 926. A bill to provide Federal assistance to local educational agencies to assist them to meet the financial burden resulting from the entry into their school systems of children from outside the State; to the Committee on Education and Labor.

H.R. 927. A bill to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; to the Committee on Education and Labor.

By Mr. RYAN of New York:

H.R. 928. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 929. A bill to assist the States to provide additional facilities for research at the State agricultural experiment stations; to the Committee on Agriculture.

By Mr. SAYLOR:

H.R. 930. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 931. A bill to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 932. A bill to amend title 38, United States Code, to establish a court of veterans' appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 933. A bill to govern further development of the national cemetery system; to the Committee on Interior and Insular Affairs.

H.R. 934. A bill to provide for a study by the Secretary of the Interior of strip-mining operations in the United States and for a report to Congress of the results of such study, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 935. A bill to modernize the mining laws of the United States; to the Committee on Interior and Insular Affairs.

H.R. 936. A bill to provide for the extension of the Reclamation Acts, as amended, to all of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SELDEN:

H.R. 937. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

H.R. 938. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 939. A bill to authorize loans for undergraduate study in public and other nonprofit institutions of higher education; to the Committee on Education and Labor.

By Mrs. SULLIVAN:

H.R. 940. A bill to amend the Meat Inspection Act to extend its coverage in certain areas; to the Committee on Agriculture.

H.R. 941. A bill to amend section 2(a) of the Commodity Exchange Act, as amended, to provide for the regulation of futures trading in coffee; to the Committee on Agriculture.

By Mrs. SULLIVAN (by request):

H.R. 942. A bill to require the inspection and certification of certain motor vessels known as towboats; to the Committee on Merchant Marine and Fisheries.

By Mrs. SULLIVAN:

H.R. 943. A bill to amend title II of the Social Security Act to eliminate the provisions which reduce the old-age or wife's insurance benefits of a woman becoming entitled to such benefits before she attains age 65; to the Committee on Ways and Means.

H.R. 944. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By Mr. TOLL:

H.R. 945. A bill to establish a Department of Education, and for other purposes; to the Committee on Government Operations.

By Mr. UDALL:

H.R. 946. A bill to authorize the establishment of the Fort Bowie National Historic Site in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VAN PELT:

H.R. 947. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

H.R. 948. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 949. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

By Mr. WALTER:

H.R. 950. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 951. A bill to amend the Internal Security Act of 1950 to provide for the protection of classified information released to or within U.S. industry, and for other purposes; to the Committee on Un-American Activities.

H.R. 952. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 953. A bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to guard strategic defense facilities against individuals believed disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on Un-American Activities.

H.R. 954. A bill to amend the Subversive Activities Control Act of 1950 so as to provide that any Federal officer or employee who willfully fails or refuses to answer, or falsely answers, certain questions relating to Communist activities or national security, when summoned to appear before any Federal agency, shall be removed from his office or employment; to the Committee on Un-American Activities.

H.R. 955. A bill to amend the Subversive Activities Control Act of 1950 to provide for a procedure under which certain final orders of the Subversive Activities Control Board with respect to Communist organizations may be made applicable to successor organizations; to the Committee on Un-American Activities.

H.R. 956. A bill to amend the Subversive Activities Control Act of 1950 with respect to the granting of bail to defendants in criminal cases pending appeal or certiorari; to the Committee on Un-American Activities.

H.R. 957. A bill to amend section 11 of the Subversive Activities Control Act of 1950; to the Committee on Un-American Activities.

H.R. 958. A bill to amend the Internal Security Act of 1950, and for other purposes; to the Committee on Un-American Activities.

H.R. 959. A bill to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress, or any committee thereof, shall constitute a misdemeanor; to the Committee on the Judiciary.

H.R. 960. A bill to amend section 1651 of title 28, United States Code, so as to require the concurrence of not less than five Justices in the granting of writs of certiorari by the Supreme Court; to the Committee on the Judiciary.

H.R. 961. A bill to amend section 1108 of the Federal Aviation Act of 1958 to prohibit certain foreign air carriers from operating aircraft within the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 962. A bill to amend section 243 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 963. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. BOB WILSON:

H.R. 964. A bill to provide for the construction of a Veterans' Administration hospital at San Diego, Calif.; to the Committee on Veterans' Affairs.

By Mr. WYDLER:

H.R. 965. A bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government; to the Committee on Government Operations.

By Mr. WYMAN:

H.R. 966. A bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 967. A bill to create a Department of Transportation and Communications, and to prescribe its functions; to the Committee on Government Operations.

H.R. 968. A bill to amend the Legislative Branch Appropriation Act, 1948, to place certain restrictions on the use of the stationery allowance of Members of the House of Representatives; to the Committee on House Administration.

H.R. 969. A bill to simplify payroll administration in the House of Representatives by providing that the salaries of certain employees of the House, and the clerk hire allowance of Members, shall consist of aggregate annual amounts rather than basic annual amounts plus additional amounts, and for other purposes; to the Committee on House Administration.

H.R. 970. A bill to create a U.S. Academy of Foreign Service; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H.R. 971. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

H.R. 972. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 so as to provide that certain surplus property of the United States shall be offered for sale to the States; to the Committee on Government Operations.

H.R. 973. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 974. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

H.R. 975. A bill to repeal the special tax imposed on amounts paid for admission, refreshment, service, and merchandise at roof gardens, cabarets, and other similar places; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 976. A bill to authorize the Secretary of the Interior to acquire and add certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BELL:

H.R. 977. A bill to amend the National Science Foundation Act of 1950 to create a Division of Language Science, to coordinate, promote, and facilitate an intensive national program of language communication and cultural interchange; to the Committee on Science and Astronautics.

By Mr. BENNETT of Florida:

H.R. 978. A bill to amend section 303 of the Career Compensation Act of 1949 relating to travel and transportation allowances of certain members of the uniformed services retired, discharged, or released to inactive duty; to the Committee on Armed Services.

By Mr. BERRY:

H.R. 979. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 980. A bill to provide a program for an Operation Bootstrap for the American Indian in order to improve conditions among Indians on reservations and in other communities, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 981. A bill authorizing the Secretary of the Interior to make loans to finance the testimony of expert witnesses before the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 982. A bill to authorize hospitalization in civil hospitals for retired members of the armed services under group insurance sick and accident policies, based on specified payment of premiums from retired pay; to the Committee on Armed Services.

By Mrs. FRANCES P. BOLTON:

H.R. 983. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of himself or any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 984. A bill to provide additional funds for education in the several States without Federal direction, control, or interference; to the Committee on Ways and Means.

H.R. 985. A bill to provide that coverage under the Federal old-age and survivors insurance system for self-employed farmers and ranchers shall be on a voluntary basis; to the Committee on Ways and Means.

H.R. 986. A bill to amend chapter 55 of title 10, United States Code, to provide that the charges for continued necessary hospital care for dependents of members of the uniformed services in receipt of such care when the member is discharged shall not increase for the first 60 days of such care; to the Committee on Armed Services.

By Mr. BYRNE of Pennsylvania:

H.R. 987. A bill to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park; to the Committee on Interior and Insular Affairs.

H.R. 988. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHELF:

H.R. 989. A bill to establish the Linden Grove Cemetery National Memorial at Covington, Ky.; to the Committee on Interior and Insular Affairs.

By Mr. CHENOWETH:

H.R. 990. A bill to establish in the Department of the Interior a Gold Procurement and Sales Agency, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COHELAN:

H.R. 991. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H.R. 992. A bill to authorize Federal assistance to the States and local communities in financing a program of atomic and disaster shelters in the Nation's schools; to the Committee on Armed Services.

By Mr. GIAIMO:

H.R. 993. A bill to promote the preservation, for the public use and benefit, of certain portions of the shoreline areas of the United States; to the Committee on Interior and Insular Affairs.

By Mrs. HANSEN:

H.R. 994. A bill to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER:

H.R. 995. A bill to provide that those persons entitled to retired pay or retainer pay under the Career Compensation Act of 1949 who were prohibited from computing their retired pay or retainer pay under the rates provided by the act of May 20, 1958, shall be entitled to have their retired pay or retainer pay recomputed on the rates of basic pay provided by the act of May 20, 1958; to the Committee on Armed Services.

By Mr. JARMAN:

H.R. 996. A bill to provide for the establishment of a national cemetery in the State of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mrs. KELLY:

H.R. 997. A bill to amend title II of the Social Security Act to provide that an individual's application for benefits thereunder (or for a disability determination), filed before the individual actually becomes entitled to such benefits (or such determination), shall remain a valid application until final action is taken thereon; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 998. A bill to provide for the disposition of mineral interests reserved by the United States in tracts of small acreage, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LAIRD (by request):

H.R. 999. A bill to donate to the Stockbridge-Munsee community some submarginal lands of the United States, and to make such lands parts of the reservation involved; to the Committee on Interior and Insular Affairs.

By Mr. LENNON:

H.R. 1000. A bill to authorize the project for flood control at Cape Fear River Basin, N.C.; to the Committee on Public Works.

H.R. 1001. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLER of California:

H.R. 1002. A bill to authorize additional social security coverage for certain employees of Alameda County, Calif., who were formerly city employees, so as to afford them the same coverage as is available to other employees of such county; to the Committee on Ways and Means.

By Mr. NYGAARD:

H.R. 1003. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

H.R. 1004. A bill to increase the participation by counties in revenues from the national wildlife refuge system by amending the act of June 15, 1935, relating to such participation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OSMERS:

H.R. 1005. A bill to amend the Internal Revenue Code of 1954 to provide for personal and corporate income tax reductions, to encourage the establishment of voluntary pension plans by self-employed individuals, to liberalize certain deductions and provide deductions for certain additional expenditures, to provide additional personal income tax exemptions for handicapped taxpayers, spouses, and dependents, to repeal certain excise taxes, and for other purposes; to the Committee on Ways and Means.

H.R. 1006. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on pens and mechanical pencils; to the Committee on Ways and Means.

H.R. 1007. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Ways and Means.

H.R. 1008. A bill to amend the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. PHILBIN:

H.R. 1009. A bill to provide for the reimbursement of the town of Lancaster, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on Interior and Insular Affairs.

By Mr. PURCELL:

H.R. 1010. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption to a taxpayer supporting a dependent or dependents who have intellectual limitations to the extent that ability to learn and to adapt to the demands of society is impaired; to the Committee on Ways and Means.

H.R. 1011. A bill to amend section 21 of the Second Liberty Bond Act to provide for the recognition and retirement of the public debt as reflected by the budget; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 1012. A bill to provide for the establishment, under the National Science Foundation, of a National Science Academy; to the Committee on Science and Astronautics.

By Mr. SHORT:

H.R. 1013. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. SILER:

H.R. 1014. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia and Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Iowa:

H.R. 1015. A bill to extend Federal meat inspection and to permit cooperation with State meat inspection services, and for other purposes; to the Committee on Agriculture.

By Mrs. ST. GEORGE:

H.R. 1016. A bill to provide for the establishment, under the National Science Foundation, of a National Science Academy; to the Committee on Science and Astronautics.

By Mr. THOMPSON of Texas:

H.R. 1017. A bill to amend the Internal Revenue Act of 1954 to define the terms "manufacturer" and "producer" for purposes of the excise tax on automotive parts and accessories; to the Committee on Ways and Means.

H.R. 1018. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross estate for the value of property passing to children; to the Committee on Ways and Means.

By Mr. VAN PELT:

H.R. 1019. A bill to amend the Career Compensation Act of 1949 to allow credit for service as a cadet or midshipman at one of the service academies for pay purposes; to the Committee on Armed Services.

By Mr. ASHLEY:

H.R. 1020. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. BALDWIN:

H.R. 1021. A bill to promote ethical standards of conduct among Members of Congress and officers and employees of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1022. A bill to provide that those persons entitled to retired pay or retainer pay under the Career Compensation Act of 1949 who were prohibited from computing their retired pay or retainer pay under the rates provided by the act of May 20, 1958, shall be entitled to have their retired pay or retainer pay recomputed on the rates of basic pay provided by the act of May 20, 1958; to the Committee on Armed Services.

H.R. 1023. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1024. A bill to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of publicly owned property; to the Committee on Public Works.

By Mr. BATES:

H.R. 1025. A bill to authorize the Secretary of the Interior to construct two modern stern ramp trawlers to be used for research, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1026. A bill to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BELL:

H.R. 1027. A bill to provide for the representation of indigent defendants in criminal cases in the district courts of the United States; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 1028. A bill to provide for the establishment of the Franklin Delano Roosevelt Institute to be a graduate school for advanced studies in American Government for selected individuals of outstanding ability to pursue advanced studies in American political theory, methods, and institutions in preparation for public service with the Government of the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 1029. A bill to authorize the Secretary of the Interior to accept for administration under the act of August 25, 1916 (39 Stat. 535), as amended and supplemented, donations of encumbered lands; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 1030. A bill to amend section 11 of the Administrative Procedure Act; to the Committee on the Judiciary.

H.R. 1031. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

H.R. 1032. A bill to amend the River and Harbor Act of 1945; to the Committee on Public Works.

By Mrs. FRANCES P. BOLTON:

H.R. 1033. A bill to amend title 18 of the United States Code to prohibit the transportation in interstate or foreign commerce, with unlawful or fraudulent intent, of counterfeit, altered, lost, stolen, wrongfully appropriated, revoked, or canceled credit cards; to the Committee on the Judiciary.

H.R. 1034. A bill to amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps and the Army Medical Specialist Corps, and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes; to the Committee on Armed Services.

By Mr. BOW:

H.R. 1035. A bill to help maintain the financial solvency of the Federal Government by reducing nonessential expenditures through reduction in personnel in various agencies of the Federal Government by attrition, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1036. A bill to amend the Railroad Retirement Act of 1937 to provide that certain individuals entitled to an annuity thereunder shall receive an increased annuity if they have a child in care; to the Committee or Interstate and Foreign Commerce.

By Mr. BRADEMAS:

H.R. 1037. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. BYRNE of Pennsylvania:

H.R. 1038. A bill to permit the flying of the flag of the United States for 24 hours of each day over Independence Hall, Philadelphia, Pa.; to the Committee on the Judiciary.

H.R. 1039. A bill to provide that no officer or employee of the United States or any agency thereof shall be charged with loss of salary or compensation or with loss of annual leave with pay for any time taken which has required his or her attendance upon court proceedings, including travel time to and from, whether in State, territorial, or Federal courts, and whether said officer or employee is a party plaintiff, a party defendant, or a witness, and whether or not the Government or the District of Columbia is a party; to the Committee on the Judiciary.

H.R. 1040. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

H.R. 1041. A bill to amend the Merchant Marine Act, 1936, as amended, to authorize payment of operating-differential subsidy to contract carriers, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON:

H.R. 1042. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. CEDERBERG:

H.R. 1043. A bill to help maintain the financial solvency of the Federal Government by reducing nonessential expenditures through reduction in personnel in various agencies of the Federal Government by attrition, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1044. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CELLER:

H.R. 1045. A bill to provide for the payment of royalties by jukebox operators to the owners of performance rights in copyrighted music and for the fair and orderly determination of the amount and distribution of such royalties, and for other purposes; to the Committee on the Judiciary.

H.R. 1046. A bill to require jukebox operators to pay royalty fees for the use of the musical property of composers, authors, and copyright owners; to the Committee on the Judiciary.

H.R. 1047. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

H.R. 1048. A bill providing for the design of the flag of the United States; to the Committee on the Judiciary.

H.R. 1049. A bill to amend sections 334, 367, and 369 of the Bankruptcy Act (11 U.S.C. 734, 767, 769) and to add a new section 355 so as to require claims to be filed and to limit the time within which claims may be filed in chapter XI (arrangement) proceedings to the time prescribed by section 57n of the Bankruptcy Act (11 U.S.C. 93n); to the Committee on the Judiciary.

H.R. 1050. A bill to amend the Administrative Procedure Act with respect to the compensation of hearing examiners, and for other purposes; to the Committee on the Judiciary.

H.R. 1051. A bill to amend the Sherman Act by increasing the penalties for the violation thereof; to the Committee on the Judiciary.

H.R. 1052. A bill to amend section 64(a)(2) of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 1053. A bill to amend title 28, United States Code, to provide for additional commissioners of the U.S. Court of Claims, and for other purposes; to the Committee on the Judiciary.

H.R. 1054. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 1055. A bill to provide for the licensing of operators of certain vessels on the navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. CRAMER:

H.R. 1056. A bill to make the Civil Service Retirement Act Amendments of 1956 applicable to certain persons who retired under the automatic separation provisions of the Civil Service Retirement Act prior to the enactment of such amendments; to the Committee on Post Office and Civil Service.

H.R. 1057. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 1058. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CURTIS:

H.R. 1059. A bill to amend section 132 of the Legislative Reorganization Act of 1946 to provide for the adjournment of the Congress not later than the last day in the month of July except in time of war or national emergency hereafter proclaimed by the President; to the Committee on Rules.

By Mr. DADDARIO:

H.R. 1060. A bill relating to the power of the States to impose use-tax assessments with respect to sales in interstate commerce; to the Committee on the Judiciary.

By Mr. DAGUE:

H.R. 1061. A bill to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude, from the provisions of that act, wool products with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer; to the Committee on Interstate and Foreign Commerce.

By Mr. DOYLE:

H.R. 1062. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. EDMONDSON:

H.R. 1063. A bill to amend section 3 of chapter 324 of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information; to the Committee on the Judiciary.

H.R. 1064. A bill to amend title I of the Social Security Act to require that the first $50 per month of earned income be disregarded in determining an individual's need for old-age assistance thereunder; to the Committee on Ways and Means.

By Mr. FORD:

H.R. 1065. A bill to amend title II of the Career Compensation Act of 1949 to provide alert pay for members of the Strategic Air Command; to the Committee on Armed Services.

H.R. 1066. A bill to authorize free post office box service for certain patrons and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 1067. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. GARMATZ:

H.R. 1068. A bill to amend the act of August 1, 1939, chapter 409, as amended, to provide for the registration of professional nurses as staff officers in the U.S. merchant marine; to the Committee on Merchant Marine and Fisheries.

H.R. 1069. A bill to limit the liability of shipowners, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1070. A bill to unify apportionment of liability in cases of collision between vessels and related casualties; to the Committee on Merchant Marine and Fisheries.

H.R. 1071. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 1072. A bill to amend the act of August 6, 1947, to extend the functions of the Coast and Geodetic Survey, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1073. A bill to amend title 14 of the United State Code to authorize the Secretary of the Department in which the Coast Guard is operating to establish and enforce structural safety standards for certain artificial islands or fixed structures which are in or over certain waters or lands over which the United States has jurisdiction; to the Committee on Merchant Marine and Fisheries.

H.R. 1074. A bill to amend section 901(b) of the Merchant Marine Act, 1936, to provide for the carriage by U.S.-flag commercial vessels of certain cargo in excess of the 50 percent gross tonnage limitation contained in such section; to the Committee on Merchant Marine and Fisheries.

By Mrs. GRIFFITHS:

H.R. 1075. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operations affecting commerce, and to provide procedure for the collection of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

H.R. 1076. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

H.R. 1077. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 1078. A bill to authorize the Secretary of the Interior to construct the necessary works to provide certain counties in California with water from the San Luis Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS:

H.R. 1079. A bill to authorize the Secretary of the Interior to construct the necessary works to provide certain counties in California with water from the San Luis Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 1080. A bill to authorize the Secretary of the Interior to construct the necessary works to provide certain counties in California with water from the San Luis Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. GUBSER:

H.R. 1081. A bill to amend title 13 of the United States Code to provide for the collection of certain information with respect to the Medical profession; to the Committee on Post Office and Civil Service.

H.R. 1082. A bill to authorize improvements to the streets fronting the Federal armory in San Jose, Calif.; to the Committee on Public Works.

By Mr. EDWARDS:

H.R. 1083. A bill to authorize improvements to the streets fronting the Federal armory in San Jose, Calif.; to the Committee on Public Works.

By Mr. HALEY:

H.R. 1084. A bill to provide for national cemeteries in the county of De Soto, State of Florida; to the Committee on Interior and Insular Affairs.

H.R. 1085. A bill to help maintain the financial solvency of the Federal Government by reducing nonessential expenditures through reduction in personnel in various agencies of the Federal Government by attrition, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1086. A bill to provide for the designation of a highway from Tampa, Fla., to Miami, Fla., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HARDING:

H.R. 1087. A bill to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve; to the Committee on Interior and Insular Affairs.

By Mr. HOEVEN:

H.R. 1088. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

H.R. 1089. A bill for the relief of the borough of Port Vue (McKeesport), Pa.; to the Committee on Public Works.

By Mr. HOSMER:

H.R. 1090. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Bridge Canyon project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER (by request):

H.R. 1091. A bill to provide for the disposition of geothermal steam by the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER:

H.R. 1092. A bill to permit retired personnel of the uniformed services to receive benefits under the Federal Employees' Compensation Act without relinquishing their retirement pay; to the Committee on Education and Labor.

By Mr. HULL:

H.R. 1093. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

H.R. 1094. A bill to provide that the Bull Shoals Dam and the Bull Shoals Reservoir, White River Basin in Missouri and Arkansas shall hereafter be known as the Harry S. Truman Dam and the Harry S. Truman Reservoir; to the Committee on Public Works.

By Mr. JOHNSON of California:

H.R. 1095. A bill to establish in the Department of the Interior a Gold Procurement and Sales Agency, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Wisconsin:

H.R. 1096. A bill to authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1097. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mrs. KELLY:

H.R. 1098. A bill to amend the Federal Voting Assistance Act of 1955; to the Committee on House Administration.

H.R. 1099. A bill to authorize the appropriation of $3,063,500 as an ex gratia payment to the city of New York to assist in defraying the extraordinary and unprecedented expenses incurred during the 15th General Assembly of the United Nations; to the Committee on Foreign Affairs.

By Mr. LAIRD:

H.R. 1100. A bill to amend title 23 of the United States Code to provide the State of Wisconsin with an additional 400 miles of highways in the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. McDOWELL:

H.R. 1101. A bill to provide for the establishment of the Fort Delaware National Historic Site, to increase the number of members of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments to 15, and to provide for representation thereon of the various geographical divisions of the country; to the Committee on Interior and Insular Affairs.

By Mr. MINSHALL:

H.R. 1102. A bill to amend section 2 of the Federal Employees Health Benefits Act of 1959 to provide that certain students 21 years of age and under shall be included as a member of the family of a Federal employee enrolled in an approved health benefits plan; to the Committee on Post Office and Civil Service.

By Mr. OSMERS:

H.R. 1103. A bill to provide for the granting of a nonquota immigrant status to certain immigrants who are the mothers, fathers, brothers, sisters, sons, or daughters of citizens of the United States; to the Committee on the Judiciary.

H.R. 1104. A bill to amend title 18 of the United States Code to prohibit the transmission through the mails of matter calculated to arouse racial hostility; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 1105. A bill to amend the Federal Trade Commission Act to provide for the issuance of temporary cease-and-desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILBIN:

H.R. 1106. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

H.R. 1107. A bill to provide for the issuance of a series of special postage stamps to be known as the signers for freedom stamps, honoring the signers of the Declaration of Independence; to the Committee on Post Office and Civil Service.

H.R. 1108. A bill to amend the Armed Services Procurement Act of 1947, with respect to the procurement of supplies from small business concerns; to the Committee on Armed Services.

By Mr. POFF:

H.R. 1109. A bill to amend section 5 of the Administrative Procedure Act; to the Committee on the Judiciary.

H.R. 1110. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1111. A bill to establish certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 1112. A bill to provide for the issuance of a special postage stamp honoring the coal miners and coal industry of America; to the Committee on the Post Office and Civil Service.

By Mr. REIFEL:

H.R. 1113. A bill to change the name of the Fort Randall Reservoir in the State of South Dakota to Lake Francis Case; to the Committee on Public Works.

By Mr. REUSS:

H.R. 1114. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1115. A bill to authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1116. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 1117. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. RODINO:

H.R. 1118. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 1119. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 1120. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 1121. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

H.R. 1122. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 1123. A bill to establish the Department of Urban Affairs and prescribe its functions; to the Committee on Government Operations.

By Mr. ROONEY:

H.R. 1124. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. ROSTENKOWSKI:

H.R. 1125. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. ROUSH:

H.R. 1126. A bill to authorize the improvement for navigation of Burns Waterway Harbor, Ind.; to the Committee on Public Works.

By Mr. SHORT:

H.R 1127. A bill to increase the participation by counties in revenues from the national wildlife refuge system by amending the act of June 15, 1935, relating to such participation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SICKLES:

H.R. 1128. A bill to require the establishment of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

H.R. 1129. A bill to extend certain temporary provisions of Public Laws 815 and 874, 81st Congress, for 2 years; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 1130. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. SILER:

H.R. 1131. A bill to amend the Internal Revenue Code of 1954 to impose an import tax on natural gas; to the Committee on Ways and Means.

H.R. 1132. A bill to amend the Civil Service Retirement Act to provide that annuities payable for disability retirement shall be 60 percent of the average salary, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 1133. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor employment for young men and to advance the conservation, development, and management of national resources to timber, soil, and range, and of recreational areas; and to authorize pilot local public service employment programs; to the Committee on Education and Labor.

By Mr. SMITH of Iowa:

H.R. 1134. A bill to prohibit nepotism in Government employment, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1135. A bill to designate the dam being constructed and the reservoir to be formed on the Des Moines River, Iowa, as the Red Rock Dam and Lake Red Rock; to the Committee on Public Works.

H.R. 1136. A bill to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees; to the Committee on Public Works.

By Mrs. ST. GEORGE:

H.R. 1137. A bill to permit the filing, before the use of a trademark in commerce, of an application for the registration of such trademark, and for other purposes; to the Committee on the Judiciary.

H.R. 1138. A bill to amend the Revised Statutes of the United States to require voting machines to be used for the purpose of electing Federal officers, and for other purposes; to the Committee on House Administration.

H.R. 1139. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

H.R. 1140. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 1141. A bill to amend title II of the Social Security Act to provide for the deletion, from the records of the Secretary of Health, Education, and Welfare, of any entries showing wages paid for service as an employee of the Communist Party; to the Committee on Ways and Means.

H.R. 1142. A bill to provide for the erection in Arlington National Cemetery of an equestrian statue of General of the Armies of the United States John J. Pershing; to the Committee on House Administration.

H.R. 1143. A bill to amend section 202 of the Agricultural Act of 1949 to provide that while butter is in surplus supply, it shall be part of the ration of the Army, Navy, and Air Force; to the Committee on Agriculture.

H.R. 1144. A bill to provide that Fort Montgomery, N.Y., may tap the West Point water supply line, and for other purposes; to the Committee on Armed Services.

H.R. 1145. A bill to provide for an additional payment of $165,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village; to the Committee on Armed Services.

H.R. 1146. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 1147. A bill to discontinue the Postal Savings System established by the act of June 25, 1910 (36 Stat. 814), as amended, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1148. A bill to adjust the compensation of officers and employees of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1149. A bill to amend the act of June 22, 1936, relative to flood control, and for other purposes; to the Committee on Public Works.

By Mr. ST. GERMAIN:

H.R. 1150. A bill authorizing the modification of the project for flood protection on Blackstone Mill, and Peters Rivers, in Woonsocket, R.I.; to the Committee on Public Works.

By Mrs. SULLIVAN:

H.R. 1151. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operations affecting commerce, and to provide procedure for the collection of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. THOMPSON of Louisiana:

H.R. 1152. A bill to amend the Annual and Sick Leave Act of 1951 to provide additional opportunity to employees to use their annual leave in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1153. A bill to amend the act of December 22, 1928, relating to the issuance of patents to tracts of public land held under color of title, to provide that patents may be issued under such act without reservation of minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1154. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending three marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 1155. A bill to establish a National Institute of the Arts and Humanities, to authorize programs of information, education, advisory services, and financial assistance for the encouragement and advancement of artistic and cultural activities, and for the development of a more widespread appreciation of America's cultural heritage and accomplishments, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of Texas:

H.R. 1156. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Palmetto Bend reclamation project, Texas, a division of the Texas basins project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 1157. A bill to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. VAN PELT:

H.R. 1158. A bill to amend title III of the act of March 3, 1933, commonly referred to as the Buy American Act, so as to provide that, to the maximum extent practicable, the procurement of articles, materials, and supplies by the Federal Government shall be limited to articles, materials, and supplies domestically produced or manufactured; to the Committee on Public Works.

By Mr. WALLHAUSER:

H.R. 1159. A bill to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases; to the Committee on Post Office and Civil Service.

By Mr. WESTLAND:

H.R. 1160. A bill to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WIDNALL:

H.R. 1161. A bill to extend for 2 additional years the temporary provisions of Public Laws 815 and 874, 81st Congress, to eliminate certain limitations on the applicability of such acts, and for other purposes; to the Committee on Education and Labor.

By Mr. WILLIAMS:

H.R. 1162. A bill to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1163. A bill to authorize the Administrator of Veterans' Affairs to convey to the city of Jackson, Miss., certain lands situated in such city which have been declared surplus to the needs of the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. WYMAN:

H.R. 1164. A bill to provide for the case of inability of the President or Vice President or interim successor; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 1165. A bill to provide for the adjustment of the basic salaries of postal field service employees on a regional basis in accordance with prevailing wage rates; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H.R. 1166. A bill to provide Federal assistance for programs in the States for projects which will benefit older persons; to the Committee on Education and Labor.

H.R. 1167. A bill to authorize Federal financial assistance to the States for constructing school facilities; to the Committee on Education and Labor.

H.R. 1168. A bill—

DECLARATION OF PURPOSE AND POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Clayton Act as amended by the Robinson-Patman Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity of all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields; to the Committee on the Judiciary.

H.R. 1169. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 1170. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education; to the Committee on Education and Labor.

By Mr. POAGE:

H.R. 1171. A bill for the retirement of the public debt; to the Committee on Appropriations.

By Mrs. SULLIVAN:

H.R. 1235. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to amend certain labeling provisions of the food, drug, and cosmetic chapters; prohibit worthless ingredients in special dietary foods; require new therapeutic devices to be shown safe and efficacious before they are marketed commercially; require all antibiotics to be certified; provide adequate controls over the distribution of habit-forming barbiturates and stimulant drugs; require cosmetics to be shown safe before they are marketed commercially; clarify and strengthen existing inspection authority; make additional provisions of the act applicable to carriers; provide for administrative subpenas; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Alabama:

H.R. 1341. A bill to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.J. Res. 1. Joint resolution providing for the establishment of a pilot project of assistance to veterans' organizations operating centers for disabled veterans to gain experience in the practicability of such a program; to the Committee on Veterans' Affairs.

H.J. Res. 2. Joint resolution providing for a study by the Veterans' Administration into the problems of veterans who are elderly, chronically ill, or otherwise handicapped; to the Committee on Veterans' Affairs.

By Mr. DINGELL:

H.J. Res. 3. Joint resolution to establish a free and universal franchise throughout the United States; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.J. Res. 4. Joint resolution to adopt a specific version of "The Star-Spangled Banner" as the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. ALGER:

H.J. Res. 5. Joint resolution proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements; to the Committee on the Judiciary.

H.J. Res. 6. Joint resolution proposing an amendment to the Constitution of the United States relative to prohibiting the U.S. Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

H.J. Res. 7. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

H.J. Res. 8. Joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Affairs.

By Mr. BECKER:

H.J. Res. 9. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. BECKWORTH:

H.J. Res. 10. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. BYRNES of Wisconsin:

H.J. Res. 11. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

H.J. Res. 12. Joint resolution to amend the Constitution to enable the Congress to function effectively in time of emergency or disaster; to the Committee on the Judiciary.

By Mr. BOGGS:

H.J. Res. 13. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

H.J. Res. 14. Joint resolution authorizing and requesting the President to set aside and proclaim an appropriate day in each year as Teachers Day; to the Committee on the Judiciary.

H.J. Res. 15. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

By Mr. BOW:

H.J. Res. 16. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

H.J. Res. 17. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 18. Joint resolution proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 19. Joint resolution providing for the establishment of an annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mr. BRUCE:

H.J. Res. 20. Joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Affairs.

By Mr. BURKE:

H.J. Res. 21. Joint resolution designating the 5-day period beginning September 9, 1963, as "Licensed Practical Nurse Week," and for other purposes; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.J. Res. 22. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. UTT:

H.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the U.S. Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 24. Joint resolution to authorize the Attorney General to establish an Institute of Corrections for the training and instruction of corrections personnel selected by States and their municipal subdivisions in the field of correctional methods and techniques; to the Committee on the Judiciary.

H.J. Res. 25. Joint resolution granting the consent of Congress to the several States to enter into an interstate compact on mental health, and authorizing the District of Columbia's participation in such compact; to the Committee on the Judiciary.

H.J. Res. 26. Joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 27. Joint resolution to amend the Constitution to enable the Congress to function effectively in time of emergency or disaster; to the Committee on the Judiciary.

By Mr. CURTIN:

H.J. Res. 28. Joint resolution proposing an amendment to the Constitution of the United States to establish a commission to determine the inability of a President to discharge the powers and duties of the office of President; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.J. Res. 29. Joint resolution proposing an amendment to the Constitution of the United States in order to authorize the several States to permit the offering of a prayer in public schools and other public places; to the Committee on the Judiciary.

By Mr. HERLONG:

H.J. Res. 30. Joint resolution proposing an amendment to the Constitution of the United States reserving to each State the exclusive power to apportion membership of its legislature; to the Committee of the Judiciary.

H.J. Res. 31. Joint resolution proposing an amendment to the Constitution of the United States to place a limit on the extent to which social security taxes (or taxes under any similar Federal retirement or disability insurance system) may be increased; to the Committee on the Judiciary.

H.J. Res. 32. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.J. Res. 33. Joint resolution providing for the prominent display of the flag of the United States of America on or near diplomatic establishments of the United States in foreign countries; to the Committee on Foreign Affairs.

H.J. Res. 34. Joint resolution proposing an amendment to the Constitution of the United States guaranteeing the right of any State to establish, through its own constitution, representation in one house of its legislature based on factors other than population exclusively; to the Committee on the Judiciary.

By Mr. MULTER:

H.J. Res. 35. Joint resolution proposing an amendment to the Constitution of the United States with respect to the term of office and qualifications of Members of the House of Representatives; to the Committee on the Judiciary.

H.J. Res. 36. Joint resolution requesting the President to instruct the permanent representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

H.J. Res. 37. Joint resolution providing for the reimbursement of Members of the House of Representatives for amounts expended by them for certain travel and subsistence; to the Committee on House Administration.

H.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 39. Joint resolution designating the 6th day of January of each year as Haym Salomon Day; to the Committee on the Judiciary.

By Mr. OSMERS:

H.J. Res. 40. Joint resolution designating the month of February of each year as National American History Month; to the Committee on the Judiciary.

H.J. Res. 41. Joint resolution providing for a Commission on Educational Standards to investigate standards in public primary and secondary educational systems in the United States; to the Committee on Education and Labor.

H.J. Res. 42. Joint resolution to provide for a conference consisting of Federal, State, and local officials, and members of public and private groups or organizations to consider and propose methods of, and to coordinate action for, combating the traffic in obscene matters and materials; to the Committee on the Judiciary.

H.J. Res. 43. Joint resolution proposing an amendment to the Constitution prohibiting a State from discriminating on the basis of residence in taxing income; to the Committee on the Judiciary.

H.J. Res. 44. Joint resolution authorizing and requesting the President to designate a week in August of each year as "National Food Service Week"; to the Committee on the Judiciary.

H.J. Res. 45. Joint resolution authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson; to the Committee on House Administration.

H.J. Res. 46. Joint resolution authorizing and requesting the President to designate the month of April in each year as "National Welded Products Month"; to the Committee on the Judiciary.

H.J. Res. 47. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 48. Joint resolution regarding Indian fishing rights; to the Committee on Interior and Insular Affairs.

H.J. Res. 49. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. POFF:

H.J. Res. 50. Joint resolution to authorize transfer of a percentage of tax collections from individual and corporate income taxes to the States and territories for use for educational purposes only, and for other purposes; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.J. Res. 51. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

H.J. Res. 52. Joint resolution for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations, and to States and local governments or their instrumentalities; to the Committee on Interior and Insular Affairs.

H.J. Res. 53. Joint resolution to provide for the erection in the city of Page, Ariz., of an appropriate marker to commemorate the achievements of former Commissioner of Reclamation John C. Page; to the Committee on Interior and Insular Affairs.

H.J. Res. 54. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.J. Res. 55. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 56. Joint resolution proposing an amendment to the Constitution of the United States providing for a term of 4 years for Members of the House of Representatives; to the Committee on the Judiciary.

H.J. Res. 57. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 58. Joint resolution to amend the Constitution of the United States to provide the right of States to establish their own election districts; to the Committee on the Judiciary.

H.J. Res. 59. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

H.J. Res. 60. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. SILER:

H.J. Res. 61. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 62. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte, Luzon, and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.J. Res. 63. Joint resolution to provide for the development of a program for controlling the production of cotton on a bale basis; to the Committee on Agriculture.

H.J. Res. 64. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appointment of postmasters; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.J. Res. 65. Joint resolution to establish a temporary commission to study the veterans' program of the United States in the Philippines; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.J. Res. 66. Joint resolution regarding Indian fishing rights; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.J. Res. 67. Joint resolution regarding Indian fishing rights; to the Committee on Interior and Insular Affairs.

By Mr. WIDNALL:

H.J. Res. 68. Joint resolution to advance peaceful relations between the United States and other nations by strengthening and expanding the Mutual Educational and Cultural Exchange Act of 1961; to establish biennial art competitions similar to those in European countries which give the arts a status equal to that provided athletics by the international Olympic games; to coordinate certain cultural exchange programs with the Organization of American States and the Pan American Union; and to provide at colleges and universities centers for technical and cultural interchange similar to that at the University of Hawaii; to the Committee on Foreign Affairs.

H.J. Res. 69. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to provide that such building shall be designated the "President Madison Memorial Library," and to provide that no additional land shall be acquired on Capitol Hill until the highest and best use has been made of the land already acquired and cleared immediately south of the three House Office Buildings; to the Committee on Public Works.

By Mr. WILLIAMS:

H.J. Res. 70. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States, and relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.J. Res. 71. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H.J. Res. 72. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 73. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. BALDWIN:

H.J. Res. 74. Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. BATES:

H.J. Res. 75. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.J. Res. 76. Joint resolution to establish a Commission on Ethics in the Federal Government to interpret the application of the code of ethics for Government service, to recommend modifications and improvements therein, as well as in criminal or other statutes relating to ethics, to investigate complaints of unethical conduct in Government service, and for other purposes; to the Committee on Post Office and Civil Service.

H.J. Res. 77. Joint resolution proposing an amendment to the Constitution of the United States relating to Presidential inability; to the Committee on the Judiciary.

H.J. Res. 78. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. CHELF:

H.J. Res. 79. Joint resolution proposing an amendment to the Constitution so as to make former Presidents of the United States Members of the Senate; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 80. Joint resolution proposing an amendment to the Constitution of the United States permitting nonsectarian religious observances founded upon the recognition of God in public schools or other public places, if participation therein is voluntary; to the Committee on the Judiciary.

By Mr. DIGGS:

H.J. Res. 81. Joint resolution to establish the Emancipation Proclamation Centennial Celebration Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.J. Res. 82. Joint resolution designating the navigation channel and canal portion of the Arkansas River navigation and multiple-purpose project as the "Robert S. Kerr Seaway"; to the Committee on Public Works.

By Mr. GARMATZ:

H.J. Res. 83. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GILBERT:

H.J. Res. 84. Joint resolution declaring the first Tuesday after the first Monday of November in each even-numbered year to be a legal public holiday; to the Committee on the Judiciary.

H.J. Res. 85. Joint resolution proposing an amendment to the Constitution of the United States to abolish literacy test qualifications for electors in Federal elections; to the Committee on the Judiciary.

H.J. Res. 86. Joint resolution to provide for the honorary designation of St. Ann's Churchyard in the city of New York as a national historic site; to the Committee on Interior and Insular Affairs.

By Mrs. GRIFFITHS:

H.J. Res. 87. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.J. Res. 88. Joint resolution proposing an amendment to the Constitution of the United States with respect to the term of office of Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. HALEY:

H.J. Res. 89. Joint resolution expressing a declaration of war against the 98 Communist Parties constituting the international Communist conspiracy; to the Committee on Foreign Affairs.

By Mr. HOLLAND:

H.J. Res. 90. Joint resolution designating March 30 of each year as "Shut-In's Day"; to the Committee on the Judiciary.

H.J. Res. 91. Joint resolution to provide for three civilian Commissioners for the District of Columbia; to the Committee on the District of Columbia.

By Mr. HUDDLESTON:

H.J. Res. 92. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

By Mr. JARMAN:

H.J. Res. 93. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

H.J. Res. 94. Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. KILGORE:

H.J. Res. 95. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 96. Joint resolution proposing an amendment to the Constitution of the United States to provide that appropriations shall not exceed revenues of the United States, except in time of war or national emergency; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.J. Res. 97. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 98. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.J. Res. 99. Joint resolution to authorize the President to proclaim the 7th day of August of each year as Purple Heart Day; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.J. Res. 100. Joint resolution designating the 2d Sunday in October of each year as National Grandmothers' Day; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.J. Res. 101. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

H.J. Res. 102. Joint resolution proposing an amendment to the Constitution to authorize Congress to limit the power of courts of the United States to determine that statutes of the United States or of any State are repugnant to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SIBAL:

H.J. Res. 103. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 104. Joint resolution authorizing and requesting the President to issue a proclamation designating the first Sunday in the month of October as National Children's Day; to the Committee on the Judiciary.

H.J. Res. 105. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 106. Joint resolution providing for the establishment of a National Letter Carriers Week; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States to enable the Congress, in aid of the common defense, to function effectively in time of emergency or disaster; to the Committee on the Judiciary.

By Mr. YOUNGER (by request):

H.J. Res. 108. Joint resolution designating the Luther Burbank Shasta daisy as the national flower of the United States; to the Committee on House Administration.

By Mr. ZABLOCKI:

H. Con. Res. 2. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mrs. KELLY:

H. Con. Res. 3. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. ALGER:

H. Con. Res. 4. Concurrent resolution expressing the declaration of will of the American people and purpose of their Government to reinstate the sovereignty of the United States and its people throughout the world and to guarantee the full protection of this Government for all its citizens and their property anywhere in the world; to the Committee on Foreign Affairs.

By Mr. BARING:

H. Con. Res. 5. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. BATES:

H. Con. Res. 6. Concurrent resolution expressing the sense of Congress on representation of China in the United Nations; to the Committee on Foreign Affairs.

By Mr. BOGGS:

H. Con. Res. 7. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. BOW:

H. Con. Res. 8. Concurrent resolution relative to Captive Nations Days; to the Committee on the Judiciary.

H. Con. Res. 9. Concurrent resolution that it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H. Con. Res. 10. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

H. Con. Res. 11. Concurrent resolution providing that certain violations of human rights by the Government of Poland shall be brought to the attention of the General Assembly of the United Nations; to the Committee on Foreign Affairs.

By Mr. DADDARIO:

H. Con. Res. 12. Concurrent resolution to establish a Joint Committee on the Intelligence Community; to the Committee on Rules.

By Mr. EDMONDSON:

H. Con. Res. 13. Concurrent resolution declaring the sense of Congress on the closing of Indian hospitals; to the Committee on Interior and Insular Affairs.

H. Con. Res. 14. Concurrent resolution declaring the sense of Congress on the use of a great white fleet in support of American foreign policy; to the Committee on Armed Services.

By Mr. HOEVEN:

H. Con. Res. 15. Concurrent resolution to insure equal rights and self-determination for the peoples of Latvia, Lithuania, and Estonia; to the Committee on Foreign Affairs.

By Mr. HOLLAND:

H. Con. Res. 16. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. HUDDLESTON:

H. Con. Res. 17. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. JENSEN:

H. Con. Res. 18. Concurrent resolution to restore the upright grave markers at Punchbowl Cemetery, Hawaii; to the Committee on Interior and Insular Affairs.

By Mrs. KELLY:

H. Con. Res. 19. Concurrent resolution expressing the sense of Congress on representation of China in the United Nations; to the Committee on Foreign Affairs.

By Mr. MULTER:

H. Con. Res. 20. Concurrent resolution expressing the sense of the Congress with respect to the establishment of uniform traffic laws throughout the United States; to the Committee on Interstate and Foreign Commerce.

H. Con. Res. 21. Concurrent resolution to establish a Joint Committee on Consumers; to the Committee on Rules.

By Mr. PEPPER:

H. Con. Res. 22. Concurrent resolution expressing the sense of the Congress with respect to citizens of the United States now unlawfully imprisoned in Cuba and the liberation of Cuba from the curse of Castro and communism; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Con. Res. 23. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. RYAN of New York:

H. Con. Res. 24. Concurrent resolution for a study of the procedures of Congress; to the Committee on Rules.

By Mrs. ST. GEORGE:

H. Con. Res. 25. Concurrent resolution requesting the President to call for a study by the United Nations to determine whether it would assist the deliberations of that body if its headquarters were located in a neutral nation; to the Committee on Foreign Affairs.

H. Con. Res. 26. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. STRATTON:

H. Con. Res. 27. Concurrent resolution recognizing the Baseball Hall of Fame at Cooperstown, N.Y., as a memorial to certain individuals; to the Committee on House Administration.

By Mr. SILER:

H. Con. Res. 28. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Con. Res. 29. Concurrent resolution authorizing the printing of additional copies of a Veterans' benefits calculator; to the Committee on House Administration.

H. Con. Res. 30. Concurrent resolution expressing the sense of the Congress with respect to participation by the United States with foreign nations or international bodies in a program for the utilization and exploration of space; to the Committee on Foreign Affairs.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 31. Concurrent resolution to grant national recognition to the Circus World Museum at Baraboo, Wis.; to the Committee on the Judiciary.

By Mr. UDALL:

H. Con. Res. 32. Concurrent resolution for a study of the procedures of Congress; to the Committee on Rules.

By Mr. YOUNGER:

H. Con. Res. 33. Concurrent resolution expressing the sense of Congress on representation of China in the United Nations; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H. Con. Res. 34. Concurrent resolution to provide for the creation of a Joint Committee on Consumer Interests; to the Committee on Rules.

By Mr. EVINS:

H. Res. 13. Resolution creating a select committee to conduct studies and investigations of the problems of small business; to the Committee on Rules.

By Mr. FLOOD:

H. Res. 14. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 15. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. BECKWORTH:

H. Res. 16. Resolution to authorize the Committee on Post Office and Civil Service to conduct an investigation and study of the extent to which employment in the Federal Government is denied to individuals because of age; to the Committee on Rules.

By Mr. HARRIS:

H. Res. 17. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct investigations and studies with respect to matters within its jurisdiction; to the Committee on Rules.

By Mr. MULTER:

H. Res. 18. Resolution creating a Select Committee on Consumer Interests; to the Committee on Rules.

H. Res. 19. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

H. Res. 20. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

H. Res. 21. Resolution amending the Rules of the House of Representatives to provide that the Committee on Banking and Currency shall have jurisdiction over all consumer problems; to the Committee on Rules.

H. Res. 22. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

H. Res. 23. Resolution to amend rule XXIV of the Rules of the House of Representatives to establish a method for the consideration of bills providing for home rule in the District of Columbia; to the Committee on Rules.

H. Res. 24. Resolution to increase personal income tax exemptions; to the Committee on Ways and Means.

By Mr. SISK:

H. Res. 25. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. ALGER:

H. Res. 26. Resolution amending the Rules of the House of Representatives relating to the appointment of professional and clerical staffs of the committees of the House; to the Committee on Rules.

By Mr. BENNETT of Florida:

H. Res. 27. Resolution authorizing and directing the Committee on House Administration to rent or otherwise acquire a suitable residence, within a reasonable distance from the Capitol, to be maintained as a home for pages employed by the House, and to appoint an individual or individuals of mature years to act as supervisor of the home and to be responsible for its operation under rules and regulations made by the committee; to the Committee on House Administration.

By Mr. BOLAND:

H. Res. 28. Resolution establishing a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. BONNER:

H. Res. 29. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; to the Committee on Rules.

H. Res. 30. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 29; to the Committee on House Administration.

By Mr. BOW:

H. Res. 31. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. CANNON:

H. Res. 32. Resolution to provide for the report of 1964 appropriations in one consolidated bill; to the Committee on Rules.

H. Res. 33. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CEDERBERG:

H. Res. 34. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. CELLER:

H. Res. 35. Resolution to provide funds for the Committee on the Judiciary under Public Law 86–272; to the Committee on House Administration.

H. Res. 36. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. COHELAN:

H. Res. 37. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

By Mr. COOLEY:

H. Res. 38. Resolution authorizing the Committee on Agriculture to conduct studies and investigations; to the Committee on Rules.

By Mr. CRAMER:

H. Res. 39. Resolution to authorize an investigation into practices of Government copyrights, and for other purposes; to the Committee on Rules.

By Mr. DENT:

H. Res. 40. Resolution creating a select committee to conduct an investigation and study of the impact of foreign imports on employment in the United States; to the Committee on Rules.

H. Res. 41. Resolution to provide funds for the expenses of the investigation study authorized by House Resolution 40; to the Committee on House Administration.

By Mr. FARBSTEIN:

H. Res. 42. Resolution to amend the Rules of the House of Representatives to transfer the responsibilities of the Committee on Un-American Activities to the Committee on the Judiciary; to the Committee on Rules.

By Mr. SCHWENGEL:

H. Res. 43. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. FOGARTY:

H. Res. 44. Resolution to provide for the unity of Ireland; to the Committee on Foreign Affairs.

By Mr. GROSS:

H. Res. 45. Resolution to amend clause 6 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 46. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. HUDDLESTON:

H. Res. 47. Resolution expressing the sense of the House of Representatives with respect to the declaration by the President of the month of May as Senior Citizens Month; and for other purposes; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H. Res. 48. Resolution creating a select committee to conduct an investigation and study of the seizure and detention of American citizens in foreign countries; to the Committee on Rules.

By Mr. KUNKEL:

H. Res. 49. Resolution declaring the Eastern Orthodox Church to be a major faith in the United States; to the Committee on the Judiciary.

By Mr. LAIRD:

H. Res. 50. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 51. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

H. Res. 52. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. MEADER:

H. Res. 53. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 54. Resolution to empower committees to permit the broadcasting and telecasting of their public hearings during the 88th Congress; to the Committee on Rules.

By Mr. MORGAN:

H. Res. 55. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; to the Committee on Rules.

By Mr. BUCKLEY:

H. Res. 56. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee; to the Committee on Rules.

By Mr. PELLY:

H. Res. 57. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 58. Resolution relating to the fiscal policies of the United States; to the Committee on Rules.

By Mr. PHILBIN:

H. Res. 59. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. PUCINSKI:

H. Res. 60. Resolution to create a Committee on Employment and Economic Growth; to the Committee on Rules.

H. Res. 61. Resolution providing for the reading of the Declaration of Independence in the House of Representatives each year in celebration of the Fourth of July; to the Committee on Rules.

H. Res. 62. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. RHODES of Arizona:

H. Res. 63. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

H. Res. 64. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 65. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ROGERS of Florida:

H. Res. 66. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. ROGERS of Texas:

H. Res. 67. Resolution to create a select committee to investigate personnel and procedures in the Department of State of the United States; to the Committee on Rules.

H. Res. 68. Resolution creating a select committee to conduct an investigation with respect to the real property owned by the United States; to the Committee on Rules.

By Mr. ROOSEVELT:

H. Res. 69. Resolution to amend the Rules of the House of Representatives to transfer the responsibilities of the Committee on Un-American Activities to the Committee on the Judiciary; to the Committee on Rules.

By Mr. STRATTON:

H. Res. 70. Resolution expressing the sense of the House of Representatives that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a United Nations Commission; to the Committee on Foreign Affairs.

H. Res. 71. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. ROGERS of Texas:

H. Res. 72. Resolution providing for an investigation and study of the production, distribution, and exhibition of objectionable motion pictures and related advertising by the Committee on Interstate and Foreign Commerce, acting through a special subcommittee; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 73. Resolution to authorize the Committee on Veterans' Affairs to conduct investigations and studies; to the Committee on Rules.

H. Res. 74. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 73; to the Committee on House Administration.

By Mr. YOUNGER:

H. Res. 75. Resolution to provide a residence for pages; to the Committee on House Administration.

By Mr. ZABLOCKI:

H. Res. 76. Resolution providing for the commemoration of the death of Gen. Casimir Pulaski on October 11 of each calendar year; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H. Res. 77. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 78. Resolution to provide equal access for all news media before proceedings of the House; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States relative to ratifying the proposed amendment to the Constitution of the United States prohibiting denial of the right to vote for Federal offices by reason of failure to pay any poll tax or other tax; to the Committee on the Judiciary.

Also, memorial of the Commonwealth of Puerto Rico, memorializing the President and the Congress of the United States relative to proposing to the Congress of the United States the procedure for establishing the final political status of the people of Puerto Rico; to the Committee on Interior and Insular Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 1172. A bill for the relief of Rolando de la Torre Arceo and John Antony Arceo; to the Committee on the Judiciary.

H.R. 1173. A bill for the relief of Paul Hunter; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 1174. A bill for the relief of Elfriede Unterholzer Sharble; to the Committee on the Judiciary.

H.R. 1175. A bill for the relief of Aleksander Dabrowski; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 1176. A bill for the relief of Michel Leon Partayan (also known as Bartayan); to the Committee on the Judiciary.

H.R. 1177. A bill for the relief of Barbara Iris Patrick; to the Committee on the Judiciary.

H.R. 1178. A bill for the relief of Fulvio Jose Gonzales; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 1179. A bill for the relief of Basilio King, his wife, and their children; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 1180. A bill for the relief of Stanley A. Luczak; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 1181. A bill for the relief of Milagros R. Mate; to the Committee on the Judiciary.

H.R. 1182. A bill for the relief of Willy Sapuschnin; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 1183. A bill for the relief of Andrea Avogadro; to the Committee on the Judiciary.

H.R. 1184. A bill for the relief of Nikolaos A. Vasopoulos; to the Committee on the Judiciary.

H.R. 1185. A bill for the relief of Milorad Rajic; to the Committee on the Judiciary.

H.R. 1186. A bill for the relief of Christos Hondronastas; to the Committee on the Judiciary.

H.R. 1187. A bill for the relief of Gabriel Soultanian and Hilda Soultanian; to the Committee on the Judiciary.

H.R. 1188. A bill for the relief of Guiseppe Cimino; to the Committee on the Judiciary.

H.R. 1189. A bill for the relief of Sami Jawad and Elizabeth Al-Ani; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 1190. A bill for the relief of Col. Carroll E. Adams; to the Committee on the Judiciary.

By Mr. DAGUE:

H.R. 1191. A bill for the relief of Wilmer R. Bricker; to the Committee on the Judiciary.

H.R. 1192. A bill for the relief of William C. Doyle; to the Committee on the Judiciary.

H.R. 1193. A bill for the relief of Domenico Antonelli; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 1194. A bill for the relief of Edward Tingho Tan and his wife, Patricia Kwoling Tan, and their children, Edward, Jr., and Teresa Tan; to the Committee on the Judiciary.

H.R. 1195. A bill for the relief of Anna Guerra and Amata Guerra; to the Committee on the Judiciary.

H.R. 1196. A bill for the relief of Benedetto Mariani and Annunziata Mariani; to the Committee on the Judiciary.

By Mr. JENSEN:

H.R. 1197. A bill for the relief of Paraskeve Doudoumis; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 1198. A bill for the relief of Mario Miranda; to the Committee on the Judiciary.

H.R. 1199. A bill for the relief of Branco da Gloria Franco Freitas; to the Committee on the Judiciary.

H.R. 1200. A bill for the relief of Ramiro Jesus Lopes; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 1201. A bill for the relief of Mrs. Eurina P. Richards; to the Committee on the Judiciary.

H.R. 1202. A bill for the relief of Anna Ballarotta; to the Committee on the Judiciary.

H.R. 1203. A bill for the relief of Johanna Gristede; to the Committee on the Judiciary.

H.R. 1204. A bill for the relief of Boris Edelman; to the Committee on the Judiciary.

H.R. 1205. A bill for the relief of Paul Bernstein; to the Committee on the Judiciary.

H.R. 1206. A bill for the relief of Kazimierz Krupinski; to the Committee on the Judiciary.

H.R. 1207. A bill for the relief of Paraskedi Stamadianou; to the Committee on the Judiciary.

H.R. 1208. A bill for the relief of Lucia Benistati; to the Committee on the Judiciary.

H.R. 1209. A bill to authorize Rear Adm. Gordon McLintock, U.S. Maritime Service, to accept the award of the Order of Maritime Merit, degree of commander, and to wear and display the insignia thereof; to the Committee on Foreign Affairs.

H.R. 1210. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Paul Bernstein against the United States; to the Committee on the Judiciary.

By Mr. KILBURN:

H.R. 1211. A bill to admit the vessels *Fort Town, Maple City,* and *Windmill Point* to American registry and to permit their use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

H.R. 1212. A bill for the relief of Theodore Kaltsounis; to the Committee on the Judiciary.

By Mr. KUNKEL:

H.R. 1213. A bill for the relief of World Games, Inc.; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 1214. A bill for the relief of Jose Clemente Pedro; to the Committee on the Judiciary.

H.R. 1215. A bill for the relief of Mrs. Rose M. Powers; to the Committee on the Judiciary.

H.R. 1216. A bill for the relief of Luis De Canto Viveiros; to the Committee on the Judiciary.

H.R. 1217. A bill for the relief of Messias Vicente DeArruda; to the Committee on the Judiciary.

H.R. 1218. A bill for the relief of Jacinto Aguiar; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 1219. A bill for the relief of Charles Marowitiz; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1220. A bill to authorize the admittance of the vessel, *City of New Orleans,* to American registry and to permit the use of such vessel in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. REUSS:

H.R. 1221. A bill for the relief of Nick Masonich; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 1222. A bill providing for the extension of patent No. 2,439,502, isued April 13, 1948, relating to an automatic fire alarm system; to the Committee on the Judiciary.

By Mr. ROONEY:

H.R. 1223. A bill for the relief of Leopold Kellner and Benjamin Kellner; to the Committee on the Judiciary.

H.R. 1224. A bill for the relief of Pasquale Evangelista; to the Committee on the Judiciary.

H.R. 1225. A bill for the relief of Michele Bongiardina; to the Committee on the Judiciary.

H.R. 1226. A bill for the relief of Guillermo Manuel Garcia Vazquez; to the Committee on the Judiciary.

H.R. 1227. A bill for the relief of Mrs. Emilia Pucci; to the Committee on the Judiciary.

H.R. 1228. A bill for the relief of Maria Fanetti; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 1229. A bill for the relief of Maria Grazia Lo Piccolo; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 1230. A bill for the relief of Nicholas E. Villareal; to the Committee on the Judiciary.

H.R. 1231. A bill for the relief of Sirvart Nalbandian (also known as Serwart Nalbandian); to the Committee on the Judiciary.

H.R. 1232. A bill for the relief of Asterio Quitoriano; to the Committee on the Judiciary.

H.R. 1233. A bill to provide for the reinstatement and validation of U.S. oil and gas lease No. Sacramento 037552-C, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of Texas:

H.R. 1234. A bill for the relief of Francesco C. Gangi; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 1236. A bill for the relief of Dewey Sumonja; to the Committee on the Judiciary.

By Mr. BALDWIN:

H.R. 1237. A bill for the relief of Clara G. Maggiora; to the Committee on the Judiciary.

H.R. 1238. A bill for the relief of Miss Linda B. Aguinaldo; to the Committee on the Judiciary.

H.R. 1239. A bill for the relief of Emperatriz M. Nacional and Susan M. Nacional; to the Committee on the Judiciary.

H.R. 1240. A bill for the relief of Salvatori Pronzo and Rosa Pronzo; to the Committee on the Judiciary.

H.R. 1241. A bill for the relief of Mrs. Elisa C. Rubio; to the Committee on the Judiciary.

H.R. 1242. A bill for the relief of Dominador K. Oyzon; to the Committee on the Judiciary.

H.R. 1243. A bill for the relief of Klaus Dieter Jensch; to the Committee on the Judiciary.

H.R. 1244. A bill for the relief of Joseph Greene, Kathleen Greene, and their minor child, Joseph Edwin Greene; to the Committee on the Judiciary.

H.R. 1245. A bill for the relief of Bonifacio L. Viscarra, Pilar P. Viscarra, and their children, Evelyn, Maria Louisa, Gilbert, and Mariza; to the Committee on the Judiciary.

H.R. 1246. A bill for the relief of Crispin Balugay, Helen W. Balugay, and their children, Elizabeth and Crispin Balugay, Jr.; to the Committee on the Judiciary.

H.R. 1247. A bill for the relief of Ernesto Pastor, Carmelita Pastor, and their children, Elizabeth, Ernesto Pastor, Jr., and Joseph; to the Committee on the Judiciary.

H.R. 1248. A bill for the relief of Benjamin I. Felicitas; to the Committee on the Judiciary.

By Mr. BARRY:

H.R. 1249. A bill for the relief of Louis John Rakaczky; to the Committee on the Judiciary.

H.R. 1250. A bill for the relief of Mr. and Mrs. Donald R. McLean; to the Committee on the Judiciary.

H.R. 1251. A bill for the relief of Ioannis Athanasios Elenis; to the Committee on the Judiciary.

H.R. 1252. A bill for the relief of Bozena Gutowska; to the Committee on the Judiciary.

H.R. 1253. A bill for the relief of Palmira Landolfi; to the Committee on the Judiciary.

H.R. 1254. A bill for the relief of Jack Starr; to the Committee on the Judiciary.

H.R. 1255. A bill for the relief of Myra Milne; to the Committee on the Judiciary.

H.R. 1256. A bill for the relief of Diza Grad; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 1257. A bill for the relief of Sale Kurg; to the Committee on the Judiciary.

H.R. 1258. A bill for the relief of Mrs. Sevim Zafer Altolka Ipar; to the Committee on the Judiciary.

H.R. 1259. A bill for the relief of Mrs. Reiko Nakashima McIntyre; to the Committee on the Judiciary.

H.R. 1260. A bill for the relief of David Shih Wen Wang; to the Committee on the Judiciary.

By Mr. BENNETT of Michigan:

H.R. 1261. A bill for the relief of Armando Da Lio and his wife Domenica Vescovi Da Lio; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 1262. A bill for the relief of Mrs. Maisie Magdalene Lim Ketchens; to the Committee on the Judiciary.

H.R. 1263. A bill for the relief of Rickert & Laan, Inc.; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 1264. A bill for the relief of Dr. Constantine Cerkez; to the Committee on the Judiciary.

H.R. 1265. A bill for the relief of Joo-Yon Ohm-Cederberg; to the Committee on the Judiciary.

H.R. 1266. A bill for the relief of John Kish (alias John Mihai); to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.R. 1267. A bill for the relief of Lawrence E. Bird; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 1268. A bill for the relief of Norman W. Enfield; to the Committee on the Judiciary.

H.R. 1269. A bill for the relief of Frederick Hing Lung Fung and Christopher Hing Kui Fung; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 1270. A bill for the relief of Sangwoo Ahn; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 1271. A bill for the relief of Dr. Jae H. Yang and Mrs. Jeong S. Yang; to the Committee on the Judiciary.

H.R. 1272. A bill for the relief of Dr. Narayan Chandra Gupta; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 1273. A bill for the relief of Bay Kow Jung; to the Committee on the Judiciary.

H.R. 1274. A bill for the relief of Danusia Radochonski; to the Committee on the Judiciary.

H.R. 1275. A bill for the relief of Ann Super; to the Committee on the Judiciary.

H.R. 1276. A bill for the relief of Federico Lopez-Blanco; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 1277. A bill for the relief of Hans-Dieter Siemoneit; to the Committee on the Judiciary.

H.R. 1278. A bill for the relief of Venancio Sing Olague; to the Committee on the Judiciary.

H.R. 1279. A bill for the relief of Kamejiro Ikeda; to the Committee on the Judiciary.

H.R. 1280. A bill for the relief of Jan Owsiak; to the Committee on the Judiciary.

H.R. 1281. A bill for the relief of Capt. Leon M. Gervin; to the Committee on the Judiciary.

H.R. 1282. A bill for the relief of Col. Ray O. Busch; to the Committee on the Judiciary.

H.R. 1283. A bill for the relief of the shareholders of Frazar, Federal Inc., U.S.A.; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 1284. A bill for the relief of Douglas K. Warner; to the Committee on the Judiciary.

By Mr. HARDY:

H.R. 1285. A bill for the relief of Gerassimos N. Maratos; to the Committee on the Judiciary.

H.R. 1286. A bill for the relief of Lt. Claude V. Wells; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 1287. A bill for the relief of Gee Lai Ting; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 1288. A bill for the relief of Georgios V. Christakos (Hristakos); to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 1289. A bill for the relief of Maria Merghetti (Mother Benedetta); to the Committee on the Judiciary.

H.R. 1290. A bill for the relief of Annunziata Colombo (Mother Cherubina); to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 1291. A bill for the relief of Kazimierz (Casimer) Krzykowski; to the Committee on the Judiciary.

H.R. 1292. A bill for the relief of Carmela Calabrese DiVito; to the Committee on the Judiciary.

By Mr. MONTOYA:

H.R. 1293. A bill for the relief of George Louis Richard (also known as Georges Louis Khattar); to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 1294. A bill for the relief of Mrs. Olga Bernice Bramson Gilfillan; to the Committee on the Judiciary.

H.R. 1295. A bill for the relief of Edith and Joseph Sharon; to the Committee on the Judiciary.

H.R. 1296. A bill for the relief of Dr. Samuel Ribacoff; to the Committee on the Judiciary.

H.R. 1297. A bill for the relief of Gabriel Chehebar, his wife, Marcelle Levy Chehebar, and their minor children, Albert, Zakia, Zaki, Jacques, and Joseph Chehebar; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 1298. A bill for the relief of Chong Hai Chu; to the Committee on the Judiciary.

H.R. 1299. A bill for the relief of Clemente C. Tiampo; to the Committee on the Judiciary.

H.R. 1300. A bill for the relief of Aue Ming Sum, Jan Long Line Gay, Aue Tong Yick, Aue Jam Hige, Aue Joan, and Aue Jim Tein; to the Committee on the Judiciary.

H.R. 1301. A bill for the relief of Lem Buck You, Lem Soo Ying, and Lem Stanley; to the Committee on the Judiciary.

H.R. 1302. A bill for the relief of Mrs. Nivart Gumusyan Chatalbash; to the Committee on the Judiciary.

H.R. 1303. A bill for the relief of Iris Maitland Munds; to the Committee on the Judiciary.

H.R. 1304. A bill for the relief of Carmen Estwick; to the Committee on the Judiciary.

H.R. 1305. A bill for the relief of Hong Mon Kuo, also known as Jack Hong, and his wife, Hong Yee Mee Fong; to the Committee on the Judiciary.

H.R. 1306. A bill for the relief of Maria Rosaria Sirignano; to the Committee on the Judiciary.

H.R. 1307. A bill for the relief of Chu Shu Wong; to the Committee on the Judiciary.

H.R. 1308. A bill for the relief of Mrs. Wong Ship Shee; to the Committee on the Judiciary.

H.R. 1309. A bill for the relief of Emilia Suppa; to the Committee on the Judiciary.

H.R. 1310. A bill for the relief of Iolanda Iebba Altimari; to the Committee on the Judiciary.

H.R. 1311. A bill for the relief of Jolan Berczeller; to the Committee on the Judiciary.

H.R. 1312. A bill for the relief of Shue Lam Wo; to the Committee on the Judiciary.

H.R. 1313. A bill for the relief of Hector Wong; to the Committee on the Judiciary.

H.R. 1314. A bill for the relief of Tam Suey Kin and Tam Lai Ping; to the Committee on the Judiciary.

H.R. 1315. A bill for the relief of Chin Tau Sun; to the Committee on the Judiciary.

H.R. 1316. A bill for the relief of Wong Shee Heung; to the Committee on the Judiciary.

H.R. 1317. A bill for the relief of Ioannis Limberopoulos; to the Committee on the Judiciary.

H.R. 1318. A bill for the relief of Edoardo L. D. Grossi; to the Committee on the Judiciary.

H.R. 1319. A bill for the relief of Ying Tang Lee; to the Committee on the Judiciary.

H.R. 1320. A bill for the relief of Leung Tung Ung; to the Committee on the Judiciary.

H.R. 1321. A bill for the relief of Angelina De Stefano; to the Committee on the Judiciary.

H.R. 1322. A bill for the relief of Lucia Salvucci; to the Committee on the Judiciary.

H.R. 1323. A bill for the relief of Wong Fook Cheung; to the Committee on the Judiciary.

H.R. 1324. A bill for the relief of Claudio Dragonetti; to the Committee on the Judiciary.

H.R. 1325. A bill for the relief of Chu Kin Ping; to the Committee on the Judiciary.

H.R. 1326. A bill for the relief of Elena DeSantis; to the Committee on the Judiciary.

H.R. 1327. A bill for the relief of Madan L. Chaudhary; to the Committee on the Judiciary.

H.R. 1328. A bill for the relief of Doo Tun Woo; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 1329. A bill for the relief of Pang Jooi Tuck; to the Committee on the Judiciary.

By Mr. POFF:

H.R. 1330. A bill for the relief of Murvet Karadeniz; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 1331. A bill to authorize the disposal of surplus equipment, materials, books, and supplies under section 203(j) of the Federal Property and Administrative Services Act of 1949 to the Arizona Boys' Ranch and Epi-Hab Phoenix, Inc.; to the Committee on Government Operations.

By Mr. RODINO:

H.R. 1332. A bill for the relief of Mario Rodrigues Fonseca; to the Committee on the Judiciary.

H.R. 1333. A bill for the relief of John F. Polito; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 1334. A bill for the relief of Emilie Anselmo; to the Committee on the Judiciary.

H.R. 1335. A bill for the relief of Rosa Cleta; to the Committee on the Judiciary.

H.R. 1336. A bill for the relief of Demir Alp Barker, Mufide Barker, Ali Halim Barker, and Zubeyde Nermin Barker; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 1337. A bill for the relief of Sister Maria Mistica Adornetti and Sister Elena Brogno; to the Committee on the Judiciary.

H.R. 1338. A bill for the relief of Awad Mohammed Mahmoud Da'ames; to the Committee on the Judiciary.

H.R. 1339. A bill for the relief of Jacob I. Bellow; to the Committee on the Judiciary.

H.R. 1340. A bill for the relief of Christos (Yonclas) Giannouklas; to the Committee on the Judiciary.

H.R. 1342. A bill for the relief of Margherita P. Pagano; to the Committee on the Judiciary.

H.R. 1343. A bill for the relief of Miss Hedwig Dora; to the Committee on the Judiciary.

H.R. 1344. A bill for the relief of Mrs. Danica Petrovic; to the Committee on the Judiciary.

H.R. 1345. A bill for the relief of Peter Carson; to the Committee on the Judiciary.

H.R. 1346. A bill for the relief of Mrs. Elizabeth Cornish Fei; to the Committee on the Judiciary.

H.R. 1347. A bill for the relief of Mrs. Katarina Pezelj; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 1348. A bill for the relief of Mrs. Phoebe Thompson Neesham; to the Committee on the Judiciary.

H.R. 1349. A bill for the relief of Paja Radojevic and his wife Zlata Radojevic; to the Committee on the Judiciary.

H.R. 1350. A bill for the relief of Arnold George Kelly and his wife, Melvina Birdylyn Kelly; to the Committee on the Judiciary.

By Mr. BALDWIN:

H.R. 1351. A bill for the relief of Leonida A. Escamos, Emerita A. Escamos, and Teresita A. Escamos; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 1352. A bill for the relief of Mrs. Faride Afif; to the Committee on the Judiciary.

H.R. 1353. A bill for the relief of Sister Aurora Carmela, Sister Vittorina, Sister Colomba, Sister Orsanna, and Sister Filomena; to the Committee on the Judiciary.

H.R. 1354. A bill for the relief of Philip Lam; to the Committee on the Judiciary.

H.R. 1355. A bill for the relief of Stanislawa Ouellette; to the Committee on the Judiciary.

By Mr. BECKER:

H.R. 1356. A bill for the relief of Nicola Addano; to the Committee on the Judiciary.

H.R. 1357. A bill for the relief of Mark Blais Ellingsen; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 1358. A bill for the relief of Shwang Hsia; to the Committee on the Judiciary.

H.R. 1359. A bill for the relief of Dr. John M. Zykiewicz; to the Committee on the Judiciary.

H.R. 1360. A bill for the relief of Veda Alixia Bogle; to the Committee on the Judiciary.

H.R. 1361. A bill for the relief of John C. Garand; to the Committee on the Judiciary.

H.R. 1362. A bill for the relief of Dr. Norman Augusto DeCastro; to the Committee on the Judiciary.

H.R. 1363. A bill for the relief of Mrs. Rose D'Arienzo; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 1364. A bill for the relief of Bahman Naghshineh; to the Committee on the Judiciary.

H.R. 1365. A bill for the relief of Giovanni Bottari; to the Committee on the Judiciary.

H.R. 1366. A bill for the relief of Vagharshag O. Danielian; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 1367. A bill for the relief of Dr. Woo Yoon Chey; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 1368. A bill for the relief of Athanasios P. Papadakos; to the Committee on the Judiciary.

H.R. 1369. A bill for the relief of Christos Dimitrakopoulos; to the Committee on the Judiciary.

H.R. 1370. A bill for the relief of Ioannis Bakalis; to the Committee on the Judiciary.

H.R. 1371. A bill for the relief of Haralambos Sourbis and Nikolete Sourbis; to the Committee on the Judiciary.

H.R. 1372. A bill for the relief of Stavros Tserpes; to the Committee on the Judiciary.

H.R. 1373. A bill for the relief of Stanko Lukanic; to the Committee on the Judiciary.

H.R. 1374. A bill for the relief of Evangelos Tourlis; to the Committee on the Judiciary.

H.R. 1375. A bill for the relief of Panagiotis George Kanellopoulos; to the Committee on the Judiciary.

H.R. 1376. A bill for the relief of Christos John Kyriakopoulos; to the Committee on the Judiciary.

H.R. 1377. A bill for the relief of Georgia Kollintza; to the Committee on the Judiciary.

H.R. 1378. A bill for the relief of Angeliki Psychari; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 1379. A bill for the relief of the Cleveland Grays; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 1380. A bill for the relief of Roberto Castillo Garza; to the Committee on the Judiciary.

H.R. 1381. A bill for the relief of Lew Ik Chew; to the Committee on the Judiciary.

By Mr. GROSS:

H.R. 1382. A bill for the relief of John Gatzopi Overbeck; to the Committee on the Judiciary.

H.R. 1383. A bill for the relief of Mary Gatzopoulos Overbeck; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 1384. A bill for the relief of Areti Siozos Paidas; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 1385. A bill for the relief of Barbara Coloma Sabio; to the Committee on the Judiciary.

By Mrs. KEE:

H.R. 1386. A bill for the relief of Mrs. Katina Nanouri Kokinas; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 1387. A bill for the relief of Faithey Isobel Cunningham; to the Committee on the Judiciary.

H.R. 1388. A bill for the relief of Bessie Kour; to the Committee on the Judiciary.

H.R. 1389. A bill for the relief of Czeslaw Bochenski; to the Committee on the Judiciary.

H.R. 1390. A bill for the relief of Teofila Bernecki; to the Committee on the Judiciary.

H.R. 1391. A bill for the relief of Yasuko Agena and Carl William Agena; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 1392. A bill for the relief of Irving M. Sobin Chemical Co., Inc.; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 1393. A bill for the relief of Janet Lundie Farmer; to the Committee on the Judiciary.

H.R. 1394. A bill for the relief of Levana Shmueli and Jacob (Jack) Shmueli; to the Committee on the Judiciary.

H.R. 1395. A bill for the relief of Rear Adm. Walter B. Davidson; to the Committee on the Judiciary.

H.R. 1396. A bill for the relief of Patricia Ruth Woolverton; to the Committee on the Judiciary.

H.R. 1397. A bill for the relief of Annie Gabbay; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 1398. A bill for the relief of Margaret Barker; to the Committee on the Judiciary.

H.R. 1399. A bill for the relief of Louie Jee Keung; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 1400. A bill for the relief of Antoun Nachef; to the Committee on the Judiciary.

H.R. 1401. A bill for the relief of Pietro Vicari; to the Committee on the Judiciary.

By Mr. MOSHER:

H.R. 1402. A bill for the relief of Mrs. Anna Michalska Holoweckyj (formerly Mrs. Anna Zalewski); to the Committee on the Judiciary.

By Mr. NORBLAD:

H.R. 1403. A bill for the relief of Capital Transit Lines, Inc., of Salem, Oreg.; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 1404. A bill for the relief of Teresa Carafa; to the Committee on the Judiciary.

H.R. 1405. A bill for the relief of Dr. Marcelo A. Manubay and his wife, Eugenia B. Manubay; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 1406. A bill for the relief of Mrs. Corine B. Groce; to the Committee on the Judiciary.

H.R. 1407. A bill for the relief of Sadat S Zulfkar, Said H. Sharawi, Khadiga E. Arsalan, Hassan S. Sharawi, and Sherif S. Sharawi; to the Committee on the Judiciary.

H.R. 1408. A bill for the relief of Lt. Col. Theodore C. Marrs, U.S. Air Force; to the Committee on the Judiciary.

H.R. 1409. A bill for the relief of Peter Finfinis; to the Committee on the Judiciary.

H.R. 1410. A bill for the relief of Richard M. Flor; to the Committee on the Judiciary.

H.R. 1411. A bill for the relief of Joannis Dounis; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 1412. A bill for the relief of Mrs. Blanka Krickovic Mladenovich; to the Committee on the Judiciary.

H.R. 1413. A bill for the relief of Henryk Felix Lewandowski; to the Committee on the Judiciary.

H.R. 1414. A bill for the relief of Jan and Anna Smal (nee Dworzanski); to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 1415. A bill for the relief of Wadieh Yousif Mansor Denha; to the Committee on the Judiciary.

H.R. 1416. A bill for the relief of Rosalia Chirco; to the Committee on the Judiciary.

H.R. 1417. A bill for the relief of Szabolcs Mesterhazy; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 1418. A bill for the relief of Ines Clorinda Carriero Manes; to the Committee on the Judiciary.

H.R. 1419. A bill for the relief of Alexandra, Emily, and (Shurki) Shukri (Dabbeekeh) Dabeekeh; to the Committee on the Judiciary.

H.R. 1420. A bill for the relief of Mario L. Minichini; to the Committee on the Judiciary.

H.R. 1421. A bill for the relief of Dr. Lourdes Ocampo; to the Committee on the Judiciary.

H.R. 1422. A bill for the relief of Aniello Guerriero; to the Committee on the Judiciary.

H.R. 1423. A bill for the relief of John Joseph Bruce; to the Committee on the Judiciary.

H.R. 1424. A bill for the relief of Chung Hi Lyou-Kim and Won-Bok Kim; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.R. 1425. A bill for the relief of Clifford Duplechain; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.R. 1426. A bill for the relief of Henry and Edna Robinson; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 1427. A bill for the relief of Sophie Ezman; to the Committee on the Judiciary.

H.R. 1428. A bill for the relief of Mrs. Ethel Knoll; to the Committee on the Judiciary.

H.R. 1429. A bill for the relief of Rahel Shukri Chelico; to the Committee on the Judiciary.

H.R. 1430. A bill for the relief of Dr. Rebecca Y. Tanseco; to the Committee on the Judiciary.

H.R. 1431. A bill for the relief of Navroji (Nivi) D. Khandalavala; to the Committee on the Judiciary.

H.R. 1432. A bill for the relief of Pasquale Marrella; to the Committee on the Judiciary.

H.R. 1433. A bill for the relief of Chin Ziang Yu; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 1434. A bill for the relief of Anthony William White; to the Committee on the Judiciary.

H.R. 1435. A bill for the relief of Leon Llanos; to the Committee on the Judiciary.

H.R. 1436. A bill for the relief of Mr. and Mrs. George Stevens; to the Committee on the Judiciary.

H.R. 1437. A bill for the relief of Feliciano Caba; to the Committee on the Judiciary.

H.R. 1438. A bill for the relief of Pedro Bigornia Bandayrel; to the Committee on the Judiciary.

H.R. 1439. A bill for the relief of Ioanna Ganas; to the Committee on the Judiciary.

H.R. 1440. A bill for the relief of Consuelo Alvarado de Corpus; to the Committee on the Judiciary.

H.R. 1441. A bill for the relief of George Mattar; to the Committee on the Judiciary.

H.R. 1442. A bill for the relief of Gabriel Jorge Rocha; to the Committee on the Judiciary.

H.R. 1443. A bill for the relief of Severia Cortes Naranjo; to the Committee on the Judiciary.

H.R. 1444. A bill for the relief of Shoko Arai Thomas; to the Committee on the Judiciary.

By Mr. WILSON of Indiana:

H.R. 1445. A bill for the relief of Charles Billman; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 1446. A bill to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Jack Galin for disability retirement as an officer of the Army of the United States; to the Committee on the Judiciary.

H.R. 1447. A bill for the relief of T. W. Holt & Co., and/or Holt Import & Export Co.; to the Committee on the Judiciary.

H.R. 1448. A bill for the relief of Mrs. Sophie M. Geleneau; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 1449. A bill for the relief of Lt. Gen. Bryant L. Boatner, U.S. Air Force, retired; to the Committee on Armed Services.

By Mrs. FRANCES P. BOLTON:

H.R. 1450. A bill for the relief of Maria Mangano; to the Committee on the Judiciary.

H.R. 1451. A bill for the relief of Frank Mramor; to the Committee on the Judiciary.

H.R. 1452. A bill for the relief of Marvin D. Nells; to the Committee on the Judiciary.

H.R. 1453. A bill for the relief of Oreste Ianiro; to the Committee on the Judiciary.

H.R. 1454. A bill to exempt from taxation certain property of the National Society, Daughters of the American Colonists in the District of Columbia; to the Committee on the District of Columbia.

H.R. 1455. A bill for the relief of Ewald Johan Consen; to the Committee on the Judiciary.

H.R. 1456. A bill for the relief of Maria Marinelli Verrocchi; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.R. 1457. A bill for the relief of John D. Groff; to the Committee on the Judiciary.

H.R. 1458. A bill for the relief of Kathryn Marshall; to the Committee on the Judiciary.

H.R. 1459. A bill for the relief of Oliver Brown; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 1460. A bill for the relief of Jose Antonio Schmitz; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 1461. A bill for the relief of Ora Drelewicz; to the Committee on the Judiciary.

H.R. 1462. A bill for the relief of Chang Ho Nein; to the Committee on the Judiciary.

H.R. 1463. A bill for the relief of Roberto Santini; to the Committee on the Judiciary.

H.R. 1464. A bill for the relief of Albert Charles Jolly; to the Committee on the Judiciary.

H.R. 1465. A bill for the relief of Rifka Ibrahim Toeg; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 1466. A bill for the relief of Jose Pereira-da Conceicao and Maria Otilio Bonito Barbosa; to the Committee on the Judiciary.

H.R. 1467. A bill for the relief of Mrs. Florinda M. Cristofari; to the Committee on the Judiciary.

H.R. 1468. A bill for the relief of Beverly Helen (Smith) Bowers; to the Committee on the Judiciary.

H.R. 1469. A bill for the relief of Kwang Soo Kim; to the Committee on the Judiciary.

H.R. 1470. A bill for the relief of Mr. and Mrs. Sushil K. Mukherjee and son; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 1471. A bill for the relief of the Green Manor Construction Co., Inc.; to the Committee on the Judiciary.

H.R. 1472. A bill for the relief of Aldo Francesco Carbone; to the Committee on the Judiciary.

H.R. 1473. A bill for the relief of Esther Bogbos Oflazian; to the Committee on the Judiciary.

By Mr. DEVINE:

H.R. 1474. A bill for the relief of James Thornhill Howell; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 1475. A bill for the relief of John William Horling; to the Committee on the Judiciary.

H.R. 1476. A bill for the relief of Dorian Whang and Bonita Whang; to the Committee on the Judiciary.

H.R. 1477. A bill for the relief of Ng Thiat Hor and Ng Thiat Keung; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 1478. A bill for the relief of Hideme Kawabata; to the Committee on the Judiciary.

H.R. 1479. A bill for the relief of Francisco Campos-Gonzales; to the Committee on the Judiciary.

H.R. 1480. A bill for the relief of Lucia de Fatima Vieira Soares; to the Committee on the Judiciary.

H.R. 1481. A bill for the relief of Wayne Gee, also called Gee Kim Poy; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 1482. A bill for the relief of Mrs. Rose Fisch; to the Committee on the Judiciary.

H.R. 1483. A bill for the relief of Isidoro E. Halila and Doreta E. Halila; to the Committee on the Judiciary.

H.R. 1484. A bill for the relief of Mrs. Crystalia Panagiotidis; to the Committee on the Judiciary.

H.R. 1485. A bill for the relief of Salomon Darauche; to the Committee on the Judiciary.

H.R. 1486. A bill for the relief of Berta Gulnik; to the Committee on the Judiciary.

H.R. 1487. A bill for the relief of Abraham Hershler and his brother, Zvi Hershler; to the Committee on the Judiciary.

H.R. 1488. A bill for the relief of Assena Biana Comiotes; to the Committee on the Judiciary.

H.R. 1489. A bill for the relief of Lillian Agatha Cox; to the Committee on the Judiciary.

H.R. 1490. A bill for the relief of Mrs. Marie O'Riley (nee Clarke); to the Committee on the Judiciary.

H.R. 1491. A bill for the relief of Pfc. Rodolfo L. Feliciano and his wife, Carmelita M. Feliciano; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 1492. A bill to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart; to the Committee on Interior and Insular Affairs.

H.R. 1493. A bill for the relief of Thelma E. McClench; to the Committee on the Judiciary.

H.R. 1494. A bill to provide for the conveyance of certain real property of the United States situated in the State of Florida; to the Committee on Agriculture.

By Mr. HOFFMAN:

H.R. 1495. A bill for the relief of Ching Heing Yen and Ching Chiao Hoang Yen; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 1496. A bill for the relief of George Sakellariou; to the Committee on the Judiciary.

H.R. 1497. A bill for the relief of Dung How Yee and Kai Suey Yee; to the Committee on the Judiciary.

H.R. 1498. A bill for the relief of Mrs. Zorka Boskov; to the Committee on the Judiciary.

H.R. 1499. A bill for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas; to the Committee on the Judiciary.

H.R. 1500. A bill for the relief of Mrs. An Fu Wang Lee; to the Committee on the Judiciary.

H.R. 1501. A bill for the relief of Lt. Liu Ching Chiu, his spouse and minor child; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 1502. A bill for the relief of Christos John Smyrniotis; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 1503. A bill for the relief of Mrs. Hilda Eaves; to the Committee on the Judiciary.

H.R. 1504. A bill for the relief of Leslie L. Clarke and his wife, Una S. Clarke (nee Tomlinson); to the Committee on the Judiciary.

H.R. 1505. A bill for the relief of Gilbert Fitzgerald Thomas and his wife, Norma Ina Beatrice Thomas (nee Kendall); to the Committee on the Judiciary.

H.R. 1506. A bill for the relief of Genia Gasas; to the Committee on the Judiciary.

H.R. 1507. A bill for the relief of Celes W. White; to the Committee on the Judiciary.

H.R. 1508. A bill for the relief of Winifred Campbell; to the Committee on the Judiciary.

H.R. 1509. A bill for the relief of Vincenzo Iannarelli; to the Committee on the Judiciary.

H.R. 1510. A bill for the relief of Marjorie and Norman Knight; to the Committee on the Judiciary.

H.R. 1511. A bill for the relief of Grace Doreen Sarjeant; to the Committee on the Judiciary.

H.R. 1512. A bill for the relief of Mrs. Josephine Ferdinand; to the Committee on the Judiciary.

H.R. 1513. A bill for the relief of Anthony Magliulo; to the Committee on the Judiciary.

H.R. 1514. A bill for the relief of Amedeo Mugno; to the Committee on the Judiciary.

H.R. 1515. A bill for the relief of the DiCuia family; to the Committee on the Judiciary.

H.R. 1516. A bill for the relief of George Gabourel and four of his children, Marie Elizabeth, Dorothy Ann, Alice Louise, and Kathleen Florence; to the Committee on the Judiciary.

H.R. 1517. A bill for the relief of Scheindil Racy Schrage; to the Committee on the Judiciary.

H.R. 1518. A bill for the relief of Maxine Angela Lazarus Provost and Barbara Theresa Lazarus; to the Committee on the Judiciary.

H.R. 1519. A bill for the relief of Hannelore Haller; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 1520. A bill for the relief of Jozefa Trzcinska Biskup; to the Committee on the Judiciary.

H.R. 1521. A bill for the relief of Josip Luzic; to the Committee on the Judiciary.

H.R. 1522. A bill for the relief of Ivanka Stalcer Vlahovic; to the Committee on the Judiciary.

By Mr. LAIRD:

H.R. 1523. A bill for the relief of Tadao Nagashima; to the Committee on the Judiciary.

H.R. 1524. A bill for the relief of Mrs. Frances Neuwirth; to the Committee on the Judiciary.

By Mr. LENNON:

H.R. 1525. A bill for the relief of Remigio V. Peralta; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 1526. A bill for the relief of Mrs. Nathalie Iline; to the Committee on the Judiciary.

H.R. 1527. A bill for the relief of Anna Mizrahi; to the Committee on the Judiciary.

H.R. 1528. A bill for the relief of Mrs. Milagros Elizaga Jacoby (nee Uy); to the Committee on the Judiciary.

H.R. 1529. A bill for the relief of Armenuhi Isikli; to the Committee on the Judiciary.

H.R. 1530. A bill for the relief of Fanaollah Sobhani; to the Committee on the Judiciary.

H.R. 1531. A bill for the relief of Elena Corallo; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 1532. A bill for the relief of Herbert R. Schaff; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 1533. A bill for the relief of Remegio Fedelis; to the Committee on the Judiciary.

H.R. 1534. A bill for the relief of Chong Lam; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 1535. A bill to amend section 2 of Private Law 87-673; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 1536. A bill for the relief of Mrs. Ming Tao Hsu Chao; to the Committee on the Judiciary.

H.R. 1537. A bill for the relief of Albert Marks; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 1538. A bill for the relief of Allen Pope, his heirs or personal representatives; to the Committee on the Judiciary.

H.R. 1539. A bill for the relief of Gray Television & Research, Inc., of Boston, Mass.; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 1540. A bill for the relief of Albano Faccin; to the Committee on the Judiciary.

H.R. 1541. A bill for the relief of Anastasoula E. Tryfona (Anastasia Efstathios Trifonas); to the Committee on the Judiciary.

H.R. 1542. A bill for the relief of Mrs. Sandra Bank Murphy; to the Committee on the Judiciary.

H.R. 1543. A bill for the relief of Dennis Koutroubis; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 1544. A bill for the relief of David H. Forman and Julia Forman; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 1545. A bill to provide for the relief of certain enlisted members and former enlisted members of the Air Force; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 1546. A bill for the relief of Regina Chyra; to the Committee on the Judiciary.

H.R. 1547. A bill for the relief of Ntina P. Galoris; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 1548. A bill for the relief of Mr. and Mrs. Alfredo Crisci; to the Committee on the Judiciary.

By Mr. SCHENCK:

H.R. 1549. A bill for the relief of Mrs. Voula Rozakis; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 1550. A bill for the relief of John A. Macready; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 1551. A bill for the relief of Mrs. Anna S. Hall; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 1552. A bill for the relief of Henry Arthur Fletcher; to the Committee on the Judiciary.

H.R. 1553. A bill for the relief of Edward K. Curran; to the Committee on the Judiciary.

H.R. 1554. A bill for the relief of Thomas William Perran; to the Committee on the Judiciary.

H.R. 1555. A bill for the relief of Ronald Henry Tilley; to the Committee on the Judiciary.

By Mr. ST. GERMAIN:

H.R. 1556. A bill for the relief of Jan Cyganowski; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 1557. A bill for the relief of Mrs. Aubrey John Lewis; to the Committee on the Judiciary.

H.R. 1558. A bill for the relief of Joseph Michael Stahl; to the Committee on the Judiciary.

H.R. 1559. A bill for the relief of Giorgina Raniolo Infantino and her children, Georgio Infantino, Angelo Infantino, and Giovanni Infantino; to the Committee on the Judiciary.

H.R. 1560. A bill for the relief of Constantinos A. Grigoras (Gregoras); to the Committee on the Judiciary.

H.R. 1561. A bill for the relief of Melborn Keat; to the Committee on the Judiciary.

H.R. 1562. A bill for the relief of Dr. Rafael H. Lopez; to the Committee on the Judiciary.

H.R. 1563. A bill for the relief of Dr. Lajos Von Szeszich; to the Committee on the Judiciary.

H.R. 1564. A bill for the relief of Mrs. Catherine M. Halenar; to the Committee on the Judiciary.

H.R. 1565. A bill for the relief of Paul Vassos (Pavlos Veizis); to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 1566. A bill for the relief of Mrs. Annie Zambelli Stiletto; to the Committee on the Judiciary.

H.R. 1567. A bill for the relief of Evangelia Kotake; to the Committee on the Judiciary.

H.R. 1568. A bill for the relief of Carolina Granucci; to the Committee on the Judiciary.

H.R. 1569. A bill for the relief of Miss Esther Mao Ling Ling; to the Committee on the Judiciary.

H.R. 1570. A bill for the relief of Marica Margetich; to the Committee on the Judiciary.

H.R. 1571. A bill for the relief of Capt. Oscar W. Cleal, Jr.; to the Committee on the Judiciary.

H.R. 1572. A bill for the relief of Rudolf Holtzer; to the Committee on the Judiciary.

H.R. 1573. A bill for the relief of Frank Muzzi and his wife, Maria Primarano Muzzi; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 1574. A bill for the relief of Dr. Faruk L. Ozer; to the Committee on the Judiciary.

By Mrs. FRANCES P. BOLTON:

H.J. Res. 109. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 110. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, U.S. Army, and for other purposes; to the Committee on Armed Services.

By Mr. MULTER:

H.J. Res. 111. Joint resolution authorizing the awarding of a gold medal to Danny Kaye; to the Committee on Banking and Currency.

By Mr. ROOSEVELT:

H.J. Res. 112. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By Mr. ROOSEVELT: Petition of the Citizens Committee To Preserve American Freedoms, appealing to the House of Representatives to abolish the House Un-American Activities Committee; to the Committee on Rules.

2. By the SPEAKER: Petition of Henry Stoner, New York, N.Y., relative to requesting the creation of a special study commission to analyze all angles for maintaining the peace in this nuclear age, and to carefully watch the nuclearization of Red China, and to come up with some solution to maintain nuclear peace with this major power; to the Committee on Foreign Affairs.

3. Also, petition of William J. Joyce and James F. Hall, Board of Aldermen, Somerville, Mass., relative to stating that the Board of Aldermen of Somerville, Mass., do hereby affirm complete support by the citizens of Somerville of the President's action on the Cuban crisis; to the Committee on Foreign Affairs.

4. Also, petition of Emperor A. Hanapi, city clerk, Honolulu, Hawaii, relative to assuring the President of the United States of America of the full support of the people of the city and county of Honolulu, Hawaii, on his forceful stand on the Cuban situation; to the Committee on Foreign Affairs.

5. Also, petition of Henry Stoner, New York, N.Y., relative to requesting the U.S. House of Representatives "to take the proper measures to start making Cuba a State of the Union, or else desist from all extrasovereign measures aiding and abetting the overthrow of the current Government of Cuba"; to the Committee on Interior and Insular Affairs.

6. Also, petition of Henry Stoner, New York, N.Y., relative to suggesting legislation making Ellis Island, New York Harbor, "Immigrant Island National Park"; to the Committee on Interior and Insular Affairs.

7. Also, petition of Luigi Antonini, president, United-Italian American Labor Council, Inc., New York, N.Y., relative to requesting legislation to expedite the immigration of Italian people to the United States who have applied for admission and have families or close relatives of American citizenship residing in the United States; to the Committee on the Judiciary.

8. Also, petition of Gloria Parker, Brooklyn, N.Y., relative to Gloria Parker, petitioner, for a writ of mandamus against Robert F. Kennedy, Attorney General of the United States, and Robert Morganthau, U.S. attorney for the southern district, respondents; to the Committee on the Judiciary.

9. Also, petition of Troy H. Browning, national president, the Propeller Club of the United States, New York, N.Y., relative to requesting the Congress of the United States to consider legislation designed to strengthen the American merchant marine; to the Committee on Merchant Marine and Fisheries.

10. Also, petition of Troy H. Browning, national president, the Propeller Club of the United States, New York, N.Y., relative to supporting remedial legislation relative to shipowner's limitation of liability; to the Committee on Merchant Marine and Fisheries.

11. Also, petition of Henry Stoner, New York, N.Y., relative to requesting that the U.S. House of Representatives provide for a rule of procedure which will permit a mere majority in any committee of the House to choose its chairman at the beginning of each new session of Congress; to the Committee on Rules.

12. Also, petition of president, Swoboda Society, Polish National Alliance of the U.S.A., Schenectady, N.Y., relative to requesting that a member of this organization be given a prominent part in the christening of the Polaris submarine *General Casimir Pulaski*, and that Mrs. Louise Godlewski, of Schenectady, N.Y., be given the high honor of participating prominently in the christening; to the Committee on Armed Services.

13. Also, petition of Pepe A. Susada, Infanta, Quezon, Philippines, relative to proposing the enactment of legislation to establish a temporary commission to study the veterans' problems of the United States in the Philippines; accompanied by relevant correspondence; to the Committee on Veterans' Affairs.

14. Also, petition of Restituto Marla, Leon, Iloilo, Philippines, relative to the claim of his demented brother, Nicanor Marla, No. X-949078, for disability compensation allegedly resulting from service as a civilian employee of the U.S. Armed Forces; to the Committee on Veterans' Affairs.

15. Also, petition of Henry Stoner, New York, N.Y., relative to enactment of legislation to allocate 2 percent of the Federal annual budget each year to reduce the gross national debt; to the Committee on Ways and Means.

16. Also, petition of Luther Skaggs, Jr., president, Congressional Medal of Honor Society, U.S.A., relative to resolutions adopted by the society at its national convention in Detroit, Mich., on October 25, 1962, endorsing the action taken by the President in the Cuban crisis, and relating to our foreign affairs; to the Committee on Foreign Affairs.

## REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

## QUARTERLY REPORTS

The following reports for the second calendar quarter of 1962 were received too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.

D. (6) $64. E. (9) $282.53.

A. Air Freight Forwarders Association, 802 Ring Building, Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.

A. American Civil Liberties Union, Inc., 156 Fifth Avenue, New York, N.Y.

D. (6) $2,188.52. E. (9) $2,188.52.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.

D. (6) $19,524.54. E. (9) $19,524.54.

A. American Gas Association Inc., 420 Lexington Avenue, New York, N.Y.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

D. (6) $26,612.02. E. (9) $6,535.47.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $4,967.09. E. (9) $4,967.09.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.

E. (9) $25.

A. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. American Stock Yards Association, 1028 Connecticut Avenue NW., Washington, D.C.

E. (9) $900.

A. American Thrift Assembly, 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $89.08. E. (9) $8,995.14

A. American Veterinary Medical Association, 7600 South Michigan Avenue, Chicago, Ill.

E. (9) $649.41.

A. American Yugoslav Claims Committee, 42-57 Parsons Boulevard, Flushing, N.Y.

D. (6) $794. E. (9) $410.63.

A. Robert E. Ansheles, 1025 Connecticut Avenue NW., Washington, D.C.

B. American Thrift Assembly, 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,500.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.

E. (9) $19.64.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. Investors Diversified Services, Inc., 300 Investors Building, Minneapolis, Minn.

D. (6) $5,010. E. (9) $21.10.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. Howard F. Knipp, 3401 South Hanover Street, Baltimore, Md.

E. (9) $13.86.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

D. (6) $1,192.50. E. (9) $891.38.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $3,305.36.

A. Atlantic, Gulf & Great Lakes Shipbuilding Association, 529 Tower Building, Washington, D.C.

A. J. A. Ayares, Mountain Avenue, Murray Hill, N.J.

B. National Committee for Insurance Taxation, the Hay-Adams House, Washington, D.C.

E. (9) $486.72.

A. A. Z. Baker, 1028 Connecticut Avenue NW., Washington, D.C.

B. American Stock Yards Association, 1028 Connecticut Avenue, Washington, D.C.

D. (6) $400.

A. Raymond Maxfield Barnes, 305 Commonwealth Building, Washington, D.C.

B. Northern Natural Gas Co., 2223 Dodge Street, Omaha, Nebr.

D. (6) $231. E. (9) $125.05.

A. John B. Bean, 4345 East Lake Harriet Boulevard, Minneapolis, Minn.

B. Committee for Export Expansion Through Subsidiaries Abroad, 20 E Street NW., Washington, D.C.

E. (9) $343.60.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aircraft & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $2,202. E. (9) $1,185.99.

A. Carl H. Berglund, 607 South Pine Street, Tacoma, Wash.

A. Helen Berthelot, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $3,583.83.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $2,950.60.

A. S. B. Bledsoe, 627 Cafritz Building, Washington, D.C.

B. Progressive Tax Committee, Washington, D.C.

D. (6) $8,000. E. (9) $1,328.17.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.

B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. J. Wiley Bowers, Sixth and Cherry Streets, Chattanooga, Tenn.

B. Tennessee Valley Public Power Association, Sixth and Cherry Streets, Chattanooga, Tenn.

A. Charles B. Bowling, 1616 H Street NW., Washington, D.C.

B. The National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $600.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.

B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.

D. (6) $3,432.73. E. (9) $4.25.

A. W. S. Bromley, 220 East 42d Street, New York, N.Y.

B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. George Bronz, 839 17th Street NW., Washington, D.C.

B. Coras Trachtala (the Irish Export Board), Dublin, Ireland.

E. (9) $88.14.

A. Brotherhood of Locomotive Engineers, 1122 Engineers Building, Cleveland, Ohio.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

B. American Society of Composers, Authors and Publishers, 575 Madison Avenue, New York, N.Y.

D. (6) $1,470. E. (9) $1,470.

A. Charles H. Brown, 1701 K Street NW., Washington, D.C.

B. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

D. (6) $3,848.84.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

B. The Colonial Sugar Refining Co., Ltd., Nausori, Suva, Fiji.

D. (6) $4,000. E. (9) $4,070.96.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $937.50. E. (9) $944.74.

A. Brown & Lund, Cafritz Building, 1625 I Street NW., Washington, D.C.

B. American & Foreign Power Co., Inc., 100 Church Street, New York, N.Y.

D. (6) $1,050. E. (9) $82.54.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N.Y.
D. (6) $50. E. (9) $10.51.

A. Mrs. Fred L. Bull, 8124 Oakleigh Road, Baltimore, Md.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $185.33.

A. John J. Burke, 1062 West Platinum Street, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1445, Spokane, Wash.
E. (9) $550.

A. Carl Byoir & Associates, Inc., 800 Second Avenue, New York, N.Y.
B. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
D. (6) $500. E. (9) $500.

A. Carl Byoir & Associates, Inc., 800 Second Avenue, New York, N.Y.
B. Northwest Country Elevator Association, 920 Grain Exchange, Minneapolis, Minn.
E. (9) $702.37.

A. James A. Campbell, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $3,769.22. E. (9) $376.92.

A. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $2,234.59. E. (9) $2,420.72.

A. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
E. (9) $500.

A. Carretta & Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. Advertising Specialty National Association, 1145 19th Street NW., Washington, D.C., and Advertising Specialty Guild International, 620 North Michigan Avenue, Chicago, Ill.

A. Carretta & Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.
E. (9) $28.75.

A. Albert E. Carter, Mayflower Hotel, Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $4,500. E. (9) $2,996.47.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. R. R. Pension Conference, Post Office Box 798, New Haven, Conn.

A. William L. Carter, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.
E. (9) $126.85.

A. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. Carol MacI. Chrisney, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $377.15. E. (9) $39.

A. Hal M. Christensen, 808 17th Street NW., Washington, D.C.
B. American Dental Association, 808 17th Street NW., Washington, D.C.
D. (6) $3,250.

A. Citizens Committee for International Development, 1025 Connecticut Avenue NW., Washington, D.C.

A. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Nicholas S. Collins, 1000 Connecticut Avenue, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $220. E. (9) $21.35.

A. Committee for Export Expansion Through Subsidiaries Abroad, Inc., 20 E Street NW., Washington, D.C.
D. (6) $65,961. E. (9) $33,781.22.

A. Committee for Return of Confiscated German & Japanese Property, 926 National Press Building, Washington, D.C.
D. (6) $200. E. (9) $100.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $4,500.

A. Don Costa, 3517 Brandon Avenue, Roanoke, Va.
B. National Committee for Insurance Taxation, Hay-Adams Hotel, Washington, D.C.
E. (9) $556.24.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $810.08. E. (9) $810.08.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers' Federation, 1000 Connecticut Avenue, Washington. D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
E. (9) $38.71.

A. Credit Union National Association, 1617 Sherman Avenue, Madison, Wis.
D. (6) $533.25. E. (9) $533.25.

A. Michael P. Daniels, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500.

A. Danish Shipowners' Association, 33 Amaliegade, Copenhagen, Denmark.

A. Abraham A. Dash, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $533.25.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $525. E. (9) $350.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.
B. Southern Pine Industry.

A. Frank L. Dennis, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute.

A. John M. Dickerman, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,413.45. E. (9) $75.75.

A. William C. Doherty, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. J. D. Durand, 1000 Connecticut Avenue, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $520. E. (9) $86.08.

A. John W. Edelman, 704 17th Street NW., Washington, D.C.
B. Textile Workers Union of America, 99 University Place, New York, N.Y.
D. (6) $2,518.26. E. (9) $513.21.

A. John Doyle Elliott, 808 North Capitol Street, Washington, D.C.
B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D.C.
D. (6) $1,404. E. (9) $180.

A. John W. Emeigh, 1040 Warner Building, Washington, D.C.
B. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $569.25. E. (9) $23.85.

A. Cyde A. Erwin, Jr., 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,224.84. (E) (9) $639.41.

A. James Finucane, 926 National Press Building, Washington, D.C.
B. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D.C.
D. (6) $100.

A. John B. Fisher, 1925 K Street NW., Washington, D.C.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $3,750. E. (9) $4,753.82.

A. Forest Farmers Association, Post Office Box 7284, Station C, Atlanta, Ga.
E. (9) $26.08.

A. Joseph Gallegos, 450 Westmoor Avenue, Daly City, Calif.
B. International Longshoremen's & Warehousemen's Union, Local No. 54, 22 North Union Street, Stockton, Calif.
D. (6) $1,505. E. (9) $1,980.26.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,273.74. E. (9) $370.53.

A. John A. Gosnell, 801 19th Street NW., Washington, D.C.
D. (6) $1,833.34.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Louis P. Haffer, 802 Ring Building, Washington, D.C.
B. Air Freight Forwarders Association, 802 Ring Building, Washington, D.C.

A. W. C. Hammerle, 220 East 42d Street, New York, N.Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. William A. Hanscom, 100 Indiana Avenue NW., Washington, D.C.
B. Oil, Chemical & Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,250. E. (9) $225.

A. Hardwood Plywood Manufacturers, Post Office Box 6081, Arlington, Va.
D. (6) $2,775. E. (9) $2,226.

A. Robert E. Harper, 1913 I Street NW., Washington, D.C.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. Robert N. Hawes, 1000 Connecticut Avenue, Washington, D.C.
B. Hardwood Plywood Manufacturers, Post Office Box 6081, Arlington, Va.
D. (6) $1,200. E. (9) $320.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $875. E. (9) $1,000.97.

A. Noel Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $150.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.
E. (9) $548.61.

A. Jake D. Hill, 1005 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1005 Security Federal Building, Columbia, S.C.
E. (9) $119.83.

A. Joe Howell, 3800 U.S. Highway 51 North, Jackson, Miss.
B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D.C.
E. (9) $691.30.

A. Vester T. Hughes, Jr., 2800 Republic National Bank Building, Dallas, Tex.
E. (9) $292.96.

A. International Association of Machinists, Machinists Building, Washington, D.C.
E. (9) $1,978.03.

A. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
E. (9) $1,475.

A. Charles E. Jackson, 1614 20th Street NW., Washington, D.C.
B. National Fisheries Institute, 1614 20th Street NW., Washington, D.C.
E. (9) $761.15.

A. Chester W. Jackson, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,300.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks, Clay Co., Paris, Tenn., Old Hickory Clay Co., Paducah, Ky., Bell Clay Co., Gleason, Tenn., United Clay Mines Corp., Trenton, N.J., Kentucky-Tennessee Clay Co., and Kentucky Clay Mining Co., Mayfield.
E. (9) $235.28.

A. Charlie W. Jones, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.

A. Henry B. Jordan, 916 Investment Building, Washington, D.C.
B. The United States Graphite Co., 1621 Holland, Saginaw, Mich.

A. Max H. Jordan, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $569.25. E. (9) $20.25.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,150.76.

A. William F. Kenney, New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.
D. (6) $500. E. (9) $150.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, Room 1022, Transportation Center, Philadelphia, Pa.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $1,219.04. E. (9) $2,608.07.

A. Mr. and Mrs. Harry L. Kingman, 1100 Sixth Street SW., Washington, D.C., and 535 San Luis Road, Berkeley, Calif.
D. (6) $1,192.50. E. (9) $1,192.50.

A. George W. Koch, 1612 K Street NW., Washington, D.C.
B. Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Atlantic, Gulf and Great Lakes Shipbuilding Association, 529 Tower Building, Washington, D.C.
E. (9) $282.24.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas and Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $4,718. E. (9) $6,277.61.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $450. E. (9) $125.

A. Latham & Watkins.
B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.
D. (6) $1,500. E. (9) $203.80.

A. Herrick K. Lidstone, 477 Madison Avenue, New York, N.Y.
B. Colon Free Zone, Republic of Panama, Colon, Panama.
E. (9) $333.30.

A. Lobby for Peace, 345 Franklin Street, San Francisco, Calif.
D. (6) $4,197.25. E. (9) $4,359.33.

A. Gordon C. Locke, 1725 K Street NW., Washington, D.C.
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $416.25. E. (9) $102.82.

A. Edward R. Luter, 805 North Washington, Wheaton, Ill.
B. Committee for Export Expansion Through Subsidiaries Abroad, 20 E Street NW., Washington, D.C.
E. (9) $481.25.

A. LeRoy E. Lyon, Jr., 530 West Sixth Street, Los Angeles, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $2,340. E. (9) $1,168.18.

A. Albert L. McDermott, 745 Washington Building, Washington, D.C.
B. American Hotel Association, 777 14th Street NW., Washington, D.C.
D. (6) $100.

A. Joseph A. McElwain, 500 Main Street, Deer Lodge, Mont.
B. The Montana Power Co., Butte, Mont.
D. (6) $781.26. E. (9) $897.98.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,860.58. E. (9) $195.80.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $1,440.66. E. (9) $330.30.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $4,250.04. E. (9) $1,599.06.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Association of Mirror Manufacturers, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,000.

A. James E. Mack, 1028 Connecticut Avenue, Washington, D.C.
B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $3,000.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D.C.
B. Rolled Zinc Manufacturers Association, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,000.

A. MacLeish, Spray, Price & Underwood, 134 South La Salle Street, Chicago, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D.C.
D. (6) $3,000. E. (9) $1,091.17.

A. James D. Mann, 409, 711 14th Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 409, 711 14th Street NW., Washington, D.C.

A. Edwin E. Marsh, 414 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $2,899.98. E. (9) $1,196.84.

A. Tommy M. Martin, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $569.25. E. (9) $28.65.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, 815 16th Street NW., Washington, D.C.
D. (6) $3,750. E. (9) $1608.

A. Albert E. May, 1000 Connecticut Avenue, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $280. E. (9) $37.04.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters and Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $1,530. E.(9) $524.

A. Edward L. Merrigan, 425 13th Street NW., Washington, D.C.
B. Aris Gloves, Inc., 9 East 38th Street, New York, N.Y.

A. Ross A. Messer, Post Office Box 1611, Washington, D.C.
B. National Association of Post Office and General Services Maintenance Employees, Post Office Box 1611, Washington, D.C.
D. (6) $1,500. E. (9) $141.90.

A. John R. Minor, 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $750.

A. Willis C. Moffatt, 536 First Security Building, Boise, Idaho.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $625.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. Joseph J. Mulhern, 11 Pemberton Square, Boston, Mass.
D. (6) $4,634.82. E. (9) $991.54.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.

A. National Associated Businessmen, Inc., 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $671.10. E. (9) $711.90.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. National Association of Agricultural Stabilization and Conservation, Marks, Miss.
D. (6) $2,750.19. E. (9) $2,305.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $16,819.82. E. (9) $21,802.78.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $119,451. E. (9) $20,961.54.

A. National Association of Plumbing Contractors, 1016 20th Street NW., Washington, D.C.

A. National Association of Postmasters of the United States, 348 Pennsylvania Building, Washington, D.C.
D. (6) $15,440.06. E. (9) $1,710.

A. National Association of Post Office and General Service Maintenance Employees, Post Office Box 1611, Washington, D.C.
D. (6) $13,104.30. E. (9) $2,578.82.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y.
D. (6) $2,235. E. (9) $2,235.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $943. E. (9) $475.84.

A. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $529,901.37. E. (9) $7,432.26.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $7,219.88.

A. National Creative Arts Committee for Better Copyright Laws, 1701 K Street NW., Washington, D.C.
D. (6) $258. E. (9) $466.

A. National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $9,949.11.

A. National Federation of Business & Professional Women's Clubs, 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $7,170.65. E. (9) $2,588.09.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $97,532.72. E. (9) $14,564.58.

A. National Federation of Independent Businesses, Inc., 740 Washington Building, Washington, D.C.
D. (6) $13,875.64. E. (9) $13,875.64.

A. National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $9,150.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $39,156.77. E. (9) $38,789.73.

A. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $1,839.50. E. (9) $3,596.28.

A. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $2,747.48. E. (9) $930.

A. National Retired Teachers Association & American Association of Retired Persons, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $299.77.

A. National Retired Teachers Association & American Association of Retired Persons, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,395.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $25,648.62. E. (9) $7,938.76.

A. National Shoe Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
E. (9) $8,562.59.

A. National Small Business Association, 801 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $1,629. E. (9) $5,471.36.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1,500. E. (9) $478.03.

A. Henry C. Nelson, Jr., 1005 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1005 Security Federal Building, Columbia, S.C.
E. (9) $61.35.

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.
E. (9) $388.74.

A. Northwest Country Elevator Association, 920 Grain Exchange, Minneapolis, Minn.
D. (6) $2,436. E. (9) $730.39.

A. Seward P. Nyman, 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Federation of Sugarcane Planters, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $500.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Philippine Sugar Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $500.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $1,410.15. E. (9) $760.55.

A. Vaux Owen, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $4,307.38. E. (9) $16.25.

A. George F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association.
D. (6) $4,624.98. E. (9) $602.50.

A. Rufus W. Peckham, Jr., 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Edmund E. Pendleton, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $750.

A. George C. Pendleton, 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $750.

A. Milton M. Plumb, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Frederick T. Poole, 1725 K Street NW., Washington, D.C.
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $9.60.

A. Homer V. Prater, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees.
D. (6) $2,935.10. E. (9) $30.

A. Public Information Committee of the Cotton Industries, 1211 South Brighton Avenue, Dallas, Tex.

A. Cushman S. Radebaugh, Box 1928, Orlando, Fla.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $324.30.

A. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
D. (6) $145.74. E. (9) $186.74.

A. Grant S. Ray, 114 Huron Drive, Washington, D.C.

A. Philip Alexander Ray, 1601 International Building, San Francisco, Calif.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.

A. Stanley Rector, 520 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. John J. Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,598.55. E. (9) $74.75.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Francis J. Ryley, 519 Title & Trust Building, Phoenix, Ariz.
E. Standard Oil Co. of California, San Francisco, Calif., and others.

A. Fred J. Scanlan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $350.

A. Robert R. Schutz, 345 Franklin Street, San Francisco, Calif.
B. Lobby for Peace, 345 Franklin Street, San Francisco, Calif.
D. (6) $1,642.86. E. (9) $1,147.94.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,261.39. E. (9) $282.58.

A. Theodore A. Serrill, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Editorial Association, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $167.84.

A. Serta Associates, Inc., 666 Lake Shore Drive, Chicago, Ill.
E. (9) $395.23.

A. William L. Shea, 1026 17th Street NW., Washington, D.C.
B. Delhi-Taylor Oil Corp., Fidelity Union Tower, Dallas, Tex.
D. (6) $1,500. E. (9) $235.

A. Henry M. Shine, Jr., 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,141.50. E (9) $258.90.

A. Walter A. Slowinski, 901 Barr Building, Washington, D.C.
B. Committee for Export Expansion Through Subsidiaries Abroad, 20 E Street NW., Washington, D.C.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $264.01. E. (9) $604.17.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.

A. Chester S. Stackpole, 420 Lexington Avenue, New York, N.Y.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. Luther C. Steward, Jr., 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $2,934.40. E. (9) $40.60.

A. Mrs. Alexander Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $24,436.52. E. (9) $5,235.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.
B. Association To Acquire Compensation for Damages Prior to Peace Treaty, Naha, Okinawa, and Association of Landowners of Okinawa, Naha, Okinawa.
D. (6) $2,000. E. (9) $225.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.
B. Japan Rubber Footwear Manufacturers' Association, No. 11, 3-Chome, Denma-cho, Akaska, Minato-ku, Tokyo, Japan.
D. (6) $100. E. (9) $100.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.
B. Nozaki Associates, Inc., 4 Albany Street, New York, N.Y., et al.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $150.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.
B. Aeromaritime, Inc., 1000 Vermont Avenue, Washington, D.C.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.
B. Amerop Commodities Corp., 120 Wall Street, New York, N.Y.
E. (9) $181.54.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.
D. (6) $225. E. (9) $47.84.

A. Synthetic Organic Chemical Manufacturers Association of the United States, 261 Madison Avenue, New York, N.Y.
D. (6) $260. E. (9) $260.

A. Cecil A. Thomas, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,265.38. E. (9) $214.59.

A. Christy Thomas and Barry Sullivan, 536 Washington Building, Washington, D.C.
B. The National Association of River & Harbor Contractors, 15 Park Row, New York, N.Y.
D. (6) $750. E. (9) $129.33.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.
D. (6) $703.12. E. (9) $1,000.05.

A. Wm. H. Tolbert, Post Office Box 191, Santa Paula, Calif.
B. Ventura County Citrus Growers Committee, Post Office Box 191, Santa Paula, Calif.
E. (9) $5,095.82.

A. Bert M. Tollefson, Jr., 14th and L Streets NW., Washington, D.C.
B. Blue Cross Association, Inc., 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $3,882.78.

A. Townsend Plan, Inc., 808 North Capitol Street NW., Washington, D.C.
D. (6) $7,021.62. E. (9) $1,404.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business & Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $7,170.65. E. (9) $2,588.09.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,300. E. (9) $2,300.

A. Veterans of World War I, USA, Inc., 40 G Street NE., Washington, D.C.

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A. Harold S. Walker, Jr., 420 Lexington Avenue, New York, N.Y.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

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A. Herbert F. Walton, 7447 Skokie Boulevard, Skokie, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D.C.
E. (9) $1,707.34.

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A. Merrill A. Watson, 342 Madison Avenue, New York, N.Y.
B. National Shoe Manufacturers Association, 342 Madison Avenue, New York, N.Y.
E. (9) $187.64.

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A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $18,406.86. E. (9) $9.20.

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A. Don White, 1201 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $4,500. E. (9) $2,518.45.

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A. John J. Wicker, Jr., 706 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $7,310.71. E. (9) $7,310.71.

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A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $700. E. (9) $150.

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A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.

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A. W. A. Williams, Jr., Santa Fe, N. Mex.
B. National Association of Soil and Water Conservation Districts, League City, Tex.
D. (6) $280.60. E. (9) $280.60.

## QUARTERLY REPORTS

**The following quarterly reports were submitted for the third calendar quarter 1962:**

**(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)**

**FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:**

**This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.**

**PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:**

**"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.**

**"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.**

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Year: 19______ ◄

### REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

| P | QUARTER | | | |
|---|---|---|---|---|
| | 1st | 2d | 3d | 4th |
| (Mark one square only) | | | | |

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**NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:**

**(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)**

**(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".**

**(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:**

**(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.**

**(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.**

**A. ORGANIZATION OR INDIVIDUAL FILING:**

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

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**NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.**

**B. EMPLOYER.**—State name, address, and nature of business. If there is no employer, write "None."

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**NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).**

**(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).**

**(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.**

**C. LEGISLATIVE INTERESTS, AND PUBLICATIONS** in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

**3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).**

**(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)**

**4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄**

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**AFFIDAVIT**

**[Omitted in printing]**

**PAGE 1◄**

**Note on Item "D."**—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) **If This Report Is for an Employer.**—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) **If This Report Is for an Agent or Employee.**—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

**D. Receipts (Including Contributions and Loans):**

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

*Receipts* (other than loans)

1. $--------Dues and assessments
2. $--------Gifts of money or anything of value
3. $--------Printed or duplicated matter received as a gift
4. $--------Receipts from sale of printed or duplicated matter
5. $--------Received for services (e.g., salary, fee, etc.)

6. $--------Total for this Quarter (Add items "1" through "5")
7. $--------Received during previous Quarters of calendar year

8. $--------Total from Jan. 1 through this Quarter (Add "6" and "7")

*Loans Received*

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $--------Total now owed to others on account of loans
10. $--------Borrowed from others during this Quarter
11. $--------Repaid to others during this Quarter

12. $--------"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

| *Amount* | *Name and Address of Contributor* |
|---|---|
| | (*"Period"* from Jan. 1 through ------------------, 19----) |
| $1,500.00 | John Doe, 1621 Blank Bldg., New York, N.Y. |
| $1,785.00 | The Roe Corporation, 2511 Doe Bldg., Chicago, Ill. |
| $3,285.00 | Total |

**Note on Item "E".**—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) **If This Report Is for an Agent or Employee.** In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

**E. Expenditures (Including Loans)** in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

*Expenditures* (other than loans)

1. $--------Public relations and advertising services
2. $--------Wages, salaries, fees, commissions (other than item "1")
3. $--------Gifts or contributions made during Quarter
4. $--------Printed or duplicated matter, including distribution cost
5. $--------Office overhead (rent, supplies, utilities, etc.)
6. $--------Telephone and telegraph
7. $--------Travel, food, lodging, and entertainment
8. $--------All other expenditures

9. $--------Total for this Quarter (Add "1" through "8")
10. $--------Expended during previous Quarters of calendar year

11. $--------Total from January 1 through this Quarter (Add "9" and "10")

*Loans Made to Others*

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $--------Total now owed to person filing
13. $--------Lent to others during this Quarter
14. $--------Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

| *Amount* | *Date or Dates—Name and Address of Recipient—Purpose* |
|---|---|
| $1,750.00 | 7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill." |
| $2,400.00 | 7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month. |
| $4,150.00 | Total |

PAGE 2

A. George Venable Allen, 4730 Quebec Street NW., Washington, D.C.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Louis J. Allen, 1121 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads in Tennessee.

A. Nicholas E. Allen & Merrill Armour, 1001 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif.
D. (6) $567. E. (9) $67.08.

A. W. L. Allen, 8605 Cameron Street, Silver Spring, Md.
B. The Commercial Telegraphers' Union, International, 8605 Cameron Street, Silver Spring, Md.

A. Edwin N. Altman.
B. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $816.66.

A. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Council for Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $28,591. E. (9) $28,591.

A. American Federation of Labor & Congress of Industrial Organizations.
E (9) $38,883.47.

A. AFL–CIO Maritime Committee, 132 Third Street SE, Washington, D.C.
D. (6) $15,937.50. E. (9) $15,817.73.

A. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $176,293.60. E. (9) $5,954.58.

A. American Feed Manufacturers Association, Inc., 53 West Jackson Boulevard, Chicago, Ill.
D. (6) $1,311.44. E. (9) $1,311.44.

A. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $7,890.49. E. (9) $7,890.49.

A. American Hotel Association, 221 West 57th Street, New York, N.Y.

A. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. American Legion.
D. (6) $2,099.63. E. (9) $19,853.95.

A. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $1,633.32. E. (9) $25.53.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $7,743.62.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $22,872.94. E. (9) $5,132.83.

A. American Optometric Association, 21 Bank Street, Lebanon, N.H.
D. (6) $6,910.44. E. (9) $6,910.44.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $541.35. E. (9) $541.35.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $7,094. E. (9) $11,221.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
E. (9) $200.

A. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $53,806.72. E. (9) $4,109.21.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,369.56. E. (9) $1,369.56.

A. American Sugar Beet Industry Policy Committee, 500 Sugar Building, Denver, Colo.

A. American Surveys, 2000 P Street NW., Washington, D.C.
D. (6) $750.

A. American Textile Machinery Association, Westfield, Mass.
D. (6) $30.94.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $9,288.98. E. (9) $9,288.98.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $14,692.33.

A. American Vocational Association, Inc., 1010 Vermont Avenue NW., Washington, D.C.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D.C.
D. (6) $1,455. E. (9) $1,506.84.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $112.50. E. (9) $186.07.

A. Richard H. Anthony, 122 East 42d Street, New York, N.Y.
B. Trades Relations Council of the United States, Inc.

A. W. B. Ardery, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.
B. Class I railroads operating in the State of Arkansas.
D. (6) $111.60. E. (9) $769.51.

A. J. Sinclair Armstrong, 45 Wall Street, New York, N.Y.
B. United States Trust Co. of New York, 45 Wall Street, New York, N.Y.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $88.24.

A. Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $7,197.79. E. (9) $7,197.79.

A. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6 $375. E. (9) $375.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $9,648.79. E. (9) $9,648.79.

A. Association of Casualty and Surety Companies, 110 William Street, New York, N.Y.
D. (6) $2,467.61. E. (9) $2,467.61.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. Association of Undergraduate and Practical Nurses of the District of Columbia, 327 Carroll Street NW., Washington, D.C.
E. (9) $750.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $4,740. E. (9) $4,740.

A. The Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $300.

A. Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill.
E. (9) $1,500.

A. Paul L. Badger, 1625 I Street NW., Washington, D.C.
B. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
D. (6) $1,200.

A. Harry S. Baer, Jr., 1115 Seventh Street NW., Washington, D.C.
B. National Aeronautical Services Association, 1115 Seventh Street NW., Washington, D.C.
E. (9) $50.

A. Charles B. Bailey, Sr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
D. (6) $1,925. E. (9) $1,928.44.

A. Raymond C. Baker, 54 Scarsdale Road, Crestwood, N.Y.
B. Selvage & Lee, Inc., 500 Fifth Avenue, New York, N.Y.
D. (6) $450. E. (9) $524.44.

A. Donald Baldwin.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $244.17.

A. J. H. Ballew, Nashville, Tenn.
B. Southern States Industrial Council, Nashville, Tenn.
D. (6) $960.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. National Lime Association, 925 15th Street NW., Washington, D.C.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. Xerox Corp., Rochester, N.Y.
E. (9) $97.72.

A. Robert C. Barnard, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. Robert C. Barnard, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $480.94.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. William G. Barr, 711 14th Street NW., Washington, D.C.
B. National Parking Association, 711 14th Street NW., Washington, D.C.

A. Osmero L. Bartelli, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. A. Wesley Barthelmes, 1701 K Street NW., Washington, D.C.
B. Insurance Co. of North America, and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $579. E. (9) $118.37.

A. Daniel Bartlett, Jr., 506 Olive Street, St. Louis, Mo.
E. (9) $254.74.

A. William B. Barton, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. David N. Barus, 1625 K Street NW., Washington, D.C.
B. General Time Corp., 355 Lexington Avenue, New York, N.Y.
D. (6) $100.

A. Laurie C. Battle, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.
B. Clear Channel Broadcasting Service (CCBS), 532 Shoreham Building, Washington, D.C.

A. John V. Beamer, 625 Valley Brook Lane, Wabash, Ind.
B. Fine Hardwoods Association, 666 North Lake Shore Drive, Chicago, Ill.
D. (6) $200. E. (9) $331.74.

A. John B. Bean, 4345 East Lake Harriet Boulevard, Minneapolis, Minn.
B. Committee for Export Expansion Through Subsidiaries Abroad, 20 E Street NW., Washington, D.C.
E. (9) $143.36.

A. J. D. Bearden, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $1,093.74.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $874.99.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aircraft & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,569. E. (9) $858.94.

A. John H. Beidler, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,419. E. (9) $270.08.

A. James F. Bell, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D.C.
D. (6) $500. E. (9) $5.02.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $4,500.

A. Bergson & Borkland, 918 16th Street NW., Washington, D.C.
B. Freeport Sulphur Co., 161 East 42d Street, New York, N.Y.
E. (9) $3.

A. Charles A. Betts, 1420 New York Avenue NW., Washington, D.C.
B. American Can Co., 100 Park Avenue, New York, N.Y.

A. Charles C. Bevis, Jr., 1735 DeSales Street NW., Washington, D.C.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,420. E. (9) $532.35.

A. Walter J. Bierwagen, 900 F Street NW., Washington, D.C.
B. Division 689, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 900 F Street NW., Washington, D.C.

A. Hudson Biery, 4017 Carew Tower, Cincinnati, Ohio.
B. Ohio Valley Improvement Association, Inc., 4017 Carew Tower, Cincinnati, Ohio.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.
B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.
E. (9) $153.13.

A. Henry J. Bison, Jr., 1317 F Street NW., Washington, D.C.
B. National Association of Retail Grocers, 360 North Michigan Avenue, Chicago, Ill.
D. (6) $3,000. E. (9) $910.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $605.

A. James C. Black, 1625 K Street NW., Washington, D.C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. Samuel B. Bledsoe, 1625 I Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $4,179.96.

A. S. B. Bledsoe, 627 Cafritz Building, Washington, D.C.
B. Progressive Tax Committee, Washington, D.C.
E. (9) $238.59.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.
B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
E. (9) $116.55.

A. Fred F. Bockmon, 405 Luhrs Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
D. (6) $500. E. (9) $1,342.53.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $4,400.

A. Benjamin W. Boley, 734 15th Street NW., Washington, D.C.
B. Western Geothermal, Inc., International Building, San Francisco, Calif.

A. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.
D. (6) $275. E. (9) $275.

A. Joseph L. Borda, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $400. E. (9) $40.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. New York World's Fair 1964–1965 Corp., Flushing Meadow Park, Post Office Box 1964, Flushing, N.Y.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $375. E. (9) $316.70.

A. G. Stewart Boswell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $270. E. (9) $10.65.

A. J. Wiley Bowers, Sixth and Cherry Streets, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Sixth and Cherry Streets, Chattanooga, Tenn.

A. Charles M. Boyer, 2517 Connecticut Avenue NW., Washington, D.C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D.C.

A. Boykin & De Francis, 1000 16th Street NW., Washington, D.C.
B. Mrs. Claire Hugo Stinnes, Grossenbaumerstrasse 253, Mulheim Ruhr, Germany.
E. (9) $160.

A. Boykin & De Francis, 1000 16th Street NW., Washington, D.C.
B. Studiengesellschaft fur Privatrechtliche Auslandsinteressen, e. v. Contrescarge 46, Germany.
E. (9) $250.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Richard Breed, 10 Prince Street, Alexandria, Va.
B. American Council for Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. Homer L. Brinkley, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $6,249.96. E. (9) $267.55.

A. George Bronz, 839 17th Street NW., Washington, D.C.
B. Coras Trachtala, Dublin, Ireland.
E. (9) $104.22.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $2,500. E. (9) $700.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $600. E. (9) $411.18.

A. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $6,499.52. E. (9) $6,499.52.

A. J. Olney Brott, 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $675. E. (9) $87.39.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,512.18.

A. Robert W. Bruce, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $600. E. (9) $421.95.

A. Walter W. Brudno, 2400 Adolphus Tower, Dallas, Tex.
B. Dresser Industries, Inc., Republic National Bank Building, Dallas, Tex.
E. (9) $1,190.03.

A. George S. Buck, Jr., 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. Norman D. Burch, 711 14th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $38.20.

A. George J. Burger, 740 Washington Building, Washington, D.C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. John J. Burke, 1062 West Platinum Street, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1445, Spokane, Wash.
E. (9) $575.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $6,000. E. (9) $333.72.

A. Gustave Burmeister, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $833.33. E. (9) $5.42.

A. G. B. Burnham, 132 Third Street SE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D.C.
D. (6) $195. E. (9) $195.

A. David Burpee, Fordhook Farms, Doylestown, Pa.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $3,999.99.

A. Hollis W. Burt, 1212 Munsey Building, Washington, D.C.
B. National Association of Supervisors of State Banks, 1212 Munsey Building, Washington, D.C.
D. (6) $49.88.

A. Robert B. Byrnes, 1703 Rhode Island Avenue NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 2403 East 75th Street, Chicago, Ill.
E. (9) $41.98.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.
B. Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $760.20. E. (9) $105.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $400. E. (9) $462.65.

A. Carl C. Campbell, 502 Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $113.04.

A. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $1,658.69. E. (9) $4,755.67.

A. John T. Carlton, 2517 Connecticut Avenue NW., Washington, D.C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D.C.

A. Braxton B. Carr, 1025 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1025 Connecticut Avenue, Washington, D.C.
D. (6) $1,300. E. (9) $256.12.

A. H. Allen Carroll, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $200.

A. Henderson H. Carson, 600 First National Bank Building, Canton, Ohio, and 744 Pennsylvania Building, Washington, D.C.
B. Con-Gas Service Corp., 30 Rockefeller Plaza, New York, N.Y.

A. Albert E. Carter, Mayflower Hotel, Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $4,500. E. (9) $717.49.

A. William L. Carter, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.

A. Eugene C. Carusi, 520 Union Trust Building, Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100. E. (9) $25.

A. Francis R. Cawley, 1101 Vermont Avenue NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $2,560. E. (9) $736.25.

A. Armand Chankalian, 200 C Street SE., Washington, D.C.
B. United Builders Association of New York, Inc., 118 East 25th Street, New York, N.Y.

A. Alger B. Chapman, Jr., 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill.
D. (6) $500. E. (9) $9.42.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Association Mexicana de Empacadores de Fresa, A.C., Venustiano Carranza 48–50 Piso, Mexico 1, D.F., Mexico.
D. (6) $2,000. E. (9) $1.50.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Hawaiian Botanical Gardens Foundation, Inc., 1527 Keeaumoku Street, Honolulu, Hawaii.
E. (9) $2.70.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Jeppesen & Co., 8025 East 40th Avenue, Denver, Colo.
E. (9) $53.76.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Texas Eastern Transmission Corp., Post Office Box 1189, Houston, Tex.
E. (9) $15.90.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Union Nacional de Productores de Azucar, S.A. de C.V., Balderas No. 36, Primer Piso, Mexico, D.F., Mexico.
D. (6) $8,750. E. (9) $686.99.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. West Marin (Calif.) Property Owners Association, 960 Fifth Avenue, San Rafael, Calif.
E. (9) $29.76.

A. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
E. (9) $222.22.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.
E. (9) $35.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $3,988.41. E. (9) $3,918.82.

A. Earl W. Clark, 132 Third Street SE., Washington, D.C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D.C.
D. (6) $954. E. (9) $85.20.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.
B. Colonial Sugar Refining Co., 1–3 O'Connell Street, Sydney.
D. (6) $1,200. E. (9) $60.13.

A. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.
B. Savage Arms Co., Westfield, Mass.
E. (9) $7.95.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $937.50. E. (9) $272.72.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. D.C. Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph Coakley, 815 16th Street NW., Washington, D.C.
B. Building Service Employees International Union, 155 North Wacker Drive, Chicago, Ill.
D. (6) $3,000.

A. Junius E. Cobean, Sr., 109 East Windsor Avenue, Alexandria, Va.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $950.

A. Edwin S. Cohen, 26 Broadway, New York, N.Y.
B. Investment Co. Institute, 61 Broadway, New York, N.Y.
D. (6) $10,750. E. (9) $291.97.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.
E. (9) $149.05.

A. Colorado Railroad Association, 845 Equitable Building, Denver, Colo.
E. (9) $756.96.

A. Committee on Constructive Price, 570 Lexington Avenue, New York, N.Y.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
E. (9) $8,910.95.

A. R. T. Compton, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. John C. Cone, 815 15th Street NW., Washington, D.C.
B. Pan American World Airways, 815 15th Street NW., Washington, D.C.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.
D. (6) $100.

A. Julian D. Conover, Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,000. E. (9) $12.20.

A. George W. Cooley, 1718 M Street NW., Washington, D.C.
B. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D.C.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 1028 Connecticut Avenue NW., Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. John Shepherd Cooper, 1730 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,685. E. (9) $2,211.96.

A. James D. Cope, 1717 Pennsylvania Avenue NW., Washington, D.C.
B. The Proprietary Association, 1717 Pennsylvania Avenue NW., Washington, D.C.
E. (9) $109.14

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.
D. (6) $823.13. E. (9) $823.13.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D.C.

A. Council of Profits Sharing Industries, Munsey Building, Washington, D.C.
D. (6) $25,000. E. (9) $175,500.

A. Edsall Lee Couplin, 441 East Jefferson Avenue, Detroit, Mich.
B. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,500.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.
E. (9) $0.60.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Axe Templeton et al.
E. (9) $5.90.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Numerous cement companies.
E. (9) $6.50.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Committee on Joint Resolution 1955 Legislature, Post Office Box 3170, Honolulu 2, Hawaii.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Connecticut General Life Insurance Co., Hartford, Conn.
E. (9) $200.64.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Cuban-American Sugar Co., 347 Madison Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. International Business Machines Corp., 590 Madison Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Moller, 5 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Raleigh Industries of America, Inc., 1168 Commonwealth Avenue, Boston, Mass., and The British Cycle & Motor Cycle Industries Association Ltd., Eaton Road, Coventry, England.
E. (9) $2.40.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Travelers Insurance Co., Hartford, Conn.
E. (9) $2.28.

A. A. Harry Crane, 303 New England Building, Topeka, Kans.
B. Southern Railway System, Washington, D.C., and National League of Insured Savings Association, 907 Ring Building, Washington, D.C.
E. (9) $639.19.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Association, 845 Equitable Building, Denver, Colo.
D. (6) $756.96. E. (9) $756.96.

A. C. B. Culpepper, Post Office Box 1736, Atlanta, Ga.
B. National Conference of Nonprofit Shipping Associations, Inc.

A. John Curran, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,419. E. (9) $967.30.

A. Bryce Curry, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $3,000.

A. Bernard Cushman, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. D. C. Daniel, 1627 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. N. R. Danielian, 1625 I Street NW., Washington, D.C.
B. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
D. (6) $500.

A. Danish Shipowners' Association, 33 Amaliegade, Copenhagen, Denmark.
D. (6) $36,686.26. E. (9) $36,686.26.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $731.25. E. (9) $21.14.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $305.52. E. (9) $338.85.

A. I. Irving Davidson, 1612 K Street NW., Washington, D.C.
B. Government of Nicaragua, Managua, Nicaragua, C.A.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $721.73.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. The Singer Manufacturing Co., 149 Broadway, New York, N.Y.

A. Lowell Davis, 601 Ross Avenue, Mort, Tex.
D. (6) $149.12. E. (9) $149.12.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., 36th and M Streets NW., Washington, D.C.
D. (6) $1,500.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Hilton Hotels Corp., Chicago, Ill.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Transportation Corporation of America, 375 Park Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,000. E. (9) $11.70.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.
E. (9) $384.38.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Laundry-Dry Cleaning Association of D.C., 2400 16th Street NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Transportation Corporation of America, 375 Park Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. American Finance Conference, Inc., 1411 K Street NW., Washington, D.C.
D. (6) $3,000. E. (9) $200.15.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. Cummins-Chicago Corp., 4740 Ravenswood Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $88.25.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. Glenview State Bank, 1825 Glenview Road, Glenview, Ill.

A. Tony T. Dechant.
B. The Farmers' Educational and Cooperative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.

A. James J. Delaney, Jr., 220 Central Building, Anchorage, Alaska.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $100. E. (9) $218.17.

A. Frank L. Dennis.
B. American Petroleum Institute, 1625 K Street NW., Washington, D.C.

A. Mary S. Deuel, 3026 Cambridge Place NW., Washington, D.C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

A. Wesley A. D'Ewart, Wilsall, Mont.
B. Montana Reclamation Association, Sidney, Mont.
D. (6) $600. E. (9) $1,022.61.

A. Joe T. Dickerson, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $200. E. (9) $40.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $195.33.

A. George E. Diethelm.
B. The American Sugar Refining Co., 120 Wall Street, New York, N.Y.

A. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $5,208.56.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $240. E. (9) $12.55.

A. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $20,943.05. E. (9) $20,832.52.

A. Division 689, Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 900 F Street NW., Washington, D.C.

A. Thomas Dixon, 1311 G Street NW., Washington, D.C.

A. William C. Doherty, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $656.25. E. (9) $204.80.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $387.50. E. (9) $6.30.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Newark, N.J.
D. (6) $900. E. (9) $3.31.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.
D. (6) $900. E. (9) $3.32.

A. J. Dewey Dorsett, 110 William Street, New York, N.Y.
D. (6) $137.50.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
D. (6) $678.15.

A. C. L. Dorson, 900 F Street NW., Washington, D.C.
D. (6) $1,809.23. E. (9) $102.

A. Dresser Industries, Inc., Republic National Bank Building, Dallas, Tex.
E. (9) $19,790.19.

A. Ben DuBois.
B. Independent Bankers Association, Sauk Centre, Minn.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,160. E. (9) $815.48.

A. Read P. Dunn, Jr., 502 Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $285. E. (9) $5.31.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $675. E. (9) $1.85.

A. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $156.23. E. (9) $39.61.

A. Herman Edlesberg, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 515 Madison Avenue, New York, N.Y.
D. (6) $140. E. (9) $15.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. J. C. B. Ehringhaus, Jr., Raleigh, N.C.
B. North Carolina Railroad Association, Box 2635, Raleigh, N.C.
D. (6) $3,125.04. E. (9) $376.99.

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $516.25. E. (9) $82.60.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Warren G. Elliott, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $115.50. E. (9) $10.91.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Perry R. Ellsworth, 1145 19th Street NW., Washington, D.C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.
D. (6) $250. E. (9) $3.60.

A. John H. Else, 302 Ring Building, Washington, D.C.
B. National Retail Lumber Dealers Association, 302 Ring Building, Washington, D.C.
D. (6) $1,000. E. (9) $216.83.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $2,400.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,400.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6)$2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee and Colorado River Board of California, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,975.

A. Grover W. Ensley, 60 East 42d Street, New York, N.Y.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $923.09. E. (9) $198.90.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,750. E. (9) $2,650.

A. Joseph C. Fagan, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Clinton Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,419. E. (9) $276.57.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
E. (9) $2,849.85.

A. Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $53,092.11. E. (9) $24,425,61.

A. Joseph G. Feeney, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $3,500. E. (9) $500.

A. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee.

A. Joe G. Fender, 2033 Norfolk Street, Houston, Tex.
B. National Conference of Non-Profit Shipping Associations, Inc.
D. (6) $2,047.35.

A. John A. Ferguson, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Josiah Ferris, 510 Union Trust Building, Washington, D.C.
B. American Sugar Cane League, New Orleans, La.; United States Sugar Corp., Clewiston, Fla.; and Okeelanta Sugar Refinery, Inc., South Bay, Fla.
D. (6) $7,500.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.
B. New England Shoe and Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $400. E. (9) $660.50.

A. Maurice W. Fillius, 700 National Press Building, Washington, D.C.
B. National Association of Alcoholic Beverage Importers, Inc., 700 National Press Building, Washington, D.C.

A. Norman A. Flaningam, 425 13th Street NW., Washington, D.C.
B. Con-Gas Service Corp., 30 Rockefeller Plaza, New York, N.Y.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,137.50. E. (9) $12.78.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Building, Minneapolis, Minn.
D. (6) $3,750. E. (9) $559.26.

A. Florida Citrus Mutual, Lakeland, Fla.
E. (9) $1,800.

A. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $1,068.16. E. (9) $1,068.16.

A. John F. Foran, 4680 Wilshire Boulevard, Los Angeles, Calif.
E. (9) $1,426.65.

A. Fordyce, Mayne, Hartman, Renard & Stribling, 506 Olive Street, St. Louis, Mo.
B. National Rejectors, Inc., 5100 San Francisco Avenue, St. Louis, Mo.
D. (6) $1,845. E. (9) $2,688.67.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $197.75.

A. James F. Fort, Counsel, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $500. E. (9) $231.95.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $100.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $588.

A. T. Paul Freeland, 1108 16th Street NW., Washington, D.C.
B. International Latex Corp., Dover, Del.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.
D. (6) $430.

A. Elmer M. Freudenberger, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $1,750.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $20,272.59. E. (9) $5,794.47.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.
B. West Coast Steamship Co., 601 Board of Trade Building, Portland, Oreg.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $675. E. (9) $3.10.

A. James L. Gallagher, 1300 Wyatt Building, Washington, D.C.
B. McCormick Associates, Inc., 1300 Wyatt Building, Washington, D.C.
D. (6) $1,000.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
D. (6) $500.

A. Gardner, Morrison & Rogers, 1126 Woodward Building, Washington, D.C.
B. Bigham, Englar, Jones & Houston, 99 John Street, New York City, and Shoreham Building, Washington, D.C.
E. (9) $12.71.

A. Gardner, Morrison & Rogers, 1126 Woodward Building, Washington, D.C.
B. Mauritius Sugar Syndicate, Port Louis, Mauritius.
E. (9) $68.06.

A. Warner W. Gardner, 734 15th Street NW., Washington, D.C.
B. Pacific Maritime Association, 16 California Street, San Francisco, Calif.
D. (6) $5,000. E. (9) $220.

A. Warner W. Gardner, 734 15th Street NW., Washington, D.C.
B. Western Geothermal, Inc., International Building, San Francisco, Calif.
E. (9) $49.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200. E. (9) $1.20.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N.Y.

A. Aubrey Gates, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1.70.

A. General Time Corp., 355 Lexington Avenue, New York, N.Y.
E. (9) $100.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturer's Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. J. M. George.
B. National Association of Direct Selling Co., 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. Joseph S. Gill, 16 East Broad Street, Columbia, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $1,250. E. (9) $223.55.

A. Jay W. Glassman, Southern Building, Washington, D.C.
B. Burnham Enersen, 351 California Street, San Francisco, Calif.

A. W. E. Glennon, 53 West Jackson Boulevard, Chicago, Ill.
B. American Feed Manufacturers Association, Inc., 53 West Jackson Boulevard, Chicago, Ill.
E. (9) $72.50.

A. M. Golodetz & Co., 120 Wall Street, New York, N.Y.
E. (9) $1,789.16.

A. Jack Golodner, 800 4th Street SW., Washington, D.C.
B. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.

A. John A. Gosnell, 801 19th Street NW., Washington, D.C.
D. (6) $1,833.34.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D.C.
B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $375.

A. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $7,478.26. E. (9) $6,267.16.

A. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.
E. (9) $45.46.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 318–418 Keith Building, Cleveland, Ohio.
D. (6) $4,843.65. E. (9) $4,843.65.

A. Gravelle, Whitlock, Markey & Tait, 1032 Shoreham Building, Washington, D.C.
B. Structural Clay Products Industry Depletion Committee, 1032 Shoreham Building, Washington, D.C.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Mrs. Edward R. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. The National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $14.01.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $60. E. (9) $24.83.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association (Export Agency Division), Calcutta, India.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Albert A. Grorud, 816 E Street NE., Washington, D.C.
B. Colville Indian Association, Coulee Dam, Wash.
E. (9) $7.

A. Albert A. Grorud, 816 E Street NE., Washington, D.C.
B. Yakima Indian Association of Washington State, 3121 Wilton Lane, East, Tacoma, Wash.
E. (9) $5.25.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. American Smelting & Refining Co., et al.
D. (6) $5,075. E. (9) $4,450.

A. Terry Gunn, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Violet M. Gunther, 1341 Connecticut Avenue NW., Washington, D.C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,009.70. E. (9) $283.57.

A. Frank E. Haas, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Hoyt S. Haddock, 132 Third Street, Washington, D.C.
B. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D.C.
D. (6) $3,000. E. (9) $2,234.32.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D.C.
B. LMMC, 132 Third Street SE., Washington, D.C.
D. (6) $954. E. (9) $83.22.

A. Louis P. Haffer, 703 Ring Building, Washington, D.C.
B. Air Freight Forwarders Association, 703 Ring Building, Washington, D.C.

A. Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y.
B. Danish Shipowners' Association, 33 Amaliegade, Copenhagen, Denmark.
D. (6) $30,000. E. (9) $5,293.68.

A. Hal H. Hale, 419 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
E. (9) $15.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. J. G. Hall, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,500.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Felt Manufacturers Council of the Northern Textile Association, 80 Federal Street, Boston, Mass.
D. (6) $1,250. E. (9) $48.95.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Standard Oil Company (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,800. E. (9) $383.87.

A. Charles A. Hamilton, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $500. E. (9) $189.22.

A. Harold F. Hammond, 1710 H Street NW., Washington, D.C.
B. Transportation Association of America.

A. C. L. Hancock, 420 Lexington Avenue, New York, N.Y.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N.Y., and Covington & Burling, 701 Union Trust Building, Washington, D.C.
D. (6) $3,000.

A. Hardwood Plywood Manufacturers, Post Office Box 6081, Arlington, Va.
E. (9) $3,547.39.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.
B. Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.
E. (9) $231.75.

A. Mrs. Mildred B. Harman, 212 Maryland Avenue NE., Washington, D.C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $720. E. (9) $407.70.

A. L. James Harmanson, Jr., 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $4,500. E. (9) $149.02.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,375. E. (9) $40.63.

A. Merwin K. Hart, 156 Fifth Avenue, New York, N.Y.
B. National Economic Council, Inc., 156 Fifth Avenue, New York, N.Y.

A. Stephen H. Hart, 500 Equitable Building, Denver, Colo.
B. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $2,007.50. E. (9) $837.52.

A. George D. Haskell, 20 North Wacker Drive, Chicago, Ill.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,849.98. E. (9) $1,609.42.

A. James L. Hatcher, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $1,907.50. E. (9) $190.75.

A. Robert N. Hawes, 1000 Connecticut Avenue, Washington, D.C.
B. Hardwood Plywood Manufacturers, Post Office Box 6081, Arlington, Va.
D. (6) $1,000. E. (9) $654.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
E. (9) $20.20.

A. Kit H. Haynes, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Hays & Hays, 920 Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $2,177.11. E. (9) $725.80.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, 711 14th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $77.15.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
E. $2,388.53.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $170.60.

A. William H. Hedlung, 909 American Bank Building, Portland, Oreg.
B. Standard Oil Co. of California, San Francisco, Calif., et al.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Comite de Productores de Azucar, Antonio Miro Quesada 376, Lima, Peru.
E. (9) $688.80.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Committee on Constructive Price, 570 Lexington Avenue, New York, N.Y.
E. (9) $11.38.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Institute of High Fidelity Manufacturers, Inc., 516 Fifth Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $341.15.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Reciprocal Inter-Insurers Federal Tax Committee, 400 United Artists Building, Detroit, Mich.
D. (6) $625. E. (9) $185.92.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Tennessee Gas Transmission Co., Post Office Box 2511, Houston, Tex.
D. (6) $200. E. (9) $7.40.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $885. E. (9) $181.98.

A. Kenneth G. Heisler, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $2,000.

A. Chas. H. Heltzel, 606 Commerce Building, Washington, D.C.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.
D. (6) $1,220. E. (9) $872.95.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.
D. (6) $1,713.42. E. (9) $588.42.

A. John K. Herbert, 444 Madison Avenue, New York, N.Y.
B. Magazine Publishers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $2,011.48. E. (9) $15.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y., and 801 Warner Building, Washington, D.C.
D. (6) $165.57. E. (9) $165.57.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $496.25.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.
E. (9) $606.32.

A. Robert L. Higgins, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. John W. Hight, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $205. E. (9) $126.85.

A. James A. Hirshfield, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Brig. Gen. J. D. Hittle, USMC (ret.), 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,166.67. E. (9) $75.55.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $650.

A. Claude E. Hobbs, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $750. E. (9) $100.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $11.60.

A. Fuller Holloway, 808 17th Street NW., Washington, D.C.
B. The Toilet Goods Association, Inc., 1270 Avenue of the Americas, New York, N.Y.
D. (6) $10,650. E. (9) $620.79.

A. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $1,000.

A. Samuel H. Horne, Munsey Building, Washington, D.C.
B. The Singer Manufacturing Co., 149 Broadway, New York, N.Y.

A. Lawrence W. Horning, 1010 Pennsylvania Building, Washington, D.C.
B. New York Central Railroad Co., 230 Park Avenue, New York, N.Y.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. Harold A. Houser, 1616 I Street NW., Washington, D.C.
B. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $2,500.

A. Charles L. Huber, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $3,285.19.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $275.

A. William J. Hull, 326 Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 326 Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. William J. Hynes, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.
E. (9) $619.18.

A. Frank N. Ikard, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $950. E. (9) $3.10.

A. Industrial Union Department, 815 16th Street NW., Washington, D.C.
D. (6) $6,777.82. E. (9) $6,777.82.

A. Evan S. Ingels, Oakwood Lane, Greenwich, Conn.
B. Time Inc., Time & Life Building, Rockefeller Center, New York, N.Y.
D. (6) $2,365. E. (9) $1,302.80.

A. Institute of American Poultry Industries, 67 East Madison Street, Chicago, Ill.
D. (6) $913.65. E. (9) $913.65.

A. Institute of Appliance Manufacturers, Inc., 2000 K Street NW., Washington, D.C.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $1.

A. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $18,240.60.

A. International Union of Electrical, Radio and Machine Workers, 1126 16th Street NW., Washington, D.C.
E. (9) $2,600.

A. The Inter-State Manufacturer's Association, 163-165 Center Street, Winona, Minn.
D. (6) $2,625. E. (9) $2.15.

A. Iron Ore Lessors Association, Inc., W-1481 First National Bank Building, St. Paul, Minn.
E. (9) $1,610.77.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $150.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $3,391.23. E. (9) $43.15.

A. Ray L. Jenkins, 1066 National Press Building, Washington, D.C.
B. Societe Internationale Pour Participations Industriales Et Commerciales, Peter Marianstr. 19, Basel, Switzerland.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks, Clay Co. Paris, Tenn., et al.
E. (9) $12.13.

A. Jewelry Industry Tax Committee, Inc., 727 Fifth Avenue, New York, N.Y.
E. (9) $1,800.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $3,015.49. E. (9) $305.33.

A. Ned Johnston, 4309 Saul Road, Kensington, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $360. E. (9) $609.12.

A. Harrold B. Jones, 2772 Natchez Lane, Memphis, Tenn.
B. Animal Health Institute, 512 Shops Building, Des Moines, Iowa.
D. (6) $2,000. E. (9) $1,878.45.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $36.02.

A. Phillip E. Jones, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $165.

A. Jan M. Z. Kaczmarek, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. Edwin W. Kaler, 1725 I Street NW., Washington, D.C.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
D. (6) $100.

A. John E. Kane, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $4,375. E. (9) $940.31.

A. Sheldon Z. Kaplan, 1616 H Street NW., Washington, D.C.
B. Guatemala Sugar Producers Association, Guatemala City, Guatemala.
E. (9) $24.72.

A. Sheldon Z. Kaplan, 1616 H Street NW., Washington, D.C.
B. Salvador Schaps, Servidora Electrica, S.A., San Salvador, El Salvador.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,150.76.

A. Howard B. Keck, 550 South Flower Street, Los Angeles, Calif.
B. The Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
E. (9) $300.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $19.17.

A. Eugene A. Keeney, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. John T. Kelly, 1411 K Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. David W. Kendall, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.
D. (6) $275.

A. David W. Kendall, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.
D. (6) $250.

A. David W. Kendall, 1625 K Street NW., Washington, D.C.
B. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $2,475. E. (9) $8.02.

A. David Walbridge Kendall, 1625 K Street NW., Washington, D.C.
B. Zantop Air Transport, Inc., Detroit Metropolitan Airport, Inkster, Mich.

A. I. L. Kenen, 1737 H Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
D. (6) $500. E. (9) $265.45.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $641.60. E. (9) $1,262.39.

A. Jeff Kibre, 1341 G Street NW., Washington, D.C.
B. International Longshoremen's and Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $1,660.08. E (9) $1,383.

A. John A. Killick, 740 11th Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 740 11th Street NW., Washington, D.C.
B. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $246.25.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D.C.
B. Rossmoor Leisure World, Seal Beach, Calif.
D. (6) $775. E. (9) $100.86.

A. S. F. Kirby, 20 North Wacker Drive, Chicago, Ill.
B. National Council on Business Mail, Inc., 20 North Wacker Drive, Chicago, Ill.
D. (6) $425. E. (9) $266.25.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $187.50. E. (9) $1.80.

A. James F. King, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,250.

A. Ludlow King, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Rufus King, Southern Building, Washington, D.C.
B. D. Gottlieb & Co., Chicago, Ill.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $725.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $570. E. (9) $42.64.

A. James F. Kmetz, 1435 K. Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,552.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $900. E. (9) $261.19.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Atlantic, Gulf & Great Lakes Shipbuilding Association, 529 Tower Building, Washington, D.C.
E. (9) $526.40.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Wall Street Traders, Inc., 60 East 42d Street, New York, N.Y.

A. Louis C. Krauthoff, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $102. E. (9) $198.89.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $3,386.72.

A. Labor Bureau of Middle West, 1001 Connecticut Avenue, Washington, D.C., and 11 South La Salle Street, Chicago, Ill.

A. LMMC, 132 Third Street SE., Washington, D.C.
D. (6) $8,034.16. E. (9) $5,553.84.

A. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. James K. Langan, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employees' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,126.

A. Fritz G. Lanham, 2737 Devonshire Place, NW., Washington, D.C.
B. National Patent Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $999.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D.C.
B. Quality Brands Associates of America, Inc., 1001 Grant Street, Gary, Ind.
D. (6) $900.

A. Philip M. Lanier, 908 West Broadway, Louisville, Ky.
B. Kentucky Railroad Association, 101 East High Street, Lexington, Ky.
E. (9) $44.36.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $375.

A. Latham & Watkins.
B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.
D. (6) $1,500. E. (9) $696.93.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $750.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $542.50. E. (9) $21.30.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.
B. National Licensed Beverage Association, 4207 Seventh Street, Racine, Wis.
D. (6) $650.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
D. (6) $125. E. (9) $35.

A. Philip P. Leahy, 1343 L Street NW., Washington, D.C.
B. The National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $29.37. E. (9) $110.97.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.
B. Tennessee Gas Transmission Co., Post Office Box 2511, Houston, Tex.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $546.00. E. (9) $3,162.54.

A. Legislative Committee, 1625 I Street NW., Washington, D.C.
E. (9) $11,221.76.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Richard T. Leonard, 815 16th Street NW., Washington, D.C.
B. Industrial Union Department, 815 16th Street NW., Washington, D.C.
E. (9) $477.51.

A. Roy T. Lester, M.D., 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,175. E. (9) $61.82.

A. John R. Lewis, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $153. E. (9) $17.65.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.
B. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $4,999.98. E. (9) $1,468.

A. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y., and 1701 K Street NW., Washington, D.C.
D. (6) $4,073.73. E. (9) $4,073.73.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $14.35.

A. Lawrence J. Linck & Co., 53 West Jackson Boulevard, Chicago, Ill.
B. National Association of Chain Drug Stores, 1625 I Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $1,394.45.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.
D. (6) $1.58.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.
D. (6) $3,640. E. (9) $1,790.02.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $1,275. E. (9) $202.08.

A. Gordon C. Locke, 1725 K Street NW., Washington, D.C.
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. John J. Long, 711 14th Street NW., Washington, D.C.
B. International Printing Pressmen and Assistants' Union of North America, Pressmen's Home, Tenn.
D. (6) $1,300. E. (9) $35.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $263.37.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Illinois Bell Telephone Co., 212 West Washington Street, Chicago, Ill.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,312.50. E. (9) $45.36.

A. LeRoy E. Lyon, Jr., 530 West Sixth Street, Los Angeles, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $2,340. E. (9) $1,627.09.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. John A. McCart, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees.
D. (6) $3,230.76. E. (9) $62.40.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.
B. Coca-Cola Export Corp., 515 Madison Avenue, New York, N.Y.
E. (9) $369.26.

A. McCormick Associates, Inc., 1300 Wyatt Building, Washington, D.C.
B. The Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $250. E. (9) $250.

A. McCormick Associates, Inc., 1300 Wyatt Building, Washington, D.C.
B. Trade Relations Council of the United States, 122 East 42d Street, New York, N.Y.
D. (6) $9,396.01. E. (9) $9,396.01.

A. Robert L. L. McCormick, 1300 Wyatt Building, Washington, D.C.
B. McCormick Associates, Inc., 1300 Wyatt Building, Washington, D.C.
D. (6) $1,800.

A. Albert L. McDermott, 745 Washington Building, Washington, D.C.
B. American Hotel Association, 777 14th Street NW., Washington, D.C.
D. (6) $100.

A. Angus H. McDonald.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,800. E. (9) $78.05.

A. William J. McDonald, 3005 Fernside Boulevard, Alameda, Calif.

A. Joseph T. McDonnell, Esq., 425 13th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

A. William P. McHenry, Jr., 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. William F. McKenna, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $123.28. E. (9) $55.40.

A. William F. McKenna, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
E. (9) $700.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,125. E. (9) $39.80.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $4,250.04. E. (9) $807.07.

A. Clarence M. McMillan, 1343 L Street NW., Washington, D.C.
B. National Candy Wholesalers Association, Inc., 1343 L Street NW., Washington, D.C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $268.75. E. (9) $6.75.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 21 Bank Street, Lebanon, N.H.
D. (6) $4,600. E. (9) $154.34.

A. John G. Macfarlan, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,447.50. E. (9) $408.62.

A. James E. Mack, 1028 Connecticut Avenue, Washington, D.C.
B. National Association of Mirror Manufacturers, 1028 Connecticut Avenue, Washington, D.C.
E. (9) $437.85.

A. James E. Mack, 1028 Connecticut Avenue, Washington, D.C.
B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $3,000. E. (9) $1,075.22.

A. James E. Mack, 1028 Connecticut Avenue, Washington, D.C.
B. Rolled Zinc Manufacturers Association, 1028 Connecticut Avenue, Washington, D.C.
E. (9) $217.76.

A. Jerome J. Madigan, 1117 Barr Building, Washington, D.C.
B. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $400.

A. Don Mahon, Box 959 Ben Franklin Station, Washington, D.C.
E. (9) $381.38.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.
D. (6) $2,400. E. (9) $22.80.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
D. (6) $4,500. E. (9) $187.20.

A. D. L. Manion, 2000 Massachusetts Avenue NW., Washington, D.C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $537.50.

A. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.
E. (9) $13,185.52.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,625. E. (9) $2,475.

A. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $2,152.26. E. (9) $92.09.

A. James Mark, Jr., 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,052.

A. Rodney W. Markley, Jr., Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $750. E. (9) $143.23.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. David M. Marsh, 837 Washington Building, Washington, D.C.
B. Association of Casualty & Surety Cos., 110 William Street, New York, N.Y.
D. (6) $125.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.

A. Fred T. Marshall, 1112 19th Street NW., Washington, D.C.
B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $189.95. E. (9) $253.40.

A. Drew Martin, 777 14th Street NW., Washington, D.C.
B. American Hotel Association, 221 West 57th Street, New York, N.Y.
D. (6) $450. E. (9) $267.14.

A. Thomas A. Martin, 510 Shoreham Building, Washington, D.C.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.
D. (6) $1,193. E. (9) $68.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $150. E. (9) $35.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building & Construction Trades Department, 815 16th Street NW., Washington, D.C.
D. (6) $3,750. E. (9) $2,202.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange.

A. P. H. Mathews, Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $785.18. E. (9) $611.24.

A. Charles D. Matthews, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $300. E. (9) $51.68.

A. Joe G. Matthews, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $134.59. E. (9) $136.

A. J. D. Mayson, Republic National Bank Building, Dallas, Tex.
B. Dresser Industries, Inc., Republic National Bank Building, Dallas, Tex.
D. (6) $875. E. (9) $362.32.

A. John S. Mears, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,505.

A. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D.C.

A. Mehler, Ives & Smollar, 2000 K Street NW., Washington, D.C.
B. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.

A. Mehler, Ives & Smollar, 2000 K Street NW., Washington, D.C.
B. Ferro Corp. et al.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,419.

A. William R. Merriam, 905 16th Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 905 16th Street NW., Washington, D.C.
D. (6) $2,500. E. (9) $4,140.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. M. Barry Meyer, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $250. E. (9) $321.75.

A. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
E. (9) $1,513.52.

A. Midland Cooperative Dairy Association, Shawano, Wis.

A. C. R. Miles, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. Capt. A. Stanley Miller, 930 Barr Building, 912 17th Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100. E. (9) $50.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $6,015.75. E. (9) $726.45.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas (Texas) Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $3,000. E. (9) $269.85.

A. Lloyd S. Miller, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $835.

A. John R. Minor, 1025 Connecticut Avenue NW., Washington, D.C.
B. M. Golodetz & Co., 120 Wall Street, New York, N.Y.
D. (6) $1,700.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D.C.
B. American Vocational Association, 1010 Vermont Avenue NW., Washington, D.C.

A. Willis C. Moffatt, 536 First Security Building, Boise, Idaho.

A. Walter H. Moorman, 4650 East West Highway, Bethesda, Md.
B. Baltimore & Ohio Railroad, Baltimore and Charles Streets, Baltimore, Md.
D. (6) $3,000. E (9) $198.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $96.70. E. (9) $213.66.

A. Cecil Morgan, 30 Rockefeller Plaza, New York, N.Y.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. Association of Undergraduate and Practical Nurses of the District of Columbia, 327 Carroll Street NW., Washington, D.C.
D. (6) $750.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. American Reciprocal Insurance Association, Kansas City, Mo.
D. (6) $4,460. E. (9) $19.17.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. Ford Motor Co., the American Road, Dearborn, Mich.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N.Y.
D. (6) $70.

A. Curtis Morris, Premier Building, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $4,500. E. (9) $3,190.50.

A. Vincent S. Mullaney, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $625. E. (9) $297.49.

A. Warren Mullin, 1701 K Street NW., Washington, D.C.
B. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $200. E. (9) $217.

A. Walter J. Munro, Hotel Washington, Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Ray R. Murdock.
B. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $1,399.98.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D.C.
B. National Chiropractic Insurance Co., National Building, Webster City, Iowa.
D. (6) $900. E. (9) $900.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,425. E. (9) $15,974.91.

A. Kenneth D. Naden, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. National Anti-Vivisection Society, 1411 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $160.25. E. (9) $16.38.

A. National Associated Businessmen, Inc., 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $435.75. E. (9) $534.91.

A. National Association of Chain Drug Stores, Inc., 1625 I Street NW., Washington, D.C.
E. (9) $2,213.51.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $13,750. E. (9) $10.75.

A. National Association of Electric Companies, 1200 16th Street NW., Washington, D.C.
D. (6) $2,820.66. E. (9) $19,030.80.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $650. E. (9) $825.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
D. (6) $3,500. E. (9) $8,526.11.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $627,094. E. (9) $32,195.10.

A. National Association of Margarine Manufacturers, 1028 Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $2,464.35. E. (9) $2,464.35.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.
E. (9) $390.55.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $20,000. E. (9) $6,674.94.

A. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
E. (9) $379.14.

A. National Automobile Dealers Association (NADA), 2000 K Street NW., Washington, D.C.
D. (6) $8,096.94. E. (9) $8,096.94.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Conference of Non-Profit Shipping Associations, Inc., 26 Auburn Avenue, Post Office Box 1736, Atlanta, Ga.
D. (6) $4,450.

A. National Conference for Repeal of Taxes on Transportation, 1710 H Street NW., Washington, D.C.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $3,801.76. E. (9) $3,801.76.

A. National Council on Business Mail, Inc., 20 North Wacker Drive, Chicago, Ill.
D. (6) $92.05. E. (9) $691.25.

A. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $10,000. E. (9) $8,000.

A. National Council Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $150.

A. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.
D. (6) $100. E. (9) $112.38.

A. National Economic Council, Inc., 156 Fifth Avenue, New York, N.Y.
D. (6) $1,062.95. E. (9) $1,203.86.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $37.82. E. (9) $37.82.

A. National Food Brokers Association, 1916 M Street NW., Washington, D.C.
D. (6) $1,148.20. E. (9) $1,148.20.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $1,354.90. E. (9) $2,159.25.

A. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $4,455.39. E. (9) $6,903.49.

A. National Life and Accident Insurance Co., Nashville, Tenn.
E. (9) $73.33.

A. National Livestock Feeders Association, 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $2,909.50. E. (9) $2,908.63.

A. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $7,191.98. E. (9) $2,845.02.

A. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $11,515.59. E. (9) $14,170.82.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $5,874.74. E. (9) $5,874.74.

A. National Parking Association, 711 14th Street NW., Washington, D.C.

A. National Rejectors, Inc., 5100 San Francisco Avenue, St. Louis, Mo.
B. Walter R. Mayne, 506 Olive Street, St. Louis, Mo.
D. (6) $1,845. E. (9) $2,688.67.

A. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $5,790.19. E. (9) $5,790.19.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
D. (6) $4,125. E. (9) $7,361.12.

A. National Rivers and Harbors Congress, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,282. E. (9) $8,899.16.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $3,227.58.

A. National Tax Equality Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,627.53. E. (9) $9,114.65.

A. National Tire Dealers and Retreaders Association, 1343 L Street NW., Washington, D.C.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $1,888.76. E. (9) $1,845.13.

A. Nation-Wide Committee of Industry, Agriculture and Labor on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $10,200. E. (9) $12,867.17.

A. Robert R. Neal, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $1,126.12. E. (9) $4.50.

A. William S. Neal, 918 18th Street NW., Washington, D.C.
B. National Association of Manufacturers of the United States of America, 2 East 48th Street, New York, N.Y.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,750.02. E. (9) $3,181.07.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. James W. Rouse & Co., Inc., 14 West Saratoga Street, Baltimore, Md. et al.

A. William E. Neumeyer, 1120 Connecticut Avenue NW., Washington, D.C.
B. GT & E Service Corp., 730 Third Avenue, New York, N.Y.

A. New England Shoe and Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $660.50. E. (9) $660.50.

A. New York & New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $1,864.43. E. (9) $1,479.21.

A. Mrs. Sarah H. Newman.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Stanley D. Noble, Munsey Building, Washington, D.C.
B. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.
E. (9) $500.

A. T. A. Nooner, Jr., 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $3,600.

A. O. L. Norman, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $1,250. E. (9) $129.48.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.
E. (9) $72.38.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. E. M. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $20.

A. Seward P. Nyman, D.S.C., 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650. E. (9) $15.25.

A. Brice O'Brien, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $675. E. (9) $4.20.

A. Richard T. O'Connell, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $3,574.98. E. (9) $348.53.

A. E. H. O'Connor, 176 West Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 176 West Adams Street, Chicago, Ill.
D. (6) $10,825.95.

A. John F. O'Connor, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,374.96. E. (9) $331.41.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $600. E. (9) $600.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Federation of Sugarcane Planters, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $500.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Philippine Sugar Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $500.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $1,890.34.

A. Alvin E. Oliver, 400 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.
D. (6) $28.89. E. (9) $4.

A. Oliver & Donnally, 110 East 42d Street, New York, N.Y.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $187.50. E. (9) $134.13.

A. Clarence H. Olson, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,267.50. E. (9) $60.35.

A. Clayton L. Orn, 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., Findlay, Ohio.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.
E. (9) $324.82.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $923.10. E. (9) $36.45.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Michael Padnos, 1341 Connecticut Avenue NW., Washington, D.C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,750.06. E. (9) $22.80.

A. Walter Page, 912 University Building, Syracuse, N.Y.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $197.12.

A. Lew M. Paramore, Town House Hotel, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. J. D. Parel, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Joseph O. Parker, 531 Washington Building, Washington, D.C.
B. American Feed Manufacturers Association, Inc., 53 West Jackson Boulevard, Chicago, Ill.
D. (6) $333. E. (9) $120.75.

A. Joseph O. Parker, 531 Washington Building, Washington, D.C.
B. Institute of American Poultry Industries, 67 East Madison Street, Chicago, Ill.
D. (6) $350. E. (9) $126.91.

A. Joseph O. Parker, 531 Washington Building, Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $500. E. (9) $167.40.

A Holcombe Parkes, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,750.

A. James D. Parriott, Jr., 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., 539 South Main Street, Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $283.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,650. E. (9) $570.14.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1625 I Street NW., Washington, D.C.
B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D.C.
D. (6) $1,773. E. (9) $187.31.

A. Rufus W. Peckham, Jr., 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Sandford Z. Persons, 820 13th Street NW., Washington, D.C.
B. United World Federalists, Inc., 820 13th Street NW., Washington, D.C.
D. (6) $2,220. E. (9) $208.70.

A. Edmund Pendleton, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. M. Golodetz & Co., 120 Wall Street, New York, N.Y.
D. (6) $1,700.

A. George C. Pendleton, 1025 Connecticut Avenue NW., Washington, D.C.
B. M. Golodetz & Co., 120 Wall Street, New York, N.Y.
D. (6) $1,700.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $200.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $2,400. E. (9) $474.06.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. The Pitcairn Co., 100 West 10th Street, Wilmington, Del.
D. (6) $2,600. E. (9) $114.95.

A. Ervin L. Peterson, 1145 19th Street NW., Washington, D.C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,800. E. (9) $43.50.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
D. (6) $600. E. (9) $21.

A. Pharmaceutical Manufacturers Association, 1411 K Street NW., Washington, D.C.
D. (6) $9,523.72. E. (9) $9,523.72.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $78.66.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N.Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $118.10.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $600. E. (9) $950.

A. Pitcairn Co., 100 West 10th Street, Wilmington, Del.
E. (9) $2,771.68.

A. Gardiner S. Platt, 1739 Connecticut Avenue NW., Washington, D.C.
B. DuBois Associates, 306 East 72d Street, New York, N.Y.
D. (6) $1,000. E. (9) $84.16.

A. Milton M. Plumb, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.

A. Frank M. Porter, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $17.90.

A. Thomas W. Power, 1012 14th Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,125. E. (9) $300.

A. William H. Press, 1616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $5,000.

A. C. J. Putt, 920 Jackson Street, Topeka, Kans.
B. The Atchison, Topeka & Santa Fe Railway Co., 920 Jackson Street, Topeka, Kans.

A. Cushman S. Radebaugh, Box 1928, Orlando, Fla.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $75.72.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $453.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $3,446.02. E. (9) $3,446.02.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Donald J. Ramsey, 1725 K Street NW., Washington, D.C.
B. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $450. E. (9) $3.40.

A. Raskin & Downing, 1000 Connecticut Avenue NW., Washington, D.C.
B. Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill.
D. (6) $1,500.

A. Stanley Rector, 520 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. National Conference for Repeal of Taxes on Transportation, 1710 H Street NW., Washington, D.C.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Otie M. Reed, 1107 19th Street NW., Washington, D.C.
B. National Creameries Association, 1107 19th Street NW., Washington, D.C.
D. (6) $2,300.01. E. (9) $4,370.30.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.
B. Texas Railroads.
D. (6) $385. E. (9) $282.

A. Geo. L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $799.98. E. (9) $261.53.

A. Herbert S. Reid, 466 Lexington Avenue, New York, N.Y.
B. New York State Association of Railroads.
D. (6) $1,500.

A. James Francis Reilly, 1625 K Street NW., Washington, D.C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D.C.
D. (6) $1,250. E. (9) $175.

A. Louis H. Renfrow, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $6,250.

A. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D.C.

A. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $64,250.63.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $20,145.60. E. (9) $10,495.81.

A. F. Marion Rhodes, 60 Beaver Street, New York, N.Y.
B. New York Cotton Exchange, 60 Beaver Street, New York, N.Y.

A. Theron J. Rice, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,060. E. (9) $478.40.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana railroads.
D. (6) $74.10. E. (9) $74.18.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association (Export Agency Division), Calcutta, India.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. State Farm Mutual Automobile Insurance Co., 112 East Washington Street, Bloomington, Ill.
D. (6) $2,000. E. (9) $86.40.

A. Richard J. Riddick, 1012 14th Street NW., Washington, D.C.
B. Freight Forwarders Institute, 1012 14th Street NW., Washington, D.C.
D. (6) $2,499.99. E. (9) $283.88.

A. Siert F. Riepma, 1028 Munsey Building, Washington, D.C.
B. National Association of Margarine Manufacturers.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $450. E. (9) $758.17.

A. George D. Riley, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,419. E. (9) $518.80.

A. James F. Rill, 1730 K Street NW., Washington, D.C.
B. Steadman, Collier & Shannon, 1730 K Street NW., Washington, D.C.
D. (6) $285. E. (9) $25.20.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $191.60.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $180.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.
D. (6) $375.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $526.

A. Watson Rogers, 1916 M Street NW., Washington, D.C.
B. National Food Brokers Association, 1916 M Street NW., Washington, D.C.
D. (6) $1,000.

A. T. J. Ross & Associates, Inc., 405 Lexington Avenue, New York, N.Y.
D. (6) $7,500. E. (9) $5,612.96.

A. Edmond F. Rovner, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $612. E. (9) $233.25.

A. Edward C. Rustigan, 231 South La Salle Street, Chicago, Ill.
B. United Air Lines, Inc., Box 8800, Chicago, Ill.
E. (9) $158.89.

A. Oswald Ryan, 528 Barr Building, Washington, D.C.
B. Air Traffic Control Association, 528 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $23.20.

A. William H. Ryan, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,999.88. E. (9) $60.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D.C.
B. The Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $2,750. E. (9) $503.72.

A. O. H. Saunders, 1616 I Street NW., Washington, D.C.
B. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $1,950.

A. Hilliard Schulberg, 1346 Connecticut Avenue NW., Washington, D.C.
B. Washington D.C. Retail Liquor Dealers Association, Inc., 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,375. E. (9) $505.16.

A. Scribner, Hall & Casey, 1200 18th Street NW., Washington, D.C.
B. Connecticut General Life Insurance Co., Hartford, Conn.
D. (6) $4,000. E. (9) $893.17.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Fred G. Seig, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $74.92. E. (9) $85.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $79.90.

A. Alvin Shapiro, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $1,321.50. E. (9) $159.91.

A. David C. Sharman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 21 Bank Street, Lebanon, N.H.
D. (6) $1,580.77. E. (9) $124.81.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D.C.
B. Association National Des Tisseurs de Tapis, Velours et Tissus D'Ameublement 24, Rue Montoyer, Brussels, Belgium.
D. (6) $250. E. (9) $1,003.67.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D.C.
B. Board of Scandinavian Fur Farm Organizations, 8 Sveasvej, Copenhagen V, Denmark.
D. (6) $250. E. (9) $1,067.85.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D.C.
B. Imported Hardwood Plywood Association, Inc., World Trade Center, Ferry Building, San Francisco, Calif.
D. (6) $1,000. E. (9) $2,031.76.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. Brown & Lund, 1625 I Street NW., Washington, D.C.
D. (6) $968.

A. David A. Shepard, 30 Rockefeller Plaza, New York, N.Y.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. Bruce E. Shepherd, 488 Madison Avenue, New York, N.Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.

A. Laurence P. Sherfy, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Robert H. Shields, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $150.

A. Max Shine, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Richard C. Shipman.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,387. E. (9) $89.40.

A. Robert L. Shortle, 801 International Building, New Orleans, La.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $700.

A. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $16. E. (9) $1,022.04.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
E. (9) $3,109.75.

A. Harold S. Skinner, Post Office Box 2197, Houston, Tex.
B. Continental Oil Co., Post Office Box 2197, Houston, Tex.

A. Harold Slater, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $136.50.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $2,812.50. E. (9) $21.60.

A. Walter A. Slowinski, 901 Barr Building, Washington, D.C.
B. Committee for Export Expansion Through Subsidiaries Abroad, 20 E Street NW., Washington, D.C.

A. Carleton D. Smith, Washington, D.C.
B. Radio Corporation of America, 30 Rockefeller Plaza, New York, N.Y.

A. Dudley Smith, 732 Shoreham Building, Washington, D.C.
B. Association of Sugar Producers of Puerto Rico, 732 Shoreham Building, Washington, D.C.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.
D. (6) $200.

A. James R. Smith, 1060 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Wayne H. Smithey, 1200 Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $798. E. (9) $143.23.

A. Lyle O. Snader, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $157.51.

A. Frank B. Snodgrass, 1025 Connecticut Avenue NW., Washington, D.C.
B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $275. E. (9) $58.72.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,307.69.

A. J. R. Snyder, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Society for Animal Protective Legislation, 745 Fifth Avenue, New York, N.Y.
D. (6) $1,481. E. (9) $1,054.89.

A. Marvin J. Sonosky, 1700 K Street NW., Washington, D.C.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $829.66.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
D. (6) $21,155.84. E. (9) $4,604.45.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $830. E. (9) $153.16.

A. John F. Speer, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.

A. John M. Sprague, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co. (a Delaware Corp.), Post Office Box 2180, Houston, Tex.
E. (9) $25.50.

A. Chester S. Stackpole, 420 Lexington Avenue, New York, N.Y.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. Howard M. Starling, 837 Washington Building, Washington, D.C.
B. Association of Casualty and Surety Companies, 110 William Street, New York, N.Y.
D. (6) $150. E. (9) $4.90.

A. Steadman, Collier and Shannon, 1730 K Street NW., Washington, D.C.
B. National Shoe Manufacturers Association, 342 Madison Avenue, New York, N.Y.
E. (9) $637.75.

A. Steadman, Collier and Shannon, 1730 K Street NW., Washington, D.C.
B. The Tool and Fine Steel Committee, c/o The Carpenter Steel Co., Reading, Pa.
D. (6) $750. E. (9) $258.50.

A. David J. Steinberg, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. Mrs. C. A. L. Stephens, Mrs. Nell F. Stephens, and George L. P. Hurse, Post Office Box 6234, Northwest Station, Washington, D.C.

A. Russell M. Stephens, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $5,337.50. E. (9) $3,886.64.

A. Sterling F. Stoudenmire, Jr., 61 Saint Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 Saint Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,500. E. (9) $248.75.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
D. (6) $1,615.39.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
D. (6) $625.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
D. (6) $6,250.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Salt River Pima-Maricopa Indian Community, Scottsdale, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Seneca Nation of Indians, 25 Main Street, Salamanca, N.Y.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Tuscarora Nation of Indians, Lewiston, N.Y.

A. Ronnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 827 Investment Building, Washington, D.C.

A. Structural Clay Products Industry, 1032 Shoreham Building, Washington, D.C.
D. (6) $2,085.04.

A. Norman Strunk, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,625. E. (9) $722.84.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Arthur Sturgis, Jr., 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.

D. (6) $68.

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A. Verne R. Sullivan, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States of America.

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A. Frank L. Sundstrom, 350 Fifth Avenue, New York, N.Y.

B. Schenley Industries, Inc., 350 Fifth Avenue, New York, N.Y.

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A. Charles P. Taft, 1025 Connecticut Avenue, Washington, D.C.

B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

E. (9) $264.59.

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A. Glenn J. Talbott.

B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.

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A. Dwight D. Taylor, 918 16th Street NW., Washington, D.C.

B. American Airlines, Inc., 918 16th Street NW., Washington, D.C.

D. (6) $206.24. E. (9) $62.84.

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A. John I. Taylor, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $958.33. E. (9) $25.31.

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A. Mrs. Margaret K. Taylor, 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

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A. J. B. Thayn, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,406.25. E. (9) $28.80.

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A. Christy Thomas and Barry Sullivan, 536 Washington Building, Washington, D.C.

B. The National Association of River & Harbor Contractors, 15 Park Row, New York, N.Y.

D. (6) $750. E. (9) $113.13.

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A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.

B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

E. (9) $162.70.

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A. Oliver A. Thomas, 125 North Center Street, Reno, Nev.

B. Nevada Railroad Association, 125 North Center Street, Reno, Nev.

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A. Julia C. Thompson, 711 14th Street NW., Washington, D.C.

B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $2,397.71.

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A. John N. Thurman, 1625 K Street NW., Washington, D.C.

B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.

D. (6) $703.12. E. (9) $853.54.

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A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D.C.

B. Armed Services Committee Chamber of Commerce, Vallejo, Calif.

D. (6) $147.50. E. (9; $120.89.

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A. H. Willis Tobler, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $2,756.25. E. (9) $306.69.

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A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.

B. Cooperative League of USA, 343 South Dearborn Street, Chicago, Ill.

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A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $500. E. (9) $93.20.

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A. Trades Relations Council of the U.S., Inc., 122 East 42d Street, New York, N.Y.

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A. Transportation Association of America, 1710 H Street NW., Washington, D.C.

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A. Richard S. Tribbe, 1508 Merchants Bank Building, Indianapolis, Ind.

B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

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A. Matt Triggs, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,750. E. (9) $28.18.

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A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.

D. (6) $1,625. E. (9) $96.

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A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

E. (9) $4.89.

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A. Dick Tullis, 307 Maple Terrace, Dallas, Tex.

B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.

D. (6) $1,500. E. (9) $1,400.

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A. John W. Turner, 400 1st Street NW., Washington, D.C.

B. Brotherhood of Locomotive Engineers, B. of L.E. Building, Cleveland, Ohio.

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A. William S. Tyson, 821 15th Street NW., Washington, D.C.

B. Local No. 30, Canal Zone Pilots Association, I.O.M.M. & P., Post Office Box 111, Coco Solo, Canal Zone.

E. (9) $183.86.

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A. William S. Tyson, 821 15th Street NW., Washington, D.C.

B. Western Range Association, 375 North Fulton Street, Fresno, Calif.

E. (9) $7.50.

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A. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

E. (9) $720.

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A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $243,103.73. E. (9) $23,609.05.

A. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.

E. (9) $22,271.90.

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A. United States Trust Co. of New York, 45 Wall Street, New York, N.Y.

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A. United World Federalists, Inc., 820 13th Street NW., Washington D.C.

D. (6) $2,909.84. E. (9) $2,909.84

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A. Theodore A. Vanderzyde, 400 First Street NW., Washington, D.C.

B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.

D. (6) $2,249.91. E. (9) $15.

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A. Thomas M. Venables, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

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A. L. T. Vice, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

D. (6) $180. E. (9) $65.

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A. R. K. Vinson, 1346 Connecticut Avenue NW., Washington, D.C.

B. Machinery Dealers National Association, 1346 Connecticut Avenue NW., Washington, D.C.

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A. Paul F. Wagner, 400 Waynewood Boulevard, Alexandria, Va.

B. Samuel B. Bledsoe, 1625 I Street NW., Washington, D.C.

D. (6) $465. E. (9) $42.10.

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A. Harold S. Walker, Jr., 420 Lexington Avenue, New York, N.Y.

B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

E. (9) $246.66.

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A. Paul H. Walker, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.

D. (6) $990.25. E. (9) $12.39.

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A. Stephen M. Walter, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

D. (6) $418.25. E. (9) $2.25.

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A. William A. Walton, 920 Jackson Street, Topeka, Kans.

B. Kansas Railroad Committee, 920 Jackson Street, Topeka, Kans.

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A. Washington Committee, Association of Sugar Producers of Puerto Rico, 732 Shoreham Building, Washington, D.C.

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A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

D. (6) $1,273.87. E. (9) $2,276.89.

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A. Jeremiah C. Waterman, 205 Transportation Building, Washington, D.C.

B. Southern Pacific Co., 205 Transportation Building, Washington, D.C.

D. (6) $500.

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A. Waterways Bulk Transportation Council, Inc., 21 West Street, New York, N.Y.

D. (6) $50.

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A. Watters & Donovan, 161 William Street, New York, N.Y.

B. New York & New Jersey Dry Dock Association, 161 William Street, New York, N.Y.

A. Weaver and Glassie, 1225 19th Street NW., Washington, D.C.
B. The Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
D. (6) $300.

A. Weaver and Gassie, 1225 19th Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
E. (9) $2.93.

A. Weaver and Glassie, 1225 19th Street NW., Washington, D.C.
B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $150. E. (9) $47.11.

A. William H. Webb, La Salle Building, Washington, D.C.
B. National Rivers and Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $2,813.03. E. (9) $361.

A. E. E. Webster, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $4,010.56.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
E. (9) $601.08.

A. Don White, 1201 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $6,957.35. E. (9) $1,291.63.

A. Donald Francis White, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $2,137.47. E. (9) $179.50.

A. John C. White, 838 Transportation Building, Washington, D.C.
D. (6) $1,125. E. (9) $63.59.

A. H. Leigh Whitelaw, 734 15th Street NW., Washington, D.C.
B. Gas Appliance Manufacturers Association, 60 East 42d Street, New York, N.Y.

A. Scott C. Whitney, 918 16th Street NW., Washington, D.C.
B. American Airlines, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $770. E. (9) $176.58.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue, N.W., Washington, D.C.
B. Gulf Oil Corp., Gulf Building, Pittsburgh, Pa.
D. (6) $700. E. (9) $150.

A. Albert E. Wilkinson, Investment Building, Washington, D.C.
B. The Anaconda Co., Hennessy Building, Butte, Mont.
D. (6) $2,250. E. (9) $723.30.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Society of Travel Agents, Inc., 501 Fifth Avenue, New York, N.Y.
E. (9) $3.90.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Arapaho Indian Tribe, Fort Washakie, Wyo.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.
E. (9) $17.03.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.
E. (9) $1.20.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Spokane Indian Tribe, Wellpinit, Wash.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Sugar Producers Association of El Salvador, San Salvador.
E. (9) $14.25.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.
D. (6) $62. E. (9) $27.09.

A. Franz O. Willenbucher, 1616 I Street NW., Washington, D.C.
B. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $3,000.

A. Harding deC. Williams, Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
D. (6) $1,583.50. E. (9) $52.95.

A. Harold M. Williams, 67 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 67 East Madison Street, Chicago, Ill.
D. (6) $200. E. (9) $52.56.

A. Robert E. Williams, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $950. E. (9) $101.85.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,833. E. (9) $486.22.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,939.01. E. (9) $148.56.

A. Wilmer, Cutler & Pickering, 616 Transportation Building, Washington, D.C.
B. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. Clark L. Wilson, 1145 19th Street NW., Washington, D.C.
B. Consultant to Emergency Lead-Zinc Committee.
D. (6) $2,000. E. (9) $859.99.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,713.46.

A. Everett B. Wilson, Jr., 732 Shoreham Building, Washington, D.C.
B. Association of Sugar Producers of Puerto Rico, 732 Shoreham Building, Washington, D.C.

A. Henry B. Wilson, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
D. (6) $600. E. (9) $120.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Venlo Wolfsohn, 1729 H Street NW., Washington, D.C.
B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300.

A. Frank G. Wollney, 67 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 67 East Main Street, Chicago, Ill.

A. Russell J. Woodman, 400 First Street NW., Washington, D.C.
B. The Order of Railroad Telegraphers, 3860 Lindell Boulevard, St. Louis, Mo.
D. (6) $50.

A. Albert Y. Woodward, 1625 I Street NW., Washington, D.C.
B. The Flying Tiger Line Inc., Lockheed Air Terminal, Burbank, Calif.

A. Albert Young Woodward, 1625 I Street NW., Washington, D.C.
B. Signal Oil and Gas Co., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Edward W. Wootton, 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Alexander W. Wuerker, 1025 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1025 Connecticut Avenue, Washington, D.C.
D. (6) $542. E. (9) $93.60.

A. Donald S. Whyte, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $450. E. (9) $43.40.

A. Louis E. Whyte, 918 Sixteenth Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 Sixteenth Street NW., Washington, D.C.

A. Donald A. Young, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States.

A. J. Banks Young, 502 Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $480.

A. Sidney Zagri, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $5,403.39.

A. Zantop Air Transport, Inc., Detroit-Metropolitan Airport, Inkster, Mich.

A. Zimring, Gromfine & Sternstein, 1001 Connecticut Avenue, Washington, D.C., and 11 South La Salle Street, Chicago, Ill.

## REGISTRATIONS

**The following registrations were submitted for the third calendar quarter 1962:**

**(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)**

**FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:**

**This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.**

**PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:**

**"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.**

**"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.**

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Year: 19______ ◄

### REPORT

**PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT**

| P | QUARTER | | | |
|---|---|---|---|---|
| | 1st | 2d | 3d | 4th |
| (Mark one square only) | | | | |

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**NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:**

**(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)**

**(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".**

**(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:**

**(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.**

**(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.**

**A. ORGANIZATION OR INDIVIDUAL FILING:**

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

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**NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.**

**B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."**

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**NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).**

**(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).**

**(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.**

**C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:**

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

**(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)**

**4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄**

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### AFFIDAVIT

[Omitted in printing]

**PAGE 1◄**

A. American Feed Manufacturers Association, Inc., 53 West Jackson Boulevard, Chicago, Ill.

A. American Surveys, 2000 P Street NW., Washington, D.C.

A. Larry Andrews, 1411 Pennsylvania Avenue NW., Washington, D.C.
B. National Anti-Vivisection Society, 1411 Pennsylvania Avenue NW., Washington, D.C.

A. Gibbs L. Baker, Esq., 917 15th Street NW., Washington, D.C.
B. American Tunaboat Association, 1 Tuna Lane, San Diego, Calif.

A. Robert C. Bernard, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. Wm. J. Barnhard, 1001 Pennsylvania Building, Washington, D.C.
B. American Association of Apparel & Textile Importers, 17 East 54th Street, New York, N.Y.

A. William J. Barnhard, 1001 Pennsylvania Building, Washington, D.C.
B. Association of Chilean Fruit & Produce Importers, 309 Washington Street, New York, N.Y.

A. Osmero L. Bartelli, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.

A. Becker & Greenwald, 839 17th Street NW., Washington, D.C.
B. American Bulk Carriers, Inc., 80 Broad Street, New York, N.Y.

A. Michael E. Bress, 2400 First National Bank Building, Minneapolis, Minn.
B. Supersweet Feeds, Division of International Milling Co., 1200 Investors Building, Minneapolis, Minn.

A. Fred T. Bridges, 1701 K Street NW., Washington, D.C.
B. Cooperage Producers of America, Inc., 705 Woodruff Building, Springfield, Mo.

A. J. Robert Brouse, 1717 Pennsylvania Avenue NW., Washington, D.C.
B. The Proprietary Association, 1717 Pennsylvania Avenue, Washington, D.C.

A. Brown & Lund, Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Montana Power Co., Butte, Mont.

A. Brown & Lund, Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Washington Water Power Co., Spokane, Wash.

A. C–E–I–R, Inc., 1 Farragut Square South, Washington, D.C.

A. James R. Carnes, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

A. Joseph E. Casey, Ring Building, Washington, D.C.
B. Jerry Maiatico, 806 Connecticut Avenue NW., Washington, D.C.

A. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.
B. Savage Arms Co., Westfield, Mass.

A. Joseph Cohen, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 205 West Wacker Drive, Chicago, Ill.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Numerous cement companies.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Dyestuffs and Chemicals, Inc., 2307 North 11th Street, St. Louis, Mo.

A. Harry Crane, 303 New England Building, Topeka, Kans.
B. Southern Railway System, Washington, D.C.

A. Clarence A. Davis, 525 Stuart Building, Lincoln, Neb.
B. Montana State Water Conservation Commission, Helena, Mont.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Transportation Corp. of America, 375 Park Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Transportation Corp. of America, 375 Park Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. Cummins-American Corp., 1825 Glenview Road, Glenview, Ill.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. Glenview State Bank, 1825 Glenview Road, Glenview, Ill.

A. Wesley A. D'Ewart, Wilsall, Mont.
B. Montana Reclamation Association, Sidney, Mont.

A. Ernest J. Baton, Washington Building, Washington, D.C.
B. Saint John's Home Owners' Protective Association, 1330 New Hampshire Avenue NW., Washington, D.C.

A. Federation of Regular Taxpayers, Box 11, Hastings, Mich.

A. Elizabeth S. Freret, 1 Farragut Square South, Washington, D.C.
B. C-E-I-R, Inc., 1 Farragut Square South, Washington, D.C.

A. Jay W. Glasmann, 306 Southern Building, Washington, D.C.,
B. Burnham Enersen, 351 California Street, San Francisco, Calif.

A. Glen Alden Corp., 1740 Broadway, New York, N.Y.

A. W. E. Glennon, 53 W. Jackson Boulevard, Chicago, Ill.
B. American Feed Manufacturers Association Inc., 53 West Jackson Boulevard, Chicago, Ill.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Robert H. Haines, 1 Chase Manhattan Plaza, New York, N.Y.
B. Wabash Chemical Corp., 333 North Michigan Avenue, Chicago, Ill.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

A. Ruth S. Hatch, Burke, Va.

A. James L. Hatcher, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.

A Harrold B. Jones, 2772 Natchez Lane, Memphis, Tenn.
B. Animal Health Institute, 512 Shops Building, Des Moines, Iowa.

A. Jan M. Z. Kaczmarek, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. Karelsen & Karelsen, 230 Park Avenue, New York, N.Y.

A. Allan M. Kearney, 222 Levergood Street, Johnstown, Pa.
B. Pennsylvania Electric Co., 222 Levergood Street, Johnstown, Pa.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B Wall Street Traders, Inc., 60 East 42d Street, New York, N.Y.

A. Lawrence S. Lesser, 1625 K Street NW., Washington, D.C.
B. Alfred Hiebler, 654 Oakley Place, Oradell, N.J., et al.

A. Paul H. Long, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.
B. Encyclopedia Britannica, 425 North Michigan Avenue, Chicago, Ill.

A. Patrick H. McLaughlin, 1741 DeSales Street NW., Washington, D.C.
B. Glen Alden Corp., 1740 Broadway, New York, N.Y.

A. George E. Meagher, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees.

A. Mermey Organization, 10 East 40th Street, New York, N.Y.
B. Bureau of Education on Fair Trade, 205 West Wacker Drive, Chicago, Ill.

A. Edward L. Merrigan, 425 13th Street NW., Washington, D.C.
B. Textile Fibres Institute, 291 Madison Avenue, New York, N.Y.

A. National Life & Accident Insurance Co., Nashville, Tenn.

A. Stanley D. Noble, Munsey Building, Washington, D.C.
B. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.

A. Julia J. Norrell, 1332 Connecticut Avenue NW., Washington, D.C.
B. Gerald G. Wagner, G.M.I. Associates, 1332 Connecticut Avenue NW., Washington, D.C.

A. William B. O'Connell, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. Joseph O. Parker, 531 Washington Building, Washington, D.C.
B. American Feed Manufacturers Association, Inc., 53 West Jackson Boulevard, Chicago, Ill.

A. Hart Perry, 10 MacDougal Alley, New York, N.Y.
B. International Telephone & Telegraph Corp. and International Telephone & Telegraph Credit Corp., 320 Park Avenue, New York, N.Y.

A. Howard A. Prentice, 1717 Pennsylvania Avenue NW., Washington, D.C.
B. The Proprietary Association, 1717 Pennsylvania Avenue, Washington, D.C.

A. L. C. Pyle, 1410 L Street NW., Washington, D.C.
B. Pitney-Bowes, Inc., Stamford, Conn.

A. Robert H. Reiter, 1311 G Street NW., Washington, D.C.
B. Standard Kollsman Industries, Inc., 2085 North Hawthorne Avenue, Melrose Park, Ill.

A. C. C. Rouse, Jr., 1410 L Street NW., Washington, D.C.
B. Pitney-Bowes, Inc., Stamford, Conn.

A. Edmond F. Rovner, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.

A. Daniel I. Sargent, 200 Madison Avenue, New York, N.Y.
B. Houston Chemical Corp., 200 Madison Avenue, New York, N.Y.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. National Association of Motor Bus Owners, 830 17th Street NW., Washington, D.C.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. Royal Globe Insurance Cos., 150 William Street, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.
B. National Council of American Importers, 111 Fifth Avenue, New York, N.Y.; Japanese Chamber of Commerce of New York, Inc., 30 Church Street, New York, N.Y., and Japan Rubber Footwear Manufacturers' Association, Tokyo, Japan.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Metlakatla Indian Community, Post Office Box 142, Metlakatla, Alaska.

A. Supersweet Feeds, Division of International Milling Co., 1200 Investors Building, Minneapolis, Minn.

A. Richard E. Vernor, 213 Slade Run Drive, Falls Church, Va.
B. Known heirs of Levi B. Gritts.

A. T. M. Walters, 400 First Street, Washington, D.C.
B. Order of Railway Conductors & Brakeman, O.R.C. & B. Building, Cedar Rapids, Iowa.

A. F. S. Wardwell, 130 Holmes Avenue, Darien, Conn.
B. Pitney-Bawes, Inc., Stamford, Conn.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

# HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 10, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Colossians 3: 15: *Let the peace of God rule in your hearts.*

Almighty God, constrained by divine love, we are approaching Thy throne of grace and mercy where none has ever been repelled or sent away empty hearted.

Inspire us, during this year, with the rapture of the upward look and the joy of seeing our highest aspirations brought to fulfillment and fruition.

May we feel the thrill and throb of lofty promises and purposes as we daily confront unknown events and unforeseen experiences.

Show us how to cultivate our faculties of confidence and courage, of effort and enthusiasm and at the close of each day may we merit and receive the blessings of Thy praise and peace.

Hear us in Christ's name. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 9, 1963.

The Honorable the SPEAKER,
*House of Representatives.*

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 4:21 p.m. on January 9, 1963, and said to contain a message from the President accompanied by copies of trade agreements negotiated with the United Kingdom and Japan.

Respectfully yours,
RALPH R. ROBERTS,
*Clerk, U.S. House of Representatives.*

## TRADE AGREEMENTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 34)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith to the Congress copies of a trade agreement negotiated with the United Kingdom to compensate for the increased import duties placed on certain carpets and glass in an escape clause action which affected concessions previously granted by the United States on these products. I am also transmitting an agreement negotiated with Japan to correct the inadvertent omission of part of one concession previously negotiated. The agreement with the United Kingdom was signed on behalf of the United States on December 10, 1962, and that with Japan on December 18, 1962.

The agreements are submitted in accordance with section 4(a) of the Trade Agreements Extension Act of 1951 which requires that the President report to the Congress his reason for breaching any peril point findings of the Tariff Commission. Annex A, attached to this message, lists those instances in which I decided to accord tariff concessions at levels below those found by the Tariff Commission, together with reasons for my decision.

In the agreement with the United Kingdom, the United States granted tariff concessions to compensate for the increases in United States tariffs on certain carpets and glass. The action to increase the carpets and glass tariffs was taken under section 7 (the escape clause) of the Trade Agreements Extension Act of 1951. Under the commitments in the General Agreement on Tariffs and Trade the United States is obligated to consult with contracting parties adversely affected by the escape clause action and to accord compensation for impairment of such country's trade as a result of the action.

The consultations with the United Kingdom began shortly after the United States had completed large-scale, multilateral negotiations in the 1960–61 tariff conference, in which it had nearly exhausted the authority for reducing tariffs contained in the Trade Agreements Extension Act of 1958 on the products on which public notice had been issued, except for a number of products on which the Tariff Commission had found that rates could not be reduced without in its judgment causing or threatening serious injury to the domestic industry concerned. These consultations began against the background of unsatisfactory consultations concerning the carpets and glass action with the European Economic Community which decided to make compensatory withdrawal of concessions against imports from the United States rather than to continue negotiations to obtain new compensatory concessions from the United States.

An agreement with the United Kingdom is clearly desirable not only to sustain our record as a country recognizing its obligations but also to avoid a possible "snowballing" of withdrawal actions.

The only feasible way that agreement could be achieved within the framework of authority existing at the time consultations were held was by granting concessions below the peril point levels found by the Tariff Commission.

As explained in my message of March 7, 1962, the Tariff Commission in preparation for the 1960–61 tariff conference was required to make hurried predictions as to future market conditions for thousands of individual articles. This necessarily resulted in the establishment of peril points at the existing tariff level, for a large number of products.

In preparation for the compensatory negotiations with the United Kingdom, the agencies concerned examined with care these earlier findings of the Tariff Commission on products of interest to that country to determine whether there then appeared to be valid reasons for excluding all of these products from negotiations or whether in fact some could be offered as concessions to compensate the United Kingdom without threatening serious injury to the domestic industry. In selecting products as possible offers, two main criteria were used: their value in reaching settlement with the United Kingdom and the extent of competitive adjustment likely to be placed on American industry by tariff reductions. In applying the second of these criteria, the interdepartmental organization determined that the items selected all met one or more of the following conditions: they are not produced in the United States or are not produced in significant quantity; the ratio of imports to domestic production is small; imports in recent years have declined, have been stable or have increased very slightly; they consist of raw or semifinished materials required for United States industries or a reduction in the rate of duty could be expected to have relatively little effect on imports.

In the agreement with Japan, the United States corrected an error consisting of the omission of a part of a concession it had agreed to grant Japan in the 1960–61 tariff conference but which it had inadvertently failed to include in either the relevant preliminary agreements with Japan or the United States schedule to the tariff conference protocol. It was necessary either to correct this error by including the concession, which involved breaching a peril point finding of the Tariff Commission, or granting Japan another concession of equivalent value. The latter course would have complicated already difficult negotiations in progress concerning compensation for increased United States tariffs on carpets and glass. It was the opinion of the interdepartmental trade agreements organization that the concession was justified on economic grounds since United States imports of the item in question (discharge lamps) are less than ½ percent of domestic production and imports have declined while consumption is increasing.

Both agreements were entered into pursuant to section 257(c) of the Trade Expansion Act which extends until December 31, 1962, the period for concluding, under section 350 of the Tariff Act of 1930, trade agreements based on public notices issued in connection with the 1960–61 tariff conference.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 9, 1963.*

### PRIVILEGES OF THE FLOOR DURING JOINT SESSION TO HEAR ADDRESS BY THE PRESIDENT

The SPEAKER. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that on Monday, January 14, 1963, the date set for the joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open. No one will be allowed on the floor of the House who does not have the privileges of the floor of the House.

### APPOINTMENT OF MEMBERS TO HOUSE OFFICE BUILDING COMMISSION

The SPEAKER. Pursuant to the provisions of 40 United States Code 175 and 176, the Chair appoints the gentleman from Georgia, Mr. VINSON, and the gentleman from New Jersey, Mr. AUCHINCLOSS, as members of the House Office Building Commission to serve with himself.

### ANNOUNCEMENT OF DEMOCRATIC CAUCUS AT 10 A.M. MONDAY, JANUARY 14

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise Democratic members that a caucus of Democratic Members of the House of Representatives is called to meet in the Hall of the House on Monday, January 14, 1963, at 10 a.m. for the purpose of nominating two members of the Committee on Ways and Means.

### ADJOURNMENT OVER TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HALLECK. Mr. Speaker, reserving the right to object—and I shall not object—because this matter has been cleared with me, I wonder if the gentleman can tell us anything first as to the program for next week and, second, when we on the minority side having in mind such matters as representation on the Committee on Rules, the Committee on Ways and Means, the Committee on Appropriations, and the Committee on House Administration, and so forth, when our holdover members of those committees might be submitted to the House for approval.

Mr. ALBERT. I would advise the gentleman from Indiana that there is no problem as to that being done next week.

Mr. HALLECK. That is, in the forepart of next week?

Mr. ALBERT. I would think so.

Mr. HALLECK. In respect to the program for next week, I take it that that is probably getting underway?

Mr. ALBERT. The President's message will be the major program next week. We hope to proceed with the general legislative program as quickly as possible.

Mr. HALLECK. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

### PERSONAL ANNOUNCEMENT

Mr. WHITE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, I wish to state that my vote on the enlargement of the House Committee on Rules would have been "yea" at the time of the rollcall yesterday had I been able to vote. But, unfortunately, I was called away from the floor of the House between rollcalls due to the illness of my wife and was unable to return to the floor in time to have my affirmative vote recorded.

### APPLICATION OF EFFECTIVE, REASONABLE, AND FAIR PRODUCTIVITY STANDARDS WHEREVER PRACTICABLE THROUGHOUT THE FEDERAL GOVERNMENT

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, although we are a new Congress, we bring with us problems which our people already face. I am confident that under the present administration and the leadership of this Congress 2 years from now we will be able to look back with justifiable pride on the record of the 88th Congress toward alleviating some of these problems.

One of the most vexing problems we must consider during this Congress is the continuation of a disturbingly high rate of unemployment. Five or six percent unemployed may not sound important to some but it is critically important to those families without income; and unemployment is critically important to the economic health of the entire Nation.

We must find further ways to accelerate the economic growth and progress of America and we must find ways to better utilize the precious man-hours of work being wasted, unrecoverable, each day that a man or woman who wants to work cannot find a job. Full employment must be a full partner of democratic government and we of the Congress must carry a large share of responsibility to make this partnership a reality.

The 88th Congress will consider, I believe, a number of proposals intended to stimulate the economy of our country and offer full opportunities for jobs for all our people. None of these proposals can be more important than effective relief from the tax burden of families who depend principally on wages and salaries for their livelihood. One of the most important criteria for effective tax relief is to give relief where the dollars saved from taxes will be used immediately for the needs of the families earning them.

Mr. Speaker, I am offering for the consideration of the House of Representatives today a bill which would increase the personal income tax exemption for individuals from $600 to $800 per year. The Joint Committee on Internal Revenue estimates this proposal, if enacted into law, would provide a saving of approximately $6 billion to our Nation's taxpayers. The largest part of this $6 billion would be immediately directed into the retail trade of this country and can thereby furnish a genuine stimulus to the economy.

Each of us, however, Mr. Speaker, knows that responsible representation demands that we find further effective ways of reducing the administrative costs of our National Government at the same time we are seriously considering tax reductions to stimulate the economy. Each of us wants a full dollar's worth of good service and good government out of every tax dollar we pay and we may be sure that the taxpayers we represent feel the same way.

Last summer the Subcommittee on Government Activities of the House Government Operations Committee initiated a series of hearings to point up ways that some Federal agencies might make new efforts to encourage greater economy and more efficient service for our people. These hearings will continue and full reports are being submitted for more detailed consideration.

It is clearly apparent from these hearings thus far, Mr. Speaker, that significant steps can be taken at this time and without further study to save many millions of dollars in tax funds by the agencies of our National Government. One of the most significant steps would be the increased development and use of work productivity standards in every Federal activity in which such standards can be practically applied.

Each individual worker, union member or not, must meet every day his work standards of productivity and competence. Each supervisor and executive must answer for his work. Each competitive business can succeed or fail depending on its productivity reflected continually by a profit and loss statement.

There is no profit and loss measure of productivity in Government. Democratic government is a service, but the citizens who pay taxes and receive service are certainly entitled to ask that employees of Government meet similar standards of productivity that the citizens themselves meet in earning their living.

The President, the Bureau of the Budget and the Civil Service Commission have already voiced their support for more economical and more efficient service to our people from Federal agencies. At this time the Bureau is conducing a pilot project on productivity standards. Some agencies—notably the Social Security Administration and the Veterans' Administration—have been using productivity standards on a limited basis for some time.

Mr. Speaker, it seems entirely appropriate that the Congress take united and specific action in supporting the President and further encouraging the agencies of the executive branch of our Federal Government to develop and apply at the earliest possible time effective, reasonable, and fair productivity standards throughout the Federal Government.

Not only will such standards result in cash savings in the operation of the Federal Government, but such standards can be made available to State and local governments for cash tax savings on these levels of taxation. There is no reason why the Federal Government cannot be the model of economy and efficient service for the entire Nation and I believe standards of productivity can be a most important step toward this goal.

In order to express the sense of Congress in support of more efficient service, Mr. Speaker, I am introducing for the consideration of the Congress a concurrent resolution calling for the application of effective, reasonable, and fair productivity standards wherever practical throughout the Federal Government.

The resolution reads:

> Whereas provision for adequate defense of the Nation and other essential governmental services to the public may continue to be a heavy burden on the taxpaying citizens; and
>
> Whereas in free, competitive enterprise the individual worker, supervisor, executive, and the business with which they are employed must maintain a high standard of productivity to compete successfully; and
>
> Whereas the taxpaying citizen can rightfully expect an equally high standard of productivity, economy, and efficiency in all Government operations as the taxpayer himself is required to meet in his own work: Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress:
>
> That efforts of the Executive to increase Government economy and efficient service to the public through the development and use of effective, reasonable, and fair productivity standards should be maintained and that such standards be extended and applied to as many Federal activities as may be practicable.

## HON. ERNESTO RAMOS ANTONINI

Mr. FERNÓS-ISERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. FERNÓS-ISERN. Mr. Speaker, the Commonwealth of Puerto Rico is mourning the death of its very able speaker of the Puerto Rico House of Representatives, the late Ernesto Ramos Antonini, who departed from us suddenly yesterday afternoon.

His passing leaves a great void that will be most difficult to fill, for he was a noble patriot, a formidable leader, and one of the most eloquent orators that Puerto Rico ever produced. With his boundless energy and brilliant mind, Mr. Ramos Antonini was a devoted and effective public servant, and a firm believer in the people and in democracy. He was my friend, a fine person, and a courageous crusader for what he believed was right.

Mr. Ramos Antonini served the people of Puerto Rico with dedication and eminent distinction, having been elected to the house of representatives in 1932 and having served continuously since 1940, during which time he served ably as majority leader and as the speaker. He held the latter post from 1948 to the present time. In addition, he was a member of the Constitutional Convention of Puerto Rico 1951–52, where his contributions as chairman of the committee in charge of the judiciary provisions of the Constitution of the Commonwealth of Puerto Rico will always stand as his monument.

While his strong and persuasive voice has been stilled, the spirit of Ernesto Ramos Antonini will live on in Puerto Rico, and his example through a critical period in our development will continue to inspire the Puerto Rican people toward ever greater achievement in the principles of economic and political advancement within the democratic system.

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I am saddened to learn of the passing of Ernesto Ramos Antonini, the late speaker of the House of Representatives of the Commonwealth of Puerto Rico, and I want to join my colleague, the distinguished Resident Commissioner from the Commonwealth of Puerto Rico, the Honorable ANTONIO FERNÓS-ISERN, in paying tribute to the late Ernesto Ramos Antonini. He was a great speaker and a brilliant leader who made a major contribution to the remarkable development of the island. Puerto Rico has sustained a great loss, and I extend my deep sympathy to the family of the late speaker and the people of Puerto Rico.

## TAX REDUCTION AND TAX REFORM

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, one of the major problems facing the Nation and the Congress is the state of the economy and the relation of taxation to our economic growth. The President plans to send to Congress a program of tax reduction and tax reform. There is widespread agreement that some form of tax reduction is vitally necessary. There is also general agreement that tax reform is long overdue. Within this area of agreement, however, there are different views as to what kind of tax cut and reforms are best suited to aid the economy.

I have introduced a bill which provides for the kind of tax relief which not only will have immediate effects on our economy, but will also be equitable. This proposal should be incorporated in the general program of tax relief and tax reform.

My bill would increase the personal income tax exemption from the present $600 to $1,000, effective January 1, 1963. I propose this increase for two interrelated reasons. First, $600 is inadequate in terms of today's cost of living. Second, the increase in personal income tax exemption will provide a much needed stimulus to the economy.

The exemption has been at $600 since 1948. Since 1948 the overall cost of living index has increased 26.5 percent. The price of food has risen 17 percent; rent has increased 44 percent; gas and electricity 26 percent; transportation 48 percent; and the cost of medical care is 63 percent more than it was in 1948. In spite of the substantial increase in these necessary expenses the personal income tax exemption has remained at $600.

An increase in the personal income tax exemption will increase consumer purchasing power by putting more money into the hands of those who need it most. This is a measure to provide tax relief for the low and moderate income groups which will benefit the most.

The $400 difference in exemption will give greater tax relief proportionately to a low income taxpayer than to a high income taxpayer. For example, suppose taxpayer A has a taxable income of $1,000 and taxpayer B has a taxable income of $50,000. A is taxed at a rate of 20 percent, B at a rate of 72 percent—assuming neither A nor B has dependents—an increase in the exemption from $600 to $1,000 will save A $80 or 40 percent of his tax. It will save B $288 or 1 percent of his tax.

Tax relief for low and moderate income taxpayers is needed to stimulate the economy. Business expansion and investment will follow increased consumer demand. Maximum impact from tax reduction occurs in the lower income brackets where the marginal propensity to consume is close to 100 percent. If, as some economists have estimated, gross national product is falling short of reasonably full employment by about $30 to $40 billion, then a tax cut of perhaps $10 billion concentrated in the lower brackets might well increase gross national product by $25 to $30 billion through the multiplier effects of repeated respending.

I urge my colleagues to support this bill and hope that the administration will include an increase in personal income tax exemptions as part of the overall tax program for this year.

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## SOUTH GATE CITY COUNCIL, SOUTH GATE KIWANIS CLUB, SOUTH GATE REPUBLICAN WOMEN'S CLUB SUPPORT HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES AND SENATE INTERNAL SECURITY SUBCOMMITTEE

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, since on yesterday the distinguished gentleman from California [Mr. ROOSEVELT] announced to the House that there were a number of the Members of the House who had planned to offer an amendment to the House rules that would undertake to transfer the jurisdiction of the House Un-American Activities Committee to the Committee on the Judiciary, but that on account of the parliamentary situation then existing, their resolution for this purpose would be presented to the House Rules Committee at an early date and that the chairman of the House Committee on Un-American Activities, the distinguished gentleman from Pennsylvania [Mr. WALTER], had already agreed with him that he would join in the request of the group that their resolution be heard by the Rules Committee, I think it appropriate at this time to present to the House three of the many communications which I have recently received on the announced intention of the Communist Party to undertake to have congressional support sufficient in this session of Congress to abolish the House Committee on Un-American Activities of which I have been a member now for about 15 years, upon which committee I accepted member appointment at the request of the distinguished then Speaker of the House, the Honorable Sam Rayburn, and his Democrat associates in the House at that time.

So I am proud, Mr. Speaker, to present the resolution by the Kiwanis Club of the city of South Gate adopted January 3, 1963, which city, by the way, is the city of my residence. Said resolution speaks for itself.

Mr. Speaker, I also am proud to present the resolution by the City Council of the City of South Gate adopted on December 17, 1962.

Furthermore, Mr. Speaker, I am proud to present the resolution by the South Gate Republican Women's Club Federated of the city of South Gate dated December 17, 1962.

Mr. Speaker, granting that according to the announced statement by the distinguished gentleman from California [Mr. ROOSEVELT] that the purport of his proposed resolution be heard before the Rules Committee may only go to the point and extent of asking transfer of the present work and jurisdiction of the House Committee on Un-American Activities, I wish to make it crystal clear that Committee Chairman WALTER has made it clear that while he felt it appropriate to cooperate to the end that the announced resolution should have its hearing before the Rules Committee, he was and is opposed to the purpose of the Roosevelt-and-associates resolution.

The second thing I wish to make crystal clear at this date, is that I believe the incontrovertible evidence shows that for several years last past, the Communist Party in the United States and many of its avowed followers have sponsored and financed and tirelessly worked throughout our Nation to their purpose and determination to abolish or destroy the effectiveness of the House Committee on Un-American Activities. Communications received by myself and those received by many Members of this House in the last 30 days are concrete evidence of this fact together with other evident activity by persons in Washington lobbying for the abolition of the House committee since the opening of this 88th Congress. I have heard say, that these Communists and their followers have concluded that for the present, they would again prove unsuccessful and fail in their longtime-standing intention to have the committee abolished.

Mr. Speaker, having been asked by a number of my colleagues in this great legislative body as to my position on the proposed move to transfer the duties and jurisdiction of the present House Committee on Un-American Activities to the House Judiciary Committee, I wish to publicly state that I am dead sure that the Communists, having again failed to gain sufficient support in Congress to abolish the House committee, will no doubt dance in glee at any action whatsoever in the U.S. Congress through any of its Members, or any of its committees, which will in any way discredit the House Committee on Un-American Activities and its work of many years duration, or which will lessen the extent of or emphasis upon the work which has been and is presently being effectively accomplished by the House committee and its able staff. However, under the circumstances, I think it is well that the basic issue involved in the Roosevelt and associates resolution to be submitted to the House Rules Committee be fully discussed.

Mr. Speaker, in closing these remarks, I wish to call the attention of your own distinguished self and other Members of this body, to the fact that on January 9 I filed H.R. 475 which is a bill designed to amend the Subversive Activities Control Act of 1950 so as to provide penalties for becoming or remaining a member of Communist-action or Communist-front organizations, and further advise you that this bill was referred by the distinguished Speaker to the Committee on Un-American Activities. The ultimate purpose of this bill, therefore, is to outlaw the Communist Party in the United States, Mr. Speaker, since the Supreme

**Court has over a year ago declared that the Communist Party of the United States is and always has been part of an international controversy emanating from a foreign soil. I think there is no question but that the Congress has the legal right and duty to outlaw such conspiracy. This is the intent of my bill and I will have more to say about it shortly.**

RESOLUTION OF THE KIWANIS CLUB OF SOUTH GATE, CALIF.

Whereas the House Committee on Un-American Activities and the Senate Internal Security Subcommittee have been heretofore established by the Congress and Senate of the United States for the purpose of protecting our national security against the threat of communism; and

Whereas since their inception said committees have worked tirelessly to discover and destroy subversive elements in our Government; and

Whereas it appears that certain attempts are being made to discredit and destroy these committees: Now, therefore, the Kiwanis Club of South Gate, Calif., does hereby resolve, declare, determine, and find as follows:

1. The Kiwanis Club of South Gate, Calif., does hereby declare its support of said committees and does hereby request the Members of the Congress and Senate to support the continuance of such committees and to urge them to continue their vital activities.

Passed, approved, and adopted this 3d day of January 1963.

LEONARD H. WOODARD,
*President.*

RESOLUTION 2533 OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIF.

Whereas the House Committee on Un-American Activities and the Senate Internal Security Subcommittee have been heretofore established by the Congress and Senate of the United States for the purpose of protecting our national security against the threat of communism; and

Whereas since their inception said committees have worked tirelessly to discover and destroy subversive elements in our Government; and

Whereas it appears that certain attempts are being made to discredit and destroy these committees: Now, therefore, the City Council of the City of South Gate, Calif., does hereby resolve, declare, determine, and find as follows:

SECTION 1. The City Council of the City of South Gate, Calif., does hereby declare its support of said committees and does hereby request the Members of the Congress and Senate to support the continuance of such committees and to urge them to continue their vital activities.

SEC. 2. That the city clerk shall certify to the passage and adoption of this resolution; shall cause the same to be entered in the book of original resolutions of said city; shall make a minute of the passage and adoption thereof in the records of the proceedings of the city council meeting at which the same is passed and adopted; and shall forward certified copies thereof to the city's representatives in the Federal and State Legislatures, League of California Cities, and to Mr. Floyd Wakefield, chairman, Americanism for South Gate Committee.

Passed, approved, and adopted this 17th day of December 1962.

LELAND R. WEAVER,
*Mayor of the City of South Gate, Calif.*

Attest:

DOROTHY MCGAFFEY,
*City Clerk of the City of South Gate, Calif.*

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES,
CITY OF SOUTH GATE.

I, Dorothy McGaffey, city clerk of the city of South Gate, Calif., do hereby certify that the whole number of members of the city council of said city is five; that the foregoing resolution being Resolution 2533, was duly passed and adopted by the said city council, approved and signed by the mayor of said city, and attested by the city clerk of said city, all at an adjourned regular meeting of the said council held on the 17th day of December 1962 and that the same was so passed and adopted by the following vote:

Ayes: Councilmen Dellmann, Sawyer, Hardy, Henville, Weaver.

Noes: Councilmen, none.

Absent: Councilmen, none.

Not voting: Councilmen, none.

Witness my hand and the seal of said city this 17th day of December 1962.

DOROTHY MCGAFFEY,
*City Clerk of the City of South Gate, Calif.*

I, Dorothy McGaffey, city clerk of the city of South Gate, Calif., do hereby certify that the foregoing is a full, true, and correct copy of original Resolution 2533 on file in my office. Dated this 28th day of December 1962.

[SEAL] DOROTHY MCGAFFEY,
*City Clerk of the City of South Gate, Calif.*

RESOLUTION OF SOUTH GATE REPUBLICAN WOMEN'S CLUB FEDERATED

To the Honorable CLYDE DOYLE:

Whereas a report read before the South Gate Republican Women's Club Federated on December 14, 1962, which stated that the Communist Party, U.S.A., acting on orders from Moscow, have intensified their efforts to abolish the House Committee on Un-American Activities and the Senate Internal Security Subcommittee, when Congress convenes in January 1963; and

Whereas the Communist Party, U.S.A., has been declared subversive by the Supreme Court, and is a threat to the security and welfare of this great Nation: Be it therefore

*Resolved,* That the South Gate Republican Women's Club Federated believes in order to keep America a free nation, under God, it is our duty to urge the Congress of the United States to support the House Committee on Un-American Activities and the Senate Internal Security Subcommittee; and be it further

*Resolved,* That a copy of this resolution be sent to the Congress of the United States; and be it finally

*Resolved,* That we remind the Congress of the United States of their duty to uphold and preserve the Constitution of the United States, and to keep in trust our American heritage which was bought with blood, sweat, and tears, by men who were willing to give their lives and fortunes that America would forever remain free under God.

GLADYS G. BLONDIN,
*President.*
VIRGINIA L. BLACK,
*Secretary.*

## TIMING OF WORK PERFORMANCE OF POSTAL EMPLOYEES

**Mr. DULSKI.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. DULSKI.** Mr. Speaker, in its December 14, 1962, publication "Washington Report," the National Postal Union expressed very adequately the feeling of nearly every postal employee with respect to the guidelines distribution system. The article follows:

CHRISTMAS AND "GUIDELINES"

As the Nation's half-million postal workers struggle with the largest volume of mail in history, postal patrons in the 200 largest cities should know delivery of their mail is being slowed by an extravagant, wasteful personnel procedure titled "Guidelines." Through this time wasting operation, postal officials believe they can achieve efficiency and increased productivity. However, under this program emphasis is placed on counting and weighing the mail rather than delivering same.

MEASUREMENT SYSTEMS TO OTHER AGENCIES

According to Washington Daily News Columnist John Cramer, the Bureau of the Budget has launched a new project to measure Federal employee productivity. Cramer reported "five agencies—Treasury, Federal Aviation, Interior, Veterans' Administration, and Post Office—have been designated to cooperate with Budget in the project. With Budget assistance, each will attempt to develop productivity measurement systems suitable to its own programs. This is to be completed no later than March 31."

The Bureau of the Budget has been fully aware of the Post Office Department's work measurement system from its inception during the early part of 1959. As a matter of fact, Budget, on several occasions, was asked by the House Subcommittee on Appropriations for Post Office and Treasury, to submit an opinion on the benefits of work measurement system. Budget recommended continuation of the program with less emphasis on the paper work involved.

WORK MEASUREMENT SYSTEM LOCAL SURVEY NO IMPROVEMENT

When the new postal administration took office during January 1961, employee union leaders were promised individual local surveys of all offices using work measurement systems or guidelines with a view to developing "proper and accurate standards acceptable to management and employees." A thorough and objective job was promised even though it might take some 30 months to complete.

The effect of such surveys in several local offices are now evident. For instance, in Baltimore, Md., where the previous unscientific standard, requiring distribution of four trays of mail in the incoming section an hour had provoked considerable criticism, the new standard set by the survey team is five trays of mail per hour. The installation of new standards at Milwaukee, Wis., elicited the following remark from President Jerry Krajewski, hard-hitting leader of the Milwaukee Postal Union:

"It is evident that the whole program will result in a system that is equally as bad or worse than the one it replaces. The survey, as we see it, spent a great deal of time and labor to meticulously record all sorts of allied labor, accurately or otherwise, with the impression that it would benefit the distribution clerk. In actual practice, the beneficiary happens to be management itself as it can now take credit for so-called allied labor associated with production."

CONGRESSIONAL SUPPORT ESSENTIAL

National Postal Union resident officers have been mandated to seek elimination of "guidelines" as the paramount issue during the next session of Congress. State, area and local unions are again requested to make personal contacts with their Congressmen and Senators to acquaint them with the facts on work measurement system. The 88th Congress will reconvene on January 9,

1963. It is essential that Members of Congress fully understand this costly procedure and the need for early action to eliminate same.

I am today introducing a bill which will prevent the use of stopwatches or any other system designed to time or measure the work performance of a postal employee. As a member of the Post Office and Civil Service Committee, and who is concerned about practices such as this within the framework of our Government, it is my every hope and wish that legislation to eradicate this system will be given an early hearing so that an obnoxious practice such as this will be abolished completely.

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## THE STRIKE IN THE MARITIME INDUSTRY

**Mr. BONNER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

**Mr. BONNER.** Mr. Speaker, it is with profound regret that I rise for the first time in this Congress to call the attention of my colleagues to the disastrous labor-management relations in the maritime industry which presently create a 17-day-old strike—as of Wednesday, January 9, 1963—on our waterfront from Maine to Texas. As chairman of the Merchant Marine and Fisheries Committee, I and my colleagues have looked into labor-management relations in this industry several years ago, and recently again last year. On the most recent occasion, the Secretary of Labor, appearing before us, pointed out that of the 19 times the emergency provisions of the Taft-Hartley law had been used, 7 involved the shipping industry; 4 of these involved east coast longshoremen and 3 strikes by seagoing unions.

It is becoming more and more obvious to me that while our committee calls upon Congress to enact legislation for the salutary effect of creating a more healthy, modern American merchant marine, much of these efforts will remain in a vacuum unless the basic labor problems of this industry are reasonably and promptly resolved. Work stoppages, in addition to weakening investor confidence in the private maritime industry, are clearly contrary to our national interest at this vital time in our country's history.

Americans have reached a pathetic stage in their development when union leaders are unresponsive to requests by the President for work continuation in hopes that a solution to particular negotiations can be found.

A work stoppage across more than half the sea coast flies in the face of our commitments abroad, our modernized trade policy, and accentuates our balance-of-payments problems which are threatening the very sanctity of the dollar. With a crying need for our country to become more competitive in world trade, it is impossible that labor leaders should make such demands as to raise the prices of American commodities abroad to the stage where we are made far less, rather than more competitive in free world markets.

This situation cannot be allowed to continue. I am persuaded that the problem now is ours of the Congress. We must promptly, in the public interest, provide the authority to the administration to prevent labor-management disturbances grievously affecting our shipping and foreign commerce.

Mr. Speaker, a statement by Lawrence C. Gayle, director of labor relations of the New Orleans Shipping Association, and an advertisement of Friday, January 4, of the New York Shipping Association which detail the facts involved in the current longshore strike and emphasizes some of its implications, follow:

### STATEMENT BY LAWRENCE C. GAYLE

I am sure that all of you are aware of the contract negotiations taking place since midsummer between the New Orleans Steamship Association and International Longshoremen's Association.

You've undoubtedly read how the two factions were unable to reach an agreement on a new contract by the September 30 deadline. You may have been affected by the strike which followed. And so, you were probably relieved when the President invoked the Taft-Hartley law, feeling that this would solve the problem.

Now, you undoubtedly have the same question in your mind as the little boy who was standing near a gold course one day, watching a duffer try to get out of a sand tray. The duffer had flailed away at the sand for a full 5 minutes. He had showered the green with sand—but to no avail.

Finally, the little boy turned to his mother who was watching with him, and tugged at her hand.

"Mommy," he said, "hasn't he killed it yet?"

The answer to the question then is no, we haven't killed our problem, we're not out of the trap. Since August 9, when the first meeting was held, we've swung hard at the ball. But the ball—the problem—is still buried deep in the trap. We've strewn a lot of sand. But we're not yet on the green.

And, unless labor leadership faces up to economic reality, it's going to be a long time before we get on the green, with a mutually agreeable contract.

Briefly, I want to tell you where we've been and where we stand now. If my crystal ball were in good working order, I might be able to tell you where we're going. But right now, that crystal ball is cloudy. It's cloudy because labor has shown no inclination—from the very first day contract negotiations began—to remove the clouds.

The parties agreed to their first meeting on August 9, at which time the unions had indicated they would present their demands. But these demands were not presented, as had been promised.

All we heard was much speech making. But no demands. As the meeting was concluding, I expressed management's grave concern and disappointment over this development. Further, I urged the unions to submit their demands quickly, in order that a new contract could be completed before the September 30 deadline.

The union proposal was finally submitted on August 17. After careful consideration, members of the Steamship Association concluded that the demands were entirely impractical, both from economic and operational standpoints of the industry. In a moment I'll tell you why.

But we wanted the unions to begin bargaining. We therefore submitted a counterproposal on August 29, just 12 days after the union demands were made. We offered them a 27 cents per man-hour money package, to be spread over a 3-year period. I'll show you, in a moment, why this is a reasonable, realistic offer.

The unions delayed 3 weeks before requesting further clarification on this relatively simple management proposal. We immediately provided this clarification on September 20.

At the next meeting on September 27 the unions rejected the association's proposal. Further, they refused to bargain on any points or to withdraw or modify any of their own demands. We left the door open for them to come back with another proposal. It has never been received.

The unions struck on October 1 and ended their walkout 5 days later with the invocation of the Taft-Hartley law. Following this, the union took no steps to begin bargaining. And so the Steamship Association tried again. We filed charges with the National Labor Relations Board on November 1 against the ILA locals for refusing to bargain. These charges were filed because it had now become apparent that the local certified union representatives had no intention of bargaining on a local basis. Their efforts were being directly controlled by the international in New York and they had no intention of trying to work out a New Orleans agreement, unless permitted to do so by their New York officers. But, under the law, they are required to bargain locally.

Following the filing of these charges, the unions agreed to meet. The first meeting was held on November 14 with the assistant to the Director of the Federal Mediation and Conciliation Service, Mr. S. I. Schlossberg, in attendance. After this meeting, Mr. Schlossberg urged the asseociation to withdraw the NLRB charges on the grounds that, in his opinion, the action would help assure genuine bargaining. The association withdrew its charges without prejudice.

On November 16 the parties met and agreed to review the expired agreement, to determine the points which were mutually agreeable or controversial. Following this, a second meeting was set by the Mediation Service for November 26. But this was postponed until November 30 at the request of the unions to accommodate other commitments on the part of the union representatives.

At the November 30 meeting, the parties continued to review the contract. But the story was the same. The union refused to bargain on any major operational matters, scorned the association's offer, and instead adopted a frivolous attitude toward the entire problem.

As you know, under the Taft-Hartley law, management is required to submit a last offer to the unions by the 60th day of the 80-day cooling-off period. This offer is then voted on by the entire union membership in an election under the NLRB supervision.

The 60th day would have been December 3. But at the meeting on November 30, it became readily apparent that the attitude of the union delegates was unchanged. There was absolutely no willingness to work toward a mutually satisfactory agreement. And so we submitted our last offer at this meeting—3 days ahead of time.

I apologize if I have been tedious in recounting these events, but I felt it would impart to you a better feeling of the atmosphere in which these negotiations have been conducted.

Now where do we stand at the present time?

The last offer by the association has been made. Both Alfred Chittenden and Clarence Henry, the presidents of the ILA locals, have said already that they will recommend to their membership that this offer be refused.

The vote on this offer is scheduled for next Monday and Tuesday—December 17 and 18. If it is either accepted or rejected, we have 5 days left to reach an agreement before the Federal injunction expires. If an agreement is not reached by midnight, December 23, then the union has two choices. It can continue to work under the old contract, while the parties endeavor to hammer out a new one, or, it can go out on strike again.

And this time, the President cannot resort to the injunctive powers of the Taft-Hartley law again. Under that law, this power is available once—and once only. If the union strikes on December 23, it would bring on a national calamity as the wheels of the country's ports on the Atlantic and gulf coasts come to a stop, with the resulting effect on U.S. foreign commerce.

Unions, sooner or later, must face the reality that management has faced. This industry, like many others, is facing the crisis brought on by steadily rising wage costs without a corresponding increase in productivity or income.

Now, we have reached the point where we can no longer afford exorbitant wage increases. And realistically, you people in the audience—and the businesses and companies you represent—can't afford them either.

I must emphasize here that it's not only the future of the steamship industry that's at stake in these present negotiations, it's yours, too. For any extraordinary increase in the cost of oceangoing commerce has a direct effect on 50 to 70 percent of businesses and industries in this area and an indirect effect on every one of them.

The reasons are many and complex. To try and explain all of them would tax your time and patience. But just think for a moment. Exorbitant increases in wages mean exorbitant increases in costs of operations. If the steamship industry retreats from its present stand, and grants labor's exorbitant demands, then sooner or later, the industry will have to seek increased freight rates or face financial collapse.

Did I hear a moan from the freight forwarders when I mentioned increased rates? Gentlemen, I assure you there is no alternative if we retreat.

Did I hear an anguished cry from the manufacturer struggling to compete for oversea markets? I know that steadily rising labor costs have already forced the prices of your products up. In some cases, industries in this country have all but priced themselves out of foreign markets because of this. Increased freight rates would only make it more impossible for you to compete overseas.

And so, your industry becomes limited to the U.S. market only. But you find the demand isn't there. And your only alternative is to reduce production. Others do the same. Thus, the economic ball starts rolling down the hill, faster and faster, gathering momentum until it spins toward economic chaos.

Do I present a bleak picture? I intended to, for it's just that bleak. But, you ask, How exorbitant are union demands? Perhaps you're magnifying them.

Well let me warn you first not to misinterpret what I'm going to tell you.

Actually, we don't know, positively, how exorbitant they really are. We've tried vainly since they were first made on August 17 to compute them accurately. But some of them are so wild that we can't put a price on them without operating experience.

But, based on the best costs we can arrive at which can be computed, we estimate that—if granted—they would amount to an increase of a minimum of 150 percent in labor costs over presently existing ones.

To illustrate, the industry paid dockworkers in New Orleans approximately $30 million in wages and fringe benefits last year. Based on union demands, the industry would have to increase this payroll by a minimum of $45 million annually.

That would bring dockwork labor costs in the port of New Orleans to at least $75 million annually and that doesn't count the cost of insurance and taxes that also have to be paid.

The industry cannot afford this. It would cause the economic collapse of every company. That's why I told you before—and I say again—the future of this industry is at stake in these present negotiations, and the economic future of this country in foreign trade is at stake as well.

In essence, the union demands would—

1. Impose extraordinary cost increases that are neither justified nor reasonable.
2. Lead to increased featherbedding in the handling of cargo.
3. Impose more bonds on management's fundamental right to utilize manpower most efficiently, thus causing rapid declines in productivity.
4. Assess outlandish penalties on management efforts to improve service through use of modern methods of handling cargo.
5. Expand pension, welfare, vacation, and paid holiday plans beyond all reason.

Let me take one of the demands to illustrate what effect it would have on costs—the union demand for 8 hours' pay for 6 hours' work. (Incidentally, this demand didn't say "8 hours' pay for 6 hours' work" at the current New Orleans rate of $2.96 per hour or $23.68 per day. They ask for $24.16 per day—the rate paid in the North Atlantic ports. Remember, I mentioned that influence earlier.)

Nevertheless, comparing the union's demands with existing basic rates, the costs would look like this:

| | Present rate per hour (including fringe) | Union demand per hour (including fringe) | Increase per hour (including fringe) |
|---|---|---|---|
| Basic time | $3.44 | $4.51 | $1.07 |
| Time and a half | 4.92 | 6.53 | 1.61 |
| Double time | 6.40 | 8.56 | 2.16 |

This, in itself, is substantial. But, because of one of the peculiarities of our industry, it's far more damaging than this would appear.

As you know, we require 24-hour-per-day cargo handling operations. Usually, you think of time and a half or overtime being paid after an individual has worked 8 hours in a day or 40 hours in a week. But in our industry that doesn't hold true. Any hour worked after 5 p.m. and before 8 a.m. on weekdays and all day Saturday and Sunday is paid at the time-and-a-half rate—no matter if the individual hasn't worked a single straight time hour.

Under this demand of 8 hours' pay for 6 hours worked, the time-and-a-half rate would go into effect at 3 p.m. in the afternoon instead of 5 p.m. Sunday rates would jump to double time, rather than present time and a half.

A recent study we made shows that at the present time, 35.5 percent of the hours were worked at time and a half, 64 percent at straight time, and half a percent at double time. But under this demand, our industry would work 51 percent of its time at at least the time-and-a-half rate. And part of that 51 percent would be at the double-time rate.

Converting to dollars, this demand alone would increase the annual costs by $17 million.

Other demands are just as staggering. For instance, the unions are demanding further featherbedding, by increasing the size of gangs handling general cargo from a minimum of 18 to 20 men, and those handling bulk cargo from 10 to 14 men. They would impose unnecessarily low limits on loads moved mechanically, thus requiring more loads for a given cargo and unnecessarily increasing the time required to work such cargo.

They would penalize management efforts to improve cargo handling methods by assessing extra fees for loading or discharging cargoes moving on pallets or in containers. They would tax bulk cargoes—like grain.

Some of these assessments would include: $1.50 per ton for all cargo moving in containers under 17 feet in length; $2 per ton for cargo in containers 17 to 34 feet; $3 per ton for cargo in containers above 34 feet; $1.50 per ton for cargo banded before coming on the docks; $1.50 per ton for cargo palletized or glued before coming on docks; $1 per ton for cargo banded on docks and shipped as units; $1 per ton for cargo palletized on docks and shipped as units; $1.50 per ton for heavy lifts up to 10,000 pounds; $2 per ton for heavy lifts 10,000 to 20,000 pounds; $3 per ton for heavy lifts above that weight; $1 per ton for loading or discharging grains, fertilizers, soybeans, etc.; $1.50 per ton for ore, scrap iron, and similar products; $1.50 per ton for sugar; and $1.50 per ton for all other bulk cargo.

In other words, as our industry develops ways to provide better, faster service, we have to pay a penalty to the unions to do it. Thus, any savings that we might effect would be dissipated immediately.

And, mind you, we're not causing anyone to work any harder or take any greater risks by using these methods.

By now, I think you have an idea of the unreasonableness of the union demands. I haven't gone into all of them, but certainly this should be sufficient to illustrate my point.

The association is convinced that the unions must agree on a reasonable wage rate and work with the industry toward greater flexibility in work rules. Only in this way can our industry survive and the public welfare be protected.

To try and reach this goal, the association has offered the unions a 27-cent-per-man-hour wage increase spread over a 3-year period. This would amount to a 9.1-percent increase, adding $3 million annually to the present waterfront payroll, and bring the basic per man-hour rate, including fringe benefits, to $3.71. All work performed between 5 p.m. and 8 a.m. would be paid at the rate of $5.32. And remember, I pointed out earlier that 35 percent of all hours worked are at the time-and-a-half rate of $5.32. Incidentally, this rate does not include the differential dock workers are already receiving for handling many special cargoes moving through the port.

The association has further proposed the elimination of featherbedding in grain gangs. Efficient, economical size grain gangs would neither impose extra workloads on individuals nor displace the present permanent work force. Such a move would place the port in a more competitive position, and, by stimulating more grain shipments, actually increase the number of available jobs.

The labor force in other ports work in inclement weather, fully protected from the elements by necessary shelter. Yet, here in New Orleans, despite management willingness to provide complete protection, work halts completely during periods of rain, even when the men are sheltered, and workers draw the full rate of pay.

Incidentally, one of the major problems we have is determining what is rain. Now, we've reached the point that one drop in a puddle of water is sufficient to cause work to halt. Again, in an effort to maintain New Orleans' competitive position, the association has proposed that standby time for rain be established at one-half the existing rate.

The unions are demanding that we eliminate the grievance and arbitration machinery established 3 years ago. This we refuse to do. This machinery assures union members and management representatives that all disagreements as to good faith in keeping the contract can be settled quickly and any wrongs corrected without resorting to wildcat strikes which plagued the industry previously.

In these last few minutes, I want to show you some charts [not printed in the RECORD] that give a broad picture of what has happened in the shipping industry and why we have been forced to take our present position. They are the result of research and analysis done prior to and during the current negotiations.

In conclusion, let me say that the members of our association are firmly convinced that there can be no retreat. We must maintain reasonable wage rates. We must have the opportunity to utilize manpower more efficiently. We must be able to install more modern methods of cargo handling without paying a penalty. Only in this way can management fulfill its obligations to its employees, its stockholders, its customers, and to the general public.

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[From the New York Journal of Commerce, Jan. 4, 1963]

### THE STRIKE THAT PERILS THE NATION

The issues involved in the longshoremen's strike that has paralyzed Atlantic and gulf coast ports are of serious concern to everyone because they involve the economic welfare of our entire country.

They are so serious that President Kennedy personally made proposals to avoid the impasse by continuing work while the issues were studied and a contract negotiated.

The employers readily accepted the President's recommendations—the leaders of the International Longshoremen's Association (ILA) rejected them out of hand.

### A $300-MILLION ADDED BURDEN

Think what will happen to our foreign-trade—the jobs it supports, the new jobs it can create—if the cost of loading and unloading ships from Maine to Texas is increased by $300 million a year?

Yet that would be the additional cost if the demands submitted by the ILA were to be accepted.

Obviously, if this additional assessment were to be levied on the steamship industry the increase, of necessity, would be passed along to shippers and receivers of cargo in increased freight rates.

The prices of things we sell abroad would go up and our competitive position in world markets would suffer.

### A THREAT TO THE U.S. DOLLAR

In 1961 the United States had an excess of exports over imports of about $5.4 billion. But that was not sufficient to compensate for the heavy drain of military expenditure ($3 billion) and foreign aid ($3.8 billion). Consequently, we ended 1961 with an overall deficit of about $2.5 billion in our international balance of payments.

This process of spending more abroad than we receive troubles the administration, influential groups in Congress, responsible labor leaders and business alike. The reason is a simple one. The settlement of our international accounts results in a flight of gold from this country and this, in turn, threatens our national currency.

The administration, in cooperation with labor and industry, has been waging a vigorous campaign to sell more American goods abroad because this will help to reduce the Nation's deficit while expanding job opportunities.

### A THREAT TO OUR EXPORTS

Foreign trade is a tough, highly competitive field. When U.S. companies receive inquiries from abroad—as from India or South America for new plants, machinery or bridges—bids are requested on a delivered cost basis, including ocean freight charges. Similar bids are also requested by buyers from the highly industrialized countries of Western Europe and from Japan.

If the cost of shipping such cargoes from the United States is increased by an estimated $300 million annually in handling charges alone, it becomes more difficult for American companies to sell abroad in competition with other foreign producers who also seek to expand their exports and have the advantage of lower cargo-handling costs.

### A THREAT TO JOBS

No matter how efficient American industry may be—no matter how fast or efficient modern ships may be—the increased shipping charges will make our products noncompetitive. We lose the business—our industries lose orders—their workers lose jobs.

Our loss is a gain to our vigorous competitors in other countries.

### A THREAT TO LONGSHOREMEN

Dwindling export cargoes mean loss of work for the longshoremen themselves. Also manufacturers for export and their employees, plus the employees of truck lines, railroads, steamship lines and all the allied industries will feel the effects quickly in reduced employment opportunities.

The Nation cannot afford this chain of events to occur: Periling the Nation, strangling the economy, threatening the currency, threatening our exports, threatening national employment, and threatening the jobs of the longshoremen themselves.

NEW YORK SHIPPING ASSOCIATION, INC.

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### UNITED STATES SAYS DOCK STRIKE THREATENS FOREIGN AID

NEW YORK, January 8.—Assistant Secretary of Labor James J. Reynolds warned shippers and longshoremen today the dock strike is threatening the Nation's foreign-aid program and is a source of extreme concern to President Kennedy.

Reynolds said the 17-day walkout at east and gulf coast ports has hurt the Nation's trade and foreign relations.

"President Kennedy is extremely concerned because of the awkward position in which this strike places our foreign-aid program," Reynolds said. "But I regret to say there has been no progress whatsoever toward a settlement."

White House sources have said that Mr. Kennedy might ask Congress for antistrike legislation if the dispute is not settled soon.

The walkout has thrown an estimated 100,000 men out of work and has cost more than $425 million—an estimated $25 million a day in lost wages, sales, transportation fees, storage costs, and pier rentals.

Alexander P. Chopin, chairman of the Labor Policy Committee of the New York Shipping Association, said today that "there is no possibility of movement unless the International Longshoremen's Association changes its demands to a reasonable level."

Reynolds said that the union claims its demands come to a package of 55 cents an hour for the average longshoreman. But the shippers, who have offered a 22-cent package, claim the actual additional cost of the demands come to much more.

Reynolds met separately with the two sides today. He said there would be no joint talk until one side or the other modifies its position enough to justify face-to-face negotiations.

## A TRIBUTE TO THE SPEAKER

Mr. AVERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AVERY. Mr. Speaker, last night, and again this morning, the airways were filled, as I anticipated, with voluminous commentary on the vote in the House yesterday in connection with the packing of the Rules Committee. Without exception, it sounded something like this: A great victory for the President. President Kennedy wins the Rules Committee fight.

Mr. Speaker, as one who was on the losing side and as one who was personally affected, I would like to say that this was not a victory for President Kennedy. It was a victory for the gentleman from Massachusetts, Speaker MCCORMACK, and I deplore the fact that the Speaker's name was not even mentioned in these reports.

I pay this tribute to you, Mr. Speaker, as one who has met the power of your persuasion. We will now proceed under the guidance that we hope you will provide for the now packed Rules Committee.

## TREASURY BACK DOOR MUST BE LOCKED TIGHT

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I have addressed a letter to House Members of both parties, inviting joint bipartisan sponsorship of a resolution to change the rules of the House so as to strengthen congressional control over appropriations.

The resolution is the same as one which failed by 1 vote to be reported by the Rules Committee in 1961. It would tighten House rules by providing that legislation carrying language that would permit the withdrawal of money from the Treasury or authorize contract obligations in advance of appropriations, must be reported by the Committee on Appropriations, nor would any amendments proposing Treasury withdrawals be in order in the House unless the legislation being considered had been reported by the committee having jurisdiction over appropriations.

Mr. Speaker, all spending should be a responsibility of one committee of the House which was established to weigh the need and urgency of Federal programs as against the amount of Government revenue in the Treasury and available. Congress cannot control Government expenditures or exercise fiscal responsibility unless and until the device authorizing agencies of the Government to finance programs from Treasury borrowing is outlawed. My resolution would curb a practice under which the Treasury has been compelled to advance more than $130 billion to various agencies, of which $16 billion thus far has had to be canceled. In addition, further losses in the future amounting to billions will likewise have to be forgiven. As of June 30, 1962, $26.9 billion was still available for borrowing under old authorizations and the national debt ceiling is the only limitation under law of such Treasury withdrawals.

In these critical times, Mr. Speaker, control over spending by Congress is essential. It is time to lock the Treasury back door and compel Government agencies to go before congressional Appropriations Committees to justify their expenditures of the taxpayers' money.

## AMERICA STANDS AT THE CROSSROADS TODAY

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, America stands at the crossroads today.

Are we, the elected representatives of the people, ready, willing, yes and more, are we determined to keep our oath of office inviolate, by taking the well-charted American road which leads to safe, sane, government? That, my colleagues, as you well know, is the question uppermost in the minds of an overwhelming majority of deep-thinking Americans today.

These are the people who know full well that, for the past three decades America has to a very great degree lived on the fruitful, honest labors of past generations. By hard work, right living, and right doing under laws fair to all, adopted by Congress free of dictation by the Executive, which were easily understood and honestly administered, they builded here during a century and a half, a Nation of the happiest, freest people on the face of this earth. How? By their Congress and their President's strict adherence to the precepts clearly spelled out in our U.S. Constitution. The framers of that world-renowned instrument, established for us our competitive, free private enterprise system of government, with its clearly defined checks and balances between Federal and State Governments and the people, by spelling out the duties and responsibilities of each with the other, but specifically placing the greatest authority and responsibility on the people, in order that they would be, not the servants but the masters of their own destiny, assured by the process of free elections of their public servants at stated intervals, without coercion or corruption.

But something happened, when almost exactly three decades ago the President of these United States ordered a subservient Congress, under control of his own party, to pass a number of laws irrespective to their constitutionality.

The records prove conclusively that from that day to this, our economy has constantly floundered from one national and international crisis to the next, both in peace and war, to the end that, at this very minute, we live under a cloud of national and international emergencies and uncertainties as to how, where, and when it will all finally end. Yes, America is clearly at the crossroads today.

Now Mr. Speaker, having been a Member of Congress for the past 24 sessions, and a member of the Committee on Appropriations for the past 20 sessions, I feel duty bound at the opening of this 88th Congress to express my deep, studied convictions concerning the pitfalls along the road which we must evade in order to avert permanent disaster to our Nation and hence to every American living today, and to those who will come after us.

First of all, unnecessary, wasteful spending of our taxpayers' dollars, and constant Federal deficits with its certain aftermath of uncontrolled dollar devaluation to a mere fraction of even its present value in the purchase of every needed commodity, including food, clothing, medicine, and shelter must stop, and now. We need only to know of the starvation, misery, and strife that befell every nation across the seven seas that traveled the full length of the reckless, wasteful spending road on which we have been traveling full speed ahead for these past three decades to clearly see the fate which will be ours to suffer at the end of that road. Should that evil day come as it did in so many foreign lands as far back as history records, we the Members of this Congress will to a great degree be held responsible, by an enraged American public. Pray God such a fate will never befall our blessed land.

You may say, oh, well, that can't happen here. The answer is: It will happen here, unless we make an about face. What happened to those unfortunate people was this: The fatal day came, and fast, when there was not any market for their government bonds, because the people had lost faith in the stability of their governments, to the end that the people could not or would not risk their money to purchase such paper. The governments then had but one recourse; they started their printing presses turning out paper currency by the tons; soon it took a big handful of this almost worthless currency just to buy a loaf of bread. You can easily imagine the suffering it caused, especially to the working class, those on a fixed income, and the older people.

Oh, yes, Mr. Speaker, it can happen here; all you need to do is to take note of the flight of many, many billions of dollars worth of our gold supply, which backs up the American dollar in your pocket. The flight of our gold is, of course, due to the fact that many foreign countries have lost considerable faith in the stability of the American dollar, hence for many years past those nations have demanded gold instead of dollars in payment for the goods sold to the United States. Why? Because they know we have spent our taxpayers' dollar wastefully and recklessly and that in due time unless very soon stopped, we will go the same way suffered by every nation that followed the reckless, spending route to the end of the road.

My colleagues, I am certain that most of you who are listening, regardless of party, are well aware of all these facts, as are a majority of the American people. The big question is, Will Congress and the President act in time to head off the impending crash? My purpose in calling these facts to your attention today, and in doing so as forcibly and sincerely as is in my power to do, is purely and simply in the hope of stirring you to awaken to realities facing us now.

I am also certain that I need not point out how best to avoid the impending crash, for any average first grader knows full well that two and two make four, just as you know, my colleagues, that the preservation of our American institutions lies in stopping the spending of billions more of our taxpayers' dollars each year than is taken in by our U.S. Treasury, especially in peacetimes, even though it be a shaky peace. Hence now is the appointed time to stop unnecessary, wasteful spending, not next session or the next, but during this session of Congress, as the next or the next may be too late.

I said at the outset of these remarks that for almost three decades to a great degree America has lived on the fruitful labors of past generations. Let us analyze that statement for a moment. Three decades ago our national debt was $27 billion. At that time, President Roosevelt assured us that the United States could safely afford a national debt of $75 billion. But look at us today—our national debt is over $303 billion, and still climbing by leaps and bounds.

A $7 billion Federal deficit in fiscal year 1962, a larger deficit in fiscal year 1963, and now a still larger deficit for fiscal year 1964 is in the offing.

Mr. Speaker, dare I ask, are we of this generation really worthy of our wonderful American heritage, and are we of this Congress as a whole, worthy of being the representatives of the most blessed nation on the face of this earth? If we continue forever to pile debt upon debt for our children and their children to pay with sweat and possibly with blood, while we of this age ride merrily on, where will it all lead?

Our President must stop listening to these theoretical, unrealistic economic advisers who have little or no business experience and who erroneously believe they are capable of creating here a utopian form of government. American commonsense and basic economics cry out for the removal of all bureaucratic roadblocks to national progress, as was done in West Germany immediately after World War II and which brought about there a prosperous, flourishing economy within 6 years after the close of that war.

These book-trained economists have also convinced some of our recent Presidents that huge Federal deficits are good for the country. They contend that these huge Federal expenditures are necessary to put dollars in the hands of the people in order to keep buying power at a higher level. Apparently they believe the Government is more capable of spending your own money than you are yourself. But these economists must surely forget these facts, which are that the dollar spent by the Federal Government pyramids itself on an average into national income a little less than twice, while on the other hand, a dollar earned and spent by the people pyramids itself on an average into national income over three times, as statistics have shown.

Of course, these book-trained economists also contend, but not for public conception, except those who are dyed-in-the-wool Socialists, that huge Federal expenditures are a must in order to force the rich, the well-to-do, and the near well-to-do, to pay heavy taxes on their property and income from every source in order to provide the so-called little people with the fruits of their own labor by the process of wealth distribution, commonly and correctly called "soaking the rich to help the poor." But it just does not work that way.

Let us take a look at that theory and see exactly how it operates. The ultimate consumer of all goods, whether here or abroad, must of necessity, now or in the future, pay every dollar spent by the local, State, and Federal government, under any form of government. The consumer, who is every person who buys goods, has no place and no way to add or to escape the multiple taxes placed on every commodity and on every service they purchase that had to be paid by the producers of raw materials, the transporters, the processors, and marketers of the finished products. The latter all must add the taxes they pay to the price of the goods they sell and the services they render, or soon be forced to close shop due, of course, to greater outgo than income. Would that our book-trained economists take a leaf from that book of truth and reality.

To develop the facts further, just as they exist, more than 70 percent of all finished commodities are purchased by citizens whose annual income is less than $6,000; hence over 70 cents of every dollar spent by your local, State, and Federal government is paid by our so-called little people.

In light of these facts it is only fair to ask, Who among our public servants, local, State, and Federal, are the real true friends of the so-called little people? Surely not the reckless, wasteful spending liberals who are in fact liberal only with your inherent American liberties and your pocketbook.

Mr. Speaker, in closing I now promise that in due time, after the President sends his 1964 fiscal year appropriation request to Congress, I shall carefully analyze it, after which I will specifically point out to the Congress and to the people how and where reductions can and must be made, since we have already been informed that the President intends to send a budget request to Congress amounting to $100 billion, using round figures.

In the meantime, let us be ever mindful of the fact that no one can deny; millions of our finest American youth have served in our Armed Forces, have fought, bled, and died to preserve our competitive free private enterprise system of government, wherein we find all our cherished freedoms, the freedom of speech, press, vote, and worship. Every Member of Congress must ask themselves this question: Will I keep my oath of office inviolate?

It might be well if all of us would read it again and again:

> I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

## CRIME SITUATION IN THE DISTRICT OF COLUMBIA

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, last year I introduced legislation to try to bring about some correction of the terrible crime situation in the District of Columbia for which this Congress is responsible. Actually no action was taken and no hearings were held.

Mr. Speaker, I sincerely hope that the Members of the House read the speech delivered by J. Edgar Hoover on crime in the United States, in certain areas. Now, we cannot do very much about this in certain areas of the country, but we are responsible here in Washington, D.C., to see to it that American citizens, not only those who live here but tourists who come to this great Capital, are protected. When this Congress adjourned in October, crime was on the increase. Now people cannot walk the streets; they are not safe in their homes; they are not safe in the churches; they are not safe anywhere in the city. I repeat again what I said last year, we are going to wait until one of our daughters or wives or Members of the Congress is killed or raped or injured in the city, and then we will take drastic action. I will introduce this legislation in the next few days and I hope we will get action in this Congress to show the people of America that we will get rid of crime in the District and I hope that the Nation as a whole will take adequate steps.

## POULTRY FIASCO

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I am alarmed at recent events which suggest that the Kennedy administration is "acting chicken" instead of "talking turkey" in its efforts to recover our lost poultry market in the European Common Market—ECM—trade area.

The new variable tariff instituted by the Common Market virtually eliminates a market for American poultry which was developed under the Eisenhower administration and which, until this past year, had expanded to a $50-million-a-year market providing hope for an industry in great distress.

Last year the American people were treated to a propaganda deluge originating from the White House extolling the benefits which this country would accrue through passage of the President's Trade Expansion Act.

By the time the massive publicity campaign reached its climax, anyone who questioned whether our generosity in offering to lower tariffs would be politely and promptly reciprocated was regarded as a throwback to Neanderthal man. But now the "chickens are coming home to roost," and ironically, our domestic broiler industry is the first to suffer although wheat problems loom next on the horizon.

Within a few weeks of passage of the administration bill, the bill that was to open up new vistas of trade for American products, the Common Market announced its new variable tariff on poultry. The effect of this new tariff was to string a chicken-wire fence around our previous European market for American poultry. It is protectionism more restrictive in intent than anything we have had on the books for generations. And this, within days after the New Frontier sold the American public on the benefits of the trade bill.

I do not suggest, Mr. Speaker, that this was a deliberate deception on the part of the President. But it indicates another degree of the New Frontier's naivete and I fear on the part of a great many network TV commentators who helped sell the Trade Expansion Act.

Furthermore, the felony has been compounded. The Kennedys have not seen fit to give agriculture a representative on the Herter Committee that is our chief negotiating agency with the Common Market. The Chief Executive has thus far ignored even the suggestion of his House Agriculture Committee chairman that the Nation's agricultural interests be given a voice on this top-level negotiating team.

It seems amazing that the administration would attempt to negotiate farm tariff matters without utilizing the services of a farm expert with some qualities of Yankee bargaining.

Although American farmers are able to deliver broilers at Hamburg at some 31 cents a pound, there is a duty that is, in effect, a 12½-cent tariff to be paid on the birds before they can even enter Common Market territory. Mr. Speaker, I have tried to order chicken in Europe in the past year and can certify they need access to our broilers and preparation know-how.

And that 12½ cents can go even higher. The Common Market's complex system of tariffs on farm products permits duties to range up and down as costs move up or down on domestic farm production. The purpose of the levies is to make up the difference between European production costs of farm produce, like poultry, and the price of identical products when imported.

The result is to discourage American imports and to encourage production in their home areas. While we politely talk about lowering tariffs, the Common Market methodically proceeds to raise them.

During a recent excursion to sunny Palm Beach, Secretary Freeman said he is making every effort to protect agricultural interests in our talks with the Common Market. It is going to take more than glowing speeches in sunny Florida to save our foreign poultry markets. One cannot help but wonder whether imposition of an additional tariff on Volkswagens, Renaults, and a few other foreign cars, would not accomplish more than a dozen speeches in Florida. Or perhaps we can suggest repayment of some of our past foreign aid.

Mr. Speaker, I call attention to a report just published by the Poultry Subcommittee of the Select Committee on Small Business. In its recommendations, the report notes on page 24:

> The following practices should be considered:
>
> (a) Expand sales abroad where the consumption is far below that of the United States; and
>
> (b) In connection with the above, make every effort to protect agricultural interests when negotiations are conducted with the Common Market nations and the governments of other nations.

The failure to anticipate the Common Market variable tariff, and the failure to appoint an agriculture member of our trade negotiation team belie these recommendations. Has our no-win policy been extended to the field of trade?

If this administration is in water over its head, perhaps the Congress should ruffle its own feathers and develop guidelines for firmer policy.

Our Ozark broiler producers know only too well what it is to be saddled by the regimentation-or-ruin controls of the New Frontier Agriculture Department. They will have no stomach for having their livelihood regimented also by the whims of our State Department.

## REPEAL OF THE 10-PERCENT AUTOMOBILE EXCISE TAX

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, in view of the reports in national magazines and newspapers that tax cuts rank No. 1 on the President's legislative program, I want to avail myself of the earliest possible opportunity to call the attention of my colleagues to the bill I have reintroduced to repeal the 10-percent automobile excise tax. This outgrowth of the Korean war emergency has penalized purchasers of new automobiles and prohibited the full growth of the economy long enough. The temporary tax was imposed to dampen the demand and production of nonmilitary cars and trucks while we concentrated on Communist aggression in Korea. But as any makeshift tax arrangement produces results detrimental to the long-term growth of the Nation, today, 10 years after the settlement of the war, the tax serves as an atrocious inequity in our tax system, and an anchor to the free movement of our economy.

The repeal of this levy will not only redeem a punitive tax inequity, it will go a long way toward filling the sails of the economy. The importance of the automobile in our economic life is reflected by the fact that $1 out of every $5 spent for goods at retail prices is spent on automotive products. If we sincerely want to reform our tax system and get this country sailing again, economically, we have no better embarkation point than the repeal of this depressive tax.

I earnestly urge the members of the Ways and Means Committee, who share the responsibility for providing this country with equitable and economically sound taxes, to give their most careful consideration and attention to this matter.

## SPORTS SPECTACULAR

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, it is my privilege today to bring to the attention of my colleagues in the House the scheduling of a tremendously worthwhile sports spectacular on CBS television this coming Sunday, January 13, at 2:30 p.m. This 90-minute show will cover an event in the new and thrilling "Olympics of the Air," the world sport parachuting championships held at Orange, Mass., during August and September of 1962.

The parachuting championships at Orange were the first full-scale Olympics of the Air event ever to be held in the United States. Two hundred and fifty contestants from 24 nations, including Russia and several Iron Curtain countries, participated. The U.S. women's team placed first, the U.S. men's team placed second, and a U.S. parachutist won the title of "World Champion."

Not only was the event significant because it was a first for the United States, but also because of the momentous problems which were encountered in its conduct. Though officially sponsored with the full verbal support of the U.S. Government, Federal cooperation and assistance, with a few exceptions, ended right there. This is just an example of the conflicts which are involved each time the United States participates in the World Olympics. We are in definite need of a solution, especially to the financial requirements of our teams.

Nevertheless, to see how such an exciting event, bringing together competitors from all over the world for an amazingly precise sport, can be brilliantly conducted with a minimum of resources, I commend the CBS sports spectacular to your viewing pleasure.

## CULTURAL DEVELOPMENT ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the Cultural Development Act originally was introduced in the House of Representatives on July 17, 1962. Since the introduction of this bill I have received such an abundance of support and encouragement from every section of the country that I am convinced more than ever before of the need, the rightness, the timeliness, and the potential contribution to the Nation's well-being of this proposed legislation. Because of this I have today reintroduced the legislation.

Mr. Speaker, I submit for the Record at this time a partial list of the organizations and institutions, with the officer or representative of each, which have responded favorably to me as of this time:

Partial List of Representatives From Organizations or Institutions Which Have Responded Favorably to the Basic Provisions and Purposes of the Cultural Development Act of 1962 (H.R. 12560)

Legislative representative, Actors Equity Association, New York, N.Y.

Director, American Association of Museums, Washington, D.C.

General secretary, American Association of University Professors, Washington, D.C.

President, American Federation of Musicians, New York, N.Y.

President, Blackburn College, Carlinville, Ill.

President, Brown University, Providence, R.I.

President, Central State College, Edmond, Okla.

President, Colorado State University.

President, Dana College, Blair, Nebr.

President and chairman, Department of English, Duke University, Durham, N.C.

President, Duquesne University, Pittsburgh, Pa.

President and chairman, Department of Fine Arts, East Tennessee State College.

Assistant to the president, Franklin and Marshall College, Lancaster, Pa.

President, Gallaudet College, Washington, D.C.

President, Gonzaga University, Spokane, Wash.

President, Grinnell College, Grinnell, Iowa.

President, Hamline University, St. Paul, Minn.

President, Idaho State College.

President, Indiana State College.

Professor of art, Kansas State University.

President, Kent State University, Kent, Ohio.

President, Knoxville College, Knoxville, Tenn.

President, Lambuth College, Jackson, Tenn.

Acting president, Luther College, Decorah, Iowa.

President, Marymount College, Tarrytown, N.Y.

President, Montana State College.

Executive secretary, National Commission on Accrediting, Washington, D.C.

Dean, New Mexico Highlands University, Las Vegas, Nev.

Acting president, New Mexico Western College.

Chairman, Fine Arts Department, Plymouth Teachers College, Plymouth, N.H.

President, Northeast Missouri State Teachers College.

Vice president for academic affairs, Ohio University.
Director, Otis Art Institute of Los Angeles County, Calif.
Dean, Pratt Institute, Brooklyn, N.Y.
Assistant to the president, Princeton University, Princeton, N.J.
President, Regis College, Denver, Colo.
Provost and vice president, Rutgers University, New Brunswick, N.J.
President, St. Augustine's College, Raleigh, N.C.
President, St. Benedict's College, Atchison, Kans.
President, St. Mary's Dominican College, New Orleans, La.
Editor, "School Arts" magazine.
President, Smith College, Northampton, Mass.
President, State College of Iowa.
President and director, art education division, State University College, Buffalo, N.Y.
Acting president, Susquehanna University, Selinsgrove, Pa.
President, Trinity College, Washington, D.C.
Executive secretary, the American Association of Colleges for Teacher Education, Washington, D.C.
President, the Pennsylvania State University.
Dean, the University of Oklahoma.
Heads, Departments of Journalism and Creative Writing, and Speech and Drama, University of Alaska.
Chancellor, University of California.
President, University of Illinois.
Vice chancellor and dean of faculties, University of Kansas.
Dean, Graduate School, University of Minnesota.
President, University of Oregon.
President and dean of arts and sciences, University of South Carolina.
Dean, University of Tennessee.
President, Ursinus College, Collegeville, Pa.
Dean, Utah State University.
Chairman, humanities division, Washburn University of Topeka, Topeka, Kans.
Chairman, Department of Music, Washington University, St. Louis, Mo.
President, Western Illinois University.
President, Westminster College, Fulton, Mo.
President, Wheelock College, Boston, Mass.
President, William Penn College, Oskaloosa, Iowa.
Dean, Yale University School of Art and Architecture, New Haven, Conn.
President, University of Arizona.
President and chancellor, the University of California.
Provost, the University of Rochester, Rochester, N.Y.
President, University of Texas.
President and chairman, English Department, East Texas State College.
President, Bethany College, Lindsborg, Kans.
Vice president, Bowling Green State University, Bowling Green, Ohio.
Vice president and dean, College of St. Teresa, Winona, Minn.
President, Delaware State College, Dover, Del.
President, Dickinson College, Carlisle, Pa.
President, Elmhurst College, Elmhurst, Ill.
President, Moorhead State College, Moorhead, Minn.
President, North Central College, Naperville, Ill.
President, University of Miami, Miami, Fla.
President, Western Reserve University, Cleveland, Ohio.
President, Whitman College, Walla Walla, Wash.

Mr. Speaker, I am happy to report that the response of the higher education community to the proposals contained in the bill has been overwhelmingly favorable. It is evident that the need for programs such as those contained in the legislation is very keenly felt by the heads of colleges and universities and other educators generally throughout the country. We are indeed facing the danger of a critical imbalance in our education programs unless we begin to give attention to the arts and humanities at least in some small measure comparable to that now being given to the sciences and technology.

I am reinforced in my conviction that this legislation is needed by the fact that, while some have suggested changes in emphasis, functions or organization, not a single dissenting voice has been raised as far as the primary objectives of the bill are concerned. It is also significant to note that coming as they do from all sections of the country and representing many facets of the education community, they are almost unanimous in emphasizing that the Federal Government must act to support the arts and humanities to a far greater degree than heretofore.

Among the foremost supporters of Federal recognition and programs in the arts and humanities is Barnaby C. Keeney, president of Brown University. On February 7, 1962, Dr. Keeney wrote me as follows:

> It has seemed to me for a long time that it would be well if we had a National Foundation for the Arts and Humanities to perform a function similar to that of the National Science Foundation, which has benefited the country greatly. There is no question but that advancements in science and technology have a greater immediate utility in the international and national situation in which we exist today. On the other hand, the whole shape of our lives in the future, and our whole attitude toward life will be strongly formed by our achievements or lack thereof in the arts and humanities.

It was President Keeney's letter that stimulated my interest to introduce the proposed Cultural Development Act of 1962:

Again in response to the proposed legislation, Dr. Keeney has advised me in his letter of October 7, 1962, as follows:

> I am very much pleased that you have taken the leadership in another important area and I hope very much that your efforts will succeed. If I can help, I should like to.

Another stanch supporter of the proposed legislation is Francis H. Horn, president of the University of Rhode Island. Dr. Horn has written me in part as follows in his letter of August 16, 1962:

> As I think you know, I have been concerned about the advancement of the arts and humanities for many years. * * * So all I can say is, keep fighting for this good cause. * * * in the end the logic of your position, and the need for the services which your legislation provides, will win the necessary support. * * * the possibility that the Office of Education will be working on a major program in this area adds considerably to the attractiveness of the matter * * *.

Many other Rhode Islanders prominent in the arts and education have indicated their strong support. Among these are Francis Madeira, musical director of our Rhode Island Philharmonic Orchestra; Arlan Coolidge, chairman of the department of music at Brown University; Louis Pichierri, director of music for our department of public schools in Providence; and John Nicholas Brown, renowned Providence art patron and collector.

In an article in the Providence Journal-Bulletin of July 17, 1962, under the heading, "College Heads Praise Humanities Move," other outstanding Rhode Island educators voiced their support. William C. Gaige, president of Rhode Island College, was quoted as follows:

> Such an agency is important to put back into balance the emphasis on science and the humanities. * * * It is extremely important that we understand the nature of man, and keep in balance the educational and cultural forces which society makes available to him, and which so much influence his thinking, and through him the society of our country and of the world.

Albert Bush-Brown, president of the Rhode Island School of Design, was quoted in these words:

> We ought to have an agency that is supporting performing arts through established institutions in local communities. At this time when our thinking is directed to space programs, communications systems, new power sources and computers, we have tended to neglect the necessity to reshape the communities in which we live. Unless our physical environment is qualitatively improved to sustain the social and cultural institutions that families need we shall have gained little by touching down on other planets.

Typical of the support for the objectives of this measure given by the Rhode Island press is the editorial of June 22, 1962, in the Providence Visitor, which makes an effective analysis of the objectives and need for the legislation. It also gives clear evidence of the wisdom of placing this new responsibility within the U.S. Office of Education. The entire editorial, entitled "Support for Arts and Humanities," is submitted for the Record:

[From the Providence (R.I.) Visitor, June 22, 1962]

### SUPPORT FOR ARTS AND HUMANITIES

Speaking at the commencement of Rhode Island College earlier this month, Congressman John E. Fogarty proposed the establishment of a National Institute of the Arts and Humanities. As envisioned by Mr. Fogarty, this Institute would stand on an equal footing with the National Science Foundation. Its functions would include supporting research, providing a national clearinghouse for educational materials, and developing a program of fellowships for students in the arts or the humanities. In addition, there would be established a Federal Advisory Council on Arts and Humanities. The members of this council would be chosen for their eminence and would advise the Government as to the ways in which it might encourage the development of the cultural life of the Nation.

We believe that this proposal has great merit, although some might question the advisability of Mr. Fogarty's plan to set up the new Institute within the U.S. Office of Education. It should, however, be noted that this office has undergone important structural changes. Under Commissioner Sterling M. McMurrin, a former professor of philosophy, the horizons of the U.S. Office of Education have widened considerably beyond the traditional function of compiling educational statistics. More and more in recent years we have seen a closer communication between the academic world of humanistic studies and the creative world of the

> various arts. The moment that one realizes that each art has its laws and its disciplines, it becomes clear that as the Committee on the Visual Arts of Harvard University put it, "The great artist is great both as an artist and as an intellectual." The relation between the performing arts, such as music and drama, and the world of education has also long been recognized.
>
> It is, of course, true that the history of the relations between Government and cultural pursuits has not been altogether without causes for criticism in those instances where that relation has taken on an official character. Recent discussions of the shortcomings of our own State legislature in this regard come immediately to mind. Yet we have many examples of Government activity in cultural matters that are most excellent illustrations of how things can be done with due regard to the highest professional standards. The National Gallery of Art combines public and private efforts very well, and the Library of Congress has long been an important center of artistic and scholarly activity. If the National Institutes of Health and the National Science Foundation can be maintained, as they are, on a level which is well above petty political considerations there is no reason why we cannot also have an equally excellent National Institute of the Arts and Humanities.
>
> As Mr. Fogarty pointed out, there is a growing concern among scientists and educators over the danger of the loss of important creative human values as a result of an overemphasis on science. The Soviet Union has abandoned what we know as the liberal arts educational program. Its technically proficient dictatorship fears the liberating power of the humanities. An American institute devoted to cultural interests would further mark the difference between tyranny and freedom in the nuclear age.

Mr. Speaker, a subsequent editorial from the July 27, 1962, edition of the Visitor, which gives eloquent backing to the need for Federal support of the arts and humanities as proposed in this bill, is also submitted in its entirety for the Record:

[From the Providence (R.I.) Visitor, July 27, 1962]

### Support for American Culture

> Speaking at the commencement exercises of Rhode Island College last month, Congressman John E. Fogarty proposed the establishment of a National Institute of the Arts and Humanities. Sharing Mr. Fogarty's concern over the imbalance which has developed as a result of necessary stress on science in education, we expressed our general approval of the Congressman's proposal. Now that he has introduced a bill to make his plan a practical reality, we are pleased to note that such leading educators as the president of Brown University have expressed their belief that this kind of legislation is welcome. Certain matters of the public good are involved to such a wide extent that it is not surprising to find that the idea of a National Institute of the Arts and Humanities does have the backing of men who know our educational and cultural needs. The vast sums of money and the abundant graduate awards which have been made available to science students are, no doubt, fully justified by the defense needs and other requirements of our society. Students who wished to prepare themselves through the equally long, difficult, and expensive processes of the humanities have, however, been offered very little such aid, when compared with the grants available in the sciences.
>
> One consequence of this imbalance has been a decline in the enrollments in art and music schools. Another result of the heavy aid given to science has been that the number of Ph. D. candidates preparing to take their places as teachers in higher education has not kept pace with the Nation's projected needs. The American Historical Association, for example, recently pointed out that there will not be enough qualified Ph. D.'s in history alone to meet the expected needs of higher education in 1946. Under the graduate fellowships provisions of Mr. Fogarty's Cultural Development Act, this situation would be at least partially improved.
>
> But it is not only in the world of the universities that there is need for programs of information, advisory service, and financial help on a national scale. Statistics show that more of our people are going to concerts and other productions of the performing arts than ever before. More visitors are venturing into the Nation's museums. Both museums and producers of artistic enterprises are, however, finding that getting money to cover their operating expenses—to say nothing of their expansion—is increasingly difficult. The time is long past when the world of the arts was the special preserve of wealthy patrons. Cities and universities alike, faced with the fact that many of our libraries are increasingly inadequate and obsolete, cannot expect to meet the costs of the future with the help of private donors alone. Mr. Fogarty's bill at least makes a start in facing these difficulties. More tax relief to wealthy art patrons, as proposed by the Providence Evening Bulletin is no solution. Museums and libraries which have been the special preserves of a few wealthy donors in the past are, in some instances, barely surviving today.
>
> Mr. Fogarty's plan was criticized by the Evening Bulletin as an attempt to buy culture for the American people, with the Government setting the critical standards. Not only does the bill specifically prohibit Federal interference of this kind, but it also assumes that we already have a culture which deserves public recognition and support.

These comments so far have focused on the strong support of this proposed legislation in behalf of the arts and humanities by key persons, organizations, and institutions within the State of Rhode Island. However, support from the other geographical areas of the Nation has been equally enthusiastic.

Chancellor York, of the University of California, has put it this way:

> As for myself, I find your bill and the proposal for a national organization of arts and humanities a most encouraging step forward. It is important that the welfare of arts and humanities be taken seriously, for we cannot continually perpetuate and seek a high standard of excellence in the sciences to the exclusion of other areas of learning. I am convinced that a balance must be struck between the technical and the arts and humanities that will provide this country with well-rounded individuals whose abilities in any given area have only been enhanced by their knowledge of, and education in, the arts and humanities. Your bill also lends itself to the furtherance of the arts and humanities, by assuring, through scholarships and fellowships, the education of those persons pursuing study in these areas. This is a strong point in its favor.

Dean Peltason, of the College of Liberal Arts and Sciences of the University of Illinois, confirms the existence at his institution of a situation which we know to be widespread throughout the country. Here is the way Dean Peltason describes it:

> What is happening is that the availability of research support for the sciences, as much as it is welcomed, is forcing the universities to divert more and more of their own resources to the sciences at the expense of the other areas of our concern. Not only is this because we must divert university resources to cover indirect costs of Government-sponsored science research, but since matching funds are available for science buildings and programs, there is an unavoidable tendency to give these items high priorities.
>
> In addition, research support for science is creating even greater disparities in the rewards to scientists in contrast to those working in fields where Federal funds are not available. Research grants permit scientists to acquire equipment they need and to attend international conferences. Scientists are paid during summer months to do research. Scholars in other fields do not have these opportunities so that in effect the salary of almost every university scientist is at least two-ninths more than that of comparable scholars in other fields.

The president of Trinity College, Washington, D.C., has pointed out that we must be concerned with "the development of a man as man, as a human person"; and further, that "our architecture, music, sculpture, literature and painting must represent the very best of which we are capable, just as our scientific development does."

President Hart of Duke University has written to me, stating:

> I think it is highly important for the student, the universities and the country as a whole that the humanities not be neglected in our emphasis on the sciences.

Former Commissioner of Education, Dr. Sterling M. McMurrin, has responded to the presentation of my bill in the Congress in the following words:

> The need for superior attainment in the sciences to guarantee our national security in the face of grave international crises has long been recognized by most Americans. There is an equal need for superior attainment on a very broad scale in the arts and humanities if Americans generally are to gain a full understanding of their rich cultural heritage and a genuine commitment to their ideals of individual freedom and human dignity. Only with such understanding and such commitment on the part of all of its citizens will this Nation have the resources in personal and public creativeness and courage to meet successfully the continuing international struggle between freedom and tyranny.

Stanley A. Czurles, president of the Eastern Arts Association, representing some 3,000 art educators in the northeastern part of the United States, has recorded that organization's support of my bill. He has called it "very realistic in its approach to the problem" and "in line with several developments which institutions and organizations working in the art field have been seeking to bring about."

On a broader scale, the National Council of the Arts in Education, representing over 150,000 persons concerned with the arts at all levels of education, has recently concluded the first National Conference on the Arts in Education at Lake Erie College in Painesville, Ohio. Dean Norman L. Rice, of the College of Fine Arts, Carnegie Institute of Technology, who served as chairman of this conference, has recently written to the U.S. Office of Education as follows:

> Of major importance to the conference was a realization of the urgent necessity for strong, enlightened Federal support in the arts. Indeed, this need may be said to have occupied the prime position in the conference's survey of the arts today.

Dean Rice goes on to present specific recommendations from the Council in the areas of conferences, research, services of specialists, and publication in the field of the arts. Each one of these needs would be met under the provision of this bill.

President Clark Kerr, of the University of California, has written to me in these words:

> The purposes intended by your bill are of great importance to our national life which can most surely advance with security and strength only if we develop the full potentials of our intellectual resources, both humane and scientific.

Dean J. A. Burdine of the College of Arts and Sciences of the University of Texas has stated:

> Representative FOGARTY's bill to create a National Institute of Arts and Humanities represents an excellent balance to the imbalance that has been created by the recent emphasis on science. It seems to me that the heart of the matter is the provision for scholarships and fellowships to be awarded to outstanding students.

Dean E. W. Doty, of the College of Fine Arts of the same university, has made the following comment concerning this proposed legislation:

> Of all the bills which have been introduced which I have studied, this seems a more fruitful approach than trying to set up a separate national agency.

The chairman of the music department at Washington University in St. Louis sums up his conviction this way:

> The arts are no longer a frill or the preoccupation of a fringe group of eccentrics; rather, they are basic, fundamental to meaningful living in the contemporary world.

He further states that—

> only the Federal Government can attack the problems of the arts on a scale large enough and at a level high enough to be meaningful and effective.

And of course, this is the fundamental need which my bill proposes to meet. However, while it is broad and flexible enough to attack the needs and problems in the arts at the Federal level, my bill provides specifically that there shall be no Federal control over the policies and the functions of the institutions, organizations, associations, and individuals which it seeks to assist.

At this point, I should like to submit for the RECORD a letter to the editor of the Providence Evening Bulletin which appeared on August 1, 1962. It was written by Dr. Gustav O. Arlt, president of the Council of Graduate Schools in the United States, in reply to the Bulletin's editorial of July 20 entitled, "Buying Public Culture With Federal Subsidies." This letter makes several facts abundantly clear. First, the enlightened scientist agrees that full value and support must be given to our artistic, literary, and scholarly efforts as a Nation if our science itself is to reach its fullest potential. Second, the gross disparity in relative support by our educational institutions of scientific programs on one hand, and of programs in the arts and humanities on the other, has been heightened by our own actions in the Congress in behalf of our defense, as essential as these have been. And finally, the experience in recent years of educational institutions which have received substantial Federal support through agencies such as AEC, NIH, NSF, and NDEA proves beyond question that Federal assistance is possible without Federal control.

THE COUNCIL OF
GRADUATE SCHOOLS
IN THE UNITED STATES,
*Washington, D.C., July 25, 1962.*

To the EDITOR,
*Providence Evening Bulletin,*
*Providence, R.I.*

Your editorial of Friday, July 20, 1962, entitled "Buying Public Culture With Federal Subsidies," requires a reply, not so much to let you and your readers know that the universities and colleges of the country heartily support Representative JOHN E. FOGARTY's Cultural Development Act of 1962, but chiefly to point out certain distortions of fact and erroneous conclusions in the editorial.

I need not waste time and space to prove that a great imbalance exists in favor of the natural sciences over the humanities. You yourself admit it. But I do wish to quote a few sentences from the now-famous Seaborg Report of November 15, 1960, a statement by the President's Science Advisory Committee.

"Much of the basic argument for the strengthening of American science applies equally to other fields of learning. * * * Even in the interests of science itself it is essential to give full value and support to the other great branches of man's artistic, literary, and scholarly activity. The advancement of science must not be accomplished by the impoverishment of anything else, and the life of the mind in our society has needs which are not limited by the particular concerns which belong to this Committee and this report."

These sentences were not written by Representative FOGARTY or by a professor of arts or humanities, but by 14 of the most distinguished scientists of the Nation. Granted that the expenditure of vast sums in the advancement of the sciences was dictated by the needs of national defense, the fact remains that this advancement was accomplished by the impoverishment of the arts and the humanities. This impoverishment resulted not only from the direct absence of Federal support but also from the fact that many universities have had to siphon off funds from their arts and humanities programs to pay the indirect costs of federally sponsored science programs. In other words, the imbalance which exists today was created both directly and indirectly by the Federal Government.

I am sure that you must have had tongue in cheek when you wrote that the remedy for the plight of the humanities and the arts lies on the campus of each college along with the responsibility for poorly trained teachers. Even a professor of the arts or humanities has to be paid—not as much as a chemist, to be sure—and he needs space, equipment, books, museum materials. Who is going to buy these necessities when the budgets of humanities departments are cut to the bone to provide overhead costs for the sciences?

No, Mr. Editor, the remedy for the imbalance lies with the same agency that created it—the Federal Government. And the remedy does not consist of curtailing subsidies to the sciences so that we can all be poor and mediocre together. It consists of reasonable, not extravagant, intelligently allotted aid to the undernourished areas. Then, and only then, can the universities and colleges improve the deficiencies in their arts and humanities departments. And I don't know where you got the notion of a "crash program"—an anomalous term in itself; how can anything that crashes be constructive? Certainly there's nothing in Mr. FOGARTY's bill to suggest a crash program.

Finally, I wish to object most strongly to your statement that this bill implies that the Government "can and should decide what has and what has not cultural value, and that it can and should shape humanities programs in American colleges." In the first place, section 102 of the bill expressly prohibits any Government supervision or control of educational policy. More impressive, however, is the record of the past. In the last 20 years, the Government has invested billions of dollars in higher education, through such agencies as AEC, NASA, NDEA, NIH, NSF, and others, and there still has to be found a single instance in which Government has attempted to formulate, supervise, control, or shape programs, curriculums, or policies of universities and colleges. Believe me, sir, we, the administrators and faculties of the universities and colleges, would be the first to raise our voices in protest against such interference.

You cannot, indeed, "buy public culture with Federal subsidies," but you can buy the personnel, the facilities, and the equipment by means of which the universities and colleges can produce the teachers and practitioners of the arts and letters in a favorable cultural climate. For the first step in this direction we thank Mr. FOGARTY.

GUSTAVE O. ARLT,
*President, the Council of Graduate Schools in the United States.*

Financial statistics clearly show that present Federal programs in institutions of higher education are heavily weighted to the natural and physical sciences. The effects of this emphasis on these institutions has recently been analyzed in a study of 36 colleges and universities. The study was performed by Harold Orlans of the Brookings Institution under contract with the Office of Education. It is part of the "Survey of Federal Programs in Higher Education." Some of the findings of this study follow:

> The effects which Federal programs have had on the quality and nature of higher education have been varied and uneven: pronounced in some areas but virtually undetectable in others where one would expect a marked effect. On the whole the effects have been decidedly good.
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> They have been most striking and direct in scientific research and education at a few leading graduate and professional schools and institutes of technology, and most imperceptible and indirect in scholarly work and teaching in the arts and humanities at 4- and 2-year liberal arts colleges. We have not explored either the tenuous effects at the latter institutions or the pronounced effects

> at professional schools of medicine, engineering, and agriculture, but have focused on the impact on liberal arts education at a broad group of public and private universities and a select group of private colleges.
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> Federal programs have aided these institutions to improve the quality, increase the numbers, improve the salaries, and reduce the teaching loads of their faculty in the sciences and some social sciences * * *.
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> Perhaps the most unfortunate consequence of Federal science programs has been the cleavage they have engendered between the status and rewards of faculty in the sciences and humanities. Surely this is the major problem posed for educational institutions by the unbalanced nature of present Federal policies and expenditures, and it suggests the desirability of either counterbalancing programs in the humanities or of broader forms of institutional aid.

Faculty members in the 36 institutions were asked their opinion on the wide difference in Federal support between the sciences and humanities. Their response follows:

> A small majority of scientists believe that the concentration of Federal funds in the natural sciences and relative neglect of the humanities is in the present national interest, but over two-thirds of the social scientists and a still larger proportion of humanists affirm that it is not. Some 70 percent of the scientists, however, state that the present pattern is neither in the long-run national interest nor in the best interest of their institution, and nine-tenths or more of their colleagues in the social sciences and humanities agree.
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> Asked further, "If you could redistribute the Federal funds presently available, what would you do?" over 70 percent of the respondents indicate that they would, "Give the humanities somewhat more and the sciences somewhat less, but still the major portion." It is worthy of special note that 67 percent of the scientists at universities now receiving the largest sums from the Federal Government also subscribe to this position, and the comments of many suggest that an even larger proportion would favor a policy which gave both humanists and scientists more money, or at any rate which did not penalize the sciences in order to help the humanities.

In summary, I would say only this: Seldom, if ever, in my experience as a legislator, have I observed a more clearly felt need for appropriate legislation such as that represented by the comments and convictions of these leaders in the fields of the arts, sciences, and the humanities which I have shared with you in part. I believe my bill, the Cultural Development Act of 1963, makes a comprehensive yet reasonable beginning of Federal support in this area. I feel certain the Congress will accept this nationwide surge of united opinion as an unequivocal mandate for forthright action.

## URBAN MASS TRANSPORTATION ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SHELLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SHELLEY. Mr. Speaker, I rise to urge that the 88th Congress enact the Urban Mass Transportation Act of 1963. This day I have introduced legislation providing Federal grants and loans for the development of comprehensive and coordinated mass transportation systems. This measure will authorize the Administrator of the Housing and Home Finance Agency to provide additional assistance for mass transportation systems in metropolitan and other urban areas in the Nation.

It is my firm belief that if our urban areas, both large and small, are to escape strangulation by traffic congestion, the efforts of all levels of government are needed to solve the critical transportation problems now confronting them.

The transportation problems of the urban areas are of true national concern. Seventy percent of the Nation's population live in urban areas and it is here that the highest rate of population growth is occurring. It is evident that because our Nation is predominantly an urban nation, the solution of urban problems is very much a part of the current worldwide race for economic, scientific, and cultural leadership. The strength of our very Nation will be demonstrated in the cities. These core cities of 50,000 or more and their surrounding urban and suburban territory have been the fastest growing sections of the country since the start of the century. Over two-thirds of the population of the Nation today resides in urban areas.

One of the key and unique pressures that faces the city today is the burden of handling a daytime population 30 to 50 percent greater than the residential population. The continuing decline in the use of mass transit facilities is making this task enormously more difficult. Within recent years heavy emphasis has been placed on building or planning freeways to the central cities and by adding to the supply of parking spaces. It strikes me as apparent that a highway program alone will fail to solve the problem of accessibility for many cities as they are constituted today. The question of accessibility has a great deal to do with the decision of the businessman to stay downtown or the decision of the shopper to go there. In fact, the very question of accessibility to the modern city is closely tied to the question of the survival of the central city.

Mr. Speaker, I believe it to be a fact that the movement of the great masses of people into and out of the central city can be accomplished only by a mass rapid transit program. Nationally, it makes little difference what form this transport takes—elevated trains, subways, surface trains, buses, or a combination of any or all of them. What is clear is that the fact of galloping congestion in our urban areas must be met—and with dispatch.

Our highway programs, our urban renewal projects, and all urban planning assistance programs will become more effective with the enactment of the Urban Mass Transportation Act of 1963. Under this act Federal aid will be given to State and local government agencies. They are in the best position to keep abreast of the trends which indicate need for specific transportation facilities and the best ways to meet local problems.

Mr. Speaker, I feel we have come to a point in the development of our Nation at which neither the Federal Government nor the American economy as a whole can afford the expense and damage if metropolitan areas fail in their productive function. Enactment of the Urban Mass Transportation Act will do much to insure the good health of the American city.

## THE NEED FOR A COMMITTEE ON CAPTIVE NATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLOOD. Mr. Speaker, nearly 3 years have passed since I introduced in the 86th Congress, 2d session, a House resolution on a Committee on the Captive Nations. Referred to the Rules Committee, the resolution has never been discharged, in spite of numerous bipartisan companion resolutions, statements on the floor, and letters from constituents, scores of which were published in the CONGRESSIONAL RECORD. The primary reason for pigeonholing the measure lies in the strong opposition of the State Department.

As stated in Mr. Dean Rusk's letter of August 22, 1961, to the gentleman from Virginia, Chairman HOWARD W. SMITH, the State Department objected to House Resolution 211 for two reasons: First, identifying certain nations, such as Armenians or Georgians, as captive nations weakens our position, since we appear "advocating the dismemberment of an historical state"; second, a Committee on Captive Nations would "form a pretext for Soviet actions interfering with the resolution of the Berlin crisis."

As to the first reason, one is at a loss to understand how our position could be weakened if we were to insist on the universal application of national self-determination rights. Brought to its logical conclusion, Mr. Rusk's argument would mean that our position in Africa is being steadily weakened, since we consistenly support independence aims of every nation on that continent, sometimes even at the cost of chagrining our allies.

Conversely, it is not easy to comprehend how our position could be strengthened if we keep silent on the Russian denial of self-determination to the numerous non-Russian nations, which Congress, after an exhaustive study, found captive—Public Law 86-90, sponsored by, among others, Speaker JOHN W. MCCORMACK—and if we apply a double standard in this respect in Africa and Russia.

One also fails to understand how our theoretical support of independence for Armenia, Georgia, or Turkestan would contribute to the dismemberment of historical Russia, if our endorsement of independence for Algeria, Congo, or Angola makes no contribution to the dismemberment of historical France, Belgium, and Portugal. If one speaks in historical categories, France and Belgium acquired their African possessions at about the same time Russia expanded on the Caucasus, while her acquisition of Turkestan took place 40 years after France's acquisition of Algeria and more than three centuries after Portugal's acquisition of Angola.

As to the second reason in the letter, although Mr. Rusk's hands have not been tied by such a committee, he has failed to resolve the Berlin crisis in the more than a year since he wrote that letter. Conversely, it would be safe to assume that world war III would not have erupted over Berlin because of the committee, even if we had had one.

Speaking of further opposition to House Resolution 211, it also was voiced in unmistakable terms by the House Foreign Affairs Committee. Invited to state his views before the Rules Committee, the gentleman from Pennsylvania, Chairman Thomas E. Morgan, insisted that his committee was taking good care of the captive nations, and no changes in the setup were necessary. The gentleman from Connecticut, John S. Monagan, who chaired the hearings on nine European captive nations last summer, asserted that "there was feeling in the Foreign Affairs Committee the question of jurisdiction of matters like this lay with this committee and the objectives might be reached in the way we are attempting to do it here," that is, without any special committee on captive nations. The gentlewoman from New York, Edna F. Kelly, chairman of the Subcommittee on Europe, likewise claimed that the captive nations were her category and that her subcommittee practically covered all the nations of the world.

It cannot be denied that the committee did not endorse the dismemberment of Russia. It never questioned Russia's right to hold captive 40 million Ukrainians, 10 million Belorussians, 10 million Caucasians, and millions of other non-Russian people in Europe alone, listed in Public Law 86–90. The committee's only concern were nine smaller captive nations—Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania—with combined population of about 90 million. As the committee, for some reason, was not concerned about nearly 20 million East Germans, it disregarded more than 100 million captive people in Europe alone—including the European part of the Soviet Union.

Only this year did the committee recognize the inadequacy of its approach to the captive nations problem. The excuse was that the subcommittee had been prevented from doing a good job by the practical limitations of jurisdiction and time. As a result of this soul-searching, the subcommittee recommended on October 29 that a consideration be given to the establishment of a Subcommittee on Captive Nations under the House Foreign Affairs Committee.

While such a subcommittee conceivably could deal with matters pertaining not only to the European captive nations, but also to the captive Cubans, Chinese, Tibetans, Mongols, North Koreans, North Vietnamese, Kazakhs, Uzbeks, and other non-Russians in the Asiatic part of the Soviet Union, numbering some 700 million people, that is, nearly four times as many as in Europe, no favorable results are likely to spring from such a subcommittee. The fact that it would remain subordinated under the Foreign Affairs Committee raises grave doubts in this respect.

In its report of October 29, 1962, the committee was unable to list a single measure in behalf of captive nations it had sponsored or carried out. All the committee could do was to refer to the hearings, held 8 years earlier by the Kersten committee, and list the latter's publications. Had it not been for my resolution, House Resolution 211, introduced on March 6, 1961, and the ensuing interest in this proposal, the committee, most probably, would not have held any such hearings as were held last summer. Actually, it was only 10 months ago that the committee took initiative, in an apparent effort to forestall the passage of House Resolution 211 and keep the matters as they had been heretofore.

The House, for example, has not investigated the wisdom of discounting 1 billion people behind the Iron, Bamboo, and Sugarcane Curtains as our friends. It has not questioned the replacement of liberation or rollback policy by containment, coexistence, disengagement, evolution, and nonpredetermination policies. It has not investigated the full implication of the powerful tide of self-determination running throughout the captive nations, nor looked in to the vulnerabilities of the Russian Communist empire, including the Red army, as a consequence of a reborn spirit of national independence.

The House has not assessed the results of our containment policy, which has alienated 1 billion captive people and gained no new allies among either the captive or nonalined nations. It has not asked itself whether such policy is serving our purposes, and what changes would be advisable in view of our witnessing the disappearance of East Berliners behind the Concrete Curtain, the Cubans behind the Sugarcane Curtain the Tibetans and the North Lao behind the Bamboo Curtain, and the vacillation of several nations in Asia, Africa, and Latin America.

The House has not brought to the surface the vested interests at the State Department that vociferously advocate Russian nationalism, although precisely the same line is being pursued by the Kremlin, and evidently is serving its purposes. It has not given a thought to the puzzling circumstances that both the Russian emigrees and Russian Communists equally violently oppose the Captive Nations Week commemorations and try to prevent a congressional inquiry into the captive non-Russian nations in the Soviet Union.

The House has not examined the prudence of our open alinement with the supernationalist Russians, in spite of their disregard of all the ideals we cherish, as exemplified in their century-old policy of militant expansionism at the expense of their weaker neighbors, racial and religious intolerance—anti-Semitism, anti-Catholicism—forcible Russification, denial of self-determination rights to the non-Russian nations, and colonial exploitation of more than a score of captive nations for the benefit of the Russian heartland.

If the State Department wants to win the friendship of 96 million Russians at the cost of alienating over 100 million non-Russians, the House has not determined whether the Department sincerely believes the Russians could be bought without compromising the principles for which we stand, and without opening the United States to the defeating criticism that, wherever it suits our selfish purposes, we forsake our principles and support the philosophy of tyranny and the violently antidemocratic regimes.

The House has done nothing to ascertain whether it is in our own interest to support the Russians and alienate the non-Russians in view of the possibility of an armed conflict with the Red army, where we could have all non-Russians lined up for us and all Russians lined up against us, since the Soviet Union, after all, is a Russian Empire, its rulers and privileged class are Russian, and its primary beneficiaries are Russian. The House has not brought out the fact that a disproportionate share of rank-and-file members in the Soviet Communist Party are Russian, while a shockingly disproportionate share of political prisoners in Soviet jails and concentration camps are non-Russian.

The House has not weighed the fact that over 100 million non-Russians in the Soviet Union, if told clearly and well beforehand of our favorable disposition toward their national aspirations, would become invaluable allies in case of an armed conflict with the Soviets. It is the non-Russians who hold strategical important positions on land and sea approaches to Moscow and control most of the wheat, coal, oil, and raw materials sustaining Russia's heartland.

Nor has the House dwelt on the reasons why the Germans in World War II were greeted as liberators in the non-Russian borderlands of the Soviet Union, why non-Russian troops laid down arms and offered full cooperation in defeating imperial Russia, and why whole non-Russian towns and districts were taken over by nationalist guerrillas long before the Germans arrived. Had the Nazis not refused the extended hand and replaced Communist slavery by Nazi slavery, our task in liquidating them would have been much more difficult.

The House has not requested an explanation from the State Department for its lukewarm support of the United Nations inquiry into Russian colonialism. It has not asked the Department whether the ruthless Russian colonialism is considered as different from the enlightened colonialism as still practiced by some Western nations, and which the Department so vigorously opposes.

Finally, the House has not scrutinized on its merits the State Department's untouchable policy of opposing the Soviet Union's dismemberment nor evaluated advantages that may result from, first, breaking up the biggest war machine in history which menaces our own security; second, reestablishing the balance of power in Europe; third paving the way toward a community of free, democratic nations; and, fourth, abolishing mankind's most ruthless imperial dictatorship.

The failure of the House to do all these things actually denies the leadership of Congress that enacted Public Law 86–90. It also deprives the American people of their right to open public inquiry on a vital issue. The failure of the House to show interest in the captive nations on the same subject serve as proof that no changes may be anticipated even if a subcommittee were established under the Foreign Affairs Committee.

Therefore, the only effective solution is to establish a new House Committee on Captive Nations. Completely dissociated from the present policies on captive nations and bearing no responsibility for their endorsement in the past, such a committee would be a proper congressional instrument for examining the problem in its entirety and suggesting to Congress ways and means to communicate with and aid our true friends behind the Communist curtains, aiding thereby our own security and leadership position in the world. We live in a climactic period of history. It is high time that something was done to put the U.S. Congress on the alert in regard to the danger caused by our passive attitude toward 1 billion captive people all over the world.

In his address before the United Nations General Assembly over a year ago, President Kennedy condemned the new Soviet colonialism and interjected this warning: "The tide of self-determination has not yet reached the Communist empire." It stands to reason he believes that the tide will reach the Russian prison of nations. Hence, our State Department lags far behind our President in understanding the tide of nationalism which moves toward the Communist empire. Congress must not lend itself to the State Department's errors in strategy and policy. Rather Congress should move ahead with the President, preparing for the day when the riptide on national independence dismembers the Russian empire.

While communism is experiencing internal dissent and difficulty in achieving its objectives, both at home and abroad, the free world must mount a vigorous political offensive on all fronts. The Captive Nations Week resolution, that has caused so much commotion in the captors' world, must be followed by proper measures that would implement its moral objectives, instead of remaining a meaningless repetition of annual declarations. The centennial of the Emancipation Proclamation is a fitting date for action.

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## THE FEDERAL ROLE IN EDUCATION TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Ullman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ULLMAN. Mr. Speaker, on Tuesday night of this week, my colleague, the gentlewoman from Oregon, Representative Edith Green, delivered the 1963 Burton lecture on education at Harvard University. I find Mrs. Green's speech, entitled "The Federal Role in Education Today," a valuable contribution to the discussion of the need for Federal assistance to colleges and universities. In the speech the gentlewoman from Oregon [Mrs. Green] makes a major proposal for legislation in this area—the creation of cooperative educational centers in 15 areas of the United States. I know that my colleagues will be most interested in reading this fine paper.

The speech follows:

It is a very special privilege to be here tonight and for several reasons: Dr. Burton, whose career in education and whose leadership has been so outstanding, is now a resident of my State. Then, too, my home in Portland is about six blocks from Reed College—and so I feel very pleased to be invited to speak at the Reed College of the East.

Then I feel especially pleased to be on the campus of Dr. Pusey whose demands for academic excellence and academic freedom have been a source of great encouragement—great inspiration to many of us in the Congress. Those of us on the Education Committee of the House have appreciated his expert testimony, his wise counsel, and we will continue to look to him for facts on the state of higher education today—and its future needs.

I also look forward to a very close working relationship with your former dean, our new Commissioner, Francis Keppel. His appointment was very enthusiastically received; his responsibilities are staggering in a country—in a world where education is the key not only to military success—but also international understanding; where not a rocket thrust—but a national education thrust of massive proportions may determine who wins the race to the moon; in a world where—as Agnes Meyer said, "the cold war has been shifted by the astute leaders of the Kremlin from a competition in physical strength to a competition in brains; and in a world where there are still many who believe that education is not the mere training of shoemakers and tanners and nuclear physicists—but is for the formation of the complete individual, his curiosity stimulated, his abilities fully developed and his potential made clearer and more available to him."

For generations we have talked of the importance of education—George Washington, Thomas Jefferson, Alexander Hamilton, Dwight D. Eisenhower, John F. Kennedy. But now there is new urgency, because not just our way of life but our life, our very survival, may depend on its degree of excellence. I found it very difficult to decide on a theme for this lecture. I'm not an expert in education. Almost every one of you in this audience has specialized in this field.

I know the Burton lectures have been established for a discussion of problems in elementary education, but as a member of the House Education Committee I find it difficult to divorce the needs of the colleges from the needs of elementary and secondary schools.

Our public educational structure is the foundation on which our higher education institutions must rest, and the colleges and universities provide the area in which the work of the elementary and secondary schools is brought to fruition. Essentially we have to look upon the entire educational process as a single process in which the Federal Government and the people of the entire Nation have a deep and continuing interest. Therefore, I hope I will be forgiven if in this Burton lecture the comments are not limited to elementary education.

In discussing the role of the Federal Government in education, the question is not Should there be Federal aid. That was decided over 100 years ago. The questions of importance today are what kind of Federal aid, and where and how the Federal dollars should be spent and why.

How much Federal aid will be determined by the priority we give to education. There is no unanimity here, nor has there been since 1787 when the Northwest Ordinance was established.

Every time a crisis in education has occurred we have marched forth boldly to meet it by establishing a new commission to study and make recommendations. And so in 1929 Herbert Hoover's Commission issued the report that "The Federal Government has no inclusive and consistent public policy as to what it should or should not do in the field of education. There are national responsibilities for education which only the Federal Government can adequately meet. * * * Federal aid should be given to education as a whole rather than to particular types of training. * * * Requiring the matching of Federal funds with State or local is an undesirable policy in the field of education. * * *

"The Committee recommends establishment of a Department of Education with a Secretary in the President's Cabinet."

The Wall Street crash occurred; the depression slammed the doors of our colleges to thousands and thousands of men and women who today are in the age bracket of the Wernher Von Brauns, Glenn Seaborgs, the Tom Dooleys.

And in 1936 Franklin Delano Roosevelt appointed a commission. Twenty-one volumes were published. With the exception of the National Youth Administration and Civilian Conservation Corps, no bills were passed. They reported that the "inadequacy of local programs in education is increasing and recommended general aid to elementary and secondary education, improved preparation of teachers, construction of school buildings, Federal aid for students from 16 to 24 years of age." War clouds gathered; another crisis.

In 1939 the National Resources Planning Board was established. In 1943, among their recommendations for the postwar period, they said that "The Office of Education should be expanded to offer educational leadership in the Nation. * * * That equal access to general and specialized education be made available to all youths of college and university age—according to their abilities. * * * And that the increases in expenditures for education in postwar period must be financed principally by Federal funds."

In 1946 President Truman's Commission on Higher Education studied the situation and reported:

"The Federal Government recognizes the desirability of providing financial aid to students in higher education because of the public benefits which accrue. * * *

"A national program of Federal scholarships in the form of grants-in-aid should be provided for at least 20 percent of all undergraduate nonveteran students—based on need and ability."

No bills passed.

In 1947 the Hoover Commission on Organization of the Executive Branch of the Government reported—surprisingly—"the U.S.

Office of Education has not been properly equipped to perform its appropriate function."

In 1953 the Second Hoover Commission and its report.

In 1955 the White House Conference on Education.

In 1956 the President's Commission on Education beyond the High School, the National Commission for the Development of Scientists and Engineers, and several nongovernmental conferences and commissions.

No one could say that the educational needs have not been studied, and no one could argue that in the postsputnik period there is not an increased amount of Federal aid; but with the exception of the Federal impact bill, the National Defense Education Act, and the college housing program, I think it can be said that Federal activities in support of education have been incidental to other national objectives.

As a result we still do not have a national policy; the Office of Education administers fewer than half the educational programs and the words of the Hoover Commission are more descriptive of conditions today than in 1929 when they said: "The multitudinous Federal educational activities are scattered throughout the various Federal departments and independent agencies, among which there is little evidence of cooperation in the discharge of educational responsibilities having the same major purpose."

Today, excluding the in-service training programs of many departments and agencies, there are nine agencies and subdivisions of the Government that have major programs involving education in the United States:

1. Department of Agriculture.
2. Atomic Energy Commission.
3. Department of Defense.
4–7. Department of Health, Education, and Welfare; Office of Education; Office of Vocational Rehabilitation; Public Health Service proper; Public Health Service, National Institutes of Health.
8. National Aeronautics and Space Administration.
9. National Science Foundation.

In addition there are six agencies and departments which have programs smaller in scope—or less clearly identifiable with education—or directed toward a highly specialized project. They are:

Department of Commerce.
Housing and Home Finance Agency.
Department of the Interior.
Department of Justice.
Department of the Treasury.
Veterans' Administration.

In international education, in addition to the Atomic Energy Commission, Department of Defense, Space Agency, National Institutes of Health, and the National Science Foundation, the following agencies have major programs:

Department of State.
Agency for International Development.
Peace Corps.
U.S. Information Agency.

It should be noted too that in addition to these 9—some 16 other departments and agencies of the Government participate in training foreign nationals in their particular fields—largely through a transfer of funds from AID—and in sponsoring research abroad through the use of foreign currency.

There are, however, only two agencies of Government specifically charged with concern for education; these are the Office of Education and the National Science Foundation.

The programs in education of all other major agencies are in total considerably more extensive than those of the two just mentioned. They have a special mission, and since this must be their overriding concern very little consideration is given to the educational needs as a whole and the impact the particular program might have. And yet, in this last year, these several agencies spent $926 million for education and another $545 million for research in educational institutions; it is obvious that these agencies must have a major impact on the educational system in the United States.

The Department of Defense and its component parts are more heavily involved in the educational process than any other department or agency of the Government. The budgets for the operation of its schools, when calculated by the same ground rules used by civilian institutions, exceed those of most of the largest private and public universities. The budgets for research contracted with universities and associated research centers exceed those of any other department except the Department of Health, Education, and Welfare with its enormous program in the Institutes of Health. The Department of Defense is supporting more students working full and part time toward baccalaureate and postgraduate degrees than any other agency. Its expenditures for training under the Government Employees Training Act exceeds the amount expended by all other agencies of the Government combined. It operates the largest and almost the only Federal system of elementary and secondary schools and is responsible for the staffing, the curriculum, and the direction of that system. It operates all but two of the Federal degree-granting institutions in the country and is expanding its operations in this field. It operates, independently of the State Department, a program of international education under the military assistance program.

To consider the involvement of the Federal Government in education without reference to the Department of Defense is impossible. And yet the questions raised, the arguments used, against general education programs are never used against education by the Pentagon—"Segregation-integration," "Church-state issues," "Federal control," "This is just the beginning," "Don't let the camel get its nose under the tent." "We can't afford it," "Taxes are too high." With the education program in the Department of Defense, these arguments are never made. The money is appropriated with little question.

What college or university president wouldn't like to have the operating budgets of the three academies: West Point, $11,261 per student per year; Air Force Academy, $13,037 per student per year; U.S. Naval Academy, $7,354 per student. None of these include capital outlay. Some questions, but not many on why—in terms of Federal dollars spent—it costs from 400 to 600 percent more to produce a career officer through the service academies than through the ROTC programs in public or private universities.

I'm not sure how many people know the full scope of the program at Madison, Wis., under the U.S. Armed Forces Institute. It is designed to meet the educational needs of all branches of the service in all parts of the world; correspondence courses are produced and distributed in various academic disciplines at secondary and higher education levels. In 1961, 116,000 students were taking correspondence courses; 189,000 were studying in groups and 10,600 were in participating colleges and universities. The Department of Defense operates a foreign language program considerably larger than that of the State Department or the Office of Education under title VI of the National Defense Education Act. The Department of Defense spent on research on various college and university campuses this last year $197.9 million. In total amount spent on research on college campuses by all agencies we were able to identify expenditures of $613 million. And it is here where duplication and overlap is most probable. It is here that expenditures have grown most rapidly and the degree of duplication cannot be ascertained. There are several reasons; but a major one is that research projects, research findings, have far outstripped the Nation's ability to store, catalog, report, and disseminate the knowledge. An illustration of this may be found in the fact that a large percentage of the Defense Department research findings have not at this time been reported to the Armed Services Technical Information Agency which was specifically created to serve as a clearinghouse for such information.

Leaving the Defense Department—and I've only touched on a few of their education programs—another illustration of the probability of overlap in research programs may be found in the fact that the following agencies were engaged in medical research and research directly related to the health sciences, varying in amounts from $1,870,000 to over $500 million:

Atomic Energy Commission.
Federal Aviation Agency.
National Science Foundation.
Office of Emergency Planning.
Veterans' Administration.
Department of Agriculture.
Department of Defense.
Department of Health, Education, and Welfare.
Department of Interior.
Department of State (AID).

In oceanography alone—in 1962—research was carried on by the Navy, the Army, the Departments of Commerce and Interior, the Atomic Energy Commission, the Public Health Service, the Office of Education, and the National Science Foundation.

There is no question but that better interagency cooperation and coordination of existing programs is desirable.

I have touched on only a few of the education programs in which the Federal Government is involved. Because of the many departments and agencies which are involved and because of the jurisdiction of committees in the Congress, I do not believe there is any one person in either branch who really knows and understands the overall role of the Federal Government in education.

We, in Congress, must certainly share part of the responsibility. Nearly every committee in the Congress has jurisdiction over some type of education legislation. This leads to some inconsistencies and overlapping.

For example, legislation to provide assistance for construction of college classrooms, when introduced as an amendment to the College Housing Act, was referred to the Banking and Currency Committees. But similar legislation, introduced separately, was considered by the Senate Labor and Public Welfare and the House Education and Labor Committees.

Likewise, legislation amending the student loan program of the National Defense Education Act to provide additional loans to medical and dental students was referred to the House Education and Labor Committee in the 87th Congress. At the same time, the House Interstate and Foreign Commerce Committee was considering a separate program of financial assistance to medical and dental students. It may be noted further that the National Science Foundation has had authority to grant medical scholarships under legislation in existence since 1950. Although this authority has not been used, consideration of it falls within the jurisdiction of a third House committee—Science and Astronautics.

Numerous bills to provide income tax deductions or tax credits for college expenses were introduced in the 87th Congress and referred to the Ways and Means Committee in the House and Finance Committee in the Senate. These proposals would have an effect akin to granting of Federal scholarships, yet direct scholarship legislation came under the jurisdiction of the Education and Labor and Labor and Public Welfare Committees. Also, while legislation to permit tax deductions for college or other educational expenses remained under the jurisdiction of the Ways and Means and Finance Committees, legislation to rebate to the States for educational purposes a percentage of their Federal income or cigarette tax collections was referred to the Education and Labor and Labor and Public Welfare Committees.

In the House, general scholarship legislation was considered by the Committee on Education and Labor, while separate proposals for scholarships for veterans came under the jurisdiction of the Veterans' Affairs Committee, scholarships for medical students and nurses were considered by the Commerce Committee, scholarships for medical training for the Armed Forces were referred to Armed Services Committee; scholarships for agricultural research were referred to the Agricultural Committee and scholarships in the sciences to the Science and Astronautics Committee.

Furthermore, while nurses scholarship legislation comes before the Interstate and Foreign Commerce Committee because of its general jurisdiction over public health matters, legislation to assist in training practical nurses was handled by the Education and Labor Committee because of its general jurisdiction over vocational education.

Both the school lunch and school milk programs are administered by the Department of Agriculture. But in the House, school lunch legislation is the province of the Education and Labor Committee, while the school milk program is under the Agriculture Committee's jurisdiction.

Donations of surplus Government property, which include many pieces of equipment, are considered by the Government Operations Committees in the Congress. Yet the furnishing of new equipment to educational institutions may be considered by several committees—the Space, Education, Defense, or Health Committees of either House.

As I stated earlier, the diffusion of responsibility for educational programs in the Congress makes it difficult for any one committee, subcommittee, or individual Member to ascertain the overall achievements of the Government's existing educational programs or the overall effects of proposals for changes in them.

My Subcommittee on Higher Education has been making a detailed study. I hope we will have recommendations and the printed report ready sometime in February. There are many questions we are asking:

Over 90 percent of all the research funds are spent in 100 institutions. Is this necessary? What does it do to the other 1,900 institutions? The President's Science Advisory Committee has recommended a widening circle of centers of excellence. How can the Government help to bring this about?

What effect does the matching-grant requirement have on the local college or university? For example: A small college decides that top priority should be given to a general library—but then an agency of Government offers to provide $1 million for a science building if the institution will match it. Because such a high percent of the funds are in the science field, does this create a further imbalance?

Is the emphasis on research undermining the importance of teaching? Are we drawing our best scholars away from the classroom and into the research lab, and decreasing the time they spend in educating the next generation?

Is the concentration of Federal funds in the sciences creating a serious imbalance in our academic system? Except for the GI bill which is being rapidly phased out, the National Defense Education Act loan program and the Reserve Officers Training Corps programs—nearly all of the direct student aid is at the graduate level and most of it is in the physical and life sciences and engineering. Nine agencies sponsor fellowship programs. Are we producing enough people at the baccalaureate level to fill up these places? Should the National Science Foundation and the Office of Education be combined? Is our race to the moon and the inevitable competitive emphasis on science decreasing the interest in and the training of people in the humanities? Freedom is not going to be won or maintained by bombs alone.

In the Inglis lecture of 1945, George F. Zook discussed the role of the Federal Government in education. He must have been looking into the crystal ball at that time when he said:

"It behooves us—as educators to acquaint ourselves with its many complexities and ramifications and to exercise such leadership as we can in its consideration and solution. Otherwise we may some day wake up to find—at the end of our generation—as the result of patchwork and piecemeal legislation, a distorted and disjointed national policy in education which represents neither the considered judgment of educational leaders nor the needs of our country."

The needs of our country are very great. Van Allen has said that our ambitions in outer space already exceed our scientific competence. We're told that we need 13,000 additional scientists and engineers on the man-on-the-moon project alone. We desperately need teachers, social workers, medical doctors, nurses.

Our country has shown, time and time again, that we can do whatever we must do—we can do what our times demand of us. We can, whenever we set our minds to it, amaze the world, and even surprise ourselves by what we can achieve. But the achievements that loom before us—the challenges that beckon us on—will require above all, an education program carefully planned—an educational system not only equal to our foreseen need, but far in excess of anything this country, or any country, has ever known.

We must prepare our young people not for the 20th century, but for the 21st century in which they will be living most of their lives and give them the kind of an education which will help them find the answers to questions which today we cannot even imagine.

We will have to invest in education, as we now invest in dams and flood control projects, as a utilization of public—and private—funds, with a guaranteed return far in excess of cost. To put it another way—we shall have to abandon the kind of thinking that reckons education in terms of costs, and not in terms of value.

Schools are faced with a decade of tremendous responsibility and need for growth and improvement.

A half century ago, 1 out of every 20 high school graduates entered college. Today, one out of three goes on to college. And this is wonderful. But many Members of Congress are very much concerned about the 60,000 to 100,000 capable young men and women who should be graduating this year but are not.

There have been several studies at the State level, and one study at the national level, which indicate that between 25 and 40 percent of our most capable students do not now go beyond high school—and largely because of financial need.

I am talking now of students with IQ's of 120 and above, who have maintained high academic records during their high school years and who would like to go to college. In addition, there is another group of 60,000 to 100,000 extremely capable high school graduates each year who are not properly motivated and do not attend college. In other words, we have between 150,000 and 200,000 students of outstanding ability who do not go beyond the high school level. This is in addition to the million who drop out during their high school years, and too often become the unemployed.

So, on one side of the national ledger we have a shortage of trained manpower in almost every area—and on the other side we have a huge reservoir of untrained people, from whom come most of the unemployed, and to whom we are apparently willing to pay unemployment compensation benefits or spend over $1,000 per person under manpower retraining. But, apparently, we are unwilling as a matter of national policy, to help make it possible for them to obtain the highly skilled and professional first training that this Nation so desperately needs.

We have always considered education a private matter—something to be determined entirely by the individual, and perhaps his parents. I think this can no longer be considered as a private matter, but rather as a matter of great public concern.

This year, I will again introduce legislation to provide Federal funds for academic facilities for higher education. I am sure that you are familiar with the statistics on college enrollments. Today we have about 4.2 million students; by 1970 we will have almost 7 million. We're talking not about a situation that may or may not occur. It most certainly will occur and no amount of wishful thinking will alter the course of events. In this decade our colleges and universities will be asked to provide the equivalent in facilities of those it has taken them 150 years to build. Our competition with the Soviet world, perhaps, is making us understand what Aristotle said a long time ago: "The destiny of an empire depends upon the education of its youth."

And there is growing evidence that not only the leaders in the Kremlin, but also the leaders in Red China, are familiar with the history of other countries and other empires. It was a professor of philosophy at the University of Berlin 160 years ago who said, "Education is not a function of the state. It is the function of the state if it wishes to survive."

Bismarck came along and is credited with the statement that "The nation that has the schools has the future."

For many years we were unwilling to admit that the Russians could develop a school system anywhere near as good as ours. Then sputnik jarred us out of our complacency. Today we know that they are graduating two or three times as many engineers as we are—and that the quality of their education is at least as good and maybe better.

But what we refuse to look at is the startling projection of figures for the 1970's which indicate that in Communist Europe and Communist China there will be far more students enrolled in their colleges and universities than in the colleges and universities of the United States and Western Europe.

All of the studies—all of the reports—all of our leaders who know of the manpower needs of this country have told us that time and time again we must do more in the way of providing educational opportunities.

Admiral Rickover has said, "To talk of the necessity of more engineers, more scientists, more doctors, more teachers and not provide facilities for learning is a kind of cynical nonsense this Nation cannot afford."

Where do we go from here?

As I have outlined earlier, we do have many educational programs for a specific purpose—with the largest part of the Federal dollar spent in research in 100 institutions of higher education.

We have no across-the-board program of Federal support of school construction or teachers' salaries at the elementary or secondary level. We have no across-the-board program of Federal aid for construction of academic facilities at the college level.

For years the Federal Government has helped to provide places for the students to eat and sleep—dormitories and dining halls—and also student lounges—but we have not been willing to provide the financial help to build classrooms, libraries, and laboratories where the students can work.

We have several Federal programs for student assistance at the graduate level—in fact so many that we have advertised for applicants for Fellowship programs—but we have no scholarship programs at the undergraduate level.

This year, the Education Committees in the House and the Senate will be asked to review, expand, and extend the Federal Impact bill and the National Defense Education Act.

In the National Defense Education Act—I would predict that the ceiling on the loan provision would be raised considerably, that the forgiveness feature would either be extended to all teachers in colleges as well as secondary schools and in both public and private schools—or that it would be removed altogether. I would predict that the Fellowship program would be expanded.

This year, I also propose a new program of support in addition to the higher education bill of which I spoke a few moments ago; the establishment of a cooperative education center.

We are aware of the tremendous explosion of knowledge. The National Science Foundation tells us that of all the scientists who have ever lived since the dawn of history over 70 percent are living and working today. Of all the research that has ever been printed—over 50 percent has occurred since 1950. We are also told that every major executive must acquire the equivalent of an additional college education every 10 years just to keep abreast of his competition.

This outpouring stream of knowledge courses through our lives. Its implication is obvious—we must all run faster just to stay in the same relative place.

When I was graduated from college, not even the most imaginative science fiction writers ventured to prophesy that man actually would sail through space. Now we are literally and physically "reaching for the stars." Those who cannot, or will not, stay abreast of these new developments will find that—not the world—but the universe will pass them by.

To provide an adequate research library is often beyond the financial capabilities of many of our 2,000 colleges and universities.

Fully equipped science buildings and laboratories to serve the space age are becoming more and more costly.

Educational television offers great hope—great opportunities—but an individual educational TV station on each campus is out of the question.

A computer system would be of great help to most universities—even though it was not used or needed full time.

In several places—Harrisburg, Pa., in the Amherst, Mount Holyoke area in Massachusetts, in Claremont, Calif., cooperative programs have been started. Tomorrow, I will introduce a bill which will provide Federal assistance for the construction of cooperative educational centers where institutions of higher education in the same locality can share the specialized facilities of such centers and thus develop programs that are beyond the resources of single institutions. This may not be of the greatest help to Harvard and the 100 other institutions which are the recipients of over 90 percent of the Federal research dollar. But, I believe it would help to accomplish what the President's Science Advisory Committee has recommended—an increase in the number of centers of excellence in this country.

The national interest requires an expansion of national support of research in a widening circle of institutions and an expansion of programs designed to increase the supply of highly trained people and college and university teachers.

The bill I am sponsoring will authorize $75 million for the first year and $150 million for the second year in Federal funds to construct cooperative educational centers in 15 areas throughout the country. It is frankly an experimental approach, which has not been considered before in Federal legislation to assist educational institutions. But I believe that it has great possibilities in producing the "centers of excellence" which the President's Science Advisory Committee has recommended.

No institution would lose its identity, and an institution which had made for itself a unique place in the American educational scene because of an outstanding program would find that its whole program would be strengthened, not weakened. It is not designed to create centers of mediocrity, but rather centers of excellence, made possible through the cooperative effort of several colleges and universities.

I am told that college librarians estimate that the number of books in college libraries doubles approximately every 20 to 25 years—not including the proliferation of learned and professional journals and pamphlets. Would it not contribute to academic excellence if two or more higher education institutions cooperatively built a research library, where the faculty and students would have facilities never available at a smaller college?

Through cooperative effort, the curriculums of all colleges participating in an educational center might be broadened and enriched through the offering of courses which no single institution could afford, or could justify. Perhaps a center might provide an engineering laboratory, with its expensive equipment. Or perhaps it might offer the facilities, and attract the learned faculty, for instruction in the languages, culture, and history of some of the newly emerging countries of the world.

And might not a cooperative center raise the quality of education in its participating institutions by enabling outstanding scholars to devote their full teaching time to the specialized field of their choice.

If we are to progress as a nation, we must devote more attention and resources to the education of our youth. And at the same time, we must insure that we are providing quality education.

Philosopher Alfred North Whitehead stated the case for education quite clearly when he said:

"In the conditions of modern life the rule is absolute: The race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, not all your victories on land or at sea, can move back the finger of fate. Today we maintain ourselves. Tomorrow science will have moved forward yet one more step, and there will be no appeal from the judgment which will then be pronounced on the uneducated.

## PAY INCREASE FOR THE MILITARY

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, for many months I have been extremely concerned at the delay of the Kennedy administration in pushing for a pay increase for the military, despite the fact that other governmental employees have benefited from pay raises on two occasions since the last general military pay increase in 1958.

Last fall I pledged to introduce, if necessary, and support legislation calling for a substantial pay increase. Included was to be a section correcting the inequities in the pay scales for those retired personnel who left the service prior to July 1958. These retired persons were discriminated against and a great inequity has existed for over 4 years as a result.

A few weeks ago I was heartened to learn that the Defense Department was supporting a pay increase measure amounting to as much as 14 percent in some categories, and also correcting the inequities I mentioned previously.

Rather than introduce my version of a pay bill I have decided to defer such action until the administration's measure comes before the Personnel Subcommittee of the Armed Services Committee. As a member of the subcommittee, I recognize that legislation as introduced by the administration is merely the raw material from which a truly effective and meaningful pay bill can be molded by our subcommittee and subsequently by the Congress.

It is the responsibility of the Congress to act with dispatch on a substantial and constructive pay bill for active duty and retired personnel of our military service and I am looking forward to helping to expedite this much-needed legislation.

## MUST WE ALLOW OUR MAILBOXES TO BE INVADED BY UNWANTED OBSCENE MATERIAL?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, a new flood of objectionable and possibly obscene material is being sent to persons across the country from New York and other places. An article in the Washington Star recently stated that over 25,000 protests had been received by the Post Office Department, and I am sure that most Members have also received similar complaints.

The core of the problem in this field is the attitude of the courts. Repeatedly in recent years court decisions have struck down State, local, and Federal statutes designed to afford a measure of protection against such filthy material, especially protection against such unsolicited material sent through the postal system.

This is not an easy problem to solve, in view of this situation. Yet I think we would all agree that we should seek an answer within the framework of court decisions and constitutional guarantees.

Accordingly, I am introducing today a bill prepared at my request by the staff of the House Post Office Committee in cooperation with the House legislative counsel. It is similar to a bill I introduced in the last Congress in that it gives certain recourse to the citizen whose mailbox is invaded by unsolicited and unwanted obscene material. The provisions of the bill will also apply to unsolicited and unwanted Communist propaganda.

This bill would allow a citizen who receives unsolicited matter which is obscene or Communist propaganda to notify his postmaster that he does not want to receive any future mail from the sender. The Post Office Department so notifies the mailer, and if additional mail is sent to the person in question, the sender stands to lose his special bulk mailing privileges and permits.

I believe this approach will give partial solution to the problem of this new flood of material. It will not solve the whole problem until we have on the law books an effective antiobscenity law which is upheld in the courts.

The gentleman from Arizona [Mr. UDALL] has a companion measure which he is also introducing today. It is aimed at this same problem but varies in degree. We serve together on the House Post Office Committee and will jointly seek action against this matter.

## INCREASE IN AMOUNT OF OUTSIDE EARNINGS ALLOWED RECIPIENTS OF SOCIAL SECURITY RETIREMENT BENEFITS

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, today I am introducing a bill to increase from $1,200 to $1,800 the amount of outside earnings allowed recipients of social security retirement benefits.

This bill would materially assist our retired folks by letting them provide for themselves additional income many of them so desperately need. I introduced similar legislation in the 87th Congress but it was not taken up by the Ways and Means Committee to which it was referred.

My bill would permit the increased earnings without loss to the individual of any of his entitlement to benefits under social security. Moreover, the bill does not add to the cost of the social security program.

Most retired persons who are able to work desire to do so, to be both productive and independent. In this they should be encouraged, not discouraged as so many are by the restrictions imposed on them by the present unrealistic law.

One of the major problems facing our country today is the difficulty our older citizens encounter in trying to provide for themselves on small fixed incomes a decent and dignified life—incomes which remain constant while the cost of living continues to rise.

These citizens paid toward their retirement—through social security assessments and other means—in years when the dollar had not depreciated to the extent to which it has declined in purchasing power today. Many contributed toward retirement on the basis of a 100-cent dollar and now are being repaid on the basis of a 45-cent dollar.

The earnings limitation of $1,200 a year penalizes people for living long lives, for having the spirit to want to go on working and being useful and productive, and for having the ability to do so.

Raising the earnings limitation to $1,800 is not a panacea, but there are plenty of persons I know who would appreciate being allowed to help themselves to that extent.

The Government continues to study and plan ways and means of aiding our retired and older citizens. This to me seems to be one of the best ways and means.

## DR. AND MRS. JAE H. YANG

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today introduced legislation for the relief of Dr. Jae H. Yang and his wife, Jeong S. Yang. The Yangs are natives of Korea who came to this country in the mid-1950's. Through previous action on the administrative level, arrangements were made to change the status of Dr. and Mrs. Yang to immigrants. The legislation which I have now introduced would refer their entry as immigrants back to the date when they actually arrived in this country so that Dr. Yang may obtain his citizenship and qualify for the practice of medicine in the State of Missouri, where the Yangs now reside.

Without this legislative relief, it would be some 7 or 8 years before Dr. Yang could enter the practice of medicine and his talents would be wasted during that time. General legislation to assist those among the top quota immigrants, which was passed last year, did not cover the group of which Dr. Yang and his wife are a part, but the underlying philosophy of the general legislation applies to the Yangs case as well. I would urge early action to determine the eligibility of the Yangs for relief and the merits of their case.

## TO MEET THE SOVIET ECONOMIC CHALLENGE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, the battles of the cold war are fought on many fronts, in space technology, the minds of men and the complexities of international trade and economics. These are difficult battles in which the advantage goes not to brute strength but to ideas. One of the most important of these cold war battles is fought in the field of international commerce, and this was one of the bases for the enactment last Congress of the Trade Expansion Act. To win in the area of international economics, we and our free world allies must keep strong the trade links which bind us and those which harmonize the economics of the uncommitted nations with the economics of the Western alliance.

The use of international trade as a weapon in international relations is as old as commerce itself. It is a refined game, played for high stakes. We must master it if we are to be secure against the threat of the international Communist movement.

The United States and its allies have some important advantages in this contest. We are far stronger than our opponents economically. In this context, I should like to make note of the excellent work which has been done by the Joint Economic Committee in bringing the facts of the comparative economic strength of the United States and the Soviet Union to light. Through the efforts of this committee, and the generous cooperation of experts throughout the country, much valuable information in this field has been brought to a focus. And the inevitable conclusion to be drawn from this information is the superiority of the United States and the free world's economy over that of the Soviets.

This is not to dismiss the threat which the Soviet Union poses, however. The Soviet economy is strong, overwhelming unless matched by the economic force of the free world leaders. And, as a controlled economy, it can be used in ways which are not open to the economic or political leaders of our free economy. The Soviet economy is subject to manipulation for the ends of the political state. There need be no economic justification for these acts; their political impact is the profit they seek. Thus the Soviet economy can be used effectively in spot situations, concentrating its strength in predetermined areas, even against the stronger and sounder Western economies.

The examples of such use are a legion. Basically they come down to a pattern not unlike that of the classical monopoly. The monopolist, or the Soviet international trader, chooses a market within which to operate and by cutrate, cutthroat tactics drives all competition from the market. Then each seeks his own profit: The monopolist by forcing prices up where there is no longer any competition to keep them down and the Communist by infiltrating the economic and political structure of the trade partner it has chosen and welding it irrevocably to the Communist bloc. Or the Communist goal may be merely to disrupt a mutually advantageous trade relationship between two countries outside of the Communist bloc. In either event the result is detrimental to the goals of the free world.

The immediate targets of the Soviets in such a spot economic invasion are the free world companies doing business in a particular place. It is only through driving them from the market that the Soviet goals can be achieved, and they cannot long stand against the concentrated strength of the Soviet economy, which is willing to weaken itself overall for the chance of a particular victory.

To effectively counteract this threat of Soviet economic pressure, I have today introduced a bill to establish a U.S. Trading Corporation. This bill would create a corporate body under the aegis of the U.S. Government which would provide assistance to private enterprises against whom the weight of Soviet economic might is asserted in particular market areas. It would help nullify the short-range competitive advantage of the Soviet controlled economy and place American businesses in a position to compete successfully with the tactics of the Soviets in this phase of cold war battling. The powers of the Corporation are made broad in the bill for great flexibility will be necessary to counter the broad range of challenges in the complex field of international commerce. Basically, however, the Corporation will be a service unit for American business, not controlling or coercing it but standing ready to assist when the challenge of concentrated economic power is placed against our firms.

This will not end the competition with the Soviet Union in the world's marketplaces. There is no one easy way in which we can achieve victory. This is one step, however, which will help strengthen the position of the United States and the free world in meeting the Communist threat.

## ADJOURNMENT

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is quite fitting, in light of the protracted 2d session of the 87th Congress which scarcely sputtered to a halt before election day, that the Congress turn its attention on the day it convenes to the question of when it shall adjourn. For this reason I have today reintroduced a bill which I offered in the closing days of the last Congress in the hope that by raising the point now, rather than next autumn, we can spare ourselves the unhappy experience of another 10-month session this year.

My bill is quite simple, it merely calls upon the Congress to abide by the decision which was made in the Legislative Reorganization Act of 1946; that is, to adjourn by July 31. This decision was based upon sound reasoning, I believe. It recognized that if the Congress would put its mind to its work it could finish its business by that date. If, instead of wasting the first 3 months of the legislative year in sessions whose most important and most time-consuming business was the opening prayer, this time could be put to use, we could shorten the time the Congress must meet and do the same amount of business.

It also recognized that the Congressman, to do an adequate job of representing his constituency, must be a part of the community he represents and it was designed to give him a chance to keep his roots firmly settled among the people of his district. I have been taken to task from time to time when I say that the job of the Congressman should be a part-time job. This is not to say that a Congressman should not give the best he has to the job; far from it, it means that to do the job here he must keep himself current with the thoughts and feelings of those he represents. He cannot represent his district when he lives in and feels himself a part of the Washington area. He must keep his interests and his contacts in his home area alive. He must be a part-time Congressman and devote the rest of his time to maintaining the liaison between his constituency and himself.

Certainly the majority of the Congress itself has no desire to spend ever more weeks and months in session every year.

As I noted, the July 31 date is fixed by law as the date upon which the Congress is to adjourn. Yet it does not do so, for the law provides also, and with good reason, that the Congress may stay in session beyond that date in years when there is a war or national emergency. And we are, according to the record, living in a period of national emergency, so proclaimed by President Truman on December 16, 1950, to meet the Korean crisis. I contend the crisis which brought about this proclamation of a national emergency has ended insofar as it bears upon the adjournment date of Congress and my bill so states.

Certainly, should other grave national emergencies arise, requiring the Congress to meet beyond the July deadline, provision can then be made for continued meeting by the proclamation of an emergency or by vote of the Congress, another procedure authorized in the Reorganization Act for lengthening the congressional session. But I believe we should recognize that, for purposes of holding the Congress in session past a reasonable date, the Korean war is over.

It may seem early in the session to worry about adjournment, but if we do not think about it now and if we do not put our shoulders to the wheel from the very beginning, we shall once again be forced to stay in session long past the Reorganization Act's appointed adjournment date.

## DR. NARAYAN CHANDRA GUPTA

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today reintroduced a bill for the relief of Dr. Narayan Chandra Gupta, a doctor presently residing in the St. Louis, Mo., area who entered this country under our exchange program.

It is the policy of the Congress and of the executive agencies who administer our immigration statutes to look with disfavor on all but the very rare cases in which a visitor to this country under an exchange program wishes to alter his status to that of immigrant while residing in the United States. Our exchange program is based upon the idea that Americans will go abroad and foreign nationals come to this country, each spending some time absorbing the culture and learning of the other so that they might return to their homes and enrich the understanding between the countries.

There must be flexibility in these programs, however, and private legislation is one means of providing it. Dr. Gupta is a Hindu, a native of an area which was incorporated into Pakistan at the time of the division of the Indian subcontinent. It is out of the question for him to return to his home and he has no place in the present country of India to which he can return as a home. I believe that this is the type of case which should be given consideration by the proper congressional authorities to see if a special exception, in the form of private legislative relief, is justified.

## MEDICAL CARE INSURANCE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. BOW. Mr. Speaker, I have today introduced a new version of my voluntary plan for medical care of all Americans over the age of 65.

The Bow bill provides Federal Government assistance for the payment of premiums for medical care insurance, either through the issuance of a certificate which may be used by those of little income to pay their premiums or by a tax credit for those of higher income.

The new bill raises the amount of premium that will be covered through either kind of Government assistance from $125 to $150, with corresponding increases in the benefits specified as minimum essentials of a satisfactory medical care insurance contract.

Also included is an income limitation restricting benefits of the bill to individuals age 65 with incomes of $4,000 per year or less, and married couples with incomes of $8,000 per year or less.

I estimate that the income limitation would leave some 14.7 million Americans over 65 eligible to participate in the insurance program.

I believe this is the best solution to the problem of medical care for persons over 65. It preserves their freedom of choice, it encourages improvement in the policies offered by insurance carriers of all classes, it offers incentive to relatives and former employers to give assistance, and it eliminates any possibility of Government interference with the hospital or medical establishments of this country.

I hope it will have widespread support in Congress, in both parties. The experience of some 35 Members of Congress who introduced the 1962 bill indicates that it has widespread popular support.

## THE IOWA PLAN FOR PROGRESS AND GROWTH IN EDUCATION

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, yesterday I introduced a bill on higher education which I believe holds out more promise for real solutions in this area of education, that we need to come to grips with, than any proposition yet offered. Because this bill was pretty largely conceived and evolved through a program of study and research at the University of Iowa we have chosen to call this the "Iowa Plan for Progress and Growth in Education."

I had hoped that this bill would have a very low number; in fact, I had hoped it could have No. 1 billing on our schedule. I had hoped that because I think education is the No. 1 problem of America. Obviously this is not going to be possible but it seems I do have the first opportunity to speak, under a special order, in this Congress; so in that way at least education is getting No. 1 billing here in the Congress.

Mr. Speaker, I would like to point out that the greatest need of our Republic, I believe, is an educated constituency, citizens with a thorough understanding of the basic philosophies on which our system is built, with the ability to choose intelligently leaders to govern itself. It is my firm belief that the answer to our Nation's problems and the challenge of freedom everywhere is more and better education for all people everywhere.

Education in America, and I think in most places of the world, is now geared to and lays great stress on scientific pursuits of our age. The pursuit of scientific achievement is certainly not wrong, but we must also learn to control this knowledge and to learn to live with each other more intelligently and more adequately. In order to assure this, we must also encourage putting great stress on the teaching of the basic philosophies that deal with man's human relations.

I believe it is a paradox of our time that we live in a time when we can create and control missiles that reach 54 million miles from the earth but, as is evident in so many of our recent experiences in society, still not reach the hearts and minds of people on the basic principles of human decency.

I believe our Nation was founded by a multitude of different people with a multitude of different ideas. From the amalgamation of these men and their ideas came the great Nation we are pleased to call America. This diversity of ideas is reflected in our system of higher education, in which the student can choose from a great variety of colleges and universities and, once in those schools, choose from a great variety of subject material, making for a diversity of opportunity and ideas which serve both to encourage growth and to give us strength and stature as a nation and as a people.

Compare this to the authoritarian selection and appointment to specific courses of study in the Soviet system, which, because of this, has a built-in weakness, a weakness which I think we should avoid. Certainly the preservation of our system of freedom in higher education and the opportunity afforded the individual regardless of his status must be preserved, encouraged, and extended, if our system is to survive. Our system will not survive by an imitation of the singleminded system of the Communists. Rather, I think to remain great, to progress and grow, we must adhere to the principles that made us great.

The value of and the need for higher education, I repeat, is inestimable. The individual involved gains a lifetime earning power as well as ability to understand and appreciate his society and the societies of others.

Mr. Speaker, the whole Nation thus benefits in that higher education better prepares an individual to participate in his society and, more importantly, to contribute to the solution of the problems of that society. It may be accurate to say that the future success of our Nation and the continued existence of our way of life depends on making the benefits of higher education available to the greatest possible number of people.

However, the cost of obtaining college and university education has steadily increased. Today the cost of obtaining such an education is prohibitive for many and will become so for an increasing number in the years ahead. For those faced with the prospect of financing an education for more than one child, especially at the same time, the dilemma is oftentimes compounded.

Certainly, there is no business in my thinking more important than the business of education. At a time when every person and the Nation is expected to find and apply the very best of its talents in order to compete with and defeat those who would destroy freedom, it is imperative that we show some interest in the 27 percent of the parents of college age students, capable of doing college level work, who are unable to send their children to college because their budget will not permit including this expense without lowering of their own standard of living.

Making it possible for all of these young people to get a college education will do much to fulfill the demands made on us in these very critical and challenging times in which we live.

In this decade, our system and way of life has put a greater emphasis on the values of higher education than ever before. As a result, college enrollment figures have shown a greater increase than the growth of our population. During this period, the population of the United States grew only 18.5 percent or only about one-third the rate of growth of our colleges and universities in America. Between the falls of 1958 and 1959 there was an increase of 143,741 or 4.5 percent in the enrollment of universities, liberal arts colleges, teachers colleges, technological schools, religious schools, and junior colleges in the United States. During that period a total enrollment of 3,402,297 full- or part-time students compared with 3,258,556 in the previous year. Between 1957 and 1958 the enrollment increase was an additional 5.5 percent. A more alarming figure, perhaps, is the increasing number of freshmen entering our colleges and universities each year. The number of freshmen enrolling in the fall of 1959 was 5.6 percent above the total freshman enrollment of 1958. For the year 1962-63 it is anticipated by the U.S. Office of Education that enrollment in institutions of higher learning will increase 300,000.

There can be no doubt that powerful social, industrial, and population factors are not only putting tremendous pressures on our institutions of higher learning, but on the individual, and his family, who desires a college education. Let me cite some facts to substantiate this and to give stress to what I am trying to talk about today:

First. A distinguished scientist reminds us that we are doubling our knowledge in science each 10 years—think of that.

Second. Then ponder the implications of this one by an authority on science: 90 percent of all of the scientists who ever lived are living today.

Third. For all of those interested in the health of our people: 90 percent of all drugs used today were unknown 10 years ago.

Fourth. The implications of automation are reflected in this one: 90 percent of all of the light bulbs produced today are manufactured by only 12 men.

Fifth. As to the efficiency of the American farmer is noted when I tell you that today a smaller percent of the population is producing more food for the whole population today than ever before, and that percentage is going down every year.

Sixth. Labor leaders and economists need to know that three-fourths of the working force which will be employed in our plants and factories in 1975—and that is only 13 years away—will be turning out products which have not yet been invented.

Seventh. The future burden of our schools is reflected in this one: By the year 2000—only 37 years away—the average person now in high school will need to be retrained vocationally three times before he retires.

Eighth. It is hard to imagine but they say by the year 2000 travel by rockets will be as commonplace as travel by jets is today.

Ninth. That we are living in a period of revolution becomes certain when I tell you that there have been 63 generations of people since the time of Christ and more changes have occurred in the past 1½ generations than in all the rest of time.

I think, in addition, that it is obvious in view of all this that we are going to have to know something about the humanities if we are to enjoy the benefits of science.

Recent studies point out that in all probability this trend will continue or even accelerate during the decade ahead. In 1940 only 15 percent of all Americans between the ages of 18 and 24 were enrolled in institutions of higher learning.

By 1950, this proportion had reached 30 percent, or double the percentage in only 10 years. However, this financial increase can in some measure be attributed to the large number of ex-servicemen receiving financial aid through the GI bill. By 1960 this figure reached 40 percent, and it is expected that fully one-half of the persons in this age group will be attending college by 1970, if the present trends continue.

As could be expected from these figures, more students from lower income families are attending colleges and universities now than in the past, and an increasing number from these families are expected in future years. However, there are still a great many potentially excellent students who are unable to obtain educations above the high school level. A recent study has revealed that approximately 50 percent of the students graduating in the upper one-fourth of their high school classes do not go on to college. Of that 50 percent, lack of the necessary funds prevents the majority from attending.

A survey in the April 1960 issue of Scholastic Teacher pointed out that 63 percent of the high school students taking part in the survey said they planned to go on to college. The survey also showed that only 22 percent, or only about one-third of those interested in attending college, have the funds necessary to finance a college education.

Elmer Roper in a recent survey for the Ford Foundation found that 69 percent of the parents interviewed say they expect to send their children to college, but only three-fifths of these families feel that they can afford to do so. The U.S. Office of Education estimates that by 1970 the cost of obtaining a college education will be double that of today if the present economic spiral continues.

To be in harmony with our heritage it is certainly imperative that we seek sound answers to these crises in higher education. None of the Federal planning or programing will meet this challenge. Because of this, and the challenge set forth in the book, "Decisions for a Better America," by the Republican Committee on Program and Progress headed by Charles H. Percy, which among other things predicts that by the year 1976—the bicentennial year—there will be—listen to this—12 million young Americans seeking a college education—1976. As we look to the future there will be 12 million boys and girls wanting to go to college compared to 3,400,000 in college today. Think of that a little.

So this is the reason that I directed my research team of college students at the State University of Iowa Law School under the direction of professors Dr. Deil Wright and Dr. Rosell Ross of the political science department to make a thorough study of the problems of higher education.

The result of this study and program is what we choose to call the "Iowa Plan for Growth and Progress in Higher Education"; in short, the "Iowa plan."

After further study and refinement of bills I introduced in the 87th Congress I have combined into one bill two-thirds of the Iowa plan. It is my belief that this, along with phase 3 yet to be written, and the Iowa plan, comes closer to meeting the real needs of higher education than any plan I have seen or has been presented in the Congress.

Section 1 of the Iowa plan would grant to the parents or guardian or their designee a $50 tax credit each year for each child up to the age 18 or entrance into college—whichever is first—providing that an investment certificate was purchased at a private savings and loan company, a bank, an insurance company, or any other financial institution meeting the requirements of law. These certificates, which would be negotiable only at an institution of higher learning, would create a loan fund upon which colleges and universities could borrow. The handling of these funds is not at this time in bill form; this will involve the formation of State policy and authorization boards to handle the funds on deposit from the purchase of investment certificates. In case the child did not attend college the account established for him would revert to the Treasury, or perhaps into a special fund, which would be used to make grants to educational institutions.

These certificates, at $50 a year, plus interest, would amount to approximately $1,400 at the time of college entrance. In addition to this the student attending a recognized and approved institution of higher learning could apply for a loan from the revolving fund created by these investment certificates.

Section 2 of the Iowa plan would grant a $100 tax credit to the person sustaining the major burden of the student's expense in school, or his designee. This would bring the total fund to $1,800, distributed over a period of 4 years. Again, the student would have access to this revolving fund in the form of a loan, should his financial status be such that he needs additional funds and if he or she attended an approved institution of higher learning.

Mr. Speaker, a nation that finds it good business to sustain a revenue loss of $11.3 billion a year due to depreciation allowances—and this figure does not take account of the estimated further revenue loss of $1.5 billion resulting from the latest liberalization—should find it good business to grant a tax credit to parents who have ambitions for their children in higher education.

A nation that finds it wise in the interest of free enterprise, and apparently it is, to support laws on expense accounts that prevent between $1 and $2 million revenue from entering our Treasury can support laws that grant a tax credit of $50 a year to parents who desire to send their children to college.

An administration that feels business will be aided by an investment tax credit that will cost the Treasury an estimated $1,340 billion should show some interest in a tax credit to extend the opportunities for a higher education to our citizens. A Government that finds it in the national interest to grant depletion allowances that result in a loss of revenue close to $2 billion, of which approximately $1 billion involves gas and oil, should find it in the national interest to grant a tax credit aiding those on whom our future depends; indeed, upon which our future system depends.

Mr. Speaker, Members of the House, what this Nation cannot afford is to neglect the freedom and well-being of our educational institutions.

Our studies indicate that the Iowa plan would be an investment in higher education of approximately $2 billion a year. However, this figure would be reduced by the fact that the Iowa plan would replace some of the Federal programs now in existence.

It is estimated that over a period of years a revolving fund of $20 billion would result from the purchase of educational certificates. This $20 billion would do a great deal to stabilize and to expand the private sector of our economy. This leads me to say just a few words about phase 3 of the Iowa plan. This phase is still in the research stage. This, however, is what it would involve. As I mentioned, a revolving fund of $20 billion would build up in just a few years. A State board, made up of about 25 members representing the major interest groups of the State—labor, business, various leaders in the field of education, the professions, and so forth—would be set up. This board would be a policy committee to study the major problems of higher education in that particular State. The board would also be authorized to make loans to institutions of higher learning and to individual students if they can prove the need and ability to repay. This would mean a fund that would enable the expansion of the school's physical plant, its library, or whatever the individual institution felt its need to be.

Mr. Speaker, this is a tax credit proposal that gives a fairer distribution of benefit than does the administration's tax credit for business program.

This is a plan which would greatly stimulate and encourage our economy, though that is not its major objective.

This is a plan which avoids the church-state issue.

This is a plan which avoids Federal control and allows those closest to the individual problems of higher education to work on them as they see fit.

This is a plan which looks to the future and builds for that future.

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### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 1. Concurrent resolution establishing that the two Houses of Congress assemble in the Hall of the House of Representatives on January 14, 1963, at 12:30 o'clock in the afternoon.

## TELECASTING PUBLIC HEARINGS OF HOUSE COMMITTEES

**Mr. MEADER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

**Mr. MEADER.** Mr. Speaker, yesterday I introduced two resolutions relating to telecasting, broadcasting, and still and motion photography of public hearings of House committees.

The first resolution is essentially the same as one I have introduced in previous Congresses. It would amend rule XI of the House rules to authorize committees to permit radio, TV, and photographic coverage of their public hearings.

The second resolution would contain the same provisions as the first with the exception that it would be limited to the sessions of the 88th Congress and would be a special resolution, rather than an amendment to the House rules.

I was encouraged to adopt this alternative approach by a passage in a speech delivered at the fall conference of the National Association of Broadcasters by NAB President Leroy Collins, October 25, 1962. It reads as follows:

> In the past few weeks Howard Bell and I have consulted with House Speaker JOHN McCORMACK and the chairman of the House Rules Committee, Representative HOWARD SMITH, about the possibility of the House modifying its bar to broadcast coverage of its committee hearings. And I am pleased to report that these conversations were "most cordial and useful"—to borrow a phrase from the State Department.
>
> Specifically, Judge SMITH, with no commitment of his ultimate position, has agreed that the Rules Committee will hear us early in the next session on a proposal to modify—at least on an experimental basis—the so-called Rayburn rule barring broadcast coverage of House hearings.

My resolution on this subject in the 87th Congress—House Resolution 173—was narrowly defeated in the Rules Committee by a vote of 8 to 6 on February 22, 1961.

There seems to be a good prospect of this reform being adopted, at least on a temporary basis, if the public and trade associations and others concerned with news of House committee hearings would make that interest known and request an opportunity to present facts and arguments before a hearing of the Rules Committee. I was the only witness testifying on my resolution at the hearing 2 years ago.

The text of the resolutions follows:

> *Resolved*, That rule XI26(g) of the Rules of the House of Representatives is hereby amended by inserting "1" immediately after "(g)", and by adding at the end thereof the following:
>
> "(2) Each committee may, upon such terms and conditions as it deems advisable, permit the broadcasting and telecasting of its public hearings by radio and television, and the dissemination of news of such hearings by such methods and by other methods and media of communication."
>
> *Resolved*, That, during the Eighty-eighth Congress, each standing or select committee of the House of Representatives may, upon such terms and conditions as it deems advisable, permit the broadcasting and telecasting of its public hearings by radio and television, and the dissemination of news of such hearings by such methods and by other methods and media of communication.

## THE LARSEN REPORT ON THE STATE DEPARTMENT'S CULTURAL PRESENTATIONS PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. WIDNALL] is recognized for 60 minutes.

**Mr. WIDNALL.** Mr. Speaker, a Department of State press release of December 21, 1962—press release No. 744—reports that four major recommendations to improve the U.S. program of oversea cultural presentations were made in a report submitted on that date to the Department of State by the U.S. Advisory Commission on International Educational and Cultural Affairs.

The 30-page report was based on a survey conducted by Mr. Roy E. Larsen, Vice Chairman of the Advisory Commission and chairman of the executive committee of Time, Inc., and Mr. Glenn G. Wolfe, a veteran Foreign Service officer, at the request of Mr. Lucius D. Battle, Assistant Secretary for Educational and Cultural Affairs of the Department of State.

Mr. Battle, we are advised by the press release, said he accepted the conclusions and recommendations of the Larsen report "in general," and noted that some points in it would require further study before being acted upon.

The Larsen report, based on interviews with more than 50 persons and study of all available documents on the program since its inception in 1954, described this record as "a paradox of inspiring achievement on the one hand and troublesome obstacles on the other."

In recommending reconstitution of the Advisory Committee on the Arts, the Larsen Commission said that the Committee, authorized by law in 1956, has not been effectively used by State Department officials in conducting the cultural presentations program, and added:

> So greatly had its functions diminished that it has not even been reappointed since the passage of the Fulbright-Hays Act of 1961.

The function of the revitalized Committee would be, according to the Larsen Commission, "to provide overall policy-level guidance and counsel" to the administrators of the program.

In a related recommendation, the Larsen report said the State Department should assume the functions now discharged under contract by the American National Theater and Academy—ANTA—and a subordinate branch, the International Cultural Exchange Service—ICES.

The Larsen Commission noted that:

> ANTA's role was to appoint and bring together panels of experts to pass only on the artistic caliber of performers and, through ICES, to make all tour arrangements with performers selected by the Department.

The arrangement with the American National Theater and Academy, though undoubtedly essential in the early days of the program, has proved to have inherent shortcomings, according to the Larsen Commission, "not because of a lack of devotion or competence on the part of the people involved, but because of the inadequacy of the organizational arrangement itself."

Observing that long-range planning could "dissipate a great many complaints and annoyances," the Larsen Commission suggested a "3-year forward projection of the program." It said that some of the time required to prepare the 3-year plan could be gained by withholding commitment of the balance of fiscal year 1963 program funds until late in the fiscal year, which ends June 30, 1963.

The Larsen report says that:

> While this may have the unfortunate consequences of not having any attractions abroad during the spring season of 1963, it is our opinion that such a sacrifice at this time will greatly enhance the potentials of the program's future.

As a feature of long-range planning, the report suggested that consideration be given to selection of amateur groups by a system of competitions.

In recommending increased recognition for participating artists and groups, the Larsen Commission cited the need for "increased psychic incentives." The existing incentives—travel, opportunity to serve the national interest, monetary compensation, enhancement of professional reputation—are important but not enough, according to the Commission which stated that:

> The ideals and aims of the program are such that there should also be about it an aura of greater value, and the distinction that springs from the recognition of excellence.

The Larsen Commission reported without comment a suggestion that participants be issued a cultural certificate by the Secretary of State and that an honor award from the Secretary or the President be conferred on those judged by the Advisory Committee on the Arts to have completed the most successful tours.

The effort to enhance the atmosphere surrounding the cultural presentations program, the Larsen report stressed, should be directed "not only toward potential artistic representatives, but also toward their environment—the American public."

On this latter point, the Larsen report said that:

> Perhaps one of the great weaknesses, as well as a major source of uninformed criticism, is the lack of broad knowledge or understanding by the American people of the program and its purposes. * * * What seems to be vitally needed is full knowledge of the nature, purpose and character of the cultural presentations program among Americans—knowledge that, properly presented, could result in an image with a strong appeal to American pride.

As to the purpose of the cultural presentations program, the Larsen Commission offered its own appraisal:

> It is to reflect abroad the state of the performing arts in America, both in terms of creative cultural vitality and of the desire and capacity of a free people to support the development of a flourishing national culture.

Mr. Speaker, little publicity has been given this report to date, a fact which, I am told, has concerned the Department of State. Yet it is one of the more important documents of our time in its through-going analysis of a highly significant part of our foreign policy.

I am, therefore, including it in the CONGRESSIONAL RECORD as a part of my remarks so that it will be generally available.

At the same time, I should like to point out that I introduced yesterday a joint resolution to carry out the major recommendations made in the Larsen report and to implement those recommendations by a number of steps which, I hope, will meet with the approval of my colleagues.

The time is auspicious to bring our country's cultural presentations program up to date, especially in view of the impetus given to cultural exchange by the enthusiastic welcome extended to the Mona Lisa in the Nation's Capital by the American people.

The joint resolution I have introduced would advance peaceful relations between the United States and other nations by strengthening and expanding the Mutual Educational and Cultural Exchange Act of 1961 by such steps as:

First. Implementing the recommendations of the Larsen report.

Second. Establishing biennial art competitions similar to those in European countries which give the arts a status equal to that provided athletics by the international Olympic games.

Third. Coordinating those cultural exchange and cultural presentations programs carried on with Latin America with the Organization of American States and the Pan American Union.

Fourth. Providing at mainland colleges and universities centers for technical and cultural interchange similar to that at the University of Hawaii which was established with Federal aid.

As to the art competitions which my joint resolution provides, let me say that Pierre Salinger suggested the establishment of such competitions together with an American music and art prize in a speech on March 8, 1961, to a National Symphony Orchestra luncheon in Washington, D.C.

Mr. Salinger said at that time that the President was very interestd in establishing an American music and art prize. National prizes are, of course, well known abroad where they have made major contributions to the discovery, encouragement, and advancement of young artists and thus have served important national purposes.

In the spirit of bipartisanship I sent a draft of my proposed joint resolution to President Kennedy's special consultant on the arts and received, under date of December 27, 1962, a letter containing a number of helpful suggestions which I incorporated in the joint resolution which I have introduced.

At the same time some excellent suggestions were made by the Secretary of the Interior; among them, first, that the upper age limitation for award winners should be 30 years of age rather than 25 as I had originally proposed, and second, that the chairmanship of the President's Special Interagency Committee—such interagency committees are authorized in the Mutual Educational and Cultural Exchange Act—should rotate among the Secretaries of State, Interior, and Health, Education, and Welfare. I have adopted these most excellent suggestions in toto.

Encouragement and suggestions came also from Adelyn D. Breeskin, director of the Washington Gallery of Modern Art; Prof. Jack Morrison, of the Department of Theater Arts of the University of California at Los Angeles, a founding member of the National Council of the Arts in Education; and Dr. Carl F. Hansen, Superintendent of Schools of the District of Columbia.

I have been told that deLesseps S. Morrison, Ambassador Representative of the United States of America on the Council of the Organization of American States, had indicated some support for an enlarged role for the OAS and the Pan American Union in the cultural exchange programs between the United States and Latin America.

I should like to conclude my remarks by recalling the following statement by President Eisenhower, from his speech at Delhi University in India in December 1959, which I regard so highly that I included it in the preamble to my joint resolution:

> More enduringly than from the deliberations of high councils mankind will profit when young men and women of all nations and in great numbers study and learn together. In so doing, they will concern themselves with the problems, possibilities, resources and rewards of their common destiny.
>
> Through the centuries nations have sent their youth armed for war to oppose their neighbors. Let us in this day look on our youth, eager for a larger and clear knowledge, as forces for international understanding; and send them, one nation to another, on missions of peace.

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THE WHITE HOUSE,
*Washington, D.C., December 27, 1962.*

Hon. WILLIAM B. WIDNALL,
*House Office Building,*
*Washington, D.C.*

DEAR CONGRESSMAN: Thank you for sending me the draft of the proposed joint resolution.

This seems interesting to me. The idea of a festival has been much discussed. The idea of limiting it to young artists is a good one. Would it not be better, however, to plan to hold it biennially rather than annually? An advisory council for the recognition of young artists is a new suggestion. I would hope in any case that the role of the young artist—his training and opportunities—would be one of the important areas which an Advisory Council on the Arts would consider.

Up until now, we have not had the personnel or the organization necessary to create such a festival as you have in mind. The National Cultural Center would seem a normal channel through which this could be done—perhaps working in cooperation with the President's Consultant on the Arts. I do hope that the National Cultural Center will begin activities of this sort even before its buildings are completed.

I hope these comments may be of some interest.

Sincerely yours,
AUGUST HECKSCHER,
*Special Consultant on the Arts.*

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[From Newsweek magazine, Jan. 14, 1963]

### EXCHANGE EXAMINED

When the United States began shipping out culture on an official level 8 years ago, the purpose, apparently, was to show the world that American musicians, dancers, actors, and athletes were as gifted as their touring Russian counterparts. The keynote seemed to be competition. Now, according to a survey and report released by the State Department last week, the cultural presentations program "is neither designed nor suited to carry on cultural competition with the Sino-Soviet bloc, nor any other country or bloc."

A more realistic appraisal of purpose, the 30-page document continues, "is to reflect abroad the state of the performing arts in America, both in terms of creative cultural vitality and of the desire and capacity of a free people to support the development of a flourishing national culture."

The report grew out of an investigation started 3 months ago at the request of Lucius D. Battle, Assistant Secretary of State for Educational and Cultural Affairs. Battle's action was prompted by sharp criticism, especially in Congress, of both the purpose and the administration of the cultural presentations program. Battle suspended the program, except for those attractions already committed to oversea contracts, pending the results of the inquiry conducted by Roy E. Larsen, chairman of the executive committee of Time, Inc., and Glenn G. Wolfe, a Foreign Service officer familiar with administrative problems in Government.

### GUIDANCE

After praising culture as a force in international goodwill, the report made specific recommendations for improving the program itself. The most significant was that the State Department should take over the managerial functions previously assigned to the American National Theater and Academy. ANTA, which has been paid $110,000 a year as the program's administrator, was "commended" for its past services, but a change was recommended "because of the need to eliminate duplication, to clarify responsibilities, and to provide direct policy guidance."

The report suggested that proper policy guidance might be best obtained through revitalizing the now inactive Advisory Committee on the arts with new membership, and retaining the panels of experts set up by ANTA to screen talent for overeas. It also pointed out that "what seems to be vitally needed is full knowledge of the nature, purpose, and character of the cultural presentations program among Americans—knowledge that, properly presented, could result in an 'image' with strong appeal to American pride."

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[From the Evening Star, Mar. 20, 1961]

### MOVE FOR ART, MUSIC PRIZES

President Kennedy is very interested in establishing an American music and art prize, according to his press secretary, Pierre Salinger.

Mr. Salinger said the President had asked him to explore the possibilities of such a prize and had put him in charge of preliminary plans.

In a taped interview over WGMS yesterday, Mr. Salinger said that within the next 2 weeks a forming committee will be organized. He said the prize idea had received an overwhelming reaction and pledges of large amounts of money for the project have been received at the White House.

Mr. Salinger first suggested such a prize during a National Symphony Orchestra sustaining fund luncheon earlier this month, together with an idea borrowed from violinist Isaac Stern for a national youth orchestra.

[From the Washington Post, Mar. 20, 1961]

### MUSIC-ART PRIZE GETTING BIG SUPPORT, SALINGER SAYS

Presidential Press Secretary Pierre Salinger said yesterday there has been overwhelming response to the idea of a White House-sponsored American music and arts prize and the project is going forward.

Salinger said pledges of large amounts of money have been among the many communications received and within 2 weeks a forming committee will be organized. He said President Kennedy is very interested.

Salinger said also in a radio interview (WGMS) that there will be White House representation at the National Symphony Orchestra concerts, including the President and Mrs. Kennedy when their schedules permit.

The idea for such a national prize was first suggested by Salinger at a National Symphony fund luncheon early this month. The press secretary is an accomplished pianist and has played many concerts.

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[Press release from the Department of State, Dec. 21, 1962]

### U.S. ADVISORY COMMISSION SUBMITS REPORT ON CULTURAL PRESENTATIONS PROGRAM

Four major recommendations to improve the U.S. program of oversea cultural presentations are contained in a report submitted today to the Department of State.

The report was based on a survey conducted by a nongovernmental commission at the request of Mr. Lucius D. Battle, Assistant Secretary for Educational and Cultural Affairs.

Mr. Battle said he accepted the conclusions and recommendations of the report "in general," noting that some points would require further study before being acted upon.

The 30-page report of the U.S. Advisory Commission on International Educational and Cultural Affairs was turned over to Mr. Battle by Dr. John W. Gardner, Commission Chairman and president of the Carnegie Corp. of New York.

In laying the foundation for its recommendations, the Commission stressed three points: artistic excellence as the preeminent criterion of the program; the strong roles played by both professionals and amateurs; and the importance of "offstage" activities, such as clinics and student workshops, in gaining appreciation of America's cultural strength. To achieve these and other aims, the report recommended:

1. The role of the Advisory Committee on the Arts be revitalized and expanded to include selection of program attractions.
2. The State Department reassume full responsibility for direct management of all phases of the program, which consists of the sending abroad of American performers in music, drama, the dance, and sports.
3. Long-range planning to meet objectives in various areas of the world be adopted as formal policy and practice.
4. Increased recognition be given those who participate in the program.

Mr. Battle said he concurred in early appointment of members of the Advisory Committee on the Arts, with whom he would discuss implementation of the report.

The Commission's 9-week survey was conducted by Mr. Roy E. Larsen, vice chairman of the Advisory Commission and chairman of the executive committee of Time, Inc., and Mr. Glenn G. Wolfe, a veteran Foreign Service officer. In thanking the Commission, Mr. Battle said:

"I am especially grateful to Mr. Larsen, who devoted so much time and effort in spite of his many heavy responsibilities, and to Mr. Wolfe, whose long Government experience was indispensable to this study."

The report, based on interviews with more than 50 persons and study of all available documents on the program since its inception in 1954, describes the record as "a paradox of inspiring achievement on the one hand and troublesome obstacles on the other."

In recommending reconstitution of the Advisory Committee on the Arts, the Commission said that the Committee, authorized by law in 1956, had not been effectively used by State Department officials in conducting the cultural presentations program, adding: "So greatly had its functions diminished that it has not even been reappointed since the passage of the Fulbright-Hays Act of 1961." The function of the revitalized Committee would be "to provide overall policy-level guidance and counsel" to administrators of the program.

In a related recommendation, the report says the State Department should assume the functions now discharged under contract by the American National Theatre and Academy (ANTA) and a subordinate branch, the International Cultural Exchange Service (ICES).

"ANTA's role," the Commission noted, "was to appoint and bring together panels of experts to pass only on the artistic caliber of performers and, through ICES, to make all tour arrangements with performers selected by the Department."

The report had high praise for the panel members and recommended they be formally reappointed by the Advisory Committee on the Arts and continue their work as consultants to the Committee. To eliminate overlapping and conflicts, the Department of State would take over the job of tour management, including contract negotiation, and continue the present system of overseas management through U.S. diplomatic missions.

The ANTA arrangement, though undoubtedly essential in the early days of the program, proved to have inherent shortcomings, the report said, "not because of a lack of devotion or competence on the part of the people involved, but because of the inadequacy of the organizational arrangement itself." It continued:

"Having fulfilled so well its assignment over the past 8 years, ANTA richly deserves the thanks and commendation of the Government."

Observing that long-range planning could "dissipate a great many complaints and annoyances," the Commission suggested a "3-year forward projection of the program." It said some of the time required to prepare the 3-year plan could be gained by withholding commitment of the balance of fiscal year 1963 program funds until late in the fiscal year, which ends June 30, 1963.

"While this may have the unfortunate consequence of not having any attractions abroad during the spring season of 1963," the report said, "it is our opinion that such a sacrifice at this time will greatly enhance the potentials of the program's future."

As a feature of long-range planning, the report suggested that consideration be given to selection of amateur groups by a system of competitions.

In recommending increased recognition for participating artists and groups, the Commission cited the need for "increased psychic incentives." The existing incentives—travel, opportunity to serve the national interest, monetary compensation, enhancement of professional reputation—are important but not enough, according to the report: "The ideals and aims of the program are such that there should also be about it any aura or greater value, and the distinction that springs from the recognition of excellence."

The Commission reported without comment a suggestion that participants be issued a cultural certificate by the Secretary of State and that an honor award from the Secretary or the President be conferred on those judged by the Advisory Committee on the Arts to have completed the most successful tours.

The effort to enhance the atmosphere surrounding the cultural presentations program, the report stressed, should be directed "not only toward potential artistic representatives, but also toward their environment—the American public." On this point, it also said:

"Perhaps one of the great weaknesses, as well as a major source of uninformed criticism, is the lack of broad knowledge or understanding by the American people of the program and its purposes. * * * What seems to be vitally needed is full knowledge of the nature, purpose, and character of the cultural presentations program among Americans—knowledge that, properly presented, could result in an image with a strong appeal to American pride."

As to the purpose of the program, the Commission offered its own appraisal: "It is to reflect abroad the state of the performing arts in America, both in terms of creative cultural vitality and of the desire and capacity of a free people to support the development of a flourishing national culture."

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### REPORT OF SURVEY, CULTURAL PRESENTATIONS PROGRAM, FOR THE U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

(Prepared by Roy E. Larsen, chairman of the executive committee, Time, Inc.; Vice Chairman, Advisory Commission; and Glenn G. Wolfe, Foreign Service officer)

WASHINGTON, D.C.,
*December 17, 1962.*

Mr. JOHN W. GARDNER,
*Chairman, U.S. Advisory Commission on International Educational and Cultural Affairs, Department of State, Washington, D.C.*

DEAR JOHN: On October 9 you and Assistant Secretary Battle requested that the undersigned conduct a survey of the State Department's cultural presentations program for the U.S. Advisory Commission.

The purpose of this survey has been to examine all phases of this important part of the State Department's educational and cultural programs and to submit recommendations for its improvement.

We have concluded the survey and attach our report of findings, conclusions, and recommendations. The survey has provided us with an immense appreciation of the program's accomplishments over the past 8 years and an intense admiration for the many individuals—citizens and Government officials—who have so unselfishly devoted their efforts to this program.

We are deeply indebted to many persons for their assistance in this study, but we particularly wish to thank Mr. Heath Bowman, director of the cultural presentations program, for his patience, tolerance, and helpfulness in this survey of the program for which he has been responsible over the past 2 years.

Sincerely,

ROY E. LARSEN,
GLENN G. WOLFE.

### REPORT OF SUBCOMMITTEE OF U.S. ADVISORY COMMISSION ON INTERNATIONAL CULTURAL AND EDUCATIONAL EXCHANGE

#### *U.S. cultural presentations—a world of promise*

In a very succinct summary of the U.S. cultural presentations program to date, Assistant Secretary of State Lucius D. Battle said in September 1962:

"I have been deeply impressed by the record of positive contributions this program has made and by the number of dedicated artists and performers who have participated throughout the world. But I have also been increasingly aware of the difficulties inherent in the program and of the criticism these have inevitably produced."

This has indeed been the record of the program—a paradox of inspiring achievement on the one hand and troublesome obstacles on the other.

In the 8 years since it was started, the U.S. cultural presentations program in its best moments has done a remarkably effective job, and the Department of State owes great thanks to all the people who have made it possible. It has revealed to audiences in some parts of the world the breadth and depth and vitality of American cultural achievement. Our great symphonies from the east coast, the west coast, and the Middle West have brought a new and exciting picture of Americans and the American scene to audiences abroad. Student orchestras and chorales have enraptured their peers on the university campuses of many nations. The performers themselves have frequently been real ambassadors without portfolio in an assignment unprecedented in formal U.S. international relations.

But not all of this has been without pain, without unfortunate incidents, or even without occasional basic misapprehensions about the nature and goals of the program itself. At times, we believe, those responsible for the program have erred in seeking to make it all things to all men, and have not always profited from experience. Today, however, we find among those in government—at home and abroad—and among those in the artistic world who have shared responsibilities for the program a considerable measure of agreement on how the program can now go on to achieve greatness in the annals of our foreign affairs.

This study and report was undertaken because of some critical questions that have been raised about the specifics of the program and its policies and implementation. We believe that there has been no important mistake in the program that could not have been forestalled by better organization, which would include a strong functioning Advisory Committee on the Arts, and by proper implementation of policies agreed upon by the representatives of the arts and government.

A strong and respected Advisory Committee on the Arts (a committee called for in Public Law 860 and continued by the Fulbright-Hays Act of September 1961) can do much to insure the maintenance of excellence of artistic performance that this program must always represent, and to insure, as well, excellence in the management of the program.

There is a wealth of artistic talent in the United States, both professional and nonprofessional, and of institutions and of small groups that make it their function to encourage and foster the growth of such talent. Thus there exist resources that make it wholly unnecessary to compromise at any time the highest standards of quality of performance, both in terms of artistry and of the character of the performers chosen to go abroad.

To this proposition, the subcommittee has found unanimous agreement among all those whose opinions are relevant, and therefore conducted its study on the basis that this was a valid premise. Most of the other points made in this report stem from similar consensus. In fact, the area of agreement among those familiar with the program was found to be extremely widespread.

### I. Purpose and Objectives

Our study of the operation of the U.S. cultural presentations program to this point suggests that the time is opportune for a clarification and restatement of the program's basic and long-range purpose.

Although the original impetus for the program was a competitive one, the record now indicates that competitive displays of cultural accomplishment tend to be wasteful and inappropriate. Part of the essence of culture rests in its communication and in its being shared, rather than being regarded as the exclusive property of a limited number of individuals, communities, or nations. From this standpoint, and from the standpoint of what has been demonstrably useful and effective in the program, it is possible to make a more realistic appraisal of purpose: it is to reflect abroad the state of the performing arts in America, both in terms of creative cultural vitality and of the desire and capacity of a free people to support the development of a flourishing national culture. A nation can disclose important aspects of its total character through the manner in which it seeks to develop the highest peaceful arts.

In the words of the congressional legislation, the purpose is to "demonstrate the cultural interests, development and achievements of the people of the United States * * * and the (U.S.) contributions being made toward * * * a more fruitful life * * * (and) to promote international cooperation for * * * cultural advancement."

These are words of the broadest kind of intent, and they evidence the wisdom of the Congress in providing a stage that permits maximum flexibility in carrying out the program. Such flexibility has made possible a wide variety of efforts and experiments, with a great diversity of kinds of attractions, kinds of audiences reached and with broad geographical spread.

This is not to say that the administration of the program has been indiscriminate. However, at the conclusion of 8 years of experience with the program, it is possible to review it in perspective and to attempt to set new patterns from a summation of all the lessons that have been learned.

In demonstrating "the cultural interests, developments and achievements" of the American people, it is obvious that the point of the demonstration is to communicate effectively these achievements to other people. Any demonstration or exhibition communicates, some more successfully than others; the high point of communication, however, can be reached only with the establishment of complete rapport between performer and audience. It is for this reason that the nature of the audiences reached becomes a matter of major concern.

A program designed to reflect cultural achievement often demands a very special kind of audience. In any nation or community, including our own, there are still relatively few people able to appreciate fully the highest cultural attainments, and thus capable of full rapport with and understanding of the performers. But the influence of such witnesses extends far beyond their numbers, in intellect, in leadership, and in the establishment of the highest standards of taste. So audiences of this kind, wherever they can be gathered together, offer benefits in fulfilling the purpose of the program far greater than their size would indicate.

The goal of influencing intellectual leadership abroad presupposes another important aspect of the program: its most telling effects are long range, rather than immediate. The filtering down of impressions from a society's taste makers to the point where they become generally accepted is a slow and painstaking process. Old myths, fictions and stereotypes die very hard. It is, therefore, necessary to convey and reconvey, time and time again, the reality of the American cultural condition, until it finally replaces legend.

The long-range aims of the program readily suggest a second ideal audience: the youth of any nation, or that segment of its youth that shows greatest promise of eventual leadership. The natural place to seek out such youth abroad, even more than in the United States, is in the colleges and universities.

Here again experience has shown how to achieve the greatest measure of rapport. While the best in our culture can carry a great deal of influence with university audiences everywhere, as well as with the most sophisticated and culturally mature audiences, another effective way to communicate with young people abroad is through our own college students and young professionals who are most talented in the fields of the arts. The sharing of discovery and enthusiasm by youth can do much "to promote international cooperation for * * * cultural advancement."

It is these young people who look for fresh impressions, rather than accept old ones, who are often more prone to pay heed to their peers from abroad than to their older compatriots. As Thornton Wilder said several years ago, in discussing what he had observed about the best young minds of the 20th century:

"The young person today * * * sees himself not as one of many hundreds, not as one of many millions, but as one of billions. * * * He has * * * a realization that the things that separate men from one another are less important than the things they have in common."

Whether the performers are professional or amateur, the purpose of the program cannot be realized unless the quality of the performers is the very best that we can send. The various forms of art are universal communication, whether they are language arts or extralingual; the higher the quality of art, the more complete and lasting is the thing that it communicates. Art breaks down social and political barriers and speaks in a language that can be as forceful as it is unique.

In this sense the cultural presentations program is apolitical, and while the program as a whole does have broad political purposes, these purposes must not be permitted to delimit or to misuse artistic excellence. In discussing "The Role of the Arts and the Humanities," W. McNeil Lowry, director of the Ford Foundation's arts program, said this:

"If the arts and the humanities are of any use at all to the Government's objectives, they are of use only to those of the longest range and concerned with the most basic intellectual and cultural currents running among peoples of varying political and economic origins. The assumptions that underlie the international objective we share with Western Europe have to do with the values people live by. And here the arts and the humanities, if not distorted from their own realities, have a role to play."

Finally, in any discussion of the purposes of the program, it is perhaps appropriate to point out what are not its purposes.

The program is neither designed nor suited to carry on cultural competition with the Sino-Soviet bloc, nor with any other country or bloc. The knowledge that the Sino-Soviet nations were making significant headway with their own cultural presentations certainly served as a strong incentive to establish the U.S. program; but such incentive does not translate into a purpose for the program in being. It might well, in fact, act as a denigration of all culture, and of American culture in particular, to specifically assign to it this or any other purely political end.

In another consideration of purpose, we should not lose sight of the fact that the program does assist the development of the arts in the United States by providing a stability and continuity to some artistic groups that they might otherwise not have had. Nevertheless, the program does not exist simply to provide employment to artists. Such encouragement of the arts is an extra dividend. It should in no sense influence the selection of performers or constitute an excuse for compromising standards of excellence. The primary criterion must always be artistic value.

### II. The Record: Achievements and Problems

The cultural presentations program began in 1954 as the President's special international program, with an initial authorization to take part in foreign fairs and festivals. Authorization was also granted to assist privately sponsored attractions in the performing arts to represent the United States in oversea tours.

Although the United States had had long experience in international educational exchanges, it was one of the last of the countries in the free world to engage in a formal program of exporting cultural presentations. This program was one of many new types undertaken in the postwar years by the Department of State—activities that increased as American isolationism diminished.

The President's Special International Program for Cultural Presentations operated on an emergency basis until August 1, 1956. That was the date the 84th Congress passed Public Law 860, the International Cultural and Trade Fairs Participation Act of 1956, giving full legislative sanction to the program.

A series of reorganizations over the years resulted in the establishment of a Bureau of Educational and Cultural Affairs (CU), directed by an Assistant Secretary of State.

On September 21, 1961, the Fulbright-Hays Act was approved, encompassing all the essential elements of previous legislation, as well as broadening the authority and scope of government sponsorship of the cultural presentations program.

As the stature of the overall program grew, so did the organization for cultural presentations develop from a Special Projects Branch to the present Office of Cultural Presentations.

### Coordination with the arts

The legislation provided for an Advisory Committee on the Arts to advise and assist the Secretary of State in carrying out his responsibilities under the program. We find that while State Department officials have sought the advice of various artistic experts on implementation of the program, they have not effectively used the Arts Committee to secure advice and guidance on program plans and policies. The Arts Committee was in being during the early years of the program, but so greatly had its functions diminished that it has not even been reappointed since the passage of the Fulbright-Hays Act of 1961. While each of the past six semiannual reports has stated that "the Committee meets periodically to carry out its responsibility," there is a little indication that the Committee had been confronted with important problems or any request to participate in formulating policies effecting this program.

This failure to give the Committee a major role undoubtedly stemmed from the fact that other arrangements had been made for artistic counsel. In 1954, because the professional aspects of dealing with the arts, artists and artistic directors were strange and unfamiliar to those in the State Department, a group already involved in the arts was invited to become a major participant in the program. A contract was signed with the American National Theatre and Academy (ANTA) to provide for the evaluation of performers and through a subordinate branch organized for the purpose, the International Cultural Exchange Service (ICES), to handle arrangements with the performing artists.

ANTA's role was to appoint and bring together panels of experts to pass only on the artistic caliber of performers and, through ICES, to make all tour arrangements with performers selected by the State Department. But in time it became apparent that, in addition to the selection of performers, the State Department had to approve in detail all arrangements made by ICES.

The original arrangement with an outside group was undoubtedly essential to the start of the program. But over the years it has proved to have certain inherent shortcomings, not because of a lack of devotion or competence on the part of the people involved, but because of the inadequacy of the organizational arrangement itself. One vital element that has been missing throughout has been much needed high-level coordination between Government and the arts.

Instead, there has been a diffusion of responsibilities, along with a minimum of firm policy guidance. This has led to a variety of ad hoc decisions, to the yielding to assorted pressures, and to a failure of effective communication among the several groups concerned with the program.

### Shifts in emphasis

The 8 years of the program have seen many changes in emphasis as new circumstances and new problems arose. The organization of the program proved to be anything but ideal for meeting and resolving the inevitable realities with which the program would have to cope in the field.

Very early in the program it became evident that the original concept of using fairs and festivals as the foci of the program was unrealistic and impractical. With few exceptions, they did not provide ideal settings for demonstrations of culture, and offerings were considered not so much manifestations of American cultural development as they were thought of as entries in a cultural sweepstakes competition.

In a shift away from festivals, emphasis quickly moved toward bringing some of our most notable performing arts to audiences in the great capitals of the world. The New York Philharmonic Orchestra toured Europe in 1955 and Japan in 1961. The Boston Symphony visited Europe in 1956 and the Far East in 1960. The Philadelphia Orchestra has gone to Europe twice, the Cleveland Orchestra once. Latin America has been toured by the National and New Orleans Symphonies; the Far East by the Los Angeles and Symphony of the Air, the Near East by the Minneapolis Symphony. Among those representing the field of the dance have been the New York City Ballet, the American Ballet Theatre, and the Martha Graham and Jerome Robbins dance groups. So enthusiastically have the dance groups been acclaimed abroad that their oversea tours have had an important effect on the reception that the ballet has since had in the United States.

The appearances of these and other fine artists have left behind memorable impressions of American culture. In the case of the symphony orchestras, however, the average cost of an overseas tour amounted to approximately a fourth of the annual budget of the program. This made it impossible to export more than two orchestras a year, so that even major capitals were unlikely to have more than one concert over an interval of several years.

### Response to demands

Jazz groups, which have averaged two tours a year since 1956, represent a musical idiom that is a truly American contribution. For the most part—and particularly where they appeared before the right audiences—they have been enthusiastically received, especially by the youth. In many places, including the Soviet bloc countries, vocal public opinion has forced acceptance of jazz performances. Most jazz performers have been outstanding in their willingness to take part in demonstration and clinic sessions outside of their scheduled appearances. Jazz is certainly no substitute for the great symphonies, but must be kept in its own context in presentations in all the performing arts.

As the program's record of major successful tours mounted, the demand for presentations from other posts increased. Many of these were filled by sending smaller groups or individual performers. Where these were first-rate artists, their tours were almost uniformly successful.

As independence and nationhood spread to new areas of the world, there was demand for American cultural representation there as well. But musical traffic to these new countries was limited by costs, and sometimes by the lack of a suitable concert hall or other facilities. Meanwhile, pressures mounted from a number of sources, including posts, for attractions with primarily entertainment, rather than cultural, values. There were many requests, for instance, for variety shows, to offset similar Soviet presentations, which had received enthusiastic responses from mass audiences.

In response to field requests, some variety shows were sent on tour. While these were often favorably received by mass audiences and by the local press, some posts seriously questioned this shift away from a supposed policy of presenting only the highest forms of our performing arts. These questions pointed up the need for a clarification of the purpose and philosophy behind the cultural presentations program—a clarification that is still needed for its most effective operation.

There is evidence that some in the newer nations may be offended by the nature of attractions sent them, since a growing number of intellectual leaders, as well as expatriates, are sophisticated people who would appreciate top quality presentations, and "who are being led to believe in some cases that the United States has no such presentations."

### Youth's contribution

While it has been clear over the years that the contribution of high quality professional performers was a vital one, the experience of privately sponsored tours of amateur and academic groups made it evident that they could also achieve significant impact, especially at the youth level. Among the early outstanding successes confirming this were the Juilliard String Quartet (1955), the Juilliard Orchestra (1958), and the Westminster Choir (1957).

In more recent demonstrations of the effective use of amateur performers, the Eastman Philharmonia has toured Western Europe, the Near East, Russia, and Poland. The Harvard-Radcliffe Orchestra not only gave highly successful performances in its 1962 summer tour of Mexico, but reached out in workshop sessions among secondary and preparatory schools, by splitting up into small ensembles, string quartets, wind quartets and quintets, and percussion groups.

The roster of professional and amateur performers who have taken part in the cultural program reads like a listing of a considerable segment of the best American talent in the field of the performing arts.

### Expanding world

Since 1956 the annual appropriation for the cultural presentations program has remained unchanged at $2,500,000 per year. Meanwhile, there has been a progressive expansion of the number of countries and capitals which the program has attempted to reach, including the U.S.S.R. and Soviet satellites, as well as the growing roster of the world's independent nations.

The program has covered every continent, most of the major capitals, and 192 of the world's 256 major population centers (those with populations of 250,000 or more). Its reach has expanded from the fiscal year 1955, when presentations toured 48 countries and 90 cities, to the most recent fiscal year (1962), when attractions went out to 306 cities in 92 countries.

### Lessons from achievement

To help make judgments as to the kind of cultural attractions that are worthwhile and the kind that are not, there are now available a large quantity of reports from the diplomatic posts about the effectiveness of various performances for various audiences in their areas.

There is no dissent from any important source to the proposition that the quality of an attraction is a key consideration, or that any second-rate offering does violence to the purposes of the program. This does not, however, exclude all possibility of using presentations with mass audience appeal. The question hinges not so much on the breadth of appeal of an attraction as it does on the intrinsic artistic qualities of the presentation itself. Ice shows, it would appear, have made highly favorable impressions at all audience levels, combining entertainment features with skill, grace, and beauty approaching that of some of the finer dance presentations. The available funds, however, will almost certainly act as a limiting factor on the number and kind of such mass entertainment presentations that can be sent abroad.

It is perhaps a fair generalization that athletic or sports groups touring under the program are among the most universally liked by posts, most widely accepted by audiences and among the least troublesome in making arrangements. But the questions arise of whether a sports demonstration by two teams contributes significantly to the program's objectives, and of whether a poorly matched competition between an American team and a foreign team does not in fact detract from the values of the program. It is difficult to see how sports exhibitions can have a real part in a cultural presentations program, unless they are followed by coaches and groups of athletes to hold demonstration and clinic sessions. And in that event, it may even be that such demonstration groups might be equally valuable without a prior sports exhibition. Careful consideration should be given to the question of whether sports actually belong in the cultural program, or whether they should, instead, be given a larger role in the specialists program.

Another key lesson learned is that it is frequently not enough merely to tailor a program to an area, or even to a country. Each presentation must be regarded primarily as a means of reaching a specific kind of audience. In planning a tour, consideration must be given to the audience level that will be encountered in capital cities, large cities outside capitals, university cities, and even smaller cities and villages.

It has also been learned that there is great value to setting aside enough time for offstage appearances of the performers. They should be given as much opportunity as possible to engage in such activities in relaxed and leisurely circumstances, rather than in the hurried and peremptory manner often imposed by tight schedules. The great majority of the performers have been willing to give generously of their time off-stage for meeting with local artists, leaders, and students, for workshops and demonstration sessions, for interviews and radio and television appearances. It is obviously their intent to so contribute to mutual understanding, but they have too often been frustrated in their efforts to do so by limitations of time. Without question, this aspect of the program has made an important contribution, and could make a much greater one with better advance preparation.

It has also been learned that there is an added dimension of value when tours have some private financial support. In the "Salute to France," a 3-month exposition of American culture that took place just before the formal start of the cultural presentations program, there were invaluable overtones in the fact that it was made possible largely by private subscription in the United States, and was thus a gift of the American people. Similarly, Mexican citizens were highly impressed when they learned that the Harvard-Radcliffe Orchestra members had not only given up their summer, but were paying a large part of their own expenses.

The original legislation encouraged the extension of commercially sponsored oversea cultural tours. However, the failure to gather available information far enough in advance has kept the program from taking greater advantage of this valuable resource. Such tours most often appear in capitals, and it would be possible to send them out to provincial cities, as well, under government auspices. The expenses involved would be small, compared to the cost of originating a tour in the United States. And sponsoring their appearance outside the capitals would serve as recognition of the intellectual and cultural leadership of other cities, especially where there are large universities.

One of the most important segments of American performing arts is the drama, and certainly no American cultural presentations program would be honest or complete without it. Our discussions with some of those most interested in this field of the performing arts have brought out certain difficulties in connection with drama tours. Much of our most advanced achievement in the field is in the professional theater, and in the New York City professional theater on Broadway, in particular. Producers, however, are understandably disinclined to break a show for a tour in the middle of a successful run. There have been instances where such single performers as Margaret Webster and Hal Holbrook have been outstandingly successful, but, where a large cast is required, it has been necessary to form an ad hoc company to present American productions abroad.

Many in the theater world would look very favorably, as we do, on the greater development of professional repertory theaters across the country, opening up possibilities for the future that we have not had in the past. The very possibility of selection for the program might act as a spur to such development.

The drama, experience shows, can sometimes present very special problems that deserve careful study. Whereas, in most of the performing arts, the performance speaks for itself, the drama speaks in two voices—that of the performers and that of the vehicle they select. For that reason, special heed must be given to both the ability of the dramatic company and to the cultural image given by the vehicle. There is no problem where the theme of a production is universal. But drama is often created as a slice of its background in time and place; for that reason it can be understood best by those fully familiar with the context in which it is presented and, conversely, it can be most readily misunderstood by those unfamiliar or only partially familiar with that context.

### III. The Future: Challenge and Opportunities

The cultural presentations program has already built a reservoir of understanding abroad of U.S. cultural accomplishments and aspirations. Even with no increase in appropriations, there exists a great potential for adding to that reservoir.

The great continuing challenge and opportunity for the program lie in the maintenance of excellence—the selection and use of truly outstanding attractions. To be sure, excellence is not an unlimited commodity, but there are ever-increasing resources of American talent from which an impressive and honest cultural image of America can be reflected. Private funds in this country now support a great many repertory theaters, regional opera groups, ballet companies, creative music projects in schools, and so forth. Their numbers alone are no guarantee of quality of achievement, but numbers in a free society are something of a guarantee of cultural competition as an added stimulus toward the achievement of excellence. The cultural presentations program itself should serve as a further stimulus through recognition of the most outstanding performers.

The full potential of the presentations program cannot be attained, however, without management and administration geared to make the most effective use of our cultural resources. Because of the need to eliminate duplication, to clarify responsibilities, and to provide direct policy guidance we recommend that the Department of State reassume full responsibility for direct management of all phases of the program, including all services now performed under contract with ANTA and its subsidiary organization, ICES.

Having fulfilled so well its assignment over the past 8 years, ANTA richly deserves the thanks and commendation of the Government. In the hope that the State Department will take full advantage of the talents and experience of the panel chairmen and ICES staff, we recommend that Mrs. H. Alwyn Inness-Brown, president of the Greater New York chapter of ANTA, and Miss Rosamond Gilder, vice president of the International Theatre Institute, be appointed special consultants to the Assistant Secretary of State for Cultural Affairs; and that Cultural Affairs give consideration to the retention of the ICES staff with their valuable experience through contract or direct employment.

We recommend that, parallel with the above change in the administration of the program, three major steps be taken, which we believe are vital to the success of the program:

1. Revitalize and expand the role of the Advisory Committee on the Arts: continue panels with revised selection procedure; arrive at administrative decisions leading to better character investigations; policy on ticket pricing, timing of amateur tours, and policy on reverse flow.

#### (a) Committee on the arts

A distinguished group from the arts charged with the responsibility for advising Cultural Affairs on policies and implementation of policies would provide something that has been missing from the administration of the cultural program to date. There have been and should continue to be several Panels of Experts, each concerned with a particular field of the performing arts (music, dance, drama, academic), and each evaluating and recommending performers from its field. This is, of course, a role that should be performed by respected people in the arts rather than by Government officials. But there has been no similarly functioning group from the arts to provide overall policy-level guidance and counsel to Cultural Affairs. This would include advice as to types of attractions that would be most effective in meeting specific objectives in various areas of the world.

This is a function which the Advisory Committee on the Arts was, we believe, expected to perform, and which experience shows is essential. We recommend the reconstitution of the Arts Committee with this important function in mind. With the clear understanding that this is to be its role, there should be no difficulty in securing as members of the Arts Committee a group of highly respected, knowledgeable, and statesmanlike individuals from the world of the arts.

The language of the Fulbright-Hays Act of 1961 is clear in calling for the continuation of the Advisory Committee on the Arts. The act states:

"The members of the committee shall be individuals whose knowledge of or experience in, or whose profound interest in, one or more of the arts will enable them to assist the Commission, the President, and other officers of the Government in performing the functions described. * * * The committee shall * * * advise and assist the Commission in the discharge of its responsibilities in the field of international educational exchange and cultural presentations with special reference to the role of the arts in such fields (and) advise other interested officers of the Government * * * in connection with other international activities concerned with the arts."

### (b) Panels and selection

The committee and Cultural Affairs should get specific information on availability and quality of artists for the program from the present panels of experts, working under the committee's guidance. These panel members should be formally reappointed by the Committee on the Arts, as consultants to the committee. The secretariat functions for the panels should be provided by Cultural Affairs.

In our opinion, the individual members of these panels are deserving of special mention in this report. Four panel meetings have been observed in the process of this survey, and without question the members are dedicated to their work; they are highly respected experts in their field; they have been faithful and hard working, performing their service with a minimum of recognition.

In connection with the panel operations, we find that the practice has been to accept applications from individual performers and groups for participation in the program. This has made it necessary for the panels to pass on literally hundreds of applicants, qualified and unqualified, and has not ensured that some of the very best talent has received consideration. For a number of reasons, it appears advisable that this be changed to a system of nominations, based on first-hand observation of performers encompassing broad search for talent in all fields and regardless of whether applications have or have not been submitted. Especially in view of the need for tailoring the program to specific places and audiences, we recommend also that the panel groups be called upon to pick for the department performers or groups for a known area, country, or pattern of countries. In the few instances where this has been done, it has added an important dimension to the value of the panel's contribution.

In the case of amateur groups consideration might be given to final selection by competition among the highest rated nominations within a specified type of attraction.

It would seem necessary for the Committee on the Arts to hold frequent meetings during the early stages of reorganization of the program—perhaps for the first 6 months or 1 year. Thereafter, its meetings might be held quarterly or oftener. Panels should be asked to meet prior to a meeting of the Committee on the Arts.

### (c) Administrative decisions

The officers of Cultural Affairs should work closely with the Committee on the Arts in making a number of administrative decisions and setting management policies in connection with the program. Some of these involve screening performers for character, policies on pricing of tickets for performances, seasonal timing of amateur tours and, possibly, the establishment of a reverse flow program for bringing cultural presentations from abroad to the United States.

Inadequate investigations of the character of performers has at times resulted in mistakes that have been both embarrassing and destructive of the program's objectives. Traveling performers whose conduct abroad has been improper or less than exemplary have reflected discredit on both the program and the Government they presume to represent. Fortunately, these have been rare occurrences, but the program cannot afford to have any.

Pricing of tickets for performances, particularly for college audiences, has yet to become the subject of a firm and clear policy. Experience to date has indicated that perhaps the wisest policy might be to charge no admission for college audiences, or even for all amateur performances.

Among the problems that have appeared to have no easy solution is the timing of student tours. It has been thought that students generally are available for tour purposes only during the summers, which except for subequatorial countries, is the period of smallest interest in tours. However, from our discussions with educators and others, we find that practical solutions can be evolved for touring student groups in other than the summer vacation periods. This, like the solution to so many other problems connected with the program, can be met by sufficient advance planning. There is a well-known trend toward oversea educational programs. Many an institution would welcome the opportunity to have its especially talented students in the performing arts perform abroad under a Government program. We are told that the problem of study programs could be easily handled in connection with such tours.

The advisability of setting up a "reverse flow" cultural presentations program is one that merits further and thorough study. It has perhaps been a fair criticism that the program has been too much of a one-way street. It appears to us that a first step in this direction has been suggested by private sponsors, who have undertaken projects in collecting and exhibiting the cultural heritages in the visual arts of some of the developing countries. In the field of the performing arts, it would seem unwise to initiate such a program without comprehensive planning, consultation with the appropriate private organizations and branches of the Government. The earliest date at which such a program could be begun, even on a pilot basis, would seem to be fiscal year 1964.

2. Establish a formal policy of long-range planning; review by arts committee and posts involved; eliminate ad hoc decisions, minimize complaints, take advantage of commercial presentations, provide adequate briefing of performers, and resolve other policy issues.

(a) The most effective use of our cultural resources in a presentations program abroad requires long and careful advance planning. On the basis of the experience behind us, it does not seem unreasonable to suggest a 3-year forward projection for the program. With the funds available, and with the increased number of areas in which cultural presentations could be useful, 3 years might well be a minimum period for forward planning, in order to insure that the most important areas, or even all areas, of the world will be reached in that time with the best and most appropriate presentations.

Such a plan should certainly begin with gathering all information relevant to the program for the period to be covered. The time is now especially appropriate for a start on this. At the time this survey was announced, Assistant Secretary of State Battle declared a moratorium on any further commitment of fiscal year 1963 funds (except to meet international agreements), pending receipt of the Commission's recommendations. A byproduct of this action has been to provide time for planning ahead. A contribution to advance planning could be made by withholding the commitment of the balance of fiscal year 1963 funds until late in the fiscal year, thus providing additional time for the development of a sound plan. While this may have the unfortunate consequence of not having any attractions abroad during the spring season of 1963, it is our opinion that such a sacrifice at this time will greatly enhance the potentials of the program's future. Moreover, it is suggested that consideration be given to requesting Congress to extend into fiscal year 1964 any unobligated fiscal year 1963 funds.

This would offer an opportunity to begin a 3-year program with a clear statement jointly prepared by State Department and USIA to all diplomatic posts on what it is hoped that the entire program will accomplish, along with a request to supply complete information about their areas in the light of this overall purpose. There needs to be a continuing flow of information from the field about possible audiences and timing, and to the field about American cultural groups and their availability. In addition, all possible information and evaluation on planned commercial tours should be assembled and distributed to the posts.

All this information would need to be digested, analyzed and worked into a 3-year master plan carefully coordinated between the State Department and USIA. It should take into account the priority of areas or countries to be reached; desired audiences; political factors, use of capitals, university cities, provincial cities and possibly nonurban sites; types of attractions best suited for each place; use of professional and amateur groups, anticipated reception of performers; frequency of visits, and logistical limitations. In each case, there should be a realistic appraisal of the total exploitation possibilities and the value of such exploitation; it should then be noted what funds should be earmarked for the purpose of exploitation.

### (d) Ad hoc decisions

One of the consequences of the failure to operate on such a long-range basis has too frequently in the past been that decisions affecting specific situations and areas have been made on an ad hoc basis, e.g.:

(a) A repertory group must be sent abroad.

(b) The Far East wants a variety group.

(c) This attraction is available. Where can it be sent?

Decisions of this kind are obvious resorts to expediencies, and as such have no validity in the program.

This is not to say that a long-range plan need be so firm as to be inflexible. Political factors, audience characteristics, availability of performers—all these and many other factors are subject to change. Plans for commercial tours may not be known for more than 1 year ahead. A long-range program must have built into it the means and methods of change, thus providing more sensemaking flexibility than exists at present.

### (c) Byproducts of planning

An adequate long-term plan could dissipate a great many complaints and annoyances that have been expressed about the program in the past. It could be the basis of effective two-way communication with the field.

The posts have participated very little in any program planning until now. In fact, posts have many times been notified at such a late date that attractions were coming to their areas that there has not been enough time to make proper provisions for travel and accommodations, not to mention ability to exploit attractions, within the area. Finally, reports have been solicited from the posts and then gone unheeded, or at times even unacknowledged. In terms of effective communication, this amounts to an exercise in futility.

A long-range plan would also make it far easier to take maximum advantage of commercial presentations. The presently little-used technique of financing extensions of commercial tours in a given area might be greatly extended, if it were seen that the commercial group could fulfill the overall plan objectives for that area. This would represent a substantial saving over the cost of sending a completely new tour to the same area.

The posts and the performers alike have repeatedly complained about the inadequacy of briefings prior to departure from the United States. This problem, like many others, is primarily one of lead time and preparation, and can be solved far more easily through advance planning. Every performer, particularly those touring a country for the first time, needs thorough orientation on the political, economic and sociological background of the country, lists of key individuals he may be expected to meet, and specific conditions of transportation, lodging and food. Where there has been sufficient time in the past to brief performers fully about conditions and customs they would encounter abroad, their reactions, almost without fail, have been exemplary and a credit to their country.

### (d) Policy questions

Finally, the very conditions of drawing up a long-range plan would confront the committee with questions that need clear policy determination. Some questions have been raised, for example, about the inclusion of Western Europe is already very similar to our program, on the premises that the culture of Western Europe is already very similar to our own and that we are given adequate representation in those countries through a large number and variety of commercial attractions. In 1961 the American Embassy in Denmark raised doubts about the value of the program there, reporting:

"The events which have been staged in Denmark during the past 2 years under this program have been generally successful, but the question remains as to whether the net increment to the United States is worth the expense and the work involved. Established nongovernmental channels afford the Danes a fairly rich diet of comparable events. * * * The time which a USIS mission the size of the one in Copenhagen must devote to President's Fund presentations and the funds expended are not generally justified by the results achieved."

Members of other Western European embassies have made the same point, if less emphatically. Nevertheless, there remain obvious and strong arguments that might point toward an increase, rather than diminution, of cultural representation in Western Europe.

The report of Mr. Lowry called for an expansion of international cultural activities, "and primarily in Western Europe." He pointed out that "now we are beginning to see that the new nations, once they are free, are still in need of Europe and in fact wish to import many of their ideas and values from her, including their evaluation of U.S. culture." This opinion is given added credence by the large number of foreign students attending universities in Western Europe. England has approximately 60,000 such students and France some 30,000, a high proportion of both from the new and newly independent nations, an emphatic sign that these new nations look to Western Europe as the arbiter of modern culture.

Thus, whatever the influence of American cultural presentations in Western Europe, it would most certainly be reflected in time on a wider world screen.

### (e) Back to festivals?

Another area of inquiry that the committee might well reopen would be the possibility of sending attractions to fairs and festivals, but on a basis different from that originally planned.

It might be useful to grade festivals according to the effectiveness that any presentation sent from the United States might have there. The very best events—perhaps six or eight of them—might well merit our participation as often as funds will permit, which might be no more often than once in 3 years under the present appropriation. Other good festivals might be classified as "targets of opportunity," to be fitted in either at the beginning or end of an appropriate touring attraction. Certainly a great many of the fairs and festivals could be dismissed offhand as inappropriate to the program.

Another possibility—should the appropriation one day be increased—might be programs patterned on the "Salute to France," which would in effect be cultural saturation of a specific country or area, the effects of which might linger for many years.

3. Increase importantly the recognition given those who participate in the program.

The program's underlying effort to seek greater understanding of the United States abroad may have obscured the need for achieving full understanding here in the United States of the cultural presentations program. Perhaps one of the great weaknesses, as well as a major source of uninformed criticism, is the lack of broad knowledge or understanding by the American people of the program and its purposes.

Where such a vacuum of understanding exists, it is all but certain that the program is foregoing some of the force and efficacy it might otherwise have. What seems to be vitally needed is full knowledge of the nature, purpose and character of the Cultural Presentations program among Americans—knowledge that, properly presented, could result in an "image" with a strong appeal to American pride.

Understandably, those Americans most fully aware of the program are the ones who see some potentiality of taking part in it. And many of these, the amateurs in particular, think of it in terms of an opportunity to make a contribution to their Nation's interests. Some others, however, seem to think of it in terms of opportunities for desired travel, enhancement of professional reputation, and monetary compensation.

All these are values that the performers often do and should derive from taking part in the program. But they are not enough. The ideals and aims of the program are such that there should also be about it an aura of greater value, and the distinction that springs from the recognition of excellence.

Some effort needs to be made to create around the program an atmosphere that would provide such increased psychic incentives for the participants. And that effort should be directed not only toward potential artistic representatives, but also toward their environment—the American public.

The program has at various times come under criticism for the high salaries paid to a few performers. The payment of high salaries to outstanding artists can, in our opinion, be justified on the basis of extraordinary artistic talent and their value to the program. However, such factors as the performer's normal income, the prestige to be gained through participation in the program, and the value to the individual of a guaranteed tour should be taken into account in considering any salary contract. It should also be noted that some of our most highly paid artists have served in the program without salary.

We have stressed that the maintenance of the highest artistic standards is vital to the program, in carrying out its purpose. The reputation for such standards should be able to serve other purposes as well, if properly and fully exploited. All the many means for doing this should be explored.

It has been suggested, for instance, that there might be a cultural certificate issued by the Secretary of State to those who take part in tours, and a cultural honor award from the Secretary of State or the President for those attractions judged by the arts committee to have completed the successful tours.

## THE LATE HONORABLE ROBERT S. KERR, A U.S. SENATOR FROM THE STATE OF OKLAHOMA

**The SPEAKER.** The Chair recognizes the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Speaker, I ask for recognition at this time in order to make a few remarks and to call the attention of the House again to the very sad and distressing loss of the distinguished and able senior Senator from Oklahoma, the Honorable ROBERT S. KERR, on January 1.

The untimely and shocking passing of this great statesman not only is a very heavy personal loss to me and to my colleagues from Oklahoma, as well as to our State, but it is my firm conviction that the Nation and the world also has lost the services of one of its finest public servants.

Senator KERR was born in the congressional district which I have the honor to represent. The famed log cabin from where he first saw the light of day still stands in my district.

I first knew Senator KERR in 1923 when as a newspaper reporter it was my duty to interview him at a time when his first business venture had been destroyed by fire. As the years went by I knew and watched him in his struggle to achieve his goals in life, and while in his time of great renown and fame here at the National Capitol he was known as a man of considerable wealth, we knew him first in Oklahoma as a man of very strained circumstances. He literally clawed his way up from the bottom in all fields in which he achieved success.

Senator KERR served as the chief executive of the great State of Oklahoma at a time when our country was at war. He made a very distinguished record in that capacity. He was elected to the U.S. Senate in 1948 in the same campaign in which I won my first election to the House of Representatives.

Mr. Speaker, I have had the honor and pleasure to work with him all these years here in Washington. He had been the senior Senator and head of our delegation for the last 12 years. Of course, there are no words that we can find which will describe the distress and the loss that we have suffered because of his untimely passing.

There is one thing I would like to say that may not be known by many people even though the whole world knows a lot about this great man; that is that all during the time he served in the U.S. Senate he always put more of his own means into the job, by far, than he received in financial remuneration from the Government.

His interest and his zeal to acquit himself, to serve his State and do his job in the very best way it could be done, made him happy that he had the means over and above what the Government made available to pour into his work, so that these successes that meant so much to the land of his origin could be achieved.

Mr. Speaker, Senator KERR was laid to rest in Oklahoma on January 4.

Mr. Speaker, at the funeral services for Senator Robert S. Kerr at Oklahoma City, January 4, an eloquent and fitting tribute was paid by one of his closest friends, Dr. John W. Raley, chancellor of Oklahoma Baptist University.

For almost 30 years Senator Kerr and Dr. Raley was coworkers, building together for the future of Oklahoma and at the same time performing tremendous work for the Baptist denomination.

As Dr. Raley has brought about one achievement after another on the campus of Oklahoma Baptist University at Shawnee, Senator Kerr as a distinguished Baptist layman was always in the forefront of the accomplishment.

It was truly appropriate that Dr. Raley was among those delivering tributes at the services when Oklahoma lost its most outstanding statesman.

Mr. Speaker, I ask unanimous consent that Dr. Raley's tribute may be included at this point as part of my remarks.

The SPEAKER pro tempore (Mr. Gonzalez). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The matter referred to follows:

### TRIBUTE TO ROBERT SAMUEL KERR, SENIOR SENATOR OF OKLAHOMA

(By John Wesley Raley)

Robert Samuel Kerr, son of the red soil of frontier Oklahoma, humbly born, found his way to national leadership through the complex maze of the 20th century.

Caught up in the impatient velocity of our time, he matched his day and climaxed his career by probing the very edges of space.

His lifework and his interests define him in many frames of reference—a schoolteacher, lawyer, soldier, rancher, oil man, industrialist, statesman, humanitarian, author, orator, and churchman.

It is my deep honor to speak of him today as I knew him best, Oklahoma's beloved Baptist layman. Senator Kerr was not only "Mr. Oklahoma" at home and around the world, he was "Mr. Oklahoma Baptist Layman" as well. Though he did not limit his good deeds to Baptist enterprises, he did earn this title by right of conquest through dedicated service to Baptist causes. The strategy of his religion was also the strategy of his life. He would lock his interest and strength on to something much greater than any resources he could muster alone. By such a process he merged with greatness. Following this basic strategy of sublimating the level of his own interests to that of great enterprises and religious causes, he shared in the rewards of a just providence and increased his strength for yet greater tasks ahead. He possessed the quality of intensity of concentration on any given problem and unrelenting drive toward any given objective. By this discipline he was enabled to serve in many capacities.

While he relied on brainpower and drive, Senator Kerr was humble, apt to learn, and dedicated—in the words of his business partner, Dean McGee—"a Christian gentleman." The Senator brought all these personal powers into a beautiful synthesis with his concern for people. All humanitarian causes have been strengthened by his hands; orphaned children have been fed, clothed, and sheltered; the aged, sick, and the unfortunate given care; the education of youth upgraded; and all the resources of Oklahoma enriched because Senator Kerr cared. At the present moment the strength of his life is applied to double the facilities of the Baptist Memorial Hospital in Oklahoma City.

On a more personal note, Senator Kerr is OBU's greatest benefactor. Most of the buildings on the OBU campus, including the beautiful Mrs. W. S. Kerr Memorial Dormitory which honors his mother, bear in part the Kerr image. His gifts through the Endowment Fund of the Baptist Foundation make beneficiaries of all the OBU faculty members for all time to come. Our loss can be measured only by the sustaining greatness of the days of his strength. OBU has lost her most generous friend, and I have lost another lifetime partner in dreams and accomplishments.

To conclude this tribute to my old friend and partner in Christian service, I should like to recall his final statement to me after a tour of the new chapel at OBU a little over a month ago. He had studied it carefully—the great auditorium with its beautiful tones of soft colors in brick and wood and the dramatic art windows. Then standing in the foyer, he read word by word the memorial tablet of bronze projecting the dreams of such a building into the purposes of the Baptists of Oklahoma. Having read every word he nodded approval then said, "A worthy dream beautifully stated, happily realized, and though many years of hard work came between the dream and its realization, the chapel is worthy of both the dream and the dreamer and laborer." Then with a twinkle in his sharp blue eyes he said, "Now that you have got the chapel, I suppose you are going to let me in on your next big enterprise at OBU."

My answer then can be repeated today to him and all his loved ones in full Christian faith, "Yes, Senator, you will always be in on every adventure of faith I shall undertake. Your life is forever linked to God's cause at OBU."

Mr. STEED. Mr. Speaker, at this time I yield to the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Speaker, on January 1 the new year was launched in a day of tragedy for the people of Oklahoma and the Nation. The most able son of Oklahoma soil took his departure. As a builder of Oklahoma, Bob Kerr was a thousand men in one. Oklahoma has produced many men of competence, many men who have added to the sum total of happiness and opportunity of our people, but all of them pale in the shadow of this great man who was born in a log cabin in the blackjack country of Pontotoc County 13 years before Oklahoma became a State.

All in all, Senator Kerr was the most remarkable man I have known in my lifetime. He had that rare quality of having absolute confidence that he could achieve as big as he could think—and he always admonished his fellows to think big.

He and his fine partner, Dean A. McGee who recently became a director of the Federal Reserve bank in Kansas City, built a business and industrial empire; he had one of the finest ranches in America in LeFlore County in my own congressional district; he was perhaps the largest individual owner of coal properties in the United States; he was a major producer of uranium and helium; and near the end of his career he became one of the strongest legislative leaders in the United States in this generation.

Senator Kerr was at one time a candidate for President of the United States. It was my honor to place his name in nomination. At that time the Nation was unaware of his potential as a national leader. While he was strong in Oklahoma, he had not attained the countrywide prestige necessary to make him a formidable candidate.

During the past few years I have often thought, as I watched him soar on the wings of his tremendous intellect, that what he had hoped he would do directly might ultimately come to him without a major direct effort. He was a potential President of the United States.

He loved President John F. Kennedy, and I am sure the President himself would be the first to say that Senator Kerr had those qualities of mind and character which would have equipped him to perform the duties of the highest office in the land.

Senator Kerr was a great friend of the Vice President of the United States. When Lyndon Johnson was majority leader working closely with Senator Kerr, he learned what an anchor he was in hours of trouble and difficulty.

Senator Kerr was my close friend. He has befriended me a thousand times and in a thousand ways. I have had many private conversations with him, the contents of which after his death are known only to me. These moments of consultation and conversation are among the richest experiences of my life.

Some people thought that Bob Kerr pushed too hard. He was like a great engine powered by super fuel as he drove to every task. Sometimes he made his own job hard for himself. He never worried about finesse. He could accomplish almost any task he undertook by main strength—by the sheer weight of his intellect, by his rock-like determination, and his vast energy.

He often consulted with me about his political problems. I was always flattered that he generally took my advice.

His great love was the Arkansas and Red River Basins. He set in motion and carried far enough toward conclusion the development of these watersheds that without doubt they will some day be famous in the industrial and commercial life of this Nation.

"Land, Wood, and Water," the slogan under which he campaigned and lived, was not to him just a political gimmick. It was the summary of a determination that he did more about than anybody in the country.

He was preeminent in many, many fields. He probably did more for his church than any layman in Oklahoma.

He was responsible for more worthy young men and women getting through school or into business than anybody in the history of our State, so far as I know.

A product of the frontier of Indian territory, he was an inspiration to little people everywhere, thousands of whom he helped during his lifetime.

He probably built up the greatest business organization and the biggest personal political organization in the history of our State, and was one of its most illustrious Governors.

He was the center of everything that he undertook. Those who worked with and for him were not only coworkers and employees, they were disciples. To be an active part of the Kerr organization was a way of life to hundreds of people.

He commanded the most devoted loyalty from those closely associated with him.

Senator KERR's death has brought home to me the frailty of life. So many times he and I had talked of discussing certain things and going more into detail on some of our plans, but we just never did get around to all of them. Often, also, he had said to me that he hoped to ride the first boat to go up the Arkansas when it became a navigable stream. He failed in this but he died at the zenith of his greatest success in this area. He will be there in spirit when the first boat is launched.

To paraphrase Edwin Markham in his great poem on Abraham Lincoln, and to quote almost directly from Senator KERR's funeral oration delivered by his pastor, Dr. Herschel H. Hobbs—when he went down he did not leave just another stump in the forest. He fell like a kingly cedar tree and left a lonesome place against the sky.

To Mrs. Kerr and their fine children and grandchildren, to his brothers and sister, to his friends who are legion, I extend my deepest sympathy. Oklahoma has lost her greatest and most effective advocate. America has lost one of her noblest sons.

Mr. STEED. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, it is a sad occasion that brings all of us in the Oklahoma delegation to the floor together this afternoon to pay tribute to a man who was great not only in the field of statecraft but great also in the field of industry and finance and in the field of church leadership.

Senator ROBERT S. KERR was appropriately saluted at the services in Oklahoma City last week as the great lay leader of the Baptist Church, which he loved so much.

For Oklahoma he has indeed left many monuments. Of all those great monuments none exceeds in importance in the future of our State the great waterway about which he dreamed for so many years and to which he had given so much of his time and his energy during his public career. The greatest dream of Senator KERR undoubtedly was navigation on the Arkansas River and the great industrial potential which would follow that development.

I think that for him a real milestone was realized last fall when in separate meeting at Muskogee and at Catoosa in Oklahoma further historic steps were taken to advance the cause of navigation on the river.

Senator KERR was there to break the ground for the first port to be located in Oklahoma on the Arkansas River at Muskogee. He was at Catoosa to help celebrate the progress that had been made on the river leading to the establishment of the great terminal port of that system in Oklahoma on the Verdigris River.

I think that when the final measuring stick is applied to the lives of the men who played a part in the history of our State, there will be no challenge to Senator KERR in the role that he has played as a leader of our State, in developing its great resources and in helping to make possible a brighter industrial future for the people of our State.

Because this navigation system was so close to the Senator's heart, I introduced yesterday as the first of the measures which I will sponsor in this Congress, a House joint resolution which would authorize the naming of the navigation route on the Arkansas River as the Robert S. Kerr Seaway. I earnestly hope that measure will have united support in both the House and the Senate from all who are interested in the development of that great river because no man did more to earn this honor than did Senator KERR.

Senator KERR was always kind, always considerate, always helpful to his colleagues. His strong arm was available to help the poor and the unfortunate just as it was available to help friends and colleagues. I feel I have lost a dear friend, a constant and helpful colleague. My wife joins me in sending to his lovely wife and to his brothers and his sons and daughter our deepest sympathy in their great loss.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to our distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I am deeply grieved by the passing of my dear, close and valued friend, the late Senator BOB KERR. Between BOB KERR and me there existed for years a close relationship that I treasured very much and which I shall always treasure in connection with his memory.

Senator BOB KERR was one of the great Americans of all time and one of the outstanding legislators in the Halls of Congress. He was a man of commanding views; a man of definite mind; a kind man always, as the majority leader well stated, doing good things for others. Senator BOB KERR was not only a great man but a good man. He was a leader in business, a leader in government in his State, a leader in Government on the national level. BOB KERR possessed the qualities of leadership. He was as others of our colleagues have said—a man of deep faith. He was a man who lived up to the spiritual truths that he believed in. He had an intense love of country and an intense love of his fellow man. His life was like a Horatio Alger story. The story of his life shows what can be done in America, the land of opportunity, if one has the will, the ambition and the determination to carry out their ambitions. BOB KERR always used his wealth as a trust. He always served his State and his country as a trust.

The country could ill afford to lose the services of BOB KERR at this time, but God has acted. We, his friends, will always remember that great man. The memory of his life, his deeds, his actions, his contributions on the State and Federal level are a permanent part of the record of the Nation and the State.

I extend to Mrs. Kerr, her sons and daughters, and to the other loved ones left behind my deep sympathy in their great loss and sorrow.

Mr. STEED. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, New Year's Day was a bleak one for Oklahoma. We were shocked to learn of the unexpected death of Oklahoma's greatest Senator, ROBERT S. KERR, affectionately known to his friends as "BOB."

His death shocked all of Oklahoma, as well as the Nation. We were indeed hopeful and praying that the Senator would recover from his illness of the previous weeks and continue his powerful role in the U.S. Senate and the 88th Congress, in many fields of successful private enterprise, as well as his work as a Baptist leader and guiding light.

Reports of the past few days had indicated he would soon be back in the Senate ranks. His death confused and stunned his followers in Oklahoma, the Nation, and admirers in Congress.

BOB KERR rose from a humble beginning to become the most powerful man in the U.S. Senate because he was a human locomotive, a driving man. Time after time he demonstrated his capacity to handle great responsibilities. He roared into debate with his Senate colleagues like an Oklahoma tornado, with effective results.

BOB KERR lost only one major political battle, his drive for the presidential nomination. After he gave up hopes of ever being in the White House he continued his upward move into power.

In committee he was powerful because he carefully studied each move and arrived prepared for action, armed with information about the problem at hand. Public works, space, finance—all controlled by the hand of BOB KERR.

For Oklahoma, his death came at a time when the State is really beginning to move forward. BOB KERR was the captain of the Oklahoma congressional team. He called the signals and helped to bring home one-tenth of the total public works appropriations in the last Congress.

His work greatly benefited Oklahoma, yet Tennessee, Arkansas, Kansas, and other States can attest to his work with glowing pride. Senator KERR took the lead in the development of land, wood, water, and space. His greatest dream was the completion of the Arkansas River development project, a program that is now far enough along so that completion is assured.

Yes, BOB KERR was a great man, an ideal family man, a most outstanding church layman, and a true Christian gentleman. We shall miss him.

I wish to take this opportunity to once again express my deepest sympathy to his entire family.

Mr. STEED. Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I want to join with the delegation from Oklahoma and other friends of Senator KERR in paying my humble tribute to him for his great accomplishments in the Congress of the United States.

It was my privilege to work rather closely with Senator KERR in my capacity as chairman of the House Committee on Science and Astronautics since he was chairman of the Senate Aeronautical and Space Sciences Committee. We were frequently together in conferences and exchanged ideas relative to the space program. He was always kindly, he was always considerate, and you could approach him with confidence, because you knew that you were going to be well received. I never remember a time when he became dictatorial or refused to listen to reasonable arguments.

The great space effort of this country which he helped to initiate will miss the drive and the force that he brought to it. I, for one, appreciate what this loss means to our space effort.

Mr. Speaker, I join with others in extending to his wife and family my deepest sympathy.

Mr. STEED. Mr. Speaker, Senator KERR started from such humble beginnings and during his busy life achieved so many successes in so many fields in so many ways with so many people that it is almost impossible to write a true eulogy of the man.

I think he wrote his own epitaph in his own lifetime when he adopted as the motto and the guiding principle of his whole career of public service a slogan he chose to call land, wood, and water.

So long as there remains any interest in this land, and in the world for that matter, in the field of conservation and natural resources, I know the name of Senator KERR will always rank in the highest of its missionaries.

Mr. Speaker, my wife and I extend to the Kerr family, our warm and dear friends, our deep and heartfelt sympathy in their great loss.

Mr. JARMAN. Mr. Speaker, it is a great privilege to me to join my colleagues in paying tribute to the memory of one of Oklahoma's most distinguished sons, the late Senator ROBERT S. KERR. The Senator's untimely death is a tremendous loss to our Nation and our State. Our Oklahoma congressional delegation has lost a great leader.

Senator KERR was an unusually able man with boundless energy. He was a great American and a champion supporter and developer of his native Oklahoma. He took pride in his heritage and few men have worked so unceasingly to serve their State and her citizens. His keen intellect and sound judgment were demonstrated in all his decisions—a mark of a great statesman. The people of Oklahoma and the Nation are most fortunate in having had a man of such high character and outstanding ability to represent their interests in the Congress of the United States.

Senator KERR's colleagues already miss him and will continue to miss him for a long time to come. The people of the State of Oklahoma will never forget him.

Mr. BELCHER. Mr. Speaker, our hearts are heavy today at the untimely loss of a friend and a colleague, ROBERT S. "BOB" KERR who was BOB to all of his friends. He was a Democrat; I a Republican. My respect for him as an individual and as a U.S. Senator transcends those party lines.

Although at times we differed on national issues, these differences never affected our friendship or our working together for the interest of our constituents and the State of Oklahoma.

The life of BOB KERR is the great American success story. Starting from absolute scratch as the son of a man who worked hard to support six children, by his own drive, ability and intelligence, he rose to be one of the most successful businessmen in America, one of the outstanding Senators of the U.S. Senate, and one of the greatest supporters of his beloved church, the Southern Baptist Church.

It was my privilege to work with BOB KERR rather closely for the past 12 years. In all of these years never once did he fail to fulfill his promises to the fullest extent. He was my friend and I was his friend; we admired and respected each other. BOB KERR loved Oklahoma and was one of its greatest boosters. He fought with a passion to see that Oklahoma secured those things that were rightfully hers.

A test of a man's character can usually be judged by the attitude of those people who work with him day by day. I have known many of his employees for a couple of decades; I have never heard of one that did not admire, respect and love him, and usually remain in his service. He had the ability to select good, capable people; and he loved and respected them as part of his family.

I have heard BOB say on many occasions, "Do not be afraid to dream big dreams. but be careful of what you pray for, as your prayers might be answered." BOB dreamed big dreams; most of them through blood, sweat, and tears came true.

Oklahoma and the Nation are going to miss him. I am going to miss him.

BOB KERR is gone. He died in the harness, in the service of his beloved State and his country. He has left a mark which will never fade but will continue to be a monument to his hard work and strenuous effort.

Mr. Speaker, Mrs. Belcher joins me in extending to Mrs. Kerr and the Kerr family our heartfelt sympathy. We share with them their great loss.

Mr. LIBONATI. Mr. Speaker, Senator ROBERT S. KERR lived in surroundings in the true tradition of the pioneer. He was born of humble parentage in a log cabin, in what was then Indian Territory, at Ada, Okla. Throughout his life he never forgot the religious teachings of his youth and the inherent compassion for those striving against great odds to gain success in life—whether in the business, educational or vocational fields. He later made it financially possible for hundreds of the citizens of his native State to realize their life's ambition.

He learned at an early age that, in order to become successful in life, one must receive an education. Even though his problems were many—he completed his liberal education, at Shawnee Baptist University, and was graduated in law at Oklahoma University.

As a man of decision which marked his entire life—he started prospecting for oil as a drilling engineer. His success in this field was attested to by the expansive Kerr-McGee Industries, Inc., one of the largest oil companies in the Nation. With the increase of his wealth, this great humanitarian expanded the finances supporting his many charitable, civic and educational programs.

Senator KERR was a very religious man and, as a true Christian, endeavored by example to influence the lives of his many followers. He was considered to be one of the leading national churchmen of the Baptist Church.

As a leader in the civic and business affairs of the State of Oklahoma, and his humanitarian interest in the life attainments of its citizens, it was inevitable that he would enter the political lists to press his progressive ideas and mold public opinion in order to insure legislative enactment.

Through these efforts he was selected as Democratic national committeeman. And, later, he became the Governor of his State, January 1943 to January 1947. In 1948, he was elected to the U.S. Senate, reelected in 1954 and 1960.

As a Senator, KERR became a powerful force in the enactment of legislation. He was respected by his colleagues for his keen and resourceful mind. His honesty of purpose was never questioned. His word was never broken. He was blessed with a great foresight for predicting the future problems of the Nation. His analytical mind, together with a fondness for meticulous research on a question, gave him the factual knowledge required to determine the core of the problem. His indefatigable persistence to arrive at a solution gained for him a reputation for being able to settle highly controversial matters affecting legislation of national importance to future generations.

He was active in American Legion affairs, serving as State commander in 1925. He received many honors for his serving, including the Legion's Distinguished Service Award. He served as a second lieutenant in the 1st Field Artillery in World War I.

He was the perfect American of his time—a product of a true democracy—of humble birth, schooled under adverse conditions, and trained in the business world by experience, seasoned in his high sense of Americanism in the service of his country, and lived to serve in the highest tribunal of the land—a man loved by his neighbors and colleagues and feared by his enemies, and respected and honored by the people of his State and Nation.

We, the members of the Illinois delegation, regret his passing and extend to his dear wife and sons our heartfelt condolences. May the good Lord bless him for the many kindnesses he extended to his fellow man during his lifetime. May his family glory in his fine record.

For he that followeth the path of kindness and giveth to others happiness follows the sacred footsteps of Him that bringeth good tidings that publisheth peace.

Mr. MILLS. Mr. Speaker, the profound shock which came to all of us on learning of the sudden and tragic passing of ROBERT S. KERR cannot be expressed in words. This sad and distressing news reached us as the new year was dawning, but the impact of the tragic event will be felt for years to come.

From the wellsprings of the earth of the Oklahoma frontier a towering oak arose. This giant of the forest was Bob Kerr. He arose from humble beginnings to great heights. From the log cabin of the western frontier to the highest councils of State and Nation Robert S. Kerr blazed a trail of leadership which few have ever matched. In conflict and in peace, on the battlefields of World War I and during the cold war of these last decades, he rendered devoted service to his Nation.

Bob Kerr's passing is a profound personal loss to me. He was my close friend. I came to know him quite intimately, particularly so in recent years. I have worked with him on literally hundreds of legislative projects, both large and small. The most recent of these was the Revenue Act of 1962. The extent of his contributions to the public interest cannot be described here today. Who can, in the metes and bounds of a few words, show how this great man labored over the minute details of legislation and refused to face even the possibility of defeat? I can with sincerity and vigor offer my testimony wholeheartedly to all those qualities and characteristics which have been associated with him by those who have spoken before me. Above all, I can testify to his character, his complete dedication and singleness of purpose in accomplishing great objectives, and the enormous capacity for successful leadership which was his.

The tremendous power of his intellect and innate brilliance of mind, combined with his driving energy, his diligence and great strength of character, propelled him to the forefront of every endeavor which he ever undertook. His legislative talents and his enormous capacity for reaching solutions in the public interest—matters to which he had devoted himself especially since coming upon the national legislative scene in 1948—are known to all his colleagues and especially those of us who were privileged to work with him on particular projects of great significance and importance to the Nation.

The loss to the Nation in the passing of Bob Kerr can only inadequately be described by those of us who speak today. Historians will, I am confident, accord him a very large place and high stature in the account of these years in the life of our great Nation.

To his family I offer sincere and heartfelt condolences. They can take solace from the abiding knowledge that his life and works contributed great and good gifts to the lasting service of mankind.

## GENERAL LEAVE TO EXTEND REMARKS

**Mr. STEED.** Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the subject of Senator Kerr in the Record today, and that all Members may have 5 legislative days in which to extend their remarks in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Schwengel, for 30 minutes, today.

Mr. Pucinski (at the request of Mr. Albert), for 1 hour, Wednesday, January 23.

Mr. Widnall (at the request of Mr. Stafford), today, for 1 hour, to revise and extend his remarks and to include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Roush.

Mr. Herlong and to include extraneous matter, notwithstanding the fact that the extension exceeds the limit of two printed pages and is estimated by the Public Printer to cost $480.

Mr. Hosmer in two instances and to include extraneous matter.

(The following Members (at the request of Mr. Steed), and to include extraneous matter:)

Mr. Ryan of New York.

Mr. Brademas.

Mr. Rogers of Texas.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Celler in two instances.

Mr. Nix.

Mr. Donohue.

Mr. Powell in five instances.

Mr. Gilbert.

Mr. Slack.

(The following Members (at the request of Mr. Stafford) and to include extraneous matter:)

Mr. Bob Wilson in two instances.

Mr. Byrnes of Wisconsin.

Mr. Pelly.

Mr. Martin of Nebraska.

Mr. Quie.

## ADJOURNMENT

**Mr. STEED.** Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 29 minutes p.m.) under its previous order, the House adjourned until Monday, January 14, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

168. Under clause 2 of rule XXIV, a letter from the national adjutant, Disabled American Veterans, transmitting the reports and the proceedings of their national gathering, held in Atlantic City, N.J., August 19 through 24, 1962, pursuant to Public Law 249, 77th Congress (H. Doc. No. 35) was taken from the Speaker's table, referred to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ULLMAN:

H.R. 1575. A bill to provide for Federal assistance for the construction and expansion of public community junior colleges; to the Committee on Education and Labor.

By Mr. AUCHINCLOSS:

H.R. 1576. A bill to provide an elected commission form of government for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BERRY:

H.R. 1577. A bill to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe; to the Committee on Public Works.

H.R. 1578. A bill to change the name of the Fort Randall Reservoir in the State of South Dakota to Lake Francis Case; to the Committee on Public Works.

By Mr. BROOKS:

H.R. 1579. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 1580. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 1581. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. CURTIN:

H.R. 1582. A bill to prohibit the granting of military decorations to civil or military officers who are employees of foreign governments except with the express consent of the Congress; to the Committee on Armed Services.

H.R. 1583. A bill to amend title II of the Social Security Act to provide a more realistic definition of "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 1584. A bill to amend the act of August 21, 1935, to provide for a determination of whether certain sites, buildings, or other objects are of national historical significance, and to prohibit the use of Federal funds for highway purposes which damage or destroy national historical sites, buildings, or other objects; to the Committee on Interior and Insular Affairs.

H.R. 1585. A bill to provide for the establishment of national cemeteries in the Commonwealth of Pennsylvania; to the Committee on Interior and Insular Affairs.

H.R. 1586. A bill to provide a 1-year moratorium on FHA-insured and VA-guaranteed mortgages, with the Federal Government assuming the required mortgage payments (both principal and interest) for mortgagors in economically depressed areas who are unemployed and unable to make such payments through no fault of their own, and for other purposes; to the Committee on Banking and Currency.

H.R. 1587. A bill to amend title XI of the Federal Aviation Act of 1958 to provide that certain provisions of liability insurance contracts entered into by air carriers shall be null and void; to the Committee on Interstate and Foreign Commerce.

H.R. 1588. A bill to amend section 744 of title 38, United States Code, to provide that where a veteran has paid in premiums an amount equal to or greater than the face value of a policy of U.S. Government life insurance, the policy of such insurance shall be paid up; to the Committee on Veterans' Affairs.

By Mr. DERWINSKI:

H.R. 1589. A bill to increase the maximum amount of an insured deposit under the Federal Deposit Insurance Act from $10,000 to $25,000; to the Committee on Banking and Currency.

H.R. 1590. A bill to increase the maximum amount of insurance applicable to accounts in savings and loan institutions under title IV of the National Housing Act from $10,000 to $25,000; to the Committee on Banking and Currency.

H.R. 1591. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 1592. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. FALLON:

H.R. 1593. A bill to amend the Internal Revenue Code of 1954, relative to taxes on property subject to redeemable ground rent; to the Committee on Ways and Means.

H.R. 1594. A bill to establish within the Housing and Home Finance Agency a new program of mortgage insurance to assist in financing the construction, improvement, expansion, and rehabilitation of harbor facilities for boating and commercial craft; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 1595. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. FISHER:

H.R. 1596. A bill to repeal the authorization for the furnishing of foreign currencies in connection with local currency expenses of Members and employees of the Congress traveling outside the United States; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H.R. 1597. A bill to amend the Internal Revenue Code to provide a deduction for payment of redeemable ground rents; to the Committee on Ways and Means.

H.R. 1598. A bill to amend title I of the Housing Act of 1949 to permit loss of goodwill to be taken into account in computing the amount of the relocation payment which may be made to a business concern or nonprofit organization displaced by an urban renewal project, and to increase the maximum amount of such payment; to the Committee on Banking and Currency.

H.R. 1599. A bill to increase the personal income tax exemptions of a taxpayer, including the exemptions for a spouse and dependents and the additional exemptions for old age and blindness from $600 to $1,000; to the Committee on Ways and Means.

H.R. 1600. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 1601. A bill to amend title II of the Social Security to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1602. A bill to amend the Railroad Retirement Act of 1937 to increase the amount of outside income which a survivor annuitant may earn without deduction from his or her annuity thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. GLENN:

H.R. 1603. A bill to authorize the Secretary of the Interior to construct two modern stern ramp trawlers to be used for research, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1604. A bill to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1605. A bill to amend the Civil Service Retirement Act to grant retirement credit for certain service in the U.S. merchant marine in World War II, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1606. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture.

H.R. 1607. A bill to amend section 40 of the Federal Employees' Compensation Act with respect to the determination of monthly pay; to the Committee on Education and Labor.

H.R. 1608. A bill to amend section 308 of the Tariff Act of 1930 to provide that aircraft engines and propellers may be exported as working parts of aircraft, and for other purposes; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 1609. A bill to increase from $600 to $900 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 1610. A bill to amend the Federal Deposit Insurance Act to increase the amount of a deposit which may be insured under that act; to the Committee on Banking and Currency.

H.R. 1611. A bill to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the delivery of Lincoln's immortal address at Gettysburg; to the Committee on Banking and Currency.

H.R. 1612. A bill to amend chapter 15 of title 38, United States Code, with respect to eligibility for special pension in the case of individuals awarded the Congressional Medal of Honor; to the Committee on Veterans' Affairs.

By Mr. GUBSER:

H.R. 1613. A bill to amend title I of the Housing Act of 1949 to authorize relocation payments in the case of certain parts of a business concern located outside an urban renewal area where they are interdependent with parts of such concern displaced from within such area; to the Committee on Banking and Currency.

H.R. 1614. A bill to exempt regular and classified substitute employees in post offices of the first, second, and third classes from residence requirements governing appointment and service of postmasters at post offices to which such employees are assigned; to the Committee on Post Office and Civil Service.

H.R. 1615. A bill to provide that the President shall designate one agency of the Federal Government to conduct all security investigations of civil officers and employees of the United States, and of persons who apply for employment as such officers and employees; to the Committee on Post Office and Civil Service.

H.R. 1616. A bill to provide for the establishment of rates of compensation for positions in the Federal Government in appropriate relationship to local prevailing rates for similar positions, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1617. A bill to create the Freedom Commission for the development of the science of counteraction to the World Communist conspiracy and for the training and development of leaders in a total political war; to the Committee on Un-American Activities.

H.R. 1618. A bill to amend the Tariff Act of 1930 to provide that bagpipes and related items used in bagpipe bands shall be admitted free of duty; to the Committee on Ways and Means.

H.R. 1619. A bill to amend the Internal Revenue Code of 1954 to provide that the Secretary of the Treasury shall be bound by decisions of certain Federal courts; to the Committee on Ways and Means.

H.R. 1620. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

H.R. 1621. A bill to provide that those persons entitled to retired pay or retainer pay under the Career Compensation Act of 1949 who were prohibited from computing their retired pay or retainer pay under the rates provided by the act of May 20, 1958, shall be entitled to have their retired pay or retainer pay recomputed on the rates of basic pay provided by the act of May 20, 1958; to the Committee on Armed Services.

H.R. 1622. A bill to provide for a joint study by the Administrator of the Federal Aviation Agency and the Secretary of Defense of the disposal and future use of military airports found to be surplus to the needs of the Department of Defense; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 1623. A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 1624. A bill to prohibit discrimination on account of sex in the payment of wages by certain employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

H.R. 1625. A bill to provide a program of technical and financial assistance to communities to help effectuate desegregation of schools; to the Committee on Education and Labor.

H.R. 1626. A bill to amend section 213 of the National Housing Act to place the Federal Housing Administration cooperative housing mortgage insurance program on a mutual basis, and to authorize loans to cooperatives under such program for replacements, improvements, and repairs; to the Committee on Banking and Currency.

H.R. 1627. A bill to amend title II of the National Housing Act to authorize the creation of mutual mortgage funds for the FHA premiums paid by cooperative corporations established under the act; to the Committee on Banking and Currency.

H.R. 1628. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

H.R. 1629. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 1630. A bill to enable the courts more effectively to deal with the problem of narcotic addiction; to the Committee on the Judiciary.

H.R. 1631. A bill for the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

H.R. 1632. A bill to create a Community Relations Service; to the Committee on the Judiciary.

H.R. 1633. A bill to establish a Commission on Equal Job Opportunity Under Government Contracts; to the Committee on the Judiciary.

H.R. 1634. A bill to amend title 18 of the United States Code relating to threats or injury to Federal officers in the discharge of their duties; to the Committee on the Judiciary.

H.R. 1635. A bill to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means; to the Committee on the Judiciary.

H.R. 1636. A bill to make unlawful deprivations of rights guaranteed under the 14th amendment, and for other purposes; to the Committee on the Judiciary.

H.R. 1637. A bill to make the Civil Rights Commission a permanent agency; to the Committee on the Judiciary.

H.R. 1638. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

H.R. 1639. A bill to provide for the general welfare by assisting the States, through a program of grants-in-aid, to establish and operate special hospital facilities for the treatment and cure of narcotic addicts; to the Committee on Interstate and Foreign Commerce.

H.R. 1640. A bill to establish the Department of Urban Affairs and prescribe its functions; to the Committee on Government Operations.

By Mr. HOEVEN:

H.R. 1641. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain amounts paid for the education of the taxpayer, his spouse, or his dependents; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 1642. A bill to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station and for other purposes; to the Committee on Agriculture.

By Mr. JOHANSEN:

H.R. 1643. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 1644. A bill to amend the Internal Security Act of 1950 to provide for the protection of classified information released to or within U.S. industry, and for other purposes; to the Committee on Un-American Activities.

H.R. 1645. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 1646. A bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to guard strategic defense facilities against individuals believed disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on Un-American Activities.

H.R. 1647. A bill to amend the Subversive Activities Control Act of 1950 so as to provide that any Federal officer or employee who willfully fails or refuses to answer, or falsely answers, certain questions relating to Communist activities or national security, when summoned to appear before any Federal agency, shall be removed from his office or employment; to the Committee on Un-American Activities.

H.R. 1648. A bill to amend the Subversive Activities Control Act of 1950 to provide for a procedure under which certain final orders of the Subversive Activities Control Board with respect to Communist organizations may be made applicable to successor organizations; to the Committee on Un-American Activities.

H.R. 1649. A bill to amend the Subversive Activities Control Act of 1950 with respect to the granting of bail to defendants in criminal cases pending appeal or certiorari; to the Committee on Un-American Activities.

H.R. 1650. A bill to amend section 11 of the Subversive Activities Control Act of 1950; to the Committee on Un-American Activities.

H.R. 1651. A bill to amend the Internal Security Act of 1950, and for other purposes; to the Committee on Un-American Activities.

H.R. 1652. A bill to amend section 1651 of title 28, United States Code, so as to require the concurrence of not less than five Justices in the granting of writs of certiorari by the Supreme Court; to the Committee on the Judiciary.

H.R. 1653. A bill to amend section 1108 of the Federal Aviation Act of 1958 to prohibit certain foreign air carriers from operating aircraft within the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1654. A bill to amend section 243 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H.R. 1655. A bill to amend section 1613 of title 38, United States Code, to extend beyond 8 years the period within which veterans may pursue education and training where the pursuit of such education and training has been interrupted by reasons beyond the control of the veteran; to the Committee on Veterans' Affairs.

By Mr. KARTH:

H.R. 1656. A bill to authorize the withholding from the pay of civilian employees of the United States the dues for membership in certain employee organizations; to the Committee on Post Office and Civil Service.

H.R. 1657. A bill to prevent the use of stopwatches, work-measurement programs or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. KEOGH:

H.R. 1658. A bill to amend the Internal Revenue Act of 1954 to define the terms "manufacturer" and "producer" for purposes of the excise tax on automotive parts and accessories; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 1659. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption for a taxpayer supporting a dependent who is blind; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 1660. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

By Mr. MEADER:

H.R. 1661. A bill to establish a Commission on Research and Development; to the Committee on Science and Astronautics.

H.R. 1662. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1663. A bill to permit the construction of certain public works on the Great Lakes for flood control, and for protection from high water levels, and for other purposes; to the Committee on Public Works.

By Mr. MONTOYA:

H.R. 1664. A bill to extend for 2 years the temporary provisions of Public Laws 815 and 874, 81st Congress, which relate to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Education and Labor.

By Mr. MORGAN:

H.R. 1665. A bill to require the Secretary of the Army to confine within a conduit a portion of Dunlap Creek in Brownsville, Pa.; to the Committee on Public Works.

H.R. 1666. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

H.R. 1667. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 1668. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 1669. A bill to make the civil service retirement and disability fund available for annuity benefits authorized by law; to the Committee on Post Office and Civil Service.

H.R. 1670. A bill to amend the Federal Employees' Group Life Insurance Act of 1954, as amended, so as to provide for an additional unit of life insurance; to the Committee on Post Office and Civil Service.

H.R. 1671. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 1672. A bill to extend health benefits to the survivors of retiree annuitants who died before April 1, 1948; to the Committee on Post Office and Civil Service.

H.R. 1673. A bill to amend provisions relative to compensatory time in the Postal Field Service Compensation Act; to the Committee on Post Office and Civil Service.

H.R. 1674. A bill to amend the District of Columbia Barber Act; to the Committee on the District of Columbia.

H.R. 1675. A bill to amend provisions relative to overtime in the Postal Field Service Compensation Act; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Michigan:

H.R. 1676. A bill to require air carriers to inspect for destructive substances all articles taken aboard certain aircraft operated by them in air transportation; to permit persons injured by failure of an air carrier to so inspect to bring an action for damages against the air carrier, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1677. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education; to the Committee on Education and Labor.

H.R. 1678. A bill to provide wage standards for persons engaged by Federal contractors or subcontractors to furnish services or maintenance work to Federal agencies, and for other purposes; to the Committee on Education and Labor.

H.R. 1679. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

H.R. 1680. A bill to amend the Fair Labor Standards Act of 1938, as amended, to improve the act's overtime standards; to the Committee on Education and Labor.

H.R. 1681. A bill to amend the Internal Revenue Code of 1954 to provide that an amount equal to the manufacturers excise tax on passenger automobiles shall be paid to persons who purchase such automobiles during periods of high unemployment; to the Committee on Ways and Means.

H.R. 1682. A bill to amend section 4063 (a) of the Internal Revenue Code of 1954 to provide an exemption from tax in the case of mobile homes; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 1683. A bill to authorize the withholding from the pay of civilian employees of the United States the dues for membership in certain employee organizations upon consent of employee; to the Committee on Post Office and Civil Service.

H.R. 1684. A bill to extend the benefits of the Retired Federal Employees Health Benefits Act to certain retired employees entitled to deferred annuity; to the Committee on Post Office and Civil Service.

H.R. 1685. A bill to amend provisions relative to overtime in the Postal Field Service Compensation Act; to the Committee on Post Office and Civil Service.

H.R. 1686. A bill to amend the Civil Service Retirement Act with respect to the designation of individuals to receive survivor annuities under such act; to the Committee on Post Office and Civil Service.

H.R. 1687. A bill to create a presumption that certain impairment of health caused by hypertension or heart disease of a Federal or District of Columbia employee is incurred in line of duty for purposes of certain retirement and disability compensation laws or systems; to the Committee on Post Office and Civil Service.

H.R. 1688. A bill to provide for certain survivors' annuities in additional cases under the Civil Service Retirement Act of May 29, 1930; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL:

H.R. 1689. A bill to amend the Annual and Sick Leave Act of 1951, to increase the annual and sick leave which may be earned and accumulated by officers and employees of the Federal Government; to the Committee on Post Office and Civil Service.

H.R. 1690. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. OSTERTAG:

H.R. 1691. A bill to amend title II of the Social Security Act to permit an individual to waive his right to receive benefits thereunder in order to preserve his right to receive benefits under other laws; to the Committee on Ways and Means.

H.R. 1692. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age eighteen, for so long as he is regularly attending school; to the Committee on Ways and Means.

H.R. 1693. A bill to amend title II of the Social Security Act to permit the payment of disability insurance benefits to an individual from the beginning of his disability; to the Committee on Ways and Means.

By Mr. PASSMAN:

H.R. 1694. A bill to provide for the establishment of the Poverty Point National Monument in the State of Louisiana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 1695. A bill to amend the Tariff Act of 1930, as amended, to provide for the duty-free entry of certain kinds of limestone; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 1696. A bill defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies; to the Committee on Public Works.

By Mr. RIVERS of South Carolina:

H.R. 1697. A bill to provide that any Federal employee who refuses to answer a question of a committee of the Congress with respect to Communist, Communist-front, or subversive affiliations, shall be removed immediately from the position or office held by him; to the Committee on Post Office and Civil Service.

H.R. 1698. A bill to amend the Railway Labor Act so as to authorize the President to establish boards to resolve jurisdictional disputes in the air transportation industry, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1699. A bill to amend title 10, United States Code, to provide more efficient dental care for the personnel of the Army, and for other purposes; to the Committee on Armed Services.

H.R. 1700. A bill to amend title 10, United States Code, to provide more efficient dental care for the personnel of the Air Force, and for other purposes; to the Committee on Armed Services.

H.R. 1701. A bill to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General; to the Committee on Armed Services.

H.R. 1702. A bill to provide that the Department of Defense shall enter into contracts for air transportation with air carriers as defined by the Federal Aviation Act of 1958; to the Committee on Armed Services.

H.R. 1703. A bill to amend title 10, United States Code, to provide for the identification of a military airlift command as a specified command, to provide for its military mission, and to eliminate unnecessary duplication in airlift; to the Committee on Armed Services.

H.R. 1704. A bill to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the U.S. courts of appeals and to the jurisdiction of the district courts of the United States in actions relating to the public schools; to the Committee on the Judiciary.

H.R. 1705. A bill to require that all agreements and understandings respecting the importation of foreign goods, entered into with foreign countries or their citizens, shall be reduced to writing and made public; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 1706. A bill to amend the Packers and Stockyards Act, 1921, to strengthen independent competition by providing for competitive enterprise in the retail sales of meat, meat food products, livestock products, and other food items; to the Committee on Agriculture.

By Mr. ROUDEBUSH:

H.R. 1707. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 1708. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 1709. A bill to establish a Federal commission on the disposition of Alcatraz Island; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 1710. A bill to amend the Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937; to the Committee on Agriculture.

H.R. 1711. A bill to amend the Employment Act of 1946 to establish policies with respect to productive capital investments of the Government; to the Committee on Government Operations.

H.R. 1712. A bill to amend the act authorizing the Crooked River Federal reclamation project to provide for the irrigation of additional lands; to the Committee on Interior and Insular Affairs.

H.R. 1713. A bill to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Klamath Indian irrigation project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1714. A bill to authorize civil actions for the review of certain administrative determinations as to the use of lands of the United States for grazing purposes to be instituted in judicial districts in which such lands are situated, and for other purposes; to the Committee on the Judiciary.

H.R. 1715. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. WILLIAMS:

H.R. 1716. A bill to amend section 1002 of the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board to suspend certain rates relating to foreign air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1717. A bill to amend section 402 of the Federal Aviation Act of 1958 to require approval by the Civil Aeronautics Board of certain schedules of foreign air carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG:

H.R. 1718. A bill to provide for the establishment of a veterans hospital in south Texas; to the Committee on Veterans' Affairs.

By Mr. CURTIN:

H.R. 1719. A bill to provide that compensation of an individual for services performed while engaged in commerce, or as an officer or employee of the United States, shall be subject to State and local income taxes only in the State and political subdivision in which such individual is domiciled, and for other purposes; to the Committee on Ways and Means.

By Mr. COHELAN:

H.J. Res. 113. Joint resolution authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Republic of Vietnam; to the Committee on Armed Services.

By Mr. CURTIN:

H. J. Res. 114. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items or provisions in appropriation bills; to the Committee on the Judiciary.

H.J. Res. 115. Joint resolution designating the American marigold (*Tagetes erecta*) as the national floral emblem of the United States; to the Committee on House Administration.

By Mr. FALLON:

H.J. Res. 116. Joint resolution proposing an amendment to the Constitution of the United States to permit the use of prayer in public schools; to the Committee on the Judiciary.

By Mrs. MAY:

H.J. Res. 117. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.J. Res. 118. Joint resolution declaring Good Friday in each year to be a legal public holiday; to the Committee on the Judiciary.

H.J. Res. 119. Joint resolution proposing an amendment to the Constitution relating to the offering of prayers in public schools; to the Committee on the Judiciary.

By Mr. BROOKS:

H. Con. Res. 35. Concurrent resolution expressing the sense of Congress that the development and use of productivity standards should be extended and applied to as many

Federal activities as may be practicable; to the Committee on Government Operations.

By Mr. GUBSER:

H. Con. Res. 36. Concurrent resolution expressing the sense of the Congress as to a study and investigation concerning a nationwide program of remunerative occupational training for youth; to the Committee on Education and Labor.

By Mr. O'NEILL:

H. Con. Res. 37. Concurrent resolution expressing the sense of Congress that all of our U.S. naval shipyards and facilities be maintained on a fully manned operational basis performing essential Navy or other Department of Defense work in the interest of our national defense, and that the President of the United States be urged to instruct the Secretary of Defense to take all necessary steps to insure this end, including the immediate cancellation and withdrawal of any and all instructions or orders issued or contemplated by the Department of the Navy incompatible with this purpose; to the Committee on Armed Services.

By Mr. ASPINALL:

H. Res. 79. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. DAWSON:

H. Res. 80. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations; to the Committee on House Administration.

H. Res. 81. Resolution to amend the Rules of the House of Representatives with respect to the location of activities of the Committee on Government Operations; to the Committee on Rules.

By Mr. FALLON:

H. Res. 82. Resolution opposing the seating of Communist China in organs of the United Nations; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H. Res. 83. Resolution amending the Rules of the House of Representatives so as to restore the 21-day rule; to the Committee on Rules.

By Mr. VINSON:

H. Res. 84. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; to the Committee on Rules.

By Mr. WESTLAND:

H. Res. 85. Resolution expressing the sense of the House with respect to the need of Point Roberts in the State of Washington for Federal assistance to combat its economic problems; to the Committee on Public Works.

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## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 1720. A bill for the relief of Mrs. Eugenia H. Tucker; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 1721. A bill for the relief of Mrs. Clorinda (Frattini) Iacangelo; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 1722. A bill for the relief of Stephen and Simone Grignet; to the Committee on the Judiciary.

H.R. 1723. A bill for the relief of Agnese Brienza; to the Committee on the Judiciary.

H.R. 1724. A bill for the relief of Vita Maria Colucci; to the Committee on the Judiciary.

H.R. 1725. A bill for the relief of Elisabeth Werner; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 1726. A bill for the relief of William H. Woodhouse; to the Committee on the Judiciary.

H.R. 1727. A bill for the relief of Richard G. Green, Jr.; to the Committee on the Judiciary.

H.R. 1728. A bill for the relief of Sayhan Husnu Bilbasar and Suheyla Bilbasar; to the Committee on the Judiciary.

H.R. 1729. A bill for the relief of Almerinda Tedesco Bernardo, Adelia Bernardo, and Grace Bernardo; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 1730. A bill for the relief of Yin-Chio Ton; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 1731. A bill for the relief of Eva Baker; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 1732. A bill for the relief of James Hubert Rhoden and Marjorie Joyce Rhoden; to the Committee on the Judiciary.

H.R. 1733. A bill for the relief of Dr. Chen-Tsuau Su and Angela Su; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 1734. A bill for the relief of Luba Siedlecki Simon; to the Committee on the Judiciary.

H.R. 1735. A bill for the relief of Maria Nessim Djeddah De Ades; to the Committee on the Judiciary.

H.R. 1736. A bill for the relief of Assunta DiLella Codella; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 1737. A bill for the relief of Mrs. Josefina V. Guerrero Leaumax; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 1738. A bill for the relief of Maria Giuseppa Fantauzzi; to the Committee on the Judiciary.

H.R. 1739. A bill for the relief of Elsa H. Walkowiak; to the Committee on the Judiciary.

H.R. 1740. A bill for the relief of Maria Marcella Tang and Maria de Fatima Tang; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 1741. A bill for the relief of Filippa Fucarino; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 1742. A bill for the relief of the Wetzel County Hospital, New Martinsville, W. Va.; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 1743. A bill for the relief of Mary M. Kawas; to the Committee on the Judiciary.

H.R. 1744. A bill for the relief of Mrs. Esther Aboud and her children, Samuel Eliahou, and Rahamin Aboud; to the Committee on the Judiciary.

H.R. 1745. A bill for the relief of Dr. John P. Chiasson and his wife, Alice Chiasson, and their minor children, Louis, Marc, Marina, and Nicole Chiasson; to the Committee on the Judiciary.

H.R. 1746. A bill for the relief of Bahira Sutton, Ovadia Sutton, and Ruth Sutton; to the Committee on the Judiciary.

H.R. 1747. A bill for the relief of Elias Odder; to the Committee on the Judiciary.

H.R. 1748. A bill for the relief of Antonio Ingraffia, his wife, Alfonsa Monteleone Ingraffia, and their minor son, Salvatore Ingraffia; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 1749. A bill for the relief of Mary Barbadian; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 1750. A bill for the relief of Rahmi Sengul; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.R. 1751. A bill for the relief of Gino Fanelli; to the Committee on the Judiciary.

H.R. 1752. A bill for the relief of Mrs. Franciszka Andres Beregsasi; to the Committee on the Judiciary.

H.R. 1753. A bill for the relief of Brother Antonio Testori; to the Committee on the Judiciary.

H.R. 1754. A bill for the relief of Dr. Mamdouh S. Younes; to the Committee on the Judiciary.

H.R. 1755. A bill for the relief of Sister M. Augustina (Teresa Cattaneo), Sister M. Francesca (Rina Tagliaferri), Sister Maria Silvia (Natalina Da Dalt), and Sister Maria Angela (Rosa Colombo); to the Committee on the Judiciary.

H.R. 1756. A bill for the relief of George Zammit; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 1757. A bill for the relief of Mario Ruggiero; to the Committee on the Judiciary.

By Mr. POFF:

H.R. 1758. A bill for the relief of Selma Gokhan and Selcuk Gokhan; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.R. 1759. A bill for the relief of Rebecca K. Clayton; to the Committee on the Judiciary.

H.R. 1760. A bill for the relief of Mrs. Gertrude L. Rice; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 1761. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.; to the Committee on the Judiciary.

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# SENATE

### THURSDAY, JANUARY 10, 1963

*(Legislative day of Wednesday, January 9, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, hallowed be Thy name. Give us to see that if the radiance of that name above every name does not touch with luster and reverence the tasks Thou dost give us to accomplish as we deal with our fellows, our lip professions of faith are futile and vain. With the assurance of Thy undergirding, O Lord, deliver us from the sullenness of temper that clouds the sunshine from other faces and from the gloom that makes life harder for those who walk by our side. In all the national deliberations that loom in the days that hasten, keep our motives clean, our vision clear, our patriotism undefiled, our speech guarded, our judgments fair, and our consciences unbetrayed. We ask it in the Redeemer's name. Amen.

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## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 9, 1963, was dispensed with.

### ADMINISTRATION OF OATH

The VICE PRESIDENT. The Chair is informed that the distinguished Senator from Arkansas [Mr. FULBRIGHT] is available and is ready to take the oath. If he will come forward and present himself, the oath will be administered at this time.

Mr. FULBRIGHT, escorted by Mr. MCCLELLAN, advanced to the Vice President's desk; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the official oath book.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

### TRADE AGREEMENTS WITH UNITED KINGDOM AND JAPAN—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 34)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Finance:

*To the Congress of the United States:*

I transmit herewith to the Congress copies of a trade agreement negotiated with the United Kingdom to compensate for the increased import duties placed on certain carpets and glass in an escape clause action which affected concessions previously granted by the United States on these products. I am also transmitting an agreement negotiated with Japan to correct the inadvertent omission of part of one concession previously negotiated. The agreement with the United Kingdom was signed on behalf of the United States on December, 10, 1962, and that with Japan on December 18, 1962.

The agreements are submitted in accordance with section 4(a) of the Trade Agreements Extension Act of 1951 which requires that the President report to the Congress his reason for breaching any peril point findings of the Tariff Commission. Annex A, attached to this message, lists those instances in which I decided to accord tariff concessions at levels below those found by the Tariff Commission, together with reasons for my decision.

In the agreement with the United Kingdom, the United States granted tariff concessions to compensate for the increases in United States tariffs on certain carpets and glass. The action to increase the carpets and glass tariffs was taken under section 7 (the escape clause) of the Trade Agreements Extension Act of 1951. Under the commitments in the General Agreement on Tariffs and Trade the United States is obligated to consult with contracting parties adversely affected by the escape clause action and to accord compensation for impairment of such country's trade as a result of the action.

The consultations with the United Kingdom began shortly after the United States had completed large-scale, multilateral negotiations in the 1960–61 tariff conference, in which it had nearly exhausted the authority for reducing tariffs contained in the Trade Agreements Extension Act of 1958 on the products on which public notice had been issued, except for a number of products on which the Tariff Commission had found that rates could not be reduced without in its judgment causing or threatening serious injury to the domestic industry concerned. These consultations began against the background of unsatisfactory consultations concerning the carpets and glass action with the European Economic Community which decided to make compensatory withdrawal of concessions against imports from the United States rather than to continue negotiations to obtain new compensatory concessions from the United States.

An agreement with the United Kingdom is clearly desirable not only to sustain our record as a country recognizing its obligations but also to avoid a possible "snowballing" of withdrawal actions. The only feasible way that agreement could be achieved within the framework of authority existing at the time consultations were held was by granting concessions below the peril point levels found by the Tariff Commission.

As explained in my message of March 7, 1962, the Tariff Commission in preparation for the 1960–61 tariff conference was required to make hurried predictions as to future market conditions for thousands of individual articles. This necessarily resulted in the establishment of peril points at the existing tariff level, for a large number of products.

In preparation for the compensatory negotiations with the United Kingdom, the agencies concerned examined with care these earlier findings of the Tariff Commission on products of interest to that country to determine whether there then appeared to be valid reasons for excluding all of these products from negotiations or whether in fact some could be offered as concessions to compensate the United Kingdom without threatening serious injury to the domestic industry. In selecting products as possible offers, two main criteria were used: their value in reaching settlement with the United Kingdom and the extent of competitive adjustment likely to be placed on American industry by tariff reductions. In applying the second of these criteria, the interdepartmental organization determined that the items selected all met one or more of the following conditions: they are not produced in the United States or are not produced in significant quantity; the ratio of imports to domestic production is small; imports in recent years have declined, have been stable or have increased very slightly; they consist of raw or semifinished materials required for U.S. industries or a reduction in the rate of duty could be expected to have relatively little effect on imports.

In the agreement with Japan, the United States corrected an error consisting of the omission of a part of a concession it had agreed to grant Japan in the 1960–61 tariff conference but which it had inadvertently failed to include in either the relevant preliminary agreements with Japan or the United States schedule to the tariff conference protocol. It was necessary either to correct this error by including the concession, which involved breaching a peril point finding of the Tariff Commission, or granting Japan another concession of equivalent value. The latter course would have complicated already difficult negotiations in progress concerning compensation for increased U.S. tariffs on carpets and glass. It was the opinion of the interdepartmental trade agreements organization that the concession was justified on economic grounds since U.S. imports of the item in question (discharge lamps) are less than one-half percent of domestic production and imports have declined while consumption is increasing.

Both agreements were entered into pursuant to section 257(c) of the Trade Expansion Act which extends until December 31, 1962, the period for concluding, under section 350 of the Tariff Act of 1930, trade agreements based on public notices issued in connection with the 1960–61 tariff conference.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 9, 1963.*

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Kent, one of its clerks, informed the Senate that a quorum of the House of Representatives had assembled; that JOHN W. MCCORMACK, a Representative from the State of Massachusetts, had been elected Speaker, and Ralph R. Roberts, a citizen of the State of Indiana, Clerk of the House of Representatives of the 88th Congress.

The message announced that the House had agreed to a concurrent resolution (H. Con. Res. 1) establishing that the two Houses of Congress assemble in the Hall of the House of Representatives on January 14, 1963, at 12:30 o'clock in the afternoon, in which it requested the concurrence of the Senate.

The message also announced that a committee of three Members had been appointed on the part of the House to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House had been assembled, and that Congress was ready to receive any communication that he may be pleased to make.

The message further announced that the House had adopted the following resolution (H. Res. 11), relating to the death of the late Senator Dennis Chavez, of New Mexico:

*Resolved,* That the House has heard with profound sorrow of the death of the Honorable Dennis Chavez, a Senator of the United States from the State of New Mexico.

*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

*Resolved,* That as a further mark of respect the House do now adjourn.

The message also announced that the House had adopted the following resolution (H. Res. 12), relating to the death of the late Senator Robert S. Kerr, of Oklahoma:

*Resolved,* That the House has heard with profound sorrow of the death of the Honorable Robert S. Kerr, a Senator of the United States from the State of Oklahoma.

*Resolved,* That the clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

*Resolved,* That as a further mark of respect the House do now adjourn.

## ORDER FOR RECESS UNTIL MONDAY, AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of its session today, the Senate take a recess until 12 o'clock noon, on Monday.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

## COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. DIRKSEN, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

## JOINT SESSION ON JANUARY 14, 1963

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a concurrent resolution coming over from the House of Representatives, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution of the House of Representatives, which will be read.

The concurrent resolution (H. Con. Res. 1) was read as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the two Houses of Congress assemble in the Hall of the House of Representatives on January 14, 1963, at 12:30 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 1) was considered and agreed to.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Montana will state it.

Mr. MANSFIELD. At this time is it in order that statements be made concerning the anniversaries of service of our colleagues, and also that insertions be made in the RECORD; and if such statements are in order and are made, do I correctly understand that they will not affect the parliamentary situation prevailing at the commencement of the Congress?

The VICE PRESIDENT. The Parliamentarian informs the Chair that such statements would not affect the parliamentary situation in the least, insofar as it pertains to the rules of the Senate.

Mr. MANSFIELD. Mr. President, for the information of the Senate, let me state that today there will not be a morning hour.

## THIRTIETH ANNIVERSARY OF SENATE SERVICE OF SENATOR RUSSELL

Mr. TALMADGE. Mr. President, it is a distinct pleasure for me today to pay tribute to my beloved senior colleague and friend, the distinguished Senator from Georgia, RICHARD B. RUSSELL, who on Saturday will enter his 30th year of service in the Senate of the United States.

For three decades Senator RUSSELL has tirelessly and devotedly dedicated himself to service to his Nation and to his native State of Georgia.

No other Member of the Senate in modern times has risen to such high prominence or won the genuine respect of his fellow Senators achieved by Senator RUSSELL.

In the preservation of the Senate as a great deliberative body fulfilling its constitutional responsibilities, no other Member in recent history has had a more significant role or has exerted a greater influence.

The Nation and every citizen are indebted to Senator RUSSELL for his devotion to duty, for his genius, courage, imaginative foresight, and insatiable love of hard work.

Senator RUSSELL is a valiant defender of the individual liberties of all the people of this country.

He is without peer as a vigorous and outspoken advocate of our republican form of government. With unexcelled diligence and determination, the senior Senator from Georgia has led efforts to insure for the future of the Nation the separation of powers of the three branches of Government.

Senator RUSSELL has served his country with great distinction in still another area vital to our national security. For 12 years, as chairman of the Senate Armed Services Committee, he has been at the forefront of maintaining the military supremacy of the United States.

He has seen that this Nation remained the mightiest in the world, serving notice that certain destruction awaits any would-be aggressor.

Every man, woman, and child of this country can look to a happier and more secure future because of the efforts of Senator RUSSELL to give the United States a strong and alert Defense Establishment.

Farmers especially have good reason to be grateful to Senator RUSSELL. They have in him a champion of their well-being, a fighter to see that they have a better life and a fair share of the national income.

As chairman of the subcommittee on Agriculture of the Senate Committee on Appropriations, Senator RUSSELL has waged an unending battle for a sounder farm program and has sponsored such significant legislation as the rural electrification program, the Farmers Home Administration, and the school lunch program.

His statesmanlike conduct and parliamentary prowess have won wide acclaim. Yet, Senator RUSSELL is a modest and unassuming man. He wants only to serve the people.

Georgians and every American can be proud of his 30 years in the U.S. Senate, and we who serve with him share their pride.

I affectionately thank Senator RUSSELL for a job well done and wish for him many more significant, illustrious, and fruitful years to come.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I am delighted to yield to my friend, the distinguished majority leader.

Mr. MANSFIELD. Mr. President, on January 12, the distinguished senior Senator from Georgia, the assistant dean of the Senate, will have completed 30 years of service in this body, service to the Senate, and to the Nation.

During these three decades, Senator RUSSELL has given his great legislative talents and has applied his profound capacity for reason to the design of the military defenses of the Nation, as well as to the exacting tasks of appropriation of public funds. Yet he has also found time to make major contributions to the Nation's agriculture and conservation, as well as many other fields.

That he has come to have such competence in so many matters is not surprising. He came to Congress 30 years ago already possessing both experience and a passion in the field of government. Out of this background he has developed into the exceptional statesman and master parliamentarian that he is.

RICHARD RUSSELL is a great Senator. He gives inspiration to those of us who have had the privilege of associating with him during part of his distinguished career. He acts with calmness and kindness. He can act with a fiery tenacity. But always he acts with reason and deliberation, with modesty, and with scrupulous fairness. He asks for no quarter that he does not grant to any other Senator in the great legislative battles of our time.

We share in the great debt which the Nation owes to him for his diligent and persevering attention to the Nation's defenses. That and the State of Georgia have been his great passions. But we in the Senate owe him a unique debt. He is also a teacher. He is the Senate's outstanding authority on the Senate's own procedures.

He commands our respect for his mastery of the Senate rules and his complete dedication to the Nation. But he has the admiration and the affection of the Senator from Montana and, indeed, of all who know him, for his never-failing patience, decency, and understanding.

He is a great American, a great Senator, and a great Democrat.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to the distinguished minority leader, the Senator from Illinois.

Mr. DIRKSEN. Mr. President, at the time that the senior Senator from Georgia [Mr. RUSSELL] was lifting his hand to take the oath in this body 30 years ago, I, as a freshman Member of the House of Representatives, was lifting my right hand in the Hall of that great body to take the oath of office.

By all the circuitous routes whereby one lands first on one committee, and then on another, I finally became a member of the House Appropriations Committee, and particularly the Subcommittee on Agriculture of that committee.

At that time I had a deep conviction and, in fact, a fixation, that if our Republic was ever to be saved, it would be saved by the House of Representatives. I carried that conviction into the committee room. I remember so well that, as a member of the conference committees from the House that sat down with conference committees of the Senate, I sought to impress the Members of this body who were members of the conference committee on agriculture with the fact that most of the wisdom reposed in the House of Representatives. There I first intimately encountered the distinguished Senator from Georgia.

Mr. President, I learned some things from the Senator from Georgia that have abided with me from that day to this. I discovered, first, that he did his homework, and whenever one contended with him in a conference, he should be sure that he likewise had done his homework.

I discovered also that he had a rare fidelity to the traditions and the institutions of this country, which was likewise his guiding star. For that he contended with a courage and a tenacity that in my book has been unmatched by anyone that I have ever seen come to the House of Representatives or to the Senate.

So out of long and intimate association I say to him today that I am delighted by the spirit of dedication that has marked his public course from the day I first knew him. He has made a great contribution to the country, and it could be said of him in even greater measure than was once written in a New Jersey newspaper about him. The newspaper stated that he gave more than he got. DICK RUSSELL, I say, has given infinitely more than he ever got, and his name will be enshrined as one of the great and courageous statesmen of our time.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TALMADGE. I am happy to yield to the distinguished Senator from Vermont.

Mr. AIKEN. During the years I have been a member of this body I have at all times been privileged to be associated on one or more committees with the senior Senator from Georgia. Therefore I think I am in a position to judge his work and his worth to this body. We have worked together on the Subcommittee on Appropriations for the Department of Agriculture and the Joint Committee on Atomic Energy.

I should like to add to what the Senator from Illinois has said about the Senator from Georgia knowing his homework. When the senior Senator from Georgia speaks, he knows what he is saying and why he is saying it.

He has at all times been a devoted and effective servant of the State of Georgia. But he has also known the circumstances of any situation as it has pertained to the other States in the Union. For that we have been very, very grateful indeed.

I merely wish to say that I hope he will remain a Member of this body for a long time in the future, because there is a great deal of work left for him to do, starting right now.

I do not know of anything more I could say except to add my word of appreciation to him for his service to the State of Georgia and to the United States.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. TALMADGE. I am happy to yield to the senior Senator from Texas.

Mr. YARBOROUGH. In congratulating the senior Senator from Georgia on his long service in the Senate, I wish to mention one other aspect of his service which I do not believe has been touched on. I do so even though my period of service is short—only 5⅔ years. In personal conversations with him I have formed the opinion that he has read, digested, and remembers more volumes of American history than has any other Member of the Senate with whom I have had any conversation. His knowledge of the lives of the great men of America is almost limitless. He can relate instances without number of their lives and experiences that are a marvel and a charm to hear. His broad historical knowledge is a great asset to the Senate as well as to him.

In my youth I heard of the Russell family. His first cousin, Gordon Russell, went to Texas and settled in the neighboring county of Van Zandt, whose boundary was only 3 miles from the town in Henderson County, Tex., in which I was reared.

Gordon Russell became county judge of Van Zandt County. Then he came to the Congress from my home district in East Texas. While he was representing my home district he was appointed U.S. district judge for the eastern district of Texas. My father served as a juror under Federal Judge Gordon Russell. He came back home and told us of what a great judge Gordon Russell was.

I became acquainted first, not with Senator RUSSELL, but with his father 26 years ago. Then a judge in Texas, I was attending sessions of the American Law Institute here in Washington. Senator RUSSELL's father, who was a judge of the Supreme Court of Georgia at that time, was also attending those sessions. At that time, I heard Senator RUSSELL's father comment with great lucidity at the American Law Institute on some of the problems that were being worked on in connection with a restatement of American law.

While we are now hearing a tribute to our colleague, DICK RUSSELL, on his 30 years of distinguished service in the Senate, I should like to point out that he has many cousins and other relatives in my State, many of them engaged in the field of education, who are rendering a fine service there. He comes from a large family. Some of the other members of the Russell family have larger families than has our distinguished senior Senator from Georgia. He has many relatives in Texas. I see them in different parts of my State. We hear more about him, from the large number of his relatives and friends that have moved out to Texas, than we do about Senators from many other States.

While we in the Senate know of Senator RUSSELL's knowledge of the Senate rules, American Constitutional Law, and his outstanding leadership in the Senate, I feel that the present occasion would not be quite complete in paying tribute to him without letting him know that we, too, know of his great family background and the heritage from which he comes. I think that this family heritage of leadership has molded and influenced DICK RUSSELL's life here. There have been and are many leaders in the Russell family. Our distinguished colleague is the most distinguished of them all. He has earned for himself a permanent place in American history, and has the happy experience of seeing it recognized by his fellow man while he is in the prime of his intellectual faculties. It is a pleasure for me to say a word about the man whom I consider to be the greatest historian in the Senate, as well as its acknowledged parliamentary genius.

Mr. BIBLE and Mr. CARLSON addressed the Chair.

Mr. TALMADGE. Mr. President, I yield first to the Senator from Nevada [Mr. BIBLE], and I shall then yield to the Senator from Kansas [Mr. CARLSON].

Mr. BIBLE. Mr. President, I thank the junior Senator from Georgia.

Mr. President, I should like to add my word of congratulations to the distinguished senior Senator from Georgia. The Senator from Georgia is held in particularly high esteem and in great affection in my State of Nevada.

I first met Senator RUSSELL in 1948. An effort was being made at that time to move his residence further up Pennsylvania Avenue. I am very proud of the fact that my State of Nevada supported him in that effort both in 1948 and in 1952.

I have the same personal affection, high admiration and great respect for him that my State voiced in those 2 years, 1948 and 1952. He has been a tower of strength to me in guiding me in my attempt to do a better job for my State and for my Nation. I salute him today on the very great distinction of reaching 30 years of service this coming Saturday.

Mr. TALMADGE. Mr. President, I now yield to the distinguished senior Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I would not want this opportunity to pass without expressing my sincere appreciation of and high regard for the distinguished Senator from Georgia [Mr. RUSSELL]. I have always looked upon him as not only a leader of the Senate, but also a great leader in this Nation.

The distinguished Senator from Nevada [Mr. BIBLE] made a statement with which I am in full accord—that Senator RUSSELL is a tower of strength not only in this body, but also in our Nation.

I can truthfully say that I have made many speeches in my State and in other States of this Union in which I have stated that I thought the most influential and substantial leader in the U.S. Senate was DICK RUSSELL. I made that statement because those of us who have the privilege of serving with him know that he does not go about making great numbers of speeches, but he is our greatest parliamentarian; and when he makes a statement, as was well stated this morning, he knows his facts.

We regard him very highly, and the Nation does also, as a leader in these fields. We need men like DICK RUSSELL in the U.S. Senate. We have been fortunate to have had his services for 30 years. I sincerely hope that the State of Georgia and our Nation will be privileged to have a continuance of his splendid service in this body for many years to come.

It has been a personal privilege to me to have served with him for many years.

Mr. RUSSELL. Mr. President, I am deeply grateful for the very fine tributes which have been uttered here today. Of course, no one knows better than this humble servant that many of them are not deserved.

It has been a high privilege to have served in the Senate of the United States for 30 years. Many events of great moment in the lives of the American people have occurred in that time.

When I look back over the events of the past 30 years, I cannot think of any other similar period in history in which have transpired so many momentous events that have changed the course of history. Indeed, these events have affected the very manner of living and habits of thinking of the American people.

This has been a period which has witnessed the greatest war the world has ever seen, with more men engaged in it than engaged in any other of the hundreds of wars which have bloodied the pages of human history.

This period has seen the splitting of the atom and a complete revolution in the weapons systems of mankind, which have greatly increased the responsibilities of statesmen who seek to find that path to peace which has eluded mankind for so many generations.

This period has witnessed the exploration by man of space, the feat men only dreamed of but a few years ago. Men now talk solemnly of and make realistic plans for visits to the moon and to the other planets of the heavens and returning to this planet.

It has been a period of tension. It has been a period when every Member of this body has been challenged almost every day of a session—and many of us have been challenged when the Congress was not in session.

The past three decades have been a tremendously eventful and meaningful period in the history of mankind; and I am very grateful indeed to a benign providence and to a kindly, understanding, and forgiving electorate in the State of Georgia for having been permitted to serve in the Senate of the United States during this time.

The friendships that we make here—and our associations—are undoubtedly the greatest compensation which flows to us for our services.

The Senate has been called a club. Someone has called it a "rich man's club." I am sure no person would make that statement who has had an opportunity to examine the bank accounts or the lack thereof of a great many Members of this body. But it is a body of men who have been recognized for their capacity in their own States or who have been able to convince the people, whether true or not, that they were capable of serving here and the membership is limited to 100.

This service has given me an acquaintanceship over this Nation and many sweet friendships which would more than compensate me for all the effort I have put forth and the hours I have spent.

I think it is unnecessary for me to say in this presence that I have an almost sublime faith in the Senate of the United States as an instrumentality of Government and as the last protection and bulwark of the rights of the American people. It has served this country well since the Constitution was first framed. Its creation solved the great problem which threatened to disrupt the Constitutional Convention and to send our country back to that hapless and helpless conglomeration known as a confederation, which labored under the Articles of Confederation.

It is a great body, Mr. President, but even as great men have their weaknesses, the Senate has its weaknesses. One of its weaknesses is what I call this habit of laudation in the Senate of the United States—when we praise our colleagues because they have been spared here for a long time, or because they have birthdays, or because of other events of note. This morning we have seen a demonstration of it. The Members of the Senate become quite extravagant in their speeches on these occasions. It does not harm anything. It does not injure the Government. It does not hurt the Senate. And it does the object of the praise or laudation a great deal of good. It makes him feel that, after all, perhaps he may have contributed a little something to the age in which he has lived, to the people of these United States; for the hope of the future and the hope of mankind rests upon the people of the United States. It makes him feel that, after all, perhaps he may possess some few attributes of greatness that he had not yet been able to discover. I have not discovered those that have been attributed to me here today, but I appreciate the fact that my colleagues have attributed them to me. It makes me feel better. I will undertake to find in the future some of these fine characteristics that my colleagues have so generously attributed to me.

I thank them.

## TRIBUTES TO SENATOR LISTER HILL, OF ALABAMA

Mr. SPARKMAN. Mr. President, I wish to invite the attention of the Senate to the fact that tomorrow will mark the 25th anniversary of the service in the U.S. Senate, of my colleague, LISTER HILL the senior Senator from Alabama. Even before coming to the Senate, he had had rather long service in the Congress, having entered the House of Representatives in August 1923. In other words, in August of this year he will have completed 40 years of service in the Congress of the United States.

I may point out that there are only four persons in the Congress, in both Houses, who have a longer term of service than does the senior Senator from the State of Alabama.

I think, in calling attention to his long term of service, we ought to point out that he was first elected to Congress when he was a very young man. As a matter of fact, when he first came to Congress, he was the youngest Member of the House of Representatives. In fact, I have heard my colleague tell the story as to how he really got started in politics. I do not think he was quite frank about it, because he actually got started in politics when he was a student in the University of Alabama, having been elected president of the student body there. So politics was inherent in him. But he was called upon at one time, while he was just a beginning lawyer, to write a paper for some young man as to the contributions that youth could make. He started doing a little research about youthful characters in history who had accomplished great things. That research created in his thinking the idea that, even though he was a young man, he might start doing such things.

He got into politics while he was a youngster in the city of Montgomery, in connection with the school board. Then, when a vacancy from that district occurred in the House of Representatives, while he was still barely old enough to be eligible for membership in Congress, he entered the race and won. And he has been here ever since.

I must point out something everyone knows, that in spite of long service in the Congress of the United States, he is still youthful in heart, in mind, in ideas, and in thinking.

Senator HILL was a member of the Military Affairs Committee of the House of Representatives, and became chairman of that committee. In his capacity as ranking member of the Military Affairs Committee of the House, he became the floor manager and the chief advocate of the bill that established the Tennessee Valley Authority. He became manager of the bill, because the chairman of the committee was not in favor of the legislation. So he has often been referred to, and properly so, as the "Father of the TVA."

Senator HILL was also one of the earliest advocates, while he was a Member of the House of Representatives, of the development and use of airpower in our Armed Forces. He knew quite well Gen.

Billy Mitchell, who did so much to demonstrate the utility of the airplane as a part of our national defense.

In 1938, 25 years ago tomorrow, Senator Hill came to the Senate of the United States. Here he has served wonderfully, as Members of the Senate know. I shall certainly not try to go into the list of the great pieces of legislation he has sponsored, but I think a few should be pointed out.

I have often said the greatest monument which can be left to a person is something he himself has created. If that is true, nobody can have a greater monument than my colleague can have, in the form of hundreds—yes, thousands—of hospitals, medical centers, health clinics, that are scattered throughout the entire United States, which were constructed under a bill that was thought up and sponsored by my colleague, in conjunction with the distinguished former Senator from Ohio, Senator Burton. The Hill-Burton Act has done untold good to the people of America.

There is another measure we may not consider often, but I think it should be thought of as one of the great acts of Congress. It was conceived and put through by Senator Hill. I refer to the bill which provided for rural telephones. That measure, again, has done tremendous good for the people in the rural sections of the United States.

He was one of the supporters of rural electrification, and so many other programs that I could name. He has been known here in the Senate, and throughout the United States, as the Senator for health. He has taken the lead in setting up grants for research in so many of the baffling diseases that have thwarted mankind in the past.

My colleague is a statesman. He is a humanitarian. He is a great Senator. And, furthermore, Mr. President, I feel it a privilege, on this day before his 25th anniversary here in the Senate, and nearing his 40th anniversary in the Congress of the United States, to call attention briefly, as I have done, to his great service.

**Mr. MANSFIELD.** Mr. President, another Congress has begun. With its opening, there has been a great emphasis on the new faces and relative youthfulness of many of the newcomers to this body. This is as it should be. The fresh viewpoints and vigor which new Members bring to the Senate are wellsprings of its continuing vitality. Their contributions will commingle with those of older Members as the years go by in the continuous processes of the Senate. Tomorrow, there will be an anniversary which gives stress to this continuity.

January 11 will mark the completion of 25 years of service in the Senate, of our distinguished colleague, Lister Hill, of Alabama.

Lest this figure appear overly imposing, let me point out that Senator Hill is as young in spirit today as the legislation which he has sponsored over the decades. I could not begin to cover even the major items which have felt his guidance. He presides over a committee which is intimately connected with the health, security, and well-being of every citizen in the Nation. And in that office he has discharged his responsibilities in the highest tradition of this body. He is also a member of the Appropriations Committee, and in that capacity has applied himself with great diligence to the exacting task of assuring the prudent use of public funds.

But it is in matters of public health and medical research that he is best known and most admired by the people of this Nation. He is the Senate's foremost authority in this field. There has not been a single important legislative measure involving the health of the Nation in the last two decades which has not felt his personal stamp. He is indeed the Nation's "Mr. Public Health." His list of honorary degrees and other awards for these services make him the envy of the foremost medical practitioners in this country. The awards are testimony to his dedication to service to the American people in the most universal sense of the term. No single man of our times has done more to make this Nation a healthier place in which to live. No single man has done more to stimulate the medical and other sciences to find the answers to the scourges—old and new—which have claimed years of life, unnecessarily, from countless human beings at home and throughout the world. His State, the Nation, and, indeed, all mankind are in debt to Senator Lister Hill for a continuous service to humanity far beyond the call of duty.

Those of us who have known him through the years will understand why he has given that kind of service. He is that kind of man. Lister Hill is a Senator of quiet but profound wisdom, of humanity, and of compassion. There is no more sincere, honest, affable, able, and hard-working member of this body than the Senator from Alabama. And it is a tribute to the enlightenment and intelligence and humanity of the people of his State that they have seen fit to keep him in the Senate for a quarter of a century, and in the Congress as a whole for 40 years.

All of the Members of this body, old and new alike, can draw great inspiration from the exemplary legislative career of this great Senator. I extend to him my best wishes on this occasion and hope that his many, many years of future service will be as rewarding to him as I know they will be to his State and to the Nation.

**Mr. SALTONSTALL.** Mr. President, although I am on the opposite side of the aisle from the two Senators we are honoring today, I would be remiss if I did not say a word on this occasion, because they are my good friends. They serve on the same committees on which I serve.

Speaking first of the senior Senator from Georgia [Mr. Russell], I should say he and I have worked together now for 18 years on the Armed Services Committee. I know what part he played in the enactment of the Military Services Unification Act, by which the Department of Defense was set up. I know how that act was modified under his leadership at least on two occasions.

We have had problems in the Armed Services Committee with respect to pay fringe benefits, which are always difficult to work out. He gave us many hours of his time in working out those problems satisfactorily.

Then, too, there is the problem of procurement by the armed services, which is a very important subject from the standpoint of the security of our Nation, and has always been a subject for great study by him and by our committee under his leadership.

Then, too, he is a member of the Appropriations Committee, on which I serve also. Therefore, I have seen him work there not only on defense matters but also on agricultural problems from the appropriation point of view.

I join with his colleagues in congratulating Senator Russell upon his 30 years of service, and I look forward to serving with him, I hope, for at least 4 years more.

Senator Hill, of Alabama, worked with me on the Armed Services Committee until he left that committee for other work. I have worked with him also on the Appropriations Committee. As his colleague from Alabama has so well said, Senator Hill will always be recognized as one of the experts on the subject of the health of our citizens, the usefulness of our hospitals, and the general welfare of our citizenry as a whole.

I know how hard he has worked to make the hospitals working units for better health of our citizens. I know he has worked for changing laws which, with the cooperation of the States, have strengthened the welfare of our citizens, and, thus, the welfare of the Nation.

So I join with his colleagues in commending Senator Hill for his services conducing to the welfare of our citizens and of our Nation, and wish him many more years of helpful service.

**Mr. MONRONEY.** Mr. President, I desire to join my colleagues on this happy occasion of the 25th anniversary of Senator Hill's service, including the marking of the beginning of 40 years of service in Congress itself.

First I pay particular tribute to him for the great contribution he has made to the strengthening of our armed services through the years, first as chairman of the House Armed Services Committee and then as the senior member of the Appropriations Subcommittee on Military Appropriations.

I wish to address myself particularly to the great work he has done as chairman of the subcommittee which handles appropriations for the Department of Labor, the Department of Health, Education, and Welfare, and related agencies, on which I have been honored and privileged to serve with him for the past several years. I doubt that there is any man in American history who has made a greater contribution to the improvement of American health in the fight against the diseases that beset mankind than has the senior Senator from Alabama, Lister Hill.

The Hill-Burton Act has dotted our country with well equipped, well designed hospitals, which are located in counties which, before the act was passed, did not have a medical doctor within the limits of the county. The drift that was occurring away from the rural areas and into the cities of the young graduates of our medical schools, to become specialists in city hospitals, was slowed down and retarded by the Hill-Burton Act. These young medical graduates had been trained in the latest techniques of medical care and treatment. They knew they could carry on their profession only in a modern, adequately equipped hospital. With matching moneys which LISTER HILL was instrumental in having provided, and which are now provided in the annual appropriation bills that come through LISTER HILL's Subcommittee on Appropriations, this drift away from the rural areas of our country of trained medical doctors has been halted, and has brought about a reversal of the trend toward concentration of these young graduates in the big cities. Today the smaller communities of our Nation are able to have the best skilled medical graduates that come out of our medical schools.

Even as great has been his contribution in establishing the National Institutes of Health, which carry on research in our effort to stamp out the great killers of mankind, like cancer, arthritis, and the myriad of diseases and ailments which have taken such a ghastly toll of American lives. In this field Senator HILL has pioneered and carried on his valiant efforts for many years.

It is an honor to serve on his committee. He is considerate and understanding, and he knows his subject as no other man could possibly understand it.

Senator HILL is an authority in this difficult field and sometimes knows more about the subject than do some of the doctors. With it all he sees to it that adequate funds are furnished in the effort to find cures for these diseases.

I therefore pay tribute to him for the contribution he has made, first, in the field of the security of our country, and then in protecting the Nation against the diseases and ailments that have been great plagues to our people. I am proud to join my colleagues in recognizing the great services he has rendered, not only in the Senate, but also in the House, during his 40 years of service.

Mr. YARBOROUGH. Mr. President, in all that has been said about the distinguished senior Senator from Alabama in connection with the services he has rendered, there is one subject which has not been noted, and I hope that he will pardon my taking the floor to mention it, even though I am entering now only my fifth year of service on the Committee on Labor and Public Welfare under his chairmanship. I would be remiss if I were not to call attention to the fact that he was the principal coauthor and the driving force in the holding of long hearings which resulted in the National Defense Education Act of 1958. Under the student loan provision alone of that act, 180,000 students are attending American universities each year who would not otherwise be in college. That loan provision is only one segment of many principal segments in that very beneficial educational act.

Senator HILL has many other accomplishments in the field of education—too many to mention as we hear of all that he has—we may erroneously obtain the impression that this man is a driver. He is not a driver, but a leader. But as a member of the Labor and Public Welfare Committee, I have never seen a more patient chairman in any legislative body—and I have been before several—than the distinguished senior Senator from Alabama. No bill is railroaded through; no bill is ramrodded through; no member of the committee is cut off; no Member of the Congress is cut off; no witness is cut off. I have never heard the Senator from Alabama bang the gavel on any witness, whoever he was. All of his presiding talents reflect a combination of patience, kindness, and tolerance which bespeak great credit to the Senate and to Congress as a whole.

Mr. President, I have an idea that these characteristics are a result of generations of training in the Hill family. I recall once, while visiting the State museum at Montgomery, Ala., seeing exhibited there the wedding dress of the grandmother of Senator HILL. He comes from a distinguished family, whose members have given generations of leadership and distinguished service to the American people.

Not only is it a great privilege to serve with such an outstanding Senator in this body; it is an even greater privilege to be a member of the committee over which he presides as chairman with such distinction, such courtliness, such fairness, and such honor.

Mr. KUCHEL. Mr. President, I am more happy than I can say to salute two senior Members of the U.S. Senate who are my friends and who on this unique occasion celebrate, in one instance—that of the distinguished senior Senator from Georgia [Mr. RUSSELL]—30 years of service to his State and to his Nation, and in the other instance, that of the distinguished senior Senator from Alabama [Mr. HILL], a quarter of a century of service in this body.

Over the years, many persons have referred to the U.S. Senate as a club. In some respects it is a club, for every Member of the Senate during the sessions of the 88th Congress will see far more of his colleagues than he will of his family. He will be joining his colleagues in debate, sometimes agreeing, sometimes disagreeing with them. He will be having lunch with them. On those occasions when night sessions will be held, he will be having dinner with his colleagues. With the passage of days, months, and years, an affection and an affinity grow among all 100 Members of the Senate, where there is no line or aisle which divides Democrats from Republicans or, indeed, which divides any of us, regardless of what our ideological agreements or disagreements may be.

In the last 10 years, which have flown by with great rapidity, I have come to know both of these distinguished American Senators by the high devotion to duty which has characterized them and by the vigor and courage with which they have discharged their responsibilities.

They have left their mark—an honorable mark—not alone upon the labors performed by the U.S. Senate, but also upon the book which demonstrates what this country has stood for from its inception.

I have had the honor to serve on the Committee on Appropriations, on which both of these distinguished American Senators have long served. I am happier than I can say to salute two friends, to salute two distinguished Senators, as they reach one more notable milestone in their honorable service to the people of the States which they represent and to the people of the United States.

Mr. BIBLE. Mr. President, I wish to add my words of appreciation and admiration for the distinguished senior Senator from Alabama. I consider him one of my closest and dearest friends in the Chamber. He has been a tower of strength to me, particularly in the Committee on Appropriations. I have the high privilege to serve on his subcommittee, which is concerned with the health of the Nation.

I shall not repeat what the distinguished junior Senator from Alabama [Mr. SPARKMAN] has previously said, except to add to my good friend the senior Senator from Alabama that he has been a source of inspiration to me. He is a great leader, a worthy chairman, and a distinguished Senator. The State of Alabama is to be commended for using good judgment in returning him to continue his career of dedication to the public service.

The PRESIDING OFFICER (Mr. HART in the chair). Will the Senator from Alabama and the membership of the Senate be so gracious as to permit the Chair to comment? The Chair feels uncomfortable at a time like this, because as a Senator he, too, wishes to join in saluting two distinguished Members of the Senate.

The Chair, as a junior Member of the Senate, wishes to pay tribute to the skill with which the senior Senator from Georgia [Mr. RUSSELL] and the senior Senator from Alabama [Mr. HILL] have advanced the causes in which they believe so deeply, the interests which they believe are so important to the survival of this great institution. The Chair happens to disagree with them often; but he shares the respect for them which has been expressed by other Senators during the period of his occupancy of the chair.

Mr. WILLIAMS of New Jersey. Mr. President, one of the outstanding statesmen in the entire history of the Senate observes today his 25th anniversary of service to his State and to the Nation. LISTER HILL, who began his work here in January 1938, has given his colleagues and his fellow citizens an enduring, magnificent demonstration of legislative knowledge and human understanding.

In his quarter century as a Member of the Senate, and during his years in the House, LISTER HILL has affirmed that Government has a duty to fight human misery while it helps advance human progress. The Tennessee Valley Authority became a reality largely because LISTER HILL was among those in Congress who fought for it. The Hill-Burton Act has made it possible for communities of widely varying sizes to accelerate much-needed hospital construction. In recent years, Senator HILL has, more than ever, been identified as the "Mr. Health" of the U.S. Senate. Our great national effort in medical research is a reality today largely because Senator HILL has been foresighted enough to see the need for it. Our National Defense Education Act is another expression of that same sympathetic understanding.

Mr. President, many tributes have been paid today to the senior Senator from Alabama. It is a pleasure and a great privilege to join by paying my tribute to a man who has been a teacher, a leader, and a good friend to so many who have served in this body.

Mr. HILL. Mr. President, I desire to express my heartfelt appreciation to my colleagues for their most generous words spoken of me. I cannot believe that I am worthy of the very kind and generous expressions which have come from my colleagues, but I am most grateful to them and to the people of Alabama, who have given me the honor and the privilege of serving in this body for the past 25 years, and of serving in Congress for some 40 years.

I am also grateful to the good Lord for having permitted me to enjoy this service and to be here today.

Mr. President, in my long years in Congress, I have heard many tributes paid; but unfortunately—I might say tragically—in most cases those to whom the tributes have been paid were not privileged to be here to listen to them; they had passed on to another place. So it is with a heart full of gratitude that I express my thanks and my appreciation today.

As my colleague, Senator RUSSELL, has said, the years during which he and I have served in Congress have been years of momentous, history-changing, and world-shaking events. I often think of the trip around the world which was made by the late Wendell Willkie at the close of World War II. When he returned, he told the story of that trip, recounted his observations, and related the conclusions he had reached as a result of the trip. He captioned his book "One World."

At the end of World War II, we of the United States, who had had the two best friends in the world, the Atlantic Ocean on the one side and the Pacific Ocean on the other side, and who had thought ourselves absolutely protected by those two oceans from any aggressive intent on the part of any nation across the seas, found that those two friends had lost their capacity for our defense. We found that we were in truth in one world and in a new world, with all the problems, challenges, and burdens this new world of ours has brought to us, has brought to Congress, and has brought to the Senate of the United States.

When I came to the Senate, I thought it was the greatest legislative body in the world. After having served here for 25 years and after having seen the operations of the Senate and having seen the results of the work of Senators and of the work of this body, I now know that the U.S. Senate is indeed the greatest body in the world.

Mr. President, to receive such words of praise from my friends and associates in this body, to know that I shall continue to be privileged to serve with them, to have my day-by-day contacts with them, my associations and my most helpful work with them, fills my heart with gratitude; and I can but say, in the words of Tiny Tim, "May God bless each one of us."

Mr. PASTORE. Mr. President, a few moments ago, while in my office, in conference, word came that on the floor of the Senate two very prominent Members were being praised by their colleagues; so I hastened here. I cannot permit this opportunity to pass without adding at least a few words in commendation, tribute, and praise of these two very distinguished Members, Senator RICHARD RUSSELL, of Georgia, and Senator LISTER HILL, of Alabama.

Mr. President, I came to the Senate 12 years ago. At that time I had not yet met these two outstanding Americans. I soon learned the meaning of the phrase "To know them is to love them." During my service here, we have not always agreed on every issue which has come before this body; that is only natural. But although one may disagree with LISTER HILL or with my able friend, RICHARD RUSSELL, of Georgia, certainly one cannot dislike either of them. Far from it. In the years that I have been here, Mr. President, my admiration, my affection, and my respect for these two gentlemen have multiplied a thousandfold each day.

Mr. President, I wish to adopt the prayer uttered a few minutes ago by the distinguished Senator from Alabama [Mr. HILL]: May the good Lord see fit to give to these two gentlemen many more years of good health and service, not only to the people of their States, but also to the people of the United States of America.

We of the Senate truly honor ourselves in honoring our colleagues at this hour.

Mr. HILL. Mr. President, let me express to the Senator from Rhode Island my very deep and heartfelt appreciation for his generous words.

## OREGON LEGISLATURE FACES TEST OF NEW CONSTITUTION

Mrs. NEUBERGER. Mr. President, with the coming of the new year, the people of Oregon face one of the most important tasks that confront a self-governing people—Oregon is now considering a new State constitution.

In the Congress, we often hear concern expressed about the loss of vitality of our State and local governments, while the Federal Government is forced to assume constantly growing domestic functions. Many of us have come to Congress, as I have, from service in State governments, and we appreciate and share this concern. For that reason I believe that Members of the Senate may be interested to know how Oregon is trying to bring its basic governmental framework up to the needs of the future.

Oregon's record in State government is good. It can be even better. Our present constitution, adopted with statehood in 1859, is more than a century old. A revision undertaken today must be designed to serve a century to come, a century which may bring as many changes as those which occurred from the pioneer days of 1859 until now.

Eight years ago, the Commission on Governmental Relations, appointed by President Eisenhower, reported that the States could not halt or reverse the drift of State functions to Washington, D.C., unless they faced the task of strengthening State and local governments. The report to the President stated that the key step toward this goal must be the modernization of State constitutions.

Even before the Kestnbaum Commission made that report, the first steps had been taken in Oregon toward giving our State a 20th-century constitution. In 1951, when my husband and I were serving in the Oregon Senate and House of Representatives, respectively, we sponsored a proposal to call a constitutional convention, the first since the original convention of 1857. Our cosponsors included two legislators who subsequently became Governor of Oregon: Senator Robert D. Holmes and Representative Mark O. Hatfield. In 1955, a legislative interim committee, after 2 years of study, recommended a constitutional convention; but none was called. Instead, the Oregon Legislature in 1959 proposed, and the people adopted, an amendment to the present constitution that permits the legislative assembly itself to submit a revised constitution to the people for a vote.

Under this new provision, Oregon is now engaged in a great experiment in progressive government. It is trying to determine whether the people of a State can accomplish the urgent and solemn task of constitutional reform by this new method.

### THE CONSTITUTIONAL REVISION COMMISSION

A proposed revised constitution has now been placed before the legislative assembly, for submission to the people of Oregon. This revised constitution has been prepared over the past 1½ years by the Oregon Constitutional Revision Commission, which was created for this purpose by the 1961 session of the legislature.

The constitutional revision commission had 17 members, drawn from all branches of the State government and from private life. The chairman, Representative George Layman, is a veteran of five terms in the State legislature. The members included two former Governors—Robert D. Holmes, a Democrat, and Charles A. Sprague, a Republican; and a former State treasurer, Senator Walter J. Pearson, of Portland. Two justices of the Oregon Supreme Court and one circuit judge served on the commission. Three newspaper publishers and a leader in the League of Women Voters were public members of the commission.

The chairman of the commission's drafting subcommittee was once my husband's legislative assistant here, Prof. Hans Linde, of the University of Oregon Law School.

Among the leaders in establishing the Oregon Constitutional Revision Commission and appointing its members was Representative Robert B. Duncan, of Medford, speaker of the Oregon House of Representatives, and now the new Congressman from Oregon's Fourth District. The newly chosen speaker of the House for the present session, Representative Clarence Barton, of Coquille, was a member of the commission, along with four other members of the present legislative assembly. Mr. President, I ask unanimous consent that biographical notes about the members of the Oregon Constitutional Revision Commission, from the commission's report, be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

### THE REVISED CONSTITUTION

Mr. President, the revised constitution which the Constitutional Revision Commission has proposed for Oregon is the product of 1½ years of thorough, nonpartisan, deliberative study and debate within the commission. Every individual section had to win the support of at least 9 members of the commission, and the final proposal carries the endorsement and backing of all but 2 of the 17.

The revised constitution is consistent both with Oregon traditions and with the best developments in modern State constitutions. In the legislative article, it further improves Oregon's system of apportioning legislative seats, which already is among the fairest in the Nation. It unifies Oregon's court system, and provides for periodic ballot review of judges' records, without the inappropriate indignities of contested judicial election campaigns. It consolidates the Governor's responsibility in the executive branch; but it subjects this branch to the scrutiny of a watchdog—an independent, nonpolitical, long-term controller, patterned on the Comptroller General of the United States, the office which has proved so valuable to us in the National Congress.

At the same time, the revised constitution retains the familiar landmarks of the Oregon system—the initiative, referendum, and recall; home rule for cities and counties; popular control over public debt and taxes; and it significantly strengthens Oregon's bill of rights for the protection of individual liberties. No group is deprived of any rights that it enjoys under the existing constitution; no interest or party, economic or social, liberal or conservative, Democratic or Republican, is given any special advantage under the revised constitution.

Mr. President, I have said that Oregon's present undertaking to achieve a modern constitution by this method is an experiment. Constitutional reform is sometime attempted, as a last resort, in haste and in the political controversy of partisan conventions, when decades of neglect have led to financial crisis, political or administrative scandals, popular revolt against legislative malapportionment, or bogged-down judicial systems.

Oregon's experiment is to see whether a State can make necessary reforms while the record is still good, and to do so on the basis of the careful consideration of the constitution as a whole by an expert, nonpartisan citizens' commission.

Perhaps this cannot be done. Perhaps only the spur of immediate crisis can overcome inertia, disinterest, and preoccupation with day-to-day problems. And a proposal for constitutional change is inevitably a tempting target for political attack. But I prefer to hope that Oregon's legislative assembly, in which I was proud to serve, will rise to the occasion.

### A CHANCE FOR LEADERSHIP

The revised constitution proposed by the Constitutional Revision Commission would give Oregon one of the three or four best State constitutions in the country. Sixty years ago, Oregon became nationally famous for the reforms of the Oregon system, adopted under the leadership of W. S. U'Ren. In the fate of the current experiment to achieve a modern constitution through the commission method lies Oregon's present opportunity for national leadership. If the effort fails, the cynicism of self-styled political realists will gain new evidence. If the effort succeeds, I predict that a score of States will seek to follow where Oregon has pointed the way.

Mr. President, the fate of Oregon's experiment with constitutional reform will depend on the efforts of many people. The revised constitution has won widespread support in Oregon's press, including newspapers covering the entire political spectrum. Many citizens' groups have begun sympathetic study of the proposal. Much of the continuing lead toward keeping attention on the constitutional forest, rather than the special-interest trees, should come from Governor Hatfield, whose office inescapably makes him the responsible spokesman for the State as a whole. I am glad to offer my own continued support, as I have today, to this cause for which I worked in the Oregon Legislature a decade ago.

But finally, of course, the fate of the revised constitution must be the ultimate political decision of the men and women of Oregon. And I have confidence that, as they study the proposed new text, people will tell their elected representatives in Oregon's legislative assembly that they want the opportunity to cast their vote on the revised constitution substantially as now proposed, and that they will then vote to make it the new constitution of our State.

Mr. President, I ask unanimous consent to have printed in the Record with these remarks the text of the revised constitution prepared by the Oregon Constitutional Revision Commission.

There being no objection, the text was ordered to be printed in the Record, as follows:

### The Revised Constitution of Oregon

### ARTICLE I—BILL OF RIGHTS

Section 1. The people of Oregon ordain this constitution for their government, and by it guarantee to all persons liberty, dignity, and equal rights under the laws of the State. The rights enumerated in this constitution are independent of and supplementary to those guaranteed under the Constitution of the United States.

Sec. 2. The right of free expression of opinion and to speak, write or print freely on any subject may not be restrained, but every person shall be held responsible under law for injury done by abuse of that right.

Sec. 3. The right of the people peacefully to assemble and to petition the government may not be abridged.

Sec. 4. Every person shall be secure in the right to worship God according to the dictates of his own conscience. No law may restrain the free exercise and enjoyment of religious opinions or interference with the rights of conscience.

Sec. 5. No public money may be appropriated or spent for the benefit of any religious institution or for the payment of any religious service in either house of the legislative assembly.

Sec. 6. No religious test may be required as a qualification for any public office or employment, nor may any witness or juror be questioned about his opinions on matters of religion. Oaths or affirmations administered to any person shall be in the mode most consistent with and binding upon his conscience.

Sec. 7. The right of the people to be secure in their persons, houses, and other property, papers and effects, against unreasonable searches and seizures may not be violated; and no warrant may issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized. No person may be compelled to give testimony that might tend to incriminate him.

Sec. 8. In a prosecution for any crime or any offense punishable by loss of liberty, the accused has:

(1) The right to a timely and public trial in the county in which the crime or offense is committed.

(2) The right to be tried by an impartial jury, except when he elects to be tried by the judge of the court alone or when he is charged with contempt of court. Verdict by five-sixths of a jury may be authorized by law, except in case of offenses punishable by death.

(3) The right to know the nature and cause of the accusation against him and to have a copy thereof, to be heard in his own behalf, to meet witnesses face to face and to have compulsory process for obtaining witnesses.

Sec. 9. Every person has the right to assistance of counsel in all official proceedings and dealings with public officers that may materially affect him. If he cannot afford counsel, he has the right to have counsel appointed for him in any case in which he may lose his liberty.

Sec. 10. No court may be secret, and justice shall be administered openly and without purchase or delay. No person may be deprived of any right or privilege by any unlawful or unfair procedure, or be deprived of life, liberty, or property, or of remedy for injury done him in his person, property or reputation, without due process of law.

Sec. 11. Every person, before judgment of conviction, is entitled to bail by sufficient surety, but excessive bail may not be required. Bail may be denied to persons charged with offenses punishable by death or life imprisonment, giving due weight to the evidence and to the nature and circumstances of the event. Bail may, in the discretion of the court, be allowed after judgment of conviction. No person arrested or confined may be treated with unnecessary rigor.

SEC. 12. Excessive fines or cruel and unusual punishments may not be imposed. Punishment may not be disproportionate to the nature of the offense. No conviction may cause corruption of blood or forfeiture of estate.

SEC. 13. No person may be subjected unnecessarily to several prosecutions for the same conduct, or be put in jeopardy twice for the same offense.

SEC. 14. Imprisonment for debt may not be imposed, except in case of fraud or absconding debtors.

SEC. 15. The privilege of the writ of habeas corpus may not be suspended. The operation of the laws may not be suspended, except by the authority of the legislative assembly.

SEC. 16. Treason against the State consists only in levying war against it or adhering or giving aid or comfort to its enemies, and may not be otherwise defined under another name. No person may be convicted of treason except on the testimony of two witnesses to the same overt act or on confession in open court.

SEC. 17. The people have the right to bear arms for the defense of themselves and the State.

SEC. 18. The military shall be subordinate to the civil power. In time of peace no member of the Armed Forces may be quartered in any house without the consent of the owner or occupant, or in time of war except as provided by law.

SEC. 19. Private property may not be taken or damaged for public use, or the particular services of any person be demanded, without just compensation; or, except as provided by law, without just compensation first assessed and tendered.

SEC. 20. No law may grant to any person or class of persons privileges or immunities that, upon the same terms, do not equally belong to all persons.

SEC. 21. No ex post facto law or law impairing the obligations of contracts may be enacted. The taking effect of any law may not be made to depend upon any nongovernmental authority.

### ARTICLE II—SUFFRAGE AND ELECTIONS

SEC. 1. A person is qualified to vote in any election by the people if he:

(1) Is a citizen of the United States;

(2) Is 21 years of age or older;

(3) Has resided in this State for at least 6 months next preceding the election; but provision may be made by law to permit a person who has resided in this State less than 6 months next preceding the election, but who is otherwise qualified, to vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States;

(4) Is registered before the election as provided by law; and

(5) Is able, except for physical disability, to read and write the English language.

SEC. 2. A person who is mentally incompetent or who has been convicted of a felony may be prohibited by law from voting in any election. For that purpose, mental incompetency and conviction of a felony may be defined by law.

SEC. 3. A person may not be required to pay any tax or to be an owner of property in order to be qualified to vote in any election.

SEC. 4. Provision shall be made by law for insuring secrecy in voting, absent voting, administering elections, nominating candidates and, subject to subsection (3) of section 1 of this article, requiring a uniform residence qualification for voters and defining the residence required.

SEC. 5. In all elections to fill an office, the candidate therefor receiving the highest number of votes shall be declared elected, except as provided by law in case of a tie vote.

SEC. 6. The regular general election by the people in the State shall be held on the first Tuesday after the first Monday in November in each even-numbered year.

### ARTICLE III—INITIATIVE AND REFERENDUM

SECTION 1. (1) The people reserve to themselves the initiative power, which is to propose laws and amendments to the constitution and enact or reject them at an election independently of the legislative assembly.

(2) An initiative law may be proposed only by a petition signed by a number of qualified voters equal to 6 percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of 4 years next preceding the filing of the petition.

(3) An initiative amendment to the constitution may be proposed only by a petition signed by a number of qualified voters equal to 8 percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of 4 years next preceding the filing of the petition.

(4) An initiative petition shall include the full text of the proposed law or amendment to the constitution. A proposed law or amendment to the constitution shall embrace one subject only and matters properly connected therewith.

(5) An initiative petition shall be filed not less than 4 months before the election at which the proposed law or amendment to the constitution is to be voted upon.

SEC. 2. (1) The people reserve to themselves the referendum power, which is to approve or reject at an election any act, or part thereof, of the legislative assembly that does not become effective earlier than 90 days after the end of the session at which the act is passed.

(2) A referendum on an act or part thereof may be ordered by a petition signed by a number of qualified voters equal to 4 percent of the total number of votes cast for all candidate for Governor at the election at which a Governor was elected for a term of 4 years next preceding the filing of the petition. A referendum petition shall be filed not more than 90 days after the end of the session at which the act is passed.

(3) A referendum on an act may be ordered by the legislative assembly by law.

SEC. 3. (1) Petitions or orders for the initiative or referendum shall be filed with the chief election officer of the State.

(2) Initiative and referendum measures shall be submitted to the people as provided in this article and by law not inconsistent therewith.

(3) All elections on initiative and referendum measures shall be held at the regular general elections, unless otherwise ordered by the legislative assembly.

(4) An initiative or referendum measure becomes effective 30 days after the day on which it is enacted or approved by a majority of the votes cast thereon. A referendum ordered by petition on a part of an act does not delay the remainder of the act from becoming effective.

SEC. 4. The initiative and referendum powers reserved to the people by sections 1 and 2 of this article are further reserved to the qualified voters of each municipality and district as to all local, special, and municipal legislation of every character in or for their municipality or district. The manner of exercising those powers shall be provided by general laws, but cities may provide the manner of exercising those powers as to their municipal legislation. In a city, not more than 15 percent of the qualified voters may be required to propose legislation by the initiative, and not more than 10 percent of the qualified voters may be required to order a referendum on legislation.

### ARTICLE IV—LEGISLATURE

SECTION 1. The legislative power of the State, except for the initiative and referendum powers reserved to the people, is vested in a legislative assembly.

SEC. 2. (1) The legislative assembly consists of a senate and a house of representatives.

(2) The number of senators and the number of representatives each shall be an odd number. The number of senators may not be less than one-third nor more than one-half the number of representatives. The number of senators and representatives shall be fixed by an apportionment, and they shall be apportioned by law among senatorial and representative districts as provided in this article and not otherwise.

SEC. 3. (1) An apportionment shall apportion the number of senators and representatives fixed thereby among senatorial and representative districts established thereby according to population based upon the final population figures for the State and subdivisions thereof resulting from the latest statewide Federal census. The population per senator in all senatorial districts and the population per representative in all representative districts, respectively, shall be as equal as practicable. The largest population per senator or representative, respectively, may not be more than twice the smallest population per senator or representative.

(2) An apportionment shall divide the State into senatorial and representative districts. Districts shall consist of contiguous territory. In establishing districts consideration shall be given to:

(a) County boundaries;

(b) Other political, natural, or other appropriate boundaries; and

(c) Community of needs and interests by reason of geography, economy, transportation, and communication.

(3) An apportionment may not terminate the term of any senator or representative before his term would otherwise terminate. An apportionment shall include any provision necessary to comply with this subsection.

(4) An apportionment is applicable first for the purpose of nominating and electing senators and representatives to serve at the regular session next following that nomination and election. For all other purposes, the next preceding apportionment is applicable until the commencement of that regular session.

(5) An apportionment is not subject to veto by the Governor.

SEC. 4. (1) The legislative assembly shall enact an apportionment after the date on which the final population figures for the State and subdivisions thereof resulting from a statewide Federal census become available and before July 1 next following that date, and may not enact an apportionment at any other time.

(2) At the regular session next preceding the session at which the legislative assembly is required to enact an apportionment, the legislative assembly shall provide for an apportionment commission; but if the legislative assembly fails to do so, the Governor shall appoint an apportionment commission. A public officer or employee may not be a member of the commission. No more than a majority of the membership of the commission may be affiliated with the same political party. The commission shall prepare an apportionment based upon the final population figures referred to in subsection (1) of this section. Within 30 days after commencement of the session at which the legislative assembly is required to enact an apportionment, the commission shall submit its apportionment to the legislative as-

sembly and file a copy thereof with the State officer with whom acts are filed.

(3) If the legislative assembly fails to enact an apportionment as provided in subsection (1) of this section, the apportionment filed by the apportionment commission becomes law upon July 1 referred to in subsection (1) of this section.

SEC. 5. (1)(a) The supreme court has original jurisdiction to review an apportionment enacted by the legislative assembly or an apportionment law filed by an apportionment commission, upon the petition of any qualified voter of the State filed with the court before August 1 next following July 1 referred to in section 4 of this article.

(b) If the court determines upon review that the apportionment complies with this article, it shall dismiss the petition by written opinion before September 1 of the same year.

(c) If the court determines upon review that the apportionment does not comply with this article, it shall so declare by written opinion before September 1 of the same year. The apportionment is void upon the date of the opinion. The opinion shall specify with particularity wherein the apportionment fails to comply with this article. The opinion shall direct the Governor to prepare a new apportionment in compliance with this article, using the apportionment referred to in paragraph (a) of this subsection as a guide and departing therefrom only where necessary to comply with the particulars specified in the opinion.

(d) The Governor shall prepare the new apportionment and file it with the State officer with whom acts are filed before October 1 of the same year. The new apportionment becomes law upon the date of the filing.

(2)(a) The supreme court has original jurisdiction to review the new apportionment filed by the Governor, upon the petition of any qualified voter of the State filed with the court before November 1 of the same year.

(b) If the court determines upon review that the new apportionment complies with this article, it shall dismiss the petition by written opinion before December 1 of the same year.

(c) If the court determines upon review that the new apportionment does not comply with this article, it shall so declare by written opinion before December 1 of the same year. The new apportionment is void upon the date of the opinion. The opinion shall specify with particularity wherein the new apportionment fails to comply with this article. The opinion shall direct the Governor to prepare a second new apportionment correcting the first new apportionment in the particulars specified and in no others, and to file the second new apportionment with the State officer with whom acts are filed before December 15 of the same year.

(d) The Governor shall prepare and file the second new apportionment in accordance with the opinion. The second new apportionment becomes law upon the date of the filing.

SEC. 6. A senatorial or representative district consisting of one entire county only and entitled to two or more senators or representatives, respectively, under an existing apportionment may be divided into subdistricts from time to time by law. Subdistricts shall consist of contiguous territory within the district. The population per senator in all senatorial subdistricts and the population per representative in all representative subdistricts, respectively, within the district shall be as equal as practicable. The largest population per senator or representative, respectively, in subdistricts within the district may not be more than twice the smallest population per senator or representative.

SEC. 7. Members of the legislative assembly shall be elected by the voters of the respective senatorial or representative districts or subdistricts into which the State may be divided by law. A vacancy in the legislative assembly shall be filled as may be provided by law.

SEC. 8. Senators shall be elected for terms of 4 years each. Representatives shall be elected for terms of 2 years each. The term of each senator and representative shall commence on the second Monday in January next following his election, unless otherwise provided by law. One-half of the senators, as nearly as possible, shall be elected every 2 years.

SEC. 9. Each member of the legislative assembly, at the time of his selection shall be:

(1) A citizen of the United States;

(2) A resident of the district from which he is selected for at least 1 year next preceding his selection; and

(3) Twenty-one years of age or older.

SEC. 10. (1) Except for treason, felony, or breach of the peace, members of the legislative assembly are privileged from arrest during, and in going to and returning from, a session of the legislative assembly.

(2) Members are not subject to any civil process during a session or during the 15 days next preceding commencement of a session.

(3) Members may not be questioned in any other place for words uttered on the floor of either house or at a meeting of a legislative committee.

SEC. 11. (1) A member of the legislative assembly may not hold any other office, position or employment for which compensation is paid directly by the State government.

(2) During the term for which he is selected, a member may not hold:

(a) Any nonlegislative office which may be filled by selection by the legislative assembly; or

(b) Any lucrative civil office created during the term, except an office which may be filled by election by the people.

SEC. 12. Members of the legislative assembly shall receive salaries in amounts fixed in the same manner as the salaries of other elected State officers.

SEC. 13. Regular sessions of the legislative assembly shall be held annually commencing on a day fixed by law. The Governor, by proclamation, may convene the legislative assembly in special session, and shall state to both houses, when assembled, the purpose for which he convened them. All sessions shall be held at the seat of government for the State.

SEC. 14. Each house of the legislative assembly, when assembled, shall:

(1) Select its own officers by open and recorded vote;

(2) Judge of the selection and qualifications of its own members by open and recorded vote;

(3) Determine its own rules of procedure by open and recorded vote;

(4) Determine its own adjournments; but neither house, without concurrence of the other house, may adjourn for more than 3 days nor to any other place than that in which it is sitting; and

(5) Have all the powers necessary for the performance of its functions.

SEC. 15. Two-thirds of the membership of each house of the legislative assembly is a quorum of the house to do business, but a smaller number may meet and adjourn from day to day and may compel attendance of absent members.

SEC. 16. All sessions of each house of the legislative assembly shall be open.

SEC. 17. Each house of the legislative assembly shall keep a journal of its proceedings.

SEC. 18. Any member of the legislative assembly has the right to protest and to have his protest, with his reasons therefor, entered in the journal of the house of which he is a member.

SEC. 19. Each house of the legislative assembly may punish its own members for disorderly behavior and may, with the concurrence of two-thirds of its membership, suspend a member.

SEC. 20. Revenue bills shall originate in the house of representatives. Other bills may originate in either house of the legislative assembly.

SEC. 21. Each bill shall be read by title only on three separate days in each house of the legislative assembly, but that requirement may be dispensed with in a house by two-thirds of its membership by a vote of yeas and nays.

SEC. 22. Each bill shall embrace one subject only and matters properly connected therewith.

SEC. 23. An affirmative vote of a majority of the membership of each house of the legislative assembly is necessary for passage of a bill or joint resolution. The vote on the final passage of each bill and joint resolution shall be by yeas and nays. Each bill and joint resolution so passed shall be signed by the presiding officer of each house within 10 days after he receives it.

SEC. 24. (1) Except bills ordering a referendum, bills on which a referendum is ordered and legislative apportionment bills, each bill passed by the legislative assembly shall be delivered to the Governor before it becomes law. If the Governor approves the bill, he shall sign it. The Governor may veto the bill, and if he does, he shall return it with his objections to the house in which it originated. If, upon reconsideration, two-thirds of the membership present of that house agree to pass the bill, it shall be delivered with the Governor's objections to the other house. If, upon reconsideration, two-thirds of the membership present of the other house agree to pass the bill, the bill becomes law.

(2) If the Governor does not sign or veto and return a bill within 7 days, Sundays excluded, after it is delivered to him, the bill becomes law without his signature. If the general adjournment of the session prevents return of a vetoed bill by the Governor within the 7-day period, the Governor, within 30 days, Sundays excluded, after the adjournment, shall file the bill with his objections with the State officer with whom acts are filed. That officer shall deliver the bill with the Governor's objections to the legislative assembly at its next session for reconsideration and action as a bill vetoed and returned by the Governor. If, within the 30-day period, the Governor does not sign or veto and file the bill, the bill becomes law without his signature.

(3) The Governor may veto any single item in an appropriation bill delivered to him or any provision in a bill delivered to him that would make a bill become effective earlier than 90 days after the end of the session at which the bill is passed, without thereby affecting any other provision of the bill.

SEC. 25. An act passed by the legislative assembly becomes effective 90 days after the end of the session at which the act is passed, unless otherwise provided by law. An act regulating taxation or exemption may not become effective earlier than 90 days after the end of the session at which the act is passed.

SEC. 26. (1) The legislative assembly may establish by law a joint committee, consisting of those members of both houses as the legislative assembly may provide by law, which may exercise, during the interim between sessions, any of the following powers that the legislative assembly confers upon it by law:

(a) Where an emergency exists, to allocate to any State agency, out of any emergency fund that may be appropriated to the committee for that purpose, additional funds beyond the amount appropriated to the agency by the legislative assembly, or funds to carry on an activity required by law for which an appropriation was not made.

(b) Where an emergency exists, to authorize any State agency to expend, from funds dedicated or continuously appropriated for the uses and purposes of the agency, sums in excess of the amount of the budget of the agency as approved in accordance with law.

(c) In the case of a new activity coming into existence at a time that precludes the possibility of submitting a budget to the legislative assembly for approval, to approve, or revise and approve, a budget of money appropriated for the new activity.

(d) Where an emergency exists, to revise or amend the budget of any State agency to the extent of authorizing transfers between expenditure classifications within the budget of the agency.

(2) The legislative assembly may prescribe by law what constitutes an emergency for the purposes of this section.

(3) As used in this section, "State agency" means any elected or appointed officer, board, commission, department, institution, branch, or other agency of the State government.

(4) The term of a member of the committee commences at the time of adjournment of a regular session and expires at the time of organization of the next following regular session. A member of the committee does not cease to be a member of the committee solely by reason of the expiration of his term of office as a member of the legislative assembly.

### ARTICLE V—EXECUTIVE

SECTION 1. The executive power of the State is vested in a Governor.

SEC. 2. The Governor shall be 30 years of age or older, a citizen of the United States and a resident of this State for at least 3 years next preceding his election.

SEC. 3. The Governor may not hold any other office, position, or employment for which compensation is paid directly by the State or any other government.

SEC. 4. The Governor is the only statewide elective State executive officer. Except as provided in section 6 of this article, the Governor shall be elected by the voters of the State at a regular general election. The candidate receiving the highest number of votes for Governor is elected. If two or more candidates receive an equal and the highest number of votes, the two houses of the legislative assembly at the next following regular session shall immediately by a joint vote elect one of those candidates Governor. The manner of transmitting and publishing returns of election for Governor and the manner of determining contested elections for Governor shall be provided by law.

SEC. 5. Except as provided in section 6 of this article, the Governor shall be elected for a term of 4 years, commencing at 12 noon on January 2 next following his election.

SEC. 6. (1) (a) If a Governor-elect, by reason of temporary inability, fails to qualify, the officer next in line of succession is Governor until the Governor-elect qualifies.

(b) If a Governor-elect, by reason of death or other permament inability, fails to qualify, the retiring Governor continues to be Governor until a new Governor is elected by the voters of the State at a special election and qualifies. The special election shall be held not more than 60 days after the date on which the death or other permanent inability of the Governor-elect occurs. Provision shall be made by law for the special election and for the nomination of candidates to be voted upon for new Governor at that election. The new Governor elected at that election shall serve for the remainder of the term for which the Governor-elect was elected.

(2) (a) If a Governor becomes temporarily disabled, the officer next in line of succession is Governor until the disability is removed.

(b) If a Governor dies, resigns, becomes permanently disabled or is removed from office, the officer next in line of succession is Governor until commencement of the term of a new elected Governor. If the death, resignation, permanent disability or removal from office of a Governor occurs more than 30 days before the regular general election next following commencement of his term, a new elected Governor shall be elected at that election to serve for the remainder of the term, if any, for which the Governor last elected was elected.

(3) The line of succession to be Governor is: First, the president of the senate; second, the speaker of the house of representatives; and thereafter, other officers in order as may be provided by law.

SEC. 7. The manner of determining disability of a Governor and declaring a vacancy in the office of Governor by reason thereof may be provided by law.

SEC. 8. The Governor is responsible for the faithful execution of the laws.

SEC. 9. All executive offices, agencies, and instrumentalities of the State government, and their respective functions, powers, and duties, shall be allocated by law among not more than 20 principal departments, so as to group them as far as practicable according to major purposes. Quasi-judicial agencies and temporary agencies may, but need not, be allocated within a principal department.

SEC. 10. (1) The Governor shall appoint the heads of executive departments, subject to confirmation by a majority of the Senate.

(2) The manner of appointment and the qualifications of other executive officers shall be provided by law; but the term of an office may not be more than 4 years.

(3) The authority that appoints an executive officer may remove him.

(4) If a vacancy occurs in an executive office, appointment to which is subject to confirmation by the Senate, at any time other than during a session of the legislative assembly, the Governor may fill the vacancy by appointment. The term of that appointment shall be provided by law.

(5) A classified civil service system and other career service systems may be provided by law.

SEC. 11. A vacancy in the office of U.S. Senator shall be filled by appointment by the Governor until a U.S. Senator is next elected. If the vacancy occurs more than 30 days before the regular general election next following occurrence of the vacancy, a U.S. Senator shall be elected at that regular general election. If the vacancy occurs 30 days or less before the regular general election next following occurrence of the vacancy, a U.S. Senator shall be elected at the regular general election next following that regular general election.

SEC. 12. A State militia, its organization, maintenance and discipline may be provided for by law. The Governor is commander in chief of the State militia and any other military forces of this State. Except when they are called into the service of the United States, the Governor may call them out to execute the laws, suppress insurrection, repel invasion or protect the public health.

SEC. 13. The Governor shall, at the beginning of each session, and may, at other times, give to the legislative assembly information concerning the condition of the State and recommend measures he considers expedient.

SEC. 14. Subject to procedures that may be provided by law, the Governor may grant pardons, commutations and reprieves, and may suspend or remit fines and forfeitures.

### ARTICLE VI—JUDICIARY

SECTION 1. The judicial power of the State is vested in a supreme court and other State courts as may be established by law, which constitute a unified judicial system. The supreme court has supervisory authority over all other courts in the judicial system.

SEC. 2. The supreme court consists of seven judges, who shall select one of their number to serve as chief justice for a term fixed by the court.

SEC. 3. The supreme court shall make rules of procedure for the judicial system. Before any rule becomes effective, it shall be submitted to the legislative assembly within 30 days after commencement of a session. Unless disapproved by the legislative assembly by joint resolution, a rule becomes effective 60 days after the end of the session at which it was submitted. A rule may be enacted, amended, or repealed at any time by law.

SEC. 4. (1) The supreme court has appellate jurisdiction in all cases arising under this constitution and the Constitution of the United States, and in other cases as provided by law.

(2) The supreme court may, in its discretion, issue original writs as provided by law.

(3) All other courts in the judicial system have original and appellate jurisdiction as provided by law.

SEC. 5. The supreme court may sit en banc or in departments consisting of not less than four judges. Other courts in the judicial system may be divided into geographical districts by law, and may be divided into functional departments and judicial functions distributed among those functional departments by law or rule not inconsistent with law.

SEC. 6. The judiciary shall be nonpartisan. A judge of any court in the judicial system who, with his consent, becomes a candidate for any elective Federal or State office thereby forfeits his judicial office.

SEC. 7. Judges of all courts in the judicial system, at the time of their appointment, shall be persons who are licensed to practice law.

SEC. 8. Judges shall be appointed by the Governor to fill all vacancies on courts in the judicial system as they occur. At the first regular general election that occurs more than 2 years after his appointment, and if he becomes a candidate for retention, a ballot shall submit to the voters of the State or appropriate geographical district the question: "Shall Judge ______ (name of judge) be retained on the ______ (name of court)? At the regular general election every 6 years thereafter, and so long as the judge is eligible and becomes a candidate for retention, the same question shall be submitted to the voters. The office of a judge who fails to become a candidate for retention or who is rejected by the voters at a regular general election, becomes vacant on the first judicial day in January next following that election.

SEC. 9. (1) A judge may not continue in office after the end of the calendar year in which he becomes 75 years of age. A lesser age for mandatory retirement may be fixed by law, but not earlier than the end of the calendar year in which a judge becomes 70 years of age.

(2) A judge may retire voluntarily. He may be retired, as provided by law, for physical or mental disability or any other cause that renders him incapable of performing his judicial functions.

(3) Provision may be made by law for assignment of retired judges by the supreme court to temporary active service on any court in the judicial system. A retired judge so assigned shall receive, during the period of his service, compensation in addition to his retirement pay so that his combined retirement pay and compensation is equal to the compensation received by a judge regularly serving on the court.

SEC. 10. (1) Provision may be made by law for:

(a) Assignment of judges by the supreme court to temporary service on any court, or department thereof, in the judicial system; but assignment to a court inferior to that on which a judge regularly serves may be only with his consent.

(b) Appointment of lawyers by the supreme court to serve temporarily as judges of any court, or department thereof, in the judicial system inferior to the supreme court.

(2) A judge, while serving under temporary assignment or appointment, has all the judicial powers and duties of a judge regularly serving on the court, or department thereof, to which he is assigned or appointed.

(3) The temporary assignment of judges to the supreme court does not authorize more than seven judges of that court to participate in the decision of any case.

SEC. 11. The compensation of a judge shall be provided by law, but may not be diminished without his consent during his term of office except by general law applicable to all salaried State officers.

SEC. 12. A State law commission may be established in a manner provided by law to make studies, reports and recommendations to the legislative assembly on law and its administration, to the Governor on judicial selection and to the supreme court on rules of procedure, and to perform additional advisory services as may be provided by law.

SEC. 13. There shall be a right to trial by jury in all actions at law. Selection, number and qualifications of jurors, jurisdictional limits, and taxation of costs shall be provided by law. Three-fourths of a jury may render a verdict in action at law. No fact found by a jury shall be otherwise reexamined in any court unless the court affirmatively finds that there is no evidence to support the verdict.

SEC. 14. Grand juries shall be constituted and shall have powers and duties as provided by law.

### ARTICLE VII—CONTROLLER

SECTION 1. There shall be a controller, who shall be selected, and who may be removed for cause, as provided by law.

SEC. 2. The term of office of the controller shall be fixed by law, but shall be not less than eight years. During the term for which he is selected, the controller is ineligible to be a candidate for election to any other office.

SEC. 3. The controller shall conduct post-audits of all executed transactions and accounts, as defined by law, of all branches, departments, offices and agencies of the State. He shall report to the Governor and to the legislative assembly at least annually, and at other times as the legislative assembly requires, on the performance of State functions involving receipt, disbursement and application of public funds in compliance with applicable standards of financial accuracy, administration and law. He shall make additional investigations and reports as required by the legislative assembly, and perform other functions as provided by law. He may not be given responsibility for performance of any executive function.

SEC. 4. Deputies and other personnel to assist the controller in performance of his functions may be provided by law. The controller shall designate a deputy to act as controller in case of his absence or incapacity or vacancy in the office. The controller shall administer his office and its functions, personnel and budget independently of the executive branch.

### ARTICLE VIII—LOCAL GOVERNMENT

SECTION 1. The legislative assembly shall provide by law a method whereby a majority of the voters of any county voting at an election, may adopt, amend, revise or repeal a county charter. A county charter may provide for exercise by the county of authority over matters of county concern. Local improvements may be financed only by taxes, assessments or charges imposed on benefited property, unless otherwise provided by law or charter. A county charter shall prescribe the organization of the county government and shall provide directly, or by its authority, for the number, selection, qualifications, tenure, compensation, powers and duties of those officers the county considers necessary. Those officers shall exercise all the powers and duties, as distributed by the county charter or by its authority, that are granted to or imposed upon any county officer by the constitution or laws of this State. The initiative and referendum powers reserved to the people by the constitution are further reserved to the qualified voters of each county as to the adoption, amendment, revision or repeal of a county charter and as to county legislation of each county that has adopted a charter.

SEC. 2. The voters of every city are granted power to enact and amend their city charter, subject to the constitution and criminal laws of this State; and the legislative assembly may not enact, amend or repeal any charter or act of incorporation for any city.

SEC. 3. Provision may be made by general law for a system of municipal courts for cities, including the manner of selection, qualifications, tenure, powers and duties of officers of municipal courts who exercise judicial functions.

SEC. 4. Provision may be made by general law for the creation of metropolitan districts by the voters of cities and areas adjacent thereto. Metropolitan districts shall exercise functions as may be provided by general law.

SEC. 5. People's utility districts may be created of territory, contiguous or otherwise, within one or more counties, and may consist of one or more incorporated municipalities with or without unincorporated territory, for the purpose of supplying water for domestic and municipal purposes; for the development of water power or electric energy or both; and for the sale, distribution or other disposition of water, water power and electric energy within or without the territory of the district. The legislative assembly shall, and the people by the initiative may, enact laws necessary to carry out the provisions of this section.

SEC. 6. Provision shall be made by general law for methods and procedures of altering the boundaries of, merging, consolidating and dissolving counties, cities and public corporations.

SEC. 7. A county, city or public corporation may not raise money for or loan its credit to any joint stock company, corporation or association, except as provided by general law.

SEC. 8. Officers of counties, cities and public corporations shall be selected in a manner provided by law; but the manner of selection of county or city officers may be provided otherwise in county or city charters.

### ARTICLE IX—PUBLIC OFFICERS

SECTION 1. Except for members of the legislative assembly, the Governor and judges of courts in the judicial system:

(1) The term of a public officer elected at a regular general election shall commence on the first Monday in January next following his election.

(2) A public officer shall hold his office until his successor is selected and qualified.

SEC. 2. Each person selected to any office under this constitution, before assuming the office, shall take an oath or affirmation to support the Constitution and laws of the United States and of this State.

SEC. 3. A public officer may not be impeached. A public officer may be tried for corruption, malfeasance or delinquency in office in the same manner as criminal offenses and is punishable, upon conviction, by removal from office and additional punishment as may be provided by law.

SEC. 4. A public officer who is subject to election or retention by vote of the people also is subject to recall by the voters of the State or part thereof wherein he is subject to election or retention. A recall election may be demanded only by a petition signed by a number of qualified voters of the State or part thereof as required by law, but not more than 25 percent of those qualified voters may be so required. If a majority of the votes cast in the recall election are in favor of recall, the officer is recalled and his office is vacant. Except as otherwise provided in this section, procedures for recall shall be provided by law.

### ARTICLE X—TAXATION AND FINANCE

SECTION 1. A tax may not be levied except in pursuance of law.

SEC. 2. The legislative assembly shall, and the people by the initiative may, provide by law uniform rules of assessment and taxation. All taxes shall be levied and collected under general laws operating uniformly throughout the State. A tax shall be uniform on the same class of subjects within the area in which the tax is levied.

SEC. 3. Provision may be made by law that the ad valorem taxes levied by any taxing unit, in which is located all or part of an area included in a redevelopment or urban renewal project, may be divided so that the taxes levied against any increase in the true cash value, as defined by law, of property in the area after the effective date of approval of the redevelopment or urban renewal plan for the area, are used to pay any indebtedness incurred for the redevelopment or urban renewal project. Laws necessary to carry out the purposes of this section may be enacted.

SEC. 4. The legislative assembly shall provide for raising revenue sufficient to pay the expenses of the State for each fiscal year and to pay the interest on the State debt, if any. When the expenses of the State exceed the income, the legislative assembly shall provide for levying a tax, for the next following fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses for the next following fiscal year.

SEC. 5. Money may not be withdrawn from the State treasury except in pursuance of appropriations made by law.

SEC. 6. (1) A general obligation debt of the State may not be incurred unless authorized or required by law enacted or approved by a majority of the voters of the State voting at a statewide election. However, an obligation of the State, other than bonded indebtedness, may be incurred by specific law, but without the necessity of enactment or approval by the voters, to the United States or any agency thereof with respect to a project in which the State or any agency thereof and the United States or any agency thereof are cooperating parties.

(2) The authorization under the former Oregon constitution for the incurring of State indebtedness for building and maintaining permanent roads, farm and home loans to veterans, forest rehabilitation and reforestation and buildings and other projects and structures for higher education is continued in effect under this constitution. Laws now in existence or hereafter enacted that implement that authorization are effective without the necessity of enactment or approval by the voters.

SEC. 7. The State may not assume a debt of any county, city, or public corporation.

SEC. 8. A county may not incur any debt or liability that singly or in the aggregate with previous debts or liabilities exceeds $5,000. However, a county may incur bonded indebtedness in excess of $5,000 to carry out purposes authorized or required by law, but not in excess of limits fixed by law.

SEC. 9. (1) Except as provided in subsection (3) of this section, a taxing unit, whether it is the State, any county, municipality, district or other body having the power to levy a tax, may not exercise that power in any year to raise an amount of revenue greater than its tax base as defined in subsection (2) of this section. The portion of any tax levied in excess of any limitation imposed by this section is void.

(2) The tax base of each taxing unit in a given year is either:

(a) An amount obtained by adding 6 percent to the total amount of tax lawfully levied by the taxing unit, except portions thereof described in subsection (3) of this section, in any one of the last 3 years in which a tax was so levied; or

(b) An amount approved as a new tax base by a majority of the voters of the taxing unit voting on the question submitted to them in a form specifying in dollars and cents the amount of the tax base in effect and the amount of the new tax base submitted for approval. If approved, the new tax base applies first to the levy for the fiscal year next following its approval.

(3) The limitation imposed by subsection (1) of this section does not apply to the portion of any tax levied which is:

(a) For the payment of bonded indebtedness or interest thereon.

(b) Specifically voted outside the limitation imposed by subsection (1) of this section by a majority of the voters of the taxing unit voting on the question.

(4) Notwithstanding subsection (1), (2), and (3) of this section, the following special limitations apply during the periods indicated:

(a) During the fiscal year next following the creation of a new taxing unit which includes property previously included in a similar taxing unit, the new taxing unit and the old taxing unit may not levy a tax on the property received or retained to raise an amount of revenue greater than an amount obtained by adding 6 percent to the total amount of tax lawfully levied by the old taxing unit on the property received and retained, except portions of that total amount described in subsection (3) of this section, in any one of the last 3 years in which a tax was so levied.

(b) During the fiscal year next following the annexation of territory to an existing taxing unit, the tax base of the annexing unit established under subsection (2) of this section is increased by an amount obtained by adding 6 percent to the amount obtained by multiplying the equalized assessed valuation of the taxable property in the annexed territory for the fiscal year of annexation by the millage rate within the tax base of the annexing unit for the fiscal year of annexation.

(5) The legislative assembly may provide by law for the time and manner of calling and holding elections referred to in this section. However, the question of establishing a new tax base by a taxing unit other than the State shall be submitted at a statewide regular general election or a general primary election.

### ARTICLE XI—GOVERNMENTAL ACTIVITIES

SECTION 1. The capital of the State is Salem in Marion County.

SEC. 2. (1) The legislative assembly shall provide by law for the establishment of a uniform and general system of common schools.

(2) Provision shall be made by law for the administration of State school lands and a common school fund and for the distribution of income from that fund for school purposes.

SEC. 3. The rights, title and interest in and to the shore of the Pacific Ocean and offshore lands, now or hereafter owned by the State, shall be held by the State in perpetuity; but the State, by law, may grant leases, easements and licenses with respect thereto for purposes not inconsistent with the public use and enjoyment thereof.

SEC. 4. The rights, title and interest in and to all water for the development of waterpower and in and to the waterpower sites, now or hereafter owned by the State, shall be held by the State in perpetuity; but the State, by law, may grant leases, easements and licenses with respect thereto for purposes not inconsistent with the public interest.

SEC. 5. The State may:

(1) Control and develop the waterpower within the State.

(2) Lease water and waterpower sites for the development of waterpower.

(3) Control, use, transmit, distribute, sell, and dispose of electric energy produced by any method.

(4) Separately or jointly or in cooperation with any political subdivision or public corporation in this State or with the United States or any agency thereof, develop any waterpower within the State, and acquire, construct, maintain, and operate facilities for the production of electric energy by any method and transmission and distribution lines.

(5) Separately or jointly or in cooperation with any political subdivision or public corporation in this State, with any other State, agency thereof or political subdivision or public corporation therein or with the United States or any agency thereof, develop any waterpower in any interstate stream, and acquire, construct, maintain, and operate facilities for the production of electric energy by that waterpower and transmission and distribution lines.

(6) Contract with any political subdivision or public corporation in this State, with any other State, agency thereof or political subdivision or public corporation therein or with the United States or any agency thereof for the purchase or acquisition of water, waterpower, or electric energy produced by any method for use, transmission, distribution, sale, or disposition thereof.

(7) Fix rates and charges for the use of water in the development of waterpower and for the sale or disposition of waterpower and electric energy produced by any method.

(8) Incur indebtedness to an amount not exceeding 1½ percent of the true cash value of all the property in the State taxed on an ad valorem basis for the purpose of providing funds to carry out the provisions of this section, notwithstanding any other limitation on State indebtedness in this constitution.

(9) Do any and all things necessary or convenient to carry out the provisions of this section.

SEC. 6. Provision for bringing suit or action against the State may be made only by general law. Provision for making compensation to persons claiming damages against the State may not be made by special law.

SEC. 7. Corporations may be formed under general laws, but may not be created by the legislative assembly by special laws.

SEC. 8. Provision may be made by law for the State, any agency thereof or any political subdivision or public corporation therein to exercise any of its functions and participate in the financing thereof jointly or in cooperation with:

(1) Any other agency of the State or political subdivision or public corporation in the State;

(2) Any other State, agency thereof, or political subdivision or public corporation therein;

(3) The United States or any agency, territory, possession, or governmental unit thereof; or

(4) Insofar as consistent with the Constitution of the United States, any foreign power or agency or governmental unit thereof.

SEC. 9. Lotteries and the sale of lottery tickets, for any purpose whatever, are prohibited, and the legislative assembly shall prevent them by criminal laws.

SEC. 10. The proceeds from any tax levied on, with respect to or measured by the storage, withdrawal, use, sale, distribution, importation or receipt of motor vehicle fuel or any other product used for the propulsion of motor vehicles, and the proceeds from any tax or excise levied on the ownership, operation or use of motor vehicles shall, after providing for the cost of administration and any refunds or credits authorized by law, be used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation, use and policing of public highways, roads and streets within the State or otherwise directly in aid of highway traffic, including the retirement of bonds for the payment of which those revenues have been pledged, and also may be used for the acquisition, development, maintenance, care and use of parks, recreational, scenic or other historic places and for the publicizing of any of the foregoing uses and things.

### ARTICLE XII—AMENDMENT AND REVISION

SECTION 1. Amendments to or revision of the constitution may be proposed and submitted to the people only as provided in this article or article III of this constitution.

SEC. 2. The legislative assembly, by two-thirds of the membership of each house by a vote of yeas and nays, may propose amendments to or revision of all or part of the constitution. An amendment or revision so proposed shall be submitted to the people for their approval or rejection at the next following general primary election, unless otherwise ordered by the legislative assembly.

SEC. 3. A convention may propose amendments to or revision of all or part of the constitution. A convention may be called only by a law proposed by an initiative petition and enacted by the people or an act of the legislative assembly on which a referendum is ordered by the legislative assembly and which is approved by the people. A convention shall be conducted and any amendment or revision proposed thereby shall be submitted to the people for their approval or rejection as may be provided by the law by which the convention is called, or, if not inconsistent with that law, by other law.

SEC. 4. An amendment to the constitution proposed by the legislative assembly or a convention shall embrace one subject only and matters properly connected therewith. A proposed revision may embrace more than one subject, but shall be voted upon as a whole.

SEC. 5. An amendment to or revision of the constitution proposed by the legislative assembly or a convention and submitted to the people becomes effective 30 days after the day on which it is approved by a majority of the votes cast thereon.

SEC. 6. An amendment to the constitution proposed by an initiative petition, the legislative assembly or a convention may be submitted to the people in the form of alternative provisions so that one provision will become effective if a revision of the constitution proposed by the legislative assembly or a convention is approved by the people and the other provision will become effective if the proposed revision is rejected by the people. A proposed amendment submitted in the form of alternative provisions shall be voted upon as a whole.

SEC. 7. If two or more conflicting amendments to or revisions of the constitution are enacted or approved by the people at the same election, the amendment or revision receiving the highest number of affirmative votes shall prevail to the extent of the conflict.

### ARTICLE XIII—TRANSITIONAL

SECTION 1. The purpose of this article is to insure an orderly transition from the former Oregon constitution to this constitution. When that purpose is accomplished and all provisions of this article cease to have any continuing effect, the legislative assembly, by law, shall so declare and thereafter this article shall not be considered as a part of this constitution.

SEC. 2. Except as otherwise provided in this article, this constitution shall first become applicable on July 1, 1965, and the former Oregon constitution shall continue to be applicable until that date. However, amendments to or revisions of this constitution may be proposed pursuant to this constitution before that date, and laws to carry out the provisions of this constitution or to insure an orderly transition from the former Oregon constitution to this constitution may be enacted before that date to take effect before, on, or after that date.

SEC. 3. Except as otherwise provided in this constitution, a person holding any elective or appointive public office shall continue to hold that office and exercise the functions of that office until that office is abolished or altered or his successor is selected and qualified in accordance with this constitution or laws enacted pursuant thereto.

SEC. 4. Not withstanding section 8, article VI of this constitution, a judge of any court in the judicial system serving on the date this constitution first becomes applicable is subject to retention or rejection by the voters under that section at the regular general election next preceding the expiration of the term he is serving on that date.

SEC. 5. Notwithstanding article IV of this constitution, the legislative apportionment in existence on the date this constitution first becomes applicable shall continue to be applicable until an apportionment based upon the final population figures for the State and subdivisions thereof resulting from the next statewide Federal census becomes effective and applicable.

### ARTICLE XIV—STATUTORY PROVISIONS

SECTION 1. Sections 2 to 28, inclusive, of this article have the same effect as statutes enacted by the legislative assembly or by the people as of the date this constitution first becomes applicable, and thereafter are statutes. Those sections, without change in sense, meaning, effect or substance, shall be compiled in Oregon revised statutes. When those sections are so compiled, this article shall not be considered as a part of this constitution.

SEC. 2. All laws not inconsistent with the constitution of the State of Oregon of 1965 shall continue in force until they expire by their own limitation or are changed, amended, or repealed.

SEC. 3. All existing writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, titles and rights shall continue unaffected except as modified in accordance with the constitution of the State of Oregon of 1965.

SEC. 4. In all criminal prosecutions in the circuit court 10 members of the jury may render a verdict of guilty or not guilty, save and except a verdict of guilty of first degree murder, which shall be found only by a unanimous verdict, and not otherwise.

SEC. 5. For the purpose of taking private property for public use, the use of all roads, ways and waterways necessary to promote the transportation of the raw products of mine or farm or forest or water for beneficial use or drainage is necessary to the development and welfare of the State and is declared a public use.

SEC. 6. The penalty for murder in the first degree shall be death, except when the trial jury shall in its verdict recommend life imprisonment, in which case the penalty shall be life imprisonment.

SEC. 7. The State shall have power to license private clubs, fraternal organizations, veterans' organizations, railroad corporations operating interstate trains and commercial establishments where food is cooked and served, for the purpose of selling alcoholic liquor by the individual glass at retail, for consumption on the premises, including mixed drinks and cocktails, compounded or mixed on the premises only. The legislative assembly shall provide in such detail as it shall deem advisable for carrying out and administering the provisions of this section and shall provide adequate safeguards to carry out the original intent and purpose of the Oregon Liquor Control Act, including the promotion of temperance in the use and consumption of lighter beverages and aid in the establishment of Oregon industry. This power is subject to the following:

(1) The right of a local option election exists in the counties and in any incorporated city or town containing a population of at least 500. The legislative assembly shall prescribe a means and a procedure by which the voters of any county or incorporated city or town as limited above in any county, may through a local option election determine whether to prohibit or permit such power, and such procedure shall specifically include that whenever 15 percent of the registered voters of any county in the State or of any incorporated city or town as limited above, in any county in the State, shall file a petition requesting an election in this matter, the question shall be voted upon at the next regular November biennial election, provided said petition is filed not less than 60 days before the day of election.

(2) Legislation relating to this matter shall operate uniformly throughout the State and all individuals shall be treated equally; and all provisions shall be liberally construed for the accomplishment of these purposes.

SEC. 8. No idiot or mentally diseased person shall be entitled to the privileges of an elector; and the privilege of an elector, upon conviction of any crime which is punishable by imprisonment in the penitentiary, shall be forfeited, unless otherwise provided by law.

SEC. 9. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States or of this State; nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum at public expense; nor while confined in any public prison.

SEC. 10. No soldier, seaman, or marine in the Army or Navy of the United States or of their allies shall be deemed to have acquired a residence in the State in consequence of having been stationed within the same; nor shall any such soldier, seaman, or marine have the right to vote.

SEC. 11. Every person shall be disqualified from holding office, during the term for which he may have been elected, who shall have given or offered a bribe, threat, or reward to procure his election.

SEC. 12. In all cases, except treason, felony, and breach of the peace, electors shall be free from arrest in going to elections, during their attendance there and in returning from the same; and no elector shall be obliged to do duty in the militia on any day of election, except in time of war or public danger.

SEC. 13. Incorporated cities and towns shall hold their nominating and regular elections for their several elective officers at the same time that the primary and general biennial elections for State and county officers are held, and the election precincts and officers shall be the same for all elections held at the same time.

SEC. 14. (1) A public officer who is subject to election or retention by vote of the people also is subject to recall by the voters of the State or part thereof wherein he is subject to election or retention.

(2) A recall election may be demanded only by a petition signed by a number of qualified voters of the State or part thereof as otherwise required by law, but not more than 25 percent of those qualified voters may be so required. The petition shall set forth the reasons for the demand. The petition shall be filed with the officer with whom a petition for nomination for the office held by the officer whose recall is demanded is filed.

(3) A recall petition shall not be circulated against any officer until he has actually held his office 6 months, except that it may be filed against a member of the legislative assembly at any time after 5 days from the beginning of the first session after his election. After one recall petition and election, no further petition may be filed against the same officer during the term for which he is elected or retained unless the further petitioners first pay into the public treasury from which the first recall election expenses were paid, the whole amount of those expenses.

(4) If the officer whose recall is demanded offers his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled immediately as provided by law for filling a vacancy in that office arising from any other cause. If that officer does not resign within 5 days after the recall petition is filed, the officer with whom the petition is filed shall order a special election to be held within 20 days in the State or part thereof to determine whether the voters will recall the officer whose recall is demanded.

(5) On the sample ballot for the recall election there shall be printed, in not more than 200 words, the reasons for demanding the recall of the officer as set forth in the recall petition, and, in not more than 200 words, that officer's justification of his course in his office.

(6) The officer whose recall is demanded shall continue to perform the duties of his office until the result of the recall election is officially declared. If a majority of the votes cast in the election are in favor of recall, the officer is recalled, and the vacancy shall be filled immediately as provided by law for filling a vacancy in that office arising from any other cause.

SEC. 15. No act shall ever be revised or amended by a mere reference to its title, but the act revised or section amended shall be set forth and published at full length.

SEC. 16. All commissions shall issue in the name of the State; shall be signed by the Governor, sealed with the seal of the State and attested by the Secretary of State.

SEC. 17. The supreme court, circuit courts, and county courts shall be courts of record.

SEC. 18. All judicial power, authority, and jurisdiction not vested by the Oregon constitution, or by laws consistent therewith, exclusively in some other court shall belong to the circuit courts.

SEC. 19. The county clerk shall keep all the public records, books, and papers of the county, record conveyances and perform the duties of clerk of the circuit and county courts.

SEC. 20. The stockholders of all corporations and joint stock companies shall be liable for the indebtedness of said corporation to the amount of their stock subscribed and unpaid and no more, excepting that the stockholders of corporations or joint stock companies conducting the business of banking shall be individually liable equally and ratably and not one for another, for the benefit of the depositors of said bank, to the amount of their stock, at the par value thereof, in addition to the par value of such shares, unless such banking corporation shall have provided security through membership in the Federal Deposit Insurance Corporation or other instrumentality of the United States or otherwise for the benefit of the depositors of said bank equivalent in amount to such double liability of said stockholders.

Sec. 21. The State shall not subscribe to or be interested in the stock of any company, association or corporation, but, as provided by law, may hold and dispose of stock, including stock already received, that is donated or bequeathed.

Sec. 22. The legislative assembly may lend the credit of the State and in any manner create any debts or liabilities to build and maintain permanent roads, but which shall not singly or in the aggregate with previous debts or liabilities incurred for that purpose exceed 1 percent of the true cash value of all the property of the State taxed on an ad valorem basis.

Sec. 23. No county, city, town or other municipal corporation, by vote of its citizens or otherwise, shall become a stockholder in any joint company, corporation or association whatever.

Sec. 24. People's utility districts shall be managed by boards of directors, consisting of five members, who shall be residents of such districts. Such districts shall have power:

(1) to call and hold elections within their respective districts.

(2) To levy taxes upon the taxable property of such districts.

(3) To issue, sell and assume evidences of indebtedness.

(4) To enter into contracts.

(5) To exercise the power of eminent domain.

(6) To acquire and hold real and other property necessary or incident to the business of such districts.

(7) To acquire, develop or otherwise provide for a supply of water, water power, and electric energy.

Sec. 25. (1) The credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed 3 percent of the true cash value of all the property in the State, for the purpose of creating a fund to be advanced for the acquisition of farms and homes for the benefit of male and female residents of the State of Oregon who served in the Armed Forces of the United States for a period of not less than 90 days after mobilization therefor, and before the end of actual hostilities with any of the Axis Powers or for a period of not less than 90 days between June 25, 1950, and January 31, 1955, and who are honorably discharged from such service, which fund shall be known as the Oregon War Veterans' Fund. Secured repayment thereof shall be and is a prerequisite to the advancement of money from such fund.

(2) Bonds of the State of Oregon containing a direct promise on behalf of the State to pay the face value thereof, with the interest therein provided for, may be issued to an amount authorized by subsection (1) of this section for the purpose of creating said Oregon War Veterans' Fund. Said bonds shall be a direct obligation of the State and shall be in such form and shall run for such periods of time and bear such rates of interest as provided by statute.

(3) No person shall be eligible to receive money from said fund except the following:

(a) Any person who resides in the State of Oregon at the time of applying for a loan from said fund, who served honorably in active duty in the Armed Forces of the United States for a period of not less than 90 days between September 15, 1940, and December 31, 1946, who was either at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon or who has been a bona fide resident of the State of Oregon for at least 2 years between the date of his separation from aforementioned service and December 31, 1950, and who has been honorably separated or discharged from said service, or who has been furloughed to a reserve. No loans shall be made to persons justified under this paragraph after January 31, 1980.

(b) Any person who resides in the State of Oregon at the time of applying for a loan from said fund, who served honorably in active duty in the Armed Forces of the United States for a period of not less than 90 days between June 25, 1950, and January 31, 1955, who was either at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon or who has been a bona fide resident of the State of Oregon for at least 2 years between the date of his separation from aforementioned service and December 31, 1960, and who has been honorably separated or discharged from said service, or who has been furloughed to a reserve. No loans shall be made to persons qualified under this paragraph after January 31, 1988.

(4) There shall be levied each year, at the same time and in the same manner that other taxes are levied, a tax upon all property in the State of Oregon not exempt from taxation, not to exceed 2 mills on each dollar valuation, to provide for the payment of principal and interest of the bonds authorized to be issued by this section. Said tax levy hereby authorized shall be in addition to all other taxes which may be levied according to law.

(5) Refunding bonds may be issued and sold to refund any bonds issued under authority of subsections (1) and (2) of this section. There may be issued and outstanding at any time bonds aggregating the amount authorized by subsection (1) of this section, but at no time shall the total of all bonds outstanding, including refunding bonds, exceed the amount so authorized.

Sec. 26. The credit of the State may be loaned and indebtedness incurred in an amount which shall not exceed at any one time three-fourths of 1 percent of the assessed valuation of all taxable property in the State, to provide funds for forest rehabilitation and reforestation and for the acquisition, management, and development of lands for such purposes. So long as any such indebtedness shall remain outstanding, the funds derived from the sale, exchange, or use of said lands, and from the disposal of products therefrom, shall be applied only in the liquidation of such indebtedness. Bonds or other obligations issued pursuant to this section may be renewed or refunded. An ad valorem tax shall be levied annually upon all the taxable property in the State of Oregon, in sufficient amount to provide for the payment of such indebtedness and the interest thereon. The legislative assembly may provide other revenues to supplement or replace the said tax levies.

Sec. 27. (1) The credit of the State may be loaned and indebtedness incurred in an amount which shall not exceed at any one time three-fourths of 1 percent of the true cash value of all the taxable property in the State, as determined by law to provide funds with which to redeem and refund outstanding revenue bonds issued to finance the cost of buildings and other projects for higher education, and to construct, improve, repair, equip, and furnish buildings and other structures for such purpose, and to purchase or improve sites therefor.

(2) The buildings and structures hereafter constructed for higher education pursuant to this section shall be such only as conservatively shall appear to the constructing authority to be wholly self-liquidating and self-supporting from revenues, gifts, grants, or building fees. All unpledged net revenues of buildings and other projects may be pooled with the net revenues of new buildings or projects in order to render the new buildings or projects self-liquidating and self-supporting.

(3) Ad valorem taxes shall be levied annually upon all the taxable property in the State of Oregon in sufficient amount, with the aforesaid revenues, gifts, grants, or building fees, to provide for the payment of such indebtedness and the interest thereon. The legislative assembly may provide other revenues to supplement or replace such tax levies.

(4) Bonds issued pursuant to this section shall be the direct general obligations of the State, and be in such form, run for such periods of time, and bear such rates of interest as shall be provided by statute. Such bonds may be refunded with bonds of like obligation. Unless provided by statute, no bonds shall be issued pursuant to this section for the construction of buildings or other structures for higher education until after all of the aforesaid outstanding revenue bonds shall have been redeemed or refunded.

Sec. 28. The property and pecuniary rights of every married woman, at the time of marriage or afterward, acquired by gift, devise, or inheritance shall not be subject to the debts or contracts of the husband.

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### EXHIBIT 1

### A METHOD FOR REVISION

During the 1957 session a constitutional amendment was proposed to provide an alternative method of changing the constitution. The idea would retain the section-by-section referendum apparatus but in addition, the legislature could refer a whole or partly revised constitution as a one-vote proposition, provided that two-thirds of each house approved the revision. The suggestion was not adopted in 1957 but it was approved as an amendment to the constitution by the 1959 session. The voters favored it in the 1960 general election, 358,367 to 289,895.

The 51st legislative assembly, meeting in 1961, faced the job of becoming a constitutional convention without benefit of preparation. It was obvious that with its other tasks the assembly did not have time to do groundwork on revision. The idea developed of an interim group—composed of representatives of all three branches and of the public—to propose a revision or revisions. Senate Joint Resolution 20 provided a Commission for Constitutional Revision, to report to the 52d legislative assembly in 1963.

The resulting 17-member commission was appointed by the speaker of the house, president of the senate, Governor, and chief justice. It included three State senators, four State representatives, two supreme court justices, a circuit court judge, two ex-governors, two newspaper publishers, a businessman with long political experience, a professor of constitutional law and a housewife who has long been active in revision study for the League of Women Voters. The membership represented a broad background of political, commercial, and educational experience about equally divided on party lines and from all sections of the State.

Members are:

George Layman, Newberg, chairman: An attorney in private practice; a graduate of the University of Oregon and its School of Law; four-term mayor of Newberg and five terms in the house; Federal Government experience in both Justice Department and Department of State, in the United States and overseas.

Kenneth J. O'Connell, Salem, vice chairman: Associate justice of State supreme court; a graduate of University of Wisconsin; on Law School faculty at the University of Oregon from 1936 until appointed to the court in 1958 except for 3 years of private practice of law in Eugene; chairman of the Oregon Statute Revision Council which managed complete codification of Oregon laws.

William B. Sweetland, Klamath Falls, secretary: Newspaperman; served 5 years in Army Air Corps during Second World War; has interests in newspapers in Montana and Iowa and is publisher of the Klamath Falls Herald and News.

Clarence Barton, Coquille: Title company officer and attorney; graduate of Willamette

University; 3 years' service in the Counter Intelligence Corps during World War II; Coquille city attorney and later city council member; president of West Coast Title Co.; in house for three terms.

Robert W. Chandler, Bend: Newspaper editor and publisher; graduate of Stanford University; served in the Counter Intelligence Corps during World War II; has had news and business experience with the Denver Post and United Press International; now publishes the Bend Bulletin and has an interest in the La Grande Observer and other publishing properties.

Alfred T. Goodwin, Salem: Associate justice of the Oregon supreme court; graduate of the University of Oregon; was in private law practice in Eugene from 1951 to 1955 when he was appointed to circuit court bench; his appointment to supreme court was in 1960; served in Army infantry, 1942–46.

Stafford Hansell, Hermiston: Farmer, stock grower; attended Montana State University for 3 years and graduated from Whitman College; is associated with a brother in a large scale swine growing operation; has served three terms in the House.

Robert D. Holmes, Portland: Public relations consultant and television moderator; attended University of Oregon; served two terms in the State senate and was Governor of Oregon 1957–59.

Donald R. Husband, Eugene: Attorney in private practice; graduate of the University of North Dakota and the University of Oregon; served two terms in the House and has served two terms in the Senate.

Mrs. Esther D. Lewis, Portland: Housewife; graduate of Reed College; she was active in the Oregon League of Women Voters and was chairman of its State committee on constitutional revision from 1958 to 1961.

Hans A. Linde, Eugene: Professor of constitutional law at the University of Oregon Law School; graduate of Reed College and the University of California and member of the Oregon bar; in U.S. Army from 1943 to 1945; law clerk to U.S. Supreme Court Justice William O. Douglas 1950–51; attorney for the U.S. State Department 1951–53 and legislative assistant to U.S. Senator Richard L. Neuberger, 1955–58.

Thomas R. Mahoney, Portland: Attorney in private practice; graduate of Christian Brothers College and Northwestern College of Law; in the U.S. Army infantry, World War I; serving his fifth term in the State senate.

Walter J. Pearson, Portland: Insurance broker; graduate of the University of Oregon; has served two terms as a State representative, one term as State treasurer, and three terms in the State senate; former president of the State senate.

Herbert M. Schwab, Portland: Circuit judge; graduate of Northwestern College of Law; in the U.S. Army 1941 to 1946; in private practice of law in Portland 1946 to 1959 and on the Portland school board 1954–59; appointed circuit judge in 1959.

Charles A. Sprague, Salem: Editor and publisher of the Salem Oregon Statesman; graduate of Monmouth College, Illinois; assistant superintendent of public instruction in Washington State, 1913–15 and has been in the newspaper business since; Governor of Oregon 1939–43; alternate U.S. delegate to the United Nations General Assembly, 1952.

George Van Hoomissen, Portland: Attorney in private practice; graduate of the University of Portland and Georgetown University Law School; teaches a course at Northwestern College of Law; Marine veteran of the Korean war; served two terms as State representative.

Rudie Wilhelm, Jr., Portland: Warehouse firm manager; graduate of Reed College; Army Air Corps veteran of World War II; served four terms in the house and two terms in the State senate; was speaker of the house one session; was a member of the Governor's and legislative constitutional committee in 1953–54.

## RECESS UNTIL MONDAY

Mr. SPARKMAN. Mr. President, I move that the Senate now stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 4 minutes p.m.) under the order previously entered, the Senate took a recess until Monday, January 14, 1963, at 12 o'clock meridian.

# EXTENSIONS OF REMARKS

## Outlaw Political Extortion of Federal Employees

EXTENSION OF REMARKS

OF

### HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. BYRNES of Wisconsin. Mr. Speaker, I have today reintroduced legislation making it a criminal offense to threaten Federal employees with the loss of their jobs in the event they do not contribute to a political party.

This legislation is made necessary by the refusal of the Justice Department to use laws now on the books to prosecute party fund solicitors who coerce Federal employees into party contributions under threat of being fired.

In the last Congress I was unable to get any action by the Justice Department in such a case involving alleged threats of a Democratic fund solicitor against postal employees in my district. By a strange interpretation of the law, the Department maintains that it is legal for anyone, who is not a Federal employee, to threaten Federal employees with job loss as a means of coercing contributions to the party in power.

It is regrettable that Congress is forced to restate a law which clearly prohibits such pernicious activity. It is regrettable that Federal employees will be without the protection of the law until Congress is able to act. It is regrettable that the civil rights of those employees can still be violated with impunity.

I urge prompt passage of the bill. It reads as follows:

> Whoever, directly or indirectly, deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation or other benefit provided for or made possibe by any Act of Congress, in an effort to force participation in any political activity, or support or opposition to any candidate or political party, or financial contributions to any candidate or political party, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

## Independence Day of Sudan

EXTENSION OF REMARKS

OF

### HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. POWELL. Mr. Speaker, on January 1, the Republic of Sudan celebrated the seventh anniversary of her independence, and we take this opportunity to send warm felicitations to His Excellency, the President of the Supreme Council for the Armed Forces, Ibrahim Abboud; and His Excellency, the Sudanese Ambassador to the United States, Dr. Osman al-Hadari, on the occasion of the anniversary of Sudan's independence.

Seven years have elapsed since the Sudan was declared independent, years of continued progress that have made the Sudan a nation to consider, to applaud. From the time of its independence ceremonies on January 1, 1956, the Sudan has achieved a unique position of self-reliance, rapid economic transformation, and political stability. It is with great pleasure that we in America extend greetings to honor the Sudan's independence anniversary.

On Independence Day, 57 years of Anglo-Egyptian rule came to an end. Colonialism had been imposed upon a proud people. Several attempts to overthrow the oppressive yoke had ended in failure. But through perseverance and peaceful constitutional means, colonial rule was at last expelled.

Seven years of economic development have been the greatest achievement of the Sudan as an independent nation. During those short years, over 4,000 acres of irrigated cotton was added; 750 miles of rail track now binds the far-reaching corners of the nation to its capital and port city; electrification of hydraulic plants promoted industrial expansion; and healthy foreign trade was realized, with cotton being the prime motivator in most transactions. These are milestones in the economic development of a new nation.

As a new nation, it has and will continue to suffer setbacks. Because of political ineffectuality and dismemberment, a bloodless coup overthrew the old regime and established a ruling junta, generally supported and praised, though, by all save the Communists.

While dissimilarities of culture, religion, and race between the north and south have brought about eruptive disorder, the Sudanese Government is determined to obliterate the differences between these sections of the country so that the entire nation may progress in harmony and unity.

I salute these achievements and hopes of the Sudan. I am certain that the next 7 years will bring even greater advancement. We hope that in the forthcoming years the Sudan will set an example for the world community to emulate. We are proud to claim the Sudan as a friend and to share with the Sudanese people the celebration of their independence anniversary.

## Truth-in-Lending Bill

EXTENSION OF REMARKS

OF

### HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. NIX. Mr. Speaker, today I have introduced a bill designed to accelerate the stabilization of the Nation's economy by assuring equitable relationships that will result from the full disclosure of financing costs in connection with extensions of credit. In recent years an increasing number of complaints of widespread extortion, arising from presently accepted business practices, has been disclosed by witnesses before congressional committees, revealed in reports of the public press and related by individuals personally victimized by the flourishing credit racket. An abundance of relevant testimony, clearly establishing the viciousness of the system, has been recounted by witnesses before the House District Committee and the Subcommittee on Production and Stabilization of the Senate Committee on Banking and Currency.

I, therefore, have presented the bill both to stabilize the economy and to promote individual justice. I am deeply concerned over the fact that from both the quantity of substantial evidence presented to committees and secured through personal sources it is conclusively indicated that countless Negroes have been robbed and cheated by unscrupulous business people who willfully exact exorbitant interest through subtle means unrevealed to them. As a consequence of such practices the full cost of articles to the trusting purchaser is withheld while the seller is realizing profits as great as 100 percent or more. Moreover, through such criminal practices there are thousands of well-known instances pointing out that it is a common policy of dishonest sellers to resell the same articles several times over with the identical built-in interest charges to other unsuspecting Negroes further compounding, thereby, big profits for such businessmen. And, the sum total of the tragedy of this unconscionable condition has been that consumers who have suffered most are those in the lowest economic group and, thus, least able to pay.

Full disclosure of financing costs incident to consumer credit could prevent or at least restrain abuses of the helpless imposed as is now the case through the concealment of true rates, the manipulation of charges by the use of fees, and the failure to rebate amounts taken in advance. These considerations, Mr. Speaker, are so compelling that I have presented this legislation and am now appealing to the leadership to join me in its passage.

## Tax Rate Reforms for Growth and Jobs

EXTENSION OF REMARKS

OF

### HON. A. S. HERLONG, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. HERLONG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement by the gentleman from Tennessee, HOWARD H. BAKER, and myself, upon introduction of new bills for reform of personal and corporate income tax rates:

TAX RATE REFORM FOR GROWTH AND JOBS

(Statement of Hon. A. S. HERLONG, Jr., Democrat, of Florida and Hon. HOWARD H. BAKER, Republican, of Tennessee, January 10, 1963)

It is our hope that 1963 will witness the reversal of Federal tax policy which for so long has been stacked against capital formation, economic growth, and job creation. To this end, we have introduced new bills for reform of personal and corporate income tax rates over a 5-year period. The principle that lower tax rates mean more vigor and growth in the private economy is generally recognized by the average citizen. While this principle provides the basic guidance for reforming a rate structure, there are complex fiscal problems and sophisticated economic questions which tax specialists and policymakers, including Members of the Congress, must consider before agreement on specific legislation. To make it useful in policy deliberations, this statement in explanation and support of our bills is more of a technical than a popular exposition.

This legislative program is not designed to apportion tax relief among disputing claimants, but to serve the general public interest in greater growth and more jobs.

It is not designed to stimulate an inherently weak economy, but to release the world's strongest economy from the tax rates which bind it.

The critical test which we believe should be applied to any tax program at this time is not how much economic activity it might stir up in the next year or two, but is how much economic growth it will give us by the end of the decade. We believe our program meets this test; that it would produce maximum results in growth and jobs with a minimum of inflationary danger.

This is the third Congress in which we have proposed such legislation. Since the tax rate drags on the economy became a top public issue last summer, there has been a tremendous surge of interest in the key procedure of our bills; namely, spaced-out rate reform. Many new voices have been raised in support of our bills as a whole. Some others, however, seem to view the rate reform goals which we have set as unrealistic. Assuming that the purpose of tax action is to release the economy for optimum achievement in long-term growth and jobs, and without quibbling over negotiable details, we believe our bills encompass the only workable, realistic and adequate program now in being.

RATE REFORMS

This legislative program places the great emphasis on reduction of the range of graduation of the personal tax. The graduated rates now top out at 91 percent and reach 53 percent at the $18,000 to $20,000 bracket of taxable income.

Over a 5-year period, our bills would reduce the top rate of personal tax to 42 percent, and the 53-percent rate to 24 percent, with other graduated rates lowered in a consistent pattern. The first bracket rate of 20 percent would be lowered to 15 percent, assuring a minimum reduction of 25 percent to every personal taxpayer. The graduated rates from 22 to 34 percent would be reduced to a new range of 16 to 19 percent. The 38-percent rate would come down to 20 percent (see tables I and II).

The rate of withholding on wages and salaries would come down from the present 18 percent to 13.5 percent at the end of 5 years.

The combined top rate of corporate tax would be reduced from 52 to 42 percent over the 5-year period (see table III). The new top rate of 42 percent would still be more than 10 percent higher than the 38-percent top rate of corporate tax between World War II and the Korean war.

Our earlier bills contemplated that all rates would be put into effect as of January 1, with enactment coming in advance of the date for the first scheduled rate cuts. The current bills contemplate enactment after January, but in time to make the first reduction in the withholding rate effective July 1, 1963.

Because taxpayer returns are on a calendar year basis, the actual 1963 tax rate cuts apply to the entire year, i.e., be effective as of January 1, but the percentage amount is only one-half of that which would have resulted from enactment in advance of January 1. The reduced withholding rate however, from July to December, is the same as it would have been if it had been effective from January 1 to reflect tax cuts for a full year. As regards the average taxpayer whose tax liability is satisfied by withholding, the practical effect is tax reduction beginning as of July 1.

This procedure enables a further reduction in the withholding rate effective January 1, 1964, as the second year's tax rate cuts go into effect on that date. There would be telescoped into these cuts the one-half year's cuts which were not made effective in 1963. Consistently, the corporate cut for 1963 is held to 1 percentage point, with the deferred percentage point added to the annual reduction of 2 percentage points effective January 1, 1964.

TAX SAVINGS, REVENUE EFFECT AND REVENUE GAIN FROM ECONOMIC GROWTH

The average annual tax savings under our bills would be approximately $3.85 billion. These savings relate to the calendar year of tax liability. Of the average annual savings, $2.85 billion would go to individuals and $1 billion to corporations. Over the life of the legislation, the personal tax cuts would provide approximately $14.25 billion in tax savings and the corporate cuts $5 billion, or a total of $19.25 billion. These data are based on 1962 income levels, because it would unnecessarily complicate this statement to assign different values to the tax cuts applying to the separate years.

Of the personal tax savings, about $6.15 billion, or 43.1 percent of the total, would result from the cut to 15 percent of the 20-percent rate now applying to the first bracket of taxable income; $2.1 billion, or 15.1 percent of the total, would result from the cut to 16 percent of the 22-percent graduated rate now applying to the second bracket of taxable income. The remaining tax savings, $6 billion, or 41.8 percent of the total, would result from the cuts in the graduated rates which now range from 26 percent upward, but only 14.3 percent, or $2.04 billion, from reducing the graduated rates now over

50 percent, ranging from 53 to 91 percent at the top. (See table IV.)

While tax savings are computed for calendar or taxpaying years, the Government calculates the effect on revenue of tax cuts to accord with its fiscal year (June 30) budget. The delay of cut in the 1963 withholding rate until July 1 means that the only revenue effect in fiscal year 1963 would come from revised declarations and payments of estimated tax and would involve only a nominal sum. The remaining revenue effect of the legislation would be spread over the 5 fiscal years ending with June 30, 1968. Because of the overlap of fiscal and calendar years, there is some bunching of revenue effect (as contrasted to calendar year tax savings) in fiscal years 1964 and 1965.

Because of this bunching, the revenue effect in fiscal 1964 would be $4.81 billion, followed by an additional $4.81 billion in fiscal 1965, or a total for the 2 years of $9.6 billion. The additional revenue effect would be $3.85 billion in each of the fiscal years 1966 and 1967, followed by $1.93 billion in fiscal year 1968, when the total for the 5 years would correspond to the total tax savings of $19.25 billion. None of these data take into account the return flow of revenue from a better performing and growing economy.

There is an alternate procedure for putting into effect tax cuts over a series of years which would eliminate the bunching of revenue effect in the early years. An explanation of how the procedure would work is given in the final section of this statement.

At this point, the critical question is: To what extent would the revenue gain from economic growth compensate for the revenue effects of the tax cuts? Administration reports and statements, and other material which will be presented in the hearings before the Ways and Means Committee, may throw light on this subject which is not available to us at this writing. However, in addition to laying the basis for an adequate long-term growth rate (in the range of 4 percent as compared with the average of about 2½ percent over recent years), it is generally agreed that a goal of tax rate reform or reduction is to make up for the gap created by the past inadequate performance of the economy (7 to 8 percent of gross national product, or about $40 billion). If the loss were to be made up over a 5-year period, an average growth rate of about 5½ percent would be required.

For purposes of illustration, it is assumed—if our proposed legislation is enacted—that after a growth build-up in the first year, the average growth rate throughout the decade would be in the order of 5 percent annually; and that such a growth rate would produce annual additions to revenues in the order of $4.5 billion—computed on the basis of 1962 income levels. These assumptions are incorporated in the following table, showing the calendar year of tax cuts under our bills, the estimated annual and cumulative revenue effect in the ensuing fiscal years, and the estimated gain in revenue from economic growth—annual and cumulative—for the same fiscal years:

[In billions]

| Calendar year | Steps in cuts | Revenue effect, fiscal years ending June 30 | | Revenue gains from economic growth, years ending June 30 | |
|---|---|---|---|---|---|
| | | Annual | Cumulative | Annual | Cumulative |
| 1963 | 1st ½ | [1] | [1] | | |
| 1964 | 2d 1½ | $4.81 | $4.81 | $3.5 | $3.5 |
| 1965 | 3d 1 | 4.81 | 9.62 | 4.5 | 8.0 |
| 1966 | 4th 1 | 3.85 | 13.47 | 4.5 | 12.5 |
| 1967 | 5th 1 | 3.85 | 17.32 | 4.5 | 17.0 |
| 1968 | | 1.93 | 19.25 | 4.5 | 21.5 |
| 1969 | | | 19.25 | 4.5 | 26.0 |

[1] Nominal.

In considering the implications of this table, the impact of the rate of growth on Government spending must be kept in mind. In the absence of an average growth rate in the order of 5 percent until the lost growth is recovered, economists generally agree that unemployment will not be brought down to reasonable levels. Contemporary attitudes do not admit of Government inactivity in face of excessive unemployment levels.

The options are clear. Either the Government provides the private economy through tax-rate reform with the opportunity to resolve the chronic unemployment problem, or the Government will compound the fiscal crisis caused by too much spending and too little revenue. The option of tax-rate reform offers promise of a stronger and freer America and in the long term, enough revenue to cover all necessary spending of the Government.

The option of more domestic programs and spending to solve the unemployment problem is a barren one. It inevitably would mean larger deficits carrying with them the possibility of a new, serious inflationary surge.

### THE ECONOMICS OF TAX CUTTING

There are strong, respected dissenting voices mingled with what seems to be majority agreement on the economic need for tax cutting. By and large dissent is based on the proposal of tax cuts without expenditure reduction or control. Opposition is inflamed by loose statements attributing virtue to deficits. Question is raised as to the credibility of the general statement that lower taxes mean more revenue.

Unfortunately, among those who give full or qualified support to tax cutting, there is wide disagreement as to what tax rates should be cut, how much, and how tax cuts would bring about desirable economic results. Some place the great emphasis on removal or modification of the deterrent or drag effect of the present steeply graduated rates of personal tax, and the high combined rate of corporate tax, on capital formation, greater growth, and more jobs. Others place the emphasis on using tax-cut dollars for stimulation of private consumption, relying on secondary effects for greater capital formation and long-term growth. Some walk down the middle, giving credence to both approaches.

Our bills are oriented to the release of investment funds and incentives. Nevertheless, our estimate is that only about one-half of the tax savings under our bills would be employed as new capital, with the remaining one-half being used for current consumption spending. We believe it would be a serious economic mistake to enact legislation designed to channel the bulk of the tax savings into current consumption. This is a question which should be resolved on the basis of how tax cutting at different income levels affects the economy, and not on the basis of who gets the direct tax relief. The following explanations may be helpful in this respect.

*The release of tax rate deterrents or drags.* All taxation takes out of the private economy some income which otherwise would have been transformed into capital for growth. Large amounts of such income are taken by the steeply graduated rates of personal tax, and the excessive top rate of corporate tax. These rates also reduce the incentives of individuals to earn additional income, and to invest in risk-taking ventures, and the incentives of business to expand existing plant and the production of existing products and services, to add new products and services, and to employ more people.

In short, it is these uneconomic tax rates which restrict economic growth, limit the number of new jobs, and provide too little revenue for the support of government. Removal or modification of these tax rate deterrents or drags not only would be good business for the country; it also would be good business for the government. A chronically, artifically repressed economy simply cannot be relied upon to provide the revenues to meet the needs of contemporary government.

*Tax cutting to stimulate consumption.* There is a significant contrast between tax rate reform for the purpose of removing tax rate drags and disincentives, and the conception of tax cutting as a form of government help or aid designed to stimulate the economy. Tax cutting which would increase private consumption without corresponding reduction in government spending would fall in the latter category.

When the Government takes and spends income which otherwise would have been used for private consumption, there is no direct effect on the rate of economic activity or of economic growth. The Government, including its employees and the beneficiaries of its programs, simply spends more, and unsubsidized private citizens spend less. Conversely, when the Government reduces its spending and its taxes bearing on consumption in equal amount, private citizens spend more while the Government, and its employees and beneficiaries, spend less. There is no direct effect on the rate of economic activity.

Thus, the stimulation of private consumption through tax cutting comes about only when the cutting is not matched by a comparable reduction in Government expenditures. In this situation, tax cutting creates $2 of income where only $1 existed before, because in effect, the Government borrows and spends an amount equivalent to the tax cuts.

An increase of private consumption through this means will add to the current rate of economic activity, and provide some return revenue flow. It is questionable, however, whether this process would have much significance for economic growth. The improvement in business volume would result in some increase in profits, and some increase in savings from personal incomes. As a general proposition, however, it would seem grossly inefficient to attempt to influence investment for growth and jobs in this roundabout manner. For any given number of tax reduction dollars, it is certain that a much greater result would be achieved by cutting the steeply graduated personal tax rates and the top corporate rate.

Moreover, whatever the immediate effect on private consumption of tax cuts financed by deficits, there would be no effect whatsoever as regards either total economic activity or economic growth when and if the budget is brought into balance. From that time on, the process would be substitution of private consumption, in itself highly desirable, for consumption brought about by government spending. It seems like an economic contradiction therefore to associate tax cutting to stimulate private consumption with long-term economic growth and job creation.

### EASIER TAXES VERSUS TIGHTER MONEY AND CREDIT

In current discussions on tax cutting to increase private consumption, it is sometimes stated or implied that there may have to be a tightening up of the use of money and credit in the private economy to prevent the tax cuts from having inflationary effect.

Such a prospect seems wholly inconsistent with the goal of improved long-term growth and job creation. The inadequate growth of recent years has been accompanied by inadequate expansion in private use of money and credit. More growth inevitably will increase the private demand for money and credit. In fact, a fundamental purpose of tax rate reform is to improve the business climate, which in and of itself would create greater private demand for money and credit. It would be a most unfortunate thing if this demand went unsatisfied because too much tax cutting to increase private consumption had built up potential inflationary pressures.

A program of rate reform oriented to releasing capital and incentives for growth and making healthy but not excessive tax cuts over a number of years, would provide the best set of conditions for a much-needed expansion of money and credit without inflationary consequences. By contrast, any tax cutting program involving substantial revenue effect, and heavily oriented to the increase of private consumption instead of releasing savings for investment and growth, would carry grave danger of a return to tight control on the use of money and credit in the private economy.

### HOW MUCH TAX CUTTING?

We believe our bills incorporate a program which is balanced from the standpoint of the fiscal realities and of the economic goals of tax rate reform. Economists generally agree that the key factor in the lag in growth and employment over the past 5 years has been the failure of business investment spending to expand. As set forth in the statement appearing in the CONGRESSIONAL RECORD, volume 108, part 17, pages 22687–22688, business expenditures for plant and equipment, in constant 1961 dollars, are some $12 billion short of the level which would have been achieved under an average annual growth rate of 4 percent since 1951. We assume that about one-half of the tax savings under our bills, or $9 to $10 billion, would be saved and invested, instead of being used for current consumption. This would be on the short side of the indicated deficiency in business capital spending. Moreover, as new family formation moves up sharply after the mid-1960's, a considerable volume of new savings will be channeled into residential buildings, thus reducing the new savings available for use in business expansion. An offsetting factor, however, will be the business savings released by the depreciation reforms put into effect by the administration in 1962, and the investment tax credit enacted as part of the Revenue Act of 1962—the two together valued by the administration at approximately $2.5 billion annually. To some extent these savings are nullified by provisions of the 1962 act which directly or indirectly reduce business or personal savings or adversely affect incentives. Relating all of these factors, it would be difficult to see how anyone could argue that our bills would release more income for capital formation, residential and business, than will be needed in the 1960's and beyond.

Nevertheless, our program involves a substantially larger total of tax cuts, over its proposed legislative life, than is contemplated by other programs under contemporary discussion. There is a tendency in many quarters to rely on the simple principle that tax cutting means more business and more revenues in the short future without facing up to the question of what is needed to turn our economy loose for optimum performance over the long term.

As a frame of reference in regard to size of tax cuts, it may be well to recall the aggregate tax reductions of 1954 which—at income levels then existing—involved tax savings estimated at about $7.5 billion. Except for repeal of the Korean war excess profits tax, and the inauguration of the 4-percent dividend credit and $50 exclusion, the 1954 cuts were not especially oriented toward capital formation and economic growth. The depreciation reforms provided in the 1954 act were of major importance, but in terms of depreciation speedup they did not provide for major key industries as much relief as had been available under the Korean war rapid amortization provision.

After the 1954 reductions, business activity expanded sharply in 1955 and 1956, with revenues increasing to the point of transforming deficits of $3.1 billion in fiscal 1954 and $4.2 billion in fiscal 1955 into surpluses of $1.6 billion in both fiscal years 1956 and 1957. Thereafter, however, the economy turned downward and into the period of too slow growth and too much chronic unemployment resulting in repetitive Federal deficits.

To us, the moral of this experience is that the tax rate reform necessary to pull down the blocks to adequate long-term growth and jobs must be more sweeping than other tax cuts in our history.

The economy is still laboring under a tax rate philosophy and structure which was conceived in the gloom of the 1930 depression and implemented by the revenue requirements of World War II and subsequent years. Only a sweeping reform of rates can reverse this philosophy and change the tax structure so that capital formation and business and human incentives can play their full role in creating a stronger and more bountiful economy.

If further evidence is needed in support of a program cutting and reforming taxes as deeply as our bills would, it is provided by the fact that the 1954 tax cuts, related to 1962 income levels, would have a current value in the order of $12 billion. If we are to serve the objectives of growth and employment to which all groups and persons in our Nation are committed, it seems apparent that a much larger tax cutting package, much better distributed from the standpoint of capital formation, must be enacted in 1963.

After substantial tax cuts have been enacted in 1963, it is not likely that there will be further significant tax cutting in this decade or at least before the end of it. This means that if the purposes of growth and jobs in this decade are to be served by tax rate reform, the 1963 legislation must do the job.

Any question of doubt as to distribution of tax cuts, or as to total amount, should be resolved on the side of turning the economy loose from capital incentive destroying tax rates.

Looking ahead for a number of years, the prospect for further tax cutting will certainly depend on how fast the economy grows, unless there is a real easing of the cold war. From this benchmark, what is done now in cutting the growth-retarding rates will determine whether there can be future tax cuts to serve any purpose. By contrast, emphasis now on cutting taxes to stimulate consumption would leave little prospect of further tax cutting for any purpose in the foreseeable future.

### THE MOST CRITICAL TAX RATES

While we are convinced of the economic necessity for enactment of legislation incorporating at least the full sweep of rate reform of our bills, we cannot ignore the fact of current proposals involving much smaller total tax cuts. In considering these less sweeping programs, we believe it important that the priorities in terms of long-range growth and jobs be recognized.

As against the potential for growth of a fully free economy, we believe that the steeply graduated rates of personal tax, as much through the middle brackets as beyond, constitute the most inhibiting and retarding force. Here are the rates which strike most directly at incentives, both business and personal. These steeply climbing rates discourage risk-taking, choke off venture capital at its source, curtail business starts and expansion, and thus prevent the creation of new jobs. They are the bane of small business and of the man on the ladder. In placing stiff penalties on hard work and long hours, such rates are a contradiction of the compensation principle of extra reward for extra effort and achievement.

It is these baneful effects of graduation which led us to the conclusion that, under a reformed tax rate structure, no unincorporated business or other individual should be required to pay a higher rate of tax than a corporation. Proposals for higher top rates of tax inevitably carry with them higher rates through the critical middle brackets. Similar top rates of personal tax would—

1. Give the unincorporated business roughly the same opportunity as a corporation to retain earnings for growth.

2. Relieve greatly the burden of double taxation on corporate income which is paid out in dividends.

3. Minimize the tax penalty on hard work, long hours, and achievement.

4. Maximize the release of incentives for venturesome investment, the creation of new products and services, the starting of new businesses, and the expansion of old.

Despite these objectives which would so well serve the general public interest, we recognize there is a reluctance to release from tax as much income of wealthy people as would result from our bills. We do not share this reluctance, because similar top rates of tax would mean the most in growth and jobs in the future. However, we recognize the difference in economic consequences to be expected from maximum moderation in rates which may be generally associated with the earned income potential of unincorporated business and other personal endeavor as compared with very large incomes derived from large aggregations of wealth. The greatest tragedy of our present tax rate structure is that those with high earned income potential, on whom we depend the most for economic building for the future, have so little opportunity to accumulate savings out of their current incomes. Our bills would release incentives to men and women with the greatest capacity for personal contribution to the Nation's economic future, and also the capital which would free them to make the maximum contribution. For a free, dynamic economy, these are inseparable attributes.

A top personal tax rate similar to the top corporate tax rate would be a small concession to make in order to turn our high-powered people loose to lead the way to high-level growth. However, too much damage would not be done as regards the "earned income" group if one or two higher rates of tax were set at very high income levels. Such higher rates of tax could not be justified at any income levels from the economic standpoint, but they would not be as growth-retarding as such rates applied within the existing taxable income brackets. Above all, however, the No. 1 priority in tax rate reform is to minimize the tax restraint on the energetic, creative, and far-sighted people who must accumulate their capital out of current income, and who inevitably would use the capital so accumulated—plus savings of others in much greater amount—to lead the way in building for the Nation's future.

Below the priority which should be given in any tax legislation to reforming the middle-through-high graduated rates of tax, we believe that the following priorities—in serving the objective of growth and jobs—should be recognized:

Second priority—lower graduated rates.

Third priority—top 5 percentage points of corporate tax.

Fourth priority—next 5 percentage points of corporate tax.

Fifth priority—base rate of personal tax.

We are hopeful that this statement of priorities will influence those who have espoused tax cutting programs less sweeping than the rate reforms of our bills to reconsider their stand. Actually, substantial reduction in the first rate of personal tax can be afforded at this time only if it is part of a rate reform program promising increase in growth and income totals which could be expected to so expand the tax base as to lead to a balanced budget in the not too distant future. We believe that the first rate should be reduced as provided in our bills, but it is obvious that reduction in this area should not be traded against the rate reforms which would assure dynamic growth over the years ahead.

### RATE REFORM VERSUS RATE REDUCTION

Although the general pattern of spaced-out rate reform provided in our bills is well known, the significance of our use of the words rate *reform* as contrasted to the words rate *reduction* may not be. The effects of the personal tax in restricting economic growth and employment result largely from steeply graduated rates and not from the basic rate. Our bills are designed to drastically reduce the range of graduation, thus internally changing or reforming the rates in relation to each other. In a lesser sense, the corporate tax cuts provided in our bills would constitute reform, in changing the relation of the normal and surtax rates to each other.

Personal tax rate reform is fiscally feasible because the entire graduated superstructure provides only about 15 percent of the revenue from the tax, or $6.7 billion out of a total of $45.3 billion. The remaining 85 percent, or $38.6 billion, comes from the basic 20 percent rate on the first bracket of taxable income and the first 20 percentage points of all the graduated rates. The lack of revenue productivity of the present graduation is further indicated by the fact that a flat rate of 22.4 percent would produce as much revenue as the present rates.

In contrast with rate reform, rate reduction has no particular implication in regard to the pattern of reduction. However, for comparative purposes it will be assumed here that rate reduction means a uniform percentage cut in rates, generally known as an across-the-board cut.

A valid question is: How much reduction in the most critical graduated rates, and how much potential high-velocity venture capital, would be lost if an across-the-board or uniform cut were substituted for reform of rates as provided in our bills?

The personal tax savings under our bills of $14.25 billion equal 31.4 percent of revenue from the tax, based on 1962 income levels. If there should be a uniform cut of 31.4 percent in all rates, the rate cuts in the middle-through-higher brackets would be substantially less than under rate reform, without very significant increase in the first bracket cut. For example, there would be a loss of 20.4 percentage points in rate reduction as regards the present top rate of 91 percent, and a top loss of 23.7 percentage points as regards the present 87 percent rate. But there would be a gain of only 1.3 percentage points of reduction in the first bracket rate. In addition, the present 22 percent first graduated rate would be reduced more, by 9 percentage points, under a uniform cut as compared with rate reform. All higher graduated rates would be reduced more under rate reform.

In terms of tax savings, the substitution of a 31.4 percent uniform cut for the rate reforms provided in our bills would transfer about $1.9 billion from the taxable income brackets now carrying graduated rates from 26 percent upwards to the first two brackets. The rate reductions and tax savings effects from a uniform cut, as compared with rate reform, are set forth below for the same tax rate groupings which appear at the bottom of table IV:

| Present rates | New rates | | | Tax savings (millions) | | | |
|---|---|---|---|---|---|---|---|
| | Rate reform | Uniform cut | Point differences | Rate reform | Uniform cut | Differences | |
| *Percent* | *Percent* | *Percent* | *Percent* | *Dollars* | *Dollars* | *Dollars* | *Percent* |
| 20 | 15 | 13.7 | −1.3 | 6,145 | 7,729 | 1,584 | +25.6 |
| 22 | 16 | 15.1 | −.9 | 2,146 | 2,474 | 328 | +15.1 |
| 26–34 | 17–19 | 17.8–23.3 | +.8–4.3 | 2,351 | 1,945 | 406 | −17.4 |
| 38–50 | 20–23 | 26.1–34.3 | +6.1–11.3 | 1,567 | 967 | 600 | −38.4 |
| 53–91 | 24–42 | 36.4–62.4 | [1] +12.4–20.4 | 2,039 | 1,133 | 906 | −44.5 |
| Total | | | | 14,248 | 14,248 | | |

[1] The percentage point differences regarding present rates from 78 to 90 percent would be greater than 20.4.

In relation to consumption totals, $1.9 billion in tax savings has little significance for the present or the future.

But, $1.9 billion of tax savings used as "lead" money—the dynamic, venture capital which pulls in other savings—would provide an ever increasing return in growth and jobs.

Some of the $1.9 billion, if diverted to tax relief in the low taxable brackets, would be saved and invested. Some of it, if granted as tax relief in the middle-through-high brackets, would be used for current consumption.

On balance, however, distributing the $1.9 billion through tax rate reform would reflect a decision to maximize economic growth and new job opportunities. To distribute it through a uniform cut would reflect a decision to maximize current economic activity at the expense of long-term growth and jobs.

### POSTPONEMENT AND THE TAX CLIMATE

Unfortunately, widespread recognition of the need for tax rate reform did not come until lagging growth and revenue, and too much domestic spending, had put the budget in the red by some $8 billion. Our military and space commitments require further increase in spending in these areas during the next fiscal year.

In our earlier bills, a provision required postponement of prescheduled rate reductions, after the first reduction, when the budget was out of balance. The provision included procedure by use of which Congress could limit postponements to 6 months without disturbing future reductions. However, if the postponement procedure were used fully, it would have meant that the reductions would have been spread out over 9 instead of 5 years.

This postponement provision was developed at a time when inflationary pressures were very great, when the budget was in balance, and when the twin problems of a lagging rate of economic growth and chronic unemployment, though foreseeable, had not yet emerged. The problem now is how to adapt this provision in light of current and prospective conditions.

In forward scheduling tax cuts, a major objective is to improve the business climate and the public psychology, creating optimism for the future; to induce forward business planning in anticipation of steady relief from growth-retarding income tax rates. Such an environment inevitably would be accompanied by greater private use of money and credit, multiplying the benefits of the tax cuts in the early years. Over the long pull, of course, money and credit serve only as the lubricant of the economic system. The economy as a whole can prosper and grow without inflation only as current savings of business and individuals are adequate to the task. But, until the economy has recouped the ground lost during the inadequate growth of the past 5 years, expansion in private use of money and credit must be greater than would be appropriate thereafter. If such expansion does not take place in the private sector of the economy, we may be sure that it will take place through greater Federal spending and larger deficits.

To serve the purpose of expenditure control, without thwarting the objective of permitting forward planning on the basis of regularly scheduled lower tax rates, we have made two changes in the postponement provision:

The first change is to make postponement effective only as regards the rate cuts scheduled for the third and later years under our bills, as contrasted to the second and later years under earlier versions of our bills.

The second change is to add to the test of budget unbalance a new test, in regard to expenditure control. Postponement would be applied only if the budget is out of balance and if what we call "subordinate expenditures" are higher in the current fiscal year than in the preceding year. "Subordinate expenditures" are defined as all expenditures of the Government except those related to military preparedness, space research and technology, and interest on the public debt. As a general positive description "subordinate expenditures" cover those generally known as domestic spending programs and foreign economic assistance.

We believe that this addition to the postponement procedure makes our program entirely realistic, not just for enactment, but for expected effectuation over the 5 years. We are convinced that the executive branch and the Congress working in harmony can control the total of domestic spending without harm to any vital public program or segment of the public. Groups who are the beneficiaries of separate Federal spending programs also share the common general public interest in greater economic growth and economic strength. Actually, the unemployed and the underemployed, and the sections of the country which lag behind national economic achievements, will benefit the most from the release of capital and incentives under our bills. It makes much more human, as well as economic sense, to let the private economy provide new and greater opportunities to these people and sections of the country than to rely further on "dole-type" spending programs.

### NEW WORKERS AND JOB OPPORTUNITIES

In addition to the problem of the currently underemployed and unemployed, during the remainder of the 1960's there will be an accelerating buildup in our working force—or of the number of young people who will need and want work, and who will expect good work opportunities. Over recent years, the "labor force" as it is technically known has increased by an average of only about 800,000 annually. Over the last 5 years of this decade, the average increase is expected to reach close to 1.5 million annually.

The excessive use of tax cutting at this time to increase consumption of people now fully employed is not going to solve the problem of good jobs for these new workers who are just around the corner in point of time. It will take a rebirth of business and individual incentives, and tremendous amounts of new capital, to provide those jobs.

### EXPANSION OF THE TAX BASE

Our bills do not contemplate incorporation therein of structural tax reforms associated with base broadening. We believe that the objectives of tax rate reform are too important to be submerged and obscured, and further delayed, by time-consuming discussion over what if any provisions of the tax law should be eliminated, modified, or revised. Moreover, whatever may be the merit of individual reforms or the overall case for structural reform of the tax law, we do not believe that this is a significantly productive route to broadening the base for taxation. On any extensive basis, such reform inevitably would reduce the potential of business and private savings, and thus tend to offset the release of incentives and capital formation provided by rate reform.

This is not to deny the need for base broadening. Aside from the system of exemptions, credits, exclusions, and deductions of general value to all taxpayers, the too small tax base of the current period is a product of inadequate growth over the past 5 years. Stated differently, if the economy had grown adequately over the past 5 years, the Federal tax base would be large enough to support all necessary spending out of current revenue. Looking ahead, the greatest opportunity for expansion of the tax base is found not in structural reform but in the enlargement of the economy which provides the tax base.

As a specific illustration, if the economy should not grow any more rapidly on the average over the remainder of this decade than it has over the past 5 years, the personal tax base under the law as it now stands would only be about $259 billion in 1970, as compared to about $193 billion in 1962. On the other hand, if the economy should grow at an average of 5 percent over the years ahead, the personal tax base in 1970 would be about $337 billion. An $80 billion addition to the personal tax base would be much greater than could be expected from any impact on base broadening of structural tax reform.

### THE BOUNTY FROM GREATER GROWTH

The return from greater growth (5 percent as compared with the recent average of 2½ percent) over the remainder of this decade is indicated for gross national product, personal income, and personal income per capita, in table V, attached hereto. Regardless of judgment as to whether such goals will be achieved, we believe the Government has the obligation to adjust its policies to provide the best promise of achievement. Experience provides ample documentation that more Government spending will hurt rather than help accomplish such goals. In our opinion, a "mixed" policy of somewhat more spending, and somewhat less taxing, would offer little promise of much improvement over recent history. We believe the time is here when the Government must turn the private economy loose from an oppressive tax rate structure; to let it develop its own head of steam and find out where it will take us. Halfway measures at the best can be expected to produce no more than halfway results. At the worst, they could keep the door open to return to the barren philosophy of greater growth in Government spending. The opportunity is present for a national decision for greater growth in the private economy over more growth in Federal spending (except as may be required for our military security and space effort). A positive declaration that our Nation is committed to restoring the full vitality and potential of our free economy, and the corroboration of that commitment through greater growth starting in 1963, could soon pave the way to forcing the Communist world to recognize that it had better collaborate in reducing the burden of military preparation so that it too can do more toward improving the everyday life of its citizens.

### ALTERNATIVE PROCEDURE FOR SPACING OUT RATE REFORMS

If the one-half year's personal tax cut for 1963 provided in our bills were followed by only a one-half year cut as of January 1964, there would be no bunching of revenue effect in fiscal year 1964. Specifically, the revenue effect would be $2.85 billion compared with $4.31 billion under our bills as drafted.

If this process were repeated over 5 years—reduction in the withholding rate as of July 1 for a one-half year's tax cut, followed by another automatic one-half year's cut as of next January 1—there would be equal revenue effect, $2.85 billion, in each of the 5 fiscal years. Combined with a 2 percentage point cut in the top corporate rate each calendar year, the annual revenue effect in each fiscal year would be $3.85 billion.

This procedure might have further attraction as regards the working of a postponement provision. It would permit the provision to become an inherent part of the President's budget submitted to Congress each January covering the next fiscal year. The provision would, if the postponement test required, hold in abeyance the next sequence of tax cuts beginning with reduction in the withholding rate on July 1 for the first half year's cut and completed by another half year's cut on January 1 following. The Congress could put the sequence back into effect if it so decided in time to reduce the withholding rate on July 1. If Congress failed to act, the sequence would be postponed 1 year, thus moving ahead all following sequences provided in the legislation. The corporate tax cuts for the current calendar year would be held in abeyance, and then put back into effect or postponed for 1 year, by the same series of events.

TABLE I.—*Reform of individual tax rates*

| Taxable income bracket [1] (thousands) | Present rates | Original rates Jan. 1, 1963 | Amended actual rates Jan. 1, 1963 | Jan. 1, 1964 | Jan. 1, 1965 | Jan. 1, 1966 | Jan. 1, 1967 |
|---|---|---|---|---|---|---|---|
| $0 to $2 | 20 | 19.0 | 19.5 | 18.0 | 17.0 | 16.0 | 15 |
| $2 to $4 | 22 | 20.5 | 21.25 | 19.5 | 18.5 | 17.5 | 16 |
| $4 to $6 | 26 | 24.5 | 25.25 | 23.0 | 21.5 | 20.0 | 17 |
| $6 to $8 | 30 | 28.0 | 29 | 26.0 | 24.0 | 21.0 | 18 |
| $8 to $10 | 34 | 31.0 | 32.5 | 28.0 | 25.0 | 22.0 | 19 |
| $10 to $12 | 38 | 35.0 | 36.5 | 32.0 | 28.0 | 24.0 | 20 |
| $12 to $14 | 43 | 39.0 | 41 | 35.0 | 31.0 | 26.0 | 21 |
| $14 to $16 | 47 | 42.0 | 44.5 | 37.0 | 32.0 | 27.0 | 22 |
| $16 to $18 | 50 | 45.0 | 47.5 | 40.0 | 35.0 | 29.0 | 23 |
| $18 to $20 | 53 | 48.0 | 50.5 | 42.0 | 36.0 | 30.0 | 24 |
| $20 to $22 | 56 | 50.0 | 53 | 44.0 | 38.0 | 32.0 | 25 |
| $22 to $26 | 59 | 53.0 | 56 | 47.0 | 40.0 | 33.0 | 26 |
| $26 to $32 | 62 | 55.0 | 58.5 | 48.0 | 41.0 | 34.0 | 27 |
| $32 to $38 | 65 | 58.0 | 61.5 | 51.0 | 43.0 | 36.0 | 28 |
| $38 to $44 | 69 | 61.0 | 65.0 | 53.0 | 45.0 | 37.0 | 29 |
| $44 to $50 | 72 | 64.0 | 68.0 | 56.0 | 47.0 | 38.0 | 30 |
| $50 to $60 | 75 | 66.0 | 70.5 | 57.0 | 48.0 | 39.0 | 31 |
| $60 to $70 | 78 | 69.0 | 73.5 | 60.0 | 51.0 | 40.0 | 32 |
| $70 to $80 | 81 | 71.0 | 76.0 | 62.0 | 52.0 | 41.0 | 33 |
| $80 to $90 | 84 | 74.0 | 79.0 | 64.0 | 54.0 | 44.0 | 34 |
| $90 to $100 | 87 | 76.0 | 82.0 | 66.0 | 56.0 | 46.0 | 36 |
| $100 to $150 | 89 | 78.0 | 83.5 | 68.0 | 58.0 | 48.0 | 38 |
| $150 to $200 | 90 | 80.0 | 85.0 | 70.0 | 60.0 | 50.0 | 40 |
| $200 and over | 91 | 82.0 | 86.5 | 72.0 | 62.0 | 52.0 | 42 |

[1] After deductions and exemptions. Applies to single persons, married persons filing separate returns, and "split income" of husbands and wives filing joint returns.

TABLE II.—*Tax computation table—Individuals*

| If the taxable income [1] is: Not over $2,000 | | The tax | | | |
|---|---|---|---|---|---|
| | | Is: Present Law 20% of the taxable income | | Would be: Year 1967 15% of the taxable income | |
| *Over* | *But not over* | | *Of excess over* | | *Of excess over* |
| $2,000 | $4,000 | $400 plus 22% | $2,000 | $300 plus 16% | $2,000 |
| $4,000 | $6,000 | $840 plus 26% | 4,000 | $620 plus 17% | 4,000 |
| $6,000 | $8,000 | $1,360 plus 30% | 6,000 | $960 plus 18% | 6,000 |
| $8,000 | $10,000 | $1,960 plus 34% | 8,000 | $1,320 plus 19% | 8,000 |
| $10,000 | $12,000 | $2,640 plus 38% | 10,000 | $1,700 plus 20% | 10,000 |
| $12,000 | $14,000 | $3,400 plus 43% | 12,000 | $2,100 plus 21% | 12,000 |
| $14,000 | $16,000 | $4,260 plus 47% | 14,000 | $2,520 plus 22% | 14,000 |
| $16,000 | $18,000 | $5,200 plus 50% | 16,000 | $2,960 plus 23% | 16,000 |
| $18,000 | $20,000 | $6,200 plus 53% | 18,000 | $3,420 plus 24% | 18,000 |
| $20,000 | $22,000 | $7,260 plus 56% | 20,000 | $3,900 plus 25% | 20,000 |
| $22,000 | $26,000 | $8,380 plus 59% | 22,000 | $4,400 plus 26% | 22,000 |
| $26,000 | $32,000 | $10,740 plus 62% | 26,000 | $5,440 plus 27% | 26,000 |
| $32,000 | $38,000 | $14,460 plus 65% | 32,000 | $7,060 plus 28% | 32,000 |
| $38,000 | $44,000 | $18,360 plus 69% | 38,000 | $8,740 plus 29% | 38,000 |
| $44,000 | $50,000 | $22,500 plus 72% | 44,000 | $10,480 plus 30% | 44,000 |
| $50,000 | $60,000 | $26,820 plus 75% | 50,000 | $12,280 plus 31% | 50,000 |
| $60,000 | $70,000 | $34,320 plus 78% | 60,000 | $15,380 plus 32% | 60,000 |
| $70,000 | $80,000 | $42,120 plus 81% | 70,000 | $18,580 plus 33% | 70,000 |
| $80,000 | $90,000 | $50,220 plus 84% | 80,000 | $21,880 plus 34% | 80,000 |
| $90,000 | $100,000 | $58,620 plus 87% | 90,000 | $25,280 plus 36% | 90,000 |
| $100,000 | $150,000 | $67,320 plus 89% | 100,000 | $28,880 plus 38% | 100,000 |
| $150,000 | $200,000 | $111,820 plus 90% | 150,000 | $47,880 plus 40% | 150,000 |
| $200,000 and over | | $156,820 plus 91% | 200,000 | $67,880 plus 42% | 200,000 |

[1] After deductions and exemptions. Applies to single persons, and married persons filing separate returns. Joint return taxpayers can find their tax savings by taking the tax on half their taxable income and multiplying by 2.

TABLE III.—*Corporate tax rate reductions*

| | Present rates | Jan. 1, 1963 | Jan. 1, 1964 | Jan. 1, 1965 | Jan. 1, 1966 | Jan. 1, 1967 |
|---|---|---|---|---|---|---|
| Normal tax [1] | 30 | 29 | 26 | 24 | 23 | 22 |
| Surtax | 22 | 22 | 22 | 22 | 21 | 20 |
| Combined tax rate [2] | 52 | 51 | 48 | 46 | 44 | 42 |

[1] On all net income.

[2] On net income exceeding $25,000.

TABLE IV

TAX SAVINGS BY TAXABLE BRACKETS BASED ON 1962 INCOME LEVELS

| Taxable income brackets | Taxable income | Present rates | Tax under present rates | Rates under Herlong-Baker end of 5 years | Tax under Herlong Baker rates | Tax savings | Tax saving percent of total savings |
|---|---|---|---|---|---|---|---|
| | *Millions* | *Percent* | *Millions* | *Percent* | *Millions* | *Millions* | |
| 0 to $2,000 | $122,889 | 20 | $24,578 | 15 | $18,433 | $6,145 | 43.1 |
| $2,000 to $4,000 | 35,759 | 22 | 7,867 | 16 | 5,721 | 2,146 | 15.1 |
| $4,000 to $6,000 | 12,262 | 26 | 3,188 | 17 | 2,085 | 1,103 | 7.7 |
| $6,000 to $8,000 | 5,976 | 30 | 1,793 | 18 | 1,076 | 717 | 5.0 |
| $8,000 to $10,000 | 3,545 | 34 | 1,205 | 19 | 674 | 531 | 3.7 |
| $10,000 to $12,000 | 2,549 | 38 | 969 | 20 | 510 | 459 | 3.2 |
| $12,000 to $14,000 | 1,952 | 43 | 839 | 21 | 410 | 429 | 3.0 |
| $14,000 to $16,000 | 1,470 | 47 | 691 | 22 | 323 | 368 | 2.6 |
| $16,000 to $18,000 | 1,151 | 50 | 576 | 23 | 265 | 311 | 2.2 |
| $18,000 to $20,000 | 784 | 53 | 416 | 24 | 188 | 228 | 1.6 |
| $20,000 to $22,000 | 627 | 56 | 351 | 25 | 157 | 194 | 1.4 |
| $22,000 to $26,000 | 935 | 59 | 552 | 26 | 243 | 309 | 2.2 |
| $26,000 to $32,000 | 913 | 62 | 566 | 27 | 247 | 319 | 2.2 |
| $32,000 to $38,000 | 560 | 65 | 364 | 28 | 157 | 207 | 1.5 |
| $38,000 to $44,000 | 361 | 69 | 249 | 29 | 105 | 144 | 1.0 |
| $44,000 to $50,000 | 255 | 72 | 184 | 30 | 76 | 108 | .8 |
| $50,000 to $60,000 | 282 | 75 | 212 | 31 | 87 | 125 | .9 |
| $60,000 to $70,000 | 164 | 78 | 128 | 32 | 52 | 76 | .5 |
| $70,000 to $80,000 | 116 | 81 | 94 | 33 | 38 | 56 | .4 |
| $80,000 to $90,000 | 79 | 84 | 66 | 34 | 27 | 39 | .3 |
| $90,000 to $100,000 | 55 | 87 | 48 | 36 | 20 | 28 | .2 |
| $100,000 to $150,000 | 152 | 89 | 135 | 38 | 58 | 77 | .5 |
| $150,000 to $200,000 | 67 | 90 | 60 | 40 | 27 | 33 | .2 |
| $200,000 and over | 196 | 91 | 178 | 42 | 82 | 96 | .7 |
| Total | 193,100 | | 45,309 | | 31,061 | 14,248 | 100.0 |

TABLE IV—Continued

TAX SAVINGS BY TAX RATE GROUPS

| Taxable income brackets | Present rates | Herlong-Baker rates | Tax savings | Percent of total |
|---|---|---|---|---|
| | *Percent* | *Percent* | *Millions* | |
| $18,000 to $200,000 and over | 53–91 | 24–42 | $2,039 | 14.3 |
| $10,000 to $18,000 | 38–50 | 20–23 | 1,567 | 11.0 |
| $4,000 to $10,000 | 26–34 | 17–19 | 2,351 | 16.5 |
| $2,000 to $4,000 | 22 | 16 | 2,146 | 15.1 |
| 0 to $2,000 | 20 | 15 | 6,145 | 43.1 |

TABLE V

GROSS NATIONAL PRODUCT

[In billions of dollars]

| | Calendar years | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | 1963 | 1964 | 1965 | 1966 | 1967 | 1968 | 1969 | 1970 |
| From 5-percent growth | 575 | 604 | 634 | 665 | 699 | 734 | 770 | 809 |
| From 2½-percent growth | 568 | 582 | 597 | 612 | 627 | 643 | 659 | 675 |
| Additional GNP | 7 | 22 | 37 | 53 | 72 | 91 | 111 | 134 |
| Cumulative additional GNP | 7 | 29 | 66 | 119 | 191 | 282 | 393 | 527 |

PERSONAL INCOME

[In billions of dollars]

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| From 5-percent growth | 452 | 475 | 499 | 524 | 550 | 577 | 606 | 637 |
| From 2½-percent growth | 447 | 458 | 470 | 481 | 493 | 506 | 518 | 531 |
| Additional personal income | 5 | 17 | 29 | 43 | 57 | 71 | 88 | 106 |
| Cumulative additional personal income | 5 | 22 | 51 | 94 | 151 | 222 | 310 | 416 |

PERSONAL INCOME PER CAPITA

[Dollars]

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| From 5-percent growth | 2,385 | 2,468 | 2,552 | 2,638 | 2,725 | 2,815 | 2,909 | 3,012 |
| From 2½-percent growth | 2,359 | 2,379 | 2,404 | 2,422 | 2,443 | 2,468 | 2,487 | 2,511 |
| Additional personal income per capita | 26 | 89 | 148 | 216 | 282 | 347 | 422 | 501 |
| Cumulative additional personal income per capita | 26 | 115 | 263 | 479 | 761 | 1,108 | 1,530 | 2,031 |

## Patriotic Public Affairs Broadcasting Service

EXTENSION OF REMARKS

OF

## HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. BOB WILSON. Mr. Speaker, in support of the Federal Communications Commission's desire to encourage all radio and television networks to feature more public affairs programing of a positive, stimulating nature, I include the following remarks concerning the well qualified American Freedom Network:

Back in the days when television made its first appearance on the American scene, the major radio networks understandably focused attention on this new and important communications medium.

Unfortunately, with the concentration on TV, the radio networks suffered, but that, happily, is being corrected. America's AM and FM stations are rapidly regaining lost ground as many discerning broadcasters concentrate their efforts on strong, stimulating, public affairs programing. This is in keeping with FCC admonitions to feature more presentations of this nature.

While serving my former—30th—Congressional District, I was extremely pleased to accept an invitation to serve as a member of the advisory council of the recently formed American Freedom Network—America's independent, nonprofit, nonpolitical, but informational public affairs broadcasting service.

This is an organization—staffed by dedicated, veteran broadcasters—who believe, in the words of Chief Justice Charles Evans Hughes, that our Nation's security is nothing at all unless we "have an uncorrupted public opinion to give life to our Constitution, to give vitality to our statutes, and to make efficient our Government machinery."

The American Freedom Network—not associated with any other group or organization—was founded more than 6 months ago in Bonita, Calif.

I have known Morris C. Allen, chairman of the American Freedom Network's board of directors, for many years. At 73, he remains active as a Bonita real estate broker, as well as in civic and patriotic affairs.

For more than three-quarters of a century, the Allens have been a prominent and highly respected family in San Diego County, tracing their history to the Bradfords of *Mayflower* fame. A Bonita elementary school is named after Mr. Allen's mother—Ella Bradford Allen.

In discussing his participation in the American Freedom Network, Mr. Allen has stated:

> I have watched my sons grow into manhood; we have been blessed with eight grandchildren * * * and it is for them, and for all of America's young people, tomorrow's leaders, that I count it a privilege to have been instrumental in making this informational service a reality.

"A little bit of information can be a dangerous thing, and I trust you will concur that Americans must be informed and kept abreast of all sides of important public opinion. I am convinced that radio is the most effective instrument in achieving this end."

I would add there are few Americans like Morris Allen. A man without great financial means, he has mortgaged everything he owns to get this essential project underway. I believe the American Freedom Network is deserving of financial support from all interested citizens.

In addition to Mr. Allen, others associated with the American Freedom Network are—

Jonathon Kirby, vice president and executive director, who founded the organization. Mr. Kirby is an experienced radio-TV news commentator with more than 15 years of service in the broadcasting field. Only recently, Mr. Kirby was the recipient of the American Legion's Americanism Award and Silver Medal "in recognition of his constant efforts to preserve America and our way of life for future Americans."

Richard Lewis Venturino, director of programing and production, whose long experience in the programing and production aspect of broadcasting, assures the network of a high professional standard for its taped presentations.

Serving on the American Freedom Network's board of directors, in addition to Messrs. Allen and Kirby, are William R. Richards, well-known San Diego attorney; H. L. Michael, Jr., Bonita real estate broker; and James S. Duberg, city attorney for Chula Vista, Calif.

The American Freedom Network, for a minimal charge, provides a complete, varied informational service to America's broadcasters offering, whenever possible, both sides of an issue, in keeping with the FCC's "doctrine of fairness."

In its dedication to the radio industry, the American Freedom Network supplies its member stations with the "tools" to assist them in earning their FCC public affairs credits.

Every week, subscribing stations receive dynamic taped programs and features designed to enhance listener interest. This taped service consists of provocative talks, discussions, interviews, debates, and commentaries by prominent personalities in the various fields of politics, science, business, and entertainment.

The policy of the American Freedom Network follows a positive approach, as opposed to irresponsible denunciations.

In addition to serving commercial radio stations, American Freedom Network programs are made available, upon request, without charge, to college and university radio stations, as well as to schools, both public and private, and to all service, civic clubs, and church groups throughout America.

In these days, when charges of mismanagement of news in high Government circles are being made, I am delighted to publicly commend the American Freedom Network to wish it Godspeed in its determination to present both sides of all issues—free speech in a free country—and I urge all of our fellow citizens to get behind this effort to further enlighten our people concerning America's precious heritage, and to the problems facing our Nation and the free world.

## Hon. Ernesto Ramos Antonini

EXTENSION OF REMARKS

OF

### HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. GILBERT. Mr. Speaker, I am deeply grieved by the death of the very able speaker of the Puerto Rico House of Representatives, the late Ernesto Ramos Antonini.

It was my privilege to meet the distinguished speaker when I visited Puerto Rico, and I was deeply impressed by his high degree of intelligence, his brilliant mind, his love for the people of Puerto Rico, and his high ideals and strong faith in democracy.

The record shows that he was an outstanding public servant, closely associated with the people, untiring in his efforts in their behalf and largely responsible for the great success of Operation Bootstrap and the economic development of Puerto Rico; he worked in close cooperation with Gov. Luis Muñoz-Marín and Ambassador Teodoro Moscoso to insure the splendid achievements realized in the remarkable development of the island in recent years.

Ernesto Ramos Antonini will be greatly missed and we deeply mourn his loss as a noble leader in the Western Hemisphere.

## Independence Day of Libya

EXTENSION OF REMARKS

OF

### HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. POWELL. Mr. Speaker, on December 24, 1962, Libya celebrated the anniversary of her independence, and we take this opportunity to send warm felicitations to His Majesty, King Idris I of Libya; and His Excellency, the Ambassador of Libya to the United States, Dr. Mohieddine Fekini, on the occasion of the 11th anniversary of Libya's independence.

Eleven years have passed since the nations of the world were witness to a modern Christmas story; for on December 24, 1951, a new nation was born for all the world to proclaim and honor. Libya, so long a pawn and conquered territory of militant powers, became a new member of the world community.

Successive waves of conquest comprise Libyan history, from Phoenician times through Greek, Roman, Vandal, Arab, Turk and Italian, to German and British forces during World War II. All have imparted an important lesson where Libya is concerned—its strategic importance as a crossroads between Europe and Asia.

Libya is primarily a desert. And unfortunately this desert, until the present, has been a deterrent for economic stability and independence. The Romans had built vast irrigation systems to support the large cities which they built in Libya. But through the years, these cisterns and water aqueducts fell into ruin. The newly independent country was in poor straits at its birth. The desert, though, became the succor for the nation when oil was discovered. The discovery of oil in other desert nations in the Mediterranean area led geologists to suspect the presence of oil in the south of Libya, but its production is above and beyond the expectation of any specialist. "Oil" is now the keyword to the country. Its entire economic system is being geared toward an oil economy. As one writer so aptly proclaimed:

> Only 5 years ago, Libya was regarded as little more than a vast empty tract of the Sahara's rock and sand. * * * Within that brief half decade, Libya underwent an economic metamorphosis that has already transformed it into a viable state possessing a dynamic and expanding economy.[1]

By 1965 oil royalties will amount to $500 million. Twenty-one oil companies have established headquarters in the country, with more expected. Development possibilities are unlimited.

Each year, as the world helps the Libyans to celebrate their independence, one and all can review with pleasure the progress that has occurred. Expansion of agriculture and water projects will enable the Libyans once more to call their country a granary as the Romans did during their reign. Confidence in the Government is establishing greater unity throughout the three semiautonomous provinces and will enable the Central Government to carry out without discord its development projects.

The United States has interested itself in Libyan affairs since the Barbary pirates pillaged American shipping. Today the United States has in Libya, Wheelus Field, a tremendous airbase. There are approximately 10,000 Americans stationed or living in Libya. The policies of Libya and the United States are, therefore, closely allied. Recently the crown prince visited the United States on a good-will tour, solidifying the amity of the two nations. It is with great pleasure that we in America recognize the anniversary of the establishment of Libyan independence.

## Soviet Three Onsite Inspection Offer Rejected by United States in 1960

EXTENSION OF REMARKS

OF

### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. HOSMER. Mr. Speaker, on December 19, 1962, Premier Khrushchev wrote President Kennedy that he would permit two or three onsite inspections annually of the Soviet Union in connection with a nuclear test ban treaty. The President replied on December 28, 1962, that he was encouraged and suggested further negotiations. Later, of the Khrushchev two or three statements, Secretary of State Dean Rusk said the United States is "encouraged to believe that the way is now open for some serious talks." On a Voice of America broadcast the President's science adviser, Jerome B. Wiesner, said it "does bring us within shooting distance of some agreements."

Somehow the impression has got around that the Khrushchev letter amounts to some magnificent concession extracted from the Kremlin by some wizardry or other of the Kennedy administration.

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[1] Stephen Duncan-Peters, Foreign Commerce Weekly, Feb. 5, 1962, p. 208.

The truth and fact is that the three onsite inspection proposition was put up by the Soviets in 1960 and rejected by the United States. Here is what was said of it in the Atomic Energy Commission's annual report to Congress dated January 1961 at page 128:

> The Russian negotiators at Geneva have offered to permit only three onsite inspections per year in their country for all unidentified seismic events. The U.S. position is that, in view of the fact that more than 100 locatable seismic events of greater than 4.75 magnitude occur each year in the Soviet Union, 20 percent of these should be eligible for inspection (20 inspections per year.)

This quotation is recalled simply as a reminder to those who might wittingly or unwittingly attempt to rewrite history regarding this particular matter.

## Congressman Philbin's Unique Tribute to Speaker John W. McCormack

EXTENSION OF REMARKS

OF

### HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. DONOHUE. Mr. Speaker, last Tuesday, January 8, 1963, in the House Democratic caucus held here, it was the privilege of the Members on this side to hear the distinguished gentleman from the Third Massachusetts Congressional District, Mr. Philbin, deliver one of the most eloquent addresses and tributes ever uttered on such occasion when he nominated, for the continuing speakership of this House, our beloved and revered colleague from Massachusetts, the Honorable John W. McCormack. Of course, the nomination was unanimously approved and that afternoon we wisely and formally reelected Speaker McCormack.

All of us agree with and share in the sentiments so ably expressed by Congressman Philbin as he summarily traced the patriotic public service of our great Speaker and reviewed the remarkable talents of his brilliant mind and courageous heart, which have endeared him to all who have ever served with him and which assure that the name of Speaker McCormack will be, forever, an inspiring byword in the legislative history of this Nation.

A great many Members, on both sides of the aisle here, asked me to intercede with my very dear and esteemed friend and colleague from the Third Massachusetts District for the purpose of having his eloquent address included in the permanent record. He graciously consented to permit me to introduce it into the Record and Congressman Philbin's nominating speech follows:

CONGRESSMAN PHILIP J. PHILBIN'S SPEECH NOMINATING SPEAKER MCCORMACK

Mr. Chairman and members of the caucus, I have a very delightful duty to perform this morning and it comes to me as a very great honor and privilege indeed.

Our dear and highly esteemed and illustrious friend, Hon. John W. McCormack, is one of the greatest Americans who has ever served in the Congress.

He enjoys the highest respect and warmest affection of each and every one of us.

He enjoys the confidence, esteem, and respect of the American people, indeed of the people of the world. To talk of his magnificent qualities and accomplishments seems almost like carrying coals to New Castle.

His service in the House, as we well know, can be measured only in superlative terms. During the time he has been here he has served his district, State, party, and country with a great ability, fidelity to duty, and humanitarian impulse that certainly has never been exceeded in the history of this great Government.

I hardly need, before this distinguished group, comprised of so many warm friends, admirers and supporters, to recount the prolific abundance of natural gifts, talents, characteristics and services that have distinguished the inspiring career of this great American from the colorful and patriotic community of South Boston in my home State of Massachusetts, as he forged his way from the humble precincts of his historic city to the third highest position of trust, honor, and responsibility in the great Government of the United States.

Speaker John McCormack is admittedly endowed with all the attributes of personality, character, leadership, and capacity that make for greatness.

Time and time again, in and out of this great body, the renowned House of Representatives, the greatest deliberative body of its kind in the world, he has demonstrated his true worth as an unsurpassed public servant.

A fearless, articulate, and inspiring leader, a gifted and effective debater, a respected and admired political strategist, a skilled diagnostician of the public will, a truly great heart and great mind, devoted to lofty concepts and objectives of statesmanship, John McCormack is commended and beloved by all of us.

A patriot of the top-most rank, a lawyer and counselor of recognized skill and experience, an eminent parliamentarian, known everywhere for his knowledge, fairness and impartiality, and, above all, a man whose vigorous, determined work in promoting the well-being and welfare of the great rank and file of the American people, the oppressed, the lowly, the exploited, the helpless and inarticulate, wherever they may be, has known no bounds.

Born with a great fighting heart and a buoyant spirit of uplift and regeneration, John McCormack has always been in the vanguard of forward-looking leadership, philosophically, politically, socially, economically, spiritually, and in every other way.

Resolutely committed to the doctrine that our political and parliamentary institutions are valid instruments for promoting the liberty, stability and progress of the Nation, no man has ever labored more ably, diligently, and effectively to further the general well-being of the Nation, protect the rights of those who struggle and toil under our free enterprise system and enlarge and elevate the advantages and opportunities of the American people.

To succeed our late, lamented, dear friend and memorable leader, that great statesman and ever to be esteemed and remembered former Speaker, the great Sam Rayburn, was indeed a task of monumental proportions.

Yet, in a comparatively short time of John McCormack's noteworthy service as Speaker, our membership, the Nation, and the world recognize the mettle and the high worthiness of the present great Speaker of the House.

In his characteristic way of deep humility, devout dedication to principle and conviction, Speaker McCormack has been something more than the leader of this body. He has been our warm friend, our ready counsellor, our unselfish guide and adviser, our constant sustaining strength.

Confidant and adviser of our Presidents since the 1930's, he has labored with vigor, loyalty, and marked success to implement the legislative program of our cherished former colleague and great President and friend, John F. Kennedy.

As we know, he can be trusted and relied upon to carry out these great tasks of leadership in this session of Congress and in the time to come.

And as in the past, he will carry them out with dispatch, efficiency and a great driving force of sagacious statesmanship that will make for success and victory for the great cause we represent.

To touch a personal note, John McCormack has been my friend since before I came to this body. Just as many of you, I have seen and known him at close range. He is a great man, a great leader, a great American, a great Speaker, and he is a true and loyal friend.

We, as Members of the House, and the people of the Nation, are fortunate indeed, especially in this time of uncertainty and peril, when surging movements of conspiracy and unrest are assailing the pillars of free government throughout the world, as well as in our own Nation, and when we must unite as we will, in an invincible, resolute force against these evils and dangers, to have a truly outstanding, well-poised, experienced, humane leader like John McCormack to guide and counsel us and to join so wholeheatedly with our beloved and esteemed friend, our great President Kennedy, in preserving, protecting, and strengthening the rich heritage of our freedom and seeking peace, understanding, and amity for the world.

Man of deep faith and high destiny; man of profound spiritual beliefs and trust in his Divine Maker; who proudly bears the shield of justice and fair dealing and carries in his big heart an inspirational love of country and humanity; sprung from the people and devoted to their welfare; a true, dedicated, demonstrated believer in the American way of life; a great credit to our great party, the House of Representatives, the Congress, and our Nation, Hon. John W. McCormack is destined to go down in history as one of the greatest statesmen and leaders of the Nation.

The reelection of Speaker McCormack is a foregone conclusion. But I want to say to my valued colleagues that Massachusetts is very proud of our great native son, the distinguished Speaker of the House.

It is with great pride and pleasure that I place in nomination in the Democratic caucus for Speaker of the House the name of our great, esteemed, and beloved friend, Hon. John W. McCormack.

## H.R. 71: Restore Economic Freedom to Automobile Financing

EXTENSION OF REMARKS

OF

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. CELLER. Mr. Speaker, 2 years ago I introduced H.R. 71, a bill to supplement the antitrust laws of the United

States against restraint of trade or commerce by preventing automobile manufacturers from financing and insuring the sales of their products. I have introduced again the same measure, bearing the same number.

I presented this bill—and another like it 4 years ago—because I was convinced that such action was essential to stop monopolistic powers and trends in the automobile industry and related businesses. I was convinced that automobile manufacturing should be separated from auto financing and insurance in order to restore free competition to vast segments of our economy and to prevent captive market patterns from totally engulfing the sale of autos and related goods and services.

Events of the past 2 years have strengthened these convictions. Six days of public hearings in 1961 and voluminous statements, documents, and letters established such a strong case that the House Antitrust Subcommittee reported the bill favorably to the Committee on the Judiciary in 1962. With the press of an extremely heavy agenda in the 87th Congress, the full committee did not vote on it. This measure deserves to advance further toward passage in the 88th Congress, and I am confident that it shall.

All of us are gratified that automobile production and sales proved to be one of the highlights in our economy in 1962. But we should not let our satisfaction obscure underlying shackles on economic freedom which endanger us all.

In this past year, the world's largest manufacturer, General Motors Corp., has tightened its hold on the American automobile market, to claim well over 50 percent of sales, and at times nearly 60 percent. Some 80 percent of the U.S. auto market is controlled by only two manufacturers.

Such concentration is not healthy for our economy—neither for business nor consumers. In large part, this concentration has been a fruit of coercion of auto dealers and restraint of trade of sales financing. These abuses led long ago to antitrust indictments of the largest three auto manufacturers and their finance companies, conviction of General Motors and subsidiaries, and consent decrees enjoining certain coercive and discriminatory practices.

Injunctive consent decrees have failed as a substitute for the real remedy of divestiture which the Government originally sought, and to which Ford Motor Co. and Chrysler Corp, agreed if it would apply to all.

Captive markets in auto sales financing have surged, with the control which the dominant manufacturers wield over there dealers. Captive financing is both cause and effect in the manufacturer control over dealers and their sales.

General Motors dealers turned over 67 percent of their new-car sales financing to General Motors Acceptance Corp. in 1960—up sharply from a heavy 56 percent in 1956. These are GMAC's own estimates, prepared at the request of the House Antitrust Subcommittee.

The captive market pattern is equally clear in the dramatically abnormal growth of Ford Motor Credit Co. in its second and third full years of operation. In 1961, this fledgling finance company more than doubled its business with Ford dealers. FMCC apparently more than doubled its business again in 1962, almost reaching that stage in 9 months. It now holds well over $200 million in sales finance contracts.

To appreciate the abnormalcy of this quadrupling of business by one auto finance company, consider that auto sales financing for all financial institutions together declined somewhat in 1961 and will have increased something like 10 percent in 1962.

What sets two finance companies apart from the hundreds of independent finance companies and thousands of banks and other financial institutions? A parent that is the dealer's only supplier of new cars—the source of his livelihood.

Under the GM pattern, now being copied swiftly by Ford, the car manufacturer is the fount for all the dealer's needs—new cars, financing, insurance, parts, and accessories. Another way to express it is "putting all his eggs in one basket."

This is an expression which Ford Motor credit circulated to Ford dealers last March. It quoted a dealer as saying: "A dealer may be reluctant to put all his eggs in one basket. But if FMCC helps him become financially stronger—as I am sure it can—is this so bad? I, for one, think that it is fine."

From reports which have come to me, most Ford dealers have indeed remained reluctant to put all their eggs in one basket, but they cannot afford to offend the factory when their turn comes to start using the factory finance services. Most, I am sure, would gladly trade the real financial strength of real independence for any advantages, apparent or real, of dependence on one source for everything.

The trouble for auto dealers in putting all their eggs in one basket is that someone else gets a tighter grip on the handle.

There are other troubles too. The captive auto financing and insurance pattern poses unfair handicaps for those manufacturers, and wholesalers of autos without such means. Moreover, when dealers must put all their eggs in the manufacturer's basket, monopolistic conditions result in various related markets.

Independent businessmen—insurers, manufacturers, and wholesalers of auto parts and accessories, repair garages, as well as sales finance companies and banks—have told the House Antitrust Subcommittee of being denied the right to compete in GM-controlled markets on their merits—all because of captive financing and insurance controls. If Ford keeps racing in the same direction, thousands more of independent businesses will become casualties.

I should like to make clear that H.R. 71 applies only to the automobile industry. It deals with specific and demonstrated restraints of trade which have been subject of much antitrust criminal and civil court action. It would provide an antitrust remedy at least 25 years overdue. I should like to point out also that divested companies can, and do, survive.

No other industry, to my knowledge, has a comparable economic and legal history to that of the auto industry and related markets. Our concern is not bigness as such, nor finance or other subsidiaries as such. Rather our concern is subversion of free competitive processes.

Businesses which have not misused finance or other subsidiaries to monopolistic ends have no need to fear either new laws nor the long-established antitrust laws under which the automotive giants were indicted and convicted.

In view of the clear need for relief, surely Congress will not stand by and let the free marketplace suffer further restraint by the two automotive giants. Consumers and all businessmen thrive best when goods and services are judged on merit in a free marketplace.

If competition is extinguished in any one sector of our economy, its survival is endangered in all commerce. Suppression of competition means suppression of economic freedom, and political and social freedoms as well.

Passage of H.R. 71 will be a great victory for the free enterprise system.

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## Pay Increase for the Military

EXTENSION OF REMARKS
OF

## HON. BOB WILSON

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 10, 1963*

Mr. BOB WILSON. Mr. Speaker, for many months I have been extremely concerned at the delay of the Kennedy administration in pushing for a pay increase for the military, despite the fact that other governmental employees have benefited from pay raises on two occasions since the last general military pay increase in 1958.

Last fall I pledged to introduce, if necessary, and support legislation calling for a substantial pay increase. Included was to be a section correcting the inequities in the pay scales for those retired personnel who left the service prior to July 1958. These retired persons were discriminated against and a great inequity has existed for over 4 years as a result.

A few weeks ago I was heartened to learn that the Defense Department was supporting a pay increase measure amounting to as much as 14 percent in some categories and also correcting the inequities I mentioned previously.

Rather than introduce my version of a pay bill I have decided to defer such action until the administration's measure comes before the Personnel Subcommittee of the Armed Services Committee. As a member of the subcommittee, I recognize that legislation as introduced by the administration is merely the raw material from which a truly effective and meaningful pay bill can be molded by our subcommittee and subsequently by the Congress.

It is the responsibility of the Congress to act with dispatch on a substantial and constructive pay bill for active duty and retired personnel of our military service and I am looking forward to helping to expedite this much-needed legislation.

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## Independence Day of Cameroon

EXTENSION OF REMARKS

OF

### HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. POWELL. Mr. Speaker, on January 1, the Republic of Cameroon celebrated her third independence day anniversary, and we take this opportunity to send warm felicitations to His Excellency, the President of the Republic of Cameroon, Ahmadou Ahidjo; and His Excellency, the Cameroon Ambassador to the United States, Jacques Kuoh, on this memorable occasion.

CAMEROONS: A COUNTRY REUNITED

New Year's Day 1960 was a joyous occasion for the thousands of Africans whose home was the French Cameroons. On that day the U.N. trust territory under French administration became the sovereign Republic of Cameroon, the 11th nation on the African Continent to achieve independence. Thus ended a 75-year period of foreign occupation. Germany had declared Cameroon a protectorate in 1884. After World War I the territory was divided between the British and the French as League of Nations mandates. Then in 1946 the Cameroons became U.N. trust territories.

October 1, 1961, was another day for rejoicing in Cameroon, when the British Southern Cameroons joined the former French trust territory to form a federal republic. This event marked the fruition of the Kamerun idea which had emerged with political consciousness in the Southern Cameroons and had gained momentum as the British territory moved toward self-government. Kamerun became the political ideal of the reunification of the two Cameroons. The formation of the Federal Republic was an important event not only from the standpoint of the Cameroons themselves, but also from the larger perspective of continental African political development, for it was the first African experiment in the union of a British territory and a French territory. The educational, linguistic, and legal adjustments of the new union are gradually and most satisfactorily being worked out under the skillful leadership of Vice President Foncha and President Ahidjo.

The successful development of Cameroon is all the more spectacular because of the enormity of the difficulties, pointed out by observers of all kinds, facing the new nation. Ethnologists reminded us that Cameroon, lying at an ethnic crossroads of Africa, contained a "bewildering hodgepodge" of races from Islamic stock breeders in the north to Bantus and Pygmies in the south. Political scientists noted that as of independence day there were some 382 legally registered political parties. Geographers pointed out that the northern and southern sections were divided by a central plateau which effectively discouraged communication. Economists said that the primary crop economy was extremely vulnerable to climatic change and price fluctuations. The pessimists predicted that President Ahidjo would have considerable difficulty in holding together his newly independent country.

But the pessimists were wrong. The Republic has been stabilized. The economy is advancing. Substantial improvements are being made in education. Communications development is under way, and industrialization is being speeded up. When President Ahidjo made a 5-day visit to the United States as the guest of President Kennedy in March 1962, the President of the United States congratulated President Ahidjo for his successful efforts in the progressive development of his country. The two Presidents agreed to encourage commerce and investment between their countries and expressed confidence that the visit had strengthened relations between the United States and the Federal Republic of Cameroon.

The American people add their voice to the congratulations of President Kennedy. To President Ahidjo, Vice President Foncha, and the people of the Federal Republic of Cameroon we express our faith in, and best wishes for, the continued successful development of their nation.

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## California Defense Dollars Go National

EXTENSION OF REMARKS

OF

### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. HOSMER. Mr. Speaker, six of the larger California defense contractors recently reported to the California Defense Industries Committee of the Los Angeles Chamber of Commerce procurement data covering the national pattern of their relations with suppliers and vendors for articles, materials, and services.

This compilation of the data is on an annual basis for the various corporate fiscal patterns ending in the 1961–62 period, the most recently available data in each case. Each reporting corporation carries on an intensive procurement and contracting program aimed at the widest possible participation nationally, and in each case a main facet of the total program is the determination that small business receive an equitable opportunity to compete for subcontracts for articles, materials, and services of all kinds.

California defense contractors are doing business in 49 States with all kinds of enterprises from the local hardware store to the giants of industry. Truly, California defense dollars go national.

The six reporting California defense contractors listed $1,608,646,403 in dollars expended in 49 States and the District of Columbia to suppliers and vendors of articles, materials, and services.

Principal States receiving the impact of the California national procurement effort are:

| | Percent of total | California dollars |
|---|---|---|
| New York | 7. 976 | $128, 310, 653 |
| Connecticut | 6. 679 | 107, 441, 173 |
| New Jersey | 5. 555 | 89, 301, 969 |
| Ohio | 5. 252 | 84, 492, 287 |
| Massachusetts | 3. 476 | 55, 919, 997 |
| Illinois | 2. 775 | 44, 645, 064 |
| Pennsylvania | 2. 627 | 42, 263, 470 |

In reporting for this study the companies that reported small business data revealed 37 percent of California procurement dollars to small business; 63 percent of California procurement dollars to large business. By comparison, only 17.7 percent was the national average to small business for fiscal 1962.

The accompanying table shows a percentage breakdown by State of the total procurements reported expended in each State. Truly, California defense dollars go national.

*California defense dollars go national—50-State breakdown*

| | California dollars | Percent of total[1] |
|---|---|---|
| Alabama | $1, 344, 433 | 0. 0835 |
| Alaska | ---------- | ---------- |
| Arizona | 23, 716, 937 | 1. 4743 |
| Arkansas | 395, 811 | . 0246 |
| California | 797, 918, 465 | 49. 6018 |
| Colorado | 3, 962, 904 | . 2463 |
| Connecticut | 107, 441, 173 | 6. 6789 |
| Delaware | 1, 496, 125 | . 0929 |
| District of Columbia | 1, 305, 904 | . 0811 |
| Florida | 4, 967, 319 | . 3087 |
| Georgia | 551, 727 | . 0343 |
| Hawaii | 3, 517 | . 0002 |
| Idaho | 604, 963 | . 0376 |
| Illinois | 44, 645, 064 | 2. 7753 |
| Indiana | 19, 648, 982 | 1. 2214 |
| Iowa | 17, 970, 482 | 1. 1170 |
| Kansas | 211, 286 | . 0131 |
| Kentucky | 809, 603 | . 0503 |
| Louisiana | 108, 463 | . 0067 |
| Maine | 226, 251 | . 0140 |
| Maryland | 14, 535, 750 | . 9036 |
| Massachusetts | 55, 919, 997 | 3. 4762 |
| Michigan | 20, 097, 718 | 1. 2493 |
| Minnesota | 26, 262, 741 | 1. 6326 |
| Mississippi | 431, 108 | . 0267 |
| Missouri | 6, 978, 319 | . 4337 |
| Montana | 8, 715 | . 0005 |
| Nebraska | 1, 336, 837 | . 0831 |
| Nevada | 754, 349 | . 0468 |
| New Hampshire | 1, 848, 212 | . 1148 |
| New Jersey | 89, 301, 969 | 5. 5513 |
| New Mexico | 61, 613 | . 0038 |
| New York | 128, 310, 653 | 7. 9762 |
| North Carolina | 1, 659, 208 | . 1031 |
| North Dakota | 13 | |
| Ohio | 84, 492, 287 | 5. 2523 |
| Oklahoma | 3, 113, 109 | . 1935 |
| Oregon | 6, 161, 125 | . 3829 |
| Pennsylvania | 42, 263, 470 | 2. 6272 |
| Rhode Island | 1, 318, 214 | . 0819 |
| South Carolina | 1, 004, 239 | . 0624 |
| South Dakota | 7, 820 | . 0004 |
| Tennessee | 3, 158, 943 | . 1960 |
| Texas | 41, 356, 271 | 2. 5708 |
| Utah | 496, 782 | . 0308 |
| Vermont | 2, 208, 153 | . 1372 |
| Virginia | 21, 325, 616 | 1. 3257 |
| Washington | 8, 919, 560 | . 5545 |
| West Virginia | 1, 654, 813 | . 1028 |
| Wisconsin | 16, 270, 490 | 1. 0114 |
| Wyoming | 58, 900 | . 0036 |
| Total | 1, 608, 646, 403 | ---------- |

[1] Will not total 100 percent because of rounding.

## Women Strike for Peace and the HUAC

EXTENSION OF REMARKS
OF

### HON. WILLIAM FITTS RYAN

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 10, 1963*

Mr. RYAN of New York. Mr. Speaker, during December 1962, while Congress was not in session, the American public was treated to a sorry spectacle by a committee of Congress. The House Un-American Activities Committee decision to investigate the Women Strike for Peace and the subsequent hearings again demonstrated that this committee serves no useful legislative function and is antithetical to the principles upon which our Nation was founded. At the time of the hearings I issued a statement which I wish to call to the attention of my colleagues. I regret that on the first day of this session there was no opportunity to offer an amendment to the resolution on the rules of the 88th Congress which would repeal clause 1(r) of rule X and clause 18 of rule XI which provide for this committee. The House will have an opportunity to vote on this issue when the 1963 appropriation for the committee is before it.

The statement follows:

Statement of Congressman William F. Ryan Concerning the Action of the House Un-American Activities Committee in Holding Hearings on the Women Strike for Peace

The announcement by the House Un-American Activities Committee of public hearings with reference to the Women Strike for Peace is another example of the misuse and abuse of legislative power.

The hearings apparently are intended to discredit the Women Strike for Peace and to cast doubt upon the loyalty of those active in it. The action of the committee induces conformity of thought and action and intimidates citizens who are seeking to express their concern for peace.

The spontaneous peace movement in the United States is dramatic evidence of the strength of our democracy. Even at the height of an international crisis, citizens exercised their constitutional rights of petition, assembly, and free speech. However, the committee consistently opposes the spirit of independent inquiry and humane protest. By intimidation and innuendo the committee spreads fear and stifles dissent. The committee has a habit of using its power to expose and punish groups and individuals whose programs and ideas the committee disapproves of.

Disarmament under effective international control and a strong United Nations, imperatives of our time, are stated goals of Women Strike for Peace. A group of citizens working for these goals within our constitutional framework should be commended, not condemned.

The first amendment explicitly protects all ideas and expressions. The framers of the Bill of Rights asserted their belief in freedom of speech and the right to nonconformity at a time when our Nation was new and insecure. We should do no less today.

The committee has said one purpose of the hearings is to determine "whether existing Federal laws are being violated." As Dean Erwin Griswold, of Howard Law School, has pointed out, "a legislative investigation is improper when its sole or basic purpose is to expose people or to develop evidence for use in criminal prosecution" ("The Fifth Amendment Today," Harvard University Press, 1955, p. 48). If the committee has any evidence of violations of Federal law, it should turn it over to the proper law enforcement agencies and not usurp the function of the Department of Justice.

We should be mindful of the words of Supreme Court Justice Black:

"History should teach us, then, that in times of high emotional excitement minority parties and groups which advocate extremely unpopular social or governmental innovations will always be typed as criminal gangs and attempts always made to drive them out. It was knowledge of this fact, and of great dangers, that caused the founders of our land to enact the first amendment as a guarantee that neither Congress nor the people would do anything to hinder or destroy the capacity of individuals and groups to seek converts and votes for any cause, however radical or unpalatable their principles might seem under the accepted notions of the times" (*Barenblatt* v. *U.S.*, 360 U.S. 109, 150–1).

The House Un-American Activities Committee is antithetical to the principles upon which our Nation was founded. Its latest action demonstrates again the need for its abolition.

## A Bill To Eliminate Labor Union Monopolies

EXTENSION OF REMARKS
OF

### HON. DAVE MARTIN

OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 10, 1963*

Mr. MARTIN of Nebraska. Mr. Speaker, I have today introduced legislation designed to eliminate labor union monopolies. This legislation embodies amendments to the Sherman, Clayton, Norris-La Guardia, and National Labor-Management Relations Acts. This is the identical bill which I introduced in the 87th Congress.

Under existing court interpretations, antitrust statutes apply only to industry—prohibiting monopolies; prohibiting price fixing; and prohibiting collusion, but only on the part of management.

We do have monopolies in the field of labor. For instance, the United Automobile Workers Union represents all organized labor in the manufacture of cars, trucks, and farm implements, and so forth, a monopoly in this industry. One union bargains with all of the firms in this field—a monopoly. The same thing applies to steel—the United Steel Workers; coal—the United Mine Workers, and so forth.

Jimmy Hoffa has stated that he intends to have all teamster contracts end on a common date beginning in 1964. Do you realize the power which would be vested in the hands of this one man? He could tie up the economy of this country within a matter of hours. Metropolitan areas would be without perishable foodstuffs, in addition to necessities too numerous to mention. He could bring every city in the country to its knees at his command.

We now have a costly maritime strike in progress which covers the entire Atlantic and gulf coasts. This strike is preventing the shipment of goods to foreign countries, lowering the prestige of the United States in the eyes of other governments; causing American industry to lose business because it cannot make deliveries—leading perhaps to permanent loss of our customers to other countries. With an already serious imbalance of trade, this further complicates the entire situation.

My proposal, for instance, would put an end to this longshoremen's strike which is having such a catastrophic impact on the Nation's economy. Under my bill, bargaining between the parties would have to be conducted by a single employer and the representative of the employer's employees, or as provided in some cases, group bargaining where not more than 25 percent of an industry is involved in the labor negotiation. Also, the featherbedding demands by unions as indicated in the dockworker's strike could never become a labor issue since such restrictive practices are prohibited by my bill.

I wish to emphasize that my bill still allows strikes. It restores union power to the local labor unions and takes it out of the hands of the international unions. I repeat—this bill does not interfere with any legitimate labor objectives but only eliminates those activities not in the public interest. Industrywide bargaining would be eliminated. It would be illegal for two unions to confer with one another in regard to the settlement of a wage dispute; and, likewise, it would be illegal for the management of two companies to confer with one another in regard to a settlement. You have to treat both sides fairly.

The evil of present industrywide bargaining is that identical labor costs throughout the industry further lessen competition and increase the chances for similar pricing. Bargaining increases costs of production which further place the American manufacturer at a disadvantage in competition with foreign firms.

Recent Department of Labor statistics on strikes and man-days idled in 1962 vividly demonstrate the need for legislation which would eliminate national labor disputes. Figures released for 1962 show that there were about 3,550 strikes, involving some 1,250,000 workers. About 19 million man-days were lost, compared with 16.3 million in 1961.

The Nation can ill afford a continuance of these labor disputes. The passage of my moderate approach to curbing union monopoly power and the abuses resulting from this power would, in most cases, eliminate the ever-growing chaos in the labor relations field. Yet, the remedy would not interfere with any legitimate union activity nor destroy unions or their welfare and pension programs. My bill will put an end to only those abuses we have been facing daily in our Nation; it will maintain collective bargaining without granting further authority to the executive branch of the Government to dictate the terms of a labor contract through such weapons as compulsory arbitration and seizure, which, in my opinion, lead this Nation down a dangerous path of socialism.

Is there a demand for this type of legislation over the country? Yes. The

Institute of Public Opinion of Princeton, N.J., in a recent survey found that 62 percent of the people throughout the Nation favored this type of legislation. In a recent questionnaire circulated in my district, 84 percent replied in favor of curbing union monopolies. The average American citizen, the man and woman on the street, wants this legislation passed—the voice of America without a lobby. Who would like to see this legislation defeated? The heads of the international labor unions whose monopolistic powers would be checked by the passage of this bill.

I can think of no better recommendation than that which appeared in the International Teamsters magazine for September 1962, in which it was stated that my bill was the worst of the lot on this subject; to me, that means it is the best.

## Independence Day of Western Samoa

EXTENSION OF REMARKS

OF

### HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. POWELL. Mr. Speaker, on January 1, Western Samoa celebrated her first independence day, and we take this opportunity to send warm felicitations to Their Excellencies, Tupua Tamasese Mea'ole and Malietoa Tanumafili II, the heads of state of this Republic, on the occasion of the first anniversary of Western Samoan independence.

January the first is a symbol throughout the world for the birth of a new year; to the people of Western Samoa, this date has a special meaning. One year ago, on New Year's Day, Western Samoa was proclaimed sovereign and independent. It is this accomplishment that I wish to commemorate today.

Since its discovery by the Dutch in 1722, the Samoan Islands have played an important part in the history of the South Pacific. Strategically located as a naval station and a crossroads for trading ships, the islands were soon coveted by many nations. The United States sent its first expedition to the islands in 1839 and the first American consul was appointed in 1856. The climax of this particular struggle for possessions abroad occurred in 1889 when the United States, Germany, and Great Britain successfully checkmated each others forces. This led to a partitioning of the islands. The large islands of Opolu and Savaii, with several lesser islands, were awarded to Germany. These became Western Samoa.

As a result of World War I, Western Samoa was wrested from Germany by a New Zealand expeditionary force. Since then, New Zealand has held mandate over these islands, first through the League of Nations, then more recently through the United Nations.

New Zealand recognized the right of sovereignty for her trust territories and a constitution was promulgated in October 1960. Independence was proclaimed on January 1, 1962, thus ending 46 years of New Zealand administration and 70 years of foreign rule.

Samoa today has an approximate population of 113,500, mainly Polynesian, with a birth rate among the world's highest. Its complex constitutional system of government, headed by a dual chiefship and a prime minister, govern Western Samoa with wisdom and caution. Americans, visiting the country, will be able to pay their respects to Robert Louis Stevenson, who is buried near the capital, and who is revered and loved by the Samoans, his adopted people.

The Samoans, who are proud of the fact that they are the first independent Polynesian nation, look forward to a continuous and productive life under their own rule. The able Prime Minister Fiame Mata'afa summarized the sentiments of the Samoans when he said:

> Rooted and responding to the invigorating influences of the modern world, the independent state of Western Samoa will grow and flourish to become an ornament—if only a minor one—to the world community.

It is to this spirit and this nation that I salute the people of Western Samoa on their first independence anniversary.

## The 100th Birthday of Billy Frost

EXTENSION OF REMARKS

OF

### HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. ROGERS of Texas. One hundred years ago, on January 10, 1863, there was born at Tinesty, Pa., on the banks of the Allegheny River, an American citizen who was named Billy Frost by his proud parents. At 14 years of age this new citizen started pumping oil wells at Oil Creek, Pa., when this business was in its infancy. Some of it must have gotten into his blood, because he has stayed with it through the years and as the great oil fields were discovered and developed, Billy Frost moved from one to the other—from Pennsylvania to Ohio, to Kansas, to Oklahoma, and to Texas.

In 1885 Billy Frost married Miss Effie Jane Thompson, the daughter of a minister. To this union were born two fine sons and two fine daughters. Billy Frost continued his work in the oil game and found his way with his fine family to Texas, in 1927. This was the beginning of the famous Panhandle oil field, which is located in the 18th Congressional District of Texas.

His kindness, good nature, and willingness to help others at all times had won for him the popular name "Uncle Billy," which has stayed with him through the years. As time began to takes its toll, as it does with all of us, "Uncle Billy's" walk became a little slower and his eyesight began to dim, but his great personality remains unchanged and the reasons for continued loving reference to him as "Uncle Billy" have become more pronounced with each year. His host of friends will pay honor to him at the Coronado Inn, in Pampa, Tex., on this, his 100th birthday. All America recognizes the great contribution that he has made to our country and to our way of life, in the exemplary leadership he has furnished in his chosen work.

## Fairplay in Congress

EXTENSION OF REMARKS

OF

### HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. QUIE. Mr. Speaker, yesterday we considered a basic change in the permanent rules under which the House of Representatives will function in the future. Our decision is an indication of the attitude with which the House will approach the tasks it faces.

Some people, both inside and outside of this body, have made the claim that the Rules Committee has come to hold too powerful a position with the House of Representatives. These people conclude that the Rules Committee has the power to prevent the entire House from making decisions on various important issues. It is the so-called power to "block" legislation.

The solution which these same people advocated was to permanently expand the membership of the Rules Committee from 12 to 15. This solution was adopted and is simply a power play to control the committee. It is not an attempt to correct any present weakness in the committee.

If it is true that the committee has the ability to block legislation it does not like, having more members will not change that fact. Indeed, a new group will simply have the right to stop legislation which it finds undesirable.

The House has always had a formal written guarantee that the Rules Committee cannot permanently act contrary to the wishes of the majority of the House. That guarantee is the discharge petition. It was used successfully on a major bill as recently as 1960 when a discharge petition for the Federal employees pay raise bill was adopted by the majority of the House.

Whenever we discuss the desirability of any legislation, it is important to know who is determining the desirability. Does the majority of the House make that decision or do most of the members of the majority party of the House? When the Speaker was prohibited during the early part of this century from serving on the committee, it was assumed that such action was intended to make the committee a tool of the majority of the House Members rather than only of the leadership of the majority party.

Increasing the committee size from 12 to 15 members increases the Democratic majority from 4 to 5. Yet, proportionate representation would give the Democrats a majority of only 3 members on a 15-man committee.

Fair representation of the minority party should always be maintained in any committee. Such should certainly be the case in a committee as powerful as the Rules Committee as was pictured yesterday.

I would have been favorable to considering reviving the 21-day rule. By prohibiting the Rules Committee from holding any bill for more than 21 days this change would correct the situation in which the Rules Committee could block legislation. At the same time, fair representation would be maintained on the committee.

If our concern is to insure that the majority of the House be given the opportunity to express its will on the important issues which come before this body, we should not simply give the power to determine desirable legislation to another group. That is what the present makeup of the Rules Committee does.

In the future, changes should be guided by three factors:

First. Congress should decide whether the Rules Committee should have the power to stop legislation.

Second. If the decision is affirmative, the minority party should be given representative strength on the committee.

Third. If the decision is negative, some means such as the 21-day rule will be necessary to weaken the power of the committee.

This is the only way fairplay in the House of Representatives will be secured.

## Washington State Senate Opposes Japanese Halibut Fishing in Bering Sea

EXTENSION OF REMARKS

OF

### HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. PELLY. Mr. Speaker, the Washington State Senate unanimously passed a memorial urging Federal action to cancel recent concessions of the International North Pacific Fisheries Treaty Commission to allow Japan to fish for halibut east of an existing treaty line.

This memorial was adopted 44 to 0 and charged that a halibut fishery conservation program was threatened by the concessions.

On February 5 a meeting of the International Commission is scheduled to be held in Tokyo to consider Japanese proposals for conservation. It seems to me the agreement to allow Japan to cross the line heretofore established by treaty is premature. Conservation arrangements should have been agreed to first.

Once this halibut resource was almost destroyed but through regulation and self-denial of our fishermen the catches have been increasing in the Bering Sea area. Now the question is, Will the Japanese make 30 years of such restraint and sacrifice in vain?

In this connection, Mr. Speaker, let me add that a joint House-Senate congressional committee has scheduled a hearing on February 14 and 15 in Seattle, Wash., to investigate as to whether the halibut Commission's action was justified.

## Independence Day of the Republic of Tanganyika

EXTENSION OF REMARKS

OF

### HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. POWELL. Mr. Speaker, on December 9, 1962, Tanganyika celebrated her first independence day, and we take this opportunity to send warm felicitations to His Excellency Mwalimu, Julius K. Nyerere, President of the Republic of Tanganyika, on this memorable occasion.

TANGANYIKA: FROM COLONY TO REPUBLIC

On December 9, 1961, Tanganyika, a United Nations trust territory under the administration of the United Kingdom, became a sovereign member of the British Commonwealth and the 29th African state to achieve independence. The hoisting of the new green, black, and gold Tanganyikan flag marked the emergence of the first multiracial nation in Africa under African government. As such, it aroused considerable interest in a continent where racial problems have taken their place among the difficulties facing governments. The general optimism that the nation's 9 million Africans, 20,000 Europeans, 80,000 Asians, and 20,000 Arabs could live together in peace and order and in dedication to common goals was engendered to a large extent by the leadership qualities of Tanganyika's first Prime Minister, and now President, Julius Nyerere. Prior to independence British officials had called Nyerere "the key to everything in Tanganyika." The American press stated that "the personality, skill, and absolute dedication of Mr. Nyerere to nonviolence and antidiscrimination against Africans and non-Africans alike" was a key factor which would make a multiracial nation possible. In the not always smooth year since independence we have seen Mr. Nyerere's influence at work both in office and behind the scenes to mold Tanganyika into a democratic republic and a model of nonracialism for the rest of the African Continent to follow.

What is this country over which Mr. Nyerere has become President? Located just to the south of the equator on the Nile-Congo-Zambezi divide, Tanganyika stretches for more than 450 miles along the Indian Ocean. It borders on Kenya in the north and on Mozambique in the south. It is comparable in size to Nigeria and is larger than Texas and Oklahoma combined. Substantial portions of 2 of Africa's "great lakes"—Lake Tanganyika and Lake Victoria—lie within the country's boundaries. It is a land of plains and plateaus, with a humid coastal belt. It is the land where Stanley met Livingstone and where, on the Kenya border, the summit of Mount Kilimanjaro, permanently covered with snow, rises over 19,000 feet from sea level to make it the highest mountain peak in Africa.

When Tanganyika became independent under the leadership of Julius Nyerere and his party, the Tanganyika African National Union—TANU—the government pledged, in Nyerere's words, to lead the people in an all-out fight against poverty, ignorance, and disease. "Uhuru na Kazi," TANU's slogan in the campaign for independence, has increasingly become used as a greeting throughout the country. "Uhuru na Kazi," meaning freedom and work, expresses Tanganyika's faith in the future and determination to fulfill the expectations of her people.

The world was momentarily stunned when Mr. Nyerere resigned from his post as Prime Minister only 6 weeks after independence to devote himself more fully to the chairmanship of the Tanganyika African National Union. Then, in late May the Government announced plans to turn the country into a republic, with a President elected by universal suffrage as the head of state. It became clear that Mr. Nyerere's resignation from office had not been an abdication of power but rather the prologue to his reemergence as President of the Republic of Tanganyika. On December 9, 1962, 1 year after its accession to independence, Tanganyika became a republic with Julius Nyerere its first President.

In commemorating the anniversary of Tanganyika's independence we commend President Nyerere and the people of Tanganyika for their untiring efforts in transforming Tanganyika from a colony to a republic. We wish them every success for the future.

## A Deepwater Port for Indiana

EXTENSION OF REMARKS

OF

### HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. ROUSH. Mr. Speaker, yesterday I introduced a bill to authorize the construction of an Indiana port on Lake Michigan. Ever since I began my political life in Indiana, I have been talking to people all over our great State about the potential for development which such a port would present. The people of Indiana know the benefits which can be gained by the development of this deepwater port, and they share my enthusiasm for an Indiana port.

The road by which progress travels is always a hard one. There are always many obstacles, there are always delays, there are always disappointments and the path followed by this progressive proposal has provided no exception. Discussion of the Indiana public port predates concrete development of the St. Lawrence Seaway. A full 80 years before the congressional Deepwater Seaways Commission report of 1896 suggested the development of the St. Lawrence Seaway, the statesmen of early Indiana recognized and protected Indiana's right to a harbor. By having the Indiana State boundary moved 10 miles north of the line established by the Northwest Ordinance, these early leaders laid the groundwork for our port development today.

By the establishment of the 36-mile coastline on Lake Michigan the political leaders of Indiana established our claim to a water access at the time of our introduction to statehood. Now, after years of bipartisan effort on the part of leaders of the State, our plans are formulated, our authority is developing, and we look forward to the early construction of our deepwater port.

The economic feasibility of the operation of a port at Burns Waterway is well substantiated. Scholarly economic presentations developed by Indiana University, various State agencies and private sources indicate that the Indiana deepwater port can become an important transportation center and an economic success. Preliminary work by the Indiana Port Commission indicates, without doubt, that previous estimates as to the economic potential of the port have been very conservative.

The navigational plan developed for this harbor is not only adequate but quite attractive. The approach and entry pattern, I am told, is one of simplicity and ease of management. For example, in tug service alone, a grain-carrying vessel would save $1,055 per trip, for tugs will not be needed at the proposed Indiana Waterway Harbor.

I am proposing the development of an additional transportation facility for my State and for the Nation. History has shown that the access to water routes has, since the advent of recorded history, been a primary determinant in the economic progress of nations. Those nations and states and cities with access to this most economical form of transportation have prospered and have become the trade, population, and cultural centers of the world. Certainly, areas without such water commerce facility have also developed successfully but they have prospered in spite of transportation hardships.

Indiana is a State which has developed richly in both industrial and agricultural productivity. The richness of our soil and the skill of our farmers has combined to make Indiana an important part of America's food-producing Midwest. The industrial ingenuity and the quality of our workmen have contributed to our industrial progress.

Located as we are, at the crossroads of America, Indiana's industrial and agricultural capacity is important to the entire Nation. The food we produce is easily available to feed the people of the country. The goods we manufacture are easily available to fill the needs and wants of all Americans because we are located in the very population center of the continental United States. But to expand our industrial development, to provide further markets for our agricultural abundance and our rich natural resources, Indiana needs access to inexpensive water transportation which can be provided by the Burns Waterway Harbor.

The development of the harbor is consistent with the national transportation policy. Indeed, the national transportation policy dictates its development because the needs of commerce cry out for the development of this additional transportation facility in our State.

Indiana is the only State bordering on the Great Lakes which has no public deepwater port; no door to the trade routes of the world. Since the St. Lawrence Seaway has provided Great Lakes ports with access to the world's great commercial centers, the importance of our harbor has taken on added significance. We now have the opportunity of making the industrial goods, the natural resources and the agricultural products, in which our State so abundantly abounds, available to the markets of the world. The key, of course, is the Indiana public deepwater port.

Let us look for a minute into the world of the future. We are discussing today the potential of the needs of commerce in Indiana and the benefits which an additional transportation facility can contribute to this commercial development.

I believe the greatest hindrance to our clear analysis of this problem lies in the inadequacy of our standards of judgment. I do not question the analyses made by so many learned and competent men, but I question the accuracy of any one of us to completely comprehend the potential for future growth and development of our area.

Who of us will predict, with any confidence in its accuracy, how much the population of our State and its environs will grow in the life of this project? Who will estimate the gross commercial product of our area for the next 50 years, and rest comfortably on that estimate? Who will suggest the maximum agricultural productivity of the great Midwest after the production explosion of the last decade and a half? We are incompetent judges of tomorrow's world because we are tied to the standards of today in making our analyses. We cannot fully comprehend the wonders of tomorrow's life because the frailty of our nature forces us to depend, for our premises, upon sensations which we have experienced.

Our Nation is built on growth and our society, our economy, and our future is geared to grow. Change is the only constant value in our society and the change pattern is one of growth.

Economic need for the Burns Waterway Harbor is clearly established in the world of today. Certainly the unlimited potential for the commercial development of the area adds further impetus to the favorable report on these navigation improvements.

There is clear and evident need for the development of the public harbor at Burns Waterway. The State of Indiana is determined to carry through its development of the facilities which are its responsibility. I trust that the Federal Government will move forward in good faith to initiate action on the navigational improvements which are its responsibility. There are 53 federally improved harbors in the 8 States on the Great Lakes waterways in the United States today. Construction of a second Indiana project to allow the State to develop its only deepwater public harbor seems fair and just.

Mr. Speaker, my State is a great State but its greatness cannot always be measured by its proud history. Its greatness must also be measured by its willingness to meet and accept the challenges offered by the hope of an even greater future. I personally look upon this dream and this endeavor as a step by the people of Indiana to justify our heritage of greatness. It is a real and challenging expression of a progressive spirit.

Mr. Speaker, I trust that, in the very near future, this proposal might receive the approval of this House. Indiana will be very grateful.

## Copyright—New Frontiers

EXTENSION OF REMARKS

OF

## HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include my remarks before the American Guild of Authors and Composers on November 14, 1962, at the Hotel New Yorker in New York City:

Now that the American people have chosen their Representatives and we are on the threshold of the 88th Congress, it seems peculiarly appropriate to review with the distinguished members of this guild the strengths and weaknesses of the Nation's copyright laws and the immediate prospects for their improvement as a protection for the authors and composers of music. What are the new frontiers in copyright?

Both as a private citizen and as chairman of the House Committee on the Judiciary, I have long been interested in the drama and musical arts—as a musician, a devotee of opera, a student, and a champion of the rights of all creators of American music, whether serious or popular. The jurisdiction of our committee includes measures affecting copyrights, but it is not merely concerned with the technical aspects of copyright legislation. The committee has the solemn duty of guarding the intellectual property of composers and authors, and of making sure that as our civilization grows more complex, American native talent will continue to be encouraged by receiving a just return from the commercial exploitation of its works.

For it must be recalled that the copyright law of the United States is founded on the constitutional provision (art. I, sec. 8) which empowers Congress "* * * to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

The Constitution thus envisages two purposes in providing for copyright. It wishes to foster the useful arts and it proposes to do so by rewarding authors for their contribution to society. Obviously these two purposes are closely related.

The last general revision of the copyright laws occurred in 1909. We have gone from a horse-and-buggy day to a nuclear age. Tremendous changes in technology have taken place in the intervening half century. These have fostered entire new industries and new methods for the reproduction and dissemination of literary and artistic works. In consequence the 1909 statute is no longer adequate in its application to present-day conditions. It is like measuring the tail of a pig with the tail of a comet. Among the respects in which the copyright laws fail to achieve the constitutional objectives are a number of shortcomings which peculiarly affect songwriters and composers—notably the present inadequate term of copyright protection, the outmoded jukebox exemption, insufficient sanctions against the counterfeiting and piracy of phonograph records, the compulsory license for the recording of music, and the awkward and unsatisfactory provisions governing renewal and reversion of copyrights.

Past efforts to bring the copyright laws up to date have failed, largely, according to the Register of Copyrights, because of controversy among various private interest groups having a stake in the matter. In 1955, however, Congress provided funds for a comprehensive study by the Copyright Office as the groundwork for a general revision and in 1961, after much study, the Register issued a tentative report containing detailed recommendations.

These recommendations in large measure meet the proposals of your own group as to major matters, though varying in some areas and in particular details. Widespread discussions of the Register's report were undertaken and are still in progress, with your organization taking a leading part. What is more, the Copyright Office has now turned its efforts to the drafting of a comprehensive bill which, in turn, will be the subject of extensive study by interested parties before it is submitted to Congress. It is hoped that, with the genuine cooperation of organizations interested in the project, such submission will take place during the forthcoming 88th Congress.

While waiting for the legislative proposals of the Register, the 87th Congress has not been idle in this field. With respect to the term of copyright, for example, Congress was called upon, as an emergency measure, to take steps to prevent the expiration of renewal terms of copyright during the period which still must elapse before the enactment of overall legislation. The present term of copyrights, as you know, is 28 years from first publication or registration, renewable during the 28th year by certain persons for a second period of 28 years. One criticism of existing law is that today the United States is the only important Western power in which it is possible for a copyright to expire during the life of the author. The Register's 1961 report recommends that the maximum term be increased from 56 to 76 years. Under this recommendation the basic term would continue to run for 28 years, and would be renewable for a second term of 48 years. Although some groups, including your own, prefer a term of protection that would endure for the life of the author and for 50 years thereafter, as is the rule in many European countries, all interested parties appear to agree that the present term of copyright is unduly short. Meanwhile, existing renewal terms were continuing to expire and would be lost forever.

In this context, I introduced House Joint Resolution 627, which extends the duration of copyright protection temporarily. As enacted, this measure continues until the end of 1965 the renewal terms of all copyrights subsisting on September 19, 1962, the date on which President Kennedy approved my measure. It thus provides an interim suspension of copyright expirations pending the enactment of detailed overall copyright legislation. Originally this bill proposed to extend copyright terms until the end of 1967, but the subcommittee accepted the argument of the Register of Copyright that a temporary extension of that length might unduly impair the incentive of interested parties for achieving agreement on an overall revision.

Another significant congressional achievement of the 87th Congress in this area was the enactment of my bill outlawing the vicious traffic in counterfeiting phonograph records. Hearings before the Copyright Subcommittee of the Committee on the Judiciary elicited testimony from representatives of phonograph record manufacturers, music publishers, and composers and performers of music to the effect that there exists a widespread practice of counterfeiting phonograph records, including labels, produced by reputable phonograph record manufacturers and selling them in interstate commerce in competition with the genuine articles. In 1960, alone, it was estimated, this practice drained more than $20 million from the legitimate music industry. Typically, the counterfeiter takes hold of a legitimate phonograph record manufactured by a reputable concern and containing a popular song or arrangement. He makes copies of the recording and of the label as well. Then he palms off his counterfeit copies as the genuine products of the manufacturer whose label and recording he has appropriated.

Because the counterfeiter operates outside the law, paying no compensation to artists, no arrangers' fees, no copyright royalties, and no excise taxes, he is able to sell his illegitimate and often mechanically inferior records to jobbers and dealers at prices far below those charged by the legitimate manufacturers whose work has been forged.

The victims of this unconscionable practice are many. They include songwriters and publishers; record manufacturers, distributors, and dealers; recording artists and musicians; manufacturers of phonographs; and the U.S. Government. The songwriters, publishers, artists, and musicians are deprived of their royalties. The record industry is denied its legitimate profits. The Federal Government is robbed of its excise and other taxes. And the music-loving public, often as not, receives a mechanically imperfect product. This in turn injures the reputation of the artists and of the manufacturers of records and sound equipment, because the public naturally attributes the mechanical defects of the counterfeit record to the producers of the real thing.

The few State laws which attempt to deal with the problem impose relatively ineffective fines. Counterfeiters are happy to pay such fines, regarding them as in the nature of licenses.

Inasmuch as counterfeit records are being shipped in interstate commerce across State lines, I believe it essential to the proper administration of justice that Congress should enact a Federal criminal statute that would add the power and weight of the Federal Government to State and county law enforcement agencies. Accordingly, I introduced and Congress enacted H.R. 11793, a bill that amends the Federal Criminal Code by declaring the traffic in counterfeit records to be a criminal act, subject to fine and imprisonment.

I believe that it is significant that both of these measures—the copyright extension bill and the counterfeit record bill—underwent amendment before they were enacted. I cannot emphasize too strongly the necessity for flexibility and compromise in the area of copyright legislation. In the copyright extension bill, as I have said, Congress accommodated the need of copyright owners to be saved from unnecessary extinction of their right to the equally urgent need of the Register to avoid a flagging of interest in a final agreement in overall revision. I believe the accommodation was a wise one.

Similarly, the counterfeit record bill underwent revision by the Senate, which sharply reduced the penalties provided by the House bill. This took place near the end of the session. Our House committee was faced with the alternatives of accepting the Senate amendments and the greatly reduced penalties, or asking the Senate for a conference. In the second alternative, it is possible that we might have come out with a stronger deterrent; on the other hand, we might have come out with nothing at all. In this context committee staff consulted the principal proponents of the measure, representatives of phonograph record manufacturers. These persons wisely expressed their preference for a bird in the hand. I think this was much to their credit. One must stretch one's feet according to one's blanket. The measure, as amended by the Senate, was enacted; trafficking in counterfeit records is now a Federal offense; and the investigative agencies of the Federal Government can be enlisted to stamp it out. A new deterrent has been placed on the books and, should the penalties prove inadequate, they can easily be revised upward.

There is one area, however, in which the spirit of compromise and accommodation has not yet borne fruit. I refer to my unceasing efforts to bring about the repeal of the anachronistic and outmoded jukebox exemption.

Through the years, Congress has amended the provisions of the copyright law to protect authors and composers in the commercial exploitation of their creative works by requiring users to pay reasonable fees to copyright owners for the sale or use of their property. Radio and television broadcasters, concert halls, movies, hotels, cabarets, wired music—all these industries pay composers of copyrighted music for the right of commercial performance. The sole exception is the coin machine operator—the corporation that owns and leases coin machine phonographs to taverns and restaurants. To quote the Register of Copyrights, "Jukebox operators are the only users of music for profit who are not obliged to pay royalties, and there is no special reason for their exemption. The jukebox exemption should be repealed or at least replaced by a provision requiring jukebox operators to pay reasonable license fees for public performance for music or profit." With this statement I agree. The use of copyrighted music on jukeboxes for profit without so much as a by-your-leave to the composers of such works is nothing less than legalized piracy.

In the 85th and 86th Congresses, I introduced bills to repeal the jukebox exemption. In June 1959 the Copyright Subcommittee of the House Committee on the Judiciary held extensive hearings on my bill, H.R. 5931. Witness after witness testified to the injustice and inequity of the out-of-date copyright law which was enacted in 1909, 21 years before the modern machine phonograph made its appearance. Helen Sousa Abert, daughter of the late John Philip Sousa, told the subcommittee; "A songwriter is entitled to compensation during the short term of his copyright from all sources which perform his work publicly for profit. The jukebox is certainly performing copyrighted music for profit."

The subcommittee also heard from qualified witnesses that the jukebox industry is today a $500 million industry—purchasing popular works at wholesale prices and selling renditions of the music at 10 cents a play. Coin machine performances of recordings are clearly performances for profit; but under existing law the composer receives no royalties for them.

On the other hand, the coin machine operators make the plea that they cannot afford to pay such royalties, that they fear that outright repeal of the present exemption would leave them at the mercy of the copyright owners who might charge them unconscionable fees.

Thus, embraced in controversy, the antiquated 1909 jukebox exemption remains unchanged. But it should be changed, and Congress must act responsibly to find a path of justice in this matter.

In August 1958 a subcommittee of the Senate Committee on the Judiciary reported favorably a bill to repeal the jukebox exemption. In the report on this measure there were several references to a possible compromise solution of the problem, offered by the National Beverage Association. This proposal envisaged the payment of between $15 and $25 per annum per coin-operated machine, depending upon size. Even Mr. George Miller, president of the Music Operators of America, Inc., originally expressed interest in this proposal and the House Judiciary Committee staff attempted to schedule a conference for the purpose of discussing it. This conference, however, could not be arranged, the operators having apparently lost all interest in discussing a possible area of agreement.

In the 87th Congress I again introduced a bill to repeal the jukebox exemption, H.R. 70. Along with the Register of Copyrights, many public-spirited citizens—authors, newspaper columnists, actors—have endorsed H.R. 70. The Department of State supports it. The American Bar Association, the American Patent Association support it. But because of the controversy that surrounds this matter, some Members of Congress may feel that a blanket repeal of the exemption is not the best answer, because the coin machine operators and the music copyright owners might not be able to agree on fair and equitable royalty in negotiations. Accordingly I introduced, as an alternative to H.R. 70, a new bill, H.R. 12450, which would not only provide for the payment of royalties by jukebox operators but would also establish trustees with an obligation to provide for the fair and orderly determination of the amount and the proper distribution of such royalties. Hearings were scheduled on these bills but had to be canceled because of the unavailability of necessary witnesses.

In the new Congress I shall again introduce legislation for the purpose of eliminating this grossly unfair provision of existing law and I shall do everything in my power to see to it that this legislation is given a very high priority.

In appraising the reasons for the failure of Congress thus far to remedy this unconscionable situation, I believe that the members of your guild—as well as all members and friends of the songwriting profession—have an indispensable role to play. Because of the inability to foresee the development and popularity of the coin-operated phonograph, the jukebox industry has been able to reap large profits from the exploitation of music and at the same time to deprive the songwriters of their just share. The songwriters must bring the justice of their position to the attention of the Members of Congress, not only in the large urban centers but also the less populated areas. I am confident that when the issue is thoroughly understood remedial action will inevitably follow.

I believe that all auguries are peculiarly favorable for substantial progress in copyright law reform. The Federal administration has uniquely manifested its interest in cultural affairs, having for the first time appointed a Special Presidential Consultant on the Arts, the Honorable August Heckscher. The President and the First Lady have manifested great zeal in fostering the arts in this country. They have in many ways shown that we do not live by bread alone. The Congress will be increasingly alert and sympathetic to these problems, having worked with them, and it is your job to make us wholly conversant with your needs and problems. The Copyright Office is diligently tackling the challenging task of drafting legislation. Last, but not least, distinguished organizations like your own with specific stakes in copyright legislation are lending their expert assistance to the Register in attempting to accommodate competing interests and minimize conflicts among groups. It is hoped the new Congress will see the introduction of a general revision bill supported by the greatest possible consensus. In this work, no less than in the work of legislators, patience, statesmanship, recognition of the other fellow's needs, and an eye to the public interest are indispensable. Above all you must learn patience. Patience is bitter but it bears sweet fruit. From what I have seen of their work, I am happy to say that your own president, Burton Lane, your counsel, Mr. Kellman, as well as the members of your copyright committee, admirably combine these qualities and seem uniquely fitted to represent the interests of your guild in this vital area. I am confident, also, that the public interest will be furthered by their continued efforts.

## Congress Must Control REA

EXTENSION OF REMARKS

OF

## HON. JOHN M. SLACK, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. SLACK. Mr. Speaker, most of us will recall the debate in this Chamber late in the last session when the House had under consideration the appropriation bills for the Department of Agriculture, and several pertinent questions were raised concerning operations of the Rural Electrification Administration. At that time due credit was given to REA for its gratifying accomplishments in the pursuit of its assigned objective—the transmission of electric current into rural areas where the standard of living had been held to minimum levels because of the lack of an electric power supply.

At the same time many Members indicated that they were disturbed by the growing tendencies exhibited by REA to branch out into other fields, without any directive to do so by the Congress, and to thereby enter into direct competition with private industry while holding an insuperable advantage through REA use of low-interest Federal funds. In this connection Congressman ROBERT MICHEL, of Illinois, has recently published in the Public Utilities Fortnightly an outspoken and discerning article which underscores a fundamental issue yet to be resolved satisfactorily. I commend this statement to your attention because I am firmly convinced that, sooner or later, we must grapple with this problem realistically, and determine by congressional action the ground rules within which REA must operate.

The article follows:

A student of government once made this wise observation: "Irresponsible bureaucracy can be made responsible most quickly through financial control. The legislature is the logical agency to exercise it and thereby restore democracy in administration."[1]

The Rural Electrification Administration today is an outstanding example of "irresponsible bureaucracy." Although some of this irresponsibility may be attributed indirectly to the failure of Congress to exercise sufficient supervisory control over this agency, it is Congress and Congress only, as the legislature, that is "the logical agency" to "restore democracy" in the Rural Electrification Administration.

What has gone wrong? Essentially, Congress has not adequately exercised its constitutionally granted "financial control." But there is much more to it. As long as REA was doing what it was suposed to do, according to the law as it was drafted in 1936 and according to the intent and purpose of the founders of REA, Congress could rightly delegate its "financial control" to the Administrator. But this is 1962, not 1936. Conditions and circumstances have changed. Above all, by a steady process of pyramiding one twisted interpretation of its basic statute upon another, REA is now headed in a direction never intended by its creators, the Congress.

Today REA is basically a Federal power agency. The words "rural" and "farm" have little meaning in terms of its program. It is even using Federal funds—the public's money—to help Federal power agencies bypass Congress in their efforts to build a nationwide public power system. In the absence of the "financial control" that Congress should exercise and does not, REA has taken upon itself the task of attempting to direct national power policy, and, even more disturbing, to actually establish national economic philosophy. This is not, and can never be, the function of bureaucracy. REA today is violating virtually every precept of its founders. The need, therefore, has become pressing for Congress to step in and take control.

Look back for a moment. In 1936, American agriculture had been in a depressed condition for nearly two decades. Farm income was low, farms were widely scattered and, in some cases, relatively inaccessible. Despite the fact that land-grant colleges, national farm organizations, electrical manufacturers, and many of the Nation's power companies had been engaged in serious research programs, and positive efforts toward extending central station electric service to farms for over a decade only, about 11 percent of the farms were actually electrified. Under these conditions, and in an effort to stimulate the overall national economy, there was ample justification for the Congress to approve a program to promote farm and rural electrification.

Under the REA program, rural electric systems are 100 percent debt financed by the Federal Government. In the early years, borrowers had little or no equity in their systems. (These same cooperatives now have total assets of over $3.5 billion and an equity of nearly $700 million—or 20 percent—in their systems.)

Over the intervening years the REA grew largely with little or no congressional direction or supervision. At the same time, a radical change was taking place in the farm economy. Income improved steadily. Today, the whole farm economy is generally up as the capacity of American agriculture to produce has expanded. And, according to the latest available statistics from the REA, almost 98 percent of the Nation's farms are electrified. The task of bringing electricity to rural America is virtually complete.

### INITIALLY FOR DISTRIBUTION

A cardinal fact to remember is that Congress originally intended rural electric cooperatives to secure their electric power, wherever possible, from existing power sources. They were to be primarily distributors of power. They were not to build generating plants unnecessarily. This was clearly understood by REA. Early in 1936, Morris Cooke, the first Administrator of the REA program, stated before a committee of the House of Representatives that "in 99 instances out of 100, they (REA cooperatives), are going to buy current from existing plants." The late Honorable Sam Rayburn, who introduced the bill in the House, had this to say: "By this bill we hope to bring electrification to people who do not now have it. This bill was not written on the theory that we were going to punish somebody or parallel their lines and go into competition with them."

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[1] Prof. Harvey Walker in "The Legislative Process."

These comments indicate that there was some concern even then that the REA program might become a means of using Federal financing to compete unfairly with existing free enterprise and to do a job that others are ready, willing, and able to do. It is clear from the record that Congress was assured that this type of activity would not be carried on. So, with the belief that REA would be a noncompetitive type of program designed to supplement the activities of others in their efforts to electrify the rural areas of our country, support for the program was widespread.

Apparently in keeping with the promise of obtaining power from existing sources wherever possible, loans for generation and transmission, as against loans for distribution, constituted only about 3 percent of total REA loans over the period 1936–41. By 1950, however, this had risen to 18 percent. By 1961, the percentage of generation and transmission loans made up to that year had risen to 25 percent. In fiscal year 1962, a new record for G. & T. loans was set with more than 59 percent of all REA electric loans for the year being approved for this purpose; and, for fiscal 1963, it is estimated that between 65 and 70 percent of the electric loans will be for generation and transmission purposes.

The obviously changing character of the REA has not gone unnoticed. Because the very thing that the original founders tried to guard against was happening, attention has been focused on the problem.

Widespread controversy has been evoked by (1) new administrative policies of REA concerning the granting of generation and transmission loans, (2) the cloak of secrecy surrounding loan applications, and (3) the subsidizing of industry through rural electric cooperatives.

Increasingly, REA loans are financing generating facilities of giant "super cooperatives" so that they can create an autonomous, nontaxpaying, and generally unregulated electric supply system to compete with private power sources, contrary to the coauthor of the original act, the late Mr. Rayburn, who said they did not intend to go into competition with anybody.

Prior to last year, it was REA policy to award generation and transmission loans only (1) where no adequate dependable source of power was available in the area to meet the borrower's needs, or (2) where the rates offered by existing power sources would result in a higher cost of power to the borrowers than the cost from facilities financed by REA. This was based on the announced policy of the first REA Administrator to Congress when the question of generating loans was discussed during debate on the 1936 act.

The present Administrator of REA, Norman M. Clapp, has stated, however, that it is not enough to judge the desirability of generation and transmission loans on the basis of adequacy, dependability, and low cost of power. On April 21, 1961, Mr. Clapp, in a speech before a Louisiana electric cooperative, said, "We must be certain that cooperatives enjoy a supply of power which will guarantee the cooperative device a permanent place in the American power industry."

On May 31, 1961, the Administrator announced a third criterion for G. & T. loans apparently aimed at enabling him to accomplish his previously stated goal. This new third criterion provides that, in addition to the two original criteria, loans for generation and transmission can be made "where generation and transmission facilities are necessary to protect the security and effectiveness of REA-financed systems." This completely nullifies the two above criteria which, if administered fairly, carry out congressional understanding and approval of REA G. & T. policy.

### EXISTING SUPPLIERS PROTEST

Under this new philosophy abuses of the REA program have been mounting. At least 10 large loans totaling over $215 million have been approved in recent months for cooperative generating plants which will not fill any power shortage. All these loans were made over the protests of existing power suppliers that all present and anticipated future cooperative power needs would be provided and at a price cheaper than it would cost the cooperatives to generate it themselves.

A $60 million loan to an Indiana generating cooperative, heralded by REA as the largest loan in its history, was approved on June 15, 1961. When it became evident that the Indiana Public Service Commission might disapprove this loan as unnecessary, the cooperative switched the loan to another cooperative in an obvious and blatant circumvention of the rights and powers of the State commission.

Last November a loan of over $20 million was made to the Alabama Electric Cooperative to build a 66,000-kilowatt steamplant. This loan was made although REA's own published figures show that the local electric company is supplying power of the G. & T.'s member co-ops at a cost to them less than that G. & T. is now selling power to its members.

Not only is the total amount being loaned for generation and transmission facilities increasing each year, but the size of the individual loans is, on the average, becoming larger. With individual loans now running into the multimillion-dollar figures, Congress needs to take a closer look at the G. & T. program to make certain that loans of this size are necessary and in the public interest. A loan application has been filed by REA borrowers in Louisiana totaling $53 million for the construction of two 100-megawatt generating plants and nearly 1,800 miles of transmission line. This is enough transmission mileage to crisscross the State from north to south and from east to west five times. If this loan is approved out of funds made available by the 1963 appropriations bill, it will require one-eighth of all the money Congress approved for REA loans for 1963. Certainly, under such circumstances the Appropriations Committees of Congress should review a loan of this magnitude.

It has also become evident that REA loans under section 5 of the act, intended primarily to assist farmers to utilize the electricity the REA program was bringing to them, are now being made to subsidize industry.

Section 5 of the 1936 act authorized the REA to make loans to finance electrical and plumbing equipment for persons in rural areas. During recent years, REA limited loans under this section to facilities for rural households and farmsteads. But the present administration has made section 5 loans for such diverse purposes as the purchase and installation of gravel-crushing and washing machinery, for the purchase of a snowmaking machine for a ski resort, and for the purchase of textile machinery for a private textile mill. Incidents such as these force one to view the House Agriculture Committee's statement that it "feels that REA's present interpretation of section 5 of the 1936 act is inconsistent with the original intent of Congress" as a gross understatement.

### LOW INTEREST RATE

The public money that REA is using to finance such industrial electrical machinery through section 5 loans is, of course, loaned to borrowers at the below-cost, taxpayer-subsidized interest rate of 2 percent.

With the aid of this public money REA is therefore subsidizing industry, not to help the farmer, but merely to expand its own bureaucratic activities.

The Administrator also states that section 5 funds will not be used for financing industrial machinery until an industry has exhausted all other sources of credit. This may be the Administrator's policy, but the REA staff apparently is more interested in making loans than checking out the efforts of prospective borrowers to first obtain alternative borrowing sources. A case in point is the loan to finance snowmaking machinery for a ski jump. An official of the REA borrower making the loan testified before the House Agriculture Committee on the Food and Agriculture Act of 1962:

"Chestnut Hills [the ski resort] is our biggest load, and it promises to grow bigger every year. That is one important reason why our co-op agreed to make a loan [under sec. 5] to the company when the company could not get financing for snow-making equipment from any other source, including the Small Business Administration." (Pt. 2, p. 968.)

In reply to my query to the Small Business Administration as to whether the ski resort had applied to SBA for a loan, the Small Business Administrator wrote on March 22, 1962:

"This will confirm advice given to * * * your staff concerning the status of the loan inquiry made by Chestnut Hills Resort, Hanover, Ill. No loan application has been filed with this agency."

In short, if I could obtain such information by merely addressing a letter to SBA, why wasn't REA able to ascertain this fact? Obviously, REA made no real effort to verify the extent of other efforts to obtain financing when processing this section 5 loan. REA was apparently too interested in loaning its subsidized money and building up its own bureaucracy to check out all the facts it needed. If this is an example of REA efficiency in processing a relatively small loan amounting to only $30,000, how can REA be trusted to handle the many millions of dollars made available to it by Congress each year and process the more complex G. & T. loans amounting in some cases to $50 and $60 million? As a banker entrusted with the taxpayers' money, REA standards appear to be slipshod. This provides a good reason why Congress through the Appropriations Committee should start taking more control over the activities of this agency.

The secrecy surrounding REA generation and transmission loan applications has also evoked criticism of the House Committee on Agriculture. In its report accompanying the Food and Agriculture Act of 1962, the committee admonished the REA, as follows:

"Testimony revealed a growing concern over the failure of REA to disclose information on various phases of its operation. The public is entitled to know how public funds are being used, and the REA should approach the consideration of loans for generating facilities in a manner designed to provide as full public information as possible. * * * Certainly, interested parties should be notified and their views obtained before such loans are approved. Secrecy tends to kindle doubt, whereas public knowledge of the reasons for and justification of loans would go far toward dispelling criticism which could bring the program into disrepute."

Last April, under pressure of increasing criticism from Members of Congress, congressional committees, as well as from the press and the public, REA issued an administrative bulletin on the release of information and availability of records relating to loan applications. REA supporters hailed this bulletin as a major departure from its previous policy of secrecy. A careful study of the bulletin failed to reveal any basic major policy change. In fact, rather than lowering the iron curtain of secrecy, the bulletin, with minor exceptions, merely implemented existing REA practices in writing.

Perhaps the most determining argument in support of tighter congressional control over REA through the Appropriations Committee is the secrecy which surrounds the program. Today, secrecy stands between REA and what should be effective congressional financial control. Once having received its annual appropriation from Congress, REA conducts its lending activities in complete secrecy—not only from the Congress, but from the public and other interested parties who may be directly affected by its activities.

### QUESTION OF CRITERIA

Two of the criteria which REA uses in approving G. & T. loans are the cost of power and adequacy of service. To ascertain the necessary facts upon which to base a decision, REA needs the best possible alternative offer from existing suppliers, public or private, in the area of a proposed G. & T. system. Unless existing power suppliers know what they are bidding on—i.e., the future plans and needs of the borrower—they cannot adequately present their own case for providing additional facilities to serve borrowers' needs. If the best alternatives cannot be presented by existing suppliers because of their inability to obtain enough facts to prepare their offer, then REA may be guilty of making an unnecessary loan as it is not comparing the proposed generating loan with the best alternative.

This raises the entire question of how the Administrator can honestly and accurately comply with his own criteria to measure the need for a G. & T. loan unless adequate information is made available to existing suppliers so they can make their best offer based on up-to-date, accurate information on their customers' needs. How can the Administrator in all candor approve a G. & T. loan application and spend the taxpayers' money when he is comparing a G. & T. application with alternatives drafted without knowledge of all the facts?

This raises further questions as to why REA conducts its program in secrecy from Congress and the public, the answers to which are not too difficult. Once secrecy is removed from REA's operations, it would become obvious both to Congress and the public that REA's generation and transmission program is, for the most part, wholly unnecessary and, in many cases, uneconomic and unsound.

Our Nation today is served by a power system unmatched and unparalleled anywhere in the world. There is an abundance of power available to meet the country's present and future needs. The average cost of electricity to the electric consumer has been steadily decreasing over the years.

In view of these accomplished facts, there is little or no excuse for REA to spend tax money for financing separate power systems for its borrowers. This is an uneconomic approach from the standpoint of both the REA borrowers and the public and, therefore, contrary to the best interests of the people.

REA is now in its 27th year. As local distribution borrowers repay their 35-year loans to the Federal Government, REA loses the led in its mortgage and loan contract with its borrowers. As long as a local borrower is in debt to the Federal Government, the REA control over their activities which is embod- Administrator maintains such rights as the veto power over a borrower's choice of manager and attorney, and the right to maintain an exclusive banker's position by refusing to permit the borrower to obtain expansion funds elsewhere. Once the Federal debt has been retired, however, the borrower is free to conduct his business independently as a cooperative should.

Thus, when REA approves a G. & T. loan for a group of distribution borrowers, these cooperatives become indebted to the Federal Government and come under the Federal Government's control for another 35 years. Once a group of cooperatives construct their own G. & T. system and take on a utility responsibility for their own power supply, normal load growth (a co-op doubles its load every 7 years) requires periodic expansion of facilities, thereby increasing the borrower's debt to REA. Thus, borrowers soon find themselves indebted to the Federal Government for an indefinite future. REA's strict contractual control over its borrowers makes this agency as much of a Federal power agency as TVA or the Interior Department.

### CONGRESS CONTROLS ONLY FUNDS

This is another important reason why Congress should take greater control over the REA program. As an elected body, Congress represents the best interest of the people themselves, while REA, as a Federal bureaucracy, is primarily motivated by its own selfish interests—those of agency growth, prestige, and self-perpetuation of its existence.

Congress today has virtually no control over the REA program with the exception that it makes a lump sum appropriation available to this agency for loans each year. Under the Constitution, Congress is given responsibility to maintain control over the Government purse strings. When Congress authorizes expenditures for an executive agency without knowledge of how the money is to be used, Congress, in effect, is automatically transferring its responsibility to the executive branch of the Government.

There is no question that the REA Administrator, under the law, should and does have the authority to study, recommend, and approve REA loans, but this does not supersede Congress' authority to decide how Federal funds—including REA's—should be spent. The Bureau of Reclamation, for example, has blanket authority to construct projects which it finds financially feasible. Congress, however, will not permit the Bureau to spend money except on projects that it specifically approves each year in appropriation acts. Reclamation also gets lump sum appropriations, but how the money is to be used is specifically set forth by Congress in the reports of the Appropriations Committees.

A further reason that Congress, through the Appropriations Committees, should have the authority of approving the use of REA funds—at least for major G. & T. projects costing over a certain amount—is that the purpose of the REA program is no longer one of constructing distribution systems to provide electricity to farms and other rural customers in unserved areas. The major share of REA's money is now being loaned to put REA permanently and completely in the power business—by constructing generating plants and transmission systems to serve customers and areas that are already receiving central station electric service in adequate amounts at reasonable prices.

Because of this changed policy the REA power program is becoming the largest spender of all the Federal power programs financed by the taxpayers. In fiscal year 1963, REA estimates it will be spending more money for generation and transmission system ($260 to $275 million) than either the Corps of Engineers ($238.8 million) or the Bureau of Reclamation ($185.2 million) have requested for their multiple-purpose power programs.

For many years REA has been a sort of "sacred cow" in Congress. Each time legislation has been introduced which would, in any way, limit the powers of REA, those brave enough to introduce or support such legislation have been denounced by cooperative lobbyists as "antifarmer" and even "anti-American." But this is changing rapidly. Events during the latest session of Congress have indicated an increasing awareness and concern of Members over REA actions in recent months. An amendment which I introduced to the agriculture appropriations bill this year to limit the amount of funds to be loaned for generation and transmission facilities received bipartisan support even though it lost by a vote of 133–94. The fact that Members would actively oppose REA's present administration of this program and stand up and be counted is, to me, a real step toward finding a solution to this problem.

Prior to this vote, during consideration of the REA appropriations request before the House Appropriations Committee, I proposed an amendment that would require the Budget Bureau in presenting REA's program for fiscal year 1964 to itemize and justify in detail all G. & T. projects costing more than $5 million. This would have given the Appropriations Committee an opportunity to consider the REA construction program in the same way that it considers the power programs of the Bureau of Reclamation and the Corps of Engineers. The voting on this suggestion of mine, although defeated by a narrow margin of three votes in the House Appropriations Committee, indicated an increased willingness on the part of members to recognize the seriousness of the present trend in REA's policy.

A requirement of this nature would not deprive one single cooperative, or one single rural consumer, of electric power, nor would it create in any way a power shortage among cooperatives. It would not increase the cost of power to any cooperative. It would not in any manner reduce the amount of loan funds available to rural electric cooperatives. It would not impair the security of a single cooperative.

What such a requirement would do is to bring the REA program more closely into line with the intent and purpose of the Rural Electrification Act and to give Congress some semblance of control over this agency. In addition, the REA Administrator might be a little more careful of the manner in which he conducts some of his activities. Without any checks and balances, he has a clear field.

Presentation of this information to the Appropriations Committees of Congress would in no way infringe upon the authority of the Administrator to make loans. It would, however, give Congress the needed information to specifically approve appropriations for this agency. Congress has a right to this information and it has a responsibility to the taxpayers of assuring them that their elected Representatives still have control over Government spending. At present, insofar as REA is concerned, Congress has the responsibility, but not the control.

"Irresponsible bureaucracy can be made responsible most quickly through financial control. The legislature is the logical agency to exercise it."

## A View From Capitol Hill—An Article on the Role of Junior Colleges by Representative Edith Green, of Oregon

EXTENSION OF REMARKS

OF

### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 10, 1963*

Mr. BRADEMAS. Mr. Speaker, I am pleased to include in the CONGRESSIONAL RECORD an excellent commentary on the implications of Federal legislation affecting junior colleges by our distinguished colleague and chairman of the Special Subcommittee on Education of the House Committee on Education and Labor, the Honorable EDITH GREEN, of Oregon.

The article entitled "A View From Capitol Hill," appears in the January 1963 issue of Junior College Journal, a publication of the American Association of Junior Colleges.

The article follows:

A VIEW FROM CAPITOL HILL

(By Representative EDITH GREEN, of Oregon)

It seems evident that junior colleges stand on the threshold of their greatest period of service to higher education in our country.

We know that last fall 4.1 million students enrolled in degree-credit courses in colleges and universities across the Nation, and that by 1970 this number will rise to 7 million. It is obvious that junior colleges must provide for an increasing share of the college population if these 3 million additional students are to obtain a higher education.

At the same time, our modern society demands an increasing number of semiprofessional technicians trained at a level below the baccalaureate degree. Here, too, it is obvious that junior colleges have the opportunity to supply the semiprofessional training so greatly in demand.

How can, or how will, the junior colleges meet these twin challenges? I know that there is considerable discussion of the major function of the junior college. Should it concentrate on the 2-year terminal student, or on the transfer student working toward a baccalaureate degree? I believe that there is room for—and certainly need for—both types of junior colleges, or both types of courses in the same institution, if it possesses the resources, in funds and in faculty, to provide them.

With the growing pressures upon junior colleges for a rapid expansion in two directions, I should like to inject a note of caution. It seems to me that the junior colleges can render the most valuable service to education by emphasizing quality in whichever courses they decide to provide.

The Members of Congress, I am sure, will want to be certain that Federal funds will in no way help to perpetuate mediocrity in either a 2-year or a 4-year institution.

The junior college would have little reason for existence if it could not offer education beyond the level of a good high school, since it then would be merely stretching out a secondary education. While growing in size, it cannot grow in stature without careful attention to the quality of its faculty and its curriculum.

In recent years, we have witnessed a greater public interest in junior colleges, and indeed in all higher education. This has been reflected in the number of bills introduced, and also in the increased amount of Federal support for higher education, especially in the sciences and particularly at the graduate level.

I think it inevitable that Federal assistance to higher education will increase in the future. I would hope that the new Congress can be convinced of the urgent need for financial assistance in constructing academic facilities and will enact legislation in 1963. It was encouraging to us in the last Congress that all major higher education organizations, including the American Association of Junior Colleges, united in support of the college academic facilities bill. As the new year begins, the need for additional college classrooms, laboratories, and libraries has not diminished.

I believe it is accurate to say that there is a particular interest among Members of Congress in junior colleges as the avenue for providing higher education at the least cost for our rapidly growing student population. If any higher education legislation is enacted—and I am optimistic that it will be—it most certainly will include junior colleges.

Junior colleges may look for further support through the National Defense Education Act. The National Defense Education Act has demonstrated its worth in improving both secondary and higher education in some areas. But the National Defense Education Act has gaps which should be closed, and I would hope that the Congress would be receptive to changes in this act in 1963.

As mentioned earlier, the demands of the space age require an increasing level of education. This means not only more education for large numbers of our young people—and older, too—but a higher degree of education in our complex professions.

The Federal Government has provided support—often quite generous—for advanced graduate work, mainly in the scientific fields. It seems to me that the national interest requires that more support be given to higher education at the undergraduate level in all fields—if we are to maintain our educational advance. The process may be gradual, but I think it is inevitable.

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# HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 14, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 4: 2: *It is required of stewards that they be found faithful.*

O Thou God of all grace and goodness, at this noon hour, we are again entering the sacred retreat of prayer, earnestly beseeching Thee that our minds and hearts may be the sanctuaries of Thy light and truth.

Grant that in these early days of the New Year we may be delivered from all feelings of fear and foreboding and be strengthened to go forth faithfully on the path of duty, trusting in the Lord.

Show us how we may implement with wisdom and understanding those lofty principles of democracy which the founders of our Republic cherished and clung to with ever-increasing tenacity of confidence and courage.

We pray that Thou wilt manifest Thy special favor unto our President, our Speaker, and the Members of Congress, inspiring them to make great adventures of faith and fidelity as they encounter the heavy responsibilities of their high vocation.

In Christ's name we offer our prayer. Amen.

## THE JOURNAL

The Journal of the proceedings of Thursday, January 10, 1963, was read and approved.

## RECESS

The SPEAKER. The Chair declares the House in recess at this time subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes p.m.) the House stood in recess subject to the call of the Chair.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 19 minutes p.m.

## JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 1 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided.

The Doorkeeper announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints as members of the committee to escort the President of the United States into Chamber: the gentleman from Oklahoma [Mr. ALBERT], the gentleman from Louisiana [Mr. BOGGS], the gentleman from Pennsylvania [Mr. WALTER], the gentleman from Indiana [Mr. HALLECK], and the gentleman from Wisconsin [Mr. BYRNES].

The VICE PRESIDENT. On the part of the Senate the Chair appoints as members of the committee of escort the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Florida [Mr. SMATHERS], the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. HICKENLOOPER].

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 31 minutes p.m. the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk. [Applause, the Members rising.]

**The SPEAKER.** Members of the Congress, I have the great pleasure, the highest privilege, and the distinguished honor of presenting to you the President of the United States. [Applause, the Members rising.]

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## THE STATE OF THE UNION—ADDRESS OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 1)

**The PRESIDENT.** Mr. Vice President, Mr. Speaker, Members of the 88th Congress, I congratulate you all—not merely on your electoral victory but on your selected role in history. For you and I are privileged to serve the great Republic in what could be the most decisive decade of its life. The choices we make, for good or ill, will affect the welfare of generations yet unborn.

Little more than a hundred weeks ago I assumed the office of President of the United States. In seeking the help of the Congress and my countrymen, I pledged no easy answers. I pledged—and asked—only toil and dedication. These the Congress and the people have given in good measure. And today, having witnessed in recent months a heightened respect for our national purpose and power—having seen the courageous calm of a united people in a perilous hour—and having observed a steady improvement in the opportunities and well-being of our citizens—I can report to you that the state of this old but youthful Union is good. [Applause.]

In the world beyond our borders, steady progress has been made in building a world of order. The people of West Berlin remain free and secure. A settlement, though still precarious, has been reached in Laos. The spearpoint of aggression has been blunted in South Vietnam. The end of agony may be in sight in the Congo. The doctrine of troika is dead. And, while danger continues, a deadly threat has been removed from Cuba. [Applause.]

At home, the recession is behind us. Well over a million more men and women are working today than were working 2 years ago. The average factory workweek is once again more than 40 hours; our industries are turning out more goods than ever before; and more than half of the manufacturing capacity that lay silent and wasted 100 weeks ago is humming with activity.

In short, both at home and abroad, there may now be a temptation to relax. For the road has been long, the burden heavy, and the pace consistently urgent.

But we cannot be satisfied to rest here. This is the side of the hill, not the top. The mere absence of war is not peace. The mere absence of recession is not growth. We have made a beginning—but we have only begun.

Now the time has come to make the most of our gains—to translate the renewal of our national strength into the achievement of our national purpose.

### II

America has enjoyed 22 months of uninterrupted economic recovery. But recovery is not enough. If we are to prevail in the long run, we must expand the longrun strength of our economy. We must move along the path to a higher rate of growth and full employment.

For this would mean tens of billions of dollars more each year in production, profits, wages, and public revenues. It would mean an end to the persistent slack which has kept unemployment at or above 5 percent for 61 out of 62 months—and an end to the growing pressures for such restrictive measures as the 35-hour week, which alone could increase hourly labor costs by as much as 14 percent, start a new wage-price spiral of inflation, and undercut our efforts to compete with other nations.

To achieve these greater gains, one step, above all, is essential—the enactment this year of a substantial reduction and revision in Federal income taxes. [Applause.]

For it is increasingly clear—to those in Government, business, and labor who are responsible for our economy's success—that our obsolete tax system exerts too heavy a drag on private purchasing power, profits, and employment. Designed to check inflation in earlier years, it now checks growth instead. It discourages extra effort and risk. It distorts the use of resources. It invites recurrent recessions, depresses our Federal revenues, and causes chronic budget deficits.

Now, when the inflationary pressures of the war and postwar years no longer threaten, and the dollar commands new respect—now, when no military crisis strains our resources—now is the time to act. We cannot afford to be timid or slow. For this is the most urgent task confronting the Congress in 1963.

In an early message, I shall propose a permanent reduction in tax rates which will lower liabilities by $13.5 billion. Of this, $11 billion results from reducing individual tax rates, which now range between 20 and 91 percent, to a more sensible range of 14 to 65 percent with a split in the present first bracket. Two and one-half billion dollars results from reducing corporate tax rates, from 52 percent—which gives the Government today a majority interest in profits—to the permanent pre-Korean level of 47 percent. This is in addition to the more than $2 billion cut in corporate tax liabilities resulting from last year's investment credit and depreciation reform.

To achieve this reduction within the limits of a manageable budgetary deficit, I urge: first, that these cuts be phased over 3 calendar years, beginning in 1963 with a cut of some $6 billion at annual rates; second, that these reductions be coupled with selected structural changes, beginning in 1964, which will broaden the tax base, end unfair or unnecessary preferences, remove or lighten certain hardships, and in the net offset some $3.5 billion of the revenue loss; and third, that budgetary receipts at the outset be increased by $1.5 billion a year, without any change in tax liabilities, by gradually shifting the tax payments of large corporations to a more current time schedule. This combined program, by increasing the amount of our national income, will in time result in still higher Federal revenues. It is a fiscally responsible program—the surest and soundest way of achieving in time a balanced budget in a balanced full employment economy.

This net reduction in tax liabilities of $10 billion will increase the purchasing power of American families and business enterprises in every tax bracket, with the greatest increase going to our low-income consumers. It will, in addition, encourage the initiative and risk taking on which our free enterprise system depends—induce more investment, production, and capacity use—help provide the 2 million new jobs we need every year—and reinforce the American principle of additional reward for additional effort.

I do not say that a measure for tax reduction and reform is the only way to achieve these goals.

No doubt a massive increase in Federal spending could also create jobs and growth—but, in today's setting, private consumers, employers, and investors should be given a full opportunity first.

No doubt a temporary tax cut could provide a spur to our economy—but a longrun problem compels a longrun solution.

No doubt a reduction in either individual or corporation taxes alone would be of great help—but corporations need customers and jobseekers need jobs.

No doubt tax reduction without reform would sound simpler and more attractive to many—but our growth is also hampered by a host of tax inequities and special preferences which have distorted the flow of investment.

And, finally, there are no doubt some who would prefer to put off a tax cut in the hope that ultimately an end to the cold war would make possible an equivalent reduction in Government expenditures—but that end is not in view and to wait for it would be costly and self-defeating.

In submitting a tax program which will, of course, temporarily increase the deficit but can, I believe, ultimately end it—and in recognition of the need to control expenditures—I will shortly submit a fiscal 1964 administrative budget which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level.

This requires the reduction or postponement of many desirable programs—the absorption of a large part of last year's Federal pay raise through personnel and other economies—the termination of certain installations and projects—and the substitution in several programs of private for public credit. But I am convinced that the enactment this year of tax reduction and tax reform overshadows all other domestic problems in this Congress. For we cannot lead for long the cause of peace and freedom, if we ever cease to set the pace at home.

III

Tax reduction alone, however, is not enough to strengthen our society, to provide opportunities for the 4 million new Americans who are born every year, to improve the lives of the 32 million Americans who still live on the outskirts of poverty.

The quality of American life must keep pace with the quantity of American goods.

This country cannot afford to be materially rich and spiritually desperately poor.

Therefore, by holding down the budgetary cost of existing programs to keep within the limitations I have set, it is both possible and imperative to adopt other new measures that we cannot afford to postpone.

These measures are based on a series of fundamental premises, grouped under four related headings:

First, we need to strengthen our Nation by investing in our youth:

The future of any country which is dependent on the will and wisdom of its citizens is damaged, and irreparably damaged, whenever any of its children are not educated to the fullest extent of his capacity, from grade school through graduate school. Today, an estimated 4 out of every 10 students in the fifth grade will never finish high school—and that is a waste we cannot afford.

In addition, there is no reason why 1 million young Americans, out of school and out of work, should all remain unwanted and often untrained on our city streets when their energies can be put to good use.

Finally, the oversea success of our Peace Corps volunteers, most of them young men and women carrying skills and ideals to needy people, suggests the merit of a similar corps serving our own community needs: in mental hospitals, on Indian reservations, in centers for the aged or for young delinquents, in schools for the illiterate or the handicapped. As the idealism of our youth has served world peace, so can it serve the domestic tranquility. [Applause.]

Second, we need to strengthen our Nation by safeguarding its health:

Our working men and women—instead of being forced to ask for help from public charity once they are old and ill—should start contributing now to their own retirement health program through the social security system. [Applause.]

Moreover, all our miracles of medical research will count for little if we cannot reverse the growing nationwide shortage of doctors, dentists, and nurses, and the widespread shortages of nursing homes and modern urban hospital facilities. Merely to keep the present ratio of doctors and dentists from declining any further, this country must over the next 10 years increase the capacity of our medical schools by 50 percent and our dental schools by 100 percent.

Finally, and of deep concern, I believe that the abandonment of the mentally ill and the mentally retarded to the grim mercy of custodial institutions too often inflicts on them and their families a needless cruelty which this Nation should not endure. The incidence of mental retardation in the United States of America is three times as high as that of Sweden, for example—and that figure can and must be reduced.

Third, we need to strengthen our Nation by protecting the basic rights of its citizens:

The right to competent counsel must be assured to every man accused of crime in Federal court, regardless of his means. [Applause.]

And the most precious and powerful right in the world, the right to vote in a free American election, must not be denied to any citizen on grounds of his race or his color. [Applause.]

I wish that all qualified Americans permitted to vote were willing to vote—but surely, in this centennial year of the Emancipation, all those who are willing to vote should always be permitted.

Fourth, we need to strengthen our Nation by making the best and the most economical use of its resources and facilities:

Our economic health depends on having healthy transportation arteries; and I believe the way to a more modern, economical choice of national transportation service is through increased competition and decreased regulation. Local mass transit, faring even worse, is as essential a community service as highways. Nearly three-fourths of our citizens live in urban areas, which occupy only 2 percent of our land—and if local transit is to survive and relieve the congestion of these cities, it needs Federal stimulation and assistance.

Next, this Government is in the storage and stockpile business to the melancholy tune of $16 billion. We must continue to support farm income, but we should not pile more farm surpluses on top of the $7.5 billion worth we already own. We must maintain a stockpile of strategic materials, but the $8.5 billion worth we have acquired—for reasons both good and bad—is much more than we need; and we should be empowered to dispose of the excess in ways which will not cause market disruption.

Finally, our already overcrowded national parks and recreation areas will have twice as many visitors 10 years from now. If we do not plan today for the future growth of these and other great natural assets—not only parks and forests but wildlife and wilderness preserves, and water projects of all kinds—our children and their children will be poorer in every sense of the word. Proposals will be made to the Congress in the coming days to meet these challenges.

These are not domestic concerns alone. For upon our achievement of greater vitality and strength at home hang our fate and future in the world—our ability to sustain and supply the security of free men and nations—our ability to command their respect for our leadership—our ability to expand our trade without threat to our balance of payments—and our ability to adjust to the changing demands of cold war competition and challenge.

We shall be judged more by what we do at home than what we preach abroad. Nothing we could do to help the developing countries would help them half as much as a booming American economy, which consumes their raw materials. And nothing our opponents could do to encourage their own ambitions would encourage them half so much as a lagging U.S. economy. These domestic tasks do not divert our energy from our security—they provide the very foundation for freedom's survival and success.

IV

Turning to the world outside, it was only a few years ago—in southeast Asia, Africa, Eastern Europe, Latin America, even in outer space—that communism sought to convey the image of a unified, confident and expanding empire, closing in on a sluggish America and a free world in disarray. But few people would hold to that picture today.

In these past months, we have reaffirmed the scientific and military superiority of freedom. We have doubled our efforts in space, to assure us of being first in the future. We have undertaken the most far reaching defense improvements in the peacetime history of this country. And we have maintained the frontiers of freedom from Vietnam to West Berlin.

But complacency or self-congratulation can imperil our security as much as the weapons of our adversary. A moment of pause is not a promise of peace. Dangerous problems remain from Cuba to the South China Sea. The world's prognosis prescribes not a year's vacation, but a year of obligation and opportunity.

Four special avenues of opportunity stand out: The Atlantic Alliance, the developing nations, the new Sino-Soviet difficulties, and the search for worldwide peace.

V

First, how fares the grand alliance? Free Europe is entering into a new phase of its long and brilliant history. The era of colonial expansion has passed; the era of national rivalries is fading; and a new era of interdependence and unity is taking shape. Defying the old prophecies of Marx, consenting to what no conqueror could ever compel, the free nations of Europe are moving toward a unity of purpose and power and policy in every sphere of activity.

For 17 years this movement has had our consistent support, both political and economic. Far from resenting the new Europe, we regard her as a welcome partner, not a rival. For the road to world peace and freedom is still very long, and there are burdens which only full partners can share—in supporting the common defense, in expanding world trade, in alining our balance of payments, in aiding the emergent nations, in concerting political and economic policies, and in welcoming to our common effort other industrialized nations, notably Japan, whose remarkable economic and political development of the 1950's permits it now to play on the world scene a major constructive role.

No doubt differences of opinion will continue to get more attention than agreements on action, as Europe moves from independence to more formal interdependence. But these are honest differences among honorable associates—more real and frequent, in fact, among our Western European Allies than between them and the United States. For the unity of freedom has never relied on uniformity of opinion fortunately. But the basic agreement of this Alliance on fundamental issues continues.

The first task of the Alliance remains the common defense. Last month Prime Minister Macmillan and I laid plans for a new stage in our long cooperative effort, one which aims to assist in the wider task of framing a common nuclear defense for the whole alliance.

The Nassau agreement recognizes that the security of the West is indivisible, and so must be our defense. But it also recognizes that this is an alliance of proud and sovereign nations, and works best when we do not forget it. It recognizes further that the nuclear defense of the West is not a matter for the present nuclear powers alone—that France will be such a power in the future—and that ways must be found without increasing the hazards of nuclear diffusion, to increase the role of our other partners in planning, manning, and directing a truly multilateral nuclear force within an increasingly intimate NATO alliance. Finally, the Nassau agreement recognizes that nuclear defense is not enough—that the agreed NATO levels of conventional strength must be met—and that the NATO alliance cannot afford to be in a position of having to answer every threat with nuclear weapons or nothing.

We remain too near the Nassau decisions, and too far from their final realization, to know their final place in history. But I believe that, for the first time, the door is open for the nuclear defense of the alliance to become a source of confidence, instead of a cause of contention.

The next most pressing concern of the alliance is our common economic goals of trade and growth. This Nation continues to be concerned about its balance-of-payments deficit, which, despite its decline, remains a stubborn and troublesome problem. We believe, moreover, that closer economic ties among all free nations are essential to prosperity and peace. And neither we nor the members of the Common Market are so affluent that we can long afford to shelter high cost farms or factories from the winds of foreign competition, or to restrict the channels of trade with other nations of the free world. If the Common Market should now move toward protectionism and restrictionism, it would undermine its own basic principles. This Government means to use the authority conferred on it last year by the Congress to encourage trade expansion on both sides of the Atlantic and around the world.

VI

Second, what of the developing and nonalined nations? They were shocked by the Soviets' sudden and secret attempt to transform Cuba into a nuclear striking base—and by Communist China's arrogant invasion of India. They have been reassured by our prompt assistance to India, by our support through the United Nations of the Congo's unification, by our patient search for disarmament, and by the improvement in our treatment of citizens and visitors whose skins do not happen to be white. And as the older colonialism recedes, and the neocolonialism of the Communist powers stands out more starkly than ever, they realize more clearly that the issue in the world struggle is not communism versus capitalism, but coercion versus free choice.

They realize that the longing for independence is the same the world over, whether it is the independence of West Berlin or Vietnam. They realize that such independence runs athwart all Communist ambitions but is in keeping with our own—and that our approach to their needs is resilient and resourceful, while the Communists rely on ancient doctrines and old dogmas.

Nevertheless it is hard for any nation to focus on an external or subversive threat to its independence when its energies are drained in daily combat with the forces of poverty and despair. It makes little sense for us to assail, in speeches and resolutions, the horrors of communism, to spend $50 billion a year to prevent its military advance—and then to begrudge spending, largely on American products, less than one-tenth of that amount to help other nations strengthen their independence and cure the social chaos in which communism always has thrived.

I am proud—and I think most Americans are proud—of a mutual defense and assistance program, evolved with bipartisan support in three administrations, which has, with all of its recognized problems, contributed to the fact that not a single one of the nearly 50 U.N. members to gain independence since the Second World War has succumbed to Communist control. [Applause.]

I am proud of a program and of a country that has helped to arm and feed and clothe millions of people on the front lines of freedom.

I am especially proud that this country has put forward for the 1960's a vast cooperative effort to achieve economic growth and social progress throughout the Americas—the Alliance for Progress. [Applause.]

I do not underestimate the difficulties that we face in this mutual effort among our close neighbors, but the free states of this hemisphere, working in close collaboration, have begun to make this Alliance a reality. Today it is feeding one out of every four school-age children in Latin America an extra food ration from our farm surplus. It has distributed 1.5 million schoolbooks and is building 17,000 classrooms. It has helped resettle tens of thousands of farm families on land they can call their own. It is stimulating our good neighbors to more self-help and reform—fiscal, social, institutional, and land reforms. It is bringing housing and hope, and health to millions who were previously forgotten. The men and women of this hemisphere know that the Alliance would not succeed if it were only another name for U.S. handouts—that it can succeed only as the Latin American nations themselves devote their best effort to fulfilling its goals.

The story is the same in Africa, in the Middle East, in Asia. Wherever nations are willing to help themselves, we stand ready to help them build new bulwarks of freedom. We are not purchasing votes for the cold war; we have gone to the aid of imperiled nations, neutrals and allies alike. What we do ask—and all that we ask—is that our help be used to the best advantage, and that their own efforts not be diverted by needless quarrels with other independent nations.

Despite all its past achievements, the continued progress of the mutual assistance program requires a persistent discontent with present progress. We have been reorganizing this program to make it a more effective and efficient instrument—and that process will continue this year.

But free world development will still be an uphill struggle. Governmental aid can only supplement the role of private investment, trade expansion, and commodity stabilization, and, above all, internal self-improvement. The processes of growth are gradual—bearing fruit in a decade, not in a day. Our successes will neither be quick nor dramatic. But if these programs were ever to be ended, our failures in a dozen countries would be sudden and would be certain.

Neither money nor technical assistance, however, can be our only weapon against poverty. In the end, the crucial effort is one of purpose—requiring not only the fuel of finance but the torch of idealism. And nothing carries the spirit of American idealism and expresses our hopes better and more effectively to the far corners of the earth than the Peace Corps. [Applause.]

A year ago, less than 900 Peace Corps volunteers were on the job. A year from now they will number more than 9,000—men and women, aged 18 to 79, willing to give 2 years of their lives to helping people in other lands.

There are, in fact, nearly 1 million Americans serving their country and the cause of freedom in oversea posts, a record no other people can match. [Applause.] Surely those of us who stay at home should be glad to help indirectly; by supporting our aid programs; by opening our doors to foreign visitors and diplomats and students; and by proving, day by day, by deed as well as by word, that we are a just and generous people.

VII

Third, what comfort can we take from the increasing strains and tensions within the Communist bloc? Here hope must be tempered with caution. For the Soviet-Chinese disagreement is over means, not ends. A dispute over how to bury the West is no grounds for Western rejoicing.

Nevertheless, while a strain is not a fracture, it is clear that the forces of diversity are at work inside the Communist camp, despite all the iron disciplines of regimentation and all the iron dogmatisms of ideology. Marx is proven wrong once again: for it is the closed Communist societies, not the free and open societies, which carry within themselves the seeds of internal disintegration.

This disarray of the Communist empire has been heightened by two other formidable forces. One is the historic force of nationalism—and the yearning of all men to be free. The other is the gross inefficiency of their economies. For a closed society is not open to ideas of progress—and a police state finds it cannot command the grain to grow.

New nations asked to choose between two competing systems need only compare conditions in East and West Germany, Eastern, and Western Europe, North and South Vietnam. They need only compare the disillusionment of Communist Cuba with the promise of a hemisphere Alliance for Progress. And all the world knows that no successful system builds a wall to keep its people in and freedom out [applause]—and that the wall of shame dividing Berlin is a symbol of Communist failure.

VIII

Finally, what can we do to move from the present pause toward enduring peace? Again I would counsel caution. I foresee no spectacular reversal in Communist methods or goals. But if all these trends and developments can persuade the Soviet Union to walk the path of peace, then let her know that all free nations will join with her. But until that choice is made, and until the world can develop a reliable system of international security, the free peoples have no choice but to keep their arms near. [Applause.]

This country, therefore, continues to require the best defense in the world—a defense which is suited to the sixties. This means, unfortunately, a rising defense budget—for there is no substitute for adequate defense, and no "bargain basement" way of achieving it. It means the expenditure of more than $15 billion this year on nuclear weapons systems alone, a sum which is about equal to the combined defense budgets of our European Allies.

But it also means improved air and missile defenses, improved civil defense, a strengthened antiguerrilla capacity and flexible nonnuclear forces. For threats of massive retaliation may not deter piecemeal aggression—and a line of destroyers in a quarantine, or a division of well-equipped men on a border, may be more useful to our real security than the multiplication of awesome weapons beyond all rational need.

But our commitment to national safety is not a commitment to expand our Military Establishment indefinitely. We do not dismiss disarmament as an idle dream. For we believe that, in the end, it is the only way of assuring the security of all without impairing the interests of any. Nor do we mistake honorable negotiation for appeasement. While we shall never weary in the defense of freedom, neither shall we abandon the pursuit of peace. [Applause.]

In this quest, the United Nations requires our full and continued support. Its value in serving the cause of peace has been shown anew in its role in the West New Guinea settlement, in its use as a forum for the Cuban crisis, and in its task of unification in the Congo. Today the United Nations is primarily the protector of the small and the weak, and a safety valve for the strong. Tomorrow it can form the framework for a world of law—a world in which no nation dictates the destiny of another, and in which the vast resources now devoted to destructive means will serve constructive ends.

In short, let our adversaries choose. If they choose peaceful competition, they shall have it. If they come to realize that their ambitions cannot succeed—if they see that their "wars of liberation" and subversion will ultimately fail—if they recognize that there is more security in accepting inspection than in permitting new nations to master the black arts of nuclear weapons and war—and if they are willing to turn their energies, as we are, to the great unfinished tasks of our own peoples—then, surely, the areas of agreement can be very wide indeed: a clear understanding about Berlin, stability in southeast Asia, an end to nuclear testing, new checks on surprise or accidental attack, and, ultimately, general and complete disarmament. [Applause.]

IX

For we seek not the worldwide victory of one nation or system but a worldwide victory of men. The modern globe is too small, its weapons too destructive—they multiply too fast—and its disorders too contagious to permit any other kind of victory.

To achieve this end, the United States will continue to spend a greater portion of its national production than any other people in the free world. For 15 years no other free nation has demanded so much of itself. Through hot wars and cold, through recession and prosperity, through the ages of the atom and outer space, the American people have neither faltered nor has their faith flagged. If at times our actions seem to make life difficult for others, it is only because history has made life difficult for us all. [Applause.]

But difficult days need not be dark. I think these are proud and memorable days in the cause of peace and freedom. We are proud, for example, of Maj. Rudolf Anderson who gave his life over the island of Cuba. [Applause.] We salute Sp. James Allen Johnson who died on the border of South Korea. [Applause.] We pay honor to Sgt. Gerald Pendell who was killed in Vietnam. [Applause.] They are among the many who in this century, far from home, have died for our country. Our task now, and the task of all Americans, is to live up to their commitments.

My friends, I close on a note of hope. We are not lulled by the momentary calm of the sea or the somewhat clearer skies above. We know the turbulence that lies below, and the storms beyond the horizon this year. Now the winds of change appear to be blowing more strongly than ever, in the world of communism as well as our own. For 175 years we have sailed with those winds at our back, and with the tides of human freedom in our favor. We steer our ship with hope, as Thomas Jefferson said, "leaving Fear astern."

Today we still welcome those winds of change—and we have every reason to believe that our tide is running strong. With thanks to Almighty God for seeing us through a perilous passage, we ask His help anew in guiding the Good Ship Union. [Applause, Members rising.]

At 1 o'clock and 16 minutes p.m., the President, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

## JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 1 o'clock and 20 minutes p.m. the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

## REFERENCE OF PRESIDENT'S MESSAGE

Mr. ALBERT. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

## ADJOURNMENT TO THURSDAY, JANUARY 17, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of title 20, United States Code, sections 42 and 43, the Chair appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House: the gentleman from Missouri [Mr. CANNON], the gentleman from Ohio [Mr. KIRWAN], and the gentleman from Ohio [Mr. BOW].

## JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of title 42, United States Code, section 2251, the Chair appoints as members of the Joint Committee on Atomic Energy the following Members on the part of the House: the gentleman from California [Mr. HOLIFIELD], the gentleman from Illinois [Mr. PRICE], the gentleman from Colorado [Mr. ASPINALL], the gentleman from Texas [Mr. THOMAS], the gentleman from New Mexico [Mr. MORRIS], the gentleman from California [Mr. HOSMER], the gentleman from Massachusetts [Mr. BATES], and the gentleman from Washington [Mr. WESTLAND].

## WATER RESOURCE DEVELOPMENT ASSURED

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, it has been heartening to hear from our great President today a firm and resolute statement of his full support for "water projects of all kinds."

Without these vital programs to conserve and develop our water resources, thus providing for the country's future growth and requirements, our children and their children will indeed, in the President's own words, "be poorer in every sense of the word."

In Oklahoma and the great Southwest, where the development of the full potential of our great rivers has been neglected until the past decade, the President's strong words come as welcome reassurance for the future.

It is good to know that in the administration's commendable efforts to effect savings and cutbacks in certain areas of Government activity, our vital water resource development projects will not be targets.

For those of us who have labored for years to advance the Arkansas River multipurpose navigation program, these are welcome words indeed.

## THE PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I think it is unfortunate to healthy public debate that copies of the President's state of the Union message were not made available to the Members of the Congress at the time of delivery so that they could follow with greater care what he had to say. The members of the press, it is to be noted, were given advance copies; in fact the press had copies in advance of the meeting of the Congress as I was called by one newspaperman for comments on the parts of the message which had to do with fiscal matters. The newsman paraphrased what was in the speech so I was able to comment.

It is unfortunate that the House adjourned over immediately after the President's speech until Thursday, effectively preventing Members who might wish to use the forum of the Congress to comment upon the speech from doing so. My comments here, perforce, are mere insertions in the RECORD.

Does the Democratic Party wish to have healthy public debate on the issues that face our country, or not? So many decisions within the power of the President and the congressional leaders to make, have been made, like this seemingly small one of adjourning the House over until Thursday, to thwart public debate that it seems they seek to avoid debate. This is becoming an issue which the people themselves must take into consideration at the next election.

The failure of the Democratic leaders of the House just last Wednesday to even permit the Republican amendments to the rules of the House to be debated and considered is an indication of their fear of forthright public debate. Such was their fear that many of the Democratic Members who were sponsoring changes to the rules of the House themselves and indeed had pledged certain groups that they would try to obtain their enactment went on record voting down the previous question which was the only way any amendments to the rules could be offered for debate and adoption. Only 7 of the 257 Democratic Members of this Congress voted to open discussion and debate or to permit amendments to the rules to be offered.

Two of the Republican proposed reforms are the essence of fairplay. Without these reforms healthy public debate is badly hampered. The first reform merely gives the loyal opposition, the Republicans, sufficient staff so that they can do the necessary study and preparation on the issues of the day. The amendment proposed that 40 percent of the personnel of the committee staffs be under their jurisdiction. As it is, the ratio is about 9 to 1, not 3 to 2, which is the ratio of Democrat House Members to Republicans, in this Congress.

The second reform provides that half the time for debate on conference reports where increasingly the issues of the day are drawn, be given to the Republicans. As it is, the Democrats under the rules of the House can take the entire time, granting no time at all to the Republicans. If time is granted, it is usually done piecemeal without the Republicans being permitted to schedule their own speakers. The very debate on the adoption of the rules last Wednesday followed this unfair tactic. The gentleman from Oklahoma, Congressman ALBERT, had control of all the time. It was he who selected which Republicans he would yield to and when. He controlled the debate. The fair thing to have done was to have immediately granted half the time to the gentleman from Indiana, Congressman HALLECK, the minority leader, and permitted the loyal opposition to apportion out their own time. Of course, the rules provided that the gentleman from Oklahoma, Congressman ALBERT, did not have to grant time to any Republican. To the extent that he did grant time he was generous.

I have only a few comments at this time to make about the President's message. It followed the partisan approach which we have come to expect in all his messages. All bad things occurred before he took office. All good things have occurred since then. Of course, this is not true and so it leaves to each person to try to figure out for himself what parts are true, what are false and what are honest differences of opinion.

This unnecessary partisan approach makes it difficult to point out the areas where the loyal opposition agrees with the President and where its members will support the programs he advocates. It makes it difficult also to point out the reasons for disagreement where honest disagreement exists.

In the area of tax reform I am in considerable agreement. Indeed many of us have been advocating reforms of this nature for years, running into considerable criticism from many of the top leaders of the Democratic Party, I might add.

However, many of us have been trying to point out that in today's climate of deficit financing and balance of payments problems, expenditure reform is necessary before we can consider tax reform. The President has said that there will be expenditure reform, yet it is downgraded is his message, just as the press has been downgrading it ever since the issue in respect to tax reform has received national attention.

In this light we must wait to see whether the President is truly serious in saying that he proposes a cut in nondefense expenditures or to hold them to the level of the previous year. Certainly many of the new programs he advocates in his message will cost money. In light of a 150,000 increase in Federal employment since he took office—primarily in nondefense areas—it becomes necessary to see if he truly means that Federal employment will be cut back, or at least held to its present high level.

I point to a sinister note in the President's speech. He says:

> No doubt a massive increase in Federal spending could also create jobs and growth, but in today's setting, private consumers, employers and investors should be given a full opportunity first.

What does the word "first" mean? That if the private enterprise system shackled as it still is with the Government programs and restrictions placed upon it over the past decades does not respond as President Kennedy prescribes we will then have a heavier dose of Federal spending?

I challenge the President's statement that a massive increase in Federal spending could either create jobs, that is real jobs, and growth. This is the pipedream of those who believe in socialism, not those who believe in the system of private individuals working and cooperating with each other under a system of government which insures these and other basic human freedoms.

The President may have no doubt about the feasibility of government creating jobs and growth, but I am certain that there are many Americans who have serious doubts on this score and want the opportunity to have full and fair debate on this subject before our country is moved further along this path.

## NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, lest we forget the effective leadership being provided the cause of freedom by leaders in exile of various Communist enslaved nations, I direct to the attention of the Members of the House the New Year's speech by the President of the Republic of Poland in London, January 6, 1963. In his annual address, H. E. August Zaleski, President of the Republic of Poland, addressed members of the Polish Government-in-Exile and representatives of Polish organizations, in a message which has tremendous impact not only for the people of Poland but also for supporters of freedom throughout the world.

Mr. Zaleski's address follows:

### New Year's Speech by H. E. August Zaleski, the President of the Republic of Poland, London, January 6, 1963

Making our usual annual survey of the global political situation and that of our native country in particular, we cannot but be struck above all by the great complications and difficulties now current in the whole world.

The regime ruling Poland by grace of Russia has unequivocally admitted the existence of a serious economic crisis and summoned the population still further to tighten its belts. This outcome of the 18-year-long Communist husbandry in Poland probably leaves no room for doubt regarding the practical worth of the Marxist doctrine in its Russian version, the more so that after its application in Russia and her colonies for over 40 years, the results attained there are no better than in Poland.

The new Russian dictator is making a second attempt to improve the situation by changes in the organization of economic life. He first sought improvement by decentralizing the administration. Now he seeks it by removing economic life from the competence of the Government and handing it over to the Communist Party direct. But he evidently has not overmuch confidence in this new scheme of organization, for he recommended imitation of some unspecified methods applied by the capitalist world. The leader of Polish communism obediently repeated this injunction of his masters.

It would be interesting to know whether both these leaders of communism realize such a recommendation implies admitting the bankruptcy of the ideology in which they believe. But the reiteration of ideas proclaimed in Moscow is not the only domain in which Russian influences in Poland are felt. The economic plan imposed by Russia not only dictates what Poland is to produce; it also enables Russia to dispose of the commodities produced by Poland. On Russia's orders the regime is forced to deliver them to the markets indicated by her. And even when it exports to markets most advantageous for Polish economy, the foreign currencies secured thereby must often be handed over to Russia for disposal.

News received from Warsaw brings out the fact that the Soviet Ambassador is ever more clearly assuming the role of a kind of governor-general whose will is decisive for the policies of the Communist regime in Poland. Although the authorities of this regime, with loyalty to Moscow worthy of better cause, strive to hide this state of affairs from the population, their activities are often so obviously to the detriment of Poland that such concealment becomes impossible.

One of these activities is the prolonged propagation of the Rapacki plan, the prime aim of which is to extend Russia's sphere of influence, as fixed at Yalta, as far as the Rhine. Though it may be argued that the disarmament of Germany is to Poland's interest, it is indubitable that moving the frontier of the Western Powers some hundreds of miles farther away from Poland will serve to keep our native land dependent on Russia, despite the alleged neutralization of the very broad zone suggested in the Rapacki plan.

Considering the fact that the invasion of Poland in 1939 was effected by Nazi Germany in alliance with Communist Russia, it is not excluded that Communist Russia may come to an understanding with neutral Germany at the price of uniting the German Federal Republic with the German Democratic Republic and revising Poland's western frontiers.

There can be no doubt that West Germany as part of a United Europe and backed by the United States is certainly less dangerous for Poland.

A fresh example of the activities conducted by the Communist regime in Poland on behalf of Russia is afforded by the efforts of the so-called regime Catholics to bring about diplomatic relations between the Holy See and the Warsaw regime. For Russia supposes such a step by the Vatican will facilitate the spread of communism in the Catholic countries—an objective of Russian activities in Cuba, and these are primarily beamed at South America. It seems certain that those who direct the Vatican's policy will not acquiesce in these Russian plans.

In spite of this, it can be expected that the Western world will have to cope with many more difficulties arising from the Cuban issue. For, the dangers inherent in the Cuban situation can by no means be considered to have lapsed. Both sides chiefly concerned in this matter affirm victory was theirs. The United States maintains Russia was forced to withdraw her nuclear weapons from Cuba, while Russia tries to explain that, by revealing the level of her armaments in Cuba, she forced the United States to abandon an already prepared attack upon that island situated so near the latter's shores. Without entering into the validity of either assertion, it can be admitted the Russian Prime Minister was right in saying that he has as an outcome gained his own vantage point because "Cuba remains a beacon of Marxist-Leninist ideas in the Western Hemisphere."

It is certain Russia will try to exploit this circumstance, though it is to be hoped she will not go too far and evoke war, Russia probably fears such a war even more than the West. The Russian dictator assured in his New Year's speech that the Soviet Union will in the event of war very quickly crush her Western opponents. But, in view on the one hand of Russian propaganda methods and on the other of cumbrous organization of the Communist system, there is every reason to state this boasting is without foundation.

Nevertheless, it is evident that the world will still have to wage an arduous and possibly prolonged struggle before it can eradicate the results of ending the Second World War by inter-allied accords based on the wronging of a 100 million people in Europe alone. The world has many exponents of the conviction that morality is not binding in political matters. They usually seek to justify their conduct and camouflage this idea by shifting the blame upon the victims, alleging these had brought misfortune upon themselves. But such hypocrisy actually convinces only those who wish to be convinced because they feel their participation in guilt. And it has always been so in the world. That is why there never was real peace: there were longer or shorter periods marked by a balance of power, that is to say, times during which nobody felt strong enough to commit fresh lawless deeds. It seems likely that we are now, in the best case, again passing through such a period of equilibrium.

A glance at the international situation brings conviction that this is so. Everywhere conflagrations are breaking out—conflagrations which it is difficult to extinguish and whose outcome cannot be foreseen. I need mention only the Sino-Indian frontier, Yemen, Aden, Borneo, the Malay Federation, and the Congo. In the last named, the United Nations Organization, an institution designed primarly for the preservation of peace, is waging war for the second year in order to deny the right of self-determination to the people of Katanga.

Further, within both opposing camps, there is no lack of clashes and conflicts which inhibit the attainment of accords among countries with one and the same outlook on life. Many people rejoice at the difficulties rampant within the Communist bloc. Much is said regarding the differences of opinion between Russia and China, Yugoslavia, and even Albania. Unfortunately, such differences also exist within the democratic camp, and there even seems to be a kind of rivalry as to how much influence the stronger partners should have over the weaker ones.

Under these circumstances, it is not surprising there are people of feeble spirit who lose hope in the possibility of the situation ever improving. But we should bear in mind the main difference between the democratic system and the totalitarian one enforced in the Communist lands, namely, the democratic countries believe in the victory of commonsense and justice among the majority of people, and the democracies base their hopes for the future on this belief. Much will depend on the skillful conduct of negotiations and on the moderation required for the attainment of compromises in such events. I believe that these differences will be overcome and that the democratic system will finally triumph. This may not occur in the immediate future, but there are signs that the situation is heading toward improvement: the unification of Europe is making progress and yielding good results, whilst Great Britain's adhesion seems more likely; the Algerian issue, hitherto a great stumbling block for France, has been settled at least as far as the military situation is concerned; it is possible that agreement will be reached on the right of using nuclear weapons within NATO, and last but not least, thanks to the labors of the Second Vatican Ecumenical Council, there is wider acceptance of the necessity and belief in the possibility of cooperation by all Christians in the struggle for freedom of conscience and for the liberties of mankind.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FLOOD, for 1 hour, on January 22, on the subject of Ukrainian independence.

Mr. O'HARA of Illinois, for 1 hour, on the 15th of February, or the nearest date thereto that the House is in session, on the anniversary of the sinking of the *Maine*.

Mr. BOW, for 25 minutes, on Thursday, January 17, 1963.

Mr. SCHWENGEL, for 1 hour, on January 17.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. RIVERS of Alaska and to include extraneous matter.

Mr. O'HARA of Illinois and to include extraneous matter.

Mr. CURTIS.

Mr. TEAGUE of Texas.

(The following Members (at the request of Mr. ANDERSON) and to include extraneous matter:)

Mr. WYDLER.

Mr. SCHADEBERG.

Mr. COLLIER.

Mr. LINDSAY in two instances.

Mr. WIDNALL.

Mr. FULTON.

(The following Member (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. CELLER.

## ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Thursday, January 17, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

169. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 22, 1962, submitting a report, together with accompanying papers and illustrations, on an interim report on the hurricane survey of the coastal areas, Georgia, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 37); to the Committee on Public Works and ordered to be printed with two illustrations.

170. A letter from the Secretary of Agriculture, transmitting the annual report covering jurisdiction over the Puerto Rican hurricane relief loans, authorized by the public resolution, was transferred to the Secretary of Agriculture by Public Law 692, 84th Congress, approved July 11, 1956 (70 Stat. 525), pursuant to section 6 of Public Resolution 74, 70th Congress, approved December 21, 1928 (45 Stat. 1067); to the Committee on Agriculture.

171. A letter from the Assistant Secretary of Agriculture, transmitting a report of the operations under sections 7-14 of the Soil Conservation and Domestic Allotment Act for the fiscal year ending June 30, 1962, and the 1962 fiscal year appropriation act (75 Stat. 225), pursuant to 50 Stat. 329; and a report of the emergency conservation measures needed to restore to productive use land damaged by natural disasters, which were authorized by Public Law 85-58 of June 21, 1957, and Public Law 87-332 of September 30, 1961; to the Committee on Agriculture.

172. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes"; to the Committee on Armed Services.

173. A letter from the Deputy Secretary of Defense, transmitting the annual report on the status of training of each Reserve component of the Armed Forces and the progress made in strengthening of the Reserve components during fiscal year 1962, pursuant to section 279 of title 10, United States Code; to the Committee on Armed Services.

174. A letter from the Secretary of the Air Force, transmitting copies of report of the Secretary of the Air Force on progress of the flight training program for the period August 1, 1961, to November 30, 1962, pursuant to Public Law 879 (70 Stat. 804), 84th Congress, dated August 1, 1956; to the Committee on Armed Services.

175. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend sections 510 and 591 of title 10, United States Code, to remove the requirement that an alien must make a declaration of intention to become a citizen of the United States before he may be enlisted or appointed in a Reserve component"; to the Committee on Armed Services.

176. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice"; to the Committee on Armed Services.

177. A letter from the Secretary of the Army, transmitting a draft of proposed legislation, entitled "A bill to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor roll"; to the Committee on Armed Services.

178. A letter from the president of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended; to the Committee on the District of Columbia.

179. A letter from the Georgetown Barge, Dock, Elevator & Railway Co., transmitting the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1962, filed pursuant to the act of Congress incorporating said company; to the Committee on the District of Columbia.

180. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation, entitled "A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes"; to the Committee on Interior and Insular Affairs.

181. A letter from the Chairman, Federal Communications Commission, transmitting the 28th Annual Report of the Federal Communications Commission for the fiscal year ending June 30, 1962, with notations of important developments, pursuant to section 4(k) of the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

182. A letter from the Chairman, Federal Power Commission, transmitting a copy of "Statistics of Natural Gas Companies, 1961"; to the Committee on Interstate and Foreign Commerce.

183. A letter from the Chairman, National Mediation Board, transmitting the 28th Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

184. A letter from the clerk, U.S. Court of Claims, transmitting a statement of all judgments rendered by the U.S. Court of Claims for the year ended September 30, 1962, pursuant to section 791(c), title 28, United States Code; to the Committee on the Judiciary.

185. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend section 144 of title 28 of the United States Code"; to the Committee on the Judiciary.

186. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend section 633 of title 28, United States Code, prescribing fees of U.S. commissioners"; to the Committee on the Judiciary.

187. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts"; to the Committee on the Judiciary.

188. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to provide that the district courts shall be always open for certain purposes, to abolish terms of court and to regulate the sessions of the courts for transacting judicial business"; to the Committee on the Judiciary.

189. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to withdraw from the district courts jurisdiction of suits brought by fiduciaries who have been appointed for the purpose of creating diversity of citizenship between the parties"; to the Committee on the Judiciary.

190. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend section 376 of title 28, United States Code"; to the Committee on the Judiciary.

191. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend section 1391 of title 28 of the United States Code relating to venue"; to the Committee on the Judiciary.

192. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to clarify the status of circuit and district judges retired from regular active service"; to the Committee on the Judiciary.

193. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to provide the same life tenure and retirement rights for judges hereafter appointed to the U.S. District Court for the

District of Puerto Rico as the judges of all other U.S. district courts now have"; to the Committee on the Judiciary.

194. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to increase the fees of jury commissioners in the U.S. district courts"; to the Committee on the Judiciary.

195. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend section 332 of title 28, United States Code, to provide for the inclusion of a district judge or judges on the judicial council of each circuit"; to the Committee on the Judiciary.

196. A letter from the Director, Administrative Office U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend the Civil Service Retirement Act to authorize the payment of an annuity to a secretary of a justice or judge of the United States on the same basis as an annuity to a congressional employee or former congressional employee"; to the Committee on Post Office and Civil Service.

197. A letter from the Director of Personnel, Department of Commerce, transmitting a report concerning positions in grades GS-16, 17, and 18, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

198. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382, 383); to the Committee on Science and Astronautics.

199. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

200. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

201. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

202. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

203. A letter from the Acting Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes"; to the Committee on Public Works.

204. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to enable the Secretary of Agriculture to construct and maintain an adequate system of roads and trails for the national forests, and for other purposes"; to the Committee on Public Works.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 1762. A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 1763. A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BAKER:

H.R. 1764. A bill to amend section 1034 of the Internal Revenue Code of 1954 to provide that where the taxpayer or his spouse has attained the age of 65 no gain on the sale or exchange of the taxpayer's home will be taxed; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 1765. A bill to provide Government transportation on a space-available basis to certain members of the Glassboro State College International Relations Group; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 1766. A bill to provide for the desegregation of public schools, with all deliberate speed, including nationwide first-step compliance by 1964, and for other purposes; to the Committee on Education and Labor.

H.R. 1767. A bill to prohibit discrimination in employment because of race, color, religion, or national origin; to the Committee on Education and Labor.

H.R. 1768. A bill to enforce constitutional rights, and for other purposes; to the Committee on the Judiciary.

By Mr. COLMER:

H.R. 1769. A bill to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship-repair yards; to the Committee on Armed Services.

H.R. 1770. A bill to amend the Public Health Service Act to provide for certain investigations and studies by the Surgeon General of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1771. A bill to establish rules of interpretation of the effect of acts of Congress on State law; to limit the appellate jurisdiction of the Supreme Court in certain cases; and to provide that confessions and other evidence shall be admissible in U.S. courts; to the Committee on the Judiciary.

H.R. 1772. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

H.R. 1773. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 1774. A bill to provide for an ad valorem duty on the importation of shrimp; to the Committee on Ways and Means.

H.R. 1775. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

H.R. 1776. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1777. A bill to prohibit the importation into the United States of polluted shellfish; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H.R. 1778. A bill to amend section 106 of title 38, United States Code, to provide that service during World War I at Students' Army Training Corps camps at Plattsburg, N.Y.; the Presidio of San Francisco, Calif.; and Fort Sheridan, Ill., shall be considered as active military service; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 1779. A bill to promote the security and welfare of the people of the United States by providing for a program to assist the several States in further developing their programs of general university extension education; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 1780. A bill to assist in the provision of housing for elderly persons, and for other purposes; to the Committee on Banking and Currency.

H.R. 1781. A bill to establish a program of grants to States for the development of programs and projects in the arts, and for other purposes; to the Committee on Education and Labor.

H.R. 1782. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 1783. A bill to amend the International Peace and Security Act of 1961 to provide for the establishment and support of a Western Hemisphere police force; to the Committee on Foreign Affairs.

H.R. 1784. A bill to amend the Bankruptcy Act to increase the amount of wages entitled to priority to $2,000, to provide that pension, welfare, and other fringe benefits shall be treated as wages, and to increase the priority period from 3 to 12 months with respect to certain wage components; to the Committee on the Judiciary.

H.R. 1785. A bill to amend the Civil Service Retirement Act to permit employees with at least 30 years of service to retire at 55 years of age with full annuities; to the Committee on Post Office and Civil Service.

H.R. 1786. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

H.R. 1787. A bill to amend the Internal Revenue Code of 1954 to provide a special deduction from gross income for a taxpayer supporting an aged dependent who has no retirement income of his own; to the Committee on Ways and Means.

H.R. 1788. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 1789. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for loss of earnings resulting from jury duty; to the Committee on Ways and Means.

H.R. 1790. A bill to amend title II of the Social Security Act to provide benefits under the Federal old-age, survivors, and disability insurance program for needy individuals over retirement age, who are not otherwise entitled to benefits under such title; to the Committee on Ways and Means.

H.R. 1791. A bill to amend title II of the Social Security Act to provide benefits under the Federal old-age, survivors, and disability insurance program for needy individuals who are 70 years of age or over and are not otherwise entitled to benefits under such title; to the Committee on Ways and Means.

H.R. 1792. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for dependent sisters of certain insured individuals; to the Committee on Ways and Means.

H.R. 1793. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from gross income for the first $1,500 of salary earned by a teacher in any year; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 1794. A bill to authorize the acquisition of and the payment for a flowage easement and rights-of-way over lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 1795. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the maximum amount of the deduction allowed a woman or widower for the expenses of providing for the care of certain dependents; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 1796. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 1797. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

H.R. 1798. A bill to establish a Department of Veterans' Affairs; to the Committee on Government Operations.

H.R. 1799. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

H.R. 1800. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 1801. A bill to prohibit the discharge of members of the Armed Forces under conditions other than honorable except pursuant to the sentence of a court-martial; to the Committee on Armed Services.

H.R. 1802. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. ICHORD:

H.R. 1803. A bill to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1804. A bill to bring certain holders of star route and other contracts for the carrying of mail within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 1805. A bill to establish a greater measure of home rule in the District of Columbia by providing for three civilian Commissioners for the District of Columbia and by requiring officials and employees of the District of Columbia government to reside in the District of Columbia, to prevent the use of public funds to establish a permanent pattern of housing discrimination in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. LIPSCOMB:

H.R. 1806. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 1807. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

H.R. 1808. A bill to provide for the establishment of a Commission on Federal Taxation; to the Committee on Ways and Means.

H.R. 1809. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer, spouse, or dependent who is a student at an institution of higher learning; to the Committee on Ways and Means.

H.R. 1810. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for the expenses of study and travel incurred by a teacher while on sabbatical leave; to the Committee on Ways and Means.

H.R. 1811. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 1812. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 1813. A bill to amend the act of October 9, 1940, to provide that the 10-year statute of limitations applicable to claims against the United States shall not bar the payment of such claims where they are filed with an appropriate agency of the United States during such 10-year period; to the Committee on Government Operations.

H.R. 1814. A bill to provide that the Director of the Federal Bureau of Investigation shall hereafter be appointed by the President, by and with the advice and consent of the Senate; to the Committee on the Judiciary.

H.R. 1815. A bill to amend the veterans' regulations to provide additional compensation for veterans having the service-incurred disability of deafness of both ears; to the Committee on Veterans' Affairs.

By Mr. NELSEN:

H.R. 1816. A bill to amend section 610 of the Civil Aeronautics Act of 1938 to prohibit the serving of alcoholic beverages to airline passengers while in flight; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN of Montana:

H.R. 1817. A bill to amend provisions relative to compensatory time in the Postal Field Service Compensation Act; to the Committee on Post Office and Civil Service.

H.R. 1818. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 1819. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 1820. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

H.R. 1821. A bill to make clear that fishermen's organizations, regardless of their technical legal status, have a voice in the ex-vessel sale of fish or other aquatic products on which the livelihood of their members depends; to the Committee on Merchant Marine and Fisheries.

H.R. 1822. A bill to make more uniform the laws governing the coastwise trade of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 1823. A bill to amend the Annual and Sick Leave Act of 1951 to prevent loss of annual leave by employees in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1824. A bill to provide additional compensation for employees in the postal field service required to qualify on scheme examinations; to the Committee on Post Office and Civil Service.

H.R. 1825. A bill to amend section 6(c) of the Civil Service Retirement Act with respect to the retirement of employees engaged in the investigation, apprehension, or detention of persons suspected or convicted of violations of the criminal laws of the United States; to the Committee on Post Office and Civil Service.

H.R. 1826. A bill to amend the Tariff Act of 1930 to provide that bagpipes and related items used in bagpipe bands shall be admitted free of duty; to the Committee on Ways and Means.

H.R. 1827. A bill to amend section 4241 of the Internal Revenue Code of 1954 to reduce the club dues excise taxes from 20 percent to 10 percent; to the Committee on Ways and Means.

H.R. 1828. A bill to amend section 4242 of the Internal Revenue Code of 1954 to exempt from the club dues tax certain charges made by nonprofit clubs for the use of facilities; to the Committee on Ways and Means.

H.R. 1829. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 1830. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 1831. A bill to amend section 501 of title 38, United States Code, to provide that active military service on the Mexican border before World War I by persons who performed active service during World War I shall be included in determining eligibility of World War I veterans, their widows, and children for pension; to the Committee on Veterans' Affairs.

H.R. 1832. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for each dependent who is a full-time undergraduate student at a college or university; to the Committee on Ways and Means.

By Mr. SMITH of Virginia:

H.R. 1833. A bill to amend section 3401 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 1834. A bill to amend section 1332(c) of title 28 of the United States Code relating to diversity of citizenship; to the Committee on the Judiciary.

H.R. 1835. A bill to amend section 2554 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 1836. A bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

H.R. 1837. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

H.R. 1838. A bill to amend the act of January 12, 1895, to regulate and restrict the printing of certain extraneous matter in the CONGRESSIONAL RECORD, and to limit the number of insertions of extraneous matter in the Appendix of the CONGRESSIONAL RECORD; to the Committee on House Administration.

H.R. 1839. A bill to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the United States; to the Committee on Ways and Means.

By Mr. TRIMBLE:

H.R. 1840. A bill to authorize the Administrator of General Services to convey certain land situated in the State of Arkansas to the city of Fayetteville, Ark.; to the Committee on Government Operations.

H.R. 1841. A bill authorizing the modification of the general plan for the comprehensive development of the White River Basin to provide for additional hydroelectric power development, for the control of floods, and for other purposes; to the Committee on Public Works.

By Mr. UTT:

H.R. 1842. A bill to authorize payment of the claims of certain former owners of property vested by the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1843. A bill to deny the use of the U.S. postal service for the carriage of Communist political propaganda; to the Committee on Post Office and Civil Service.

H.R. 1844. A bill to amend section 410 of title 38, United States Code, to provide that all retired members of the uniformed services who served not less than 30 years on active duty, or who were retired for disability in excess of 50 percent, shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

H.R. 1845. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross estate for the value of property passing to children; to the Committee on Ways and Means.

H.R. 1846. A bill to amend the Internal Revenue Code of 1954 to permit the amortization over a 60-month period of certain civil defense facilities; to the Committee on Ways and Means.

H.R. 1847. A bill to encourage equity investment in new and small businesses, to relieve unemployment and provide additional revenue to the Federal Government to be applied to debt reduction, and for other purposes; to the Committee on Ways and Means.

By Mr. FALLON:

H.J. Res. 120. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 121. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day"; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 122. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H.J. Res. 123. Joint resolution to authorize the Architect of the Capitol to construct a memorial to James Madison, and for other purposes; to the Committee on Public Works.

By Mr. DERWINSKI:

H. Con. Res. 38. Concurrent resolution to express the sense of Congress on bringing before the United Nations the issue of denial of self-determination to the peoples of various countries; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H. Con. Res. 39. Concurrent resolution expressing the sense of the Congress with respect to the establishment by the United Nations of an Economic Aid Coordinating Committee, which shall serve as a central clearinghouse of information concerning economic aid furnished other nations; to the Committee on Foreign Affairs.

H. Con. Res. 40. Concurrent resolution expressing the sense of the Congress that increased emphasis should be placed in the administration of foreign assistance upon programs encouraging the ownership of farms and homes, assisting the establishment and equipment of small independent businesses, aiding the acquisition of tools of a trade, or helping provide vocational or occupational skills; to the Committee on Foreign Affairs.

H. Con. Res. 41. Concurrent resolution requesting the President to instruct the U.S. mission to the United Nations to seek adoption of proposals penalizing members of the United Nations which are in default in meeting their financial obligations under the United Nations Charter; to the Committee on Foreign Affairs.

H. Con. Res. 42. Concurrent resolution expressing the sense of the Congress that annual reports should be made by the United Nations with respect to international economic assistance furnished to less-developed nations; to the Committee on Foreign Affairs.

By Mr. LIPSCOMB:

H. Con. Res. 43. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. AUCHINCLOSS:

H. Res. 86. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BATTIN:

H. Res. 87. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CEDERBERG:

H. Res. 88. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DEROUNIAN:

H. Res. 89. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 90. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HARSHA:

H. Res. 91. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HOEVEN:

H. Res. 92. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. KYL:

H. Res. 93. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 94. Resolution to amend clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. PELLY:

H. Res. 95. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of the rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SHORT:

H. Res. 96. Resolution amending clause 2, subsection (a), of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SMITH of Virginia:

H. Res. 97. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. TEAGUE of California:

H. Res. 98. Resolution amending clause 2 (a) of rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CELLER:

H. Res. 99. Resolution to print the Constitution of the United States; to the Committee on House Administration.

H. Res. 100. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. COLMER:

H. Res. 101. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 102. Resolution expressing the sense of the House with respect to the need for rapid and complete atomic disarmament; to the Committee on Foreign Affairs.

By Mr. POWELL:

H. Res. 103. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations coming within its jurisdiction; to the Committee on Rules.

By Mr. ROUDEBUSH:

H. Res. 104. Resolution to authorize the Committee on Foreign Affairs to conduct an investigation and study of the policymaking procedures, methods of assessing foreign developments, and personnel practices of the Department of State; to the Committee on Rules.

By Mr. SCHADEBERG:

H. Res. 105. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. SMITH of Virginia:

H. Res. 106. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 1848. A bill for the relief of Ruth Newton; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 1849. A bill for the relief of Adriana Noferini; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 1850. A bill for the relief of Mrs. Joan Clara Reeves Valentich; to the Committee on the Judiciary.

H.R. 1851. A bill for the relief of Chester A. Brothers and Anna Brothers, his wife; to the Committee on the Judiciary.

By Mr. COLMER:

H.R. 1852. A bill for the relief of Ante Gulam; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 1853. A bill for the relief of Patti Jean Fulton; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 1854. A bill for the relief of Mariano Fagone; to the Committee on the Judiciary.

H.R. 1855. A bill for the relief of Stefan Bryttan; to the Committee on the Judiciary.

H.R. 1856. A bill for the relief of John Hsueh-Ming Chen; to the Committee on the Judiciary.

H.R. 1857. A bill for the relief of Herman and Fani Fridman; to the Committee on the Judiciary.

H.R. 1858. A bill for the relief of Siao-Sieu Mao Wu; to the Committee on the Judiciary.

H.R. 1859. A bill for the relief of Benjamin Netkin; to the Committee on the Judiciary.

H.R. 1860. A bill for the relief of Dr. Jamshid Payman; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 1861. A bill for the relief of the children of Mrs. Elizabeth A. Dombrowski; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 1862. A bill for the relief of Wong Bing Lin; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 1863. A bill for the relief of Dr. Nourollah Shadi; to the Committee on the Judiciary.

H.R. 1864. A bill for the relief of Herman Ethelbert Evans and his wife, Evelyn Evans; to the Committee on the Judiciary.

H.R. 1865. A bill for the relief of Francesco Cosentino; to the Committee on the Judiciary.

H.R. 1866. A bill for the relief of Eugenia Liwszyc; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 1867. A bill for the relief of Pietro D'Angelo; to the Committee on the Judiciary.

H.R. 1868. A bill for the relief of Paolo Lia; to the Committee on the Judiciary.

H.R. 1869. A bill for the relief of Eftichios Protopapadakis; to the Committee on the Judiciary.

H.R. 1870. A bill for the relief of Georgios Rousakis; to the Committee on the Judiciary.

H.R. 1871. A bill for the relief of Eleni Andrikopoulos; to the Committee on the Judiciary.

By Mr. KILBURN:

H.R. 1872. A bill for the relief of Panagiotis Christos Pappas; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 1873. A bill for the relief of Otis D. Shreves; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 1874. A bill for the relief of Eugene Ahrends; to the Committee on the Judiciary.

H.R. 1875. A bill for the relief of Dr. George H. Edler; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 1876. A bill for the relief of Mrs. Rita M. Bravi; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1877. A bill for the relief of Zenaida Z. Lazaro; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 1878. A bill for the relief of Wilfred V. McKenzie, his wife Evonne Alla McKenzie, and their minor children, Peter McKenzie and Derek McKenzie; to the Committee on the Judiciary.

H.R. 1879. A bill for the relief of Om Prakash Chaudhry and his wife, Pushap Lata Chaudhry; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 1880. A bill for the relief of Mrs. Lucine Broussalian; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H.R. 1881. A bill for the relief of Martina Imperial Romero; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 1882. A bill for the relief of Wo Jin Gin; to the Committee on the Judiciary.

H.R. 1883. A bill for the relief of Sek-Yau Quan; to the Committee on the Judiciary.

H.R. 1884. A bill for the relief of Mrs. Mar Lan Heung; to the Committee on the Judiciary.

H.R. 1885. A bill for the relief of Mrs. Liem Gien Tjwan; to the Committee on the Judiciary.

H.R. 1886. A bill for the relief of Valeriano T. Ebreo; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 1887. A bill for the relief of Yon Ok Kim, Chang In Wu, and Jung Yol Sohn; to the Committee on the Judiciary.

H.R. 1888. A bill for the relief of Isabel Lopez; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 1889. A bill for the relief of John Baltis (John Paul Petalas); to the Committee on the Judiciary.

# SENATE

## MONDAY, JANUARY 14, 1963

*(Legislative day of Wednesday, January 9, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, with desperate needs which cannot be met at the world's broken cisterns, we turn unfilled to Thee.

As on this day of inventory and challenge, through the eyes of its chosen leadership, our Nation surveys the baffling ramifications of the state of the Union, our bewildered hearts cry out, "Who is sufficient for these things?" as uncertain judgments weigh vast issues which belt the earth, and fallible minds face tangled relationships involving the very life of the Nation.

With so great a commission given to those who have been sent here with the trust and hope of this farflung Republic, solemnize those so commissioned with the realization that what is accomplished will depend most of all upon the state of their union with the source of all true strength, knowing as we do in our highest hours that unless the Lord build the house, they labor in vain who would build it.

We ask it in the name of the Master of all good workmen. Amen.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none; and it is so ordered.

### APPOINTMENT OF MEMBERS OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The VICE PRESIDENT. Pursuant to the provisions of 20 U.S.C. 42, 43, the Chair reappoints Senators J. W. FULBRIGHT, of Arkansas, and CLINTON P. ANDERSON, of New Mexico, as members of the Board of Regents of the Smithsonian Institution.

### JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT (H. DOC. NO. 1)

Mr. MANSFIELD. Mr. President, in accordance with the provisions of House Concurrent Resolution 1, I move that the Senate now proceed to the Hall of the House of Representatives for the purpose of hearing an address to be delivered by the President of the United States.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Thereupon (at 12 o'clock and 13 minutes p.m.), the Senate, preceded by its Secretary (Felton M. Johnston), its Deputy Sergeant at Arms (Robert G. Dunphy), and the Vice President, proceeded to the Hall of the House of Representatives for the purpose of receiving a communication from the President of the United States.

(For the address delivered today by the President at the joint session of the two Houses of Congress, see pp. 171–174, of the House proceedings of today.)

The joint session having been dissolved, the Senate, at 1 o'clock and 38 minutes p.m. returned to its Chamber, and was called to order by the Vice President.

Mr. MANSFIELD addressed the Chair.

The VICE PRESIDENT. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

### AMENDMENT OF RULE XXII

Mr. ANDERSON. Mr. President, will the majority leader yield to me so that I may submit a resolution?

Mr. MANSFIELD. I am delighted to yield to the Senator from New Mexico.

Mr. ANDERSON. I send to the desk a resolution and ask for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution, as follows:

S. Res. 9

*Resolved,* That the rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

"Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeal from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

**Mr. RUSSELL.** Mr. President——

**Mr. MANSFIELD.** Mr. President, I yield to the Senator from Georgia.

**Mr. RUSSELL.** Mr. President, under the provisions of section 1, rule XIV, I desire to interpose an objection to the submission of the resolution today. I ask that that provision of the rule be read.

**Mr. ANDERSON.** Mr. President, I have no desire to argue the point with the Senator from Georgia. He is probably within his rights, if he desires to object. I shall send to the desk a notice of motion to amend the rule, and allow it to lie over a day.

**Mr. RUSSELL.** I make the point of order that the Senator cannot give notice of a motion with respect to a proposed piece of legislation that has not yet been introduced.

**The VICE PRESIDENT.** The clerk will read the rule referred to.

The legislative clerk read as follows:

RULE XIV. BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for 1 day.

**Mr. RUSSELL.** Mr. President, I realize that this is a very unusual procedure, but we are confronted with very unusual circumstances. In my opinion we are confronted with the most vital issue likely to come before this Congress. I believe the Senate should have full and fair opportunity to consider it. The fiction has been assiduously cultivated that rule XXII and proposed changes in it are connected only with the civil rights issue, and that it is purely a southern issue.

That statement has been repeated again and again, until the propaganda technique employed by Hitler—that if the big lie is repeated often enough people will believe it—has prevailed.

I point out that there has not come before the Senate an issue which has been voted on with more yea-and-nay votes, in the past 5 years, than has the question of the adoption of amendments to what our friends euphemistically refer to as civil rights legislation.

In 1957 the Senate considered and passed a bill in that field. I forget the exact number of amendments that were offered to the bill, but I believe approximately 38 or 40 amendments were voted on by yea-and-nay votes.

The same thing happened in 1960. No issue that has been before the Congress has had as many yea-and-nay votes on every conceivable facet of a question as has this issue of civil rights.

Those of us who oppose the proposed changes in the rules are not looking only to civil rights legislation. We are looking also to the protection of the proud position of the Senate, and its unique role in our scheme of government.

We are undertaking to defend the individual rights and prerogatives of Members of this body. We cannot liquidate the power of the Senate without liquidating the power of every individual Senator. We cannot water down the power of the Senate without weakening the power and prestige of every individual Senator.

The Senate is the last place of refuge of small States and minorities. The small States of the Nation have no other place in our political or government life where they can make their presence felt. At a national political convention what chance has a man from a small State of obtaining the nomination for President or Vice President? Without regard to the character or ability of such a man the handful who control conventions in both parties always say they are looking for a favorite son of a State with many members of the electoral college. Representatives at such conventions from small States wander around the halls trying to figure out whom the big States will nominate, so that they can try to get on the bandwagon. That is about the only part they play in the national conventions. Of course, they are given badges, and they are seen in the halls; but they really have no voice in a national convention. They have little power in the election which follows.

What chance has a Representative from a small State in the other body to influence legislation, when he is confronted by State delegations numbering from 35 to 50? Absolutely no chance on earth.

Also, he has a very remote possibility of receiving an appointment to the Cabinet. I commend the President for breaking this rule and appointing a man from a small State to his Cabinet.

But in the Senate, under the protection of the rules, small minorities have a voice in the Government. Only here do they sit as equals with Senators from more populous States.

On this floor the Senators from the smallest States are peers of those from the largest.

It has been a poor subterfuge to label this question as a purely civil rights question—in some cases more from ignorance; in others, downright dishonesty. There is much more involved. This is a vital question of an attempt to remove the keystone from the arch of constitutional government.

I shall, therefore, object at every stage of the proceeding at which I am entitled to object under the rules of the Senate, in order that every Member of the Senate may have an opportunity carefully to study and ponder exactly what is involved in the issue.

**The VICE PRESIDENT.** The Chair invites the attention of the Senator from Georgia to rule XIV, paragraph 6.

**Mr. RUSSELL.** I am well aware of it.

**The VICE PRESIDENT.** It reads:

All resolutions shall lie over 1 day for consideration, unless by unanimous consent the Senate shall otherwise direct.

The Parliamentarian informs the Chair that that is the appropriate paragraph which would require the resolution—not a bill—to lie over for 1 day.

**Mr. RUSSELL.** The rule is very clear that there are two different days involved. In paragraph 1 of the rule, objection may be made to the introduction of a bill or joint resolution. Then, after the bill or joint resolution has been introduced, section 6 of rule XIV takes effect. They are not the same provisions at all; they are entirely different provisions, applying to different circumstances. Paragraph 1 applies to the introduction of a bill or joint resolution. Paragraph 6 applies to the consideration of resolutions by the Senate.

**The VICE PRESIDENT.** The Chair suggests to the Senator from Georgia that no Senator is proposing the introduction of a bill.

**Mr. RUSSELL.** I understood that the Senator from New Mexico had asked for the immediate consideration of a resolution. I cite the Record on that point.

The VICE PRESIDENT. The Parliamentarian informs the Chair that the Senator from New Mexico proposed a Senate resolution, and that is covered by paragraph 6 of rule XIV.

Mr. RUSSELL. I invite attention to the provisions of paragraph 6.

The VICE PRESIDENT. The Chair informs the Senate that the measure came to the desk as a Senate resolution.

Mr. ANDERSON. That is correct.

The VICE PRESIDENT. A Senate resolution is not covered by paragraph 1, but is covered by paragraph 6. If objection is heard, the resolution will lie over.

Mr. ANDERSON. Mr. President, I send to the desk a notice, under the Senate rule. I do not question the ruling of the Chair; I think it is entirely proper. Certain constitutional questions may be involved.

The VICE PRESIDENT. Does the Senator from New Mexico desire to have the notice read or merely printed in the Record?

Mr. ANDERSON. I desire to have it printed in the Record, because it is the exact text of what has previously been read.

The VICE PRESIDENT. Is there objection?

Mr. DIRKSEN. I object. I should like to have the last resolution, calling for a suspension of the rules, read for the information of the Senate.

Mr. ANDERSON. I withdraw my request that the notice be considered as read, and ask that the clerk read it.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DIRKSEN. Does the resolution call for a suspension of the rules?

Mr. ANDERSON. No; it does not.

Mr. DIRKSEN. Then I am mistaken.

Mr. ANDERSON. I thank the minority leader. It is exactly what was read a moment ago except that it is in the form of a notice.

The VICE PRESIDENT. The notice will be read.

The Chief Clerk read as follows:

### Notice of Motion To Amend Certain Senate Rules

In accordance with the provisions of rule XL of the Standing Rules of the Senate and without prejudice to the constitutional right of a majority of the Senate of the 88th Congress to accept, reject, or modify any such rule, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the Standing Rules in the following particulars, namely:

Rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

"Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but 1, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

The purpose of the proposed amendment is:

To provide for bringing debate to a close under certain circumstances by vote of three-fifths of the Senators present and voting.

Mr. HUMPHREY. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. First, I wish to comment on the remarks of the distinguished senior Senator from Georgia. He is absolutely correct when he says that rule XXII, or any modification thereof, does not apply merely to civil rights. If the words or phrases or concept of civil rights had never been heard of, the Senate would still have the right to modify its rules or to adopt new rules at the opening of a Congress. There are new Senators present who have never had a word to say about the rules of the Senate, yet they must live under those rules.

I happen to believe that rule XXII may well have a bearing in the months ahead as to what may or may not happen concerning proposals which the President of the United States may send to the Senate or to Congress relating to voting rights or other rights of citizens of this country. But whether that should happen or not, it is my contention that we as Senators—each of us with one vote, each of us with equal rights—have the right and, indeed, the duty, to adopt the rules which govern our proceedings.

This is a constitutional question. It has been stated unequivocally in the Constitution that we shall or may adopt rules for the proceedings of this particular body. The exact language of the Constitution is known by Senators.

I, for one, want the rights of the small States, as well as the rights of the big States, protected. The Constitution also makes provision for the small States. In fact, the Constitution makes it certain that the small States shall be given extra protection, because the small and the big States alike have two Senators, regardless of the sizes, geography, or population of the States.

We are discussing the question whether the Senate can or will modify or change its rules according to the needs of this body. I am not at all sure which opinion will prevail. I am hopeful that the Senate will make some change in rule XXII. I shall offer a notice of a motion to change rule XXII. But, if I can prevent it, I will not permit a propaganda smokescreen to be laid down, here or elsewhere, to the effect that all we are trying to do with rule XXII is to jam through a civil rights proposal. Civil rights legislation will be considered on its merits, as it should be.

Many new Senators have served with distinction in legislative bodies where there was the right to terminate debate by majority rule in both houses of the legislatures. New Senators who have been Governors know that on occasion it is necessary to take effective action. New Senators who have served in other capacities, public or private, ought not to have foisted upon them for the present the rules of the past. Most of the rules of the Senate may be very acceptable to them and they can be accepted tacitly. We can accept them by expressing our opinions through a resolution that we accept every rule that is used in this body. But when we contest a rule that prevents the majority from reaching a vote on new rules, we contest it under provisions which are set forth in the Constitution as the right of each House, and of Congress itself, to adopt the rules to govern its own proceedings.

On behalf of the Senator from California [Mr. Kuchel] and myself, and the Senator from Illinois [Mr. Douglas], the Senator from New Jersey [Mr. Case], the Senator from Pennsylvania [Mr. Clark], the Senator from New York [Mr. Javits], the Senator from Michigan [Mr. Hart], the junior Senator from New York [Mr. Keating], the junior Senator from New Jersey [Mr. Williams], the junior Senator from Pennsylvania [Mr. Scott], the junior Senator from California [Mr. Engle], the Senator from West Virginia [Mr. Randolph], and the Senator from Maryland [Mr. Beall], and in accordance with article I, section 5, of the Constitution, which declares that "each House may determine the rules of its proceedings," I send to the desk and offer a notice of a motion to amend rule XXII, and also a resolution to amend the rule, to permit cloture of debate by vote of a constitutional majority of the Senate after full and fair discussion.

**Mr. ANDERSON.** Mr. President, will the Senator from Montana permit the Senator from Minnesota to yield for a question?

**Mr. MANSFIELD.** I shall be delighted to do so.

**Mr. HUMPHREY.** I yield for a question.

**Mr. ANDERSON.** Do I correctly understand that the Senator from Minnesota submits that resolution as a substitute for the motion I have filed?

**Mr. HUMPHREY.** That is correct.

**Mr. ANDERSON.** I am glad the Senator has gone in that way into this constitutional question; and I hope the President of the Senate will submit the question to the Senate, inasmuch as that is his privilege. But I have presented such a resolution for the past 10 years; and I come from one of the numerically smaller States, which has a population of less than 1 million. I believe this question applies to many subjects other than civil rights; and for that reason I am glad the Senator from Minnesota has submitted the resolution.

**Mr. RUSSELL.** Mr. President, will the Senator from Montana yield?

**Mr. MANSFIELD.** I yield.

**Mr. RUSSELL.** I wish to express my profound appreciation to the Senator from Minnesota and the Senator from New Mexico for saying that something other than civil rights is involved in this question; and I hope it is not asking too much of members of the press gallery and the representatives of radio and television to take notice of that fact, for during the past 10 years the question has continuously been presented as one involving only civil rights and condemning defense of free speech in the Senate as only the effort of southern racists. So I honor Senators proposing these changes for stripping the question of that fraudulent guise, under which it has masqueraded for so many years.

Under the Constitution each State has equal suffrage in the Senate; but for that provision, there would not have been a Constitution. After the inclusion of the provision that in the House of Representatives the representation of the various States would be on the basis of population, the smaller States demanded that in the Senate the States should have equal representation. The smaller States went so far in their insistence in regard to that provision that it was made the only clause in the Constitution which cannot be changed except by unanimous consent; the only one in that category is the provision which gives the States equal representation in the Senate. In fact, the provision goes further than that, by providing that "no State without its consent shall be deprived of its equal suffrage in the Senate."

I have often wondered just how that provision would fare under the present drive to have all representation based purely on population. But the constitutional provision giving the States equal suffrage in the Senate has existed all these years, and I do not believe it could be changed even by amending the Constitution by a two-thirds vote of both Houses and a three-fourths vote of the several States.

Mr. President, there is no question that a majority of the Senate can change the rules of the Senate; none of us contend otherwise. We are merely contending that the rules can be changed only in the manner prescribed in the rules.

Let us consider section 2 of rule XXXII, to be found on page 43 of the Senate Manual. It reads as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

There it is, spelled out. The Senate, by the majority vote for which the Senator from Minnesota appeals, spelled out what all of us know; namely, that the Senate is a continuing body. No part of that rule provides that the rules of the Senate cannot be changed by majority vote. A majority of the Senate can change the rules at any time.

What I am objecting to is the theory that the Senate is not a continuing body, and that therefore at the opening of a session the rules can be evaded and short circuited. If the rules can be evaded and disregarded in this instance, because the Constitution provides that each House can establish its own rules, it can be done in any other instance; and I am not so sure that some changes of that sort are not in the back of the minds of some of our friends when they approach this question. On this basis a Member could allege that under the constitutional provision that the Senate can make its rules, there would be the right on the opening day of a session to have the first piece of proposed legislation one calling for a change in the rules, or to claim that because the Senate can deal with matters affecting interstate commerce, a Member could introduce proposed legislation to abolish the Interstate Commerce Commission without having such a measure referred to the Commerce Committee or any other committee, or to claim that in similar fashion a change in any provision of the Constitution could be made.

There is no question that the Senate is a continuing body. All of us know that one-third of the Members of the Senate are elected every 2 years, and two-thirds of the Members carry over. That is what makes the Senate a continuing body, and until a few years ago no one had the temerity to claim that the Senate is not a continuing body.

In two or three decisions the Supreme Court of the United States has held that the Senate of the United States is a continuing body.

But my friend the Senator from Minnesota says the Senate is not a continuing body as to its rules, because some of the newly sworn Senators did not participate in their formulation. That is a rather strange position to take, 180 years after the creation of the Senate. During all that period of time, great men have come and have gone in the Senate. Daniel Webster entered this body from the State of Massachusetts, and Daniel Webster never once imagined he was handicapped because he did not rewrite the rules of the Senate on the first day of the first session in which he served. It cannot be shown that he was handicapped because he could not on the first day of that session succeed in having the rules changed in a manner that appealed to him, rather than to follow the rules as they then were set forth in the rule book. Similarly, during his service as a Member of the Senate, Henry Clay did not claim that the Senate was not a continuing body. Similarly, I can refer to Borah, La Follette, and Taft. Even my friend the Senator from Minnesota, when he came to the Senate, served under the rules of the Senate as a continuing body; and if that situation suppressed him, it has never been observable to the eyes or ears of any mortal man in his vicinity. [Laughter.]

Mr. President, there is no question that the rules of the Senate can be changed by the Senate in the manner prescribed by the rules. I am insisting on orderly procedure, in order that the Senate may maintain its proud position, rather than begin to take shortcuts to avoid or evade the rules. If my friends were to succeed in avoiding or evading the rules, they would soon see rushed through the Senate all kinds of legislation that would not have anything to do with civil rights, unless it would be to impinge upon the right of private property; or they would see rushed through the Senate legislation that would not even be called civil rights legislation. No doubt that would include legislation to change the economy of the country without giving Senators an opportunity to stand on their feet and inveigh against it.

If the rules of the Senate were to be changed in so extraordinary a fashion, the Senate itself would be threatened; and the Senate is the most powerful single instrumentality of Government which exists. Emasculate the powers of the Senate and the whole fabric of our Government would soon be torn and destroyed.

Mr. MORSE, Mr. JAVITS, Mr. HUMPHREY, and other Senators addressed the Chair.

**The VICE PRESIDENT.** Does the Senator from Montana yield; and, if so, to whom?

**Mr. MANSFIELD.** Mr. President, before I yield to my colleagues in the order in which they have addressed the Chair, beginning with the Senator from Oregon [Mr. MORSE], and then the Senator from New York [Mr. JAVITS], and then the Senator from Minnesota [Mr. HUMPHREY], I wish to point out that many Senators have indicated that they wish to introduce measures of importance to them, and some Senators have indicated that they wish to make important remarks. Therefore, I ask unanimous consent that it be in order for Senators to introduce bills and resolutions, without prejudicing the rights of any Senator as regards to the parliamentary situation affecting amendment of the Senate rules.

**The VICE PRESIDENT.** Is there objection to the request of the Senator from Montana?

Mr. RUSSELL. Mr. President, will the Senator from Montana repeat his request?

Mr. MANSFIELD. I ask unanimous consent that it be in order for Senators to introduce bills and resolutions without prejudicing the rights of any Senator as regards the parliamentary situation affecting amendment of the rules of the Senate.

Mr. RUSSELL. Mr. President, I suppose that under the views I hold, I should object to that request; but I have no objection to having Members introduce proposed legislation. I would prefer that the Senator from Montana ask that there be a brief morning hour in which to do so; but if he wishes to have the matter handled in the way he has proposed, I shall not interpose objection.

Mr. MORSE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I have only one suggestion—namely, that it be understood that the resolutions which will be in order will not involve the matter of cloture.

Mr. RUSSELL. Of course, I understand that to be the case.

Mr. MORSE. But the request of the Senator from Montana does not so provide. I merely wish to have resolutions relating to cloture exempted, so that all resolutions relating to cloture would be submitted independently, under rule XL.

Mr. RUSSELL. Mr. President, will the Senator from Montana be so kind as to amend his request by using the words "bills and joint resolutions"? That would eliminate any resolution affecting the rules.

Mr. MANSFIELD. Mr. President, I accept that proposal; and I request a decision.

Mr. MORSE. First, Mr. President, will the Senator from Montana yield again to me?

Mr. MANSFIELD. I yield.

Mr. MORSE. Why do we not exempt resolutions dealing only with cloture? Some of us have resolutions which deal with other subjects, and have nothing to do with the matter of cloture; and we wish to submit resolutions of other types.

Mr. MANSFIELD. Mr. President, in an effort to bring this matter to a head, I move that in my original proposal, after the word "bills," the words "and resolutions" be deleted.

The VICE PRESIDENT. The question is on agreeing to the request of the Senator from Montana.

Mr. DIRKSEN. Mr. President, will the Chair have the request restated?

The VICE PRESIDENT. The clerk will restate the request.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I shall yield after the request is read.

The LEGISLATIVE CLERK. The Senator from Montana [Mr. MANSFIELD] asks unanimous consent that it be in order to introduce bills without prejudicing the rights of any Senator with regard to the parliamentary situation respecting the amendment of the Senate rules.

Mr. MANSFIELD. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I inquire if the unanimous-consent request would preclude the introduction of resolutions that would be referred to the Committee on Rules and Administration under the committee procedures?

Mr. MANSFIELD. It would.

Mr. McCLELLAN. Such resolutions could not then be submitted today?

Mr. MANSFIELD. The Senator is correct. Bills only could be introduced. Concurrent resolutions, joint resolutions, and Senate resolutions could not be submitted.

The VICE PRESIDENT. The Chair inquires if the Senator would exclude joint resolutions.

Mr. MANSFIELD. Yes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. MORSE. Mr. President, reserving the right to object, will the majority leader tell me why he believes that resolutions relating to a subject matter not dealing with the subject matter now pending before the Senate should not be submitted today?

Mr. MANSFIELD. I have made the request only in the interest of comity in this body. If we can get through the procedure today, we can submit other proposals at a later date covering other subjects. I believe the climate is right for the particular kind of agreement requested at this particular time.

Mr. MORSE. Let me state a specific example. I wish to submit a resolution, which would ordinarily be referred to the Committee on Rules, relating to the establishment of a veterans committee of the Senate. I pledged to submit such a resolution at the first opportunity. I do not see why that resolution should not be submitted at this time. What in the world has that subject to do with the issue pending before the Senate? The Senator would merely have to add one restriction on his request, which is intended to protect the point of the Senator from Georgia that no resolutions be submitted today dealing with the subject matter of cloture.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished Senator from Oregon, at the present time no committees are functioning excepting unofficially. If the Senator were to submit a resolution of the kind which he has stated, seeking to create a veterans committee, no action could be taken at this time because the Rules Committee is not functioning. I suggest to the Senator that he allow the present proposal to be considered and that we then discuss the subject and see what we can do in a few days in reference to his suggestion.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. Perhaps the Senator from Oregon could submit his resolution under a unanimous-consent request. I do not believe there would be any objection.

Mr. MORSE. I do not see how that could possibly be done if I agreed to the present unanimous-consent request. If I agreed to the unanimous-consent request and an hour from now asked unanimous consent to submit a resolution relating to a veterans committee, I would be acting in bad faith.

Mr. President, the veterans of the country are entitled to have the resolution submitted today. I do not like to break faith with them.

Mr. MANSFIELD. Mr. President, in order to bring the matter to a head, once again, I would include resolutions affecting the welfare of veterans.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. MUNDT. Mr. President, reserving the right to object, if the original suggestion of the Senator from Oregon [Mr. MORSE] is sound and we were to exempt joint resolutions of the kind to which he referred, I point out that I intend to introduce a joint resolution dealing with the electoral college system. It has nothing to do with the controversial subject now under discussion. I should like to have offered it on the opening day, as I have on previous occasions. If an agreement is made among Senators who are present that no resolutions can be offered dealing with this particular controversy, I am sure we can get a unanimous-consent agreement that we can submit other joint resolutions. We have only one controversial subject. If we start exempting other subjects by unanimous consent, that is a different matter.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Does the Senator from Montana yield for the purpose of permitting the Senator from Georgia to propound a parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. Mr. President, I have great respect for the Senator from Montana. There should be some way for me to be recognized in my own right. The parliamentary inquiry is as follows: Under ordinary procedure, bills and resolutions introduced today would be referred to a committee, would they not?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Mr. President, if the Senator would rephrase his request so as to include bills and resolutions that would be referred to standing committees of the Senate, I believe we would eliminate all of the division.

Mr. MANSFIELD. How would the Senator suggest that I rephrase the request?

Mr. RUSSELL. Any Senator who desires may be permitted to submit resolutions or introduce bills that would be referred to standing committees of the Senate.

Mr. HUMPHREY. Without prejudicing their rights.

Mr. RUSSELL. I am not trying to take advantage of the Senator.

Mr. MANSFIELD. Mr. President, once again I ask unanimous consent that it be in order to introduce bills and to submit resolutions that would be referred to the appropriate standing committees of the Senate without prejudicing the rights of any Senator as regards the parliamentary situation affecting the proposed amendment of the Senate rules.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. JAVITS. Mr. President, reserving the right to object, could any Senator who wishes to submit a resolution on the subject referred to by the Senator from Oregon [Mr. Morse] do so?

Mr. MANSFIELD. Of course, such a subject would be covered.

Mr. JAVITS. That understanding would be a part of the unanimous-consent request.

Mr. MANSFIELD. Of course, it would be.

Mr. RUSSELL. As I understand, the Senator from Oregon stated that he wished the resolution to be referred to the Committee on Rules and Administration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. McCLELLAN. I understand that the request would permit the introduction of any resolution that would properly, under the rules, be referred to a standing committee of the Senate.

Mr. RUSSELL. It would be so referred.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President——

Mr. MANSFIELD. Mr. President, I promised I would yield first to the Senator from Oregon [Mr. Morse], then the Senator from New York [Mr. Javits], and then the Senator from Minnesota [Mr. Humphrey]. With their concurrence I should like to yield the floor, but if they would still like to be heard I should like to yield first to the Senator from Oregon.

Mr. MORSE. Mr. President, I will oblige the Senator. I will take my chances on obtaining the floor.

Mr. JAVITS. Mr. President, I should like to have the Senator yield to me.

Mr. MANSFIELD. I yield.

Mr. JAVITS. I should like to propound a parliamentary inquiry to the Chair. Before I do so, I should like to say that our genial colleague from Georgia [Mr. Russell], who is so learned in parliamentary procedure, takes every opportunity he can to place his case before the country, though this issue will not be debated today. Therefore, in all fairness, I deeply feel that a brief reply—one made by the Senator from Minnesota [Mr. Humphrey] quite properly and one made on this side here by me or anyone else who chooses to make it—should go to the country, too.

Mr. President, what I have to say can be said in about 1 minute. The real issue is not whether a majority may or may not amend the rules. Of course it may do so at any time. The real issue is whether a majority may reach the point where it can amend the rules, or whether one-third of the Senate shall be in control, which is what the Senator from Georgia is contending for. What we say is that in this modern day that is unthinkable. It has a profound effect upon proposed legislation relating to civil rights and every other field and thwarts the design of the Constitution. It makes the small States by their vote of two Senators equal to the votes of my colleague [Mr. Keating] and my own, though we represent a State that pays one-fifth of the taxes in the United States. That is as it should be. But we should not be thwarted of our opportunity to get to a vote in the interest of the people of our State.

Mr. President, I propound the following parliamentary inquiry:

Does the Chair believe that notwithstanding the fact that motions to amend the rules are made under the Constitution, nonetheless the Chair may, as is its prerogative, determine questions of procedure as the Chair deems advisable in the exercise of the prerogatives of the Chair?

The VICE PRESIDENT. The Chair would like the Record to show that the present occupant of the chair has no intention of issuing advisory opinions on hypothetical cases. Advisory opinions or responses to parliamentary inquiries of the Chair are not subject to appeal to the Senate. Hence, the Senate would have no opportunity to work its will thereon. Under the circumstances stated, such opinions could serve no useful purpose other than to give a particular conclusion of the Chair some effect with Senators. The Chair does not propose to get into advisory opinions on hypothetical questions, as the present occupant of the chair has previously stated to the Senate.

On the other hand, rulings by the Chair on points of order are subject to appeal, and the Chair will be ready to rule or to submit to the Senate such points of order when they are made. Also, the Chair will try to be helpful in response to inquiries relating to pending questions.

In response to any point of order as to the constitutionality of procedure or as to the continuity of the Senate which the Chair, in his judgment—or a Senator, by making a point of order—feels may involve a constitutional question, the Chair would state today, as stated on previous occasions, that under the precedents of the Senate, in a case when a question is raised as to the constitutionality of a measure, it has been held that the Presiding Officer has no jurisdiction and no authority to pass upon such a question. It seems that from the earliest days of our Republic the Senate has reserved to itself the right to pass upon any matters that may be embraced in constitutional questions.

So, therefore, the present occupant of the chair would feel that it was the duty of the Chair to submit the constitutional question immediately to the Senate; and it is the intention of the present occupant of the chair to follow that practice, as stated on other occasions.

Mr. JAVITS. I thank the Presiding Officer, and I am grateful to my colleague.

The VICE PRESIDENT. Without objection, the Chair submits for printing in the Record at this point a statement on the history of this subject.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Senate has had a long history in settling constitutional questions. As early as December 8, 1826, the Vice President was called upon to rule as to whether a matter was constitutional. He submitted the matter to the Senate for decision which was determined in the negative, as follows:

The Vice President stated to the Senate that he entertained doubts whether the last clause of the 7th section of the 1st article of the Constitution of the United States, and the 25th rule for conducting business in the Senate, do not require that this resolution should be treated, in all respects, as a subject to be laid before the President of the United States for his approval; and that, with a view to a more correct decision, he would call for the sense of the Senate on the question, "Does this resolution require three readings?" which was accordingly put, and determined in the negative.[1]

Again on February 25, 1830, Vice President Calhoun was called on to rule whether or not it was in order for a particular bill to originate in the Senate. The following occurred on that day, as set forth in the Journal:

The Vice President doubted whether it was in order to originate, in the Senate, a bill containing provisions of the character of those contained in the third section of this bill, as follows:

"Sec. 3. *And be it further enacted,* That, from and after the first day of January, in the year 1832, a duty of thirty-three and one third per cent on the value, shall be levied on all furs and raw hides imported into the United States from countries which shall not have secured the continuance of their free admission by granting equivalent advantages to the like productions of the United States."

He therefore submitted the question for the decision of the Senate.

Since that time, on various occasions, the Chair has been asked to rule on constitutional questions, but the Record shows that the Presiding Officer has seen fit to submit all constitutional questions to the Senate. Vice Presidents Charles Curtis and John Nance Garner have followed that precedent set by Vice President John C. Calhoun in submitting constitutional questions to the Senate for its determination. Vice President Garner made the following statement when he was called on to rule:

"Shall the point of order raised by Mr. Harrison be sustained?

"The present occupant of the chair has at no time declined to construe the rules of the Senate; and if this were a matter of the rules of the Senate, he would not hesitate for a moment to express his opinion about it and make a ruling.

"It seems to the Chair, however, that this is purely a constitutional question; and under the precedents for more than a hundred years, where constitutional questions are involved as to the right of the Senate to act, the Chair has universally submitted the question to the Senate.

"The Chair thinks the logic of that rule is correct, the reasoning of it is good, because the Chair might undertake to interpret the Constitution when a majority of the Senators would have a different viewpoint. So the Chair is going to follow a long line of precedents and submit to the Senate the question whether or not it is constitutional for the Senate to propose this amendment; and it occurs to the Chair that the only question involved is, Is this a bill to raise revenue?

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[1] Senate Journal, 19th Cong., 2d sess., p. 28, Dec. 8, 1826.

> "So the Chair is going to submit to the Senate of the United States the question as to whether or not the Senate, under the Constitution, has a right to propose this amendment.
>
> "The point of order has been made by the Senator from Mississippi [Mr. Harrison] to the amendment of the Senator from Wisconsin [Mr. La Follette].
>
> "The question before the Senate is whether or not the point of order shall be sustained. That question is debatable." [2]
>
> In addition to Vice Presidents, the three following Presidents pro tempore ruled in accordance with that precedent of the Senate, submitting all questions of constitutionality to the Senate for decision: Albert B. Cummins, Key Pittman, and Kenneth McKellar.
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> The following Senators, when presiding over the Senate, followed the same precedent: Jones of Washington, Russell of Georgia, Hatch of New Mexico, Chandler of Kentucky, Ives of New York, Kennedy of Massachusetts, and McNamara of Michigan.

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The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, before I yield to the Senator from Minnesota I wish to say to the Senator from New York that even though New York may pay one-fifth of the taxes of this country, New York does not have the resources to produce that much in the way of money, and therefore must depend upon other States to furnish the wherewithal which allows New York in the long run to pay that amount in taxes. There is an equalizer which ought to be taken into consideration.

Mr. HUMPHREY and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield; and, if so, to whom?

Mr. MANSFIELD. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, we shall be debating the subject of the Senate rules for some time; and rule XXII is not a new rule.

In 1953 the distinguished Senator from New Mexico challenged what was then the accepted pattern, that the rules of the Senate would continue from one Congress to another; and he did so on constitutional grounds.

Ultimately constitutional questions in this body can be settled only by the Members of this body themselves. Sooner or later we shall get to that point.

My distinguished friend from Georgia has made a point of the fact that the rules have not inhibited the Senator from Minnesota. He is absolutely correct. The rules have not inhibited any other Senator who wanted to use those rules.

The captain of the guardians of the rules has not been inhibited, either, by the rules of the Senate. He is expert in them. I refer to the Senator from Georgia. His brilliance in the Senate is well accepted and respected.

I believe we do not add very much to a discussion of the rules by pointing out how long some Senator may have talked under the rules, because if that were the case I would come in a poor 10th, 11th, or 12th, despite my efforts to at least participate in these proceedings.

The Senator from Georgia makes the point that Senators who submit resolutions for changes in the rules seek to shortcut the processes of the Senate. I submit that the shortcut which has been foisted upon us is in section 2 of rule XXXII, which provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That is the shortcut, or, even a short circuit. It says to new Members of this body, "You will not have an opportunity to say anything about the rules." It merely says, "Those who have been here before you are going to tell you what to do."

The rules of the Senate are still written under the constitutional provision found in article I, section 5. The rules are not more sacred than the Constitution. The Constitution is the supreme law of the land; and the Constitution is unequivocal as to the power of this body, or of either House, to adopt rules. Article I provides:

> Each House may determine the rules of its proceedings.

The language is, "Each House."

The other body, the House of Representatives, has already determined the rules of its proceedings by its action. These are coequal Houses.

Every legislative body in the United States determines its rules of procedure; and most of the legislative bodies in the world determine their rules of procedure, at the beginning of the parliamentary or legislative session.

When we accept the rules without contesting any section, the rules are then operative.

We are now saying that there is an inherent right—not only an inherent right, but also an explicit right which is provided in the Constitution under article I, which provides, without shadow of a doubt:

> Each House may determine the rules of its proceedings.

This is a new Congress, the 88th Congress. The previous Congress was the 87th. This is a new Senate in the 88th Congress, the 1st session. There are Senators now present who were not here a year ago. Some Senators who were here a year ago are not now present.

It is the contention of the Senator from Minnesota that although the rules which are in the book may be adequate for everything that we need—even if I did not disagree with rule XXII—Senators cannot deny to me the right as a Senator to cast my vote or to reach the point where I have the opportunity to vote, upon the rules at the beginning of this Congress without denying to me the right to participate effectively in this body.

Time and again the Senator from Oregon has made the point that procedures frequently determine the outcome of substance; that procedural rights may be even more important at times than substantive provisions.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. We are discussing procedure.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. We do not need to argue whether the Senate is a continuing body or not. This argument is irrelevant to our basic point. Senators are not all continuing in service. Some are here again, and some are not.

Once a person is elected to be a Senator he is always a Senator for the purpose of certain parts of the continuing operation of the Senate, such as the Senate baths. A Senator can use them from now on. He can walk over to the other body with the other Senators from now on. A Senator continues, even when he is out of office, to be called a Senator.

But this is not a continuing body when it comes to legislation. When the 87th Congress concluded its business on October 13, every resolution and every bill which was before this body died, and each will have to be presented anew.

If proposed legislation which affects the life and death of this Nation must be presented in each new Congress as a new matter, de novo, Senators should not tell me that the proceedings of this body are not at least subject to scrutiny and, if need be, to action with respect to new proceedings or new rules.

The "Memorandum and Brief" a number of Senators have prepared discusses this point at some length. I intend to introduce this "Memorandum and Brief" into the Record once debate is fully underway.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President, I have made my presentation in reference to the resolution I have sent to the desk, insofar as can be done today. When the time comes, I shall debate the merit of having a majority cloture rule in this body. If we can declare war by a majority vote we ought to be able to establish the rules of the Senate by a majority, and a majority ought to be sufficient to bring about a cessation of debate after the Senate has given a subject adequate consideration, for which we would provide under the rule.

Mr. ROBERTSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, I yield the floor, to give other Senators an opportunity to speak.

Mr. ROBERTSON. I should like to ask the Senator from Minnesota a question.

Mr. HUMPHREY. I yield for that purpose.

Mr. ROBERTSON. Does the Senator recall that in 1913, when President Woodrow Wilson was desirous of having a Federal Reserve Act passed, he called the Senate into a special session, by itself, because it was a continuing body, and had it create the Banking and Currency Committee, of which the junior Senator from Virginia is now a member? The Senate passed the act, although the Finance Committee of the Senate was opposed. The President wanted Robert L. Owen, of Oklahoma, to be chairman of a new committee, and so called a special session of the Senate.

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[2] Senate Journal, 21st Cong., 1st sess., p. 156, Feb. 25, 1830.

Is it not true that rules and resolutions die because our rules provide for them to die? Do not treaties stay alive once they are submitted and come to us? Does not the President make appointments during recesses, or make nominations for appointments to a new Senate? The President recently appointed a gentleman from Virginia to a judgeship during the recess.

All this means that the Senate is a continuing body.

Mr. HUMPHREY. I say most respectfully that I do not deny the rendition of history as given by the Senator from Virginia. I am sure it is accurate, because the Senator from Virginia is one of the most learned historians of this body. But I do not speak of the yesterdays—I speak of today and the future.

The Senate is also empowered to choose its own officers. It is provided that the Senate shall choose its officers and the President pro tempore. If the Senate is a continuing body, why did we have to reelect our beloved friend Carl Hayden? We choose our own officers. They do not continue, even if there is a continuing majority.

We have certain responsibilities in the Senate which require new action. If any Senator does not believe so, I ask him, Why did we have the opening of the session and the swearing in of new Members? As was said today, the committees of the Senate are not yet constituted. If the Senate is continuing, why have not the committees been constituted? Because the Senate has not acted to constitute its committees. Why? Because the Senate must take certain action in each session.

I am not arguing about the body of the rules of the Senate; I am merely saying, as one Senator, that under the terms of the Constitution the Senate has the right to write its own rules. It has a right to do so at the beginning of the session. It has the right to do so unfettered by rules that prevent such a decision from taking place. It has a right to do so, under the Constitution, by a majority which constitutes a quorum for the purpose of doing business. At other times a two-thirds majority is required, as is expressly provided in the Constitution.

Mr. RUSSELL. Mr. President, I do not desire to belabor the question of the rules. I assume that we shall have some time, in the days that lie ahead, to discuss the question in detail. But I do want to clear up one error in the statement of the Senator from Minnesota, in which he said that treaties do not go over. Treaties do go over from Congress to Congress. There have been treaties that have gone over for seven or eight different Congresses. He also tried to make it appear that there was a disposition to prevent a majority of the Senate from amending its rules. That is not the case. We are merely insisting that they be amended in accordance with the rules which were adopted by a majority vote of the Members of this body.

The Senator from Minnesota said that new Senators had the right to amend the rules on the first day. If that were so, if there were a vacancy and a Senator were appointed and took the oath for the first time, he ought to have the same rights a Senator had on the opening day of Congress, to change the rules. That is certainly farfetched. But, as I have said, we will discuss this question in the days ahead.

The rules were adopted by majority vote. We change them in every session of the Congress, but we do it in the manner prescribed in the rules. All the Senator from Georgia insists on is that the rules of the Senate be followed in changing the rules.

## AMENDMENT OF RULE RELATING TO CLOTURE

Mr. MORTON. Mr. President, the unbalanced record of 22 failures to invoke cloture out of the 27 attempts made under rule XXII leads me to believe that this rule ought to be relaxed.

But in doing so we are dutybound, by intellectual integrity, to keep our eyes on the real issue—the question of free debate. We in the Senate and the public tend to associate cloture with legislation in the field of civil rights. The problem is much broader. What is involved is a limitation on the expression of ideas which is not only for persuasion but also in the search for legislative truth. Let us therefore proceed with caution.

You may wonder, "Why relax the rule at all? Indeed, why not junk it altogether?"

I do not advocate that because rule XXII was framed to curtail abuses of the privilege of free debate. The same abuses, from time to time, still crop up. So we come to conflict: Free debate and its questioned value collides head on with abuse of the privilege of free debate.

We have no alternative but to reconcile the two. The Senate has tried before, but those earlier determinations have not proved equitable. Abuse, one may say, has prevailed. Therefore, the next step is to ease the rule a little more.

I have long urged moderate relaxation of rule XXII, and I still hold that position. I fear that if we reduce the votes necessary to invoke cloture to a simple majority, which possibility we face, we could cripple infinitely the deliberations of this Chamber. It would then be too simple to choke consideration of the various matters we take up before they are fully aired. At this juncture I must emphasize that truth is much harder to find when you overlook some of the paths leading to it. I feel, as I am sure you all do, that the Senate is obliged to guard against such an eventuality.

In less broad terms, quick and easy cloture would jeopardize the right of minorities to be heard and raise the chance of action based on poor judgment, misinformation, and on emotion.

Those dangers—obscuring the truth, silencing minorities, and ill-advised action—will always hound us. They are our long-term enemies. Against them we must erect our principal barriers. No rash measures which fail to protect ourselves from them are ever in order in this Chamber.

Consequently, in this hazardous but essential change in Senate proceedings I urge moderation. In 1959 and again in 1961, the Senator from New Mexico and I joined in sponsoring a change in rule XXII from a two-thirds majority to a three-fifths majority of those present and voting.

Then, as now, I felt the Senate could pass any legislation it earnestly desired. The three-fifths vote is not too big to overcome nor so slight as to court rash action. It is moderate, practicable, and, I believe, acceptable to this body.

Finally, the principle of moderation has been kind to this Nation. Our great progress has always and will always flow from moderate change. History demonstrates it. On sharp departures from national custom we have stumbled. From moderate change, which is to say predictable change, have we advanced.

## STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY OPERATIONS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 13); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That, in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1963, through January 31, 1964, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills; and

(3) legislative and other proposals or means to improve these methods and processes.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided,* That the minority of the committee is authorized at its discretion to select one employee for appointment; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF MATTERS PERTAINING TO INDIAN AFFAIRS, IRRIGATION AND RECLAMATION, MINERALS, MATERIALS, AND FUELS, PUBLIC LANDS, AND TERRITORIES AND INSULAR AFFAIRS—REPORT OF A COMMITTEE

Mr. ANDERSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 16); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to Indian affairs; irrigation and reclamation; minerals, materials, and fuels; public lands; and territories and insular affairs.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee, under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## AUTHORIZATION FOR CERTAIN STUDIES AS TO THE EFFICIENCY AND ECONOMY OF GOVERNMENT OPERATIONS—REPORT OF A COMMITTEE

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 17); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof, is authorized from February 1, 1963, through January 31, 1964, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That in carrying out the duties herein set forth, the inquiries of this committee shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government.

Sec. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1963, to January 31, 1964, inclusive, to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

Sec. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1963, to January 31, 1964, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

Sec. 4. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1964, and shall, if deemed appropriate, include in its report specific legislative recommendations.

Sec. 5. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony, either orally or by deposition; (7) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (8) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee: *Provided further,* That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee.

Sec. 6. The expenses of the committee under this resolution, which shall not exceed $490,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY (for himself, Mr. Clark, Mr. Randolph, Mr. Douglas, Mr. Byrd of West Virginia, Mr. Metcalf, Mr. Williams of New Jersey, Mr. Hart, Mr. Moss, Mrs. Neuberger, Mr. Long of Missouri, Mr. Young of Ohio, Mr. Morse, Mr. Ribicoff, Mr. Burdick, Mr. McGovern, Mr. Pell, Mr. McCarthy, Mr. Mansfield, Mr. Johnston, Mr. Nelson, Mr. Cannon, Mr. Dodd, Mr. McGee, Mr. Pastore, Mr. Magnuson, Mr. Church, Mr. Gruening, Mr. Yarborough, Mr. Inouye, Mr. Bartlett, and Mr. Kefauver:

S. 1. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself, Mr. Kuchel, Mr. Metcalf, and Mr. McGovern):

S. 2. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. Eastland, Mr. Thurmond, Mr. Mundt, Mr. Sparkman, Mr. Holland, Mr. Curtis, Mr. Stennis, Mr. Byrd of Virgina, Mr. Robertson, Mr. Hickenlooper, Mr. Hill, Mr. Russell, Mr. Fulbright, Mr. Ellender, Mr. Bennett, Mr. Young of North Dakota, Mr. Williams of Delaware, Mr. Talmadge, Mr. Goldwater, Mr. Jordan of North Carolina, Mr. Smathers, Mr. Johnston, Mr. Tower, and Mr. Long of Louisiana):

S. 3. A bill to establish rules of interpretation governing questions of the effect of Acts of Congress on State laws; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself, Mr. Kuchel, Mr. Humphrey, Mr. Jackson, Mr. Church, Mr. Lausche, Mr. Douglas, Mr. Williams of New Jersey, Mr. Randolph, Mr. Clark, Mr. Proxmire, Mrs. Neuberger, Mr. Metcalf, Mr. McGovern, and Mr. Brewster):

S. 4. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. Humphrey, Mr. Hill, Mr. Sparkman, Mr. Morse, Mrs. Neuberger, Mr. Kefauver, Mrs. Smith, Mr. Byrd of West Virginia, Mr. Gruening, Mr. Hartke, Mr. Eastland, Mr. Long of Missouri, Mr. Burdick, Mr. Bible, Mr. Randolph, Mr. Williams of New Jersey, Mr. Douglas, Mr. Pell, Mr. Bartlett, Mr. Inouye, Mr. McGee, Mr. Clark, Mr. Dodd, and Mr. McGovern):

S. 5. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Beall, Mr. Bible, Mr. Brewster, Mr. Case, Mr. Clark, Mr. Dodd, Mr. Engle, Mr. Humphrey, Mr. Jackson, Mr. Javits, Mr. Kuchel, Mr. Long of Missouri, Mr. McCarthy, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Ribicoff, Mr. Symington, and Mr. Young of Ohio):

S. 6. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Bartlett, Mr. Nelson, Mr. Engle, Mr. Brewster, Mr. Ribicoff, Mrs. Neuberger, Mr. Douglas, and Mr. Pell):

S. 7. A bill to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA (for himself and Mr. Hart):

S. 8. A bill to provide for a program of federal assistance for the construction of public elementary and secondary schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

My Mr. WILLIAMS of New Jersey:

S. 9. A bill to encourage the utilization, consistent with sound urban planning, of land included within urban renewal areas for parks, playgrounds, or other recreational facilities; to the Committee on Banking and Currency.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for himself, Mr. Randolph, Mr. Cooper, Mr. Beall, Mr. Kefauver, Mr. Brewster, and Mr. Morton):

S. 10. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia and Kentucky and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEFAUVER (for himself, Mr. Humphrey, Mr. Morse, Mr. Moss, Mr. Douglas, Mr. Church and Mr. Long of Louisiana):

S. 11. A bill to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself, Mr. Byrd of West Virginia, and Mr. Boggs):

S. 12. A bill to amend the Randolph-Sheppard Vending Stand Act; to the Committee on Government Operations.

By Mr. FULBRIGHT (for himself and Mr. McClellan):

S. 13. A bill to authorize the Administrator of General Services to convey certain land situated in the State of Arkansas to the city of Fayettville, Ark.; to the Committee on Government Operations.

By Mr. RANDOLPH:

S. 14. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SYMINGTON (for himself and Mr. Yarborough):

S. 15. A bill to establish a National Academy of Foreign Affairs; to the Committee on Foreign Relations.

(See the remarks of Mr. Symington when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON (for himself and Mr. Long of Missouri):

S. 16. A bill to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Symington when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. Case):

S. 17. A bill to provide that certain contracts involving the performance of construction work on buildings or improvements intended to house activities of the Post Office Department are within the coverage of the Davis-Bacon Act; to the Committee on Labor and Public Welfare.

By Mr. RANDOLPH:

S. 18. A bill to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; to the Committee on Interior and Insular Affairs.

S. 19. A bill for the relief of James A. Cox; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. Jackson, Mr. Miller, Mr. Metcalf, and Mr. Aiken):

S. 20. A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 21. A bill to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating-differential subsidy is paid; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH:

S. 22. A bill to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Church when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. Long of Louisiana):

S. 23. A bill to provide for the establishment of the Poverty Point National Monument in the State of Louisiana, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 24. A bill to authorize the Secretary of Agriculture to exchange certain lands at the Southern Regional Research Laboratory with the city of New Orleans, La., and the New Orleans City Park Improvement Association, for certain other lands adjacent to such laboratory; to the Committee on Agriculture and Forestry.

By Mr. MOSS:

S. 25. A bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes;

S. 26. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; and

S. 27. A bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bills, which appear under separate headings.)

By Mr. SPARKMAN:

S. 28. A bill to establish a program of survival depots in order to provide subsistence for the large numbers of the civilian population of the United States who would be evacuated from the devastated areas in the event of attack on the United States; to the Committee on Armed Services.

By Mr. PROXMIRE:

S. 29. A bill for the relief of Nick Masonich;

S. 30. A bill for the relief of Nurisa Tozan, Mayranl Tozan, and Araksi Tozan; and

S. 31. An act for the relief of Sonja Dolata to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 32. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

By Mr. BYRD of West Virginia (for himself and Mr. Randolph):

S. 33. A bill to provide for the establishment of the Coal River National Recreation Demonstration Area, in the State of West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEARSON:

S. 34. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level; to the Committee on Finance.

(See the remarks of Mr. Pearson when he introduced the above bill which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Humphrey, Mr. Carlson, Mr. Prouty, Mrs. Smith, Mr. Hart, Mrs. Neuberger, Mr. Randolph, Mr. Moss, Mr. Young of North Dakota, and Mr. Gruening):

S. 35. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Finance.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 36. A bill for the relief of Aleksandra Elerts;

S. 37. A bill for the relief of Spyridon G. Kalimanis;

S. 38. A bill for the relief of Dr. Ali A. Hakim;

S. 39. A bill for the relief of Dr. Alex P. Avestruz, his wife, Dr. Nerissa L. Avestruz, and their children, Alex P. Avestruz, Jr., and Alner Avestruz; and

S. 40. A bill for the relief of Mrs. Shigeko Ikeda Rakosi; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. Bennett, Mr. Jackson, Mr. Young of North Dakota, Mr. Mundt, Mr. Bible, Mr. McGee, Mr. Bartlett, Mr. Kuchel, and Mr. Moss):

S. 41. A bill to authorize public land States to select certain public lands in exchange for land taken by the United States for military and other uses, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself, Mr. Gruening, Mr. Kefauver, Mr. Moss, Mr. Randolph, Mr. McCarthy, Mr. Bible, and Mr. Hart):

S. 42. A bill to promote the preservation for the public use and benefit, of certain portions of the shoreline areas of the United States; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON:

S. 43. A bill to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest, and for other purposes; and

S. 44. A bill to provide for a study by the Secretary of the Interior of the need or desirability of developing pumped storage; to the Committee on Interior and Insular Affairs.

S. 45. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

S. 46. A bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable; and

S. 47. A bill to provide for the establishment of Valle Grande National Park in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. Goldwater):

S. 48. A bill to amend the Indian Long-Term Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. GRUENING (for himself and Mr. Bartlett):

S. 49. A bill to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the territory of Alaska, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. Church):

S. 50. A bill authorizing the Secretary of the Interior to make loans to finance the testimony of expert witnesses before the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. McGEE:

S. 51. A bill to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District; to the Committee on Agriculture and Forestry.

S. 52. A bill to provide for tariff import quotas on sheep, lambs, mutton and lamb; to the Committee on Finance.

S. 53. A bill to amend the act of September 22, 1961, providing for the Peace Corps; to the Committee on Foreign Relations.

S. 54. A bill to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; and

S. 55. A bill to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; to the Committee on Government Operations.

S. 56. A bill to provide for the construction, operation, and maintenance of the Savery-Pot Hook Federal reclamation project, Colorado-Wyoming;

S. 57. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes;

S. 58. A bill to provide for the establishment of a national cemetery in the State of Wyoming;

S. 59. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such Act; and

S. 60. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

S. 61. A bill to amend the Federal Food, Drug, and Cosmetic Act, as amended, to require the labeling of certain imported meats, poultry, and fish; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McGee when he introduced Senate bill 59, which appear under a separate heading.)

By Mr. SMATHERS:

S. 62. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

By Mr. HRUSKA (for himself, Mr. Keating, Mr. Cotton, and Mr. Ervin):

S. 63. A bill to provide for the representation of indigent defendants in criminal cases in the U.S. district courts; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS (for himself and Mr. Holland):

S. 64. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

By Mr. McNAMARA:

S. 65. A bill to provide for payment for hospital and related health services for retired persons 65 years of age and older through the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 66. A bill to enable the Secretary of State to make such changes in the higher ranking personnel of the Department of State as he deems advisable; to the Committee on Foreign Relations.

S. 67. A bill establishing certain qualifications for persons appointed to the Supreme Court; to the Committee on the Judiciary.

S. 68. A bill to amend the Federal Aviation Act of 1958, with respect to the retirement of employees engaged in air traffic control work; to the Committee on Commerce.

S. 69. A bill to amend the National Labor Relations Act so as to prohibit discrimination in employment because of age; to the Committee on Labor and Public Welfare.

S. 70. A bill for the relief of T. W. Holt & Co. and/or Holt Import & Export Co.;

S. 71. A bill for the relief of Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe; and

S. 72. A bill for the relief of Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi; to the Committee on the Judiciary.

S. 73. A bill to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart; to the Committee on Interior and Insular Affairs.

S. 74. A bill for the relief of Dr. Olga Marie Ferrer;

S. 75. A bill for the relief of Doyle A. Ballou; and

S. 76. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John J. Bailey of Orlando, Fla.; to the Committee on the Judiciary.

By Mr. BEALL:

S. 77. A bill to establish the Chesapeake and Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMATHERS:

S. 78. A bill for the relief of Paul Griffith; to the Committee on the Judiciary.

By Mr. ENGLE:

S. 79. A bill to extend the minimum wage provisions of the Fair Labor Standards Act of 1938 to employees performing work in or related to agriculture; to the Committee on Labor and Public Welfare.

S. 80. A bill to transfer to the free list of the Tariff Act of 1930 bookbindings or covers imported by certain institutions; to the Committee on Finance.

By Mr. ENGLE (for himself and Mr. Kuchel):

S. 81. A bill to establish a Federal Commission on the Disposition of Alcatraz Island; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 82. A bill to amend title 14, United States Code, to require authorization for certain appropriations; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill which appear under a separate heading.)

By Mr. McGOVERN (for himself and Mr. Mundt):

S. 83. A bill for the relief of the estate of Mary L. McNamara; to the Committee on the Judiciary.

S. 84. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; and

S. 85. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY (for himself, Mr. McCarthy, Mr. Proxmire, and Mr. Nelson):

S. 86. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Humphrey when he introduced the above bill which appear under a separate heading.)

By Mr. GOLDWATER (for himself, Mr. CURTIS, and Mr. TOWER):

S. 87. A bill to eliminate certain abuses in labor-management relations, to protect the rights of employees, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GOLDWATER when he introduced the above bill which appear under a separate heading.)

By Mr. GOLDWATER:

S. 88. A bill to amend section 13(g) of the Surplus Property Act of 1944 to prevent the granting of exclusive right to furnish gasoline and oil at airports subject to the provisions of that section; to the Committee on Government Operations.

S. 89. A bill to authorize the Secretary of the Interior to exchange certain lands in the State of Arizona;

S. 90. A bill to provide for the relocation and reestablishment of the members of the Papago Indian Tribe inhabiting the village of Sil Murk, which adjoins the Gila Bend Indian Reservation; and

S. 91. A bill to authorize the establishment of the Fort Bowie National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 92. A bill for the relief of Hom Wah Yook (also known as Hom Bok Heung);

S. 93. A bill for the relief of Flora Romano Torre; and

S. 94. A bill for the relief of Walter Eysselinck; to the Committee on the Judiciary.

By Mr. GOLDWATER (for himself, Mr. HAYDEN, Mr. MOSS, Mr. BENNETT, and Mr. ALLOTT):

S. 95. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 96. A bill to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 97. A bill for the relief of Purificacion Siat; to the Committee on the Judiciary.

(See the remarks of Mr. BEALL when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 98. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for certain amounts paid as educational expenses to public and private institutions of higher education; to the Committee on Finance.

S. 99. A bill to create a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

S. 100. A bill to provide for a study by the Secretary of the Interior of the domestic gold mining industry, and for other purposes; and

S. 101. A bill to confirm rights to the use of water acquired under State law, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EASTLAND:

S. 102. A bill to amend title 28, United States Code, to provide for additional commissioners of the U.S. Court of Claims, and for other purposes; and

S. 103. A bill to amend subsection (e) to section 1332 of title 28, United States Code, relating to diversity of citizenship; to the Committee on the Judiciary.

By Mr. HAYDEN (for himself and Mr. GOLDWATER):

S. 104. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs

By Mr. COTTON:

S. 105. A bill to extend for 2 years the temporary provisions of Public Laws 815 and 874, 81st Congress, relating to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Labor and Public Welfare.

By Mr. WILLIAMS of Delaware:

S. 106. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder; to the Committee on Banking and Currency.

S. 107. A bill to provide for the appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above bills, which appear under separate headings.)

By Mr. WILLIAMS of Delaware (for Mr. BOGGS and himself):

S. 108. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 109. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture and Forestry.

S. 110. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for repair, maintenance, alterations, and additions to his residence;

S. 111. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning;

S. 112. A bill to amend title II of the Social Security Act to permit an individual to waive entitlement to benefits thereunder for one or more consecutive months;

S. 113. A bill to amend title II of the Social Security Act to permit an otherwise qualified disabled widow to receive widow's insurance benefits thereunder even though she has not attained retirement age; and

S. 114. A bill to amend the Tariff Act of 1930 to impose a duty upon the importation of certain bread; to the Committee on Finance.

S. 115. A bill to provide for the establishment of the Fort Scott National Historic Site, in the State of Kansas, and for other purposes;

S. 116. A bill to establish Huron Cemetery, Kansas City, Kans., as a national monument; and

S. 117. A bill to provide for the establishment of Fort Larned as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 118. A bill for the relief of Domingo Noora;

S. 119. A bill for the relief of Patti Jean Fulton;

S. 120. A bill for the relief of Margaret M. Romain;

S. 121. A bill for the relief of Dr. Ali Baser;

S. 122. A bill for the relief of John C. Cadwell; and

S. 123. A bill for the relief of Carl Reinking; to the Committee on the Judiciary.

S. 124. A bill to modify the decrease in group life insurance at age 65 or after retirement;

S. 125. A bill to amend the Civil Service Retirement Act so as to provide for recomputation of annuities where persons designated to receive survivor annuities predecease the annuitants;

S. 126. A bill to amend the Civil Service Retirement Act so as to eliminate the provisions requiring termination of annuities of surviving widows or widowers upon remarriage; and

S. 127. A bill to amend the Federal Employees Health Benefits Act of 1959 so as to eliminate any discrimination against married female employees; to the Committee on Post Office and Civil Service.

S. 128. A bill to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees; and

S. 129. A bill to amend title 23 of the United States Code to provide an additional 150 miles of highway in the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. MUNDT:

S. 130. A bill to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case; and

S. 131. A bill to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe; to the Committee on Public Works.

S. 132. A bill to create the National Weather Council and to provide coordination and central direction for an accelerated program of weather research, basis and applied; to the Committee on Commerce.

S. 133. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

S. 134. A bill to amend section 613(b) of the Internal Revenue Code of 1954 to provide that the rate of percentage depletion with respect to gold produced from deposits in the United States shall be 23 percent; to the Committee on Finance.

S. 135. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Labor and Public Welfare.

S. 136. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 137. A bill to amend section 18 of the Railroad Retirement Act of 1937 to provide free transportation on any railroad carrier subject to that act for individuals receiving pensions or annuities under that act, and for their dependents, and for other purposes; to the Committee on Labor and Public Welfare.

S. 138. A bill to redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes; and

S. 139. A bill to authorize the Secretary of the Interior to conduct a survey of federally owned lands for the purpose of locating strategic minerals; to the Committee on Interior and Insular Affairs.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 140. A bill to govern the harvesting of Indian timber; and

S. 141. A bill to improve the land tenure patterns of the Fort Belknap Reservation; to the Committee on Interior and Insular Affairs.

S. 142. A bill to designate the lake to be formed by the waters impounded by the Clark Canyon Dam in the State of Montana as Hap Hawkins Lake; to the Committee on Public Works.

S. 143. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States; and for other purposes;

to the Committee on Interior and Insular Affairs.

By Mr. MORSE (for himself and Mr. Bible):

S. 144. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 145. A bill relating to the rates of pension payable to veterans of World War I for non-service-connected disability; to the Committee on Finance.

S. 146. A bill for the relief of Willia Niukkanen (also known as William Albert Mackie); and

S. 147. A bill for the relief of Hamish Scott MacKay; to the Committee on the Judiciary.

S. 148. A bill to require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities; to the Committee on Rules and Administration.

By Mr. MAGNUSON:

S. 149. A bill to prohibit the use of timing or measuring devices in the distribution of mail; to the Committee on Post Office and Civil Service.

S. 150. A bill to create a distinguished decoration to be known as the Washington Order of Merit; to the Committee on Banking and Currency.

By Mr. ENGLE.

S. 151. A bill to amend Public Laws 815 and 874, 81st Congress, in order to make permanent the authorization for certain payments under the provisions of such laws; to the Committee on Labor and Public Welfare.

**Mr. HUMPHREY** subsequently said: Mr. President, I ask unanimous consent that the bill just introduced by the Senator from California [Mr. Engle] be permitted to lie on the desk for 10 days for additional cosponsors. The Senator from California failed to make that request.

The **VICE PRESIDENT**. Without objection, it is so ordered.

By Mr. ENGLE (for himself, Mr. Magnuson, Mr. Carlson, and Mr. Bible):

S. 152. A bill to create the National Weather Council and to provide coordination and central direction for an accelerated program of weather research, basic and applied; to the Committee on Commerce.

**Mr. HUMPHREY** subsequently said: Mr. President, I ask unanimous consent that the bill just introduced by the Senator from California [Mr. Engle] be permitted to lie on the desk for 10 days for additional cosponsors. The Senator from California failed to make that request.

The **VICE PRESIDENT**. Without objection, it is so ordered.

By Mr. ALLOTT:

S. 153. A bill to provide for the establishment of a moisture conservation research center at the Federal land-grant college at Fort Collins, Colo.; to the Committee on Agriculture and Forestry.

S. 154. A bill to repeal the retailers excise tax on luggage, handbags, and similar items; to the Committee on Finance.

S. 155. A bill to authorize the Administrator of General Services to convey certain lands in the State of Colorado to the city of Denver, Colo.; to the Committee on Government Operations.

S. 156. A bill relating to membership in Indian tribal organizations; and

S. 157. A bill to amend the Mineral Leasing Act of 1920 in order to provide for public records of oil and gas leases issued under such act and other instruments affecting title to such leases, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 158. A bill to prohibit sales of gold by the Government for commercial use or for the arts, or for the purpose of lessening the price and value of gold; to the Committee on Banking and Currency.

S. 159. A bill to provide for the construction, operation, and maintenance of the Fruitland Mesa Federal Reclamation project, Colorado; and

S. 160. A bill to provide for the construction, operation and maintenance of the Bostwick Park Federal reclamation project, Colorado; to the Committee on Interior and Insular Affairs.

S. 161. A bill to amend the Internal Revenue Code of 1954 to establish a 27½-percent depletion allowance for minerals mined as a source of synthetic oil or gas; to the Committee on Finance.

S. 162. A bill to provide for the construction, operation, and maintenance of the Savery-Pot Hook Federal reclamation project, Colorado-Wyoming; to the Committee on Interior and Insular Afairs.

S. 163. A bill for the relief of Katherine Ena Lee; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Bennett):

S. 164. A bill to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS (for himself, Mr. Clark, Mr. Humphrey, and Mr. Pell):

S. 165. A bill to establish a United States National Arts Foundation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 166. A bill to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to extend to imported tangerines the restrictions imposed by such section on certain other imported commodities; to the Committee on Agriculture and Forestry.

S. 167. A bill to provide for the conveyance under certain conditions of the phosphate rights in certain lands in the State of Florida; to the Committee on Interior and Insular Affairs.

S. 168. A bill to amend the Railway Labor Act with respect to the settlement of labor disputes involving common carriers by air; to the Committee on Labor and Public Welfare.

S. 169. A bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in public utilities; to the Committee on Labor and Public Welfare.

By Mr. HOLLAND (for himself and Mr. Smathers):

S. 170. A bill to provide that the highway running from Tampa, Fla., through Brandenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HUMPHREY (for himself, Mrs. Neuberger, Mr. Hart, Mr. Young of Ohio, Mr. Proxmire, Mr. Randolph, Mr. Nelson, Mr. Church, Mr. Long of Missouri, Mr. McIntyre, Mr. Mansfield, Mr. Morse, Mr. Metcalf, Mr. Pastore, Mr. McGee, Mr. McCarthy, Mr. Pell, Mr. Douglas, Mr. Ribicoff, Mr. Burdick, Mr. Clark, Mr. Gruening, Mr. Yarborough, Mr. McGovern, Mr. Magnuson, Mr. Monroney, Mr. Bartlett, Mr. Engle, and Mr. Kefauver):

S. 171. A bill to incorporate the Eleanor Roosevelt Foundation; to the Committee on the Judiciary.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 172. A bill for the relief of Luisa Gertrudes Goncalves; and

S. 173. A bill for the relief of Mrs. Anka Mesic; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 174. A bill for the relief of Jagat Kumar Kaul; and

S. 175. A bill for the relief of Dr. George E. Poulias; to the Committee on the Judiciary.

S. 176. A bill to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Johnston when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. CASE (for himself and Mr. Clark):

S. 177. A bill to establish a Commission on Congressional Reorganization, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (for himself, Mr. Young of North Dakota, and Mr. McGovern):

S. 178. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Public Works.

S. 179. A bill to increase the participation by counties in revenues from the national wildlife refuge system by amending the act of June 15, 1935, relating to such participation, and for other purposes; to the Committee on Commerce.

By Mr. MUNDT (for himself, Mr. Scott, Mr. Prouty, Mr. Bible, Mr. Kuchel, Mr. Fong, Mr. Young of North Dakota, Mr. Bennett, Mr. Cooper, Mr. Humphrey, Mr. Randolph, Mr. Smathers, Mr. Allott, Mr. Carlson, Mr. Sparkman, and Mr. Case):

S. 180. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Government Operations.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH:

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President, and for election of such candidates by popular vote; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S.J. Res. 2. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; and

S.J. Res. 3. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the

United States of America; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (for himself and Mr. Randolph):

S.J. Res. 4. Joint resolution to provide for the actual participation of the United States in the West Virginia centennial celebration; to the Committee on the Judiciary.

By Mr. YOUNG of Ohio (for himself, Mr. Lausche, Mr. Morse, and Mr. Kefauver):

S.J. Res. 5. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

(See the remarks of Mr. Young of Ohio when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. McGEE:

S.J. Res. 6. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River irrigation project, Wyoming, chargeable against certain non-Indian lands; and

S.J. Res. 7. Joint resolution to determine the susceptibility of minerals to electrometallurgical processes, and for other purposes; to the Committee on Interior and Insular Affairs.

S.J. Res. 8. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S.J. Res. 9. Joint resolution for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations, and to State and local governments or their instrumentalities; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT:

S.J. Res. 10. Joint resolution designating the carnation as the national flower of the United States; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself and Mr. Smathers):

S.J. Res. 11. Joint resolution to provide for the designation of the week of Whitsunday of each year as Hernando de Soto Week; to the Committee on the Judiciary.

By Mr. MUNDT (for himself, Mr. Thurmond, Mr. McClellan, Mr. Hruska, Mr. Morton, Mr. Fong, Mr. Boggs, Mr. Stennis, Mr. Prouty, and Mr. Goldwater):

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. SMATHERS:

S.J. Res. 13. Joint resolution proposing an amendment to the Constitution relating to the nomination and election of candidates for President and Vice President, and to succession to the office of President in the event of the death or inability of the President; to the Committee on the Judiciary.

S.J. Res. 14. Joint resolution to establish a Commission to study and propose improvements in the methods of nominating and electing the President and Vice President; to the Committee on Rules and Administration.

By Mr. HOLLAND (for himself, Mr. Robertson, Mr. Carlson, and Mr. Bennett):

S.J. Res. 15. Joint resolution to authorize the Architect of the Capitol to construct a memorial to James Madison, and for other purposes; to the Committee on Rules and Administration.

## CONCURRENT RESOLUTIONS

## ESTABLISHMENT OF JOINT COMMITTEE ON ORGANIZATION OF CONGRESS

Mr. CLARK (for himself, and Senators Humphrey, Kuchel, Engle, Saltonstall, Metcalf, Case, Williams of New Jersey, Neuberger, Moss, Randolph, Muskie, Hart, Nelson, Dodd, McCarthy, Scott, Cooper, McGee, Douglas, Pell, Boggs, Burdick, Church, Gruening, Keating, Miller, Bartlett, Kefauver, and Javits) submitted a concurrent resolution (S. Con. Res. 1) establishing a Joint Committee on the Organization of the Congress, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

## AMENDMENT OF SECTION 132 OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mrs. SMITH submitted the following concurrent resolution (S. Con. Res. 2); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That section 132 of the Legislative Reorganization Act of 1946 is amended to read as follows:

"Sec. 132. (a) Effective with the first session of the Eighty-eighth Congress, in each even-numbered year in which the two Houses have not adjourned sine die by August 15, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 15 in that year, or the following Monday if November 15 falls on Saturday or Sunday; and in each odd-numbered year in which the two Houses have not adjourned sine die by August 1, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 1 in that year, or the following Monday if November 1 falls on Saturday or Sunday.

"(b) The consent of the respective Houses is hereby given to an adjournment of the other for the period specified in subsection (a)."

## ADJOURNMENT OF CONGRESS ON JULY 31, 1963

Mr. ALLOTT (for himself and Mr. Dominick) submitted the following concurrent resolution (S. Con. Res. 3); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the two Houses of Congress shall adjourn on Wednesday, July 31, 1963, and that when they adjourn on said day, they stand adjourned sine die.

## RESOLUTIONS

Mr. ANDERSON (for himself and Mr. Morton) submitted the following resolution (S. Res. 9); which was ordered to lie over, under the rule:

*Resolved*, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

## AMENDMENT OF RULE XXII, SECTION 3

Mr. HUMPHREY (for himself, Mr. Kuchel, Mr. Douglas, Mr. Case, Mr. Clark, Mr. Fong, Mr. Javits, Mr. Hart, Mr. Keating, Mr. Williams of New Jersey, Mr. Scott, Mr. Engle, Mr. Randolph, and Mr. Beall) submitted the following resolution (S. Res. 10), which was ordered to lie over, under the rule:

*Resolved*, That rule XXII of the Standing Rules of the Senate is amended by redesignating section 3 of the said rule as section 4 and by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all, unless additional time is provided in accordance with this rule, to not more than 100 hours, of which 50 hours will be controlled by the majority leader and 50 hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however*, That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

## AMENDMENT OF RULE XXII, SUBSECTION 2

Mr. ALLOTT submitted the following resolution (S. Res. 11); which was referred to the Committee on Rules and Administration:

*Resolved*, That subsection 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter each Senator shall be entitled to speak in all three hours and no more in his own behalf on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

## INVESTIGATION OF CERTAIN MATTERS BY COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA submitted the following resolution (S. Res. 12); which was referred to the Committee on Public Works:

*Resolved*, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, public buildings, and all features of water resource development.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis; technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent funds of the Senate upon vouchers approved by the chairman of the committee.

## STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY OPERATIONS

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 13) to study certain aspects of national security operations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Jackson, which appears under a separate heading.)

## CERTAIN INVESTIGATIONS BY COMMITTEE ON BANKING AND CURRENCY

Mr. ROBERTSON (for himself and Mr. BENNETT) submitted the following resolution (S. Res. 14); which was referred to the Committee on Banking and Currency:

*Resolved*, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

SEC. 2. For the purposes of this resolution the committee from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $86,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING

Mr. SPARKMAN (for himself, Mr. ROBERTSON, and Mr. BENNETT) submitted the following resolution (S. Res. 15); which was referred to the Committee on Banking and Currency:

*Resolved*, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF MATTERS PERTAINING TO INDIAN AFFAIRS, IRRIGATION AND RECLAMATION, MINERALS, MATERIALS, AND FUELS, PUBLIC LANDS, AND TERRITORIES AND INSULAR AFFAIRS

Mr. ANDERSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 16) authorizing the Committee on Interior and Insular Affairs to investigate certain matters within its jurisdiction and authorizing certain expenditures therefor, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Anderson, which appears under a separate heading.)

## STUDIES AS TO EFFICIENCY AND ECONOMY OF GOVERNMENT OPERATIONS

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 17), authorizing the Committee on Government Operations to make certain studies as to the efficiency and economy of the operations of the Government; which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McClellan, which appears under the heading "Report of a Committee.")

## INVESTIGATION OF THE POSTAL SERVICE AND THE CIVIL SERVICE SYSTEM

Mr. JOHNSTON submitted the following resolution (S. Res. 18); which was referred to the Committee on Post Office and Civil Service:

*Resolved,* That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) the administration of the postal service, particularly with respect to (a) the quality and frequency of mail service rendered the public, (b) the operation of the postal establishment with maximum efficiency and economy, (c) modernization of facilities, and (d) parcel post;

(2) the civil service system, including but not limited to (a) steps necessary to improve the merit system, (b) the administration of the Postal Service and Federal Employees Salary Act of 1962, (c) dual compensation within the Federal service, (d) executive pay, (e) administration of the health and life insurance programs, and (f) operation of the retirement program.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## AMENDMENT OF RULE RELATING TO SERVING OF HARD LIQUOR IN SENATE WING OF CAPITOL OR SENATE OFFICE BUILDINGS

Mr. MORSE submitted the following resolution (S. Res. 19); which was referred to the Committee on Rules and Administration:

*Resolved,* That rule XXXIV of the Standing Rules of the Senate (relating to regulation of the Senate wing of the Capitol) is amended by adding at the end thereof the following new paragraph:

"3. The serving of alcoholic beverages shall not be permitted within any portion of the Senate side of the Capitol, or any portion of any office building set aside for the use of the Senate, other than a room or suite which is assigned for occupancy by a Member or officer of the Senate for the transaction of the business of his office. As used in this paragraph, the term 'alcoholic beverage' means any alcoholic beverage containing more than 24 per centum of alcohol by volume."

## ADDITIONAL CLERICAL ASSISTANCE FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON submitted the following resolution (S. Res. 20); which was referred to the Committee on Post Office and Civil Service:

*Resolved,* That the Committee on Post Office and Civil Service is authorized, from February 1, 1963, through January 31, 1964, to employ one additional clerical assistant to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

## STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. MORSE (for himself and Mr. Hart) submitted the following resolution (S. Res. 21); which was referred to the Committee on Rules and Administration:

*Resolved,* That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph;

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

Sec. 2. Section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on two standing committees and no more; except that not to exceed twenty-six Senators of the majority party, and not to exceed eleven Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, the Committee on Aeronautics and Space Sciences, or the Committee on Veterans' Affairs, may serve on three standing committees and no more."

## STUDIES PERTAINING TO MIGRATORY LABOR

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 22); which was referred to the Committee on Labor and Public Welfare:

*Resolved,* That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to migratory labor including, but not limited to, such problems as (a) the wages of migratory workers, their working conditions, transportation facilities, housing, health, and educational opportunities for migrants and their children, (b) the nature of and the relationships between the programs of the Federal Government and the programs of State and local governments and the activities of private organizations dealing with the problems of migratory workers, and (c) the degree of additional Federal action necessary in this area.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## EXTENSION OF SPECIAL COMMITTEE ON AGING

Mr. McNAMARA submitted the following resolution (S. Res. 23); which was referred to the Committee on Rules and Administration:

*Resolved*, That the Special Committee on Aging established by Senate Resolution 33, Eighty-Seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1964.

SEC. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems of older people, including but not limited to, problems of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

SEC. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

SEC. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 5. For purposes of this resolution, the committee is authorized to employ on a temporary basis from February 1, 1963, through January 31, 1964, such technical, clerical, or other assistants, experts, and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and, with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel, as it deems advisable.

SEC. 6. The expenses of the committee, which shall not exceed $213,000, from February 1, 1963, through January 31, 1964, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964. The committee shall cease to exist at the close of business on January 31, 1964.

## YOUTH EMPLOYMENT ACT OF 1963

Mr. HUMPHREY. Mr. President, on behalf of myself and Senators CLARK, RANDOLPH, DOUGLAS, BYRD of West Virginia, METCALF, WILLIAMS of New Jersey, HART, MOSS, NEUBERGER, LONG of Missouri, YOUNG of Ohio, MORSE, RIBICOFF, BURDICK, MCGOVERN, PELL, MCCARTHY, MANSFIELD, JOHNSTON, NELSON, CANNON, DODD, MCGEE, PASTORE, MAGNUSON, CHURCH, KEFAUVER, GRUENING, YARBOROUGH, INOUYE, and BARTLETT, I introduce for appropriate reference a bill entitled the "Youth Employment Act of 1963."

Mr. President, I am most pleased to announce that the bill I introduce today has received the full endorsement of the Kennedy administration. It represents the first bill that has been so endorsed. As the first Senate bill of the 88th Congress, and carrying the full endorsement and acceptance by the Administration, I predict it will also be the first major bill approved by the 88th Congress and sent to the President for his signature.

I am extremely pleased that it has been possible for the Administration to give this legislation its formal seal of approval. I will do everything in my power to see it become law.

The proposed legislation contains two principal proposals: the creation of a Youth Conservation Corps, and a program of youth local area employment.

As most Senators know, I have been stumping for this legislation for a long, long time. In the 86th Congress the Senate passed my bill—S. 812—to create a Youth Conservation Corps. In the 87th Congress my bill—S. 404—to create both a YCC and a youth public service employment program marked time on the Senate Calendar for many months, awaiting action by the House of Representatives. But the enthusiasm of certain members of the House Rules Committee for this legislation was not as great as mine, nor as great as that of many of their colleagues, or of the general public. In short, the bill never reached the House floor for a vote in the 87th Congress.

But at the end of last session, I pledged that the fight to pass the Youth Employment Act would be renewed when the opening gavel fell on the 88th Congress. The gavel has now fallen, and the fight is now on.

Since the adjournment of the 87th Congress, I have seen the need for prompt passage of the Youth Employment Act with greater clarity than ever before. In this regard, two incidents are particularly noteworthy.

The first relates to the sudden and unexpected rise in unemployed young people that occurred in the November unemployment figures released by the Department of Labor. Total national unemployment increased from 5.5 to 5.8 percent in November. The unexpected and unforeseen addition of 150,000 teenagers to the unemployment rolls in this single month primarily caused this disheartening increase in total unemployment.

This increase in unemployed teenagers occurred almost exclusively among boys; their unemployment rate rose from 13.3 to 15.2 percent, seasonally adjusted.

In fact, in the month of November 1962, there were more than 800,000 unemployed young people under 20 years of age in the United States. These are official figures of the U.S. Department of Labor. This total of 800,000 comprises almost one-fifth of the entire unemployed population.

I believe these November unemployment figures provide graphic evidence of a most serious problem: Unemployment among young people, particularly those who are also school dropouts, has reached dimensions that can no longer be ignored or wished away. We are squarely confronted with a social evil of the gravest longrun consequences, not only for thousands of out-of-school, out-of-work, and out-of-hope young men and women, but also for society at large.

Finally, we have entered the period when the postwar wave of youngsters has started knocking on the doors of prospective employers. Often due to lack of skills, training, and experience of the youngsters, these doors will remain closed.

By 1970 a total of 3 million new young workers will be entering the labor force each year. As the November figures demonstrate, we are already tragically delinquent in our preparations for the annual influx of young people seeking gainful and satisfying employment. I maintain it is time we seriously faced the hard question: Will we be ready for these young people in 1970? On the basis of the November figures coupled with our recent performance in regard to this legislation, the irrefutable answer is "No."

But I am confident that the 88th Congress will say—with clarity, courage, and conviction—"Yes."

Since the adjournment of the 87th Congress, I have also been amazed by the widespread expressions of support I have received in behalf of the youth employment bill. The failure of the 87th Congress to pass S. 404 did not go unnoticed by people deeply concerned with the problem of our unemployed youth. Letter after letter has come to my office demanding immediate action in the 88th Congress.

For example, I have received a petition forwarded to me by 100 citizens of Massachusetts. They ask for prompt action on the youth employment bill. Republicans, Democrats, and independent voters signed this petition; they saw no basis for partisanship on such a matter as youth employment. I am hopeful that a similar attitude will prevail among my good friends on both sides of the aisle.

Mr. Stanley Flynn, of Norton, Mass., circulated this petition on his own initiative. In a covering letter he wrote:

> The success of this act means a great deal to me. The old CCC was my personal salvation and it could mean the same to many a youngster today. Keep plugging.

I have never heard a more honest or more persuasive endorsement of my Youth Conservation Corps. And I fully intend to keep plugging.

Judge Benjamin S. Schwartz, judge of the Court of Common Pleas, Cincinnati, writes of his great personal concern that this legislation should pass. Judge Schwartz sees the consequences of idle youth in his courtroom every day. His letter illustrates the basic costs to society when young people—in the most active and creative period of their lives—are forced by factors beyond their control to remain idle and uncreative.

I could occupy the floor for hours reading from the correspondence I have received since October. But the basic message of these letters and telegrams is identical: prompt enactment of the youth employment bill by the 88th Congress. I devoutly hope this message falls upon the ears of my colleagues with the same clarity that it has fallen upon mine.

Thousands of words have been expended in describing the objectives, structure, and functions of the Youth Conservation Corps. I only wish to review these briefly at this time.

The Youth Conservation Corps provides constructive and educational work experiences to young men between 16 and 21 in our national and State forests. They will work on preplanned conservation projects under the supervision of the trained and experienced personnel of the National Park Service and the National Forest Service. It is estimated that there currently exists about an $8 billion backlog of needed conservation work. In short, the YCC enrollee will be making a meaningful contribution toward the preservation of our great national forests and parks.

Enrollees will undertake such activities as timber stand improvement, reseeding, insect control, watershed development, construction and rehabilitation of outdoor recreation areas, and tree planting. They will be using tools of all sorts—not only hammers, saws, and pickaxes, but light construction equipment such as small bulldozers. They will be learning to use auxiliary equipment such as pumps and power generators. They will learn construction techniques. The firsthand experience will provide them with many skills needed today in American industry.

But this is not all. It is also planned to provide the young men in the YCC with approximately 10 hours a week of formal education and training to be arranged through local school authorities.

When a young man has completed his enrollment in the YCC—a minimum of 6 months—he will not be sent home and forgotten. The local State employment security officer who originally selected the young man for the YCC has been locating a suitable job for the enrollee when he returns home.

And he will return home with a new sense of self-discipline, fit, huskier, and trained in the use of tools and machinery. His successful completion of the enrollment is, in itself, a guarantee of performance on the part of the young man; a guarantee that he has adjusted to a rigorous and demanding work situation and has performed capably.

Six months of dedicated work in the Youth Conservation Corps will give these young men a sense of personal accomplishment and achievement. For many, this will be unique experience. I devoutly believe that just such an experience has the capacity to transform a young man's entire outlook on life, to give him confidence in himself and the future, to provide a foundation for beginning his life as a responsible, self-supporting citizen. Such a human investment pays dividends in ways not imagined and in dimensions not foreseen.

The youth local area employment programs would be established in cooperation with State and local governments to develop opportunities for employing qualified trainees in a wide variety of local public service activities. The approved programs, as determined by a national advisory committee, would be for young men and women between 16 and 22. The jobs would not interfere with those performed by regular employees and the rates of pay would be reasonably consistent with those for comparable work in the locality.

Initiative and control of these employment programs would remain with the States and local communities. Work would be performed in schools, libraries, hospitals, welfare agencies, children's homes, courts, playgrounds, and in community activities such as the Visiting Nurses Association, Boy Scouts, and so on. The young workers would be under the supervision of experienced personnel and would undertake the type of employment designed to give substantial work experience.

Many of the employees would participate on a part-time basis and continue their schooling. Most participants would continue to live at home. In fact, a principal objective of these public service employment programs would be to create a desire within the young people to acquire professional skills through additional formal education and training.

Some opponents of this legislation honestly believe we cannot afford such programs. I say: Can we afford not to offer our young people such employment opportunities? It would cost about $4,000 per year for each volunteer in the Youth Conservation Corps; it costs $25,000 for every juvenile delinquent who goes the police court-reformatory route. Even if the delinquent never gets in trouble again—which is doubtful—the cost is already six times as great, assuming you just are figuring on a dollar-and-cents, and not a human, balance sheet. There currently exists an $8 billion backlog of programed conservation projects. The Civilian Conservation Corps made a great contribution to this generation through their productive work in the 1930's. Now is the time to realize that the YCC can make such a similar dollars-and-cents investment through their conservation activities.

Mr. President, while I shall have much more to say on the youth employment bill, I am determined that the time for mere talk has passed. I understand that hearings in both the House and Senate are scheduled within 2 weeks. The decks have been cleared for prompt action. I, for one, intend to do everything in my power to bring this proposed legislation to a successful conclusion as early in the 88th Congress as possible. I welcome the collaboration and support of the Senate in this vital effort.

Mr. President, I ask that the youth employment bill remain at the desk for 4 days, so that additional Senators may join as cosponsors of the measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the full text of the Youth Employment Act be printed in the RECORD at this point. I also ask unanimous consent that several articles and documents also be printed in the RECORD, including an article from the New York Times describing the November increase in teenage unemployment, a recent article from the Washington Post describing the proposed project of "mobilization for youth," the type of opportunities that will grow out of the youth public service employment program contained in this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, articles, and documents will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 1) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources and recreational areas; and to authorize local area youth employment programs, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—*

SECTION 1. This Act may be cited as the "Youth Employment Act".

### TITLE I—YOUTH CONSERVATION CORPS

### *Short title*

SEC. 101. This title may be cited as the "Youth Conservation Corps Act".

### *Statement of purpose*

SEC. 102. The purpose of this title is (1) to provide the opportunity for healthful employment of young men in carrying out such programs of conservation planned and designed by, and under the immediate supervision of, the various governmental agencies charged with the responsibility of planning and carrying out such programs; and (2) to enable the governmental agencies charged with the responsibility of conserving and developing natural resources and recreational areas to accelerate programs planned by such agencies to fulfill such responsibility.

### *Establishment of a Youth Conservation Corps*

SEC. 103. In order to carry out the purposes of this title, there is hereby established within the Department of Labor a Youth Conservation Corps (hereinafter referred to as the "Corps"). There shall be a Director of the Corps who shall be appointed by the President, by and with the advice and consent of the Senate, and whose annual salary shall be $20,000. The Director shall perform such functions in connection with the Corps as may be prescribed by the Secretary of Labor (hereinafter referred to as the "Secretary").

### *Authority of Secretary*

SEC. 104. The Secretary shall have authority to—

(1) establish adequate standards of safety, health, and conduct for enrollees of the Corps, and enter into agreements with the Secretary of Health, Education, and Welfare, for the provision, by the latter, of medical, dental, hospital, and other health services to enrollees, either directly or through other public or nonpublic facilities and personnel;

(2) enter into agreements with Federal and State agencies (for the purposes of this title "State" shall include the District of Columbia, Puerto Rico, the Virgin Islands, Guam and American Samoa) charged with the responsibility of conserving, developing, and managing the natural resources of the Nation, and of developing, managing, and protecting recreational areas, whereby the enrollees of the Corps may be utilized by such agencies in carrying out, under the immediate supervision of such agencies, programs planned and designed by such agencies to fulfill such responsibility. Not more than one-third of the Corps shall be available at any one time for utilization by State agencies pursuant to such agreements. Any such agreement with a State agency shall provide that the State will defray one-half of all costs incurred with respect to any enrollees utilized by such State agency;

(3) enter into agreements with, and otherwise cooperate with, other governmental departments, agencies, and instrumentalities in carrying out the purposes of this title;

(4) insure the provision of a system of training and educational services to enrollees of the Corps, in addition to the regular program of work and on-the-job training: *Provided,* That to the maximum extent practicable such programs shall be provided by State and local educational authorities under agreement with the Secretary of Health, Education, and Welfare;

(5) expend such amounts as he deems necessary within available appropriations for supplies, materials and equipment for enrollees to be used in connection with their work, instruction, recreation, health, or welfare;

(6) prescribe such rules and regulations, establish such other procedures, enter into such contracts and agreements, and generally perform such functions as he may deem to be necessary to carry out the provisions of this title; and

(7) authorize the performance by the Director of any functions of the Secretary under this title.

### *Interagency consultation*

SEC. 105. In the administration of this title, the Secretary shall seek the advice and assistance of the Secretaries of the Departments of Health, Education, and Welfare, Agriculture, and Interior.

### *National Advisory Council on the Youth Conservation Corps*

SEC. 106 (a). There is hereby established in the Department of Labor a National Advisory Council on the Youth Conservation Corps (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and not more than fourteen additional members appointed by the Secretary without regard to the civil service laws. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) representing the fields of conservation, agriculture, education, training, youth employment, labor, management and the public in general. Upon request of the Secretary, the Council shall review the operations of the Corps in general, the kind of work performed and the training provided and shall from time to time make recommendations to the Secretary relative to the execution of his responsibilities under this title. The Council shall meet at least twice each year and at such other times as the Secretary may request.

(b) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

### *Composition of the corps*

SEC. 107 (a). The Corps shall be composed of male individuals who have attained age sixteen but have not attained age twenty-two at the time of enrollment. The number of enrollees shall not exceed at any one time 15,000 during the first fiscal year of its operation and during the next four fiscal years such numbers as may be maintained within the appropriations made therefor by the Congress but not to exceed 60,000 enrollees at any one time.

(b) In order to enroll as a member of the Corps, an individual must agree to comply with rules and regulations promulgated by the Secretary for the government of the Corps.

(c) Enrollment in the Corps shall be for a period of six months; if permitted by the Secretary, an individual may reenroll, but his total enrollment shall not exceed two years.

(d) For purposes of accepting enrollment in the Corps in any year, (A) 50 per centum of the total number of the authorized enrollment of the Corps for such year shall be allocated to the various States on the basis of the ratio that the total male population of each State within the age group referred to in subsection (a) bears to the total male population of the United States within such age group, (B) 50 per centum of the total number of the authorized enrollment of the Corps for such year shall be allocated in such manner as shall be determined by the Secretary, taking into account areas which have been designated as redevelopment areas under section 5 (a) and (b) of the Area Redevelopment Act (75 Stat. 47) and (C) allocations not utilized under (A) shall be reallocated under (B). The population categories referred to above shall be determined in accordance with the most recent statistics available from the Bureau of the Census and the Department of Labor.

### *Compensation of enrollees*

SEC. 108(a)(1). The base compensation of enrollees shall be $60 per month for the first enrollment and an additional $5 per month for each subsequent enrollment. Up to an additional $10 per month may be paid on the basis of assigned leadership responsibilities, or special skills.

(2) The Secretary shall establish procedures whereby each enrollee may make an allotment to his parent, dependent, legal guardian, or any fund established for his benefit, of part of the periodic compensation to which he is entitled under this title, and such allotment shall be paid directly to the person or fund in favor of which it is made.

(b) In addition to compensation authorized in subsection (a), enrollees shall be furnished with such quarters, subsistence, transportation (including travel from and to the place of enrollment), equipment, clothing, training, educational and recreational services, medical, dental, hospital and other health services, and such other expenses (including funeral and burial expenses) as the Secretary may deem necessary or appropriate for their needs.

(c) In the case of any individual who is an enrollee within the meaning of this title, the value of items furnished shall be exempt from income tax under subtitle (A) of the Internal Revenue Code of 1954, except to the extent that the Secretary, in consultation with the Secretary of the Treasury or his delegate, determines any portion thereof to be additional base compensation.

### *Application of provisions of Federal law*

SEC. 109 (a). Except as otherwise specifically provided in this title, an enrollee is deemed not to be a Federal employee and shall not be subject to the provisions of Federal laws relating to Federal employment including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits such as retirement, life insurance, and health benefits.

(b)(1) Section 210 of the Social Security Act (42 U.S.C. 410) is amended by adding at the end thereof the following new subsection:

### *"Service as enrollee in youth conservation Corps*

"(p) The term 'employment' shall, notwithstanding the provisions of subsection (a), include service performed by an individual as an enrollee in the Youth Conservation Corps established by title I of the Youth Employment Act and all such service shall be deemed to have been performed by such individual as an employee of the United States."

(2) Section 209 of such Act (42 U.S.C. 409) is amended by adding at the end thereof the following new paragraph:

"For purposes of this title, in the case of an individual performing service to which the provisions of section 210(p) apply, his 'wages' for such service, shall, subject to the provisions of subsection (a) of this section, be deemed to be $150 for each calendar month during all of which he is an enrollee within the meaning of title I of the Youth Employment Act, or $5 per day for any calendar month during part (but not all) of which he is such an enrollee."

(3) The first sentence of section 205(p)(1) of such Act (42 U.S.C. 405(p)(1)) is amended by striking out "and including service" and inserting in lieu thereof "service," and by inserting "and service, performed as an enrollee within the meaning of title I of the Youth Employment Act, to which the provisions of section 210(p) are applicable," after "to which the provisions of section 210(o) are applicable,".

(c)(1) Section 3121 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(q) SERVICE AS ENROLLEE IN YOUTH CONSERVATION CORPS.—For purposes of this chapter, the term 'employment' shall, notwithstanding the provisions of subsection (b) of this section, include service performed by an individual as an enrollee in the Youth Conservation Corps established by title I of the Youth Employment Act, and all such service shall be deemed to have been performed by such individual as an employee of the United States."

(2) Subsection (i) of such section is amended by adding at the end thereof the following new paragraph:

"(4) SERVICE IN THE YOUTH CONSERVATION CORPS.—For purposes of this chapter, in the case of an individual performing service to which the provisions of subsection (q) apply, his 'wages' shall, subject to the provisions of subsection (a)(1) of this section, be deemed to be $150 for each calendar month during all of which he is an enrollee within the meaning of title I of the Youth Employment Act, or $5 per day for any calendar month during part (but not all) of which he is such an enrollee."

(3) The first section of section 3122 of such Code (relating to Federal service) is amended by striking out "and including service" and inserting in lieu thereof "service," and by inserting "and service, performed as an enrollee within the meaning of title I of the Youth Employment Act, to which the provisions of section 3121(q) are applicable," after "section 3121(p) are applicable,".

(4) Section 6051(a) of such Code is amended by adding at the end thereof the following new sentence: "In the case of compensation for service as an enrollee in the Youth Conservation Corps, the statement shall show, in lieu of the amount required to be shown by paragraph (5), the total amount of wages as defined in section 3121(a), computed in accordance with such section and section 3121(i)(4)".

(5) Section 3401(a) of such Code (relating to the definition of wages for purposes of the collection of income tax at source on wages) is amended by striking out ", or" at the end of paragraph (6) and inserting in lieu thereof "; or", by striking out the period at the end of paragraph (12) and inserting in lieu thereof "; or", and by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and by adding at the end thereof the following new paragraph:

"(14) pursuant to section 108(b) of title I of the Youth Employment Act, other than any portion determined thereunder to be additional base compensation, for service performed as an enrollee within the meaning of such title."

(6) Section 121(a) of such Code is amended by striking out the period at the end of paragraph (18) and inserting in lieu thereof ";", and by adding at the end thereof the following new paragraph:

"(19) Amounts received by enrollees under section 108 of title I of the Youth Employment Act, see such section 108(c)."

(d) The amendments made by subsection (b) of this section and by paragraphs (1), (2), (3), and (4) of subsection (c) of this section shall apply with respect to service performed after the date of the enactment of this Act. The amendment made by paragraph (5) of subsection (c) of this section shall apply with respect to remuneration paid after the date of the enactment of this Act.

(e)(1) Enrollees under this title shall, for the purpose of the administration of the Federal Employees' Compensation Act (39 Stat. 742, as amended), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act and the provisions thereof shall apply except as hereinafter provided.

(2) For purposes of this section—

(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee—

(i) while he is on authorized leave or pass; or

(ii) while he is absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Corps.

(B) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of an enrollee shall be deemed to be $150 a month.

(C) The term "injury" as defined in section 40 of the Federal Employees' Compensation Act shall include only a disease or illness which arises out of service in the Corps.

(D) Compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee is discharged from the Corps.

*Appropriations authorized*

SEC. 110. (a) For the purpose of carrying out the provisions of this title, there is authorized to be appropriated for the fiscal year commencing July 1, 1963, and for each succeeding fiscal year such amounts as the Congress may determine to be necessary to carry out the provisions of this title.

(b) Funds authorized to be appropriated under this title may be transferred between departments and agencies of the Government for use for the purpose for which they are specifically authorized and appropriated and may also be transferred to State governments for the purposes provided in this title.

*Reports*

SEC. 111. Not later than one hundred and twenty days after the close of each fiscal year the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities of the Corps during such year, and not later than January 1, 1966, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report evaluating the activities of the Corps from its inception, together with such recommendations as he may deem desirable.

## TITLE II—LOCAL AREA YOUTH EMPLOYMENT PROGRAM

*Short title*

SEC. 201. This title may be cited as the "Local Area Youth Employment Act".

*Statement of purpose*

SEC. 202. The purpose of this title is to provide useful work experience opportunities for unemployed youths so that their employability may be increased through the use of local area youth employment programs.

*Development of State and local employment programs*

SEC. 203. In order to carry out the purposes of this title, the Secretary of Labor (hereinafter referred to as the "Secretary") shall assist and cooperate with State (which for the purposes of this title shall include the District of Columbia, Puerto Rico, the Virgin Islands, Guam and American Samoa) and local governments in developing programs for the employment of young people in State and local community service activities, hereinafter authorized, which, whenever appropriate, shall be coordinated with a program of training and education provided by local educational authorities. The Secretary shall advise such State and local governments as to the number and availability of unemployed young people, their skills and qualifications for various types of work, and shall provide in cooperation with local school authorities for the orderly selection and referral of youths for enrollment in such programs.

*Approval of programs*

SEC. 204. (a) The Secretary is authorized to approve for assistance under this title any State or local programs submitted hereunder if he determines, in accordance with such regulations as he may prescribe, that—

(1) enrollees in the program will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects, sponsored by nonprofit private agencies and approved by the appropriate State agency;

(2) the program will increase the employability of the enrollees, or will enable student enrollees to resume or to maintain school attendance;

(3) the program will permit or contribute to a public undertaking or service that will not otherwise be provided;

(4) the program will not result in the displacement of regular workers;

(5) the rates of pay and other conditions of employment are appropriate and reasonably consistent with the rates and conditions applicable with respect to comparable work in the locality; and

(6) the program includes standards and procedures for the selection of applicants including provisions assuring full coordination and cooperation with local and other activities to discourage students from dropping out of school.

(b) In approving projects under this title, the Secretary shall give priority to projects with high training potential.

*Enrollees in programs*

SEC. 205. (a) Enrollment in programs under this title shall be limited to young men and women who have attained age sixteen but have not attained age twenty-two.

(b) Enrollees shall not be subject to the provisions of any other Federal law relating to Federal employment including hours of work, rates of compensation, or employee benefits.

(c) The number of enrollees in programs under this title shall not exceed at any one time fifty thousand during the fiscal year ending June 30, 1964, and thereafter such numbers as may be maintained within appropriations made therefor by the Congress.

(d) The Secretary shall provide for testing, counseling, job development, and job referral services to youths in order to carry out the purposes of this title.

*Federal share of program costs*

SEC. 206. Whenever a local area youth employment program is determined under section 204 to be appropriate, the Secretary may enter into an agreement with the State or local government, or agency thereof, or a private nonprofit agency, under which the Secretary will pay grants up to 50 per centum of the costs, including those of administration, of the program.

*Authority of Secretary*

SEC. 207. (a) In carrying out this title, the Secretary is authorized to—

(1) delegate to the heads of other departments and agencies of the Federal Government any of his functions, powers, or duties under this title as he deems appropriate, and to authorize the redelegation thereof by the heads of such departments and agencies.

(2) utilize with their consent the services of Federal agencies and, with the consent of any State or local government, accept and utilize the services of State and local agencies; to establish State and local advisory committees; and to utilize such voluntary and uncompensated services as may from time to time be needed;

(3) make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement as he may deem necessary to carry out the provisions of this title;

(4) encourage the enrollees to participate in a systematic program of training and education provided by local educational authorities;

(5) prescribe such rules and regulations as he may deem necessary to carry out the provisions of this title.

(b) Any agreement under this title shall contain such provisions as may be necessary to promote effective administration, protect the United States against loss, and insure the application of funds in a manner consistent with the provisions and purposes of this title and the terms of such agreement.

### *National Advisory Council on Local Area Youth Employment Programs*

Sec. 208(a). There is hereby established in the Department of Labor a National Advisory Council on Local Area Youth Employment Programs (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and nine members appointed by the Secretary without regard to the civil service laws. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) who are recognized authorities in professional or technical fields related to the employment of youth or persons representative of the general public who are leaders in programs concerned with employment of youth. The Council shall advise the Secretary on the administration of this title.

(b) Upon request of the Secretary, the Council shall review the operation of this title in general and shall from time to time make recommendations to the Secretary relative to the execution of his responsibilities under this title. The Council may also make recommendations to the Secretary on projects referred to it by the Secretary. The Council shall meet at least twice each year and at such other times as the Secretary may request. The Secretary is authorized to utilize the services of any member or members of the Council in connection with matters relating to this title for such periods, in addition to conference periods, as he may determine.

(c) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

### *Interagency consultation*

Sec. 209. In the administration of this title, the Secretary shall seek the advice and assistance of the Secretaries of the Departments of Health, Education, and Welfare, Agriculture, and Interior, of the Attorney General, the Administrator of the Housing and Home Finance Agency, and of such other agency heads as the Secretary deems appropriate.

### *Appropriations authorized*

Sec. 210. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

(b) Funds authorized to be appropriated under this title may be transferred between departments and agencies of the Government for use for the purpose for which they are specifically authorized and appropriated and may also be granted to State and local governments for the purpose provided in this title.

### *Report by the Secretary*

Sec. 211. Not later than one hundred and twenty days after the close of the fiscal year ending June 30, 1964, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities and programs authorized by this title during such year; and not later than one hundred and twenty days after the close of the fiscal year ending June 30, 1965, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report evaluating the activities and programs authorized by this title during the preceding two fiscal years together with recommendations for such legislation as he may deem desirable; and not later than one hundred and twenty days after the close of the fiscal year ending June 30, 1966, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report evaluating the activities and programs authorized by this title during the preceding three fiscal years.

### *Termination date*

Sec. 212. (a) All authority conferred under this title shall terminate at the close of June 30, 1966.

(b) Notwithstanding the foregoing, the termination of this title shall not affect the disbursement of funds under, or the carrying out of any contract, agreement, commitment, or other obligation (including the completion by an individual of any approved training) entered into pursuant to this title prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under this title after June 30, 1967.

The articles and documents presented by Mr. HUMPHREY are as follows:

[From the New York Times, Dec. 6, 1962]

### Jobless Rate Up Sharply—Capital Investment Rises—Unemployment Increase Is Laid to Lack of Work for Teenagers—Labor Aid Asserts Economy Is Generally OK

Washington, December 5.—The unemployment rate rose sharply in November to 5.8 percent of the labor force, the Labor Department reported today.

The increase, from 5.5 percent in October, was attributed to an unexpected rise in the number of unemployed teenagers.

In another important sector of the economy, the Commerce Department and the Securities and Exchange Commission reported that business outlays for plant and equipment would be slightly higher this year than had been expected. But such outlays will decline early in 1963, the agencies said.

The sudden rise in unemployment among teenagers was contrary to expectations for this time of the year. Otherwise, changes in the labor force were about what would ordinarily be expected.

Total employment was 67,981,000, a decline of about 900,000 from October to November. The figure was still about 800,000 above a year earlier and set a record for November. The decline was attributed to seasonal cutbacks in outdoor activities, such as farming.

Seymour L. Wolfbein, Deputy Assistant Secretary of Labor for Manpower, said the figures indicated that "by and large the economy is OK, but we are not seeing the impact we want on the unemployment side."

He noted that the unemployment rate, adjusted to eliminate seasonal influences, has hung high at 5 percent or more for the last 5 years.

Unemployment last month was 3,801,000, a rise of about 500,000. A rise of from 350,000 to 400,000 is customarily expected at this time of the year, because of slackening farm activity. What made the difference last month between the normal expectation and what actually happened was an increase of about 15,000 in the number of unemployed teenagers. Ordinarily, this figure does not change in November.

Labor Department experts were unable to explain, on the basis of figures available so far, what caused the increase in teenage unemployment. Ordinarily, a seasonal increase in unemployment in that group is reflected in the figures for December. There was speculation that the November labor force survey, which was made relatively late last month, might reflect some of the rise normally reported for December.

#### LACK WORK EXPERIENCE

About 100,000 of those added to the ranks of unemployed teenagers were boys, mostly without previous work experience, Labor Department experts said.

The unemployment rates among adult men and women were not significantly changed—4.6 percent for men and 5.6 percent for women. The rate among teenagers rose from 13.3 percent in October to 15.2 percent in November.

Unemployment last month was about 190,000 below a year earlier, when the rate was 6.1 percent.

The number of workers unemployed for half a year or more declined from 447,000 to 397,000 in the month. Last year at the same time, the figure was 689,000.

The number unemployed for 15 weeks or more remained at 866,000, virtually unchanged.

Business investment in plant and equipment this year has fallen further short of the Government's expectations—or hopes—than has any other major line of economic activity.

Such investment, otherwise known as capital spending, is for building new factories, stores, office buildings and the like, or expanding or modernizing old ones, and for purchasing machinery and equipment.

The Government's original predictions of strong overall economic growth this year assumed that capital spending would rise by 15 percent. Early in the year, it appeared that capital spending would grow only 8 percent. The report today by the Commerce Department and Securities and Exchange Commission revised this estimate to 9 percent.

The new estimate of capital spending for this year was $37,400 million, which would be a record by a small margin. The previous record was $37 billion, set in 1957; last year the figure was $34,400 million.

The report said that capital spending rose to an annual rate of $38,350 million in the third quarter of this year and was expected to hold at the same level in the current, final quarter. In the first quarter of next year, it said, a drop to a rate of $37,700 million is indicated.

This report appears to conflict with the widely recognized McGraw-Hill survey, which indicated recently that outlays in 1963 would be 3 percent higher than for this year.

#### RATE EXCEEDS AVERAGE

However, the rate of outlays in the third and fourth quarters of this year is already almost 3 percent ahead of the full year average. Thus, a small reduction early in 1963 could easily be offset by small increases later. In fact, McGraw-Hill said that there would be little or no gain in the first half of 1963, and that the gains would come later.

The Commerce-SEC report indicates increased outlays by manufacturers of nondurable goods and by commercial concerns in the first quarter of next year. It also indicates reduced outlays in the current quarter and early 1963 in the public utility and transportation industries. Increased outlays by manufacturers of durable goods in the current quarter but a cutback in the first quarter of next year are also indicated.

A comparison of data for 1957 and 1962 shows that commercial companies—such as stores, banks, insurance, and construction concerns—now account for a bigger share of total capital spending and manufacturers' and public utilities account for smaller shares.

[From the Washington Post, Jan. 4, 1963]

### JOB TRAINING PROJECT COMBATS DELINQUENCY

(By Eve Edstrom)

NEW YORK, January 3.—The youths used to get their kicks from heroin or gang fights, but now they are working on electrical, masonry, and carpentry jobs on the lower East Side.

They are the results of Mobilization for Youth's attack on juvenile delinquency. The program was viewed first hand yesterday by citizen advisers to the President's Committee on Juvenile Delinquency and Youth Crime, which is helping to finance the multi-million-dollar effort.

A major underpinning of Mobilization's attack is the provision of legitimate paid-work opportunities for 16- to 21-year-olds who never knew how to get a dollar except by robbing stores or slugging cab drivers.

These youths live in what probably is the most famous slum in the United States, a slum which has undergone radical changes since World War II. Physically the area now is a mixture of squalid tenements and new high-rise public housing.

The old and the new sit side by side in a sea of rubble.

Puerto Ricans and Negroes have become predominant in an area which was largely Jewish. The pushcarts still can be seen but so can the ravages of the dope pushers. Work opportunity is only one of the many services offered under Mobilization's total program, which will cost $12.6 million over a 3-year period.

Other phases viewed today by the Citizens Advisory Council of the President's committee included:

Neighborhood service centers—helping stations where families can receive aid on housing, budget, language, and medical problems. One station, housed in a former candy store, now serves 200 families with 600 children in a 5-block area bounded by Delancey and Houston Streets. At the station, the coffeepot is always perking; the door is open 7 days a week.

Public School No. 31, where a crash program is underway to help teachers better understand their pupils' cultural backgrounds. Teachers are attending classes themselves to gain this insight and are visiting the homes of each of their pupils.

Fearful of these visits at first, the teachers found that they were greeted warmly and were asked to stay for supper. They also learned enough about some children's problems that these youngsters no longer are problems in the classrooms.

But the work program got off the ground first and best illustrates mobilization's premise that any successful effort to curb juvenile delinquency must provide young people with opportunities to behave differently.

As explained at general conference sessions prior to a tour of the work projects, the slum youths never had normal opportunities, through work or education, to get their share of the world's goods. In classrooms, more time was spent on discipline than on learning so they dropped out of school.

They had no skills to market, or if they did, they were the subjects of discrimination.

And so they became like Hector, a 19-year-old Puerto Rican who has been in a reform school three times for theft and narcotics possession.

"You knock off a store to get money for wine or pot," Hector told a youth worker. "You think it will be the last, but then there's another one, and you're in jail. It's like a circle. You've got to get yourself out of it, but that's hard in this neighborhood. Maybe you get yourself some lousy job so they can lay you off the next week."

Until recently, this youth was a war counselor of one of the lower East Side's most notorious gangs. But now he is learning to be a stonemason and is a member of Mobilization's Urban Youth Services Corps.

The work corps is a subsidized program which offers paid job training in such fields as teaching, carpentry, electrical work and food services. Under the work exploration phase of the program, the youth tries several types of work to determine which he likes. He works from 9 a.m. to 4 p.m., punches a time clock and earns 75 cents an hour while developing work habits.

Many of these youths never had a reason to get up in the morning before. They used to sleep until noon, stay out until 3 or 4 a.m., and get into trouble. Now, they tell workers, they no longer feel like bums. In addition, four of five members of different gangs—which used to meet for rumbles at night—work on the same projects without incident.

After exploring work, the youths are assigned to specific projects. Right now, they are rebuilding an old store which will be used as a neighborhood center. They are paid from a dollar to $1.25 an hour.

Ultimately they move into on-the-job training. Jobs are contracted with private employers such as printing shops, auto parts stores and gas stations. Negotiations now are underway with Shell Oil Co., Macy's, and Beth Israel Hospital for job training. Trainees are paid the going rate for the job, with Mobilization and the employer sharing the cost.

Mobilization's job center opened October 15 and by last month 800 youths had applied for jobs. Currently, Mobilization is working with 300 of these boys on a full-time basis.

Mobilization is being financed by the city of New York, the National Institute of Mental Health, the Ford Foundation, and a $1.9 million grant from the President's Committee.

Although other cities, such as Washington, have received grants from the President's Committee to plan programs to combat delinquency, Mobilization is the first to receive funds to translate its plans into action.

Mr. McGOVERN. Mr. President, no resource of this Nation is more precious than our young people and no problem affecting them more urgent than that of continued unemployment.

For this reason I join in sponsoring the Youth Employment Act of 1963. The goals of this legislation are clear: To unite the creation of jobs for unemployed youngsters with the need to conserve and expand our natural resources. Its provisions are sensible and thoughtfully drawn: Male citizens between 16 and 21 are to be recruited for periods of 6 months in a Youth Conservation Corps of 50,000 members—to be increased after 3 years to 100,000—who will be employed at needed conservation tasks in our Federal and State parks and forests. As in the Peace Corps, only a subsistence wage of $70 per month will be paid these volunteers, in addition to provision for quarters, food, clothing, and medical care. Under title II of the act, young men and women will be given useful work experience, coupled with appropriate training and education, in urban areas, for example, in schools and hospitals.

Those of us who remember the dark days of the 1930's will not soon forget the splendid work performed by the young men who were enrolled in the Civilian Conservation Corps. No program of this period gained more universal approval; none inspired more hope in the hearts of youngsters for whom the future seemed forbiddingly bleak. Across this broad land today stand hundreds of living memorials to the resourcefulness and zeal of those victims of the great depression.

Today we face no comparable economic crisis. Our factories are not stilled; our consciences no longer carry the burden of city breadlines and farm revolts.

Yet the crisis for today's youth is no less real. Unemployment is the daily lot of a million American youngsters who have left their books and classes. The number of unemployed young people continues to swell as the war babies enter the labor market. In November alone, a hundred thousand teenage boys were added to the unemployment lists and the rate of unemployment among teenagers climbed to 15.2 percent. Though the highest level of unemployment is found in the 16-to-20-age bracket, the worst is still to come. By 1965 it is estimated more than a million young Americans will be job hunting. Delinquency, already a serious problem, will loom even larger on the national horizon. No American today needs to be told of the shocking statistics on the growing number of juveniles, most of them unemployed, who commit adult crimes.

We in South Dakota are especially concerned about the problem of dwindling opportunities for our youth. Almost 10,000 South Dakotans are leaving our State each year and the great majority of them are under 35 years of age. In our State are State and National parks, reservoirs, forests, and potential recreational centers where our young people might be given suitable work. In these healthful surroundings hundreds of young Americans including South Dakotans might find employment during the difficult interlude between finishing school and finding their life's work.

Of the benefits to the boys and the Nation of this kind of outdoor experience there is no doubt. We can all agree with the conclusion of the Outdoor Recreation Resources Review Commission:

> The outdoors lies deep in American tradition. It has had immeasurable impact on the Nation's character and on those who made its history. When an American looks for the meaning of his past, he seeks it not in ancient ruins, but more likely in mountains and forests, by a river, or at the edge of the sea. Today's challenge is to assure all Americans permanent access to their outdoor heritage.

No social legislation in this session of Congress is more vital to the welfare of the Nation than this bill.

## ESTABLISHMENT OF WATER RESOURCE CENTERS AT CERTAIN COLLEGES

Mr. ANDERSON. Mr. President, I send to the desk for appropriate reference a bill to establish water resources research institutes or centers at land grant colleges and universities, to stimulate water resources research at other institutions of higher education, and to promote a more adequate national program in this field.

I request unanimous consent that the bill lie on the desk for 3 days to permit any Senators who wish to do so to join in coauthorship of the measure.

The first draft of this bill was introduced in the 87th Congress on July 27 of last year. I then announced that it was introduced for the purpose of study, to stimulate discussion, obtain the views of the agencies in the executive branch of the Government, and to become a vehicle for the preparation of a revised bill for presentation to this Congress.

The response to the study bill has been a stimulating experience.

Comments and suggestions have come from every corner of the country and they have been almost invariably constructive. Many have been incorporated in the revision. Without any exception, the basic plan in the bill to stimulate water resources research in colleges and universities, where it will help to produce much-needed, highly trained personnel in the water field, has been warmly endorsed and supported.

The principle of multidisciplinary, or collegewide agencies has received general endorsement.

The sums proposed to be authorized for the research programs have not been criticized. We have been advised that they are modest in comparison to expertly estimated needs for college and university located research on water problems, but not so modest that they will not permit substantially adequate beginnings of a program which is expected to stimulate and attract matching funds from other sources.

Before dealing in greater detail with this water resources research bill, we should review briefly where we stand as this session of Congress opens in relation to water resources to meet the Nation's growing needs.

In January 1961, under the leadership of the greatly missed Senator from Oklahoma, Robert S. Kerr, the Senate Select Committee on National Water Resources warned us in its final report that we will have abundant water supplies in the years ahead only if we conserve them and manage them wisely.

Full development of all available supplies is going to be necessary to meet the needs in 1980 of five major river basins, or areas: the South Pacific area in California, the Great Basin in Nevada, the Rio Grande-Pecos, the Lower Colorado, and the upper Missouri River Basins.

Another three great water areas will be at the limit of their supplies, with full development, by the year 2000. This group includes the western Great Lakes area composed of Michigan, northern Indiana, most of Illinois, and eastern fractions of Wisconsin and Minnesota. It also includes the western gulf area in Texas, and the upper Arkansas-Red River Basins involving major parts of Colorado, Kansas, and Oklahoma, and smaller sections of northeastern New Mexico and northern Texas.

Briefly, by the year 2000 the western half of this Nation excepting the upper Mississippi, the immediate Mississippi River drainage area, the lower Missouri and the Columbia River Basin will have come to the end of presently available water resources. The rest of the Nation will be struggling with conserving, purifying, recycling, and transporting water to points of need with investments in water facilities running well over 10 or 15 billion 1961 dollars per year.

Some of us are right now at the bottom of the barrel. The San Juan-Chama project in New Mexico will develop our last major available water supply unless and until we can purify brackish waters. In Arizona, 60 percent of water needs are being met from ground water sources which are being pumped out far faster than they are replenished. Southern California is now importing water, planning to import more from the northern end of the State, and hoping the Supreme Court will permit it to have more from the Colorado River Basin despite an adverse report of the Court's Master in the case.

Totally, America has an abundance of water to meet her needs for centuries to come if the water and population are managed right. It will require enormous investments, at best, to manage properly. We are right now eyeball-to-eyeball with shortages, and in many areas we cannot afford enough time to blink. We must invest in water development and research or stagnate.

The Select Committee on National Water Resources, on which I had the honor to serve with Senators Kerr, Murray of Montana, Chavez, Ellender, Magnuson, Jackson, Engle, Hart, McGee, Moss, Kuchel, who was vice chairman, Young of North Dakota, Schoeppel, Case of South Dakota, Martin of Iowa, and Scott of Pennsylvania, made five recommendations. These included:

First, development of comprehensive water development and management plans for every major river basin in the United States by 1970.

Second, a 10-year program of financial aid to States to help them become active participants in the big planning job.

Third, a greatly expanded and comprehensive Federal program of scientific research on water, probing ways both to increase our supplies and to increase the efficiency of our use of available supplies.

Fourth, preparation of a biennial Federal assessment of the water demand-supply situation in each of the water resource regions of the United States so we will know where we stand, starting this year.

Fifth, Federal-State cooperation in a program to encourage efficiency in water development and use.

President Kennedy took the initial steps to implement these recommendations during his first month in office. In February 1961, in his resources message, he advised that he had asked the National Academy of Sciences to give him a report on the situation in respect to scientific research on all natural resources. He had also asked the Council on Science and Technology to provide an interim report on water research.

In July of the same year—1961—he sent to Congress a draft of a Water Resources Planning Act to provide the machinery for development of major river basin plans by 1970, and to provide the recommended aid to the States for participation in planning work.

Despite a great divergence of views about who should do our river basin planning, and a feeling in many quarters that agency and departmental competitions in the water field make the achievement of the task of coordinated planning in a reasonable period of years absolutely impossible, I have a great deal more than bare hope that the 88th Congress of the United States will solve this puzzle and get such planning under way on the basis of President Kennedy's bill.

The Interior and Insular Affairs Committee sat jointly with the Public Works Committee in hearings on the President's planning and State aid proposal in 1961. There was opposition to it from those who insist that State water rights are paramount to Federal rights—or should be. The situation did look hopeless, but the Interior Committee has persisted in an effort to reach agreement with the States on a mechanism for planning which will avoid the State-Federal rights issue. I appealed to Gov. Nelson Rockefeller, of New York, at one point in this effort to help end the impasse between Federal and States rights advocates which has existed since President Teddy Roosevelt's Inland Waterways Commission recommended comprehensive Federal planning in 1908.

A series of conferences between representatives of the Interstate Commission on Water Problems of the Council of State Governments and of our committee has ensued. Modifications of President Kennedy's proposal for basin planning commissions have been developed which I have reason to hope will find broader acceptance than any previous draft. There should consequently soon be before this Congress a revision of S. 2246 of the 87th Congress, intended to implement recommendations Nos. 1 and 2 of the Select Committee on National Water Resources and the President's proposal to get planning started.

We are not going to drop the effort to achieve orderly water resources planning. Wise management of the water resources of our planet is fully as important as exploring space. Both are going to be top priority concerns of mine in this Congress.

The bill I have just introduced, the water resources research bill, is intended to contribute to the implementation of the Select Committee's third recommendation—a comprehensive Federal water research program.

So there will be no continuing misunderstanding of the bill, as is reflected in one departmental report on S. 3579, it should be clearly understood that the measure does not propose a total Federal water research effort and no such claim is made for it.

The bill proposes Federal financial assistance to land-grant colleges and universities or other competent higher educational institutions in each State, as the State determines, to establish a universitywide water resources research institute or center, in the general pattern of the Hatch Act of 1887 which authorized the agricultural experiment stations. Each State center will be entitled to $100,000 annually on a continuing basis, plus matching funds for specific research or experimental projects. The Secretary of the Interior is also authorized to make grants, matching agreements and contracts with other colleges, and universities, States and other governmental agencies, private foundations and other institutions, firms and individuals, to conduct water research projects within the scope of the Department of Interior's mission in the water field. Appropriation of $5 million in the first fiscal year, increasing to $10 million over the next 5 years, would be authorized.

The program does not meet the need for expansion of direct Federal research work on important water problems like pollution control, weather modification and saline water conversion, nor the need for the Departments of the Federal Government, other than Interior, to use the colleges and universities on research projects in their fields of responsibility. Just as the agricultural experiment stations supplement Federal agricultural research at Beltsville and many other direct Federal agricultural laboratories and research centers, the water research program proposed in this bill would supplement present programs of Federal agencies, not supplant them.

When I introduced the original draft of the bill, I said:

> The proposal is not a solution to all water resources research problems. It will make a great contribution both to the assurance of adequate water supplies and the advancement of our scientific knowledge but there will be a continuing necessity for special Federal water research programs such as the present saline water and pollution control work. There will be need for intensified fundamental scientific research into the nature of this element, and into every aspect of the hydrologic cycle, not only in the colleges and universities, but wherever competent scientists can be enlisted and supported in the work.
>
> This bill proposes what I believe will become a very important part of the sort of national water research program called for by the Senate Select Committee on National Water Resources in its 1961 report, but only one part of it.

Other parts of my explanation of the original bill are equally pertinent to the present bill.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of these remarks, excerpts from that original statement of July 27, 1962. Repetitive portions will be deleted.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, in my original remarks, I included statements from a number of eminent educators and scientists in regard to some of its major features.

They include the findings of a symposium of engineers that water research involves many fields of knowledge—mathematics, physics, chemistry, geology, meterology, statistics, bacteriology, biology, geography, soil, science, agriculture, forest management, law, economics, public administration, political science, medicine and sociology. This listing supported the finding that water research must be interdisciplinary, with highly trained men available from a broad array of fields.

Dr. Joseph L. Fisher of Resources for the Future, and Dr. John C. Geyer of the Department of Sanitary Engineering and Water Resources at Johns Hopkins University are quoted on the need for more scientists—social as well as physical scientists—working in the water field. Together with Dr. Carl E. Kindsvater of the University of Georgia, they support the urgency and great value of combining research and education to bring about the training of much-needed scientists specializing in water problems.

The original endorsements of the basic objectives of this water resources research proposal could now be extensively supplemented from the reports of the executive agencies on S. 3579, from the findings of educational and scientific bodies who have independently made recommendations paralleling S. 3579 since its introduction, and from communications about the proposal from people with knowledge of our critical water situation.

I shall cite some of these supporting statements which are pertinent to features of the bill which have been and will doubtless be debated further, during its consideration.

It has been suggested that regional, rather than State, water research centers would be adequate and that in some instances other than land-grant institutions should be designated as the home of the State water research agency.

The original bill provided that funds for a center should go to a land-grant college or university, or "such substantially equivalent arrangement as the State shall determine." That has been changed in the current draft to specify a land-grant institution or "other institution of higher education as the State shall determine." This is intended to make clearer that the State may designate whatever college or university it considers best to conduct interdisciplinary water research work. The new draft is further amended to authorize, but not require, two or more States to join in a single interstate or regional water research agency if they desire to do so.

There should be such discretion in the bill, but I am prepared to defend, with the backing of some outstanding authorities, the wisdom of staying close to the pattern of the Hatch Act of 1887—the Agricultural Experiment Station Act—which authorized the establishment of experiment stations at the land-grant school in each State.

Report No. 1 of the President's Science Advisory Commission on "Meeting Manpower Needs in Science and Technology" declares:

> Additional first-rate educational opportunities should be located in such manner as to serve all geographic areas more effectively. Centers of excellence serving more regions and States would stimulate and spread economic progress because, as recent experience has shown, industry tends to concentrate around leading institutions of science and technology. In addition to enlarging present programs, special arrangements will be required to assist areas of the country which now possess inadequate foundations for an effective graduate education program.

The President's Committee also found:

> Nowhere are the benefits of scientific research more dramatically revealed than in food production. Fifty years ago in this country an agricultural worker produced food for only 3 or 4 others in contrast to his capability to feed 27 individuals today.
>
> This accomplishment can be directly attributed to research that has been systematically supported by the Federal Government, the States, and private sources, in programs that have historically and effectively linked education and research. As a consequence, universities have been eminently able to meet changing needs.

The universities to which this comment alludes, are, of course, the land-grant institutions proposed to be activated in the water field by the bill I have introduced. The program of systematic Federal, State, and private support effectively linking education and research to which our great success in the food field is attributed is the exact pattern which would be established in the water resources field by the measure I have presented, for the language of the Water Resources Research Act is the language of the Hatch Act which started the agricultural experiment station system.

In the field of water research, the proposed act would spread centers of competence to serve the needs of the States on the same pattern which the President's Committee found the most outstanding example there is of the benefits of scientific research.

The Committee on Natural Resources of the National Academy of Sciences—National Research Council, in its study of the status of natural resources research for the President, has come to the conclusion that—

> In adapting their research programs and activities to the requirements of the problems outlined in this report, governmental and nongovernmental agencies and institutions should take full advantage of the resources of the universities, contracting out especially those studies for which the universities are uniquely equipped. It should be remembered that an important byproduct of the university research is the training that accompanies it, and the committee reemphasizes the need for training research workers to deal effectively with the problems relating to natural resources. These problems require closer cooperation between natural and social scientists.

The National Science Foundation group concluded that the Federal Government should "enlist the potentials of land-grant institutions" and that—

> These institutions should be encouraged to extend their interest to cover the total span of natural resources, particularly as they relate to the future well-being of the areas they serve. For example, these institutions in the coastal States could develop fisheries experiment stations similar to the agricultural experiment stations which have so successfully aided the development of agriculture in the United States.
>
> The faculties of these universities should be called upon to serve as advisers and assistants to local and State agencies with responsibilities for resource development, planning, and management.

It is appropriate to repeat at this point that one of the facts which stimulated the original concept of S. 3579 was the Interior Committee's finding, during a committee survey of current water research and study activities, that the States, in their efforts to meet pressing water problems, are already calling on land-grant college and university faculty members for help and advice.

As the cooperative Federal-State water resources planning work recommended by the Senate select committee, and by the President, gets underway—and there is going to be water planning because of the pressure of requirements whether Congress provides an orderly method or it has to be a patchwork job—State and local officials throughout the Nation are going to have increased need for such advice and assistance.

The conclusions of the National Academy study and of the President's Science Advisory Committee that we need more centers of competence, and that they should be available to aid State and local needs, are sound and strongly support the soundness of assistance to each State to provide itself with the services of a water resources research center.

There are a great many water problems that are of interstate, regional, national, and even worldwide in character, such as saline water conversion and pollution. The soap companies sell detergents everywhere. The chemistry and the physical characteristics of the element itself are the same in New York and California, regardless of which is the bigger State. They are the same on all of the continents of the world, and much of the knowledge we gain through water research will have value in our international relationships.

But water problems also vary with every difference in the environment in which the water occurs. Environment varies with the nature of human habitation and use in the area in which it occurs, with climate, with topography, elevation, vegetative cover, or lack of it, geology and scores of other factors.

There is fully as much variation in problems, and therefore justification and need for water resources research centers by States as there was and is for the agricultural experiment stations which have had such phenomenal success.

Another point of considerable discussion concerning this water research proposal has been the scarcity of hydroscientists. Fear has been expressed that the new State centers will enlist and draw scarce manpower away from useful water research work now in progress.

There are not going to be 50 water research centers set up suddenly a week after this measure passes Congress and is signed. There must first be appropriations. The States must designate colleges and universities to establish centers, or institutes. The institutions designated will have to develop plans for competent and useful research having regard, under the terms of this revised bill, to the avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research.

Development of the centers will come over a period of several years. It may not require 25 or 30 years, as in the case of agricultural experiment stations, but it would not all happen in 1 year. Department of Interior estimates, in its report on S. 3579, indicate that the programs will still be somewhat below maximum authorizations in the bill after 5 years.

Engineers, hydrologists, and physical scientists will not be required for all of the projects undertaken, nor for all of the tasks of training needed personnel which are involved. Water problems are social as well as physical. There is a great deal we need to know about the economic value of water in alternative uses, about the suitability and adequacy of our divergent systems of riparian and appropriation rights in water law, about the efficiency and effectiveness of the social and political institutions which administer water, the social and economic objectives of water resources development, the economic effects of interbasin transfers, the potentialities of flood plain zoning, methods of evaluating the use of water for recreation and scenic preservation, and a great many other matters outside the field of physical sciences. Many questions outside hydrology and engineering will arise in the process of planning river basins for optimum use, as we are committed to do.

We are assured that there are a great many highly trained members of the faculties of colleges and universities, trained in both the social and scientific disciplines involved in water problems who, although not classified as hydroscientists, can be enlisted to specialize on work related to water and to conduct water related research, and direct and train students in such work. A great deal of effective and competent work can be accomplished in the period in which additional pure hydroscientists are being trained, which will also contribute to their training.

The University of New Mexico has just published a very valuable study of the comparative economic values of water in alternative uses directed by Dr. Nathaniel Wollman, an economist.

The study indicates that water from our San Juan-Chama project used for recreation will add four to five times as much to the State's gross product as water used in agriculture. Water used by industry will increase gross State product 12 to 15 times more than use in recreation. A new mix of water uses is clearly in order.

Traditional social and economic concepts about water have been shaken not only in New Mexico, but in all water-short areas by the study. Things we have suspected have been factually demonstrated. A great deal of research, restudy, and replanning of water developments will need to be done to assure optimum use. There is need for research into our institutional arrangements for the transfer of water between uses. Standards and criteria for the justification of water projects must be reviewed. Repayment arrangements and pricing schedules will need restudy.

In its summary report on "Natural Resources Research" which was issued January 9, the National Science Foundation-National Research Council says in regard to water:

> Systems research directed toward simultaneous evaluation of combinations of alternative uses, operating procedures, and physical structures would greatly benefit all agencies having responsibility for regional and water basin developments. This research must utilize social as well as physical data and thus will require programs of supporting research in the social sciences as well as the physical sciences and engineering.

Any argument that we do not have adequate trained personnel to attack water problems competently and fruitfully in a very considerably expanded research program is necessarily based on a narrower concept of the nature of problems which need to be studied than the reality.

Mr. President, the reports of the executive agencies have almost unanimously endorsed the basic objectives of S. 3579. Nearly all have made suggestions for amendments. Many of them have been incorporated in the draft I have just introduced. A few have not. All will be considered, of course, in committee hearings and executive sessions on the measure.

The major departmental reports have reached the committee since the new year so there has not been time to consider all suggestions for revision as carefully as will be done with more time.

The reports, and nongovernmental endorsements of the basic program proposed in S. 3579, are convincing that the measure deserves the attention and study of the Congress.

The Department of the Interior has "strongly recommended enactment of this legislation."

The Secretary of the Army has raised several questions in regard to S. 3579, which have been clarified in the new measure, but reports:

> The Department of the Army believes that an expansion of State research in the water field, supplementing and complementing the water research of the Federal agencies, would be desirable. Moreover, it is believed that an increase in the grants which the Federal Government now makes to the States to encourage research would be justified by the benefits which would accrue to the Nation as a whole. Hence the basic objective of S. 3579 has the full support of the Department of the Army, on behalf of the Department of Defense.

The Federal Power Commission asked that the measure be amended to assure that "other interested Federal agencies," as well as departments involved in water programs, are advised and consulted. After explaining the Commission's interest in hydroelectric power development and multiple-purpose planning of river basins, Chairman Joseph C. Swidler states:

> The Commission favors enactment of legislation that would accomplish the objectives of this bill.

The Tennessee Valley Authority, while raising the question of using regional instead of State research centers, reports:

> We strongly subscribe to the bill's objective of encouraging research relating to the conservation, development and more effective use of our water resources. We believe that the proposal to make greater use of our colleges and universities in such a program is sound, not only as a means of acquiring needed technical assistance for research but also as a means of increasing the general interest of the colleges and universities in our water resources. We believe also that the problems in this field are so broad in scope and of such national importance that the Federal Government should provide direction and financial assistance in the efforts to solve them.

In his report on S. 3579, Dr. Jerome Weisner, the President's science adviser and Director of the Office of Science and Technology, prefaces his specific suggestions with this comment:

> Legislation along the general lines of the bill could serve a useful purpose in providing additional authority and funds for a concerted approach to the problems in the field of water resources research. To carry out the additional research in water resources needed to assure an abundance of water of adequate quality requires augmentation of research in the universities to more effectively utilize their research potential, to bring to bear the several interrelated disciplines bearing on water resources, and to train the new scientists and engineers sorely needed for research and teaching in this field.
>
> Some half dozen Federal departments and agencies have major responsibilities in water resources requiring research. They support research in their own laboratories and in the universities in accordance with their missions. The extent of such support is quite modest in relation to the needs for better understanding of the problems involved. Shortages of highly trained manpower would particularly limit the expansion of creative research in this field even if more funds were made available. There are many different kinds of research needed in water resources ranging from basic scientific research, on the one hand, to applications engineering and economic analyses on the other. There is a special need for research and analysis that draws on the combined talents of scientists, engineers, social scientists, economists, lawyers and others. There is also a need at local levels for technical analyses and studies to apply the findings of research. The research problems may be national or highly local in character.
>
> As I perceive the broad objective of legislation along the lines of the bill, it should be aimed at supplementing existing agency arrangements for support of water resources research by fostering university-planned and initiated research and investigation that draws on the diverse scientific, technical and other skills throughout the schools and departments of the university or college; that is directed at State, regional or national water resources problems; and that is not shaped by the mission of a particular Federal agency providing financial support. Federal support of a program of this nature would need to be administered in the broad national interest and in the interests of all the Federal agencies having missions in water resources.
>
> I would hope that the flavor of the foregoing remarks could better be reflected in your bill so that there would be no misunderstanding as to its objective to supplement existing forms of support in certain important respects. On the other hand, by strengthening and expanding university- and college-wide capabilities for water resources research, additional research potential would be made available to all of the interested Federal agencies.

The report of the Bureau of the Budget identifies that agency with Dr. Weisner's report and specific suggestions made in subsequent portions of his letter.

Much of the suggested flavor, as well as most of the specific modifications, which Dr. Weisner recommended, will be found in the new draft of the proposed legislation.

A point of concern emphasized by the Budget Bureau concerned coordination. Language in S. 3579 which directed the Secretary of the Interior to encourage a coordinated Federal water research program has been deleted. The word "encourage" was disregarded and the clause aroused the fears of some departments that Interior might be getting some surveillance over them. No such authority was intended. It is disclaimed in the new draft in a proviso so extensive and explicit it should end all fears.

The Executive Office of the President is working toward coordination of water resources research through the Office of Science and Technology. The Water Resources Planning Act, previously discussed, will provide coordination in the water planning field through the proposed Federal Water Resources Council, composed of the Secretaries of the Interior, Agriculture, Army, and Health, Education, and Welfare. Coordination of both planning and research is needed and can wisely be provided in the manners intended. It is neither attempted nor intended in this Water Resources Research Act.

Because administration of the proposed research program as a supplement to present work will require that the Department of the Interior know of research projects in progress and planned throughout the Government, provision is made for the Department to be advised of research projects underway and planned by all of the Departments. Since it will have this information at hand if the measure is enacted, it is further directed to make up a file, or catalog, of all the Federal projects for public as well as departmental use.

This is a bookkeeping function—not coordination. It is needed. It took our committee months to gather together data on water resources projects underway within the Federal Government last year. It is already out of date. The bill I have proposed provides for the Department of the Interior to maintain a catalog of projects on an interim basis and authorizes the President to transfer it as he determines wise upon the establishment of a central catalog on scientific research, or an overall program for keeping such information available.

It has been gratifying that a number of major groups concerned with our water resources have endorsed S. 3579 directly, or in terms of its objectives.

The Association of State Universities and Land-Grant Colleges adopted two resolutions in respect to S. 3579, one originating in its committee on water resources. The second was offered by its engineering division.

Mr. President, I ask unanimous consent to include in my remarks at this point the two resolutions approved by the association at its convention here November 12 and 13.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolutions are as follows:

### REPORT FROM THE COMMITTEE ON WATER RESOURCES OF THE ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES

The water resources committee also considered the proposed legislation known as the Anderson bill, S. 3579. The committee endorses S. 3579 as recognizing problems of extreme national concern. For many years, the land-grant institutions through their research and education capabilities have been working on these problems. However, the Anderson bill provides the mechanism for them to take a concerted national action through—

(a) Providing for the establishment of universitywide water resource research institutes or the equivalent.

(b) Providing continuing financial support for research on the water resources problem.

The water resources committee believes that the Anderson bill is to be commended particularly for its forward-looking proposals in five areas:

(1) It identifies the need for basic research and a focus of multidiscipline capabilities on the water resources problem.

(2) It recognizes the need for local and regional centers of interest and activity on water resources problems.

(3) It provides a mechanism for increasing the supply of highly educated manpower capable of dealing with water resources problems.

(4) It provides for a realistic combination of funds for continuing research programs with funds for grants and contracts on a short-term, special-project basis.

(5) It creates a channel that does not now exist through which a Federal Government agency and the educational institutions of America can mutually advance the national interests in a key resources area.

The water resources committee suggests that, if practical, the language of the bill should be amended to give consideration to the following suggestions:

(a) That matching of Federal funds by the States under section 100(b) be on a dollar-for-dollar basis.

(b) That for clarity, section 106 be placed under title III.

(c) That provision for continuation of title II funds beyond 1969 be included.

(d) That the Service should use consultants and advisory boards to the fullest extent practical in identifying the research problems of most importance to be financed by title II funds.

Approved, water resources committee, November 11, 1962.

W. E. MORGAN,
*Chairman.*

Approved by the Senate of the Association of State Universities and Land-Grant Colleges, November 13, 1962.

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### RESOLUTIONS FROM THE ENGINEERING DIVISION, ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES

The Engineering Division of the Association of State Universities and Land-Grant Colleges heartily endorses S. 3579, the Anderson bill, and supports its enactment. The bill is commended for its proposals to establish State water resources research institutes, to provide funds for both continuing research programs and project research, and to establish a Water Resources Service in the Department of the Interior. The division believes that engineering research and education have much to offer to this proposed coordinated effort to focus the strength of educational institutions on the water resource problem. The member schools of engineering of the division look forward to participating in the proposed universitywide efforts. The division believes that passage of the Anderson bill will open up a much-needed channel for cross-fertilization between programs of the Department of the Interior and those of educational institutions. Copies of this resolution are to be sent to Senator ANDERSON, the Department of the Interior and the Office of Science and Technology.

Approved, engineering division, November 12, 1962.

J. D. RYDER,
*Secretary.*

Approved by the Senate of the Association of State Universities and Land-Grant Colleges, November 14, 1962.

**Mr. ANDERSON.** Mr. President, I ask unanimous consent also to include at this point in my remarks a resolution adopted by the Interstate Conference on Water Problems of the Council of State Governments at its annual meeting in Chicago on December 5, 1962.

**The VICE PRESIDENT.** Without objection, it is so ordered.

The resolution is as follows:

RESOLUTION ADOPTED BY THE INTERSTATE CONFERENCE ON WATER PROBLEMS OF THE COUNCIL OF STATE GOVERNMENTS REGARDING WATER RESOURCES RESEARCH

Whereas the constantly increasing demand upon the Nation's water resources necessitates an immediate and pronounced acceleration of water resources research; and

Whereas the States have a responsibility to aid in the solution of problems requiring research; and

Whereas there was introduced in the 87th Congress legislation which could be helpful in promoting such research and in assisting the States in discharging their responsibilities: Now, therefore, be it

*Resolved by the Interstate Conference on Water Problems meeting in Chicago, December 5, 1962,* That the States are urged to increase their support of coordinated programs of water resources research; and be it further

*Resolved,* That the Congress is urged to give favorable consideration to legislation providing for distribution of sums for research in furtherance of programs developed by a qualified college or university in each State and Puerto Rico, or such other substantially equivalent arrangement as the State may determine, such distribution to be made only after consultation with the Governor or appropriate State agency as the Governor may direct and for programs of coordinated research or for programs which are compatible with coordinated research programs.

Adopted, Chicago, Ill., December 5, 1962.

**Mr. ANDERSON.** Mr. President, I have today received a letter from the American Society of Civil Engineers saying that the "society believes that enactment of legislation along the general lines of this bill (S. 3579) would advance its aims in the field of water related research."

Mr. President, I ask unanimous consent to include the society's letter, signed by Mr. William H. Wisely, in the RECORD.

**The VICE PRESIDENT.** Without objection, it is so ordered.

The letter is as follows:

AMERICAN SOCIETY OF CIVIL ENGINEERS,
*January 10, 1963.*

Hon. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.*

DEAR SENATOR ANDERSON: The American Society of Civil Engineers has a continuing interest in all aspects of national water policy. On the basis of its study of all aspects of water problems, the society is convinced of the need for an increase in research in civil engineering fields related to water resources.

It is the thoughtfully considered viewpoint of this society that support should be given to the general principle of Federal-State participation in such research. Furthermore, it is essential that provision be made for better coordination of research and educational approaches to the development of water resources.

In recent months, note has been taken of the prospect of establishment of water resource institutes at each land-grant college, through the enactment of S. 3579 of the 87th Congress. The society believes that enactment of legislation along the general lines of this bill would advance its aims in the field of water-related research.

It is hoped that there will be an appropriate time and place for full discussion of future policies for water resources research. At such time, well-qualified and informed officers and members of this society would welcome the opportunity to elaborate upon this brief statement.

Cordially,

WILLIAM H. WISELY,
*Executive Secretary.*

**Mr. ANDERSON.** Mr. President, I ask unanimous consent that a resolution adopted by the policy and coordinating committee on water resources of the University of Idaho may be printed in the RECORD.

**The VICE PRESIDENT.** Without objection, it is so ordered.

The resolution is as follows:

RESOLUTION ON S. 3579 BY THE POLICY AND COORDINATING COMMITTEE ON WATER RESOURCES OF THE UNIVERSITY OF IDAHO

Whereas Senate bill 3579 which is better known as the Water Resources Research Act submitted by Senator ANDERSON, of New Mexico, is now before the Congress; and

Whereas this bill is designed to establish a water resources research institute at the various State universities to promote a more adequate national program of water research and to train competent personnel in fields related to water resources; and

Whereas the University of Idaho through its policy and coordinating committee on water resources is dedicated to assisting in formulation of coordinated research and planning for the development of the water resources of the State of Idaho and is interested in a coordinated water resources policy and program for the Nation; and

Whereas the University of Idaho recognizes that the manner in which we utilize and develop water resources will influence our health, security, economy and well-being for all time, and as such, support from this act would help to meet the needs of the University of Idaho and the Nation as a whole; and

Whereas it is the considered judgment of the policy and coordinating committee on water resources and its advisory committee, as listed below, that the bill is in the best interest of the University of Idaho, the State of Idaho, and the Nation that the proposed legislation be enacted: Now, therefore, be it

*Resolved,* That the congressional delegates from the State of Idaho and the Governor of the State of Idaho use their good offices to lend their support and endeavor to obtain the adoption of the Water Resources Research Act, Senate bill 3579.

**Mr. ANDERSON.** Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

**The VICE PRESIDENT.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities and centers of competence, and to promote a more adequate national program of water research, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the policy and purpose of the Congress to assure the Nation at all times an abundance of water, both as to quantities and quality, necessary to meet the requirements of its expanding population, and, to help achieve this objective, to stimulate, sponsor, and provide for the conduct of research, investigations, and experiments in the field of water and related resources as they affect water, supplementing present programs, and to encourage the training of scientists in fields related to water by assistance to colleges and universities in the development of water resources research programs.

TITLE I—STATE WATER RESOURCES RESEARCH INSTITUTES OR CENTERS

SEC. 100. (a) There is authorized to be appropriated, for the fiscal year 1964 and subsequent years, for distribution to a college or university in each State and Puerto Rico, established in accordance with an Act approved July 2, 1862 (12 Stat. 503), entitled "An Act donating public lands to the several States and territories which may provide colleges for the benefit of agriculture and the mechanic arts", or such other institutions of higher education as any State shall determine, a sum adequate to provide $75,000 to each State in the first year, to be increased by $12,500 each succeeding fiscal year for two years and to continue at $100,000 thereafter, for the purpose of establishing a collegewide or universitywide water resources research institute, center, or equivalent agency. It shall be the duty of each such institute or center to plan and conduct and/or arrange for a component or components of its college or university to conduct competent researches, investigations, or experiments, of either a basic or practical nature, or both, in relation to water resources, including but not limited to aspects of the hydrological cycle, supply and demand for water, conservation and best use of available supplies, methods of increasing such supplies, economic, legal, social, engineering, recreation, biological, geographic, ecological, and other aspects of water problems, as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Puerto Rico, to water research projects being conducted by agencies of the Federal Government, and to those related to agriculture being conducted by the agricultural experiment stations, and also having regard to avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research.

(b) There is further authorized to be appropriated to the Secretary of the Interior in the fiscal year 1964 the sum of $1,000,000, increasing by $1,000,000 each year for four years to $5,000,000 in fiscal year 1968 and thereafter, which the Secretary of the Interior may use to match, on a dollar-for-dollar basis, funds made available to State water resources research institutes or centers by the States or other non-Federal sources, to meet the necessary expenses of water resources research projects which could not otherwise be undertaken, including the expense of planning and coordinating regional water resources research projects by two or more State water research agencies.

SEC. 101. Sums available to the States under the terms of section 100(a) of this Act shall be paid to the designated institution or institutions in each State in equal quarterly payments beginning on the first day of July of each fiscal year upon vouchers approved by the Secretary of the Interior, Each such agency authorized to receive funds shall have an officer appointed by its governing authority who shall receive and account for all funds paid to the State under the provisions of this Act and shall make an annual report to the Secretary of the Interior, on or before the first day of September of each year, on work accomplished and the status of projects underway together with a detailed statement of the amount received under any of the provisions of this Act during the preceding fiscal year, and of its disbursement, on schedules prescribed by the Secretary of the Interior. If any of the moneys received by the authorized receiving officer of any State water resources research agency under the provisions of this Act shall by any action or contingency be found by the Secretary of the Interior to have been improperly diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to such States. Pending a meeting of the legislature of any State, the Secretary of the Interior shall pay sums appropriated pursuant to section 100 of this Act to a qualified institution designated by the Governor of such State.

SEC. 102. Moneys appropriated pursuant to this Act shall also be available, in addition to meeting expenses for research and investigations conducted under authority of this Act, for printing and disseminating the results of such research, retirement of employees subject to the applicable provisions of the Act approved March 4, 1940 (54 Stat. 39), administrative planning and direction, and for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. The State water resources research agencies are authorized to plan and conduct any research authorized under this Act in cooperation with each other and such other agencies and individuals as may contribute to the solution of the water problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research. Two or more States may cooperate in the designation of a single interstate or regional research institute or center.

SEC. 103. Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the institutions, shall be transmitted in the mails of the United States under penalty indicia: *Provided, however,* That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of the institute or center, or from an established subunit of such agency.

SEC. 104. The Secretary of the Interior is hereby charged with the responsibility for the proper administration of this Act, and, after full consultation with other Federal agencies, is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions, including requirement of a showing that agencies designated to receive funds have, or may reasonably be expected to have, the capability of doing effective work. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this Act, including participation in coordination of research initiated under this Act by the State water resources research agencies, from time to time, to indicate such lines of inquiry as to him seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several State water resources research agencies and between the State agencies and the United States Department of the Interior and other Federal establishments.

On or before the 1st day of July in each year after the passage of this Act, the Secretary of the Interior shall ascertain as to each State whether it is entitled to receive its share of the annual appropriations for water resources research under section 100(a) of this Act and the amount which thereupon each is entitled, respectively, to receive.

The Secretary of the Interior shall make an annual report to the Congress of the receipts and expenditures and work of the water resources research agencies in all States under the provisions of this Act and also whether any portion of the appropriation available for allotment to any State has been withheld and if so the reasons therefor.

SEC. 105. Nothing in this Act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction State water resources research institutes or centers are established and the government of the States in which they are respectively located: *Provided,* That in any State which designates more than one such college or university to have a water resources research center the appropriations made pursuant to section 100 (a) of this Act for such State shall be divided between such institutions as the legislature of such State shall direct: *Provided further,* That in any instance where two or more States designate a single interstate or regional institute or center, the funds of each of the States under section 100(a) may, upon the direction of the States, be paid to the designated agency.

### TITLE II—ADDITIONAL WATER RESOURCES RESEARCH PROGRAMS

SEC. 200. There is authorized to be appropriated to the Secretary of the Interior $5,000,000 in fiscal year 1964, increasing $1,000,000, annually for five years, and continuing at $10,000,000 annually thereafter from which he may make grants, contracts, matching, or other arrangements with educational institutions, private foundations, or other institutions; with private firms and individuals; and with local, State, or Federal government agencies, to undertake research into any aspects of water problems related to the mission of the Department of the Interior, which may be deemed desirable and are not otherwise being studied.

### TITLE III—MISCELLANEOUS PROVISIONS

SEC. 300. The Secretary of the Interior shall arrange for the regular advice and cooperation of all agencies of the Federal Government concerned with water problems, of State and local governments and of private institutions and individuals, to assure that the programs authorized in this Act will supplement and not duplicate established water research programs, to stimulate research in otherwise neglected areas, and to contribute to a comprehensive, nationwide program of water and related resources research. He shall make generally available information and reports on projects completed, in progress, or planned under the provisions of this Act, in addition to any direct dissemination of information by the research agencies themselves. Each Federal agency doing water resources research or investigations shall advise the Secretary of the Interior at least once annually of work underway or scheduled by it. The Secretary of the Interior shall classify and maintain for general use a catalog of water resources research and investigation projects in progress or scheduled by Federal agencies, and by such non-Federal agencies of government, colleges, universities, private institutions, firms and individuals as may make voluntarily available information to him: *Provided,* That upon the establishment of a central or general system of cataloging current and projected scientific research in all fields encompassing the cataloging function herein authorized, the President may transfer this function as he determines to be desirable.

SEC. 301. Nothing in the foregoing section nor in this Act is intended nor shall be construed as giving its Secretary or the Department of the Interior any authority or surveillance over water resources research conducted by any other agency of the Federal Government, nor shall it be construed as repealing, superseding, or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its areas of responsibility and concern with water resources.

SEC. 302. The Secretary of the Interior is authorized to establish in the Department of the Interior a Water Resources Service for the purpose of administering programs authorized in this Act.

SEC. 303. Not to exceed 4 per centum of any funds appropriated pursuant to the provisions of this Act may be used for the purpose of administration. The Secretary of the Interior is authorized to employ a director of the Water Resources Service at civil service grade 18 and, if necessary to obtain personnel competent to administer a program involving scientific knowledge and highly trained staffs, he may employ not to exceed five employees above civil service grade 15 in addition to the number otherwise authorized by law.

SEC. 304. Contracts or other arrangements for water resources research work authorized under this Act may be undertaken without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529) when in the judgment of the Secretary of the Interior such payments are necessary to facilitate such research.

SEC. 305. Within not more than a year following the fifth year of operation of this Act, the Secretary of the Interior shall prepare and submit to the President for transmittal to the Senate and the House of Representatives a comprehensive report on progress and accomplishments under the Act, together with his recommendations on revisions of the Act, and with the independent recommendations of the governing authorities of the State colleges and universities on desirable revisions. This section is not intended to preclude any interim recommendations deemed desirable.

SEC. 306. This Act may be known as the Water Resources Research Act.

The excerpts presented by Mr. ANDERSON are as follows:

### EXCERPTS FROM THE STATEMENT OF SENATOR CLINTON P. ANDERSON UPON INTRODUCTION OF S. 3579 ON JULY 27, 1962

The dollar authorizations for water resources research included in the bill are, if anything, too modest.

At the present time Federal appropriations for water and related resource development are in the order of $1¼ billion. Total national expenditures are estimated to be running $10 billion annually and they will have to double that amount, averaging $20 billion a year, during the next 20 years, if the Nation is to keep pace with water requirements.

The $20 million total maximum Federal support for water research proposed in this bill is less than 2 percent of the rate of Federal expenditures for water development, only two-tenths of 1 percent of the national rate of expenditure on water development and amounts to only 1 mill—one-tenth of 1 percent—of each dollar of average annual investment in water resources needed in the two decades just ahead.

Since the bill would establish water resources research institutes in every State to service nationwide need for research and information the comparison of cost with the total national investment in water facilities is the most appropriate.

The Interior and Insular Affairs Committee has attempted to keep in touch with the progress of the surveys being made at the President's direction and to be prepared, as soon as the reports are ready, to hold hearings and expedite needed legislation.

The committee has itself obtained reports from the executive departments and agencies most involved on their water resources research activities.

In addition, in order to have a broad national picture of the water research situation, it has obtained information from more than a hundred colleges and universities, foundations, companies, and individuals, and their suggestions and recommendations as to a national water resources research policy and program.

A few points have been emphasized repeatedly in the replies which the committee has received to its inquiries.

One of them is the need for more fundamental scientific research in the water field—the basic research to provide a better basis for natural resources planning of which the President spoke in his message.

Numerous responses to the committee's request for views and recommendations urge greater emphasis on such fundamental studies.

Another point is the large number of disciplines, or fields of specialized knowledge, involved in solving our water problems. They involve not just hydrologists but virtually every field of the physical sciences from the astronomy to geology, the social sciences, engineers, economists, and water lawyers.

In June 1961 an important symposium was held on research needs in civil engineering fields related to water resources under the joint sponsorship of the American Society of Civil Engineers, the Bureau of Reclamation, and Colorado State University. Findings of the panel on the needs for an expanded research program on conservation and utilization of water at that conference, under the chairmanship of Mr. Harvey O. Banks, formerly director of the Division of Water Resources of the State of California and now vice president of the engineering firm of Leeds, Hill and Jewett, which have been submitted to our committee, emphasize this point in telling engineers of the greatly broadened field with which they must deal in handling engineering aspects of water projects. The report said, in part:

"In past years civil engineering research has generally kept pace with national growth within the limits of a slowly growing body of basic knowledge. However, with the recent upsurge in scientific knowledge and burgeoning trends in population growth and industrialization, there are now concentrations of water demands and waste-producing activities which, coupled with new types of demand on water resources, tremendously increase the complexity of civil engineering tasks. It is clear that this requires tremendous increases in engineering knowledge in order to do the necessary job most efficiently and most economically, and to develop methods for taking care of needs at the time when total water requirements approach the limit of the available supplies.

"The scope of the research effort required includes not only basic research, that is, inquiry into basic phenomena such as soil-water-plant relationships and atmospheric physics, but also the development of new or improved designs, techniques, methodology, and procedures, through applied research and field experimentation. More research attention needs to be given to measurement and evaluation of the effects and results of operating projects in order to have the benefit of such information in the planning and management of future projects. The additional information now needed by the civil engineer in his task of water development involves not only engineering research but also the physical sciences and the social sciences. Thus, an interdisciplinary approach to research is mandatory. The following are but a few of the many disciplines involved: mathematics, physics, chemistry, geology, meteorology, statistics, bacteriology, biology, geography, soil science, agriculture, forest management, law, economics, public administration, political science, medicine, sociology.

"To the extent that most governmental agencies find it difficult to undertake interdisciplinary research into such basic subjects as objectives of planning and allocation of resources, because of the limitations in their basic legislative authorities, it will be necessary for general subjects to be attacked by legislative committees and by university research people. Research scholars will have to be drawn from the social sciences and public administration fields, but the panel believes that the concepts of the research projects should be evolved by the engineering faculties. In regard to university research, the panel wishes to emphasize that the needed research effort goes beyond the so-called basic research and that problems of applied research are equally worthy of attention. Governmental agencies should initiate or expand, as the case may be, programs for sponsorship and support of research activities at the universities."

Still another point of emphasis in the committee's responses is the shortage, not only of hydrologists, but of scientists and experts in the many related fields who are familiar with water problems.

Dr. Joseph L. Fisher of Resources for the Future wrote, in response to the committee's inquiry:

"We believe there is a genuine shortage of well-qualified personnel for water resources planning, research and administration. In view of the very large investment the Federal Government is called upon to make in water development, it may wish to consider possible arrangements for assisting universities in strengthening programs of study for graduate-level students in various aspects of water development. Particular emphasis should be placed on development of people who can conduct research in the water field and who can participate effectively in planning complex systems of water resources management."

John C. Geyer, chairman of the department of sanitary engineering and water resources at Johns Hopkins University, responding to the committee for his school, wrote:

"Scientifically trained people of exceptional ability rarely go into the water field. If an attempt were made to establish broadly based fresh water science research institutes, difficulty would be encountered in staffing them with competent people. Universities need support in developing water science training programs to provide staff for such institutes. Students should be attracted from all the sciences and professions and afforded an opportunity to pursue any of a variety of educational and research projects related to water."

Still another point of repeated emphasis, reflected in the two quotations just given, was the advantage—if not the absolute necessity—of going to the colleges and universities of the Nation for experts in the many fields involved and tying research and education together.

Prof. Carl E. Kindsvater, of the University of Georgia, wrote us, for example:

"I would emphasize that research and education cannot be considered separately, for just as education is essential to the performance of research, so is research essential to the education process. I believe, therefore, that a considerable part of the Federal Government's investment in water-related research should be earmarked for the support and intensification of university research and graduate study programs."

There was an additional point, not directly commented upon in the responses to the committee, but apparent from the nature of water resources activities reported to us by many of the colleges and universities.

That is the need for centers throughout the country where State officials concerned with State, regional and local water problems, local officials involved in municipal water supply, and waste disposal industries, farmers who are dependent on water to produce their crops, recreation planners and administrators, soil conservationists and the many, many others who have special concern with water, can turn both for research assistance and information. It is well expressed in the statement that, in addition to research, we must have a system of communication to water users through which new information and the results of research can be disseminated to water users. Users include not just a comparative few governmental officials and private industries, but all the farmers and householders and citizens in the Nation.

Reports from many of the colleges and universities show that their faculty members are already consulting with governors, State planning agencies, fish and wildlife officials, mayors and water commissioners, industries, soil conservationists and others, on State and local water problems of a widely varying nature. The problems are not confined to a few familiar fields such as control of water erosion of the land, water quality and waste disposal, but include water resource planning in the local areas, revision of water law to meet modern needs, methods of evaluating economic benefits—the whole gamut of potential problems in the field as they relate to local, State and regional situations.

It is impossible to study the materials gathered together by the Interior Committee without realizing that we must have more than a Federal water research program. We must have a nationwide program, with centers out in the States where research on local problems will be given attention along with broader and more basic research, and where local applications of knowledge developed, anywhere in the Nation, or the world, can be worked out.

The points I have outlined constitute a diagnosis of some major needs in the water resources field. The prescription to meet these needs is not difficult to write. We already have a highly successful national research system, with 75 years of experience and demonstrated worth behind it, which meets these very needs—our agricultural research establishment.

That establishment, in addition to extensive direct Federal research, includes a system of agricultural experiment stations at the land-grant colleges and State universities, established under the Hatch Act approved March 2, 1887.

These experiment stations make available the finest scientists on the college and university faculties for study of both the basic scientific concerns and the practical problems of agriculture. They combine education and research. They produce both research reports and the highly trained personnel necessary to carry on the work in the future. They serve a State and local clientele, meeting their needs for research and for information on local problems.

The bill I have introduced today to establish water resources research institutes at the land-grant colleges and State universities, and to encourage water research at other colleges and universities, foundations, private research agencies and individuals is an effort to copy and expand the agricultural experiment station system and the pattern on which it was built.

Much of the language of the bill is from the Hatch Act of 1887, or a revision and codification of that act and laws supplementing it which was passed by Congress and approved August 11, 1955.

The pattern includes the provision of a basic appropriation to help establish a Water Resources Research Institute in each land-grant school, and to supplement this modest basic grant with matching funds for specific research projects. This is copied directly from the successful agricultural pattern. The administrative provisions—the housekeeping arrangements on which a highly satisfactory Federal-State relationship have been built by the agricultural groups over three-quarters of a century, are copied almost exactly from the Hatch Act.

The proposed Water Resources Service parallels the Department of Agriculture's Cooperative State Experiment Station Service.

The bill makes it clear that there is to be no interference with water research work done by Federal departments and agencies, just as there is no interference in agriculture with the work of the Federal Agricultural Research Service or the Economic Research Service. Federal agencies should and must continue to conduct direct research on problems within their field of responsibility, as the Department of Agriculture does at Beltsville, at numerous regional laboratories, through special research contracts, and with its own nationally oriented staff.

There is little need to discuss the success of the agricultural research system which it is proposed to copy here in Congress where we are confronted with the problem of managing agricultural surpluses. We know how well the agricultural research system has worked. Its success has been phenomenal, and although we regard as a great vexation the farm surpluses which are attributable to the technological revolution in agriculture which our research brought on, there is not one of us who would trade our food surpluses for Asia's shortages. The choice between abundance and scarcity is not a difficult one.

The proposed water resources research bill contains, in title II, a separate fund which can be used to stimulate water research in nonland-grant colleges and universities, foundations, private businesses, and by individuals. This is an expansion or extension of the agricultural research pattern.

It would not be either equitable or wise, in my opinion, to limit Federal support of water research to the land-grant schools, although they are historically related to the Federal Government. Some of our most important research on water resources has been initiated in other scientific institutions. These other institutions have a considerable proporton of the scarce personnel whose attention to water problems is so greatly needed and we need to enlist qualified personnel in water research work wherever we can find it. Many of us feel that there should be greatly increased and broadened support to higher education generally. A measure of such Federal support can be provided in this instance in equity, and in the national interest.

My purpose in introducing this water resources research bill near the close of a session, and the close of a Congress, is, as previously stated, to permit discussion, improvement and refinement of the bill in the period between Congresses.

A rough draft of the measure has already been submitted to a number of college and university officials soliciting their suggestions. Their acknowledgments have, without exception, endorsed the concept and the purposes of the measure and assured cooperation in developing a revised and refined measure which I hope many Senators will join me in introducing next year.

Dr. John A. Hannah, president of Michigan State University, wrote on July 20:

"We see considerable merit in your proposal and endorse the general program which it seeks to realize. Through its proposed implementation, the draft bill takes cognizance of the fact that the use of water constitutes one of the most complex and pressing problems confronting almost every State in the country. The bill further recognizes that because of the complexities involved an interdisciplinary approach is mandatory, that both basic and applied research are required and that there is need to collect and disseminate important information pertaining to this whole problem. At the same time, the draft bill does not exclude the possibility of supplemental funds not covered by the bill.

"As indicated, we endorse the concept and general idea expressed in the draft bill."

President W. E. Morgan of Colorado State University, who is chairman of the Water Resources Committee of the American Association of State Universities and Land Grant Colleges, earlier this month, at my request, sent copies of the first draft of the bill to the 12 college and university presidents who constitute his committee, requesting their comment.

A few days ago, President Morgan wrote me:

"Replies have not yet come from all members, but it is clear that the committee strongly favors my recommending to you that you proceed without delay to introduce the bill in substantially the text embodied in the draft at hand. Our committee will in due course have some suggestions about the text."

I am, of course, pleased that the president of my own New Mexico State University, Dr. Roger Corbett, has written me that—

"This is a splendid bill and meets a most pressing public need."

He adds:

"The benefits per dollar of research investment will probably far exceed those in many other areas where the Federal Government is now sponsoring research. These research institutes will help in coordinating and encouraging the kind of comprehensive research in the water resources field which has been urgently needed for many years."

Advancing our knowledge is not a partisan matter, nor solely a private matter, nor solely a governmental concern, particularly in a critical area such as essential water supply.

In 1960, President Eisenhower's Science Advisory Committee transmitted to President Eisenhower the findings and recommendations of its Panel on Basic Research and Graduate Education. The distinguished panel was chaired by Dr. Glenn T. Seaborg, then chancellor of the University of California at Berkeley and now Chairman of the Atomic Energy Commission. The report has been published under the title of "Scientific Progress, the Universities, and the Federal Government." The Panel's report said:

"Both the security and the general welfare of the American people urgently require continued, rapid, and sustained growth in the strength of American science. We believe that most Americans are in favor of more and better science. In a general way Americans recognize that scientific understanding is at once highly valuable in its own right and quite indispensable for the sustained progress of a modern industrialized society. Most of all we have learned to recognize that the defense and advancement of freedom require excellence in science and in technology * * * American science in the next generation must quite literally, double and redouble in size and strength. This means more scientists, better trained with finer facilities. Many forces contribute to this urgent need for growth. Our population is rapidly increasing, so that there must be more and more young people to be taught, and we have nothing like the number of qualified teachers we need even now. Science itself is expanding so fast that our efforts would have to be much increased, if we were only to keep up with its international momentum. The training of scientists takes longer than it used to, and the facilities needed in a modern laboratory are usually much more complex and expensive than those that were needed only a few years ago. Science and technology today have steadily growing mutual impact, so that the practical man has need of the closest and most immediate access to new results in basic science. Thus both science and scientists must be more and more widely diffused throughout our society. We need more men doing more things, with more support, in more places. And each of these requirements is better measured by multiplication than by addition. It is the simple truth that if this country is to safeguard its freedom and harvest the great opportunities of the next generation of science, the level of its scientific investment must be multiplied and multiplied again.

"Yet the right word is 'investment.' What this country spends on excellence in the sciences is not money gone with the wind. It is money that brings us handsome returns, and of many kinds. In immediate economic terms the proposition is clear enough: What we have done in science has brought our society riches many times greater than what science costs us, and this will be true as far in the future as we can see. In economic terms, indeed, scientific investment has quite extraordinary power. Ordinary capital investments put savings to work on laborsaving machinery that is already known and understood; the increased wealth produced is what separates the developed modern society from helpless poverty. But scientific and technological investments are still more powerful tools, since they invest in the discovery of what we do not yet understand. We are only just at the beginning of the use of scientific investment in this large sense, and returns it can bring in are literally incalculable. Simply in terms of economic self-interest our proper course is to increase our investment in science just as fast as we can, to a limit not yet in sight."

As President Kennedy has pointed out, water problems are worldwide. This Nation's findings in the field of water resources will not only serve the people of the United States but peoples around the world and thereby—as the Seaborg panel has pointed out—make a great contribution to the defense and advancement of freedom.

## ESTABLISHMENT OF RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS

Mr. McCLELLAN. Mr. President, on behalf of myself and Senators Eastland, Thurmond, Mundt, Sparkman, Holland, Curtis, Stennis, Byrd of Virginia, Robertson, Hickenlooper, Hill, Russell, Fulbright, Ellender, Bennett, Young of North Dakota, Williams of Delaware, Talmadge, Goldwater, Jordan of North Carolina, Smathers, Johnston, Tower, and Long of Louisiana, I introduce for appropriate reference a bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws.

This bill is identical with the amendment in the nature of a substitute, which I—joined by many other Senators—offered to Senate bill 654, the so-called Bridges bill, on August 20, 1958, in the 2d session of the 85th Congress. It will be recalled that a motion to recommit that bill was carried by a record vote of 41 to 40.

The measure I am introducing is also the same as S. 3 of the 86th and 87th Congresses. It is likewise identical with H.R. 3, which has passed the House of Representatives twice—in the 85th and 86th Congresses. This same bill was favorably reported by the House Committee on the Judiciary in the 87th Congress.

The measure is commonly referred to as the antipreemption bill. I shall not discuss it in detail as its purpose and provisions are well known to most Senators. I point out, however, that it is designed to correct the situation that exists under present rulings of the U.S. Supreme Court, to the effect that when Congress has enacted legislation on any subject, the States are deprived of the power to enact or enforce similar State laws, even though they may not be in conflict with the Federal statute.

To remedy this situation the bill I am introducing provides in section 1 that no act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates to the exclusion of all State laws on the same subject matter, unless such act contains an expressed provision to that effect. It further provides that no provision of an act of Congress shall be construed as invalidating a provision of State law which would be valid in the absence of such act, unless there is direct and positive conflict between such provisions so that the two cannot be reconciled or consistently stand together.

Section 2 of the bill relates to a particular field of law, subversion and sedition. It provides that the enactment of any Federal law prescribing a criminal penalty for subversion or sedition against the United States or any State shall not prevent the enforcement of State criminal statutes on the same subject.

Mr. President, in recent years we have seen a disturbing extension of the Federal preemption doctrine to many areas of concurrent Federal-State jurisdiction. As a result many worthwhile and constructive State laws have been nullified and voided by decisions of the Supreme Court of the United States. I have long been convinced of the very real and compelling need for the establishment of clear and concise guide rules in this area of the law, and it is to serve this need—and for this purpose—that I am introducing this measure today.

I ask unanimous consent that the bill may lie on the desk until the close of business on next Monday, January 21, in order that other Senators who may desire to do so may join as sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arkansas.

The bill (S. 3) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, introduced by Mr. McClellan (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

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## WILDERNESS ACT

Mr. ANDERSON. Mr. President, I send to the desk for appropriate reference, a bill to establish a National Wilderness Preservation System for the permanent good of all the people and for other purposes.

The bill is being introduced for myself, Senators Kuchel, Humphrey, Jackson, Church, Lausche, Douglas, Williams, of New Jersey, Randolph, Clark, Proxmire, Neuberger, Metcalf, and McGovern. I request that it be left on the desk for 3 days so any others who care to do so may join as cosponsors.

The measure, as introduced, is identical to the wilderness bill passed by this body on September 6, 1961, by a vote of 78 yeas to 8 nays with the exception of a change of one word, which is of no particular significance. It is on page 18, line 15 of the bill printed as passed. A reference to national forest "superintendents" has been changed to national forest "supervisors." The measure will now conform to Forest Service terminology.

Mr. President, late in the final session of the 84th Congress, my predecessor, as chairman of the Senate Interior and Insular Affairs Committee, James E. Murray, introduced the first wilderness proposal in Congress. It was a study bill, introduced for the purpose of giving some original form to the idea and to stimulate discussion of it with executive agencies, proponents, and opponents of the proposal.

The original draft was greatly revised after discussions with the executive agencies, and a new bill was introduced in the 85th Congress by Senator Humphrey and a number of cosponsors. Extensive hearings were held on it by the full committee in June 1957. As a result of these hearings, the bill was again redrafted to eliminate objectionable provisions and to adopt constructive proposals. It was reintroduced in the second session of the 85th Congress, early in 1958, as S. 4028. Washington hearings were held on July 23, 1958. Field hearings were held in Bend, Oreg., San Francisco, Salt Lake City, and Albuquerque, N. Mex., in November 1958.

A revised measure was again introduced by Senator Humphrey and a number of cosponsors during the first session of the 86th Congress, which carried the number, S. 1123. Field hearings were held on it in Seattle, Wash., on March 30 and 31 and Phoenix, Ariz., on April 2, 1959. During 1960, the Interior and Insular Affairs Committee held a number of executive sessions on the bill in which the executive agencies, which were all then in support of the proposal, offered their final suggestions.

The committee did not finally bring the bill to a vote during the 86th Congress. Upon assuming chairmanship of the committee, I had the measure redrafted and introduced it together with a number of cosponsors on January 5, 1961.

Our full committee again held Washington hearings on February 27 and 28. After thorough consideration of the measure in executive sessions, the committee ordered the bill reported July 13, 1961. It was my privilege to report it to the Senate with committee amendments on July 27, 1961.

The measure was debated on the floor of the Senate for 2 days, September 5 and 6, 1961, and passed by the Senate by a vote of 78 yeas to only 8 nays, virtually 10 to 1. I was particularly gratified by this vote for it was taken during my absence in New Mexico, keeping an appointment with the surgeon. The presentation of the bill had been ably handled by the senior Senator from Idaho [Mr. Church] with the assistance of the junior Senator from Montana [Mr. Metcalf].

Mr. President, I have reviewed the extremely lengthy and thorough consideration of this bill and the final overwhelming support of it by the Senate to explain my reason for reintroducing it as it was passed by the Senate after 6 years of careful consideration and refinement. It is my personal belief that the bill, as passed by the Senate in 1961, was a splendid document. The overwhelming vote shows that this was the opinion of the Senate. I believe this body will want to pass it again and return it to the House sufficiently early to give that body abundant time to consider it during the present Congress.

The Senate and Interior and Insular Affairs Committee will hold further hearings on the measure at a very early date to hear any suggestions or pertinent facts which may have arisen since Senate passage in 1961. In view of the care with which the measure has previously been considered and the 2-day debate to which the measure was subjected on the Senate floor, I do not contemplate, however, that the committee will require an extensive period to complete its work and report a bill to the floor.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Mexico.

The bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, introduced by Mr. Anderson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

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## THE COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT

Mr. YARBOROUGH. Mr. President, on behalf of myself and Senators Humphrey, Hill, Sparkman, Morse, Neuberger, Kefauver, Smith, Byrd of West Virginia, Gruening, Hartke, Eastland, Long of Missouri, Burdick, Bible, Randolph, Williams of New Jersey, Douglas, Pell, Bartlett, Inouye, McGee, Clark, Dodd, and McGovern, I introduce, for appropriate reference, a bill entitled "The Cold War Veterans Readjustment Act."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 5) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the bill may lie at the desk until Monday, January 21, 1963, for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, the provisions of the bill are identical with those of a similar bill introduced last year, with the exception of the vocational rehabilitation for service-connected disabled veterans provisions of that bill, which became public law last session.

A cold war GI bill I introduced in 1959 passed the Senate in the 86th Congress by a vote of 57 to 31. The cold war bill of the 87th Congress was sponsored by me with 36 other Senators and was favorably reported by the Committee on Labor and Public Welfare. The proposed legislation has always enjoyed broad public support, and its popularity among the people is greater today than ever before. The requests for its passage are vast in number.

Each year a large number of American youth embark upon 2, 3 or more years of service in our Military Establishment. They do so, Mr. President, and the country needs them to do so, because foreign powers continue to threaten the security of this Nation and of the free world.

We know that this threat to the free world is crystal clear. We know this because of the Cuban problem, which, though in a state of containment at the present time, will required armed vigilance by us until the last vestige of danger to this Nation has been removed from that island.

The Cuban danger—though closest to our shores—is not the only danger we face. In Vietnam, West Berlin, and other hot spots around the world, American youth will be required to serve their Nation for long into the future. The bill I have introduced provides an opportunity to demonstrate that we, as a Nation, do recognize the extreme, unique personal sacrifices exacted from our cold war veterans by their military service.

The cold war GI bill provides these young people 1½ days of educational assistance for each day of service, not to exceed 36 months of schooling. This aid is in the form of a monthly cash allowance to the veteran who selects his own school and pays his tuition and maintenance expense from the allowance. A single veteran would receive $110 monthly. A married veteran with two children would receive a maximum of $165 a month. The bill also provides home and farm loan assistance of a type which calls for a loan fee that will be set aside to pay for any losses under the program.

Only those persons who perform 180 days or more of military service, and who are discharged honorably, would be eligible for these benefits.

The justice and merit of the cold war GI bill are obvious to anyone willing to make an honest and objective appraisal of the facts. Each year, since January 31, 1955, thousands of young men have entered military service for the first time. Most of them give up, at the most formative time in their lives, the opportunities of getting out into the world, getting a job, or going on with their education. Instead they shoulder the burdens of helping to defend America. Nothing but honor can be found in such service. However, not all share in these burdens; statistics show that only 46 percent of our young men put aside civilian advancement, and go into uniform to serve at Fort Bliss or Berlin. They devote 2, 3, or 4 years to the service, and when they get out they have nothing but a job to look for, and a reserve commitment, without being specially trained for a civilian job.

Such a fate may be the rule in a totalitarian system but it is a matter of major concern when a democratic society lets this happen to its youth. Such a fate is also highly inconsistent with this Nation's history. Veterans have always been remembered for their services to the Nation in times of peril. In Washington's day the Revolutionary soldiers were granted land west of the Alleghenies; after the Civil War the Union veterans received beneficial legislation from the Government. Beginning in the 1920's the veterans' insurance program was developed.

By far the most farsighted veterans' program was the concept of the GI bill, which Congress passed during World War II. This is not a bonus or pension plan; it is a readjustment plan to train a veteran to become self-sufficient and thus avoid the necessity of a bonus or pension. Statistics prove the great benefit these veterans receive from educational assistance, and on-the-job training. But figures and percentages can never tell the great story of that generation's venture into a whole new life as a result of the postwar legislation and assistance which the Congress passed. It converted the hungry teenagers of the black depression into the leaders of the 1950's and 1960's. It was perhaps the most monumental public educational bill in Federal history. Of nearly 8 million GI's who received training under that bill, more than 2 million went to college, 3½ million more got precollege training, and millions more got vocational or other training.

As the Senate knows, legislation similar to this has previously been considered by the Senate. Its need and value have been amply demonstrated by earlier hearings and debate. As we enter the crucial year of 1963, a period of the cold war which President Kennedy has told us may mark the turning point in our struggle with Russian imperialism, the need for this legislation and our duty to provide for the veterans of this struggle becomes even more impressive.

The man who performs no military service achieves an unfair civilian economic advantage over those who give 2, 3, or more years of their lives to the service of their country. The man who stays behind gets a head start in life, a head start in the competition for jobs, which the serviceman, without some assistance can seldom hope to overcome.

In the words of the President himself in a December 17 TV appearance, in commenting on our military posture in Western Europe, "the United States is more than doing its part." Some of the specifics of doing more than our part were stated by the President, as follows:

> We have our troops in Western Europe [who] are the best equipped. We have six divisions, which is about a fourth of all of the divisions on the western front. They are the best equipped. They can fight tomorrow, which is not true of most of the other units. So we are doing our part there, and we are also providing the largest naval force in the world, and we are also carrying out the major space program for the free world, as well as carrying the whole burden in South Vietnam. So the United States is more than doing its part. We hope Western Europe will make a greater effort on its own, both in developing conventional forces, and in assistance to the underdeveloped world * * *.

The meaning of the whole burden in South Vietnam was highlighted by a recent Defense Department report on the action there. The Department's report summarized the recent battle near Tan Hiet in which five helicopters were downed by Red gunfire. Three Americans were killed and ten others wounded in that action. The report stated:

> In 1962, U.S. Army aviation units flew over 50,000 sorties in support of operations in Vietnam, approximately one-half of which were combat support sorties. During the period January 1–November 30, 1962, 115 U.S. Army aircraft were hit by groundfire, only 9 of which were shot down.

Mr. President, these sorties, were flown during so-called peacetime. They occurred during a period when it was quite possible for a cold war veteran to earn the Purple Heart, but not readjustment assistance. The Purple Heart in these circumstances strikes me as an honor in half measure.

So let us sum up the character of the cold war, as it affects the individual serviceman. In many parts of the world our servicemen are performing dangerous missions in circumstances which are not officially war, but certainly are not peace. Areas where this limbo between outright war and outright peace exists will probably increase as the cold war struggle proceeds from crisis to crisis. The Cuban situation, which only a few months ago nearly thrust thousands of American cold war soldiers into frontlines of nuclear combat, is by no means ended. Berlin, the Congo, and Sino-Indian conflict are tinderboxes which contain high potential for the involvement of American manpower in a shooting war. When today's youth enter the service, they have no assurance that they will spend their time in peaceful garrison duty. In fact, they have considerable assurance that a new crisis, a new outbreak of guerrilla warfare, another country threatened by Communist aggression, will bring them into the middle of a hot war.

But the cold war GI bill does more than redress inequities and discharge this Nation's obligation to cold war servicemen. It will build an educational fortress which, in the long run, will be of more value in defending our freedom than all the planes, tanks, and other armaments now in existence or on the drawing boards. The strength of this fortress has already been proved by the GI bills of World War II and the Korean conflict. Under these two bills, almost 10 million veterans received educational training. More than half of the eligible Korean conflict veterans used this assistance to complete their college educations. These bills materially added to the Nation's welfare and productivity by giving us 180,000 doctors, nurses, and medical personnel, 113,000 physicists and research scientists, 450,000 engineers, and 230,000 schoolteachers, in addition to other occupations and professions. The contribution made by these educationally readjusted veterans is incalculable, especially in light of our still desperate need for more teachers, more engineers, and more scientists.

We can, therefore, expect the cold war GI bill to markedly accelerate the growth of our national product, a matter of increasing concern to all. In an era of rapid technological development, it is becoming more and more apparent that our working citizens need greater skills and education to keep up with the radical changes brought about by increasing automation. Congress has already taken action, in the passage of the Manpower Retraining and Development Act, to help our civilian workers adjust to these changing conditions. The vocational training provided by this cold war GI bill offers similar help to the young serviceman who generally has no skill or trade at all upon entering the civilian labor force.

The cold war GI bill is not a giveaway. As mentioned previously, a single veteran receives $110 monthly, while a married veteran with two children receives only $165. In most cases the veterans will have to work, or their wives will, while they pursue their education or vocational training program. Moreover, the cold war bill is a sound business investment; it is a self-liquidating, repayment kind of investment. Official statistics of the Census Bureau show that World War II veterans now pay the Federal Government a billion dollars more in taxes by reason of their increased earning power—and hence increased taxes—resulting from their GI bill education. The World War II bill will be entirely paid for by these additional taxes within another 5 or 6 years.

The cold war GI bill will likewise be self-liquidating. Consequently, the bill is not an expense to the taxpaying public; it is an investment of the taxpayer's money on which we can guarantee them a profitable dividend, because education is the one certain method of strengthening the taxpaying public.

Mr. President, I shall not attempt to cite all of the reasons for the great necessity of enacting the cold war GI bill. The documentation of need for and national values accruing from this legislation could go on ad infinitum. I shall, therefore, briefly summarize only these few additional reasons:

First. Veterans make higher grades and do better generally in colleges than nonveterans. They have proved to be the best and most economical investment in developing our brainpower yet found by the American people. Therefore, the cold war GI bill will help our Nation to produce more schoolteachers, doctors, medical technicians, scientists, and engineers, whose services are critically needed; it will help to increase the brainpower of the Nation, our most neglected asset. There is now a shortage of 134,000 schoolteachers in America, and the shortage grows yearly.

Second. Authoritative sources have warned that Russia may be ahead of us in the sciences by 1969, unless we step up our scientific educational efforts. The great danger we face from Russia is not in her present armaments, but in her efficient scientific schools. We cannot ignore this chance to nullify that threat.

Third. The Federal budget for this year has been reported to call for about $52 billion for 1 year of Defense Department activities. The highest estimate of the average annual cost of the cold war GI bill is $289.5 million over the entire life of the educational program through 1973. Thus, the cold war military expenses cost 179 times as much in 1 year as the cold war veterans education bill. The term "peacetime veterans" cannot be justified when we speak of today's servicemen, for these are the young Americans who fight and die as "advisers" in Vietnam and who man our military bases in the frozen Arctic wastes, in the planes on the Sea of Japan, on the Turkish-Russian border, and on other "live ammunition" frontiers.

Fourth. The annual cost will not upset the budget. As the expense of educating the Korean war veterans phases out, the cold war veterans educational expense will take its place. It will not be a debt for the oncoming generation to pay. Just as the cost of World War II GI bill will be paid for before 1970, by increased taxes paid for by increased earning by GI bill-trained World War II veterans alone, so the cost of the education of cold war veterans will be paid for by cold war veterans themselves through their increased taxes brought about by their brainpower and upward occupational movement.

Fifth. The cold war GI bill is not as generous with cold war veterans as was the Korean war bill. For cold war veterans, there is no mustering out pay; there are no business loans. The minimum service provisions for educational benefits requires more than 180 days of active service, instead of only 90 days required for World War II and Korean veterans. Six-months trainees under the reserve program would not be eligible. The educational allowance of $110 a month now will buy only as much as $75 would buy in 1952. So the cold war bill is not a giveaway: the average veteran will have to get a loan or hold a job on the side to go to college under the bill.

Mr. President, I wish to announce also that hearings on the bill will be scheduled in the near future, to explore the exact manner in which this program will most equitably fit the individual needs of our cold war veterans. We must begin a program that properly recognizes the personal sacrifices of the men who day in and day out wage the long struggle, often tedious, often dangerous, and sometimes deadly, which we call the cold war. Our Nation has always been proud of the fact that ours is a citizen army. I, for one, do not believe that the day has yet arrived when the citizens who make up our Armed Forces must suffer for their loyalty and willingness to serve. We must begin a program that tells America that the draft law does not cause certain of our sons to lose 2 or more years from their competitive civilian lives, but instead, provides a challenging opportunity for honorable and patriotic service—service that will be suitably recognized and not be a lifetime burden.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Texas yield to the Senator from Minnesota?

Mr. YARBOROUGH. I yield.

Mr. HUMPHREY. I am very happy that the Senator from Texas has permitted me to join in the sponsorship of his veterans' education bill. I assure him that I will do everything I can to secure favorable action on the bill. I think it proposes very good legislation which is much needed.

I commend the Senator from Texas for his perseverance, his persistence, and his dedication in regard to this matter. I know of no Senator who has attempted to do more for the education of our veterans than has the Senator from Texas; and I feel it a great honor to associate myself with him in this endeavor.

Mr. YARBOROUGH. Mr. President, I thank the Senator from Minnesota for his generous remarks. He is the No. 2 Senator in sponsoring this measure; and we think that augurs well for the bill, due to his leadership in connection with so many veterans measures and so many youth measures during his service here, I think it most appropriate and helpful that he has put his stamp of approval on the bill.

He knows that the danger is that if the cold war veterans are not educated under this measure, they will be the lost generation. We educated the veterans of World War II and the veterans of the Korean conflict; but the veterans of World War I and the veterans of the cold war were ignored, and they feel bitterly about it. We should recognize that the veterans of the cold war should be educated, as well as the veterans of World War II and the veterans of the Korean conflict. This measure is not intended to replace any other education legislation. It is intended to supplement other education legislation, in order to assure that the defenders of our freedom will not be robbed because of their investment in our freedom.

Mr. President, I ask unanimous consent that an explanation of the bill be printed at this point in the Record.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

### Digest of the Cold War GI Bill, Entitled the "Cold War Veterans Readjustment Assistance Act of 1963"

This bill provides readjustment assistance for cold war veterans, i.e., persons who perform active duty in the Armed Forces during the period from January 31, 1955 (the termination of Korean conflict readjustment aid) and June 1, 1963, the date of termination of the compulsory draft law. Applicable throughout the bill is a requirement of discharge under conditions other than dishonorable. Readjustment assistance authorized by the cold war bill is similar to that previously afforded to veterans of the Korean conflict.

Educational and vocational training assistance: Eligibility is conditioned upon more than 180 days of active duty or discharge for service-connected disability. Period of education or training (not to exceed 36 months) is calculated by multiplying 1½ times each day of active duty. During educational period veteran receives monthly allowance, as follows: For full-time college training the monthly allowance would be—no dependents, $110; one dependent, $135; more than one dependent, $160. Veteran must begin education or training within 3 years after discharge or enactment of bill, whichever is later; and must complete education within 8 years after discharge or enactment of bill, as case may be. No allowance shall be paid for any period prior to September 1, 1963. Persons enrolled in courses of education on September 1, 1963, would be entitled to allowance from that date, although they could not receive payment until after bill's enactment. All education and training end on June 30, 1973, except that certain career enlistees have a later termination date determined by the date of their final discharge.

Guarantee and direct-loan assistance: Eligibility for guarantee and direct loans is conditioned upon more than 180 days of active duty, or discharge for service-connected disability. Widow of veteran who died of service-connected disability also eligible. Loans are for purpose of purchasing (a) homes, including farm homes; and (b) farm lands, livestock, etc., to be used by veteran in farming operations. Banks or other lenders make loans with Government guaranteeing 60 percent, up to $7,500, on residential real estate, and 50 percent, up to $4,000, on nonresidential real estate. Loans are subject to guarantee fee not to exceed one-half of 1 percent of loan amount, to be used to cover losses on loans. Direct loans not exceeding $13,500 may be made to veterans in certain small towns and rural areas when private capital is not available for guarantee loans. Interest rates and maturities of loans controlled by laws applicable to World War II and Korean veterans, now and in the future. (Under Public Law 86-73, maximum interest rate is 5¼ percent per annum.) Termination date of guarantee and direct loan program is July 1, 1973, except for loans on which VA commitments have been issued before such date.

## MASS TRANSPORTATION

**Mr. WILLIAMS of New Jersey.** Mr. President, on behalf of myself and Senators Beall, Bible, Brewster, Case, Clark, Dodd, Engle, Humphrey, Jackson, Javits, Kuchel, Long of Missouri, McCarthy, Nelson, Neuberger, Pastore, Pell, Ribicoff, Symington, and Young of Ohio, I introduce, for appropriate reference, a bill to authorize the Housing and Home Finance Agency to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas.

The senior Senator from Ohio [Mr. Lausche] has advised me that if he had been on the floor at this time, he would have indicated his acquiescence in having the bill referred to the Committee on Banking and Currency, and that at a later time he would suggest that the Commerce Committee has an appropriate interest in the bill, too.

As the list of cosponsors indicates, the bill has already attracted some bipartisan support. I hope it will stir additional interest and endorsement during the next few months, because I believe that the bill, if it becomes law, would be an antidote to confusion and fruitless debate about commuter travel in the United States today.

It would give municipal officials, agencies, and planners the encouragement and financial assistance needed to make mass transit feasible in our urban-suburban areas. As the history of the declining transit industry indicates, we will produce only talk until we put up the money at the Federal level for a comparatively small part of the job that must be done in so many areas of our Nation.

The bill I introduce today is sensible; it is modest; it can do the job.

And it is one of the most important pieces of unfinished business left behind by the 87th Congress.

Today's bill, now called the Urban Mass Transportation Act of 1963, is identical to the bill reported by the Senate Banking and Currency Committee last year as the Mass Transportation Act of 1962. A review of the fate of that bill will, I believe, remind us of the support and hopeful interest given to the proposal last year.

President Kennedy prepared the way for the bill when he asked in his transportation message last April for a program of assistance for commuter and other public mass transportation in our towns and cities.

As the President succinctly summarized the situation at that time:

> To conserve and enhance values in existing urban areas is essential. But at least as important are steps to promote economic efficiency and livability in areas of future development. In less than 20 years we can expect well over half of our expanded population to be living in 40 great urban complexes. Many smaller places will also experience phenomenal growth. The ways that people and goods can be moved in these areas will have a major influence on their structure, on the efficiency of their economy, and on the availability for social and cultural opportunities they can offer their citizens. Our national welfare therefore requires the provision of good urban transportation, with the properly balanced use of private vehicles and modern mass transport to help shape as well as serve urban growth.

The President's emphasis was on balance of transportation resources, but at present no such balance exists. To help achieve some degree of balance, he offered an administration transportation bill, which was introduced last April. Twenty-one Senators cosponsored the bill. Seven of them were Republicans.

The bill then received prompt and significant committee attention.

The Housing Subcommittee of the Senate Banking and Currency Committee conducted hearings from April 24 to 27 and took 533 pages of testimony from individuals and organizations deeply concerned about a growing national crisis. Of more than 50 witnesses, only 3 opposed the bill.

Subcommittee No. 3 of the House Committee on Banking and Currency conducted even more extensive hearings. Witnesses gave testimony for 2 weeks. They represented labor, manufacturers, railroad and bus companies, and planning groups. Of 66 witnesses, only 2 opposed the bill.

One reason for the generally favorable response was that the Urban Mass Transportation Act of 1962 would have been the logical extension of an earlier program.

The Housing Act of 1961 established a temporary Federal loan, research, and demonstration program for mass transit. This historic breakthrough in urban legislation gave us reason to hope that a more adequate bill would be passed.

This hope seemed to be justified when the House and Senate committees reported favorably on the legislation. In the closing days of the session, however, the bill was referred to another committee. Additional testimony was taken; no changes were recommended; but the bill could not be called up to the floor again because of our heavy work schedule at that time.

To make certain that we will have adequate time this year, I am introducing the bill on the opening day of this session. It is my earnest conviction that the case for the bill has grown more obvious during the past year and I think we will find new evidence to support the argument that the bill would combat a problem of increasingly critical proportions in the United States today.

That problem can be summed up in a very direct way: at just the time when we anticipate our greatest period of urban growth, our ability to move large numbers of commuters in rapid transit vehicles is dwindling. Instead, we are relying—even for rush-hour transportation—on automobiles and highways, the most costly and least efficient method of moving people.

We have, in the past few years of testimony and discussion about rapid transit, accumulated a large store of depressing but persistent facts about the gradual death of transportation systems. I shall take a few of those facts from the records of our hearings from the lengthy reports issued by the House and Senate committees last year, and from other sources:

From 1956 to 1960 the number of revenue passengers carried by buses and streetcars declined by about 25 percent.

Three hundred and sixty-three transit companies were sold or abandoned between 1956 and 1962 throughout the Nation, including seven in my own home State of New Jersey.

Over 85 percent of total daily travel in most urban areas today is by automobile.

Traffic jams already cost the Nation about $5 billion a year in time and wages lost, extra fuel consumption, faster vehicle depreciation, lower tax yields, and so forth.

There are forgotten people in our cities who cannot rely on automobiles because of disability, age, or other reasons. And yet, they are faced with a decline in public transportation facilities.

These facts would not be complete if no reference was made to the mounting cost of highway construction.

Highways, of course, are needed; many parts of our Nation can be served only by automobiles, trucks, or buses.

But there should be a national concern about the growing dependence on the automobile as a major means of peak-hour travel for commuters. Highways and vehicular river crossings are built, quite often, solely because the congestion has become so bad that fast action must be taken. That something, in the absence of any other alternative, is usually to build a new highway or facility that serves automobiles only.

As a result, we are paying a high bill for highways.

Just a few weeks ago, Chicago opened an 11.2-mile strip of a 14-lane superhighway. The cost was $176,700,000, or about $16 million a mile. This is high, but it is understandable in metropolitan areas. We have heard of other city freeways that cost $20 million a mile. One projected expressway across lower Manhattan would cost up to $100 million a mile. Looking at such figures, some observers say that we should do without freeways in urban areas. Others say that we are spending so much on highways that we cannot afford transit. There are some extremists, in fact, who say that a vote for rapid transit is a vote against highways.

But our commuter problem today is simply too big to transform it into a feud between the highway people and the transit people.

The truth is that there is a major need for both methods of travel. We have provided well for highway needs—$20 billion of the $41 billion interstate highway program is scheduled for urban highway construction. We should be willing to invest $500 million over a period of 3 years in a program that will help local and State officials keep transit alive and growing when the need is great and growing greater.

The need for transit received widespread recognition last year, when the adminstration bill received support from organizations including the American Municipal Association, the National Association of County Officials, the U.S. Conference of Mayors, the National Association of Homebuilders, the National Association of Housing and Redevelopment Officials, the National Housing Conference, the American Institute of Planners, the AFL–CIO, the Association of American Railroads, the Railroad Labor Executives Association, the American Transit Association, the National Association of Mutual Savings Banks, and a number of State and local chambers of commerce around the country.

Such support, as I have already indicated, was partially induced by the existence of a temporary Federal transit program, administered by the Housing and Home Finance Agency. Even this pioneer program attracted wide interest. More than 200 communities in 48 States, small towns as well as large cities, had inquired at the HHFA last year. One of the latest demonstration grants, in my home State of New Jersey, gives some idea of the uses to which the program is being put.

On December 20, 1962, the Housing and Home Finance Agency approved a $256,000 mass transportation demonstration project calling for a 300-automobile parking lot and passenger station near New Brunswick. The project will help determine whether more people will ride commuter trains if the suburban station is more easily accessible from newly developed areas. Hundreds of commuters may decide that it makes more sense for them to take a train than to battle traffic on the highway.

Other projects approved by the Housing and Home Finance Agency give additional evidence of the growing usefulness of the program. I ask that a brief description of these projects be added at the close of this statement.

There are other signs, too, of increased receptivity to mass transportation. New York, New Jersey, and Connecticut are working together on regional transportation plans through the tristate transportation committee. New Jersey has established, through its highway department, a program of assistance and planning to help commuter railroads. In the Washington, D.C., area, planners have indicated that transit needs are among the major considerations in the year 2000 plan and other plans for the region. Philadelphia continues to plan for broadened service, and Los Angeles officials have clearly indicated that their reliance upon the freeway is inadequate.

One of the most significant of the recent events was the approval last November by the San Francisco area voters of $792 million for a regional transit system.

This was a responsible and heartening decision. Bay area residents have chosen to tie their transit program into plans for over 11 regional developments, and apparently this approach will pay dividends. I was very impressed recently when I came across an article which described the enthusiasm already generated by the project. In the December 9 issue of the San Francisco Examiner, Oakland City Manager Wayne Thompson is quoted as saying:

> There is nothing but confidence in the central business district since the passage of rapid transit last month. The future has never seemed brighter. The Broadway Station in Oakland will become the center of the world's greatest transit system.

As transit programs are approved in other areas, I think we shall see a similar upsurge of confidence and investment opportunity.

Even the most promising of present or future projects, however, will be slowed or possibly killed altogether unless Congress makes it possible, by offering a relatively small amount of funds, to overcome some of the most difficult financial problems.

Our witnesses from San Francisco last year, for example, said that the bill—the same bill that I reintroduced today—would produce great savings of time and funds. They said that a Federal contribution of $20 million a year for a 10-year period would save $383 million in principal and interest on the bond issues, would put the system into operation 4 years earlier, would reduce the tax from 65 cents per $100 assessed valuation to about 47 cents, and would produce savings of approximately another $120 million in reduced time, accidents, insurance, traffic control, and so forth. The Federal funds would accomplish all this largely because of the present local limit on the amount of bonded indebtedness than can be incurred in any 1 year. Without Federal help, the construction period would be stretched out for 9 years.

This is one example of the way in which the net project provisions of the bill could be used. The following description of the other provisions will give additional information on other ways in which the proposed bill could be helpful.

### MAJOR PROVISIONS

### FEDERAL GRANTS

The most important single feature of the bill is a long-range program of Federal grants to States and local public bodies to assist public and private transit systems in financing the acquisition, construction, and improvement of mass transportation facilities and equipment. The eligible facilities and equipment would include terminal facilities, rights-of-way, buses and other rolling stock, and any other property needed for an efficient and coordinated mass transportation system; except that no such assistance could be provided for the acquisition of land to be used as a public highway. Likewise, no grant funds could be used for operating costs or for the payment of ordinary governmental expenses.

A grant under this program would be made only to a public body which shows that it has the legal, financial, and technical capacity to carry out the proposed transit project. However, the public body would not necessarily have to operate the transit facilities and equipment itself. It could provide for their operation by lease or other arrangement. Thus, every locality would remain free to choose public or private operation of its transportation system or any combination of the two.

As the President stated in his transportation message:

> The program is not intended to foster public as distinguished from private mass transit operations.

The Federal grant would be based on the net project cost of providing the needed facilities and equipment. This means that portion of the project's total cost which could not reasonably be financed from fares and other revenues.

The Federal contribution could not exceed two-thirds of net project cost; the remainder would have to be provided in cash by the locality, from sources other than Federal funds of anticipated revenues. It is anticipated that the local funds would ordinarily be obtained through issuance of bonds based on the taxing powers of the local government, the transit authority, or other local public body. This local contribution would assure that there was a firm local determination of the project's need, as well as local concern for care and efficiency in the spending of the money.

To meet the Federal share of the cost, the bill proposes $100 million in grants in the current fiscal year, $200 million in fiscal 1964, and another $200 million in fiscal 1965.

### FEDERAL LOANS

In some cases where local transit operations can be self-supporting there is often difficulty in obtaining loans on reasonable terms. To meet this need, the bill would make permanent the existing temporary authority for the $50 million loan fund established in 1961. At present, $10 million of that amount has already been committed. No loan would be made for a project which receives a capital grant, and a loan would be made only if financing were not available from other sources on reasonable terms. Loans could be made only to public bodies, but the equipment or facilities financed could be leased to private companies for actual operation. The interest rate would be calculated by a formula which presently produces a rate of 3¾ percent, and the loan term could be amortized over 40 years.

### PLANNING REQUIREMENTS

The measure proposes strict planning requirements to assure that the aid is necessary and will be used effectively. A community or metropolitan area would be required to have an areawide transportation plan, coordinated with a comprehensive urban development plan for the area.

A number of communities have already undertaken this kind of planning with the assistance of the urban planning grants provided under section 701 of the Housing Act of 1954. The 701 program authorizes Federal grants covering up to two-thirds of the cost of planning for communities of 50,000 population or less and for metropolitan regions.

### EMERGENCY PROGRAM

While long-range comprehensive planning is essential to meet urban transportation problems, there are some communities already in critical difficulty for whom it would be extremely costly if assistance had to be delayed while long-range plans were laid. To meet this problem, authority is requested, until July 1, 1966, to make reduced grants covering 50 percent of the net project cost for communities which have not completed the planning phase. If all the requirements are met within 3 years from the time of this limited grant, the project would then qualify for an additional grant to bring the Federal contribution up to the full two-thirds of net cost.

### RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECTS

The demonstration grant authority in existing law is broadened to provide for a research, development, and demonstration program for all phases of urban mass transportation. The balance of the existing $25 million grant authority plus $30 million of the $500 million requested for the urban mass transportation program over the next 3 years would be available for transportation demonstration grants. The Housing Administrator could use these funds to conduct research with his own staff or through other Government agencies, universities, or research or transit firms.

The proposal retains the requirement that to be eligible for a demonstration grant, a project must be able to produce results usable in other areas. However, these demonstration grants could be provided without the present restrictions on expenditures for major long-term capital improvements and the limitation of demonstration grants to two-thirds of project cost. Communities are reluctant to share the cost of a project which is not tailored to their own needs, and the authority for grants up to 100 percent is needed in order to make sure that demonstration projects are, in fact, of widespread applicability.

### RELOCATION REQUIREMENTS

It is not expected that the mass transit program would involve very substantial displacement of families and business firms. However, some displacement would no doubt occur, and the proposal would provide substantially the same relocation benefits that are now available under the urban renewal program. Displaced families would be eligible for Federal relocation payments up to $200. Displaced business firms and nonprofit organizations could, in general, receive relocation payments of up to $3,000. In turn, the community would be required to have a relocation program provide decent, safe, and sanitary homes of comparable convenience and desirability on terms which the displaced families can afford.

### A COMPREHENSIVE APPROACH

As the above description indicates, the bill would serve communities of all sizes; it is not merely a big-cities bill, as some critics have said.

The first answer to this is, of course, that its opponents cannot argue both ways on this question of participation by smaller urban areas—unless they claim that the smaller towns and cities are going to be able, somehow, to make off with free Federal funds under this program without showing any local need or any matching efforts.

In fact, as I have just pointed out in summarizing the main features of the program, it is designed very carefully to provide assistance only where a locality has public transportation problems so great that it has seen fit to expend the considerable effort necessary to initiate a local public mass transportation program as a fundamental part of an overall program of planned community development.

Furthermore, a locality seeking assistance under this program will have to show that it has the legal and technical capacity, regardless of whether it will actually operate the transit system itself, to assure that the Federal funds are used in accordance with the agreed-upon program.

Most important of all, to the extent that a locality is to receive Federal funds under this program, it must match those funds with a one-third local public contribution which cannot be derived from the revenues of the system.

In short, this program is not aimed at any particular sized city, but is aimed at a particular problem wherever it exists, and wherever towns and cities feel strongly enough about the problem to be willing to take the initiative in devising ways to meet it and in carrying their share of the financial burden involved.

This problem is, in fact, widespread. The American Transit Association estimates that about 60 cities of 25,000 population or more now have no public transportation service at all. In West Virginia alone, it was pointed out that 100 bus companies had been forced out of business in a little more than 10 years, and that the local West Virginia lines lost over one-third of their riders between 1955 and 1959 alone. Many of these companies were serving small towns. A little Federal assistance, triggering additional local public assistance and private investment, might have helped many of these companies to stay in business.

### ASSISTANCE FOR A PUBLIC UTILITY

It should be obvious, too, that transit in our cities and suburbs is an essential public asset that must be protected and developed with the help of public agencies where necessary. Mass transportation is not only a public utility; it is one of the very basic services a civilized community should offer to its citizens through private or public means.

Furthermore, adequate public mass transportation is for many cities not only a public utility but an essential one. This fact has already become bitterly clear to many of our cities when they have estimated what they would need to expend for public highways to serve rush hour and other commuter traffic if their ailing mass transportation systems were to be served entirely through private automobiles.

The figures are staggering. The American Municipal Association has estimated that if the five cities of New York, Chicago, Boston, Philadelphia, and Cleveland were to lose just their rail commuter service, it would cost $31 billion to build the highways necessary to serve a comparable number of people. In another city, Atlanta, it has been estimated that one expressway alone would need to have 36 lanes to handle the predicted 1970 traffic. Just where the cars would be parked is another problem of nightmare proportions.

The President's program would not provide public assistance for mass transportation services in a way that would require our citizens to abandon their free choice of transportation. In fact, it is an attempt to provide them with greater choices by providing publicly assisted mass transportation facilities in connection with and supplementary to the public highways, which are constructed with public funds.

Many people, of course, have no real alternative to using public transportation. They are too old, too young, too infirm, or too poor to drive. For them, public transportation is imperative.

### FEDERAL ACTION IMPERATIVE

There can no longer be any doubt about the need for Federal concern and Federal action to combat present mass transportation inadequacies.

The basic justification for Federal financial assistance for local urban mass transportation systems is that the general welfare and the productivity of our Nation's urban areas are vitally important to the welfare and productivity of our Nation as a whole; the welfare of the citizens in our towns and cities is essential to the welfare of all of our citizens regardless of where they themselves live. The farmer from Alabama or Illinois or the cattleman from Wyoming are directly dependent upon the commerce and industry of our cities. If those cities are caught up in too many traffic jams, it is going to raise the cost of the goods and services which the city dwellers provide for the rural areas.

The Federal Government is already deeply committed to providing financial support for our urban areas. For example, the Housing Act of 1961 committed $2 billion for the urban renewal program alone. The job which this program is trying to do will become increasingly difficult unless a greatly accelerated attack can be made upon our urban transportation problems.

Federal funds, or course, are already directly involved in transportation. In underwriting 90 percent of the cost of the Interstate System, it is estimated that the Federal Government will spend over $16 billion for highways in urban areas before that system is completed in about 10 years. In addition, the Federal Government will spend well over $250 million a year on urban highways in its program of 50 percent grants for Federal-aid primary and secondary highways. Thus, large amounts of Federal funds are already available to local public authorities attempting to meet their urban transportation problems through provision of highways for private automotive use.

In this situation, objective decisions are very difficult as to whether particular urban transportation needs can best and most economically be met by private automobile or public transportation facilities. For our urban areas, this means that highway funds may be expended on projects for which mass transportation would be more suitable, while other highway needs in urban and in rural areas may be needlessly delayed.

I am aware of the need to scrutinize closely any proposal for a new Federal grant program when this country already has so heavy financial commitments both at home and abroad. However, I am convinced that any such objection to this bill does not sufficiently weigh the much more costly alternatives to his expenditure, and does not give due regard to the obligations which this Government has toward the urban areas where nearly three-fourths of our people live.

I introduce this legislation in full recognition that in its present form it may not take due cognizance of matters brought to my attention only last week by the Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America. I am particularly concerned that every effort be made in this legislation to provide safeguards for collective bargaining and arbitration, to protect employees displaced by adverse effects of new transit facilities, to protect rights of employees displaced through automation, and to review the impact of advance consent to transit compacts. I have written to officers of the amalgamated association assuring them of my desire to receive their full testimony at hearings on the bill and ask that they provide me with specific language embodying their proposals.

The support for urban mass transportation has been widespread and bipartisan, and congressional approval of the legislation is long overdue. I ask that the Senate take up where it left off on this legislation as quickly as possible.

I also ask permission to include additional information pertaining to mass transportation as a concluding note to my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the matters will be printed in the RECORD.

The bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The matters presented by Mr. WILLIAMS of New Jersey are as follows:

### DEMONSTRATION GRANTS AUTHORIZED UNDER MASS TRANSPORTATION PROGRAM, HOUSING ACT OF 1961

#### DETROIT, MICH.; FEDERAL GRANT, $224,400; MARCH 29, 1962

A program to increase bus service substantially along the 14-mile Grand River route which runs from downtown Detroit to the northwestern part of the city. In a 2-month trial period, bus service along this main route was increased up to 70 percent during peak hours. An analysis on December 21, 1962, indicated that intervals between buses during the best period ranged from 2 minutes at rush hours to a maximum of 15 minutes on weekends, as compared to former headways of 3½ to 24 minutes. Riding showed a daily increase of nearly 3,000 passengers, or more than 12 percent, above the base period, as determined by actual counts. Wide variations were found by days of the week and by periods of the day. Fare-box revenues showed a progressive increase from 0.43 percent the first week to 8.6 percent for the eighth week as compared to the base period.

#### UNIVERSITY OF WASHINGTON, SEATTLE; FEDERAL GRANT, $15,000; JUNE 29, 1692

To study the monorail system at the Seattle World's Fair. The study analyzed the initial cost of operation, the degree of public acceptance, operating characteristics, mechanical problems, structural characteristics, problems involved, and other factors involved in operating the system.

#### COMMONWEALTH OF MASSACHUSETTS; FEDERAL GRANT, $3.6 MILLION; OCTOBER 6, 1962

An experiment conducted by the Commonwealth's mass transportation commission with three commuter railroads serving Boston, and local bus companies serving Boston and neighboring communities, and publicly owned metropolitan transit authority. The purpose of the project is to determine what effect improved service and reduced fares have on the public's use of mass transportation facilities.

#### SOUTHEASTERN PENNSYLVANIA TRANSPORTATION COMPACT (SEPACT); FEDERAL GRANT, $3,116,000; OCTOBER 26, 1962

Experiments in the Philadelphia metropolitan area designed to demonstrate the extent to which people in both city and suburban areas will use railroad commuter service if it is of high quality and attractively priced. The experiment includes increased and improved service, feeder-bus service with combined bus-rail fares and better parking facilities at suburban stations. The program recognizes that the car and the bus are essential coordinates to making rail facilities a vital and useful part of a mass transit scheme.

#### MEMPHIS, TENN.; FEDERAL GRANT, $194,950; DECEMBER 11, 1962

To the transit authority of Memphis to determine how pattern and volume of ridership is affected by establishing full-scale mass transit service in the early stages of development for representative types of suburban areas, as compared to deferred full transit service until an area has been substantially developed. The project will test whether full-scale service encourages the use of public transportation facilities as the community develops and before the residents become accustomed to their own automobiles.

#### TRISTATE TRANSPORTATION COMMITTEE (NEW BRUNSWICK, N.J.); FEDERAL GRANT, $256,185 DECEMBER 22, 1962

A study to determine if people will use rail facilities if the depot is located near to where they live. The grant provides funds for building a 300-car parking lot and a suburban station about a mile and a half west of the existing station that is located in the congested business district of New Brunswick. The results of the experiment should determine planning policy for the location of transportation stations in urban areas throughout the country.

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### LOANS UNDER THE URBAN TRANSPORTATION PROGRAM

#### PHILADELPHIA, PA.; TOTAL, $3 MILLION; MAY 17, 1962

A loan to the Passenger Service Improvement Corp., an agent of the city, to purchase 12 self-propelled rail diesel cars for the improvement of commuter service in the Philadelphia metropolitan area. The new cars will replace obsolete equipment now being used to serve Philadelphia commuters. In addition to replacing obsolete cars, the diesel cars will improve commuter rail service on one of Reading Railroad's lines radiating from downtown Philadelphia.

#### CHICAGO, ILL.; TOTAL, $7.5 MILLION; JUNE 16, 1962

A loan to the Chicago Transit Authority to aid in purchasing 180 new electric rapid transit passenger cars for the subway elevated lines in the city. The new equipment will replace old, obsolete cars that were in use along two of the authority's routes. The new cars are a part of the capital improvements made in the routes which are expected to shave transit running time, increase transit use away from auto travel and result in operating economies estimated at nearly one-half million dollars a year.

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[From Metropolitan Transportation magazine, November 1962]

### THE DYNAMICS OF URBAN TRANSPORTATION—AMERICAN AUTOMOBILE ASSOCIATION NATIONAL SYMPOSIUM FOCUSES ON TRANSIT

(Historymaking precedents were set on several industry fronts last month, when national groups met to work out mounting problems in transportation and urban renewal. All at once concerted action is setting in motion the planning, engineering, legislation, and financing that will move more people more efficiently through our urban areas. In Detroit, for example, almost 1,000 experts took part in a symposium, "The Dynamics of Urban Transportation," to bring into focus basic issues that must be solved in meeting increasing demands of roads, streets, and rights-of-way. From 35 States came executives representing business, government, education, and research to attend this 2-day session sponsored by the American Automobile Association. It was the largest meeting of its kind ever held. But more impressive than that is the fact that here for the first time a united industry front is demanding—and promising—action. Impetus given transit will be felt throughout the country. Transit, be it bus, rail, moving belt or something not yet conceived, will be called upon to save the modern metropolis. It can and will meet the challenge. Here's what industry leaders said:)

#### SOCIAL FACTORS AND THE PATTERN OF URBAN GROWTH

(By Dr. Amos H. Hawley, professor of sociology, University of Michigan, and symposium keynoter)

For more than 40 years, the growth of population in suburban areas has outstripped that in central cities. Approximately three-quarters of present suburban residents formerly lived in their respective central cities.

Much of the suburban growth can be laid to the great freedom of choice afforded by efficient and flexible transportation facilities.

Urban areas will continue to expand due to the uninterrupted growth of service industries and further improvements in the facilities for movement in each locality, urban population will sprawl over increasingly larger territories and central business districts will find it necessary to move closer to the geometric centers of urban areas.

Urban areas will be knit together with crisscrossing flows of wide-ranging traffic.

If governmental reorganization of urban areas takes place, the planner will have a unique opportunity and abundant resources with which to work. He can develop plans which treat the central city and old suburban cities as integral parts of a single entity, instead of islands in a sea of confusion.

The goal of the urban planner should be to provide the greatest opportunity for personal development and constructive living. However, to reach this goal the first requisite is the freest circulation of people, of ideas, and of materials.

#### INTERACTION OF URBAN TRANSPORTATION AND LAND USE

(Moderated by John T. Howard, head of Department of City and Regional Planning, Massachusetts Institute of Technology)

##### *Future of our cities*

(By James W. Rouse, president, Community Research and Development Corp., Baltimore)

Most important single factor in fashioning the growth and development of our metropolitan areas is the Nation's highway program. It should not be planned with focus concentrated on the movement of automobiles in relationship to the total needs of the community and with an awareness of the enormous impact which highways exert for strengthening or destroying communities in which they are built.

Highways are our new river valleys. Properly planned for their most effective use, they can give shape, definition, and protection to residential neighborhoods on which they border. They can channel or discourage growth and development in the city. They can ennoble or block off forests, waterfront and hillsides. They can supplement or oppose further aspects of the city's public works program.

Thus, highway planning properly should be a part of comprehensive planning for the overall needs of the entire metropolitan area.

##### *Living and travel patterns*

(By Karl Moskowitz, assistant traffic engineer, California Division of Highways)

People who live in auto-oriented cities enjoy a mobility heretofore unknown, enabling them to travel from where they live to where they work. It also enables them to live on a higher standard.

The density of population in auto-oriented cities is low—about 3,000 per square mile except in the highest population communities. The area consumed by freeways is about 1.6 percent of the total urban area. The area consumed by parking is about 1 percent. The area used for other roads and streets is less than it was for horse-oriented communities, less by enough to cover the area consumed by freeways and parking manifold. This is because automobile transportation allows the blocks to be longer and the number of streets to be fewer.

##### *Impact of developments*

(By Larry Smith, Larry Smith & Co., real estate consultants, New York City)

Availability of transportation facilities is one of the most important economic factors influencing commercial and industrial site selection.

In recent years, a trend back to the central business district has been observed. This recentralization can be encouraged by measures to alleviate traffic congestion, parking scarcity, difficulties of site acquisition, and the poor distribution of downtown land use which fails to maximize the possible benefits from pedestrian traffic flow.

Areas outside the central business district can be aided in successfully fulfilling their functions by giving attention to the placement of highway interchanges, the planning of limited-access expressways and provision for convenient ingress and egress to commercial and industrial developments near highways.

By sound planning, transportation development can assist in clearing blighted areas, maintaining or improving the value of existing investments, and increasing the attractiveness of potential commercial and industrial sites both downtown and in the suburbs.

There is no single pattern of transportation facilities that can be recommended to encourage commercial and industrial site development. The strengths and weaknesses of individual cities must be analyzed and a transportation improvement program worked out in the light of present conditions and trends in the city, the resources available, and community goals, as well as the types of commercial or industrial functions to be served.

#### TRANSPORTATION SERVICE TO DOWNTOWN AREAS

(Moderated by D. Grant Mickle, Deputy Federal Highway Administrator, U.S. Bureau of Public Roads)

##### *Balanced transportation*

(By Knox Banner, executive director, National Capital Downtown Committee, Inc.)

Of all the physical parts that make up a city, downtown is most dependent on good transportation. Central business districts require a high degree of accessibility to all parts of the metropolitan region. Thus the transportation balance is most critical downtown.

First step in determining a desirable balance is to evaluate various elements of the transportation network. The basic element is a system of streets and highways to serve auto and transit needs.

Good planning will make maximum use of streets' best features and eliminate overburdening streets with many jobs.

Importance of the automobile will not diminish in the future. We couldn't keep automobiles out of downtown if we wanted to. Nor would we solve much by such drastic measures, since the number of automobile trips to downtown is a relatively small—and diminishing—percentage of total trips in our metropolitan areas.

Many people talk of substituting one form of transportation for another. This is normally not feasible, since the different modes serve different functions. Only in planning for downtown is there a reasonable degree of flexibility.

It is important to understand how downtown functions and how this function can be improved. A reasonable capacity for automobiles should be determined. If provision can be made for the remaining trips by mass transit, a good balance will result. The challenge is to make the transit system good enough and desirable enough to achieve this balance.

The freeway offers the greatest potential for community improvement. Freeways can guide and promote desirable development and create areas of beauty.

##### *Rail, bus, and rapid transit*

(By George W. Anderson, executive vice president, American Transit Association)

No authorized spokesman of the transit industry has ever advocated that automobiles be barred from public streets. The industry advocates a balance between public and private transportation—the degree to be determined by conditions and needs in each community.

Further, the industry believes that transit and the automobile are basically adapted to performing tasks of different nature under different conditions. Transit is essentially CBD-oriented and is ideally adapted to worker travel and downtown shopping trips, etc. The automobile is suburban-oriented and ideally adapted to recreational travel where space for movement and storage (parking) is abundant. Movement and parking in dense areas, like the CBD, can be the principally and predisposing cause of congestion.

Transit is ideally adapted for handling CBD-oriented peak volumes of passengers, which usually occur over two short, sharp, extremely important periods of the day. It provides such peak capacity at a high ratio of utilization to the capacity provided. It does so more efficiently and effectively than any other urban transport mode.

##### *Downtown off-street parking*

(By F. Houston Wynn, principal associate, Wilbur Smith & Associates, New Haven, Conn.)

Central cities expand vertically rather than horizontally as the city grows. Larger traffic demands are imposed on the same city streets. On-street parking is forced to yield. Off-street parking needs to increase more rapidly than parkers because: On-street parking space decreases as traffic increases; transit riders are transferring to private cars; proportion of short-term parkers (shoppers) decreases as office functions dominate the central business districts; and parking turnover in off-street spaces is less than at the curb spaces they replace.

Automobile owners seem less concerned about travel costs than about convenience and freedom of the private vehicle and the evidence it gives that they can afford the greater cost of car travel. Motorists have accepted parking fees as a normal component of their travel cost. As parking pressures increase it seems likely that the full parking cost will more and more be borne by the motorist without objection.

Commercial parking can compete with other central city functions for the land needed for parking garages. Terminal facilities thus provided are an economic and profitable use of land in downtown areas.

### *Designing downtown*

(By Dean Charles R. Colbert, School of Architecture, Columbia University)

Factors that shape future central business districts of our cities are in flux. One receiving major attention is the automobile.

Last year, Columbia University, representing the Downtown Property Owners Association of Dallas, Tex., developed a proposal for a catalytic unit which presented a new synthesis of the problem.

We developed a 10-acre pilot project which assumed use of three complete surfaces of the earth above which normal functions of the central business district were placed.

On the lowest level, trucks, intercity buses, public transit, and creatures of the highway were given free access. On the middle surface, automobiles, taxis, intracity buses, and creatures of the city street were allowed free movement. The uppermost continuous level was allocated to pedestrians.

Below these multiple tiers, automobiles were stored in pits drilled 600 feet into the earth. Above these distributed parking pits, vertical rights-of-way were exchanged for the grid pattern of streets which subdivide central business districts.

We found that the automobile is poorly adapted to terminal storage. The automobile industry should determine how its products may be efficiently terminated within the ventricles of our cities.

If we are to avert authoritarian control of city centers, we must reinterpret our definition of real estate and our design of the automobile.

## PLANNING REGIONAL FACILITIES

(Moderated by Harold F. Hammond, president, Transportation Association of America)

### *Fitting plans to land-use projections*

(By Dr. J. Douglas Carroll, Jr., director, Chicago Area Transportation Study, Chicago, Ill.)

To fit an optimal network to an urban region, distribution and intensity of land uses must be known or assumed. Land uses dictate travel demands, and the plan that best serves land uses is wanted. Land uses may be projected or planned. The latter is preferable but is seldom accomplished with the hardness of detail needed.

Network plans can be defined as optimal when no other conceivable plan would provide a better solution. But this idea has to be made operational by measurement and test. Given a land use pattern, and given a means of stimulating travel, it is possible to assess the performance of different plans. By converting all things valued to a single scale of worth, it is possible to measure objectively which plan gives the best performance.

The planner's search should be toward this "best" solution. And it is of importance that the path leading toward such a solution be defined. The real limiting factors or restraints of existing facilities—limited funds, planning period, state of technology—all combine to constrain the direction of the answer.

This approach emphasizes the strategy of growing toward a new stage of urban development rather than reaching for an ultimate or ideal city type.

### *Planning as an influence*

(By Henry Fagin, professor of urban and regional planning, University of Wisconsin)

People engaged in comprehensively planning urban transportation systems have an obligation to plan transportation to serve the metropolis as it evolves and to develop a transportation system that will help shape the metropolis.

Transportation systems have had a long-run impact on patterns of urban land use. Relative accessibility has been important in determining the intensity with which land within the metropolis would be patronized. But the region and its transportation system must be such that a substantial accessibility differential exists.

An effective differential may not exist if an urban area is too small for travel times and distances to have any significance; or if the region is provided with such ubiquitous and fast transportation services that one can go equally easily from any place to any other; or finally, if its various urban activities are diffused so evenly that virtually all needs can be satisfied no matter where one is. Thus, magnitude and pattern determine the geographic scale at which appreciable differentials in accessibility occur.

### *Changing technology*

(By Arthur E. Baylis, vice president—marketing, New York Central system)

Urban services and short-haul problems of railroads have become so acute that much of this tonnage has been lost. Growth and progress of trucking has placed railroads in a noncompetitive service position on short hauls. Railroads are trying to bid back into this market area through improving traffic-handling technology in urban areas and on relatively short-haul traffic.

"Piggyback" and modified forms of containerization are being accepted by customers as a better way of solving tonnage and distribution problems. Particularly is this true for off-track customers and those engaged in packaged goods handling.

Plan V, a piggyback plan offering a combination of short-haul truck and long-haul rail service, is developing rapidly. Through it the advantageous parts of each mode of transportation are available to customers.

Many new, special facilities are being provided outside of terminal areas for freight transfer. Such facilities, often used in connection with bulk freight, expedite handling and eliminate downtown congestion areas.

## FINANCING AND IMPLEMENTING URBAN TRANSPORTATION

(Moderated by John C. Kohl, Assistant Administrator, Federal Housing and Home Finance Agency, Office of Transportation)

### *Prices and costs*

(By Dr. Lyle C. Fitch, president, Institute of Public Administration, New York City)

There are many ways of economizing on transportation, including timing and number of trips taken, average length of trip, choice of route. All these choices are affected by price of transportation to users. Principle of the market system dicates that level and types of facilities should be determined by what users will pay for at prices approximating costs, but the market principle is frustrated by highly inefficient pricing systems.

Largest departure from efficient pricing is in the user charges for highways and streets. While private motor vehicles may produce enough revenues to offset their costs overall, there is reason to think they do not meet costs in large cities, and that travel on expensive urban roadways does not generate sufficient revenue to pay for roadways.

General congestion indicates that demand for road space exceeds supply, meaning that service concerned is underpriced. Congestion takes the place of adequate prices in tailoring demand to supply, but it is a grossly inefficient means of allocating space.

A major planning objective for urban road networks is to achieve a balance among various elements, including (1) capacity of arterials bringing traffic to the center, (2) capacity of local street systems which must distribute vehicles, and (3) capacity of storage space available to vehicles.

Mass transportation pricing is also inefficient in failing to take account of cost differentials. For volume movement, mass transportation can be far more economical than individual private vehicles, but it has failed to capitalize on its inherent economies.

### *Financing at the crossroads*

(By Kermit B. Rykken, director, Highway and Legal Department, AAA)

Our greatest highway project—the 41,000-mile Interstate System which was supposed to be completed in 1972—is running into serious trouble.

Some delay in the metropolitan area portion was to be expected because of technical problems, but by far the greatest delay has been caused by well-organized minority groups whose one objective is to wreck the freeway program in urban areas.

A portion of the party line says highways are subsidized by Government and, therefore, heavy subsidies to mass transit are justified so they will be on an equal footing competitively.

Even the severest critics of the automobile admit users are more than paying their way. However, the situation is different, they claim, when you come to examine metropolitan areas. Even in urban areas, highways are not subsidized, no matter how you approach the question.

We who represent the passenger car owners of America say to all who are in positions of responsibility: Give us the facilities we need and for which we are paying our fair share and then some, and do not use our special taxes to finance deficit-ridden means of getting about.

### *Economics of consumer choice*

(By Dr. Leon N. Moses, research director, the Transportation Center, Northwestern University)

It is commonly believed that many problems of central cities are associated with increased automobile ownership and highway construction, and that ways must be found to divert commuters to public transportation. But it is necessary to understand factors that affect consumer choice in urban transportation.

Some variables that influence choice are incomes of commuters, and time and cost characteristics of modes they can use for the work trip. With these variables a value, Z, can be determined that indicates which mode a worker will choose. Under certain circumstances, the absolute value of Z is the amount by which a commuter must either be compensated for taking a less preferred mode or the minimum charge that must be imposed in order to divert him from his preferred mode.

In research being done at the transportation center, estimates of the value of this variable were made for an actual group of commuters. Principal conclusion drawn so far is that price reductions greater than present fares would be required on each of the modes of public transportation to divert one-third or more of commuters who said that autos were their preferred mode. In other words, negative fares on public transportation would be required to carry out such diversion. If price of automobile commuting were to be raised instead, it would take at least a $1.20 increase for a round trip to divert 50 percent of the automobile commuters.

Changes in price are not the only method by which diversion may be carried out. Investments that reduce travel times and the disutility of travel by alternative modes might prove effective.

*Issues in financing*

(By Robert L. Sommerville, president, Atlanta Transit System)

Appeals by cities to the Federal Government and concern at the Federal level with a worsening traffic situation in cities which are calculated to upset national transportation planning, resulted in action by Congress in passing, in 1961, a first attempt to promote studies and planning for the improvement of existing urban mass transportation systems. The amount of $25 million was made available.

Financing to build or revitalize transit services is also being worked out at local and State levels and by existing private companies, mainly where the extent of such activities is in reequipping existing systems and attempting to prevent further deterioration.

Among prominent issues affecting present and forthcoming transit planning is the effect upon cities of Federal highway expenditures without equal compensating planning for other forms of transportation and especially transit. It is questioned whether the scope of present transit financing policies will be adequate.

It is suggested that concentrated and extensive studies must be made to ascertain specific needs in individual large cities.

It is also suggested that while studies of urban transportation policy continue, there is need to prevent further deterioration in existing transit services. This can readily be achieved at local levels by energetic action to reduce special taxes, by giving street-space priority for transit vehicles in proper circumstances, by provision of perimeter parking facilities and by other relatively inexpensive actions, including subsidy where this would be considered desirable to keep fares at a level to attract passengers.

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[From the General Electric Forum, October–December 1962]

### OUR GREATEST TRANSPORTATION NEEDS

(A Forum interview with Senator HARRISON A. WILLIAMS, JR., Democrat, New Jersey, and Senator HUGH SCOTT, Republican, Pennsylvania)

(Senator WILLIAMS, chief Senate sponsor of the administration's $500 million mass transportation bill, and Senator SCOTT, actively involved in committee action on transportation legislation, stress: "Urban transportation is our most important problem area; we must act now to prevent further exodus from cities; legislation must encourage coordinated transportation planning and greater industry research.")

Question: "Gentlemen, what do you consider to be the most important challenge facing the Nation today in transportation and what should be our priorities for action?"

Senator WILLIAMS. Our greatest challenge is posed by the national dilemma of our entire transportation network being pretty much of a patchwork quilt. Its regulations and operation have developed bit by bit, piece by piece, and we have succeeded in creating confused, inefficient, wasteful, poorly planned, outdated systems of travel. Consequently, we face today the major task of coordinating our effort, using all means of transportation for their best use, and bringing reason to where there has been anything but reason.

Within this area, our most important problems—and priorities—lie in the area of urban transportation. Certainly, the urban areas are where most of America lives and produces. In his transportation message to Congress, President Kennedy covered everything from airlines to barge canals. It is significant, I think, that he devoted more than one-fourth of the message to urban transportation. His reasons were emphatic, and they should be convincing. He said that in less than 20 years, we can expect well over half of our expanding population to be living in 40 great urban complexes.

In our urban centers, the needs of the auto have been and are met through vast Federal programs of highway building. These programs have contributed to expressway and freeway systems by providing up to 90 cents for every 10 cents obtained locally, when the urban routes are woven into an interstate system.

It would be magnificent if these highway programs could be woven into coordinated transportation systems, using rails, buses, and other means of travel. This has not been done. There has been no national program really devoted to transit travel, either bus or rapid transit or commuter lines, within metropolitan areas. We are strongly overbalanced, in my judgment, in the direction of more and more massive highways, with the concomitant development of parking garages and interchanges. Consequently, a most efficient means of moving many people and goods—the rail—has withered, declined, and in many places been abandoned altogether.

The American Transit Association, which represents about 80 percent of all the bus and transit services other than commuter rail in the country, reports that since 1954, approximately 350 transit companies have been sold or abandoned. In some cases the service has been restored, but invariably at a drastically reduced level. The association estimates that there are more than 60 cities with populations of 25,000 or more which have no public transportation service at all. And this is in light of the fact that a substantial segment of our population—perhaps as much as 40 percent—is to a great extent dependent on public transportation.

So it is my hope that we can stimulate a return to mass transportation facilities and means, much as we have stimulated communities in their highway programs, and that these programs can be planned concurrently with the highway programs.

Senator SCOTT. Perhaps the need for a much bolder approach to transportation planning could be called the greatest transportation challenge facing the Nation. Particularly is this needed by our municipalities and States. In the past, most of our transportation planning has centered around city, county, or State limits. We are moving into an era where we shall not solve these problems unless we have interstate authorities and compacts, along with plans for even larger regional arrangements.

In all areas of planning, we have got to face the fact that the Eastern United States and parts of the West soon will consist of a number of megalopolises, and that State lines are comparatively unimportant—almost totally unimportant—to the person using transportation facilities.

Question: "What action is required in meeting the Nation's urban transportation problems? What specific legislation is required?"

Senator WILLIAMS. Of course, presented to Congress this year was administration legislation (Senate bill 3615) which would build on the start we made last year when a pioneer mass transit bill was passed as part of the housing bill of 1961. This year's bill, which the White House asked me to introduce, was designed to give a broader range of assistance.

It offered, for example, an initial 3-year authorization of $500 million in the way of grants, for the construction and acquisition of mass transportation facilities and equipment such as land, right-of-way, parking facilities, buses, rail rolling stock, signal equipment stations, terminals, and so forth. The Federal share would be up to two-thirds of the net project cost—that portion of the cost that cannot be financed by revenues from the system.

I might emphasize that this is not strictly a railroad bill, any more than it is strictly a bus bill; it is a bill that would help any comprehensive, well planned, and efficient transit system no matter what the carrier is. Its aim is to help all kinds of commuter service—rail, bus, transit—whether that service is publicly owned or privately owned and operated, whether it involves the giant metropolitan areas or the rapidly growing smaller towns of 25,000 or 30,000 population.

In line with Senator SCOTT's stress on regional planning, the bill specifically provides extra features to encourage regionwide development of transportation facilities.

Summed up, the $500 million—$100 million the first year, $200 million each of the next 2 years—is in the nature of seed money that could stimulate a great deal more local spending. The bill is designed to draw forth a considerable amount of local energy. It is not a money bailout or subsidy for inefficient operations. It is a program to stimulate first the creation of coordinated plans for urban transportation. Beyond that, it is designed to stimulate coordinated transportation planning in conjunction with other urban or community planning. And these are the two prime mandates before grant money, on a matching basis, is given to a local governing body.

Senator SCOTT. I agree that the mass transportation bill, as described by Senator WILLIAMS, is necessary in that it supplements what comes from the fare boxes. It puts the challenge up to the communities to prove and produce. Yet, I think even this can be simply another temporary solution to the whole problem if we don't get people to think in much bigger terms and much longer range concepts. It is hard to plan for 1980 and 1990; yet if this isn't done, we are going to see more departures from the cities, already well begun by the department stores. I think, for example, that most Philadelphians might tell you that they have not been in the center of the city for months or years.

One of our approaches in meeting this problem in our State is what we call "Operation Northwest" in Philadelphia. The Pennsylvania and Reading Railroad commuter systems to suburban Chestnut Hill are now operating under a contractual arrangement whereby the city assumes responsibility for carrying a part of the burden. Passenger fares have been substantially lowered on this particular route. This has proved so successful that similar operations have been initiated on other lines coming into town. All totaled, the experimental operations are now carrying 6.2 million riders a year—an increase of 44 percent over ridership the year before the experiment began.

The reduction in cost of commuter fares also has led to the establishment of fairly large parking areas on the edges of the cities, with a substantial reduction in center city passenger traffic and parking.

Question: "Gentlemen, both of you have emphasized the need for balance and planning in approaching the problems of transportation. Does this mean that government, industry, all of us, should start thinking of transportation more in terms of complete systems, much as we do in the aerospace and defense areas?"

Senator SCOTT. I am inclined to think that government could establish some ground rules and standards for transportation, and then bring industry in tc solve the problems. This would certainly seem appropriate in solving the problems of the eastern and western seaboard over the next 30 years. Government needs to establish the plan and program. And by government, I don't necessarily mean the Federal Government; I mean the States and large communities.

Senator Williams. Right now, any governing body, Federal or local, doesn't really have enough knowledge to adequately project the long-range requirements of transportation.

That is why we need a partnership with private industry in demonstrating some of the new approaches and new ideas in transportation. The current proposed legislation provides money for the demonstration of new ideas. Both last year's bill and this year's bill call for a research program to advance new concepts and new devices to improve modern transit. We want to make sure that new ideas do get a trial—such things as monorail and hydrofoil. Private industry wants to be a partner, but it cannot pay the entire bill.

Senator Scott. Interestingly enough, the hydrofoil is an example of where military experimentation somewhat eases the community or industry development load. As in the case of aircraft, we often have the advantage of transportation research and expenditures as side benefits of our national defense programs.

Question: "In meeting today's transportation requirements and problems, do we, in essence, have to develop a whole new generation of thinking and planning people, starting with formal education itself?"

Senator Scott. There undoubtedly should be greater college emphasis on transportation. What MIT has done for the sciences might well be a real contribution in this area, if some institutions would develop a similar approach to transportation.

This could all be part of the long-range planning effort. For example, community agencies responsible for solving transportation problems should require the highest standards in planners and engineers. There should be more graduates in municipal planning and transportation planning. And governmental entities should require that all plans be submitted to highly trained and well-qualified technicians before construction approval is given. If this were done, some of the grievous errors—two-lane bridges where there should be four-lane, illogical points of ingress and egress on turnpikes, and overpriced expressways—would be eliminated.

Senator Williams. Very simply, we must start giving urban problems the focus of attention that we have given to agriculture for 100 years. We have seen the very tragic result of lack of attention to transportation in educational institutions. A new Division of Transportation, created in the Housing and Home Finance Agency as part of last year's housing bill, is still searching for competent people for its staff.

Senator Scott. Of course, along the lines of education, is the need for educating the citizen himself—preparing the public for what is being done in the planning area, so that we have their approval and support when the bulldozers start marching through their communities. One of the great hindrances to transportation advance is the instant reaction of citizens to that type of progress which is accompanied by noise, traffic, and a new kind of life.

Question: "Do you believe that overall transportation development in the future can be the boost to our economy that automobiles have been in the past?"

Senator Williams. I would say so for many reasons, but for one certainly: The cost of moving our articles of commerce is greatly affected by the cost of transportation. If we can create efficiency and save money, where there is now inefficiency and waste, this could be more and more of a stimulant to economic growth.

Senator Scott. I agree; and again, planning will be the key to the extent of impact. A current example of planning payoff is the piggyback concept which has developed into completely containerized transport of bulk commodities by and among rail, truck, and ship. This new concept came about because someone had the brains to figure it out. Containerization could well be one of the great stimuli to general economic advance of the country.

Senator Williams. That objective is encouraged by the President in his transportation message, where he says:

"Assure all carriers the right to ship vehicles or containers in the carriers of other branches of the transportation industry at the same rates available to noncarrier shippers. This change will put the various carriers in the position of equality with freight forwarders and other shippers in the use of promising and fast-growing piggyback and related techniques."

Senator Scott. That part of the President's message is in process of consideration in my Commerce Committee. Hearings are producing some very interesting ideas and also some very sharp areas of controversy.

Question: "As an aid to planning, would you or would you not favor what some people propose—namely, a Department of Transportation in government?"

Senator Scott. I would have no objection to a Department of Transportation if it were under the Department of Commerce or some relevant agency. I do not favor the overly ready solution of naming another Cabinet officer for everything that comes along.

Senator Williams. If we were to expand the Department, I think a Department of Urban Affairs should have priority over a Department of Transportation. Of course, that comes right back to the beginning, where I said our transportation priority is in urban transportation.

Question: "From your comments today, it seems that both of you gentlemen, at least in substance, support the President's transportation message. Is this correct?"

Senator Scott. Yes, I am supporting it, and my colleague Senator Joseph Clark is supporting it. The whole problem of mass transportation and future planning for transportation needs has been of continuous concern to us for some time.

Senator Williams. It is a very comprehensive program, dealing with all aspects of the subject; and I certainly support it, recognizing that it is so broad and that it goes so deep that it will be a long laborious job to implement. The only specific area that to me seems relatively simple to enact and practice is in urban transportation, with the exception of some minor tax adjustments. There is a lot of hard work ahead, but I think we have a beginning in the urban transportation area that could pave the way for major breakthroughs in all areas of transportation improvement.

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## A Global Transportation Mix for Immediate Reaction, Instant Response

(By Gen. Lyman L. Lemnitzer, commander in chief of U.S. forces in Europe, and former Chairman, Joint Chiefs of Staff)

(Future requirements are stressed by General Lemnitzer in answering these questions: "How does the Nation remain constantly mobilized for emergency action? What are the strategic demands on today's transportation system? How does civil transportation fit into military planning? What are military plans toward space transportation?")

For many years, the military art boiled down to three words—"march, shoot, and communicate." In a broad sense, it still does, although each of these elements has become exceedingly complex.

The public is generally aware of advances in firepower as applied to delivery systems, increased rate and volume, and new methods of target finding and seeking, as well as the dramatic changes brought on by the advent of nuclear fission and fusion. Such spectacular achievements as Telstar dramatize the rapid, reliable, and highly flexible communications which are replacing systems considered up-to-date just a few years ago. These advances in firepower and communications have had a major impact on military strategy, as well as on the character, composition, and complexity of the arms and forces required for national defense.

Transportation is equally fundamental to the mix of defense power ingredients. Here, technological progress has been almost as spectacular as the progress made in firepower and communications. Jet-powered transport aircraft span continents and oceans in less than half the time required by their predecessors and, at the same time, carry far greater payloads. Ocean-going ships have greater carrying capacities and improved powerplants. The nuclear-powered NS *Savannah*, for example, can cruise 300,000 nautical miles without refueling. Major improvements in the Nation's highways are apparent to millions of American motorists, who may not be aware of the major role played by the Department of the Army in the planning and development of the Interstate Highway System. New methods of cargo handling are increasing the effectiveness of sea, truck, rail, and highway transportation in both civil and military transportation systems.

Transportation possibilities in space are now being actively explored. The Mercury flights of Colonel Glenn, Commander Carpenter, and Commander Shirra and the recent X-15 space flights of Major White are important steps which we hope may hasten the approach of a space transportation system. A suborbital ballistic cargo system is also a possibility for the future. Thus, surface, air, and space systems are all moving ahead to meet the need of the modern world for the rapid, safe, and economical movement of men and the things they require.

These rapidly advancing elements of military power—firepower, communications, and transportation—must work in perfect harmony in order to achieve the up-to-date, modern defense posture we must have. A deficiency, quantitative, or qualitative, in any of these key elements reduces the capability of a nation to defend itself today or in the space age of tomorrow.

### NATIONAL SECURITY NEEDS

To meet the strategic demands for a swift and effective retaliatory capability, all transportation media, commercial and military, must be responsive to a wide range of possible national security needs. On the one hand, the need may be so great as to strain our national transportation system to the point of saturation. On the other hand, we may face an important but simple task of rapidly transporting a handful of specialists to a remote location to assist a friendly government in a counterinsurgency operation. Regardless of the magnitude of the tasks, the entire system must be geared to deliver the military force—men, weapons, and supplies—to the right place at the right time. A small timely military effort can frequently stabilize a potentially dangerous situation much more effectively than a large force employed after the local condition has deteriorated seriously.

Our military strategy relies heavily on the combined civil-military transportation capability to react immediately to a situation anywhere on the globe.

In the past, the Nation could mobilize after a declaration of emergency. We had less need to maintain forces in a constant state of readiness. Today, a policy of flexible choice of means in the execution of national decisions imposes a requirement for increased mobility brought about by the advance in our own capabilities and those of our potential enemies.

### CIVIL TRANSPORTATION BACKUP

The civil transportation system of the United States is now, and must remain, an important part of our strategic capability in being. In peacetime, civil transportation is essential to the support of our forces at home and abroad. During a national emergency it will be called upon to perform vital services for the military and other agencies. For example, to furnish "backup" for our military services, we need immediately available:

1. The Civil Reserve Air Fleet (CRAF) to bolster the military airlift capability. This will provide for the continuation of military air transport operations in the United States as well as overseas in times of emergency. (CRAF is a fleet of commercial cargo and passenger aircraft preallocated to the Defense Department for emergency use.)

2. Merchant marine shipping to move and support combat forces deployed overseas.

3. Rail, highway, and domestic airlift to move personnel and supplies to oversea ports and defense installations at home. Waterways and pipelines also have a very important part to play.

In his message to the Congress on April 5, 1962, President Kennedy delineated the transportation problems facing our Nation and outlined a comprehensive program for improving the national transportation system. These proposals, when fully implemented, will give us a transportation system responsive to the public, private, and defense needs of the Nation.

The United States is dedicated to the policy of preventing further Communist encroachments in free world areas. To meet this commitment, we are joined with our allies around the world in a series of mutual security agreements such as NATO, SEATO, and ANZUS. To meet our obligations under these treaties, to back up these forces stationed overseas in readiness for any contingency, we maintain strategic reserve forces in the United States. They are on continuous alert to reinforce our deployed forces or to discharge our collective security commitments anywhere in the world.

### DEPLOYMENT TIME SCHEDULES

When these strategic reserve forces are required to deploy overseas, all modes of transportation make an essential contribution to the movement. Airlift is used to move the rapid reaction forces of U.S. Strike Command, spearheaded, if necessary, by the paratroopers of the XVIII Airborne Corps. Sealift must be available to move the follow-on forces together with their equipment and logistical support items. Rail and highway systems must furnish the backup to transport these forces and supplies to the aerial and seaports of embarkation for deployment overseas. The closest cooperation and coordination between military and civilian transportation agencies is required to meet our strict deployment time schedules.

### FLOATING DEPOTS

Prepositioning of supplies and equipment at selected world areas for emergency use can reduce the impact of overwhelming demands on our transportation system during the early days of a large-scale military operation. But this procedure is only a partial solution. In the first place, the cost of prepositioned supplies for every world area where military operations could occur would be prohibitive. In the second place, prestocked supplies have to be replenished and, perhaps, modified to assure their serviceability. Thus, prestocking requires transportation as well as high stock levels. One possible concept involves the use of floating depots which can be shifted to the area of greatest need.

### CENTRAL DIRECTION AND CONTROL

Effective transportation is so vital to the success of military operations that it must be centrally directed and controlled to assure the proper allocation of limited resources to meet the demands of each military department. Where possible, similar modes of transportation are organized functionally and integrated into a single operating agency or command.

Within the continental United States, the Defense Traffic Management Service (DTMS) is responsible for supervising the functions pertaining to the procurement and use of freight and passenger transportation services from commercial sources operating within the United States. DTMS supervises the traffic management functions for all military departments. Worldwide, the Air Force and the Navy have organized commands to furnish the necessary transport for the military services.

The Military Air Transport Service (MATS) is an Air Force Command which consists of the long-range, strategic airlift forces of the Air Force and the Navy. MATS provides the intertheater strategic airlift for all military departments. The Military Sea Transportation Service (MSTS) provides the specialized sealift required for military purposes. It also is a nucleus of wartime shipping which is instantly available for emergency operations.

### MODERNIZED AIRLIFT

The Department of Defense, working hand-in-hand with industry, is constantly seeking ways and means to improve the capability of our transportation systems. One of our stated requirements is a military airlift capability to deploy combat forces to more than one theater simultaneously. Modern transport aircraft such as the C–135, C–130E, and the C–141 will provide the Department of Defense with a vastly improved deployment capability. For example, last May eight C–135 transports moved 558 combat troops nonstop from McCord Air Force Base, Wash., to Rhein-Main Air Base in Germany in 10 hours and 30 minutes—a distance of 4,483 nautical miles. This same move in older type transports would have required days instead of hours, plus many more aircraft and frequent stops en route for servicing.

### INTEGRATED CARGO HANDLING

Paralleling this progress in transport aircraft is the adoption of an integrated cargo-handling system as modern and sophisticated as the aircraft it supports. Designated the U.S. Air Force 463L materials handling support system, it emphasizes a broad scope of equipment for use both in the terminal area and inside the aircraft. This system includes the mechanization of cargo terminals, with streamlined loader-unloader equipment, automatic computation of load data, automatic sorting and weighing, a 40,000-pound loader-unloader truck, and a proposed air-transportable terminal for emergency use in forward areas.

A joint Army-Air Force board located at Fort Bragg, N.C., continuously studies, tests, and evaluates loading techniques and equipment used for airborne operations. As a result of this joint effort, improved heavy drop platforms, parachutes, and aircraft loading procedures have been introduced into airborne units.

To improve our sealift, modern ships are also being developed. The Comet roll-on-roll-off ship will give us the dual capability to load and unload cargo rapidly either in conventional or primitive ports without the necessity for specialized booms and cranes. The use of this ship will reduce transportation turnaround times and, thus, speed up the entire military shipping program.

### BATTLEFIELD MOBILITY

Mobility of forces within theaters of operations, including on the battlefield itself, gives each commander the ability to disperse his forces in defensive positions, but still concentrate his firepower and forces when attacking. We are constantly seeking new ways and methods to achieve combat zone mobility. New types of ground effects machines, flying jeeps, and vehicles capable of crossing swamps, ice caps, and rough terrain offer great possibilities. New concepts such as the vertical takeoff and landing (VTOL) and short takeoff and landing (STOL) aircraft are also being employed. The adoption of these new modes of transportation, now in design, development, and testing stages, will greatly increase the mobility of combat forces on the battlefields of the future.

Responsive and reliable transportation is the key to mobility at every level of operation of a modern military force. Perhaps it is not too unrealistic to visualize the doughboy of the future moving about the battlefield entirely by air and sophisticated airground vehicles.

### WORLDWIDE DEPLOYMENT

Our increased dependence on transportation and mobility has been further highlighted by recent reorganizations within the Department of Defense. A new unified command—U.S. Strike Command—was organized last fall to provide a mobile strike force capable of worldwide deployment. STRICOM can rapidly reinforce a theater command or fight independently, if required. A rapid reaction airlift force and effective follow-on surface transportation provide the mobility for the commander, U.S. Strike Command, to meet these operational responsibilities.

In addition to our concern with Department of Defense transportation systems, we are equally concerned with the civilian transportation capability to respond during a national emergency. For instance, how vulnerable is the system to an enemy attack? How fast can it recover? How well will the military-civilian transportation resources be coordinated, controlled, and allocated to meet both military and civil needs?

The Office of Emergency Transportation, Department of Commerce, is responsible for emergency transportation planning and coordination at the national level, and is supervising Government and private agencies which are actively seeking the answers to these and other related questions.

In the final analysis it can be said that transportation, in all its forms, is the key to our global mobility. Mobility by its very nature is the great multiplier of military capability and is the foundation upon which the extension of U.S. worldwide power rests.

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## TRANSPORTATION AND EDUCATION: WILL OUR EXECUTIVES BE EQUAL TO THE CHALLENGE?

(By Dr. Eliezer Krumbein, director of education, transportation center at Northwestern University, in collaboration with Franklin M. Kreml, director of the transportation center)

Transportation courses in business and engineering schools are not enough.

We must prepare leaders to see transportation in its entirety.

We must train transportation statesmen.

Colleges should offer degrees in transportation.

Transportation is in many ways the heartbeat of civilization. It has designed the pattern of history and shaped the destiny of nations. So far as we know, it will determine the future, whether on earth or in space. It has not, however, found its proper place in the university curriculum.

One reason for this, of course, is that educators, up to the last decades of the 19th century, were far more concerned with the past than with the world they lived in. The standard college course consisted of the classics, mathematics, and history. Only the very advanced schools taught such "new" subjects as economics and, except in the professional schools, even the biological and physical sciences were barely accepted.

When the change came, when institutions of higher learning faced the demands of a highly dynamic society which needed more and more specialists for its increasingly urbanized, industrialized economy, the educational revolution—like most revolutions—went too far. All kinds of courses were offered, all kinds of training set up, with little attempt to relate the specialty to the overall governing principles or to the culture in which all this activity was taking place.

Thus transportation entered on the university scene not as the complex, socio-economic-legal-technological phenomenon it is, but as world trade, marketing, ratemaking, regulatory policy—in other words, fragments of a whole that was almost too large to be seen.

And there, with some few exceptions, the situation remains; for until quite recently, there existed no means by which transportation could be seen in its entirety.

### ANALYTICAL TECHNIQUES

In the last few years, however, analytical techniques have been devised—such as systems analysis, linear programing, operations research, econometrics—which allow a more comprehensive and pentrating view of transportation's role in molding a society.

But perhaps it is necessary to plead the desirability of such a comprehensive view. Why not go on offering transportation courses in business schools and engineering schools and be satisfied?

The most direct reply is that if universities continue to do this, they will once again have fallen behind the times and failed to meet the need of this generation and the ones to come. No one will deny that the need is urgent. It is usually cited in terms of traffic jams, decaying central areas, suburban sprawl, labor problems arising from changing technology, rivalry between modes. It is also, importantly, the need to avoid the disastrous effects of dealing with any one of these problems without reference to the others and to the overall social and economic environment. What we shall have, otherwise, is a tragic waste of effort and ruinous expenditure of tax money.

It is folly to let the engineer build bigger and better roads without full consideration of where they can best be built, how large their capacity should be, and whom they should properly serve. It is shortsighted in the extreme to perfect commercial jet airlines without adequate preparation for their effect on the financial stability of commercial aviation. It is rash to adopt measures for the revitalization of mass transit without information and intelligence massive enough to ensure correct decisive action for or against such measures.

These considerations involve the economist, the sociologist, the geographer, the mathematician, the engineer, bringing to bear on them the highly developed new techniques mentioned above.

### A MODERN TRANSPORTATION CURRICULUM

To design a modern transportation curriculum, then, one must begin with such men—plus the political scientist, the administrator, the legal expert—and engage their interest so that they will apply their special skills to transportation problems and build up a body of objective, factual information and overall understanding from which valid conclusions can be made. Only then can we begin to teach transportation—not, as in the past, merely describe a fragment of it.

This is all in keeping with a major trend in university education today. Educators realize that society is too complex, too interrelated to be cut up and served to students in neat little pieces. School after school is returning to the concept of the broadly educated man. It is the contention of this paper that transportation—as newly conceived—is a proper field of study for such a man—not, be it emphasized, a subject, but a field, embracing the many academic areas that are vital to seeing it whole.

### UNDERSTANDING TRANSPORTATION

The student, therefore, who specializes in transportation today should:

Understand economics—specifically, aggregative economics, demand analysis, long-range capital investment analysis, interregional trade, etc.

Understand geography—specifically, location theory, matrix analysis, metropolitan and regional planning, etc.

Understand sociology—specifically, the analytical methods for considering social problems, from ways of predicting and controlling the consequences of automation to understanding how human beings organize themselves for work and social control.

Understand political science—specifically, the unique character of the American way of government and the relationship between men and government and institutions.

Understand the technologies of transportation—specifically, the technological characteristics of various modes and systems, and the comparative technology of these modes and systems as determined by such criteria as cost, replacement value, efficiency measures, etc.

Now understanding does not imply mastery, but neither does it mean a superficial acquaintance with the terms. To understand a special area of knowledge is to know how, where, and when that knowledge can best be employed, and to be able to relate it to other knowledge and to the total problem.

### TRANSPORTATION STATESMEN

It is not too much to expect that in 1½ to 2 years of graduate work, having equipped himself with the necessary mathematical tools and a good liberal undergraduate education, a man could acquire these understandings and become not only a transportation man as his predecessors were, but, in time, a transportation statesman.

This is not to assert that these men will leave the university and start in immediately to solve the problems of the industry. They will, however, be better equipped to deal with them than if they had learned only ratemaking, traffic management, traffic engineering, marketing, and world trade. Be it noted at this point that such subjects will receive their due consideration in the new curriculum, but set in a context of basic principles, not given as case studies or abstractions.

### COLLEGE DEGREE IN TRANSPORTATION

It is now time to confess that such a program as outlined above does not exist on any campus. Princeton University is planning for it; Northwestern's transportation center has for 7 years been working toward it, bringing together the academics in the several schools and departments, enlisting their interest in transportation problems, developing courses, both for graduate students and for men already working in transportation, never losing sight of the transportation man concept; but it will be at least a year more before a program leading to a degree in transportation can be offered. Still this is definitely a time of excitement, new ideas, and hope for transportation education. A recent survey of over 2,000 American colleges and universities showed that some 75 had major transportation programs. These were of the traditional pattern, it is true, but they offer the base for change and development as the pioneering institutions prove the value of their own undertakings.

### PROOF OF THE PROGRAM

Such proof will be found in the real world of transportation when broadly educated transportation men, standing firmly upon the solid ground of the truly learned, embrace theoretical research; deftly, even boldly, apply theory to practice; and confidently employ modern analytical techniques in their current evaluations and decision-making processes—all of this with penetrating understanding of the economic, social, political, and technological implications and results of their actions.

From this must result a better culture, a stronger economy, a healthier society; for basic decisions in the critical area of transportation will not only be adequate to current problem solving but will be of such quality—statesmanlike in character—that long-term implications will have been taken into account and the spawning of new future problems and side effects reduced. The decision will have been a solution.

Such education, in an area of such critical importance—particularly in light of our domestic and international problems, ranging from the overridingly important consideration of war or peace, to our capacity to compete with Euromart—is worthy of our best university-level attention and effort. If given, the results may well rank as one of the most important contributions of the American university system to this century—besides which we may reap the valued extra dividend of an educational pattern which has application in many other areas of academic educational efforts.

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## A Case Example: Developing a Balanced System

(By Austin J. Tobin, executive director, the Port of New York Authority)

These are times of continuous expansion in population and economic activity, largely concentrated within existing or expanding urban areas. Rapidly developing metropolitan regions are struggling with the complex problem of providing adequate transportation facilities and services for the movement of people and goods.

As these urban concentrations have mushroomed out from the central urban core, the old downtown areas usually have passed through a phase of deterioration. But the reaction today in the core areas is changing to one of vigorous urban renewal. The manifold business opportunities, the rich cultural attractions, and the general magnetism of the central city are in many instances reasserting their importance to our way of life. Witness the dynamic programs of redevelopment underway in downtown and midtown Manhattan, and the replanning and reconstruction underway in the downtown areas of great cities such as Philadelphia, Detroit, Pittsburgh, New Haven, and Newark.

### FLEXIBILITY—THE KEY

The transportation key to all of these demographic and economic changes is flexibility; flexibility in our transportation thinking about journeys to work and our journeys throughout the widespread suburban areas; flexibility in meeting the new and changing freight-handling requirements of our growing industrial areas, distribution centers, and of our domestic and oversea markets.

Those of us concerned with transportation policy, planning, and management must examine continually the suitability of our transportation services in the light of the ever-changing needs they are called upon to serve. We must then develop plans and provide services to move people and goods in the most economical and efficient manner possible.

This is a simple statement of the task. But its execution is enormously complex and touches all transportation modes. It requires the study and development of systems which will meet existing requirements and anticipate new needs. It recognizes that various transportation resources of an area will, at times, be underutilized, while others, at other times, may experience demands for their use which exceed capacity. Thus, the realistic approach to formulating transportation policy takes a balanced view of the interrelationships among transportation resources.

### A BALANCED SYSTEM

Even in America we cannot afford the luxury of scrapping all that is old and building all new systems. Our transportation development in the years ahead must be fashioned out of what we have today, threading our way and our improvements and reconstructions through vast and growing urban areas. Our goal should be the attainment of a balanced usage of transportation facilities and balanced and realistic thinking in the transportation planning process.

In a democratic country such as ours, rigid transportation systems or formulas cannot be imposed by dictate on the people or on industry. Our metropolitan regions are areas where the roles of common carrier and proprietary transportation interplay constantly. Millions of individual daily decisions affect the utilization of our railroads, buses, automobiles, trucks, aircraft, and ships—to say nothing of all of their variegated terminal facilities. We are, therefore, confronted by a vast complex of different transportation problems and different solutions which must be individually fitted and adapted to our available transportation systems.

### PASSENGER TRANSPORTATION

The problem of moving people within and between urban areas has always defied a completely satisfactory solution. Here again, transportation planners are faced with the hard fact that the ground rules are constantly changing. What is more, the problem is plagued by science-fiction extremists and high-pressure experts. And, naturally enough, every commuter, every subway rider, and every driver of an automobile has his own solution. The most common misunderstanding running through many of these solutions, both professional and amateur, is the failure to consider and make provision for the totality of the urban transportation complex.

For example, there are those who argue that railroads and fixed transit systems provide transportation for the most people at the least cost and conclude, therefore, that vehicular transportation should be discouraged. They would do this by penalizing the users of vehicular transportation through exorbitant tolls and parking fees, arbitrary traffic restrictions, and even complete bans on auto travel.

Their goal would be to put the automobile owner or bus user in a position where he would have no recourse but to go by rail, no matter how time-consuming, uncomfortable, inconvenient, or costly his travel might become. There are even those who feel that railroad travel must be encouraged by forcing alterations to the basic land use plan within a region to develop a new pattern which would more thoroughly justify the exclusive use of rail transportation.

On the other hand, there are those who are willing to allow the deterioration and even disappearance of vital commuter rail and transit facilities in large metropolitan areas, in the belief that autos or buses can do the job as well. As we have often pointed out, arterial highways and expressways, even with their capacity for expanding bus services, can never be a complete substitute for a program of maintaining and improving existing commuter rail facilities.

### COMMUTER RAILROADS ESSENTIAL

Our commuter railroads perform an essential function in carrying large numbers of commuters into the major urban centers in the morning and home again at night. This peak 20-hour-a-week operation, however, has resulted in mounting and inevitable financial difficulties that have already curtailed passenger transportation in many areas and have eliminated it completely in others. Yet, over the long term, this mode of transportation for high-density population concentrations is the most efficient, appropriate, and economical. As such, it may clearly qualify as a transportation service which is essential to the public welfare and must, therefore, receive public support or be publicly operated.

In the New York metropolitan area, for example: the States of New York and New Jersey are making substantial contributions to the maintenance of commuter rail services; the city of New York subsidizes its subway operation to the extent of over $100 million a year; and the Port of New York Authority has just acquired and is operating, at estimated annual deficits of $5 million or more, the vital interstate service of the Hudson & Manhattan Railroad, which has been in bankruptcy since 1954.

Private operation of commuter rail transportation may be continued for a time through mergers, consolidations, and with modernization of equipment and methods. But inevitably, selected passenger transportation services and facilities will shift from private to public financing, operation, and management. Subsidies are simply a phase of this process. For a new transportation device or service, subsidy can be the road to self-sufficient private operation. For an old transportation method, subsidy is only a stopgap on the road to public operation.

### BUSES INCREASINGLY IMPORTANT

The continued development of vehicular transportation is following a logical and national pattern in our balanced system of urban transportation. Buses, for example, will become increasingly important to metropolitan areas because they can serve the growing suburban populations with both the flexibility of the automobile and the economy of mass transportation, particularly in those areas where the density of population is not great enough to warrant fixed rail transit installations. The tremendous and widespread expansion of communities in northeastern New Jersey, for example, occurred simultaneously with the development of a widespread system of arterial expressways within and between the States of New Jersey and New York. This made possible the extension of bus service to meet the needs and offer convenient travel for tens of thousands of daily commuters to central Manhattan. Indeed, the growth of bus transport required the construction of the world's first modern bus terminal, which the port authority built in midtown Manhattan, with another now under construction at the Manhattan end of the George Washington Bridge.

### WHAT ABOUT THE AUTOMOBILE?

Certainly, Americans will continue to prefer the flexibility and privacy of the automobile for much of their travel, and its use will continue to grow. Automobile usage is rapidly increasing for intersuburban business travel, local travel, and recreational purposes. It was the realistic acceptance of the major role of the automobile that led directly to popular support of the Nation's magnificent interstate highway program, which is well underway but will still take many years to complete.

Thus, we must clearly recognize and understand the advantages and the limitations of each mode of transportation and then use each segment for that purpose which it is best designed to serve. This implies that we ought to make maximum use of our existing facilities, improving them where necessary, and replacing various elements when appropriate and economically practicable.

### INNOVATION NEEDED

This does not mean that innovation, fresh thinking, and advanced technology should not be pursued and weighed continuously. Innovation must, however, pass the rigid and difficult tests of suitability and practicality. It cannot be accepted purely on the basis that it sounds like a good idea or offers promise for the future. Our existing systems were established and have survived because they were realistic in their conception and development. Prudent judgment in transportation planning and development must subject today's new ideas to the same standards.

### FREIGHT TRANSPORTATION

In the movement of freight, as in passenger transportation, we have a great variety of transportation tasks to be performed by a wide variety of different forms of transportation. In a properly balanced transportation system, each of these forms or modes should perform the specific job for which its peculiar characteristics make it most efficient. Thus, the railroads, which have the capacity for providing relatively fast, cheap, long-haul transportation, are best suited for hauling both bulk and general merchandise freight between relatively distant points. The mobility and flexibility of trucks make this mode of transportation most suitable for performing local delivery tasks and for providing short and medium haul intercity transportation, particularly between points not well served by major rail systems. The inland waterways provide extremely low-cost transportation of bulky commodities which do not require fast delivery. Similarly, the airlines are particularly well equipped to handle lightweight or high-value cargoes requiring speedy deliveries where great distances are involved. Pipelines also have their special role in the efficient movement of certain commodities, particularly petroleum and gas products.

### COORDINATED TRANSPORTATION

The freight transportation field provides several good examples of how sound and constructive new ideas in transportation can be applied successfully. In recent years, the concept of coordinated transportation has undergone a rapid evolution. Its objective is to utilize the maximum efficiencies of two or more modes of transportation in the performance of a specific transportation task.

The recent development of piggyback freight is a good illustration of how this efficient approach has been applied. The flexibility of the truck provides for collection and delivery at the terminal ends of the freight movement, while the fast, economic over-the-road efficiencies of the railroad are utilized for the line-haul portion of the freight movement. The use of the truck body as the container for the freight thus eliminates the double handling which normally would accompany the use of several separate modes of transportation in moving freight from origin to destination.

Other innovations in the use of container are contributing to a balanced freight transportation system, making it increasingly important in the movement of cargo by land and sea in coastal service and in foreign trade. The container concept has already led to the development of more efficient and economic cargo vessels and has cut the costs of operations in highly congested terminal areas. The newest method of lifting the truck body container on and off the ship, using movable ship-based hoists, is rapidly revolutionizing cargo transportation and has already been put into use in the coastal, intercoastal, Puerto Rican and South American trades. Indeed, efficiencies and potential economic advantages of the container make it the most important single development in transportation today. The real future of land-sea interchange in freight transportation, in fact, lies in this concept.

### PORT PLANNING AND DEVELOPMENT

These developments open up entirely new areas of port planning and development, since the facilities required at the port for truck and rail services are of equal importance to the facilities required to service the ship itself. The port area has thus become a point of equal interchange between land and sea, whereas previously, we had thought first of the ship's requirements and then provided whatever areas or accommodations that were left over for the truck or the railroad freight car. Furthermore, the extensive port areas needed for handling containers has become attractive for tremendous development of the ancillary services of packing and repacking of cargo. Vast upland areas have therefore become a necessary adjunct of the interchange of cargo at land-to-sea and sea-to-land transfer points.

This is the direction in which we are headed in the port of New York with our new, modern port development programs at Port Newark, Port Elizabeth, and at the new Brooklyn piers. Our construction programs and our future planning at those facilities contemplate utilization of great areas of open land behind the wharves, providing space free of congestion and accessible to through highways and trunk railroads. These areas will make the marshalling of containers, as they come off the road or off the railroad, effective and economical.

A word of caution, however, is in order. While the enormous economic and technological advantages of containerization are clearly recognized by many port officials and transportation experts, both here and abroad, containerization is, in many respects, an automated operation. We must, therefore, as a matter of public policy, make provision for the effect of containerization on our labor forces. This has been done in many of the arguments that have already been worked out in recent labor negotiations. Actually, the savings and efficiencies of the container and the new markets it will open up can only result in overall economic gains, and in the greater movement of goods and the increase of jobs throughout the transportation industry itself.

### WORLDWIDE COORDINATION NEEDED

Another problem which we need to come to grips with involves national and international policy. As long as we have a self-loading container ship which can discharge containers which fit the truck on land, we can have this type of operation anywhere in the world. This, however, creates the need to coordinate our port and transportation facilities and policies on a worldwide basis so that it will be possible to achieve an uninterrupted mobility of cargo from point of origin to point of destination. The day is not far off when this will be the subject of exploration and joint planning between the United States and the representatives of the Common Market.

### THE TOTAL TRANSPORT TASK

Our transportation resources are perhaps the greatest asset of our metropolitan areas. As transportation planners or managers, we are faced with a mandate to plan, develop, and operate our transportation services and facilities in a manner that will produce maximum economies and efficiencies consistent with overall transportation requirements. Balancing the utilization of our total transportation resources through programs geared to a recognition of the advantages and limitations of each mode of transportation thus is of critical importance in the total transport task.

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## INDUSTRY'S RESPONSE—TODAY AND TOMORROW

(A panel of General Electric Co. executives discusses major transportation challenges; describes some of today's and tomorrow's technological answers; suggests a complete market industry effort; and debates merits of a systems management approach.)

Moderator: C. W. LaPierre, executive vice president.

Air: David Cochran, general manager, flight propulsion laboratory department.

Rail: Norman W. Seip, manager, equipment section, locomotive and car equipment department.

Marine: James E. Schwartz, manager, marine and defense facilities sales.

Pipeline: Charles B. Elledge, manager, industrial sales and engineering.

Information technology: Harold A. Strickland, Jr., vice president and general manager, industrial electronics division.

Human needs: Dr. Thomas O. Paine, manager, engineering applications, general engineering laboratory.

The market: John B. McKitterick, manager, marketing research service.

Moderator **LAPIERRE**. Gentlemen, throughout this forum, leading authorities present major transportation challenges facing the Nation. We have the rather unique opportunity to serve as industry spokesmen in relating these problems to possible answers which science and technology can help to provide.

Although we are not qualified to dwell on the political problems involved—and there are substantial ones—we sometimes are prone to use the political problems as an excuse for not evolving technological answers. Actually, over a period of time, technology often solves political problems, if for no other reason than a new technological concept sometimes can cause a political problem to disappear entirely.

There are several questions we all should keep in mind in approaching the problems of transportation. First, are we being too hidebound in our approach? Are we falling into the planner's fatal fallacy of telling people what is best for them, instead of seeking technical solutions to what people want?

For example, Edison's approach to the incandescent light began with a shrewd evalution of the sociology and economics of indoor illumination. From his social insight, he decided that what people wanted was a lot of little lights in many places. That shrewd judgment set his technical labors thereafter on a very different course from his rivals who were already installing arc lamps in stores, railroad terminals, and on streets.

Another question: Should industry endeavor to approach transportation as a complete market, rather than as an unrelated series of product lines? There is a tendency in industry to contribute piecemeal to the problem of transportation. Perhaps the role of the large corporation should be to take the great problems of transportation and break them into manageable pieces which smaller specialized companies can handle on a subcontract basis.

Should Government perhaps consider the systems management approach by industry in order to bring into play the full, creative capacities of private companies? This approach by industry has proved quite successful in meeting our Nation's defense and space needs.

To start our discussion, would each of you first analyze your respective business areas—air, rail, urban, marine, pipeline, and so on—presenting the most important challenges or problems facing the operation for which you are responsible; and second, state where and how technology can help to offer solutions?

Mr. **COCHRAN**. As I see it, the principal challenges to air transportation fall into four major areas: military mobility; military logistics; high-speed, commercial, intercity passenger service; and fast passenger transport on long-range flights.

### MILITARY MOBILITY

For the first time, there seems to be a really major attack on the problem of providing true air mobility for Army troops. In addition to helicopters, simple vertical takeoff and landing (VTOL) aircraft are required that can fly low and slow, communicate readily with troops on the ground, and at the same time be efficient and fast enough to travel relatively long distances—at least several hundred miles from point to point.

Within the next 5 or 6 years, two or three excellent VTOL types should be developed to the point where they can be made operational; and by the early 1970's VTOL aircraft can be in actual operation, ranging in size from tiny, single-place, close-support aircraft to giant transports carrying payloads as great as 10 tons. A key to the success of vertical takeoff aircraft is the propulsion system. In our laboratories we are now experimenting with engines that will deliver as much as 15 times as much thrust as they weigh, in contrast to current jet transport engines that have a thrust-to-weight ratio of only about 4 to 1.

### LONG-RANGE MILITARY LOGISTICS

Meeting the military's continuing requirement for worldwide logistics support will require aircraft of larger size and much greater fuel efficiency than is now possible.

The aircraft themselves can be made much more efficient by aerodynamic advances such as boundary layer control that increases the lifting efficiency of air foils and fuselages, perhaps doubling the lifting performance of the aircraft. In the engines there are regenerative turbine developments that can use waste heat from the engine's exhaust to add up to 50 percent to propulsion system efficiency.

Because this area has not been given the urgency of battlefield weapons, it probably will be at least 10 years before there will be a whole new generation of highly efficient transport aircraft for military logistics.

### HIGH-SPEED, INTERCITY PASSENGER SERVICE

In the commercial area, what is needed are VTOL aircraft, capable of operating safely, reliably, and quietly in and out of heavily populated areas. With such aircraft, the intercity traffic now using New York's La Guardia Airport could be accommodated by a landing area the size of four football fields; this area could be situated in the heart of the city because no shallow glide angles for approach and departure would be required. Quite probably this kind of aircraft will follow in the wake of military VTOL aircraft, and should be available in the early 1970's.

### HIGH-SPEED, LONG-RANGE FLIGHTS

High-speed passenger transportation on transcontinental and transoceanic flights will ultimately require supersonic transports, Mach 2 or Mach 3.

Equal to the convenience to the passenger—flying in 2 or 3 hours from the United States to Europe—is the economic advantage. The faster the airplane flies, the more passengers it can carry from point to point, and the more revenue it can generate for a given total of capital investment.

There are some tough technical problems to be solved. However, I feel that the present rate of progress is such that an aircraft design can be established within the next 3 years that will lead to the development of an operational aircraft in the early 1970's.

Mr. **SEIP**. Despite much recent progress, the railroads are not being given the opportunity to fulfill their needed and proper role in a balanced transportation system. Much of the answer lies in the adoption of remedial legislation, designed to eliminate outmoded Government regulations and unequal taxation.

Meanwhile, railroad operators and equipment manufacturers have the parallel task of continuing recent technological progress that has been so rapid that even in this normally evolutionary industry, it has appeared revolutionary. I speak of such sweeping changes as steam to diesel, piggyback service, freight containerization, multilevel car carriers, centralized train control, electronic classification yards, microwave communications, automatic mail sorting, and in the locomotive area—silicon rectifier electrics, gas turbines, and higher horsepower diesel electrics.

Since atomic energy is becoming more available commercially, we are often asked the question: What is the future for atomic-powered locomotves? The nuclear-powered ship, *Savannah*, is proving that atomic reactors can be made to operate with safety in the vicinity of large population centers. However, the large weight of shielding equipment, approximately 2,000 tons in the case of the *Savannah*, indicates that the practical way for railroads to utilize nuclear power will be by means of the straight electric locomotive with wayside nuclear power stations providing the power source.

A new locomotive power source that shows promise in the long-term future is the fuel cell. Its ability to convert stored energy into electric power without rotating machinery may make high-powered locomotives with internal powerplants easier to build within the weight restrictions of undercarriage and bridge structures.

### URBAN TRANSPORTATION

Regarding the challenge of urban transportation problems, technology is available for public transportation to be completely revolutionized within our metropolitan areas. Systems—attractive enough to compete with the private automobile—may include electronically controlled, air-conditioned trains that will travel quietly through subways, along center malls in expressways, and over attractive aerial structures at speeds up to 80 miles per hour, with a frequency of service unknown today, both in rush-hour and off-peak periods.

For utmost safety and maximum performance, onboard automated equipment will be able to perform all operating functions of acceleration, speed control, braking station stops, and door operation. At this time, we have an automatically operated transit vehicle on test at our Erie test track. The heart of the automated system is a speed-distance regulator that receives all necessary information from a wayside communications link.

Mr. SCHWARTZ. In the field of national defense, nuclear propulsion is one of the highest-order needs in which we already have experienced progress; we will see even more, thanks to the unrelenting efforts already being expended on our nuclear submarine fleet.

Examples of progress can be found in new nuclear reactor concepts, improved and simplified electronics systems, improved detection devices, quiet operating motors and gears, fuel cells and batteries, submersible motors, use of aircraft-type jet engines for high-burst speed on antisubmarine warfare vessels, as well as on hydrofoils.

### COMMERCIAL MARINE INDUSTRY

The other important element of water transportation is, of course, the worldwide commercial marine industry, which obviously benefits from defense developments.

Containerization, automatic cargo handling, and computerized warehousing techniques are steps in the right direction; but even here, more attention must be given to variety of cargo and cargo mix, and the distribution of cargo before it enters and once it leaves the ship's hold. It is most important that our marine transportation systems are an integrated link with air, rail, and truck movements.

Engine room automation is now a reality; however, our technical ability to automate is far beyond present ability to solve labor-management relationships and problems, which prevent cost savings at this time. Ninety percent ship automation could be tackled right now with excellent chance of success, if it were desired by the industry.

### EQUIPMENT PRODUCERS' GOAL

While many commercial advances will accrue from naval ship developments, it must be the equipment producers' goal to adapt these new technologies with the business well-being of the commercial operators in full focus. To quote Donald W. Alexander, head of the Maritime Administration, from a recent address:

"We need now and shall need increasingly in the future a more unified system of sea transport * * * a system that moves cargo from the factory in this country to the customer overseas with a minimum of delay, a minimum of handling, and a maximum of speed and efficiency. * * * Only with such a truly integrated system can we successfully meet and beat our growing competition from the other maritime nations of the world."

In summary, technological advance is vital in the shipping industry for the immediate future—not to produce such glamorous results as doubling or trebling the speed of water carriers but in the very practical job of bringing costs down. For unless costs are brought down, present carriers will find that they are literally pricing themselves out of the great new trade-expansion business being opened up through the European and other common markets.

Mr. ELLEDGE. The expansive growth in the use of the pipeline for conveying petroleum, petroleum products, gas, and water, has created an almost new industry over the last 25 years.

To give some idea of the extent of industry growth, the Colonial pipeline—now being built—will pass through 14 States, go from Texas to the New York Harbor area, have some 2,600 miles of lines, with a capacity equivalent to 50 oceangoing tankers. It will involve an investment of $350 million by private industry—nine interested oil companies.

Throughout the evolution of the pipeline transmission system, the emphasis has been on economy; a pipeline is used to move the product itself; there are no empties that need to go back for a next load. The increasing use of factory-packaged gas turbines to drive pumps or compressors is reducing operating costs. The gas turbine in most cases operates on pipeline fuel, and it requires very little maintenance as compared with other driving means.

Many pipeline stations are now being automated, becoming classified as unattended. Through remote control, operating directions and applicable measurements can be transmitted between a master station and a satellite station.

Of course, pipelines are not limited to just the movement of oil and gas. Probably receiving the most current attention is the coal pipeline, whereby a slurry of about 60 percent coal and 40 percent water can be run right into a boiler for burning just as if it were oil or some other liquid fuel.

### ELECTRIC WIRE AS A PIPELINE

Not always thought of as such, is the fact that electric wire is in effect a pipeline. By placing an electric utility generating plant adjacent to a coal mine and converting the coal into electrical energy, transmission of electrical energy by wire can take the place of transporting the coal.

Other pipeline potential includes such areas as: high purity nitrogen pipelines (for industrial, chemical, aerospace, and other uses), as currently being built in Delaware; the movement of grain via pipeline; flexible pipelines—with pressure capability up to 2,000 to 3,000 pounds per square inch and diameters of 8 to 10 inches—that can be unrolled and have continuous length within reason; and the use of liquid pipelines to transport small encapsulated packages of all types.

Mr. STRICKLAND. Recently, I read a report that pointed out that the cost of paperwork to move a freight car from Maine to California was greater than the cost of the physical movement of the car. Actually, the common technology that underlies the solution to this and other problems mentioned by the panelists thus far is automatic information handling—the automatic engine room and automatic cargo loading mentioned by Mr. Schwartz, the automatic train discussed by Mr. Seip, automatic pipeline operation described by Mr. Elledge, and air vehicles as discussed by Mr. Cochran.

For example, take freight car identification and classification, which are prime information handling (basically sensing) functions.

Information technology, now available, can greatly increase productivity by immediately identifying availability of each car, reducing car movement to the minimum, making full use of its capacity, getting it to its destination in the shortest possible time, informing the customer where his shipment is at any given time, and providing advance notice of destination arrival.

Rolling stock required for a given amount of freight movement also can be reduced by information handling systems, and automatic systems are in place that make possible significant reduction in trackage. With automatic shunting of trains going in different directions on the same track, many roads have already found that one track can effectively do the work of two.

In the airline customer booking or reservation function, information systems can provide firm answers to an inquiry in 30 to 40 seconds. The British European Airways system, now under construction, will be able to get an answer in milliseconds and handle all bookings up to 9 months in advance. This will eliminate millions of reservation record cards, flight control sheets, and booking entries.

For flight planning, a computer can scan the country horizontally from border to border, vertically up to 40,000 feet, and thread the path through this cube that is cheapest and fastest for any given trip. In 20 seconds, the four best possibilities can be printed out in detail for the captain's and dispatcher's choice.

In rapid transit systems, automatic information handling systems can dispatch trains to meet established schedules, accommodate regular peak or unusual traffic flows, signal any departure from schedule, and institute corrective scheduling to minimize delays.

Moderator LAPIERRE. Tom Paine, I know that you have been actively involved in engineering laboratory studies concerning the importance and need for relating technology to human needs. What are your observations?

Mr. PAINE. First of all, the only reason for technology is to satisfy the needs of people. This fundamental too often gets overlooked in our fascination with new technology. For example, in transportation, there has been overemphasis in developing individual vehicles rather than integrated systems.

As the other panelists have pointed out, we have the necessary technology to meet more adequately our transportation needs; what is required is more integration of methods and modes. To do this requires systems engineering and an industry approach. Unfortunately, as is apparent throughout this discussion, a transportation industry, as compared to the communications industry or the electric power industry, does not really exist in this country. Rather, we have a badly fractionated, separately optimized and regulated series of activities.

It is interesting that the Soviet Union recently completed the full electrification of their Trans-Siberian Railroad. They were able to do this economically by combining the electric power distribution system for Siberia with the railroad electrification system. Essentially, they have produced a utility corridor running through the center of their country with both electric power and transportation available, each supporting the other.

Our growing international society is creating new needs for standardized and integrated transportation systems able to cope with increasing world travel and trade. The needs of the less-developed regions for rapid expansion of road, rail, water, and air transportation systems, using new techniques adapted to their specific environmental problems, also will lead to new technological advances responsive to these needs.

Moderator LaPierre. McKitterick, from a marketing viewpoint, how do we translate human needs into business opportunities?

Mr. McKitterick. Through all our immediate and long-range planning, we should keep in mind that, mercifully, society always has alternate ways of improving its transportation situation, which do not require new technology and new inventions.

For example, if we don't solve the metropolitan transportation dilemma, society will accommodate the problem by simply stopping the growth of large cities. Or, if greater integration of transportation systems is slow in coming, the freight forwarder—who buys at wholesale and sells at retail—can very efficiently combine the best features of motortrucks, railroads, airlines, and marine shipments.

Once the transportation user has adapted to the alternative, he has good reason to resist proposed new systems. Therefore, proper timing of innovation is vital in meeting the transportation needs of the Nation and the world.

### SPECIFIC MARKET OPPORTUNITIES

As to specific market opportunities, let me highlight a few. The removal of trade barriers between the six countries of the European Economic Community, and steps being taken to integrate their economies, will have a significant effect on transportation development. All forms of transportation among those countries will be greatly increased. A plan has been submitted for the joint operation of international routes of Common Market countries, called Air Union. If such a long-term development does not immediately suggest a course of action in marketing strategy, it at least shows where attention should be directed.

In our own country, more than $5 billion will be spent in the sixties for the development of civil aviation facilities, including $2 billion for a nationwide airway control system and $3 billion for airport development, according to a Stanford Research Institute report.

Additionally, all transportation businessmen should note the trend toward metropolitan-area government activities such as the Port of New York Authority. This approach introduces a whole new marketing factor, where industry can now plan for, develop, and deliver completely integrated systems involving air, land, and marine equipment.

Moderator LaPierre. Thank you, gentlemen. Now let's have any ideas or reactions, prompted by the presentations thus far, keeping in mind that we cannot sit around and wait until 1975 or 1980 for the ultimate transportation system.

Mr. Paine. An unsolved problem in the urban transportation field is this: Once rapid transit has brought a person to a central downtown terminal, how do we get him on to his ultimate destination? A practical way to attack this problem, that appeals to us, is through a small experimental system in a place like a jet airport, where there is almost a microcosm of the metropolitan situation. New York City's Idlewild Airport is a good example of a place where people must get from parking lots to and between extremely spread out individual terminals. If we can solve this problem, we've taken the first step toward meeting the city's needs.

A jet airport system approach that ultimately might be expanded to metropolitan use, might consist of a small individual vehicle transportation system, automatically operated, that would require of the passenger only that he punch the proper button for the desired destination, just as he does in an automatic elevator.

Mr. Seip. Carrying this further, perhaps these individual transporters could be small, drive-it-yourself, battery-electric cars that could be plugged into parking meters. A magnetized driver's license key, inserted into the car, would validate your right to drive; and by making a recording in the vehicle's meter, would be a drive now, pay later credit card.

Certainly, in the immediate future we must concentrate on the convenience factor in urban transportation. People just don't want to wait. A practical step, possible today at very little increase in expense, would by automatic handling of trains. Instead of running, say, a six-car train along half full, with automatic control it could be broken up into three two-car trains. This would immediately increase service frequency.

Mr. McKitterick. Along this line, we might arrive at a system whereby instead of long trains, individual cars are dispatched as rapidly as loaded, so that there is little, if any, waiting or queueing. Another possibility with immediate potential might be to take greater advantage of existing automobile and highway systems. Perhaps we can put into each automobile an inexpensive appliance that would permit the operator to push a button and declare his origin and intended destination on a central computer. The computer would consider the prevailing traffic situation and route him by the quickest, most uncongested route to his destination.

Mr. Strickland. Referring to Mr. McKitterick's earlier point that people and societies often find their own alternatives to traffic conditions, one possibility that has not been mentioned is the transmission of information itself. There is a tremendous number of unused television channels which can bring many things from the central city to the home or office, as opposed to having to transport people. If we could transmit enough information, both in visual and data form, that could reduce the need for many people to ride.

Mr. McKitterick. Much purchasing could be done in the home, through accommodation of electrons, without ever traveling.

Mr. Cochran. Regardless of technology, we are talking about two kinds of transportation—mass and personal. Both methods require money to improve, and I feel that people are going to be more inclined to spend their money to improve their personal transportation than for improved mass transportation.

Mr. Seip. I would like to take issue with that statement. I am convinced that people can be led to do better things. Take, for example, Cleveland's suburban Shaker Heights community. Back in the 1920's the leaders in this project decided that a very desirable residential community could be created and built around a rapid transit system which would bring people into the center of the city very quickly. This has come to pass. The rapid is a great success, real estate values have been kept up and enhanced, and the people generally regard Shaker Heights as an outstanding community where the convenience factor has contributed to better living.

Mr. Cochran. I agree that progress is being made, but just consider how much money gets invested every year to improve personal transportation, in the form of buying 6 to 7 million new automobiles, versus how much gets invested in improving urban transportation systems.

The day will come when reliable, inexpensive, personal air transportation will be readily available to at least every person who can now buy a higher priced automobile. And this is going to come because the individual would rather spend his money on something that he can own and control.

Mr. Paine. I don't think the two situations are mutually exclusive. I agree that we are going to see a great emphasis on personal transportation. We already have. But at the same time our cities have simply got to have better transportation systems, integrated with civic plans.

Mr. McKitterick. What puzzles me is that most of the metropolitan areas on the verge of critical commutation problems are located on water and are not using it for the transportation of people. We have high-speed hydrofoil boats, and it would be comparatively inexpensive to provide equipment and to stake out a safe right-of-way on the surface of the water with radar buoys.

Mr. Seip. Chicago, interestingly, is doing something in the area of water transport. One of the railroads is discharging passengers at a downtown terminal, where they are loaded on boats and taken to other destinations as part of the downtown distribution. I assume that there is considerable potential in hydrofoils if the water is such that you aren't fighting the ice problem in winter. Certainly, with radar I think that this could be made most reliable.

Mr. Schwartz. The use of hydrofoils for ocean travel is interesting to predict. Already proven economical for use on protected or inland waterways where high speed is tolerable and useful, they may show promise also to cope with rougher waters, particularly if techniques for submerged foils, wave height prediction, and foil control are fully exploited.

### A TRANSPORTATION SYSTEMS MARKET

Moderator LaPierre. Let's discuss another area mentioned earlier; namely, whether or not the Government should create a transportation systems market in which private companies could compete, much as they now compete in the air, space, and defense fields.

Mr. McKitterick. I have long been an advocate of Government encouragement of industry toward the systems approach to transportation problems, much as in the defense industry. I can think of nothing more suitable than corporations competing to work out economic, as well as technological solutions to such problems as New York's commutation snarl—competing to be the prime contractor for the design and implementation of such a system. In this way, large corporations would be working on tasks sufficiently complicated to really challenge their skills and resources. At the same time, through subcontracting, they would be involving specialized smaller companies in the goals or solutions.

Mr. Seip. Part of the problem, of course, is developing customer climate for transportation systems, rather than modes. A first step by Government might be to consolidate the regulatory agencies of transportation, and develop policies which would tend to equalize, and minimize at the same time, the regulatory approach taken by agencies such as the Interstate Commerce Commission, Federal Aviation Agency, or Federal Maritime Board. In this way, perhaps, we will begin to treat each individual transportation mode equally, so that the user himself can decide objectively how he is going to be served.

Mr. Strickland. Basically, we have to define the problem in order to get a real systems approach to transportation. We have much information which fills in points in the matrix, but we really haven't a transportation system model.

Mr. Cochran. If we had such a national transportation model in front of us, then every advance could be directed toward fitting into an ultimate system. I don't think this is unrealistic at all. This approach has proved successful in the telephone business.

Mr. Seip. President Kennedy's recent transportation message to Congress is a major step forward, and I am optimistic that in this decade we will define—and begin implementing—a national transportation policy.

### OPPORTUNITIES IN FOREIGN COUNTRIES

Moderator LaPierre. We have touched only briefly on transportation needs and opportunities in oversea business development, particularly in the Southern Hemisphere. Comments?

Mr. Paine. During an extended visit to Latin America this spring, and also at an engineering research foundation conference this summer devoted to technical problems of the less-developed nations, it became very apparent that transportation is a basic requisite for national development. Before rural people can be brought into a market economy, they must have basic transportation. And these people certainly do not have to repeat all the history that we have been through. They can immediately take advantage of available technology.

Here is a great opportunity for industry to contribute to development. This area presents an enormous market, great need, tremendous potential.

Moderator LaPierre. Considering that the businessman has his responsibility to the shareowner, how can he go into these nations and be reasonably protected and assured of a return on his investment?

Mr. Paine. Generally, financing and means to minimize risk, are available through the Agency for International Development and the International Bank for Reconstruction and Development (World Bank). Developing nations, with the cooperation of American business, are increasingly taking advantage of these programs to promote economic growth, with transportation improvement receiving an appropriately high priority.

### THE LONG-RANGE FUTURE

Moderator LaPierre. Perhaps a good way to conclude this session is to make certain we haven't overlooked any of the broad, long-range approaches and social effects.

Mr. McKitterick. Imagine what would happen if we ultimately have a personal air device whereby we dial a destination, push a button, and sit back and read the newspaper. People then would want to live where the scenic and climatic conditions are most attractive, which would develop many of the western and recreational resources at a very rapid rate.

With respect to marketing organization, the personal air transporter could be a real boon. We already see a tendency of the small companies to ferry around an expert selling team, rather than maintain it permanently deployed in metropolitan cities. This would lead to considerable specialization rather than a horizontal multiplication of the same skills in business. It would open up the dimensions of competition to a fantastic degree.

Mr. Cochran. During the past few years, so much attention has been paid to the development of missiles, space vehicles, and rockets, that the general public has come to believe that the airplane business is just about at the end of the road. This certainly is not the case. As long as man inhabits this globe, there will be travel in the earth's atmosphere. The most efficient way of doing this is to employ aircraft powered by air breathing engines.

### INCREASED INDUSTRY-GOVERNMENT ACTIVITY

Mr. Paine. Unquestionably, in the next decade there is a much more significant role for private industry in transportation systems. Government will also be giving increased attention to this area. The recent successful aiming of our Venus probe precisely toward its target was in effect a transportation feat that required a combined Government-industry program. We clearly recognized in that case the importance of the information technology link, and the importance of the systems approach. Now we must learn to do as well with respect to our earthbound transportation problems.

Mr. McKitterick. In parallel, apparently today technology knows no limitations. Industry can make virtually anything the customer will specify and buy. The problem is to bring into existence a customer for the transportation systems technology we know how to provide.

Mr. Paine. And this situation is probably the most critical limiting factor to transportation progress. Once the problem of creating a transportation systemc customer is solved—by industry and Government working together—we will see great advances in the application of new technology to the better transportation of goods and people.

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## AMENDMENT OF HOUSING ACT OF 1961, TO FACILITATE CONSERVATION OF LAND FOR OPEN SPACE

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and Senators Clark, Bartlett, Nelson, Engle, Brewster, Ribicoff, Neuberger, Douglas, and Pell, I introduce, for appropriate reference, a bill to amend title VII of the Housing Act of 1961 to facilitate the conservation of open space land. This bill would authorize the Administrator of the Housing and Home Finance Agency to give additional assistance to States and their political subdivisions in preserving open space land in and around urban areas which, for economic, social, conservation, recreational, or esthetic reasons, is essential to the proper long-range development of the Nation's urban areas and their suburban and rural environs.

I ask unanimous consent that the bill and a section-by-section analysis be printed in the Record at the conclusion of my remarks and that it lie at the table for 4 days so that other Senators who wish to cosponsor the bill may do so.

Mr. President, in 1961, I introduced open space legislation in the Congress for the first time. The bill was in response to the growing awareness of the wasteful sprawl of our urban areas which threatened this Nation with the disfigurement and misuse of one of its greatest natural resources—land.

The Congress responded to the threat of losing much valuable and irreplaceable open space with the first Federal open space program as title VII of the Housing Act of 1961, and declared that the purpose of the bill was "to help curb urban sprawl and prevent the spread of urban blight and deterioration, to encourage more economic and desirable urban development, and to help provide necessary recreational, conservation, and scenic areas by assisting State and local governments in taking prompt action to preserve open space land which is essential to the proper long-range development and welfare of the Nation's urban areas."

### PRESENT PROGRAM

At first, progress in preserving open space under the program was necessarily slow. The difficulty of administering a new program and the time required to inform communities of the program's potential accounted for the delay. But these early obstacles are being overcome at the agency, and at the State and local levels, and the pace of the program has quickened.

Today, less than 2 years since the original statute was enacted, it is possible to see notable accomplishments being made, and the signs are abundantly clear that the spread of urban sprawl and the reckless advance of the bulldozer may eventually be effectively curbed.

To date, 27 communities in 18 States, from California to New York; from Florida to Washington, have applied for and received Federal grants under the program involving over $4.5 million. The approved grants will aid these communities in acquiring nearly 11,000 acres of land in projects ranging in size from 20 acres to several thousand. At present, more than 67 grant applications are under review and awaiting final approval from the agency. Communities in some 35 States have already begun to take advantage of the program and the others will unquestionably follow suit shortly. By the end of the current fiscal year, we can anticipate that over 40,000 acres of land will have been permanently set aside—set aside to enrich the lives of all those who will use and enjoy the land in the future.

Statistics, however, cannot sum up the many uses to which the program has been put, or crystallize the splendid progress that has been made. To give a more detailed description of the effect that the open space program has had in preserving land and insuring the well-being and orderly development of our urban areas, I ask unanimous consent that the housing and home finance agency project descriptions for each grant already approved be printed at this point in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The project descriptions are as follows:

### Urban Renewal Administration Open Space Grant Commitments as of December 31, 1962

#### INDIVIDUAL COMMITMENTS

Madison, Wis.—Federal grant, $99,331, December 31, 1961: The first open space land grant was approved to aid Madison in the purchase of a new park area. The land is being acquired as part of a long-range park and open space plan prepared by the city in cooperation with the surrounding communities and with assistance from several State agencies.

Massachusetts Department of Natural Resources—Federal grant, $46,500, December 13, 1961: Aid in purchasing a new park and recreation area in Taunton. The 647-acre park in Taunton will preserve a picturesque remnant of cranberry bogs which once covered much of this part of Massachusetts, and five man-made ponds. The land will be developed for recreation, conservation, and nature study purposes and will be accessible to a local population of over 300,000 in an area rapidly becoming urbanized.

Metropolitan Recreation District No. 50, Colorado—Federal grant, $19,200, March 17, 1962: Aid in the purchase of a 120-acre park and recreation area near Westminster, 5 miles northwest of Denver. The new park and recreation area, together with 80 adjacent acres previously acquired without Federal assistance, will be developed by the recreation district for public facilities to include several lakes, swimming pool and open park.

Poughkeepsie, N.Y.—Federal grant, $7,330, April 27, 1962: Aid in the purchase of 22 acres of land for the expansion of College Hill Park. The expanded park will provide facilities for boating, fishing, ice skating, and limited play field activities.

Sacramento County, Calif.—Federal grant, $205,080, June 22, 1962: Aid in the purchase of 262 undeveloped acres for expansion of three parks along the American River. The county is planning to develop some of the park land for picnic and recreation areas and to retain some in its natural state.

San Leandro, Calif.—Federal grant, $22,785, June 23, 1962: Aid in the purchase of 344 undeveloped acres of the San Leandro shoreline and marina development. This is part of a proposed 1,502-acre land acquisition program for a regional recreational area and will be developed by the city as a seaside park.

Maryland National Capital Park and Planning Commission—Federal grant $2,108,785, June 24, 1962: Aid in the aquisition of 4,005 acres, on 41 separate sites of predominantly undeveloped land in Montgomery and Prince Georges Counties. Over 1,700 acres are in six locations along the upper reaches of Rock Creek. The other 35 park, recreation and conservation areas—most of which are clustered around the boundaries of the District of Columbia—include the 686-acre Hawlings River Park in Northeastern Montgomery County, and 510-acre Clinton and 440-acre Largo regional parks in Prince Georges County.

Morris County, N.J.—Federal grant $7,500, June 26, 1962: Aid in the purchase of 50 acres for the Passaic River Park. The land is being acquired for conservation and recreational uses. Facilities for hiking, nature instruction, bicycling, and picnicking will be provided by the county. This is part of a long-range public park program that includes acquisition of more than 200 acres along the Passaic River. The county has already acquired 2,500 acres for a planned 10,000-acre countywide park system.

Berkeley Heights, N.J.—Federal grant $103,500, June 26, 1962: Aid in the purchase of land for six separate park and recreation areas throughout Berkeley Heights, a suburb of Newark. Two of the larger tracts will be developed for active recreation activities, including athletic fields, playground areas, and possibly a municipal swimming pool.

Waterbury, Conn.—Federal grant $14,000, June 26, 1962: Aid in the purchase of 78 undeveloped acres for Bucks Hill Park. This park land is being acquired for conservation and recreation. Part of the woodland will be developed by the city to provide picnic areas, playgrounds, and athletic facilities; the remainder will be retained in its natural state.

Lane County, Oreg.—Federal grant $167,341, June 26, 1962: Aid in the purchase of 214 undeveloped acres for the expansion of North Bank Park near downtown Eugene. The new park land, on the Willamette River, is to be developed locally for boating, swimming, picnicking, and other recreational facilities. This purchase will complete the acquisition of land for a 500-acre regional park.

Huron-Clinton Metropolitan Authority, Michigan—Federal grant $165,660, June 29, 1962: Aid in the purchase of 838 predominantly undeveloped acres on the Huron River. The new park land, serving the Detroit metropolitan region, will be developed locally for picnicking and camping facilities. This acquisition is part of a long-range program of the Huron-Clinton Metropolitan Authority to expand the Metropolitan Parkway area.

Northern Virginia Regional Park Authority—Federal grant $261,840, June 30, 1962: Aid in the purchase of 1,338 acres of predominently undeveloped stream valley and woodlands in southern Fairfax and Prince William Counties. The new park areas include about 450 acres to be added to Bull Run Park, from both Fairfax and Prince William Counties and the balance from the Pohick Bay area in Fairfax County. The new acreage will be used for conservation, hiking, canoeing, picnicking, weekend camping, and outdoor recreation activities.

Dade County, Fla.—Federal grant $45,000, October 26, 1962: Aid in the purchase of 50 acres of undeveloped woodland in Castellow Hammock in the Miami metropolitan area. Most of the new park area will be retained in its natural state. Some new nature trails and picnic areas are to be added. The county plans to classify, cultivate, and preserve rare plant life indigenous to the area.

Allegheny County, Pa.—Federal grant $373,440, October 25, 1962: To aid in the purchase of 1,089 predominantly undeveloped acres in the Pittsburgh urban area. The six new park sites, strategically located throughout the county, will be developed locally to serve primarily as natural forest preserves to provide leisure time retreats for the entire urban area. Sites for each regional park were chosen in accordance with an overall open space program determined as a result of a joint study by the county planning department and the Allegheny conference.

North Jeffco Metropolitan Recreation and Park District, Colorado—Federal grant $11,720, November 1, 1962: To aid in the purchase of two 10-acre predominately undeveloped sites in Arvada City, about 2 miles northwest of Denver. The new park lands are to be developed locally as neighborhood playfields.

Lexington, Ky.—Federal grant $12,000, November 1, 1962: To aid in the purchase of 35 undeveloped acres. The new park land, in the southern section of the city, includes a one-half acre fishing lake and a picnic area. The area is to be developed locally with a baseball diamond, children's play area, and shelters. Some wooded areas will be retained in their natural state for nature study.

Medford, Oreg.—Federal grant $14,700, November 14, 1962: To aid in the purchase of 47 predominately undeveloped acres in Bear Creek Park. The new park land, about 1 mile from the central business district, is to be developed for picnic and game areas, an arboretum, and an outdoor theater or band shell. A lagoon is to be developed for boating and children's fishing.

Ramsey County, Minn.—Federal grant $30,000, November 27, 1962: To aid in the purchase of 57 undeveloped acres for expansion of Battle Creek Park. The new park land, in the southeastern section of St. Paul, will be an extension of park and recreation areas on Battle Creek. It is to be developed with local funds for picnicking, hiking, games, and other recreational activities.

Glasgow, Ky.—Federal grant $4,860, November 27, 1962: To aid in the purchase of 21 undeveloped acres of VFW Park. The wooded site, formerly owned by the Veterans of Foreign Wars, is about 1 mile from the central business district. It is to be developed with local funds for picnicking and playing fields.

Warren, Mich.—Federal grant $21,100, November 27, 1962: To aid in the purchase of 21 undeveloped acres for Pinto Park Site. The site is in the southwestern section of the city. It is to be developed with local funds for children's play areas, field sports, and ice skating.

Toledo Metropolitan Park District Board, Ohio—Federal grant $201,000, November 27, 1962: To aid in the purchase of 420 undeveloped acres in the Toledo urban area for Swan Creek Park. Although the population increased by more than 30,000 during the past decade, very few park and recreational areas had been reserved. The new wooded park land, southwest of Toledo, is considered a flood plain. It is to be developed with local funds for playing fields, nature trails, nature centers, picnicking, and day camp activities. Part of the area will be retained in its natural state.

Los Angeles County, Calif.—Federal grant $264,000, November 27, 1962: To aid in the purchase of 220 undeveloped acres for Otterbein Recreation Park. The new park land, in the Los Angeles-Long Beach urban area, is to be developed with local funds for playing fields and a public golf course. A section of the site is to be retained in its natural state.

Salem, Oreg.—Federal grant $6,630, November 30, 1962: To aid in the purchase of 21 undeveloped acres known as Santiam Park. The new park land, in Marion County about 2 miles southeast of downtown Salem, is to be developed with local funds for water recreational facilities, including boating, swimming, and fishing. It will also provide for picnicking and playing fields.

Everett, Wash.—Federal grant $19,400, December 13, 1962: To aid in the purchase of 107 undeveloped acres for the Walter E. Hall Recreation Area. The new park land, about 5 miles from the central business district, is to be developed with local funds for a public golf course and park.

Polk County, Iowa—Federal grant $42,732, December 13, 1962: To aid in the purchase of 458 predominately undeveloped acres known as the Yeader Creek tract. The new park land, adjacent to the southeastern limit of Des Moines and Ewing Park, is to be developed with local funds for a marina and beach and playground facilities. A 180-acre manmade lake is also to be developed with local funds. This land is being acquired by the county conservation board as part of its 5-year development plan.

Santa Clark County, Calif.—Federal grant $66,762, December 18, 1962: To aid in the purchase of 234 undeveloped acres on four separate sites. For Sanborn Road County Park, 120 acres are to be acquired and developed with local funds for regional park uses, with overnight camping facilities. Part of the hilly site will be retained in its natural state. The Coyote Creek Park chain, planned to extend for 18 miles between San Jose and the Anderson Reservoir, will be augmented with two new sites (44 and 22 acres) to be developed with local funds for picnicking, riding, and hiking. For the Stevens Creek Park chain, a 48-acre narrow strip between Stevens Creek and Stevens Creek Parkways will be acquired and developed with local funds for picnicking and trails.

### POTENTIAL OF THE OPEN-SPACE PROGRAM

Mr. WILLIAMS of New Jersey. Mr. President, as the above summary indicates, the open-space program has already helped community leaders fulfill some of their long-cherished goals. And they have been encouraged to incorporate imaginative land use patterns into urban plans which should have deep and lasting significance to small communities and to entire urban regions.

Open-space land has been set aside for recreational purposes; a need that is growing rapidly as our income, mobility, and leisure time increases.

Land has been permanently preserved for conservation.

And land has been preserved simply for natural beauty's sake so that we can continue to thrill at the marvel of God's earth in its natural state.

And, I believe, that the enormous potential of the program has not been fully explored.

The program may help the small urban watersheds meet the growing challenge of stream pollution.

It can be used to preserve the scenic features of a community, or that dwindling patch of woods at the edge of an urban area, so that our youngsters may know what nature is really like.

It can provide sites for recreational activities right where people live, and not dozens of miles away, which is increasingly the case.

It can be used to provide outdoor conservation education facilities, such as wildlife sanctuaries and nature centers, so that children as well as adults can learn something of wildlife and conservation.

It can be used to separate communities, one from the other, so that each retains its individual identity without the mutually destructive juxtaposition of incompatible areas—for instance, residential and industrial.

It can be used to halt the spread of slums, and the deterioration of property values. In short, it can be used as a creative tool in developing more attractive, enjoyable, and livable urban and suburban communities.

### PRESENT PROGRAM NEARLY EXHAUSTED

All this and much more can be accomplished if the amendments to the open-space program, which this bill proposes, are adopted by the Congress.

One of the most compelling reasons why this amendment is necessary is that the $15 million available for expenditure during the current fiscal year will be exhausted before spring. This means that if all the current pending applications were approved, money would not be available and all subsequent applications would have to be turned down, thereby calling an automatic halt to one of our Nation's most significant conservation efforts. The need to provide funds, therefore, is clearly urgent, not only to continue the existing program, but also to assure potential users that they can count upon the program's assistance.

Dr. Weaver, Administrator of the HHFA, and I have conferred at great length about this and other aspects of the program. We are in agreement that the importance of this program to the country requires the highest priority at both the legislative and administrative levels of the Federal Government, and that more funds are essential if the program is to be stepped up and moved forward. As past experience indicates, some changes in the legislation should be made in order that the purposes of it may be fully realized. To this end, I am proposing amendments which should provide impetus to the entire open-space program and get it rolling.

I ask unanimous consent that an explanation of the amendments be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

### SUMMARY

Mr. WILLIAMS of New Jersey. Mr. President, the open-space program has already proven itself to be a major force for logical, orderly, and attractive urban development in the United States. Even in its present limited form, it has demonstrated that land acquisition grants can speed the fulfillment of longstanding plans; the program has also stirred new planning to help make the most of open land opportunities that, within the near future, could be lost forever. It would be pointless and pitiful for us to lose the momentum already generated by this program. The amendments I propose here today will do much to help the program live up to its full potential while it meets new challenges ahead.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 7) to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, for himself and other Senators, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of of America in Congress assembled,* That (a) section 702(a) of the Housing Act of 1961 is amended by striking out the second sentence and inserting in lieu thereof the following:

"The amount of any such grant shall not exceed 30 per centum of the total cost, as approved by the Administrator, of acquiring such interests: *Provided,* That this limitation may be increased to not exceed 50 per centum in the case of a grant to a public body for the acquisition of land which, because of its size, location, projected use, or other significant factors is found by the Administrator to be essential to the growth and proper development of an urban area, or a major subregion of an urban area."

(b) Section 702(b) of the Housing Act of 1961 is amended (1) by striking out "$50,000,000" and inserting in lieu thereof "$100,000,000", and (2) by inserting before the period at the end thereof a comma and the following: "and any amounts so appropriated for grant purposes shall remain available until expended".

SEC. 2. Section 703 of the Housing Act of 1961 is amended by—

(1) striking out subsection (a) and inserting in lieu thereof the following:

"(a) In the case of land for which grants of not to exceed 30 per centum may be made, the Administrator shall make such grants only if he finds that the proposed use of the land for permanent open space conforms to a general plan for the locality in which the land is located meeting criteria he has established for such plans and that a planning process for the locality is in existence."

(2) redesignating subsection "(b)" as subsection "(c)" and adding a new subsection (b) as follows:

"(b) In the case of land for which grants of not to exceed 50 per centum may be made, the Administrator shall make such grants only if he finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of an urban area are reflected in a comprehensive plan for the urban area meeting criteria he has established for such plans and that a program of comprehensive planning (as defined in section 701(d) of the Housing Act of 1954) is being actively carried on for the urban area: *Provided,* That in those urban areas in which, because of their size and complexity, the Administrator determines that it is unlikely that a comprehensive plan (or the open space component of a comprehensive plan) for the whole urban area will be developed in the foreseeable future, such grants may be made if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of an urban area, or a major subregion of an urban area, are reflected in a comprehensive plan for a major subregion of an urban area which is not inconsistent with the program of comprehensive planning for the urban area: *Provided further,* That until July 1, 1966, the Administrator may accept an open space component of a comprehensive plan for the urban area or a major subregion of an urban area in lieu of the required comprehensive plan."

SEC. 3. Section 704 of the Housing Act of 1961 is amended by adding at the end thereof the following new sentence: "The Administrator is hereby authorized to impose in contracts for grants under this Title such terms and conditions as he deems necessary to assure that open space land for which a grant has been made under this Title shall not be converted without his approval to uses other than those originally approved by him."

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### SECTION-BY-SECTION ANALYSIS OF A BILL TO AMEND TITLE VII OF THE HOUSING ACT OF 1961

Section 1: This section would increase the amount of Federal grant assistance available to acquire title or to other permanent interests in open-space land to not to exceed 30 percent of the total cost of acquiring such interests, if the land to be acquired will serve local purposes, and to not to exceed 50 percent of the total cost of acquiring such interest if the land to be acquired is essential to the growth and development of an entire urban area, or a major subregion of an urban area. Fifty million dollars is added to the open-space program. In addition, this section would make grant funds, once appropriated, available until expended.

Section 2: This section would assert planning requirements which must be complied with as a condition of Federal grant assistance to acquire open-space land.

In the case of open-space land which will serve local purposes, grants, not to exceed 30 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open space (1) conforms to a general plan for the locality in which the land is located meeting criteria established by the Housing and Home Finance Administrator for such a plan, and (2) a planning process for the locality is in existence.

In the case of open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area, grants, not to exceed 50 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of an urban area are reflected in a comprehensive plan for the urban area meeting criteria he has established for such plan and that a program of comprehensive planning (as defined in sec. 701(d) of the Housing Act of 1954) is being actively carried on for the urban area. However, certain urban areas are so large and complex that it is unlikely that a comprehensive plan (or even the open space component of a comprehensive plan) for the whole urban area will be developed in the foreseeable future. In such urban areas, grants, not to exceed 50 percent, may be made if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of the urban area or a major subregion of the urban area are reflected in a comprehensive plan for a major subregion of the urban area. The subregion, of course, would have to be delineated by logical boundaries, and the comprehensive plan for the subregion could not be inconsistent with any program of comprehensive planning being carried on for the urban area of which the subregion is a part. Until July 1, 1966, the Administrator would be authorized to accept an open-space component of a comprehensive plan for the urban area, or, where appropriate, a major subregion of the urban area, in lieu of the required comprehensive plan.

Section 3: This section would make clear the authority of the Housing Administrator to impose such terms and conditions on the recipient of Federal grant assistance as he deems necessary to prevent unauthorized conversion of open-space land acquired with Federal funds.

### Explanation of Proposed Amendments to Title VII of the Housing Act of 1961

The principal purposes of these amendments are (1) to increase the amount of the Federal grant available to a community to assist in acquiring open-space land, and (2) to make the larger grants now available as special incentives to the community, dependent upon the regional character of the use of the land to be acquired instead of the size of the area served by the applicant.

Amendments to title VII of the Housing Act of 1961 contained in this bill would increase the amount of Federal grant assistance available to acquire title to or other permanent interests in open-space land to not to exceed 30 per centum of the total cost of acquiring such interests, if the land to be acquired will serve local purposes, and to not to exceed 50 per centum of the total cost of acquiring such interest if the land to be acquired is essential to the growth and development of an entire urban area, or a major subregion of an urban area.

At present, the amount of Federal grant assistance available to acquire title to or other permanent interests in open-space land is limited to 20 percent of the total cost of acquiring such interests and may be increased to 30 percent to the total cost of acquiring such interests if the grant is extended to a public body which exercises open-space "responsibilities" for an urban area as a whole, or participates in the exercise of such "responsibilities" for all or a substantial portion of an urban area under an intergovernmental agreement. At present, therefore, the larger Federal grant is conditioned upon the size of the area served by the applicant making the acquisition rather than on the kind of open-space land being acquired (i.e., land which is essential to the growth of an entire urban area, or a major subregion of an urban area as against land which has only local significance).

The present grant provisions of the open-space program have proved too low to stimulate adequate State and local activity. In addition, by conditioning the larger Federal grant upon the size of the area served by the applicant, the present provisions have hampered the program by focusing too much emphasis on the kind of agency making land acquisition rather than on the function the land being acquired will serve. Increasing the amount of Federal grant asssistance available to 30 percent, if the land to be acquired will serve local purposes, and to 50 percent, if the land to be acquired is essential to the growth and development of an entire urban area or a major subregion of an urban area, will add vigor to the program, and by relating the larger grant to open-space land which serves regional purposes, encourage the acquisition of the larger open-space facilities designed to serve entire urban areas or regions which was intended by Congress when it enacted title VII.

Other amendments to title VII of the Housing Act of 1961 contained in this bill would add $50 million to the program; modify the planning requirements that must be complied with as a condition to receiving grant assistance; make grant funds, once appropriated, available until expended; and strengthen the provisions designed to prevent unauthorized conversion of open-space land to a use other than that approved by the Administrator.

Title VII presently makes no distinction between open-space land which will serve local purposes and open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area. The present planning provisions that must be complied with as a condition to receiving grant assistance are, therefore, the same with respect to either type of open-space land. Since there are differences between the sort of planning which should logically be carried on with respect to open-space land which will serve local purposes and open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area, this bill would amend the existing planning provisions and assert two new types of planning requirements.

In the case of open-space land which will serve local purposes, grants, not to exceed 30 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open space (1) conforms to a general plan for the locality in which the land is located meeting criteria established by the Housing and Home Finance Administrator for such a plan, and (2) a planning process for the locality is in existence.

In the case of open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area, grants, not to exceed 50 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open-space and the essentiality of the land to the growth and proper development of an urban area are reflected in a comprehensive plan for the urban area meeting criteria he has established for such plan and that a program of comprehensive planning (as defined in section 701(d) of the Housing Act of 1954) is being actively carried on for the urban area.

However, certain urban areas are so large and complex that it is unlikely that a comprehensive plan (or even the open space component of a comprehensive plan) for the whole urban area will be developed in the foreseeable future. In such urban areas, grants, not to exceed 50 per centum, may be made if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of the urban area or a major subregion of the urban area are reflected in a comprehensive plan for a major subregion of the urban area. The subregion, of course, would have to be delineated by logical boundaries, and the comprehensive plan for the subregion could not be inconsistent with any program of comprehensive planning being carried on for the urban area of which the subregion is a part. Until July 1, 1966, the Administrator would be authorized to accept an open space component of a comprehensive plan for the urban area, or where appropriate, a major subregion of the urban area, in lieu of the required comprehensive plan.

To strengthen the provisions of title VII designed to prevent unauthorized conversion of open space land acquired with Federal grant funds to a use other than that approved by the Administrator, amendments contained in this bill would make clear the authority of the Administrator to impose on the recipient of a Federal grant such terms and conditions as he deems necessary to prevent unauthorized conversions. One such condition could be a requirement that if an unauthorized conversion of open-space land acquired with Federal grant funds takes place, the Administrator could obtain repayment of the amount of the original Federal grant, and also the amount of any profit realized from the unauthorized conversion.

Finally, an amendment to title VII contained in this bill would make grant funds, once appropriated, available until expended. This will permit more efficient administration of the program.

## FEDERAL ASSISTANCE FOR CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

Mr. McNAMARA. Mr. President, on behalf of myself and my colleague, the junior Senator from Michigan [Mr. Hart], I introduce, for appropriate reference, a bill to provide $500 million a year in Federal assistance—for the next 2 years—for construction of classrooms in public elementary and secondary schools.

The Federal funds would be allocated to the States on the basis of an allocation formula which measures the relative income per schoolchild of the several States.

The range of the formula would be limited to a ratio of 2 to 1—wherein the least wealthy States would receive approximately $16 per school-age child, while those with the highest per capita incomes would receive approximately $7 per school-age child. The national average would be a grant of about $11.50 per child.

Each State—in order to qualify for its full allotment—would have to maintain a school expenditure effort equal to both its past effort and the average national increase.

Using an estimated figure of $35,000 as the average national cost of classroom construction, this bill—in 2 years—would provide the funds for construction of some 38,000 classrooms.

I will not take the time of the Senate now to discuss this legislation in detail. I shall do that in the near future.

Meanwhile, I shall content myself with the observation that the necessity for congressional action in this area has increased each year during the 8 years I have been in the Senate.

It is my sincere hope that this year—1963—will see the Congress enact, for the first time, a comprehensive program of Federal assistance to the public elementary and secondary schools of this country.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 8) to provide for a program of Federal assistance for the construction of public elementary and secondary schools, introduced by Mr. McNamara (for himself and Mr. Hart), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## PARKS IN THE CITIES BILL

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to amend the Housing Act of 1949 to further assist our central cities in acquiring more open space land in urban renewal areas for park, playground, and other public recreational purposes. I ask unanimous consent that the bill be printed in the Record at the conclusion of my remarks.

Mr. President, many of our large cities are undertaking enormous urban renewal projects, in an attempt to meet the challenges and demands of the years ahead. The Federal Government can be especially proud of the role it has played in providing the necessary legislation to assist cities in their urban renewal endeavors. The urban renewal program, the open space program, and various housing measures have all been in response to the urgent needs of our communities.

Nevertheless, there continues to be a pressing need for additional legislation to motivate greater open space efforts in our central cities. The existing open space program is designed primarily to help preserve suburban fringe land and does not address itself to the problem of providing adequate park, playground, and recreational facilities for urban citizens.

The importance of open space for parks and playgrounds has long been recognized. Countless organizations have emphasized the need to local governments and scores of articles have been written on the subject calling attention to the fact that the necessary steps to preserve open space are not being taken. In all but a few urban renewal projects, preliminary plans for open space are abandoned before the project leaves the drawing board. Although the reasons vary from community to community, there appears to be one recurring explanation for this failure to provide adequate recreational facilities. This is that parks and playgrounds cannot produce the tax revenue obtainable from commercial or residential development of the site. It is unfortunate that the need for open space in our cities must compete for recognition and approval with the illusory advantage of immediate tax revenues. This attitude denies to the residents of the area far more than is achieved through taxes, and fails to recognize the long-term advantages offered by the higher tax revenues which can be obtained from property adjacent to the park.

Our children need a playground near their homes so that they can play in the out of doors, free from the fear of a passing auto. Our elderly citizens need parks close by where they can go and relax and talk to others. In fact, our urban citizens of all ages need more sunlight and recreational facilities than are presently provided, and their needs are relatively simple—a path to walk along, a shady hillside for a picnic, or simply a place where their cities are opened up to a bit of sunlight and green earth.

The bill I am introducing today is designed to assist our large central cities in meeting this urgent demand for more open space. The bill would permit the Federal Government to assume the entire cost of acquiring land that is planned for park, playground, or other recreational uses in an urban renewal area. The city, of course, would have to forgo the tax revenue that could have otherwise been obtained by developing on the land. But if a park site is properly located, adjacent property values will rise to provide the same tax revenue as if there had been development of the park itself.

Before introducing this bill, I sought an evaluation of it by a number of organizations, as well as large city mayors in my home State of New Jersey, and I ask unanimous consent that early responses be printed at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

THE AMERICAN INSTITUTE OF ARCHITECTS,
*Washington, D.C., January 2, 1963.*

Hon. HARRISON A. WILLIAMS, Jr.,
*Old Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR WILLIAMS: Thank you for your recent correspondence to Matthew Rockwell of the institute staff concerning your proposed bill which would provide parks, playgrounds, or public recreational facilities as an amendment to title I of the Housing Act of 1949.

Your proposed bill would seem to have the similar desirable objectives as the open-space program introduced by you in the last Congress under title VII of the Housing Act of 1961, with emphasis on open space in the central city related to urban renewal projects. Namely, it would help to prevent the spread of urban blight and deterioration and help to provide necessary recreation, conservation and scenic areas by assisting public bodies to preserve open space essential to orderly long-range urban development.

The proposed capital grant for the acquisition of such open space in the cities would seem to be an incentive to local governments that lose tax revenue if such spaces were in commercial or residential use.

It is interesting to note in the Urbanisms column of the current (January 1963) issue of the AIA Journal the speculation of pressures that will face the county supervisors in land use zoning adjacent to the pristine setting of the new Dulles Airport.

As a matter of fact, much of the issue of the January Journal devoted to "Washington in Transition" reflects the concern for open space in the city and around the city. True, this issue pertains to the city of Washington, but there is much merit in the Washington Post editorial quote on page 84 of the Journal that states, "Congress has a special obligation to exercise foresight in the protection of open spaces near to the Nation's Capital, but the problems of other cities are not essentially different."

This same concern is shown in articles in the Journal by guest-editor Paul Thiry, by President Kennedy and by the Secretary of the Interior Stewart Udall. We are enclosing a copy of this issue for your review and use.

We would be glad to testify when hearings on your proposed bill are scheduled and would appreciate being informed of the time, value and nature of such testimony.

Very truly yours,
WILLIAM H. SCHEICK.

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AMERICAN MUNICIPAL ASSOCIATION,
*Washington, D.C., December 20, 1962.*

Hon. HARRISON A. WILLIAMS, Jr.,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR WILLIAMS: Thank you very much for affording our association the opportunity of commenting on your draft bill which would provide parks, playgrounds, or public recreational facilities in urban renewal areas. We keenly appreciate your leadership in this field and our membership is certainly gratified by the leading role you have taken in urban legislation.

We feel that your proposed bill on urban renewal recreation facilities certainly merits the active support of Congress and the administration.

Our national municipal policy, 1963, representing the views of 13,500 municipal governments, states our association's views on preservation of open space as follows:

"The explosive population growth in our metropolitan areas, particularly in the suburban sections, is devouring land at a tremendous rate. The resulting physical expansion has been so rapid as to make the preservation of some remaining land for parks, playgrounds, recreation areas, buffers against the unrelieved monotony of urban development increasingly difficult. If we are to retain the amenities of civilized living in densely populated areas, it is imperative that all levels of government undertake immediate programs for the preservation of open space in urban areas.

"The new program of Federal grants which are authorized in the Housing Act of 1961 will assist local public bodies materially in the acquisition of land to be used as permanent open space, but as the administration and congressional committees have stated the present program is but a modest start on a program to preserve one of our most vital national resources—open land.

"We urge the administration and the Congress to develop long-range, comprehensive programs to assist our local governments in bringing about an orderly, healthy development of remaining open land in densely populated urban areas."

With this policy in mind, we offer our full support to your proposed bill and commend your interest and concern in the vital effort to preserve open space in our urban areas.

Sincerely yours,
PATRICK HEALY,
*Executive Director.*

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AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS,
*Washington, D.C., December 21, 1962.*

Hon. HARRISON A. WILLIAMS, Jr.,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR WILLIAMS: The American Society of Landscape Architects is in cordial accord with your intention of introducing during the coming session of Congress, legislation primarily aimed to assist communities and metropolitan areas in the acquisition of open-space land for park and recreational use.

We were happy to support your Open Space and Urban Development Act of 1961, later included as title 7 in the Housing Act of 1961. It is truly disappointing to hear of the limited response for park and recreation use subsequent to its enactment.

The American Society of Landscape Architects has historically espoused the timely acquisition and development of such areas, will continue to do so with all our capabilities in the future. You can count on us for support.

You might be interested in having on hand for reference our Policy No. 18: "Timely Acquisition of Park Lands" (ASLA Bulletin, January 1962), and Policy No. 30: "Open Spaces" (Bulletin of March 1962).

Very sincerely yours,
LYNN M. F. HARRISS,
*Executive Director.*

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TIMELY ACQUISITION OF PARK LANDS

The American Society of Landscape Architects considers it a principle of sound civic policy that all growing urban communities should choose, limit improvements upon, and acquire those lands suitable to the probable park needs of the future in order that, when such needs become imperative, the cost of acquisition may not be exorbitant or even prohibitive. This society is firm in its belief that governmental bodies—Federal, State, and local—should encourage the general adoption of such a policy with regard to all classes of parks.

The society recommends, in those cases where outright acquisition in fee is not possible or timely, that consideration be given to the preservation of open space land for future development through the purchase of easement or development rights, or such other means as may become possible.

### COMMENTARY

It is not an exaggeration to say there is no city of importance that is not compelled to forgo park areas which it would acquire but for the prohibitive cost of existing improvement on the areas.

If such cities could have foreseen their future size and if they had been properly laid out in the beginning and had not lacked imagination, leadership, legal power or financial resources, park areas would have been differently and more advantageously distributed, even though the total park area might not have been greater, and such land now built upon would have been made into parks.

The population, the need of parks, and the difficulty of acquiring them, in most cases, all increase together.

The earliest, and certainly not the least interesting and important, example of the economy and other advantages of timely acquisition are the small parks or greens, formerly common grounds, open space for assembly, outdoor functions, and so forth, in so many New England and New York towns and villages. They were usually coeval with the town; in fact the original settlement was built around them, and they were the first examples of city planning.

In a different class are the great parks that were acquired and developed in the park building era of the 19th century in New York, Philadelphia, Boston, Chicago, Minneapolis, San Francisco, and many other cities.

In another class of timely acquisition are the circles and other parked spaces and parks of Washington, D.C., and the squares of Philadelphia, part of the original city plans.

In still another class of what might be termed accidental timeliness are. open spaces which were originally used for other purposes, but which became parks through disuse: such as Madison Square and Union Square in New York, which were once cemeteries. Many such fortunate accidents are to be found.

Examples of the extravagance of the neglect of timely acquisition have been observed for many years in the provision of playgrounds, to provide for which, blocks of tenements had to be removed at enormous costs, and other public open spaces built on costly sites. There is consolation, of course, in the thought that, however high the cost of these open spaces, their value to the cities is greater.

Every park or playground and every addition to them made on built-up or partially built-up land is an example of the extravagance of neglect of timely acquisition.

But the most deplorable examples of the evils of postponed acquisition are to be found in the great congested districts of all large cities and towns from which open spaces were omitted through lack of forethought and planning; the built-up spaces that should be parks and playgrounds, but that never can be by reason of the prohibitive cost except perhaps through the process of urban renewal.

Through the relatively new techniques of preserving open space through the purchase of easement or development rights, preservation has in many cases been assured at nominal cost. (Under this arrangement a farmer, for example, is permitted to continue the present use of his land but not to develop or subdivide it.)

### MEMORIAL MINUTE—PHILIP HOMER ELWOOD, DECEMBER 7, 1884–AUGUST 20, 1960

(By John Fitzsimmons)

To many people in and out of the profession he was the "Prof." A title which expressed not only affection and respect, but was a summary of his greatest achievement.

Nearly half of his life was devoted to education in the field of landscape architecture. The many close contacts with students coupled with his professional work, made his influence felt throughout the country.

Upon graduation from Cornell University in 1919, he worked in the office of Charles W. Leavett, Jr., until his appointment, in 1913, to Extension Service staff at Massachusetts State College. From this education beginning he was called to organize and head the landscape architecture work at Ohio State University, remaining there until 1923. In the spring of that year he joined the staff at Iowa State University as a professor of landscape architecture.

Summer travel courses became a significant part of his method of education. His conducted tours to the Orient, to Europe and in North America, gave new horizons to many. His energy and forcefulness, his devotion to the profession and his persistent pressure brought about the establishment of the department of landscape architecture in 1929. He served as head of that department until 1950 and was honored as an emeritum professor of that university in 1958.

In addition to his great desire to teach, assist, guide and encourage worthy young people in the pursuit of landscape architecture, he also found time to practice. As a member of the Elwood-Frye firm in Columbus, Ohio, he did much to establish good examples of professional work. This desire to keep his "hand in" was the urge that, over the years, made him active in many professional endeavors.

Projects which offered an opportunity for extensive contacts with people seemed to draw him into action. As counsellor, region 6 of the National Resources Planning Board, he stumped the middle west in the cause of planning, and to guide the proper growth of vast areas of landscape. As collaborator for the National Park Service, as: consultant for the U.S. Housing Authority; a member of the Mississippi River Parkway Planning Commission; member of the highway research board; as counsellor for the Iowa Post-war Commission and as director of the Iowa State Planning Board, he carried on that desire to teach and guide public thinking toward the protection and proper use of the landscape. In 1942–43 he served as president of the American Society of Planning Officials.

Another expression of his desire to reach out to others with knowledge of landscape architecture was in the field of writing and publishing. He was editor of American Landscape Architecture and the leader and guiding inspiration for the magazine Horizons.

In addition to the design of much that is now the campus of Iowa State University, P. H. Elwood enjoyed as his favorite commissions those of Boy's Town in Nebraska, Pi Beta Phi Settlement School, Gatlinburg, Tenn., and the Argonne Cemetery in Europe.

He served as captain in the Field Artillery 1917–19.

The ASLA was a very important part of the life of Phil Elwood. He became a member in 1915 and in 1927 was elected to fellowship. He served several terms as president of the old Mississippi Valley chapter, also of the Missouri Valley chapter; trustee from the Mississippi chapter, 1932–36 and Missouri Valley chapter 1939–42. In 1941 and again in 1949 and 1950 he was vice president of the society.

Failing health forced him to leave his teaching work in 1952. He and his family settled in Tucson, Ariz., where he died August 20, 1960.

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FEDERATION OF NATIONAL PROFESSIONAL
ORGANIZATIONS FOR RECREATION,
WASHINGTON, D.C., *January 3, 1962.*

Hon. HARRISON A. WILLIAMS, Jr.,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR WILLIAMS: We are pleased to learn of your intention to introduce legislation which would assist cities to acquire open space for park and recreation use at no cost through the urban renewal process. This legislation is sorely needed and should be welcomed by cities, large and small.

With three-quarters of the Nation's population living in urban areas it is exceedingly important that there be recreation facilities near at hand for their enjoyment. Children have free time every day. Therefore they need neighborhood recreation areas to which they can easily walk after school, on holidays, and during summer vacations.

Adults, likewise, want tennis courts, ballfields, and swimming pools near to their homes so that they may find relaxation after a day of toil. Others seek recreation centers where they may learn leisure skills and spend their free time with neighbors and friends.

No one should be denied the opportunity to enjoy their leisure simply because they have no automobile or because public transportation is not available. State and regional parks, forests, and rivers are certainly necessary elements in a total recreation plan. However, these facilities are visited on more or less special occasions—once a month picnic, a weekend hike, or a once a year vacation. They do not meet the day-to-day needs of our children, their parents, the retired, or the aged.

The empty lot where once we played baseball now contains an apartment building; the "old swimming hole" is now a polluted storm sewer. The edge of town was once just a few minutes' walk from home, and then we could enjoy a pleasant hike through woods and dale. Now the edge of one town meets that of another and we hike dangerously over miles of concrete ribbons called highways before we can find even a grove of trees.

The Federation of National Professional Organizations for Recreation is composed of national groups concerned with parks, recreation, and camping. As its president, I shall urge all of them to lend their support to your efforts. I am sure we share your vision of parks and recreation opportunities for all people, everywhere.

Your leadership and courage is to be commended.

Sincerely yours,
MILO F. CHRISTIANSEN,
*President.*

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WILDLIFE MANAGEMENT INSTITUTE,
*Washington, D.C., December 31, 1962.*

Hon. HARRISON A. WILLIAMS, Jr.,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR WILLIAMS: Your letter of December 18 was on my desk when I returned to the city. I had an opportunity to review the material with Mr. Gutermuth, vice president of the institute, who had responded to a similar letter received from you.

You may be sure that conservationists are interested in the objectives of your proposed legislation. There is an undeniable need for open space in metropolitan areas, and it is hoped that some satisfactory means of financing such a program can be developed.

Sincerely,
IRA N. GABRIELSON,
*President.*

State of New Jersey,
Department of Conservation
and Economic Development,
*Trenton, N.J., December 31, 1962.*

Hon. Harrison A. Williams, Jr.,
*Old Senate Office Building,*
*Washington, D.C.*

Dear Pete: Thank you for keeping me advised regarding your proposal to introduce a bill that would make it easier to establish parks and open space within our cities. This legislation would be particularly valuable to New Jersey where 88.6 percent of our people live in urban communities and particularly in the older cities where parks and open space are so much needed. Urban renewal and New Jersey's green acres program have not been sufficient incentive for the older cities to establish the parks and open space needed. I heartily endorse your proposal as a means for overcoming the existing deficiencies.

Congratulations on your thoughtful and progressive attitude toward these problems.

Sincerely,

K. H. Creveling,
*Director.*

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Office of the Mayor,
Jersey City, N.J., *January 7, 1963.*

Hon. Harrison A. Williams, Jr.,
*U.S. Senate, Washington, D.C.*

Dear Pete: I thoroughly endorse your proposed legislation to permit the Federal Government to assume the entire cost of acquiring land planned for park, playground, or other recreational use in urban renewal areas. The key Jersey City officials dealing with planning and urban renewal and I have for a long time recognized the deficiency in Federal legislation which you mention. In fact, as you may know, I was one of the strong supporters of the green-acres referendum in the State of New Jersey. This reflected Jersey City's recognition of the need for additional open area and park activities. Unfortunately, this program does not tie in directly to all urban renewal projects.

I will urge that all possible support be given to your proposed legislation. Please be assured that if the City of Jersey City can be of any assistance in promoting passage of this bill, we shall be most happy to do so.

I am turning over a copy of your letter and the attached press release and draft of the bill to the planning staff so that they may develop statistics and information in support of the bill insofar as Jersey City is concerned. This material will be forwarded to you at a later date.

Sincerely,

Thomas Gangemi,
*Mayor.*

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City of Long Branch, N.J.,
*Long Branch, N.J., December 27, 1962.*

Senator Harrison Williams, Jr.,
*Senate Office Building,*
*Washington, D.C.*

Dear Senator Williams: Thank you very much for your letter of December 18, 1962, regarding your proposal for expediting the providing of parks and recreational areas in cities.

I think this is a wonderful suggestion and I shall support it 100 percent in every way that I can. In fact, just this type of thinking would be particularly timely in solving some acute problems of financing parks and recreation areas in the rapidly growing city of Long Branch.

If there is anything I can do to further this, please let me know. Let me extend to you my most cordial greetings for a prosperous and progressive New Year.

Very truly yours,

Thomas L. McClintock,
*Mayor.*

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Newark, N.J.,
*December 28, 1962.*

Hon. Harrison A. Williams, Jr.,
*U.S. Senate,*
*Washington, D.C.*

Dear Pete: I have your letter of December 18 and a draft copy of your bill and press release, on the matter regarding open space for the urban areas.

I am sure you recall as a Congressman, my enthusiasm for the open-space program, and now as mayor of the State's largest city I find the need for parks and playgrounds in the urban centers even more pressing.

One major concern that cities like Newark have regarding the development of parks and playgrounds, is that it takes away land which can produce ratables for the community. A city like Newark, which is in desperate need of money to adequately attack those problems that are familiar to you and which go hand in hand with the urban areas, cannot afford to let tax producing property be turned over to "open space" without some continuous return into the city treasury.

This is also true with regard to new highway development which takes away ratables, and until such time that adequate return is provided the current legislation alone will not provide the final open-space needs of big cities. The one-third write-down provision that you are suggesting, would eliminate the initial building costs for the city, but would not, I feel, give the city the monies needed to compensate for the loss of the land over the long run.

One suggested solution might be that in all urban renewal areas (be it for industrial or residential development), that a certain percentage of land be set aside as part of that particular project for open-space and public playgrounds. I can think for example of the proposed light industrial park urban renewal project in Newark which could include a park or playground to be used by the employees and neighborhood for softball leagues, outdoor recreation areas, etc. This would not be as costly to the city, and at the same time would serve as a very functional purpose for the project area itself.

I appreciate your writing to me and asking for my comments and you can be assured of my full support for this legislation.

With kind personal regards.

Sincerely,

Hugh J. Addonizio,
*Mayor.*

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City of Perth Amboy, N.J.,
*January 4, 1963.*

Hon. Harrison A. Williams, Jr.,
*Senate Office Building,*
*Washington, D.C.*

Dear Senator: Our governing body reviewed with much interest your proposed new open-space program for central cities.

We have a multitude of areas in Perth Amboy which are now substandard which might be conducive to parking projects. We heartily endorse your program and if you feel there is anything we can do to assist in the matter, please feel free to call upon us.

With kindest personal regards and best wishes for the new year, I remain

Sincerely,

James J. Flynn, Jr.,
*Mayor.*

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The City of Rahway, N.J.,
Office of the Mayor,
*January 7, 1963.*

Hon. Harrison A. Williams, Jr.,
*Senate Office Building,*
*Washington, D.C.*

Dear Pete: This is in reply to your letter of December 18 and your expression of concern for the need of additional legislation to speed up the open-space program.

Rahway's position in relation to this is unique among all others. We have a serious need for parks, playgrounds, and other recreational facilities. Our location in the metropolitan region is responsible, in a great measure, for the scarcity of open space.

We are located between the Garden State Parkway and the New Jersey Turnpike. Within our confines, Rahway has Route 27 going north and south, and 1 mile east, Route 1 going in the same directions. The traffic problem east and west within our area of 4 square miles is made more hazardous by the preponderance of all types of traffic along several county roads. The slope of terrain is west to east.

A great burden is imposed upon us by drainage, both normal and excessive. The new construction which has taken place in Clark, Colonia, and Woodbridge adds an extra burden to our facilities which are, in many instances, old: washes out our roads, clogs our sewers and is a constant menace to the health and safety of our residents. Rahway's Police Department is greatly taxed in its endeavors to properly supply the overall protection needed by our citizens.

I know you join with me in taking pride in what we are attempting to accomplish in our old town. We have embarked on a redevelopment program; we are erecting housing for our senior citizens; we are expanding housing for our needy; we are erecting new schools; new banks have been built; numerous churches have spent thousands of dollars for additions to their houses of worship. Two completely new churches will be erected this year. I call these things to your attention because one of the most needed things that must be part and parcel of a well-rounded community program must primarily be recreation and playgrounds. Land in Rahway for this phase of living is nonexistent. Our redevelopment comes about as the result of first tearing down existing structures.

The only land in our city which could be utilized is that which is adjacent to the river near the area now being redeveloped. It would be prohibitive for the city to undertake this. It has great possibilities as a marina or park area. It would be a boon to several communities if this could be federally financed.

In the past 10 years, we have made great strides in recreation and playground activities in our city. We embrace all ages from the toddler to our senior citizen in creating worthwhile programs for their enjoyment.

The combined interest of parents, citizens and children of our play areas which was once open land is noteworthy. From the area which I previously described to you, came young men who have received national recognition in recent years. Bob Scarpitto, of Notre Dame; Joe Williams, of the University of Iowa; and numerous others in different fields. Any appropriation for this program has a very high return value.

Sincerely yours,

Robert E. Henderson,
*Mayor.*

Mr. WILLIAMS of New Jersey. Mr. President, not only do I believe that the bill is necessary to encourage our cities to plan more parks and open space, but also, that it is essential if our cities are to become more enjoyable places in which to live.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 9) to encourage the utilization, consistent with sound urban planning, of land included within urban renewal areas for parks, playgrounds, or other recreational facilities; introduced by Mr. **Williams** of New Jersey, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) title I of the Housing Act of 1949 is amended by adding at the end thereof a new section as follows:

"PARKS, PLAYGROUNDS, OR OTHER PUBLIC RECREATIONAL FACILITIES

"Sec. 114. (a) In recognition of the growing need in many urban areas for adequate space for healthful and recreational pursuits, it is the purpose of this section to encourage, consistent with sound planning, increased utilization of suitable land, acquired in connection with urban renewal projects, for parks, playgrounds, or other public recreational facilities.

"(b) Notwithstanding any other provisions of this title—

"(1) if, in the public interest, any land to be acquired in connection with an urban renewal project should be used in whole or in part as a site for a park, playground, or other public recreational facility, and such use is in accordance with the urban renewal plan for such project, the site shall be made available without cost to (with the approval of the governing body of) the locality in which the project is undertaken; and

"(2) the capital grant otherwise payable under this title with respect to such project shall be increased by an amount equal to that part of the gross project costs which the Administrator determines is attributable to the land which is made available for such use.

As used in this section, the term 'public recreational facility' means a facility (1) the public cost of providing the site for which comprises a substantial part of the total development cost, and (2) from which public recreational benefits are derived."

(b) The amendment made by subsection (a) of this section shall be applicable only to urban renewal projects with respect to which contracts for capital grants are entered into under title I of the Housing Act of 1949 after the date of enactment of this Act.

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## NATIONAL FOREIGN AFFAIRS ACADEMY

Mr. SYMINGTON. Mr. President, on January 9, 1959, I presented to the Senate a bill for the establishment for a Foreign Service Academy.

At that time I pointed out that, whereas we now support three service academies to prepare our youth for the possible hot war we pray will never come, the Government has no institution to train its men and women to handle the cold war in which we now find ourselves, all over the world.

Two years later, January 13, 1961, I again introduced such a bill, and reiterated my concern that our training program for those who conduct our affairs in this cold war was a casual and uncoordinated affair compared to the training believed necessary for our military personnel.

Neither of these proposals advanced beyond committee.

In recent months, events have again pointed up the importance of an adequate training program for our Foreign Service.

Two recent ad hoc committees have studied this problem in detail: The Committee on Foreign Service Personnel, headed by former Secretary of State Christian Herter, and the President's Advisory Panel on a National Foreign Affairs College, chaired by the Honorable James A. Perkins.

Both committees proposed, as the first legislative step, the establishment of a National Academy of Foreign Affairs.

Drawing from their recommendations, I am today introducing for appropriate reference a bill to establish such an Academy.

The Academy to be established by this bill would be a graduate level institution. It would provide inservice training for professional personnel of all Government agencies with an international interest.

Training in languages would of course be available; and there would also be training in the techniques for dealing with the great and growing problems incident to our relations with other countries.

In addition to such practical operational training, this proposed Academy would provide opportunity for learning in the broad pictures of national strategy and diplomacy; would provide, in effect, advanced courses having to do with the many component parts characteristic of the broad overall subject of foreign affairs.

The details of curriculum, enrollment and the physical plant would be worked out. The immediate need for this institution, however, is all too obvious to anyone who has studied the subject.

Some 28 Federal agencies now employ over 32,000 U.S. citizens in civilian capacities in 127 foreign countries.

About 58 percent of these employees work for the Department of Defense.

Another 37 percent are employed by the State Department, the Agency for International Development and the U.S. Information Agency.

The remaining 5 percent are scattered among 24 Federal departments and agencies.

Many of these men and women hold positions of responsibility where their decisions and actions can affect our national security.

Despite this large number of personnel, and the importance of their work, we have no integrated, adequately staffed center for their instruction and training.

Contrast this condition with that which is now in force for our military personnel.

In addition to the three military academies—West Point, the Naval Academy, and the Air Force Academy—the taxpayer supports many other institutions. There are advanced colleges of the services; and also the National War College.

That is why the overall military training concept provides a far more thorough inservice training than what is available to those who work on our foreign affairs.

The Committee on Foreign Affairs Personnel summed up this condition as follows:

> The seriousness of the training deficit among the foreign affairs agencies is suggested by the proportion of officer time dedicated to training in relation to officer time in toto. Among the USIA reserve officers, this proportion is slightly over 2 percent; in the Agency for International Development, including its participating personnel, it is about the same; among Foreign Service officers and reserve officers in the Department of State, it is about 5 percent. The comparable figure in the military departments is roughly 12 percent.

At one time, there may have been some justification for this disparity, because, until recent years, diplomacy was a relatively limited, and relatively unimportant, activity of this Government.

Part of this condition resulted from our two great, but now lost, allies, the Atlantic and Pacific Oceans; and up to the second decade of this century, a position of relative isolationism met with the support of a large majority of the American people.

In the nuclear space age of today, with the telescoping of time and space, those conditions are gone forever.

Today, as representatives of the interests of the United States, our foreign affairs personnel often participate actively in the economic and political affairs of their host country. They must deal rapidly and efficiently with constantly changing conditions. Their training is fully as demanding, and often as dangerous, and obviously as important, as that training given the members of our military services.

But the training procedures for these men and women have been developed haphazardly, with each international agency forced to squeeze its own instruction into an already crowded program and budget.

As a result, it is not training of the highest caliber. Often it reflects the parochial view of the particular agency involved, rather than overall interest in our national foreign policy.

For many years I have believed the Congress should give this matter legislative attention.

We should place highest national priority on a training program which would provide those who carry out our foreign policy the means to do this important work with maximum skill.

Until this priority is established, we can only continue to find ourselves lacking in a field of future critical importance to our security, as well as our prosperity.

When first introducing a Foreign Service Academy bill in 1959, I noted that dedicated, well-trained representatives are at work for the Communist cause, all over the world. We have not matched this effort, either in size or degree of training.

Since that time cold war tensions have increased. The Communists continue their efforts toward their goal of world conquest, in psychological and economic fields as well as through growing military strength.

Surely with the stakes so high, and with the catastrophic costs of the hot war we all hope to avoid becoming so enormous, we can and should make this nominal investment in today's most vital business—the business of securing and maintaining the peace.

A recent editorial in the Washington Post sums up this problem well:

> Our foreign affairs are no longer a matter of "listening abroad" and responding through diplomatic channels.
>
> The United States is deeply involved in a great number of programs designed to aid and influence other governments in many parts of the world. The new diplomacy relies on technical assistance, military aid, cultural programs, trade, educational exchanges and dissemination of information no less than upon diplomacy, intelligence, and international law. The complex system that has been devised for employment of these tools is in need of major repairs at the hands of both Congress and the administration.

I agree with these observations; and therefore introduce for appropriate reference this bill to establish a National Foreign Affairs Academy.

Mr. President, I ask unanimous consent that this bill lie on the Secretary's desk for a week in order that Senators wishing to cosponsor it may so indicate.

**The VICE PRESIDENT.** The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Missouri.

The bill (S. 15) to establish a National Academy of Foreign Affairs, introduced by Mr. SYMINGTON, was received, read twice by its title, and referred to the Committee on Foreign Relations.

**Mr. YARBOROUGH.** Mr. President, today the distinguished senior Senator from Missouri [Mr. SYMINGTON] has introduced a bill to create a Foreign Service Academy. He has requested that the bill remain at the desk for 10 days, in order to enable other Senators to join in sponsoring the bill. I ask that my name be added as one of its cosponsors; and I commend the Senator from Missouri for introducing the bill.

In previous Congresses, I have introduced similar bills. In fact, before I came to the Senate, I campaigned on that issue; such a proposal was included by me as a campaign plank. In fact, I discussed it even before then.

Mr. President, we are wholly lacking such a public academy to train the vast number of persons we need today as public servants in the field of foreign service, with 110 independent nations on the earth and with the United Nations calling for others there. I think this measure is a fine one, and I hope it will be passed. I am happy to join in sponsoring it.

I had planned to introduce a similar measure. However, I shall not now do so, for I think it better to join in sponsoring the measure the Senator from Missouri has introduced, so as to put all our efforts behind the one bill.

## THE OZARK NATIONAL RIVERS

**Mr. SYMINGTON.** Mr. President, on behalf of my colleague from Missouri [Mr. LONG] and myself, I introduce for appropriate reference a bill to authorize the establishment and development of the Ozark national rivers in the State of Missouri.

The proposed area would be comprised of not to exceed 94,000 acres along the Current and Jacks Fork Rivers in southeastern Missouri.

This area would include a portion of our country that is still relatively wild and natural, where clear spring-fed rivers flow through the rolling Ozark hills, the oldest mountains in America.

These unique river valleys are pocketed with caves and sinks created by waters of the past, and include many cold, free flowing springs. The largest single spring in America—Big Spring at Van Buren, Mo.—flows into the Current River.

It is all unspoiled country, and the unusual diversity and beauty of its natural features are well worth preserving for future generations.

The Jacks Fork portions of the upper Current River have truly wild qualities, and are ideally suited for wilderness-type experience, with minimum development. Portions of the lower Current River, near long-established Ozark Mountain communities, lend themselves to more diversified public use.

Preservation of this unique country is the foremost goal. Development of recreational opportunities in the national and State forests, and also the privately owned lands, however, would be a stimulus to the economy of many bordering communities.

As early as 1950, the State of Missouri recognized the need to preserve the unique natural qualities of the Current and Jacks Fork Rivers.

In 1959, the Missouri State Legislature requested Congress to enact legislation.

The 1st session of the 86th Congress made funds available. That study was completed in January 1960. The Department of the Interior—National Park Service—therefore issued a proposal for the establishment of the Ozark Rivers National Monument.

During the 87th Congress, a hearing was held on the proposed Ozark Rivers National Monument by the Subcommittee on Public Lands of the Senate Interior and Insular Affairs Committee; and subsequently, through personal visits to the area, Members of the Senate—also, Secretary of Interior Udall—learned first hand about the extraordinary beauty of this country.

In his conservation program message to the 87th Congress, President Kennedy urged favorable action on this legislation.

As the result of a great many meetings, and long discussions with residents of the area, along with others interested in these communities, Senator LONG, Congressman ICHORD, of the district in question, and I are asking that this area be designated the first national rivers in the Nation under administration of the National Park Service. Congressman ICHORD is today introducing a similar bill in the House.

We are confident that the Congress will now set aside for posterity these unique streams and valleys of unsurpassed natural beauty, before they are spoiled forever.

It would be very difficult to find any other part of the United States where so much natural beauty and geological variety can be preserved in such a relatively small area.

I introduce this bill for appropriate reference, and ask unanimous consent to have it printed at this point in the RECORD.

**The VICE PRESIDENT.** The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 16) to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes, introduced by Mr. SYMINGTON (for himself and Mr. LONG of Missouri), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of conserving and interpreting unique scenic and other natural values and objects of historic interest, including preservation of portions of the Current River and the Jacks Fork River in Missouri as free-flowing streams, preservation of springs and caves, protection of wildlife, and provision for use and enjoyment thereof by the people of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall designate for establishment as the Ozark National Rivers an area (hereinafter referred to as "such area") not exceeding 94,000 acres and being generally depicted on map No NR–OZA–7000 entitled "Proposed Ozark National Rivers" dated January 1963, which map is on file for public inspection in the Office of the National Park Service, Department of the Interior: *Provided,* That no lands shall be designated within two miles of the municipalities of Eminence and Van Buren, Missouri.

SEC. 2. The Secretary of the Interior may, within the area designated or altered pursuant to section 4, acquire lands and waters, or interests therein, including scenic easements, by such means as he may deem to be in the public interest: *Provided,* That scenic easements may only be acquired with the consent of the owner of the lands or waters thereof and provided further than any parcel of land containing not more than five hundred acres, which borders either the Current River or the Jacks Fork River, and which is being primarily used for agricultural purposes, shall be acquired by the Secretary in its entirety unless the owner of any such parcel consents to the acquisition of a part thereof. Lands and waters owned by the State of Missouri within such area may be acquired only with the consent of the State. Federally owned lands or waters lying within such area shall, upon establishment of the area pursuant to section 4 hereof, be transferred to the administrative jurisdiction of the Secretary, without transfer of funds, for administration as part of the Ozark National Rivers.

SEC. 3. Any owner or owners, including beneficial owners (hereinafter in this Section referred to as "owner"), of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term ending at the death of such owner, or the death of his spouse, or at the death of the survivor of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

SEC. 4. When the Secretary determines that lands and waters, or interests therein, have been acquired by the United States in sufficient quantity to provide an administrable unit, he shall declare establishment of the Ozark National Rivers by publication of notice in the Federal Register. The Secretary may thereafter alter such boundaries from time to time, except that the total acreage in the Ozark National Rivers shall not exceed 94,000 acres.

SEC. 5. (a) In order to provide compensation for tax losses sustained by counties in the State of Missouri as a result of certain acquisitions by the Secretary of privately owned real estate and improvements thereon pursuant to the provisions of this Act, payments in lieu of taxes shall be made to each such county in which such real estate is located, and which has been authorized, under the laws of Missouri, to assess taxes upon real estate to the person who is in possession thereof and to assess taxes upon any present interest in real estate to the owner of such interest, in accordance with the following schedule: For the calendar year in which the real estate is acquired in fee simple absolute, an amount which bears the same proportion to the full amount of tax assessed thereon in such year as the number of days remaining in such year after the date of acquisition bears to the number of three hundred and sixty-five. In any case where an amount in excess of the difference between such proportionate amount and such full amount has already been paid to the county by or on behalf of the owner or owners from whom the real estate was so acquired, payment of such excess amount shall be made as reimbursement to such owner or owners out of such proportionate amount and only the balance remaining of such proportionate amount shall be paid to the county. For the two succeeding calendar years there shall be paid on account of such real estate an amount equal to the full amount of tax assessed thereon in the year of acquisition.

(b) No payments in lieu of taxes shall be made on account of real estate and improvements thereon in which the Secretary has ever acquired less than a fee simple and absolute under this Act.

(c) As soon as practicable after real estate taxes have been assessed by such counties in each calendar year, the Secretary shall compute and certify the amount of payments in lieu of taxes due to each of such counties, and such amounts shall be paid to the respective counties by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated.

(d) The provisions of this section shall not apply to any property acquired by the Secretary after December 31 of the twenty-fifth year following the date of enactment of this Act.

SEC. 6. (a) In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the State of Missouri, its political subdivisions, and other Federal agencies and organizations in formulating comprehensive plans for the Ozark National Rivers and for the related watersheds of the Current and Jacks Fork Rivers in Missouri, and to enter into agreements for the implementation of such plans. Such plans may provide for land use and development programs, for preservation and enhancement of the natural beauty of the landscape, and for conservation of outdoor resources in the watersheds of the Current and Jacks Fork Rivers.

(b) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Ozark National Rivers area in accordance with the laws of Missouri. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted, for reasons of public safety, administration, or public use and enjoyment and shall issue regulations after consultation with the Conservation Commission of the State of Missouri.

SEC. 7. The Ozark National Rivers shall be administered in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 8. (a) There is hereby established an Ozark National Rivers Commission. The Commission shall cease to exist ten years after the date of establishment of the area pursuant to section 4 of this Act.

(b) The Commission shall be composed of seven members each appointed for a term of two years by the Secretary as follows:

(1) Four members to be appointed from recommendations made by the members of the county court in each of the counties in which the Ozark National Rivers is situated (Carter, Dent, Shannon and Texas), one member from the recommendations made by each such court;

(2) Two members to be appointed from recommendations of the Governor of the State of Missouri; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary shall reimburse members of the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(e) The Secretary or his designee shall from time to time consult with the members of the Commission with respect to matters relating to the development of the Ozark National Rivers, and shall consult with the members with respect to carrying out the provisions of this Act.

(f) It shall be the duty of the Commission to render advice to the Secretary from time to time upon matters which the Secretary may refer to it for its consideration.

SEC. 9. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

SEC. 10. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to any person or circumstance other than that to which it is held invalid, shall not be affected thereby.

Mr. LONG of Missouri. Mr. President, it is a proud privilege to join with my distinguished colleague as a sponsor of the Ozark national rivers bill, which he has just introduced on behalf of himself and me.

These wonderfully unique and beautiful wooded hills in southern Missouri, which my colleague has so aptly described as "land and streams of unsurpassed natural beauty," have long been one of the most attractive scenic sections in all of America. Yet there has been maintained an individualism of character that truly sets them apart.

By preserving this wonderous river country as it is today—virtually untouched by the material exploitation that has swallowed such a great portion of America's natural beauty—we will be making a lasting contribution of unmeasurable value to present and future generations. I am thankful that at a point in history such as now, when much of what we do today quickly obsolescent, there is still an opportunity to make this timeless contribution to posterity.

The lightning pace of development makes time of the essence. A delay of even a comparatively short time, could well find this virgin wilderness spoiled by the bulldozer. If we are to save a natural splendor such as the Ozark Rivers, we must act now, while we have the opportunity. For the opportunity we have today may well be gone by tomorrow.

Mr. President, I now ask unanimous consent that editorials from the St. Louis Post-Dispatch and the Kansas City Times, which are representative of what I believe to be the views of Missourians concerning the Ozark national rivers, be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Nov. 27, 1962]

### A NEW OZARKS BILL

It was almost carrying coals to Newcastle when Interior Secretary Udall said recently in St. Louis that Americans must move quickly to preserve their remaining scenic treasures, if these are not to be lost irretrievably. Missourians know they have such a treasure in the Ozark hill and river country. They know, too, that if the chance to save it in something like its natural condition is not soon taken, it may be gone forever.

The Ozarks were ruthlessly despoiled by timbering in the World War I period, but time—which, indeed, heals all—again covered the hills with green. The big springs still yield abundantly the water which runs, clear and cold, in the Eleven Point, the Jacks Fork and the Current. But the warnings are up again. If not the lumberman with his axe, then the "developer" who destroys beauty in his eagerness to exploit it is the new threat.

Rightly convinced that at least part of the upland should be preserved for generations to come, Federal specialists and University of Missouri experts developed the plan to preserve the rivers and their banks as the Ozark Rivers National Monument, under the direction of the National Park Service. It has been repeatedly indorsed by Missouri legislators and governors. It has been adopted as one of the projects of the Department of the Interior, and was recommended to Congress last March by President Kennedy. Hearings were held, but the bill to create the monument expired with the session.

This, however, cannot stand as the end of the story. A new bill should be introduced in the new Congress. In order to maximize its chances of passage, it needs the active support of the entire Missouri delegation in both branches. Senators SYMINGTON and LONG, with Representative ICHORD, should take the initiative to discover whether such a bill cannot be written.

Since some opponents of the project have urged the use of scenic easements rather than outright land purchase, we should think the National Park Service might be given full discretion to use either method, or a combination of both, depending upon what it felt was necessary to obtain control over the narrow strips of land along the streams. The task of preserving the Ozarks should, in our judgment, be entrusted to one agency, and the Park Service is the logical agency because it is in the recreation business exclusively.

The Park Service should be given a clear mandate to preserve the area as nearly intact as possible for the benefit of visitors now and in the future. Since the land strips needed are so shallow, they should be exclusively devoted to the purposes of the monument, and not subjected to multiple use. Public accommodations should be kept outside the confines of the monument, so that they will not spoil its appearance, yet will contribute to the economic welfare of the Ozark country. Overuse of the wilderness areas should be carefully guarded against.

These, in our opinion, are the essentials of a good bill. Whether the method used to attain them is land purchase or scenic easements might well be left to the Park Service, provided, of course, it retained full freedom of choice and normal condemnation powers.

Mr. Udall as well as Members of the House and of the Senate have familiarized themselves with the area by floating its streams. Its assets have been described in detail in the reports of State and Federal agencies and at House and Senate hearings. Mr. Kennedy is convinced that this portion of the Ozark country is a natural treasure which should be preserved by the Nation. But as Mr. Udall said, Americans—and especially Missourians—must move promptly or see it lost irretrievably.

[From the Kansas City (Mo.) Times, Oct. 17, 1962]

### ANOTHER CHANCE FOR THE PARKS—MISSOURI AND KANSAS PROJECTS DESERVE TOP PRIORITY IN THE NEW CONGRESS

Among the many bills that died with the 87th Congress were two that would have created Prairie National Park in Kansas and the Ozark Rivers National Monument in Missouri. Both were high priority projects at the beginning of the session. We believe they are priority projects today. An intensive effort should be made to add both areas to the national park system during the 88th Congress.

On his visit to Kansas City, Conrad L. Wirth, the National Park Director, again emphasized the importance of both of the proposed parks. Wirth is not alone in this belief. This year, however, both were squeezed out by projects that had greater political priority.

Repeatedly the Current River, especially in spring and autumn, has been described as the most beautiful free-flowing river left in America. This stream and others—the eleven Point and Jacks Fork—meander through the Missouri wilderness of dense forest and rolling hills. Although some 20 million Americans live within an easy day's drive, this Ozark area remains today much as it appeared when the first white man saw it.

Prairie Park would be carved from the Flint Hills of Kansas. An area of about 60,000 acres touching on the shore of the Tuttle Creek Reservoir, near Manhattan, would be set aside to preserve an area rich in beauty and history. Here the trappers and the wagon trains passed on the way west, as the frontier was pushed toward the Pacific. The land would be returned to its original state of tall prairie grass and the original game, buffalo, elk, antelope, and deer. The project has inspired tremendous interest because it would be unique.

The administration has an added obligation to the Middle West. The President has been determined in his drive to turn more land over to the National Park Service. These successes have already been achieved: Cape Cod (in the President's home State), Padre Island (in the home State of the Vice President) and Point Reyes (in California, where Pat Brown, the Democratic Governor, won reelection against Richard Nixon, the former Vice President).

In all fairness, these three natural wonderlands belong to the Nation. They merit preservation and they are now in the process of becoming a part of the national park system. It seems to us that the Ozark Rivers and Prairie Park, among others, also belong to the Nation and should be preserved.

In the early days of the 88th Congress, bills will again be introduced to carve out Prairie and the Ozark playgrounds. The Middle West will expect the administration to be as determined an advocate for these proposed parks as it was for Cape Cod, Padre Island, and Point Reyes. If Prairie and Ozark Rivers are approved, the Middle West would take its proper place on the national park map of America.

## DEVELOPMENT OF EFFECTIVE PROGRAMS RELATING TO OUTDOOR RECREATION

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, for myself, Senator Jackson, Senator Miller, Senator Metcalf, and Senator Aiken, the bill transmitted to the Congress under date of January 11, 1963, by Secretary of Interior Udall known as the Organic Act for the Bureau of Outdoor Recreation.

In 1958 Congress approved the establishment of an Outdoor Recreation Resources Review Commission to make a study of the Nation's needs in the recreation field. The study was made and disclosed rapidly mounting demands on our recreational facilities and resources. Our citizens engaged in about 4 billion recreation activity occasions in 1960. That will triple by the year 2000.

The Commission, chaired by Mr. Laurance Rockefeller, included four Members of the Senate, four Members of the House of Representatives and seven citizens appointed by the President. At the conclusion of its studies, the Commission recommended the establishment of a Bureau of Outdoor Recreation in the Department of the Interior to perform several staff functions which would assist local governments, States, and the Federal agencies in meeting recreation facility needs in an adequate and orderly way.

Secretary of the Interior Udall established the Bureau last year, appointing Edward C. Crafts, an Assistant Chief of the Forest Service from the Department of Agriculture, as its Director. Existing recreation planning functions of the Secretary of the Interior were placed in the new Bureau. But the Secretary did not have the authority to give the Bureau several assignments recommended by the Outdoor Recreation Resources Review Commission.

There is needed a continuing inventory of outdoor recreation facilities in the Nation, so we will know where we stand in meeting the growing demand for recreational opportunity. There is needed a common system of classification of such facilities, so their usefulness in providing varying types of recreational opportunity can be identified.

The Outdoor Recreation Resources Review Commission found that the States would be key in meeting the Nation's recreation facility needs. The greatest demand will be for areas relatively close to centers of population—not more than 100 to 150 miles from home—where people can enjoy the simpler pleasures: picnicking, swimming, walking or hiking, bicycling and sightseeing. There is need for State planning and State programs to meet this demand, and consequently for a national center to which the States can turn for guidance and technical assistance and information in meeting their responsibilities.

The authorities and responsibilities given the Secretary of the Interior, to be administered through the Bureau of Outdoor Recreation, through the bill just introduced include maintenance of an inventory, establishment of a classification system, provision of technical assistance, encouragement of regional cooperation by the States in developing facilities, conducting research in the recreation field which the Outdoor Recreation Resources Review Commission found to be needed, cooperating with educational institutions in developing personnel and disseminating knowledge of recreation, and promoting coordination of Federal activities in the recreation field.

The Bureau will also serve as the staff agency for the Recreation Advisory Council, composed of the Secretaries of Interior, Agriculture, Defense, Commerce and HEW, and the administrator of the Housing and Home Finance Agency.

This measure parallels a bill enacted by the Senate in the last session of Congress with one major exception. Last year's bill provided for aid to States in developing State recreation plans. This provision is omitted from the present bill and is to be included in a companion measure establishing a conservation fund which will be shared by the States and Federal Government to finance planning, acquisition and development of recreation facilities.

Secretary Udall hopes to clear the conservation fund bill with other Departments of the executive branch, as the bill now offered has been cleared, and submit it to the Congress very soon.

It is my hope that these measures can be considered and enacted without undue delay by the Congress so the program which the Congress started in 1958 to meet the Nation's recreation needs can move forward.

Mr. President, I ask unanimous consent to have Secretary Udall's letter to the President of the Senate and the text of the bill he transmitted, which is now introduced, printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and bill will be printed in the Record.

The bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, introduced by Mr. Anderson (for himself and other Senators), was received, read twice by its title, and re-

**ferred to the Committee on Interior and Insular Affairs.**

**The letter and bill presented by Mr. ANDERSON are as follows:**

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., January 11, 1963.*

Hon. LYNDON B. JOHNSON,
*President of the Senate,*
*Washington, D.C.*

DEAR MR. PRESIDENT: Enclosed is a draft of proposed legislation, "to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes."

We suggest that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This proposed legislation is intended primarily as the organic act for the Bureau of Outdoor Recreation. Its purpose is to outline the general administrative responsibilities and functions to be exercised in the future by this Department through that Bureau. It is designed to accomplish as effectively as possible certain purposes expressed by the Outdoor Recreation Resources Review Commission in its report of January 31, 1962, to the President and to the Congress as required by the act of June 28, 1958 (72 Stat. 238).

The report of the Outdoor Recreation Resources Review Commission emphasizes the fact that the provision of adequate and diverse outdoor recreation opportunities for the American people requires carefully planned and effectively coordinated efforts by all levels of government and by private citizens and interests. Also, in the President's 1962 message to the Congress on conservation, he proposed executive and legislative action to implement certain recommendations of the Outdoor Recreation Resources Review Commission. To this end, the President issued an Executive order establishing a Cabinet level Recreation Advisory Council.

In addition, the Bureau of Outdoor Recreation has been created as a result of the recommendations made by the Outdoor Recreation Resources Review Commission. In this connection, we wish to commend the Commission for its thorough and farsighted report which, in our judgment, will be of incalculable value to the Nation. We note that the Senate Committee on Interior and Insular Affairs, in its Report No. 1825, on S. 3117, 87th Congress, a bill that is similar in part to this proposal, stated: "Two of the Commission's major recommendations were (1) that a Bureau of Outdoor Recreation should be established in the Department of the Interior to have 'overall responsibility for leadership of a nationwide effort by coordinating the various Federal programs and assisting other levels of government to meet the demands for outdoor recreation,' and (2) that the States should play a pivotal role in making outdoor recreation opportunities available to citizens."

We are now carrying out through the Bureau of Outdoor Recreation the functions of general park, parkway, and recreation area planning and cooperation with the States and other agencies pursuant to the act of June 23, 1936 (16 U.S.C. 17 k–n). We have assigned to the Bureau also certain responsibilities relating to the disposal of Federal surplus real properties to States and political subdivisions thereof for park, recreation, and historic monument purposes (sec. 203 of Federal Property and Administrative Services Act, as amended (40 U.S.C. 484)). It is responsible also for cooperation with the Housing and Home Finance Administrator with regard to the making of Federal grants for the acquisition of open space (title VII, sec. 702(e) of the Housing Act of 1961 (75 Stat. 149)).

In addition to the above functions the Bureau of Outdoor Recreation also serves in a staff or secretariat capacity to the Recreation Advisory Council established by President Kennedy in Executive Order 11017 issued on April 27, 1962, as amended by Executive Order 11069 of November 28, 1962. This Council is composed of the Secretary of the Interior, Secretary of Agriculture, Secretary of Defense, Secretary of Commerce, Secretary of Health, Education, and Welfare, and the Administrator of the Housing and Home Finance Agency. The Secretary of the Interior is at present Chairman of the Council but the chairmanship is to be rotated among the officials in the order named for terms of 2 years each. The independence of the Bureau, without regard to the department in which it may be housed, in its actions and contacts whenever it is serving in its capacity of staff or secretariat to the Council is essential for the Council to function properly and to make effective use of the Bureau. This independence is now recognized and maintained. It would be preserved and would continue upon enactment of the draft bill.

The proposed bill herewith transmitted is essentially the same as the provisions of title I of S. 3117 of the 87th Congress, which was passed by the Senate. Briefly, this proposed legislation will provide a more appropriate administrative basis for our activities in the field of outdoor recreation. The bill would authorize the Secretary of the Interior, in carrying out the purposes of the act, to prepare and maintain a continuing inventory and evaluation of all outdoor recreation needs and resources of the United States, including, to the extent practicable, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. It provides for the preparation of a system for the classification of outdoor recreation resources as a basis for the most effective and beneficial use and management of such resources. It provides for the formulation and maintenance of a comprehensive nationwide outdoor recreation plan. Technical assistance and advice to the States, political subdivisions, and nonprofit organizations for purposes of the act would be authorized. In recognition of the key role of the States and for proper coordination, we anticipate that assistance to political subdivisions will be rendered through or in cooperation with State agencies. The Secretary would be authorized also to encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources. Research and education in this field also would be prescribed, which would be an important phase of our work. An important feature of the bill relates to interdepartmental cooperation, which we are hopeful will provide a satisfactory basis for the exchange of information and the rendering of assistance in accomplishing the purposes of the Federal Government through its several agencies relating to outdoor recreation. Lastly, the bill would authorize the acceptance and use of donations of money and other property, personal services, or facilities for purposes of the act.

In conclusion, we feel that the enactment of this bill is essential for us to carry out our responsibilities in this field. It will permit us to cooperate with and assist other Federal agencies which are similarly interested. We appreciate the considerable interest that has been shown by Members of the Congress in this matter and believe this proposal has a very high potential in terms of future public benefits in the field of outdoor recreation, which is recognized to be of tremendous but incalculable value to the Nation.

We have been advised by the Bureau of the Budget that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,
STEWART L. UDALL,
*Secretary of the Interior.*

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A BILL TO PROMOTE THE COORDINATION AND DEVELOPMENT OF EFFECTIVE FEDERAL AND STATE PROGRAMS RELATING TO OUTDOOR RECREATION, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,* That the Congress finds and declares that the general welfare of the Nation requires that all American people of present and future generations shall be assured such quantity and quality of outdoor recreation resources as are necessary and desirable, and that prompt and coordinated action is required by all levels of government and by private interests on a nationwide basis to conserve, develop and utilize such resources for the benefit and enjoyment of the American people.

SEC. 2. In order to carry out the purposes of this Act, the Secretary of the Interior is authorized, after consultation with the Recreation Advisory Council and with the heads of Federal departments and agencies concerned, to perform the following functions and activities:

(a) INVENTORY.—Prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States, including to the extent practicable the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(b) CLASSIFICATION.—Prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

(c) NATIONWIDE PLAN.—Formulate and maintain a comprehensive nationwide outdoor recreation plan, taking into consideration the plans of the various Federal agencies, States, and their political subdivisions. The plan shall set forth the needs and demands of the public for outdoor recreation and the current and foreseeable availability in the future of outdoor recreation resources to meet those needs. The plan shall identify critical outdoor recreation problems, recommend solutions, and identify the desirable actions to be taken at each level of government and by private interests. The Secretary shall transmit the initial plan, which shall be prepared as soon as practicable within five years hereafter, to the President for transmittal to the Congress. Future revisions of the plan shall be similarly transmitted at succeeding five-year intervals. When a plan or revision is transmitted to the Congress, the Secretary shall transmit copies to the Governors of the several States.

(d) TECHNICAL ASSISTANCE.—Provide technical assistance and advice to and cooperate with States, political subdivisions, and nonprofit organizations with respect to outdoor recreation.

(e) REGIONAL COOPERATION.—Encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

(f) RESEARCH AND EDUCATION.—(1) Sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3648 of the Revised Statutes (31 U.S.C. 529) concerning advances of funds when he considers such action in the public interest; (2) undertake studies and assemble information concerning outdoor recreation, directly, or by contract or cooperative agreement, and disseminate such information without regard to the provisions of 39 U.S.C. 321n; (3) cooperate with educational institutions and others in order to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

(g) INTERDEPARTMENTAL COOPERATION.—(1) Cooperate with and provide technical assistance to Federal departments and agencies and obtain from them information, data, reports, advice, and assistance that are needed and can reasonably be furnished in carrying out the purposes of this Act; (2) promote coordination of Federal plans and activities generally relating to outdoor recreation. Any department or agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement, as may be agreed to by that agency.

(h) DONATIONS.—Accept and use donations of money, property, personal services, or facilities for the purposes of this Act.

## COMPULSORY ARBITRATION OF MARITIME STRIKES AND LOCKOUTS

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating differential subsidy is paid. I ask unanimous consent that a statement prepared by me, relating to the bill, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 21) to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating differential subsidy is paid, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. DIRKSEN is as follows:

### STATEMENT BY SENATOR DIRKSEN

Senator EVERETT M. DIRKSEN, Republican, of Illinois, minority leader of the Senate, today introduced a bill to provide for compulsory arbitration in the case of maritime strikes and lockouts.

The bill amends the Merchant Marine Act of 1936 and provides for the filing of a petition by either party to a maritime dispute where wages, scales, benefits, overtime, working conditions, hiring practices, or other terms and conditions of employment may be in dispute and whenever a good faith offer by either party to arbitrate has been refused and results in a strike or lockout or a threatened strike or lockout.

The bill sets up procedures under which the services of the Secretary of Commerce and Secretary of Labor would be utilized after a reasonable lapse of time to make findings of fact and appoint a panel of three arbitrators to hear and settle the dispute.

The bill also empowers the Attorney General to seek an injunction where the national interest is involved and to make the injunction effective for as much as a year if the President deemed this necessary.

## RELEASE OF RIGHT, TITLE, OR INTEREST IN CERTAIN STREETS TO THE VILLAGE OF HEYBURN, IDAHO

Mr. CHURCH. Mr. President, I send to the desk a bill to release the right, title or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve, and I ask that the bill be referred to the appropriate committee.

Mr. President, as a brief explanation of this bill, I wish to state that the land in question was originally granted to the village of Heyburn, Idaho, by the Federal Government for a reclamation townsite. The streets were dedicated to the public upon the filing of the townsite plat. I am informed that, under existing law, if the streets are vacated, the title to the land upon which the streets are located reverts to the Federal Government. The village of Heyburn has grown considerably in the past few years, and this growth is expected to continue. Some of the original streets as contained in the original plat, are no longer necessary or desirable for public use. Adjoining landowners have built homes in the area of the vacated streets, and a problem has arisen as to the title of the property. This proposed legislation would clear the title to this land, so that the owners could acquire clear title.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 22) to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## GREAT SALT LAKE NATIONAL MONUMENT

Mr. MOSS. Mr. President, as every schoolboy knows, there exists in my State of Utah a famous inland sea called the Great Salt Lake. Unique among American bodies of water, Great Salt Lake possesses singular scientific and recreational attraction for millions of Americans, together with a strange, windswept beauty which haunts all who see it.

But few visitors to Utah have been able to enjoy our most unique possession in these last few years, because Saltair, our great resort, has been closed down, and other lakeshore facilities are very limited. Many, many people have left our State sorely disappointed.

I am today introducing a bill to set aside part of Antelope Island—the largest island in Great Salt Lake—as a national monument. The monument would embrace the western side of the island, and the deep water offshore. Most of the eastern side of the island, where an operating cattle ranch is now located, would be excluded.

The monument boundaries would encompass enough of the rugged mountain range which runs down the center of the island to provide for an entertaining and educational display of the geologic history of the Great Basin area from the present time back to the Ice Age. The monument would also embrace enough of the shoreline to allow the erection of suitable facilities for public bathing in its buoyant, briney water which is unlike any other this side of the Dead Sea. Boating could be had from the salt-imbedded beaches into the dense, blue, clear brine, nearly one-third salt in content.

In both the 86th and the 87th Congresses, I was the sponsor of a bill to establish a Great Salt Lake National Park which would have included all of both Antelope and Fremont Islands, and a substantial portion of the lake itself. The boundaries of this suggested park were approximately 28 miles long by 8 miles wide. I recognized at that time that before a park of this size and scope could be established a full National Park Service study would have to be made to analyze in detail the scientific, recreational and scenic potentials of the area, and it would be necessary to summarize local and state viewpoints before the area could be made desirable for park development. At the present, sections of Great Salt Lake are precluded from recreational use because of industrial and municipal pollution.

To prepare the way for the park, I cosponsored the shorelines study bill last session, and was successful in having it amended by the Senate Interior and Insular Affairs Committee to authorize a study of the Great Salt Lake area. But although the measure was passed by this body, it died in the House, and we must start all over again. This means that completion of shoreline studies, and their evaluation, are remote, at best.

I feel, therefore, that the time has come when I should concentrate my efforts on setting aside as a national monument those sections of Antelope Island and its environs which are of special scientific and geological interest, and which are ready for monument status without further delay. The scientific and educational values of the area the monument would encompass are recognized by scientists and laymen alike. The waters involved are clear and clean. The boundaries would be only about 14 miles long and 4 miles wide—enclosing approximately 16,300 acres of land, and 4,500 acres of water.

While Great Salt Lake is remarkable in itself, it is the key to a much broader geological study, as I have indicated. Schoolchildren are taught throughout our land that the lake is the remnant of vastly larger ancient lakes that were formed in the Great Basin during the Ice Age of the Pleistocene epoch, beginning roughly 1 million years ago and ending only about 10,000 years ago.

At different levels above the present surface of Great Salt Lake, the shorelines of the larger ancestral lakes occupying the area are easily recognized. These lake levels extend up across the beaches of Antelope Island and on up its rugged mountain range. Each lake bears a different name—Bonneville, Provo, Stansberry, and Gilbert. The ancient lake which eroded the highest level has been named in honor of Capt. B. L. E. Bonneville who explored much of the area between 1832 and 1836. At its maximum size, Lake Bonneville occupied much of western Utah, and extended more than 300 miles from the extreme southern part of Idaho nearly as far as the Arizona boundary. The waters lapped against the Wasatch Mountains on the east and spread 180 miles to the west into Nevada. Its total area was approximately 20,000 square miles—more than twice the area of Massachusetts.

Geologists estimate that Lake Stansberry, corresponding to the shoreline 300 feet above the present lake, existed some 23,000 years, while Lake Gilbert existed a short time and shrunk to a level only about 400 feet above the present lake. This whole story is etched on Antelope Island.

For those who want scenery with their geology, the ravines between the peaks are filled with gray-green sage, service berries, and willows, and, in season, with starchroot, sunflowers, and wild roses. Mountain climbing and hiking are a challenge with a spectacular view in every direction. To the west is the burnt umber of the Oquirrh Mountains—to the east the smoky brown of the Wasatch Range, with towering snow-covered peaks of the Wasatch Front—a great geologic fault of ancient days.

My bill would permit the Secretary of the Interior to construct, operate, and maintain public boating and bathing facilities on Antelope Island beaches if he wishes to do so. This would give visitors to the monument an opportunity to do some scientific investigation of their own as to the salt content and buoyancy of the lake's heavy, undulating waters. Should suitable private or State-owned recreational facilities be established elsewhere on the lake, development of bathing and boating facilities within the monument would become unnecessary.

The fascination of Great Salt Lake is well described in a magnificent book on it written by Dale L. Morgan. I quote him:

> Visitors have called its waters bright emerald, grayish green, and leaden gray; they have called them sapphire and turquoise and cobalt—and they have all been right. Its colors varies with the time of day, the state of the weather, the season of the year, the vantage point from which it is seen. It can lie immobile in its mountain setting like a vast, green light-filled mirror, or lashed by a sudden storm, rise wrathful in its bed to assault boats and its shoreline with smashing 4-foot waves. The wind is its only master.

Thousands of Americans have seen the lake from the windows of a pullman car, as they crossed the Lucin Cutoff. This, Mr. Morgan holds, is to miss the real lure of the lake. He sums it up this way:

> The feel of the sun and the salt on your skin, the wide sweep of the open sapphire sky, the strangely scented wind raucous with the screaming of the gulls, the intermingled beauty and striped ugliness of the lake and the shore * * * in all these things is something of the experience of Great Salt Lake.

During the three centuries of written history, the lake has been a magnet for all types of men. Spaniards, mountain explorers, and other adventurers sought it out. For years this strange body of water beckoned the intrepid and the fearless. Many expeditions charted and studied it. Later the Mormons found it and in the Great Salt Lake Valley their promised land.

During the years of the westward migrations, the lake and the blazing salt deserts to the west of it formed a barrier to the march to California, lengthening the trail by many miles. Those who tried to cross the salt desert directly lost their wagons, their animals, and sometimes their lives, and wrote tragic chapters in pioneer history.

Years later—in your time and mine—these salt flats came into their own as an internationally famous track for the great racing meets beginning in the thirties, when world speed records were broken by Utah's own Ab Jenkins, England's Sir Malcolm Campbell, and others. The salt beds thus became and are today a testing ground for better and safer cars.

Construction of an improved access highway across the lake would bring Antelope Island within less than a 30-minute drive from Salt Lake City. This bill to establish the monument provides that the Secretary of the Interior may construct a causeway or causeways to the island. Because of the shallow east shoreline area roads could be built readily.

The bill also contains a section protecting all present rights of the State of Utah, its political subdivisions, and persons, to water flowing into the lake, to minerals there—including oil and gas—and to chemicals outside the monument boundaries. No effort will be made to control the lake level and no requirement so to do may be laid on the National Park Service. The monument will not limit or impair private recreation facilities, nor mining of salt or other minerals elsewhere on the lake.

The public hearings held in Salt Lake City in the fall of 1960 on my Great Salt Lake National Park bill indicated that the vast majority of the people of Utah want something done to preserve the unique and scientific features of Great Salt Lake and to make it more attractive. I am confident that they will support the modified bill I am introducing today, as the best first step toward this end.

I am hopeful that the measure will also receive support from the remainder of the country, and from the Department of the Interior and the National Park Service. It would preserve an area unduplicated in any of our other national parks or monuments for the wonderment and enjoyment of generations to come.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 25) to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

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## DIXIE PROJECT, SOUTHWESTERN UTAH

Mr. MOSS. Mr. President, I send to the desk, for appropriate reference, a bill to authorize the Dixie project in southwestern Utah, near the Arizona and Nevada border. A multipurpose water resource development project, it would provide a supplemental and full irrigation supply to about 21,000 acres in Washington County by regulating the flows of the Virgin River and its tributary, the Santa Clara River.

In addition to irrigation water, the project would provide municipal and industrial water supply to the city of St. George, Utah, and would generate hydroelectric energy for use in the project area. Flood control would be afforded to downstream areas, fish and wildlife resources would be developed, and new recreation opportunities would be created.

The Bureau of Reclamation has estimated that benefits from the project will exceed the costs by a ratio of 2 to 1. The total cost of constructing the project will be in the neighborhood of $45 million. The Secretary of the Interior has recommended its authorization to the President, and I am confident that this favorable report will be in the hands of the Congress early this session.

Construction of the Dixie project will be the realization of a dream of many years for the people of the city of St. George and Washington County. It has been actively sought for more than a decade—dreamed of long before that. The city is willing to contract for the municipal and industrial water supply and for the energy developed by the project.

In this dry and arid area, storage of water in the spring for use the rest of the year will be a great boon. Dixie will provide for the conservation and orderly release of water that is now wasted—water that can be used to revitalize and modernize farming in an area that has become relatively static because of the inadequate and undependable nature of the present water supply. Washington County residents also have high hopes that a firm supply of municipal and industrial water will permit the development of local industry which will make jobs for our people by using local natural resources.

The State of Utah is likewise enthusiastically back of the Dixie project, and is anxious to cooperate with the Congress in enacting the necessary legislation.

The Virgin River, as you all know, is a tributary to the Colorado River at Lake Mead, above the Hoover Dam, and is part of the Lower Colorado River Basin, as defined in the Colorado River Compact. My bill, therefore, provides that the use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon project and the Mexican Water Treaty. The bill provides that the portion of the costs which is properly allocable to irrigation, and beyond the ability of the water users to repay in 50 years, plus a 10-year development period, shall be returned to the reclamation fund by revenues derived from the disposition of power in Federal power projects in the lower basin.

The bill also establishes measures to dispose of saline springs water now entering the Virgin River in order to assure that irrigation water delivered downstream shall be of suitable quality, and provides for the indemnification of downstream users for any impairment of water quality for irrigation purposes attributable to Dixie project operations.

I sincerely urge prompt hearings on this bill and a favorable report by the Interior and Insular Affairs Committee. The Congress, I am sure, will approve this project so vital to Utah and the southwest region of the United States. In some respects, it is a small project, but it looms large indeed to my people in southern Utah—it means life and death to the growth of their area of Utah.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 26) to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## CANYONLANDS NATIONAL PARK, UTAH

Mr. MOSS. Mr. President, I am today introducing a bill to establish a Canyonlands National Park in southeastern Utah. The park will encompass the area surrounding the confluence of the Green and the Colorado Rivers, some of the wildest and most spectacular scenery in the world, and a geographic and visual entity.

Canyonlands represents one of the last opportunities in the United States to establish a national park in an area of untouched and primitive beauty, of invaluable prehistoric ruins, and of great geological, scientific, and archeologic significance.

That it is of national park stature and quality is undisputed. The park would be the scenic heart of a region so visually compelling that most people who see it want to push the boundaries of the proposed park back, and back again. It contains probably a greater diversion of erosional grandeur than any other section of the country, and I believe it is not extravagent to claim that it is the world's most massive exposure of red rock canyons and windswept sculpture.

Frankly, the bill I am introducing today is a compromise—an effort to take some of the controversy out of canyonlands. It is a considerably modified version of S. 2387, the measure I sponsored last session, which was favorably reported by the Senate Interior Committee, but not brought to the floor due to the lateness of the session and lack of time.

Though the bill was looked upon with favor here in Washington, canyonlands, like too many other bills to establish national parks in the West where much of the land is already controlled by the Federal Government, became a storm center in the State in which it was to be located. The bill reported last session was opposed by those who put commercial gain first, as a land grab, as a locking up from further commercial development of a huge area in southern Utah. But this is now Federal land which should be unlocked.

Moreover, S. 2387, proposed a park of some 332,000 acres, one-seventh the size of Yellowstone, and about half as large as the Grand Canyon National Park. In terms of Utah's land mass, it embraced less than 1 percent of the more than 54.3 million acres in the State. I felt then, and still feel, that the arguments against the bill on the basis of size had no validity.

However, this is an argument I see no purpose in pursuing. I want for my State what is best for it and for all of the people in it. I am more interested in drafting a bill upon which all factions can unite than I am in prolonging a controversy about it, no matter how justified I may feel my position to be. In the interests of harmony, I have, therefore, cut about 75,000 acres from my previous proposal, and now offer a bill which would establish a Canyonlands National Park of approximately 253,000 acres.

I realize that in shaving back the proposed park boundaries, I run the risk of pulling down upon my head the wrath of the many people who feel that the park was already far too small to protect and properly display the awesome beauty and grandeur of this land of basalt and sandstone, and to assure that posterity will be able to visit, in their natural state, the 25,000-year-old campsites, the granaries, and the ruined villages of the Anasazi which dot the area. To them I say that I feel it more important to establish a smaller park than to stir again the fires of controversy about it—more important to provide the people of Utah and the entire Nation with additional space for play and for rest and for the spiritual rehabilitation that comes with communion with nature. And it is more important to start toward Utah the hegira of tourists which the park will attract, and to give to the region of the State in which it will be located the substantial economic shot in the arm which those tourist dollars will provide. We must sweep away the controversy, and get on with the job.

I am offering this compromise because I feel that it is my responsibility to take the lead in working out a Canyonlands National Park bill which will engender wide support. I was the first member of the Utah congressional delegation to offer a bill to establish a national park in the treasured canyonlands area of our State. I have been associated with the move from the start. Furthermore, I have spent weeks and months developing the legislation. As a member of the Senate Interior and Insular Affairs Committee, and of the Public Lands Subcommittee, I requested that both the Utah and the Washington hearings be held on the bill last session, and was in attendance at every moment of all of them. It was on my motion, that the bill was reported by the Senate Interior Committee last session. I will have the responsibility of getting the bill out of the committee again this session, and, I trust, through this body itself.

Through my long and close association with the canyonlands bill, I believe I sense and feel what the majority of the people of Utah and of the country want, including those millions who have a special interest in conservation legislation.

It was not easy to cut back the acreage of the proposed Canyonlands National Park. The new boundaries were worked out almost inch by inch, after endless study, in somewhat the same way as the Green and the Colorado, winding endlessly through the red sandstone, have worn away the rock of the canyons.

The cut made on the western side of the park, in the area known as the maze, was chosen because the very inaccessibility of this region gives it protection. It is a network of little-known canyons, a wilderness of alcoves and pockets, ridges and fins, some of which in all probability no white man has ever seen. It will probably sleep on, little disturbed, until easier access is provided. It is possible to enter it, however, should those prospecting for oil or gas or minerals want to check it out, and under the new bill prospectors can comb this virgin territory without restriction. It can still be viewed as a sweeping expanse from the Island in the Sky from within the park—a sight which stretches across to the orange cliffs, broken and cut by passes and even more distant vistas.

A second cut was made on the northern edge of the proposed park. About a mile was cut back here, both to give a wide berth to the only producing oil-well in the area and to allow unrestricted drilling in the country around it. It also widens the area between the park borders and Dead Horse Point State Park. This cut, however, is about the last which can be made on the northern side of the park and still leave a satisfactory area for an operational base in the north when the park is established.

The third and biggest cut was made in the South—the park was cut back about 3 miles all the way along. This area was cut because the structures and monuments which have names and identifications generally are not located in this area, and because it is a section of the park which orients itself toward Beef Basin where there is some grazing. Also, it is my understanding that most of the deer which drift from higher mountain areas to winter go in this direction, so it is safe to say that this is the area in which most of the hunting could be found.

In making these cuts, we have been able to save most of the areas and formations whose names have already become part of the scenic lore of America—Chesler Park, Virginia Park, Druid Arch, Angel Arch, Castle Arch—to name a few. They are in. So is Elephant Canyon and Upheaval Dome and the Doll House. The Navajo Baby will still march along with its elders in The Needles. The great edifices that tower high above the white bench and stark against the sky in the Basin of Standing Rocks will be protected and preserved under my bill. Within the park there will still be a selection of the choicest of the cathedrals, the minarets, the spires and the domes, the mesas and the canyons which nature, the Supreme Architect, has created. Nor will there be any change in the sweeping vistas, or the plunging views of the ever-shifting colors in the chasms of the deep canyons. Canyonlands will still unquestionably be an area whose care and treatment should be entrusted to the National Park Service—and at the earliest possible date.

Because, as I have pointed out, the new park boundaries would eliminate almost entirely the area in which deer have been seen, I have dropped the section of the bill which would set up the machinery to allow hunting in canyonlands. This, I hope, will remove another area of controversy. But I do want to make it clear that I still most strongly support the principle of hunting in national parks, and am demonstrating this by reintroducing my bill to allow hunting in the Utah portions of the Dinosaur National Park where there are abundant deer and other wildlife—and that the deer especially need harvesting.

The section of my original bill which would phase out grazing in 25 years, or in the lifetime of the immediate relatives of present holders of grazing permits on lands which would be encompassed by canyonlands, appears also in the new bill. Again, since the area which has been cut in the south is the principal area where there are any grazing permits, I feel that phasing out grazing in the reduced park could not possibly cause any real hardship. It is my understanding that only a handful of animals would be involved.

I have amended the section of my earlier bill which permitted perpetual exploration for minerals—including oil and gas—to provide that prospecting be phased out in 25 years. All existing mineral rights and leases would be completely protected under this section, as would the operation of any mine or oil well discovered and put into operation during the 25-year period. These operations would then be subject only to mining laws on the books at that time, and general regulations of the Secretary.

There is a precedent for a phase-out period in the establishment of national parks; such an arrangement was used in the case of the Everglades National Park in Florida. I believe a 25-year period will give prospectors ample time to explore canyonlands and to establish any productive properties. Going mines or wells will continue, but after 25 years further prospecting will cease. This will meet the objections of those opposed to a permanent change in national park standards against mining. It also permits prospectors and drillers time to test the foundations and to produce any minerals found, to the benefit of Utah's economy.

The changes I have described represent my effort to write a canyonlands bill which goes as far as possible in satisfying all points of view. The legislative process is a process of compromise, as we all know, and I hope this bill will be accepted in the spirit in which the changes are proposed. I have yet no indication as to what attitude may be taken by the National Park Service or the Department of the Interior, but I trust they will cooperate.

Last session, on the eve of the opening of the Washington hearings on canyonlands, I talked for some time in this Chamber about canyonlands. I spoke then, as I do now, as a Member of the U.S. Senate and a citizen of Utah, dedicated, and I quote "to the conservation of this awesome and splendid area bequeathed to us by a loving Creator. It is an unparalled natural heritage which belongs to all of the people." I continued, "It must be honored for the spiritual and economic reasons of major importance to Utah and the Nation."

I cannot say it better now than I said it then. I will not take the time of this body to describe again this glorious area, but refer you to that speech and to the masterful report of the Senate Interior Committee. Nor will I again detail the reasons why I am convinced that in the case of canyonlands, greater economic benefits would flow to the people of Utah from its development as a tourist attraction than for other income-producing uses. The study made by the University of Utah on the economic impact of canyonlands indicates that the unique, the wonderful, and the breathtaking qualities of canyonlands could be attracting half a million tourists each year into our State. I feel this would be worth far more, in economic terms alone, to Utah than any mineral wealth which might possibly be foregone 25 years from now.

In closing, I should like to point out that the bill as now drafted is fully consistent with the multiple use principles recommended by the Outdoor Recreation Resources Review Commission, and it follows, in almost every detail, already established precedents in national parks. It is sound, and I hope will win wide support.

Let us get along then with the task of preserving this mighty area—these canyonlands of Utah which defy adequate description for form, color, and heroic view—for the enjoyment of all of our people, beginning now and for the decades and centuries to come.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

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## ADDITIONAL INCOME TAX EXEMPTION FOR DEPENDENT CHILD WHO IS A FULL-TIME STUDENT ABOVE THE SECONDARY LEVEL

Mr. PEARSON. Mr. President, in his state of the Union message today, the President of the United States cited the importance of fully utilizing the talents of the youth of this Nation and placed particular emphasis upon the need to assure a complete educational opportunity through college and graduate levels. I heartily concur in this objective although there remains disagreement as to means.

The President's message also recommended certain revisions in our tax structure which would serve to encourage the direction of private capital into productive enterprises which would expand the capacity of this Nation to compete in the world on behalf of freedom. I can think of no investment which would produce a greater return than investment in the education of the youth of this Nation.

The Congress, in previous session, has seen fit to provide a number of programs designed to assist students desiring to prepare themselves in specific fields of endeavor through the appropriation of funds for scholarships and support of educational programs.

Public and private funds underwrite a significant portion of the expense of higher education; however, increased enrollments, expanded fields of opportunity and the growing cost of advanced education require that we find new ways to assure that as large a number of our young people as possible can continue their education in our colleges and universities.

I am today introducing a bill which is not new to the Congress. It will provide that the head of the household may claim a double exemption for a dependent attending an institution of higher learning. This bill and its subject matter should be considered as Congress considers both means in providing educational opportunities for its young people and in revising its tax structure. This is a simple and equitable plan which will further encourage parents to see their children through college without complete dependence upon public financing. It will assure students of the widest range of choice in selecting a field of study. It requires only a minor alteration in income tax reporting and consequently eliminates any need for a new bureaucratic administrative structure.

I ask that the bill be received, appropriately referred, printed in the Record, and held at the desk until next Tuesday, January 22, for possible cosponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Kansas.

The bill (S. 34) to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level, introduced by Mr. Pearson, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled,* That section 151 of the Internal Revenue Code of 1954 (relating to deductions for personal exemptions) is amended by adding at the end thereof the following new subsection:

"(g) Additional Exemption for Dependent Children Attending School Above the Secondary Level—

"(1) In general.—An additional exemption of $600 for each dependent (as defined in section 152)—

"(A) who is a child of the taxpayer for whom the taxpayer is entitled to an exemption under subsection (e)(1) for the taxable year, and

"(B) who, during at least four calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student above the secondary level at an educational institution.

"(2) Definitions.—For purposes of paragraph (1)—

"(A) Child.—The term 'child' means an an individual who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of the taxpayer.

"(B) Educational institution.—The term 'educational institution' has the meaning assigned to it by subsection (e)(4)."

SEC. 2. Section 213(c) of the Internal Revenue Code of 1954 (relating to maximum limitations on deductions for medical, dental, etc., expenses) is amended by striking out "subsection (c) or (d), relating to the additional exemptions for age or blindness" and inserting in lieu thereof "subsection (c), (d), or (f), relating to certain additional exemptions".

SEC. 3. Section 3402(f)(1) of the Internal Revenue Code of 1954 (relating to withholding exemptions) is amended—

(1) by striking out "and" at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon; and

(3) by adding after subparagraph (E) the following new subparagraph:

"(F) one additional exemption for each individual with respect to whom, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 151(f) (relating to dependent children attending school above the secondary level) for the taxable year under subtitle A in respect of which amounts deducted and withheld under this chapter in the calendar year in which such day falls are allowed as a credit."

SEC. 4. The amendments made by this Act, other than the amendments made by section 3, shall apply to taxable years beginning after December 31, 1962. The amendments made by section 3 shall apply with respect to wages paid on or after the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

## AMENDMENT OF INTERNAL REVENUE CODE RELATING TO NONMARRIED PERSONS OVER 35

Mr. McCARTHY. Mr. President, I introduce for appropriate reference, in behalf of myself, the senior Senator from Minnesota [Mr. HUMPHREY], the Senator from Kansas [Mr. CARLSON], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Vermont [Mr. PROUTY], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Maine [Mrs. SMITH], and the Senator from North Dakota [Mr. YOUNG], a bill to amend the Internal Revenue Code in respect to nonmarried persons over 35.

This bill is the same as one which I introduced at the last session. Its purpose is to correct one of the inequities which have become manifest regarding the treatment of individuals and families.

The measure would extend the head-of-household benefits in the tax schedule to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; it would also provide the head-of-household tax status for unremarried widows and widowers.

There are about 18 million nonmarried persons age 35 or over, of whom about 13 million are women. These citizens characteristically maintain households, but unless they meet certain conditions such as providing residence for a dependent parent or child, they cannot claim head-of-household benefits.

The adoption of this bill would provide some relief from tax discrimination for single persons over 35 and also some recognition of their general contribution to society.

I ask that the bill lie on the desk for 1 week for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 35) to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, introduced by Mr. MCCARTHY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

## AMENDMENT OF SECTION 35 OF MINERAL LEASING ACT OF 1920

Mr. McGEE. Mr. President, I have just introduced a bill that I believe will correct a long-standing inequity in the treatment afforded States in the western portion of our Nation. The purpose of this bill can be easily explained. It would increase to 90 percent the amount of mineral royalties from Federal lands that are returned to the States which contain that land.

The Members of this body are well aware that a large portion of the Western United States is still owned by the Federal Government. In my State 70 percent of the mineral rights are controlled by the Federal Government which owns approximately one-half the State. In 11 Western States Federal ownership runs from 86 to 29 percent. It is true that between 37½-percent royalty return, which is earmarked for specific State program, and 52½-percent return to the reclamation fund the West generally recovers 90 percent of the mineral royalties. But there seems little logic in the 52½-percent payment to the reclamation fund. This payment assures unequal distribution of the moneys collected because of the variance in reclamation programs from State to State and also puts money into programs which are designed to be self-liquidating. It would be much simpler, more logical and certainly more just to return this money directly to the States of origin. The remaining 10 percent would allow the Federal Government to recover management costs.

Mr. President, this is an era of increased Government spending at all levels. Just as I believe that the Federal Government must accept its responsibilities to provide services where they are needed, so must it accept the responsibility of avoiding involvement in areas where local governments can do an adequate job. I would suggest that one constructive step that we could perform to help the States meet the increasingly heavy financial burdens thrust upon them and help them to maintain a high level of performance of State obligations would be to pass this bill. The alternative is to see the States come to Washington for programs that they might have done themselves.

Congress has already recognized the principle of this bill by granting 90 percent royalty return to the State of Alaska upon its admission to the Union. I realize that Alaska has problems not common to the other States but, I submit, so does Wyoming and so do the other Western States, none sharing exactly the same physical characteristics. The States in the East, because they retained title to all their public land, receive direct royalties from the same type of lands for which Western States disclaimed title. We now have the situation, to paraphrase George Orwell that "all States are equal but some are more equal than others."

Mr. President, this bill is an easy remedy to an unfair situation. I hope that this body and this Congress will support this proposal to afford equal treatment to all States and to give to the States the increased ability to proceed on constructive programs of capital improvement and public service on their own.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 59) to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act, introduced by Mr. MCGEE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## REPRESENTATION OF INDIGENT DEFENDANTS IN CERTAIN CRIMINAL CASES

Mr. HRUSKA. Mr. President, I send to the desk a bill providing for the representation of indigent defendants in criminal cases in the U.S. district courts. It is, with slight modification, the same measure which passed the Senate on October 4, 1962.

To those of us who have urged passage of this bill, and have worked to that end for several years, the remarks of the President in his state of the Union message this afternoon were understandably gratifying. The expressed declaration of administration support of this effort, coupled with that of the American Bar Association and the Federal judiciary, will, I am confident, increase the prospects for passage by both Houses in the current session.

In order that my colleagues may become familiar with the history of the bill, as well as its substance, I ask unanimous consent to insert at this point in my remarks the statement included in the committee report last session and the text of the bill itself.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 63) to provide for the representation of indigent defendants in criminal cases in the U.S. district courts, introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, referred to the Com-

**mittee on the Judiciary, and ordered to be printed in the RECORD, as follows:**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Public defenders; representation of defendants

"(a) Each United States district court may, with the approval of the judicial council of the circuit, appoint a public defender at each place where it holds a term of court. Whenever a district court is satisfied that the number of cases assigned to a public defender is greater than can be efficiently conducted by him, it may, with the approval of the judicial council of the circuit, appoint one or more assistant public defenders. The public defender, upon authorization by the court, may appoint such clerks and investigators as he determines necessary to enable him to carry out his duties under this section. Any such appointment shall be made subject to the approval of the Director of the Administrative Office of the United States Courts. Public defenders or assistant public defenders may be full-time or part-time officers as, in the judgment of the court, the volume of work of the court requires.

"(b) Whenever a district court in which there is a public defender is satisfied that a defendant charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) is unable to employ counsel because he is indigent, it may assign the public defender to represent such defendant unless counsel has been properly waived. In any case in which the court determines that the interest of any such defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel to represent such defendant.

"(c) Any public defender or counsel appointed pursuant to this section to represent any defendant shall represent such defendant at every stage of the proceedings, including preliminary examination, arraignment and appeal, unless after such appointment the court is satisfied that the defendant is able to employ other available counsel or that there is just cause why the public defender or counsel so appointed should be permitted to withdraw. Each district court may adopt appropriate rules governing the conduct of public defenders not inconsistent with general regulations issued by the Judicial Conference of the United States.

"(d) Appointment of public defenders under this section shall be made by and with the advice and consent of the Senate and shall, unless otherwise provided by the Judicial Conference of the United States, be limited to attorneys who have practiced for five years or more before the bar of the State or possession in which the appointing district court is located. Each public defender and assistant public defender shall be (1) appointed for a term of four years, (2) paid a salary based upon the service to be performed in an amount fixed by the Judicial Conference of the United States, and (3) reimbursed for reasonable expenses necessarily incurred by him (including the costs of technical experts required by the defense) in the performance of his duties and approved by the district court; except that in no case shall the salary of any public defender appointed under this section to serve in any district exceed the salary paid the United States attorney in such district.

"(e) If any district court considers that the representation of indigent defendants charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) can best be provided for by the appointment of counsel rather than by the appointment of a full-time or part-time public defender as provided under subsection (a), the court shall have the authority to appoint counsel to represent indigent defendants in particular cases; except that no district court in a district having one or more cities of over five hundred thousand population shall exercise such authority without the approval of the judicial council of the circuit.

"(f) Any counsel appointed by the court pursuant to this section to represent any defendant shall be (1) compensated by the court for his service upon the conclusion of such service at a rate not in excess of $100 a day for time necessarily and properly expended in preparation and defense of the case and any appeal; and (2) reimbursed for all reasonable expenses determined by the court to have been necessarily incurred by him in the representation of the defendant in accordance with the provisions of this section, including any expenses incurred in employing investigators and other personnel.

"(g) Whenever a district court in which there is a public defender is satisfied that a defendant charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) is unable to obtain counsel for any reason other than the fact that such person is indigent, the district court may assign a public defender to represent such defendant, unless counsel has been properly waived. The court determines that the interest of a defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel to represent such defendant.

"(h) Whenever any public defender or other counsel is assigned to represent any defendant under this section, such public defender or counsel shall not request or receive any payment, from or on behalf of such defendant, except upon approval of the court. If such approval is granted to the public defender, the amount so approved and received from or on behalf of the defendant shall be paid to the Administrative Office of the United States Courts and used by such office in carrying out the provisions of this section. If such approval is granted to counsel other than the public defender, the amount so approved and received by counsel shall be credited against the sum which the United States would otherwise pay to counsel under the provisions of this section.

"(i) There are hereby authorized to be appropriated to the United States Courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. Notwithstanding any other provision of law or of the Federal Rules of Criminal Procedure, the salaries and expenses, including witness fees, of public defenders and assistant public defenders, and compensation and expenses, including witness fees, of counsel appointed to represent defendants in particular cases, above provided for, shall be paid out of appropriations made to the judiciary for operation of the public defender system under the supervision of the Director of the Administrative Office of the United States Courts.

"(j) The terms 'United States district court' and 'district court' as used in this section shall include the District Court of the Virgin Islands, the District Court of Guam, the District Court of the Canal Zone, and the district courts of the United States created by chapter 5 of title 28 of the United States Code."

SEC. 2. The analysis of chapter 201 of title 18 of the United States Code is amended by adding immediately after item 3006 the following new item:

"3006A. Public defenders; representation of defendants."

**The statement presented by Mr. HRUSKA is as follows:**

STATEMENT

Bills to authorize the appointment of a public defender to represent indigent defendants in the Federal district court were approved by the committee and passed by the Senate in the 85th (S. 3275) and 86th (S. 895) Congresses. In the same period the House Judiciary Committee undertook an extensive survey of professional opinion on appropriate and feasible public defender legislation, the findings of which have been published as a committee report.

S. 2900 has the approval of the Judicial Conference of the United States. The Judicial Conference has for many years recommended the enactment of legislation to provide a system of public defenders, as well as compensation for counsel appointed to represent indigent defendants in the U.S. district courts, similar to that which would be afforded by this legislation. The Department of Justice recommends the enactment of S. 2900 as here amended.

The sixth amendment to the Constitution provides that in all criminal prosecutions the accused shall enjoy the right "to have the Assistance of Counsel for his defence." Implementation of this right to counsel is found in rule 44 of the Federal Rules of Criminal Procedure, which reads:

"If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel."

But the ability of the Federal courts to comply with the constitutional provision which rule 44 contemplates is sharply circumscribed. A court can assign a member of the bar to serve as defendant's counsel but cannot make provision for his compensation or for defrayal of expenses incurred, with a few limited exceptions.

An anomalous situation has thus arisen. With a substantial number of the thousands of persons annually accused of committing a Federal crime relying upon assigned counsel for representation, the very jurisdiction of the courts to try these indigents turns upon the availability and response of unpaid advocates.

The necessity for legal representation has two fundamental aspects—that of the individual and that of society. The individual defendant requires representation because he does not have the technical skills to conduct his own defense; nor can he be protected entirely by the efforts of the judge or the U.S. attorney alone.

Our democratic society has an interest in providing representation to every accused person so that the scales of justice can be equally balanced. Citizens want to know that justice is done to all whether rich or poor; their respect for the administration of justice will be increased by treating all defendants fairly and equally. Moreover, there is a greater chance of rehabilitating the guilty if they are prosecuted in such a way that they realize their rights are being respected. Convictions obtained short of this mark often cause resentment in the convicted man, as well as create disturbing doubts in the public. It seems clear that our society has a deeply rooted and legitimate concern about the representation of an accused. This interest should not be lessened simply because a defendant is financially unable to hire his own counsel.

It is in response to this requirement that S. 2900 was introduced. The proposed legislation provides that—

"1. Each U.S. district court may, with the approval of the judicial council of the circuit, appoint a public defender at each place where terms of court are held;

"2. Whenever a district court is satisfied that the number of cases assigned to a public defender is greater than can be efficiently conducted by him, it may, with the approval of the judicial council of the circuit, appoint one or more assistant public defenders;

"3. The public defender, upon the authorization of the court, may appoint such clerks and investigators as are necessary, subject to the approval of the Director of the Administrative Office of the U.S. Courts;

"4. Public defenders or assistant public defenders may be full-time or part-time officers as, in the judgment of the court, the volume of work of the court requires;

"5. Whenever a court, in which there is a public defender, is satisfied that a defendant is unable to employ counsel because he is indigent, the court may assign the public defender to act as counsel;

"6. In any case involving conflicting interests and where the court determines that the interest of any indigent defendant cannot adequately be represented by a public defender, the court may appoint counsel to represent such defendant;

"7. The public defender or appointed counsel shall represent the defendant at every stage of the proceedings, unless after the assignment the court is satisfied that the defendant is able to employ counsel or that there is a just cause why the public defender or appointed counsel should be permitted to withdraw;

"8. Each district court may adopt appropriate rules governing the conduct of public defenders not inconsistent with general regulations issued by the Judicial Conference of the United States;

"9. Appointment of public defenders shall, unless otherwise provided by the Judicial Conference of the United States, be limited to attorneys who have practiced for 5 years or more in the State in which the appointing district court is located;

"10. Each public defender and assistant public defender shall be appointed for a term of 4 years, paid a salary in an amount fixed by the Judicial Conference of the United States, and reimbursed for reasonable expenses necessarily incurred by him in the performance of his duties and approved by the district court; except that the salary of any public defender will not exceed the salary paid the U.S. attorney in that district;

"11. Any district court, if it considers that the representation of indigent defendants can best be provided for by the appointment of counsel rather than by the assignment of a full-time or part-time public defender, shall have the authority to make such designations except that a district court in a district having one or more cities of over 500,000 population cannot exercise such authority without the approval of the judicial council of the circuit. The committee calls attention to the fact that those Federal jurisdictions which now have statutory authority for the appointment of a public defender, such as the District of Columbia and the Canal Zone, would not be required also to establish an office as provided for in this bill. Quite logically those jurisdictions now having adequate statutory authority should continue to operate under it and such provision ought to be taken into consideration by the judicial council of the circuit and appropriate accommodation made to it.

"12. Any counsel appointed by the court to represent any defendant shall be compensated by the court upon the conclusion of such service at a rate not in excess of $100 a day for time necessarily and properly expended in preparation and defense of the case or the appeal, and reimbursed for all reasonable expenses determined by the court to have been necessarily incurred in the representation, including expenses for the employment of investigators and other personnel;

"13. Whenever a district court in which there is a public defender is satisfied that a defendant is unable to obtain counsel for any reason other than the fact that such person is indigent, the district court may assign a public defender to represent such defendant. If a public defender has not been appointed for that district court or if the court determines that the interest of a defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel.

"14. When any public defender or other counsel is assigned to represent any defendant, he will not request or receive any payment or promise of payment, from or on behalf of such defendant, except upon approval of the court. If such approval is granted to the public defender, the amount so approved and received from or on behalf of the defendant shall be paid to the Administrative Office of the U.S. Courts and used by such Office in carrying out the provisions of this bill. If such approval is granted to counsel other than the public defender, the amount so approved and received by counsel shall be credited against the sum which the United States would otherwise pay to counsel under the provisions of this bill.

"15. There are authorized to be appropriated to the U.S. courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this bill. The salaries and expenses, including witness fees, of public defenders and assistant public defenders, and compensation and expenses, including witness fees, of counsel appointed to represent defendants in particular cases, above provided for, will be paid out of appropriations made to the judiciary for operation of the public defender system under the supervision of the Director of the Administrative Office of the U.S. Courts.

"At the present time, the fees and expenses of all witnesses subpenaed by either the Government or an indigent defendant are paid out of an appropriation made to the Department of Justice. The proposed legislation changes existing law insofar as it shifts responsibility for the fees and expenses of witnesses subpenaed by indigents from the Department of Justice to the U.S. courts. It is believed that the proposed shift in responsibility is desirable, since it will help centralize in one appropriation all of the costs of the public defender system. Moreover, the agency of Government which carries on the prosecution should not be put in the position of having—or appearing to have—the power to influence the number or kind of witnesses called to testify on behalf of indigent defendants. To accomplish this improvement, it will, of course, be necessary to transfer from the Department of Justice to the Judicial Establishment an amount equal to the appropriation which the Department would have received for this purpose had subsection (i) of the proposed legislation not worked this change in responsibility for the fees and expenses of witnesses subpenaed by indigent defendants in criminal cases."

The principle that every defendant in a criminal trial has a right to legal counsel unless he expressly waives that right was first enunciated in the case of *Johnson* v. *Zerbst* (304 U.S. 458 (1938)). The Supreme Court held that the grant to an accused of the right to counsel was necessary for the jurisdiction of the court to try him, and that without it any judgment rendered against him was void.

Three years later the Supreme Court further defined the right to counsel by holding, in the case of *Walker* v. *Johnston* (312 U.S. 275 (1941)), that a sentence imposed upon a plea of guilty is invalid if such plea was entered through deception or coercion of the prosecuting attorney, or in reliance upon erroneous advice given by a lawyer in the employ of the Government, where the defendant did not have the assistance of counsel and had not understandingly waived the right to such assistance.

Then in the case of *Vol Moltke* v. *Gillies* (332 U.S. 708 (1948)), the Supreme Court, speaking through Justice Black, stated:

"It is the solemn duty of a Federal judge before whom a defendant appears without counsel to make a thorough inquiry and to take all steps necessary to insure the fullest protection of this constitutional right at every stage of the proceedings * * *. This duty cannot be discharged as though it were a mere procedural formality.

"To discharge this duty properly in light of the strong presumption against waiver of the constitutional right to counsel * * * a judge must investigate as long and as thoroughly as the circumstances of the case before him demand. The fact that an accused may tell him that he is informed of his right to counsel and desires to waive this right does not automatically end the judge's responsibility * * *. A judge can make certain that an accused's professed waiver of counsel is understandingly and wisely made only from a penetrating and comprehensive examination of all the circumstances under which such a plea is tendered.

* * * * *

"The admitted circumstances here cannot support a holding that petitioner intelligently and understandingly waived her right to counsel. She was entitled to counsel other than that given her by Government agents. She is still entitled to that counsel before her life or her liberty can be taken from her."

Such emphatic language does much to strengthen the rule of a strong presumption against the waiver of legal counsel and to point up the need of providing adequate counsel for indigent defendants in Federal courts.

The Supreme Court has recently spoken in this area of the law. On April 30, 1962, in the case of *Willard Carnley* v. *H. G. Cochran, Jr., Director of the Division of Corrections, State of Florida* (369 U.S. 506), the Court stated:

"We hold that petitioner's case was one in which the assistance of counsel, unless intelligently and understandably waived by him, was a right guaranteed him by the 14th amendment."

Here the denial of counsel to an accused, an illiterate of low mentality on trial in a State court for a serious crime, was thus found to constitute "a denial of fundamental fairness, shocking to the universal sense of justice." By such terms the Supreme Court all but expressly held that defendants in State courts have the same right to counsel under the 14th amendment as defendants in Federal courts have been held to have by virtue of the 6th amendent.

On the same day, the Supreme Court handed down the decision in *Mark Coppedge, Jr.,* v. *United States* (369 U.S. 438). The Court, in addressing itself to the specific problem of the request of an indigent for leave to appeal in forma pauperis, focused attention broadly on the problem at hand. Speaking this time through the Chief Justice, the Court said:

"It is our duty to assure to the greatest degree possible, within the statutory framework for appeals created by Congress, equal treatment for every litigant before the bar."

In light of both the established need and growing legal precedent, it is appropriate for Congress to take action on public defender legislation this session. The courts, the legal profession, the Department of Justice, and the Congress have at various times expressed dissatisfaction with the operation of the present system of assigned counsel in Fededal courts. Each has freely acknowledged the inadequacy of this system to insure even-handed justice in a nation dedicated to equal justice under the law.

The fact that there is provision for legal counsel for indigent criminal defendants appearing before the U.S. district courts is not enough. Additional legislation is necessary. So long as there is no law even authorizing the compensation of counsel for the time and expense involved in defending indigent Federal prisoners, there can scarcely be "equal treatment for every litigant before the bar."

The inequities arising from the day-by-day operation of the present system, not to mention the shortcomings inherent in its administration, must be borne in mind. Because no provision is made for the compensation of lawyers who supply legal assistance, the defendants must rely upon those lawyers who will respond to assignments by the court. Among these counsel, of course, are lawyers of talent and experience who furnish the finest caliber of representation to the persons to whom they are assigned. However, a great number of the counsel are younger lawyers with little, if any, background in criminal trial practice. Even when conscientiously pursuing their duties, these inexperienced attorneys are not able to supply the indigent defendants with really effective legal advice. Moreover, the younger lawyers who receive the bulk of these assignments are the least able to bear the expenses of what may turn out to be a costly trial and frequently do find the cost of pretrial investigation and the costs of appeal prohibitive.

The result is that in many instances an indigent will receive a perfunctory or ineffective defense. Such a situation is contrary to the spirit of the sixth amendment and the concept of equal justice under the law. We have, in effect, a double standard of justice: one for those who can afford to retain competent and experienced lawyers and another for those who must, in many instances, rely on counsel provided for them by a court assignment.

S. 2900 is a flexible bill which is the product of careful study. It is particularly designed to eliminate the problem of a double standard of justice which has so long plagued the bench, bar, and the public—a standard which has no place in our free society. It contains ample means for providing adequate legal aid in those cases where it is needed. If the Americn system of justice is to continue to be known as a fair one, it behooves the Congress to furnish the kind of assistance of counsel this bill affords.

Attached and made a part of this report are (1) a letter dated June 29, 1962, from the Department of Justice; (2) a letter dated March 28, 1962, from the Department of Justice; and (3) a letter dated March 21, 1962, from the Administrative Office of the U.S. Courts.

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## HOSPITAL INSURANCE BENEFITS ACT

Mr. McNAMARA. Mr. President, I again submit a proposal designed to resolve a persistent and pervasive national problem—the financing of adequate hospital and related care for older Americans.

My objective has been to develop an equitable and meaningful program which would materially assist our senior citizens to retain their independence and dignity.

I believe that enactment of the bill which I now offer would achieve that objective.

The Democratic Party platform contains a commitment to the American people which would be fulfilled by passage of my bill. The platform states:

> The most practicable way to provide health protection for older people is to use the contributory machinery of the social security system for insurance covering hospital bills and other high cost medical services.
>
> For those relatively few of our older people who have never been eligible for social security coverage, we shall provide corresponding benefits by appropriations from the general revenue.

Existing measures, including the Kerr-Mills medical assistance for the aged program, are manifestly inadequate in terms of both the number of people helped and the quality of the benefit provided. The Kerr-Mills program, for example, more than 2 years after its adoption by the Congress is available in only 25 of the 50 States. Where Kerr-Mills is available, it usually offers inadequate help in invariably degrading fashion.

The program which I offer is the product of careful study and of my years of experience as chairman of the Special Committee on Aging and the former Subcommittee on Problems of the Aged and Aging. It is my firm belief that the bill I introduce today represents a national solution to a national problem.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 65) to provide for payment for hospital and related health services, for retired persons 65 years of age and older through the old-age, survivors, and disability insurance program, and for other purposes, introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on Finance.

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## AUTHORIZATION FOR COAST GUARD APPROPRIATIONS

Mr. BARTLETT. Mr. President, I introduce for appropriate reference a bill to amend title 14 of the United States Code to require authorization for certain Coast Guard appropriations. The purpose of the bill is to assist the Coast Guard by providing for authorization of certain major construction and procurement projects in a manner similar to that now provided for the Department of Defense. Under the present law the powers given the Secretary of the Treasury are sufficiently broad as to permit the Coast Guard to initiate without specific authorization projects such as those involving the procurement of vessels and aircraft or the construction of shore or offshore establishments which would require specific authorization if initiated by the Department of Defense. While the armed services are given an opportunity to have a hearing by the legislative committee having jurisdiction, the Coast Guard at present has no such possibility. This procedure for authorization of major projects for the Department of Defense has proved beneficial to both the committees and the armed services.

A legislative proposal to meet this problem was introduced in the House of Representatives during the 87th Congress. After receiving constructive comments from the Department of the Treasury an amended bill was reported favorably from the House Committee on Merchant Marine and Fisheries and was passed by the House of Representatives during the last days of the past session. The Senate did not have an opportunity to act on this legislation due to its late passage by the House of Representatives. I am taking this first opportunity to introduce and call for early hearings on this legislation in anticipation that some action may be taken before the close of this fiscal year.

The U.S. Coast Guard is an agency that has served the public long and with distinction. It should no longer be denied an opportunity to present its major procurement and construction programs before the legislative committee which has substantive jurisdiction over Coast Guard activities. In the U.S. Senate this is the Committee on Commerce. I sincerely hope, Mr. President, that this will receive early attention and that the Senate will be in a position to take up, consider, and favorably act upon this at an early date.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 82) to amend title 14, United States Code, to require authorization for certain appropriations, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Commerce.

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## NATIONAL MILK SANITATION ACT

Mr. HUMPHREY. Mr. President, on behalf of Senators McCARTHY, PROXMIRE, NELSON, and myself I introduce, for appropriate reference, a bill which is designed to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce.

This proposal is identical to the milk sanitation bill which I introduced in the 87th Congress. It already has been introduced by Representative LESTER JOHNSON, of Wisconsin, in the House of Representatives.

In the 86th Congress, extensive hearings were held on this legislation by the Subcommittee on Health of the Senate Labor and Public Welfare Committee and by the House Subcommittee on Health and Safety. In addition, hearings were held in the 87th Congress by the Committee on Interstate and Foreign Commerce of the House of Representatives. It might be pointed out that these hearings have shown that there is a serious need for legislation of this type.

At present, local communities have their own health regulations concerning the shipment of milk. This in itself is not bad, but it has been stated by the Department of Agriculture that these regulations sometimes have as their purpose the cutting down of milk shipments. This should not be the purpose of such regulations.

Milk and milk products are now the only agricultural products prevented from moving freely in interstate commerce. This is unfair to producers who live in areas such as Minnesota and Wisconsin, which provide the most suitable conditions for large scale production. It also is unfair to the consuming public to deny it the numerous benefits that would result from the free flow of trade in milk and milk products.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 86) to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Milk Sanitation Act".

SEC. 2. The Public Health Service Act is amended by adding at the end thereof the following new title:

### "TITLE VIII—MILK SANITATION

#### *"Congressional findings*

"SEC. 801. The Congress hereby finds that the sanitary control of fluid milk and certain milk products is necessary to protect the public health and recognizes that the exercise of such sanitary control is primarily the responsibility of State and local governments, but that no State or local government has the right to obstruct the free movement in interstate commerce of milk and milk products of high sanitary quality by use of unnecessary sanitary requirements or other health regulations.

#### *"Definitions*

"SEC. 802. For purposes of this title—

"(1) The term 'milk' means the lacteal secretion, practically free from colostrum, obtained (A) by the complete milking of one or more healthy cows, which contains not less than 8¼ per centum milk solids-not-fat and not less than 3¼ per centum milkfat, or (B) by the complete milking of healthy goats.

"(2) The term 'milk product' means (A) cream, sour cream, light cream, whipping cream, light whipping cream, heavy whipping cream, half and half, reconstituted half and half, whipped cream, concentrated milk, concentrated milk products, skim milk, nonfat milk, flavored milk, flavored drink, flavored reconstituted milk, flavored reconstituted drink, buttermilk, cultured buttermilk, cultured milk, vitamin D milk, reconstituted or recombined milk, reconstituted cream, reconstituted skim milk, cottage cheese, and creamed cottage cheese, as such products are defined in the edition of the Public Health Service's recommended Milk Ordinance and Code (unabridged form) which is current on the date of enactment of this tile; (B) any other fluid product made by the addition of any substance to milk or to a product specified in clause (A) if the Surgeon General, by regulation, designates the product so made as a milk product for purposes of this title on the basis of a finding that such product is used for purposes similar to those of milk products specified in clause (A) and is shipped in interstate commerce in sufficient quantities to be of public health importance and to warrant its control under this title; and (C) nonfat dry milk products and other dry milk products, when used or intended for use in the manufacture of a milk product specified in clause (A) or pursuant to clause (B): *Provided,* That upon the becoming effective, under section 401 of the Federal Food, Drug, and Cosmetic Act, of a definition and standard of identity for milk, or for any milk product specified in or pursuant to this paragraph, such definition and standard of identity shall govern to the extent of any inconsistency between it and the definition specified in or under this or the preceding paragraph.

"(3) The term 'interstate milk plant' means, except as otherwise provided in this paragraph, any establishment or facility (including equipment, vehicles, and appurtenances in, or operated in connection with, such establishment or facility) (A) in which milk or milk products are collected, handled, processed, stored, pasteurized, or bottled or otherwise packaged or prepared for distribution, and (B) from which milk or milk products are shipped in interstate commerce. In any case in which, in lieu of utilization of a fixed establishment or facility, an interstate milk shipper utilizes one or more trucks or other mobile facilities for collecting milk or milk products (or performing any other function or functions specified in clause (A) of the preceding sentence) and directly shipping such milk or milk products in interstate commerce, such truck or trucks or other mobile facilities, and equipment and appurtenances operated in connection therewith, shall collectively, in accordance with regulations, be deemed to be an 'interstate milk plant'.

"(4) The term 'milk supply', when used with respect to an interstate milk plant, means the dairies, dairy farms, and plants directly or indirectly supplying the plant with milk or milk products.

"(5) The term 'State milk sanitation rating agency' means the State health authority, except that in any State in which there is a single State agency, other than the State health authority, engaged in making sanitation ratings of milk supplies, the term shall mean such other State agency.

"(6) The term 'receiving State' means any State into which any milk or milk product emanating from an interstate milk plant is introduced or offered for introduction; and the term 'receiving locality' means any municipality or other political subdivision of a State into which any milk or milk product emanating from an interstate milk plant in another State is introduced or offered for introduction.

#### *"Federal Milk Sanitation Code*

"SEC. 803. For the purposes of rating certification, and listing of interstate milk plants and their milk supply as provided by this title, the Surgeon General shall by regulation promulgate, and may from time to time amend, a Federal Milk Sanitation Code which shall set forth milk and milk product sanitation standards and sanitary practices (including standards as to inspections, laboratory examinations, and other routine official supervision by local or State milk sanitation authorities, or by both) which, if effectively followed, would in his judgment result in a supply of milk and milk products of a sanitary quality at least equivalent to that of—

"(1) grade A raw milk for pasteurization and grade A pasteurized milk, respectively, and

"(2) milk products containing only grade A raw milk as their milk component and intended for pasteurization, and milk products containing only grade A pasteurized milk as their milk component, respectively, produced or processed, or both, in conformity with the provisions of the edition of the Public Health Service's recommended Milk Ordinance and Code (unabridged form) which is current on the date of enactment of this title.

#### *"Compliance ratings*

"SEC. 804. (a) The Surgeon General shall by regulation promulgate, and may from time to time amend, standard rating methods and criteria for determining through compliance ratings, with respect to milk and milk products, the degree to which interstate milk plants and their milk supply comply with the Federal Milk Sanitation Code. Such ratings shall be expressed in terms of percentages of full compliance.

"(b) The Surgeon General shall announce, by regulation, the minimum compliance rating (pursuant to such rating standards) which, in his judgment, are necessary to give satisfactory assurance that milk and milk products shipped from interstate milk plants receiving such ratings will have been produced, handled, transported, and processed in substantial conformity with the Federal Milk Sanitation Code, except that the minimum so prescribed shall not be less than 90 per centum.

#### *"Submission of State plans*

"SEC. 805. The State milk sanitation rating agency of any State which wishes to obtain for its interstate milk shippers the benefits of this title shall submit to the Surgeon General for approval a State plan for periodically (but not less often than annually) rating interstate milk plants located in such State, and their milk supply, on the basis of the standard rating methods and criteria in effect under section 804(a), and certifying to the Surgeon General those interstate milk plants and their milk supply receiving a compliance rating at least equal to the minimum ratings established under section 804(b). Such plan shall be accompanied or supplemented by such information concerning milk sanitation control activities of the State agency and of local official milk sanitation control agencies, and such other relevant information, as the Surgeon General may request.

#### *"Approval, suspension, and revocation of State plans*

"SEC. 806. (a) The Surgeon General shall approve a State plan submitted under section 805 if it meets such requirements as he determines to be necessary to obtain reliable ratings for the purpose of maintaining the list provided for by section 807, including a requirement that such ratings will be made only by State rating officials who are full-time employees of the State milk sanitation rating agency (or under interstate arrangements, by full-time employees employed by a sister State having an approved plan or by both States jointly) and hold a currently valid certificate of qualification issued or renewed by the Surgeon General. Approval of a State plan shall be for such period (but not exceeding three years) as may be fixed by regulation.

"(b) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State milk sanitation rating agency, finds that—

"(1) the State plan has been so changed that it complies with neither the requirements for State plan approval in effect at the time such plan was last approved, nor with the requirements for State plan approval as last amended, or

"(2) in the administration of the State plan there is a failure to comply substantially with any provision contained in such plan,

the Surgeon General shall revoke his approval of such State plan. The Surgeon General may suspend his approval of a State plan at any time after giving the notice of hearing referred to above and pending such hearing and decision thereon if in his judgment the protection of the public health so requires.

#### *"Listing of certified interstate milk plants*

"SEC. 807. (a) The Surgeon General shall estabilsh and maintain a list of certified interstate milk plants, and shall publish such list, or revisions or amendments thereof, not less often than quarterly. Except as provided in subsection (b), an interstate milk plant shall be included on such list if such plant and its milk supply, by a certificate currently in effect at the time of such listing, has been certified to the Surgeon General by a State milk sanitation rating agency under an approved State plan as having compliance ratings at least equal to the minimum ratings established by the Surgeon General under section 804(b). Such list shall identify the interstate milk plant or plants involved in any such certification, the persons having legal ownership or control thereof, and in accordance with the regulations, the milk and milk products covered by the certification.

"(b) The Surgeon General shall not include or permit to remain on the list provided for under subsection (a) any interstate milk plant if—

"(1) the person having legal ownership or control thereof does not consent to the listing of the interstate milk plant, or

"(2) the last rating upon which the certification of the plant and its milk supply was based is more than one year old, or

"(3) the State milk sanitation rating agency gives written notice to the Surgeon General that the plant and its milk supply is no longer entitled to the minimum rating required for listing, or

"(4) the Surgeon General, after investigation made on his own initiative or upon complaint of a receiving State or locality, finds that the plant and its milk supply, though duly certified, is not entitled to the minimum rating required for such certification.

"(c)(1) Any decision of the Surgeon General—

"(A) to exclude or remove an interstate milk plant from the list pursuant to paragraph (4) of subsection (b) of this section or pursuant to section 810(b), or

"(B) not to take such action upon complaint of a receiving State or locality under paragraph (4) of subsection (b),

shall, in accordance with regulations, be made by order stating the findings and conclusions upon which it is based. Notice of such order shall be given to the person having legal ownership or control of such plant, the State milk sanitation rating agency whose rating of such plant is involved, and the complainant State or locality, if any, and such order shall, except as otherwise provided in paragraph (3) of this subsection, become effective on the date specified therein but in no event earlier than the thirtieth day after the date of its issuance.

"(2) At any time before an order pursuant to paragraph (1) or (3) of this subsection is issued or becomes effective, the Surgeon General may by order defer or suspend the listing of any plant when, in his judgment, the protection of the public health so requires.

"(3) At any time before the effective date of an order issued pursuant to paragraph (1), any person (including any complainant receiving State or locality) adversely affected by such order and entitled to notice thereof, and the State milk sanitation rating agency (if any) whose rating of an interstate milk plant is involved, may file objections thereto (stating the grounds of such objections) and request a public hearing, and the filing of such objections and request shall operate to stay the effectiveness of such order, but shall not operate to stay any order of deferment or suspension under paragraph (2) of this subsection. The Surgeon General shall, upon the basis of the record of such hearing, by order confirm, modify, or set aside his prior order and the findings and conclusions stated therein, and specify the date, not later than thirty days after its issuance, on which the order entered after such hearing shall take effect.

"(d)(1) Any person (including any complainant receiving State or locality) adversely affected by an order of the Surgeon General issued pursuant to paragraph (3) of subsection (c) of this section and entitled to notice under paragraph (1) of subsection (c), and the State milk sanitation rating agency (if any) whose rating is involved, may appeal to the United States court of appeals for the circuit in which the interstate milk plant involved is located by filing with such court, not later than sixty days after the date of issuance of the order based upon the record of such hearing, a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice of appeal. A copy of such notice of appeal shall be forthwith transmitted by the clerk of the court to the Surgeon General or any officer designated by him for that purpose. The Surgeon General shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order.

"(2) The court shall have jurisdiction to enter, upon the basis of the record of the proceedings filed with it in accordance with paragraph (1) of this subsection, a judgment affirming or setting aside, in whole or in part, the decision of the Surgeon General. The findings of the Surgeon General as to any fact, if supported by substantial evidence when considered on the record as a whole, shall be sustained, but the court may, on good cause shown, remand the case to the Surgeon General to take additional evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous order, and shall file with the court any such modified findings of fact and order, together with the record of the further proceedings. Such additional or modified findings of fact and order shall be reviewable only to the extent provided for review of the findings of fact and order originally filed with the court. The judgment of the court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

*"Prohibition against discrimination against sanitary out-of-State milk and milk products*

"Sec. 808. (a) Except as provided in subsection (b)—

"(1) no milk or milk product which emanates from an interstate milk plant in another State, while such plant is listed by the Surgeon General under section 807 with respect to the milk or milk product, as the case may be, shall be subject to seizure or condemnation in, or to exclusion from, a receiving State or locality, or from transportation, distribution, storage, processing, sale, or serving in such State or locality, and

"(2) no processor, producer, carrier, distributor, dealer, or other person handling such milk or milk product shall be subject to punishment, or to denial of a required license or permit,

by reason of the failure of such milk or milk product, or of the sealed container or vehicle (complying with the Federal Milk Sanitation Code) in which such milk or milk product was brought into the State, or of an interstate milk plant in another State or its milk supply, or of any transportation or handling facility, in which such milk or milk product was produced, processed, carried, or handled, to comply with any prohibition, requirement, limitation, or condition (including official inspection requirements) relating to health or sanitation and imposed by or pursuant to any State or local law, regulation, or order of the receiving State or locality, or by any officer or employee thereof. In the event any milk or milk product emanating from a listed interstate milk plant in another State and complying with the Federal Milk Sanitation Code is commingled with milk or milk products from within the receiving State the provisions of the preceding sentence shall apply to the resulting mixture, except that nothing in this section shall be construed to prevent the application of such State or local laws, regulations, or orders to such mixture by reason of the failure of such milk or milk product of intrastate origin not emanating from an interstate milk plant in another State, to comply therewith immediately prior to such commingling.

"(b) Subsection (a) shall not be deemed to prohibit any receiving State or locality from—

"(1) subjecting any milk or milk product, upon its arrival from another State, to laboratory or screening tests in accordance with standard methods for the examination of dairy products provided for in the Federal Milk Sanitation Code, and rejecting the shipment if upon such examination it fails to comply with the bacterial and coliform count standards, temperature standards, composition standards, and other criteria of such code relating to the then physical condition of such milk or milk products, and

"(2) enforcing sanitary laws and regulations, equally applicable to milk or milk products not coming from outside the State—

"(A) to require pasteurization of raw milk or raw milk products brought into the State before delivery to retail sale or consumer-serving establishments or before use in making milk products or other products,

"(B) to otherwise protect milk or milk products from contamination or deterioration after arrival through requirements as to temperature and sanitary handling, transportation, and storage: *Provided,* That the State or locality may not, except as provided in subparagraph (C), reject the sealed container or vehicle, as such, in which the milk or milk product arrived in the State, if it complies with the Federal Milk Sanitation Code, or

"(C) as to the type of container in or from which milk or milk products may be sold at retail or served to customers.

*"Civil action to restrain interference with operation of title*

"Sec. 809. The United States district courts shall, regardless of the amount in controversy, have jurisdiction of any civil action to restrain the application of any law, ordinance, regulation, or order of any State or political subdivision of a State, or to restrain any action of an officer or agency of a State or political subdivision of a State, which interferes with, conflicts with, or violates any provision of this title. Such action may be brought by the United States, or by any interested person. Nothing in this section shall be deemed to deprive any court of a State or jurisdiction which it would otherwise have to restrain any such application or action which interferes with, conflicts with, or violates any provision of this title.

*"Inspection by Surgeon General*

"Sec. 810. (a) The Surgeon General may make such inspections of interstate milk plants and plants proposing to become interstate milk plants, and of their milk supply, and such laboratory examinations, studies, investigations, and ratings, as he may deem necessary in order to carry out his functions under this title and to promote uniformity in the application of the Federal Milk Sanitation Code and the Surgeon General's standard rating methods and criteria.

"(b) The Surgeon General shall remove any interstate milk plant from the list provided for under section 807 if the State or any local milk sanitation authority or laboratory refuses to permit representatives of the Service to inspect and copy relevant records pertaining to State or local health and sanitary supervision of such milk plant or any part thereof or facility connected therewith and its milk supply, or if the person in charge of such plant or of any part of the milk supply of such plant, or any person under his control, refuses to permit representatives of the Service, at all reasonable times, to—

"(1) enter such interstate milk plant or any establishment, premises, facility, or vehicle where milk or milk products intended for such interstate milk plant are produced, processed, packed, held, or transported,

"(2) inspect such plant, establishment, premises, facility, or vehicle, and all pertinent personnel, dairy animals, equipment and utensils, containers and labeling, and milk and milk products, and

"(3) inspect and copy pertinent records.

*"Research, studies, and investigations concerning sanitary quality of milk*

"SEC. 811. The Surgeon General shall conduct research, studies, and investigations concerned with the sanitary quality of milk and milk products, and he is authorized to (1) support through grants, and otherwise aid in, the conduct of such investigations, studies, and research by State agencies and other public or private agencies, organizations, institutions, and individuals, and (2) make the results of such research, studies, and investigations available to State and local agencies, public or private organizations and institutions, the milk industry, and the general public.

*"Training milk sanitation personnel*

"SEC. 812. The Surgeon General is authorized to—

"(1) train State and local personnel in milk sanitation methods and procedures and in the application of the rating methods and criteria established in regulations pursuant to section 804,

"(2) provide technical assistance to State and local milk sanitation authorities on specific problems,

"(3) encourage, through publications and otherwise, the adoption and use, by State and local authorities throughout the United States, of the sanitation standards and sanitation practices specified in the Federal Milk Sanitation Code, and

"(4) otherwise cooperate with State milk sanitation authorities, other public and private organizations and institutions, and industry in the development of improved programs for the control of the sanitary quality of milk and milk products.

*"Savings provisions*

"SEC. 813. (a) The provisions of this title shall not apply to manufactured dairy products, including but not limited to butter, frozen deserts, condensed milk, evaporated milk, sterilized milk or milk products not requiring refrigeration, all types of cheese except cottage cheese and creamed cottage cheese, and nonfat dry milk, dry whole milk, or part fat dry milk unless used or intended for use in the preparation of fluid milk products. As used in this section the term 'manufactured dairy products' does not apply to the milk products defined in section 802(2).

"(b) Nothing in this title shall be deemed to make lawful or authorize the application of any State or local law or requirement of any receiving State or locality discriminating against milk and milk products which would not be lawful or authorized if this title were not in effect.

"(c) Nothing in this title shall be deemed to supersede or modify any provision of the Federal Food, Drug, and Cosmetic Act, or of any provision of the Public Health Service Act (other than this title).

*"Appropriations*

"SEC. 814. There are hereby authorized to be appropriated annually to the Service such sums as may be necessary to enable the Surgeon General to carry out his functions under this title."

SEC. 3. Section 2(f) of the Public Health Service Act is amended to read as follows:

"(f) The term 'State' means a State or the District of Columbia, Puerto Rico, or the Virgin Islands, except that, as used in section 361(d) and in title VIII, such term means a State or the District of Columbia;".

SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read as follows:

*Short title*

"SECTION 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914, respectively.

SEC. 5. The amendments made by this Act shall become effective on the first day of the first fiscal year beginning more than one hundred and eighty days after the date of the enactment of this Act.

## ELIMINATION OF CERTAIN ABUSES IN LABOR-MANAGEMENT RELATIONS

Mr. GOLDWATER. Mr. President, in the closing days of the previous Congress, I announced on the floor of this body that I intended to introduce legislation at the opening of this Congress to restore a more reasonable and workable balance in the Nation's labor-management relations. At that time I pointed out how heavily the scales were weighted in favor of labor unions and labor leaders as against not only management, but as against employees, the general public, and substantial segments of their own membership as well.

To refresh your memories, I would like once again to give you some conception of the preferred position held by today's unions in the economic, social, and political scheme of things. I have compiled a list of special privileges, immunities, rights, and powers enjoyed by labor unions under Federal law. Again, I wish to emphasize that while some of these special advantages may have been justified when they were initially granted to the labor movement because of the latter's weakness and lack of size, their continued existence and expanding scope in today's era of monopolistic union power can no longer be justified. Here are some of these advantages:

Almost total immunity under the antitrust laws.

Immunity from taxation.

Immunity from injunctions by Federal courts.

Authority to use union funds for purposes not related to collective bargaining even where union membership is compulsory.

Power to compel workers to join the union as a condition of continued employment.

The right of a union selected by a majority of the workers to bargain for all employees. This includes the right to bargain for those who were compelled to join the union as well as those who can be arbitrarily denied membership.

Power to compel the employer to bargain exclusively with the majority union.

Absolute authority to deny union membership to workers employed in the bargaining unit, on any grounds or for no reason at all.

The right, in some situations, to invade the privacy of workers, even against their wishes. This deprives them of a legal right enjoyed by all other members of society.

The right, in some situations, to compel employers to make available for union use the private property of the employer.

The right to compel the employer to provide protection against any physical violence on the part of workers who resist invasion of their privacy.

Unions are immune from the payment of damages for personal and property injuries inflicted on employers or others by union members engaged in activities, such as strikes or picketing. And this immunity stands even in situations where such activities have been officially authorized and directed by the union.

The right to strike for objectives wholly unrelated to any proper subject of collective bargaining. This is in contrast to the severely limited right of an employer to engage in a lockout.

The right, in some situations, to examine an employer's books and records—including those containing such confidential data as costs, profits, and prices.

Under postal laws, certain nonprofit organizations or institutions are permitted to mail their literature and printed material at 50 percent of the regular third-class postage rate. This means that the tens of millions of pieces of union publications, most of it crammed with the most nakedly, partisan political propaganda, and which runs to millions of dollars in mailing costs, is being subsidized to the extent of one-half such cost by the American taxpayer. On the other hand, nonprofit business associations, such as a chamber of commerce, for example, have been denied this unbelievable, and largely unsuspected, benefit.

And finally, the almost complete immunity of unions from any liability, penalty, or restriction under State law under the doctrine of Federal preemption.

Mr. President, no other private organization, institution, association, or individual in the United States is the beneficiary of such a powerful combination of immunities, benefits, privileges, rights, and powers—under either State or Federal law.

In listing the special grants and immunities, I do it not to suggest that all of them should necessarily be removed, but to illustrate just what powers unions have. I certainly do not feel that the public interest—a popular phrase with the New Frontier—is served by the possession of monopolistic power by unions and I am convinced that it must be limited. Hence, the bill I am introducing today constitutes only a small, but in my opinion essential, step in an effective program for diminishing the unjustified concentration of labor union power, power which has resulted from the grant of special legal privileges under Federal law.

Free and voluntary collective bargaining is the surest guarantee of the preservation of a genuinely democratic society based primarily on an economic system of free enterprise. An indispensable element of free collective bargaining is the right of employees, acting in concert, to withhold their labor in their effort to induce employers to grant them favorable terms and conditions of employment. This right to strike, subject to certain necessary limitations in the public interest, constitutes a basic civil liberty. And even though strikes sometime inflict some economic hardship on the public, a democratic society must be willing to pay that price and insist upon the preservation of the right.

There is, however, another aspect of the right to strike which our governmental officials, and the public itself, have largely ignored. Although strikes may sometimes inconvenience the public, they always impose hardship on the strikers and their families. The loss of wages resulting from even a short-lived strike can mean economic disaster for the striking employee and his dependents. Thus no strike should be embarked on or prolonged, unless the decision to do so unquestionably reflects the wishes of the employees themselves, the very people who are sure to suffer hardship because of the strike.

It is true that many union constitutions require a favorable strike vote by a majority of the union members actually voting before the union officers are authorized to call a strike. However, there is no law requiring that such a vote be taken. As a result, many strikes are called by union leaders without adequate consultation with their membership; others are begun on the basis of votes taken by a show of hands in an open union meeting where those who do not favor a strike fear to indicate their opposition. In these situations, the rank-and-file union member is virtually ignored or contemptuously pushed aside, and no genuine effort is made to determine his wishes.

I strongly believe that in reaching a decision of such momentous import to all the wage earners in the struck establishment, certain minimum safeguards should be established by law to guarantee that the decision truly reflects the real wishes of an actual majority of the employees in such establishment. Only by such legislation can the American people be certain that the principles of personal responsibility and individual obligation, as well as democratic social or collective action, are being effectively preserved.

My bill, therefore, contains a strike vote procedure based on the following simple requirements:

First. A strike shall be unlawful unless notice of intention to strike is given to all those concerned at least 30 days prior to the actual beginning of the strike; and

Second. At any time after such notice has been given, a petition may be filed with the National Labor Relations Board by an employee in the enterprise to be affected, asking the Board to conduct an election by secret ballot among the employees in the establishment to be or being struck, on the question of whether they favor a strike or its continuation. If such a petition is supported by 30 percent of said employees, the Board shall conduct such an election and the strike or its continuation shall be lawful only if a majority, so voting, cast their ballots in favor thereof.

This procedure has ample precedent in the existing law governing representation, decertification, and deauthorization elections presently conducted by the Board, and the Board's own administrative requirements and procedures in connection with such elections. These are all based on the principle that such elections will be held upon a showing that a substantial minority of the employees involved—never in any case more than 30 percent—want such election to be held. The principle is eminently sound and it is entirely appropriate to extend it to the important matter of the strike vote.

Mr. President, as I have pointed out, labor unions enjoy many special rights, privileges, and immunities under Federal law. By far the most important of these is the exclusive right to represent all the employees in the unit for purposes of collective bargaining even if the union has been selected as bargaining agent by only a narrow majority, which in many circumstances under our existing law in fact constitutes merely a minority. Under the law, those employees who do not wish to join, as well as those whom the union for whatever reason excludes from membership, can neither bargain for themselves, nor select any person or agency, other than the union so designated to bargain for them. They are, in reality, the involuntary principals of agents imposed upon them by law.

In granting unions this right, the Federal Government, in effect, has bestowed upon them the power of government itself. Although this provision of law has a certain usefulness in the area of collective bargaining, it results in the most serious injustice to those employees who wish to join the union but are excluded by the union itself. They have no voice in helping to determine the union's bargaining demands and policies, are not permitted to do their own bargaining, and they are compelled to accept and work under the terms and conditions of the agreement between the union and the employer, even if they find such terms and conditions highly unsatisfactory.

Moreover, in certain industries there is a widespread practice whereby employers recruit their labor force through the local unions in the particular area. This is especially true in those industries where the most highly skilled, and consequently the most highly paid, employees are needed to perform the work. It is precisely in these industries where union membership exclusionary policies are most widely and persistently applied. As a result, untold numbers of completely qualified workers, who for one reason or another are denied admission to union membership, are excluded not only from many jobs, but particularly from the most highly paid jobs as well.

It is my profound conviction that this power of exclusion on the part of unions must, for the sake of justice and equity, be terminated. My bill provides that no union shall be permitted to enjoy the unique and precious privilege of exclusive representation in collective bargaining, if it arbitrarily excludes from membership those qualified workers within the bargaining unit who wish to join the union.

Mr. President, the sad plight of the employee who wishes to join the union which acts as his bargaining agent but who is denied membership, is matched by the employee who does not want to join a union or pay tribute to it, but who is compelled to do so in order to hold his job. Under existing law, the only alleviating circumstance is the provision in the National Labor Relations Act—section 14(b)—which permits the States if they so desire, to adopt their own laws limiting or completely prohibiting any form of compulsory union membership. Nineteen States have enacted such so-called right-to-work statutes.

Mr. President, after considerable study and research I have come to the conclusion that in adopting this approach when it passed the Taft-Hartley Act in 1947, Congress, without full awareness of the implications and the consequences, put the cart before the horse. Instead of permitting compulsory unionism but authorizing the States to forbid it, Congress should have prohibited all forms of compulsory membership in or financial support of unions, and provided that the States, acting affirmatively, could permit the limited form of union security now authorized in the law. This approach would have been consistent with the spirit of the Wagner Act which labor has termed its "Magna Carta" and to which they always profess a desire to return.

Thus, up to 1935, the year the Wagner Act became law, compulsory unionism was legal in some States, and partially or wholly unlawful in others. If the Wagner Act had adhered to its basic principle of forbidding all hiring and personnel practices which discriminated against employees or applicants for employment because they did or did not belong or contribute to a union, then every form of union security or agency shop would have been outlawed as constituting such a discrimination.

Recognizing the inevitability of these consequences, Senator Wagner included in his bill which eventually became law, a specific proviso permitting the unions and employers to execute and apply compulsory union membership agreements. Senator Wagner's justification for this was most interesting—it was a pure and unadulterated plea for States rights. He pointed out that unless his proviso were included, then all State laws permitting compulsory unionism would be nullified by the Federal law.

Here is what he said in a statement on the floor:

> Equally erroneous is the belief that the bill creates a closed shop for all industry. It

> does not force any employer to make a closed-shop agreement. It does not even state that Congress favors the policy of the closed shop. It merely provides that employers and employees may voluntarily make closed-shop agreements in any State where they are now legal. Far from suggesting a change, it merely preserves the status quo. (CONGRESSIONAL RECORD, Senate, Feb. 21, 1935, 79th Cong., RECORD 2368, vol. I, p. 1311, Legislative History of the Wagner Act.)

This view of existing law on compulsory unionism was confirmed by the statement made by the Senate Labor Committee in comparing Senator Wagner's 1935 bill (S. 1958) with his previously introduced 1934 bill—S. 2926. I quote:

> Section 8(3): The two drafts are substantially identical. The purpose here is to cover all forms of discrimination in hire or tenure of employment or conditions of employment, including the "yellow dog contract," whose enforcement in the Federal courts is already outlawed by the Norris (La Guardia) Anti-injunction Act (of 1932). Precedents for the provision are subdivision (2) of sec. 7(a) of the NIRA (National Industrial Recovery Act).
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> The proviso in the two drafts are similar in purpose. They are intended merely to preserve the status quo as to the legality of closed shop agreements under the common law in the different States, and to make clear that neither sec. 7(a) (of the NIRA) nor any other statute of the United States precludes such agreements.
>
> The proviso does not make closed shop agreements legal; it merely says that nothing herein should illegalize them. The operation of State common law on the subject is left unaffected.
>
> Unless this change is made as provided in S. 1958, most strikes for a closed shop or even for a preferential shop would by this act in effect be declared to be for an illegal purpose, and hence would be enjoinable in many States. The law on the question is in great confusion in the State courts, and any uniform rule as a Federal statute would work hardship and injustice in many areas. This is accentuated by the fact that the law in many States is in a state of change.
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> As the legislative history of 7(a) (of the NIRA) demonstrates, nothing in that section was intended to deprive labor of its existing right in many States to contract or strike for a closed or preferential shop. No reason appears for a contrary view here. (Committee print, Senate Labor Committee, Mar. 11, 1935, 79th Cong.).

Thus, the history of the Wagner Act, as well as its structure and the underlying principles of its approach to labor-management relations, all make it very clear that compulsory union membership or compulsory financial support of a union are forms of discrimination which are fundamentally in violation of this approach and these principles. In 1935, Congress, as well as the authors and sponsors of the Wagner Act recognized this, and justified the inconsistency on the grounds of States rights, that the proviso was necessary in order to preserve State laws permitting compulsory unionism.

Mr. President, my bill would rectify the present inconsistent approach of the present statute. It would declare, as a matter of Federal law, that all forms of discrimination because of membership or nonmembership in, or support or nonsupport of a union are unfair labor practices, but permit the present limited form of union security to be imposed only in those States whose law affirmatively so provides. Existing or future State right-to-work laws would be unaffected, although the need for them would largely have disappeared.

Mr. President, in 1959, Congress adopted the Landrum-Griffin Act by overwhelming margins and it was signed into law by former President Eisenhower. In so doing, our Government for the first time recognized the need for Federal regulation of labor unions in order to eliminate corruption and crime, and to protect rank-and-file union members against the tyranny, possible and sometimes actual, of their own labor leaders.

I strongly supported the enactment of this law and, it goes without saying, I will as strongly resist any effort to weaken the safeguards for the American worker which it provides. In fact, it is my firm belief that the bill of rights provisions in the Landrum-Griffin Act which protect rank-and-file members in the exercise of their rights as union members needs strengthening. And they need it precisely in that area where a huge majority of the Democratic Party in the Senate succeeded in seriously weakening these safeguards by compelling the union member to bring a private suit to enforce his rights instead of requiring an appropriate Federal official or agency to bring such suit in his behalf, as was originally provided by the proposal offered by Senator MCCLELLAN, the chairman of the Senate's Special Labor Racketeering Committee.

My proposal, therefore, includes an amendment to the Landrum-Griffin Act to remedy this serious defect by giving the rank-and-file union member the aid and support of the Federal Government in seeking to vindicate his legal rights which have been violated by his union or its leaders.

The right of an American citizen to express his political preferences, and to give his support to the candidates and party of his choice is the fundamental political right on which our democratic society is based. Any interference with this right must be viewed with the greatest alarm. One of the most vicious forms of such interference is to exert economic coercion on a citizen in order to compel his support for a particular party, candidate, or program by threatening him with the loss of his livelihood if he withholds such support.

Thus, to take a hypothetical example, if an employer compelled his employee to contribute to a particular candidate or party as a condition of holding his job, the American public would be shocked, nay incensed, beyond measure. An outraged public opinion would quickly compel such an employer to desist from this exercise in political blackmail. Fortunately, instances of this type are so rare, as for all practical purposes to be nonexistent.

Yet, there is one important and substantial area of American life in which precisely this form of political blackmail is well-nigh universal. Today, the vast majority of labor unions operate under collective bargaining agreements which require employees to join the union and pay periodic dues and initiation fees as a condition of holding their jobs. Regardless of what use the union makes of such funds, no matter how objectionable the dragooned union member finds such use to be, if he refuses for that reason to pay his dues, the union can, and usually does, force the employer to fire him under the union shop contract.

Every union today is using substantial portions of the funds collected from membership dues and initiation fees in behalf of specific candidates, parties, and political programs. The overwhelming majority of these unions have compulsory union membership contracts. Many employees who favor rival candidates, parties, and platforms, are nevertheless compelled to contribute their money to support candidates, parties, and political programs they bitterly oppose or lose their jobs. This widespread practice constitutes the most nakedly brazen form of political coercion which exists in our society, and around which the liberal-labor elements have succeeded in erecting an "Iron Curtain" of public misinformation and consequent apathy. As a result of this conspiracy of silence and of the sentimental belief that a union is always the underdog in its dealings with an employer, a belief assiduously cultivated by union leaders and their liberal allies, unions have been able to destroy the fundamental civil rights of an untold number of their members, who are truly the underdogs in their relations with their union leaders.

I have, therefore, included in my bill provisions which are designed to correct this intolerable injustice by restoring to all of our citizens, more specifically the politically dissident rank-and-file union members, their basic human and constitutional rights to express and support their political preferences completely free from any form of restraint, interference, coercion, or economic pressure.

Mr. President, these proposals, as embodied in the bill I am offering, are a modest first approach to a problem which must be solved if our social and economic, as well as our political institutions, are not to be dangerously undermined. Excessive labor union power must be curtailed and I submit that the program I offer is not only justified on the basis of equity and morals but that its adoption would not in any way impair the exercise of proper labor union functions.

Mr. President, I have prepared an analysis of my bill and I ask unanimous consent for permission to have it and the text of the bill appear at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 87) to eliminate certain abuses in labor-management relations, to protect the rights of employees, and for other purposes, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, referred to the Committee on

Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

SECTION 1. This Act may be cited as the "Labor-Management Reform Act of 1963".

SEC. 2. Section 8 of the National Labor Relations Act, as amended, is amended by adding the following new subsection:

"(g)(1) No strike or work stoppage shall be called or sanctioned by a labor organization unless at least thirty days prior to the commencement of such strike or work stoppage such labor organization shall have given notice thereof in writing to the Board and the employer and either individually in writing, or by announcement at a meeting of the membership of the organization, to the members of such organization in the bargaining unit or units involved in the strike or work stoppage;

"(2) Upon the filing with the Board, upon or at any time after receipt by the Board of a notice given under paragraph (1), of a petition therefor signed by at least thirty per centum of the employees in the bargaining unit or units involved in the strike or work stoppage, the Board shall conduct a referendum by secret ballot on the question of whether such strike or work stoppage should be called or continued. If a majority of those voting in the referendum vote against the strike or work stoppage, no strike shall be called or sanctioned by the labor organization until at least ninety days have elapsed following the referendum, and a new notice has been given in accordance with paragraph (1). If a majority of those voting in the referendum vote in favor of the strike or work stoppage, no subsequent petition may be filed under this subsection until at least ninety days have elapsed following such referendum, and unless such subsequent petition has been signed by at least thirty-five per centum of the employees in the unit or units involved in the strike or work stoppage;

"(3) It shall be an unfair labor practice for any labor organization to fail to comply with the provisions of this subsection, and the provisions of subsection 10(l) of this Act, as they apply to charges of unfair labor practices within the meaning of section 8(b)(4)(A)(B) and (C), shall be applicable whenever it is charged that any labor organization has engaged in an unfair labor practice within the meaning of this subsection.

"(4) Section 303(a) of the Labor-Management Relations Act, 1947, as amended, is amended by inserting after the words "section 8(b)(4)" the words "or section 8(g)."

"(5) Any individual who participates in a strike or work stoppage which has been called without notice as required by paragraph (1), or which has been called or continued after a majority of the employees in the bargaining unit or units involved in the strike or work stoppage voting in the most recent referendum conducted with respect to such strike or work stoppage under this subsection shall have voted against such strike or work stoppage, shall not during the strike or work stoppage or thereafter, unless reemployed or reinstated by the employer, be considered to be an employee of such employer for the purposes of this Act;

"(6) Nothing contained in this subsection shall be construed to supersede or modify in any way the requirements of section 8(d) of this Act."

SEC. 3. (a) The first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by inserting after the word "That" where it first appears, a comma and the words "in any State or Territory where state or territorial law so authorizes," and after the word "therein" inserting the words "or payments thereto".

(b) Subsection (b) of section 14 of the National Labor Relations Act, as amended, is amended to read as follows:

"(b) Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in or payments to a labor organization as a condition of employment in any State or Territory unless such agreements are in conformity with the applicable State or Territorial law and in accordance with the provisions, conditions, and limitations set forth in paragraph (a)(3) of section 8."

SEC. 4. Section 9(a) of the National Labor Relations Act, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That no labor organization which does not admit to membership all of the employees it seeks to represent in a unit appropriate for that purpose, on the same terms and conditions generally and uniformly applicable to and with the same rights and privileges generally and uniformly accorded to all members thereof, shall be the exclusive representative of employees in such unit for the purpose of collective bargaining within the meaning of this section. Nothing in the foregoing sentence shall be construed to prevent a labor organization from denying membership to any person on the ground that such person is a member of the Communist Party or of an organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods."

SEC. 5. Section 102 of the Labor-Management Reporting and Disclosure Act of 1959 (Act of September 14, 1959, P.L. 86–257, 73 Stat. 523) is amended to read as follows:

"SEC. 102. The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, may bring an action in a district court or other court of the United States for such relief as may be appropriate, including but without limitation, injunctions to restrain any such violations and to compel compliance with this title. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the district court or other court of the United States where the violation occurred."

SEC. 6. Title I of the Labor-Management Reporting and Disclosure Act of 1959 (Act of September 14, 1959, P.L. 86–257, 73 Stat. 523) is amended by adding a new section as follows:

"COMPULSORY UNIONISM AND USE OF UNION PROPERTY

"SEC. 106. (a) Any employee or group of employees whose employment is conditioned on membership in or payment to a labor organization, may file a written charge with the Secretary of Labor alleging that such labor organization is using or expending funds or property of the organization for purposes or activities other than collective bargaining. The charge shall set forth the information upon which such allegation is based. The Secretary shall investigate and if he has reason to believe that such charge is true, he shall, if such labor organization refuses, upon demand, to refund to such employee or employees the moneys paid by such employee or employees to such labor organization as fees or dues since the effective date of the collective bargaining contract requiring such payment, bring in behalf of such employee or employees a civil action in any appropriate district court of the United States against such labor organization for the recovery of such moneys together with the interest thereon and for injunctive relief against the continuation, during the term of the collective bargaining agreement, of such use or expenditure of the organization's funds or property. Any amount so recovered shall be paid to the employee or employees in whose behalf such action was brought and in whose favor judgment was rendered.

"(b) Upon the rendering of a judgment against a labor organization in an action brought by the Secretary pursuant to subsection (a), such labor organization shall be ineligible (1) to be certified or recognized as the representative of any employees by the National Labor Relations Board or any other department or agency of the United States Government, (2) to file an unfair labor practice charge under section 10(b) of the National Labor Relations Act, as amended, or to file with any department or agency of the United States Government any other charge, complaint, or petition as the representative of or on behalf of any employees, and (3) to obtain or retain the exemption from Federal income taxes provided by section 501 (a) and (c)(5) of the Internal Revenue Code of 1954, as amended. Such ineligibility shall continue until the judgment against such labor organization is satisfied, is reversed on appeal, or the collective bargaining agreement containing the provision requiring membership in or payment to the labor organization has terminated, whichever occurs sooner: *Provided*, That such ineligibility shall continue during the entire term of such collective bargaining agreement despite the satisfaction of such judgment, if the labor organization at any time during the term of the agreement fails to comply fully with any injunctive relief granted by the court."

The analysis presented by Mr. GOLDWATER is as follows:

ANALYSIS OF SENATOR GOLDWATER'S LABOR BILL

Section 1 sets forth the name of the bill as the "Labor-Management Reform Act of 1963."

Section 2 establishes a procedure for a secret strike ballot conducted by the National Labor Relations Board by adding a new subsection (g) to section 8 of the National Labor Relations Act (title I of the Taft-Hartley Act).

Paragraph 1 makes the calling or continuation of any strike or work stoppage by a labor union unlawful, if notice of such activity is not given at least 30 days in advance thereof to the employer, the union members employed in the official unit, and the NLRB.

Paragraph 2 provides that at any time on or after the filing of such notice with the NLRB, 30 percent or more of the employees employed in the affected unit may petition the NLRB for a secret ballot on the question of calling such strike, or if it has already begun, on the question of continuing it.

If a majority of those voting, vote against the strike, no new 30-day strike notice may be given by the union until at least 90 days have elapsed since the balloting, and no strike may take place during that period. If a majority of those voting, vote in favor of the strike, no new petition for another referendum may be filed for at least 90 days following the balloting, and such new petition must be signed by 35 percent, rather than 30 percent, of the eligible employees.

Paragraph 3 makes it an unfair labor practice for a union to fail to comply with the foregoing requirements, and makes such an unfair labor practice charge subject to the same requirements and procedures for injunctions under section 10(l) as are charges presently filed under the Taft-Hartley Act alleging unlawful secondary boycotts. Where the Board has reason to believe the charge is true it must immediately seek an injunction in the appropriate Federal district court.

Paragraph 4 gives parties who claim to have been damaged by this unfair labor practice the right to sue for damages in the Federal district courts in exactly the same way as they may now sue for damages because of unlawful secondary boycotts.

Paragraph 5 provides that an employee who participates in a strike which is unlawful because it violates these new provisions, loses his status as employee and hence his protection under the act, unless and until such time as the employer reinstates or reemploys him.

Paragraph 6 affirms that nothing in these new provisions shall in any way modify or supersede the requirements of good faith collective bargaining laid down in section 8(d).

Section 3: Under existing law (sec. 14(b) of title I of Taft-Hartley), the States are authorized to prohibit or limit all forms of compulsory union membership arrangements, including the limited form of union security permitted by Taft-Hartley. Such State laws are known as "right-to-work" laws. The proposed amendment would outlaw all forms of compulsory union membership and financial support except in those States which have or enact laws permitting such arrangements, but in no case would the permitted arrangement extend beyond what is now permitted by way of union security under Taft-Hartley.

Section 4: Under existing law, a union which is selected by a majority of the employees in the unit becomes the exclusive bargaining agent for all the employees in the unit, even those whom the union excludes from membership. The proposed amendment denies the status of exclusive bargaining representative to any union which does not admit to membership on equal terms and with equal privileges all the otherwise eligible employees in the bargaining unit. The sole exception is the denial of membership to members of the Communist Party or of organizations believing in or teaching violent, illegal, or unconstitutional destruction of the U.S. Government.

Section 5: Title I of the Landrum-Griffin Act guarantees certain rights to union members as against their unions and union officials. This title is known as the bill of rights. When an employee claims that these rights are being violated, his only recourse under existing law is to bring suit himself in a Federal court. The proposed amendment would give to the Secretary of Labor the duty to bring such suit in behalf of the aggrieved union member.

Section 6: This proposed amendment provides that where a union has a collective bargaining agreement providing for compulsory union membership, a union member may complain to the Secretary of Labor that the union is using its funds for purposes unrelated to collective bargaining. If upon investigation the Secretary believes the charge to be true, he must bring suit for the benefit of the complaining union member to recover all dues and fees paid by such member to the union since the beginning of the contract. In addition, the Secretary must ask the court for an injunction against the continued use of its funds by the union for the purposes found not to be related to collective bargaining.

If a judgment against the union is recovered, then, until such judgment is satisfied, or reversed on appeal, or the collective bargaining agreement requiring union membership or financial support is terminated, the union is ineligible (1) to be certified or recognized by the NLRB as bargaining representative of employees, (2) to file any charges of unfair labor practices with the NLRB, or to file any other charge, complaint, or petition as representative of or in behalf of employees, with any Federal Government agency, and (3) to receive or enjoy any Federal income tax exemption.

Mr. GOLDWATER. I ask unanimous consent that the bill may lie at the desk for 10 days so that Senators who are interested in doing so may cosponsor it.

The VICE PRESIDENT. Without objection, it is so ordered.

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### REMOVAL OF SNOW AND ICE FROM PAVED SIDEWALKS OF DISTRICT OF COLUMBIA

Mr. BEALL. Mr. President, following the recent snow storm, the hospitals of the District of Columbia were crowded with hundreds of cases of persons who had been seriously injured in falls caused by icy sidewalks. The bill which I am introducing would repeal the existing law of the District of Columbia requiring the removal of snow and ice from paved sidewalks and would establish a more effective law. Under existing law, a person in control of a building who fails to clean a sidewalk is not liable for any penalty; all that can happen to any such negligent property owner is that the District government can have the sidewalk cleaned and bill the owner for the cost. Under the bill which I am introducing, if a person in charge or control of any building, lot, or parcel of land in the District of Columbia fails to clean the snow and ice off of his sidewalk within the first 8 hours of daylight following a snowstorm, he may be fined not more than $100. The bill provides that if ice has accumulated on the sidewalk in such a way that it cannot be removed without damage to the paving that the party in control of the property may make the sidewalk reasonably safe for travel by sprinkling sand, ashes, cinders, or other abrasive substances on the ice, and then as soon as the weather permits, clean the sidewalk of ice and accumulated sand.

Mr. President, I ask unanimous consent to have printed in the RECORD, as part of these remarks, a brief analysis pointing up the advantages of this measure over the existing law.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 96) to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia, and for other purposes, introduced by Mr. BEALL, was received, read twice by its title, and referred to the Committee on the District of Columbia.

The analysis presented by Mr. BEALL is as follows:

#### ANALYSIS OF BILL AND COMPARISON WITH EXISTING LAW

The purpose of the bill is to provide a more enforceable snow removal law than the current law (42 Stat. 845; sec. 7-801, et seq., D.C. Code, 1951 edition) by the addition of criminal sanctions, and at the same time provide a just and equal law for all those required to act under its provisions.

Section one of the current snow removal law, enacted in 1922, requires that any person in charge or control of any building or lot of land within the fire limits of the District of Columbia, fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, shall, within the first 8 hours of daylight after the ceasing to fall of any snow or sleet, remove, or cause to be removed, such snow or sleet, from such sidewalk.

The first section of the bill eliminates the phrase "within the fire limits of the District of Columbia" thereby expanding its scope to include the entire District of Columbia. Also, the term "any person in charge or control" is defined in item (3), section 7(b), thereby clarifying and pinpointing the area of responsibility in the first section.

The term "within the fire limits of the District of Columbia" also occurs in sections 2, 3, and 4 of the current law, and such term has been eliminated from the corresponding sections of the bill.

The first section of the bill requires that the snow or sleet be removed from the paved sidewalk to a width of only 4 feet, thereby establishing a reasonable norm, and if the paved sidewalk is of a lesser width, then to its entire width.

Sections 2 and 3 of the current law require that the Commissioners or the Director of the National Park Service shall remove, or cause to be removed, within the same time as that specified in section one, the snow and sleet from sidewalk space in front of or adjacent to all buildings owned or leased by the District of Columbia, or the United States, and if the snow and sleet cannot be removed without damage to the sidewalk, then the hardened snow or sleet shall be sprinkled with sand or ashes so as to make such area reasonably safe for travel, and such area shall be thoroughly cleaned as soon thereafter as the weather shall permit.

Sections 2 and 3 of the bill are quite similar to sections 2 and 3 of the current law, except that substances which may be sprinkled are enlarged to include "cinders, or other abrasive substance."

Section 4 of the current law requires that persons in charge or control of lots and buildings not owned or leased by the District of Columbia or the United States which front upon or abut sidewalks from which snow or sleet cannot be removed without injury to such sidewalks due to hardening, shall sprinkle such sidewalks with sand or ashes and thereafter clean such sidewalks as soon as weather permits.

Subsection (a) of section 4 of the bill contains language similar to section 4 of the current law, with the addition of "cinders, or other abrasive substances."

Subsection (b) of section 4 of the bill authorizes the Commissioners, in their discretion, to make available any substance within the purview of subsection (a) of section 4 to such persons, at such places, and under such conditions, as they may by regulation provide. The purpose of this subsection is to enable the householder, in the event he is unable to procure such substances himself, to procure sand, or other substances from the District when the District has it available in order that the sidewalks may be made reasonably safe as required by subsection (a) of section 4.

Section 5 of the current law authorizes the Commissioners to remove the sleet or snow from sidewalk areas when the persons in charge or control of lots or buildings abutting such areas (other than areas adjacent to District of federally owned or leased property), fail to remove the snow or sleet therefrom or to make such areas reasonably safe for travel by sprinkling them with sand or ashes. Section 6 of the current law authorizes the Corporation Counsel to sue for and recover from the defaulting persons the cost of removal of the sleet or snow or the cost of making such areas reasonably safe.

It has been impossible to enforce these two sections of the present law for the reason that all available municipal manpower has been required to keep the main arterial highways and bridges open for vehicular traffic.

It should be noted that the District's appropriations for snow removal have never been sufficient to permit it to remove the snow from the sidewalks throughout the city. In the second place, assuming money were available, sufficient manpower could not be obtained in the necessary time to remove the snow from the sidewalks abutting private property. Even assuming the snow could be removed from the sidewalks of defaulting property owners by municipal employees, the duty imposed upon the Corporation Counsel of bringing and prosecuting many thousands of civil suits a year to obtain judgments for the cost of such snow removal, with the further work of attempting to collect the judgments after they were obtained, would necessitate a considerable addition to his force.

For the above-stated reasons these requirements of the current law have been omitted from the bill.

In lieu of sections 5 and 6 in the current law, criminal sanctions have been placed in section 6 of the bill which authorizes a fine of not more than $100 for anyone who shall fail or refuse to comply with any provision of the bill or of any regulation promulgated pursuant to authority contained in the bill. Thus, for the first time, it is proposed to make all persons coming within the purview of the snow removal law amenable to its criminal sanctions, thereby curing one of the defects present in the 1904 District Snow Removal Act (33 Stat. 12) which caused the U.S. Court of Appeals for the District of Columbia Circuit to declare such Act void (cf. *McGuire* v. *District of Columbia*, 24 App. D.C. 22).

Section 9 of the bill repeals the current snow removal law (42 Stat. 845; sec. 7-801, et seq., D.C. Code, 1951 ed.).

## AMENDMENT OF FEDERAL DEPOSIT INSURANCE ACT AND TITLE IV OF NATIONAL HOUSING ACT

Mr. WILLIAMS of Delaware. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Deposit Insurance Act by striking out "$10,000" and inserting in lieu thereof "$125,000". The purpose of the bill is to increase the amount of the insurance that would be granted to depositors of the respective institutions.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 106) to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Banking and Currency.

## APPOINTMENT OF CERTAIN POSTMASTERS BY POSTMASTER GENERAL

Mr. WILLIAMS of Delaware. Mr. President, I introduce, for appropriate reference, a bill to provide for the appointment by the Postmaster General of certain postmasters.

The purpose of the bill is to repeal the section of the law which now requires the Senate to confirm the nomination of postmasters. This is an obsolete function of the Senate and should no longer be enforced.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 107) to provide for the appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

## DESIGNATION OF COLUMBUS DAY AS A LEGAL HOLIDAY

Mr. WILLIAMS of Delaware. Mr. President, on behalf of my colleague, the junior Senator from Delaware [Mr. BOGGS], and myself, I introduce, for appropriate reference, a bill making Columbus Day a legal holiday. My colleague asked that the bill lie on the desk for 10 days for cosponsorship. The purpose is to set aside Columbus Day, October 12, as a legal holiday.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Delaware.

The bill (S. 108) making Columbus Day a legal holiday, introduced by Mr. WILLIAMS of Delaware (for Mr. BOGGS and himself), was received, read twice by its title, and referred to the Committee on the Judiciary.

## HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to restore home rule to the citizens of the Nation's Capital. The Neely-Morse-Bible home rule measure which I am reintroducing today is almost identical to home rule bills which I have introduced in previous Congresses and which passed the Senate in the 84th and 86th Congress.

The format of my home rule bill includes: First, the election of a Mayor by the citizens; second, an elected Council elected by wards; and, third, procedures to assure that the citizens of the District of Columbia can make their desires known to their elected representatives.

The major provisions of the Neely-Morse-Bible bill provide for:

First. An elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia to exercise the municipal authority conveyed to the District.

Second. A Council to be endowed with local legislative power, including taxing and borrowing power, subject to certain restrictions, and to the ultimate power of Congress to repeal, amend, or initiate legislation, and to modify or revoke the charter itself.

The Council replaces the Board of Commissioners.

Third. Giving the Council authority to abolish the Board of Education and determine the type of school administration the District of Columbia should have.

Fourth. Borrowing for capital improvements, payments of bonds and notes, and the preparation of a budget by a specified period of time.

Fifth. Initiative, referendum, and recall to enable the citizens of the District to propose and approve legislation, to take action for or against any action of the Council, and to recall any elective officer of the District.

Mr. President, my bill provides the procedural basis for an efficient municipal government in the District of Columbia while at the same time retains ultimate control by Congress as required by the Constitution.

Many of my colleagues will recall that I have been a consistent advocate for a much larger Federal payment to the District than Congress has authorized and appropriated. I feel very strongly that a very substantial increase in the Federal payment constitutes the only hope of achieving the urgently needed reforms which we have heard so much about in recent years. I shall discuss some of these urgent problems in the Senate during this session of Congress.

In my judgment many of the critical and urgent problems confronting the District Commissioners this year can be laid squarely on the doorstep of Congress because Congress has not acted in a statesmanship manner in living up to its responsibility to the District of Columbia. I am convinced that District of Columbia officials have done a pretty good job of administering the affairs of the city considering the many financial and other handicaps imposed upon them by Congress.

I am pleased to read in the press that the President plans to submit some new and perhaps revolutionary proposals to the Congress this week designated to meet the problems facing this Capital City. Though I do not know what is contained in the President's proposals, I sincerely hope that Congress will study them carefully.

In closing, Mr. President, I wish to assure the President as well as my colleagues on the Senate Committee on the District of Columbia my continued cooperation in bringing about the best home rule bill that we can possibly get passed. I shall also cooperate with them in nailing down a precise Federal payment formula for the District.

I ask unanimous consent to have the bill printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 144) to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, introduced by Mr. MORSE (for himself and Mr. BIBLE), was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally, it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this Act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government; and it is intended that an equitable share thereof shall be paid annually.

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### TITLE I—DEFINITIONS

### Definitions

SEC. 101. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The terms "District Council" or "Council" means the Council of the District of Columbia provided for by title III.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified elector" means a qualified elector of the District as specified in section 806, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(7) The term "District Primary Act" means the Act of August 12, 1955 (Public Law 376, Eighty-fourth Congress; 69 Stat. 699).

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The term "capital project", or "project", means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending", when applied to any capital project, means authorized but not yet completed.

(11) The term "Board of Elections" means the Board of Elections created by section 3 of the District Primary Act.

(12) The term "election", unless the context otherwise indicates, means an election held pursuant to the provisions of this Act.

(13) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(14) The term "municipal office" means an office of any governmental unit subordinate to a State government.

(15) The terms "publish" and "publication", unless otherwise specifically provided herein, mean publication in a newspaper of general circulation published in the District.

(16) The term "municipal courts of the District of Columbia" means the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereafter establish by act.

### TITLE II—STATUS OF THE DISTRICT

### Status of the District

SEC. 201. (a) All the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia is hereby declared to be a body politic and corporate in perpetuity for governmental purposes and as such may sue and be sued, contract and be contracted with, and have a corporate seal. Such body politic and corporate is the successor of the District of Columbia created by section 2 of the Revised Statutes relating to the District of Columbia and continued by the first section of the Act of June 11, 1878 (D.C. Code, 1951 edition, sec. 1-102). So far as is consistent with the provisions of this Act, all powers, rights, privileges, immunities, duties, obligations, assets, and liabilities of the District of Columbia created by such section 2 are hereby transferred to, vested in, and imposed upon the body politic and corporate created by this section.

(b) Section 1 of the Act of February 21, 1871 (16 Stat. 419), and section 1 of the Act of June 11, 1878 (20 Stat. 102), are hereby repealed.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

### TITLE III—THE DISTRICT COUNCIL

### *Part 1—Creation of the District Council*

### Creation and Membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nine members elected as provided in title VIII.

### Qualifications for Holding Office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified elector, (2) is domiciled in the District and resides in the ward from which he is nominated, has, during the three years next preceding his nomination resided and been domiciled in the District and has for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

### Compensation

SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $6,500 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $8,500 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the District Council to be paid out of funds duly appropriated therefor.

### Changes in Membership and Compensation of District Council Members

SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the District Council: *Provided*, That no such Act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election on the proposition set forth in any such Act.

### *Part 2—Principal functions of the District Council*

### Functions Heretofore Exercised by the Board of Commissioners

SEC. 321. (a) Except as otherwise provided in this Act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

(b) The Board of Commissioners of the District is hereby abolished, and all provisions of law providing for the Board of Commissioners of the District, and the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District, are hereby repealed.

(c) The Board of Education provided for in section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906 (34 Stat. 316), is hereby abolished and its functions are hereby transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

### Functions Relating to Zoning and Other Agencies

SEC. 322. (a) The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D.C. Code, sec. 5-412), is hereby abolished, and its functions are transferred to the District Council.

(b) The Public Utilities Commission of the District of Columbia; the District of Columbia Redevelopment Land Agency; the Armory Board; and the National Capital Housing Authority are hereby abolished and their functions transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

### Certain Delegated Functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

### Powers of and Limitations Upon District Council

SEC. 324. (a) Except as provided in subsection (b) and subject to the reserved powers of the Congress as provided in section 324(d), there shall be vested (1) in the District Council, and (2) in the qualified electors of the District of Columbia as provided in section 1701 of this Act, complete legislative power over the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District: *Provided*, That such subjects are within the scope of the power of Congress in its capacity as the legislature for the District of Columbia as distinguished from its capacity as the National Legislature. Except as otherwise provided in sections 321 and 322, nothing in this section shall be construed as vesting in the District government any greater authority over the Commission on Mental Health, the National Zoological Park, the Washington Aqueduct, the National Guard of the District of Columbia, or any Federal agency, than the authority which was vested in the Board of Commissioners prior to the date of the enactment of this Act. The District Council shall, by majority vote of those present, confirm or reject nominees proposed by the Mayor, and shall have power, by vote of two-thirds of its members, to override any veto by the Mayor.

(b) The qualified electors of the District of Columbia or the District Council may not pass any act contrary to the provisions of this Act or—

(1) impose any tax on property of the United States;

(2) grant any exclusive privilege, immunity, or franchise;

(3) authorize any lottery or the sale of lottery tickets or authorize any form of gambling;

(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(5) lend the public credit for support of any private undertaking;

(6) authorize the issuance of bonds except in compliance with the provisions of title VI; or

(7) pass any act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), the Act of July 19, 1952 (66 Stat. 781); and the Act of May 29, 1930 (46 Stat. 482), and the people or the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility, of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner or the Board of Commissioners, the former of which terms, after the enactment of this Act, shall mean the Mayor or some District Government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the District Council.

(c) An act, except as otherwise provided in this Act, shall become effective thirty days after its passage or at such later time as the Council may designate: *Provided*, That an act may become effective at any time after its passage if the Council by vote of two-thirds of its members shall state in such act that an emergency exists requiring such earlier effective date. Every act or resolution shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act or resolution shall be published, within seven days after its passage, as the District Council may direct.

(d) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the qualified electors of the District of Columbia and the District Council by this Act, including without limitation legislation to amend or repeal any law in force in the District of Columbia prior to or after the enactment of this Act and any act or resolution passed by the Council or any act passed by the qualified electors of the District of Columbia.

(e) Upon the effective date of this title, jurisdiction over the municipal courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof. Nothing in this Act shall be construed to change the tenure of any judge occupying the position of a judge of one of the municipal courts of the District of Columbia on the date of the enactment of this Act, except that his compensation may be increased.

(f) On or after the effective date of this title, any person appointed or elected to serve as judge of one of the municipal courts of the District of Columbia shall not (1) be appointed or elected to serve for a term of less than ten years, or (2) receive as compensation for such service an amount less than the amount payable to an associate judge of the District of Columbia Court of General Sessions on the date of enactment of this Act.

(g) Nothing in subsection (e) of this section shall be construed to curtail the jurisdiction of the United States District Court for the District of Columbia or any other United States court other than the municipal courts of the District of Columbia.

### *Part 3—Organization and Procedure of the District Council*

### The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the District Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the Chairman shall be for two years.

### Secretary of the District Council; Records and Documents

SEC. 332. (a) The District Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this Act, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the District Council.

(b) The secretary shall (1) keep a record of the proceedings of the District Council, (2) keep a record showing the text of all acts and resolutions introduced, and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the District Council, and (4) perform such other duties as the District Council may from time to time prescribe.

### Meetings

SEC. 333. (a) The first meeting of the District Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. The first meeting of the District Council in each odd-numbered year commencing with the first odd-numbered year next following such election shall be called by the Secretary of the District Council for a date not later than January 7 of such year.

(b) The District Council shall provide for the time and place of its regular meetings. The District Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the District Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332(b) shall be open to public inspection and available for copying during all regular office hours of the Council Secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

### Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall appoint such standing and special committees as may be expedient for the conduct of the Council's business. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

### Acts and Resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall enact acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the District Council of a special or temporary character.

(b)(1) The enacting clause of all acts passed by the District Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the District Council shall be "The Council of the District of Columbia hereby resolves,".

(c) A special election may be called by resolution of the District Council to present for referendum vote of the people any proposition upon which the District Council desires to take such action.

### Passage of Acts

SEC. 336. The District Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this Act, this requirement may be waived by the unanimous vote of the members present.

### Procedure for Zoning Acts

SEC. 337. (a) Before any zoning act for the District is passed by the District Council—

(1) the District Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall within thirty days after the date of such deposit, report to the District Council whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The District Council may not pass the act unless it has received such report or the Commission has failed to report within the thirty-day period above specified; and

(2) the District Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least thirty days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The District Council (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The District Council shall deposit with the National Capital Planning Commission each zoning act passed by it. If in the opinion of the Commission such act as passed would adversely affect the interests of the Federal Government, the Commission shall within thirty days after the date of such deposit certify to the District Council its disapproval of such act. If such certification of disapproval is not made within such thirty-day period, the zoning act shall take effect as law on the day following the expiration of such period. If the Commission makes such certification of disapproval within the thirty-day period above specified, the zoning act shall take effect as law only if, within thirty days after the day on which such certification is received, the act be readopted by the affirmative vote of at least two-thirds of the members of the District Council; in which case the zoning act shall take effect as law on the day following the day on which it is readopted, or at such later date as the Council may designate.

### Investigations by District Council

SEC. 338. (a) The District Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the District Council (if the District Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the District Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

## TITLE IV—MAYOR

### Election, Qualifications, and Salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title VIII.

(b) No person shall hold the office of Mayor unless he (1) is a qualified elector, (2) is domiciled and resides in the District and has during the three years next preceding his nomination been resident in and domiciled in the District, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $15,000, and an allowance for official expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

(d) Notwithstanding any other provision of this Act, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by act passed by the District Council: *Provided,* That no such act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election of the proposition set forth in any such act.

### Powers and Duties

SEC. 402. The Mayor shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman and the Vice Chairman of the District Council, execute and perform all the powers and duties of the Mayor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the District Council superseding such laws and establishing a permanent civil service system or systems, based on merit, pursuant to

section 402(4) continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government; to section 1001(d) of this Act, and, where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign personnel to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners and shall have power to remove such personnel from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this Act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent civil service system or systems, based on merit, pursuant to section 402(4): *Provided*, That all appointments of department heads and members of boards and commissions; all appointments and assignments to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District, and appointments made pursuant to section 804 of this Act, shall be by and with the consent of the Council.

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, disability and death benefits, leave, retirement, insurance, and veteran's preference, applicable to employees of the District government, as set forth in section 1002(c), shall continue in effect until such time as the Council shall, pursuant to this section, provide similar or comparable coverage under a District civil service system or systems, based on merit. The District civil service system or systems shall be established by legislation of the Council and shall provide coverage similar or comparable to, or shall provide for continued participation in, all or part of the Federal civil service system. The District civil service system or systems shall take effect not earlier than one year or later than five years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

(7) He shall keep the District Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

(8) He may submit drafts of acts to the District Council.

(9) He shall perform such other duties as the District Council, consistent with the provisions of this Act, may direct.

(10) He may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, and if the Council has given assent, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) The Mayor or the District Council may propose to the executive or legislative branches of the United States Government, legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this Act.

(12) As custodian he shall use and authenticate the corporate seal of the District in accordance with the rules of the Council.

(13) He shall have the right, under the rules to be adopted by the District Council, to be heard by the Council or any of its committees.

(14) If empowered by the District Council, he is authorized and directed to promulgate, adopt and enforce such rules and regulations, not inconsistent with any Act of the Congress or any act of the Council, as are necessary to carry out his functions and duties.

(15) He shall within ten days after the adoption of any act by the District Council approve or disapprove such act, in the event of disapproval stating his reasons therefor. If the Mayor shall not act thereon within ten days, such act shall become law as provided in this Act. Upon such disapproval such act shall not become law unless pursuant to section 324(a) it shall subsequently within thirty days after such veto be readopted by vote of two-thirds of the members of the District Council, whereupon it shall become law in accordance with the provisions of this Act.

## TITLE V—THE DISTRICT BUDGET

### Fiscal Year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

### Budgetary Details Fixed by District Council

SEC. 502. (a) The Mayor shall prepare and submit, not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

(b) The Mayor shall, in consultation with the District Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

### Adoption of Budget

SEC. 503. The District Council shall by act adopt a budget for each fiscal year not later than May 15, except that the District Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

### Budget Establishes Appropriations

SEC. 504. The adoption of the budget by the District Council shall, from the effective date thereof, operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

### Supplemental Appropriations

SEC. 505. The District Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

## TITLE VI—BORROWING

### *Part I—Borrowing for capital improvements*

### Borrowing Power; Debt Limitations

SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided*, That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average assessed value of the taxable real and tangible personal property of the District subject to taxation by the District as of the first day of July of the ten most recent fiscal years for which such assessed values are available, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with highway, water and sanitary sewage works purposes or other revenue-producing capital projects which are determined by the District Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the District Council from time to time in amounts in the aggregate at any time oustanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified electors of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitations at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The District Council shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

### Contents of Borrowing Legislation; Referendum on Bond Issue

SEC. 602. (a) An Act authorizing the issuance of bonds may be enacted by a majority of the District Council members at any meeting of the Council subsequent to the meeting at which such Act was introduced, and shall contain at least the following provisions:

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the District Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified electors of the District, the date

on which such election will be held, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the electors to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The District Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified electors at the first general election to be held in the District not less than forty days after the date of enactment of the Act authorizing such bonds, or upon a vote of at least two-thirds of the members of the District Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such Act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the District Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted on and the designated polling places in the various precincts and wards in the District, which said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the District Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the District Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

### Publication of Borrowing Legislation

SEC. 603. The Mayor shall publish any act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"Notice

"The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified electors, twenty days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

—— ——,

*Mayor*".

### Short Period of Limitation

SEC. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified electors, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) Any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) Such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this Act and of all laws applicable thereto;

(3) The validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

### Acts for Issuance of Bonds

SEC. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the District Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the District Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year to be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the District Council may determine.

### Public Sale

SEC. 606. (a) All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the District Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state among other things that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the District Council shall reserve the right to reject any and all bids.

(b) The Treasurer of the United States, and any administrative officer or agency of the United States Government may purchase bonds issued under this part with funds under the control of such officer or agency to the same extent as the Treasurer, officer, or agency is permitted by law to invest such moneys in obligations of the United States Government, and such sale may be negotiated without the necessity of complying with the provisions of this section, relative to a public sale of the bonds.

## *Part 2—Short-term borrowing*

### Borrowing To Meet Supplemental Appropriations

SEC. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the District Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

### Borrowing in Anticipation of Revenues

SEC. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the District Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19  ". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

### Notes Redeemable Prior to Maturity

SEC. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

### Sale of Notes

SEC. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

## *Part 3—Payment of bonds and notes*

SEC. 631. (a) The act of the District Council authorizing the issuance of bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purpose of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

### *Part 4—Tax exemption—Legal investment*

### Tax Exemption

SEC. 641. Bonds and notes issued by the District Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

### Legal Investment

SEC. 642. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph seven of section 5136 of the Revised Statutes (title 12, U.S.C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided*, That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

## TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

### *Part 1—Financial Administration*

### Surety Bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the District Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

### Financial Duties of the Mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the District Council under section 502 the annual budget estimates and budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets: *Provided*, That as soon as practicable after the date of enactment of this Act, the Mayor shall cause the accounts of the District to be maintained on a basis that will facilitate the preparation of cost-based budgets;

(4) submit to the District Council a monthly financial statement, by appropriation and department, and in any further detail the District Council may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the District Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange.

### Control of Appropriations

SEC. 703. The District Council may provide (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

### Accounting Supervision and Control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

### When Contracts and Expenditures Prohibited

SEC. 705. No officer or agency of the District shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for any item of expenditure. Any contract, verbal or written, made in violation of this Act shall be null and void. Any officer or employee of the District who shall violate this section, upon conviction thereof, may be summarily removed from office. Nothing in this section, however, shall prevent the making of contracts or of expenditures for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

### General Fund

SEC. 706. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

### Contracts Extending Beyond One Year

SEC. 707. No contract involving expenditure out of the appropriations for more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made or approved by act of the District Council.

### *Part 2—Audit by General Accounting Office*

### Independent Audit

SEC. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) (1) The Comptroller General shall submit such audit reports as he may deem necessary to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Mayor and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transactions or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection.

(3) The Mayor, within ninety days after the report has been made to him and the Council, shall state in writing to the Council what has been done to comply with the recommendations made by the Comptroller General in the report.

### Amendment of Budget and Accounting Act

SEC. 722. Section 2 of the Budget and Accounting Act, 1921 (U.S.C., title 31, sec. 2), is hereby amended by striking out "and the municipal government of the District of Columbia".

*Part 3—Adjustment of Federal and District expenses*

### Adjustment of Federal and District Expenses

SEC. 731. Subject to section 901 and other provisions of law, the Mayor, with the advice and consent of the District Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

## TITLE VIII—ELECTIONS IN THE DISTRICT

### Board of Elections

SEC. 801. (a) The members of the Board of Elections in office on the date of enactment of this Act shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed without regard to political affiliations, by the Mayor by and with the advice and consent of the District Council. The term of each such successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Primary Act is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this Act—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 807 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;

(4) print, distribute, and count ballots, or provide and operate suitable voting machines;

(5) divide the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible, and establish voting precincts therein;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this Act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 807 and 811) and for determination by it of appeals.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) The Board of Elections, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 801 and 807. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this Act.

(h) Each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments.

### What Elections Shall Be Held

SEC. 802. (a) The Board of Elections shall conduct a general election—

(1) in any even-numbered calendar year commencing with 1964; and

(2) in any odd-numbered calendar year commencing with 1965, if an act authorizing the issuance of bonds required by section 602 to be submitted for a referendum at an election is enacted at least 40 days prior to the date for conducting the election in such year.

(b) Such general elections shall be held on the fourth Tuesday before the Tuesday in November prescribed hereafter for runoff elections.

(c) Any runoff elections required to be held pursuant to section 805 shall be held on the first Tuesday after the first Monday in November.

### Elective Offices; Terms of Office

SEC. 803. (a) The offices of the District to be filled by election shall be the elective offices on the District Council, the Mayor and the District Delegate.

(b) The term of an elective office on the District Council shall be two years beginning on January 1 of the odd-numbered year following such election.

(c) The term of office of the Mayor shall be four years, beginning on January 1 of the odd-numbered year next following his election.

(d) The term of office of the District Delegate shall be two years beginning at noon on January 3 of the odd-numbered year following such election.

### Vacancies

SEC. 804. (a) Vacancies in the office of Mayor or in the District Council shall be filled at the next general election held pursuant to section 802 for which it is possible for candidates to be nominated following the occurrence of the vacancy. A person elected to fill a vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such term.

(b) If the office of Delegate becomes vacant at a time when the unexpired term of such office is six months or more, a special election and, if necessary, a runoff election shall be held, at such time and in such manner (comparable to that prescribed for general elections) as the Board of Elections shall prescribe.

(c) Until a vacancy in the office of Mayor or in the District Council can be filled in the manner prescribed in subsection (a) hereof, a vacancy in the office of Mayor shall be filled by appointment by the District Council; and a vacancy in the District Council shall be filled by appointment by the Mayor. No person shall be qualified for appointment to any office under this subsection unless, if nominated, he would have been a qualified candidate for such office at the last election conducted prior to or on the date the vacancy occurred. A person appointed to fill a vacancy under this subsection shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

### What Candidates Are Elected

SEC. 805. At any general election, a candidate for Delegate or a candidate for Mayor who receives a majority of the votes validly cast for such office shall be elected. At any general election, each of the three candidates in each ward for positions on the District Council receiving the highest number of valid votes, shall be elected if he receives more than one-sixth of the total number of votes validly cast for all candidates in his ward for the position for which he is a candidate. In case any office is unfilled because of failure of any candidate to receive in any general election the necessary proportion of votes validly cast, there shall be a runoff election to fill such office. In such runoff election the candidates shall be the persons who were the unsuccessful candidates for the unfilled offices in the general election, and who received the highest number of valid votes in that election, to the number of twice the offices to be filled. The candidate or candidates receiving the highest number of votes validly cast in the runoff election shall be elected. In any election in which there are two or more similar positions to be filled in any ward, a vote for any candidate for such a position in that ward will be valid only if the ballot records votes for as many candidates for such positions in that ward as there are positions to be filled.

### Recall

SEC. 805a. (a) Any elective officer of the District of Columbia shall be subject to recall by the qualified electors of the District. Any petition filed demanding the recall by the qualified electors of the District of any such elective officer shall be signed by not less than 25 per centum of the number of qualified electors of the District voting at the last preceding general election. Such petition shall set forth the reasons for the demand and shall be filed with the Secretary of the District Council. If any such officer with respect to whom such a petition is filed shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by law for filling a vacancy in that office arising from any other cause. If he shall not resign within five days after the petition is filed, a special election shall be called by the Council to be held within twenty days thereafter to determine whether the qualified electors of the District will recall such officer.

(b) There shall be printed on the ballot at such election, in not more than two hundred words, the reason or reasons for demanding the recall of any such officer, and, in not more than two hundred words, the officer's justification or answer to such demands. Any officer with respect to whom a petition demanding his recall has been filed shall continue to perform the duties of his office until the result of such special election is officially declared by the Board of Elections. No petition demanding the recall of any officer filed pursuant to this section shall be circulated against any officer of the District until he has held his office six months.

(c) If a majority of the qualified electors voting on any petition filed pursuant to this section vote to recall any officer, his recall shall be effective on the day on which the Board of Elections certifies the results of the special election, and the vacancy created thereby shall be filled immediately in a manner provided by law for filling a vacancy in that office arising from any other cause.

(d) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of a petition for recall filed pursuant to this section, and (2) with respect to the conduct of any special election held pursuant to this section.

### Qualified Electors

SEC. 806. No person shall vote in an election unless he meets the qualifications of an elector specified in this section and has registered pursuant to section 807 of this Act or section 7 of the District Primary Act. A qualified elector of the District shall be any person (1) who has maintained a domicile or place of abode in the District continuously during the one-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within one year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot.

### Registration

SEC. 807. (a) No person shall be registered unless—

(1) he shall be able to qualify otherwise as an elector on the day of the next election; and

(2) he executes, in the presence of an employee of the Board of Elections authorized to take oaths for such purposes a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on the day of the election all the requirements of section 806 of this Act.

(b) If a person is not permitted to register, such person, or any qualified candidate, may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the District of Columbia Court of General Sessions. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged elector may cast a ballot marked "challenged", as provided in section 811.

(c) For the purposes of this Act, the Board of Elections shall keep open, during normal hours of business, Saturdays, Sundays, and holidays excepted, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period, not exceeding thirty days, next preceding any election as it may deem necessary and appropriate.

### Qualified Candidates

SEC. 808. The candidates at an election in the District shall be the persons, registered under section 807 of this Act or under section 7 of the District Primary Act, who have been nominated as provided in section 809 of this Act: *Provided*, That no member of the Board of Elections may be such a candidate.

### Nominations

SEC. 809.(a) Nomination of a candidate shall take place when the Board of Elections receives a petition in accordance with rules, not inconsistent with this Act, prescribed by the Board either—

(1) a declaration of candidacy accompanied by a filing fee equal to 5 per centum of the annual compensation for which nomination is sought; and said fee to be refunded—

(A) if the candidate withdraws his candidacy in writing received by the Board not more than three days after the last day on which nominations may be made; or

(B) if the candidate polls 10 per centum or more of the total vote cast for that office; or

(2) A nominating petition signed by the number of registered voters specified below, without payment of a filing fee: *Provided*—

(A) that any petition for a candidate for the office of District Delegate or Mayor be signed by six hundred qualified electors registered in the District, and

(B) that any petition for a candidate for the District Council be signed by three hundred qualified electors registered in the ward from which he is nominated for such office.

(b) No person may be a candidate for more than one office in any election. If a person is nominated for more than one office, he shall, within three days after the last day on which nominations may be made (as prescribed by the Board of Elections), notify the Board of Elections for which such office he elects to run.

(c) The Board of Elections is authorized to accept any nominating petition as bona fide with respect to the qualifications of the signatories thereto: *Provided*, That the originals or facsimile copies thereof shall have been posted in a suitable public place for at least ten days: *And provided further*, That no challenge as to the qualifications of the signatories shall have been received in writing by the Board of Elections within ten days of first posting of such petition.

(d) The Board of Elections may, at its discretion, declare elected, without an actual count of the votes cast, any unopposed candidate.

### Nonpartisan Elections

SEC. 810. (a) Ballots and voting machines shall show no party affiliations, emblem, or slogan.

(b) Section 16 of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (53 Stat. 1147), is amended by inserting immediately after "exists in" the following: "the District of Columbia or".

### Method of Voting

SEC. 811. (a) Voting in all elections shall be secret. Voting may be by paper ballot or voting machine.

(b) The ballot shall show the wards from which each candidate (other than for District Delegate and Mayor) has been nominated. Each voter shall be entitled to vote for three candidates for the District Council from the ward in which such voter resides; for one candidate for Mayor and for one candidate for District Delegate. No person shall be a candidate from more than one ward.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee balloting shall be permitted under regulations adopted by the Board of Elections.

(e) At least ten days prior to the date of any referendum or other election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any challenge or acting on his own with respect to a prospective voter, reasonably believes the prospective voter is unqualified to vote, he shall allow the voter to cast a paper ballot marked "challenged". Ballots so cast shall be segregated, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or to operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) In any election held pursuant to this Act, any voter entitled to vote for any office shall not vote more than once for that office.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as an elector.

### Recounts and Contests

SEC. 812. (a) The provisions of section 11 of the District Primary Act with respect to recounts and contests shall be applicable to any election or referendum held under this Act, except that in the case of any initiative, referendum, or recall election any qualified voter who has voted in any such election may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required of a candidate for office under section 11(a) of the District Primary Act.

(b) If the court voids all or part of an election under this section, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 804.

### Interference With Registration or Voting

SEC. 813. (a) No one shall interfere with the registration of voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

### Violations

SEC. 814. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than six months, or both.

## TITLE IX—MISCELLANEOUS

### Agreements with United States

SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to a contract (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the District Council. Each such contract shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the Government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any contract negotiated and approved pursuant to subsection (a), any District officer or agency may in the contract delegate any of his or its function to any Federal officer or agency, and any Federal officer or agency may in the contract delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

(c) The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the District Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the Congress to the Federal officers and agencies to which such services are furnished.

### Personal Interest in Contracts or Transactions

SEC. 902. No member of the District Council and no other officer or employee of the District with power of discretion in the making of any contract to which the District is a party or in the sale to the District or to a contractor supplying the District of any land or rights or interests in any land, material, supplies, or services shall have a financial interest, direct or indirect, in such contract or sale. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the District found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person contracting with the District shall render the contract voidable by the Mayor or the District Council.

### Compensation From More Than One Source

SEC. 903. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the District Council, or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the District Council or such Board, if such service does not interfere with the discharge of his duties in such other office or position.

(c) For the purpose of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99), no person shall, by reason of membership on the District Council, or the Board of Elections or by reason of his serving in any position in or under the government of the District of Columbia, be considered to be an officer or employee of the United States.

### Assistance of United States Civil Service Commission in Development of District Merit System

SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the District Council in the further development of the merit system required by section 402(3) and the said Commission is authorized to enter into agreements with the District of Columbia government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this Act.

## TITLE X—SUCCESSION IN GOVERNMENT

### Transfer of Personnel, Property, and Funds

SEC. 1001. (a) In each case of the transfer, by any provision of this Act, of functions to the Council or to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to the Council or to such agency or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the members of boards or commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the District Council, or in such manner as the District Council shall provide, if such functions are transferred to the District Council, and (B) by the Mayor if such functions are transferred to any other officer or agency.

(c) Any of the personnel transferred to the Council or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his functions shall, in accordance with law, be transferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this Act, be deprived of a civil-service status held by him prior to such transfer.

### Existing Statutes, Regulations, and So Forth

SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes any rule, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this Act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the District Council may otherwise elect to provide similar and comparable coverage as provided in section 402(4).

### Pending Actions and Proceedings

SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this Act, but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

### Vacancies Resulting From Abolition of Board of Commissioners

SEC. 1004. Until July 1, 1965, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions, but such agency may take action only if a majority of the members holding office vote in favor of it.

## TITLE XI—SEPARABILITY OF PROVISIONS

### Separability of Provisions

SEC. 1101. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

## TITLE XII—TEMPORARY PROVISIONS

### Powers of the President During Transition Period

SEC. 1201. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform their functions under this Act.

### Reimbursable Appropriations for the District

SEC. 1202. (a) The sum of $500,000 is hereby authorized to be appropriated for the District of Columbia, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount of expenditures out of the appropriations made under this authorization shall be reimbursed to the United States, without interest, during the fiscal year ending June 30, 1966, from the general fund of the District of Columbia.

## TITLE XIII—EFFECTIVE DATES

### Effective Dates

SEC. 1301. (a) As used in this title and title XIV the term "charter" means titles I to XI, both inclusive, and titles XV, XVI, and XVII.

(b) The charter shall take effect only if accepted pursuant to title XIV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406) except that—

(1) part 2 of title III, title V, and title VII shall take effect on the day upon which the council members first elected take office, and

(2) section 402 shall take effect on the day upon which the mayor first elected takes office.

(c) Titles XII, XIII, and XIV shall take effect on the day following the date on which this Act is enacted.

## TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

### Charter Referendum

SEC. 1401. (a) On a date to be fixed by the Board of Elections, not more than nine months after the enactment of this Act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District of Columbia accept the charter.

(b) As used in this title, a "qualified elector" means a person who meets the requirements of section 806 on the day of the charter referendum.

### Board of Elections

SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Primary Act shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this Act shall govern the Board of Elections in the performance of its duties.

### Registration

SEC. 1403. (a) The Board of Elections shall conduct within the District of Columbia a registration of the qualified electors commencing as soon as practicable after the enactment of this Act and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1401 of this title.

(b) Prior to the commencement of such registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) The applicable provisions of section 807, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the registration of voters for this charter referendum.

### Charter Referendum Ballot; Notice of Voting

SEC. 1404. (a) The charter referendum ballot shall contain the following, with the blank space appropriately filled:

"The District of Columbia Charter Act, enacted ____________, proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified electors of the District in this referendum.

"By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

☐ For the charter

☐ Against the charter"

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

### Method of Voting

SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of sections 811, 812, 813, and 814 of this Act shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

### Acceptance or Nonacceptance of Charter

SEC. 1406. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

## TITLE XV—DELEGATE

### District Delegate

SEC. 1501. (a) Until a constitutional amendment or subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this Act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified elector, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c)(1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out "from the Territories".

(2) Clause (b) of setcion 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Stat. 743), is hereby amended by striking out "from a Territory".

(3) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (U.S.C. title 2, sec. 37), is hereby amended by striking out "from Territories".

(4) Paragraph (l) of section 302 of the Federal Corrupt Practices Act, 1925, as amended (U.S.C., title 2, sec. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia".

(5) Section 591 of title 18, United States Code, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia".

## TITLE XVI—REFERENDUM

### Power of Referendum

SEC. 1601. (a) The qualified electors (as defined in section 806) shall have power, pursuant to the procedure provided by this title, to approve or reject in a referendum any act of the District Council, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which shall be subject to the referendum provisions contained in section 602, or to acts continuing existing taxes or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within forty-five days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least ten per centum of the number who voted at the last preceding general election may be filed with the Secretary of the District Council requesting that any such act or any part or parts thereof, be submitted to a vote of the qualified electors.

(b) The Board of Elections shall prescribe such regulations as may be necessary or appropriate with respect to the form, filing, examination, amendment, and certification of petitions for referenda and with respect to the conduct of any referendum held under this title.

### Effect of Certification of Referendum Petition

SEC. 1602. (a) When a referendum petition has been certified as sufficient, the act, or the one or more items, sections or parts thereof, specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors, as provided in this title. The filing of a referendum petition against one or more parts of an act shall not alter the operative effect of the remainder of such act.

(b) If, within thirty days after the filing of a referendum petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed sufficient for the purposes of this title.

### Submission to Electors

SEC. 1603. An act with respect to which a petition for a referendum has been filed and certified as sufficient shall be submitted to the qualified electors at a referendum to be held in connection with the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of the sufficiency of the petition. The District Council shall, if no general election is to be held within such period, provide for a special election for the purpose of conducting the referendum.

### Availability of List of Qualified Electors

SEC. 1604. If any organization or group requests it for the purpose of circulating descriptive matter relating to the act to be voted on at a referendum, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

### Results of Referendum

SEC. 1605. An act which is submitted to a referendum which is not approved by a majority of the qualified electors voting thereon shall thereupon be deemed repealed. If a majority of the qualified electors voting thereon approved the act, it shall become operative on the day following the day on which the Board of Elections certifies the results of the referendum. If conflicting acts are approved by the electors at the same referendum, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. As used in this section, the word "act" shall mean the complete act, or any part or parts thereof, specified in the petition for referendum.

### TITLE XVII—INITIATIVE

SEC. 1701. (a) Subject to the provisions of section 324 of this Act, the qualified electors of the District shall have the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District.

(b) In exercising the power of initiative conferred upon the qualified electors by subsection (a) of this section, not more than 10 per centum of the number of qualified electors voting in the last preceding general election shall be required to propose any measure by an initiative petition. Every such petition shall include the full text of the measure so proposed and shall be filed with the Secretary of the District Council to be submitted to a vote of the qualified electors. Any such petition which has been filed with the Secretary, and certified by him as sufficient, shall be submitted to the qualified electors of the District at the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of sufficiency. The Council shall, if no general election is to be held within such period, provide for a special election for the purpose of considering the petition. Any measure so proposed by the petition shall, if approved by a majority of the qualified electors voting thereon in such election, take effect and become law on the day following the day on which the Board of Elections certifies the results of such election or on the date provided for by such measure. If conflicting measures proposed are approved by the electors at the same election, the measure receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(c) If, within thirty days after the filing of a petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed certified as sufficient for purposes of this section.

(d) The style of all measures proposed by initiative petition shall be as follows: "Be it enacted by the People of the District of Columbia".

(e) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of initiative petitions, and (2) with respect to the conduct of any election during which any such petition is considered.

(f) If any organization or group request it for the purpose of circulating descriptive matter relating to the measures proposed to be voted on, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

### TITLE XVIII—TITLE OF ACT

SEC. 1801. This Act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such Act, may be cited as the "District of Columbia Charter Act".

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## U.S. NATIONAL ARTS FOUNDATION

Mr. JAVITS. Mr. President, I introduce for appropriate reference, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Rhode Island [Mr. PELL], a bill to establish a U.S. National Arts Foundation.

During the 87th Congress, extensive hearings were held by the Committee on Labor and Public Welfare on my bill (S. 1250) to establish a U.S. Arts Foundation; on the bill (S. 785) by the Senator from Pennsylvania [Mr. CLARK], which provided assistance for the arts to the States on a matching basis; and on S. 741, a bill introduced by the Senator from Minnesota [Mr. HUMPHREY], to establish a Federal Advisory Council on the Arts.

The bill which the Labor and Public Welfare Committee reported favorably combined the essential features of the U.S. Arts Foundation and the program to assist the States. Because of the lateness of the session the Senate did not have an opportunity to act on this proposal. Therefore, with Senators HUMPHREY, CLARK and PELL, I now introduce this bill to establish a U.S. National Arts Foundation. Except for minor revisions it is identical with the bill favorably reported by the Committee on Labor and Public Welfare.

I introduce the bill with a sense of urgency derived from the increasingly sharp cultural competition abroad which the United States faces from the Soviet bloc countries. Our cultural exchange program is rapidly expanding because it is recognized as a reflection of the "state of the visual and performing arts in America, both in terms of creative cultural vitality and of the desire and capacity of a free people to support the development of a flourishing national culture." These are the words used in a recent report to the Department of State by the U.S. Advisory Commission on International Educational and Cultural Affairs, and they should emphasize to us the need to develop a cultural base in depth within our own borders by broadening the range of our cultural institutions and activities.

Support for the visual and performing arts now comes in large part from private benefactors, but the difficulties faced by our cultural institutions were dramatically emphasized by the labor dispute that for a time threatened to close the Metropolitan Opera House for an entire season. This situation has also resulted in a limitation of the visual and performing arts out of all proportion to our resources and to the interest of the American people. Moreover, it has tended to concentrate the development of cultural programs in centers of wealth, leaving wide areas of the country without opportunity to enjoy and participate in the visual and performing arts.

The U.S. National Arts Foundation would encourage by matching grants and subventions to nonprofit groups the distribution of live performances and exhibits in cities and towns which could not otherwise receive and support them. It would help to stimulate a revival of the arts in entire regions through the work of nonprofit groups, municipalities and State agencies able to provide cultural services because of the subvention available from the Foundation to cover the difference between production costs and admissions. Within the framework of private nonprofit enterprise and with no Federal control, the Foundation would help in the development and training of new talent in the fields of the visual and performing arts, and also make it possible for many more people in many more places to see and hear the best in American culture.

The Foundation would require in its first year an appropriation from the Federal Government of $5 million for the entire country and $10 million in succeeding years, half of which shall be available for grants to the States. This would serve essentially as seed money with the largest amount of its expenditures anticipated to come from funds contributed by private foundations and other benefactors interested in the advancement of the arts. I expect that this modest Federal appropriation could stimulate the expenditure of as much as $50 million a year in non-Government support for the arts.

This proposal has the support of a great many artists of international fame as well as many organizations in the performing, academic, and cultural world. It would supplement and enhance other Federal Government activities, such as our cultural exchange program; contribute to the artistic education of the American people; and expand the areas served by theater, opera, ballet, music, the graphic arts, painting, sculpture, and other cultural resources so that no populated place would have to be culturally starved.

It would enable the United States to hold its place abroad in terms of cultural competition as effectively as we wish it to hold its place at home.

Mr. President, I ask unanimous consent that the text of the bill may be printed as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 165) to establish a U.S. National Arts Foundation, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SHORT TITLE

SECTION 1. This Act may be cited as the "United States National Arts Foundation and Cultural Development Act."

### DECLARATION OF POLICY

SEC. 2. The Congress finds that Americans desire increased opportunities to view and enjoy the visual and performing arts; that the Nation's prestige and general welfare will be promoted by recognizing the status of the visual and performing arts as a cherished and valued part of the Nation's cultural resources and by encouraging the development and dissemination of these resources throughout the country; and that it is desirable to establish an agency in the Federal Government to provide such recognition and to stimulate and assist the Nation's cultural progress.

### ESTABLISHMENT OF FOUNDATION

SEC. 3. There is hereby established in the executive branch of the Government an independent agency to be known as the United States National Arts Foundation (hereinafter referred to as the "Foundation").

### TRUSTEES OF FOUNDATION

SEC. 4. (a) The Foundation shall be subject to the general supervision and policy direction of a Board of Trustees which shall consist of the Director of the Foundation (hereinafter referred to as the Director) and twenty-four members, such twenty-four members to be appointed by the President, by and with the advice and consent of the Senate, from among those individuals of the American public who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the visual or performing arts and who collectively will provide an appropriate balance of representation among the major art fields cited in this Act. In making such appointments, the President is requested to give due consideration to the recommendations for nomination submitted to him by leading national organizations in these fields.

(b) The term of office of each trustee of the Foundation shall be six years; except that the terms of the trustees first taking office after the enactment of this Act shall expire, as designated by the President at the time of appointment, eight at the end of two years, eight at the end of four years, and eight at the end of six years. A vacancy shall be filled only for the unexpired portion of the term. Any person who has been a trustee of the Foundation for twelve consecutive years shall be ineligible for appointment during the following two-year period: *Provided*, That the provisions of this subsection shall not apply to the Director.

(c) The President shall call the first meeting of the trustees of the Foundation, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve until two years after the date of enactment of this Act. Thereafter each Chairman and Vice Chairman shall be elected for a term of two years in duration and each such election shall take place at the annual meeting occurring at the end of each such term. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Foundation shall elect an individual from among the trustees to fill such vacancy.

(d) The trustees of the Foundation shall meet at the call of the Chairman, but not less than four times each year. The Chairman shall also call a meeting whenever one-third of the trustees so request in writing. A majority of the trustees of the Foundation shall constitute a quorum. Each trustee shall be given notice, by registered mail mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

### DIRECTOR OF FOUNDATION

SEC. 5. (a) The Director of the Foundation shall be appointed by the President, by and with the advice and consent of the Senate. In the appointment of the Director of the Foundation, the President is requested to give due consideration to any recommendations submitted to him by the Board of Trustees. The Director shall serve as an ex officio trustee of the Foundation. In addition, he shall be the chief executive officer of the Foundation. The Director shall receive compensation at the rate of $25,000 per annum and shall serve for a term of six years unless previously removed by the President: *Provided*, That at any time a majority of the Board of Trustees may recommend the Director's removal to the President.

(b) The Director may appoint, with the approval of the Board of Trustees, a Deputy Director, who shall perform such functions as the Director, with the approval of the trustees, may prescribe, be Acting Director during the absence or disability of the Director or in the event of a vacancy in the office of the Director, and receive compensation at a rate not to exceed $20,000 per annum.

(c) The Director shall have general authority to carry out and execute the programs of the Foundation on a full-time, continuous basis, to recommend programs to the Foundation, and to discharge such other functions as the Foundation may delegate to him consistent with this Act.

(d) The Director and the Deputy Director shall be allowed travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Subsistence Act of 1949, as amended, and the Standardized Government Travel Regulations.

### GENERAL POWERS OF FOUNDATION

SEC. 6. The Foundation is authorized to—

(1) stimulate and encourage cultural development throughout the United States and to advance public interest therein; and

(2) foster and encourage professional and civic and nonprofit, private, public, educational, institutional, or governmental groups which are engaged in or directly concerned with the performing and visual arts.

### GRANTS TO GROUPS AND STATES

SEC. 7. (a) The Foundation is authorized to provide, through direct grant or otherwise, financial assistance and support from the funds appropriated to the Foundation or otherwise obtained pursuant to section 8(a) (3) or (4) of this Act, to professional groups, groups meeting professional standards, and educational groups engaged in or concerned with the performing or visual arts, for the purpose of enabling such groups to provide productions of the performing and visual arts, (1) of both new works and existing works of these arts, which have substantial artistic or historic significance, giving preference to encouraging the works of residents of the United States, and (2) of such types as would be unavailable to audiences in many areas without such assistance. Such groups shall be eligible for financial assistance only if no part of net earnings inures to the benefit of any private stockholder, or stockholders, or individual or individuals, and if such groups satisfy the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954 so as to authorize deductions from gross income of donations to such groups. The Foundation shall, wherever practicable, develop the principle of matching funds with interested public or private agencies.

(b)(1) The Foundation is authorized to make grants to assist the several States in supporting existing projects and programs which are making a significant public contribution in one or more of the performing or visual arts, and in developing programs and projects in these arts in such a manner as will, in conjunction with existing programs and facilities, furnish adequate programs, facilities and services in these arts to all the people and communities in each State. In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Foundation finds—

(A) designates a State agency (hereinafter in this Act referred to as the "State agency") as the sole agency for the administration of the State plan;

(B) provides that funds paid to the State under this Act will be expended solely on programs and projects approved by the State agency which carry out one or more of the objectives of this Act;

(C) provides that the State agency will make such reports, in such form and containing such information, as the Foundation may from time to time require; and

(D) provides for the coordination of the projects and programs carried out under the plan with the artistic and cultural programs and activities of educational and other public and nonprofit institutions in the State.

(2) Each State which has a plan approved by the Foundation in effect on the first day of the fiscal year beginning July 1, 1964, or any succeeding fiscal year, shall be entitled to a maximum allotment in any such fiscal year of an amount equal to half the total amount appropriated to the Foundation for such fiscal year divided by the total number of States. In the event that any sum is remaining out of the maximum allotment available for State grants in any fiscal year after all allotments are made to States with approved plans in effect on the first day of such fiscal year, the Foundation, in its discretion, may grant such remaining sum or any portion thereof to any group or State agency for projects and programs which the Foundation finds will encourage the visual and performing arts in areas where such assistance will be of value.

(3) The amount of any grants allotted to any State under this Act for any program or project shall not exceed 50 per centum of the total cost of such program or project.

(c) Whenever the Foundation, after reasonable notice and opportunity for hearing to any group or State agency, finds that—

(1) any such group is not complying substantially with the provisions of this Act;

(2) any such agency is not complying substantially with the terms and conditions of its State plan approved under this Act; or

(3) any funds granted to such group or agency under this Act have been diverted from the purposes for which they were allotted or paid

the Foundation shall immediately notify the Secretary of the Treasury and the group or State agency concerned that no further grants will be made under this Act with respect to such group or State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the group or State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

### ADMINISTRATIVE POWERS AND DUTIES

SEC. 8. (a) The Foundation is authorized to—

(1) prescribe such rules and adopt such bylaws as it deems necessary governing the manner of its operation and its organization and personnel;

(2) make expenditures, and enter into contracts or other arrangements, as may be necessary for administering the provisions of this Act, without regard to the provisions of section 3709 of the Revised Statutes (4 U.S.C. 5);

(3) acquire by loan or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(4) receive and use funds or marked gifts or property donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Foundation;

(5) accept and utilize the services of voluntary and uncompensated personnel;

(6) pay fees for and enter into contracts with persons for the performance of services required by the Foundation;

(7) pay to persons rendering services to the Foundation, whether on an uncompensated basis or on a fee or contract basis as provided in paragraphs (5) and (6) of this subsection, travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations; and

(8) maintain an office in the District of Columbia.

(b) The Foundation may appoint committees, councils, or panels concerned with particular regions of the country or with particular aspects of the arts, or both, and composed of persons who need not be trustees of the Foundation.

(c) The Foundation shall not itself produce or present any production.

(d) The Foundation shall render an annual report to the President for submission on or before the 15th day of January to the Congress, summarizing the activities of the Foundation and making such recommendations as it may deem appropriate.

### GENERAL PROVISIONS

SEC. 9. (a) The Director shall, in accordance with such policies as the Foundation shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949, as amended, except that the Director may, in accordance with such policies as the Foundation shall from time to time prescribe, employ such technical and professional personnel or personnel with experience in or relating to any of the performing or visual arts, and fix their compensation without regard to such laws, as he may deem necessary for the discharge of the responsibilities of the Foundation under this Act. The Deputy Director and the members of the councils, committees, or panels, shall be appointed without regard to the civil service laws or regulations; except that neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director; or hold any office in, or act in any capacity for, any organization, agency, or institution with which the Foundation makes any contract or other arrangement under this Act.

(b) The trustees of the Foundation, and the members of the councils, committees, and panels shall receive compensation at the rate of up to $50 for each day in which they are actually engaged in the business of the Foundation pursuant to authorization of the Foundation, and shall be allowed travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Subsistence Act of 1949, as amended, and the Standardized Government Travel Regulations.

(c) Persons holding other offices in the executive branch of the Federal Government may serve as members of the councils, committees, or panels, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

(d) Service of an individual as a trustee or employee of the Foundation, or a council, committee, or panel, shall not be considered as service bringing him within the provisions of section 281 or 283 of title 18 of the United States Code or section 99 of title 5 of such code, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such sections, is with respect to any particular matter which directly involves the Foundation or in which the Foundation is directly interested.

(e) Agencies of the United States are authorized to render assistance to the Foundation by the donation or loan of employee services and by the donation or loan of supplies, office or building space, or other property, either on a reimbursable or nonreimbursable basis.

### APPROPRIATIONS

SEC. 10. (a) For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1964, such sum, not exceeding $5,000,000, and for each fiscal year thereafter such sum, not exceeding $10,000,000 annually, as the Congress may determine. The moneys appropriated to the Foundation shall remain available for expenditure for two years following the expiration of the fiscal year for which appropriated.

(b) Moneys received by the Foundation under section 8(a) (3) and (4) of this Act, shall not be covered into the Treasury as miscellaneous receipts, but shall be kept in a special account, maintained by the Treasury Department, or kept by the Foundation in commercial banking institutions or invested in securities eligible for trust funds in the District of Columbia, and shall be available to the Foundation for the purposes of this Act.

(c) The Director shall determine any payments to be made under this Act and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to any group or State for any fiscal year under this Act and not transferred during that fiscal year shall remain available to such group or State for the same purposes for the next fiscal year in addition to the sums allotted for such next fiscal year.

### DEFINITIONS AND TITLE

SEC. 11. As used in this Act—

(a) The term "visual and performing arts" (1) means the arts of drawing, painting, sculpture, graphic, photographic and craft arts, and architecture and allied arts; and (2) means the arts related to performance of theatrical plays, dance, ballet and choral performances, and performances of musical works (instrumental, voice, and/or operatic), including the arts of acting, directing, staging, scenic and costume design.

(b) The term "productions" means plays (with or without music), ballets, dance and choral performances, exhibitions, readings, concerts, recitals, operas, and any other performances before members of the public involving the execution or rendition of any of the visual or performing arts and meeting such standards as may be established by the Foundation.

(c) The term "group" includes any society, institution, organization, or association, whether or not incorporated.

## THE ELEANOR ROOSEVELT FOUNDATION

Mr. HUMPHREY. Mr. President, within days after the passing of Mrs. Eleanor Roosevelt, associates and admirers of that gallant lady were suggesting ways to pay proper tribute to her. The family, the White House, and many of the organizations with which she was closely identified were overwhelmed with suggestions. It was the family's wish that one unified national program be organized.

At the family's request, the President invited a number of distinguished Americans, under the chairmanship of the Honorable Adlai E. Stevenson, U.S. representative to the United Nations, to meet with him at the White House to consider the most appropriate tribute to Mrs. Roosevelt.

This committee gave much thought to the matter and concluded that there was only one appropriate way to do honor to Eleanor Roosevelt—to continue supporting the very causes to which she had given such noble service. To do this, it was decided to seek congressional chartering of an Eleanor Roosevelt Foundation. The group then constituted itself as the Eleanor Roosevelt Foundation Committee, and at a meeting on December 21, 1962, dedicated itself to continuing the humanitarian endeavors of Eleanor Roosevelt in the five broad areas of her tireless effort:

To strengthen the United Nations in the quest for man's universal hope for a just peace.

To protect and extend human rights and equal opportunity for all people everywhere.

To wage a ceaseless and worldwide attack against sickness and disease.

To promote maximum growth and development for every individual.

To assure the worth and dignity of each human being.

The wide and impressive range of friendship and respect which Mrs. Roosevelt achieved in her lifetime is reflected in the membership of the corporation as contained in the bill being submitted today. In addition to Ambassador Stevenson, the charter members of the corporation include Miss Marian Anderson, Robert S. Benjamin, William Benton, Dr. Ralph J. Bunche, Henry Crown, David Dubinsky, Myer Feldman, Mrs. Ruth Field, Raymond Firestone, Arnold Grant, Arthur Hanisch, Dr. John R. Heller, Mrs. Audrey Hess, Mrs. Anna Rosenberg Hoffman, Mrs. Trude Lash, Mrs. Mary Lasker, Herbert Lehman, Archibald MacLeish, Dr. Charles Mayo, John J. McCloy, George Meany, Mrs. Agnes Meyer, Walter P. Reuther, Dore Schary, Herman Steinkraus.

Mr. President, I ask that the bill remain at the desk for 4 days so that additional Senators who desire to sponsor the proposed legislation may add their names.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that two deeply moving and inspired statements by Ambassador Adlai Stevenson, one delivered in plenary session of the United Nations and one delivered at a memorial service for Mrs. Roosevelt, be printed at this point in the RECORD. I also ask unanimous consent that the full text of the bill be printed.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, and statements will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 171) to incorporate the Eleanor Roosevelt Foundation, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following persons designated by the President of the United States of America:

The Honorable Adlai E. Stevenson, as Chairman, New York, New York;
Miss Marian Anderson, Danbury, Connecticut;
Robert S. Benjamin, New York, New York;
William Benton, Southport, Connecticut;
Doctor Ralph J. Bunche, New York, New York;
Henry Crown, Chicago, Illinois;
David Dubinsky, New York, New York;
Myer Feldman, Washington, District of Columbia;
Mrs. Ruth Field, New York, New York;
Raymond Firestone, Akron, Ohio;
Arnold Grant, New York, New York;
Arthur Hanisch, Pasadena, California;
Doctor John R. Heller, New York, New York;
Mrs. Audrey Hess, New York, New York;
Mrs. Anna Rosenberg Hoffman, New York, New York;
Mrs. Trude Lash, New York, New York;
Mrs. Mary Lasker, New York, New York;
Herbert Lehman, New York, New York;
Archibald MacLeish, Conway, Massachusetts;
Doctor Charles Mayo, Rochester, Minnesota;
John J. McCloy, Washington, District of Columbia;
George Meany, Washington, District of Columbia;
Mrs. Agnes Meyer, Washington, District of Columbia;
Walter P. Reuther, Detroit, Michigan;
Dore Schary, New York, New York;
Herman Steinkraus, Westport, Connecticut;

and their successors who shall be duly designated by the President of the United States of America, are hereby created and declared to be a body corporate in the District of Columbia by the name of the Eleanor Roosevelt Foundation (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

### COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are hereby authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

### PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the Eleanor Roosevelt Foundation shall be exclusively charitable and educational, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual, and no substantial part of the activities of which shall be carrying on propaganda, or otherwise attempting to influence legislation, or participating in or intervening in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office, and in furtherance of the above purposes and no others: To continue certain major interests to which Eleanor Roosevelt dedicated her life, more particularly, the relief of the poor and distressed and the underprivileged; promotion of the social welfare; the defense of human rights secured by law; the promotion of the public health; and the instruction of the public in regard to the affairs and problems of the United Nations.

### CORPORATE POWERS

SEC. 4. In furtherance of its charitable and educational purposes the corporation shall have the following powers:

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may from time to time require;

(5) to adopt, amend, and alter its charter and bylaws; not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to solicit, accept, receive, hold, invest, reinvest, and to use, administer, expand and otherwise dispose of, in the sole and absolute discretion of the board of trustees, gifts, legacies, bequests, devises, grants, funds, money and property of every kind and description, and to apply the income and principal thereof exclusively for the purposes of the corporation by such agencies and means as shall, from time to time, be found appropriate therefor and to do any and all other things necessary or proper in connection with the purposes of this corporation; subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(7) to contract and be contracted with;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

### MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights, privileges, and designation of members shall, except as provided in this Act, be determined as the bylaws of the corporation may provide.

### BOARD OF TRUSTEES: COMPOSITION, RESPONSIBILITIES

SEC. 6. (a) Upon the enactment of this Act the membership of the initial board of trustees of the corporation shall consist of the persons named in the first section of this Act and such additional persons, if any, as shall be appointed by the President of the United States of America.

(b) Thereafter, the board of trustees of the corporation shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in this charter and the bylaws of the corporation.

(c) The board of trustees shall be the governing board of the corporation, and a quorum thereof shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation. The board of trustees may appoint committees which shall have and exercise such powers as may be prescribed in the bylaws or by resolution of the board of trustees, and which may be all of the powers of the board of trustees.

### OFFICERS: ELECTION AND DUTIES OF OFFICERS

SEC. 7. (a) The officers of the corporation shall be a chairman, a secretary, and a treasurer, and such other officers as may be provided in the bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the charter and bylaws of the corporation.

### PRINCIPAL OFFICE, SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA

SEC. 8. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be later determined by the board of trustees, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the territory of the United States, and in the discretion of the board of trustees elsewhere in the world.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

### USE OF INCOME: LOANS TO OFFICERS, TRUSTEES, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, trustees, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of trustees of the corporation.

(b) The corporation shall not make loans to its officers, trustees, or employees. Any trustee who votes for or assents to the making of a loan or advance to a member, officer, trustee, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

### LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 10. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

### PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 11. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS: INSPECTION

SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of trustees, and committees having any authority under the board of trustees, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 13. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, acounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the President of the United States and to the Congress not later than March 1 of each year concerning its activities for the preceding fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF NAME

SEC. 14. The corporation shall have the sole and exclusive right to the name "The Eleanor Roosevelt Foundation" and to have and to use in carrying out its purposes, distinctive insignia, emblems and badges, descriptive or designating marks, and words or phrases, as may be required in the furtherance of its functions. No powers or privileges hereby granted shall, however, interfere or conflict with established or vested rights.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution of final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed only in furtherance of the purposes of the corporation to one or more organizations organized and operated exclusively for charitable and educational purposes within the meaning of the Internal Revenue Code.

ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING COMMITTEE

SEC. 16. The corporation may acquire the assets of the Eleanor Roosevelt Foundation Committee, an unincorporated association formed in anticipation of the present incorporation upon discharging or satisfactorily providing for the payment and discharge of all of the liabilities of such committee.

ANNUAL REPORT

SEC. 17. The corporation shall report annually to the President of the United States and to the Congress concerning its proceedings and activities for the preceding calendar year.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHAPTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

The statements presented by Mr. HUMPHREY are as follows:

TEXT OF A EULOGY DELIVERED BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, AT A MEMORIAL SERVICE FOR MRS. ELEANOR ROOSEVELT, AT THE CATHEDRAL OF ST. JOHN THE DIVINE, NEW YORK CITY, SATURDAY, NOVEMBER 17, 1962

One week ago this afternoon, in the Rose Garden at Hyde Park, Eleanor Roosevelt came home for the last time. Her journeys are over. The remembrance now begins.

In gathering here to honor her, we engage in a self-serving act. It is we who are trying, by this ceremony of tribute, to deny the fact that we have lost her, and, at least, to prolong the farewell, and—possibly—to say some of the things we dared not say in her presence, because she would have turned aside such testimonial with impatience and gently asked us to get on with some of the more serious business of the meeting.

A grief perhaps not equalled since the death of her husband 17 years ago is the world's best tribute to one of the great figures of our age—a woman whose lucid and luminous faith testified always for sanity in an insane time and for hope in a time of obscure hope—a woman who spoke for the good toward which man aspires in a world which has seen too much of the evil of which man is capable.

She lived 78 years, most of the time in tireless activity as if she knew that only a frail fragment of the things that cry out to be done could be done in the lifetime of even the most fortunate. One has the melancholy sense that when she knew death was at hand, she was contemplating not what she achieved, but what she had not quite managed to do. And I know she wanted to go—when there was no more strength to do.

Yet how much she had done—how much still unchronicled. We dare not try to tabulate the lives she salvaged, the battles—known and unrecorded—she fought, the afflicted she comforted, the hovels she brightened, the faces and places, near and far, that were given some new radiance, some sound of music, by her endeavors. What other single human being has touched and transformed the existence of so many others? What better measure is there of the impact of anyone's life?

There was no sick soul too wounded to engage her mercy. There was no signal of human distress which she did not view as a personal summons. There was no affront to human dignity from which she fled because the timid cried "danger." And the number of occasions on which her intervention turned despair into victory we may never know.

Her life was crowded, restless, fearless. Perhaps she pitied most not those whom she aided in the struggle, but the more fortunate who were preoccupied with themselves and cursed with the self-deceptions of private success. She walked in the slums and ghettos of the world, not on a tour of inspection, nor as a condescending patron, but as one who could not feel complacent while others were hungry, and who could not find contentment while others were in distress. This was not sacrifice; this, for Mrs. Roosevelt, was the only meaningful way of life.

These were not conventional missions of mercy. What rendered this unforgettable woman so extraordinary was not merely her response to suffering; it was her comprehension of the complexity of the human condition.

Not long before she died, she wrote that "within all of us there are two sides. One reaches for the stars, the other descends to the level of beasts." It was, I think, this discernment that made her so unfailingly tolerant of friends who faltered, and led her so often to remind the smug and the complacent that "There but for the grace of God * * *."

But we dare not regard her as just a benign incarnation of good works. For she was not only a great woman and a great humanitarian, but a great democrat. I use the word with a small "d"—though it was, of course, equally true that she was a great Democrat with a capital "D." When I say she was a great small d democrat, I mean that she had a lively and astute understanding of the nature of the democratic process. She was a master political strategist with a fine sense of humor. And, as she said, she loved a good fight.

She was a realist. Her compassion did not become sentimentality. She understood that progress was a long labor of compromise. She mistrusted absolutism in all its forms—the absolutism of the word and even more the absolutism of the deed. She never supposed that all the problems of life could be cured in a day or a year or a lifetime. Her pungent and salty understanding of human behavior kept her always in intimate contact with reality. I think this was a primary source of her strength, because she never thought that the loss of a battle meant the loss of a war, nor did she suppose that a compromise which produced only part of the objective sought was an act of corruption or of treachery. She knew that no formula of words, no combination of deeds, could abolish the troubles of life overnight and usher in the millennium.

The miracle, I have tried to suggest, is how much tangible good she really did; how much realism and reason were mingled with her instinctive compassion; how her contempt for the perquisites of power ultimately won her the esteem of so many of the powerful; and how, at her death, there was a universality of grief that transcended all the harsh boundaries of political, racial, and religious strife and, for a moment at least, united men in a vision of what their world might be.

We do not claim the right to enshrine another mortal, and this least of all would Mrs. Roosevelt have desired. She would have wanted it said, I believe, that she well knew the pressures of pride and vanity, the sting of bitterness and defeat, the gray days of national peril and personal anguish. But she clung to the confident expectation that men could fashion their own tomorrows if they could only learn that yesterday can be neither relived nor revised.

Many who have spoken of her in these last few days have used a word to which we all assent, because it speaks a part of what we feel. They have called her a lady, a great lady, the first lady of the world. But the word "lady," though it says much about Eleanor Roosevelt, does not say all. To be incapable of self-concern is not a negative virtue; it is the other side of a coin that has a positive face—the most positive, I think, of all the faces. And to enhance the humanity of others is not a kind of humility; it is a kind of pride—the noblest of all the forms of pride. No man or woman can respect other men and women who does not respect life. And to respect life is to love it. Eleanor Roosevelt loved life—and that, perhaps, is the most meaningful thing that can be said about her, for it says so much beside.

It takes courage to love life. Loving it demands imagination and perception and the kind of patience women are more apt to have than men—the bravest and most understanding women. And loving it takes something more beside—it takes a gift for life, a gift for love.

Eleanor Roosevelt's childhood was unhappy—miserably unhappy, she sometimes said. But it was Eleanor Roosevelt who also said that "one must never, for whatever reason, turn his back on life." She did not mean that duty should compel us. She meant that life should. "Life," she said, "was meant to be lived." A simple statement. An obvious statement. But a statement that by its obviousness and its simplicity challenges the most intricate of all the philosophies of despair.

Many of the admonitions she bequeathed us are neither new thoughts nor novel concepts. Her ideas were, in many respects, old fashioned—as old as the Sermon on the Mount, as the reminder that it is more blessed to give than to receive, as the words of St. Francis that she loved so well: "For it is in the giving that we receive."

She imparted to the familiar language—nay, what too many have come to treat as the cliches—of Christianity a new poignancy and vibrance. She did so not by reciting them, but by proving that it is possible to live them. It is this above all that rendered her unique in her century. It was said of her contemptuously at times that she was a do-gooder, a charge leveled with similar derision against another public figure 1,962 years ago.

We who are assembled here are of various religious and political faiths, and perhaps different conceptions of man's destiny in the universe. It is not an irreverence, I trust, to say that the immortality Mrs. Roosevelt would have valued most would be found in the deeds and visions of her life inspired in others, and in the proof that they would be faithful to the spirit of any tribute conducted in her name.

And now one can almost hear Mrs. Roosevelt saying that the speaker has already talked too long. So we must say farewell. We are always saying farewell in this world —always standing at the edge of loss attempting to retrieve some memory, some human meaning, from the silence—something which was precious and is gone.

Often, although we know the absence well enough, we cannot name it or describe it even. What left the world when Lincoln died? Speaker after speaker in those aching days tried to tell his family or his neighbors or his congregation. But no one found the words, not even Whitman. "When lilacs last in the dooryard bloomed" can break the heart, but not with Lincoln's greatness, only with his loss. What the words could never capture was the man himself. His deeds were known; every school child knew them. But it was not his deeds the country mourned: it was the man—the mastery of life which made the greatness of the man.

It is always so. On that April day when Franklin Roosevelt died, it was not a President we wept for. It was a man. In Archibald MacLeish's words:

"Fagged out, worn down, sick. With the weight of his own bones, the task finished, the war won, the victory assured, the glory left behind him for the others. (And the wheels roll up through the night in the sweet land in the cool air in the spring between the lanterns)."

It is so now. What we have lost in Eleanor Roosevelt is not her life. She lived that out to the full. What we have lost, what we wish to recall for ourselves, to remember, is what she was herself. And who can name it? But she left "a name to shine on the entablatures of truth, forever."

We pray that she has found peace, and a glimpse of sunset. But today we weep for ourselves. We are lonelier; someone has gone from one's own life—who was like the certainty of refuge; and someone has gone from the world—who was like a certainty of honor.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE, IN PLENARY SESSION, IN TRIBUTE TO MRS. ELEANOR ROOSEVELT

Mr. President, I stand here for the second time in little more than a year sad in heart and in spirit. The United States, the United Nations—the world—has lost one of its great citizens. Mrs. Eleanor Roosevelt is dead; a cherished friend of all mankind is gone.

Yesterday I said I had lost more than a friend. I had lost an inspiration. She would rather light candles than curse the darkness, and her glow had warmed the world.

My country mourns her, and I know that all in this Assembly mourn with us. But even as we do, the sadness we share is enlivened by the faith in her fellow man and his future which filled the hears of this strong and gentle woman.

She imparted this faith, not only to those who shared the privilege of knowing her and of working by her side, but to countless men, women, and children in every part of the world who loved her even as she loved them. For she embodied the vision and the will to achieve a world in which all men can walk in peace and dignity. And to this goal—a better life—she dedicated her tireless energy, the strange strength of her extraordinary personality.

I do not think it amiss to suggest that the United Nations is, in no small way, a memorial to her and to her aspirations. To it she gave the last 15 years of her restless life. She breathed life into this organization. The United Nations has meaning and hope for millions, thanks to her labors, her love, no less than to her ideals—ideals that made her, only weeks after Franklin Roosevelt's death, put aside all thoughts of peace and quite after the tumult of their lives, to serve as one of this Nation's delegates to the first regular session of the General Assembly. Her duty then—as always—was to the living, to the world—to peace.

Some of you in this hall were present at that first historic assembly in London 17 years ago. More of you were witnesses to her work in subsequent assemblies in the years that followed. The members of the Third Committee—the Committee on Social, Humanitarian, and Cultural Questions—and the Commission on Human Rights, which she served so long as Chairman—you in particular will remember the warmth, the intelligence, and infectious bouyancy which she brought to her tasks. You know, better than any of us, the unceasing crusade that helped give the world, after years of painstaking, patient travail, one of the noblest documents of mankind, "The Declaration of Human Rights."

This is not the time to recount the infinite services of this glorious, gracious lady; the list is as inexhaustible as her energies. But devotion to the world of the charter, to the principles of the United Nations, to a world without war, to the brotherhood of man, underscored them all. And, happily for us all, she could communicate her devotion, her enthusiasm to others. She saw clearly; she spoke simply. The power of her words came from the depth of her conviction.

"We must be willing," she said, "to learn the lesson that cooperation may imply compromise, but if it brings a world advance it is a gain for each individual nation. There will be those who doubt their ability to rise to those new heights, but the alternative is not possible to contemplate.

"We must build faith in the hearts of those who doubt, we must rekindle faith in ourselves when it grows dim, and find some kind of divine courage within us to keep on till on earth we have peace and good will among men."

While she lived, Mrs. Roosevelt rekindled that faith in ourselves. Now that she is gone, the legacy of her lifetime will do no less. Albert Schweitzer wrote:

"No ray of sunlight is ever lost, but the green which it wakes * * * needs time to sprout, and it is not always granted to the sower to live to see the harvest. All work that is worth anything is done in faith."

Mr. President, I trust you will forgive me for having taken the time of this Assembly with these very personal thoughts. The issues we debate in this hall are many and grave. But I do not think we are divided in our grief at the passing of the great and gallant human being—who was called the First Lady of the World.

## AMENDMENT OF CIVIL SERVICE ACT, RELATING TO RETIREMENT AND FULL ANNUITY AT AGE 55 AFTER 30 YEARS OF SERVICE

Mr. JOHNSTON. Mr. President, I send to the desk, for referral to the appropriate committee, a bill to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service.

This measure would make a change in the reduction formula for a Federal employee who retires under 60 years of age on an immediate annuity.

Under existing law, the annuity of a person under 60 is subject to a reduction of 1 percent for each full year he is under age 60 at the time of retirement. Additionally, his earned annuity is further reduced 2 percent for each full year he is under 55 at the time of retirement.

This bill strikes out the 1 percent reduction now applicable, but leaves in force the 2 percent per year reduction applicable to a person under 55 at the time of retirement. It is a liberalization of the Federal retirement program which I strongly feel requires congressional attention.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 176) to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service, introduced by Mr. JOHNSTON, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

## COMMISSION ON CONGRESSIONAL REORGANIZATION

Mr. CASE. Mr. President, on behalf of myself and the senior Senator from Pennsylvania [Mr. CLARK], I introduce, for appropriate reference, a bill creating a Commission on Congressional Reorganization to study the present organization of the Congress and the functioning of the legislative process. I ask unanimous consent that the bill be permitted to remain at the desk for the remainder of this week, open to cosponsorship by any Senators who may wish to join us.

I also ask unanimous consent to place in the RECORD at this point the full text of the bill and two statements which I have made in connection with the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statements will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from New Jersey.

**The bill (S. 177) to establish a Commission on Congressional Reorganization, and for other purposes, introduced by Mr. CASE (for himself and Mr. CLARK), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Commission on Congressional Reorganization Act".

### DECLARATION OF PURPOSE AND POLICY

SEC. 2. (a) It is the purpose of this Act to provide for a comprehensive and impartial study of the organization and functioning of the Congress through establishment of a Commission on Congressional Reorganization charged with the duty of determining means and measures for the improvement of the legislative processes of the Congress in the public interest.

(b) It is the sense of the Congress that each Member of the Congress, each officer and employee of every committee of the Congress or of either House thereof, and each officer and employee of every department, agency, and instrumentality of the United States should render all practicable assistance to such Commission for the prompt, effective, and impartial performance of its duties.

### ESTABLISHMENT OF THE COMMISSION ON CONGRESSIONAL REORGANIZATION

SEC. 3. (a) There is hereby established a bipartisan commission to be known as the Commission on Congressional Reorganization (referred to hereinafter as the "Commission").

(b) The Commission shall be composed of twelve members as follows:

(1) Three appointed by the President of the Senate from Members of the Senate;

(2) Three appointed by the Speaker of the House of Representatives from Members of the House of Representatives; and

(3) Six appointed by the President of the United States from individuals in private life who are specially qualified by training and experience to contribute to the solution of problems of public administration or the functioning of legislative bodies.

(c) Not more than two members of the Commission appointed from Members of the Senate, and not more than two members of the Commission appointed from Members of the House of Representatives, may be members of the same political party. Not more than three members of the Commission appointed by the President of the United States may be members of the same political party.

(d) Vacancies in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(f) Seven members of the Commission shall constitute a quorum.

### COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. (a) Members of the Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties of the Commission.

(b) Each member of the Commission appointed from private life shall receive compensation at the rate of $75 per diem for each day on which he is engaged in the performance of duties of the Commission, and shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by him on the performance of such duties.

### STAFF OF THE COMMISSION

SEC. 5. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

### DUTIES OF THE COMMISSION

SEC. 6. (a) The Commission shall make a comprehensive and impartial study of the present organization of the Congress and the functioning of the legislative and investigative processes thereof with a view to determining means and measures whereby those processes may be improved in the public interest.

(b) Such study shall include, but shall not be limited to, a full and complete consideration of each of the following topics:

(1) The scheduling of measures for consideration and action;

(2) The structure, staffing, and operation of congressional committees;

(3) The workload of the Congress and the committees thereof;

(4) Congressional rules and floor procedures;

(5) Conflicts of interest of Members of the Congress;

(6) The term of office of Members of the House of Representatives;

(7) Communications, travel, and other allowances of Members of the Congress;

(8) The financing of congressional election campaigns;

(9) The duties of Members of Congress incident to the appointment of postmasters and the making of appointments to military service academies and other Government academies;

(10) The legislative oversight of the administration of laws;

(11) The strengthening of the congressional power of the purse; and

(12) The operation and effectiveness of existing laws with respect to lobbying.

(c) During the course of its study, the Commission may submit to the Congress such reports as the Commission may consider advisable. On or before March 31, 1965, the Commission shall make a final report of its findings and recommendations to the Congress. The Commission shall cease to exist sixty days after the submission of its final report to the Congress.

### POWERS OF THE COMMISSION

SEC. 7. (a) (1) The Commission or any duly authorized subcommittee thereof may, for the purpose of carrying out its duties under this Act, hold such hearings, sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In the case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection by any person (other than a Member of the Congress or a member of the staff of any committee of the Congress or of either House thereof) who resides, is found, or transacts business within the jurisdiction of any district court of the United States, the United States court of any possession of the United States, or the District Court of the United States for the District of Columbia, such court, upon application made by the Attorney General of the United States, shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by the court as a contempt thereof.

(b) Upon request made by the Chairman or the Vice Chairman, the Commission may procure such information, advice, and assistance as it deems necessary to carry out its functions under this Act from—

(1) Any Member of the Congress, with the consent of such Member;

(2) Any joint committee of the Congress, or any committee of either House of the Congress, with the consent of the chairman of such committee; or

(3) Any department, agency, or instrumentality of the executive branch of the Government, or any independent agency of the United States, with the consent of the head thereof.

### EXPENSES OF THE COMMISSION

SEC. 8. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

**The statements presented by Mr. CASE are as follows:**

### STATEMENTS BY SENATOR CASE

#### I

There has been no comprehensive attempt to modernize congressional procedures since the enactment of the La Follette-Monroney Congressional Reorganization Act in 1946.

Since then, our Nation has gained two new States, has entered the complex age of space exploration, has accepted the challenge of international communism, has moved into the volatile world of hydrogen bombs and nuclear submarines, and is struggling to solve the human problems arising from rapid growth of automation and cold war insecurity. And our Nation numbers 50 million more in population than in 1946.

As a result of more than 17 years of service in the House of Representatives and in the Senate, I have come to the conclusion that it would be useful to revise the ways in which Congress functions. In the coming session, I plan to press for action on legislation in this field. For in the past session we were very slipshod in the way we got our work done, and much of it didn't get done at all. And the result is that the public is beginning to lose confidence in the ability of Congress to meet the problems of the 20th century.

One of the first steps which we must face up to is revision of Senate rule XXII, the so-called filibuster rule. This year the Senate was tied up by two filibusters. The first was on a moderate attempt to block the abuse of literacy tests in establishing voting qualifications. In this case a southern minority of the Senate was able to force the Senate to put the legislation aside.

Then a few months later, another filibuster broke out, this time over the communications satellite bill. Although cloture was finally imposed after 12 days of debate, this was the first time in 35 years that cloture was successful.

The year before, in the 1st session of the 87th Congress, we had another two filibusters, both dealing with revision of rule XXII. And the end result was no action. Our present filibuster rule provides that debate can be shut off by the affirmative vote of two-thirds of the Senators who are present at the time the vote is taken. This makes cloture a very difficult thing to achieve and means that a minority can effectively block a majority from taking necessary legislative action.

I favor legislation to permit cloture to be imposed by a vote of a majority of those present and voting. This, of course, would include a provision permitting at least 15 days of debate before cloture could take effect.

Another area, in which I have long been interested, is legislative action dealing with conflicts of interest. The public continues to be concerned, and rightly, about a double standard in which the Senate will insist that Cabinet officers and others subject to confirmation divest themselves of stock holdings in order to avoid conflicts of interest. Yet, at the same time, Members of the Senate and the House maintain interests in law practice or stock holdings, which can be affected substantially by legislative action. I have introduced legislation requiring Members of Congress and members of the executive branch in policymaking and important positions to disclose annually their assets and liabilities, and their income, including gifts and the sources of them, where they amount to anything significant at all.

I think disclosure is the real curative here and will make for prevention, more effective than punishment. The public will then know, when a man votes, what interests he has and can take the appropriate action at the ballot box.

Another provision which I have long advocated is that when any Member of Congress communicates, orally or by letter, with an officer of a Federal agency which has before it a matter for adjudication or decision, that letter or oral communication must be placed on the record so that all the people in the country can know what has been done there.

A further suggestion is that we should review the matter of committee jurisdiction. This year three Senate committees dealt with the communications satellite bill and later three considered various phases of the President's transportation program. The Senate Public Works Committee took roads and the Senate Banking and Currency and the Senate Commerce Committees both reviewed mass transportation. I think it is time to update our committee jurisdictions and to delineate the jurisdiction more clearly.

Throughout the country there is a growing interest in streamlining the activities of Congress. I am hopeful that in the next session we will rid ourselves of archaic and shackling rules, and make Congress better able to meet the huge demands which the times have placed upon us.

II

Senator Clifford P. Case, Republican, of New Jersey, announced yesterday that he will introduce a bill creating a Commission on Congressional Reorganization, modeled on the Hoover Commission, to study the present organization of the Congress and the functioning of the legislative process.

Senator Case's proposal provides for the appointment of a 12-man Commission—3 Members of the Senate, 3 Members of the House of Representatives, and 6 individuals in private life who are specially qualified by training and experience to contribute to the solution of problems of public administration or the functioning of legislative bodies.

Senator Case's bill will require the bipartisan commission to report on 12 specific problem areas. They are:

1. The scheduling of measures for consideration and action.
2. The structure, staffing, and operation of congressional committees.
3. The workload of the Congress and the committees thereof.
4. Congressional rules and floor procedures.
5. Conflicts of interest of Members of the Congress.
6. The term of office of Members of the House of Representatives.
7. Communications, travel, and other allowances of Members of the Congress.
8. The financing of congressional election campaigns.
9. The duties of Members of Congress incident to the appointment of postmasters and the making of appointments to military service academies and other Government academies.
10. The legislative oversight of the administration of laws.
11. The strengthening of the congressional power of the purse.
12. The operation and effectiveness of existing laws with respect to lobbying.

Senator Case's plan differs from earlier legislative proposals which have limited such a commission to Members of the House and Senate. Senator Case said, "I do not believe that the procedures of Congress should be considered the exclusive concern of the Members of Congress. The electorate has a substantial stake in the smooth and effective functioning of the legislative procedures, and I think, therefore, that we should try to obtain the best possible counsel we can in bringing our procedures up to date."

Senator Case's bill also varies from earlier resolutions in that it would require the commission to study at least 12 major problem areas and report back on these and other things. Earlier proposals have assigned to a reorganization commission the broad subject, rather than outlining particular areas which should be included in a broad study.

In announcing his plan to introduce the bill shortly, Senator Case said:

"There has been no comprehensive attempt to modernize congressional procedures since the enactment of the La Follette-Monroney Congressional Reorganization Act in 1946. Since then, our Nation has gained two new States, has increased its population by 50 million, and has moved into an entirely new range of international and national problems.

"In the past session we were very slipshod in the way we got our work done in the Congress, and much of it did not get done at all. The result is that the public is beginning to lose confidence in the ability of the Congress to meet the problems of the 20th century.

"The current attempt to revise Senate rule XXII, the filibuster rule, is one step in this direction, and I am hopeful that we will make firm progress toward removing this obstacle to effective legislative action.

"But there remain many other areas which require careful study. Archaic and shackling rules hamper the Congress in meeting the huge demands which the times have placed upon us. In more than 17 years in the House and Senate, I have come to realize that it is essential to revise the ways in which Congress functions.

"Last September, in the closing days of Congress, Senator Joseph Clark, Democrat, of Pennsylvania, and 21 other Senators, including myself, joined in sponsoring a resolution creating a commission for a similar purpose. I understand that Senator Clark is planning to reintroduce his resolution, and I have accepted his invitation to join in sponsoring it."

## COMMISSION ON OBSCENE MATERIALS

Mr. MUNDT. Mr. President, in the 87th Congress I had the priviledge of cosponsoring along with several of my colleagues a measure which would establish a Commission on Noxious and Obscene Matters and Materials. The Senate approved the measure in 1961 but no action was taken in the other body. I am reintroducing this same proposal today with the hope that it may be enacted in the 88th Congress.

Mr. President, we owe it to the youth of America to set up this Commission and we owe it to their parents who are striving to create a moral and a healthy atmosphere for their children. Those of us sponsoring this bill recognize the part this nefarious practice plays in contributing to juvenile delinquency. It must be stopped and the filth merchants should be exposed and prosecuted.

This proposal does not call for censorship or repression of any kind. It would simply provide for a study and subsequent recommendation by qualified experts on a national problem which has now reached the point of a national emergency. This bill would deal an effective blow against this traffic in obscene materials. We have hesitated long enough. It is time that we take considered and deliberate action.

I ask unanimous consent that the bill lie on the desk for the remainder of the week for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from South Dakota.

The bill (S. 180) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials, introduced by Mr. Mundt (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

## HONORARY CITIZENSHIP FOR WINSTON CHURCHILL

Mr. YOUNG of Ohio. Mr. President, earlier today I introduced a joint resolution to confer honorary citizenship upon Winston Churchill. During the 2d session of the 87th Congress I introduced the same joint resolution, which would bestow the honor of American citizenship upon one of the great men of history—Winston Churchill.

Associated with other Senators, including my colleague the Senator from Ohio [Mr. Lausche], the Senator from Oregon [Mr. Morse], and the Senator from Tennessee [Mr. Kefauver], as cosponsors of the joint resolution, we intend to strive zealously to secure passage of the resolution by both Houses of Congress during the present session.

During the last session of Congress I was informed that the joint resolution which would confer honorary citizenship upon this great man was viewed favorably by many of our colleagues on the Committee on the Judiciary, to which the resolution was referred. Unfortunately no action was taken on the measure and in the very busy closing days of the session it was left in the committee.

I am certain that both the majority leader and the minority leader of the Senate and a majority of Senators favor adoption of the resolution. There is ample precedent for bestowing honorary citizenship upon Winston Churchill. Early in our history, Maryland and Virginia, by action of their legislatures, conferred honorary citizenship of the United States upon the Marquis de Lafayette for his great services during the Revolution.

Mr. President, it has been given to very few individuals to make as many notable contributions to their time as it has to Winston Churchill in the 20th century. The entire world is indebted to him for his leadership against nazism fascism, and communism. A thousand years from now people in far places will give thanks that in a dark and grave period in history this indomitable man grasped leadership of free men and women and threw back in bitter defeat the powerful forces of tyranny. It is in great part due to him that the terror of nazism was crushed and millions of people were restored to their simple dignity as creatures of God. He is one of those few whose names themselves speak for their achievements.

As one of the great masters of the English language he has earned himself a place among the literary giants of the English-speaking world. As the son of an American mother and an English father, he truly represents the close friendship and special ties between the United States and Great Britain.

I recall Mr. Churchill stating before a joint meeting of the Congress at the time I was a Member of the other body, shortly after Pearl Harbor, that had his father, instead of his mother, been an American, he no doubt would have been a Member of the Congress at that time.

As he himself recently stated on his 88th birthday, "I feel on both sides of the Atlantic."

President Kennedy has voiced the hope of an eventual Atlantic union. I suggest that one way in which we can inaugurate this great hope is by bestowing honorary citizenship on Winston Churchill. In reality, doing so would only affirm in law what already prevails in the hearts of millions of Americans.

This proposal was first suggested by a longtime friend of the Churchill family, Miss Kay Halle, radio and television commentator, journalist, author, world traveler of note, and one of our country's outstanding women. President Kennedy, while still a Senator from Massachusetts, was an early proponent of the idea. In a speech in the Senate Chamber on April 15, 1959, he stated:

> I believe now that Sir Winston Churchill has left active political office that a grant of Honorary U.S. citizenship to him would be a worthy and fully deserved gesture.

Only once before, in the case of Lafayette, has Congress been moved to such a unique expression of public sentiment. However, strictly speaking, Lafayette did not become an American citizen by act of Congress. He was first made a citizen of the States of Maryland and Virginia, before the Constitution was ratified and the Federal Congress established. At that time, the individual States could establish their own naturalization rules. Later, these State acts were accepted as part of the Federal law. If there has ever been a case since then for a foreigner to receive exceptional honor here, it would seem to be now with Winston Churchill.

Mr. President, since I first introduced this resolution I have discovered a great wellspring of public sentiment in favor of its adoption. This has been exemplified in numerous articles and editorials in newspapers and magazines. In its issue of September 21, 1962, Life magazine had an excellent editorial entitled "An Honor Due to a Great Friend," urging passage of this resolution. More recently on January 9, 1963, the Washington Post and Times Herald in an editorial entitled "Citizen Churchill," likewise called for the same action. I ask unanimous consent that these editorials be printed in the RECORD at this point as part of my remarks.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the editorials will be printed in the RECORD.

The joint resolution (S.J. Res. 5) authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on the Judiciary.

The editorials presented by Mr. YOUNG of Ohio are as follows:

[From Life magazine, Sept. 21, 1962]

### AN HONOR DUE TO A GREAT FRIEND

We know Congress is busy with a hopper full of gnarled and knotty legislation. But there is one agreeable act which would take the legislators about 5 minutes and which we hope they will find time to perform before adjourning. As a graceful present to Sir Winston Churchill, now recovering from a broken thighbone, they could make that indomitable and seemingly indestructible man an honorary American citizen.

During his hospital stay Sir Winston received from all over the world hundreds of gifts he couldn't use, including quack medicines and enough flowers to stock a greenhouse. But the power to bestow this one gift, which he has remarked privately he would very much like to have, lies with the U.S. Congress. Senator John F. Kennedy proposed it in 1959. Senator YOUNG of Ohio has introduced a resolution which is now before the Judiciary Committee. There is a perfectly good precedent—the United States showed its gratitude to the Marquis de Lafayette by making him a citizen. Now it is Sir Winston, son of an American mother and a British father, who "truly epitomizes," in YOUNG's words, "the union between the two great English-speaking peoples."

A joint resolution of Congress would enable the President to do the trick without fuss, feather, or controversy. Not only would it please Sir Winston, but it would be pleasant indeed to act on one issue on which the Congress, the President and the overwhelming majority of Americans could immediately agree.

[From the Washington Post, Jan. 9, 1963]

### CITIZEN CHURCHILL

The Congress of the United States, which gathers in Washington today, can demonstrate in a thousand ways and by a hundred legislative acts, the power and wisdom and virtue of what has become beyond all doubt the world's greatest legislative body. These demonstrations will not startle or amaze a world grown accustomed to the might and authority of this august assembly of the chosen representatives of the world's foremost republic.

There is one way, which all may hope it will not neglect, of demonstrating besides, its subtle, sensitive and perceptive appreciation of those mysterious forces above the ordinary objects of legislation. There is one action by which it can show how truly it reflects the sentiment, the gratitude, and the understanding of the American people. There is one way of demonstrating to the world that representative government is moved by impulses rising in the hearts of common people, springing from their instincts of generosity and affection, and having nothing to do with the expectation of future gain. There is one means by which it can stir in our minds old memories and in our hearts new hopes.

This Congress should swiftly move, by appropriate legislation, to confer American citizenship upon the former Prime Minister of Great Britain, Winston Churchill. Such legislation, to be sure, will only affirm in the law what already prevails in the essence of things, but it will be an affirmation that will brighten the twilight that slowly gathers about the aged man whose inspired union of noble words and great deeds was our salvation and solace in dreadful days.

Only once before, in the case of Lafayette, has Congress been moved to this unique expression of national sentiment. It is the most appropriate gift and token that it is within its power to convey and the one that more than any other symbolizes the warmth and affection and reverence that a grateful people feels toward a noble friend.

It is such a gift as we may safely think will inspire the aged hero to turn once more toward the west, to murmur again the magic lines of Arthur Hugh Clough with which he lifted Great Britain from despair in the darkest days of the war:

"And not by eastern windows only,  
When daylight comes, comes in the light,  
In front, the sun climbs slow, how slowly,  
But westward, look the land is bright."

Mr. YOUNG of Ohio. Mr. President, there may be little time to lose if we are to make one of the greatest of our friends, Winston Churchill, truly one of us. The gift of honorary citizenship is something that no man can buy or acquire in any way except through the grateful generosity of the American people. It is the most appropriate gift that we can convey to symbolize the warmth and affection that a grateful people feel toward him.

## BROAD CONGRESSIONAL REFORMS

Mr. CLARK. Mr. President, on behalf of myself and 30 other Senators, I submit a concurrent resolution which I hope will be given the number Senate Concurrent Resolution 1. The cosponsors of the resolution come from both sides of the aisle, and include both the majority whip and the minority whip. I ask unanimous consent that the resolution lie on the desk for the remainder of this week, in the hope that other Senators will join in sponsoring it.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CLARK. Mr. President, the purpose of the resolution is to establish a Joint Committee on the Organization of Congress, to be composed of seven Members of the Senate and seven Members of the House. The committee would conduct a comprehensive survey of the rules, the procedures, the customs, and the manners of the Congress. In my opinion and in the opinion of the 30 cosponsors, the improvement of congressional procedures is an urgent national need.

General procedural and organization problems have not been considered by the Congress since the LaFollette-Monroney Legislative Reorganization Act of 1946. That act, useful as it was, failed to accomplish many needed reforms. Some of the reforms it achieved have been undone.

The volume and complexity of Federal legislation have increased enormously in the last 16 years. Science and technology have involved the Congress in subjects unheard of in 1946, or even in 1956. Two new States and 50 million additional persons are now represented in Washington. The responsibilities of the Federal Government have grown substantially.

Adjournment has come at progressively later dates in recent years. More and more serious legislative proposals have failed to receive consideration.

It is increasingly evident to all serious students of Congress that the rules, procedures, and customs under which both Chambers now operate must be modernized. Until this happens, Congress will not be able to meet effectively its constitutional responsibilities.

Specific reforms are also needed at the opening of the 88th Congress, as indicated by the strong pending effort to change rule XXII. But such procedural reform will not get at the heart of the problem. A broad-scale general review and reform of our procedures is long overdue. These two efforts are complementary not contradictory. The sponsors of this resolution urge widespread public attention to the need for Congress to put its own houses in order.

The 30 cosponsors of the concurrent resolution include Senators Humphrey, Kuchel, Engle, Saltonstall, Metcalf, Case, Williams of New Jersey, Neuberger, Moss, Randolph, Muskie, Hart, Nelson, Dodd, McCarthy, Scott, Cooper, McGee, Douglas, Pell, Boggs, Burdick, Church, Gruening, Keating, Miller, Bartlett, Kefauver, and Javits.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HUMPHREY. I commend the Senator for his continuing initiative on the subject of congressional reorganization. I have said before, and I repeat, that the Congress of the United States has a duty to itself and to the people of our country to put its institutions and procedures in order in terms of modern needs and modern commitments. The proposal of the Senator from Pennsylvania, in which I am privileged to join, along with many of his colleagues, is one which I think can put us on the right course of action. It provides for a joint committee that can review the present institutions and procedures of Congress, which I find to be, from my limited understanding in this body, inadequate for the requirements of the day. The Senator is doing a great service. I am hopeful that we shall have rather prompt action on the establishment of the joint committee. I pledge myself to that course of action.

Mr. CLARK. I thank my friend for his kind words. His support will be one of the things which I think will be most effective in persuading the leadership on both sides of the aisle to give the green light to the concurrent resolution, to get it out of the Rules Committee, and get the commission appointed.

While we are haggling about a great many other subjects, a serious study of rules change, which is so badly needed, can be underway, in the hope that before we adjourn the 1st session of the 88th Congress, we shall bring the Senate and the House of Representatives of the United States back to the point at which once again they can effectively and efficiently perform the constitutional duties with which they are charged.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred and, without objection, it will lie on the desk for additional sponsors for the remainder of the week.

The concurrent resolution (S. Con. Res. 1), submitted by Mr. Clark (for himself and Senators Humphrey, Kuchel, Engle, Saltonstall, Metcalf, Case, Williams of New Jersey, Neuberger, Moss, Randolph, Muskie, Hart, Nelson, Dodd, McCarthy, Scott, Cooper, McGee, Douglas, Pell, Boggs, Burdick, Church, Gruening, Keating, Miller, Bartlett, Kefauver, and Javits) was referred to the Committee on Rules and Administration, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of seven Members of the Senate (not more than four of whom shall be members of the majority party) to be appointed by the President of the Senate, and seven Members of the House of Representatives (not more than four of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

Sec. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying and expediting its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; the structure of, and the relationships between, the various standing, special, select, and conference committees of the Congress, the rules, parliamentary procedure, practices, and/or precedents of either House, the consideration of any matter on the floor of either House, and the consolidations and reorganization of committees and committee jurisdictions.

Sec. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) The expenses of the committee, which shall not exceed $______, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than four months after the committee is established. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules and Administration of the Senate and the Committee on Rules of the House.

## NOTICE TO AMEND RULE XXII—RESOLUTION

Mr. HUMPHREY. Mr. President, on behalf of Senator Kuchel and myself, and Mr. Douglas, Mr. Case, Mr. Clark, Mr. Javits, Mr. Hart, Mr. Keating, Mr. Williams of New Jersey, Mr. Scott, Mr. Engle, Mr. Randolph, Mr. Beall, and Mr. Fong, and in accordance with article I, section 5 of the Constitution which declares that "each House may determine the rules of its proceedings," I send to the desk and offer a notice of a motion to amend rule XXII and a resolution to amend the said rule to permit cloture of debate by a vote of a constitutional majority of the Senate after full and fair discussion.

The VICE PRESIDENT. The notice will be read.

The legislative clerk read as follows:

### Notice of Motion To Amend Certain Senate Rules

In accordance with the provisions of rule XL of the Standing Rules of the Senate and without prejudice to the constitutional right of a majority of the Senate of the 88th Congress to accept, reject or modify any such rule, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the standing rules in the following particulars, namely:

Rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of Rule III or Rule VI or any other

Rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if the question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect, thereto shall be limited in all, unless additional time is provided in accordance with this rule, to not more than one hundred hours, of which fifty hours will be controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"SEC. 3. Redesignate section 3 of the Standing Rules of the Senate as section 4."

The purpose of the proposed amendment is to provide for bringing debate to a close by a majority of the Senators duly chosen and sworn after full and fair discussion.

## NOTICE OF MOTION TO AMEND THE RULE RELATING TO CLOTURE

**Mr. MORSE** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to offer an amendment to S. Res. 9, to amend the cloture role of the Senate, as follows:

"*Resolved,* That subsection 2 of the rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

"'Notwithstanding the provisions of rule III or VI or any other rule of the Senate, if at any time at which any measure, motion, or other matter, or the unfinished business, has been pending before the Senate for not less than seven calendar days, a motion, signed by sixteen Senators, to bring to a close the debate upon that measure, motion, matter or business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"'"Is it the sense of the Senate that the debate shall be brought to a close?"

"'And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"'Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. No dilatory motion, dilatory amendment, amendment not germane, or motion to table any germane amendment offered to the said measure, motion, matter, or business shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.'

"SEC. 2. Subsection 3 of such rule is hereby repealed."

### MORSE CLOTURE RESOLUTION

This amendment permits a simple majority of those present to terminate debate.

The petition requestion cloture may not be presented until the Senate has considered its pending business for at least seven calendar days. Sixteen Senators must sign the cloture petition.

If cloture is voted, each Senator is allowed one hour of debate. That hour must cover the pending business and all amendments and motions relating to it. However, a Senator may yield all or any portion of his time to another Senator, who may use it in addition to his own time.

Amendments offered during the imposition of cloture must be germane.

No motion to table germane amendments will be in order. Thus, the 100-hour ceiling on time will be the only curb on debate, assuming that Senators who have used all their own time are able to obtain time allotted to others. If not, then there will not be even 100 hours of debate.

The tabling motion in itself is the most complete possible curb on debate insofar as amendments are concerned. It is both unnecessary and undesirable to apply both cloture and tabling procedures at one and the same time. Surely 100 hours of debate is limitation enough on an issue important enough as to bring about cloture. Amendments should be freely presented and debated within that 100 hours.

(Mr. MORSE also submitted an amendment, intended to be proposed by him, to Senate Resolution 9, submitted by Mr. ANDERSON, which was ordered to lie on the table and to be printed.)

## AMENDMENT OF SENATE RULES

**Mr. MILLER.** Mr. President, I send to the desk two amendments and ask unanimous consent that they be printed in the RECORD and lie on the desk.

The PRESIDING OFFICER (Mr. BAYH in the chair). The amendments will be received, and, without objection, will be printed in the RECORD, and will lie on the desk.

The amendments submitted by Senator MILLER are as follows:

Amend the Anderson et al. resolution by changing the third paragraph of section 2 of the proposed change to rule XXII to read as follows:

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

Amend the Humphrey et al. resolution by changing the third paragraph of section 3 of the proposed change to rule XXII to read as follows:

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion or other matter pending before the Senate or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

**Mr. MILLER.** Mr. President, in connection with the amendments I wish to point out that one is a proposed amendment to the Anderson and others resolution. The other is an amendment to the proposed substitute resolution offered by the Senator from Minnesota [Mr. HUMPHREY] and others.

The purpose of the amendments is to make clear that regardless of whether a so-called three-fifths rule or a simple majority rule is adopted, in either event there must also be a majority of Senators of each of the two political parties present and voting for cloture.

Mr. President, the purpose behind the amendments is to assure bipartisanship in connection with the great national issues over which filibusters might rage and to assure that there will be bipartisan support of any imposition of cloture with respect to these great national issues.

It seems to me, Mr. President, that any clear-thinking American believes in a viable two-party system; and, by assuring a two-party system support of such an important measure as the imposition of cloture, I think the objective of a viable two-party system will be assured.

## NOTICE OF ANNUAL MEETING OF THE U.S. GROUP, INTERPARLIAMENTARY UNION

**Mr. ROBERTSON.** Mr. President, I wish to announce that in accordance with its bylaws, the annual meeting of the U.S. Group of the Interparliamentary Union will be held on the third Monday in January, which is January 21. The Group will meet at 10:30 a.m. in the conference room, S-207, on the principal floor in the Senate wing of the Capitol.

The agenda of the annual meeting will include the following matters:

First. Report of the President.

Second. Report of the Executive Secretary.

Third. Report of the delegation to the 51st Interparliamentary Conference.

Fourth. Resolutions adopted by 51st Conference.

Fifth. 1963 spring meeting in Lausanne—program of study committees.

Sixth. Plans for third American regional meeting.

Seventh. Proposed increase in our annual contribution to Interparliamentary Union Bureau.

Eighth. Belgian request for a Belgo-American Parliamentary Group.

Ninth. Election of officers for 88th Congress.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Excerpts from remarks in presenting the Richard L. Neuberger Award of the Society of Magazine Writers to John Fisher, editor of Harper's magazine.

Article appearing in the January 5, 1963, issue of the Charleston Gazette, reporting on the Emancipation Proclamation anniversary banquet held in that city, and excerpts from his own remarks prepared for delivery at that occasion.

## EDUCATION: A MAJOR INVESTMENT

**Mr. MORSE.** Mr. President, in the November 15 issue of Oregon Education, a publication of the Oregon Education Association, there appears an excellent article written by Dr. Sam M. Lambert, director of the research division of the National Education Association, which I feel will be most helpful to Senators in connection with our consideration during this session of education bills.

Dr. Lambert has summarized most concisely and competently many of the important considerations which deserve our careful attention. He has set forth the cold statistics which, to my mind at least, are compelling reasons for Federal aid to our educational process. I call attention, for example, to a statement that by 1970 the cost of operating our public schools will be roughly equal to the cost of all local and State government, including education, in 1959. His description of the effect of our population growth in the school-attending ages shows how it will be necessary for us to face realistically the expenditure of sums of the magnitude he forecasts. We cannot long postpone coming to grips effectively with the needs and requirements of our Nation in the educational sector. As I have said many times before, our school age youngsters are our most important national resource. In justice to them and to ourselves it becomes imperative that we provide the necessary finances to assure ourselves that this resource will not be wasted.

Mr. President, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Education: A Major Investment

(By Sam M. Lambert)

(Reprinted from New Mexico School Review)

If we are going to find some solution to our problems of financing education, some way or another we have to get the American people to understand the sheer size of this business called education. It is quite different from what it was 60 years ago, or even 30 years ago.

At present, one in four persons in our population is in school—in a public elementary or secondary school, a private or parochial school, or in a college or university. One in five persons in our population is in a public elementary or secondary school.

And, education is getting bigger every year. Let me give you some idea of what we shall face in the future.

1. If costs keep going up $1 billion per year—and there is no chance of a smaller increase—we will spend more for education in the decade of the 1960's than we have spent in the last 100 years.

2. The cost of public schools by 1970 will be roughly equivalent to the cost of all local and State government, including education, in 1959.

3. It is quite possible that in another two or three decades public education may displace national defense as our most expensive public enterprise. The trouble is we are trying to finance out of our change purse instead of our billfold.

### IMBALANCE GROWING

To complicate our problems in the 1960's, there will be a growing imbalance between the number of persons working and paying taxes and the number of persons to be supported by the workers and taxpayers. Between 1960 and 1970 the population of this country is expected to increase 19 percent. The way this increase will be distributed, however, will cause the maximum of trouble.

Let's take a look at this increase by population age segments. The age group 22 to 64, which will contain most of the producers, wage earners, and taxpayers, by and large will support the other age segments. However, this age group is expected to increase only 12.2 percent. Here is what will happen to the others:

1. The age group under 5 is a totally dependent group. It is expected to increase 21 percent, or almost twice as fast as the wage-earning segment.

2. The age group 5 to 13, those who will be in elementary school, will increase 17.1 percent—nearly 1½ times as fast.

3. Those in the 14 to 17 age bracket, the high school age group, will increase 42.7 percent, or 3½ times as fast.

4. The age group 18 to 21, those in college and looking for a job, will increase 56.6 percent, or more than 4½ times as fast.

I think the implications of this imbalance in population growth and of the rapidly increasing size of the education enterprise are quite clear. For education we must have the broadest possible tax base. We will have to tax the wealth of the country both efficiently and effectively. We will have to raise more money at the local level, at the State level, and at the national level.

### PROPERTY TAX LIMITED

National defense has the broadest of all tax bases; the income of the people and of the corporations. Education now has property as our most important tax base, but this is declining rapidly as an index of wealth. There is no question but that property taxation is in for some rough sledding in the next few years. Here are two reasons why we are headed for trouble.

1. The rapid increase in the number of retired persons living on fixed incomes.

In the 1950's the number of persons in the 65 and over age bracket increased one-third; in the 1960's the number will go up one-fifth. This is enough to make the difference between victory and defeat in many elections involving tax rates. The property tax is the most difficult tax that many retired persons have to pay.

Consider for example, a retirement income of $3,000 for a man and his wife, both over 65. Federal income taxes amount to little or nothing because of the double exemption for persons over 65 and the exemption of social security. On the other hand, such a couple, which may have had an income of $10,000 per year prior to retirement, may be struggling to pay a $400 or $500 tax bill in order to hold on to the home. For example, in New Mexico for every 100 persons aged 65 or more, in 1950, there will be 215 in 1970.

2. The property tax is the most regressive of all taxes; it works backward in relation to income.

According to a study of the Tax Foundation, property taxes amount to 5.9 percent of family income of less than $2,000. On the other hand, this tax averages only 2.1 percent of a family income of $15,000 or more.

### ABILITY IS HERE

Some people may ask, "Can we really afford the increasing costs of public education?" The answer is obviously "Yes." If there is any doubt in your mind, think of the number of two-car families, the number who now own a boat, and the number who even own two homes.

Other countries in the world have considered themselves extremely fortunate when they could provide their people with the basic necessities of food, clothing, and shelter. This country is the only country in history that can afford to spend millions of dollars each year on low-calorie foods. Our problem is not lack of wealth; it is only a matter of how to get at the wealth.

Now, one last point before we consider the returns of education: High property taxes, high income taxes, high sales, in New Mexico or anywhere else, won't deter industry anywhere nearly as much as a second-rate school system.

### EDUCATION AS INVESTMENT

Now for my second point. How does education pay dividends? Many persons have a strange attitude toward public spending. They think of it as money down a rathole, and the further away from home the bigger the rathole. They don't seem to view a highway as a public investment—only as a public expenditure.

This is the point that bothers me most. There are many things we spend public money on that comes back to us—individually and state—with a high rate of interest. Let me describe one or two in addition to education.

### FARMING

Modern farming provides one of the best illustrations we have of how productivity can be stimulated by public money. Let's examine this success story which no other country has been able to even approach, much less equal.

At the beginning of this century, 90 percent of the people in the United States were involved in producing the food and fiber needed by the population. We are doing it today—and doing it better—with 10 percent of the population. In Russia today 50 percent of the population is needed to produce its food and fiber.

Another interesting fact: In just a little over a decade (from 1947 to 1960) we have increased our farm output per man-hour of labor 96 percent. Other countries haven't made this much progress in the past 2,000 years.

In analyzing how and why we've been so successful in the field, the Economist Harold Groves assigns the credit to a politically favored enterprise which has been well financed for several years. Specifically, the agricultural colleges, the experimental stations, and the extension services—all well supported with Federal and State funds—have provided the key to progress. They have developed into a system that is the envy of the world. Although they may be called cow colleges, they have lifted the business of farming out of folklore into scientific agriculture.

### HEALTH GAINS

My second example of a productive enterprise is drawn from fields of medicine and health. We have made tremendous progress in this field—but it's not easy to separate public and private investments and the return from each. Let me give you one of two sets of figures. They were a great surprise to me.

1. I wonder if you know that the number of days lost from work due to sickness dropped from 10.1 per worker in 1958 to 5.6 in 1960. That's just 3 short years.

2. A conservative estimate of the annual value of these days gained is $68.17 per worker in the labor force or a total of over $3 billion for all workers. The tax take on this for the Federal Government alone is $600 million per year.

3. It is interesting to compare this $3 billion with our annual investment in research on drugs and medicines which amounts to $127 million from public and private sources. This is about 3 percent of value of the days gained.

### EDUCATION GAINS

Now, let's move to the public investment in education. What evidence do we have on the return to the individual and the tax system?

Economic growth—the net national product—has been increasing at about 3.5 percent per year for the last 80 to 90 years. Economists have found they can account for only one-half of this by increases in the labor force and the stock of conventional capital. The remainder is coming from the upgrading of labor, from innovation and change resulting from education, and from various other changes in human beings. The median years of schooling increased from 8.4 to 10.6 years between 1940 and 1959. This should result in a person doing something better.

Recently a fellow named Becker has been trying to place an estimate on the economic return of a college education as compared with a high school education. His study is based on urban males adjusted for ability, race, unemployment, and mortality. He comes up with a return of 9 percent total college costs, with public costs and private costs figured in the investment, and with earnings foregone while in college deducted from the return of higher lifetime earnings. Others have come up with figures ranging from 9 to 11 percent.

If these figures are anywhere near a final answer, the return of investments in education is certainly equivalent to the net return of capital invested in traditional ways. It has this meaning: a good junior college in many communities will pay a return equal to that of a shoe factory.

Let's examine return of cost of a college education. Assuming a productive career of 43 years, the difference between a high school education and a college education will average out to $4,000 per year. From this $100 will return to the tax system to repay public investment, and $3,000 will go to the individual for private investment.

The difference between high school education and grade school education averages out to $1,600 per year. That means $400 to the tax system and $1,200 to the individual.

Of course, my reasoning here might be questioned. Some will say that if we keep going upward to ever higher levels of education we might create a surplus of well-educated workers. Competition for jobs in this case would offset the apparent benefits to the revenue system and to the individual. Personally, I am not going to worry about the law of diminishing returns setting in anytime soon. The great problem of unemployment now is among those with less than a high school education.

This will continue as an increasingly serious problem for at least one or two decades. In fact, the high school dropouts in the next 10 years will glut the labor market to the extent that a large proportion of these youths will be a burden on the economy rather than an asset to it. There will be an estimated 7½ million dropouts in the 1960's.

This could mean an impossible burden to relief and welfare roles, our police and courts. It is far, far cheaper to educate them than to pay for side effects.

### QUALITY TEACHERS

Everyone is talking about quality education, and I am certain you will agree that 90 percent of whatever quality we have ever had in education has come from quality manpower in the classrooms. However, we cannot compete successfully for talent without paying competitive salaries for college graduates.

If you think this salary business is not important, let me tell you about a study recently completed at Teachers College, Columbia University. The study began with two researchers getting their hands on the results of a battery of induction tests administered by the Air Force in 1943. These test results proved to be a gold mine of useful information.

Among those tested by the Air Force were several hundred public school and college teachers. Following up in 1959, the researchers found some who were still teaching and some who had left teaching for other fields of work. In 1959 all were from 34 to 42 years of age, old enough to be well-established in whatever they were doing.

The average salary of those still in public school teaching was $475 per month; the average of those who had left public school teaching was $610 per month. The average monthly salary of those still in college teaching was $600; of those who had left college teaching, $835 per month.

This study provides impressive evidence that men can advance themselves quite rapidly leaving teaching and going into other fields of work. Yet the study provides something even more important. A study of the induction test results showed that those who left teaching were clearly a superior group in reading comprehension, arithmetic reasoning, and mathematics.

This is the great tragedy in American education.

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## TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

Mr. MORSE. Mr. President, during the months ahead the Senate will be called upon to consider many items relating to education legislation. This morning, as a background for our discussion of one very important area—amendments to the National Defense Education Act of 1958—I feel it would be helpful for Senators to have the opportunity to review a statement prepared by the 53 university foreign language and area centers directors of title VI of the National Defense Education Act. This statement appeared in the December 1962 issue of the newsletter issued by the American Council of Learned Societies. It gives, in short compass, a clear and lucid description of the accomplishments of title VI since its inception.

I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### STATEMENT OF 53 UNIVERSITY FOREIGN LANGUAGE AND AREA CENTER DIRECTORS ON TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

Title VI of the National Defense Education Act of 1958 was enacted in order to make good the Nation's educational deficiency in modern foreign languages. Many languages of national importance were found not to be available in American education, others were in seriously short supply, others were ineffectively taught. America's commitments during and after World War II made these deficiencies glaringly apparent. As directors of the 53 language and area centers supported under title VI of the act, we feel it proper to express our judgment on the working of the act in its first 4 years, and on the need for its extension.

Title VI established three programs on which we can speak with authority. It has made possible the development of 53 centers in 33 universities, offering instruction in 66 critical languages and related area studies. Each center provides regular courses, frequently through existing university departments, along with specialized library and teaching materials, supplementary lectures, and frequently supporting research. The faculty assembled in these centers, comprising 212 language specialists and 246 specialists in the culture or institutions of the foreign areas, is a national resource of great value.

New language teaching methods and materials have been prepared, largely through university research supported by the National Defense Education. Act. As a result, language learning is being accelerated, and adapted with precision to the students' needs.

About 1,600 graduate students have been supported in learning the critical languages and the related area subjects through national defense foreign language fellowships. They will, on completion of their training, help fill the Nation's increasing needs for language-trained personnel at home or overseas.

Every dollar of Federal money that supports the centers is matched by a dollar of university funds; in fact universities have spent considerably more than the matching requirement. In this way, Government funds have stimulated the universities to expand their own activities and at the same time have enabled the universities to accomplish a task wholly beyond their own resources. Thanks to the statesmanlike and educationally informed way in which title VI of the act has been administered by the Language Development Branch, Government funds have made it possible for the universities to make a major contribution to the Nation's language resources while preserving their own freedom of action and maintaining their own distinctive character.

These results demonstrate the wisdom of the decision 4 years ago to enact the National Defense Education Act, incorporating title VI. The need to extend and enlarge the provisions of the legislation will in 1963 present the Nation and the Congress with a similar occasion for farsighted decision. Not only is there need for instruction in critical languages and related area courses to grow in proportion to university enrollments:

many critical languages are not yet taught in this country; others are taught only on the introductory level. In spite of the training of new specialists under provisions of the act, we lack sufficient faculty with competence in all the areas of importance to the United States. Upon us will now fall a large share of the duty of training the teachers who will introduce languages in much earlier stages of school and college education. The same considerations of national interest which led to the enactment of the National Defense Education Act in 1958 are more pressing now than then, and call for its extension and enlargement by the next Congress.

## MIDDLE SNAKE RIVER—RESOLUTION BY WALLOWA COUNTY POMONA GRANGE NO. 22

**Mr. MORSE.** Mr. President, in accord with my custom on inserting in the CONGRESSIONAL RECORD resolutions of Oregon organizations on public issues, I ask unanimous consent to have printed in the body of the RECORD a resolution I have recently received from the Wallowa County Pomona Grange No. 22 on the subject of development of the middle Snake River.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION BY WALLOWA COUNTY POMONA GRANGE NO. 22 ON HIGH MOUNTAIN SHEEP DAM PROJECT NO. 2243

Whereas on March 31, 1958, Pacific Northwest Power Co. filed an application with the Federal Power Commission for license to construct a high multipurpose dam on Snake River at the high Mountain Sheep site, known as project No. 2243; and

Whereas since March 31, 1958, many hearings have been held on this application, both in the area near the proposed dam and also in our National Capitol, also a large amount of money has been expended and much exploratory work has been done by Pacific Northwest Power Co. during this time to support their application and to furnish evidence of the feasibility of this project ana to justify its construction as a part of the comprehensive multipurpose development of this water resource; and

Whereas ample opportunity has been provided for interested individuals, and organizations to present evidence either favoring or opposing this application, and such interested parties did so present their evidence; and

Whereas your presiding examiner is required to conduct these hearings, carefully consider and evaluate the evidence presented, and at the conclusion of the hearing submit to the Federal Power Commission his findings accompanied by an order, subject to Commission review, as to action taken on the license application; and

Whereas on October 8, 1962, after 4½ years of hearings and presentation of evidence by hundreds of people, Presiding Examiner William C. Levy did submit his findings on high Mountain Sheep project No. 2243 and said examiner's report did support the application of Pacific Northwest Power Co. and recommend that license be granted: Therefore be it

*Resolved,* That Wallowa County Pomona Grange No. 22, in regular session assembled at Lostine, Oreg., on December 1, 1962, does approve the presiding examiner's report and recommendation regarding high Mountain Sheep Dam project No. 2243 and said grange does respectfully request that license for construction of this project be granted by the Federal Power Commission to the Pacific Northwest Power Co. at an early date; and be it further

*Resolved,* That the secretary be instructed to send copies of this resolution to the following: Chairman of the Federal Power Commission, Washington, D.C.; Gov. Mark Hatfield, State Capitol Building, Salem, Oreg.; Senators Wayne Morse and Maurine Neuberger, Senate Office Building, Washington, D.C.; Representative Al Ullman, House Office Building, Washington, D.C.; Oregon State Grange, Portland, Oreg.; and the Secretary of the Interior, Washington, D.C.

Adopted December 1, 1962.

BERNARD BOHNA,
*Master.*
MAX WILSON,
*Secretary.*

## COMMUNITY BUSINESS ETHICS

**Mr. MORSE.** Mr. President, recently I received a letter from Mr. Harold K. Cherry, field office manager of the U.S. Department of Commerce office in Portland, Oreg. The letter was also signed by Mr. Carl Donaugh, the assistant manager. The letter refers to the Committee of One Hundred, formed by Sid Woodbury, of Portland, to review and study community business ethics. They also make reference to an article on this subject by Commerce Secretary Luther Hodges which appeared recently in the Rotarian magazine of November 1962.

I ask unanimous consent that the letter from Mr. Cherry and Mr. Donaugh be printed at this point in the CONGRESSIONAL RECORD, followed by Secretary Hodges' article from the Rotarian.

There being no objection, the letter and the article were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE,
*Portland, Oreg., November 29, 1962.*

Hon. WAYNE L. MORSE,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MORSE: Undoubtedly you are familiar with the ethics program initiated by Secretary of Commerce Luther H. Hodges through the appointment of a Business Ethics Advisory Council in 1961. The Council first met in May of 1961.

However, you may not have had occasion to read the article of the Secretary of Commerce as published in the Rotarian magazine of November 1962. We are pleased to enclose a copy herewith.

In the Rotary article you will note reference to our activities through the Portland field office and the Committee of One Hundred formed by Sid Woodbury, of Portland. This committee continues and we have quite an active executive committee as a means of contact with business and industry, etc.

For your files we are also pleased to enclose "A Statement on Business Ethics" issued by the Business Ethics Advisory Council and a copy of the minutes of the first general meeting held in Portland.

Sincerely,

HAROLD K. CHERRY,
*Field Office Manager.*
CARL DONAUGH,
*Assistant Manager.*

### IT'S UP TO MANAGEMENT

(By Luther H. Hodges)

Shortly after I took office as U.S. Secretary of Commerce, a group of nationally prominent corporation executives convicted of violating our antitrust laws in price fixing came up for sentencing.

The Federal judge before whom they stood said: "What is at stake here is the survival of the kind of economy under which America has grown to greatness, the free enterprise system. The conduct of the corporate and individual defendants alike has flagrantly mocked that image and destroyed the model we offer today as a free world alternative to state control or socialism and eventual dictatorship."

His words of warning might also have been applied to those involved in TV quiz show scandals, collusion with corrupt labor leaders, and conflicts of outside business interests with corporate responsibilities.

Coming in fairly rapid succession, it seemed to me that these actions of a few selfish, irresponsible businessmen threatened to undermine the public confidence in business which had been built so painstakingly over the span of many years.

As a longtime Rotarian, I was—and am today—devoted to the Rotary ideal of high ethical standards in business and professions, and knew that most businessmen were high principled. The days when a businessman thought only of his immediate profit, without regard to the long-range consequences to society—and to himself, since he is inescapably a part of society—had long since passed. Indeed, they were on their way out when I first went to work some 50 years ago.

But if allowed to stand unchallenged, the misdeeds of a few might have caused the impression to spread that the moral fiber of business generally was decaying. This would have been unfair and intolerable. The worst thing that could be said of the business community as a whole was that it had not been making a broad and vigorous effort to examine some of the ethical questions for which there were no easy or clear answers in law or regulation.

What was needed, it seemed to me, was a positive approach by business itself—for who else could translate high business principle into daily practice? Important help could be given, however, by the forces of moral leadership in our communities.

The Department of Commerce, as the agency responsible for fostering business, could, I felt, appropriately serve as a catalyst in bringing these elements together to explore the problem. With the approval of President Kennedy, I therefore convened a group of outstanding businessmen, educators, religious leaders, and journalists as a business ethics advisory council.

The council first met in May of 1961. In this and succeeding meetings it hammered out a statement on business ethics and a call for action, together with a set of questions for businessmen to use in examining their ethical standards and behavior. The statement begins by acknowledging the effectiveness of ethical standards deriving from our religious heritage and our traditions of social, political, and economic freedom, but notes that the ever-increasing complexity of society constantly creates new ethical problems for which businessmen must find new and appropriate standards.

At the same time, the Council pointed to the steady improvement over the years in the ethical standards guiding business enterprise in the United States of America. This has been accompanied by a public demand for proper performance and a keen sensitivity to violation of ethical conduct. As I see it, we keep improving our standards, setting ever higher goals, trying to live up to them, and, as loopholes appear, reshaping our goals on a higher plane.

Part of the problem, the Ethics Council correctly states, stems from the relationships that businesses have with group of varying, often conflicting interests. An enterprise owes a duty to its stockholders, of course, but what about employees, customers, suppliers, Government, and the public in general? To some degree, the relationships of an enterprise to these groups are regulated by law, but the law provides only a minimum standard of conduct, beyond which businessmen must take into account the proper claims of those affected by their activities as well as society as a whole.

Then, too, one is not always faced by a simple choice between what is right and what is wrong. Is the gift of a handsome desk accessory to be considered acceptable, but dinner at a plush restaurant corrupting? Should all socializing with business contacts be banned to avoid any possibility of favoritism, or may an element of judgment be permitted?

What is important, the Council emphasizes, is that business discharge its obligation of leadership: "The primary moral duty to establish high ethical standards and adequate procedures for their enforcement in each enterprise must rest with its policy-making body—its board of directors and its top management."

We regard this statement and the set of questions which accompanies this article [pp. 14–15] only as starting points from which businessmen will be moved to initiate programs of ethical inquiry in their own companies, in their own local business groups, in their own trade associations.

When they have completed such inquiries, we hope they will come up with codes dealing concretely with the problems they face, win acceptance and understanding of the codes by all affected personnel, and establish enforcement procedures.

An outstanding example of what can be done is the work of a group in Portland, Oreg., sparked by Rotarian Sidney F. Woodbury. Sid had written me that many hard-working, intelligent, experienced business leaders in the senior active group in Rotary Clubs were interested in volunteer public service. He supplied a list of Portland men in this category.

After our Business Ethics Advisory Council had issued its call to action, it occurred to me that here was an area where these public-spirited Rotarians could be of real service. I asked them if they would undertake to mount a business-ethics program in the Portland community, and they responded enthusiastically.

With Sid Woodbury taking the lead, and getting active support from Harold Cherry, Manager of the Department of Commerce Field Office in Portland, a Committee of One Hundred was formed. It includes leaders of industry, religion, and the professions, labor leaders, educators, and a former Governor of Oregon. They are going about their task in an orderly, thoughtful manner. Through 15 working committees, they hope to work back from the community level to industries and individual companies.

We are now in the stage where consistent, methodical work is needed in many quarters to achieve the continuing goals of the business-ethics program. Such work is underway, of course, but must be expanded to the full dimensions of the business world. The American Management Association in New York City, for example, has agreed to make available its large library of codes and standards to those wishing to formulate their own codes, and is preparing to conduct regional seminars on ethics for business leaders with a text and other aids. Religious leaders on the council are working on the development of retreats and study groups for their congregations. Educators on the council are concentrating on the study of business ethics in the collegiate schools of business administration.

Rotary has, of course, been active in this field on its own through half a century. Its booklet "The Rotarian and His Trade Association, Including a Specimen Code" is a very valuable tool for putting into effect proper standards of business practice. I hope that every Rotarian will consider earnestly what he can do, both as an individual and through his organizations, to elevate the standards of business ethics and to promote the most widespread adherence to them.

If the democratic way of life is, as I deeply believe, the best way for men all over the world to realize their aspirations, then we who represent that way of life must offer an example worthy of our system. Partisans of other social and economic orders malign us as cynical exploiters. The most effective answer we can give is in our deeds, not just in words.

Let us apply to our business dealings abroad and at home the Rotary Four-Way Test, which I keep on my desk at all times:

1. Is it the truth?
2. Is it fair to all concerned?
3. Will it build good will and better friendships?
4. Will it be beneficial to all concerned?

In Hamlet we find as fine an expression of ethics as has ever been written: "To thine own self be true and it must follow * * * thou canst not then be false to any man."

Every businessman in his own heart knows right.

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YOUR BUSINESS ETHICS—A CHECKLIST

(Answer questions, "Yes," or "No.")

These questions were developed by a Business Ethics Advisory Council appointed by Luther H. Hodges, Secretary of Commerce of the United States of America and long-time Rotarian, who tells of that Council and its work on preceding pages. The questions said the authors of them, "are designed to facilitate the examination by businessmen of their ethical standards and performance. Every reader will think of others. No single list can possibly encompass all the demands for ethical judgments that must be met by men in business."

### 1. GENERAL UNDERSTANDING

Do we have in our organization current, well-considered statements of the ethical principles that should guide our officers and employees in specific situations that arise in our business activities, both domestic and foreign?

Do we revise these statements periodically to cover new situations and changing laws and social patterns?

Have those statements been the fruit of discussion in which all members of policy-determining management have had an opportunity to participate?

Have we given to our officers and employees at all levels sufficient motivation to search out ethical factors in business problems and apply high ethical standards in their solution?

What have we done to eliminate opposing pressures?

Have we provided officers and employees with an easily accessible means of obtaining counsel on and resolution of ethical problems that may arise in their activities?

Do they use it?

Do we know whether our officers and employees apply in their daily activities the ethical standards we have promulgated?

Do we reward those who do so and penalize those who do not?

### 2. COMPLIANCE WITH LAW

Having in mind the complexities and ever-changing patterns of modern law and Government regulation: What are we doing to make sure that our officers and employees are informed about and comply with laws and regulations affecting their activities?

Have we made clear that it is our policy to obey even those laws which we may think unwise and seek to have changed?

Do we have adequate internal checks on our compliance with law?

Have we established a simple and readily available procedure for our officers and employees to seek legal guidance in their activities?

Do they use it?

### 3. CONFLICTS OF INTEREST

Do we have a current, well-considered statement of policy regarding potential conflict-of-interest problems of our directors, officers, and employees?

If so, does it cover conflicts which may arise in connection with such activities as: transactions with or involving our company; acquiring interests in or performing services for our customers, distributors, suppliers, and competitors; buying and selling our company's securities; or the personal undertaking of what might be called company opportunities?

What mechanism do we have for enabling our directors, officers, and employees to make ethical judgments when conflicts of interest do arise?

Do we require regular reports?

Or do we leave it to our directors, officers, and employees to disclose such activities voluntarily?

### 4. ENTERTAINMENT, GIFTS, EXPENSES

Have we defined our company policy on accepting and making expenditures for gifts and entertainment?

Are the criteria as to occasion and amount clearly stated or are they left merely to the organizations with which we deal?

Do we disseminate information about our company policy to the organizations with which we deal?

Do we require adequate reports of both the giving and the receiving of gifts and entertainment?

Are they supported in sufficient detail?

Are they subject to review by appropriate authority?

Could the payment or receipt be justified to our stockholders, the Government, and the public?

### 5. CUSTOMERS AND SUPPLIERS

Have we taken appropriate steps to keep our advertising and sales representatives truthful and fair?

Are these steps effective?

How often do we review our advertising, literature, labels, and packaging?

Do they give our customers a fair understanding of the true quality, quantity, price, and function of our products?

Does our service as well as our product measure up to our basic obligations and our representations?

Do we fairly make good on flaws and defects?

Is this a matter of stated policy?

Do we know that our employees, distributors, dealers, and agents follow it?

Do we avoid favoritism and discrimination and otherwise treat our customers and suppliers fairly and equitably in all our dealings with them?

### 6. SOCIAL RESPONSIBILITIES

Every business enterprise has manifold responsibilities to the society of which it is a part. The prime legal and social obligation of the managers of a business is to operate it for the long-term profit of its owners. Concurrent social responsibilities pertain to a company's treatment of its past, present, and prospective employees and to its various relationships with customers, suppliers, Government, the community, and the public at large. These responsibilities may often be, or appear to be, in conflict, and at times a management's recognition of its broad responsibilities may affect the amount of an enterprise's immediate profits and the means of attaining them.

The problems that businessmen must solve in this area are often exceedingly perplexing. One may begin his reflections on this subject by asking: Have we reviewed our company policies in the light of our responsibility to society?

Are our employees aware of the interaction between our business policies and our social responsibilities?

Do we have a clearly understood concept of our obligations to assess our responsibilities to stockholders, employees, customers, suppliers, our community, and the public?

Do we recognize and impress upon all our officers and employees the fact that our free enterprise system and our individual business enterprises can thrive and grow only to the extent that they contribute to the welfare of our country and its people?

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## RESOLUTIONS OF OREGON WOOL GROWERS ASSOCIATION

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD the summary of resolutions adopted by the Oregon Wool Growers Association's 67th Annual Convention in Portland, November 4-6, 1962. This summary is taken from the December issue of the National Wool Grower.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

### GENERAL RESOLUTIONS

Proposed that the constitution of the association be amended to allow for the organization of county or area producer groups as official component groups of the State association. Further recommended that the member of the State executive committee representing these groups or areas be designated by the local groups.

Instructed the president and secretary to prepare the necessary amendment and implement the procedures necessary so that this can be voted on at the next annual meeting.

Commended the ASPC, Woolknit Associates and Woolens and Worsteds of America and private enterprises for their excellent work in promoting domestic consumption of wool and lamb.

Thanked the Imperial Hotel for convention accommodations and support of lamb and wool industries by purchases at the 1962 Pacific International Livestock Exposition. Also thanked all others who contributed to success of convention.

Thanked wool trade for making deductions for association dues.

Thanked NWGA President Penrose B. Metcalfe for his time and work for the wool and lamb producer and for his pioneer negotiations with New Zealand and Australian producers of lamb and mutton and for the continuation of the present oversea trade program.

Thanked all those who contributed to the success of the make-it-yourself-with-wool contest.

Commended National Wool Grower for recognition of the farm flock industry and strongly urged they continue such efforts.

Expressed importance of a diligent and continuing program of basic research in all fields pertaining to the wool and mohair industries. Urged that research in the fields of meat and wool production, processing and use, breeding and feeding of sheep and lambs, land use and control and eradication of sheep diseases be continued and accelerated.

Commended all agencies, both public and private, who are doing basic research in these fields.

Extended special commendation to the Albany branch of the USDA reseach station for their development of Wur-lan shrinkproof process for wool.

### LAMB AND WOOL

Expressed appreciation and highly commended Pacific Wool Growers in wool promotion efforts at the Pacific International, Oregon State Fair, Washington State Fair, and other showings. Further recommended holding of wool shows at spring lamb shows, county fairs, and other events of this nature.

Continued traditional support of Wool Products Labeling Act and commended Federal Trade Commission for its work in enforcing the act. Recommended that they increase their activities in regard to imported wool.

Urged acceleration of carcass research programs now underway. Expressed belief that effort be made to emphasize lesser known cuts of lamb and present them in more appealing fashion for the housewife.

Endorsed and recommended continuation of carcass study and research work carried on by animal science department at Oregon State University. Urged Oregon growers and research studies to keep high yield and a high percent of lean red meat as their goal in progress.

Commended all members of wool industry for cooperation with ASPC with tie-in advertising of domestic wool and wool products. Recommended continuation of make-it-yourself-with-wool contest.

Stated that the U.S. tariff on lambs and mutton are inadequate and that current rates encourage imports of live and frozen lamb and mutton which are in direct competition with domestic production. Since the National Wool Act was enacted to encourage domestic production, urged an increase in tariff or suitable import quota which would provide some protection and encouragement for U.S. producers.

Recommended adequate tariff or quotas to put foreign and domestic production on a competitive basis.

Commended Oregon State University for assistance rendered in lamb and wool marketing program and especially expressed appreciation to the county extension service for their help in developing and promoting their lamb and wool pools. Solicited their continued support.

Recommended to the USDA and the U.S. Treasury Department that methods developed for basing official wool grading standards on micron measurements be adopted at the earliest possible date, but that such standards conform as closely as possible to commercial mill usage. Recommended that these standards be used in appraising wool for assessing tariffs on all wool imported into the United States.

### SANITATION AND DISEASE

Recommended that the committee composed of representatives from Oregon Wool Growers, Oregon Purebred Sheep Breeders, Oregon State University, and the State department of agriculture continue to operate and carry on the program for eventual control and elimination of foot rot.

Recognized the value of the annual sheep and wool day at Oregon State University and recommended that the event be continued and that, if possible, the university sponsor such events on a regional basis in other areas of the State.

Commended Oregon State University for the good work done in sheep science, and recommended continuing research in sheep diseases, parasites, fertility, nutrition, and other management problems.

Recognized successful program initiated this year of clinical inspection for show sheep as they enter the show and recommended that the program be continued as at present.

### PUBLIC LANDS

Asked that in the implementation of any reasonable upward adjustment of grazing fees, increases be returned to the grazing districts for use through range improvement practices. Asked further that any increase be tied to the basic formula now in use.

Recommended that when feasible and practical, a program of controlled burning be established as a range improvement practice.

So that users of public range lands can better plan their operations, urged administrators of public lands to thoroughly discuss and plan any contemplated range improvement projects with the users before projects are begun.

Expressed appreciation for program of range rehabilitation which has been started in the Vale district and urged continued support of the project. Approved the overall principle of making a concentrated effort to increase the carrying capacity of the range through proven rehabilitation practices rather than resorting to the method of attempting to improve range conditions through drastic cuts in livestock numbers.

Reiterated support of the Multiple Use Act in the management of forest and other public lands.

Recognized and appreciated the improved cooperation that exists between users of public lands and public agencies charged with the administration of those lands. Being convinced that this improved relationship would result in benefits to users and the public, commended both administrators and users for this realistic attitude.

Expressed confidence in Oregon State Game Commission and endorsed their management program.

### PREDATORY ANIMAL AND WILDLIFE CONTROL

Recommended readoption of resolutions passed at last year's convention on predatory animal and wildlife control.

Requested association officers to follow through on proposed dog control bill to be introduced at the 52d State legislature. Requested association notify county groups when the bill is introduced so they can advise their local legislators accordingly.

Recommended that the association direct a letter to all county courts in the State during the month of January commending them for excellent support of predatory animal control program and requesting their continued support. Further recommended that a copy of the letter be directed to all county livestock associations so that they may follow through in contacting the county court.

Further recommended that all local wool growers attend respective county budget meetings to assure continuation of county predator control program.

Recommended the association appoint a committee to attend meeting of Oregon State Game Commission when the big game seasons are discussed.

Recommended that the association lend its support in reactivating the Red Hat Days program.

Recommended that committee resolutions be referred to Oregon Wool Growers executive committee for action either by committees or whatever procedures the executive committee may determine and that said committee or committees give a progress report to the convention the following year.

### LEGISLATION, TAXATION, AND TRANSPORTATION

Requested that a committee of woolgrowers meet prior to the annual county assessor's meeting to arrive at a true cash value for livestock and land and make recommendations for consideration in setting assessed valuations.

Further requested that representatives from the woolgrowers committee meet with the assessors in their annual meeting.

Urgently requested Oregon Bureau of Labor and Employment Service to relax their restriction relative to the contract agreement for the employment of trained, qualified, young foreign sheepherders so that the sheep operator may be assured of a continuing supply of personnel.

Opposed feather bedding practices in the transportation industry and asked that the NWGA continue their study of means to eliminate this practice.

Favored original intent of the Oregon basic school support law and recommended that State funds be provided equal to 50 percent of the cost of education.

**Recommended Oregon State Legislature study the possibility of broadening the State tax base which would create a more favorable situation for business, agriculture and industry.**

**Recommended that the next session of the Oregon State Legislature enact legislation that will exclude picketing of agricultural operations.**

**Expressed belief that Federal agencies having responsibilities for water program should abide by the letter and spirit of State water laws and that water rights be regarded as property rights.**

**Emphasized urgency of acting now on question of assuring State control rather than Federal control over water rights.**

## A TAX CUT AND ECONOMIC GROWTH

Mr. MORSE. Mr. President, since one of the major orders of business this year will be a general tax cut, I believe the Congress and others who read the CONGRESSIONAL RECORD will be interested in some observations on this subject by Prof. Robert Lekachman, an associate professor of economics at Barnard College. Writing in the New Leader for November 26, 1962, Professor Lekachman relates a tax cut to the general objective of an increase in the rate of our economic growth. I may say that I am in complete agreement with his conclusion; to wit:

> In sum, it is dubious whether a tax cut is by itself capable of restoring a high rate of economic growth. But at this point in time, a general tax reduction is just about the minimum response that any intelligent American President could make to the urgencies of the new economic stagnation.

I ask unanimous consent that the full text of Professor Lekachman's article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### ARE TAX CUTS ENOUGH?

(By Robert Lekachman)

The approach of the holiday season conventionally stimulates the economic forecasters to confide their projections to a larger public than their professional colleagues. This year by and large the prophets are in a glum mood. The most optimistic among them predict moderate expansion in 1963, and the pessimists anticipate a new recession.

At a recent conference under the auspices of the University of Michigan, it was the consensus of a group of 30 economists that average unemployment would rise to about 5.7 percent in 1963. While they also expected gross national product to increase by 2.5 percent, the economists did not think that such an increase would suffice to absorb over a million new entrants to the labor force. Still more cheerlessly, the economists concurred in the expectation that business investment will diminish slightly next year.

The mood of the meeting emerged in the statement that Dr. Geoffrey Moore of the National Bureau of Economic Research offered his colleagues: "The prospects for a vigorous renewal of business expansion in the near future don't appear bright." Although he added that "recession-around-the-corner views aren't clearly justified either," the tenor of his judgment was far from euphoric.

In short, 1963 threatens to continue the decade-long sluggishness of American economic growth, by now a bipartisan phenomenon. Unemployment will be substantial. Steel will operate at low percentages of capacity. As usual, unemployment will be particularly grave among the least-protected and lowest-paid groups—Negroes and Puerto Ricans. The encouraging narrowing of white-Negro income differentials and the approach toward greater equality of general income distribution, which were hailed in the 1940's, will not resume in 1963. In the past decade our society has moved scarcely at all in the direction of more substantial economic justice and fuller employment of men and machines. And nothing suggests that 1963 will substantially transform the prospect.

No administration 2 years away from a Presidential election could ignore the 1963 outlook. The Kennedy administration's specific for the malady of economic inertia is a revision of the tax system. Dr. Walter W. Heller, Chairman of the President's Council of Economic Advisers, has often argued that the progressive nature of the personal income tax and the burden of a heavy corporate income tax have the effect of generating budget surpluses so early in the course of economic recovery as to curtail these recoveries well short of full employment of men and resources.

After all, in any general business expansion corporate profits and individual incomes rise. A steeply progressive tax system draws off ever larger percentages of the increases in personal income. A heavy corporate income tax diverts more than half of new profits into the hands of the tax collector. Hence the tax system operates to discourage spending, diminish investment, and check expansion long before such checks are advisable on anti-inflationary premises.

Secretary of the Treasury C. Douglas Dillon appears partially converted to this hypothesis, even though he has couched recent statements in the older and more conventional vein of encouraging incentives to investment and spending. But at the same time he has emphasized that the objective of rate revision will be to produce balanced budgets at full employment, though presumably not before that point. Such an objective implies considerable sophistication in any Secretary of the Treasury, for it implicitly accepts the Keynesian implication that budget deficits are appropriate at positions short of full employment.

What so far remains unclear, however, is precisely what sort of tax program the Treasury plans to present to Congress next January. Like the President, Dillon has coupled tax reductions with tax reforms, but he has opened the door to the enactment of some of the tax reductions early in the session. The assumption is that the remainder of the tax cuts would serve as a means of persuading Congress to enact some tax reforms in the same act.

Whose taxes does the administration plan to cut and by how much? Dr. Heller has been recorded in favor of a $5 billion reduction, including a slash in the corporate income tax rate from 52 to 47 percent. Secretary Dillon has stated that "there will be sizable rate cuts, across the board." He added that since corporations had already been granted major concessions in 1962—presumably in the shape of liberalized depreciation allowances and tax credits for new investment—by far the major part of the reduction in 1963 should apply to individual tax rates.

Thus the omens are favorable that personal income tax rates, and probably corporate income tax rates as well, will be lowered in 1963. In the campaign for these changes, the administration appears to be employing the same coordinated barrage of official statements and endorsements from private groups that proved so successful in its single success of the last Congress, the Trade Expansion Act.

Is a tax cut in 1963 a good thing? On the whole, it is. The economy is suffering from a chronic deficiency of aggregate demand for goods and services. Tax cuts will unquestionably stimulate consumer spending and may enlarge business investment, though the latter is the chancier of the two.

It is discouraging that business investment is expected to decline next year in spite of the incentives which a solicitous Congress offered in 1962. The danger of inflation from a larger budget deficit is minimal in an economy running so far below capacity. Even that darling of conservative financial opinion, Dr. Per Jacobsson of the International Monetary Fund, has taken an increasingly benign view of American budget deficits which are explicitly designed to promote U.S. economic expansion.

But how good the tax cut will be depends on the manner and the incidence of the reductions. Take a program which concentrates upon the top incremental rates in the personal income tax schedule. Many economists have proposed the reduction of the 91-percent maximum to something like 65 percent. Such a change would be sensible if it were joined to the elimination of some of the loopholes which enable the recipients of large incomes to avoid paying much of their taxes at this and lower rates. These loopholes are known to center on stock option arrangements, capital gains provisions, and mineral depletion allowances. If rates were made somewhat lower, but opportunities to avoid paying them were diminished, then there would be genuine merit in cutting apparently punitive top rates, which now largely serve the purpose of creating mistaken public sympathy for the individuals who are allegedly incurring these rates.

Given the realities of politics, the danger exists that higher personal income tax rates in general will be reduced and loopholes will be left undisturbed. In its 1962 tax act, Congress proved much readier to open new loopholes than to close old ones. Such an outcome would be highly undesirable on two grounds, at the least.

In the first place, the result is inequitable. The recipients of large incomes have already been potentially aided by the investment tax credit and the new depreciation policies. In the second place, tax reductions which benefit largely upper-income recipients will encourage smaller increases in consumer demand than tax cuts which benefit individuals whose incomes are small or moderate. It is reasonable to assume that the poor spend more of any increase in their incomes than do the prosperous. The simplest way of concentrating benefits upon those who will spend them most enthusiastically is to increase the present $600 exemption to $900 or $1,000. The drawback to tax cuts which reward the well-to-do is an intensification of the very economic inequality which may already be part of the problem of economic sluggishness.

There is a second qualification to this endorsement of tax cuts in 1963. This is the possibility that the tax cut will be accepted by the administration as an adequate alternative to Federal expenditures on schools, medical care, housing, urban slum clearance, and other elements of social investment. Ominous hints have been made that the President and the Bureau of the Budget have been taking a tough line with department bids for new programs and larger support of old ones.

It is a misfortune of general tax reduction that it is unlikely to stimulate expenditure on the very things that our society most desperately needs. If the President economizes on domestic programs in order to improve the prospect of tax reduction and tax reform, he will make a bad trade from the standpoint of the national need. J. K. Galbraith's contrast of public squalor with private opulence is no less pertinent in 1962 or 1963 than it was in 1958 when he momentarily shocked the Nation with "The Affluent Society."

Concretely, a tax cut in 1963 is going to make it harder for the President to push through Congress a meaningful program of support for higher education or for secondary and elementary education. It will also intensify the difficulty of securing appropriations to support promising programs in manpower retraining under the Redevelopment Act and Manpower Retraining Act. And it will offer another excuse for opposition to the already mangled foreign aid program.

On social grounds we need more public investment instead of a tax cut. In his provocative book, "The Question of Public Spending," MIT's Dr. Francis Bator has demonstrated that we are actually spending a smaller proportion of our gross national product on nondefense government programs than we did before World War II. What we might gain by widening the scope of government action is suggested by Edward Dennison's more recent "Sources of Economic Growth." Dennison calculates that we should add one-tenth of 1 percent to our annual growth rate (say, $3.3 billion every year) by so simple a step as increasing the average length of schooling by a year and a half. This says nothing about the possible gains to be had from an improvement in the quality of education.

My final reservation concerns adequacy. We are in the midst of an industrial transformation which promises—the better word may be "threatens"—to automate our offices as well as our factories. Since much new capital investment economizes on labor, one consequence of encouraging new investment is increasing unemployment in specific places. The new shape of the demand for labor penalizes the unskilled and the semiskilled. These are predominantly Negroes and Puerto Ricans. A general tax cut will do little to ameliorate their hardships.

In sum, it is dubious whether a tax cut is by itself capable of restoring a high rate of economic growth. But at this point in time, a general tax reduction is just about the minimum response that any intelligent American President could make to the urgencies of the new economic stagnation.

## EXPENDITURES ON TRIPS ABROAD BY MEMBERS OF CONGRESS AND THEIR FAMILIES

**Mr. MORSE.** Mr. President, there appeared in the December 7, 1962, issue of the Bulletin of the Portland Chamber of Commerce a very pertinent comment from its Washington correspondent about the expenditures made by Members of Congress and their families on trips abroad. The writer, Mr. Harold B. Say, points out that under the tax bill passed last year, the Internal Revenue Service is now laying down the specific rules for reporting of expense account deductions. All of us have heard a wide protest from our constituents about these proposed rules. While I personally feel that regulations must be established that will carry out both the intent and the spirit of Congress in tightening expense account deductions, Mr. Say makes a very valid point when he notes that Members of Congress decline to publish their own expense accounts which are charged to the public for trips overseas.

As one who has made a point of publishing in my reports to the Congress on my trips abroad all the expenses I claimed, I am strongly of the opinion that it should be a general requirement that all Members of Congress who travel abroad at public expense make known to the public their expense accounts.

I ask unanimous consent that Mr. Say's column be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### REPORT FROM THE CAPITAL

(By Harold B. Say)

One group of citizens who will not be worried over Internal Revenue Service's new regulations on expense accounts are Senators and Representatives who travel abroad at the cost of the taxpayers of the United States. They, incidentally, voted the new rules for the general taxpayer. Some 75 of them after the November elections took off for far parts. A number of them are "lameducks" who will not be in the new Congress next January.

While the ordinary taxpayer will have to show receipts or proof for travel and entertainment, the traveling lawmakers will have no such irritations. Abroad they need only to walk into a U.S. embassy, request and receive such funds as they need. These funds are not classed as income no matter how spent.

And Congress divulges few facts or figures on what its congressional travelers spend. Most congressional committees refuse to supply any information about their members' trips abroad.

It should be noted that in the Congress, over late years when these abuses have developed, there are some Senators and Representatives who would have open, public records kept of these outlays, but they have been in an ineffective minority.

Only pressure from home districts can ultimately put the brakes on this flagrant waste of taxpayers' money.

## RESOLUTIONS OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

**Mr. MORSE.** Mr. President, on October 22 and 23, 1962, region IX of the National Rural Electric Cooperative Association held its annual meeting in Eugene, Oreg.

Copies of the resolutions passed at this meeting were sent to me, and I now ask unanimous consent that they be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

### RESOLUTIONS OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC., REGION IX MEETING, EUGENE, OREG., OCTOBER 22–23, 1962

#### PREAMBLE

In order to further the policies, purpose and intent of the Congress as set forth in the Rural Electrification Act and the various laws relating to power and conservation, and in order to express our legislative objectives to the end of providing the best possible electric service to our consumers at the lowest possible cost, we, the delegates of the National Rural Electric Cooperative Association from the States of Alaska, Montana, Idaho, Oregon, Washington, Utah, Nevada, and California, do hereby endorse and adopt the following legislative program:

#### THE ENGLE BILL

*Be it resolved,* That we advocate passage of Federal legislation, such as the Engle bill, which would prohibit construction or operation of any electric transmission line, designed to carry power at a nominal voltage in excess of 230 kilovolts, without first obtaining from the Federal Power Commission a certificate that such facility is required as a matter of public convenience and necessity; and which would confer on the Federal Power Commission authority to issue such certificates and subject them to such reasonable conditions as may be found to be in the public interest by the Commission.

#### HANFORD STEAM

Whereas Congress has approved the offer made to the Atomic Energy Commission and the Bonneville Power Administration by the Washington Public Power Supply System to make the Hanford reactor a multipurpose reactor, capable of producing weapons, plutonium and electric power: Now, therefore, be it

*Resolved,* That we commend Congress for its action which will allow the harnessing of this great resource and the recovery by the Government of the revenues from the waste steam.

#### GENERATION AND TRANSMISSION LOANS

*Be it resolved,* That we commend and heartily thank REA Administrator Norman Clapp for strengthening the bargaining position of the rural electric cooperatives by adding the security concept to REA's criteria for generation and transmission loans, and for reinstating the Power Division of REA, we strongly urge the Congress of the United States to appropriate adequate REA loans at low interest rates to insure an effective generation and transmission loan program to meet the rapidly growing needs of rural America for electric power.

#### TERRITORIAL INTEGRITY

*Be it resolved,* That we affirm the unrestricted right and responsibility of the REA-financed rural electric systems to serve those areas in which they initiated service and are willing and able to continue providing adequate service; and that we will support and defend this right against territorial pirating of area and consumers by any other electric utility system; and be it further

*Resolved,* That the Congress and appropriate officials in State and Federal Governments be urged to take all actions available to them in exploring and promoting such measures as may be possible to protect rural electric systems against violations of territory, pirating of members and condemnation of properties; and in particular, that they be urged to recognize that it is detrimental to the public interest to foster or to permit invasion of areas served through area coverage loans, and that pirating in areas already served is not in the best interest of the consumer.

#### INTEREST RATES AND LOAN TERMS

*Be it resolved,* That we reaffirm our longstanding support of the present REA interest rate and loan terms in order that the rural electric systems may be able to carry out the objectives of the Rural Electrification Act, as amended, to build a better rural America.

#### RESOURCES DEVELOPMENT—PROJECT EVALUATION STANDARDS

Whereas rural electric systems for years have seen the need for new allocation formats for the payout of our hydroelectric dams and power project: Now, therefore, be it

*Resolved,* That we express appreciation to the President and to his administration for the partial replacement of Circular A–47 with progressive realistic multiple-purpose project evaluation criteria; and be it further

*Resolved,* That attention be called to the need for completing such replacement by revising cost allocation, and payout schedule standards, so that power features of projects will no longer be loaded with charges which should not be borne by Federal power consumers.

#### NEW PROJECTS

*Be it resolved,* That we urge Congress to authorize and provide funds for the construction of: Rampart, Knowles, Burns Creek, Penny Cliffs, Garden Valley, and Teton.

### PREFERENCE CLAUSE

*Be it resolved,* That we reaffirm our belief that the benefits derived from investment of the people's money in multipurpose resource developments should belong to the people, and to this end we strongly support the antimonopoly or preference clause and urge Congress and administrative agencies to adhere to this purpose of the laws.

### SECTION 5 LOANS

*Be it resolved,* That we support the principle that REA should continue to make section 5 loans which meet all legal and administrative requirements, when such loans will make an effective contribution to economic and community development in rural electric service areas.

### TVA SERVICE AREA LIMITATION AND INTERCONNECTIONS

*Be it resolved,* That Congress be urged to amend the Tennessee Valley Authority Act to allow TVA to enter into agreements for the interchange of power and energy with such cooperative generating and transmission systems as are or may be located within economic transmission distance of the TVA system; and be it further

*Resolved,* That we urge Congress to delete from the TVA Act the absolute service area limitation enacted in 1959; to the end that the TVA service area shall be circumscribed only by the limits of economic transmission distance.

### CAPITAL BUDGET

Whereas there is a need to clarify to the public the amount of money we as a nation are investing in resource development, rural electrification, and other similar projects, and to distinguish these national investments from Government expenditures which are not repaid to the Treasury: Now, therefore, be it

*Resolved,* That the Congress of the United States be urged to adopt a capital budget to clearly distinguish between capital investments and outright expenditures.

### TNT—TELL THE NATION THE TRUTH

*Be it resolved,* That we urge all rural electric systems not presently contributing to this vital and continuing program, to join their fellow systems in financially supporting this necessary public relations program.

### EXPORTING THE REA PATTERN

*Be it resolved,* That we urge appropriate agences of the U.S. Government and the State and National organizations of rural electric systems to cooperate to the fullest extent possible in efforts to assure that the concept of the rural electric cooperative is understood by and made available to the peoples of developing nations throughout the world.

### SAFETY PROGRAM

*Be it resolved,* That we commend the REA Administrator on his continuing efforts on safety and we urge a high level of cooperative participation in the job training and safety program.

### FARM ELECTRIFICATION RESEARCH CENTER

*Be it resolved,* That the U.S. Department of Agriculture be urged to include funds for a new farm electrification research facility in its 1964 budget; and be it further

*Resolved,* That the Congress be urged to appropriate funds required, so that this important need may be met.

### RESERVES

*Be it resolved,* That we respectfully call to the attention of all rural electric systems the importance of adopting and actively pursuing policies that assure prudent investment of reserve funds, a sound financial condition, compliance with the criteria for nonprofit operation established by the Internal Revenue Service, and adherence to standards which will assure continued public acceptance of the rural electrification program at local, State, and National levels.

### POWER COMPANY PROPAGANDA

*Be it resolved,* That we condemn as unprincipled, and contrary to the American tradition of fair play and of free enterprise, the campaign of vilification being conducted nationwide by the investor-owned electric companies for the purpose of destroying all consumer-owned electric systems and all Federal power construction and marketing programs; and be it further

*Resolved,* That we urge Congress to conduct a thorough investigation of the legislative and propaganda activities which the electric companies are undertaking at their customers' expense as a part of this campaign of vilification.

### NATIONAL ENERGY CONFERENCE

*Be it resolved,* That in order to gather and disseminate information on how the United States may best assure the economic conservation and utilization of its diverse sources of raw energy, in order to focus public attention on the importance of prudent energy management, and as an aid to a reappraisal of Federal policy on such management, the President of the United States is hereby respectfully petitioned to convene by his invitation a White House Conference on Energy Resources.

### SPITE LINES

*Be it resolved,* That spite line construction, propaganda, legal harassment, and conniving alliances between power companies, such as are now used against the Amargosa Valley Cooperative of Nevada, be condemned for the harm done in depriving rural areas of electric service; and be it further

*Resolved,* That NRECA, REA, and other governmental agencies be commended for their continuing support to all rural electric systems against such attacks.

### MOUNTAIN SHEEP DAM

*Be it resolved,* That we are strongly in favor of the development of the middle Snake River by public agencies and we recommend that the Federal Power Commission overturn the decision of Examiner Levy on the Mountain Sheep case as being contrary to the public interest of the Northwest.

### BPA MARKETING AREA

*Be it resolved,* That we urge the Secretary of Interior to include southern Idaho in the Bonneville Power Administration marketing area and that we commend the Secretary and the Idaho congressional delegation for action thus far initiated in this matter.

### INTERTIES

*Be it resolved,* That we favor the construction of high-voltage Federal interties and power pooling agreements between all Federal power marketing areas such as TVA, SEPA, SPA, BPA, Central Valley, southern California, Missouri Basin, and upper and lower Colorado, and we oppose the imposition of power company toll gates between these systems, as we propose toll gates between Federal power sources and preference customers.

### EKLUTNA WHOLESALE POWER STUDY

*Be it resolved,* That we urge the Secretary of the Interior to restudy the wholesale power rates to preference users utilizing the Eklutna power facilities in Alaska as current returns indicate payout in 33 years instead of 50 years.

### MISSOURI BASIN FEDERAL POWER MARKETING

*Be it resolved,* That the Secretary of the Interior is respectfully advised that in our opinion and experience the interests of the United States and of its preference customers are best served by the construction of Federal transmission facilities adequate to interconnect dams and projects, the marketing of power from which is under his jurisdiction, and the delivery of such power to preference customer delivery points; and be it further

*Resolved,* That the Secretary of the Interior is respectfully petitioned to reexamine all wheeling contracts and to use the full powers and influence of his office to renegotiate such of said wheeling agreements as impose unfair or inequitable terms or conditions on the United States or its preference customers; and be it further

*Resolved,* That we respectfully protest to the Secretary of the Interior the discriminatory policy which permits the Montana Power Co. to construct the Glasgow substation on the Rainbow-Fort Peck transmission line, while at the same time a point of delivery is denied to the Big Flat Electric Cooperative at Malta, and we further protest the discriminatory policy which grants the Montana Power Co. the right to wheel power over a government transmission line for 150 miles for 1 mill while at the same time, the Government in effect requires a cooperative to pay the Montana Power Co. a charge of 1 mill per kilowatt-hour for each 50 miles of wheeling service; and be it further

*Resolved,* That in accordance with the preference provision of the Fort Peck Act of 1938, the Secretary of the Interior is requested to withhold from the Montana Power Co. permission to connect its Glasgow substation to the Rainbow-Fort Peck line of the Bureau until the discriminating wheeling policy is eliminated.

### RURAL AREAS DEVELOPMENT

*Be it resolved,* That we reaffirm our support of legislation and administrative programs which will develop, revitalize, and stabilize rural America.

### POWER COMPANY TAX SUBSIDIES

*Be it resolved,* That we respectfully call to the attention of Congress, the Federal Power Commission, and all appropriate State regulatory bodies the fact that investor-owned power companies have collected from their customers some $1.5 billion which they have claimed as Federal tax liability, but which they have not paid to the Government; and be it further

*Resolved,* That we respectfully call to the attention of the Congress, the Federal Power Commission, and all appropriate State regulatory bodies the fact that the 3-percent Federal income tax credit recently conferred on such companies will enrich them by some $4 billion during the next 20 years; and be it further

*Resolved,* That we respectfully urge the Congress to immediately undertake a thorough investigation of power company operations and accounting practices for the purpose of developing Federal legislation designed to assure that the benefits of all such tax subsidies are reflected in lower wholesale and retail power rates or other consumer benefits rather than in any windfall increase of the tax-free dividends now paid by such companies to their stockholders.

### COMMENDATION

*Be it resolved,* That we hereby commend Secretary of Agriculture Orville Freeman, Assistant Secretary of Agriculture John Baker, and REA Administrator Norman Clapp for their vigorous, courageous, and dedicated leadership of the rural electrification program.

## CHANGES IN FAMILY INCOME IN THE PACIFIC NORTHWEST, 1949–59

**Mr. MORSE.** Mr. President, there is published at the University of Oregon a very useful journal called "The Family Life Coordinator." In its October 1962 issue it contained an article entitled "Changes in Family Income in the Pacific Northwest, 1949–59." I have found this article a very useful one, and I ask unanimous consent to have it printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### CHANGES IN FAMILY INCOME IN THE PACIFIC NORTHWEST, 1949–59

(By Bill Hanneson, University of Oregon)

Income changes are one of the most significant parameters in measuring regional economic growth. Such data are most valuable when comparisons with other regions, both similar and dissimilar, are possible. This paper measures and maps income changes, by county, for the Pacific Northwest in the decade, 1949–59. This information, used in conjunction with other indicators of economic health, would make possible the comparison of specific areas within the Pacific Northwest.[1] This paper poses more questions than it attempts to answer but some of the reasons for the areal differences will be pointed out. Before studying these changes, the high- and low-income counties in 1949 and 1959 are examined to determine what degree of regionalism existed. The table lists all counties in the Pacific Northwest by State, showing median family income in 1949 and 1959, the change in income, and the population change.

Median family income, 1949: In 1949, 12 counties had median family incomes of $3,700 or more. Seven of these were wheat producing counties of north central Oregon and eastern Washington. Their high incomes are a reflection of highly mechanized, large acreage operations producing wheat under favorable production conditions. The five other high-income counties were quite different in their local economies. King County, Wash., with the industrial and service activities concentrated in Seattle, was one of these high-income counties. Bannock County's (Idaho) relatively high income level was probably caused by the presence of Pocatello, with its chemical industry and its role as a service and rail center for southeastern Idaho. Shoshone County is in Idaho's silver and lead mining district. Two eastern Oregon counties, Lake and Crook, also had high incomes in 1949, but the exact reason is unknown. Both are areas of extensive livestock grazing, although Crook County has some lumbering and sawmilling. Data for counties with small populations such as these, can be significantly altered by the presence of a dam or highway construction crew during the census year.

Thirteen counties had incomes of less than $2,600 in 1949 and of these 13, 11 were east of the Cascade Mountains (9 in Idaho alone). The two counties west of the Cascades were San Juan and Island, both of which were tourist-oriented in 1949. Other tourist-oriented counties, such as Lincoln, Curry, and Josephine (all in Oregon), had incomes well below the Pacific Northwest average in 1949 (compare figures in the table), but were aided by the presence of other economic activities, particularly logging.

The low income counties east of the Cascade Mountains are more varied in their economic activities. Some have large irrigated areas, many are associated with livestock grazing, but none have large urban centers (Sandpoint, in Bonner County, with 4,265 in 1950, was the largest). But this is only suggestive, and individual analysis of these counties would be necessary before any definite assertion as to the causes of low income could be attempted. One thing should be borne in mind, however; if one superimposes a map of irrigated areas on top of a map of 1949 income, it becomes apparent that those counties with extensive irrigated tracts generally had lower incomes. This is even true of the wheat counties, such as Gilliam, Morrow, and Umatilla, in contrast to Sherman. The first three had extensive irrigated areas, whereas Sherman County had almost no irrigated land.

In 1949, high incomes were associated with the wheat counties, and low incomes with tourism and, to some extent, with irrigated areas. The counties with large urban centers, such as Portland, Spokane, Tacoma, Vancouver, and Eugene-Springfield, had fairly high incomes, but Seattle was the only large city located in a high income county. Large fluctuations in income in some of the smaller counties, which were caused by crop failures or the beginning of a construction project, are important variables which would undoubtedly alter the raw data. Although these fluctuations are not considered here, their possible presence should be recognized.

Median family incomes, 1959. In 1959, 15 counties had median family incomes in excess of $6,000. These 15 high income counties exhibited definite geographical concentration. One region was centered around Seattle and included King, Snohomish, and Kitsap Counties. A second high income region was centered around Portland-Vancouver and included Clark, Multnomah, Washington, and Clackamas Counties. A third region included most of the interior wheat-producing counties and Spokane County. This wheat region is less inclusive than that indicated as a high income area in 1949 and, furthermore, is noncontiguous. These three regions include 13 of the 15 high income counties. Curry County, on the Oregon coast, and Bonneville County, in eastern Idaho, were the only two high income counties outside these regions.

*Table of median income, income change, and population change, 1949–59*

IDAHO

| County | $Y_{49}$ | $Y_{59}$ | dY | dP (%) |
|---|---|---|---|---|
| Ada | $3,250 | $5,868 | $1,444 | 32.3 |
| Adams | 3,013 | 4,976 | 968 | −11.0 |
| Bannock | 3,763 | 5,982 | 1,023 | 18.2 |
| Bear Lake | 2,659 | 5,064 | 1,391 | 4.6 |
| Benewah | 2,872 | 4,737 | 918 | −2.2 |
| Bingham | 3,048 | 5,113 | 942 | 21.3 |
| Blaine | 3,203 | 5,094 | 872 | −14.6 |
| Boise | 2,364 | 4,774 | 1,455 | −7.3 |
| Bonner | 2,399 | 4,606 | 1,286 | 4.9 |
| Bonneville | 3,311 | 6,446 | 1,846 | 55.3 |
| Boundary | 2,634 | 4,551 | 1,017 | −1.7 |
| Butte | 2,767 | 5,691 | 1,786 | 28.5 |
| Camas | -------- | 4,688 | -------- | −15.0 |
| Canyon | 2,768 | 4,596 | 909 | 7.6 |
| Caribou | 3,236 | 5,599 | 1,243 | 7.2 |
| Cassia | 2,698 | 5,032 | 1,328 | 10.2 |
| Clark | -------- | 4,115 | -------- | −.3 |
| Clearwater | 3,196 | 5,201 | 965 | 4.0 |
| Custer | 2,500 | 4,615 | 1,192 | −9.7 |
| Elmore | 3,171 | 4,769 | 644 | 150.0 |
| Franklin | 2,719 | 4,417 | 815 | −14.3 |
| Fremont | 2,845 | 4,538 | 785 | −7.2 |
| Gem | 2,629 | 4,467 | 945 | 4.5 |
| Gooding | 2,671 | 4,252 | 731 | −14.0 |
| Idaho | 3,059 | 4,933 | 887 | 18.6 |
| Jefferson | 2,395 | 4,995 | 1,441 | 11.2 |
| Jerome | 2,625 | 4,367 | 869 | −3.0 |
| Kootenai | 2,925 | 5,250 | 1,275 | 18.5 |
| Latah | 3,154 | 5,403 | 1,168 | .9 |
| Lemhi | 2,243 | 3,909 | 884 | −7.4 |
| Lewis | 3,469 | 5,997 | 1,329 | 5.1 |
| Lincoln | 2,830 | 5,056 | 1,215 | −13.4 |
| Madison | 2,875 | 5,470 | 1,501 | 2.9 |
| Minidoka | 2,567 | 4,944 | 1,388 | 47.1 |
| Nez Perce | 3,380 | 5,673 | 1,158 | 19.5 |
| Oneida | 2,870 | 4,482 | 716 | −17.9 |
| Owyhee | 2,257 | 4,199 | 1,102 | 1.1 |
| Payette | 2,315 | 4,310 | 1,133 | 3.7 |
| Power | 3,326 | 5,350 | 954 | 3.1 |
| Shoshone | 3,750 | 5,789 | 881 | −8.5 |
| Teton | 2,396 | 4,105 | 888 | −17.6 |
| Twin Falls | 3,050 | 5,015 | 962 | 2.1 |
| Valley | 3,630 | 5,422 | 708 | −14.2 |
| Washington | 2,600 | 4,231 | 785 | −2.3 |

See footnotes at end of table.

*Table of median income, income change, and population change, 1949–59*—Continued

OREGON

| County | $Y_{49}$ | $Y_{59}$ | dY | dP (%) |
|---|---|---|---|---|
| Baker | $2,808 | $5,266 | $1,405 | 6.9 |
| Benton | 3,205 | 5,860 | 1,483 | 24.1 |
| Clackamas | 3,165 | 6,129 | 1,738 | 30.4 |
| Clatsop | 3,443 | 5,494 | 952 | −11.0 |
| Columbia | 3,164 | 5,265 | 1,048 | −2.6 |
| Coos | 3,585 | 5,816 | 1,068 | 30.0 |
| Crook | 3,802 | 5,628 | 700 | 4.9 |
| Curry | 2,692 | 6,033 | 2,134 | 131.2 |
| Deschutes | 3.643 | 5,590 | 1,009 | 5.9 |
| Douglas | 3,236 | 5,710 | 1,332 | 25.5 |
| Gilliam | 3,417 | 5,543 | 1,017 | 8.9 |
| Grant | 3,622 | 5,613 | 868 | −7.2 |
| Harney | 3,617 | 5,513 | 793 | 10.3 |
| Hood River | 3,086 | 5,521 | 1,331 | 5.1 |
| Jackson | 3,210 | 5,621 | 1,287 | 26.4 |
| Jefferson | 3,133 | 5,569 | 1,322 | 28.8 |
| Josephine | 2,710 | 5,220 | 1,466 | 12.7 |
| Klamath | 3,493 | 5,922 | 1,245 | 12.6 |
| Lake | 3,780 | 5,991 | 1,013 | 7.7 |
| Lane | 3,494 | 5,946 | 1,263 | 29.5 |
| Lincoln | 2,692 | 5,087 | 1,378 | 15.6 |
| Linn | 3,245 | 5,436 | 1,104 | 8.4 |
| Malheur | 2,752 | 4,554 | 891 | −2.0 |
| Marion | 3,147 | 5,591 | 1,326 | 19.2 |
| Morrow | 3,488 | 5,595 | 988 | 1.8 |
| Multnomah | 3,651 | 6,378 | 1,451 | 10.9 |
| Polk | 3,096 | 5,245 | 1,100 | .8 |
| Sherman | 3,727 | 6,000 | 1,073 | 7.7 |
| Tillamook | 3,315 | 5,382 | 991 | 1.9 |
| Umatilla | 3,356 | 5,708 | 1,210 | 6.4 |
| Union | 3,088 | 5,232 | 1,098 | 1.2 |
| Wallowa | 2,882 | 4,975 | 1,098 | −2.2 |
| Wasco | 3,269 | 5,870 | 1,427 | 29.9 |
| Washington | 3,276 | 6,523 | 1,942 | 50.5 |
| Wheeler | 3,158 | 5,439 | 1,193 | −17.8 |
| Yamhill | 2,876 | 4,910 | 1,052 | −3.0 |

WASHINGTON

| County | $Y_{49}$ | $Y_{59}$ | dY | dP (%) |
|---|---|---|---|---|
| Adams | $4,339 | $5.976 | $422 | 50.8 |
| Asotin | 3,228 | 5,400 | 1 092 | 18.7 |
| Benton | 4,328 | 7,288 | 1,503 | 20.8 |
| Chelan | 3,151 | 5,674 | 1,388 | 3.7 |
| Clallam | 3,426 | 5,646 | 1,091 | 13.7 |
| Clark | 3,314 | 6,231 | 1,671 | 10.0 |
| Columbia | 3,051 | 5,062 | 999 | −6.0 |
| Cowlitz | 3,590 | 5,811 | 1,059 | 8.9 |
| Douglas | 3,182 | 6,077 | 1,680 | 37.7 |
| Ferry | 2,413 | 5,013 | 1,597 | −5.1 |
| Franklin | 3,917 | 6,353 | 1,165 | 72.1 |
| Garfield | 3,353 | 5,867 | 1,341 | −7.1 |
| Grant | 3,877 | 5,850 | 803 | 90.9 |
| Grays Harbor | 3,516 | 5,773 | 1,102 | 1.5 |
| Island | 2,580 | 5,015 | 1,432 | 77.3 |
| Jefferson | 3,160 | 5,418 | 1,174 | −17.0 |
| King | 3,843 | 7,084 | 1,824 | 27.6 |
| Kitsap | 3,532 | 6,107 | 1,354 | 11.2 |
| Kittitas | 3,230 | 5,177 | 912 | −8.0 |
| Klickitat | 2,992 | 5,484 | 1,395 | 11.7 |
| Lewis | 2,818 | 5,211 | 1,371 | −4.3 |
| Lincoln | 4,115 | 6,035 | 713 | −.5 |
| Mason | 3,382 | 5,669 | 1,153 | 8.2 |
| Okanogan | 3,096 | 4,817 | 758 | −12.4 |
| Pacific | 3,042 | 5,063 | 1,008 | −11.4 |
| Pend Oreille | 3,179 | 4,956 | 786 | −6.7 |
| Pierce | 3,455 | 5,950 | 1,305 | 16.6 |
| Sand Juan | 2,500 | 4,113 | 790 | −11.5 |
| Skagit | 3,027 | 5,717 | 1,595 | 18.7 |
| Skamania | 2,880 | 5,880 | 1,694 | 8.8 |
| Snohomish | 3,190 | 6,005 | 1,614 | 54.3 |
| Spokane | 3,620 | 6,094 | 1,255 | 25.2 |
| Stevens | 2,536 | 4,462 | 1,034 | −3.7 |
| Thurston | 3,403 | 5,894 | 1,312 | 22.6 |
| Wahkiakum | 3,000 | 4,926 | 941 | −10.7 |
| Walla Walla | 3,387 | 5,954 | 1,376 | 5.1 |
| Whatcom | 2,955 | 5,441 | 1,398 | 5.4 |
| Whitman | 3.707 | 5,799 | 932 | −3.7 |
| Yakima | 2,893 | 5,152 | 1,229 | 6.9 |

$Y_{49}$=median family income, 1949.

$Y_{59}$=median family income, 1959.

$dY=0.8Y_{59}-Y_{49}$, where 0.8 is the coefficient of deflation, based on the consumer price index for 1959 as a percent of the base period, 1947–49.

dP (%)=percentage change in population, 1950–60.

All raw data is from the U.S. Bureau of the Census, Final Reports, 1950 and 1960, Washington, D.C.

The concentration of low income counties which were noted for 1949 was even more pronounced in 1959. San Juan, Wash., was the only county west of the Cascades that had a median family income of less than $4,500 in 1959. Of the 12 other low income counties, 11 were in Idaho and, again, many of them were dependent on irrigated agriculture. They were not, however, the same counties which had low incomes in 1949. Only four counties in Idaho had low incomes relative to the rest of the Pacific Northwest in both years. This inconsistency may reflect varying crop yields or economic expansion through private or Government investment. An instance of the latter was the installation of the atomic energy plant in Arco, in Butte County, a former low income area.

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[1] See John H. Thompson, Sidney C. Sufrin, Peter R. Gould, and Marion A. Buck, "Toward a Geography of Economic Health: The Case of New York State," Annals of the Association of American Geographers, LII (1962), 1–20, for other parameters that lend themselves to cartographic representation.

In both 1949 and 1959, regionalism was most pronounced among the high income counties. Large scale wheat ranching and large urban centers are associated with the high income areas, the latter being most pronounced in 1959. Low incomes, although associated somewhat with irrigated agriculture and tourism, do not display the same degree of regionalism as the high income areas. The age of an irrigation project (i.e., the length of time a particular agricultural area has had irrigation water available) is an important variable which may explain the fluctuations in income levels in some irrigated counties.

Changes in income. The map [not printed in RECORD] shows those counties which have undergone the greatest increase in median family income in the decade under consideration. This map does not consider income difference between the counties in the base year, but does indicate relative growth since 1949. Column four of the table presents the population changes for the period 1950–60. These figures, when compared with the map, provide some very interesting anomalies; in some instances, high increases in family income are associated with high rates of population increase, in others, high rates of population growth are found in counties with low increases in income. Some reasons for differential county income growth are suggested below.

The "bedroom" communities which surround Portland, such as Tigard, West Slope, Beaverton (Washington County), and Milwaukee, Oswego, Oregon City (Clackamas County), have been increasingly populated by higher income groups, thus elevating median income as well as population. The failure of Multnomah County (Portland) to increase income levels as much is because it had a relatively high income level in 1949 and because it represents the older, confined core of urbanization. Clark County, Wash., part of the Portland standard metropolitan statistical area, also had a large increase in median family income, yet population increase there was well below the 19.9-percent average for Washington State as a whole. King, Snohomish, and Skagit Counties constitute another area of high income increases. Seattle had large areas available for expansion within King County, particularly to the east and south of Lake Washington. Snohomish County had a large increase in population, concentrated in the area between Edmonds and Everett. This population and income growth in these counties is a direct reflection of the expansion of the Boeing Co., the small boat industry, and related service and industrial activity. The growth of Skagit County was undoubtedly stimulated by the construction and maintenance of the oil pipeline and refinery, which, in turn, were located near the Seattle-Tacoma market.

Skamania County, though showing high income growth, had a population increase far below the State average. Douglas and Ferry Counties (Washington) offer a strange contrast with the adjacent counties. Douglas County had both a large increase in population and a large increase in family income levels, Ferry County lost population, but had a large increase in income, while both Okanogan and Lincoln Counties lost population and had low income increases. This diversity between adjacent counties indicates the need for more comprehensive analysis than is attempted here.

The impact on local economies of large, Federal Government projects is well illustrated in Benton (Washington) and Butte (Idaho) Counties. Hanford and Arco atomic energy installations, respectively, stimulated population growth and high income increases. The growth of Butte County undoubtedly influenced the large population and income growth of Idaho Falls (Bonneville County) since it is the closest city to Arco. Madison County, just north of Bonneville County, had a small population increase, but did have a significant increase in income.

Curry County, Oreg., had the largest increase in median family income during the 10-year period. This was probably a reflection of the increased logging activity as new areas were opened up, highway construction work, the development of a rapidly growing bulb industry, and the relatively low income level of 1949.

Of the 13 counties where median family incomes increased very little—relative to the rest of the Pacific Northwest—all but 2 either lost population or grew much more slowly than the State average. The two exceptions, Elmore County (Idaho) and Adams County (Wash.), had large (150 and 50 percent, respectively) increases in population which reflected the commencement of extensive irrigation projects during the decade.

It was suggested earlier that this paper presents more questions than it answers. The technique used is valuable in indicating possible regional growth patterns, even though the categories are arbitrary, the deflection coefficient may be inadequate, the mean family income might be better than the median, and county boundaries have little respect for cultural and environmental phenomena that might more accurately differentiate microeconomic regions. Income increases are both a cause and a result of economic growth. Increases in income in tourist-oriented counties are brought about by income increases outside the county while income increases in urban areas may be the result of a new plant or plant expansion within the local county. Determination of the most important cause of economic growth in a particular county must be found through comprehensive research.

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## THE TRADE EXPANSION ACT OF 1962 AND THE HORTICULTURAL INDUSTRY OF THE PACIFIC NORTHWEST—ADDRESS BY SENATOR MORSE, AND RESOLUTIONS BY OREGON STATE HORTICULTURAL SOCIETY

**Mr. MORSE.** Mr. President, it was my pleasure to have been invited to give one of the major addresses to the recent meeting of the Oregon State Horticultural Society, and I ask unanimous consent to have the text of that address printed in the CONGRESSIONAL RECORD. I also ask that the resolutions of the Oregon State Horticultural Society on the Trade Expansion Act of 1962 be printed following my own remarks.

There being no objection, the address and resolutions were ordered to be printed in the RECORD, as follows:

### THE TRADE EXPANSION ACT OF 1962 AND THE HORTICULTURAL INDUSTRY OF THE PACIFIC NORTHWEST

(Speech of Senator WAYNE MORSE before Oregon State Horticultural Society, Corvallis, Oreg., November 30, 1962)

Mr. Chairman, members of the Oregon State Horticultural Society, and distinguished guests, in recent weeks since passage of the Trade Expansion Act—an act which promises to be the cornerstone of our foreign economic policy—there has been increasing speculation as to what impact it will have on the American economy, and on how effectively it will strengthen the ability of our Government in negotiating trade concessions with other nations. Nowhere is this more evident than in our relations with the European Economic Community, popularly called the EEC or Common Market. No other development of recent years was more important in influencing passage of the new Trade Expansion Act. To trace the significance of the Common Market to the Northwest's horticultural industry, it is essential at the outset to realize the Common Market's importance to the world.

#### THE GROWTH OF THE COMMON MARKET

We should also bear in mind that similar common market movements have sprung up in Latin America and other parts of the world, largely as a result of the apparent success of the European Common Market. Eventually these other common markets may play as important a role in our foreign economic policy as quite evidently the European Common Market has already acquired.

The recent growth of the Common Market's economy has been startling. In the 4-year period 1957–61 the gross national product for the six original member nations increased 21 percent, industrial production 32 percent, per capita consumption 15 percent, gross fixed capital formation an estimated 31 percent, and trade within the member nations of the Economic Community 73 percent. During the same period world trade rose by only 21 percent.

Briefly, the present Common Market includes six full member countries—Belgium, France, Italy, Luxembourg, the Netherlands, and West Germany—along with Greece, which became an associate member on November 1. The combined population of the seven was 180 million in 1960, while their gross national product in 1961 totaled $235 billion, nearly half that of the United States. However, the rate of growth of gross national product for the Common Market, including Greece, was 24 percent during 1958–61 compared with 17 percent for the United States.

Nine other countries have shown interest in the Community. They may be grouped as follows:

Full membership: Denmark, Ireland, Norway and the United Kingdom.

Association only: Austria, Sweden, and Switzerland.

Association, but with possibility of applying for full membership at a later date: Spain and Turkey.

Israel has sought either full or associate membership, but, failing in both attempts, is now trying to negotiate some type of privileged trade position with the Community.

#### U.S. TRADE WITH COMMON MARKET NATIONS

The present Common Market and the United States are the two leading trading partners of the world. Together they account for over half of the combined total of world export and import trade and for 45 percent of world agricultural trade. Should the nine applicants listed above join, the two groups would constitute 73 percent of total world trade and 68 percent of world agricultural trade.

Briefly, these are some of the reasons for the prominence of the Common Market in our Government's trade policy. In fact, it appears certain that our trade and other economic and political relations with the Economic Community will determine the future of the free world.

#### OUR OBJECTIVES UNDER THE NEW TRADE PROGRAM

Our new trade program recommits the United States to a liberal trade policy, including agricultural products. But, like other countries, we have found it necessary to institute programs to protect the incomes of farmers which have risen at a much slower rate than those of other sectors of our economy. In my opinion, our Government has tried in these programs to give due regard to our position as an exporter and importer of agricultural commodities as well as to the domestic problems of agriculture.

We are the world's largest exporter of food and agricultural products, but what is not generally realized is that we rank next to the United Kingdom as an importer of these products. Interestingly enough, in 5 of the last 10 years the value of agricultural products imported has exceeded that of agricultural exports. I hasten to add, however, that many of our imports are noncompetitive products, such as coffee, tea, rubber, and bananas. Currently agricultural exports are running at an annual rate of $5 billion and imports at about $4 billion.

### AGRICULTURE AND FOREIGN TRADE

Thus, it is evident that agriculture is an extremely important factor in our foreign trade, amounting to about one-fourth of total exports. Nationally we export the output of about one acre out of every six. Exports of agricultural products in fiscal year 1961 totaled over $5 billion. It is needless to say that American farmers require these outlets for their abundant production and as one element of income. For people in other lands our agriculture provides a significant source for food and clothing.

Half of the U.S. production of cotton, wheat, rice, and dried peas was exported in 1960-61, as was about two-fifths of our output of soybeans and tallow, a third of our production of tobacco, hops, flaxseed, and nonfat dry milk, a fifth of dried whole milk production, and a sixth of the feed grains sold off farms. Fruits, poultry, meat, and variety meats were also important exports.

The Common Market has not been a significant source of imports of agricultural products into the United States. American agricultural shipments to the seven countries were over 4½ times the value of agricultural imports from those countries in 1961. Since its formation, our agricultural imports from the Common Market have never exceeded $260 million annually. No imported commodity exceeds $38 million in 1961. Imports consisted primarily of Dutch hams, French and Italian wines, Italian fruits and vegetables, Italian cheese, Dutch tulip and other bulbs, Italian, German, and Dutch vegetable oils, and Dutch and German cocoa and chocolate.

The Pacific Northwest exported agricultural products valued at $181 million in fiscal 1961, of which $112.9 million were from Washington and $68.1 million were from Oregon. Total exports by classification were: field crops, $136.3 million; fruits and nuts, $25.3 million; vegetables, $4.9 million, livestock and livestock products, $14.5 million.

In viewing the potential of agricultural export trade to Europe, it seems to me that your industry, indeed, U.S. agriculture, is confronted with two problems which—in some respects—are quite different. The first is the Common Market as at present constituted; the second, what the situation will be if all—or some—of the prospective members unite with the present group.

### OUR HORTICULTURAL PRODUCTS AND THE COMMON MARKET

Most of my remarks so far have been concerned with the Common Market as at present constituted.

Frankly, horticultural products of the Pacific Northwest may face serious problems because of the rise of the Common Market. As a Nation we exported to the Common Market plus Greece—an associate member—$3.6 billion worth of products in 1961. One-third of these exports was agricultural products.

The Common Market as presently constituted will probably have little effect on about 70 percent—or about $700 million—of total agricultural exports to the EEC. These are largely products which the Economic Community does not produce or produces in limited quantity, i.e., cotton, soybeans, hides, and skins. For a number of other products, including some fruits and vegetables, such as some produced here in the Pacific Northwest, the outlook is reasonably good. The other 30 percent, grains, rice, poultry, and certain other commodities, have a more uncertain outlook.

Fruits and vegetable exports to the Common Market increased only $2.1 million in 1961 over 1957; i.e., from $68 to $70 million. As the Common Market tariffs against outside nations become effective, our fruit growers will face more serious threats primarily from Italian fruits. Many European nations maintain seasonal embargoes and restrictions on apples and pears. It might be noted at this point that if these seasonal embargoes and restrictions could be eliminated, our exports might well benefit, at least temporarily. Actually in recent years, our shipments of pears and apples have been limited as a result of protective policies abroad. I have joined with the Senators from the Pacific Northwest in protesting these policies, and my most recent communication to Under Secretary of State George W. Ball, had this to say concerning the restrictive practices of France:

"It seems to me that the time has come to give serious consideration to retaliatory withdrawals of our tariff concessions which benefit France. This may not be of immediate help to our apple and pear growers, but in the long run I think it will serve as an effective reminder to the French that reciprocal trade is a two-way street. Year after year we have observed the shrewd discriminatory tactics of France which have prevented the shipment of our fresh fruit to France for the holiday season market, and during the same periods we have stood by politely admitting French products to our markets on a 'business as usual basis.' This simply does not make common sense, nor does it make good business sense, particularly in light of our adverse balance of payments situation."

Minimum quality requirements for fruits and vegetables, if maintained by us, may favor U.S. products. Last year the United States exported—mainly to Canada and Western Europe—about 4.7 million bushels of apples—4 percent of the crop. Exports will probably be lower in the current year because production is increasing in Western Europe. Pear exports will probably equal last year's 1.4 million bushel equivalent.

Our oversea market for fruits and vegetables increased from $48.5 million in 1957 to $74.2 million in 1961. If the nine potential members join the European Economic Community, the results may be adverse for the United States.

Should Britain, the most important prospective member, unite in the Common Market, the United States and the Commonwealth would probably lose some of their present market for agricultural products through encouragement of production within the Community. Perhaps the canned fruits we provide the Common Market countries, plus the large amount provided to other European countries, would decline. However, with the increase of income which the present Common Market is receiving and which prospective members will probably gain, the market for choice fruits, both fresh and canned, might be maintained or even increased. This is particularly true with respect to concentrated and frozen fruit juice. As the lot of the average individual improves in Europe, so does the demand for these nourishing frozen fruits and juices.

With Britain in the Community the other members will gain a partner which could influence the other members to adopt policies favoring internal prices, more efficient production, and reduced restrictions on imports from third countries.

Conceivably the Common Market agricultural policy could shelter an agricultural industry of some 9 million small farms which would be subdivided into inefficient, scattered locations. While advantageous in welding an agricultural union, such a policy could be a definite disadvantage if maintained after such an economic union is achieved. Consumers in Common Market countries could thus be required to pay higher prices and U.S. producers would suffer from reduced exports.

However, encouraging signs for freer international trade have been indicated by EEC progress in eliminating nontariff barriers and the willingness of the Common Market to negotiate further with the United States and other countries on possible trade concessions.

I have tried to show what I consider the pros and cons of the Common Market in relation to the horticultural industry of the Pacific Northwest. Because of the absence of precise data much of the content of my remarks has been concerned with general agricultural problems which must be faced in trade relations with regional groupings of nations. However, I feel that the favorable and unfavorable factors have relevance to all sectors of our agricultural economy.

The Central and South American common markets have not been discussed because there has not been sufficient time to appraise their progress. Pear growers, I know, have been concerned seriously with imports from Argentina, Brazil, and Chile. Other agricultural industries which face heavy competition with imports are filberts (Turkey, Italy, and Spain); cherries (France and Italy), bulbs (Netherlands and Italy). What effect the Common Market will have on our imports of these products is difficult to estimate.

Some sectors of our economy will gain, others will lose as a result of the formation of the Common Market and its probable enlargement. Such losses as we face may be only temporary because of increasing incomes and rising demand in the Economic Community. What the ultimate effect will be on the horticultural industry is difficult to foresee. Much of course depends on the actual negotiations to be undertaken under the Trade Expansion Act and the concessions we may be able to arrive at.

Although it is much too early to judge the impact of the Trade Expansion Act, particularly in view of the uncertainties as to the future size and trade policies of the European Common Market, I personally am optimistic that in the long run it will be of real and lasting benefit to the United States and to the horticultural industry of the Pacific Northwest.

### THE CHALLENGE OF THE COMMON MARKET

Thus, as you can see, the Common Market presents a challenge to all Americans and especially to our agricultural communities. But the first step in meeting this challenge has already been taken.

Prior to the enactment of the Trade Expansion Act, there was only one way we could persuade the European nations to reduce their tariff barriers to our trade; namely, by bargaining with them to lower their duties in exchange for our lowering our tariffs on their products. But the President had already used all of his authority for tariff reductions and had no bargaining power left which he could use on behalf of our agricultural and industrial producers.

For these reasons, last September, Congress by an overwhelming majority vote passed the Trade Expansion Act which gave the President a new set of tools to use in bargaining with other nations for lowering tariffs. This law allows the President to negotiate for the reduction of tariffs by as much as

50 percent in exchange for lowering reductions by other countries. In addition, the law confers upon the President a special authority to reduce duties to zero on those goods for which the United States and the Common Market are the dominant suppliers in the trade of the free world.

The Kennedy administration recognizes the vital importance of exports to the economic health of American agriculture and the administration has every intention of using its new bargaining authority to induce the Europeans to dismantle their tariff barriers against our farm products. Once these obstacles to trade are lowered on both sides of the Atlantic, the ever-increasing flow of goods across the ocean will provide a stimulus to our economic growth and create a greater prosperity for all our citizens—consumers, farmers, businessmen and workers alike.

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### Resolutions of Oregon State Horticultural Society, Corvallis, Oreg.

#### RESOLUTION 5 ON PUBLIC LAW 87–794

Whereas the 87th Congress passed Public Law 87–794 known as the Trade Expansion Act of 1962 which gives the President broad powers to reduce or eliminate present protective measures now in effect which are of extreme importance to certain Oregon produced horticultural products: Therefore be it

*Resolved,* That this, the Oregon State Horticultural Society, assembled this 30th day of November 1962, at its 77th annual meeting do hereby oppose a reduction of all protective measures now in effect including tariffs and quotas which in the past have protected such Oregon horticultural industries against the competition of like products imported from foreign countries at values below prices at which such Oregon produced products can compete; be it further

*Resolved,* That our congressional representatives be requested to use their best efforts with the administration to this end so that our Oregon horticultural products shall be properly safeguarded; and be it further

*Resolved,* That this resolution be furnished to all Oregon Members of Congress, both House and Senate, and to all other interested persons.

#### RESOLUTION 6 ON FOREIGN TRADE

Whereas the export market has historically been an integral part of the marketing program for Oregon pears and apples; and

Whereas Oregon pear and apple growers in recent years have been seriously injured by the refusal of certain European countries, primarily France and Germany, to live up to their commercial obligations under the General Agreement on Tariffs and Trade and by their discrimination against, and at times total prohibition of, the importation of U.S. pears and apples; and

Whereas these European countries have continued to discriminate against U.S. fruits and fruit products despite protests lodged by the United States, and it is apparent that representations alone are inadequate to secure continuing, reasonable opportunities to export U.S. fruits and fruit products which exports would be of inestimable value to the fruit growers and would aid the United States in overcoming its unfavorable balance-of-payments position: Now, therefore, be it

*Resolved by the Oregon State Horticultural Society,* That the President and other officials of the United States be urged to fully utilize the powers and authority granted by section 252 of the Trade Expansion Act of 1962 to the end that existing unjustifiable foreign import restrictions will be removed; be it further

*Resolved,* That the President be urged, that whenever a foreign country or instrumentality maintains unjustifiable or unreasonable import restrictions which directly or indirectly substantially burden U.S. commerce, to take all appropriate and feasible steps to (1) impose duties or other import restrictions on the products of such foreign country or instrumentality; (2) suspend, withdraw, or prevent the application of benefits of trade agreement concessions to products of such country or instrumentality; (3) refrain from proclaiming benefits of trade agreement concessions to carry out a trade agreement with such country or instrumentality; be it further

*Resolved,* That a copy of this resolution be sent to the President of the United States, the Secretary of State, the special representative for trade negotiations, the Secretary of Agriculture, and the Secretary of Commerce, and that each of said officials be urged to take all appropriate and feasible steps within his power to accomplish the removal of unjustifiable foreign import restrictions in order to obtain for the U.S. fruit industry continuing, reasonable opportunity to export its fruit and fruit products; be it further

*Resolved,* That a copy of this resolution be sent to each of the Senators and Representatives from the State of Oregon.

#### RESOLUTION 7 ON UNITED KINGDOM AND THE EUROPEAN COMMON MARKET

Whereas the United Kingdom historically has been an important market for Oregon growers of pears and apples who have annually exported substantial quantities of d'Anjou pears and Newtown apples which have been afforded entry into the United Kingdom at the same tariff rates as competing products produced in countries in Europe which are now members of the European Economic Community (Common Market); and

Whereas the European Economic Community has established its common external tariff on pears and apples at levels much higher than the United Kingdom duty on such commodities; and

Whereas in the event the United Kingdom accedes to the Common Market their duties on U.S. pears and apples would be gradually increased to the level of the common external tariff while fruit produced in the EEC countries could enter the United Kingdom free of duty and the above changes in duties will adversely affect the export of Oregon pears and apples to the United Kingdom: Now, therefore, be it

*Resolved by the Oregon State Horticultural Society,* That the special representative for trade negotiations be urged to take all appropriate and feasible steps to assure that the present low United Kingdom duties will be reflected in the common external tariff which would result in lowering the level thereof and further that every effort be made to negotiate reductions in the common external tariff to the end that Oregon pear and apple growers may continue their historical trade with the United Kingdom and the other members of the European Economic Community.

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## LAND-GRANT COLLEGES IN THE NEXT CENTURY

Mr. MORSE. Mr. President, in the fall 1962 issue of the Co-op Grain Quarterly, a publication of the National Federation of Grain Cooperatives, Dr. James H. Hilton has contributed an article entitled "Our Land-Grant Colleges in the Next Century," which I feel will be of interest to Senators.

The achievements of our great land-grant college experiment have fully justified the hopes of the authors of the enabling legislation. As Dr. Hilton points out, "The role which the land-grant college has played in increasing America's capacity to produce can hardly be overestimated. Today, given the time and money, we can master almost any production problem. The work of the land-grant institutions has contributed mightily to this level of America's educational and scientific achievement."

Dr. Hilton, however, recognizes that no institution can afford to rest upon its past laurels, but that it must continually strive to meet new and changing needs. In his article he has pointed out some of the problems which the land-grant colleges must solve in today's world and that of the world of tomorrow.

I commend Dr. Hilton upon his thoughtful presentation. I ask unanimous consent that his article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### Our Land-Grant Colleges in the Next Century

(By Dr. James H. Hilton)

For a century, the educational role which the land-grant college should play in American society has been the subject of discussion, debate, and at times, even controversy.

Born out of a congressional compromise, which tried to incorporate into the colleges' educational program at least two different philosophies on educational needs, the land-grant colleges were given no single, well-defined function. The new colleges, according to the Morrill Act, were to be scientific, technical, vocational, and practical in their education program. But they were also to give their students that broad, liberal education which would equip them for responsible democratic citizenship.

Despite the somewhat general wording of the Morrill Act, however, the new public colleges were indisputably charged with two central purposes. These purposes are more basic to the nature of the land-grant college than is any particular type of educational program. The first of the purposes was to serve the people's needs. The land-grant colleges were charged with the responsibility of providing young men and women with the kind of an education which would make them most useful to an ever-growing and ever-expanding, dynamic society, and would also equip them as individuals to make more satisfactory lives for themselves. The second purpose with which the colleges were charged was to provide the American people with equal access to educational opportunity. The new colleges were commonly called people's colleges. They were to belong to all the people. Their doors were to be open to all.

The general multipurpose educational program authorized in the Morrill Act has been a positive good. It has meant that the land-grant colleges have been free to achieve their basic educational purpose of serving the people's needs. The land-grant colleges have not been restricted to any one particular kind of educational program. They have been able to experiment and innovate. They have been able to develop the kind of educational and service programs which could best serve society's needs. They have been free to modify and adjust their programs to fit men's ever-changing environment.

At any one point in history, the kind of an educational program through which the land-grant college or university can effectively accomplish its central purpose of serving people's needs depends upon the kind of environment in which people live. The America into which the land-grant college was born was a world of scarcity. Although 60 percent of the population was engaged in farming, the young Republic's subsistence type of agriculture could not adequately meet the food and fiber needs of a population which was increasing by one-fourth to one-third every 10 years. A large portion of that 19th century population was actually underfed from a nutritional standpoint. Most Americans' diet was meager and monotonous.

Therefore, even modest increases in family incomes caused a fairly large rise in the demand for food. As a developing industrialism brought about an increase in per capita income, the demand for food generally kept rising during the 19th century. Moreover, such technological advances in transportation as the railroad and the steamship were bringing American agricultural products into international demand. The need was for more and more agricultural products. The great need during the last half of the 19th century, and the early years of this century, was to develop an agricultural science and technology which could keep pace with the technological advances of our rising industrialism. For the ways of agricultural production in the 1860's were much the same as they had been for centuries before. Therefore, probably the most socially and economically useful function which the agricultural divisions of the new land-grant colleges could perform was to develop programs in teaching, research, and later extension, which taught farmers how to produce more abundantly. Because of the work of the land-grant colleges and the U.S. Department of Agriculture, our agricultural plant has been revolutionized in the past 100 years. No other nation can produce so much food and fiber with so little labor. In the brief span of a century, our ability to produce has been multiplied by at least five times.

Not only did the young Republic's subsistence type of agriculture fail to meet the Nation's food and fiber needs, but manufactured goods were barely trickling out from America's young and undeveloped industrial plant. The need was not only for the consumer saving which supplies the resources for building a great capital plant. The need was also for the growth of a body of scientific and technical knowledge, out of which could come the scientific discoveries and inventions, which have made our factories truly productive and have given Americans, as consumers, an amazing variety of mechanical conveniences and comforts. Therefore, one of the great responsibilities of the land-grant colleges has been to further the growth of scientific and technological knowledge.

In the fields of science and engineering, the achievements of the land-grant colleges have been notable. The land-grant college pioneered in the movement to bring science into educational curriculums. Within the research and teaching programs of the land-grant colleges, large bodies of scientific facts have been discovered and accumulated. Basic principles and experimental methods have been developed and tested. Complicated laboratory equipment has been invented. The young science graduates who have been pouring out of our land-grant colleges since the turn of the century are now manning the great research undertakings of both industry and government. Our land-grant colleges today must share a large part of the credit and responsibility for the scientific and technological progress America has made in the past 60 to 75 years.

We all know that the America of the latter half of the 19th century and early 20th century had its social, economic, and political inequities and injustices which cried out for remedy. But from the long historical perspective probably the first need of American society during that period was to develop an industrial and agricultural plant which could produce that material abundance which makes real social and economic justice possible.

The role which the land-grant college has played in increasing America's capacity to produce can hardly be overestimated. Today, given the time and money, we can master almost any production problem. The work of the land-grant institutions has contributed mightily to this level of America's educational and sicentific achievement.

But the contributions of the land-grant colleges and universities to the progress and well-being of mankind does not end at our shores. It extends to most countries of the world. The foreign students educated in our land-grant institutions, and the various technical assistance programs in the underprivileged countries, together with the cooperative programs between American land-grant universities and universities of foreign lands have made the contributions of the land-grant colleges worldwide in scope. This is perhaps America's greatest contribution to worldwide education.

This, then, is our past record. And we who are here today are all proud of it. But I often wonder if we in the land-grant colleges are giving enough thought to what our future should be. Are we thinking broadly, yet precisely, on the new problems and coercions which our rapidly changing world is placing upon the land-grant colleges and universities today? What will be the educational needs of this new world? Are we adequately planning for the adjustments which we will have to make in teaching curriculums and methods, in research programs, and in extension activities, if the land-grant colleges are to continue to serve their historic purposes of meeting people's educational needs?

As we all know, the land-grant colleges today like all institutions are operating in a world vastly different from the one in which they were established and lived their first half century.

The world into which Americans have moved during the past 50 years might be variously described. It is a world of material abundance; a world of revolutionary technological advance; an industrialized world in which economic power is held in great blocs; an urbanized world of vast metropolitan clusters, whose standards and values are being rapidly adopted by our shrinking rural population; a complex, interdependent world whose global size is fast shrinking; a world of hydrogen bombs, intercontinental ballistic missiles, and rockets to the moon. It is a world whose inhabitants are experiencing coercions, insecurities, and dangers undreamed of by the inhabitants of the world of 1862.

In such a world as this, we must ask the questions: Are our traditional curriculums and teaching methods adequately equipping today's college students for dealing with the problems they will be facing in this latter half of the 20th century society? What are our new educational needs?

Two forces in the modern world have, it seems to me, been more powerful than all others in creating new educational needs. The first of these is the interdependency of our society. The inhabitant of the world today—whether he be a farmer or a city dweller, a laborer in a factory or a member of management, a stockholder or a merchant in a small town—has lost the old independence which his ancestors enjoyed in our earlier agrarian-village economy. His livelihood, the satisfaction he gets out of life, and even his life itself are dependent upon the harmonious workings of a complex network of economic, social, and political interrelationships which are national and international in their scope.

Therefore, one of our greatest needs today is to learn how to live and work together harmoniously and justly in a world which has grown frighteningly small. Our growth in social intelligence is lagging dangerously behind our technological advance. We have a hydrogen bomb and an intercontinental ballistic missile before we have the social know-how to control these technological wonders for the benefit of men.

Our colleges and universities today have a responsibility for meeting this growing need for social intelligence. They have a responsibility for providing the kind of an educational program which will give young men and women the social understanding which enables them to perceive their economic, social, and political interdependence; to appreciate the needs and problems of other groups and other nations; to realize that the causes of social and economic ills and political dangers are seldom single-headed and one-sided; to foresee the probable effects of actions proposed for their group or their nation.

The second force in the modern world which is transforming educational needs today is the accelerated tempo at which change is taking place. The students we are training in our classrooms must go out into a society in which change is almost revolutionary. In such a society, the skills and technical competence acquired today may be outmoded in a few years.

Therefore, one of the most useful mental abilities we can give our students today is the ability to make intelligent adjustments to change. This is the capacity, first, to understand that change, historically, is inevitable and to view it with an open mind and with a desire to understand the new relationships and interdependencies which change creates. Secondly, it is the capacity to work intelligently to shape and to control change in the interest of achieving a more abundant and satisfying life for everyone.

Equipping young men and women with such mental abilities might be the most useful and practical education we could give them for facing the world today. Our modern world, however, also demands specialization in its producers. The sheer breadth and depth of our modern scientific knowledge combines with the complexity of our economic and social system to make specialization in training and in occupation almost a necessity. Seemingly, the young men and women who have specialized are best equipped to make a living. Moreover, our need for making further scientific and technological progress requires that specialization in disciplines which gives the scientist the competence to add to the sum total of human knowledge.

Here, then, is perhaps the single most important overall curriculum problem facing the land-grant colleges and universities today. It is the need for finding a fruitful balance between specialized training in the professions and sciences on the one hand, and broad education in the social sciences and humanities on the other.

The land-grant universities, despite their rich offerings in the liberal arts and social sciences, have not yet solved the problem of broadly educating students who are majoring in the specialized scientific disciplines. Nevertheless, the first step that the land-grant colleges must take is to insure that such broad course offerings are adequately available in their curriculums. The more difficult tasks, however, will be that of including an adequate number of these broader courses in each individual student's 4-year program of study.

I have been speaking in terms of achieving a balance in curriculum between the specialty courses and courses in the basic sciences and liberal arts. But perhaps such course balance in the years to come will prove too negative a concept to be useful. Perhaps the time is not too far off when we will be obliged to think more creatively of building curriculums around new types of course integration: of developing new synthesis of academic disciplines. It may well be that the traditional scientific disciplines, which are the product of the meager knowledge of an earlier time, will themselves have to be broken up and replaced by new structures for organizing knowledge. Of course, a lot of these needs are only future probabilities; but certainly we should organize our knowledge in terms of curriculums so as best to equip our students for life in a world of unprecedented change.

So much for the need for reappraising and readjusting the formal educational programs which the land-grant college offers to young men and women who come to its campus in search of higher education. There is also a need for reappraising, readjusting, and even reshaping some of the research programs of the land-grant colleges.

The research record of the land-grant colleges has been truly notable. We all know the contributions which the colleges have made to mankind's welfare through their research discoveries in the physical and biological sciences. We all know the part which their research programs have played in transforming the American economy from one of scarcity into one of near abundance.

In a world in which great masses of men are still lacking the bare necessities for existence itself, in a world in which a growing population is pressing ever harder on existing resources, the land-grant college must continue to carry on research which will increase the world's capacity to produce more food, more clothing, more shelter, more of the things which make life comfortable. But our research task can no longer end there. Nor can we assume that our only research task today is to make the scientific and technological discoveries which will put us ahead in the nuclear and space fields, as vital as these needs may be in the times in which we live.

Today, the land-grant colleges, in their programs of research, must also deal with the complex problems of economic and social adjustments, which are so important to men's welfare and survival. Increasingly, the orientation of our research must be more around people and their welfare. Sometimes we have concentrated too much on how to adapt the conditions of nature, without regard for their impact upon people. In our concern for people, we must consider men not only as producers, but as total men. We must consider the family in all of its community and social relationships. We must seek to discover the economic and social arrangements through which individuals and groups of individuals can accommodate themselves to each other's needs and interests.

One of the first needs in organizing a research program which deals with economic and social problems will be—as it has been in the physical and biological sciences—to find a fruitful balance between basic and applied research. In all of our research areas—both old and new—we must withstand the pressures to put too large a share of our resources into applied research. We all know that our applied research projects which have produced immediate, concrete rewards, have drawn their information from the well of basic research. We all know that if our applied research is to continue to be productive and rewarding, we cannot allow the well of basic research to run dry. Fortunately, so many of the recent great useful and practical scientific discoveries, such as atomic energy, have been so directly the result of the basic research of so-called impractical theorists, that today the value of basic research is being more widely recognized and materially supported.

Second, we must recognize the restrictions which limitations in budget, trained personnel, and research facilities place upon the scope and types of research projects undertaken. Although we must work toward building research organizations which will fill all of our new research needs, such a retooling process takes time. In the meantime, we should carefully confine our efforts to those projects which can be adequately carried through. Our limited research energies should not be dissipated and wasted in diverse and scattered undertakings.

Third, many of the new problems which are troubling Americans today are a combination of sociopolitical and economic factors. The complex in real life does not break down nearly into problems which are either scientific, economic, sociological, or political. The difficulties which confront farm and urban families are no respecters of academic disciplines. And their solution will often require the special knowledge and competence of a variety of disciplines. For example, the problem of revitalizing a local community institution in a new setting may require the combined knowledge of the biological and physical scientist and conservationist, the economist, the social psychologist, the sociologist, the home economist, and the political scientist.

Fourth, we must recognize that we cannot stop at the State line in our investigations of economic and social problems. Such problems do not recognize State boundaries.

The fact that people's economic and social problems transcend State barriers means that the land-grant college system must think and work collectively to solve the large aggregate of overall problems which confront us. It means that new arrangements and procedures for cooperative research among the States and Federal agencies must be developed. We must pool our research efforts.

The problems which the land-grant colleges must solve in building cooperative extension programs which fit the changing needs of people are probably some of the most difficult ones with which the colleges must deal in making their adjustments to the modern times. A variety of conflicting pressures upon cooperative extension are making its task of adjustment extremely difficult.

In the first place, the concept of extension education has vastly changed since extension's beginnings in the first 20 years of this century. The educational problems with which extension services now deal have spread out from such demonstration services as dehorning cattle, culling chickens, or pruning fruit trees into a bewildering array of farm and home management problems, problems in family living, community problems, and the economic problems of agriculture and public farm policy. Our cooperative extension services now see the farmer not only as a producer and his wife not only as a homemaker, but recognize them as total persons with broad social, civic, and aesthetic interests.

The philosophy of extension education, which is concerned with the total human personality, is the most meaningful concept which could have been adopted. Nevertheless—particularly as the farmer's economic and social problems multiply—such a concept places upon our county extension men and women the frustrating responsibility of providing people with a conglomerate of educational services. Moreover, our growing scientific knowledge in all of the disciplines makes the county extension workers' task even more difficult. For in this day of highly specialized knowledge, they simply cannot be sufficiently grounded in all educational areas, no matter how capable they are.

Finally, our extension services' work load is growing even heavier because of the rapidly increasing number of people who are seeking its educational services. The lines between town and country are becoming blurred. Increasingly, rural people are supplementing their farm income with city employment. City people are making their homes in the country. Our suburbias are billowing out into the countryside. Moreover, city people are becoming conscious that, as taxpayers, they too have a right to share in extension's educational services. Particularly are the services of our home economists in demand by city homemakers. Finally, extension has the democratic obligation of striving to bring its services to those underprivileged rural groups who, although they do not seek its services, probably need them most.

In the face of these accumulating demands upon them, I believe that our cooperative extension services—if they are to continue adequately to serve the needs of people of their State—must think in a disciplined fashion upon the following questions: (1) What educational problems and services can extension deal with effectively? (2) Whom can extension adequately serve? and (3) How can extension maximize its efforts so that it can serve greater numbers of persons in an effective fashion?

I hope that I am not being inconsistent in believing that somehow we must adjust the number of problems with which extension deals to the size and competency of our county and State extension staffs. Since our democratic conscience will not permit us, as public educational institutions, arbitrarily to limit the clientele we serve, I think we must find the answer to extension's workload in developing more devices such as radio and television through which the extension worker's personality and knowledge can be projected out to hundreds of people whom he or she could not reach in person. We must bring into the services we offer more trained minds in many more fields than has been the case in the past. Moreover, in planning and carrying out our extension programs, we must use the new knowledge which sociology and social psychology are providing us. We must more effectively utilize group action techniques, neighborhood and community groupings, and local leadership patterns.

As we close the book on the first century of our great land-grant college movement, we, in the colleges, have a positive responsibility and obligation to think and plan constructively and creatively for our future. We must face the fact that these are times which demand bold action. For never before have people had to depend more heavily upon their colleges and universities in their struggle to find a direction—an understanding. We must reexamine our goals and our functions in the light of people's changing needs in our modern world. We must ask ourselves if our activities and methods are well designed to fulfill these goals. We must be willing to accept change and to plan boldly for our future. Only if we do these things will our land-grant colleges continue to be the socially valuable institutions which they have been in the past.

## TRIBUTE TO CHARLES LEROY HAINES

**Mrs. SMITH.** Mr. President, one of the most dedicated and most capable public servants of the State of Maine has passed away. Charles LeRoy Haines was a very highly respected citizen of Maine—of Hancock County—and of the Ellsworth area.

His passing will be mourned by the citizens of Maine whom he so faithfully served for so many years. But his passing will be mourned here in the U.S. Senate as well.

For Roy Haines was deeply respected and greatly admired by Members of the Senate and by his contemporaries on the staffs of the Senators and the staff of the Senate itself. With great distinction, he served as secretary to the late Senator Owen Brewster.

In the 4 years that Senator Brewster was the chairman of the Maine congressional delegation, Roy Haines was literally the backbone of the work of the delegation. For it was Roy Haines who set up the meetings of the delegation, who drew up the agenda, who indirectly ran the meetings through the unobtrusive guidance that he gave those meetings, and who provided the follow-through action on the decisions taken by the members of the delegation at those meetings.

In a sense, Roy Haines was the third Senator from Maine or the uncrowned Congressman at large in the untiring, devoted, and dedicated performance that he gave.

Roy and I did not always see eye to eye on political and economic philosophy. It was not until after he retired that we became the very good friends that we did. He retired to nearby Maryland and when he wanted something at the Capitol he always called on me.

From time to time, when I expressed myself publicly on controversial issues, Roy would write me a letter in which he would express agreement or disagreement with me—but always commending me for refusing to dodge the issues. And in the great majority of instances he expressed agreement with me.

Like others, he gave me, through his letters, the courage to continue to speak my mind. So I shall miss him very, very much. And in his passing I salute him, for in my mind he was truly "Senator Charles LeRoy Haines" even though he was never elected to that title.

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## REVISED CONCEPT OF THE ROLE OF STRATEGIC NUCLEAR FORCES

Mrs. SMITH. Mr. President, in the current issue of the Air Force magazine—January 1963—there is a most thought-provoking article that should be given the most serious study and consideration by the members of the Armed Services Committee, the Appropriations Subcommittee on Defense, and the Aeronautical and Space Sciences Committee.

In fact this article should be read and studied by every Member of the Senate and the House prior to voting on defense authorization legislation and defense appropriation legislation.

It is the article entitled "Strategic Retreat From Reality," by John F. Loosbrock, editor of the Air Force/Space Digest. I will not attempt to characterize it. Instead I will merely say that it is "must" reading, and for that reason I ask unanimous consent that it be placed in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### STRATEGIC RETREAT FROM REALITY

(By John F. Loosbrock, editor, Air Force/Space Digest)

A radically different pattern of strategic theory is emerging as a new instrument of national policy. Its keystone is a revised concept of the role of strategic nuclear forces in the international power equation. The doctrine of nuclear deterrence is being replaced by a doctrine of nuclear stalemate. The strategic umbrella, under shelter of which major Soviet aggression has been deterred or repulsed at many times and in many places since the end of World War II, is being replaced by a strategic ceiling—rigid, immovable, and possibly brittle.

The U.S. force structure is being reshuffled into an almost 180-degree reversal of composition, emphasizing flexibility and diversity in conventional capabilities—the low-intensity end of the conflict spectrum—while trending toward rigidity and a limited choice of weapons in nuclear general-war forces—the high-intensity end of the spectrum.

It will be a matter of some years before the new strategy will become fully operable. It was not, for example, employed in the Cuba affair. That was a power play out of the old strategic nuclear deterrent book. As Senior Editor Claude Witze pointed out last month, it was SAC's shadow over Cuba which made the difference there. But our continued ability to react in such fashion will dwindle as the new strategy progressively affects the force structure.

The new strategy has not been formally articulated to the American people as yet. But the outlines can be gleaned from an examination of public statements and important budget decisions which will shape our future military posture. It is not too early to take a hard look at the new doctrine and its rationale.

### EVOLUTION OF THE STALEMATE THEORY

Since the end of World War II U.S. strategy has been based on a reliance on our possession of overwhelming strategic nuclear superiority. Even though there could be no absolute guarantee that the United States would not suffer some damage in a general war, it was generally recognized that our margin of superiority was great enough to give the Soviet Union a strong incentive against provoking us. This strategic superiority underlay our ability to deter aggression all the way across the spectrum of conflict.

If the deterrent failed to deter, these same forces would strike quickly and decisively at the Soviet capability to wage war.

The threat of inevitable defeat was the sword of Damocles that hung over Soviet dreams and plans of military conquest.

Soviet progress in nuclear weaponry and intercontinental ballistic missile technology began to erode our confidence in the efficacy of the nuclear deterrent. After all, there are only 130 U.S. cities with populations of 100,000 or more. A relatively modest force of ICBM's with nuclear warheads could literally tear the heart out of our urbanized society. The list of Soviet cities of comparable size is even smaller—only 102. Thus, one rather quickly arrives at a position where, as Deputy Secretary of Defense Roswell Gilpatric recently put it to a national television audience, "either one of these great powers can deliver upon the other a thermonuclear blow of such proportions as to make that possibility unacceptable to any rational leader."

From there it is easy to postulate a state of mutual deterrence, where opposing strategic nuclear forces cancel out each other, much as was the case with poison gas in World War II. This is stalemate—the concept of a rigid strategic ceiling under whose mutual protection the great powers are allowed to employ conventional forces with impunity from nuclear devastation.

It is an attractive theory. It has even led to serious consideration that it might be possible to hold a future conflict within the destructive bonds of World War II, taking grim comfort from the thought that a conventional war, killing perhaps 75 million people over a period of 4 or 5 years, might be better than the risk of an Armageddon, which might produce 150 million deaths in 4 or 5 hours.

However, the validity of a theory is not necessarily a function of its attractiveness. History indicates that stalemates have tended to anesthetize the watchfulness of peaceful nations while presenting well-nigh irresistible temptation to aggressors. Especially when, as in the present instance, the stalemate is more apparent than real.

In the first place, making targets of cities provides neither a credible threat nor a rational recourse—either for us or for the Soviets. Defense Secretary McNamara himself has achnowledged this in his acceptance of the doctrine of counterforce. This doctrine, discussed at length in this magazine 8 years ago, eventually was accepted by the Air Force and forcefully promulgated in the Joint Chiefs by former Air Force Chief of Staff Thomas D. White. It is difficult to square counterforce with the doctrine of stalemate.

An even more basic consideration is the dynamics of the world power struggle, the contrasting objectives of the vying power blocs. The West essentially seeks to preserve the status quo, permitting to the Communists freedom of action as long as they confine their activity within the boundaries of the Soviet-Sino bloc. The Communists, on the other hand, are avowedly committed to expansion—into every area of the world and by every available means. If one accepts this great contrast in objectives—and admittedly there are those who do not—the temptation for the Soviets to break a stalemate and confront us with a covertly contrived position of superiority becomes almost irresistible. The Soviet attempt to outflank us in Cuba should serve as ample proof of their eagerness to gain a military advantage over us. Soviet achievement of a unilateral military capability in space provides an obvious future opportunity for a stalemate-breaking flanking maneuver. If Cuba, only 90 horizontal miles from our coast, presents a threat, how much more a Soviet base in space, only 90 vertical miles away?

Another justification for stalemate is acceptance of the view that there can be no winner in a nuclear war. It is hard to quarrel with this position if by nuclear war one means an all-out exchange of nuclear stockpiles. But the crucial issue is whether such an exchange represents the only form, or even the most likely form, that nuclear war might take. The issue is crucial because the way it is answered indicates the basic philosophy that underlies national strategy. And it is the philosophy that determines the shape and size and composition of our military forces. The fact that both sides are likely to find it against their interest to initiate an all-out nuclear attack against population centers does not necessarily mean that nuclear weapons cannot be profitably employed against the enemy's military forces.

The doctrine of stalemate already is affecting the composition of our strategic forces. Essential to the perpetuation of a stalemate, at least at this point in the military state of the art, is a force that can ride out a first strike and hit back. The hardened land-based Minuteman and the mobile and hidden, sea-based Polaris are ideally suited to the stalemate doctrine. Being relatively invulnerable, they are said to be less provocative than weapon systems which can only be protected against a first strike by launching them. Being unprovocative, these missile systems contribute to a stabilized situation (a common euphemism for stalemate) and set the stage for arms control.

Current defense hardware decisions are in line with the stalemate doctrine. A smaller and smaller proportion of the overall defense effort is going into the strategic forces. And a growing proportion of the strategic force is going into missiles. For the first time in almost three decades the United States has no bomber in production or even under development. The B-47 fleet is on its way out, and the B-52 is slated to follow fast on its heels, the obsolescence of the B-52 being hastened deliberately by the negative decision on the air-launched ballistic missile, Skybolt. The 70, whether RS- or B-, is dead, an unfortunate victim of irretrievable emotionalism on the part of both its defenders and detractors.

By the end of this decade, unless an as-yet-unannounced manned system should go into development, our strategic forces will consist entirely of missiles. By that time, the invulnerability of these missiles, not seriously questioned today, may well be compromised by technological surprise in such areas as antisubmarine warfare, ballistic missile defense, or a variety of military applications of space technology.

We will have substituted rigidity for flexibility in the area of conflict where flexibility is most needed. There will be fewer, rather than more, options for a future President to exercise—fewer, rather than more, buttons on the White House console.

### DOCTRINE OF SECOND STRIKE ONLY

Let us return now to what is a logical follow-on to the doctrine of strategic nuclear stalemate. The point is a subtle one, perhaps, but its impact makes a searching examination worth the effort.

Our national military policy has always been a second-strike policy, that we would never initiate a premeditated and unprovoked surprise attack. This is eminently consistent with our national values, and we have adhered closely to it over the years.

During the period of our atomic monopoly, for example, we declined the opportunity to strike the Soviet Union with impunity. Since then we have invested billions in improving our ability to strike back after we have been hit. The DEW line and BMEWS, the elaborate alert procedures to protect our aircraft, the hardening and dispersing of our missiles, these are a few of the heroic and costly measures we have taken to retain a second-strike posture.

Even so, we have recognized certain circumstances under which we might be compelled to make the initial attack against the Soviets, even before the United States proper had been hit. The classic example is that of a massive Soviet attack against NATO. At no time since World War II have the forces in Western Europe been strong enough to stop a determined Soviet attack. Yet NATO has not been struck.

We are still committed by treaty to the policy whereby we will respond to an attack on NATO as though it were an attack on the United States itself. But it is obvious that we are searching for an easier answer, for some deterrent short of the threat of nuclear attack against the Soviets. Mr. McNamara expressed his concern in a recent interview when he said:

"Under any circumstances, even if we had the military advantage of striking first, the price of any nuclear war would be terribly high."

The dilemma lies in the fact that the threat of retaliation is only meaningful if executing it offers some advantage. It begins to lose its impact the moment its executors begin to have second thoughts about its effectiveness. We quite obviously are having second thoughts today, and the consequences could be far-reaching. This becomes more true as we progress toward a strategic force which provides no nuclear options below the level of an ICBM exchange. The nuclear choice will become intercontinental missiles or nothing—an admittedly hard choice.

This is why the new strategy looks toward still another alternative, one that would free us from ever having to resort to nuclear retaliation at all. It seeks to eliminate all exceptions, to make the second-strike-only policy applicable under any conceivable circumstances. It backs off to the level of confrontation with conventional weapons, sometimes known as beating the Soviets at their own game or meeting the Soviet challenges by means and at places of their choosing. Conventional flexibility is obtained at the expense of nuclear flexibility.

### THE DOCTRINE OF AUTOMATIC ESCALATION

It is frequently argued and widely believed that the use of even low-yield tactical nuclear weapons will trigger an automatic escalation process leading inexorably and inevitably to an all-out thermonuclear exchange. Mr. Gilpatric voiced this thought at a press conference last June, saying:

"I, for one, have never believed in a so-called limited nuclear war. I just don't know how you build a limit into it once you start using any kind of a nuclear bang."

It is this fear of escalation that haunts the peace movement and those who press for unilateral disarmament, or for arms-control measures without adequate safeguards. The subject is clouded by emotionalism, and a rational dialogue is difficult. History provides not clues since tactical nuclear weapons have never been employed in combat. Hence, it is easier to articulate the possibility of disaster than it is to defend the probability of desirable results.

A major factor usually overlooked in the escalation discussion is that the gap in firepower between the largest of conventional iron bombs and the smallest nuclear weapons is essentially closed, while the variety of yields of nuclear weapons is almost infinite. The mere word "nuclear" conjures up an image of a multimegaton warhead exploding over New York or Moscow. Seldom considered is the fact that the smallest tactical nuclear weapons can be only a few times more powerful than a World War II blockbuster. And today they can be delivered with a selectivity and accuracy unknown in World War II.

The second major consideration overlooked in the automatic-escalation theory is that an escalator runs down as well as up. It depends on who's boss of the battlefield. Escalation can be made to work for us, so long as we retain the overall nuclear superiority that keeps the option to escalate upward a decision that we alone can render. It would seem obvious that what would keep the Soviets from the first use of tactical nuclear weapons is fear of what might happen to them as long as we have the upper hand in this area. No one has yet devised a plausible rationale for their behaving any differently if we should initiate use of tactical nuclear weapons. The key is our retention of the option to escalate. Should this option pass to the Soviets through superiority or even parity, we would find out just how quickly it would be exercised.

Acceptance of the automatic-escalation theory by strategic planners leads logically to the renunciation of the first use of tactical nuclear weapons. They would be retained in the inventory as last resorts—to keep the Soviets from using theirs, to keep Europe from being finally overrun, etc. But their employment as a major instrument of military policy is becoming less and less likely. Once one has concluded that there can be no winner in a nuclear war, and that use of even one fractional-KT nuclear weapon on the battlefield will automatically escalate to a big nuclear war, one tends to look for other means of defending one's interests.

### THE DOCTRINE OF FLEXIBLE RESPONSE

Under the premises outlined in the preceding paragraph, our strategy turns inevitably toward expanded conventional-war capabilities in a search for flexibility of response—more options.

Here the question is whether this kind of flexibility is the kind we actually need. Let us leap ahead a bit in time and postulate a situation in which the new strategy and the new force structure are applied.

The Soviets initiate a move against the West with substantial conventional strength. We have a strategic force made up exclusively of invulnerable second-strike missiles with a decisive margin of superiority in this area. We have renounced the use of tactical nuclear weapons out of fear of automatic escalation. We resist with conventional weapons only. The Soviets drive harder. We approach the end of our conventional rope. We are losing. Or suppose we are holding, or even winning, when the Soviets introduce tactical nuclear weapons. What do we do? How many options are open to us? How flexible are we?

We can negotiate, with the terms highly unlikely to be in our favor.

Or we can escalate immediately from conventional war to an exchange of ICBM's, to the highest level of conflict, to the kind of war where we already have told ourselves that there are no winners.

Clearly we cannot confine our quest for flexibility to the low-intensity end of the conflict spectrum. Further, we must build in flexibility from the top down, not from the bottom up. Unless we are willing to pay the price of being able to cope with every conceivable Soviet challenge in exact kind, we must give priority to the potential challenges which most seriously threaten our vital interests.

### FLEXIBLE RESPONSE AND WESTERN EUROPE

For a dozen years or more the sword and shield concept of NATO has contained the vastly superior conventional forces of the Soviet Union and her East Europe satellites. The shield has been made up of NATO's ground forces and tactical air forces, armed with both conventional and nuclear weapons. There was never a question of attempting to contain a major Soviet assault, even a conventional one, with conventional weapons. Tactical nuclear weapons would be employed. The sword behind the shield was SAC, together with other strategic forces under the direct command of the Supreme Allied Commander in Europe.

Today the argument over conventional versus nuclear weapons may prove to be the reef on which NATO founders. We are insisting that NATO's conventional capability is grossly inadequate and that this could result in nuclear war being forced upon us. The Europeans, who have lived in the Soviet shadow with equanimity all these years, are becoming increasingly apprehensive about the extent and nature of future U.S. commitments in their behalf. They worry about our fear of using tactical nuclear weapons, because they think it increases the danger of a major conventional war in their back yard. The Europeans know firsthand that conventional war is no consummation devoutly to be wished. And they tend to view any U.S. policy shift in this direction as motivated primarily by a desire to keep a future war off U.S. soil. De Gaulle's drive for an independent French nuclear deterrent derives in large part from his doubts about the future viability of U.S. commitments. And British anger over our scuttling of her V-bombers by our virtual abandonment of the Skybolt missile is part of the same package.

But if Western Europe finds the thought of conventionally armed defenses distasteful, our own strategy is finding it more and more attractive. Under Secretary of State George W. Ball, speaking before the NATO Parliamentarians' Conference in Paris last November, said:

"There is no reason why the NATO countries cannot maintain in the NATO area conventional forces that are at least equal to those in Eastern Europe."

Mr. McNamara has also indicated his belief that the NATO countries can increase their conventional defensive capabilities. The NATO nations will agree, but only reluctantly and under heavy pressure from the United States.

We have not publicly renounced the first use of tactical nuclear weapons in the defense of Western Europe, nor is there any likelihood that we will do so soon or even ever. But the doctrine of nuclear stalemate, coupled with the theories of automatic escalation and flexible response, indicate that we are trying hard to remove these weapons from any battlefield of the future, even if this means risking large-scale conventional wars.

As far as Western Europe is concerned, the danger is twofold—first, that the doctrinal conflict will irreparably damage the alliance, and second, that the Soviets will be encouraged to take new risks in the NATO area that could not have been justified when they were faced with the sword and shield concept.

### MORE OPTIONS OR LESS?

No thoughtful person can quarrel with the idea of seeking as many alternatives as possible between surrender or holocaust. The real question is whether or not the current trends in strategy and force composition are really narrowing, rather than widening, the number of options that will be available as time goes on.

Consuming fear of nuclear weapons and nuclear war can deprive us of the main strategic advantage we possess today. It would reduce risks for the Soviet planners by concentrating future conflict in the conventional area, where the strategic advantage is clearly theirs. In addition, they know they can always pause for negotiations if the going gets too rough.

Far more worrisome, however, are the dangers inherent in unilateral acceptance of the strategic-stalemate concept. Indeed, the very fact that we accept a stalemate in itself breaks the stalemate in a psychological sense. A single technological breakthrough—with space offering an almost unlimited range of possibilities—could shatter the stalemate suddenly and irrevocably, permitting neither time nor opportunity to "fall back and re-grope."

Optimism is running high after the Soviet backdown in Cuba, and the temptation is to read more into that episode than is justified. One can make a case that the very attempt to emplace outflanking missiles on the island stemmed from the Soviet belief that, if their bluff were called, they had little to lose but face—a small risk in terms of the prospective benefits had the move gone undetected. And the strategic posture which made possible our positive reaction in Cuba is undergoing a radical change. Postulate a future Cuba—perhaps in space, perhaps in Iran—under the strategic philosophy discussed herewith, and one comes up with quite a different set of answers.

## TRIBUTE TO SENATORS RUSSELL AND HILL

Mr. JOHNSTON. Mr. President, it is always appropriate to praise my distinguished colleagues, RICHARD RUSSELL and LISTER HILL, who have served in the Senate with great distinction, but it is particularly fitting at this time, as Senator RUSSELL begins his 31st and Senator HILL his 26th year of service in this body, to call attention to their dedication, devotion, and hard work over the years.

The highly deserved tributes already paid to these two great men by their colleagues on both sides of the aisle moved me deeply, and I want to associate myself with the fine things that have been said about them.

The gracious modesty with which the senior Senators from Georgia and Alabama responded to the compliments from their colleagues further mark them as truly great men.

I have had the honor of serving with RICHARD RUSSELL and LISTER HILL for the past 18 years, and I look forward to additional years of service with them.

Senator RUSSELL's State is next door to South Carolina, separated only by the Savannah River and two other small streams at the headwaters of the Savannah. Over the years it has been my pleasure to work with RICHARD RUSSELL and his colleagues from Georgia in the development of the vast resources of the Savannah River Valley. This development—construction of public power and water conservation dams—has strengthened the economy, present and future, of South Carolina and Georgia and the entire region. It could not have been accomplished without the tireless efforts of RICHARD RUSSELL.

RICHARD RUSSELL's contributions to the fight for national security through enlightened military strength and his devotion to the pillar of freedom, constitutional government, are too well known to reiterate here.

RICHARD RUSSELL is held in great esteem, not only in Georgia and the South, but throughout the length of the land; and he should be. I supported RICHARD RUSSELL for the presidential nomination on two occasions. President Truman has written that, "I believe that if RUSSELL had been from Indiana or Missouri or Kentucky, he might very well have become President of the United States."

The name of LISTER HILL is synonymous with service—service to the people of Alabama and the Nation. Monuments to his great love of people and his devotion to the principle that government can help relieve their suffering and lighten their burdens without compromising their self-respect or dignity, have been erected in villages, towns, and cities across the Nation—and along the rural roads and on the farms of America.

Those monuments are hospitals, health centers, rehabilitation centers, diagnostic and treatment clinics, tubercular sanatoriums, nursing homes for older people, and other facilities built under provisions of the Hill-Burton Act, and the powerlines of the TVA and the REA cooperatives. It has been my pleasure to be identified with LISTER HILL in promulgating the Hill-Burton Act, with rural electrification programs, and other progressive measures that have helped untold millions of people and strengthened America.

It is a high tribute to the intelligence and integrity of the people of Georgia and Alabama that they have repeatedly sent RICHARD RUSSELL and LISTER HILL to represent them in the U.S. Senate. I pray that they will continue to do so in the years to come.

## IMPORTANCE OF IMMEDIATE SETTLEMENT OF THE DOCK STRIKE

Mr. CARLSON. Mr. President, the crippling dock strike which has been in effect for some weeks will have a serious effect on farm planting this year, unless the strike is settled immediately.

It is only natural to view a dock strike as a strike that affects only coastal areas. However, unless the present strike is settled immediately, it can have serious consequences on our agricultural production this year—not only on agricultural production, but also on the disposal of our surplus of farm products.

This morning I received a telegram from Roy A. Edwards, president of the Rudy Patrick Seed Co., of Kansas City, Mo., and former president of the National Seed Growers Association. The telegram reads as follows:

> The crippling dock strike has made it impossible for 10 million pounds in port and an additional 5 million pounds to arrive this month of agricultural seeds from Europe and other countries already purchased by American companies to go for distribution to the planting farmers. This seed is badly needed and would sow 1 million acres. The situation is critical and a few days can make the difference for the crop season. With the planting dates almost on us, it is imperative that this seed be unloaded. We urge your help in getting the strike settled immediately.
>
> RUDY PATRICK SEED CO.,
> ROY A. EDWARDS.

Mr. President, it is my sincere hope that this strike will be settled at an early date, not only in the interest of agriculture, but also in the interest of our Nation's economy.

## FRAUDS AGAINST THE ELDERLY

Mr. WILLIAMS of New Jersey. Mr. President, the Senate Committee on Aging has demonstrated a lively and comprehensive interest in the problems facing our elderly citizens throughout the Nation. One of the reasons for the far-ranging studies of the committee has been the leadership of its chairman, Senator PAT MCNAMARA, of Michigan.

Recently, the chairman announced that the committee would conduct hearings on a major problem facing the elderly today. He has directed that the committee will study frauds directed specifically at our older citizens. This is a much-needed, timely inquiry. It should yield useful information and worthwhile suggestions for corrective legislation.

Mr. President, a New Jersey newspaper, the Ridgewood Herald-News, commented about the hearings in an editorial on January 3. I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### INVESTIGATION NEEDED

Senator PAT MCNAMARA, of Michigan, says he is going to launch an investigation of quack, cure-all preparations on the market and most sane people, including the medical profession, will agree that it's about time.

A great many of the bogus drugs, health foods and the like, the Senator says, are aimed at elderly people who are, of course, the people most likely to be suffering assorted ailments.

It is astonishing to discover how completely credulous otherwise sensible people can be when it comes to medical matters. Ridiculous diets, herb medicines, useless electric devices—nothing is too farfetched and absurd but what a lot of people will fall for it.

Many of the things have no possible medical value of any sort, but a good many others, unfortunately, can be actually harmful. And for these things, says the Senator, somewhere around a billion dollars a year is expended, often by people who have little money to waste.

To put these things on the market and specially to make extravagant and unsupported claims for them is a callous, cruel practice, worse than the oldtime medicine showman ever thought of because it is done in sophisticated, pseudomedical terms which the medicine man never even heard of.

It is doubly cruel because it is aimed at people who often are desperate and suffering and who are clutching at any straw that promises help, no matter how illogical the promise may be.

There are few less admirable ways of getting rich quick but unfortunately a lot of people seem to be engaged in it.

## NATIONAL SERVICE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, among the many worthwhile and necessary proposals discussed by the President in his state of the Union message, one of the most exciting was the National Service Corps. The Service Corps, patterned after the oversea Peace Corps, will provide a splendid opportunity for young people to help our less fortunate citizens. I know that this idea will appeal at once to the enthusiasm and idealism of the Nation's youth, and I expect that many young people will be eager to volunteer.

The oversea Peace Corps has already demonstrated its usefulness; it is time that we applied the talents and resources of our youth to pockets of need and deprivation right here at home.

As I see it, the National Service Corps could work this way: At the request of the proper officials in the States concerned, corps members would come to a State to help its overburdened and hardworking teachers and social workers. The States would draft the projects on which these volunteers would work. While in the State they would work with and under the supervision of State personnel. Let me emphasize that this is not a Federal project or an expansion of big government. The National Service Corps would serve basically as a means for channeling the enthusiasm and skills of youth to the areas where they can be most useful.

I am particularly interested in the success of this legislation because it is planned that some of the initial projects of the National Service Corps will deal with some of the most neglected members of our society, migratory farmworkers.

For instance, in New Jersey, the National Service Corps could run day-care centers for migrant children, assist the teachers in summer schools, and help the doctors and nurses manning the migrant laborer health clinics.

The proposal for the National Service Corps is of special interest in New Jersey because a group of Garden State students worked in 1962 on a pilot volunteer program to help migratory farmworkers. Sixteen girls at Douglass College gave up their summer to work with the farmworkers and their families at day-care centers and other projects in southern New Jersey. The work done by these girls has helped to generate some of the enthusiasm I have for a more comprehensive corps.

This National Service Corps would do more than provide critically needed assistance to the underprivileged and neglected fragments of our society. It would alert the rest of us to the magnitude of the hardship and social deficiencies now facing so many of our citizens.

## TRIBUTE TO SENATOR BIRCH BAYH, OF INDIANA

Mr. HUMPHREY. Mr. President, I wish to express my thanks to the Presiding Officer (Mr. BAYH in the chair), who is one of the new Members of the Senate, and who today has taken on the very important responsibility of presiding over the Senate. I believe he is the first of the class of 1963 to perform this important duty. I wish to commend him and to salute him for his service and for his helpfulness in this regard.

The PRESIDING OFFICER. The Chair thanks the Senator from Minnesota for his kind remarks.

## ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I now move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, January 15, 1963, at 12 o'clock meridian.

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# EXTENSIONS OF REMARKS

## Commendation of Volunteer Firemen From the Villages of Franklin Square, West Hempstead, South Hempstead, Uniondale, Roosevelt, Elmont, Lakeview, Garden City, and Hempstead

EXTENSION OF REMARKS
OF
**HON. JOHN W. WYDLER**
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 14, 1963*

Mr. WYDLER. Mr. Speaker, I would like to call to the attention of this august body a feat of daring, bravery, and courage performed by a group of my constituents: the volunteer firemen from the villages of Franklin Square, West Hempstead, South Hempstead, Uniondale, Roosevelt, Elmont, Lakeview, Garden City, and Hempstead.

On the morning of December 31, 1962, a blaze broke out in a warehouse in the village of Hempstead which eventually destroyed Long Island Railroad station there and caused over $1 million worth of damages. During its course, several homes were threatened.

The temperature was at near zero throughout many hours these brave men spent fighting the blaze. In a short time after they arrived at the scene, each man resembled a ghostly apparition; each was covered with a cake of ice. The cold was bitter; the fire raged. Despite these obstacles, these wonderful men fought on, eventually bringing the fire under control—a fire that had all the earmarks of being the most devastating Long Island had ever experienced.

Mr. Speaker, I call the attention of the House of Representatives to these men because they are volunteer firemen—they receive no pay for their labors—they are dedicated to the preservation of life and property in the community. Through the years they have performed their duties with courtesy, kindness, and efficiency. They are on call 24 hours a day. And when the siren sounds, they are on the go immediately without regard for personal comfort or safety.

These men deserve the undying admiration of the people of their communities. The same admiration is due their wives and families who keep the fearful vigil, many of whom have formed auxiliary units which, like the male groups, travel to the scene of the fire and provide these hardworking men with coffee and doughnuts and aid during the critical firefighting time.

I commend to your consideration all volunteer firefighting units, but especially, at this time, the brave men of the villages I have cited who performed so well in the recent, critical Hempstead blaze.

These are men I suggest, who do not ask what their country can do for them, but in the tradition of the minutemen of Concord and Lexington, are actually doing right now. They are to be applauded as examples of the finest in Americanism.

## A Resolution To Establish a House Committee on Captive Nations

EXTENSION OF REMARKS
OF
**HON. HENRY C. SCHADEBERG**
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 14, 1963*

Mr. SCHADEBERG. Mr. Speaker, in reintroducing my resolution to establish a Special House Committee on the Captive Nations, I must point out that one more country has been added to the list of captive nations since I introduced similar legislation a year and a half ago.

Cuba must be regarded as a captive nation. We have seen firsthand what has happened to the Cuban people under Communist tyranny—the heartache, the loss of liberty and property. Some have even sacrificed their lives. It should serve to remind us of the obligations we have to them and to enslaved peoples everywhere to aid in all practicable ways in their quest for freedom.

The Congress has a special responsibility to provide leadership in this vital freedom movement. And it must be more than mere lipservice in the form of resolutions and declarations and observances. It must take the form of action.

The purpose of a Committee on the Captive Nations would be to conduct inquiry into and to study satellite countries and captive non-Russian nations to help them to regain their national and individual freedoms.

In faith the people of the captive nations of the world are looking to the United States for guidance. In giving it, let us never forget that the future of the free world is linked with the future of these captive nations.

It is my conviction that a congressional committee devoting itself to the study and recommendation of ways to further promote a peaceful offensive in the cold war would contribute tremendously to the prosecution of the cold war and to ultimate—and necessary—victory.

## Rules Committee

EXTENSION OF REMARKS

OF

### HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. COLLIER. Mr. Speaker, now that the vote has been taken, I take this opportunity to make a brief résumé of and express my deep disappointment in the vote on the House Rules Committee for the millions of Americans who voted for the Republicans in this last congressional election. It is impossible for me to comprehend the principles upon which the majority party has voted, for it was the majority party which usually voices its desire for the right of the minority. Now most of them have voted against giving to the minority in this House equitable representation. The Republican conference on Tuesday, January 8, 1962, adopted a series of three fairplay amendments which were presented by the Honorable Mr. FORD.

First. An increase in the size of the House Rules Committee to 15 members based upon numerical apportionment of the House of Representatives which, in the 88th Congress, controlled 3 to 2 by the Democrats, would mean a committee of 9 Democrats and 6 Republicans.

Second. An increase in minority staffs of House committees to a total also proportional with overall House minority membership thus giving Republicans 40 percent of committee staffs in contrast to the current overwhelming and unjust control of the staffs of a number of important committees by the majority.

Third. A guarantee of equal time for the minority in debate or consideration of the joint House-Senate conference committee reports on the House floor. The majority party in the House now has the power to completely dominate time in this regard and has in the past abused this power. The amendment did not ask for 48 percent, but just 40 percent based on the actual number of Republicans in the House and they have now denied our request and given us the unjust 33 percent. The fact remains now that the Rules Committee will be nothing more than an open door for the liberals in the National Capital without proper representation for the millions of American people who voted for the Republican congressional Members. The theory that without the enlargement of the Rules Committee the majority would be unable to obtain their wishes in the House is a fact unfounded since everyone knows that by the use of the discharge petition a simple majority of the House can bring a bill to the floor.

## Society of Magazine Writers Honors Editor of Harper's Magazine With Annual Richard L. Neuberger Award—Plaque Presented to John Fischer

EXTENSION OF REMARKS

OF

### HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

*Monday, January 14, 1963*

Mr. RANDOLPH. Mr. President, each year the Society of Magazine Writers selects from the world of journalism the publisher or editor who, in the society's judgment, has done most to raise the standards of magazines as a medium of democratic communication. This worthy individual is chosen from among distinguished nominees by a panel of society presidents, past and present, and the choice is made known at a pre-Christmas gathering.

Known as the Richard L. Neuberger Award, this honor is named in memory of our late colleague from Oregon, and in a short span has become a nationally respected recognition of excellence and dedication in the field of magazine publishing.

We here in the Senate who knew and loved Dick Neuberger are indeed gratified that this meaningful presentation carries his name. We recall vividly the steadfastness and integrity which were the hallmarks of Senator Neuberger's energetic efforts in behalf of conservation and improved health facilities. And, we recall that his cause was ever ably served by the keen perceptions and facile expression of the professional writer, a calling which was his first love. It is noteworthy that Senator MAURINE NEUBERGER now serves in the Senate. She shared with her late husband a unity of purpose.

As a member of the Society of Magazine Writers it was my privilege to be present on December 21, 1962, at their annual Christmas gathering, and to present to John Fischer of Harper's magazine the Richard L. Neuberger Award.

I ask unanimous consent that excerpts from my remarks in presenting the Society of Magazine Writers' Richard L. Neuberger Award to John Fischer of Harper's magazine be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, PRESENTING THE SOCIETY OF MAGAZINE WRITERS' RICHARD L. NEUBERGER AWARD TO JOHN FISCHER OF HARPER'S MAGAZINE, HOTEL ASTOR, NEW YORK, N.Y., DECEMBER 21, 1962

The invitation of our president Gerald Walker, to share in the second annual presentation of the Richard L. Neuberger Award of the Society of Magazine Writers has provided me a most pleasant assignment. Participation is especially meaningful, not only because of my cherished membership in this society and 40 years of dedication to journalism, but also because of my personal admiration and understanding friendship for Dick Neuberger.

You have acted wisely in naming this significant recognition of excellence in the magazine editing and publishing field for an American who contributed so much to broadening the base of thought and conscience in this country and the world. A career as an author brought real satisfaction and merited achievement to Senator Neuberger. As his seat mate in the Senate we often talked of his years as a writer, and of the incisive and purposeful journalists with whom he labored.

Throughout his service in public life Dick fought for the integrity of the individual, for preservation of our vast natural resources, and for improved health facilities for our citizens—and ever was his cause ably served by the keen mind and facile expression of the professional writer.

It is extremely appropriate, therefore, that this coveted honor of the Society of Magazine Writers be conferred in his memory, and as a memorial to the courageous contributions he made to the better way of life.

We recognize this evening the magazine editor or publisher who, during this year, has done most to strengthen the standards of magazines as a medium of democratic communication.

The selection of the award recipient has been committed to a panel of SMW presidents, past and present, and the decision has been difficult. The choice is a man known to all of you and one whose beneficial influence has long been identified in the world of magazine production.

As editor of Harper's he has been instrumental in bringing forth in this publication a rare combination of readability and candor which has insured it a position of eminence among our sprightly and yet serious magazines. When John Fischer has needled with words the net result has been affirmative. If he has sometimes seemed to accent the negative it was not intended to be in reverse. Criticism has never been a capricious or carping instrument in his hand or heart.

He is an exponent of noncliche thinking. He has been conscientious in fashioning a forthright forum in which major problems of our Nation and the world can be discussed by men of experience and knowledge.

Among the merits of this monthly magazine is its penchant for attacking current and familiar controversies from wholly unexpected angles. Another objective has been to intelligently define what is fundamentally at issue in various current questions. And, governed by these admirable and remarkably well achieved goals, Harper's and its editor have amassed a truly enviable record of articles which have contributed substantially to the awareness and understanding of the reading public, and which have stimulated wholesome original thinking.

America has faced problems of a material nature often in the past, and being blessed with the natural resources, physical wealth, initiative, and strong economy with which to surmount them, we have survived. However, it is in the area of creative thinking that our most far reaching challenges now exist.

And so, for his cogent and courageous contributions to Harper's magazine, and to its stature as a leader in American thought we honor the editor and that which he has wrought.

Acting as your intermediary I present the 1962 Richard L. Neuberger Award of the Society of Magazine Writers to the distinguished editor of Harper's magazine, Mr. John Fischer.

## Compliment to President Kennedy on His State of the Union Message

EXTENSION OF REMARKS

OF

### HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. WIDNALL. Mr. Speaker, as a member of the minority party who believes in responsible and constructive comment on the words and deeds of the administration in power, I wish to compliment our Chief Executive, President John F. Kennedy, for his cogent state of the Union message.

The President's analysis and constructive comments with respect to the Atlantic Alliance, and his cautious approach to the presumed rift in the Communist camp should serve notice to all that America and her allies have not relaxed their vigil. I must admit, however, that I am somewhat skeptical at the vision of the unalined countries painted for us by the President, as a result of the Russian-Cuban missile scheme and the Chinese invasion of India. The so-called neutrals have shown a notable lack of response to moral force, as witness the silence accompanying the resumption of nuclear testing by the Soviets and even this very same aggression against India. There has been an equally remarkable tendency to respect apparent physical power, or their own internal political needs. A more critical analysis of past foreign aid programs would have been welcomed as well.

Until the full details of the President's tax proposals are made available to us, I believe it behooves the Congress to speak with some reserve with respect to the plan outlined in the state of the Union message. Certainly, a more equitable sharing of the tax burden is called for, and the recognition of the role played by business expansion in the economy by the President is heartening. Present indications for new expenditures for plants and equipment do not pose quite the optimistic picture included in the state of the Union message for last year's investment tax credit plan, however.

The most encouraging news of all is the President's pledge to submit a budget which will, in his words, "hold total expenditures for all other purposes below this year's level," although anticipating increases for defense, space, and fixed interest charges. This is, at least, a favorable start toward a fiscally sound budget policy. I would suggest that the next step is to critically consider the new proposals proferred by the President, since he himself has indicated the need to reduce or postpone many desirable programs.

I believe, Mr. Speaker, that we can all join together, regardless of party, in welcoming the constructive suggestions by the President, in complimenting him on a forceful presentation of America's worldwide goals and achievements, and in assuring him of the most careful examination of this and subsequent messages in light of the national interest.

## Duties of a Congressman

EXTENSION OF REMARKS

OF

### HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include an article by my friend and colleague, the Honorable Edward R. Finnegan, on the "Duties of a Congressman." This elucidative presentation of congressional duties, which I know will be of interest to all my colleagues, was prepared by Congressman Finnegan for the January meeting of the Chicago alumni chapter of the Phi Alpha Delta legal fraternity of which my son and namesake served as justice. The article follows:

DUTIES OF A CONGRESSMAN

The composition, powers, and duties of the Congress as a whole, and of the respective Houses of Congress, are defined in article I of the Constitution of the United States.

The duties of the individual Member are not so defined but he bears the following responsibilities of office:

1. To represent the interests of the constituents of the district which elected him.
2. To study the many and varied issues confronting the Nation as a whole.
3. To attend regularly the meetings and hearings of the committees to which he may be assigned.
4. To vote conscientiously in the best interests of the people of his district and of the country.

To carry out these responsibilities the 435 Members of the House of Representatives and the 100 Members of the Senate are constantly busy throughout a legislative session.

A Congressman's mail is heavy with thousands of letters from constituents and others interested in particular legislation, in seeking specific information about matters relating to various executive agencies of the Government, in obtaining Government employment, or the advice and assistance of various welfare agencies of the Government. Keeping current with his heavy correspondence by prompt response to the manifold inquiries is in itself a large task for every Member.

In addition, thousands of bills are introduced at each session of the Congress. It is a physical impossibility for each Member to know the contents of every one of these bills.

Each Member, however, through his service on one or more of the standing committees (these are permanent as disinguished from special committees) tends to develop into a specialist in the particular field of agriculture or industry, or taxation, etc., depending upon his particular talents and interests and the character of the district he represents. For instance, a Congressman from a district whose principal industry is shipping may seek membership on a committee dealing with rivers and harbors or the merchant marine; another, from a farming district, makes agricultural legislation his principal interest; still another from a heavily industrial section specializes in labor legislation or interstate commerce, and so forth.

This does not mean he ignores or remains uninformed on other important matters, but that he devotes himself mainly to these topics of principal interest to his district. At the same time, however, he must study the most important measures in other fields in order to be prepared to vote intelligently upon proposed laws of national significance.

In such matters it may frequently occur that a Member takes a position contrary to the opinion of a substantial segment of voters in his own district; in which case a conscientious Member may risk his own reelection by putting the welfare of the country as a whole above the narrower interest in his own locality. In national affairs, the Members are also influenced by other considerations, such as:

1. The recommendations of the committee entrusted with the study and solution of a particular problem.
2. The position and policy of the political party of which he is a member and on whose platform he stood for reelection.

As U.S. Representative from the Ninth District of Illinois I represent you and some 428,000 other citizens who live on the northside of Chicago within the boundaries of the Ninth Congressional District. I was first elected to Congress in 1960 and stand for reelection every 2 years as must every Member of the House of Representatives. Senators on the other hand are elected for 6-year terms.

This means besides my regular duties as a Member of Congress, I am involved in a campaign every 2 years which consumes a great deal of time, effort, and money on my part and on the part of my friends and supporters.

## Vice President Lyndon B. Johnson Tours His Native State of Texas

EXTENSION OF REMARKS

OF

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the Record, I wish to include the speeches delivered over a 3-day period by the Honorable Lyndon B. Johnson, Vice President of the United States, in his native State of Texas.

I was privileged to be in attendance at several of the meetings, and I was happy to witness the acclaim given his appearances and the reaction to his remarks.

The speeches referred to are as follows:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, AUSTIN ROTARY CLUB LUNCHEON, AUSTIN, TEX., TUESDAY, DECEMBER 11, 1962

If you look at a globe of the world, you will see that the 30th parallel passes Austin and San Antonio. I suggest that some time you put your finger on that parallel and spin the globe—to see the others of the people on earth who live in climates much like our own.

The 30th parallel crosses the Pacific slightly to the north of the Midway Islands, passes south of Shanghai, over Chungking, north of New Delhi, near Tehran, over Kuwait, and south of Jerusalem. It crosses the Suez Canal and Cairo, runs on through Algeria, across the Atlantic, near Jacksonville, Fla., south of Mobile, through New Orleans and back across central Texas.

Over the past 2 years, at the request of the President of the United States, I have traveled to many of the lands traversed by that parallel; and I have been impressed many times by the similarities of climate and topography of those faraway places and our own country here in central Texas and the Southwest.

But there is another similarity which is even more impressive. In all those lands—as here in our own State—the free peoples who live along that line share a common determination to build a better, more prosperous and more rewarding life for themselves and those who come after them.

In each of the free world countries along that parallel efforts are being made—as such efforts are being made in Texas—to secure new industry, create new jobs, bring in new payrolls. It is not difficult to understand why. Of all the peoples who live within that line, including those of other States in the United States, the people of Texas enjoy by far the highest standards of living, of income, and of opportunity.

Our per capita income in Texas last year was $1,972. In most of the countries along the 30th parallel per capita income would not exceed—and usually not even approach—$360 a year, $30 a month.

Compared with our fellow men—who share this latitude with us—we are rich. But we in Texas are not content. We know that our per capita income is still only 85 percent of the average for all Americans. We understand that there is a gap to be crossed. We are making that effort today—as we have never made it before—in Texas.

If our motivation is as great as it is to cross the gap of 15 percent, the realization of this helps us to understand how great are the motivations—and how intense are the desires—for those who face the challenge of crossing a gap of 500 percent or more.

What is happening in this world—in which you and I live—is that billions of people no longer accept the fate of living at the bottom rung of the economic ladder. They aspire to a better way of life, a better standard of living, a floor under their feet, a roof over their heads, milk for their babies, a cupful of water they can drink without fear of disease, schools their children can attend to learn to read, and some kind of a job which frees them from tilling the soil.

This explosion of aspirations, as it is sometimes called, is a great and awesome thing, it has unloosed a powerful force in the world, a force which is bound to reshape the world into a better, freer, more just place for men to live out their years on earth.

But in saying this to you it is not my purpose merely to talk about other lands and other places. The underdeveloped world is not exclusively a foreign world. Here at home—in our own vast United States—we have our own areas, our own regions, our own States which are still underdeveloped.

I believe that the greatest single force at work in the United States today is the gathering momentum for growth and development in these long underdeveloped areas, of which our own State of Texas is one. Throughout the world, in this last half of the 20th century, there has appeared a new momentum—a shift of population and of economic development to the warmer latitudes. This is occurring in Asia, in the Middle East, in Europe and Africa, and in our own United States.

Today in the United States the major growth States are those in the warmer climates which, until now, have been passed by in terms of full development—Florida, Arizona, California, and Texas. Population is shifting this way at an accelerated rate. Economic investment is shifting this way at an accelerated rate. For our own immediate area it is clear that during the next several decades the States which rim the gulf coast will experience expansion, new activity, and growing industrial importance on a scale never achieved in the past.

There are many developments of importance to this trend. The single most significant such development is the laying of foundations in this region for the technology and industry associated with the age of space. In Texas the location at Houston of the Manned Spacecraft Center is the most important business development since Spindletop.

I wish it were within my capabilities and purview to foresee fully and accurately for you the eventual meaning of this installation. Certainly it will mean growth of business activity in all of the conventional sectors. But there is a more important meaning. Because of the nature of the industries which will grow around space technology, the next 20, 30, or even 50 years will bring to Texas and the Southwest a new kind of industrial force.

Unlike the past, space technology requires employees with advanced college education. Strong backs and stout arms are not enough—one degree is a necessity, two or more college degrees are commonplace. This means higher income levels, higher social standards, higher living standards on the part of the working force of the principal industry.

We cannot foresee exactly what this means because nowhere else on earth has a major industrial force had these characteristics. But there are certain responsibilities we can foresee.

The chief of these is in the realm of education. Make no mistake about it: the NASA Center at Houston was not located there because Houston is Houston or Texas is Texas. The decisive force attracting the choice of the Manned Spacecraft Center site was the public support of higher education of the first class in the public institutions of this State.

If the space industry is to grow and expand in Texas continued steadfast public support of higher education—and of public education at all levels—will be required. The standards of public services of all kinds must be maintained at a high level. The quality of municipal and county government—as well as State government—must measure up to new expectations on the part of the people served.

The challenges facing our State will be great and demanding. The requirements for public leadership and for civic-mindedness on the part of this generation of Texans will be the highest any generation has ever known. As Texans in the past have been concerned with the rights of States, Texans henceforward must be especially concerned with the responsibilities of States.

I say these things to you in a spirit of hope and confidence. Over the years, it has been my high honor to work for you and with you in the many tasks in developing the resources of central Texas—and all of Texas. Much has been accomplished. Good and strong foundations have been laid.

We now come to the time in history at which we stand to realize the fruits of those labors. The foundation developed over the last 125 years—and especially in the last 25 years—is the foundation on which we can complete the development and fulfillment of the Texas potential.

In doing what we can do—and are privileged to do—here, we must remember the millions of human beings who live along the parallels of the world aspiring to achieve for themselves and their children even a small measure of what we ourselves have already achieved. Our Nation is strong and great. But neither our strength nor our greatness lies in our military might, nor in our plants and factories. Nor in the productivity of our farms. The strength and might of the United States is that of leadership—moral leadership—for a world of peace and freedom and justice.

If we are to hold what we have, if we are to enjoy more in the future than we have in the past, we must continue as a responsible Nation to uphold the pursuits of peace as we adhere to the necessities of power.

As Winston Churchill once said, "The first victory we have to win is to avoid a battle. The second, if we cannot avoid it, is to win it."

The United States stands strong, firm, and steadfast in its role in the world today. Where we have drawn the line of freedom—and pledged ourselves to its defense—we shall remain firm. We are determined that line shall never be crossed.

But the very purpose of our firmness is our determination to maintain peace with honor. As we shall always stand up to those who threaten the peace, we shall never refuse to sit down with those who seek sincerely to assure peace for mankind.

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REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, ANNUAL CHAMBER OF COMMERCE BANQUET, FORT WORTH, TEX., TUESDAY, DECEMBER 11, 1962

When the U.S. Constitution was adopted in 1789, there was a king in Paris, a sultan of the Turkish Empire in Constantinople, a czar in St. Petersburg, an emperor with the mandate of "heaven" in Peiping, and a mikado on the throne of Japan.

Today, neither those royal offices nor royal empires exist. But the Office of President of the United States remains the same Office—presiding over the same form of government—as George Washington knew 173 years ago. The revolution of freedom which began on these shores at that time has swept the globe, touched every continent, and brought liberty, independence, and self-determination to tens of millions of people everywhere.

Among us, there are many who—easily, casually, and critically—make statements about how communism is winning everywhere, and that we are ineffective and impotent in checking its spread.

This is simply not so. For us to poison ourselves—to blight our own pride in our own country—with such fearful fatalism is one of the greatest disservices we can render to ourselves, our country, or our cause.

As long as there have been nations on earth there have been totalitarians and aggressors. As long as there have been totalitarians and aggressors the weak and small have lived in fear and danger of armies of the forces of evil among mankind. Fifteen years ago, in the wake of World War II, all of the civilized world seemed to lay at the feet of the greatest tyranny and strongest aggressor the world has ever seen.

The Soviet Union added to its empire the brave Republic of Czechoslovakia. Nothing of consequence stood between the Soviets and the English Channel or the western shores of Europe. At the eastern edge of the Mediterranean the brave people of the barren lands of Greece and Turkey saw the bear of the north threatening their borders. In the south of Asia the vast land of Iran likewise lay exposed.

As Winston Churchill described it, in one of his historic speeches, thousands of years ago the Mongol hordes of Genghis Khan had come across the steppes of what is now Russia into the heart of Europe. On the same day, decisive battles were fought near Vienna and Poland, and the most able defenders of Western civilization were vanquished. Nothing stood in the path of the conquerors. But then the aging Khan died. The tribesmen turned eastward to their homes to choose a successor. And, as Churchill put it 12 years ago, "They have not returned until now."

Twelve years have passed and not an inch has been added to the perimeter of the Soviet domain. Three months ago, at the request of President Kennedy, I visited those lands where—beginning in 1947—the United States began a great experiment and a great gamble on the belief that men who want to be free will stand up for their freedom if they know the strong stand with them.

In Iran, in Turkey, in Greece, only a line drawn on a map separates those people from the Russian armies. But that line—through all these years—has not been breached. It was my proud privilege to take to those peoples and to their leaders a solemn reaffirmation of the determination of the leaders and the people of the United States that those lines will never be breached.

What I am describing is one of the most noble achievements in the history of the human race. It is an achievement in which each of you has had a part—and of which every member of this generation should be proud: proud of his country, proud of his country's leadership under administrations of both parties, and proud of his own individual participation in this achievement.

This generation of Americans drew a line in the path of the great aggressor and made it clear that line could not be crossed without the aggressor paying a fearful price. For ourselves, for our families, and our businesses, the price of courage has not been cheap—in dollars and cents.

From 1949 through 1961, Americans have paid $498 billion for defense and security. We have paid $47.5 billion in foreign economic aid. What have we gotten for our money?

On Sunday morning, October 28, the answer was provided when the message came from Moscow that Khrushchev had, in the face of unmistakable American determination and might, agreed to the withdrawal of his missiles and bombers from the island of Cuba.

Only 10 days before, when the intelligence photographs had first confirmed the Soviet installations, I was looking over maps in the meeting room of the National Security Council. On these maps had been plotted the range and possible targets of the missile installations under construction in Cuba. Various distances and times were being cited. I pointed my finger to Fort Worth, knowing the strategic importance of the installations here. A military expert at my side anticipated my question and answered it before I asked: "Less than 5 minutes, sir."

Less than 5 minutes. Except for the $500 billion spent to keep America strong, Fort Worth—like most of our cities—would be living under that threat tonight, instead of living as we do in a world at peace from which this grave threat has been removed.

America got its money's worth from the B-24 Liberator bombers built here in Fort Worth. America got its money's worth from the B-36. America will get its money's worth from the TFX.

And the world—and the cause of freedom—has gotten full value from faith in America.

I do not know—no man on earth knows, on either side of the Iron Curtain—what the meaning of recent events will ultimately be. We can believe, however, that a time of turning has come in the destiny of this century. The recent events leave no doubt about two crucial points.

First, there is no doubt that the assumptions of Communist strategy—about the eventual collapse of ability or will in the West—have been proved failures.

Secondly, at the same time, the concept, purposes, and conduct of the policies of the West—initiated by the United States—have been proved correct.

Communism has been contained. It has been contained in Europe. It has been kept from establishing a land frontier with the Arab world. It has been repulsed and rejected by Africa. Six guerrilla wars in southeast Asia and the far Pacific have ended in five defeats for communism and, with the support of the United States, the tide has been turned in the sixth such war in Vietnam.

Unlike Khrushchev, we of America—and we of the free world—seek to bury no one. Our purpose is peace—a peace in which the hopes of man may rise from the graves of poverty, illiteracy, disease, and injustice, to common aspirations and expectations of a life of freedom.

This year of 1962 is a year in history of which all Americans can be proud and can feel new pride in themselves and their associations with the cause for which their country stands.

Where the Communist bloc is surrounded by enemies, we of the United States can count as our blessing that we are surrounded by friends. We can believe, at this moment of history, that the revolution of freedom which began in this land is the tide of the future—a tide still running, a tide which will bring the ultimate triumph of freedom everywhere before this century ends.

It has been our lot and our fortune to become the richest people in the richest nation the earth has ever known. In only five other nations does the per capita national income exceed $1,000 per year—for most of the nations and peoples on earth, annual income is less than $40 per month and some only $60 a year. For us the average is $2,800.

As, in the writings of the ancient Greeks, the Corinthian ambassador told the mighty Spartans, "Supremacy has its duties—leaders are required to show a special care for the common welfare in return for the special honors accorded to them by all, in other ways."

We enjoy what we have today, at home and in the world, because we have applied the precepts of our moral teachings and beliefs to the policies by which we conduct our Nation's affairs. We have shared with others. We have cast our bread upon the waters—to the humble and the lowly at home, to the exhausted and vanquished abroad. From 1949 through 1961 we sent to Europe $18.7 billion in economic aid. In just the last 4 years the prosperous Europe of today has bought from us $23.2 billion of our goods, products and services, and will soon be purchasing from us each year as much or more than the total of the aid we have sent.

The bread we have cast upon the waters is coming back manyfold.

I say these things to you in a spirit of optimism based on the practical realities of confidence. Ours is a strong and mighty land. Our might lies not in our arms and armor but in the character of the American soul and in the determination of the American will that men everywhere shall have the right to live as we live in freedom, justice and equality.

The first Americans to reach the moon will, when they return to earth, land at Houston—although, I suppose, they might land in this vicinity if Fort Worth and Dallas ever got together on an airport.

This region—reaching from the Atlantic coast of Georgia to the far edge of the Arizona desert—will be a principal center of growth for the technology of the age of space.

What older sections of the United States have been to our national development in the past two centuries, this region will grow to be during the next century to come.

If it seems farfetched to describe such potential for the State we know now, I remind you that you live and attend school now amid one of the great wonders of the Western World. In the Dallas-Fort Worth metropolitan complex, there is the greatest concentration of population—anywhere in the world—not located either at the edge of the ocean or on a navigable stream. It is not so wild a dream to envision Texans of your generation working even greater wonders in the future which lies ahead.

Since the beginning of this century, one of the great problems of this portion of the United States has been the annual loss of talent and skills on the part of the most able graduates of our public institutions of higher learning. Between 1900 and 1930, 3.5 million persons left the Southern States—including Texas. Sociologists have estimated that the economic loss—even in terms of the prices of that era—amounted to between $5 and $10 billion.

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### REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, ARLINGTON STATE COLLEGE, ARLINGTON, TEX., WEDNESDAY, DECEMBER 12, 1962

I realize that most nonacademic visitors to college campuses these days come in the role of recruiters—if not for major corporations, seeking talent for their jobs, then, at least, as recruiters for the Young Republican League. Needless to say, I am not here in either role.

I would, however, like to do some recruiting—the recruiting of your talents, or if not your talents then your faith, for the great opportunity which faces you and your generation. For where other generations of Americans have met their destiny—and their opportunity—in winning wars on the battle fields of the world, it is your destiny and the opportunity of your generation to win the battles of peace on the battlegrounds of the world today.

Among my duties, at present, I serve as Chairman of the Advisory Committee to the Peace Corps. One of the great satisfactions I have had in my public life has been the chance to see your generation disprove the libels and dispel the doubt that has been cast upon the idealism of young Americans today.

Too many people have the habit of equating idealism of youth with political labels of their elders. If young people on college campuses adopt for themselves the label of conservative, there are cries raised that "the college generation is not idealistic." This I refuse to accept. The division of political sentiment on our campuses today—the debates between factions labeling themselves conservative or liberal—reflects, I believe, a healthy interest in the directions of our national policy and it reflects, also, a necessary sense of protest on the part of the young for the way in which their elders are running the affairs of the country.

At Peace Corps camps around the world, I feel that these views have been confirmed. In the training camp at Puerto Rico—out in the jungles of the island there—I have seen young men and women who were both Goldwater Republicans and Kennedy Democrats up before 6 in the morning, running up and down jungle hills, swimming a river with their hands tied behind their back, living 3 nights on the land carrying only compasses, pocket knives, and canteens.

I don't worry about the politics of the college generation when I see such evidence of idealism motivating young Americans to prepare themselves for the work of building a better world.

But, in saying this about one of my favorite subjects—the Peace Corps—I do not mean to overemphasize the world abroad. There is work to be done here at home. There is work to be done in the Southwest—and here in Texas.

The moving finger of history is writing large on the future of this part of the United States. In the past 50 years, a strong and stable foundation has been put in place. In the next 50 years, there is every indication that Texas—and the other States of the gulf coast and Southwest—will emerge as one of the major centers of industrial, economic, and social leadership in the world.

The first Americans to reach the moon will, when they return to earth, land at Houston—although, I suppose, they might land in this vicinity if Fort Worth and Dallas ever got together on an airport.

This region—reaching from the Atlantic coast of Georgia to the far edge of the Arizona desert—will be a principal center of growth for the technology of the age of space.

What older sections of the United States have been to our national development in the past two centuries, this region will grow to be during the next century to come.

If it seems farfetched to describe such potential for the State we know now, I remind you that you live and attend school now amid one of the great wonders of the Western World. In the Dallas-Fort Worth metropolitan complex, there is the greatest concentration of population—anywhere in the world—not located either at the edge of the ocean or on a navigable stream. It is not so wild a dream to envision Texans of your generation working even greater wonders in the future which lies ahead.

In this context, I think it can be said to you as it could not be said to any generation before you: Your greatest future and opportunity is in Texas—and in the cities of our State where you may now live.

Since the beginning of this century one of the great problems of this portion of the United States has been the annual loss of talent and skills on the part of the most able graduates of our public institutions of higher learning. Between 1900 and 1930, 3.5 million persons left the Southern States—including Texas. Sociologists have estimated that the economic loss—even in terms of the prices of that era—amounted to between $5 billion and $10 billion.

Today many of our leading industrial corporations, financial institutions, educational establishments, and other major centers are headed by people who were born in this region, but who have lived their lives since college outside the region. For you there is ahead the special promise and opportunity that the major opportunities in the Nation will be here in this region.

To say this is not to speak provincially but to speak factually. But it helps in maintaining perspective to remember this: much of the future for this region will lie in trade, commerce, and travel in other lands.

The largest single trading market in the free world in the latter half of this century will be the world of Latin America. This will be a major outlet for your energies and talents whatever line you may pursue.

But the enterprise of Texas in the future will not concentrate solely on the Latin region. Already airlines are flying from Texas points to Europe. In the not too distant future, we may anticipate sufficient speed in the air for such flights to Europe to be completed round trip in a single day. Africa and Asia will neither be a day's travel away.

You will live and you will work from a Texas base, but the world itself will be yours to help develop, to help lead, to help bring to its feet.

No generation has ever had such broad horizons or such great promise. Because of this, no generation has ever needed stronger ideals or a more fixed determination to right what is wrong, give attention to what has been neglected, to give heed to directions which ought not to be followed and to define new goals and new directions for the future.

Whether you label yourself "conservative" or "liberal"—whether "Democrat" or "Republican"—the proudest label you can bear is that of "American."

In the world for which you are preparing yourselves now, there is a warm and friendly reception for those who bear that honored name. Many generations of Americans—much effort, much toil, much sacrifice—have gone into the image which the world bears of us and what we stand for. But the essence of the favorable image that the world holds of us is the belief among men in every land that Americans are, in some special way, people who are at heart idealistic.

From what I have seen of your generation—from the many fine and inspiring visits that I have with many of you from time to time—I know that you are heirs of that tradition.

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### Remarks by Vice President Lyndon B. Johnson, Student Conference on National Affairs, Texas A. & M., Bryan, Tex., Thursday, December 13, 1962

In the world of undergraduates, and in the world at large, one of the chronic sources of tension is speeches. This is especially true of speeches by public figures on topics covered by your agenda for this eighth Student Conference on National Affairs.

The 20th century has brought explosions of population, of aspirations, and of nationalism. But the impact of these has been equaled, if not exceeded, by the monumental explosion of statistics—about those explosions. As a results, in our speeches—and, perhaps, in our policies, as well—statistics are sometimes substituted for substance.

In these remarks this afternoon, I hope to keep statistics in their place, remembering Mr. Dooley's comment on a public figure of his day who overused facts and figures. "All he needs," Mr. Dooley said, is an index and a few illustrations to make himself a bicyclopedia of useless information."

I make this point about statistics for a purpose. On your agenda for the study of "Sources of World Tension," there are listed the four most commonly accepted topics for such discussions: the population explosion, economic problems, nationalistic aspirations, and the arms race.

Our solution of a problem will be no better than our definition of it. In this context, I would like to begin by raising what may seem to be a surprising question: Are these forces the real sources of world tensions?

Are these the real problems? Or do these merely happen to be the problems which are easiest to measure with our statistics—and, hence, most convenient to discuss and debate? Frankly, certain personal observations and reflections have led me to question whether our accepted diagnosis of the causes of world tensions is as precisely accurate—or as fully comprehensive—as we have thought it to be. Over the past 2 years I have traveled nearly 100,000 miles on official missions to Asia, to Africa, to Latin America—to the places where the forces you are discussing are now at work. I have gone to the emerging nations, to the centers of population explosion and poverty, to the lands where undeclared wars and counter-insurgency actions are in progress to the nations and the headquarters of the anti-Communist alliances—NATO, CENTO, and SEATO.

Generalizations are hazardous. But if I were to list the sources of tension identifiable in those lands, the listing would differ in both details and emphasis from what our computers and many of our commentators tell us. This is not to say that population, economics, nationalism and the arms race are unimportant or overrated. But it is to say that relief for these tensions involves more than providing the underdeveloped nations with pills, payrolls, prestige, and peace talks.

If, our perspective is to be realistic—and if our efforts are to be fruitful—we need to include certain additional realities in our list of sources of world tension.

First, we must recognize that many of the most explosive tensions worldwide are generated by local issues, rather than global forces.

Second, we must recognize that in most areas, animosities of race, religion, caste, and inequality are central sources of tension.

Third, another source of tension is the restriction on free movement of peoples. This is not only a problem of geographical movement but is also a problem of movement, up or down, within traditional social structures.

Fourth, in most of the emerging portions of the world, a very real source of tension—with many ramifications—is created by a lack of tradition and experience in organizing for mutual effort on a basis of mutual trust.

These factors are often overlooked by peoples of the developed nations—especially Americans. We concentrate on the conspicuous. We neglect those sources of world tension which are not conveniently measured by statistics. Hence, we know the impact of south Asia's birth rate, but not the impact of the area's border disputes. We concentrate on Africa's nationalism and miss the significance of its localism. We identify Latin America's poverty but we fail to identify its problems of class and resistance to social mobility. The world over we predicate both our efforts and expectations on the assumption of a capacity for social and structural organization which is, in fact, absent from and alien to the traditions of many peoples.

In our approach to the tensions of our times, we tend to treat the 20th century as an entity—as though human history were the sum and substance of our achievements and our failures since the year 1900. This is not realistic. In many instances, the tensions most dangerous for our 20th century world today date back to the 12th century—or earlier. The emerging nations have been bypassed by the industrial revolution. But many of their problems result at least as much from having been bypassed by the political revolutions of and since the 18th century.

We have recognized the necessity for what is called the infrastructure of a modern economy—the necessity for roads, communications, sanitation facilities, hospitals, and all else. The developed nations of the West have committed themselves to long-term programs to provide such facilities. But the question we need to ask—and to answer candidly—is whether these measures are genuine first steps or intermediate steps? Are we beginning at the beginning, so to speak, or have we begun at a point of economic development in our programs somewhere beyond the actual point of social readiness or political capabilities?

The world today has—by economic reckoning—a major, capital deficit. If a 5-percent annual increase in the income of emerging nations is to be sustained throughout this decade of the 1960's—the decade of development—it is estimated that $70 billion of capital investment will be required from the capital-producing countries of the world. On the basis of performance thus far, this means about $8 billion each year from 1963 to 1970.

The present annual capital investment in such development is $5 billion. The annual deficit is, thus, $3 billion. How and where that deficit is to be overcome would lead us into a discussion far longer than the time allotted.

The particular point I wish to emphasize is the existence not of a capital deficit, but of a political deficit. Technically, we have the solutions to the world's development problems—the engineers, the scientists, the economists, and all the other technical people, have done their jobs. The gap that remains open measures our failure in the political realm.

If the capital investment of this decade of development is to take root and flower into a full harvest, there must be more attention concentrated on these neglected political deficits. In terms of human population, for example, the world has a carrying capacity of possibly as many as 16 billion people. Our political systems, however, are doing a poor job of providing for the needs of only 3 billion people.

If we are seriously to undertake the relieving of world tensions, a greater degree of political courage, political imagination, and political innovation will be required—in both the developed and underdeveloped worlds.

This begins at home—in our own country and in other developed countries. We, too, are experiencing population explosions. We, too, have our underdeveloped regions and resources. We, too, have poverty, changing social structures, shifting populations, and much else which requires political courage today as much as 30 or 50 years ago.

The Western nations—including the United States—are not so far advanced, not so free internally of sources of tension in their own society, that the permanent necessity for reform, for progress, for responsible change can be ignored.

We of the capital-producing industrial nations of the West must not permit the burdens of security to stifle either our initiative or capacity for internal innovation and reform in our domestic political responsibilities.

The same is true with regard to the assistance we offer emerging sections of the world. If material objectives are to be reached, moral objectives cannot be left behind; 20th century technology simply will not function or serve its intended purpose when imposed upon 20th century or 17th century or even 19th century values about human life or the worth of human labor. In fact, such conditions might only produce greater tensions for the world—not fewer.

We have, I believe, a responsibility to be certain that we define the sources of the world's tensions correctly and fully.

The population explosion, the aspirations explosion, the nationalism explosion—and all the other forces of our times—may intrigue us and occupy us. But tensions of the world will not be relieved until the world experiences a genuine explosion of human justice and recognition of individual rights. We must have the political courage and imagination to work for and achieve this objective at home and abroad.

The tensions of our world result not because couples are having too many babies but because political leaders are having too few new ideas for answering the world's ancient problems with the capabilities of today's modern technology.

I speak as I have because my assessment of the future is one of optimism and confidence—confidence inspired in no small degree by the high sense of responsibility being shown on campuses everywhere by your generation. You are concerned—as no generation has ever been concerned—about building a better world, and the capabilities at your command permit such a world to be built. Your talents are great, and they are needed. That is why I would like to conclude with a question to you, from the writings of the contemporary philosopher, Will Durant:

> "Why should not every man, rich or poor, give 2 years of his life to the state, not for the purpose of killing other people, but to conquer the plagues, and drain the marshes, and irrigate the deserts, and dig the canals, and democratically do the physical and social engineering which builds up so slowly and painfully what war so quickly destroys?"

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## Railroads Need Help—Diversification Would Be Welcome

EXTENSION OF REMARKS

OF

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. CELLER. Mr. Speaker, the President called to the attention of the 87th Congress the "chaotic patchwork of inconsistent and often obsolete legislation" which has become the framework of this Nation's transportation policy. His April 5, 1962, transportation message made the flat statement that this patchwork policy "does not fully reflect either the dramatic changes in technology of the past half century or the parallel changes in the structure of competition."

The Interstate and Foreign Commerce Committee of the House, and the appropriate committee of the other body, conducted extensive hearings in the last Congress on the recommendations made in this important domestic legislative message. They gave particular attention to proposed deregulation of certain minimum freight and passenger rates. Undoubtedly there will be further hearings in the current session of the 88th Congress. I am confident, too, that this new Congress will act once its committees have finished their work and brought transportation legislation to the floor.

Yet there is an anachronism in U.S. transportation today, Mr. Speaker, which rivals or surpasses the most threadbare of the statutory patches to which Mr. Kennedy directly referred. Since hearings in 1960 before the House Subcommittee on Transportation and Aeronautics, Congress has heard relatively little about it. In short, it is this: The American railroad industry, recognized by all of us as both economically vital and economically ailing, is being forbidden by the fears of a past era the tools it needs to build a healthy future.

When every signpost in transportation points toward freer flow of traffic by whatever transport mode is most economic and offers best service, U.S. railroads remain pinned down by Federal regulatory restrictions that sprang from the 19th century of transportation.

An unmistakable promise of future rejuvenation lies in a railroad's ability to offer a shipper the transportation service which best fits his needs and his budget, whether it be by rail, truck, ship, or aircraft. Yet under existing Federal regulation the railroad is barred from acquiring the surface facilities—by road or water—it would require to offer the service of a true transportation system to its customer.

Current public policy on single ownership of multiple transportation modes stems from the Interstate Commerce Commission Act and the Federal Aviation Act of 1958. In effect, this policy today bars a railroad from acquiring other forms of surface transportation without severe restrictions, while leaving all other surface transport modes free to diversify as they choose.

It is significant to note in passing, Mr. Speaker, that none of the statutes involved contains language specifically prohibiting transportation diversification as such. The rules which now operate to deny railroads equal opportunity among surface modes to own and operate other forms of transportation largely are interpretations of the statutes by the Interstate Commerce Commission, the Civil Aeronautics Board, and the courts.

Thus it can be said that even with so fundamental a question of national transportation policy, the answer has been supplied more by the judiciary and by the Congress' independent agencies than by the Congress itself.

In virtually all of existing and prior statutes and in the history of their application, the single dominant theme has been the real or imagined fear of railroad monopoly. This fear was the cumulative result of the explosive 19th century growth of America's railroads, of the trustbusting of the early 1900's, of the industry's relatively giant proportions in the early 20th century, and of the childlike strengths of the motor, water, and air carriers as new legislation sought to nurture their early development in the 1920's and 1930's.

But this is 1963.

In 1926, railroads carried more than four-fifths of all ticketed intercity passengers. The rail share of intercity freight tonnage exceeded 75 percent.

Today, best estimates place railroads' share of ticketed intercity passenger traffic at 26.4 percent for 1961, the last full year statistically available. Rail freight for 1961 is estimated at 43.4 percent of the total. This means, Mr. Speaker, that the railroad share of the passenger and freight markets has shrunk from three-quarters and more to well under one-half.

On a year-by-year basis, World War II distorted the picture of relative strengths of various modes in the U.S. transport market. But the trend of postwar years is quite plain. In 1947, railroads accounted for 58.5 percent of all U.S. intercity passenger service, but in 1961 it could claim only the estimated 26.4 percent share of this market. Similarly, railroads' 1947 portion of the intercity freight business—excluding coastwise and intercoastal traffic—was 65.3 percent, but in 1961 this had shrunk to the estimated 43.4 percent figure.

Throughout this period of dwindling railroad strength in the transportation market, competing modes which had been the infant enterprises of the 1920's and 1930's were showing sometimes phenomenal growth. In terms of relative share of the intercity ticketed passenger market, airlines were exploding from an insignificant 7.8 percent in 1947 to a full 45 percent in 1961. In intercity freight traffic, trucking grew from a 10 percent share of the 1947 market to an estimated 23 percent of the 1961 market. Inland water carriers' share of this traffic nearly trebled, and pipelines' share nearly doubled.

Among all forms of passenger transportation, of course, the private automobile remained the unchallenged favorite. It has carried upwards of 90 percent of all intercity passengers for the past three decades, and was second only to the commercial airliner in rate of postwar growth as an intercity carrier.

Looking over this picture, the so-called Doyle report—a special transportation study reported to the Senate Commerce Committee early in the last Congress and one of the most comprehensive available surveys of the modern transportation scene—concluded:

> It is clear that the era of the railroad as a dominant monopolistic industry in transportation has long since ended, and that most of the growth of passenger traffic has gone to the private automobile and of freight traffic to other surface carriers.

Mr. Speaker, the statistics which paint this picture of a railroad industry sliding steadily back down the competitive hill are vivid ones. Certainly they should lay at rest any lingering fears of a 20th century railroad monopoly in transportation in the sixties—possibly the one most compelling reason for action to ease the restrictions on some sort of railroad diversification.

The common carrier, backbone of America's concept of Government-regulated but privately owned transportation, is losing out to the private carrier. Industry after industry has turned away from the common carrier because it cannot offer the service the shipper believes he must have to meet his own precise needs. So he contracts privately with a for-hire carrier, or he buys wheels and does his own transportation job.

Evidence of the trend is unmistakable and rarely contested. The Doyle report predicted that by 1975, regulated carriers will represent barely more than 60 percent of all transportation. If the report's projection of postwar private carriage growth proves accurate, "a rapid deterioration of regulated carriage could be expected under the competition of unregulated carriage."

The report said:

> The base of our transportation of freight in the last quarter of the century may be expected to be unregulated private and exempt carriers rather than public carriers if present trends continue.

The report also noted:

> The impact on the railroads as the principal public carrier is much more serious than on public carriage as a whole.

Even after making allowances for short-term factors it said:

> The recent 5-year trend of railroad freight appears to offer substantial cause for alarm.

Under any such long-term decline in public carriage as is forecast, "it is entirely unlikely that private ownership of public carriers could survive," the Doyle report concluded.

I should like to point out here, Mr. Speaker, that impending dominance by private carriage is much more than a vague exercise in transportation academics for me and for every one of my colleagues in this Chamber. When public carriage declines, the big shipper shifts to private contract carriage—or decides to haul his own goods—with relative ease.

But the small shipper often cannot afford this. As public carriers are forced to retrench, the service they can offer the small shipper steadily deteriorates—in convenience and quality as well as in frequency. As do-it-yourself carriage siphons off more and more of the most profitable traffic, the public carrier is forced to charge more for hauling the remainder. Thus it is the small shipper who in turn is forced to pay a higher transportation bill.

How is this fundamental problem to be solved? Certainly not just through tugging and hauling within the transportation industry to see how common carriers are to divide a steadily decreasing share of total traffic among themselves. Rather we must help common carriers find means to retain existing traffic, and to win back business they have lost.

Joint services and rates among the various transport modes has been put forward as one answer. Yet these are of little interest to the private shipper who has purchased barges or trucks or airplanes to handle his own transportation requirements. Private shippers will turn to common carriers only when they are assured of getting the kind of coordinated transportation service they want for less—or at least no more—than the cost of providing it themselves.

The only real answer is to permit the establishment of true transportation companies that can perform service by a variety of modes or combination of modes. And for conclusive evidence of this, need we look any further than at the mushrooming growth in recent years of piggyback service that carries truck trailers by rail or water between their doorstep pickups and deliveries?

The twists and turns which our so-called national transportation policy has taken in fashioning today's chaotic patchwork sometimes is wondrous to behold. With few exceptions—where grandfather clauses have permitted already established, rail-owned trucking companies to continue their operations—our rail carriers are handcuffed in turning to the truck as an alternative transportation vehicle. In general, the railroad today can truck its freight only in supplementing its regular rail service. It is sharply limited to certain key points along its routes, and must truck only freight that was originated with or is destined for rail haul.

Yet, in literally hundreds of these very key points, Mr. Speaker, public tax and transportation policies create this remarkable distortion: The independent trucking company, with no roadbed to build or maintain, pays the key point's municipal government nothing for the highway rights-of-way its trucks roll on, and nothing for the police and fire protection they receive. It pays little or no property taxes; the shippers own and pay local taxes on most of its loading and unloading facilities. And the trucking company thrives.

The railroad, however, pays often excessive property taxes on roadbeds, tracks, yards, and terminals—facilities which it financed entirely with its own private funds. In hundreds of smaller U.S. communities, the railroad is the town or city's largest single taxpayer, and has been for years. Its unenviable tax position, it should be noted here, prompted the Doyle report authors to recommend exemption of common carrier rights-of-way from property taxes—a plan which, whatever its merits, certainly reflects a basic tax problem. And in addition to contending with this, the railroad finds the Federal Government effectively limiting its trucking operations to a virtual neighborhood delivery service, and meanwhile the railroad flounders.

Can even a rich and prosperous Uncle Sam afford to impose on its transportation system so wasteful a handicap? We need look no further than our northern neighbor, Mr. Speaker, to see the benefits of diversification. Both the Government-owned Canadian National Railways and the privately owned Canadian Pacific have been permitted to broaden their transportation services, and both own and operate airliners, ships, and trucks. And when rail revenues sagged so badly in 1960 throughout North America as well as in the United States, Canadian railroads were that much better prepared to adapt to the changing revenue picture and to fit their services to it.

I do not advocate for the present or immediate future any mergers, consolidations, common stock ownerships, or mutual affiliations of railroads and airlines. I peer into the dim periods ahead. If it be for the well-being of airlines and railroads to come together and the public welfare be served and public transportation be bettered and cheapened, then so be it. I emphasize that I do not speak of the present. Railroads are in difficulties and many airlines are not without trouble. Numbers of them seek and have sought surcease of their difficulties by mergers. United absorbed Capital Airlines, American seeks to merge with Eastern Airlines, Colonial was swallowed by Northeastern, Pan American would unite with TWA. I doubt whether marriages of railroads and airlines at present would be successful. The frustrations and embarrassments of both do not and cannot be blended together happily. Two plus two cannot make five. In other words, presently such marriage would be disastrous and end in tragic divorce.

However, whether it be diversification rights, an end to tax inequities or relaxed rate regulation, the record shows that American railroads have asked us not for favored treatment but for fair and equal treatment.

They seek equal rights with their competitors to quote rates that will win them business.

They seek equal tax treatment with other property owners and other forms of transportation so they may be in a financial position to quote more competitive rates.

And they ask elimination of artificial diversification barriers not to invade competitive modes purely for the sake of expansion; rather they seek equal opportunity to offer a varied transportation service which always would be required to meet the basic statutory test of public convenience and necessity.

They seek, Mr. Speaker, equal opportunity to render better service at lower cost to the shipper.

## Hon. Wayne N. Aspinall, of Colorado, Discusses Need for Public Land Law Study

EXTENSION OF REMARKS
OF
HON. RALPH J. RIVERS
OF ALASKA
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 14, 1963*

Mr. RIVERS of Alaska. Mr. Speaker, on December 11, 12, and 13, 1962, the National Association of Counties held a conference on matters relating to grazing, water, and revenue in conjunction with the meeting of the association's western regional district. Many thought-provoking papers were presented.

One of the outstanding presentations was made at a general session by the Honorable WAYNE N. ASPINALL, chairman of the House Committee on Interior and Insular Affairs. Because of the importance of this paper, I bring it to the attention of the Members by setting it forth in full as part of my remarks.

Not only does the message that follows outline some of the important work to be undertaken by your Committee on Interior and Insular Affairs during this Congress, it also sets forth the philosophy and principle underlying the chairman's approach:

### A WESTERN LEGISLATOR VIEWS THE 88TH CONGRESS

(By Hon. WAYNE N. ASPINALL, of Colorado)

The President has said that we are living in climactic times. This is true, not only in the specific areas to which he was referring, but also in the fields of public land law and the development of public land areas with which this western regional district of the National Association of Counties should be, and I think is, vitally concerned.

Actions taken in the 88th Congress that will convene on January 9, 1963, may well shape the future patterns into which western communities will be required to mold themselves for years, and possibly decades, to come. I believe that the development of a revised, revitalized, and possibly brandnew public land policy will be one of the major accomplishments of the Interior and Insular Affairs Committee of the House of Representatives in the next Congress. For my part I intend, within the limits of our physical capabilities, to assign to the Public Lands Subcommittee sufficient time in the months ahead to assure adequate review and study of existing processes and proposed modifications. In this work we shall cooperate with the administration and thoroughly examine any and all proposals that may be submitted for our consideration.

In discussing our physical capability to handle legislation, I would like you to keep in mind a few factual details: In the 87th Congress, 909 pieces of legislation were referred to the House Committee on Interior and Insular Affairs; the full committee met 67 times and the six subcommittees met a total of 283 times in Washington. The 87th Congress was, as we all know, a long one and despite this, although we scheduled meetings every working day until the very end of the session, an equal division of the 283 meetings would have given the six subcommittees approximately 47 meetings each which, at 2 hours each, would provide 94 hours for both hearings and deliberation. (Actually in the 87th Congress the Public Lands Subcommittee, which is the one with which I am most concerned today, met 57 times in Washington.)

Local government and county commissioners should be interested in substantial portions of our work in addition to that of the Subcommittee on Public Lands. The Subcommittee on National Parks, for example, reported favorably in the last Congress, and there were enacted, 12 bills authorizing the establishment of new units of the National Park System of which 3 were major and 9 smaller elements; the Subcommittee on Irrigation and Reclamation passes on projects that have a lasting effect on local affairs; the Subcommittee on Indian Affairs considers legislation involving Indian lands which form such a large portion of the land mass of some of the Western States; and the Subcommittee on Mines and Mining has jurisdiction over the mining and mineral leasing laws as well as mineral resources of the public generally, all of which are of vital and immediate interest to local governments.

The Committee on Interior and Insular Affairs must not only consider legislation referred to it, but, in addition, it has the responsibility for legislative oversight of the Department of the Interior and the exercise of surveillance over the administration of statutes authorizing current activities. The importance of this legislative oversight responsibility can best be judged by a few examples of areas in which we can expect the committee to be active during the next Congress.

The Committee on Interior and Insular Affairs and its staff are keenly aware of the interest of county officials in these various matters. We not only welcome but solicit your views and recommendations. But, remember you and your counties, like everybody else, cannot have your cake and eat it. You cannot pick and choose those instances in which you want the law followed and those instances in which you would rather wink at the law. This is part of the reason that we examine the operation of existing law to determine compliance on the one hand or the need for revision on the other hand.

We know, for example, that there are revenue-sharing formulas that make it inviting in some areas to continue the management of public land areas by either the Forest Service or the Bureau of Land Management, that is management and retention in Federal ownership instead of placing the property in a position where it could be sold even though after sale property developed for private use would be placed on the tax rolls. At this point let us acknowledge that there are important differences between revenue sharing and payments-in-lieu of taxes, and that, particularly where construction has been emplaced, the shared revenue is sometimes paid to a county that has not suffered and may have even benefited from a Federal project.

Many of us have become deeply concerned by the fact that the Bureau of Land Management seems to lose sight at times of the opening sentence of the Taylor Grazing Act which authorizes the Secretary of the Interior to do certain things "in order to promote the highest use of the public lands pending its final disposal." The attempt to designate these public lands as a "national land reserve" implies retention rather than preparation for disposal. In addition we have noted the Bureau's applications for funds to enter the recreation field on a large scale on public lands where the construction of recreation facilities would certainly be inconsistent with plans for the final disposal of the land contemplated by the Taylor Grazing Act. We shall therefore be concerned in the immediate future with a review of the proposed Bureau of Land Management recreation program to see, first, whether it is consistent with existing legislation and, second, to what extent it is proposed to establish duplicate administrative machinery by failing to utilize the services of the National Park Service as a management agency of these new proposed recreation areas.

I am sure you are all aware of the fact that the last Congress enacted a law making it possible to bring certain Federal district court actions outside the District of Columbia against government officials and agencies. Suits can now be brought in the specified instances within the judicial district in which, among other things, real property involved in an action is situated. I supported this legislation and am gratified that after years of effort it has been enacted. However, unless administrative remedies are first exhausted one cannot sustain any law suit. It therefore becomes imperative that we remove roadblocks to administrative consideration of cases as a necessary ingredient of full operation of this new law.

Many of us in the last year have become increasingly concerned with the extensive backlog of appeals before the Director of the Bureau of Land Management and the Secretary of the Interior. We have, accordingly, been pursuing an analysis of present procedures to determine whether the committee should initiate legislation to facilitate consideration of cases on administrative appeal. I am sure you all realize that a 2 to 3 year lag between appeal and decision not only frustrates the individual's rights but can have a direct impact on the availability, use, and development of public lands which are matters of great concern to county commissioners trying to plan ahead.

I do want to acknowledge the efforts made by the Department and the cooperation that has been given to the committee and its staff by the Department of the Interior Solicitor, Mr. Frank Barry, who shares the platform with me this morning. Some progress has been made. However, in a report 2 weeks ago from Assistant Secretary Carver, who informed me of the introduction of new procedures designed to expedite appeals, it was pointed out that the backlog of appeals to the Secretary had been reduced between July 1, and October 1, 1962, from 793 to 726 cases. (At this rate it would still take 2½ years to clear up the existing backlog; but, it is definite progress.)

The Department had been requested to either institute positive procedures to assure reduced appeal time or to recommend to the 88th Congress legislation to accomplish the purpose. But, whether or not the Department makes significant inroads in its current backlog, the committee must look to the long-range program. I hope, therefore, that we will have time to hold hearings looking toward a constructive solution.

Another matter that the committee has been studying in one phase of the operation of the Recreation and Public Purposes Act of 1926. A special Public Lands Subcommittee, at my request, looked into a specific transaction in the adjacent town of Henderson, Nev., where a land area was made available for private recreational use as a so-called public golf course without any formal notification or hearing by Department officials. The examination of this one case led to a general review of the law as it applies to nonpublic bodies and groups; but no hearings could be held because of the lack of time. I understand that the subcommittee is presently completing its report and I expect that this matter will be pursued in the next Congress.

You, as county officials are, I know, very much concerned that public lands be devoted to some use, whether it be recreational or for intensive development and occupancy for residence or business. Our committee has in the last 5 years reviewed all proposed withdrawals over 5,000 acres and considered legislation for those involving defense utilization. In addition to continuing these procedures during the next Congress I have the assurance of Secretary of Agriculture Orville Freeman that the Forest Service will cooperate with us in an effort to enact new-type statutory withdrawals in those instances where it will be possible to protect the public interest while providing for multiple use through a partial withdrawal that cannot be effected administratively.

The principle of multiple use is part of the history of our basic public land policies. Traditional policy, which I vigorouosly support and which I take every opportunity to espouse, has always equated conservation with wise use. What makes our proposed approach different is that we plan to apply this idea of multiple use of tracts of land required for governmental use.

In the past, wherever an agency of Government required the use of a parcel of land, it was withdrawn from appropriation under the public land laws under an express or implied executive authority. As a result of our coordination of proposed withdrawal actions we know now that there are areas in which it will be possible to withdraw the land for surface use but permit subsurface exploration and development. In addition to the National Forests, we have determined that this approach will be feasible in connection with Corps of Engineers reservoir projects.

A partial withdrawal, however, cannot be effected administratively. The general laws do not contemplate that type of action. Accordingly, it will be necessary to consider individual withdrawal bills while, at the same time, the committee studies the practicability of establishing general guidelines to meet the modern requirements.

The obvious reason for the current emphasis on developing new means of assuring multiple use is the growing scarcity of usable land for the various programs, purposes, and uses for which the people of the United States have legitimate demands. Those of us who are familiar with the development of the West know that it could not have taken place without the use of public lands. This city of Las Vegas has grown through the use and development of public lands and their transformation into privately held lands. Likewise, I know that many of your counties rely for your revenues on taxes levied on real property that once was nontaxable because it was public land; and I can see you looking eagerly and hopefully for new additions to the tax rolls.

Here our responsibilites for legislative oversight and for consideration of bills will probably merge again. We know that our land laws generally need modernizing; and, in recent years, recommendations for modification have been made by both the previous Republican administration and the present Democratic administration. Our committee has held hearings on several proposals and heard conflicting views. The bills before the committee last year ranged from the relatively minor proposal to repeal the Pittman Act, which establishes special procedures for land grants for agricultural development in the State of Nevada, to full-scale major revision of the nonmineral public land laws.

As I indicated at the outset, the most important business for the West that I foresee in the 88th Congress will probably see the climax of these and other studies leading toward revision of the basic public land laws. In order to put this projected action in focus I would like to review with you a few salient background factors, including the fundamentals of our land laws.

Article IV, section 3, clause 2 of the U.S. Constitution imposes on Congress the responsibility and authority for the disposal of all Government property. When Congress fails to act it creates a vacuum into which the Executive may—no, I will say must—move to assure effective, efficient management. Congress did fail to enact general legislation designed to govern the use of public lands; and the executive branch has accordingly made its own rules as to which areas should be preserved as wilderness, which areas should be open for disposal, and which areas should be retained for recreational use.

In the consideration of legislation to dispose of reserved minerals, in proposals to make lands available for urban and business development, in bills to set aside wilderness areas, and in the several measures that have been introduced governing the withdrawal and reservation for specialized use of lands in excess of 5,000 acres, the central problem has revolved around the executive-legislative relationship in the management and disposal of our public lands. I submit that this will emerge as the clear-cut issue early in the 88th Congress. I promise you that we will meet this issue squarely and that I, for one, will insist that Congress shall not shirk the responsibility that it has under the Constitution.

This group knows, I am sure, that our committee reported a bill that in effect would have required an act of Congress for most future withdrawals and changes in use designations of public land areas in excess of 5,000 acres; and would also have set aside 6.8 million acres of land for wilderness preservation, with provision for additional areas to be safeguarded in the future. Incidentally, in this bill we adopted an amendment that was so ably recommended by your new president of the western regional district, Jim Stearns, who appeared before the Public Lands Subcommittee in his capacities, at that time, as vice chairman of the district and chairman of the Public Lands Committee of the California County Supervisors Association. The amendment to which I refer, of course, is the one that would require the views of local governments to be obtained before additional areas could be set aside and preserved as wilderness. I congratulate you on having elevated Mr. Stearns to the presidency of this body.

The bill we reported out, which I sponsored as a substitute for the wilderness bill, was, I am pleased to note, received with satisfaction by this organization and its many components including my own State of Colorado county commissioners whose voice, in the person of Fritz Schneider, is heard so clearly. The wilderness preservation advocates did not like the bill and some of the executive departments objected to the proposed limitation on their powers. This opposition was not unique in the recent history of related legislation. Many different proposals have been made in individual areas as well as for general application concerning the guidelines for the future management and disposal of public lands. None has met with universal approval nor has any met with sufficient approval to permit enactment without controversy. Accordingly, on October 15, 1962, I wrote to the President and invited him to use his offices to submit to the Congress when it reconvenes in January an administration proposal for the enactment of legislation to define once and for all the executive-legislative relationship. I have been assured by the White House that this matter is being given serious consideration and I look forward to working with the administration in the 88th Congress to obtain mutually acceptable legislation.

The constitutional provision I cited a moment ago is explicit. Nonetheless, we have areas of misunderstanding. For example, I find some of my good friends in the conservation movement completely missing the point of my objectives in this area in which I have been supported by recent committee actions. First, I hasten to assure you that I know of nobody on our committee motivated by any preconceived conclusion to obtain the use of public lands for any specific purpose.

There is a big difference between evaluating all uses and advocating particular uses. I would like to keep the record straight on a few things: I do not advocate any particular use—as a general proposition—as having any higher priority for allocation of public land areas than any other use; I believe that it is imperative that added areas be set aside for recreational use; I believe that we should preserve some wilderness areas; and finally I think that, after considering all possible uses, it is proper, if found to be in the national interest, that areas of public lands be reserved for limited or even single purpose use.

The important ingredient, that even some of my friends overlook, is that this procedure must place the responsibility for authorizing less than full multiple use in the hands of the Congress, the entity of the Federal Government closest to the people, and therefore most capable of acting as the landlord for the people themselves. In general enactments Congress has repeatedly, in words and substance, provided for the broadest possible multiple use; in specific bills we have set aside national parks for the enjoyment of all the people as recreational havens. We must now move on and either enunciate specific policy guidelines for the executive to carry out, or, in some way, pass on each specific major set-aside of public lands for limited or single purpose use.

The failure of Congress to act has permitted the Executive to set aside within national forests, exclusive of the Minnesota canoe areas, almost 14 million acres of land for wilderness preservation. If we fail to act and the Bureau of Land Management likewise sets aside for preservation of recreational development large units of public domain lands, we shall have no one to blame but ourselves if we later disagree with that action.

The 88th Congress will, I expect, bring these matters into focus for decision. Bearing in mind that the Homestead Act was enacted 100 years ago, the basic mining law 90 years ago, and the Taylor Grazing Act almost 30 years ago, I think we can all agree that the tremendous expansion of the country since the end of World War II requires some modernization of our public land laws. I think it is imperative that county commissioners individually and collectively, through organizations such as this, let us have your views. You, the commissioners, are closest to the people whose areas are being affected. In the final analysis we in Congress must legislate in the overall national interest; but, in doing so, we, at least, will give every consideration possible to local and regional needs before overriding them for the greater good of the greater number.

The only limitation that we will have on the extent to which the Committee delves into these various subjects that I have mentioned, as well as others such as my own bill to permit local taxation of personal property within Federal areas, will be the physical limitations of time. We should devote whatever time is necessary to each of these matters; and yet, as I demonstrated earlier, we will be fortunate if the Public Lands Subcommittee has a total of between 90 and 100 hours in which to consider all of the matters within its jurisdiction.

I hope that these remarks will serve to bring about among you, as well as others, a little better understanding of my own approach and some of our problems. Possibly you will be able to help when someone criticizes us for failing to act more quickly.

## Pensions and Employee Benefits

EXTENSION OF REMARKS

OF

### HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. CURTIS. Mr. Speaker, late last year I had the opportunity of addressing the American Pension Conference in its meeting in New York. At that time I reviewed the work of the 87th Congress in the field of legislative activity in this important area of interest and prospects for further developments in the 88th Congress. I am placing this speech in the CONGRESSIONAL RECORD to indicate the ways in which I believe we can move forward and improve legislation in this area by a better understanding of the economic and political philosophy which lies behind the laws and proposals on pension and employee benefit programs.

The speech follows:

PENDING LEGISLATION IN THE PENSION AND EMPLOYEE BENEFIT AREA

(By Hon. THOMAS B. CURTIS, of Missouri)

I am going to renege somewhat on the title of my address. Actually, there is no pending legislation on any subject once a Congress has adjourned its 2d session sine die, as the 87th Congress finally did on October 13, 1962. However, I shall discuss what legislation might be introduced in the 88th Congress, and I shall refer to four measures passed by the 87th Congress which will have considerable influence in the future on pension and employee benefits. Essentially, however, I would like to discuss some of the economic and political philosophy behind legislation in this area of pension and employee benefits.

The bill passed by the 87th Congress which dealt most directly with pension and employee benefits was the Welfare and Pension Plans Disclosure Act. After a rough road it finally passed the Congress in March of 1962. I am hopeful that those responsible for imposing additional regulations on the pension trustees will bear in mind the primary objectives of pension plans and not burden them with undue costs and strangling redtape. Frankly, I was opposed to this act because I thought the record was quite clear that there had been little abuse and that present law was available to take care of what abuse might exist. On the other hand, we are talking about $50 billion of investment and this fund will continue to increase with great rapidity for many years to come. A great trust has been imposed upon those charged with the care of these funds and, because the Federal Government has given tax-exempt status to payments into these funds the Government has a proper concern to see that the trust is not abused.

I authored a bill which was signed by the President after the Congress adjourned which also directly affects pension funds. My bill, unlike the previous bill, liberalizes rather than restricts pension funds. It permits funds to be accumulated for health benefits and to be included in pension plans without endangering their tax-exempt status, provided such funds are accounted for separately. The Curtis bill, after being passed out of the Ways and Means Committee unanimously, almost met an untimely death because it was heralded publicly by some of the promoters of the King-Anderson bill, which proposed to utilize the Federal social security system to pay for limited medical costs of the aged social security beneficiaries, as legislation in lieu of King-Anderson. Well, there is no question that the Curtis bill will help to alleviate whatever problem exists in older people meeting their medical costs and, to that extent, it cuts down on the political pressures that are, or might be, built up for King-Anderson-type legislation, but it was designed for a positive purpose, not a negative purpose.

I was able to divert the force of this oblique attack, only to run into problems from the promoters of H.R. 10, the Keogh bill, who were reluctant to give further latitude to corporate pension plans until something had been done for the self-employed and professional groups to bring about an equalization. I was in a vulnerable position because, although I was a strong supporter of the equalization principles embodied in the Keogh bill, as far back as the days when it was the Reed-Keogh bill, each time the issue came before the House those in charge of managing it brought it out unbudgeted. It frequently was scheduled as the first budget-busting bill. As a member of the economy bloc, I was not about to bust the budget and, accordingly, I have voted against H.R. 10 in the past on several occasions. However, I was able to persuade the zealots behind the Keogh bill that the budget having been long since badly busted I was not going to stand in the way of the progress of the Keogh bill on these grounds at the tail end of the Congress. Even with these opponents satisfied, the Curtis bill ran into further difficulties. At the end of this last session of Congress I was trying to make a strong stand—largely effective, I am happy to state—against the Senate placing nongermane amendments on the House-passed revenue bills. This resulted in the word being passed back to me that certain powerful Senators would provide a dire fate for the Curtis bill unless I desisted. My response was, "Then woe is me, and woe is my bill, but I will not alter my position." Incidentally, the Curtis bill remained the subject under discussion on the Senate floor for many days as we moved toward adjournment. Indeed, it may have still remained the subject on the Senate floor when the Senate finally adjourned. I have not checked to see. However, the substance of the Curtis bill was tacked on as a nongermane amendment on another House bill which passed and was sent to the President for signature. So, in this oblique fashion, it became law. I suppose this fine bit of irony was employed to teach me not to insist so strongly on the constitutional prerogatives of the House of Representatives. If so, it has been wasted. I am a humorless man.

H.R. 10 became law, as you know. However, it has been so watered down that I am watching with considerable interest to see the extent to which it is going to be used. However, the principle has now been established in the law, and I believe it is quite probable that it will be liberalized in the next session of Congress. Certainly, it will be liberalized in ensuing sessions.

Three pieces of legislation passed the last Congress which should have great impact in the area of employee benefits. The tragedy is that these three new programs are redundant and conflicting, to some degree, with each other. They have not been carefully coordinated with the existing programs established in the Federal-State unemployment insurance system. I am referring to the new laws in respect to employee training and retraining. The act which deals with the subject directly is the Manpower Training Act of 1962. This act, in my judgment, has been long needed and too long in coming. Its primary feature requires the Departments of Labor and Health, Education, and Welfare to report back to the Congress within less than a year the progress made in identifying the problems with concrete recommendations of what can and should be done. Only until we receive these reports will sizable sums of money be spent, but it is my prediction that the reports will demonstrate that it is ideas rather than money which are primarily needed.

The two acts having redundant provisions which will complicate and endanger the proper development of the Manpower Training Act are the Depressed Areas Act, passed in March of 1961, and the Trade Expansion Act, passed in October 1962. However, the Depressed Areas Act fortunately only has a limited ability to damage retraining and the unemployment insurance programs, because it gives only a lick and a promise to retraining and sets its sights primarily on public works spending to solve unemployment. It is a shame to waste money so futilely on public works in the vain hope that this kind of pump priming will solve unemployment but, at least the damage that the Depressed Areas Act can cause is limited mostly to this kind of unthinking extravagance. I wish I could say the same about the trade adjustment provisions of the Trade Expansion Act. Regrettably, this act can create real mischief for both the unemployment insurance programs and the Manpower Training Act. There are real incentives in these provisions to try to establish that one's unemployment came as the result of foreign competition. I would hate to have to administer laws which set up different benefits to unemployed people based, not on the needs or future of the unemployed person, but rather, on what caused his unemployment. What difference does it make in the remedy of what was the cause?

It is my own judgment that we should do a much more effective job of getting manpower training into the Federal-State unemployment insurance system. For example, I have urged that instead of a worker going off unemployment insurance if he is being trained for a skill in demand to replace the obsolete skill he possesses, he should go off unemployment insurance if he does not train or retrain for a skill in demand. Less than 20 States have seen the wisdom of this approach, and there has been little encouragement at the Federal level for the States to take this approach. Furthermore, the States should encourage the employers who will get into this business of retraining for the new skills in demand to replace obsolete skills by giving them credit in experience ratings in the unemployment taxes and direct payments for part of the cost of retraining, if the business finds it is not going to be able to employ the worker in the skill for which he is being retrained.

Perhaps I should explain more clearly what I am talking about. An employer contemplates buying a new set of machinery which will replace, say, 100 workers. He reviews his own demand for skills to see if he can use these employees in other jobs in his employ, but finds that this is impractical. On the other hand, he has, in most cases, considerable flexibility at his command because he knows some months ahead of time what employees and how many will be laid off and that he cannot employ them in other capacities. During this terminal period it is frequently feasible to start training programs for these men in skills which are in demand by other employers. It is not reasonable to expect him to undergo the cost of retraining these employees for skills he will never utilize, but it could be made economically feasible if he received (a) credit on his experience rating for unemployment tax and (b) some of the actual cost for doing the retraining at his plant.

I might state that a great deal of understanding and cooperation is needed on the part of the labor unions to make this kind of forward looking program work. The unfilled jobs in demand are frequently in a field outside the original union's jurisdiction. The union leader is anxious to retain the employee as a dues-paying member in his union, so he encourages featherbedding or starts talking about splitting the work remaining among the same number of employees by advocating a 30-hour week.

While on the subject of unemployment insurance, I want to point out that there is active promotion going on by those who seek to eliminate the present Federal-State system and substitute in its stead a Federal system of uniform Federal standards. This might well become one of the major issues in the 88th Congress. I think the present unemployment system is excellent and only needs modification, not radical change. Aside from the modification I have mentioned of placing a new and greater emphasis on retraining, I would like to see other States follow California's example of triggering into the system extended periods of benefit payments during the cycles of high unemployment. This is good insurance and good social economics, because it takes the energetic employee between jobs somewhat longer to get relocated in a new job during periods of high unemployment than in the three other periods of the economic cycle * * * the period of low unemployment and the two transition periods from low to high and high to low.

Essentially, we must preserve the unemployment system as an insurance system in which the premiums paid relate to the benefits paid. To have a good insurance system, we must have the tax premiums paid based upon experience rating. It is noteworthy that the attack against the present unemployment system by those who want Federal standards is directed against experience rating. The great danger arises from allowing the unemployment insurance program to be confused with welfare programs. Most of the arguments advanced attacking the unemployment insurance program are based upon arguments that relate to welfare programs.

However, one of the important ways to preserve a good unemployment insurance program is to be certain that it is backstopped by, but not confused with, a good welfare program. Employers themselves often think of unemployment insurance as welfare. They are wrong for two reasons. They support, instead of contest, the basic thesis of those who wish to convert it into a welfare program. They don't keep their eyes on those programs which really are welfare programs and take an interest as taxpayers, more than employers, in being certain that the welfare programs are adequate.

To maintain politically the position that I take, I must be able to say with truth that when unemployment insurance benefits run out we are not talking about leaving a worker and his family destitute. We are only talking about the system under which he derives his income, insurance, or welfare.

So, in the last Congress we modified and, I believe, strengthened the welfare programs under the Social Security Act and so strengthened the unemployment insurance program. In the true sense of the word we liberalized these essentially illiberal programs by giving the States and local governmental units more authority in setting up their ideas of what welfare programs they wished and forbade the Federal officials from interfering with these local decisions.

The next Congress will undoubtedly see further pressure to extend the social insurance aspect of the Social Security Act to include payments for some health costs for the aged. I see two basic errors in so doing. One, this proposal radically alters the theory of social insurance which is an advancement over old-age assistance and previous welfare programs.

Parenthetically, I must stress that social insurance is not true insurance in the sense that the unemployment insurance program is or in the sense of private insurance. Social insurance does not relate benefits paid to the individual to the premiums paid in taxes by or in behalf of the individual. Social insurance is not fully funded. Social insurance is really an attempt to make welfare more like true insurance. To this extent, I think it is good, provided it is not done deceitfully. I must say there is much deceit, intentional or otherwise, in our social insurance program under the Social Security Act. The true advancement of social insurance over old-age assistance was the fact that cash was given to the beneficiary, unbudgeted by a governmental bureau. The administration proposals to add health benefits under the social insurance title of the Social Security Act do not provide for cash payments to the beneficiary. Instead, it provides a budget for a limited number of health costs and requires that the Federal Social Security Administration enter into contracts with the vendors of health services in respect to their fees and the kind of health services they may provide for the older person. Under the King-Anderson bill the bundle of health service amounts to less than 25 percent of the average health costs an older person experiences. If the old people on social insurance pensions need more cash to meet their total budget, why not give them more cash, not give them cash for all items but one and budget them on this one item—health costs?

The second basic error of the King-Anderson approach is that it seeks to establish a system of prepaid health costs for the future. For the present, all people over 65 are given the benefits without paying a cent into the program. In other words, the political appeal for the social insurance health program is not insurance at all, social or otherwise, but welfare. The insurance aspect, such as it is, is only in the future.

Prepaid noncancelable health insurance is the proper and ultimate answer to the cost problem of the aged for health care. This is the essence of the Curtis bill. It permits company pension plans to move into the field of prepaid health insurance. It is the coming thing in private health insurance, group or individual policies. Why then do I regard it an error for government to get into prepaid health insurance? Here is the reason. Any insurance system which provides prepayment requires creating a fund and the longer the period of benefits is from the payments, the greater the fund. In order to make the costs of any prepayment program as low as possible, the fund must be wisely and productively invested. Government can only invest in sterile and low-return investment, Government bonds—bonds which were sold to finance in the main military and related expenditures, not expenditures on economic growth. On the other hand, private pension plans, private prepayment insurance programs can and do invest their funds in the productive and growing economy—into plants, into machinery, into training manpower. These funds bring true economic return on the investment. The earnings are greater than those derived from Government bonds. It is the wise investment of these funds which makes prepaid health insurance economically feasible and keeps the premiums within the budget of the average American family. Furthermore, there is some opportunity through judicious equity investments to hedge against inflation.

## Freedom and Union Publication

EXTENSION OF REMARKS

OF

### HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. LINDSAY. Mr. Speaker, I am pleased to insert in the CONGRESSIONAL RECORD a copy of an article that appeared in a publication entitled, "Freedom and Union," edited by Clarence Streit. The article concerns the splendid election victory of our colleague Representative, PAUL FINDLEY, of the 20th Congressional District of Illinois.

It will be seen that Streit bases his article around PAUL FINDLEY's superb speech on the subject of World Federation. The title of the gentleman from Illinois [Mr. FINDLEY] address is "America's Greatest Invention—and How Best To Use it Now." Its theme is that the United States made a contribution to the world when it fashioned a Federal Union plan for government as embodied in the U.S. Constitution. Why should not, then, this concept be applied to world unity?

Full text of the gentleman from Illinois, PAUL FINDLEY's, speech is attached along with the introductory article that appeared in the magazine, Freedom and Union:

CONSERVATIVE FINDLEY WINS CRUCIAL SEAT IN CONGRESS, BACKING ATLANTIC FEDERATION

With Atlantic federation as the most distinguish plank in his platform, PAUL FINDLEY, a freshman Republican Congressman, roundly defeated on November 6 Peter Mack, liberal Democrat, who had the advantage of having served seven terms in Congress. Mr. FINDLEY won by a majority of 10,871, in a total vote of 190,209. His victory is the more significant since it came in the heart of the Middle West, in the 20th District of Illinois.

Before the election, Robert C. Albright, political correspondent of the Washington Post, made a special visit to this district. In a column-long report his paper published November 5, he said this was "1 of the 12 House contests that the two political parties consider crucial." Mr. Albright explained:

"Representative Peter Mack, 46, the Democratic loner with the Houdini flair for winning in gerrymandered congressional districts is walled in again but he hopes not for long. In 1952 he confounded Republicans and his own machine leaders by escaping from a similar reapportionment lockup. The big question is: Can he duplicate that difficult feat in Tuesday's election?

"Representative PAUL FINDLEY, 41, a deeply conservative Republican freshman, was thrown into the same district with the Kennedy-endorsed Mack by the Illinois Legislature. The two are grappling for holds in one of the tightest of off-year races. Some say it could be decided by less than 1,000 votes. The statistics narrowly favor Mack's Republican opponent, as they did in 1952 when the dextrous Democratic independent bucked the Eisenhower landslide to hold on to his seat. * * * The 14 counties now comprising the new Mack-Findley (20th) district went 51.6 percent Republican in 1960."

That Mr. Findley's victory was not due to gerrymandering would seem evident from the fact that he gained 53 percent of the votes and a majority 10 times greater than the experts had expected. Moreover, President Kennedy had gone out of his way to endorse Mr. Mack, to quote the Albright report.

"At the Illinois State Fair Colosseum in Springfield, Mr. Kennedy singled Mack out from his colleagues. 'I'd like to have him stand up,' the President said. 'He is a great Congressman.'

"Findley said he was delighted the President had plumped for Mack. 'It helped identify Mack as a New Frontiersman,' said Findley. 'He's been trying to dodge it. Now everyone knows.'

"Findley, rated by some as 'to the right of Goldwater,' goodnaturedly denies it. 'I'd class myself somewhere between Goldwater and Senator Everett Dirksen,' he said. In fact, he is one of the few Republicans able to produce letters from both Goldwater and Gov. Nelson A. Rockefeller, strongly endorsing his candidacy.

"Findley goes along with some of Rockefeller's foreign policy views, including his belief in a Federation of Western Nations. He said as a youth he won a prize for an essay contest on an almost identical theme. The contest was sponsored by Clarence Streit.

"Findley makes no bones about differing with Rockefeller's domestic views, however. He takes pride in his 100 percent rating with the conservative Americans for Constitutional Action."

The essay contest referred to was one sponsored by the Federal Union Association about 1940, the prize being a trip to Washington and lunch with Mr. Streit at the National Press Club. Mr. Findley was then one of the organization's collegiate Student Federalists. When the association founded Freedom and Union in 1946, Mr. Findley, back from the Guam invasion, was assistant editor through its first year. He left to become publisher and editor of the Pike County Republican in Pittsfield, Ill., and later acquired another weekly. He graduated from Illinois College a Phi Beta Kappa, and married his charming wife, née Lucille Gemme, while on the staff of this magazine. They have two children, Craig and Diane.

Congressman Findley is, so far as we know, the only candidate for either House of Congress who made Atlantic Federal Union a feature of his campaign. Like Governor Rockefeller, he not only shares a widespread view that it is right but he—unlike timid politicians—believed there were votes in it. He seems to have proved it. For he won a resounding victory in what the experts deemed the hardest kind of district in which to test this belief, while Governor Rockefeller, who, after making a bold stand for federation in February, did not speak of it in his campaign because his advisers urged it was not a State issue, was reelected with a smaller majority than before.

We reprint below Congressman Findley's opening speech on Atlantic Federal Union which he delivered at Carthage College in his district September 28, to show the way in which he stepped forward "where devils feared to tread."

"In television statements late in the campaign," Mr. Findley said, in response to a question on whether he supported the U.N., "I have always believed in the U.N. I want it to continue to function. It has performed valuable services in the past and can do so in the future. It is primarily a meeting place for representatives of sovereign nations, and affords a mechanism through which member nations can carry forward projects over which there is little controversy.

"I do object to efforts being made by some groups to transform the U.N. into some sort of world government. Such an effort would surely destroy the U.N. My suggestion is to permit the U.N. to continue to provide the limited but valuable function as a meeting place.

"I do strongly recommend, however, that a new unity—indeed an organic union—be formed among the U.N. members that have demonstrated over a period of years their ability to govern themselves and protect individual liberty. These would be the United States, British Commonwealth nations, France, the Low Countries, and a few others. Such a union would be the greatest possible step forward in the cause of liberty, and the best possible news for the U.S. taxpayer. The cost of armament and space activities would be shared with millions of others. I also referred briefly to the Federal Union idea in several other brief appearances on television.

"I kept this up through my final TV broadcast. Mr. Mack never challenged me on this issue. I don't believe I had even one murmur of criticism on this issue. Which is astonishing. But I learned my lesson before the campaign when I made a speech in favor of Atlantic Federal Union at a DAR meeting in my district and found that, when they understood the proposal, none of them expressed any opposition."

The only part of Representative Findley's Carthage speech which he gave in his press release on it was the lesson he drew from U.S. history at the end, which we have put in boldface type. His full speech follows.—Editors.

### AMERICA'S GREATEST INVENTION—AND HOW BEST TO USE IT NOW

(By Congressman Paul Findley, Republican, of Illinois)

"Have you ever considered this question: What was America's greatest invention?

"Was it Alexander Graham Bell's telephone, which opened a new era in communications?

"Was it Thomas A. Edison's electric light, which turned a world of flickering nighttime into one in which night can be as brilliant as day?

"Was it the Wright brothers' airplane, which gave mankind wings, for good and for ill?

"Was it Henry Ford's assembly line which led to mass production and a sharply rising standard of living?

"Was it atomic energy, which ushered in an age that is now only beginning to unfold?

"Each has a claim to greatness. Each is uniquely American. Each has contributed immensely to progress. Which would you choose?

"My choice may surprise you. It is none of these. My choice is nothing more tangible than a manuscript, and yet it has become the most vital force for freedom and progress history has known. It is uniquely an American invention. It is the Federal Union plan for Government as embodied in the U.S. Constitution.

"The laboratory where Federal Union was created was Independence Hall in Philadelphia. The year was 1787. In the same Hall 11 years earlier had been signed the Declaration of Independence, the vital spark that was to ignite this torch of freedom.

"The inventors were farmers, professors, businessmen, lawyers—39 men representing 12 American States.

"In 3 months they created the Federal Union idea, an accomplishment which historian John Fiske called 'the Iliad, the Parthenon, the fifth symphony of statesmanship.'

"You have all seen Christy's massive painting of the signing of the Constitution. It shows a room filled with distinguished bewigged gentlemen. At the speaker's desk with austere bearing is George Washington. One has the feeling that here were the beloved statesmen of the colonies commissioned by a grateful people to fashion a new government, now that the British yoke had been lifted. It is an illusion of peace, unity, good feeling, solidarity, confidence, and high purpose, untainted by usual human frailties.

"The true picture was one of disunity, open warfare between States, rebellion within States, bitterness and sectional strife, and, in Independence Hall itself, a constant struggle between lofty purpose and provincialism, between freedom and slavery. The American States were on the verge of anarchy.

"The Central Government—the 'League of Friendship' organized under the Articles of Confederation—was weak, nearly bankrupt and without support abroad.

"The league was unable to meet its own current expenses and too weak to enforce payment of debts, public or private.

"The league was so weak foreign governments refused to enter into agreements. Barbary Coast pirates were seizing American ships and American citizens. The league was too poor to build a navy, and too poor to buy off the pirates.

"The States erected a maze of foolish discriminatory tariff walls among themselves. New York levied a high import duty on Connecticut firewood, for example, so Connecticut voted to forbid all trade with New York.

"Connecticut and Pennsylvania quarreled over a river valley. One winter and spring was especially rough on the valley. Floods, ice floes, and storm were almost devastating. Under the pretext of helping the population of Connecticut 'Yankees,' Pennsylvania sent militia into the area. Their conduct would have disgraced barbarians. They stole and plundered, naturally got violence in return. On one occasion, the militia emptied a Connecticut town of 500 people, burned the homes and at bayonet point forced the inhabitants, children and all, into the wilderness.

"Currency collapsed in most of the States, and efforts to establish fiat paper currency led to rebellion, a new high in bitterness, hatred. The only sound currency was a meager and assorted supply of foreign coins, called specie. Clipping of coins was so common, many people carried scales with them to verify weight of gold coins before accepting them.

"In Rhode Island, money-hungry citizens forced the legislature to issue paper money, even though it was doomed to failure. Realizing there was no public confidence in paper money, merchants refused to accept it at the same value as hard money, or specie. Laws were passed providing fines or imprisonment for refusing to accept paper money at the same value as hard money. Rather than go to prison, merchants shut up shop.

"In defiance of the merchants, farmers dumped their produce, burned corn for fuel, and tried to starve city people into accepting paper money at face value. All trade, except on a barter basis, stopped. In 6 months, paper money dropped in exchange value from $1 to 16 cents. There was virtually no money to pay debts, and imprisonment for debt became commonplace.

"In Massachusetts, a mob angry over the collapse, of that State's currency, took it out on established authority. The mob stormed the courts and forced the State supreme court to leave town. Rebels seized leading citizens as hostages in other communities.

**"Such was the American mood in 1787, on the eve of America's greatest invention.**

"An impotent Central Government, unable to defend American rights abroad, or to make foreign agreement, unable to meet its own expenses.

"Bloody warfare between States, and rebellion within States. A maze of tariff walls separating one State from another.

"Looming anarchy because of the collapse of currency.

"Jealousy, hatred, chaos, rebellion, anarchy.

"What was the mood of delegates at Independence Hall? The mood was despair. A year earlier a Convention had been called for the purpose of strengthening the Central Government. The Convention ended before it began, because only five States sent delegates.

"The Second Convention was called to meet in Independence Hall on May 14. There was very little interest in it among the State governments. Indeed, New York thought so little of it that that State did not send its best men as delegates. John Jay, who could have added strength to the Convention, was left at home.

"The one fact which added hope to this Second Convention was the news that General Washington was to be in the Virginia delegation.

"Washington arrived at Independence Hall on schedule. So did a few other delegates. They had to wait 11 days before delegates from the seventh State arrived, providing a quorum. Before the Convention was concluded, 12 States participated. Rhode Island never did send delegates.

"The night before the Convention was to have its opening session, some of the delegates were gathered before the fireplace, 'shooting the breeze.' The Convention was called for the purpose simply of revising the Articles of Confederation, and several delegates warned that the country was in no mood for any radical changes in the Central Government. It would be better for the Convention to deal with mild changes, and avoid anything very sweeping.

"Washington could not bear this talk in silence. He rose and delivered his shortest and one of his greatest speeches. He said, 'It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If, to please, we offer what we ourselves disapprove, how can we afterward defend our work?'

"Perhaps thinking of the border warfare, the low estate to which America had fallen in the eyes of the world, the rebellion in Massachusetts and the crying need for a strong Central Government, Washington added: 'Let us raise a standard to which the wise and honest can repair. The event is in the hand of God.'

"But in the Convention, the outlook fell from bad to worse. Big States vied with little States. Southern interests opposed New England. The longer the delegates debated, the more remote seemed agreement.

"After 6 weeks, Washington wrote a note to Alexander Hamilton, who had left the Convention for business in New York. In the note Washington said, 'I almost despair seeing a favorable issue to the proceedings and do therefore repent having had any agency in the business.'

"At a critical moment when the Convention appeared to be on the verge of collapse, Ben Franklin had this to say:

" 'In this situation of this assembly, groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understandings? In the beginning of the contest with Great Britain when we were sensible of danger, we had daily prayer in this room for the divine protection. Our prayers, sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor. To that kind providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity, and have we now forgotten that powerful friend? Or do we imagine that we no longer need His assistance?

" 'I have lived a long time and the longer I live the more convincing proofs I see of this truth: that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings that "except the Lord build the house, they labor in vain that build it." I firmly believe this; and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel: we shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and byword down to future ages. And what is worse, mankind may hereafter from this unfortunate instance, despair of establishing governments by human wisdom and leave it to chance, war, and conquest.

" 'I therefore beg leave to move—that henceforth prayers imploring the assistance of Heaven, and its blessing on our deliberations, be heard in this assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service.'

"Tempers were snapping. Angry words were heard. Delegations threatened to go home. But out of desperation and adversity, one by one, were hammered out the great principles which formed America's greatest invention.

"The United States was to be a union of people, not a union of States. The citizen was to be the sovereign power, and he was to have dual citizenship, being a citizen of a State and a citizen of the Nation.

"The Central Government was to have strictly limited powers, with a balance of these powers among the two Houses of Congress—the executive and the judiciary.

"Senators and Congressmen were to vote individually and not by State blocs. This permitted a vigorous party system to develop in the United States.

"States were to have equal representation in the Senate, and Congressmen were to be chosen on the basis of population. This was the result of compromise, and the agreement was reached only after long dispute.

"Laws and treaties of the Central Government were to be supreme.

"Free trade was to be established throughout the area of the Union. It was the first time a group of sovereign States had agreed to abolish all tariffs. This act made possible America's tremendous economic growth and our sharply rising standard of living.

"But it was a gain not without cost. The price paid for free trade and for the right of the Central Government to control foreign commerce was a grisly deal that later was to haunt the United States.

"Involved was the problem of the slave trade. Ten of the twelve States—including Virginia—favored stopping import of slaves, and many freely predicted that slavery would soon be abolished.

"Only South Carolina and Georgia resisted. There, rice was the principal crop, and the death rate in the sickly rice swamps was so high, the planters needed a steady supply of new slaves to replace those who died.

"So a compromise provided that import of slaves could not be halted for another 20 years. By that time, the cotton gin had changed the principal crop of the South to cotton, and a new expanding demand for slaves was created.

"It is ironic that much of the opposition to the deal was from Virginia, soon to become a center of slave activity. George Mason was so incensed that he refused to sign the Constitution, despite Washington's fervent appeal for unity. Said Mason, 'I would sooner chop off my right hand than put it to the Constitution as it stands.'

"Yet, without this and other compromises, the Federal Union would not have been created in the summer of 1787. America would likely have gone the way of Europe with numerous small warring states. Instead of one war on a great moral issue, there would have probably been several wars on petty issues.

"But for this slave deal, a mighty force for freedom might never have been created.

"And who is to say it was a wrong compromise?

"America's greatest invention was a creature of compromise from start to finish, and yet the invention created a strong central government, and protected the liberty of citizens and retained the authority of the States.

"William Gladstone said the U.S. Constitution was the greatest work ever struck off by the mind of man.

"Considering the obstacles, the rivalries, open warfare, suspicion among the States, it is all the more remarkable that the Convention of 1787 should have produced this fifth symphony of statesmanship. As Washington had predicted, the event was in the hand of God.

"Surely a power greater than man contrived to resolve the antagonisms of the day and to inspire those 39 men to create in this greatest of all American inventions a shield for liberty that would survive the test of time and become an example for others to follow.

"Here, indeed, was raised a standard to which the wise and honest can repair—in 1787—and in 1962. How fully we understand and appreciate this great charter will determine in large measure how well we fulfill our stewardship in keeping high the torch of freedom.

"The great historian of this period, John Fiske, concluding his study entitled 'The Critical Period of American History,' had this to say: 'In some future, still grander convention, we trust the same thing will be done between States that have been wholly sovereign, whereby peace may gain and violence be diminished over other lands than this which has set the example.'

"Fiske wrote these words 80 years ago. And today leaders in both political parties speak hopefully and confidently of this still grander convention Fiske foretold. As Longfellow wrote:

> " 'Sail on, O ship of state.
> Sail on, Union strong and free.
> Humanity in all its fears
> In all its hopes for future years
> Hangs breathless on thy fate.'

"What is the lesson for us now? The United States should take the lead in sponsoring a convention of delegates to take up the proposal, just as delegates met 175 years ago in Philadelphia to construct the American Federal Union. The barriers which keep the free nations from uniting today are no more formidable than those which separated the Original Thirteen States in 1787.

"I would limit union to nations which have demonstrated over the years capacity for self-government and protection of individual rights, and a willingness to stand up and fight for freedom.

"This federation would lighten for U.S. taxpayers the crushing burden of the arms race, make impossible for Khrushchev and future dictators the ancient game of divide-and-conquer, and offer untold opportunities for material progress.

"It would be the most impressive action possible to meet the Communist threat, and might well usher in a millenium of peace.

> "It would not replace the U.N. but would create a new union of some of the nations now in the U.N. The U.N. is essentially a meetingplace for representatives of sovereign nations. It is valuable as such, and should be kept alive. The U.N. is not capable of meeting the Communist threat, and in my opinion it is unwise to give the U.N. the powers of government.
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> "In recent weeks President Kennedy, Governor Rockefeller, and former President Hoover have each spoken of the need for a new unity of free nations. Certainly there could not be an hour of greater need."

## Fine Accomplishments of the U.S. Air Force Academy

EXTENSION OF REMARKS

OF

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of my colleagues in the Congress, and the American people, the facts and figures on the amazing success of our U.S. Air Force Academy. As Congressman from the 27th District of Pennsylvania, it has been a high privilege and deep responsibility to appoint 12 young men to this fine Academy. Here is the evidence of the Air Force Academy's highly commendable accomplishments.

Six Rhodes scholarships have been awarded to members of the five graduating classes including the current class of June 1963. This places the Air Force Academy among the top four colleges and universities of the United States in the percentage of graduates so honored. In addition to Rhodes scholars, many have gone on to university and college graduate schools throughout the country and have done exceedingly well. For example, among the members of the class of 1959 who went to graduate schools, three won top honors at Massachusetts Institute of Technology, California Institute of Technology, and Princeton, majoring in astronautics, aeronautics, and political science, respectively. One of these young lieutenants had the distinction of being chosen an all-America football player during his undergraduate days.

Academic success has been remarkable as attested by the scores achieved by cadets on the graduate record examination in comparison with those of graduating students at 231 representative colleges and universities throughout the country. The class of 1962 ranked No. 1 in the social science area among the 231 schools, and the classes of 1959, 1960, and 1961 were second. This certainly broadens the popular conception of the military mind.

Brig. Gen. Robert F. McDermott, dean of faculty, describes the curriculum this way:

> Half our courses are in the social sciences. It may appear surprising that a service considered highly technical does not give more emphasis to science and engineering courses. But we're not producing engineers. The cadet here receives a broad liberal education and a good knowledge of the sciences applicable to his service, which means aeronautics, astronautics, nuclear physics, and electronics.
>
> We think our graduate's cultural attainments will command respect not only for himself, but for the Air Force and the country. Most important of all, his judgment should be tempered by an understanding of humanity—this is the sort of judgment the world demands of one entrusted with the means for its destruction.

In the area of natural sciences, the classes of 1959, 1960, and 1961 ranked second among the above-mentioned 231 representative colleges and universities. Such achievements contributed to the Air Force Academy receiving academic accreditation as an institution of higher learning by the North Central Association of Colleges and Secondary Schools even before it graduated its first class in 1959.

The Air Force Academy cadet graduates as a second lieutenant and bachelor of science on completing a 4-year program of academics, military training, and physical training which totals 189¼ semester credit hours. This compares favorably with the 140 to 145 semester hours required in the Nation's engineering schools and 120 to 130 hours at the average liberal arts college.

The Academy curriculum is equally divided between basic and applied sciences on the one hand and the social sciences and humanities on the other. Building on the experience of the other U.S. service academies, foreign academies, such as the English and French air academies, and civilian colleges and universities the Air Force has developed and continues to evolve a curriculum best suited for young men who will spend their lives serving the Nation primarily through the application of aerospace power. In doing so, the Air Force Academy was the first undergraduate school in the Nation to establish a Department of Astronautics—space vehicles and environment.

A program of elective enrichment courses was developed at the Air Force Academy soon after its founding. The cadet can take advanced and graduate level courses in addition to the required curriculum. Cadets entering with previous college work or who volunteer to take courses in addition to the set curriculum may range far beyond the required program. The Air Force Academy encourages its cadets to advance academically as far and as fast as their talents and interests permit. This program is one of the primary reasons for the outstanding scores attained in national graduate placement examinations. The Air Force Academy was the first of the service academies to institute an enrichment program beyond its prescribed curriculum.

Over 50 percent of the cadets have participated in the enrichment program. As a result, 25 percent of the graduates have earned majors in one or more of four areas: basic sciences—including physics, mathematics, and chemistry; engineering science—with options in aeronautical and electrical engineering; military management; and international affairs. Normally, service academy graduates receive only a bachelor of science degree without a major.

The Engineering Council for Professional Development recently authorized the Air Force Academy to award engineering degrees. This accreditation of the Academy is a result of the enrichment program of elective studies. About 80 cadets, or 16 percent, of the next graduating class will fulfill requirements to graduate with the degree of bachelor of science in engineering sciences. The Air Force Academy is the first of the national service academies to receive this accreditation.

The enrichment program also permitted the Air Force Academy to pioneer among the service academies in developing graduate level courses. Cadets who take this advanced work can, after graduation, complete graduate programs in astronautics or international affairs at civilian universities and receive their master's degrees within 7 months.

The Air Force Academy has accomplished much in a remarkably short time. There are several reasons for this. The Academy selected the best from the older service academies, foreign academies, and civilian colleges and universities and added many progressive new practices. Maj. Gen. James E. Briggs, the second Academy Superintendent, said:

> Being new has its advantages. Nothing binds us to the past. That goes for customs that may have outlived their usefulness and it certainly goes for teaching methods and curriculum.

Equally important has been the support given by Air Force Headquarters and the Chief of Staff, Gen. Curtis E. LeMay, who insists that top priority be given to the assignment of instructor and administrative personnel for the Air Force Academy. This is good judgment and broad vision for the future.

Of the Academy's all-military faculty, 21.6 percent have doctorates and the remainder master's degrees, placing the Air Force Academy faculty first among the service academies in academic qualifications. Instructing at the Academy is a job which is very popular within the Air Force, and over 4,000 applications from qualified officers are on file.

The military program is equally as important as the academic program. It is woven throughout the entire 4 years of the cadet's career. The young man is molded into an officer willing and able to accept responsibility for leading and directing a military team in peace or war. Cadets are given increased privileges and responsibilities as they advance through their 4 years at the Academy. Seniors are given the responsibility for the basic summer training of the new members of the cadet wing. Under a newly instituted system of fourth class—freshmen—training, emphasis is placed upon leadership by example and training without harassment. Upper classmen must train, encourage, and exercise positive leadership rather than prejudge or degrade. All disciplinary and training must have a definite purpose. As a result, the military program is more challenging and objective and has significantly reduced fourth class losses.

Flight training at the Air Force Academy includes indoctrination in flying and navigation. Those who choose to earn their wings must go through 13 months of flight training after graduation. Approximately 90 percent of the first four classes have gone on to pilot or navigation training. Academy graduates who have gone to flying training have done exceptionally well. Whereas the overall elimination rate for flying trainees is approximately 30 percent, Academy graduates who go through flying training have had but half that attrition rate.

Military training motivation was revealed last summer when 85 of the cadets gave up their leave to enroll in paratroop training at Fort Benning. No cadets were eliminated and 1 cadet was first in the total class of 700.

The third lieutenant program is another important element of military training. Each senior cadet gets a short tour of summer duty with an Air Force unit so as to gain firsthand familiarity with the work and environment and problems he will face following graduation.

The honor code is one of the most dynamic features of life at the Air Force Academy and is the foundation of all programs and activities. It is:

> We will not lie, cheat, or steal, nor tolerate among us those who do.

To this code all cadets pledge themselves without reservation and live religiously by it.

The athletic program, along with the academic and military training programs, plays an important part in the development of a well-rounded Air Force officer. On the playing field, the cadet develops self-confidence, aggressiveness, courage, leadership, and the will to win. Each must compete in 14 sports—football, field hockey, soccer, cross country, boxing, handball, squash, wrestling, water polo, lacrosse, rugby, swimming, basketball, and judo. He must participate as a member of an intercollegiate or intramural team. Many of the 2 million visitors to the Academy last year viewed the intercollegiate athletic program in which the cadets won 66 percent of their contests. The Academy fields intercollegiate teams in 15 sports. Last year its new 40,000-seat football stadium was dedicated, a gift from the Air Force Academy Foundation, a private organization of civic, business, and Government leaders who deserve a great deal of credit. Funds for the stadium were voluntarily contributed to the foundation from private sources and by individual members of the Air Force. The Academy is extremely fortunate to have such support.

Extracurricular activities at the Air Force Academy are similar to those of civilian institutions. There are cadet clubs devoted to languages, cameras, debating, mountaineering, and geography. Cultural activities of all kinds are encouraged. Religious and devotional facilities are excellent and the chapels are extremely well attended. During the Academy's first year, cadets took over Sunday school classes for children of base personnel. More than 100 men volunteered, making it, in the words of one chaplain, "the only Sunday school with more teachers than pupils."

We have in the U.S. Air Force Academy an excellent, intelligently planned, and well-run institution of which we can be justly proud. In its short life it has excelled remarkably in the academic, military, and athletic areas. Because of its accomplishments and its dedication to prepare young men for a career of service to our Nation, the Air Force Academy is deserving of our fullest support, respect, and esteem.

Congratulations to the U.S. Air Force, and to our U.S. taxpayers on the success of the Air Force Academy, and a hearty pat on the back to the present cadet corps, the graduates, and the teaching staff for dedication and topflight results.

To ambitious young men in our high schools and secondary schools in America, if you want a really high-level education with a promising future, look up to the U.S. Air Force Academy.

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## Congressional Travel

EXTENSION OF REMARKS

OF

### HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 14, 1963*

Mr. LINDSAY. Mr. Speaker, I am delighted to see that the House Rules Committee is taking steps to institute urgently needed reforms in the business of congressional travel.

I strongly believe that Members of the House and Senate should educate themselves on world problems, problems which we often tend to judge with little knowledge of overall global conditions and international pressures. It is healthy for Members to be continually confronted by the other man's point of view. Proper travel under proper circumstances can, therefore, be a definite aid to the Member in discharging his responsibilities and such travel is to be encouraged. However, it would more than strain my imagination to justify some of the trips made by Members of Congress, trips which neither promote the Members' understanding of world affairs nor contribute to the American legislative process. And we are all aware that some of the worst abuses of the Congress transpire in the use of counterpart funds by Members traveling abroad.

Hence, there is a need for the firm tightening of the rules and procedures concerning congressional travel. The least of these reforms should be an accurate and complete public accounting of all expenditures including both those itemized in travel vouchers and those taken from counterpart funds. Experiencing once again how the flagrant abuses of the few reflect upon the conscientious actions of the many, we should all recognize the need of exercising self-discipline and of establishing a code of ethics. This we owe to the public and to ourselves.

## West Virginians Gather for Emancipation Proclamation Centennial Anniversary Banquet in Charleston—Governor Barron, Other Leaders Speak

EXTENSION OF REMARKS

OF

### HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

*Monday, January 14, 1963*

Mr. RANDOLPH. Mr. President, the citizens of West Virginia have long been justly proud of their State's record in the area of civil rights and human relations. Our aims have ever been to recognize the worth and dignity of the individual and toward securing for one and all equal rights and responsibilities under the law.

In keeping with these traditions, a banquet was held at the First Baptist Church, of Charleston, W. Va., on Friday, January 4, 1963, as a part of the yearlong observances of the 100th anniversary of the Emancipation Proclamation. A large and distinguished audience gathered for this meaningful program. West Virginia's Governor, the Honorable William Wallace Barron, spoke of the State's commendable record in school desegregation and equal employment opportunity.

Also speaking to those assembled were former Governor Cecil H. Underwood, and the executive secretary of the National Association for the Advancement of Colored People, Roy Wilkins. The latter told of legislative goals and stressed national problems.

Instrumental in the success of this observance was Rev. C. Anderson Davis, chairman of the West Virginia Emancipation Proclamation Committee. Dr. Davis and his coworkers are to be commended for their energetic efforts in bringing about this memorable evening.

Mr. President, originally scheduled to take part, I was necessarily absent due to the passing of our late colleague, the Honorable Robert S. Kerr, at whose funeral I served as a member of the official Senate delegation.

I ask unanimous consent that an article appearing in the Charleston Gazette of January 5, reporting on the Emancipation Proclamation Centennial anniversary banquet be printed in the RECORD, along with excerpts from my own message prepared for delivery on that occasion.

There being no objection, the article and excerpts were ordered to be printed in the RECORD, as follows:

[From the Charleston (W. Va.) Gazette, Jan. 5, 1963]

IN RACE RELATIONS: BARRON CITES STATE HARMONY

Governor Barron said Friday that "West Virginia is a prime example of the harmony that can be achieved" when race relations are handled in an atmosphere of mutual trust.

Speaking in Charleston, Barron said the State firmly believes in the principle that "all men are born free and each is deserving in his own right of an opportunity equal to that of any other person."

Barron spoke at a dinner in the First Baptist Church which was held as part of observances of the 100th anniversary of the Emancipation Proclamation.

Other speakers were Roy Wilkins, executive secretary for the National Association for the Advancement of Colored People, and former Governor Cecil Underwood.

Senator JENNINGS RANDOLPH, originally scheduled to appear, was unable to attend because he was a member of a Senate delegation at the funeral of Senator Robert Kerr in Oklahoma. Excerpts from his prepared text were read.

Barron said the State is particularly proud of "our fine record in the desegregation of schools," and that the total number of Negroes working in State government probably is at an all time high.

In his prepared remarks, Senator RANDOLPH said the future task of emancipation is extending the scope of freedom to white as well as Negro Americans.

"For when the American Negro has full equality of education—when color no longer bars him from equal opportunity and when he becomes a full participant in the American community—then also will all Americans be emancipated from the foreboding, fear, anxiety, and misunderstanding which yet block the fuller realization of the American dream," RANDOLPH said.

### EXCERPTS FROM REMARKS BY SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, PREPARED FOR THE EMANCIPATION PROCLAMATION CENTENNIAL ANNIVERSARY, FIRST BAPTIST CHURCH, CHARLESTON, W. VA., JANUARY 4, 1963

Reverend Davis, members of the Emancipation Proclamation Committee, and ladies and gentlemen, perhaps no other action in the history of the American Presidency serves better to illuminate the nature of American history itself, than does the Emancipation Proclamation.

For this action, which President Lincoln exercised as a "military necessity" to save the Union, has in the balance of history become his greatest claim on the affections and respect of his countrymen. And in the eyes of much of the world, President Lincoln's Emancipation Proclamation outshines the original justification of preserving the Union itself.

Lincoln's first and last concern was to save the Union. As he wrote to Horace Greeley shortly before the publication of the preliminary proclamation in September, 1862, "if I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that."

The Emancipation Proclamation of 1863 took the last of these three alternatives. It limited its application only to the secession States and expressly excluding from its provisions those "48 counties designed as West Virginia," as well as other sections of Virginia held by Union forces.

However, it detracts neither from the significance of the Emancipation Proclamation nor from the greatness of Lincoln to acknowledge that in its inception the Proclamation was issued on the grounds of political and military expediency. For this covenant was committed to ideals and values of the English-speaking world which were much older than the conflict between the North and the South—ideals which achieved their most noble expression in the American Declaration of Independence.

The Proclamation was a successful measure of expediency because it reached into enduring and ultimate values which extended beyond the civil strife of the Nation at that time. For, though active abolitionists were in a minority even in the Northern States, probably no adult or civilized person in any section of the country was entirely free from guilt concerning the enforced bondage of his fellowman. Jefferson, perhaps saw more truly than Lincoln in this respect, when he questioned, "Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of people that these liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed I tremble for my country when I reflect that God is just; this His justice cannot sleep forever * * *."

The Proclamation thus succeeded in its aim because it turned again the soil of liberty which had been cultivated in the Anglo-American world since the Magna Carta. It provided—for adherents to the Union—a moral cause deeper than that of State pride or regional loyalties or even preservation of the Union itself.

Ralph Waldo Emerson, the leading philosopher of that day, spoke for this cause when he wrote, regarding the proclamation, that "The force of the act is that it commits the country to justice, that it compels the innumerable officers, civil, military, naval, of the Republic to range themselves on the line of this equity * * *. The first condition of success is secured in putting ourselves right. We have recovered ourselves from our false position and planted ourselves on a law of nature."

Thus, Lincoln, who campaigned for the Presidency largely on the issue of preventing the spread of slavery to the new States and territories, became the agent for a force greater than himself in the act of abolishing slavery from the established States.

Jefferson spoke of this force as a "gift of God," Emerson, as a "law of nature," and Justice Learned Hand, as the "spirit of liberty." But by whatever name we call it, whatever the theological or philosophic foundation we ascribe to it, it is this thrust that has given direction and meaning to American life for more than three centuries.

And it is this spirit of liberty—dedicated to the unfinished task of emancipation—that gives meaning to our gathering here. In this regard, we do not celebrate—we commemorate the centennial anniversary of the Emancipation Proclamation. We commemorate Lincoln's action by rededicating ourselves to the goal of emancipation—emancipation of all Americans—not only those of color—in body, mind and spirit.

The enforcement of the original Proclamation not only freed the slave from physical bondage. It also freed the master from the bondage of his own despotism. Very often he did not realize his transgression.

Thus, the future task of emancipation is further to extend the scope of freedom for white as well as Negro Americans. For when the American Negro has full equality of education, when color no longer bars him from equal employment, and when he becomes a full participant in the American community, then also will all Americans be emancipated from the forebodings, fear, anxiety and misunderstanding which yet block the fuller realization of the American dream.

Our progress during the 100 years has been stumbling and faltering. But progress there has been; and it is safe to say that no other race has equaled the advancements of the American Negro in the past 50 years. And if a clear view of history reveals to us certain facts, it also provides us with the vision of an ideal which illuminates the way and will help us to achieve a better and brighter future for all Americans.

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# SENATE

## TUESDAY, JANUARY 15, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty and ever-living God, hushing our feverish ways, in contrition we bow in this quiet moment dedicated to the unseen and eternal.

Confirm, we beseech Thee, our abiding faith in the deep and holy foundations which the fathers laid, lest in foolish futility we attempt to build on sand, instead of rock.

In this solemn hour of human destiny deepen in us, we pray, an awareness of surpassing opportunity and of splendid mission to do our full part in averting a global catastrophe as our willful world is given the chance of these fateful days to choose life or death—the blessing, or the dreadful curse which men can bring upon themselves as they turn from Thy love and Thy law.

In the Redeemer's name we ask it. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 10, and Monday, January 14, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

*To the Congress of the United States:*

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the 12th Annual Report of the National Science Foundation for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 15, 1963.*

## EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the

United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be a morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## CALL OF THE ROLL

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 2 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Edmondson
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from South Dakota [Mr. MCGOVERN], the Senator from South Carolina [Mr. THURMOND], and the Senator from Indiana [Mr. HARTKE] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Illinois [Mr. DIRKSEN] are necessarily absent.

The Senator from Kentucky [Mr. MORTON] is absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business to attend inaugural ceremonies in his State.

The PRESIDENT pro tempore. A quorum is present.

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore. The Vice President received, during the adjournment period, numerous reports from the various departments and agencies of the Government, transmitted pursuant to law, which are now, on behalf of the Vice President, laid before the Senate for appropriate reference.

The PRESIDENT pro tempore, on behalf of the Vice President, laid before the Senate the following letters, which were referred as indicated:

### REPORTS OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on traffic delays incurred by Government personnel at the Langley Research Center, Hampton, Va.; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of funds relating to the Apollo and Gemini programs; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of four multipurpose warehouse type buildings at the Goddard Space Flight Center, Greenbelt, Md.; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the relocation of a launch complex for solid suborbital vehicles from the Atlantic Missile Range to the White Sands Missile Range in New Mexico; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of additional modifications to its Michoud Ordnance Plant, Louisiana; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of a hydrostatic test facility at the National Aeronautics and Space Administration-Marshall Space Flight Center; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the expansion of the Administration's facilities at Cape Canaveral, Fla.; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of a radiation effects facility at the Nuclear Rocket Development Center, Nevada; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of an Explosive Safe Assembly Facility for Unmanned Spacecraft at the Atlantic Missile Range; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction program in the Merritt Island area of the Atlantic Missile Range, Cape Canaveral, Fla.; to the Committee on Aeronautical and Space Sciences.

A letter from the Acting Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of funds appropriated for the construction of facilities at the Magnetic Fields Component Test Facility, Goddard Space Flight Center, Greenbelt, Md.; to the Committee on Aeronautical and Space Sciences.

A letter from the Acting Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the improvement of the highway between Las Vegas, Nev., and the joint Atomic Energy Commission-National Aeronautics and Space Administration test site (Nuclear Rocket Development Station), a distance of approximately 58 miles; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction and equipment of facilities at its Mississippi Test Facility; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of funds for the construction of facilities at the Goddard Space Flight Center, Greenbelt, Md.; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the provision of additional funds for the construction of facilities at the Downey, Calif., plant, relating to the Apollo project; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the transfer of funds for the construction of engine test stand No. 2, at the Nuclear Rocket Development Station, Nevada; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of a Mission Control Center at the Manned Spacecraft Center, Houston, Tex.; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of certain facilities required for the research, development, and testing of the Saturn S-IV B; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the allocation of additional funds relating to construction of an all-axes motion generator at the National Aeronautics and Space Administration-Ames Research Center, Moffett Field, Calif.; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the proposed widening of Florida State Route 520, to relieve the heavy volume of vehicular traffic; to the Committee on Aeronautical and Space Sciences.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of construction facilities funds to permit that Administration to modify the vertical test stand No. 3, Propulsion Field Laboratory, Santa Susana, Calif.; to the Committee on Aeronautical and Space Sciences.

### Penalties for Misuse of Certain Feed

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds (with an accompanying paper); to the Committee on Agriculture and Forestry.

### Permanency of Definition Now in Effect Under Agricultural Adjustment Act of 1938

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to make permanent the definition of "peanuts" which is now in effect through the 1963 crop under the Agricultural Adjustment Act of 1938 (with an accompanying paper); to the Committee on Agriculture and Forestry.

### Amendment of Commodity Exchange Act

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Commodity Exchange Act, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

### Clarification of Authority Under the Soil Bank Act

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to clarify the authority of the Secretary of Agriculture to prescribe contract violations which warrant termination of soil bank contracts and the authority of State agricultural stabilization and conservation committees to impose civil penalties required by section 123 of the Soil Bank Act (with an accompanying paper); to the Committee on Agriculture and Forestry.

### Report of Operations Under Soil Conservation and Domestic Allotment Act

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report on operations, expenditures, and obligations under sections 7 to 14 of the Soil Conservation and Domestic Allotment Act, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Agriculture and Forestry.

### Report of Farm Credit Administration

A letter from the Governor, Farm Credit Administration, Washington, D.C., transmitting, pursuant to law, the 29th annual report of that Administration on the work of the cooperative Farm Credit System, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Agriculture and Forestry.

### Reports on Title I Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, on the agreements with Egypt and Iceland, under title I of the Agricultural Trade Development and Assistance Act of 1954 (with accompanying papers); to the Committee on Agriculture and Forestry.

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, on the agreements with Israel, Turkey, and the United Arab Republic (Egypt), under title I of the Agricultural Trade Development and Assistance Act of 1954 (with accompanying papers); to the Committee on Agriculture and Forestry.

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, on the amended agreements with Tunisia and Brazil, under title I of the Agricultural Trade Development and Assistance Act of 1954 (with accompanying papers); to the Committee on Agriculture and Forestry.

### Report of National Forest Reservation Commission (S. Doc. No. 3)

A letter from the President, National Forest Reservation Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Agriculture and Forestry, and ordered to be printed.

### Reports on Overobligation of Appropriations

A letter from the Secretary of Agriculture, reporting, pursuant to law, a violation relating to overobligation of an appropriation in the Transportation and Facilities Research Division of the Agricultural Marketing Service of the Department of Agriculture; to the Committee on Appropriations.

A letter from the Secretary of Defense, transmitting, pursuant to law, reports covering 14 overobligations of appropriations within the Department of Defense (with accompanying papers); to the Committee on Appropriations.

A letter from the Deputy Administrator, Veterans' Administration, reporting, pursuant to law, on the overobligation of an appropriation within that Administration; to the Committee on Appropriations.

A letter from the Administrator, Housing and Home Finance Agency, Washington, D.C., transmitting, pursuant to law, a report on the overobligation of an appropriation in the low rent public housing program fund, Public Housing Administration, fiscal year 1963, Housing and Home Finance Agency (with an accompanying report); to the Committee on Appropriations.

A letter from the Administrator, Veterans' Administration, Office of Administrator of Veterans Affairs, reporting, pursuant to law, two violations of overobligations of appropriations in that Administration; to the Committee on Appropriations.

### Reports on Reapportionment of Appropriations

Five letters from the Director, Bureau of the Budget, Executive Office of the President, dated October 30, November 5, November 5, December 5, and December 17, 1962, respectively, reporting, pursuant to law, that sundry appropriations in certain departments and agencies of the Government were reapportioned on a basis which indicates the necessity for supplemental estimates of appropriations; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, dated December 19, 1962, reporting, pursuant to law, that the appropriation to the Department of Health, Education, and Welfare for "Grants to States for public assistance" for the fiscal year 1963, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Salaries and expenses, U.S. attorneys and marshals" for the fiscal year 1963, had been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

### Report on Judgments Rendered by U.S. Court of Claims (S. Doc. No. 2)

A letter from the clerk, U.S. Court of Claims, Washington, D.C., transmitting, pursuant to law, a report on all judgments rendered by that court, for the year ended September 30, 1962 (with an accompanying report); to the Committee on Appropriations, and ordered to be printed.

### Report of Office of Civil Defense

A letter from the Secretary of Defense, transmitting, pursuant to law, a report of the Office of Civil Defense, covering the fiscal year 1962 (with an accompanying report); to the Committee on Armed Services.

### Extension of Induction Provisions of the Universal Military Training and Service Act

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

### Report on Property Acquisitions of Emergency Supplies and Equipment

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, on property acquisitions of emergency supplies and equipment, for the quarter ended September 30, 1962; to the Committee on Armed Services.

### Report on Federal Contribution Program

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on the Federal contributions program, for the quarter ended June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Report on Real and Personal Property of Department of Defense

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on real and personal property of that Department, as of June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Report on Status of Training of Reserve Components of the Armed Forces

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the status of training of each reserve component of the Armed Forces and the progress made in strengthening of the reserve components, during fiscal year 1962 (with an accompanying report); to the Committee on Armed Services.

### Report on Construction of Army National Guard Armory at Greensboro, Ala.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, that a project had been approved for the construction of an Army National Guard armory at Greensboro, Ala.; to the Committee on Armed Services.

### Amendment of National Industrial Reserve Act of 1948

A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the National Industrial Reserve Act of 1948 (with an accompanying paper); to the Committee on Armed Services.

### Report on Flight Pay, Department of the Army

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on flight pay in that Department, for the period July 1 to December 31, 1962 (with an accompanying report); to the Committee on Armed Services.

### Report on Number of Officers on Duty With Headquarters, Department of the Army, and Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, on September 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Amendment of Code Relating to Requirement That an Alien Make a Declaration of Intention To Become a Citizen

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend sections 510 and 591 of title 10, United States Code, to remove the requirement that an alien must make a declaration of intention to become a citizen of the United States before he may be enlisted or appointed in a Reserve component (with an accompanying paper); to the Committee on Armed Services.

### Confinement and Treatment of Offenders Against Uniform Code of Military Justice

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice (with accompanying papers); to the Committee on Armed Services.

### Amendment of Code Relating to Award of Certain Medals and the Medal of Honor Roll

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor roll (with an accompanying paper); to the Committee on Armed Services.

### Amendment of Missing Persons Act To Cover Certain Persons Detained in Foreign Countries Against Their Will

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

### Report on Officers in Executive Element of the Air Force at the Seat of Government

A letter from the Secretary of the Air Force, reporting, pursuant to law, that as of September 30, 1962, there was an aggregate of 2,270 officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of Government; to the Committee on Armed Services.

### Report on Air Force Military Construction Contracts Awarded Without Formal Advertising

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on Air Force military construction contracts awarded without formal advertising, for the 6-month period ended June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Report on Flight Training Program, Department of the Air Force

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on progress of the flight training program for the period August 1, 1961, to November 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Proposed Transfer of Boat and Launch to City of Roanoke, Va.

A letter from the Assistant Secretary of the Navy (Installations and Logistics), reporting, pursuant to law, on the proposed transfer of a plane personnel boat and a motor launch to the city of Roanoke, Va.; to the Committee on Armed Services.

### Report on Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended September 30, 1962; to the Committee on Armed Services.

### Statistical Supplement, Stockpile Report

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a Statistical Supplement, Stockpile Report, for the period ended June 1962 (with an accompanying report); to the Committee on Armed Services.

### Report on Strategic and Critical Materials Stockpiling Program

A letter from the Deputy Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the period January 1 to June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Notice of Proposed Disposition of Certain Cadmium

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 2 million pounds of cadmium now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

### Report on Review of Voluntary Agreements and Programs

A letter from the Attorney General, transmitting, pursuant to law, a report on the review of outstanding voluntary agreements and programs under the Defense Production Act of 1950, as of November 9, 1962 (with an accompanying report); to the Committee on Banking and Currency.

### Report on Liquidation of Assets of Former Reconstruction Finance Corporation

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the liquidation of the assets of the former Reconstruction Finance Corporation which were transferred to him by Reorganization Plan No. 1 of 1957 (with an accompanying report); to the Committee on Banking and Currency.

### Reports on Awards of Prime Contracts to Small and Other Business Firms

Four letters from the Assistant Secretary of Defense, Installations, and Logistics, transmitting, pursuant to law, reports on contracts awarded for defense procurement from small and other business firms, for the period July, August, September, and October 1962 (with accompanying reports); to the Committee on Banking and Currency.

### Report on Export Control

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the third quarter, 1962 (with an accompanying report); to the Committee on Banking and Currency.

### Report of Comptroller of the Currency

A letter from the Comptroller of the Currency, transmitting, pursuant to law, his report for the year 1961 (with an accompanying report); to the Committee on Banking and Currency.

### Report of Borrowing Authority

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, dated June 30, 1962 (with an accompanying report); to the Committee on Banking and Currency.

### Report on Liquidation Activities of National Defense, War and Reconversion Activities of Reconstruction Finance Corporation

A letter from the Acting Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the progress of the liquidation activities of the national defense, war and reconversion activities of the Reconstruction Finance Corporation, for the quarter ended September 30, 1962; to the Committee on Banking and Currency.

### Report on Activities of U.S. Travel Service

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the U.S. Travel Service, for the period April-September 1962 (with an accompanying report); to the Committee on Commerce.

### Report on Provision of War Risk Insurance and Certain Marine and Liability Insurance for American Public

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of war risk insurance and certain marine and liability insurance for the American public, as of September 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Report on Commissary Activities of Department of Commerce

A letter from the Secretary of Commerce, reporting, pursuant to law, that the Department of Commerce conducted no commissary activities outside the continental United States during the fiscal year 1962; to the Committee on Commerce.

### Report on Provision of Aviation War Risk Insurance

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of aviation war risk insurance, as of September 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Report on Activities Under Merchant Ship Sales Act of 1946

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on the activities of the Maritime Administration of the Department of Commerce under the Merchant Ship Sales Act of 1946, for the period July 1 through September 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Report of Migratory Bird Conservation Commission

A letter from the Secretary of the Interior, as Chairman of the Migratory Bird Conservation Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Relationship of Coast and Geodetic Survey to the Air Force

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force (with accompanying papers); to the Committee on Commerce.

### Report on Negotiated Procurements by the U.S. Coast Guard

A letter from the Administrative Assistant Secretary of the Treasury Department, transmitting, pursuant to law, a report on negotiated purchases and contracts made by the Coast Guard since May 19, 1962 (with an accompanying report); to the Committee on Commerce.

### Report of Interstate Commerce Commission

A letter from the Chairman, Interstate Commerce Commission, transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Reports on Backlog of Pending Applications and Hearing Cases, Federal Communications Commission

Three letters from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, three reports of that Commission on the backlog of pending applications and hearing cases in that Commission as of August 31, 1962, September 30, 1962, and October 31, 1962, respectively (with accompanying reports); to the Committee on Commerce.

### Report of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, covering the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Publication Entitled "Statistics of Natural Gas Companies, 1961"

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate a copy of that Commission's publication entitled "Statistics of Natural Gas Companies, 1961" (with an accompanying document); to the Committee on Commerce.

### Amendment of District of Columbia Traffic Act, 1925

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended (with an accompanying paper); to the Committee on the District of Columbia.

### Amendment of Motor Vehicle Inspection Law, District of Columbia

A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended (with accompanying papers); to the Committee on the District of Columbia.

### Report on Land Acquisitions by National Capital Planning Commission

A letter from the Chairman, National Capital Planning Commission, Washington, D.C., transmitting, pursuant to law, a report on land acquisitions by that Commission, fiscal year 1962 (with an accompanying report); to the Committee on the District of Columbia.

### Report of the Chesapeake & Potomac Telephone Co.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to law, a report of that company, for the year 1962 (with an accompanying report); to the Committee on the District of Columbia.

### Report of District of Columbia Redevelopment Land Agency

A letter from the Chairman, District of Columbia Redevelopment Land Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on the District of Columbia.

### Report of Public Utilities Commission, District of Columbia

A letter from the Executive Secretary, Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of that Commission for the calendar year 1961 (with an accompanying report); to the Committee on the District of Columbia.

### Report of Georgetown Barge, Dock, Elevator & Railway Co.

A letter from the Washington Counsel for the Georgetown Barge, Dock, Elevator & Railway Co., Washington, D.C., transmitting, pursuant to law, the report of that company for the year ended December 31, 1962 (with an accompanying report); to the Committee on the District of Columbia.

### Report of Administrator of Veterans' Affairs

A letter from the Administrator of Veterans' Affairs, Washington, D.C., transmitting, pursuant to law, his report, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Finance.

### Report of Renegotiation Board

A letter from the Chairman, the Renegotiation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, covering the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Finance.

### Report on Balances of Foreign Currencies Acquired Without Payment of Dollars

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on balances of foreign currencies acquired without payment of dollars, as of June 30, 1962 (with an accompanying report); to the Committee on Foreign Relations.

### Combined Statement of Receipts, Expenditures and Balance of the U.S. Government

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a combined statement of receipts, expenditures and balances of the U.S. Government, for the fiscal year ended June 30, 1962 (with an accompanying statement); to the Committee on Government Operations.

### Report of Department of Defense on Disposition of Foreign Excess Personal Property Located in Areas Outside the United States, Puerto Rico and the Virgin Islands

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report of that Department, relating to its disposition of foreign excess personal property located in areas outside the United States, Puerto Rico and the Virgin Islands, for the fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Disposal of Foreign Excess Property, Department of Agriculture

A letter from the Administrative Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the activities of that Department for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Agency for International Development Reply Relating to Comptroller General's Report on Examination of Economic and Technical Assistance Program for Korea

A letter from the Assistant Administrator, Agency for International Development, Department of State, Washington, D.C., transmitting, for the information of the Senate, a copy of that Agency's reply to the Comptroller General, relating to his report on examination of economic and technical assistance program for Korea, fiscal years 1957-61 (with an accompanying paper); to the Committee on Government Operations.

### Report on Examination of Financial Statements of Panama Canal Company

A letter from the Comptroller General of the United States, transmitting, for the information of the Senate, a copy of a report to the Panama Canal Company on the examination of its financial statements for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Unauthorized Diversion of Certain Revenues by Department of Agriculture

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unauthorized diversion of revenues from sale of special permits for hunting and fishing in national forests, Forest Service, Department of Agriculture, dated December 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Excessive Amounts of Overhead Costs Charged to Government Cost-Type Contracts by the Quincy Yard of the Bethlehem Steel Co., Quincy, Mass.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the excessive amounts of overhead costs charged to Government cost-type contracts by the Quincy yard of the Bethlehem Steel Co., Quincy, Mass. (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Financial Statements of Tennessee Valley Authority

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the financial statements of the Tennessee Valley Authority, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Office of Defense Lending, Treasury Department

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Office of Defense Lending, Treasury Department, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Personal and Real Property Received by State Surplus Property Agencies and Disposed of to Public Health and Educational Institutions

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal and real property received by State Surplus Property Agencies and disposed of to public health and educational institutions, covering the quarter ended September 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Inland Waterways Corporation

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Inland Waterways Corporation, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Financial Statements of Columbia River Power System and Related Activities

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the financial statements of the Columbia River Power System and related activities, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Reports on Review by Comptroller General of the United States on Certain Activities

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the pricing of spare parts purchased under Department of the Navy fixed-price contracts negotiated with Aeroflex Corp., Aeroflex Laboratories Division, Long Island City, N.Y. (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of management of jet aircraft engines by the Air Training Command in its ground training programs for the Department of the Air Force (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of sales of high-temperature alloy scrap by Department of Defense installations in the continental United States, dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain records management activities, National Archives and Records Service, General Services Administration, dated December 1961 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of status of prior recommendations of the General Accounting Office, concerning selected activities at aircraft repair and supply bases, U.S. Coast Guard, Treasury Department, dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the procurement of mobile inspection equipment vans for the Bomarc Missile Weapon System under Department of the Air Force negotiated contract AF 33(600)-36319, with the Boeing Co., Seattle, Wash., dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of administration and utilization of U.S.-owned foreign currencies in selected countries, dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected slum clearance and urban renewal activities under the administration of the New York Regional Office, Housing and Home Finance Agency, dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the surplus airport disposal program and related programs, Federal Aviation Agency, dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of Federal surplus property program, Office of Civil and Defense Mobilization, Executive Office of the President (program transferred to the Department of Defense as of August 1, 1961), dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of supply management of submarine equipment and spare parts in the Department of the Navy, dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of air travel, National Office, Internal Revenue Service, Treasury Department, dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of utilization of excess personal property and disposal of surplus personal property at selected installations of General Services Administration and other Federal agencies, dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of provisional payments made under Department of the Navy contract NObsr-59595, with Hazeltine Electronics Division, Hazeltine Corp., Little Neck, N.Y., dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting to law, a report on the review of air travel by personnel of the Public Housing Administration, Housing and Home Finance Agency, October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the real estate program relating to leasing of major facilities and certain other facilities under long-term leases, Post Office Department, dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of automatic data processing activities at selected regional offices, General Services Administration, dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of stock funds and related consumer funds in the Department of Defense, part II, dated December 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain land exchanges, Pacific Northwest Region (Region 6), Forest Service, Department of Agriculture, dated December 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of personnel, leave, and travel policies applicable to non-Federal employees in the low-rent public housing program, Public Housing Administration, Housing and Home Finance Agency, dated December 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected phases of workable programs for community improvement under the administration of the Fort Worth Regional Office, Housing and Home Finance Agency, dated December 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the health research facilities construction program administered by the National Institutes of Health, Public Health Service, Department of Health, Education, and Welfare, February 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the local currency military budget support program for Korea, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the administration of construction of certain launch facilities for the Atlas and Titan Intercontinental Ballistic Missiles at selected Air Forces bases, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

### Reports by Comptroller General of the United States on Certain Examinations

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of pricing of F-101 airplane aft fuselage assemblies purchased from Temco Aircraft Corp., Dallas, Tex., by McDonnell Aircraft Corp., St. Louis, Mo., under Department of the Air Force contracts, dated October 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of costs and manpower involved in maintenance of noncombat vehicles in the Department of Defense, dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination into the pricing of 14 subcontracts for components of Polaris missiles awarded to Systron-Donner Corp. under Navy cost-plus-a-fixed-fee contracts with Lockheed Aircraft Corp., dated November 1962 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination into the pricing of subcontracts for nuclear submarine components awarded by the Plant Apparatus Department of Westinghouse Electric Corp., Pittsburgh, Pa., to another department of Westinghouse and charged to the Department of the Navy under cost-plus-a-fixed-fee contracts, dated December 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Findings in Respect to Deferment of Certain Charges Payable by Kendrick Irrigation Project, Wyoming

A letter from the Secretary of the Interior, reporting, pursuant to law, his findings and determinations relating to the deferment of 1963 and 1964 charges payable to the Casper-Alvoca Irrigation District, Kendrick project, Wyoming; to the Committee on Interior and Insular Affairs.

### Report on Quality of Water, Upper Colorado River Basin

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the quality of water, Upper Colorado River Basin, dated January 1963 (with an accompanying report); to the Committee on Interior and Insular Affairs.

### Development of Effective Federal and State Programs Relating to Outdoor Recreation

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### Report on Colorado River Storage Project and Participating Projects

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the status of the Colorado River storage project and participating projects, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Interior and Insular Affairs.

### Adjustment of Reimbursable Charges as Debts Against Certain Indians or Indian Tribes

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of orders and supporting documents covering cancellations and adjustments of reimbursable charges of the Government existing as debts against individual Indians or tribes of Indians, for the fiscal year 1962 (with accompanying papers); to the Committee on Interior and Insular Affairs.

### Deferment of Certain Construction Payments From the Mirage Flats Irrigation District, Nebraska

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on his determinations relating to deferment of certain construction payments due the United States from the Mirage Flats Irrigation District, Mirage Flats project, Nebraska; to the Committee on Interior and Insular Affairs.

### Certification of Adequate Soil Survey and Land Classification

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Chief Joseph Dam project, Greater Wenatchee division, Washington (with accompanying papers); to the Committee on Interior and Insular Affairs.

### Audited Financial Statements on Government of Guam

A letter from the supervisor of government services of the firm of Ernst & Ernst, of Los Angeles, Calif., transmitting, at the request of A. B. Won Pat, speaker of the Sixth Guam Legislature, a copy of the Audited Financial Statements and Other Financial Information, Government of Guam, June 30, 1962 (with an accompanying document); to the Committee on Interior and Insular Affairs.

### Report of Judicial Conference of the United States

A letter from the Chief Justice, Supreme Court of the United States, transmitting, pursuant to law, a report of the Judicial Conference of the United States, held at Washington, D.C., September 19–20, 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report of Attorney General on Administration of Foreign Agents Registration Act of 1938

A letter from the Attorney General, transmitting, pursuant to law, a report on the administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1961 (with an accompanying report); to the Committee on the Judiciary.

### Report on Tort Claims Paid by Treasury Department

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on tort claims paid by the Treasury Department, for the fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report on Tort Claims Paid by Department of the Army

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report on Military Personnel Claims Settled by Department of the Army

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on military personnel claims settled by the Department of the Army, during fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report on U.S. Air Force Aircraft Crash, Little Rock, Ark., March 31, 1960

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report of claims settled and not settled arising out of the crash of a U.S. Air Force aircraft at Little Rock, Ark., on March 31, 1960 (with an accompanying report); to the Committee on the Judiciary.

### Maj. Donald B. Powers

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Maj. Donald B. Powers, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

### Maj. Leonard H. Potterbaum

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

### Court Order Relating to Claim of Sanitary Equipment Manufacturing Co. *v.* The United States

A letter from the Clerk, U.S. Court of Claims, Washington, D.C., transmitting, pursuant to law, a copy of the court order relating to claim of *The Sanitary Equipment Manufacturing Co.* v. *The United States*, Congressional No. 15–58 (with an accompanying paper); to the Committee on the Judiciary.

### Report of Subversive Activities Control Board

A letter from the Acting Chairman, Subversive Activities Control Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report on Tort Claims Paid by Veterans' Administration

A letter from the Administrator, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Administration, during fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report on Tort Claims Paid by Federal Aviation Agency

A letter from the Deputy Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Agency, during fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

### Regulation of Sessions of District Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to provide that the district courts shall be always open for certain purposes, to abolish terms of court, and to regulate the sessions of the courts for transacting judicial business (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 332, Title 28, United States Code, To Provide for Inclusion of a District Judge or Judges on the Judicial Council of Each Circuit

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 332 of title 28, United States Code, to provide for the inclusion of a district judge or judges on the judicial council of each circuit (with an accompanying paper); to the Committee on the Judiciary.

### Withdrawal From the District Courts Jurisdiction of Certain Suits

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to withdraw from the district courts jurisdiction of suits brought by fiduciaries who have been appointed for the purpose of creating diversity of citizenship between the parties (with an accompanying paper); to the Committee on the Judiciary.

### Clarification of Status of Retired Circuit and District Judges

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to clarify the status of circuit and district judges retired from regular active service (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 633, Title 28, United States Code, Prescribing Fees of U.S. Commissioners

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 633 of title 28, United States Code, prescribing fees of U.S. commissioners (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 1391, Title 28, United States Code, Relating to Venue

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 1391 of title 28 of the United States Code, relating to venue (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 753(f), Title 28, United States Code, Relating to Transcripts Furnished by Court Reporters for the District Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts (with an accompanying paper); to the Committee on the Judiciary.

### Increase of Fees of Jury Commissioners in the U.S. District Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to increase the fees of jury commissioners in the U.S. district courts (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 144, Title 28, United States Code

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 144 of title 28 of the United States Code (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 376, Title 28, United States Code

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 378 of title 28, United States Code (with an accompanying paper); to the Committee on the Judiciary.

### Tenure of Terms and Retirement Rights for Judges Hereafter Appointed to the U.S. District Court for District of Puerto Rico

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to provide the same life tenure and retirement rights for judges hereafter appointed to the U.S. District Court for the District of Puerto Rico as the judges of all other U.S. district courts now have (with an accompanying paper); to the Committee on the Judiciary.

### Temporary Admission Into the United States of Certain Aliens

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

### Applications for Permanent Residence Filed by Certain Alien Defectors

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain alien defectors, together with a statement of the facts and pertinent provisions of law as to each alien and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

### Reports of Agricultural Hall of Fame

A letter from the executive vice president, Agricultural Hall of Fame, Development Fund, Kansas City, Mo., transmitting, pursuant to law, copies of the annual audit and report of the executive vice president to the board of governors of that organization, for the fiscal year ended August 31, 1962 (with accompanying reports); to the Committee on the Judiciary.

### Report of Veterans of World War I of the U.S.A., Inc.

A letter from the national quartermaster, Veterans of World War I of the U.S.A., Inc., Washington, D.C., transmitting, pursuant to law, a report of that corporation, for the fiscal year ended August 31, 1961 (with an accompanying report); to the Committee on the Judiciary.

### Report on Audit of Accounts of Future Farmers of America

A letter from the chairman, Board of Directors, Future Farmers of America, Washington, D.C., transmitting, pursuant to law, a report on the audit of the accounts of that organization, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on the Judiciary.

### Reports of American War Mothers

A letter from the National president, American War Mothers, Yonkers, N.Y., transmitting, pursuant to law, a report of that organization for the period September 1, 1959, to September 1, 1961 (with an accompanying report); to the Committee on the Judiciary.

A letter from the National President, American War Mothers, Harrisburg, Pa., transmitting, pursuant to law, a report of that organization for the period September 1, 1961, to September 1, 1962 (with an accompanying report); to the Committee on the Judiciary.

### Report of Secretary of the Senate

A letter from the Secretary of the Senate, transmitting, pursuant to law, his report of receipts and expenditures, for the period July 1, 1961, to June 30, 1962 (with an accompanying report); ordered to lie on the table and to be printed.

### Report of National Mediation Board

A letter from the chairman, National Mediation Board, Washington, D.C., transmitting, pursuant to law, a report of that board, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

### Reports Relating to Scientific and Professional Positions in Department of the Interior

Two letters from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, on certain scientific or professional positions in the Department of the Interior; to the Committee on Post Office and Civil Service.

### Report on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Director of Personnel, U.S. Department of Commerce, reporting, pursuant to law, on positions filled under the Classification Act of 1949, in grades GS-16, 17, and 18; to the Committee on Post Office and Civil Service.

### Report on Scientific or Professional Positions in the U.S. Arms Control and Disarmament Agency

A letter from the Director, U.S. Arms Control and Disarmament Agency, Washington, D.C., transmitting, pursuant to law, a report on scientific or professional positions in that Agency, covering the year ended December 31, 1962 (with an accompanying report); to the Committee on Post Office and Civil Service.

### Amendment of Civil Service Retirement Act, Relating to Annuities of Certain Employees of a Justice or Judge of the United States

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend the Civil Service Retirement Act to authorize the payment of an annuity to a secretary of a justice or judge of the United States on the same basis as an annuity to a congressional employee or former congressional employee (with an accompanying paper); to the Committee on Post Office and Civil Service.

### Construction of Adequate System of Roads for National Forests

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to enable the Secretary of Agriculture to construct and maintain an adequate system of roads and trails for the national forests, and for other purposes (with an accompanying paper); to the Committee on Public Works.

### Repeal of a Portion of the Second Supplemental National Defense Appropriation Act, 1943

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes (with an accompanying paper); to the Committee on Public Works.

### Report of Tennessee Valley Authority

A letter from the Chairman and Director of the Tennessee Valley Authority, transmitting, pursuant to law, a report of that Authority for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Public Works.

### Reports of Certain Receipts and Expenditures by Americans for Democratic Action

Two letters from the National Director, Americans for Democratic Action, Washington, D.C., transmitting, pursuant to law, reports on receipts of $100 or more and expenditures of $10 or more by that organization for the period July 1 through September 30, 1962, and October 1 through October 31, 1962, respectively (with accompanying reports); ordered to lie on the table.

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## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore, on behalf of the Vice President:

A joint resolution of the Legislature of the State of Alabama; to the Committee on Finance:

"Senate Joint Resolution 6

"Whereas the loss of local markets to foreign imports has caused the shutdown of numerous industrial plants in Alabama with the consequent loss of thousands of jobs, as is attested by findings of a recent survey made under the auspices of the Southern Research Institute in which it is estimated that 20,000 jobs have been lost in the past 5 years in the Birmingham district alone, due largely to the loss of markets to foreign imports; and

"Whereas Calhoun and Etowah Counties have recently lost plants attributable to increased foreign imports, since the iron and steel industry of this State and our extensive textile industry are particularly vulnerable to unfair competition provided by imported foreign products manufactured with cheap labor and subject to low import duties; and

"Whereas the payment of unemployment compensation, the cost of job retraining and the relocation of families creates a drain on tax resources, while at the same time the loss of industrial production and jobs produces a drop in Federal, State, and local tax revenues; and

"Whereas the continued unrestricted flow of foreign imports into this country constitutes a serious threat to the economic stability of this State; and

"Whereas Congressman George Huddleston has expressed an intention to reintroduce H.R. 403 in the 88th Congress to limit imports and set higher rates of duty on imported products: Now, therefore, be it

"*Resolved by the Legislature of Alabama (both houses thereof concurring)*, That this body expresses strong support of Congressman Huddleston's bill designed to protect and promote the security of a vital segment of Alabama's economy, and does hereby urge the Alabama congressional delegation individually and collectively to exert their influence to secure enactment of Congressman Huddleston's measure.

"*Resolved further*, That copies of this resolution be sent to each member of the Alabama congressional delegation in Washington; to the Speaker of the House of Representatives of the United States; to the President and Vice President of the United States; to Hon. Luther Hodges, Secretary of Commerce; and to Hon. Dean Rusk, Secretary of State."

A joint resolution of the Legislature of the State of Illinois; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 3

"Whereas the 87th Congress of the United States of America, at its 2d session, in both Houses, by a constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

" '*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" 'ARTICLE —

" 'SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" 'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.'; therefore be it

"*Resolved by the Senate of the 72d General Assembly of the State of Illinois, at the 2d special session thereof (the House of Representatives concurring herein),* That such proposed amendment to the Constitution of the United States of America be and the same is hereby ratified; and be it further

"*Resolved,* That certified copies of this resolution be forwarded by the Governor of Illinois to the Administrator of General Services, Washington, D.C., and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States."

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION 23

"Concurrent resolution declining to ratify a proposed amendment to the Constitution of the United States relating to qualification to vote in primary or other elections for President or Vice President, electors for President or Vice President, or for Senator or Representative in Congress

"Whereas at the 2d session of the 87th Congress of the United States of America, a joint resolution proposing an amendment to the Constitution of the United States relating to the qualification of electors for President, Vice President, electors for President or Vice President, Senator or Representative in Congress, was adopted; and

"Whereas said joint resolution provided that the proposed amendment to the Constitution of the United States shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within 7 years from the date of its submission by Congress; and

"Whereas a true copy of said joint resolution has been forwarded to this legislature by the Secretary of the U.S. Senate, said resolution being as follows:

" '*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" ' "ARTICLE —

" ' "SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" ' "SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

" 'JOHN W. MCCORMACK,
" '*Speaker of the House of Representatives.*
" 'CARL HAYDEN,
" '*President of the Senate pro tempore.*

" 'I certify that this joint resolution originated in the Senate.

" 'FELTON M. JOHNSTON,
" '*Secretary.*'

"*Therefore, be it resolved by the Mississippi House of Representatives (the Senate concurring therein),* That the proposed amendment to the Constitution of the United States as above set forth be and the same is hereby rejected, and the Mississippi House of Representatives, the Senate concurring therein, hereby declines to ratify the proposed amendment to the Constitution of the United States as hereinabove set forth; be it further

"*Resolved,* That a copy of this resolution be forwarded to the Department of State of the United States of America, the Secretary of the Senate, and the Clerk of the House of Representatives, of the United States."

A resolution of the Sixth Guam Legislature; to the Committee on Interior and Insular Affairs:

"RESOLUTION 426(2–S)

"Resolution relative to expressing to the Honorable John F. Kennedy, President of the United States, the deep gratitude of the people of Guam for his instant respond to their plight resulting from Typhoon Karen and for his declaring Guam a major disaster area.

"*Be it resolved by the Legislature of the Territory of Guam:*

"Whereas following the disaster of Typhoon Karen, practically the first word received from the mainland by the people of Guam was the official announcement from the Office of the President that our Nation's young and vigorous leader had declared Guam to be a major disaster area, thereby permitting massive Federal assistance to help the people of Guam in rebuilding a new and better territory; and

"Whereas the people have been informed that the President is personally interested in the efforts being made to rehabilitate Guam and is taking a direct interest in the activities of the Federal agencies working on the territory's behalf in the wake of the typhoon's destruction, this interest being particularly heartwarming and encouraging when one takes into consideration the momentous problems of worldwide scope, such as the Cuban crisis, the Sino-Indian border war and the continuing Berlin situation, which require the President's constant vigilance and attention; the knowledge that in spite of all these large burdens of state, he can still take a sympathetic and direct interest in Guam's problems is indeed inspiring; and

"Whereas in light of the foregoing, the Legislature of Guam deems it appropriate to express to the President of the United States the appreciation of the people of Guam, and to pledge to him that in return a newer and better Guam will be built in accord with the principles of the New Frontier: Now, therefore, be it

"*Resolved,* That the Sixth Guam Legislature does hereby on behalf of all the people of Guam, both civilian and military, express to the Honorable John F. Kennedy, President of the United States, a deep and undying gratitude for his instant response to Guam's dire needs following Typhoon Karen and for his action in declaring Guam a major disaster area thus enabling Federal agencies to take immediate part in its rehabilitation; and be it further

"*Resolved,* That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable John F. Kennedy, President of the United States, and to the Congress of the United States, the Senate and House of Representatives, and to the Governor of Guam."

A joint resolution of the Legislature of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs:

"Whereas, the people of Puerto Rico favor the determination of the final political status of Puerto Rico in such manner that no doubt may remain about the noncolonial nature of such status; and

"Whereas the people of Puerto Rico consequently favor, in different proportions, three forms of political status for Puerto Rico: Commonwealth status, based on common citizenship and developed to the maximum that may be agreed upon between the Congress of the United States and supporters of such status in Puerto Rico; federated statehood, under conditions equal to those of the federated States that already compose the American Union; independence as this status exists in the Latin republics of America; and

"Whereas those who favor Commonwealth status and the supporters of federated statehood are against the separation of Puerto Rico from the United States, and most of the proponents of independence favor that such status be achieved in friendship with the United States; and

"Whereas those who support Commonwealth status conceive its maximum development, in permanent union with the United States of America, under the following principles:

"1. The recognition and reassertion of the sovereignty of the people of Puerto Rico, so that no doubt may remain of their capacity to enter into a compact under conditions of juridical equality.

"2. The assurance of the permanence and irrevocability of the union between the United States and Puerto Rico on the basis of common citizenship, common defense, common currency, free market, common loyalty to the values of democracy, and of such other conditions as may be considered, in the compact, of mutual benefit to the United States and Puerto Rico.

"3. The specific definition of the powers of the United States with respect to Puerto Rico, which shall exclusively be those essential to the union.

"4. All other powers shall be exercised by the constitutional organisms of the people of Puerto Rico.

"5. Participation by the people of Puerto Rico in the powers exercised, under the compact, by the Government of the United States, in matters affecting Puerto Rico, in a measure proportional to the scope of such powers. This may include, among other ways of implementing such participation, the right to vote for the President and Vice President of the United States.

"6. The adoption of a formula under which the people of Puerto Rico will contribute to defray the general expenses of the U.S. Government, in a manner compatible with the stability and economic growth of Puerto Rico.

"Whereas those who favor federated statehood conceive it as the only desirable form of permanent union with the United States, in the way enjoyed by the 50 States of the Union; and

"Whereas those who favor independence conceive it in the form already known in other countries of the Americas; and

"Whereas, such three forms of political status are and should be based on the sovereign capacity of the people of Puerto Rico, whether it be for joining the Union as a federated State, for becoming independent, or for developing Commonwealth status, in permanent union with the United States, as requested by its supporters and as the Congress may agree, along the lines of the fourth whereas of this resolution; and

"Whereas it is hereby clearly expressed that nothing in this resolution shall be interpreted as an endorsement by supporters of Commonwealth status of either federated statehood or independence; or as an endorsement by supporters of federated statehood of either Commonwealth status or independence; or as an endorsement by supporters of independence of either Commonwealth status or federated statehood: Now, therefore, be it

*"Resolved by the Legislative Assembly of Puerto Rico:*

"Section 1. To propose to the Congress of the United States the prompt settlement, in a democratic manner, of the political status of Puerto Rico, applying the principles here expressed in accordance with the whereases of this resolution.

"Sec. 2. That, the Congress once having expressed the form which it is willing to agree that Commonwealth status may take in consonance with the principles contained in the fourth whereas of this resolution, the three status formulas here specified be submitted to the vote of the people of Puerto Rico, on the basis of such expression by Congress and in accordance with the laws of Puerto Rico, so that the winning formula remain established or be established pursuant to the will of the Puerto Rican people.

"Sec. 3. That a copy of this resolution, in the English language, be transmitted to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States, and the Resident Commissioner from Puerto Rico in the United States.

"Sec. 4. This resolution shall take effect immediately upon its approval and shall continue in effect until its purposes are achieved pursuant to the provisions of section 2 hereof."

A letter in the nature of a petition from the Polish Welfare Council, of Schenectady, N.Y., signed by Charles Wendolowski, president, and Mrs. Sophie Zych, secretary, relating to the naming and commissioning of one of the Polaris submarines as the *General Casimir Pulaski*; to the Committee on Armed Services.

A resolution adopted by Local No. 2581, Lumber & Sawmill Workers Union, United Brotherhood of Carpenters & Joiners, of Libby, Mont., favoring the enactment of legislation to place the lumber industry of the United States on a competitive basis with foreign manufacturers through the use of a quota system; to the Committee on Finance.

A resolution adopted by the 88th semiannual convention of the Empire Typographical Conference of the International Typographical Union, at Niagara Falls, N.Y., offering its support to the President of the United States; to the Committee on the Judiciary.

Petitions signed by Jerry Kearney, and sundry other persons, members of the Flatbush Council, Knights of Columbus, of Brooklyn, N.Y., relating to the establishment of prayer in public schools; to the Committee on the Judiciary.

A resolution adopted by the mayor and Board of Council of the City of Irvine, Ky., favoring the construction of the Booneville Dam in the State of Kentucky; to the Committee on Public Works.

## THE LATE SENATOR DENNIS CHAVEZ OF NEW MEXICO

The VICE PRESIDENT laid before the Senate a resolution adopted by the board of directors of the Greater Albuquerque Chamber of Commerce, New Mexico, relating to the death of the late Senator Chavez, of New Mexico; ordered to lie on the table, and to be printed in the Record, as follows:

Whereas the loss of Dennis Chavez, distinguished senior U.S. Senator from New Mexico has been mourned by all of the citizens of his State; and

Whereas such loss has been mourned by all who knew him, whether personally or by his outstanding contribution to his country; and

Whereas the loss of this distinguished public servant, advocate of human rights, husband and father, is felt in greatest depth by the widow of the late Senator Chavez and his family: Now, therefore, be it

*Resolved,* That the board of directors of the Greater Albuquerque Chamber of Commerce does hereby join Mrs. Dennis Chavez, the late Senator's family, and his many friends in mourning the loss of this truly great American; and be it

*Resolved,* That in mourning this loss of U.S. Senator Dennis Chavez, great recognition and tribute be given his exemplary career of public service, his continual advocacy of human rights and the dignity of man, his wisdom and foresight attested by the many facilities and programs in New Mexico and the rest of the Nation for the defense and general welfare of all Americans and his lifelong tenacity in fighting for those concepts and beliefs which he held to be true and the best interests of his Nation; and be it further

*Resolved,* That a copy of this resolution be spread upon the minutes of this corporation and copies delivered to Mrs. Dennis Chavez, the family, the late Senator's staff and the Secretary of the Senate of the United States.

## STUDIES OF MATTERS PERTAINING TO FOREIGN POLICIES OF THE UNITED STATES—REPORT OF A COMMITTEE

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 25) and submitted a report thereon (S. Rept. No. 1); which resolution was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on Foreign Relations or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make complete studies of any and all matters pertaining to the foreign policies of the United States and their administration.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; (3) to hold such hearings, to take such testimony, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, and to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; and (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government, as the committee deems advisable.

Sec. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate and may enter into contracts for this purpose.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000 for the period ending January 31, 1964, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## CONTINUANCE OF STUDY OF ACTIVITIES OF NONDIPLOMATIC REPRESENTATIVES OF FOREIGN PRINCIPALS—REPORT OF A COMMITTEE

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 26) and submitted a report (No. 2) thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized under sections 134 and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to continue its study of the activities of nondiplomatic representatives of foreign principals including, without limitation, foreign governments, foreign political parties, and individuals, partnerships, associations, corporations, organizations or other combinations of individuals, whether foreign or domestic, acting in the place of, or in the interests of, or on behalf of a foreign government or foreign political party, tending or intended to influence the foreign or domestic policies or interests of the United States.

Sec. 2. The committee is further authorized under sections 134 and 136 of the Legislative Reorganization Act of 1946 to give thorough consideration to existing and proposed legislation relating to the activities of nondiplomatic representatives of foreign principals, as aforesaid, and to make such recommendations with respect thereto as may be found by it to be appropriate.

Sec. 3. For the purposes of this resolution the committee is authorized from February 1, 1963, to January 31, 1964, inclusive, (1) to make such expenditures; (2) to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate; (3) to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (4) to take such testimony; (5) to employ, upon a temporary basis, such technical, clerical, and other assistants and consultants; and (6) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government as it deems advisable.

SEC. 4. The expenses of the committee under this resolution which shall not exceed $50,000 for the period ending January 31, 1964, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 5. The committee shall complete its study and submit to the Senate not later than January 31, 1964, such results of the study herein authorized together with such recommendations as to existing or proposed legislation as herein authorized as may be found by it to be appropriate.

## FUNDS FOR STUDY OF MATTERS PERTAINING TO INTERAGENCY COORDINATION, ECONOMY, AND EFFICIENCY—REPORT OF A COMMITTEE

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 27) to provide funds for the study of matters pertaining to interagency coordination, economy, and efficiency, which was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to interagency coordination, economy, and efficiency.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, through January 31, 1964, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $95,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER (for himself, Mr. YOUNG of North Dakota, Mr. ALLOTT, and Mr. MORTON):

S. 181. A bill to promote education in the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS:

S. 182. A bill for the relief of Harold H. Senger;

S. 183. A bill for the relief of Eugenia Kuntic and Ivan Kuntic; and

S. 184. A bill for the relief of Ejnar Christen Pedersen; to the Committee on the Judiciary.

S. 185. A bill to provide for holding a White House conference on the impact of automation to be called by the President of the United States not later than 1 year from the date of enactment of this bill and for related purposes; to the Committee on Labor and Public Welfare.

By Mr. BURDICK:

S. 186. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to promote the welfare of the Indian tribes by making available to them surplus personal property; to the Committee on Government Operations.

S. 187. A bill to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 188. A bill for the relief of Barry T. Thorndycraft; to the Committee on the Judiciary.

S. 189. A bill to bring certain holders of star route and other contracts for the carrying of mail within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LONG of Missouri:

S. 190. A bill for the relief of Thick Kee Yee; and

S. 191. A bill for the relief of Mrs. Doris Wai Kam Yee; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 192. A bill for the relief of M. Sgt. Benjamin A. Canini, U.S. Army;

S. 193. A bill for the relief of Michelina Lanni;

S. 194. A bill for the relief of Panayota Tanglis; and

S. 195. A bill for the relief of Isabel Loretta Allen; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 196. A bill for the relief of Carnetta Germaine Thomas Hunte; to the Committee on the Judiciary.

By Mr. SIMPSON (for himself and Mr. McGEE):

S. 197. A bill for the relief of Kee Hyung Lee, his wife, Young Shik Chung Lee, and his son, Choong Mu Lee; to the Committee on the Judiciary.

By Mr. KEATING:

S. 198. A bill for the relief of Mother Azucena de San Jose, nee Carmen Hernandez Aguilar;

S. 199. A bill for the relief of Dr. Carlos G. Delgado;

S. 200. A bill for the relief of Lloyd G. Dougherty;

S. 201. A bill for the relief of Mrs. Martha Nemes;

S. 202. A bill for the relief of Yom Tov Yeshayahu Briszk;

S. 203. A bill for the relief of Dr. Duk Ho Lee;

S. 204. A bill for the relief of Hamburg Tang;

S. 205. A bill for the relief of Dr. Nourollah Shadi;

S. 206. A bill for the relief of Chang Ah Lung;

S. 207. A bill for the relief of Dr. Virginia Valenzuela;

S. 208. A bill for the relief of Young Wai;

S. 209. A bill for the relief of William M. Lee;

S. 210. A bill for the relief of Graciela D'Hoedt;

S. 211. A bill for the relief of Lisette Chomali;

S. 212. A bill for the relief of Yoo Sei Chun;

S. 213. A bill for the relief of Carmelo Schillaci;

S. 214. A bill for the relief of Biagio Forgione;

S. 215. A bill for the relief of Mannor Lee; and

S. 216. A bill for the relief of Jackson Lum; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 217. A bill for the relief of Dr. Filomeno B. Kasilag and Erlinda Lucero Kasilag;

S. 218. A bill for the relief of Arie Katzman, his wife, Zipora Katzman, and their two minor children, Orfa Katzman and Orna Katzman; and

S. 219. A bill for the relief of Bernard W. Flynn, Jr.; to the Committee on the Judiciary.

S. 220. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Columbus Bend project, Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. YARBOROUGH when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 221. A bill to provide a new farm program for certain specified agricultural commodities under which American agriculture will be restored to a free enterprise basis; to the Committee on Agriculture and Forestry.

S. 222. A bill to establish qualifications for persons appointed to the Supreme Court; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. MANSFIELD, Mr. PASTORE, and Mr. SALTONSTALL):

S. 223. A bill to amend the Communications Satellite Act of 1962 to provide for a program for the participation by small business organizations in the procurement activities of the corporation organized pursuant to that act; to the Committee on Aeronautical and Space Sciences.

By Mr. MUNDT:

S. 224. A bill for the relief of Col. Francis J. McQuillen; to the Committee on Armed Services.

S. 225. A bill to amend title II of the Social Security Act to raise the amount of outside income recipients of insurance benefits thereunder are permitted to earn, and to lower the age after which outside earnings are no longer considered for purposes of deductions from benefits; to the Committee on Finance.

S. 226. A bill for the relief of Dr. G. L. Clifton; to the Committee on the Judiciary.

By Mr. MOSS:

S. 227. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Oneida Division of the Bear River reclamation project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 228. A bill to authorize the conveyance to Hancock County, W. Va., of certain Government-owned surplus property; to the Committee on Government Operations.

S. 229. A bill for the relief of Ernest E. Keller;

S. 230. A bill for the relief of Dr. Gerardo Lopez-Yubero, his wife, Maria Luz Fortuny de Lopez, and their two minor children, Gerardo Lopez-Fortuny and Fernando Lopez-Fortuny;

S. 231. A bill for the relief of Dr. Restituto M. Cabaltica; and

S. 232. A bill for the relief of Dr. Constancio D. Katigbak and his wife, Imelda Katigbak; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (for himself and Mr. Randolph):

S. 233. A bill for the relief of Douglas M. Foley, Henry S. Hammett, and Carroll Elliott; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 234. A bill for the relief of Harold and Sylvia Freda Karro and their three minor children, Allan Karro, Jennifer Karro, and Michelle Karro; and

S. 235. A bill for the relief of Evelyn M. DeJesus; to the Committee on the Judiciary.

By Mr. DODD:

S. 236. A bill to extend for 1 year certain provisions of Public Laws 815 and 874, 81st Congress, and to amend such laws with respect to the definition of the term "real property"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON:

S. 237. A bill for the relief of Eventhia K. Perdaris; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 238. A bill for the relief of Alessandro Ricci;

S. 239. A bill for the relief of Claude Flavian Braganza;

S. 240. A bill for the relief of Mr. Demetrious Mallios:

S. 241. A bill for the relief of Basilios Captain;

S. 242. A bill for the relief of James C. Hung, and his wife, Sufenne Hung;

S. 243. A bill for the relief of Dr. Lourdes Casas Ocampo, Mrs. Carmen Ocampo Carrillo and her three minor children, Tomas Antonio Jesus Carrillo, Maria Corinta Asuncion Carrillo, and Marie Cecile Carrillo; and

S. 244. A bill for the relief of Eleni Tseliou; to the Committee on the Judiciary.

By Mr. BEALL:

S. 245. A bill for the relief of John R. Devereux; and

S. 246. A bill for the relief of Mario Simoes Da Fonseca; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 247. A bill to authorize survey and establishment of a townsite for the Juneau Indian village in Alaska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. Byrd of West Virginia):

S. 248. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

By Mr. SPARKMAN:

S. 249. A bill to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.; to the Committee on Interior and Insular Affairs.

By Mr. TALMADGE (for himself, Mr. Byrd of Virginia, Mr. Robertson, Mr. Johnston, Mr. Hill, Mr. Sparkman, Mr. Eastland, Mr. Stennis, Mr. Ellender, and Mr. Long of Louisiana):

S.J. Res. 16. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

By Mr. McGEE (for himself, Mr. Bartlett, Mr. Bible, Mr. Byrd of West Virginia, Mr. Church, Mr. Dodd, Mr. Douglas, Mr. Eastland, Mr. Engle, Mr. Fong, Mr. Gruening, Mr. Hartke, Mr. Hill, Mr. Holland, Mr. Humphrey, Mr. Inouye, Mr. Javits, Mr. Kefauver, Mr. Mansfield, Mr. McGovern, Mr. Metcalf, Mr. Nelson, Mrs. Neuberger, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Saltonstall, Mrs. Smith, Mr. Sparkman, Mr. Symington, Mr. Talmadge, Mr. Yarborough, and Mr. Young of North Dakota):

S.J. Res. 17. Joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in the States of Wyoming and Utah, as "O'Mahoney Lake and Recreation Area"; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above joint resolution, which appear under a separate heading.)

## RESOLUTIONS

### FUNERAL EXPENSES OF THE LATE SENATOR KERR, OF OKLAHOMA

Mr. MONRONEY submitted a resolution (S. Res. 24) to pay certain funeral expenses of the late Senator Kerr, of Oklahoma, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Monroney, which appears under a separate heading.)

### STUDIES OF MATTERS PERTAINING TO FOREIGN POLICIES OF THE UNITED STATES

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 25) authorizing the Committee on Foreign Relations to examine, investigate, and make studies of matters pertaining to the foreign policies of the United States and their administration, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Fulbright, which appears under the heading "Reports of Committees.")

### CONTINUANCE OF STUDY OF ACTIVITIES OF NONDIPLOMATIC REPRESENTATIVES OF FOREIGN PRINCIPALS

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 26) authorizing the Committee on Foreign Relations to continue its study of the activities of nondiplomatic representatives of foreign principals, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Fulbright, which appears under the heading "Reports of Committees.")

### FUNDS FOR THE STUDY OF MATTERS PERTAINING TO INTERAGENCY COORDINATION, ECONOMY, AND EFFICIENCY

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 27) to provide funds for the study of matters pertaining to interagency coordination, economy, and efficiency, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Humphrey, which appears under the heading "Reports of Committees.")

### TO PRINT AS A SENATE DOCUMENT A MANUSCRIPT ENTITLED "RATIFICATIONS OF THE CONSTITUTION"

Mr. SALTONSTALL submitted the following resolution (S. Res. 28) to print as a Senate document a manuscript entitled "Ratifications of the Constitution," as edited by Denys P. Myers, which was referred to the Committee on Rules and Administration:

Whereas the United States in Congress assembled on February 21, 1787, resolved that a convention be held "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the Federal Constitution adequate to the exigencies of the Government and the preservation of the Union"; and

Whereas the Federal Convention transmitted as its report to the United States in Congress assembled the Constitution of September 17, 1787, in the dual form of a signed engrossed copy and a printed text; and

Whereas the United States in Congress assembled on September 28, 1787, resolved that this report "be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the people thereof"; and

Whereas Charles Thomson, Secretary of Congress, set up a record book entitled "Ratifications of the Constitution" in which were entered verbatim the successive acts by which the Report of the Federal Convention was ratified by the States in sufficient number to establish it as the Constitution of the United States of America; and

Whereas the relevant portion of that record book was incorporated in the official "Journal of the United States in Congress Assembled" as an appendix to its resolution of September 13, 1788, which provided for the operation of the Government of the United States of America; and

Whereas President George Washington on July 24, 1789, gave Roger Alden, Deputy Secretary, custody of the "books, records, and papers of the late Congress", which the Act of September 15, 1789, directed to be deposited in the Department of State; and

Whereas the said books, records, and papers were transferred under that Act to the Department of State when Roger Alden as their custodian was appointed chief clerk of that Department; and

Whereas the Department of State completed the entry of action by States relating to the Constitution in the record book entitled "Ratifications of the Constitution" through the ratification by the new State of Vermont, dated January 10, 1791, and included therein ratifications to that date of the amendments comprising the Bill of Rights which were proposed by the resolution of the Congress of September 25, 1789; and

Whereas the Bill of Rights became by ratification a part of the Constitution by December 15, 1791; and

Whereas the manuscript book entitled "Ratifications of the Constitution" is the executive record book by which the Constitution of the United States of America was transmitted from the United States in Congress assembled, which initiated the Constitution, to the Government of the United States of America, which was established thereby; and

Whereas Denys P. Myers, a recognized authority upon the history of the Constitution, has tendered his services, without cost to the Government, for the editing of that record book and the preparation of an appropriate introduction to a proposed printing thereof; Now, therefore, be it

*Resolved,* That the manuscript book entitled "Ratifications of the Constitution" contained among the records of the Department of State in the National Archives, as edited by Denys P. Myers, together with an appropriate introduction thereto prepared by him, be printed as a Senate document.

### AUTHORIZATION FOR COMMITTEE ON COMMERCE TO MAKE A STUDY OF CERTAIN MATTERS UNDER ITS JURISDICTION

Mr. MAGNUSON submitted the following resolution (S. Res. 29), which was referred to the Committee on Commerce:

*Resolved,* That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) interstate commerce generally;
(2) foreign commerce generally;
(3) maritime matters;
(4) interoceanic canals;
(5) transportation policy;
(6) domestic surface transportation, including pipelines;
(7) communications, including a complete review of national and international telecommunications and the use of communications satellites;
(8) Federal power matters;
(9) civil aeronautics;
(10) fisheries and wildlife;
(11) marine sciences; and
(12) Weather Bureau operations and planning, including the use of weather satellites.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $ , shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

### GRANT OF LEGISLATIVE AUTHORITY TO SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY (for himself, Mr. Scott, Mr. Young of North Dakota, Mr. Boggs, Mr. Moss, and Mr. Keating) submitted the following resolution (S. Res. 30), which was referred to the Committee on Rules and Administration:

*Resolved,* That S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, is amended to read as follows:

"That there is hereby created a select committee to be known as the Committee on Small Business, to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress, and to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises.

"It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

"Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction."

SEC. 2. Subsection (d) of rule XXV of the Standing Rules of the Senate is amended by striking out in paragraph 2, the words "under this rule".

### AMENDMENT OF SENATE RULE XXIV

Mr. CLARK submitted a resolution (S. Res. 31) to amend rule XXIV to add a new section 3, relative to conference committees, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF SECTION 134(c) OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. CLARK submitted a resolution (S. Res. 32) to amend section 134(c) of the Legislative Reorganization Act of 1946, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF SENATE RULE XIX

Mr. CLARK submitted a resolution (S. Res. 33) to amend Senate rule XIX, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF SENATE RULE XIX

Mr. CLARK submitted a resolution (S. Res. 34) to amend rule XIX relative to printing remarks in the Congressional Record, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF RULE XIX, RELATING TO LIMITATION ON DEBATE

Mr. CLARK submitted a resolution (S. Res. 35) to amend rule XIX, relating to a limitation on debate, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF RULE XXV, RELATIVE TO JURISDICTION OF CERTAIN STANDING COMMITTEES

Mr. CLARK submitted a resolution (S. Res. 36) to amend rule XXV relative to jurisdiction of certain standing committees, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF RULE XXIV, RELATIVE TO QUALIFICATIONS OF CHAIRMEN OF COMMITTEES

Mr. CLARK submitted a resolution (S. Res. 37) to amend rule XXIV relative to qualifications of chairmen of committees, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF RULE XXIV RELATIVE TO ELECTING MEMBERS OF STANDING COMMITTEES AND THE CHAIRMEN THEREOF

Mr. CLARK submitted a resolution (S. Res. 38) to amend rule XXIV relative to electing members of standing committees and the chairmen thereof, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF SECTION 134 OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. CLARK submitted a resolution (S. Res. 39) to amend section 134 of the Legislative Reorganization Act of 1946, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF SUBSECTION 1 OF RULE III, STANDING RULES OF THE SENATE

**Mr. CLARK** submitted a resolution (S. Res. 40) to amend subsection 1 of rule III, Standing Rules of the Senate, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### AMENDMENT OF SENATE RULE VII

**Mr. CLARK** submitted a resolution (S. Res. 41) to amend rule VII, relating to morning business, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

### EXPRESSION OF SENSE OF THE SENATE ON STANDING COMMITTEES REPORTING BY JULY 4 OF ANY YEAR ON EACH LEGISLATIVE PROPOSAL

**Mr. CLARK** submitted the following resolution (S. Res. 42), which was referred to the Committee on Rules and Administration:

> *Resolved*, That it is the sense of the Senate that each standing committee of the Senate shall consider any legislative proposal of the executive branch of the Government referred to it within a reasonable time prior to July 4 of any year and report its recommendations for or against enactment to the Senate, so that the Senate as a whole will have an opportunity to consider the proposal and the recommendations of the committee prior to the adjournment of the session at which the recommendation was made.

### EDUCATIONAL OPPORTUNITIES ACT OF 1963

**Mr. GOLDWATER.** Mr. President, on behalf of myself, the Senator from North Dakota [Mr. Young], the Senator from Colorado [Mr. Allott], and the Senator from Kentucky [Mr. Morton], I introduce and send to the desk, for reference to the appropriate committee, a bill entitled "Educational Opportunities Act of 1963."

Mr. President, early in the first session of the 87th Congress, I introduced a bill, S. 991, entitled "Educational Opportunities Act of 1961," which, if enacted, would have solved all the educational problems, both real and imaginary, facing our country today, and would, at the same time, have made irrelevant and unnecessary all the alternative plans for Federal aid to education which have received serious consideration by the Senate.

Today, Mr. President, I am reintroducing this proposal in the same form in which it was introduced 2 years ago; and I ask unanimous consent that the bill lie at the desk for 10 days, in order that other Senators may have an opportunity to join in sponsoring this legislation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

**Mr. GOLDWATER.** Mr. President, briefly, my bill consists of three provisions: First, the establishment of a national merit scholarship program designed to aid and improve pre-college education; second, tax relief for families with children attending college; and, third, tax credit for homeowners for the portion of their real property taxes which is used for the maintenance, operation, and construction of public elementary and secondary schools.

During the preceding Congress, the Senate Labor and Public Welfare Committee held many days of hearings and received voluminous testimony on the administration's major education proposals, as well as other proposals introduced by various Senators.

The administration's legislative program in the field of education consisted of three major recommendations: First, S. 1021, a 3-year program of Federal grants to the States for the construction of public elementary and secondary school classrooms and increasing teachers' salaries; second, S. 2345, extending and amending the National Defense Education Act of 1958; and, third, S. 1241, providing low-interest loans to colleges and universities, for the construction of academic facilities and for scholarships to college students.

S. 1021 passed the Senate on May 25, 1961, after extended debate on the Senate floor, in substantially the form in which it was introduced; and it thereupon went to the House, where it remained in the House Rules Committee, after failing to receive a favorable vote to be sent to the House floor for debate. Later in the first session, on July 31, 1961, the Labor and Public Welfare Committee favorably reported S. 2345 to the Senate; and while it remained on the Senate Calendar until the adjournment of the 87th Congress over 14 months later, the Democratic leadership did not see fit to call it up for consideration by the Senate. The House Education and Labor Committee approved a similar bill extending and amending the National Defense Education Act; but, like the bill granting Federal funds to the public schools, it, too, failed to receive a rule by the House Rules Committee.

The last of the administration's proposals in this field—namely the higher education bill, S. 1241—was favorably reported to the Senate on September 15, 1961, and was passed by the Senate on February 6, 1962. The House passed its own version of a higher education bill, H.R. 8900, thus necessitating a conference. After sporadic meetings of the conferees, a compromise between the two bills was reached, but subsequently was rejected by the House membership; and thus it died in conference with the adjournment of the 87th Congress.

During the 2-year interval that has elapsed since the introduction of my education proposal, we have witnessed numerous desperate attempts on the part of the present administration and the majority leadership of the Congress to enact some form of Federal assistance to education, but without success. No doubt, part of the explanation for these failures resides in the church-state issue and the religious controversy stirred up by proposals authorizing Federal assistance to private and parochial schools, and part lies in the fact that many Members of Congress are genuinely hostile to the concept of Federal intervention into the purely local affairs of the public schools.

However, I am convinced that the principal roadblock to the establishment of Federal encroachments upon our local educational processes has been thrown up by the citizens of our country, primarily the parents and the taxpayers who, since World War II have, year after year, taxed themselves in ever-increasing amounts to maintain the finest system of public education in the world. Because of the sacrifices shouldered by the American people, they are fully cognizant that the continuing bleat of the Federal intruders—that only a massive infusion of money from Washington can supply our schoolchildren with the teachers, books, and buildings necessary to offer them the best education possible—is nothing more than a sham and a fiction.

Our people are aware that what they are told can now only be done by Federal aid, they have been doing each and every year since 1946, so that in 1963 the problems of adequate classrooms and better teacher salaries have all but disappeared, not as a result of running hat-in-hand to the Federal Government in Washington but by the application of hard work, perseverance, and initiative in the pioneer spirit by the citizens at the State, local, and community level. The apathy with which the administration's educational program has been received is in direct contrast to the energetic and resourceful activity on the part of the American people to meet the challenge of better education for their children.

Since introducing my educational opportunities proposal 2 years ago, it has received support from many quarters in and out of the education field, some quite unexpectedly. Appearing on the "Meet the Press" television program early last summer, the then Secretary of Health, Education, and Welfare, Abraham A. Ribicoff, advocated a tax credit to parents with children attending private schools. The Secretary based his support for such a proposal on the grounds that parents whose children attend private and parochial schools are making a great contribution to all education, both public and private, and as an element of justice they should be entitled to a tax credit. When asked by one of the panelists whether this type of tax credit was the same as the one I had advocated, Secretary Ribicoff answered:

> I don't know whether Senator Goldwater advocated it or not, but I would say we should explore the tax credit deduction feature in order to take care of this great problem because what we must be interested in

> in America is a good education of every child, whether that child goes to a public school or that child goes to a private school. (Vol. 6, No. 21, June 17, 1962, "Meet the Press.")

The Secretary had apparently forgotten that when he appeared before the Senate Labor and Public Welfare Committee to testify on Federal aid to education, he not only commented on my tax credit idea but rejected it. He said:

> To give credit toward Federal taxes the way you suggest would, I believe, deprive the National Treasury of substantial sums that are needed for the national interest frankly in States that aren't as well situated as Arizona or Connecticut or New York. I understand the point you make. (Hearings before the Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, p. 157.)

I welcome Senator RIBICOFF's support for the tax credit theory as a remedy for overcoming the educational ills of any State or local school board. In addition to eliminating entirely the church-state imbroglio, it assures the States financial resources necessary to surmount the shortcomings in the public school system wherever they may exist.

In addition to the alleged plight of the public elementary and secondary schools, we have recently been subjected to a barrage of propaganda concerning the lack of academic facilities in our colleges, universities, and other institutions of higher learning which would prevent many thousands of our young men and women from pursuing a college education. When the Senate Labor and Public Welfare Committee reported a higher education bill, I predicted, in my minority views filed with the report on the bill, that the present rapidly expanding rate of construction of academic facilities carried on by the States and private colleges might well result in excess educational plants, some of which would remain unused. I pointed out, further, that today there are many small colleges which never have reached the point of fully utilizing their existing enrollment capacity, and which year after year find themselves with a student body often considerably below the level which they can efficiently and comfortably accommodate. If a problem of inadequate college academic facilities does exist, then it is a problem of maldistribution of students among the Nation's colleges, rather than any absolute shortage.

The November 4, 1962, issue of This Week magazine contains an article, entitled "The College Shortage is a Myth," which bears out the prediction I made a year and one-half ago. Responding to the warning that the impending tidal wave of students would create an enrollment crisis threatening our college and universities, the author, Gene R. Hawes, conducted a survey of more than 2,000 colleges, to determine their expansion plans for accommodating the anticipated increase in college enrollment. This survey revealed that the Nation's colleges should have an enrollment capacity of as many as 5.4 million by 1965, and 7.1 million by 1970, as compared to the expected student enrollment of 5.2 million by 1965, and 6.8 million by 1970. Thus, it is clear that the evidence is at hand to combat the charge that the Nation's colleges and universities are so destitute of funds for constructing additional academic facilities that only the Federal Government can rectify their plight. As is true in the case of public elementary and secondary education, the States, local communities, and the private colleges have gone about preparing to meet the challenge of increased student enrollment without humbly entreating the Federal Government for alms.

One aspect of higher education which does require the attention of the Congress is the cost of a college education and the burden it places upon the parents and the family in financing the higher education of their children. Thus, another feature of my proposal would alleviate this burden by granting an additional substantial Federal tax deduction, up to $2,000, for each dependent attending an institution of higher education.

The bill which I am introducing today and the statement accompanying it set forth a program dealing with the proper role of the Federal Government with respect to education at all levels—elementary school, high school, and college, university and other institutions of higher learning.

This is a role which must be directed toward helping our people to help themselves, without the direct intervention of the Federal Government. It must recognize first and foremost the danger of centralized control over the vitally important area of life encompassed by the education of our children. Then, it must take account of the actual need which exists for expanding and augmenting the facilities which we now have for meeting the Nation's educational needs. Finally, it should use the power of the Federal Government to place at the disposal of the people and the States and local governments the means to handle the needs that may exist or arise.

The problem is one of letting the people decide, in their own communities, where that decision can best be made, just what are their educational needs. After that, it is one of equipping them to handle their needs locally, through their own school boards, and without the direction of Washington bureaucracy.

The major domestic problem facing the Nation is the threat of inflation, with its disastrous impact on private savings, insurance, pension funds, and social security. This threat has enormous ramifications when applied to our educational problems.

This is true because an increasingly larger share of these funds is being accumulated by parents, for the purpose of providing for the higher education of their children, the costs of which are outstripping the ability of many people to keep pace.

### I. FINANCING COLLEGE EDUCATION

As the costs of college education continue to rise, it becomes imperative to provide relief to the taxpaying parents of college students, and to do so, not in the form of Federal handouts, but by narrowing the far-reaching scope of the Federal taxing power.

Providing an education for their children is traditionally the responsibility of the American family, not of the government. The vast accumulations of private savings and insurance bear witness that most of our people still believe in this principle. Hence, a Federal program to aid our children to secure a college education should be directed toward helping their parents to do the job. It should avoid the form of Federal grants, with their accompanying expansion of Federal bureaucracy and Federal supervision, which not only wastes funds, through unproductive administrative costs, but, also creates a risk of Federal controls over public education.

Therefore, I propose a program of tax relief for most families with children at college. Such families will be given a substantial additional Federal income tax reduction for each dependent attending college.

### II. THE DECAY OF AMERICAN PRECOLLEGE EDUCATION

I believe—and this opinion is shared by many—that what is primarily wrong with American precollege education is not lack of money, but is lack of quality. The deterioration in the standards of the American elementary and secondary school has been recognized not only by leading scholars in and out of the academic community, but, finally, by the vast majority of the long-suffering American people, as well. It seems obvious that huge sums of additional money should not be spent in perpetuating and aggravating our educational shortcomings. Any program which makes additional funds available for use by our elementary and secondary school systems should be accompanied simultaneously by a program designed to induce improvements in the quality of education.

Speaking before the American Society of Civil Engineers, in February 1958, Dean Martin Mason, of the George Washington University School of Engineering, stated bluntly:

> Our schools are not fulfilling what should be their main function—basic education and the stimulation of minds. Pupils spend half their time learning social graces, automobile driving, and in building their bodies.

Mortimer Smith, director of the Council for Basic Education, in his book "A Citizen's Manual for Public Schools," writes:

> To sum up, this should be the bare minimum expected of a normal child finishing the elementary school: he should be able to read and write with some fluency, and spell, add, subtract, multiply, and divide with accuracy; he should know the basic geographic facts of his country and the world; have a knowledge of elementary science; know something of the culture and history of other peoples and much of his own. And above all, his schooling should have taught him the difference between aimless mental activity and orderly thought.
>
> There is a strange quirk in modern educational thinking which produces pessimism about the school's ability to teach such tangibles as geography, spelling, and reading, but optimism about the ability of the school to teach such intangibles as good citizenship and wise use of leisure time and to produce tolerant, well-rounded personalities.

Therefore, as a step in my program to aid and improve precollege education in the United States, I propose a measure to help achieve these goals which will invoke the most limited participation by the Federal Government, but will be wholly voluntary in character, completely free from any compulsion, either through law or otherwise, and will be based entirely on the principles of emulation and inspiration.

The proposed measure will establish a national merit scholarship program to make it possible for the most promising students to obtain college and undergraduate university educations, but primarily designed to establish a set of voluntary secondary school scholastic standards which can serve as a guide and a beacon both for the high schools of the Nation and for the parents of America.

These national scholarships will require only a tiny expenditure of Federal funds. They will be severely limited in number, but generous in amount, so as to be attractive to students and parents, alike. They will be administered by a board appointed by the President, and consisting of scholars and authorities in the humanities, literature, foreign languages, science, mathematics, history, philosophy, sociology, economics, and so forth.

This board will implement the basic scholastic requirements for eligibility to compete for these scholarships, as set forth in the law itself. These requirements, as a minimum, will include the study in high school of English, foreign languages, science, mathematics and history—emphasizing American history. The examinations conducted by the board will require the student to achieve an absolute passing mark. If more students pass than the number of scholarships available, only that number, in order of performance, will receive the scholarship awards. If fewer than this number manage to get the passing grade, then only they will be selected, and the rest of the scholarships will remain unused. The examinations will be conducted on a nationwide basis, with no geographic restrictions or limitations on the number of students from any State or community who participate or who secure the scholarships. If all of them went to the students of a single State, community, or even school, unlikely as that would be, then the rest of the Nation's school systems would do well to reexamine their own educational establishments.

Several beneficial effects are to be hoped for from this proposal. First, it will encourage a healthy spirit of academic rivalry among the secondary schools of the Nation, similar to that which now exists in athletics and debating. Second, it will spur scholastic competition among individual students. And last, but most important, it will expose the weaknesses in some of our secondary schools, while at the same time revealing the strength in others.

The American public will assess the results of these examinations. A school which consistently fails to qualify its students for participation in the examination, or whose students consistently fail to secure any of the scholarships, will come under intensive critical scrutiny. The parents and the community will want to know why their children are not eligible to compete; they will ask why their school lags behind, while the school in the neighboring county or adjoining State can boast of producing national scholars. Where such seriously inadequate educational standards exist, we are confident that the American people, with their customary diligence, will ferret out the evils which have brought about the deterioration, and will provide the necessary corrective.

### III. FINANCING PRECOLLEGE EDUCATION

The third step in the proposed program to aid and improve education in the United States is a measure which, if adopted, makes irrelevant and unnecessary all the alternative plans for Federal aid to education which are currently under serious consideration.

Since the end of World War II, we have witnessed the greatest school-building program ever conducted in this country. In the past 10 years alone, over 500,000 classrooms have been built; and, based on the sale of school bonds for the past several years, there is every reason to believe that this high rate of classroom construction will continue.

In spite of the excellent job which the States and local communities have done during the past 17 years to overcome the backlog of school facilities needed in some areas—a backlog brought on by the depression, World War II, and Korea—the proponents of direct Federal aid to education are nevertheless absolutely insistent that the only way to reduce the backlog is by way of a massive infusion of Federal grants into the States. In recent years, the same proponents have added to their propaganda the claim that teachers are not paid enough by the local school districts, and that, therefore, it is the responsibility of the Federal Government to correct that situation, as well.

It is interesting and significant that the demands for Federal aid to education have grown louder and more insistent as the need for expanding our school facilities diminishes. It is fully apparent that many of those promoting the idea of Federal aid to education are interested only in the element of centralized control, and, consequently, refuse to recognize that the States and local communities have been rapidly solving the backlog problem. They have seen their "crisis" selling point melt away in the face of determined local responsibility, and are attempting to cover it up by adding new items to their list of needs and more power to their propaganda efforts. The present offensive for Federal aid to, and control of, the Nation's education is the heaviest ever mounted; and it must be met with a courageously sound proposal incorporating the principles of individual freedom and personal responsibility.

I am fully aware that a growing student enrollment has made it difficult for some localities completely to overcome classroom shortages, despite the expenditure of considerable amounts of money and effort. I am also conscious of the fact that teachers' salaries have lagged behind those of other professions and vocations, causing some qualified instructors to resign from teaching and to enter more highly paid occupations, and making it difficult to attract qualified replacements.

However, recently published school statistics dealing with pupil population, enrollment, teachers, and public school expenditures are most revealing. Between 1950 and 1960, public school enrollment increased by 44.4 percent; during the same period, the number of teachers in elementary and secondary schools increased by 51.9 percent, thus reducing the pupil-teacher ratio to 26.4 to 1, as compared to 27.8 to 1 in 1950. But while pupil enrollment and the number of teachers are increasing in these ratios, total expenditures for public elementary and secondary schools rose by more than 150 percent.

From these figures it is quite obvious that the States and local communities have been making enormous and effective efforts to meet their school needs. Wherever the problem of the need for additional classrooms has not been solved, it has not been due to any reluctance on the part of the local community or the State to find and expend the necessary funds.

In view of the willingness of the State and local communities to keep pace with growing educational needs, I reject the wasteful and undemocratic measures to appropriate for school aid, billions of Federal dollars extracted from the States, only to be partially funneled back to them again, with strict limitations on the use to which the funds may be put.

I believe that the alleged evil plight of our schools has been grossly exaggerated, and that the magnificent efforts of our State and local governments to find the money with which to meet school needs have been largely and purposely ignored.

These efforts represented the quiet response of millions of "Forgotten Americans" to the educational problems arising in their communities. The job was done without fanfare by the people who meet their responsibilities on a day-to-day basis without the benefit of prodding by nationwide pressure group organizations. It represents a monument to the efforts of a free people, working with initiative and enterprise in their own communities, to meet the problems of those communities as they arose. This is where the big job of meeting the Nation's educational problems has been accomplished up until now; and this is where the job, rightfully, should be finished.

My proposal will provide the means for solving additional school problems, if they really exist; but it will leave the determination of this highly debatable question where it properly belongs—with the State and local communities, not with the Federal Government. The basic problem, if there is one, is financial. If State and local governments in some parts of the country are unable to keep pace with their school needs, it is because the Federal taxing power has preempted State and local sources of revenue. Hence, the proper approach is to compel the Federal Government to restore to the States and localities at least a portion of the tax resources which it has taken away. This is precisely what my measure will do.

The proposal is a simple one. Every homeowner, every owner of real estate in the United States, pays a real property tax to his local community government. In some cases, a substantial part of this tax is used to meet the primary and secondary school needs of the community, whether for new construction or for maintenance, teachers' salaries, or other past or current school costs. It provides that every taxpayer who pays a school tax on his real property, or as part of his real estate tax, shall, after having calculated the amount of Federal income tax which he must pay Uncle Sam, be permitted to subtract from the Federal income tax which he owes, the full amount of such school property tax, or such proportion of it as will result in a total additional tax benefit of between $3 and $4 billion to these taxpayers.

Under existing Federal income tax law, State and local school taxes are deductible from gross income, but the amount actually saved by the taxpayer depends on his Federal income tax bracket. Thus, for example, a taxpayer who has paid $200 in school taxes as part of the local real property tax on his home, and is in the 20-percent Federal income tax bracket, realizes a saving of $40. My proposal would retain this present practice, but, in addition, would permit him to take a $100 credit against what he owes Uncle Sam; that is, against his net Federal income tax. Hence, instead of a saving of $40, under our proposal the homeowner would save $140 of the $200 he paid in school taxes on his home. Of course, if the taxpayer's school tax were less than $100, he would be permitted to save in toto no more than the actual amount of his school tax.

This tax credit would be available to real property-school taxpayers, whether they itemize their Federal income tax returns or take the standard deduction.

The concrete advantages of this approach are overwhelming, as will be shown by the following:

First. The tax benefits provided would go directly to approximately 40 million taxpayers, including about 34 million homeowners, who with their families constitute almost 90 percent of our population, and who, in large part, are the forgotten Americans for whom only the Republican Party speaks today.

Second. With the Federal Government completely excluded from the program, there would be no danger of Federal control over education. Depending on State law, each community itself, or the State, would be the final judge of how much more it would like to spend on its educational needs than it is currently spending.

Third. The funds made available to the taxpayers are greater than the sums contemplated under any of the other Federal aid-to-education measures which are seriously being considered.

Fourth. Because of the complete exclusion of the Federal Government, there would be no expanded bureaucracy, no Federal administrative costs; and every dollar of tax money thus made available would purchase a full dollar's worth of school aid, if the community decided to expand its expenditures for education.

Fifth. Inasmuch as the tax resources of every State and locality would be substantially increased under this proposal, each would have ample funds with which to provide for its own school needs as it chooses, for none know better what these needs are than the citizens of the States and localities themselves.

Sixth. The so-called richer States would not be required to help finance the school needs of the allegedly poorer States, for under our proposal every State would have sufficient funds with which to meet its school needs out of its own resources. Rich State A would not be required to pay to the Federal Government in taxes twice or three times as much as it gets back in Federal school aid while poor State B was receiving back in Federal aid two or three times the amount of tax money it paid to the Federal Government, as its share of financing the Federal school aid program.

Seventh. Under any of the other proposed Federal school-aid measures, States which have fully met their school needs and which would not, if given a free choice, expand their school facilities during the next few years, would nevertheless be compelled to pay their share in Federal taxes to finance the program. The only way these States could recover any of the money thus extracted from them under these various proposals would be to accept the Federal grants and use them to expand their school facilities. The result would be the highly uneconomic and wasteful extension of school facilities in many areas where such extension is unnecessary and where other more urgent needs exist, but must perforce remain unsatisfied. Under my proposal, the use made of their tax money is not dictated to the taxpayer by the bureaucrats in Washington; it is determined by the taxpayers themselves—that is, by the parent, the citizen, the local school board, and the community.

Eighth. Any objection to my proposal, based on the assertion that it would bite into the Federal Treasury, is equally applicable to any of the other measures presently under consideration. I believe that mine would lead to a good look at the Federal budget and the discovery of many items of less importance, or even of no importance, which could readily be eliminated with no ill effects for the public welfare.

Ninth. If unemployment does not decrease and if business continues to falter because of the lack of confidence engendered by the spendthrift programs of the Democratic Party, my proposal will provide the necessary tax relief which some of the proponents of expanded Federal aid programs assert to be necessary in order to stimulate the economy.

Tenth. The preemption of State and local tax resources by the Federal Government would be diminished, and thus an important step would be taken in contracting big central government and in strengthening State and local government.

Mr. President, I ask unanimous consent that the bill, Educational Opportunities Act of 1963, and an analysis of the bill be printed in the body of the RECORD immediately following my statement.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 181) to promote education in the United States, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SHORT TITLE

SECTION 1. This Act may be cited as the "Educational Opportunities Act of 1963".

### TITLE I—ESTABLISHMENT OF NATIONAL SCHOLARSHIP BOARD

SEC. 101(a) There is hereby established an independent body to be known as the National Scholarship Board (hereinafter referred to as the "Board"). Such Board shall consist of thirteen members to be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) Five members who are recognized scholars in any of the following fields: Engineering, mathematics, or science.

(2) Five members who are recognized scholars in the field of humanities.

(3) Three members from such fields of endeavor as the President deems appropriate. It shall be the duty of the Board to carry out the scholarship programs provided for in this title. Any vacancy on the Board shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(b) Members of the Board shall receive compensation at the rate of $50 for each day engaged in carrying out this title, and shall be entitled to received an allowance for actual and necessary travel and subsistence expenses while serving away from their places of residence.

### *Rules and regulations*

SEC. 102. The Board shall make such rules and regulations as it deems necessary to carry out the provisions of this title. All actions of the Board shall be by majority vote of the members thereof.

### *Award of scholarships*

SEC. 103. (a) The Board shall establish principles and policies to be followed in the selection of individuals to be awarded scholarships. Such principles and policies shall provide for the selection of individuals to be awarded scholarships by objective examinations designed to measure achievement, such as the cooperative achievement test of the Educational Testing Service, Princeton, New Jersey. The Board shall establish a minimum attainment grade for such examinations and notwithstanding the number of scholarships authorized in this title for any year, a scholarship shall not be awarded under this title to any individual unless he equals or exceeds such minimum grade. As part of such examination, the Board shall require each individual competing for a scholarship under this title to submit an original theme or composition written in English, as well as a written translation, of such material as the Board may prescribe, from English into a foreign language and from a foreign language into English. Scholarships awarded by the Board shall be known as "National Scholarships".

(b) To be eligible to compete for a national scholarship, an individual (1) must be in his last academic year of secondary school or must hold a certificate of graduation from a school providing secondary education, (2) must have completed (or be in his last academic year toward completion) four academic years of study in English, three academic years of study in mathematics, three academic years of study in history, three academic years of study in foreign language, and three academic years of study in science or in Greek or Latin (if such Greek or Latin study is not used for the foreign language requirement above); (3) must have attained, or be reasonably assured of attaining, secondary school grades which average in the upper 15 per centum of the group with which he is completing secondary school; and (4) must make application for such scholarship in accordance with such rules and regulations as the Board may prescribe.

(c) Examinations for determining national scholarship winners shall be scheduled by the Board so as to permit the announcement of winners not later than the first week of March in each year that such scholarships are awarded.

(d) There are authorized to be awarded one thousand national scholarships for education beginning in the academic year which begins in the calendar year 1964, and for each academic year thereafter.

(e) Each recipient of a national scholarship shall receive a certificate signed by the members of the Board designating the recipient as a "National Scholar".

### *Institution of higher learning to be attended*

Sec. 104. An individual awarded a national scholarship may attend any institution of higher learning which will admit him if such institution (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, and (4) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

### *Amount and duration of scholarships*

Sec. 105. (a) The scholarship allowance to be paid each academic year to an individual awarded a national scholarship shall be determined for each academic year by the Board on the basis of the estimated expenses which will be incurred for such year in attending the educational institution in which he is enrolled. In no event shall such allowance for any such year exceed $3,000. The scholarship allowance shall be paid in such manner and at such times as the Board may prescribe.

(b) The scholarship allowance herein provided for shall be granted for a period of time not to exceed four academic years, or such longer period as is normally required to complete the undergraduate curriculum which the recipient is pursuing; but in no event shall such allowance be paid beyond the completion by the recipient of the work for his first bachelor's degree. Notwithstanding the foregoing provisions, the scholarship allowance shall be paid only so long as the recipient (1) devotes substantially full time during the academic school year to educational work at the educational institution which he is attending, and (2) maintains the standards and requirements prescribed by the institution he is attending and those prescribed by the Board. If the recipient fails to maintain such standards and requirements, his national scholarship shall be terminated and he shall be dropped from the program.

### *Appropriations*

Sec. 106. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this title.

## TITLE II—AMENDMENTS TO INTERNAL REVENUE CODE OF 1954

### *Credit against income tax for real property taxes paid for support of public elementary and secondary education*

Sec. 201. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 39 as section 40, and by inserting after section 38 the following new section:

"Sec. 39. Real Property Taxes Paid for Support of Public Education.

"(a) General Rule.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the taxes on real property paid or accrued during the taxable year which are imposed for the support of public elementary and secondary education, but only to the extent that such taxes do not exceed the lesser of—

"(1) $100, or

"(2) the amount of the tax imposed by this chapter for the taxable year, reduced by the credits allowable under section 32 (relating to tax withheld at source on nonresident aliens and foreign corporations and on tax-free covenant bonds), section 33 (relating to foreign tax credit), section 34 (relating to credit for dividends received by individuals), section 35 (relating to partially tax-exempt interest), section 37 (relating to retirement income), and section 38 (relating to investment in certain depreciable property).

"(b) Income Tax Benefits Not To Exceed Amount of Real Property Taxes Paid for Support of Public Education.—If the amount allowable (but for this subsection) as a credit under subsection (a) for any taxable year, when added to the amount by which the tax under this chapter for the taxable year is less by reason of the deduction allowed under section 164 for real property taxes for which credit is otherwise allowable under subsection (a), exceeds the total amount of real property taxes paid or accrued during the taxable year which are imposed for the support of public elementary and secondary education, the amount allowable as a credit under subsection (a) shall be reduced by an amount equal to such excess.

"(c) Determination of Amount of Real Property Tax Paid for Support of Public Education.—For purposes of subsection (a), the amount of any tax on real property which is imposed for the support of public elementary and secondary education shall be—

"(1) with respect to any real property tax imposed solely for such support, the amount of such tax; and

"(2) with respect to any real property tax imposed in part for such support, the portion of such tax—

"(A) designated in the bill for such tax submitted to the taxpayer by the taxing jurisdiction imposing such tax; or

"(B) determined from information set forth in such bill or from information furnished to the taxpayer by such taxing jurisdiction, as the amount of such tax which is imposed for the support of public elementary and secondary education.

"(d) Special Rules.—

"(1) Taxes must be deductible.—No credit shall be allowed under subsection (a) with respect to any real property tax unless such tax is allowable as a deduction for the taxable year under section 164.

"(2) Taxes constructively paid.—Under regulations prescribed by the Secretary or his delegate, the provisions of subsections (d), (e), and (f) of section 164 shall apply to real property taxes with respect to which credit is allowable under subsection (a)."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 39. Real property taxes paid for support of public education.

"Sec. 40. Overpayments of tax."

### *Deduction for expenses incurred in providing higher education*

Sec. 202. (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 217 as section 218, and by inserting after section 216 the following new section:

"Sec. 217. Expenses for Higher Education.

"(a) Allowance of deduction.—In the case of an individual, there shall be allowed as a deduction the expenses for higher education paid by the taxpayer during the taxable year which are incurred by him, by his spouse, or by a dependent (as defined in section 152 (a)).

"(b) Definitions.—For purposes of this section—

"(1) Expenses for higher education.—The term 'expenses for higher education' means amounts paid for—

"(A) tuition and fees required by an institution of higher education for attendance at such institution;

"(B) fees required by an institution of higher education for a course of instruction at such institution;

"(C) books, supplies, and equipment certified by an institution of higher education as necessary for a course of instruction at such institution; and

"(D) meals and lodging while attending an institution of higher education, but only if the individual for whom such amounts are paid is, at the time such expenses for meals and lodging are incurred, a full-time student at such institution or is enrolled in courses having at least one-half of the number of hours required to qualify as a full-time student.

"(2) Institution of higher education.—The term 'institution of higher education' means an educational institution (as defined in section 151(e)(4))—

"(A) which is accredited by a recognized national or regional accrediting agency, and

"(B)(i) which is authorized to confer any baccalaureate or higher degree, or (ii) whose curriculum consists of courses at least two-thirds of which are courses of instruction within the meaning of this section.

"(3) Course of instruction.—The term 'course of instruction' means a course of instruction for the successful completion of which credit is allowed toward a baccalaureate or higher degree by an institution of higher education authorized to confer such degree, or which is required for graduation by the institution of higher education offering such course.

"(c) Limitations.—

"(1) Expenses of each individual.—Deduction shall be allowed under subsection (a) for the expenses for higher education of any one individual paid during the taxable year only to the extent that such expenses do not exceed $2,000.

"(2) Spouse.—Deduction shall be allowed under subsection (a) for the expenses for higher education of the spouse of the taxpayer paid during the taxable year only if—

"(A) the taxpayer is entitled to an exemption for his spouse under section 151(b) for the taxable year, or

"(B) the taxpayer files a joint return with his spouse under section 6013 for the taxable year.

"(3) Meals and lodging.—

"(A) Full-time students.—Deduction shall be allowed under subsection (a) for the expenses for higher education described in subsection (b)(1)(D) paid during the taxable year which are incurred by any individual who at the time such expenses are incurred is a full-time student only to the extent that such expenses do not exceed—

"(i) in the case of such expenses incurred while the individual is attending an educational institution away from home, $90, multiplied by the number of months during the taxable year in which the individual attends an educational institution away from home, or, if greater, by the number of months for which payment is made during the taxable year for meals and lodging for the individual while he is attending an educational institution away from home; or

"(ii) in the case of such expenses incurred while the individual is attending an educational institution not away from home, $45, multiplied by the number of months during the taxable year in which the individual attends an institution of higher education not away from home, or, if greater, by the number of months for which payment is made during the taxable year for meals and lodging for the individual while he is attending an educational institution not away from home.

"(B) Less than full-time students.—Deduction shall be allowed under subsection (a) for the expenses of higher education described in subsection (b)(1)(D) paid during the taxable year which are incurred by any individual who at the time such expenses are incurred is not a full-time student but who is enrolled in courses having at least one-half of the number of hours required to qualify as a full-time student only to the extent that such expenses do not exceed an amount determined under subparagraph (A)(i) or (ii), whichever is applicable, except that, for purposes of this subparagraph, there shall be substituted for $90 in subparagraph (A)(i), and for $45 in subparagraph (A)(ii), an amount which bears the same ratio to $90 or $45, as the case may be, as the number of hours in which such individual is enrolled bears to the number of hours required to qualify as a full-time student.

"(C) Special rules.—For purposes of subparagraphs (A) and (B), a month during which an individual attends an institution of higher education for less than 10 days shall be disregarded; and an individual who is attending an institution of higher education not away from home, but who is required by such institution to accept meals and lodging furnished by such institution, shall be treated as if he is attending an institution of higher education away from home. For purposes of this section, the amounts paid for meals and lodging of an individual while he is attending an institution of higher education not away from home shall, in the case of meals and lodging furnished to such individual by the taxpayer, be determined under regulations prescribed by the Secretary or his delegate.

"(4) Other personal and living expenses.—Except as provided in paragraph (3), deduction shall not be allowed under subsection (a) for any amount paid, directly or indirectly, for any personal or living expenses. In the event an amount paid as tuition or fees includes an amount for any personal or living expense (including meals or lodging) which is not separately stated, the portion of such amount paid which is attributable to such personal or living expense shall be determined under regulations prescribed by the Secretary or his delegate.

"(5) Taxpayers having substantial taxable income.—The amount which (but for this paragraph) would be allowable as a deduction under subsection (a) shall be reduced by the amount by which the taxable income of the taxpayer (computed without regard to this section) exceeds—

"(A) $10,000, if the taxpayer is unmarried and is not a head of a household (as defined in section 1(b)(a) for the taxable year, or is married and files a separate return for the taxable year, or

"(B) $20,000, if the taxpayer is married and files a joint return with his spouse for the taxable year, or is a head of a household or surviving spouse for the taxable year.

"(d) Reduction for Certain Scholarships, Fellowships, and Veterans' Benefits.—The expenses for higher education paid by the taxpayer with respect to any individual which (but for this subsection) would be taken into account under subsection (a) shall, under regulations prescribed by the Secretary or his delegate, be reduced by any amounts received by or for such individual during the taxable year as—

"(1) a scholarship or fellowship grant (within the meaning of section 117(a)(1) which, under section 117, is not includable in gross income, or

"(2) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

"(e) Exception.—Subsection (a) shall not apply to any amount paid which is allowable as a deduction under section 162 (relating to trade or business expenses)."

(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 217. Expenses for higher education.
"Sec. 218. Cross references."

### *Effective date*

Sec. 203. The amendments made by sections 201 and 202 shall apply to taxable years beginning after December 31, 1962.

The analysis presented by Mr. Goldwater is as follows:

## Analysis of the Bill, Entitled "Educational Opportunities Act of 1963," To Be Introduced by Senator Barry Goldwater

### 1. A PROGRAM PROVIDING FOR THE AWARD OF NATIONAL MERIT SCHOLARSHIPS

A. Establishes a National Scholarship Board, appointed by the President, consisting of 13 members who are recognized scholars in the fields of engineering science, mathematics, languages (including classical), the humanities, and the arts. The duties and responsibilities of the Board shall be to set forth the policies and principles for selection of individuals for scholarships which shall be known as national scholarships. As part of the examination, designed to measure achievement, the Board shall require each competing individual to submit an original theme or composition written in English as well as a written translation of such theme or composition from English into a foreign language.

B. In order to compete for these scholarships, an individual must meet the following requirements:

1. Must be in his last academic year or must hold a certificate of graduation from a secondary school.

2. Must have completed at least 4 years of English, 4 years of history, 3 years of mathematics, 3 years of a foreign language, 3 years of science or, in lieu thereof, 3 years of Latin or Greek.

3. Must be or have been in the upper 15 percent of his class.

C. Each scholarship awarded by the Board shall be for 4 years or such longer period of time necessary to complete the course which the student is pursuing. The amount of the scholarship shall be based on the estimated expenses of the recipient but in no event shall the amount exceed $3,000 for any academic year. Each recipient of a scholarship shall be designated a "national scholar."

D. The Board would be authorized to award every year a maximum of 1,000 scholarships. The Board shall establish a minimum attainment grade for such examinations and, notwithstanding the number of scholarships authorized, a scholarship shall not be awarded to any individual unless he equals or exceeds such minimum grade. Thus, if only 700 of the applicants receive such a grade, only that number would be awarded and the remaining 300 would not be used. If more than 1,000 applicants receive a passing grade, the scholarships will be awarded in accordance with the principles and policies established by the Board.

E. The examinations conducted by the Board will be on a nationwide basis with no geographic restrictions or limitations on the number of participants from any State or community. This same condition will also apply with respect to the award of these scholarships.

### 2. TAX CREDIT TO HOMEOWNERS FOR THAT PORTION OF THEIR REAL PROPERTY TAX WHICH IS USED FOR THE MAINTENANCE, OPERATION, AND CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

A. The taxpayer would continue to deduct the amount of his real property tax from his gross taxable income; after he determines what his tax will be, he then credits against his final tax that amount of his real property tax which is used for the maintenance, operation, and construction of public elementary and secondary schools.

B. Tax credit would be the amount actually paid by the taxpayer or $100 whichever is less. To illustrate, a taxpayer pays a real property tax of $600, of which $350 is used for public school purposes. As he does at present, the taxpayer would be able to deduct from his taxable income $600, and assuming that he is in the 20-percent bracket, this would result in a tax saving to him of $120 (20 percent of $600). After determining his final tax, for example, $500, the taxpayer in addition would be able to take a credit of $100 against his net tax, thus, instead of paying a tax of $500, he would pay only $400.

C. The taxpayer who takes a standard deduction would also benefit since the credit granted is taken against the final tax after all exemptions and deductions have been made.

D. The deduction together with the tax credit cannot result in a saving to the taxpayer of more than the actual amount of that portion of the real property tax devoted to public school needs. For example, the taxpayer pays a real property tax of $100, of which $60 is used for public school purposes. Assuming the taxpayer is in the 20-percent bracket, he would be able to reduce his tax by $20 (20 percent of $100), $12 of which is attributable to the tax for school purposes. Giving such a taxpayer a $60 credit—the actual amount paid for school purposes—would return a saving to the taxpayer of $72 or $12 more than the tax he paid for support of the public schools. Thus, the tax credit in this case would be limited to $48.

### 3. TAX RELIEF FOR FAMILIES WITH CHILDREN ATTENDING COLLEGE

A. The taxpayer is granted an additional deduction from his taxable income for the expenses incurred by him, his spouse, or his dependent or dependents, while attending college.

B. Expenses shall include tuition and fees charged by the college for a course of instruction and attendance at such college; books, supplies, and equipment; room and board, whether the student is living on or off the campus. The amount the taxpayer may deduct shall be the actual amount of expenses paid but not to exceed $2,000 for each child attending college. Of this amount, the cost of room and board may not exceed $90 a month while the student is in attendance at college ($45 in the case of a student living at home).

C. In addition to his child or children, the taxpayer may also deduct such expenses which he incurs as a student as well as those of his wife and anyone else whom the taxpayer can lawfully claim as a dependent.

D. The deduction is available to a taxpayer whose dependent is attending a college, university, or other institution of higher learning, such as medical school, dental school, law school, or other graduate school. This deduction is not available to a taxpayer whose dependent is attending a trade or vocational school or any other school which does not award a baccalaureate or higher degree.

E. The amount of expenses which the taxpayer may deduct from his taxable income shall be reduced by the amount by which the taxable income of the taxpayer exceeds $10,000 if the taxpayer is unmarried or if married, files a separate return or, $20,000 if the taxpayer is married and files a joint return or is a head of a household or a surviving spouse. Thus, if a taxpayer has $2,000 in educational expenses and a taxable income of $20,800, he would be entitled to a deduction of $1,200 ($2,000 less $800, the amount in excess of $20,000). The taxpayer thereby reduces his taxable income from $20,800 to $19,600. If the taxpayer is in the 50 percent bracket, he would thereby reduce his tax by $600 (50 percent of $1,200).

## THE COLUMBUS BEND DAM PROJECT ON THE COLORADO RIVER OF TEXAS

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Columbus Bend Dam project in Texas.

This project is one of the major needs in the overall development of the Lower Colorado River Basin. The Columbus Bend Dam and the series of dams of the Lower Colorado River Authority, and others envisioned for the future, are part of one overall water program that includes flood control, hydroelectric power, irrigation, water for municipal needs, recreation, and navigation.

The Lower Colorado River Authority has aided in an exhaustive study of the present and future needs of Texas for water.

I was a member of the original board of directors of the Lower Colorado River Authority, appointed by Gov. James V. Allred in 1935, which started the construction of the first of the series of dams on the Colorado River. In my years in the Senate, I have continued to assist in every way possible in this vital overall water development program.

The Columbus Bend Dam project is no small or isolated project of special interest to a few. It is important to the provision of additional controlled water supply for municipal and industrial needs, not only in the area of the reservoir, but downstream from it.

Operating in existence with other dams, it will prevent the tragic wasting of water into the Gulf of Mexico, and will provide a firm and dependable supply of water necessary to the economic development of Texas.

The Federal Government and the Lower Colorado River Authority have worked together for more than a quarter of a century to provide this water control and supply, and I am proud to have had a part in this work from the beginning.

Support for the Columbus Bend project is based on extensive study and research. After study and research, it has been approved by the Board of Water Engineers of the State of Texas; it has been approved by the Governor of the State of Texas; it has been recommended by the Bureau of Reclamation, Department of Interior of the United States; it has been found to be in accord with Presidential policies by the Bureau of the Budget, and it has been recommended for immediate authorization and construction by the U.S. Study Commission of Texas.

The National Aeronautics and Space Agency has located its vast project for manned space flight research at Houston, Tex., less than 90 miles from the site of the Columbus Bend Dam project. No one can foresee the water needs of this rapidly growing area, but events in history and at present signify tremendous growth.

The gulf coast of Texas and an area far inland is on the threshold of a new era. The Columbus Bend Dam project can help us to meet the Nation's defense needs, the need for economic development in the immediate area of the dam, and it will contribute to overall conservation efforts vital, not only to Texas, but to the whole Nation. I ask unanimous consent that this bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 220) to authorize the Secretary of the Interior to construct, operate, and maintain the Columbus Bend project, Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to construct, operate, and maintain the Columbus Bend project, Texas, in accordance with the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as those laws are inconsistent with this Act, for the principal purposes of storing, regulating, and furnishing water for municipal, industrial, and irrigation use and recreation benefits and, as incidents to the foregoing, for the additional purposes of controlling floods and permitting generation of hydroelectric power. The principal features of the Columbus Bend project shall consist of a dam and reservoir on the Colorado River near Columbus, Texas, and minimum basic recreational facilities at that reservoir.

SEC. 2. (a) The Secretary shall make appropriate allocations of project costs to municipal and industrial water supply, conservation and development of fish and wildlife, and recreation: *Provided,* That all operation and maintenance costs for Columbus Bend Dam and Reservoir shall be allocated to municipal and industrial water supply. Construction costs of said dam and reservoir allocated to conservation and development of fish and wildlife and of the minimum basic recreational facilities, shall be nonreimbursable. Operation and maintenance thereof shall be at Federal expense.

(b) Allocations of project costs made to municipal and industrial water supply shall be repayable to the United States under either the provisions of the Federal reclamation laws or under the provisions of the Water Supply Act of 1958 (title III of Public Law 85–500, 72 Stat. 319): *Provided,* That, in either case, repayment of costs allocated to municipal and industrial water supply shall include interest on the unamortized balance of such allocations at a rate equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum.

(c) If conditions permit irrigation use of project water, the Secretary is authorized to allocate to irrigation, under the provisions of the Federal reclamation laws, an appropriate portion of the project construction costs allocated to municipal and industrial water supply.

SEC. 3. (a) Construction of the project shall not be commenced until a contract has been executed by the Secretary and the Lower Colorado River Authority (an agency of the State of Texas) under which the Lower Colorado River Authority shall agree to repay reimbursable construction costs and to pay appropriate interest charges and operation and maintenance costs for Columbus Bend Dam and Reservoir in accordance with section 2 hereof.

(b) Such contract may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939, and may recognize the relative priorities of municipal, industrial, and irrigation uses.

(c) Upon execution of the contract referred to in section 3(a) above, and upon completion of construction of the project, the Secretary shall transfer to said Lower Colorado River Authority the care, operation, and maintenance of Columbus Bend Dam and Reservoir upon the terms and conditions set out in the said contract.

(d) When all of the costs allocable to reimbursable purposes incurred by the United States in constructing, operating, and maintaining the project, together with appropriate interest charges, have been returned to the United States by the Lower Colorado River Authority, said Authority shall have a permanent right to use the storage capacity of Columbus Bend Reservoir.

SEC. 4. The Secretary may, upon conclusion of a suitable agreement with the Lower Colorado River Authority or other qualified agency of the State of Texas or a political subdivision thereof for assumption of the administration, operation, and maintenance thereof at the earliest practicable date, construct or permit the construction of public park and recreational facilities on lands owned by United States adjacent to Columbus Bend Reservoir, when such use is determined by the Secretary not to be contrary to the public interest, all under such rules and regulations as the Secretary may prescribe. The Federal costs of constructing the facilities authorized by this section shall be limited to the nonreimbursable costs of the Columbus Bend project for minimum basic recreational facilities as determined by the Secretary.

SEC. 5. The Secretary is authorized to permit the Lower Colorado River Authority to install, at its own expense, hydroelectric power facilities at the Columbus Bend Dam and to operate and maintain said facilities under terms and conditions satisfactory to the Secretary of the Interior. In such event, the Secretary shall determine the construction costs, if any, of Columbus Bend Dam and Reservoir, which should be repaid by the Lower Colorado River Authority as a reimbursable allocation to power under the provisions of the Federal reclamation laws. If an allocation to power is found appropriate, the construction costs allocated to other reimbursable project purposes shall be reduced by an equivalent amount.

SEC. 6. Expenditures for the Columbus Bend Dam and Reservoir may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (43 U.S.C. 390a).

SEC. 7. There are hereby authorized to be appropriated such sums as may be required to carry out the purposes of this Act.

## CONSTRUCTION OF ONEIDA DIVISION OF BEAR RIVER RECLAMATION PROJECT, IDAHO

**Mr. MOSS.** Mr. President, we are approaching the time when it will be appropriate for the Congress to consider legislation to authorize the Oneida division of the Bear River project—the first division of a giant water resource development which will substantially increase the supply of usable water in northern Utah and southern Idaho.

The Bureau of Reclamation is now completing its report on the Oneida division, and it should not be too many months before the report reaches Congress for its consideration. I am, therefore, introducing a bill to authorize the Oneida division so we can be ready for hearings and other committee attention to the project as soon as all of the necessary information about it is at hand.

The Oneida division extends from Grace, Idaho, south 100 miles to Ogden, Utah. Two of Utah's northernmost counties, Cache and Box Elder, will be most benefited in my State, as will two of Idaho's southernmost counties, Franklin and Bannock. Oneida is a multipurpose development which, through a system of storage, distribution, and water exchange, will provide a supplemental and full irrigation water supply for about 109,000 acres of land, including 61,000 acres in Idaho and 48,000 acres in Utah.

It will also provide municipal and industrial water supplies to a number of communities in Utah, will help conserve fish and wildlife resources there, and will establish new recreation facilities for the particular enjoyment of people in the surrounding area to whom they will be easily accessible.

Of special importance is the fact that supplemental supplies of industrial and municipal water will be available to Brigham City and to the Ogden, Utah, area where there is unusual population growth because of Utah's expanding missile industry.

The project will also have a decided impact on the farming community in that it will not only put new acres under irrigation, and provide more water for some already being irrigated, but it will give northern Utah additional late-season irrigation, which is one of the great needs of that locality. Large areas of land that are now being dry farmed can produce their full potential. This, of course, should improve farm income in an area which is now somewhat depressed.

Firm costs for the Oneida division are not yet available, but it is expected that the total cost will be in the neighborhood of $85 million. Most of it will be repaid with interest, over a period of 60 years, by the water users. The Oneida Narrows Dam on the Bear River, about 10 miles east of Preston, will be the principal works, an earthfill dam constructed at a cost of about $26½ million. The Honeyville Dam and Reservoir on the Bear near Tremonton, Utah, will cost about $6 million, and the enlargement work on the existing Glendale Reservoir on Worm Creek near Preston under $4 million. The latter two will also be earthfill dams.

Included in these works will be a supply canal to deliver water to existing irrigation systems and to a water fowl area planned in northern Cache County in Utah. In addition to enlarging the Glendale Reservoir, new canals, laterals, and drains are to be constructed to fulfill the objectives of a desirable project.

The project would, of course, be constructed, operated, and maintained by the Secretary of the Interior. The Cache County Water Users Association is the local sponsor of the project, and has done a vigorous educational job in informing citizens in Utah of the significance of the entire Bear River project.

I trust that the Oneida division can be authorized before the 88th Congress adjourns.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 227) to authorize the Secretary of the Interior to construct, operate, and maintain the Oneida Division of the Bear River reclamation project, Idaho, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## ASSISTANCE TO SCHOOLS IN FEDERALLY IMPACTED AREAS

**Mr. DODD.** Mr. President, during the closing days of the 1st session of the 87th Congress in September 1961, Public Law 874 and Public Law 815, providing school aid to federally impacted areas, was salvaged from extinction at the 11th hour, and this happened after the laws had officially expired on June 30, 1961.

This vital and specialized legislation had been allowed to lapse because a general aid to education bill was supposed to take care of all school districts, impacted or not.

An aid to education bill was not passed, and at the last minute Public Law 874 and Public Law 815 were extended for 2 years. They will again expire on June 30 of this year.

I believe it wise to avoid a repetition of a last-minute extension, and I recommend that these programs be immediately extended for 1 year.

This will clear the air from many points of view.

It will allow school districts to intelligently and progressively plan their budgets for the coming year, with a feeling of security regarding their commitments.

It will permit consideration of all other types of Federal aid to education in an atmosphere of calmness, without the harassment of meeting a deadline which was so apparent when Public Law 874 and Public Law 815 lapsed 2 years ago. At that time only the good offices of our distinguished majority leader and a completely bipartisan approach made it possible for the laws to be extended during the latter days of the 1st session of the 87th Congress.

The wisdom of extending these laws at this time is, or should be, self-evident to all, and I hope my colleagues on both sides of the aisle will support early and affirmative action. If we do not move in this area at once, the school districts concerned and their administrators who will shortly be hiring teachers, buying supplies, and otherwise preparing for the next school year, will do so without the assurance of Federal aid which they have depended on for many, many years.

Incorporated in my bill for 1-year extension is another provision which would lessen the economic hardship on school districts caused by the sale of Government property to private interests.

Recently, a sale of this type in Groton, Conn., caused an immediate economic crisis in Groton and 20 other Connecticut towns in that area. I feel that the present law discriminates in its definition of "real property" and in the extent of its aid coverage following the sale of such property.

In many instances where there is a sale or disposal of Federal property the Federal project or program which caused the influx of workers and their families and children continues on and the burden on the schools and their facilities is in no way lessened by the sale. The amount of Federal aid, however, is markedly reduced without a corresponding increase in taxes assessed against the property sold to private interests.

In 1956 an amendment was inserted in Public Law 874 which stated that the provision of the law applied "1 year beyond the end of the fiscal year in which occurred the sale or transfer thereof by the United States, of any housing property considered prior to such sale or transfer to be Federal property for the purpose of the act."

This clause offers partial protection to school districts with a preponderance of "housing property," but offers no relief when the Government property sold is nonhousing. This is precisely what has occurred in Groton, Conn., with the transfer of a complex of industrial buildings owned by the Federal Government and sold to the Electric Boat Co.

This sale will have an immediate and serious adverse economic effect on the school budgets of Groton and 20 surrounding towns. These towns and cities, dependent to a large extent on Federal aid to impacted areas, had no way of planning because the sale of these buildings took over a year to consummate and the final transfer of the property occurred last month after various delays and changes.

Situations of this type are, of course, not restricted to the State of Connecticut, and they can and will occur in many towns and cities throughout the United States as the Federal Government is called upon to dispose of Federal properties and other installations.

I feel that striking out the word "housing," and thus making all property eligible for relief extension and permitting the payment of aid benefits "for 1 year beyond the end of the fiscal year in which the sale or transfer" occurs, is only simple justice and wise economics in that it provides for intelligent planning and lessens the overall impact of the property sale on towns concerned.

I send this bill to the desk for appropriate reference, and request that it remain at the desk for a period of 5 days to give my colleagues an opportunity to join in cosponsoring this measure.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and without objection, the bill will lie on the desk as requested.

The bill (S. 236) to extend for 1 year certain provisions of Public Laws 815 and 874, 81st Congress, and to amend such laws with respect to the definition of the term "real property," introduced by Mr. Dodd, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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## ESTABLISHMENT OF TOWNSITE FOR JUNEAU INDIAN VILLAGE, ALASKA

Mr. BARTLETT. Mr. President, on behalf of myself, and my colleague, the junior Senator from Alaska [Mr. Gruening], I am pleased today to introduce a measure authorizing the survey and establishment of a townsite for the Juneau Indian Village in the State of Alaska.

Under current law, the citizens of this village are prevented from forming a townsite—and are thus prevented from obtaining title to their homes—because a section of the community is built on filled-in tidelands. The act of May 25, 1926, which governs the creation and disposal of native townsites makes no provision for tideland settlements. As a result the Tlingit Indians who reside in this village are unable to obtain home improvement loans and are denied the benefits of home ownership. These are benefits enjoyed by many other native Alaska villages.

The importance of this matter to the Juneau Indian Village is seen in the fact that every single adult member of the community has signed a petition to the Alaska congressional delegation asking amendment of the act of May 25, 1926. I ask unanimous consent that this be made a part of the Record at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the resolution will be printed in the Record.

The bill (S. 247) to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska, introduced by Mr. Bartlett (for himself and Mr. Gruening), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The resolution presented by Mr. Bartlett is as follows:

"Whereas the Tlingit Indian residents on tidelands in the Indian village in the City of Juneau, Alaska, are unable to get the Bureau of Land Management to establish and survey said tidelands for townsite purposes under the Indian Townsite Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a–355d) because said act covers only public lands which does not include tidelands; and

"Whereas the Tlingit Indian residents and owners of homes and other improvements in the Juneau Indian Village are unable to own the land where their improvements are located and they desire to own said land; and

"Whereas, on September 16, 1960, the Solicitor for the Department of the Interior rules that tidelands in the Juneau Indian Village are still owned by the United States and were not conveyed to the State of Alaska by either the Tidelands Act of September 7, 1957 (71 Stat. 623) or the Statehood Act of July 7, 1958 (72 Stat. 339); and

"Whereas the Tlingit Indian residents and owners of improvements on tidelands in the Juneau Indian Village want the Indian Townsite Act of May 25, 1926, amended so said Indians may petition the Bureau of Land Management to establish and survey said tidelands for townsite purposes so that title to said lands may be conveyed by the townsite trustee to the proper Indian claimants and occupants of tracts of said tidelands: Therefore be it

"*Resolved,* That the Tlingit Indian residents and owners of improvements in the Juneau Indian Village do hereby request U.S. Senators E. L. Bartlett and Ernest Gruening and U.S. Congressman Ralph J. Rivers to introduce legislation in Congress to amend section 3 of the Indian Townsite Act of May 25, 1926 (44 Stat. 629) so that said act will include tidelands used and occupied by said Indians."

The foregoing resolution was introduced, passed, and adopted at Juneau, Alaska, this 14th day of January 1962, by the following adult residents and owners of improvements on tidelands in the Juneau Indian Village which represent 100 percent of said adult Tlingit Indian residents and owners of improvements in said village:

Alfred G. Grant, Mrs. Mary Reyes, Willie Peters, Cecilia Kunz, Mrs. Ruth Hayes, Henry Cropley, Margaret Cropley, Henry Anderson, Joseph G. Wilson, John F. Wilson, Sr., Peter L. Williams, Frank Shorty, Edward N. Kunz, Sr., Austin Hammond, Mrs. Martha Barril, Olga Wilson, Priscilla Corpuz, Dorothy Cornell, Roy R. Peters, Mrs. Alice Nelson, Bessie Visaya, Danny Wilson, Jessie Wilson, Jim C. John, Maggie Andersen, Albert Johnson, Elsie Johnson, Joseph G. Moses, Esther Moses, Lillian Grant, Fannie Ward, Johnnie A. Jackson, Annie James, Chris Nelson, Carl C. Nelson, James Peters, Robert Peters, Marie Peters, Bessie Williams.

Mr. BARTLETT. It is clear, Mr. President, that a mere technicality in the law is discriminating against the residents of this Indian Village at Juneau. I am confident the Congress will wish, in simple justice, to see that these citizens receive what other Alaska natives now enjoy—the right to establish a townsite.

## DESIGNATION OF O'MAHONEY LAKE AND RECREATION AREA, WYO. AND UTAH

Mr. McGEE. Mr. President, on behalf of myself and Senators Bartlett, Bible, Byrd of West Virginia, Church, Dodd, Douglas, Eastland, Engle, Fong, Gruening, Hartke, Hill, Holland, Humphrey, Inouye, Javits, Kefauver, Mansfield, McGovern, Metcalf, Nelson, Neuberger, Pell, Randolph, Ribicoff, Saltonstall, Smith, Sparkman, Symington, Talmadge, Yarborough, and Young of North Dakota, I introduce, for appropriate reference, a joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in the States of Wyoming and Utah, as O'Mahoney Lake and Recreation Area.

Mr. President, in the interim between the 87th and 88th Congresses this Nation lost one of its great statesmen, a man who served in this body for a quarter of a century, leaving a legislative mark that will stand with this democracy for centuries to come. I refer, of course, to the late Senator Joseph C. O'Mahoney. The achievements of this remarkable man, who as the Washington Post said, "was an exemplar of the West's vitality and a vigorous champion of its interests and its point of view," were well stated on that sad day in May 1960, when "Senator Joe" announced his retirement from the U.S. Senate.

There is little that can be added at this time to the many moving and heartfelt tributes that Senator O'Mahoney received then. During his 25 years in the Senate he made many friends and earned more tribute then even this group of distinguished speakers could acknowledge. I am sure that my colleagues shared with me then the feeling of hopeless inadequacy that any of our words could match his deeds.

Mr. President, Joseph C. O'Mahoney was noted for many things in his long and full career in the Senate. His energies were unlimited, his interests were without bounds, and his dedication to principle and the people was complete and uncompromising. Speak of development of the West and its resources and Senator O'Mahoney is in the forefront. Consider legislation to curb abuses of our economic system and maintain the balance of free enterprise and O'Mahoney's imprint is clearly visible. Ask who in the 2d quarter of the 20th century provided Senate answers to questions on the Constitution and constitutional principles, and again there is the name "O'Mahoney." And ask who combined the quiet dignity of a true gentleman, the warmth and humor of the Irish with the highest order of intelligence and perception, and the answer is again Joseph C. O'Mahoney.

Joseph C. O'Mahoney is gone. We who would remember him and have others remember him and his record have sought some means to honor Senator O'Mahoney—a memorial to his works and personality. Of course, nothing will speak better than the record of his accomplishment, but we can provide a monument to remind us of that record.

No single memorial could encompass Senator O'Mahoney's wide range of activities, but one would be suitable as an example of his love for the people, his dedication to Wyoming and the West, and his record in the Senate. I have introduced a joint resolution to name the lake and recreation area to be created by the Flaming Gorge Dam on the Wyoming-Utah border the O'Mahoney Lake and Recreation Area. This reservoir will be 91 miles long and will create one of the most scenic and typically western recreation areas in the Nation. It will be a spot of rugged canyons, majestic vistas, and beautiful vegetation covering an area of 66 square miles. When the reservoir is filled this area will be one of the best recreational facilities in the West.

Mr. President, this memorial would be particularly appropriate for Senator O'Mahoney for several reasons. The majority of the lake and recreation area will be in Wyoming, indicative of Senator O'Mahoney's love for his State. Yet the project is part of a larger, multi-State undertaking, the upper Colorado project, which acknowledges the monumental role played by Senator O'Mahoney on reclamation projects throughout the West in the last quarter century. His work as member and chairman of the Committee on Interior and Insular Affairs is well known to anyone who has followed western resource development.

I ask unanimous consent that Wyoming editorials commending this proposal be included at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Lingle (Wyo.) Guide-Review, Jan. 10, 1963]

### Let's Have This

There is something appropriate and fitting about Senator McGee's proposal to name the lake formed by the dam at Flaming Gorge and the resultant recreational facilities for the late Senator Joseph C. O'Mahoney. The project to adapt such work as a memorial to Senator Joe is one which should and probably will have the concurrence and support not only of the people of Wyoming but of all the people everywhere in the country, for Senator Joe's work was not localized, it was not provincial and was aimed to the welfare of the Nation.

Certainly, the accomplishments of Senator Joseph C. O'Mahoney during 25 years service in the U.S. Senate are such that a lasting memorial to his name be right and proper.

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[From the Rock Springs (Wyo.) Rocket, Jan. 8, 1963]

### Lake O'Mahoney Would Be Fitting Tribute to Wyoming's Great Senator

Senator Gale McGee's recent proposal to introduce a resolution to the 88th Congress to name the lake formed by Flaming Gorge Dam, as well as the recreation facilities connected to the lake, in honor of the late Senator Joseph C. O'Mahoney is a most commendable gesture.

Senator McGee is to be complimented for initiating this appropriate and lasting tribute to Wyoming's beloved late Senator.

Senator O'Mahoney was one of the most powerful men in the Senate, having served for 24 years. He sponsored hundreds of pieces of legislation in his diligent work for the development of the great natural resources of the Western United States.

In his many years as chairman of the Senate Interior Committee, O'Mahoney had a direct hand in every reclamation and recreation project.

As Senator McGee has stated, Flaming Gorge is a part of the upper Colorado River water storage project and therefore is closely associated with Senator O'Mahoney, who personally approved and directed much of the undertaking.

Flaming Gorge Dam will create a huge lake 93 miles in length in some of southwest Wyoming's most picturesque country and will give rise to fishing, boating, camping and picknicking that would have warmed the heart of Senator O'Mahoney.

O'Mahoney, one of Wyoming's greatest statesmen, died last December 1, at the age of 78. He was first elected to the Senate in 1934 and had retired in January 1961.

We are confident that under the able guidance of Senator McGee, the proposal to make a suitable memorial for Senator O'Mahoney will be approved with little or no opposition from the late Senator's colleagues.

Again we commend Senator McGee for his proposal to rename the Flaming Gorge Reservoir and recreation area O'Mahoney Lake and Recreation Area. No more fitting memorial could be made for the beloved Senator O'Mahoney.

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[From the Casper (Wyo.) Star-Tribune, of Jan. 6, 1963]

### McGee Wants Flaming Gorge Named for Senator O'Mahoney

Cheyenne.—Senator Gale McGee, Democrat, of Wyoming, proposed Friday to rename the Flaming Gorge Reservoir and recreation area in southwestern Wyoming in honor of the late Senator Joseph C. O'Mahoney.

McGee proposed the O'Mahoney Lake and Reservoir Area as a memorial to the late Senator who died last month. McGee said he would introduce a joint resolution in Congress to adopt the name.

"In the last several decades there is scarcely a project of this sort anywhere in the West that has not had the personal approval and direction of Senator O'Mahoney," McGee said. O'Mahoney was a Senator for 25 years and was chairman of the Senate Interior Committee for several years.

While the Flaming Gorge Dam, on the Green River is in Utah, most of the reservoir and recreation areas will be in the Green River, Wyo., area.

McGee said he had already gained support for his plan from some of the appropriate Federal agencies, fellow Senators and the members of congressional delegations of neighboring States.

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[From the Casper (Wyo.) Star, Jan. 5, 1963]

### O'Mahoney Lake Name Sought in Southwest

Cheyenne.—Senator Gale McGee, Democrat, of Wyoming, said Friday he will ask the 88th Congress opening next week to name the huge lake being backed up by Flaming Gorge Dam and the surrounding recreation areas after the late Senator Joseph C. O'Mahoney, of Wyoming.

McGee said O'Mahoney Lake and Recreation Area would serve as a memorial to the late Senator who died last month. O'Mahoney served Wyoming in the Senate for 25 years and was Democratic chairman of the Senate Interior Committee many years.

"In the last several decades there is scarcely a project of this sort anywhere in the West that has not had the personal approval and direction of Senator O'Mahoney," McGee said in a prepared statement.

McGee said he had gained support for the memorial from some of the appropriate Federal agencies, from fellow Senators and congressional delegations of neighboring States.

He said while the Flaming Gorge Dam is in Utah, most of the reservoir being formed by the Green River will be in Wyoming as will the recreation areas. The reservoir will eventually back up to the edge of Green River in southwestern Wyoming.

McGee, at a press conference, skirted the question of whether he will seek reelection in 1964 but added that he and Democratic Party leaders were planning to win with the party in 2 years.

McGee attributed the Democrats' crushing losses in Wyoming November 6 to a feeling by voters against politicians in power and in favor of those out of power, but added that by 1964 he anticipates "a lot of chickens would come home to roost."

McGee also made these other points:

1. Among the primary problems facing the 1963 State legislature are reapportionment, right-to-work legislation, financial help for municipalities, and finding new sources of State income.

2. Tax cuts and maintaining the U.S. military posture will be the two main issues affecting Wyoming during the new Congress.

3. The death of Senator Robert Kerr, Democrat, of Oklahoma, was a blow to the forces trying to prevent a cut in the oil depletion allowance but that no cut in the allowance should be approved in the next Congress.

McGee said he will attend the inauguration of new Wyoming State officials Monday before returning to Washington.

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[From the Rock Springs (Wyo.), Miner, Jan. 6, 1963]

### Proposed Flaming Gorge Name Change Would Honor O'Mahoney

Cheyenne, Wyo.—Senator Gale McGee, Democrat, of Wyoming, proposed here Friday that the Flaming Gorge Reservoir on the Wyoming-Utah border be renamed O'Mahoney Lake and Recreation Area in honor of the late Senator Joseph C. O'Mahoney, Democrat, of Wyoming.

O'Mahoney, who died last December 1, represented Wyoming in the U.S. Senate for nearly a quarter century before his retirement in January 1961.

"In searching for a suitable memorial we have tried to find something indicative of Senator O'Mahoney's love of Wyoming and the West, of his devotion to the people and the general welfare, and of his warm and human spirit," said McGee.

McGee said he would introduce a joint resolution to rename the huge reservoir in honor of O'Mahoney on opening day of the 88th Congress, next Wednesday.

He said he was sure it would have the support of Federal agencies involved and of other western congressional delegations, including those from Utah. Flaming Gorge Dam itself is located in Utah.

"This project is appropriate for several reasons," McGee said.

He said it was largely located in Wyoming, though indicative of the multi-State Upper Colorado River water storage project and therefore closely associated with O'Mahoney.

"In the last several decades there is scarcely a project of this sort anywhere in the West that has not had the personal approval and direction of Senator O'Mahoney," McGee said.

"He served for many years as chairman of the Interior Committee and throughout his 24 years in the Senate had a direct hand in every project of this sort. These projects are indicative of his effectiveness as his State's national spokesman."

The Senator said Flaming Gorge Dam will create a lake in a beautiful setting, giving rise to activities—fishing, boating, camping, and picnicking—that would have warmed the heart of his former Senate colleague.

[From the Newcastle (Wyo.) Newsletter, Jan. 10, 1963]

### McGee Proposed O'Mahoney Tribute

Senator **Gale W. McGee**, Democrat, of Wyoming, has recently announced his intention to introduce a resolution in Congress to name the lake formed by Flaming Gorge Dam and the recreation facilities connected thereto for the late Senator Joseph C. O'Mahoney of Wyoming.

McGee said, "Such a resolution will be a lasting and appropriate tribute to Wyoming's beloved Senator who worked so diligently for the development of the great natural resources of the western area of the United States."

"Knowing of the deep respect and affection in which Senator O'Mahoney was held by our people in Wyoming, I will be happy to make any of their letters a part of the permanent record," McGee said.

McGee has had indications from Members of both parties of their desire to cosponsor this resolution and to testify at the hearing.

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[From the Jackson (Wyo.) Guide, Jan. 10, 1963]

### Senator McGee Would Honor Senator O'Mahoney

Senator Gale McGee writes us as follows: "I have just recently announced my intention to introduce a resolution in the 88th Congress to name the lake formed by Flaming Gorge Dam and the recreation facilities connected thereto for the late Senator Joseph C. O'Mahoney of Wyoming.

"Such a resolution will be a lasting and appropriate tribute to Wyoming's beloved Senator who worked so diligently for development of the great natural resources of the western area of the United States.

"Since hearings will be held by the Senate Interior Committee on the resolution, I have already had indications from many of Senator Joe's friends in the Senate, of both parties, of their desire to cosponsor this resolution with me and to testify at the hearing."

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[From the Uinta County Herald, Evanston, Wyo., Jan. 10, 1963]

### McGee Proposes To Honor Senator Joseph C. O'Mahoney

U.S. Senator Gale W. McGee recently announced his intention to introduce a resolution in the 88th Congress to name the lake formed by the Flaming Gorge Dam and the recreation facilities connected thereto for the late Senator Joseph C. O'Mahoney of Wyoming.

In our opinion, nothing could be more appropriate than this lasting tribute to Senator O'Mahoney. It seems a fitting reward for the many years of work he performed in developing the natural resources of the West. He believed in conservation, and he fought many successful battles in the Senate to create projects such as the Flaming Gorge and others related to it, to conserve our precious water supply and put it to the best possible use.

Senator O'Mahoney is remembered for many things in his long and illustrious career. As a Democratic Senator he displayed the integrity and courage that typified his entire life in opposing President Roosevelt's plan to "pack" the Supreme Court. His dedication to the welfare of the independent businessman is well known. His fight against large monopolies made headlines time and time again.

The confidence and respect Senator O'Mahoney received from his fellow workers is now being shown as many of his former friends in the Senate, of both political parties have indicated a desire to cosponsor the resolution with Senator McGee, and to testify at the Interior Committee hearing when the resolution is considered.

In announcing his proposal, Senator McGee said: "Knowing of the deep respect and affection in which Senator O'Mahoney was held by our people in Wyoming, I will be happy to make any of the letters a part of the permanent Record. In addition, I would welcome the opportunity to include in the Record any newspaper articles and editorials from Wyoming newspapers relating to 'Senator Joe' and to this planned memorial to his memory."

It would seem to us that Senator McGee will be literally buried under the thousands of letters he will undoubtedly receive from Wyoming citizens who will seize this opportunity to show their gratitude for the lifetime of service of our beloved Senator Joseph C. O'Mahoney.

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[From the Green River (Wyo.) Star, Jan. 10, 1963]

### Chewin' the Fat

This coming weekend is the annual special train from Cheyenne to Denver to attend the Western National Stock Show. This train is promoted by the Cheyenne Chamber of Commerce and will carry many prominent citizens of that town, plus some state leaders, and quite a few legislators. Was surprised when I heard someone say the other day that the legislators got this trip free, etc. Any person who goes on this train buys a deal—$8 for the train ticket and to get into the stock show, and no one repays the legislator for his expenditures. I did not go last session; came home on business instead.

Early last month Teno Roncalio suggested that the Flaming Gorge Reservoir might be named O'Mahoney Lake. Saturday in Cheyenne, Senator McGee said a bill will be introduced to that effect. I have never forgotten the hassle that arose when Boulder Dam was renamed after President Hoover, and then along came another administration and indicated that the name of Hoover was a sacrilege upon the project. Senator Joe O'Mahoney, to me, was one of the Nation's great men, and perhaps the greatest to go to Washington from Wyoming—and a personal friend whose memory I shall always treasure. It would be an awful thing to have something named after him and then have an adverse national administration slap his memory by removing his name from the project. I have always thought that the Highway 530 bridge at Green River, leading to the Flaming Gorge country, should have been named O'Mahoney bridge. It wouldn't have been built when it was so badly needed if he hadn't interceded with the Defense Board in Washington and obtained approval. By the way, Joe O'Mahoney once had the whole Green River Basin irrigation and water storage project well lined up back in the years before World War II. I was one of three who met in a hotel room in Rock Springs with Senator Joe. I was the only one of Joe's political faith. I shall never forget when one of these men kicked the whole project in the teeth by accusing O'Mahoney of using it for a reelection deal. However, Seedskadee would have been completed 20 years ago if that hadn't occurred. All of that group are now dead but myself.

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[From the Green River (Wyo.) Star, Jan. 10, 1963]

### Chamber Says Reservoir Name Should Be Flaming Gorge Lake

The Green River Chamber of Commerce wants the reservoir behind Flaming Gorge Dam to continue to be known as Flaming Gorge Lake, and the organization Wednesday night adopted a resolution to that effect for presentation to the Wyoming congressional delegation.

Acting upon the information that Senator Gale McGee plans to introduce into Congress a resolution renaming the reservoir O'Mahoney Lake in tribute to the late Senator Joseph C. O'Mahoney, the chamber members decided that the name Flaming Gorge should be retained as one descriptive of the area, colorful and attractive to tourists, and in keeping with usage of several years past.

The chamber of commerce also adopted a resolution to the Wyoming Public Service Commission, urging continued effort with the Federal Power Commission to gain approval of the application of Colorado Interstate Gas Co. and El Paso Natural Gas Co. to construct a gas transmission pipeline from the McKinnon junction south of Green River to California.

Known as the Rock Springs project, the pipeline is considered by chamber members to be vital to the economy of Sweetwater County since it proposes that another pumping station be established south of Green River, and it would stimulate the development of the county's gas and oil resources. It is believed that failure of the FPC to approve the pipeline will deprive the area of a needed market for gas production and preclude any heavy play in the county fields and that even the Bitter Creek area will suffer.

The resolution will be directed to the PSC, with copies to the Members of the congressional delegation, the FPC, and the county commissioners, who have already taken a similar action.

Guests of the chamber at the dinner meeting were Mayor Frank Wilkes, Councilmen Ed Taliaferro, Rudy Pershin, Bill Luzmoor, and Town Clerk A. C. (Gus) Genz. Mayor Wilkes and Genz gave reports on the town's offer of a site to the National Park Service and Department of Interior for a district ranger headquarters for the Flaming Gorge recreation area.

Genz, a past president of the chamber, traced the steps which were followed through the past 2 years, from his first acquaintance with Carlock Johnson who is the project manager for the recreation area, to the present time, stressing the cooperation given by the town council and the planning commission.

The chamber members also heard a report from Mayor Wilkes on the status of the Green River Airport. The mayor explained that a strip 5,200 feet long and 300 feet wide is already usable, even accommodating two-engine aircraft. He noted that this work had been accomplished by use of town equipment, with an assist by the county, and that the town has already applied for State aid to share in these costs.

The Wyoming Aeronautics Commission had already approved grants of $4,000 for last year and an additional $4,000 for the upcoming year as state aid in the development of the Green River Airport, Wilkes said. He said that the town is considering the application of a permaprime treatment to harden the surface of the runway, and that as funds are available further development of the airport would be made.

Councilman Rudy Pershin told the chamber members that he believed that it is time that the community again give thought to a site for the construction of a new county courthouse here. Pershin said that he felt that the question of a new courthouse would soon be coming up; and he thinks that the town and citizens of Green River should be prepared to offer a site which would insure construction here.

A report from Adrian Reynolds, chairman of a special committee on industrial development, was read to the chamber meeting by President Irv Roth. The report dealt with a suggestion from George Huff, Carpenters Union representative, that a skill shop be organized for the community, offering cabinet work, furniture repair and production of wood novelties for tourist trade. Members discussed the report but took no definite action since Mr. Reynolds is absent at the State legislature.

Mr. McGEE. Mr. President, however appropriate this project would be on the ground of Senator O'Mahoney's interest in Wyoming and the West, I think it is primarily appropriate because it would reflect his interest and concern for people. For the O'Mahoney Lake and Recreation Area would be a place designed for the enjoyment of people, where the native and tourist can leave for a time the cares and frustrations of modern society and enjoy themselves in communion with nature. I believe that Joe O'Mahoney would be pleased to know that his memorial would serve to bring joy and happiness, peace and contentment to the citizens of the State he served so long and well and to people of the Nation which held his unswerving allegiance. I am pleased to note that already 30 Members have asked to cosponsor this proposed legislation, and I ask unanimous consent that the joint resolution lie on the table for a week so that any more who so desire may cosponsor.

Joseph C. O'Mahoney devoted his life to serving the people through a government designed to be the voice of the people. This resolution offers us a chance to pay homage to the man and his record, and I ask your support for this memorial to his name.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Wyoming.

The joint resolution (S.J. Res. 17) to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in the States of Wyoming and Utah, as O'Mahoney Lake and Recreation Area, introduced by Mr. McGee (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## FUNERAL EXPENSES FOR THE LATE SENATOR ROBERT S. KERR

Mr. MONRONEY. Mr. President, I submit a resolution to authorize the payment from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed in connection with the funeral for the late Senator Robert S. Kerr, of Oklahoma.

I ask unanimous consent, without prejudicing the rights of any Senators, that the resolution may be considered at this time by the Senate.

The PRESIDENT pro tempore. Is there objection to immediate consideration of the resolution? The Chair hears none; and, without objection, the Senate will proceed to its consideration.

The resolution will be stated for the information of the Senate.

The legislative clerk read the resolution, as follows:

*Resolved,* That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable Robert S. Kerr, late a Senator from the State of Oklahoma, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

The resolution (S. Res. 24) was considered and unanimously agreed to.

## GRANT OF LEGISLATIVE AUTHORITY TO SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY. Mr. President, I submit, for appropriate reference, a resolution which grants full authority in legislative matters to the Select Committee on Small Business. Cosponsoring the resolution with me are Senators Scott, Young of North Dakota, Moss, Boggs, and Keating.

There are over 4½ million small businesses in this country, Mr. President. They are a most important segment of our economy. Unlike other facets of the economy, so-called big business, labor, and agriculture, our small businesses are without geographical limitation. They are equally important to our urban, metropolitan, suburban, and rural communities.

The growth and expansion of our Federal Government and its ever increasing regulatory activities have changed considerably the atmosphere of governmental relations with our small business enterprises. There is, it seems to me, sufficient basis for the Senate to consider establishing in its Select Committee on Small Business a committee which has jurisdictional authority over legislation peculiarly affecting the small businesses of this Nation.

A brief history of the Senate Small Business Committee demonstrates the development of the importance of this group over the years.

On October 9, 1940, about 23 years ago, the committee was authorized by resolution to be established in the Senate. Such eminent Senators as Murray, of Montana; Taft, of Ohio, and the present Senator Ellender, of Louisiana, served on that original committee.

At the commencement of each succeeding Congress, the Special Committee on Small Business was reconstituted until February 20, 1950, when the Senate acted upon resolutions which gave permanent, continuing status to the Small Business Committee. The vote at that time was 56 yeas to 26 nays, and included bipartisan support.

Then, on July 1, 1955, practically unanimous vote of the Senate provided that appointment to membership on the Small Business Committee should be accomplished in the same manner as appointment to the standing committees of the Senate.

Thus, we can readily see the development of the Select Committee on Small Business to its present status.

I submit, Mr. President, that the importance of the small business in every American community—over 4½ million strong—now warrants the next step in enhancement of the position of the committee itself. The small business legislation which is introduced in and acted upon by each session of the Congress seems to me to require action by a committee with full authority to draft and report bills which relate peculiarly to the small businesses and the men who run them. The work in this area is sufficiently important to warrant the full legislative jurisdiction enjoyed by other committees in order that its membership can develop an expertise in the field which is so common among members of the standing committees of the Senate.

Mr. President, our small business community needs confidence.

I submit, Mr. President, that the adoption of this resolution by the Senate is sorely needed to build that confidence. The President himself recognized that this is true. He stated that our small businesses were "failing at a record rate." Further a weekly staff report of the Small Business Committee in April of 1962 reported that the failure rate was then the highest in 20 years.

The committee itself has demonstrated its own importance.

The Senate has recognized the increasing need for the work of the committee, through its continued development of the prestige and importance attached to its work.

And, finally, the small business community, with its very large effect upon the entire Nation has attained a position of sufficient importance to the community that its legislative problems warrant the services of a committee with functions and powers such as are contemplated by this resolution.

Mr. President, I ask that this resolution, which I now offer, may lie on the table for 1 week in order that other interested Senators might have an opportunity to join with us in its sponsorship.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the table, as requested by the Senator from Vermont.

The resolution (S. Res. 30) was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, is amended to read as follows:

"That there is hereby created a select committee to be known as the Committee on Small Business, to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress, and to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises.

"It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

"Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction."

SEC. 2. Subsection (d) of rule XXV of the Standing Rules of the Senate is amended by striking out in paragraph 2, the words "under this rule".

### NOTICE OF MOTION TO AMEND RULE XXIV

**Mr. CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXIV, as follows:

"*Resolved,* That rule XXIV be amended by adding a new subsection to read as follows:

" '3. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters in disagreement with the House of Representatives which occasion the appointment of the committee'."

The purpose of the proposed amendment is to incorporate in the Standing Rules of the Senate the democratic principle set forth in section 17 of Cleaves Manual that a simple majority of the Senate members of a conference committee must be sympathetic to the prevailing view of the Senate on the matters in disagreement with the House.

**Mr. CLARK** also submitted an amendment (S. Res. 31), intended to be proposed by him, to amend Senate rule XXIV of the Standing Rules of the Senate which was referred to the Committee on Rules and Administration and ordered to be printed.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND SECTION 134(c) OF LEGISLATIVE REORGANIZATION ACT OF 1946

**Mr. CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend section 134(c) of the Legislative Reorganization Act of 1946:

"NOTICE OF MOTION TO AMEND SENATE RULES

"In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)), enacted by the Congress in the exercise of the rulemaking power of the Senate and the House of Representatives, with respect to the Senate, to read as follows:

" '(b) No standing committee of the House, except the Committee on Rules, shall sit, without special leave, while the House is in session.'

"The purpose of the proposed amendment is to repeal the provision in section 134(c) of the Legislative Reorganization Act which has been interpreted to authorize a single Senator by entering objection to prevent all 130 Senate standing committees and subcommittees from meeting during Senate sessions."

**Mr. CLARK** also submitted an amendment (S. Res. 32) to amend section 134 (c) of the Legislative Reorganization Act of 1946, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND SENATE RULE XIX

**Mr. CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend Senate rule XIX, as follows:

"NOTICE OF MOTION TO AMEND SENATE RULE XIX

"In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend rule XIX by adding at the end thereof the following new subsection:

" '8. During the consideration of any measure, motion or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate.'

"The purpose of the proposed amendment is to provide for a rule of germaneness in debate to be invoked by majority vote on a nondebatable motion, so that the will of the Senate can be effectively carried out on urgent legislative matters."

**Mr. CLARK** also submitted an amendment (S. Res. 33) to amend Senate rule XIX, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND RULE XIX

**Mr. CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XIX, as follows:

"*Resolved,* That paragraph numbered 1 of rule XIX of the Standing Rules of the Senate (relating to debate) is amended by adding at the end thereof the following new sentence: 'Upon the request of any Senator who has been recognized, his remarks upon any subject may be delivered in writing, and if so delivered shall be printed in the CONGRESSIONAL RECORD in the same manner as if those remarks had been delivered orally.'

"SEC. 2. S. Res. 121, Eightieth Congress, first session, agreed to July 23, 1947, is repealed."

The purpose of this amendment to rule XIX is to permit the insertion of written texts of speeches in large print in the RECORD.

**Mr. CLARK** also submitted an amendment (S. Res. 34) to amend Senate rule XIX, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND RULE XIX

**Mr. CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XIX, as follows:

"*Resolved,* That paragraph numbered 1 of rule XIX of the Standing Rules of the Senate (relating to debate) is amended by adding at the end thereof the following new sentence: 'Whenever any Senator has held the floor for more than three consecutive hours, an objection to his continued recognition shall be in order at any time, and, if such an objection is made, the Senator shall yield the floor.' "

The purpose of this amendment to rule XIX is to provide a 3-hour limit on debate by any one Senator at any one time.

**Mr. CLARK** also submitted an amendment (S. Res. 35) to amend Senate rule XIX, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND RULE XXV

**Mr. CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXV, as follows:

"*Resolved,* That rule XXV of the Standing Rules of the Senate is amended in the following respects:

"(a) Section 1(h) (relating to the jurisdiction of the Committee on Finance) is amended by striking the following listed subjects:

" '2. The bonded debt of the United States.

" '3. The deposit of public moneys.

" '5. Reciprocal trade agreements.

" '6. Transportation of dutiable goods.

" '8. Tariffs and import quotas, and matters related thereto.' and

" '9. National social security.';

and renumbering the remaining subjects.

"(b) Section 1(d) (relating to the jurisdiction of the Committee on Banking and Currency) is amended by adding at the end thereof:

" '10. The bonded debt of the United States.

" '11. The deposit of moneys.'

"(c) Section 1(i) (relating to the jurisdiction of the Committee on Foreign Relations) is amended by adding at the end thereof:

" '14. Reciprocal trade agreements.

" '15. Tariffs and import quotas, and matters related thereto.'

"(d) Section 1(j) (relating to the jurisdiction of the Committee on Interstate and Foreign Commerce) is amended by adding at the end thereof:

" '19. Transportation of dutiable goods.'

"(e) Section 1(l) (relating to the jurisdiction of the Committee on Labor and Public Welfare) is amended by adding at the end thereof:

" '20. National social security'."

The purpose of this amendment to rule XXV is to transfer jurisdiction over certain subject matters between committees.

**Mr. CLARK** also submitted an amendment (S. Res. 36) to amend Senate rule XXV, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND RULE XXIV

Mr. **CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXIV, as follows:

"*Resolved*, That rule XXIV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

" '3. No Member of the Senate may serve as chairman of a standing committee of the Senate after he has attained the age of seventy years. When any such chairman attains the age of seventy years, his successor shall be appointed in the manner prescribed by paragraph 1.' "

The purpose of this amendment to rule XXIV is to provide an age limit for service of committee chairman.

Mr. **CLARK** also submitted an amendment (S. Res. 37) to amend Senate rule XXIV, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND RULE XXIV

Mr. **CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXIV, as follows:

"*Resolved*, That the text of rule XXIV of the Standing Rules of the Senate is amended to read as follows:

" '1. At the beginning of each Congress the Senate shall proceed by ballot to appoint the members of each standing committee, and unless otherwise ordered of each other committee of the Senate. All members of each such committee so appointed shall be appointed by one ballot. A plurality of the votes cast shall be required for the appointment of the members of each such committee.

" '2. Upon the appointment of the members of each such committee pursuant to paragraph 1, the members thereof shall elect by secret ballot one member of that committee to be chairman thereof. A majority of the whole number of votes given shall be required for the election of a chairman of any such committee'."

The purpose of this amendment to rule XXIV is to provide for the election of chairmen of Senate standing committees by secret ballot.

Mr. **CLARK** also submitted an amendment (S. Res. 38) to amend Senate rule XXIV, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND SECTION 134 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. **CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend section 134 of the Legislative Reorganization Act of 1946, as follows:

"NOTICE OF MOTION TO AMEND SENATE RULES

"In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend section 134 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)), enacted by the Congress in the exercise of the rulemaking power of the Senate and the House of Representatives, to add the following new subsections at the end thereof, which shall be applicable with respect to the Senate only:

" '(d) Each standing committee of the Senate shall meet at such time as it may prescribe by rule, upon the call of the chairman thereof, and at such other time as may be fixed by written notice signed by a majority of the members of the committee and filed with the committee clerk.

" '(e) The business to be considered at any meeting of a standing committee of the Senate shall be determined in accordance with its rules, and any other measure, motion, or matter within the jurisdiction of the committee shall be considered at such meeting that a majority of the members of the committee indicate their desire to consider by votes or by presentation of written notice filed with the committee clerk.

" '(f) Whenever any measure, motion, or other matter pending before a standing committee of the Senate has received consideration in executive session or sessions of the committee for a total of not less than 5 hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, or a petition signed by a majority of the committee is presented to the chairman, and a quorum is present, it shall be submitted immediately to the committee by the chairman, and shall be determined without debate by yea-and-nay vote. A previous question may be asked and ordered with respect to one or more pending measures, motions, or matters, and may embrace one or more pending amendments to any pending measure, motion, or matter described therein and final action by the committee on the pending bill or resolution. If the previous question is so ordered as to any measure, motion, or matter, that measure, motion, or matter shall be presented immediately to the committee for determination. Each member of the committee desiring to be heard on one or more of the measures, motions, or other matters on which the previous question has been ordered shall be allowed to speak thereon for a total of 30 minutes.'

"The purpose of the proposed amendment is to amend section 134 of the Legislative Reorganization Act of 1946 with respect to the Senate, to provide a 'bill of rights' for Senate standing committees. The proposal would permit a majority of members of any standing committee of the Senate (1) to convene meetings of the committee; (2) to consider any matter within the jurisdiction of the committee; and (3) to end committee debate on a given measure by moving the previous question after full and fair debate of the issues."

Mr. **CLARK** also submitted an amendment (S. Res. 39), which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND SUBSECTION 1 OF SENATE RULE III

Mr. **CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend subsection 1 of Senate rule III, as follows:

"NOTICE OF MOTION TO AMEND SENATE RULE III

"In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend subsection 1 of rule III of the Standing Rules of the Senate (relating to the commencement of daily sessions) to read as follows:

" 'The Presiding Officer having taken the chair, and a quorum being present, motions to correct any mistakes made in the entries of the Journal of the preceding day shall be in order, and any such motion shall be deemed a privileged question, and proceeded with until disposed of. Unless a motion to read the Journal of the preceding day, which is nondebatable, is made and passed by majority vote, the Journal shall be deemed to have been read without actual recitation and approved.'

"The purpose of the proposed amendment is to delete the obsolete provision in rule III which makes it possible for a single Senator to demand that the Journal of the preceding day be read and to tie up the Senate for long periods by doing so. Instead it is proposed that 'unless a motion to read the Journal of the preceding day, which is nondebatable, is made and passed by majority vote, the Journal shall be deemed to have been read without actual recitation and approved'."

Mr. **CLARK** also submitted an amendment (S. Res. 40), which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NOTICE OF MOTION TO AMEND RULE VII

Mr. **CLARK** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule VII, as follows:

"*Resolved*, That rule VII of the Standing Rules of the Senate (relating to morning business) is amended by adding at the end thereof the following new paragraph:

" '8. One hour, if that much time be needed, shall be set aside for the transaction of morning business on each calendar day at the opening of proceedings or, if the Senate is in continuous, around-the-clock session, at noon. The period for morning business may be extended upon motion, which shall be nondebatable, approved by majority action. No Senator may address the Senate for more than three minutes during the period for morning business, unless he has obtained leave by unanimous consent to address the Senate for a longer time'."

The purpose of this amendment is to amend rule VII to regularize the procedures for the conduct of morning business.

Mr. **CLARK** also submitted an amendment (S. Res. 41) to amend Senate rule VII, which was referred to the Committee on Rules and Administration.

(For text of amendment referred to, see the foregoing notice.)

### NATIONAL FOREIGN AFFAIRS ACADEMY

Mr. **SYMINGTON**. Mr. President, on page 235 of yesterday's RECORD, under the heading "National Foreign Affairs

Academy," I presented to the Senate reasons why I believe the establishment of an academy of the character recommended by the Herter Committee, chaired by former Secretary of State Herter, would be wise. Inadvertently, the bill itself was not printed in the RECORD following this my short statement. I therefore ask unanimous consent that the bill, S. 15, be printed at this point in the RECORD. I have already requested that it lie on the Secretary's desk for a week in order that Senators wishing to cosponsor it may do so.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Academy of Foreign Affairs Act."

### ESTABLISHMENT OF ACADEMY

SEC. 2. There is hereby established in the executive branch of the Government an independent establishment to be known as the National Academy of Foreign Affairs (hereinafter referred to as the "Academy"). The Academy shall be located in or near the District of Columbia.

### BOARD OF TRUSTEES

SEC. 3. (a) The Academy shall be under the general direction of a Board of Trustees (hereinafter referred to as the "Board") which shall consist of the following:

(1) The Secretary of State, who shall be Chairman of the Board;

(2) The Director of the United States Information Agency;

(3) The Commissioner of Education;

(4) The Administrator of the Agency for International Development;

(5) The Chancellor of the Academy:

(6) Four persons, not otherwise employed by the Government, to be appointed by the President, by and with the advice and consent of the Senate.

(b) Members of the Board referred to in subsection (a) (6) shall be appointed for terms of 5 years except that (1) any such member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and (2) such members first appointed shall be appointed for terms of 2, 3, 4, and 5 years respectively. Such members shall receive compensation, at a rate determined by the Secretary of State, for each day of service performed as such members and shall also be reimbursed for actual and necessary travel and subsistence expenses while serving as such members away from their places of residence.

### CHANCELLOR AND OTHER OFFICERS AND EMPLOYEES

SEC. 4. (a) There shall be a Chancellor of the Academy who shall be appointed by the President, by and with the advice and consent of the Senate. The Chancellor shall receive compensation at the rate of $22,500 per annum, and shall serve at the pleasure of the President. The Chancellor shall be the chief executive officer of the Academy and shall perform his functions subject to the general supervision and direction of the Board.

(b) The Board shall appoint and fix the compensation, without regard to the civil service laws and Classification Act of 1949, of such other officers and employees, including teaching personnel, as may be necessary, but no such officer or employee may be compensated at a rate in excess of the maximum rate payable under the General Schedule of such Act. The Board is also authorized, with the consent of the head of the department or agency concerned, to utilize on a reimbursable basis the services of officers or employees of other departments and agencies of the Government.

### PURPOSES AND FUNCTIONS OF THE ACADEMY

SEC. 5. The purposes and functions of the Academy shall be to provide for the training, education, and research needs of the foreign affairs operations of the Government through—

(1) the presentation of appropriate courses of professional instruction for the purpose of providing advanced level training for current and prospective foreign affairs personnel of the Government, with particular emphasis on the study of United States foreign policy as a unity;

(2) research in appropriate fields related to foreign affairs programs of the Government;

(3) leadership with respect to all governmental educational programs in the field of foreign affairs; and

(4) leadership in bringing our colleges and universities into more effective relationship with foreign affairs agencies of the Government.

### SELECTION OF STUDENTS

SEC. 6. (a) The student body of the Academy shall consist of (1) personnel of civilian and military agencies of the Government concerned with foreign affairs programs, selected by their respective agencies in accordance with regulations of the Board, and (2) qualified college and university graduates selected on the basis of ability as determined in written or oral examinations, or both, and personal interviews held throughout the United States in accordance with regulations of the Board.

(b) Each person selected for admission to the Academy as a student shall be required as a condition of such admission to sign an agreement to complete the course of instruction for which he is admitted, and upon such completion to accept appointment as an employee of the Government (or, if already in Government service, to continue such service) in any position for which he is qualified for such period as may be prescribed by the Chancellor in accordance with regulations of the Board. Any such person may thereafter be relieved of an obligation so undertaken if, in the opinion of the Chancellor (or, if the person is in Government service, the head of the employing agency), such relief is in the public interest or is necessary to prevent undue hardship.

(c) The head of each department and agency, employees of which are admitted to the Academy, is authorized to pay, from funds appropriated or otherwise available to such department or agency, the salary, pay, or compensation (excluding overtime, holiday, and night differential pay) of each employee so admitted for the period or periods for which the employee is pursuing one or more courses of instruction at the Academy.

(d) The Board is authorized to make grants or other payments to persons attending the Academy (other than persons receiving salary, pay, or compensation under subsection (c)) to assist them in defraying living or other expenses incurred by them in connection with such attendance.

### ACQUISITION AND HOLDING OF PROPERTY

SEC. 7. The Board shall have power, on behalf of the Academy, to acquire and hold real and personal property and to receive and accept gifts, donations, and trusts.

### RULES AND REGULATIONS

SEC. 8. The Board shall establish such rules and regulations as may be necessary to carry out the provisions of this Act.

### APPROPRIATIONS

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

## AMENDMENT OF CLOTURE RULE BY PROVIDING FOR A THREE-FIFTHS VOTE—AMENDMENT TO SENATE RESOLUTION 9

Mr. HUMPHREY and Mr. KUCHEL (for themselves, Mr. DOUGLAS, Mr. CASE, Mr. FONG, Mr. RANDOLPH, Mr. CLARK, Mr. JAVITS, Mr. HART, Mr. KEATING, Mr. WILLIAMS of New Jersey, Mr. SCOTT, Mr. ENGLE, and Mr. BEALL) submitted an amendment, intended to be proposed by them, jointly, to the resolution (S. Res. 9) to amend the cloture rule by providing for adoption by a three-fifths vote, which was ordered to lie on the table and to be printed.

## CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK, MD.—ADDITIONAL COSPONSOR OF BILL

Mr. BEALL. Mr. President, I ask unanimous consent that the name of the Senator from Illinois [Mr. DOUGLAS] may be added as a cosponsor of S. 77, a bill to establish the Chesapeake and Ohio Canal National Historical Park in the State of Maryland, and for other purposes, the next time the bill is printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BEALL. I thank the Senator from Illinois [Mr. DOUGLAS] for his cooperation, and I congratulate him. I know he has always been interested in establishing and preserving wildlife. That is what we hope to accomplish.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of title 20, United States Code, sections 42 and 43, the Speaker had appointed Mr. CANNON, of Missouri, Mr. KIRWAN, of Ohio, and Mr. Bow, of Ohio, as members of the Board of Regents of the Smithsonian Institution, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 42 United States Code 2251, the Speaker had appointed Mr. HOLIFIELD, of California, Mr. PRICE, of Illinois, Mr. ASPINALL, of Colorado, Mr. THOMAS, of Texas, Mr. MORRIS, of New Mexico, Mr. HOSMER, of California, Mr. BATES, of Massachusetts, and Mr. WESTLAND, of Washington, as members of the Joint Committee on Atomic Energy, on the part of the House.

## REMARKS BY SENATOR-ELECT ABRAHAM A. RIBICOFF AT DEDICATION CEREMONIES OF CONGREGATION BETH JACOB, ATLANTA, GA., DECEMBER 12, 1962

Mr. RUSSELL. Mr. President, a few weeks ago, with impressive rites and ceremonies, Congregation Beth Jacob dedicated a beautiful new synagogue for the congregation in Atlanta, Ga. The honor guest and speaker on that occasion was the distinguished junior Senator from Connecticut, the Honorable ABRAHAM A. RIBICOFF. His name is embellished upon the large bronze plaque memorializing the dedication. In addition, in his honor, the congregation established the "Abraham Ribicoff Collection of Jewry in America."

It was my pleasure to attend these ceremonies. The distinguished Senator from Connecticut delivered a most scholarly and thought-provoking address which will long be remembered by all those who were privileged to hear him. I am pleased to have the opportunity to offer his speech for the RECORD. It is worthy of the study of all those who are interested in the responsibilities of man to the age in which he lives.

I ask unanimous consent that the speech may be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### REMARKS OF SENATOR-ELECT ABRAHAM A. RIBICOFF AT THE DEDICATION CEREMONIES OF CONGREGATION BETH JACOB, ATLANTA, GA., DECEMBER 12, 1962.

A large measure of faith and dedication has brought us to this solemn moment.

A large measure of bold, imaginative planning—of good old-fashioned hard work—have made possible these dedication ceremonies.

This exciting modern building in the heart of the Southeast is a far cry from the rented grocery store where this congregation first worshipped.

Yet the values of this congregation are unchanged. They are as old as our faith, and as young as our spirit and our belief in its possibilities for growth. This is a congregation of men and women schooled to teach diligently unto their own children.

This is a congregation of men and women who believe with the rabbi that it is better to be a hungry wise man than a satisfied fool.

This is a congregation to whom education is a necessity—to whom community responsibility and service is a basic tenet.

This is a congregation whose members take pride in their traditions—and in their individuality. This is a congregation, in short, endowed with integrity and with conviction.

It is good to come here to Atlanta, then, to speak with you—at this turning point in your lives—and in mine. For as I assume the responsibilities of a new office and you move forward toward your broader responsibilities here, we share a deep concern for the generation that will follow and for their education.

For at this time our very survival depends on our making plans for an educational system that will both meet our serious national needs and our diverse individual needs. As a nation, we must make a firmer commitment to the idea of education of the highest quality. We must realize that education is a unified process. It starts with kindergarten; it goes through elementary and secondary school; and continues through colleges and universities. In our country, we do not seek to educate an elite few; we seek to develop to the fullest limit the individual free human spirit of every American.

In moving forward to achieve this goal, there is one thing we must keep in mind, and that is this: We must make sure that we educate well-rounded young men and women who have a unified knowledge of the whole of our midtwentieth century culture.

For, unfortunately, there is a great split in the intellectual life of our country—and, in fact, in that of the whole of the Western World. Two great cultures—the sciences and humanities—are growing up which scarcely know each other. I want to speak with you especially about this problem, because it seems to me that those who help young people find inspiration in religion—which traditionally has kept humanity's sights raised—can perhaps lead us to a solution.

Many thoughtful people have commented on the growing gap between the "two cultures." The British scientist and novelist, C. P. Snow, who has explored it cogently, warns that between them grows "a gulf of mutual incomprehension—sometimes (particularly among the young) hostility and dislike, but most of all lack of understanding."

All of us have observed this. It sometimes seems to me that my scientist friends speak a different language from the one that I or my nonscientist friends speak. An able lawyer recently complained to me that during his college days he used to sit down at the lunch table with a group of engineering students and not have anything to say to them at all. And I know a college girl today—a social science major—who doesn't even like to date a chemistry major who is her current suitor. They have different interests—even, perhaps, different ways of thinking. They are taking completely different courses. She is concerned with politics and government, painting and literature. And though he is a brilliant scientist whom professors admire, he has read little outside his field and doesn't know or care too much about who wins elections or which political party is in power.

And, on the other side, I am the first to admit that the man in our society who is not educated in the sciences is abysmally ignorant of the world of the scientist. He has no knowledge—no understanding—of the great scientific methods or principles which now affect our every moment on this earth.

And why is this mutual incomprehension so important? Why is it a terrible loss to all of us?

Because it is the scientist whose progress and ideas to a large extent shape the problems of our modern world. But the decisions which seek to solve these problems—whether in government, education, industry, or business—are rarely made by scientists. Indeed, scientists or people with any experience in the sciences are rarely involved in such decisions at all.

The humanities "certainly preserve and create values." As the Nobel laureate professor, Isador Rabi, puts it, "they express symbolic, poetic, and prophetic qualities of the human spirit. Without the humanities we would not be conscious of our history; we would lose many of our aspirations and the graces of expression that move men's hearts." But the scientist, with his intensely specialized training, too often lacks the breadth of understanding which comes from a wide knowledge of the humanities.

In Washington—in this year of 1962—this is seen clearly. An increasing amount of Government business is concerned with science. And Government officials, usually trained in social sciences and law, find it difficult to communicate with others, who are trained in the sciences.

A top scientist who often serves as a consultant to the Government, a man of truly broad interests, has told me of the tremendous frustration he has occasionally felt when he presented scientific issues for decision to able and intelligent men who have little comprehension of the intensely specialized points under discussion.

He says his colleagues, as highly educated men, all have some understanding of, say, economics. But not of the physical sciences which now enter decisions of urgent concern to us all. And he finds his fellow scientists sometimes lack the breadth of judgment that comes only from a broad familiarity with literature and public affairs. The ability to make such broad judgments is also necessary in making great modern decisions in the public interest.

An educated man today must be a complete man. The physicist finds that some of the secrets of nature are bound up with international law; the man of letters finds that the human emotions he portrays are strongly involved with chemistry; the political man finds that he is spending a large segment of the Nation's wealth on cosmic physics or medical research; the businessman finds that his profits are very much affected by developments in foreign fields and foreign lands.

And when all is said and done, it is the man of vision—the creative man, if you will—who translates the world of today for his contemporaries—and for his descendants. It is the artist who mirrors the spiritual character of a nation and its peoples and gives them a way of expressing the meaning and the purpose of their existence. Indeed, Jules Verne reminds us that the artist can even point the direction to science.

As we strive to identify more effectively the talents of our youngsters—as we encourage young people to serve their Nation as well as themselves—let us strive also to close the gap between the two cultures. Let us not have thousands of presumably educated people, and indeed a whole national leadership, with little understanding of the scientific revolution. And let us not have thousands of people—perhaps, eventually, a great number of our national leaders—who can scarcely be described as educated because, though they are highly trained in the sciences, they have neglected the arts and humanities.

It is here that religion and religious education can play a profoundly important role. For religion can be the universal solvent that can bring together the sciences and the humanities. Religion can be the catalyst in bringing the sciences and the humanities into one universe of discourse.

At the center of all knowledge is the search for the meaning of human destiny and of individual self-fulfillment. It is through religion that these questions were first explored, and their exploration has led us through the sciences and the arts.

But they remain unanswered. Today, though we can communicate through telemeters with geiger counters in outer space, we are not much closer to the answers to these fundamental questions than was Abraham when he set out on foot from Mesopotamia to Canaan.

A thousand years in God's sight, say the Scriptures, is like yesterday when it is past, and as a watch in the night. We begin to know the meaning of this phrase, and the fantastic fraction it suggests, when we contemplate the mileages that are expressed in light years or the extremely small distances that are involved in nuclear physics.

And the contemplation of these basic issues—the root problems of all learning—is precisely the function of religion. There really can be no bringing together of mental, moral, or spiritual concepts without some idea of human destiny or self-fulfillment—without coming to know what it is to be human, in the deepest and most comprehensive sense of that term.

Dr. Mordecai Kaplan has pointed out that "Without an idea of human destiny or salvation, we are merely trying to make ropes out of sand."

The search for what is basic and fundamental, then, is the cement that holds together the two cultures. It finds expression in the arts, in literature, in the sciences. It is the very essence of religion. It seems to me natural that religious educators point the way to the rest of us and set us an example as to how we can best bridge the gap between seemingly separate cultures.

Many colleges and universities are trying to blend the two traditions, Professor Rabi tells us. But "we pour a little of this and a little of that into the student's mind. We then hope that somehow the ingredients will combine through some mysterious alchemy and the result will be a man, educated, well rounded and wise. Most often, however, these ingredients remain well separated in the compartmentalized mind."

We need unified teaching by wise men and women who know—through refresher courses or other means—what is going on in each other's worlds. The scientist would then teach in a world in which men live—and hope, tomorrow, to breathe.

The nonscientist would understood the wisdom of the scientific tradition and its accomplishments.

I scarcely need remind the men and women of this audience of the potency of religion as a stimulus to a truly liberal education—and to the application of education to living.

But I must remind you, who care so deeply about the education of your own children, that yours is more than a personal responsibility.

Yours is a responsibility for the education of your brother's child, and of your neighbor's, north and south, east and west.

For the time has come when we may no longer always be lucky enough to muddle through. The time has come when we must set our sights on what we want and firmly resolve to pursue it. In this complicated and competitive world there is no asset greater than the brainpower of our people. Our Nation needs that brainpower. It is our responsibility to provide it.

There are still before us a host of unmet needs in education. And there may be many who prefer to wait until some new scientific breakthrough by our competitors again defies the imagination and spurs the sleepiest among us on.

I say we cannot wait. We must not.

We stand today just 38 years away from the 21st century. How prepared we will be to meet the challenges of that century will depend on what we do in this decade.

Let the imagination of the sixties be captured by our actions. Let us show the world and show ourselves that a free democratic society can achieve a quantity and quality of education undreamed of on this planet. Let us set this high goal; for in truth we can afford to achieve no less.

Can we continue to educate larger and larger numbers of young people—in the spirit of the American dream—and to give them a more unified background?

Our answer cannot be "No." It must be "Yes." And it must be a "Yes" given—strongly—with belief and with a firm personal commitment. I ask the help of you in this audience in making such a commitment to our Nation and its future.

## TREASURY DEPARTMENT SALE OF LONG-TERM BONDS AT AUCTION TO HIGHEST BIDDER

**Mr. DOUGLAS.** Mr. President, for some years I and other Democratic members of the Joint Economic Committee have been urging the Treasury Department to put its long-term bonds up for auction, instead of disposing of them at a fixed price and a fixed yield.

I am sorry to say that during the preceding administration we were not able to convince the Treasury Department that this was a wise policy, but this winter Secretary Dillon and Under Secretary Roosa have adopted this suggestion. Last week $250 million worth of 30-year bonds were sold on the open market under competitive bidding. The yield on the $250 million worth of bonds will be 4.01 percent. That will be the cost to the Treasury Department of the money.

I am informed that if the bonds had been issued under the old system it would have been necessary for the Treasury Department to pay 4⅛ percent, and that the net cost could have been estimated at approximately 4.11 percent. Therefore, by this method of sale we will save approximately $250,000 a year in interest payments. Since the issue is for 30 years, this will mean a total saving of $7.5 million.

Experience shows that sometimes Congress comes forth with bright ideas which save the taxpayers money.

I congratulate Secretary Dillon and Under Secretary Roosa for being open-minded enough to adopt the suggestion. I hope that this will furnish a precedent for future issues of long-term bonds.

Mr. President, I ask unanimous consent that an article published in the Wall Street Journal of Wednesday, January 9, 1963, which describes this issue in detail, may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### TREASURY BOND AUCTION IS SUCCESS; IT SAYS IT MAY USE METHOD AGAIN

The U.S. Treasury announced a resounding success for an auction sale yesterday of $250 million long-term bonds and expressed readiness to use this method of selling bonds again. The syndicate of bankers which bought the bonds announced a quick sellout, and shortly after the sale the open-market price for the new bonds was 100 2-32 bid, up from the underwriters' offering price of par.

The $250 million issue of 4 percent bonds with a final maturity in 1993 was won by a 75-member syndicate headed by C. J. Devine & Co., Salomon Brothers & Hutzler, Bankers Trust Co., Chase Manhattan Bank, First National City Bank of New York, Chemical Bank, New York Trust Co., and First National Bank of Chicago.

The winning syndicate resold the whole issue to investor customers within 2 hours after bids were opened in New York. The speedy resale was regarded by the Treasury as a mark of the operation's success.

The Devine-Salomon Brothers group beat out three competing bidders, with an offer of $99.8511 per $100 in face value of the bonds, based on a 4 percent coupon. This price gave the Treasury a net interest cost of 4.008210 percent.

Treasury Under Secretary Roosa said in Washington this was a lower borrowing cost than the flat interest rate he would have placed on the issue if sold in the usual way. The Treasury's ordinary method of selling long-term bonds for cash is to announce a take-it-or-leave-it price and interest rate, then take orders for individual bonds directly from the ultimate investors. In the auction technique used yesterday—a method long employed by corporate borrowers—the entire reissue of bonds went to a syndicate of middlemen who in turn resold the bonds to investors at a slight markup.

#### RESALE PRICE APPROVED BY TREASURY

The difference between the resale price of par and the price paid by the syndicate to the Treasury amounted to $1.49 per $1,000 bond. The resale price had the Treasury's approval. Mr. Roosa said the syndicate's markup seemed big enough to allow it to cover all marketing costs and then some, but the syndicate is "certainly not making a handsome killing on this thing."

Though Treasury officials clearly were pleased by the results, they refrained from sweeping predictions that the auction method would become the exclusive vehicle for long-term bond sales. The result, said Mr. Roosa, was "all that we could have asked for"; nothing happened during the auction or its extensive preliminaries "that would discourage us from trying it again," he added.

However, Mr. Roosa said the fact this was the Treasury's first such sale "attracted a lot of attention" and probably gave demand for the bonds an extra lift. He said there's no way of knowing whether demand will be that strong once the novelty has worn off.

Mr. Roosa declined to say when the Treasury may sell more long-term bonds by the auction method. Some $9.5 billion in old securities come due next month, and any decision to include a long-term bond among the new securities offered in exchange might satiate demand for distant-maturing issues for a while and postpone any early replay of the auction technique.

One of the Treasury's main reasons for trying the new method was to lure some long-term investors, such as pension funds and savings institutions, who may have been reluctant in the past to take part in the ordinary take-it-or-leave-it Treasury financings. Mr. Roosa said he'll have to study who bought the new bonds at resale yesterday before he knows if this objective was fully met.

In New York, a spokesman for the winning syndicate said buyers of the bonds represented an unusually broad range of investors across the Nation. He listed the main buyers as managers of municipal and corporate pension funds, State and local government funds, mutual savings banks, savings and loan associations and life insurance companies.

The winning syndicate, as did the other bidders, had lined up in advance a list of potential buyers of the bonds. Once the syndicate had filled orders of these advance customers, it used a rationing system to fill about 60 percent of each order received from latecomers.

The three other bidders in yesterday's auction were:

A 52-member group headed by Morgan Guaranty Trust Co. of New York, Bank of America, Blyth & Co., Inc., Halsey Stuart & Co., Inc., and Aubrey & Lanston & Co., Inc. This group's bid of $99.85100 on a 4-percent coupon was only a fraction lower than the winning bid; it would have produced an annual interest cost to the Treasury of 4.008216 percent.

The C. J. Devine bid topped by only 11-100th of a cent per $1,000 bond the bid received from the group that included Morgan Guaranty as a manager. The difference between the two bids calculated for the entire $250 million transaction came to only $275.

An 83-member group headed by First Boston Corp., Continental Illinois National Bank & Trust Co. of Chicago, and Discount Corp. of New York. The group's bid was $99.71014 on a 4-percent coupon, producing an interest cost of 4.016334 percent.

And a single bidder, C. F. Childs & Co., Inc., a Chicago-based dealer in government bonds, submitted a bid of $100 on the alternate 4⅛-percent coupon offered by the Treasury. This would have produced an interest cost of 4.124621 percent. While Childs was a single bidder, it had organized in advance a group of ultimate investors who would buy the bonds if Childs won. Under the Treasury's ground-rules, ultimate investors couldn't participate directly in the auction.

The interest yield computed on the Childs bid was well above the yields of the other bidders. But Treasury officials regarded the unique form of the Childs participation as an important part of the whole experiment, and Mr. Roosa said in future auctions bidders organized on the Childs pattern "might come closer" to winning.

As did the winning bidder, both the Morgan Guaranty Trust group and the First Boston group were shooting for a public reoffering of 4-percent bonds at a price of $100. This was regarded as a clear consensus among the auction's participants of the market worth of the bonds.

"EXACTLY ON THE MARKET"

Mr. Roosa said the pattern of bids alined the worth of the bonds closer to prevailing securities market levels than the Treasury could have done by placing a take-it-or-leave-it interest rate on the issue. Judging by other Government bonds of comparable maturity, the auction prices came out "exactly on the market," he said.

The Treasury always has trouble deciding when is the best time to sell long-term bonds on the market for cash. During times of brisk business and high-interest rates, such sales tend to depress prices for bonds generally and push interest rates even higher both for the Treasury and other borrowers. And during times of business slack, the Treasury fears a heavy sale of long-term bonds will divert investment funds the private economy needs to finance housing and business expansion.

Treasury officials said yesterday's results showed a relatively small $250 million issue of long-term bonds can be sold through the auction method without such undesirable side effects.

"The bidding of the various syndicates indicates their combined judgment that borrowing of this amount can be readily fitted into the existing (interest) rate structure," Treasury Secretary Dillon said in a statement. "It clearly indicates that it is possible for the Treasury to tap the long-term bond market in this amount with a minimum impact on the supply of funds related to the needs of the economy."

Mr. ERVIN and several other Senators addressed the Chair.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Senator from North Carolina [Mr. ERVIN] is recognized.

## TRIBUTE TO SENATOR RUSSELL—30 YEARS A SENATOR

Mr. ERVIN. Mr. President, I regret very much that I was temporarily absent from the Senate floor when Members of the Senate paid deserved tribute to Senator DICK RUSSELL on account of his outstanding service to his State and Nation in the Senate during the past 30 years. In my honest judgment, DICK RUSSELL is the best qualified man in America for the Presidency, and it is a great tragedy for our country and the world that the prevailing political climate prevents him from attaining this high office simply because of the place of his residence and his unwillingness to sell constitutional truth to serve the political hour.

On January 12, 1963, the Macon Telegraph, of Macon, Ga., carried a short statement concerning DICK RUSSELL written by his longtime friend, Charles J. Bloch, of the Macon bar. I ask unanimous consent that this statement may be printed at this point in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### DICK RUSSELL—30 YEARS A SENATOR

(By Charles J. Bloch)

January 12, 1933—30 years ago—DICK RUSSELL was, after the expiration of his term as Governor of Georgia, sworn in as U.S. Senator from Georgia.

That was 2 months before the inauguration of Franklin D. Roosevelt as President of the United States. Harry Truman was then presiding judge of the Jackson County (Mo.) court. That was 11 years before Eisenhower became General of the Army. President Kennedy was 16 years old. LYNDON JOHNSON was a law student. Hitler was about to come into power, and, 6 years later, start World War II. Through all those years, through all the changes which those years have produced, DICK RUSSELL has served his State and these United States constantly and faithfully. He has seen colleagues advanced to the Presidency and to the Vice Presidency, and though he must know that but for the fact that he is a southerner, that recognition would have been his, his unselfish service has continued unabated, and unsullied by any thought of what might have been.

His service to Georgia and the States of the South as leader of the southern bloc in the Senate has been outstanding. He continues to stand as a rock in the defense of his views of the meaning of the Constitution of the United States.

His service to the United States of America is best exemplified by his chairmanship, over the years, of the Armed Services Committee of the Senate.

Perhaps the most outstanding facet of that long service was his chairmanship of the combined memberships of the Senate Foreign Relations and Armed Services Committees in 1951, charged with the duty of investigating the recall by President Truman of Gen. Douglas MacArthur. These hearings concluded with a great paper of state, drafted by Senator RUSSELL—a message to the American people.

Appended was a message "To the Free Nations," and to "The Communist World," at least two paragraphs of which are as true and pertinent as they were 12 years ago:

"If those who threaten us take only a tyrant's lesson from differences among freemen and mistake the temper of our people they can plunge the world into war. But it would be a war they could never win and which would bring them to ultimate destruction."

"The issues which might divide our people are far transcended by the things which unite them. If threatened danger becomes war, the aggressor would find at one stroke arrayed against him the united energies, the united resources, and the united devotion of all the American people."

So spoke and so speaks one who is "the truest current Senate type, and incomparably the most influential man on the inner life of the Senate, Senator RUSSELL, of Georgia."

We greet him on this anniversary date, extend our thanks and appreciation to him, and wish for him, in the years to come, all those good things which the prayers of a grateful people can bring to a man who has served them faithfully and well.

## WILLIAM HENRY BELK, MERCHANT OF THE SOUTH

Mr. ERVIN. Mr. President, one of the outstanding retail associations in the United States is the Belk family of stores, which consist of more than 400 retail stores situated in 17 of the States and Puerto Rico. The Belk family of stores was founded in 1888 by the late William Henry Belk, of Charlotte, N.C., and his brother, the late Dr. John M. Belk, of Monroe, N.C., and is going to celebrate its diamond jubilee during the present year.

On December 5 and 6, 1962, the Belk family of stores held meetings at Charlotte, N.C., and outlined the plans for its diamond jubilee before newspaper editors and publishers and television executives of the areas in which its stores are located. I was privileged to speak to these groups upon William Henry Belk and his contributions to society at banquets given these groups by the Belk family of stores on these occasions. William Henry Belk was a free enterpriser in the finest sense of the term and as such made a contribution of the highest potential value to American business. This contribution ought to be made known to all American businessmen who profess allegiance to the free enterprise system, and for this reason I ask unanimous consent that my remarks on the occasions set out above be printed at this point in the RECORD as a part of my remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

### WILLIAM HENRY BELK, MERCHANT OF THE SOUTH

Since I esteemed him one of the finest products of our civilization, I cherish this opportunity to speak of Henry Belk and his contributions to society. Let me confess at the outset my indebtedness to LeGette Blythe's brilliant biography entitled "William Henry Belk, Merchant of the South" for the biographical facts relating to him.

These biographical facts illustrate in graphic fashion the truth that adversity is the diamond dust with which life polishes its jewels.

Henry Belk came of sturdy, God-fearing English and Scotch-Irish stock, who settled in the Carolinas before the American Revolution and actively participated in that war for independence. He was the son of Abel Nelson Washington Belk and his wife, Sarah Narcissus Walkup. His birthplace was the family farm in Lancaster County, S.C., and his birthday was June 2, 1862. At that time the tragic War Between the States was consuming the flower of the South's youth. Henry Belk was made fatherless at the age of 2 years and 8 months by thieving marauders from General Sherman's Army.

When Henry Belk was 11 years old, the family removed from the Lancaster County farm to Monroe, the county seat of Union County, N.C. Here he and his brother, Dr. John M. Belk, grew to manhood during the dark days of Reconstruction and its aftermath when the agricultural South was prostrated by poverty and a baneful credit system which produced ill will between merchant and farmer and often bankrupted both.

Sarah Walkup Belk believed that "what sculpture is to a block of marble, education is to the human soul." As a consequence, she saw to it that her sons were well instructed in the essential courses taught in the limited local schools of the day.

Despite his frequently expressed conviction that "next to being good Christians—there's nothing better for young people than—good educations," Henry Belk decided to forgo seeking a collegiate education. His decision was prompted in part by the necessity to concentrate the scant financial resources of the family on procuring a medical education for his brother John, and in part by his own desire to embark immediately upon his precociously chosen lifework—the buying and selling of commodities for profit.

Notwithstanding his lack of a collegiate education, Henry Belk was well equipped to face the hard world of his day. For this he was indebted to the precept, the example, and the love of his great mother, Sarah Walkup Belk, who taught him habits of industry and thrift, and implanted indelibly in his mind and heart an unfailing integrity of thought and word and deed, an abiding love for good men and women of all sorts, a dedicated devotion to Calvinism as interpreted by the Southern Presbyterian Church, and an unshakeable faith in God.

On reaching the age of 14 years, Henry Belk became a clerk at a salary of $5 a month in the store of Ben D. Heath, which was then the leading mercantile establishment in Monroe. It is worthy of note that he saved $14.85 out of his salary for the first 3 months. He stayed with Mr. Heath 12 years, rising to the post of assistant manager at a salary of $40 a month.

Having saved $750 out of his earnings in the Heath store, Henry Belk concluded it was time to go into business for himself. On May 29, 1888, he opened his own dry-goods store in a small rented building in Monroe. He staked the success of the undertaking upon this abiding conviction: The most precious assets available to any mercantile establishment are the confidence of the public in the integrity of its management and the probability that satisfied customers will return to it for further trade.

To insure its acquisition of these assets, Henry Belk laid down these basic rules for the conduct of his newly established business:

1. That good merchandise was to be sold at the most reasonable price.

2. That the merchandise was to be sold for cash only.

3. That the merchandise was to be plainly marked with its retail price, and there was to be no haggling at the counter.

4. That every customer was to be treated with the utmost courtesy regardless of the size of his pocketbook.

5. That every customer was to be permitted to return without question any merchandise not satisfactory to him.

The second, third, and fifth rules were virtually without precedent in southern mercantile circles. The second had its origin in Henry Belk's detestation of the baneful credit system in vogue in the agricultural South and his appreciation of the psychological fact that when a fellow buys something and pays cash, he just naturally feels good.

A faithful observance of these rules brought to the new store constantly increasing trade and imposed upon its owner constantly increasing responsibilities. Being desirous of the assistance of an able and congenial associate, Henry Belk persuaded his brother, Dr. John Belk, to abandon medicine, and join him in the mercantile business. This event occurred in 1891. The association of the brothers in merchandising lasted from that time until 1928 when Dr. John Belk's death robbed his surviving brother of the benefit of his wise counsel.

At that time there were 39 stores in what Henry Belk so aptly called the Belk family of stores. The fourth of these stores, Belk Bros. Co., of Charlotte, N.C., now one of the outstanding retail establishments of the Nation, had opened September 25, 1895, and had become the particular charge of Henry Belk, who had removed his residence from Monroe to Charlotte.

Subsequent to Dr. John Belk's death, Henry Belk devoted his major efforts to increasing the services of the Charlotte store to the people of the Carolinas, and expanding the Belk family of stores to a total of 306 stores in 306 cities and towns in 14 States. At the same time he served with rare diligence as an elder in the Presbyterian Church, and as a trustee of many institutions of an educational, philanthropic, or religious nature, such as Davidson College, the Montreat Retreat Association, the Presbyterian Hospital in Charlotte, the Presbyterian Junior College, and the Presbyterian Orphans' Home at Barium Springs, N.C. Moreover, he materially aided by generous gifts the erection of more than 300 Presbyterian churches and manses, the establishment of the Sarah Walkup Hospital in Tai-Chow, China, and other good causes past numbering.

Henry Belk died at Charlotte on February 21, 1952, survived by his wife, Mrs. Mary Irwin Belk, who is a worthy descendant of her Revolutionary ancestors, his daughter, Sarah Walkup Belk, who is the accomplished wife of Charles Glenn Gambrell, and his five sons, William Henry Belk, Jr., John Montgomery Belk, Irwin Belk, Henderson Belk, and Thomas Milburn Belk, who are making significant contributions in their own right to our country.

An editorial writer made these contemporaneous comments:

"If one were looking for a man whose life exemplifies the best in the American system and in American life, it would be hard to find a more apt illustration than the career of William Henry Belk, whose death Thursday left a vacant place that had seemed to be almost permanent in the life of Charlotte and of the South. The record left behind him has been a living proof that integrity of character, fortified by a firm religious faith, is the best foundation for achievement in this land of ours. He built a mercantile empire that covered the whole Southeast, and he did it without benefit of RFC loans, aids to small business, or any other governmental favor. He started from scratch and rose at a time when the criterions for success were a man's ability, his will to achieve, his honesty of purpose. Mr. Belk had all three in abundant measure. * * * Quietly and without fanfare, he gave of his means to those causes which could strike at the root of social and economic evils and eliminate them at the source. His philanthropies were many and will be remembered long after him. But the finest of all his legacies is the example of his own life, full to overflowing with a certain steadfastness that serves as an anchor in this turbulent age."

I have attempted to sketch the salient external events of the life of Henry Belk. I have endeavored to reveal what manner of man he was in his innermost mind and heart. I have striven to indicate some of the manifestations of his love for his fellow men, and the esteem in which he was held by those who knew him in the flesh. I will now undertake to appraise his contribution to American business.

Henry Belk made a contribution of great moment to American business. It is not surprising that this contribution should be a reflection of his own intellectual and spiritual image.

The America we know and love was not made a living reality by the economic theorists who have promised abundance for all by robbing selected Peter to pay for collective Paul. The America we know and love was made a living reality by the blood, sweat, tears, and prayers of the free enterprisers—all those men and women, great and small, who have staked the existence of America as a free country upon the simple economic truths that earth yields nothing to man except the fruits of his labor and that no free man can be induced to produce things of value unless he is allowed to retain a fair share of the fruits of his labor for himself and those he loves and the causes he holds dear.

Henry Belk was a free enterpriser in the finest sense of the term. Life and religion taught him that a man of integrity is God's noblest creation. As a consequence, he believed supremely in the dignity and worth of the individual. He believed that the interests of society as well as those of individuals are best served by the individual initiative and the individual industry, which are the chief characteristics of the free enterprise system. He believed that the best way to encourage individual initiative and individual industry is to reward individuals who manifest diligence and integrity with advancement to positions imposing increased responsibility and offering increased opportunity. He believed, moreover, that every individual is accountable to society and to God for the use of his talents and possessions.

Henry Belk had the canny capacity to anticipate big business in the modern sense of the term, and to know it for what it really is. He understood clearly that big business is fraught with both good and ill.

He appreciated in full measure the good arising out of the power of the big merchandiser to promote efficiency through expert services not available to small merchants, and to pass on to customers in the form of better merchandise and lower prices the benefit of mass buying of commodities. He realized with equal clarity, however, that central control of activities and finance as customarily practiced in the chain-store system of merchandising has a strong tendency to stifle individual initiative and individual industry among the personnel of the retail outlets of the system. He could not tolerate the policy usually pursued by the chain system to make frequent transfers of managerial employees from one place to another because of its repugnancy to his conviction that the manager of a retail store ought to be an integral part of the community in which the store is located and discharge in full measure his share of the civic and religious obligations resting on citizens of that community.

Henry Belk saw the desirability of devising a method of retail merchandising which would adapt the good in big business to his basic beliefs concerning men and free enterprise. This he did in a highly successful manner in the concept that underlies and permeates the Belk family of stores. This concept constitutes his great contribution to American business.

The Belk family of stores is an association rather than a chain of retail dry goods stores. A central organization known as the Belk Stores service offers to each store expert services in merchandising, law, and the like, and the advantage of sharing in the mass buying of merchandise. There is, however, no centralized control of the activities and finances of the various stores.

Each store is, in fact, an independent legal and merchandising entity operated according to the judgment of its manager, who is at liberty to accept or reject the assistance of the Belk Stores service. The manager of the store attains his position as a reward for demonstrated diligence and integrity in some other member of the Belk family of stores. He shares the ownership of the store with members of the Belk family and their associates and for that reason has a real stake in it. As a permanent resident of the community in which the store is located, he has the incentive and opportunity to participate in all its civic and religious undertakings.

One cannot overmagnify the potential good in Henry Belk's contribution to American business. It affords a practical way by which America may obtain the benefits of big business without sacrificing the individual initiative and the individual industry which make the free enterprise system work. In closing, I indulge the fervent hope that American business will employ Henry Belk's great concept with increasing frequency and increasing intensity in the days to come.

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## SCIENTIFIC RESEARCH IN SOVIET SIBERIA AND THE NEED FOR CORRESPONDING EFFORT IN ALASKA

Mr. GRUENING. Mr. President, our former colleague, the able and distinguished William Benton, publisher of the Encyclopaedia Britannica, has written a most interesting article for the Saturday Evening Post entitled "Inside the Siberian Science City." It tells of the tremendous complex of scientific institutes which the Russians are establishing at Novosibirsk in Siberia. It presents a tremendous challenge to us in the United States and to the free world in general.

Whatever may be the shortcomings and failures of the Kremlin's policies, there can be no question that in many fields of science the Russians are concentrating every effort and are achieving greatly. If we in the United States are not to be left behind, we must similarly and increasingly mobilize our brains, our talent, and our resources for scientific research.

An admirable opportunity to do this most effectively exists in Alaska. There, the University of Alaska, situated approximately 125 miles south of the Arctic Circle, 4 miles west of Fairbanks, is seeking to lay its foundation to be the American institution for Arctic and sub-Arctic research. Geographically, it is uniquely qualified for this important role. A significant start has been made there with its geophysical institute, with the oceanographic experiments being conducted jointly by the Office of Naval Research and the university at Point Barrow; by the establishment of a forest research laboratory which will be dedicated this spring; and by the pending construction of the water pollution laboratory, which was established under legislation passed in the 87th Congress. A program of environmental research is in the planning stage.

But these are only slender beginnings in a field of the utmost importance in which little work has been done by American scientists. The destiny of the University of Alaska, our farthest North institution of higher learning, lies in becoming that great institute of research for which President William R. Wood and the regents of the University of Alaska are seeking to lay the foundation. Our Nation and the free world will benefit by the achievement of that destiny.

I ask unanimous consent that former Senator William Benton's article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Inside the Siberian Science City

(By William Benton)

Deep in the forests of Siberia, near a vast manmade lake, the Soviets are building one of the most extraordinary scientific centers in the world. Its implications can be ominous for us. The only way to suggest an American counterpart would be to imagine the U.S. Government merging the theoretical-research departments of Harvard and the University of Chicago with the applied-research divisions of General Electric and Bell Telephone Laboratories—and establishing them all in a new headquarters on the outskirts of Detroit. This is roughly what the Soviets are planning for their science city outside the industrial center of Novosibirsk in Siberia.

The new establishment, just now nearing completion, is a striking symbol of the Soviet intellectual challenge to the West. It is a complex of 15 separate scientific institutes designed to house 50,000 research workers. It is dedicated not merely to theoretical research of the highest order but to solving practical problems in fields ranging from hydraulic mining to the translation of ancient languages. And this new science city is only the first of several that the Soviets plan to build across Siberia.

Since Novosibirsk is closed to most foreign visitors, only a handful of Americans have seen even the site of this science city. Among them are former Vice President Richard Nixon, Vice Adm. Hyman Rickover, and Ambassador Adlai Stevenson. What they saw was largely a blueprint. It was only recently, when I visited Russia, as a guest of the newly created Institute of Soviet-American Relations, that an American first saw the science city actually in operation. Perhaps I should add that I had told the Russians that I had no training in science and that I wouldn't recognize a secret if my nose were rubbed in it.

#### CEREMONIAL AT DAWN

It was 5:20 a.m. when I landed in Novosibirsk, 1,750 miles east of Moscow, together with Mrs. Benton and our 20-year-old son, John. A representative of the mayor, plus the chief learned secretary of the Siberian department of the Soviet Academy of Sciences, and a third official welcomer were on hand to meet us and drive us to our hotel. Our suite there, according to our escort, was "indisputably the most luxurious hotel suite in the entire Soviet Union." It had ceilings at least 20 feet high, beautiful oriental rugs, a piano in the living room and stiff, uncomfortable furniture.

Like the rest of Siberia, Novosibirsk scarcely corresponds to the Western image of a cold slave-labor prison. For one thing, it was hot when I was there, as hot as any town in Iowa. A village of a few thousand at the turn of the century, Novosibirsk was originally used as a camp for construction workers building the Trans-Siberian Railroad. Its big growth came during World War II, when the Soviets brought in great industrial plants evacuated before the Nazi push into western Russia. Today it is an industrial city of 1 million, roughly comparable to Detroit or Cleveland, a producer of turbines and steel and mining machinery. Its paved central square is about the size of four or five New York City blocks without greenery of any kind, and its opera house is the biggest in the U.S.S.R. Across the tops of the buildings on the main square are four great electric signs saying "Peace to the world, glory to the Communist Party of the Soviet Union, long live Leninism, long live the Soviet people." Most of the city's buildings are a drab gray. In winter the temperature falls to 50 below zero. All things considered, it is not surprising that the president of the Soviet Academy of Sciences originally opposed the plan to build a costly academic center there.

"You won't be able to persuade top scientists to move to Novosibirsk," he said.

"We can get the brilliant young ones," Khrushchev reportedly answered, "and we can train them there. The young scientists do the creative work."

#### HOW THE CITY BEGAN

When Khrushchev decided to go ahead with the science city 4 years ago, it was only part of a regional plan for the development of the whole area. One of the first steps was to dam the mighty Ob River, creating the Sea of Ob, 125 miles long, and providing enough power, heat, and light for both Novosibirsk and the science city. Then teams of construction workers arrived, and 12,500 of them are still at work on the project.

When we reached the science city—a 12-mile drive along a broad and modern but nearly empty highway from Novosibirsk—our car pulled up in front of the institute of geology. Waiting to greet us was Mikhail Lavrentiev, chairman of the Siberian department of the Soviet Academy of Sciences and head of the science city. He is a tall, stooping man with friendly eyes, and an eager host.

The 15 new institutes occupy great squat 3- and 4-story buildings somewhat resembling Soviet efficiency apartment houses. The unadorned facade of each institute faces a wide avenue of the institutes. Two main buildings have been in use for 3 or 4 years. Others were incomplete, still encased in scaffolding. None of these massive oblong structures had yet acquired the red stars or statues of Lenin that typify many public buildings in the U.S.S.R. Virgin forests behind the institutes provide room for expansion while shielding them from bitter Siberian winter winds. "We tried to preserve as much of the forest as possible," said Lavrentiev.

The names of the institutes give an idea of the scope of these drab new scientific palaces. Squarely in the center of the compound is the Institute of Geology and Geophysics. Next door is the Institute of Automation and Electrical Measuring Techniques. Then comes the Institute of Genetics, then the Institute of Experimental Biology and Medicine, then Hydrodynamics, Kinetics and Combustion, Applied Mechanics, and so on. I asked about nuclear reactors but was told this particular science city had no need of one.

The layout makes each institute an autonomous unit. Yet the institutes depend horizontally on each other for support—as shown by their locations. The Institute of Inorganic Chemistry, for example, stands next to the Institute of Thermophysics so that the scientists in one can work closely with those in the other.

Not far away from the institute buildings, on newly cleared forest land, workmen have already completed the first big physics and chemistry building of the new University of Novosibirsk, begun at the same time as the science city. The university already has 1,000 students, and the enrollment will increase to 4,000. The students will work at the institutes in research projects.

What goes on in this remote research center? As one example, which seemed rather strange in the middle of Siberia, the Soviets report that their computers have deciphered a Mayan Indian script which philologists had worked on for decades. Sergei Sobolev, head of the Institute of Mathematics, proudly presented me with a three-volume account of the work. Another group, the Geology Institute, has 92 survey teams investigating Siberia's wealth of iron, sulfur, copper and oil. "There is so much unknown and so much to be discovered," said the group's director, Andrei Trofimuk, a solidly built man of about 40. "Siberia has every mineral that exists."

#### BETTER THAN MOSCOW

The most spectacular demonstration that I saw was the use of a mining machine called a water-pressure cannon, developed by the Hydrodynamics Institute. It looks like a bundle of pipes, perhaps 10 feet in circumference and 8 feet long. From a safe distance we watched while the cannon fired at a 3-foot-thick chunk of granite. There was a loud bang. The granite splintered into a dozen fragments. In the same laboratory we saw a piece of copper about 8 inches thick with a hole shot through its center by one of these water cannon. Lavrentiev boasted of the machine as "15 times better than Moscow has been able to do." We in the United States have nothing comparable to this for our mining industries.

The opportunity to work and get ahead in such laboratories—along with the comparative luxury of a house and garden of one's own—has indeed brought young scientists to Novosibirsk, as Khrushchev predicted. By now there are 12,500 of them (as well as 11 members of the Soviet Academy of Sciences). Arnold Romanov, for example, at the age of 29, is the head of a key section in the Institute of Automation and Electrical Measuring Techniques. A fascinating young man who has read widely in English literature and speaks our language well, Romanov sparkles with enthusiasm about his work. Here, he says, a gifted man gets a bigger job quicker. "The scientists are not alone," Lavrentiev added. "They have wives and children and grandchildren, and we take care of them."

The scientists don't spend all their time in laboratories. After our first morning at the center we lunched at the clubhouse for the institutes' top research scholars. There was a lavish array of 30 or more dishes—red and black caviar, tomatoes, cheeses meats, bottles of wine, and vodka. The next day we joined Lavrentiev and four colleagues in a 50-foot motor launch and chugged across the Sea of Ob to a camp run by the Academy of Sciences.

The camp, in a forest of tall, aromatic pines, consisted of three or four substantial log houses, together with half a dozen tents and small cabins. We saw a number of women and children—though we got little chance to talk to them. A rotund, tanned, bearded individual greeted us with a load of fish he had caught that morning. By the time we had all taken a swim, the bearded man had prepared a steaming fish soup with a chunk of pike floating in it. With that came caviar, salad, cheese, wine, and vodka, all served as a picnic beneath the tall white birches near the water. It made me think of some fantasy—portrayed by Manet, described by Tolstoy, and catered by Brillat-Savarin.

I wanted to find out more about how the Soviet scientists viewed their own role in the world. I asked Lavrentiev whether he didn't feel that many sciences were getting so specialized that a scientist found himself "learning more and more about less and less." Lavrentiev thought not—at least in his own case. As a boy of 11, he said, he had fallen in love with a mathematical puzzler called the four-color problem. The problem is this: How many different colors would you need to use on any map so that no two adjoining states are the same color, no matter how many states there are or what their shape? Lavrentiev said mathematicians had proved that five colors would be enough for any possible map, and that three would not be enough, but nobody had been able to prove mathematically that four would suffice. He named a Swedish scientist who had devoted a lifetime to this problem, but, as for himself, he had gone on to other things.

We agreed that there should be more exchange of information between our countries, but I mentioned the problem of the Soviets' unwillingness to abide by international rules of copyright and royalties. Sobolev, head of the Mathematics Institute, asked whether Russian writers got any royalties in the United States. When I said they did, he remarked that a publisher asked his permission to publish two of his mathematical works but there had been no royalties. He couldn't remember who the publisher was, and I never found out what had happened to the books in the United States. I said that books of this sort sold on such a small scale that there were few royalties.

As for more popular writers, I recalled that I first heard of the American ex-Communist novelist Howard Fast when I learned some years ago of his great popularity in the Soviet Union. I added that he had become better known in the United States since he abandoned communism in 1957. "It's exactly the reverse here," laughed Sobolev. And in fact I no longer found Fast's books on sale in the U.S.S.R.

I asked the members of the group to speculate on the future. What did they foresee?

"How can we foresee the future?" Sobolev asked. "All we know is that there wil' be more changes in the next 50 years than have been created in all the past history of the world put together."

I asked whether he agreed with the assertion by some experts that 90 percent of all the scientists who have ever lived are alive today. He thought a moment and then nodded in agreement. But not everyone accepted the implication that many scientists means great scientists. "There is no Newton alive today," said academician Ilya Vekhua, rector of the University of Novosibirsk.

In their conversation, as in their work, the scientists of Novosibirsk revealed an important difference in the way scientific training is organized east and west of the Iron Curtain. In the basic Soviet primary-secondary school, called the 11-year school, every student is required to take 10 years of mathematics, 5 of physics, 4 of chemistry and 2 of biology—in addition to such humanistic studies as history, literature, and a foreign language. On the basis of this broad background the student is encouraged to specialize as soon as he has finished the 11-year school. Since the tuition at all levels is free, a gifted student, no matter how poor, can develop his talents for the benefit of both himself and the state. Nor are these talents trained independently of the nation's industrial growth. There is no sharp division, as in the West, between the applied science of industry and the more prestigious theoretical science of the university.

"The graduates of the university must be as close as possible to industry," Lavrentiev told me. "You look to your universities to train your scientific personnel and to do your basic theoretical research. In the U.S.S.R. the really great scientific achievements do not develop within the walls of the universities but within the walls of the research institutes like this one."

The reality of the Soviet scientific achievements can scarcely be disputed. It is obvious not only in their space triumphs but in less spectacular fields such as surgery, oil drilling and oceanography. Judging from what I saw at Novosibirsk, there will be further achievements at the new Siberian science cities (the next such center will be at Irkutsk near the Mongolian frontier). Today the Kremlin is systematically developing all its science and education according to its current view of what Soviet society needs.

If the Russians have sacrificed butter for guns, they have sacrificed meat for education and research. Are we Americans making similar sacrifices?

The U.S. Government is indeed pouring massive amounts of money into the scientific programs at our universities and elsewhere. It is encouraging more applied research as part and parcel of the theoretical investigations to which our great scientists have been traditionally devoted. Our corporations, too, are intensifying projects to bridge the gap between theoretical and applied research. Some are building research laboratories near the campuses of our universities.

If the Soviets forge ahead of us in science it will not be because their highly coordinated system is necessarily better than our system. Prof. Robert Marshak, a University of Rochester physicist who has been appraising recent advances in Soviet science, believes the United States will continue to lead in pure and theoretical science for some time to come because our system is more ideally suited to such research. But he warns that we should expect the Russians—because of their greater stress on applied research, their expanding budgets and their ability to focus almost unlimited resources on selected problems—to make numerous short-range breakthroughs in applied science. A case in point is the Soviet lead in booster rockets for space capsules.

Shortly before leaving Novosibirsk I commented to Lavrentiev that the Soviet educational system was designed not for the individual but for the state. He did not disagree. As for myself, I told him I once had been the only young man in the United States to get 100 percent in the comprehensive college-entrance examinations in mathematics. Following my own inclinations, I have led a widely varied life as an advertising executive, a U.S. Senator, a top State Department official, a trustee of several universities and head of the Encyclopaedia Britannica. In the Soviet Union the Communist system would inevitably have directed me toward a career in science.

With the calm confidence of the new Soviet scientific elite, Lavrentiev said, "Perhaps you would have been better off in mathematics."

Like most other Americans I certainly want to go on deciding such questions for myself.

## RESOLUTION ON IMMIGRATION BY UNITED ITALIAN AMERICAN LABOR COUNCIL, INC.

**Mr. KEATING.** Mr. President, on December 8, 1962, in New York City, the United Italian American Labor Council held its annual conference. There it adopted, among other resolutions, a resolution on national immigration policy, calling upon the Congress of the United States to enact permanent immigration legislation which will have as one of its main objectives the uniting of families. This is to be accomplished by allocating within an up-to-date and realistic quota a large percentage of visas to close relatives of American citizens.

Mr. President, in the 87th Congress, under bipartisan sponsorship in which I was privileged to join, a bill (S. 3043) was introduced to make several permanent changes in the Immigration and Nationality Act. The most important provision proposed to augment the annual number of quota visas, giving special consideration to unsettled political refugees and close relatives of American citizens. It was a source of disappointment to me that little progress was made in even considering this legislation. Instead, the 87th Congress contented itself with enacting piecemeal and stopgap measures which, although they had merit in themselves and were much needed, failed to come to grips with our overall objectives in immigration policy for the years ahead.

It is therefore my hope, Mr. President, that with the support of the administration, and the technical and informational assistance of all the private organizations that have labored so diligently in behalf of an enlightened immigration law, the 88th Congress will get down to the task of permanently revising the basic legislation. Many constructive suggestions were received as to how S.

3043 of the last Congress could be improved, and I have hopes that before long a revised bill incorporating several meritorious changes will be introduced.

At this time, Mr. President, I ask unanimous consent that the resolution on immigration adopted by the United Italian American Labor Council at its annual conference be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

### Resolution on Immigration

Whereas tens of thousands of citizens of low-quota countries such as Italy, members of alien families legally residing in the United States and members of families or close relatives of American citizens in the United States, have applied for admission to our country and their applications have been processed and approved; and

Whereas they have been registered, respectively, either under the third preference of the quota, for which visas are insufficient, or under the fourth preference of the quota, for which visas are unavailable, with the result that these applicants have to wait years and years before being permitted to join their dear ones in the United States; and

Whereas the U.S. Congress, sensitive to the urgent need of reuniting families and providing entry of close relatives of U.S. citizens, in 1961 enacted Public Law 87-301 and in 1962 Public Law 87-885 which provided a very partial solution of this problem; and

Whereas President Kennedy recognized this problem and urged its solution stating: "I believe that the most important immediate objective of immigration policy is the reuniting of families. There are many new citizens in America whose closest kin are in other lands waiting to join them. We have a social obligation to bring these families together, provided they are eligible under the law"; and

Whereas George Meany, president of the American Federation of Labor and Congress of Industrial Organizations, only a year ago stated that: "It is my belief that the number of quota immigrants admitted annually can be increased from the present quota of 165,000 to 250,000 without undermining employment opportunities for American workers. Every immigrant is a potential customer for the products of American workers and every employed immigrant a producer who contributes to our total wealth": Be it

*Resolved by the 21st annual conference of the United Italian American Labor Council held on December 8, 1962, Hotel Commodore, New York City,* That we call upon the administration and Congress to have enacted in its next session permanent measures providing for the admission of the aforementioned members and close relatives of families of American citizens, who live in countries which are members of the Atlantic Alliance and which, like Italy, have an ever increasing number of already approved applications under the third and fourth preference of the quota, but are still anxiously waiting for U.S. visas; and be it

*Resolved,* To commend the fruitful and tireless efforts made by the American Committee on Italian Migration in order to improve and humanize our immigration laws; and be it further

*Resolved,* That this resolution be sent to the President of the United States, to the leaders of the U.S. Congress, to the AFL-CIO, and to the press.

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## THE NEW YORK CITY NEWSPAPER STRIKE

**Mr. JAVITS.** Mr. President, the New York City newspapers have now been shut down by a strike for 39 days, and all too little has percolated through to the public on the subject, because the mere fact of the strike of the newspapers is itself self-defeating in that regard, in that the free media of public communication cannot be employed to communicate to the public what has occurred. It has been done on radio and television, and the radio and television stations have been excellent in that regard; but there still is nothing like the visual media of the press.

For that reason, I associate myself with the statement made by the Governor of the State of New York, Gov. Nelson A. Rockefeller; the mayor of the city of New York, Robert F. Wagner; and the U.S. Secretary of Labor, W. Willard Wirtz; who formed a Board of Public Accountability.

On January 6, 1963, the following statement was made by them:

> A fundamental means of communication essential to democratic government has been disrupted. It has resulted in grave inconvenience and difficulties for the people and the economy of the city. There has been a serious impact on State and National affairs as well.
>
> Efforts to achieve a settlement of this dispute by collective bargaining and mediation thus far have not been successful.
>
> The public has the right to know why this intolerable situation continues. The public is entitled to know whether its interests are being given due account. If they are not, the public has the right to exercise further influence to resolve the present deadlock.

Pursuant to their appointment, the Board of Public Accountability now has reported, and this report recognizes most urgently that, by collective bargaining, in a coordinated manner, with all the unions concerned, the time has come to arrive at a settlement of the strike.

I ask unanimous consent that documents I have in connection therewith be made a part of my remarks in the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

### Joint Statement by Secretary of Labor W. Willard Wirtz, Nelson A. Rockefeller, and Mayor Robert F. Wagner

The major New York City newspapers have now been shut down for a month.

A fundamental means of communication essential to democratic government has been disrupted. It has resulted in grave inconvenience and difficulties for the people and the economy of the city. There has been a serious impact on State and National affairs as well.

Efforts to achieve a settlement of this dispute by collective bargaining and mediation thus far have not been successful.

The public has the right to know why this intolerable situation continues. The public is entitled to know whether its interests are being given due account. If they are not, the public has the right to exercise further influence to resolve the present deadlock.

Ordinarily the press would function as one of the vital media by which the public would be informed of the nature and the course of the dispute, and would contribute to the development of a concensus and bring its influence to bear on the parties involved.

To assist in reaching and implementing such a concensus we are therefore establishing a Board of Public Accountability. We have asked these distinguished citizens to serve and they have agreed to undertake this important assignment: Hon. Harold R. Medina, judge of the U.S. Court of Appeals of the Second Circuit; Hon. Joseph O'Grady, judge of the Criminal Court of the City of New York, former member of New York City Transit Authority and former commissioner of labor, New York City; Hon. David W. Peck, former presiding justice of the Appellate Division of the Supreme Court of the State of New York of the Second Department.

We have asked the board to meet with all parties to the dispute, in public or in private sessions as the board may deem appropriate, and have suggested that these meetings be convened at the earliest possible moment.

Telegrams have been sent to representatives of all the newspaper publishers and unions involved, requesting their full cooperation with the board.

We have requested the board to make the fullest possible investigation of the facts of this dispute, of the positions of the parties, of the roadblocks to settlement, and of all matters relating to the questions of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations.

The board will not propose terms of settlement or undertake mediation efforts, unless this is agreeable to the parties concerned. The board may, however, suggest whatever procedures might appear to be appropriate for working toward a settlement.

We are asking the board to make a public report to us, for such action as we may deem appropriate, by Friday, January 11, or earlier if possible.

W. Willard Wirtz,
*U.S. Secretary of Labor.*
Nelson A. Rockefeller,
*Governor of the State of New York.*
Robert F. Wagner,
*Mayor of the City of New York.*

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### Report of Judge Harold R. Medina, Judge Joseph E. O'Grady, and Judge David W. Peck Constituting the Board of Public Accountability

The undersigned members of the Board of Public Accountability, appointed by Secretary of Labor W. Willard Wirtz, Gov. Nelson A. Rockefeller, and Mayor Robert F. Wagner, to inquire into the shutdown of New York City newspapers and to investigate the facts of the dispute, the positions of the parties, the roadblocks to settlement and all matters relating to the question of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations, report as follows:

The Board conducted hearings on January 7, 8, and 9, 1963. Representatives of the publishers of all seven of the major New York City newspapers and representatives of all of the unions involved in the dispute, except New York Typographical Union No. 6 (the printers' union), the mailers' union (like the printers a subordinate of the International Typographical Union) and the electricians union, whose contract does not expire until spring, attended and participated in the hearings and were fully cooperative in adducing the facts.

The president of the printers' union did not respond to the invitation of the board to attend the hearings, nor did he communicate with the board on the subject. We were advised, however, by his public pronouncement, that he would not attend any hearings or cooperate with the board until so authorized by the membership of the union. He stated that the membership could not be called for a meeting prior to Sunday, January 13, which would be 2 days after the date on which the board was required by the terms of its appointment to make its report. Some question was raised at the hearings as to whether a meeting of the membership of the union could not have been called at an earlier date, but the board did not undertake to seek an answer to that question or to determine the fact. We think it is appropriate to state, however, that we can see no reason why approval by the membership of the union of the president's attending the hearings was required, or why the president of the union should think that it was required. By the explicit terms of the board's creation and assignment, the board was not to propose terms of settlement or undertake mediation efforts unless agreeable to the parties concerned, but was only to make a public report on the facts. Thus, by attending the hearings and cooperating in the Board's inquiry the union could not have been brought into any bargaining or mediating frame against its will, and its president would have participated only in an inquiry into and determination of the facts relating to the dispute and the conduct of the negotiations by the parties. We think it is evident that in not attending the hearings the union president failed in his public responsibility.

Through testimony given by representatives of the publishers, representatives of the unions and Mr. Stephen I. Schlossberg, the representative of the U.S. Mediation Service who has served as mediator in the dispute, there was a full development of the facts at the hearings before the board.

The unions involved in the dispute are the following: Newspaper and Mail Deliverers' Union of New York and vicinity; Local Union No. 3 International Brotherhood of Electrical Workers; International Association of Machinists, District No. 15; New York Mailers' Union No. 6; Paper Handlers' and Straighteners' Union No. 1; New York Photo-Engravers' Union No. 1; New York Newspaper Printing Pressmen's Union No. 2; New York Stereotypers' Union No. 1; New York Typographical Union No. 6; and Newspaper Guild of New York, Local No. 3.

The newspapers involved in the dispute are the following: Daily News, New York Mirror, New York Herald Tribune, the New York Times, Long Island Daily Press, Long Island Star-Journal, New York Journal-American, New York Post, and New York World-Telegram and the Sun.

The essential facts, which are undisputed, can be rather briefly stated:

For a period of 10 years the newspaper publishers have bargained jointly with the several unions separately, except that the publishers have bargained individually with the Newspaper Guild. The date of the contracts, made in even years for 2-year periods, has for many years been December 8 for all of the unions except the guild, whose contracts have been dated November 1. An incident of the dates has been that contract negotiations have been conducted and concluded with the guild prior to the negotiation and settlement of contract terms with the other unions. Customarily, therefore, the wage pattern and principal terms of the contracts with all the unions have been set by the contracts negotiated with the guild. This fact has been a source of irritation and even of frustration upon the part of the other unions, who finally made it clear at the time of the settlement of the terms of the contracts in 1960 that when it came to a negotiation of the contracts in 1962 the unions would insist upon a negotiation of all the contracts at one time and any contract negotiated with the guild alone would not be recognized as a pattern which the other unions could be expected to accept.

With due regard to this prospective change in the negotiating procedures for the contracts of November and December 1962, the parties undertook conversations relating to their contract arrangements as early as April 1962, several months in advance of the time when they were accustomed to meet to inaugurate contract conversations. The early meetings brought all the publishers (who have proceeded by unanimous agreement among themselves) and all the unions together for conversations at one time. This was a promising procedure which was fruitful to a considerable extent in the collective consideration of matters which were of common interest to all the unions. There was no agreement, however, that negoitiations would be carried on to completion with the unions jointly, and it became the conclusion of the parties, after further joint meetings in May and August of 1962, that it was not feasible that year to conduct the negotiations fully on a joint basis, although it was understood that the unions would maintain close contact among themselves in the negotiations through a unity committee of the heads of the several unions.

Despite the promise in the early joint conversations, serious bargaining was not undertaken until October 1962, and that was primarily in respect to the guild contract, which would expire on October 31. A contract with the guild after a 1-week strike of the Daily News by that union was made by all the papers as of November 1, 1962. The improved benefits of the new contract to guild members came to a dollar value or cost to the publishers of $8.50 a man a week.

Negotiations were then undertaken by the publishers with the other unions, to whom the publishers offered benefits of the same value as those attained by the guild. In accordance with the declarations made 2 years before, the unions took the position that the guild settlement could not be regarded as binding upon them and they stated that it was not acceptable to them. Consequently, negotiations with respect to other possible benefits to the members of the other unions were undertaken, with the expectation that the benefits agreed upon with any union would correspondingly be made available to all, including the guild.

Negotiations proceeded in normal manner with all the unions respecting the many incidental terms of the contracts of some interest but not major importance. There were also questions of labor and cost saving raised by the publishers and regarded by them as being important which were the subject of discussion, and the question of importance to the unions of whether all the contracts, including the guild contract, would be given a common expiration date was discussed. The publishers were not resistant in principle to the idea of a common expiration date for all the contracts, but they wanted agreement on a framework of workable machinery to be used in consummating a single unitary negotiation and desired that the expiration date of all contracts be December 7, while the unions desired an October 31 date, which was the date of expiration of the guild contract.

Without minimizing the importance of any of the matters under discussion and unresolved at the time of the breakoff of negotiations, we think it is fair to state that none of them would have become a major obstacle in reaching contract terms and that they would have been resolved in connection with negotiations and an agreement on the money terms and benefits which would determine the total increased benefits and costs under the new contracts.

Unfortunately, despite all the early undertaking of preliminary negotiations and the progressive developments in the negotiations, the eve of contract expiration was reached before the parties settled down to offers and negotiations respecting the major benefits and costs in the terms of dollars.

Prior to this time there was an indication, probably not too seriously regarded by the publishers at the time, that a strike was likely and may have been the intention of at least the president of the printers' union. He stated to the members of that union that "only a long strike * * * will swing the pendulum so that we might obtain those things that belong to us" and "short strikes have not materially changed the publishers' position; * * * the union's members should be prepared for the possibility of a long struggle." Two weeks before the strike the president of this union spoke to newspaper reporters of the "certainty" that the strike would be of "extremely long duration" and that "the demise of one or more New York City newspapers" was possible. At the time of this last statement the president of the printers' union was in a position to carry out his strike threat as a strike vote had been taken by the union which authorized the president to call a strike without a further reference of proposed strike action back to the membership. This authority differed from past practice under which negotiations at times extended beyond the contract termination date, and a strike vote was taken only after the publishers' best offer was transmitted to the membership.

Agreement had been reached on many terms during negotiating sessions on December 6 and 7 (subject to final agreement), but it was not until 6:40 of the evening of December 7 that the publishers made a complete offer to the printers. That offer totaled in increased benefits and costs $9.20 per man per week. The printers, whose contract deadline was 2 o'clock in the coming morning, stated that it would be several hours before they could duly consider the matter and respond. They did not respond until 1:45 a.m., 15 minutes before their deadline.

In the meantime negotiations were conducted between the publishers and other unions, including the Deliverers Union, whose contract would expire at midnight. Terms acceptable to the executive committee of the negotiating committee of the Deliverers, involving increased benefits which would cost the publishers slightly more than $10 per man per week, were negotiated with the understanding that the executive committee would report to the full negotiating committee and that, pending the determination of the negotiating committee, there would be no strike by the Deliverers Union at the midnight expiration of their contract. Negotiations of contract terms thought to be acceptable to another union were also negotiated during that evening.

When the printers' representatives returned to conference with the publishers at 1:45 they stated their demands, declared to be negotiable, which came to an amount estimated by the publishers to cost $36 per man per week. This was a demand so shocking, both to the mediator and to the publishers, that the mediator, knowing that negotiations could not possibly be brought to a successful conclusion within the few minutes remaining before the 2 o'clock deadline, asked the printers to stop the clock in order that negotiations might continue without a strike. The printers' representatives refused this request and before more could be said the report came in that the printers had gone on strike and negotiations were ended.

All during the evening of December 7, while negotiations with the several unions were in progress, the unity committee of union heads remained in session, receiving, considering, and conferring about reports respecting the various negotiations. The unity committee had reached two agreements among themselves. One was that no union would agree upon a contract, the basic terms and total benefits of which were not acceptable to a majority of the unity committee. The other was that if any union in the circumstances should go on strike all the other unions would support the strike and suspend further negotiations.

The unity committee received the report of the executive committee of the negotiating committee of the Deliverers Union respecting the offer of increased benefits amounting to something over $10 per week to the members of that union. The majority of the unity committee found the terms unacceptable, and the executive committee of the Deliverers was thereby required to report to their full negotiating committee that the terms which otherwise would have been recommended could not be accepted because a majority of the unity committee did not agree. This rejection by a majority of the unity committee of the terms offered to and presumably acceptable to the Deliverers came only shortly before the printers would resume their last-minute conversations with the publishers.

The printers' representatives returned to their meeting with the publishers without any discussion with the unity committee of an amount which would be sought or would be regarded as acceptable to the members of the unity committee, other than a determination that only slightly more than $10 would not be acceptable, and without any knowledge or discussion on the part of the members of the unity committee of the position which the printers' representatives would take or the procedure they would follow in conducting their negotiation with the publishers. Armed with the power, accorded them by the agreement of the members of the unity committee to support this printers' strike, of shutting down the newspapers by failing to reach an agreement with the publishers in a matter of minutes, the printers' representatives met with the publishers only for the few minutes remaining before their strike deadline and proposed terms which could not have been considered a basis for negotiation and which, with their refusal to stop the clock and conduct negotiations without a strike, inevitably meant that the papers would be shut down.

The consequence was that all the papers were shut down on December 8, and all contract negotiations were suspended.

In the 5 weeks following the strike, 15 negotiating sessions have been held between the printers and the publishers under the auspices of the Federal mediator, who has earnestly striven to bring the parties into negotiating range. All of those meetings can be summed up with the statement that neither party moved.

The publishers have stated that they were willing to make one more move but that there was no point in even intimating what that move might be until the printers had moved drastically and realistically down from a proposal which the publishers stated could not be taken seriously or regarded as a basis for negotiation. The Director of the Mediation Service, then presiding at the negotiating session, agreed with the publishers that the first move in further negotiations should be a move by the union into a realistic bargaining range. The printers' representatives have taken the position that they were not required and would not be well advised to make the first move and that the first move should be made by the publishers.

The facts which have been stated are the undisputed facts as disclosed by the testimony given by all the witnesses—publishers' representatives, union representatives, and the mediator alike. It remains only to draw certain conclusions which are equally clear.

First, the printers strike which occasioned the shutdown of all the newspapers was not a move of last resort to which the printers were driven after a full exploration of the possibility of settlement. It was a deliberate design formed by the printers' representatives as the opening gambit in negotiations. Undoubtedly the aim was to secure contract benefits markedly better than the benefits which could be expected in the normal course of bargaining and the course adopted was born of the conviction that negotiations to the desired end could not be effective and would not be worth undertaking until after a strike of long duration, which would probably put some papers out of business and bring the rest to their knees. The union demand for the new contract was in an amount which exceeded the total benefits gained under all the contracts for the past 10 years. The amount requested could not have been advanced with any thought that it would invite negotiation. Coming as it did at the last minute, with no time allowed for serious negotiation, it bespeaks an intention to shut down the papers and to postpone any negotiation until a time when the publishers would be forced to surrender under the economic pressure of threatened extinction.

This intention can now be found as having been clearly expressed by the union president in his statements prior to the strike to the effect that a long strike could be expected and might have the effect of bringing about the demise of one or more of the city's newspapers.

Under present-day conditions labor and management function together in areas of activity close to the nerve center of society. If there is a prolonged and complete paralysis in one or more of these areas the effect upon all the people is serious, and the damage to our institutions and to our way of life increases in geometric proportion as the number of simultaneous stoppages in critical areas of activity increases. The publishing of newspapers in the city of New York is one of these critical areas of activity. The harmful effect upon employment, not only in the newspaper industry but throughout our economy, the stores, large and small, the schools and churches, the theaters and other places of entertainment, the social and cultural life of the city, and upon practically every phase of life, as well as upon the dissemination of thought, the crystallizing of public opinion on matters of national as well as local interest, and the development of ideas, is truly incalculable. Freedom of the press is guaranteed to all by constitutional mandate in the Bill of Rights. Therefore, we think it self-evident that both labor and management owe to the public a duty to use every reasonable means to avoid a shutdown, and, should one occur, to bring it to an end as speedily as circumstances will permit. Deliberately to plan such a prolonged shutdown and to resort to the maneuvers appropriate for the consummation of such a plan, we hold to be a clear breach of this duty to the public, and a matter of grave consequence.

The second conclusion which must be reached is that the unity committee did not function in any way of developing a unified approach to the problem of bargaining or dealing with the publishers, or even of forming a judgment on the desirable or available terms or means of obtaining them. Wittingly or unwittingly, the unity committee was left in the position of giving the printers' representatives a blank check—the power to take strike action which would compel like action by all the other unions upon a refusal of the publishers to meet last-minute demands made by the printers, of which the other unions had no knowledge or indication.

Third, there has been a complete failure of the bargaining process in this matter from the moment that the printers stated their terms until the present time. Indeed, it must be said that there has been no real bargaining. A strike was called as a preliminary to bargaining; bargaining was intended to be postponed for a long period until the strike had taken its toll, and bargaining has not been resumed at any time up to the start of the hearings before the board.

We abstain from any comments upon the subject of what might be appropriate contract terms. There was no attempt at the hearings to develop the facts respecting the many considerations necessarily bearing upon questions of appropriate contract terms. We are satisfied, however, from all the facts adduced and the tentative agreements reached with some of the unions involved, that realistic and good faith bargaining could and would quickly result in contracts on terms within an area clearly indicated.

Whether the bargaining is with the unions jointly or separately, it should be conducted simultaneously in a coordinated manner with the participation of each union, toward reaching the common goal of fair contracts for all concerned. We would recommend, therefore, that the public officials to whom we now report undertake forthwith, through their agents, to bring the parties together within this bargaining frame and all the parties should respond in true good faith, bring the newspaper shutdown to an immediate end, concluding contracts which are sensible and equitable and which will restore the papers to the public and health to the newspaper industry.

Respectfully submitted.

Judge HAROLD R. MEDINA.
Judge JOSEPH E. O'GRADY.
Judge DAVID W. PECK.

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### SUPPLEMENTAL SEPARATE REPORT OF JUDGE JOSEPH E. O'GRADY

Because the normal collective bargaining and mediation techniques failed to bring the month-long strike in the vital New York City newspaper industry to a termination, Secretary of Labor Wirtz, Governor Rockefeller, and Mayor Wagner appointed on January 6, 1963, a three-man board of public responsibility to make the fullest possible investigation of (a) the facts of the dispute, (b) the positions of the parties, (c) the roadblocks to settlement, and (d) of all matters relating to the question of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations.

The establishment of a board of citizens in the midst of a strike which had attracted wide public interest for the purpose of passing judgment upon whether or not the parties had discharged their moral responsibilities to the public was a novel technique.

While boards of public accountability have been recently discussed and to some degree advocated, as far as I know they have never before been used as part of labor-management dynamics in the settlement of a pending strike.

Undoubtedly the use of such a board in this situation was prompted by the frustration of all other attempts to bring to a peaceful conclusion an exasperating and serious strike affecting so many facets of our social and economic life in the Metropolitan New York City area as well as having a serious impact on State and National affairs.

One may justifiably speculate whether such a board would have been appointed if all the parties involved would have found it consistent with their labor-management policies to agree to either arbitration or fact-finding with recommendations (even though not binding) as a terminal point to the strike. This seems to be borne out by the statement appointing this board, in which it is stated, apparently in deference to the position of the parties, that—

"The board will not propose terms of settlement or undertake mediation efforts, unless this is agreeable to the parties concerned."

Still, it is clear to me that the appointing authorities were deeply concerned and, one might justifiably conclude, primarily concerned with bringing about a quick settlement, for immediately following the above quoted excerpt the appointing statement almost prayerfully states:

"The board may, however, suggest whatever procedures might appear to be appropriate for working toward a settlement."

The welfare of the employees and employers affected by the strike, as well as a deep concern for the public interest, must have been major considerations prompting the Secretary of Labor, the Governor, and the mayor to take this bold step.

Thus, I do not believe that the appointing authorities are looking for any scapegoat.

In any event, I do not feel that, industrious as we may have been in the relatively short period allotted to us to inquire into this complex matter prior to reporting, that I have anything like a sufficient record before me upon which to formulate a sound and responsible judgment on the profound question of what is the moral obligation or responsibility of an employer, employee or union leader engaged in a labor dispute or strike toward the public that might be affected thereby. Certainly none of the parties violated any legal responsibilities to the public.

However, this does not mean that parties to a labor dispute such as this should not take the public's interest into consideration before deciding upon a course of action which might have a serious impact upon the public. Nor does it mean that parties to such a dispute do not have moral obligations to the public.

But it does not necessarily follow that these obligations, whatever they may be, always outweigh in the mind of a union leader his obligations, in a given situation, to his members. The same applies to an employer's obligations to himself or his stockholders.

Furthermore, after listening and talking to the parties for 3 days I do not believe that blaming one or both parties for the strike contributes toward its settlement.

I do, however, wish to make some observations which I feel are pertinent to this matter.

This board was formed late Sunday (January 6) afternoon. It met early the next morning, Monday, and immediately sent requests to all parties to appear before it Tuesday morning. The printers union president, Bertram Powers, without even waiting to receive the formal request to appear, called a press conference and issued a statement stating in effect that he would not appear before the board unless his union membership authorized him to do so and that he couldn't call a meeting for that purpose until January 13, 2 days after the board was to file its report. To this day, he has not paid this board the courtesy of appearing before it, even specially, to explain why he felt he could not participate in its hearings. It is hard to believe that he did not have at least that much authority.

It is true that this board has no legal status and that therefore he could legally ignore it. But where the Governor of the State of New York, the mayor of the city of New York, and the Secretary of Labor of the United States of America, all dedicated public servants, acting in the public interest, create such a board in the fervent hope that it will aid in bringing about an early conclusion to an unfortunate strike affecting the public interest, as well as adversely affecting the parties themselves, the last one who could only be helped by such action could do would be to appear before it. Mr. Powers' failure to appear even for a limited purpose is inexcusable.

Another point which received considerable attention during the hearing was the statement attributed to Mr. Powers concerning the possible duration of any strike the union members might approve and the possible fatal effect it might have on one or more of the newspapers involved.

I am satisfied from the record that he so advised his members. Actually the record shows that he made similar statements in September 1961, shortly after they approved by a very close vote the settlement of the 1960-62 contract. The record indicates that he repeated this warning again in September 1962. Actually he was telling his members who had been expressing dissatisfaction with the prior pattern of settlements that if they wished to change the pattern they would have to be prepared for a long and costly strike. It was his duty to do this.

It has been suggested that these statements indicate Mr. Powers had no intention of arriving at a renewal agreement on December 8, but, on the contrary, was planning a long strike.

I find it difficult to believe that Mr. Powers would not have accepted a contract on December 8 if it contained substantial improvements over and above the $8.50 a week received by the guild. And I am not referring to the outlandish figure of about $36 a week which he put on the official bargaining table and which we are told is still his official asking price, for we all know of the off-the-record asking price of substantially less than even half that amount.

This leads to some observations about the collective bargaining positions of the parties. Simply stated, the newspaper publishers sought to maintain the pattern of bargaining carried on for some years and which had proven reasonably acceptable and successful to them.

Mr. Powers was determined to break that pattern because his members had become dissatisfied with the results of that pattern of bargaining.

I do not believe that I can find fault with either position and I have not even attempted a moral judgment of which one had the equities on its side.

It was inevitable that two such diametrically opposite positions, each supported by a strong protagonist, would result in a strike. To have prevented such a result, one side would have had to abandon its fundamental position. Neither did, and the result was a strike. How long the parties will continue to test their strength and positions, I do not know. However, I believe that both forces will have to give some ground before a settlement will be reached. I do not think that either is in the position of bringing the other to his knees.

It is as certain as death and taxes that this dispute will be settled without either side eating crow. This should be done now, the sooner the better.

Respectfully submitted.

Judge Joseph E. O'Grady.

**Mr. JAVITS.** Mr. President, I associate myself with the statement of the public officials concerned with this intolerable situation, which is causing a serious loss not only to the city of New York, but indeed to the whole Nation, considering the nature of the newspapers, and is causing an intolerable loss, not only financially, but of public enlightment and public opinion.

I have tried to be in close touch with the situation. I am convinced the time has come to settle the strike. This is true with respect to both publishers and workers. I think they are very close together.

I think it is incumbent that the public know that at long last the strike must be settled. The lines are clearly indicated. There does not seem to be any adequate reason why it should not be done. It is the logical sequence to the action taken by our public officials, Judges Medina, O'Grady, and Peck, the three judges who form the Board of Public Accountability. In speaking today, I give my voice and my tongue to what the Board of Public Accountability has said.

In addition, Mr. President, I believe this should be a matter of public information. The law firm of which I am a member does legal work for one of the New York City newspapers. That is a matter of public record. It has nothing to do with the Federal Government or with any Federal matters.

I say that because I consider it to be connected with my statement calling for an end to the newspaper strike. I honestly believe that my duty as a public official requires it, and I have made my statement accordingly, coupled with this latter statement, which I believe should be a part of what I have said on this subject.

## DAVID DEMAREST LLOYD

**Mr. MONRONEY.** Mr. President, while Congress was in adjournment, death came suddenly to one of President Truman's former assistants, David Demarest Lloyd, 51, of Alexandria, Va., and Washington.

He was a man whose remarkable career had included 18 years of diversified Government service which finally took him to the White House, where from 1948 to 1953 he was a member of the staff and administrative assistant to the President of the United States.

From 1953 until his death, he served as executive director of the Harry S. Truman Library, Inc., in addition to other work which included directing the Lasker Foundation's Research and Education Committee for a free world, and in the past year membership in the law firm of Morison, Murphy, Clapp & Abrams.

Gentle and scholarly in manner, David Lloyd was independent and sometimes controversial in his thinking. From his pen came not only fiction that was stirring and entertaining, but a religious play and a widely discussed work of nonfiction on Government spending, in addition to a variety of magazine articles on many subjects.

Early in his career, Mr. Lloyd served the Senate as assistant chief counsel of the La Follette-Thomas subcommittee of the Senate Labor Committee. He subsequently worked in government, usually as a lawyer, for the Federal Communications Commission, the Office of Price Administration, the Adlai Stevenson special mission to Italy, the Foreign Economic Administration, and UNRRA. In 1947, he was with Americans for Democratic Action, and in 1948, on the staff of the Democratic National Committee before going to the White House.

He is survived by his wife, Charlotte Tuttle Lloyd, and two children, Andrew Mathews Lloyd and Louisa Tucker Lloyd, of Alexandria.

Mr. President, I ask unanimous consent to insert in the Record a more detailed biography of Mr. Lloyd.

There being no objection, the biography was ordered to be printed in the Record, as follows:

David Demarest Lloyd, writer, lawyer, and former administrative assistant to former President Harry S. Truman, was the son of the New York literary agent, David Lloyd, and Eliza Mathews Lloyd, and grandson of David Demarest Lloyd, noted playwright of the last century. Although born in New York City, he was brought up in rural New Jersey where, for several years, he attended a one-room school, which was occasionally taught by his mother. After being graduated from the high school in Plainfield, N.J., in 1927, he went to Harvard, where he was graduated summa cum laude (history and literature). Granted the Lady Julia Henry Fellow, he attended Cambridge University in Cambridge, England, in 1931–32, following which he returned to Harvard Law School, obtaining his LL.B. degree in 1935.

Mr. Lloyd entered Government service in the Legal Division of the Resettlement Administration in the fall of 1935.

In 1948, Mr. Lloyd joined the staff of President Harry S. Truman in the White House. In the following year he became administrative assistant to President Truman and remained in that capacity throughout the remainder of President Truman's administration. Mr. Lloyd was not only an assistant to President Truman, he was a close friend and adviser and remained so throughout all the subsequent years. When President Truman left the White House, Mr. Lloyd became executive director of the Harry S. Truman Library Corp. and was the key figure in the establishment, organization and financing of the Truman Library in Independence, Mo. In 1957 he became vice president of the Harry S. Truman Library Institute. The week before his death, Mr. Lloyd had flown out to Independence where he had spent 2 days with Mr. Truman discussing matters relating to the Truman Library and the Library Institute.

In 1958, Mr. Lloyd established and became the director of the Research and Education Committee for a Free World, which was an arm of the Albert and Mary Lasker Foundation. For the past 4 years the research and education committee has been engaged, under Mr. Lloyd's direction, in research and publication on a wide variety of national and international problems, such as the Federal budget, desalinization of water, population control, international economic and social development, aid to education, etc.

In 1961, Mr. Lloyd joined the Washington law firm of Morison, Murphy, Clapp & Abrams; nevertheless, he continued simultaneously to direct the work of the Research and Education Committee and also to direct the activities of the National Conference on International Economic and Social Development, of which he had been chairman since 1959. In the latter capacity, Mr. Lloyd organized many national meetings, including one in Chicago in July of 1962 on the "Alliance for Progress."

Mr. Lloyd was an extraordinarily versatile man and there were very few individuals, even among his closest friends, who were aware of the wide range of his activities.

Even while carrying on full time professional work—and more than full time—he managed to write and publish two successful novels, "Son and Stranger" appearing in 1950, and "The Sirens Let Him Go" in 1960. In addition, he wrote a comprehensive analysis of the Federal budget which was published in 1960 under the title of "Spend and Survive: The Intelligent Citizen's Guide to Spending." Also, he published a wide variety of articles for leading periodicals.

Mr. Lloyd was also an amateur painter of more than ordinary competence. Painting with him, however, was only a hobby. Mr. Lloyd was deeply concerned about the role of Christianity in modern society. In 1947, he and Mrs. Lloyd and five other couples established an organizing committee which during the succeeding 15 years has organized annual lecture series on "Christianity and Modern Man." The lectures have usually been held at the Washington Cathedral. Mr. Lloyd was one of the most active members of this committee and was continuously involved in its activities.

Last October, Mr. Lloyd was appointed chairman of the Commission on Church-State Relations of the National Council of the Protestant Episcopal Church in the United States and was currently engaged in helping to organize the work of the commission.

Mr. Lloyd was also a member of the board of trustees of the Salk Institute and at the time of his death was actively concerned in helping to plan the activities of the Salk Institute Building Fund.

His magazine articles had included: "Has Rationing Worked?" the Survey-Graphic, November 1943; "Presidential Papers and How They Grew," the Reporter, February 2, 1954; "The Harry S. Truman Library," the American Archivist, April 1955; "Presidential Papers and Presidential Libraries," manuscripts (Journal of the Manuscript Society), fall issue 1955; "The Care and Keeping of the Great Alliance," the Reporter, December 27, 1956; "George Kennan on the Russian Revolution," the Reporter, April 18, 1957; "A Proposal for a Preaching Brotherhood," Christianity and Crisis, April 13, 1949; "The Christianity and Modern Man Lectures," Christianity and Society, spring issue 1955.

## THE THREAT FROM CUBA

Mrs. SMITH. Mr. President, I have received a communication from a group of women in Hawaii expressing concern about a continuation of a threat from Cuba and requesting that the Senate Committee on Armed Services investigate the matter.

I have forwarded the letter on to the chairman of the committee for his consideration.

I ask unanimous consent that the letter, together with the signatures, be placed in the body of the RECORD at this point.

There being no objection, the letter and signatures were ordered to be printed in the RECORD, as follows:

HONOLULU, HAWAII,
*January 11, 1963.*

Hon. MARGARET C. SMITH,
*Senator from Maine, Member, Senate Committee on Armed Services, Senate Office Building, Washington, D.C.*

MY DEAR SENATOR: We are writing to you because we, as citizens of Hawaii, have no direct representative on the Committee on Armed Services, and because we have such high regard for your wisdom and integrity.

The press, on January 8, carried the news that the Cuban crisis has now been officially terminated by the filing with the United Nations of an agreement between our Government and Russia. The agreement does not permit ground inspection of Cuba to prove removal of all offensive weapons. On the other hand, we do not guarantee that there will be no invasion of Cuba.

The White House stated several times during the weeks following October 22, that on-site inspections in Cuba were essential to the security of the United States. There is nothing in the record of Communist behavior, philosophy, or tactics to refute the soundness of this statement. Then why are we giving up that which is necessary to our security? And why are we demobilizing our invasion forces thereby rendering incredible the threat that we might invade to assure our security? Is not the result to present Khrushchev with a privileged sanctuary in the Western Hemisphere for infiltration and subversion of all Latin America?

When we had within our grasp the removal of the threat of Communist Cuba, why have we ended in this futile and dangerous compromise? May we request that the Senate, through its appropriate committees, investigate the handling of the Cuban crisis, the failure of action until we were literally looking down the throats of intermediate range missiles, the failure to demand and secure the removal of submarine bases and the cessation of further construction thereof, the failure to obtain the withdrawal of all Russian and Chinese personnel and "technicians," and the failure to obtain ground inspection of Cuba.

It is essential that the Senate ascertain the source of our weakness. Is it in the CIA? Is it in the State Department? Is it in the group of White House advisers? Is it our representation in the U.N.? Can it be that our security is being jeopardized by the political and ideological interpretation of military data and/or by an unwillingness to accept the fact of Communist determination to rule the world, whether through war or peaceful coexistence?

The people of this country should know the truth and can look only to their elected representatives in the Senate to investigate thoroughly, analyze fairly, exonerate those mistakenly accused, and effectuate a change where changes are vital to the security of the United States.

In the meanwhile we strongly urge the institution of a Cuban quarantine or blockade against all military equipment. Time magazine of January 11, 1963, states, "Though the Russians have removed their bombers and nuclear rockets, they are apparently still pumping 'defensive' arms into Castro's island fortress. A new estimate * * * [includes]: More than 100 Mig jet fighters, including 39 supersonic, late-model Mig 21's. At the time of the Cuban crisis in October, Castro had only two or three Mig 21's." A competent authority advises us that these Migs can carry nuclear bombs to strategic eastern coastal areas. The line between offensive and defensive weapons is nonexistent.

We urge your thoughtful consideration of these requests.

Respectfully yours,

Maybelle B. McCleery, Henriette G. Rutsch, Jill Willes, Aileen R. Soule, Julia W. D. Tulles, Anna Walthen, Helen A. Manger, Millicent Carson, Tahmi M. Humpert, Irene Y. Trethewey, Flora Brodeur, Charlotte H. Spiegelberg, Dorothy R. Beet, Ruby W. Wolmann, Joyce Secondine, Elaine R. Kellerman, Louise Billingham, Polly B. Whittier, France Lindsay, Dora L. Beyer, Blanche Fires, Elizabeth D. Chamberlain, Margaret Grimshaw, Alice Sumpich, Waili Yardley, Frances Dillingham, Katie S. Wysard, Jackie Castle, Mildred Ault, Muriel C. Damon, May R. Danford.

## GEORGE B. HARTZOG, JR., ASSOCIATE DIRECTOR, NATIONAL PARK SERVICE

Mr. LONG of Missouri. Mr. President, Secretary of the Interior Stewart Udall has today appointed George B. Hartzog, Jr., of Crestwood, Mo., to be Associate Director of the National Park Service to succeed Eivind T. Scoyen.

Through this action, Secretary Udall has brought back into the Federal service a man whose talent, ability, and sense of public responsibility and duty were clearly demonstrated during his 16-year career in the National Park Service from 1946 to 1962.

Mr. Hartzog's career has been marked by achievements and honors far too numerous to list in detail here. But I would like to mention the great contributions he has made to my State of Missouri. As Superintendent of the Jefferson National Expansion Memorial in St. Louis, he successfully negotiated the largest single contract ever undertaken by the National Park Service, which led to start of the construction of the beautiful Gateway Arch and Visitor Center, which will commemorate the westward expansion of our Nation that moved through this great city—the Gateway to the West.

He was a 1956 recipient of a William A. Jump Memorial Foundation meritorious award certificate for exemplary achievement in public administration. In 1957 he was awarded a scholarship by the American Management Association to attend an association management course in New York City—one of eight Federal executives so honored that year. And in recognition of his long and outstanding service to the Department of the Interior, he was chosen in 1962 for the Department's Distinguished Service Award.

While his management responsibilities at the Jefferson National Expansion Memorial in St. Louis were most demanding, he nevertheless found the time and energy to lend valuable assistance on several Park Service activities in Missouri. He has been especially helpful and active with regard to the proposed Ozark National Rivers area in the southeastern part of my State. My senior colleague from Missouri, Senator SYMINGTON, and I introduced in the Senate yesterday a bill to preserve this rivers area.

Since leaving the National Park Service last August, Mr. Hartzog has served as executive director of Downtown St. Louis, Inc., where his record has been a further testimonial to his capabilities.

Secretary Udall is to be commended for the excellent choice he has made. In Mr. Hartzog, he has selected a man with the proven ability to accept responsibility, and discharge it with distinction.

## CLASSROOM SHORTAGE

Mr. GOLDWATER. Mr. President, on January 9, 1963, the Office of Education of the Department of Health, Education, and Welfare released its annual survey on the number of pupils, classrooms, and teachers for the school year 1962–63 in the Nation's public elementary and secondary schools.

The most interesting statistic contained in this survey asserts that there is a current shortage of 121,200 classrooms as compared to a shortage of 127,300 classrooms at the beginning of the fall term in 1961, a reduction in the classroom shortage of 6,100 for the year.

This drop in the classroom shortage of 6,100 becomes very puzzling in view of the fact that the Office of Education survey shows that during the preceding 12 months, 72,000 classrooms were constructed. Instead of reducing the backlog to 55,300—127,300 to 72,000—this near record rate of construction succeeded in cutting the deficit only by 6,100 to the current claimed shortage of 121,200.

For the past several years, I have studied very closely these annual surveys published by the Office of Education and I have come to one conclusion: The Office of Education will not allow the alleged classroom shortage to be overcome; no matter how many classrooms are being built—even at record rates—the Office of Education will never let this fact interfere with its classroom shortage.

I would like to cite some figures from the annual surveys of the Office of Education to illustrate my point. In the fall of 1959, the classroom shortage was stated to be 132,400 and during the year 62,700 classrooms were scheduled to be constructed—69,700 were actually completed, putting up another Office of Education practice, always underestimating the number of classrooms to be built, but never underestimating the classroom shortage. Instead of reducing the backlog to 62,700—132,400 to 69,700—the shortage, as reported by the Office of Education for fall 1960, believe it or not, increased to 142,160.

Undaunted by this adverse effect on the classroom shortage, the local school districts constructed a record high of 72,200 classrooms for the year 1960–61. But even this alltime high failed to make much of a dent in the impenetrable armor of the classroom shortage manufactured by the Office of Education, for in the fall of 1961, the Office of Education reported that the record high number of 72,200 classrooms constructed succeeded only in reducing the shortage by 15,300.

During the year 1961–62, a near record of 72,000 classrooms were constructed, almost 10,000 more than the Office of Education had reported would be completed. Yet once again, this tremendous construction activity on the part of the local school boards failed to make much impression on the Office of Education's shortage statistics. The January 9, 1963, survey places the classroom shortage at 121,200, only a 6,100 drop over the preceding year.

In submitting his educational recommendations to the Congress at the beginning of the 87th Congress, President Kennedy declared:

> In order to meet current needs and accommodate increasing enrollment, if every child is to have the opportunity of a full-day education in an adequate classroom, a total of 600,000 classrooms must be constructed during the next 10 years.

Thus the President is recommending an average of 60,000 classrooms a year to be constructed to wipe out the classroom shortage over the next 10 years. Had the President's request been in effect during the past 3 years, the classroom shortage today would not be 121,200; it would be 155,100 because during this same period, without Federal assistance, the local school districts constructed 33,900 more classrooms than the President has declared are necessary to solve the backlog problem. Since the States and local school districts for the past 6 years have been building classrooms at a rate of over 70,000 a year, it is obvious that a complete acceptance of the President's recommendation of constructing 60,000 classrooms a year would actually lead to a sizable reduction in classroom construction.

The proverbial cat with nine lives has nothing on the classroom shortage. Year after year, an onslaught of new construction punishes, pummels, flays, and flogs the shortage, but after lying prostrate for a while groveling in the dust, its creator, the Office of Education, gives it a new transfusion of statistics to permit it to enter the fray once again.

## CORREGIDOR MEMORIAL

Mr. McGEE. Mr. President, I have recently returned from an inspection trip of many of our installations and activities in the Far East. Accompanying me on this trip were the senior Senator from Idaho [Mr. CHURCH] and the junior Senator from Utah [Mr. MOSS]. The facts we assembled on that inspection cover a wide variety of activities indicative of the many-faceted job of our various military and development programs overseas.

While in the Philippines we made a visit to the island of Corregidor. I need not remind the Members of this body of the significance of that island. During the dark months of early 1942, when our smug world came crashing down around our ears and nothing seemed able to stem the enemy's advance, the resistance of this island served to fuel our determination to carry on. On this rocky isle courage was commonplace, and devotion to duty was reflex action. The brave men there, American and Philippine, endured and by so doing gave those at home a standard of heroism for the continuation of the war to ultimate victory. And when at last the island fell to overwhelming odds it was with the pride of a job well done that its defenders marched to an even more horrible experience.

Mr. President, when we visited that island we were dismayed to find it overgrown with vegetation, quite literally reconquered by the jungle, and generally in a state of disrepair, with many of the historic tunnels and buildings inaccessible to visitors due to abject neglect of surrounding grounds.

If ever there was a spot and an event that symbolizes the joint efforts of the American forces and the Philippine people to resist aggression and to pledge all for the preservation of freedom and self-determination, Corregidor is that place.

This Nation has a unique opportunity to join with our Philippine friends to construct a suitable memorial to those men and that spot that will signify our united devotion to those brave men and the ideas they fought to protect.

Mr. President, this Congress has in previous sessions authorized a Commission to meet with a similar group from the Philippines to discuss and plan such a memorial. The Commission has been active in the past and has prepared much of the groundwork for this project. However, at the moment there is little activity in this field. I would like to propose that we rejuvenate that Commission and that work proceed as rapidly as possible toward the actual construction of a memorial and the rejuvenation of that historic island battlefield.

The action establishing the Memorial Commission also provided for the spending of Federal funds for it. There could be no more worthwhile cause for the expenditure of Federal funds than this memorial, but I believe that we should explore more fully the possibility of raising either part or all of the necessary funds through public subscription. There should be many people in both nations who would want to participate in a memorial to the heros they remember so well.

Mr. President, this Nation has a long and remarkable history of men who rose to heroic heights in defense of liberty and their homes and families. A similar history exists in the Philippines. I hope that we here can lend our efforts to the cause of providing that heroism and that devotion to duty and country with a suitable memorial.

## TAX POLICY

Mr. HUMPHREY. Mr. President, as President Kennedy forcefully indicated in his state of the Union message yesterday, tax reduction and tax reform will be a matter of highest priority in the 88th Congress.

I intend to make a detailed statement on this subject within a few days. I am sure many Senators will have a great deal to say in the months ahead.

Today I wish to introduce in the Record a statement on tax policy I released from my office in December. While more of the details of the President's program are now known, I believe this general statement still sets forth the basic guidelines I feel should be followed in any comprehensive attempt to overhaul our tax laws.

Mr. President, I ask unanimous consent that my recent policy statement on taxes be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Humphrey Urges Prompt Tax Cut by 88th Congress

Last summer I urged an immediate and substantial reduction in personal and corporate income taxes. At that time I advocated such a tax cut not out of fear of an imminent business decline or recession but out of deep conviction that the United States could not be satisfied with an average economy when an excellent economy was obtainable. Today I reaffirm this statement.

The Federal Government has the statutory responsibility to use all practicable means to promote maximum employment, production, and purchasing power. The Employment Act of 1946 clearly establishes this responsibility in its declaration of policy. Congress established this policy; Congress should take the lead in implementing it.

When I first made this proposal last summer I stood almost alone. Today many others have adopted this position, ranging from the U.S. Chamber of Commerce to the AFL–CIO. While disagreement remains over specific proposals, I believe the wide support for a substantial tax cut is an impressive demonstration of a growing national consensus. This consensus should not be ignored.

It is vitally important for our economy not only to cut taxes, but to get the right kind of tax cut, at the right time, and in a sufficient amount to have a beneficial long-run impact. We should seek a tax structure that will support maximum employment, production, and purchasing power through a sustained rate of economic growth at levels considerably above those of the past decade. This objective was established by the Employment Act of 1946. It is no less real in 1963.

The existing tax structure, established to finance World War II, has been the major drag on this country's rate of economic expansion. Over the past decade the actual annual growth rate of the American economy has averaged only 2.7 percent. This should be contrasted with the estimated 4.1 percent required during this period to maintain maximum utilization of manpower and other productive resources. Two principal results of this lagging growth rate have been: persistent high levels of unemployment and substantial underutilization of productive facilities. Moreover, at present tax rates the Federal budget would balance far below the levels of maximum employment and production.

The Labor Department just announced that the November unemployment rate rose to 5.8 percent. This is indeed unfortunate. We cannot be satisfied until unemployment falls to a maximum of 4 percent, and we should then strive to keep unemployment below the 4-percent level as frequently as possible. By the second quarter of 1962 industrial production was also running at an annual rate of 12 percent below maximum production.

Every American has lost substantial income and opportunity during this decade of economic stagnation. While we cannot recapture what is already lost, we can act decisively to insure that the economic future of every American will grow progressively brighter. While a tax reduction, by itself, will not accomplish this goal, it is—under the present economic circumstances—the most sensible and productive first step that can be taken. Therefore, I strongly urge that the 88th Congress take prompt action to provide for a personal and corporate tax reduction of $8 to $10 billion.

It is essential that Congress approve a tax cut of sufficient proportions to provide the forward economic thrust that is needed. It would be a tragic mistake to discredit the machinery of fiscal controls through an insufficient cut that could have only marginal impact.

How can this tax reduction best achieve the higher level of sustained economic growth so essential to every American? In my opinion the single most important objective should be to increase the amount of disposable income available to the average American family—the money we find in our pay envelopes.

A substantial rise in private consumption would provide the most effective trigger for expanded long-term economic growth. Private consumers spend from 92 to 94 percent of their disposable income, and as their incomes are increased, a very high proportion will be spent promptly for consumer items. As this additional take-home pay is spent, these dollars are promptly respent and reinvested by others. Economists calculate that every dollar of tax saving that is spent or invested will eventually multiply 2½ to 3 times. In other words, a tax cut of $8 to $10 billion has the potential of increasing our gross national product by $24 to $30 billion as this money finds its way into active circulation.

Therefore, I believe that reduction of personal tax rates—with greater impact on middle and lower incomes is clearly indicated. At these levels disposable income is almost completely utilized. Here lies the greatest potential to increase consumer demand and thereby close the existing gap between capacity and spending. I find little evidence to indicate that this gap will close without affirmative fiscal action by the Federal Government.

This does not mean that revisions are not also needed in the higher brackets. I do believe that relief should be afforded here. A tax rate of 91 percent is utterly ridiculous and must be adjusted. But in terms of accelerating our rate of economic growth, reducing unemployment, and putting our idle plants and machines to work, I am persuaded that a substantial increase in private consumption must first occur. I look to a reduction in the middle and lower income brackets as the most effective way to achieve this objective. Under the existing situation of unemployment and under-capacity industrial operations, I am confident that the basic price stability of the past 4 years would not be seriously threatened.

While the first priority in a tax cut should be the expansion of private consumption, the next priority concerns the need for increased capital investment in the business and industry through a reduction of corporate tax rates. The Kennedy administration and the Congress have already taken two important steps to encourage higher levels of investment: the 7 percent investment tax credit provisions contained in the Revenue Act of 1962 and the revised depreciation schedules announced by the Treasury Department last summer. Recent reports indicate that both these actions have had a definite effect on stimulating increased capital investment in plants and equipment.

A sensible reduction of corporate taxes will provide further stimulus. Obsolete equipment must be replaced. Plants must be modernized. Additional business incentives must be created. The total industrial capacity of the Nation must be expanded to absorb the anticipated higher levels of private expenditures.

Obviously the short-run result of this tax reduction will be larger Federal deficits for probably 2 more years. This will represent the price for decades of economic expansion, but a balanced Federal budget under conditions of maximum employment and production is entirely feasible. In past fiscal years, 1956–57, for example, we have run a budget surplus even though the ratio of total Federal outlays to total national production was higher than at present.

Finally, there is the problem of whether extensive tax reforms should be tied directly to tax reduction legislation. Certainly no one familiar with existing tax loopholes can deny the desirability for substantial reform and a general broadening of the tax base. Simple equity demands it, not to mention the need to recoup Government revenue lost through lower tax rates. However, the last session of Congress certainly demonstrated the massive political difficulties associated with any proposals for extensive tax reform. I believe it would be an economic mistake to postpone indefinitely the necessary tax rate reductions due to endless haggling over tax reforms.

In this respect, the problem of timing a tax reduction to gain maximum impact is vital. Much of the impact generated by a tax cut is dissipated if the economy is already in a depressed state when the cut occurs. As I stated last July, "To take maximum advantage of a tax cut, the time to make it is before the economy falters, and not after." I believe the recent economic indicators show the economy has not faltered. We are not currently in a recession. Prompt action by the 88th Congress will still provide this maximum impact.

Whether this question of accurate timing means that tax reform should be entirely separated from tax reduction, or that reduction should occur in two stages, is difficult to say at this time.

While I have only sketched the broad outlines of the features I believe should be incorporated in any tax proposal, I believe that such an outline is economically sound. I believe it contains the seeds of economic growth that can lead every segment of the American economy to new levels of full employment, production, and purchasing power. We can no longer postpone the difficult and arduous task of rewriting our tax laws.

I noted last spring and summer that "the time for a tax cut is now." The sluggish economic activity of the past 6 months indicates that this analysis was correct. The message is more urgent today and it will become increasingly urgent with every passing month.

Mr. HUMPHREY. Mr. President, President Kennedy delivered an important statement on taxes before the Economics Club in New York in December. If my fellow Senators have not read the complete transcript of this statement, together with the question and answer session that followed the formal speech, I recommend that they study it with some care. Therefore, Mr. President, I ask unanimous consent that President Kennedy's speech before the Economics Club be printed in the RECORD at this point.

There being no objection, the text of the address was ordered to be printed in the RECORD, as follows:

### TEXT OF PRESIDENT'S DECEMBER 14 SPEECH ON THE ECONOMY AND TAXES

(Following is the complete text of President Kennedy's speech before the Economic Club of New York December 14, followed by a transcript of the question-answer period.)

General Royale, Mr. Trippe, Mr. Rockefeller, General Clay, gentlemen, I feel tonight somewhat like I felt when I addressed in 1960 the Houston Ministerial Conference on the separation of church and state. But I am glad to have a chance to talk to you tonight about the advantages of the free enterprise system.

Less than a month ago this Nation reminded the world that it possessed both the will and the weapons to meet any threat to the security of freemen. The gains we have made will not be given up, and the course that we have pursued will not be abandoned. But in the long run, that security will not be determined by military or diplomatic moves alone. It will be affected by the decisions of finance ministers as well as by decisions of Secretaries of State and Secretaries of Defense; by the deployment of fiscal and monetary weapons as well as by military weapons, and above all by the strength of this Nation's economy, as well as by the strength of our defenses.

#### ECONOMIC GROWTH

You will recall that Chairman Khrushchev has said that he believed that the hinge of world history would begin to move when the Soviet Union outproduced the United States. Therefore, the subject to which we address ourselves tonight concerns not merely our own well-being, but also very vitally the defense of the free world. America's rise to world leadership in the century since the Civil War has reflected more than anything else our unprecedented economic growth. Interrupted during the decade of the thirties, the vigorous expansion of our economy was resumed in 1940, and continued for more than 15 years thereafter. It demonstrated for all these the power of freedom and the efficiency of free institutions. The economic health of this Nation has been and is now fundamentally sound.

But a leading nation, a nation upon which all depend not only in this country but around the world, cannot afford to be satisfied to look back or to pause. On our strength and growth depends the strength of others, the spread of free world trade and unity, and continued confidence in our leadership and our currency. The underdeveloped countries are dependent upon us for the sale of their primary commodities and for aid to their struggling economies. In short, a growing and prosperous America is important not only to Americans—it is as the spokesman for 20 Western nations in the Organization for Economic Cooperation and Development, as he stressed this week, of vital importance to the whole Western World.

In the last 2 years, we have made significant strides. Our gross national product has risen 11 percent, while inflation has been arrested. Employment has increased by 1.3 million. Profits, personal income, living standards all are now setting records. Most of the economic indicators for this quarter are up and the prospects are for further expansion in the next quarter. But we must look beyond the next quarter or the last quarter, or even the last 2 years. For we can and must do better than we have been doing for the last 5½ years.

This economy is capable of producing without strain $30 to $40 billion more than we are producing today. Business earnings could be $7 to $8 billion higher than they are today. Utilization of existing plant and equipment could be much higher and, if it were, development would rise. We need not accept an unemployment rate of 5 percent or more such as we have had for 60 of the last 61 months. There is no need for us to be satisfied with a rate of growth that keeps good men out of work and good capacity out of use.

#### UNEMPLOYMENT, DEPRESSED AREAS

The Economic Club of New York is of course familiar with those problems. For in this State the rate of insured unemployment has been persistently higher than the national average, and the increases in personal income and employment have been slower here than the Nation as a whole. You have seen the tragedy of chronically depressed areas upstate, unemployed young people, and I think this might be one of our most serious national problems, unemployed young people, those in their twenties, 1 out of 4 unemployed, particularly those of the minority groups, roaming the streets of New York and our other great cities, and others on relief at an early age, with the prospects that in this decade we will have between 7 and 8 million school dropouts coming in the labor market.

This Nation's economy can and must do even better than it has done in the last 5 years. Our choice, therefore, boils down to one of doing nothing and thereby risking a widening gap between our actual and potential growth in output, profits, and employment, or taking action at the Federal level, to raise our entire economy to a new and higher level of business activity.

If we do not take action, those who have the most reason to be dissatisfied with our present rate of growth will be tempted to seek shortsighted and narrow solutions to resist automation, to reduce the workweek to 35 hours, or even lower, to shut out imports or to raise prices in a vain effort to obtain full capacity profits on undercapacity operations. But these are all self-defeating expedients which can only restrict the economy, not expand it.

#### WAYS TO IMPROVE

There are a number of ways by which the Federal Government can meet its responsibilities to aid economic growth. We can and must improve American education and technical training. We can and must expand civilian research and technology. One of the great bottlenecks for this country's economic growth in this decade will be the shortage of doctorates in mathematics, engineering, and physics. A serious shortage with great demand and undersupply of highly trained manpower. We can and must step up the development of our natural resources.

But the most direct and significant kind of Federal action aiding economic growth is to make possible an increase in private consumption and investment demand—to cut the fetters which hold back private spending. In the past, this could be done in part by the increased use of credit and monetary tools—but our balance-of-payments situation today places limits on our use of those tools for expansion. It could also be done by increasing Federal expenditures more rapidly than necessary—but such a course would soon demoralize both the Government and our economy. If Government is to retain the confidence of the people, it must not spend more than can be justified on grounds of national need or spent with maximum efficiency and I shall say more on that in a moment.

#### TAX CUT, TAXATION REFORMS

The final and best means of strengthening demand among consumers and business is to reduce the burden on private income and the deterrents to private initiative which are imposed by our present tax system—and this administration pledged itself last summer to an across-the-board, top-to-bottom cut in personal and corporate income taxes to be enacted and become effective in 1963.

I am not talking about a "quickie" or temporary tax cut, which would be more appropriate if a recession were imminent. Nor am I talking about giving the economy a mere shot in the arm, to ease some temporary complaint. I am talking about the accumulated evidence of the last 5 years that our present tax system, developed as it was, in good part, during World War II to restrain growth, exerts too heavy a drag on growth in peacetime—that it siphons out of the private economy too large a share of personal and business purchasing power—that it reduces the financial incentives for personal effort, investment, and risk taking.

In short, to increase demand and lift the economy, the Federal Government's most useful role is not to rush into a program of excessive increases in public expenditures, but to expand the incentives and opportunities for private expenditures.

Under these circumstances, any new tax legislation—and you can understand that under the comity which exists in the U.S. Constitution whereby the Ways and Means Committee of the House of Representatives has the responsibility of initiating this legislation, that the details of any proposal should wait on the meeting of the Congress in January. But you can understand that under these circumstances, in general, that any new tax legislation enacted next year should meet the following three tests:

First, it should reduce net taxes by a sufficiently early date and a sufficiently large amount to do the job required. Early action could give us extra leverage, added results, and important insurance against recession. Too large a tax cut, of course, could result in inflation and insufficient future revenues—but the greater danger is a tax cut too little or too late to be effective.

Second, the new tax bill must increase private consumption as well as investment. Consumers are still spending between 92 percent to 94 percent of their after-tax income, as they have every year since 1950. But that after-tax income could and should be greater, providing stronger markets for the products of American industry. When consumers purchase more goods, plants use more of their capacity, men are hired instead of laid off, investment increases, and profits are high.

Corporate tax rates must also be cut to increase incentives and the availability of investment capital. The Government has already taken major steps this year to reduce business tax liability and to stimulate the modernization, replacement, and expansion of our productive plant and equipment. We have done this through the 1962 investment tax credit and through the liberalization of depreciation allowances—two essential parts of our first step in tax revision which amounted to a 10-percent reduction in corporate income taxes worth some $2.5 billion. Now we need to increase consumer demand to make these measures fully effective—demand which will make more use of existing capacity and thus increase both profits and the incentive to invest. In fact, profits after taxes would be at least 15 percent higher today if we were operating at full employment.

For all of these reasons, next year's tax bill must reduce personal as well as corporate incomes taxes—for those in the lower brackets, who are certain to spend their additional take-home pay—and for those in the middle and upper brackets, who can thereby be encouraged to undertake additional efforts and enabled to invest more capital.

Third, the new tax bill should improve both the equity and the simplicity of our present tax system. This means the enactment of long-needed tax reforms, a broadening of the tax base and the elimination or modification of many special tax privileges. These steps are not only needed to recover lost revenue and thus make possible a larger cut in present rates. They are also tied directly to our goal of greater growth. For the present patchwork of special provisions and preferences lightens the tax load on some only as the cost of placing a heavier burden on others. It distorts economic judgments and channels an undue amount of energy into efforts to avoid tax liabilities. It makes certain types of less productive activity more profitable than other more valuable undertakings. All this inhibits our growth and efficiency, as well as considerably complicating the work of both the taxpayer and the Internal Revenue Service.

These various exclusions and concessions have been justified in the past as a means of overcoming the oppressively high rates in the upper brackets and a sharp reduction in those rates, accompanied by base-broadening, loophole-closing measures, would properly make the new rates not only lower but also more widely applicable. Surely this is more equitable on both counts.

Those are the three tests which the right kind of bill must meet and I am confident that the enactment of the right bill next year will in due course increase our gross national product by several times the amount of taxes actually cut. Profit margins will be improved and both the incentive to invest and the supply of internal funds for investment will be increased. There will be new interest in taking risks, in increasing productivity, in creating new jobs and new products for long-term economic growth.

Other national problems, moreover, will be aided by full employment. It will encourage the location of new plants in areas of labor surplus and provide new jobs for workers we are retraining and facilitate the adjustment which will be necessary under our new trade expansion bill and reduce a number of Government expenditures.

### NOT INFLATIONARY

It will not, I am confident, revive an inflationary spiral or adversely affect our balance of payments. If the economy today were operating close to capacity levels with little unemployment, or if a sudden change in our military requirements should cause a scramble for men and resources, then I would oppose tax reductions as irresponsible and inflationary and I would not hesitate to recommend a tax increase, if that were necessary. But our resources and manpower are not being fully utilized; the general level of prices has been remarkably stable; and increased competition, both at home and abroad, along with increased productivity will help keep both prices and wages within appropriate limits.

The same is true of our balance of payments. While rising demand will expand imports, new investment in more efficient productive facilities will aid exports and a new economic climate will both draw capital from abroad and keep capital here at home. It will also put us in a better position if necessary to use monetary tools to help our international accounts. But, most importantly, confidence in the dollar in the long run rests on confidence in America, in our ability to meet our economic commitments and reach our economic goals. In a worldwide conviction that we are not drifting from recession to recession with no answer, the substantial improvement in our balance-of-payments position in the last 2 years makes it clear that nothing could be more foolish than to restrict our growth merely to minimize that particular problem, because a slowdown in our economy will feed that problem rather than diminish it. On the contrary, European governmental and financial authorities, far from threatening to withdraw gold, have urged us to cut taxes in order to expand our economy, attract more capital and increase confidence in the future.

### FEDERAL DEFICIT

But what concerns most Americans about a tax cut, I know, is not the deficit in our balance of payments but the deficit in our Federal budget. When I announced in April of 1961 that this kind of comprehensive tax reform would follow the bill enacted this year, I had hoped to present it in an atmosphere of a balanced budget. But it has been necessary to augment sharply our nuclear and conventional forces, to step up our efforts in space, to meet the increased cost of servicing the national debt and meeting our obligations, established by law, to veterans. These expenditure increases, let me stress, constitute practically all of the increases which have occurred under this administration, the remainder having gone to fight the recession we found in industry, mostly through the supplemental employment bill, and in agriculture.

We shall, therefore, neither postpone our tax cut plans nor cut into essential national security programs. This administration is determined to protect America's security and survival and we are also determined to step up its economic growth. I think we must do both.

Our true choice is not between tax reduction, on the one hand, and the avoidance of large Federal deficits on the other, it is increasingly clear that no matter what party is in power, so long as our national security needs keep rising, an economy hampered by restrictive tax rates will never produce enough revenues to balance our budget just as it will never produce enough jobs or enough profits. Surely the lesson of the last decade is that budget deficits are not caused by wildeyed spenders but by slow economic growth and periodic recessions and any new recession would break all deficit records.

In short, it is a paradoxical truth that tax rates are too high today and tax revenues are too low and the soundest way to raise revenues in the long run is to cut rates now. The experience of a number of European countries has borne this out. This country's own experience with tax reduction in 1954 has borne this out. And the reason is that only full employment can balance the budget and tax reduction can pave the way to full employment. The purpose of cutting taxes now is not to incur a budget deficit, but to achieve the more prosperous, expanding economy which will bring a budget surplus.

### FUTURE BUDGET SURPLUS

I repeat: our practical choice is not between a tax-cut deficit and a budgetary surplus. It is between two kinds of deficits; a chronic deficit of inertia, as the unwanted result of inadequate revenues and a restricted economy, or a temporary deficit of transition, resulting from a tax cut designed to boost the economy, increase tax revenue and achieve—and I believe this can be done—a future budget surplus. The first type of deficit is a sign of waste and weakness. The second reflects an investment in the future.

Nevertheless, as Chairman MILLS of the House Ways and Means Committee, pointed out this week, the size of the deficit is to be regarded with concern and tax reduction must be accompanied, in his words, by "increased control of the rises in expenditures." That is precisely the course we intend to follow in 1963.

At the same time as our tax program is presented to the Congress in January, the Federal budget for fiscal 1964 will also be presented. Defense and space expenditures will necessarily rise in order to carry our programs which are demanded and are necessary for our own security, and which have largely been authorized by members in both parties of the Congress with overwhelming majorities; fixed charges on the debt also rise slightly. But I can tell you now that the total of all expenditures combined will be held approximately at its current level.

### CONTROL OF EXPENDITURES

This is not an easy task. During the past 9 years, domestic civilian expenditures in the National Government have risen at an average rate of more than 7½ percent. State and local government expenditures have risen at an annual rate of 9 percent. Expenditures by the New York State government, for example, have risen in recent years at the rate of roughly 10 percent a year. At a time when Government pay scales have necessarily risen—and I take New York just as an example—when our population and pressures are growing and the demand for services and State aid is thus increasing, next year's Federal budget, which will hold domestic outlays at their present level, will represent a genuine effort in expenditure control. This budget will reflect, among other economies, a $750 million reduction in the postal deficit. It will reflect a savings of over $300 million in the storage costs of surplus feed grain stocks and as a result of the feed grain bill of 1961 we will have two-thirds less in storage than we would otherwise have had in January 1963, and a savings of at least $600 million from the cancellation of obsolescent or unworkable weapons systems. Secretary McNamara is undertaking a cost reduction program expected to save at least $3 billion a year in the Department of Defense, cutting down on duplication, and closing down nonessential installations. Other agencies must do the same.

In addition, I have directed all heads of Government departments and agencies to hold employment authorized by congressional appropriation under those levels; to absorb through greater efficiency a substantial part of the Federal pay increase; to achieve an increase in productivity which will enable the same amount of work to be done by fewer people; and to refrain from spending any unnecessary funds that were appropriated by the Congress.

### FEDERAL DEBT

It should also be noted that the Federal debt, as a proportion of our gross national product, has been steadily reduced since this administration took office. Last year the total increase in the Federal debt was only 2 percent—compared to an 8 percent increase in the gross debt of State and local governments. Taking a longer view, the Federal debt today is only 13 percent higher than it was in 1946—while State and local debt increased over 360 percent and private debt by 300 percent. In fact, if it were not for Federal financial assistance to State and local governments, the Federal cash budget would actually show a surplus. Federal civilian employment, for example, is actually lower today than it was in 1952, while State and local government employment over the same period had increased 67 percent.

It is this setting which makes Federal tax reduction both possible and appropriate next year. I do not underestimate the obstacles which the Congress will face in enacting such legislation. No one will be fully satisfied. Everyone will have his own approach. A high order of statesmanship and determination will be required if the possible is not to wait on the perfect. But a nation capable of marshaling these capabilities to meet a sudden and dramatic threat to its security is surely equally capable of meeting a creeping and complex threat to our economic vitality. This Nation can afford to reduce taxes—we can afford a temporary deficit—but we cannot afford to do nothing. For on the strength of our free economy rests the hope of all freemen. We shall not fail their faith—and, God willing, freemen and free nations shall prosper and prevail.

### QUESTION AND ANSWER PERIOD

### *Percentage decrease*

Mr. Shields. Mr. President, Mr. Mortimer and I have studied the many questions submitted by the members and what we had in mind was to select those which will perhaps provide you with an indication of how the members feel about some of the major problems of the day. However, I have a small complaint. You have ruined most of my questions, for you have quite definitely answered them, and I think with very high statesmanship, most of the questions submitted by the members, for which we are all grateful. I wish in all frankness that I didn't have to ask you any questions, because I am going to have to go sort of to the bottom of the barrel. But here is one:

There has been much talk in Washington and elsewhere of reductions in personal income tax rates to 15 percent for the lowest brackets, and 65 for the highest brackets, in personal income taxes, and for a reduction in corporate rates to 47 percent. What many of these questioners would like to know is, Are those figures generally in the ballpark?

The President. This legislation is going to have very difficult traveling at best, and I would suggest giving it at least the most favorable start we can, as I said in my speech, by permitting Mr. Dillon to present this before the Ways and Means Committee in January. So that I would suggest that the details of the tax reduction should wait upon presentation to the Ways and Means Committee. There might be something for everybody, though.

### *Trade Act*

Mr. Mortimer. Mr. President, my first question is: One of the great achievements of your legislative program this year was the passage of the Trade Expansion Act. Would you care to comment on your program in that area of the economy?

The President. We have, as you know, appointed former Secretary of State Herter to be our chief negotiator. He is assisted by Mr. Gossett, who was vice president of the Ford Co. They will begin the discussions with the Common Market early in 1963. There are 1,400 or 1,500 items. It will probably take well into 1963, I would say, toward the end of 1963, before both sides have prepared their positions. We are going to have an extremely difficult negotiation, particularly in agriculture. The United States has had a favorable market for its agricultural surpluses to Europe or its agricultural products, it has been our best dollar earner, it has really meant that our balance of payments has not been in more difficult position than it has been. Now, with the Common Market, with the prospects of Britain's joining, with the tremendous revolution in agricultural production which is about to hit Europe, France in particular, the levies and the rates and the penalties which are placed on the introduction of agricultural commodities into Europe in the coming 3 or 4 months may be of decisive importance to us in our battle in the balance of payments, and also in our struggle to bring some sense out of the problems we face in American agriculture.

So I would say that Secretary Herter has really a responsibility comparable to what he had as Secretary of State, and one which ties into our security, because quite obviously unless we are able to meet our balance of payments in time, then we are going to have to find other means of solving it. As you know, it costs us about $3 billion a year because of national security expenditures. So that this goes to the heart of our ability to keep more than 1 million Americans in uniform who are now serving the United States outside of the borders of the United States.

I think this is a very vital issue, and that is why I was particularly pleased that Mr. Herter accepted it. I am glad to see in this New York Port Authority, the trade center that they are building, the effort that businesses are making to sell abroad. We sell abroad much too little. As a percentage of our gross national product the United States sells abroad less than nearly most any major industrialized country. We have never had before us the prospect of export or die, and I think if all those who are in positions of responsibility will think not only of the markets which may be abroad for investment, but also going up and down the streets and selling American products, they can make a decisive contribution to the maintenance of our balance of payments, and also serve the country and the free economy system. So the next few months I think will be very decisive and the burdens of Mr. Herter will be very great.

### *Financing the deficit*

Question. Mr. President, in view of the prospect for a deficit in any event, and a fairly large one if taxes are reduced, is it part of the administration's plan to finance a major part of that deficit outside the banking system in order to reduce the threat of monetary inflation?

The President. That will be a judgment which is primarily that of Mr. Martin and the Federal Reserve. He has commented on that to a degree before the Joint Committee this year. He is concerned about the prospect of inflation, because of course it affects us adversely, and also because it affects the balance of payments. I would hope, however, and I am sure that he will agree, that he will—any deficit which has to be financed will be financed in a way which will be the maximum degree possible to stimulate the economy without increasing the prospect of another inflationary or speculative spiral. So it is a fine adjustment which Mr. Martin will make, but I am sure he will be as concerned as all of us are to get the benefit such as it may be out of the deficit, and also at the same time keep and use our monetary tools wisely enough to keep matters in control. His judgment will be, because of the Federal Reserve law, final.

### *Seized property*

Question. Mr. President, the strong attitude you took toward Khrushchev during the Cuban crisis has not only been applauded, but has improved the standing of our country throughout the free world. Don't you feel we would gain more respect and further improve our status by really implementing the Hickenlooper amendment on American properties which are seized largely without compensation overseas, rather than just giving lipservice?

The President. Well, I am not sure I would accept the premise of the question. The Hickenlooper amendment is very clearly and sharply drawn. We are appointing a distinguished businessmen's committee to advise us on implementing the Hickenlooper amendment. It is not altogether an easy job. We have got one controversy now in Turkey, which involves a default by a previous government which was overthrown, a number of the ministers executed, which was regarded as highly corrupt. The present Government is reluctant to accept its obligations. We have the problem in Brazil where you have the seizure of American property by local governors, a local governor, and we have looked to the National Government for relief. The Hickenlooper amendment does not go wholly into effect for some months under its terms, but I can inform you that its provisions are being read to the finance minister of every state.

Question. Mr. President, this question cropped up in many forms. Here is one form of it: Are current tax plans giving any consideration to increased emphasis on consumption taxes by way of a broad base Federal excise tax in order to relieve some of the tax pressure on income from investment sources?

The President. Once again I will pass.

Question. I should have chosen one of the other versions.

The President. When I was a Congressman I never realized how important Congress was, but now I do.

I think I can paraphrase it by saying you are thinking about the possibility later on of using consumption or sales taxes in the tax packages that you are considering. I assume what they mean is whether we are thinking of going the route which has been followed in France and some other countries of putting manufacturers' tax, and lessening the burden on income. I think on these details of the tax program that in your interest as well as mine we should wait.

### *Alliance for Progress*

Question. Mr. President, what progress has been made by our Latin American neighbors to the—effecting tax reforms and economic reforms, so that they begin to carry their own weight under the Alliance for Progress?

The President. Well, we have made some progress in some countries. I made a reference the other day at the press conference that some efforts have been made to meet the principles of the Alliance in Colombia. The President of Chile, who has been visiting us this week, is putting in a new tax program, some of which is causing some concern to American companies which have investments there, but I would say that we have made some progress in some countries. But tax reform is very difficult. It is a very appealing title. But I know from the struggle that we have had in Congress this year, in our efforts to pass the 7 percent investment credit, and at the same time to collect taxes more effectively through withholding on dividends and interest, a tax which has been on the books for 20 years, tax reform, when we become more specific, does not carry with it the same popular support. They have the same difficulty.

I think the situation in Latin America is very critical. I would say it represents the greatest challenge which the United States now faces, except for the direct matter of our dealings with the Soviet Union. And some of the countries, the situation is far less satisfactory. The problems are staggering. And Brazil, which is a matter of great concern to us, is the largest country in Latin America, which has a population 40 percent of which is under 20, substantially illiterate in some portions, particularly the northeast, living on an average income of $100 a year, some radicals in control in some areas. So I would say we face extremely serious problems in implementing the principles of the Alliance for Progress.

We do it with a good deal less resources than we did with the Marshall plan. And in many ways the Marshall plan was easier. We really only had to rebuild plants in Europe. The manpower was there, the tradition was there, the resources were there. Latin America does not have the resources. It is dependent on two or three or four commodities for export, which the prices of which have been dropping the last 3 years. It does not have the trained manpower or skills. It is trying to accomplish a social revolution under freedom with the greatest obstacles. So I think that we should continue our effort there and not lose heart, but I would say—we face—and Latin Americans face—staggering problems in trying to solve it. We had the guest from Honduras whose population is 60 percent illiterate. We go through country after country in Central America, the same high illiteracy, high unemployment, bad health conditions. So I would say we are facing the job of doing this revolution under freedom, and it is probably the most difficult assignment the United States has ever taken on.

In addition, because of the atmosphere in some of the countries of Latin America, there has been a flight of capital out of there. The amount of assistance which we put in under the Alliance for Progress amounts to about $550 million a year. We have been losing capital out of Latin America either to Europe or because some of our companies don't feel like reinvesting because of the social conditions. We have been losing capital at a faster rate than that out of Latin America, and with a drop in commodity prices. In many ways their balance of payments is worse than it was 2 years ago. This is not the fault of the Alliance for Progress. It is the fault of the very desperate situation which these countries face—180 million people with a chance that their population will be 600 million by the year 2000, with no particular expectation that their raw materials will dramatically increase. So I think that this deserves the attention and hard work and sympathy of us all, and not to walk away because the problems are unsolved.

### *Monetary policy*

Question. Mr. President, many of the questions submitted dealt with monetary policies, and the central theme seemed to be whether it will be possible and desirable to use a little easy money stimulation as well as tax reduction. And to quote from one of the shorter questions, "Why not ease up on money?"

The PRESIDENT. Well, I think there is a good supply of credit. I think the Federal Reserve Board has attempted to keep credit as free as it could, and the supply of money has been increased with the growth of the economy. I think it would be very difficult to keep it easier than it now is, without having the short term funds pour out at a higher rate than they are. After all, we have seen when Canada put its interest rates up, I think, as high as 7 percent, though it has dropped them now. It affected the flow of capital here. In October, we had several cases of major investments using our markets because of our interest rates. The fact of the matter is that I am not sure that we would get much stimulation out of the economy, but I don't see how we could possibly afford easier money than we now have, and still not have a hemorrhage at our balance of payments.

I think we have a major problem to balance off the use of monetary policy here at home affecting our balance of payments abroad, and also that is one of the good arguments. And, as a matter of fact, I think that we can make the case which is almost unanimously made in Europe, that the U.S. monetary policy in some ways is too loose, while our fiscal policy is too tight. And it is for that reason that the international banks in Europe and others have suggested that the reverse would be more appropriate. I think we should attempt to keep monetary policy about where it is, try to liberalize fiscal policy, for the reasons that I have given tonight. But I don't see how we could possibly go any further in the direction of easier credit, while we have a balance of payments which is against us by over $2½ billion a year.

### *Russians in Cuba*

Question. Mr. President, there are a number of questions about Cuba. This is a brief one. Is there a firm policy on getting the Russian manpower out of Cuba?

The PRESIDENT. Mr. Khrushchev in his agreement only committed himself to the withdrawal of the missiles and the bombers, and the manpower which was connected with the maintenance of those forces. That would amount to several thousand. In addition, he stated that he would, though he did not put a time limit on this, he would be withdrawing other elements. But that guarantee is not as precise and that commitment has not been implemented, nor was it as hard as his others, which he has kept. So this must be a matter of continuing concern, and is the reason why we are maintaining observation and verification by our own means daily, and why we will continue to do so, and while the matter of Cuba, therefore, still remains unsettled, as long as it is a Soviet military base, it represents a threat to peace in the Caribbean. On the other hand, it does not represent an offensive threat under present conditions, nor will it be of course permitted to do so.

### *Tax reforms*

Question. Mr. President, we received many questions which reflected some fear that if your tax message were to call for many of the tax reforms discussed from time to time by some of your advisers, the effect might offset the favorable impact of a tax reduction itself. The specific question that Mr. Mortimer and I decided to select here was this: "Why not have a moratorium on reform until we get back to full employment?"

The PRESIDENT. Well, the purpose of reform really is directed to the encouraging of growth, and employment. I quite agree that to launch into a full-scale battle on general reform for academic reasons would be unwise. The central purpose behind the reform must therefore be to encourage those changes in our tax laws which will encourage economic growth for that purpose, and not merely because it might have some longer range interest or significance. The primary job will be to encourage the flow of capital into those areas which stimulate the national growth and not diminish it. But it is going to be a tough fight, because once you spell out, as I said before, a reform, it is bound to affect adversely the interests of some, while favoring the interests of others. Therefore reform may be a longer task, and we are anxious that in the effort to get reform, we do not lose the very important matter of tax reduction for the sake of the economy. I know that I am not satisfying you, and I know this is going to be the major matter before the Congress, this matter of affording a tax cut at a time when we have a deficit. But I do point out that the largest peacetime deficit, which was the 1958 deficit of $12.5 billion, came at a time when President Eisenhower believed that he had presented a balanced budget, and the reason, of course, was the recession of 1958. The biggest deficit comes historically—and it has been proved in the 1958, 1960—because of a recession. That is what would really knock our budget out of shape. So that, as I tried to say in my speech, we are not faced with the question of balancing our budget, or having a tax reduction. I believe we are faced with the fact that we are going to have a deficit mostly because of the sharp rise in the recent years in space and defense, and to increase our taxes sufficiently to bring that budget into balance would be defeating, because, of course, it would provide a heavy deflationary effect on our economy, and move us into a recession at an accelerated rate. So I hope that you gentlemen will realize that we are not talking about irresponsibly increasing the deficit. We have a deficit which is already on the books. What I am concerned about is the kind of deficit we would have if we had a recession, and while the prospects for a recession are not certainly imminent before us, we do have to look at our historical record, and realize that any society such as ours, particularly with the tax structure such as ours, must face that prospect at some time. So that we have to decide what kind of a deficit do we want, and for what reason, and which in the longer run offers us the better prospect of bringing our books into balance.

In addition, we are hopeful, as the Minuteman begins to come into our defenses, that we will be able to bring our defense expenditures to a level, unless we have a severe international emergency, which in a period of the not too distant future will cap off our defense expenditures. The Minuteman will be coming in in great quantities. A large portion of our increases in defense in the next budget are due, one, to pay the increase for the military, and they have not had one since 1958, and they are far behind civilian and the other civilian employees of the Government, and for new weapons, of equipping the new divisions which we have built up, the conventional forces, and bringing into our arsenal the Minuteman. And when we have the Minuteman in quantity, Secretary McNamara believes it will be possible to peak off, and not have this steadily rising expenditure in defense.

I want to point out that we have increased in conventional forces in the last 2 years the numbers of our divisions from 11 to 16, and we are also providing equipment for 22 divisions in case it were necessary to mobilize our Guard. We have six divisions in Europe, and we have the equipment for two more. Now, I think the Cuban incident indicated the importance of a strong conventional force. The greatest factor on our side was the fact that we had superior conventional strength on the scene, and it would have been necessary to equalize that strength for the Soviets to initiate the use of nuclear weapons, which of course they were quite reluctant to do.

Now, in other areas we do not have a satisfactory conventional position. General Clay is more familiar with this than any man, and this is true in Western Europe. The United States is doing its part, but other countries of NATO have not met their quotas. Up until 2 or 3 years ago, the United States had its six divisions in Western Europe, its two divisions in South Korea, and its three divisions in the airborne reserve here in the United States, and that is all. Now we have increased by five divisions, and therefore with the obligations that we bear all the way from South Korea through South Vietnam to Berlin, as well as our obligations in this hemisphere, I think it was only prudent to increase our conventional as well as our nuclear force. That and our commitment to space have been the big burdens in our budget. Space will continue to rise, but not excessively. Defense we hope to cap off, and that is why I believe that we are not getting in a position where we will be out of control, providing we can maintain a steady rise in our economic growth.

### *Type of foreign aid*

Question. Mr. President, why shouldn't the United States emphasize foreign aid by means of technical and material assistance from the U.S. private firms, backed by U.S. credit guarantees, rather than the prevalent government-to-government gifts which rarely help American exports? For instance, a large part of the industrial equipment being installed in India and in South America is coming from Europe on long-term credit, rather than from U.S. plants, in spite of our aid to these countries.

The **President**. It is a fact that the United States has given economic assistance, particularly to India, at low rates of interest, with years of grace, while the other members of the consortium have given their assistance on rather short terms and high rates of interest. The fact of the matter is that the United States has carried an excessive burden in foreign assistance, in relation to Western Europe, but not in relation to need. Now, we spend about $1.7 billion to $1.8 billion in foreign assistance which goes of course to the Pentagon to buy surplus equipment, so therefore it is an addition to our own available funds. Then we have another $2 billion which we give in the form of loans, some of which are reasonably hard, and some of which are soft, but we are emphasizing loans. Now, for that $2 billion, we sustain South Korea, which has 40 percent unemployed; it has been the country which has been the major beneficiary. There is not any doubt that it would go under immediately if the United States ceased its economic assistance. Fifty thousand Americans were killed to protect South Korea. We carry the load, not so much, but still some, on Nationalist China, and we carry a very heavy load in Vietnam. Vietnam would collapse instantaneously if it were not for U.S. assistance. We carry a heavy load in Thailand, India, Pakistan, Iran, Turkey, and Greece. We also carry some burden in Africa, about $250 million. I had the President of Somali to visit me 2 weeks ago. The average income for Somali per capita is $45 a year.

When we see how difficult it is to get the Communists out once they get in, when we see the trouble that Cuba has caused, when we see that there is not one Communist regime yet in control in Africa, or indeed in Asia, other than those in North Vietnam, North Korea, and China, it seems to me that for this $2 billion, that considering that we put $51 or $52 billion into our defense—we are going to put nearly $5 billion into space, $5.5 billion into veterans, $9.5 billion in interest in our debt, $7 billion into agriculture, about $4 billion into public assistance—it seems to me that for that $2 billion, which covers the Alliance for Progress, assistance to India, which has 40 percent of all the under-developed people of the world, I think that we should embark with some care on any effort to cut it out.

Now, what we are trying to do is cut the dollar loss, which is the real burden, and we are cutting it this year from $1.3 billion, which was the dollar loss in foreign aid, to $800 million. We have increased the support for the Export-Import Bank. We are trying to tie all of our assistance to American purchases, and we hope to have it 80 percent tied, even though it does cost us some more doing it. But if you are going to build a school or a hospital, some local assistance is needed, and most of these countries are bankrupt, Colombia and Brazil and the others.

So I would like to cut out foreign aid. It is very unpopular. It is a hard fight each year. President Eisenhower had the same struggle, and so did President Truman. General Clay, as you know, is heading a committee, with Mr. Lovett, Eugene Black, and others, Mr. McCollum and others, to look into this program. But I must say I am reminded of Mr. Robert Frost's motto about not taking down a fence until you know why it is put up, and this is a method by which the United States maintains a position of influence and control around the world, and sustains a good many countries which would definitely collapse or pass into the Communist bloc. Now, India, as I said, has 500 million people. We have been digging our way out of the loss of China for the last 12 years, and my successor in office may have to deal with the problem of a China which is carrying out an expansionary policy with nuclear weapons and missiles. But for India to go, it would seem to me that the whole balance of power in the world would change. So I think talking about $2 billion—what really concerns me is that Western Europe does not do its part on aid, considering the great increase in its own balance-of-payments position. And I do believe also that the United States should tie as much as possible. But I certainly would be reluctant to see this program abandoned, because really I put it right up at the top of the essential programs in protecting the security of the United States, not for any reasons of long-range good it may do, though it does do that, but if somebody said, and I know President Eisenhower feels the same way, because for 2 years he has played an important role in getting that program by, if somebody said which programs of the U.S. Government really contribute to the maintenance of our position around the world, I would have to put this up near the top. But General Clay can make his judgment, and I think whatever judgment he makes can give this program a very important imprimatur.

Question. Mr. President, I simply ran out of questions. All I would like to say to you is congratulations on your answers, and thank you, Mr. President.

The **President**. Thank you very much.

Mr. HUMPHREY. Mr. President, I also invite the attention of my colleagues to a remarkably clear and perceptive article by Leon H. Keyserling printed in the January 4 issue of Printers' Ink. As you know, Mr. Keyserling has been in the forefront of those persons advocating extensive revision of our tax laws as the most effective way of reducing unemployment and increasing our annual economic growth rate. His article in Printers' Ink is his most recent analysis of the situation. It is hardhitting and I commend it to Senators for careful study.

Mr. President, I ask unanimous consent that Mr. Keyserling's article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### I PREDICT THE ECONOMY

(By Leon H. Keyserling)

Just a year ago, writing for Printers' Ink, I challenged the prevalent rosy forecasts about the outlook for 1962. My view was that, the upturn in 1961 having been too slow and too small, the unsatisfactory performance would be continued in 1962. In longer term perspective, what I saw a year ago indicated continuation of a pattern confirmed since 1953. Beginning with mid-1953, this pattern, repeated several times, has been: First, recession; then, incomplete upturn; and then, a period of stagnation leading into still another recession.

The events of 1962 have more than justified my trepidations of a year ago. As we now look at 1961 and 1962 together, the upturn following the recession of 1960–61 has been, as I intimated a year ago, the least satisfactory since World War II. The average annual growth rate during these 2 years has been only about 3.6 percent, or considerably less than half of the average annual growth rate of about 8 percent, which would have been required to bring us back to reasonably full use of our resources by the end of 1962—a salubrious condition which in fact we have not enjoyed since early 1953.

Within 1962, the growth rate has progressively slowed down. Measured at an annual rate seasonally adjusted, the growth rate was 3.5 percent from fourth quarter 1961 to first quarter 1962; 3 percent from first to second quarter 1962; about 1 percent (virtual stagnation) from second to third quarter 1962; and likely to be only slightly better in the fourth quarter than in the third. Because a growth rate so abysmally low cannot absorb the increments in the labor force and the gains in productivity, our idle resources have continued their chronic rise. Total national production was about $63 billion short of reasonably full production in 1960, although a recession commenced late in that year. But total national production now is running at an annual rate in the neighborhood of $80 billion short of reasonably full production. Gross underestimates of this gap do us no good; they conceal the evil and therefore bury the appropriate remedies.

#### UNEMPLOYMENT NOW HIGHER THAN IN 1960

It is harder to estimate the trends in idle manpower, because the official count of unemployment includes only full-time unemployment. This makes no allowance either for the full-time equivalent of part-time unemployment, nor for the concealed unemployment, in that the growth of the labor force has been unduly low because of the scarcity of job opportunity. The true level of unemployment, including the three factors which I have just mentioned, is now close to 9 percent, or higher than in 1960; and even full-time unemployment as officially counted is now about 5.8 percent, or about twice as high as it ought to be.

A longer time span must be viewed, in order to estimate the cost of the chronic illness which has affected our economy since early 1953. In 1953, the true level of unemployment was 5 percent, contrasted with the almost 9 percent now. The deficiency in actual total national production measured against reasonably full production was nominal in 1953, contrasted with an annual rate in the neighborhood of $80 billion now. For the whole period from the beginning of 1953 through the end of 1962, the forfeiture of total national production was more than $425 billion, and total man-years of employment opportunity was about 26 million too low.

Practically every sector of the economy has suffered accordingly. My estimate is that, for the decade from the beginning of 1953 to the end of 1962, compared with what we would have done at reasonably full use of our resources, consumer spending has been deficient to the tune of more than $280 billion, gross private domestic investment more than $108 billion, and corporate profits $70 to $80 billion.

More serious even than the past is the prospect that effective solutions to improve the record in future have not been applied, nor even substantially discussed. And yet, if the poor performance of the past decade is repeated (which I think is likely if no better solutions are forthcoming), we could during the 4-year period 1963–66 as a whole forfeit almost another $300 billion of total national production, and almost another 17 million man-years of employment opportunity, as well as another $180 billion of private consumer spending, another $75 billion of gross private domestic investment, and another $30 to $35 billion of corporate profits.

#### THE TWO FACTORS RETARDING EQUILIBRIUM

Why is it that our progress and prospects are so inadequate? It seems to me, because the remedies applied or under active consideration neither make a comprehensive diagnosis of the chronic ailment by analyzing the maladjustments of the economy which have caused it, nor attempt to define quantitatively and in proper balance the relationships among the components of the economy which would represent a state of economic good health. And with these two factors missing, it is impossible to devise the policies which would transform the chronic disequilibrium into equilibrium at reasonably full-resource use.

The basically correct diagnosis, in my view, is surprisingly simple. During each of the short-lived and inadequate boom periods, the expansion of the means of production far outran the ultimate demand for products in the form both of private consumer expenditures and public outlays for goods and services. When so-called overcapacity became extreme, private investment was cut back very sharply, leading to unemployment. The effects of the unemployment throughout the economy, superimposed upon the more enduring deficiencies in demand for ultimate products, brought on the periods of stagnation and then recession.

Underlying these disequilibriums in the use of our resources were income disequilibriums. During the periods of relatively excessive investment in expanding the means of production, this investment was supported by very ample profits, very ample personal savings to support borrowings for investment purposes, and tax rates which were not burdensome upon the investment process (in that they did not curb the investment boom until overcapacity dissuaded investment and also resulted in some profit squeezes).

Meanwhile, during the same boom periods, personal incomes were so distributed between (a) the middle- and low-income groups who spend immediately for consumption most of their after-tax or disposable incomes and (b) those nearer the top of the income structure who attempt to save and invest a much larger portion of their incomes, that the disequilibriums between investment and ultimate demand were enlarged. Public outlays at the Federal level were also too small, relative to the size and needs of the economy, to help restore equilibrium. The tight-money policy and rising interest rates, by aggravating the regressive redistribution of incomes which has been underway during recent years, further promoted disequilibrium. And this was also true of failure to expand sufficiently some other programs which could add in just proportion to private consumption, especially the old-age portions of the social security system.

These comments do not mean that I am inimical to private investment and business profits. Indeed, during the past decade as a whole, these have averaged much too low—how could it be otherwise in an economy averaging an overall growth rate of less than 2.7 percent from the beginning of 1953 through the end of 1962, when somewhere between 4 and 5 percent was needed to maintain reasonably full resource use? But the very reason why investment and profits averaged so low, in the long run, was because of the periodic very sharp downturns in these highly volatile factors, due to the failure to maintain the equilibrium which would have resulted if ultimate demand during the periods of upturn had been kept in better balance with the expansion of investment and profits.

In this connection, another vitally important factor is this: In our traditional mass-production industries, there is taking place a sharp increase in the productivity of capital, as well as sharp increases in the productivity of labor. This means that each additional increment of capital investment and of labor input expands productive capabilities far more than in earlier years. When this is combined with changing patterns of consumer tastes in a very highly developed economy, the consequence is that we cannot expect to maintain as high a ratio of traditional private investment to the total size of the economy, as we did during those years long gone by when equilibrium was maintained. To take one striking example, automobile production is now running higher than in 1955, but several hundred thousand fewer automobile workers are being employed. No conceivable rate of automobile production in the years shortly ahead can appreciably increase employment in the industry.

The core meaning of all this is that, if we are to attain a high enough level of total private investment to be compatible with equilibrium at full resource use, there must be a pronounced shift in the structure of private investment. We need, in other private investment areas, a galvanizing force comparable to the automobile industry in the 1920's. The largest opportunities on this score are in such fields as urban renewal and housing, and the improvement of our mass-transportation facilities. Such expansion in these areas would require a great deal of facilitating legislation, to make more money available at lower costs for these purposes, and, in the case of housing, to bring about those admixtures of private and public effort which would open up the mass market of millions of ill-housed families who now cannot afford to obtain decent housing at costs within their means.

In terms of our real priorities as a nation, and also from the viewpoint of maintaining equilibrium at full resource use despite the new technology and automation and the increasing productivity of capital investment, there is also need for much more public investment—especially in education and health and other welfare services. Insofar as these expansions were to be an integral part of rounded private and public efforts achieving a full rate of economic growth, expansion in the absolute size of the Federal budget would be entirely consistent with a Federal budget occupying a smaller sector of the total national economy. This, under conditions of optimum national economic growth, would also be consistent with a balanced Federal budget despite needed reductions in tax rates. We all know by now that we have encountered only huge and almost continuous Federal deficits, by attempting to maintain too low a level of spending and too high a rate of taxation to be consistent with economic equilibrium at sufficiently high levels.

By quickly ticking off what has thus far been done, and what is now being proposed, by way of national economic policies, we can quickly appreciate why we have failed so substantially to hit the mark.

### CORPORATE TAX CUTS NOT THE ANSWER

Tax concessions in 1962 provided about $2.5 billion (annual rate) to stimulate private investment. My initial view that this was an erroneous policy has since been reinforced by the inadequate investment results thus far obtained through this method. The tax proposals under active discussion for early 1963 are also weighted too heavily on the side of stimulating investment through corporate tax reduction and cuts in the personal tax rates imposed upon the higher income brackets. Some of this is undoubtedly desirable, but the preponderance of any new tax reduction should be directed to enlarging the spendable incomes of the middle-income and the low-income families, who consume immediately most of what they earn.

The administration, having determined upon deliberately increasing the deficit by billions of dollars, in the cause of economic restoration, fully intends to apply every penny of this deliberately increased deficit toward tax reduction, and none of it toward increased spending. This, in my view, is a very unbalanced way of attempting to bring about economic equilibrium, and it is also very short-sighted from the viewpoint of the great priorities of our national needs.

### THE CONTINUING CONFUSION OVER INTEREST RATES

The Federal Reserve System is now threatening to counteract the stimulative effects of a more liberal fiscal policy by further tightening up of the money supply, which would mean also further increases in interest rates. I feel strongly that this ought to be challenged by the President and by Congress. The real reason for our serious balance of payments and gold problem is not differential interest rates, but rather the poor performance of the American economy when compared with some nations of Western Europe. Capital flows from the United States, both of U.S. private funds and of foreign funds previously invested here, are seeking not higher interest rates; they are seeking the more rewarding profits resulting from the better economic performance overseas, the higher rate of economic growth there, and the lower levels of unemployment there. It is thus self-defeating to try to improve our balance of payments and gold position by repressing the growth of the American economy.

The restorative measures now under discussion contain almost no reference to the problems of a structural nature which I have already mentioned. They seem impervious to the enormous challenge of housing, urban renewal, and mass transportation. There is much talk about shifting employment to the services. But how can this be done, if vast expansion of the services is not undertaken—and this must include, above all, health and education services, as well as the facilities in which they are provided.

Programs to retrain workers are largely frustrated, without sufficient expansion of the jobs for which to train them. Relief to depressed areas is largely frustrated, so long as the whole economy remains so slack. And the international trade measure, while desirable on many grounds, has been grossly exaggerated as a potential stimulus to the American economy, at least in the years immediately ahead. And in the long run, since we must import practically as much as we export, any increase in our own productive powers must be matched by an approximately similar increase in American buying power and actual buying—including goods produced at home and goods produced overseas.

One of the reasons for the faulty diagnosis, as I have already indicated, is that the policymakers are not looking sufficiently at the operations of the economy as a whole. Correspondingly, the policies which they advance are not welded into a systematic and comprehensive approach. The need for this approach does not mean that the Government should intrude more upon the private economy; it does mean that the Government should achieve an improved rationalization of its major efforts, just as a private business must do this to be successful. By this improved rationalization, the public policies under consideration would become more appealing to the American people and to the Congress; they would surmount some of the so-called political difficulties which so many now say stand in the way of effective programs.

The programs which I have in mind are not based upon a drab equalitarianism; they are based upon the degree of equity which we must achieve if an economy as productive as ours is to run smoothly. They are not based upon conflicts of interest or class divisions, but rather upon the mutuality of all of our interests, private and public.

They are certainly not more than we can do; they are the minimum of what we must attempt if we are to prosper and advance, and possibly even if we are to survive as the kind of influence in the world that we should be, and as a shining demonstration of the appeal and viability of responsible free enterprise and responsible free government.

While the details need to be worked out, we must always remember that, except in wartime, the consumer is king. Only those policies which focus first and foremost upon the broadening of mass consumption, the lifting of living standards, can translate the new technology and automation into an ever-increasing blessing rather than an ever-increasing liability.

Finally, my accent upon public policies does not negate in this field of mass consumption and rising living standards the importance of private action. For after all, it is the informed private citizen, and the informed private enterprise, that determine in large measure what our public policies in a democracy will be. And equally important, private enterprise itself should turn with redoubled vigor toward research, pricing policies based upon high volume rather than high per-unit return, and the legitimate dissemination of information with respect to good products (the sound advertising, if you please, which is so erroneously scored by some people).

Yet it is only in a favorable overall economic environment that private enterprise can maximize these efforts, and this is why I attach such high importance to the need for sound public policies in the trying times ahead.

## NATIONAL FOREIGN AFFAIRS ACADEMY

**Mr. HUMPHREY.** Mr. President, I have long believed in the urgent necessity of establishing a National Academy of Foreign Affairs to train the diplomats and foreign service personnel needed to implement America's expanding commitments in the international arena. I wholeheartedly endorse the proposal of my colleague to establish such an academy in connection with which the Senator from Missouri [Mr. Symington] introduced a bill yesterday.

I find it most astonishing that we have delayed so long in fulfilling this need, which is certainly as urgent as the need for three Military Academies which have been flourishing for some years. I congratulate the special committee established to study this problem, headed by Mr. James Perkins, vice president of the Carnegie Corp., which has come forth with specific recommendations for this Academy. I also congratulate the Committee on Foreign Affairs Personnel, headed by former Secretary of State Christian Herter, which has recommended the establishment of a Foreign Affairs Academy as one of the most pressing needs of the Foreign Service in the 1960's.

The advisory committee headed by Mr. Perkins has noted three principal changes which call for new approaches to the training of foreign affairs officials. The first is the interdepartment nature of many foreign affairs problems. No one department can provide training to deal adequately with the multiphase problems which arise daily.

The second is the vast expansion of our foreign policy operations both in international organizations such as the United Nations and dozens of other organizations of which the United States is now a member. A briefing list—NATO, OAS, SEATO, CENTO, OECD, UNESCO—to mention but a few, suggest the breadth of our activities through multinational organizations. On the other hand, our officials are now involved in such nontraditional activities as local educational matters and local counterinsurgency programs.

The third is the persistent pressure from the Communist countries, pressure which can be successfully resisted only if the free world has the talent available to assist new nations in building stable, free societies.

I will not comment on the structure and organization of the Academy, as this has already been done. I would like to place special emphasis on the need to create a quality institution with standards second to none. It should be small and select. Its faculty should be superior, and its students the cream of American colleges—and the elite of the foreign affairs agencies in the Government.

Other leading centers of international studies—Minnesota, Harvard, Chicago, Columbia—should look to it as the leader in the field. Acceptance in the Academy should be a prize sought by all Government officials in the foreign affairs field. Moreover, the very concept of a National Academy of Foreign Affairs will gain from the physical location of the institution in the Greater Washington area. The District of Columbia and its environs offer unparalleled advantages in terms of access to sources, attractiveness to prospective faculty and students, and the ease of fruitful communication between Government offices and the Academy. I would look upon the establishment of a Foreign Affairs Academy in the National Capital area as a cultural asset of the first magnitude.

The Foreign Affairs Academy should be staffed not only for training officials but should become a center for research in the field of foreign affairs. In both the area of training personnel and research, it should encompass all relevant aspects of foreign affairs, not just those traditionally associated with diplomacy. It should give attention to the role of propaganda and modern communications in foreign affairs. It must train men to effectively implement huge and vital international programs in the area of labor affairs and agricultural affairs. It must provide us with a solid corps of trained administrators to implement the foreign aid program which, as the President eloquently stated in his state of the Union address, is ever more important in preserving free societies around the world.

If two of the principal recommendations of the Herter Committee's report are carried out, the need for a Foreign Affairs Academy will be even greater. I refer to the recommendations to establish a career Foreign Development Service and a Foreign Information Service. This would establish the equivalent of the Foreign Service for those officials charged with administering the country's foreign-aid programs and staffing its information services. The professional training required could be given at the Foreign Affairs Academy. I expect to discuss this further at a later date, but mention it here as one further reason for the early establishment of a Foreign Affairs Academy.

This proposal has been carefully studied by a committee appointed by the Secretary of State. It has been endorsed by the Secretary of State. It deserves the wholehearted support of the Senate and of the whole Congress. I look forward to the early passage of this bill and the early establishment of a National Foreign Affairs Academy.

**The PRESIDING OFFICER** (Mr. Monroney in the chair). The time of the Senator has expired under the 3-minute unanimous-consent agreement.

**Mr. RUSSELL.** Mr. President, I ask unanimous consent that the distinguished assistant majority leader may be permitted to proceed for 2 additional minutes.

**Mr. HUMPHREY.** I thank the Senator.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. HUMPHREY.** Mr. President, I respectfully suggest that a communication from the Secretary of Agriculture to Mr. McGeorge Bundy, Special Assistant to the President, be studied by the committee to which S. 15 is assigned. S. 15 was introduced by the Senator from Missouri [Mr. Symington]. The Secretary's letter appropriately expresses concern about the Foreign Agricultural Service and the training of Foreign Agricultural Service personnel.

I ask unanimous consent that the Secretary's letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

December 21, 1962.

Hon. McGeorge Bundy,
*Special Assistant to the President,*
*The White House.*

Dear Mac: I understand that you have been working with the advisory panel which has recommended to the President the establishment of a National Academy of Foreign Affairs.

The establishment of such an Academy seems to me to be an excellent idea, and I particularly want to call attention to the very significant contributions which I think the Department of Agriculture can make in such an undertaking as well as the desirability of having the international activities of the Department of Agriculture more closely integrated with those of the rest of the U.S. Government through participation in the proposed Academy of Foreign Affairs. As you know, this Department does have a major interest in the international field, and one of its major agencies, the Foreign Agricultural Service, is devoted entirely to dealing with international matters. We have also just established the position of Assistant Secretary of Agriculture for International Affairs, and the President is appointing to this position Dr. Roland Renne, a distinguished educator and economist, who comes to this new position from the presidency of Montana State College. Dr. Renne will have special responsibility for all the international aspects of the activities of the Department of Agriculture in addition to general supervision over the Foreign Agricultural Service.

In our Foreign Agricultural Service, we have agricultural attachés who are stationed in 56 countries throughout the world. Altogether, the Department has 621 employees stationed in foreign countries of which 189 are U.S. citizens. In addition, as you know, this Department has the basic responsibility for administering Public Law 480, the food-for-peace program, which accounts for some

$1.5 billion a year in exports of agricultural commodities with extremely important foreign aid and foreign policy implications. We also bear major responsibility with respect to dollar exports of agricultural commodities which, as the President has pointed out, are among our best dollar earners and contribute greatly to dealing with the balance-of-payment problem.

The maintenance of our agricultural exports has come to play a key role in our international trade relations. It is noteworthy that the greatest difficulties in trade negotiations have centered around agricultural products in the dealings of the six countries with each other, in the EEC negotiations with the United States in 1960 and 1961, in the current negotiations respecting the entry of the United Kingdom into the Common Market, and in our current trade relationships with the Common Market. Indeed, our current difficulties with the Common Market with respect to agricultural products are so acute as to threaten the successful launching of negotiations under the new Trade Expansion Act of 1962. It is apparent that the Department of Agriculture must play an important part with other departments and agencies of the United States in future trade negotiations if they are to succeed.

The Department of Agriculture has long been active in providing training opportunities for both prospective and actual Federal employees. Since 1936, the Department and the land grant institutions have jointly worked on a program on training needs for undergraduates contemplating future Government employment. In more recent years the number of courses offered by the land grant institutions on international affairs has increased immeasurably. In addition, the USDA has operated a recognized graduate school since 1921. The school now has an enrollment of about 5,500 students, most of whom are Federal employees. Courses offered include foreign relations, studies of foreign governments, international marketing and various foreign languages.

In view of these major interests and broad experience in this field, it would seem appropriate for the Department of Agriculture to participate fully in the development and operations of the proposed Academy of Foreign Affairs.

Sincerely yours,

ORVILLE L. FREEMAN,
*Secretary.*

### CHIEF JUSTICE ROBERT G. SIMMONS RETIRES

**Mr. HRUSKA.** Mr. President, this month marked the end by retirement of the active career of one of the Nation's outstanding jurists, Chief Justice Robert G. Simmons, of the Nebraska Supreme Court.

Those of us who have been honored to know and to be associated with Bob Simmons over the 24 years he has occupied his State's highest judicial position find it difficult to know where to start in describing the many phases of his rich and rewarding career. He served his native Scotts Bluff County—he was born in a "soddy"—as county attorney resigning the post to become a Balloon Corps officer in World War I. In 1922, at the age of 30, he came to the House of Representatives where he served for 10 years. In 1938, he was elected to head Nebraska's highest court.

Those were his official positions but no account of Bob Simmons' career would stop there. His work with the State and national bar associations, his unflagging interest in Cornhusker Boys and Girls State, his wise counsel to young and struggling lawyers, his devotion to his fine family—all of these are at least as important as the offices he held.

One of Chief Justice Simmons' most gratifying experiences, so he told me some years ago, was his membership and activity on the American Bar Association Committee on Corporation With Friendly Nations. Its work was done in collaboration with the legal section of former President Eisenhower's people-to-people program. His efforts resulted in assembling some 19,000 American lawbooks, texts, and encyclopedias and supervising their distribution to oversea law libraries to help spread an understanding and awareness of the American legal system.

Mr. President, the Omaha World-Herald's Magazine of the Midlands some weeks ago, in an article by James Denney, describes in some detail the colorful career of Chief Justice Simmons. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### STATE'S "OPINION DAY" TO MISS BOB SIMMONS

(By James Denney)

It was a typical Friday morning as the early rays of the sun glistened on the dome of the statehouse. From its perch above the golden bricks, the Sower statue looked down on ant-sized workers hurrying inside this skyscraper of the plains.

Among the hundreds of incoming persons were a handful of newsmen, who every Friday, even before they remove their hats, stroll to the second floor of the capitol and cross under the colorful rotunda en route to the office of George Turner, clerk of the State supreme court.

Friday is "opinion day," meaning that the seven justices of Nebraska's highest court speak through written opinions on subjects ranging from murder to irrigation. Mr. Turner's staff distributes the decisions to the reporters.

This was no ordinary "opinion day." Another chapter was to be written in the long and arduous efforts of convicted murderer Henry Hawk to seek freedom from the State penitentiary.

The U.S. Supreme Court had ordered the Nebraska justices to issue a writ of habeas corpus because the Federal court claimed that prisoner Hawk had been denied his rights under the due process clause of the U.S. Constitution.

Chosen by his fellow justices to answer this order was a stocky man whose bald head and piercing eyes were as familiar in the statehouse as the Sower itself.

His name: The Honorable Robert Glenmore Simmons, chief justice of the Nebraska Supreme Court.

#### A STATE'S AUTHORITY

A reporter for a Lincoln newspaper examined Justice Simmons' written opinion on the Hawk case and let out a whistle.

He told Clerk Turner: "You mean Judge Simmons says the U.S. Supreme Court can go to hell."

Mr. Turner answered: "I don't believe he used quite that language."

What Justice Simmons did say was, and still is, widely quoted among lawyers from coast to coast relative to the relationship between Federal and State authority.

The Nebraskan wrote:

"It is not for us to say what constitutes violation of the due process of law clauses of the Federal Constitution when the Supreme Court of the United States has spoken on that subject with relation to the question presented. Neither is it for us to say what issues may be justifiable in an application for writ of habeas corpus when that writ is sought in the Federal courts. But those are not and were not the issues presented and determined by us.

"The issue here now is the same as it was when the case was initially before us, and that is, What issues are justifiable in an application for a writ of habeas corpus in the courts of the State? That question is for the courts of this State to decide. We have the undoubted right to decide upon our own jurisdiction and the jurisdiction of the courts of this State to which our appellate power extends."

Thus did the Nebraska chief justice take his stand.

Henry Hawk eventually did win his freedom on another point of law and established a rule that became a body of law: A State prisoner must exhaust all his available State remedies before he can go to the Federal courts on constitutional grounds.

#### TWENTY-TWO YEARS OF SERVICE

The man who dared to legally stand up to the august U.S. Supreme Court will retire next January as Nebraska's chief justice. His picture is on the cover of today's magazine of the Midlands.

Chief Justice Simmons' successor is District Judge Paul W. White, of Lincoln, who was chosen by the voters over District Judge Clarence Beck, of North Platte, following a spirited campaign.

Judge Simmons will leave the bench after more than 22 years of serving the people of his State with a dignity that has earned the plaudits of the legal profession.

Although elected by the voters in 1938 to begin service the following January, Chief Justice Simmons took his place on the bench shortly after election. He was appointed by Gov. Roy Cochran to serve out the remaining weeks of the term of the late Chief Justice Charles A. Goss, who had died August 13, 1938.

Sitting in his office, which occupies the southeast wing of the second floor of the statehouse, Justice Simmons recently reminisced about his life as a schoolboy, college student, attorney, father, Congressman, politician, chief justice, and student of international relations.

Out of the top of his desk drawer, Justice Simmons handed this reporter photographs of the first and current courts on which he served.

#### HARMONIZING VIEWS

They revealed that only Justice Fred Messmore of Beatrice and Edward Carter of Gering, have been on the bench with the Chief Justice continuously since he was appointed by Governor Cochran.

Of his service on the court, the chief justice declared that the work was hard but not spectacular.

"There is a difference between the court and politics," he said. "Here, people give you credit for doing the job that you think ought to be done. You are not subjected to personal abuse."

The chief justice was asked to comment on the relatively few split decisions delivered by the Simmons court, as it is sometimes identified by Nebraskans.

"My only answer would be that we do make an effort to harmonize our views with each other," he said. "I'm very proud of the fact that in my 22 years here there has never been a time that the seven judges and their wives haven't been able to go out and have dinner together."

Justice Simmons is leaving the court with the hope that both the public and lawyers will think of him as a human being.

"When I leave this office in January," he stated, "I want people who see me on the street to say, 'How are you, Bob?' "

He emphasized the "Bob" because Bob Simmons is a likable individual who has proven that even sitting on the highest court in the State doesn't change a man's love for his fellow men.

"I know when the lawyers come into this courtroom there exists an invisible screen which separates the judges from the attorney," he added. "I've tried to break that screen because I know something about it. I was a lawyer a good many years before I became judge."

Justice Simmons has been a frequent contributor to the Magazine of the Midlands. His last article, entitled "We Pray," appeared May 29, 1960, and was the justice's account of his December 7, 1959, heart attack.

He gave his view of how the power of prayer from friends in many lands helped pull him through "those critical hours the doctors noted that the great doorway to eternity had swung shut ahead of me and I was on this side."

COLLECTED LAW BOOKS

Shortly before his heart attack, Justice Simmons played host to many guests from foreign countries. They were returning visits the Nebraskan had made to their countries as part of the legal group of former President Eisenhower's people-to-people program.

Justice Simmons became so interested in the program that he initiated on his own a drive to collect 19,000 lawbooks, textbooks, and encyclopedias to be given to 35 free countries of the world.

Because of his health and the health of his wife, the chief justice has not given public talks in recent months. However, every year except one since the organization of Boys and Girls State, Justice Simmons has spoken to these citizenship groups.

This year, Mr. Simmons had planned to speak again but his physician advised against it. So Justice Carter read Mr. Simmons' message.

In the address, the chief justice declared that the Communists "seek by the fallout of indirect attack to destroy that which is ours."

He told the youngsters: "We need be on guard and meet headon and not yield to Communist ideas and ideologies lest the fallout destroy our institutions.

"You will visit our beautiful capitol in your stay here. Across the north entrance, carved in stone, are these words:

" 'The salvation of the state is watchfulness in the citizen.'

"Remember you are one of these citizens, and act accordingly."

LIVED IN A DUGOUT

Bob Simmons is of pioneer Nebraska stock. His parents came to Nebraskaland from New York State in 1883. The family has traced its relationship way back to John and Priscilla Alden.

The chief justice's father's first venture in this State was selling farm implements at North Bend, a business which was to go broke. Three years later the family moved into the Panhandle.

Their first home was a dugout in the side of a hill. Later they entered a tree claim on land adjacent to the North Platte River and built a sod house.

Justice Simmons was born in this "soddy" on December 25, 1891. His father had to drive 11 miles in a lumber wagon to bring the doctor who attended that birth. Heavy rain seeped through the earthen roof of the sod home, and father held an umbrella over the mother while the physician brought the future Nebraska chief justice into the world.

Justice Simmons' family—he was one of seven children—faced plenty of problems. Two years after his birth, the judge's mother helped make ends meet by teaching school 13 miles from home. She returned to the "soddy" only on weekends to cook, wash, iron, and mend. Her motto: "We must keep on keeping on."

By 1898, the family had moved to Gering, then with a population of 300. The Simmonses lived in a log house with frame kitchen-dining room attached, and the father operated a grocery store and meat market.

Two years later, Justice Simmons' political career had its start when his father was named postmaster of Scottsbluff. "He received the appointment through Congressman Kincaid," said the judge.

HIGH SCHOOL DEBATER

The young Simmons' interest in law began while he was in high school. He served as a janitor for three school buildings and for a time was a janitor for the law office of Wright & Wright, where he would sneak a peek at a law book.

He was a member of the Scottsbluff High School debating team and graduated with the highest average in the class of 1909.

He attended Hastings College for 2 years, then worked a year before entering the University of Nebraska College of Law in September 1912, graduating in 1915 with the Order of the Coif.

He returned to western Nebraska and became county attorney of Scottsbluff County. There he married Gladyce Weil, of Lincoln, whom he still rates as the brains of the family.

The chief justice could add that there are a lot of brains in the Simmons family. His sons, Ray, of Fremont, and Robert, of Scottsbluff, and daughter Jean (Mrs. Lyman Wear) as well as Mother Simmons all are Phi Beta Kappas. In addition, son Ray also holds the Order of the Coif from the university.

In 1917, Justice Simmons resigned as county attorney and enlisted in the Army Balloon Corps. He qualified as a balloon pilot and observer and won his gold bars at Fort Omaha.

He returned to Scottsbluff early in 1919. In 1920, he was elected department commander of the Legion. In 1921 he was elected president of the University of Nebraska Alumni Association.

The following year, Moses Kincaid, the long-time Congressman of Nebraska's "Big Sixth," decided to retire. Robert Simmons, still not quite 31, ran and was elected as a Republican to succeed the father of the Homestead Act.

MORE RAMIFICATION

During the next 10 years, Mr. Simmons was an active Congressman and was frequently called upon by the occupants of the White House for advice. He served on the powerful House Appropriations Committee and was that committee's chairman of the District of Columbia and Agriculture Subcommittees.

"The job of being a Congressman isn't what it was when I served on Capitol Hill," said the chief justice. "There are so many more ramifications now to each piece of legislation. Despite all of the complexities of the Federal Government, the fact still remains that a Congressman must put on the appearance of being a personal errand boy."

During his tenure on the Hill, Representative Simmons became a close friend of Republican Presidents Calvin Coolidge and Herbert Hoover. The chief justice's opinion of the two:

President Coolidge: "He was a deeper thinker than most people gave him credit for being. The time will come when people will know him as one of America's great Presidents. He was able to assign work of the White House so he didn't have to carry all of the burden himself."

President Hoover: "He is one of the few really great men that America has produced. He has great intelligence and is great because of his ideals. His difficulty in the Presidency was his inability to turn some of his burdens over to others. He shouldered nearly all of the responsibilities of the job. It's too big a job for one man."

Twice when motoring across the country President Hoover was a surprise guest at the Simmons home. This surprise was a result of the depression bitterness.

Mr. Hoover felt that he could not afford to have Secret Service bodyguards. As a result, his schedules back and forth across the continent were kept secret except for two or three persons in the interior part of the country. Congressman Simmons was one of those in the know.

TWICE FOR SENATE

Congressman Simmons was retired by the voters in the 1932 Democratic-New Deal landslide. Terry Carpenter, of Scottsbluff, was the winner.

Mr. Simmons returned to Nebraska and decided to open a law office in Lincoln. But the political bug got the best of him and 2 years later he ran and lost in a U.S. Senate race against Edward R. Burke, of Omaha.

In the 1936 Senate race he ran against Terry Carpenter, Democratic nominee, and the New Deal-backed Republican-turned-independent, George W. Norris. Mr. Norris was the victor.

When he filed for the nonpolitical office of chief justice in 1938, Mr. Simmons stated: "Judges must act without partisanship and without partiality. I pledge that as chief justice I will do my full part to maintain the high standards of the judiciary of this State, to strengthen the relation of the courts with the public and to render full and impartial service."

The primary race was probably the most spirited for a judge's post in the State's history. Eight candidates filed but in the final tabulation, Justice Simmons and former Attorney General C. A. Sorensen (father of Ted Sorensen) were nominated.

AN EFFICIENT COURT

In the general election Mr. Simmons once again faced the influence of Senator Norris, who strongly favored Mr. Sorensen, his campaign manager during the 1936 election.

The tide apparently was changing from the Senator because Mr. Simmons won a smashing victory, 214,604 to 185,165.

The chief justice's only other opponent during his 22 years on the bench was Paul I. Manhart, who ran against Mr. Simmons in 1944. Mr. Simmons won the election by the near-record margin of 347,842 to 97,342.

Nebraska's seven-man supreme court is recognized by attorneys the Nation over as one of the most efficient in the land. In the years that Justice Simmons has sat on the bench, the judicial process has speeded up.

One result of the speedier process, according to the chief justice, is that fewer cases are appealed to the supreme court. In the past, it was customary to appeal a damage suit verdict and then try to make a better settlement with the plaintiff during postponement. Such legal tactics are no longer effective.

The chief justice tries to be as clear and concise as possible in his opinions. The American Bar Association Journal a few years ago asked him to express himself on how to write better opinions.

He wrote: "What must be the content of an opinion? It must state: First, the facts of either pleading or evidence, or both; second, the issues presented for decision, and, in some but not all cases, how those issues arise; third, the applicable law, and where not already definitively declared, the statement of sound fundamental principles and the necessary reasoning leading from those principles to the conclusion embodied in the judgment of the court; and fourth, the decision reached.

"The opinion should contain facts, issues, law, reasons, and decision with sufficient detail, exactness and clarity to enable the profession to determine, from the opinion, without too much effort, just what has been decided and why."

### PATTERN OF OPINIONS

To back what he believes, Chief Justice Simmons' opinions generally follow a pattern:

The nature of the case and the ultimate result arrived at by the court are stated in the opening paragraph.

Then in orderly sequence the four parts of the opinion are developed.

The opinions are short, clear and readable.

They very seldom contain elaborate footnotes.

The chief justice's hobby for years has been the Cornhusker Boys and Girls State which were started at his insistence.

His best advice to these young people who meet to operate a mock State government every summer was given in a 1946 talk. He told the boys and girls: "Don't be afraid to get dirt under your fingernails."

## AN INVITATION TO CONTROVERSY

Mr. HRUSKA. Mr. President, Roderic B. Crane occupies the Frederick W. Kayser chair of economics at the University of Omaha. He is a distinguished member of the faculty of that enterprising and growing institution.

From time to time, Professor Crane has published the Frederick W. Kayser papers under the title "An Invitation to Controversy," taking as his text the admonition of William Hazlitt that, "When a thing ceases to be the subject of controversy, it ceases to be a subject of interest."

The latest in this series of papers, published in December, is called "I Was Afraid" and takes its title from the Book of Matthew and the account of the servant who buried the talent his master had entrusted to him because, "I was afraid."

In modern economic terms, the ancient parable's conclusion is paraphrased:

> For unto every producer that innovates, it shall be given and he shall have abundance; but from him that risketh not shall be taken away by competition even that which he hath.

Professor Crane has written a challenging defense of the private enterprise system.

Mr. President, I ask unanimous consent that the paper be printed in the Record.

There being no objection, the paper was ordered to be printed in the Record, as follows:

### I Was Afraid

(From "An Invitation To Controversy," by Roderic B. Crane, the Frederick W. Kayser professor of economics, the University of Omaha, Omaha, Nebr.)

Caught between a 1962 bear market in stocks and a sluggish rate of national growth President Kennedy has cried out for more sophisticated answers to our economic problems. High on the list of solutions proffered by the intelligentsia both in and out of Government was that of a tax cut. Then began the debate as to who should be the chief beneficiary of this governmental largess, the corporation or the individual taxpayer. Persons motivated mainly by humanitarian impulses would bestow the benefits on the individual, particularly the ones in the lower- and middle-income brackets. This is in accord with the classical ability to pay principle which was the original justification of income-tax theory.

It is the purpose of this paper to argue in favor of extending the greater portion of the proposed tax relief to the corporation and to the higher brackets of the personal income tax. In so doing, the author hopes to avoid heating up the ancient issue favoring the rich over the forgotten man or the oppressor versus the oppressed. The premise for this position lies deep in the basic nature of man and is so old and enduring as to have been set forth in an oft quoted parable in the Scriptures.

### AN UNSOPHISTICATED VIEW

In the Book of Matthew, we are told of the man traveling into a far country who called his own servants and delivered unto them his goods. And unto one he gave five talents, to another two, and to another one; to every man according his several ability. Then he that had received the five talents went and traded with the same and made them other five talents. But he that received one went and digged in the earth and hid his lord's money. When the lord returned and called his servants for the reckoning, the slothful servant advanced a most revealing excuse for not doubling the lord's investment as did the other servants,—"I was afraid." The parable closes with this pronouncement, "For unto every one that hath shall be given and he shall have abundance; but from him that hath not shall be taken away even that which he hath."

This stern retribution could easily impress a reader as extremely harsh and unfair unless interpreted in the light of what is now known as the principle of free private enterprise.

### THE DICHOTOMY OF GAIN

Man at his best is creative. This creativity goes on all about us. It is expressed not only by the poet, the sculptor, and the author, but by the householder who lays out his garden, the wife who arranges a bouquet, and the whistling boy along the road. Hardly any aspect of human endeavor is devoid of creativity and surely not the world of production where goods and services since the beginning of mankind have found their origin in the innovating mind of the entrepreneur.

What the egalitarian seems to forget in his search for an economic utopia is that while innovation and invention may be quite spontaneous and free from the profit motive, the practical development and utilization of inventions likewise requires creativity but in quite a different context. It is creativity plus money capital, both being essential ingredients in the development of any productive entity. The possessor of wealth is always confronted with a dilemma. Shall he risk his capital in the hope of gain or shall he play safe as the slothful servant when he hid it in the earth. If the latter course is adopted, society itself is the loser, for progress is forfeited, the economy becomes stagnant, and eventually may even decline.

### THE SIMPLE ARITHMETIC OF TAXATION

Writing years ago in Newsweek, Ralph Robey illustrated the barrier which our tax policy erects against investment in new enterprise. He cites this case:

"Suppose 10 men, each with a $50,000 income, contribute $100,000 each of capital to form a new corporation. Suppose in the first year the corporation earns a 10-percent profit—which mighty few do—and pays the entire profit out in dividends.

"What profit do these investors realize?

"After paying taxes, corporate and personal, each gets back $1,500 on his $100,000 investment.[1]

"This is at the rate of 1½ percent—or only about half as much as a Government bond pays.

"And if he has only a $5,000 income to start with, the new investment will still pay him less than 4 percent.

"There is something more involved than the remedy of taxing the rich in order to distribute prosperity all around.

"For that remedy taxes the rich out of the investment field, and the not-rich along with them. It taxes enterprise to death. It taxes the workers out of jobs. It limits production."

No wonder so many cautious investors hiding their wealth in low risk municipal and Government bonds or in idle cash balances in the banks are saying with the slothful servant, "I was afraid."

Throughout history, perceptive minds (not just greedy capitalists) have sought "the open sesame" to national affluence and prosperity. Writing in 1723, Bernard Mandeville includes the following commentary on his "Fable of the Bees":

"The great art to make a nation happy, and what we call flourishing, consists in giving everybody an opportunity of being employed; which to compass, let a government's first care be to promote as great a variety of manufactures, arts, and handicrafts as human wit can invent; and the second to encourage agriculture and fishery in all their branches, that the whole earth may be forced to exert itself as well as man. It is from this policy and not from the trifling regulations of lavishness and frugality that the greatness and felicity of nations must be expected. The enjoyment of all societies will ever depend upon the fruits of the earth and the labor of the people; both which joined together are a more certain, a more inexhaustible and a more real treasure than the gold of Brazil or the silver of Potosi."

### SOMBER STATISTICS

The actual weight of the heavy hand of taxation may be gaged by a few overall statistical facts and also by a comparison of our tax structure with that of foreign governments.

The American system of Federal taxation is notable for its emphasis on taxes on income.[2] Roughly 85 percent of our tax receipts come from this source as compared with 65 percent in other major countries.

Our personal income tax produces over 45 percent of our Federal tax revenues, whereas in Germany and France the proportion is 21 percent and 17 percent respectively.

Of special significance is the matter of maximum rates on additional income. This may be considered an index of the extent to which a nation will go in discouraging people from earning additional income due to the progressive severity of the "tax bite." Our maximum rate of 91 percent is the highest in the world, as compared with France and Germany, which are 71 percent and 53 percent respectively. Such a rate could perhaps be defended if it produced ample revenue. The facts are much to the contrary. In 1960, 86 percent of income tax receipts came from the initial 20 percent bracket to which all taxpayers are subject, while the entire progressive portion produced only 14 percent of the yield.[3] It is estimated that a flat rate of 23.3 percent on all taxable income would produce the same revenue as the present steeply graduated rates.

Comparisons with other countries as to taxation of corporations likewise emphasize our harsh treatment of risk taking. Examination of the rates on undistributed profits shows the United States to have the highest in the world. We are also out of step in the taxation of corporate profits paid out as dividends to stockholders. This income is taxed twice, first as corporate income at a 52 percent rate and then as personal income when it reaches the hands of the stockholder. Most foreign governments allow a generous credit (up to 38.75 percent) to the individual stockholder, whereas our meager credit of 4 percent has been much criticized by those who feel that there is something amoral about corporate dividends. Since corporate annual reports reveal an ever-increasing trend toward ownership both direct and indirect by small investors, this attitude, a carryover from the so-called robber baron days of the nineties, has been peculiarly unresponsive to reality.

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[1] Tax rates have eased slightly since this was written.

[2] The alternative area for taxation is that of consumption i.e., sales and excise taxes.

[3] Monthly Economic Letter, First National City Bank of New York, November 1962.

HOW ABOUT UNDERCONSUMPTION?

There is a large class of economic thinkers who hold that the first step to greater national prosperity is the elimination of underconsumption or the tendency of consumer spending to lag behind personal income due to the current affluent condition of society. They would tax the tardy spenders (the rich) and reward the ready spenders (the poor) with a variety of benefits calculated to enhance general welfare. It is even argued that dollars spent by the Government circulate faster than privately held dollars because the marginal propensity to consume for the Government is 100 percent, whereas private propensities to consume fall far short of this desideratum. Such is the theoretical background for tax relief to the low income brackets as a stimulus to the economy.

Careful consideration of this argument leads one to concede the mathematical validity of the proposition regarding the varying marginal rates of consumption. It should also be conceded that when the country is in need of a crash program for recovery or a quickie stimulus this path to prosperity is probably shortest in point of time. This paper is not, however, making any attempt to cover the vast array of emergency measures available to our Government in the event of a serious depression. Instead, the attention has been directed toward a basic philosophy which would be conducive to higher levels of employment and income and a more satisfactory rate of growth than we have experienced in recent years.

THIS FROM LORD KEYNES

To return to our theme, the impact of fear on financial decisions, let us read what a great underconsumptionist has to say about the importance of optimism in the business milieu. Writing in the influential "General Theory,"[4] Lord Keynes says:

"If the animal spirits are dimmed and the spontaneous optimism falters, leaving us to depend on nothing but a mathematical expectation, enterprise will fade and die * * *.

"This means, unfortunately, not only that slumps and depressions are exaggerated in degree, but that economic prosperity is excessively dependent on a political and social atmosphere which is congenial to the average businessman. If the fear of a Labor Government or a New Deal depresses enterprise, this need not be the result either of a reasonable calculation or of a plot with political intent; it is the mere consequence of upsetting the delicate balance of spontaneous optimism."

CONCLUSIONS

The analysis comprising this paper may be summarized as follows:

1. Production of goods and employment of labor requires the permanent commitment of capital.
2. This venture capital involves varying degrees of risk of loss.
3. The decision to invest is a process of calculating the chances of success.
4. This decision, being based on expectation, is more a psychological reaction than a mathematical process.
5. Taxes bearing heavily on production inhibit risk taking, and thereby retard long-term industrial growth and job opportunities.

MATTHEW IN MODERN TERMS

The stern conclusion of the parable of the slothful servant becomes directly applicable to the major economic problem of our times when paraphrased as follows: "For unto every producer that innovates it shall be given and he shall have abundance, but from him that risketh not shall be taken away by competition even that which he hath."

The PRESIDING OFFICER. Is there further morning business?

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AMENDMENT OF RULE XXII—CLOTURE

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from a previous day, which the clerk will state by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. RUSSELL. As I understand rule VII—I believe that is the rule, although I do not have it before me at the moment—this matter is laid down automatically as business coming over from yesterday. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. RUSSELL. It is now before the Senate and is a debatable issue?

The PRESIDING OFFICER. The Senator is correct.

Mr. RUSSELL. If the resolution is debated until 2 o'clock, it then will be the duty of the Chair to send the resolution to the calendar. Is that correct?

The PRESIDING OFFICER. Under the precedents of the Senate, that would be the case.

Mr. JAVITS. Mr. President, will the Senator from Georgia yield to me for a parliamentary inquiry?

Mr. RUSSELL. I yield.

Mr. JAVITS. In applying the rules of the Senate to the resolution, insofar as the Chair chooses to apply the rules, I ask the Chair whether the Chair is making any decision upon the question of whether the Constitution of the United States applies or does not apply to this issue? I ask that question because yesterday the Vice President ruled that he would submit any such constitutional question to the Senate. I wish to make certain that in answering this parliamentary inquiry that question is not being foreclosed.

The PRESIDING OFFICER. This matter involves the Senate rules. The clerk will read a memorandum prepared for the guidance of the Chair.

Mr. RUSSELL. I will be glad to concede that no parliamentary inquiry can possibly change the Constitution of the United States or affect the constitutional right of any Member of the Senate.

Mr. JAVITS. Or the answer thereto.

Mr. RUSSELL. Or the answer thereto.

Mr. JAVITS. I thank the Senator.

Mr. RUSSELL. We have gone a long way in this body in striking down the Constitution, but we have not gone so far as to say that a ruling by the Chair will change the Constitution. I hope my friend from New York will not launch a campaign to bring that about.

Mr. JAVITS. Not at all; on the contrary.

The PRESIDING OFFICER. The clerk will read the memorandum.

The legislative clerk read as follows:

AMENDMENTS OF THE RULES

Senate Resolution 9, by Mr. ANDERSON (for himself and Mr. MORTON) to amend the cloture rule of the Senate, submitted on January 14, upon objection being made to its immediate consideration, was ordered to lie over 1 day under the rule.

Rule VII provides for the consideration of morning business. On December 17, 1885, the Senate adopted the following order:

"*Ordered*, That until otherwise ordered, the Chair shall proceed with the call for resolutions to be newly offered before laying before the Senate resolutions which came over from a former day." (S. Jour. p. 102, 49th Cong., 1st sess.)

Therefore action is taken by the Senate on the resolution under the provisions of rule VII, and it should be laid before the Senate prior to the conclusion of morning business, the Senate having adjourned.

When laid before the Senate it is debatable and subject to the usual motions that may be made during the consideration of a matter. If not disposed of at the end of the morning hour (2 o'clock p.m. today), it will go to the calendar, under the precedents of the Senate and, having gone over a day, a motion to proceed to its consideration is in order and debatable. If such motion is agreed to, the resolution is before the Senate for whatever action the Senate might desire to take.

Mr. ROBERTSON. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may yield to the Senator from Minnesota for the presentation of a substitute for the resolution which is before the Senate, with the understanding that I will not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Minnesota will state it.

Mr. HUMPHREY. What is the pending business?

The PRESIDING OFFICER. The pending business is Senate Resolution 9.

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[4] "General Theory of Employment, Interest and Money," John Maynard Keynes.

Mr. HUMPHREY. Mr. President, I send to the desk and offer an amendment in the nature of a substitute. The amendment is offered on behalf of myself and the senior Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. DOUGLAS], the senior Senator from New Jersey [Mr. CASE], the Senator from Hawaii [Mr. FONG], the Senator from West Virginia [Mr. RANDOLPH], the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from New York [Mr. JAVITS], the Senator from Michigan [Mr. HART], the junior Senator from New York [Mr. KEATING], the junior Senator from New Jersey [Mr. WILLIAMS], the junior Senator from Pennsylvania [Mr. SCOTT], the junior Senator from California [Mr. ENGLE], and the Senator from Maryland [Mr. BEALL].

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. It is proposed to strike out all after the resolving clause and insert in lieu thereof the following:

> 3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:
>
> "Is it the sense of the Senate that the debate shall be brought to a close?"
>
> And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.
>
> Thereafter, debate upon the measure, motion or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all, unless additional time is provided in accordance with this rule, to not more than one hundred hours, of which fifty hours will be controlled by the majority leader and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. HUMPHREY. Mr. President, the text of the amendment is the same as the text of Senate Resolution 10, which I submitted yesterday. Do I correctly understand that the pending business before the Senate, with the offering of the amendment, will be the amendment offered on behalf of myself, the senior Senator from California [Mr. KUCHEL], and the other Senators whose names have been read?

The PRESIDING OFFICER. That will be the pending question.

Mr. HUMPHREY. I thank my good friend from Virginia for his courtesy, which is customary with the distinguished Senator.

Mr. ROBERTSON. Mr. President, in my humble opinion, there is no necessity whatever for changing the cloture rule of the Senate, and it is most unfortunate that some of those favoring a change are willing to go to the extreme of saying that the Senate is not a continuing body. On the contrary, the Senate that was organized in 1789 has never died.

Evidence that the Senate was intended to be a continuing body and has so functioned throughout its history is so overwhelming that I am frankly surprised that we find it necessary to argue the point again at this time.

It is true that in January 1957 Vice President Nixon, who made no secret of his interest in having our rules changed to facilitate the passage of civil rights legislation, offered an informal opinion that Senate continuity is of limited application and that the Senate was not bound to respect a standing rule permitting unlimited debate on proposals to change the rules. The Senate chose not to take up that isolated challenge, and I had hoped we would continue to accept the theory of former President Buchanan, who said the Senate had existed as a permanent body since the day of its meeting in 1789 and would continue so to exist as long as the Government should endure.

However, since the question has been raised again, I wish to take my position emphatically on the side of the framers of our Constitution, of several former Presidents, of innumerable Members of this body, of distinguished historians and writers on the theory of government, and of at least two Supreme Court decisions, all holding that the Senate is a continuing body with rules that survive intact from one session to the next, subject to change only under terms which the rules themselves provide. That is now spelled out in Senate rule XXXII, which provides:

### BUSINESS CONTINUED FROM SESSION TO SESSION

> 1. At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place; and all papers referred to committees and not reported upon at the close of a session of Congress shall be returned to the office of the Secretary of the Senate, and be retained by him until the next succeeding session of that Congress, when they shall be returned to the several committees to which they had previously been referred.

The second paragraph of Senate rule XXXII reads as follows—and I emphasize and underscore the essence of this language, because it is what we are now discussing:

> 2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

I take this position not for reasons of expediency, with respect to legislative objectives, but because I am convinced that to give up the concept of the Senate as a continuing body will undermine a cornerstone of our Government and will threaten the foundation of State sovereignty and States rights on which our Federal Union was founded.

In my discussion, I shall review the traditions of the Senate and the history underlying them; I shall point to features of our organizational structure which are characteristic only of continuing bodies, and I shall quote from only a few of the many authorities I have examined who, over the years, have reiterated their conviction that the Senate never dies.

It is my hope that this recitation of facts will convince any doubting colleagues of the wisdom of Woodrow Wilson when he said, in his authoritative book on "Constitutional Government in the United States," page 127, that—

> The continuity of the Government lies in the keeping of the Senate more than in the keeping of the Executive, even in respect of matters which are the especial prerogative of the Presidential Office.

The Committee on Rules and Administration of the Senate, on May 12, 1953, in reporting on Senate Resolution 20, stated:

> Traditionally the Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with one-third of its membership elected every 2 years, whose Members, moreover, come from component parts of the Union.

To understand how true that simple statement is we must examine the history and traditions of this body.

### WHAT OUR FOUNDING FATHERS INTENDED

The supreme objective of our Founding Fathers was to create a more effective union, without conferring upon the new Federal Government enough power to destroy the sovereignty of the States. The keystone of that arch was the Senate, only one-third of which would be elected every 2 years, as compared with the election every 2 years of the entire House membership. The need for maturity and experience in the legislative branch of the Government influenced the decision with respect to the continuity of the Senate. Alexander Hamilton, in letter No. 63 of the Federalist, referred to this point in clear and unmistakable terms, when he said that the House of Representatives, elected for the short term of 2 years, should not be answerable for the final result of matters on which the general welfare may essentially depend. Then he added:

> The proper remedy for this defect must be an additional body in the legislative department, which, having sufficient permanency to provide for such objects as require a continued attention and a train of measures, may be justly and effectually answerable for the attainment of those objects.

John Jay's Federalist Letter No. 64 is to the same effect. In writing about the Convention's deliberations concerning Senators, he stated that it was felt that—

> They should continue in place a sufficient time to become perfectly acquainted with our traditional concerns and to form and introduce a system of the management of them. The duration prescribed is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country.
>
> Nor has the Convention discovered less prudence in providing for the frequent elections of Senators in such a way as to obviate the inconvenience of periodically transferring these great affairs entirely to new men—for, by leaving a considerable residue of old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.

In the Federalist No. 63 another pertinent statement appears:

> The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions. The mutability in the public councils arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner the necessity of some stable institution in the government.

### SENATE RULES HISTORY

That the framers of the Constitution intended that the Senate be a continuing body is clearly indicated by article II, section 2, of the Constitution, which says:

> The President shall have the power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Note that the reference is to a recess and the next meeting of one and the same Senate, not to appointments which will go to a new Senate. This principle applies to several of its continuing powers, such as treaty-ratifying powers and committee hearings between sessions of Congress; and those closest to the framing of the Constitution applied it to standing rules of procedure of the Senate—a precedent that never has been violated.

Except for a brief interval in the War Between the States, action on Senate rules limiting debate has been taken only three times in the last 152 years. In 1917, Senator Thomas S. Martin, of my own Commonwealth of Virginia, submitted a resolution which became rule XXII, and which remained in force until the Wherry-Hayden amendment was adopted in 1949.

Mr. HILL. Mr. President, at this point will the Senator from Virginia yield?

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). Does the Senator from Virginia yield to the Senator from Alabama?

Mr. ROBERTSON. I yield.

Mr. HILL. Is it not true that the situation in the Senate and in the Congress was very different at the time when rule XXII was established, as compared with the situation today? Is it not true that when rule XXII was established, every other session of Congress died automatically, under the Constitution, on March 4; and is it not also true that it did not then lie within the power of the Senate or the power of the Congress to continue after March 4, when the Congress died automatically, under the Constitution?

Mr. ROBERTSON. That is true. When the Constitution was changed, so as to start the presidential term in January and to have Congress meet—unless a different date was set—on the third day of January, we said we were going to limit the length of time during which Congress would be in session. However, instead of doing that, we extended the time.

The only exception to what my friend has said is this: Under the old rule, there were occasions when the President would call the Senate into special session. For example, that was done by President Woodrow Wilson in 1913.

Mr. HILL. Yes.

Mr. ROBERTSON. My distinguished predecessor, Carter Glass, then a Member of the House, had secured in the House the passage of his bill to create the Federal Reserve System. The House passed the bill, and adjoined sine die. The bill then came to the Senate, and was referred to the Finance Committee, the chairman of which was hostile to the bill. He would not take it up; and the Senate adjourned sine die, without passing it.

President Woodrow Wilson then called the Senate into special session; and the Democrats, being in charge, created a new committee, called the Banking and Currency Committee, and put at its head one of the great statesmen of our Nation, Robert Owen, of Oklahoma, an outstanding authority on all fiscal matters, especially the laws relating to the banking of the Nation.

He organized that committee, and held the hearings. He put that bill through the Senate, during the special session, when the House was not in session. Why? Because the Senate was a continuing body; it never dies. President Wilson—like other Presidents in the past—called the Senate into special session; and it wrote one of the truly great financial acts of our Government, the one creating the Federal Reserve Board, which since then has had charge of the stabilization of our currency, and has affected very greatly the economy of the Nation.

Mr. HILL. Mr. President, will the Senator from Virginia yield again?

Mr. ROBERTSON. I yield.

Mr. HILL. But is it not a fact that now the Senate and the Congress may remain in session as long as they see fit—for month after month—whereas, under the Constitution, before the adoption of the so-called lameduck amendment, every other year the Congress automatically came to an end and automatically adjourned sine die at midnight on March 4?

Mr. ROBERTSON. Yes; the time ran out, and the Senate and the House could no longer remain in session.

Mr. HILL. Yes.

Mr. ROBERTSON. But now we can remain in session as long as we wish. For example, last year we remained here until October 13—much to my disgust; but I could not control that situation.

When we changed the Constitution, believing that we were going to shorten the legislative period of the Congress, we left the point in our discretion. We have not done well in exercising that discretion from the standpoint of expediting action to be taken.

The rules were first changed to place a limitation on debate when we were facing the great war emergency in 1917. President Wilson thought there was an absolute necessity to get prompt action on a bill relating to the merchant marine. It turned out afterwards that he had the power to act anyway.

Two years prior to the 1917 change, the eminent Senator Elihu Root, of New York, delivered a masterful address on the Senate as a continuing body and the wisdom of unlimited debate—February 15, 1915, CONGRESSIONAL RECORD 3793—in which he said:

> The Senate is a continuous body and its rules once adopted continue until they are changed.

The Senator from Kentucky, Mr. James, had asked:

> Shall we be bound by these old dead hands?

Root answered:

> Yes, unless we see fit to change the rule. Nor is it the dead hand alone that binds us; it is the observance and recognition of the rule at every session of the Senate for these 108 years. Bound by the men of a hundred years ago? No; bound by all the great and patriotic and wise and able men who have made the Senate of the United States for that century.
>
> The Senate not a continuing body? Why, sir, what happened here 2 years ago come the 4th of March? It was here in the Senate of the United States you were inducted into office. What happens when Congress adjourns? The House goes out of existence; there is a new House, and until that House is organized the statute says the Senate Committee is the Joint Committee of Congress on the Library. No reorganization is required.

The distinguished Senator from New York added:

> The purpose of rules is to establish a course of conduct which shall be a protection to the minority and preserve them in the performance of their duties against arbitrary repression on the part of the majority. And, sir, there is no right of liberty in a republic more essential and vital than is the preservation and the protection of the minority in the performance of their duty.
>
> Otherwise, sir, why are we here at all? Why should not all of the members of the minority go to their homes?

At the time that Senator Elihu Root was speaking, the Republicans were in the minority. Continuing to read the statement of Senator Root:

> But, sir, if you do that there is an end of representative government; if you do that there is no occasion for the majority. If they destroy the functions of the minority they equally destroy the functions of the majority for they cannot perform the duties of representative government by holding a secret conclave.
>
> Sir, the only protection for this system of government by representation is to be found in these rules.

For the first time in its history the fact that the Senate is a continuing body was officially challenged from the Chair in an opinion of Vice President Nixon delivered in January 1957, in which he said:

> Any provisions of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect.
>
> The Chair emphasizes that this is only his own opinion because under Senate precedents a question of constitutionality can only be decided by the Senate itself. (CONGRESSIONAL RECORD, vol. 103, pt. 1, p. 178).

The Senate did not vote on the point of constitutionality, as the motion to lay on the table the proposal to amend the rules carried.

The Vice President in his statement of January 4, 1957, admitted that there is a great volume of written comment and opinion to the effect that the Senate is a continuing body with continuing rules. He said:

> The constitutional provision under which only one-third of the Senate membership is changed by election in each Congress can only be construed to indicate the intent of the framers that the Senate should be a continuing parliamentary body for at least some purposes.

I underscore that comment.

The Vice President continued:

> By practice for 167 years the rules of the Senate have been continued from one Congress to another.

The Vice President, however, then stated that the provision of the Constitution that each House may determine the rules of its proceedings bothered him and he said that section 3 of rule XXII was unconstitutional. With this I disagree. It is a refutation of the traditional concept of the continuity of the Senate, a refutation of the clear intent of the framers of the Constitution that the Senate be a continuing body, not for some purposes as claimed by the Vice President, but for all purposes. As a continuing body we have adopted rules of procedure to fit our unique legislative functions. Those rules are constitutional and they are binding on us today.

The 1957 advisory opinion of Vice President Nixon to the effect that the Senate is not a continuing body was delivered for the obvious purpose of facilitating the adoption of new Senate rules in order to promote passage of civil rights legislation, but the effect then and the effect today would be to undermine and ultimately destroy the powers of the Senate to protect State sovereignty and personal liberty.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HILL. Is it not true that in protecting the sovereignty of the States and States' rights the great impelling thought and concern of the Founding Fathers who wrote the Constitution was what the Senator said about the personal rights and liberties of individual citizens?

Mr. ROBERTSON. Absolutely. As I shall point out later in my discussion, in Virginia, New York, and North Carolina, questions were raised as to whether the rights of individual citizens were being impinged by the Constitution. Patrick Henry said that the proposed Constitution wiped out the right of trial by jury, freedom of the press, and gave to the Federal Government the power of the sword and the purse. He stated also that freedom has never been preserved when we have given up those two things.

To get the Constitution ratified what did the Founding Fathers have to do? They had to propose 10 amendments. They had to insert in the Constitution everything that Patrick Henry accused them of having omitted, including freedom of speech and the press and religion, in the first amendment, and the right of trial by jury in the seventh amendment. The ninth amendment provided:

> The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

The 10th amendment provided:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

All those provisions had to be included in the Constitution. The Senator from Alabama is correct. The Senate was created not alone to protect States rights.

Many people have said, "When you talk about civil rights you are talking about only the racial issue."

We are talking about personal liberties now. We should stop talking about States rights. That is what the fight was about in 1861. The States had a right to secede. There was not any doubt about that. A member of Lincoln's Cabinet said, "Why not let those five States go?" and it was said, "We cannot afford the economic loss."

There was an organization in Massachusetts called the Abolitionists. They merged with the Republican Party, and later they were called the "black Republicans." That is how they started. What did they want to do? When Virginia wanted to abolish slavery in the Constitution, Massachusetts said, "We will walk out if you insist on that." Why? They were hauling slaves. It was a pretty good business.

Then the Abolitionists came along. What did they say about the slave issue? They said, "The only way to do is to fight them." What did they adopt as their theme song? It was one which related the killing of southern slave owners with the death of Christ on the cross—"as he died to make men holy let us die to make men free—so come on boys, let's go down south and kill them off."

That was States rights. We do not want to talk now about States rights. Let us talk about personal freedom, because that is what is really involved.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. TOWER. Does not the Senator agree that it was the intent of the framers of the Constitution to provide for the protection of minority rights? Did not the great gentleman from the fine State of Virginia, Thomas Jefferson, once say that the will of the majority is in all cases to prevail, but that will, to be right, must be reasonable?

Mr. ROBERTSON. That is correct; he certainly did. He also said:

> In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

We thought we had them bound, but they are getting loose every day. The Supreme Court takes the 14th amendment as an excuse to override any State law it pleases. The Court nullified a law only yesterday—a Virginia law, which related to whether an organization could set itself up and urge people to litigate and say, "Come to us; we will furnish some of the money and counsel for the case."

White southern lawyers have never tolerated that at all. Virginia passed a law that the NAACP could not do it. I give thanks to two or three justices who did not go along.

But they use the 14th amendment, and out goes any law that a majority of the Supreme Court does not like.

When it comes to the question of spending, the Supreme Court has held that Congress can spend anything it pleases, and all it has to do is to say by implication or in the debate that the general welfare is involved; and then it is said, "Mister, there are no limitations and no restraints on what to spend for."

The President can even issue an edict. He provided a "little FEPC" for all Government contracts and put $520,000 in the last budget, spread over 11 departmental bills, to enforce it. We turned down the FEPC proposals in the Congress and refused to adopt racial amendments in housing legislation, yet last fall the President issued the edict that there cannot be any segregation in FHA, VA, public, and urban renewal housing.

A lot of people are not content with that. They want him to go further and say, "If the Government insures an account in a bank or a savings and loan association, there is enough control to tell the man who borrows from that institution to whom he can sell." They want him to issue another edict and bring these matters under Federal control.

I am pointing out how we are eroding the Constitution, pulling out first one cornerstone and then another. This is one of the processes of doing it.

As I point out, had it not been for the agreement that there would be two branches of the Congress—one elected by the people every 2 years, responsive immediately to popular clamor; the other a continuing body, in which the little State of Delaware would now have an equal vote with the great States of Texas and New York—there would not have been any union. We would not have had it.

That was known as the great compromise. That is what is at stake now. It was difficult to effectuate that purpose of the equality of the treatment of States and of the people dependent upon the States for the preservation of their personal freedom. Therefore, first, the Senate was made a continuing body and, second, the rules of debate were made very reasonable, so that if a Senator felt a conviction that the interest of his constituency, however small it might be out of the total, was involved, he could stand on the Senate floor and adequately explain the problem.

That was known as the great compromise.

### VIEWS ON CONTINUITY A CENTURY AGO

Some of the most direct statements on the Senate being a continuing body were made in 1841 in the controversy over the Senate printers. The Senate in the 26th Congress had elected printers on February 20, 1841, as its printers for the succeeding Congress. On March 4 of that year the political complexion of the Senate changed. The Senate organized by reelecting its President pro tempore and sat in special session until March 14.

Again I mention the fact that the Senate sat in special session. The House had adjourned sine die and was not in session after March 4. The Senate sat in special session because the Senate is a continuing body.

On March 4 a resolution was introduced to dismiss the printers. Irrespective of the Senate's right to dismiss printers for cause, contractual or otherwise, the debate involved as a collateral issue the continuous nature of the Senate. Some even stated that the next Senate would be a new Senate, to which Senator Allen of Ohio replied, according to the Congressional Globe, as follows:

> And as to the assertion that this was a new Senate, he denied the fact. The argument so much relied on this discussion and on which so much logic and reasoning had been wasted in opposition to these printers was untrue. There was no such thing as a new Senate known to the Constitution of this Republic. They might as well speak of a new Supreme Court as of a new Senate. There was a new House of Representatives. But not so the Senate. The Constitution replenishes that body every 2 years by the election of a class of Senators, and thereby gives eternity to the duration of the body. There was no new, nor was there any old Senate.

On March 8, 1841, Senator Buchanan, of Pennsylvania, later President of the United States, made a most pertinent statement, which was summarized in the Globe as follows:

> There could be no new Senate. This was the very same body, constitutionally and in point of law, which had assembled on the first day of its meeting in 1789. It has existed without any intermission from that day until the present moment, and would continue to exist as long as the Government should endure. It was emphatically a permanent body. Its rules were permanent and were not adopted from Congress to Congress like those of the House of Representatives. For many years after the commencement of the Government its Secretary was a permanent officer, though our rules now require that he should be elected at stated intervals. The Senate always had a President, and there were always two-thirds of its actual members in existence, and generally a much greater number. It would be useless to labor this question. Every writer, without exception, who had treated on the subject had declared the Senate to be a permanent body. It never dies; and it was the sheet anchor of the Constitution on account of its permanency. Senators were thus deprived of the poor apology that one Senate had no right to bind its successors. (Congressional Globe, 26th Cong., 2d sess., V. 9, p. 240.)

It may be noted in this controversy in which the printers were ultimately dismissed, that Senator Henry Clay, of Kentucky, although he personally was in favor of limiting debate at times as opposed to John C. Calhoun, who was a forceful and outspoken proponent of unlimited debate, voted to dismiss the printers but argued that the Senate was a continuing body. On this the Legislative Reference Division, Library of Congress, in commenting on the Congressional Globe of March 11, 1841, stated:

> But a vote to dismiss its printers was not necessarily a vote that the Senate was discontinuous. One of the Senators who advocated and voted for the dismissal, Henry Clay, of Kentucky, agreed with the opposition that the Senate was everlasting. And if the proponents of the discontinuity view were, in fact, more numerous than its opponents the reports in the Congressional Globe—wholly fail to indicate it. ("Senate Rules and the Senate as a Continuing Body," Doc. No. 4, 83d Cong., 1st sess., p. 31 appendix.)

### OTHER ILLUSTRATIONS OF CONTINUITY

There are four fields that warrant special attention as illustrating the continuing nature of the Senate. These are first, officers of the Senate; second, Senate committees; third, the Senate as an executive body; and fourth, the treaty ratifying power.

Officers of the Senate serve no stated term of office. They serve until their successors are selected. Benjamin Harrison, former President of the United States and U.S. Senator, pointed this out in his book entitled "This Country of Ours," page 51. George H. Haynes in "The Senate of the United States," volume 1, page 261 points out the same thing as an illustration of the continuing nature of the Senate. Senator Anthony on March 24, 1879, while the Senate was in the process of replacing some of its officers with others along purely political lines, observed:

> The Senate never dies. The same which it was when it met in 1789, it is now, and has held continuous and unbroken existence ever since. Its officers have naturally partaken of its permanent character. Its elective officers are chosen not for a definite period, but during the pleasure of the Senate (CONGRESSIONAL RECORD, vol. 9, pt. 1, p. 147).

With respect to the President pro tempore of the Senate, there have been several significant expressions regarding the continuing nature of the Senate applying to that office. In Senate Report No. 3, 44th Congress, 1st session, page 2, dated January 10, 1876, the Committee on Privileges and Elections made a survey of the customary procedure regarding the office of President pro tempore. It cited 49 instances where the office held over after the first recess and only 4 where it did not. The report also stated:

> The custom of the Vice President to vacate the chair before the close of a session to enable the Senate to choose a President pro tempore did not begin until after the passage of the act of March 1, 1792, and was obviously instituted to met the contingency contemplated in the act by providing a President pro tempore of the Senate during the vacations of that body. the Senate in contemplation of law is a perpetual body, and the officers of the Senate are as much its officers during its vacations as during its sessions.

A resolution providing that the tenure of office of President pro tempore of the Senate does not expire at the meeting of Congress after the first recess, the Vice President not having appeared to take the chair, was unanimously adopted January 10, 1876—CONGRESSIONAL RECORD, volume 4, page 316. Senator Merriman made the following statement:

> I want to emphasize the matter. This resolution is adopted unanimously. It is a resolution that affects the organization of the body for all time to come and establishes a precedent.

Two days later the Senate adopted a resolution stating:

> The office of President pro tempore is held at the pleasure of the Senate (CONGRESSIONAL RECORD, Jan. 12, 1876, pp. 360–373).

On March 2, 1891, Senator Charles F. Manderson was elected President pro tempore to hold office during the pleasure of the Senate in accordance with the resolution of March 12, 1890—CONGRESSIONAL RECORD, volume 22, page 3637—with the intention, apparently, that his office would continue over into the following Congress. Subsequent Presidents pro tempore were regularly elected with reference to this same resolution. Numerous instances in history are cited in Gilfry's compilation "President of the Senate Pro Tempore" of those officers holding over from one Congress to the next.

I call attention to what recently happened in this body. On the first day of the session the most senior Member of this body was sworn in. I refer to Senator HAYDEN. He had been President pro tempore, but when his senatorial term expired, his office as President pro tempore also expired. So we had to reelect him as President pro tempore, since he had been reelected as a Senator. Do Senators think we are going to have to reelect him 2 years from now, or 4 years from now? Of course not. He will hold that office—and God grant that he lives—for the next 6 years. Why? Because the Senate is a continuing body, and when we elect a President pro tempore, his appointment does not die; he remains as President pro tempore, provided he does not die—and God grant that he will not.

The event of Senator HAYDEN's reelection should be fresh in the memory of every Senator. It cannot be argued against. We know how the procedure operates. Senators who were sworn in at the time Senator HAYDEN was 6 years ago know he was elected as President pro tempore, and that he has held that office for the past 6 years. He had to be reelected again. He will hold that office for another 6 years, or as long as he stays in the Senate, which I hope will be a long time.

It is a well-accepted custom that the Senate can and does order investigations, interim reports, final reports, and recommendations by its committees, without reference to the ending of one Congress or the beginning of another. Even when there is some change in the composition of the committee membership, this procedure is not affected.

I wish to call attention to the recent investigation of stockpiling between sessions of Congress. Every now and then I picked up the newspaper and learned that our distinguished colleague from Missouri [Mr. SYMINGTON] was functioning. He had found a surplus here or a surplus there, and a little touch of skulduggery, or what have you. The committee was a committee of the Senate, which never dies, so the Senator was able to continue and to complete his investigation before the new session of the 88th Congress commenced.

While the House has no such rule, the Senate has provided by rule XXV that all standing committees continue until their successors are appointed. Haynes in his treatise on "The United States Senate" not only recognizes this point but attributes the growth of Senate committee activity to it. He states, page 551:

> But increasingly, beginning with the last quarter of the 19th century, the House has seemed to be relinquishing such activities, while the Senate has been greatly expanding its exercise of the investigative function in the number, variety, and importance of its inquiries. The explanation of this remarkable shift is to be found in the contrast between the rules and procedure of the House and of the Senate.

The functions of the Senate for various executive rather than purely legislative purposes offer further arguments on behalf of continuity. The Constitution gives the Senate prerogatives in giving or withholding "advice and consent" to certain Presidential appointments and with respect to treatymaking. Prior to enactment in 1933 of the 20th amendment to the Constitution, which, among other things, abolished the so-called lame-duck sessions of the Congress and which advanced the commencement of the Presidential term from March 4 to January 20, many special sessions of the Senate as distinguished from special sessions of the Congress were convened for executive purposes.

In that connection, I have already called attention to the special session in 1913, which created the Banking and Currency Committee and put through the great Federal Reserve Act.

It is appropriate to note that, while executive nominations not disposed of in the Senate die with the Congress in which they are submitted, treaties transmitted to the Senate for ratification do not so die. Rule XXXVII of the Senate provides that all proceedings on treaties shall terminate with the Congress, but that they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon. Thus, unless withdrawn by the President, or failing from lapse of time, a treaty continues to be live matter and, as such, continues as pending in the Senate.

### CONTINUITY AS A MATTER OF LAW

Now, Mr. President, I am not unmindful of the fact that the Senate can resolve this issue as it pleases. It can close its eyes to the clear meaning of the Constitution and precedents in support thereof and its ears to all arguments as to what is best for the preservation of our democratic institution. But since many of my colleagues proclaim court decisions as the law of the land I take pleasure in citing two Supreme Court decisions that hold that the Senate is a continuing body.

In *McGrain* v. *Dougherty* (273 U.S. 135, 180–182) the Court stated:

> The rule may be the same with the House of Representatives, whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.
>
> Mr. Hinds in his collection of precedents says "the Senate as a continuing body may continue its committees through the recess following the expiration of Congress" and after quoting the above statement of Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of Congress." This being so, the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense (see also Hinds' Precedents, vol. 4, secs. 4396, 4400, 4404, 4405).

The Supreme Court reiterated the doctrine of McGrain against Dougherty in the case of *Sinclair* v. *U.S.* (279 U.S. 263, 295–296 (1928)). A witness at a Senate committee hearing refused to answer a question on the grounds that the investigation and the question were unauthorized. He was prosecuted for contempt and convicted. The appeal involved the point that Congress was not in session. The Court quoted the resolution of the Senate authorizing the committee to sit after the expiration of the then current Congress and until otherwise ordered by the Senate, and stated:

> The sole purpose was to authorize the committee to carry on the inquiry. It would be quite unreasonable if not indeed absurd for the Senate to direct investigation by the committee and to allow its power to summon and swear witnesses to lapse.

The conviction was affirmed. Since the continuing nature of the Senate was a necessary point in the appeal, this case is a holding by the Court that the Senate is a continuing body. The reference thus is not merely dictum.

Both of these Supreme Court cases have been cited in numerous Federal decisions. For example, the McGrain case was cited in *Merford* v. *U.S.* (176 F. 2d 54 (D.C. 1949)) to show that the basic intent of Congress in establishing committees must be followed and in *Barsh* v. *U.S.* (167 F. 2d 241 (D.C. 1948)) on the point of a question being authorized as within the powers of a committee. The Sinclair case appears frequently in Federal citations such as in *U.S.* v. *Josephson* (165 F. 2d 82 (2d Cir. 1948)) on the point of the courts turning to congressional practice to show congressional intent. The Sinclair case, citing the McGrain case, settled the issue of Senate continuity insofar as the Supreme Court is concerned.

An analogous decision is to be found in a State court. In the New York case of *People ex rel Lazarus* v. *Coleman* (91 N.Y.S. 432, 433, 99 App. Div. 88), the question was on a writ of mandamus running against a governmental board for a wrong done by a previous board. The terms of office of board members expired at different times somewhat analogous to the U.S. Senate. The Court held that it was a continuing body and allowed the writ. The Court stated:

> The terms of office expire at different times. It is therefore a continuing body and a writ of mandamus running against the board to reinstate the relator would accomplish that result whether the board was composed of the same persons who passed the resolution resulting in his dismissal or not.

The same principle involved in this case has been upheld in the Supreme Court of the United States in the case of *Thompson* v. *U.S.* (103 U.S. 480 26 L. Ed. 521).

The legal approach and the Court decision I have cited may be summarized as follows:

First. The Constitution provides that two-thirds of the Members of the Senate shall be continuous at all times in their tenure of office, and that the President shall have power to fill vacancies "during the recess of the Senate."

That language is from the Constitution.

Second. The Senate is more than an upper House as the terms upper and lower Houses are often used historically or parenthetically. The Senate at law is assigned definite and distinct duties and prerogatives:

(a) It has the sole power to try all impeachments.

(b) It has the power to give or withhold advice and consent in the making of treaties and the nomination and appointment of ambassadors, judges of the Supreme Court, and certain officers of the executive branch of the Government.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to my distinguished colleague from Alabama.

Mr. HILL. In the instances cited by the Senator it is necessary to have a two-thirds vote, is it not?

Mr. ROBERTSON. Absolutely, as to treaties. It is foolish to say that anything other than a bare majority is not democratic. It is not possible to convict a person who is impeached without a two-thirds vote. It is not possible to ratify a treaty without a two-thirds vote. It is not possible to override a presidential veto without a two-thirds vote. We have that provision in a number of instances, and it is just as democratic as a majority vote, because it is all intended for the protection of the principle of liberty. For what other purpose is Government organized than for the protection of the interest of the individual?

Mr. HILL. When an amendment is proposed to the Constitution, the vote must be by a two-thirds vote in both Houses of Congress. Is that not correct?

Mr. ROBERTSON. Certainly. Then, how is the constitutional amendment adopted?

Mr. HILL. By three-fourths of the States, usually in both Houses of the 50 States.

Mr. ROBERTSON. The Senator is correct. I return now to the powers of the Senate.

(c) With the exception of bills for raising revenue, in which it may propose or concur with amendments, it may originate legislation.

Third. The Senate may constitute committees with duties and powers to operate continuously or for times certain irrespective of the beginnings or endings of the terms of Congress. This point has been litigated in the courts and the continuing nature of committees of the Senate has been clearly recognized. If it were not such a body itself, its committees could not be continuous.

Fourth. There are definitions at law of what is continuous which by comparison apply to the factual position of the Senate. In cases where courts have had jurisdiction over governmental bodies composed of members elected or appointed at different times on a successive basis such bodies at law have been held to be continuing bodies.

I submit that by all legal, factual, and traditional standards the Senate of the United States is a continuing body.

I submit, Mr. President, that by all the legal, factual, and traditional standards, the Senate of the United States is a continuing body.

Mr. President, time has fixed the true character of our Government—a Federal Union of sovereign States, with a Senate as a continuing body. How pertinent to the proposal to abandon that time-tested principle are these words from George Washington's Farewell Address:

> In all the changes to which you may be invited remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion.

If my distinguished colleagues agree with my contention that the Senate is a continuing body, and I cannot see how they can successfully refute that statement, it necessarily follows that each time a new Congress convenes, the Senate opens with all of the Senate rules of the previous Congress and not with all of them, as some would seek to contend, except rule 22, the cloture rule, which some Members now seek to amend and rule 32, which specifically provides that all rules are carried forward from one Congress to the next, which some Senators now seek to completely ignore.

Those who now seek to nullify the clear provisions of rule 32 in order to get immediate action by a majority vote on changing rule 22, make the specious claim that any rule that prohibits a new Congress from fixing its own rules is unconstitutional. In that behalf they cite paragraph 2 of section 5 of article I, which provides:

> Each House may determine the rules of its proceedings * * *.

As our distinguished leader from Georgia [Mr. RUSSELL] has repeatedly pointed out, that constitutional provision gives us absolute power—absolute power—to determine our own rules. No court can take it away from us. No Presiding Officer can take it away from us. We have the power to do this, and we have exercised it in numerous ways throughout our book of rules, laid down first by that great Virginian, Thomas Jefferson, when, as Vice President and Presiding Officer, he felt it necessary to formulate some rules for the guidance of this distinguished body. We have had them ever since. Whenever we wish to amend them, we can amend them. We can provide in those instances other than when the Constitution requires a two-thirds majority—for the ratification of treaties, the impeachment of Members, and so forth—that a majority can do anything it pleases, if that is what we wish to do.

The clear and only logical interpretation of the constitutional provision that "each House may determine its rules of its proceedings" is that the Senate not only has the power to limit debate but to fix that limitation at any figure it sees fit. At one time, the figure was two-thirds of the membership; then it was two-thirds of those present and voting, but it did not apply to a motion to take up; and now, it is two-thirds of those present and voting and applies to motions to take up as well as to bills and resolutions. Of course, the Senate has the power, as I already have said, to amend rule 22 to authorize a simple majority of those present and voting to impose cloture. But such a change must be made in accordance with the provisions which apply to all changes in Senate rules. And, as indicated, those rules do not violate the constitutional rights of any Member. On the contrary, they are expressly designed to protect constitutional rights, as I shall proceed to point out in discussing the desirability of continuing rule 22 as it is now framed.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. First I wish to compliment the distinguished Senator from Virginia on his very able speech.

Mr. ROBERTSON. I appreciate the Senator's statement.

Mr. RUSSELL. Then I wish to ask him whether this effort to amend the rules in the manner suggested is not in flagrant violation of the committee system of the Senate of the United States. The Senator well knows that we must depend on our committees, because they are the incubators of the hatched legislation that is brought before the Senate and which the Senate considers.

The purpose, in this case, apparently is to avoid any hearings before a committee and to deny all of the 180 million people of this Nation the right to present their views to a committee of Congress. This goes to the right of petition, and it goes to the very vitals of a democratic form of government.

That is one reason why we oppose this procedure and this proposition so vigorously. We do so not only because it would institute a gag rule in the Senate of the United States, and enable a mere majority to silence opposition and preclude Senators from speaking, but also because it absolutely ignores and scorns the committee system.

Our friends argue, "Oh, every new Senator should have a right to vote on these rules." At the same time they would deny all new citizens of the United States the right to present their views to the appropriate committee of the Senate.

In this case the chairman of the Committee on Rules and Administration is the distinguished majority leader. Certainly he cannot be considered a partisan of our cause.

Here, in the name of making rules, they flout the basic rule of the Senate, that in all matters of importance the subject should first be heard by a committee, before which the people of the country may appear to state their views, and where the committee itself could give detailed study to all the facets and the impact of the change that is sought to be made. They would bring the matter to the floor of the Senate and say, "We have all these pressure groups behind us, we have these people who contributed to political campaigns behind us. We have these large blocs of voters behind us, and we will ram this through the Senate without permitting a committee of the Senate to have the opportunities even of reviewing it, or putting it in the bosom of a committee for even as long as 5 minutes."

Mr. ROBERTSON. The distinguished Senator from Georgia could not be more correct; and he illustrated the point he makes very strikingly yesterday. He said if we do not have any reference to committee for the development of testimony, to let the country know and let the press print who says what, some Senator, who did not like the way the Department of Commerce was functioning, could offer a resolution to abolish the Committee on Commerce, and ask for the immediate consideration of the resolution; and "bang," with a vote of 51 Senators, out would go the committee.

Let us put it this way: Likely bills will be offered to make it illegal for labor unions to strike when such a strike would imperil either the health or the safety of the Nation. If some partisan of organized labor did not want such bills to be considered, he might propose that the Committee on the Judiciary or the Committee on Labor and Public Welfare—whichever committee might be concerned with the proposed legislation—be abolished, so that the Senate could not act on the proposed legislation, and the Senate might act to abolish the committee before anyone could say "Scat."

Mr. RUSSELL. Such a Senator would stand in very great danger of suffering the fate of Haman, who was hanged on the gallows which was constructed for Mordecai, because the ebb and flow of public opinion in this country has been marked since the very beginning.

It is sometimes at the extreme on one side, and sometimes the extreme on the other side. The pendulum swings from side to side.

We talk about the French being a volatile people. I dare say we are more volatile than the French. A labor leader who might be in favor of jamming a proposal through Congress without benefit of hearings might become the victim of a bypassing of committees and of the enactment of bills which would be detrimental to the fundamental rights of organized labor.

Mr. ROBERTSON. I endorse the Senator's statement. I am glad he mentioned the scaffold on which Mordecai was to have been hanged. It was a little higher than the ceiling of the Senate Chamber. He was to have been hanged so high that everybody could see him dangling there. But the man who framed that exhibition became the one who was hanged there. But the same major figure in that drama of the Jewish people—and they were going to destroy them all—gives me hope that those of us who stand on the Senate floor today, seeking to preserve the fundamental rules of the Senate, for the preservation not only of States rights in the broad sense, but also of what Webster called American constitutional liberty, may come within the category of what Mordecai said to the beautiful Esther.

> And who knoweth whether thou art come to the kingdom for such a time as this?

I appreciate very much the emphasis which the distinguished parliamentarian, the Senator from Georgia, has given to the importance to the American people of the issue presented to us.

Mr. CLARK. Mr. President, will the Senator from Virginia yield for a question?

Mr. ROBERTSON. I yield to the distinguished Senator from Pennsylvania for a question.

Mr. CLARK. I wish to be quite candid with the Senator. I had intended before the close of the morning hour to send to the desk the same 12 proposed changes in the rules of the Senate which I offered last year, and a motion to amend rule VII, which I believe is in accordance with the procedure. It is now clear that I will not be able to get the floor before 2 o'clock in order to do that.

Mr. ROBERTSON. No; it will be a good deal later than 2 o'clock.

Mr. CLARK. I will not have an opportunity to do this except by unanimous consent. I wondered whether the Senator from Virginia and the Senator from Georgia would permit me to submit these proposals.

Mr. ROBERTSON. If the Senator's friend from Georgia does not object, his friend from Virginia will not object.

Mr. RUSSELL. If it can be shown that the procedure will pursue the normal parliamentary course and that the submitting of the proposals will in no way jeopardize the right of the Senator from Virginia to the floor, I shall certainly have no objection.

Mr. CLARK. I thank the Senator from Georgia. I would make this modification: I do not know whether this statement will affect the Senator's view or not.

Two years ago, when I followed a similar procedure, I reserved the right to have the proposals referred to the Committee on Rules and Administration after rule XXII had been disposed of. I did not exercise that right then, and I do not propose to do so this year. I do not think these proposals would presently be referred to committee. But if the Senator from Georgia insisted, I would have to make that request.

Mr. RUSSELL. I was of the opinion that the proposed changes would be referred to committee. I looked at some of the hearings before the committee, which went into the proposals of the Senator from Pennsylvania at some length, and found that one of his resolutions was reported favorably and adopted. So in one respect the rules were amended by a proposal of the Senator from Pennsylvania.

Mr. CLARK. They were amended finally, but not until after I had been recognized and asked that the proposals be referred at the conclusion of the unsuccessful effort to change rule XXII.

Mr. RUSSELL. I think the Senator from Pennsylvania would really expedite action on his proposals if he had them referred to committee, because I am of the opinion that the fact that the resolution under consideration has not been referred to committee—the resolution now pending—will mean that this question will be debated by the Senate for a long time, because we are sitting now really as a committee of the whole—100 Senators. We cannot hear testimony from witnesses; we can hear testimony only from Senators—and they are all partisan on this question, one one side or the other.

Really, I think the Senator from Pennsylvania would expedite action on his various resolutions to amend the rules if they were referred to the Committee on Rules and Administration, because it will be some time before the consideration of a change in rule XXII is out of the way.

Mr. CLARK. Let me see if the Senator from Georgia would have any objection to this request:

Mr. President, I send to the desk for appropriate referral 12 proposed changes in the rules of the Senate, together with a motion to amend rule VII. It is my intention to move at an appropriate time for the adoption of these rules.

Mr. RUSSELL. The Senator from Pennsylvania, then, is asking that all of his proposals, save one, be referred to committee?

Mr. CLARK. No; I send them to the desk for appropriate referral. I suppose they will be referred.

Mr. RUSSELL. The Senator can always submit them, if he wishes to follow this procedure. He can offer one on the next day in identical language with the one before the committee. I think it would be wise to refer all the proposed resolutions to committee.

Mr. CLARK. Mr. President, in light of this colloquy, is there any objection to my sending forward the resolutions and motion?

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CLARK. Mr. President, I send to the desk the resolutions and motion.

Mr. ROBERTSON. Mr. President, it was of the essence of what has sometimes been called the great compromise; namely, one body of Congress to be selected on a population basis, and the other on a basis in which small States would have equal representation with the largest, that the latter body, the Senate, was to afford protection to the rights of sovereign States, however small. To afford that protection, far more freedom of debate was to be exercised by Members of the Senate than could be allowed to Members of the House. Even the built-in checks and balances of the original Constitution designed to protect the rights of sovereign States and the liberty of the people would not have been sufficient to secure ratification but for assurances given by two outstanding advocates of the Constitution, Madison of Virginia and Hamilton of New York, that amendments would be adopted to meet the criticism leveled against the Constitution by Patrick Henry in Virginia and political leaders in both New York and North Carolina. In Virginia, Patrick Henry charged that as framed, the Constitution would destroy the freedom of the press, trial by jury, and that by concentrating financial and physical powers in the Central Government, the States would ultimately be crushed. Before concluding these remarks, I shall give the exact words used by Patrick Henry to indicate the extent to which his dire prophecy has been fulfilled by the action of all branches of our Government in assuming power not delegated by the Constitution. I also shall point out what a farce we have made of the 10th amendment in connection with which Madison and others emphasized the fact that the rights of the States and the liberty of the people had been fully safeguarded.

In my opinion, Mr. President, we may have been saved from a purely socialistic government, and perhaps a dictatorship, by reason of the protection of the rights of minorities afforded by the Senate as a deliberative body.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The Senator from Virginia will suspend.

The morning hour having expired, the resolution under consideration goes to the calendar, under the precedents of the Senate.

The Senator from Virginia is recognized.

Mr. ANDERSON. Mr. President, since the resolution is my resolution, I wish to move the adoption of the resolution.

Mr. JAVITS. Mr. President, let me inquire whether the Senator from Virginia will yield long enough to permit me to make a brief statement or to allow a motion to consider the resolution to be made.

Mr. ROBERTSON. I do not know what the Senator from New York means by "a brief statement." I am making a "brief" speech, but it will take 2 hours.

Mr. JAVITS. Mr. President, if the Senator from Virginia will yield briefly to me, I shall explain the situation we face at the moment.

Mr. ROBERTSON. Very well; I yield.

Mr. JAVITS. Now that the Anderson resolution has gone to the calendar, the Senator from New Mexico or any other Senator can move to make it the pending business. I had in mind making clear why a point of order is not being made now against sending the resolution to the calendar—so that matter will be stated on the RECORD, so there can be no question as to what is the concept of their rights of those who entertain the view I entertain. That is the purpose in both cases—both to move the consideration of the resolution and to make a brief statement.

Mr. ROBERTSON. Someone recently told me that if I were named chairman of the Defense Subcommittee of the Senate Appropriations Committee and successfully handled a $50 billion budget, I would be entitled to the rank of field marshal. But the highest rank I ever held in World War I was that of major in the Army and I am serving on the team led by the distinguished Senator from Georgia [Mr. RUSSELL]. He is my general; and, therefore, I now yield to him.

Mr. RUSSELL. Mr. President, the statement of the Senator from Virginia about my having the rank of general makes me feel both grateful and humble. However, I should point out that the highest rank I ever held was that of apprentice seaman. [Laughter.]

Mr. JAVITS. If the Senator will yield, Mr. President, let me say that I was a lieutenant colonel.

Mr. RUSSELL. Mr. President, I suppose we had better terminate the references to military rank, before any orders are given.

But if I may reply to the Senator from Virginia, let me say that if motions are to be made, I would prefer that they be made after the delivery of appropriate remarks. However, if such a motion is to be made, I believe the Senator from New Mexico [Mr. ANDERSON] would be the appropriate one to make it. I am perfectly willing to have the Senator from Virginia yield for that purpose, if he will stipulate that in that connection he will not lose his right to the floor.

Mr. ROBERTSON. Very well, Mr. President; under that understanding I yield for that purpose to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is yielded to.

Mr. ANDERSON. Mr. President, I appreciate very much the courtesy of the Senator from Virginia in yielding to me; and in that connection I ask that no rights of Senators be in any way jeopardized.

I now move that the Senate consider my resolution.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico that the Senate proceed to the consideration of his resolution.

Mr. JAVITS. Mr. President——

Mr. ROBERTSON. Mr. President, I yield to the Senator from New York on the same basis, and for the same length of time.

Mr. JAVITS. Mr. President, I merely wish to state that in not making a point of order against the procedure adopted by the Chair, it should be made clear that the Senate rule with respect to limitation of debate; namely, rule XXI, itself is not being acceded to; and notwithstanding the fact that the rules are now being followed, the point will be made that the rules for closing debate on the question of whether this resolution will be considered are rules which the Chair will have to apply—so we shall contend—under the Constitution of the United States, not under the rules of the Senate; and we do not consider ourselves prejudiced by the procedure now being pursued, because it does not inhibit the pursuance of the fundamental rights of the majority to change the rules, uninhibited by rule XXII.

Mr. RUSSELL. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. Mr. President, I am intrigued by the constant repetition by those who, we charge, are trying to gag the Senate, that they are following the rules meticulously, except that when it pleases them they will disagree with rule XXII, and will move to bring debate to a close in some fashion unknown to the Senate, although they say that all the rest of the rules prevail. That is a most extraordinary situation.

What would happen in a community if one of its residents were to say, "I believe in every ordinance in this town, and I will do everything I can to see that not one of them is violated, and I will report on any of my neighbors who violates one of them. But I do not like the ordinance which makes the street in front of my house a one-way street, and I am going to drive down this street in either direction, 'hell for leather,' despite the ordinance which makes it a one-way street and prohibits one from going the other way on it."

Mr. President, that is the position in which the proponents of this resolution find themselves. They say they are following the rules, and they say the rules are fine, except for rules XXII and XXXII. But they say they do not like rules XXII and XXXII, and say that therefore they will disregard them, and will cast them aside—in a manner absolutely unknown to the precedents of the Senate.

Mr. ANDERSON. Mr. President, will the Senator from Virginia yield to me, in order to permit me to make a statement?

Mr. ROBERTSON. Well, Mr. President, let me point out that Senators will have from now until Lincoln's Birthday, when we will recess to celebrate the fact that Lincoln preserved the Union and then we will start the fight over again to dismember it. So there will be plenty of time. However, I yield now to the Senator from New Mexico.

Mr. ANDERSON. I thank the Senator from Virginia.

Mr. President, I wish to point out that we are willing to abide by all the rules of the Senate which we believe to be constitutional; but we do not wish to abide by rules which are not constitutional.

Mr. RUSSELL. And, Mr. President, it seems that the Senator from New Mexico constitutes himself the judge as to which are constitutional.

Mr. ANDERSON. No; but I reserve the right to vote on the question of constitutionality, because clearly such constitutional questions can be submitted to the Senate. And on that question, I intend to vote.

Mr. RUSSELL. Yes; and the citizen to whom I referred might have said the one-way street ordinance was unconstitutional. However, it was written into the ordinances of that town, and could have been changed only in the manner prescribed, at the meeting of the aldermen.

Here we have all the "aldermen" in session; and our opponents say, "All the rules are fine except the ones with which we disagree; and in our effort to gag the Senate by simple majority vote and in our effort to make the Senate a mere appendage of the House of Representatives and to make the Senate the equivalent of the British House of Lords—a body with a noble title, but with no authority—we say all these rules are good, except this one; and it is unconstitutional and vicious, and we will not follow that rule."

Mr. President, regardless of the way in which their argument is dressed up, that certainly is the stand taken by the Senator from New Mexico and his associates.

Mr. CASE. Mr. President, will the Senator from Virginia be willing to yield to me?

Mr. ROBERTSON. Mr. President, I have been asked to yield by a Senator who comes from a State that is proposing to do high honor to a great Virginian, Woodrow Wilson. Because I would not wish to appear to discriminate against a Senator from a State that is going to honor Woodrow Wilson, I yield to the Senator from New Jersey.

Mr. CASE. I thank the Senator from Virginia. I wish to propound a parliamentary inquiry. The Senator has referred to the great Woodrow Wilson; and in that connection I honor the great Senator from Virgina, who himself is a member of the New Jersey Tercentenary Celebration Commission this year. We look to him in our effort to secure a little money with which to make it a viable one, and I know he will cooperate in that connection.

Mr. President, my parliamentary inquiry is as follows: Is it a fact that the pending business of the Senate is now the motion to take up Senate Resolution 9, and that that will remain the pending business until it is displaced by action taken by the Senate?

The PRESIDING OFFICER. The question is on the motion to proceed to consider the resolution.

Mr. CASE. Mr. President, that was the first part of my question. The second part of my question is as follows: Will the motion remain the pending business until displaced by action of the Senate?

The PRESIDING OFFICER. If the Senate adjourns tonight without having taken any action on the motion, the motion will die. It will have to be taken up anew.

Mr. CASE. It will not continue beyond the legislative day?

Mr. JAVITS. Not if the Senate adjourns.

The PRESIDING OFFICER. Not the pending motion; but the motion can be renewed.

Mr. CASE. A recess would not have that effect?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE. I thank the Presiding Officer.

Mr. ROBERTSON. Mr. President, the danger to the preservation of constitutional liberty of a change in procedure which would erode and threaten to destroy the function of the Senate as a deliberative body should be recognized by all thinking persons as outweighing temporary advantages which partisans would gain in obtaining prompt action on a few items of politically expedient legislation. And even those partisan advocates of change who might find themselves able to ride roughshod over a helpless minority today might themselves be on the losing side tomorrow and might then regret surrender of any part of the right to discuss questions of principle for as long as is necessary to make the people of the Nation realize fully what is involved.

A material limitation on Senate debate—and permitting cloture by majority vote would impose a material limitation—would be contrary to the basic philosophy of our plan of government. It would violate the spirit of the compact which made our constitutional union possible. It would upset the carefully contrived balance among the branches of our Government. It would reduce the effectiveness of the Senate as a guardian of States rights and individual liberties.

It is unnecessary to change the rules under which the Senate has functioned satisfactorily for a century and a half. The present cloture rule gives adequate protection against abuse of the privilege of extended debate by a few wilful men. No desirable legislation has been permanently blocked by filibusters.

Allowing a majority of one to cut off Senate debate would be a dangerous expedient because the weapon forged against one area of the country and one viewpoint could readily be turned against any other section or minority interest. Those who call themselves liberals should be especially careful because in the past they have been the chief beneficiaries of a system which allows untrammeled expression of unpopular views.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question, with the understanding that I shall not lose my right to the floor.

Mr. DOUGLAS. Does not the Senator remember that last summer a group of us who were opposed to the Telstar bill had debate terminated on us by the application of cloture? Is it not true that when sectional subjects are not at issue, cloture can be obtained; but when sectional issues—and particularly issues related to civil rights—are involved, in practice the two-thirds rule does not permit such limitation?

Mr. ROBERTSON. I understand that the distinguished Senator from Illinois wishes to change the rules to take care of expediting the passage of civil rights legislation.

Mr. DOUGLAS. That is my main purpose.

Mr. ROBERTSON. That is the main purpose.

I hope the Senator from Georgia [Mr. RUSSELL] will note what has been said. The Senator from Illinois has said that the main purpose of changing the rules is to facilitate the passage of civil rights legislation.

Mr. DOUGLAS. That is absolutely true. I have never denied it. The action on the bill relating to Telstar showed that if the bipartisan coalition is working strongly, supported by the financial and social establishments of the country, a two-thirds vote to limit debate can be obtained. But on questions of civil rights, when we face the heritage of the Civil War and the alliance of the border States with the former Confederate States together with their cryptosympathizers from the North and West, we get into deep trouble. I think no good purpose is served by concealing that fact. I have never tried to conceal it on the floor of the Senate. The Senator from Illinois has always been very frank about it. I believe we should know what the issues are.

Mr. ROBERTSON. Mr. President, we have always contended that if the rule applied to one thing at one time, it could apply to something else at another time. But in view of the fact that the distinguished Senator from Georgia has said that while in all past fights so-called civil rights was the purpose of the effort, he understood that now it was not the sole purpose. I yield to the Senator from Georgia.

Mr. RUSSELL. I thank the Senator from Virginia. I merely wish to point out that if there is any issue that has been voted on by more yea-and-nay votes in detail in the Senate in the last 5 years, it has been the type of legislation which the Senator from Illinois and others would call civil rights legislation.

In 1957 a civil rights bill was before the Senate. Amendment after amendment was offered to that bill. There were amendments to establish fair employment practice committees—to take over the employment policies of private enterprise in this country—and amendments that would have given to the Attorney General of the United States powers that no President of the United States has ever had. Indeed, some of the amendments would have given him much greater powers than those exercised by Charles I of England when he lost his head for being a tyrant. Every conceivable amendment was voted upon by a record vote.

In the year 1957, after the Senate had expressed itself by a yea-and-nay vote on every detailed amendment that even the resourceful Senator from Illinois and his outstanding staff of experts working with him in the civil rights field could bring forward, the civil rights bill was passed in 1957.

In 1960 the same thing happened. A civil rights bill was brought before the Senate. Amendment after amendment was offered. The Senate voted on each of them by a record vote. I do not recall the exact number of amendments that were offered. I looked up the information the other day. On the first occasion I think about 32 amendments were offered, and on the second occasion, about 38 amendments. Practically all of them were decided by yea-and-nay votes.

After the Senate had expressed itself on all the civil rights amendments that the Senator from Illinois and his associates could dream up and put down on paper so that the legislative clerk could read them from the desk, the Senate passed a civil rights bill.

In no other field has legislation been more thoroughly debated and considered in such detail. Every detail was decided on its merits by a vote of the Senate and this was done under the present rules. In my opinion this clearly shows that the allegation that a gag rule is necessary to get consideration of civil rights legislation is spurious and without basis of fact.

Of course, the Senator might say that action on the amendments had some effect on the final passage of the bill. He might say, "Senators voted against my amendments because they were afraid if they did not do so, they would not get the necessary votes to pass the bill." We all think our amendment is the best one that has been proposed. But such a statement would apply in relation to any piece of legislation. Scarcely any bill is brought before the Senate in connection with which the authors do not plead with Senators offering amendments not to offer them. They say, "Please do not offer that amendment, because if you do, it will drive away 4 or 5 votes. I want the bill passed."

So we cannot confine that argument to what we might call proposed civil rights legislation. I refer to what the Senator from Illinois calls civil rights legislation. To the Senator from Georgia, much of what the Senator has proposed is "civil wrongs" legislation.

The Senate has legislated thoroughly and in great detail in relation to the voting field. It voted on all amendments that could possibly be brought forward under the broadest interpretation of civil rights without the application of cloture under the rules as they stand at the present time, and after a majority of the Senate had voted against cloture in one instance.

In the light of that record, for the life of me I cannot see how any rational human being can argue that the rules of the Senate must be amended to obtain a vote on civil rights proposals.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). The Senator will state it.

Mr. MORSE. As one who believes that the rules of the Senate should be complied with, I request the regular order.

Mr. ROBERTSON. Mr. President, I am sorry I cannot yield further to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Virginia has the floor.

Mr. ROBERTSON. I was hoping he might indicate whether or not the particular civil rights bill he wishes to expedite by changing the rules relates to, as I recall, section 3 of the civil rights bill of 1957, which would have denied the right of trial by jury. Whatever section that was, we defeated it. We defeated that section.

When I speak again on this subject, I shall take up that provision of the civil rights bill. At that time I intend to speak at length on the subject. Today I merely wish to make a few preliminary observations on the fundamental principles involved; that the Senate rules are those of a continuing body and should not be changed except as provided in its rules.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. ROBERTSON. Mr. President——

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. ROBERTSON. I do not know whether the Senator from Oregon would permit me to yield for that purpose. I had better not yield.

Mr. MORSE. I assure the Senator I will not permit any violation of the rules at all.

Mr. ROBERTSON. I am for the rules, and the Senator is asking me to maintain them. That is what I shall proceed to do to the best of my ability.

It is extremely important for us to consider proposed changes in our rules not from the standpoint of immediate expediency but in the light of the background and traditions of this body and with an eye on the future.

### SENATE IS A UNIQUE BODY

Unlike many of our institutions, the Senate was not established as a copy of some existing governmental unit. It was uniquely and carefully designed, after long and arduous debate, to meet the specific needs of 13 proudly independent States which were willing to surrender to a Union only so much of their sovereignty as was essential to promote their common welfare.

The attitude with which the making of our Constitution was approached is evident from the language of the resolution of the Continental Congress adopted February 21, 1787, calling a convention to meet in Philadelphia the following May "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall, when agreed to in Congress and confirmed by the States, render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union."

The difficulties this convention faced are indicated by George Washington's statement quoted by Gouverneur Morris:

> It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If to please the people, we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise and honest can repair. The event is in the hand of God.

From May to September, the Convention struggled to devise a plan of Federal Government which the delegates were willing to defend, and when that task was completed, the work of obtaining approval for the new Constitution had hardly begun. Ratification by nine States was necessary before it could be adopted. The people of the States had to be made to understand the virtues of the plan and the necessity for concessions in compromise provisions that did not completely satisfy anyone, even the members of the Constitutional Convention.

Gov. Edmund Randolph, of Virginia, who had presented to the Philadelphia Convention the Virginia plan which became the primary basis for the final document, said it contained "features so odious" that "he doubted whether he should ever be able to agree with it." Luther Martin, of Maryland, who had backed a proposal by Charles Pinckney, of South Carolina, to require a two-thirds vote of the Congress for passage of any act regulating commerce left Philadelphia in disgust before the Convention adjourned, complaining of the threat to States' rights which he saw in the proposed Constitution.

Ratification occurred because the Convention chose to accept the assurances of Washington and Madison and others who said, as I shall point out presently, that the rights of the States had been recognized by the framers of the Constitution but, to remove any possible doubt as to their intentions, a series of amendments could be adopted by the next Congress putting the implied individual and States' rights and the limitations on the Central Government in written form.

These reassurances included the endorsement of George Washington, who threw his great influence on the side of the Constitution and said the choice was between "adoption or anarchy." They included also the support of John Marshall, who said later in one of his opinions:

> No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and compounding the American people into one common mass.

But, probably the most influential factor in producing ratification was the expositions of the Constitution presented by James Madison and Alexander Hamilton in the Federalist papers. Virginians of his day accepted with confidence the statements of Madison that the States would continue to be recognized as sovereign units which had delegated only specific powers to the Central Government. They were reassured also by the fact that Hamilton, who was the leading champion of a strong Central Government, stated his agreement with Madison on that point.

In the Federalist No. 14 Madison wrote:

> In the first place, it is to be remembered that the General Government is not to be charged with the whole power of making and administering laws. Its jurisdiction is limited to certain enumerated objects, which concern all the members of the Republic but which are not to be attained by the separate provisions of any. The subordinate governments, which can extend their care to all those other objects which can be separately provided for, will retain their due authority and activity. Were it proposed by the plan of the Convention to abolish the governments of the particular States, its adversaries would have some ground for their objection; though it would not be difficult to show that if they were abolished the General Government would be compelled, by the principle of self-preservation, to reinstate them in their jurisdiction.

Hamilton, in turn, in the Federalist No. 17, referred to the fears that allowing the Federal Government to deal directly with individual citizens would make the Central Government too powerful and enable it to absorb the residuary powers of the States and localities. He said it was improbable that Federal authorities would have a disposition to do this because "the attempt to exercise those powers would be as troublesome as it would be nugatory."

### STATE SOVEREIGNTY RECOGNIZED

In the Federalist No. 39 Madison went into more detail to explain the nature of the proposed Government as part nationalist and part Federal. He said that "if the Government be national with regard to the operation of its powers, it changes its aspect again when we contemplate it in relation to the extent of its powers. In this relation," he said, "the proposed Government cannot be deemed a national one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects."

In the next paper, Federalist No. 40, Madison argued that the Constitutional Convention had not exceeded its authority, because it had adhered to the Confederation principle of a General Government of limited powers. "We have seen," he said, "that in the new Government, as in the old, the general powers are limited; and that the States, in all enumerated cases, are left to the enjoyment of their sovereign and independent jurisdiction."

Hammering on the same point in Federalist No. 44, Madison wrote:

> As their constitutions invest the State legislatures with absolute sovereignty, in all cases not excepted by the existing Articles of Confederation, all the authorities contained in the proposed Constitution, so far

> as they exceed those enumerated in the Confederation would have been annulled and the new Congress would have been reduced to the same impotent conditions as their predecessors.

Because of this situation, he said it had been necessary to give the Central Government treatymaking powers, without which it could not handle foreign affairs.

### DELEGATED POWERS FEW AND DEFINED

Continuing his exposition in Federalist No. 45, Madison said:

> The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State. The operations of the Federal Government will be most important and extensive in times of war and danger; those of the State governments in times of peace and security.

Hamilton's agreement with these views was recorded in Federalist No. 82, where he wrote that the principles established in a former paper in the series—

> teach us that the States will retain all preexisting authorities which may not be exclusively delegated to the Federal head; and that this exclusive delegation can only exist in one of three cases; where an exclusive authority is, in express terms, granted to the Union; or where a particular authority is granted to the Union, and the exercise of a like authority is prohibited to the States; or where an authority is granted to the Union, with which a similar authority in the States would be utterly incompatible.

Even in the light of these positive assurances of recognition of and respect for sovereign rights of the States, however, Massachusetts ratified the Constitution only under promise of amendments; Virginia with a demand for them; and New York practically upon the condition of amendments. Virginia also made its position plain by naming as its first Senators, Richard H. Lee and William Grayson, who had been nominated by Patrick Henry, in preference to the nominees of James Madison.

### BILL OF RIGHTS PROPOSED

The first Congress, which met in 1789, responded to the popular demand by proposing 12 amendments to the Constitution in a resolution which stated:

> The conventions of a number of States having at the time of their adopting the Constitution expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the government will best insure the beneficial ends of its institution: Be it
>
> Resolved * * * that the following articles be proposed as amendments.

These first amendments, 10 of which were adopted, included, as I need hardly remind the Senators, the 9th, which says: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," and the 10th, which says: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

There can be no question, therefore, as to the intention of the Founding Fathers to protect States rights, but since, as Patrick Henry said, the Central Government was given the power of the sword and the purse, how could the preservation of those rights be insured?

Mr. DOUGLAS. Mr. President, will my learned colleague from Virginia yield for a question?

Mr. ROBERTSON. I yield with the understanding that I do not lose the floor.

Mr. DOUGLAS. Does the Senator from Virginia intend to discuss at a later period the 14th and 15th amendments to the Constitution, passed after the Civil War, which gave to the Congress the power to protect the equal rights and privileges of the citizens of the various States and to protect the right to vote?

Mr. ROBERTSON. Yes. I have already said that will come within the general outline of a comprehensive discussion of trial by jury. I said the cornerstones of this great edifice are already being torn down by the Supreme Court by construing the 14th amendment, which was devoted solely to the right of former slaves to citizenship, including the right to vote, as blanket authority to strike down any State law it wishes to, under the specious claim that it violates the due process clause.

I shall deal with that question when I get to that subject.

Mr. DOUGLAS. Will the Senator yield further?

Mr. ROBERTSON. But my leaders have asked me to be brief today——

Mr. DOUGLAS. Will the Senator yield for a further question?

Mr. ROBERTSON. Because this question affects all the Nation, and we want to give our friends who are from outside the South an opportunity to be heard before we go into an extensive discussion.

Mr. DOUGLAS. Will the Senator yield for a further question?

Mr. ROBERTSON. One question; yes.

Mr. DOUGLAS. Does the Senator deny that the 14th and 15th amendments to the Constitution exist and that they are legally in effect?

Mr. ROBERTSON. No; I do not deny that they exist. I assert that they have been badly abused and misconstrued. The 14th amendment had nothing to do with segregation, but the great Chief Justice from California read a book by a Swedish socialist who said that our Constitution is outmoded and ought to be thrown in the ash can. On Wednesday I am going to address a breakfast club on the subject of those who ask that the Bible be rewritten because it was written some 2,000 or 3,000 years ago and some ask "how can that be good law for today?" Some 3,000 years ago God spoke to Moses on Mount Sinai and laid down the commandments, "Thou shalt not kill. Thou shalt not bear false witness." "How," some ask, "can that be the law today? That was done 3,000 years ago; that was in the old stone age, or whatever one wants to call it."

By the same token our Supreme Court seems to think that our Constitution was written for a previous age and we should not be bound by all of its provisions. What did the Chief Justice say in Brown v. the Board of Education in 1954? He said we cannot turn the clock back. So he turned the clock forward and used the 14th amendment to amend the Constitution.

I shall discuss that subject, but I am not discussing it now in a preliminary discussion of what is involved in proposals to change our debate rules.

Mr. DOUGLAS. Does the Senator from Illinois correctly understand the Senator from Virginia to say that he does recognize the 14th amendment and the 15th amendment to the Constitution of the United States?

Mr. ROBERTSON. Of course, when the 14th amendment was adopted, the State that first gave us representative government, going back to Jamestown in 1619, was Military District No. 1, and was found by Congress to be incapable of self-government; and, at the point of the bayonet, all Southern whites were disqualified and Negroes were given office. So the amendment was illegally adopted and ratified. But it is in the Constitution. Frankly, I would take it out and change it if I had the power to do so, but I recognize that I do not have that power. However, as long as it is in the Constitution, we should not go beyond what Thad Stevens intended, which was that all those freed under the 13th amendment should be recognized as citizens of the United States.

Mr. DOUGLAS. Do I now understand that the Senator from Virginia has doubts as to whether the 14th amendment is a part of the supreme law of the land?

Mr. ROBERTSON. No; I merely say that it was never legally put in the Constitution, but it got into the Constitution. The Senator says that I have doubts about it. The decision of the Supreme Court in Brown against Board of Education in 1954, in my opinion, is not the law of the land, but it is the fact of the land. We do not know how to get from under it, since the Federal Government has the bayonets with which to enforce it. They sent troops into Little Rock and they sent troops into Oxford. What can we do about it, whether we think it is right or wrong? With bayonets sticking in one's back, all argument ends.

The 14th amendment was never legally adopted for the purpose of doing one thing—provide full citizenship for former slaves, including the right to vote. When it was proposed, it was for the purpose of doing one thing. It was to ratify an illegal action by Lincoln. Did he have any right to free the slaves? Of course not. He limited his so-called war action to the South, to the Confederacy. He limited its application to the slaves in the South, but it was still illegal. The 13th amendment was adopted to conform to the illegal acts of

President Lincoln in freeing the slaves. Then the 14th amendment——

Mr. DOUGLAS. Do I understand——

Mr. ROBERTSON. I wish the Senator would let me finish before he understands anything else.

The 14th amendment was proposed to let those former slaves vote, in the South, and to have them recognized as rightfully recognized citizens. It had nothing to do with schools; it had nothing to do with the New York prayer case; it had nothing to do with redistricting; and it had nothing to do with the law of a State dealing with the NAACP, an organization which stirs up litigation. They say to people, "You bring litigation, and we will furnish the lawyer for you. If you lose, we will pay for the litigation." Is that legal for whites? Oh no. However, it is legal for them. When I get the time a little later, I will tell the Senator more about the 14th amendment. Now I do not have the time available for that purpose.

Mr. DOUGLAS. Does the Senator from Virginia believe that the 13th amendment is a part of the supreme law of the land?

Mr. ROBERTSON. When the Constitutional Convention met in Philadelphia, Jefferson said, "Let us outlaw slavery. Let us vote to outlaw that institution, because it is iniquitous."

Massachusetts, however, was selling slaves to the South, and its representatives said, "If you press that amendment, we will walk out of the Convention."

We were forced to drop the amendment. That is my answer about the 13th amendment. We were ready to do that before the Abolitionist Party sponsored it as a part of their justification to come down to the South and kill our young men and wreck our prosperity. We were ready to outlaw slavery, but those people in the North were selling us slaves, and would have no part of it.

Mr. DOUGLAS. The Senator from Virginia, then, believes that the 13th amendment is a part of the fundamental law of the land. Is that correct?

Mr. ROBERTSON. I do not believe it is legal. I do not believe it was legally adopted.

Mr. DOUGLAS. He, however, has some doubts about the 14th amendment. Is that correct?

Mr. ROBERTSON. I do not believe it was legally adopted.

Mr. DOUGLAS. That is the 13th amendment?

Mr. ROBERTSON. I do endorse the abolition of slavery. I do not believe it was legally adopted. I do not believe the 14th amendment was legally adopted.

Mr. DOUGLAS. What does the Senator think about the 15th amendment?

Mr. ROBERTSON. It is not quite as bad. It was adopted a little later. However, the first two were punitive amendments. The South did not have any vote in proposing them. There were rump conventions and legislatures in the South that adopted those amendments. Neither one of them was legally adopted.

Mr. DOUGLAS. Therefore the Senator would feel he is acting properly, would he, if he disobeyed the 13th and 14th amendments to the Constitution?

Mr. ROBERTSON. Well, one must recognize the status quo, whether one likes it or not. One cannot set himself up to disobey an act of Congress or an order of the Supreme Court because in his opinion an amendment to the Constitution on which a statute rests or on which a court decision was rendered, was not legally adopted.

I recognize the necessity of a Member of the Senate to bow to the established order. It does not mean that one must say that it came into existence in a legal and proper and desirable way.

Mr. DOUGLAS. Would the attitude of the Senator from Virginia be accurately described by the statement of Margaret Fuller that she accepted the universe?

Mr. ROBERTSON. Well, I do not know much about Margaret Fuller, but I believe she accepted the universe.

Mr. DOUGLAS. That is what Emerson replied.

Mr. ROBERTSON. I knew of him, but I did not know that he said that until my friend told me about it.

The Chief Executive of the Nation is sworn to uphold the Constitution, but if he interprets his duties as permitting interference in fields reserved for State action, who shall check him? The courts, and especially the Supreme Court, are interpreters of the law, but when the highest Court conceives of itself as a policymaking body and issues orders involving social reforms which interfere with State functions, how can this trend be checked? The Congress, in addition to having the power to make laws, has the power to impeach the President and other officials, but what if the popularly elected Representatives yield to public clamor and endorse proposals which infringe on States rights?

### SENATE IS DEFENDER OF STATES RIGHTS

It is when an answer to these questions is sought that the unique position of the Senate in our system of government becomes apparent. This body is the one place where the sovereign States are represented as such and on a basis of equality. Even though Senators, since adoption of the 17th amendment, are elected by the people instead of being chosen by State legislatures, they still are representatives of their States as a whole and are insulated from temporary waves of popular sentiment by 6-year terms and by having no more than a third of the Senate seats at issue in any one election year.

Madison said:

> The use of the Senate is to consist in its proceeding with more coolness, with more system and with more wisdom than the popular branch.

And, as we recall, Washington described the Senate to Jefferson as a saucer in which legislation was poured to cool.

That traditional function of the Senate can be exercised effectively only so long as this body remains a truly open forum in which each spokesman for a sovereign State can expound his views for as long as his conscience dictates when the rights of his State or the integrity of the Constitution which protects those rights are threatened. The Senate will become no more than a slower House of Representatives in its net results if a simple majority can decide when discussion should be stopped and a vote taken.

It was Thomas Jefferson who told the Senate in its early days that the only weapons by which minorities can defend themselves from the abuses which "the wantonness of power is but too often apt to suggest to large and successful majorities" were the forms and rules of proceedings which had been adopted.

Woodrow Wilson, in his book on "Constitutional Government," said:

> An attempt was once made to bring the previous question into the practices of the Senate, but it failed of success, and so that imperative form of cutting off all further discussion has fortunately never found a place there. The Senate's opportunity for open and unrestricted discussion and its simple, comparatively, and unencumbered forms of proceeding unquestionably enable it to fulfill with very considerable success its high function as a chamber of revision.

### NO JUSTIFICATION FOR CHANGE

Therefore, I say that before we tamper with a plan of proceeding which has been carried on with such distinguished approval for a century and a half, we should be very certain that there is justification for a change.

That brings me to my second main point, which is, that a change in the existing rules is unnecessary.

We are told that a majority must be given the power to cut off debate after some specified period of time in order to break the power of the filibuster.

What, then, is the power of the filibuster and how has it been used to the detriment of the United States?

The history of limitation of debate in the Senate and of incidents which led to attempts to impose limitation has been set forth so effectively in the Library of Congress Public Affairs Bulletin No. 64 by Dr. George Galloway and that study is so well known to Members of the Senate that I shall not repeat the details here. It will be recalled that the device of the previous question for ending debate, which was allowed in the Continental Congress as well as the British Parliament, was carried over into the rules of the Senate in 1789 and allowed to stand until 1806 before it was abolished and truly free debate instituted. During that first 17 years the previous question was invoked only four times and used only three times, but that was enough to make its dangers evident; and when Henry Clay sought to have the rule revived in 1841, he failed.

Numerous later attempts have been made, as they are being made now, to impose restrictions on debate, but it is notable that the general tendency has been for new Members of the Senate, impatient with what seems to be its deliberate pace, to want the rules changed, and then for those same Members, as they gain more experience, to recognize the virtues of free debate and to defend the existing rule.

### BACKGROUND OF RULE XXII

What we now know as rule XXII was adopted in 1917 under the pressure of a war emergency and on recommendation of Woodrow Wilson who, as I have indicated by quoting him, fully recognized the importance of free debate under normal conditions. Wilson thought this radical step was needed to provide authority to arm ships, but it later was determined that he had the authority without resort to legislation, and the tampering with Senate rules was a useless gesture.

From our perspective, there is more reasonableness in Wilson's calm writing on government than in his impassioned plea for quick Senate action on one occasion, and in his book on "Constitutional Government" he said:

> The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

The significant thing, in our consideration of whether there is need to change the Senate rules governing debate, is not whether there have been occasions when some time has been wasted by what Woodrow Wilson called "profitless squabble of words," but whether the ultimate effect of these incidents has been harmful.

### COOLING OFF IMPROVES LEGISLATION

The record, as set forth in the Library of Congress study to which I have referred, shows that many bills against which extended debate was directed ultimately were passed and I believe careful study would reveal that in most instances the legislation was improved by the cooling-off period. Few bills have been permanently blocked and none of national importance.

### DEBATE CAN BE ENDED NOW

Debate can be ended now by a vote of two-thirds of the Members present and voting. If a national emergency, such as that which Woodrow Wilson thought existed in 1917, should demand prompt action on some legislation, I am confident that more than two-thirds of the Members of this body would cooperate in silencing obstructionists. The necessary votes also would be obtainable to stop a filibuster, even in peacetime, against obstruction of any truly vital legislation.

I am proud of the fact, however, that my colleagues in the Senate have included enough believers in the principles of States rights and enough defenders of legitimate minority interests to prevent the gagging of anyone who has taken the time which he thought necessary to bring the viewpoint of his State to the attention of citizens of all the other states where questions of principle and of constitutionality were concerned, and I hope that that attitude will continue to prevail on the floor of the Senate.

Our present rule on limitation of debate is adequate and changing it is unnecessary.

Moreover, a radical change in the present rule would be dangerous and detrimental in the long run even to the interests which now advocate the change.

Newspaper writers and other commentators are inclined to describe those now advocating a change in our rules as "liberals" who have been frustrated in efforts to promote civil rights bills or social welfare measures and to associate defense of free debate with an ultraconservative viewpoint. The record shows, however, that free debate, including efforts which have been generally recognized as filibusters often have been used and defended by liberal leaders.

A delay, during which the people of the country are made aware of the details of an issue, can be used, and has been used to help bring about reforms, as well as to block passage of oppressive measures.

There was, for example, the extended debate in 1863 against efforts to suspend the writ of habeas corpus. There was the filibuster against an Army appropriation bill in 1876 which carried a rider that would have suspended existing election laws. There was the successful filibuster in 1890 against the force bill, which would have provided for Federal supervision of elections.

### RIGHTS OF LABOR PROTECTED

Our distinguished former colleague, Senator George, of Georgia, testified during the 1947 hearings on proposals to limit Senate debate that if there had been such limitations as those proposed in 1937, it would have been impossible to rally enough support to block the effort of a powerful and popular President to pack the Supreme Court; and Members now in this body will recall that in 1946 the House passed in a matter of minutes a bill to draft striking railroad workers. That proposal, so violently objected to by organized labor, would have become law but for the opportunity of the Senate to analyze it in a deliberate manner.

In the 1957 Senate committee hearings a spokesman for the AFL–CIO said that powerful organization favored a change in rules to limit Senate debate primarily because of "the apparent need for more comprehensive Federal legislation in the field of civil rights." In 1925, however, when Vice President Dawes was trying to get the Senate to adopt a previous question rule, he was denounced by the American Federation of Labor for trying to gag the Senate and threaten the rights of the people; and in 1946, as I have indicated, absence of such a gag rule may have been all that prevented the striking railroad workers from being drafted into military service.

Mr. MILLER. Mr. President, will the Senator from Virginia yield to me, in order that I may submit a resolution?

The PRESIDING OFFICER (Mr. McIntyre in the chair). Is there objection?

Mr. KUCHEL. Mr. President, I did not hear the question.

Mr. MILLER. Will the Senator from Virginia yield, so that I may submit a resolution—and for that purpose alone, without yielding his right to the floor?

Mr. ROBERTSON. Is it a resolution to be referred to a committee?

Mr. MILLER. Yes.

Mr. DOUGLAS. Mr. President, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. ROBERTSON. Mr. President, it was the great liberal leader, Senator La Follette, who fought the 1917 cloture rule, saying:

> This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

La Follette's courage in making a fight against any limitation upon Senate debate was mentioned by President Kennedy in his famous book "Profiles in Courage"; and the courage of Senator George Norris in joining with La Follette in that fight upon a cloture rule was, in the same book by President Kennedy, warmly commended.

And it was William E. Borah, another liberal spokesman, who said in 1925 that he had never known a good measure to be killed by a filibuster or a debate, but that he had known a vast number of bad measures and unrighteous measures which could not have been killed in any other way except through long discussion and debate.

### LONG SPEECHES WHICH MADE HISTORY

One of the most eloquent defenses of free Senate debate was that delivered in 1918 by Senator Watson, of Indiana, who said of the Underwood Resolution to establish the previous question:

> If this had been the rule of the U.S. Senate for the first 50 years of its existence, John C. Calhoun would not have been able to thunder forth the doctrines in which he believed; Hayne could not have announced on the floor the ideas which he so eloquently espoused; Henry Clay would have been unable to deliver in full any one of the score of speeches that accomplished so much for his country; and Daniel Webster, imperious orator of American history, could not have blazed the pathway of the future in that historic utterance in which he announced the essential policies of the Republic if its institutions are to endure, for on the floor of the U.S. Senate and in the open forum of debate he in a sense shaped the destiny of the Republic and molded the future of the Nation.

It matters not, Mr. President, whether the minority at any particular time represents a basically liberal or a basically conservative viewpoint: The group which does not have a majority of votes needs some protection against unreasonable impositions, and the U.S. Senate was designed to provide that protection.

I have been stressing the interest which liberals should take in the preservation of free Senate debate, because those who claim to speak as liberal leaders have become the immediate advocates of a change. But the interests of those who call themselves conservatives, in the sense that they would preserve our great national heritage, also are deeply involved.

I was pleased to see recognition of this fact during the 1957 Senate committee hearings, when the National Society of the Sons of the American Revolution put in the record a resolution of unalterable opposition to any change which would substantially alter the right of free discussion secured by Senate rule XXII. This resolution said:

> Freedom of debate in the U.S. Senate performs the same essential function as freedom of the press under the first amendment in keeping the people fully informed in respect to matters which may vitally affect their freedom and the security of constitutional rights.

Mr. President, the love of liberty is not dead in our Nation, nor is there a lack of voices willing to speak in defense of the institutions on which our freedom was founded. But, to preserve a forum for those voices, we must respect the advice of Thomas Jefferson, who said in his Manual of Parliamentary Procedure, on which our Senate rules are based:

> As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

Mr. DOUGLAS. Mr. President, will the Senator from Virginia yield for a question?

Mr. ROBERTSON. I yield, provided I do not thereby lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Do I correctly understand that the Senator from Virginia has a high opinion of Jefferson's Manual of Parliamentary Procedure?

Mr. ROBERTSON. Oh, yes; indeed.

Mr. DOUGLAS. Does the Senator from Virginia realize that in Jefferson's Manual there is provision for moving the previous question, and for its adoption by majority vote?

Mr. ROBERTSON. As I have said, until 1806 it was proposed four times, it was voted three times, and it was found to be thoroughly impractical. A few days ago the Senator from Georgia [Mr. Russell] said on the floor of the Senate, when that question was brought up, that the previous question rule, as we know it in Robert's Rules of Order, never was recognized here. The previous question was ordered, but the debate still continued, in some way—that is, according to Senator Russell; and he is our best parliamentarian.

I cannot say categorically whether until 1806 there really was—as in Robert's Rules of Order—a provision to move the previous question which would absolutely and unequivocally shut off debate. All I know is that after it had been tried three times, it was found to be so unsatisfactory that it was taken out of the rules of the Senate, and has never been put back since then.

Mr. DOUGLAS. Does not the Senator from Virginia recognize the fact that Jefferson's Manual provided for moving the previous question, and that it could be carried by a majority; and that Jefferson's full statement on this point is to be found on pages 402, 403, and 404 of the Senate Manual?

Mr. ROBERTSON. Jefferson's Manual was based largely on the proceedings of the British House of Commons. But experience demonstrated to him and to everyone else that in the Senate that procedure would not work. It was provided for our House of Representatives, which was our counterpart of the British House of Commons, whereas the Senate is our counterpart of the British House of Lords. Although we have not their honor, we have a good deal more power.

However, such procedure was found to be impractical here, if we are to implement the real purpose of the Founding Fathers in giving all States equal representation in the Senate. In that connection, I point out that Illinois is one of the larger States, whereas Virginia is one of the smaller States; nevertheless, in the Senate each State, regardless of its size, has two Senators; and regardless of the difference in size, in the Senate Virginia has the same rights that Illinois has; and the great States of Pennsylvania, Illinois, New York, and Ohio could not team up and run roughshod over Virginia and other smaller States, for, regardless of any differences in size, in the Senate the two Senators from each State are to have the privilege of presenting their viewpoints on all constitutional issues and on all issues which they may feel might impinge upon the rights of the people whom Senators are selected to represent; and Senators are chosen to represent their States on a statewide basis, not on a congressional district basis.

Mr. DOUGLAS. Do I correctly understand that the Senator from Virginia repudiates the doctrine of Thomas Jefferson that the previous question is a proper parliamentary device?

Mr. ROBERTSON. The Senator from Virginia is a great admirer of Thomas Jefferson. He believes that Thomas Jefferson was the greatest political philosopher we have ever had. But the Senator from Virginia has never claimed that Thomas Jefferson was omniscient. He never has claimed that Thomas Jefferson could not make a mistake.

Thomas Jefferson challenged the viewpoint of John Marshall that the Supreme Court should have the right of veto power over legislation. Jefferson never would recognize that, and he suggested what has been called a power of interposition. That might have been a good thing at the time Jefferson proposed it. But what can we say about it after General Lee, yielding to overwhelming power, surrendered to General Grant on the battlefield of Appomattox? Where does the doctrine of interposition stand after that? You have the bayonets and we have the doctrine. Who wins? That is the issue. That is all there is.

Therefore, I cannot say that everything Jefferson proposed could be categorically and unequivocally right. Certainly he did a great service for us when he proposed rules. But the right to move the previous question was not compatible with the kind of Senate that we should have, and the Senate took it out of the rules.

As I have previously indicated, Madison's proposal of what is now the 10th amendment designed to protect the rights of the States and the liberty of the people was a major factor in securing ratification of the Philadelphia Constitution. That amendment provides:

> Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

When the framers of the Constitution met in Philadelphia in 1787, they were faced with an extremely difficult task. A Central Government had to be formed which, on the one hand, would be strong enough to deal successfully with issues of national scope. The war years had confirmed the inadequacies of the Articles of Confederation.

The Central Government, however, on the other hand, must be prevented from usurping powers of sovereign States which were neither denied to them nor delegated by the Constitution to the Central Government.

The experience of the colonists with the Crown had taught our Founding Fathers that the central authority which was to be formed must not be a government of unlimited power. They were well aware that, "power tends to corrupt; and absolute power corrupts absolutely."

The decision was therefore made to delegate certain enumerated powers to the Central Government. By clear implication, all remaining powers were to be retained by the States. The 10th amendment reaffirms what had been the unmistakable intention of the framers of the Constitution. It was Thomas Jefferson who warned that:

> In questions of power, let no more be said of confidence in man, but bind him down from mischief by the chains of the Constitution.

The 10th amendment was expected to circumscribe the activities of the Central Government within the orbit of its specifically enumerated powers.

Unfortunately, the Constitution as known to those of us who studied constitutional law 50 or more years is gone.

In a broad sense, said a great constitutional author, Alfred J. Schweppe, last October, our Government has become one of unlimited powers.

The Supreme Court in Helvering against Davis decreed that Congress could spend "for the general welfare"; Congress, furthermore, was to be the judge of what the general welfare might be, unless its definition was, and I quote from the decision, "clearly wrong, a display of arbitrary power, not an exercise of judgment." The Court reached this conclusion despite the weight of historical evidence to the contrary.

James Madison, the father of our Constitution, said of those in his day who made that contention:

> No stronger proof could be given of the distress under which these writers labour for objections, than their stooping to such a misconstruction.

Similarly, Thomas Jefferson said:

> Our tenet ever was * * * that Congress had not unlimited powers to provide for the general welfare.

By deliberately ignoring what the framers of the Constitution said the general welfare clause meant, the Supreme Court released the spending powers of the Congress from all constitutional restraints and then proceeded to release itself from the basic doctrine of States rights by holding, in effect, that the due process clause of the 14th amendment gave the Court full jurisdiction over all State laws.

In taking that extreme position the Court disregarded the advice given by a great jurist, Oliver Wendell Holmes, who said, in Baldwin against Missouri:

> I have not yet adequately expressed the more than anxiety that I feel at the ever increasing scope given to the 14th amendment in cutting down what I believe to be the constitutional rights of the States. As the decisions now stand, I see hardly any limit but the sky to the invalidating of those rights if they happen to strike a majority of this Court as for any reason undesirable. I cannot believe that the amendment was intended to give us carte blanche to embody our economic or moral beliefs in its prohibitions.

Mr. DOUGLAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from Virginia yield to the Senator from Illinois?

Mr. ROBERTSON. I yield, with the understanding that I shall not lose my right to the floor.

Mr. DOUGLAS. Is the Senator from Virginia aware that the so-called Virginia plan, which constituted the basis for discussion in the Convention of 1787, and which was drawn up by James Madison, Richard Henry Lee, George Mason, and others, provided that the Federal Congress not only had the power to tax and spend for the general welfare but also had the power to legislate for the general welfare? Is the Senator from Virginia repudiating the doctrines of the great Virginians Richard Henry Lee, James Madison, George Mason, and the others?

Mr. ROBERTSON. First, the Senator from Virginia does not admit that the gentlemen mentioned by the Senator from Illinois advocated what he has stated. But if they did, the provision was never written into the Constitution and never became the law—I am now only advocating what the Constitution meant; and we have violated the Constitution. It is unfortunate that we have, because we now have a debt of over $300 billion. The Senator from Illinois, who is on the Finance Committee, knows that next June the debt limit will go back to $300 billion. He knows, too, that we cannot put through the proposed tax cut, which I understand he will advocate, without raising that limit. I assume he will vote in committee to raise the limit. I do not know how high, but it will be a good deal above $300 billion. That result will be primarily due to the fact that we have misconstrued the Constitution and assumed unto ourselves the right to spend money for what the Founding Fathers would have called socialistic schemes that the Federal Government had no authority to enter into.

Mr. DOUGLAS. Do I correctly understand the Senator from Virginia to say that Congress has no power to levy taxes or to spend for the general welfare?

Mr. ROBERTSON. That is correct; but the Supreme Court says it has.

Mr. DOUGLAS. Is the Senator from Virginia aware that the decision in question was a unanimous decision of the Supreme Court in the days when Calvin Coolidge was President of the United States and when the Justices were nearly all Republicans?

Mr. ROBERTSON. I do not remember exactly when the decision was rendered.

Mr. DOUGLAS. That was the decision in Massachusetts against Mellon.

Mr. ROBERTSON. I remember that the Court apologized for it. They said they were taking the views of Hamilton and repudiating the views of Madison and Jefferson and a great many others of the Founding Fathers, but they took the bull by the horns. They wanted it done. I thought they gave an extremely weak excuse for doing it.

I claim that that decision was fundamentally wrong. I have read decision after decision of the Founding Fathers, who said that the general welfare clause was merely a limitation upon the exercise of the delegated powers. As the Senator from North Carolina said concerning the more than $100 billion we have given away in foreign aid he said that, in any event, the Constitution provided that the general welfare would be our welfare and not the welfare of some foreign nation.

I say that "welfare" meant that Congress could not do something for the community of Squeedunk, but whatever Congress did had to be of a national scope. The welfare had to be general, but it was limited to the powers given Congress and did not include powers subsequently taken.

Mr. DOUGLAS. If I correctly understand the Senator from Virginia, he would reverse the unanimous decision of the Supreme Court in the case of Massachusetts against Mellon?

Mr. ROBERTSON. I certainly would. I think it was wrong. I think ultimately it will lead us to bankruptcy, through spending for everything. If we did not have the power to spend, we would not spend. Now, when it becomes politically expedient to spend, we are spending.

We hear talk about deficits, but, to use a slang expression, "You ain't seen nothin' yet." We will have a deficit, as George Humphrey said, "that will make your hair curl."

At this time we have heard all of the proposals for deficit spending, and at the same time the proposals for a tax cut on top of it.

Mr. DOUGLAS. Does the Senator from Virginia regard George Humphrey as an expert on hair dressing?

Mr. ROBERTSON. He was talking about a type of reaction that was not altogether desirable.

Mr. President, I have only a few more words to say in conclusion in connection with the general presentation of fundamental principles.

We have had within recent months graphic illustrations of the immense power now centered in our Federal Government. For example, the New York Prayer case illustrates the unchecked power of the Supreme Court to strike down local and State actions affecting an important aspect of the lives of our children.

Several decisions of the National Labor Relations Board have illustrated the immense power of the Federal regulatory agencies to control labor and industry in this Nation.

The President's antidiscrimination in housing edict and his use of Federal troops in Oxford, Miss., illustrate the sweeping effect of Federal commands and the overwhelming power that can be used to enforce them upon the States and the people.

The 88th Congress will write history that will vitally affect the future of our Republic.

In the address Monday on the state of the Union, in beautifully phrased language, our great President said, "I commend you all."

Of course, if somebody from Virginia said "you all" the northern press would have accused him of speaking in hillbilly English, but from the lips of the great President, that is good Harvard English, "I commend you all."

For what? For your role in history.

What is to be our role in history? Is it to use the welfare clause as an unlimited spending vehicle and to make smooth the road to a New Frontier? Or are we to challenge the anti-God ideology which repudiates God and denies the ethical teachings of the Bible in the only forum in which we can ultimately hope to win that type of conflict; that is, in the minds and hearts of men?

That is not a conflict over dictatorship. We have seen many examples of dictatorships throughout history. It is not a conflict with an economic system because many nations have had socialism and did not call it communism. Our role is a challenge to participate in the conflict which is a religious fight—a fight that denies the basis of everything that has made us truly great—our faith in God and the ethical teachings of the Bible.

If that is to be our role in history, more power to the President when he says, "I commend you all for your role in history." But I say that this rules issue is involved also in our role in history, and I am not going to commend Senators if they violate the established traditions of the Senate, if Senators claim the Senate is not a continuing body and that by a simple majority vote Senators can override everything, and if they claim that a simple majority vote can choke off and cut the throat of any Senator trying to preserve a constitutional principle of his home State.

Mr. President, the 88th Congress will write history. The choice will be between preserving what is left of States rights under the 10th amendment and restraining socialistic spending, on the one hand, or the modification of the cloture rule on the other, to expedite the passage of unconstitutional civil rights legislation and socialistic spending schemes.

> If in the opinion of the people—

Said Washington in his Farewell Address—

> the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

Federal expenditures for all projects now go unchallenged—since the decision of the Supreme Court in Massachusetts against Mellon, recently referred to by my distinguished colleague from Illinois.

There is, unfortunately, no legal procedure through which a taxpayer can dispute the misuse of Federal funds.

With the realization of the taxpayer's inability to secure judicial review as to the constitutionality of Federal expenditures, Mr. Justice Jackson spoke of the need for congressional restraint, as follows:

> Two of the greatest powers possessed by the political branches, which seem to me the disaster potentials in our system, are utterly beyond judicial reach. These are the war power and the money, taxing and spending power, which is the power of inflation. The improvident use of these powers can destroy the conditions for the existence of liberty, because either can set up great currents of strife within the population which might carry constitutional forms and limitations before them.

He cautioned that—

> No protection against these catastrophic courses can be expected from the judiciary. The people must guard against these dangers at the polls.

In other words, if our unique form of government is to be preserved, we must in the future depend more upon self-restraint than upon a written Constitution for its preservation. For years, I felt that the fears of arbitrary Federal action expressed by Patrick Henry in opposing ratification of the Constitution by Virginia were unjustified. Addressing the Virginia Convention on June 4, 1788, Patrick Henry said:

> The public mind as well as my own is extremely uneasy at the proposed change of government. * * * I consider myself as the servant of the people of this Commonwealth, as a sentinel over their rights, liberty and happiness. I represent their feelings when I say, that they are exceedingly uneasy, being brought from that state of full security which they enjoyed, to the present delusive appearance of things. * * * And here I would make this inquiry of those worthy characters who composed a part of the late Federal convention. I am sure they were fully impressed with the necessity of forming a great consolidated government instead of a confederation. That this is a consolidated government is demonstrably clear; and the danger of such a government is to my mind very striking.
>
> I have the highest veneration for those gentlemen; but, sir, give me leave to demand, what right had they to say we the people? * * * who authorized them to speak the language of, we the people, instead of we, the States? States are the characteristics, and the soul of a confederation. If the States be not the agents of this compact, it must be one great consolidated, National Government of the people of all the States. I have the highest respect for those gentlemen who formed the convention. * * * The people gave them no power to use their name. That they exceeded their power is perfectly clear.

Henry continued by saying:

> Here is a revolution as radical as that which separated us from Great Britain. It is as radical, if in this transition our rights and privileges are endangered, and the sovereignty of the States be relinquished; and cannot we plainly see that this is actually the case? The rights of conscience, trial by jury, liberty of the press, all your immunities and franchises, all pretensions to human rights and privileges are rendered insecure, if not lost, by this change. * * * You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured; for liberty ought to be the direct end of your government.
>
> Is it necessary for your liberty that you should abandon those great rights by the adoption of this system? Is the relinquishment of the trial by jury and the liberty of the press necessary for your liberty? Will the abandonment of your most sacred rights tend to the security of your liberty? Liberty, the greatest of earthly blessings—

Exclaimed Patrick Henry—

> give us that precious jewel, and you may take everything else. * * * Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately nothing will preserve it but downright force: whenever you give up that force, you are inevitably ruined.

Patrick Henry continued his argument by saying:

> Congress by the power of taxation—by that of raising an army and navy—and by their control over the militia—have the sword in one hand, and the purse in the other. Shall we be safe without either? Congress have an unlimited power over both; they are entirely given up by us. Let him (Mr. Madison) candidly tell me where and when did freedom exist, when the sword and purse were given up from the people? Unless a miracle in human affairs shall interpose, no nation ever did or ever can retain its liberty after the loss of the sword and the purse.

When the Constitution was being framed, the Virginia delegation proposed a provision to outlaw slavery and was forced to drop it upon the bitter opposition of Massachusetts and other States which were finding the slave trade very profitable. In appraising the foresight of Patrick Henry, we, of course, know that Lincoln freed the slaves; the Supreme Court calmly ignored the 10th amendment when it wrote desegregation into our schools, and the Chief Executive used the bayonet, first at Little Rock and then at Oxford, to enforce that Court action; we know that we have a current budget of $93 billion, which will soon rise to $100 billion or more; and we know that one of the so-called tax reforms favored by the administration is the power of the Federal Government to tax the income from the bonds of States and the political subdivisions, thus destroying their financial independence.

What, Mr. President, is the real purpose of the proposed changes in the Senate rules? It is, of course, to expedite the Senate action on controversial bills, but what type of bills? Echo answers civil rights, such as FEPC, abolishing the sacred right of trial by jury, anti-lynch laws, and so forth. And, by the same token, the voices of a rapidly diminishing minority, who still seeks to be heard in defense of sound fiscal policies and in opposition to vast spending schemes that would take us down the road to statism, could be stifled.

Mr. President, I appeal to all Members of this great body who have stood at the clerk's desk and, with right hand upheld, taken an oath to support and uphold the Constitution to resist changes in our debate procedure which would hasten its destruction. May they recall the prophetic words of Daniel Webster when, pleading for the preservation of constitutional government, he said:

> Who shall reconstruct the fabric of demolished Government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which unites National sovereignty with State rights, individual security, and public prosperity? No; if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield.

Mr. HILL. Would the Senator from Virginia find it objectionable if I congratulated him and commended him for his very able and most masterful presentation here today?

Mr. ROBERTSON. Well, the Senator from Virginia has been overpraised before, but he could not truthfully say he found it objectionable. I thank the Senator very much.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. Does the Senator from Illinois correctly understand, in view of the long quotation from Patrick Henry opposing ratification of the Federal Constitution which the Senator made, that the Senator from Virginia believes Virginia should not have ratified the Constitution and therefore should not have joined the United States of America?

Mr. ROBERTSON. The Senator from Virginia for a long time thought that the protests and fears of Patrick Henry were unjustified. The Senator from Virginia was very strongly in favor of ratification of the Constitution, because he had three ancestors who voted for

Madison's ratification and felt that was the right thing to do; but since we have been ignoring the modifications Madison put in there in the 10th amendment to carry out the original compacts, the Senator from Virginia merely says Patrick Henry had a little more foresight than the Senator from Virginia thought he had when he said we were going to abolish slavery, we were going to crimp trial by jury—that proposal was offered here, and just failed—and we were going to spend ourselves into bankruptcy because Congress would have the sword in one hand and the purse in the other. As I look at it now, Patrick Henry was not nearly so far wrong as I used to think he was.

Mr. DOUGLAS. Does the Senator from Virginia believe, therefore, that it would have been desirable if Virginia had not ratified the Constitution and had not joined the United States of America?

Mr. ROBERTSON. Oh, no. The Articles of Confederation were hopelessly inadequate. We could not develop our foreign trade under those Articles. Virginia had tobacco the foreign nations wanted to buy and the South had cotton which they also wanted. We not only had no adequate foreign trade but were hampered in trade between the States. New Jersey, for instance, would ship firewood to New York and New York would put a tariff on it. That situation was intolerable. We did not have a Senate. We did not have a President. We did not have the power to finance the kind of government that we needed. We needed a better union. We needed a Federal union. What does the dictionary say a Federal union means? It says that it means a union of sovereign States. When Patrick Henry said that the Philadelphia Constitution would take away the rights of the people and the powers of the States, the reply was that the Constitution did not mean what he claimed, but to get ratification we had to spell those reservations out in the 9th and 10th amendments. Now we have eroded the 10th amendment until the Constitution does not mean what it meant 50 years ago. I quoted Justice Jackson on that point. The Supreme Court is not going to protect us. It is a matter of self-restraint. How much of that do we have left?

Mr. DOUGLAS. I should like to ask the Senator from Virginia whether he believes that we should have a Confederate States of America rather than a United States of America.

Mr. ROBERTSON. Oh, well, the Senator is dealing in semantics. If it is to be a Federal union, it must be a union of sovereign States. That is what was intended. I am afraid that the time will come when we will not have it any more.

Mr. DOUGLAS. Then the Senator from Virginia believes that we should have a Confederate States of America, not a United States of America. Is that correct?

Mr. ROBERTSON. No; the Senator is trying to make me say that I would prefer the government of the Confederacy to the government of Jefferson and Madison. I prefer the government that Madison and Jefferson brought into being. I believe it is above the Confederacy that existed at one time. Let me tell my friend from Illinois——

Mr. DOUGLAS. Does the Senator from Virginia believe——

Mr. ROBERTSON. If the Senator will permit me I will tell him about what the nine States of the Confederation provided. They had some good points in their laws. It was not possible to appropriate so as to create a deficit without a two-thirds vote. They also provided for the item veto. They could not vote for a deficit except by a two-thirds vote.

Mr. DOUGLAS. Does the Senator from Virginia remember that the Confederate States provided for moving the previous question?

Mr. ROBERTSON. I do not remember that.

Mr. DOUGLAS. That is correct. It provided for moving the previous question.

Mr. ROBERTSON. Well, that was a mistake. [Laughter.]

The PRESIDING OFFICER. Does the Senator from Virginia yield the floor?

Mr. ROBERTSON. I yield the floor.

Mr. KUCHEL. Mr. President, at the opening of this new Congress, once again Members of the Senate have an opportunity to stand up and be counted upon a desperately important and vital issue. It affects, not alone, the Senate. It affects the Nation as well. Senators, by yea-and-nay votes which they will cast in the next several days, will indicate whether they desire to have the business of the U.S. Senate transacted in an orderly fashion, or whether they desire to continue the sham and the hypocrisy of filibustering by which, on all too many occasions, the public business has been stultified and orderly procedures in the Senate destroyed.

This is my 10th year as a Member of the Senate. The other day the Presiding Officer (Mr. KENNEDY in the chair) and I took our oath together in the Senate, to serve here, to serve our Nation, and to serve our States.

It is a thrilling and exhilarating experience to be a Member of the Senate. It is a wonderful and glorious responsibility to sit here with 99 other dedicated men and women and to share the responsibility of determining how the business of the American Government shall be conducted in these crucially important 1960's.

How shameful, therefore, that a small minority of Senators can prevent a majority, sometimes an overwhelming majority, from discharging their responsibilities by casting their votes upon whatever issue then pends before the Senate.

Those of us who have joined in sponsoring Senate Resolution 10 simply contend that the Constitution of the United States gives to the Senate, as it does to the House of Representatives, as each meets in a new Congress, the right to determine the rules of its proceedings. That is what it says. Article 1, section 5, of the Constitution of the United States declares:

> Each House may determine the rules of its proceedings.

That is a clear, unequivocal right, indeed, a duty, for us.

If Senators by a majority vote do not exercise that right in these opening days of Congress, I take it they will be deemed to acquiesce in the rules adopted 2 years ago, and to that extent will by implication approve the so-called filibuster rule, under which a minority of the Members of the Senate can effectively destroy the right of a majority of Senators to pass their judgment on whatever legislation is pending.

In the last presidential election each party, the Democratic Party and my party, the Republican Party, made commitments to the American people on this subject.

I am glad to recall that the Republican national platform and the Democratic national platform both promised the American people to rid the Congress from undemocratic and anachronistic procedures which stultify the theory of self-government as we revere and respect it in this country.

I am proud to recall that the platform of my party, the Republican Party, specifically promised the American people to eliminate the filibuster from the U.S. Senate.

This is no partisan problem. It is a problem that is far more important than Senators or the Senate. It is a problem that confronts the country, that brings into question the capacity of the people's representatives to legislate.

I am delighted that in the sponsorship of Senate Resolution 10, Democrats and Republicans are joined together in a reasonable and effective proposal which I shall describe in a few moments.

The present rule XXII of the Senate provides that 16 Senators may sign a petition to invoke cloture. When 16 Senators have signed such a petition, and 2 legislative days have elapsed, the Presiding Officer asks the Members of the Senate whether they desire to invoke cloture. If two-thirds of those present and voting answer in the affirmative, cloture is invoked. Thereafter each Senator has the right to speak 1 additional hour, debate is limited to 100 hours in all, before finally the Members of the Senate vote on the issue before them.

In the last 10 years I have signed several cloture petitions. I do not recall that any of them was ever approved, with one exception. That was a year ago. The problem dealt with a bill which, incidentally, had nothing to do with civil rights. Cloture was invoked on that occasion, but it was invoked, in part, because some of our colleagues who defend the filibuster were not in the Chamber to vote. If they had been, they would unquestionably have voted against cloture, and two-thirds of the Members of the Senate would not have been present to approve it.

I think there are times when the public interest might well indicate to two-thirds of the Senators, and more, that 2 days after a petition were filed, debate should be terminated. Think of some grave national emergency. Think that perhaps a handful of Senators, for whatever purposes motivated them, opposed a position which, for example, a President of the

United States, and the Nation as a whole, might take with respect to proposed legislation. Under the present rules of the Senate, I believe that after 2 days had elapsed a cloture provision would be approved overwhelmingly by this body.

But suppose that there were in the U.S. Senate a strong minority which did not want the Senate to vote on a bill, and were prepared to use the misnamed rule of "unlimited" debate in order to prevent Senators from voting. We who have joined in submitting this motion believe that U.S. Senators, after a long period of time, after the passage of many weeks, ought to have the right, finally, by majority vote, to bring before the Senate the question pending, so that Senators might pass judgment upon it. Under our proposal, we would allow the present two-thirds, 2-day cloture provision to remain, but would add to it a second or alternative provision that a majority of the Members of this body—51 Senators—after 15 days of debate, would be able to invoke cloture if at long last they so desired.

Mr. President, I ask unanimous consent that the text of our resolution be printed as a part of my comments.

There being no objection, the text of the resolution (S. Res. 10) was ordered to be printed in the Record, as follows:

*Resolved*, That rule XXII of the Standing Rules of the Senate is amended by redesignating section 3 of the said rule as section 4 and by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all, unless additional time is provided in accordance with this rule, to not more than one hundred hours, of which fifty hours will be controlled by the majority leader and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however*, That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. KUCHEL. Mr. President, I wish to make it perfectly clear that while we provide in our cloture resolution for 15 legislative days to elapse before voting, in actual practice far more than 15 legislative days would pass before cloture would be available to be invoked by a majority of the membership of the Senate. Fifteen legislative days would constitute about 3 weeks. I suppose that each legislative day would run 10, 12, or 14 hours, maybe more. But before 16 Senators signed a cloture petition, I am sure that Members of the Senate would want to determine what kind of debate was ensuing, whether there was a filibuster, whether, indeed, they should sign a cloture petition, which would not be filed on the opening days or weeks of oratory on a motion or a bill or a resolution.

Consider the situation in which the Senate now finds itself. A motion has been made to set a resolution for debate. That is the issue before the Senate. The issue is, Shall the Senate proceed to debate a rules change?

One of my beloved colleagues said the other day that he and the other opponents of our proposal were prepared to debate this question all 12 months of this calendar year. If he was quoted correctly, I respectfully suggest that that is a little longer than the rule of reason would indicate to determine whether Senators wanted to debate a rules change. We shall see how long this debate continues. We intend, using the American Constitution as our authority, to give Senators an opportunity to prevent a 12-month long debate.

After Senators have been given an opportunity, if they are given an opportunity, as they must be, to set a rules change for debate, then the same problem will arise all over again. Once again, the great and glorious theory of "unlimited" debate in the U.S. Senate will be available to Senators to talk the issue to death.

I have witnessed filibusters in my few years in the Senate. I can recall the late great Robert Taft, when he sat in the chair of the leader of the then majority party, determined to break a filibuster by keeping the Senate in constant session, 24 hours a day—all day long, all night long, never stopping. He felt that only by wearing Senators down—and maybe out—could the filibuster be broken. Senators came here and got what sleep they could in the two cloakrooms and in the Marble Room, and anywhere else they could. Some of them slept in their offices. Quorums were called every 2 hours. We would all get up, dress, and come back here to the session in the Chamber to answer the quorums. That filibuster was brought to a conclusion because one Member of the Senate, so his doctor told him, was on the verge of a heart attack, and the filibuster was reluctantly called off.

I have witnessed other filibusters. On one occasion a filibuster lasted almost a whole month. I returned home to my family on Sundays; but from early Monday morning until late Saturday night, like most of my colleagues, I was here in the Senate.

This is an age of speed. Communications are instantaneous. The transportation of people and of things around the globe takes relatively but a few moments. Your brother, the President of the United States, Mr. President, when he spoke to Congress on the state of the Union, indicated the vast and dangerous problems which confront our Nation. This country had a grave problem last October. It is not yet solved, but the most frightful danger, apparently, was eliminated. Yet the U.S. Senate can be frustrated. The U.S. Senate can be prevented—effectively and finally prevented—from acting, on any question, no matter how crucial, if Senators, less than a clear majority, wish to prevent the majority from acting.

I want to see the Senate follow orderly procedure. I want to see full debate on every issue. I want to see every Senator given an opportunity to speak as long as he desires to speak honorably and relevantly with respect to the issue at hand. But finally, I want Senators, who come here by the grace of the electorate, to be compelled to vote, using whatever brains God put in their heads to vote the way they believe they ought to vote in order to satisfy the public interest. Mr. President, what a regrettable chapter in the history of the U.S. Senate it was, only a few months ago, when pending here was a bill, promised by both parties, to prevent the misapplication of so-called literacy tests, in order to deny some citizens of this country the right to vote. But the Senate could not vote on that bill; Senators did not have an opportunity to vote on it. That bill was set aside because some Senators, a minority, said, "We will not let the Senate vote on it."

Mr. President, it is all very well and good for some to say, "The Senate can change its rules by majority vote whenever it wishes to; whenever there is in the Senate a majority of Senators who wish to change its rules, a majority of the Senate can change its rules." But, Mr. President, that is not so, because there exists the vicious rule under which Senators can be prevented from voting at all.

Mr. President, those of us who join in the petition believe it is just and right for a majority of Senators, after many weeks of debate, to terminate the debate, so that a vote may be taken. But the provisions of our resolution also give 100 hours of additional debate, after 51 Senators invoke cloture. Anyone who claims that our proposal is a gag rule is completely wrong, Mr. President, in my judgment, is provably wrong. We wish to give 51 U.S. Senators the right—when they determine that debate, after many weeks, has reasonably been exhausted—to proceed with the business of the American people. That is what we desire;

that is what we work for. We hope Senators will join us in these beginning days of this new Congress, under the Constitution.

Across the street, carved on the entrance to the U.S. Supreme Court Building, is an exalted America maxim, "Equal justice under law." Mr. President, this country came into being in order to give all Americans equal justice under law. All American citizens are equal before the law, whether they be black, white, Catholic, Jew, Protestant, Mohammedan, or whatever is their racial or religious background. All American citizens are equal before the law. But, in all too many cases in the U.S. Senate, a minority of the membership is superior to a majority of the membership. The majority in the Senate is, all too often, unequal to the minority before the law of the Senate.

Mr. President, the other day it was said—and I think it bears repeating as I conclude—that a majority of the Members of the Senate and of the Members of the House of Representatives can, constitutionally, plunge this country into war. A majority of the Members of the U.S. Senate can, constitutionally, pass legislation. A majority of the Members of the U.S. Senate can change the rules of the Senate.

We urge our colleagues to give the most serious consideration to our plea to them that now, at the beginning of a new session of Congress, by majority vote, exercising a constitutional responsibility which Senators have, they vote to terminate debate at the proper time, in order that a majority of Senators, if they see fit to do so—as we hope and pray they will—will shear away from the procedures of the Senate the filibuster rule and all of the undemocratic and odious arrangements by which that rule enables a few to prevent the many from voting on legislation in the public interest.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MORSE. Mr. President, reserving the right to object——

The PRESIDING OFFICER. Debate is not now in order.

Mr. MORSE. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The only question is whether there is objection to the request. If there is objection to the request, the clerk will continue the call of the roll.

Mr. MORSE. If the Chair does not wish to hear my reasons, so that my friend, the Senator from Florida, may reply, I object; and I call for a live quorum.

The PRESIDING OFFICER. Objection is heard; and the clerk will continue the call of the roll.

The legislative clerk continued and concluded the call of the roll, and the following Senators answered to their names:

[No. 3 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Edmondson
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. BAYH in the chair). A quorum is present. The question is on agreeing to the motion to proceed to the consideration of Senate Resolution 9.

Mr. SMATHERS. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. SMATHERS. Mr. President, once again we are confronted with the issue of further amending rule XXII; the objective of which is to place a greater limitation on free debate in the U.S. Senate.

The various proposals would, if adopted, permit the cutting off of debate by a mere majority of the Senate, by a mere majority of those present and voting, or by three-fifths of those present and voting.

Freedom of debate in the Senate has without question served this great Nation of ours constructively and well over the many years of its history. It has been the pillar of strength upon which we have maintained and preserved our constitutional government.

Some may argue that the principle of unlimited debate is subject to some abuse, and such might in certain instances seem to be the case, but the benefits which have been derived by this Nation and its people far outweigh any real harm resulting from it.

In my opinion, any further relaxation of rule XXII would seriously impair the maintenance of constitutional government and individual liberty in this Nation. We should therefore waste no time in these days when we have many other problems with which to deal in rejecting this attempt to corrode the citadel of liberty.

Mr. President, I know of no major legislation, and this includes civil rights legislation, that has ever been prevented from consideration or passage by reason of extended debate.

Under the existing rule, cloture was invoked in the last session of the Congress in connection with the consideration of the satellite communication bill, thereby demonstrating that when two-thirds of Senators believe the debate has gone on long enough, they can bring that debate to an end.

Why, then, is there a necessity for further relaxation of rule XXII? The fact is that there is none.

Some of the proponents may argue that further modification of this rule would make it easier to enact civil rights legislation. This argument falls by the wayside, because we have seen in recent years the enactment of two civil rights bills.

Some may argue that we need to change the rule to speed the legislative process.

This argument is equally untenable. Following this concept, the will of a mere majority, solely motivated by passion, irritation, or zeal, could run roughshod over a minority, and deprive the minority from expressing its views freely in all matters of public interest. Subjecting a minority to the whim of a majority under such circumstances would destroy conscientious deliberation and free discussion of matters affecting the welfare of the Nation.

Without temperate consideration of all measures affecting the public interest in an atmosphere where reason, justice, and truth can be fully explored, great harm could come to our democratic way of life. It is with this thought in mind that our Founding Fathers created this great body so as to insure the preservation of this principle.

Majority rule stampeding its will in utter disregard of minorities could wreak havoc on the Nation as a whole and lead us down the path to tyrannical government.

In his "Manual of Parliamentary Procedure," Thomas Jefferson wrote as follows:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is a part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

Note the careful admonition of Jefferson that "before tampering with this right we should assure ourselves that what is lost will not be greater than what is gained." This is sage advice which should not be taken lightly. The right of which he speaks is the foundation upon which this great Republic has endured, and will continue to endure.

Former President Franklin D. Roosevelt, while Governor of New York, foresaw just such dangers. In a radio address on States rights delivered on March 2, 1930, he stated:

> The moment a mere numerical superiority by either States or voters in this country proceeds to ignore the needs and desires of the minority, and, for their own selfish purposes or advancement, hamper or oppress that minority or debar them in any way from equal privileges and equal rights—that moment will mark the failure of our constitutional system.

This body cannot ignore the warnings of great men of the past. Constitutional government cannot long endure by overriding the basic foundations upon which it is predicated. Corrosion of these foundations weakens the safeguards of our liberties.

Free and unfettered debate is what gained for this great body the well-deserved reputation of being the world's greatest deliberative assembly.

In my opinion, any further relaxation of rule XXII would unduly limit freedom of debate and eventually destroy the fundamental basic relationship that presently exists consonant with the Constitution of the United States. Wisdom, reason, and justice dictate that only through unlimited debate can we preserve individual liberties, maintain a government of law, and fully protect the rights of each State to be equally represented pursuant to the Constitution of the United States.

Only by preserving this great principle can we insure that reason, truth, and justice will prevail.

Think what might be the result under the circumstances existing in this body today if, God forbid, any of these proposals were ever adopted. The Senate, being comprised of 67 Democrats and 33 Republicans, the majority party on any political issue could stifle and limit free debate of the minority party. In other words, it is conceivable that, under the proposal, the majority party could gag the minority party completely.

Often I wonder how many of us have sufficiently pondered the intricate and interwoven nature of our political system of government. I must confess that I am continually amazed at the way in which every feature of that system leads to and from almost every other facet of the structure.

Our Federal Government, and the political system of which it is a part, is like a gigantic, three-dimensional web, with every strand intimately connected to every other. Cut one strand and the entire structure is immediately warped or weakened.

The various elements of the Federal Government, of the State governments, and of our political parties are connected by a complex of relationships, formal and informal, legal and extralegal, institutional and traditional. Each supports the others, and all depend upon the existence of certain objective conditions.

I do not mean to imply by this analogy that nothing in that system may ever be changed. While I yield to no one in my admiration for the work of the Founding Fathers, I am quite aware that our country could not have continued without changing some of the details of the structure they built. The Founding Fathers themselves were quite aware of the need for flexibility, and gave us ample leeway for any alterations which the passage of time might make necessary.

But in certain fundamentals, the men who devised the Constitution of the United States knew about the ways in which our system of government must operate in order to remain viable.

What those men did in Philadelphia 176 years ago was to construct an edifice adapted to the peculiar circumstances and needs of this country. They based that structure upon principles rooted in the need to maintain the unity of the Nation. The political house in which we live was designed by architects who had in mind traditions, geographical features, and people.

We have considerably expanded that house since 1787. We have built new wings to provide shelter for greater diversity. But we have never altered the basic style of the building. We have known, and know only too well, that its fundamental structure is the one in which we can best flourish and remain strong. Over the years that basic style, that devotion to special principles of government, has been stamped upon almost every feature of our political system.

In my opinion, this is to the credit of the United States of America. To me it reflects the high degree of political sophistication we have attained. It illustrates the way in which those basic principles permeate every aspect of the way in which we govern ourselves. And it is a further proof that those basic principles do indeed nourish the liberties of our people.

One of those principles was perhaps best explained by James Madison. Addressing himself to the question of whether the Constitution he was defending in the Federalist was Federal or national in character, he wrote:

> The proposed Constitution is, in strictness, neither a national nor a Federal Constitution, but a composition of both. In its foundation it is Federal, not national; in the sources from which the ordinary powers of the Government are drawn, it is partly Federal and partly national; in the operation of these powers, it is national, not Federal; in the extent of them, again, it is Federal, not national; and, finally, in the authoritative mode of introducing amendments, it is neither wholly Federal nor wholly national (Federalist, No. 39).

In short, the Government of the United States is both Federal and National in character. To my mind, both aspects of that character must be maintained to insure the future health of the Nation.

The embodiment of that Federal character lies in the States of the Union and in our own great legislative body, the Senate of the United States.

The House of Representatives represents the people of this country as groups divided into roughly equal population units. It was created and designed to give the people direct representation.

The Senate, on the other hand, was created to represent the people as States. In this sense, it serves an electorate differently from that of the House of Representatives or of the President.

Let me make it clear that the people of the United States have continued to make use of this Federal aspect of our system not for sentimental reasons, not because of habit, and not solely for the sake of reverence for tradition.

There is nothing mystical about the necessity for the maintenance of States rights and for the continuation of a system of sovereign States within a sovereign Union. We have kept that system for immensely practical reasons.

The first thing we believe is that the closer government is kept to the people, the more responsive it will be. There is nothing more practical than that.

We also believe, and I think the American people instinctively recognize, that our political system must take into account the difficulties created by the vast size of the United States, by its enormous diversity of geographical conditions, economic interests, social habits, racial and religious backgrounds, and sectional problems.

The vehicle for the representation of this multitude of interests is our system of States represented by the Senate. One of the great purposes of the Senate is to act as a compromiser of these interests. The unity of the Republic, and therefore its continued existence, depends upon the principle that the conflicting interests of States and sections must be reconciled and harmonized. The Senate is the preeminent guardian of this system.

Of course, the Senate has other basic functions in our system. One of these is illustrated by the story told of Thomas Jefferson, who, on his return from France where he had served during the writing of the Constitution, called on President Washington. At the breakfast table, Jefferson demanded to know why Washington had agreed to a second Chamber in the legislature.

Asked Washington:

> Why did you pour that coffee into the saucer?

Replied Jefferson:

> To cool it.

Said the President:

> Even so, we pour legislation into the senatorial saucer to cool it.

James Madison, one of the great scholars among the Founding Fathers wrote:

> The use of the Senate is to consist in its proceedings with more coolness, with more system, and with more wisdom, than the popular branch.

As has been pointed out on innumerable occasions and by every scholar of the Senate, this body was meant to be a deliberative body.

It was meant to assure to the American people a forum in which full and complete debate could take place.

It was meant to provide a balance to hurried consideration of important measures.

It was designed as an institution in which the coolness of reason and fact could find a congenial haven, with time for consideration and assessment.

It has developed into a primary organ for the enlightenment of public opinion through extensive debate of the issues.

The reputation of the Senate as a great deliberative body was earned during the 19th century. Every great issue of that decade was pounded out in infinite detail in this body. Internal improvements, the removal of the deposits from the U.S. bank, the famous Clay compromises, the bitter conflict over slavery, tariff and railroad legislation, the control of monopoly—these were but a few of the great problems in which the Senate's deliberative processes played an important role.

This feature of our Government is precious to the well-being of the country. No other nation in the world possesses it. We should be all the more reluctant to give it up.

To sum up, the men who wrote the Constitution envisioned a Senate with at least this great quality; an unparalleled ability to provide full and deliberate attention to all important measures with safeguards sufficient to compensate for momentary passions.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. SMATHERS. I am happy to yield to the Senator from Alabama.

Mr. HILL. Does the Senator know of any measure which has been killed in the Senate by free and extended debate and which was worthy of passage and whose defeat was a great loss to the people of the country?

Mr. SMATHERS. I know of no such proposed legislation in the 12 years I have been in the Senate.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. DOUGLAS. How does the Senator feel about the literacy test bill of last year?

Mr. SMATHERS. I believe the question of the Senator from Alabama was directed to measures the passage of which he thought would have injured the country. The measure to which the Senator from Illinois refers is not one of those measures.

Mr. DOUGLAS. Then why not let the Members of the Senate vote on the question, instead of preventing a vote by interminable discussion?

Mr. SMATHERS. I am confident the Senator from Illinois remembers the occasion when he endeavored to keep the Senate from voting on the Telstar bill. After more than 2 months of debate, the Senate finally decided that the time had come, in the interest of the country, to bring about cloture. Cloture was adopted, and we finally were able to get to a vote. I am satisfied that on almost any proposition and on any program that is advocated, in connection with which there is a great feeling that it is desirable to have final passage of it, it can be passed under the present rule.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to reply to the statement of the Senator from Florida.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. I may say to my good friend from Florida that what I objected to then was the unequal application of the rules. We had earlier gone through a period in which the leadership on both sides was extremely lenient to Senators who were filibustering against the civil rights bill. There were no Saturday sessions and no evening sessions. Larded and full compliments were paid to the leaders of the filibuster. There was no real attempt to break the filibuster.

However, when it came to turning over the communications satellite to a powerful trust, the bipartisan leadership, on both sides of the aisle, and the political and economic establishment combined after only about 12 days of substantial debate to put cloture through and to put down the opposition. I objected to that unequal treatment.

Mr. SMATHERS. Will the Senator permit me to respond to him at that point?

Mr. DOUGLAS. Certainly.

Mr. SMATHERS. It seemed to be the consensus of opinion, certainly of most Senators, that after we had debated the bill, which had been considered by three different committees, and had debated it for I do not remember how long, and after we had used up something like 16 CONGRESSIONAL RECORDS, for about 6 weeks, it was about as lengthy a discussion as I had ever witnessed and, I think, as had ever been had on the floor of the Senate.

After that time, and not in any measure to cut off the brilliant arguments being made by the Senator from Illinois and other Senators, but only in the general public interest and to get on with the business of Congress and to make some decision one way or the other with respect to Telstar, cloture finally was adopted.

Frankly, I thought that the leadership—and the leadership does not need any defense from me—was extremely charitable in its attitude toward the able Senator from Illinois and his colleagues, who at that time were taking the position that the communications satellite bill was not a good bill for the country.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to reply, without the Senator from Florida losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, what we face fundamentally with respect to civil rights matters, where a two-thirds vote is necessary, is this: While there are a few Senators from the States of the Confederacy who have reservations about this subject and are probably not joining in the present filibuster, which is now beginning, nevertheless, when the time for a vote comes, the Senators from the 11 States of the Confederacy always vote against a limitation of debate.

Then we need also to remember that Kentucky, Maryland, and Delaware were slave States and carry over, in part, some of the traditions of the Old South. Of the six Senators from those States, there are generally at least four who will vote against cloture.

Then if we move to the Southwest, we find Oklahoma, which, though it has a degree of breezy westernness about it, is strongly permeated by Southern traditions.

Then we come to Arizona and New Mexico. They are on the Santa Fe Trail. Of the southerners who went out to California, those who did not make the distance dropped off along the way and created the population base of New Mexico and Arizona. So from those three Southwestern States, there are generally four, sometimes five, Senators who will vote against a limitation of debate. This brings us up to 31.

Then there is Nevada, the State of the Union having the smallest population. Nevada does not like to give up its veto power in these matters, so Nevada generally joins the South.

Then there are the crypto-southerners, distributed among the Republican Party in the Midwest, with an occasional vote in the North, Republican Senators whom the South will assist in matters of wheat and other issues, and who find the alliance very convenient to maintain.

So in practice it is impossible to get the two-thirds, even though a majority of the country wants it.

The Senator from Florida [Mr. SMATHERS] is one of the three expert leaders of the Democratic Party on the floor of the Senate. He knows this perfectly well. There is no use fooling the Senate or fooling the country. It will never be possible to get cloture on meaningful civil rights measures so long as the two-thirds rule remains.

Mr. SMATHERS. Then will the Senator from Illinois admit by that statement that the only reason he wishes to do away with the two-thirds rule is primarily to protect civil rights?

Mr. DOUGLAS. That is the primary reason.

Mr. SMATHERS. The Senator from Illinois will agree, will he not, that two civil rights bills which were fully debated have been passed in recent Congresses?

Mr. DOUGLAS. Will the Senator from Florida permit me to reply?

Mr. SMATHERS. Yes.

Mr. DOUGLAS. The content of those civil rights bills reminds me of Abraham Lincoln's description of a soup which was made from the shadow of a crow which had starved to death. The southerners permitted those bills to pass only when they knew there was really little or no substance to them.

Mr. SMATHERS. The Senator from Illinois seems to assume that if other Senators do not agree with him, something appears to be wrong with them.

Mr. DOUGLAS. No.

Mr. SMATHERS. Those civil rights measures were debated and adopted by a big majority. I am sure the Senator from Illinois does not wish to imply that the other Senators were not doing that which they thought was right.

Mr. DOUGLAS. Oh, no.

Mr. SMATHERS. Or were voting for a bill which they thought was not a good bill.

Mr. DOUGLAS. Oh, no. I simply say that I know that those who favored the civil rights measure were told that if such a provision were included, the southerners would kill the whole measure by talking it to death. So the southerners exercised a tacit influence over the whole nature of the bill.

Then the southerners went through the motions of filibustering in order to square themselves with their constituents in the South, knowing they had not made any real concession whatsoever.

I am one who does not believe in hypocrisy. I think we might as well know what happened. That was precisely what happened in 1957.

Mr. SMATHERS. Other Senators do not need any defense from me; but it seems to me to be unfair for the Senator from Illinois to tell about what all the other Senators were thinking. I think it is well and good for the Senator from Illinois to express his own view. When he said it was a matter of hypocrisy——

Mr. DOUGLAS. I did not say that. I said I do not believe in hypocrisy.

Mr. SMATHERS. By indirection, the Senator from Illinois means that other Senators do, because they passed the bill.

I have observed with great admiration the brilliant mind of the Senator from Illinois. I have observed over many years that it seems to be one of his dispositions to presume that "people should agree with me; and if they do not agree with me, then somehow they are indulging, perhaps, in a little hypocrisy, even though they may not know it."

I believe that most southerners and most midwesterners—in fact, most of the Senators who voted for the bill—thought it was a good civil rights bill. But we from the South did not think it was necessary. We spoke against it and worked against it. But it was passed.

It was hailed in many quarters as being a magnificent step in bringing about further so-called civil rights legislation. I read and heard stories about it. Everyone who wanted credit took credit for it. So it seemed to me, as a sort of innocent, relatively new Member of the Senate at that time, that it was a pretty good bill for them and a pretty bad bill for us.

Mr. DOUGLAS. The Senator from Florida knows perfectly well that if there is a civil rights measure of a meaningful nature, having any real susbtance to it, the "battalion of death," the 18 Senators who, I understand, are organized in teams of 6 each to fight this proposal, can prevent it from coming to a vote by interminable talk, by quorum calls at all hours of the day and night. If they have the help of the Senate leadership, they can prevent it from coming to a vote. We know that.

Mr. SMATHERS. As I understand, the other side is organized pretty well. Is not the Senator from Illinois on some team?

Mr. DOUGLAS. We are only a team trying to enable the Senate as a whole to decide by majority vote what type of rules it wants with respect to a limitation of debate. That is the only team we are on. We are not here to defeat the will of the majority; we are here as humble instruments in order to make the will of the majority prevail.

Mr. SMATHERS. I think we are in a moment of great candor, such as the Senator spoke about. Let us be frank. A moment ago he said that the reason a change in the rules is proposed is to enable the passage of civil rights legislation.

Mr. DOUGLAS. A majority of the country wants to have a civil rights bill, and the majority of the Senate, if the issue were ever presented to it, would pass it. Then why filibuster? The filibusterers know that if these issues are brought to a vote, they will pass; so they try, by interminable means, to prevent these measures from coming to a vote.

Mr. SMATHERS. Last year, the Senate finally exercised its will with respect to the Telstar bill by closing debate.

Mr. DOUGLAS. That is correct.

Mr. SMATHERS. When there is a sufficiently large number of Senators who believe that certain legislation should be passed, the Senate can act.

Mr. DOUGLAS. On noncivil rights matters, I think the Senate can act; but on civil rights matters, it cannot act for the reasons I have mentioned.

Mr. SMATHERS. I have the feeling that if we had before us the consideration of proposed legislation on civil rights matters that was not punitive in nature, we might be able to achieve what the Senator from Illinois wishes to achieve.

Mr. DOUGLAS. Does the Senator from Florida mean that if there were ineffective civil rights legislation, the South would have no objection to its passage?

Mr. SMATHERS. Perhaps the Senator from Illinois would like to call it ineffective. Some of us believe it to be in the nature of punitive legislation; there is that difference of opinion.

Mr. President, here, then, we have those basic principles I mentioned earlier: a system combining the essential qualities of federalism and National Government, the elected bodies of which represent the total population organized into different electorates, with the Senate acting as the great compromiser of State and sectional interests, using as its primary defense of minorities the right of responsible extended debate.

Today, unfortunately, this right is widely viewed solely as a refuge for the South. This is, of course, totally untrue. In the long history of the Senate that right has been used to protect minority interests of every kind and of every section of the country. It has been used alike by liberals and conservatives.

Frankly, and without for a moment doubting their sincerity, I find it difficult to understand the reasoning of those who, while they inveigh against the right of unlimited discussion, do not hesitate to use it whenever it suits their purposes. One who puts himself in such a position in effect condones the theory that the end justifies the means.

As was discussed a moment ago between myself and the able Senator from Illinois, we remember that last year the Telstar, or the communications bill, was before the Senate. It was felt then by a little band of self-styled liberals that that particular legislation was bad. They went to great lengths to use every parliamentary device at hand to carry out the debate to such length that eventually, they hoped, the bill could not be passed. I think it was the longest debate we have had in the Senate—certainly the longest in the 12 years I have been a Senator. Finally, the will of the Senate was such that a great majority of the Members of the Senate felt the discussion had gone on at such length that it should be brought to a stop, and, under the present rules, those we now have, we were able to stop the debate, have a vote on the bill, and go forward with the work of the Senate.

So I think it has been amply demonstrated that the present rules provide for the stopping of unlimited debate when there is a great need to stop that unlimited debate and get on with the work of the Senate.

In my view, of course, the means in this instance is a perfectly acceptable one. Its use by virtually every minority in the history of the Senate to protect its legitimate interest is fully in accord with the basic principles of our political system. In fact, its very usage, in the face of the inevitable distaste and condemnation to which it is subject, argues for the necessity of its existence.

Which one of us is not in the minority? Which one of us does not represent some minority? Who in this country does not belong to some minority?

The fact is that this is a nation of minorities. The very concept of a majority, a word which is thrown about with great abandon, is something of a half-truth when applied to the legistive process in this country. Majorities here are conglomerations of minorities united on a particular issue for varying reasons. Who in this body is not aware of the shifting nature of these coalitions and alliances?

Politics, it is said, makes strange bedfellows. Of course it does, and not because men are unprincipled, but because they realize that legislative progress depends upon these marriages of convenience, which may dissolve overnight, but which bring legislation to fruition. A viable government is only possible when operated by reasonable men, and reasonable men are those who are willing to compromise.

This, in fact, is the normal course of events in both Houses of Congress. We each give a little and take a little and arrive at the best we can obtain. If we did not, government would collapse.

But what is the situation when a minority finds itself outnumbered on an issue on which it is unable to compromise, an issue it regards as vital to its very existence?

Here, I believe, we have arrived at the crux of a decisive problem in American politics. And here is where the most delicate judgment is required if the protection of minorities is to become nothing more than an empty phrase.

I recognize the complications of the situation and acknowledge the merit of many of the arguments put forward by those who are eager to see the will of the majority triumph. I hope they will equally admit that the matter is not as simple as they sometimes make it out to be.

There is seldom any clarification as to what kind of majority we are talking about. Do we mean a bare majority, one-half plus one of those voting? Do we mean a majority of a quorum? Do we mean a constitutional majority?

Is it absolutely necessary to the furtherance of the democratic ideal that all questions be decided by one of these majorities? The Constitution itself denies this concept. That historic and cherished document declares that certain matters must command varying types of majorities for passage.

No person, says the Constitution, shall be convicted, having been impeached, without the concurrence of two-thirds of the Senators present.

Each House has the right to expel any of its Members, but only on the concurrence of two-thirds of them.

The overriding of a Presidential veto requires a majority consisting of two-thirds of the Senate and the House of Representatives.

When the choosing of the President devolves upon the House of Representatives, the choice is made not by a majority of the Members but by a majority of all the States.

The advice and consent of the Senate to treaties negotiated by the President requires a vote of two-thirds of the Senators present.

Amendments to the Constitution must be proposed by a vote of two-thirds of both Houses of Congress or by two-thirds of the several States, and become valid only on the ratification of three-fourths of all the States.

I have yet to hear a reasonable explanation of these constitutional provisions and of their significance from those who protest the inviolate sanctity of majority rule. And yet the explanation is not only simple but logical. I commented earlier on the extraordinary interdependence of every facet of our political system, and here again is an example of that phenomenon.

There are some decisions, the Constitution writers agreed, that are so significant, so vital, so crucial to the welfare of the Nation and to the true ideals of its existence that a majority of one-half plus 1 will not suffice. These are decisions of such moment that a wider consensus is justified. These are decisions the nature of which is such that the bare majority of the moment cannot be entrusted with the final word.

One would think, at first glance, that impeachment proceedings have no place in such a category. Yet the explanation of these provisions given in the Federalist letters by Alexander Hamilton is of the utmost importance. Hamilton wrote:

> A well-constituted court for the trial of impeachment is an object not more to be desired than difficult to be obtained in a government wholly elective. The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done to the society itself. The prosecution of them, for this reason, will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused * * *. In such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties than by the real demonstrations of innocence or guilt (Federalist, No. 65).

Mr. President, if any proof of the extraordinary political sagacity of our forefathers were required, if an example of their phenomenal prescience were demanded, here are the words for all to see.

How incredibly apt and accurate are those phrases, when applied to some of the issues that underlie the current attempt to further modify the rules of this body.

> Some matters—

Observed Hamilton—

> agitate the passions of the whole community, and * * * divide it into parties more or less friendly or inimical * * *.

In such instances, he reminds us, the greatest danger arises in the possibility that the decision will be made at the whim of the majority of the moment, and not made on the basis of facts but under the onslaught of passion.

Mr. President, the so-called civil rights issues which are said to motivate the attempt to curtail minority rights in this body are among the most passionate of our day. I do not question the sincerity or the humanity of those who champion these issues. But I think it is pertinent to inquire whether they are driven by reason or by emotion.

What other matters appeared to the Founding Fathers of such consequence as to require more than the concurrence of a bare majority? The right of each House of Congress to expel one of its Members is one. The overriding of a Presidential veto, surely a momentous event, is another. The choice of a President by the House of Representatives is still another, and here we ought to keep in mind that this was expected to occur rather frequently. The approval of treaties, a rather serious check upon the power of the President, is a further instance.

But perhaps the most significant of these unusual decisions was to be the amendment of the Constitution itself. And here the sages of our early years decreed the widest possible agreement, an affirmative vote of no less than three-fourths of all the States.

Why, why did those who so long ago wrestled with our future have no compunctions about requiring more than the usual majority for decisions of this sort?

The reason, as I have suggested, is both simple and logical. There are some matters of such consequence that no decision can be made, without endangering the very existence of the Nation, unless substantially every important minority in this country of minorities is agreed.

But are these matters enumerated in the Constitution the only ones of such phenomenal importance? Surely not. We could hardly expect even Madison, Hamilton, Franklin, Jay, and Washington to anticipate each and every issue of the decades that were to follow their labors. Instead, they and their successors provided us with this flexible instrument we call the Senate. And here they established a most extraordinary and almost automatic protection for the crucial rights of minorities.

The operation of this body depends upon the delicacy of the judgment of its Members. I do not deny that it may be open on occasions to irresponsibility. So is freedom of the press. So is the concept that a man is innocent until proven guilty. So is the condemnation of double jeopardy. But few will argue that the basic validity of these principles is diminished by the possibility that its rules may become subject to abuse.

In the day-to-day operation of the Senate, business is conducted on the basis of a bare majority. The minorities combine, dissolve, and realine themselves according to the issue, and those matters which can attract to themselves a sufficient number of minorities to achieve a bare majority of those present and voting carry the day. The conflicts which exist in the majority of the moment are compromised in the best interests of all. Surely no one will dispute with me if I estimate that roughly 99 percent or better of the business conducted by the Senate is transacted in this manner.

But a fraction of 1 percent of the issues that come before the Senate are of transcendent importance to at least one or more of the minorities here represented. These are issues upon which the section, the interest, or the minority involved feels in its heart of hearts that it can accept no compromise. Unavoidably there are such issues, and the South is not unique in the number it has championed.

## PROPOSED STUDY AND INVESTIGATION OF ALLEGED SOLICITATION OF POLITICAL PARTY CONTRIBUTIONS FROM GOVERNMENT EMPLOYEES

During the delivery of Mr. SMATHERS' speech,

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Florida yield for the submission of a resolution?

The PRESIDING OFFICER (Mr. BAYH in the chair). Is there objection?

Mr. DOUGLAS. Mr. President, I must object to having the Senator who now has the floor yield for the submission of a resolution, because that would constitute the transaction of business, and it might be interpreted as tacit acceptance of the two-thirds rule of the Senate.

Mr. CASE. Mr. President, will the Senator from Illinois withhold for a moment his objection?

Mr. DOUGLAS. Yes.

Mr. CASE. I wonder whether it may be possible at this time to obtain unanimous consent that the Senator from Florida may yield to the Senator from Delaware [Mr. WILLIAMS], for the submission of a resolution, with the understanding that the yielding for that purpose will not prejudice any rights, and with the further understanding that this right may continue in the way in which it existed at the beginning of the session.

Mr. DOUGLAS. I must say that earlier in the afternoon I objected to a request for unanimous consent that the Senator who was then addressing the Senate might yield in order to permit another Senator to introduce a bill; that request was made by the Senator from Iowa [Mr. MILLER]. I regretted to make that objection, but I wished to prevent the establishment of a precedent to the effect that we would thus be transacting business.

So, with apologies to the Senator from Delaware, I must say that I believe it would be unfair, following my objection to the request of the Senator from Iowa, for me now to agree to the request of the Senator from Delaware.

**Mr. WILLIAMS** of Delaware. Mr. President, will the Senator from Florida yield, to enable me to explain why I wish to submit the resolution to which I have referred?

**Mr. SMATHERS.** Yes, I shall be happy to do so.

**Mr. WILLIAMS** of Delaware. And with the understanding that the Senator from Florida will not thereby lose the floor.

**Mr. SMATHERS.** Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware, for the purpose he has requested, without losing my right to the floor.

**Mr. CASE.** Will the Senator from Florida add to his request the additional request that it be understood that his yielding for that purpose will not be considered as displacing the pending question?

**Mr. SMATHERS.** Mr. President, I amend my request accordingly, in order to conform with the suggestion and statement of the able Senator from New Jersey.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none; and it is so ordered.

**Mr. WILLIAMS** of Delaware. Mr. President, in recent days we have seen numerous articles in the local press in regard to attempts in Washington, D.C., to solicit contributions from civil service employees to a $100-a-plate political dinner to be held in this city. I make no charges in regard to the accuracy of such reports, but if they are true they represent rather serious charges themselves. Articles have appeared in the Washington Star, the Washington Daily News, and this morning in the Washington Post. The seriousness of the charges in these articles cannot be ignored.

In fact, this morning the Washington Post published another article entitled " 'Budget Plan' Advised for $100 dinner." In the article it is pointed out that the Civil Service employees are being offered $100 tickets with the understanding that they could pay $10 down and $10 a month.

I am certain that the Senate will agree that neither political party has a right to "shake down" the civil service employees. I am a strong believer in the civil service system. Certainly it should be protected, but it cannot be protected if either party is allowed to "shake down" the civil service employees for contributions to a national committee. Since these charges have now been made in the press the Senate cannot sit back and do nothing about them.

In this connection I should like to quote from the article written by Jerry Kluttz which was published this morning in the Washington Post:

> A highly respected Federal attorney who has handled many cases involving Government employees yesterday denounced the cocktail party gimmick as "wrong and unethical." He expressed the belief that a court would hold that an employee was subjected to "coercion" if he attends his agency's cocktail party and buys a $100 ticket against his better judgment.
>
> "It's just like reaching into a fellow's pockets and taking $100," the legal expert commented acidly, and continued: "this practice should be stopped before the public service is badly damaged by it."

I agree fully that if this practice has been started it should be stopped, and it should be stopped now. Certainly it is morally wrong, and there is a strong suggestion that it is also legally wrong.

Mr. President, in that connection I ask unanimous consent to have printed in the RECORD, as part of my remarks, a memorandum which has been prepared by the legislative counsel, Mr. Dwight J. Pinion, in which he outlines the specific laws which prohibit the solicitation of contributions from civil service employees or other Government employees in public buildings. The memorandum outlines the many different laws which specifically relate to this subject and which protect the civil service employees. I also ask unanimous consent to have printed in the RECORD, as part of my remarks, certain newspaper articles which have been published in the Washington Daily News and the Washington Post. They criticize this practice of such solicitations from the Government civil service employees for the benefit of any political party.

Next I ask unanimous consent to have printed in the RECORD a copy of a resolution which calls for a Senate committee investigation of this practice, with the suggestion that if it is found to be going on the matter be referred to the Attorney General of the United States for proper enforcement of the laws.

The **PRESIDING OFFICER.** Is there objection?

There being no objection, the memorandum, articles, and resolution intended to be submitted by Mr. WILLIAMS of Delaware, were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE LEGISLATIVE COUNSEL.

MEMORANDUM FOR SENATOR WILLIAMS OF DELAWARE:

Pursuant to your request, there are set forth below the Federal laws pertaining to (1) prohibited solicitation as receipt of political contributions by Federal officers and employees and (2) prohibited political activities which could be involved in such solicitations.

TITLE 18 OF THE UNITED STATES CODE:

"§ 602. Solicitation of political contributions

"Whoever, being a Senator or Representative in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person, shall be fined not more than $5,000 or imprisoned not more than three years or both.

"§ 603. Place of solicitation

"Whoever, in any room or building occupied in the discharge of official duties by any person mentioned in section 602 of this title, or in any navy yard, fort, or arsenal, solicits or receives any contribution of money or other thing of value for any political purpose, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

"§ 606. Intimidation to secure political contributions

"Whoever, being one of the officers or employees of the United States mentioned in section 602 of this title, discharges, or promotes, or degrades, or in any manner changes the official rank or compensation of any other officer or employee, or promises or threatens so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

"§ 607. Making political contributions

"Whoever, being an officer, clerk, or other person in the service of the United States or any department or agency thereof, directly or indirectly gives or hands over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of or Delegate to Congress, or Resident Commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object, shall be fined not more than $5,000 or imprisoned not more than three years, or both."

The act of August 2, 1939, as amended (the Hatch Act):

"SEC. 9. (a) It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. For the purposes of this section the term 'officer' or 'employee' shall not be construed to include (1) the President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments; (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the nationwide administration of Federal laws. The provisions of the second sentence of this subsection shall not apply to the employees of the Alaska Railroad, residing in municipalities on the line of the railroad, in respect to activities involving the municipality in which they reside.

"SEC. 15. The provisions of this Act which prohibit persons to whom such provisions apply from taking any active part in political management or in political campaigns shall be deemed to prohibit the same activities on the part of such persons as the United States Civil Service Commission has heretofore determined are at the time this section takes effect prohibited on the part of employees in the classified civil service of the United States by the provisions of the civil-service rules prohibiting such employees from taking any active part in political management or in political campaigns."

Civil Service Rule IV:

"SEC. 4.1. PROHIBITION AGAINST POLITICAL ACTIVITY.—Persons in the executive branch shall retain the right to vote as they choose and to express their opinions on all political subjects and candidates, but such persons shall not use their official authority or influence for the purpose of interfering with an election or affecting the result thereof. Persons occupying positions in the competitive service shall not take any active part in political management or in political campaigns except as may be provided by or pursuant to statute."

Certain additional provisions of laws and regulations which may be of interest to you in connection with this matter are set forth in pamphlet 20 of the Civil Service Commission entitled "Political Activity of Federal Officers and Employees," a copy of which is attached. Your attention is especially called to the matter relating to Contributions which begins on page 12 of the pamphlet.

Respectfully,

DWIGHT J. PINION,
*Senior Counsel.*

JANUARY 14, 1963.

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[From the Washington Daily News, Jan. 11, 1963]

### PRESSURE CHARGED—CAREER EMPLOYEES HIT COCKTAIL PARTY PLANS

(By Jack Steele)

Thousands of Government career employees are being pressured to buy $100 tickets to a Democratic fundraising "gala"—with the chance of having "booze with your boss" held out as bait.

Several aroused civil service workers told the Washington Daily News and other Scripps-Howard newspapers today the Democratic National Committee was the source of their telephoned invitations to attend "cocktail parties" given by the heads or top officials of their departments or agencies.

They charged such indirect "pressure" and "coercion" violated the Hatch (clean politics) Act.

Democratic National Committee officials denied it.

#### PROBES URGED

But Republican Members of Congress demanded investigations by both Congress and the Civil Service Commission of what they charged was an effort by the Kennedy administration to evade the Hatch Act's restrictions on solicitation of political funds from Government employees.

Congressmen said they had received scores of complaints from irked Government workers.

The cocktail parties will precede the so-called Second Inaugural Anniversary Salute to President Kennedy at the District of Columbia National Guard Armory on January 18.

Only those who buy $100 tickets for this "Salute"—at which Judy Garland will head a star-studded cast of entertainers—will be invited to the cocktail parties. No food or drinks will be served at the armory affair.

#### SURVEY

A survey by Scripps-Howard newspapers revealed that virtually every civilian department and agency of the Government has scheduled such a cocktail party—at the request of the Democratic National Committee.

Some of the parties will be in hotel banquet rooms, others in the homes of agency heads or officials. Free buses will haul the contributors to the armory after they have satisfied their thirsts.

Among the parties scheduled is one to be held at District of Columbia Commissioner Walter N. Tobriner's home at 6100 33d Street NW. But Mr. Tobriner has denied that reported pressure is being put on employees. He disclosed he had simply agreed to give a cocktail party on the night of the "Salute."

One of the few agencies whose officials said they knew of no cocktail party plans is the Justice Department, headed by Attorney General Robert F. Kennedy, the President's brother.

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[From the Washington Post, Jan. 12, 1963]

### NO PROTESTS LISTED OVER DEMOCRATS' $100 DINNER, BUT—

(By Jerry Kluttz)

Not a single Federal employee up to now, has protested to the Civil Service Commission that he has been pressured to buy a $100 ticket to the January 18 Democratic dinner here. And Civil Service Commission is the proper place to lodge any such complaint.

But officials throughout Government, including some ardent New Frontiersmen, are concerned over several aspects of the high-pressure drive by Democratic Party wheels to sell tickets. They're fearful the campaign tactics will boomerang and hurt the President.

Agency officials have been called by the politicos and urged to supply them with the names and home addresses of their top-grade employees, career as well as political appointees. Some agency heads have flatly refused to cooperate; others, however, have complied.

Legal experts say it's a violation of the spirit, if not the letter of the law, to use Government facilities and premises to compile the lists for political purposes. That comes under the misuse of Federal property. It's entirely possible that several eager-beaver agency officials will be embarrassed by going overboard to please the politicos.

Promoters of the $100 affair have assured one and all that no pressure is exerted on Federal employees and that those who buy tickets do it voluntarily.

But their innocent disavowals don't stack up with their actions in calling agency heads to say, in effect, that only half a dozen of your employees have bought tickets * * * can't you people over there do better than that? We've reserved several tables for you and your party at the dinner. Don't disappoint us, and so forth.

That's about as voluntary as a blackjack. The calls to agency heads are an invitation to them to pressure their employees to part with $100 each. Also, the calls to homes of employees by Democratic workers who urge them to accept the dinner invitations and to buy tickets has elements of strong-arm tactics.

Incidentally, Representative BENNETT, Democrat, of Florida, yesterday introduced a resolution to set up a Commission on Ethics in the Federal service. Perhaps such an Agency, if created, could lay down sensible rules for political fundraising among Federal employees.

Benjamin Y. Martin, a retired VA attorney, has been appointed assistant to Vaux Owen, president, National Federal of Federal Employees. He has an excellent record of getting things done.

Fred O'Dwyer, president of the independent Postal Supervisors, has joined the union's full-time staff here. He'll be given a welcoming dinner tonight by supervisors at the city post office. Dan Jaspan and Don Ledbetter are other full-time staffers.

Jobs: FCC has openings for a grade 9 or 11 digital computer programer. Call Executive 3–3620, branch 587. Naval Research needs a grade 3 or 4 EAM operator, and a grade 3 mail clerk. Call Oxford 6–2347. Civil Defense has an opening for a grade 13 contract specialist. Call Oxford 5–9538. Coast and Geodetic needs a grade 2 aerial photographer trainee. Call Dudley 2–3676.

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[From the Washington Post, Jan. 15, 1963]

### BUDGET PLAN ADVISED FOR $100 DINNER

(By Jerry Kluttz)

Play politics now and pay later is a gimmick being used by the Democratic National Committee to sell $100 tickets to hard-pressed Federal employees to its Friday dinner here.

The budget payment plan is being suggested to employees who plead financial troubles and say they can't afford the $100 affair. The minimum is $10 down and $10 a month. No interest is charged on the unpaid balance.

But as a career employee remarked after being called by a Democratic worker who urged him to attend the dinner and pay for it later: "If I go, the price I pay later could be my job when the Republicans return to power. But if I don't go, it could cost me a grade promotion which is several hundred dollars a year in higher salary."

Meantime, if a fraction of what employees say is true, officials in a dozen or more agencies are violating the law, either directly or indirectly, by putting the pressure on employees to buy the $100 tickets on Government time and in Federal buildings. As far as could be determined, no Federal agency has even bothered to investigate the numerous stories of pressure on employees to buy tickets.

Mainly, the indirect approach is used in the belief by officials that it places them on safe legal ground. The arm-twisting gimmick is the cocktail party. A score of such parties are being tossed Friday evening preceding the dinner by top officials who invite their own employees who will attend the dinner.

Employees say flatly that they have been called at their Government offices, on Government time, and told either by phone or in person by superiors that "we're expecting you" (and sometimes "your wife too") at the Secretary's or Administrator's (as the case may be) cocktail party.

This is hardly a subtle approach. The parties are limited to those who buy the $100 tickets.

A highly respected Federal attorney who has handled many cases involving Government employees yesterday denounced the cocktail party gimmick as wrong and unethical. He expressed the belief that a court would hold that an employee was subjected to coercion if he attends his agency's cocktail party and buys a $100 ticket against his better judgment.

"It's just like reaching into a fellow's pockets and taking $100," the legal expert commented acidly, and continued: "This practice should be stopped before the public service is badly damaged by it."

There are also reports of meetings being held in Federal buildings on Government time to discuss ticket sales and what can be done to prevail upon more employees to buy them. Some officials have been told that the employees in their agency have bought only half a dozen tickets, while those in another bureau of comparable size have purchased 25 or more.

Meantime, a corporation representative here expressed the opinion that Federal workers were being subjected to an unusual amount of pressure this year to buy tickets because many companies can no longer do it and charge the expense off against Federal income taxes under the new expense account regulations.

He explained that his and many other companies had refused to buy the usual $1,200 table this year.

In the past, it was common practice for a company to buy one or more tables and give the tickets to friendly Members of Congress who would distribute them to friends and political supporters and take credit for the sales. Company representatives here say they have rejected numerous overtures from Capitol Hill to continue the practice because of the expense account rules.

Federal officials and employees alike say they realize that any political party must have money to finance operations but they wonder if tactics used by the Democratic

National Committee and the Kennedy administration are proper and the best that can be devised.

A Democratic official said yesterday that the party had taken precautions to operate within the law. He said phone directories were secured from a number of Federal agencies and that they were used to look up home addresses and to send invitations to the $100 dinner to employees at them.

He also said some followup phone calls were made to employees at their homes by committee workers to urge them to attend the dinner. He said he had no knowledge of pressure on employees by their agencies to buy tickets. "I hope every ticket is purchased voluntarily," he added.

Another person with a background of political fund raising expressed the view that more than half a dozen eager-beaver Federal officials who are trying to make a big name for themselves in the eyes of the Democratic National Committee are causing all the trouble.

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### PROPOSED RESOLUTION

*Resolved*, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under section 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of allegations of solicitations by officers in the executive branch of the Government of direct or indirect contributions to political parties from employees in the executive branch, particularly those employees in the higher grades and positions, including, but not limited to—

(1) allegations that employees in the executive branch of the Government have been influenced by their superiors to make contributions, through support of fund-raising activities, to political parties, and

(2) allegations that the names of employees in the executive branch of the Government have been furnished by officers in the executive branch to persons associated with political parties for the purpose of enabling such persons to solicit contributions, through support of fund-raising activities, to such political parties.

Such study and investigation shall be conducted for the particular purpose of determining whether any of the actions alleged, if such allegations are substantiated, constitute a violation of any of the criminal or civil laws of the United States, or of the regulations of any department, agency, or instrumentality thereof, and whether, if such actions do not constitute such a violation, they constitute a circumvention of the purpose and intent of such laws and regulations evidencing a need for the amendment thereof.

SEC. 2. For the purposes of this resolution, the committee, from the date on which this resolution is agreed to through January 31, 1964, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $____, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. WILLIAMS of Delaware. Mr. President, I wish to repeat my request—and I ask the attention of the Senator from Illinois—that I be permitted to submit this resolution for appropriate reference to a committee. Senators were permitted to introduce bills and to submit resolutions yesterday. This resolution has nothing to do with the parliamentary situation in which we now find ourselves here in the Senate, but I should like to continue what Senators have been doing during the last 2 days; namely, submit the resolution, and have it referred to the appropriate committee. It is very important that these employees be given protection.

Mr. DOUGLAS. Mr. President, I must object—not because of the subject matter, but simply because submission of the resolution would constitute the transaction of business.

Mr. WILLIAMS of Delaware. I do not think it would constitute the transaction of business. But even if it would, business has already been transacted, because yesterday I introduced three bills and many other Senators introduced bills. That was done with the agreement that that would not jeopardize the rights of Senators nor affect the parliamentary situation.

This resolution is a very important measure. However, if the Senator from Illinois objects I shall withhold the resolution.

Mr. DOUGLAS. Mr. President, will the Senator from Delaware wait until tomorrow, so that we may make clear this parliamentary point?

Mr. HUMPHREY. I believe that would be proper, because earlier today objection was made when another Senator requested the Senator who then was speaking to yield, in order that a bill might be introduced.

Personally, I have no objection to the request which has been made; but since objection was made earlier today to similar requests, I am afraid that some protest might be made if there were to be unanimous consent to the request propounded by the Senator from Delaware.

Let me also point out that the Senator from Oregon had advised me that he wished to have objection made.

So we shall try to accommodate the Senator from Delaware the first thing tomorrow.

Mr. WILLIAMS of Delaware. I understand the situation in which the acting majority leader finds himself.

I asked that the resolution be printed in the RECORD as part of my remarks for the information of the Senate; and tomorrow I shall submit the resolution.

The PRESIDING OFFICER. Without objection, the resolution will be printed in the RECORD.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield, so that I may make a brief rejoinder?

Mr. CASE. And with the same understanding?

Mr. HUMPHREY. Yes, with the same understanding that no rights be jeopardized and that the Senator's yielding for this purpose will not be prejudicial to the situation in regard to the rules.

Mr. SMATHERS. I yield.

Mr. HUMPHREY. Mr. President, I was very much interested in the references by the Senator from Delaware to the articles to which he has referred. I have read them.

It is a fact that if there has been direct solicitation of Federal employees, that is an infraction of the law. But it is equally clear that civil servants are people, and that they belong to churches and to clubs and to political parties; and nothing in the law prohibits a person from working for a political party.

There is a law which prevents a civil servant from being an active officeholder in a political party or from soliciting from employees who are under the civil service contributions to a political party, and, in particular, from soliciting such contributions on Federal property.

It is my understanding that enough people, both those in and those out of the civil service, have enough convictions about politics in this country to wish to make contributions to a political party. I am sure the Senator from Delaware is wise enough and worldly enough to know that what he is commenting on today is not exactly unique or unusual in American political life. For example, I recall an occasion when the Secretary of Defense came to the city in which I live and held a big political rally. The tickets were $100 a plate for some, and $1,000 a plate for others. A substantial number of persons were present; and, by a strange coincidence, a number of persons who had contracts with the Federal Government were present.

I suppose they automatically turned up.

I do not wish to impugn anyone's motives, but it was very interesting that the Secretary of Defense, whose Department received the largest share of the budget, would find it convenient to make a political speech. But we did not protest that. I understand that certain things occurred. I did not exactly like it. I have a feeling that when there were big rallies at the armory under the previous administration, all those who were present were not innocent bystanders. Few of them may have been working for the Federal Government. The price was $100 a plate. I think those who attended gave that amount because they wanted to do so. I did not rise to say that someone was being coerced, because coercion is against the law. If a Federal employee who comes from a Republican family and a Republican background and who believes in the Republican Party wishes to make a contribution to the Republican Party, I for one will defend his right to do so. Of course, there may be something wrong with his judgment. He may need counsel. He may even need certain types of psychiatric treatment. But I would say that it would be only a mistake of judgment.

If a Federal employee wishes to make a contribution to the Democratic Party, and he is not being coerced or forced, but wishes to make it of his own free will, I think he is entitled to do so. Federal employees generally are paid better than some other people; and it seems to me that when a political party is seeking to raise money for a political campaign, it might be well to permit people who are fairly well off in income to make some contribution.

But what I think is more needed is for Congress to look at the whole subject of the financing of political campaigns, because each campaign becomes more expensive. Each campaign becomes a greater burden upon the individual candidate and upon his supporters; and as yet nothing has been done really to correct the Corrupt Practices Act so that we might deal with reality and provide a means to finance political campaigns that does not necessitate large contributions from people who can be the benefactors of a political victory or to necessitate contributions under the terms that the Senator from Delaware believes certain contributions are being obtained in the present instance.

I repeat that there is no evidence of coercion in the present instance in connection with the dinner that will be held in Washington in a few days. If there is, the person responsible will be properly dealt with under the law. I do not care how many newspaper articles are written. The presumption of guilt does not prove the offense. There used to be an old Anglo-Saxon custom that a man is innocent until he is proven guilty. Merely because a columnist may say that someone is being asked to contribute to a dinner does not prove an offense. It is entirely possible that a person might want to do it of his own free will.

Additionally, civil servants cannot be removed. They cannot be removed by some political official or political appointee of the administration. In fact, they are pretty hard to remove no matter what administration is in office. Civil service gives plenty of protection, and rightly so, under the merit system.

The Senator from Delaware is a man of great integrity and ability. I do not believe that merely because the charge is made in a column, or even by a distinguished Senator, that necessarily is the proof that is required.

If the Senator from Delaware or any other Senator has any information to prove that the Hatch Act is being violated, I suggest that he take the case to the district attorney and to the court.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Is it not true that while the Hatch Act prohibits political activity by a civil servant, it does not prohibit contributions to a political party or to candidates by that civil servant, nor does it prohibit political activity on the part of the members of the family?

Mr. HUMPHREY. The Senator is correct. What it does prohibit is coercion and open solicitation on Federal properties.

Mr. DOUGLAS. Are we not faced with the situation that it would be all right for the Du Pont Corp. to contribute $100,000 to senatorial candidates or political parties, but it would be wrong, so it is alleged, for a civil servant to contribute $100 to the Democratic Party?

Mr. HUMPHREY. We are faced with a situation in which allegations, or at least suspicions, have been voiced and have appeared in print. Because of allegations and suspicions there is a tendency to blow such suspicions up into reality. There may be people who are asked to contribute to the forthcoming dinner. If that be true, for every example that the Senator from Delaware can produce, I will produce one from the previous administration, with interest. I am not saying that one wrong is corrected by another. However, I am saying that before the charge of coercion or open solicitation is made, there ought to be proof. Since the charge would presume a Federal offense, the place to bring the proof would be in a court of law. There are plenty of lawyers in Washington who would handle such a case. I gather some of them would be glad to do so.

I am glad to yield to my good friend the Senator from Delaware, because I can plainly see that he wishes to make a contribution to our informative discussion.

Mr. WILLIAMS of Delaware. I thank the Senator. If the Senator had listened, he would know that I merely quoted the charge that was made in responsible Washington newspaper articles that civil service employees are being solicited. I said that the Congress has the responsibility to find out the truth. I recognize that a man is innocent until he has been proven guilty.

Mr. HUMPHREY. I knew that the Senator so believes.

Mr. WILLIAMS of Delaware. By the same token we should not be afraid of the truth. If the Senator from Minnesota knows of any instance in which the offense has occurred under the preceding administration I would join with him in bringing out the truth. I made clear that I do not care which political party is involved. Neither political party has any right to solicit political contributions from civil service employees; whether coercion is intended or not the inference is there. I know that such employees may not be discharged, but certainly in the back of their minds is the thought, "Will I get the earned promotion?" That fear would prevail under any administration.

I merely say that as Republicans and Democrats we should protect our civil service employees. Let the committee find out whether there is any truth to these charges. If there is no truth then let the stories which are appearing in the press be denied. My point is that we cannot let these charges go unanswered. As I said in my previous remarks, I shall defend the right of any employee to support the political party of his choice, both by his vote and his contribution, if it is on a voluntary basis.

I put into the RECORD various references to the law that were assembled by the legislative counsel, which clearly point out the right of a civil service employee to carry out his function as a citizen.

Mr. HUMPHREY. That is correct.

Mr. WILLIAMS of Delaware. Whether he be a Republican or a Democrat he has this right. I will support that principle. But at the same time, the solicitation of contributions or the assembly of names in his department, and the subsequent turning of the names over to a political committee, is wrong.

Let us find out the truth. If there is nothing being done wrong then these stories should be repudiated. If true it should be stopped and those responsible brought to account. I make no charge. At the same time I do not believe we can sit back and excuse ourselves of our responsibility to protect Federal employees when charges have been made by responsible columnists in responsible newspapers. I do not believe we can sit back and say, "I do not know of any particular instance so therefore it has nothing to do with me." I believe it is the responsibility of the Senator from Delaware and the Senator from Minnesota to get the facts. Surely he would be as quick to condemn such a procedure if it occurred in his party as it would if it were in mine. I am not saying that one party is better than another. It would be wrong no matter which party were involved. It does not make any difference which party is doing it. If it is being done it is wrong.

I believe that the Senator from Minnesota will agree with me that it is either a violation of the law or very close to it. But at least it is morally wrong if it is being done. I believe that we have a responsibility as Members of the Congress to see whether there is any truth to these stories and if true to put a stop to the practice and let both political parties know that the civil service employees are being protected. Certainly we protect their right to support and even contribute to the party of their choice. No one is suggesting otherwise.

Mr. HUMPHREY. Mr. President, I surely respect the Senator's concern over this matter. I wish to say, however, that there have been dinners in Washington for many years. There was a whole armory full of them under the Eisenhower administration, year after year. I did not hear anybody say, "I wonder who bought those tickets." And I did not hear anybody say, "Who is being solicited?"

That situation did not come about by accident. I have been in politics long enough to know that if one wants the boys and girls to come to dinner one has to ask somebody, particularly when a $100 ticket is involved.

Mr. President, I agree that everybody is entitled to have political participation. I wish to say to my good friend from Delaware that he ought to be content, because most of the civil servants apparently vote Republican. They have been doing so in all the neighboring counties around the city. Apparently they did so in the last election in Montgomery County and in nearby counties of Virginia. There is a Representative in Congress from an area of northern Virginia where nearly every bedroom is filled with a civil servant every night.

The Republicans ought to be satisfied with their votes. If we can find a few willful, kindly, considerate, enlightened people who wish to make a contribution to the Democratic Party, I do not know why the Senator from Delaware would want both their votes and their money. We would like to have them come to hear the message of truth. The only way they can hear that message is to come to that magnificent dinner.

I am going to extend an invitation to, and I might even buy a ticket for, the Senator from Delaware, so that he may come to hear the message on the night of the Jackson-Jefferson Day dinner, when the President of the United States not only will lay before the country the evils and wrongdoings of the Republican Party, but also will tell of the greatness and goodness of the Democratic Party.

I believe that after such a speech the Senator from Delaware would be the first to come back to the Senate to say, "We should have had more civil servants there, so that they could have received that great message of inspiration."

By the way, if the Senator wishes to go to the dinner, I will try my best to cooperate with him.

**Mr. WILLIAMS of Delaware.** I thank the Senator for his invitation.

**Mr. HUMPHREY.** We will be glad to arrange for the Senator to go.

**Mr. WILLIAMS of Delaware.** I shall be glad to have the Senator pay for my dinner at any time.

**Mr. HUMPHREY.** I cannot solicit on Federal property, so this is merely a suggestion. I would not wish to have either the Senator from Delaware or the Senator from Minnesota get into a legal bind over this problem. It was merely a friendly suggestion.

I say to the Senator, in all sincerity, that if the Senator can find Federal employees who feel that they have been coerced—and that is the point—those Federal employees can take the case before the Civil Service Commission. If there is any one thing that any Member of Congress knows, it is that civil service rights are jealously guarded, and rightly so. Civil servants are entitled to the full protection of the law. But civil servants are citizens, and civil servants ought to be citizens. If they wish to make contributions to the Republican Party, I am not going to encourage them or solicit that, but surely it is their right. If they wish to make a contribution to the Democratic Party, the least I can do is say, "Thank you."

**Mr. WILLIAMS of Delaware.** Mr. President, certainly there is no harm in finding out the truth. I merely wish to submit a resolution to provide for a study by a committee which is controlled by the political party of the senior Senator from Minnesota. Certainly he would have confidence in that committee's ability to find out the truth. If the Senator knows some reason why the truth would be embarrassing—and I do not think that would stop him—then let us find out what is being or has been done.

I understand that objection will be made to the resolution being submitted at this time.

**Mr. HUMPHREY.** Only because of the situation.

**Mr. WILLIAMS of Delaware.** I understand.

**Mr. HUMPHREY.** Yes.

**Mr. Williams of Delaware.** I made that very clear. It is due to the parliamentary situation. I will withhold submitting the resolution until tomorrow, but it will be submitted tomorrow. I hope that the Senator from Minnesota will join me in supporting that resolution. Let us find out whether there is any truth to this report or not.

It represents an indictment, and it can be an indictment against both of our political parties. It will be an indictment against the Congress, if we merely sit back and say, "The other fellow is as bad as we are, so why find out the truth." Certainly we should not be afraid to find out the truth regardless of who may be involved.

So far as concerns dinners which have been held by our party, the Republican Party, either before or after this time, if the Senator from Minnesota knows of any instances in which the law has been violated, I will join with him in seeking prosecution.

**Mr. HUMPHREY.** I am not a suspicious man.

**Mr. WILLIAMS of Delaware.** The Senator indicated that he could produce such evidence. If he can, he has a responsibility to produce it.

We fully recognize that any person is innocent until convicted. But let us not be afraid to find out whether there is an element of truth to the stories which have been played up so prominently in all three leading newspapers in the city of Washington in the past few days. It has been specifically pointed out on the front pages as well as editorially that something should be done to determine if this practice is going on as is being reported, and if so that it be stopped. Let us never be afraid of the truth.

**Mr. HUMPHREY.** There is no one who is afraid to hear the truth. We will examine for the truth under all circumstances.

I express the hope, now that the Senator has expressed such grave concern over the finances of civil servants, that he will express an equal concern and righteous indignation over the failure of some people to have the right to vote in this country and the few other liberties and privileges which ought to belong to them.

It is an amazing thing to me to note, in the Senate, that in regard to some matter such as this, which is related to an item of some importance, we can show great concern and make rather extravagant outbursts, or at least have extravagant or prolonged discussion, but when it comes to consideration of a matter which we know affects millions of people; namely, that their precious right of the franchise may be inhibited or denied—we do not observe the same righteous indignation.

I shall look forward to having the Senator from Delaware help us to modify the present cloture rule, so that we can get to the protection of voting rights in the Congress of the United States. If we can modify the cloture rule so that a constitutional majority can bring debate to a close, or so that three-fifths of those Senators present and voting can bring debate to a close, we shall do more to protect the political processes in America, and the efficacy and purity of them, than we will by looking at newspaper clippings on the basis that somebody says that perhaps somebody is being asked to contribute to a dinner, and that we should start an investigation.

I am perfectly willing to express indignation over both. If there has been a violation of law, that is a violation of law, and it should be looked into in terms of prosecution.

The basic law of this country and the basic right is the right of the franchise. One of the things which the present administration intends to do is to strengthen the voting rights of every American citizen. One of the ways we can do that is to modify the cloture rule in the Senate.

I know that the Senator from Delaware is going to make an impassioned plea to join us in the modification of the cloture rule. I welcome him to the fold of those in favor of majority cloture. If he feels that that is going too fast or too far, I shall gladly take him into the more moderate position of having three-fifths of those Senators present and voting bring debate to a close.

The Senator from Delaware will feel much better when he has not only seen to it that the civil servants are not asked to contribute to political parties, but also that those who are not civil servants, as well as those who are civil servants, are permitted to exercise the right to vote regardless of race, color, national origin, or geography.

It seems to me that those are extremely important rights, and I welcome my friend into the battle in behalf of the protection of those rights.

**Mr. WILLIAMS of Delaware.** Mr. President, we are getting somewhat away from the subject, but I wish to say to the Senator from Minnesota that I have always supported any measure which would guarantee to any American citizen, without respect to race or religion, the right to vote. I have also supported any measure or any action which I thought would be appropriate to make sure that the ballot, once cast, would be properly counted.

## CONVENTION WITH GRAND DUCHY OF LUXEMBOURG FOR AVOIDANCE OF DOUBLE TAXATION OF INCOME—REMOVAL OF INJUNCTION OF SECRECY

**Mr. HUMPHREY.** Mr. President, as in executive session, I ask unanimous consent that the Senate remove the injunction of secrecy from Executive A, 88th Congress, 1st session, being the convention between the United States of

America and the Grand Duchy of Luxembourg for the avoidance of double taxation of income, the prevention of fiscal evasion, and the promotion of trade and investment, signed at Washington on December 18, 1962, which was transmitted to the Senate today by the President of the United States.

The PRESIDING OFFICER. Without objection, the injunction of secrecy is removed from the convention, and the convention, together with the President's message of transmittal, will be referred to the Committee on Foreign Relations, and the President's message will be printed in the RECORD.

The President's message is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and the Grand Duchy of Luxembourg for the avoidance of double taxation of income, the prevention of fiscal evasion, and the promotion of trade and investment, signed at Washington on December 18, 1962.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the convention.

The convention has the approval of the Department of State and the Treasury Department.

JOHN F. KENNEDY.

(Enclosures: (1) Report of the Secretary of State; (2) income tax convention with Luxembourg, signed December 18, 1962.)

THE WHITE HOUSE, *January 15, 1963.*

## RECESS

Mr. PROXMIRE. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 48 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, January 16, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate January 15, 1963:

### FEDERAL COMMUNICATIONS COMMISSION

Kenneth A. Cox, of Maryland, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1956, vice T. A. M. Craven, retiring.

Kenneth A. Cox, of Maryland, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1963.

### GOVERNOR OF GUAM

Manuel F. L. Guerrero, of Guam, to be Governor of Guam for a term of 4 years, vice William P. Daniel.

### NATIONAL LABOR RELATIONS BOARD

John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board for the term of 5 years expiring December 16, 1967, to which office he was appointed during the last recess of the Senate.

### COMMISSIONER OF EDUCATION

Dr. Francis Keppel, of Massachusetts, to be Commissioner of Education, to which office he was appointed during the last recess of the Senate.

### U.S. TARIFF COMMISSION

James W. Culliton, of Indiana, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1968, to which office he was appointed during the last recess of the Senate.

### TREASURY DEPARTMENT

The following-named persons to the offices indicated, to which they were appointed during the last recess of the Senate:

Gaspard d'Andelot Belin, of Massachusetts, to be General Counsel for the Department of the Treasury.

John C. Bullitt, of New Jersey, to be an Assistant Secretary of the Treasury.

### COLLECTORS OF CUSTOMS

John G. Green, of Wisconsin, to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.-Superior, Wis.

Frank A. Sedita, of New York, to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N.Y.

John M. Lynch, of Massachusetts, to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.

### U.S. ATTORNEY

Richard D. Fitzgibbon, Jr., of Missouri, to be U.S. attorney for the eastern district of Missouri for the term of 4 years. He was appointed during the recess of the Senate.

### U.S. MARSHALS

The following-named persons for terms of 4 years in the positions indicated:

Frank Udoff, of Maryland, to be U.S. marshal for the district of Maryland.

Ray H. Hemenway, of Minnesota, to be U.S. marshal for the district of Minnesota.

They were appointed during the recess of the Senate.

### U.S. ATTORNEY

Robert M. Morgenthau, of New York, to be U.S. attorney for the southern district of New York for the term of 4 years. He was appointed during the recess of the Senate.

### THE JUDICIARY

The following-named persons to the positions indicated. They were appointed during the recess of the Senate:

J. Lindsay Almond, Jr., of Virginia, to be associate judge of the Court of Customs and Patent Appeals.

Bernard M. Decker, of Illinois, to be U.S. district judge for the northern district of Illinois.

William J. Nealon, Jr., of Pennsylvania, to be U.S. district judge for the middle district of Pennsylvania.

### BOARD OF PAROLE

James A. Carr, Jr., of Massachusetts, to be a member of the Board of Parole for the term expiring September 30, 1968, vice Edward J. Donovan, term expired.

### DEPARTMENT OF JUSTICE

John W. Douglas, of Maryland, to be an Assistant Attorney General, vice William H. Orrick, Jr., resigned.

### U.S. CIRCUIT JUDGE

Carl E. McGowan, of Illinois, to be U.S. circuit judge for the District of Columbia circuit, vice Henry W. Edgerton, retiring.

### PEACE CORPS

Bill D. Moyers, of Texas, to be Deputy Director of the Peace Corps, vice Paul F. Geren, resigned.

### FOREIGN SERVICE

Christian A. Herter, of Massachusetts, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary, to which office he was appointed during the last recess of the Senate.

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

William C. Doherty, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Donald A. Dumont, of New York, a Foreign Service officer of class 2, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Burundi.

C. Vaughan Ferguson, Jr., of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Outerbridge Horsey, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czechoslovak Socialist Republic.

J. Wesley Jones, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

William J. Porter, of Massachusetts, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic and Popular Republic of Algeria.

William R. Rivkin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Horace G. Torbert, Jr., of Massachusetts, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Republic.

Olcott H. Deming, of Connecticut, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Uganda, to which office he was appointed during the last recess of the Senate.

### AGENCY FOR INTERNATIONAL DEVELOPMENT

David Elliott Bell, of Massachusetts, to be Administrator of the Agency for International Development, to which office he was appointed during the last recess of the Senate.

### INTERNATIONAL MONETARY FUND

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years, to which office he was appointed during the last recess of the Senate.

### INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

John C. Bullitt, of New Jersey, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years, to which office he was appointed during the last recess of the Senate.

### DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Now Foreign Service officers of class 2 and secretaries in the diplomatic service to be also consuls general of the United States of America:

Edward Glion Curtis, of the District of Columbia.

Leo M. Goodman, of New York.

Joseph O. Zurhellen, Jr., of New York.

For reappointment in the Foreign Service as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520(a) of the Foreign Service Act of 1946, as amended:

Miss Mary Vance Trent, of the District of Columbia.

For appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America:

Paul M. Bergman, of New Jersey.

For appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Fredrick C. Ashley, of Ohio.
Robert P. Coe, of Massachusetts.
Leroy E. Debold, Jr., of New York.
Wilfred F. Declercq, of Missouri.
M. Bruce Hirshorn, of Pennsylvania.
John E. Kelley, of Hawaii.
Robert B. Morley, of New Jersey.
James Roger Newcomer, of Oregon.
James D. Phillips, of Kansas.
Edward F. Richards, Jr., of Alabama.
Martin Rosenberg, of New York.
Robert William Smith, of California.
Charles F. Swezey, of New York.
Andrew Tangalos, of New Jersey.
Stephen B. Watkins, of Connecticut.
William A. Weingarten, of New York.

For appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Laurence Desaix Anderson, Jr., of Mississippi.
Michael G. Beckett, of California.
John Steven Boritas, of Pennsylvania.
Duane C. Butcher, of Oklahoma.
John Dodson Coffman, of Pennsylvania
Miss Ellen Rose Delate, of New Jersey.
Edward Knapp Dey, of New York.
Edward P. Djerejian, of New York.
Townsend B. Friedman, Jr., of Illinois.
Harrell Kennan Fuller, of New Mexico.
Harry J. Gilmore, of Pennsylvania.
Lewis Girdler, of Connecticut.
Miss Sandra Lee Granzow, of Illinois.
Richard M. Greene, Jr., of California.
John E. Hall, of New York.
Godfrey Harris, of California.
William Edwin Humphrey, of Oklahoma.
Miss Linda C. Irick, of Arizona.
David Bruce Jackson, of California.
Lauren Wells Jackson, of New Jersey.
Gordon G. Kaplan, of Illinois.
Bruce Kinsey, of Illinois.
Arthur Ronald Klampert, of New York.
Robert Allan Kohn, of New York.
Edward Kreuser, of New York.
Joseph Edward Lake, of Texas.
Lewis R. Macfarlane, of Washington.
Dwight N. Mason, of New Jersey.
Miss Lois Jean Matteson, of Virginia.
Charles W. Maynes, Jr., of Utah.
Donald Floyd McConville, of Minnesota.
Miss Kathleen McDonough, of New York.
B. Kent Mulliner, of Utah.
Thomas A. Musante, of Connecticut.
Arnold Nachmanoff, of New York.
Joseph T. O'Brien, of the District of Columbia.
Ralph Oman, of New York.
Allan W. Otto, of Illinois.
Philip E. Penninger, of North Carolina.
Arthur N. Plaxton, of Michigan.
James F. Ragan, Jr., of California.
Thomas Payne Rohlen, of Illinois.
Joseph L. Romanelli, of New York.
Leonard G. Shurtleff, of Massachusetts.
Alexander K. Sleght, of Connecticut.
Keith C. Smith, of California.
Donald R. Stacy, of Mississippi.
Gordon L. Streeb, of Colorado.
Miss Joan F. Thielbar, of New Jersey.
Bert H. Thurber, of Virginia.

A Foreign Service Reserve officer to be a consul and a secretary in the diplomatic service of the United States of America:

Irl W. Smith, of Illinois.

Foreign Service Reserve officers to be consuls of the United States of America:

James D. Bartlett, of Pennsylvania.
Edmund F. Becker, of Virginia.
Karl F. Brauckmann, of Maryland.
James J. Brophy, of Pennsylvania.
James P. Burke, of South Dakota.
Herbert T. Cheltenham, of Maryland.
Dean O. Claussen, of Washington.
Gilbert Cruter, of Colorado.
Peer de Silva, of California.
Alan H. Dodds, of California.
Elmer S. Dorsay, of California.
Maynard H. Fourt, of Illinois.
William C. Kirk, Jr., of Florida.
Francis J. McArdle, of Georgia.
Mrs. Aileen S. Miles, of Massachusetts.
William J. Miller, of Virginia.
William J. Murray, Jr., of Washington.
Mrs. Susan F. Parrish, of Maryland.
Edward J. Rankin, of New Jersey.
Phifer Paul Rothman, of Florida.
Frederick W. Shaffer, of Pennsylvania.
Joseph P. Sherman, of Michigan.
Sam B. Southwell, of Texas.
Mrs. Corinne W. Spencer, of Texas.
Sterlyn B. Steele, of California.

Foreign Service Reserve officers to be vice consuls of the United States of America:

Paul A. Arsenault, of Maryland.
Philip Cherry, of Pennsylvania.
Roger W. Cogswell, of Massachusetts.
James L. Culpepper, of Oregon.
Louis V. Ebert III, of Wisconsin.
Jerome W. Greiner, of Michigan.
Anton N. Kasanof, of Florida.
Jack F. Mathews, of Montana.
Richard F. Simpson, of Maryland.
Dan S. Wages, of California.
William H. Walker, Jr., of Virginia.
Donald L. Whittaker, of New Jersey.
Alfred W. Willier, of California.
Robert E. Willis, of Missouri.

Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Earl R. Allison, of Nebraska.
Alessandro Cagiati, of Massachusetts.
Terrence E. Catherman, of California.
William N. Center, of Maryland.
Benjamin H. Cushing, of Maine.
Richard G. Cushing, of California.
Charles J. Cusick, of Maryland.
Daniel Goott, of Maryland.
J. Edward Gramlich, of New York.
Richard W. Hale, of Florida.
Lowell V. Hammer, of California.
Robert Wingate Herder, of Maryland.
John G. Heyn, of Connecticut.
C. Oliver Iselin III, of Virginia.
Frank W. Jones, Jr., of Connecticut.
Kenneth A. Kerst, of Virginia.
Daniel L. McCarthy, of Wisconsin.
Robert W. Magee, of Illinois.
John M. Maury, of Virginia.
John P. Murnane, of New Jersey.
Hubert J. Plumpe, of Michigan.
Thomas Polgar, of Virginia.
Jacques A. Prindiville, of Massachusetts.
Arthur F. Rall, of New York.
Thomas E. Robertson, of Ohio.
John J. Slocum, of Rhode Island.
Michael F. Stern, of Montana.
Henry Strong, of the District of Columbia.
Angus M. Thuermer, of Virginia.
Robert L. West, of Connecticut.
Arnold L. Zempel, of Virginia.

Foreign Service staff officers to be consuls of the United States of America:

Archie Davies, of Florida.
John A. Tarin, of Texas.
Miss Catherina Van Lier Ribbink, of California.

The Foreign Service officers named in the following lists for promotion in the Foreign Service to the classes indicated, effective March 1, 1963:

The following-named Foreign Service officers for promotion from class 2 to class 1:

G. Edward Clark, of New York.
Henry Dearborn, of New Hampshire.
Joseph J. Jova, of New York.
William Witman II, of Pennsylvania.

The following-named Foreign Service officers for promotion from class 2 to class 1 and to be also consuls general of the United States of America:

Robert W. Adams, of Texas.
Basil Capella, of Maryland.
Thomas T. Carter, of Connecticut.
James N. Cortada, of Virginia.
Edwin M. Cronk, of California.
Edward W. Doherty, of Illinois.
Seymour M. Finger, of New York.
J. Robert Fluker, of Kansas.
John E. Fobes, of Virginia.
John W. Henderson, of the District of Columbia.
Jack A. Herfurt, of California.
Alfred leS. Jenkins, of Georgia.
Henry L. T. Koren, of New Jersey.
Jack W. Lydman, of New York.
Daniel F. Margolies, of Maryland.
Charles K. Moffly, of Michigan.
Charles Robert Moore, of Washington.
David L. Osborn, of Tennessee.
Philip Raine, of the District of Columbia.
Claude G. Ross, of California.
Edward J. Rowell, of California.
Albert W. Sherer, Jr., of Illinois.
Ernest V. Siracusa, of California.
Walter J. Stoessel, Jr., of Maryland.
Irwin M. Tobin, of Maryland.
Howard Trivers, of Maryland.
William C. Trueheart, of Florida.
Leonard Weiss, of Illinois.

The following-named Foreign Service officers for promotion from class 3 to class 2:

Rodger C. Abraham, of Connecticut.
Manuel Abrams, of Florida.
J. Wesley Adams, Jr., of Illinois.
Hugh G. Appling, of California.
John A. Armitage, of Tennessee.
Oscar V. Armstrong, of the District of Columbia.
Laurin B. Askew, of Tennessee.
Harry H. Bell, of Maryland.
Josiah W. Bennett, of Maryland.
James J. Blake, of the District of Columbia.
Davis Eugene Boster, of Ohio.
John W. Bowling, of Texas.
Robert A. Brand, of Connecticut.
Robert C. Brewster, of Nebraska.
Miss Elizabeth Ann Brown, of Oregon.
William B. Buffum, of New York.
Joseph Carwell, of New York.
Stanley M. Cleveland, of New York.
Wendell B. Coote, of Virginia.
Richard T. Davies, of Wyoming.
Alexander J. Davit, of Pennsylvania.
Robert W. Dean, of Illinois.
Robert Donhauser, of Maryland.
James B. Engle, of the District of Columbia.
Richard T. Ewing, of Maryland.
Thomas R. Favell, of Wisconsin.
John W. Fisher, of Montana.
Miss Edelen Fogarty, of California.
C. Arnold Freshman, of Florida.
William J. Galloway, of Texas.
Robbins P. Gilman, of Virginia.
Harold E. Hall, of Utah.
Robert H. Harlan, of Illinois.
Grant G. Hilliker, of Virginia.
Dean R. Hinton, of Illinois.
Lewis Hoffacker, of Arizona.
Harold E. Howland, of Virginia.
Robert A. Hurwitch, of Illinois.
Coulter D. Huyler, Jr., of Connecticut.
Miss Dorothy M. Jester, of California.
William M. Johnson, Jr., of Florida.
Harold G. Josif, of Ohio.
Michael G. Kelakos, of Massachusetts.
Robert H. Kranich, of Virginia.
Edward T. Long, of Illinois.
James F. Magdanz, of Virginia.
Melvin L. Manfull, of Utah.
James V. Martin, Jr., of Illinois.
John W. McDonald, Jr., of Illinois.
Ralph J. McGuire, of Texas.
Thomas D. McKiernan, of Massachusetts.
John Y. Millar, of New York.
Bruce H. Millen, of Louisiana

George F. Muller, of Maryland.
Robert I. Owen, of Maryland.
Herbert F. Propps, of Illinois.
Ellwood M. Rabenold, Jr., of Illinois.
Ernest E. Ramsaur, Jr., of California.
Thomas M. Recknagel, of Maryland.
Herbert Reiner, Jr., of Connecticut.
Ralph J. Ribble, of Texas.
Joseph M. Roland, of Pennsylvania.
Peter Rutter, of Massachusetts.
Fred H. Sanderson, of Virginia.
Richard L. Sneider, of New York.
Charles G. Stefan, of California.
Robert A. Stevenson, of New York.
Galen L. Stone, of the District of Columbia.
William H. Sullivan, of Rhode Island.
Harrison M. Symmes, of North Carolina.
Barney B. Taylor, of Michigan.
Frank D. Taylor, of Maryland.
Christopher Van Hollen, of the District of Columbia.
George S. Vest, of Virginia.
John Patrick Walsh, of Illinois.
Mrs. Virginia C. Westfall, of Virginia.
Louis A. Wiesner, of New Hampshire.
Miss Jean M. Wilkowski, of Florida.
Donald L. Woolf, of California.

The following-named Foreign Service officers for promotion from class 4 to class 3:

Theo C. Adams, of Texas.
Thomas W. Ainsworth, of New Hampshire.
Harold Aisley, of California.
Nicholas G. Andrews, of New Jersey.
John A. Baker, Jr., of Connecticut.
Harris H. Ball, of California.
Robert J. Ballantyne, of Maryland.
William J. Barnsdale, of California.
Alf E. Bergesen, of New York.
John Q. Blodgett, of Maryland.
James E. Bowers, of North Carolina.
Edward T. Brennan, of Massachusetts.
William D. Broderick, of Michigan.
Robert R. Brungart, of Maryland.
Miss Patricia M. Byrne, of Ohio.
William D. Calderhead, of Texas.
Robert W. Caldwell, of the District of Columbia.
Charles C. Carson, of the District of Columbia.
Thomas A. Cassilly, of the District of Columbia.
Frederic L. Chapin, of New Jersey.
Peter R. Chase, of the District of Columbia.
Albert C. Cizauskas, of Connecticut.
Carleton S. Coon, Jr., of Maine.
William F. Courtney, of Michigan.
Franklin J. Crawford, of Ohio.
William R. Crawford, Jr., of Pennsylvania.
William E. Culbert, of New Jersey.
John E. Cunningham, of Pennsylvania.
Joseph H. Cunningham, of Nebraska.
Robert D. Davis, of Oklahoma.
David Dean, of Florida.
Morris Dembo, of Virginia.
Richard H. Donald, of Connecticut.
Michael J. Dux, of Florida.
Donald B. Easum, of Virginia.
Theodore L. Eliot, Jr., of California.
Elden B. Erickson, of Kansas.
Charles W. Falkner, of Oregon.
Louis C. Feffer, of the District of Columbia.
Harry Feinstein, of Georgia.
James J. Ferretti, of Connecticut.
Douglas N. Forman, Jr., of Ohio.
Samuel R. Gammon III, of Texas.
William H. Gleysteen, Jr., of Pennsylvania.
Gerald Goldstein, of New York.
Norman H. Grady, of Maryland.
Lindsey Grant, of Virginia.
Arthur A. Hartman, of New Jersey.
Richard V. Hennes, of Illinois.
John H. Hermanson, of California.
Jerome K. Holloway, Jr., of Maryland.
Robert B. Houston, Jr., of Pennsylvania.
Borrie I. Hyman, of California.
Heyward Isham, of New York.
Murray E. Jackson, of Illinois.
Abraham Katz, of New York.
Joseph B. Kyle, of Virginia.
J. Alfred LaFrenière, of Massachusetts.
Verne L. Larson, of Washington.
Mason A. La Selle, of Colorado.
Raymond W. Laugel, of Ohio.
William W. Lehfeldt, of California.
Miss Leocade Leighton, of Massachusetts.
Samuel W. Lewis, of Texas.
Arthur C. Lillig, of Oregon.
Philip W. Manhard, of Florida.
Robert J. Martens, of Maryland.
Eugene C. Martinson, of Michigan.
Allan F. McLean, Jr., of Texas.
Francis J. Meehan, of the District of Columbia.
Sanford Menter, of Texas.
Jack C. Miklos, of Idaho.
Robert H. Miller, of Washington.
Virgil L. Moore, of Virginia.
Sam Moskowitz, of Illinois.
Grant E. Mouser III, of Oregon.
Michael H. Newlin, of North Carolina.
Douglas B. O'Connell, of New York.
Frank V. Ortiz, Jr., of New Mexico.
Richard W. Petree, of Colorado.
Laurence G. Pickering, of Nebraska.
Lloyd M. Rives, of New Jersey.
Robert W. Ross, of California.
Kenneth J. Ruch, of Pennsylvania.
James R. Ruchti, of Wisconsin.
H. Earle Russell, Jr., of Maryland.
Stanley D. Schiff, of New Jersey.
Albert L. Seligmann, of Virginia.
Thomas P. Shoesmith, of Pennsylvania.
Matthew D. Smith, Jr., of Maryland.
Norman L. Smith, of Illinois.
J. Harlan Southerland, of the District of Columbia.
William F. Spengler, of Virginia.
Heywood H. Stackhouse, of Florida.
Monteagle Stearns, of the District of Columbia.
William A. Stoltzfus, Jr., of New Jersey.
Robert W. Stookey, of Illinois.
Richard Straus, of Maryland.
Jack A. Sulser, of Illinois.
David R. Thompson, of California.
Arthur T. Tienken, of Virginia.
William D. Toomey, of North Dakota.
Vladimir I. Toumanoff, of New Hampshire.
Edward J. Trost, of Michigan.
William N. Turpin, of Georgia.
Richard D. Vine, of California.
Robert H. Wenzel, of Florida.
Guy A. Wiggins, of the District of Columbia.
Frank S. Wile, of Maryland.
Orme Wilson, Jr., of the District of Columbia.

The following-named Foreign Service officers for promotion from class 5 to class 4:

William G. Allen, of the District of Columbia.
Dwight R. Ambach, of Rhode Island.
James F. Amory, of Virginia.
John W. Anderson, of Texas.
Miss Leona M. Anderson, of Iowa.
George R. Andrews, of Tennessee.
Richard B. Andrews, of Illinois.
Robert S. Ashford, of Florida.
James H. Bahti, of Michigan.
John R. Bartelt, Jr., of Louisiana.
S. Morey Bell, of Virginia.
John R. Bietz, of North Dakota.
Robert A. Bishton, of Maryland.
William W. Blackerby, of Texas.
Miss Evelyn Blue, of New York.
Martin S. Bowe, Jr., of New Hampshire.
A. Dane Bowen, Jr., of Texas.
Marshall Brement, of the District of Columbia.
Roger C. Brewin, of Ohio.
Gori P. Bruno, of New York.
Robert T. Burke, of New York.
Michael Calingaert, of New York.
John P. Call, of California.
Harvey J. Cash, of Arizona.
Gordon Chase, of New Jersey.
Robert W. Chase, of Maine.
Ward Lee Christensen, of the District of Columbia.
Herman J. Cohen, of New York.
Michael M. Conlin, of California.
Miss Emily C. Cox, of South Carolina.
Miss Maurine Crane, of Virginia.
Thomas W. Davis, Jr., of California.
Rudolph Days, of Maryland.
John L. De Ornellas, of Alabama.
Victor H. Dikeos, of California.
C. Edward Dillery, of Washington.
Stephen A. Dobrenchuk, of Maryland.
Morris Draper, of California.
William J. Drew, of Massachusetts.
John Dubois, of Massachusetts.
Harland H. Eastman, of Maine.
Raymond W. Eiselt, of California.
Miss Jean L. Farr, of Massachusetts.
James D. Farrell, of Kansas.
Richard W. Finch, of Ohio.
Theodore T. Franzen, of New Jersey.
C. Jefferson Frederick, of Washington.
Gerald A. Friedman, of Florida.
Robert L. Funseth, of New York.
Charles M. Gage, of Illinois.
Mark J. Garrison, of Indiana.
Miss Ellen Gavrisheff, of Texas.
Dirk Gleysteen, of Pennsylvania.
John D. Gough, of Washington.
Roderick N. Grant, of California.
Charles W. Grover, of New York.
John J. Harter, of California.
George A. Hays, of Pennsylvania.
Donald E. Herdeck, of Washington.
Roy R. Hermesman, of Pennsylvania.
Delon L. Hixon, of Alabama.
Edward C. Howatt, of Virginia.
Paul J. Hoylen, of Florida.
Adolph W. Jones, of Tennessee.
Andrew John Kauffman II, of Maine.
Robert V. Keeley, of Florida.
William Kelley, of Florida.
Earl A. Kessler II, of Ohio.
Thomas F. Killoran, of Massachusetts.
Roger Kirk, of Michigan.
William E. Knepper, of Kansas.
Henry A. Lagasse, of New Hampshire.
Albert A. Lakeland, Jr., of New York.
Loren E. Lawrence, of Kansas.
Samuel S. H. Lee, of Hawaii.
Charles A. Lemmo, of Pennsylvania.
Louis J. Link, of Maryland.
Robert Gerald Livingston, of Connecticut.
James W. Mahoney, of Indiana.
Timothy M. Manley, of Connecticut.
Henry J. Manning, of Colorado.
Francis P. McCormick, of Massachusetts.
Stuart H. McIntyre, of Washington.
Miss Ruth A. McLendon, of Texas.
Miss Clorene A. Miller, of Texas.
Robert Marden Miller, of California.
William A. Mitchell, of Maine.
William J. Monticone, of Rhode Island.
James C. Nelson, of Illinois.
Joseph B. Norbury, Jr., of Arkansas.
Miss Teresa Offie, of Pennsylvania.
Miss Geraldine M. Oliva, of Oregon.
Gabriel J. Paolozzi, of Nevada.
Miss Marjorie L. Pea, of Illinois.
Leslie D. Polk, of Pennsylvania.
Roger A. Provencher, of Colorado.
Miss Nancy V. Rawls, of Georgia.
David R. Raynolds, of Connecticut.
Francis X. Ready, of Virginia.
Robert A. Remole, of Minnesota.
Robert F. Rogers, of California.
Stephen H. Rogers, of Virginia.
Miss Brynhild C. Rowberg, of Virginia.
Harry V. Ryder, Jr., of Pennsylvania.
Mrs. Suzanne W. Ryerson, of Nevada.
William W. Sabbagh, of the District of Columbia.
Howard B. Schaffer, of New York.
Theodore Sellin, of Pennsylvania.
Goodwin Shapiro, of Texas.
George B. Sherry, of Virginia.
Peter Simon, of New York.
Robert W. Skiff, of Florida.

Jack M. Smith, Jr., of Virginia.
Michael Smolik, of Oregon.
William R. Smyser, of Pennsylvania.
Edward O. Stellmacher, of Wisconsin.
Mrs. Edith A. Stensby, of Tennessee.
Miss Maida F. Stotts, of California.
Edward J. Streator, Jr., of New York.
Thomas E. Summers, of California.
Joseph Terranova, Jr., of Maryland.
Terence A. Todman, of the Virgin Islands.
Allen R. Turner, of Florida.
Miss Frances A. Usenik, of Minnesota.
Marcel van Essen, of New York.
Julius W. Walker, Jr., of Texas.
Edward T. Walters, of Texas.
Peter F. Warker, Jr., of Pennsylvania.
Leland W. Warner, Jr., of Kansas.
Herman A. Washington, of New York.
William Watts, of New York.
John Quincy White, of Minnesota.
Richard W. White, of Maryland.
William Marshall Wright, of Arkansas.
Carlos M. Yordan, of the Commonwealth of Puerto Rico.

The following-named Foreign Service officers for promotion from class 6 to class 5:

Joseph Basile, of New Jersey.
John J. Helble, of Illinois.
Russell E. Olson, of Illinois.

The following-named Foreign Service officers for promotion from class 6 to class 5 and to be also consuls of the United States of America:

Philip M. Allen, of Pennsylvania.
John A. Anderegg, of New Jersey.
Dexter Anderson, of New Jersey.
George A. Anderson, of Iowa.
Terrell E. Arnold, of California.
Diego C. Asencio, of New Jersey.
Thomas J. Barnes, of Minnesota.
Arthur C. Bauman, of Michigan.
Michael P. Boerner, of New Jersey.
Peter S. Bridges, of Illinois.
James E. Briggs, of North Carolina.
William A. Brown, of New Hampshire.
David W. Burgoon, Jr., of Illinois.
John R. Burke, of Wisconsin.
Hugh K. Campbell, of Ohio.
Robert Alexander Campbell, Jr., of New Jersey.
Miss Marie E. Casey, of Florida.
J. Chapman Chester, of Wisconsin.
Harold A. Church, of Massachusetts.
Douglas McCord Cochran, of Pennsylvania.
Peter D. Constable, of New York.
Miss Mary G. Crain, of Maryland.
Thomas E. Cummings, of California.
John M. Curry, of New York.
Walter L. Cutler, of Maine.
Curtis C. Cutter, of California.
Harold L. Davey, of Nebraska.
Richard S. Dawson, Jr., of California.
John J. Degan, Jr., of New York.
Francis De Tarr, of California.
Robert B. Dollison, of Florida.
John C. Dorrance, of California.
William L. Dutton, Jr., of Iowa.
Lawrence S. Eagleburger, of Wisconsin.
Thomas O. Enders, of Connecticut.
Robert A. England, of Connecticut.
Rudy V. Fimbres, of Arizona.
Bruce A. Flatin, of Minnesota.
Paul F. Gardner, of Texas.
Robert S. Gershenson, of Pennsylvania.
William L. Givens, of California.
Harry B. Glazer, of Ohio.
Ellis V. Glynn, of Pennsylvania.
Louis P. Goelz III, of Pennsylvania.
Leopold Gotzlinger, of Ohio.
Mrs. Nannette Graham, of the District of Columbia.
Benson Lee Grayson, of New York.
Myles L. Greene, of Florida.
Marion L. Gribble, of New York.
Carl J. Grip, of California.
Brandon H. Grove, Jr., of New Jersey.
Charles H. Hallock, of New York.
Charles R. Hartley, of the District of Columbia.
Gerald B. Helman, of Michigan.
Miss Evelyn R. Hessler, of New York.
Ashley C. Hewitt, Jr., of California.
Marvin J. Hoffenberg, of Maryland.
Herbert Eugene Horowitz, of New York.
Ernest B. Johnston, Jr., of Alabama.
James D. Johnston, of California.
Munro P. Jones, of Texas.
Miss Katherine Lee Kemp, of Maryland.
Lowell C. Kilday, of Wisconsin.
Barrington King, Jr., of South Carolina.
George L. Kinter, of Vermont.
John W. Kizler, of Texas.
David Korn, of Missouri.
Gerald Lamberty, of Wisconsin.
Nelson C. Ledsky, of Ohio.
Gerard J. Levisque, of Massachusetts.
Shepard C. Lowman, of Texas.
William H. Luers, of Illinois.
Miss Loreice E. Lutfy, of Michigan.
Mrs. Marcia L. Martin, of Florida.
W. Wyatt Martin, Jr., of Tennessee.
Richard C. Matheron, of California.
Frank A. Mau, of Wyoming.
Vernon D. McAninch, of Texas.
Sherrod B. McCall, of Illinois.
Miss M. Margaret McCoy, of Colorado.
Carl H. McMillan, Jr., of the District of Columbia.
Francis Terry McNamara, of Vermont.
Francis J. McNeil III, of Florida.
Noble M. Melencamp, of Kansas.
Alan G. Mencher, of New York.
Henry R. Mills, of Kansas.
William H. Mills, of California.
Richard M. Moose, of Arkansas.
Donald R. Morris, of New York.
Carsten D. Muller, of New York.
Theodore C. Nelson, of Connecticut.
Robert B. Oakley, of Louisiana.
Theodore K. Osgood, of New Hampshire.
Arthur Parolini, of California.
Miss Eleanor R. Paulson, of Washington.
Douglas R. Perry, of New York.
Lawrence Pezzullo, of New York.
Miss Georgiana M. Prince, of Illinois.
Robert G. Rich, Jr., of Florida.
George B. Roberts, Jr., of Pennsylvania.
Paul Roman, of California.
Miss Lois J. Roork, of Oklahoma.
J. Stapelton Roy, of Pennsylvania.
Glenn E. Schweitzer, of California.
Thomas J. Scotes, of Pennsylvania.
Carl G. Seasword, Jr., of Michigan.
Peter Sebastian, of Florida.
John P. Shumate, Jr., of California.
Walter John Silva, of Texas.
Joseph G. Simanis, of Connecticut.
Donnell D. Smith, of Illinois.
Walter Burges Smith II, of Rhode Island.
R. Peter Spicer, of Ohio.
Andrew L. Steigman, of New York.
Michael Sterner, of New York.
Charles F. Stoppani, of California.
Ulrich A. Straus, of Michigan.
Miss Constance V. Stuck, of Arkansas.
John Susko, of Pennsylvania.
Miss Theresa M. Takacs, of New York.
Harry E. T. Thayer, of the District of Columbia.
Howard L. Walker, Jr., of California.
Robert E. Waska, of Texas.
Harry Weiner, of New York.
Miss Virginia A. Weyres, of Wisconsin.
James W. White, of Florida.
William M. Woessner, of New Jersey.
William B. Young, of New Hampshire.

The following-named Foreign Service officers for promotion from class 7 to class 6:

Morton I. Abramowitz, of Massachusetts.
Robert G. Adam, of California.
Joe L. Alarid, of Oklahoma.
Donald M. Anderson, of Iowa.
Gustav N. Anderson, of New York.
Rodney E. Armstrong, of California.
Jerry P. Baugh, of Pennsylvania.
Paul J. Bennett, of Iowa.
Calvin C. Berlin, of Ohio.
Edward C. Bittner, of Pennsylvania.
Donald P. Black, of California.
Robert R. Blackburn, Jr., of California.
Felix S. Bloch, of New York.
Jay H. Blowers, of Florida.
Archie M. Bolster, of Virginia.
Thomas D. Boyatt, of Ohio.
Charles W. Bray III, of Texas.
William E. Breidenbach, of New York.
Miss Lucy Therina Briggs, of Maine.
Bernard J. Brogley, of Pennsylvania.
Jere Broh-Kahn, of Ohio.
Thomas Stanley Brooks, of Wyoming.
Frederick Z. Brown, of Pennsylvania.
Josiah H. Brownell, of Illinois.
Robert L. Bruce, of California.
Eugene B. Bruns, of Tennessee.
John A. Bushnell, of Connecticut.
Ralph H. Cadeaux, of the District of Columbia.
John A. Cantwell, of New York.
Charles A. Cariddi, of California.
David W. Carr, of Massachusetts.
Miss Anne L. Carroll, of Idaho.
Burton M. Chadbourne, of the District of Columbia.
Clive Chandler, of Washington.
David P. Chandler, of New York.
Paul M. Cleveland, of Connecticut.
William M. Clevenger, of New Jersey.
Miss S. Marguerite Cooper, of California.
John E. Crump, of Kansas.
John James de Martino, of the District of Columbia.
William C. Dixon, of California.
Edward J. Dolezal, of Illinois.
Frazier Draper, of Florida.
James A. Duran, Jr., of Pennsylvania.
Richard A. Dwyer, of Indiana.
James M. Ealum, of Oklahoma.
Raymond C. Ewing, of California.
James P. Farber, of Florida.
Richard W. Faville, Jr., of California.
Bernard A. Femminella, of Minnesota.
John A. Ferch, of Ohio.
Carroll L. Floyd, of California.
Miss Alta F. Fowler, of Virginia.
John A. Froebe, Jr., of Ohio.
Robert H. Frowick, of Connecticut.
Rogelio Garcia, of New York.
Coradino E. Gatti, of Massachusetts.
J. David Gelsanliter, of Ohio.
Richard J. Gibson, of Michigan.
Thomas J. Grimes, of Illinois.
Terrence T. Grindall, of California.
Howard R. Gross, of Virginia.
John B. Gwynn, of the District of Columbia.
Miss Jo Ann M. Hallquist, of Wisconsin.
Samuel F. Hart, of Mississippi.
Walter A. Hayden, of New York.
Miss Lorraine C. Herron, of Minnesota.
Henry A. Holmes, of Kansas.
Hume A. Horan, of New Jersey.
Richard H. Howarth, of Pennsylvania.
Arnold M. Isaacs, of Illinois.
Martin Jacobs, of New York.
Andrew R. Kay, Jr., of New York.
James E. Kiley, of California.
Dalton V. Killion, of California.
Miss Carolyn E. Kingsley, of Nebraska.
Gilbert H. Kinney, of the District of Columbia.
Thomas R. Kresse, of Ohio.
Norbert J. Krieg, of California.
Donald A. Kruse, of Pennsylvania.
Paul L. Laase, of Nebraska.
Robert C. LaPrade, of California.
Miss Morelle Lasky, of California.
James N. Leaken, of California.
Stephen J. Ledogar, of New York.
Mark C. Lissfelt, of Pennsylvania.
Joseph P. Lorenz, of Virginia.
Hugh Cooke MacDougall, of New York.
Harry Macy, Jr., of Florida.
Gifford D. Malone, of West Virginia.
William H. Mansfield III, of Connecticut.
William H. Marsh, of Pennsylvania.
David W. McClintock, of California.
Miss Mary E. McDonnell, of Massachusetts.
George A. McFarland, Jr., of Texas.
William J. McGovern, Jr., of California.
James A. McNamara, of California.
Donald F. Meyers, of Wisconsin.
Frank Micelotta, of New York.

William G. Miller, of Rhode Island.
Hawthorne Q. Mills, of California.
Miss Priscilla E. Mitchell, of Indiana.
Harlan G. Moen, of Wisconsin.
Tom R. Moore, of Tennessee.
Robert J. Morris, of Iowa.
Alvis Craig Murphy, of Ohio.
André J. Navez, of Massachusetts.
Roy C. Nelson, of New York.
Joseph K. Newman, of New Jersey.
Albert W. Noonan, Jr., of Illinois.
Daniel A. O'Donohue, of Michigan.
George W. Ogg, of New Jersey.
Walter John O'Grady, of the District of Columbia.
Joseph E. Olenik, of Pennsylvania.
John R. Oleson, of Illinois.
Miss Alison Palmer, of New York.
Michael B. Peceri, of Florida.
Edward L. Peck, of California.
Jack R. Perry, of Georgia.
John G. Peters, of Maryland.
Thomas R. Pickering, of New Jersey.
James A. Placke, of Nebraska.
Nicholas Platt, of Virginia.
Edward B. Pohl, of Louisiana.
Martin Poistein, of Maine.
William H. Price, of Florida.
Russell O. Prickett, of Minnesota.
Charles T. Prindeville, Jr., of Illinois.
Datus Proper, of Pennsylvania.
William T. Pryce, of Pennsylvania.
Anthony C. E. Quainton, of Washington.
Robert I. Randolph, of California.
Donald E. Rau, of Florida.
Frank M. Ravndal, of Maryland.
John D. Rendahl, of Minnesota.
Miss Rozanne L. Ridgway, of Minnesota.
Kenneth N. Rogers, of Florida.
Gerald A. Rosen, of New York.
David Rowe, of Maryland.
Edward G. Ruoff, of Ohio.
James Sartorius, of Kansas.
Louis Schwartz, Jr., of Illinois.
David G. Shaw, of New York.
Gilbert H. Sheinbaum, of California.
William T. Shinn, Jr., of Minnesota.
David D. Shobe, of Illinois.
Robert W. Smith, of Missouri.
Roger A. Sorenson, of Utah.
John D. Spangler, of Tennessee.
Frederic N. Spotts, of Massachusetts.
Robert S. Steven, Jr., of Rhode Island.
James Stromayer, of Illinois.
James P. Sullivan, of Pennsylvania.
Nathaniel B. Thayer, of Massachusetts.
John B. Tipton, of Illinois.
George R. Tolles, of Ohio.
James L. Tull, of Iowa.
Joseph W. Twinam, of Tennessee.
John T. Vanderveen, of California.
James R. Vandivier, of Indiana.
Matthew H. Van Order, of Minnesota.
Robert von Pagenhardt, of Connecticut.
Frank E. Wallace, of Tennessee.
Benjamin Weiner, of New York.
Mrs. Melissa F. Wells, of California.
Herbert E. Wilgis, Jr., of Maryland.
A. Norman Williams, of Michigan.
Larry C. Williamson, of California.
Dawson S. Wilson, of Florida.
Thomas F. Wilson, of Michigan.
Edward C. Woltman, Jr., of Indiana.
Joseph R. Yodzis, of Pennsylvania.
Michael van Breda Yohn, of Connecticut.

The following-named Foreign Service officers for promotion from class 8 to class 7:

Francis J. Barrett, of Pennsylvania.
C. Thomas Bleha, of Michigan.
Richard Thomas Booth, of Michigan.
William T. Breer, of California.
Richard G. Brown, of Massachusetts.
Thomas J. Burke, of New York.
Harry E. Christie, of the District of Columbia.
Malcolm H. Churchill, of Iowa.
James Ford Cooper, of Michigan.
Trusten Frank Crigler, of Arizona.
Rolfe B. Daniels, of California.
Michael Dowling, of Georgia.
Adolph H. Eisner, of Florida.
Otho Evans Eskin, of the District of Columbia.
Joseph G. Fandino, of New York.
Miss Martha C. Frautschi, of Wisconsin.
Samuel Edwin Fry, Jr., of Massachusetts.
Paul John Glasoe, of Ohio.
Mrs. Miña Shayne Goldberg, of New York.
Frederick A. Hahn, of New York.
Gabriel C. Hanson, of Illinois.
Richard Harding, of Michigan.
Alan M. Hardy, of Ohio.
Paul J. Hare, of the District of Columbia.
Robert Y. Hayashida, of Hawaii.
Jerome L. Hoganson, of Wisconsin.
Ernest H. S. Holm, of Massachusetts.
Richard B. Howard, of the District of Columbia.
George Merwin Humphrey, of Pennsylvania.
Herbert H. E. Hymans, of California.
Robert F. Illing, of California.
R. Allen Irvine, of Pennsylvania.
John K. Jessup, Jr., of Connecticut.
Ralph T. Jones, of Wisconsin.
Curtis W. Kamman, of Arizona.
Mrs. Mary Curtis Kamman, of Arizona.
Moorhead C. Kennedy, Jr., of Maine.
William F. Kingsbury, of New Jersey.
Joseph E. Lee, of Idaho.
Robert S. Littell, Jr., of Connecticut.
Raymond B. Lombardi, of Rhode Island.
Walter A. Lundy, Jr., of Georgia.
Miss Marian L. Mains, of Idaho.
Robert W. Mashek, of Iowa.
Philip R. Mayhew, of the District of Columbia.
David McMeans, of Texas.
Richard H. Melton, of Maryland.
John D. Negroponte, of New York.
Patrick T. O'Connor, of New York.
Nuel L. Pazdral, of California.
Lawrence R. Raicht, of New York.
Miss Katherine I. Ronald, of Arizona.
Robert J. Ryan, Jr., of the District of Columbia.
William E. Ryerson, of Nevada.
John J. St. John, of Pennsylvania.
Raymond W. Seefeldt, of Illinois.
Larry W. Semakis, of New York.
Charles Arthur Semones, of Virginia.
Robert E. Service, of the District of Columbia.
Mrs. Mary C. Shoemaker, of Pennsylvania.
Frederick Owen Shoup, of California.
Lester P. Slezak, of Pennsylvania.
John P. Spillane, of Indiana.
Charles Steedman, of Rhode Island.
Miss Peggy Stewart, of Tennessee.
Roscoe S. Suddarth, of Tennessee.
Miss Barbara F. Sweeney, of New York.
Dirck Teller, of Maryland.
Stephen Lee Wailes, of Florida.
William B. Whitman, Jr., of Illinois.
H. Cramer Widenor, of New Jersey.
John H. Wilde, of Michigan.

Seymour Chalfin, of New York, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

John R. Clingerman, of Michigan, now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

John Hall Rouse, Jr., of Maryland, for reappointment in the Foreign Service as a Foreign Service officer of class 7, a vice consul of career, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520(a) of the Foreign Service Act of 1946, as amended.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

Ernest G. Land, of New York.
Richard G. McCloskey, of California.
James H. McGillivray, of California.
Blanchard K. Parsons, of New York.
Anthony Radspieler, of California.
Harold O. Wright, of the District of Columbia.

The following-named Foreign Service Reserve officers to be vice consuls of the United States of America:

Joseph G. Kecskemethy, of Virginia.
Joseph Kinal, of Nevada.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Bernard F. D'Ambrosio, of Virginia.
John W. O'Connell, of South Dakota.

### DEPARTMENT OF THE ARMY

Edmund T. Pratt, Jr., of New York, to be Assistant Secretary of the Army, vice William F. Schaub.

### IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

*To be lieutenant general*

Lt. Gen. Samuel Leslie Myers, O17180, Army of the United States (major general, U.S. Army).

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

Lt. Gen. John Knight Waters, O18481, Army of the United States (major general, U.S. Army), in the grade of general.

Maj. Gen. Theodore John Conway, O19015, U.S. Army, in the grade of lieutenant general.

Maj. Gen. Charles Granville Dodge, O18072, U.S. Army, in the grade of lieutenant general.

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Albert Watson II, O18105, U.S. Army, in the rank of lieutenant general.

Maj. Gen. Harvey Herman Fischer, O18832, U.S. Army, in the rank of lieutenant general.

(The above appointments in the Army were made during the recess of the Senate.)

### IN THE ARMY*

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Alfred Dodd Starbird, O18961, Army of the United States (brigadier general, U.S. Army), in the rank of lieutenant general.

The Army National Guard of the U.S. officer named herein for promotion as a Reserve commissioned officer of the Army under the provisions of title 10, United States Code, sections 593(a) and 3385:

*To be brigadier general*

Francis Stevens Greenlief, O1291268, Infantry.

The following-named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3298:

*To be first lieutenants*

Anderson, Jimmie M., O94843.
Badger, William W., O95153.
Bingham, Keith P., O90327.
Blondell, John V., O95594.
Caravana, Richard R., O94048.
Fowler, James H., O95321.
Graham, William C., O95326.
Halford, John R., O93462.
Infante, Donald R., O95341.
Johnson, Victor V., Jr., O93480.
Lamb, John C., O96693.
Lanphear, Paul J., O95350.
Mills, David E., O93359.

Murray, Louis J., Jr., O95366.
Parsons, Donald L., O95375.
Rose, Wilbur Van N., O95384.
Smallen, Ray H., O95752.
Smith, Harold L., O95394.

*To be first lieutenant, Women's Army Corps*

Carroll, Sallie L. E., L606.

*To be first lieutenants, Medical Service Corps*

Herber, William E., Jr., O92918.
Kearns, William J., O92684.

The following-named person for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

*To be lieutenant colonel*

Hope, Francis M., O30541.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

*To be major*

Fleury, Thomas C. (MSC), O84737.

*To be first lieutenant*

Cleaver, Bruce H. (MSC), O84141.

*To be second lieutenant*

Shiban, Ronald J. (MSC), O93298.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

*To be captains*

Albert, George R., O4005397.
Bacon, Norman J., O4005770.
Brindel, Charles L., O1913427.
Brown, Ollie, O2097765.
Carey, William K., O4021026.
Childers, Marvin E., O1916007.
Cormany, Cecil D., O4046390.
Emery, Calvin B., O1938002.
Evers, Richard E., O1924931.
Foster, Howard R., O4011035.
Frampton, Henry G., Jr., O998435.
Geiger, Ervine H., Jr., O1883408.
Grant, James R., O4028743.
Griffin, Bobby F., O1938009.
Helmick, Glelma O., O1931625.
Hiebert, Donald L., O2014767.
Johnson, Carl C., O964749.
Johnson, William A., O4009619.
Jolemore, Kenneth A., O4030913.
Kamandulis, Donald A., O4006151.
Keyes, Terrence E., O4010701.
Lawrence, William A., O1937264.
Lutsch, John W., O4013424.
McNulty, Francis, O4010805.
Michalski, John L., Jr., O4010514.
Motsko, Myron M., O4005710.
Parker, David H., O4018683.
Putnam, Carl M., Jr., O4006951.
Radcliffe, Jack W., O999508.
Rumney, Russell E., O4026887.
Scanlon, James B., O2266285.
Schlafer, Clarance J., O1342349.
Schrage, Gerhardt H., O2004405.
Scott, Cecil R., O1881435.
Teal, James A., Jr., O4005521.
Vinton, James N., O4033523.

*To be first lieutenants*

Bernstein, Charles P., O5307311.
Blanchard, Charles E., O5307675.
Boyd, William J., O5405305.
Burleson, Charles E., O5303294.
Buschke, Thomas H., O5703971.
Carrick, John M., O4084648.
Catt, Jackie D., O5403592.
Cini, Lyn G., O5507900.
Cranston, Robert L., O5006080.
Crawford, Cecil M., O4049408.
Crocker, Aaron O., O5307840.
Daines, Guy E., O5204784.
Dillard, Franklin R., O5209434.
Eady, Connie D., O5400271.
Gordon, Jack J., O5402207.
Holloway, William B., O4030977.
Holmstrom, Ronald J., O4069031.
Houser, Charles M., O5305190.
Jaco, Neal T., O5507742.
Kirk, Louis D., O5301626.
Martin, Ernest L., O5208775.
Mitchell, John S., O4047614.
Morley, Thomas L., O4006932.
Natale, Matthew M., O5000186.
Overgard, Richard N., O5704711.
Powell, Roger E., O5304861.
Schloesser, Robert P., O5002640.
Shaw, Robert L., O4050223.
Sieck, Robert R., O5201103.
Steinbach, James J., O5201531.
Stout, Thomas E., O4060584.
Todd, Alan R., O5401297.
Valandry, David D., O5505938.
Waggoner, Robert N., O4063213.
Webster, William L., O4074435.
Wilson, Richard L., O4048079.
Woiton, John B., Jr., O5400869.
Wolff, Robert A., O4084693.
Wray, Donald P., O4060847.

*To be second lieutenants*

Biemeck, John F., O5210524.
Chinn, Mitchell E., O5412125.
Clawson, Lucien B., Jr., O4074459.
Crasto, Donald L., O5305184.
Deryck, John L., O5312400.
Dillard, Hugh B., O5308424.
Dunford, William H., O5006580.
Dunham, John M., O5410215.
Emerson, Lloyd A., O5506510.
Emig, Donald K., O5209847.
Evans, Donald L., O5705162.
Flanagan, Joseph J., O5210387.
Forrest, George G., O5210432.
Gilligan, Richard M., Jr., O2310341.
Green, Thomas S., O5311881.
Harrison, Joseph J., O5009168.
Jones, Robert S., Jr., O5405704.
Laursen, Otto D., O5210525.
MacArthur, Graham, O5311568.
Manolakis, John J., O5309493.
Masterson, Lawrence E., O5212484.
McDonald, Edward M., O5312314.
Middlebrook, Paul R., O5509062.
Miller, Robin K., O5312170.
Neale, Larry W., O5213156.
Newell, Wales A., O5005608.
Pabst, David A.
Pell, Richard F., O5209491.
Preston, Edward G., O5510152.
Redding, Thomas S., Jr., O5313914.
Reilly, Martin D., O5705753.
Rickenberg, Warren G., O5507788.
Sinkler, Paul F., O5509765.
Staples, Thomas F., O5007243.
Tompson, James D., O5307666.
Trudell, John A., O5310698.
Whatley, David T., O5409326.
Wisdom, Thomas E., Jr., O5410077.
Wright, Jerry T., O5308513.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3294, and 3311:

*To be captain, Army Medical Specialist Corps*

Hansen, Nancy P., M3034.

*To be captains, Army Nurse Corps*

Allison, Lyndall R., N902339.
Smith, Cassandra M., N805719.

*To be captains, Dental Corps*

Adrian, James C., O4052114.
Archer, Eugene G., O5217106.
Colavito, Paul N., O4038072.
Crase, Silas N., O5214116.
Davis, Robert M., O5301106.
Feeney, George E., O2276877.
Hourigan, Matthias J., O5210132.
Lee, Lawrence B., O4013777.
Lefler, Billie B., O2279767.
Olson, Robert A. J., O5003527.
Potter, Daniel M., O5213673.
Schriver, William R., O4070900.

*To be captains, Judge Advocate General's Corps*

Dorsey, Robert G., O967976.
Mullins, William R., O2274549.

*To be captains, Medical Corps*

Curzon, Eugene C., Jr., O5701427.
DeFrancesco, Fred L., O5216736.
Garner, Ronald S., O4044726.
Kern, William A., O5703186.
Killam, Allen P., O1940819.
Kinsey, Norman F., O4045062.
Krouse, John M., O4047117.
Perry, Lawrence B., O2309874.
Price, Laurance W., O5408255.
Robbins, Roger C., O5501176.
Rosato, Donald J., O5203388.
Rothenberger, Monty L., O1940667.
Short, Earl D., Jr., O4075450.
Sollie, Stanley C., O5701439.

*To be captains, Medical Service Corps*

Ertell, Charles H., Jr., O4006598.
Long, James E., O4048701.
Samuels, Alan, O4038100.

*To be first lieutenants, Army Nurse Corps*

Jims, Madeline P., N2304137.
Skinner, Fay J., N2306077.
Troche, Adoree R., N5407066.

*To be first lieutenants, Dental Corps*

Balaban, Bernard, O5004961.
Fevang, Matthew J., O2310245.
Hennig, Guenther H., O5519040.
Huget, Eugene F., O5518190.

*To be first lieutenants, Judge Advocate General's Corps*

Boller, Richard R., O2305792.
Chapman, Clarence E., Jr., O2306019.
Jacobs, Marvin, O2299033.
Layton, Charles M., O5209259.
Moize, Jerry D., O2307329.
Suter, William K., O5404403.
Witt, Jerry V., O5403513.

*To be first lieutenants, Medical Corps*

Agee, Robert E., O5200823.
DeSantis, Joseph A., O4020807.
Magoline, Alfred J., Jr., O2305089.
Soha, Albert J., O2305162.

*To be first lieutenants, Medical Service Corps*

Evans, Harold L., O2298788.
Heggers, John P., O2299080.
Lynch, George R., O4006633.
Marchand, Francis W., Jr., O2298919.

*To be first lieutenants, Veterinary Corps*

Edwards, George C., O4028771.
Elliott, Mark P., O2300654.
Stanton, Jack S., O2306008.

*To be first lieutenant, Women's Army Corps*

Wagner, Lilian N., L2289166.

*To be second lieutenant, Army Medical Specialist Corps*

Buss, Carole J., N2301069.

*To be second lieutenants, Medical Service Corps*

Browning, Charles W., O2308606.
Getzin, Robert H., O2304590.
Hays, Walter R., O5412908.
Himes, Charles F., O2308270.
Linkenhoker, Ben Y., O2308383.
Mayer, Henry A., Jr., O5212925.
McDaniels, Melvin B., O5410790.
McLean, John M., O5309645.
McNeill, Douglas W., O2308591.
Michie, David D., O2303935.
Phillips, Harry V., Jr., O2276796.
Shannon, Sam, Jr., O5306014.
Silverstein, Herman R., O2308594.
Ward, John R., O5410726.

*To be second lieutenant, Women's Army Corps*

Seibert, Nancy L., L5302048.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Damian, Kenneth J.
Davis, Charles T.
Hubbard, Richard B., III, O5317336
Lightfoot, Donald R.
Powell, Fredrick C.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Abate, Claude W.
Allen, Richard S., Jr.
Baker, Robert F., O5414078
Baker, Ronald W.
Bartlett, LeRoy, III
Beall, Raymond F., O5414133
Blouin, James O., Jr.
Bolen, William S.
Bujakowski, Thomas E., O5219021
Byrnes, James B., O5708040
Cannan, Patrick F., O5014229
Carter, Edward E.
Eager, Benjamin F., III
Edwards, Don R., O5317494
Engen, Alan K.
Falcone, John P., Jr.
Fernandes, Alfredo J., Jr.
Freeman, Donald W.
Friedberg, Richard S.
Gaston, Joseph R., O5517884
Grochowski, Gerald A.
Gustafson, Jan A., O5414043
Hadaway, Bobby G., O5317344
Hammett, Grady E.
Harris, Dalrymple M., Jr.
Hayes, William H., Jr.
Hunter, Dean H.
Irving, Robert J.
Johnson, Andrew J.
Kemp, James C., Jr.
Kish, Ernest S., O5517940
Mann, Carl A.
McClure, William M.
McGill, Brian J.
Mitchell, Craig K., O5517938
Moentmann, Werner A., O5516896
Newman, Ned, O5413875
Olsen, Gary A.
Ortiz, Luis
Osborne, John W.
Overcash, James R., Jr.
Owen, Charles S.
Parlow, Robert J.
Pastor, John D., Jr.
Prusinovski, Louis H.
Ramey, Arthur
Read, Donald B.
Reilly, William F., Jr., O5313700
Rodimon, Stanley J., O5317385
Sausker, William F.
Shaffer, Richard G.
Shimabukuro, Stanley S., O5800359
Swearengen, Mark A.
Tann, Richard A.
Taylor, Gary L., O5413965
Towne, Thomas J.
Wainscott, George T.
Waldrip, Emory L., II
Willson, Loyd M., O5530271
Winn, Robert B.
Wolfkill, Harry H., O5219538
Yoshina, Lloyd H., O5800361

# SENATE

WEDNESDAY, JANUARY 16, 1963

***(Legislative day of Tuesday, January 15, 1963)***

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou whose throne is justice and truth: Frail creatures of dust, yet stamped with Thine image, serving out our brief span on the world's vast stage, we would set our little lives in the midst of Thine eternity.

As those to whom has been committed the stewardship of the fair and firm fabric of the Nation's life, grant us now, in a violent world, in these grim days of decision, a saving experience of inner quiet and serenity.

Knowing that all truth is Thine, that it is only truth that makes men free, and that all fetters of the mind and spirit and body, as they desecrate human dignity, are an offense to Thee, strengthen our will, we beseech Thee, never to be browbeaten by threatening evil, or to surrender to craven fear; that having done all for a just peace, to stand steadfastly where honor and duty draw the line from which there can be no retreat without our being recreant to Thy solemn trust, and thus failing both man and Thee.

We ask it in the Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 15, 1963, was dispensed with.

## MORNING HOUR DISPENSED WITH

Mr. MANSFIELD. Mr. President, in compliance with the request of the distinguished senior Senator from New York [Mr. JAVITS], at this moment I shall not request that there be a morning hour.

## CORRECTION OF SENATE RESOLUTION 244, 87TH CONGRESS, 2D SESSION

Mr. MANSFIELD. Mr. President, I call the attention of the Senate to the fact that at this time I wish to offer a Senate resolution, so that a correction of a resolution can be made.

As the result of a printing error, Senate Resolution 244, which was agreed to by the Senate on February 7, 1962, contains the erroneous expiration date of January 1, 1963. From the Rules Committee report on this resolution, it is quite obvious that it was intended that this subcommittee be authorized for a full year ending on January 31, 1963.

Mr. President, I assure all Senators that their rights will be safeguarded; and at this time, in order that the RECORD may be corrected, I should like to offer an amending resolution and request its immediate consideration.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. What is the effect of the resolution changing the date?

Mr. MANSFIELD. The usual date is January 31—in other words, for a full year. But, through error, the expiration date of the subcommittee was made January 1. The subcommittee is still operating; and if some action of this sort is not taken, the pay of the employees will be in jeopardy.

Mr. RUSSELL. To what subcommittee does the resolution refer?

Mr. MANSFIELD. To the Subcommittee on Banking.

Mr. RUSSELL. The Subcommittee on Banking?

Mr. MANSFIELD. Yes.

Mr. RUSSELL. Is the subcommittee functioning?

Mr. MANSFIELD. Yes; on a tentative basis, until this error is corrected.

Of course the resolution would be offered with the proviso that the status quo would be maintained and that the rights of any Senator would not be impinged upon in the slightest.

Mr. RUSSELL. Well, Mr. President, inasmuch as the Senate is a continuing body, I think the employees should be paid. [Laughter.]

Mr. MANSFIELD. Mr. President, I send the resolution to the desk, and request its immediate consideration.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The resolution will be read.

The resolution (S. Res. 43) was read, as follows:

*Resolved,* That section 2 of Senate Resolution 244, agreed to February 7, 1962, is hereby amended by striking out "January 1, 1963" where it appears therein and inserting in lieu thereof "January 31, 1963".

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Without objection, the resolution is agreed to.

## CALL OF THE ROLL

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the proceedings under the quorum call may be dispensed with.

Mr. RUSSELL. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard. The clerk will continue to call the roll.

The Chief Clerk continued and concluded the rollcall, and the following Senators answered to their names:

[No. 4 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Boggs
Brewster
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Montana [Mr. METCALF] are absent on official business.

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* These above appointments were made during the recess of the Senate.

I further announce that the Senator from Virginia [Mr. BYRD] is necessarily absent.

**Mr. DIRKSEN.** I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Texas [Mr. TOWER] are necessarily absent.

**The PRESIDENT** pro tempore. A quorum is present.

## TRANSACTION OF ROUTINE BUSINESS

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent for a morning hour for the introduction of bills and the transaction of routine business.

**The PRESIDENT** pro tempore. Without objection, it is so ordered.

**Mr. MANSFIELD.** I ask unanimous consent to limit statements to 3 minutes in connection therewith.

**Mr. CLARK.** Mr. President, reserving the right to object——

**Mr. JAVITS.** Mr. President, will the Senator yield?

**Mr. CLARK.** I yield to my friend from New York.

**Mr. MANSFIELD.** I yield.

**Mr. JAVITS.** I do not find in the unanimous-consent request the same caveat which the majority leader inserted into his request for action on the resolution on which we acted before; that it be without prejudice to the rights of all Members in this current issue before the Senate.

**Mr. MANSFIELD.** I make that request.

**Mr. RUSSELL.** Mr. President, reserving the right to object, I think we are getting down to the point of being almost childish. We go ahead and introduce bills and resolutions and consider them. We just passed a resolution in the Senate. Then Senators come in, during the morning hour, and desire assurances that are not at all necessary.

I do not know exactly what the Senators who are pressing this gag rule have in mind. They have conformed to every rule of the Senate, if there were anything to that, except those to which they object. This cannot affect the constitutional issue, unless it does in the mind of some Senator. It does not have to affect his vote.

I shall not object this morning, but I serve notice that beginning tomorrow morning I shall object to this addendum, which, in my opinion, is absolutely without any meaning at all and cannot serve any useful purpose. It cannot hurt the sponsors of the gag rule. It cannot help those who are fighting the gag rule.

This morning I shall not object, but tomorrow I shall object.

**Mr. CLARK.** Mr. President, will the Senator yield to me so that I might answer the question of the Senator from Georgia?

**Mr. MANSFIELD.** I yield to the Senator from Pennsylvania.

**Mr. RUSSELL.** Mr. President, I did not ask any question. I merely made a statement.

**Mr. CLARK.** Mr. President, those of us who believe in bringing democracy to the Senate, and who are thoroughly opposed to the incorrect kind of gag rule which now dominates this body, in this procedural matter are interested only in establishing that when the Senate has a morning hour, which is the conduct of business, we shall not later be charged with having waived our rights to have the Senate adopt new rules at the beginning of the session of the Senate.

As I understood the statement by the majority leader—who will correct me if I am mistaken—the assurance he just gave to the Senator from New York will protect us, in that, in effect, it means that there will be unanimous consent that when the Senate has a morning hour this shall not later be urged against us as the conduct of business which would waive our right, which we believe we have under the Constitution, to adopt new rules at the opening of a new Congress.

**Mr. MANSFIELD.** That is my understanding.

**Mr. JAVITS.** Mr. President, will the Senator yield further in connection with this unanimous-consent request?

**Mr. MANSFIELD.** I yield.

**Mr. JAVITS.** I think it would be a little anomalous if we were to accept the constitutional law advice of the Senator from Georgia, who would hardly accept ours; so, Mr. President, I propose, as one Senator, to proceed to protect these rights as we see them in respect to the action of the Senate. If that means no morning hour, then let the responsibility rest with those who object to a morning hour upon those conditions. We are not trying to inconvenience the Senate, but we will not jeopardize a substantive right.

May I ask the majority leader what are his plans in respect to this debate? Obviously, the lineaments of a filibuster are clear. I have been here long enough to recognize them. So have other Senators. Are we to have sessions from 12 until 6, in a nice, comfortable, convenient way? Are we to lengthen the sessions? What is the plan of the majority leader with respect to the effort to bring these matters to some kind of a vote; which is, after all, our great responsibility?

**Mr. MANSFIELD.** I wish to say, in response to the question raised by the Senator from New York, that so far as the majority leader is concerned, he intends to have the Senate come in at 12 o'clock for the time being, and to meet until 5 or 6 or 7 o'clock. I, of course, shall consult with the distinguished minority leader as events develop as to what we shall proceed to do, but I certainly do not look forward to all-night sessions. We have not had them for the past 2 years. We have a responsibility—a joint responsibility, I may say to my friend from Illinois [Mr. DIRKSEN] to consider the health of the Members of this body and to try to operate in a manner which will bring decorum and dignity to the Senate.

**Mr. JAVITS.** Mr. President, will the Senator yield further?

**Mr. MANSFIELD.** I yield.

**Mr. JAVITS.** I do not hold to the proposition that all-night sessions or exhausting or long sessions will break a filibuster. I do not believe they will. I thoroughly agree with the majority leader on that score.

**Mr. MANSFIELD.** I am happy.

**Mr. JAVITS.** I concur with the Senator completely.

I make only this point: There is a limit of time, in all decency, within which this matter should be debated. The only thing about which I wish to be solicitous is that Senators can then not rise to say, "Well, X days is not enough, because we have not been able to expose our position adequately. We need Y days."

So I implore the majority leader and minority leader to consider that question of a decent and proper time, in the interest of respect for the Senate and respect for the country, during which positions may be exposed; without at the same time having any illusions—and I have none—that filibusters can be broken by round-the-clock sessions, exhausting people, or wearing them, or anything like that.

**Mr. DIRKSEN.** Mr. President, who has the floor?

**Mr. MANSFIELD.** I yield to the Senator from Illinois.

**Mr. DIRKSEN.** I discussed informally with the distinguished Senator from New York the possibility of some kind of precipitate action, if necessary, after this subject had engrossed the attention of the Senate for about a week. That would come as of next Monday. I will accept my full responsibility in the matter, in the hope of expediting the action of the Senate.

I noted from the ticker tape that our distinguished friend from Georgia—and it is entirely proper and reasonable—stated that there can be no organizing or naming of committees until the matter now before the Senate is disposed of. If that is incorrect, then I am wrong as to what I saw on the ticker tape. But organizing the committees to go forward with work is the most important thing before us. So I will join with the majority leader, or will assume it on my own responsibility, early next week, even if a motion to table is required in order to get action.

I shall not shirk that duty, because I think the RECORD is clear as to how I feel about these questions. I am against all proposals of this kind. I am quite willing to go back or to take the existing rules.

At some time I shall occupy about 20 minutes of the Senate's time to make a little speech on the subject. Then I shall be ready with any kind of motion that will bring the question to a head.

With that understanding, I think the Senate can look for some kind of action next week. If we are to get something done, and if the administration wants a tax bill passed by the 1st of July, we must hurry in order to consummate action on a bill of such dimensions. We cannot spend too much time discussing the rules.

This subject has been under discussion for a long time. I have had a part in it for some time. I think I know my mind. I think a week would be sufficient.

Mr. JAVITS. Mr. President, will the Senator yield so that I may make a comment on what the Senator from Illinois has said?

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. JAVITS. I compliment the minority leader for dispensing a little light into a murky sky. I think a week is a respectable, reasonable, and responsible time in which to elucidate the points of view which have been debated time and time again. True, the discussion is under new circumstances and in a different world, but still the same basic principle is involved. I am delighted to join the Senator from Illinois, and concur fully in what he has said.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. I am not at all frightened by the hobgoblin painted by the Senator from New York with respect to our responsibilities. I have been aware of my responsibilities for a long time. I have never sought to run from them or shirk them. I am perfectly willing to assume my responsibility for any action of mine in the Senate. If I later find that I am in error, I hope I shall have manhood enough to stand up and apologize. But when we meet on the basis of the fiction that the Senate is not in session, when we have been meeting and proceeding under the rules of the Senate, I shall assume responsibility, whatever it may entail, for objecting to the fiction that by using certain words we can change the Constitution of the United States and its effect on the Senate in proceeding with matters of this nature.

I am not concerned about the hours of the sessions. In times gone by I have stood on the floor of the Senate for many hours. While I am not quite as young as I once was, I think I can remain in the Chamber about as many hours as the Senate may be in session.

With reference to the statement by the distinguished Senator from Illinois about the report that the Senator from Georgia would block organization of the Senate, the Senator knows I have no such power. I was asked by some members of the press as to my position with respect to laying the pending business aside and taking up some other business, such as the organization of the Senate. I stated that, so far as unanimous consent was concerned, I would not grant unanimous consent to laying aside this matter, until it was disposed of, for any other business. I think we should get it out of the way before we proceed to any other business, whether it requires discussion into next week, the week following, or next April.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I have not the slightest quarrel with the Senator from Georgia. If I were in the same position as he is, I would probably do the same thing. I do not quarrel with him.

Mr. RUSSELL. I thank the Senator. I did not say he had. I merely said there would be no unanimous-consent agreement to lay this business aside temporarily; and that it would be necessary to displace it in order to organize the Senate and establish committee ratios.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. In regard to round-the-clock sessions—and I speak only for myself—I am opposed to round-the-clock sessions if they can be avoided. We know what happened to the very distinguished Senator from Oklahoma, Mr. Kerr, who, while narrating a story to his doctor while on the edge of his bed, fell to the floor and was gone. I was in Chicago yesterday, talking with a hotel manager, a friend of mine. An hour later he fell to the floor and was gone.

I think the leadership has some responsibility for protecting the health of Senators in this day and age. I do not like to have it said that the Senate is a Chamber of walking coronaries. It may be so; nevertheless, we have a duty to protect their health. I would certainly oppose long sessions, because I do not like the idea of the new bell system operating in my office and sounding like a big Pennsylvania engine coming through the office at 2 o'clock in the morning. I do not think that is conducive to the health, perception, acuity, and other physical capability of Senators to do their work in the public interest.

Mr. SCOTT. Mr. President, the Senator from Illinois mentioned my name——

Mr. DIRKSEN. Did I mention the Senator by name?

Mr. SCOTT. I think there are two Pennsylvania engines in the Senate.

Mr. MANSFIELD. Modern ones, too.

Mr. SCOTT. Mr. President, I rise to inquire what the parliamentary situation is. Is the Senate in the morning hour, or is it about to go into it?

Mr. MANSFIELD. As I understand the situation—and the Chair will correct me if I am wrong—unanimous consent has been granted for a morning hour for the introduction of bills and the transaction of routine business. I am unaware, however, what the situation is as to the request that statements made in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Is there objection to the request? Without objection, it is so ordered.

Mr. SCOTT. Mr. President, will the Senator permit me to introduce two bills?

Mr. CLARK. Mr. President, will the Senator yield to me, first?

Mr. MANSFIELD. I yield.

Mr. CLARK. I hope the minority leader, in his announced determination to file some motion to get the "show on the road" next week, will bear in mind what seems to me to be a desirable objective, namely, that each Senator who desires to speak upon the pending business should have an opportunity to speak before tabling motions to cut off debate are made or granted. I feel quite strongly, with the Senator from Georgia, that it would be quite unwise to attempt to organize the Senate until such time as the pending business has been disposed of. I hope also to make about a 20-minute speech upon this subject. I think every other Senator should have such an opportunity, and perhaps a longer opportunity, before an effort is made to cut off debate, because I am not in favor of gag rule.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. We can quickly ascertain which Senators desire to be heard on this subject, and for how long.

Mr. CLARK. That is a very sensible suggestion.

Mr. RUSSELL. I am surprised to hear the remarks of my distinguished friend from Pennsylvania. I recall that when the Senate debated the communications satellite bill, the Senator from Pennsylvania participated vigorously in opposition to the bill, and then voted in favor of gagging himself by voting for the cloture petition. He has shown his fidelity to the theory of voting to terminate debate regardless of whether all Senators who wish to speak on a subject have had the opportunity to speak as long as they desire.

Mr. CLARK. I did not engage in that filibuster, although I thought of doing so. I want the record to be clear on that point.

Mr. RUSSELL. Any time a Senator from the South objects to dispensing with the reading of the Journal, within 3 minutes the headlines shout, "A filibuster is raging in the Senate."

Of course, if the Senator from Pennsylvania objects, he is performing an act of great statesmanship.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ERVIN. Did I correctly understand that inquiry was made as to what Senators wish to speak on the motion? I wish to be on record as saying that I would like to speak long enough to present my point of view.

The PRESIDENT pro tempore. The Senate is operating under the 3-minute limitation. The time of the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from North Carolina may proceed for 1 additional minute.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. ERVIN. I wish an opportunity to present the point of view that gagging the free representatives of free States in the Senate of the United States is not democracy, as characterized by the Senator from Pennsylvania [Mr. CLARK], but is, in my judgment, the height, the depth, and the breadth of autocracy at its worst.

Mr. SALTONSTALL. Mr. President, I hope the suggestion of the minority leader, which was agreed to, I believe, by the junior Senator from Pennsylvania, that the majority leader and the minority leader ascertain which Members of the Senate wish to speak on the motion, and for how long they wish to speak, will be carried out. In that way we will have a better idea as to how long the daily sessions should be, and which Senators wish to speak on the subject. I hope the suggestion will not be dropped, but that some action will be taken on it.

Mr. MANSFIELD. The Senator makes an excellent suggestion.

Mr. President, I ask unanimous consent that the status of the so-called Humphrey resolution, which has gone over under the rule, be maintained without change.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. I thought that resolution was offered as a substitute for the so-called Anderson resolution. Under the rule, that is taken care of by itself.

The PRESIDENT pro tempore. The status quo is automatically maintained.

Mr. RUSSELL. Yes; in connection with the other resolution.

While I am on my feet, let me observe that I am sorely disappointed to hear the distinguished minority leader and the distinguished Senator from Pennsylvania [Mr. CLARK] say that they would like to speak only for about 20 minutes on the subject under discussion. This issue is of such vital importance that I do not believe men who occupy the important positions which they occupy can possibly express their views on this subject in 20 minutes. I hope they will elucidate their views for a much greater length of time, so that the country may have the benefit of their counsel.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I have exhausted all my time under the 3-minute limitation. The Senate is now in the morning hour.

Mr. HOLLAND. I understood the Senator from Montana to propound a unanimous-consent request.

Mr. MANSFIELD. I did. It was granted. It was to maintain the status of the so-called Humphrey resolution, which has gone over under the rule; and I asked that its status be maintained without change. I understand that it is maintained automatically, and that the request is agreed to.

Mr. HOLLAND. Was the request to permit other business to be taken up without setting aside what is now the business of the Senate?

Mr. MANSFIELD. No; it was not.

Mr. HOLLAND. I thank the Senator.

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

### Report on Puerto Rican Hurricane Relief Loans

A letter from the Secretary of Agriculture, reporting, pursuant to law, on Puerto Rican hurricane relief loans; to the Committee on Agriculture and Forestry.

### Discharge of Certain Minors in the Naval Service or the Coast Guard

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian (with an accompanying paper); to the Committee on Armed Services.

### Report of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Authority for Performance of Certain Functions of Federal Aviation Agency

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes (with an accompanying paper); to the Committee on Commerce.

### Operation of Certain Concessions at Washington National Airport

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes (with an accompanying paper); to the Committee on Commerce.

### Amendment of Certain Criminal Laws Applicable to the District of Columbia

A letter from the Attorney General, transmitting a draft of proposed legislation to amend certain criminal laws applicable to the District of Columbia, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

### Nomination for Reappointment as Member of the District of Columbia Redevelopment Land Agency

A letter from the Commissioners of the District of Columbia, nominating, pursuant to law, Richard R. Atkinson for reappointment as a member of the District of Columbia Redevelopment Land Agency (with accompanying papers); to the Committee on the District of Columbia.

### Payment of Claim Made by the United Kingdom of Great Britain and Northern Ireland

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland (with an accompanying paper); to the Committee on Foreign Relations.

### Federal Wire Interception Act

A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit wiretapping by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

### Repeal of Subsection (d), Section 2388, Title 18, United States Code

A letter from the Attorney General, transmitting a draft of proposed legislation to repeal subsection (d) of section 2388 of title 18 of the United States Code (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 3238, Title 18, United States Code

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 3238 of title 18, United States Code (with an accompanying paper); to the Committee on the Judiciary.

### Reports on Certain Positions in Grades GS-16, GS-17, and GS-18

A letter from the Chairman, Railroad Retirement Board, Chicago, Ill., transmitting, pursuant to law, a report of that Board on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1962 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Chairman, U.S. Civil Service Commission, transmitting, pursuant to law, a report covering a Civil Service Commission position in grade GS-18 which has been established in addition to the number of positions otherwise authorized by law to be placed in such grade (with an accompanying report); to the Committee on Post Office and Civil Service.

## RESOLUTION OF NEW JERSEY STATE SENATE

The PRESIDENT pro tempore laid before the Senate a resolution of the Senate of the State of New Jersey, which was referred to the Committee on the Judiciary, as follows:

Whereas four of the children of Mrs. William Tiu are particularly talented and have been appearing on television programs and have been otherwise active in the amusement field and appear to be entitled to special consideration in gaining U.S. citizenship; and

Whereas Mrs. Tiu has two other children born in this country; and

Whereas it appears necessary that the Congress enact a law granting such citizenship; and

Whereas New Jersey is especially interested in the matter and in obtaining this result: Now, therefore, be it

*Resolved by the Senate of the State of New Jersey:*

1. The Congress of the United States is hereby memorialized to enact a law granting citizenship to Mrs. William Tiu and her children.

2. The secretary of the senate is directed to transmit a copy of this resolution to the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of this State in the Congress.

3. This resolution shall take effect immediately.

## NOMINATION OF JOHN GREEN FOR COLLECTOR OF CUSTOMS—MEMORIAL

As in executive session, the President pro tempore laid before the Senate a telegram in the nature of a memorial, signed by J. W. Rajazuori, of Duluth, Minn., remonstrating against the confirmation of the nomination of John Green for collector of customs, which was referred to the Committee on Finance.

## STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 45); which was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative

Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(g)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–380, approved by the President on September 24, 1959.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

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## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BEALL (for himself, Mr. Brewster, Mr. Robertson, and Mr. Williams of New Jersey):

S. 250. A bill to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; to the Committee on Agriculture and Forestry.

By Mr. PASTORE:

S. 251. A bill to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President; and

S. 252. A bill to provide that section 315 of the Communications Act of 1934 shall not apply to candidates for the offices of President and Vice President of the United States, U.S. Senator and Representative, and Governor of any State; to the Committee on Commerce.

By Mr. PASTORE (for himself, Mr. Magnuson, and Mr. Kefauver):

S. 253. A bill to amend the Communications Act of 1934, as amended, relative to merger of domestic telegraph carriers; to the Committee on Commerce.

By Mr. HAYDEN (for himself and Mr. Cooper):

S. 254. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mr. KEATING:

S. 255. A bill to amend section 4 of the act of July 6, 1945, as amended, so as to provide for payment of overtime compensation to substitute employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. BOGGS:

S. 256. A bill to grant credit in the filling of certain positions in the postal field service to persons who have served in such positions under temporary appointments; to the Committee on Post Office and Civil Service.

By Mr. CARLSON:

S. 257. A bill for the relief of Mrs. Anna Sanford; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 258. A bill to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the monthly insurance benefits payable to them under such title; and

S. 259. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

(See the remarks of Mr. Scott when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH:

S. 260. A bill to authorize the construction, maintenance, and operation of certain toll bridges across the Rio Grande; to the Committee on Foreign Relations.

S. 261. A bill to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris; to the Committee on Government Operations.

(See the remarks of Mr. Yarborough when he introduced the above bills, which appear under separate headings.)

By Mr. INOUYE:

S. 262. A bill to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden;

S. 263. A bill to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii; and

S. 264. A bill to establish Federal agricultural services to Guam, and for other purposes; to the Committee on Agriculture and Forestry.

S. 265. A bill to authorize an investigation relating to the restoration and preservation of certain cultural and historical artifacts of the Ryukyuan people; to the Committee on Armed Services.

S. 266. A bill to increase the amount authorized to be appropriated annually to carry out the program for the conservation and restoration of the Hawaiian Nene goose, and to extend such program for an additional 5 years; to the Committee on Commerce.

S. 267. A bill to amend title 3 of the Sugar Act of 1948 to provide for the establishment of fair and reasonable minimum wage rates for workers employed on sugar farms, and for other purposes; and

S. 268. A bill to amend the Internal Revenue Code to allow gas tax refunds due for gasoline used by aerial applicators serving farmers to be refunded to the aerial applicators providing such service to farmers; to the Committee on Finance.

S. 269. A bill to provide that the Secretary of State shall investigate and report to the Congress as to the feasibility of establishing a Pacific International House on Sand Island, Hawaii; and

S. 270. A bill to authorize a contribution to the government of the Ryukyu Islands for the purpose of providing compensation for use of private property and damage to persons and property arising from acts of the U.S. forces before the entry into force of the Japanese Peace Treaty; to the Committee on Foreign Relations.

S. 271. A bill to provide cost-of-living allowances to judicial employees stationed outside the continental United States or in Alaska and Hawaii; and

S. 272. A bill to adjust the retirement benefits of certain retired district judges for the district of Hawaii; to the Committee on the Judiciary.

S. 273. A bill to provide a method of regulating and fixing wage rates for ungraded employees in the State of Hawaii;

S. 274. A bill to amend section 601 of title 38, United States Code, to restore to certain veterans in Alaska or Hawaii the right to receive hospital care; and

S. 275. A bill to amend the National Defense Education Act of 1958 to make certain benefits under that act available to teachers in nonpublic elementary and secondary schools; to the Committee on Labor and Public Welfare.

S. 276. A bill to amend section 131 of title 23 of the United States Code relating to industrial and commercial plans; to the Committee on Public Works.

By Mr. FULBRIGHT:

S. 277. A bill to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year; to the Committee on Agriculture and Forestry.

S. 278. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; and

S. 279. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level; to the Committee on Finance.

By Mr. FULBRIGHT (for himself and Mr. McClellan):

S. 280. A bill for the relief of Etsuko Matsuo McClellan; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. Keating):

S. 281. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 282. A bill to provide that the Alaska Railroad shall be subject to the provisions of certain Federal laws relating to safety in railroad transportation; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS (for himself, Mr. McGee, Mr. Bible, Mr. Kuchel, Mr. Engle, Mr. Fong, Mr. Bennett, Mr. Burdick, Mr. Church, and Mr. Allott):

S. 283. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 284. A bill for the relief of Ethel R. Loop, the widow of Carl R. Loop; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 285. A bill for the relief of Evangelia Georges Tsounos; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 286. A bill to amend the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full-time student attending college; to the Committee on Finance.

(See the remarks of Mr. Johnston when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. Byrd of Virginia, Mr. Goldwater, Mr. Bennett, Mr. Eastland, Mr. Robertson, Mr. Thurmond, Mr. Curtis, and Mr. Stennis):

S. 287. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. Holland, Mr. Ervin, Mr. Mundt, Mr. Eastland, Mr. Goldwater, Mr. Robertson, Mr. Stennis, and Mr. Curtis):

S. 288. A bill to prohibit strikes by employees employed in certain strategic defense facilities; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT (for himself, Mr. Humphrey, Mr. Boggs, Mr. Fong, Mr. Burdick, Mr. Moss, Mr. Bible, Mr. Church, Mr. Pastore, Mr. Case, Mr. Cannon, Mr. Miller, Mr. Holland, Mr. Randolph, Mr. Dodd, Mr. Pell, Mr. Kefauver, Mr. Inouye, Mr. Nelson, Mr. Bayh, Mr. McGee, Mr. Williams of New Jersey, and Mr. Javits):

S. 289. A bill to further amend the Peace Corps Act (75 Stat. 612), as amended, to provide for the awarding of a medal to be known as the "Peace Corps Medal"; to the Committee on Foreign Relations.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 290. A bill to suspend for a temporary period the import duty on ethylene imine (monomer), polyethylene imine, and esters of amino-alkyl-sulfuric acid; to the Committee on Finance.

S. 291. A bill for the relief of Regina Tsang Lee; to the Committee on the Judiciary.

(See the remarks of Mr. Williams of New Jersey when he introduced the first abovementioned bill, which appear under a separate heading.)

By Mrs. NEUBERGER:

S. 292. A bill for the relief of Yoo Chul Soo; to the Committee on the Judiciary.

By Mr. STENNIS (for himself and Mr. Eastland):

S. 293. A bill to prohibit the expenditure of public funds for certain military construction projects not authorized by Congress; to the Committee on Armed Services.

(See the remarks of Mr. Stennis when he introduced the above bill, which appear in the speech delivered by Mr. McClellan.)

By Mr. CLARK (for himself, Mr. Scott, Mr. Young of Ohio, Mr. Lausche, Mr. Goldwater, and Mr. Miller):

S. 294. A bill to exempt from compulsory coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs; to the Committee on Finance.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

## CONCURRENT RESOLUTIONS

### WITHDRAWAL OF SOVIET TROOPS FROM LATVIA, LITHUANIA, AND ESTONIA

Mr. HICKENLOOPER submitted a concurrent resolution (S. Con. Res. 4) favoring action by the President to bring about the right of self-determination by the peoples of Latvia, Lithuania, and Estonia, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Hickenlooper, which appears under a separate heading.)

### ESTABLISHMENT OF JOINT COMMITTEE ON ETHICS IN LEGISLATIVE BRANCH OF THE GOVERNMENT

Mr. JAVITS (for himself and Mr. Keating) submitted a concurrent resolution (S. Con. Res. 5) to establish a Joint Committee on Ethics in the Legislative Branch of Government, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

## RESOLUTIONS

### EXTENSION OF SENATE RESOLUTION 244, 87TH CONGRESS, AUTHORIZING COMMITTEE ON BANKING AND CURRENCY TO INVESTIGATE HOUSING MATTERS

Mr. MANSFIELD submitted a resolution (S. Res. 43) extending until January 31, 1963, Senate Resolution 244 of the 87th Congress, authorizing the Committee on Banking and Currency to investigate housing matters, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

### FUNERAL EXPENSES OF THE LATE SENATOR CHAVEZ OF NEW MEXICO

Mr. HUMPHREY (for Mr. Anderson) submitted a resolution (S. Res. 44) to pay certain funeral expenses of the late Senator Chavez, of New Mexico; which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Humphrey (for Mr. Anderson), which appears under a separate heading.)

### STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 45) authorizing a study of intergovernmental relationships between the United States and the States and municipalities; which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Muskie, which appears under a separate heading.)

### STUDY OF CHARGES CONCERNING CONTRIBUTIONS BY FEDERAL EMPLOYEES TO POLITICAL PARTIES

Mr. WILLIAMS of Delaware (for himself and Mr. Miller) submitted the following resolution (S. Res. 46); which was referred to the Committee on Rules and Administration:

*Resolved*, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of allegations of solicitations by officers in the executive branch of the Government of direct or indirect contributions to political parties from employees in the executive branch, particularly those employees in the higher grades and positions, including, but not limited to—

(1) allegations that employees in the executive branch of the Government have been influenced by their superiors to make contributions, through support of fund-raising activities, to political parties, and

(2) allegations that the names of employees in the executive branch of the Government have been furnished by officers in the executive branch to persons associated with political parties for the purpose of enabling such persons to solicit contributions, through support of fund-raising activities, to such political parties.

Such study and investigation shall be conducted for the particular purpose of determining whether any of the actions alleged, if such allegations are substantiated, constitute a violation of any of the criminal or civil laws of the United States, or of the regulations of any department, agency, or instrumentality thereof, and whether, if such actions do not constitute such a violation they constitute a circumvention of the purpose and intent of such laws and regulations evidencing a need for the amendment thereof.

Sec. 2. For the purposes of this resolution, the committee, from the date on which this resolution is agreed to through January 31, 1964, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

Sec. 4. Expenses of the committee, under this resolution; which shall not exceed $      , shall be paid from the contingent funds of the Senate upon vouchers approved by the chairman of the committee.

### CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. WILLIAMS of Delaware (for himself and Mr. Boggs) submitted the following resolution (S. Res. 47); which was referred to the Committee on Rules and Administration:

*Resolved*, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out parts 10 through 13 in subparagraph (h) of paragraph (1);

(2) striking out parts 16 through 19 in subparagraph (1) of paragraph (1); and

(3) inserting in paragraph (1) after subparagraph (p) the following new subparagraph:

"(q) Committee on Veterans' Affairs, to consist of thirteen Senators, five who are also members of the Committee on Finance, four who are also members of the Committee on Armed Services, and four who are also members of the Committee on Labor and Public Welfare. All proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects shall be referred to the Committee on Veterans' Affairs:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Paragraph 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences, and Committee on Veterans' Affairs".

SEC. 3. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

## INCREASED EARNINGS WITHOUT DEDUCTION UNDER SOCIAL SECURITY ACT

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill that would increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the monthly insurance benefits payable to them under old-age and survivors insurance.

At the present time if an individual earns more than $1,200—$1 of his or her benefits can be withheld for each $2 of his earnings above $1,200 and up to $1,700. For every $1 of earnings above $1,700, $1 of benefits can be withheld.

It is my feeling, Mr. President, that $2,400 is not an excessive amount.

With daily advances in the field of medical science, the average span of life has been increased. It has always seemed unfair to me to deny our older citizens social security benefits they have earned if they have the ingenuity and ambition to supplement their income with outside earnings.

The curtailment of their earnings at $1,200 in my mind is basically unfair and adversely affects the smaller income beneficiary.

With the Congress year after year concerning itself with the living standards and development of people all over the world, it would seem only just to raise the amount to $2,400.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 258) to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the monthly insurance benefits payable to them under such title, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

## INCREASED TAX DEDUCTION FOR HIGHER EDUCATION

Mr. SCOTT. Mr. President, I send to the desk a bill for appropriate referral which would amend the Internal Revenue Code so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents. This legislation would allow the taxpayer to deduct amounts paid during the taxable year for tuition and fees with respect to any one individual to the extent that such amounts do not exceed $600. Deduction would not be allowed directly or indirectly for any personal or living expenses.

I would also like to point out, Mr. President, that this allowable deduction for any taxable year will be reduced, under my bill, by the amount by which the adjusted gross income of the taxpayer and his spouse for the taxable year exceeds $10,000. It is my feeling, Mr. President, that in the field of education this is one major relief that can be given to overburdened parents. I have long advocated that there should be some reduction and some tax credit for those parents who are sending their children through college. It would be of great assistance, if the Congress could give some tax relief to the parent who is terribly burdened by the very high cost of present-day higher education.

I appreciate that the Congress in passing the National Defense Education Act has expanded and improved educational programs to meet our needs of national defense. But there are many prospective and potential students who will be entering schools of higher education in this year and in the immediate future that do not necessarily qualify under the provisions of the National Defense Education Act. I have supported the National Defense Education Act in the past and intend to support any extensions that might be presented to Congress in the future. But at the same time, I do feel that many individual families in this country have been carrying a great financial burden by educating their children, and it is about time that the Congress does something to alleviate this situation. There is no question that we cannot do enough to enable deserving students to continue attending schools of higher education, even in face of the rising cost of such education, so that the intellectual stimulation necessary for our defense efforts and for our basic economy can be continued.

I hope, Mr. President, that this bill will receive favorable consideration early in this session of the Congress.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 259) to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

## A BILL FOR CONSTRUCTION OF TWO BRIDGES ACROSS THE LOWER RIO GRANDE BETWEEN TEXAS AND MEXICO

Mr. YARBOROUGH. Mr. President, I introduce, for reference to the appropriate committee, a bill to authorize the construction, maintenance, and operation of certain toll bridges across the Rio Grande.

The Rio Grande is an international waterway between Texas and Mexico and Federal consent, as well as the consent of Mexico and the International Boundary and Water Commission, is necessary before the bridges can be built.

The bill would authorize two different groups to build private toll bridges across the Rio Grande, in Hidalgo County, Tex. These two bridges would be in the vicinity of Pharr, Tex., and Donna, Tex., respectively.

This bill is similar to other toll bridge construction authorizations passed by other Congresses. Precedent is well established. Believing that the Lower Rio Grande River Valley is inadequately serviced by bridges connecting the two nations, and that commerce between Texas and Mexico would be aided by more bridges across the Rio Grande, I have supported efforts to build bridges at various points along the lower Rio Grande.

This authorization is urgently needed for economic development of the area affected, and enactment of this bill into law will provide a powerful booster to the growth of a vital part of my State.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 260) to authorize the construction, maintenance, and operation of certain toll bridges across the Rio Grande, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Foreign Relations.

## THE DE ZAVALA PARK IN HARRIS COUNTY, TEX.

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the conveyance of certain surplus Federal lands in Harris

County, Tex., to the State of Texas or the county of Harris for use as the De Zavala Park.

My fellow Texans are seeking to preserve both the homesite and the family burial grounds of Lorenzo de Zavala, scholar, author, a member of the Cortes of Spain, defender of liberty, a signer of the Texas Declaration of Independence, the first vice president of the Republic of Texas, and the author of a scholarly "History of Mexico."

My bill would withhold 142 acres around the De Zavala homesite and burial ground from the pending sale of the surplus U.S.-owned San Jacinto Ordnance Depot. The ordnance site is to be sold by the General Services Administration.

The De Zavala homesite and a private cemetery are on a point of land across the Houston ship channel from the San Jacinto battleground, a historic site close to the hearts of Texans.

The cemetery and homesite are owned by the State of Texas, but are entirely surrounded by the San Jacinto Depot.

In view of the impending sale by the General Services Administration of the De Zavala site, Texans have become deeply interested in Federal action to forestall loss of this historic site.

David Thomas, another signer of the Texas Declaration of Independence, is also buried on the De Zavala site. Thomas was the first attorney general of the Republic of Texas and was Acting Secretary of War of the Republic. Peter Jefferson Duncan, one of the captors of General Santa Anna, is also buried there.

The role of these three giants in Texas history deserves a fitting memorial.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 261) to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris, introduced by Mr. Yarborough, was received, read twice by its title, and referred to the Committee on Government Operations.

## ALASKA RAILROAD SAFETY BILL

Mr. BARTLETT. Mr. President, on behalf of myself and my colleague, the junior Senator from Alaska [Mr. Gruening], I introduce, for appropriate reference, a bill which will extend to the Alaska Railroad certain Federal laws covering safety and hours of service. These safety laws are identical to those that are now applicable to privately owned railroads in the lower 48. They deal with safety appliances, accident reports, boiler inspection, hours of service, and explosives and combustibles.

During the 86th Congress, Congress passed a comprehensive bill which placed the economic rate regulation of the Alaska Railroad under the Interstate Commerce Commission and also made these same safety acts applicable to the Alaska Railroad. President Eisenhower, however, vetoed this bill.

During the last Congress, I reintroduced the bill that had been previously vetoed. During Senate Commerce Committee hearings on the proposed legislation the Department of the Interior suggested that economic regulation of the Alaska Railroad by the Interstate Commerce Commission could be accomplished by the issuance of an Executive order by the President rather than by a legislative act. Since that time the Bureau of the Budget, the Interior Department, and the Interstate Commerce Commission have been working together on the issuance of the order. It is my understanding that drafts of this order have been circulated, comments have been received and the final draft of the order is in preparation. I expect the order to be issued within the next few weeks.

But, Mr. President, there remains the question of applying to the Alaska Railroad the safety laws which are now applicable to privately owned railroads.

Late in the last session I introduced legislation which was designed to accomplish this purpose. Since it was introduced in mid-September of last year, Congress had insufficient time to act upon it. I am, therefore, taking this first opportunity to introduce this proposed legislation and to call for early hearings and action on this remaining aspect of the problem. I sincerely hope that economic regulation can be a reality in a very short period of time and that attention can be directed to the important problem of the safety of the employees of the Alaska Railroad.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 282) to provide that the Alaska Railroad shall be subject to the provisions of certain Federal laws relating to safety in railroad transportation, introduced by Mr. Bartlett (for himself and Mr. Gruening), was received, read twice by its title, and referred to the Committee on Commerce.

## SMALL RECLAMATION PROJECTS ACT OF 1956

Mr. MOSS. Mr. President, for myself and Senators McGee, Bible, Kuchel, Engle, Fong, Bennett, Burdick, Church, and Allott, I introduce, for appropriate reference, a bill to amend the Small Reclamation Projects Act of 1956.

The small water projects loan program has proved itself a desirable supplement to the Federal reclamation program. Applications have been received and approved by the Secretary of the Interior and the Congress for 26 separate projects, involving loans estimated at over $66,300,000. On application for a loan and grant of $1,104,000 is pending before the Congress—the Settlement Canyon project in my State of Utah—and applications for five more projects have been filed with the Bureau of Reclamation, raising the total request for loans to about $76,500,000. Nine of the eighteen States in which the program is authorized have submitted applications.

The National Reclamation Association, which first saw the need for a small reclamation projects loan program, supports the amendments I am offering today, which will bring the program up to date. The most important provisions of my bill would reduce interest costs, authorize financial assistance on project planning, increase the total amount available for loans, and increase the size of individual loans.

I ask that the bill be allowed to lie on the table for 1 week for additional cosponsorship.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 283) to amend the Small Reclamation Projects Act of 1956, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## AMENDMENT OF INTERNAL REVENUE CODE RELATING TO CERTAIN TAX DEDUCTIONS

Mr. JOHNSTON. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full term student attending college.

This amendment is designed to allow parents a total of $1,400 personal exemption for each child they have in college. At present there is no relief afforded parents with children in college under Federal tax laws.

Under the provisions of this bill, any son, daughter, stepson, or stepdaughter in school receiving full support from the taxpayer would entitle the taxpayer to additional exemptions. The child must be enrolled in an educational institution which is authorized to confer any baccalaureate or higher degree, or whose curriculum consists of courses of instruction at least two-thirds of which count for credit toward a baccalaureate or higher degree.

College education has become expensive and more necessary than ever before for our country's welfare. This additional deduction will attempt to help parents compensate for the expense involved in keeping a student in college on a full-time basis. It seems only fitting that parents who take on the financial burden of sending sons and daughters to college should get this tax relief.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 286) to amend the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full-time student attending college, introduced by Mr. Johnston, was received, read twice by its title, and referred to the Committee on Finance.

## AMENDMENT OF PEACE CORPS ACT, TO PROVIDE FOR AWARDING A MEDAL TO BE KNOWN AS THE PEACE CORPS MEDAL

Mr. SCOTT. Mr. President, in behalf of myself and Senators Humphrey, Boggs, Fong, Burdick, Moss, Bible, Church, Pastore, Case, Cannon, Miller, Holland, Randolph, Dodd, Pell, Kefauver, Inouye, Nelson, Bayh, McGee, Williams of New Jersey, and Javits, I introduce, for appropriate reference, a bill to further amend the Peace Corps Act, as amended, to provide for the awarding of a medal to be known as the Peace Corps Medal.

This bill has been drafted in consultation with Robert Sargent Shriver, Jr., Director of the Peace Corps.

At the beginning of this month, there were 3,501 volunteers overseas with the Peace Corps. An additional 883 Americans are undergoing rigorous training.

These volunteers are demonstrating that America is abundantly endowed with men and women with that sense of dedication and initiative that will produce meaningful service to country and mankind.

Occasionally the acts of one or more Peace Corps volunteers are so extraordinary as to bring special honor to the United States. These are the type of deeds to which this Nation has always responded with a symbol, a medal cast with words of appreciation. Similarly, Mr. President, I think the men and women of the Peace Corps should be rewarded for exceptional courage and merit.

It would be called the Peace Corps Medal and contain appropriate emblems and inscriptions to commemorate meritorious service to the United States. The recipients would be those who, in a particular situation, have conducted themselves with great courage and resourcefulness and through such action have made an uncommon contribution to the cause of world peace and understanding. Their deeds will be of the heroic in every sense of the word.

Already there have been several examples of unusual and distinguished service among the volunteers serving overseas. One young Peace Corps volunteer rushed to the aid of a drowning man who was given up for dead. Using mouth-to-mouth resuscitation, the volunteer refused to give up his attempt to save the man's life and untiringly continued his efforts until the man was brought back to life. The mere fact that he saved a life was not the whole story. Here was an American demonstrating how highly we value the lives of all human beings.

In another instance a Peace Corps volunteer serving in a small middle eastern village was credited by host country officials with saving from flood the rice crop in a 100 square mile area for the first time in 7 years, and at a time when other adjoining areas were undergoing the worst floods in recorded history.

One local official conservatively placed the value of the crops saved at nearly three-quarters of a million dollars. Under the direction of this one volunteer, close to a thousand villagers built dams, culverts, and regulators that stemmed the floodwaters and avoided catastrophe.

Then, let us pay tribute to these Americans who have gone forth endowed with an idealism kindled and nurtured by their forefathers, to lay the groundwork for a peaceful world. They are performing deeds no less extraordinary than those who have gone before them to protect the peace. America will never forget her citizens who have heeded the call of duty and performed that duty in time of need with extraordinary courage and devotion.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 289) to further amend the Peace Corps Act (75 Stat. 612), as amended, to provide for the awarding of a medal to be known as the Peace Corps Medal, introduced by Mr. Scott (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. SCOTT subsequently said: Mr. President, I call the attention of the Senate to the fact that today I introduced a bill to provide a medal for Peace Corps personnel, the medal to be awarded under circumstances of exceptional courage or unusual situations in the performance of duty above and beyond the normal call of the obligations which they assume. I have received favorable reaction to the bill from the Director of the Peace Corps.

There are a number of cosponsors of the bill. I ask unanimous consent that the bill may lie at the desk for 4 additional days in order that other Senators who wish to become cosponsors or who may wish to associate themselves with the bill may do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TEMPORARY SUSPENSION OF IMPORT DUTY ON ETHYLENE IMINE (MONOMER), POLYETHYLENE IMINE, AND ESTERS OF AMINO-ALKYL-SULFURIC ACID

Mr. WILLIAMS of New Jersey. Mr. President, for a number of years New Jersey industry has been engaged in the systematic research into a new chemical field, the manufacture and utilization of ethylene imines, products used primarily in the development of packaging agents.

Development of this new industry promises to significantly contribute to the economic growth of New Jersey and the Nation. As I understand it, 1,000 new jobs will be generated by this new industry and new capital investment is estimated to be from $5 to $25 million.

Today, Mr. President, there exists only one commercial manufacturer of ethylene imines, a foreign manufacturer. Experimental quantities of ethylene imines and esters of amino-alkyl-sulfuric acid, an intermediate compound in the manufacture of these imines, have been imported into this country for research purposes. To date, substantial progress has been made in improving the prospects for domestic manufacture and marketing of the product. Domestic industry has now come to a point where they find it necessary to import larger quantities of these chemicals to determine the magnitude of domestic markets and to establish the proper industrial specifications.

Though the duties collected are small in comparison with the new income the Government would derive from taxes, the tariff is enough to completely inhibit increased imports so necessary to the further development of this budding industry. Farsighted American businessmen have already invested over $2 million in this project. Their confidence in the dynamic nature of our economy will not contribute to our growth if we are unable to provide a favorable environment for innovation.

By every criterion of national interest suspension of duties on the entrance of these chemicals is desirable. There will be an increase in employment, a stimulation to investment, and a large increase in our tax revenues. By comparison, loss in tariff revenues is insignificant. In fact, even these revenues would disappear if research and development of this industry is frustrated.

Mr. President, because our economy does have so much to gain, I propose that we temporarily suspend the import duty of these chemicals.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 290) to suspend for a temporary period the import duty on ethylene imine (monomer), polyethylene imine, and esters of amino-alkyl-sulfuric acid introduced by Mr. Williams of New Jersey, was received, read twice by its title, and referred to the Committee on Finance.

## WITHDRAWAL OF SOVIET TROOPS FROM LATVIA, LITHUANIA, AND ESTONIA

Mr. MILLER. Mr. President, on behalf of my colleague, the senior Senator from Iowa [Mr. Hickenlooper], and myself, I submit, for appropriate reference, a concurrent resolution calling upon the President of the United States to seek through diplomatic and economic action a withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia, and the holding of free elections in those nations, to the end that they may once again live as free, independent, sovereign members of the community of nations.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 4) was referred to the Committee on Foreign Relations, as follows:

*Resolved by the Senate (the House of Representatives concurring),*

Whereas the United States has consistently recognized and upheld the right of the Baltic peoples to national independence and to the enjoyment of all independent rights and freedoms; and

Whereas the Charter of the United Nations declares as one of its purposes the development of friendly relations among nations based "on respect for the principle of equal rights and self-determination of peoples"; and

Whereas the Union of the Soviet Socialist Republics has by force suppressed the freedom of the peoples of Latvia, Lithuania, and Estonia and continues to deny them the right of self-determination by free elections: Therefore be it

*Resolved by the Senate (the House of Representatives concurring)*, That the President of the United States should seek through diplomatic and economic action to bring about the withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia and the holding of free elections in those nations to the end that they may once again live as free, independent, and sovereign members of the community of nations.

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## LEGISLATIVE CODE OF ETHICS

Mr. JAVITS. Mr. President, for myself and on behalf of my colleague, the junior Senator from New York [Mr. KEATING], I submit a concurrent resolution to create a Joint Committee on Ethics to develop a code of ethics for Members of Congress and all other legislative employees.

The public interest requires a clearly defined, enforceable code of ethics for Senators, Representatives and more than 25,000 employees in the legislative branch of the Federal Government. Establishment of such a code would support public confidence in Congress against the present danger of its weakening.

It is completely incongruous for Senate committees to question executive appointees rigorously on their financial affairs when those of us in Congress and our staffs are not subject to similar standards and requirements. We cannot continue to function on this double standard of ethics—a complete set for the executive branch but none for the legislative branch.

Last year Congress passed a law establishing an up-to-date conflict-of-interest code for the executive branch of the Government, but failed to match it with a code for the legislative branch. This year we should remedy that omission.

While creating a joint congressional committee to draw up a permanent code of ethics, the resolution would also set up an interim code to guide Members of Congress. The interim code would: require a Member of Congress to disclose immediately a financial interest valued at $10,000 or more in any activity subject to the jurisdiction of a Federal regulatory agency; would limit outside employment; would ban the use of confidential information for other than official purposes; and would bar the use of official influence to gain special privileges or exemptions.

I also, together with Senator KEATING, send to the desk a companion bill to require that any written or oral communication between a Member of Congress or his staff and a regulatory agency in adjudicatory proceedings be made part of the public record. The bill would amend the Administrative Procedure Act.

It should be noted that the Federal Home Loan Bank Board last year issued a regulation prohibiting certain ex parte communications altogether and requiring that the remainder be made a matter of public record. I believe this regulation is a valuable precedent and should spur Congress to enact a similar provision uniformly applicable to all agencies.

The PRESIDENT pro tempore. The concurrent resolution and bill will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 5) to establish a Joint Committee on Ethics in the legislative branch of Government, submitted by Mr. JAVITS (for himself and Mr. KEATING), was referred to the Committee on Rules and Administration, as follows:

*Resolved by the Senate (the House of Representatives concurring)*,

### POLICY AND PURPOSE

SECTION 1. (a) One of the most vital concerns of a free and representative government is the maintenance of moral and ethical standards for their representatives which are above cause for reproach and warrant the confidence of the people. The people are entitled to expect from their elected representatives in the Federal Government and the employees of the legislative branch a standard above that of the marketplace, for these public servants are entrusted with the welfare of the Nation. Yet these standards must be practical and should be fairly representative of the people who elect their representatives. Some conflicts of interest are clearly wrong and should be proscribed by sanctions in the criminal law; however, many are composed of such diverse circumstances, events, and intangible and indirect concerns that only the individual conscience can serve as a practical guide. But there are many possibilities of conflict in that shadowland of conduct for which guidance would be useful and healthy, but for which the criminal law is neither suited nor suitable. Therefore, the Congress finds that a code of ethics is desirable for the guidance and protection of its Members and the officers and employees of the legislative branch of Government, establishing the standards of conduct reasonably to be expected of them.

(b) It is also the purpose of this resolution to provide for a thorough study and investigation to determine necessary and desirable changes in existing conflicts of interest statutes applying to Members of Congress and to officers and employees of the legislative branch, and to develop a comprehensive code of ethics for the guidance of such Members, officers, and employees, by which the purposes of this resolution may be more fully assured in the conduct of the public business in the legislative branch.

### ESTABLISHMENT OF JOINT COMMITTEES ON ETHICS

SEC. 2. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Ethics (hereinafter referred to as the joint committee).

(b) The joint committee shall be composed of seven Members of the Senate, appointed by the President of the Senate, and seven Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

### POWERS AND DUTIES

SEC. 3. (a) It shall be the duty of the joint committee to undertake a thorough study and investigation of the ways and means by which the policy objectives set forth in section 1 of this resolution can further be assured. In the conduct of such study and investigation the joint committee shall, among other things, determine to what extent existing conflict of interest laws or regulations applicable to the legislative branch should be strengthened and it shall recommend a comprehensive Code of Ethics in the formulation of which it shall have considered the following subjects:

(1) Outside employment or professional or business activity by Members of Congress or officers or employees of the legislative branch;

(2) Disclosure by Members of Congress or officers or employees of the legislative branch of confidential information acquired in the course of official duties or the use thereof for personal advantage;

(3) Use of their official position by Members of Congress or officers or employees of the legislative branch to secure unwarranted privileges or exemptions for themselves or others;

(4) Dealing by Members of Congress or officers or employees of the legislative branch in their official capacities with matters in which they have a substantial pecuniary interest;

(5) Conduct by Members of Congress or officers or employees of the legislative branch which gives reasonable cause for public suspicion of violation of public trust; and

(6) Other matters concerning official propriety and the integrity of the public service as it relates to Members of Congress, officers or employees of the legislative branch.

(b) The joint committee shall report to the Senate and the House of Representatives the result of its investigations together with such recommendations for the establishment of a Code of Ethics covering the legislative branch as it may deem advisable. Such report shall be submitted no later than March 31, 1964, and the committee shall cease to exist thirty days after the submission of its final report.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

### HEARINGS, SUBPENAS, DISBURSEMENTS, EMPLOYEES

SEC. 4. (a) The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

(b) The joint committee shall have the power to employ and fix the compensation of such experts, consultants, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable, subject to the limitations of its appropriations. The joint committee is authorized to utilize the services, information, and facilities of such departments and other agencies of the Government as it may deem appropriate.

### LIMITATION OF JOINT COMMITTEE'S POWERS

SEC. 5. The joint committee shall have no power of enforcement with respect to any Members of Congress or officer or employee of the legislative branch, and such power is reserved with respect to its Members, officers, or employees to each House or to any committee thereof which has been designated to carry out such functions.

### INTERIM CODE OF ETHICS

SEC. 6. For the purposes of guidance for Members of Congress and officers and employees of the legislative branch during the period which the joint committee is considering the provisions of an appropriate Code of Ethics for Members of Congress and officers or employees of the legislative branch, the Congress hereby adopts the following standards as a guide to such Members, officers, or employees:

(a) No Member of Congress, or officer or employee of the legislative branch should have any interest, financial or otherwise, direct or indirect, or engage in any business transaction, or professional activity or incur any obligation of any nature whether financial or moral, which is in substantial conflict with the proper discharge of his duties in the public interest; nor should any Member of Congress, officer or employee of the legislative branch, give substantial and reasonable cause to the public to believe that he is acting in breach of his public trust.

(b) In addition to the general rule set forth in paragraph (a), the following standards are applied to certain specified transactions:

(1) No Member of Congress, or officer or employee of the legislative branch of the Government should accept other employment which will tend to impair his independence of judgment in the exercise of his official duties.

(2) No Member of Congress, or officer or employee of the legislative branch of the Government should accept employment or engage in any business or professional activity which will tend to involve his disclosure or use of confidential information which he has gained by reason of his official position or authority.

(3) No Member of Congress, or officer or employee of the legislative branch of the Government, should disclose confidential information acquired by him in the course of his official duties or use such information for other than official purposes.

(4) No Member of Congress, or officer or employee of the legislative branch of the Government, should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

(5) A Member of Congress, or officer or employee of the legislative branch of the Government should not by his conduct give reasonable cause for belief that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position, or influence of any person or political party.

(6) A Member of Congress, or officer or employee of the legislative branch of the Government should endeavor to pursue a course of conduct which will not give reasonable cause for belief that he is likely to violate his trust.

(7) Any Member of Congress, or officer or employee of the legislative branch of the Government, having a financial interest, direct or indirect, having a value of $10,000 or more, in any activity which is subject to the jurisdiction of a regulatory agency, should file with the Comptroller General a statement setting forth the nature of such interest in such reasonable detail, and in accordance with such regulations as shall be prescribed by the Comptroller General. As used herein, the term "regulatory agency" shall include such agencies as shall be designated by the Comptroller General, which list shall be published in the Federal Register as soon as practicable.

The bill (S. 281) to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes, introduced by Mr. Javits (for himself and Mr. Keating), was received, read twice by its title, and referred to the Committee on the Judiciary.

### LEGISLATIVE CONFLICTS OF INTEREST

Mr. KEATING. Mr. President, for many years going back to my service in the House of Representatives I have been urging conflict-of-interest legislation for the employees and Members of Congress. Unfortunately, these proposals have not been given any priority in our legislative deliberations, and while we have exercised some vigilance in curbing conflicts of interest in the executive branch we have done nothing to set our own house in order.

I have today again joined with my colleague [Mr. Javits] in introducing measures which we have been advocating to apply the same high standards of ethics to the legislative branch as Congress has imposed on the employees of the Federal departments and agencies. Enactment of these measures would eliminate the double standard of morality which now exists and would greatly enhance the confidence and respect of the public in the operations of the Congress.

Unfortunately, there is little basis for optimism in the past experience of these bills and resolutions. Since I am never content with mere gestures, I am currently working on a new approach to the problem which would enlist the help of outside experts and national and community leaders in the drive for conflict-of-interest reforms. I am particularly hopeful that we can obtain the same outstanding assistance from the Bar Association of the City of New York as we did on the Conflict of Interest Code for the executive branch which was enacted last year.

In its most noble sense, the function of government is to maintain a political and economic climate in which man can achieve his fullest development. In this view of the objectives of government, politics and ethics become blood brothers and political leaders have a solemn responsibility to set the very highest standard of conduct for the Nation. There is no room for a holier than thou attitude in this conception. Congress must not continue its neglect of its obligations in this area, and I hope that a way can be devised for putting an end to the legislative gap in the laws on conflict-of-interest laws before this session is over.

## HONORARY CITIZENSHIP FOR WINSTON CHURCHILL—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. YOUNG of Ohio. Mr. President, 2 days ago I introduced Senate Joint Resolution 5, to confer upon Sir Winston Churchill honorary citizenship of the United States of America.

At that time the distinguished senior Senator from Oregon [Mr. Morse] and my colleague, the distinguished senior Senator from Ohio [Mr. Lausche], and the distinguished senior Senator from Tennessee [Mr. Kefauver] joined with me as cosponsors of the joint resolution.

At its next printing, I ask unanimous consent that the following Senators may be joined as cosponsors of the joint resolution:

Senators Humphrey, Yarborough, Gruening, Bartlett, Inouye, Boggs, Williams of New Jersey, and Byrd of West Virginia.

These distinguished Senators have requested that I add their names as cosponsors of the joint resolution. I am happy to do so.

Winston Churchill is one of the greatest men of our times. As I stated the other day, a thousand years from now people in far places will give thanks to this indomitable Englishman who helped restore to the people of the world their simple dignity as creatures of God.

The PRESIDING OFFICER (Mr. Nelson in the chair). Without objection, it is so ordered.

## CIVIL SERVICE EMPLOYEES AND FUNDRAISING DINNERS—ARM TWISTING ON THE NEW FRONTIER

Mr. MILLER. Mr. President, in the Washington Post of yesterday and today there appear two articles by the able and long-experienced columnist, Jerry Kluttz, which relate to activities involving our career civil service employees and the purchase of $100 tickets to the Democratic Party's fundraising dinner here in Washington this Friday evening. These articles deserve comment, particularly on this, the 80th anniversary of the Federal civil service.

Mr. Kluttz reports that, if a fraction of what employees say is true, officials in a dozen or more agencies are violating the Hatch Act, either directly or indirectly, by putting pressure on employees to buy the $100 tickets on Government time and in Government buildings; further that as far as could be determined, no Federal agency has even bothered to investigate the numerous stories of pressure on employees to buy tickets. These activities have been labeled "wrong and unethical" by a highly respected Federal attorney. It appears that the technique being used is to have the Cabinet Secretary or head of an agency throw a cocktail party, limited to those who are willing to buy a $100 ticket to the fundraising dinner. The insidiousness of the method is that career employees, who are supposed to be free from partisan political influence in carrying out their duties, have the fear that their promotions or transfers to better assignments may well rise or fall on their coming through with attendance at the cocktail parties and the payment of $100 for the dinner ticket. Worse yet, as reported in today's article, employees who resent these unethical, arm-twisting methods are fearful of the consequences if they made public what has been happening to them.

It seems to me, Mr. President, that the Attorney General ought to conduct an immediate investigation of this whole affair to the end that those who have violated the Hatch Act are promptly prosecuted. Moreover, as leader of his party, I believe the President should issue a public directive to all Cabinet Secretaries and agency heads making it clear that no promotion or transfer shall be influenced, nor shall any adverse actions be taken, by reason of the failure of any employee to attend any cocktail party and purchase one of the $100 tickets. As a matter of fact, I think the President should publicly condemn the cocktail party, arm-twisting method.

I have also joined with my colleague, the distinguished senior Senator from Delaware [Mr. WILLIAMS] in a resolution to have the Senate Committee on Rules conduct an investigation.

Arm twisting seems to be a characteristic of the New Frontier, Mr. President. In the January 6 issue of the Des Moines, Iowa, Register there appears a timely article by the distinguished columnist, Mr. Richard Wilson, entitled "Government by Arm Twisting," and in the Waterloo, Iowa, Courier of the same date there appears an editorial entitled "Raise Donations by Intimidation." These articles call attention to the method used by key officials of the administration in raising money from private business firms for the ransom of the Cuban prisoners. An article on the subject, entitled "Firms Poured in Cash To Set Cubans Free," appeared in the January 9 Washington Post.

I ask unanimous consent that the articles by Mr. Kluttz and the other articles referred to be printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 15, 1963]

### THE FEDERAL DIARY—BUDGET PLAN ADVISED FOR $100 DINNER

(By Jerry Kluttz)

Play politics now and pay later is a gimmick being used by the Democratic National Committee to sell $100 tickets to hard-pressed Federal employees to its Friday dinner here.

The budget payment plan is being suggested to employees who plead financial troubles and say they can't afford the $100 affair. The minimum is $10 down and $10 a month. No interest is charged on the unpaid balance.

But as a career employee remarked after being called by a Democratic worker who urged him to attend the dinner and pay for it later: "If I go, the price I pay later could be my job when the Republicans return to power. But if I don't go, it could cost me a grade promotion which is several hundred dollars a year in higher salary."

Meantime, if a fraction of what employees say is true, officials in a dozen or more agencies are violating the law, either directly or indirectly, by putting the pressure on employees to buy the $100 tickets on Government time and in Federal buildings. As far as could be determined, no Federal agency has even bothered to investigate the numerous stories of pressure on employees to buy tickets.

Mainly, the indirect approach is used in the belief by officials that it places them on safe legal ground. The arm-twisting gimmick is the cocktail party. A score of such parties are being tossed Friday evening preceding the dinner by top officials who invite their own employees who will attend the dinner.

Employees say flatly that they have been called at their Government offices, on Government time, and told either by phone or in person by superiors that "we're expecting you" (and sometimes "your wife too") at the Secretary's or Administrator's (as the case may be) cocktail party.

This is hardly a subtle approach. The parties are limited to those who buy the $100 tickets.

A highly respected Federal attorney who has handled many cases involving Government employees yesterday denounced the cocktail party gimmick as wrong and unethical. He expressed the belief that a court would hold that an employee was subjected to coercion if he attends his agency's cocktail party and buys a $100 ticket against his better judgment.

"It's just like reaching into a fellow's pockets and taking $100," the legal expert commented acidly, and continued: "This practice should be stopped before the public service is badly damaged by it."

There are also reports of meetings being held in Federal buildings on Government time to discuss ticket sales and what can be done to prevail upon more employees to buy them. Some officials have been told that the employees in their agency have bought only half a dozen tickets while those in another bureau of comparable size have purchased 25 or more.

Meantime, a corporation representative here expressed the opinion that Federal workers were being subjected to an unusual amount of pressure this year to buy tickets because many companies can no longer do it and charge the expense off against Federal income taxes under the new expense account regulations.

He explained that his and many other companies had refused to buy the usual $1,200 table this year.

In the past, it was common practice for a company to buy one or more tables and give the tickets to friendly Members of Congress who would distribute them to friends and political supporters and take credit for the sales. Company representatives here say they have rejected numerous overtures from Capitol Hill to continue the practice because of the expense account rules.

Federal officials and employees alike say they realize that any political party must have money to finance operations but they wonder if tactics used by the Democratic National Committee and the Kennedy administration are proper and the best that can be devised.

A Democratic official said yesterday that the party had taken precautions to operate within the law. He said phone directories were secured from a number of Federal agencies and that they were used to look up home addresses and to send invitations to the $100 dinner to employees at them.

He also said some followup phone calls were made to employees at their homes by committee workers to urge them to attend the dinner. He said he had no knowledge of pressure on employees by their agencies to buy tickets. "I hope every ticket is purchased voluntarily," he added.

Another person with a background of political fund raising expressed the view that more than half a dozen eager-beaver Federal officials who are trying to make a big name for themselves in the eyes of the Democratic National Committee are causing all the trouble.

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### THE FEDERAL DIARY—$100 GALA TACTICS RAISE LEGALITY ISSUE

(By Jerry Kluttz)

This is being dubbed Cynic's Week by Federal employees. Too many of them are developing into cynics after what's happening to them.

On the one hand we have what is known as Civil Service Week. Idealistic statements have been made by the President and other officials to commemorate it and to lavish praise on the merit system. Its worthy purpose is to bring about more faith, confidence and public understanding of the Federal Government and the civil service system.

But on the other hand we have the Democratic National Committee and certain Federal officials who are resorting to high-pressure tactics to sell $100 tickets to a Democratic gala to be held Friday night. And no one within the executive branch, so far as is known, has raised his voice in public to even protest the actions of Federal officials which are of questionable legality.

Is it any wonder that we're developing a new crop of cynics in Government? Employee confidence in the merit system and the promotion system is being weakened during a week when it should be at its peak.

Even a few military officers are reported by employees to have yielded to pressure and have suggested to a civilian under them to buy $100 tickets. The employees say this is the first time uniformed personnel has become involved in a partisan fundraising drive.

I've personally talked with a score of Federal officials about the ticket selling and all of them have responded something like this.

"Personally, I deplore the pressure on employees to buy tickets as improper, unethical and no doubt illegal in some cases, and I wish the White House would stop it. But I don't know what I can do about it, and please keep my name out of it."

All of them were fearful of consequences if they blasted the pressure in public. Most of them were especially critical of the cocktail parties being given by agency officials as an inducement to sell tickets to employees. One commented: "The President encouraged us to be daring and to dissent but I don't believe this is the time for it."

An employee called to say he had worked through various groups for either repeal or modification of the Hatch Act which makes it illegal for Federal employees to participate actively in partisan politics.

"I've changed my mind after what I've been through and seen during the past week. The pressure on half a dozen of us to buy tickets has been terrific. If this can be done under the Hatch Act, then working for the Government would be unbearable for me if it's repealed. Now I believe we should have an even stronger law to protect us."

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[From the Des Moines (Iowa) Register, Jan. 6, 1963]

### GOVERNMENT BY ARM TWISTING

(By Richard Wilson)

WASHINGTON, D.C.—Arm twisting is not a brandnew technique of government but it is a method quite well suited to the Kennedy political heritage. The technique can be used benevolently or malevolently as suits the mood of the Government.

More often than not the arm-twisting technique is resorted to when desired results cannot easily be gotten through regular government processes. It will not be disputed that Roger Blough and the executive committee of United States Steel had their arms badly twisted when they tried a year ago to raise steel prices against the will of the President.

That was what might be called defensive arm twisting and is commoner than the other kind, offensive arm twisting. In the offensive form, the arm of some laggard and reluctant person or corporation is grasped in a friendly but firm fashion. The bewildered victim, sensing from this friendly approach the possible application of a painful hammerlock, readily agrees to some course of action he previously had considered undesirable or even impossible.

#### CULTURAL CENTER

The effect is multiplied when the victim not only escapes possible punishment but can perceive certain rewards which offset the obvious disadvantages involved in the action he does not want to take.

Consider, for example, the case of the industry representative in Washington who had no interest in the $30 million National Cultural Center. If he thought about the cultural center at all, he considered it a waste of public funds to duplicate better facilities in the established cultural centers of the Nation.

This industry representative in particular, and he has many companions, was not permitted to pursue such heretical opinions.

He found his right arm firmly in the friendly grasp of Kennedy officialdom. The pressure was released only when the industry representative had agreed to the implicit suggestion that his status as a Washington insider, with much at stake in his relations with government, would be seriously impaired unless his company put up $1,000 for a fundraising dinner for the cultural center.

### SHOTGUN WEDDING

Congress has not yet seen the wisdom of building the center, but the Kennedy administration, eagerly alert to the needs of the arts, is determined to build the edifice even though local institutions like the National Symphony Orchestra and the Ballet Theater are not much for it.

These methods have long been familiar in Washington political circles, at campaign fundraising dinners. But this was the first time that politics and culture had been joined in a shotgun wedding.

Arm twisting in an unacknowledged and loftier form (in the Kennedy version arm twisting must always be for humanitarian or charitable purposes or in the national interest) was implicit in the complicated deal for the release of the Bay of Pigs prisoners, who had lain heavily for 2 years upon the Kennedy conscience.

Congress would not ransom these prisoners; it regarded the proposed tractors-for-prisoners trade off as an immoral deal demeaning the dignity of the Nation. Nor would Congress appropriate money for medicines and food as ransom for the prisoners.

### BOB KENNEDY AND COMPANY

The deal was arranged mainly through Bobby Kennedy and a corps of eagle-eyed Justice Department officials whose usual contact with businessmen is at arms length or in the courts.

Contribution of some $52 million in drugs and food was arranged as a ransom payoff, a good deal of it willingly and generously given. Bobby Kennedy was equally generous; he encouraged a tax deal saving a prosperous company $520 for each $1,000 gift in goods at the going market value.

Just as a guess, a $1,000 contribution, figured at cost, would bring a prosperous company a $750 tax saving. The biggest part of the cost of the Cuban ransom thus came out of anticipated Government tax revenues. This was arranged not by congressional sanction, or even Presidential action, but through a private deal between the chief law enforcement officer of the Nation and corporations having a big stake in their Government relations.

At least one corporation had an antitrust action pending. Its officials, told how much ransom contribution was expected from them, felt as if they were being blackmailed, though being constantly assured their arms were not being twisted.

The full list of contributors never has been made public and probably will not be. Nor are the various tax deals disclosed. All was done privately and smoothly behind the closed doors of the paneled and carpeted chambers of the Justice Department.

### ANOTHER INSTANCE?

The release of the prisoners was heart warming, a much desired result. Granting the worth of the humanitarian purpose served in this case, it would be shocking if the method of doing it does not rest heavily on the national conscience.

How would the technique be applied in another instance? If Congress should decide to cut off aid to India, would corporations be pressured to contribute food, clothing and medicines and get a tax break for doing so?

Should U.S. broadcasters be pressured to contribute to the maintenance of Radio Free Europe because Congress won't appropriate enough money for the Voice of America?

Should the steel companies be pressured to build uneconomic low-grade ore plants for depressed areas when Congress won't appropriate the money for such plants?

The possibilities are endless; for government by private pressure is a heady technique. Unfortunately, it is a method which has strongly appealed to the Kennedys from the beginning.

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[From the Waterloo (Iowa) Courier, Jan. 6, 1963]

### Raise Donations by Intimidation?

At a time when the President is asking increased powers from Congress, the administration has been criticized in several instances for abuse of the immense power it already possesses:

1. Administration officials called in a group of leading defense contractors and President Kennedy told them in frank terms that they ought to contribute to the National Cultural Center being planned in the Capital.

2. During the trial of James R. Hoffa in Nashville, the statement was made in court that someone describing himself as a reporter for the Nashville Banner had contacted one of the jurors by phone. Attorney General Robert Kennedy called the publisher of the Banner and asked him not to publicize the matter for fear of causing a mistrial. But the newspaper nevertheless printed the story and offered a $5,000 reward for the arrest and conviction of the person falsely identifying himself as a Banner reporter.

3. During negotiations on the release of Cuban freedom fighters, Castro demanded payment of $2,900,000 which had been promised for release earlier in the year of 60 ill or injured prisoners. Attorney General Robert Kennedy raised a million from an anonymous donor and Gen. Lucius Clay borrowed $1,900,000 from a bank on his personal signature. American corporations are now being asked to make donations for the Cuban deal; and the question is whether they dare to refuse. During the drive for medical supplies, one company which has been indicted for antitrust law violation received a call from the Justice Department requesting a contribution.

There is nothing wrong, of course, in the simple act of requesting donations from corporations. None of the companies have openly charged that they were promised immunity from antitrust actions if they contributed or the loss of defense contracts if they refused.

But there is nevertheless an inference of impropriety when administration officials, with the power of life or death over businesses, ask for voluntary contributions. While the motives involved in the cases cited above are worthy, many examples could be cited to show that the Kennedys are fully capable of retaliating against those who resist pressure. The launching of an antitrust violation against steel companies which refused to accept the voluntary price stabilization program is the best example of this ruthlessness.

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[From the Washington Post, Jan. 9, 1963]

### Firms Poured in Cash To Set Cubans Free

(By Richard H. Hoenig)

New York, January 8.—American business made a substantial contribution to Fidel Castro's last-minute demand for $2.9 million in cash to assure uninterrupted return of the Cuban invasion prisoners.

A check of 25 of the Nation's largest companies indicated today that individual contributions to the special cash fund raised by Gen. Lucius D. Clay ranged from $10,000 to $150,000 and more.

Clay made the loan on his own signature in his capacity as head of a committee that advised and assisted the families of the Bay of Pigs invasion prisoners. Then he sent telegrams to industry leaders, seeking contributions toward the loan.

### UNKNOWN DONOR

Castro claimed the $2.9 million was owed him for the release of 60 prisoners in April. Of the total, $1 million was pledged by an unknown donor solicited by Attorney General Robert F. Kennedy.

The cash fund was separate from the $53 million in drugs and food also pledged to Castro.

A number of corporations, questioned about contributions to the cash fund, were hesitant about disclosing details of their donation.

But Texaco Inc., Standard Oil Co. (New Jersey) and the Ford Motor Co. Fund Inc., a charitable, nonprofit corporation supported by Ford Motor Co., confirmed they had contributed $100,000 each to the fund.

### RUMOR OF $150,000

General Motors was understood to have given $150,000 but officially the company would not comment.

Socony Mobil said it had contributed $25,000. Shell Oil Co. said it had made a liberal contribution "although not as much as some of the others."

Morgan Guaranty Trust Co. of New York City said it gave $10,000 and a spokesman added that a number of banks had taken part in raising the money. Over the weekend the Dallas Clearing House Association said it had given $10,000.

General Clay, president of Continental Can Co., declined to make public a list of all donors.

Some industry spokesmen cited several reasons for their hesitancy to say whether they had given money to the fund.

One was the controversial nature of the entire Cuban subject. Another mentioned by several company spokesmen was the fear of stockholder criticism at annual meetings scheduled for the next few months.

Another objection to disclosing particulars, mentioned by Clay, was the fear of being placed upon every solicitation list drawn up for any purpose.

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## AUTOMATION AND PROTECTION FOR LABOR

Mr. HUMPHREY. Mr. President, I wish to call to the attention of the Senate an article entitled "Kaiser Steel Workers Adopt Pact Giving Share of Cost Savings, Layoff Protection" which appeared in the Wall Street Journal on January 14, 1963.

I have, from time to time, spoken on the subject of automation, calling attention to the grave consequences which flow from this technological advance. Government, industry, and labor must continue to exert efforts to meet this challenge.

The article I am asking to be placed in the Record explains a new attempt to deal with automation. United Steel Workers and Kaiser Steel Corp. have tentatively approved a plan by which laborers will receive 32½ percent of future savings occurring because of technological advances. Beyond the concept itself is the further agreement that cost data will be supplied the unions in order to determine the extent of the cost savings.

This agreement sets a new precedent and is going to be an interesting experiment in industrial relations.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### KAISER STEEL WORKERS ADOPT PACT GIVING SHARE OF COST SAVINGS, LAYOFF PROTECTION

Kaiser Steel Corp. employees voted by almost a 3 to 1 margin to adopt a labor contract calling for workers to receive a share of production cost savings and to be protected against layoffs due to automation.

The plan is basically aimed at replacing individual and crew incentive pay rates with a companywide incentive plan. It gives workers 32.5 percent of future savings in material, supply, and labor costs required to produce finished steel, sets up an employment pool, and other devices to protect workers against technological unemployment and provides that Kaiser workers get at least as much in future wages and fringe benefits as employees of other steelmakers.

The agreement covers nearly 7,000 workers at Kaiser's Fontana, Calif., operations. Effective date is March 1; it will run for at least 4 years and be subject to annual review and revision.

A Kaiser spokesman said the company hopes the sharing provision would "eliminate the need for long negotiations or strikes over wages and other economic issues." He estimated the plan could result in raising the average Kaiser steelworker's wage and fringe benefits, now equal to $4.12 an hour, from 10 cents to 75 cents an hour.

Officials of some other steel companies have assailed the plan. They dislike several aspects of it, including the disclosure to the union of confidential company cost data that unions have long been anxious to see.

#### HUMAN RELATIONS COMMITTEE

With the Kaiser agreement ratified, Steelworker Union officials are turning today to an accelerated schedule of meetings of the union-industry human relations committee in Pittsburgh. Under the contract negotiated last spring by other large steel producers, the joint committee was continued to seek solutions away from contract deadlines on vacation, overtime scheduling, assignment of work, contracting out work, and related matters.

The committee, composed of top bargainers in 1962's negotiations, will hear reports today from subcommittees working on the various problems.

Although the steel union hasn't officially decided yet whether to reopen its contract this year, it is expected to do so. These committee meetings, therefore, amount to a prelude to negotiations, because they offer top bargainers an opportunity to discuss many potentially troublesome issues and to probe attitudes on others. They also serve to discourage the Government from intruding in negotiations, as it did in 1962.

The committee can't write a contract and can only recommend solutions to the specific issues it is discussing. Because it consists of top negotiators, however, any recommendations made by the body would remove knotty issues from the bargaining table, speeding a new contract. Any matters unresolved by the committee may be reopened, along with wages and certain other benefits, after May 1; the union could strike 90 days later.

#### UNION MAY BRING UP PLAN

Some industry sources believe the union may bring up the new Kaiser plan if talks with the other makers are reopened this year. These sources say such a move would be primarily to get industry reaction and perhaps a weapon to get steelmakers to accept an extended vacation plan similar to that in the can industry. But most steel officials figure the union will want to study the Kaiser pact for a while before putting it forth seriously to the basic steelmaking industry.

Copies of the 40-page Kaiser-United Steelworkers agreement were made available before Friday's vote, answering some questions that have been bothering steelmakers since the accord was announced last month.

The text shows, for instance, that the data from which the Fontana local's share of savings is calculated "shall be available to the designated union representatives for examination and verification." These calculations will be made monthly and audited annually, with the company giving the union "basic summary statistics of production, man-hours, employment, employment costs, and material and supply costs."

In addition, the plan provides that any cost savings to be shared with the union will be adjusted to reflect the cost of capital expenditures made to reduce product cost on existing facilities, such as increasing open hearth furnace output with oxygen injection. Capital expenditures for new processes or new equipment to increase capacity, however, establish a department, or install a new process, such as a basic oxygen furnace, wouldn't be a basis for adjusting the figure. This idea appears destined to be met coolly by other steel companies, who think the company shouldn't share with the union the gains from new processes.

#### ROLE FOR PUBLIC BOARD MEMBERS

The contract also provides a future role for the three public members on the committee that shaped it. If Kaiser and the union are unable to agree on extending the initial pact, the plan provides that the three public members may mediate and issue a report, making recommendations for an accord.

While the public members would have no arbitration powers, their recommendations presumably would add pressure for renewal of a modified contract, rather than permitting the new concepts to be wiped away. This idea runs contrary to the thinking of most steel men, who feel introduction of third parties into bargaining causes the negotiators to ease efforts and delays a settlement.

The text clarifies benefits available to workers under the employment security provisions of the plan. Workers whose jobs are eliminated by automation would go into an employment reserve, or labor pool, where they would be paid at the rate of their old jobs, for at least the average hours worked per week in the plant, for not more than a year. The company figures these workers would have to be carried in the pool not longer than 5 or 6 months before attrition would provide openings for them with pay equivalent to their old jobs.

Workers who miss a promotion because of technological improvements will receive, up to 52 weeks, the standard hourly rate they would have received if they had been promoted. Any worker working less than 40 hours a week because of technological change will be entitled to his average hourly earnings for 40 hours anyway. Such payments will be deducted from the cost savings to be shared.

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## CONDITIONS AT JUNIOR VILLAGE

Mr. HUMPHREY. Mr. President, while Congress was adjourned during November and December a number of excellent articles were published in the Washington Post discussing the serious problems at Junior Village, the District of Columbia's shelter for dependent children.

As a member of the District of Columbia Appropriations Subcommittee, I naturally am deeply concerned about the massive problems that exist at Junior Village; namely, overcrowding, understaffing, poor physical facilities, and overly tight budgetary restrictions.

But I believe every Senator—whatever his formal committee assignment—should become familiar with the conditions at Junior Village. Since Congress seems unable to escape the responsibilities of a city council in relation to the District of Columbia, I hope every Senator will find time to read these articles and come to understand his responsibility in this situation.

As this series of articles by Post Reporter Dorothy Gilliam points out, over 715 children are herded into space for 320; 80 counselors must care for the entire population; the elementary school is seriously overcrowded. The list of needed improvements is indeed long.

This past fall, one of my staff assistants toured Junior Village unannounced. He talked with the children, the teachers, the counselors, and the administrators. He discovered that the people charged with running Junior Village were highly competent and dedicated people. He described them to me as a domestic peace corps in action. But he also saw that they were faced with insoluble problems, that they desperately needed help from the Congress.

I do not intend to make an extended statement this morning. But there are several encouraging developments that should be noted. President Kennedy emphasized the plight of Junior Village at one of his recent press conferences; Mrs. Kennedy attended a Christmas party at Junior Village and has indicated her continuing interest in the needs she discovered there. Several new cottages have been opened, thus relieving to some extent the heavy overcrowding. And a number of persons have offered to open their homes as foster parents. A large increase of foster parents is undoubtedly the most effective way to meet the short-run problems at Junior Village.

I must also mention that the Senator from West Virginia [Mr. BYRD], as chairman of the District Appropriations Subcommittee, made sure that Junior Village received additional money for cottages in the 1963 budget. My hope is that this year we will consider seriously providing funds for a new elementary school at Junior Village.

I shall have more to say on this subject in the months ahead. But, for the present, I urge Senators to read these articles and perhaps even take the time to visit Junior Village. These young citizens need all the help we can give them.

Mr. President, I ask unanimous consent that a number of articles dealing with Junior Village, that have been published in the Washington Post, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 28, 1962]

### JAM AT JUNIOR VILLAGE WORRIES WELFARE UNIT

The Public Welfare Advisory Council voted yesterday to write District of Columbia Commissioner John B. Duncan expressing its urgent concern over conditions at Junior Village, where the population has reached an alltime high of 700. The facility is designed for 320.

Dr. Paul B. Cornely told his fellow council members that after visiting the center, he concluded that conditions there "would not be acceptable to refugees from Europe."

Welfare Director Gerard M. Shea concurred, saying that every cottage is dangerously overcrowded.

"A counselor would be helpless if anything happened. There would be great difficulty in getting the residents out."

Shea said he was aware that the District's Health Department was winking at many violations of regulations that are in existence at the child-care facility.

He said that the great need was for more foster homes among area residents to take care of children who otherwise would become the city's charges at the village.

But he noted that in the past 5 years, the number of children in foster homes has increased a bare 300—from 1,295 in 1958 to 1,604 in 1962.

The letter to Duncan should emphasize the need for foster homes, increased stipends to foster parents, the urgency of planning for more buildings, and the necessity for more vigorous staff recruitment, council members agreed.

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[From the Washington Post, Nov. 29, 1962]

### DISTRICT HELPLESS AT JUNIOR VILLAGE JAM

The population at Junior Village continues to go up and up—and officials are unable to do anything about it.

Joseph S. Kosisky, Jr., superintendent of Junior Village, reported that the population jumped from an alltime high of 700 on Tuesday to 714 yesterday—with another 2 or 3 children expected.

The cottages at the village were designed to hold a maximum of 320.

"We can't turn anyone away," Kosisky explained. "We have no such authority. It's gotten past a ridiculous point."

Kosisky said there is no accounting for the tremendous jam because of the season. "It has been a steady climb. There is no difference between July and December."

Kosisky indicated there might be a temporary letup around Christmas. "Many parents, feeling warmhearted, get together and pick up their children for Christmas—then bring them right back the next day," Kosisky added.

On Tuesday, when the Public Welfare Advisory Council voted to write to District of Columbia Commissioner John B. Duncan about conditions at the village, Welfare Director Gerard M. Shea noted that every cottage is dangerously overcrowded.

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[From the Washington Post, Dec. 7, 1962]

### STUDY URGED OF AID CUT EFFECT ON JUNIOR VILLAGE

(By Dorothy Gilliam)

The District Health and Welfare Council yesterday urged an immediate study to relate the impact of the city's massive cutoff of relief aid to the rocketing population at Junior Village.

The Department of Public Welfare has scheduled such a study for early next year. But the council said in a statement yesterday: "We believe it should be carried out immediately and not postponed until an indefinite date in January.

"There is a great need to find out what has happened to the children and their parents whose help was terminated because of the special investigations," it asserted.

#### TWO THOUSAND EIGHT HUNDRED CHILDREN DROPPED

The Welfare Department said 2,800 children were dropped from welfare rolls here during the 4-month period ending in October. It is estimated 250 of these children now are at Junior Village where yesterday 717 children were crammed into space for 320.

Health and Welfare Council, which allocates the major portion of UGF funds, said it is "very seriously concerned at the growing crisis in the care of homeless children at the city's shelter for dependent youths."

Junior Village, the council said, is symptomatic of the serious underlying defects in the city welfare program.

In addition to the relief study, the group also recommended:

Adoption of the program of aid to children of unemployed parents. Under this program, the Federal Government will provide matching funds to the District. Congress approved this program in 1961, but the District has not adopted it.

Increase the board rate for foster home care. "It costs the District $185 a month to maintain a child at Junior Village, although it is generally conceded that foster homes are much better * * * even without considering the present conditions at Junior Village."

Set up a more extensive program of day care for children.

Add social workers to the Welfare staff so the present average of 180 may be reduced to 60 families per worker.

Grant the 126 new positions the Welfare Department has requested for Junior Village.

#### HAS GIVEN WELFARE A LIST

In another action on Junior Village, District Commissioner John B. Duncan said he had given Welfare a list of 10 or 12 places where the overload might be housed. Duncan declined to name them until they had been checked, but he said four or five were Government owned.

In a related development, Fire Chief R. C. Roberts reported to the District Commissioners yesterday that an inspection at Junior Village showed "no cause for undue alarm insofar as fire is concerned."

#### URGES SOME CHANGES

The automatic sprinkler system in eight multistory cottages should hold in check any fire that might occur until the buildings can be evacuated.

"The greatly overpopulated situation is the most serious deficiency noted," said Roberts "together with the apparent lack of sufficient adult supervising personnel * * * to provide the additional assistance needed if it should be necessary to evacuate any building."

Roberts did recommend some changes, including the substitution of removable wire screens for window bars, but he said there is no need for a fire patrol at the institution during the night.

Commissioners Walter N. Tobriner and Duncan, who had asked for the special inspection, said they were relieved by Roberts' report. Duncan said additional supervisors would be provided by shifting personnel from other jobs if necessary.

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[From the Washington Post, Dec. 2, 1962]

### SEVEN HUNDRED CHILDREN STARVED FOR SMALL HINT OF HOME

(By Dorothy Gilliam)

(First of a series)

Shirley, 4 years old, with flying pigtails and a beautiful smile—on the rare occasions when she brightens—is haunted by a daily famine.

Her hunger is not for food, but an unrelenting need for affection and personal attention. She shares this famine with more than 700 other children who have nowhere else to go and must call Junior Village—the city's shelter for dependents—home.

These children are in need because their families are deserted, destitute, mentally or physically ill, or in jail. Many come from broken homes and have led such disturbing lives they need psychiatric help which is not often forthcoming.

Shirley doesn't know she is a beggar.

#### WELCOMES STRANGER

But when a total stranger enters the room where she is playing in her baffling, cockeyed world of children only, Shirley rushes with arms outstretched, braids askew, weeping suddenly: "Mommy, Mommy."

Embraced, her lovely smile flickers. When she is released, the phantasy ends and tears flood the thin face. She yields easily to a fat little girl, about 3, who grabs the unknown visitor's skirt and announces, "This my mother, mine."

The famine haunts the whole village.

Shirley lives in a cottage with 89 children. Its capacity is 45. Big for her age, she nevertheless shares her high double-deck bed with another child. She and her cottage mates are unkempt, scampering about with soiled, tangled hair and runny noses because there simply aren't enough attendants to take care of them.

#### INSTITUTION FAILS

Supt. Joseph A. Kosisky sees the circumstances of the lives of all the Shirleys at Junior Village as double rejection—once by their parents and again by the institution that is supposed to act as a pseudoparent, but fails. "It's a crippling thing," he concedes.

The temporary home for dependents, where a baby spends its formative years untaught and unloved and where a 4-year-old is denied even the most basic form of personal attention, is the symbol of the city's rejection of these children who have no other home.

It lacks space—715 children are herded like cattle in space for 320.

It lacks staff—80 attendants must care for all the children. The overall population has risen by 100 in the past 4 months. Not a single counselor has been added. The overload is simply absorbed by the existing staff.

#### FUN IS RARE

Shirley is regimented. * * * A little deviation from the eternal commands—such as a visiting volunteer who brings an apple slice in the afternoon—prompts squeals of joy.

Junior Village is a frightening place for a girl of four. When she wakes up in the night, scared from a bad dream, there can be few soothing words from a counselor who has 43 others in her care. For Shirley, there is no lady next door; no dad to play an evening game or even to scold her. She knows just children—some with overwhelming problems, some who are bullies, a strange, make-believe world, where the paid help never has time for you.

Some of the people who care for her have college training, yet they must use their time cleaning the playroom and the dining area, serving meals, or washing dishes. Consequently, their morales droop.

One of them, wearily alighting from a ladder where she was hanging gay curtains in the big dormitory, said she took the job because she loved children, yet seldom has time to give to them. "I constantly have to remind myself I'm something other than a glorified maid," she said.

#### HARD TO FIND

Positions for a few new counselors have been included in the 1963 budget, but good people are hard to find for a salary of $3,560 or $4,110.

Assistant Administrator James Murray says the youngsters there would be better off living in a dump with love "even if this place were a palace."

But Junior Village is a far cry from being a palace. It is located in Blue Plains—at the heel of the city—on a low hill which overlooks nothing. Its buildings sit huddled together except for a hastily-built cinder block building at the foot of the hill which looks like a barn, is about as private as a barn, and houses 98 boys in space for 80.

The shelter is as socially isolated as it is physically removed from the community. Its so-called temporary nature should mean that youngsters' community ties are kept strong. It has become the last, sometimes permanent refuge for Washington's unwanted children.

Destitute children come in an endless stream—ragged, soiled, sometimes broken in spirit at 4 years old.

Shirley already shows the signs.

### NO TRAINING

She talks tough—this is defensive and it attracts the attention she longs for. "Get out of the way, you," she told a younger child, pushing her over and scooping up the dirty blue clown with which the girl played. Shirley's world is largely without discipline, unless she really acts out her fear and anger violently. There is no one to instruct her.

Yet when a volunteer combs and brushes her hair, talking softly only to her all the while, she is just a 4-year-old who wants to be loved.

Hers is a rootless world. Her older brothers, also at Junior Village, are as floundering as she. She doesn't remember much about her mother. Shirley eats better than at home, yet the wish to go home—any home—never leaves.

"Do you have a little girl?" she'll ask a visitor. "Can I go home with you?"

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[From the Washington Post, Dec. 3, 1962]

## TODDLERS AT JUNIOR VILLAGE MUST SHARE BUSY ATTENDANTS

(By Dorothy Gilliam)

(Second in a series)

The little girl with bright red hair and a heart-shaped face had a vacant stare. She is 2.

Susan, we'll call her, has lived at Junior Village since she was 6 months old. The only mothers she knows come in 8-hour shifts and must be endlessly shared.

A single attendant tries to look after the many needs of Susan and the 20 others in her group. Sometimes the group is even larger; the very young population at this shelter for the city's dependent children is increasing daily.

She occupies a cottage—a 65-year-old brick building with three floors and no fire escape. Built for 45 babies, it houses 89.

Susan's world upsets her because she does not understand it. There are tears and laughter. But there is no one to applaud her first step or comfort her when she falls. Susan could burn a finger on the open radiator in the room where she plays and spend many anxious moments before she finally gets the attention of the nursing assistant.

There is no one to teach her that the huge bushy growth she sees daily from her second-floor dormitory window is a tree. There are many different hands that come at night to bathe her—volunteers from the community. She enjoys this sustained human contact. She steals a second bath whenever she can.

There are so many unwanted babies like Susan at Junior Village that the 51 youngest ones have been down the road to nearby District of Columbia Village where the old people sit out their final days.

The overcrowding at Junior Village is especially hard on toddlers. Denied the love they crave, many retreat into themselves. The few who receive sporadic visits from their parents often fail to recognize them.

Through no fault of the overburdened attendants, Susan lives in semineglect. She is mechanically dressed in the morning; her diapers are changed, hurriedly. But when her nose is runny, crusting uncomfortably about her nostrils, it remains that way because as the attendant said wearily, "I don't have time to wipe 21 noses."

Susan is an automaton, in a sense. When she hears "Group 1," she knows it is time to toddle over to the door with the others in her section, await its opening and, hanging onto a railing above her head slowly wind her way down a flight of stairs to eat breakfast or dinner. Yet it is doubtful that she has a sense of real identity.

So the child is silent and withdrawn without really knowing why. She cries with loud yelps when a bigger child snatches away a toy. Otherwise, she toddles around or sits, staring as if she doesn't see. Only occasionally does a smile light her face.

Because children of Susan's age are traditionally easiest to place in foster homes, observers find especially alarming the tendency for the population to grow steadily younger.

But there are not enough foster homes. And District rules for these dwellings are so strict and complex that it is harder to qualify here than in neighboring Maryland and Virginia.

If Susan continues to grow up at Junior Village, her world will be the restricted one of children unwanted like herself.

If past experience is any indication, she is likely to cling to these children out of all normal proportion, grow up with a somewhat distorted set of values, drop out of school before graduation, and grow into an adult dependent.

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[From the Washington Post, Dec. 4, 1962]

## YOUTH AT JUNIOR VILLAGE IS A GENERATION WITHOUT HOPE

(By Dorothy Gilliam)

(Third of a series)

The plight of the younger child at Junior Village is frightening. They live crowded like animals in space for half their number; spend their formative years untaught and unloved, suffer from personal and emotional neglect.

Yet, if for no other reason than that they are so young, there is hope for them. Foster home placement, remote for all, is better for the younger child. They also are not hesitant about crying out their needs even to strangers.

The older child at the city's so-called temporary home for homeless youngsters is worse off because he is without hope. Some have spent many years at the lonely Blue Plains shelter, years which have taken their toll in warped attitudes and distorted views of life.

There are fewer counselors and fewer volunteers for this age group. Because they do not need help in looking after their physical needs, they are largely forgotten. They are the unreachables: caught between uncertain childhood and less certain adulthood, unequipped with the social values that will make possible a normal adjustment to adult life.

Many need some sort of psychiatric counseling, but don't get it. Others should be placed in a residential treatment facility. Neither of these courses of treatment is available.

Larry, for example, who is 14, was so disturbed that he attended school only 5 days of his 3-month residence at Junior Village. His foster parents, who were relatives, left Washington for a warmer climate and decided the boy was extra baggage they could not afford. He was put in the village, but never recovered from the rejection of his kinfolk.

The boy would leave the reservation for public school with the other older children each morning, lunch sack and 5 cents allowance in hand, but would never arrive there. He went instead to his old neighborhood, to gaze at his old home, or to the nearby Potomac, to stare at the water.

He was finally transferred to the Receiving Home as a delinquent because he did not go to school. Perhaps, one employee of the village said, the more secure institution will help him, "at least," the employee added, "he'll have his own bed."

Junior Village has many other similarly distraught children whose problems—unlike Larry's—go unattended because they have not yet exploded. Superintendent Joseph A. Kosisky thinks psychiatric counseling should be available to a large number of the 712 children crammed into the shelter built for 320.

But when one counselor has 43 boys under his wing, or two counselors have 49 girls to look after, there is no time to listen to everyone's troubles, or to motivate them individually to study or achieve.

Thus the difficult adolescent period is complicated for these youngsters by their own insecurity, the bleak future and life in the institution.

Jean, 13, is another example. She is sullen, incurious, withdrawn until she perceives that someone really wants to listen.

Her brothers and sisters are scattered—some at the village, others living with relatives. She doesn't know where her father is; she refused to discuss her mother. All she wants is out, yet she doesn't have any place to go.

The cottage she lives in was built for 25 girls, 49 live there.

"Have you ever lived in a place like this?" she inquired of a visitor to whom she had only slightly thawed after a long conversation. "Until then, you don't know what I'm talking about," she said.

She vowed never to marry or have children "because people only get tired of children." Her life, she said, would be a hopscotch between boy friends.

If there were enough paid counselors so that some could show an interest in her, Jean might be able to untangle her values. She may never be put in a foster home where she could get such help because of her age. The Department of Public Welfare does not even have enough foster homes for the younger dependents—those on the priority list.

Many of the older children have gone too far to be found. In the lounge for older boys, a lanky lad of 17, his long legs stretched out before him, read a comic book. Asked why he was not in school, he replied in a bored voice that he would enroll in January. Then he abruptly left the room.

A counselor later expressed doubt that he would ever return to the classroom. "He's only in the ninth grade; he'd be too embarrassed." So he waits out his 18th birthday, doing odd chores around the place.

There is little doubt that in him and many other adolescents at Junior Village, the city is rearing a dependent generation. For example, only 2 of the 43 youths, aged 13 to 18, attend high school although over half are of high school age. The others are in junior high. They do poorly, a counselor said, and few graduate.

Village officials want facilities to provide a trade for the youths whose academic achievement falls somewhere between elementary and junior high school.

Otherwise, these would face a dependent future without adequate preparation either for self-support or good citizenship.

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[From the Washington Post, Dec. 15, 1962]

## MOUNTING CRISIS AT JUNIOR VILLAGE IS FAR FROM INSOLUBLE

(By Dorothy Gilliam)

(Last in a series)

How can the average Washington citizen help Junior Village out of its desperate situation?

The Department of Public Welfare is looking for 378 volunteers to help out in 3 new cottages for babies and preschoolchildren slated to open early next year.

About 150 volunteers already take over where the paid help leaves off, spending an average 3,000 hours monthly doing everything from bathing babies to sponsoring recreation programs. In general, officials point out that the community has been good to the institution.

Yet volunteer aid will be to little avail unless the city moves quickly and decisively to correct the ills of the institution.

Here are some of the things experts feel the city fathers must do:

See that Junior Village gets an adequate staff with sufficient salary to induce trained counselors to come to the institution. Persons without a high school education are now among the caretakers. Yet the salary range of $3,560 to $4,110 hardly attracts top people.

Clean up the relief mess that is thought to be partly responsible for the unprecedented rise in the population in recent months.

Develop more foster homes and set up a separate foster home code that would unravel the redtape for prospective foster parents.

Tackle head on the problems of economic and social dependency that cripple the homes from which these youngsters come.

Work toward setting up two separate institutions—one for emergency placement and another geared to the needs of children who must remain at the institution many years.

Provide facilities to train children who do poorly in learning a trade.

Improve casework by the public assistance and child welfare divisions to keep children out of Junior Village, or to get them out.

Even if all these things are accomplished, the volunteer would still have an important part to play in helping these children feel they are an accepted part of the community.

Betty Queen, the Welfare Department's Consultant on Volunteers, thinks the large team of volunteers being sought for the new cottages would help to right some of the Village's wrongs, especially with the younger children.

Mrs. Queen said, "We want to give these children enough individual attention through volunteers so they can begin to recognize themselves as human beings. We want volunteers to help them walk, to talk, to know their names, to teach them what a house is, to read them bedtime stories."

Junior Village officials note that community response soars in the wake of a newspaper or television spotlight on the institution. Often, however, this interest fizzles, leaving youngsters grasping at a straw that is no longer there.

Supt. Joseph A. Kosisky says the best the city and Congress can do for these children is not too much. "These are kids whose only crime is having no home."

With adequate staff and facilities, Junior Village could fill a small part of these children's deprivation. As it is now operated, the children who pass through its doors are being short-changed for life.

This is the way officials put it in a publication, entitled, "Welcome to Junior Village":

"The staff would be the first to disabuse the reader of the notion that a good job is being done at Junior Village."

## TRIBUTE TO SENATOR RUSSELL AND SENATOR HILL

Mr. HUMPHREY. Mr. President, last Thursday a number of Senators joined in a round of well-deserved tributes to two of the Senate's most distinguished members, the senior Senator from Georgia [Mr. Russell] and the senior Senator from Alabama [Mr. Hill].

I happened to be absent from the Chamber during these tributes, and I want to be sure that the Record shows that the Senator from Minnesota joins in these tributes with conviction and enthusiasm.

The senior Senator from Georgia has now entered his thirty-first year of service in this body. His patriotism, his dedication to public service, and his ability as a Senator, command our respect and praise. As each Senator knows who has matched wits with the Senator from Georgia, he truly is the guardian of the inner sanctums of Senate rules. He summons up precedents with a snap of the finger. He argues his case with brilliant effectiveness.

I am sure the Senator from Georgia has committed the entire Senate manual to memory. He always is an eminently skillful, fair, and respected proponent on such matters as we will be discussing today and in the days to come.

But I know the Senator from Georgia has the admiration and respect of the Nation for his great contribution to this Nation's defense, as chairman of the Armed Services Committee. He has served in this capacity for 12 years—the period of time when we were and are faced with the powerful Communist threat. The entire free world is permanently in his debt for his untiring and relentless attention to our defense and security.

He has been also a sympathetic friend of every American farmer in his role as chairman of the Agriculture Appropriations Subcommittee. Such programs as rural electrification, agricultural research, the Farmers Home Administration Price Support and Marketing Programs, and the school lunch program are, in a large measure, results of his hard work and honest concern for our rural population.

I trust the Senator from Georgia will be with us for at least 30 more years. He keeps me on my toes. I have to do my homework when I know that my friend from Georgia will be on the floor. He has my sincere congratulations upon the completion of his 30th year as a U.S. Senator.

I wish also to commend my distinguished colleague and good friend, the senior Senator from Alabama, on his 25th anniversary as a U.S. Senator.

When Senator Hill first came to Congress in 1923, as a Member of the House of Representatives, he was the youngest Member of Congress at that time. He has remained ageless through the years. I look at him and I feel old. I work with him and I know I am getting old. He is a remarkable individual.

As many of my colleagues remarked last Thursday, Senator Hill already has left a monument to his outstanding career of public service. It is living testimony to his deep concern for adequate health standards and facilities for every resident of the United States.

The Hill-Burton Act has resulted in better hospital facilities in almost every city, town, and village of this country. The contribution toward easing human suffering and bringing the advances of medical science to our citizens is truly historic in proportions.

Likewise, he has been in the forefront of those people concerned with expanding medical research through the National Institutes of Health. He has been the principal driving force in making the National Institutes of Health the outstanding medical research center in the world.

The people of Alabama, the people of the United States and, yes, the people of the world surely lead more full and complete lives due to Senator Hill's labors in their behalf.

I consider it a great privilege to stand here and add my word of congratulations to those already delivered on the date of his 25th anniversary as a U.S. Senator. I salute a great American.

Mr. RUSSELL. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. RUSSELL. I express my appreciation to the Senator from Minnesota by saying that "Praise from Sir Hubert is praise indeed." I learned that line from my copybook when I was in the sixth grade.

Mr. HUMPHREY. It is pleasant and easy to praise the distinguished Senator from Georgia.

## EIGHTIETH ANNIVERSARY OF CIVIL SERVICE SYSTEM

Mr. CARLSON. Mr. President, it was 80 years ago today that President Arthur signed the Pendleton Act, which created the civil service system. Previous to that date, the Nation's Federal employees were selected only on the basis of partisan credentials. The result was that the Federal employees, upon whom the Nation depended for the administrative work of the Government, became the victims of a spoils system.

Public-spirited citizens were aroused over this situation; and as a result, Congress approved and President Arthur signed the Pendleton Act on January 16, 1883.

This morning, appropriate services were held in the departmental auditorium to commemorate this very important event in the Nation's history. An inspiring program was presented under the direction of Mr. Warren B. Irons, Executive Director of the Civil Service Commission.

The Commission itself, presided over by Chairman John W. Macy, Jr., Commissioner Frederick J. Lawton, and Commissioner Robert E. Hampton, issued a statement to the employees of the Civil Service Commission.

Mr. President, I ask unanimous consent to have printed at this point in the Record that statement, and also the text of an outstanding speech delivered on this occasion by Hon. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission.

There being no objection, the statement and speech were ordered to be printed in the Record, as follows:

*To the Employees of the Civil Service Commission:*

On this the 80th anniversary of the signing of the Civil Service Act, it is fitting that we, the men and women of the Civil Service Commission, pause to reexamine the basic tenets of the merit system and to rededicate ourselves to the principles of democracy and opportunity for which it stands.

The Commission's four score years of service have been marked by the achievements of dedicated employees who have made outstanding contributions to the Government and the country. We believe that the fine staff which is found throughout the entire Federal service speaks in daily tribute to the ideals of the Civil Service Act and the benefits it has produced.

Our thanks go out to you on this occasion for the fine job which is being done. The achievements of the past give ample reason to look forward with confidence to the future of the civil service system and the contributions it will continue to make.

JOHN W. MACY JR.,
*Chairman.*
FREDERICK J. LAWTON,
*Commissioner.*
ROBERT E. HAMPTON,
*Commissioner.*

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ADDRESS BY JOHN W. MACY, JR., CHAIRMAN, U.S. CIVIL SERVICE COMMISSION, AT THE 80TH ANNIVERSARY OBSERVANCE OF THE CIVIL SERVICE ACT, JANUARY 16, 1963

Eighty years ago this morning, a few blocks away at the White House, President Chester A. Arthur signed into law a basic principle of government. With his signature he joined with the Congress in producing a major revolution in the staffing of the National Government. The seeds of this revolution had been planted over nearly a century of experience in the life of the Republic. First had come a rejection of an aristocracy in government in the age of Jackson. And later, a mounting outrage over government by partisan patronage. Even in the grim days of the Civil War Abraham Lincoln was unable to walk from his bedroom to his office at the White House without being bedeviled by office seekers equipped only with partisan credentials. This spoils system had finally taken its toll in the assassination of President Garfield by that persistent office seeker, Charles Guiteau. Earnest civic leaders and reforming editors had demanded this revolution. Congress had acted after years of study. The Civil Service Act became a reality and the merit system was born on that January 16 in 1883.

As custodians of that revolution the Civil Service Commission has had the privilege and the obligation to build, to maintain, and to improve an employment system under the specifications of the merit principles. Consequently, it is most fitting that we pause in our work assignments on this anniversary day to rededicate ourselves to these principles and to pay tribute both to the founders of those principles and to those who have been the beneficiaries of them—the civil servant and the American citizen.

It is important that we understand and reinforce these principles on the contemporary scene. At times in the course of our concern with new conditions we may lose sight of these fundamental values which constitute the keystone of the system we administer.

The principle of merit in public employment means open competition available to all citizens. It is recognition of the past in terms of abilities and with equal opportunity for all to offer their talents in competition. It is the principle that an individual's ability shall be the sole standard applied in appointment, advancement and recognition in Federal service. It is the principle that extraneous, nonquality standards, such as party membership, old school tie, or personal friendship shall not be applied in filling public positions. It is the guarantee that efficient and faithful service shall not be terminated by arbitrary or capricious action. It is the assurance to the American citizen of efficiency and integrity in public office. These highly valued principles constitute the living goal of the system for which we have responsibility.

In the 80 years since President Arthur signed the Pendleton bill as the Civil Service Act, vast changes have taken place in the Nation and in the Federal service. Wars have been fought, economic adversity overcome, population exploded, science and technology advanced. These and other changes have expanded and ramified the role of the Federal Government in American life. To meet this change there have been dramatic developments in Federal employment. Whereas barely 100,000 Federal employees served the Nation in 1883, modern government requires the service of 25 times that number. Whereas the Civil Service Commission was primarily concerned with the development of examinations for clerical positions, the Commission today must recruit and examine for a vast array of occupations and professions with increasingly complicated job requirements. And with the passage of time the basic Act we honor today has been buttressed and extended through the enactment of other significant laws providing additional rights and guarantees, protection for retirement and against illness, compensation on an equitable and comparable basis, opportunities for training and education and other features which form the composite framework of Federal employment policy. With each new enactment the Commission has gained added responsibilities but the basic commitment to the principles of the original Civil Service Act form the backdrop before which all other activities are performed.

In honoring the past and in celebrating the significance of this important date, it is essential that we continue to look ahead toward new goals of achievement in behalf of the American people. The pace of change has quickened. The scope of operations has become global. In our time we have the mission to carry forward in these critical and demanding times the principles that were estbalished 80 years ago. To that end, the Commission, joined by responsible officials throughout the Government, must work to sustain the improvement and strengthening of the career service to meet all future demands. We must emphasize our quest for quality in the Federal service at every recruitment source across the land. We must contribute our ideas and actions to the selection, development and retention of men and women who can effectively carry out the public policies of our time in a responsive and creative fashion. We must provide counsel to Federal managers and supervisors in their effort to reach new standards of productivity and utilization. We must, in the face of employment figures of major magnitude, not forget the individual with his own special capabilities and interests. We must join our efforts with other public officials to assure that big government serves the will of the people in the service it provides. In short, it is our privilege in 1963 to have the public responsibility to apply the principles enunciated in 1883 in the interest of our national Government. With the dedication and ability possessed by the men and women in the Commission today, I am confident that these objectives will be met and that we can add future years of even greater service to the American people to the fourscore which we celebrate today.

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## LAYOFFS ON LONG ISLAND

**Mr. KEATING.** Mr. President, amid the general rejoicing on Long Island at the important space works contracts recently awarded to Grumman Aircraft Corp., there has been a tendency in some circles to forget numerous hardships and serious layoffs now taking place at American Bosch-Arma. The irony of the situation at Arma is that the Defense Department keeps telling them that their future depends on winning bids. Yet the cause of their present distress is that they did offer the best proposals for the guidance system of the Titan III missile. But no sooner had they started to work out production details when the Defense Department changed its mind and decided to turn elsewhere for an admittedly less advanced and sophisticated system. Meanwhile American Bosch-Arma management and labor are leaving no stone unturned in their aggressive search for new contributions to make to the defense effort. Both management and labor deserve credit for their unwillingness to take this blow lying down. The Engineers Association of Arma has been very active in pursuing the question and now the Long Island Federation of Labor has joined in the effort to keep Arma's fine team of scientists, engineers, and technicians together. I applaud and support these efforts 100 percent.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD two articles on this subject published in the Long Island Daily Press and Newsday.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Long Island Daily Press, Jan. 9, 1963]

UNIONS HUNT WAYS OF GETTING NEW DEFENSE CONTRACTS FOR LONG ISLAND

Union leaders sat down here today to find ways of getting more defense contracts for Long Island.

Uppermost on their agenda was the future of American Bosch Arma Corp. in Garden City, threatened with extensive layoffs.

Pentagon officials have expressed fears that the firm's highly trained technical team would dissolve without new Government contracts.

Bosch Arma began laying off personnel after a Government decision not to produce a new guidance system for the Titan III rocket.

The company produces guidance systems for the Atlas missile and was in line for work on the Titan project.

As a result of the Government decision, Arma's staff was further cut to the point where it numbered only 53 percent of what it was 18 months ago.

The latest layoffs cost the jobs of 161 scientists, engineers and technicians plus 65 draftsmen and production workers.

William Warner, president of Arma Local 418 of the International Union of Electrical Workers, said he hoped to meet with Defense Department officials to "hammer home" the implications of the layoffs.

Meanwhile, the Arma situation stirred action in another union quarter yesterday.

Charles J. Browne, president of the Long Island Federation of Labor, called on Defense Secretary Robert McNamara to act quickly to prevent dismemberment of Arma's technical staff.

Browne, however, was heartened by statements of a defense official following a recent tour of Long Island industry.

The official, Ronald N. Linton, Director of the Office of Economic Utilization for the Defense Department, said Arma's future depends on its success in winning bids on contracts.

[From Newsday, Jan. 9, 1963]

### LONG ISLAND LABOR UNIT BIDS MCNAMARA ACT ON ARMA; NEW LAYOFFS SET

GARDEN CITY.—The president of the 90,000-member Long Island Federation of Labor urged Secretary of Defense McNamara yesterday to take swift action to ease the job crisis at the Arma Division of the American Bosch Arma Corp. At the same time, it was disclosed that Arma is laying off an additional 226 employees this week and next—bringing the number of layoffs in the last year to 1,630.

Charles J. (Chuck) Browne, president of the labor federation, told McNamara in a telegram that Arma had reduced its payroll by 47 percent in 18 months. When the current layoffs are completed next week, Arma will have 3,556 employees remaining. Browne urged the Defense Secretary to act quickly "to prevent dismemberment of the highly integrated Arma engineering team." Browne is still awaiting a reply from the White House on a request made December 28 to meet with President Kennedy to discuss the Arma crisis.

A spokesman for the federation said the labor group hoped that McNamara would help obtain new Government contracts for Arma. Arthur Sylvester, Assistant Defense Secretary for Public Affairs, said McNamara would have no comment until he had a chance to study Browne's telegram and Arma's general situation. Browne's telegram had the support of the leaders of three Arma locals of the International Union of Electrical Workers—William Warner, president of local No. 418; Owen Hoey, president of local No. 460, and Frank McCall, president of local No. 464.

Many of Arma's troubles stemmed from the loss last summer of a $35 million contract for the guidance system on the Titan III missile. The latest layoffs involve 161 scientists, engineers and technicians, and 65 draftsmen and skilled bench workers. Browne told McNamara that he was worried about the threat of a breakup of Arma's technical team if new Government contracts were not obtained. "As a head of a labor organization of 90,000 workers, I have been especially concerned about this, not only because it menaces a vital link in Long Island's defense production capability, but in its national aspect as well," Browne said.

## CHARLES BRANTLEY AYCOCK, APOSTLE OF PUBLIC EDUCATION

**Mr. ERVIN.** Mr. President, no Governor of any State has made contributions to public education superior to those of Charles Brantley Aycock, who served as Governor of North Carolina from 1901 until 1905. One of the magnificent new dormitories at East Carolina College in Greenville, N.C., was named in his memory at dedicatory services held on the campus of this great institution of learning on December 9, 1962. In dedicatory remarks made by me on that occasion, I attempted to set out in brief compass the life and services of this great North Carolinian. I ask unanimous consent that my dedicatory remarks on this occasion be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

### CHARLES BRANTLEY AYCOCK, APOSTLE OF PUBLIC EDUCATION

We meet today at East Carolina College for this twofold purpose:

1. To dedicate this magnificent building to the service of the youth of North Carolina, and to the memory of Charles Brantley Aycock, one of the most beloved and most useful of all the mortals who have called the Old North State home.

2. To accept as a gift from his family to this great institution of learning his portrait.

Let me relate the prominent external events of the life of this great North Carolinian.

Charles Brantley Aycock was the youngest of the 10 children of Benjamin Aycock and his wife, Serena Hooks, devout Primitive Baptists, whose English ancestors settled in the coastal plain of North Carolina in early days. The day of his birth was November 1, 1859, and the place of his birth was his father's farm near Fremont in Wayne County.

A farmer by vocation, his father was one of the outstanding political leaders of Wayne County, represented his district in the State senate, and served as clerk of the superior court of Wayne County. The tax records of Wayne County indicate that he possessed substantial acumen in economic matters. They show that by 1860, he had acquired 1,036 acres of land near Fremont valued at $10,000, and 9 slaves worth an additional $10,000.

Aycock received his preliminary education in private academies in Fremont, Wilson, and Kinston. His most formative schooling was that received at the academy in Wilson, which was known as Wilson Collegiate Institute. Here he developed his talent for oratory in debates with his schoolmates, met Varina Davis Woodard and her younger sister, Cora Lily Woodard, and formed enduring friendships with Henry Groves Connor, Josephus Daniels, and Frank A. Daniels, who were numbered among his stanchest admirers and supporters in afteryears. It is interesting to note that as a youth of 16 years he taught 75 pupils, of whom 20 were older than he, at a school in Fremont for 1 term during an interim between his attendance at Wilson Collegiate Institute and the academy in Kinston.

Aycock entered the University of North Carolina in 1877. Despite a lack of aptitude in mathematics, he completed the prescribed course of study in 3 years and graduated with a degree of bachelor of philosophy in 1880. He was able to accelerate his graduation by attending the University Normal School for Teachers during two summer sessions.

While a student at Chapel Hill, young Aycock became an insatiable reader of good books, and participated in many campus activities, serving as president of the Philanthropic Literary Society, as a member of the editorial board of the North Carolina University magazine, and as chief commencement marshal. He distinguished himself in his senior year by winning the two most coveted student awards, the Bingham Medal for English Composition, and the Mangum Medal for Oratory. In addition to these student activities and achievements, he served for a time as the editor of the Chapel Hill Ledger, a small weekly newspaper and began the study of law under Dr. Kemp P. Battle. His closest friend at Chapel Hill was his roommate, Frank A. Daniels, whom he had met at Wilson Collegiate Institute. While a student at Chapel Hill, he transferred his religious allegiance from the Primitive Baptist to the Missionary Baptist Church, and retained his membership in that denomination for the remainder of his life.

After graduating from the University of North Carolina, Aycock continued the study of law in the office of A. K. Smedes, an able lawyer in Goldsboro, the county seat of Wayne County. He and Frank A. Daniels were licensed to practice law by the Supreme Court of North Carolina in January 1881, and forthwith established a legal partnership in Goldsboro under the firm name of Aycock & Daniels. Aycock frequently stated in subsequent years that his share of the gross fees of this partnership during its first year totaled $144. This partnership continued until Aycock's inauguration as Governor.

On May 25, 1881, Charles Brantley Aycock married Varina Davis Woodard, a lady of beautiful character. They had these three children: Ernest Aycock, who died in infancy; Charles Brantley Aycock, Jr., who died at the age of 17; and Alice Aycock, the accomplished wife of Dr. Clarence Poe, distinguished author and editor of Raleigh. Varina Woodard Aycock died July 9, 1889.

On January 7, 1891, Aycock contracted a second marriage with his first wife's younger sister, Cora Lily Woodard, who was noted for her gentleness of manner and devotion to domestic life, and who survived him many years. They had these seven children: William Benjamin Aycock, Mary Lily Aycock, Connor Woodard Aycock, John Lee Aycock, Louise Rountree Aycock, Frank Daniels Aycock, and Brantley Aycock. Only three of them, John Lee Aycock of Chicago, Ill.; Brantley Aycock, an able member of the Kinston bar; and Mary Lily Aycock, the charming wife of Maj. Lennox Polk Mclendon, a brilliant member of the Greensboro bar, survive.

While he necessarily devoted his major efforts to serving the clients of his legal firm, Aycock affiliated himself with the Baptist Church, the Masons, the Pythians, and the Odd Fellows in Goldsboro, and took an active part in the educational and political affairs of his community, area, and State.

Since he had establishd a reputation as a devoted advocate of free public schools for all of North Carolina's children before his graduation from the university and headed the successful movement to establish a graded school system for Goldsboro shortly after his admission to the bar, it is not surprising that Aycock was called to served for one term as superintendent of public instruction of Wayne County, for many terms as chairman of the board of trustees of the Goldsboro graded schools, and for some years as a member of the board of directors of the Normal School for Negroes after its removal from New Bern to Goldsboro.

No North Carolinian ever manifested a greater devotion to the Democratic Party than Aycock. He campaigned for the party before he was old enough to vote, actively participated in precinct, county, district, and State meetings and conventions of the party throughout life, and championed its cause upon the hustings in all campaigns in all areas of North Carolina from 1888 until the day of his death. He was Democratic nominee for presidential elector for the Third Congressional District in 1888, and for presidential elector at large for North Carolina in 1892. As a reward for his services in these capacities, he was appointed U.S. district attorney for the eastern district of North Carolina by President Cleveland, and held this office from 1893 until 1897.

He won undying fame for his political oratory in the campaigns of 1892, 1894, and 1896 when he fought in vain to prevent the disintegration of the Democratic Party, and in the campaigns of 1898 and 1900 when a rejuvenated Democratic Party under his leadership redeemed the State from Republican and Populist rule, and established by constitutional amendment what was popularly called white supremacy. His debates with Marion Butler in 1892, and with Dr. Cyrus Thompson in 1898 have been equalled in North Carolina forensic history only by those between Zebulon Baird Vance and Thomas Settle in their quest for the governorship of the State in 1876.

Aycock had his first personal stake in a statewide campaign in 1900 when he was the unanimous nominee of the Democratic State convention for the office of Governor, and was chosen for that post by the largest majority ever given any candidate for that office in any contested election up to that time.

Charles Brantley Aycock was inaugurated as Governor of North Carolina on January 15, 1901, and executed the duties of that high office in a most enlightened manner during the ensuing 4 years. In his messages to the legislature, he urged the enactment of laws providing adequate public schools for the education of all the children of the State, establishing fair election machinery, creating better procedures for preventing and punishing lynching, erecting a reformatory for boys, and regulating and restricting child labor in industry. He insisted on all occasions that "no real reform or betterment of the people could be achieved without adequate public schools." As a consequence of his untiring zeal for education, Aycock has become known as the educational Governor. Oliver H. Orr, Jr., did not err in his recent biography entitled "Charles Brantley Aycock" when he declared that "as an agitator for schools and a creator of sentiment for education, Aycock perhaps has no peer among the Governors in American history."

After his retirement from the governorship, Aycock returned to Goldsboro, renewed his law partnership with Frank A. Daniels, resumed the chairmanship of the board of trustees of the Goldsboro Graded Schools, and served as trustee of the University of North Carolina and of Littleton Female College. He remained in Goldsboro until 1909 when he removed to Raleigh and established a lucrative law practice in partnership with one of his college mates, Robert W. Winston, a former superior court judge, who was destined to win fame in after years as a writer of history.

Aycock maintained his residence in Raleigh the remainder of his life. While living there he acted as an adviser, moderator and harmonizer in Democratic Party affairs, participated in the trial of much important litigation, and spoke on many occasions in near and remote places on educational topics.

Notwithstanding a serious heart condition, which arose after his removal to Raleigh, Aycock announced his plan to enter a contest with Senator Furnifold M. Simmons, Gov. William Walton Kitchin, and Chief Justice Walter Clark for the Democratic nomination for the U.S. Senate in a primary scheduled for November 1912. This plan did not materialize because he died of a heart attack on April 4, 1912, in Birmingham, Ala., while addressing the Alabama Education Association on "Universal Education." It is significant that the last word he uttered was "education." Two days later, his body was laid to rest in Oakwood Cemetery at Raleigh in the presence of a sorrowing multitude who deplored the comparative brevity of his useful life.

I have endeavored to detail the chief external events in the life of Charles Brantley Aycock. These external events do not explain his consummate professional skill as a trial lawyer, his inspiring eloquence as a public speaker, his undeviating devotion to the Democratic Party, or his unceasing dedication to the cause of public education.

If we are to understand these things we must know something of his character and characteristics, his political philosophy, and his loyalties to existing groups and traditions, and something of the events which called his unusual gifts into action.

Aycock was attractive in manner and person. Standing about 5 feet and 11 inches in height and weighing somewhat less than 200 pounds, his open countenance, blue eyes, self-reliant and sincere attitude, and obvious incapacity for guile caused people instinctly to repose in him a confidence, which was never abused.

While he was considerate and gracious in his personal relations with others and observed the highest ethical standards in his dealings with adversaries at the bar or in politics, Aycock relished combat in the courtroom and the political arena, where he invariably seized the initiative and neither asked nor gave quarter. His fighting spirit combined with his attractive personality and his eloquence of speech to make him a most formidable advocate for a client or a cause.

Although his voice was high pitched and slightly nasal and tended to develop a harshness of tone in the upper reaches, Aycock was one of the most effective and eloquent public speakers our land has known. He omitted the use of manuscript or notes and spoke extemporaneously, or, as he put it, "hot from the shoulder." His versatility in oratory knew no bounds. He spoke with like fluency chaste English and the vernacular of the people. He used humor to amuse or illustrate, and sarcasm to demolish. He appealed with equal force to the reasons or the emotions of his hearers. He possessed to a remarkable degree the rare oratorical power to move his audiences to laughter or tears.

Aycock had well defined philosophies in respect to both law and government. He maintained at all times that it is the duty of courts not to make law but to enforce existing law. He did this because he recognized clearly the fundamental truth, which some men now in high places seem incapable of comprehending, that when judges base their decisions on personal notions of justice rather than on precedents, they substitute the caprice of men for the rule of law.

As a county seat lawyer, Aycock accepted his clients as they came to him, regardless of whether they were rich or poor, black or white, powerful or weak, or corporate or personal. He fought to secure for all of them their full rights under the law. He believed supremely that the right of every man to a fair trial and the safety of the people themselves imposes upon the lawyer the duty to defend unpopular causes, no matter what consequences he may suffer for so doing.

The devotion of Aycock to the Democratic Party had both intellectual and emotional origins. He believed that the Federal Government has the powers granted it by the Constitution, and that all other powers are reserved to the people or the States. He believed that a strong centralized government far removed from the people inevitably imperils their liberty. He believed that good government and very little of it is the best government. He believed that even the best men need the restraint of the Constitution, and for that reason revered the doctrine of the separation of powers and the system of checks and balances devised by the Founding Fathers. He believed that government should secure equal opportunities to all men and grant special privileges to none.

These things being true, Aycock's political philosophy was in complete harmony with the principles of the Democratic Party as expounded by Thomas Jefferson and as accepted by the Democrats of his own generation.

Next to his loyalty to his family, Aycock's most intense loyalties were to the white people of the South and the Democratic Party, which acted as their protector during the dark days of Reconstruction and its aftermath. It was inevitable that this should be so. His study of history left him with an abiding belief in the superiority of Anglo-Saxon people. Three of his older brothers served in the armies of the Confederacy, and he venerated Robert E. Lee as the greatest product of the South because of his fidelity to the traditions of his own people and to their ideals. He deplored as inexcusable the action of the national Republican Party in seeking to perpetuate itself in power by disfranchising most of the natural leaders of the southern whites and enfranchising illiterate southern Negroes just released from slavery whose ignorance and inexperience made them incapable of the intelligent use of the ballot.

He regarded the internal strife provoked by the participation of illiterate Negro voters in political affairs the State's major short-range problem, and was convinced that the establishment of what was popularly called white supremacy by an appropriate suffrage amendment was necessary for the ultimate welfare of both the white and Negro races.

These loyalties, events and convictions inspired Aycock to lead the successful fight in the campaign of 1900 to write into the constitution of the State a so-called "grandfather clause" and a literacy test for the regulation of suffrage in future elections.

Aycock's unceasing dedication to the cause of public education had its beginning in an incident of his boyhood. His mother, Serena Hooks Aycock, was born in 1817, and grew to womanhood at a time when North Carolina had no public schools and North Carolinians had little concern for the education of their daughters. As a consequence she was unable to read and write. As a boy, Aycock was deeply moved by seeing his mother make her mark when signing a deed and then and there made a vow that he would devote whatever talents he might possess to procuring for every child born in North Carolina an opportunity for obtaining a public school education.

Aycock was faithful to this vow at all times and in all his activities. When he advocated the adoption of the constitutional amendment prescribing a literacy test for suffrage, he united the proposed amendment, public education, and the future prosperity of the State into one issue. He asserted that the literacy test for suffrage would induce the people to demand improved public schools, that improved public schools would result in education and racial peace, and that these in turn would make the State prosperous.

His own conception of the function of education underwent an evolutionary process. At first, he conceived that the role of education was utilitarian in that it enabled one to know something, to do something, and to be something. He gradually came to the view that the ultimate purpose of education is to enable each individual to make of himself all that God gave him any possibility of being.

Aycock's unceasing advocacy of public education implanted in the minds of North Carolinians the conviction that education is the right of every citizen and the duty of the State, and left in their hearts the dream that someday every child born in the State shall have the opportunity to burgeon out all that is within him.

In return, North Carolinians manifested their undying love for him by placing statues of him upon the grounds of the State capitol in Raleigh, and in Statuary Hall in the U.S. Capitol at Washington.

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## THE NECESSITY FOR TAX CUTS NOW

**Mr. JAVITS.** Mr. President, in view of the fact that the President has made taxes his primary issue at this congressional session, I believe Senators will be interested in reading an editorial entitled "Why We Are Urging Cuts in Taxes Now," published in Life magazine for January 11, 1963.

The criteria and ideas which are developed in the article very much support the President's proposals, and will support those in Congress who favor them, as I hope a majority will, as we develop the subject and get a better view of what savings are to be expected in terms of closing loopholes and eliminating inequities, so that the whole picture may be before us.

Mr. President, I ask unanimous consent that this very important editorial, which has reached so many millions of Americans, may be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Why We Are Urging Cuts in Taxes Now

"He left a Corsair's name to other times, Link'd with one virtue and a thousand crimes."—Byron.

Instead of a 19th century pirate, Byron could have been describing the present Federal tax system. Its one virtue is its yield: the enormous sums of money ($81.4 billion in fiscal 1962) the American people are willing to assess themselves and hand docilely over to a comparative handful of revenue collectors. A list of its crimes—inequities, discriminations, complexities, distortions of effort, discouragements of enterprise, misallocation of resources, etc.—could fill several books and have.

But the reason our tax system is likely to be the No. 1 political issue of 1963 is not its crime alone. Even its solitary virtue is now badly tarnished. Its fabulous yield has not proved great enough to prevent a series of almost chronic deficits in the Federal budget, while the growing resentment of its uneven voracity has begun to undermine the honesty of the taxpayers on which self-assessment depends.

So now nobody has a good word for our tax system. It is one of the worst in the world. In any panel of experts, such as the one Life assembled last month, the subject of discussion is never its virtue but how and how soon the system can best be changed. Years ago the late Randolph Paul called the income tax a wasting asset of the Nation, because of the increasingly complex pattern of exemptions made politically necessary by the burdensome level of its rates. The asset has now wasted to the point where revision is a national necessity. The voices of Life's panel, and many other expert voices, call for a tax cut. We have some views on that, and here they are.

The President's proposals for change, shortly to be presented in detail to Congress, were outlined in general terms in his New York Economic Club speech last month. He wants an across-the-board cut in both personal and corporate income tax rates, plus "elimination or modification of many tax privileges" to make the structure simpler and fairer. That is a good general approach. But it was not the best thing about that New York speech. The best thing was that Kennedy is proposing his cuts, and probably his reforms, for the right reasons, reasons that should command bipartisan support.

He and his advisers want to lift the dragging effect of taxes on private investment and consumption. They want to raise our economic growth rate by releasing more dynamism in the free enterprise system, on which the health of the whole economy depends. They want to expand the incentives and opportunities for private expenditures. Only thus, they now concede, can the economy be stimulated to use all its resources, hire its excess unemployed and grow fast enough to stay ahead of the demands on it. Only through lower tax rates, they now argue, can private incomes grow fast enough to yield enough tax revenues to balance these huge and growing Federal budgets. Tax rates are too high, revenues too low, argues Kennedy, and the soundest way to raise revenues in the long run is to cut rates now.

This paradox, in our judgment, is the simple truth. But there is a risk in acting on it. The immediate result of a tax cut will be a loss in revenue, thus guaranteeing an even larger deficit in fiscal 1964 than the $8 billion we are already in for in 1963. Kennedy calls this a transitional deficit and says it is safer than the chronic deficits of recent years because the economy, stimulated by tax revision, should start to yield much greater revenues, of budget-balancing proportions, in and after 1964. But if the economy's response to this stimulus should be disappointing, the transitional deficit could really land us in the soup, perhaps reviving inflation, worsening our balance-of-payments problem and starting an international run on the dollar.

Kennedy maintains that he is not seeking a deficit for its own sake, or thinking in old mechanical Keynesian terms. He does not want a quickie tax cut like the one he almost asked for last summer to combat an expected recession. There is no expected recession. Instead there is a long-term problem of what economists call high-level stagnation, and tax revision is a long term response to that. In dealing with a long-term problem, the chief risk lies in procrastination—in doing nothing.

As any member of the House Ways and Means Committee will tell you, tax legislation is difficult to write and easy to put off. But the longer revision is put off, the harder it gets. Weighing the risk to the dollar against the risk of inaction, we conclude that there will never be a better time for tax revision than 1963. We favor a tax cut now. The risks can be minimized if four other conditions are met.

First, the President should be firm in his promise to keep the lid on nondefense expenditures, not only to keep the transitional deficit as small as possible but to lend conviction to his claim that a balanced budget is his ultimate goal.

Second, monetary policy should be designed to offset the deficit's inflationary potential and its threat to gold. That is to say, interest rates should be high enough to attract foreign capital, not low enough to suit the easy-money politicians. The President has implied that he favors this sensible course.

Third, the tax rates should be cut not in one fell swoop but in stages. The Committee for Economic Development recommends a 2-year program, the National Association of Manufacturers (and the Herlong-Baker bill) would spread revisions over five. The confident expectation of cuts to come will have its stimulating effect in the present, especially on private investment decisions, while the more cautious the immediate cut, the less it enlarges the deficit.

Fourth, this should be a serious and wholesale reform of the tax structure, not just a pleasant rebate of dollars. The base-broadening and loophole plugging reforms in the President's bill will probably be modest, necessarily so at first; for the voracious rates are the root evil of the system and a tax cut is the No. 1 tax reform. But as rates approach a saner level (for instance, the CED's goal of a 17- to 60-percent range in the personal income tax and a reduction from 52 to 42 percent in the corporate) then special tax shelters such as capital gains, municipal bonds, depletion allowances, etc., become less valuable to their beneficiaries and easier to restrict. At present, in a New York banker's words, our tax-strangled economy is gasping for breath through the so-called tax loopholes, and we should not plug them all until the stranglehold of the rates is relaxed.

If these four conditions are met, responsible men can give wholehearted support to tax cuts. We need a better tax system. This is the year to start getting it.

## SENATOR RANDOLPH CALLS FOR TAX EXEMPTION INCREASE AND PROPOSES DEDUCTIONS FOR TUITION EXPENSES

Mr. RANDOLPH. Mr. President, I request unanimous consent to have printed in the Record at this juncture as a part of my remarks a press release prepared for distribution on Janury 7, 1963, relating to a proposal to increase from $600 to $750 the personal exemption under the Federal income tax for taxpayer and dependents; and proposed deductions for tuition expenses.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Declaring endorsement of the administration's effort to stimulate the national economy with a tax reduction, Senator Jennings Randolph, Democrat, of West Virginia, announced today his hope that the program would concentrate a large portion of the reduction in the lower income brackets.

"Based on past experience, especially in such instances as veterans' dividend payments," stated the senior Senator from West Virginia, "reductions in taxes for those paying on the lower incomes are the quickest means of injecting new buying power into the economy."

"My initial choice, and one for which I will seek enactment," continued Senator Randolph, "is the raising of personal exemption for taxpayer and dependents from $600 to $750. Such a measure would be the most equitable in spreading the benefits of tax cuts where they are most needed, but it also would be an effective means of increasing consumer purchasing power."

Senator Randolph pointed out that such an exemption would release, according to Treasury estimates, approximately $4.5 billion for added consumer purchases, of which $3.6 billion would be generated among families with incomes of less than $10,000 a year. He commented further:

"With the additional economic activity that these purchases would generate amounting to a so-called multiplier factor of 2, the total estimated to be injected into the national economy would be on the order of $9 billion. Apart from the economic factors, my desire to raise the personal exemption to $750 is based on studies which indicate that in terms of the present Consumer Price Index, the $750 exemption is today's equivalent of the $600 exemption in 1948, the year the $600 exemption was established."

Senator Randolph indicated that soon he will recommend allowing an income tax deduction for educational tuition expenses, not only at the college level but also for private secondary and elementary school tuition. "This is not a substitute for Federal aid to education," he commented, "but is recognition of the increasingly burdensome costs placed on many parents for the education of their children. I have initiated studies to determine these costs at the various levels of education and to ascertain what might be a reasonable and equitable tax deduction. I shall make my recommendations when the studies are completed."

## THE UNITED STATES AND THE UNITED NATIONS IN THE CONGO

Mr. CURTIS. Mr. President, an editorial recently appeared in the Omaha World Herald, restating the position of Dr. Albert Schweitzer with regard to the activities of the United States and the United Nations in the Congo. Officially, we have supported the United Nations in its activities and have never found any merit on the side of its opposition. I am sure we can agree that Dr. Schweitzer is a man who can speak authoritatively and free from prejudice. I believe his comments deserve the attention of my colleagues.

Therefore, I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### From Dr. Schweitzer

Through President Kennedy the U.S. Government backs the United Nations in the Congo, gives credence to all that the World Organization says there, approves of what it does.

Thus, in the eyes of official Washington, it was all right to rob the Katangan bank, all right to crush Moise Tshombe after saying he would not be crushed, all right to set up a new Katangan government as weak and as phony and as utterly dependent upon the U.N. as the central government in Leopoldville.

But were these actions right?

A man whose knowledge of Africa is greater than President Kennedy's and whose character is as pure as the President's, doesn't think so.

We refer to Dr. Albert Schweitzer.

The missionary-doctor-musician is one of the great men of our time. It would be impossible to believe that he is in the pay of an international mining cartel, or that he believes in white supremacy, or that he is a liar—all of which charges have been directed at others who dare to defend Tshombe and his Katangan government.

It is likewise impossible to discount Mr. Schweitzer's knowledge of Africa. As he said in his little publicized letter to the Premier of Belgium, he has been a resident of Africa for nearly 50 years.

Dr. Schweitzer wrote:

"It is inconceivable that we find in our day a foreign nation at war with Katanga in an effort to make it pay revenues to the rest of the Congo. Reason and justice demand that this foreign state [the United States] and the United Nations withdraw their troops from Katanga's territory and respect in future the independence of this country."

Reason and justice—and the interests of the United States as well—demand that Americans stop supporting United Nations forces which are actively hostile to Western interests.

Dr. Schweitzer is deeply interested in the Congo, and he is incensed at the artificial union of Katanga and the other Provinces of the former Belgian Congo.

His letter continued:

"The colonial empire of the Congo no longer exists. There are left two distinct branches of this empire composed of peoples and tribes who, from the time of colonialism forward, have opposed each other. They are absolutely independent entities.

"It follows that no war waged by one of the above parties against the other for purposes of subjugation has the slightest justification in law. It also follows that no foreign state can pretend to have the right to subject one part of the Congo to the other part."

So said Albert Schweitzer, a good man, a wise man, a moral man and an expert on Africa. Yet his advice was ignored, and others who have expressed views similar to his have been discredited and even abused by the U.N. moralists who robbed the bank in Katanga.

The world is indeed upside down in many places, and nowhere is this unhappy fact more apparent than in the Congo.

## THE CUBAN PRISONER TRANSACTION

Mr. CURTIS. Mr. President, we share the joy of those families who were recently reunited with their valiant fathers, husbands, and sons who survived the invasion of the Bay of Pigs.

The generosity of America is ever present. But, has its method in this instance served the best interests of this Nation? Has precedent been established which may haunt us in the future? I ask unanimous consent to have printed in the Record an editorial from the Oakland Tribune of December 27, 1962, entitled "The Cuban Prisoner Deal."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### The Cuban Prisoner Deal

At a time of the year when it is customary for families to gather together, most of our citizens joined in rejoicing that Cuban families long separated were again joined together—husband and wife; father, mother, and son; brother, sister, and old family friends.

The stories and pictures out of Florida as the Bay of Pigs captives returned were at one and the same time tearful and joyous. But the moving scenes must not sugar-coat the operation to the point where the darker aspect cannot be seen.

We have encouraged international extortion. We have participated in the paying of ransom (cold cash as well as supplies). A $2,900,000 check drawn on the Royal Bank of Canada was in the hands of Castro as evidence of good faith. In addition there was some $53 million worth of food and drugs to bolster the Castro regime in Cuba.

There were additional hidden extra costs for transportation and storage. However, if we just take the figure of $55 million, we paid Castro something over $46,000 for each man released, which is probably one of the most costly extortion jobs in history and makes the kidnaping ransoms of the roaring twenties look like small pickings.

Both the Government and a part of the business community have condoned the operation and a new precedent has been established for buying our way out as a method of freeing people from Communist prisons all over the world.

Will $46,000 per person now be the "established price"? Or will it soon go up to $75,000 or to $100,000? What a potential racket for bandits around the world to seize Americans and hold them for ransom. If we will pay $46,000 a head for Cubans, will we not pay that much or more for American citizens, some of these ruthless men will reason?

At other times and under previous administrations our policies were boldly stated and courageously enforced:

"Millions for defense but not one cent for tribute." Or much later when our citizen, Perdicaris, was kidnaped and held for ransom by the bandit chieftain Raisuli, Teddy Roosevelt sent the message "Perdicaris alive or Raisuli dead." The messages were short but understood by those for whom they were intended. Our moral position was strong though the power of our Nation was much weaker in those years.

There can be no claim either that Government funds were not involved. The donations made are a deductible income tax item. Fifty-two percent of corporate donations would otherwise have gone into the Public Treasury and varying percentages of private donations would otherwise have been Government income.

In the cold gray dawn after the moment of rejoicing we cannot help but believe that history and the conscience of our people will view this transaction as one of shame and humiliation. For our Nation this act of ransom payment does not measure up to our finest hour.

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## THE FEDERAL-STATE WATER RIGHTS CONTROVERSY

Mr. SIMPSON. Mr. President, I ask unanimous consent to have printed in the Record a speech given before the National Association of Counties, December 13, 1962, at Las Vegas, Nev., by Hon. Marlin T. Kurtz.

Mr. Kurtz is speaker of the house, Wyoming State Legislature, and a man most knowledgeable on the subject of water and water law.

Wyoming, and I am sure the Nation, may be indebted to Mr. Kurtz for his singularly outstanding contribution to the study of the rapidly decreasing supply of water, our most precious natural resource.

There being no objection, the speech was ordered to be printed in the Record, as follows:

### The Federal-State Water Rights Controversy and State Government

I am pleased to be able to meet with the western region of the National Association of County Officials. I am also pleased to appear on this water problems panel this morning. I call your attention, however, to the fact that I am the only lay person appearing on the panel. I feel complimented to be on the same panel with three legal experts in the field of water law. It may be, however, that I will be able to supply information of interest from the field of legislation as regards both the State and Federal approach, as well as taking a look at the working relationship between the two levels of government.

It may be well for me to mention early in my talk the Council of State Governments. I realize over the years that it is not a movement too well known, yet it has become very important in the field of government. The Council of State Governments is a movement that was started by Mr. Toll in Colorado a considerable number of years ago. It is set up to study Federal-State relationships. It is a national movement made up of several regions. The professional staff is small and the central office is in Chicago. The western region, of which we are part, consists of the 13 Western States with the regional office in San Francisco. At present we have four active committees in the western region. These committees are agriculture, public lands, highway policy problems, and water problems. Each of these committees is looking at its own particular problems within its field, and the working relationship as between States on an interstate basis along with the overall interstate relationship with the Federal Government. Much good has come from the work of these various committees.

It was in our public lands committee work of several years ago that we learned of your organization of NACO and of your interest in public lands problems. As a result, we have had at the last two meetings with representatives from your membership working with us on such things as payment in lieu of taxes and legislative jurisdiction of Federal enclaves. Through these contacts we have learned that your organization and ours, particularly in the western region, have very much in common. It appears to me that we have much to gain in working together shoulder to shoulder in pushing toward common objectives.

In looking at this matter of Federal-State relationships, I would just like to mention briefly that in our Federal Constitution, it was provided that the Federal Government have certain rights. Those rights were so specified. It was also made very specific in the Federal Constitution that those rights not specified to the Federal Government were reserved to the States.

In looking at the problems of water, both intrastate and interstate, I might point out that as the various States of the West came into the Union, that in every instance the incoming State declared in some measure that water within the State was a vested right and the water belonged to the State. They also set up priorities for domestic use, agriculture use, industrial use, etc. In more recent time, legislation in many instances has set up priority rights for recreational use, pollution abatement and pollution control, etc. If this has not been done, it has become a problem in the individual State.

Again expressing a principle of government, I have always preferred that laws be made by legislation rather than by court decision. Legislative processes bring about laws desired by the people. Court decisions bring about laws that are merely an interpretation of the court on what they think the legislative processes meant to express. Quite often this is far afield from what the legislature intent had been originally.

It is my opinion that the various State governments throughout the West have been negligent in keeping abreast of their water problems. As a result, it has left sort of a vacuum whereby Federal Government has seen fit to start encroachment in the field of water. There is an exception to this, however, in that the Western States have been very diligent in working at interstate compacts. They have really gone to work in solving their problems in common along major river drainage basins. However, the Federal Government has really started to step into this picture as witness the National Water Resources Planning Act of 1961. Here we have an example of where the Federal Government either knowingly or unknowingly proposed to take over the matter of interstate planning on a river drainage basis. I will not dwell on detail here, but certainly the plan is one that is dangerous to the successful tradition that has developed over the years. I would like to point out here that it is my opinion that not all wisdom comes from the Federal level. It has been my observation in recent years that many people on the Federal payroll by some process or other have come to believe that they have the final answer to all problems. On the contrary it is my opinion, that there is considerable intelligence coming from people at local and State levels. Let's not forget these facts and govern ourselves accordingly.

There is another phase of Federal-State relations that we must consider with great care. As I worked in government over the years, I have become very much aware that Federal departments have come out with rules and regulations that have been given the same stature in law as are congressional acts. This I believe is a dangerous precedent and must be challenged. It has been my observation at the State level for instance that the State Legislature of Wyoming has passed numerous bills with a general understanding and with an obvious intent. However, by the time bureaus and departments, as well as the courts get through interpreting what we have done, we just don't recognize the legislation as we understood it at the time of its passage. I am inclined to believe that this is more true at the Federal level than at the State level. As we work at this matter of Federal-State relationship I believe that we should become more and more conscious of the problem. Just because the Federal personnel make a ruling it is not necessarily a result of a congressional act. In other words, I call your attention to some rule that might be set up by BLM or the Forest Service or some other Government agency, it probably has come as a result of some employee's interpretation rather than just legislative act. It may have come too as a result of overexuberance on the employee's part in interpreting his sphere of authority. It is my contention that this type of procedure must be brought to a head by, if necessary, a court test.

Now going back to water again, I would like to indicate to you how prominent the Federal Government has become in the field of water regulation. In our State of Wyoming our legislative council recently completed a bibliography type of water study. In this study, they found that 15 State agencies were associated with water administration in the State of Wyoming and 49 Federal agencies were associated with water problems. This I am sure will be news to most of you. My contention is that, for instance, in Wyoming on the basis of what I have just told you, we need to get busy in order to reestablish the overall control of water within the State. This is a matter of setting up not only priorities of use, but what State agencies are subservient to other State agencies and who has the overall State control. Of course, I point out too that the 49 Federal agencies should be set into the proper perspective as their relationship with the overall State authority on water.

There is another way that I might illustrate this matter of Federal encroachment. I will need to go to another general other than water to illustrate that encroachment. In our State, we have 12 Federal agencies having to do with agriculture. There is only one of these Federal agencies that has any significant relationship to the State government. This is in the case of the Federal extension service. The reason for close coordination here is that the moneys are provided on a matching basis between the Federal, State, and county governments. As a result, the planning program is done pretty much at grassroots level by the counties. However, in all other instances these Federal agencies come right into the middle of our State and our counties and have no official relationship to the State government. That is, our Governor has nothing to say about what they do, our legislature has nothing to say about what they do, and our courts do not have jurisdiction over them. In other words, the Federal Government is coming direct from Washington, D.C., into our local communities without having any working relationship with State government. It is my contention that this type of procedure must be stopped, but it must be stopped by the State and county governments filling a vacuum and doing their own planning and bringing about activity as a result of local grassroots activity as coordinated by the county and State governments. It is very apparent that the type of thing that has happened in the field of agriculture, as I have just related, is the type of thing coming in the field of water, unless we pick up the ball and aggressively carry it to a legitimate objective.

I have outlined these problems from a legislative angle and an interstate angle as I have seen them. I have been rather harsh in my criticism of Federal encroachment, but I realize this has come largely as a result of a lack of activity on the part of county and State governments. Consequently, my recommendation is that we have much to do in our respective fields of endeavor as well as coordinating our approach and doing our planning on a constructive basis. Only such a concerted effort on our parts will prevent the continued and increasing Federal absorption of States rights.

Thank you.

## THE MAINE CONGRESSIONAL DELEGATION

Mrs. SMITH. Mr. President, to the best of my knowledge, I think that the Maine congressional delegation has a very unique distinction. I believe that it is the only State congressional delegation that holds regular monthly meetings—at least the only State congressional delegation with a membership from both political parties that holds regular monthly meetings.

This practice has been followed since 1953, when I became the chairman of the Maine congressional delegation. Prior to that time, the delegation met irregularly. From 1953 to 1961 I served as chairman of the delegation.

In January 1961 I proposed that the position of permanent chairman be abolished—as I felt that the other members of the delegation should have their turns at being chairman—and replaced with a rotating chairmanship system with the chairmanship rotating with each monthly meeting among the then five members of the delegation. My proposal was adopted and the delegation found the rotating system so satisfactory that, at its first meeting this year, the delegation voted unanimously to continue the rotating system.

In a radio broadcast in Portland, Maine, this past Sunday, I reported to the people of Maine on the action taken and the subjects discussed at the January 9, 1963, meeting of the Maine congressional delegation.

Because I think the subject will be of interest to other State congressional delegations and may give them some encouragement to do the same thing and how to do it, I ask unanimous consent to place in the body of the Record my radio broadcast on the Maine congressional delegation.

There being no objection, the broadcast was ordered to be printed in the Record, as follows:

> This is your senior Senator, Margaret Chase Smith, initiating the public service program of WGAN during the 88th Congress in which your members of the Maine congressional delegation make a weekly report to you—a weekly congressional report.
>
> Inasmuch as this broadcast is the first of the series in 1963 and for the 88th Congress, an appropriate subject for it is the operation of the delegation itself. It is timely to report on this since the first delegation meeting of the 88th Congress was held in my office this past Wednesday afternoon.
>
> At that meeting the delegation voted unanimously to continue the system of rotation of meetings and chairmen—much the same as the rotation of the broadcasts of the individual members of the delegation on this program. The rotation system was first proposed by me 2 years ago and adopted at that time.
>
> Until that time I had been the permanent chairman and all meetings were held in my office. I proposed the change to the rotation system because I felt that the other members of the delegation should have their turns at being chairman and having the meetings in their offices instead of such

privileges being exclusively mine. I also felt that it would be conducive to the maximum of nonpartisanship in the operation of the delegation.

The delegation has found the rotation system so satisfactory that it voted unanimously to continue it. However, the delegation did make some changes—all of which were by unanimous vote. First, instead of having the first two meetings go to the Senators, the delegation voted to have the rotation according to service seniority, which means that the next delegation meeting will be chairmaned by Representative McINTIRE rather than Senator MUSKIE as has been the case since 1959.

The delegation voted also to go back to the old day and hour of the monthly meetings—to go back to having the regular monthly meetings on the first Monday of each month at 4 o'clock in the afternoon instead of the 9 o'clock morning hour on the first Tuesday of each month.

The delegation voted to hold monthly meetings even though there may not be any agenda or any specific subject set for discussion. It was voted that three would constitute a quorum. It was further voted that the senior Senator would call and hold the first meeting of every new Congress but not every new session.

Set for future discussion were the subjects of (a) appointments to the military academies, (b) oil imports, (c) the Quoddy-Allagash-Rankin Rapids-St. John River matter, and (d) the Hood Milk Co. request for its representatives to meet with the delegation.

I then placed before the delegation a matter not for its action but rather for its information and for the information of the people of Maine since the press was present at the meeting. Opening the meetings to the press and making the meetings public was my proposal made 2 years ago and adopted by the delegation in the theory of the so-called right to know.

I made the following statement.

"There is a serious matter on which I would like to speak. It is a matter of printed reflection on the integrity of the delegation—on the two Senators. The Portland Press Herald, the Augusta Kennebec Journal, and the Waterville Sentinel on December 21, 1962, carried a story that stated that the delegation did not meet in September for two reasons—because there had been some hard feeling between Senators SMITH and MUSKIE and because Labor Day was in that month.

"The hard feeling charge is a very serious matter because it charges, in effect, that the two Senators would permit any differences of principles, policies and views to so degenerate into personal pettiness as to cause cancellation of a delegation meeting dedicated to the interest of the State of Maine and the people of Maine.

"Though Senator MUSKIE and I are of opposing political parties, I have no hesitancy to defend him from this serious misrepresentation. To my knowledge, he has never prevented or cancelled a delegation meeting because of any hard feeling. To the contrary, with respect to the September date, Senator MUSKIE wrote me on September 10, 1962, stating, 'This is merely to advise that due to the lack of business pending, there will be no delegation meeting tomorrow.'

"As for myself, the ridiculous falsity of the misrepresentation is proved in the fact that a week before, on Tuesday, September 4, 1962, I walked over to Senator MUSKIE's office arriving there at 9 o'clock that morning expecting the regular monthly delegation meeting to be held at the regular hour and at the regular time of 9 a.m. on the first Tuesday of the month.

"Even if the writer had written the story in a speculative tone, as contrasted from its factual tone, the matter would have been most serious. For the writer did not see fit to consult me or my office to check on the accuracy or inaccuracy prior to the writing and publication of the story.

"But the seriousness of the misrepresentation is even greater in that the writer wrote in a factual tone with a flatly unqualified statement that the delegation did not meet in September because there had been some hard feeling between Senators SMITH and MUSKIE.

"Two weeks ago I wrote the writer of the story about this serious misrepresentation, pointing out my going to Senator MUSKIE's office on September 4, 1962, expecting the regular meeting to be held—and Senator MUSKIE's letter of September 10, 1962.

"The response of the writer was that she would be glad to have anything I wanted to say about this for publication. Since the public correction of her misrepresentation was her responsibility, I declined to accept her responsibility and instead replied that such act of correction was a matter for her own conscience.

"The misrepresentation is grave. But the indicated attitude of the writer is even more grave. For as of this time—2 weeks later—to my knowledge she has taken no initiative to make a public correction herself. Inasmuch as a reasonable time for correction has elapsed, I feel an obligation to the people of Maine to make this refutation in fairness to both Senator MUSKIE and myself."

At the conclusion of the reading of my statement, I disclosed that as a matter of courtesy to the writer, my office had twice that day—at 12:45 p.m. and at 3 p.m.—given advance notice to the writer that I would be making a statement concerning the writer at the delegation meeting at 4 p.m., but that the writer had stated that she could not be present with the other members of the press at the meeting because she was too busy with arrangements for the dinner of the Women's National Press Club to be held that night.

Senator MUSKIE stated that his reaction to, and interpretation of, the story was not the same as mine. He said that he did not regard the matter as being as serious as I did; that while the writer's style of writing was subject to criticism, he did not believe the writer was guilty of misrepresentation; that he felt that the story had been speculative instead of in a factual tone; but that the statement of the writer was incorrect, was in error, and was unfortunate; that contrary to the statement of the writer, a delegation meeting was not held in September when he was the chairman because of lack of pending business and not—and I repeat "not"—because of any hard feeling between himself and Senator SMITH; and that he was not aware of any hard feeling on the part of Senator SMITH toward him.

I am extremely proud of my record on participation in the meetings of the Maine congressional delegation and I resent such misrepresentation that I would cause the prevention of a delegation meeting because of any personal feeling.

The ridiculous nature of such a false charge is further abundantly clear from the actual records of the delegation. In the first place, I have the best record on attendance of delegation meetings of any member of the delegation. In the 14 years that I have been in the Senate, I have missed only 1 delegation meeting. That was 8 years ago back in 1955. And since the writer attributed the cause of no delegation meeting last September to her fancied hard feeling between Senator MUSKIE and myself—I think it is only proper to point out that the only delegation meeting I missed was 4 years before Senator MUSKIE even became a member of the delegation. In other words, I have not missed a delegation meeting during all of the time that Senator MUSKIE has been a member of the delegation.

During all of my 22 years in Congress I have never canceled a delegation meeting. Staying on the job not to miss record rollcall votes in the Senate and not to miss the Maine congressional delegation meetings is one reason why I stay in Washington instead of going out of town to make speeches while the Senate is in session.

I am proud of this record, and I do not propose to stand by silently and let a reporter tarnish that record with a misrepresentation so obvious as this one.

## THE U.S. SENATE AND ITS RULES

Mr. HAYDEN. Mr. President, during the current debate on the wisdom of amending the Senate cloture rule, it is particularly appropriate to direct the attention of the Senate to an article by the senior Senator from Nebraska [Mr. HRUSKA] published in the November 1962 issue of the National Parliamentarian, entitled "The U.S. Senate and Its Rules."

Senator HRUSKA points out the intrinsic logic of the present rules in a legislative body whose role is to assure an equal voice for each of the several States in the law-making process. In a carefully reasoned manner the article demonstrates that the crucial issue in this debate is not whether there is a right to abuse these rules, but rather how the proper function of the Senate would be severely handicapped without them.

The National Parliamentarian is the official journal of the National Association of Parliamentarians, an organization dedicated to the preservation of the principles of parliamentary law. Its national president this year is Mrs. William H. Hasebroock, of West Point, Nebr.

I ask unanimous consent that the article by Senator HRUSKA, to which I have referred, be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE U.S. SENATE AND ITS RULES

(By ROMAN L. HRUSKA, U.S. Senator from Nebraska)

Our country, at the time of our Constitution's fabrication, was driven by a kind of dynamic tension. This tension pervades the operational structure and philosophy of the entire political, economic, and social system.

It also pervades the Constitution designed to govern that system. In that document's delicately balanced mechanism, force is set against force, power against power, and interest against interest. The Constitution-makers deliberately provided a well-balanced mechanism to cope with an everlasting struggle between those determined upon action and those determined to oppose such action. To each side were given powerful weapons. And, to round out the system, each side was liable to be transformed at any moment into the operational counterpart of its opponent.

The Senate is, of course, intimately and thoroughly involved in this process. Its rules and procedure directly reflect that involvement. Many people tend either to ignore or to resent the fact that Senators do not represent individuals as such but rather individuals as they are organized into States. The rules of the Senate implicitly recognize that fact.

They also reflect another significant characteristic of the Senate, its relatively small size. George H. Haynes has written:

"The Senate rules were intended for a body which at the time of their adoption had not more than 20 Members, and which it was believed would always remain relatively small. Hence, many matters * * * were left to the control of that courtesy and deference which it was expected would characterize the small group of Senators in the intimate contacts of the Senate Chamber. Despite the fact that the Senate's membership is now larger than it was originally, the Senate still cherishes the tradition that in most of their relations its Members shall be governed by custom and mutual courtesy rather than by an elaborate code of formal rules. Of the original list of rules the list of all but three is to be found, in practically the identical phraseology, in the standing rules of today."[1]

Unlike the House of Representatives, the Senate does not have to contend with the problems that accompany a large membership. It has relatively few rules and perhaps, as a distinguished foreign observer has put it, "even fewer than it needs."[2] But the few it does have enable the Senate to retain a flexibility of action and a tolerance of individuality that its sister body can hardly afford.

This tolerance of individuality and, therefore, of minorities is a considerable prize. The protection of the rights of the minority is, after all, as precious an element of democratic government as is the fulfillment of the will of the majority. This protection is one of the unique and outstanding features running throughout the entire Constitution.

There is no automatic guarantee that the majority is in the right. Quite frequently the minority possesses the truth. The history of the Senate presents numerous instances in which the minority preserved the majority, against the latter's will, from acts of folly. President Andrew Johnson was saved from conviction on impeachment because a minority of one-third held fast. Not the least to be said for the Senate is that it is a bastion for minorities, political, economic, social, ethnic, or whatever.

And here we have arrived at the crucial problem underlying the rules of every legislative body, or of any organization for that matter. That problem involves the balance that is to be maintained between the quite reasonable desire of a majority to convert its numbers into legislative victories and the equally reasonable desire of a minority to protect itself from such victories at its expense. To put the matter in an even more troublesome form, we are faced with a conflict between order and liberty.

In terms of the democratic ethos, this is an insoluble problem. The House of Representatives compromise sacrifices much of each Member's individual rights. Prof. Lindsay Rogers has well described this type of development.

"The major problem of parliamentary procedure has been the reconciliation of two irreconcilable principles: certainty of business and liberty of discussion. The leaders of a legislative body must be able to have their program acted upon, but to accomplish this there must be frequent curtailment of debate. Taciturnity is rarely a characteristic of a person chosen to represent constituents, and there is thus a fairly constant tendency for those who control the procedure of a legislative assembly to sacrifice discussion to their timetable and to deal more and more ruthlessly with the rights of their own followers and of opposing minorities. Changes of rules have had two principal objectives. They have been designed, in the first place, to make it certain that the majority steamroller would proceed and not be stopped by the minority; and, secondly, to prevent the course of the steamroller from being diverted through members of the majority venturing to repudiate the leaders and their program."[3]

The Senate was originally selected and has chosen ever since to lean in the other direction. There is a story, perhaps apocryphal, that George Washington described the Senate to Thomas Jefferson as the saucer into which the hot tea of the House of Representatives was poured to cool.

The Senate has always accepted this cooling function seriously. In accomplishing that function, it has continued to emphasize freedom. Instead of curtailing rights, the Senate's rules glorify them. Instead of curtailing debate, the Senate's rules encourage it. "To grant to one's opponent in high political discussion and maneuver each and all of the rights that one demands for himself—that is, uniquely in this country certainly, and perhaps in all the world, a Senate rule," observes William S. White.[4]

This has been so from the earliest days of the Republic. The very first page of Jefferson's historic manual gives us a quotation from Hatsell's "Precedents" which sets the spirit of the rules. "As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding."[5]

The Senate has zealously guarded this heritage by refusing to accept radical changes in its rules. The basic rules were drawn up during the first session of the Senate. They consisted of 19 articles. The total today is 40, but the spirit of the first 19 still prevails.

There have been only four major recodifications, in 1806, 1820, 1868, and 1884, plus the additions made by the Reorganization Act of 1946. These revisions, in Haynes' words, "have been significant of no urgent spirit of revolt or reform; they have been authorized when the accumulation of changes through a long series of years made a new codification desirable."[6] Numerous attempts to institute drastic changes have been beaten off, especially in recent years. In 1949, 1953, 1957, and 1959, for example, the Senate met and defeated vigorous movements to impose a strong cloture rule.

The last two of these struggles occurred during my own service in the Senate. They reinforced in a striking fashion my appreciation of the concept that the Senate of the United States is one of the last—indeed, perhaps the very last—symbols of a republic of federated states which America truly is. The Senate remains this Nation's single most effective agency to impart and preserve that very vital characteristic.

One of the most colorful and eloquent defenses of the position adopted by the majority of Federalists, Democrats, Whigs, and Republicans over the decades was delivered by Senator James A. Reed, of Missouri, on June 4, 1926. In the heat of a battle to prevent the imposition of cloture, he roared: "Gag rule is the last resort of the legislative scoundrel." He continued:

"Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.

"As long as we preserve complete freedom of speech in this body we will have done much to preserve the prestige of the Senate. That, however, is not important. We will have done much to promote a condition of deliberate and careful action. That is the great desideratum."[7]

In more measured and dispassionate tones, Senator Henry Cabot Lodge, of Massachusetts wrote:

"Debate in the Senate has remained practically unlimited, and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important and indeed very essential to free and democratic government to have one body where every great question could be fully and deliberately discussed. Undoubtedly there are evils in unlimited debate, but experience shows that these evils are far outweighed by the benefit of having one body in the Government where debate cannot be shut off arbitrarily at the will of a partizan (sic) majority * * * the full opportunity for deliberation and discussion, characteristic of the Senate, has prevented much rash legislation born of the passion of an election struggle, and has perfected still more that which ultimately found its way to the statute book."[8]

Not infrequently the Senator's devotion to its traditions is misunderstood. The way in which the proposal to establish a Department of Urban Affairs was handled is a recent and excellent example. When the Senate refused to discharge one of its committees from further consideration and jurisdiction of a resolution concerning this proposal, the vote was widely interpreted as indicating that a majority of the Senators opposed setting up such a Department.

In fact, the vote proved nothing either way on that score. The issue for many, perhaps most, Senators was whether, at the command of the administration, orderly procedure was to be disrupted by removing from a respected standing committee of the Senate a measure it was conscientiously considering. This has been done in the past only under extraordinary circumstances. In this instance, there were no such circumstances and the Senate rightly rejected an attempt at coercion from the executive branch.

A further factor, depriving the vote as one on the merits, was the hostility created in the minds of some Senators because the President sought to circumvent the will and procedures of the Congress by resorting to the Reorganization Act instead of allowing the normal and usual methods to function in passing on the merits of the proposal.

Incidentally, the whole affair involved a paradox familiar to parliamentarians, and this because of the President's resorting to the Reorganization Act. Those who opposed the Department were put into the position of voting against the consideration of a resolution of disapproval, while the proponents were attempting to bring the same resolution to a vote hoping to defeat it.

Despite this and many other successful defenses of the traditional Senate way of doing things, there have been in recent years some unhappy indications of erosion. One of these is of particular importance because it has developed out of the traditions and rules of the Senate itself.

Unanimous-consent agreements have been a familiar element of the Senate scene for at least a century. Prior to 1914 these arrangements to take a final vote on a specified date and time were gentlemen's agreements governed by custom and not enforcible by the Chair. As might be expected in the Senate, they were never violated. Since the adoption of rule XII, paragraph 3, in

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[1] Haynes, George H., "The Senate of the United States; Its History and Practice," Boston, Houghton Mifflin, 1938, p. 340.

[2] Brogan, D. W., "Politics in America," New York, Harper, 1954, p. 313.

[3] Rogers, Lindsay, "The American Senate." New York, Knopf, 1962, p. 120.

[4] White, William S. "Citadel, the Story of the U.S. Senate." New York, Harper, 1956. pp. 56–57.

[5] Senate Manual, 87th Cong., 1st sess., p. 357.

[6] Haynes, op. cit., p. 341.

[7] CONGRESSIONAL RECORD, 69th Cong., 1st sess., June 4, 1926, pp. 10707, 10710.

[8] Lodge, Henry Cabot, "The Senate of the United States" and other essays. New York, Charles Scribner's Sons, 1921, pp. 17–18.

1914, unanimous-consent agreements have operated as orders of the Senate.

These agreements, whereby the entire body voluntarily gags itself on a specific measure, seem quite innocent at first glance. A single objection, after all, blocks any agreement. And these agreements were relatively innocent in the days when they were used sparingly and were limited to setting a time for the end of debate and the final vote.

In recent decades, however, they have become more elaborate. They now frequently include limitations on the time for debate on amendments; they fix the time for voting on amendments; they divide and designate the control of time; and a great many of them require that motions and amendments be germane to the business under consideration. In effect, the Senate has very frequently operated in recent years under conditions similar to those imposed upon the House of Representatives.

There is no doubt that these agreements are useful devices for expediting the transaction of business. But there is no getting away from the fact that they impose, in Rogers' phrase, "a species of closure."[9] A very good case can be made that what the Senate needs is not greater speed but more thorough consideration of legislation.

It is often said that these are days in which swift action is required. In almost the same breath we hear complaints that Congress should give way to the demands of the executive branch because in this complex world the latter has a firmer grip on the complexities.

The fact is that the Senate can act swiftly and has done so when the need has arisen. Furthermore, it is because of those very complexities that the Senate's deliberative function is now more valuable than ever. In my judgment, to dilute or impair it, carries high threat to the true mission and purpose of this body.

Woodrow Wilson's words, written in 1885, are as true today as they were then. He declared that "it must be regarded as no inconsiderable addition to the usefulness of the Senate that it enjoys a much greater freedom of discussion than the House can allow itself. The Senate's opportunities for open and unrestricted discussion and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revision."[10]

It is to be hoped that the Senate will continue to devote itself to the traditions and ideals it represents.

## SENATOR RANDOLPH SUPPORTS EFFORTS TO LESSEN FILIBUSTERING TACTICS

**Mr. RANDOLPH.** Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a press release prepared for distribution on January 4, 1963, emphasizing my opposition to filibustering tactics and my support of efforts to amend the rules of the Senate relating to limitation of debate.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

Stating that he continues to be an opponent of filibustering tactics, Senator JENNINGS RANDOLPH, Democrat, of West Virginia, says he intends to support efforts to be made in the Senate to change the rule on debate limitation.

If the proposal is brought to a vote, Senator RANDOLPH announces that he will be among those recorded for a rules amendment to permit a majority of Senators voting to invoke cloture, instead of the present requirement of two-thirds of those voting.

The West Virginian says it is his belief that no cloture motion ever will be filed until after there has been extended debate on an issue, and he reminds that even after cloture is invoked each of the 100 Senators would be entitled to an additional hour to discuss the business before the Senate.

"I believe in the validity and the necessity of allowing reasonable periods of debate," Senator RANDOLPH explains, "but I am opposed to unreasonable delaying tactics by any bloc to prevent an issue from being brought to a vote. And I believe a majority of Senators voting—not two-thirds—should be sufficient to invoke a rule that the point has been reached where each Senator shall be allowed an additional hour—or a total of 100 hours of debate—before there shall be a vote on the pending issue. We must expedite the legislative processes in the public interest. Filibusters extend sessions of the Congress excessively, create unjustified extra expenses, and delay the enactment of vital legislation."

Senator RANDOLPH adds that if the motion for a majority rule fails he will support an amendment to compromise at a figure of three-fifths of Senators voting as the requirement to invoke cloture. He says that although he prefers the majority vote amendment to existing rules, a change from the present two-thirds to three-fifths of members voting would represent progress.

In the 86th Congress, Senator RANDOLPH supported a three-fifths of members voting proposal, but that amendment failed. He then voted for the amendment by which the Senate changed the rule from two-thirds of the constitutional membership to two-thirds of the Senators present and voting as the requirement to invoke cloture.

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

## AMENDMENT OF RULE XXII—CLOTURE

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9 to amend the cloture rule of the Senate.

## WHAT IS THE U.S. FUTURE IN EUROPE?

**Mr. MORSE.** Mr. President, I rise to make what will be, for me, a major speech on foreign policy. It is on the subject, "What Is the U.S. Future in Europe?"

During the delivery of my remarks I shall not yield until my formal remarks are completed. I shall follow that policy in the interest of time, and also because I believe that by following that procedure we can have a much more helpful colloquy at the end of my speech, for then it will be possible to refer to the speech in its entirety.

Mr. President, out of the debates and commentaries of the last several weeks has come the realization to Americans and Europeans alike that the foundations of the North Atlantic community are undergoing changes that require review and reconsideration of the foreign policies of all our countries.

Although I was a floor manager for the North Atlantic Treaty when it was ratified by the Senate in 1949, I am not among those who believe that treaty bound us forever to Europe to the extent of a perpetual U.S. presence on the Continent.

In fact, Mr. President, one of the greatest honors ever bestowed upon me was in 1949, when Senator Arthur Vandenberg invited the Senator from Vermont [Mr. AIKEN], the late Senator Tobey, of New Hampshire, and myself to assist him as floor leaders in the handling of the NATO treaty through this body. He particularly assigned to me article 5 of the treaty, which dealt with the problem of the one-for-all, all-for-one doctrine. On the basis of that experience, I have never ceased in my abiding interest in the problems of NATO.

Today, I shall discuss some of the problems of NATO—knowing that many persons will disagree with some of the conclusions I have reached, but also knowing that many agree with me. Many of the questions I shall raise in the course of my remarks this afternoon in regard to the future of NATO are also being raised at the grassroots of America.

I would have the Senate always remember that the foreign policy of our Nation belongs to the American people, and that the American people can direct their own foreign policy wisely and in our national self-interest only to the extent that they are appraised of the facts in regard to international problems. So convinced am I of that tenet, Mr. President, that on many occasions on this floor I have pleaded for the lifting of the bars of secrecy on a good many of the facets of U.S. foreign policy; and today I plead that cause again.

Mr. President, when there is any particular bit of information the concealment of which is necessary in order to protect the security of our country, I am satisfied that the American people would want it kept secret; and I would join in any such policy on the part of an administration of any party.

But I am still of the view that there is much about U.S. foreign policy of which the American people are not aware, because of the fact that they have not been supplied with all the information to which I believe they are entitled. So long as I sit on the Senate Foreign Relations Committee, I shall continue—as I have done many times—to raise the question, "Why cannot this be told the American people?"

Mr. President, I am very proud to report to the people of our Nation that, in my opinion, under this administration more information on more phases of U.S. foreign policy is being made available to the people of the Nation than during any other time in my 18 years of service in this body. It is my view that this administration also recognizes the importance of an enlightened American public opinion if America is to remain free; and, of course, questions of foreign policy are fundamental to the preservation of American freedom.

I mention this bit of philosophy of mine at the outset because in the speech

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[9] Op. cit., p. 186.

[10] Wilson, Woodrow. "Congressional Government," Boston, Houghton Mifflin, 1885, pp. 216, 219.

I shall present certain factual information which does not in any way violate any of the secrecy prohibitions. It is information gathered from my own research, and I wish to assure my colleagues that I have very carefully checked in regard to the propriety of presenting in this public fashion today the information contained in this speech.

Mr. President, it is regrettable that so many people responsible for foreign policy in the United States today seem to have lost sight entirely of the original purposes and objectives of the North Atlantic Treaty. They have taken it for granted that NATO was, and should be, permanent, and that this country must see to it that it is permanent.

If we do base American policy of the next 10 or 20 years on that assumption, then we are really transforming NATO into an alliance with new purposes and new objectives. If that is desirable—and I think it would be desirable for us, if we are joined wholeheartedly by our NATO partners—then the American people and the people of Europe should understand that our nations are embarking on something new.

That is why I am directing this speech to the subject of NATO and what its future and our future in Europe should be. Obviously, I do not make the assumption that this is a closed question. Not only is it open, but it should be debated and discussed in the highest foreign policy and military councils of the United States and Europe.

### ORIGINAL PURPOSES OF NATO

It is easy to be misunderstood when one discusses an alliance. I want to put my comments in perspective by saying at the beginning that I have not the slightest doubt that close ties of commerce and history will continue to bind the North Atlantic Community, irrespective of difficulties over the Common Market, over Skybolt, or over any of the other individual issues that may arise.

But it is to describe the obvious to say that things are not the same today as they were in 1949, when the North Atlantic Treaty was ratified and made effective.

In fact, one of the major premises of that treaty no longer exists. That premise—and it is spelled out in the report on the treaty by the Senate Foreign Relations Committee—was the economic ruin of Europe and the necessity of providing Western Europe with a sufficient degree of military security to permit economic recovery to proceed.

In the words of the committee report:

> It (the treaty) should facilitate long-term economic recovery through replacing the sense of insecurity by one of confidence in the future.

And again:

> The European recovery program is designed to cure Europe's economic ills; the treaty is an antidote for insecurity. Obviously, each of the programs can contribute much toward the success of the other. On the one hand economic health is essential to stability and defensive strength. On the other hand, the treaty can do much to stimulate new business enterprise and increase production by dispelling the fear that has haunted Western Europe since the war.

That fear was, of course, that Communist armies, whose foreboding presence nearby had made possible a successful Communist coup d'etat in Czechoslovakia, would sweep across a defenseless Europe. Large domestic Communist parties within many of these countries were also preying upon the misery of their people.

As one who participated fully in the debates which resulted in Senate ratification of that treaty in 1949, I am satisfied that it has accomplished this purpose. Together with the Marshall plan, it contributed to a degree of economic recovery in Western Europe that has surpassed all previous levels of prosperity.

### EXTENT OF U.S. AID

It was a corollary of this objective of the treaty that the United States would have to furnish the great bulk of NATO's forces for some time, both directly and by military aid to our partner members. It was clear from the report that for each European member, economic recovery would always have priority over their contribution to NATO defenses. To quote again from the report:

> In the event there is competition between the two programs for manpower and materials, the committee has been assured that economic recovery will have first priority. The restoration of defense capacity will not be permitted to interfere with economic recovery. No increase in the armed forces of the parties, above that provided for in their present budgets, is currently contemplated.

The result was that for several years the United States not only made good on our obligation to contribute our own share of NATO, but made good much of the European share, too.

The first fiscal year—fiscal 1950—proposed U.S. grants of $1,130 million, exclusive of Greece and Turkey, for pact members.

Since fiscal 1945 through June of 1962, the United States furnished to all NATO partners military aid totaling $17,228,400,000. That figure includes all military aid to Greece and Turkey, before and after their NATO membership. In addition, this country has spent $1,908,600,000 for the U.S. share of the NATO infrastructure and other regional obligations.

Specifically, these figures for military aid are as follows:

Mr. President, I ask unanimous consent that a table showing our military aid to NATO countries—country by country—since the inception of the pact be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

[In millions]

| | |
|---|---|
| Belgium and Luxembourg | $1,156.4 |
| Denmark | 605.3 |
| France | 4,262.4 |
| West Germany | 951.9 |
| Italy | 2,292.5 |
| Norway | 797.0 |
| The Netherlands | 1,252.8 |
| Portugal | 336.6 |
| Spain | 537.7 |
| United Kingdom | 1,045.0 |
| Greece | 1,602.8 |
| Turkey | 2,288.0 |

Mr. MORSE. The combined military and economic aid to these countries is truly impressive. Since World War II, we have spent over $41.5 billion on all kinds of aid to NATO countries. In addition to military aid, the figures for economic aid are shown in a table which I ask unanimous consent to have printed in the Record at this point. The table shows the economic aid that we have contributed to each one of the NATO countries since World War II.

There being no objection, the table was ordered to be printed in the Record, as follows:

[In millions]

| | |
|---|---|
| Belgium and Luxembourg | $739.5 |
| Denmark | 300.3 |
| France | 5,175.6 |
| West Germany | 4,047.5 |
| West Berlin | 131.0 |
| Iceland | 70.2 |
| Italy | 3,463,3 |
| The Netherlands | 1,228.6 |
| Norway | 349.8 |
| Portugal | 152.1 |
| Spain | 1,173.6 |
| United Kingdom | 7,668.2 |
| Greece | 1,784.8 |
| Turkey | 1,581.3 |

Mr. MORSE. Mr. President, this aid represents a tremendous sum of money—$41,500,000,000 since World War II. Across our land, whether the politicians fully realize it or not, rising with increasing frequency, is the question, How much longer, and with what justification?

The American people are entitled to an answer, for it is their foreign policy and their money that is involved.

The President of the United States, the Secretary of State and Members of Congress are but trustees of the people's foreign policy. As we begin this new session of Congress with predictions that there will be enlarged expenditure requests for economic and military foreign aid, I think now is the time to serve clear notice on the administrators of foreign policy that they must expect to be asked in great detail for the evidence and the data justifying a continuation of our present foreign policy aid, and justification for any proposal for an increase of that aid in any segments of the program.

Mr. President, it is in that spirit of fulfilling what I consider to be an obligation that I owe as a trustee—and only one of the trustees—of a people's foreign policy that I raise the various questions and make the comments that I make in my speech today.

The great bulk of these sums was dispensed several years ago, but they still represent the extent of the American investment in a sound and prosperous Europe.

Certainly, those figures refute any hint that the United States has been guilty of poor faith toward our NATO partners.

So does the stationing of large numbers of Americans under the NATO command. Indeed, even today the United States is furnishing 25 percent of the NATO Central European Command. This command has only 24 of the 30 divisions required for it: The United Kingdom is furnishing 3 of these; the

United States 5, plus 3 armored regiments; France 2; Germany 9; Belgium 2; the Netherlands 2; and Canada 1 brigade.

I ask unanimous consent to have printed at this point in the RECORD certain pages from a publication called the Communist Bloc and the Western Alliances—The Military Balance, 1962–63.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

### PART II—THE WESTERN ALLIANCES

### *Strategic forces*

All strategic nuclear forces are under national control except for the NATO Striking Fleet Atlantic and the NATO Striking Force South which are called the U.S. 2d and 6th Fleets respectively. An essential component of the strategic forces of the West is its air and missile warning systems.

### 1. U.S. Air and Missile Bases

The United States has seven separate strategic weapon systems, and during 1962 rapid progress was made in the buildup and deployment of her missile systems. The U.S. Secretary of Defense has claimed that the American strategic forces could still carry out devastating counterattack on the centers of Soviet military power, even after absorbing the full impact of a Soviet first strike. Nevertheless strenuous efforts are being made to enlarge the size of the American strategic retaliatory systems and to make them less vulnerable to surprise attack. This is partly with a view to retaining the option of using the deterrent in a controlled and selective fashion in response to any local Soviet aggression.

Strategic Air Command is divided into (a) the 2d, 5th, and 8th Air Forces and the 1st Missile Division, all based on the continental United States; (b) the 16th Air Force in Spain, the 7th Air Division in the United Kingdom, and the 3d Air Division based on Guam.

Strategic aircraft: By the beginning of 1963 the B–52 force should have expanded to the planned ceiling of 630 planes in 14 wings all based on the continental United States. Some will still carry only multimegaton free falling bombs, but the B–52G's (which have been in service for a year) carry—alternatively or additionally—two apiece of the Hound Dog missiles which can deliver 4-megaton warheads over 600 miles. The Skybolt 1,000-mile missile for the B–52H will not be in service in 1963.

The phased reduction of the B–47 medium bomber force, which was halted in 1961 at a level of 850 operational aircraft, is being resumed. Two wings of B–58 aircraft, with 45 aircraft in each, will be in position by December 1962.

About 600 KC–135 aerial tankers are in service extending the ranges of the bombers by inflight refuelling.

The practice of maintaining 50 percent of SAC aircraft on a 15-minute ground alert is being continued.

Missiles: About 90 Atlas missiles are operational; within a year the number should rise to 126; the first 66 missiles are on soft sites, but the remainder are to be deployed in hardened sites. Thirty-six Titan I missiles are in service now and another 18 can be expected by the end of 1962. Thirty-six Titan II's, which can be fired from underground silos, will become operational during 1963 and early 1964. One hundred and fifty Minuteman missiles will be deployed in hardened silos by the end of 1962. Funds have been voted for a total of 800 Minuteman, of which 450 are planned to be deployed by July, 1963.

### 2. RAF Bomber Command

This force includes about 180 Vulcan, Victor, and Valiant bombers, each able to deliver one or more multimegaton free falling bombs. It is trained and organized either to carry out strategic strikes in conjunction with or independently of U.S. strategic forces or to reinforce RAF oversea commands if a conventional or tactical nuclear war threat develops.

A number of squadrons have already converted to Vulcan B2, and will convert to Victor B2; both can carry the Blue Steel standoff bomb. This missile, which flies with a thermonuclear warhead, is now becoming operational. As the planes to carry it are being acquired the Valiants are being increasingly employed as aerial tankers. About 100 Valiants are still flying in various roles.

Bomber Command keeps a proportion of its planes on ground alert.

Bomber Command also maintain 60 Thor missiles. The warheads are under Anglo-American dual control. These Thors are due to be scrapped by October 1963.

### 3. The French Striking Force

A Strategic Air Command has been formed and is at present equipped with 40 Vautour IIB's capable of delivering high explosive bombs. This command will eventually have 50 Mirage IV light bombers capable of delivering the nuclear fission bombs that will then be available and supported by 12 KC–135 aerial tankers. The first seven Mirages are due to be delivered in 1963.

### 4. European Missile Bases

The Italian and Turkish Air Forces maintain two and one squadrons, respectively, of Jupiter MRBM's. There are 15 missiles per squadron. In both cases the warheads remain under American control.

### 5. Seapower

A high percentage of the 2,000 planes which can be embarked on the 21 attack carriers of the U.S. Navy could make a thermonuclear strike, but nearly half are designed primarily for air defense and would presumably be used in that role in general war. The most important attack plane (numerically) is the A–4D Skyhawk, about 1,500 of which are flying with the U.S. Navy and Marine Corps. About 150 A–3D Skywarriors are also in service and the first A–3J Vigilantes are now being introduced.

Nine Polaris ballistic nuclear-powered submarines have been commissioned and the figure is expected to rise to 18 by the end of 1963. Each boat is armed with 16 missiles. The first 6 were given the A–1 Polaris which has a range of 1,200 nautical miles but the next 13 are being given the A–2 which can travel 1,500 nautical miles. Unlike the carriers each of which is organic to one of the main U.S. Navy fleets, these submarines form a separate command.

The British Fleet Air Arm now has two squadrons of Buccaneer aircraft in service. These can fly off carriers to deliver a thermonuclear bomb.

### 6. NORAD

This command was formed through the integration of the Canadian and American air defenses. It includes 5 Canadian interceptor squadrons whose CF–100 aircraft have now been almost entirely replaced by 66 F–101's.

The U.S. Air Defense Command has 1,500 fighters of which 500 are manned by the Air National Guard. They include some 400 F–101's, 700 F–102's, and about 250 F–106's: the F–101's and F–106's have air-to-air missiles with nuclear warheads. Some F–86's and F–89's still in service will soon be withdrawn. The ADC also operates a considerable number of Bomarc ground-to-air missiles. Of these 180 are Bomarc A's with a range of 250 miles and by July 1963 they will be supported by about 150 Bomarc B's with a 440 mile range. The RCAF will man 2 Bomarc B squadrons with 28 missiles apiece.

The U.S. Army contribution to NORAD consists of the Nike series of ground-to-air missiles of which there are 12 launchers in a battery. The Nike-Ajax has an HE warhead and a slant range of 20 miles whereas the Nike-Hercules has a 75-mile slant range and offers the option of a nuclear warhead. In January 1962 76 Nike-Ajax batteries were still being manned by National Guard units but these are steadily converting to the Hercules. About 100 Hercules batteries have been established so far.

The distant early warning line is the northernmost and most important of three lines of radar stations intended to track incoming manned aircraft. Airborne and seaborne stations constitute similar chains on the flanks of the DEW line and down the Central Pacific. Additionally two ballistic missile early warning systems stations are in operation in Greenland and Alaska. A complementary one at Fylingdales in Yorkshire should become operational by mid-1963. It will be used for tracking rather than detection. The BMEWS detection sets already in use can give SAC the necessary 15-minute warning.

### *North Atlantic Treaty Organization*

There are three major military commands in NATO—those of Europe, the Atlantic, and the channel, respectively. Of these, only Allied Command, Europe, has national forces assigned to its operational control in peacetime. However, all three commands include earmarked forces which are forces that member countries have agreed to place at the disposal of the commanders in the event of war. Other forces remain under national control, either to insure the defense of the national territories or to meet commitments outside the NATO area.

The deployment of tactical nuclear weapons into NATO land forces is continuing. The principal ones involved are Honest John at brigade or divisional levels and Corporal and Redstone at corps or army levels. The United States is the only country that has produced any nuclear warheads appropriate for missile delivery and she retains control over them even when the missiles themselves are operated by other national forces. Under the "double key" arrangements the nuclear warheads can only be fired by the mutual agreement of the United States and the host country. During 1963, Pershing and Sergeant will partially replace Redstone and Corporal, respectively, in the U.S. 7th Army and Pershing will be acquired also by the Bundeswehr. The 7th Army has introduced Davy Crockett mortars, which can throw a nuclear or high explosive shell 2,000 to 4,000 yards, down to the level of armored reconnaissance companies, but it appears that atomic warheads are retained at a higher echelon.

The NATO infrastructure program in Europe has been responsible for the development of 220 standard NATO airfields capable of all-weather operation of all types of aircraft. They constitute the chief bases for the 5,500 or so tactical aircraft belonging to the air forces in Europe of the NATO powers. Only major infrastructure achievements include the building of 5,300 miles of fuel pipelines, together with storage tanks for 160,000 tons and the construction of 27,000 miles of communications and signals networks.

Certain pieces of equipment have been designated as standard for NATO although this does not mean that they have been, or are intended to be, introduced into all national forces. The major weapon systems concerned include the Hawk and Sidewinder antiaircraft missiles, the Bullpup guided bomb, the F–104G Starfighter and Fiat G–91 fighters, and the Breguet 1150 Atlantique maritime patrol aircraft. Multilateral production programs for each of these systems have been initiated by various groups of NATO countries. The most important of these is the F–104G Starfighter. It is intended to produce 233 by the end of 1962 and another 716 over the following 3 years. Of the total, 604 are to go to Germany, 125 to Italy, 120 to the Netherlands, and 100 to Belgium. Canada is independently producing 200 for its own forces and 150 for Greece and Turkey. In addition, Denmark will receive 40 F–104's, and Norway 20, from the United States.

### 1. Allied Command, Europe

This has its headquarters near Paris and it covers the land area extending from the North Cape to the eastern border of Turkey, excluding the United Kingdom, the defense of which is a national responsibility, and Portugal which falls under Allied Command Atlantic. It also includes Danish and Norwegian coastal waters.

Allied Command, Europe, is divided into the following subordinate commands:

(a) Allied forces, central Europe, has its headquarters in Fontainebleau and comprises 24 divisions (out of the required 30) assigned to the Supreme Commander, as follows:

United Kingdom, 3; United States, 5, plus 3 armored regiments; France, 2; Germany, 9 (3 more are being organized); Belgium, 2; Netherlands, 2; Canada, 1 brigade.

The tactical air forces available include some 3,500 aircraft of which 500-plus U.S. fighter-bombers and a smaller number of British Canberras have a nuclear capability and the range to cover important sections of eastern Russia. An integrated early-warning and air-defense system has been developed for West Germany, the Low Countries, and northeast France, of which an important element is 13 Army Hawk battalions.

The command is subdivided into Northern Army Group and Central Army Group. Northern Army Group is responsible for defense of the sector north of—roughly speaking—the Gottingen-Liège axis. It includes the British and Benelux divisions, three of the German divisions, and the Canadian brigade. It is supported by 2d Allied Tactical Air Force which is comprised of British, Dutch, Belgian, and German units. Other land forces are under CENTAG and other air forces under the corresponding air command—4th ATAF.

So far seven countries have contributed one or more reinforced infantry battalions to form a mobile task force. It is intended that this group should have nuclear weapons and organic air and sea transport. It is to serve as a reserve formation for NATO as a whole.

Central Europe is taken to include the Heligoland Bight and so the command would control the German North Seas Fleet and part of the Dutch Navy in the event of war.

(b) Allied forces, northern Europe, has its headquarters at Kolsaas in Norway and is responsible for the defense of Norway, Denmark, Schleswig-Holstein, and the Baltic approaches. All the Danish and Norwegian land, sea, and tactical air forces are earmarked for it. The Germans have assigned one division, two combat air wings, and their Baltic Navy. The division is counted as part of the central European forces when assessing progress toward SACEUR's 30-division target.

(c) Allied forces, southern Europe, has its headquarters in Naples and is responsible for the defense of Italy, Greece, and Turkey. The forces assigned include 14 divisions from Turkey, 8 from Greece, and 7 from Italy, as well as the tactical air forces of these countries which comprise some 1,000 warplanes. Various other divisions have been earmarked for AFSOUTH and so has the U.S. 6th Fleet which would become Striking Force South if NATO became involved in war.

(d) Allied forces, Mediterranean, has its headquarters in Malta and is primarily responsible for safeguarding communications in the Mediterranean and territorial waters of the Black Sea and for protecting the 6th Fleet. The national fleets and maritime air forces of Italy, Greece, and Turkey, together with the British Mediterranean Fleet, are assigned to or earmarked for this command.

### 2. Allied Command Atlantic

The duties of Supreme Allied Commander, Atlantic, in the event of war are (a) to participate in the strategic strike and (b) to protect sea communications from attack from submarines and aircraft. For these purposes the eight NATO naval powers that border on the Atlantic have earmarked forces for exercises and, if need be, for war. SACLANT is responsible for the North Atlantic area north of the Tropic of Cancer including the northern North Sea. Three subordinate commands have been established—Western Atlantic Area, Eastern Atlantic Area, and Striking Force Atlantic. The striking force is provided by the U.S. 2d Fleet with its two or three attack carriers.

There are probably about 450 escort vessels serving in the navies of the nations concerned of which a high proportion are wholly or partly designed for antisubmarine work. About 250 of these are normally serving outside the Atlantic area and a substantial fraction of the remainder would be undergoing repairs and refits at any one time. Most NATO navies are equipping and training their submarine forces primarily for ASW and well over 150 boats are potentially available in the Atlantic for such duties. The 8 nations in Allied Command Atlantic also have about 375 long-range land-based maritime patrol planes in operation, a large majority of which are stationed on or near Atlantic coasts. Furthermore the U.S. Navy alone has over 1,000 carrier-borne specialist antisubmarine fixed-wing aircraft and helicopters of which about half are embarked at any one time. Another 300 or so are serving in the other navies concerned. The overall total that could be quickly operational from carriers out on Atlantic sea stations is probably around 400.

All these estimates include units earmarked for channel command.

### 3. The Channel Command

The role of channel command is to exercise maritime control of the English Channel and the southern North Sea. Many of the smaller warships of Belgium, France, the Netherlands and the United Kingdom are earmarked for this command as are some maritime aircraft.

### *National forces*

#### Belgium

General: Population: 9,200,000. Length of military service: 18 months. Total armed forces: 110,000 (34 percent conscripts). Defence budget: $364,000,000.

Army: Total strength: 85,000—2 infantry divisions with M–47 tanks; 2 reserve divisions.

Navy: Total strength: 5,000—50 minesweepers.

Air Force: Total strength: 20,000—400 planes including 2 interceptor squadrons of CF–100 and 5 of Hunter 6 and 6 fighter-bomber squadrons of F–84's. Some Nike-Ajax and Honest John missiles. Two transport squadrons. (All these forces are assigned to NATO.)

#### Canada

General: Population: 18,000,000. Voluntary military service. Total armed forces: 124,000. Defense budget: $1,589,000,000.

Army: Total strength: 50,000—1 brigade group of 6,500 men in Germany; 3 brigades in Canada (2 earmarked for NATO), 43,000 militia.

Navy: Total strength: 21,700—1 16,000-ton carrier (partly A.S.), 43 escorts, 1 submarine, 10 minesweepers.

Air Force: Total strength: 52,500—5 fighter squadrons in NORAD; 12 fighter squadrons in Europe, becoming 8 by early 1963. By late 1963 they will convert from F–86's and CF–100's to 200 CF–104's; 4 transport squadrons; 4 maritime squadrons (3 Argus and 1 Neptune) earmarked for SACLANT.

#### Denmark

General: Population: 4,600,000. Length of military service: 16 months (24 months for NCO's), becoming 12 months. Also reserve liability. Total armed forces: 46,500 plus 150,000 mobilizable reserves (excluding the volunteer Home Guard). Defense budget: $180 million.

Army: Total strength: 32,000—2⅔ armored infantry brigades, each with 6,000 men in 5 battalions including 1 tank battalion with Centurions, 4 reservist armored infantry brigades could mobilize in 24 hours, 2 Honest John battalions (with conventional warheads), 55,000 Army Home Guards for local defense.

Navy: Total strength: 7,000—18 escorts, 3 submarines, 8 minesweepers, 13 other ships.

Air Force: Total strength: 7,500—200 warplanes in 3 F–100 and 3 F–86 squadrons and one Hunter squadron, 1 Nike-Ajax battalion with 36 missiles. Some Hawk units to be established soon.

#### France

General: Population: 46 million. Length of military service: at present about 2 years, to be reduced to 18 months by March 1963. Total armed forces: 705,000 by May 1963. Defense budget: $3,531 million (1962), $3,786 million (1963).

Army: Total strength, 500,000 by May 1963. The army is being reorganized. It will contain six divisions of which two will be in Germany assigned to NATO and four in France under national command. Each division will have three brigades of which one may be armored. Tank regiments are equipped with M–48 battle tanks and AMX-13 light tanks. The army has 1,000 light planes and helicopters.

The two NATO divisions in Germany include one mechanized and one armored. Those in France will include one light armored (equipped with AMX–13's) and one airborne, which is available for deployment overseas.

France is organized into military districts for the training and mobilization of reservists. Over 2,000 men are in Berlin.

Navy: Total strength, 68,000—two 22,000-ton carriers, one 11,000-ton carrier, one 14,000-ton carrier (partly A.S.), 2 cruisers, 86 escorts, 19 submarines, 111 minesweepers. The Aeronavale has 12 squadrons, including 6 of fighters. During 1962 it has received 40 Etendard IV and 45 more are ordered.

Air Force: Total strength: 137,000.

(a) Strategic Air Command.

(b) First Tactical Air Force has 450 aircraft of which 75 are in Germany assigned to NATO. Since late 1961 Mirage III's (440 of which are ordered) have been entering service, in addition to other French-built aircraft, to replace F–84's, F–86's, and F–100's.

(c) Air defense of the territory: 10 squadrons of Super Mysteres, 5 squadrons with 70 Vautour II N's, Nike-Ajax units.

(d) Transport Command with 200 Noratlases.

#### Germany

General: Population: 53,400,000. Length of military service: 18 months plus 9 months reserve full-time training liability up to the age of 45. Total armed forces: 353,000 (one-third conscripts), becoming 500,000 in a year or two. All except the territorial forces are assigned to NATO. Defense budget: $3,750 million.

Army: Total strength: 245,000 (350,000 planned ceiling by 1963–64), 5 armored infantry divisions, 2 armored divisions, 1 mountain division, 1 airborne division, 3 more armored infantry divisions are being prepared. All divisions are being brought to 90 percent war establishment.

Each division echelon has about 5,000 men in special units of AA, field artillery, signals, engineers, etc. It normally contains three brigades. Grenadier brigades have 4,000 men and 50 tanks and armored brigades 3,000 men and 100 tanks.

The battle tank force includes 1,500 M-47's and approximately 1,000 M-48's.

At divisional level Honest John missile battalions are maintained. Corps troops are to receive Sergeant for evaluation in 1963. Three Pershing battalions should be operational under direct army group command by 1964. There is a territorial force of 22,000 men for staff and rear area duties.

Navy: Total strength, 25,000—1 naval air wing (Sea Hawks and Gannets), 38 escorts, 15 submarines, 72 minesweepers, 57 other ships.

Air Force: Total strength, 83,000 (100,000 planned ceiling)—7 fighter and fighter-bomber wings, 1 reconnaissance and 1 transport wing at 90–100 percent full strength. Eventually G-91's will replace F-84's and F-86's, and also equip 3 more fighter/fighter-bomber wings and 3 more reconnaissance wings which, together with 2 more transport wings, are due to form by December 1965. There are some Hawk and Nike-Ajax battalions.

### Greece

General: Population, 8,400,000. Length of military service: 24–30 months, followed by 19 years on the first-line reserve. Total armed forces, at least 160,000. The annual callup is 55,000. Defense budget, $170 million.

Army: Total strength, about 120,000, with a large first-line reserve, 10 infantry divisions, of which about 3 are close to full strength. A recently formed armored division has M-47 battle tanks. Eight divisions are NATO-assigned and the rest earmarked. Some Honest John batteries are in service.

Navy: Total strength, 17,000—1 cruiser, 23 escorts, 2 submarines, 19 minesweepers, 10 other ships.

Air Force: Total strength: 22,000. About 250 F-84's, F-86's, and F-100's. Throughout 1962 G91's were entering service. F-104's are also being procured. Some Nike-Ajax units.

### Italy

General: Population: 51,000,000. Length of military service: 18 months for the Army and Air Force, 24 months for the Navy. Total armed forces: 470,000. Defense budget: $1,255 million.

Army: Total strength: 370,000—5 infantry divisions (3 regiments in each), 5 alpine brigades, 2 armored divisions, 2 Honest John battalions with M-47 tanks. Most of these formations are close to war establishment of 10–15,000. The rest would be filled out with reservists. The Carabinieri police could provide another 80,000 infantrymen. Most of these forces are earmarked for NATO. N.B. The U.S. Southern European Task Force based on Vicenza has 2 Corporal and 2 Honest John battalions.

Navy: Total strength: 40,000—2 cruisers, 49 escorts, 6 submarines, 114 minesweepers, 3 other ships.

Air Force: Total strength: 60,000 in July 1963—7 air brigades of which 2 are fighter; these have F-84F's and F-86E's, but will convert to F-104G's, starting in 1962, 3 fighter-bomber aerobrigata are replacing their F-84F's with G-91's, 2 squadrons of which have already been formed, 2 Jupiter squadrons, each with 15 missiles, have been formed. A Nike-Ajax complex has been established near Venice. All combat elements are NATO assigned.

### Luxembourg

General: Population: 350,000. Length of military service: 9 months. Defense budget: $7 million.

Army: Total strength: 5,500. A brigade would be available to NATO after mobilization.

### Netherlands

General: Population: 11,600,000. Length of military service: 20–24 months plus 15 years reserve liability. Total armed forces: 141,000. Defense budget: $555 million.

Army: Total strength: 98,000—2 mechanized divisions assigned to NATO; 1 infantry division, 3 infantry brigades and army corps troops, to be formed by callup of reservists, earmarked for NATO. Tank battalions are equipped with Centurion tanks. Some Honest John units.

Navy: Total strength: 23,000 including 4,000 Marines—one 16,000-ton carrier (partly for A.S.), 2 cruisers, 35 escorts, 6 submarines, 63 minesweepers, 7 amphibious craft. The Naval Air Arm includes one squadron of Sea Hawks and five antisubmarine and reconnaissance squadrons.

Air Force: Total strength: 20,000—16 squadrons of which 9 are fighter squadrons (Hunters and F-86K's), 6 are fighter-bomber squadrons (F-84F's) and 1 is a reconnaissance squadron (RF84F). In the beginning of 1963 F-104G's will come into service; 1 Nike-Ajax battalion in service and a second being formed; 3 Hawk units will be formed in the near future.

### Norway

General: Population: 3,600,000. Length of military service: 16–18 months. Total armed forces: 34,000. Defense budget: $191,000,000.

Army: Total strength: 18,000—2 brigades of which 1 (with an Honest John battery with conventional warheads) is in Arctic Norway. Mobilization could produce 9 reserve regiments, containing 75,000 men and local defense and home guard forces of 100,000 strong.

Navy: Total strength: 5,500—5 escorts, 7 submarines, 18 minesweepers, 6 other ships.

Air force: Total strength: 10,000—140 F-86F's and K's in 8 tactical squadrons and 45 other aircraft, 4 squadrons will start re-equipping with F-104's in early 1963. Some AA battalions, including one with Nike-Ajax.

### Portugal

General: Population: 9,150,000. Length of military service: 18–24 months for the army, 36 for the air force, 48 for the navy. Total armed forces: 80,000. Defense budget; $158,000,000.

Army: Total strength: 58,000 including 14,000 colonial troops. About 25,000 white troops remain in Angola (including 1 of the 2 divisions earmarked for NATO) and 10,000 in Mozambique.

Navy: Total strength: 9,300 plus 500 commandos—31 escorts, 3 submarines, 18 minesweepers.

Air force: Total strength: 12,500 including parachute battalions. 350 aircraft including 2 F-86F squadrons and a Neptune squadron.

### Turkey

General: Population: 29,500,000. Length of military service: 2 years for the army and air force, 3 years for the navy. Total armed forces: 455,000. Defense budget: $287 million (1961).

Army: Total strength: 400,000. Mainly conscripts, but all the NCO's are regulars; 16 divisions, mostly with 3 brigades each, and some independent brigades. (Altogether there are six armored brigades, all with M-47 tanks.) All the divisions are NATO assigned. Honest John and Nike-Ajax rockets are in service. Plans exist to call up about 2,500,000 reservists if necessary, but they would chiefly serve in rear areas.

Navy: Total strength: 35,000—19 escorts, 10 submarines, 29 minesweepers, 5 other ships.

Air force: Total strength: 20,000—375 planes, 3 F-100 squadrons, 3 F-86 squadrons, 9 F-84F and G squadrons, 1 15-missile Jupiter squadron, 1 C-47 transport wing, 50–100 F-104G's will be procured between 1962 and 1965: 25 G-91's have been ordered.

### United Kingdom

General: Population: 52,500,000. Voluntary military service. Total armed forces: 415,000 British and 30,000 Gurkha and colonial troops; 200,000 mobilizable reservists. Defense budget: $4,180 million.

Army: Total strength: 170,000 British troops.

(a) Europe: 51,000 in 7 brigades in Germany (to be expanded to 55,000) and 80,000 in United Kingdom including a strategic reserve of 3 brigades (2 earmarked for NATO). Three thousand men are stationed in Berlin. All but two of the tank regiments are in Europe. The chief battle tank is the Centurion (76-, 83-, or 105-millimeter gun), but there are also Conquerors with 120-millimeter guns. In 1963 Chieftains with 120-millimeter guns will enter service. A complete armored brigade includes 3 armored regiments and 1 infantry battalion and has 120 tanks; an infantry brigade includes 3 infantry battalions and 1 armored regiment and has 40 tanks; 3 artillery regiments have Honest John and 8-inch howitzers and 2 have Corporal.

(b) Overseas: Near East Command (Cyprus) includes 7 British infantry battalions; Middle East Command (Aden) includes 5 British infantry or airborne battalions and 5 local battalions (3,000–4,000 men); Far East Command (Singapore) includes 4 British infantry battalions and 7 Gurkha battalions. N.B. 2 battalions in the strategic reserve and one in Bahrein make up the parachute brigade.

Navy: Total strength, 100,000.

(a) 2 44,000-ton carriers, 1 30,000-ton carrier, 2 23,000-ton carriers (all partly A.S.), 2 commando carriers, 5 cruisers, 108 escorts, 49 submarines (1 nuclear powered), 45 minesweepers. There is an amphibious warfare squadron based on Aden which could provide one to three battalions.

(b) The Fleet air arm has 13 strike and/or interceptor squadrons equipped with Buccaneers, Sea Venoms, Sea Vixens, and 70 Scimitars. Wessex and Whirlwind antisubmarine helicopters are in service.

(c) The Royal Marines maintain five commandos (i.e., battalions). Two are based in the United Kingdom, two in Singapore, and one in Aden. One commando is in each commando ship.

Air Force: Total strength, 145,000.

(a) Bomber command.

(b) Fighter command has Lightning and Javelin interceptors and Bloodhound AA missiles. Can reinforce oversea commands.

(c) Oversea command: The RAF component in 2 ARAF is to reconnaissance Valiant bombers. RAF commands based on Cyprus, Aden, and Singapore corresponding to Army structure have Shackleton maritime reconnaissance squadrons, Canberras, Javelins, and (except in the Far East) Hunters.

(d) Transport command: This is used for routine logistic support and to provide a military airlift. The 4-engine transport fleet includes 23 Britannias, 10 Comets, 20 Argosies, 48 Hastings, and 32 Beverleys. It could lift 1,600 tons for 1,500 miles or 425 tons for 4,000 miles. Five more Comets have been delivered and 36 more Argosies are on order.

### United States

General: Population: 181 million. Length of military service: Selective service for 2 years, but over 90 percent of men serving are volunteers. Total Armed Forces: 2,815,000, becoming 2,680,000 by June, 1963. At present 440,000 are serving in the European theater and 280,000 in the Pacific. Defense budget: $52 billion.

Army: Total strength: 1,080,000, becoming 950,000 by June 1963. The Army today contains 16 combat-ready divisions (including 2 airborne and 2 armored.) A pentomic infantry division contains 13,700 men and its core is 5 infantry battle-groups each 1,450 strong. An armored division totals 14,600 and includes 4 tank battalions and 4 armored infantry battalions. Though pentomic divisions still predominate, conversion to a ROAD is proceeding rapidly; each ROAD division contains between 5 and 15 fighting battalions (armored, armored infantry, infantry, and airborne being the types available). They are usually grouped into 3 brigades.

The U.S. 7th Army of 5 divisions and 3 armored cavalry regiments is stationed in Germany. Five thousand men are stationed in Berlin. Three divisions are stationed in the Far East.

The surface-to-surface nuclear weapons inventory is composed of Davy Crockett mortars, 8-inch howitzers and Little John and Honest John missiles within divisions, Lacrosse, Corporal and Sergeant missiles at corps level and Pershing and Redstone at field army level. Other equipment includes 1,000 plus light aircraft and about 2,500 battle tanks. The units in Europe will have been largely reequipped with the 50-ton M–60 tank (carrying a 105 mm. gun) by the end of 1963. Other troops will still predominantly use 44-ton M–48's with 90 mm. guns. In 1961 the Strategic Reserve Air Corps based in the continental United States was combined with Tactical Air Command to form the new Strike Command. Strac now comprises two airborne, two armored and four infantry divisions, of which one armored and one infantry are National Guard divisions.

The National Guard and Army Reserve is 700,000 strong. It is to be reorganized so as to be able to provide two combat-ready divisions within 5 weeks and an extra six divisions and nine independent brigades 3 weeks later. These formations will come from a priority reserve of 465,000.

Navy: Total strength: 660,000 (650,000 in June 1963)—850 operational ships (385 warships, 235 combatants, and 230 auxiliaries) of which just under half are with the 1st and 7th Fleets. The 7th Fleet operates between 160° east and the middle of the Indian Ocean and normally has 125 ships, including 3 attack carriers, on station. The 1st Fleet operates in the eastern Pacific. The remaining ships of the USN, except for the ballistic submarines, are with the 2d Fleet in the Atlantic and the 6th Fleet in the Mediterranean. The 6th Fleet is comprised of 50 ships including 3 attack carriers. Of the total number of ships, 57 percent were completed before 1947.

The aircraft inventory, including Marine Corps planes, is 7,400 of which 60 percent are combat machines. They include well over 1,000 A–4D Skyhawks, 700-plus F–8U Crusaders, 400 F–4D Skyrays, and about 150 A–3D Skywarriors. The 500 F–3H Demons produced are being replaced by the F–4H Phantom 2's of which about 200 have so far been produced. The A–3J Vigilante is also now joining the fleet. The 1,000 plus antisubmarine aircraft being employed include the land-based P–2V–7 Neptune and P–3V–1 Orion and the carrier-based S–2F Tracker and HSS–1 and HSS–2 helicopters.

The active fleet includes 1 75,000-ton nuclear-powered attack carrier, 6 60,000-ton attack carriers, 3 51,000-ton attack carriers, 7 33,000-ton attack carriers, 9 30,000-ton antisubmarine carriers, 15 cruisers, 225 escorts, 9 ballistic submarines, 105 general purpose submarines (of which 16 are nuclear-powered).

There are 110,000 reservists available to commission some of the 750 inactive naval vessels still preserved in the mothball fleet and/or to bring other ships to wartime manning levels.

Marine Corps: The 190,000 Marines provide 3 divisions with organic air wings of 300–400 planes apiece. One division-wing is based in North Carolina, one in California, and the third in Okinawa. The 50,000 Marine reservists could fill out a fourth division, at present kept in embryonic form. U.S. Navy amphibious shipping is permanently allotted to the Marine Corps and distributed among the division-wings on a proportionate basis. It can provide a two-division simultaneous lift. The 6th and 7th Fleets each have one reinforced battalion of 2,000 men permanently embarked.

Air Force: Total strength: 885,000, becoming 860,000 by July 1963. There are 90 wings; a bomber wing generally contains 45 aircraft and a fighter wing 75.

Strategic Air Command and NORAD.

General-purpose forces: The combat elements consist of B–57 and B–66 bomber squadrons and of 16 tactical wings, flying F–84F's, F–100's, F–104's, and F–105's. The first F–110's (USAF version of the F–4H) are becoming operational; by July 1963, 300 are to have been produced.

The greater part of these general purpose forces has been assigned to Tactical Air Command which has 16 wings and 50,000 men; 6 of the wings are tactical fighters and 2 of them are normally on rotational duty in Europe. Other wings include 220 transport and aerial tankers which, aided by the SAC in-flight refuelling tanker force, can enable composite Air Strike Forces of up to 300 warplanes to deploy halfway across the world in 48 hours. Five new TAC wings are being created.

The Military Air Transportation Service: This provides logistic support and a military airlift. Its fleet of 4-engined transports suitable for airlift purposes consists of 112 C–118's, 62 C–121's, 329 C–124's, 25 C–130E's, 46 C–133's, and 44 C–135's. By March 1963 there will be 50 C–130E's.

The Air Force Ready Reserve and Air National Guard numbers 140,000, of whom half are attached to TAC. However, they have recently surrendered 300 F–84F's and F–104's to the regular forces. There are a further 400,000 men in the Air Force Reserve available for callup.

Mr. MORSE. The document containing the pages which I have had printed in the RECORD is published in London by the Institute for Strategic Studies, and is available from the Library of Congress. It is a most helpful guide to the relative military effort of NATO members.

It has commonly been said that U.S. military aid to NATO partners is over the hump and is being terminated. Yet it is astonishing how long it is taking actually to terminate it. I well recall how the Senator from Idaho [Mr. CHURCH] tried in 1961 to amend the foreign aid bill to end military aid to NATO. How the cry went up that such a move at the time of the Berlin crisis would be interpreted by our allies as a sign of faintheartedness by the United States.

So we stepped up U.S. forces in Berlin; we appropriated about $3.5 billion to make clear our intentions, and we continued our military aid, only to find that our partners declined to match our efforts.

For fiscal year 1962, we programed $400,900,000 to these allies. These preliminary figures for 1962 show:

| | |
|---|---|
| Belgium and Luxembourg | $17, 900, 000 |
| Denmark | 20, 300, 000 |
| France (largely credit) | 50, 800, 000 |
| West Germany | 1, 200, 000 |
| Italy | 98, 400, 000 |
| The Netherlands | 18, 600, 000 |
| Norway | 38, 900, 000 |
| Portugal | 6, 500, 000 |
| Spain | 32, 100, 000 |
| United Kingdom | 25, 500, 000 |
| Greece | 60, 400, 000 |
| Turkey | 162, 200, 000 |
| For regional aid | 90, 700, 000 |

For fiscal year 1963, the total was $314,500,000 with the country figures unavailable for publication.

I am satisfied in my own mind that there is no longer any justification for this amount of military aid. There are those who will say that we must provide military aid to Greece and Turkey, but the level of aid to Greece in 1962 was above that of 1961, 1952, and 1950. Similarly, military aid programed for Turkey in fiscal 1962 was exceeded only in fiscal years 1954, 1955, 1956, 1958, and 1959. It was higher than for the previous 2 years. These sums for Greece and Turkey show little sign of tapering off.

In the case of Turkey in particular, a high level of military forces necessitates a high level of economic aid to sustain a military economy, and unlike other NATO countries, Turkey continues to receive very large amounts of economic aid from us. The manpower furnished to NATO by these countries takes on the character of a price paid by Greece and Turkey for continuing large sums of economic aid. Since the United States must also finance these military forces to a large extent, we are actually paying around $464 million a year in combined military and economic aid for the some 24 divisions the two countries have assigned to NATO's southern Europe and Mediterranean commands.

It would seem that of NATO members the poorest and least able to provide for their own defense are putting large chunks of manpower into NATO, while the wealthy members are more interested in going their own way. Undoubtedly, Greece and Turkey have little choice in the matter, but it is a great weakness of the Organization that with the exception of Germany and the United States, the greatest source of NATO manpower is its two poorest members.

I hope that the Senate will soon have presented to it a foreign aid budget that will drastically reduce if not eliminate military aid to NATO countries, other than Greece and Turkey.

In his state of the Union speech, President Kennedy made what I consider to be an unanswerable argument for tax reduction and tax reform, even though such a tax program will increase the national deficit for some time.

Corollary to such a tax program goes the obligation on the part of the Congress and the White House to economize on the national budget without destroying greater values than the value of economy itself. I respectfully submit that great economy in foreign aid spending and military spending at home can and should be made without in any way weakening the security of the United States or of the free world. In fact, these savings would strengthen the greatest defense weapon the Nation possesses—its own economy.

Without a sound, expanding national economy, the economic fabric of our defense system is bound to be weakened. Our military expenditures abroad in NATO countries that are now financially able to make larger payments for their share of NATO constitutes a major part of our balance-of-payments deficiency.

The American taxpayers have contributed generously to the economic rehabilitation of Europe. By and large, Western European countries are stronger today than they were before World War II. They should now be called upon to pay their full share of the cost of the alliance.

Likewise, the time has come for these other free nations to start carrying heavier burdens of economic support for the defense of freedom in the underdeveloped continents of the world.

I ask unanimous consent to have printed at this point, a table entitled "Manpower, Demography, and Money" from the publication "The Communist Bloc and the Western Alliances."

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I.—*Manpower, demography, and money*

| Country | Total armed forces (regular) | As percentage of male labor force | Population density per square kilometer | Number of cities of over 200,000 inhabitants | Defense budget as percentage of national income [1] |
|---|---|---|---|---|---|
| Belgium | 110,000 | 4.33 | 301.3 | 4 | 3.76 |
| Canada | 124,000 | 2.58 | 1.80 | 9 | 5.61 |
| Denmark | 46,500 | 3.18 | 106.88 | 1 | 3.23 |
| France | 705,000 | 5.33 | 83.39 | 8 | 7.20 |
| Germany | 353,000 | 2.20 | 215.36 | 26 | 5.91 |
| Greece | 160,000 | 6.24 | 64.16 | 2 | 5.77 |
| Italy | 470,000 | 2.84 | 169.31 | 14 | 4.43 |
| Luxembourg | 5,500 | 4.95 | 135.14 | ---------- | 1.71 |
| Netherlands | 141,000 | 4.23 | 345.13 | 4 | 5.00 |
| Norway | 34,000 | 2.92 | 11.11 | 1 | 5.00 |
| Portugal | 80,000 | 2.89 | 99.49 | 2 | 6.93 |
| Turkey | 455,000 | 5.14 | 38.46 | 4 | 4.34 |
| United Kingdom | 415,000 | 2.47 | 215.0 | 21 | 6.67 |
| United States | 2,815,000 | 5.68 | 19.69 | 61 | 11.25 |
| Total, NATO | 5,914,000 | 4.22 | 21.8 | 157 | ---------- |
| Australia | 48,500 | 1.45 | 1.36 | 6 | 3.22 |
| Iran | 208,000 | 3.29 | 12.8 | 5 | ---------- |
| New Zealand | 12,200 | 1.77 | 8.93 | 3 | 2.40 |
| Pakistan | 253,000 | .87 | 101.62 | 6 | 4.09 |
| Philippines | 32,000 | .49 | 83.42 | 2 | 3.03 |
| Thailand | 135,000 | 1.99 | 50.58 | 1 | 2.56 |
| Total, Western alliances | 6,603,000 | 3.43 | 19.8 | 180 | ---------- |
| Japan | 235,000 | .89 | 255.1 | 37 | 1.41 |
| South Korea | 602,000 | 12.82 | 230.85 | 4 | 8.20 |
| Taiwan | 570,000 | 23.34 | 279.32 | 4 | 9.00 |
| Total, U.S. treaty powers | 8,010,000 | 3.54 | 23.27 | 225 | ---------- |
| Albania | 29,500 | 5.14 | 59.15 | ---------- | ---------- |
| Bulgaria | 120,000 | 4.81 | 71.22 | 1 | [2] 4.5 |
| Czechoslovakia | 185,000 | 5.04 | 115.36 | 4 | ---------- |
| East Germany | 85,000 | 1.79 | 158.4 | 5 | [2] 2.5 |
| Hungary | 80,500 | 2.66 | 108.53 | 1 | [2] 1.8 |
| Poland | 257,000 | 3.1 | 96.47 | 9 | [2] 3.7 |
| Rumania | 222,000 | 3.68 | 77.71 | 1 | ---------- |
| U.S.S.R. | 3,600,000 | 5.5 | 9.74 | 76 | [3] 8.09 |
| Total, Warsaw Pact | 4,579,000 | 4.86 | 13.55 | 97 | ---------- |
| China | 2,400,000 | 1.12 | 73.44 | [4] 50 | [2] 4.4 |
| North Korea | 338,000 | 13.74 | 175.18 | 1 | ---------- |
| North Vietnam | 260.000 | 6.6 | 90.72 | 2 | ---------- |
| Cuba | 93.000 | 4.5 | 59.39 | 2 | ---------- |
| Total, Communist bloc | 7,670,000 | 2.42 | 31.76 | 152 | ---------- |

[1] Based on an estimated figure of national income for 1962.

[2] These are 1959 figures submitted to the recent U.N. committee on the economic consequences of disarmament.

[3] Based on defense budget of 14,740,000,000 U.S. dollars. On the more realistic figure of 33,000,000,000 U.S. dollars, the percentage is 18.66.

[4] Estimated.

Mr. MORSE. Mr. President, in sum, I believe the good faith of the United States in meeting our NATO commitments and aiding our European partners in meeting theirs has more than been met. It is time now for Europe to start meeting its NATO commitments, and I think a first step in that direction is a drastic reduction of U.S. military aid.

But the economic revival of Europe to a stage of unparalleled prosperity is only one of the many changes that have occurred since 1949, when the NATO treaty was ratified by the Senate.

### OTHER OBJECTIVES OF TREATY

Two other objectives of the NATO treaty have been achieved. One is the integration of West Germany into the economy of Western Europe. To quote again from the report:

> All signatory states are determined that Germany shall never again be permitted to threaten them. On the other hand, it is entirely possible that the German people may turn to the Soviet Union unless adequate and sincere efforts are made to provide them with a decent and hopeful future as an integral part of free Europe. Our European partners might be reluctant to accept Germany if it were not for the additional unit the pact offers.

How well I remember the consultations and conferences we had with the incomparable Arthur Vandenberg as we planned our strategy or received his instructions covering our strategy for the handling of the NATO treaty through the Senate. At that time, as some of the older Members of this body may recall, there was some question as to whether the treaty would be ratified or whether it would be ratified with a majority vote essential for a demonstration to our allies in Europe that with the cessation of World War II we had no intention of walking out on both our moral and our military-economic obligations to Europe as an ally with the European countries in that war.

This point about which I have just read from the report of the Foreign Relations Committee in 1949 was one of the points that Arthur Vandenberg particularly emphasized, as he pleaded not only for a ratification of the treaty but for an overwhelming ratification of the treaty as the message the United States should send to Europe that we stood with them in the war and we intended to stand with them in the struggle ahead for the preservation of freedom in Europe.

I can recall, as though it were yesterday, the plea he made that we follow a course of action toward West Germany which would give the German people adequate justification for turning their eyes to the West and not to the East. Still in 1949, Mr. President, and with understandable justification, we all entertained feelings of deep resentment, for we had all been greatly shocked by the brutality and by the atrocities of Nazi Germany.

There were still a great many persons who had grave doubts as to whether or not the German people as a people had in fact changed their mental attitudes toward the West.

In due course of time, long after our generation, historians will write their accountings of the world situation of 1949 and the years just before and just after. I have not any doubt that one of the glorious chapters they will write will be the great record the American people made in rising and keeping faith with our idealism, putting into practice teachings of the great Americans who had gone before, of malice toward none but charity for all. We opened our arms to the German people and we invited them into the society of freedom. We demonstrated in a material way, and in a spiritual way, that we were ready to keep faith with the American system of free government.

The treaty was ratified by an overwhelming majority in this body, and those historians, when they give their accountings, will also have at least a footnote, if not a chapter, calling attention to the great psychological effect in West Germany of the approval of that treaty by the Senate of the United States by such an overwhelming vote. As Vandenberg predicted, it gave them a confidence and a faith in our desire to welcome them into the fraternity of freemen.

And so, in the committee report, the committee noted that Germany was not then a signatory but "it may make possible a solution of the German problem and a constructive integration of Germany into Western Europe."

If the committee was referring to the division of Germany, we have not made any progress on that, but West Germany is now closely integrated into Western Europe, and is perhaps the most prosperous of the entire area. It is also now a full partner of the pact.

The third objective of NATO which has largely been accomplished is the related one of European economic integration.

I quote from the committee report again:

> The committee believes that the North Atlantic Pact, by providing means for cooperation in matters of common security and national defense, creates a favorable climate for further steps toward progressively closer European integration. Moreover, cooperation for common security gives added momentum to the movement toward unification.

Whether Britain enters the European Economic Community or not, that organization is a going concern and one that promises to bring higher levels of prosperity to its members.

### TREATY CALLS FOR REVIEW

It is true that the committee report declared it to be "the primary objective of the treaty to contribute to the maintenance of peace by making clear the determination of the parties collectively to resist armed attack upon any of them."

But this was to be the means to the ends. It was to permit the economic recovery of Europe, to promote European economic integration, and to bring Germany back into the fabric of the West that the mutual defense concept was employed.

The question I am asking today is whether that is still a useful concept to the United States and to Europe. If so, then it must be a means to new and different ends, ends which have not at all been explored or explained to date.

The text of the treaty itself took account of the likelihood of changed conditions. Its article 12 states:

> After the treaty has been in force for 10 years, or at any time thereafter, the parties shall, if any of them so requests, consult together for the purpose of reviewing the treaty, having regard for the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

There is no reason whatever to assume that a necessity of 1949 is either a necessity or a practicality in 1963. Times, attitudes, confidences, economies, the weapons of war—all these change too fast to permit us the luxury of sliding along with fixed assumptions, no matter how comfortable they may be. The treaty wisely took account of that fact in article 12. We in the United States must take account of it, too, just as it is being taken account of in France and elsewhere on the Continent among the member nations.

### POLITICAL CHANGES HAVE FOLLOWED ECONOMIC CHANGES IN EUROPE

Along with economic revival and integration has come a revival of national interests and regional interests.

One of these significant changes since 1949 is the determination of Great Britain and France to develop nuclear deterrents independent of NATO. Under General de Gaulle, France is looking within Europe for her own future and away from the concept of the North Atlantic community.

General de Gaulle, at least, looks eastward and not westward in considering France's role in the future. The issue for the United States is how seriously to take this attitude. If it is held by De Gaulle, and not by France itself, then we would do well not to change our policy until time has shown us where France intends to go after General de Gaulle passes from the scene.

But we know from his speech of January 14 that General de Gaulle is not interested in the kind of arrangement for Polaris that we made with Britain. I frankly welcome that decision, because I am fearful that the tendency would grow for the United States to "sweeten the pot" for France as an inducement to accept our offer, and that our military aid expenses, which are already too high, would vastly increase. Personally, I do not favor even selling the missiles, much less making them available at less than cost, nor do I favor any changes in the Atomic Energy Act of 1946 that would add to independent nuclear forces.

Although I have not seen more than press reports of that speech, I note that he is quoted as saying:

> Of course, this does not exclude the combined action of our force with an analogous allied force of the same kind, but for us integration is unthinkable in this case.

I do not know for certain that this means France also rejects participation in a multilateral nuclear force in NATO, but it sounds that way to me.

I say most respectfully that it is the clear duty of the administrators of our foreign policy, in due course of time, but within a reasonable time, to find out exactly what De Gaulle did mean by that statement.

### AGGRAVATION OF BALANCE-OF-PAYMENTS PROBLEM BY COMMON MARKET

One of the most serious developments for us that has emerged out of the new economic prosperity of Europe has been the indications that the Common Market will raise barriers against U.S. products, especially farm products. If this development continues, then our balance-of-payments problems which are already bad in Europe will become much worse. Of the $3.5 billion of U.S. exports to Common Market countries in fiscal 1961, $1.1 billion were farm products.

Already, import levies on some of our major commodities have been drastically increased. The duty on poultry going into West Germany, for example, has been increased from less than 5 cents a pound to more than 12 cents. Other U.S. commodities expected to run into trouble from the Common Market protectionism for agriculture are wheat, feed grains, rice, tobacco, animal products, fats and oils, and certain fruits. In the case of fruits and vegetables, quotas are the major barrier used, despite the fact that the importing countries have no balance-of-payments problem at all.

I have had considerable experience of my own with the protectionism of West Germany and France with respect to American fruit products. As these countries raise their barriers, it takes such severe action as the threat to invoke GATT provisions barring quantitative restrictions except in cases of balance-of-payment difficulties to induce France and West Germany to give reasonable treatment to our pears and apples. This last fall, both countries acted only after it was too late for our exporters to participate in the Christmas market for these fruits. These barriers being raised by France and Germany are new ones. I may say, parenthetically, that if we do not get our fruits to Europe in time for the Christmas market, we might as well, by and large, not send them at all. The buying habits of the people in Europe are about the same and as interesting as they are in the United States. The large purchase of fruit is before Christmas, not after.

It is perfectly clear that West Germany and France, but France in particular, found it impossible to enter into satisfactory negotiations for the lowering of barriers on fruits until they well knew it was too late for the Christmas market. I have urged the State Department to take about the only recourse left to us, and that is the retaliatory withdrawal of tariff concessions.

I say most respectfully, it being a people's foreign policy in our country, the American people are entitled to a full and fair consideration of that policy, and the State Department has an obligation to find out what the position of the American people would undoubtedly be once they have the facts that the State Department and the senior Senator from Oregon and some 20 other Senators know to be the facts in regard to the measures which have been taken by our European NATO partners in respect to American agricultural products.

The most I have been able to elicit from the State Department is that the United States would be fully within its rights under the General Agreement on Tariffs and Trade to impose these retaliatory measures against France, but we do not plan to exercise that right until what they call a reasonable time has elapsed, during which the French might reconsider.

I now ask unanimous consent to have printed at this point a report from the Department of State dated January 15, 1963, entitled "Recent Trade Developments in the EEC and GATT."

There being no objection, the report was ordered to be printed in the RECORD, as follows:

### RECENT TRADE DEVELOPMENTS IN THE EEC AND GATT

Two issues are now in the forefront of the European Economic Community (Common Market) affairs: Negotiations for United Kingdom entry into the EEC, and development and implementation of the common agricultural policy. While this paper will, for the most part, discuss the trade problems between the United States and the EEC, we wish to note and welcome the amazing success of the EEC in its 5 years of existence. Our support for the integration of Europe has, if anything, strengthened over time.

### UNITED KINGDOM NEGOTIATIONS

The most recent reaffirmation of support for United Kingdom accession to the EEC was contained in the Nassau communique of December 21, 1962, in which the President expressed the interest of the United States in an early and successful outcome of the negotiations. These negotiations are exceedingly complicated but their successful conclusion has important implications for the structure of Europe and the free world. The negotiations now appear to be reaching a decisive phase and their outcome is likely to be known during the early part of this year.

### COMMON AGRICULTURAL POLICY

The United States recognizes that the EEC must integrate its agricultural sector if it is truly to be an economic community, but has objected, at times strenuously, to various protective and trade-restrictive features of the EEC's common agricultural policy as it is developing.

During the 5 months since the common agricultural policy went into effect for certain commodities, we have been able to observe the effect on certain U.S. exports. Our poultry and wheat flour exports have been adversely affected. The development of the common agricultural policy will have an important impact on our wheat and feed grain exports. Rice exports may be affected when the rice regulation is put into effect. The separate national systems affecting fruit imports have not as yet been materially altered by the EEC fruit regulation.

### POULTRY

The poultry regulation has been of most immediate concern because of the restrictive effect it has had on U.S. exports. We have also viewed the poultry case as the bellwether which may symbolize other actions by the EEC in the agricultural field.

The EEC poultry import fee contains four separate elements: (1) a factor to equalize the cost of feed grains used in poultry production inside and outside the Community; (2) a tariff equal to the level of EEC duties for trade among member states, which will decline to zero as internal EEC duties disappear; (3) a tariff, applicable only to imports from nonmembers of the Community, now relatively low (2 percent) which will increase (to 7 percent) as the internal duties disappear; (4) a gate price, in reality a minimum price, below which imports may not enter without paying an additional fee to make up any difference between the invoice and the gate price.

In Germany, our major poultry market, this new array of import charges, even omitting any charge between the invoice and gate price which might be levied, amounts to more than 30 percent ad valorem, as compared with a previous duty of 15.9 percent. We made a series of representations to the Commission of the EEC, and particularly in Germany, asking that the impact of the levy in Germany be reduced, at least until more definitive arrangements for poultry could be negotiated between the United States and the EEC. The President wrote a letter to Chancellor Adenauer to this end. In response to the President's letter, Germany did in fact seek authority from the EEC Commission to impose a lower levy until the end of 1962, which in part was granted by the Commission, but which never went into effect because of failure to obtain the necessary enabling legislation from the German Bundestag.

The gate or minimum price has been equally onerous. It has been set for frozen broilers at 33.31 cents a pound. U.S. exporters apparently can profitably land frozen broilers c.i.f. Hamburg at less than this price. Under the regulation, a differential charge would then be required. What seemed to be taking place, however, was purchase by German importers in the United States at going U.S. wholesale prices, shipment by the Germans themselves to Germany at or above the gate price—that is, by invoicing it to themselves at this higher price—thereby avoiding any differential fee. To overcome this, the EEC Commission imposed a supplemental fee of 2.84 cents a pound to replace the gate price differential. Poultry from Denmark was excluded from this supplemental fee since the Government of Denmark guaranteed no exports to the Community would take place below the gate price. The United States has a free market in poultry; in addition, our Constitution prohibits export taxes. Consequently there is no way we could give the same guarantee, even if we wished to do so.

We have vigorously protested this combination of actions. Secretary of Agriculture Freeman, subsequently supported by Under Secretary of State Ball at the ministerial meeting of the Organization for Economic Cooperation and Development, and our diplomatic missions in the EEC member nation capitals and to the EEC Commission in Brussels, forcefully have set forth our position. We have made known our distaste for a minimum price technique, particularly when that price is set higher than commercial considerations would warrant. We have protested the imposition of the supplemental fee, and its discrimination in favor of Denmark. We look forward to a meeting of the EEC Council later this month when this subject will be considered.

The precise trade impact has been hard to measure, but it clearly has been unfavorable to us. For the 3 months August through October 1962, the first 3 months in which the new system was in effect, German statistics show poultry imports from the United States of about 7 million metric tons as compared with more than 20 million metric tons over the comparable 3 months of 1961. The figures may not be fully comparable in that our poultry exports to Germany were higher than normal in the months preceding August 1962 in anticipation of the new common policy. However, there is no evidence that our exports are again increasing now that the earlier stocks have been dissipated. The uncertainty on the part of the trade over the new regulations and their arbitrariness undoubtedly has adversely affected our poultry exports.

Our trade in poultry parts—backs and necks—has virtually ceased because the levy was first set at 125 percent of the cost of whole birds, later reduced to 75 percent, whereas the commercial relationship had in fact been closer to 33 percent.

### GRAINS

The impact of the new system on our wheat and feed grain exports has not thus far been measurable, but the implications are perhaps more profound for the United States because the trade value involved is far greater. In 1961, our poultry and egg exports to the six countries of the EEC were $48 million, while our wheat, wheat flour, and feed grain exports were $367 million.

The EEC grain regulation involves a system of variable import levies designed to equalize the price of grain in the EEC and on world markets, and further, to give a certain preference to EEC producers. This limits the ability of foreign suppliers to enter into price competition with EEC producers in EEC markets, since any lower price offered by an exporter would result in a higher EEC variable import levy. In effect, this would seem to mean that foreign suppliers will be permitted to supply whatever is not produced by domestic farmers in the EEC. This, in turn, means that the future level of our grain exports to the EEC under this system will depend largely on the level of EEC production.

We anticipate that EEC production of soft wheat will rise. However, the higher the EEC producer price, the greater the rise that is likely to result. The EEC has not yet reached a decision on the eventual level of its common grain prices, but this decision is scheduled to be made by April 1, 1963. It is a critical decision for external grain suppliers, both as an indication of their future market expectations in the EEC, and as a measure of the outward-looking nature of the Community. We are making our views known forcefully that we view the April 1 decision as one of the highest importance, and that we would regret the establishment of a high-priced, inefficient grain structure in the EEC which could only adversely affect all non-EEC grain exporters.

We have held a series of consultations with Canada, Australia, and Argentina, who, together with the United States, are the world's principal grain exporters, to examine whether the exporters believe a basis exist for a new world commodity agreement to regulate the trade in grains. The EEC has indicated its advocacy of a commodity agreement in this field. Pending further consultations with the exporters, the EEC, and other importers, we are giving serious and active consideration to holding multilateral discussions in the GATT forum to examine the framework for a possible world grains agreement.

In the case of wheat flour, for which we long have had a modest but steady market in the Netherlands, the new levy system makes the cost of imported flour so high as to threaten the continuation of these sales. For the period August through October 1962, the 3 months immediately following the institution of the new system, our flour exports to the Netherlands were about 18 million pounds. For the same 3 months of 1961, they were double, about 36 million pounds. We have protested, and shall continue to protest this sudden and unwarranted elimination of trade, and we have made it clear that we seek some amelioration of this situation.

### RICE

We are concerned that the rice regulation may also involve variable levies and perhaps a price structure so high as to harm American and other rice exporters to the Community. We have made this concern known to the Community and to the member states.

### FRUIT

The EEC fruit regulation does not involve variable levies. Fruit import policy still remains the prerogative of the member states, not the Community as a whole. Most of the member states restrict imports of U.S. fresh fruit, and we have made a series of representations to remove these restrictions.

### GATT EXAMINATION, COMMON AGRICULTURAL POLICY

The GATT proved to be a useful forum in which to examine the common agricultural policy of the EEC. The United States participated actively in the comprehensive examination of the common agricultural policy on five groups of products conducted in GATT's committee II from October 8 to November 8, 1962, immediately preceding the 20th session of the contracting parties. The review covered cereals; pig meat, eggs and poultry; fruit and vegetables; wine. A full report of the examination was made public and received wide publicity. The report reveals the concern of exporting nations over the common agricultural policy; contains the assurances of the EEC that its intent is not to be trade restrictive; and summarizes the technical discussions of each group of commodities.

### EEC AGREEMENT WITH ASSOCIATED OVERSEA COUNTRIES

The EEC recently concluded difficult negotiations with its associated oversea countries. This association is to continue for an additional 5 years and will involve substantial EEC financial and economic assistance to the associated countries. It will continue, generally at somewhat lower tariff levels, the trade preferences for associated countries for various products. Our ultimate objective continues to be the reverse; namely, nondiscriminatory trade among free world countries. However, we believe it to be helpful in moving toward the liberalization of world trade that the new association agreement will involve 40 percent reductions in the common external tariff of the EEC for such key tropical products, among others, as coffee and cocoa, as well as result in the gradual elimination of the isolated, high-priced French market and the movement of French prices to the world level for such items as peanuts and coffee.

ACTION IN GATT ON TRADE RESTRICTIONS

We pressed the matter of fruit and other restrictions imposed by France against our products during the 20th session of the General Agreement on Tariffs and Trade held during October and November 1962, and received a ruling from the contracting parties that the French restrictions were in violation of France's obligations, and that the United States was entitled to make equivalent withdrawals of trade benefits granted to France if the situation is not corrected. The contracting parties advised the United States not to make any compensatory withdrawals for a "reasonable period" in the hope that bilaterial consultations between the United States and France would lead to a satisfactory conclusion. These bilateral discussions are expected to begin this month.

At the 20th session of the GATT, Italy announced an import liberalization which effectively removed almost all the discrimination which previously existed against U.S. products.

Germany and Belgium both maintain various import restrictions against certain U.S. products. These restrictions were sanctioned by waivers obtained in the GATT. These waivers have expired, and we have informed both of these countries that we expect the import restrictions to be eliminated.

TARIFF NEGOTIATIONS

We are, of course, looking forward to conducting major trade negotiations with the EEC and other countries pursuant to the Trade Expansion Act. A GATT working party on procedures for tariff reduction met in December and will meet further in the coming months to formulate plans and procedures for the forthcoming tariff negotiations. A ministerial meeting of the GATT will be held in the early part of 1963. We anticipate that it will decide, among other matters, on the convening of a tariff conference in 1964. Mr. Herter, will, of course, guide the U.S. operations with respect to these trade negotiations.

**Mr. MORSE.** Mr. President, this French protectionist policy for agriculture—and it is unfortunately characteristic of much of the Common Market policy—is going to make even more expensive American participation in European defense. It is another evidence that President de Gaulle is anxious to make American participation as uncomfortable as he can for us, with a view to forcing us out. He made it quite clear this week that he does not intend to let Britain into the Common Market until she has severed her individual ties with the United States.

As I have said, there is some possibility that De Gaulle is speaking largely for himself and will not be able to establish a policy for France that will outlast him.

INDEPENDENT DETERRENTS IN EUROPE

But we do know that France seems determined to become an independent nuclear power with or without De Gaulle. Speaking purely from the financial angle, I do not think it amiss to remind both Britain and France that any nation that feels it cannot afford to be a military power in conventional weapons cannot possibly afford to be a military power in nuclear weapons. All the "poor-mouthing" from European defense ministers that the are too poor to meet their commitments to NATO comes in especially bad taste from those ministers who also want their nations to be nuclear powers. They only convince me that one or the other of their contentions is completely fallacious.

After all the publicity given to getting a "bigger bang for a buck" here in the United States, we learned that it is a false and misleading slogan. To have only the nuclear capacity and not the conventional capacity means that a nation can fight nothing but a nuclear war. Having spent billions to develop not only nuclear warheads, but then the missiles to deliver them, and then the nuclear submarines to keep the missile mobile, we still found we had to increase our conventional forces as well.

And nuclear weapons alone are infinitely expensive. This is especially true if the means of delivery is to include missiles and nuclear submarines. To have a capacity tied to manned bombers for delivery means that that nation's deterrent can be effective only against nations within bombing range.

Suppose that the next decade sees the continuation of the split between Russia and Red China and also brings the achievement of a nuclear capacity to Red China, as it very well may. The French Mirage and British Vulcan bombers are going to be left high and dry as a means of delivering nuclear warheads on China. What deterrent are these countries going to have if China—and one is tempted to say when China—becomes the primary threat to world peace?

If the driving force behind these independent deterrents is to achieve some worldwide deterrent, then they have no choice but to produce the means of delivering them anywhere in the world. If the theory behind them is limited to delivery within bombing range, then their concept of deterrence has not gone beyond the North Atlantic Community, after all.

Here is one Senator who takes the position that any Western European country which plans to become an independent nuclear power is hereby invited to go it alone in its endeavor. I do not favor any American assistance to any nation in the development and production of nuclear weapons or delivery systems for use outside the NATO command and outside of any U.S. control or voice in such use.

This is especially true when so many member nations have failed to meet their regular commitments to NATO. I can think of nothing that would serve U.S. interests less than for us to help a nation that has reneged on NATO to develop a nuclear capacity outside NATO. If that is to be our policy, then NATO has little useful existence for us. If Western Europe itself hankers only for nuclear capacity and shuns conventional forces, then the United States cannot possibly defend Europe with conventional forces of our own.

It is said that large conventional armies are unpopular in Europe; that Europeans feel we are seeking to use them as "cannon fodder" and will withhold our nuclear missiles as long as possible to spare American cities. My answer is that large conventional armies are unpopular in this country, too. Yet we are maintaining five divisions in the Central Europe Command of NATO, far more than either France or Britain. If there is no need for the European partners to meet their commitments of conventional manpower, then there is far less reason for the U.S. to meet its commitments.

THE SKYBOLT CONTROVERSY

Within this same context, I think Great Britain has expected a great deal in expecting the United States to make good an open-ended and unlimited expenditure so that Britain can feel she is independently a nuclear power. The notion reported to us so often from Britain that the United States has somehow failed an ally by failing to perfect the Skybolt missile is a sad and unfortunate one that I cannot believe represents the real interest and concern of Great Britain.

I think too much of our British friends and allies to believe they really want us to spend billions—and we do not know how many billions—on a weapon that seems to have more prestige value for Britain than military value for either of our countries. I have always cherished the notion of my own that the British have more sense than that.

The Department of Defense advises me that our commitment to Britain on the Skybolt was that it would be offered for sale to Britain for use with Vulcan bombers, provided the missile were successfully developed. This offer was made at the March 1960, meeting of President Eisenhower and Prime Minister Macmillan. It was at this meeting, too, that U.S. Polaris forces were given berthing rights in Scotland, though the Department states that there was no quid pro quo between the Skybolt and Polaris programs.

Later, in September of 1960, it was further agreed that the United Kingdom would pay the costs directly relating to adapting the missile to the Vulcan and to flight-testing it.

All told, the United States has spent $330.1 million for research and development of the missile and $23 million on its production, for a total of $353.1 million. Britain is believed to have spent about $25 million for costs of testing it with the Vulcan.

None of the American expenditure has been a part of our military aid to Britain, but has been in addition to it.

However, the Defense Department advises me further that our work on Skybolt has been almost exclusively directed at a U.S. application, even while specifications were designed to insure its compatibility with the British Vulcan Mark II bomber. The Department has now concluded that it would not be desirable to continue its development for our own use. Despite that, President Kennedy offered at Nassau to continue the Skybolt development on a 50–50 basis with Britain, an offer which the Prime Minister declined.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter I have received from John Rubel, Assistant Secretary of Defense, about the Skybolt matter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ASSISTANT SECRETARY OF DEFENSE,
*Washington, D.C., January 3, 1963.*

Hon. WAYNE MORSE,
*U.S. Senate.*

DEAR SENATOR MORSE: Your letter of December 13 to Gen. Robert J. Wood, in which you ask additional information on the Skybolt program, has been referred to me for reply.

You asked about the exact commitment to Great Britain on development of Skybolt. Agreements between the United Kingdom and the United States which have a bearing on the Skybolt development are those concluded in March 1960 after the Prime Minister Macmillan-President Eisenhower talks at Camp David; the more detailed agreement in June 1960 between Minister of Defense Watkinson, United Kingdom, and Secretary Gates, then U.S. Secretary of Defense; and the technical and financial agreements in September 1960 between the United Kingdom Minister of Defense and U.S. Secretary of Defense, and between the Royal Air Force and the U.S. Air Force.

As a part of the March agreement, which covered other subjects as well, the United States offered to sell Skybolt for application to the United Kingdom Vulcan force, provided the missile were successfully developed. These missiles would be provided by direct sales, and not through military defense assistance. The March agreement also provided that U.S. Polaris forces would be permitted Scottish bases berthing rights, and was done in the same spirit of cooperation. There was no quid pro quo between the Skybolt and Polaris programs.

The September 1960 agreements were more detailed, and provided that the United Kingdom would participate in the Skybolt development program and pay those costs directly relating to adapting the missile to the Vulcan, and to flight testing it. In the event the development program were successful, the United Kingdom would be authorized to procure Skybolt missiles for their operational forces. Again, this agreement made no mention of quid pro quo as regards Skybolt and Polaris basing.

You asked how much the United States and United Kingdom have spent on Skybolt. As of December 31, 1962, the United States had expended $330.1 million for R.D.T. & E. and $23.1 million for production.

Total funding by the United Kingdom is not available for those portions undertaken in the United Kingdom. It is estimated that a total of approximately $25 million has been spent by the United Kingdom in the United States to cover costs of testing Skybolt with Vulcan. The United Kingdom has also undertaken a warhead development, and again these figures are not available.

General Wood has replied to your inquiry on Skybolt expenditures and military assistance programs. No military assistance funds have been allocated to this program.

In response to your last question, the Defense Department has decided not to produce Skybolt for U.S. use and does not consider it desirable to continue its development. The work that has been done on Skybolt has been almost exclusively directed at a U.S. application but the original specifications for the missile were designed to insure its compatibility with the British Vulcan Mark II bomber. As you know, the President offered to share with the United Kingdom on an equal basis the additional costs of completing development of Skybolt after which the United Kingdom could have placed production orders for their own use but this offer was declined by the Prime Minister.

I trust that this information adequately answers your questions.

Sincerely,

JOHN H. RUBEL.

Mr. MORSE. Mr. President, this record satisfies me that the complaints heard in Britain about alleged American bad faith on Skybolt are emotional but not logical. Britain could have had Skybolt if she were willing to pay half its cost. She cannot expect the United States to invest alone in so expensive a weapon merely for British prestige value, and I do not really think Britain wants that, either, after reflection.

### MULTILATERAL FORCE MOST DESIRABLE COURSE

But these events convince me that we must explore the possibilities of a multilateral nuclear force under NATO command.

The same reasons that mitigated in favor of the European Economic Community also mitigate in favor of a multilateral, nuclear-missile system within NATO. Surely the nations that have reached new economic heights by eliminating wasteful allocation of their resources must realize that a return to independent nationalist industrial, scientific, and military forces of the kind required for a nuclear capacity is an infinitely greater waste.

Neither do I think there is much doubt of where such fragmentation of nuclear force will end. Britain already has much of the capacity; France is working on one; and although West Germany presumably renounced nuclear intentions when it became a NATO partner, it is very hard for me to imagine a strong and productive Germany failing to keep pace with Britain and France in this area of military power.

### ALTERNATIVES DEMAND ATTENTION

We are often saying these days that it is well for one great power to know how another great power will react to certain actions and policies. If that is true as between the United States and the Soviet Union, it is also true of the members of NATO itself.

Having expressed some thoughts about what I think the future of NATO must be if it is to have a future, let me point out some alternatives to NATO.

Perhaps it is time we surveyed the objectives of NATO not with the view of where it should go from here, but with a view to whether it has not already served its purpose.

I have already alluded to some of the complaints and contentions lodged against the United States by Britain and France. These complaints, together with the national aspirations of both countries to be free of dependence upon the United States for a nuclear deterrence, suggest to me that a more logical and advantageous course for all of us than a reluctant Atlantic alliance might be a truly independent Western Europe.

Obviously, Britain and France are dissatisfied with closer NATO ties. Yet anything less than closer NATO ties is disadvantageous, and costly, to the United States.

The alternative of a strong, unified Europe, free and clear of anything but historic and cultural ties with the United States, suggests itself to me as preferable for all our countries to a halfhearted, fragmented, and divided NATO toward which the United States is a disproportionate contributor in money, manpower, and military reliance.

### "THIRD FORCE" SUBSTITUTE FOR NATO

How much has been said, written, and prophesied of the new Europe. The third force of Western Europe, as distinct from both the Soviet Union and the United States, is becoming an economic reality through the European Economic Community, whether Britain joins it or not. In production, wealth, and manpower, Western Europe is roughly the equal of the Warsaw Pact. This was a basic objective of the Marshall plan and the NATO treaty, an objective in which the United States has invested $41.5 billion since World War II.

If France and Britain prefer to join in a European community exclusive of the United States for military as well as economic reasons, then the United States would find it infinitely easier to meet its worldwide commitments outside Europe.

This may be true even if these nations pursue independent military defenses. If France, Britain, and probably Germany eventually all have their own nuclear forces to use in their own defense, is there any reason why the United States should continue seeking to protect them with conventional forces and with still another nuclear force?

It must be assumed that France is going ahead with its nuclear force with a view to assuring its own military security. Why, then, must Americans feel we must go on protecting France?

France has been the recipient of more foreign aid from the United States than any other nation in the world—$9.4 billion. Today she is devoting more of her financial resources to defense than any NATO partner except the United States, and more of her manpower to defense than any NATO member except Greece and the United States.

But these French defenses are not within NATO. They are outside it. In fact, a comparison of NATO ground force goals for 1964 and the plans of members for meeting those goals indicates that France does not plan to meet her NATO obligations. By the end of 1963, she does not plan to have supplied more than half of her assigned ground forces.

Instead, France obviously wants to go it alone in national defense. While her "mirage" bombers sound suspiciously like an airborne maginot line, the United States cannot compel France to take advantage of her lessons of World War II. Our problem is to find defensive arrangements that will not depend upon France's participation and will not require us to finance independent military forces in Western Europe.

Mr. President, this is a delicate problem, but it is a basic one which the American taxpayers have a right to have their Government solve in the immediate future, for the taxpayers of the United

States—who, after all, own U.S. foreign policy, and we in the Government are but its trustees—have a right to have their Government work out with France an accommodation whereby the paradox I have just now outlined will disappear. The U.S. taxpayers have a right to have it made crystal clear to France that we do not intend to support with our money and our blood two defenses for France. Therefore, as a member of the Senate Foreign Relations Committee, I respectfully serve notice today, that I intend to examine with the greatest of critical scrutiny any financial relationships with France that are proposed in any military or economic foreign aid bill in the pending session of Congress.

My saying that, Mr. President, does not deservedly subject me to the charge that I am not appreciative of the glorious history of France. However, every generation of every nation has an obligation to keep faith with its history. There is incontrovertible evidence that we are at the crossroads in regard to the entire matter of United States-French relationships with respect to the paradoxical problem I raised a moment ago, for if France wishes to go it alone in the field of national defense, then the U.S. taxpayers should be quickly relieved from any further subsidization of French defenses.

And by the time there are in Europe two or three independent nuclear military systems, the deterrence against Russian attack may well be just as effective in protecting Europe as a unified deterrent. If France, in particular, did not believe this, she would not be spending as much as she is to achieve that very objective.

What I am suggesting is simply that we consider taking France and Britain at their word; that we free them from dependence on America, both financially and militarily; that we consider the recovery of Europe to be achieved; and that we leave to Europeans the decision as to whether they want to establish a strictly European defense system or want to defend themselves individually.

Certain exhibits bring out these changed conditions and the new European objectives, and I ask that they be printed at this point in the RECORD. They are an article entitled "Europe, De Gaulle, and the Deterrent," from the December 1962 issue of Commentary; a column, by Walter Lippmann, entitled "Crisis and This Election"; and a column by Constantine Brown, entitled "U.S. Link with European Allies."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Commentary, December 1962]

### EUROPE, DE GAULLE AND THE DETERRENT

(By Ronald Steel)

The marriage of convenience that is the Atlantic alliance has been subject to much of the strain and discord common to unions where romance takes a back seat to logic. But after 13½ years, the novelty has begun to wear off, revealing bare spots in the structure, and a growing tendency to disagree over fundamentals. These strains have become most obvious in the current relations between France and America, where President Kennedy's vision of Atlantic interdependence has run head on against De Gaulle's dream of a new Europe of nations united under French leadership. The impact of these two plans has placed the whole foundation of the Atlantic alliance in question. Not since NATO was created in 1949 has there been such an open disagreement on its purpose and its structure. The problem is not, as an administration spokesman implied, a temporary aberration arising from illusions of grandeur on the part of the French President. Quite the contrary: De Gaulle's ambitions are a challenge to the American dominance of the alliance and represent a widespread discontent among our European allies over the present structure of Western defense. The debate over France's nuclear weapons program has tended to obscure rather than clarify this challenge. The real question is not whether France shall have nuclear weapons—she will obtain them by her own efforts despite any American discouragement—but rather how her possession of such weapons will affect the political balance of forces within the Atlantic alliance.

The dispute between Washington and Paris over nuclear policy during the past few months has been argued too simply in military terms. The administration, with hurt pride and a touch of moral outrage, has lectured the French on the dangers of owning nuclear weapons, as though this would impel them to scuttle a project they have been working on for nearly a decade. The dialog between the two capitals has taken on all the quality of a family squabble—complete with polemics, recriminations, and charges of disloyalty. High administration officials have described De Gaulle's nuclear ambitions as foolish, or diabolical—or both. The Secretary of Defense, having unwrapped a new version of the old counterforce theory for winning nuclear wars, has told the French that there must be centralized control of atomic weapons—a doctrine which they rightly interpret as insuring an American monopoly of the West's nuclear defense.

The arguments from Washington, repeated with awesome regularity, have been grounded in the administration's military strategy. Unfortunately, the logic of this strategy, however compelling it may seem in the Pentagon, is largely irrelevant to the deeper political dilemma which has brought on the nuclear dispute. Yet it is the political problem, with the implied challenge it holds to American leadership, which has been scrupulously avoided. Instead, the administration has concentrated on the military equation, and has presented at least four arguments against a French nuclear deterrent. First, it is said, such a force is unnecessary, since the American nuclear umbrella covers all the European allies. Second, it is dangerous, since it could lead to a proliferation of nuclear powers—that is, to demands by other allies, especially Germany, for nuclear status. Third, it is wasteful, since under Pentagon strategy the Europeans, and especially the French with their huge army now largely returned from Algeria, should be increasing their conventional contributions to NATO rather than spending money for nuclear weapons. And finally, under Secretary McNamara's new strategy for conducting rather than simply deterring nuclear warfare, a French force is destabilizing since it would establish a separate center of nuclear power within the alliance. The American position, whatever formulas may be devised to make it palatable, is that the United States must have absolute control over Western nuclear strategy.

These military arguments, within their limits, are quite persuasive, and have been accepted by not only a good many American strategists, but by a number of Europeans as well. The French, however, have some very compelling responses to them. In the first place, they question whether American nuclear protection really does continue to cover Europe. As President de Gaulle has often pointed out, the achievement of nuclear parity between the United States and the Soviet Union has greatly modified the conditions of the American nuclear guarantee. When NATO was formed the Americans had a virtual monopoly of atomic weapons, capable of responding to any Soviet incursion into Western Europe by an overwhelming nuclear attack on Russia itself from American bases in Europe and North Africa. The Russians, however, could not imperil the continental United States, and thus the American guarantee to Europe was both militarily and psychologically convincing. But today these conditions no longer exist. The missile age now allows America and Russia to obliterate one another within a matter of hours—without relying on foreign bases. For Europe this means that a completely new element—the vulnerability of the United States—has become the crucial factor of the American guarantee.

As De Gaulle observed in his May 1962 press conference, since the creation of NATO "new elements of an extraordinary dimension have emerged. * * * Soviet Russia now, too, has an enormous nuclear arsenal which is increasing every day, just as that of the United States is doing. * * * No one today can know when, nor how, nor why one or the other of these great atomic powers may employ its nuclear arsenal." Would an American President respond to a Russian probe into Western Europe with the full force of atomic weapons—knowing that this would involve the destruction of the United States itself? And even if he would today, would he in 5, or 10, or 15 years when the world political situation might be very different? Detroit for Oslo, Los Angeles for Stuttgart? Maybe, but who can be sure? What nation can be expected to engage in nuclear war in the defense of another?

Believing that nuclear parity has made the American guarantee no longer convincing, De Gaulle is determined to create a finite nuclear force capable of deterring an attack upon France. Within the next few years, as technical developments impel America to withdraw its bomber and missile forces from Europe in favor of an American-based defense, the nuclear guarantee to Europe will seem even less credible. Missile technology, by making the United States no longer dependent on European bases, can only undermine the theory of the nuclear umbrella.

The second American argument, that a French nuclear capacity will lead to a proliferation of nuclear forces, is one which France's nuclear allies are in an uncomfortable position to apply against her. The dangers of nuclear possession have not prevented the United States from acquiring and expanding a nuclear arsenal, and the perils of proliferation did not deter the British from building a nuclear force which they are determined to maintain even at considerable economic sacrifice. This despite the fact that the British force, as Secretary McNamara conceded to the delight of the Macmillan government's Labor critics, is scarcely even independent, since it is largely integrated into the American strategic command. Why, then, did the British develop an atomic arsenal in the first place, why did they later go on to build thermonuclear weapons, and why do they insist on maintaining a nationally controlled nuclear force? One would search in vain for a compelling military argument. The reason is almost entirely political (which makes it no less important) and was summed up by Prime Minister Macmillan when he defended the British decision to build the H-bomb before Commons in 1958: "The independent contribution gives us a better position in the world, it gives us a better position with respect to the United States. It puts us where we ought to be, in the position of a great power. The fact that we have it makes the United States pay a greater regard to our point of view, and that is of great importance." The British Government, for very obvious reasons, has had the good grace not to chastise the French for following the same road they themselves long ago embarked upon.

The French, for their part, fail to appreciate American criticism of their nuclear efforts, especially in view of consistent American atomic assistance to Britain. As Foreign Minister Couve de Murville observed in an American television interview last spring: "I have never heard anyone say that Great Britain's possession of nuclear weapons constituted a danger for the United States. Why should it in the case of another ally such as ourselves?" While it may be argued that the British are more willing than the French to accept American direction of their nuclear forces, this is not the kind of argument which cements alliances. Our refusal to aid the French, now that they have already achieved an atomic capacity by their own efforts, has only led them to doubt our motives and our loyalties. When De Gaulle's nuclear policy was debated in the National Assembly during the summer, the Government was the target of considerable criticism (much of it based on domestic grievances), but opponents were unable to give any convincing retort to Premier Pompidou's reply to the charge that a French nuclear force might be dangerous. "In what way," he asked, "would the danger be greater if France had its own nuclear arms than if it had nuclear arms of an allied power on its national soil? Are they aiming to bring us to a sort of neutralization of Europe which would leave our continent disarmed and at the mercy of attacks of one side or dependent on the good will of the other?" It was not only the Government's supporters who wondered whether America's much advertised fears of a proliferation of nuclear forces might be largely motivated by a desire to retain its own atomic dominance. The recall of General Norstad from NATO has only reinforced De Gaulle's conviction that the Americans are opposed to any nuclear deterrent force in European hands, and that only a European atomic force under French leadership can assure the defense of Europe.

The third American contention, that the Europeans should be beefing up their conventional forces instead of trying to build small nuclear arsenals, is basically irrelevant. In the first place, it suggests that Europeans are to be relegated to the role of cannon fodder in the event that hostilities actually break out. A division of forces within an alliance which prescribes that Europe should furnish the troops and America the atomic bombs is not a balance which strongly recommends itself to Europeans. Not only does it demand enormous personal sacrifices which no European government desiring to remain in office dares call upon its people to make, but it gives Europeans the feeling that they are little more than an instrument of American strategy. This is a sacrifice which poor and military-dominated nations such as Turkey and Pakistan may be willing to accept in return for American aid, but it is not one which the prosperous nations of western Europe can be expected to support. To be sure, it is in the interest of European states to prevent the outbreak of nuclear war on their territory and to restrict any potential conflict to conventional weapons. But this rests on the assumption that the Russian would choose to launch a conventional rather than a nuclear attack. And the foundation behind this is that there must be a convincing nuclear force which would deter the Russians from using their nuclear weapons—if, indeed, that is their intention. Since De Gaulle believes that the Americans can no longer provide such deterrence, Europe's primary military need must logically be a convincing nuclear force rather than larger land armies. The new American doctrine of a conventional pause before nuclear weapons are called into use thus comes several years too late. It could only be a compelling reason for Europe to rely on the American deterrent while American nuclear superiority was unchallenged. And that situation no longer exists.

The Germans, in their geographically exposed position, are especially reluctant to accept the conventional pause theory. For them it seems to offer only the likelihood of their being occupied by Soviet troops and then devastated by American nuclear weapons. They insist, with good reason, that the West's nuclear strength be used to deter any attack—conventional or nuclear—in Europe, not to fight it once it has occurred. While the Kennedy administration may think of the defense of the West as indivisible, any German Government must first think of Germany—and a war fought on German soil is contrary to any conception of German interests, however integral a part it may be of the wider global strategies evolved in Washington. The Federal Republic may be willing to sacrifice the Eastern zone to its alliance with NATO, but it will never accept a defense theory which implies the possibility of its occupation. By thinking so globally that it fails to recognize that American interests (which are usually defined in Washington as NATO or even Western interests) are not always identical with those of our allies, the administration may end up by forcing the Germans into nuclear reliance upon France as the only way of gaining a defense they believe vital to their own interests.

The administration's final argument against a French nuclear force centers on the revival by the Secretary of Defense of the counterforce strategy for conducting nuclear warfare. This strategy, which seeks to combine deterrence and defense, holds that centralized control (that is, centralized in American hands) is essential if counterforce—Pentagon jargon for the destruction of an opponent's military forces, by first strike if necessary—is to work. Counterforce, Mr. McNamara explained at Ann Arbor last June, could "preserve the fabric of our societies" by laying down Queensberry rules under which the United States and Russia would agree to spare one another's cities in case of nuclear war and concentrate on military targets. This assumes, of course, that nobody loses his head, that military and civilian targets can be separated, and that American and Russian strategists show a solicitous regard for one another's welfare in time of war that they were unable to evidence before hostilities. The drawbacks of counterforce, like the theory itself, have been often elaborated. Not only does it involve the intensification of the arms race as both sides jockey for the nuclear superiority which would make the implied first strike credible, but it actually increases the dangers of nuclear war by making them concentrate on fighting rather than deterring it. Seemingly given a quiet burial only a year ago by the administration, counterforce, by the most remarkable of coincidences, was revived this past spring at the Athens NATO meeting as an argument against an independent European nuclear deterrent.

From a European point of view, the position as elaborated by Secretary McNamara is not very compelling. "If what the United States is promising in her new strategy," Hedley Bull has observed, "is that an attack on Soviet nuclear forces will actually eliminate them, and so render Europe secure, then she is promising what cannot be done." And if counterforce cannot guarantee this, then the problem of European defense remains unchanged. The Europeans are being asked, in the name of a defense theory of dubious logic, to forgo any attempts to create an independent nuclear status. And yet it is the creation of this status which offers them the only psychologically convincing instrument of their own defense. To argue, as Walter Lippmann has done, that the United States will not accept the enormous burden of collective security if it loses the initiative in the Atlantic alliance and the responsibility of making the final decision between war and peace, is simply to reinforce the gravest European fears. The decision between war and peace, after all, affects Europe as well as it does America, for it involves the very survival of human societies. The Europeans will relinquish the power of this decision to the Americans only if they are convinced that it is the most responsive instrument of their needs and the most effective guarantee of their defense. A policy which denies them nuclear equality will hardly convince them of this, and will only add to the belief that they have become an instrument of American strategy.

The American monopoly might appear more natural if the Western nuclear force were jointly directed; that is, if the Europeans were able to share control of the American nuclear deterrent. But, understandably enough, Congress would never permit this since there is no political community to which both America and Europe belong. NATO, whatever loyalties it may have engendered, is not such a community. It is a fact of the nuclear age that alliances have simply ceased to be convincing as instruments of nuclear deterrence since they lack psychological credibility. Only a federation of nations can give the assurance that an attack upon one is an attack upon all. The Atlantic community, however laudable or noble a goal, is still little more than rhetoric, and NATO appears increasingly unlikely to ever lead to federation between America and Europe. All the declarations of interdependence are not going to breathe life into the alliance, so long as the United States continues to insist on a nuclear monopoly. And the refusal to share control of the American nuclear deterrent, coupled with the attacks upon the creation of a European nuclear force, are nothing more than a call for the continuation of American control. Small wonder that many European nations, as Hanson Baldwin has commented, feel the United States wants to have its cake and eat it too—to control, without any European veto, its own nuclear delivery capability everywhere in the world, but to retain a veto power over any European capacity.

What European critics want is not to replace the American alliance, but to transform it into a partnership of equals, each playing a complementary but relatively independent role. Their goal is to make Europe a great political power in its own right, and they believe that it can only be done if Europe is able to provide at least the minimal needs of its own defense. Under the McNamara thesis this is ipso facto impossible, and if Europeans accept it they can only resign themselves to the position of permanent inferiority in the Atlantic alliance. But is counterforce really the only reasonable theory of Western defense? It was, after all, virtually scrapped by the administration which has now revived it, and it has always been questioned by strategists outside the Air Force. The alternative to counterforce is a strategy based on finite deterrence, one which posits that a nuclear power can be dissuaded from attack if it knows that it will suffer retaliation against its own territory. This strategy requires only a relatively small number of nuclear weapons, so long as they are protected from a premeditated first strike. So long as manned bombers were the only means of delivering nuclear bombs, such protection was not really feasible since airfields could theoretically be wiped out in a first strike. But the advent of missiles, which can be concealed underground or underwater, has made it possible to protect the deterrent, and thereby assure retaliation. Thus a relatively small but protected missile force can deter a virtually unlimited force; while a Russian attack may obliterate France, French missiles will still be able to destroy Russia's half-dozen largest cities. Surely this knowledge would be the major factor in any conceivable Russian action against France. To be sure, there is no guarantee that this strategy can forever prevent war. Logic breaks down, accidents occur, leaders are seized by madness, and nations find themselves impelled into actions even against their will. But it has two compelling virtues; it is psychologically convincing—considerably more so than an American pledge to commit suicide on behalf of its allies—and it is within the means of Europe. Solid-fuel missiles, having made the United States vulnerable to Soviet nuclear power, have also provided the Europeans with the means of mounting their own nuclear deterrent. And this deterrent will reflect European interests by being responsive to European direction.

At the present time the character of the European deterrent is very much in flux. The European integrationists, who have forged the Common Market as the first step toward a politically federated Europe, envisage a European defense force jointly controlled by all the member states of the new Europe. For them a European defense, like a European diplomacy, must logically follow from the economic union which has been created. The French interpretation, as expressed by De Gaulle, is different more in emphasis than in theory. The general envisages a federated rather than a united Europe, in which France would play a leading role based, to a considerable degree, on her possession of a nuclear deterrent which would be exercised in the name of the European community. These two views are not as contradictory as they may seem. The question of European diplomacy will ultimately be decided by compromise—just as the political-economic decisions of the Common Market have been evolved. The essential point is that this will be decided by Europeans acting in a European context. For both De Gaulle and the European integrationists the Europeans must now move on to forge a great united power which will be independent of the United States. This, however, unpalatable it may be in Washington, is the political goal of which the French nuclear force is only an instrument.

The problem of Europe's political future is the central point of De Gaulle's diplomacy. He seeks an independent Europe not only as a balance to the United States within the Atlantic alliance, but as the means by which all of Europe, East and West, may yet be united. It is his belief that one day the internal evolution of the Soviet system, as well as the inevitable conflict of wills between Russia and China, will end the menace which has made necessary the European alliance with America. At that point a diplomatically and militarily independent Western Europe will be able to negotiate directly with the Russians for the return of the satellites to the wider European community. Then Europe, stretching, as De Gaulle has said, "from the Atlantic to the Urals," will become a powerful third force in the world, pursuing the historic destiny that was tragically interrupted by the civil wars of the 20th century. It is an imposing vision, but not one wholly without credibility. Russia is, in a very real sense, a European civilization, and her disputes with China are making her increasingly aware of it. Alliances change, today's opponent usually becomes tomorrow's ally, and as De Gaulle has said, looking back on the long sweep of European history: "No quarrel between peoples is permanent."

Ultimately Europe, if it is to have any meaning, must be restored to unity. It cannot forever remain split in half, each part under the influence of conflicting nuclear giants. But how shall this unity be achieved? It has long been obvious that such unity can never be brought into being by a policy of force—periodic lipservice to liberation notwithstanding—and the Russians know very well from the case of Hungary that the West will not risk nuclear war for the Soviet satellites. If force, which is simply another word for nuclear conflict, is to be ruled out, is there any other hope for restoring the satellites to independence? Perhaps it could be done through direct American-Soviet negotiation, but that would involve the creation of a neutral zone in central Europe and the nuclear disarmament of Germany—a policy as antipathetic to the Kennedy administration as to its predecessors. Not only would it mean the recognition of the present borders in Europe, thereby shattering the West German myth that the Eastern Zone shall be miraculously restored to it without the slightest concession on its part, but also a readjustment of Germany's role within NATO. Such a policy of disengagement appears to be anathema in Washington, confirming the rueful comment made several years ago by George Kennan, that the object of our policy seems less to get Soviet troops out of Eastern Europe than to create a German Army for the purpose of confronting them while they are there.

American policy, then, by seeking to link Western Europe to the United States in an ambitious but still undefined Atlantic Union has for all practical purposes taken the division of Europe for granted. But for De Gaulle, and those Europeans who agree with him that Europe must have an identity of its own that is not submerged by the alliance with a powerful America, this is a betrayal of all that the European ideal stands for. His ambition is to use the new economic, political, and eventual military independence of Western Europe to achieve what an American-based diplomacy has never been able to do: the restoration of the satellites. European solidarity, he explained in May, "can create in Western Europe a construction, an organization that will be so firm, so prosperous, and so magnetic that it will open up the possibilities of a European equilibrium with the states of the East and reopen the perspective of a uniquely European cooperation." In other words, the West Europeans are expected to use their coming maneuverability to negotiate with the Russians over the future of the Europe to which they both belong. Why should the Russians be more willing to negotiate with the French or a West European team than they have with the Americans? In the first place, we cannot be sure that they are adverse to negotiations with us since they have never been seriously attempted on a basis of mutual concessions. But beyond that, the Europeans can offer the Russians something that no American Government is able to do: the assurance that the satellites would never be drawn into an American-dominated, anti-Soviet alliance—into NATO, in short. To do this, of course, the Europeans would have to be masters of both their defense and their diplomacy; and this is exactly the object of De Gaulle's nuclear ambitions.

The achievement of De Gaulle's policies, therefore, depends largely upon his ability to forge a powerful military force. Defense is the fulcrum on which an independent diplomacy must rest, and it is this independence, not the satisfaction of French grandeur, which lies at the base of De Gaullist ambitions. In the early stages, the French nuclear force must remain a national one, if for no other reason than that France is the only continental nation which is willing to build it, and to defy the Kennedy administration by doing so. But ultimately, as Premier Pompidou hinted in July before the National Assembly, the French force will become part of a larger European deterrent. Both the enormous cost of a nuclear delivery system and the indivisibility of European defense make this essential. The foundation for such a force already exists in the separate French and British nuclear weapons systems. Logically, they should be brought together, for the existence of two national nuclear forces within Europe is hardly reasonable. The objections to this, which come, curiously enough, more from the British Labor Party than from the Government, are that Britain must never give up her special relationship with the United States by pooling her atomic weapons with France, that Britain would be unable to follow an independent foreign policy, and that this would be the final act of her submergence into Catholic Europe. These arguments, however, hold little water. Whatever special relationship Britain has had with the United States has rested largely on her ability to speak for Europe. This she has virtually ceased to do, and the gap between Britain and Europe is growing wider the longer she delays entering the Common Market. To argue that Britain can follow an independent foreign policy is to ignore the lessons of history since the end of the Second World War. Suez and Cuba reveal how independent British foreign policy can be in an age of superpowers. And, finally, if Britain is really worried that the Common Market is being dominated by Christian democracy, then the only logical reaction is to join it and redress the balance.

Nations do not always do what their best interests impel them to, but assuming that Britain finally recognizes she is a part of Europe and enters the Common Market, it must follow that she joins Europe not only economically, but militarily as well. While there is no question of Britain's buying her way into Europe with a nuclear dowry, it would be completely inimical to the political conception on which the Common Market is based for her to try to retain a purely national defense force.[1] More than Commonwealth sentimentality is going to have to be given up when Britain finally takes the plunge. But the British really have little choice, for unless they enter the Common Market and join in the creation of a European diplomacy, they must watch their value to the United States decline as Europe constitutes itself without her. Nor can they have it both ways, for De Gaulle will never allow Britain to put an economic toe into Europe and retain a nuclear defense integrated with America. The Kennedy administration's prodding of British entry into the Common Market seems to be based on the belief that Britain's presence in Europe can protect America's interests. While this may be true, it is also suspected, as Raymond

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[1] The New York Times London correspondent reported in November that the Macmillan government now favors the creation of an independent European nuclear deterrent in cooperation with France. It is perhaps more than coincidence that this announcement followed in the wake of the unilateral American action in the Cuban crisis.

Aron has observed, as an attempt to prevent the emergence of an independent Europe foreign policy. The decision is not an easy one, but sooner or later the British will have to realize that their real choice is not between Europe and the Commonwealth, but between Europe and America. And as the Manchester Guardian, a longtime foe of the British atomic weapons program, commented: "European public opinion will never accept that the nuclear defense of the West be left exclusively in American hands under the exclusive control of the President of the United States."

Assuming that Britain ultimately does enter Europe, the way will be paved for De Gaulle's grand design for the reunification of the Continent. For only a militarily strong and diplomatically united Europe will have the bargaining power to obtain the release of the satellites from the Soviet Union. Of course De Gaulle realizes that the Russians are not going to cooperate out of affection for a European mystique. But he believes that as they are faced with increasing challenges from China, as well as the continuation of the atomic rivalry with America, they will find it to their interests to reach a general European settlement. While this may seem like waiting for shrimps to whistle, De Gaulle actually has a trump card up his sleeve—one which holds the key to his puzzling intransigence over the Berlin negotiations. He knows that the Russians are truly frightened lest the West Germans should acquire atomic weapons. For them this evokes a nightmare of the Germans engaging the United States in a war with the Soviet Union for the Eastern Zone and even for the lost territories in Poland and Russia itself. Khrushchev cannot prevent the atomic armament of Germany if her allies are determined to permit it—but he can attempt to gain official recognition of the territorial changes that resulted from the Second World War before the Germans obtain nuclear arms. The vulnerability of Berlin is his only means of pressuring the West to stabilize East Europe's frontiers in a peace treaty before it is too late.

De Gaulle, it should be emphasized, is no more eager than Khrushchev to see the West Germans sitting on an atomic arsenal—homages to Adenauer notwithstanding. Like the Chancellor himself, he fears that German democracy is still too fragile to be thrown into the international power arena on its own resources. But he also believes that the Russian fear of German nuclear armament may be turned to the West's advantage by using it as a bargaining point. In return for recognition of the present frontiers and a pledge against German atomic armament, the Russians might find it to their advantage to release their iron control on the satellites and permit their restoration to Europe. But—and this is the essential point which separates Gaullist from American policy—they will only negotiate with a truly independent Western Europe, since they could never permit the satellites to be swept into an American-dominated NATO. Despite his antipathy toward communism De Gaulle has kept the door open to possible future negotiations with Moscow by acknowledging Russian security interests in Eastern Europe. And only he among the Western leaders has publicly recognized the Oder-Neisse line as Germany's permanent eastern frontier.

The achievement of De Gaulle's diplomacy depends on cementing the ties of the Franco-German alliance. Germany must be so tightly drawn into the West European community that she will interpret European interests as being virtually identical with German interests. Only then will she be able to make the sacrifice upon which European unity and the freedom of the satellites depends—the renunciation of nuclear weapons. This is why De Gaulle has refused to participate in the Berlin talks—believing that they may imperil Western rights without gaining Russian concessions for a meaningful European settlement. Instead, he has preferred to ignore these discussions and thereby strengthen his ties with Adenauer.

The Chancellor's royal tour of France in July and De Gaulle's reciprocal visit to Germany in September were merely the more dramatic displays of their consistent efforts to bury past enmity and build a solid alliance between the two nations. The so-called Paris-Bonn axis, which some critics assume to be the prelude to a Franco-German nuclear force, is really the foundation for Germany's abandonment of nuclear ambitions. Only if the Germans come to recognize that their future lies in Europe, De Gaulle believes, will they be able to resist atomic armament by the Americans—which would dash all hopes for bringing down the Iron Curtain and compromise the peace of Europe. When asked at his press conference about plans to give atomic weapons to the Bundeswehr, De Gaulle replied that since France had none to give, that question could perhaps be better asked of the White House. Possibly he had in mind large-scale German purchases in America of vehicles for the delivery of nuclear warheads—purchases which President Kennedy has praised as helping to balance off the cost of stationing American troops in Germany.

The disagreements in the Atlantic alliance run very deep and to speak of a nuclear debate is to magnify the possibility of choice, for in truth there is no debate. The French are determined to achieve nuclear status—indeed, De Gaulle's entire diplomatic policy in Europe depends upon it—and there is nothing the administration can do to prevent it, short of admitting the French to a Western nuclear tridirectorate. Within a few years the French force will be capable of providing a finite nuclear deterrent upon which an independent European foreign policy hinges. Such a policy may parallel American interests or it may not: the answer depends on how we are able to adapt our diplomacy to the recognition of European equality, as well as how we deal with the changing nature of the Soviet society and the shifting balance of forces within the unstable Communist orbit.

What we cannot do, and what we should not seek to do, is to prevent our European allies from achieving the self-respect and the independence upon which any enduring alliance must ultimately rest. Charles de Gaulle is not alone in seeking a restored Europe, capable of defending its interests as Europeans themselves interpret them. He is probably mistaken in believing that France can forge a European diplomacy by virtue of its atomic force, for a united Europe will increasingly evolve a diplomacy that resists national leadership and parochial interests. But he is altogether right in believing that European independence is inconceivable without a European military force capable of providing the minimum needs of its own defense. And it is his leadership which has impelled the Europeans to face the hard questions raised by the impact of defense upon diplomacy. The new European prosperity, which we have so applauded, now has its corollary in the demand for a Europe that will be an equal of the United States. Nothing less will satisfy the Europeans, and nothing less is tenable if the Atlantic alliance is to endure. Speaking for a good many Europeans, André Fontaine wrote in Le Monde: "It is inconceivable, unless we are resigned to an interminable cold war, that Europe forever relies on America for its security and for the orientation of its diplomacy."

The new European diplomacy emerging may serve as a stimulus to an American political leadership which has tended to take too many of the stale arguments of the cold war for granted. And no matter how sure it may be of the wisdom of its diplomacy, the administration surely need not be reminded that partners make more lasting allies than do clients. If the interdependence between Europe and America which President Kennedy has so warmly espoused is to mean anything, it can only be based on the independence that is the precondition for any community of allies.

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### CRISIS AND THIS ELECTION

(By Walter Lippmann)

This article is written before any official statement about the latest developments in Cuba. But it is written in the knowledge that the situation has very suddenly become acute and critical. Whatever the President decides to do, it is unfortunate that it has to be done at the height of an election campaign, and particularly of this one. For this campaign has been singularly sterile as a preparation of the American electorate to understand the grave problems in which they are profoundly involved. That ought not to be the case. We ought to be an educated and informed democracy.

The voters are being talked to by the President and the ex-President, by the two leaders who for the 10 years since the Korean war have had the highest responsibility and who have had access to the most intimate knowledge of the facts. Yet neither of them, I submit, has ever tried to explain to the people the dimensions of the Cuban problem and of the Berlin problem.

The education of the people, which must be the foundation of policy, has been left to politicians outside the administration and to editors, reporters, and commentators, all of us unauthorized and only partially and intermittently informed. The two national leaders have refrained from candid and free exposition of the issues and they have, in fact, talked down to the voters as if truth were too strong a meat for Americans to digest.

Neither General Eisenhower nor President Kennedy has come near dealing with the central reality which has dominated their two administrations. This reality is the decisive change in the military and financial position of the United States since the middle of the 1950's.

It was under President Eisenhower—through no fault of his own—that the U.S. nuclear monopoly came to an end. This development is reshaping the whole complex of power politics throughout the world. It was under President Eisenhower—again through no fault of his own—that the United States ceased to be an inexhaustible creditor country and became increasingly unable, therefore, to call the tune and pay the piper.

Moreover, it was under General Eisenhower—in the main because of his personal convictions about economic theory—that the American economy was throttled down to a rate of expansion which is just about the lowest in the capitalist world.

These three developments are having enormous consequences. But General Eisenhower does not mention them in his speeches, and he talks as if nothing that we need be concerned about had happened while he was in the White House.

Except for veiled phrases to informed insiders, President Kennedy—presumably in order to avoid a debate with General Eisenhower—barely mentions, and never dwells upon, the realities of the changed world which he came upon in 1961. Mr. Kennedy has talked a little about economic growth. He has been much preoccupied with the position of the dollar. He has rightly and effectively built up our military power.

But he has never fully explained to the people how the loss of our nuclear monopoly, even though we are still much the strong military power, is affecting the worldwide commitments which were proclaimed by President Truman and formalized by Secretary Dulles.

For example, when we still possessed a nuclear monopoly, we were an irresistible power in the sense that we could destroy without being hurt. Then it was possible to encircle the Soviet Union with military bases usable for offensive action. But when the nuclear monopoly came to an end, then the encircling nations like Turkey, and then Paris and London and Bonn, and finally the United States itself, became vulnerable. Then the advance bases began to become liabilities.

Thus Turkey is a great liability in our relations with Cuba. For if we use force to invade or blockade Cuba, we must be prepared for something similar around or in Turkey or some such place on the frontiers of the Soviet Union. These advance bases of ours, which are nearly obsolescent with the big bombers and the missiles, are more hostage than ally. If Mr. Khrushchev wants to defend Castro, he does not have to do it in Cuba where the Soviet Union is a negligible military power. He can do it in Turkey or Iran or elsewhere on the perimeter.

These things need to be understood by our people as we find ourselves in a military crisis over Cuba. Until our people do understand them, they will be thinking and feeling and voting in a world that no longer exists. In the world that now exists the United States is not omnipotent. It cannot, therefore, enforce the Monroe Doctrine in the Western Hemisphere and the Truman Doctrine in the Eastern Hemisphere.

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[From the Evening Star, Jan. 3, 1963]

### U.S. LINK WITH EUROPEAN ALLIES—LONDON, PARIS, AND BONN SEEN CONCERNED AT A POSSIBLE "NUCLEAR SUZERAINTY"

(By Constantine Brown)

ROME.—Is it the aim of the present virile American administration to impose a new kind of suzerainty—of the nuclear type—over its Western European allies? This question is being asked with genuine concern in London, Paris, and Bonn after the so-called surrender of Prime Minister Macmillan at Nassau. For it is in this light that the agreement between President Kennedy and the British leader is regarded on this side of the Atlantic.

One of the most respected and astute observers in British journalism, Peregrine Worsthorne of the conservative, pro-American Telegraph, voiced this concern in a dispatch from Washington after talking to a number of White House advisers.

Mr. Worsthorne wrote: "What is perhaps not sufficiently realized in Britain is that the thermonuclear age is bringing about a change in the relations between the U.S. Government and the American people as it is between Washington and its allies. Indeed, it could be very well argued that the way in which President Kennedy keeps crucial decisions affecting national security in the hands of a small nonelected group of advisers, only allowing information to reach most Congressmen or the press after the die is cast—as in the case of Cuba—suggests he is no more prepared to trust the American people in the moments of crisis than the British or the Europeans."

To the Europeans, the matter of the cancellation of the Skybolt is not so important in itself as was the manner by which it was done; it hurt the British pride and caused concern in Paris and Bonn. The same result could have been achieved by direct secret talks between London and Washington in which we could have "strongly suggested" to the British to take the initiative—that they should ask that the Skybolt be canceled since it was too costly and likely to become obsolete before it came of age. Instead, we announced the cancellation to the surprise of the governments of our allies.

True enough, it is the American taxpayer who was putting up the cash. But even in the thermonuclear age certain diplomatic niceties might still be preserved.

Political Editor Worsthorne agreed that our unilateral action in Cuba (when nuclear war might have erupted and affected all Europe), has its merits, especially since it was successful in putting Nikita Khrushchev in a corner. But, he adds, "Perhaps the (Washington) administration * * * cut off alike from national debate and allied consultations, is moving toward a new and terrible megalomania, no less dangerous for being so sophisticatedly cool and high minded. And possibly its fervent conviction that more than one Western thermonuclear power vastly compounds the danger of war is both arrogant and wrong."

These thoughts of the British editorialist prevail even more strongly in the minds of the men in Paris where word of the old song "Les amours sont fragiles, les serments sont faciles" (love is fragile and vows easily made), are being applied to present day diplomacy. The French, like all other Europeans, are somewhat cynical about the value of political vows of love. They know from centuries of experience that enemies of yesterday may become allies of tomorrow. This is best illustrated in the French-German alliances.

The suspicious European mind wonders why the Kennedy administration is so determinedly opposed to Europe having its own modest nuclear deterrent power and why even Britain, which has enjoyed for so many years special relations with us, has now been put in a corner.

These considerations lead to the thinking of whether the time has come when, for our own sake and for the sake of Europe, there should be a friendly separation rather than attempted hegemony.

Another lead editorial in the Daily Telegraph points out that after Cuba, Washington discovered that the cooperation of the allies was in no way essential to the success of the American operations. "The allies," it said, "must consequently expect rather less generous treatment and consideration than they have come to take for granted. Instead of rattling our chains and railing against our dependence, should we not make ourselves truly independent? Should we not now go ahead in cooperation with those in Europe whose interests are more precisely coincident with ours?"

In other words, the editorial suggests that Great Britain pay the price asked by the French—a political price—to join the economic and political community of Europe.

### ADVANTAGE TO UNITED STATES IN MEETING WORLDWIDE COMMITMENTS

**Mr. MORSE.** Mr. President, if Europe is really ready to assume in full its own defense, the United States should recognize and should take full advantage of the fact. We should give some thought of our own to the possibility of the "friendly separation" described by Mr. Brown as being under consideration in Europe.

Clearly, it is still we, not Europe, who have worldwide commitments. Even a unified Europe would not have responsibilities in Latin America, Asia, or even Africa comparable to our own. The withdrawal of Western Europe from Asia and from the Middle East, in particular, has left the United States with the remnants of colonial policies which we have neither pursued in full nor altered in full. We still do not really know what to do about Laos and Vietnam, two legacies we inherited from the French withdrawal from Asia. At the moment, both countries are costing us millions of dollars; yet our policy seems to be merely to continue the status quo. South Korea is almost entirely our responsibility; and I strongly suspect that if India is to receive the kind of military help she feels she needs, by far the bulk of it, too, will have to come from the United States.

In fact, Mr. President, I recall that the other evening there appeared in the Washington Star an article in which David Lawrence raised some questions about U.S. foreign policy in South Vietnam. The tone of the article was a critical one to the effect that the time has come for a full report by our Government to the American people as to what really are our objectives in South Vietnam. He commented upon the last fatalities in connection with our military operations in South Vietnam. My recollection is that he cited the figure 54, and made the journalistic request that the American people be informed as to our objectives in South Vietnam. Mr. President, I betray no confidence when I say that in the Senate Foreign Relations Committee there has been considerable discussion—ever since the beginning of our operations in South Vietnam—as to where our intervention there might lead us. But we as a committee have taken the position—and have taken it unanimously, so far as I know—that we cannot justify walking out on freedom in southeast Asia. Some of us—and I, I suppose, more than any other member of the committee, although I have had wonderful support from some of my colleagues, but they will have to speak for themselves—have been critical of the failure of our nations who also happen to belong to NATO to come to our support in supporting freedom in southeast Asia.

In committee and on the floor of the Senate I have raised the question, Where are Australia and New Zealand? What about Canada, Britain, France, West Germany, Italy, and all of our other allies? Hopefully I have thought we were united in a great historic struggle to preserve freedom in our time, for the danger of its loss in our time is great.

I would have our NATO allies take heed that the question is not being raised in the United States by me alone. That question and corollary questions of the same tenor are being raised by increasing thousands of Americans. I need not tell Senators that time is required for public opinion to crystallize. But once public opinion crystallizes in support of a cause that it believes is right, free governments had better give heed to that public opinion.

I happen to believe that there has been too much of a go-it-alone policy on the part of the United States and southeast Asia. I think many Americans share that point of view and are beginning to call out for answers to some policy questions. One of those questions deals with the subject matter that I am emphasizing at this point in my speech. What, if anything, do the NATO countries propose to do to give support to the defense of freedom in southeast Asia, Africa, and Latin America?

If they propose to do nothing, then is it not time for us to reexamine areas where our other responsibilities can be reduced, and where else in the free world than Western Europe are there nations better able to finance their own defense?

Mr. President, we cannot segmentize the foreign policy obligations of free nations. We cannot departmentalize them. Neither can we draw on a map of the world lines when it might be said that France and Britain would be of no assistance to freedom on the far side of the line except under pact entered into by free nations. I know of no pact that relieves members of NATO from the same obligation which we recognize as an obligation of the United States—to come to the defense of freedom where an attempt is sought to extinguish it under suffocating blankets of communism.

So, Mr. President, as I bespeak the careful examination of our foreign policy in respect to NATO, I would have our NATO Allies keep in mind that it is largely the United States that is carrying the burden of protecting freedom in southeast Asia, Latin America, and Africa.

In Latin America, we have problems that seem to be building rather than receding; and in Africa, we find ourselves constantly pressured by NATO countries trying to use the NATO partnership as a bargaining point on our African policy.

Right now, Portugal—a NATO partner supposedly—is trying to line up U.S. support for her shameful African colonialism as a price for base rights in the Azores. If NATO means only that to Portugal, then we are wasting our time asking for any base rights in the Azores, and we might better break off any further discussion over their use.

Very much the same pressure is being applied by Britain and France over the Congo. How often one hears it argued that we should not offend or anger our European allies by supporting the United Nations in the Congo? Judged by the relative effort that goes into NATO, the argument logically should be that Britain and France should not offend the United States by opposing the U.N. action in the Congo.

Here again, this kind of pressure only hampers us in our worldwide relations and obligations—obligations which the European countries have been shedding ever since World War II.

We have long known that the former colonial powers of Western Europe scorn the United Nations, considering it so dominated by the Afro-Asia bloc as to rule out the ascendancy in world affairs to which these nations were long accustomed. They prefer the old bilateral relations among nations which permit balance-of-power politics and concentration upon a few countries or areas as spheres of influence.

The United States, on the other hand, is far more deeply committed to the operation of the U.N. and to multilateral cooperation. In my opinion, we are still not going far enough in that direction. One reason we are not is the fear of alienating allies. Some of these allies are announcing to the world their criticisms of American leadership and their obvious intention to free themselves from it as soon as possible.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I announced at the beginning I would not yield until I had finished. I shall be glad to do so then.

### RELIEF FROM NECESSITY TO DEFEND EUROPE WITH NUCLEAR POWER

A second advantage to the United States from a "friendly separation" involves the question of whether this country would—and should—use its nuclear weapons in defense of Western Europe and thereby invite a retaliatory attack on U.S. cities. General de Gaulle in particular has made a point of casting doubt upon our intentions in this respect.

As I have already noted, it is apparent that the assumption of a permanent U.S. presence in Europe has become a modern dogma of our postwar military and diplomatic thinking. One reason for this is undoubtedly the extensive role Europe has come to play in our own military plans. Judging from the pained outcries that go up from the Pentagon whenever our political differences with Europe seem to threaten U.S. military bases there, one cannot help but feel that to many military planners, Western Europe is merely the biggest of all our oversea bases. For them, no price is too high to pay for the privilege of staying there, whether we get any help from our allies or not.

But Europeans are quite right in wondering whether we would invite a nuclear attack upon ourselves by shooting our nuclear missiles in defense not of our own territory, but in defense of Europe.

There is no doubt here in the United States right now that we would. Nor will there be any doubt in the future, if our relationship with Europe is an intertwining of our defenses, along the lines put forward by Under Secretary of State Ball at all the recent NATO meetings.

But the more we find ourselves paying for the privilege of remaining in Europe, the more we find ourselves alone among the major powers in meeting the assigned manpower obligations of NATO, the more independent military establishments that rise up in Western Europe, then the more inclination there will be to make a realistic, ad hoc judgment as to whether what has become to us a mere U.S. military foothold in Europe is worth jeopardizing American cities and American lives.

The growth of these independent, nuclear-armed military forces in France, Britain, and eventually in Germany, could serve to relieve the United States of responsibility for Europe to the point where we no longer would have to face such a decision. If France and Europe in general are anxious to be free from what they feel is an unreliable nuclear defense in the hands of the United States, they have the alternative of helping us create a bilateral nuclear force, the use of which will be decided by all member nations.

But if they do not choose to do that, and prefer instead to create nuclear forces without the United States, then I think it will be our turn to be very wary of an alliance which forces upon us the use of nuclear weapons on behalf of other nuclear powers, with its clear threat of retaliation upon American cities and the American population.

We would find it immensely useful to be relieved of our present obligation to use these weapons in the defense of Europe. The policy which General de Gaulle is advocating for France could lead in that direction. Instead of rejecting his program out of hand, I would like to see real consideration given to these advantages it would give to the United States to have a real third force in Europe to confront the Soviet Union while we concentrate on our own defense and our other international commitments in other parts of the world. Major among them would be the knowledge that we would no longer be obliged to invite a nuclear attack on the American people in defense of Europe.

Instead of making a doormat of ourselves in an effort to get Europe to let us protect her, let us at least consider taking Europe at her word. I am flatly and strongly opposed to any bargaining with Europe that would require U.S. aid in building independent nuclear forces or delivery systems. This includes Britain, although I know that she has a preferred status on nuclear aid by virtue of the American law. I only regret that the statute on nuclear weapons does not include missiles.

If these countries want independent deterrents, then they must expect to finance them as well as control them.

Secretary McNamara has done a fine job of outlining the reasons why the United States cannot and should not continue bearing so much of the burden for NATO, and why a NATO nuclear deterrent is greatly to be preferred to a variety of nationalistic ones.

But there is more advantage to us in accepting European objections than in paying for nuclear weapons systems to be used entirely in the national interest of other countries as a price of keeping NATO going. Before we do that, we should dwell on the advantages that would come to us from being relieved of our heavy obligations to NATO.

### DEFENSE OF BERLIN

Finally, I should add that I am not unaware of Berlin.

It will be recalled that in the closing week of the last session of Congress, the Javits-Morse resolution on Berlin was unanimously passed by this body. In essence, the Senator from New York and the senior Senator from Oregon sought only, through that resolution, to make clear to the Communist segment of the world that we intended to support freedom in Berlin, exactly as we intended to support freedom in Cuba, as manifested by the adoption of the Cuban resolution, and that we intended to support freedom anywhere in the world where it was subject to Communist aggression.

(At this point Mr. STENNIS assumed the chair as Presiding Officer.)

**Mr. MORSE.** Mr. President, our European allies in NATO must recognize the validity of these questions I have raised this afternoon about their attitude toward NATO and their policies, seemingly announced, to rid themselves of any reliance upon the United States in regard to the defense of Europe so far as their individual countries are concerned. Such attitudes are bound to raise for examination also the entire Berlin question. Therefore, I should be derelict in my trusteeship in making this speech this afternoon if in closing I did not refer to Berlin and the relationship of Berlin, as I see it, to this whole warp and woof of the fabric of American foreign policy viz-a-viz Europe.

So I say, I am not unaware of Berlin.

The main reason for our present interest in NATO is our interest in Berlin and in protecting it from communism. But we know that in general, other NATO members are not so concerned about Berlin as to match our own effort.

All I need to point out is that the figures I have already put into the RECORD in my speech this afternoon show how far short they have fallen in matching the effort of the United States.

As Germany and the United States are providing about three-fourths of the manpower to defend Berlin, it is not inconceivable that our protection of Berlin can be worked out with West Germany, pending a final settlement of the problem if one ever proves possible.

In these remarks I have alluded to the balance-of-payments problem we face, and its aggravation by what is apparently going to be an increased barrier against American farm products on the part of the European Common Market.

That is another part of the decision Europe must make. Above all, I am vigorously opposed to the continued financial drain on the United States due to European desires to be free of American influence and control but not of American money. Whether Europe chooses a closer and more economical tie with us through NATO, or a European alliance that excludes the United States, or a return to individual nationalism, American subsidization must stop.

In conclusion, let me add that I have been motivated in making this major speech on foreign policy because I take with solemn sincerity my dedicated obligation to serve as one of the trustees of American foreign policy under the advice and consent clause of the Constitution of the United States.

In respect to the issue that I have raised this afternoon in this address I feel that American foreign policy is at the crossroads, and I am satisfied, as I have gone about the country speaking on foreign policy very intensively in recent months, that the questions I have raised this afternoon are being raised by thousands and thousands of our fellow citizens. I have sought most respectfully to bring the attention of my Government—on both sides of the aisle here in the Senate and at the White House, the State Department, and the Pentagon Building—to these questions, because I am satisfied that in the months ahead the American people are going to call their trustees to an accounting of their stewardship in carrying out the American people's foreign policy.

I yield the floor.

**Mr. CLARK.** Mr. President, before the Senator yields the floor, will he yield to me in order that I may ask him certain questions?

**Mr. MORSE.** First, Mr. President, I ask unanimous consent to have printed at this point the remaining sections of the publication by the Institute for Strategic Studies.

They are: "Part I. The Communist Powers," the sections of Part II which deal with U.S. alliances other than NATO, namely, the Central Treaty Organization, the South-East Asia Treaty Organization, and U.S. Mutual Defense Treaties; and the remaining tables II and III, which are headed "Some Comparative Estimates of Strategic Strength" and "Major Nuclear Delivery Systems, A and B."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## PART I. THE COMMUNIST POWERS

### THE SOVIET UNION (POPULATION 218 MILLION)

### *General*

Throughout 1962 Soviet defense policy has pursued a course not dissimilar, with one major exception, to that of the United States. The emphasis on strategic nuclear weapons as the primary means of insuring national security has been officially maintained, but increased emphasis has been placed on the modernization of the conventional land, sea (particularly submarine) and air forces, both tactical and interceptor air defense. Defense expenditure has been slightly increased; the projected reduction in Soviet military manpower has been further postponed; close attention has been given to the quality and training of the fighting forces; research and development on new aircraft, missiles and conventional weapons appears to have been accelerated; the nuclear submarine program is beginning to gather momentum; the active defenses of the Soviet Union have been strengthened, and it has even been asserted that the problem of finding a defense against the missile has been mastered by the Soviet Union.

The essential difference between the Soviet and the American policies concerns strategic weapons. The development of a large number of different strategic weapons systems on the part of the United States, coupled with a doctrine of controlled counterforce strike as the first response in the event of general war, does not find a parallel in Soviet policy. It appears that the Soviet leaders have decided to concentrate on increasing the destructive power of their strategic striking force, as well as somewhat augmenting the number of units of delivery, by improving the ratio of weight to yield in the warheads of strategic missiles, and by emphasizing, in their policy statements, the havoc that would be wrought on western cities in a strategic exchange.

As Mr. Khrushchev put it at the Moscow Peace Congress in July 1962—"In order to insure its security the Soviet Union has been forced in the last few years to create nuclear weapons of 50, 100, and more megatons, intercontinental rockets, a global rocket which practically eludes the defenses, and an antimissile rocket * * *." The main task of the armed forces, as described by the Defense Minister, Marshal Malinovsky, is "to study and work out methods of combat operations in conditions of nuclear-missile warfare, methods of repelling an aggressor's sudden nuclear attack, and of frustrating his aggressive intentions by means of the timely infliction of a crushing blow on him."

The Soviet Union thus appears committed to a policy of minimum or countercity deterrence in relation to the United States though the large medium range missile force it has now developed and deployed against targets in Europe and Japan may serve as both a countercity and a counterforce threat. The Soviet leaders have denied that they are undertaking a large scale civil defense shelter program; in January 1962 Marshal Malinovsky described bomb shelters as "nothing but a coffin": however, civil defense training continues.

In January 1960 it was announced that Soviet forces were to be reduced from 3,623,000 men to 2,423,000 men by the end of 1961, but this reduction was suspended in July 1961 after about 600,000 men had been demobilized, principally in the ground forces. Then it was announced in August 1961 that the demobilization of certain categories of other ranks, whose period of military service was completed, had been suspended until the signature of a German peace treaty. Thus, at the end of 1961, the size of the Soviet forces stood at about 3,800,000 men. But, in fact, this deferred class began to be released gradually in the spring of 1962, and in September 1962 it was announced that all would be released and the next age group (those born in 1943) would be called up. The total size of the Soviet forces therefore stood at about 3,600,000 in the autumn of 1962. The age for compulsory registration has now been lowered from 18 to 17, partly because the Soviet Union is feeling the effects of the low birth rate of the war years.

The Soviet military budget for 1962 (calendar year) was set at 13,400 million rubles ($14,740 million). This represents a rise of 44 percent on the original figure for 1961 (9,255 million rubles), but this was augmented by one-third in July 1961 to 12,400 million, so that the 1962 figure is only 8 percent higher than the final figure of the previous year. In real terms, the total size of the present Soviet budget is estimated to be as much as $33,000 million. This increase indicates an acceleration of research and development into, and production of, advanced weapons systems.

### *Air and missile power*

Soviet policy statements continue to place marked emphasis on the development of long- and medium-range missiles as a deterrent to aggression and a support to diplomacy. The Soviet Union could, if the program had rated a high enough priority, have by now built up a force of several hundred ICBMs, the original three-stage liquid-fuel missile which has been under development since the mid-fifties. The reasons why they have not created an operational force of this size appear to be:

(a) The fact that in the period 1958-60 Mr. Khrushchev thought that he could insure the security of the U.S.S.R. economically through the provision of relatively small forces of intercontinental bombers, ICBM's and missile-firing submarines, enabling him to devote more resources to nonmilitary programs.

(b) The difficulties of building multiple bases for so large a missile.

(c) The fact that they have had a smaller second generation ICBM under active development for 2 years which is likely to be easier to conceal.

(d) The admitted demands of the Soviet space and other programs upon technical resources.

Consequently the present figure of operational ICBM's is in the neighborhood of 75. However, these ICBM's have very powerful boosters and can carry larger warheads than their American equivalents such as Titan. In theory, at least, they have the lift to boost the 50-megaton warheads which have been tested, and perhaps even larger ones, into a ballistic trajectory, though short of intercontinental range.

Soviet policy places considerable emphasis on concealment of missile bases as a form of protection. But, now, probably as the result of improved Western detection methods, some ICBM sites are being hardened, and increasing attention is being paid to the development of invulnerable submarine-launched missiles. However, the fact that some missiles are grouped in clusters on one site suggests that Soviet policy places greater confidence in active defense against American missiles, in just the same way that active defense against the manned bomber fighters and ground-to-air missiles has priority over passive measures. If so, this would give point to the Soviet concentration, evidenced in the speeches of Mr. Khrushchev and Marshal Malinovsky during the past year, on antimissile defense systems. Mr. Khrushchev laid great stress during 1962 on the Soviet development of a global rocket, that is, one that could be launched on a trajectory to circumvent Western warning and other active defense systems.

By contrast with the small number of ICBM's, the number of MRBM's has been augmenting steadily and has now reached a figure of about 700. These are deployed in sufficient numbers to deal with strategic and semitactical targets—such as fighter airfields—in Western Europe, including Britain, and in the Far East. It is likely that this buildup is continuing. It is clear that Soviet policy is to site them near the western, southern, and eastern borders of the Soviet Union, on the Pacific coast and in Siberia. The strategic missile forces are organized as an autonomous arm of the service, which is now believed to be under the command of Marshal Biryuzov.

In spite of their concentration on rockets and ballistic missiles, the Russians have not neglected their air force, which comprises some 15,000 operational aircraft, organized into 5 major components, namely: (1) The long-range strategic bomber force; (2) the tactical, or frontline, force which includes fighters and tactical bombers; (3) the fighter interceptor force of the air defense command; (4) the land-based fleet air arm; (5) the air transport force.

The heavy bomber force has been kept at a considerably lower strength than that of the U.S. Strategic Air Command, though the general lines of development, including stand-off bombs and missiles, are similar. On the other hand, the Soviet Union has built up a very strong force of medium bombers suitable for use all over the Eurasian theater and its coasts, and an efficient light bomber force. The following gives some indication of Soviet strength in this field.

### (i) Strategic Striking Power

#### Missiles

(a) The principal operational ICBM is propelled by a three-stage liquid fuel engine and has an operational range of over 8,000 miles.

A second generation ICBM has been developed with a warhead of between 1 and 5 megatons. It is propelled by a storable liquid fuel and is smaller and probably more accurate than its predecessor. It may be expected to be deployed during 1963.

(b) In November 1961 the 1st Deputy C-in-C Rocket Forces, General Tolubko, spoke of the range of strategic rockets as being over 620 miles. Soviet MRBM's are believed to include vehicles with ranges from 700 to 1,100 miles, based on Soviet territory. But there is a larger MRBM with a two-stage liquid fuel engine which has a range of 2,100 statute miles.

#### Long-range and medium bombers

The strategic bomber force consists mainly of the following aircraft:

(a) Seventy turboprop Bears[1] (TU 20); now able to carry 2 short-range air-to-ground missiles or 1 large winged missile; 120 4 jet Bisons; now able to carry a winged missile; (b) 1,000 twin-jet medium bomber Badgers (TU 16). The air force version has a single air-to-ground missile like the U.S. Hound Dog.

The naval air force, a part of which is attached to each of the four Soviet fleets, consists of about 750 aircraft, including a strike force of Badgers with winged missiles for ship attack.

(c) Delta-wing 4-jet Bounder. This could be a replacement for Bison, if the Soviet Union decided that there was a requirement for a supersonic strategic bomber.

There is a twin-engined supersonic medium bomber Blinder, somewhat similar to the U.S. B–58, coming into service with a long range air-to-ground missile and probably capable of air refueling. This is probably a replacement for Badger.

LRAF is grouped in three areas: western Russia, the central Ukraine and in the Far East, although it is likely that airfields in the Arctic are maintained for training and staging purposes.

### (ii) Tactical Air Power

The tactical bomber forces are emerging from a period of transition with older aircraft such as the turbojet Beagle being replaced. The earlier estimate of 4,000 operational aircraft is therefore now too high. Priority now seems to be concentrated on a new twin-jet ground attack aircraft with transonic capabilities and a range of 2,000 miles which seems to be an improved version of Flashlight and known as Flashlight B. In general, intensive development work is going or in the field of supersonic high- and low-level attack bombers.

### (iii) Air Defense

The number of ground-to-air guided missiles and high-performance fighters for air defense has been steadily increased and an extensive early warning system is in operation. The following are details of air defense equipment.

#### Ground-to-Air Guided Missiles

A radar-directed rocket, which is already in service and is considered to be highly effective. It is propelled by one main and one auxiliary solid-fuel engine. Its slant range is 20 miles, and it rises to a height of at least 12 miles (60,000 feet).

There may also be a high-altitude guided missile, and there is an antiaircraft missile which has a range of 18 miles.

A great deal of effort has been expended in the past year on the strengthening of antiaircraft defenses. In February 1962 Marshal Malinovsky said, "The country's antiaircraft defense troops have at their disposal weapons capable of destroying the aviation and outer space means of attack of the enemy at enormous distances and altitudes."

#### Fighters

It is estimated that there are about 10,000 fighter aircraft of all kinds, and that intensive research and development to produce types with higher ceilings and improved air-to-air weapons has a high priority. Five types of air-to-air missiles have been displayed.

(a) The standard all-weather interceptor of recent years, the subsonic Yak 25 Flashlight, is now obsolescent, although two improved versions, one of them redesigned as a light bomber, are still in service. However, a new all-weather delta-winged interceptor, provisionally called Flashlight C, was displayed in July 1961. Fiddler is an all-weather long-range interceptor.

(b) The most important day fighters are:

| | Maximum speed | Ceiling |
|---|---|---|
| | *Miles per hour* | *Feet* |
| Mig 19 Farmer | 900 | 55,000 |
| Mig 21 Faceplate | 1,200 | 60,000 |
| SU 15 Fishpot | 1,300 | 60,000+ |
| SU 16 Fishbed | 1,300 | (1) |

[1] Rocket boosted.

There are 600,000 men in the Soviet Air Forces.

### *Land power*

No official figures of the Soviet Army are published but its current total size is estimated at up to 2,500,000. It is organized in approximately 160 active line divisions, most of which are below full strength. Of this 160, about 75 divisions are in European Russia and 26 in Eastern Europe. Twenty are armored divisions, 50 are infantry divisions, while the remaining 90 are in process of being converted into motorized divisions.

In East Germany there are 10 tank divisions each with 345 tanks, and 10 motorized divisions, each with 219 tanks. All are operational and comprise a total of over 5,500 tanks. In Hungary there are four divisions and in Poland two divisions. It is estimated that the Soviet Union has a total mobilization potential of 7 million men including all types of reservists.

A motorized division at war strength comprises nearly 14,500 men, a tank division about 11,250; both include supporting artillery and antiaircraft units. There are still some rifle (infantry) divisions in the Soviet Union, but these are gradually being phased out.

The airborne forces of the Soviet Union total approximately 100,000 men formed in 9 divisions. The airborne troops are supported by the transport fleet, which would enable about two divisions to be air-lifted simultaneously.

In recent years, the Soviet Army has undergone a major reorganization to meet conditions of atomic warfare. Many of its units have been completely reequipped twice over the last 10 years and, thanks to the introduction of modern weapons, its fire power has been vastly increased. The large-scale introduction of tactical missiles into the ground forces has increased the importance of the former Artillery Command, which has been renamed the Command of Missile and Artillery Troops, and is under Chief Marshal of Artillery S. S. Varentsov. The main emphasis in training continues to be the movement of tank and missile-artillery formations across radiation-contaminated ground (including water and other natural barriers) consistent with Soviet doctrine which envisages a major offensive role for the ground forces in the event of nuclear war. Though the Soviet Union has not shown as much interest as the United States in the development of very low yield nuclear weapons for tactical purposes, nuclear warheads are available for many of the missiles mentioned below. The Soviet forces in East Germany have tactical nuclear weapons.

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[1] It should be made clear that the menagerie of names for Soviet aircraft is of NATO, not Soviet, origin.

Soviet Army equipment includes:

### (i) Tanks

The total strength of the Soviet Army is estimated at 20,000 front-line tanks and 15,000 second-line tanks. The new tanks which have been introduced into the Soviet armored divisions are the T–54 medium tank fitted with a 100 millimeter gun, and the 54-ton heavy tank T–10 which mounts a 122-millimeter gun.

### (ii) Artillery

The Soviet Army is very strong in artillery. Conventional weapons known to be deployed in field formations include cannon of up to 152 millimeter caliber and unguided rockets of up to 240 millimeter caliber, both with ranges of up to 13 miles, and short range mortars of up to 160 millimeter caliber. Larger weapons exist which could have a nuclear capability but these are not known to be in field formations.

### (iii) Missiles

Tactical missiles for use by the ground forces include those with ranges from 10 to about 300 miles, some of which are carried on modified tank chassis. The smaller missiles are all on amphibious tracked chassis.

### *Seapower*

The Soviet Navy, which is manned by about 500,000 officers and men (including the naval air force), has increased from a total tonnage in 1940 of 600,000 to 1,600,000 tons today, which makes it the most powerful fleet in the world after the United States (4 million tons).

### (i) Submarines

The main strength of the Soviet Navy lies in the submarine fleet.

The submarine force comprises 410 units, of which 80 are based in the Baltic, 60 in the Black Sea, 130 in the Arctic, 120 in the Far East.

The number of conventional submarines has been reduced by 50 in the last 3 years. It is expected that, in the near future, 75 percent of the submarine fleet will consist of oceangoing craft.

In October 1962 there were 10 nuclear powered submarines designed for various duties and in various stages of commissioning. The rate of building suggests that there may be between 15 and 20 by the end of 1963.

The following are details of the conventionally powered submarine fleet:

The F class is about 300 feet long, has a displacement of 2,000 tons, and a large radius of action. At least 10 of these are in service.

The G class is 310 feet long and has a submerged displacement of 2,700 tons. It has a very large conning tower for the vertical launching of missiles which are fired when on the surface.

The W class is 245 feet long with a 1,050 tons displacement. It has a speed of 16 knots on the surface and 13 knots submerged, and a radius of action of 10,000 miles. There are about 130 of these in service.

The Z class is 290 feet long with a submerged displacement of 2,600 tons. It is capable of 20 knots on the surface and 13 knots submerged, with a radius in excess of 20,000 miles. There are at least 20 of these in service. A small number have been converted to fire missiles, probably in a manner similar to the G class. They are stationed principally in the Baltic and the Far East.

The K and Q type, which were built between 1945 and 1955, are medium range vessels; their radius of action is about 7,000 miles and their displacement varies from 1,400 to 680 tons.

### (ii) Surface Ships

The surface ships of the Soviet Navy consist of: Cruisers, 20; destroyers, 100; guided-missile destroyers, 7; other vessels, 2,500. (There are also a number of disguised trawlers used for radar and reconnaissance purposes. These are distributed more or less equally between the Baltic, Black Sea, northern and Pacific fleets.

The cruisers are of three different types: (a) Fourteen Sverdlov class, launched between 1951 and 1957, displacement 15,500 tons, speed 34 knots, armament twelve 152-millimeter guns and 32 antiaircraft guns; (b) 3 Chapayev class, completed between 1948 and 1951, of 11,500 ton-displacement, with the same speed and armament as the Sverdlov; (c) 3 Kirov class, launched between 1936 and 1945, displacement 8,500 tons, speed 30 knots, armament nine-millimeter guns and 20 antiaircraft guns.

Four or more almost completed Sverdlov cruisers appear to have been scrapped.

The greater part of the destroyers are modern, having been constructed since 1950, and some are fitted with guided missiles. Their displacement varies from 1,000 to 2,700 tons, and their speed from 28 to 38 knots.

### (iii) Fleet Air Arm

There are no aircraft carriers in the Soviet Navy, but there is a land-based fleet air arm with 750 aircraft. It consists mainly of: (a) the TU–16 Badger—range of 3,500 miles; (b) the torpedo-carrying IL–28 Beagle, with a range of 1,500–1,800 miles; (c) the older TU–14 Bosun.

A new twin-jet sweptwing flying boat Mallow (Be–8) intended for mine laying, and a naval turbine helicopter with a short-range missile were displayed in 1961.

### (iv) Sea-to-Ground Missiles

Since the series of Soviet nuclear tests in the Arctic in July 1962, there is no reason to dispute earlier Soviet claims that a true Polaris-type missile, which can be fired from a submerged submarine, has been successfully developed. Hitherto there have been two types. One has a range of about 100 miles and the other of about 400 miles. The 100-mile range missile is believed to be solid fuel and can be fired either from a surface craft or a surfaced submarine. The 400-mile missile is designed for submarines but can only be fired from the surface.

## THE WARSAW PACT NATIONS

It is estimated that the seven smaller members of the Warsaw Pact, whose organizational structure was tightened up during 1962, can muster about 63 regular divisions. These satellite armed forces represent a total of about 980,000 men under arms (a small decrease over 1961). In addition there are about 285,000 men in paramilitary formations (a decrease of over 25 percent compared with recent years).

The table below gives the estimated strength of their armed forces.

The satellite air forces number a total of about 3,000 planes, about 80 percent of which are jet fighters.

The satellite naval forces are of little importance and only of value for local defense.

*The Warsaw Pact forces*

| Country | Army | Navy | Air Force | Tota armed forces | Para-military | Number of divisions | Destroyers | Submarines |
|---|---|---|---|---|---|---|---|---|
| East Germany | 65,000 | 11,000 | 9,000 | 85,000 | 60,000 | 6 | 4 | ---------- |
| Czechoslovakia | 150,000 | ---------- | 35,000 | 185,000 | 35,000 | 14 | ---------- | ---------- |
| Albania | 25,000 | 3,000 | 1,500 | 29,500 | 10,000 | (1) | ---------- | 4 |
| Bulgaria | 100,000 | 5,000 | 15,000 | 120,000 | 40,000 | 10 | 3 | 3 |
| Poland | 200,000 | 12,000 | 45,000 | 257,000 | 45,000 | 14 | 3 | 7 |
| Rumania | 200,000 | 7,000 | 15,000 | 222,000 | 60,000 | 13 | 3 | 2 |
| Hungary | 75,000 | ---------- | 5,500 | 80,500 | 35,000 | 4 | ---------- | ---------- |

[1] Five brigades.

## CHINA

### *The army*

(i) The army consists of well over 2 million men organized in approximately 115 divisions of infantry, 2 or 3 armored divisions, 1 or 2 airborne divisions, supporting troops, and cavalry for desert areas.

There were 125 million men of military age in 1962. About 700,000 are called up each year and serve 3 years in the army.

It is believed that a significant number of the best equipped and trained infantry divisions have been moved in the last year to central and southern China, opposite the Formosa Straits.

(ii) The armed forces are organized by the Ministry of Defense, advised by a National Defense Council whose chairman is the Chairman of the People's Republic; control is exercised through 13 military regions. The land army consists of about 30 to 35 armies. These are of three divisions each, i.e., an army is equivalent to a Western army corps. In peacetime there is no operational headquarters higher than the army; but in wartime armies are grouped in field armies. The strength of an active army could be between 50,000 to 60,000.

(iii) No reliable figures are available for the size of the militia, but the declared intention is to embody every third person in the population. Chinese policy places great emphasis on the militia, Mao's "every man a soldier," but it is static, sketchily armed, and organized as much for forced labor as defense. The public security forces, including the armed police, now consist of about 300,000 men.

### *The air force*

This has a total strength of 90,000 men and 3,000 aircraft, including 500 naval aircraft. China is now building jet fighters and trainers, but the backbone of the force consists of Soviet Mig 15's, 17's, and probably 19's, IL–28 (Beagle) light bombers, and helicopters. Mig 15's and perhaps 17's also are in quantity production in China. Training is inhibited by shortage of aviation spirit. A radar chain has been built along the Pacific coast from Kamchatka south to Hainan.

### *The navy*

China has no operational ships heavier than destroyers, of which there are four. There are 30 submarines (a small increase on 1961), of which half are Soviet W class medium-range craft; frigates; MTB's; gunboats, and patrol craft. The navy is not an offensive force and is ineffective except for inshore defense.

## NORTH KOREA

The Soviet Union concluded a mutual defense treaty with North Korea on July 7,

1961. The North Korean forces are estimated at 338,000 men, including an air force of 30,000 men and 500 planes; and an army of 16 divisions.

### NORTH VIETNAM

Both the Soviet Union and China assist in the support of a conscript army which is estimated at 260,000 men organized in about 15 divisions. There are also 100,000 men in paramilitary formations.

### CUBA

Cuba must, for the time being, be regarded as part of the Communist bloc. In the past 2 years the Cuban army appears to have been expanded from a regular force of about 30,000 to one of 80,000 equipped with recent Soviet weapons, and a militia of 200,000 men and women. There is an air force of about 70 Mig 17's and 19's, with some IL–14 transports; some IL–28 Beagles (subsonic 1,500-mile range, 4,000-pound bomb load) have also been supplied. It is clear that a strong force of surface-to-air missiles has been deployed. The navy consists of 4 old cruisers and up to 20 modern Soviet motor torpedo boats. Many Cuban units now appear to be under Soviet command.

### CENTRAL TREATY ORGANIZATION

The members of CENTO are Pakistan, Iran, Turkey and the United Kingdom. The United States is an associate member, but is represented on the coordinating Council of Military Deputies and on the Economic and Countersubversion Committees. CENTO does not have an international command structure nor are forces allocated to it.

#### *National forces*

#### Iran

General: Population, 21 million; length of military service, 2 years; total armed forces, 200,000; defense budget, $125 million; but may be cut heavily.

Army: Total strength, 208,000. Plans to expand to 250,000 in 1962 have been abandoned. The present figure may soon be reduced. Twelve divisional organizations exist. There are M–47, Sherman and T–34 tanks, a paramilitary gendarmerie of 30,000.

Navy: Total strength, 1,000; 2 escorts; 2 minesweepers; 2 other ships.

Air Force: Total strength, 7,500; about 150 planes including 1 tactical wing of 75 F–84G/86s and some F–47D Thunderbolts. This will receive 100 more U.S. aircraft including 60 fighters and some transports.

#### Pakistan

General: Population: 96 million; voluntary military service; total armed forces: 253,000; defense budget, $210 million; U.S. military aid, $1,100 million from 1954 to 1962.

Army: Total strength: 230,000; 8 divisions organized on a triangular basis and equipped with Patton tanks; 250,000 lightly armed militia and about 30,000 Ayad Kashmir troops.

Navy: Total strength: 7,700; 7 escorts; 6 minesweepers.

Air Force: Total strength: 15,000; 1 squadron of 7 B–57 Canberra bombers; 1 squadron of 12 F–104's.

### SOUTHEAST ASIA TREATY ORGANIZATION

The members of SEATO are Australia, France, New Zealand, Pakistan, the Philippines, Thailand, the United Kingdom and the United States. They are committed to build up collective economic and military strength and to consult with a view to joint defensive action in the event of direct or indirect aggression against a member or against the designated states of Laos, Cambodia and South Vietnam. The area is the southwest Pacific theater south of 21 degrees 30 minutes north. There is no central command structure and forces remain under national control. The largest Western base in the west Pacific is that on Okinawa with 42,000 U.S. servicemen. The 28th Commonwealth Brigade plus supporting air units is available in Malaya but the Federal Government has indicated that it would not necessarily accord base facilities for SEATO operations.

The only large-scale fighting going on in the SEATO area at the moment is in South Vietnam where a 200,000-strong government army with 7,000 American advisers is combating the Vietcong guerrillas.

#### *National forces*

#### Australia

General: Population: 10,500,000; voluntary military service; total armed forces, 48,500; defense budget, $472 million.

Army: Total strength, 21,600 (plus 22,500 citizen military forces); 1 infantry battalion with artillery support in Malaya; 1 Centurion tank regiment; 2 battle groups (reinforced infantry battalions); 1 Pacific island regiment battalion; 8 CMF battle groups.

Navy: Total strength: 11,100; 1 16,000-ton carrier (partly A.S.); 1 carrier (fast transport); 13 escorts; 6 minesweepers. About 100 naval aircraft, including Sea Venoms and Gannets.

Air Force: Total strength, 16,000 plus 900 CMF; 3 Canberra squadrons; 4 F–86 squadrons (1 to convert to Mirage III's in 1963); 2 Neptune patrol squadrons; 3 transport squadrons (1 Hercules and 2 Dakota); 450 aircraft altogether; Bloodhound AA missiles.

#### New Zealand

General: Population, 2,400,000; voluntary military service; total armed forces; 12,200; defense budget: $81 million.

Army: Total strength, 4,900; 1 brigade, including a battalion in Malaya.

Navy: Total strength, 2,900; 1 cruiser; 4 escorts.

Air Force: Total strength, 4,400; 1 bomber squadron with 12 Canberras; 1 maritime reconnaissance squadron; 3 transport squadrons.

#### Philippine Republic

General: Population, 25 million; voluntary military service; total armed forces, 32,000 plus a paramilitary national police; defense budget: $100 million.

Army: Total strength, 22,000; has M–41 tanks.

Navy: Total strength, 4,000; 14 escorts; 2 minesweepers.

Air Force: Total strength: 6,250; 4 squadrons of F–86's (1 carrying Sidewinders).

#### Thailand

General: Population, 26 million; length of military service, 2 years; total armed forces, 134,000 plus 30,000 militarized police; defense budget, $70 million; U.S. military aid, $400 million to 1962.

Army: Total strength, 90,000; 3 infantry divisions (nominally with 3 brigades each) and 1 composite division with armor.

Navy: Total strength, 18,000 plus 4,000 marines; 5 escorts; 4 minesweepers; 24 small ships.

Air Force: Total strength, 22,000; about 350 aircraft including about 150 first-line. First-line includes 30 F–84G's and F–86's; more F–86's are being procured.

### U.S. MUTUAL DEFENSE TREATIES

Those countries which have mutual defense treaties with the United States are Japan, Formosa, and South Korea.

Their forces are as follows:

#### *National forces*

#### South Korea

General: Population, 23 million; voluntary military service; total armed forces, 602,000; defense budget, $130 million; U.S. military aid, $1,800 million to date.

Army: Total strength, 570,000; 29 divisions; 12,000 Koreans serve in the 2-division American garrison.

Navy: Total strength, 17,000; 18 escorts; 10 minesweepers.

Air Force: Total strength, 15,000. About 300 planes including 2 wings of 150 F–86F fighter-bombers and 2 squadrons of F–86D interceptors.

#### Taiwan

General: Population, 10,050,000; length of military service, 2 years and reserve liability. Total armed forces, 570,000; defense budget, $230 million; U.S. military aid, $1,800 million, 1952–62.

Army: Total strength, 400,000 including 70,000 on Quemoy and Matsu; 21 infantry divisions; 2 armored divisions; 1 Nike-Hercules battalion.

Navy: Total strength 35,000 plus 27,000 marines; 35 escorts; 12 minesweepers; 2 other ships. Amphibious shipping for one division is available.

Air Force: Total strength, 110,000; 3 interceptor wings of F–86F's (with Sidewinders) and F–104's; 1 F–100 fighter-bomber wing. Each wing has about 75 planes. Total of 500 to 600 planes including 400 firstline.

#### Japan

General: Population, 94,640,000; voluntary military service; total armed forces, 235,000; defense budget, $569 million; U.S. military aid, about $800 million since 1950.

Army: Total strength, 171,500 (planned expansion to 180,000 with 30,000 reserves by 1967); 13 divisions of 7,000 to 9,000 men each, organized into 4 battle groups; 1 division, based on Hokkaido, is mechanized. The army has 271 light aircraft and helicopters and 900 American-built tanks including M–41's.

Navy: Total strength, 24,500; 44 escorts; 3 submarines; 100 antisubmarine aircraft. The naval air component has about 200 aircraft including helicopters.

Air Force: Total strength, 39,000; 2 tactical wings; 4 fighter-interceptor wings. A total of 1,000 aircraft of which 550 are jets. The first of 180 F–104J's have been accepted; they will partially replace 100 F–86D's and 350 F–86F's in service. The F–104's and 280 of the F–86F's are to have Sidewinders. The first wing of 72 Nike-Ajax missiles and 36 launchers is operational in the Tokyo and Yokohama areas. The second will enter service in 1963 as will some Hawk batteries.

*Table II.—Some comparative estimates of strategic strength, early 1963*

| Category | Western alliances [1] | Communist bloc [1] |
|---|---|---|
| ICBM's (over 2,000-mile range) | 450-500 | 75 |
| MRBM's (700- to 2,000-mile range) | 250 | 700 |
| Long-range bombers (over 5,000-mile range) | 630 | 200 |
| Medium-range bombers (over 2,000-mile range, including major carrier-based aircraft) | 1,630 | 1,400 |
| Battleships and carriers | 40(36) | ---------- |
| Nuclear submarines [2] | 32 | 12 |
| Conventional submarines | 212(48) | 445(50) |
| Cruisers | 29(31) | 20(10) |
| Escorts | 842(265) | 124(365) |
| Tanks [3] | 16,000 | 38,000 |
| Mobilized manpower (excluding paramilitary forces) (men) | 8,000,000 | 7,700,000 |

[1] Ships in reserve are shown in parentheses.

[2] Includes both missile and hunter submarines.

[3] Includes many obsolescent types.

TABLE III.—*Major nuclear delivery systems, 1962–63*

(A) AIRCRAFT

| Name | Origin | Best range (miles) | Speed[1] |  | All-up weight (pounds) | Became operational | Typical warload |
|---|---|---|---|---|---|---|---|
|  |  |  | Mach No. | Miles per hour |  |  |  |
| B-52A-G | United States | 10,000 | 0.88 | 665 | 450,000 | 1955–61 | 2 Hound Dog ASM's in C and G, others H-bombs. |
| B-52H | do | 12,500 | .88 | 665 | 488,000 | 1962 | Skybolt. |
| Bison | U.S.S.R | 6,050 | .85 | 600 | 400,000 | 1956 | ASM's.[2] |
| TU-20 Bear | do | 7,000 | .78 | 580 | 320,000 | 1956[3] | H-bomb. |
| Vulcan B-1 and B-2 | United Kingdom | 3,500 | .95 | 630 | 200,000 | 1957 | Blue Steel in B-2. |
| Victor B-1 and B-2 | do | 3,500 | .95 | 630 | 200,000 | 1958 | Do. |
| B-47 | United States | 3,200 | .83 | 650 | 200,000 | 1952 | H-bomb. |
| Valiant | United Kingdom | 4,500 | .84 | 567 | 175,000 | 1955 | 45,000 pounds. |
| TU-16 Badger | U.S.S.R | 3,500 | .87 | 610 | 170,000 | 1955[3] | ASM.[2] |
| B-58 Hustler | United States | 2,000 | 2.1 | 1,385 | 163,000 | 1960 | H-bomb. |
| Blinder | U.S.S.R |  | 1.5 | 1,030 | 150,000 | 1962 | ASM.[2] |
| A-3D2 Skywarrior | United States | 3,000 | .83 | 610 | 73,000 | 1956 | 12,000 pounds. |
| Mirage IV | France | 2,500 | 2.3 | 1,520 | 66,000 | 1964 | Fission bomb. |
| Canberra B(L)8 | United Kingdom | 3,800 | .83 | 580 | 56,000 | 1955 | 15,000 pounds. |
| Flashlight | U.S.S.R | 2,000 | 1.05 | 690 | 52,000 |  | Fission bomb. |
| A-3J Vigilante | United States | 2,000 | 1.1 | 700 | 60,000 | 1961 | H-bomb (for example). |
| F-105D Thunderchief | do | 2,000 | 2.15 | 1,420 | 48,000 | 1961 | 9,700 pounds including H-bombs. |
| Buccaneer S-1 | United Kingdom | 3,860 | 1.05 | 720 | 46,000 | 1962 | H-bomb |
| F-4H Phantom II | United States | 2,000 | 2.6 | 1,504 | 45,000 | 1962 | 11,000 pounds. |
| Scimitar | United Kingdom | 1,500 | .97 | 710 | 40,000 | 1958 | 4,000 pounds. |
| F-100D Super Sabre | United States | 1,500 | 1.3 | 864 | 35,000 | 1957 | 7,500 pounds. |
| F-104 Starfighter | do | 2,200 | 2.2 | 1,450 | 27,000 | 1958 | 4,200 pounds. |
| F-84F Sabre | do | 2,500 | .9 | 650 | 25,000 | 1954 | 6,000 pounds. |
| A-4D2 Skyhawk | do | 3,200 | .9 | 685 | 18,000 | 1956 | 5,000 pounds. |

[1] The inconsistency between mach numbers and speed in miles per hour is accounted for by difference in operational ceilings.

[2] ASM—Air-to-surface missile.

[3] Earlier marks now obsolete.

(B) MISSILES—GROUND TO GROUND[1]

| Name | Propellant[1] | Launching weight (pounds) | Range in (S) miles | Operational | Notes |
|---|---|---|---|---|---|
| United States: |  |  |  |  |  |
| Atlas E | L | 260,000 | 9,000+ | 1959 | 3-megaton warhead. |
| Titan I | L | 220,000 | 9,000+ | 1961 | 4-megaton warhead. |
| Minuteman | S | 65,000 | 6,300 | 1962 | 600-kiloton warhead. |
| Thor | L | 110,000 | 1,725 | 1958 | Obsolescent. |
| Jupiter | L | 110,000 | 1,725 | 1959 |  |
| Polaris A-1 | S | 28,000 | 1,380 | 1960 | 600-kiloton warhead. |
| Matador | S | 10,000 | 500 | 1955 | Obsolescent. |
| Mace A and B | S | 14,000 | 650 | 1960 | Mace B has range of up to 1,380 miles. |
| Regulus I | T. & S. | 14,500 | 575 | 1955 | Obsolescent. |
| Pershing | S | 35,000 | 300+ | 1962 | Fully mobile. |
| Redstone | L | 61,000 | 200 | 1956 | Obsolescent. |
| Sergeant | S | 10,000 | 85 | 1962 | 20-kiloton warhead. |
| Corporal | L | 12,000 | 75 | 1955 | Obsolescent. |
| U.S.S.R.: |  |  |  |  |  |
| ICBM | L | 300,000 | 8,000+ | 1955 | 10-megaton warhead. |
| ICBM | SL |  |  | 1963 |  |
| MRBM | L | 122,000 | 2,100 | 1959 |  |
| MRBM | L |  | 1,100 | 1961 |  |
| MRBM |  |  | 700 |  |  |
| SSLM | S |  | 400 | 1959 |  |
| SSLM | S |  | 100 | 1959 |  |
| SRM (Scud) | L |  | 120 | 1957 | Ballistic. |
| SRM (Shaddock) | T |  | 175–350 | 1961 | Cruise. |

[1] Key:
L—Liquid fuel.
S—Solid fuel.
SL—Storable liquid fuel.
T—Turbojet.
SSLM—Submarine surface-launched Missile.
SRM—Short-range missile.

Mr. MORSE. I yield now for a question.

Mr. CLARK. The Senator from Oregon has indeed made a brilliant and provocative major speech on foreign policy, with much of which, but not with all of which, I find myself in accord. I should like to ask the Senator a couple of questions to develop some of the points about which he spoke; but I urge the Senator, as a valuable member of the Foreign Relations Committee, to continue unceasingly to raise these questions before that committee as well as on the floor of the Senate.

The Senator made some reference to the United Nations and the fact that our country—quite wisely, in my opinion—has supported it more strongly than have many of our allies in Western Europe; and he had particular reference to our Congo policy. I wonder if the Senator supports our Congo policy.

Mr. MORSE. Wholeheartedly.

Mr. CLARK. I do, too; and I think that, over the objections of the racists and the plutocratic forces in America which would support any large corporation in its efforts to maintain its own satellite political state, free from democratic control of the major interests in the Congo, our country has not only been entirely right, but it seems today as if that policy is about to succeed.

I wonder if the Senator will agree with me that it is rather unfortunate that more Members of this body and more leaders of public opinion have not come to the defense of our foreign policy; but, on the other hand, commentators, almost without exception, have been carping critics of that policy. I say again, although I do not charge any man with bad motivation—I cannot look inside his mind—that I find it rather difficult not to make the supposition that this opposition is largely racist and largely plutocratic. I wonder if the Senator will agree with me.

Mr. MORSE. I do not know about the motivations of others, but I have regretted the fact that there have not been more leaders in government, in both parties, giving public support to the position the United States has taken on the Congo. However, we have taken a position that is fully our obligation as a member of the United Nations.

The Senator from Pennsylvania knows that I served as a delegate to the United Nations in 1960. I was shocked at the attitude of France, Portugal, the Communist bloc, and some other countries in refusing to give support to the United Nations programs after they had been agreed upon under the democratic procedures of the United Nations. That is why I welcomed the effort when at that time our delegation pressed for an early submission of a request for an advisory opinion by the World Court on the obligation of countries which, for example, had simply refused to pay their share of the costs of the United Nations operations, such as France and Russia. France had taken the position that she would not support the United Nations and the United Nations decision in the Congo.

I was satisfied that, under international law, there was only one finding the court could reach; namely, that every member of the United Nations is bound to financially support the program of the United Nations which had been implemented under the procedures of that body. As the Senator knows, an advisory opinion was handed down some months ago which expressed the view that such assessments are a financial obligation of the member nations.

I certainly have no evidence which would justify me to say as a lawyer that some of the opposition to United Nations policy in the Congo is racist. But we all make our own interpretations of what seems to be in the background of positions taken by nations, individuals, and organizations. There is no question that there are great forces in the world and in this country which have opposed a United Nations policy in the Congo, and in other parts of Africa, too, may I say—because of their racial attitudes. I think that is shameful. I think it is shocking. If we do not stop creating that type of attitude, which could spread into a racial fire in large parts of the world, it could, of course, threaten the peace of the world.

**Mr. CLARK.** Mr. President, will the Senator yield further?

**Mr. MORSE.** I yield.

**Mr. CLARK.** I agree wholeheartedly with what the Senator has just said. I strongly endorse my country's strong support of the United Nations. But I wonder if the distinguished Senator from Oregon, as a trained lawyer with some experience in international law, would not agree with me that the charter under which the United Nations has operated makes us do everything the hard way. That charter was adopted in 1945 in San Francisco. At that time many sound and proved and tried democratic procedures had to be sacrificed to expediency, in order to persuade Russia to join the United Nations.

I wonder if the Senator will agree with me that in the more than 17 years which have passed since that charter was adopted, it has become apparent that the charter of the United Nations is as defective as were the Articles of Confederation in the period before the Constitutional Convention was summoned, which, in 1789, approved the Constitution of the United States.

**Mr. MORSE.** I prefer not to answer by making a comparison between the Articles of Confederation and the Charter of the United Nations, but to make my answer in this way: I have said many times, here and elsewhere, that I think the United Nations Charter is in need of major revision. I think its provisions in regard to the Security Council should be revised. I think the veto should be eliminated. I think there needs to be a revision with regard to jurisdiction and procedures to be followed in the General Assembly. I think we need some revisions in the charter with regard to the jurisdiction and authority of some of the agencies of the United Nations. But those revisions, in my judgment, should all be aimed at strengthening the jurisdiction of the United Nations to carry out the objective set forth in the great preamble, for I still think the United Nations stands as possibly man's last hope for preserving peace in the world.

**Mr. CLARK.** Will the Senator yield further?

**Mr. MORSE.** I yield.

**Mr. CLARK.** I agree with everything the Senator has said. I should like him to be a little more specific. If the Senator does not wish to answer the point specifically, I will certainly understand.

I have been trying, ever since I came to the U.S. Senate, to persuade the State Department, first under Republican, and now under Democratic guidance, to take the initiative in seeking a comprehensive revision of the United Nations Charter, which I believe to be essential if it is to become a more effective institution in the interest of world peace.

If I recall correctly, when the President of the United States was a Member of the Senate, he joined me, the senior Senator from Oregon, and 23 other Senators in submitting to the Senate a resolution urging studies at the highest level of revisions in the United Nations Charter, with the thought in mind that when the opportunity for revision came, which, as the Senator knows, comes every 2 years, we would take the lead in that direction.

I have never been able to see a spark of interest shown in the proposal in the State Department. We could not even obtain hearings on that resolution in the Foreign Relations Committee. I hope that this time we may do better.

I suggest to the Senator from Oregon that among the many things that need to be changed in the United Nations Charter, if it is to become a really effective major effort for world peace, particularly if we make some progress in world disarmament, would be the elimination of the veto in the Security Council, the elimination of the rule of one vote for each member country in the General Assembly, and the adoption of some sensible nongerrymander procedures which would give due effect in the General Assembly to population potentials and, quite frankly, to power, because, frankly, this is a practical question.

There must also be a foolproof method of raising revenue. We should not have to go around begging individual countries to make contributions.

Next, the executive part of the United Nations must be strengthened. At the present time it is nothing more than a secretariat. If we were to accomplish that objective, we would have taken a long stride forward.

**Mr. MORSE.** I could not agree more with the Senator from Pennsylvania. All I can say to him is that if he will resubmit his resolution, I shall be honored to be a cosponsor of it again, and will join in pressing for hearings on the resolution by the Foreign Relations Committee. Of course, I am only one member of the committee and cannot guarantee it, but I believe that if enough of us make perfectly clear to the committee that we believe it is a matter which ought to be the subject of hearings, the probabilities are that we will get them. I cite that among the specifics which the Senator has outlined in his comments.

It is important that we put Russia on the defensive, and that we take the lead and go on the offensive in the matter of the administration of international law, for this is basically a question of strengthening our system of international law.

Senators have heard me say many times that there is a great deal of talk in this country about the substitution of the rule of law for the rule of the jungle. I do not know how anyone could work harder for the submission of international disputes to the rule of law than has the senior Senator from Oregon. As chairman of the Subcommittee on Latin American Affairs, in the very early days of the gathering storm clouds over Cuba and the United States with regard to our relations with Cuba, it was the senior Senator from Oregon who urged that the disputes existing between the United States and Cuba be submitted under the rule of law to an appropriate tribunal set up by the Organization of America States, and to have them tried on their merits.

We had nothing to be afraid of. I doubted very much that Castro would go along. I felt we ought to prove to the world what country it was that was seeking a peaceful solution to the threat to peace in Cuba. If Castro did not want to go along with the OAS, I said, "All right, offer it to the United Nations for solution."

One of the criticisms at the time was:

> Well, there are a great many procedures that ought to be modified first.

My answer was:

> Let us try a few specific cases, as the best way of proving what procedural reforms need to be adopted both in the OAS and in the United Nations.

**Mr. CLARK.** Mr. President, will the Senator yield further?

**Mr. MORSE.** I yield.

**Mr. CLARK.** The Senator made reference, in his speech, to the very difficult problem of the balance of payments which confronts our country, and the difficulties involved in this problem in attempting to keep pressure going in terms of relative easy money and low interest rates, so that our somewhat sagging economy could come back and that we could hope to achieve a higher level of the gross national product.

In the past few days, in the Washington Post, there have been published a series of what I consider to be public-interest editorials on the subject of the international balance of payments and, indeed, on the whole question of world banking credit.

My own viewpoint is in accord with that of J. Maynard Keynes, that we would be well advised to take the lead again in establishing a world central bank, with a world currency, which would do for the world what the central banks of most of the other civilized countries do, and which the Federal Reserve System does, if rather haltingly, in our own country. I wonder whether my friend from Oregon would agree with me that this should be a major objective of American foreign policy.

Mr. MORSE. The only honest answer I can give to the Senator from Pennsylvania is that I do not have at the present time the Senator's wealth of information and understanding on the monetary economics of the proposal he has just made to say more than that I certainly believe it is a matter which should be studied by the Foreign Relations Committee. I certainly could not take sides on that issue as of now.

Mr. CLARK. I thank the Senator for his candid answer. As a member of the Banking and Currency Committee, and as chairman of the Subcommittee on International Finance of that committee, I have made some studies of this problem, and have attended meetings of the World Bank in Vienna and elsewhere. I have a strong feeling that we ought to stir up something in the Senate in this regard, because our position is suffering from what I call an economic, if not a political, lag.

Mr. MORSE. I do not flatter the Senator when I say to him that his position in the field of finance is not surpassed in expertness and knowledge by that of any other Senator. The point of view that he would express in any Senate hearings would bear great weight with the senior Senator from Oregon. The Senator from Pennsylvania has very great weight with me on almost any matter on which he speaks.

Mr. CLARK. I am happy to hear the Senator say that in expressing only normal Senatorial courtesy to me. Does not the Senator agree with me that it might be wise if the Senate had a rule of germaneness, so that neither he nor I could engage in a colloquy of the kind which we have undertaken, important though it may be?

Mr. MORSE. Certainly; I have advocated many changes in the rules before the Senator from Pennsylvania came to the Senate.

Mr. CLARK. I thank my friend.

Mr. MORSE. My proposal has always been that a rule of germaneness shall apply up to 5 p.m. each day, at which time Senators will have an opportunity to do the other things that they must do, and attend to their obligations. We could make such nongermane speeches as needed to be made, after 5 o'clock. The Senator from Oregon often speaks at 5 o'clock, and as a result he has been sometimes referred to in some quarters as "The 5 o'clock Shadow." Today is an exception because I wanted to make this speech early, in view of the fact that in my opinion, at least, it was of major importance so far as my record is concerned.

However, I will support a rule of germaneness at any time, just as I will support, as the Senator knows, what I believe is the best proposal for checking filibusters in the Senate, while at the same time protecting minority rights in the Senate against the shocking abuse of the steamroller, to which he and I were subjected in the recent satellite controversy in the Senate.

Mr. CLARK. I should like to ask one final question, if the Senator will yield.

Mr. MORSE. I yield.

Mr. CLARK. I am happy to have the support of the Senator from Oregon with respect to the rule of germaneness. He has received many just plaudits from his colleagues for being the 5 o'clock Senator. In the early days of my service in the Senate it used to be my pleasure to sit in the Presiding Officer's chair to listen to the Senator. If he could succeed in having his 5 o'clock rule adopted, I, too, would be glad to be present, because I like a late dinner.

Mr. MORSE. It would be better for the Senator's health, too.

I yield the floor.

The PRESIDING OFFICER (Mr. Stennis in the chair). Members of the staff are entitled to be present in the Chamber so long as they are assisting Senators, but they are supposed to remain quiet. The Chair asks members of the staff to take seats. Those persons who are in the Chamber and who are members of the staff will please take seats. They are asked to remain quiet. The Chair does not think the Senate rules contemplate that staff members should come into the Chamber and engage in conversation, especially conversation which is loud enough to be heard across the Chamber.

The Senator from New York has the floor.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. MORSE. Mr. President, I understood there was to be a call for a quorum when I concluded. I had an understanding with the Presiding Officer that I would see to it that there was a call for a quorum. I should have suggested the absence of a quorum. I apologize to the Chair. The next speaker was to have been the Senator from Mississippi.

The PRESIDING OFFICER. An understanding has been reached. I thank the Senator from Oregon.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. KEATING. Mr. President, the antifilibuster amendment which I have joined in cosponsoring is designed to permit a constitutional majority of the Members of the Senate to act on the business before the Senate but it does not in any way curtail reasonable debate. In fact, more time is assured for debate under the proposed majority cloture procedure than is provided for in the present rules. The proposed rule would allow a minimum of 15 days of debate before there could even be a vote on limiting debate. Thereafter, if a limitation on debate was adopted, a minimum of 50 hours of time would be permitted to each side on the issue before the Senate. Even more time would be allowed if necessary to permit each Senator to speak for at least 1 hour or if the motion for cloture provided, for more time. The majority cloture amendment would allow a majority of the Members of the Senate ultimately to vote on the merits of any issue—and this is basis for its urgency. But it contains every possible safeguard for the rights of the minority and it is nonsense to suggest that it would unreasonably limit the opportunity of any Member to engage in full debate on any issue before the Senate.

I have joined in the bipartisan effort to curb the filibuster, because of my strong belief that the right of a Senate majority to act after full debate is essential to sound constitutional government. In my judgment, as a political proposition, Republicans can best fulfill their responsibility as a minority party by offering constructive alternatives to administration proposals with which they disagree and having them debated on their merits. The Republican Party will hardly enhance its following among the people by joining anticloture Democrats in a policy of obstruction.

The argument that the filibuster rule preserves our constitutional system from extremist proposals is specious. The most extreme violation of the Constitution which I can imagine is that which takes away from a majority of the elected representatives of the people the right to act in their behalf. The Founding Fathers considered many proposals that would have required more than a majority vote for legislative action. They accepted several of these such as the requirement of a two-thirds vote to ratify a treaty, but in each such instance they expressly provided in the Constitution for more than a majority vote. In every other case, it was left to a majority of the Members of the House and Senate to determine the Nation's policies, and majority rule has been the guiding principle of the Republic throughout our history.

Rule XXII—the filibuster rule— defies the principle of majority rule and thereby undermines one of the basic tenets of our system of Government. Whatever defense of the rule may be made on grounds of expediency, it cannot be harmonized with either the letter or the spirit of our fundamental law. The filibuster does not preserve constitutional principles; it debases them. For myself, this is reason enough for its reform.

It is contended that those of us who have joined in the drive for majority cloture are tampering with a hallowed tradition. I am not one who willingly tramples upon tradition, but the idea that the filibuster is part of our tradition is a myth. The very first Congress of the United States wrote antifilibuster procedures into its rules in 1789, and if such rules were needed in a Senate consisting of 26 Members, how much more important they are in a Senate consisting of 100 Members. Similar provisions are found in the rules of procedure of most of the legislative assemblies of the States of the Union including many States south of the Mason-Dixon line. The Senate's retention of the filibuster is not in keeping with tradition. It is in defiance of tradition.

Moreover, there is nothing hallowed about the ordeal by words which must be suffered every time the filibusterers decide to put on a demonstration of their vocal abilities. There is nothing sacred about the spectacle of endless journal readings, late night quorum calls, and parliamentary hassling which accompany every filibuster. These tactics are an affront to the Senate's traditions, not examples to be perpetuated.

The notion that the filibuster protects freedom of debate is a delusion. Filibustering has done more to belittle the Senate's standing as the greatest deliberative body in the world than any other single practice. The debate during a filibuster is a sham. There is no attempt to reason and persuade. There is no exchange of views and arguments. The filibuster really is a substitute of stubborn determination for debate. It is employed when the appeal to reason has been abandoned. In its advanced form it is nothing less than a species of legislative blackmail in which the price exacted for allowing the Senate to continue to function is abandonment of the challenged proposal.

The filibuster rule has survived many attempts at reform and may survive this one. Why is a rule which is of such dubious constitutionality, and which operates with such patent unfairness so difficult to alter? The answer is complex and some of its aspects do not make for pleasant discussion, but the facts must be faced.

In the last analysis, the filibuster survives because it offers a convenient excuse for avoiding a showdown on difficult issues. It serves to alibi the failure to deliver on campaign promises to the American people. By surrendering to the filibuster, the party in power can get off the hook without having to alter one word of campaign oratory. Failure or weak compromises are blamed on Senate procedures rather than on a lack of conviction or determination. Bold and sweeping promises can continue to be made without any danger that they will have to be fulfilled. In short, the filibuster rule is a subtle but effective device for public deception.

The principal victims of this deception are those who had every reason after the 1960 campaign to expect action on urgently needed civil rights legislation. It must be made obvious to everyone that a failure to curb the filibuster will shatter any hopes of enacting meaningful civil rights legislation during this session of Congress.

The fine points of Senate procedure which will be discussed during this debate should not cause us for a moment to lose sight of what is really involved here. At the heart of this controversy is whether a majority of this Senate will ever have an opportunity to vote on the merits of bills to stimulate the progress of school desegregation, to eliminate the Jim Crow features of many Federal grant-in-aid programs, to remove discriminatory restrictions on the right to vote, and to give vitality to the constitutional rights of all Americans. The opponents of these measures have never hesitated in the name of freedom of debate to support motions to table such proposals. They have voiced no complaint against this device for peremptorily cutting off all debate so that an exasperated and frustrated Senate can be recorded against such measures. But if the filibuster rule is continued, we know that these same Members will expend every ounce of their strength to prevent the Senate from ever voting for such measures.

In conclusion, I should like to summarize the arguments in favor of the majority cloture amendment which I have joined in cosponsoring:

First, it fulfills the intent of the Founding Fathers, as reflected in the Constitution, that a majority of the elected representatives of the people exercise responsibility for the legislative decisions of the Nation. A majority may sometimes be wrong, but so may less than a majority, and under the Constitution, unless otherwise specified, it is the majority of the Senate which is given power to enact legislation and determine the rules of its proceedings.

Second, the proposed amendment enlarges the opportunity for constructive debate and assures a minority on any issue a full opportunity to debate the merits of any proposal before the Senate. The motion for majority cloture under the express language of the amendment could not even be voted upon until after 15 days of debate and thereafter each side would be guaranteed a minimum 50 hours each of additional time for debate no matter how small the minority. The amendment will curb filibusters but it will not curb reasonable debate.

Third, the proposed amendment will destroy the veto power which one-third of the Senate now exercises over legislation in the field of civil rights and which could be exercised over any other legislation. No legislation is immune from a threat of a filibuster and history reveals that it has been used both to prevent enactment of essential defense measures and to force enactment of wasteful pork-barrel projects. The filibuster is a potential threat to measures on which the very life of the country may depend. It is a danger to orderly government which should not be allowed to exist.

Fourth, the proposed amendment will help restore the dignity and prestige of the Senate by discouraging dilatory tactics and making it unnecessary for the Senate to operate in a circus atmosphere. In my judgment, it is the most urgent of a number of procedural reforms needed if the Senate is to enjoy its former influence and to play a full role in determining national policies. It should be favored by all those concerned with the declining power of the Senate and the increasing concentration of power in the Chief Executive.

Fifth, the alternative proposal for three-fifths cloture will not satisfy constitutional requirements, will not assure the same opportunities for useful debate, and will have little significance in actual practice. It would be an improvement over the present two-thirds requirement, but the necessity for eventually adopting a majority cloture procedure would persist. A vital principle is at stake here, and no backstage maneuvering or face saving compromises should be accepted. The outcome of the fight now being made will determine whether the pledges of both parties to the American people are to be redeemed and whether their right to be governed by a majority of their representatives is to be vindicated.

Mr. KUCHEL. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. KUCHEL. First, I should like to say that the able and distinguished Senator from New York speaks on this subject with an imposing background as a lawyer. He has practiced his profession with distinction in New York, the State from which he comes. He sits as a member of the Judiciary Committee of the U.S. Senate—a committee which, in years gone by, has dealt with all facets of this problem. On that score, I wish to congratulate him for the comments he has made today, because, as the able Senator from New York has said, probably this issue will be decided now or it will not be decided during this entire Congress.

Let me ask the Senator from New York a question. Among the points he has made, he has alluded to the fact that, under the present rules, the filibuster has been utilized against all types of proposed legislation. Both he and I will recall that the filibuster was utilized a year ago against a bill to ban the use of literacy tests—a measure recommended by both the Republican Party and the Democratic Party. But the filibuster was also utilized by a group of Senators against proposed legislation, recommended by President Kennedy, to create a corporation to utilize the satellite Telestar for international communications. Therefore, I ask my able friend this question: Is it not true that what he seeks to do, as one of the leaders in this attempt at long last to eliminate the filibuster, is to rid the Senate of an undemocratic device by which a handful of Senators can frustrate and destroy the wishes of the many Members of the Senate in regard to any type of legislative proposal pending before the Senate?

Mr. KEATING. That is true; the list of measures which have been filibustered covers a wide range of subjects. The filibuster could be used tomorrow in connection with an important defense measure, or in connection with a vital appropriation, or the confirmation of the nominations of an important Cabinet member, or in connection with any other subject—running the whole gamut of our legislative activity. This is a serious threat which confronts the Senate at all times. I am hopeful that the Senate will recognize the danger and that a majority cloture procedure will be voted by this body. The sooner the Senate reforms its rules and gets its house in order, the better.

I am very grateful to the Senator from California for his comments. I can only say that I have been proud to stand shoulder to shoulder with the distinguished minority whip, who is one of the principal proponents, along with the majority whip, of this amendment; and I know of the interest of the Senator from California and of his arduous work in this field.

Mr. KUCHEL. I thank my able friend for his comments. He has supplied effective and courageous leadership in this fight.

With respect to the specific provisions of the proposal the able Senator from New York is sponsoring, along with a number of the rest of us, is it not true that whereas our proposal requires that 16 Senators sign the petition, no 16 Senators would sign such a petition until long days and weeks of debate had been had, so that in the minds of those 16 Senators it would be quite clear that the oratory then occurring in this Chamber was for purposes of delay, rather than for elucidation?

Mr. KEATING. That is true. I also point out that after cloture is voted, there still will be a minimum of 100 hours of debate divided equitably between those who are for and those who are against the matter at issue. Many persons in this country would think 100 hours of debate alone, without the days and days of debate preceding the 100 hours, would exhaust the debate on almost any subject with which the Senate would have to deal.

Mr. KUCHEL. What is the opinion of the Senator from New York as to a reasonable estimate of the number of weeks which would elapse before, under his proposal, a majority of the Senate could dispose of a problem before the Senate?

Mr. KEATING. I think that would depend somewhat on the issue and the circumstances. For example, the debate on a motion to have the Senate proceed with the consideration of a measure reasonably might be closed somewhat earlier than the debate on the merits of the proposal itself.

We are now confronted with debate on a motion to have the Senate take up a resolution. I believe that in a relatively short time all the debate and arguments on a motion to have the Senate take up a measure would be exhausted. The length of time required for the debate on the measure itself would depend somewhat on the subject involved. For example, the Telstar bill was rather complicated; and the debate on that bill might take somewhat longer than would the debate on a very simple piece of proposed legislation.

So the length of time required would depend somewhat on the subject involved. But certainly there would be an opportunity for full discussion before any effort would be made to close the debate on any issue. Our proposal would curb filibusters but it would not curb argument and debate.

Mr. KUCHEL. Under the Senator's proposal, 15 days would be required to run after the cloture petition was filed; and I take it that would mean 3 weeks of debate in the Senate, and that during each day the debate could continue for as long as 10 or 20 hours or more—so that, at the very least, 3 weeks, plus an indefinite number of additional days, plus an additional 100 hours of debate, would be required, under the proposal of the Senator from New York, in which I have joined, before a majority of the Senate could terminate the debate.

Mr. KEATING. That is correct; and I am sure the debate on any measure of interest to the American people could be exhausted within that period of time. Furthermore, if more time was needed it could be provided under the express provisions of our proposal.

Mr. KUCHEL. Mr. President, I wish to say that although some Senators who have had this problem before them during prior sessions of the Senate may be generally acquainted with the background of the problem and the necessity, as we view it, for corrective solution, I do wish highly to commend the distinguished junior Senator from New York [Mr. KEATING], who has spread on the RECORD, for the benefit of all Members of the Senate, both the new ones and the old ones, the irrefutable reasons why what we seek to do here is vital and is in the public interest.

Mr. KEATING. I am very grateful to the Senator from California.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, I desire to submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Is Senate Resolution 9 the pending business?

The PRESIDING OFFICER. The motion to take up the resolution is the pending business.

Mr. McCLELLAN. There is a motion to take it up. It is not now before the Senate and has not been laid down.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. The effort is being made to have the resolution laid down without its taking the normal and proper course of being referred to a committee and thus given adequate and the usual committee deliberation and consideration. Am I correct?

Mr. KUCHEL. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. I merely raise the point of order that my able friend is not asking a proper parliamentary question.

Mr. McCLELLAN. I did.

Mr. KUCHEL. It is not for the Chair to comment on whether or not the procedure attempts to bypass the normal exertions of Senators under the rule, and I suggest that the Senator from Arkansas has not made a proper parliamentary inquiry. If I may do so, with due respect——

Mr. McCLELLAN. Will the Senator advise me? I will be glad to have his counsel.

Mr. KUCHEL. I will advise my able friend.

Mr. McCLELLAN. On the question which I asked he may advise me.

Mr. KUCHEL. Most respectfully I say to my able friend, the Senator from Arkansas, that those of us who are contending for a rules change with respect to the elimination of talkathons——

Mr. McCLELLAN. Of what?

Mr. KUCHEL. Talkathons, I called it.

Mr. McCLELLAN. I misunderstood. Go ahead.

Mr. KUCHEL. Those of us who are contending that a majority of Senators ought to have the right under the rules to terminate debate are using the American Constitution as the basis for our action. We contend that at the beginning of each new Congress the Senate and the House of Representatives each has a right to adopt such rules of procedure as its Members by a majority vote wish. To that extent I most respectfully say to the Senator that I would take the position that what we are attempting to do is entirely in accordance with the provisions of the American Constitution.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McCLELLAN. Mr. President, I believe I have the floor.

Mr. CLARK. Mr. President, will the Senator from Arkansas yield to me, in order that I may address a question to the Senator from California?

Mr. McCLELLAN. I will, after I have concluded with the Senator from California.

I had interrogated the Chair to find out the present status of the legislative situation in the Chamber, and my good friend from California suggested that he could advise me. I still do not know from his remarks what the situation is. He said that I did not ask a question in the nature of a parliamentary inquiry. I would like to do so. I now ask the Chair, as a parliamentary inquiry, if the Chair will answer the question I submitted a while ago. I did not get the answer from my good friend from California.

The PRESIDING OFFICER. The Chair is following the usual procedure in the case of resolutions or bills that have been placed on the calendar.

Mr. McCLELLAN. Am I correct that the proposal before the Senate has not been referred to a committee? I ask that question in the nature of a parliamentary inquiry.

The PRESIDING OFFICER. It has not been referred to a committee.

Mr. McCLELLAN. Mr. President, if I may do so without losing my right to the floor, I should like to yield to the distinguished Senator from Pennsylvania [Mr. CLARK] so that he may interrogate the able Senator from California [Mr. KUCHEL].

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

**Mr. CLARK.** I should like to interrogate the Senator from California. Is it not the Senator's understanding that the pending business is a motion to take up the resolution of the Senator from New Mexico [Mr. ANDERSON] to establish cloture by three-fifths of the Senators present and voting?

**Mr. KUCHEL.** The Senator is correct.

**Mr. CLARK.** Does it not now appear, as a result of colloquies which took place this morning, that in due course—some day next week—a motion will be made to table the pending motion?

**Mr. KUCHEL.** I fear that that is what will take place next week.

**Mr. CLARK.** Does not the Senator from California agree with me that there appears to be at least a majority of the Members of the Senate who would support cloture by a three-fifths vote, if not by a majority vote?

**Mr. KUCHEL.** Yes. In my judgment, if the Senator is asking for my opinion, I think there is a clear majority of the Members of the U.S. Senate who were disenchanted with the rules of the Senate in the last Congress with respect to terminating debate through cloture. In my judgment, there is a clear majority that would approve, as the Senator suggests, the proposal of the distinguished senior Senator from New Mexico, if, indeed, those Senators did not approve what my friend and I and others have jointly sponsored on our own behalf, the proposal for majority cloture after 15 days.

**Mr. CLARK.** If the Senator is correct—and I think he is—is it not, therefore, most important that every Member of the Senate should appreciate that if the effort to sustain the motion to table the present question is successful, it would cut off once and for all, as a practical matter, in this session of Congress, all hope of changing the present rule XXII?

**Mr. KUCHEL.** There can be absolutely no question about that, in my judgment, I say to my able friend. I shall do what I can to help Senators, by talking with them. I would very much hope that a motion to table, if made, would be voted down.

**Mr. CLARK.** I express the public hope on this floor that if such a motion is to be made, which it is well within the rights of any Senator to make, it would not be made by a joint action of the majority and minority leaders, both of whom have publicly expressed their support for three-fifths cloture in the past, and who I believe would vote for three-fifths cloture on the merits today.

I hope they will not put us in the position of repudiating their leadership by presenting a tabling motion on a procedural matter which, if the motion to table should carry, would kill this matter for the current session of Congress.

**Mr. KUCHEL.** I say to my able friend, in answer to his comment, I do not know what the able majority leader or my own leader, the able minority leader, may or may not do with respect to this problem. It is true that a motion to table is available to any Member of the U.S. Senate.

I had hoped that we might be able to allow Members of the Senate to express themselves by their votes on an appropriate rollcall with respect to the constitutionality of what we contend is our right under the Constitution to pass rules at the beginning of the session. It is also true, under the wording of the rule of the last Senate with respect to the invoking of cloture, that if we are unable to persuade our brothers and sisters of the righteousness and the constitutionality of our cause on this occasion, then we can forget, for 2 more years, any surcease.

**Mr. CLARK.** I thank the Senator from Arkansas for his courtesy in yielding to me.

**Mr. KUCHEL.** I also thank the Senator from Arkansas.

**Mr. McCLELLAN.** Mr. President, I thank both distinguished Senators for their colloquy. I hope it will not be necessary for either of them to repudiate his leader.

I hope also, Mr. President, that there will be no objection on their part, even though we may disagree as to what rules should remain and what rules should not be changed, with respect to the right of a humble Senator to talk to his colleagues, to talk in this Chamber to try to persuade them, for goodness sake, not to do what they say they think they would like to do. As the Senator from California says, if we cannot persuade them, then perhaps there is no hope for this session and we shall have to struggle along and do the best we can.

**Mr. KUCHEL.** Mr. President, will the Senator yield?

The **PRESIDING OFFICER** (Mr. KENNEDY in the chair). Does the Senator yield?

**Mr. McCLELLAN.** Yes. if I do not lose the floor I will yield for a question.

**Mr. KUCHEL.** I merely wish to say that there is not any more vigorous or able advocate in the U.S. Senate than the Senator from Arkansas. I say that to him most sincerely as one who is most proud to call him and my other colleagues friends.

**Mr. McCLELLAN.** I thank my distinguished colleague. He is very kind.

Mr. President, if I thought the Senator would continue to talk that way for the next 2 hours I should be glad to yield the floor to him. I could listen to that for a long time.

Mr. President, I shall talk only briefly, if I may, on the question before the Senate concerning taking up Senate Resolution 9. I shall today make only passing reference to it, because I believe that there are other matters which are as important as the issue which would be before the Senate if Senate Resolution 9 were made the pending business. Some of them are more important and certainly more urgent and more pressing, in my judgment.

Later, in due course of time, while the motion is pending or after it has been disposed of, if it should be disposed of affirmatively—that is, if the Senate should consider the resolution—I shall discuss the merits of the issue at some length, because it would merit a thorough discussion. It is something about which I think every Member of this body should speak. I think every Member of the Senate has a responsibility involving something so vital, so far reaching, and with such potential consequences as this, particularly with respect to injury to the integrity of our processes of legislation. I think every Member should discuss it.

I shall speak only briefly this afternoon, and at a proper time hereafter in the course of the debate I shall discuss it at some length. For the present I wish to say that it is a seeming paradox, but it is nevertheless a fact of history, that an absolute majority rule in a legislative body tends always to create a situation, of bossism, a situation which in its very essence is ruled by a very small minority.

Whenever there is a situation of bossism, even if it is out in the country precincts, out in the remotest bailiwick, or if it is in the Congress of the United States—wherever it is—there is, in essence, a rule by the minority. This is especially true in legislative bodies. It is especially true when the caucus system is in use or in vogue. The majority in such instances is usually controlled by the caucus majority.

The caucus majority is controlled by the leaders of that majority, within a majority; and the result may be that 20 percent, or even 10 percent, of the body, and sometimes a mere half dozen members, exercise an almost czarlike power and control.

Mr. President, for a century the Senate of the United States was the last refuge of free debate. Cloture, under any terms, constituted a curtailment of free debate. The more strict the rule of cloture is made, the more we narrow it, down to three-fifths, or 60 percent, or 51 percent, the greater is the infringement on liberty and the more stringently is the right of free debate curtailed.

Many of the Founding Fathers were active in Congress. I know of no record which shows that any of them ever said anything to indicate he even had a belief or gave the slightest indication that he thought debate in the Senate should or would at all be limited in any way or at any time.

From 1789, when our Constitution was adopted, until 1917, the Senate had no cloture rule.

It should be a marvel that our country could grow and become so great through all that period of a century and a quarter of time, or that, without a cloture rule in the Senate, it could have survived; that it could have nurtured freedom; that it could have protected and strengthened the great legislative processes of our democracy and republican form of government.

If this situation is so dangerous and so bad now, if it possesses all of the tragedy, the horrors, the frightfulness that we hear expressed on the floor of the Senate in 1963, tell me why some of these things did not happen in the first century and a quarter of our existence.

We are doing exceptionally well with the rules that exist now. No harm has come to this country because we have the rules the Senate now has. Cloture can be invoked whenever there is the will and the purpose of a substantial majority of this body to do it. It was done at the last session of Congress. I predict it will be done again from time to time. But I also predict that if cloture can be imposed by majority rule, we shall have created the greatest danger to free debate and to proper and profound deliberation in this, the greatest lawmaking body in the world—dangers and hazards that will wipe away the great safeguards that have brought us, down through the vista of time, to this day and hour when we boast of being the greatest Nation in the world, the greatest from almost every standard of measure that the human mind can imagine.

That is the record. How does anyone know that what is being proposed will result in something better? I believe I would rather stay with that which has been tried and tested and found true and best.

It is a mistake to tie the question of civil rights legislation to the question of curtailing the right of free debate. We hear some persons, we hear some of the proponents of this change, say, "Well, of course, this is not just for civil rights legislation; it is for any legislation." That is true. Then we hear from other proponents, as I heard on the floor yesterday, the statement, "Of course, it is primarily so we can pass civil rights legislation."

I do not care which way it is. It is dangerous either way. Even if the motivating force that prompts the presentation and the advocacy of the proposal is primarily in the hope that it will enable or hasten the enactment of civil rights legislation, even if that is the hope and the purpose, there is no limitation, there are no restrictions, it is not circumscribed. Thus, it will be applicable to any bill, any measure, that might be presented to this body and at any time.

This right, this principle, is among the most important of the foundations of American history. To destroy the right of free debate in order to bring about the passage of certain legislation or legislation of a particular type is to surrender principle to expediency. When that is done once, it will be done again; and after it is done again, it will become a practice; and such a practice will carry with it the destruction of some of the basic liberties we enjoy.

There is an ancient strategy of civil rights groups to raise what they hail as a great moral issue, and then relate it to a particular, desired goal. They campaign on the moral issue, but the real goal is obscured. That strategy is apparent in the Senate today.

I think the real reason why the civil rights issue is being raised here is the basic desire and objective of some persons of imposing a majority rule on the Senate for all legislation for all future time.

I know there are those who say, "I will just support the three-fifths resolution. I am not going to support the resolution calling for a simple majority for cloture." Very well, if the Senate passes the three-fifths resolution, it will not satisfy those who want a majority for cloture. The Senate will still have the issue before it. If we whittle away a little this time, the next time someone will want 55 Members out of 100 Members to be able to invoke cloture. From that the proposal will go down to 51 Members, and from there it might very well go to a majority of those present and voting, and then Senators will be able to say at any time, "We do not want to hear any more on this subject. Let us get on with it. Let us vote. Let us act. Let us pass a law."

We had better think a little before we start off on that course.

It is said that we can always apply the brakes. I do not know about that. It is difficult to apply brakes sometimes once momentum has developed. Sometimes it is possible to apply the brakes, and sometimes the momentum carries with it more force than it is possible to restrain with the power of brakes. The proposal that is now being moved for consideration is, in my opinion, a prelude to a future and possibly an impending attack on the seniority system, to an attack on the Immigration and Naturalization Act, to an attack on the International Security Act, to an attack on the Smith Act, and possibly to attacks on many other statutes and rules of procedure.

I assert that if the civil rights bill which has been proposed in the Senate were to be adopted today, the opponents of free debate and the opponents of the present rule would continue to attack the principle the rule embodies, until they could finally achieve what they ultimately desire; namely, cloture by a majority. They would continue to strive for a stronger and stronger cloture rule until they had achieved their ultimate objective, which is plain majority rule in the Senate.

The civil rights issue, in my judgment, has become and is being used pretty well as a convenient tool by those who seek this long-range objective, which will result in destroying free debate in the Senate.

As I indicated earlier in my remarks, because I believe there are some other matters which are more pressing and more urgently demand the attention in the Senate than the motion now pending, I wish to defer further discussion of the motion for today and proceed to some business that needs attention, a duty which I believe we have failed to meet thus far. In order and in the hope that we might get in position in the Senate and in Congress to meet that responsibility, I wish to introduce some proposed legislation, and then to address my remarks to it.

## PROHIBITION OF CERTAIN ACTIVITIES OF LABOR ORGANIZATIONS IN RESTRAINT OF TRADE

Mr. McCLELLAN. Mr. President, I send to the desk for appropriate reference a bill which I ask unanimous consent may lie on the desk for the next 10 days, to give opportunity to those who may desire to do so to cosponsor the proposed legislation. I introduce it now for myself and for the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. GOLDWATER], the Senator from Utah [Mr. BENNETT], the Senator from Mississippi [Mr. EASTLAND], the junior Senator from Virginia [Mr. ROBERTSON], the Senator from South Carolina [Mr. THURMOND], the Senator from Nebraska [Mr. CURTIS], and the Senator from Mississippi [Mr. STENNIS].

Other Senators have indicated to me that they also wish to cosponsor the measure. I would like to give them the opportunity to do so, and I therefore ask unanimous consent that the bill may be received out of order and lie on the desk for 10 days to afford an opportunity for Senators to cosponsor it.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, will the Senator yield on that point?

Mr. McCLELLAN. I yield.

Mr. STENNIS. In keeping with the custom, the Senator from Mississippi understands that the unanimous-consent request also carries with it the provision that the bill is introduced without prejudice to the rights of any of those who are proponents or opponents of the pending motion and the pending amendments.

Mr. McCLELLAN. Yes; I will say for the record that I do not wish to prejudice anyone's rights. I would only hope that I might influence their judgment.

The PRESIDING OFFICER. That is the understanding. Is there objection to the request? The Chair hears none, and the bill will be received and appropriately referred; and, without objection, the bill will lie on the desk as requested by the Senator from Arkansas.

The bill (S. 287) to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Antitrust Laws Amendments of 1963".

### SHERMAN ACT AMENDMENTS

SEC. 2. (a) Section 1 of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890 (26 Stat. 209, as amended; 15 U.S.C. 1) is amended by—

(1) inserting, immediately after the section designation "Sec. 1.", the subsection designation "(a)"; and

(2) adding at the end thereof the following new subsection:

"(b)(1) Notwithstanding any other provision of law, it shall be unlawful and contrary to the public policy of the United States for any labor organization in concert with any employer or with any other labor organization (whether or not affiliated with the same national or international labor organization), to call for, conduct, engage or participate in, any strike, action, plan of action, agreement, arrangement, or combination directed against any employer in trade or commerce who is engaged in the transportation of persons or property among the several States or with foreign nations if the effect of such strike, action, plan of action, agreement, arrangement or combination may be to restrain substantially the transportation of persons or property in trade or commerce among the several States, or with foreign nations.

"(2) Notwithstanding any other provision of law, every contract, agreement or understanding, express or implied, between any labor organization and any employer engaged in the transportation of persons or property in trade or commerce among the several States, or with foreign nations, whereby such employer undertakes to cease, or to refrain from, purchasing, using, selling, handling, transporting, or otherwise dealing in any of the products or services of any producer, processor, distributor, supplier, handler, or manufacturer which are distributed in trade or commerce among the several States, or with foreign nations, or to cease doing business with any other person, shall be unlawful.

"(3) Every person who violates, attempts to violate, or combines or conspires with any other person to violate, the provisions of this subsection shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $50,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

(b) Section 3 of such Act (15 U.S.C. 3) is amended by—

(1) inserting, immediately after the section designation "Sec. 3.", the subsection designation "(a)"; and

(2) adding at the end thereof the following new subsection:

"(b)(1) Notwithstanding any other provision of law, it shall be unlawful and contrary to the public policy of the United States for any labor organization in concert with any employer or with any other labor organization (whether or not affiliated with the same national or international labor organization), to call for, conduct, or engage or participate in, any strike, action, plan of action, agreement, arrangement, or combination directed against any employer who is engaged in the transportation of persons or property in trade or commerce in any territory of the United States or the District of Columbia, or between any such territory and another, or between any such territory or territories and any State or States or the District of Columbia or with foreign nations, or between the District of Columbia and any State or States or foreign nations, if the effect of such strike, action, plan of action, agreement, arrangement, or combination may be to restrain substantially the transportation of persons or property in any such trade or commerce.

"(2) Notwithstanding any other provision of law, every contract, agreement, or understanding, express or implied, between any labor organization and any employer engaged in the transportation of persons or property, whereby such employer undertakes to cease, or to refrain from, purchasing, using, selling, handling, transporting, or otherwise dealing in any of the products or services of any producer, processor, distributor, supplier, handler, or manufacturer which are distributed in trade or commerce in any territory of the United States or the District of Columbia, or between any such territory and another, or between any such territory or territories and any State or States or the District of Columbia or with foreign nations, or between the District of Columbia and any State or States or foreign nations, or to cease doing business with any other person shall be unlawful.

"(3) Every person who violates, attempts to violate, or combines or conspires with any other person to violate, the provisions of this subsection shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $50,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

(c) Section 8 of such Act (15 U.S.C. 7) is amended to read as follows:

"Sec. 8. As used in this Act—

"(a) The term 'person', or 'persons', shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the territories, the laws of any State, or the laws of any foreign country.

"(b) The term 'labor organization' means any organization of any kind, or any agency or employer representation committee or plan, in which employees participate, and which exists for the purpose in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any national or international labor organization or federation thereof, and any conference, general committee, joint or system board, joint council, or parent, regional, State, or local central labor body.

"(c) The term 'employee' shall include any employee and any individual employed by an employer, and shall not be limited to the employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute.

"(d) The term 'employer' includes any employer, any person acting as an agent of an employer, directly or indirectly, and any person engaged in any trade or industry as a manufacturer, producer, distributor, supplier, carrier, or handler of any article, commodity, or service, and in the case of any corporate employer, includes all subsidiary corporations of the same parent corporation engaged in the manufacture, production, distribution, furnishing, transportation, or handling of articles, commodities, or services of the same kind.

"(e) The term 'strike' means any strike or other concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective bargaining agreement) and any concerted showdown or other concerted interruption of or interference with operations by employees."

### CLAYTON ACT AMENDMENTS

Sec. 3. (a) Section 6 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 731; 15 U.S.C. 17), is amended to read as follows:

"Sec. 6. The labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws, except as provided by sections 1(b) and 3(b) of the Act entitled 'An act to protect trade and commerce against unlawful restraints and monopolies', approved July 2, 1890 (26 Stat. 209, as amended; 15 U.S.C. 1, 3, as amended)", and

(b) Section 20 of such Act (29 U.S.C. 52) is amended by—

(1) striking out the word "That" in the first paragraph thereof, and inserting in lieu thereof the words "Except for the purpose of preventing a violation of section 1(b), or 3(b) of the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890 (26 Stat. 209, as amended; 15 U.S.C. 1, 3, as amended)"; and

(2) following the word "And" where it first appears in the second paragraph thereof, insert the words "except for the purpose of preventing a violation of section 1(b) or 3(b) of the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies', approved July 2, 1890 (26 Stat. 209, as amended; 15 U.S.C. 1, 3, as amended)"; and

(3) striking out the words "any law of the United States" in the second paragraph thereof, and inserting in lieu thereof the words "any other provision on the antitrust laws of the United States".

### JURISDICTION OF COURTS

Sec. 4. The jurisdiction of courts sitting in equity to prevent and restrain violations of sections 1(b) and 3(b) of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890 (26 Stat. as amended; 15 U.S.C. 1, as amended), as amended", in this Act, shall not be limited by the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity and for other purposes, approved March 23, 1932 (U.S.C., supp. VII, title 29, sec. 101–115)".

### SCOPE OF JUDGMENTS

Sec. 5. Whenever a judgment for damages is granted against a labor organization under section 4 of an Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes (38 Stat. 731; 15 U.S.C.A. 15)", collection of such judgment shall be limited to the assets owned or controlled by such labor organization; and such judgment shall not be enforceable against any individual member.

### NONEXCLUSIVE REMEDIES

Sec. 6. The provisions of this Act and the remedies provided herein shall not be exclusive, but shall be in addition to any other statutory provisions and legal or statutory remedies provided for protection against the same or similar actions under any law of the United States or of any State.

### SEPARABILITY

Sec. 7. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act, or the application of such provision to any person or circumstances other than those as to which its application is held invalid, shall not be affected thereby.

### EFFECTIVE DATE

Sec. 8. The amendments made by this Act shall take effect on the first day of the fourth month beginning after the date of enactment of this Act.

### PROHIBITION OF STRIKES BY EMPLOYEES IN CERTAIN STRATEGIC DEFENSE FACILITIES

Mr. McCLELLAN. Mr. President, I ask unanimous consent, out of order, to introduce the second bill, on behalf of myself and the Senator from Florida [Mr. HOLLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from South Dakota [Mr. MUNDT], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arizona [Mr. GOLDWATER], the Senator from Virginia [Mr. ROBERTSON], the senior Senator from Mississippi [Mr. STENNIS], and the Senator from Nebraska [Mr. CURTIS].

I ask unanimous consent that, without prejudicing any Senator's rights, the bill be received and remain on the desk for 10 days to give an opportunity to other cosponsors to join if they desire to do so.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill will be received and appropriately referred; and, without objection, the bill will be held at the desk as requested by the Senator from Arkansas.

The bill (S. 288) to prohibit strikes by employees employed in certain strategic defense facilities, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. McCLELLAN. Mr. President, I wish to address some remarks to these measures. The first one I have introduced is a bill to amend the antitrust laws so as to prohibit certain activities of labor unions of the transportation industry in restraint of trade, and for other purposes.

As I introduce this measure and as I shall discuss it, I hope Members of the Senate will bear in mind that its provisions, and what it seeks to do, are badly needed at this hour in the protection of our country, in prohibiting all undue interference with our commerce and transportation in this country, and for the prevention of economic suffering, as well as human suffering, which is flowing from conditions that prevail today, all of which are destined to become more intense and more severe until the devastating strike which is now in progress shall have ended and the transportation system on the docks of the eastern coast shall have returned to normal operations. This is the same bill which I introduced originally on September 19, 1961, during the 1st session of the 87th Congress, and which became, in the previous Congress, S. 2573.

For the information of Senators and other persons who may be interested, I have prepared a concise factual analysis of the bill. I shall read a part of that analysis; I may desire to place the rest of it in the RECORD.

This is a bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes.

The bill, to be known as the "Antitrust Laws Amendments of 1963," would amend the antitrust laws—the Sherman and Clayton Acts—to prohibit certain activities by labor unions which may have the effect of restraining trade or commerce in industries engaged in the transportation of persons or property among the several States and territories and with foreign nations.

Let me say at the very outset that this is not a coverall bill. The major provisions of the bill apply strictly to transportation unions when transportation in interstate commerce is involved.

I have introduced the bill, and I am making this explanation of it now, because I do not believe that any leader of any labor union, any group of labor leaders or officers of any union or unions, or any combination thereof, should have the power absolutely to tie up transportation in interstate commerce, and continue to tie it up, irrespective of the inconvenience, hardship, and suffering that such a tieup entails.

I believe there are times and circumstances in these cases when the public interest and the welfare of human beings who are in no way parties to the dispute—who are helpless victims of its consequences—have a higher right and a stronger appeal to the Government to do something about the situation for their protection than do those who impose the hardships, who use their power and force to settle the dispute between themselves, irrespective of who is right or wrong in the dispute, and who let the consequences and effects of the dispute flow to those who are innocent, helpless, and powerless to prevent them.

I do not know that everyone agrees with me; but I believe a government of integrity, a government of civilized people, having the power which it has, power derived from the people themselves, has not only the responsibility but also the duty—and I think it can find a way—to resolve such labor disputes and controversies; a way to adjudicate them and resolve them without resort to the continued force of economic power to bring about a settlement. The Government provides courts and similar tribunals to settle other controversies which arise, even controversies between the Government and its citizens.

Some progress has been made in this area. The Taft-Hartley Act provides for a temporary injunction, in certain cases, for 80 days. It is called a cooling-off period. It is provided in the hope that the parties themselves might use the opportunity to consider the issues calmly, weigh them, resolve them, and settle their own disputes, but not to do so at the expense of the suffering that a work stoppage in the industry would entail.

However, we have found from experience—and we are now having such experience—that such a provision is not always adequate. It is proving to be wholly inadequate right now to protect commerce, industry, the economy, and the welfare of human beings. The 80-day injunction period was employed in the east coast dock strike. It was observed. The injunction was enforced for its 80-day period. A settlement of the strike was not achieved. At the end of 80 days, the strike was resumed. Today, losses are occurring—losses of wages, losses of profits, and losses of commerce. Perishable goods are being destroyed. The costs of commodities are rising. The little family having a little budget today is having to pay a much higher percentage for certain necessities of life by reason of the strike; and today, under existing law as I now speak, the Government is powerless to move.

We need some law. Perhaps this is not the best proposal; but action is needed. Congress has the power to enact such a law. It is the duty of Congress to enact it. If this approach is the wrong one, let us find the right one.

Under existing Federal law, as construed by the courts, labor unions are, for all practical purposes, wholly immune from the prohibitions of the Federal antitrust laws. The sole exception is the rare situation in which a labor union combines or conspires with an employer to engage in conduct which the Sherman Act or the Clayton Act, as construed, now makes unlawful when engaged in by employers.

Mr. President, a moment ago I said the Government is now powerless. If it is not powerless, it should be acting. The fact that it is not acting with authority clearly demonstrates and confirms exactly what I am saying, namely, that the Government is without such power. Congress has not given it such power. Oh, yes; the Government can send representatives of the Labor Department to talk with both parties, to argue with them, to attempt to persuade them, to make suggestions, to submit proposed compromises. The Government can do that, however, without any law. But I am talking about a law which will give the Government some power to step in and to say, "This dispute has reached a stage where the public interest and the welfare of human beings transcend the private, personal interest of either of the parties to it."

The bill amends section 1 of the Sherman Act, to make it unlawful for any labor union as defined in the bill, acting in concert with any employer, as defined in the bill, or with any other labor union, even if it is a sister local of the same national or international union, to call for or to engage or participate in any strike or any other form of conduct such as picketing, blacklisting, boycotting, placing on an unfair list, refusing to patronize, using threats, coercion or violence, if such conduct is directed against any employer, first, who is engaged in the business of transporting persons or property between two or more States or between any State and any foreign nation; and, second, if the effect of such conduct may be to restrain transportation of this type substantially—that is, where it may reduce appreciably the availability of this type of service to the public.

The bill further amends section 1 of the Sherman Act by outlawing every form of hot-cargo agreement between a labor union and an employer engaged in the business of transporting persons or property between States or between any State and any foreign nation.

Violations, attempts to violate, or conspiracies to violate the foregoing provisions would be misdemeanors punishable by a fine not exceeding $50,000, or by imprisonment not exceeding 1 year, or by both.

The bill amends section 3 of the Sherman Act by adding to that section the identical provisions described above with this sole difference—that the employers protected against the prohibited conduct are those engaged in the transportation of persons or property in any territory of the United States or in the District of Columbia, or between any territory, State, foreign nation, or the District of Columbia. This separate treatment for employers operating in the territories or the District of Columbia is identical with the separate treatment given such employers in the existing provisions of the Sherman Act.

The bill amends section 8 of the Sherman Act, which defines the term "person," by adding definitions of the terms "labor organization," "employee," "employer," and "strike."

All of these definitions, except that of the term "strike," are based, with some necessary modifications, on the definitions in the Taft-Hartley and Landrum-Griffin Acts. The term "labor organization" is defined broadly so as to include any organization in which labor unions participate for any purpose which has a concrete bearing on the relations between labor and management in the field of collective bargaining and its necessary accompaniments. Thus, it includes not only unions which directly engage in such bargaining, but also any organization to which labor unions belong, or in which they participate, such as a State federation, a district council, or a central labor body, which plays any role, even if indirect, in collective bargaining or in connection with strikes, boycotts, blacklists, unfair lists, or any other type of union activity designed to make the unions' collective-bargaining activities more effective. The approach involved here is that used in the definition in the Landrum-Griffin Act, but broadened so as to include labor organizations which the Landrum-Griffin Act fails to cover, such as State or local central bodies.

The term "employee" is defined substantially as it is in both the Taft-Hartley and the Landrum-Griffin Acts, to mean any employee of any employer, including employees who are on strike. The definition omits the limitations which are in the Taft-Hartley and Landrum-Griffin Act definitions, and which are appropriate only to those statutes.

The term "employer" includes all employers in the dictionary sense of that term, any agent of an employer, any manufacturer, producer, distributor, supplier, carrier, or handler of any article, commodity, or service, and any subsidiary of a parent corporation performing the foregoing functions. It is broader than the definitions in Taft-Hartley and Landrum-Griffin Acts, because it does not include the exemptions contained in those statutes.

The term "strike" is defined to include any concerted stoppage, slowdown, or interruption of work by employees.

The bill amends section 6 of the Clayton Act, which provides that labor unions shall not be held to be illegal combinations or conspiracies in restraint of trade, by adding language denying this immunity to unions which have violated the new provisions which this bill would add to the Sherman Act, and which have been described above.

It also amends section 20 of the Clayton Act, which, subject to certain qualifications, limits the authority of Federal courts to issue restraining orders and injunctions in labor disputes and against certain conventional types of union activity, by removing such limitations on the judicial power in cases involving violations of the new provisions which this bill would add to the Sherman Act, as described above.

The bill also contains a provision which would remove the restrictions on the jurisdiction of Federal courts under the Norris-La Guardia Act in cases involving labor disputes, where the case brought before a Federal court involves a violation of the new provisions added to the Sherman Act by this bill, and as described above.

The bill specifically provides that the collection of any judgment granted against a labor union under section 4 of the Clayton Act shall be limited to the assets owned or controlled by such union, and that such judgment shall not be enforcible against any individual member of the union.

And, finally, there is in the bill a provision which prevents the Federal Government from preempting this field of law by providing specifically that the bill's provisions and remedies shall not be exclusive, but shall be in addition to any other provisions and remedies in the same area which are available under any other Federal law or under any State law.

Mr. President, I point out that, if enacted, the bill would actually be merely supplemental to existing statutes. The President of the United States would still be free, and the courts would still have the power to impose the injunction provided under the Taft-Hartley law. As in the dock strike, that procedure could be tried for a period of 80 days, to give those involved an opportunity to settle their own affairs, to resolve the issues themselves and between themselves, and thus avoid a work stoppage that would cause hardship to flow throughout a large area of our country and to the citizens thereof.

Mr. President, I do not present the measure merely to get a little legislative exercise. I am presenting it today at a time when a critical situation is moving rapidly toward a national crisis. How long can the strike continue with the Government powerless to act? If I am mistaken about the power of the Government to act, I hope Senators will correct the RECORD for me tomorrow, because I expect to speak most of the afternoon. I should like to have Senators correct the RECORD if I am in error. If the Government has power to act now in the dock strike without new legislation, without further law, I would like to have that fact placed in the RECORD. Then, of course, I would like to see action taken, because I believe it is time for action.

If I am right, and if the Government does not have the power to do anything about the strike, I should like to have those who agree with me that we ought to give the Federal Government some power to do something about the situation join me in sponsoring the proposed legislation, or make suggestions as to a better way to do it. I do not think that we can meet our responsibility and measure up to those standards of statesmanship that the exigencies of the situation demand by doing nothing. Perhaps we can, but I do not think so.

Mr. President, an examination of the foregoing analysis will clearly show that this proposed legislation would apply the antitrust laws in a limited way to certain activities of labor unions in the transportation industry only. It would amend sections 1 and 3 of the Sherman Antitrust Act and would also make appropriate amendments to the Clayton and Norris-La Guardia Acts to restore the authority to the Federal courts to protect the public by restraining violations.

It will be noted, Mr. President, that the effects of this proposed law would be limited strictly to the transportation industry. I have restricted its application and effects to labor organizations in the transportation industry purposely and with the intent to deal with a problem that is immediate, the danger of which is increasing hourly and the dire consequences of which are even now becoming clearly evident and will soon be intolerable.

Every strike in the transportation industry, even the most insignificant one, has some undesirable side effects; every such strike burdens or injures someone who is not a party to the dispute. Of course, the more nearly the effects of a strike—of any strike—can be confined to the participants only, the less harm and injury results to others who are not involved in the labor dispute and the less concern such strike may be of public law.

It would be tragic enough if the harm, injury, inconvenience, and hardships that flow from the strike could be confined to the parties at interest. If they could be confined to that area, surely we would have concern over the situation. We would want to see the strike settled. We would want to see the workers back at work with good wages and good working conditions. But we could more readily take a complacent attitude, so to speak, and say, "Well, let them resolve it."

We cannot do that. Congress and the Government cannot do that, in my judgment—neither wisely nor rightly so—and let the consequences flow to millions who are innocent victims, and who are actually being hurt worse, possibly, than some of those who are engaged in the strike. Those who are engaged in the strike might, by their bargaining arrangements and by possibly obtaining insurance on the part of the management side, have provided themselves with a cushion to tide them over such a situation. But down in the far recesses of the trade area served—and shipping serves to some extent throughout the Nation—there are those today who are suffering economic loss. There are those who are out of jobs. They cannot help it, or do anything about it. They must look to their Government for some kind of remedy.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am very happy to yield to my distinguished friend from West Virginia if I may do so without losing my right to the floor.

Mr. RANDOLPH. I am grateful for the cooperation of my very diligent colleague in allowing me not to question him on the provisions of the proposed legislation, but to make what I believe to be an appropriate comment in reference to the possible tragic consequences which prolonged strikes oftentimes bring to bear upon those persons who are not parties directly at issue.

In the State of West Virginia we export large quantities of very fine fruits, particularly apples. I am importuned, and understandably so, by the apple growers of our State to urge vigorous strike settlement action because of the failure to move these products in export trade. Their plight is due to the difficulty which now exists as a consequence of the dock strikes along the eastern and the southern sea coasts. Also in connection with the export of bituminous coal we are faced with the stoppage of movement of this vital fuel from West Virginia mines into world markets where shipping is involved in its distribution. Thus, the Senator from West Virginia is cognizant of the impelling reasons why it is necessary for all Senators to give very careful consideration to the problems which are properly brought to our attention during this presentation by the Senator from Arkansas today. I would wish the record to indicate that I have discussed this very imperative problem with the Secretary of Labor, Mr. Wirtz.

It is factual for me to report that, as I counseled with him I was fully cognizant of the fact that he has a very grave sense of responsibility for a needed and anticipated solution fair to both labor and management. There is a clear inference that tragic implications could result not only for the parties directly in conflict but, also, for the general well-being of our citizens and the sustaining of our economic base if the strike continues.

It is conceivable that, within the Committee on Labor and Public Welfare, on which I have a responsibility to serve, this problem can come to that crossroad at which, perhaps, prompt consideration of legislative solution would be necessary. Very possibly Congress would be called on to supply an effective answer which, of course, would merit thorough discussion. This is being done this afternoon from the standpoint of our colleague, the distinguished Senator from Arkansas.

The thoughtful consideration of all Members of this body must be directed toward equitable measures in the areas of both legislative and administrative action.

Mr. McCLELLAN. Mr. President, I thank my distinguished friend for his contribution to this discussion. I think he is experiencing, and possibly more so than some others of us, the petition of his constituents for some relief and some assistance with respect to the economic losses they are sustaining, because they cannot ship their products to market.

We have a similar problem in Arkansas. The Senator mentioned apples and coal. One of the things particularly involved in my State is rice. I note that with respect to a number of products the cost has gone up considerably to the ultimate consumer in various areas because of the shortage of the products. I point out that we are not discussing only the fellow who owns the business and who may be suffering the loss of profits. We are also discussing the housewife, who has a budget responsibility of trying to make the $2 an hour which her husband is receiving at the factory or somewhere else stretch out enough to feed the family and to clothe them. Those people ultimately suffer the most, I think.

As I have tried to say, this is not my problem alone. It is a problem which should command the attention of all of us. Whether what I am suggesting is the right approach or not, there needs to be an approach, and an immediate approach. I do not think we can meet our responsibility by sitting here doing nothing about the problem for a very great length of time.

A shutdown of any major part of transportation, even in one community, can immediately become a public disaster.

The vital importance of our Nation's transportation system can be more readily appreciated when we stop to realize that today our modern industrial society is so complex and its activities so interrelated and interdependent, that our people, in large part, are dependent for the necessities of life upon the continuing operation of our transportation facilities. It is upon the continuous and uninterrupted operation of those various facilities that each metropolitan community must depend for its food and fuel supplies—for the operation of its factories and business establishments—and for the dispensing of essential health and sanitation services.

Also as we reflect concerning the indispensable functions which our transportation systems perform in the day-to-day activities of every metropolitan community, we must not overlook the vital role which our transportation industry occupies in relation to our national defense effort. Our transportation systems provide the crucial link in the vast industrial complex which is engaged in the development, construction, and installation of our entire defense establishment.

Mr. President, the other bill which I introduced a while ago, and which I shall discuss, deals specifically with our defense establishments with respect to work stoppages, and strikes that do injury to our national defense effort.

Thus it can be readily understood that a disruption in the operation of any one of our major forms of transportation can pose a danger and a menace to the health, well-being, and safety of every community and to even the military security of the Nation itself.

It becomes clearly apparent, therefore, that whoever would hold in his hands the power to control or stop the operation of the transportation facilities, or any substantial segment thereof, in a community or in the Nation, would thereby have in his grasp the power to impose economic chaos and untold hardship on the people—yes, and more, the power to bring the Nation to the brink of disaster.

Such power is not possessed by any representative of our Government—it is not granted even to the President—under our Federal Constitution. It is not possessed by any business entity or any representative thereof. Since 1890 our Federal antitrust laws have provided for the imposition of heavy fines and prison sentences upon any representative of business who sought to acquire or to exercise such monopolistic power and control over transportation; and, in addition, any attempt to accomplish such a purpose would immediately subject such business representative to restraint and injunction by our Federal courts.

Such power does exist, however, and it is to be found in only one place. It is now lodged in the hands of the leaders of labor unions in the transportation industry. Yes, they and they alone possess such power—power which no other segment of our society, not even our Government, is possessed of under our Constitution and the laws of the land.

Yes, these union leaders, and they alone, are legally free to possess and to exercise this exorbitant power. They know that so far as existing Federal law is concerned they are—at most—in some circumstances, subject to an 80-day restraining order under the national emergency provisions of the Taft-Hartley Act. They also know that after the termination of that 80-day period they are free to resume their strike or work stoppage.

That is exactly what has occurred in the dock strike, Mr. President.

Yes, insofar as existing Federal law is concerned, there is little to impede their exercise of the overwhelming and frightening power which they possess—power with which even one of their unions acting alone can bring to a halt a vast segment of the Nation's industry.

These union leaders know, too, that there is nothing in existing Federal law which would forbid or prevent the leaders of the various unions, or any segment of them, from merging and combining their respective groups and thereby achieving a concentration of power so vast and exorbitant as to insure the strangulation of all resistance to any of their demands or objectives.

The danger that such mutual pacts or arrangements may be entered into and effected between them, is more than a mere possibility—it is in fact an active and persistent threat which has already been publicly announced. For the past several years, men in control of international unions which dominate several forms of transportation have been planning and striving to achieve a combination, a federation, or an overall understanding and working arrangement for mutual help, whereby the unions, party to such an alliance, would cooperate, lend mutual assistance and support to each other in labor disputes, and act in concert in applying power pressure to impose their will and to attain their objectives.

Thus, by forcing all forms and systems of transportation, under the heavy hand of a single union czar, or even under the dominant power of just a few men, the public more quickly could be brought to a state of helpless desperation in any situation involving an interest of or controversy with these unions. Confronted with such exorbitant power, the affected employers and the public might well find themselves with no alternative to abject surrender and submission to whatever oppressive demands an arbitrary and dictatorial union leadership might decide to impose.

Early in 1960 an editorial appearing in the Chicago Daily Tribune discussed Mr. James Hoffa's plan to form an alliance of all transportation unions, land, sea, and air, and quoted him as saying:

> You cannot have a one-city strike anymore, or a strike in just one kind of transportation. You have to strike them all.

Mr. President, that has not yet occurred, but do not count it an impossibility, and do not regard it as an improbability, unless there is halted a certain force and influence in this country now conspiring to bring about a consolidation of power which would enable it to do it. That is its ambition. That is its goal. And it has not been stopped yet. It is still on the march.

And Harry Bridges, president of the West Coast International Longshoremen & Warehousemen's Union, was quoted in an interview reported in the Wall Street Journal—August 22, 1957—concerning a proposed alliance that would join Hoffa's Teamsters Union, Bridges' International Longshoremen, and the East Coast International Longshoremen's Association in a triparty alliance, as saying that:

> There's one thing I know, if the Teamsters and the two dock unions got together they'd represent more economic power than the combined AFL-CIO.

That was after the Teamsters had been expelled from the AFL-CIO. And, of course, Bridges' union is not affiliated with it. He is pointing out that, if those unions could get together, they would have more power than the whole combination of unions in the AFL-CIO.

In the same interview Mr. Bridges was quoted as stating, speaking with reference to the labor organizations he referred to:

> They are so concentrated, an economic squeeze and pressure can be exerted that puts any employer in a very tough spot and furthermore puts the U.S. Government on a tough spot.

Why, Mr. President, they do not even have to wait to get the combination of the three of them acting in concert. One of them acting in concert with its locals up and down the Atlantic coast has today paralyzed substantial commerce in that whole area.

Should that right exist? Should that power be possessed? The Government itself does not have that power. The President of the United States has no constitutional power to issue an edict to the transportation facilities and businesses of this country and say, "You shall not transport goods by plane, truck, railroad, or water, for shipment on the east coast." Yet that power today is reposed, for all practical purposes, in the hands substantially of one man, and it is being exercised—a power that transcends the power of the Government itself under existing law.

The Taft-Hartley law has been expended. Its power, its force, its restraining effect, to its limit, has been expended. The Government has the power to use that law. It has used it. It is gone. The Government cannot move further. Congress has not provided it with any further power. I think it is time to do it, and this bill would do it.

The mere attempt on the part of any representatives of business to achieve an analogous monopolistic alliance or merger of their respective organizations would immediately subject them to all the restraints and penalties provided for the violation of our existing antitrust laws that have been enacted for the protection of the public.

Business cannot do it. The Government cannot do it. Who can? A labor leader who has dominance and power over his men to compel compliance with his orders most assuredly can.

But we should not wait to become concerned, until these ambitious labor leaders have achieved cooperative and mutual assistance alliances between their respective organizations. Already these leaders, individually, possess exorbitant power with which any of them can, for any reason which might suit his whim or fancy, bring to a halt vital segments of our transportation industry.

I know about the motion that is pending now. Which is causing the more suffering among our people at this hour, the lack of a cloture rule, to permit a majority to cut off debate, or the lack of adequate laws to deal with a national menace and threat to our security? Which is more important? We may spend several days talking about the motion to take up the resolution, while this power exists and is being exercised to strangle more and more the commerce of our country. The great majority of the population of the United States is affected by the strike. Those who are involved and those who suffer are the humble citizens, who are helpless and powerless, except as they look to us in Congress and to this Government to act.

We are not going to act today or tomorrow on this matter. We should not act hastily, of course. We ought to be deliberate about it and do something about it. I do not say the bill I am introducing is perfect and that it is the only answer. However, I do say that the Senate at this hour could be engaged in something of greater service to the country and its people than debating a resolution to cut off free debate.

I am not talking about imaginary things. I am talking about a reality which exists on the horizon at this moment. It is there for anyone to see; and that it is there no one will deny.

The International Brotherhood of Teamsters, the largest union in the transportation field, is powerful enough by itself to put a stranglehold on our national economy by the calling of a nationwide strike.

I shudder to think what the consequences would be and what suffering would be imposed once that were done. I know it is true that Mr. Hoffa stated in his "Meet the Press" interview on July 9, 1961, that while he could as head of that union call a nationwide strike of the Teamsters, he does not intend to do it—that he would not do it. Is it safe for this country to take his word? It is very nice to have that reassurance; but I would rather have, and I believe the American people would rather have, some law to rely upon for protection, rather than the mere word of the head of the Teamsters Union. If I thought I could rely on his word better than I can on the law of the land, I might not sponsor such legislation as this. Until I believe I can rely on that word more than I can rely on the law of the land, I am going to contend that the law is needed. This statement by Mr. Hoffa is a direct admission by him that the power is present, that it is reposed in him and that he can use it if and when he will. That compelling power—power to compel obedience to his will—should not be entrusted to Mr. Hoffa or permitted to remain in his possession, in the possession of any man, or in the possession of his international union, or any other international union.

Nor is Mr. Hoffa the only union leader who is possessed of such power. All of us, as I have pointed out, are aware of the current strike of the International Longshoremen's Association which has paralyzed all shipping along the east coast of the United States and the Gulf of Mexico.

Oceanborne commerce of the United States from Maine to Texas, serving three-fourths of the population and production of our country is now at a complete standstill.

The strike is having a tremendous impact on the country's economy. So complete is the paralysis of the struck shipping ports, that our railroads have been forced to institute an embargo against all rail shipments to our east and gulf port cities in order to prevent a choking pileup of goods on the railroad sidings and on the waterfront.

I do not wish my words to be the only source of information for those who may read the Record. Therefore, I ask unanimous consent to have printed in the Record at this point, as a part of my remarks, an article in today's Washington Daily News entitled "Strikes Idle Over 100,000."

There being no objection, the article was ordered to be printed in the Record, as follows:

### Strikes Idle Over 100,000

More than 100,000 workers were idled across the land today by transit, waterfront, newspaper and other strikes affecting millions of persons.

A million Philadelphia commuters had to find other means of transportation. In Kansas City, Mo., 100,000 bus riders faced a possible strike.

Millions still were without a local newspaper to read, in New York, after 40 days, and in Cleveland, after 47 days.

An Administration official hinted at possible White House intervention in the waterfront strike that paralyzed shipping from Maine to Texas.

The 5,600 members of the Transport Workers Union, AFL-CIO, walked out yesterday against the Philadelphia Transportation Co. over management's insistence on eliminating a "no-layoff" clause which permits dismissal only for incompetence.

Leaders of the Transit Workers were to meet today in Kansas City to decide whether to call a strike. Gov. John Dalton seized the company when workers went on strike 14 months ago, but the Missouri Supreme Court freed the firm yesterday.

In New York, Assistant Secretary of Labor James Reynolds told negotiators for the striking International Longshoremen's Association and the New York Shipping Association that he will ask President Kennedy to take action unless there is "substantial progress" in negotiations today.

In New Orleans, the New Orleans Steamship Association filed charges against six ILA locals, accusing them of refusing to bargain in good faith. A local president denied the charge.

#### FOREBODING

City officials said an extended strike would mean economic disaster.

Eight newspapers have shut down and a ninth has suspended publication in New York City. Bertram A. Powers, head of striking International Typographical Union Local 6, led a demonstration by strikers and sympathizers outside New York Times offices. Printers and publishers hold their first joint session of the week today.

Cleveland Mayor Ralph Locher said significant results came from talks between the Newspaper Guild and publishers of the morning Plain Dealer and the evening Cleveland Press in the strike also involving the Teamsters who struck November 29, 1 day before the Guild.

Members of nine unions made plans to start publishing a newspaper five times weekly starting Monday. The unions estimated a press run of at least 120,000 the first day.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the Record as a part of my remarks a very brief article appearing on the front page of the Washington Daily News of yesterday, entitled "Dock Strike Hikes Sugar Price."

There being no objection, the article was ordered to be printed in the Record, as follows:

### Dock Strike Hikes Sugar Price

New York, January 15.—The dock strike has curtailed sugar refinery operations on the Atlantic coast, trade circles said today. East coast refineries depend entirely on imported crude sugar. The strike also has forced the price of refined sugar on the east coast to the highest level since 1923.

Mr. McCLELLAN. Mr. President, I stated a short time ago that because of the rise in the price of commodities, the working people of this country, those who must try to manage a budget to accommodate the needs of their family, are beginning to suffer. I ask unanimous consent to have printed in the Record at this point a paragraph from the Washington Evening Star of January 15, 1963, entitled "Where There Is No Toil."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Where There Is No Toil

President Kennedy was gracious in his state of the Union message in saying that the Congress and the people have given in good measure the toil and dedication which he asked of the Nation when he took office 2 years ago. It is unfortunate that he did not mention one notable exception of the moment—or, more exactly, of more than 3 weeks past—in the case of the commercial waterfronts from Maine to Texas.

For on those docks there is no toil—except by foreign flag line crews and passengers attempting to make the best of an intolerable situation—while American longshoremen neither work nor really bargain, and American ships stand idle at the piers. The members of the International Longshoremen's Association, estimated at about 60,000, are on strike—although in some ports they have indicated they are not very happy about it. But more tens of thousands of seamen, of truckers serving the ports, and of others affected by a shutdown in shipping also are out of work. Our own goods for export are not being exported, our demands for imports are not being met. To banana growers in South America, to automobile makers in western Europe, and to others abroad, the paralysis of our eastern ports is costing jobs and money—just as it is right here in the United States.

All of the procedures of the Taft-Hartley Act were exhausted before Christmas, and to no avail—as was generally predicted when they were invoked in October. Federal mediators from the Department of Labor and from the Conciliation Service have held fruitless talks with both sides, separately and jointly. ILA President William V. Bradley says "everything is the same," and AFL-CIO President George Meany said after seeing Mr. Kennedy at the White House last week that there is no solution in sight. There have been rumors that the administration would ask for legislation stronger than the Taft-Hartley Act, perhaps the right to enforce compulsory arbitration in disputes of such broad impact. Mr. Kennedy said nothing of this yesterday.

It is getting late on the waterfront, and what happens on the waterfront has a lot to do with the overall economy, our international trade, and the balance of payments. As Mr. Kennedy said, "Nothing our opponents could do to encourage their own ambitions would encourage them half as much as a lagging U.S. economy." The added crippling of our foreign trade and worsening of our balance-of-payments problem must offer further encouragement to our opponents abroad.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the Record at this point as a part of my remarks an article entitled "Strikes and the State of the Union," written by David Lawrence and published in the Washington Evening Star of January 15, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Strikes and the State of the Union

(By David Lawrence)

President Kennedy's annual message to Congress is inaccurately entitled "The State of the Union." For Mr. Kennedy omitted reference to some of the most important subjects confronting America today, particularly how the national economy shall be saved from disintegration due to the monopoly power being exercised by a bloc of labor unions. Millions of people in two major cities—New York and Cleveland—have had their newspapers suppressed. Financial losses to persons in business and to individuals out of work are heavy and are irreparable.

Nor did the President mention the strike that has tied up shipping for more than 3 weeks now in the ports of the east coast and the Gulf of Mexico. Senator Everett Dirksen of Illinois, Republican leader, at least introduced a bill the same day to provide for compulsory arbitration of strikes in the maritime industry.

Not a single word appeared in the President's message, moreover, concerning the plight of the rank and file of American workers who are the victims of a lack of intelligent leadership.

The President has failed to come to grips with what has really been ailing America the last decade or more—the power of a single group to force prices upward, and the inability of the country immediately to absorb such price increases.

Basic economic ailments will not be cured by indifference. Mr. Kennedy in his message talked fluently about the economic development of the countries of Europe and of the problems faced by the underdeveloped countries. He spoke in generalities about social-welfare legislation in this country, but didn't make specific recommendations on many of the worthwhile objectives he mentioned.

The President seemed to think that, by giving his support to a project for the reduction of taxes, he would be winning applause in the country. To promise a tax cut and to achieve one are, however, two different things. The voters will get little comfort out of a tax cut if economic uncertainty prevails and if Government spending continues as indicated, with the prospect of a recordbreaking deficit in the U.S. Treasury next year.

Oddly enough, Mr. Kennedy seemed preoccupied with the idea that the Nation at present may not be taking its problems seriously. He said: "In short, both at home and abroad, there may now be a temptation to relax." One wonders whether the country is, after all, really in a relaxed mood and is indifferent to the dangers both at home and abroad.

As for the young people out of work, Mr. Kennedy seems to be despairing of ways to find productive jobs for them. He appears to be reverting to one of the ideas of New Deal days, when the Civilian Conservation Corps was organized to take care of many of the younger persons who were unemployed. The President thinks that the Peace Corps can do something of the same job. He spoke of the million young Americans who are out of school and out of work and suggests that a domestic Peace Corps of some kind would serve "our own community needs: in mental hospitals, on Indian reservations, in centers for the aged or for young delinquents, in schools for the illiterate or the handicapped." He said all this might enable these young men to serve the cause of domestic tranquillity.

The President had a heading on one section of his message which read: "We need to strengthen our Nation by making the best and most economical use of its resources and facilities." But he did not really delve into this highly controversial field beyond stating that new transportation facilities are needed and that the stockpile of goods, including farm products, must be reduced. In that phrase, "most economical use of American resources and facilities," is rooted the present-day difficulties of the whole economic system.

The President did include in his address one sentence referring with disapproval to the growing pressures by labor leaders for a 35-hour week. But the reason for the omission of any reference to labor-management difficulties throughout the country is not apparent unless it be that the subject is a highly controversial one and could cost the President votes in 1964.

The labor unions themselves are the biggest single organized group of voters in the country today and contributed not only energy but money to help the President win his election in 1960. Mr. Kennedy not long ago attacked businessmen for trying to raise their prices. Yet he has never taken a positive stand with reference to the extreme demands of labor-union leaders evidenced, for instance, in the big strikes in New York City and other parts of the country.

As long as one economic group can control the American system by fixing costs of production, which inevitably affect prices, there will not be a free-market system in the United States, and the law of supply and demand will not operate effectively to bring prosperity. The Government will find itself compelled to intervene as between labor and management if it really wants to stop recessions. But such intervention will compound the evils of the present-day system unless it is impartial, objective and fair as between the rival forces.

Mr. McCLELLAN. Mr. President, I have quite a number of such articles, but I do not wish unduly to encumber the Record. I simply wished to have these articles and editorials printed in the Record, so that those who read the Record will know that what I have been saying is largely a matter of common knowledge throughout the country.

The paralyzing strike which began early in October 1962 was halted temporarily by an 80-day injunction, which was secured pursuant to the national emergency provisions of the Taft-Hartley Act. Upon the termination of the 80-day injunction period, the Longshoremen's Association and its affiliated local unions, after rejecting President Kennedy's plea to remain at work, renewed the strike on December 23. It has been in progress ever since.

The national emergency provisions of the Taft-Hartley Act having been exhausted, as I have pointed out, there is now no further statutory authority available and in existence that can be used to prevent the excesses of union monopoly power that are now being exercised and imposed by this disastrous strike.

Under existing law, the Government of the United States is utterly powerless to protect the public interest and the people from the devastating consequences to which they are now being subjected as a direct result of the stoppage of the flow of essential goods and commodities through all the eastern and gulf coast ports of our country. No agencies of the Government in the executive departments, nor the courts, now have any effective authority under existing law, to deal with this monopolistic union power that has placed a stranglehold upon a major part of our national economy. The public, unprotected by any Federal law, now is dependent solely upon the mercy of the striking union.

This stoppage of trade and commerce affects far more than just the members of the striking unions and the shipping companies. It also vitally affects the public and the consumer as well as all labor and industry throughout the entire Nation.

(At this point Mr. McGovern took the chair.)

Mr. McCLELLAN. Mr. President, what are some of the effects which the public has already suffered as a result of this paralyzing strike? I have just placed in the Record some newspaper editorials and comments. I mentioned that newspaper reports several days ago quoted responsible officials as estimating losses in wages and revenues in the struck ports as already nearing the one-half billion dollar figure. Based on that, I should say that the losses which have been sustained to date are approaching $1 billion.

At the time that figure was given, it was also pointed out that the longshoremen in the port of New York alone—not the longshoremen in all the ports on the Atlantic coast, but in the port of New York alone—were losing an estimated $600,000 a day in wage and fringe benefits, and that commodity dealers reported millions of bushels of grain and thousands of tons of rice, flour, edible oils, and other commodities backed up at ports for export, with no transportation to accommodate it. Who is losing? The whole Nation is losing.

It is expected that tomorrow or the next day the President will submit his annual budget to Congress. I think it may be said with reasonable certainty that the budget will indicate another deficit for the next fiscal year. Yet when we read about losses as a result of the longshoremen's strike, we know that they affect the revenue of the government, and thus the expected deficit will be further augmented and increased by reason of the inability of our producers to get their products to market, due to a work stoppage which prevents the shipment of their goods.

Bananas are becoming increasingly scarce. They were quoted several days ago at $5.25 a 40-pound box in Chicago wholesale markets, up from $3.75 just 2 weeks ago. Who pays for the difference? It comes out of the family budget.

Wholesalers report that shortages of Louisiana, Texas, and Arkansas rice are also developing in large eastern cities because of a lack of transportation to replace normal coastline water transport.

United States Steel Corp. says it has 17,000 tons of steel products waiting to be exported at struck port cities and another 12,000 tons marked for export at mills or en route to ports. Who is affected by that? If those products cannot be marketed, the people who work at the mills which produce the steel will be hurt. The company cannot operate; it cannot produce. It cannot manufacture if there is no market for its products. If it cannot get those products to the markets which are in existence, the results are the same.

The Association of American Railroads estimated that some 14,000 railroad cars loaded with cargo for export, and tied up at port cities since the strike began, have cost the railroads more than $3 million in lost revenues. Whatever part of that amount is profit, the Government would have received about half of it in taxes.

The strike is also having a serious impact on the economy of Puerto Rico. The secretary of labor of Puerto Rico was quoted in an article published in the Wall Street Journal on January 3 as stating that 100,000 workers would have to be cut from industry payrolls if the strike were not settled soon. I do not know how many have actually been cut from the payrolls, but obviously the number has been large. Another unidentified government spokesman was quoted as saying that Puerto Rico had food on hand sufficient for only one month and that food rationing appeared to be a certainty if the strike continued.

The responsibility for permitting the continuation of the threat and menace of which I speak is in my judgment, primarily in the Congress of the United States. If we are to be freed of this threat and this menace to our well-being and to our Nation's security, Congress must act.

Congress has not only the authority; it has the constitutional duty to enact such laws as are necessary to protect the public interest and insure the security and well-being of the Nation. This bill, which I have introduced, if it were enacted into law, would make abuses of power by labor unions and their leaders in the transportation industry, such as I have referred to, subject to restraint and to penalty under our Federal antitrust laws. It would restore to the Federal courts the power to enjoin paralyzing strikes which threaten the welfare of the public and the security of the Nation.

Where the well-being and security of this Nation and its people are at stake, can there be any reasonable objection to the enactment of legislation which would merely provide that abuses of power, such as I have described, shall be subject to restraint and penalty when committed by leaders of unions in the transportation industry, to the same extent and to the same laws which prohibit such activities by business organizations and their representatives.

I emphasize that our people, the innocent victims of strikes, can be hurt just as badly, and the Nation's security can be threatened just as seriously, when abuses of power resulting in the disruption of our transportation facilities are committed by the labor unions and labor leaders, as they would be if such abuses were committed by business organizations and their representatives. Our people and the Nation are entitled to protection from those abuses of power regardless of the source from which they come.

It does not matter to the fellow at the end of the line, who is getting the brunt of the boom, whether he has been hurt by a labor organization or a combination of business interests operating in restraint of trade; the effects are the same.

The vast power which these union leaders possess today, and which enables them to exercise arbitrary dominance over the economic sphere which they control, is the same kind of ruthless power which—before they attained it—"labor itself so long, so bitterly, and so rightly asserted, should belong to no man."

The legislation I propose would help, I believe, to put an end to this unlimited license now enjoyed by these labor leaders to do anything no matter how wrongful—no matter how dangerous to the public interest and safety, and yet remain immune from restraint, prosecution, or liability, under our existing antitrust laws.

We should no longer by neglect or indifference fail to enact legislation to protect our economy, our people, and our country against actions in restraint of trade that do violence to the principles of right and justice, as well as insufferable injury to the public interest.

If our heritage of freedom is to be preserved, if our Nation is to remain secure, if self-government of our people is to prevail, we must be ever vigilant and we must be strong; we must not permit any force or any organization to achieve domination over our economy or control over our free institutions or to set itself above the law.

I propose this legislation to curb the excessive powers now reposed in these unions and their leaders. I propose that we maintain and defend the supremacy of government over the power and authority of any union or any leader thereof—just as we have done in regard to business.

In concluding my remarks on this measure, Mr. President, I wish to say that I make no contention that the bill I have introduced today will in its present form reach and treat every situation which may cause substantial restraints of trade in the transportation field, and which may be of sufficient importance to warrant legislative attention and relief. It is hardly possible for a single statute to be effective against every evasive practice which later may be devised and attempted in order to nullify its purpose and effect.

I expect this measure to meet with stubborn opposition.

I am not unmindful of the political risks one takes when he insists that we should have a rule of law, not a rule of economic force, in the areas involving the national security and welfare. We need a rule of law to diminish the area of labor disputes in our transportation industries and to protect the public.

I know that what I am doing is not popular politically, but I am persuaded that what I seek to do will protect the American people and will make the Government more secure. I call on my colleagues to join me in this effort.

No one wants to do an injustice to organized labor or to the working people of this country. If I thought this bill would have that overall effect, I would not introduce it. On study and careful consideration, it may well be found that changes and revisions are needed in the language it now contains. It may need some modifications. On the other hand, thorough consideration may well indicate that it needs strengthening.

Anyway, this bill marks an important step in applying the principle of the antitrust laws to restrain the use of excessive union power under certain circumstances in an indispensable industry. The amendments I have proposed in this measure at least provide a starting point for study of this grave problem. I hope public hearings on this measure will be held early in this session of Congress, and that all interests will be given an opportunity to be heard. I shall so request. I invite my colleagues who would do so to cosponsor this measure with me and join me in urging its enactment.

Mr. President, in a moment I shall proceed with my discussion of the other bill I am introducing today.

In concluding my remarks on this bill, which would prohibit paralyzing strikes in the transportation systems of our country, I merely wish to observe that I claim no special knowledge, qualifications, or ability to fathom all the intricate ramifications involved in the human relationship between employer and employee in so vast an industry and system of activity as the transportation industry; but, Mr. President, I do say that I believe—and please remember that I have said it, that I do not apologize for saying it, and that I mean it when I say it today and when I shall say it tomorrow—that there is something lacking in the Government, and there is something amiss about those of us who have the responsibility of legislating for the benefit of our people, if we cannot find a better solution of these strikes, which do so much harm to the innocent, to the helpless, and to those who cannot protect themselves.

Something is wrong if we cannot find a better way of resolving such disputes between the contending powers in interest than by the force of economic power pitted against economic power while the rest of the Nation suffers. It is a reflection upon civilized government that we have not already taken action. I do not maintain that the bill is the only answer, but in my judgment, Congress is derelict in its duty so long as it acts with indifference or lack of compelling interest to cause it to get down to the task of doing something about the problem. Perhaps my suggestion is not the only approach. It may not be the best. But it is time for action.

We have three choices. We might support the measure. We might support a measure equally as good or better, or at least something that would be adequate. Or we might do nothing. I believe we should accept one of the first two courses.

Mr. SCOTT. Mr. President, will the Senator yield at that point?

Mr. McCLELLAN. If I may yield for a question, I am happy to yield. I do not wish to lose the floor, and I ask the Chair to protect my rights in that respect.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

Mr. SCOTT. Is the Senator aware that in the fourth largest city in the country, my city of Philadelphia, there is in progress a transit strike which has paralyzed our normal central transportation facilities?

Mr. McCLELLAN. I am familiar with it to the extent that reference is made to it in an article in today's Washington News. Am I correct?

Mr. SCOTT. The Senator is correct.

Mr. McCLELLAN. I merely glanced at the article in today's issue of the Washington News. I did not read it in full. The article mentioned several areas in which strikes are now in progress. The article states:

> Some 5,600 members of the Transport Workers Union AFL–CIO walked out yesterday against the Philadelphia Transportation Co. over management's insistence on eliminating a no layoff clause which permits dismissal only for incompetence.

Mr. SCOTT. That is the newspaper reference I had in mind.

Mr. McCLELLAN. I do not know any of the details about the strike. The article is the only information I have about it.

Mr. SCOTT. Without being familiar with the Senator's proposal, and without attempting to pass on the merits of the strike, which I have also heard about from long distance, I wish to echo the concluding thought which the Senator has expressed. We in this country, a civilized people, are far behind in our obligations to the public in not having yet discovered a method by which the fair collective bargaining rights of labor and the rights of management can be in some way protected without working such enormous hardship on the public interest. People entirely innocent of the cause and not directly interested in the merits of the dispute one way or the other are prevented from going about their normal way of life and doing business.

The health facilities of the city are impaired, of course. The necessary visits which often result from someone falling ill in the family and all the other problems which arise seem to me to present in total a situation which indicates that we have not used our best intelligence. I wonder if in fact we have used our persuasion and our legislative intelligence when conditions like this can cause so much damage to innocent parties.

So I make no promanagement speech and no prolabor speech. I am merely expressing concern for what happens to the public interest and to plain ordinary people who apparently have no right to be heard. That is my concern. I am doing it because so many people among my constituents have said to me, "I wish we could find someone in the legislatures of this country who have the courage to speak out on behalf of the public interest."

Therefore, I will read with a great deal of interest and study most carefully what the Senator has said. I thank the Senator for yielding.

**Mr. McCLELLAN.** I thank my distinguished colleague. If my efforts today and the legislation I have introduced will merely arouse the interest of Senators and prompt them with diligence to go about the business of finding a solution to the vexing problem about which I have spoken, I shall feel that my feeble efforts have been greatly rewarded. I think we can find a solution.

Mr. President, I do not care primarily to be the author of a bill on the subject or any other bill. I am willing to be the humblest Member of this body, dedicated to finding an answer to a problem that an intelligent, civilized government should not permit to continue naggingly to exist. I am not making a promanagement or antilabor speech, as my distinguished colleague has stated in his remarks. I hope my remarks have been directed to the public interest. If it is against the public interest to try to prevent that which injures the public interest, then I am against the public interest. On the other hand, if trying to protect the public interest is a service to that interest, I hope today I have tried to serve it.

**Mr. STENNIS.** Mr. President, will the Senator from Arkansas yield to me for a question on his bill?

**Mr. McCLELLAN.** Yes, if I may yield for that purpose without losing my right to the floor. I do wish to discuss the other measure I am introducing this afternoon.

**Mr. STENNIS.** I appreciate the courtesy of the Senator from Arkansas in yielding to me. I shall be brief.

I believe the Senator from Arkansas has made a noteworthy speech and has presented a compelling argument. I do not understand how anyone could listen to his remarks without being convinced as to the major points and the major needs he has so clearly set forth, and without being willing to have the Senate proceed to the consideration of this very grave problem.

I commend the Senator from Arkansas very highly for his efforts—which are characteristic of him—to begin to reach a solution of this problem.

Furthermore, let me say that I know the Senator from Arkansas speaks in the national interest, certainly not as opposed to labor, as such, and certainly not lacking in human compassion.

I believe that this measure relates to a matter of national importance; and I feel that something must be done about it.

Of course, there are no large ports in Mississippi; but the ports which are located in Mississippi have been partially paralyzed by this strike. Only the other day I noticed that within a few days after the strike began, hundreds of thousands of dollars had already been lost, hundreds of people had been thrown out of employment. Items such as cornmeal were piling up in those ports, and had to be put into warehouses, because the articles could not be shipped to places such as Korea and Formosa. It is unthinkable that basic food items of that kind could not be shipped from small ports such as Gulfport or Pascagoula, Miss.

So I am glad to join the Senator from Arkansas in the sponsorship of this bill.

**Mr. McCLELLAN.** Mr. President, I shall proceed to the second bill which I introduced this afternoon.

This bill would prohibit strikes by employees employed at certain strategic defense facilities including intercontinental ballistic missile bases.

This is the same bill which I introduced in the 1st session of the 87th Congress and which became Senate bill 2631 in that session.

Mr. President, I ask unanimous consent that this bill be printed in the RECORD at this point.

There being no objection, the bill (S. 288) was ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### DEFINITIONS

SECTION 1. As used in this Act—

(1) The term "strategic defense facility" means any facility, institution, or establishment engaged in, or a purpose of which is to engage in, the designing, development, production, testing, firing, or launching of munitions, weapons, missiles, space vehicles, or any part, product, or material essential to such designing, development, production, testing, firing, or launching.

(2) The term "strike" means any organized or concerted cessation, interruption, or slowdown of work as a result of a labor dispute or of the expiration or absence of a collective bargaining contract.

(3) The term "labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

### PROHIBITION OF STRIKES

SEC. 2. It shall be unlawful for any person employed at a strategic defense facility to engage or participate in a strike, or for any labor organization or other person to coerce, instigate, induce, conspire with, or encourage any person so employed to engage in a strike.

### SETTLEMENT OF DISPUTES

SEC. 3. (a) Upon notice to the Secretary of Defense by any party to a labor dispute involving employees employed at a strategic defense facility, alleging that a labor dispute exists and that the parties have been unable to reach a settlement of the dispute by other means available to them, the Secretary, if he has reasonable grounds to believe that such allegations are true, shall appoint an emergency board for the purposes of such dispute.

(b) An emergency board under this section shall consist of one public member appointed by the Secretary of Defense, and one member designated in writing by each of the parties to the dispute. If either party to the dispute shall fail or refuse to designate its member within one week after appointment of the public member, the Secretary shall appoint such member in the same manner as the public member is appointed. Each member of the emergency board named by the parties to the dispute shall be compensated by the party naming him. Any member appointed by the Secretary shall be paid reasonable compensation for his services in an amount to be fixed by the Secretary, and shall be reimbursed for his necessary traveling expenses and expenses actually incurred for subsistence while serving as a member. When a board appointed under this section has been dissolved, its records shall be transferred to the Director of the Federal Mediation and Conciliation Service.

(c) An emergency board shall have power to sit and act at any place within the United States and to conduct such hearings as it may deem necessary or proper to ascertain the facts with respect to the causes and circumstances of the dispute. For the purpose of any hearing or inquiry conducted by any such board, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 45, 50), are hereby made applicable to the powers and duties of such board.

(d) A separate emergency board shall be appointed for each dispute. No member of an emergency board shall be pecuniarily or otherwise interested in any organization of employees or in any employer involved in the dispute.

(e) An emergency board appointed under this section shall promptly hold hearings at which the parties to the dispute shall have an opportunity to be present, either personally or by counsel, and to present such oral and documentary evidence as the emergency board shall deem relevant to the issue or issues in controversy. The emergency board shall make written findings of fact and, within sixty days following the date of its appointment, shall promulgate an order adjudicating the issue or issues in dispute. For the purpose of such findings and order an emergency board shall consider only, and be bound only, by the evidence submitted on the record.

(f) In any case in which a valid contract is in effect defining the rights, duties, and liabilities of the parties with respect to any matter in dispute, the emergency board shall have power only to determine the proper interpretation and application of the contract provisions which are involved. Where wage rates and other conditions of employment under a proposed new or proposed amended contract are in dispute, the emergency board shall establish rates of pay and conditions of employment which are fair and equitable to the parties. No order of the emergency board relating to wages or rates of pay shall be retroactive to a date before the date of the termination of any contract which may have existed between the parties. An order of an emergency board shall become binding upon and shall control the relationship between the parties for a period of one year except to the extent modified by mutual consent or agreement of the parties.

### ENFORCEMENT PROVISIONS

SEC. 4. The district courts of the United States shall have power, upon petition of the Attorney General, to issue injunctions, restraining orders, or other appropriate process, (1) to enjoin violations of section 2, or (2) to compel compliance with the provisions of any order of an emergency board under section 3. In granting such relief, the jurisdiction of the court shall not be limited by the provisions of sections 6 and 20 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (15 U.S.C. 17 and 29 U.S.C. 52) or the provisions of the Act entitled "An Act to amend the Judicial Code, to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C. 101–115).

### LISTING OF STRATEGIC DEFENSE FACILITIES

SEC. 5. The Secretary of Defense shall prepare and cause to be published in the Federal Register a list, and any necessary revisions thereof, of strategic defense facilities for the purposes of this Act. In any case in which, for security or other reasons, any strategic defense facility is not included on such list, and a labor dispute occurs or threatens to occur at such facility, the Secretary shall notify the parties to such dispute or threatened dispute that such facility is a strategic defense facility for the purposes of this Act.

### SAVING PROVISION

SEC. 6. Nothing in this Act shall be construed to require an individual to render labor or service without his consent, nor shall the quitting of his labor by an individual employee be considered for the purposes of this Act to be a strike.

**Mr. McCLELLAN.** Mr. President, I believe I have already obtained permission to have the bill lie on the desk for 10 days, so that any of my colleagues who so desire may join in cosponsoring it.

If I may digress for a moment, I wish to ascertain from my colleagues—from whoever may be in charge for the leadership on either side—something with respect to the probable hour of adjournment. I may be able to shorten my remarks, or I can continue them. I thought I might insert some information into the RECORD, without taking time to read it, if it is the will of the leadership that as soon as I conclude the Senate will take a recess.

**Mr. STENNIS.** Mr. President, will the Senator yield?

**Mr. McCLELLAN.** I am glad to yield, with the understanding that I shall not lose my right to the floor.

**Mr. STENNIS.** The Senator from Mississippi does not know of any other Senator who wishes to speak today. The implication would be that when the Senator concludes his remarks the Senate will take a recess.

**Mr. SCOTT.** Mr. President, if the Senator will yield with the understanding that he will not lose his right to the floor under the usual assurances, the Senator from Pennsylvania is not aware that any Senator on this side of the aisle has made a request for time to speak tonight.

**Mr. McCLELLAN.** Very well. If I may, I shall take that as a signal, Mr. President, that the coast is clear for me to conclude my remarks and for the Senate to recess. I shall endeavor to make the remarks brief, in deference to the present occupant of the chair and to my colleagues who are now in the Chamber with me, and to those who attend upon the Senate.

**Mr. SCOTT.** If the Senator will yield further, with the usual assurances of protection of his right to the floor, it is the hope of the Senator from Pennsylvania that the Senator from Arkansas may be able to enjoy an early dinner.

**Mr. McCLELLAN.** That is very gracious of my colleague. I shall very deliberately make the attempt to place myself in a position to do so.

Mr. President, for the information of my colleagues in the Senate and others who may be interested I have prepared a concise analysis of this bill and ask unanimous consent that such analysis be printed in the RECORD at this point as a part of my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

### ANALYSIS

The proposed bill is designed to eliminate strikes at certain types of defense facilities of primary importance to the national defense effort and the national security.

### I. DEFINITIONS

Section 1 contains the definitions of the three key terms in the bill and these definitions, in effect, mark the scope of the bill's coverage.

Thus the bill applies only to "strikes" and "labor disputes" at "strategic defense facilities" and these three terms are defined as follows:

1. A "strategic defense facility" is any establishment, private, or governmental, one purpose of which is to engage in designing, developing, producing, testing, firing, or launching any weapon, munitions, missiles, or space vehicles or of any part of material essential to such activities.
2. A "strike" is any concerted stoppage, interruption or slow down of work resulting from a labor dispute.
3. A "labor dispute" is any controversy concerning the terms or conditions of employment, or concerning the representation of persons in negotiating or seeking to negotiate such terms or conditions, even if the parties to the dispute do not stand in the relationship of employer and employees. This definition is identical with that in both the Wagner Act and Taft-Hartley Act, and remains unchanged under the Landrum-Griffin Act.

### II. PROHIBITION OF STRIKES

Section 2 makes it unlawful for any person employed at a "strategic defense facility" as defined above to engage or participate in a strike, or for any labor union or anyone else to coerce, instigate, induce, conspire with, or encourage any person so employed to engage in a strike.

The prohibition is not limited to work stoppages or slowdowns by "employees" as that term is defined in the Taft-Hartley Act. It applies to the much broader category of "persons" which includes all individuals or groups who are employees in the dictionary sense of the term. Thus, supervisory or confidential employees who are not employees under Taft-Hartley are also covered by the prohibitions of the bill. However, they are covered only if they are employed at a "strategic defense facility" as defined above, and hence persons employed at establishments producing supplies and materials for the armed services that are not munitions, weapons, missiles, space vehicles or any component thereof, are not covered. Examples would be such items of supply as military uniforms, rations, footwear, transport vehicles, etc.

The important aspect of section 2 is that the prohibition against strikes resulting from labor disputes in strategic defense facilities is absolute, alternative procedures for settling the dispute being provided in section 3.

### III. SETTLEMENT OF DISPUTES

Section 3(a) provides that if any party to a labor dispute at a strategic defense facility notifies the Secretary of Defense that the parties have been unable to settle a labor dispute by any of the means available to them, the Secretary, if he has reason to believe this to be true, shall appoint an emergency board to settle the dispute.

Section 3(b) provides that such board shall consist of one member appointed by the Secretary and one by each of the parties, and if any party fails to designate a board member, the Secretary shall designate him. Each member shall be paid by those appointing him.

Section 3(c) provides that the board may conduct hearings anywhere in the United States and shall have the same subpena powers as the Federal Trade Commission.

Section 3(d) provides for a separate board for each dispute and permits the selection only of board members who have no pecuniary or other interest in either the employer or union involved in the dispute.

Section 3(e) provides for hearings before the board at which the parties submit their evidence on the issues deemed relevant by the board. The board is required to make written findings of fact, and within 60 days after its appointment, the board must issue an order disposing of the issues in dispute. Such order must be based exclusively on evidence in the record made before the board.

Section 3(f) provides that where a valid contract defining the rights and duties of the parties exists, the board's power is limited solely to deciding the proper interpretation and application of the contract provisions involved. Where wage rates and other conditions of employment under a proposed new or a proposed modified contract are in dispute, the board shall establish rates of pay and conditions of employment which are fair and equitable to the parties, but no board order relating to rates of pay shall be retroactive to a date prior to the termination date of any valid contract between the parties which contains provisions establishing wages or pay rates. Any board order shall bind the parties for 1 year unless modified by mutual consent of the parties.

### IV. ENFORCEMENT PROVISIONS

Section 4 empowers the Federal district courts, on petition by the Attorney General, to issue injunctions, restraining orders or other appropriate measures (1) to enjoin strikes in strategic defense facilities declared unlawful by section 2, or (2) to compel compliance with any order of an emergency board issued pursuant to section 3. Such restraining orders, injunctions, and other court measures are not limited by the restrictions imposed on Federal court action by the provisions of the Clayton Act and the Norris-La Guardia Act.

### V. LISTING OF STRATEGIC DEFENSE FACILITIES

Section 5 requires the Secretary of Defense to prepare a list of strategic defense facilities to which the provisions of the bill would apply, and to have the list published in the Federal Register, together with any necessary changes therein. If for any reason such as security, it is seemed necessary not to include a strategic defense facility in such a published list, and a labor dispute threatens to occur at such facility, the Secretary shall notify the parties to the dispute that such facility is a strategic defense facility and that the provisions of the bill are applicable.

### VI. SAVING PROVISION

Section 6 provides that for the purposes of the bill no individual shall be required to perform work or render services involuntarily, and that no individual quitting of work shall be considered to be a strike.

**Mr. McCLELLAN.** Mr. President, this measure which would prohibit strikes or other work stoppages at missile sites and other defense facilities, provides for compulsory arbitration to settle such labor disputes. As I have stated heretofore, it is difficult for me to see how labor or management can raise any serious or valid objections to this measure since, in effect, it would merely require by law that which they claim to have voluntarily agreed to do already. I refer to the no-strike pledge given to the President, in connection with their work in the national defense program.

I feel most strongly, in this period of national peril and at a time when we are engaged in a desperate struggle against totalitarian communism, that this Government should not be required to depend solely upon voluntary cooperation between labor and management to assure the uninterrupted progress of our missile and space programs. Particularly is this true because such assurances of voluntary cooperation have not proven to be wholly reliable.

Mr. President, I am reluctant to declare a policy of support on my part for compulsory arbitration in all manner of labor disputes. I should like to avoid it in almost every circumstance. However, as chairman of the Senate Permanent Subcommittee on Investigations, which made a rather searching inquiry into practices being engaged in at Cape Canaveral, Vandenberg, and other missile sites early in 1961, I came to the conclusion that the public interest and the national security required some action of this kind.

My colleagues may recall that as a result of the inquiry scandalous disclosures were made, which prompted the President of the United States to appoint what he termed a Presidential Missile Sites Labor Commission. Thereafter there was obtained from at least most of the unions whose members were employed at those sites a voluntary no-strike pledge.

The Missile Sites Commission of the President has no power other than to urge, to encourage, to solicit, to plead for and to offer suggestions and recommendations.

As a result of the disclosures that were made by the committee I introduced the bill shortly thereafter. I wish to point out the results that were achieved.

The very striking result at the time the committee began to investigate into that situation was related to the fact that we found that 1 man-day of labor was being lost for every 73 days worked.

Most of the strikes were useless. Some of them were mercenary strikes, simply to put the Government on a spot, and make it impossible for the contractor to reach a deadline, a scheduled time of completion on a job, unless he would hire people to work overtime and in some instances pay for triple time and quadruple time, depending upon the circumstances of work. Work stoppages were deliberately caused to bring about such conditions.

As a result of the disclosures made by the committee and the appointment of the Presidential Commission, as well as the introduction of the proposed legislation in the form of the bill, which I have again introduced today, the work stoppages from the 1st of June 1961 through December 1961 dropped from 1 man-day of labor lost out of every 73 days worked to 1 man-day of labor lost out of every 1,290 days worked, in round numbers.

That was a very satisfactory record. The work of the committee, I think, did considerable good.

But then the trend began to move the other way again last year.

Mr. President, this does not involve solely the missile bases. There have been some harmful strikes in defense plants.

I am stating my view, and I know some others share it—possibly many. It is my position that our Government has a great power to protect itself. It has authority and exercises authority to walk into the homes of other Senators and into my home, to draft my son or the sons of other Senators, and to take them away from their normal lives, from the pursuit of education, from their family associations and ties, from the opportunities for jobs, and put them in training camps, train them as soldiers, and assign them to places to serve their country—to fight and to die, if necessary.

When our Government exercises that power for the protection of all of us, our Government also ought to exercise a power commensurate with that, at least, to protect the soldier who protects and defends us.

Our Government should make certain that the enemy these men face, in this period of world crisis in particular, during which we are in a race with a deadly enemy, is not the better equipped. Our Government should make certain that our soldiers are not handicapped, that their efforts are not impaired, that their fighting potential is not being weakened by reason of the fact that a strike behind the lines may prevent them from getting the equipment and the wherewithal needed to fight and to defend our country, from getting it on time, from getting the best of it, and getting the most of it—weapons which can be developed, which we have developed, or we are developing, which are superior to those of the enemy they may face.

The right to strike behind the serviceman is a right that should be restricted and controlled. That is what I propose to do in this bill. When a strike occurs, when it threatens our national security, when it threatens to endanger the boys we have drafted, or those who have volunteered to serve their country, the bill would simply prevent the manager, the contractor, the owner of a factory, or a labor organization and the men who compose it from taking a course of action which would place in jeopardy the men who are at the front or on the firing line, who have been drafted or who are otherwise ready to serve in that capacity.

We say to them, "You will have to arbitrate the dispute." That is as fair to one as it is to the other. Neither side knows how it will come out in the dispute, but we say to the parties, "You must not stop work; you must arbitrate." If there is some fear that one side will lose in the arbitration, it will be an incentive to have them make a settlement.

That is, in effect, what the bill does. I shall present some further arguments for it, because it is strongly needed in this period of national peril. The President said the other day that, although there have been reverses on the part of the Communists, they are not sufficient to permit us to indulge in complacency and to be content and to feel we have a superiority that will remain adequate to deter a would-be aggressor, without bothering to keep alert, and not only to keep the superiority, if we have it, but to insure that that superiority, and an even augmented superiority, will continue to make certain that we have a deterrent.

Mr. President, I think we have a deterrent. I think Khrushchev knew we had the deterrent, or he would not have withdrawn from Cuba when he was given the ultimatum to do so.

I read a headline in today's press—I did not read the article—which pointed out that Khrushchev made a speech yesterday to the Communist Congress in which he acknowledged the great power of this country and acknowledged that communism could not win in a nuclear war. Mr. President, that is the reason why we have not had one. If they thought they could win, I have no doubt as to what their course of action would be. We must keep the deterrent.

If it is right to take a young man who is physically fit and intelligent away from his family, his loved ones, his pursuit of an education, his right and opportunity to a job, and pay him a small grant to serve his country, it is right for the Government to require that those with whom it contracts to furnish weaponry, facilities, and necessities will not engage in work stoppages that would impede the flow of the needed materials to that soldier. That is the purpose of the bill.

This Government clearly has not only the right but the duty to protect itself by appropriate legislation which would prohibit any delay whatsoever in the defense programs upon which our very existence as a nation depends. It is hardly conceivable that Congress will refuse to enact such legislation.

Although Congress has been regularly appropriating billions upon billions of dollars to insure that our space and missile programs will be carried to completion with all possible speed, we find that those programs have, in many instances, been unnecessarily delayed by wildcat strikes, work stoppages, and deliberate policies of low productivity engaged in by workers on various defense projects.

Mr. President, it is astounding, but it is a fact, that the rate of productivity of workers engaged at missile bases in some instances has reached below 50 percent of normal capacity.

They are deliberate slowdowns, work stoppages, mercenary in their purposes and in their consequences.

From the time the President's Missile Sites Labor Commission was established on May 26, 1961, to the end of 1962, 19,434 man-days of labor have been lost at our missile sites because of strikes—and that was on a no-strike pledge.

I firmly believe that, despite the efforts of the Missile Sites Labor Commission, this record of man-days lost due to strikes, would have been even more shocking, had there not been always present the imminent possibility of legislation, such as I am here proposing and which I also proposed in the last Congress, being enacted into law. It remains a serious question, however, as to how long the mere pendency of such legislation can be relied upon as a substantial deterrent to strikes which disrupt vital work at our missile sites. Anyway, these 19,434 man-days lost do not tell the whole story.

The jurisdiction of the Missile Sites Labor Commission ends at the missile site.

It does not extend into the defense plants.

This commission has no authority in the many defense plants throughout the country where missiles and other implements of defense are produced. During the calendar year 1962, I am advised, there were seven work stoppages of major import, in what can be termed defense establishments. The total man-days lost at those plants is 673,427.

I need only to enumerate those seven plants, and the man-days lost at each of them due to strikes, to emphasize the disastrous consequences to our national defense effort. Sperry Gyroscope, Long Island, N.Y., man-days lost 55,528; Republic Aviation Co., Long Island, N.Y., man-days lost 474,282; Electric Boat Co., Groton, Conn., man-days lost 76,750; Marshall Space Flight Center and U.S. Army Missile Command Headquarters, man-days lost 6,930; Hercules Powder, Bacckus, Utah, man-days lost 5,175; Aerojet General Corp., Sacramento, Calif., man-days lost 17,762; Lockheed Aircraft Corp., Burbank and Sunnyvale, Calif., man-days lost 37,000.

And some contend that 1962 was an unusually good year relatively speaking. If so, how much more disastrous to our defense program a bad year could be.

Also bear in mind that these were not the only strikes that affected our defense effort, but, for one reason or another, they were the more important of such strikes that occurred in defense establishments.

One of these, the Lockheed dispute, is about to reach the last step beyond which there is no authority under existing law for the Government to take further action. The Lockheed plants are operating now about half way through the 80-day Taft-Hartley injunction period. At the end of that period there will be no authority under existing law by which to insure the continued production of the Polaris missile and our principal antisubmarine aircraft. I submit that this Nation should not permit its safety to be thus jeopardized and possibly its very existence to be thus imperiled.

I have pointed out, in my remarks on the other bill I introduced this afternoon with respect to antitrust legislation, that the present strike in the transportation field, the dock strike, the longshoreman strike on the east coast, has already passed the 80-day period of the Taft-Hartley law remedy, that that provision has been completely exhausted, and that the strike is still in progress.

Will that happen in the Lockheed plant, where we are building one of the most vital weapons for the security of the free world? I do not know whether the workers will resume their strike at the end of the 80-day period. They can do so. If they do, when the 80-day period has expired, I have said on the floor this afternoon that the Government is powerless, the Congress has given the Government no further authority to act. What can we do? Shall we leave it that way? Is that neglect of duty on the part of those who have a responsibility in this situation? What can the answer be?

Mr. President, unless effective legislation is enacted, we will continue to be confronted from time to time with strikes and work stoppages which will gravely impair our defense program and do it irreparable injury, thereby imperiling the very safety of our Nation.

I have heretofore addressed the Senate on the need for legislation to safeguard our defense program from the ever-recurring strikes and work stoppages with which it has been plagued. Similarly, during much of the past 2 years, editorials appearing in some of our leading newspapers have commented on the vital need for legislation to prevent strikes against the national security and against the country itself. I ask unanimous consent that some of those editorials be printed in full in the RECORD, immediately following the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, certainly the national security should be considered above what are often nothing more than jurisdictional disputes and other petty complaints of union members, many times so petty as to be ludicrous, were it not for the danger they pose to our vital defense and preparedness programs.

The bill which I have introduced, if enacted into law, would apply to both labor and management and would prohibit harmful and disastrous work stoppages in the vital defense facilities of our Nation. It would also provide a tribunal which will afford redress and before whom issues can be heard and resolved by due process of law.

I urge my colleagues to examine this bill carefully. I do not believe I can overemphasize its importance. I submit this measure should be enacted into law early in this session of the Congress.

## EXHIBIT 1

[From the Philadelphia Inquirer, Sept. 13, 1961]

### MISSILE-BASE STRIKES AGAINST THE NATION

Labor Secretary Goldberg has acted in the interests of national security in urging an immediate end to work stoppages at missile sites under construction in Colorado.

The outrageous delays in building the launching bases for intercontinental ballistic missiles in the Denver area are painfully similar to the long series of strikes that have hindered missile and space projects at Cape Canaveral in Florida.

Three wildcat walkouts in Colorado within the past week are a national disgrace. Union jurisdictional squabbles and quarreling over the use of nonunion labor are understandably important to the persons involved but surely these disputes can be settled by collective bargaining, mediation, or arbitration without interrupting work on urgent defense projects.

With the international horizon growing darker under gathering clouds of crises, with Americans answering the call to military service to strengthen the Nation in an emergency with taxpayers bearing the load of recordbreaking defense budgets, the unmitigated nerve of those Colorado strikers is enough to make one's blood come nearly to a boil.

Is this an emergency or isn't it? Is the danger real or not? Are missiles important to U.S. security or aren't they?

The administration in Washington already has answered these questions in the affirmative. It's time then, for a tough crackdown on irresponsible elements, whether in the ranks of labor or management, whether associated with the Government or private enterprise, who believe they can slow down vital defense projects at will and with impunity.

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[From the Nashville Banner, Aug. 17, 1962]

### STRIKE-IDLED PLANTS STILL THE SPACE BLOW AT HOME

In the wake of "orbiting duet" claim by the Soviet Union, a handful of electrical workers have thrown up picket lines around facilities at Huntsville and have halted work on 40 projects, most of which are connected with important phases of U.S. space programs.

If there ever has been a gap or lag in U.S. space efforts months ago or at the present, there is ample evidence that work stoppages of one kind or another have been contributing factors.

To say these union workers picked a most inopportune time to engage in a labor dispute must be classed as a gross understatement. They moved at a time when Soviet prestige itself is orbiting. They have idled 1,500 workers on projects at the Marshall Space Flight Center and the Army Ordnance Missile Command.

Only a year ago, Senator JOHN L. McCLELLAN, chairman of the Senate Permanent Investigations Subcommittee, reported on 5 months of testimony and factfinding relative to work stoppages on missile and space facilities. He said:

"Wildcat strikes, work stoppages, slowdowns, featherbedding and a deliberate policy of low productivity on the part of some unions and workers may well be responsible to a substantial degree for whatever lagging behind exists in our space and missile programs. This concerns every man, woman, and child in the country who loves freedom. If greed, graft and extortions are to dominate our way of life and our economy, especially in a program vital to our survival, it is time for Americans to wake up."

Up to the time of the McClellan report there was plenty of evidence that it was justified. For instance, there had been 330 strikes at test sites and ballistic missile bases, totaling a loss of 163,000 man-days.

It might have been worse if certain contractors had not agreed to such fantastic wage demands as paying ditchdiggers $287 a week, truckdrivers $324 and journeymen electricians as high as $700. Of course, many of the contractors were protected from loss by cost-plus contracts. Thus, the additional expense was borne by the ever-harried taxpayer.

In the spring of 1961, a no-strike pledge was secured. It helped, but it was no screaming success, for from June 1961 to February 1962, more than 10,000 man-days were lost. Then, last month unions representing 150,000 workers set a strike for July 23 which would have brought the entire space and missile program to sudden halt. This was delayed after a joint plea by Labor Secretary Goldberg and President Kennedy. A 60-day waiting period was set which is scheduled to end September 21—which could be a fateful day in the history of our space efforts.

In the meantime, now the electricians have struck in Huntsville and unless it is brought to an immediate end, this might spread across the Nation.

This is further evidence that legislation concerning work stoppages in the field of national defense is sorely needed. Senator McClellan said last August, it was time for Americans to wake up. A year has gone by, but there still is necessity for an awakening.

[From the Denver Post, Sept. 12, 1961]

### Titan Strike a National Disservice

Wildcat strikers who walked off the job Friday and Monday at two Titan missile base launching sites southeast of Denver did their country a disservice—and were well on the way to giving their unions a black eye.

According to reports, the workers are now back on the job.

But the strike did halt work at one site and slowed it at the other.

For purposes of this editorial we're going to discount one report floating around—that a good many of the 155 men off work Monday simply wanted an excuse to come to Denver to see the American Legion parade.

But the main reason given after the strike started Friday, wasn't much better.

The claim was that six fencebuilders at one of the sites were not being paid minimum scale for their crafts and that they were being denied fringe benefits given other workmen at the six Titan sites.

The public, generally, is aware that there are two sides to a dispute and that workers often have real grievances. But this small incident seems scarcely a valid excuse for shutting down a defense-vital construction project at time of national peril.

It seems especially ridiculous when a Federal committee, set up for just this sort of dispute, already had taken the first step toward making a settlement.

Union officials, themselves, had appealed to the workers not to strike pending arbitration.

The committee is President Kennedy's recently created Missile Sites Labor Commission, set up in the wake of public outcry over labor-management waste and mismanagement at many missile bases during the last 2 years.

The President's Commission is charged with just one duty: arbitrating a fair settlement and returning construction to full speed as quickly as possible.

Because of this, it is difficult to find valid reasons for the construction workers' walkout.

If their desire was to dramatize their cause, they certainly did so—but hardly in a way that will gain them public support or confidence.

The realities of international tension are entirely too grim to permit the luxury of missile site walkouts.

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[From the Commercial Appeal, Aug. 18, 1962]

### Obstruction in Congress

Disregard for a no-strike pledge by the electrical union which has shut down progress on the vital work of the Marshall Space Flight Center in Huntsville, Ala., should prod Congress into outlawing such stoppages.

We received from Senator John L. McClellan, Democrat, of Arkansas, a comment on this situation some months ago. "Recent developments clearly demonstrate that we cannot rely upon voluntary assurances of labor groups that no work stoppages will occur," Senator McClellan said. "We simply need to prohibit by law those practices that definitely delay, hinder, or obstruct our missile and space programs, and particularly those that tend to sabotage our defense efforts."

Senator McClellan has been trying to get such legislation for a long time. The Huntsville strike shows how costly the delay has proved.

Senator John Stennis, Democrat, of Mississippi, also said recently that "it is time that we examined existing legislation for the purpose of determining whether we have given the Government adequate statutory authority to prevent strikes in areas which are vital to the national security." Senator Stennis has demanded "bold, positive, and immediate action."

But it has not been forthcoming.

Yesterday Stuart Rothman, General Counsel of the National Labor Relations Board, ordered Federal attorneys to seek a court injunction to halt the electrical union picketing which has kept more than 1,200 other men off the space construction job in Huntsville. It was granted last night. This has been "last resort" action, initiated under heavy pressure from the Federal space agency, NASA.

Theoretically, such a strike should have been prevented by the President's Missile Sites Labor Commission, but its demands have been ignored by the obstructing union.

No doubt remains that Congress must create power which exceeds that of the Presidential Commission. The International Brotherhood of Electrical Workers has made its no-strike pledge at Huntsville a worthless piece of paper.

The Nation's lunar-landing program, a central part of our space race with the Soviet Union, is being jeopardized and delayed. A space official has said the strike could cost American taxpayers as much as a million dollars a day in long-range effects.

The McClellan bill to curb such space and missile work stoppages was introduced in the Senate almost 11 months ago. It is stuck in the Senate Labor Subcommittee. A strong public outcry may be needed to bring it out for Senate action.

Some knuckle rapping is due for Senator Pat McNamara, Democrat, of Michigan, the prolaborite head of the subcommittee, Senator Wayne Morse, Democrat, of Oregon, and the other liberal committeemen who have kept this urgent legislation under wraps.

In view of the Huntsville episode they have no excuse for their callous inaction.

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[From the Commercial Appeal, Sept. 19, 1962]

### The Basic Issue

American soldiers guard West Berlin. U.S. troops are stationed around the globe. Some of our sons have died to help South Vietnam defend itself against Red guerrillas. Russia threatens to send intercontinental rockets if we dare touch Communist Cuba, 90 miles from our shore.

And how do Americans react?

Some 100,000 workers, demanding more union power, are prepared to close down four of the Nation's prime missile industries this week end unless they win their demand for a union shop.

Furthermore, a Presidential board has recommended that the firms accept the union shop—which means all employees are compelled to join or pay dues to the United Aerospace Workers Union whether they wish to—and President Kennedy has publicly stated: "I would hope the companies would accept it."

Mr. Kennedy's main argument is that there is compulsory unionism in other industries.

In saying the four firms should accede to the union demand, the President added that "if there is a strike, the responsibility would be very clear."

Thus he virtually predicts that should a strike occur, he will not invoke the Taft-Hartley Act, which could stop it.

There is another side which the President ignores. Senator John Stennis, Democrat, of Mississippi, who is on both the Armed Services and Space Committees, spoke out against this same strike threat when it arose last July. "The basic and fundamental issue," he said then, "is whether any person or any group has the right to go on strike against the Nation's security and against the country itself."

Senator John L. McClellan, who heads the Government Operations Committee, has been trying for months to obtain legislation which would prohibit such strikes against the Nation's security, but his efforts have been ingloriously bottled up by a union-oriented Senate Labor Subcommittee.

"I can't do this job all by myself," Senator McClellan has said. "I'm accused of being antilabor anyway. There's nothing I can do unless the administration gets behind it—and they're doing nothing this year."

Doing nothing? Wrong, Senator McClellan. They're doing all they can to undermine the firms which resist creeping union power over America's missile defense.

What if this causes higher missile costs? The money all comes from the taxpayers. And it sews up more labor votes.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield, with the understanding that I do not lose the floor.

Mr. STENNIS. Mr. President, again I commend the Senator for his very forceful presentation with respect to a most distressing situation which exists at our missile and other military industrial plants.

Last year, when the Senator introduced a similar bill, I had some remarks to make on the merits of the bill, and I expect to do so again later in the session.

I certainly stand with him in the hope that progress will be made with respect to this bill. We consider a great many matters in the Armed Services Committee and in the Preparedness Subcommittee in connection with missile sites which are under construction, and the items that go into them, as well as many other major phases of our vast and farflung military programs.

We are living in times when much depends on the effectiveness of our power of retaliation and its operating instantly, and when much reliance is being placed upon missiles and similar weapons. Therefore, there cannot be anything more vital and more essential to our protection and our welfare and our security than the very items about which the Senator has been speaking. It is a fundamental issue. It is not one of choice. It is mandatory. It is the question of whether any group under any circumstances has the power—never the right, but even the power—to tie up our national security and our essential defense.

As the Senator has said, the remedies that we have now are not adequate. Something more must be done. I hope the bill will move along. I commend the Senator very highly.

Mr. McCLELLAN. I thank the Senator very much. I am glad now to yield to the Senator from South Carolina, provided I do not lose my right to the floor.

Mr. THURMOND. Mr. President, I commend the distinguished Senator from Arkansas for introducing the bill, and I wish to join with him as a cosponsor on this vital piece of proposed legislation. It is a most important bill, and I hope the Senate will see fit to pass it without delay.

The interests of the country and the security of the Nation and the welfare and the future of the citizens of this country are at stake in this piece of proposed legislation.

The Senator has delivered a magnificent address this afternoon. I hope every Senator and every citizen of the country will read the address. Again I commend the able Senator from Arkansas upon his able and splendid presentation on this occasion.

Mr. McCLELLAN. I thank the Senator from South Carolina.

If I may do so, I should like to yield to the distinguished Senator from Pennsylvania, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

### EXPENSES OF COMMITTEE ATTENDING FUNERAL OF SENATOR CHAVEZ

During Mr. McCLELLAN's remarks,

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. Mr. President, I do not wish to yield the floor, but I shall be happy to yield to the Senator from Minnesota—if I may do so without losing the floor—in order that he may ask a question or may request the making of an insertion in the RECORD.

Mr. HUMPHREY. I appreciate that. I have asked the Senator whether he will yield—and he is most considerate to do so—in order to have the Senate take up a resolution which should be acted on today. It was submitted by the Senator from New Mexico [Mr. ANDERSON] and relates to the necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the late Senator Chavez. I wish to offer the resolution without in any way prejudicing the rights of any Senator in connection with the debate relating to the rules. So I wish to request the immediate consideration of the resolution—just as the Senate did some 2 days ago in connection with other measures.

Mr. McCLELLAN. Mr. President, I should think it quite appropriate for me to yield for that purpose; and I am happy to do so, under the conditions stated by the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Arkansas.

Therefore, Mr. President, I offer, and send to the desk, a resolution; and, under the conditions laid down—that is to say, without in any way prejudicing the rights of any Senator, or without in any way affecting the situation in regard to the rules—I submit the resolution on behalf of the Senator from New Mexico [Mr. ANDERSON], and request its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 44), submitted by Mr. HUMPHREY, on behalf of Mr. ANDERSON, was read, as follows:

> *Resolved*, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable Dennis Chavez, late a Senator from the State of New Mexico, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Minnesota for the immediate consideration of the resolution. Without objection, the resolution is considered and agreed to.

Mr. HUMPHREY. Mr. President, I thank the Senator from Arkansas for his courtesy.

Mr. McCLELLAN. I have been very happy to yield for the submission of the resolution and for the taking of action on it by the Senate.

### PROHIBITION OF EXPENDITURE FOR PUBLIC FUNDS FOR CERTAIN MILITARY CONSTRUCTION PROJECTS

During Mr. McCLELLAN's remarks,

Mr. STENNIS. Mr. President, will the Senator from Arkansas yield to me, in order to permit me to introduce a bill, out of order, without commenting on it?

Mr. McCLELLAN. Yes, I am happy to yield for that purpose, if it is understood that I may do so without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STENNIS. Mr. President, on behalf of myself and my colleague [Mr. EASTLAND], I introduce a bill for which I request appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 293) to prohibit the expenditure of public funds for certain military construction projects not authorized by Congress, introduced by Mr. STENNIS (for himself and Mr. EASTLAND), was received, read twice by its title, and referred to the Committee on Armed Services.

### AMENDMENT OF THE SOCIAL SECURITY ACT

Mr. CLARK. Mr. President, on behalf of myself and my colleague from Pennsylvania [Mr. SCOTT], and the Senator from Arizona [Mr. GOLDWATER], the Senator from Iowa [Mr. MILLER], and the Senators from Ohio [Mr. LAUSCHE and Mr. YOUNG], I send to the desk for appropriate reference a bill to exempt from compulsory coverage under the old age and survivors disability insurance programs self-employed individuals who hold certain religious beliefs.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 294) to exempt from compulsory coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. CLARK. Mr. President, an identical bill was passed by the Senate last year. When the bill reached the House, the criticism was made that the bill was unconstitutional.

The purpose of the proposed legislation is to exempt from social security taxes members of religious denominations who have a religious objection to insurance, and, therefore, to the payment of social security premiums.

If the bill were enacted into law, these people, the plain people, as they are known in my State, or the Amish, as they are known in many other localities, and who live in various States of the Union, would be relieved from the payment of social security taxes, but they would also be required to forgo any benefits under the social security law.

The purpose of the bill is to right what we consider an injustice in terms of civil liberties to a very small group of people. They reside mostly in Pennsylvania, Ohio, and Iowa.

These plain people have strong religious scruples against receiving any insurance benefits, including social security benefits. In addition, they make generous and conscientious efforts to take care of their own elder citizens who may be disabled.

The U.S. Government should not have to remain in its present unenviable position of having to levy against horses, cattle, and other simple belongings of these honest and upright people in order to exact the dollars due for social security taxes.

Our bill would permit those having firm religious views against insurance to file applications for exemption with the Secretary of Health, Education, and Welfare. If the Secretary found that the applications were filed in good faith, and that the religious group in question made ample provision for its older citizens, he would be authorized to approve the application.

In view of the fact that a constitutional question was raised last year, I ask unanimous consent to have printed at this point in the RECORD a letter addressed to me by Colin F. Stam, well known to Members of the Senate, of the Joint Committee on Internal Revenue Taxation, pointing out that there is no really serious constitutional question involved here; that the proposed legislation is clearly constitutional.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Congress of the United States,
Joint Committee on Internal
Revenue Taxation,
*Washington, November 9, 1962.*

Hon. Joseph S. Clark,
*U.S. Senate,*
*Washington, D.C.*

Dear Senator Clark: You asked us at our convenience to give you a memorandum on the constitutionality of an amendment which would exempt from self-employment tax certain individuals whose religious beliefs prevent them from accepting or participating in social security benefits. The amendment relates to the Amish sect who, under their religious teachings, cannot accept the benefits of social security even though they are now required to pay premiums in the form of a tax levied by the United States.

The constitutional question involved is as to whether these people can be excepted from the social security tax, since they have religious scruples against receiving social security benefits. Your amendment would permit those who, because of their religious beliefs, cannot secure social security benefits, to file exemption from the social security tax. The question is whether or not such an exemption would be constitutional. Under your amendment all persons similarly circumstanced are treated alike, and no person would be prevented from paying the self-employment tax if he chose to do so. The amendment appears to apply uniformly throughout the United States and, therefore, does not violate the uniformity clause of the Constitution. Moreover, it does not appear to violate the due process clause of the fifth amendment of the Constitution since individuals similarly circumstanced are treated alike. The Supreme Court has held that the fifth amendment of the Constitution will not apply unless for taxation purposes the classification is so arbitrary and unreasonable as to produce a gross and patent inequality. I do not believe that your amendment could be construed as an unreasonable classification. The amendment would apply the exemption only to those individuals who are forbidden by the teachings of their church from accepting social security benefits, and we know that the tax on self-employment income is levied to provide social security benefits.

Sincerely yours,

Colin F. Stam,
*Chief of Staff.*

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "The Revolt of the Plain People," written by Clarence W. Hall, and published in the Reader's Digest of November 1962. The article explains in greater detail the sound, equitable position of these plain people.

There being no objection, the article was ordered to be printed in the Record, as follows:

### The Revolt of the Plain People

(By Clarence W. Hall)

One day this fall, a small group of bearded members of the Amish sect will hitch their horses and buggies to parking meters in Pittsburgh and, clutching their broad black hats against their buttonless jackets, will file solemnly into the U.S. District Court for Western Pennsylvania. The judge's gavel will rap the court to order, a clerk will intone, "Valentine Y. Byler versus the United States of America"—and thus will open one of the oddest trials in the history of U.S. jurisprudence.

To the Amish, the trial will determine one thing only: whether they may legally refuse, on religious grounds, to participate in the social security system. But to the Nation it will present the curious spectacle of a proudly self-reliant segment of Americans having to buck the might of our huge bureaucracy to establish their right not to be taken care of by the Government.

Among the Amish, called the "plain people," taking care of themselves is a deeply held principle. Their way of life is distinguished by devout religious faith, by hard work, thrift, frugality and self-sufficiency; by husking bees, apple-paring parties and barn raisings, and by rejection of such wordly developments as autos, tractors and electricity. That way of life may be regarded as quaint by some Americans. Not quaint, however, is its end product.

Tourists passing through Amish settlements in Pennsylvania, Ohio, and Indiana marvel at the lush fertility of their fields, the fatness of their cattle, the sleekness of their horses, the sparkle of their freshly painted houses and barns. And anyone bothering to check would also find that there is among them no crime rate, no divorce or broken homes, no juvenile delinquency, no unemployment or old-age problems.

No member of their sect, Amishmen take pride in pointing out, has ever appeared on relief rolls, even during the depression. Without the aid of any of the fumbling panaceas Congress has voted for farmers, and without a nickel from the Department of Agriculture's crop payments, Amishmen manage to be among the most prosperous farmers in the Nation. They refuse subsidies, destroy no crops.

Most of all, they cherish their self-sufficiency. If calamity overtakes an Amishman, his neighbors flock in to help him. If his barn burns down or a new addition is needed, all Amish families in the area contribute labor, time, and money to help. "If any provide not for his own," they quote from the Bible, "he hath denied the faith and is worse than an infidel." This, they reason, forbids any taking out of insurance. An Amishman's neighbors, they hold, are his insurance policy.

It was the prohibition against insurance that catapulted the Amish onto the horns of a dilemma when, in 1954, the social security code was amended to include self-supporting farmers. To Government agents trying to induce them to report and pay up, they explained: "We Amish have our own social security; we need no other kind."

Especially obdurate were members of the Old Order Amish, plainest of the "plain people," some 19,000 in number. When Internal Revenue Service agents moved in to levy on their bank accounts, many quietly withdrew their savings. When attempts were made to attach checks due them from cooperatives to whom they sold their milk, co-op officials (many of them Amish) refused to sign the checks. Frustrated, the Internal Revenue Service agents began seizing Amish cows and horses.

Chosen for special attention in western Pennsylvania was Valentine Byler, a tall, quiet Amish farmer whose well-ordered acres lie near New Wilmington. Late in 1959, local IRS agents computed Byler's social security assessments for the 3 previous years, estimated that he owed $214.43. Presented with the bill, Byler explained: "We Amish pay our taxes because the Bible says, 'Render unto Caesar the things that are Caesar's.' But our religion forbids insurance." To arguments that social security is not technically insurance, but a tax, he replied, "Doesn't the title say 'Old Age, Survivors, and Disability Insurance'?"

They next tried to levy on his bank account; he had none. Served with a summons to appear in court, Byler ignored it. Cited for contempt, he was brought into the U.S. district court in Pittsburgh. The judge took one look at Byler, standing calmly before him, and angrily demanded of the IRS agents, "Don't you have anything better to do than to take a peaceful man off his farm and drag him into court?" He dismissed the case.

Then local IRS agents pulled the coup that brought down public indignation on their heads. Last spring, just at plowing time, three IRS men strode across the Byler fields to where Byler was standing with his team of Belgian mares. They unhitched the team, led the mares to a waiting truck and trundled off down the road toward New Castle.

Two weeks later, the mares were put up at auction; with harness thrown in, they brought $460. After deduction of "expenses" such as auction fees, transportation and boarding of the horses—plus the social security assessment—$37.89 was left. This amount was sent to Byler.

The seizure and auction, publicly held, kicked up a national ruckus. The New York Herald Tribune called the action "welfarism gone mad," demanded to know "what kind of 'welfare' is it that take a farmer's horses away at spring-plowing time in order to dragoon a whole community into a 'benefit' scheme it neither needs nor wants, and which offends its deeply held religious scruples." Letters jammed Byler's mailbox, many with money in them. Angry messages poured into Congress.

This was not the first Congress had heard of the conflict. The Amish had already sought Congress' aid. For, from the time the conflict began, the Amish leaders had felt, deeply and sincerely, that their cherished way of life was threatened. Beyond their conviction that the Government's move violated constitutional guarantees prohibiting the free exercise of their religion, and the fact that they associate public welfare with handouts (a very dirty word in the Amish lexicon), was their knowledge that, as one ancient patriarch of the Old Order told me, "Allowing our members to shift their interdependence on each other to dependence upon any outside source would inevitably lead to the breakup of our order."

Senator Hugh D. Scott, Jr., of Pennsylvania, indignantly protested to IRS, saying, "The Amish are among the most respected people of Pennsylvania. Their contribution to American ideals of thrift and self-reliance has written an outstanding chapter in our history."

One of the warmest admirers of the Amish is Harold E. Burns, former publisher of the New Wilmington Globe, with whom I visited among the Amish. Burns is fond of quoting Papa Yoder who, in the Broadway musical "Plain and Fancy," says to a city man: "Look around you, mister! Look in your world, and look here. Poor people you have plenty, and worried people and afraid. Here we are not afraid. We do not have all your books and learning, but we know what is right. We do not destroy; we build only."

When the pressures first began, some Amish, not knowing what else to do, paid the social security tax or simply allowed without protest the levies on their bank accounts. Their resistance stiffened, however, when Amish leaders made it plain that any further compliance would invite the invoking of the order's severest penalty: shunning. Under the shun an Amishman becomes a pariah. He cannot eat, sleep, talk, do business, or go to church with any other Amishman. The shun forbids any form of aid, unless he becomes ill or is in dire need.

At the same time, 66 bishops of the Old Order Amish drew up an appeal to Congress.

It was read into the CONGRESSIONAL RECORD by Representative PAUL B. DAGUE and there it sank without a ripple. As IRS harassments and seizures went on, Amish leaders met again, drew up another statement to accompany a bill introduced by DAGUE. The statement plaintively asked "in what way would it injure the Social Security Act" if the Amish were to be allowed to care for their own, and added, "We do not want to be burdensome, but we do not want to lose our birthright to everlasting glory, therefore we must do all we can to live our faith." When both this statement and DAGUE's bill evoked no action, Amish leaders decided to go to court.

Amish attitude toward going to court has always been dim, influenced by the Biblical injunction, "If any man sue thee and take thy coat, give him also thy cloak." Non-Amish friends labored to make them see that this did not apply to abandoning one's religious principles. Finally they agreed that "it is not shameful to go into a court of law; it is only shameful to go for a shameful purpose."

Thus, after Valentine Byler's horses were seized and sold, the Amish engaged a New York lawyer, Shephard Kole, to represent them. In Washington, Kole and several Amish bishops spent days conferring with top officials of the Internal Revenue Service and the Department of Health, Education, and Welfare. IRS Chief Mortimer Caplin, and his legal staff were sympathetic with the Amish request but baffled at how to meet it within the law. To fears that exempting the Amish would bring an avalanche of demands from other groups, Kole replied, "What other groups? The vast majority of Americans approve social security, want it, are officially committed to participation in it—for example, the Mormons, also resolute in caring for their own, and even Jehovah's Witnesses, who generally oppose Government intrusion in matters of conscience."

One positive result of the Washington visit: Caplin agreed to a moratorium on forcible seizures of Amish property until the Federal courts could decide the issue.

Thus the stage is set for the trial that, to many Americans, will be a melancholy reminder of how far we've drifted from the Founding Fathers' concept of government as something to foster and not squelch those independent virtues that made us what we are.

If the Amish lose in the courts they will have to depend on congressional passage of one of the many bills being held in committee pending enough public demand to bring them out. Most likely to come out, if sufficient pressure builds up, is a bill introduced by Senator JOSEPH F. CLARK, Democrat, of Pennsylvania, and cosponsored by Senators BARRY GOLDWATER, Republican, of Arizona, and FRANK LAUSCHE, Democrat, of Ohio, which would amend the Social Security Act to exempt, upon application certified by responsible authority, "any individual who is a member of any recognized church or religious sect the teachings of which forbid its members from accepting social insurance benefits."

And if the Amish lose in Congress, too? Then, say Amish leaders, they may have to seek some other land where they can live with their consciences. What would such an Amish "move-out" portend? William H. Fitzpatrick, editor of the Ledger-Star of Norfolk-Portsmouth, Va., suggests an answer:

"When the last Amish buggy has disappeared from the dusty byroad—or has been sold like Valentine Byler's plow horses—it will mark more than the passing of a sect of people overwhelmed by time and change. It will mark also the passing of a freedom: the freedom of people to live their lives undisturbed by their government so long as they disturb no others.

"It was a freedom the country once thought important."

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the Legislative Reference Service of the Library of Congress, addressed to me, under date of September 19, 1962, relative to the constitutionality of the amendment adopted last year to H.R. 10606, exempting these plain people from the Social Security Act to the extent to which I have referred, and holding that the proposed legislation is quite clearly constitutional.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
*Washington, D.C., September 19, 1962.*

To: Hon. JOSEPH CLARK.
From: American Law Division.
Subject: Constitutionality of amendment adopted by Senate to H.R. 10606, exempting members of Amish faith from Social Security Act.

This amendment would exclude from social security coverage, under stated conditions, self-employed persons who are members of a religious faith whose established tenets forbid the acceptance of any insurance benefits.

We believe this amendment is constitutional. Since it establishes the same rule for all persons similarly situated throughout the United States, it meets the requirement of geographical uniformity imposed by article I, section 8, clause 1, of the Constitution.

In view of the fact that social security taxes are applied to the payment of benefits which persons excluded from coverage would not receive, this type of permissive exclusion does not appear to violate the due process clause of the fifth amendment. Unlike the 14th amendment, the 5th has no equal protection clause. However, in upholding the various exclusions in the original social security act, the Supreme Court assumed that discrimination, if gross enough, is equivalent to confiscation and hence involved under the fifth amendment. *Steward Machine Company* v. *Davis,* 301 U.S. 548, 585 (1937).

The purpose of this amendment is a legitimate one—to give fuller meaning to the freedom of religion guaranteed by the first amendment. It would achieve this without increasing the burdens of other persons. Hence it appears to meet the test of reasonableness which is the essence of the due process clause.

MARY LOUISE RAMSEY,
*Legislative Attorney.*

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SEC. —. (a) Subsection (c) of section 211 of the Social Security Act is amended (1) by striking out "or" at the end of paragraph (4), (2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; or", and (3) by adding after paragraph (5) the following new paragraph:

"(6) The performance of service by an individual during the period for which an exemption approved under section 1402(b) of the Internal Revenue Code of 1954 is in effect."

(b) Subsection (c) of section 1402 of the Internal Revenue Code of 1954 is amended (1) by striking out "or" at the end of paragraph (5) and inserting in lieu thereof "; or", and (3) by adding after paragraph (5) the following new paragraph:

"(6) the performance of service by an individual during the period for which an exemption approved under section 1402(b) is in effect."

(c) Section 1402 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(h) MEMBERS OR ADHERENTS OF CERTAIN RELIGIOUS FAITHS.—

"(1) EXEMPTION.—Any individual who is a member or adherent of a recognized religious faith whose established tenets or teachings are such that he cannot in good conscience without violating his faith accept the benefits of insurance, such as those provided by the insurance system established by title II of the Social Security Act, may so certify in an application filed with the Secretary of Health, Education, and Welfare (in such form and manner as may be prescribed by regulations made under this chapter) requesting exemption from such title II insurance extended to service performed by him in his trade or business. Upon findings by the Secretary that such applications was made in good faith and that the members of such religious faith make adequate provision for elderly members of the faith to prevent them from becoming public wards in their old age, the application shall be approved and the individual exempted from coverage in the old-age and survivors insurance program.

"(2) EFFECTIVE PERIOD OF EXEMPTION.—An exemption pursuant to this subsection shall be effective for the taxable year in which it is approved and all succeeding taxable years, except that no such exemption shall be effective for any taxable year which ends before the date of enactment of this subsection."

Mr. CLARK. Mr. President, I thank the distinguished Senator from Arkansas for his usual courtesy in yielding to me.

Mr. SCOTT. Mr. President, will the Senator from Arkansas yield to me, so that I may comment on the remarks made by my senior colleague, with the usual understanding that the Senator from Arkansas will not lose his right to the floor?

Mr. McCLELLAN. Mr. President, under those conditions, I am indeed happy to yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, the joint resolution introduced by the senior Senator from Pennsylvania and the junior Senator from Pennsylvania continues the activity which took place in the last session. Meetings have been held with the Commissioner of Internal Revenue, and there have been the examinations, which my senior colleague has mentioned, into the constitutionality of the proposal.

It is interesting, however, that the plain people of the Amish and other sects themselves do not ordinarily participate in elections, except occasionally in school board elections. Therefore, I think my senior colleague and I may perhaps be entitled to some recognition for an unusual act, in that we are introducing a measure in justice and fairness to a group of people who, in all probability, will not cast their votes for either one of us at an election in the Commonwealth.

But the conscience of these people is well known; their thriftiness and integrity are respected. They provide for themselves. They are willing to divest themselves of the benefits of the social security system and to provide through their own means the sums necessary for their care in later life, provided they are exempted from the burden of what they regard not as taxes, but as insurance.

They recognize their obligation to pay taxes. They believe one must render unto Caesar that which is Caesar's. They do not believe they should be compelled to participate in an insurance project or system which is not of their making.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a further statement on this subject, and also the remarks I made at the time of the introduction of my bill last year.

There being no objection, the statement and remarks were ordered to be printed in the RECORD, as follows:

### STATEMENT BY SENATOR SCOTT

In the last session of the Congress, on June 5, 1962, I introduced a bill to exempt from participation in the Federal old-age and survivors insurance program, individuals who are members of the church whose doctrines forbid participation in such programs on grounds of religious belief. A like amendment was offered to the social security bill and adopted by the Senate on July 17, 1962. The conferees decided to exclude these provisions from the bill as it finally passed the Congress.

In hopes that the present Congress will look more favorably upon this worthy piece of legislation, I again introduce my bill, and request that it be referred to the appropriate committee.

### STATEMENT BY SENATOR SCOTT ON JUNE 5, 1962

Mr. President, there is no group in America which commands more respect from the citizens of the Commonwealth than the Amish, sometimes called the "plain people." They are frugal farmers who are hard-working and self-reliant. They are most desirable neighbors. We are proud of them and of their neat, well-kept farms.

The Amish in Pennsylvania and in the other States where they have settled are law-abiding. They pay their taxes promptly. But taxes for old age and survivors' insurance, under the Social Security Act, are a different matter. The religion of the Amish does not permit them to participate in an insurance system. No Amishman will accept the benefits of the social security system; and the payment of taxes into the fund is a direct violation of his religion. There is no question that Amish opposition to this tax is a sincere matter of conscience.

Mr. President, the forefathers of the Amish now living in my State accepted an invitation from William Penn to come to this land where they might enjoy freedom of religion. This benefit later was confirmed by the U.S. Constitution and by the various State constitutions.

Freedom of religion has been one of the most precious liberties in this Nation. Our Government has, on a number of occasions, recognized the right of individuals to be exempt from provisions of laws which ran counter to their religious beliefs. I am of the belief that justice demands such an exemption in this instance.

Members of the Senate will recall the most unfortunate experience approximately a year ago of Mr. Valentine Y. Byler, a God-fearing Amish farmer from western Pennsylvania, who had three of his six farm horses seized and sold by the Internal Revenue Service to satisfy his unpaid social security taxes. At the time, I protested vigorously at the injustice done. But the way to see that it does not happen again, is for Congress to provide by law for the exemption from participation in old age insurance of members of a church whose doctrines forbid such a program on grounds of religious belief. This is the purpose of the bill which I am now introducing.

Only by the passage of a bill of this nature can we be certain that some of these good people do not leave this country because of what to them is a serious infringement on their freedom of religion. Such a departure would be a sad commentary on our fundamental liberty.

## THE SENATE PRAYER BREAKFAST GROUP

Mr. THURMOND. Mr. President, it gives me great pleasure to announce to the Senate that the Wednesday Morning Senate Prayer Breakfast Group held its first meeting of 1963 today, January 16. About 20 Senators were in attendance, including a number of new Senators. Senator JOHN C. STENNIS was elected chairman of the group to succeed Senator Alexander Wiley, of Wisconsin, who served so capably for a long period of time. Senator STENNIS has acted as the chief executive officer of the group for a number of years, and his influence in this capacity has contributed greatly to the sustained spiritual impact of the prayer group's activity in the past.

Under the already proven leadership of the distinguished Senator from Mississippi, who has been most zealous in promoting the efforts of this prayer group, even greater successes for the purposes of the prayer group are assured for the future.

The prayer group is open to all Senators and Senator STENNIS has issued a special invitation to the new Senators to attend. The Senate prayer group has much to offer to all Senators, and I am sure that all of us rejoice in the prospect of the fine leadership of the Senator from Mississippi and the accomplishments which his leadership portends for this worthy effort.

## RECESS

Mr. McCLELLAN. Mr. President, if no other Senator wishes to address the body this afternoon, and if there is no other urgent business to come before the Senate, I move that the Senate stand in recess until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate took a recess until tomorrow, Thursday, January 17, 1963, at 12 o'clock meridian.

* * *

# SENATE

## THURSDAY, JANUARY 17, 1963

*(Legislative day of Tuesday, January 15, 1963*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Roland J. Brown, assistant pastor, Phillips Memorial Baptist Church, Cranston, R.I., offered the following prayer:

Our God and Father, Thou who dost seek every man with Thy redeeming and healing love, we invoke Thy blessing on this assembly. As responsible leaders of this Nation, these legislators face difficulties which challenge their individual and collective capacities. They view problems at home and abroad with concern and alarm, and realize that within themselves they lack ultimate truth.

Thou hast promised that when Thy people, who are called by Thy name, will humble themselves and pray and seek Thy face and turn from their wicked ways, then wilt Thou hear from heaven and forgive their sin and heal their land.

Our Father, enable each of us here so to submit our lives to Thee and to Thy purposes, that Thy redeeming and healing love will be manifest in our Nation and in the world. We entreat Thee to enfold men everywhere in Thy watchful care. Amen.

## THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 16, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

### REPORT OF RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report of the Rural Electrification Administration, for the fiscal year 1962 (with an accompanying report); to the Committee on Agriculture and Forestry.

### AMENDMENT OF CHAPTER 147, TITLE 10, UNITED STATES CODE, TO DISPOSE OF TELEPHONE FACILITIES BY NEGOTIATED SALE

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale (with an accompanying paper); to the Committee on Armed Services.

### REPORT ON FLIGHT PAY, DEPARTMENT OF THE NAVY

A letter from the Under Secretary of the Navy, reporting, pursuant to law, on flight pay in that Department, for the 6-month period ended December 31, 1962; to the Committee on Armed Services.

### PROPOSED TRANSFER OF BOAT TO THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION, PHILADELPHIA, PA.

A letter from the Assistant Secretary of the Navy (Installations and Logistics), reporting, pursuant to law, on the proposed transfer of an aircraft rescue boat to the midcity branch of the Young Women's Christian Association, Philadelphia, Pa.; to the Committee on Armed Services.

### Report on Flight Pay, U.S. Coast Guard

A letter from the Assistant Secretary of the Treasury, reporting, pursuant to law, on flight pay, U.S. Coast Guard, for the 6-month period ended December 31, 1962; to the Committee on Armed Services.

### Alteration, Repair, and Maintenance of Certain Government Buildings and Property

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes (with an accompanying paper); to the Committee on Commerce.

### Amendment of Section 407(e), Federal Aviation Act of 1958, To Clarify Authority of Civil Aeronautics Board To Examine Certain Books and Records

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes (with accompanying papers); to the Committee on Commerce.

### Amendment of Federal Aviation Act of 1958, Relating to Depreciation Accounting of Air Carriers

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers (with accompanying papers); to the Committee on Commerce.

### Reports of Interstate Commerce Commission on Valuations of Certain Properties

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting, pursuant to law, reports of that Commission on final valuations of certain properties (with accompanying reports); to the Committee on Commerce.

### Report of U.S. Tariff Commission

A letter from the Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Finance.

### Report on Disposal of Foreign Excess Property, Veterans' Administration

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report by that Administration on the disposal of foreign excess property, for the calendar year 1962 (with an accompanying report); to the Committee on Government Operations.

### Report of General Services Administration

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Review of Procurement of Lock Boxes, Post Office Department

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of procurement of lock boxes, Post Office Department, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Review of Certain Changes Relating to Quarters Provided to Employees at Selected Stations, Veterans' Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of rental charges, costs, and other matters relating to quarters provided to employees at selected stations, Veterans' Administration, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Examination of Procurement of Crude Helium

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of procurement of crude helium for the helium conservation program under negotiated fixed-price contracts, Bureau of Mines, Department of the Interior, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

### Modification of Repayment Contract With the Grand Valley Water Users' Association

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize modification of the repayment contract with the Grand Valley Water Users' Association (with accompanying papers); to the Committee on Interior and Insular Affairs.

### Report on Authority Exercised Through Geological Survey to Areas Outside the National Domain

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that no activities were undertaken by the Geological Survey in areas outside the national domain, during the period September 5 to December 31, 1962; to the Committee on Interior and Insular Affairs.

### Amendment of Sections 334, 367, and 369 of Bankruptcy Act (11 U.S.C. 734, 767, 769)

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to amend sections 334, 367, and 369 of the Bankruptcy Act (11 U.S.C. 734, 767, 769) and to add a new section 355 so as to require claims to be filed and to limit the time within which claims may be filed in chapter XI (arrangement) proceedings to the time prescribed by section 57n of the Bankruptcy Act (11 U.S.C. 93n) (with accompanying papers); to the Committee on the Judiciary.

### Amendment of Section 47 of Bankruptcy Act

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 47 of the Bankruptcy Act (with accompanying papers); to the Committee on the Judiciary.

### Amendment of Subsection (b), Section 60, Subsection (e), Section 67, and Subsection (e), Section 70, of Bankruptcy Act (11 U.S.C. 96b, 107e, and 110e).

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to amend subsection (b) of section 60—preferred creditors; subsection (e) of section 67—liens and fraudulent transfers; and subsection (e) of section 70—title to property; of the Bankruptcy Act (11 U.S.C. 96b, 107e, and 110e) (with accompanying papers); to the Committee on the Judiciary.

### Amendment of Subdivision (d), Section 60, of Bankruptcy Act (11 U.S.C. 96d), To Give the Court Authority To Reexamine Certain Attorney Fees

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to amend subdivision d of section 60 of the Bankruptcy Act (11 U.S.C. 96d) so as to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding (with accompanying papers); to the Committee on the Judiciary.

### Promulgation of Rules of Practice and Procedure Under the Bankruptcy Act

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to provide for the promulgation of rules of practice and procedure under the Bankruptcy Act, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

### Claim of William E. Stone *v.* the United States

A letter from the Clerk, United States Court of Claims, Washington, D.C., transmitting, pursuant to law, copies of that court's opinion and findings in the claim of *William E. Stone* v. *The United States*, Congressional No. 3-60 (with accompanying papers); to the Committee on the Judiciary.

### Amendment of Section 25, Title 13, United States Code, Relating to Duties of Enumerators of the Bureau of the Census

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce (with accompanying papers); to the Committee on Post Office and Civil Service.

### Amendment of Section 131, Title 13, United States Code, To Provide for Taking of the Economic Census 1 Year Earlier

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968 (with accompanying papers); to the Committee on Post Office and Civil Service.

### Report of Public Printer

A letter from the Public Printer, Washington, D.C., transmitting, pursuant to law, his report, for fiscal year 1962 (with an accompanying report); to the Committee on Rules and Administration.

### Disposition of Executive Papers

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

## ESTABLISHMENT OF WATER RESOURCE CENTERS AT CERTAIN COLLEGES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators HART, GRUENING, BURDICK, MCGEE, MORSE, ENGLE, MOSS, CARLSON, MANSFIELD, YARBOROUGH, LONG of Missouri, BAYH, JACKSON, HRUSKA, and BARTLETT were added as additional cosponsors of the bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research, introduced by Mr. ANDERSON (for himself and other Senators) on January 14, 1963.

## WILDERNESS ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators YARBOROUGH, LONG of Missouri, MUNDT, NELSON, HART, MORSE, and KEATING were added as additional cosponsors of the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, introduced by Mr. ANDERSON (for himself and other Senators) on January 14, 1963.

## REQUEST FOR MORNING HOUR—STATUS OF THE RULES

Mr. HUMPHREY. Mr. President, in light of the parliamentary situation faced in the Senate, and because of what is recognized as the constitutional matter involved, I ask unanimous consent that, without any prejudice to the rights of Senators to debate the rules, the Senate now proceed to a morning hour, for the introduction of bills and the transaction of other routine business.

The PRESIDENT pro tempore. Is there objection?

Mr. RUSSELL. Mr. President, reserving the right to object, let me point out that on yesterday I served notice that I thought we had gone far enough in this childish business of undertaking to propose that the situation existing in the Senate could in some way be changed by some ruling by the Chair or by the act of any one Senator. Certainly, no constitutional right would be affected in any such fashion. All these "reservations" and mumbo-jumbo and incantations of words about "affecting the rights of Senators," the laying on of hands, and the careful and meticulous precision with which these matters have been approached in about half of the instances, grow out of an advisory opinion by the previous Vice President of the United States which had absolutely no effect as a matter of law, and could not possibly affect the right of any Member of the Senate. Former Vice President Nixon, in handing down an advisory opinion, stated that, in his opinion, if the Senate proceeded for some time under the rules of the Senate, Senators would lose their right under the Constitution to move to change the rules. To me, that simply cannot be a correct statement of parliamentary law or any other kind of law; namely, that a Senator can lose his rights in the Senate because he proceeded under the rules.

I wish to point out that if that is true, the Senator from Minnesota [Mr. HUMPHREY] and the Senators associated with him have long since lost any right they had to claim any power under the Constitution of the United States, for during the few days the Senate has been in session they have followed the rules time and again without undertaking to obtain an agreement about protecting constitutional rights. Such rights cannot be affected by any action of a Presiding Officer. About half the time Senators have asked that all these rights be protected; the other half of the time they have proceeded under the rules of the Senate, without any Senator's saying anything on earth about any reservations.

I can point out a few of such occasions: It was pointed out that on the first day of this week, January 14, the Senate adjourned, so that on the following day there would be a morning hour. The Senate did adjourn; and on Tuesday, when the Senate convened after adjournment, the Senate had a morning hour. Let me read what the majority leader said; it appears on page 311 of the CONGRESSIONAL RECORD of Tuesday, January 15:

> Mr. MANSFIELD. Mr. President, under the rule, there will be a morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.
>
> The PRESIDENT pro tempore. Without objection, it is so ordered.

So at that point, one of the rules was recognized—and a most unusual rule, the rule of the morning hour; and the time limitation was placed at 3 minutes, without having any of the "protectors" of any imaginary constitutional rights interpose any objection whatever.

Mr. President, the morning hour is not mentioned in the Constitution of the United States; it is totally unknown to that document. But in the instance referred to we had a recognition of the morning hour and there was about 1 hour's procedure under the morning hour, without having any objection raised.

Then what happened? In the midst of the morning hour, the resolution in question was laid before the Senate, and the resolution is now the pending business. It came before the Senate only under rule VII of the Senate and the procedures outlined therein; but not one word was said about any protection of rights lest by proceeding under rule VII of the Senate we are likely to be bound in some mysterious manner, and our rights affected.

Then what happened? The Senator from Virginia spoke until 2 o'clock. The Chair then said:

> The morning hour having expired, the resolution under consideration goes to the calendar, under the precedents of the Senate.

And the resolution did go to the calendar.

How is any constitutional question involved? All of it was done in following rule VII of the Senate; and the Senate proceeded without having any Senators rise and say, "We must protect our constitutional rights, and we cannot have this resolution go to the calendar."

Instead of that, the Senator from New Mexico [Mr. ANDERSON], the real author of the resolution, rose and said:

> Under the rule, Mr. President—

Not under the Constitution—

> I now move that the Senate consider my resolution.

All of that was done under rule VII of the Senate, and all of it was done without having champions of the gag rule dash in and throw a cloak of immunity about the procedure, by obtaining some kind of unanimous-consent agreement.

What happened further? A parliamentary inquiry was propounded—after careful assurance that it would not affect the Constitution of the United States—as to what would be the effect if the Senate adjourned, instead of taking a recess. The ruling made was that under the rules of the Senate—not under the Constitution—if the Senate adjourned, the resolution would go back to the calendar.

Thereupon, I believe, the distinguished Senator from Minnesota moved that the Senate take a recess.

Mr. President, a motion to recess is not known to the Constitution of the United States. It is known only to the rules of the Senate of the United States. It is found in rule XXII, the rule that is sought to be amended. Senators followed that rule very carefully without getting a great deal of assurance that by following that rule we would not lose any of our rights.

I refer to page 397 of the RECORD of yesterday. After ascertaining that a quorum was present, the majority leader rose and said:

> Mr. MANSFIELD. Mr. President, I ask unanimous consent for a morning hour for the introduction of bills and the transaction of routine business.
>
> The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senate went into a morning hour yesterday without the fantasy of having to obtain protection under the rules. We got through it. If it were necessary to have all that protection, it was lost yesterday beyond redemption, because there was a morning hour, without any provision for protection against an imaginary evil that was lurking outside the Senate door about to dash in and overthrow the constitutional rights of Senators.

In a number of other instances we have proceeded under the rules. We have utilized rule VII on three or four different occasions. We have utilized rule VIII. We have utilized rule XIV. On the first day that subject was presented no Senator raised any objection. It was agreed that under the provisions of section 6 of rule XIV a single objection would carry the resolution over to another day. We followed the rules of the Senate to the letter. No Senator interposed any objection.

Mr. President, I do not like to be captious in objecting to the request, but if we are going to follow any such procedure as the one proposed, it should have been done in every instance. The protection should have been sought in every case. Then it would have been impossible for a Senator to have violated rule VII and retain his virginity. The rules of the Senate have been followed time and time again without any objection or without any protection.

Mr. President, I do not like to see the Senate made ridiculous by any such pretense as that based upon an advisory opinion that had no effect whatever. It did not even have the effect of a ruling of the Chair. It was merely an advisory opinion. If it did have any effect or virtue, whatever rights Senators enjoyed under that opinion of one man who happened to be the Presiding Officer has long since gone, because Senators have acceded to the use of the rules for several days. I do not raise any question about it myself nor do I intend to do so. But I do not like to see the Senate made perfectly ridiculous by following any such procedure as the one proposed. For that reason I am constrained to object to the business of saying that all this protection is necessary. Yesterday I gave notice that I would do so.

I have no objection to the Senator from Minnesota [Mr. HUMPHREY], who is acting as majority leader, making his request in the identical terms in which the request was made yesterday by the majority leader when he said:

> Mr. President, I ask unanimous consent for a morning hour for the introduction of bills and the transaction of routine business.

I shall not interpose any objection if the request is made in that form. It was done yesterday.

The Chair then said:

> Without objection, it is so ordered.

We proceeded under that ruling. If the statement affects rights today, it will affect rights that were destroyed yesterday when no objection was interposed.

Mr. JAVITS. Mr. President, will the Senator yield before he makes his objection?

Mr. RUSSELL. I yield.

Mr. JAVITS. I make the request because the Senator happens to be mistaken about the procedure yesterday. I should like to read to the Senator from page 397 of the RECORD:

> TRANSACTION OF ROUTINE BUSINESS
>
> Mr. MANSFIELD. Mr. President, I ask unanimous consent for a morning hour for the introduction of bills and the transaction of routine business.
>
> The PRESIDENT pro tempore. Without objection, it is so ordered.
>
> Mr. MANSFIELD. I ask unanimous consent to limit statements to 3 minutes in connection therewith.
>
> Mr. CLARK. Mr. President, reserving the right to object——
>
> Mr. JAVITS. Mr. President, will the Senator yield?
>
> Mr. CLARK. I yield to my friend from New York.
>
> Mr. MANSFIELD. I yield.
>
> Mr. JAVITS. I do not find in the unanimous-consent request the same caveat which the majority leader inserted into his request for action on the resolution on which we acted before; that it be without prejudice to the rights of all Members in this current issue before the Senate.
>
> Mr. MANSFIELD. I make that request.

We followed that procedure yesterday. If the Senate is willing, it can be followed in every instance. If the Senator will allow me to do so, I would like to tell him the reason.

The Senator is absolutely correct about the fact that rules have been applied. Rules have been applied which, in the judgment of Senators like myself, who have views as sincere as those of the Senator upon this subject, are rules which do not inhibit the right of a majority at a suitable point to cut off debate. The Senate will have to rule upon that question. It will be our contention that the Senate may rule upon the question by majority vote.

Being a lawyer, I do not—and I hope others who are on this side of the case will not—wish a course of conduct to continue which would indicate that we are waiving a right for which we will contend. If the Senator has no desire to deny us that right—and I gather he does not; at least the right to argue the point—I do not see what could be gained by the Senator in his contention, especially as the procedure has been followed before. If the practice we have pursued for the last few days, even in part—and the Senator admits we have pursued it in part—is abandoned now, the Senate, judging as a body of law, really, which it will be doing, may draw conclusions from that fact. All we are trying to do is to keep the whole question in status quo and not to impede, insofar as we can avoid it, the normal operations of the Senate. We seek no advantage, any more than I am sure the Senator from Georgia does. I do not believe that is demeaning the Senate. I do not believe that is demeaning our cause.

Mr. DIRKSEN. Mr. President——

Mr. HUMPHREY. Mr. President, I have the floor. Is the Senator from Georgia going to object?

Mr. RUSSELL. Mr. President, I have reserved my right to object. The Senator from Minnesota propounded a unanimous-consent request, Mr. President. He cannot make a unanimous-consent request and hold the floor at the same time.

Mr. HUMPHREY. Mr. President, I say most respectfully that it has been the common practice that when a Senator reserves the right to object, he does so while the unanimous-consent request is still before the Senate.

Mr. RUSSELL. That is true.

Mr. DIRKSEN. Mr. President, under the rules, I should like to ask the Senator from Georgia a question.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Georgia has the floor.

Mr. HUMPHREY. Mr. President, am I to understand that the acting majority leader does not have the floor? If that is the case, we will apply that rule from now on.

The PRESIDENT pro tempore. The Senator from Georgia has the floor under the reservation of an objection.

Mr. HUMPHREY. Very well.

Mr. RUSSELL. Mr. President, it could not possibly be any other way. If the majority leader could make a unanimous-consent request without allowing another Senator to obtain the floor, he would have the power of an absolute dictator over the Senate. He could make any unanimous consent request he might desire and no Senator could rise and discuss it, or make any suggestion or inquiry. A Senator cannot make a request for unanimous consent without permitting another Senator the right to speak.

I realize that some of our friends are in great haste to gag the Senate. They wish to establish a procedure under which no Senators can talk except those they desire to talk, and even then only for a brief period. I thank Providence that we have not done that yet. We have not gagged the Senate. I have sought, under my reservation of objection, to hold the floor. If it will not affect my right to the floor, Mr. President, I am happy to yield to the distinguished Senator from Illinois.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, under the rules, I should like to ask the distinguished Senator from Georgia a question: Does he propose to object to a morning hour?

Mr. RUSSELL. I do not, if it is sought in the way we have always had a morning hour. I am growing a little tired of all this folderol—as I so stated yesterday—of assuming that it is necessary to go through all these motions to protect some rights under the rules when we have been following the rules.

I am perfectly willing for the Senate to have a morning hour under the usual request which has been in vogue in the Senate since the memory of man runneth not to the contrary. I am not ready to have one wrapped up in a lot of tissue paper, tied with a big red ribbon, accompanied by the cry "We are hereby saving the Constitution." The Constitution is in more danger from the group which is asking for the imposition of a "gag rule" in the Senate of the United States than it is from those of us who are merely seeking to make sure that the rules of the Senate are followed.

Mr. DIRKSEN. Mr. President, in violation of the rules of the Senate—since all I can do is ask my distinguished friend a question, if no Senator objects. I should like to observe that at 12 o'clock noon the fiscal year 1964 budget was submitted. Incidentally, this happens to be the 257th anniversary of the birth of Benjamin Franklin; and I should like to make some observations, for not to exceed 3 minutes, if we can having a morning hour.

Mr. RUSSELL. Mr. President, I have no objection if it is done under the ordinary rules of the Senate. We have done everything heretofore to bring the resolution before the Senate under the rules. The Senator from New Mexico gave written notice under rule XL of the Senate. I refer Senators to the RECORD of Tuesday. No Senator rose and said, "That is going to strike down the rights of all of us, unless it is agreed that following rule XL for a few minutes does not destroy our constitutional rights."

That was an adherence to the rules. The Senate followed the rules. This body must have some rules. If we do not have Senate rules, under what rules is the Senate operating?

**Mr. DIRKSEN.** Mr. President, a further question, if I may ask one.

**Mr. RUSSELL.** I yield to the Senator with the understanding that it will not affect my right to the floor.

**Mr. DIRKSEN.** That is correct.

Mr. President, I should like to ask the acting majority leader whether he proposes now to renew his request for a morning hour.

**Mr. HUMPHREY.** I do not.

**Mr. DIRKSEN.** Mr. President, I have a further question I wish to address to the Senator from Georgia.

Does the Senator propose to now relinquish the floor? If so, I should like to ask for recognition.

**Mr. RUSSELL.** I propose to relinquish the floor in about 2 or 3 more minutes.

Senators have followed the rules in every instance. The resolution would not be before the Senate as it is now but for the peculiar idiosyncrasies of the rules of the Senate. I refer Senators to rule VII, rule XVI, and rule VIII. This was all that brought it before the Senate. It would not even be here were it not for those peculiar rules. Motions were made under those rules.

When it comes to the question of a morning hour, we find a different situation. I do not know how far we are going on this drive to reorganize the Senate. The other day the Senator from New York [Mr. JAVITS] proclaimed very loudly that his State paid one-fifth of the taxes, as if that should give New York some advantage under the rules of the Senate. At least, that was the inference I drew from it.

**Mr. JAVITS.** Mr. President, will the Senator yield at that point?

**Mr. RUSSELL.** Mr. President, a great many of those tax dollars did not originate in the State of New York. New York has been levying tribute pretty heavily, in one form or another, from about 46 or 47 other States of the Union for about a century. A great many of the dollars paid in taxes from the State of New York originated in the sweat and blood of those who are operating tractors out in the fields of Kansas and down in the sugarcane fields of Florida. Even the little peanut farmers in Georgia and those who work in the mills have to pay a little tribute to the sales offices and organizations in New York.

That money is not all manufactured in New York. It is drawn there through the ingenuity of the financiers of that great city—and I am not complaining about that. They had the ability and the ingenuity to get their hands on it and established the system which pumped the money in from every other section of the United States.

But I do not think that is any reason why the Senator from New York should have any greater powers or any more rights on this floor than a Senator from a poor State like some I could mention. I hope that this does not mean that we are to have a rule based more or less on population, or that we are going to wind up with a rule which limits a Senator's speeches in accordance with the amount of taxes that the Senator's State pays. We would not know where we were going if we started chasing all those butterflies, and following all those peculiar procedures.

I am glad to yield now to the Senator from New York.

**Mr. JAVITS.** The Senator from New York would like to observe to his dear friend and colleague—and he is, notwithstanding our differences upon this subject—that all he was saying was that as a Senator from New York he did not want to have less authority than a Senator from another sovereign State.

The fact that my State pays one-fifth of the taxes does not mean that the money is drawn in the greatest measure from the toil of others.

In the first place, this fiction about New York being the money changers' temple has long since been exploded, considering Chicago, Atlanta, Tallahassee, Jacksonville, and Los Angeles—which, incidentally, is the seat of the biggest bank in the world, the Bank of America; not New York. There are many centers.

There are 17 million people in New York. They operate tractors. They work as hard as anybody else in this country, and they are 10 percent of the population.

The Senator from New York was only making clear that the Constitution provides that there shall be two Senators from every State, no matter how small, no matter how small the population, no matter how small the productive power, but he does not want the two Senators from small States grouping together, if that is their desire, to stop him, the Senator from a big State, from voting on something which is in the interests of his State, according to the Constitution, which provides that a majority shall control the legislation of the United States, merely because they stand upon the floor and decide to use the power of the filibuster. That is all I argue, with the greatest of respect.

I flatly deny the charge that New York claims any special advantage or privilege, or any special standing, because of its size or the amount of taxes it pays. I do not believe that in this day and age the paraphrased cry of "Hey, Rube" is going to convince anybody. New York has as many rights in the Senate as any other State—no more and no less. That is all the Senator from New York was arguing.

**Mr. RUSSELL.** I do not know why the Senator brought in the statement about New York paying all those taxes, if it did not signify that he felt he had some unusual rights or interests in the Senate.

I am not going to enter into a wide discussion of economics with the Senator from New York. I am not an expert in that field. The Senator's valiant ally, the Senator from Illinois [Mr. DOUGLAS], is a former teacher of economics, and could come to his rescue if I were to enter into a debate with him; but I point out that the Senator said that New York had 10 percent of the people. He said the other day, and says now, that New York pays 20 percent of the taxes. Either the money is drawn off from somewhere else, or the average worker in New York is twice as productive as the average worker in any other State; and I do not believe that is the case. The Senator said that New York had 10 percent of the population and paid 20 percent of the taxes.

I am glad that the Senator is not seeking any unusual rights because of those conditions. I did not know exactly why he offered the statements at the time. I did not know whether that was a precursor to still another move to change the rules to put some other factor into consideration, which would further take away rights and prevent Senators from representing small- and medium-sized States. That is the reason I brought it out. I am glad the Senator disavows any such intention.

**Mr. ERVIN.** Mr. President, will the Senator yield for a question?

**Mr. RUSSELL.** I yield.

**Mr. ERVIN.** I should like to ask the Senator a question based upon the theory that there might be some kind of rules change which is desirable.

I should like to ask the Senator if he does not think the best and most practical way to expedite the consideration of matters in the Senate would be to adopt a rule under which, at the beginning of the session, each Senator would be allotted a certain number of hours he could talk during the session, and then have the rule provide that after the Senator had used up all of the hours granted him he thereafter could not speak again without unanimous written consent of all other Members of the Senate.

**Mr. RUSSELL.** Mr. President, I shall be glad to give serious consideration to that proposal, if the Senator will reduce it to writing.

Mr. President, I wish to be absolved of any desire to impinge on any prerogative of the leadership in the slightest degree, for I always try to follow the leadership procedurally, and my record in that respect is as good as that of any other Senator. To demonstrate that I am not trying to deny any Senator any right, I ask unanimous consent that the Senate have a morning hour, with individual statements limited to 3 minutes.

**Mr. JAVITS.** Mr. President, I object.

**Mr. HUMPHREY** and **Mr. DIRKSEN** addressed the Chair.

**The PRESIDING OFFICER** (Mr. LONG of Louisiana in the chair). The Senator from Minnesota is recognized.

**Mr. HUMPHREY.** Mr. President, I believe, if the Senate will indulge me, that I am entitled to make a statement now.

**Mr. DIRKSEN.** Mr. President, a parliamentary inquiry? Exactly under what rule and under what terms is the distinguished acting majority leader recognized, and for how long?

**Mr. HUMPHREY.** Mr. President——

**The PRESIDING OFFICER.** The Senate is proceeding under "advice and consent" at about this time. So far as the Chair knows, the Senate is proceeding by custom and tradition more than anything else; but the pending question is on agreeing to the motion by the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to consider Senate Resolution 9, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. Senate Resolution 9, to amend the cloture rule of the Senate.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Has the distinguished Senator from Minnesota been recognized?

The PRESIDING OFFICER. He has been.

Mr. DIRKSEN. How has he been recognized? Under what rule and in conformity with what procedure?

The PRESIDING OFFICER. The Senator from Minnesota addressed the Chair when no other Senator had the floor, and on that basis he was recognized. The Chair may say that he believes the minority leader was also addressing the Chair at the same time. The Chair recognized the Senator from Minnesota under the usual custom that, all things being equal, the majority leader would be recognized.

Mr. DIRKSEN. But, Mr. President, pursuing the inquiry further, there must be a rule of conduct of some kind in the Senate under which recognition is accorded. There must be a rule of some kind under which we can proceed.

Mr. RUSSELL. Mr. President, I direct attention to rule XIX.

The PRESIDING OFFICER. The ruling would be correct under rule XIX.

Mr. ERVIN. Mr. President, a parliamentary inquiry.

Mr. HUMPHREY. Mr. President, I do not yield for that purpose. I ask the right to be heard under my rights as a U.S. Senator.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. HUMPHREY. Mr. President, it seems to me my colleagues might for just a moment attempt to look upon the Senate——

The PRESIDING OFFICER. The Senator does not have to yield even for a question if he does not want to.

Mr. HUMPHREY. I understand, and I shall not violate the rule.

It seems to me we might be well advised to try to respect this body as one of the honored bodies of parliamentary institutions in this Government. I know some Senators had a fine time this morning playing loose and fancy free with the procedures of the Senate. There are honest differences, of course, as to whether the Senate has a right, under the Constitution, to proceed to change its rules by majority vote at the opening of a new session. I am not arguing about the sincerity on the part of any Senator. But I do say that there are rules of conduct, there are rules of just plain elementary decency, which ought to be abided by amongst men and women who have been elected to the honored position of a U.S. Senator.

I could have imposed, had I wanted to, the demand for the regular order at the time the objection, or the reservation of the right to object, was heard; but I did not do so because I believe Senators ought to have the right to express themselves, even though at times we may have to bear the brunt of the thrust of a rhetorical weapon. But, although I had that right, I did not use it, because I do not think that is the way to honor this body.

I have heard this morning about gag rule. Nobody is trying to gag anybody else. If anybody thinks there is such an attempt, just listen to the amount of chit chat we have in this body. If we can talk about a gag rule, we can also talk about a dry season in the ocean. There just is not any such thing.

There is a filibuster, however, which has brought anything but honor to the U.S. Senate. There is not a single person here who does not believe we ought to have extended debate on any issue. Some of us have offered a motion which will enable a majority of 51 Members of this body to be able to close off debate, provided an additional 100 hours is available to the Members of the Senate, provided that a period of 15 days shall elapse between the day a cloture petition is filed and the day cloture is voted upon; and then after that there would be another 100 hours for debate. If that is gagging anybody, I do not know how to spell the word or define it.

Any Senator, or any group of Senators, ought to be able to place their point of view before the Senate in 15 days plus 100 hours. We learned, under the rules we now have, during the consideration of the communications satellite bill, a few new angles about the number of amendments that can be offered and the number of hours of debate that can be had on such amendments.

I heard it said that there is nothing in the Constitution which provides the right to make a motion to recess, but there is something in plain, commonsense that says we have the right. And there is a body of law known as Jefferson's Manual and Robert's Rules of Order. Anybody who knows anything about parliamentary law in any parliamentary body in any country in the world knows that there is a right to move to adjourn or recess if a majority can be had to vote for it.

Long before the Senate rules were ever written, in the First Congress of the United States, somebody moved to adjourn or recess. Whether one liked it or not, the First Congress had to have rules, and before they had rules, they had to open Congress, and somebody had to be recognized. Then they adopted their rules, and they proceeded under rules of parliamentary debate.

So it is very easy to speak here and have those who believe sincerely that there ought to be a change in the rules look as if they are demeaning the Senate. There is not a very large body of the citizenry of this country opposed to majority rule.

If somebody cares to argue about the Constitution, let me say the Founding Fathers of this Republic stated in the Constitution that a majority will constitute a quorum for the purpose of doing business. When they adopted a rule as to action by other than a majority, they spelled it out by saying two-thirds are required to ratify a treaty, pass a constitutional amendment, override a veto, or expel a Member. The two-thirds rule was spelled out explicitly in constitutional language. The only other references in the Constitution to the number relating to Congress state that a majority shall constitute a quorum for the purpose of doing business and that a majority shall determine rules of procedure. I refer my colleagues to article I, section 5.

I submit that the Senate can alter and change its rules for conduct and procedure, but I make no apology for being for majority rule, and I make no apology for being for a procedure in this body that will permit the majority to work its will.

This Government was predicated on the principle of majority rule, with respect for minority rights. No one intends to jeopardize respect for minority rights.

This Senator does not say cloture by majority vote is the last word. I think it is the most desirable approach. But I could be content with a three-fifths requirement. In fact, I will be content just to have the right of the Senate of the United States to establish its rules in the beginning of a session as provided for in the Constitution, and I will accept the verdict of the majority without complaint.

I have been a Member of this body now for 14 years, not as long as many other Senators, but at long last I can claim some seniority; and it seems that with seniority one can claim some respect. I do not think necessarily that the two go together, but there have been such claims.

Let me say that I have heard the majority leader, or the acting majority leader, from the 81st Congress to the 88th Congress, stand up at this desk and offer a motion that the Senate proceed to a morning hour, under difficult parliamentary conditions, and I have heard a dozen Senators say they reserved the right to object, and I have witnessed the majority leader stand here and hold his position on the floor. Of course, if some Senator wants to apply the rules of this body very strictly, he can take the majority leader off his feet. There is not anything to prevent one Senator from destroying the Senate if he wants to. But how can this be construed as honoring the dignity of the Senate?

I believe the Senator from Montana [Mr. MANSFIELD] made it manifestly clear that we are the custodians of our own conscience. Any Senator who wishes to do so can play havoc with this body, and he can do it under the rules we now have. We may prefer not to do it, but we certainly can be stubborn about this rules fight. So far as I am concerned, I am willing to vote right now. I believe that the real question is whether a majority in this body has the right to arrive at a vote in regard to rules changes. I have heard it said, "Oh, a majority can always change the rules." That is correct. It is correct to say that, provided it is understood that we can get to the point of changing the rules. But, in point of fact, the present rule XXII denies us that right, and, under the Constitution, we object to this rule. We say the Constitution is determining.

What I have heard said makes a good statement for public consumption, namely, that a majority can always change the rules. We can change the rules, provided we can get them up, get them before us, to change them.

There are quite a number of us now, and we are not weak in this fight. The opposition knows that we are not weak. We are not now 10 or 11 Senators with 10 or 11 votes. We are now 40 or 50 or more Senators with that many votes. We have that many votes to sustain our position. That is why the battle is on.

A majority has a right to change the rules, including rule XXII, if we proceed under the old body of rules, if we can get the rules up to be discussed and to be adopted. The first thing that we must do is to adopt the motion to take up the change. That is the point we have reached. We are now considering the question of taking up the resolution submitted by the Senator from New Mexico [Mr. ANDERSON]. We are not even discussing the substance of that resolution. We are arguing the question of taking up the resolution.

Under the existing rule XXII two-thirds of those present and voting must vote to take up a change in the rules. In other words, it requires 67 Senators to bring that about. This does not square with article I of the Constitution concerning the right of a majority to determine rules of procedure.

I feel that the Senator from Georgia [Mr. RUSSELL] was correct in saying that some of us perhaps are overemphasizing the one issue that is getting into the debate over and over again, namely, the civil rights issue. It is an important issue, but it is not the only issue. The main issue is this: Does the Senate of the United States recognize the constitutional right, at the opening of a Congress, to change its rules by majority vote, including the right to take up its rule changes by a majority vote, including the right of closing off debate by majority vote?

That is why the Senator from New York [Mr. JAVITS] and the Senator from Pennsylvania [Mr. CLARK] yesterday entered into the discussion with the Senator from Georgia [Mr. RUSSELL].

Today I would have been content to make a simple motion to proceed to the morning hour under the 3-minute limitation. However, I had read the RECORD. I knew that there had been a debate about that question yesterday. I knew what the Senator from Georgia had said. He had every right to say it.

The Senator from Georgia said that we cannot deny any Senator his constitutional rights. However, we on our side feel that it is necessary to have a proviso stated, or a caveat stated. The Senator from New York referred to a caveat. He is a lawyer, and I am not. In other words, unless that caveat or proviso is entered, we may prejudice our rights.

Therefore, merely as a functionary—not as the Senator from Minnesota, but as the Senator whom the majority leader asked to take this position this morning—I propounded the unanimous-consent request that I did.

It was repeatedly pointed out by the majority leader, and agreed to by the Members of the Senate, that there was nothing that was being done here, or any business that was being transacted, which in any way prejudiced the rights of the Senate to consider the motion that is before us, namely, the right of the Senate by majority vote to close off debate and adopt the rules, provided we can get the question to a vote. I believe that has been made manifestly clear.

I have heard it said this morning that some of us have used the rules of the Senate. Of course. We have made it quite clear that the rules can be adopted overtly by affirmative action and that they can be adopted tacitly by custom or by usage. Certain rules have been accepted. For example, rule XIX and rule XIV and rule XXXII have been accepted by reason of the fact that they have been used. As we have accepted those rules, which we are willing to continue over, we have reserved the right to change rules that we do not accept by majority vote at the opening of a session. That was the contention of the Senator from Arizona. That was his contention in 1953 and in 1955, and at other times. We have never settled this question. I would prefer to get a vote on this issue. If we do not win, I am not going to prolong the agony.

I feel that we demean this body by these constant arguments over matters which are exceedingly difficult for the average layman to understand.

We become so filled with considerations of what we are doing here that we almost forget that this is supposed to be a representative institution.

I wish to caution my colleagues in the Senate that if there is to be a very strict application of the rules, they must be applied with equal justice to all. I hope that we can come to a resolution of the pending question and then proceed to consider the substantive program which the President of the United States will send to us.

Because I feel as I do and because I believe the Senate ought to proceed to transact its business, and also because I do not believe the right of any Senator is prejudiced by whatever action we take under unanimous consent, I now move that the Senate proceed to the morning hour for the introduction of bills and transaction of routine business, and that we limit statements to 3 minutes.

Mr. DOUGLAS. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CASE. Is the motion debatable?

Mr. HUMPHREY. I make that as a unanimous-consent request. I ask unanimous consent that the Senate proceed to the morning hour for the introduction of bills and the transaction of routine business, and that statements be limited to 3 minutes.

Mr. DOUGLAS. Reserving the right to object——

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DIRKSEN. Mr. President, without losing my right to the floor, I would like to propound a parliamentary inquiry to the Chair.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Under what rule of procedure have I been recognized? Have I been recognized under the Constitution of the United States?

The PRESIDING OFFICER. The Chair recognized the Senator under rule XIX, as the Chair also had recognized the Senator from Minnesota, under the same rule. Rule XIX reads, in part:

> When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent.

That is the rule under which we were proceeding when the Presiding Officer declined to recognize the Senator previously.

Mr. DIRKSEN. Then I am recognized under the first clause of rule XIX, am I?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. How long may I occupy the floor?

The PRESIDING OFFICER. As long as the Senator can stand and talk.

Mr. DIRKSEN. I may yield for a question.

The PRESIDING OFFICER. The Senator may yield for a question.

### THE 257TH ANNIVERSARY OF BIRTH OF OF BENJAMIN FRANKLIN

Mr. DIRKSEN. Mr. President, the 1964 fiscal year budget comes to Congress on a most appropriate day. It is the 257th anniversary of the birth of Benjamin Franklin.

He was an amazing personality, and by all odds one of the greatest men in the history of this Republic. His genius and talent were outstanding, and among many other things he made great contributions to navigation and naval science.

He is, however, best known as the apostle and the crusader for thrift, economy, and frugality.

The PRESIDING OFFICER. The Senate will come to order.

Mr. DIRKSEN. Mr. President, is the Senate being called to order under the rules?

The PRESIDING OFFICER. Yes. The Chair does not have the rule before him, but the Senate is being called to order under the rule.

Mr. DIRKSEN. But it is being called to order under the rule?

**The PRESIDING OFFICER.** The Senator from Illinois will not proceed while the Senate is not in order. (After a short interval.) The Chair believes there has now been a sufficient subsidence of the hubbub so that the Senator may now proceed and be heard.

**Mr. DIRKSEN.** Benjamin Franklin's pointed sayings, mottos, and epigrams have endured and have had great influence on the conduct and habits of our citizens for many generations.

In our time, however, we seem to have forsaken his great truths. Today it seems much easier to trim the taxpayer than to trim expenditures. This generation prefers a verbal salute to the cause of economy while cultivating a strong tendency toward free spending. We glory in the cause of thrift in our ancestors.

But Benjamin Franklin said it all in one sentence: "If you know how to spend less than you get, you have the philosopher's stone." The authors of the budget which is presented to the Congress and the country today do not seem to have that stone. Considered in the light of the state of the Union message, in which the emphasis was on tax reduction, they confess that the country is still on the hillside and not on top. Since we already have a fiscal hole in the Government budget, why not make the hole deeper? That, according to the new idea, is the way to speed the country forward—just dig the hole deeper.

**Mr. HUMPHREY.** Mr. President, a parliamentary inquiry.

**Mr. DIRKSEN.** Mr. President, may I yield under the rule of the Senate?

**The PRESIDING OFFICER.** The Senator from Illinois does not have to yield unless he yields under the rules.

**Mr. DIRKSEN.** May I yield for any purpose?

**The PRESIDING OFFICER.** The Senator may yield only for a question.

**Mr. DIRKSEN.** Mr. President, in conformity with the rules of the Senate, and without losing my right to the floor, I yield for a question.

**Mr. HUMPHREY.** Mr. President, in conformity with the rules of the Senate, I now give the Senator my question: Is the Senator from Illinois objecting to the unanimous-consent request?

**Mr. DIRKSEN.** I have been recognized.

**Mr. HUMPHREY.** Has the Senator objected to the unanimous-consent request?

**Mr. DIRKSEN.** No unanimous-consent request is pending.

**Mr. HUMPHREY.** Oh, yes, there is.

**The PRESIDING OFFICER.** The unanimous-consent request was objected to by the junior Senator from Illinois.

**Mr. HUMPHREY.** No, it was not.

**Mr. DIRKSEN.** It was objected to by the senior Senator from Florida [Mr. HOLLAND]. If he is in the Chamber——

**The PRESIDING OFFICER.** The senior Senator from Illinois has the floor.

**Mr. DIRKSEN.** The junior Senator from Illinois has the floor.

**The PRESIDING OFFICER.** The Chair asks pardon; the junior Senator from Illinois, the minority leader, has the floor.

**Mr. DIRKSEN.** That is correct.

**The PRESIDING OFFICER.** The Chair heard, or at least thought he heard, objection from the senior Senator from Illinois to the unanimous-consent request.

**Mr. DOUGLAS.** No.

**Mr. DIRKSEN.** The senior Senator from Florida is here. Let us ask him now if he did not object.

**Mr. HOLLAND.** I am sorry; I did not hear the first part of the inquiry.

**The PRESIDING OFFICER.** In any event, the Chair ruled that objection was heard and proceeded to recognize the junior Senator from Illinois, who now has the floor, and who does not have to yield the floor, unless he wishes to yield for a question. Under rule XIX, he may yield for a question.

**Mr. DIRKSEN.** I will not yield for other than a question.

**Mr. HOLLAND.** Mr. President, will the Senator from Illinois yield for a question?

**Mr. DIRKSEN.** I thought my distinguished senior colleague was about to ask a question.

**Mr. DOUGLAS.** I was simply saying——

**Mr. DIRKSEN.** I will not yield for an observation; that would menace my right to the floor.

**Mr. HOLLAND.** Mr. President, will the Senator from Illinois yield for a question?

**Mr. DIRKSEN.** I yield for a question.

**Mr. HOLLAND.** Do I correctly understand that the Senator from Illinois was addressing a question concerning a position supposed to have been taken by the Senator from Florida?

**Mr. DIRKSEN.** That is correct. When the distinguished acting majority leader [Mr. HUMPHREY] made a request for a morning hour, with a 3-minute limitation on speeches, I thought I heard the senior Senator from Florida enter an objection.

**Mr. HOLLAND.** Mr. President, if I may be heard on that subject——

**Mr. DIRKSEN.** Mr. President, if I may yield to the Senator from Florida without losing my right to the floor, I should like to do so.

**The PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

**Mr. HOLLAND.** I was not present at that time, so the objection, when made, must have been made by some other Senator. I would never have objection to Senators being heard for 3 minutes. I do object sometimes to a much longer period, but not for 3 minutes on almost any subject I can think of.

**Mr. DOUGLAS.** Mr. President, will my junior colleague from Illinois permit me to make an observation, without his losing his right to the floor?

**Mr. DIRKSEN.** First, Mr. President, have I been recognized under a reservation of objection, or have I have been recognized under the first clause of rule XIX?

**The PRESIDING OFFICER.** The junior Senator from Illinois has the floor in his own right under rule XIX.

**Mr. DIRKSEN.** Mr. President, now I yield to my distinguished senior colleague from Illinois for a question.

**The PRESIDING OFFICER.** The Senator from Illinois does not have to make a reservation if he is asking his colleague to yield for a question.

**Mr. DOUGLAS.** Is it not true that all that the senior Senator from Illinois said was that he reserved the right to object? No objection was entered. I merely reserved the right to object. No objection was entered.

**Mr. DIRKSEN.** I was not recognized under a reservation of objection; I was recognized under the first clause of rule XIX.

**The PRESIDING OFFICER.** The Presiding Officer must rule based on what he hears. Sometimes he might not correctly hear what a Senator says, but he must rule based on what he hears. What this Presiding Officer heard was an objection. As a practical matter, he thought he heard objection from three different sources; but his impression was that what he heard was not that the senior Senator from Illinois [Mr. DOUGLAS] reserved the right to object, but that he objected. If that understanding was in error, it will have to remain that way, because that is how the Chair ruled, and the Senate has no recourse, but to proceed with the junior Senator from Illinois [Mr. DIRKSEN] holding the floor.

**Mr. DIRKSEN.** Mr. President, if the distinguished acting majority leader would like to renew his request for a morning hour with a time limitation on speeches, I should be glad to yield for that purpose, with the strict and clear understanding that I do not lose my right to the floor.

**The PRESIDING OFFICER.** Is there objection?

**Mr. DOUGLAS.** Mr. President, reserving the right to object, may I amplify this reservation?

**The PRESIDING OFFICER.** The Chair is protecting the rights of the junior Senator from Illinois, if that request is put. He will lose the floor until that request is disposed of.

**Mr. DIRKSEN.** Mr. President, I made it clear that I would yield only if I did not lose my right to the floor.

**Mr. DOUGLAS.** That is correct.

**The PRESIDING OFFICER.** The Senator may yield to whomever he wishes. The Chair recognizes the senior Senator from Illinois under the reservation of the right to object.

**Mr. DOUGLAS.** Mr. President, I stated that I reserved the right to object, because I think that before we agree to the transaction of morning business we should have a clarification of what the parliamentary situation will be after we take up morning business. What many of us are afraid of is that if we have a morning hour, and unless there is a satisfactory reservation, it will be subsequently claimed by Senators who are opposed to majority rule in the Senate that we have transacted business and, therefore, have tacitly acquiesced in all the preceding rules of the Senate, including the requirement of a two-thirds majority for the limitation of debate.

Therefore, while we do not wish to obstruct the business of the Senate in the slightest degree, we believe that in order to protect our rights, any request for a morning hour should be accompanied with the proviso that it is with the understanding that that will not prejudice the right of any Senator subsequently to urge and to have considered the power of the majority of the Senate to change the rules concerning a limitation of debate. That is all there is to it. It seems to me that this is a sensible proposal.

If there were objection to this reservation, in effect the objectors would be seeking to obstruct the conduct of any business of the Senate; and we are hoping we can proceed in an orderly fashion to get rid of some of the pending business and then to proceed, after proper discussion, to a vote on the substantive motion.

The PRESIDING OFFICER. This Presiding Officer would not know how to rule except under the Senate rules. Therefore, he has been ruling, and is now proceeding to rule, under the Senate rules.

Is there objection to the request? The Chair hears none, and it is so ordered.

The Senator from Minnesota.

Mr. CASE. Mr. President, I ask that the request be restated. I understood the request to be that the Senator from Illinois might yield to the Senator from Minnesota, for the purpose of propounding a unanimous-consent request, without his losing the floor.

The PRESIDING OFFICER. The minority leader, the Senator from Illinois, requested unanimous consent that he might yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, my request was made earlier, and the Chair had ruled that there was no objection to my request. Then I renewed my request, as an accommodation to the Senator from Illinois, the minority leader [Mr. Dirksen].

In order to expedite the business of the Senate, I ask unanimous consent that there be a morning hour, for the introduction of bills and joint resolutions and the transaction of routine business, subject to a limitation of 3 minutes on statements made by Senators.

The PRESIDING OFFICER. Is there objection?

Mr. CASE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Is there any restriction on limitation on debate?

The PRESIDING OFFICER. No. The Senator from Illinois may speak for as long as he desires to speak.

Mr. DIRKSEN. Very well.

Mr. President, I do not know how to strain all of the parliamentary fandango from the world-shaking remarks I started to make. [Laughter.] So I suppose I shall have to return to the beginning.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield to me, in order that I may make an insertion in the Record, if it is understood that in yielding for that purpose he will not lose any of his rights?

Mr. DIRKSEN. Mr. President, if I may yield for that purpose without losing my right to the floor, I shall be glad to do so.

Mr. ROBERTSON. Mr. President, I ask unanimous consent for that purpose.

Mr. CASE. Mr. President, reserving the right to object, I hope a modification of the request will be made. I suggest that the request be accompanied by the qualification heretofore adopted in regard to all matters other than adoption of the rules; namely, that the request include a provision that this will not prejudice any of the rights of Senators who believe it important that the first order of business be the consideration of the Senate rules.

Mr. ROBERTSON. Mr. President, if I may explain my request, let me say that I merely wish to introduce a bill.

Mr. CASE. Mr. President——

Mr. HUMPHREY. Mr. President——

Mr. DIRKSEN. Mr. President, first of all, I must protect my right to the floor. I can yield to only one Senator at a time, in order to keep the record straight.

Mr. ROBERTSON. Will the Senator from Illinois yield?

Mr. DIRKSEN. Mr. President, I shall be glad to yield to the very distinguished Senator from the great Commonwealth of Virginia, if I may do so without losing my right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. CASE. Mr. President, I renew my previous statement. I do not wish to object, but I shall object unless the condition referred to is included in the request.

The PRESIDING OFFICER. Does the Senator so modify his request for unanimous consent?

Mr. ROBERTSON. Mr. President, I did not clearly understand what the condition was. I wish to introduce and send to the desk, for appropriate reference, a bill to amend the code about venue in a tort case, and I want the text of the bill printed in the Record. Yesterday the budget message contained a brief statement about a tax cut, in the face of the $10 billion or $13 billion deficit which there will be. All I wish to do is to make only two brief insertions in the Record.

Mr. CASE. Mr. President, I think I understand what the Senator from Virginia wishes to do. I should like very much to agree that that shall be done; and I shall not object, if the qualification I stated is included in the request the Senator has made.

Mr. RUSSELL. Mr. President, I rise to propound a parliamentory inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. RUSSELL. Is the pending question on agreeing to the unanimous-consent request of the Senator from New Jersey?

The PRESIDING OFFICER. No; the Senator from Virginia is making a unanimous-consent request.

Does the Senator from Virginia modify his request in the way suggested by the Senator from New Jersey?

Mr. ROBERTSON. Mr. President, I have not yet found out just what qualifications must be included in the request, in order to "get under the wire."

The PRESIDING OFFICER. The Chair understands that the qualification requested is that it be agreed that the granting of the request will not in anywise impair the right of any Senator to contend that the Senate is not proceeding under the Senate rules.

Does the Chair correctly understand that to be the request of the Senator from New Jersey?

Mr. CASE. Mr. President, if it is necessary, as seems to be the case, to be a little more precise about this matter——

Mr. HUMPHREY. Mr. President, I object to the whole thing.

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Mr. President, I rise to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Have I been recognized under rule XIX?

The PRESIDING OFFICER. The minority leader is recognized under rule XIX.

Mr. DIRKSEN. And how long may I proceed?

The PRESIDING OFFICER. For as long as the minority leader sees fit to speak on any subject.

Mr. DIRKSEN. And continues to stand on his feet?

The PRESIDING OFFICER. Yes.

### THE 1964 FISCAL YEAR BUDGET, AND THE 257TH ANNIVERSARY OF THE BIRTH OF BENJAMIN FRANKLIN

Mr. DIRKSEN. Mr. President, I shall impose on the patience of my colleagues for only about 3 minutes.

I never realized that it would be so difficult to salute the memory of Benjamin Franklin. [Laughter.] He was probably one of the most peaceful individuals the country has ever produced. But I wish to salute the natal day of Benjamin Franklin, and also probably give an aside salute to the largest peacetime budget in the history of our country.

So, Mr. President, I shall start again, instead of asking that all of the recent parliamentary complexities be combed out of the few remarks I have been able to make thus far, for I wish this statement to be a coherent and cohesive one, standing by itself, whereas all the recent parliamentary intrusions would not make my statement look good in the press. So I hope the press will respect my wishes in the matter.

Mr. President, the 1964 budget comes to Congress—Mr. President, I must invoke a rule of the Senate, because I want to hear what I am about to say. [Laughter.]

The PRESIDING OFFICER. The Senator from Illinois will suspend until the Senate is in order; the Senate is not in order.

The occupants of the galleries are reminded that they are the guests of the

Senate, and that they are not permitted to carry on conversations, nor are Senators, clerks, or assistants permitted to carry on conversations. Any person desiring to do so should retire from the Chamber or to one of the cloakrooms.

The Senator from Illinois may now proceed.

Mr. DIRKSEN. Mr. President, the 1964 fiscal year budget comes to Congress on a most appropriate day. I said that before, but I must repeat it. It is the 257th anniversary of the birth of Benjamin Franklin.

He was an amazing personality, and by all odds one of the greatest men in the history of this Republic. His genius and talent were outstanding; and, among many other things, he made great contributions to navigation and naval science.

He is, however, best known as the apostle and the crusader for thrift, economy, and frugality. His pointed sayings, mottoes, and epigrams have endured, and have had great influence on the conduct and habits of our citizens for many generations.

In our time, however, we seem to have forsaken his great truths. Today it seems much easier to trim the taxpayer than to trim expenditures. This generation prefers a verbal salute to the cause of economy, while cultivating a strong tendency toward free spending. We glory in the cause of thrift in our ancestors.

But Benjamin Franklin said it all in one sentence:

> If you know how to spend less than you get, you have the philosopher's stone.

The authors of the budget, which is presented to the Congress and the country today, do not seem to have that stone. Considered in the light of the state of the Union message, where the emphasis was on tax reduction, they confess that the country is still on the hillside, not on top. It is their view that since we already have a fiscal hole in the Government budget, why not make the hole deeper? According to the new idea, that is the way to speed the country forward—just dig the hole deeper.

It gives a rather surprising point to the story that Reverend Eaton, long a distinguished Member of Congress from New Jersey—and I served with him for many, many years—used to tell.

It was the story of a cat which fell in a well 100 feet deep, and the teacher said to Johnny, "If the cat climbs up 1 foot and falls back 2 feet, how long will it take the cat to get out of the well?" Johnny worked diligently and after 15 minutes, teacher said, "Johnny, how are you getting along with the problem?" To this Johnny replied, "Teacher, if I can have a few more slate pencils and a fresh slate, I believe that in the next 15 minutes I can land that cat in hell."

So a salute to Ben Franklin on this day of a $99 billion budget, an $87 billion income and a $12 billion deficit. Obviously we have a new breed of economic thinkers—the New Deficiteersmen.

Each year they give us a new formula for getting the country moving again. Each year nothing much seems to happen.

Yes, we have come a long way from the homespun wisdom and frugality of Ben Franklin. I wonder what he would think of deficiteering as the new motive force for getting the country moving—again, again, and again.

Mr. President, I am grateful to the Senate for indulging me, for it has taken an hour and 13 minutes to make my 2½ minute speech. I am deeply grateful.

## PROPOSED BUDGET AND ACTUAL EXPENDITURES

Mr. SALTONSTALL. Mr. President, on October 12, in the closing days of the last session of Congress, I inserted in the CONGRESSIONAL RECORD a table which I had prepared by the Bureau of the Budget which gave an interesting comparison between what the executive branch of Government said they would spend in a given year and what they actually spent, and this was compared with the actual income of the Government. I ask unanimous consent to have this table printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Original budget estimates and actuals*

[In billions of dollars]

| Fiscal year | Receipts | | | New obligational authority | | | Expenditures | | |
|---|---|---|---|---|---|---|---|---|---|
| | Original budget | Budget review current estimate[1] | Actual | Original budget | Budget review current estimate[1] | Enacted | Original budget | Budget review current estimate[1] | Actual |
| 1946 | 38.2 | 36.6 | 39.6 | 86.8 | (2) | 102.3 | 80.0 | 82.5 | 60.3 |
| 1947 | 29.5 | 37.3 | 39.7 | 31.0 | (2) | 41.1 | 33.8 | 39.2 | 38.9 |
| 1948 | 34.9 | 38.8 | 41.4 | 33.5 | (2) | 38.7 | 34.7 | 34.2 | 33.0 |
| 1949 | 41.9 | 37.4 | 37.7 | 43.4 | (2) | 40.8 | 37.1 | 39.0 | 39.5 |
| 1950 | 40.2 | 37.2 | 36.4 | 44.6 | (2) | 50.2 | 41.1 | 42.7 | 39.5 |
| 1951 | 36.6 | (3) | 47.5 | [4] 40.5 | (3) | [4] 84.1 | 41.8 | (3) | 44.0 |
| 1952 | 54.4 | (5) | 61.3 | 94.4 | (2) | 92.9 | 70.4 | 69.9 | 65.3 |
| 1953 | 70.1 | 67.9 | 64.7 | 84.3 | 87.8 | 80.2 | 84.6 | 78.1 | 74.1 |
| 1954 | 67.8 | 67.5 | 64.4 | 72.9 | 66.3 | 62.8 | 77.6 | 71.2 | 67.5 |
| 1955 | 62.4 | 59.1 | 60.2 | 56.3 | 58.6 | 57.1 | 65.4 | 63.7 | 64.4 |
| 1956 | 59.7 | 61.8 | 67.8 | 58.6 | 62.4 | 63.2 | 62.1 | 63.5 | 66.2 |
| 1957 | 65.0 | 69.3 | 70.6 | 66.3 | 67.7 | 70.2 | 64.6 | 68.6 | 69.0 |
| 1958 | 73.1 | 73.5 | 68.6 | 73.3 | 71.6 | 76.3 | 71.2 | 71.4 | 71.4 |
| 1959 | 74.0 | 67.0 | 67.9 | 72.5 | 77.2 | 81.4 | 73.6 | 78.9 | 80.3 |
| 1960 | 76.4 | 78.3 | 77.8 | 76.8 | 79.3 | 79.6 | 76.3 | 78.2 | 76.5 |
| 1961 | 83.3 | 80.8 | 77.7 | 79.4 | 80.5 | 86.7 | 79.1 | 79.7 | 81.5 |
| 1962 | 82.3 | 82.1 | 81.4 | 80.9 | 93.1 | (2) | 80.9 | 89.0 | 87.7 |

[1] Amounts in these columns are revised estimates contained in the annual review prepared at the end of each session of Congress. The new obligational authority column includes January recommendations, subsequent amendments, and supplementals anticipated for later transmittal.

[2] Not available.

[3] None issued.

[4] Subsequent to the original budget, sizable increases in the military estimates were submitted to the Congress.

[5] No estimate of receipts made in brief review issued.

Mr. SALTONSTALL. This is a rather involved table and some of the years covered do not reflect a fair comparison because of wartime conditions. In these remarks, I am highlighting only those figures from fiscal years 1956 through 1962. Final, actual figures for fiscal year 1963 are not, of course, available.

Of most interest is the fact the chart shows that in each one of these years since 1956 the original budget estimate of expenditures was less than the actual expenditures; the average miscalculation for these years was $3.5 billion.

While the President has indicated an $11.9 billion deficit, it will be the responsibility of the Congress to examine very carefully the proposed expenditures and to be particularly mindful of the fact that over a 7-year period the expenditures have been underestimated by $3.5 billion, as I mentioned earlier. In my opinion, it will be difficult to keep expenditures within the estimates projected by the President.

We cannot, of course, contemplate at this date the effect of whatever tax cuts Congress allows in the months ahead, but we must nevertheless keep the proposed reductions constantly in mind as we consider the budget requests. As a matter of fact, revenue has been overestimated in the budgets, on the average, over the period 1956–62. Under the circumstances, Congress has a great responsibility to study very carefully in this session every budget request.

Even if the result of the contemplated tax cuts and reformation of our tax laws could result in increased revenue for the Government, a fact of which I am not convinced, this would certainly not be reflected in any increased revenues in fiscal year 1964. We want to remember also that our annual peacetime expenditures since 1961 have been exceeding those made in the peak year during World War II, and when the executive branch is asking for increases each year.

In this connection, we should note that the new obligational authority requested for fiscal year 1962 was $92.9 billion. For fiscal year 1963, it was $103.2 billion and for fiscal year 1964, the estimate is $107.9 billion. This information is presented on page 28 of the President's fiscal year 1964 budget.

I conclude by saying that regardless of what we may expect from increased revenue, our budget deficit, unless Congress acts very authoritatively and is willing to cut expenditures, will be substantially larger than the deficit estimated by the President in his budget message.

## THE PRESIDENT'S PROPOSED BUDGET

Mr. WILLIAMS of Delaware. Mr. President, during the campaign of the then Senator Kennedy he said that his administration if elected would establish new records. They have certainly established a record today in submitting to the Congress the largest budget that has ever been submitted by any administration in the history of our Government. Even at the height of World War II our expenditures were lower than those projected for the coming year.

Under the proposed budget, the President is calling for expenditures of $98.8 billion against revenues estimated at only $86.9 billion, with a projected deficit of $11.9 billion.

However, those figures do not tell all the story because some of the savings the President is claiming in the budget are unrealistic, as I shall show.

First, I should like to quote from the President's message to the Congress on Monday of this week. He said:

> I will shortly submit a fiscal 1964 administrative budget which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level.
>
> This requires the reduction or postponement of many desirable programs, the absorption of a large part of last year's Federal pay raise through personnel and other economies, the termination of certain installations and projects, and the substitution in several programs of private for public credit.

I should like to repeat one key sentence of that statement. He said that the budget which he was going to submit "holds total expenditures for all other purposes below this year's level."

An examination of the budget does not support this promise. The President as stated, proposes an increase of $2.7 billion in the appropriation for the Department of Defense. It also calls for an increase of $1.8 billion in space expenditures.

But moving into the domestic field in which the President said that he was going to hold "total expenditures for all other purposes below this year's expenditures," we find his greatest error. I wish to call attention to how unrealistic that statement is in relation to the actual budget he submits today.

For example, for the executive office of the President he has asked for an increase of $6 million and for the addition of 88 new employees.

In the Department of Agriculture, he makes a false claim of a reduction of $928 million. The proposed reduction is achieved only by charging a part of the cost of administering the agricultural program to the Commodity Credit Corporation, postponing the day of reckoning when we must absorb that loss either by canceling some of the notes or by appropriations to cover the deficit. If we examine each specific item in the budget for the Department of Agriculture, we will find that it calls for increased expenditures throughout. In fact, instead of a $928 million savings in the Department of Agriculture the expenditures will be higher than last year.

As evidence of that point the budget calls for an increase in the number of employees in the Department of Agriculture by 5,315. These will be added over and above those employed at the present moment.

In the Department of Commerce the President has asked for an increase of $150 million. For that agency there would be added 3,497 additional employees.

In the Department of Defense, as I have said, the President has asked for a $2,700 million increase, including a reduction of 10,136 civilian employees. Under Health, Education, and Welfare he asks for $694 million above this year's expenditure, and he has asked for authority to hire 5,931 new employees in that agency.

For the Department of Interior the President asked for an additional $111 million, and he asks for 3,999 new employees for that agency.

For the Department of Justice the President has asked for an additional $20 million. He wants 765 new employees in the Justice Department.

For the Department of Labor the President wants $194 million extra and 1,293 new employees.

For the Post Office Department the President is asking for 9,650 additional employees over and above the present year. The deficit of that Department is cut by $248 million below last year, but that amount is cut not because of reduced expenditures, but as a result of increased postage rates.

It almost appears that when the President said he wanted to put the country to work he meant to put them all on the Federal payroll.

For the State Department he is asking 735 new employees.

For the Treasury Department he is asking an additional appropriation of $421 million and permission to add 4,149 new employees.

For the Federal Aviation Agency, he is asking an extra $10 million and 626 new employees.

For the General Services Administration he would like to have $62 million extra and 3,208 new employees.

For the National Aeronautics and Space Administration, as I have pointed out, he asked $1.8 billion more and for 3,953 additional employees.

Then, under an item called miscellaneous independent agencies he is asking for authority to add 1,324 new employees to the payroll.

Altogether he is asking the Congress not only to appropriate more money for all these respective agencies for the operations in the next year but also for an additional 36,492 New Frontiersmen to help spend this extra money that he is going to borrow. Significantly one of the most urgent items in the budget request is that the Congress must promptly take action to increase the ceiling on the national debt. This must be done in order that the Government can pay the bills already outstanding. He suggests that we have to take action on that in the next couple of months or the Treasury Department will be somewhat embarrassed.

In the budget message he points out that by the end of fiscal year 1964 the national debt is expected to reach $316 billion. That estimate is assuming he does not run into more trouble than his budget anticipates in regard to revenues and expenditures.

The interest on the national debt alone will be $10,020,000,000 for fiscal year 1964. That is an increase of $320 million in interest charges on the national debt to pay for the extra expense of running this Frontier administration for the past 2 years. This $320 million is to pay the interest on the deficits which have been accumulated in the past 2 years.

The interest on the national debt is estimated at $10,020,000,000 for fiscal year 1964. The interest charges on our national debt were less than $9 billion annually when he took office 2 years ago.

Do not forget—the increase of 36,492 employees comes on top of the 140,000 employees who have been added since January 20, 1961.

As evidence that these employees are not needed, I quote no other authority than the President of the United States himself, who during the 1960 campaign made several statements of how he was dissatisfied with what was going on in Washington and that one of the things with which he was dissatisfied was the excessive number of employees who were on the Federall payroll. Yet we find that he added 140,000 employees in the first 2 years in office, and he is now asking for 37,000 more, which will give him a total of 177,000 additional employees.

I think it is about time to ask ourselves a question as to how much more help he wants in order to cut down the number of employees. He is going in the opposite direction.

I think the Senator from Illinois pointed out very well what could happen if we do not use some degree of commonsense in our expenditures. Certainly for anyone to suggest that we can cut taxes in the face of a record such as this, I think, is the height of political hypocrisy. Certainly it would touch off a round of inflation such as this country has never before known.

I wish to make it clear that I, just as much as anyone else, would like to see a tax cut in this country, but a tax cut can only be justified if we first reduce Government expenditures. It is necessary to do more than pay lipservice to reduce them. It is necessary to carry out the proposal by actual practice.

I find no fault with what the President said in his message on Monday, that he would hold "total expenditures for all other purposes below this year's level." That sounds nice, but when one reads his budget one does not find that carried through. He does not carry out that promise. He goes in the opposite direction. I think it is just a farce to talk about any possible tax cut in the face of a $99 billion budget and a $12 billion deficit. The American people should recognize this administration's promise as just so much political propaganda.

As one Member of the Senate and as a member of the Finance Committee I do not mind saying that I shall not be a part of any such fiscal irresponsibility as cutting taxes $10 billion in the face of a certain deficit of $12 billion as advocated by this administration. The record shows that we have only lived within our income for 5 years of the past 32 years.

The time is long overdue when we take some steps to at least put this Government on a "pay-as-you-go" basis.

As a Member of the Senate and as a member of the Republican Party, I am not apologizing for opposing this irresponsible tax cut. Our party record for cutting taxes is a record of which I am proud. We find that since 1913, the first year there was a Federal income tax on the statute books, there have been a total of 10 tax reductions. Eight of those tax reductions were passed on to the American people by the Republican Party. On only two occasions when it has been in power has the Democratic Party cut taxes.

Oh, they do a lot of talking about it. I will say that no Republican has ever been able to out-promise them as to what they will do, but when it comes to the question of performance their record is very poor.

Furthermore, the reductions which have been made by the Republican Party have been made on the basis of balanced budgets and not in the irresponsible manner of financing the tax cut on borrowed money.

On the other hand, there have been 15 tax increases since 1913, and 13 of those increases were put on the American people by the Democratic Party. On only 2 occasions has our party increased taxes. The Democratic Party has always been the party of high taxes, high spending and big promises.

So as a member of the Republican Party I am not apologizing for our record as to lowering taxes. When we lower taxes we lower then in a realistic manner—by first cutting expenditures. We should never lower them by borrowing the money and charging it up to future generations.

There has been a suggestion that the $600 personal exemption is too low. Certainly it is lower than we would like to see it. How did it get to $600? The exemption was $1,000 for each individual and $2,500 for a married couple in 1932 when the New Deal first took over. First there was the New Deal and then the Fair Deal, with their spendthrift programs, and under their administrations the exemption was reduced to $500. It was raised to $600 in 1948 over the veto of the Democratic President by the Republican 80th Congress.

The exemption for the aged was increased from $500 to $1,200 by the Republican 80th Congress with the help, of course, of some members of the Democratic Party. Yes, it was increased by the Republican 80th Congress over the veto of a Democratic President.

So, as I say, we as a party need never apologize for our record in respect to trying to lower the tax burden on the American taxpayers. I shall continue to work toward that objective. But the way to lower the tax burden is to cut down on some of these unnecessary programs. We can do that if the President will only carry out what he promised last Monday when he said he would help us hold down expenditures. We cannot do it by talking out of both sides of our mouth at the same time, telling people on the one hand how much sympathy we have for them over the high cost of government and the high rates of taxation and at the same time continuing to advocate a policy of spending this country into bankruptcy.

No government can spend itself into prosperity on borrowed money any more than a drunkard can drink himself sober on Monday morning.

Mr. PELL and Mr. CASE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

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## AUTHORITY FOR MULTISTATE RAIL TRANSPORTATION SERVICE

Mr. PELL. Mr. President, in the interest of suggesting a practical solution to the continuing and deepening problems of public transportation in our Northeastern States, I introduce, for appropriate reference, the Senate joint resolution which I introduced last June in the past Congress and which would grant the consent of Congress to the establishment of a multistate authority to modernize and operate passenger railroad facilities between Boston and Washington.

Mr. CASE. Mr. President, will the Senator yield with the understanding that he will not lose his right to the floor?

Mr. PELL. I yield with that understanding.

Mr. CASE. I do not wish to object to the introduction of the joint resolution. I think I favor it. I am concerned that we should not depart from the practice we have followed so far of objecting to other business than the consideration of the rules of the Senate unless there be a unanimous-consent agreement that doing so will not prejudice the rights of those of us who wish to have the matter considered as if it were done as the first business of the Senate. Therefore, if the Senator from Rhode Island is willing, I should be happy to ask unanimous consent that he may proceed on that basis.

Mr. PELL. I thank the Senator from New Jersey.

Mr. EASTLAND. Mr. President, a parliamentary inquiry. Had the Senator from Rhode Island already been recognized?

The PRESIDING OFFICER. The Senator from Rhode Island yielded to the Senator from New Jersey, and the Senator from New Jersey, as the Chair understood, was in fact reserving the right to object. As the Chair understands, the Senator from Rhode Island modifies his request to introduce a joint resolution under conditions, the Chair believes, suggested by the Senator from New Jersey. That being the case, the occupant of the Chair will have to object.

Mr. ERVIN. Mr. President, I will save the Chair the necessity of doing so. I will object. I shall have to do so, although I have high respect for the Senator from Rhode Island. I have no intention of letting go into the Senate record, no matter how high a regard I may have for a Senator, a statement which recognizes that the Constitution is such a puny instrument that it applies on only 1, 2, or 3 days of the session. Therefore, I object to coupling the introduction of any measure to any such disparagement of the Constitution of the United States.

The PRESIDING OFFICER. Objection is heard.

Mr. EASTLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from New Jersey yield for that purpose?

Mr. PELL. I yield for that purpose.

Mr. EASTLAND. Is not the Senate operating under the Senate rules when a Senator exercises the right to object?

The PRESIDING OFFICER. The Chair is operating under the Senate rules, and is under the impression that the Senate is operating under the Senate rules.

Mr. EASTLAND. That shows, of course, that the Senate is a continuing body.

The PRESIDING OFFICER. That is the basis on which the Presiding Officer is ruling. Any Senator has a right to object to any unanimous-consent request and to insist upon any condition he wants to insist upon as a condition to yielding, and any Senator has the right to decline to accede to such conditions.

Mr. EASTLAND. Yet all that is done under the prevailing rules of the Senate.

The PRESIDING OFFICER. That is the way it has been ever since the present Presiding Officer assumed the chair. So far as the Chair is concerned, he would not know how to rule except under the Senate rules, because he would not know what other rules to proceed under.

Mr. CASE. Mr. President, a parliamentary inquiry.

Mr. PELL. I yield for that purpose.

Mr. CASE. What is the pending business?

The PRESIDING OFFICER. It is on the motion by the Senator from New Mexico [Mr. ANDERSON] to proceed to consider Senate Resolution 9.

Mr. CASE. Mr. President, a further parliamentary inquiry. Has it been established that the Senator from Rhode Island is not entitled to introduce his joint resolution at this time?

The PRESIDING OFFICER. Objection was made. A condition was placed by the Senator from New Jersey on the introduction of the joint resolution. Objection was then made by the Senator from North Carolina.

Mr. ERVIN. Mr. President, I object to the condition; I do not object to the Senator from Rhode Island introducing his resolution in a manner which recognizes that the Constitution of the United States is not a little, puny document which exists only in certain respects at the opening session of the Congress.

Mr. CASE. If necessary, I object to the introduction of the joint resolution at this time. I do it with great reluctance, but I am forced to do so because of the unwillingness of the opponents of rule change to a very reasonable and, in our judgment, necessary condition.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield for a parliamentary inquiry?

Mr. PELL. I yield for a parliamentary inquiry.

Mr. STENNIS. The Senator from Mississippi was about to ask if the Senate is operating in the morning hour.

The PRESIDING OFFICER. The Senate is not operating in a morning hour. A morning hour was not agreed to. A unanimous-consent request was made, and it was objected to, with the result that the Senate is operating under the pending question, which is on agreeing to the motion of the Senator from New Mexico that the Senate proceed to the consideration of Senate Resolution 9. So the Senate is operating under a motion to proceed to consider.

Mr. STENNIS. I thank the Chair.

Mr. PELL. Mr. President, I will withdraw my request for the introduction of my joint resolution at this time. I trust I shall be permitted to make my statement now and that the joint resolution may be introduced later today.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, in the interest of suggesting a practical solution to the continuing and deepening problems of public transportation in our Northeastern States, this Senate joint resolution, which I introduced last June in the past Congress, would grant the consent of Congress to the establishment of a multistate authority to modernize and operate passenger railroad facilities between Boston and Washington.

The ultimate purpose of this joint resolution is to provide fast, dependable, and comfortable passenger transportation through the heart of the largest and most important urban complex in the world.

A measure of the complexity of this sprawling urbanized area, or megalopolis, is the fact that it contains over 20 percent of the Nation's population but occupies only 1.4 percent of the Nation's land area. This short 459 mile strip contains 21 percent of the Nation's retail business establishments. It houses nearly 30 percent of the Nation's manufacturing operations and provides 27 percent of the Federal Government's income tax receipts. More than 21 percent of the Nation's scholars earn their bachelor's and professional degrees from institutions in the area.

Clearly, such a colossus is a new 20th century phenomenon. It has unique regional problems of proportions not dreamed of when our Founding Fathers laid out the boundary lines of several States now encompassed in the megalopolitan complex. And these unique problems call for unique and imaginative solutions of proportions which have not yet been tried. The joint resolution which I submit today is advanced in the hope that it might facilitate one such solution in the basic field of transportation.

This resolution authorizes the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a public interstate railroad authority. The interstate authority, in turn, would assume the present unprofitable burden of intercity passenger traffic from existing rail carriers.

Because the revenues of the authority, after the servicing of its bonds, would not be subject to Federal taxation, the profits could be devoted entirely to modernization and to further innovations. Fully modernized equipment could mean that the entire 459-mile trip between Boston and Washington, with stops at the principal cities along the route, could be made in 4½ hours. The journey from my own city of Providence to Washington would take 4 hours and the trip from New York to Washington would take 2 hours.

It is significant that other nations already are establishing precedents for such modernized, high-speed passenger service. Japan will have such service established over the whole length of its Tokyo-Osaka rail lines by 1964. Specifically, trains will cover the 310 miles, making 9 intermediate stops, in just 3 hours; or, at an average speed, with stops, of better than 100 miles an hour. There is no reason why Americans should not have equally good service.

The particular appeal of the interstate compact proposal, it seems to me, is that it would permit the achievement of these sweeping innovations within the framework of private enterprise. My belief is that the public sector of the economy would be involved only to the extent that the various States might be asked to guarantee the bonds of the authority, thus assuring an ample supply of private capital. But I believe that not 1 cent of actual public expenditure need be provided to set the system in motion, since the investing public could absorb the total half billion dollars or more that would be required. A new airport in the New York area would cost almost as much, and another express highway, now being discussed, between New York and Washington, would cost considerably more. Moreover, 1 rail line can carry as many passengers as 32 road lanes.

The public response to this resolution, introduced by me in the 87th Congress, was most heartening indeed. More than one hundred editorials from all over the country have commented favorably on my plan and have reflected what seems to be a wave of concern on the part of all our citizens for the plight of our public transportation facilities.

I am happy to note, in addition, Mr. President, that the executive branch likewise has registered interest in the proposal and has made it the starting point for an overall review of transportation problems in the Northeastern States. President Kennedy, in a letter to me released by the White House last October 9, called the interstate compact plan an "imaginative and constructive idea" and said that it "may well be an important element" in the solution of the overall northeastern transportation study which he has called for in the coming months.

While that study is being made, it seems to me that Congress should begin action on this resolution so that a basic step toward solving the overall transportation problem can be taken as soon as possible.

Mr. President, I therefore urge that Congress take prompt affirmative action on this proposal for revitalizing the lifelines of the economic heart of our Nation. I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? If there is no objection, it is so ordered.

The joint resolution was ordered to be printed in the RECORD, as follows:

Whereas the eastern seaboard area containing the eight States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia is rapidly becoming a megalopolis, and now has a population of over thirty-seven million, and contains almost 30 per centum of the Nation's manufacturing and 21 per centum of the Nation's retailing establishments, as well as the Nation's Capital; and

Whereas this area is now serviced by a multitrack system of railroads which for the most part have sufficient rights-of-way to provide adequate passenger transportation throughout the area, but the railroads involved have not been able to provide such passenger service on a paying basis and must rely on profits from freight transportation to keep their entire systems operating; and

Whereas it therefore appears that a Government authority must be organized to provide such passenger service which is essential to the welfare of the Nation as well as the area involved, and that the existing railroads would continue to provide necessary freight transportation; and

Whereas it appears that a multistate authority formed by the States involved would be the best type of governmental authority to carry out this passenger rail transportation function: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby given to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and to the District of Columbia to negotiate and enter into a compact for the purpose of establishing a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia.

SEC. 2. Such consent is given upon the following conditions:

(1) a representative of the United States, who shall be appointed by the President of the United States, shall participate in such negotiations and shall make a report to Congress of the proceedings and of any compact entered into; and

(2) such compact shall not be binding or obligatory upon any of the States involved or upon the District of Columbia unless and until it has been ratified by the legislature of each of such States and approved by the Congress of the United States.

SEC. 3. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

(At this point Mr. PELL took the chair as Presiding Officer.)

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New

Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. CASE. Mr. President, while I have been in the Senate, the opening of a new Congress has followed a pattern, the real significance of which sometimes is obscured by repetition and public concentration on the parliamentary moves and maneuvers involved. It is almost like a minuet: At a prearranged signal the music begins, the dancers move and the spectators become absorbed in watching the execution of the steps. And in the past, the music, after a few bars, has come to an abrupt end and the dancers stopped with nothing really changed.

But it is not a minuet, not a parliamentary game in which we are engaged.

We are discussing a fundamental issue which, although before us in procedural guise, goes to the very heart of the democratic process. That issue is simply whether a small minority can stand athwart the legislative processes and deny a majority the right to come to a vote on any issue which that minority does not wish to entrust to majority vote.

The Congress of the United States, composed of the House of Representatives and the Senate, was established by the Constitution to legislate. That is our primary duty. Discussion, debate, considered judgment—they are all integral parts of sound legislative proceeding. But at least equally vital is the opportunity eventually to vote, to act affirmatively or negatively on legislative proposals. And it is that opportunity to vote that is at stake here.

It is time that the Senate faced up to its responsibility. And this is the time to do it. Indeed, it is the only time that we will have a real opportunity during this Congress, as the experience of the last few Congresses has demonstrated conclusively.

Let us not forget that experience. Particularly notable was the situation at the outset of the 87th Congress. Members will recall that motions similar to those now being discussed were then before the Senate. But once again the Senate did not get to vote on them. Faced with the imminence of a new administration, the leadership urged referral to committee with the assurance that the Senate would later have an opportunity to consider the proposed rule changes.

In 1961, the motion to shelve the proposed rules change without a vote on the merits was carried by the narrowest of margins; and then only with the explicit confidence of the leadership, minority as well as majority, that the Senate would have an opportunity to consider them later in the session. Nonetheless, as I have indicated, despite the fact that 49 Senators registered support for a rules change, the Senate was denied the chance to vote on the proposals.

The issue did not come up again until the September adjournment rush was on. The inevitable filibuster began and faced with it, the leadership again moved to set the issue aside.

That is why we were heartened by the majority leader's statement to the press several weeks ago that he favored letting the issue be decided on the floor at the opening. As he noted then, the Senate would not be confronted by the advent of a new administration. Further, today we do not have the pressure of nominations of Cabinet members and other important appointees of a new administration awaiting confirmation. There are no pending appropriations, no urgent measures demanding immediate attention. I also point out that tax revision and reduction, to which the President has given priority, and which I agree is of the highest importance, must originate in the House. Certainly the House will not act on it for some weeks. I wish it would act sooner than I feel it will act.

That is one reason why we urge that the question of rule changes be taken up at this time, at the beginning of the new session, when there is time for us to consider and debate it.

There is another and very important reason for acting now, because underlying all the parliamentary quibbling is the proposition, which everyone recognizes as valid, much though he may jest about it or attempt to make little of it, that if we do not act to change our rules at the beginning of the session, we acquiesce in them, including the rule which makes it impossible to close debate, even on amendments to the rules, except with a two-thirds vote.

We insist that at the beginning of a new session, as a former Vice President of the United States so clearly indicated in his opinion, we have the right by a simple majority to adopt rules, and to take all other action necessary to make that action effective, including the right to close debate by majority vote.

That is the question which is at the bottom of all this discussion, and that is why those who oppose us attempt to maneuver us into a position where we shall have lost the right to do what we seek to do.

We are not trying to take arbitrary action. This is not an attempt to obstruct the activities of this legislative body. We who are in favor of a change in the rules of the Senate in this regard believe that we are the ones who wish to make the Senate an effective instrument of government, which it has often not been in the past, when we insist upon preserving our rights to make changes at the beginning of a Congress. That is the reason, and everyone knows it. Apparently, however, it must be stated, as so many things must be stated, again and again and again.

So long as the present cloture rule remains unchanged, the Senate is condemned to "trial by ordeal" on any issue at the option of a determined minority. In the law, trial by ordeal was abandoned many years ago. Today we wonder how it could ever have been considered an appropriate test of truth or merit. Yet that is essentially the test that rule XXII requires. The majority leader has sought to mitigate it by keeping the Senate in session during regular hours rather than in continuous session. That does mitigate the physical burden. But it is in no sense a cure for the filibuster; indeed, in one sense it strengthens the hold of the rule by making it easier to filibuster.

I believe I said earlier this afternoon that, in my opinion, the protection of the rights of minorities in this country or in any society depends upon the understanding of all people, and certainly of the majority, that minority rights are important and are a restraint upon the majority.

This is, and has been, the strength of our Republic—the sense of decency and of the importance of individual rights, including civil rights and the aspect of them which underlies this entire debate.

To advert to a suggestion made a moment ago by the Senator from North Carolina [Mr. ERVIN], I cannot conceive of a situation in which a majority of the Senate would need to be saved by one-third of the Senate from destroying the Republic.

Mr. ERVIN. Mr. President, will the Senator from New Jersey yield for a question?

Mr. CASE. Since I have mentioned the Senator from North Carolina, I yield to him.

Mr. ERVIN. Does not the Senator from New Jersey know, as a matter of historical fact, that for several years a majority of the Congress excluded the Senators and Representatives from 10 American States from the right to sit in the U.S. Senate and House of Representatives?

Mr. CASE. The Senator from North Carolina refers to a very unhappy time in our history—a time which, unfortunately, still seems to have its effects. I do not know the details of the situation to which the Senator from North Carolina refers, but I am sure the RECORD will show whatever the facts were; and I shall be happy to have the Senator from North Carolina develop his point.

Mr. ERVIN. Does not the Senator from New Jersey know that from 1865 until 1868 the State of North Carolina was denied the right to have representation in the U.S. Senate and in the U.S. House of Representatives?

Mr. CASE. I am aware that the State of North Carolina voluntarily absented itself from the Congress and from the Union of States for some years prior to that time. I am not as familiar with the details—as I am sure the Senator from North Carolina will understand—of the particular situation in regard to the representation of that State.

Mr. ERVIN. I should like to inform the Senator from New Jersey——

Mr. CASE. I shall be happy to accept whatever the Senator from North Carolina may state.

Mr. ERVIN. I should like to inform the Senator that after the last Confederate soldier had laid down his arms and returned to peaceful pursuits, a majority of the U.S. Congress denied the majority of the States of the South the right to have representation in the U.S. Senate and in the U.S. House of Representatives. For that reason, I do not have the same confidence in the good conduct of a majority that my good friend, the Senator from New Jersey, does.

Mr. CASE. Mr. President, if there should ever occur a situation in which the rights of minorities or individuals depended upon rules to restrain a majority, I believe such rights would have no further value, because the rules would not stop people determined to do what was wrong, if they had the power to do so.

It is our concern to place the Senate rules in a position in which Senators—all of whom want to do what is right—will not be prevented from doing so. I believe it is quite clear that many times in the past a majority of the Senate has been prevented from doing so.

Mr. President, a filibuster has no place in the Senate. It impairs the effectiveness and demeans the dignity, not only of the Senate, but of the Nation as a whole.

In the next few days we shall have an opportunity to redeem the confidence of the great majority of the American people who expect—and who have every right to expect—the Senate to fulfill its constitutional responsibilities as a legislative body. Let us not allow the real meaning of this effort to be obscured. Like most procedural questions, far more than procedure is involved. All of us know that; and all of us also know that, in the past, effective civil rights legislation has been impossible because of the filibuster weapon held by the opponents of civil rights legislation; and all of us know that the enactment of civil rights legislation will continue to be impossible so long as rule XXII remains unchanged.

Mr. President, as has been stated many times, other issues are involved, as well. The threat of filibuster is pervasive, and hangs over many measures only indirectly, if at all, related to civil rights.

I believe most Senators favor a change in the rules. If that is not so, let it be shown by a vote on the merits. Let us not be afraid to have the issue decided.

During the delivery of Mr. CASE's address,

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. CASE. I shall be glad to yield if I do not lose my right to the floor.

Mr. LONG of Louisiana. The Senator knows, does he not, that he can yield for a question without losing his right to the floor?

Mr. CASE. I ask unanimous consent that this colloquy may appear in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Is the Senator from New Jersey contending that the Senate has no rules other than those adopted at the beginning of a session?

Mr. CASE. I am happy to discuss that point because it is directly related to the subject I have been discussing. I believe there are various possibilities. Some of us believe that the Senate should adopt new rules at the beginning of each Congress. Others are content to believe that, as with certain other aspects of our Senate functions, the rules of the Senate continue and that they may be changed by a majority vote at the beginning of a Congress. Others feel that by acquiescence we adopt the rules over and over again. It does not matter which contention is adopted, because we feel very strongly that if we act at the beginning of a session we have a right by a majority vote to change the rules. Therefore we do not object to proceeding, so long as we have a right to adopt new rules, adopt some rules with changes, and some without changes. Therefore, we do not object to proceeding, so far as we can, under the precedents of the Senate, and under the rules as they have existed in previous Senates, so long as our rights as a majority to adopt new rules, and to take the necessary action to make those rights effective, are not prejudiced.

We do not arbitrarily object to everything. We are not making an arbitrary selection of the rules that we want to abide by. The only rules that we do not want to accept are those which prevent a majority in the Senate from acting effectively at the beginning of a Congress to change the rules of the Senate.

Mr. LONG of Louisiana. What guideline does the Senator from New Jersey use to determine which of those rules he believes exist at the beginning of a session and which do not exist?

Mr. CASE. There is one rule that I believe all of us would agree we could not acquiesce in, and which would seriously affect our rights as a majority, and that is the rule which requires a two-thirds vote to close debate.

That is one rule. There may be others. I do not want, by not mentioning others, to exclude the possibility that there may be others. However, in the generality of the rules which govern our relations with each other, our rights, and the comity of Members, depend not only on the rules in the rulebook but also on the necessities of Senators engaged in civilized discourse in a parliamentary body.

Mr. LONG of Louisiana. Does the Senator recognize a similar right on the part of every other Senator to regard any other rule as being nonexistent at the beginning of a session?

Mr. CASE. I would listen to any claim by any Senator that any rule violates the Constitution, and I would give respectful hearing to that claim. I have not heard such a claim made. However, if the Senator from Louisiana should make such a claim in regard to another matter, he may be sure that the Senator from New Jersey will be happy to consider it.

Mr. LONG of Louisiana. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator from New Jersey yield for a question?

Mr. CASE. I yield for a question.

Mr. ERVIN. Does not the Senator agree with me that if the Senate should adopt a rule by which Senators could be denied the right to the floor by a majority vote of the Senate, 51 Senators could deprive the other 49 Senators of their right and power to represent their States in the Senate?

Mr. CASE. Mr. President, I myself do not regard rules written on paper, the rules of the Senate, important as they are, as being the real bulwark of the rights of the minority, whether they be the minority of our citizens or of a particular group, racial or otherwise, or of the States. I regard the great bulwark of those rights as the basic understanding of the American people, including Members of this body, that we cannot have a civilized society unless the rights of minorities are respected.

So I do not believe that technical procedural rules—and I do not minimize their importance or value—are the ultimate protection of the rights of individuals or in the maintenance and sustaining of the structure of our society.

Mr. ERVIN. Mr. President, will the Senator yield for a repetition of my question?

Mr. CASE. I am happy to yield.

Mr. ERVIN. Does not the Senator agree with me that if we should adopt a rule of the Senate to allow a majority of the Senate to deny any Senator or group of Senators the right to speak, such rule would place within the hands of 51 Senators the power to deny the other 49 Senators any substantial right to represent their States in the Senate?

Mr. CASE. The question which the Senator from North Carolina has raised is not the question before the Senate. The proposal before us would adequately maintain the right of the Members of the Senate, including a minority—even a minority of one—to discuss any matter before it came to a vote. It specifically provides that not only shall 15 days elapse, and that those opposed to and those in favor of any pending matter or proposition be given equal time, but that each individual Senator shall have at least 1 hour. So we affirmatively sustain the right of individuals to speak on any matter whatever, by the proposal we are urging.

If the Senator from North Carolina asks me, Would it be right for the Senate to adopt a rule by which a majority could cut off the right of a minority at any time? I say, No, it would be wrong; but it would be within their power, yes.

Mr. ERVIN. Does not the Senator from New Jersey agree with me in the observation that if there are to be procedural rights, those procedural rights must be spelled out in rules?

Mr. CASE. I fail to see the pertinence of that particular suggestion; but I should prefer to have the Senator get to the point of what he is really talking about before I move along, question by question, to the real point.

Mr. ERVIN. Let me see if I understand the substitute proposal. If only one Senator wished to speak after the cloture vote, he could speak only 1 hour. Is not that correct?

Mr. CASE. As I understand our proposal—and I think I understand it—if there is only 1 Senator on one side of a question, and 99 Senators on the other side, that 1 Senator may have 50 hours in which to speak. I may be wrong, but I think I am not. In addition, 15 days of debate on the question must have elapsed before even that limitation shall apply.

Mr. ERVIN. In other words, the vote cannot come on the cloture proposal until 15 days have gone by?

Mr. CASE. A vote could not be forced, with the effect that this rule would give that vote, until the lapse of 15 days.

**Mr. ERVIN.** I am trying to inform myself about the rule. The vote on the cloture question cannot take place until the lapse of 15 days under the proposed rule, could not a Senator be kept from speaking during the 15 days? Could not the Senate meet, and a majority of Senators have the Senate recess from day to day until 15 days had gone by, without letting a Senator speak at all?

**Mr. CASE.** No; the period of limitation of at least 1 hour to each Senator would not become effective until after the lapse of 15 days. After 15 days had elapsed, the Senate would proceed to vote on the motion to limit debate. A vote cannot occur on that motion, under the proposed rule, until after 15 days had elapsed.

**Mr. ERVIN.** What about the time after the vote had occurred?

**Mr. CASE.** After the vote had occurred—and that could not happen until 15 days had elapsed—there could then be 100 hours of debate, with at least 1 hour allotted to each Senator who wished it.

**Mr. ERVIN.** When a cloture vote had been cast by a majority, each individual Senator would be limited to 1 hour, even though he might believe that the very salvation of the Nation depended on his speaking longer?

**Mr. CASE.** Yes. Under the present rule, 1 hour of debate is allowed to a Senator; and the only difference is in substance—well, there are two differences: First, the matter comes on 2 days after the filing of a cloture petition; the other is that a two-thirds vote is required. The present rule permits two-thirds to limit debate, and provides each individual Senator with 1 hour of debate. It does not guarantee that both sides of the question will have 100 hours divided equally between them. So I think our proposal is a better rule in that regard.

**Mr. ERVIN.** Under the present rule, one-third of the Senate can save the country; but under the proposed rule, 49 cannot. I thank the Senator for yielding.

**Mr. CASE.** I understand the Senator's position. I think he has made it from time to time and will undoubtedly do so again.

During the delivery of Mr. CASE's speech,

**Mr. ERVIN.** Mr. President, will the Senator from New Jersey yield for a question?

**Mr. CASE.** The Senator from Delaware had asked me earlier if I would yield to him. I understand the Senator from Delaware desires to make an insertion in the RECORD.

Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware for that purpose, without losing my right to the floor.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

## STUDY OF CHARGES CONCERNING CONTRIBUTIONS BY FEDERAL EMPLOYEES TO POLITICAL PARTIES

**Mr. WILLIAMS of Delaware.** Mr. President, yesterday I submitted a resolution, which was referred to the Committee on Rules and Administration, to investigate numerous allegations that Federal civil service employees had been pressured for contributions to political parties. In inserting in the RECORD certain newspaper articles, I unintentionally overlooked an article which was published in the Washington Evening Star as far back as January 10, 1963.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Top Career Employees Pressured For $100 Democratic Gala," written by Joseph Young. Mr. Young was one of the earlier reporters to call this affair to our attention.

He should be complimented upon his diligence as a reporter in his effort to protect our civil servants.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Jan. 10, 1963]

### TOP CAREER EMPLOYEES PRESSURED FOR $100 DEMOCRATIC GALA

(By Joseph Young)

The Democratic National Committee is putting increased pressure on Government career employees to attend the $100-ticket Democratic gala in President Kennedy's honor on January 18.

All Federal careerists who haven't responded to the committee's formal mailed invitations to attend the dinner are being contacted by telephone at their homes at night and asked if they plan to attend.

The Star last month disclosed the letters mailed to Government career employees in many agencies in grades 12 and above, asking for the pleasure of their company at the affair to be held at the Armory.

Career employees charged that this amounted to pressure on them to buy tickets, and they also reported that some of their bosses were getting in the act and asking them to attend.

The last week or so has seen a followup effort by the Democratic National Committee's gala salute committee to have Federal career employees attend the affair which is being held primarily to swell the Democratic campaign fund.

Democratic National Committee spokesmen acknowledged that a squad of Democratic volunteer workers has been telephoning all Government career employees who haven't responded to the written invitation.

The career employees are being reminded that the affair is being held in honor of President Kennedy and Vice President JOHNSON and that it is one of the most important events of the year.

Career employees charge that the Democratic National Committee is receiving the lists of career employees in grades 12 and above from officials in the various Federal agencies.

The dinner, incidentally, is strictly an entertainment affair, with such top personalities as Judy Garland scheduled to entertain. As one career employee, who reluctantly bought a ticket, remarked: "We're not even going to get anything to eat for our $100."

The gala committee is under the chairmanship of Bedford S. Wynne, Dallas (Tex.) attorney and coowner of the Dallas football team.

Employees declare that threats of denial of promotions, in-grade salary raises, etc., are being made by agency bosses in an effort to force purchase of tickets.

Meanwhile, Representative BROYHILL, Republican of Virginia, has invited any Federal career employee who has been pressured in the matter to gather whatever evidence they can and contact him.

"I will do all in my power to bring the offenders to justice and see that they are prosecuted to the full extent of the law," Mr. BROYHILL said.

Mr. BROYHILL also said he will bring the matter to the attention of the House Civil Service Committee, of which he is a member, and ask for a full-scale investigation. If a stronger law is necessary to prevent such pressure on Federal career employees, Mr. BROYHILL said he will push for such a measure.

Mr. BROYHILL said that while contact with Federal employees at their homes by non-Government workers such as employees of the Democratic National Committee does not constitute a violation of the Federal Corrupt Practices Act, it constitutes highly questionable ethics. However, he stressed that Government officials who release their files, including names and home addresses, to the Democratic organization are violating the law.

He warned that these officials are subject to imprisonment or fines or both under the law.

One career employee summed up the dilemma regarding the invitation to the Democratic gala:

"We're damned if we do and damned if we don't. It's not just the $100 involved, although that certainly is a big factor. But if we don't attend, we may be jeopardizing our careers. And if we do attend, we may also be jeopardizing our careers.

"You may recall that when the Eisenhower administration came to power, some of the Republican officials secured the lists of Federal employees who had attended Democratic $100 affairs and these employees were on the blacklist as far as promotions and even holding their jobs was concerned. The same thing could happen again when a new administration comes into power."

## THE BUDGET—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 15)

The **PRESIDING OFFICER** (Mr. RIBICOFF in the chair). Without objection, the Chair lays before the Senate the 1964 budget message from the President of the United States, which will be printed in the RECORD without being read, inasmuch as it has already been read in the House of Representatives; and the message will be referred to the Committee on Appropriations.

(For message from the President, see House proceedings of today.)

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

**Mr. ERVIN.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

**Mr. HART.** Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

**Mr. EASTLAND.** I object.

The **PRESIDING OFFICER.** Objection is heard; and the clerk will continue the call of the roll.

The legislative clerk continued the call of the roll.

Mr. HART. Mr. President, I now ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I am opposed to the motion of the senior Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to consider Senate Resolution 9, which provides that rule XXII be amended, in order that cloture can be invoked by the affirmative votes of three-fifths of the Senators present and voting. I am further opposed to the substitute to this resolution which has been offered by the distinguished Senator from Minnesota [Mr. HUMPHREY], which provides that debate can be terminated in the Senate under certain circumstances by the affirmative votes of a constitutional majority of the Senate.

The present restrictions contained in rule XXII are, in my judgment, contrary to the intent and purposes of those who framed the Constitution of the United States and made a design for the U.S. Senate which, in my judgment, was a design that never contemplated a gag rule in any form or fashion. I hold to my convictions so deeply and sincerely that I am willing to take all the time necessary to speak for the enlightenment, not only of this Senate, but also of the people generally, as to the grave and fundamental issues involved and the threat proposed to the very foundation of our Government if further restriction be made on the right of free and unlimited debate.

Mr. President, in 1925 the Vice President of the United States lectured the Senate. He came out in favor of an identical rule, such as the one we are discussing. He was condemned by the American Federation of Labor and by liberal or progressive groups all over our country, because they said that such a rule would destroy the right of the average man to protection from special interests.

One of the greatest men who ever sat in the Senate was Burton K. Wheeler. Senator Wheeler was on the ticket of La Follette as a candidate for Vice President. Burt Wheeler is still a distinguished American. He has written a book entitled "Yankee From the West." In the book he describes how the leading progressive in the history of our country, Robert M. La Follette, Sr., who was called a radical and even worse, told him that no progressive or no liberal should ever vote for cloture in the Senate. He said that if the old guard could invoke cloture, the progressives and liberals in the Senate would never be able to place their views on various and sundry liberal legislation before the people of the country. He also told the progressives that no good legislation was ever kept off the statute books by filibuster, and that if it were good legislation it would eventually be passed by the Congress.

Mr. President, I have been a Member of this body for more than 20 years. I think I know the history of the Senate. I say categorically that no good legislation has ever been defeated by a filibuster. It is bad legislation that a majority of the Senate in their hearts are opposed to which has been defeated by a filibuster. The right of unlimited debate is one of the guardians of human liberty, not only in our country, but throughout the world. In the British Parliament the right of cloture was invoked only when Britain desired to place the heel of tyranny upon the Irish people and to crush Ireland to death.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. Does not the Senator recall that it is often said that rule XXII prevents the enactment or even consideration of civil rights measures?

Mr. EASTLAND. It does not.

Mr. ERVIN. I ask the Senator if in 1960 the leadership did not bring before the Senate the bill relating to the Stella School District in Missouri, and if the majority leader and the minority leader did not say that every Senator who wished to offer a civil rights amendment to that bill could offer it in the Senate and have it immediately considered; and if at that time there were not more than 5 pounds of so-called civil rights amendments offered and considered in the Senate?

Mr. EASTLAND. What the Senator has said is absolutely correct. But the present fight is not aimed at civil rights. A group in our country wishes to socialize the United States. Pressure groups wish to have legislation passed that would destroy the free enterprise system. That is the issue in the present fight.

Mr. ERVIN. I should like to ask the Senator if at that time the Senate did not consider and vote on such amendments for 5 or 6 weeks?

Mr. EASTLAND. Yes; and the Senate killed most of them.

Mr. President, today the so-called liberals are reversing the policies of La Follette and the other liberals of that time, and are pleading for cloture to cut off debate. The Senate is one of the very few legislative bodies in the world in which there is free debate.

Down through the ages the liberals have always voted to take away the autocratic power of kings, czars, and emperors and to place it in the hands of the elected members of the parliament. But today we find the liberals, and even various Presidents, desiring to turn over to the executive branch many of the powers of the Congress.

Mr. President, to me that is not liberalism; that is reactionaryism. I say that the men who are attempting to place all power in the hands of the Executive and take it away from Congress are not the liberal forces of this country but they are the reactionary forces of the country, for the simple reason that the elected representatives of the people in the Congress are the real guardians of human liberty in the United States. The liberties of the people are best protected by the Congress.

When we turn the power over to the President of the United States, regardless of who he is, we know that he is a busy man. The fact is that we turn the power over to some bureaucrat or some clerk in a department who has never faced an election, and who could not be elected dog catcher in his home town. We make that bureaucrat a czar in that particular field over the people of the United States.

The liberals of our country are burying human liberty. I say they are the reactionaries. They are not the liberals of our country.

Mr. President, the recent history of the U.S. Senate has demonstrated that just as certain as there is to be a new Congress, it is inevitable that the Senate will be faced with a debate over changes in rule XXII. No single subject has received as much attention from the Members of this body in either ancient or modern times as has this question of freedom of debate in the U.S. Senate. It is impossible for the mind to conceive of any new approaches that can be made in discussing it, but all of the arguments that have been advanced over the years against the imposition of gag rule in any form are just as valid today as they were when they were originally advanced.

In fact, as time passes and the political forms, both in the United States and throughout the world, grow more and more complex, it is of more and more importance that the U.S. Senate be retained in the form and character as it was designed by those great and wise men who drafted the U.S. Constitution. If the equality of States was an important factor—in fact, the very key to the formation of the Union—when there were only 13 States, how much more important is it that this equality be maintained when the Republic has grown to such vast proportions, both in area and population, and now contains 50 States, embracing not only the continental area of the United States but also geographic areas as far removed as Hawaii and Alaska. The growth and development of the United States of America from its small nucleus to its present gigantic proportions depended upon the component parts of its governmental organization, functioning in a manner to insure to the individual citizens the maximum degree of liberty and freedom under law in the political, social, and economic areas.

The great balance wheel in protecting the rights of the sovereign States and the people against the encroachments of the Federal establishment has always been the organization and constituency of the Senate. Even as the Constitution provides that no State can be denied equal representation with all other States in the U.S. Senate, the right of the individual Senators representing States to have the privilege of free and unlimited debate is the proud hallmark that makes the equal representation a genuine and living reality. It is inconceivable that Senators, particularly those who represent smaller geographic and population areas, would participate in a proposal or design which would limit and emasculate the sovereign power they represent. It is contrary to the purpose of the Constitution itself, which so carefully and adequately protected the rights of minorities against hasty, precipitate, or heedless action on the part of a transient or temporary majority.

On September 19, 1961, the Senate took the final vote, after extensive debate, on a proposed change in rule XXII when it tabled the majority leader's motion to consider Senate Resolution 4 by a vote of 47 to 35—18 Members not voting. This vote was preceded by an unsuccessful vote to invoke cloture, whereas, 37 Senators voted to invoke the gag rule on the motion to consider Senate Resolution 4, and 43 Senators voted in the negative—20 Members not voting. The votes and debates on the issue of adopting Senate Resolution 4, which would have changed the present two-thirds vote requirement specified in rule XXII to three-fifths, were made under the rules of the Senate and in the course of orderly procedure and, in my judgment, adequately expressed the sentiments, attitudes and convictions of the Members of this body on the proposition of changing the present language of rule XXII. We are now embarking on a course of disorderly procedure when the achievement of the purpose by the means now sought would tear and destroy the fabric of the Constitution itself. This Senate is and always has been a continuing body.

Mr. President, the right with respect to unanimous consent comes from the rules of the Senate. The right to object, as we have heard today, comes from the rules of the Senate. It is very significant, indeed, that throughout this session, which is now 9 days old, we have operated under the old rules of the Senate; which is proof conclusive to my mind that the Senate is a continuing body.

This Congress, either by a rule change in this House or a legislative enactment, cannot destroy the fundamental character of the Senate without duly amending the Constitution of the United States. It is my fervent hope that the current debate will be of short duration and will be permanently dispensed with consonant with the existing rules of the Senate. However, if it develops that a determined effort will be made to reform the Senate without reference to the historical processes of change as provided for in the Constitution and existing rules, then I am prepared to carry out my part of the fight against such change to the very limit of human endurance. I could not do less and be faithful to the trust imposed upon me by the great State and the people thereof that I represent in this body. It is not only my duty but it is also my high privilege to speak and fight for their convictions and beliefs to the best of my ability.

The art of self-government has always been a goal of organized societies that has been easier to desire than to achieve. Since the dawn of written history only a handful of nations or people have been able to translate the dream into a reality. Time and time again nations and people have tried and failed to achieve this high goal. Even if we had not adopted the Constitution of the United States, the Thirteen Colonies that were located on the North American continent would have devised some method of governing themselves. The common law that they brought from England and implanted in the soil of a new continent is built with the sinews of individuals determining their differences and protecting their fundamental rights and liberties within the framework of the individual citizen sharing and participating in a multitude of individual decisions that permit the individual to be secure in his person and property at the level of the local community. The basic decisions that are made under the application of the common law were not made by transient majorities. The issues decided, originally both criminal and civil, required that 12 good men and true all agree to the guilt or innocence of an accused or to the right of a complainant or plaintiff to judgment in favor of his grievance. In civil actions some States have modified the unanimous rule so that nine jurors in agreement can return a favorable judgment.

In drafting the Constitution of the United States, the Founding Fathers were motivated by achieving a form of government that would interfere to the least possible degree with the rights, privileges, liberties, and immunities considered to be inalienable to the people and protecting minorities against transient majorities by setting forth the basic guaranties within the warp and woof of the Constitution and reserving to the States and to the people all power and sovereignty that was not specifically granted in definite terms to the Central Government. This was not a democratic form of government. It was then and is now a republican form of government. To me, a pure democracy, in some respects, is as reprehensible as a totalitarian form of government, if all the people are going to be subject to the will of a bare majority without reference to certain fundamental guaranties to life, liberty, and property that go over and are beyond any transitory action that can be achieved by a bare majority imposing its untrammeled will on a helpless minority. If Charles de Gaulle possessed the character and designs of a Hitler or a Mussolini, the French people today would be just as helpless as were the Italians and the Germans if he chose to wrongfully exercise the awesome and awful power that has been vested in him by a free act of the French people in going to the polling places and agreeing to vest in him the powers that he felt necessary to lead France on its present path of political and economic growth and development. As long as we have a Constitution of the United States that has any meaning, a political development such as that which has taken place in France could never be achieved in the United States. Mr. President, these remarks are not made in any sense of being critical of the French people. They have the right to follow the star of their own destiny, but we in this country supplanted King George III by the Revolution, and seeds of our economic and political salvation were sown in the Colonies and harvested by the Founding Fathers in the Constitution of the United States, and the republican form of government guaranteed by that Constitution is the form that I seek to maintain and perpetuate today. This Senate has been a continuing body and so recognized since it was organized on April 6, 1789, and it is today, in law and in fact, a continuing body. Change this condition, and there will be a fundamental change in the Constitution of the United States and the theory of a republican form of constitutional government.

Mr. President, in the 20th century the Federal Government has grown and extended its activities into the political, economic, financial, and social affairs and activities of the citizens of the several States to an extent undreamed of by those who lived in our society prior to World War I. Even after World War I and up until the days of the great depression, the great mass of the people of the United States were born, gainfully employed, and lived fruitful and productive lives to ripe old ages without ever having any contact with the Federal Government in any manner, shape, or fashion.

Today there is no facet in the life of any person born in these United States that is not intimately affected by some law, statute, or regulation enacted by the Federal Government. This in addition to the enormous tax burden that is imposed to sustain a budget of the astronomical proportions that we now operate under.

By both statute and court decrees the limited and specific powers vested in the National Government by the Constitution have been expanded and the reserved powers of the States and people preempted until we live in a veritable maze of rules and regulations to govern daily conduct that are promulgated by either the legislative, executive, or judicial branch of the Federal Government. The use of Executive orders on the part of the Presidents of the United States almost exceeds the laws enacted by Congress. The extent that the Federal Judiciary has usurped and invaded the reserved powers of the States staggers both imagination and credulity. The States and the people thereof have witnessed power after power preempted or usurped, area after area of sovereignty invaded and taken over. To many this centralization of power, authority, and control is a form of statism absolutely foreign to we who believe in the concept of government that those who are governed best are those who are governed least. That was the concept of Jefferson and the vast majority of our Founding Fathers. That concept is the antithesis of any form of socialism or totalitarianism. That concept was designed to give to the individual citizens the maximum degree of freedom and liberty under law. The key in the preservation of this concept in the frame of our Government is the proper maintenance of the balance of powers between the Federal Government on one hand and the sovereign States on the other.

This balance is now being weighed to such a degree in favor of the Federal establishment that the States are fast becoming satellites which can operate only in their orbits around the center of the Federal Government, and the orbits themselves are being so restricted that what is threatened is total and complete amalgamation.

The U.S. Senate stands alone today as the last outpost or bastion where the proper and constitutional balance between the Federal establishment and the States can be effectively achieved and maintained.

Never has there been a time in our history when it was more important that individual States be in a position to negotiate with the Federal Government from a standpoint of strength rather than from a standpoint of weakness. There is not a single State or region in the United States that does not have its own peculiar problems vis-a-vis the Federal Government. The problems of an individual State or region are often completely foreign, unknown, and misunderstood by the inhabitants of other States or regions. Yet, these local and regional problems are paramount to the growth and development of the particular State or area. Any time that Senators from States which have these prerogatives wish to surrender to the least degree the bargaining power that they now possess by equal representation in the Senate, they tend to do a disservice to their people and blunt the most powerful weapon at their disposal in either defending or advocating the issue which is of such paramount and overpowering importance to the people whom they represent.

If my own State of Mississippi paid into the Federal Treasury approximately one-fifth of all the taxes collected annually in the 50 States, I would be even more zealous in asserting the right of my State to exercise the prerogatives inherent in membership of the U.S. Senate than I am now.

On the other hand, there are States geographically as large or larger than this State which pays such an enormous burden of taxes that can never hope for the population or ability to pay such taxes for the simple reason that the Federal Government owns and controls the major portions of the land, resources and wealth of these States.

In five States of the Union the Federal Government owns more than 50 percent of the entire land area. This extends from an ownership of 98.8 percent of all the land in the State of Alaska to 80.2 percent of the State of Nevada, 67.3 percent of the State of Utah, 64.1 percent of the State of Idaho, and 52 percent of the State of Oregon. In two additional States the Federal Government owns more than 49 percent of the land area. In California the percentage of ownership is 49.6 percent, and Wyoming 49.1 percent. Arizona is still another State where title to more than 40 percent of the land area is vested in the Federal Government, the total being 41.1 percent.

In the bracket where 30 percent or more is owned and controlled by the Federal Government we find the States of Colorado with 35.8 percent, and New Mexico with 32.9 percent. Twenty percent or more of the geographic areas of the following States are owned by the Federal Government: Montana, 29.7 percent; Washington, 29.4 percent; and the District of Columbia falls into this group of geographic areas with 27.5 percent of its area owned by the Federal Government.

The State with the least land owned or controlled by the Federal Government is that of Connecticut, where title to only two-tenths of 1 percent is vested in the Federal Government.

Others with less than 1 percent are Iowa, Kansas, Maine, New York, and Ohio.

In the State of New Hampshire, where originally there was no public domain by acquisition, the United States now owns 12.2 percent of the land area.

These statistics on land ownership have a very definite and pertinent meaning to the operation of the government of the States in which the land is located—it means that a vast proportion of the wealth and natural resources of the individual State is owned and controlled by the Federal Government. Irrespective of all general laws that are applicable to the 50 States, ownership and control of land and resources gives to the owner, be it an individual or government, a peculiar type of influence and power. Our Western States are plagued with many peculiar types of conflicts that are relatively unknown in other areas of the United States because of this landownership.

Possibly the most compelling of these problems is that of water resources. Control of water other than navigable streams at common law and under the original interpretations of our Constitution has always been a power vested in the sovereign States. Yet, the ownership of the United States of the public domain and its acquisition of additional lands has brought the conflict over water rights and distribution to the point where the extension of the legal definition of what constitutes a navigable stream and the doctrine of preemption and prior ownership is fast placing the U.S. Government and Federal courts as the final arbiter on all questions regarding the ownership and use of water throughout the several States.

No single public issue is more vital to those citizens of the United States who live in water-scarce areas than is the one of the control and distribuiton of our water resources. Out of a total of 2,271,343,000 land acres in the United States the Federal Government owns 767,766,000.

In addition to water resources, fundamental conflicts arise over such matters as mineral rights, timber, grazing, and myriads of other problems where the individual citizen or State has to come hat in hand as a supplicant to the Federal Government. In States where the basic tax structure is based upon ad valorem levees on land ownership, loss of tax revenues by Federal ownership places a tremendous burden on State governments in devising ways and means of collecting revenues necessary to support the operation and give to the people the services to which they are entitled. Nothing is more paramount to the interest of these States and the people thereof than maintaining in the legislative branch of the U.S. Government the degree of power and authority that permits the State to bargain and negotiate on behalf of its people from a standpoint of strength rather than one of weakness. The equality of States in the U.S. Senate tends to give to the individual States, no matter how large or how small, their just and proportionate share of the power to negotiate. When we tamper with the rules of the Senate providing for freedom of debate we destroy the base of the power to negotiate and the power to bargain and become more and more helpless before the power and might of the Federal Establishment, not only in the field of land ownership but in every other area of Federal-State relations.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. EASTLAND. I am happy to yield.

Mr. ERVIN. Will the Senator yield for a series of questions, with the understanding that he will not lose his right to the floor?

Mr. EASTLAND. With the understanding that the interruption appears at the conclusion of this point in my remarks, which point I shall designate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. I will ask the Senator if the history of man's struggle for self-government does not show that no man or set of men can be safely trusted with unlimited governmental power.

Mr. EASTLAND. That is exactly correct.

Mr. ERVIN. I will ask the Senator if the Constitution of the United States is not the most powerful documentary evidence to show that the main objective before the Founding Fathers, when they drew that instrument, was to prevent governmental tyranny by setting up a system of separation of governmental powers and a system of checks and balances.

Mr. EASTLAND. The Senator is exactly right. However, although we have our system of checks and balances, and we have the division of powers, I maintain that the greatest preventive of tyranny and the greatest safeguard of the liberties of the American people are the elected representatives of the people and the power that they can exercise on the floor of the Senate and on the floor of the House of Representatives.

Mr. ERVIN. I would like to ask the Senator whether, in establishing the fundamentals of our system of government under the Constitution, the Founding Fathers were not careful to see to it that the powers of government were divided in two different respects, first, as between the Federal Government on the one hand and the State governments on the other; and, second, as between the different departments—that is, the executive, the judicial, and the legislative departments, of the Federal Government.

Mr. EASTLAND. That is exactly right. However, the Senator well knows that the people of this country realize who protects their rights and to whom they look. It is the Senators and the Representatives they look to. We must preserve the power to preserve and negotiate on the floor of the Senate, and to negotiate from a position of strength, not from a position of weakness.

Mr. ERVIN. I would like to ask the Senator if one of the great objectives of rule XXII in its present form is not to prevent governmental tyranny on the part of a temporary majority in Congress.

Mr. EASTLAND. That is exactly right. It affords the elected representatives of the people and of the States the power to preserve the rights of those States and the liberties of their people. It is just as important to New York and to California as it is to any Southern State.

Mr. ERVIN. I will ask the Senator if he does not agree with me that a Senate rule which would permit a simple majority to impose silence upon a minority of the Senate would permit a temporary majority, which was willing to do so, to deny States represented by the minority of representation in the Senate.

Mr. EASTLAND. It would do that and would deprive the people of their rights and their liberties. The Supreme Court cannot be trusted to protect anything.

Mr. ERVIN. Has not the Senator from Mississippi observed on a number of occasions that the right of Senators to engage in unlimited debate saved the country from much unwise legislation?

Mr. EASTLAND. That is correct. As I stated earlier, the right of unlimited debate has not defeated a single bill which should have been passed. But I believe it has defeated bills when, in their hearts, the majority of the Senate knew they were bad bills. Unlimited debate has defeated that kind of legislation. It has protected this country.

Mr. ERVIN. Does not the Senator believe that a Senate which would adopt a rule that allowed a simple majority to silence the minority would be just about as foolish as a man who goes out to drive his automobile without having a brake to slow down the automobile's action?

Mr. EASTLAND. Certainly it would. We get right back to what happened in Great Britain. The British Parliament had the right of unlimited debate. The Irish took advantage of it to protect the people of Ireland; and when Britain wanted to crucify Ireland and place her under the heel of British tyranny, the House of Commons passed a cloture rule.

Mr. ERVIN. Does not history show that whenever anyone desires to become a dictator or to practice governmental tyranny, the first thing he does when he gets the power to do so, is to suppress the legislative bodies of his country?

Mr. EASTLAND. Of course. The distinguished Senator from North Carolina knows that had the German Reichstag retained its power, Hitler would never have become the dictator of that country. That is what is at issue here.

Mr. ERVIN. That is the point exactly. The Senator is correct. The Senator from Mississippi has referred to some statements made by the elder La Follette. I should like to ask the Senator if he is not familiar with this statement made by the elder La Follette——

Mr. EASTLAND. Mr. President, I ask unanimous consent that this speech not be counted as one speech on this motion.

Mr. JAVITS. Mr. President, may we hear the unanimous-consent request?

The PRESIDING OFFICER (Mr. HART in the chair). The Senator from Mississippi asks unanimous consent that his speech not be counted as a second speech.

Mr. EASTLAND. No; as one speech.

The PRESIDING OFFICER. As one speech. The Chair apologizes. The Chair was distracted and did not understand what the material was which gave rise to this question.

Mr. JAVITS. Mr. President, reserving the right to object—and I do not know that I shall—is it the speech of the Senator from North Carolina to which the Senator from Mississippi is referring?

Mr. EASTLAND. No; to my speech.

The PRESIDING OFFICER. To the speech of the Senator from Mississippi.

Mr. JAVITS. His own speech?

Mr. EASTLAND. Yes.

The PRESIDING OFFICER. Yes.

Mr. JAVITS. May I know from the Senator what his reason is for seeking to make this not one speech?

Mr. EASTLAND. The Senator has explained it.

Mr. JAVITS. I have explained it?

Mr. EASTLAND. Yes.

Mr. JAVITS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ERVIN. I ask the Senator from Mississippi if I have not been interrogating him rather than making a speech.

Mr. EASTLAND. The Senator from North Carolina has been interrogating me. He has been asking me questions, as he has a right to do. But that was the unanimous-consent request. I wish to make more than two speeches on this resolution.

Mr. ERVIN. I should like to ask the Senator if he is not familiar with the fact that during one of the previous efforts to amend the rules of the Senate with respect to cloture, Senator Robert M. La Follette, the elder, to whom the Senator from Mississippi has alluded, made this statement:

> Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restrictions contained in the pending rule, that moment you will have dealt a blow to liberty.

Mr. EASTLAND. The Senator knows that that is liberalism. He was the most distinguished liberal—he has even been called a radical—in the history of this country.

Those who are yelping around to change the rule are nothing but reactionaries of the worst kind. Does not the Senator realize that? Will the Senator answer my question?

Mr. ERVIN. I shall ask the Senator——

Mr. EASTLAND. No; will the Senator answer my question? Are they not reactionaries? La Follette said that the liberals could not get their story over to the country.

Mr. ERVIN. I should like to ask the Senator from Mississippi a question by way of answer to his question.

Mr. EASTLAND. All right.

Mr. ERVIN. Does not the Senator from Mississippi agree with me in the thought that there is no greater illiberality than in seeking to deny to another Senator the right to speak and to represent his constituents?

Mr. EASTLAND. It is reactionary. It goes to dictatorship. It goes to the previous age of kings and of dictators like Hitler and Mussolini. That is where some persons are trying to carry us in this country. They are not liberal or progressive; they are reactionary.

Mr. ERVIN. Does not the Senator from Mississippi share my belief that there is some similarity between those who seek to silence other members of legislative bodies and the North Carolina justice of the peace who, on one occasion, tried a little civil action? When the plaintiff had rested his case, the justice of the peace told the defendant that he would appreciate it very much if the defendant would not offer any evidence; that he did not have much trouble in deciding the case after hearing only one side; but that when he heard both sides, he had a tendency to get confused.

Mr. EASTLAND. That is correct. I judge that that man had a conscience. He wanted to decide the way the costs were, and he wanted to do justice, and that troubled him.

Mr. ERVIN. Can the Senator from Mississippi understand why anyone would object to hearing the other side of a proposal?

Mr. EASTLAND. Such an objection is rightwing dictatorship. That is what it is. It is reactionaryism.

Mr. ERVIN. Does not the Senator agree that the most valuable right in the Senate is the right of Senators to state their views, in the hope that they might persuade some of the erring brethren to do right instead of wrong in their legislative conduct?

Mr. EASTLAND. The distinguished Senator from North Carolina is correct. That right has preserved the power of the States. It has preserved the sovereignty of the States. It has preserved the power of the U.S. Senate and the influence of U.S. Senators to protect their States. It is fundamental in our system of government for a government of checks and balances. The fundamental check is that a representative of a sovereign State can stand on the floor of the Senate and protect the interests and the rights of the people of his State against all comers and without hindrance and without being run over by some pressure group.

Mr. ERVIN. Does not the Senator agree with me in the view that the right of freedom of speech is without value if a limit can be put on the time a man can enjoy it?

Mr. EASTLAND. The Senator is just as correct as he can be. In fact, there is no such thing as freedom of speech if one cannot speak. If a limit is to be placed on the length of time one may speak, it means that he cannot talk. It means he cannot act to protect the sovereignty of his State or the rights of the people of his State. Certainly that destroys the right of free speech.

Mr. ERVIN. Does the Senator from Mississippi believe that there is any person who has enough mental brilliance to reconcile this effort to gag Senators with Voltaire's celebrated statement: "I disagree with what you say, but I will defend to the death your right to say it"? Are not this legislative proposal and the great statement of Voltaire's absolutely inconsistent?

Mr. EASTLAND. Of course they are inconsistent. I think there are Senators who support this resolution who know better.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Is it not true that Thomas Jefferson, the first Presiding Officer of the Senate, warned us—in the very first section of Jefferson's Manual, on page 357 of the Senate Manual—against the danger of permitting a majority to run roughshod over a minority, and said that the rules of a parliamentary body were intended to protect a minority and were for the necessary protection of any minority?

Mr. EASTLAND. The distinguished Senator from Louisiana is entirely correct; of course Jefferson advocated that at all times, and throughout his writings he said the power of the Senate should be preserved. And the very basis of that power is the right of free speech in the Senate.

Mr. LONG of Louisiana. Under the Constitution of the United States, wherein the Bill of Rights appears in the first 10 amendments, is not the right of free speech spelled out without any reservation to the effect that that right will not exist if a majority does not agree? Is not the right of free speech unlimited?

Mr. EASTLAND. That is correct. A Senator is an ambassador from a sovereign State, and has the right and the duty to make every effort to protect and preserve the sovereignty of the State he represents and the rights of its people. But a Senator cannot do that unless he has the right of free speech in the U.S. Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. If a restriction of the type now proposed by some Senators were applied—in other words, if a majority were able to shut off debate whenever they might wish to do so——

Mr. EASTLAND. Well, let us say three-fifths; there is no real difference.

Mr. LONG of Louisiana. If such a rule were to be applied, would not it mean, in effect, that a Senator who had been elected to represent in the Senate the 3 million or the 5 million people of his State—or whatever the population of his State might be—could actually, by having gag rule imposed, be denied the right to represent them?

Mr. EASTLAND. Yes; he would then be allowed to represent them only up to a certain point—only partial representation. That is what such a restriction would mean.

Mr. LONG of Louisiana. In that way a Senator would be denied the right to represent all the people of his State, would he not?

Mr. EASTLAND. That is correct. Such a change would deny what is fundamental in the U.S. Constitution—namely, the equality of the States.

Mr. LONG of Louisiana. Does the Senator from Mississippi recall that last year, when we were fighting over the space satellite bill, cloture was invoked in the Senate at a time when one Member of the Senate stated that he had not had an opportunity to make even his first speech on that subject?

Mr. EASTLAND. Yes; and that is a very fine illustration of this point.

Of course, I did not vote for cloture.

Mr. LONG of Louisiana. Does not the Senator from Mississippi realize that the very rights of Senators might be ended under such circumstances? In other words, the right of a Senator to speak on the subject under consideration by the Senate might be ended at a time when he had not even had an opportunity to make his first presentation on that subject—as in the instance to which we have just now referred.

Mr. EASTLAND. Yes; and I insist that the rights of Senators will be denied if the exercise of the right of free and unlimited debate in the Senate is prevented. That is the entire object and purpose of the attempt now being made by some Senators.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further to me?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Would not such an abuse make it possible to end and do away with every right which the American people enjoy?

Mr. EASTLAND. That is entirely correct; that is quite true. The Senate was created as a forum to protect those rights. That was the purpose in creating the Senate, under the scheme of the Government of the United States.

Mr. LONG of Louisiana. I thank the Senator from Mississippi.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. My question is as follows: Would not a rule which would permit a majority of Senators or three-fifths of the membership of the Senate or any other number of Senators to silence other Senators also permit a majority of the Senate to speak as long as they might wish, and then to silence the minority?

Mr. EASTLAND. That is correct.

Mr. ERVIN. The other day one of the Senators advocating these proposals spoke about democracy. Does not democracy imply something in the nature of an equality of rights?

Mr. EASTLAND. That is correct; and the Senator from North Carolina realizes that the very basis of the Constitution is equality of rights for all the States.

Mr. ERVIN. That was the basis on which the Senate was founded, was it not?

Mr. EASTLAND. That is correct; and Senators are sent here to represent their States. But if the hands of Senators could be tied in such a fashion, there would be no such thing as equality of the States, although equality of the States is fundamental in our system of government.

Mr. ERVIN. When all is said and done, does not the proposal of the Senator from New Mexico [Mr. ANDERSON] provide, in effect, that 60 Members of the Senate shall have a right which they may deny to the other 40 Members of the Senate?

Mr. EASTLAND. That is entirely correct; and in my judgment that is a very cogent point.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield for a further question?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. Is it not the purpose of those who advocate these changes in the rules to silence other Senators and deny them the right to speak when the majority offers its proposals?

Mr. EASTLAND. That is correct; that is the very purpose and object. But in so doing they would destroy the equality of the States in this Union.

Mr. President, I have briefly discussed the awesome consequences that arise out of land ownership on the part of the Federal Government in the geographic area of the several States, and its paramount concern to the welfare, the growth, and development of the people who live within the several States. This aspect of Federal-State relations is just one of countless others wherein the U.S. Senate is the design whereby the proper balance can be maintained in the area of Federal-State relations. In September of 1961 I spoke on this floor at great length on the subject of the interest of small States as opposed to those of the larger States in this Union. I pointed out, in the course of that discussion, that the States in this Union which have the largest percentage of our population exercise a degree of control and influence in the operation of the executive and judicial branches of our Federal Government far out of proportion to the ratio of the population of these States to that of the population of the balance of the States. A chart which I then presented illustrated that at the time of the ratification of the U.S. Constitution the five largest States, which were Virginia, Pennsylvania, Massachusetts, New York, and Maryland, comprised 53 percent of the population of the United States, and the eight other States then in existence represented 47 percent of the population.

Following the census of 1950, it developed that the 5 largest States—New York, Pennsylvania, California, Illinois, and Ohio—comprised 30 percent of the total population; and the other 43 States then in existence, 70 percent.

The reapportionment which resulted from the 1960 census has retained the balance of representation in apportionment between the 5 larger States, which are the same as those of the 1950 census, in the same ratio—30 percent to the 5 larger States, and 70 percent to the remaining 45 States. Since the decision of the U.S. Supreme Court in the case of Baker against Carr, the Tennessee reapportionment case, it is now the fashion in widespread jurisdiction throughout the United States for either Federal courts or State courts to attempt a reapportionment of the elected representatives of the people in the same fashion that meat is sliced and weighed for sale to the public—a strict matter of dividing the population into equal segments and seeing to it that every proportionate number of people are entitled to an exact proportion in representation in the lower house of the State legislature; and, in some instances, an attempt has been made to apply the rules to the upper house, as well. I do not intend to discuss at this time the dubious constitutional basis upon which the Baker case decision was made, or the extent to which it goes in destroying the basic power and sovereignty of the States and the people thereof in the control of their own local political affairs. I do say in all sincerity that the Supreme Court is well on the road to destroying within the several States the republican form of government. In the Constitution of the United States itself there is the injunction that the United States shall guarantee to every State in the Union a republican form of government. This is not the proper time to discuss the tragic circumstances whereby the Supreme Court is bent upon a policy of both destroying and violating this injunction, as contained in article IV, section 4, of our basic charter. I mention it now in passing, because if it is the intent of our Constitution to have any population group in this country represented in the affairs of the Government purely on the basis of its ratio to the total population, the injustices that have been perpetrated against the smaller States of the Union, as opposed to the five larger States since the beginning of the Republic, are monstrous.

In fact, by and large, the smaller States have such little representation in high executive and judicial posts that they might as well not be classed as partners in the Union. My original statistics and those I propose to use today extend only through the administration of President Eisenhower. Let me review briefly some of the imbalances that exist in the executive and judicial appointments so vital to the welfare of every citizen of every State in this Union. In major Cabinet posts citizens from one or the other of the five larger States have received 32 appointments to the post of Secretary of State while all other States of the Union have received only 22. The five larger States have supplied 29 Secretaries of the Treasury, as opposed to 26 secretaries from all other States. The ratio of appointments to Secretary of War has been 34 from one or the other of the five larger States to 25 from all others. The figures for Attorneys General are 31 from the five larger States and 32 from all others. As large as is the State of New York, Cabinet appointments from this State have been far in excess of its population ratio to that of the country at large; and this also holds true for Presidents and presidential nominees, Vice Presidents and vice-presidential nominees and Supreme Court Judges. Six of 30 elected Presidents were selected from the State of New York. Ten elected Vice Presidents were residents of the State of New York. Fourteen Supreme Court appointments were given to New York State citizens; and in the Cabinet New York has supplied 12 Secretaries of State, 11 Secretaries of Treasury, 10 Secretaries of War, 5 Secretaries of the Navy, 8 Attorneys General, 1 Secretary of the Interior, 6 Postmasters General, 2 Secretaries of Commerce and Labor, 4 Secretaries of Commerce, 1 Secretary of Labor, 2 Secretaries of Defense, and 1 Secretary of Health, Education, and Welfare.

Arizona, admitted to the Union in 1912, has had no appointments to either the Supreme Court or the Cabinet.

Arkansas, admitted to the Union in 1836, has had no appointments to the Supreme Court, and only one to the Cabinet.

The State of Florida, admitted to the Union in 1845, has had not one single appointment of a citizen from that State to the Supreme Court bench, and not one single Cabinet appointment.

Idaho, admitted in 1890, has had a score of zero and zero for the Supreme Court and Cabinet posts.

Montana, admitted in 1889, has lacked completely in representation in either the Supreme Court or in the Cabinet.

The same holds true for Nevada, admitted in 1864.

New Mexico has had no Supreme Court appointees but can proudly claim the illustrious sponsor of Senate Resolution 9 as a Cabinet minister along with one other.

Both North Dakota and South Dakota are completely lacking in any representation either on the Supreme Court or in a President's Cabinet.

Rhode Island, one of the Thirteen Original States, has had no Supreme Court nominee, and only one member of a President's Cabinet, and that one in the 20th century.

Vermont, admitted in 1791, has had no Supreme Court nominee, and only one individual to hold a Cabinet post.

Wyoming has had one of its citizens serve on the Supreme Court bench but no membership in a President's Cabinet.

Many other States, now large or small in population, have had little or no representation either in the Cabinet or on the Supreme Judicial Bench of the land. This condition is a direct result of the disproportionate power and voice of the smaller States in the direction and control of the Federal Establishment. The intelligence of the citizenry of the smaller States has nothing to do with the matter. Their superb qualifications and ability to serve ably and well in the highest post of responsibility is of no consequence. They are not invited to be present at the table of the mighty when the spoils of political war are divided. Insofar as the selection, nomination, and election of candidates for President of the United States is concerned, a child who is born and desires to live in one of the smaller States of the Union can never aspire to be President of the United States. The mark of discrimination against him is present from birth. Either his State must develop a population such that it can control a sufficient number of delegates to a national political convention for the purpose of nominating a President and Vice President, or he must move to a State which possesses such population and influence if he ever seriously intends to be in fact a President of the United States. Since the earliest days of this country political conventions for the nomination of candidates to be President and Vice President have been dominated by the delegations representing the large bloc of electoral votes and the potential candidates for nomination are invariably drawn from a State that has a preponderant bloc under control. Someone jokingly remarked in a recent national convention that all a delegate from a smaller State got out of attendance at a convention was a trip and a fifth. And as you all know the delegations from small States merely sit around and see what decisions have been made in the smoke-filled rooms, but the qualifications that control the major blocs of votes in the convention are roughly divided in proportion to a State's representation in the electoral college.

This is a brief review compared to the detailed analysis that I made of this situation in 1961 but it must be stated and reiterated that every citizen of the United States is entitled to a reasonably just share of representation in all branches of our Federal Establishment. History demonstrates that to a large degree residents and citizens of smaller States have been disfranchised insofar as such representation goes. The U.S. Senate is the only forum where the smaller States can participate in the affairs of government on a basis equal to the larger States. It is of paramount importance that they maintain a maximum degree of power and influence in the one place where they now have a constitutional right to assert it. The voice of the States can best be heard when the rules of the Senate contain no limitation on the free and unlimited exercise of debate on any public issue which a Senator believes inimical to the interests of his State and people. If agreement was reached on this issue by all States which had only received in their history the crumbs that fell from the table of the Federal hierarchy there would be no limitation or debate or gag rule of any sort in this body.

Mr. President, I ask unanimous consent that I may yield the floor to my colleague for 1 minute without losing my right to the floor or without it counting as a speech on the motion.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Is there objection? The Chair hears none, and it is so ordered.

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## EXTENSION OF LAWS RELATING TO ESPIONAGE

Mr. STENNIS. Mr. President, very late in the last session, on October 10, 1962, I introduced a bill directed at overcoming certain deficiencies in the espionage laws of this country, deficiencies accentuated by recent espionage activities of Soviet employees in the U.N.

My stated purpose was to introduce the bill so that it might be the object of further careful study prior to its reintroduction at the 88th Congress. I am hopeful that sufficient time has elapsed therefor, and I am pleased to offer the bill at this time.

Earlier, on September 18, 1962, I brought to the attention of the Senate the matter concerning the Russian employees of the United Nations engaged in spying in our country. At that time it was reported that certain Russian United Nations employees were leaving the country—scot free—after engaging in what the Attorney General has described as "illegitimate intelligence activities" which constituted a 3-year effort to bribe a student assistant in the Office of the U.S. attorney for the southern district of New York. Russian agents offered $3,000 in exchange for information regarding internal operations of U.S. Government agencies.

In my statement of September 18, I advised the Senate that I intended to call upon the Justice Department for a full explanation of this matter. This I did and in response to my request, the Attorney General responded by his letter of October 5, 1962, which I ask unanimous consent to include in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
*Washington, D.C., October 5, 1962.*

Hon. JOHN STENNIS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR: I have your letter of September 18, 1962, relating to the recent incident involving two Soviet employees of the United Nations who had engaged in illegitimate intelligence activities in the United States. You asked if there had been a violation of American law and whether prosecution of these individuals was considered.

In seeking to buy the support of a candidate for legislative office in the United States and in trying to obtain information regarding internal operations of U.S. Government agencies, the two Soviets were clearly guilty of illegitimate and improper conduct, inconsistent with their obligations as international civil servants. Since these activities were a gross abuse of the privileges of residence accorded to employees of the Secretariat by the Headquarters Agreement between the United States and the United Nations, we asked the Department of State to inform the United Nations Secretariat of the activities of Mishukov and Zaitsev.

Although the activities of the two Soviet citizens were wholly improper, and in violation of their obligations as employees of the United Nations, their actions did not bring them within the literal meaning of our espionage laws which, as you may know, are strictly construed by our courts.

The information available to this Department reflected that while Mishukov urged that Flink obtain a position with the State Department in order to acquire certain information which would have been of a classified nature, Flink took no steps to obtain such a position, nor was any information of this type actually passed to Mishukov.

Therefore, a substantive violation of the espionage statutes, based on the transmittal of classified information, could not be maintained. This request did, however, raise the question of whether there had been an attempt to violate the espionage statutes. Based on a study of the cases construing this point, it was concluded that Mishukov's request for information was in the nature of a solicitation or arrangement and hence constituted a preparation rather than an attempt, within the meaning of the espionage statutes. These cases hold, in general, that mere preparation is not sufficient to commit a crime (see *United States* v. *Coplon*, 185 F. 2d 629, certiorari denied 342 U.S. 920; *Lemke* v. *United States*, 211 F. 2d 73; and *Wooldridge* v. *United States*, 237 Fed. 775).

Until a short time before Mishukov left the United States on July 5, 1962, there was no evidence that other persons were acting in concert with him. Thus it was apparent that our evidence was insufficient to establish a conspiracy to violate the espionage statutes.

Prior to leaving the United States, Mishukov gave Flink $1,000, or a promised $3,000, for use in Flink's campaign for the New York State Legislature. In return for this money Flink was told the Soviets would expect him to obtain for them any confidential documents which might come into his possession if he was elected, and to espouse the Soviet line in the event of his election. Since both requests were conditioned upon Flink's election, neither could be construed as a criminal attempt to commit an unlawful act. Moreover, since the subject matter of the requests related, on the one hand, to nonspecific confidential documents, and on the other, to advocating Soviet policies, it could not be shown that the object of the requests was information relating to the national defense of the United States. Thus, there could be no violation of our espionage laws.

Before he departed from this country, Mishukov introduced Flink to Yuri V. Zaitsev and told him that Zaitsev would act as his new contact. However, we have no evidence that Zaitsev had any knowledge of Mishukov's earlier request for classified information from Flink and no attempt was ever made by Zaitsev to get such information. In fact, Zaitsev's meetings with Flink appeared to be confined to making the remaining payment of $2,000. Flink's tacit agreement to advocate certain pro-Soviet policies, if elected to the State legislature, would not involve espionage. It would not have been possible, therefore, to charge Zaitsev and Mishukov with a conspiracy to violate the espionage statutes.

Thus, before calling the attention of the United Nations Secretariat to the improper actions of Mishukov and Zaitsev, this Department had already concluded that prosecution of these individuals for violation of the espionage statutes, or conspiracy to violate the espionage statutes, could not be maintained successfully.

Should you desire any additional information concerning this incident, we would be pleased to discuss the matter with you further.

Sincerely,

ROBERT F. KENNEDY,
*Attorney General.*

Mr. STENNIS. Mr. President, the Espionage Act now prohibits any attempt to obtain any information of designated categories connected with national defense (18 U.S.C. 793 (c)), and any attempt to deliver to a foreign government any such information (18 U.S.C. 794), with intent or with reason to believe that such information is to be used to the injury of the United States or to the advantage of a foreign nation.

The letter of the Attorney General indicates that the Justice Department believed the evidence in the Flink case would not support a prosecution under either such provision because first, there was too little evidence to show that the confidential information sought by the Russians was information relating to or connected with the national defense, and, second, the available evidence demonstrated only preparation, as distinguished from an attempt. It may be noted that the opinion of Judge Learned Hand in one of the cases cited by the Department, *United States* v. *Coplon*, 185 F. 2d 629, 632–633 (C.A. 2d, 1950), suggests that the interruption of an intended offense by police measures does not preclude a determination that action of the defendant constituted an attempt rather than mere preparation. Although a conviction in that case was reversed on other grounds, the opinion evidences clearly a rejection of the older doctrine that preparation becomes an attempt only at the instant of consummation.

Mr. President, I am reintroducing at this time a bill proposing an extension of the Espionage Act to include soliciting other persons to obtain confidential information which might be used to injure the United States.

The bill would add to section 793 of title 18 a new subsection which adds to the presently prohibited acts of copying, taking, and obtaining, the act of soliciting or attempting to solicit any other person to copy, take, or obtain certain information from any department, agency, armed force, or other instrumentality of the United States. The proposed amendment also would broaden the class of information protected to include any information which has been duly classified in the interest of national security as matter which may not be publicly disclosed. Finally, the proposed amendment would broaden the element of intent applicable to the new subsection by imposing criminal penalties upon persons committing the prohibited acts with reason to believe that information unlawfully obtained may be used to the injury of the United States or to the advantage of a foreign nation.

The proposed amendment contains two limiting features: First, it applies only to citizens and nationals of a foreign nation; and, second, it does not apply to any situation where the release of the information was approved in accordance with instructions promulgated by the head of the department, agency, armed force, or instrumentality concerned.

The bill provides as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section

793 of title 18 of the United States Code is amended by—

(1) striking out the dash contained in subsection (f) thereof, and inserting in lieu thereof a semicolon and the word "or";

(2) adding thereto, immediately after the words "superior officer; or" in subsection (f) as so amended, the following new subsection:

"(g) Whoever, being a citizen or a national of a foreign nation, directly or indirectly by any means (1) copies, takes, or obtains, or attempts to copy, take, or obtain, or (2) solicits or attempts to solicit any other person to copy, take, or obtain, or to attempt to copy, take or obtain, from any department, agency, armed force, or other instrumentality of the United States, without approval given by or in accordance with instructions given by the head of that department, agency, armed force, or instrumentality, any information which has been duly classified in the interest of national security as matter which may not be publicly disclosed, with intent or reason to believe that such information may be used to the injury of the United States or to the advantage of any foreign nation," and (3) redesignating subsection (g) thereof as subsection (h).

In conclusion, it should be pointed out that the bill I have reintroduced is necessarily directed at only one category of espionage activity by foreign agents in this country—espionage by persons who do not enjoy diplomatic immunity.

Foreign citizens or nationals enjoying such immunity fall into two classes, those attached to regular diplomatic missions in this country and those who are accredited members of delegations to the United Nations.

There are on record a number of cases in which foreign representatives in the class last mentioned have engaged in espionage activities for which, if apprehended they would certainly be prosecutable, if not wrapped in diplomatic immunity. A particularly flagrant case is fresh in mind. This was the case late last year of the Navy serviceman who had been bribed by Soviet spies over a long period of time and who was discovered in possession of classified information in the course of a rendezvous with Soviet agents having diplomatic immunity.

I do not advocate, of course, any change in our present system of granting diplomatic immunity to officials of foreign countries assigned to embassies in this country. Discontinuance of this system obviously will result in corresponding action by other countries. However, it will readily be seen, I believe, that diplomatic immunity of U.N. delegations is in a quite different category.

Protected by diplomatic immunity, these members of delegations to the U.N. are as free to spy in this country as are the duly accredited representatives to embassies here. They are free to spy and they do so. Manifestly the reciprocal protection afforded to the United States by diplomatic immunity is here not involved because the U.N. is located in New York, not in Moscow.

There is no quid pro qua as far as the United States is concerned and the consequent damage to our national interest has been very great.

Action is demanded to correct this lamentable situation so harmful to this country. I believe the bill I am presenting will greatly assist in protecting our national security and make it possible for us to prosecute and convict those who take advantage of the hospitality of our country under the guise of employment at the United Nations. I urge that the Senate give careful consideration to this serious problem and enact legislation to solve it.

There is a story in this morning's Washington Post citing the decision of a New York Federal judge in the case of Cuban conspirators seeking to obtain diplomatic immunity. The judge held that they were not entitled to diplomatic immunity. This decision does not affect the need for my bill since the bill deals only with persons not having diplomatic immunity. As for those who have been extended such immunity, the decision could have wide implications but I understand that diplomatic immunity had not even been extended in the case and the decision as to denial of immunity may only be dictum. In any event, I would think that the matter of those claiming immunity is a matter for the U.N. to take care of for the reasons I have stated, namely, lack of reciprocity to the United States. As I have said, there is no lack of reciprocity in the case of representatives to consulates, and so forth, but at the U.N. there is lack of reciprocity.

In any event, I will shortly make a further report on the subject.

Mr. President, I now have a reproduction of the same bill I introduced last year, which I ask to be permitted to introduce out of order for proper reference; and I ask that the bill itself be printed in the Record at this point.

The PRESIDING OFFICER. Is there objection?

Mr. HART. Mr. President, reserving the right to object, I have no objection if it is understood that the introduction of the bill at this time would not change the parliamentary situation.

Mr. EASTLAND. Since it is a unanimous-consent request, it would not change the parliamentary situation anyway. I do not want to change it.

Mr. HART. I have indicated the reservation which I would ask to apply.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bill (S. 295) to amend title 18, United States Code, to extend the laws prohibiting espionage, and for other purposes, introduced by Mr. Stennis, was received, read twice by its title, referred to the Committee in the Judiciary, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 793 of title 18 of the United States Code is amended by—

(1) striking out the dash contained in subsection (f) thereof, and inserting in lieu thereof a semicolon and the word "or";

(2) adding thereto, immediately after the words "superior officer; or" in subsection (f) as so amended, the following new subsection:

"(g) Whoever, being a citizen or a national of a foreign nation, directly or indirectly by any means (1) copies, takes, or obtains, or attempts to copy, take, or obtain, or (2) solicits or attempts to solicit any other person to copy, take, or obtain, or to attempt to copy, take, or obtain, from any department, agency, armed force, or other instrumentality of the United States, without approval given by or in accordance with instructions given by the head of that department, agency, armed force, or instrumentality, any information which has been duly classified in the interest of national security as matter which may not be publicly disclosed, with intent or reason to believe that such information may be used to the injury of the United States or to the advantage of any foreign nation—"; and

(3) redesignating subsection (g) thereof as subsection (h).

Mr. STENNIS. Mr. President, I thank my colleague the Senator from Mississippi again. As I understand, the bill has been introduced and will be appropriately referred, and my remarks will be in the Record.

I thank the Presiding Officer.

Mr. EASTLAND. Mr. President, the history of the Senate has demonstrated time and time again that unlimited debate never defeated legislation that was honestly, sincerely, and determinedly wanted by a majority of the membership of the Senate or a determined majority of the people of the United States. Minorities, those of all kinds and classes, are entitled to representation and protection under the Constitution of the United States. The historical organization of the U.S. Senate has always given to them this full and complete protection. But it is temporary in nature and designed to awake the people of the country to the full implication of proposed legislation that is inimical to the interest of the particular Senators and the people they represent. But when a majority of the Senate are finally determined to enact any proposed legislation, it can be, will be, and has always been enacted.

## AUTHORITY FOR MULTISTATE RAIL TRANSPORTATION SERVICE

Mr. PELL. Mr. President, will the Senator yield?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Rhode Island with the understanding that I shall not lose my right to the floor and that when I so yield my remarks will not count as one speech.

The PRESIDING OFFICER (Mr. Nelson in the Chair). Is there objection to the request by the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. PELL. Mr. President, I thank the distinguished Senator from Mississippi.

I ask unanimous consent that my Senate joint resolution to grant the consent of Congress to the establishment of a multistate authority to modernize and operate passenger railroad facilities between Boston and Washington be appropriately referred, without impairing in any way the rights of any group with respect to the parliamentary procedures which are in effect.

Mr. ERVIN. Mr. President, I dislike to make an objection but I have to object to that. I do it with great reluctance.

Mr. PELL. Mr. President, I withdraw my request.

Mr. EASTLAND. Members of this body can profit by examining the issues other than so-called civil rights that were subject to what is called filibustering in the recent history of the Senate.

From January 25 to February 16, 1921, Senators Oscar W. Underwood, of Alabama, and our beloved Pat Harrison, of Mississippi, engaged in unlimited debate over the emergency tariff bill. Pat Harrison later became chairman of the Finance Committee and is generally conceded to have been one of the most able and effective Senators to ever grace the chair of this powerful committee.

In the administration of President Harding, the ship subsidy bill was the subject of great controversy. A large portion of the Democrats were opposed to the proposed legislation. Participants in the intermittent filibuster which lasted from December 11, 1922, to February 28, 1933, were: Joseph T. Robinson, Democrat, of Arkansas; A. Owsley Stanley, Democrat, of Kentucky; Morris Sheppard, Democrat, of Texas; James A. Reed, Democrat, of Missouri; Atlee Pomerene, Democrat, of Ohio; Pat Harrison, Democrat, of Mississippi; Thaddeus H. Caraway, Democrat, of Arkansas; Kenneth D. McKellar, Democrat, of Tennessee; and John Sharp Williams, Democrat, of Mississippi.

The next round of extended debate was short. It took place on March 11 and 12, 1925. Senators Royal S. Copeland, of New York, and Henrik Shipstead, of Minnesota, were speaking in opposition to the ratification of the Isle of Pines Treaty with Cuba.

From January 15 to 25, 1926, the subject of extended debate was the World Court Protocol. The leaders in this discussion were Senators Coleman L. Blease, of South Carolina, James A. Reed, of Missouri, and William E. Borah, of Idaho.

Another filibuster was registered in 1926 over the migratory bird refugees bill. The time was from May 18 to June 1. Participating Senators were Earle B. Mayfield, Democrat, of Texas; Thaddeus H. Caraway, Democrat, of Arkansas; Coleman Blease, Democrat, of South Carolina; J. Thomas Heflin, Democrat, of Alabama; and James A. Reed, Democrat, of Missouri.

From February 21 to 26, 1927, Senators Henry F. Ashurst, of Arizona, his colleague, Ralph H. Cameron, and Lawrence C. Phipps, of Colorado, held the floor in debate on the Swing-Johnson bill for development of Lower Colorado River Basin.

From March 1 to March 4, 1927, an added subject of discussion was the extension of the life of a special campaign investigating committee headed by Senator James A. Reed, Democrat, of Missouri. Senators participating in this debate were Davis A. Reed, Republican, of Pennsylvania; George H. Moses, Republican, of New Hampshire; James W. Wadsworth, Jr., Republican, of New York; and Coleman L. Blease, Democrat, of South Carolina.

The Glass branch banking bill was debated on January 5 to January 25, 1933. The leading participants in this extended discussion were Huey P. Long, Democrat, of Louisiana, and John William Elmer Thomas, Democrat, of Oklahoma.

The adoption of a monetary bill extending Presidential authority to alter the value of the dollar was debated at length from June 20 to July 5, 1939. Senators participating in this filibuster were Elmer Thomas, Democrat, of Oklahoma; Pat McCarran, Democrat, of Nevada; William H. King, Democrat, of Utah; Robert R. Reynolds, Democrat, of North Carolina; Henry F. Ashurst, Democrat, of Arizona; Lynn J. Frazier, Republican, of North Dakota; Key Pittman, Democrat, of Nevada; Josh Lee, Democrat, of Oklahoma; D. Worth Clark, Democrat, of Idaho; Robert A. Taft, Republican, of Ohio; Alva B. Adams, Democrat, of Colorado; John G. Townsend, Jr., Republican, of Delaware; Arthur H. Vandenberg, Republican, of Michigan; W. Warren Barbour, Republican, of New Jersey; Millard E. Tydings, Democrat, of Maryland; and Henry Cabot Lodge, Jr., Republican, of Massachusetts.

From April 1 to May 5, 1953, the tidelands oil legislation was debated at great length. The leading participants in this filibuster were:

Paul H. Douglas, Democrat, of Illinois; Hubert H. Humphrey, Democrat, of Minnesota; James E. Murray, Democrat, of Montana; Herbert H. Lehman, Democrat of New York; Clinton P. Anderson, Democrat, of New Mexico; Lister Hill, Democrat, of Alabama; Estes Kefauver, Democrat, of Tennessee; Guy M. Gillette, Democrat, of Iowa; and Wayne Morse, Independent, of Oregon.

Another debate of length on a subject other than the so-called civil rights legislation took place in 1954 over the proposed legislation to amend the Atomic Energy Act of 1946. This was known as the Dixon-Yates controversy. The participating Senators were: Clinton P. Anderson, Democrat, of New Mexico; John Sherman Cooper, Republican, of Kentucky; Estes Kefauver, Democrat, of Tennessee; Albert Gore, Democrat, of Tennessee; Herbert H. Lehman, Democrat, of New York; John J. Sparkman, Democrat, of Alabama; Lister Hill, Democrat, of Alabama; Olin D. Johnston, Democrat, of South Carolina; Hubert H. Humphrey, Democrat, of Minnesota; Warren G. Magnuson, Democrat, of Washington; Matthew M. Neely, Democrat, of West Virginia; and Wayne Morse, Independent, of Oregon.

The last extended debate in the Senate which must in its nature be classed as a filibuster was of most recent vintage. It occurred in the 2d session of the 87th Congress in regard to H.R. 11040, the bill providing for a space satellite system. The debate began on June 14, 1962, and continued until August 1, 1962, without major interruption. It resumed August 10 and extended to August 14, when a cloture petition was adopted by a vote of 63 yeas to 27 nays. The Senators participating in this debate in opposition to the passage of H.R. 11040 among others were KEFAUVER, Democrat, of Tennessee; LONG, Democrat, of Louisiana; MORSE, Democrat, of Oregon; NEUBERGER, Democrat, of Oregon; PROXMIRE, Democrat, of Wisconsin; YARBOROUGH, Democrat, of Texas; BARTLETT, Democrat, of Alaska; BURDICK, Democrat, of North Dakota; GRUENING, Democrat, of Alaska; and GORE, Democrat, of Tennessee.

This recent vote on limitation of debate is conclusive evidence that the only necessary condition to termination of debate is a desire on the part of two-thirds of the Senators present and voting to bring it to a close. I might add that while I favored the enactment of this legislation, my personal conviction in regard to the gag rule was such that I cast my vote against an opinion of a petition of cloture.

Mr. President, this review of filibusters in the U.S. Senate since 1921 illustrates that when a Senator is deeply and sincerely opposed to the enactment of any proposed legislation, it makes no difference whether he wears the tag of a Democrat, Republican, Farm Labor, or Independent, whether he may be called a Liberal, Conservative, Moderate, Independent, or what have you. To block the proposed legislation he is willing, and justifiably so, to use the rules of the Senate and the historical organization of this body to the limit of his ability to oppose legislation which he deems inimical to the public interests or the interests of the people of his State. I salute each and every one of this long list of Senators, present and past, who have carried on these extended discussions in accordance with the noblest traditions of the U.S. Senate. It is my most cherished open desire that so long as there is a U.S. Senate the practice of unlimited debate will be a part of its warp and woof.

As a part and parcel of the efforts in recent Congresses to change rule XXII and further restrict the right of unlimited debate in the U.S. Senate, there has been advanced the argument that the Senate is not a continuing body and that each new Congress when assembled has a constitutional right to immediately proceed to adopt its rules of procedure by a majority vote. For there to be any slight validity to this argument, the first premise must be adopted that the Senate is not a continuing body.

In the course of the debates on this issue, those who have always felt that there was no doubt, either from a constitutional, historical, or legal standpoint, that the Senate is a continuing body have been shocked by the mere thought that valid arguments can be advanced to the contrary, and I deny that valid arguments have been advanced; but since the issue recurs, it becomes necessary to repeat again and again the fundamental facts governing the formation of the U.S. Senate under the Constitution and how the Senate has been considered from its inception and throughout its long history.

Additional light on this subject is cast by the publication of the U.S. Constitution Sesquicentennial Commission entitled "History of the Formation of the Union Under the Constitution." At pages 671 and 672 of this book the record of the original conference is referred to, showing that after a quorum had assembled the first order of business was the election of a President of the Senate, then the tabulation of the electoral vote for a President and Vice President of the United States, and after inauguration of the Vice President this first Congress organized the Supreme Court and the necessary inferior courts, after which it was stated:

> It adopted complete rules for the government of the Senate. These rules remain substantially unchanged. There we find the rule providing for unlimited debate which has made of the Senate the greatest deliberative body on earth.

This was the studied conclusion of the scholars who published this monumental "History of the Formation of the Union Under the Constitution."

Not only did the rules continue, but from the outset of the Senate they provided for unlimited debate, which, in turn, made the Senate the greatest deliberative body on earth.

Edwin S. Corwin, who prepared for the Legislative Reference Service of the Library of Congress the last edition of "The Constitution of the United States, Analysis and Interpretation," published in 1953 and considered the most authoritative document of its kind on the Constitution, wrote in 1958 a book, "The Constitution and What It Means Today." At page 9 he discusses article I, section 3, paragraph 2—"The Senate, a Continuing Body"—which says:

> Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class, at the expiration of the fourth year, and of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

Corwin then comments:

> This paragraph explains how it came about that one-third of the Senators retire every 2 years, as well as why the Senate is a continuing body.[1] While there have been 84 Congresses to date, there has been only one Senate, and this will apparently be the case till the crack of doom.

I suppose we must concede that, if the proponents were successful in having the Senate declared a noncontinuing body, the crack of doom would be upon us. Insofar as I personally am concerned, I am convinced that such action on the part of this body would go far toward the total destruction of constitutional government as we have known it in this country since the inception of the Union.

Since Dr. Corwin cites the case of *McGrain* v. *Daugherty*, 273 U.S. 135, I must ask Senators to bear with me while I reread certain portions of this opinion which have been heard time and time again. However, it was the one case which we always felt set forever at rest by judicial interpretation any remote doubts as to whether or not the U.S. Senate was a continuing body.

> In view of the character of the Senate as a continuing body, and its power to continue or revive, with its original functions, the committee before which the investigation herein involved as pending, the question of the legality of the attachment of the respondent as a contumacious witness did not become moot with the expiration of the Congress during which the investigation and the attachment were ordered.

At page 181:

> It is said in Jefferson's Manual:[2] "Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose." But the context shows that the reference is to the two houses of Parliament when adjourned by prorogation or dissolution by the King. The rule may be the same with the House of Representatives whose members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.
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> Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress,"[3] and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress."[4] So far as we are advised the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or revived now by motion to that effect, and, if continued or revived, will have all its original powers.[5] This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense.

Justice Story in his monumental work "Story on the Constitution," in volume I, page 517, and the following has these most pertinent observations to make as to the character and organization of the Senate:

> Section 722. Considering then, the various functions of the Senate, the qualifications of skill, experience, and information which are required to discharge them, and the importance of interposing, not a nominal but a real check, in order to guard the States from usurpations upon their authority, and the people from becoming the victims of violent paroxysms in legislation; the term of 6 years would seem to hit the just medium between a duration of office which would too much resist, and a like duration which would too much invite, those changes of policy, foreign and domestic, which the best interests of the country may require to be deliberately weighed and gradually introduced. If the State governments are found tranquil and prosperous and safe with a senate of 2, 3, 4, and 5 years' duration, it would seem impossible for the Union to be in danger from a term of service of 6 years.[6]
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> Section 723. But, as if to make assurance doubly sure, and take a bond of fate in order to quiet the last lingering scruples of jealousy, the succeeding clause of the Constitution has interposed an intermediate change in the elements of the body, which would seem to make it absolutely above exception, if reason, and not fear, is to prevail; and if government is to be a reality, and not a vision.
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> Section 724. It declares, "Immediately after they (the Senators) shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year." A proposition was made in the convention that the Senators should be chosen for 9 years, one-third to go out biennially, and was lost, three States voting in the affirmative and eight in the negative; and then the present limitation was adopted by a vote of seven States against four.[7] Here, then, is a clause which, without impairing the efficiency of the Senate for the discharge of its high functions, gradually changes its Members and introduces a biennial appeal to the States which must forever prohibit any permanent combination for sinister purposes. No person would probably propose a less duration of office for the Senate than double the period of the House. In effect, this provision changes the composition of two-thirds of that body within that period.[8]
>
> Section 725. And here, again, it is proper to remark that experience has established the fact beyond all controversy, that the term of the Senate is not too long either for its own security or that of the States. The reasoning of those exalted minds which framed the Constitution has been fully realized in practice. While the House of Representatives has gone on increasing and deepening its influence with the people with an irresistible power, the Senate has at all times felt the impulses of the popular will, and has never been found to resist any solid improvements. Let it be added that it has given a dignity, a solidity, and an enlightened spirit to the operations of the Government which have maintained respect aboard and confidence at home.
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> Section 726. At the first session of Congress under the Constitution the division of the Senators into three classes was made in the following manner. The Senators present were divided into three classes by name, the first consisting of three persons, the second of seven, and the third of six. Three papers of an equal size, numbered one, two, and three, were by the secretary rolled up and put into a box, and drawn by a committee of three persons chosen for the purpose in behalf of the respective classes in which each of them was placed, and the classes were to vacate their seats in the Senate according to the order of the numbers drawn for them, beginning with number one. It was also provided that when Senators should take their seats from States which had not then appointed Senators, they should be placed by lot in the foregoing classes, but in such a manner as should keep the

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[1] *McGrain* v. *Daugherty*, 273 U.S. 135, 181–182 (1927).

[2] Senate Rules and Manual, 1925, p. 303.

[3] Vol. 4, sec. 4544.

[4] Vol. 4, sec. 4545.

[5] Hinds' Precedents, vol. 4, secs. 4396, 4400, 4404, 4405.

[6] Elliot's Debates, 64 to 66; Id. 91; 1 Kent's Comm. Lect. 11, p. 212, 213.

[7] Journal of Convention, June 26, 1787, p. 149; Yates' Minutes, 4 Elliot's Debates, 103 to 106.

[8] 1 Elliot's Debates, 64 to 66; Id. 91, 92; 1 Kent's Comm. Lect. 11, p. 213, 214. A power to recall the senators was proposed as an amendment in some of the State conventions; but it does not seem to have obtained general favor. 1 Elliot's Debates, 257, 258 to 264, 265 to 272; 3 Elliot's Debates, 303. Many potent reasons might be urged against it.

classes as nearly equal as possible.[9] In arranging the original classes care was taken that both Senators from the same State should not be in the same class, so that there never should be a vacancy at the same time of the seats of both Senators.

Section 727. As vacancies might occur in the Senate during the recess of the State legislature, it became indispensable to provide for that exigency. Accordingly, the same clause proceeds to declare: "And if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies." It does not appear that any strong objection was urged in the Convention against this proposition, although it was not adopted without some opposition.[10] There seem to have been three courses presented for the consideration of the Convention, either to leave the vacancies unfilled until the meeting of the State legislature, or to allow the State legislatures to provide at their pleasure prospectively for the occurrence, or to confide a temporary appointment to some select State functionary or body. The latter was deemed the most satisfactory and convenient course. Confidence might justly be reposed in the State executive, as representing at once the interests and wishes of the State, and enjoying all the proper means of knowledge and responsibility to insure a judicious appointment.[11]

For the reasons stated, I oppose the resolution. I think it would destroy the power and the influence of the Senate. I think it would violate the Constitution of the United States. I think it would destroy the American Government.

Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Virginia, with the understanding that it will not prejudice my right to the floor and that my remarks made heretofore will not count as one speech by me against the resolution.

Mr. JAVITS. Mr. President, reserving the right to object, I think I understand the Senator from Mississippi. He wishes to yield to the Senator from Virginia for an affirmative purpose, without the resumption of his present address counting as a second speech. I have no objection.

Mr. EASTLAND. Will the Senator please repeat that statement?

Mr. JAVITS. The Senator from Mississippi proposes to yield to the Senator from Virginia for an affirmative purpose, not for the purpose of asking questions. The understanding is that when the Senator from Mississippi resumes, which he proposes to do when the Senator from Virginia finishes, it shall not count as a second speech.

Mr. EASTLAND. Mr. President, I should like to ask unanimous consent to yield also to the Senator from Georgia.

Mr. JAVITS. We will cross that bridge when we come to it.

Mr. EASTLAND. We might as well get action on the request now.

Mr. ROBERTSON. Mr. President, I appreciate the courtesy of the distinguished Senator from Mississippi in yielding to me.

Mr. EASTLAND. Mr. President, has the request been so ordered?

The PRESIDING OFFICER. Without objection, it is so ordered.

## TAX CUTS

Mr. ROBERTSON. Mr. President, I ask unanimous consent, in lieu of taking the time of the Senate for their delivery in the Senate, to have printed at this point in the Record my remarks in opposition to the immediate proposal of a tax cut.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### STATEMENT BY SENATOR ROBERTSON

### TAX CUTS

Before long the 88th Congress will be considering a variety of measures concerning the economic well-being of our Nation. One of the most important, in my opinion, will relate to our Federal income tax system. As I pointed out to the Senate on August 2 and on August 22 of last year, the costs and benefits of any major tax proposal should be fully explored before any final decision is made which could have widespread economic effects.

In my remarks today, I would like to talk first about the relative importance of Federal taxes in our economy. Then I would like to turn to some major questions that need to be answered if we are to come to a sound conclusion. In doing so, I shall make special reference to the problems and complexities of our unemployment situation.

Taxation of income, as everyone knows, provides the major source of revenue for our Federal Government. Federal income tax revenues in the current fiscal year will account for about 80 percent of net budget receipts, according to the latest estimates.

Taxation of income also provides a major source of concern to every taxpayer, particularly in view of the almost steadily rising trend in Federal expenditures. Between fiscal 1948 and fiscal 1963, for example, Federal budget expenditures rose from about $33 billion to an estimated $94 billion. In the same period, income taxes paid by individuals and corporations increased from $28 billion in fiscal 1948 to an estimated $68.5 billion in fiscal 1963.

These are not the only Federal taxes which individuals and corporations must pay. In addition, there are employment taxes for old-age and disability insurance, railroad retirement, and unemployment insurance. Total payments under these programs are estimated at $15 billion in the fiscal year 1963.

The interest and concern of all taxpayers in both Federal expenditures and receipts show up in other ways, too. Individual income taxes for the fiscal year 1963 will be over $47 billion, according to the budget estimates. These tax payments will just about equal personal consumption expenditures by individuals and nonprofit institutions for either durable goods or for housing. In the third quarter of last year, personal consumption expenditures for durable goods—automobiles and auto parts, and furniture and household equipment—were running at a seasonally adjusted annual rate of about $47 billion. Personal consumption expenditures for housing, including the imputed rental value of owner-occupied dwellings, were running at a seasonally adjusted annual rate of about $46 billion. In other words, Federal income tax payments by individuals, in the aggregate, represent a burden upon all individual budgets equal to total expenditures for durable goods or for shelter.

Comparisons such as these provide an index of the vast influence which the Federal Government has come to exert upon our lives. This expansion of Federal power, along with Federal control, has long been of concern to me. The trend is increasingly evident in programs for Federal financial assistance. There the full power of Federal control has increasingly followed any measure of Federal aid. Less than 2 months ago, the President's antidiscrimination edict in housing furnished another instance of how far Federal control may be extended under the pretext of Federal assistance.

We are asked by the administration to approve a major reduction in Federal income taxes—a step which would result in increasing the budget deficit and swelling the public debt. There is no doubt in my mind that Federal income tax rates are undesirably high. In the business world, decisions are all too often made on the basis of nonmarket tax considerations rather than on the basis of factors subject to the test of private market forces.

I believe that Federal taxes should be reduced whenever possible. They could have been reduced long ago if Federal spending had been restrained more effectively. We could reduce them at this time, I believe, if accompanied by proper offsetting tax reforms and by appropriate measures to restrain Federal spending.

But the administration's proposal runs chiefly in terms of a tax cut—and, as I understand it, a tax cut which would unbalance the budget further in a year of generally rising economic activity. Any tax reforms which might accompany the tax cut would fail to offset fully the revenue losses from reduced tax rates. Nor is there any prospect of real restraint in Federal expenditures. On the contrary, an increase of $4.5 billion is proposed in budget outlays. Unless these undesirable features are amended, I believe that the tax-cut proposal should be rejected. Accordingly, I shall vote against it, and I urge my colleagues to do likewise.

We are asked to consider the administration's tax reduction proposal at a time when current economic activities are at or close to all-time highs in many respects. We are asked to approve it even though the economic outlook remains generally favorable. The administration predicts that 1963 will mark new highs in general economic activity, employment, and income. To call for a major tax reduction without adequate accompanying tax reforms and expenditure restraints under these circumstances appears questionable, indeed.

Despite the current and prospective economic situation, the outlook for Federal domestic finances is discouraging. A budget deficit of $8.8 billion is anticipated for this fiscal year. That would be the second largest peacetime deficit in our Nation's history. For the fiscal year 1964, the preliminary budget estimate is for a deficit of $11.9 billion including the effects of the proposed tax legislation. It will exceed that sum but the current estimate of the next deficit is closer than that of last year which was too low by over $9 billion.

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[9] Journals of the Senate, May 15, 1789, p. 25, 26 (edit. 1820).

[10] Journal of Convention, Aug. 9, 237, 238.

[11] In the case of Mr. Lanman, a senator from Connecticut, a question occurred, whether the State executive could make an appointment in the recess of the State legislature in anticipation of the expiration of the term of office of an existing senator. It was decided by the Senate that he could not make such an appointment. The facts were, that Mr. Lanman's term of service, as senator, expired on the third of March, 1825. The President had convoked the Senate to meet on the fourth of March. The governor of Connecticut, in the recess of the legislature (whose session would be in May), on the ninth of the preceding February appointed Mr. Lanman, as senator, to sit in the senate after the third of March. The Senate, by a vote of twenty-three to eighteen, decided that the appointment could not be constitutionally made until after the vacancy had actually occurred. See Gordon's Digest of the Laws of the United States, 1827, appendix, note 1, B.

Meanwhile, Federal expenditures in terms of the administrative budget are expected to exceed $94 billion in fiscal 1963, and to reach $98.8 billion in fiscal 1964, according to the budget presented today. These amounts, of course, understate total expenditures by the Federal Government, even assuming that the administration's estimates of the amount of Federal outlays prove to be accurate. In the fiscal year 1963, for example, cash payments by the Federal Government are expected to exceed $116 billion; in fiscal 1964, they are expected to exceed $122 billion.

But we cannot be certain that administration estimates of Federal expenditures and receipts will prove to be accurate. Last year, the preliminary estimate for the 1963 budget showed a surplus of $500 million. The most recent estimate now indicates a deficit of $8.8 billion.

We can be sure that any increase in the deficit will be accompanied by an increase in the public debt. At the end of fiscal year 1962, the outstanding public debt exceeded $298 billion. This was $28 billion higher than it was at the end of fiscal year 1957, only 5 years earlier. Budget deficits in the fiscal years 1963 and 1964 will, of course, raise the outstanding public debt at the end of those fiscal years to still higher record levels, estimated at $303.5 billion at the end of fiscal year 1963 and $315.6 billion at the end of fiscal year 1964.

The administration is asking us to approve a major reduction in Federal income tax rates without fully offsetting tax reforms or expenditure restraints. If such a proposal should be adopted, it would follow upon two measures taken only last year which, in effect, gave significant tax relief to businesses. One measure permitted accelerated depreciation allowances on business machinery and equipment for Federal income tax purposes. The other authorized a tax credit of up to 7 percent on business investment in machinery and equipment. Together, these two measures will reduce the tax load on business in the fiscal year 1963 by as much as $2 billion, according to Treasury Department estimates. Still greater business tax savings may be realized in later years.

Mr. George Terborgh, of the Machinery and Allied Products Institute, who is one of the country's foremost analysts of investment behavior, has estimated that the two combined measures for reformed depreciation allowances and for tax investment credit can increase the after-tax rate of return on a typical new piece of equipment by as much as 20 percent. That would be equivalent to a reduction of 10 points in the corporate tax rate, if applied to the same new investment. It would be equivalent to a reduction of 9 percent in the purchase price of the equipment.

Other measures, however, are on the books which provide for increases—not decreases—in Federal taxes. On January 1, 1963, the social security tax rate increased from 3⅛ percent to 3⅝ percent for both employees and employers. The rise of four-eighths of 1 percent, compared with the former rate of 3⅛ percent, represents an increase of one-sixth. Further increases in the tax rate for social security are already scheduled under existing legislation. For employees and employers, the rate will rise in the calendar year 1966 to 4⅛ percent, and in 1968 to 4⅝ percent. By that time, both employers and employees will be taxed at a combined total rate of 9¼ percent. The existing tax rate on the self-employed of 5.4 percent will also increase to 6.9 percent by 1968.

Under the railroad retirement system, the current tax schedule calls for a combined rate of 14½ percent upon the first $400 of monthly earnings, to be shared equally by contributions from employers and employees. Starting in 1965, these rates will be raised at intervals until 1969. By that time, both employers and employees will be paying 9⅛ percent each, or a combined total of 18¼ percent.

If a bill providing medical assistance for the aged, similar to the Anderson medicare amendment voted down last year by the Senate, should be enacted during the 88th Congress, it would require a still further increase in tax rates for the social security and railroad retirement systems. The proposal advanced last year would have levied an additional combined tax of one-half of 1 percent, to be shared equally by employers and employees, and an additional tax, initially, of one-half and thereafter of three-eighths of 1 percent upon the self-employed. It would also have raised the maximum amount of annual wages and earnings subject to the social security tax to $5,200 from the present level of $4,800.

That assumes, of course, that estimated costs of the medicare program are accurate. There is reason to believe, however, that expenditures could considerably exceed estimates once the program got underway. According to the American Medical Association which testified before a House committee in August 1961 on a similar medicare proposal, "cost estimates could easily fall into the disastrous category" by proving to be far below actual amounts. In that event, additional increases in tax rates—over and beyond the initial levy of one-half of 1 percent—would undoubtedly be necessary.

Direct access to the Treasury would, of course, be required to cover medicare costs for aged persons not covered either by social security or by railroad retirement. The medicare costs of these persons would have to be financed through appropriations from the general fund of the Treasury. The estimated gross cost in the first year alone would come to about $250 million. Only part of this cost would be offset by reductions in Federal medical outlays which otherwise would be made under existing public assistance and veterans' programs.

The proposal for a major tax reduction at this time has been presented largely as a means of achieving the higher rate of economic activity and a lower degree of unemployment than would otherwise be experienced. The accompanying increase in the deficit in the Federal budget has been justified in some quarters as a so-called downpayment against future prosperity. Already, however, we have made far too great a downpayment in the form of almost continuous annual budget deficits, and even so, we still fall short of the degree of prosperity which the supporters of a tax cut contend that we should enjoy in the world as they see it. Beginning with the fiscal year 1947, we will have run a net cumulative budget deficit of more than $42 billion through fiscal 1963. If a so-called downpayment against future prosperity seems desirable, I believe that it should take the form of restrained Federal expenditures, not increased budget deficits.

Experience shows that tax reduction itself is no guarantee of increased economic activity. In February 1926, December 1929, and April 1948, sizable tax relief was granted for individuals. In each case, the economy turned down, or intensified its decline, soon afterward. While tax relief may have helped to alleviate the extent of the downturns which took place, it is evident that tax reduction by itself offers no assurance of prosperity.

Nor can we be certain to what degree employment and unemployment might be affected, even if some increase in the Nation's output of goods and services should follow in the wake of a tax reduction. A dramatic illustration is provided by experience between the calendar years 1946 and 1962. Over this period, the annual level of the gross national product increased by $343 billion, from $211 billion in 1946 to an estimated $554 billion in 1962. Meanwhile, the level of employment rose by some 12.5 million persons. Yet the level of unemployment rose by 1.7 million persons.

Between 1946 and 1962, in other words, the increase in economic activity—large as it was—did not fully absorb the rise in the total labor force. More people were attracted into the work force than were accommodated by new job opportunities. Thus, both employment and unemployment increased. The moral to that lesson, I believe, is that substantial increases in national economic activity may not of themselves resolve the unemployment situation. Thus, some advocates of a major tax cut are making two false assumptions; first, that tax reduction will increase economic activity and, second, that greater economic activity will solve the unemployment problem.

Last fall I had an occasion to visit the island of Trinidad in returning from a trip to South America. Upon inquiring about economic conditions in Trinidad, I was told that the gross national product had increased at the rate of about 10 percent during each of the previous 2 years. Yet current unemployment averaged some 20 percent. The high rate of unemployment, of course, reflected the fact that major sources of income in Trinidad are derived from oil and asphalt. In both of these industries, output could be increased substantially without reducing unemployment appreciably.

Much the same principles may be applied to our economy. We should view with caution any claim that an increase in gross national product which may arise from a tax reduction will automatically resolve our unemployment problem. As in Trinidad, a major portion, if not practically all, of the increase in national output might well be accommodated by an increase in the hours worked by employed persons with little change in total employment or unemployment. Or the increase in national output might result in some increase in employment consisting largely of persons who are currently not employed nor looking for work and who are thus not part of the labor force. In neither case would unemployment decline significantly.

Considerable leeway appears to exist for an increase in the number of hours worked by many persons who are now employed. Nearly 16 million persons worked fewer than 35 hours in nonagricultural industries during November 1962, according to the monthly report on the labor force which is prepared by the Bureau of Labor Statistics in the Department of Labor. An additional 26 million employed persons worked between 35 and 40 hours.

In addition, some increase occurs each year in productivity. Accordingly, a greater and greater output of goods and services can be produced by the same number of workers. Some greater production may thus only sustain the present level of employment without reducing unemployment.

It seems clear, therefore, that the impact of a tax cut will depend not only upon the size of the reduction but also on its timing and composition. If any accompanying increase occurs in output, it could result in higher prices rather than higher employment or lower unemployment. This could be the case particularly if the increased output came from types of activities—such as services—in which prices have long been rising.

This inflationary threat was recognized in the recent study by the President's Committee To Appraise Employment and Unemployment Statistics. This Committee was appointed by the President in November 1961, and was composed of six members drawn from the educational, labor, business, and social science fields.

In its report, which was submitted to the President in September of last year and entitled "Measuring Employment and Unemployment," the Committee pointed out at page 274 that: "* * * It is possible, for example, that even though unemployment substantially exceeds vacancies at a particular time, the type of demand created by measures that might be adopted would not give jobs to the workers who are unemployed, but would create demand and pressure on wages in other occupations or localities—whether or not vacancies already existed in these occupations. * * * In developing a program to increase demand, the Government should be able to assess in advance its employment effects—the numbers of workers to whom employment would be given, by occupation, industry, and locality—and then compare these estimates with the data on the occupations and locations of the unemployed. The effectiveness of proposed programs to reduce unemployment could thus be estimated before they are adopted and before their effects begin to show up in job vacancy data—at which time it would be too late to avoid the inflationary effects."

It is no argument, in other words, to discount the possibilities of inflation by pointing to the general level of unemployment and the overall amount of idle plant capacity. We should also look at the details of the situation—occupation by occupation, industry by industry, and locality by locality.

Inflation has occurred before, despite conditions of relatively ample labor supply and idle plant capacity. We need only recall the period between 1955 and 1958, when these conditions prevailed. Even so, consumer prices rose 8 percent and wholesale prices rose nearly 9 percent from May 1955 to March 1958.

As the President's Council of Economic Advisers indicated in its annual report of 1962 at page 171:

"Elements of major importance in the 1955–58 episode were thus the existence of relatively high demand, principally in one sector of the economy; the use of market power by management to maintain profit margins despite rising costs; the exercise of market power by labor unions in an effort to capture a substantial share of rising profits for their membership; and the transmission of these developments to other sectors of the economy."

Recent unemployment data indicate a varying degree of unemployment among industries and occupations. In November 1962, unemployment rates, reflecting in part variations in seasonal influences, ranged from a low of 1.8 percent in public administration to 10.4 percent in construction. Among different occupations, unemployment rates ranged from a low of four-tenths of 1 percent for farmers and farm managers to a high of 12.1 percent for all laborers except those in farming and mining.

Proposals designed to reduce unemployment should accordingly be weighed in terms of their impact upon unemployment rates among industries and among occupations as well as their impacts upon the distribution of total unemployment among industries and among occupations. In the latter case, it should be pointed out that nearly 13 percent of all unemployed persons in November 1962 had no previous work experience.

Little may be gained, on the other hand, if increased output leads only to higher prices and higher wages which stimulate inflationary pressures. Already, wage increases which will go into effect this year have been negotiated for at least 3.3 million workers covered by major collective bargaining agreements, according to the Bureau of Labor Statistics. The most commonly scheduled deferred wage increase will average about 7 cents an hour.

Besides this, at least 286 agreements—involving 4.9 million workers in industries covering 5,000 employees or more—will expire during the year and will be renegotiated. We can be sure that these renegotiated contracts will provide largely for higher—not lower—wages. Upward pressures upon the cost of living thus exist already, even if no tax cut is enacted to increase the deficit in the Federal budget.

A tax cut justified as a means of reducing unemployment, therefore, could have effects far different from the results anticipated by its proponents. We need to know a great deal more about the causes and incidence of unemployment before we can be certain about its cures. Indeed, the President's Committee To Appraise Employment and Unemployment Statistics concluded that very thing. At page 27 of the report, the Committee stated that—

"To move ahead, we must have a sustained and coordinated research program in the labor-force field—one that embraces basic research into fundamentals and theory as well as into methods of data collection and processing. Many of the recommendations of this report can only be implemented after considerable exploratory research and investigation. * * *

"The magnitude of the problems involved in designing new series and extending the coverage and detail of present data systems should not obscure the need for research of a more basic type. For example, there is need to strengthen the theoretical foundation of the unemployment concept and of seasonal-adjustment procedures, and it is evident that many problems in sample design and response error remain to be solved. Further, methods of obtaining objective information on personal attitudes and behavior (for example, involving individual decisions to enter or leave the labor force) are in the early processes of development."

In another section of the report, the President's Committee To Appraise Employment and Unemployment Statistics pointed out some of the complexities of the unemployment situation. It indicated that one factor tending to perpetuate unemployment is the relatively strong ability of our workers to withstand unemployment, as compared with workers in some other countries. Beginning at page 269 of the report, the Committee stated that—

"Low wages and low unemployment benefits, together with a limited unemployment insurance system, may hold down unemployment in some countries in less prosperous times because separated workers must take jobs without delay, even at a reduction of skill level and pay. * * * The higher wages and benefits paid in this country, even in periods of mild recession, have permitted the unemployed worker to hold out for a job of the skill and wage level which he has established in earlier jobs."

Another factor of importance in analyzing the unemployment problem is the composition of our labor force. As the President's Committee indicated at page 269 of its report:

"The small proportion of our labor force engaged in agriculture and the large proportion of wage and salary workers in this country, for example, have undoubtedly contributed to higher unemployment as compared with most other industrial countries. * * * If more than half of our workers were self-employed or unpaid family workers, as in Japan, our 1960 unemployment rate would have been only about 3.7 percent [instead of 5.6 percent]."

These and many other factors, then, should be carefully weighed in assessing the extent of the unemployment problem and in drawing up effective measures to alleviate it. To present the solution in terms of a major tax cut—without offsetting reforms, without expenditure restraints, and without specific reference to the details of the problem involved—would, in my opinion, be to compound our difficulties. It would constitute an act of political expediency—aimed at the 1964 elections—which I could not support.

A major tax cut at this time would undoubtedly saddle us with larger budget deficits and even greater public debt. A rising public debt, of course, would exert greater and greater pressures toward budgetary deficits, because outlays for interest on the public debt represent the second largest item of Federal budget expenditures. In the fiscal year 1963, expenditures for interest on the public debt are estimated to come to $9.8 billion, an alltime high; in fiscal 1964, $10.1 billion.

We need, then, greater restraint in Federal expenditures. In this connection, we would do well to recall the admonition of Alexander Hamilton. In No. 13 of the Federalist papers, Hamilton stated:

"As connected with the subject of revenue, we may with propriety consider that of economy. The money saved from one object may be usefully applied to another, and there will be so much the less to be drawn from the pockets of the people."

As for tax reforms, a number of proposals have been mentioned in various quarters. One change would raise the alternative tax rate on capital gains to 35 percent from the present level of 25 percent. Another would also cut by one-half present percentage depletion rates on oil, gas, coal, bauxite, and other metals and minerals. Once effective for a full taxable year, these changes could increase Federal tax revenues by some $1,350 million, according to estimates of the staff of the Joint Committee on Internal Revenue Taxation.

Another proposal that has been discussed would abolish the tax rate advantage of income splitting for Federal income tax purposes. The revenue increase from such a change is estimated at amounts ranging from $5.2 billion downward, depending on the tax rates used for the several types of returns in effecting the elimination of the advantages of income splitting.

Still another proposal would make a substantial reduction in allowable deductions for charitable contributions. A decrease of one-half in the present limitations would provide approximately $100 million in additional Federal tax revenues.

A further proposal would make interest income from new issues of State and municipal bonds fully taxable for Federal income tax purposes. If such a provision proved to be constitutional and were put into effect, it could result in an increase in Federal tax revenues of some $150 million in the first full year.

All these measures—regardless of their appropriateness under the present circumstances—combined would bring about a total increase in Federal tax revenues of approximately $6.8 billion a year. They would accordingly fall by a significant amount to offset a reduction in Federal revenues that would arise from a major tax cut of $13 billion or more. The net effect, then, would be larger budget deficits and a larger public debt.

The questions which I have been discussing indicate, I believe, some of the complexities and uncertainties surrounding the issue of tax policy. I do not wish to minimize the need for tax reduction or the need for reforms of tax provisions which are grossly inequitable. Nor do I wish to minimize the dimensions of our unemployment problem or the necessity for healthy economic growth.

But we should recognize fully the costs as well as the benefits involved in questions of tax policy. If a major tax reduction should become effective without corresponding restraint upon Federal expenditures and without offsetting tax reforms, the administration may return to the Congress before long with a request to restore current tax rates in order to try to counterbalance the increased budget deficit. If that occurs, any measure for tax reduction will prove to be short lived.

With these considerations in mind, I hope that the Members of the 88th Congress will work to restrain pressures for greater Federal spending and to consider tax reduction only in the light of tax reform. In this connection, we would all do well to recall the words of Thomas Jefferson. Writing in 1808, he advised:

"The same prudence which in private life would forbid our paying our own money for unexplained projects, forbids it in the dispensation of the public moneys."

Sound fiscal policy, following in the lines of Jefferson's observation and involving the enactment of appropriate tax measures, should constitute a step toward a better balance between the powers and duties of the Federal Government and the powers and duties of the States. We should reject any proposal that would extend the authority of the Central Government into areas which can be served as well, or better, by the States. We should support any appropriate measure that would strengthen the abilities of our States to preserve the inalienable rights of life, liberty, and the pursuit of happiness that Jefferson set forth in our Declaration of Independence.

## WE MUST STAND FIRMLY FOR THE CAUSE OF FREEDOM—ADDRESS BY JAMES E. POWERS, NATIONAL COMMANDER OF THE AMERICAN LEGION

Mr. TALMADGE. Mr. President, James E. Powers, the national commander of the American Legion and a fellow Georgian, addressed the Women's Forum on National Security at the Statler Hotel in Washington on January 15, 1963.

It would be well for all Americans to heed the words of Mr. Powers, who said, with great truth, that the United States must remain resolute and stand firmly against Communist aggression in this hemisphere and throughout the world. Mr. Powers warned, as I have done many times in the past, that whenever we are weak and present a vacillating front, we lose ground. So long as we are strong, both in purpose and militarily, the Communist conspiracy will be unable to gain ground.

I am proud of Jimmy Powers and the outstanding contributions he has made to his Nation and State, in both war and peace. Moreover, I am proud that he has been a close, personal friend of mine for more than 15 years.

Mr. President, I ask unanimous consent that Commander Powers' address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

### Address by James E. Powers, National Commander of the American Legion

The American Legion observes its 44th birthday in this year 1963; and through the 44-year history of this organization we have devoted our time, our talents, and our resources to the preservation of a strong and free America.

Through the years we have had no finer or more effective ally than the American Legion Auxiliary, and I cannot speak too highly of the splendid contributions of the auxiliary as we strive toward our basic objectives by vigorously pursuing the aims and purposes of our four great action programs of rehabilitation, child welfare, Americanism, and national security.

While each program is of vital importance to American Legionnaires, to auxiliary members, and to America herself, we are dealing on this occasion primarily with matters concerning our national security.

We have heard the 1960's described as the decade of decision. We have heard much talk of America being at the crossroads. We of the American Legion believe these appraisals of the challenging times in which we live to be true and accurate. We have a singular purpose in lending our best efforts to our country—to help assure that her decisions are couched in faith and based on strength—that the path we take from these crossroads will be the glory road to a new era of peace on earth and freedom for all mankind.

Our President, in a message to the Nation early in December, warned that we may live out this century under conditions much the same as we have known since the close of World War II. While that thought may prove distasteful to some, it should serve as a reminder to all of us that we can ill afford to be less dedicated to the cause of freedom than the dedication exhibited on every hand by those who would destroy freedom.

May it never be said that Americans are less devoted to their ideals than the Communists are to the atheistic doctrines of Marx and Lenin. May it never be said that Americans are less persistent, less patient, less willing, or less capable of pursuing to a successful conclusion this conflict of ideologies than are those who oppose us.

If it takes the rest of this century, and all of the next one, I am confident that the will of the American people and the capabilities of America as a force for freedom are adequate to master the challenge which we face.

We know today, as we have known since the close of World War II, that America stands as the best hope of mankind for a world where men can live in peace and freedom. We of the American Legion and the Legion Auxiliary are pledged to the cause that this country shall be prepared to meet any threat to our freedom and security at any time, at any place, and against any enemy.

We know too that, as a leader of the freedom forces of the world, we have commitments extending far beyond our own shores, and we are just as fervent in our belief that we must be as fully prepared to discharge those commitments as we are to defend our homeland.

In the few short months since my election as national commander, I have had the opportunity to observe firsthand some of the areas of strife and tension which have kept the world in a state of unrest for so many years.

I was in the Caribbean area for a briefing by military commanders of the Antilles Defense Command at the very moment President Kennedy advised the Nation of the seriousness of the threat to America created by the Communist offensive buildup in Cuba. In the name of the American Legion I sent him congratulations on the courageous and necessary stand which he took to counter this threat. I further pledged to him the full force and support of the Legion in this and any other actions which our Government considers necessary to remove the cancer of communism from this hemisphere.

Our Military Establishment was at the ready to back the President's ultimatum with the might of American arms. Our sister states of this hemisphere stood firmly at our side, and the immediate military threat to the Americas was reduced by this united and resolute action.

Since that time we have seen the release by Castro and the return to this sanctuary of freedom of more than 1,100 prisoners of the Bay of Pigs invasion.

While many of us may not be in complete accord with the manner in which the release of these gallant men was affected—certainly the humanitarian aspects of the episode were in keeping with true American ideals.

A human life cannot carry a price tag in the eyes of Americans—but it can in the eyes of Castro and others of his ilk.

The real thrill was provided by the returning prisoners themselves when they proved that 20 months of imprisonment, privation, and hardship had not broken their spirit and their indomitable desire to try again to liberate their homeland from the clutches of communism. We sincerely hope that this Nation's hands are not tied by any agreement which would prevent us from assisting freedom-loving men in winning freedom for themselves and for their countrymen.

More recently I have visited the Far East—Formosa, Hong Kong, and Saigon. Here again we find evidences of the indignities inflicted upon individual human beings by the godless Communist tyrant. The representative Government of China is forced to live in island exile, while the red war lords exploit the people of the mainland of China—the plight of the free colony of Hong Kong which was forced to turn back refugees from Red China simply because she could not accommodate them—the peace-loving Vietnamese who have been forced to fight if they wish to retain any vestige of their freedom—and now India, with her dreams of peaceful coexistence shattered by an unprovoked attack by Red China.

These, and the many other encroachments of communism, both by aggression and by subversion, upon the free territories of the world, lend new emphasis to the need for strong programs by the American Legion in the fields of national security and foreign relations. It is in these critical areas of human and international relationships that we find the most immediate and pressing problems of our day. Should we fail to face up to these challenges we need have no concern for the long-range problems, for there will be no future.

To emphasize the concern of the Legion, may I remind you that in the spring of 1962 some 85 members of our national security and foreign relations commissions took a 2-week tour of American installations in Europe. at their own expense, to gain a firsthand knowledge of many of the problems which confront us in Berlin and other areas of Europe. On the basis of their observations, they were better prepared to bring specific recommendations before our 1962 national convention concerning those things America can and must do to halt the advance of communism.

I am impressed also by this phrase from the 1962 report of our national security commission which reads as follows: "We cannot shrink from the great challenges and opportunities which history has thrust upon us. Instead, we must exert ourselves and fearlessly turn the great religious, moral, and material strength of the United States to the task before us. We must stand firm, steadfast in our cause, determined in our support of honor, justice, and the right of men to be free."

This Nation, under God, has nothing to fear except an undermining of our resolution to resist. We have proved, as witnessed by our stand in the Cuban affair, that we can be firm, and, when the occasion demands, united as a people. We have seen, as witnessed by that same situation, that firmness brings results. If we have learned no other lesson from Cuba, we should have learned well the lesson that no approach other than firmness, backed by strength, is effective in dealing with the Communist conspiracy.

Where we hesitate or vacillate we lose. Where we conciliate and mediate we are confronted with a recalcitrant foe who shows no inclination toward either conciliation or mediation unless it offers him the opportunity to pursue the all too familiar Communist pattern of two steps forward and one step back.

We have played this deadly serious game of international cat and mouse just about as far as we can pursue it—for in this game of give and take we have learned that the Communists will take everything we are willing to give. This is their version of conciliation, mediation, and negotiation. The lines must be drawn clearly and sharply—they must be drawn now—for we cannot barter the security and integrity of either our allies or the noncommitted nations of the world, and we are not about to give the Communists anything that is ours.

As viewed by the American Legion, the primary purpose of our foreign policy should be to protect and to advance America's interests in world affairs, and the primary purpose of our national security program is to provide the muscle to make that foreign policy effective.

More than one-third of the total business of our 44th annual national convention emanated from our national security and foreign relations commissions, which considered a total of 225 resolutions out of the grand total of some 600 resolutions to come before the convention.

Through favorable action on the vast majority of those mandates which we believe to be germane to the purpose of the American Legion, we establish ourselves firmly on the record as being in favor of those actions which we believe to be in the best interests of America, both for the strengthening of our hand in foreign affairs, and in girding the Nation in faith and in strength to continue to resist the advance of international communism anywhere in the world.

These resolutions cover the entire spectrum of national security measures, ranging from support for an adequate civil defense program to the acceleration of our exploration of outer space, that this Nation may gain or maintain a clear-cut superiority over communism in every area of endeavor.

It has been interesting to me to review the messages of some of our past national commanders who have appeared before this forum. I find that over the past decade the variances lie primarily in the area of immediate concern, and 10 years ago this month that area was Korea. Yet the overall tenor has been basically the same—a crying need for a firmness of national purpose, a need for unity among our own people and the other free nations of the world to recognize the common foe and to exert every effort to bring that foe to his knees.

We would prefer to accomplish this objective by methods short of war, for the Communist concept of government has so much less to offer its people to sustain them over the long haul than does the democratic way of life.

The sweet air of freedom is unknown behind the Iron and Bamboo Curtains. The moral fiber that can be nourished only by recognition of and belief in the Supreme Being must eventually wither in those countries where the state poses as supreme. The material things of life are vastly more abundant in the free nations of the world, and it is known that many Communist-dominated countries are finding it increasingly difficult to provide their people with the bare necessities of food, clothing, and shelter.

Yes, it is our belief that we can win this struggle in the long run without war. But if war should be forced upon us, I predict that such despicable and cowardly notions as "better red than dead" would die with the first bomb burst, and that the American people will rise to their full potential in a successful defense of those principles and ideals which we hold so dear.

As we contemplate the challenges which confront America today, we might well be reminded of the words of that early American patriot Ethan Allen, who, in another hour of crisis and danger in the history of our Nation, said: "I wish to God America at this critical juncture would exert herself. She might rise on eagle wings and mount up to glory, freedom, and immortal honor if she did but know her strength."

## FREEDOM OF DEBATE IN THE SENATE

Mr. TALMADGE. Mr. President, two editorial columns published by the Washington Evening Star put in the proper perspective attempts now being made to install in the Senate of the United States a gag rule which would enable a whimsical and transient majority of one to run roughshod over the rights of the minority and of the States.

The editorials find their mark by showing that the efforts to end freedom of debate in the Senate are basically politically inspired and, in actuality, repugnant to most of the Members of the Senate.

Gould Lincoln, in his column, "The Political Mill," correctly emphasizes that the real issue behind the debate over rule XXII is not so-called civil rights, as a self-styled liberal clique would tell us, but that it involves the constitutional role of the Senate as the protector of individual liberties and the rights of the minority.

Mr. President, I ask unanimous consent that these two editorial columns be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

### The Political Mill

(By Gould Lincoln)

#### THE SENATE CLOTURE ISSUE

More than a majority of the individual Senators are content with the Senate rule on closing debate. They believe that when a majority of the Senate really favors a resolution or a bill or a presidential appointment or a two-thirds favors a treaty, the necessary balloting will take place, either with or without the use of the present cloture rule. Today, debate on proposed changes in this rule is underway in the Senate. One group is supporting majority vote to close debate, another proposes a compromise between the present two-thirds rule and a majority rule. The latter group is supporting a three-fifths vote to invoke cloture. Some of the leaders are saying they believe the compromise—the three-fifths cloture vote—will win, provided it can be brought to a vote. And yet, it is said, that in this present fight to change the rule, only the crusaders (small groups on both the Republican and Democratic sides of the aisle) are really interested in a change; that this indifference on the part of a considerable number plus the strong opposition of others to any change may result in no action.

What has begun as a debate, if the fight to press a vote on a change in the cloture rule continues, is expected to develop into a full-fledged filibuster. The opponents of any change in the present cloture rule maintain they are fighting for freedom of debate in the Senate and to preserve the rights of minorities. A filibuster is only successful in the Senate if a sufficient number of Senators are willing to speak and hold the floor indefinitely and so prevent a vote. As it happens today, the burden of the filibuster is being thrust upon the shoulders of Senator Richard Russell, of Georgia, and the group of southern Senators. The attempt is being made to make civil rights legislation the issue in this rules fight. But it is not the basic issue at all.

#### EARLIER FILIBUSTERS

There have been many historic filibusters in the Senate which had nothing to do with civil rights—in fact many more of them. They have been battles to prevent legislation which minorities have strongly opposed—and, in some cases, rightly opposed. These battles have been waged by so-called progressive against conservative measures and vice versa. One of the greatest filibusterers of them all was the senior Senator Bob La Follette, of Wisconsin—the leading progressive in his time—who established a record of holding the floor for 18 hours, seeking to talk to death the Aldrich-Vreeland banking bill which he believed gave too much advantage to bankers. The prolonged debate on the League of Nations in the late President Woodrow Wilson's day was another instance—an instance in which sentiment, in the Senate and outside, changed greatly as the long debate proceeded. And it was in the last session of Congress that several of the leading progressives in the Senate sought, by a filibuster, to kill off the satellite communications bill.

But today the pressure is on many Members of the Senate to change the cloture rule as a means of getting votes on additional civil rights legislation. It seems to have been forgotten that civil rights legislation—dealing with races and minorities—has in recent years passed the Senate and become law on two occasions under present rules. It could happen again.

#### SOUTHERNERS NEED HELP

Democratic Senators from the South have been a hard core of the opposition to the curtailment of unlimited debate in the Senate over the years. They are today. They need the support, however, of other Democratic and Republican Senators. But how many of these others, who believe in their hearts that the change in the cloture rule should not be made, are willing to take part in the filibuster now looming? How many of them, when the chips are down, are willing to vote against such a change? It is generally agreed that not enough votes can be found in the Senate to support a majority vote cloture rule. But how many will support a three-fifths rule is a whittling down process—and the next drive would be for a majority rule to close debate.

This is a serious question for all the Senators—those who are in the majority and who another day may be in the minority. It is certainly a question for the Republicans, who are in very much a minority in today's Senate. For if they support a change in the rules to give a majority the right to shove through legislation at will, they may have many other measures, economic and otherwise, shoved down their throats. They should consider that the southerners may someday become tired of pulling the chestnuts out of the fire. Many years ago there was a full-fledged bar on the House side of the Capitol. When the Anti-Saloon League became powerful politically, the House began passing bills to abolish the bar—relying on the Senate to kill them, which it did. One day, however, the Senate shrugged its shoulders and let the antibar bill go through.

This drive of the drys led ultimately to the prohibition amendment, which later still, an aroused people repealed.

### Hail to the Chief

The caption of this editorial is a bit misleading since Senator Dirksen is not really the chief of the Senate. He is the minority leader, and in that capacity he is merely the chief of the Republicans—a rather small tribal group as such things go.

Nonetheless, the Senator from Illinois has made a very sensible and somewhat unexpected contribution to the cause of more commonsense in the Senate. He has announced that he is opposed to any and all proposals to tighten the antifilibuster rule, and he has come forward with the revolutionary proposal that the Senate should put all nonsense aside, including long, dreary, filibustering speeches, and get on with its important business.

It is not for us to question why. Ordinarily, a Republican leader from Illinois might be expected to go through the motions of lending support to a tougher antifilibuster rule—from motives of political self-preservation, and, also, to embarrass the Democrats. But Senator Dirksen is not running true to form. Perhaps this is because, at 67, he is just starting a new 6-year term, and feels he can give the back of his hand to the pressure groups. Or, possibly, the explanation is that the minority leader knows this fight over the filibuster rule is a thoroughly phony show, and that he honestly believes it should be yanked off the congressional stage not later than sometime next week.

In any event, we hope the GOP Indians, by and large, will go along with their chief. If they do, this Capital City may be spared the ordeal of suffering through another windy filibuster to resist changing a rule which only a handful of Senators, in their secret hearts, really want to change.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. JAVITS. Mr. President, so much fractionalized debate has taken place on the issue now before the Senate, in the course of the give and take of the early part of the session, that I think the time has come to try to spell out, if we can, what in my judgment is the situation. I am not planning to speak for anyone but myself, but I respectfully submit that this is a fair and honorable approach to the issue which faces us and to its constitutional basis.

It has been said time and again, particularly by the leader of the forces in opposition to a rules change, the distinguished Senator from Georgia [Mr. Russell], for whom I have the highest respect, as I have frequently said, and who was properly lauded here the other day upon his completion of three decades of outstanding service, that a majority of the Senate can change its rules. Certainly a majority of the Senate can change its rules. It can change them not only at the beginning of a session; it can change them at any time or at the beginning of a Congress. It can change them at any time.

But that is not the question at issue. I very much hope that this point might be made clear to the country, so that citizens may truly have an informed judgment as to what we are discussing here—that the question of whether a majority can change the rules of the Senate is not at issue. The question which is at issue is: When may a majority proceed to exercise its desire to change the rules? That is the only true question at issue. When can we vote on the rules? The question is not whether we can or cannot change them. It is: When can we get to the question at all?

Are we blocked from getting to that question by continuous discussion on the floor, discussion which can go on, as has been said, until the new snows of a new winter lie on the ground, if 12 or 18 determined men make up their minds that that is the way it is going to be? We have seen that demonstrated before, and unless we do something about it we shall see it demonstrated again.

So the question is not whether a majority can change the rules under the Constitution. Of course it can. The question is: When can a majority get to changing the rules? Article I, section 5 of the Constitution provides that each House may determine the rules of its own proceedings. Obviously, the Constitution does not deal with the questions of how long the issue shall be debated or whether the debate can be ended. The Constitution provides that each House shall determine the rules of its own proceedings. Therefore, what we contend is that each House cannot only determine the rules of its own proceedings but can also determine when it shall determine the rules of its own proceedings, provided it has not yet adopted rules dealing with that subject.

Our further contention is that as we stand at the opening of a new Congress, because of the provisions of the Constitution to which I have referred, we are uninhibited by rules which would otherwise inhibit us from the free right by a majority to change our rules and to get at the business of changing them.

So the argument that we have concurred in rules—for example, the rule that a resolution shall lie upon the table for 1 day before it may be called up; the rule that it shall be called up preliminarily on a motion to consider, rather than on the definitive requirement that we actually debate the resolution itself, the motion to consider being what we are debating now; or other details of activity which have taken place here, such as the requests of Senators to place material in the Record, or to start to make a speech and then to place the rest of it in the Record—does not change the case at all, because our point has been that in order to get efficiently and basically at the fundamental issue, we are not going to haggle about all the rules; we are going to fight our battle only on the rules which inhibit us from adopting rules.

Mr. President, I understand that the Senator from California [Mr. Engle] desires to make a brief statement. If the Senator from North Carolina will indulge me, I shall yield the floor, let the Senator from California make his statement, and then regain the floor.

The PRESIDING OFFICER (Mr. Nelson in the chair). Is there objection? Without objection, it is so ordered.

Mr. ENGLE. Mr. President, I ask unanimous consent that I may introduce a bill, for reference to the appropriate committee, and then make a brief statement for the Record, without causing my friend, the Senator from New York, to lose the floor.

Mr. JAVITS. Mr. President, I am sorry not to be able to join in such a request. Reserving the right to object, let me say that perhaps the Senator from California is not aware of the fact that earlier today we had a battle in regard to this matter; and we have objected to business of the type the Senator from California now has in mind in connection with the introduction of bills.

Mr. ENGLE. Very well; I withdraw that request.

I now ask unanimous consent that I may have a brief statement printed in the Record.

Mr. JAVITS. Very well.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

## CONTROVERSY BETWEEN AMATEUR ATHLETIC GROUPS

Mr. ENGLE. Mr. President, under the consent which has been given, I now submit, for printing in the Record, a statement in regard to the controversy existing between amateur athletic groups.

I thank the Senator from New York for his courtesy. I understand his position, and at this time I shall not introduce the bill to which I have referred, but, instead, I merely submit this statement for printing in the Record.

Mr. JAVITS. Very well.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Statement by Senator Engle—Controversy Between Amateur Athletic Groups

For some time I have been deeply concerned about the bitter feud between the Amateur Athletic Union (AAU) and the National Collegiate Athletic Association (NCAA) involving nothing less than the prestige of the United States in international athletic meets.

Several weeks ago, President Kennedy stepped into the picture, and now I am hopeful that we are on the way to a solution to the dispute. At his December 12 press conference, President Kennedy made this hard-hitting statement:

"The governing bodies of these athletic groups apparently put their own interest before the interests of our athletes, our traditions of sports and our country. The time has come for these groups to put the national interest first. Their continued bickering is grossly unfair. There is no winner, but there are many losers—thousands of American amateur athletes, the American athletic community, and the traditions of American sportsmanship. On behalf of the country and on behalf of sport, I call on these organizations to submit their differences to an arbitration panel immediately. If we do not, we will not have an Olympic team in 1964."

The President then called on Gen. Douglas MacArthur to act as arbitrator and to get the matter settled and settled fast. I was pleased to read in the paper that General MacArthur was asked to make a decision in the controversy if the rival groups cannot reach agreement this weekend at their arbitration meetings.

I applaud the President on choosing General MacArthur to serve as arbitrator. I applaud the President also for his persistence in overcoming the resistance of the parties involved to submit the matter to arbitration.

For 75 years or more the Amateur Athletic Union has administered the amateur athletic programs in the United States. As a result, it is recognized by the 12 or more international sports federations as the sole governing body of amateur athletics in the United States. This worked fine for many years. But in the past few years AAU athletes have been diminishing rapidly in number. At the same time, the number of college and university athletes has increased tremendously.

Thus, we have this untenable situation:

College athletes today represent about 75 percent of our country's amateur athletes, and college athletic facilities represent more than 90 percent of the country's available facilities. Yet, the organization that speaks for college athletics—the National Collegiate Athletic Association—has no say-so in the administration of international amateur athletic events.

Nearly 3 years ago the matter came to a head. There was a complete deadlock—with the AAU continuing to cling to its exclusive powers in international competition and the NCAA maintaining that it should have an equal voice. As the sole organization recognized by the international federations, the AAU makes all decisions on the eligibility or ineligibility of U.S. athletes for international competition. Several months ago the NCAA supported the setting up of a new U.S. Track and Field Federation. The AAU turned down the invitation to join the Federation. Subsequently, the AAU objected to some federation-sanctioned track meets and declared ineligible for international competition the staggering figure of 443 athletes who competed in the meets.

I got involved officially in the dispute in November of 1961. My attention had been called to an excellent series of articles on the subject by Ed Schoenfeld, of the Oakland (Calif.) Tribune. It was clear from the articles that the AAU-NCAA battle was seriously affecting our chances for a strong comeback in the 1964 Olympics. The articles contained a proposal by Pete Newell, director of athletics at the University of California, asking that President Kennedy appoint a special supervisory committee to outline a new Olympics program. I referred the proposal to the President for his consideration.

Several months later, in July of 1962, the International Amateur Athletic Federation, the world governing track body, threatened to disqualify track athletes from international competition if they participated in non-AAU meets in the United States.

Our athletes were being tripped by a hurdle even before they got on the track. I urged the President to help mediate the conflict. After a number of other efforts, the President called on the warring groups to submit their differences at once to an arbitration panel. The wheels are now moving in the direction of a solution to the controversy.

International sports competition has become an element of global prestige and it should not be entrusted to the arbitrary decisions of private organizations. The rival athletic groups are well aware of this, and I hope that they are ready to work out a formula that will assure that our top athletes will be on the field in future international contests.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. JAVITS. Mr. President, to resume my presentation, the question is as follows: When can we get at the business of voting on the rules with which we are concerned? The other rules are merely those for the convenience of the legislative body; and in permitting their use, we have done so because they do not seem to us to go to the key and the heart of the matter of waiving our rights or asserting our rights in this matter. Hence, we have seen no point in getting into a hassle about whether a resolution should be adopted on Monday or on Tuesday or whether a motion should or should not be made prior to the time when the debate on the question of these rules should occur.

In other words, our position is that we are concerned with dealing with this particular issue, and that none of the rules which has been used thus far inhibits the right, under the Constitution, of the Senate to vote on the question of whether it can or cannot change its rules, or whether by tacit acceptance all its rules, including rule XXII, are adopted.

So the question must be that of having the Senate deal with its rules. Of course, though the Senate will decide the constitutional issue, there is the question of tacitly giving up the right to deal with the rules of the opening of the Senate if Senators begin in a broad scale way to deal with many other matters before the Senate; because our position is that the first order of business is changing the rules from which we should not be diverted as the first opening business. We believe that the first matter of business must be that of adopting the rules of the Senate—although the transaction of routine business is, in my opinion, permissive under the custom which exists in the Senate.

Mr. President, there has been talk about a gag rule. But from 1917 to 1949, debate could not be limited by a two-thirds vote, when the question was one of changing the rules, because rule XXII itself provided that the cloture rule would apply to every question except that of changing the rules of the Senate.

In short, between 1917 and 1949 this whole structure was built so firmly into the Senate rules that it could not be changed under the rules; debate on such a question could not be ended at all under the rules, even if there were a majority of 90 who favored closing the debate so long as there was only 1 who opposed closing the debate, if that 1 had sufficient lungpower to be able to talk indefinitely.

Mr. President, in speaking again about the issue of gag rule, let me say that such a claim is based on the assumption that any limitation upon debate is a gag. Even the southern Senators, who are contending against us, do not contend that, because they want the status quo. They say, "Leave it as it is." But even their judgment is entirely a quantitative judgment, not a qualitative judgment, because at one time the rule required the affirmative votes of two-thirds of the entire membership of the Senate. Now the rule requires the affirmative votes of two-thirds of the Senators present and voting. That change does not seem to have thrown down the citadel of the Republic or to have created gag rule when there had been none theretofore, according to their own definition.

In short, the question really before the country is: How difficult shall the obtaining of cloture be made, and how much of a built-in veto by filibuster is to be provided; and, aside from the constitutional requirement that a majority of the Senators present and voting must vote in favor of the passage of a measure, if it is to be passed, there is the question of how much of a veto by filibuster shall be provided?

Mr. President, another fallacy which must be exposed—and I am quite mindful of the fact that this issue has not swept like wildfire across the Nation, although it should—is why do we argue this matter so devotedly? We have done it in 1959 and in 1960 and in 1961; and now we do it again, in 1963. The reason is that this rule colors and characterizes everything we do here. Senators themselves, when searching in their secret hearts, will remember the little conferences in the cloakrooms or the committee rooms or the offices, or the halls, when they were told by Senators who were opposed to bills which had been duly reported from a committee, with a majority of the committee in its favor, "My friends, so far, but no farther"—not by virtue of the laws or the Constitution, but by virtue of the amount of lungpower such Senators were willing to use in connection with that particular controversy.

So there is another and a different arbiter of what we do, quite uncontemplated by the Constitution. In fact, the strongest argument against this built-in veto power is the very fact that the Constitution does not mention it nor deal with it. That is the strongest argument against it, because obviously the Constitution dealt with every other kind of veto and every other kind of restraint which was sought to be placed upon a pure democracy, where "the majority rule absolutely."

Mr. President, this matter relates to more than civil-rights legislation, although I hasten to repeat what I have said before, again and again, namely, that if this entire fight dealt only with civil rights legislation, it would still be more than justified. What right does any American have to say that that body of legislation is less important than any other body of legislation? Civil rights legislation deals with the rights, fortunes, and personal dignity of individual Americans, and certainly such legislation is just as important as legislation which involves traffic control or other matters which do not involve human rights and dignity and the very essence of what we as a Nation stand for.

But quite aside from that, it is very interesting to me to note that as we examine the list of measures in connection with which efforts to break a filibuster were made—and most of those efforts since 1917, when this rule was put on the statute books, failed—we find that the greater number of such measures which died by the wayside were not civil rights measures, but related to tariffs or to treaties or to banking issues or to atomic energy matters, and so forth. By no means do civil rights measure dominate—as some would have us suppose—the list.

Mr. President, we are contending for the power of 51 Members of the Senate, a constitutional majority, to effect cloture after several weeks of debate, at the very minimum, and probably, after much more than that. Our proposal is by no means revolutionary in itself, because ever since the time when there has been any cloture rule at all in the Senate, attempts to impose clouture have been made only 25 times and have been successful only 5 times; and if our proposal for the invoking of cloture by means of the affirmative votes of 51 Senators had prevailed during that period, cloture would have been invoked in a total of only 10 of those 25 instances. In other words, in five of those unsuccessful attempts a constitutional majority of the Senate expressed itself as desiring the invoking of cloture, but the effort was frustrated; I am sad and sorry to have to say that those efforts, made in the interests of our republic, were frustrated on those occasions by the will of a determined minority. So, Mr. President, a proposed rule which would have meant that in 10 out of those 25 times, when a majority expressed its will in that determined way, cloture would have been invoked, is certainly no wild-eyed, radical scheme. It should also be noted that only two of those five additional instances when cloture would have been invoked, involved civil rights.

Mr. President, again to indicate the temper of our debate, if we were to choose what some consider to be the more conservative course, and made it 60 percent of those present and voting, or 60 out of 100 Members if all were present and voting, the attempts would have been successful 9 rather than 10 times out of the 25. It seems to me that neither of these proposals represents any radical approach to the problem.

That is the constitutional situation as I see it.

One other point is made in the debate. It has been said that in 1959, when the Senate adopted a slight, and what I did not consider to be at all meaningful—I said so at the time—change in rule XXII, changing the requirement for cloture from two-thirds of the Senate to two-thirds of those present and voting, the Senate also unhappily, notwithstanding my negative vote and that of others, adopted section 2 of rule XXXII, which provides that the rules of the Senate are continuing unless they are changed in accordance with those very rules. The most charitable thing that can be said about that is that, first, at the time there was protest against it as being contrary to the Constitution. I was one of those who protested, so I am qualified to speak. Second, it is contrary to the Constitution, according to the case which we make and which we hope the Senate will decide; and, being contrary to the Constitution, it can have no binding force and effect upon the Senate, notwithstanding its adoption by a previous Senate.

Clearly, Mr. President, the atmosphere in which we legislate is such that rule XXII is a pistol held at our heads in connection with everything which is done here. The rule of the majority, after full and fair debate, which the Constitution sought to provide, has been distorted entirely by extra-constitutional means—to include a veto power on the part of a determined minority which will filibuster a particular measure or will not support cloture in respect to it. According to the rules which we are attempting to amend, only a minority—namely, one-third—has control.

In order to avoid the rigors of that extraconstitutional rule, the Congress has provided against it in instances in which the Congress felt that it would be onerous or would be uncomfortable. So, very interestingly, we have a whole area of legislation which has a built-in cloture provision, illustrating again our own consciousness of the inhibition which this rule places upon us.

For example, there is a limitation of debate with respect to all reorganization plans, so that we cannot frustrate them by filibuster.

So now we have but another illustration of the very real consciousness on the part of the Congress that the filibuster is an additional built-in veto, and when we do not like it, we do not do it and we provide against it in the very substantive legislation which we pass. But we cannot do that generally as it relates to new legislation which may come before us and which may meet and be frustrated by the built-in veto power of the filibuster.

Mr. President, it is said that this built-in veto power really does not block a vote, even on civil rights legislation. I believe one Senator said that we have had 70 votes on different types of civil rights legislation.

Let us look at the record on that subject. In the past few years the record has been very clear. In 1957, and again in 1960, we passed what were called Civil Rights Acts. Primarily those acts were confined to the voting right. Pretty much everything else, other than what related to the voting right, was tabled, and impliedly—in some cases expressly—it was made very clear that unless those measures were tailored so that they would not be lethal to the opponents who used the filibuster in order to defeat legislation, they could not pass at all. But somehow or other, by the process of national development which occurs, the view had been accepted by those who employed the filibuster in respect to these civil rights measures that they had better let something pass in relation to assuring voting rights. We could not keep the top on the kettle, which was boiling strongly, and it was the path of wisdom to let up a little and to let something of that character pass which would give some assurance as to the voting right. Otherwise, it could not have been done. We knew it then as we know it now. The legislation was expressly and most carefully tailored, designed, whittled down, and arranged so that it would not transgress upon the principle which would arouse a filibuster.

The same thing was true, and even more frankly, in respect of an extension of the life of the Civil Rights Commission, which was agreed to in 1961. A whole series of efforts to expand that measure in order to make of it some kind of meaningful civil rights measure were tabled, generally on the motion of both the majority and the minority together, with the clear implication to the Senate that we should take what was offered or we would get nothing at all, because the entire measure would be filibustered. Notwithstanding that fact, the final result was 70 yeas to 19 nays. Indeed, that is the real anomaly in this situation. The final result of the vote on the Civil Rights Act of 1957 was 72 yeas to 18 nays. The final result of the Civil Rights Act of 1960 was a vote of 71 yeas to 18 nays.

In short, when we reach the end of the road, the overwhelming majority of the Senate, almost the only exception being the southern Senators themselves, votes affirmatively on these measures, and yet in the dynamics of the framing of the proposed legislation, in order to show the unbelievable power of the filibuster, what proves to be the overwhelming majority allows itself to be dictated to, controlled, handled, and dealt with by the built-in power of this additional extra-constitutional provision, the power of a minority to filibuster a particular measure.

That was the lesson of the death of part III in the so-called Civil Rights Act of 1957, which passed the House of Representatives, and which is vitally and urgently needed in order to give the Attorney General powers which he ought to have in order to protect the civil rights of the ordinary citizen. This was clearly evidenced by the fact that the Attorney General could not even intervene in a case in the Prince Edward County schools in Virginia where the schools were closed in order to avoid their desegregation in accordance with the mandate of the Supreme Court of the United States.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. ERVIN. Is the Senator not aware of the fact that the Senator who offered the amendment to eliminate title III of the civil rights bill to which he has referred was the distinguished Senator from New Mexico [Mr. ANDERSON] who is the author of the proposal which is now sought to be brought before the Senate, and the able and distinguished Senator from Vermont [Mr. AIKEN]?

Mr. JAVITS. The Senator is very well aware of it.

Mr. ERVIN. Is there not something of a paradox in the Senator from New Mexico, who made the prime fight for the elimination of title III, offering the present proposal?

Mr. JAVITS. Not at all. On the contrary, it is extremely logical, because the proposal to change the rule comes from a man who has felt the lash of its effect.

In short, the Senator from New Mexico [Mr. ANDERSON] knows better than anybody else what it would mean to endeavor to pass the civil rights bill with part III in it. He was therefore one of those who joined in seeking to take it out. He knows better than I do the full impact of the veto power which resides in a minority of the Senate through the use of the power which the present rule XXII gives.

I have little doubt that that experience has something to do with his willingness—notwithstanding the fact that, as we all know, he is sometimes and on some issues a man of quite conservative views—to be one of the leaders in the fight to ameliorate this rule.

Mr. ERVIN. Does not the Senator from New York know that the motive he has ascribed to the Senator from New Mexico, in offering his amendment, is wholly irreconcilable with the statement which the Senator from New Mexico made in offering it, when he stated he did so because the proposal then pending would have given to the Federal Government complete control over all local government?

Mr. JAVITS. The Senator from New York is not endeavoring to state a motive for the Senator from New Mexico, whom he loves and admires. The Senator from New York is only answering the question of the Senator from North Carolina, who asked me whether I saw anything inconsistent in his having offered the amendment to strike out Part III and his now offering a motion to ameliorate the rigors of rule XXII.

I said I saw nothing inconsistent in his actions; that, on the contrary, I saw great consistency. That is my judgment. I am not trying to read the internal workings of the mind of the Senator from New Mexico [Mr. ANDERSON] or to speak for him. He can speak for himself. In my judgment, there is nothing inconsistent as between the two actions. On the contrary, they are quite consistent and rational.

Mr. ERVIN. Would my good friend permit me to say that I construed his remark to the effect that it was not inconsistent because the Senator from New Mexico [Mr. ANDERSON] had felt the lash of a filibuster as a statement of the motive which inspired the Senator from New Mexico to offer the amendment?

Mr. JAVITS. No; I am only giving my judgment.

Mr. ERVIN. Let me state another question for my friend. Did not both the Senator from New Mexico [Mr. ANDERSON] and the Senator from Vermont [Mr. AIKEN] state on the floor of the Senate, in the presence of the Senator from New York and myself and other Members of the Senate, that they offered the amendment and advocated its adoption because they felt that the proposal then under consideration would be too serious an encroachment of the powers of the Federal Government on the domains of the States?

Mr. JAVITS. As I say, the record of their argument, which is not fresh before me, speaks for itself. I have not the remotest desire to contradict it, nor could I do so. Nor does it, in my opinion, have a pertinency to what I am now saying. The Senator asked me if I saw any inconsistency. I said I did not, and I gave my reasons.

Mr. ERVIN. I thank the Senator for yielding.

Mr. JAVITS. I thank my colleague.

Mr. President, we now come to a very interesting vote and a very interesting effort in this Chamber which, it seems to me, raises very clearly the basic issue of why we are taking the position which we are taking so vigorously.

As I have just recounted, in everything a Senator does he must always take into account the consequences of a possible filibuster, and no matter how desirable a piece of proposed legislation or how enthusiastic one may be about it, totally new considerations arise when one begins to deal with the filibuster issue.

That was very apparent, for example, when we voted during the last session on the so-called literacy test bill, when, quite without regard for the fact that both the majority leader and the minority leader were in favor of the very reasonable way in which that measure would avoid the impositions which were being practiced to deprive certain Negroes in the South of voting, the Senate, when it reached the filibuster issue, when it got to the issue of cloture, and issues of that character, took a totally different stance and a totally different point of view. Again, this was quite extraordinary and quite outside the Constitution of the United State in terms of when we vote and what we do when we do vote.

Mr. President, I know my colleague, the Senator from Texas [Mr. TOWER], is waiting to be heard, and I shall speak only 2 minutes more.

It seems to me it is very important that we who are on the side of seeking to bring about some change in rule XXII should make clear to the country the constitutional situation, which I already have, and also should make clear to the country what I feel is being contended for on the other side in all the discussion about "gag rule" and such. What is being contended for is that there shall be a veto other than veto which the Constitution itself gives when it requires two-thirds votes for ratifying treaties and various other types of action by this body, and other than the veto which is inherent in the way in which the States are represented in the Senate without regard to population, different from the way in which they are represented in the House.

Every argument with respect to the small States and the right of the small States to be heard and to have their interests considered is fully answered by the fact that every small State has two Senators in this body—Alaska as well as New York.

My statements about the population of and income taxes paid by New York have been made only to illustrate the point that the Constitution already had compensated for that, and that the filibuster rule is an effort outside the Constitution to compensate for it again, which is an effort never contemplated by the Constitution.

There is one further point which I should like to make, and that is the significance of the vote which closed debate on the communications satellite bill. I voted to close debate, and that motion was successful. All that demonstrated, Mr. President, was that many of those who argue most strongly against a more effective way for closing debate, on the ground it is a "gag rule," are really special leaders arguing to avoid certain types of legislation; that there is really no principle involved here in all fairness, because when it came to a bill upon which they wanted to close debate, a bill which they wanted to see passed, enough of them voted to close debate so that that procedure could be effective.

It seems to me, therefore, that that sweeps away the argument that there is some principle which is involved which would be very unfair to the minority if debate were placed within even far more reasonable limits than now, when two-thirds of the Senators must set their minds to it, as they did in respect of the communications satellite bill.

Finally, let us remember that every occasion on which we debate this issue is a historic moment. I do not agree with one of our leading newspapers, published in Washington, D.C., which said, in effect, "The debate on rule XXII is a sideshow. What the Senate really ought to do is to debate proposed modifications of all the rules of the Senate and congressional organization."

I respectfully say to the publishers of that newspaper that we shall never get a debate on the rules of the Senate in such a way that we can do something about them unless we change rule XXII, because we will again have, with respect to every rule, the built-in veto power of one-third of the Senate, which is contained in rule XXII. Therefore, when we fight for a change of rule XXII, we are fighting for the key which will unlock the door to a reform of what are, in my opinion, archaic procedures in the Senate and the Congress of the United States.

Finally, let it be said and known that if we can ever bring about some meaningful change in rule XXII, we shall be changing the whole climate of legislation in the United States, and we shall be signalizing at last that the Senate, like the rest of the Nation, in venturing into outer space and dealing with the atom, has come into the modern age and is not living in the past.

Let us remember that the Senate got along from 1806, which I believe is the date, until 1917, without any cloture rule at all. Presiding Officers felt they could terminate debate merely by holding a Member to the rule of germaneness, or some other rule which in effect was a limitation on debate. It was when that fact began to be pointed out and the right of debate began to be abused that a rule on filibuster was adopted. That was when the first cloture rule was written.

Now it is time to bring about the modernization of the rule, to bring it up to date in terms of the needs and exigencies of the American people. The time to do it, as is true in the case of the Army, Navy, or Marines, is not when the issue is upon us, but when we are deliberating, as we are doing now, what the ground rules shall be when the filibuster issue comes before us.

So this is historic. It is important as it affects legislation to be enacted in this and in succeeding Congresses. This is an important moment in our Nation's history. I hope the issue will be dealt with by individual Members of the Senate in that sense.

Mr. President, I could not take my seat without saying that I consider that the vote—whatever may be the way in which the question will be directed, whether it be on a motion to table or in some other way—will be on the issue of whether or not a minority shall be able to frustrate the Senate of the United States by filibuster.

I hope the people will realize the portentous and historic meaning and implications of the debate.

No Senator who has any feeling about civil rights and wants to do something about them, in my opinion, can justify a vote on this particular issue except to ameliorate rule XXII.

I hope Senators will not be misled by the fact that this is not in form a direct civil rights vote. This is the most important civil rights vote of this Congress, and, if we can do anything about rule XXII, the most important civil rights vote of the Congresses which will succeed it as well.

I thank the Senator, and I yield the floor.

**Mr. SCOTT.** Mr. President, it is not my intention to take up the legalities and historical facts related to rule XXII, now under consideration by this body, but I do feel that it is incumbent upon me briefly to state my views, and the views which I believe are shared by the majority of the people I represent, as to certain relevant aspects of the amendment to rule XXII, which I support.

On January 7, 1959, the then President of the Senate, Richard M. Nixon, ruled:

> It is the view of the Chair that a majority of the Senate has a constitutional right at the beginning of each new Congress to determine what rules it desires to follow.

It is my opinion, Mr. President, that that section of rule XXII banning any limitation of debate on proposals to change the rules is unconstitutional, but I am also of the opinion that the question of the constitutionality of this rule can only be decided by the Senate itself.

Under the present rules of the Senate, by which the archaic practice of filibustering is allowed to exist, the basic principle of America democracy—majority rule—is violated. Not only is the majority of this body blocked in its fulfillment of elected duties but it is also coerced into acceptance of measures which do not adequately speak the will of the people. It is the responsibility of each and every Member of the Senate to carry out his duties in such a way that the body as a whole might legislate effectively. Obstruction is the opposite of efficiency. Filibustering, as here, is the opposite of responsibility. It is unnecessary here to go through the pages of history of the Senate to point out the legislation that has been delayed or defeated by the filibuster.

Last year an intermittent 2-month filibuster was conducted on a piece of legislation not only vital to the security of this country, but necessary for the United States to maintain its position in the field of space communications. It is not my intention to support the present change in rule XXII for the purpose of favoring any particular type of legislation, nor is it my intention to lend my support to such a change in order that the Senate might impose upon any of the States of this Union laws which have not been fully studied, heard, and debated prior to their enactment.

No; it is my intention to render my assistance to the principle of majority rule so that this basic American philosophy might become a reality. My purpose in advocating effective cloture is not hatched in any slightest desire for the abridgment of free speech, but in the belief that it is just and necessary to restrain an abuse which has hindered this body in its constitutional duty and the individual Members' duties to those who elected them. In this day and age of supersonic jet transportation, of intercontinental ballistic missiles, of orbital flights, the delay that can be imposed upon the Senate by a few is archaic in origin, but hardly to be equated with orderly legislative procedure.

The constitutional guarantees by which this country has thrived and will go forward to future greatness must be adhered to. This body which is charged with the responsibility of meeting this challenge to live in conformity with the necessities the future brings, leads us to contest against the indignity and the frustrations which this present rule creates.

It is difficult to find adequate precedent for rule XXII as it now stands. To be sure, it is at odds with early Senate procedures. A review of all our State legislature rules of procedure fails almost without exception to reveal like provisions.

Alexander Hamilton in the Federalist Papers, in his writings on the adoption of the Constitution, said:

> The public business must in some way or other go forward. If a pertinacious minority can control the opinion of a majority respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater and give a tone to the national proceedings.

Is not the philosophy "that the public business must in some way or other go forward" pertinent and essential today? Are we not at a time in our history, in the history of the world, that when this Government and its elected representatives, as leaders of the free world, must proceed without unnecessary obstruction with the matters and issues that will not only affect this generation, but generations to come? Does not the responsibility rest upon our shoulders to throw off these shackles of the past so that we might take up the problems of the future?

Much has been said about the legalities of rule XXII and the proposed changes therein. I question whether enough has been said about our constitutional responsibility, our moral responsibility, and our responsibility to this country and its people in this year of 1963, and for years to come.

I support the proposed change in rule XXII as provided by Senate Resolution 9, and call upon my colleagues carefully to consider our constitutional responsibility and our duty to make possible the orderly flow of legislation, under procedures favored by a majority of the Members of the Senate.

Finally, there appears to have been created the impression in some of the daily journals that a given Senator on this side of the aisle may express the views of all Senators on this side on the issue of rule XXII. I certainly mean no criticism, and I do not mean to be invidious, but as the junior Senator from Pennsylvania I do wish to make the point that no other Senator speaks for me. I have done fairly well in being reasonably articulate over a period of nearly 21 years in the two bodies of Congress.

When I say I am in favor of amending rule XXII as provided in Senate Resolution 9, I do not recognize the right of any other Senator on this side of the aisle to say that I or any of us have taken a party position, which indeed I have not, or that any Senator would wish in the slightest to imply anything of the sort. Therefore, I wish to make it clear that there are members of the Republican Party who feel very strongly on the issue of civil rights generally, and who feel very strongly about the necessity for the amendment of rule XXII. There are Members of the Republican Party who hold a contrary opinion, with equal conviction and, I am sure, with equal intellectual honesty and integrity.

The same may be said of Senators on the other side of the aisle. There is a difference of opinion between Members of that party in their approach to this subject.

I wish to make the situation clear, principally so that there may be no misunderstanding in the press which would cause anyone to assume that there is a party position which commits members of the party for or against this particular issue. I wish to make it clear that many Republicans, as I believe any vote will show, strongly favor this amendment, and each Senator attempts to speak only for himself in this regard.

I repeat that I say this without criticism, because if there were to be any criticism it would be of the man at the city desk who writes an editorial which is not consonant with what was actually said; who creates headlines which are not consonant with what he says in the body of the article. It is dangerous for anyone to criticize any member of the press, because the members of the press are indeed our lords and masters—and, God save the mark, our interpreters—whether we like it or not.

However, it is proper to point out that I wish the readers of our daily journals would go past the headlines and give some attention to the first page after they have finished with the sports page, to which I, too, am addicted. If they do, they will often find that the headline does not always tell the story; in fact, the headline may say "Nay," whereas the story may say "Yea." Newspapermen are busy people. Some of them even work as hard as we do, and some undoubtedly work even harder than we do.

I am constrained to make this suggestion so that it will be made crystal clear that there are those of us who are very strongly in support of this position, which we regard as a position in favor of protecting the dignity of the individual, the right of the majority, the human rights of the people, and the orderly flow of legislation.

I yield the floor.

## ESTABLISHMENT OF A MULTISTATE AUTHORITY TO CONSTRUCT AND OPERATE A PASSENGER RAIL TRANSPORTATION SYSTEM

Mr. PELL. Mr. President, I ask unanimous consent that I may introduce a Senate joint resolution granting the consent of Congress to a compact between several States to establish a multistate passenger railway authority for our east coast megolopolis.

The PRESIDING OFFICER. Is there objection? Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 18) granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia, was received, read twice by its title, and referred to the Committee on the Judiciary.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. HART. What is it, Mr. President, what is it that those who are supporting the proposal for a majority cloture rule in the Senate in the 88th Congress seek to do?

Others have undertaken to answer this question for us, and in a fashion which in some cases we find difficult to accept.

I believe the issue is quite simple.

We seek the right of a majority of the Senate which convened on January 9 of this year to modify its rules without some restrictions shaped in previous Congresses.

I believe that statement does not oversimplify the issue. I believe it states it directly and fairly and in a fashion which will make understandable to the people of this country what the excitement is all about.

We seek the right of the majority of the membership of the Senate to come to a vote, after sufficient time for discussion and consideration has passed, on the question of what shall be the rule governing a limitation of debate in the Senate of the 88th Congress.

We seek a change in the so-called cloture rule of previous Congresses to permit 51 Members of the Senate of the 88th Congress to bring debate on issues and measures before the Senate to an orderly close, and to vote on those issues and measures that affect the rights and welfare of the people of the United States and of the free world; to permit us to vote on them "yes" or "no," but to act, when a majority of the Senate feels an obligation to act.

We seek to remove the hand of the unseen minority that passes on and substantially controls the terms of every piece of legislation that is debated in this body—a minority which exercises in quiet ways an effective veto over any provision unsatisfactory to it. It is difficult, Mr. President, to dramatize the day-to-day effect this unseen hand of the minority veto has on actions of committees, on actions of the Senate leadership, yes, even on the recommendations of the executive branch of the Government to the Congress. But it is there, Mr. President, just as surely as is the fact that no majority—acting under provisions of a cloture rule providing for a two-thirds vote to limit debate—can effectively determine the legislative substance and the legislative course in the Senate of the United States.

What is it that the supporters of a modified cloture rule believe is unconstitutional?

Quite simply, we believe that no rule adopted in a previous Congress can constitutionally restrict a Senate majority from changing its rules at the opening of a new Congress. We believe that the provision of rule XXII that prevailed in the Senate rules during the 87th Congress, providing that cloture on a debate could be obtained only by two-thirds of the Senate, is unconstitutional if it acts to prevent the Senate majority exercising its will during the organizing days of the new Congress.

Mr. President, the President of the United States has attempted to deal with difficult problems involving the protection of the rights of all our citizens with the Executive powers available to him.

President Kennedy has moved effectively through Executive action in the field of housing discrimination.

The President has moved effectively, with the leadership of the Vice President, in the field of equal employment opportunities.

The Attorney General has used the laws available to him to seek to bring about school desegregation in compliance with the rulings of the Supreme Court.

Cases have been started to enfranchise citizens in parts of the Nation where obstacles to the vote have been more difficult to surmount than barbed wire barricades. But even here the record of accomplishment leaves much to be desired.

The point, I believe, is that we have much legislative work still undone for the protection of the civil rights of all our citizens. And, Mr. President, this legislative work will remain undone—or be done in a very limited and hesitant manner—unless a majority of the Senate is allowed to act.

But the issue here is not just civil rights—important as these long overdue legislative measures are to the well-being of our citizens. The result of this fight will go to basic elements of the President's entire legislative program. Only one example is needed to illustrate this point.

Aid to education in this country is a difficult and complex legislative problem but one which will demand our best efforts and action. I fail to see how we can seriously get at this problem with real effectiveness if the hidden hand of minority rule in the U.S. Senate is to continue.

Let us pray the majority of the Members of this historic legislative body of equal representatives of the States may be wise and sound in their actions. But let us insure that action can be taken by the majority of this body. The restraint imposed by equal representation from each of the States of the Union written into our Constitution is as sound a protection for the citizens of every State, large or small, as could be conceived. Senate rules which prevent the majority of these representatives from acting are destructive and harmful. It is this we seek to correct.

## CURRENT EVENTS IN THE CONGO

Mr. TOWER. Mr. President, it is my hope that the discussion on the issue of the rules of the Senate, and the issue of whether or not the Senate is a continuing body, can be resolved shortly, because there are many matters of great importance which will come to the attention of the Senate.

I should like to take note of one of these issues today.

In his state of the Union message, President Kennedy put his stamp of approval on the reprehensible mess in the Congo. The Congo is a major shortcoming of the administration's foreign policy, to say the very least.

The United Nations military campaign against Katanga to overpower the only independent pro-Western and anti-Communist government in central Africa, with approval and support of the State Department is impossible for the American people to understand and accept.

The support by our Government for this calculated campaign of force and pillage, is convincing the American people, more and more each day, of the futility of the United Nations as an effective instrument for peace.

I venture to predict that in future days it will be more and more difficult to convince Members of Congress, who are responsible to the American people and who are responsive to the manifestations of opinion of the American people, that the United Nations merits the financial, moral, and policy support of the United States.

There is a strong, growing tide of sentiment in the United States against United Nations action in Katanga and against this administration's position.

The United Nations, after effectively vetoing the President's firm stand in Cuba by superimposing its softer positions, has now outdone itself as its noble leader, Secretary General U Thant, has ordered Katanga to be overrun by the 18,000-man U.N. force, to impose, by force of arms, Moise Tshombe's surrender to the Central Congolese Government, with its Communist background.

A union imposed by force—a shotgun wedding, so to speak—can only be maintained by force and there is no modern-day parallel for our Government's support for such a completely indefensible policy.

A united Congo is preferable to a divided Congo, and honorable means of persuasion and diplomacy, with the support of the United Nations and the United States, are certainly proper.

There is no justification, however, for the United Nations to intervene with military might and sanctions to force reunification.

The United Nations, with our backing, to the horror of the American people—and the dismay of many of our traditional allies and friends among the Western governments—waged war against a Katanganese Government which was defending itself against attack.

Throughout the fall months, President Tshombe took numerous steps to bring about better relations with the Central Government of Prime Minister Adoula. His representatives signed agreements with the Central Government, reopened bridges and rail connections, established telephone and postal communications, turned substantial sums to its accounts, resumed ore shipments, and, most importantly, reached cease-fire agreements with Léopoldville.

Unfortunately, the State Department seems to be overcome with its philosophy that we must never be in public opposition to Secretary General U Thant, who is obviously carried along by the Afro-Asian bloc, and the Marxist bloc, and thus our national policy supports the use of military force to overpower Tshombe. This, I submit, is a national shame.

This is the first time in our Nation's history that we have deliberately undertaken to destroy the liberty and independence of another people.

The United Nations is assuming, in a dramatic display of force and arms, unchallenged powers of a government. The Congo exhibition documents its power to wage war.

Mr. President, I think we have all been outraged by the brutality of the United Nations forces in the Congo. The incidents of needless brutality are legion. Only the other day we saw a very poignant, dramatic picture in the newspapers, which showed the husband of one of two women who had been willfully and needlessly murdered by United Nations forces. His face was contorted in grief. He was pleading, "Why? Why?" Why the needless slaughter of innocents? Is this consonant with the spirit and letter of the United Nations Charter?

The success of Secretary General Thant's military campaign, with an international army, against the pro-Western government of President Tshombe, is a deplorable triumph for our State Department, and its determination to impose the authority of Prime Minister Adoula, a virtual captive of extremist pro-Marxist elements in his government, over the entire Congo, that has never been unified; that is, except under the colonial rule of Belgium, but never in reality unified. The Congo, from the standpoint of geography and ethnic or national makeup, cannot be considered a nation. The Congo has never been really unified in terms of culture, language, or race. It is apparent now that the Congo does not want to be unified; or at least that not everybody in the Congo wants to be united with everybody else in the Congo.

The Kennedy administration has provided the money, the munitions, and the transport to enable the U.N. to attain its antidemocratic objectives.

The goals are abhorrent to our traditional national aims to make and keep peace by peaceful means, and are contrary to the United Nations Charter.

Importantly, the American people are handicapped in their efforts to know the facts on this violation of traditional fairplay, equity, and justice, as they know and cherish them, because of restricted news coverage of the Congo, both at home and on the African scene.

Here at home, Prime Minister Adoula was brought here by the State Department, with pomp and ceremony, and was given the grand tour. President Tshombe, on the other hand, was denied a request to visit the United States, as the State Department, with partial candor, insisted the request was not "timely." Certainly, the Department did not want Tshombe to tell his story directly to the American people.

It would perhaps be amusing, if it were not tragic, that very shortly after we grandly welcomed Mr. Adoula to this country, he announced acceptance of an invitation to go to Moscow. This was virtually at the same time that people in the State Department were giving us assurances that Mr. Adoula certainly was not disposed toward the left or toward the Communist hegemony.

At the same time that our Government and the U.N. originated a deluge of anti-Tshombe and anti-Katanga propaganda, our Government's treatment of Michele Struelens, the representative of Tshombe in this country since 1960, is likewise unstatesmanlike and un-American in the extreme.

The recent Senate Judiciary Committee report, dated last August, and withheld from public distribution for months at State Department insistence, clearly shows that State "used" Struelens on dangerous missions into the Congo as long as it suited its purposes, then obtained Struelens' visa under questionable circumstances, and, shortly before the current military operations against Tshombe, moved summarily, with assist from the Justice Department, to deport him.

In marked contrast to this highhandedness, and at the same time, felons and racketeers who are much more susceptible and vulnerable to deportation, are permitted to set up legal devices that enable them to remain in this country indefinitely.

In the Congo itself, complaints are numerous and vehement from newspaper correspondents that they have extreme, and frequently insurmountable, difficulty in filing objective accounts of the United Nations military operations against Katanga.

Action of the Congress in the past session, with the passage of legislation to purchase United Nations bonds, shows the administration's determination to bail out United Nations financial deficits, brought about by nonpayment by other nations of its assessments—and thus establishes, for our country, at least, the power to tax in behalf of the United Nations.

An international government that can wage war, with powers to tax, by indirection, should certainly be scrutinized, examined, and investigated, in its fundamental concepts and its operations, by the Congress.

I note that the distinguished Senator from Connecticut [Mr. DODD], who could hardly be regarded as a rank reactionary of the Tower-Goldwater stripe, has suggested an "impartial examination" to Sir Leslie Munro, Secretary General of the International Commission of Jurists. I am in accord with this objective, but favor a thorough investigation of the United Nations by the Congress, and especially by the Senate, and will propose this, in letters to the chairmen of the Senate Foreign Relations and Appropriations Committees.

Arthur Krock, distinguished senior columnist of the New York Times, in recent comment on the prospects for an "impartial inquiry," said this would be a "novelty in the Congo postindependence record of battle, massacre, official factual distortion, downright lies, and controversies dealt with in the spirit of savage tribal warfare."

Mr. President, I do not know whether we can ever wash from our hands the blood of the innocent people who have been slaughtered in the Congo. I do not know whether we can ever make amends to people who sought only to determine their own political destinies. When the facts are known, I do not know whether we can convince the historians that we acted in good faith and with good intent when we supported that highhanded action, unprecedented in our history, in destroying an autonomous government which was pro-Western, and which was relatively popular, when we consider the fact that so many of the new, emerging nations do not really have popular governments. Actually, usually when a colonial administration is taken away, there is merely substituted some sort of domestic dictatorship which is oriented toward the Socialist nations, not toward the Western, capitalist nations. I do not know whether we can ever make amends for what we have done. But it is my fervent hope that eventually the U.S. Congress will try to get at the facts, and eventually will develop a policy and a position based on what is right and what is just, and based on what the facts merit.

It is my hope that we shall attempt to get past the screen thrown over this entire matter by the United Nations, that we shall go beyond the controlled and filtered news which emanates from the United Nations, and that we shall discover just what we have really done.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion to the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. TOWER. Mr. President, returning to the question of whether the Senate is a continuing body, I should like to note a few facts.

In the history of this body, there has never been a time when, at the beginning of a Congress or at the beginning of a session, the Senate has reaffirmed its rules. It is a matter of established precedent that the Senate is a continuing body. That is one of the intangibles in the American constitutional system. It is what we might call a custom or usage or tradition. Of course, these customs, usages, and traditions have a way of becoming as much parts of the constitutional system as the words which appear in the Constitution itself, and as much as the legal precedents established by the courts. This is a tradition which is well established. It dates back to the period when the Congress was first organized, pursuant to the Constitution.

Of course, we have a written Constitution, which is the foundation of the American constitutional system, unlike the Constitution of Mother Britain, which is made up of the great charters and statutes of the common law and many legal and political traditions. But if we think broadly in terms of the constitutional system, we cannot think solely in terms of the written document itself, which by itself has no vitality. The Constitution develops through custom and usage, through acts of Congress, through judicial interpretation, and through established political organisms. We must regard this tradition and precedent as being as valid a part of the constitutional system as is the doctrine of judicial review, which was established in the case of Marbury against Madison in 1803, when the Supreme Court assumed for itself the power to be the arbiter in all matters constitutional and took for itself the power to determine what was valid under the Constitution and what was invalid under the Constitution.

There has been no serious challenge to the doctrine of judicial review. It is an established part of our constitutional system, and, in the opinion of the junior Senator from Texas, it would require a constitutional amendment to destroy the doctrine, the principle, the precedent that judicial review has come to mean.

For example, there are those who have contended that such cases as Brown against the Board of Education at Topeka, Kans., in 1954 was not the law of the land because the court cannot make law, or that the court did not base its decision primarily on legal precedent but on certain sociological and humanitarian reasoning for the most part. Many have held that that decision is legally unsound, and I am inclined to agree. However, it is the law of the case, and I accept it, simply because I accept the doctrine of judicial review. Indeed, as one who calls himself a conservative, I could not do otherwise. It is an established precedent.

But by the same token, there has not yet been a serious challenge—and certainly there has not been a successful challenge—to the notion that the Senate is a continuing body. I hold that this is a precedent that is fully as valid as the precedent laid down in the case of Marbury against Madison. The Senate is, and ought to be regarded as, a continuing body. It is my hope that we will not lightly overturn tradition and precedent merely because there is some problem, either real or imagined, that needs to be dealt with at the moment, because it would seem to be convenient to change things in a hurry so that we can legislate in a hurry.

I respect the Senator from Pennsylvania [Mr. SCOTT] very much, and ordinarily I follow him on a great many questions. But a moment ago he said that obstructionism defies efficiency, or words to that effect. That is true. But in a democracy, is efficiency a goal to be sought? I think we would like to have our administrative agencies and our executive departments run as efficiently as possible. But we cannot run a whole society along the cardinal principles of good administration with clear lines of control and authority running downward, and commensurate clear lines of responsibility and accountability running upward. We cannot have efficiency everywhere in a democratic society.

We could, by revising the structure and the rules of the Congress and the appropriate provisions of the Constitution that bear upon the Congress and its operation, make it a very efficient body indeed. But we do not want it to be efficient to the extent that it operates merely as an authoritarian body that rushes through things quickly for the sake of convenience or political expediency or to serve the interests of the moment. It should be in a measure inefficient. The bicameral legislature is not conducive to efficiency.

I seem to recall that when Mr. Jefferson returned from France, the Constitution had been adopted and had gone into effect. Jefferson was having coffee with President Washington one morning. Mr. Jefferson said:

> George, tell me, why did you create a bicameral Congress? Why did you establish a Congress with two Chambers?

Mr. Washington looked at Mr. Jefferson and noted that he was pouring his coffee into his saucer. He said:

> Tom, why do you pour your coffee into your saucer?

Mr. Jefferson's response was:

> To cool it, sir.

Mr. Washington said:

> Tom, that is why we established a bicameral legislature, a bicameral Congress, so that proposed legislation could be poured from one Chamber into another to cool it.

Mr. President, how much bad legislation would have gone through Congress if it had been unicameral in character? How much bad legislation would we have passed in haste if our procedure was designed to accomplish the utmost in speed of legislative operation? I think the Senate rules are good. They themselves are the result of custom, usage, and evolving tradition. Would it not be a pity if we here wiped them out for the sake of expediency at this time?

The Senate is and must be regarded a continuing body.

The question we are considering is not a civil rights issue. I get tired of listening to that argument.

Mr. HART. Mr. President, will the Senator from Texas yield for a question at this point?

Mr. TOWER. I yield to the Senator from Michigan for a question.

Mr. HART. I ask it only because of the comment with respect to President Washington.

I wonder if the Senator from Texas is familiar also with a statement that President Washington made when he was talking to the Congress, not merely to Thomas Jefferson, in 1794, when he said:

> It was the fundamental principle of our Constitution that the will of the majority shall prevail.

Is the Senator familiar with that comment?

Mr. TOWER. I am familiar with that quotation from the remarks by Mr. Washington. I point out to the Senator from Michigan that I shall use only such of President Washington's statements as tend to support my arguments, and I shall try to forget those that support his; but I might note that Thomas Jefferson added:

> The will of the majority is in all cases to prevail, but that will, to be right, must be reasonable.

Certainly it was the intent of the framers of the Constitution, I think, to establish safeguards for the minority. I think this is inherent in the Constitution.

Mr. HART. I thank the Senator from Texas.

Mr. TOWER. I get a little tired of hearing this issue always referred to as a civil rights issue. It is not a civil rights issue, regardless of what may be one's feelings about rule XXII and regardless of what may be one's feelings about civil rights legislation. The issue is whether the Senate is a continuing body.

I can see the opening of a virtual Pandora's box of possibilities if we should decide that the Senate is not a continuing body and could readopt its rules at the beginning of each session.

I belong to the minority party, and I tremble to think of what might happen to us Republicans at the beginning, not necessarily of the next Congress, but of this Congress. Could not then the majority write its own rules and completely wipe out any safeguards the minority party may have?

I do not suggest that my good friends on the Democratic side of the aisle are going to do this. Certainly I know that my good friend, the distinguished Senator from Michigan [Mr. Hart], with his sense of fairplay and justice, would be no party to writing rules which would enable the Senate to run roughshod over the minority party, but it might be noted that sometimes political pressures are very great and the pressures of the moment might make it appear expedient to suffocate the voice of the minority party.

It is also altogether possible—though in this past election it did not seem too probable—that the Republicans will someday become a majority in the Senate, and this action could work in the worst interests of the Democratic Party.

I think this is a matter that certainly should be given the most careful attention and consideration by those who would hold that this body is not continuous and must readopt its rules at the beginning of each session.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield to the Senator from North Carolina for a question.

Mr. ERVIN. Would not the Senator agree with me in the observation that in establishing a rule of law or a rule of procedure, perhaps the wisest test as to its wisdom is, "What can bad men do with this rule?" rather than "What can be done with it by good men?"

Mr. TOWER. I thank the distinguished Senator from North Carolina for raising that very important question. I think that is a good maxim to apply. I think sometimes it is necessary to balance potential evil against potential good and to realize that in attempting to do something good we can open the door for great evil. There are times when the remedy is worse than the illness. One can take too much medicine and kill himself with it.

I think this is something upon which every Member of the Senate should pause to reflect. What are the possibilities for evil which could be wrought by turning over a precedent which is as old as the organization of the Government of the United States under the Constitution? I hope we shall think on it carefully, and come up with the correct answer.

### BILL AND JOINT RESOLUTION INTRODUCED

A bill and a joint resolution were introduced by unanimous consent, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STENNIS:

S. 295. A bill to amend title 18, United States Code, to extend the laws prohibiting espionage, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Stennis when he introduced the above bill, during the speech delivered by Mr. Eastland.)

By Mr. PELL:

S.J. Res. 18. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multi-State authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

(See the remarks of Mr. Pell relating to the above joint resolution, which appear under separate headings.)

### RECESS

Mr. TOWER. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate took a recess until tomorrow, Friday, January 18, 1963, at 12 o'clock meridian.

### NOMINATIONS

Executive nominations received by the Senate January 17 (legislative day of January 15), 1963:

#### Federal Housing Commission

Philip N. Brownstein, of Maryland, to be Federal Housing Commissioner.

#### Renegotiation Board

Jack Beaty, of New Mexico, to be a member of the Renegotiation Board, vice Russell A. Stuart, resigned.

#### Subversive Activities Control Board

Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967, vice Thomas James Donegan, term expired.

## HOUSE OF REPRESENTATIVES

### Thursday, January 17, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Ephesians 3: 17: *That Christ may dwell in your hearts by faith.*

Almighty God, whom we reverently worship in these moments of prayer, may there be mediated unto us and channeled through us a larger measure of the cardinal virtues of faith, hope, and love.

We penitently acknowledge that there is often within our souls a strange mingling of faith and fear, of affirmation and denial, of courage and cowardice.

Grant that we may seek to have a greater part in lifting the anxieties of groping humanity into anthems of joy and praise and may the terrors, which haunt the mind of man, be supplanted by the shouts of triumph and peace.

May all who hold positions of leadership and trust daily find their hearts enlarged and enriched with the guiding and strengthening ministry of Thy Holy Spirit.

Hear us in the name of the Captain of our Salvation. Amen.

### THE JOURNAL

The Journal of the proceedings of Monday, January 14, 1963, was read and approved.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Vice President, pursuant to title 20, United States Code, sections 42 and 43, has reappointed Mr. Fulbright and Mr. Anderson members of the Board of Regents of the Smithsonian Institution on the part of the Senate.

### NATHANIEL A. DENMAN AND LUCILLE G. DENMAN AGAINST JOHN W. McCORMACK ET AL.

The SPEAKER. The Chair desires to make a statement.

The Chair, in his representative capacity, and the following Members in their representative capacity: Hon. Joseph W. Martin, Jr., F. Bradford Morse, William H. Bates, Torbert H. Macdonald, Hastings Keith, Thomas P. O'Neill, and James A. Burke, and the Clerk of the House in his official capacity, have been summoned to appear before the U.S. District Court for the District of Massachusetts in the case of Nathaniel A. Denman and others against John W. McCormack and others. Under the precedents of the House, the Chair, the Members heretofore mentioned, and the Clerk are unable to comply with this summons without the consent of the House, the privileges of the House being involved. The Chair, on behalf of himself, the Members heretofore referred to, and the Clerk, submits the matter for the consideration of this body.

The Clerk will read the summons.

The Clerk read as follows:

[U.S. District Court for the District of Massachusetts—Civil action file No. 62-434-J]

Nathaniel A. Denman and Lucille G. Denman, Plaintiffs, *v.* John W. McCormack, Joseph William Martin, Jr., F. Bradford Morse, William H. Bates, Thomas J. Lane, Torbert H. Macdonald, Hastings Keith, Laurence Curtis, Thomas P. O'Neill, James A. Burke, Leverett Saltonstall, Edward M. Kennedy, and Ralph R. Roberts, Defendants

SUMMONS

*To the Above-Named Defendants:*

You are hereby summoned and required to serve upon Nathaniel A. Denman, whose address is Box 689, Falmouth, Cape Cod, Mass., an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

John A. Canavan,
*Clerk of the Court.*
John F. Davis,
*Deputy Clerk.*

Date: January 2, 1963.
A true copy.
Attest:

William H. Baldwin,
*Deputy U.S. Marshal.*

Note.—This summons is issued pursuant to rule 4 of the Federal Rules of Civil Procedure.

The SPEAKER. The Clerk will read a copy of the letter that the Chair has sent to the Attorney General of the United States in connection with the case heretofore mentioned.

The Clerk read as follows:

January 17, 1963.

The Honorable the Attorney General,
*Department of Justice.*

Sir: I did on last evening, January 16, accept service in the case of *Denman* v. *McCormack et al.*, from Deputy U.S. Marshal Morina. I have asked the deputy marshal to present this summons and letter to you so that you may proceed in accordance with the law.

Sincerely,

John W. McCormack.

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## ELECTION OF MEMBERS TO COMMITTEE ON WAYS AND MEANS

Mr. WALTER. Mr. Speaker, I offer a resolution (H. Res. 107) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That the following-named Members be, and they are hereby, elected members of the Standing Committee of the House of Representatives on Ways and Means:

Ross Bass, of Tennessee; W. Pat Jennings, of Virginia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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## COMPOSITION OF COMMITTEES OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 108) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That during the Eighty-eighth Congress the Committee on Agriculture shall be composed of 35 members;

The Committee on Appropriations shall be composed of 50 members;

The Committee on Armed Services shall be composed of 37 members;

The Committee on Banking and Currency shall be composed of 31 members;

The Committee on the District of Columbia shall be composed of 25 members;

The Committee on Education and Labor shall be composed of 31 members;

The Committee on Foreign Affairs shall be composed of 33 members;

The Committee on Government Operations shall be composed of 31 members;

The Committee on House Administration shall be composed of 25 members;

The Committee on Interior and Insular Affairs shall be composed of 33 members;

The Committee on Interstate and Foreign Commerce shall be composed of 33 members;

The Committee on the Judiciary shall be composed of 35 members;

The Committee on Merchant Marine and Fisheries shall be composed of 31 members;

The Committee on Post Office and Civil Service shall be composed of 25 members;

The Committee on Public Works shall be composed of 34 members; and

The Committee on Science and Astronautics shall be composed of 31 members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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## ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 109) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That the following-named Members, be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: Harold D. Cooley, of North Carolina, chairman; W. R. Poage, of Texas; George M. Grant, of Alabama; E. C. Gathings, of Arkansas; John L. McMillan, of South Carolina; Thomas G. Abernethy, of Mississippi; Watkins M. Abbitt, of Virginia; Paul C. Jones, of Missouri; Harlan Hagen, of California; Lester R. Johnson, of Wisconsin; D. R. (Billy) Matthews, of Florida; Frank A. Stubblefield, of Kentucky; Ralph R. Harding, of Idaho; G. Elliott Hagan, of Georgia; Graham Purcell, of Texas; James H. Morrison, of Louisiana; Benjamin S. Rosenthal, of New York; Robert B. Duncan, of Oregon; Alec G. Olson, of Minnesota; Robert L. Leggett, of California; Spark M. Matsunaga, of Hawaii.

Committee on Appropriations: Clarence Cannon, of Missouri, chairman; George H. Mahon, of Texas; Harry R. Sheppard, of California; Albert Thomas, of Texas; Michael J. Kirwan, of Ohio; Jamie L. Whitten, of Mississippi; George W. Andrews, of Alabama; John J. Rooney, of New York; J. Vaughan Gary, of Virginia; John E. Fogarty, of Rhode Island; Robert L. F. Sikes, of Florida; Otto E. Passman, of Louisiana; Joe L. Evins, of Tennessee; John F. Shelley, of California; Edward P. Boland, of Massachusetts; William H. Natcher, of Kentucky; Daniel J. Flood, of Pennsylvania; Winfield K. Denton, of Indiana; Tom Steed, of Oklahoma; Joseph M. Montoya, of New Mexico; George E. Shipley, of Illinois; John M. Slack, Jr., of West Virginia; John Lesinski, of Michigan; John J. Flynt, Jr., of Georgia; Neal Smith, of Iowa; Robert N. Giaimo, of Connecticut; Julia Butler Hansen, of Washington; Edward R. Finnegan, of Illinois; Charles S. Joelson, of New Jersey; Joseph P. Addabbo, of New York.

Committee on Armed Services: Carl Vinson, of Georgia, chairman; L. Mendel Rivers, of South Carolina; Philip J. Philbin, of Massachusetts; F. Edward Hébert, of Louisiana; Arthur Winstead, of Mississippi; Melvin Price, of Illinois; O. C. Fisher, of Texas; Porter Hardy, Jr., of Virginia; Clyde Doyle, of California; Charles E. Bennett, of Florida; Richard E. Lankford, of Maryland; George Huddleston, Jr., of Alabama; James A. Byrne, of Pennsylvania; Samuel S. Stratton, of New York; Jeffery Cohelan, of California; Victor Wickersham, of Oklahoma; Otis G. Pike, of New York; Joe M. Kilgore, of Texas; Richard (Dick) Ichord, of Missouri; Lucien N. Nedzi, of Michigan; Clarence D. Long, of Maryland.

Committee on Banking and Currency: Wright Patman, of Texas, chairman; Albert Rains, of Alabama; Abraham J. Multer, of New York; William A. Barrett, of Pennsylvania; Leonor K. (Mrs. John B.) Sullivan, of Missouri; Henry S. Reuss, of Wisconsin; Thomas L. Ashley, of Ohio; Charles A. Vanik, of Ohio; William S. Moorhead, of Pennsylvania; Robert G. Stephens, Jr., of Georgia; Fernand J. St. Germain, of Rhode Island; Henry B. Gonzalez, of Texas; Claude Pepper, of Florida; Joseph G. Minish, of New Jersey; Charles L. Weltner, of Georgia; Richard T. Hanna, of California; Bernard F. Grabowski, of Connecticut; Charles H. Wilson, of California.

Committee on the District of Columbia: John L. McMillan, of South Carolina, chairman; Thomas G. Abernethy, of Mississippi; Howard W. Smith, of Virginia; William L. Dawson, of Illinois; John Bell Williams, of Mississippi; Abraham J. Multer, of New York; John Dowdy, of Texas; George Huddleston, Jr., of Alabama; Basil L. Whitener, of North Carolina; Jeffery Cohelan, of California; Fernand J. St. Germain, of Rhode Island; James W. Trimble, of Arkansas; B. F. Sisk, of California; Charles C. Diggs, Jr., of Michigan; G. Elliott Hagan, of Georgia.

Committee on Education and Labor: Adam C. Powell, of New York, chairman; Carl D. Perkins, of Kentucky; Phil M. Landrum, of Georgia; Edith Green, of Oregon; James Roosevelt, of California; Frank Thompson, Jr., of New Jersey; Elmer J. Holland, of Pennsylvania; John H. Dent, of Pennsylvania; Roman C. Pucinski, of Illinois; Dominick V. Daniels, of New Jersey; John Brademas, of Indiana; James G. O'Hara, of Michigan; Ralph J. Scott, of North Carolina; Hugh L. Carey, of New York; Augustus F. Hawkins, of California; Carlton R. Sickles, of Maryland; Sam M. Gibbons, of Florida; Thomas P. Gill, of Hawaii.

Committee on Foreign Affairs: Thomas E. Morgan, of Pennsylvania, chairman; Clement J. Zablocki, of Wisconsin; Omar Burleson, of Texas; Edna F. Kelly, of New York; Wayne L. Hays, of Ohio; Armistead I. Selden, Jr., of Alabama; J. L. Pilcher, of Georgia; Barratt O'Hara, of Illinois; L. H. Fountain, of North Carolina; Dante B. Fascell, of Florida; Leonard Farbstein, of New York; Charles C. Diggs, Jr., of Michigan; Lindley Beckworth, of Texas; Harris B. McDowell, Jr., of Delaware; William T. Murphy, of Illinois; Cornelius E. Gallagher, of New Jersey; Robert N. C. Nix, of Pennsylvania; John S. Monagan, of Connecticut; Donald M. Fraser, of Minnesota; Ronald Brooks Cameron, of California.

Committee on Government Operations: William L. Dawson, of Illinois, chairman; Chet Holifield, of California; Jack Brooks, of Texas; L. H. Fountain, of North Carolina; Porter Hardy, Jr., of Virginia; John A. Blatnik, of Minnesota; Robert E. Jones, of Alabama; Edward A. Garmatz, of Maryland; John E. Moss, of California; Dante B. Fascell, of Florida; Henry S. Reuss, of Wisconsin; John S. Monagan, of Connecticut; Richard E. Lankford, of Maryland; Torbert H. Macdonald, of Massachusetts; J. Edward Roush, of Indiana; William S. Moorhead, of Pennsylvania; Cornelius E. Gallagher, of New Jersey; Wm. J. Randall, of Missouri; Benjamin S. Rosenthal, of New York.

Committee on House Administration: Omar Burleson, of Texas, chairman; Samuel N. Friedel, of Maryland; Robert T. Ashmore, of South Carolina; Wayne L. Hays, of Ohio; Paul C. Jones, of Missouri; George M. Rhodes, of Pennsylvania; Frank Thompson, Jr., of New Jersey; Watkins M. Abbitt, of Virginia; Robert A. Everett, of Tennessee; John J. McFall, of California; Joe D. Waggonner, Jr., of Louisiana; Carl D. Perkins, of Kentucky; John H. Dent, of Pennsylvania; Sam M. Gibbons, of Florida.

Committee on Interior and Insular Affairs: Wayne N. Aspinall, of Colorado, chairman; Leo W. O'Brien, of New York; Walter Rogers, of Texas; James A. Haley, of Florida; Ed Edmondson, of Oklahoma; Walter S. Baring, of Nevada; Thomas G. Morris, of New Mexico; Ralph J. Rivers, of Alaska; Roy A. Taylor, of North Carolina; Harold T. Johnson, of California; Hugh L. Carey, of New York;

Morris K. Udall, of Arizona; Elizabeth Kee, of West Virginia; Ray Roberts, of Texas; Robert B. Duncan, of Oregon; Compton I. White, Jr., of Idaho; John O. Marsh, Jr., of Virginia; Edward R. Roybal, of California; Thomas P. Gill, of Hawaii.

Committee on Interstate and Foreign Commerce: Oren Harris, of Arkansas, chairman; John Bell Williams, of Mississippi; Kenneth A. Roberts, of Alabama; Harley O. Staggers, of West Virginia; Walter Rogers, of Texas; Samuel N. Friedel, of Maryland; Torbert H. Macdonald, of Massachusetts; George M. Rhodes, of Pennsylvania; John Jarman, of Oklahoma; Leo W. O'Brien, of New York; John E. Moss, of California; John D. Dingell, of Michigan; Paul G. Rogers, of Florida; Robert W. Hemphill, of South Carolina; Dan Rostenkowski, of Illinois; James C. Healey, of New York; Horace R. Kornegay, of North Carolina; W. R. Hull, Jr., of Missouri; Gillis William Long, of Louisiana; Lionel Van Deerlin, of California.

Committee on the Judiciary: Emanuel Celler, of New York, chairman; Francis E. Walter, of Pennsylvania; Michael A. Feighan, of Ohio; Frank Chelf, of Kentucky; Edwin E. Willis, of Louisiana; Peter W. Rodino, Jr., of New Jersey; E. L. Forrester, of Georgia; Byron G. Rogers, of Colorado; Harold D. Donohue, of Massachusetts; Jack Brooks, of Texas; William M. Tuck, of Virginia; Robert T. Ashmore, of South Carolina; John Dowdy, of Texas; Basil L. Whitener, of North Carolina; Roland V. Libonati, of Illinois; Herman Toll, of Pennsylvania; Robert W. Kastenmeier, of Wisconsin; Jacob H. Gilbert, of New York; James C. Corman, of California; William L. St. Onge, of Connecticut; George F. Senner, Jr., of Arizona.

Committee on Merchant Marine and Fisheries: Herbert C. Bonner, of North Carolina, chairman; Edward A. Garmatz, of Maryland; Leonor K. (Mrs. John B.) Sullivan, of Missouri; T. A. Thompson, of Louisiana; Frank M. Clark, of Pennsylvania; Thomas L. Ashley, of Ohio; John D. Dingell, of Michigan; L. Mendel Rivers, of South Carolina; Alton Lennon, of North Carolina; Thomas N. Downing, of Virginia; Bob Casey, of Texas; James A. Byrne, of Pennsylvania; Charles A. Vanik, of Ohio; Harlan Hagen, of California; Edith Green, of Oregon; Paul G. Rogers, of Florida; Frank A. Stubblefield, of Kentucky; John M. Murphy, of New York.

Committee on Post Office and Civil Service: Tom Murray, of Tennessee, chairman; James H. Morrison, of Louisiana; Thaddeus J. Dulski, of New York; David N. Henderson, of North Carolina; Arnold Olsen, of Montana; Morris K. Udall, of Arizona; Dominick V. Daniels, of New Jersey; Lindley Beckworth, of Texas; Harley O. Staggers, of West Virginia; Robert N. C. Nix, of Pennsylvania; Everett G. Burkhalter, of California; W. Donlon Edwards, of California; Joe R. Pool, of Texas; Albert W. Watson, of South Carolina.

Committee on Public Works: Charles A. Buckley, of New York, chairman; George H. Fallon, of Maryland; Clifford Davis, of Tennessee; John A. Blatnik, of Minnesota; Robert E. Jones, of Alabama; John C. Kluczynski, of Illinois; T. A. Thompson, of Louisiana; Jim Wright, of Texas; Kenneth J. Gray, of Illinois; Frank M. Clark, of Pennsylvania; Ed Edmondson, of Oklahoma; John J. McFall, of California; John Young, of Texas; Harold T. Johnson, of California; W. J. Bryan Dorn, of South Carolina; David N. Henderson, of North Carolina; Arnold Olsen, of Montana; Harold M. Ryan, of Michigan; J. Russell Tuten, of Georgia; John M. Murphy, of New York.

Committee on Rules: Howard W. Smith, of Virginia, chairman; William M. Colmer, of Mississippi; Ray J. Madden, of Indiana; James J. Delaney, of New York; James W. Trimble, of Arkansas; Homer Thornberry, of Texas; Richard Bolling, of Missouri; Thomas P. O'Neill, Jr., of Massachusetts; Carl Elliott, of Alabama; B. F. Sisk, of California.

Committee on Science and Astronautics: George P. Miller, of California, chairman; Olin E. Teague, of Texas; Joseph E. Karth, of Minnesota; Ken Hechler, of West Virginia; Emilio Q. Daddario, of Connecticut; J. Edward Roush, of Indiana; Thomas G. Morris, of New Mexico; Bob Casey, of Texas; Wm. J. Randall, of Missouri; John W. Davis, of Georgia; William Fitts Ryan, of New York; Thomas N. Downing, of Virginia; Joe D. Waggonner, Jr., of Louisiana; Edward J. Patten, of New Jersey; Richard Fulton, of Tennessee; Don Fuqua, of Florida; Neil Staebler, of Michigan; Carl Albert, of Oklahoma.

Committee on Un-American Activities: Francis E. Walter, of Pennsylvania, chairman; Clyde Doyle, of California; Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; Joe R. Pool, of Texas.

Committee on Veterans' Affairs: Olin E. Teague, of Texas, chairman; W. J. Bryan Dorn, of South Carolina; Elizabeth Kee, of West Virginia; James A. Haley, of Florida; Walter S. Baring, of Nevada; Robert A. Everett, of Tennessee; Thaddeus J. Dulski, of New York; Roland V. Libonati, of Illinois; Harris B. McDowell, Jr., of Delaware; Horace R. Kornegay, of North Carolina; Ray Roberts, of Texas; Robert T. Secrest, of Ohio; W. Donlon Edwards, of California; John O. Marsh, Jr., of Virginia; George E. Brown, Jr., of California.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ELECTION TO STANDING COMMITTEES OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 110) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Appropriations: Ben F. Jensen, of Iowa; Walt Horan, of Washington; Gerald R. Ford, of Michigan; Harold C. Ostertag, of New York; Frank T. Bow, of Ohio; Charles Raper Jonas, of North Carolina; Melvin R. Laird, of Wisconsin; Elford A. Cederberg, of Michigan; Glenard P. Lipscomb, of California; John J. Rhodes, of Arizona; John R. Pillion, of New York; William E. Minshall, of Ohio; Robert H. Michel, of Illinois; Silvo O. Conte, of Massachusetts; William H. Milliken, Jr., of Pennsylvania; Earl Wilson, of Indiana; Odin Langen, of Minnesota.

Committee on House Administration: Paul F. Schenck, of Ohio; Robert J. Corbett, of Pennsylvania; John B. Bennett, of Michigan; Glenard P. Lipscomb, of California; Charles E. Chamberlain, of Michigan; Charles E. Goodell, of New York; John Kyl, of Iowa; John B. Anderson, of Illinois.

Committee on Rules: Clarence J. Brown, of Ohio; Katharine St. George, of New York; H. Allen Smith, of California; Elmer J. Hoffman, of Illinois; William H. Avery, of Kansas.

Committee on Ways and Means: John W. Byrnes, of Wisconsin; Howard H. Baker, of Tennessee; Thomas B. Curtis, of Missouri; Victor A. Knox, of Michigan; James B. Utt, of California; Jackson E. Betts, of Ohio; Bruce Alger, of Texas; Steven B. Derounian, of New York; Herman T. Schneebeli, of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## MINORITY WHIP AND CHAIRMAN OF THE REPUBLICAN POLICY COMMITTEE

Mr. FORD. Mr. Speaker, as the chairman of the Republican conference, it is my privilege to report to the House that the Republican conference has unanimously approved the gentleman from Illinois [Mr. ARENDS] as minority whip and the gentleman from Wisconsin [Mr. BYRNES] as the chairman of the Republican policy committee.

## COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may be permitted to sit during the sessions of the House for the remainder of the 88th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

## JOINT ECONOMIC COMMITTEE

The SPEAKER. Pursuant to the provisions of 15 United States Code 1024(a), as amended, the Chair appoints as members of the Joint Economic Committee the following Members on the part of the House:

Mr. PATMAN, of Texas; Mr. BOLLING, of Missouri; Mr. BOGGS, of Louisiana; Mr. REUSS, of Wisconsin; Mrs. GRIFFITHS, of Michigan; Mr. CURTIS, of Missouri; Mr. KILBURN, of New York; and Mr. WIDNALL, of New Jersey.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 15, 1963.

The Honorable the SPEAKER,
*House of Representatives.*

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 12 noon on January 15, 1963, and said to contain the annual report of the National Science Foundation.

Respectfully yours,
RALPH R. ROBERTS,
*Clerk, U.S. House of Representatives.*

## TWELFTH ANNUAL REPORT OF THE NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 39)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

*To the Congress of the United States:*

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the 12th Annual Report of the National Science Foundation for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 15, 1963.*

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## BUDGET MESSAGE OF THE PRESIDENT, 1964 (H. DOC. NO. 15)

The SPEAKER laid before the House the following message from the President of the United States which was read, and, together with accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

*To the Congress of the United States:*

With this message I present the budget of the United States for the fiscal year ending June 30, 1964.

The Federal budget has a double importance: It is an agenda of our purposes and priorities in the form of a plan for the conduct and financing of the public business. It is also the most powerful single tool the Nation possesses for linking the private and public sectors of our economy in a common effort to achieve and maintain national prosperity. This budget presents a financial plan for the efficient and frugal conduct of the public business, and it proposes measures to set the United States firmly on the road to maximum production, employment, and purchasing power.

This budget is presented in a national economic climate which is greatly improved over that of 2 years ago, but which is capable of substantial further improvement. In the last 2 years, our total real output of goods and services has increased by 9 percent; total wage payments have risen by 10 percent; corporate profits have gone up by 18 percent; and well over a million additional nonfarm jobs have been created. At the same time, the price level of the United States has been one of the most stable in the world, and we have substantially reduced the deficit in our balance of payments.

Nevertheless, we cannot rest on this record. The performance of the economy in 1962 fell below our expectations. The gap between economic performance and potential which opened up in 1957 has not yet been closed. Unutilized productive capacity remains too large, and unemployment remains too high. Our rate of economic growth lags behind our capability. We must not allow the progress of the last 2 years to blunt the recognition that our economy can produce both more jobs and greater abundance than it is now doing.

Our economy has been falling short of its productive potential for more than 5 years because total demand for goods and services by consumers and business firms has been insufficient to keep the economy operating at capacity. Yet, in the face of this persistent inadequacy of overall demand, the purchases of consumers and business firms have been restrained by tax and other collections—Federal, State, and local—which now total over $150 billion a year.

The checkrein of taxes on private spending and productive incentives must be loosened if our economy is to perform at maximum efficiency. To that end—as I pledged last year—the 1964 budget incorporates a major program of tax reduction and reform, designed to help speed the economy toward full employment and a higher rate of growth with price stability.

Although, with the passage of time, the economic expansion induced by reduction in tax rates may be expected to yield a higher level of Government revenues than the present tax system affords, the initial effect of the proposed tax program will be a revenue loss. In this setting, I have felt obliged to limit severely my 1964 expenditure proposals. In national defense and space programs—where false economy would seriously jeopardize our national interest or even our national survival—I have proposed expenditure increases. Fixed interest charges on the debt will also rise. But total 1964 expenditures for all other programs in the administrative budget, taken together, have been held to this year's level, and even reduced somewhat. Within this total, increases have been confined to those areas most important to the Nation's current welfare and future growth, and these will be offset—indeed, slightly more than offset—by the reductions I am recommending in expenditures under other programs.

In presenting this budget as the Government's financial plan for 1964, I am giving major emphasis to a consolidated cash presentation, covering not only the administrative budget but also other Federal activities—mainly the social security, highway, and other trust funds. This provides a much more complete picture of governmental activities and finances than the administrative budget. It is in accord with recommendations made by nongovernmental groups and independent scholars that a more meaningful and comprehensive budgetary concept be used.

On this basis, after taking into account the revenue loss associated with my tax recommendations, total receipts from the public in fiscal year 1964 are estimated at $112.2 billion, total payments to the public at $122.5 billion, with a resulting excess of payments of $10.3 billion.

This step toward consideration of the Government's program and budget in more complete form than heretofore entails no change in the legal status of the trust funds; the assets of these funds will be held inviolate as always. Moreover, the administrative budget, which has received the most attention in the past, continues to be identified. Using this older concept, which covers only Government-owned funds and thus excludes trust fund transactions, the outlook is for receipts of $86.9 billion in 1964, expenditures of $98.8 billion, and an excess of expenditures totaling $11.9 billion.

A third concept of Federal finances, which is used in our national income accounts, provides an important measure of the economic impact of the Government's fiscal activities; Federal fiscal data in these terms are estimated on an accrual rather than a cash basis, including the trust funds but eliminating transactions not directly affecting production and income. These data indicate an excess of expenditures over receipts of $7.6 billion in fiscal year 1964.

Whichever measure is used, the immediate effect of my proposed tax program will be to increase the deficit which would otherwise be incurred in the coming fiscal year. In accepting this prospect, I have considered both the lessons of the recent past and the outlook for the future.

The sluggish rate of economic growth in recent years has not produced the revenues required to obtain budget surpluses under our present tax system. During the past 5 fiscal years, on an administrative budget basis, the Government's cumulative deficits totaled $24.3 billion, in marked contrast with the original budget estimates of cumulative surpluses totaling $8.0 billion. The major reason for the shortfall was the continued failure of the economy to reach the levels which had been assumed as reasonable. It is now clear that the restraining effects of the tax system on the economy were not adequately recognized.

*Summary of Federal receipts and payments*

[Fiscal years. In billions]

| Description | 1962 actual | 1963 estimate | 1964 estimate |
|---|---|---|---|
| Federal receipts: | | | |
| Administrative budget receipts | $81.4 | $85.5 | $86.9 |
| Trust fund receipts | 24.3 | 26.9 | 29.5 |
| Deduct intragovernmental transactions | 3.8 | 3.9 | 4.2 |
| Total cash receipts from the public | 101.9 | 108.4 | 112.2 |
| Add adjustment from cash to accrual basis | 2.5 | 1.4 | −.1 |
| Deduct receipts from loans, property sales, and other adjustments | .4 | 1.0 | .7 |
| National income account receipts—Federal sector | 104.0 | 108.8 | 111.4 |
| Federal payments: | | | |
| Administrative budget expenditures | 87.8 | 94.3 | 98.8 |
| Trust fund expenditures (including Government-sponsored enterprises) | 25.2 | 27.3 | 28.4 |
| Deduct intragovernmental transactions and other adjustments | 5.3 | 4.8 | 4.7 |
| Total cash payments to the public | 107.7 | 116.8 | 122.5 |
| Add adjustment from cash to accrual basis | .9 | .3 | −.1 |
| Deduct disbursements for loans, land purchases, and other adjustments | 2.9 | 3.9 | 3.4 |
| National income account expenditures — Federal sector | 105.7 | 113.2 | 119.0 |
| Excess of receipts (+) or payments (−): | | | |
| Administrative budget | −6.4 | −8.8 | −11.9 |
| Receipts from and payments to the public | −5.8 | −8.3 | −10.3 |
| National income accounts—Federal sector | −1.7 | −4.3 | −7.6 |

NOTE.—Receipts, including those on a national income account basis, reflect retroactively to Jan. 1, 1962, revenue losses occasioned by both the Revenue Act of 1962 and the 1962 administrative depreciation reform. To this extent, receipts shown for fiscal 1962 differ from those published to date by the Department of Commerce in the national income accounts.

This issue must be faced squarely. Our present choice is not between a tax cut and a balanced budget. The choice, rather, is between chronic deficits arising out of a slow rate of economic growth, and temporary deficits stemming from a tax program designed to promote fuller use of our resources and more rapid economic growth. Considerations of sound fiscal policy as well as concern for the Nation's economic well-being have led me to the conviction that the latter choice is the only sensible one. Unless we release the tax brake which is holding back our economy, it is likely to continue to operate below its potential, Federal receipts are likely to remain disappointingly low, and budget deficits are likely to persist. Adoption of the tax program I am proposing will strengthen our Nation's economic vitality, and by so doing, will provide the basis for sharply increased budget revenues in future years.

Nevertheless, the prospect of expanding economic activity and rising Federal revenues in the years ahead does not mean that Federal outlays should rise in proportion to such revenue increases. As the tax cut becomes fully effective and the economy climbs toward full employment, a substantial part of the revenue increases must go toward eliminating the transitional deficit. Although it will be necessary to increase certain expenditures, we shall continue, and indeed intensify, our effort to include in our fiscal program only those expenditures which meet strict criteria of fulfilling important national needs. Federal outlays must be incurred only where the resulting benefits to the security and well-being of the American people are clearly worth the costs.

Furthermore, we shall maintain pressure on each department and agency to improve its productivity and efficiency. Through improved management techniques, installation of modern equipment, and better coordination of agency programs, important productivity gains have already been realized, and further advances will be forthcoming. I mean to insure that in each of the various Federal programs, objectives are achieved at the lowest possible cost.

The Federal deficit which will be incurred in fiscal year 1964 should neither raise fears of inflation nor cause increased concern about our balance of international payments. With the tools of monetary policy and debt management always available, our program for sustained economic expansion with increasing productivity is an objective quite compatible with continuance of the relative price stability we have known in recent years; this is of importance not only at home but also for our foreign trade. Moreover, the favorable effects of a strong economic expansion on the profitability of domestic investment and on the productivity of American industry, in combination with all of our efforts to achieve balance-of-payments equilibrium, will contribute to the strength of the dollar, as our friends abroad increasingly recognize.

### TAX RECOMMENDATIONS AND RECEIPTS

My tax proposals include substantial permanent reductions in individual and corporation income tax rates as well as a number of important structural changes designed to encourage economic growth, increase the equity of our tax system, and simplify our tax laws and administration. Some reductions in rates would start in the calendar year 1963. The remainder of the program, including additional income tax rate reductions for both individuals and corporations, together with structural reforms and other revisions, would become effective in 1964 and 1965. The entire tax program, which I will shortly recommend to the Congress as a single comprehensive measure, is a major step in the effort to strengthen and improve our tax system.

The recommended tax rate reductions extend over every bracket of individual income tax rates. The largest proportionate tax reductions, measured as a percentage of tax liability and in relation to the total revenue loss to the Government, are proposed for those with the lowest incomes. The recommendations also provide for more equitable tax treatment through changes affecting the tax base and remove certain tax concessions that will be no longer appropriate. In every respect, the proposals are consistent with generally accepted American standards of fair play, while at the same time they are designed to provide needed economic incentives.

The proposed corporation income tax reductions are supplemented by recommended structural changes to strengthen the position of small business and to correct distortions in the existing structure which result in the misallocation of energy and resources. Part of the loss in Treasury tax collections attributable to rate reductions would be offset by the introduction of a gradual program to place payment of income tax liabilities of large corporations on a more current basis.

*Receipts from the public*

[Fiscal years. In billions]

| Source | 1962 actual | 1963 estimate | 1964 estimate |
|---|---|---|---|
| Administrative budget receipts: | | | |
| Individual income taxes | $45.6 | $47.3 | $45.8 |
| Corporation income taxes | 20.5 | 21.2 | 23.8 |
| Excise taxes | 9.6 | 9.9 | 10.4 |
| Other | 5.7 | 7.1 | 6.9 |
| Total, administrative budget receipts | 81.4 | 85.5 | 86.9 |
| Trust fund receipts: | | | |
| Employment taxes | 12.6 | 14.8 | 16.6 |
| Deposits by States, unemployment insurance | 2.7 | 2.8 | 2.8 |
| Excise taxes | 2.9 | 3.2 | 3.3 |
| Federal employee and agency payments for retirement | 1.8 | 1.8 | 1.9 |
| Interest on trust investments | 1.4 | 1.5 | 1.6 |
| Veterans life insurance premiums | .5 | .5 | .5 |
| Other | 2.4 | 2.3 | 2.9 |
| Total, trust fund receipts | 24.3 | 26.9 | 29.5 |
| Intragovernmental transactions (deduct) | 3.8 | 3.9 | 4.2 |
| Total receipts from the public | 101.9 | 108.4 | 112.2 |

The proposed tax program, when fully effective, would reduce tax liabilities by about $10 billion compared to the present tax system, when both calculations are based on the same calendar year 1963 levels of income. Incomes, however, will not be the same under the new tax program. Because my proposals incorporate lower rates of taxation as well as tax reform measures, they will stimulate economic activity and so raise the levels of personal and corporate income as to yield within a few years an increased—not a reduced—flow of revenues to the Federal Government.

Revenue estimates: Estimates of Federal receipts must be based upon specific economic assumptions. The revenue estimates in this budget assume a gross national product in the calendar year 1963 of $578 billion. This figure is the midpoint of a range of expectation which extends $5 billion on each side. The anticipated rise in the gross national product from the calendar 1962 level of $554 billion takes into account some initial economic stimulus expected from adoption of my tax recommendations.

That part of the proposed reductions in tax rates becoming effective in calendar 1963 would, by itself, reduce fiscal 1964 tax revenues by some $5.3 billion. Placing the payment of corporate income taxes on a more current basis, however, will reduce this revenue loss, as will the initial spur provided by the tax program to private production and incomes. Taking account of these factors, the net revenue loss in fiscal 1964 from my tax program is estimated at $2.7 billion. Despite this revenue loss, administrative budget receipts are estimated to rise by $1.4 billion in fiscal year 1964 because of the anticipated expansion in economic activity.

As we learned again this past year, there are many uncertainties in estimating economic developments and Federal revenues so far ahead. If the economy grows more strongly and quickly than we now foresee, revenues would be higher than now estimated. On the other hand—although I consider this unlikely if my proposals are approved promptly by the Congress—slower growth in the economy would be accompanied by smaller revenues. This would indeed be unfortunate, both because of the effect on Government finances, and because of the lost opportunities and the human misfortune that would accompany a sluggish economy and growing unemployment.

Tax extension: Legislation is needed to extend certain excise tax rates for another year. Without such legislation, these tax rates would be reduced or would expire on July 1, 1963, resulting in a revenue loss in fiscal year 1964 of $1.6 billion.

Under present law, the maximum corporation income tax rate would be reduced from 52 percent to 47 percent on July 1, 1963. My legislative proposals include an extension of the 52-percent maximum rate for 6 months, but provide, in accordance with my tax program, for certain changes in the tax treatment of corporations which will also be applicable to that period.

User charges: I am renewing the recommendations I made last year for the enactment of a series of user charges for commercial and general aviation and for transportation on inland waterways. The purpose of the recommendations is to assure that passengers and shippers who benefit from special Government programs will bear a more equitable share of the costs of these programs. Appropriate fees should also be assessed in other areas in which the Government provides special benefits or conveys special privileges to the users and beneficiaries. Where new legislation is needed to carry out this policy—such as to update the schedule of fees for issuing patents, established in 1932—the necessary proposals will be sent to the Congress.

### GOVERNMENT PROGRAMS AND EXPENDITURES

The expenditure program which I am proposing in this budget is, I believe, the minimum necessary to meet the essential needs of our complex and growing society in an era of cold war.

All levels of Government have been subject to sharp pressures for increased expenditures during the postwar period as our population has grown, as wages and prices have risen, and as demands for improved governmental services have expanded. Since 1948 State and local government expenditures have more than trebled and Federal expenditures for nondefense purposes, including a rapidly expanding level of grants-in-aid to State and local governments, have more than doubled. The Federal Government has also borne a sharply increased burden in the areas of national defense, international affairs, and space.

In this budget for 1964, most of the increase in expenditures over the current year is also for national security and space programs, carrying forward efforts already begun to strengthen our defenses and to participate more actively in man's attempt to explore outer space. Expenditures for fixed interest charges and for activities financed through trust funds will also increase, chiefly reflecting continued expansions in the self-financed social security and highway programs.

The total of administrative budget expenditures for all other programs, combined, has been held slightly below the 1963 level, despite the fact that we face such rising costs as the second step of the civilian employee pay reform enacted last year and various increases under program commitments already made, such as urban renewal and public assistance grants.

Other moderate expenditure increases being proposed within the reduced total represent a necessary payment on future progress and should not be postponed. They include new programs and increases in present programs for education and health, which are investments in our human resources; retraining for those whose present skills are no longer in strong demand; enlargement of employment opportunities for young people who have left school; redevelopment of depressed areas, including the program enacted last year for accelerating public works in these areas; improvement of urban areas through better transportation and more adequate housing, especially for moderate-income families; and encouragement of science and technology important to our civilian industries.

*Payments to the public*

[Fiscal years. In billions]

| Function | 1962 actual | 1963 estimate | 1964 estimate |
|---|---|---|---|
| Administrative budget expenditures: | | | |
| National defense | $51.1 | $53.0 | $55.4 |
| Space research and technology | 1.3 | 2.4 | 4.2 |
| Interest | 9.2 | 9.8 | 10.1 |
| Subtotal | 61.6 | 65.2 | 69.7 |
| All other functions: | | | |
| International affairs and finance | 2.8 | 2.9 | 2.7 |
| Agriculture and agricultural resources | 5.9 | 6.7 | 5.7 |
| Natural resources | 2.1 | 2.4 | 2.5 |
| Commerce and transportation | 2.8 | 3.3 | 3.4 |
| Housing and community development | .3 | .5 | .3 |
| Health, labor, and welfare | 4.5 | 4.9 | 5.6 |
| Education | 1.1 | 1.4 | 1.5 |
| Veterans benefits and services | 5.4 | 5.5 | 5.5 |
| General government | 1.9 | 2.0 | 2.2 |
| Subtotal, all other functions | 26.9 | 29.7 | 29.4 |
| Allowances: | | | |
| Comparability pay adjustment | -------- | -------- | .2 |
| Contingencies | -------- | .1 | .2 |
| Interfund transactions (deduct) | .6 | .6 | .7 |
| Total, administrative budget expenditures | 87.8 | 94.3 | 98.8 |
| Trust fund expenditures: | | | |
| Health, labor, and welfare | 20.4 | 21.8 | 22.8 |
| Commerce and transportation | 2.7 | 2.9 | 3.2 |
| Housing and community development | 1.5 | .5 | 1.0 |
| Veterans benefits and services | .7 | .9 | .6 |
| All other | .4 | 1.7 | 1.2 |
| Interfund transactions (deduct) | .5 | .5 | .5 |
| Total, trust fund expenditures | 25.2 | 27.3 | 28.4 |
| Intragovernmental transactions and other adjustments (deduct) | 5.3 | 4.8 | 4.7 |
| Total payments to the public | 107.7 | 116.8 | 122.5 |

These increases are offset by decreases in other administrative budget expenditures. For example, lower expenditures are estimated for the postal service, as a result of a full year's return on the rate increases enacted last year; for certain housing, international, and other lending programs, through substitution of private for public credit; and for agricultural price supports.

National defense: There is no discount price on defense. The free world must be prepared at all times to face the perils of global nuclear war, limited conventional conflict, and covert guerrilla activities.

The 1964 budget carries forward this administration's policies to develop and strengthen the flexible and balanced forces needed to guard against each of these hazards, and to equip and operate these forces at the lowest possible cost. For the coming year, total expenditures for national defense are estimated at $56.0 billion, of which $55.4 billion are administrative budget expenditures. This is about $10 billion more than the level of expenditures in 1960 and, together with the growth in the space program, accounts for the major part of the increase in the budget since this administration took office.

The 1964 budget proposals for national defense continue the emphasis which in recent years we have placed on:

A strong strategic retaliatory force capable of surviving a surprise attack and responding effectively in a controlled and flexible manner against the aggressor. Additional numbers of land-based Minuteman missiles will be procured and placed in hardened and dispersed sites. Six more Polaris submarines will be procured, and further work done on improved versions of the Minuteman and Polaris missiles.

Improved air and missile defense forces. Our antibomber defense system and our ballistic missile warning systems will be strengthened. High levels of effort will continue on developing a defense against missiles, including further testing of the Nike-Zeus antimissile missile and initial development of the more advanced Nike-X surface-to-air missile.

More powerful and flexible conventional forces—ground, sea, and air—to increase the range of nonnuclear response to aggression. Procurement of conventional weapons, equipment, ammunition, helicopters, and Air Force tactical fighter and reconnaissance aircraft for more effective support of ground units will be speeded. Provision is made for 16 combat-ready Army divisions, 3 divisions and air wings in the Marine Corps, further modernization of the naval fleet, and an additional 15,000 men for the Army to test the concept of an air assault division and other new air units.

A civil defense fallout shelter program to improve the chances that a large portion of our population would survive a possible nuclear attack.

Strengthened counterinsurgency forces to help our allies deal with Communist subversion and covert armed aggression within their frontiers.

In this era of increasingly complex weapons and military systems, a large part of the effectiveness of our defense establishment depends on the retention of well-trained and devoted personnel in the Armed Forces. General military pay was last increased 4½ years ago. Since then, higher wages and salaries in private industry have provided strong inducement for highly trained military personnel to leave the service for better paying jobs in civilian life. To help meet this serious problem, and in fairness to the dedicated personnel in our Armed Forces, I will shortly submit to the Congress specific recommendations for increases in military compensation rates effective October 1, 1963.

Space research and technology: The accelerated programs for exploration and use of outer space moved ahead vigorously during the past year, and further significant advances are anticipated in the year ahead. This budget provides for an increase of $2 billion in appropriations for the National Aeronautics and Space Administration to proceed with the top priority manned lunar landing program and with its wide range of programs of scientific investigation and development of useful applications such as communications and meterological satellites. Expenditures in 1964 are estimated to rise to $4.2 billion, which is $1.8 billion over the current year's level—an increase of 75 percent.

Efforts are being concentrated on the continued development of the complex Apollo spacecraft and the large Advanced Saturn launch vehicle needed to boost the Apollo to the moon. A lunar orbit rendezvous approach will be used to accomplish during this decade the first manned lunar landing. Under this technique the Apollo spacecraft will be boosted directly into orbit around the moon, where a small manned lunar excursion module will be detached and descend to the surface of the moon. It will later return to the orbiting Apollo which will return to the earth.

The recent Mariner flight past Venus attests to the progress we are making in unmanned space investigations. Development of geophysical, astronomical, meteorological, and communications satellites will also continue. This budget provides for strong research efforts aimed at developing the technology needed for advanced space missions, including future manned space flight and unmanned explorations of Venus and Mars.

International affairs and finance: We are steadfast in our determination to promote the security of the free world, not only through our commitment to join in the defense of freedom, but also through our pledge to contribute to the economic and social development of less privileged, independent peoples. The attack on India by Communist China, and Vietnam's continuing struggle against massive armed subversion supported from without, are current reminders of the need and importance of our assistance. The increasing pace of modernization and the mounting efforts at reform and self-help in many nations merit our support and encouragement.

I am convinced that the budgetary amounts proposed are essential to meet our commitments and achieve our purposes. The basic objective of these international military and economic expenditures is to serve the security interests of the United States. Because these programs are often addressed to complex problems in distant lands, their contribution to our security objectives is not always directly apparent, but it is nonetheless vital. And because the problems we encounter are grave and complex, they present us with a constant challenge to improve content, administrative efficiency, and overall effectiveness.

Fundamental to our efforts is recognition that we are dealing with a combination of military, political, and economic measures which must be complementary and reinforcing. Our overseas military assistance program is vital to assure the continued survival of independent states so situated that they are prime targets for open aggression or subversion. While direct military assistance greatly enhances the ability of these less developed countries to defend themselves and thus contributes to the peace and security of the free world, their contribution depends ultimately upon the strength of their economic and social structures. The economic and social development process is long and arduous, primarily dependent upon the efforts of the less developed nations themselves. We must assist and accelerate this process by providing critical increments of material and human resources which, along with measures of self-help and reform, will ultimately spell success for these efforts.

Expenditures in fiscal year 1964 for military and economic assistance, combined, are estimated at $3,750 million, $100 million less than in the current year. In providing these sums, we will be highly selective, stressing projects and programs crucial to the rapid development of countries which are important to the maintenance of free world security and which demonstrate willingness and ability to marshal their own resources effectively.

Of special concern are the Latin American Republics, with whom we have joined in the Alliance for Progress. As our neighbors to the south undertake far-reaching economic and social reforms, we are pledged to provide a critical margin of resources necessary for the achievement of our common goals. In the fiscal year 1964 I am recommending a program which will provide a total of over $1 billion for these countries through the Agency for International Development, the Inter-American Development Bank, the Export-Import Bank, and the Food for Peace program. We shall also be according priority in this area to the highly successful program of the Peace Corps.

We are not alone in seeing the relationship between free world security and rapid economic and social development. Other free world countries, particularly the European countries and Japan, are increasing their oversea programs, and we will continue to encourage these nations to increase them further in both size and scope. Similarly, we must support and encourage development programs carried out under international auspices. Negotiations are now underway for replenishing and enlarging the resources of the International Development Association. After these negotiations are completed, I expect to ask the Congress to authorize U.S. agreement, thereby enabling the operations of this important international organization to be continued and expanded. I also expect to request an authorization for the United States to join in providing additional resources for the Inter-American Development Bank.

The authority of the Export-Import Bank to exercise its functions expires on June 30, 1963. I shall shortly propose legislation to extend the life of the Bank for 5 years and to increase its resources by $2 billion, so that its significant contribution to the expansion of our foreign trade can continue. Without a further increase in the Bank's resources, the legislation will also increase by $1 billion the Bank's authorization for the highly successful programs of guarantees and insurance of exporter credits.

Agriculture and agricultural resources: To realize for the Nation as a whole the benefits of our increasingly efficient agriculture, farm production must be brought into line with domestic and export requirements, the incomes of persons engaged in farming must be maintained and increased, and constructive use must be made of the current agricultural abundance to raise the level of living of the Nation's low-income families and meet international needs through the food-for-peace program. As part of this effort, we must use the opportunities opened up by the Trade Expansion Act of 1962 to expand foreign markets for our farm products.

The temporary wheat and feed grain programs, as modified by legislation enacted in the last session of Congress, are continuing to supplement farm income and to reduce storage costs by achieving reductions of our excess stocks of these grains. However, new programs are needed for cotton and dairy products as well as for feed grains to enable us to utilize more effectively the benefits of increasing productive efficiency in agriculture and to reduce budgetary expenditures for farm programs. I shall be presenting to the Congress specific legislative proposals relating to these farm commodities.

Legislation is recommended to continue the food stamp program and funds are included to operate the program in 1964 at the same level as in 1963. In addition, the 1964 budget provides for a start on the broad land-use adjustment program and the enlarged loan program of the Farmers Home Administration authorized in the Food and Agriculture Act of 1962. These programs, along with some shifts in emphasis in existing programs of the Department of Agriculture, are an essential part of our rural areas development program—a significant undertaking to cope with problems of unemployment, underemployment, and poverty in rural areas.

Federal payments in 1964 for all agricultural programs are estimated at $5.8 billion, a reduction of $1.1 billion from the 1963 level. This reduction results largely from anticipated substantial sales by the Commodity Credit Corporation in 1964 of cotton expected to be placed under price support in 1963. In addition, legislation is being proposed to increase the role of private financing in the rural housing program.

Natural resources: Orderly conservation and development of our natural resources are required to meet our future needs and to promote longrun economic growth. Expenditures of $2.6 billion are estimated in 1964 for these purposes.

The budget provides for continued water resources development through projects for flood control, navigation, irrigation, water supply, hydroelectric power, and related recreational and wildlife development. Funds are included for the Corps of Engineers, the Bureau of Reclamation, the Bureau of Indian Affairs, and the Tennessee Valley Authority to initiate construction on 43 new water resources projects with an estimated total Federal cost to completion of $792 million.

Major emphasis is being given within the Federal Government to coordinated planning of river-basin development and research on water resources. In addition, legislation is again recommended to provide for comprehensive and coordinated water resources planning by Federal and State agencies and to authorize limited Federal grants to strengthen State planning.

I am requesting funds to start construction of major extra-high-voltage interconnections linking the electric systems of the Pacific Northwest and Pacific Southwest. The interconnections will provide for the sale and exchange of power between California and the Northwest, resulting in substantial economies to both regions. Prompt action is expected on legislation proposed last year to reserve necessary power supplies for the Pacific Northwest.

The provision of adequate outdoor recreational opportunities for our growing population continues to be a pressing problem. Legislation will shortly be transmitted to the Congress to assist the States in the solution of this problem and to provide for Federal acquisition of certain lands to be devoted to recreational and conservation uses.

Commerce and transportation: I am gratified that the Congress enacted higher postal rates last year, permitting a reduction in net expenditures for the postal service in 1964. Expenditures for maritime operating subsidies are also estimated to be less in 1964 than in 1963. Despite these decreases, total Federal payments for commerce and transportation programs are expected to increase by $444 million to $6.7 billion in 1964. An estimated increase in grants to States for highway construction through the self-financed highway trust fund amounts to almost nine-tenths of the total rise; the remainder covers such recently enacted programs as area redevelopment, trade promotion, and acceleration of capital improvements in areas of substantial unemployment, as well as such older activities as small business loans and weather services.

To achieve a higher longrun rate of economic growth, and to take full advantage of the Trade Expansion Act of 1962 by competing successfully in the great markets of Europe and the developing nations of Africa and Asia, it is essential that we retain our current position of technological leadership in many industries. Accordingly, the Secretary of Commerce is undertaking a new program with the specific aim of stimulating through industrial research and development innovation in our civilian industrial technology. As an immediate step to help improve our balance of payments, I am recommending a substantial increase in the export expansion program.

Studies are progressing on the economic and technical feasibility of developing a supersonic air transport. I have directed that these studies be expedited and the results evaluated as soon as practicable.

The national transportation policy which I proposed last year is based upon greater reliance on competitive free enterprise, with less Federal regulation and subsidies. Under this approach, the Government would emphasize equal opportunity for all types of transportation. I hope that the new Congress will act promptly along the lines recommended previously to authorize the basic changes needed in existing law.

Housing and community development: The development and rehabilitation of urban areas and the provision of adequate housing for all our citizens stand high among the Nation's objectives. To this end the new and broader housing and community development programs authorized in the Housing Act of 1961 will be carried forward at an accelerated pace in 1964. Commitments made in earlier years will result in increased expenditures for urban renewal grants and for mortgage purchases and loans to help provide adequate housing for low and moderate income families as well as for elderly persons. Several possible methods for improving the provision of housing for low-income groups are currently being tested. Moreover, Federal loans are being made to improve public facilities in smaller communities and in areas of substantial unemployment.

I urge the Congress to enact promptly legislation, along the lines I proposed last year, to provide Federal aid to help urban areas solve their mass transportation problems.

The Federal Government is not properly organized at present to deal efficiently and effectively with the pressing problems of urban areas. I again recommend strongly that the Congress establish a Department of Urban Affairs and Housing to give urgently needed leadership in the solution of these problems.

Federal expenditures for housing and community development will rise from the current year's level of $874 million to $1.1 billion in fiscal year 1964. The substantial progress which will be made in this area will be financed in part through the substitution of private for public credit in a number of mortgage insurance and purchase programs.

Health, labor, and welfare: One of our most important national purposes must continue to be the strengthening of human resources. A strong defense and a revitalized economy require a trained and productive labor force, relentless warfare on illness and disease, and continued progress in extending economic security to those in our society who lack the means to provide adequately for their own basic needs.

Under existing health programs, the budget provides for strengthening the National Institutes of Health and the Food and Drug Administration, for improving community and environmental health protection, and for combating mental illness and mental retardation. In addition, new legislation is proposed: to expand further the fight against mental illness and mental retardation; to broaden the scope and enlarge the authorization provided for construction of medical facilities in the Hill-Burton Act; and to authorize a new program to assist in the construction of medical schools.

I am also again proposing health insurance for aged persons, to be financed mainly through the social security system, but with benefits for those not covered by social security to be paid from regular appropriations.

To strengthen further the Government's labor and manpower activities, the budget includes funds to improve the Federal-State employment service, and I am again recommending legislation to revise the Federal-State unemployment insurance program so that the needs of the unemployed will be more fully met in both good and bad times. Under the Manpower Development and Training Act of 1962, funds are included to provide training services to 140,000 unemployed workers in the coming fiscal year, and legislation is proposed to provide urgently needed opportunities for training and employment to the youth of our Nation.

Legislation is recommended to create a National Service Corps to help by example to strengthen the volunteer spirit in the provision of social services in our local communities.

Federal payments for health, labor, and welfare programs in 1964 are estimated to rise by $1.6 billion to $27.4 billion, of which over 80 percent will be paid from trust funds.

Education: A strong educational system is necessary for the maintenance of a free society and a growing economy. Inadequacies in our educational system present serious obstacles to the achievement of important national objectives and prevent able individuals from obtaining the high quality training to which they should have ready access.

In these circumstances Federal action becomes imperative, but the Federal Government can provide only a small part of the funds in an area where outlays from all sources approximate $30 billion annually. Accordingly, I am recommending a program carefully designed to provide a major impetus to the solution of a selected number of critical educational problems.

This program, which will be outlined more fully in a special message, proposes significant new activities and greater utilization of the existing authority of the Office of Education. It also proposes greater use of the authority of the National Science Foundation to support science and engineering education. It is designed, first, to obtain improved quality in all levels and types of education; second, to help break crucial bottlenecks in the capacity of our educational system by providing funds for building expansion; and third, to increase opportunities for individuals to obtain education and training by broadening and facilitating access to colleges and universities and by providing an expanded range of technical, vocational, and professional training opportunities for teachers and students.

A recommended substantial augmentation of basic research by the National Science Foundation—necessary to progress in science and technology—will also contribute materially to graduate education.

This budget provides new obligational authority of $3 billion for education programs in fiscal year 1964, of which $1.5 billion is under proposed legislation. Expenditures are estimated to rise by $165 million to $1.5 billion.

Veterans benefits and services: This country has recognized that the Government's primary obligation for veterans benefits is to those who incurred disabilities in the defense of our Nation and to the dependents of those who died as a result of military service. In keeping with this principle, the 87th Congress enacted a new program of vocational rehabilitation for servicemen disabled while in the Armed Forces and a cost-of-living increase in disability compensation rates. I recommend that the Congress enact a similar increase in benefits for the children and dependent parents of veterans who died as a result of military service.

Emphasis in veterans programs should continue to be placed on benefits and care for the service disabled. This policy recognizes that veterans are increasingly benefited by the rapidly expanding general health, education, and welfare programs of the Government. Excluding these general benefits, total Federal payments for veterans programs in 1964 are estimated at $6 billion.

### EXPENDITURES OF AN INVESTMENT NATURE

Success in achieving a higher rate of economic growth in the future depends, in large part, on our willingness to devote current resources to enlarging the Nation's capacity to produce goods and services in future years. About one-seventh of the expenditures proposed for 1964 are for activities which will promote increased productivity and economic growth, yielding substantial benefits in the future.

For example, the fiscal year 1964 program includes $10.8 billion of budget and trust fund expenditures for Federal civil public works; for highways, hospitals, and other additions to State, local, and private assets; for loans for such activities as rural electrification, education, and small business operations; and for other additions to Federal assets.

The Federal Government will also contribute directly and indirectly to economic growth through its support of more than two-thirds of all the scientific research and development undertaken in the Nation. Expenditures for research and development other than for national defense and space are expected to rise to $1.6 billion in fiscal year 1964. Moreover, the additional $8.8 billion devoted to defense research and development, including atomic energy, and the $3.6 billion devoted to space research and development, will produce many collateral benefits to the civilian sector of the economy as well.

Furthermore, during fiscal year 1964 an estimated $1.6 billion will be spent for nondefense education, training, and health programs, in addition to the amounts for facilities and loans. Apart from the intrinsic merits of these programs, helping to provide individuals with the opportunity to obtain the best medical care available and to maximize the development of their intellectual capacities and occupational skills improves the quality of the labor force. Indeed, growth in the Nation's education and skills has been a major factor in the longrun rise in the Nation's economic productivity.

### FEDERAL EXPENDITURES ABROAD

The United States continues to face a deficit in its international payments as we enter the calendar year 1963. As one part of the administration's program to reduce this deficit, the Federal Government, during the past year, has instituted a system of continuing review of all its activities affecting the balance of payments. This process is intended to insure that expenditures abroad for the Federal Government's activities are kept to the minimum consistent with our defense and other responsibilities at home and abroad.

In the preparation of the 1964 budget, all proposed expenditures which affect the balance of payments have received particular attention and review. Special efforts are being made to reduce Federal expenditures overseas without jeopardizing the defense of the free world. Measures already taken to assure maximum expenditure of foreign economic assistance funds in the United States will continue to reduce the portion of these funds spent abroad. We will continue to press ahead in the effort to encourage other nations, particularly European countries and Japan, to accept a greater share of the costs of economic aid to developing countries and to increase support for military defenses within their own borders.

The Federal Government is also seeking to increase receipts in the United States from foreign countries by obtaining advance repayments of loans previously made to them by this country and by promoting the purchase by foreign governments of military equipment in the United States. Continuing success is expected in these efforts during the coming year.

### NEW OBLIGATIONAL AUTHORITY

To carry out the program I am recommending for fiscal year 1964, the Congress is being requested to enact new appropriations and other obligational authority totaling $96.5 billion. This amount includes substantial increases for the Department of Defense, the National Aeronautics and Space Administration, and the Department of Health, Education, and Welfare, a large part of which will not be spent until later years. A sizable increase is also required for the Commodity Credit Corporation, to make up for losses incurred in past years under the price support and special export programs.

*New obligational authority*

[Fiscal years. In billions]

| Description | 1962 actual | 1963 estimate | 1964 estimate |
|---|---|---|---|
| Total authorizations requiring current action by Congress: | | | |
| Administrative budget funds | $81.6 | $91.8 | $96.1 |
| Trust funds | .3 | .4 | .4 |
| Total authorizations not requiring current action by Congress: | | | |
| Administrative budget funds | 11.2 | 11.4 | 11.8 |
| Trust funds | 25.6 | 27.8 | 30.4 |
| Total new obligational authority: | | | |
| Administrative budget funds | 92.9 | 103.2 | 107.9 |
| Trust funds | 26.0 | 28.1 | 30.8 |

In addition, $42.2 billion will become available under permanent authorization without action by the Congress this year. Of this amount, $30.4 billion is for the trust funds, representing primarily the automatic appropriation to these funds of their own revenues. The largest permanent authorization in 1964 in the administrative budget is $10.0 billion for interest on the public debt.

The Congress is also requested to enact new obligational authority for the current fiscal year, 1963, in addition to the amounts already provided, largely to finance legislation enacted last year for which no appropriations were enacted or for which only partial provision was made—such as employee pay reform, revisions in the grant formula for public assistance, and the program of accelerated public works in depressed areas. These and other supplementary requirements which the Congress is requested to enact, such as $2.0 billion for the Export-Import Bank, are now estimated to total $3.9 billion.

### PUBLIC DEBT

Under present law, a temporary debt limitation of $308 billion is now in effect. However, this limit will revert to $305 billion on April 1, 1963, and to $300 billion on June 25, 1963. After June 30, 1963, the permanent debt ceiling of $285 billion again becomes effective.

*Public debt at end of year*

[Fiscal years. In billions]

| Description | 1961 actual | 1962 actual | 1963 estimate | 1964 estimate |
|---|---|---|---|---|
| Owned by Federal agencies and trust funds | $55.3 | $55.7 | $56.7 | $59.0 |
| Owned privately and by Federal Reserve banks | 233.7 | 242.5 | 246.8 | 256.6 |
| Total | 289.0 | 298.2 | 303.5 | 315.6 |

NOTE.—For further details, see table 11 in pt. 2 of this document.

The present temporary debt limit was enacted last July on the assumption, clearly stated in the report of the House Committee on Ways and Means, that the expansion in the economy and in tax revenues would be sufficient to produce a balanced budget for fiscal year 1963. It is now evident that receipts will not reach the level hoped for at that time. As a consequence, the pending step reductions in the temporary limit on the public debt would render impossible the sound management of Government finances during the April–June quarter of 1963.

Although the total public debt subject to limitation is expected to decline to about $304 billion after the receipt of tax payments due in June 1963, the pattern of receipts and expenditures will tend to cause the debt to rise substantially above the $305 billion level at various times during those 3 months. Moreover, if the debt has to be held below this level, the Treasury would have little or no flexibility for taking advantage of favorable market conditions, or for dealing with any untoward developments in short-term interest rates which might complicate balance-of-payments problems. I therefore urge prompt extension of the temporary $308 billion debt limit through the remainder of this fiscal year.

Seasonal variations in revenue will, as usual, cause the public debt to increase substantially from its June 30 level during the first half of fiscal 1964. The deficit foreseen for fiscal 1964 will add to this increase and it will prevent a seasonal decrease in the debt from taking place during the final months of the fiscal year. The debt subject to limit as of June 30, 1964, is estimated at about $316 billion. To meet our financial requirements and to provide a margin of flexibility, I will request a further increase in the debt limit for fiscal 1964. The exact amount and nature of the increase required depends not only on the total amount of the deficit but also on the particular time pattern of receipts and expenditures. For this reason, the debt limit to be requested for fiscal year 1964 will be determined later this year when a more reliable estimate can be made of the requirements.

The financing of the cash deficits in fiscal years 1963 and 1964 can and will be accomplished without contributing to the development of inflationary pressures. During the past 2 calendar years, a basic aim of debt management policy has been to help assure that an adequate supply of credit would be available to support domestic expansion, while at the same time helping to maintain interest rates on short-term securities at levels that would deter flows to the other major money markets abroad. This policy has been successfully carried out. In the future, as in the past, debt management policies will be directed toward assuring that any increase in the debt will be so distributed in its ownership and composition as to promote continued price stability in the economy.

### EFFICIENCY AND ECONOMY IN GOVERNMENT

In our society, Government expects continuing scrutiny and criticism of its efficiency. The search for greater efficiency is never finished. What was an efficient practice a few years ago may be obsolete today. New approaches to work practices, to information handling, and even to decisionmaking itself are the order of the day throughout Government as well as private industry.

In striving for greater efficiency, we are pressing forward on three major fronts: Management improvement, cost reduction, and the reform of our public salary systems.

Management improvement and cost reduction: This budget has been prepared with special attention to employment trends in the Federal Government. Requests for additional jobs have been reduced or denied wherever possible. Moreover, I have directed the heads of departments and agencies to join in a Government-wide program to improve manpower controls and increase productivity. This will be done by a continuing review of personnel needs, eliminating low-priority work, and adopting more efficient practices. A system of inspections and reviews will be carried on to measure the effectiveness and results of our efforts, and to help uncover new ways to economize.

As evidence of improved productivity and cost reduction in Government, I offer these examples:

In the Veterans' Administration's insurance program, 6 million insurance policies were handled in 1950 by over 17,000 employees; now the same number of policies is being handled by 3,000 employees.

In the Treasury Department, nearly three times as many checks and bonds are now being issued per employee as were issued 10 years ago and management improvements have made it possible to close and consolidate a number of field offices.

In the Farmers Home Administration, a 35-percent increase has been achieved in 2 years in the number of loans processed per employee.

In the Bureau of Old-Age and Survivors Insurance, output per worker will increase during the current year by 5.5 percent. Had this not been achieved, the agency would have required 1,700 more employees at a cost of about $10 million. Further productivity gains are expected in the coming year.

In the Patent Office, a vigorous program to improve efficiency led to an increase in productivity of 13 percent in processing patent applications in fiscal year 1962 compared with the previous year.

Actions taken by the Department of Defense will produce savings of $750 million this year alone in the cost of logistical operations. The Department's goal is to reduce these costs by at least $3 billion annually within a 5-year period without affecting combat strength.

In the Corps of Engineers, improvements in organization completed in 1962 have eliminated 1,600 jobs and reduced annual costs by $13 million.

Despite a steady rise in mail volume, the Post Office is hiring fewer new employees than in previous years, and more efficient practices are being instituted. Savings this fiscal year are expected to reach $40 million.

Energetic management and employee cooperation in the Internal Revenue Service have brought a wide range of efficiency gains which translate into fiscal year 1963 savings of about $4.2 million.

In the Bonneville Power Administration, new design standards for power transmission facilities will effect savings of $7.5 million in costs of facilities started in 1963 and 1964.

In the Tennessee Valley Authority, a new system for handling coal at the Bull Run plant will save about $1 million in plant investment.

The Federal Aviation Agency, by consolidating traffic control centers, will save $7 million over a period of years. In addition, the discontinuance of nonstandard distance-measuring equipment will save $1.4 million this year.

The Department of Agriculture expects to achieve an annual saving of $1.3 million after consolidating payroll functions and effecting efficiencies in certain personnel and fiscal management areas.

In the Atomic Energy Commission, greater efficiency in producing special nuclear material will save $7 million this year.

In the Veterans' Administration, conversion of insurance accounting and benefit payment operations to electronic computer equipment will reduce operating costs by $1.7 million this year. A decision to buy rather than rent computers will lead to savings of $1.6 million annually. The closing of some nonessential field offices will produce annual savings of $1.2 million.

These are heartening examples of cost reduction. They are representative of the effort that is being made throughout the Federal Government, and they bring credit to the officials and employees who are responsible.

We will continue to give priority to the cost reduction program in all Federal operations.

Salary reform: As I requested, the Congress last year enacted major legislation in the field of pay administration. The Congress accepted the sound principle that I had strongly urged; namely, that Federal salaries should be determined by comparisons with rates paid by private employers for similar levels of work. The comparability principle for the first time provides a reasonable and objective formula for judging the adequacy of Government salary levels. Moreover, this single reform will go far toward enabling the Federal Government to secure and retain the high quality personnel it needs.

Significant elements of my proposals for pay adjustments have not yet been acted on, however. Salaries of upper level career personnel are still too low when measured by the compensation provided outside of Government. In addition, the pay rates scheduled to take effect on January 1, 1964, will need to be improved moderately to maintain comparability with pay in the private economy, in the light of data recently reported by the Bureau of Labor Statistics. I shall ask the Congress to take appropriate action on these matters at an early date.

Having taken a major step toward establishment of a proper system of compensation for career employees, we must wait no longer to initiate a review of the salaries of department and agency heads and their deputies. Existing salaries for these officials are inadequate by any reasonable standard of comparison. Taxpayers gain rather than lose when pay is adequate to attract and hold able people. When the Congress enacted the Federal Salary Reform Act of 1962, it requested that recommendations be submitted to the next session for appropriate increases in Federal executive salaries at all levels. Accordingly, I intend to establish an advisory panel, made up of distinguished private citizens, to examine the present compensation for top positions in the executive, legislative, and judicial branches, and to suggest appropriate adjustment in the pay for these positions. After the panel concludes its study, I will make recommendations to the Congress.

### CONCLUSION

The budget and fiscal policies I am proposing will serve the most urgent needs of our people, promote efficient performance of Government functions, and help release the brake on the rate of growth of our economy.

Our practical choice is not between a deficit and a budgetary surplus. It is instead between two kinds of deficits: a chronic deficit of inertia due to inadequate economic growth—or a temporary deficit resulting from a tax and expenditure program designed to provide for our national security, boost the economy, increase tax revenue, and achieve future budget surpluses. The first type of deficit is a sign of waste and weakness. The second is an investment in the future.

It is of great importance for the years ahead that we act boldly now if we are to assure more jobs for an ever-growing labor force, if we are to achieve higher standards of living, and if we are to continue to provide the leadership required of us in the free world community. I am convinced that the program encompassed in this budget represents a proper use of fiscal tools for achieving these important goals.

JOHN F. KENNEDY.

JANUARY 17, 1963.

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## STATE OF THE UNION

Mr. **ALGER**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **ALGER**. Mr. Speaker, after careful study of the President's state of the Union message we are forced once again to the conclusion that President Kennedy lacks an understanding of, first, the basic economics of a private market society, second, the role of Federal Government in today's society, and third, human nature with its need for freedom and incentives.

Specifically, as to No. 1, economics, the President asked for a tax cut, but without reduced spending. He recognized that to keep the deficit manageable requires the reduction or postponement of many desirable projects and programs, and then contradicted this premise by outlining a number of new ones which will call for increased spending. In every field of human endeavor he called for renewed Federal participation and at the same time promised no greater expenditures next year than this. He reiterated the trite theme song of the New Frontier that the cold war and the need for increasing our defenses as the reason for not being able to reduce spending to match the tax cut. Yet we all know that nondefense, welfare spending has soared to much greater heights than has defense spending under President Kennedy. None of the President's remarks in this area were consistent.

On No. 2, the role of the Federal Government, he identified every problem with the need for Federal action and planning. The fact is that to identify all human problems as areas for Federal Government aid and planning is basically unconstitutional and unwarranted intrusion into our lives and the economy of our country, stultifying rather than aiding economic growth. Yet the President has continued confidence that by throwing dollars at any problem will solve it.

As to No. 3, human nature and its need for freedom and incentives, the President simply does not recognize that freedom loving people will not work as hard for the Government and under Government planning and control as they will work for themselves.

In all his discussion of domestic policies, the President never once mentioned the most serious problem facing this Nation, one which poses the greatest threat to our freedoms and to economic growth, the unbridled power of monopolistic labor unions. At the very moment when two of our largest cities are without newspapers because of strikes, and when shipping along our entire east coast is paralyzed by the irresponsible action of a powerful union, the President chose to ignore the economic significance of such action. He failed to point out the recordbreaking number of man-hours lost by strikes during the first 2 years of his administration. Such omission from a man who only a year ago pilloried the steel industry for exercising its right to a lawful increase in prices, makes us fearful of the extent to which he is willing to accord a few labor leaders preferential treatment at the expense of all other segments of our society.

At this point I would like to include a column by David Lawrence in the Washington Evening Star of Tuesday, January 15, pointing out this omission and other inaccuracies in the President's message:

### STRIKES AND THE STATE OF THE UNION—PRESIDENT'S MESSAGE IS CRITICIZED FOR NOT MENTIONING LABOR PROBLEM

(David Lawrence)

President Kennedy's annual message to Congress is inaccurately entitled "The State of the Union." For Mr. Kennedy omitted reference to some of the most important subjects confronting America today, particularly how the national economy shall be saved from disintegration due to the monopoly power being exercised by a bloc of labor unions. Millions of people in two major cities—New York and Cleveland—have had their newspapers suppressed. Financial losses to persons in business and to individuals out of work are heavy and are irreparable.

Nor did the President mention the strike that has tied up shipping for more than 3 weeks now in the ports of the East Coast and the Gulf of Mexico. Senator EVERETT DIRKSEN, of Illinois, Republican leader, at least introduced a bill the same day to provide for compulsory arbitration of strikes in the maritime industry.

Not a single word appeared in the President's message, moreover, concerning the plight of the rank and file of American workers who are the victims of a lack of intelligent leadership.

The President has failed to come to grips with what has really been ailing America the last decade or more—the power of a single group to force prices upward, and the inability of the country immediately to absorb such price increases.

Basic economic ailments will not be cured by indifference. Mr. Kennedy in his message talked fluently about the economic development of the countries of Europe and of the problems faced by the underdeveloped countries. He spoke in generalities about social-welfare legislation in this country, but didn't make specific recommendations on many of the worthwhile objectives he mentioned.

The President seemed to think that, by giving his support to a project for the reduction of taxes, he would be winning applause in the country. To promise a tax cut and to achieve one are, however, two different things. The voters will get little comfort out of a tax cut if economic uncertainty prevails and if Government spending continues as indicated, with the prospect of a record-breaking deficit in the U.S. Treasury next year.

Oddly enough, Mr. Kennedy seemed preoccupied with the idea that the Nation at present may not be taking its problems seriously. He said: "In short, both at home and abroad, there may now be a temptation to relax." One wonders whether the country is, after all, really in a relaxed mood and is indifferent to the dangers both at home and abroad.

As for the young people out of work, Mr. Kennedy seems to be despairing of ways to find productive jobs for them. He appears to be reverting to one of the ideas of New Deal days, when the Civilian Conservation Corps was organized to take care of many of the younger persons who were unemployed. The President thinks that the Peace Corps can do something of the same job. He spoke of the million young Americans who are out of school and out of work and suggests that a domestic Peace Corps of some kind would serve "our own community needs: in mental hospitals, on Indian reservations, in centers for the aged or for young delinquents, in schools for the illiterate or the handicapped." He said all this might enable these young men to serve the cause of "domestic tranquillity."

The President had a heading on one section of his message which read: "We need to strengthen our Nation by making the best and most economical use of its resources and facilities." But he did not really delve into this highly controversial field beyond stating that new transportation facilities are needed and that the stockpile of goods, including farm products, must be reduced. In that phrase, "most economical use" of American resources and facilities, is rooted the present-day difficulties of the whole economic system.

The President did include in his address one sentence referring with disapproval to the "growing pressures" by labor leaders for a 35-hour week. But the reason for the omission of any reference to labor-management difficulties throughout the country is not apparent unless it be that the subject is a highly controversial one and could cost the President votes in 1964.

The labor unions themselves are the biggest single organized group of voters in the country today and contributed not only energy but money to help the President win his election in 1960. Mr. Kennedy not long ago attacked businessmen for trying to raise their prices. Yet he has never taken a positive stand with reference to the extreme demands of labor union leaders evidenced, for instance, in the big strikes in New York City and other parts of the country.

> As long as one economic group can control the American system by fixing costs of production, which inevitably affect prices, there will not be a free-market system in the United States, and the law of supply and demand will not operate effectively to bring prosperity. The Government will find itself compelled to intervene as between labor and management if it really wants to stop recessions. But such intervention will compound the evils of the present-day system unless it is impartial, objective, and fair as between the rival forces.

Mr. Speaker, as to the portions of the message on foreign policy, I heartily disagree with the President. I, for one, am not proud of a foreign policy that has cost the lives of American boys in Cuba, Vietnam, Laos, and in other parts of the world. Our foreign policy, or lack of foreign policy, is a shame and a disgrace and an affront to freedom-loving peoples everywhere. I believe in reimposing the Monroe Doctrine as the only way to end the threat of Communist aggression from Cuba. I cannot agree with President Kennedy that the Cuban threat is removed. Without inspection we have no proof that the missiles were ever actually removed. Certainly we know that there are still thousands of Russian soldiers in Cuba. Now we are told that Russia is building new rocket sites there and at the Communist Party conference now in session in East Berlin, Cuba has been reassured of Soviet support. Wherein, Mr. President, has the Cuban threat been removed? I disagree with the President's policy of interdependence and economic partnership. I am for U.S. sovereignty and believe our best course lies in friendly rivalry and competition.

I am not proud, as the President is, of the role of the United Nations or of our part in its policies which are contrary to fundamental American principles of freedom. I believe in self-determination for the people, not domination by the U.N., Communist Russia or any other nationalistic or world government. I believe in the complete independence of the United States, not in its domination and control by the U.N. or by other nations through the U.N. Only the strength and freedom of the United States keeps the U.N. afloat, and yet the Communist-dominated and so-called neutral domination of the U.N. is weakening the United States. While we support it and keep it alive we are outvoted by nations in sympathy with the Communists and helplessly watch the Russians outwit us by subterfuge and subversion.

Mr. Speaker, I implore my colleagues and the American people to take a second, hard look at the President's message. I am fearful the state of the Union is not as good as he seems to think it is.

To conclude this analysis of the state of the Union message I would like to call attention to the following editorials from the Chicago Daily Tribune and the Wall Street Journal:

[From the Chicago Daily Tribune, Jan. 15, 1963]

### THE ECONOMICS OF ILLUSION

Mr. Kennedy's economic proposals in yesterday's message on the state of the Union are straight out of the dream book. He wants to cut taxes on personal and corporation income by a net of $10 billion during the next 3 years. The cut would total $13.5 billion, but he hopes Congress would tighten up the tax laws so that $3.5 billion of this amount would return to the Treasury.

This reduction would be achieved, he says, within the limits of a manageable budgetary deficit. The cut would temporarily increase the deficit, but Mr. Kennedy thinks that the cut could ultimately end the deficit.

The question that arises at once is what Mr. Kennedy considers a manageable deficit. In his first 2 years in office the accumulated deficit has been $14.1 billion. With a reduction in revenue, the annual rate of the deficit is certain to rise sharply in the year ahead.

Even in the absence of a tax cut, Mr. Kennedy assures this result. He concedes as much in admitting that interest on the debt, which already takes 10 cents of every tax dollar, will rise in the coming year.

But this is only one of several major fields of spending where the Kennedy budget envisions bigger expenses. More is to be spent on defense and more is to be spent on space in order to land that man on the moon.

With these exceptions—and we won't know how large the increases are to be until Mr. Kennedy submits his budget—the President promises to hold total expenditures for all other purposes below this year's level.

That is no particular consolation, for the budget for the present year is a record peace time $93.7 billion—up $13 billion from the last budget submitted by President Eisenhower.

Yet Mr. Kennedy offers an assortment of other spending schemes which belie the possibility that expenditures other than those for defense, space, and debt service can be held below this year's level. There is to be no abatement of foreign aid. There are proposals for conserving or retraining youth. There is to be a domestic peace corps. Large investments are to go to health, hospitals, and training doctors and dentists. The mentally ill are to be brought under the Federal wing.

Nor is this all. Urban mass transit subsidies are on the list. The Government is to provide legal counsel to the needy. National parks and recreation areas are to be expanded. It is to be assumed that this involves converting farmland into recreation preserves. There are to be more water development projects.

Perhaps the state of the Union is as good as Mr. Kennedy says it is, but is it so good that the Government can continue an endless spending binge at the same time it forgoes revenue to pay for its schemes? And is Mr. Kennedy justified in believing that inflation is a thing of the past, something that need cause us no future worry?

If all this is fiscal responsibility, as the President says it is, then John Law and the fiat money inflationists of revolutionary France may retroactively be proved sound economists.

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[From the Wall Street Journal, Jan. 16, 1963]

### CUSTODIAN OF QUALITY

It's too bad President Kennedy didn't end his state of the Union speech about a third of the way through—when he was way ahead with his attractive tax-cut proposals. Instead, he apparently thought it necessary to tack on, along with a superficial look at foreign affairs, a motley assortment of recommendations adding up to a domestic program.

We suppose a President these days feels he must offer a spending program of some kind; otherwise the voters might figure he wasn't doing his job. That is an unfortunate attitude, and particularly when Mr. Kennedy himself says the Government must hold back on desirable projects in view of still higher spending and the prospect of lower taxes. To then propose a bunch of expensive new projects simply makes nonsense of that promise.

And the recommendations are not only stated in cliches; their underlying concepts are shopworn and not always valid. "The quality of American life," the President declares, "must keep pace with the quantity of American goods." Fair enough, but by what magic is the Federal Government able to improve the quality of life merely by spending money?

Translated into some specifics, the Kennedy approach means the Government must, for one thing, invest in our youth. It must bring education to more youngsters—which puts the emphasis on quantity rather than quality. It must do something about the 1 million young Americans who are both out of school and out of work.

These unemployed youths unquestionably represent a problem, but we fear Mr. Kennedy is less than accurate when he says there is no reason for their plight. There are abundant reasons: The effects of the long permissive trend in the home and school, a lack of sufficient ambition, and achievement potential in individuals, Government subsidies which make not working attractive to some people, discrimination against youngsters by some labor unions.

Only by studying such underlying causes can there be much hope of dealing with this and other problems. Simply to plop a new Government program on top of the problem is not to solve it but to gloss it.

In a similar vein, Mr. Kennedy calls for a domestic peace corps of young men and women to work with young delinquents and other troubled people. Juvenile delinquency is obviously a local problem whose causes are analogous to those of the unemployed youth problem. But anyway, the President is in effect saying the Nation should have more social workers. If so, why not say so, instead of wrapping it up in language suggesting that the proposal is a brilliant new inspiration?

The list could go on. Mr. Kennedy wants the Federal Government to jump into local mass transit with large-scale assistance. We would agree that some of the cities have not been especially ingenious about their traffic troubles—like building more and more multi-lane urban expressways to feed into narrower New York City streets and compound the congestion. But if the city fathers can't deal with their own traffic, it's a cinch a remote officialdom can't do it for them.

There is indeed a way Washington could help improve the quality of American life; not only by reducing the oppressive tax rates but by reducing the whole burden of a Government whose cost and controls and interventions impinge on everybody's life. Our history shows that people, as individuals, families, and communities, will do their own improving when they get the chance.

But no doubt that is far too radical a thought for those who espouse the reactionary philosophy that Government must be the sole creator and custodian of quality.

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[From the Wall Street Journal, Jan. 15, 1963]

### THE OTHER SIDE OF THE LEDGER

Please excuse us for beginning with a statement so obvious it shouldn't have to be made: To make sense of Government finances, or any other, it is necessary to look at both the income and outgo sides of the ledger. Yet this simple fact seems at best imperfectly understood in Washington.

On one side President Kennedy is moving with vigor and dispatch. Having correctly concluded that the tax burden is holding back the economy, he calls for a huge reduction of the burden. Though yesterday's state of the Union address provides only the broad outlines, the President's $13.5 billion tax-cut package certainly looks appealing.

Unlike the tax thinking long embraced by modern economists, the Kennedy approach recognizes that useful tax reduction must unloose investment potential; therefore it must entail significant reductions in rates, corporate as well as individual, at the top as well as the bottom. So he proposes replacing the present 20 to 91 percent range for individuals with a 14 to 65 percent range, and lowering the top corporate rate from 52 to 47 percent.

The President further realizes that in an economy of this tremendous size, effective tax cuts have got to be big ones. "We cannot afford to be timid or slow. For this is the most urgent task confronting the Congress in 1963."

Politically also this package looks well wrapped, even though it will be thoroughly pulled apart before anything comes out of it, if anything ever does. While it is investment oriented, it does not neglect all us voters in the lower brackets; in fact, that's where the biggest reduction goes.

In addition, it appears that some of the reductions could come before any so-called reforms—the kind of legislation that can produce practically endless wrangles in Congress. And by splitting the package into three annual parts, the President should succeed in softening some of the opposition from those who fear the budgetary impact of tax reduction.

All in all, then, this is a tax philosophy that in general everyone can applaud, out of national as well as personal interest. That is, so long as anyone looks at only that side of the ledger.

Here again we must inflict a statement of the painfully obvious: The Nation is burdened with these towering, growth-inhibiting taxes for one reason only, and that is the towering and ever-rising spending of the Federal Government. The spending is so great, indeed, that even these fierce levies almost never supply enough revenue.

Yet what does the President have to say about that side of the books? Well, we know this fiscal year will show a deficit of around $8 billion or more, and that the forthcoming 1964 period will show another deficit of large dimensions.

In that fiscal framework Mr. Kennedy promises to hold expenditures for fiscal 1964 below this year's—except for defense, space, and fixed-interest charges. Whatever the need for those rises, they plainly spell a bigger total spending budget. The hope of holding down in other areas is apparently pinned largely on administrative economies, which always sounds good but never seems to amount to much.

In practically the same breath, moreover, the President proposes a whole slew of new Government projects including aid to education, help for unemployed youths, an expanded health program, aid to local mass transit, and a domestic peace corps.

Whatever may be said of the desirability of any of these, they are spending programs, and some of them would be far from cheap. How this prospect, on top of all the existing high-cost programs, ties in with lower expenditures and eventual budget balance is a bit mysterious.

One clue to the mystery, to be sure, is the administration's belief that its large-scale tax cuts would generate so much economic activity that its revenues would increase even with the lower rates. That is a possibility; it may even be a probability. But it is not a certainty. All that is now certain is higher spending and deficits.

For that reason we can't agree with Mr. Kennedy when he says that his tax package, viewed in its deficit-spending setting, is "a fiscally responsible program—the surest and soundest way of achieving in time a balanced budget in a balanced full-employment economy."

Tax cutting is not at all the surest and soundest way to a balanced budget; that way is to reduce the spending. The Kennedy tax program may be fine by itself, but the Government's financial policy as a whole cannot honestly be called responsible.

The saddest part is that there is every reason to believe this Nation's economy could really go places. It could, that is, if the President would only give the same serious attention to the spending side of the ledger that he is giving to the problems of our obsolete tax structure.

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## FINAL REPORT OF HOUSE SMALL BUSINESS COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, during the 87th Congress, the Select Committee on Small Business conducted extensive studies, investigations, and analyses of the problems confronting the small business sector. On July 23, August 20, and October 16, 1962, interim reports on certain specific problems were made by the Committee to the membership of the House. A complete summary of the results of these 2 years of work is contained in the final report of the Select Committee on Small Business submitted to the House of Representatives during the closing days of the 87th Congress. It will be available in printed form within a few days.

This report discloses that the problems faced by the small business sector of our national economy continue to increase in number, scope, and intensity. This situation arises from such factors as:

Increasing industrial and economic concentration, which is being worsened by mergers together with the failure of the appropriate agencies to adequately cope with the problems raised by conglomerate mergers.

The increasing difficulty of obtaining adequate financing from conventional sources for the expansion and modernization which is essential to the survival of small businesses.

The technological revolution which has brought about increasing reliance upon weapon systems in national defense and the concomitant increase in multimillion dollar prime contract awards to large concerns for the production of these systems.

The expected sharp increase in America's participation in international trade, which will produce both challenges and opportunities for small business. There is little question that during the early, transitional stages, increased competition from imported goods will cause severe economic pressures upon many smaller concerns.

The problems faced by small business which result from population shifts, urban renewal, and neighborhood blight in urban centers.

The pressures imposed upon small businesses by persistent economic distress in areas suffering from depletion of natural resources, migration of farm population, and similar causes.

Discriminatory practices by larger concerns, particularly the increase in violations of the Robinson-Patman Act and other statutes designed to protect the public interest and the small business community.

There is not a congressional district in this country which does not have hundreds—thousands would be more typical—of small businesses which presently or potentially face serious distress from these and related causes. Small business problems are of both great importance and grave concern to the entire Congress. The Select Committee on Small Business, in recognition of this concern, has produced a number of publications designed to assist both the Members and their constituents in this regard. It is hoped that these publications will prove helpful. They are the culmination of 2 years of work. Cumulatively, the reports present a comprehensive analysis of problems currently encountered by individual small businesses.

### FINAL REPORT

This report consists of 125 pages, together with minority views. It is a survey of the work of the committee and deals with the full spectrum of problems currently being encountered by America's small businesses. It contains 37 specific recommendations designed to assist small business.

### ORGANIZATION AND OPERATION OF SMALL BUSINESS ADMINISTRATION

This 60-page report by Subcommittee No. 1, under the chairmanship of the Honorable JOE L. EVINS, analyzes the operation of the Small Business Administration. Some emphasis is laid upon small business investment companies and the activities of the agency designed to strengthen small business management practices.

### SMALL BUSINESS AND GOVERNMENT PROCUREMENT

This 14-page report by Subcommittee No. 2, under the chairmanship of the Honorable ABRAHAM J. MULTER, analyzes present Federal procurement practices and shows the necessity for obtaining a more equitable share of Government procurement for the small business sector.

### OPPORTUNITIES FOR SMALL BUSINESS IN FOREIGN TRADE

This 22-page report by Subcommittee No. 3, under the chairmanship of the Honorable SIDNEY R. YATES, is a survey of the probable impact of the Trade Expansion Act of 1962 upon the small business sector. It includes a detailed analysis of the Trade Expansion Act.

### SMALL BUSINESS PROBLEMS CREATED BY PETROLEUM IMPORTS

This 36-page report by Subcommittee No. 4, under the chairmanship of the Honorable TOM STEED, analyzes problems of independent petroleum and coal producers resulting from the import of petroleum products. A detailed analysis of the regulations of the Oil Import Administration and the recent executive order pertaining to oil imports is included. Additionally, there are 3 volumes of hearings comprising 1,556 pages in which this subject is exhaustively explored.

### OPERATION AND EFFECT OF CONSENT DECREE IN WEST COAST OIL CASE

This 45-page report by Subcommittee No. 5, under the chairmanship of the Honorable JAMES ROOSEVELT, studies the effect upon the petroleum industry of the consent decree entered in 1959 in the West Coast Oil case. Findings are made regarding the extent to which the industry is complying with the provisions of the decree, and certain recommendations are made for amendment of the decree. The hearing on which the report is based has been published and is also available.

### FINANCING PROBLEMS OF SMALL BUSINESS

This 28-page report, also by Subcommittee No. 5, is based on questionnaires sent to trade associations in a number of industries. It shows the current lack of availability to the small business sector of adequate financing from conventional sources. Some emphasis is placed on the retail portion of the petroleum industry.

### ADVERTISING OPPORTUNITIES FOR SMALL BUSINESS IN RADIO AND TELEVISION

This 62-page report by Subcommittee No. 6, under the chairmanship of the Honorable DALE ALFORD shows the detrimental effect upon the small business sector of the lack of equal access to prime television time for use in advertising its goods and services. Numerous recommendations are made, based upon hearings held by the subcommittee. The hearings consist of 260 pages in their published form.

### SMALL BUSINESS IN THE DAIRY INDUSTRY

This 34-page report by a special subcommittee, under the chairmanship of the Honorable TOM STEED, sets forth the findings of a number of field investigations made by the subcommittee, together with other recent developments in the dairy industry. The report shows the prevalence of unfair practices and increasing concentration in the dairy industry.

### SMALL BUSINESS PROBLEMS IN THE POULTRY INDUSTRY

This 24-page report by a special subcommittee, under the chairmanship of the Honorable TOM STEED, is a study of current problems of independent poultry growers. It makes a number of specific recommendations aimed at correcting existing unfair practices in the distribution of poultry. Also available are the hearings upon which the report was based, consisting of three volumes, totaling 375 pages.

### SMALL BUSINESS PROBLEMS IN THE TOMATO INDUSTRY

This 11-page report by a special subcommittee, together with minority views, under the chairmanship of the Honorable TOM STEED, explores some of the problems suffered by the tomato industry. It makes specific recommendations for the elimination of certain unfair practices operating to the detriment of the small business sector of the industry. Also available is the 196-page volume of hearings on this subject.

### FEDERAL HANDBOOK FOR SMALL BUSINESS

This 101-page handbook was published in conjunction with the Select Committee on Small Business of the U.S. Senate, the White House Committee on Small Business, and the Small Business Administration. It provides a long-needed and extremely valuable source of information for the small businessman, in that it sets forth briefly and concisely the various services available to small businessmen from the several departments and agencies of the executive branch of the Federal Government.

### FOREIGN TRADE—NEW FRONTIER FOR SMALL BUSINESS

This staff report sets forth in brief form various services and sources of information available from both government and private sources to the small businessman planning to enter foreign trade. It also shows how foreign markets can be of great value to a small business.

### MERGERS AND SUPERCONCENTRATION

The 272-page staff report studies the latest trends in mergers in the American economy. Analysis is made of the impact of this merger movement on the small business sector.

### CHAIN BANKING: STOCKHOLDER AND LOAN LINKS OF 200 LARGEST MEMBER BANKS

This 520 page report of the chairman to the Small Business Committee is a study of certain current practices leading to increased concentration within the banking structure of the Nation. Analysis is made of the impact it has had upon the small business community.

### TAX EXEMPT FOUNDATIONS AND CHARITABLE TRUSTS: THEIR IMPACT ON OUR ECONOMY

This 135-page interim report of the chairman to the Small Business Committee is a study of the findings to date regarding the impact of tax exempt foundations and charitable trusts on our economy—dealing, in particular, with foundation-controlled enterprises in competition with taxpaying businessmen. The report proposes a number of reforms with regard to the law governing these tax exempt organizations.

The small businessmen of America today face increasing problems and pressures, a situation which requires both full consideration and vigorous action by the 88th Congress. During the next 2 years the question of economic survival will be decided for a sizable portion of the small business sector of this country. It is imperative that we bend our greatest efforts toward assisting, preserving, and strengthening this vital segment of our national economy.

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## EXTENSION OF PUBLIC LAWS 815 AND 874 REQUESTED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, Public Laws 815 and 874 were enacted in 1950 to assist local school districts overburdened by military installations and other Federal activities that were thrust upon them in our great programs of national preparedness. These laws have been of very great assistance to schools in my congressional district as I have personally observed, to the State of Texas, and to the entire Nation. They have assisted hard-pressed school districts faced with the problem of greatly increased enrollment connected with nontaxable Federal property where schoolchildren lived or where their parents were employed. This legislation has been a direct and important aid to the various Federal projects essential to the defense and domestic development of the Nation.

Because it was anticipated that a general aid to education bill would be passed in the 87th Congress to help all school districts, Public Laws 874 and 815 were allowed to expire on June 30, 1961, and were extended for 2 years only at the very last moment. They will expire again on June 30, 1963.

In my congressional district, 33 school districts received Federal assistance in 1960 and 1961 for maintenance and operation, in the amount of over $835,000. This aid was vital particularly where school resources were at the point of exhaustion.

In the 1962 fiscal year, 245 different school districts in the State of Texas provided free public education for approximately 132,000 federally connected children. More than 16,000 of these children lived on military bases and other Federal properties. These 245 school districts received a total of just under $14 million to assist them in providing a high-quality education for the children of workers at defense installations and other Federal projects. Also during this same fiscal year a little over $2 million was allocated to 11 school districts in Texas for the construction of urgently needed school facilities to house the increased enrollment. Since 1950 when Public Law 815 was enacted, just under $60 million has been allocated to school districts in the State of Texas for the same purpose. Without the Federal funds authorized by this program, some 1,800 school districts in my own State and in other States would have faced grave problems in providing facilities for the increasing school population connected with defense and other Federal activities.

Parents who are the workers in our great defense effort must know that their children are being provided for in our school systems. Our school districts must have foreknowledge that funds will be provided.

The temporary provisions of Public Laws 815 and 874 authorizing assistance for children of parents employed on Federal property, which expire at the end of this fiscal year, provide from 70 to 85 percent of the total assistance granted each year under the Federal impact legislation. These expiring provisions must be extended if the school districts are to continue to provide necessary school facilities and school services to federally connected children as well as to the other children in their districts. This action must be taken promptly so that school administrators may know what to count on in planning their budgets for expenditures after June of 1963; without the assurance of Federal aid, they cannot make firm preparations for the coming school year. I feel that a program which has been so well received by the local educational agencies, by the State Departments of Education, and by educational organizations and other informed professional groups throughout the entire Nation; that has been administered efficiently and without objectionable Federal controls from Washington; and one that has been a boon to hard-pressed school districts in every State of the Nation, should certainly be extended for a period of 2 years.

Surely the education of our children is one of the most important considerations before this Congress. Viewed also as a major factor affecting worker efficiency in our defense establishment, there is no question of our legislative responsibility to extend the provisions of Public Law 815 and Public Law 874 which will otherwise expire on June 30, 1963.

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## COIN SHORTAGE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this Nation is in the midst of an acute coin shortage; so much so that in one instance during the recent holiday season, with its attendant high demand for coins, a midwestern concern seriously considered the issuance of scrip. The fact is that all of the present mint facilities working round the clock—24 hours per day, 7 days per week at top speed, could produce 4,100 million coins annually. Even this effort would be short of the present estimated annual demand for coins by 900 million. The actual present situation is far worse because the mint does not have sufficient appropriated funds to support overtime work, and only 3,370 million coins can be produced annually, leaving an annual shortage of over 1½ billion coins. We need an annual production of at least 5 billion coins of all denominations. The Bureau of the Mint has received confirmation of the seriousness of the problem from a firm of independent experts whose objective finding is that mint facilities must be increased. This is really good news when we consider that this hunger for coinage is created by our own population explosion and our strong and ever-advancing economy.

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## WILLARD B. SIMMONS NAMED MAN OF THE YEAR BY DRUG INDUSTRY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the best known citizens of the First Congressional District of Texas has recently received a signal honor. Willard B. Simmons, of Texarkana, executive secretary of the National Association of Retail Druggists, has been named 1962 Man of the Year in the drug field of the United States by the American Druggist magazine.

Texarkana and the entire First District are proud of the contributions that Willard B. Simmons has made to this extremely important segment of the American economy and the recognition that he has received for his outstanding efforts.

The following is an article from the NARD Journal describing some of Mr. Simmons' many activities and accomplishments in this field.

### SIMMONS OF THE NARD NAMED 1962 MAN OF THE YEAR IN THE DRUG INDUSTRY OF AMERICA

Willard B. Simmons, executive secretary of the NARD, has been named 1962 Man of the Year in the drug field of the United States. The award, which is presented by the American Druggist magazine, is a means of annually recognizing the individual who makes the greatest contribution to the welfare of the drug industry.

Simmons thus becomes the ninth person and the second executive head of the NARD to win the American Druggist award. The late John W. Dargavel, Simmons' predecessor, received the honor in 1954, the year the award was established. The honor was also won by the late George Frates, who was Washington representative of the NARD.

Simmons was one of 27 persons considered for the honor, and so overwhelming was the consensus of the nominating panel that his selection marked the first time in the 9-year history of the award that the winner was chosen on the first ballot.

The nationwide panel of voters who gave Simmons this accolade consisted of presidents and secretaries of all state, local and national organizations in the drug industry, and of all state boards of pharmacy, deans of all accredited pharmacy colleges and editors of all national, sectional and state drug publications.

In choosing Simmons, the pharmacy leaders took note of the fact that in his first year as NARD executive secretary, he responded in a forthright and statesmanlike manner to vital challenges confronting the entire drug industry.

The following achievements brought about the selection of Simmons as the 1962 Man of the Year:

1. He took the lead to bring about effective united action in support of Federal legislation in behalf of independent enterprise and the profession of pharmacy.

2. He made decisive contributions to teamwork among the different segments in the production and distribution of medication and in the profession of pharmacy.

3. He provided leadership in antitrust problems and also in connection with the menace of monopoly in the retail field.

4. He multiplied the interest of business people (both in and outside the drug field) in the dangers of too much power centered in the Federal Government (he warned in speeches and articles that the drift toward autocratic Federal authority must be stopped to safeguard freedom).

5. He took an active and major part in the campaigns directed in opposition to socialized medicine, which activity helped to prevent the enactment of the medicare bills in the 87th Congress.

#### TWO DIFFERENT FAIR TRADE BILLS

The major problem confronting the independent retail pharmacists when Simmons assumed leadership of the NARD, was the fact that the chances of achieving badly needed Federal fair trade legislation were stymied by the existence of two separate legislative approaches embodied in two different bills and backed by two different groups which seemed to be more at odds than in agreement with each other.

On one hand, there was the NARD, serving as the spearhead of one group, sponsoring a bill introduced by Senator Hubert H. Humphrey and other legislators.

On the other hand, there was Quality Brands Associates, leading another group and sponsoring a competitive measure introduced by Senator Homer Capehart.

So long as these two groups fought for congressional attention, there was little likelihood of ever winning enactment of Federal legislation to protect small retailers from predatory price cutters.

This was the situation that confronted Simmons when the executive committee of the NARD asked him in 1961 to resign as chairman of that committee and to give up active direction of his Texas drug business in order to take over as fulltime executive head of the association.

Recognizing that the fair trade situation was his No. 1 responsibility as NARD executive secretary, Simmons moved with skill and dispatch to break the deadlock that prevented action.

His statesmanship and persuasiveness resulted in an agreement by all those concerned to back a single quality stabilization bill. In the Senate, the bill was sponsored jointly by Senators Humphrey and Capehart and by others who, in previous years, had had to choose one of two rival measures if they wanted to be known as fair trade supporters.

Similarly, in the House of Representatives, a single bill got the joint sponsorship of Representatives Oren Harris and Raymond Madden, who formerly had supported competing bills.

Thus, the 1962 sessions of Congress had only one fair trade bill to consider, and the appropriate committees of the two Houses could concentrate their attention on one bill instead of two.

#### ENGINEERED A UNITED FRONT

Moreover, as a result of the united front engineered by Simmons, the members of these committees were made well aware that more than 70 organizations in the retail, wholesale and manufacturing fields were united in demanding that legislation be enacted to save thousands of small retailers from bankruptcy that threatened them through no fault of their own.

Many of those who cast Man of the Year ballots for Simmons mentioned also the vigor and drive with which he crossed the country time and again during 1962 to convince druggists that their own personal efforts—via letters, telegrams, phone calls and personal visits—were essential in winning congressional support for the quality stabilization bill.

His efforts in this connection are considered largely responsible for the bill's having won favorable action this year in the Interstate Commerce Subcommittees of both Houses of Congress. In light of this accomplishment, many observers feel that the bill now has sufficient congressional backing for passage this year. Simmons has promised that the drive for legislation to make predatory price cutting illegal will be pursued with great vigor in this session of Congress.

The Man of the Year Award, a mortar and pestle mounted on a pedestal, will be presented to Simmons at a place and date of his choosing.

## AMERICAN LEGION MIDWINTER CONFERENCE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, on Saturday, January 12, 1963, at Tuscaloosa, Ala., I had the privilege of addressing the midwinter conference of the Alabama department of the American Legion. The text of my statement follows:

SPEECH OF REPRESENTATIVE ARMISTEAD SELDEN, AMERICAN LEGION MID-WINTER CONFERENCE, TUSCALOOSA, ALA., JANUARY 12, 1963

This month marks the fourth anniversary of the establishment of the Castro regime in Cuba. The years since January 1959, when Fidel Castro assumed power in Havana, have been years of sustained crisis and peril for freedom-loving Cubans and for the entire hemisphere.

Now, in January 1963, let no American doubt that the crisis will continue and the peril remain until the red stain of Castro communism is forever removed from the Caribbean.

It is well that we keep this fundamental policy fact in mind at this juncture in world affairs. For since the United States-Soviet missile showdown of last autumn, some voices have been raised which argue that the Castro threat has been diminished—that like his Soviet missiles, Fidel Castro's explosive potential in the hemisphere has been defused.

The voices are familiar. By and large, they are the same voices which told us, before last autumn, that our best policy regarding Castro would be to do nothing at all. They are the same voices which put forth the comforting and dangerous notion that, left alone, Castro's regime would simply fall of its own weight. They are the same voices which scoffed at the suggestion that Castro and his Soviet mentors intended to convert Cuba into a Communist military and missile base in the Western Hemisphere.

In fact, looking back 4 years, they are the same voices which nurtured the shortsighted policy that brought Fidel Castro to power in the first place.

The events of last October and November, however grim, apparently have taught these advocates of a do-nothing and wait-and-see policy very little. Soviet missiles had hardly been dismantled in Cuba—if indeed we can really believe that the Soviet missile threat has been completely removed from that island—before these hawkers of complacency were back at the same old stand, vending their familiar policy line.

Fortunately, they are finding very few buyers among the American people today. For the events of last autumn reaffirmed a basic principle of successful American policy. To paraphrase a great American, Gen. Douglas MacArthur, that principle is: There is no substitute for action.

Action—and only action—saved our Nation, our hemisphere, and the free world from the imminent Soviet threat of last autumn. Before the President's decisive action of October 22, Castro and his Soviet masters ignored our words and disdained our solemn warnings. They had come to believe, like their Chinese Communist allies, that the United States was no more than a "paper tiger."

On October 22, and in the critical days following, they learned better. Khruchshev learned an overdue lesson concerning American will and capabilities. Castro learned a bitter lesson concerning our determination—and the value of Soviet promises. The larger question remains: What did our own policymakers learn during those critical days?

Only the future can finally determine that answer. But a study of the record of recent years should provide some guidelines as to what American policymakers should have learned about dealing with Castro.

As chairman of the House Subcommittee on Inter-American Affairs, I have been in close touch with the problem of Castro's Communist threat to the hemisphere since its inception. Let no one believe that the growth of this threat can be attributed to any one cause or any single political source. This is no partisan matter, and the foreign policy errors which led to the crisis of last October spanned two administrations.

In January 1960, during the Eisenhower administration, I stated that there was no hope for democracy in Cuba under the Castro regime. I urged that our policymakers develop a firmer, stronger U.S. stand against Castro.

Two months later, in March 1960, I called attention to the growing campaign of anti-U.S. propaganda emanating from Castro's Cuba, and asked for immediate action to counter this propaganda.

With the further deterioration of United States-Cuban relations, in June 1960, I called a special meeting of the House Inter-American Affairs Subcommittee to determine the extent of the threat of communism and of Castro's Cuba to the hemisphere. I stated at that time: "This country can ill afford to ignore mounting evidence that the present Cuban Government is being used to further the international Communist conspiracy."

Two months later, in August 1960, I publicly criticized the inconclusive results of the Inter-American Conference at San Jose, Costa Rica. U.S. delegates at that conference were unable to persuade the other American countries even to adopt a resolution which singled out Castro's Cuba by name.

In March 1961, 2 months after the inauguration of President Kennedy, I urged our Government to put an end to trade with Cuba.

One month later, in April 1961, I introduced a resolution calling for the impositions of sanctions against Cuba and the immediate exclusion of Castro's representatives from the Inter-American Defense Board. The House of Representatives overwhelmingly approved this resolution.

In June 1961 I warned that unless collective action against Castro were taken, the American people would demand a solution supported by those Latin American governments willing to honor their hemispheric commitments.

In October 1961 I pointed out that if the Organization of American States did not act soon against Castro, its usefulness would be undermined and the United States would be forced to take a new look at its OAS commitments.

One year ago, in January 1962, I was a member of the congressional group which accompanied the U.S. delegation to the historic Inter-American Foreign Ministers meeting at Punta del Este, Uruguay. It was at this meeting that the principle of collective action by the inter-American states was reaffirmed. The act of Punta del Este expelled Cuba from the inter-American system. It excluded Castro's representatives from the Inter-American Defense Board. And it called for strict economic sanctions against the Cuban regime.

In reporting back to the Congress on the results of that meeting, I said: "At Punta del Este we took a step, a large step, but this step is merely the beginning of the end for communism in Cuba. Fidel Castro still controls Cuba, and international communism remains today a menace to our hemisphere."

All of this is by way of pointing out that there are those of us in Washington who have been and are alert to the continuing threat of Castro to our Nation and the hemisphere. To be sure, mine was not the only voice raised in warning, but, needless to say, there was complacency among some.

In looking back over this past record, we can wonder what different result might have been reached had our warnings been heeded. The sum and substance of all these warnings was to draw a clear and firm line against Communist encroachment in the hemisphere. Our Government's failure to draw this clear line inevitably led to Khrushchev's miscalculations of last October.

Khrushchev's missile gamble failed because finally we drew the line and took action to maintain it. But in the aftermath of this crisis, our greatest danger lies in the possibility of reverting to the blurred policies of the past. Since his strategic retreat of last autumn, Khrushchev has given every indication that he will, if we allow him, revert to his old gambling ways. We cannot afford further miscalculations on his part, at the risk of thermonuclear war. Our only chance to maintain the peace lies in making absolutely clear that our stand of October and November 1962 has not been relaxed.

My own feelings about the present Cuban situation can best be summed up by repeating what I told Congress last year, following the Punta del Este meetings. Let me again quote: "Fidel Castro still controls Cuba, and international communism remains today a menace to our hemisphere."

That is the paramount truth of the current Cuban situation, and we must not permit our attention to be diverted from this truth. Fidel Castro still controls Cuba. International communism remains today a menace to our hemisphere. Regardless of corollary issues and principles involved in our Cuban policy, we can never forget that this Nation is committed—irrevocably committed—to the liberation of Cuba and the elimination of the Castro regime from that island.

This commitment is fundamental. It is based not only on our international legal and moral obligations to the hemisphere and the free world, but on the necessities of our national security. This is a commitment that no American President or Secretary of State can bargain away, for our vital security interests are not negotiable.

It is well to keep this fundamental in mind when considering whether or not the United States, in its dealings last autumn with the Soviet Union, provided any guarantees against invasion of Castro's Cuba. Moreover, even if for the purposes of argument we grant that such a pledge could be given, the events of recent weeks would certainly negate the force of such an obligation.

The fact is that one of the vital conditions of President Kennedy's position of last October—the requirement for onsite inspection of Cuban missile bases—has not been met. There are also reports, from reliable and well-informed sources, that between 15,000 and 20,000 Soviet combat troops are still in Cuba. Their presence, only 90 miles from our shores and in the heart of the Americas, is intolerable. The removal of these Soviet forces is an urgent necessity if our national and hemispheric security is to be safeguarded.

The primary U.S. foreign policy goal today is to make certain that the Kremlin understands that we have not deviated from our firmness of last autumn. There are several steps we can take, short of military action, to insure Khrushchev's understanding of our resolve to rid our hemisphere of the Castro Communist blight.

In October 1962, 2 weeks before President Kennedy acted against the Soviet Cuban missile threat, I proposed that our Government stop discouraging freedom-loving Cubans in their efforts to combat the Castro regime. At that time, I pointed out that, although this country does have a neutrality act, there can be no justification for the United States hampering efforts to liberate the suffering people of Cuba.

I reiterate what I proposed at that time, for my proposal is more than ever valid under present circumstances. The time is overdue for the United States to support and recognize a government of free Cuba. The Cuban missile crisis revealed to all the world that the Castro government is in fact not representative of the Cuban people, but a mere puppet and instrument of Soviet policy.

Whatever the administrative difficulties involved, let us now move to recognize a Cuban government-in-exile. Then let us make clear our intention and purpose to aid, support. and equip such a government in its own struggle against Communist tyranny in its homeland.

Yet another decisive step we can take to tighten hemispheric pressure against the Castro regime is the extension of sanctions against Communist Cuba to everything but food and medicine for the suffering Cuban people. In this regard, I am seriously concerned that approximately $1.2 million from the United Nations Special Fund is scheduled to go to Castro's government for the construction of an agricultural experimental station. This U.N. expenditure will serve to bolster the sagging Communist agricultural economy of Cuba and to provide Castro with a domestic propaganda victory when his political stock is at an alltime low. What is even more shocking, some $480,000 of the total sum to be given Castro will come from U.S. contributions. In other words, if this economic grant goes through, the United States will be in the position of having contributed funds to aid the Castro regime—despite our inter-American treaty obligations to apply sanctions to Communist Cuba.

Our Ambassador to the U.N. has announced that while the United States is opposed to this agricultural grant, there is little that can be done about the situation if the U.N. governing board approves the expenditure. I disagree. Considering the fact that the United States only last year came to the rescue of a financially floundering United Nations, I would think that the U.N. governing board might give some consideration to this country's Cuban policy commitments. As one who opposed the U.N. bond issue at the time it came before the Congress, I believe that the United States will now be forced to make a total and realistic reassessment of its contributions to the United Nations in the event Fidel Castro is given aid and economic comfort by that international organization. I intend to press for such a reassessment and reevaluation of our U.N. contribution, should this grant be approved.

There are other steps we must take to follow up on our decisive action of last autumn. Castro's ability to wage wars of subversion against the inter-American Republics must be curbed. For this is the underlying danger of the Castro cancer—that it will be permitted to spread throughout the hemisphere by subversive force.

While we have acted firmly against Soviet missiles in Cuba, we must now move as strongly against the threat of Soviet subversion. We must, in effect, dismantle Castro's Cuba as a Communist training ground for the hemisphere. Here the Organization of American States must take joint action to control and watch the movement of Castro's subversive agents from and to Cuba and other countries of Latin America.

Yet another OAS area for action would be to deny the use of ports throughout the Americas to vessels of the Sino-Soviet bloc engaged in Cuban trade. Such action would sharply limit the ability of Castro's Communist allies to provide economic support to his failing regime. It would also be in keeping with the intent of the OAS resolution applying economic sanctions against Communist Cuba.

There are, of course, other firm steps that can and must be taken if we are to cleanse our hemisphere of the immediate threat of Castro and communism. But our ultimate goal will be reached only if we maintain the will and resolve President Kennedy demonstrated 3 months ago.

Meanwhile our long-range problems in Latin America cannot be overlooked. Toward this end, the Alliance for Progress can in time advance the cause of hemispheric freedom and progress. Nevertheless, the ultimate success of the Alliance depends on our success in meeting the immediate military-political threat posed by Castro.

We cannot relax vigilance so long as Fidel Castro controls Cuba. Air surveillance remains our best protection against missile threats—but the only true protection against the total Communist threat to our hemisphere lies in the removal of Castro communism from power in Havana. That is the unfinished business of the Western Hemisphere.

So long as Castro and communism rule Cuba, Cubans are condemned to a life of want, tyranny, and terror. Their island is a prison and they are captives of international communism. Our Nation's responsibility, as the leader of the hemisphere and of the entire free world, is to redeem the entire Cuban people from their captivity. This is an obligation which we must meet—not only for the people of Cuba, but for all the people of the Americas.

## NO U.S. MONEY FOR CUBA

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, on June 1, 1961, I called attention to the proposal under which the U.N. planned to provide over $3 million for an agricultural research project for Cuba. At that time, I pointed out the anti-American bias of the Castro regime and the fact that the United States would contribute over 40 percent of the funds involved.

I urged Ambassador Adlai Stevenson to use his influence to block approval of the allocation of these funds to the Castro regime.

This project was approved by the Governing Council in the U.N. in spite of U.S. objections. A news article on January 8, 1963, indicated that the project is certainly very much alive.

For us to support the project was ridiculous in 1961, but it is fantastic today in view of all that has intervened in the meantime.

In order to support Ambassador Stevenson, who will continue to oppose final approval of this project, I have sent the following letter. I hope that all Members will support the Ambassador in his efforts.

JANUARY 15, 1963.

Hon. ADLAI E. STEVENSON,
*U.S. Ambassador to the United Nations, New York, N.Y.*

DEAR MR. AMBASSADOR: I have read with interest the proposal that our delegation to the U.N. oppose the project for the agricultural experimental station in Cuba under the U.N. Special Fund.

I thought that this project was ridiculous when it first was discussed in the press in May of 1961 and you may recall the letter to that effect which I wrote to you on May 26 of that year.

Although the U.S. delegate objected to the Cuban project on technical and administrative grounds in May of 1961, the project was approved by the Governing Council. Events since 1961 have underlined the hostility of the Cuban regime to the United States and it is clearly stretching the demands of international friendship too far to maintain that these require us to share in any assistance to the Castro regime, however indirect it may be. It should be remembered that our share in any project would be approximately 40 percent.

I must emphasize to you that final approval of this project would cause a lessening of U.N. support in the country and would inevitably be reflected in the Congress.

I want you to know that I support your determination to fight this project.

Sincerely yours,

JOHN S. MONAGAN,
*Member of Congress.*

## SOCIAL SECURITY BENEFITS AT AGE 60

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, I am introducing today a bill which would lower age requirements for full social security benefits to 60 years for both men and women.

This legislation, if approved by Congress, would help to bring about a better balance of the economy and give to millions of needy citizens an opportunity to enjoy the benefits of automation and to better share in the Nation's increasing productivity and wealth.

Unemployment and economic distress in many areas of the Nation, and particularly in my own Sixth District of Pennsylvania, would be alleviated by this proposal. It would create additional job opportunities, and would bring a measure of security to individuals over 60 years who find it almost impossible to find gainful employment.

Another proposal, Mr. Speaker, which I made in a bill introduced on the opening day of this new Congress would increase income tax exemptions from $600 to $800.

Both of these bills are designed to strengthen our economy at the base. They would put needed purchasing power into the hands of those who need it most. These bills would bring a measure of social justice to individuals and families and those 20 percent of our fellow citizens who are denied the opportunity of a decent livelihood in the midst of great national surpluses and prosperity.

The very first step in tax reduction should be an increase in exemptions. Together with improved social security legislation it would be a big factor for progress, prosperity, and national strength.

## PROMOTIONS OF FEDERAL EMPLOYEES

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, today I introduced a bill intended to change the effective date of promotions of certain employees from the actual date of promotion prior to the Federal Salary Reform Act of 1962, to the effective date of such pay act.

Employees who were promoted prior to the new pay act were guaranteed a minimum increase equal to one step increase of the grade from which promoted. Under the new pay act, they are entitled to the equivalent of two step increases of the grade from which promoted. In addition, many employees gained an additional grade upon conversion under the new pay act by reason of having served certain periods of service in the top steps of their former grades.

In order to appreciate the magnitude of the problem, there is set forth below the effect of promotion of two employees in the same unit, both having more than 2 years of service in the top step, step 6 of GS-14, who were promoted to GS-15, employee A on August 1, 1962, under the old pay law and employee B 3 months later on November 1, 1962, under the new pay law.

| | |
|---|---|
| Employee A: | |
| Rate for step 6, GS-14 | $13,510 |
| Promoted Aug. 1, 1962, minimum increase | 260 |
| Total | 13,770 |
| Employee B: | |
| Step 6, GS-14, no promotion | 13,510 |
| On conversion, employee advances to step 7 at new rate | 15,395 |
| Employee A: | |
| New rate in GS-15, step 2 | 14,055 |
| Conversion after promotion under Public Law 87-793, GS-15, step 2 | 15,045 |
| Employee B: | |
| Promotion on Nov. 1, 1962, employee now gets minimum increase equal to 2 step rates | 950 |
| Promoted to GS-15, step 5 | 16,485 |

Employee A, promoted on August 1, 1962, is now receiving $15,045. If he had not been promoted at all, he would be receiving $15,395. Thus, the employee would now be receiving $350 more per year if he had not been promoted at all.

Employee B, who was promoted after Public Law 87-793, is now receiving $16,485, or $1,440 more than employee A, who is receiving $15,045.

This bill will make the promotion for employee A effective after conversion under Public Law 87-793 and advance him to step 5, GS-15, $16,485, the same as employee B.

## OVERTIME PAY FOR POSTAL EMPLOYEES

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, yesterday I introduced a bill which provides that postal employees who work on Saturday or Sunday during the month of December will henceforth be paid for such service at the overtime rate.

In effect, my bill will make it impossible for postmasters or other postal officials to give employees compensatory time for Saturday or Sunday work in December instead of giving them overtime pay.

The institution of compensatory time is in itself a peculiar one and it is rarely come upon outside of the postal service. The system provides for a man, who works on a Saturday or Sunday, to take a corresponding amount of time off from the job during the next 5 working days.

There is an excellent argument against the use of this device at any time, but during the month of December the argument, in my opinion, is irrefutable.

We must remember, Mr. Speaker, that when a regular employee is given compensatory time, he must be replaced by a substitute, or a utility carrier or—particularly in December—by a temporary employee. These inexperienced employees do not know their jobs as well as does the regular employee and, consequently, the service suffers whenever and wherever they are used.

While this is never good, in December it creates very real problems. There are no slack days in the postal service in December. There are no days when the Post Office Department can afford inexperienced help. During the early part of the month the mails are loaded with circulars for Christmas sales and other purposes connected with the holiday season. And, of course, the avalanche of Christmas mail comes right upon the heels of this opening burst of strenuous activity. You cannot employ inexperienced help or casual labor instead of the experienced regular employees during this season without impairing the quality of the service to a marked degree.

This happened widely during the Christmas 1962 season. The Post Office Department has often, in the past, had excellent cause to congratulate itself on the quality of service it rendered during the Christmas rush. It has no such cause for self-congratulation on the job it did during the Christmas season of 1962.

The complaints have been widespread and bitter. Great backlogs developed in many of our post offices. In one city in the State of Ohio, I know, mail was still being delivered on Christmas Day—a condition that had been rendered extinct in recent years.

This relative breakdown of the postal service during last December was directly attributable to the overzealousness of postal officials in using the compensatory time device as a means of saving an extra dollar or two at the expense of the American public. The breakdown would not have occurred if the regular, trained, experienced employee had been permitted to stay on the job and move the mails in an efficient manner.

As a matter of fact, Mr. Speaker, these overzealous postal officials are being pennywise and pound foolish in using this device. The savings effected are far less than they claim them to be—and they are not worth the confusion and chaos they create. In the long run, it is always more economical to move the mail through the post offices and out onto the routes swiftly. Inexperienced casual labor is always expensive and always inefficient. By the use of this device in December, the postal authorities are crippling the service and they are saving very little money. They are also defacing the proud image of the postal system at a time when every American citizen has a right to expect the ultimate in fast and courteous mail service.

There is apparently no way to prevent postal officials from persisting in shortsighted petty economies other than to make such foolish practices illegal. The bill that I am introducing will do this. It will also insure that the American people will have postal service during December of which they can be proud and on which they can rely with complete faith.

## FEDERAL EMPLOYEES HEALTH BENEFITS

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I introduced a bill to extend to all groups in the postal field service the provisions of the Federal Employees Health Benefits Act of 1959. The new bill number is H.R. 1819.

It is my intention, and I believe it is the intention of the Congress, to include, without favor to any one group, such benefits to employees and their dependents, as are spelled out in present law.

Specifically, my bill affects the membership of the National Association of Post Office Mail Handlers, Watchmen, Messengers & Group Leaders.

The final hours, and even minutes, of the 1962 session ended at the very time my bill, which had been unanimously approved by the House and was awaiting Senate action. This means the bill must go the same route once more to become law.

I intend to relieve the hardships now being imposed upon the Mail Handlers who, by administrative inaction, are barred from inclusion under the act.

Much of the detailed interest in my bill last year was performed by my energetic friend, Harold McAvory, president of the Mail Handlers.

I shall continue to expect the same aid this year and look forward to the assistance of Chairman MURRAY who helped guide the bill last year.

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## FINANCIAL ASSISTANCE TO THE ELDERLY

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, during the election campaign last fall, various civic groups in my District, and particularly the Venice Civic Union, brought to my attention the plight of elderly property owners who find it impossible to secure financing for necessary home repairs. Although the present legislative authority under FHA should be adequate to meet the home repair financing of older people, that authority has produced little practical effect. The fact that FHA has such authority is one thing, but FHA does not actually make the loans; it only guarantees loans made by private lending institutions, and lenders are generally reluctant to make long-term loans to older people, both because of their age and because of their low income.

Several recent measures have been designed to alleviate the situation, particularly the Senior Citizens Housing Act. This has been of immeasurable value in many ways. So has the present authority to accept cosigners. These bills were particularly slanted, however, toward multifamily housing and new construction. FNMA's housing for the elderly fund, set up by Presidential order, is used only for home mortgages and rental housing, rather than home improvements.

These bills do not take into consideration the needs of the couple with a small retirement income, the couple living in their own home, which is fully paid for, but which needs a new roof, or repairs to a sagging porch. Multiply this couple by a few hundred, and we find an entire neighborhood in danger of becoming a so-called blighted area.

To permit maximum efficacy of the present law, I have therefore introduced H.R. 410, with the simple title, "To amend the National Housing Act to help elderly persons obtain FHA assistance in home repair financing." The bill makes specific provisions that individuals or organizations, such as churches, unions, and civic clubs, are acceptable as cosigners. This will serve to give emphasis to the present authority and encourage its use. No additional appropriation is required. H.R. 410 merely proposes to earmark part of the fund already established under the Federal National Mortgage Association's special assistance program.

Your support for H.R. 410 is most earnestly solicited.

## WAURIKA PROJECT URGENTLY NEEDED

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, in the southwestern portion of Oklahoma lies a watershed drained by Beaver and Cow Creeks, tributaries of the Red River, comprised primarily of four counties, Jefferson, Stephens, Comanche, and Cotton. Six cities, Lawton, Waurika, Temple, Walters, Comanche and Duncan, a large oil refinery and a major military installation, Fort Sill, are located in this watershed. It is a typical mid-America rural-urban community area. There are farms boasting some of the most fertile land in the West. There are regional industries of varied types, an important oil refinery and the many activities characterizing a representative mixed rural and urban region.

The area does, however, have a most serious problem, caused by its geographical situation which sets it apart from many similar regions. This is basically a problem of water. Water in the form of sudden heavy downpours which come annually, and in many years several times a year. The flash floods resulting from upward of 4 inches of rain in a very brief period have year after year visited this region wreaking havoc, generally destroying property valued in the millions of dollars, wasting away fertile land and bringing the local economy to a virtual standstill.

Such are the vagaries of nature that almost invariably these violent storms and hazardous floods are succeeded by a period of up to 4 months with no rain at all. Farms suffer, crops wither and die, industries and homes are starved for water. Again the economy is jeopardized.

Cities in the area which are dependent for their water supply upon lakes, streams, and wells find the lakes shriveling, streams only a dusty trail, and the water table sinking ever lower. Water is of necessity rationed, industry is paralyzed, farm stock and farm folk are forced to extreme measures to survive.

Cities have nearly exhausted themselves physically and financially in search of a supply of vital water. Industries hardly able to survive, even by such costly and inefficient means as utilizing processed sewage, are unable to expand to their full potential or to provide more jobs for the increasing population. The lack of favorable and consistent supplies of water has made it impossible to attract new industries to the region.

Fertile soil, planted year after year, fails to produce. The luscious products which it is potentially capable of producing fail because the soil is alternately washed over by floods and parched for lack of rain during the growing season.

This is no recent development. As long ago as 1903 the Bureau of Reclamation was cognizant of the problem. In 1936 the Corps of Engineers made a survey of the Waurika area as an integral part of the Red River Basin which resulted in a recommended multipurpose program of development for flood control, navigation, hydroelectric power, irrigation, water supply, and other purposes.

Again in 1947 the Bureau of Reclamation studied the area. In 1952 the University of Texas conducted a survey under contract with the Bureau of Reclamation which demonstrated the serious need for additional water supplies in the four-county area.

In 1955 the important Arkansas-White-Red Interagency Committee developed a long range, comprehensive plan of development. The recommendations included plans for the Waurika-Beaver Creek development and stated that it was justifiable and feasible at that time. That same year the Beaver-Cow Creek Watershed Development Association was organized to further the interests of the region and has remained active to the present time, participating in every effort to improve the situation. Its members have appeared time after time at hearing after hearing, in the region, in the State capitol, and in Washington before the departments and congressional committees concerned. These are seriously troubled and highly responsible people. They deserve every consideration.

The 1956 survey by the Bureau of Reclamation resulted in a 1957 report recommending a reservoir at Waurika providing primarily for irrigation and water supply.

In 1960 bills were introduced to implement the Bureau recommendations in both the Senate and House but no action resulted. In September of 1961 the Bureau of Reclamation forwarded a detailed feasibility report on the Waurika project to the Congress. The report had the approval of all the Federal, State, and local agencies affected.

It provided for construction of a dam and reservoir on Beaver Creek, 5 miles upstream from the city of Waurika.

The proposed 93-foot-high dam would provide a reservoir with a holding capacity of 250,000 acre-feet. Water stored in this reservoir would be used to irrigate 2,000 acres of land in Jefferson County and to supply six cities and an oil refinery near Duncan by a system of aqueducts.

Total cost of the project as proposed by the Bureau of Reclamation was estimated at $25,019,500 of which $15,856,500 would be reimbursed, with interest, by municipalities and industries concerned; $4,044,300 of the cost allocated to irrigation would be repaid in full by water users. The flood control allocation of $2,264,800; the allocation of $2,486,400 to fish and wildlife conservation, and the allocation of $367,500 to recreation all would be nonreimbursable.

The dam and reservoir would provide 95,300 acre-feet of flood control. It would effectively prevent floods along Beaver Creek from the damsite to its confluence with Cow Creek and substantially reduce flood hazards below that point. Operation of this capacity would be in accordance with the plans of the Corps of Engineers.

As has become essential with every modern reservoir project, consideration was given to the recreational potential in this report. Minimum Federal expenditures for this purpose would include access roads; additional expenditures by the State and local agencies would be expected.

The report suggested that some 3,500 acres of land beside that needed for the reservoir be purchased and incorporated in a national wildlife refuge in the interest of fish and wildlife conservation and to replace upland game habitat inundated or impaired by construction of the Waurika Reservoir.

I introduced a bill to implement this project in 1961 and Senator Kerr did likewise in the Senate. Following hearings by the Interior and Insular Affairs Committee the Senator's bill, S. 114, was passed by the Senate. The fact that Waurika was again visited by a damaging flash flood in June last, while this bill was under consideration, enabled me to focus attention on the immediacy of the problem. This was no doubt influential in securing the inclusion of the project in the omnibus river and harbor flood control bill passed by the Senate. Unfortunately it was ultimately eliminated by the conferees from the bill as finally approved by the Congress.

However, the gentleman from Tennessee, who performed so nobly as conference manager for the House, noted in the conference report and affirmed on October 12, 1962, on the floor of the House, that, although it had been eliminated the managers made a commitment that the Committee on Public Works of the House would hold public hearings on it as soon as practicable after the new Congress convened.

On October 31, 1962, the Senate Public Works Committee by resolution directed the Corps of Engineers to make a survey report on Waurika Reservoir.

On December 10, 1962, public hearings were held by the corps in Waurika, following which a report was prepared by the district engineer at Tulsa, and reviewed by the division engineer at Dallas and forwarded to the Board of Engineers in Washington.

The report is favorable to the construction of the Waurika Reservoir as a multiple purpose reservoir. It favors construction of the irrigation project by the Bureau of Reclamation, the creation of a national wildlife refuge by acquisition of additional land and the providing of recreational facilities. This report differs only in detail from the Bureau of Reclamation report, and the estimated cost is about the same, $25,100,000.

We now have the two great Federal conservation and water resource development construction agencies in almost complete agreement on details and absolutely complete agreement on the urgent need for the Waurika project. Differences in minor details can easily be cleared up in congressional hearings.

The essential thing is to proceed immediately. There is very little opposition to the project. Several Federal agencies have already cooperated in the studies and have expressed willingness to participate in completing the project. The Governor of Oklahoma, now the distinguished junior Senator from my State, has testified, along with the State conservation agencies, on its behalf.

The six cities concerned have given evidence of their willingness and ability to pay their proportional share of costs as have the prospective water users of the proposed irrigation project.

All of the thousands of people who are vitally concerned do not seek charity nor a handout. They are willing and able to help themselves but a project of this scale is beyond their ability to accomplish entirely on their own.

They deserve a helping hand to spare them from the heartbreak of being constantly wiped out by floods, or having to do without water, without the jobs which would materialize were it not for the absence of reliable water supplies.

The urgency of the problem is immediate. I ask for your support in bringing hope to these long suffering people in the Waurika area by my State of Oklahoma.

Action on six other needed projects is predicted on favorable action on the Waurika project.

## RAILROAD MERGERS

**Mr. DULSKI.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. DULSKI.** Mr. Speaker, I have been an outspoken critic of proposed railroad mergers. Such mergers, in the past, have resulted in large layoffs among railway employees, decreased service, and less efficient management due to the size of the operation.

Our railroads continually stress their financial plight and use this as a weapon to push their merger plans. Once again I bring attention to the fallacy of such claims as pointed out in a recent letter distributed by the Railway Labor Executives' Association under date of January 7, 1963.

Under leave to extend my remarks, I wish to include the chairman's letter which follows:

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
*Washington, D.C., January 7, 1963.*

DEAR CONGRESSMAN: The railroads of the United States say they are very poor, on the verge of bankruptcy. They use the poverty plea to back up mergers, layoffs of employees, curtailment and abandonment of services, and ripping up of tracks.

If they are as poor as they claim, where do the railroads get the billions of dollars they have paid out in dividends?

Their own reports to the Interstate Commerce Commission belie their poverty claims. Here are the figures: In the last 20 years the railroads have paid out a whopping $7,388 million in dividends. And in each 5-year period of those 20, the total dividends have gone up—from $1,384 million for 1941–45 to $2,271 million for 1956–60.

That is not all. According to the figures the railroads gave the ICC, U.S. railroads added $279,767,006 to retained net income in 1961. Indications are that 1962 will show better gains. Poor's Investment Advisory Service, December 3, 1962, estimates class I railroad net income to be between $475 and $500 million for the year 1962. That's a gain of $382 million over 1961.

Net income alone is not the true index of the fiscal status of the railroads. The sums set aside for depreciation added to the net income cash flow give a more realistic picture of railroad finances. Depreciation in 1961 was, in round numbers, $652 million, an increase of $17 million over 1960. The railroad depreciation figure has risen almost $100 million in the last 20 years. The average yearly depreciation for the 5 years, 1941–45 was $553 million.

The total cash flow has gone up steadily for the base periods since 1941–45, when it averaged $1,231 million. For 1947–52, the cash flow total was $1,151 millions and for the most recent 8 years 1953–61, the annual average was $1,274 million.

How many sets of books the railroads keep we don't know. They seem to produce figures to suit the necessities of the current story they are trying to sell to the public.

Because the railroads are the arteries through which the lifeblood of our commerce flows, we think this uncertainty must be ended and the whole truth of railroad finances laid bare. Only Congress can do that. We ask you to make your voice heard for a thorough investigation of the financial condition of U.S. railroads. That, we insist, is the only way the ills, real and imaginary, of the railroads can be intelligently diagnosed and the proper cure prescribed.

So the public can be informed, we are inserting an advertisement "Exposing the Railroad 'Poverty' Myth," in newspapers throughout the country on Tuesday, January 8, 1963. Copy of the advertisement is enclosed.

Sincerely,

G. E. LEIGHTY,
*Chairman.*

A well-known transportation authority, Mr. Eli L. Oliver, in a recent interview stated that railway management's claim that they are losing their proportionate share of freight traffic "just is not so." He said that the railroads are hauling just as great a proportion of freight today as they did 25 or 50 years ago. He points out that they carried 200 billion more ton-miles in 1960 than in 1940. Rail traffic went up 53 percent in those two decades, while our population went up only 36 percent. Railway traffic has grown half again as fast as our population.

I agree with Mr. Oliver when he says that we can easily be swayed into thinking that freight traffic has been taken away from the railroads when we see scores of trucks rolling down the turnpikes. But, as Mr. Oliver commented in his interview:

> From that turnpike you don't see the crossings where you used to be held up while freight trains of 60 or 80 cars crawled past you. That grade crossing has been made an underpass or an overpass; and along the tracks strings of diesel locomotives, 8 or 10 together, are moving freight trains of 150, 200, and even 300 cars. A train of 100 cars is about 1 mile long—300 cars are 3 miles long. Each holds the equal of four or five truckloads, and is moving faster than your highway speed limit.

## INTERPARLIAMENTARY UNION

**Mr. POAGE.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, under the constitution of the Interparliamentary Union, every Member of this House is a member of the American Interparliamentary Group. The American Group will meet on Monday, January 21, in the conference room, S-207, on the principal floor of the Senate wing of this building. Those who are interested in this organization either from the standpoint of cooperating in its work or criticizing its actions are invited to attend.

This is an organization in which the U.S.S.R. takes a great interest and makes a great effort to direct the viewpoint of members. Those of us who have participated in the work of the American Group for a number of years feel it is important to the United States to present our side of the picture. We believe we were able to do this at the last meeting which was held in Brasília just at the time of the outbreak of the Cuban crisis. At this meeting the Soviets supported a resolution declaring that the American blockade was threatening the peace of the world and calling on the United States by name to present our problems to the United Nations. We of the American delegation were able to change this resolution so as to eliminate all reference to the American blockade, pointing out that there were many threats to the peace, including the Chinese conflict with India, and expressing the hope that all nations would compose their differences without war. Our revision carried by a vote of 66 to 16.

I believe that this is conclusive evidence that we can expect the support of many of the countries of the world if we will but present our case to them. I think it is also abundantly clear that we need not abandon our position of leadership to the Soviet Union. But, of course, if Members of the Congress care to undercut this organization without any knowledge whatever of its actual operations, they can do this country irreparable harm. I would, therefore, urge that before we have any more criticism of the IPU as a "secret, junketing society" that Members attend the meetings and participate in the work of the organization.

Let me again repeat: There will be a meeting Monday next in room S-207 at 10:30 a.m., and you are invited.

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## HEARINGS ON WOMEN'S STRIKE FOR PEACE

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, quite a few Members in this legislative body, evidently having received communications from some of their constituents or having read cynical comments in some newspaper or magazine, have asked for the text of the opening statement which I read on December 11, 1962, at the opening of the House Committee on Un-American Activities public hearings of Women's Strike for Peace here at the Nation's Capital. Manifestly, because of the interest in these hearings, I believe I am justified in calling to the attention of the membership of this body the full text of such opening statement, as follows:

COMMITTEE ON UN-AMERICAN ACTIVITIES, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.; SUBCOMMITTEE CHAIRMAN'S OPENING STATEMENT, DECEMBER 11, 1962; HON. CLYDE DOYLE, CHAIRMAN OF SUBCOMMITTEE

Everyone in the world, every nation in the world—if you can believe their words—wants peace. The cry is universal. It comes from neutralists, from Communists, from anti-Communists. Yet there is no peace because certain persons, groups and nations in the world—even while they cry peace—foment war and unrest. They plot and carry out military attacks on neutralist India, on anti-Communist South Vietnam. They plot sabotage in the United States. They dynamite electric power stations in Venezuela. In every nation, in small and in big ways, they disrupt peace or make it impossible of attainment.

There is good reason, unfortunately, to doubt Communist claims that they desire peace, as others understand the term. Late in 1948, Stalin launched a spectacular peace offensive. It was marked in major nations of the world by so-called peace conferences and congresses, which were supported and attended by the cream of the Communist and fellow-traveling intellectual crop in those nations. A Moscow-directed World Peace Council, still operating in Vienna, was born of these gatherings. In June 1950, however, even as Stalin was directing the creation of this so-called World Peace Council (which was formally established about 5 months later), he launched a military attack on South Korea. That attack marked the beginning of 3 years' undeclared war between the forces of communism and freedom. Over 33,000 Americans were killed in battle in that Communist peace action. More than 123,000 other Americans were casualties of it—20,000 of them also losing their lives.

These facts alone indicate that we must give careful consideration to just what the word "peace" means to Communists. Studying what they say about war will help us determine what they mean by peace.

A pamphlet on basic Communist doctrine prepared by the National Education Department of the U.S. Communist Party and sold in Communist Party bookstores in the United States at the very time Stalin's peace offensive was at its peak—and during the Korean war—made the following doctrinal statement:

"Wars do not occur through accidents of history or the mistakes of statesmen. They are the inevitable result of capitalism and its contradictions."

Volume 8 of the Large Soviet Encyclopedia (Bol'shaia sovetskaia entsiklopedia), published in 1951, defines war as follows (p. 570):

"War is a social phenomenon inherent in a society containing classes and antagonism."

Two pages later, in its discussion of war, the encyclopedia states:

"Wars will cease only with the destruction of capitalism and the victory of the socialist system in all the world."

Again, the Small Soviet Encyclopedia (Malaia sovetskaia entsiklopedia), third edition, volume 2, published in 1958, states:

"The basic cause for contemporary wars is the capitalist economic system and the irreconcilable internal contradictions in it."

In other words, according to fundamental Communist doctrine, there will be wars—there can be no real peace—as long as capitalism exists. To end wars, to achieve peace, capitalism must be destroyed.

According to their own words, Communists believe that there can be no real peace until they have conquered the world, eliminating all other systems. They say to one another, and to those who will make an effort to study their doctrine, that they really do not believe in peace in our time.

Why then do they talk of peace?

Because it serves Communist interests in two ways:

1. The initiated Communist, understanding his Marxist-Leninist doctrine, knows that a Moscow call to intensify the "fight for peace" means that he should intensify his fight to destroy capitalism and its major bastion, the United States. This is the way to peace—according to his Communist doctrine. Thus Communist peace propaganda is a call to action for all Communists, spurring them to increased activity and effort aimed at achieving the Communist goal of world conquest—by war or any other means.

2. As events have proved, peace propaganda and agitation have a disarming, mollifying, confusing and weakening effect on those nations which are the intended victims of communism. Moreover, throughout history, aggressors, dictators, and governments bent on conquering others, or the whole world, have known that pacifism or an unrealistic and exaggerated desire for peace on the part of their intended victims is a tremendous asset to ultimate victory for the aggressor. Excessive concern with peace on the part of any nation impedes or prevents adequate defense preparation, hinders effective diplomacy in the national interest, undermines the will to resist and saps national strength. For this reason, in today's world, intense peace propaganda and agitation in non-Communist nations obviously serves the aggressive plans of world communism.

In 1917, Lenin wrote:

"We are not pacifists. We are opposed to imperialist wars for the division of spoils among the capitalists, but we have always declared it to be absurd for the revolutionary proletariat to renounce revolutionary wars that may prove necessary in the interests of socialism."

This is still Communist doctrine. It was restated in only slightly different words in a declaration unanimously adopted by 81 of the world's Communist parties which met in Moscow in November-December 1960, to devise the strategy they hope will bring them world victory.

This same unanimously adopted statement had other things to say which are vitally important to all Americans and which touch on the purpose of these hearings. I quote:

"Today, as never before, it is important to fight perseveringly in all countries to make the peace movement thrive and extend to towns and villages, factories and offices."

On January 6, 1961, shortly after this meeting, Khrushchev made a major strategy speech directed to Communists in all parts of the world. He said, in part:

"Every day bigger sections of the population should be drawn into the struggle for peace. * * * The banner of peace enables us to rally the masses around us. By holding aloft this banner we will be even more successful."

Following Khrushchev's cue and also the declaration of the 81 Communist parties, U.S. Communist Party leader Gus Hall, in a major report to the party's national committee on January 20, 1961, made the following statement:

"It is necessary to widen the struggle for peace, to raise its level, to involve far greater numbers, to make it an issue in every community, every people's organization, every labor union, every church, every house, every street, every point of gathering of our people. * * *

"It is imperative to bring everyone—men, women, youth, and yes, even children—into the struggle. * * *

"It is essential to give full support to the existing peace bodies, to their movements and the struggles they initiate, to building and strengthening their organizations. * * *

"It is also necessary to recognize the need for additional peace organizations. * * *

"Above all Communists will intensify their work for peace, and their efforts to build up peace organizations."

These very blunt Communist statements make one thing very clear:

Present Communist strategy gives No. 1 priority to peace agitation and propaganda in the United States and all other non-Communist nations. It calls for Communist infiltration of and support for existing peace organizations, Communist or non-Communist. It calls for the creation of new peace organizations, controlled or infiltrated and manipulated by Communists. It calls for assemblies, picket lines, marches, delegations, walks—every possible kind of demonstration for so-called peace.

Basically, it is because of the Communist directives I have just quoted that these hearings are being held. Preliminary investigation by the committee indicates that Communists, in carrying out these directives—as they would be expected to do—have both infiltrated existing peace groups and created or infiltrated newly formed organizations.

For reasons already discussed, this Communist activity intensifies the security problems faced by this Nation. This is internal psychopolitical warfare directed by Moscow and waged within our own borders. The aim of this activity is not peace, but the undermining and sabotage of the United States.

The question of peace, disarmament, nuclear weapons testing, and related matters are the gravest issues confronting the United States today. It is vital that the Congress be informed whether, and to what extent, concealed agents of a foreign power are attempting to influence the decisions which must be made on these questions—and to influence the decisions so they will serve not the interests of the United States but a foreign power dedicated to the destruction of freedom everywhere.

The subject of this inquiry is to determine the extent of Communist infiltration in peace organizations, particularly in the Metropolitan New York area and with special reference to the Women Strike for Peace—and also to determine the degree to which Communists have responded to the previously quoted directives that they engage in such activity. Such information, as the resolution authorizing these hearings indicates, is relevant to certain legislative proposals now pending before the committee.

The committee wishes to emphasize these points before the hearings begin:

The fact that Communists are active in peace agitation does not mean that everyone who agitates for peace is a Communist or fellow traveler.

The fact that Communists have created and infiltrated peace organizations does not mean that all peace groups are Communist or that all members of them, or even a majority of them, are Communists, Communist sympathizers, or fellow travelers.

As I stated in the opening of these remarks, the cry for peace is universal. There is no reason to doubt the sincerity of many people who are today agitating and calling for peace, even though we may have reason to doubt the wisdom of some of the actions and statements made by these people.

The subject and legislative purpose of these hearings are set forth in a resolution adopted by the committee on August 2, 1962. That resolution reads as follows:

"*Be it resolved,* That hearings by the Committee on Un-American Activities, or a subcommittee thereof, be held in Washington, D.C., or at such other place or places as the chairman may determine, on such date or dates as the chairman may designate, relating to Communist conspiratorial techniques and propaganda used in implementing Soviet and U.S. Communist Party directives within the United States, with special reference to the so-called united front tactics of the Communist Party, and the Communist Party tactics of infiltration of non-Communist organizations; the legislative purpose being to determine the need for amendment of the Internal Security Act of 1950, so as to make its provisions applicable to persons engaged in such activities, and for the additional legislative purpose of obtaining information designed to aid the committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, as proposed in H.R. 9944, referred to this committee on the 30th day of January 1962; be it further

"*Resolved,* That any subcommittee appointed pursuant to this resolution be authorized to hear any other matter within the jurisdiction of the committee."

The order for appointment of this subcommittee, for the record, reads as follows:

NOVEMBER 9, 1962.

FRANCIS J. MCNAMARA,
*Director, Committee on Un-American Activities:*

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Hon. CLYDE DOYLE as chairman, and Hon. WILLIAM M. TUCK and Hon. DONALD C. BRUCE as associate members, to conduct a hearing in Washington, D.C., Tuesday, December 11, 1962, at 10 a.m., on subjects under investigation by the committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 9th day of November 1962.

FRANCIS E. WALTER,
*Chairman, Committee on Un-American Activities.*

## GEN. JOHN KNIGHT WATERS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on behalf of the people of Chicago, and especially of the Second Congressional District, within which is located the headquarters of the 5th Army, I am happy to extend heartiest congratulations to a great American soldier who, by action of the President of the United States and with approval by the Senate, will become a full general in the Army of our country and the commanding general of the U.S. Continental Command. There are only 12 full generals in our Army and Gen. John Knight Waters at 56 will be among the youngest who have attained that exalted position.

The people of Chicago were overjoyed when they learned of the promotion of the present commanding general of the 5th Army. During his sojourn with us General Waters has won the hearts of all our people. He is a great American in every sense of the word and his human qualities are no less than his qualities of military genius.

He has served with outstanding distinction as commandant at West Point, as commanding general in Germany and in other capacities. He is further entrenched in the affections of the American people by his relationship as son-in-law to General Patton and the finest traditions of the military service that the father-in-law carried even to the hour of his unfortunate death, the son-in-law continues to carry on.

Mr. Speaker, the local office that I maintain for the service of my constituents is located in the headquarters of the 5th Army. It is there that I spend my time and meet my constituents when I am able to leave Washington. My contacts with General Waters have been most pleasant in every respect. I have never known a finer gentleman or an abler and more dedicated officer.

To Maj. Gen. Charles D. Dodge, soon to be elevated to the rank of lieutenant general and who will succeed General Waters as commanding general of the 5th Army, also go the congratulations and best wishes of the people of Chicago and especially of the Second Congressional District.

## TAX RELIEF FOR OLDER PERSONS

Mr. BAKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BAKER. Mr. Speaker, recently, I introduced a bill, H.R. 1764, to provide older persons a certain degree of tax relief when they reach the age at which they may dispose of the family home.

The tax relief proposed in my bill would depend upon these conditions: First, the individual, or in the case of a married couple either the husband or wife, must have reached age 65; second, the home must have been the principal residence; and third, it must have been owned at least for a period of 5 years. Under these conditions the gain realized from the sale of the older person's home would be exempt from both the Federal income tax and the capital gains tax unless the sales price exceeded $30,000.

We, in the Congress, seem to be continually trying to face up to the housing, income, and health needs of older persons. Low cost public housing has been and will continue to be a special problem as applied to one group of older persons. Those who have acquired homes of their own constitute another group no less deserving of the attention of the Congress. They have had the initiative to acquire and support a home. They have paid the local and State taxes regularly levied on homes and other real property. I cannot believe the Congress intends to make life more difficult for these older persons by continuing to levy a heavy capital gains tax at this difficult time of life—the time of transition from an earning to a nonearning status.

I believe the Congress should take action soon to lift this unnecessary tax burden from those older citizens who find it desirable or necessary to sell their homes.

A high percentage of our aging population does not own their own homes. Most of those who do own their homes have acquired them under the common pattern of contract buying month by month over a period of 15, 20, or 30 years. Purchase of the property was a longtime outlay of work, care, and planning for a family home. The transaction was not primarily a business investment, as such, but the acquisition of a home in which to live and rear a family. The capital gain in connection with the older person's home deserves, therefore, entirely different treatment from that of a business investment as such.

Most older persons sell their homes for reaons beyond their control. Often, because of declining health conditions of the wife or husband, the family physician recommends that they move to a more favorable climate. In such a case and at that time of life, the person or couple may be reluctant to buy another home. However, under our present tax laws, unless they buy within 1 year, they are subject to our Federal capital gains tax. In fact, every dollar levied by our Federal Government on such a couple or individual obviously depletes the fund available to rent or buy in a new and presumably more favorable climate. The effect of our present capital gains tax on the older person, I believe, constitutes too much regulation, too much control over his activity at this stage of his life. In the example I have given, the effect is to penalize the older person if he follows the advice of his physician and prepares to move to a more favorable location.

The capital gain as defined in our tax policies is all too often the result of paper profits created by the decreased purchasing power of the dollar. Nevertheless, the paper profit does appear and under present law must bear the tax. This fact alone can be a determining factor in preventing the older person or couple from making the change to housing more suited to their needs and to their ability to pay.

During his active earning years, the wage earner's occupation may have required him to have his residence in a more expensive urban center. Assuming he may upon retirement need to migrate to a rural or less populated area of the country, our tax laws are such that we either restrict his freedom of movement or we penalize him for no more than selling the family home at the end of his earning lifetime.

Frequently the older individual or couple finds upon reaching the end of his earning lifetime that his home, paid for over his lifetime, is about the only tangible wealth he possesses. He may need to sell the home and place the proceeds in a paid-up annuity or a lifetime home contract for elderly persons. Under our present Federal tax policy, we require that such an individual or couple ordinarily pay a 25 percent long-term capital gains levy on the gain from the sale of the home. Without raising any question regarding the intent and the justification of our capital gains tax as such, I believe that the capital gains on an older person's home may never have been one of the specific targets of a tax bill. I have proposed this bill, therefore, in the hope that the Ways and Means Committee will give thorough and adequate study and attention to providing this much needed tax relief to this group of our older citizens.

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## TO HELP AMERICA MEETS ITS POTENTIAL

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Manpower Retraining and Development Act, passed in the last Congress, gave recognition to the importance of developing our manpower resources. By helping meet the critical shortage of skilled labor, and there are jobs by the millions that are going begging for the need of a skilled worker to fill them, this act will help America face the challenges which progress poses and help this country meet its potential. Under the theory of this act, which seeks to give new skills to those who are unemployable because their skills are no longer in demand, we look to the future of the country and its labor needs. And this act turned away from the approach to unemployment of putting an unemployable worker on the dole in the hope that what skill he has will come once again into demand.

This was an important step which was taken to help tailor the American labor force to the economic future of our country. There is more that can be done, however, and I have today introduced four bills which are designed to operate in this area and better develop our labor resource.

### TAX DEDUCTION FOR EDUCATIONAL EXPENSE

The first of these would operate in conjunction with the Manpower Retraining Act. The act, in the long run, is intended to eliminate from the ranks of the unemployed those who are unable to gain employment because of lack of skill and, at the same time, to help meet the needs for highly skilled workers which our dynamic economic progress creates. But this is not a direct step—taking an unemployed ditch digger whose job has been ended by a ditch digging machine and transforming him into skilled technician on the latest data processing and computing machines. Many of the low-skilled unemployed cannot be trained up to the high skill level jobs. Rather than a one-step process it is a many-phased upgrading of skills generally. The Manpower Retraining Act operates only on the first level, giving the unemployed a new skill with which they can reenter the labor market.

The proposal which I am offering would help in the upgrading of skills throughout the labor force. It would provide for the deduction of amounts spent for education or training to obtain a new or better job as business expenses. At present such expenditures are deductible only if necessary to maintain existing skills or to keep a present job or job level. Under my proposal, there would be a tax incentive for those farther up the line in the labor force, farther up than those for whose benefit the Manpower Retraining Act was passed, to increase their skill levels, to seek better jobs through further education and training.

It is essential that we promote this upgrading throughout our labor force. The technological progress of our economy will call for an ever increasing level of worker competence. No longer can we be content to train sons in the jobs their fathers and grandfathers had done. The change of our economy will not allow this, for the skill and job of the father may well be obsolete when the son comes into the labor market. We must have every American working to his capacity if we are to have the country meet its potential. This involves a process of continual progress in the level of our labor force. This bill works toward this goal.

### WORKER MOBILITY

A second very important requirement for our labor force if it is to meet the challenge of America's future is mobility. Just as economic progress will demand ever higher skill levels for our workers it will also require that our workers be geographically mobile to take advantage of new opportunities and to meet newly appearing needs. At present our tax laws discourage this mobility and I have offered legislation to help correct this.

The discouragement to worker mobility in our tax law revolves around the outdated concept of home. In earlier days, in days of less dramatic technological change, a worker's home was, as the tax law defines it, the principal place of his employment. Today, however, this is not the case. Technological progress, as I have noted, calls for mobility and, since most workers today own their homes, to call home the place of a worker's employment ignores the fact that he may for some extended period maintain his family at his place of residence and be employed elsewhere.

Two specific cases illustrate the operation of our tax laws to discourage worker mobility. The first deals with defense industry workers, in this instance machinists working for McDonnell Aircraft Corp., who must spend extended periods away from their homes in the process of developing modern weapons. The highly complex military hardware of today often demands long periods of testing, testing which, in the case of McDonnell products, takes place far away from the company's home office and the homes and families of the workers who must participate in these tests. Some provision is made for this type of situation in the tax laws; if there is a temporary period of employment away from home, per diem paid during this time may be considered spent for business purposes. But, the rule as to a temporary period is very narrow and if this period is indefinite, the worker's home in the tax sense follows his job.

The second situation is exemplified by the problem facing the Chrysler Corp.'s employees who transferred from a plant in Indiana to the company's new plant in St. Louis County, Mo. Their tax home went with the plant to St. Louis, but many of the workers left their families in Indiana for some period, waiting to sell their homes there and find suitable places to live in Missouri.

In both of these cases the tax laws discourage the worker from being mobile, from taking the job which will involve a period of work away from home or from taking a job away from one's present home. This is the direct opposite of what we need. We need to encourage mobility of our workers as well as we need to encourage the upgrading of their skills. Both of these will contribute materially to the achievement of our economic goals. Allowing business expense deductions for education and training and revising the tax rules as to the definition of home, making it, for a homeowning worker, the place where he owns his home and maintains his family would be significant steps toward this overall goal of helping America meet its potential.

### AID TO INDIVIDUAL WORKERS

The other two bills which I am offering today, also amendments to the Internal Revenue Code allowing for the deduction of expenses involved in a worker's earning his living. These two bills deal with specific problems which affect a small number of workers, but I believe they are important in principle for they move along the line of allowing as deductions the real expenses which one must meet to hold a job.

The first of these would allow to the taxpayer a deduction for expenses incurred in child care, permitting him to hold a job, when his wife is physically or mentally incapable of caring for their children.

The basic qualifications for this deduction would be the incapacity of the wife and the necessity of this expense for the worker to hold a job.

The second proposal would allow a deduction to disabled workers for the costs of transportation to and from work. The disabled worker has special problems in the area of transportation in many case and, while normally such expenses are not allowed as deductions, permitting it for these workers would encourage them to offer their skills to the Nation's economy. This proposal works hand-in-hand with efforts to rehabilitate disabled workers, to bring them back into a useful and productive life. I think that this is one of the most meaningful of human activities, the rehabilitation of the individual to permit him, as nearly as possible, to live a normal life and this bill would be one small step in helping reach this goal.

## TAX DEDUCTION FOR MUSEUM, LIBRARY GIFTS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, within the Internal Revenue Code, in those provisions which allow for the deduction of amounts spent for certain purposes from an individual's taxable income, much incentive is given for the expenditure of funds in pursuits which have been found to be generally beneficial to our society. Indeed, this procedure strikes an interesting balance between government and private support for these activities. The Government decides generally which areas of our society should receive emphasis and whose support should be encouraged. Examples of these decisions are the areas of education and religion.

Yet, within these very general areas, and limited only by Government regulation to prevent fraud on the public, the taxpayer is free to choose the objects of his beneficence. He may give his contribution to the Catholic Church or the Methodists; he may donate to the local junior college or to a great university. In either case, his gift is deductible up to certain limits and the Government cannot coerce or favor one recipient over another in the general classes it has established. In effect, the spending power remains in the hands of the people and through making certain gifts tax deductible, the Government encourages but cannot require an individual to spend his money in a particular way.

One of the recent advances in the area of deductions under the Internal Revenue Code is the additional 10-percent deduction allowed for certain contributions, to religious, medical, and educational charities. It provides that where an individual has reached the allowable limit—20 percent of adjusted gross income—of deductible gifts, this limit may be increased by an additional 10 percent if his contributions to qualifying charities cover this amount.

I am today introducing legislation to broaden this extra 10-percent deduction provision to include museums and libraries. The gentleman from New York [Mr. Keogh] and I cosponsored this legislation in the last Congress and it has the gentleman's endorsement again as this new Congress begins. The purpose of this bill, an amendment to section 170(b)(1) of the Internal Revenue Code of 1954, is to open a broad new area for the application of this deduction. After this bill was introduced in the last Congress, groups interested in expanding the coverage of it contacted me and I believe that in considering this proposal, it would be well for the Congress also to look into other possible areas for the expansion of this additional deduction. Museums and libraries play an important part in education in the broadest sense. I believe that we must seek a very liberal interpretation of these provisions so that the deduction mechanism, as an encouragement to beneficial activities in our society, will be truly effective in achieving its goal.

I sincerely hope that the Congress will be able to consider this proposal and its possible extensions into other fields to encourage private spending in socially beneficial ways.

## COMMITTEE FOR THE UNREPRESENTED

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the most able definitions of that category of economic entities known as small business is the expression that a small business is one that does not have a Washington representative. Implicit in this definition is the importance to any group in our country, with the ever-increasing role being played by the Federal Government, of having a voice in Washington, a way in which its views on the matters affecting it can be drawn to the attention of America's policymakers.

There are various channels through which these interest groups can make their feelings known. A common way is through the employment of lobbyists and Washington attorneys knowledgeable in the ways of the Congress and the regulatory agencies. The agencies and departments themselves often act to give a forum to representatives of interest groups in the consideration of matters within their special province.

Similarly, the work of congressional committees in areas of their jurisdiction help to give a voice to the needs and opinions of the groups whose interests are touched by the legislation the committee studies. The Select Committees on Small Business of the House of Representatives and the Senate are excellent examples of this, and go along well with the definition of small business which I noted earlier.

I have today reintroduced a proposal to create in the House of Representatives a Committee on Independent Unions and Unrecognized Groups. The purpose of this proposal is to offer to these organizations a chance to have their interests weighed in with those of the other segments of our society. Just as small business before the advent of the House and Senate select committees, these groups have no representative in Washington assuring that their voices are heard, nor is there any congressional or executive body specifically attuned to meeting their problems.

In many ways these groups can be found parallel to small business. They are generally small, struggling in a competitive world to find a place and often provide an organizational context for a new idea. The idea may be good, perhaps even great, yet without a fair chance of survival in a competitive world, it might be lost. One element of survival in the United States is assuring that full consideration be given the interests of the group involved. With the many voices clamoring to be heard in the process of making public policy, it is too easy to overlook one which does not have an adequate sounding board on the Washington scene. This committee, which I suggest, would offer the type of sounding board which would permit the interests of these groups to be given the recognition they deserve.

An example of this is found in the labor field. Concern is properly given the AFL-CIO as the largest representative of organized labor in our country. Similarly the large independent unions, an example being the International Brotherhood of Teamsters, gain recognition. Yet, some 2.7 million workers are joined in small, independent unions whose voices are seldom heard in deliberations of the Congress or policies of the executive departments and agencies. Beyond this number are many other workers, not organized into unions as such but represented to some extent by a formal grouping. It is to give a forum to these groups that I offer the proposal for the Committee on Independent Unions and Unrecognized Groups.

## TAX CLASSIFICATION OF DEBIT LIFE INSURANCE SALESMEN

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, under the Internal Revenue Code of 1954, those who are classified as "outside salesmen" are allowed to take as deductions from gross income the ordinary and necessary expenses of their business activities. What this means, in effect, is that having this status, one may take this form of deduction to reach adjusted gross income and then may take either the standard 10-percent deduction or his itemized deductions to compute his taxable income.

At present, most life insurance salesmen are classified as outside salesmen. One group, however, the so-called debit life insurance salesmen, is not and, because of the close similarity in the job and the means of doing it between the debit salesmen and other life insurance salesmen, I have today introduced an amendment to section 62(2)(D) of the Internal Revenue Code to equalize treatment of these two groups.

Both of these groups of insurance salesmen must hold the same license for their profession and both sell basically the same lines of insurance. The debit agent, however, also sells industrial insurance. These sales involve work away from the employers' place of business and much out-of-pocket expense for the agent. Industrial life insurance is subject to cancellation at will by the insured and premiums on it are small and fall due weekly or monthly. The agent must collect the premiums and each collection is, in essence, a new sale. These debit agents are salesmen primarily and not collectors and drawing a distinction between them and other insurance agents on the basis of a collateral collection function is unwarranted for purposes of the outside salesman section of the Internal Revenue Code.

## FOR THE RELIEF OF DR. NESTOR ZENAROSA

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today introduced private legislation for the relief of Dr. Nestor Zenarosa, a medical doctor and citizen of the Philippines who is in this country on the exchange education program. Dr. Zenarosa has been in this country beyond the 5 years which, normally, is the limit allowed for doctors of medicine under the exchange program. I am sure that there is a sound basis for this general rule just as there is for the general rule that exchange visitors are to return to their home countries with the skills they have acquired here and share them with the people of their native lands.

However, there are exceptional cases, and I believe that this is one of that type. Certainly, it deserves the attention of the Congress to see if it fits into general rule or might better be determined by special legislation. What my bill asks is that Dr. Zenarosa be given a further extension on his exchange visit, permitting him to complete his work under a grant he has received from the National Institutes of Health. He is doing research work in an important and relatively untouched field, the use of drugs in the treatment of arthritis. He is not asking to remain in the country permanently, only that he be given a chance to complete the research work which he has started.

## SHIPPING STRIKE HURTS MISSOURI, TOO

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I rise to second the sentiments expressed in this House January 10 by the gentleman from North Carolina [Mr. BONNER], who serves as chairman of the Merchant Marine and Fisheries Committee of this House. Certainly I share his concern over the sorry state of affairs foisted upon the United States by the prolonged labor-management dispute and current strike crippling the shipping industry.

Now, some may regard the woes of the maritime industry as outside the concern and beyond affecting the wonderful people of the Missouri Ozark district I so proudly represent. Therein lies the rub. For, so prolonged and so far-reaching have been the results of this disastrous strike that the iron glue in which it has stuck the American economy has seeped far from the coasts and now entraps the Seventh District just as surely as it has gummed up the works throughout our Nation. Even beyond our shores this work stoppage is methodically entrapping our foreign trade and our whole foreign policy. Mr. Speaker, this is an intolerable strike.

But even more intolerable and even more incomprehensible is the total inability of the Federal Government to deal with this situation.

There can be no question but that this strike endangers America's national health and safety. It reached that lamentable point, yea these many months ago. The strike began in October, and the courts and the President found then that it threatened the Nation's health and safety.

The longshoremen were sent back to work under an 80-day Taft-Hartley injunction.

Then, in just about the worst of all possible Christmas presents, that injunction expired, and the Longshoremen's Union promptly quit work again.

And there we were. And there we still are; left high and dry with no further legislative remedies by which the courts, the President, or the Congress can do anything to end, even temporarily, a strike that is eating away at the very underpinnings of our economy and is undermining the very foundation upon which we have built our foreign policy.

If there is any doubt that our domestic economy is endangered, you have only to ask any businessman in any of our congressional districts who receives or ships anything at all via our intracoastal or transocean maritime routes. That businessman will tell you that his business is rotting just as the bananas are rotting inside the ships swinging silently at anchor in our gulf and Atlantic ports while the only longshoremen in sight pace a picket line.

If there is any doubt that our foreign policy is being threatened with extinction, one needs only hark back to the commitment of this Nation to the policy of dealing and trading with the Common Market of Europe in the hope of developing new prosperity from expanded world trade. There is no trade when ships cannot move into and out of our ports. Without trade the United States cannot possibly recoup through increased trade the advantages which we have bargained away to the Common Market trade area.

This strike is not intolerable, it is catastrophic.

The national concern here is no longer whether union and management are playing fair with themselves, but the obvious fact that the American people are not getting what another Missourian once called a Fair Deal.

The issues involved in this work stoppage are so serious that the President personally proposed that longshoremen return to work while union and management continue to negotiate the issues. Management accepted that plan. The leaders of the International Longshoremen's Association rejected it.

In the face of overwhelming proof of strike damage to the U.S. economy and world position these union leaders utterly refused to consider the needs of their Nation, or its people. They feel so powerful that they think they are safe in disregarding the bubbling discontent with this strike that is sweeping the Nation.

It is time for somebody to demand responsibility from the union. And it would be well for the Longshoremen's Union to bear in mind that if this union does not accept responsibility in the immediate future it well may provoke the American people to demand a readjustment of our laws that will take from the unions for all time the massive power they now enjoy.

It now appears to me that the somebody who demands responsibility from the Longshoremen is not going to be the President, even though he is a proved demander. It is, I suppose, too much for us to hope that the Nation's Chief Executive would jump up and down on union leaders as he did on steel industry executives. And, even if he did, the unionmen probably would not believe it coming from a man who voted against the Taft-Hartley law—which he has had to impose on numerous occasions since he became President. We had from the President yesterday only a halfhearted and belated call for a settlement—another committee to look into the mess, and so forth.

It appears that we in this House and this Congress are the ones who must rise up and be the demanders. We must demand now that the Longshoremen end their work stoppage, and accept the Government's proposal of continued work while settlement negotiations continue.

Let us remember that long ago this Nation's antitrust laws were imposed to protect the people from irresponsibility by management. Irresponsibility in a democracy is just as dangerous when used by workers as when used by management. I fear we have fallen into the fixing of wages intended as a floor. Let us not be similarly entrapped into fixing prices.

Big labor has come full circle from the 1930's when it won labor's charter of rights. Then, we had malefactors of great wealth, now we have a union situation in which there are malefactors of great power.

The longshoremen are asking for it. It appears that big labor—what Jimmy Hoffa calls the labor business—also is asking for it. And it refers to legislative action by this Congress to curb the monopoly power of labor. And this Congress can act with the firm and vocal backing of a great majority of the American people who are fed up with big labor's lack of concern with the welfare of the Nation.

Mr. Speaker, let us ponder well the possible consequences of the current situation in which individual union leaders have the power, apparent desire and ability and the contempt to actually halt all the transportation and/or shipping in this Nation—in spite of defense requirements. Teamsters Union President James Hoffa and President William V. Bradley of the International Longshoremen's Association hold that power today; as indeed they have threatened its use in the past.

Let us note that remedial legislation by this Congress could take several forms:

First. Some people are so disgusted that they have suggested that the right to strike itself be drastically regulated or even eliminated.

Second. Some want to have the Federal Government's machinery of intervention in strike situations greatly strengthened, even to the extent of allowing a court to issue a permanent antistrike injunction upon a finding that a strike threatens the public health and welfare.

Third. There have been suggestions that emergency dispute boards, set up by the Federal Government, be empowered to recommend settlement terms with Presidential backing in a long step toward compulsory arbitration.

Fourth. And it repeatedly has been suggested that big labor be brought under the laws of the Nation that prevent monopoly situations in management. Such a remedy would deal with the nationwide bargaining and industrywide strike power which in large measure gives labor leaders their ace card today.

The time for lamenting is past. The time for demanding is here. And if demands fall on deaf ears, the time for retaliation is near.

There are many reasons being advanced why no action can or should be taken to alleviate the labor situation now facing the Nation.

There is only one single, compelling reason to take action. It is that nothing less than the preservation of the basic national interests of the United States is at stake. This problem is the greatest domestic issue before the Nation at this hour.

The President has not seen fit to act with firmness.

The Congress alone is left to protect the rights of the citizens.

Let us be at it.

## SELECT COMMITTEE TO CONDUCT STUDY OF THE MANAGEMENT OPERATIONS OF THE VARIOUS FOREIGN ASSISTANCE PROGRAMS

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, today my distinguished colleague, the gentleman from Arizona [Mr. RHODES], and I, have introduced similar resolutions calling for the creation of a select committee authorized and directed to conduct a full and complete study of the management operations of various foreign assistance programs of the United States.

This committee, to be composed of 10 Members appointed by the Speaker, will be one having special knowledge of the fields to be studied by the committee.

We hope that by creation of such a select committee the Congress might better determine whether improvements can be made in the administration and management of various foreign assistance programs, including the Foreign Assistance Act, the Agricultural Trade Development Act, and the Peace Corps Act. It is also hoped that congressional oversight and guidance of the administration of U.S. policies involved in such programs might similarly be strengthened and improved.

Many complaints have always been heard among the Members of Congress each year when the foreign aid authorization and appropriation legislation reaches the House of Representatives for debate and vote. The general dissatisfaction seemed to reach a new high during the 2d session of the 87th Congress. I believe many of the complaints are completely justified.

It seems clear that many Members of Congress feel that present procedures and practices in evaluating the administration and operation of the aid program, and in authorizing the aid programs and providing appropriations, are inadequate. Problems in these fields are ill considered and explored far too little under present practices.

The detailed study of this proposed committee will involve the oft-asked questions, "What are our foreign assistance programs?" "Where are their goals aimed?" "What alternative aims and objectives could be suggested?" "What positive and negative contributions do they make toward overall U.S. policies in the cold war?" "How can we improve the policies involved in submitting appropriations and legislation from the executive to Congress each year?" and "What better ways can we evaluate our programs, prevent duplication, encourage coordination, and eliminate malfunctions and unsound administrative procedures before they become a drain on the American taxpayer?" The answers to these questions now lie before a myriad of agencies, committees and individuals, with little idea as to proper concepts of authority and responsibility.

Mr. Speaker, I urge upon my colleagues to support this resolution the gentleman from Arizona [Mr. Rhodes] and I have introduced. It will not only assist our taxpayers, but it will improve the policies and procedures of American and free world interest, so vitally concerned at present with our faults in the field of foreign assistance programs. It is high time that we began using foreign assistance, properly planned and soundly administered, as a weapon in the cold war instead of a weapon against the best interests of American taxpayers.

The complete text of the resolution follows:

*Resolved*, That there is hereby created a select committee to be composed of ten Members of the House of Representatives, having special knowledge of the fields to be studied by the committee, to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete study of the management operations of the various foreign assistance programs of the United States, including but not limited to the Foreign Assistance Act of 1961, the Agricultural Trade Development Assistance Act of 1954, and the Peace Corps Act, with a view to determining whether improvements can be made in the administration and management of the various programs, and improving congressional oversight and guidance over the administration of the United States policies involved in such programs. In carrying out such investigation and study the committee shall give particular attention to the following:

(1) the methods and procedures followed in the executive departments and agencies in the formulation of policies to carry out the various assistance programs;

(2) the management problems involved in coordinating various assistance programs between the departments and agencies of the executive branch of the Government;

(3) the methods and procedures followed by the executive departments and agencies in assuring that the various assistance programs are being conducted in adherence to a national policy;

(4) the methods and procedures followed under such programs to assure coordination of our foreign assistance activities with other nations and with international organizations;

(5) the methods and procedures followed by the executive departments and agencies in formulating and submitting legislative and appropriations requests relating to the assistance programs to the Congress; and

(6) the methods and procedures followed by the executive departments and agencies in reporting to Congress on the administration and accomplishments of the assistance programs.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable the results of its study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable. The committee is also empowered to recruit and utilize, on a loan basis, appropriate experts, consultants, and technicians from the executive branch of the Government.

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## RESOLUTION TO INVENTORY THE FIELD OF FOREIGN AID

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, as my colleague, the gentleman from California [Mr. Lipscomb], has indicated, our purpose in introducing this resolution is to inventory the whole field of foreign aid, and to recommend continuance of sound programs, discontinuance of unsound programs, and overall coordination to minimize duplication and waste. We feel that foreign aid, if needed, must be administered to further American and free world policies here and abroad.

My colleague, the gentleman from California, Representative Lipscomb, is a member of both the Defense and State Department Subcommittees of the House Appropriation Committee. I am a member of the Foreign Operations Subcommittee of the same committee. We have long realized that the agencies and departments administering these programs have never had a unified, coordinated approach designed to eliminate as much as possible overlapping functions, poorly conceived programs, and conflicting policy goals.

The recent appointment of a Presidential Commission To Investigate Foreign Assistance is further evidence of the need for such an overall study. I feel that such an investigation should be comprehensive, not merely an examination of one or two aspects of foreign assistance, and that it should be made in Congress by Members of the branch of Government responsible for authorizing and appropriating the money. I will await with interest the findings of the Presidential Commission, but the responsibility of ending duplication, both in and out of Congress, and coordinating the activities of pertinent committees can only be carried out by Congress itself.

As I sat through day after day of hearings on foreign operations last session, I was more appalled than ever by examples of just plain silly things we have done. We have had television sets sent to African villages which lack electricity. We have raised the standard of living of some segments of foreign nations all out of proportion to that of the general populace.

While the administration may view sending these television sets as an isolated example, my experience has convinced me that these instances are more the rule than the exception and that they are results of overall duplication and lack of planning coordination among our foreign assistance programs. It was only last year that I discovered through questioning of witnesses that the United States has for many years paid its subscription to the Inter-American Development Bank only to have the bank reinvest the unneeded portion of this payment in U.S. securities—at a cost of over $2.4 million to American taxpayers in interest payments.

Mr. Speaker, the trouble is that we only find these things out after the fact, and never in time to correct the situation for the benefit of our citizens. It is high time that we reviewed our entire foreign assistance program with a view to examining closely the areas previously mentioned by my colleague from California.

At present, there is no single committee charged with the responsibility and given the authority to determine and evaluate first, Executive formulation of policies to carry out these programs; second, problems in coordinating programs between a number of departments and agencies; third, procedures to conduct these assistance programs in adherence to a national policy; fourth, methods to assure coordination of these activities with other nations and with international organizations; fifth, ways of formulating and submitting appropriations and legislative requests to Congress; and, sixth, procedures followed to inform the American people and Congress as to the need for and accomplishments of the assistance program.

As one of the Members who has supported sound concepts of foreign assistance, and who has consistently fought waste and inefficiency, I urge the Members of this body to adopt this resolution we have today introduced.

## FEDERAL PAY ADJUSTMENT LAW

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, our colleague, the gentleman from Virginia [Mr. BROYHILL], is recuperating from surgery in satisfactory manner, and we are all happy with this news.

Before he entered the hospital, he had requested that certain legislation be drafted for his introduction. This legislation would give a measure of relief to certain Federal employees who were discriminated against in the Federal pay adjustment law passed in the last Congress.

The gentleman from Virginia [Mr. BROYHILL], who is one of the very good friends of the Federal employee in this Congress, was most interested in having this legislation introduced at the earliest possible moment so that it could be started on the way toward consideration. Unfortunately, his surgery will require his absence for as long as 30 days for full recovery, and this would delay consideration of this new bill for that long.

Therefore, I am introducing this new bill today for JOEL. While it will bear my name, it should certainly be considered a Broyhill bill. It was drawn at his instigation, and I am introducing it only because of his absence and because I know he would want it presented as soon as possible so that the Federal employees who were adversely affected by the pay adjustments last year will receive consideration as soon as possible.

I might add that I am in complete sympathy with this legislation. There are a number of employees in my district who have written me about the inequities in the new law, and I certainly want to see some consideration given to their situation.

## THE PRESIDENT'S BUDGET MESSAGE

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, having just heard the President's budget message, I would like to say to my colleagues that I am deeply disturbed to note that the President has requested Congress to extend again the 10-percent excise tax on automobiles for another fiscal year. I simply cannot understand how the President can come up here on Monday and call for a $13.5 billion tax cut and the revision of harmful tax inequities, and then on Thursday, send up a budget message asking us to continue an unequal, depressive tax imposed on a segment of the economy that affects the jobs of one out of seven employees, and accounts for $1 out of $5 spent in retail trade.

As I view it, the outright repeal of this 10 percent automobile excise tax is the first step toward the implementation of the goals the President wants. But if total repeal is too much of a revision all at once, the very least we could do is to let the tax revert to 7 percent—the rate in effect before the emergency increase during the Korean war. This would cause a temporary loss of approximately one-third of the annual revenue collected under the 10-percent rate, or about $400 million. Further, just as the President has pointed out, such a tax reduction would stimulate business activity and generate tax revenues that would recoup in a substantial measure this loss of income. I urge we review this matter carefully before we blindly acquiesce in extending this tax as the President has requested.

## THE INTERPARLIAMENTARY UNION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the Members have heard the announcement of the meeting of the Interparliamentary Union group next Monday. I would say to the new Members on both sides of the aisle that this is the granddaddy of all the foreign junketing organizations. If you are interested this year, an off-election year, in taking a junket to some foreign country, that meeting is the place to be next Monday. Go over and see how it is done.

## PROPOSED MIDSESSION BUDGET UPDATING

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 25 minutes.

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, Lincoln said:

> If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it.

Today the President has submitted the coordinated Executive budget. From now on the processing procedure is uncoordinated and fragmentized. Occasionally a revenue measure—involving only a fraction of total Treasury receipts—is processed. Legislation for new programs is being processed—at times at variance with the budget amounts. Maybe back-door spending bills are moving.

In the meantime, Mr. Speaker, the economic forces are ever changing, either confirming the January assumptions as to budget revenues, or disclosing where and to what extent they appear out of tune.

May I point out, Mr. Speaker, that last January we applauded the President's message of a balanced budget only to learn after election that a deficit of $7.8 billion placed further burden on the American people. I shall have more to say about this later.

Many do not realize, and I feel it should be made crystal clear, that expenditure trends in the current year may be at variance with the budget assumptions. Approximately one-third of annual expenditures are from prior appropriations and thus not directly affected by current action on the appropriation bills.

Under present law and procedure no congressional mechanism exists to render a complete "stop, look, and listen" status report while all of these things are taking place. Congress does not know "where it is" nor "whither it is tending."

Responsible legislators seeking to establish sound fiscal policies for our Government are left groping in the dark.

In the past, the Joint Taxation Committee has put out a staff estimate of receipts and expenditures in the spring of the year. This has been good and somewhat helpful. But, it is a gratuitous report and not required. It is highly sketchy, in fact little more than bare bones figures with little articulation of the meaningful budgetary happenings.

As I have said, a budget review is put out by the Executive several weeks after Congress finally adjourns; while it updates the figures it is in one sense merely a scorecard accounting of what Congress did to the budget. And, as we have seen, it comes too late to affect the situation, or to correct fiscal policies.

Referring once again to our experience in 1962, you will recall that the so-called midyear budget review was issued in mid-November, and constituted the first admission by the administration that we would have a $7.8 billion deficit in the current fiscal year rather than the $458 million surplus predicted in the annual budget message. Much of the difference was not a result of congressional action or inaction, but of the fact that the President's January assumptions regarding Federal revenue were unrealistic. Actual income fell far short of his prediction. The country would have been alerted to this fact and both the administration and the Congress could have guided themselves accordingly had a May 20 budget summary pointed up the failure of the economy to produce the hoped-for revenues.

In an attempt to bring some light out of the darkness so that we might see "where we are and whither we are tending" I am introducing today a bill to require a midsession budget updating and I shall include with these remarks a copy of the proposed legislation.

May I say in all candor a midsession Presidential updating of the January budget would probably be heavily burdened with political considerations, but so is every budget. It might contain some tongue-in-cheek statements.

It might stoutly maintain certain positions generally thought to be unrealistic under given circumstances, but that would be nothing new.

I am sure, Mr. Speaker, that Members will ask, "What good will it do after the House has processed several of the appropriation bills?" I would answer "We would have more current awareness of the fiscal situation and outlook and this affords basis to better judge what to do, and how to do it. Disposition of legislative bills for new programs, not just the appropriation bills, could be influenced."

I would further say up-to-date information could be useful in conference dealing with the Senate which historically raises the appropriation above the House.

You will note, Mr. Speaker, that under the provisions of the bill the date of submission of the midsession updating is between May 1 and May 20. The object here is to set a date late enough that at least tentative readings on April 15 tax collections would be available.

Normally several appropriation bills and other financially significant bills are still to be reported. Most appropriation conferences are still to come. Many legislative bills are not completed.

Mr. Speaker, it would seem to me, and I am sure many Members on both sides of the aisle and both ends of the Capitol agree, the hour is late and time for sound fiscal policies of our Government is long past due. We need information, current information, if we stand up to our responsibilities. Let us again place the safeguard against big spending where it belongs—in the Congress. I ask all Members to reread article I, section 9 of the Constitution of the United States:

> No money shall be drawn from the Treasury, but in consequence of appropriation made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Unless we have full and complete accounting we cannot follow faithfully this constitutional mandate.

I ask for prompt and bipartisan support of the bill I have introduced and have asked that it be printed in full in the RECORD following these remarks.

May I say further that the budget message from the President just read today confirms the need for this legislation. May I read a part of the message:

> To meet our financial requirements and to provide a margin of flexibility, I will request a further increase in the debt limit for fiscal 1964. The exact amount and nature of the increase required depends not only on the total amount of the deficit but also on the particular time pattern of receipts and expenditures. For this reason, the debt limit to be requested for fiscal year 1964 will be determined later this year when a more reliable estimate can be made of the requirements.

Under the President's own statement he should come in with a budget message giving us some idea of what the income would be on which he bases his request for appropriations, and that should be between May 1 and May 20, when the tax collections will have been in, and we will be able to take a look, and not have the situation that developed last year, when it was stated that there would be a surplus, and then not until after the elections in November did we find we had a very substantial deficit facing the American people.

It seems to me in connection with this question of spending and the responsibility for spending, many talk about the spendthrift administration, but the responsibility for spending this money lies right here in the House of Representatives and in the body on the other side of the Capitol. If we are to have to be responsible, if we are to be fiscally responsible in this country, it must be done by those of us who have been sent here by the people of the country. I am very fearful, and I have read this budget carefull; since it was delivered to us yesterday, of what this is going to do to the Nation.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. BOW. I am delighted to yield to my friend, the gentleman from Washington.

Mr. HORAN. Mr. Speaker, I certainly want to compliment the gentleman from Ohio [Mr. Bow] on the very clear statement he has made. I would like to call the attention of not only the Republicans in this Congress but also of the Democrats to the fact which you mentioned earlier in your address that "from now on the processing procedure will be uncoordinated and fragmentized." It has seemed to me that we do not have a full view of everything that our Government is doing and a full view of everything that is being done in a given field when a proposal is before us. In other words, we do not get a sufficiently complete view of everything the Government is doing in a given field by private bodies in this country where all of the revenue has to come out of the common purse of the United States. I sometimes think that on every proposal that comes before the Congress there ought to be a prelude or preface to it which outlines everything what is now being done in any given field. I recall a Member of the other body—a Democrat from the gentleman's Midwest—speaking out in criticism of the proposal for a domestic Peace Corps when he pointed out the fact that our churches and a lot of our civic bodies and our service clubs and other groups are already very active in that field. Any costs they incur must necessarily come from the common purse the same source that Federal revenue comes from. That sort of thing ought to be considered before we embark upon a new program involving Federal expenditures.

Mr. BOW. The gentleman, I think, agrees with me. Certainly, before we embark upon these things, we ought to know whither we are going and how much it will involve and we ought to stop, look, and listen. We all know that there are many things that we would like to have, but we cannot afford them.

Mr. BYRNES of Wisconsin. I want to compliment the gentleman for proposing what I think is a great constructive idea to assist in a most confused area. I hope I may also make a suggestion which might be of some help. The budget, as submitted by the President today, if fully adopted by the Congress, would result, at a time what the President himself calls a period of general prosperity, in one of our largest peacetime deficits. It is in direct contradiction to the President's pledge to the American people that he has made on numerous occasions that his administration will—and I quote—"balance the budget over the years of the economic cycle."

The proposed deficit of $11.9 billion would follow an estimated deficit of $8.8 billion for the fiscal year 1963 which, in turn, followed a deficit of $6.4 billion in fiscal year 1962 and a deficit of $3.8 billion in the fiscal year 1961. The period represented by these four budgets closely approximates one complete economic cycle from the peak of the recovery after the 1958–59 recession to what is expected to be the peak of recovery following the 1960–61 recession. The proposed deficit in a time of economic prosperity would result largely from the President's proposal that we spend $98.8 billion in fiscal year 1964, more than has ever been spent in any year of our history either in peace or in war. That expenditure would represent an increase, during the 4 fiscal years since 1961, of over $17 billion in our annual rate of spending. It would bring the total deficit for the period to $31 billion, representing 10 percent of the total national debt.

The President's budget can only be termed a radical proposal.

It is radical in the sense that it contravenes generally accepted economic theory that, while budget deficits during downturns may be stimulating, they should be followed by budget surpluses in times of prosperity.

It is radical in the sense that it rejects the administration's own policy of balancing the budget over the years of the economic cycle.

It is radical in its call for a heavy increase in expenditures at a time when a tax reduction has been called the primary goal of the Government.

Let me suggest that with the submission of this kind of budget Congress must assume a special responsibility.

Mr. BOW. The gentleman agrees with me, I am sure, that constitutionally it is our responsibility.

Mr. BYRNES of Wisconsin. Absolutely, but I think we have not carried out that responsibility as we should, and I think this budget requires that Congress assume its full responsibility. It must consider the budget as a whole before it takes action on its parts. It must look at the effect on the economy of the revenues, expenditures, and deficit proposed. It must arrive at some sort of consensus. It must formulate some overall guide which will serve the Congress as it considers separately the revenue and appropriation bills which will constitute Congressional action on the overall budget.

For this reason, I am today writing to the chairman of the House Ways and Means Committee, the House Appropriations Committee, and the Senate Finance Committee, and the Senate Appropriations Committee, urgently requesting that these committees proceed with the consideration of a legislative budget as is required by section 138 of the Legislative Reorganization Act. This law is on the statute books and it directs the full committees or subcommittees thereof to consider the President's budget recommendations and report to their respective Houses a legislative budget, including estimated overall receipts and expenditures by February 15. That is what the law says. We have not been doing it. We have not been carrying out our responsibility.

I am suggesting that this can be most expeditiously accomplished by a subcommittee of these four committees consisting of members of the Joint Committee on Internal Revenue Taxation, which is composed of the senior members of the House Ways and Means Committee and the Senate Finance Committee, and a similar group of members from the two Appropriations Committees of the House and Senate.

I am further requesting that the chairman of the Joint Committee on Internal Revenue Taxation call a meeting of that committee for the purpose of initiating action on this proposal by inviting the chairmen of the two Appropriations Committees to appoint members of their committees to serve on the budget committee.

I think that the requirements today, as the gentleman has pointed out, necessitate congressional action, and the least we can do is comply with the law with respect to the handling of the President's budget and what we should do in this field.

Mr. BOW. I thank the gentleman from Wisconsin and now yield to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Ohio [Mr. BOW], and the gentleman from Wisconsin [Mr. BYRNES]. I have been reading with some interest the speeches of Candidate Kennedy on fiscal affairs. If you can find anything in this book of the speeches of Candidate Kennedy that is anywhere near comparable to what the action has been of President Kennedy, you will have to search a long, long time. Candidate Kennedy was for balancing the budget and cutting the number of employees placed upon the Federal payroll, and not to increase the national debt or interest on the national debt; but the actions that he and his administration have taken are exactly opposite to what he proposed as candidate for the high office of the Presidency of the United States.

I think it is high time the American people understand it. Either he did not understand the problems when he was a candidate for this high office, or did not have full information about them, but certainly his actions since he has assumed the responsibility do not square with his statements as a candidate. It seems to me that we in this Congress have a very deep responsibility to generations yet unborn, because they are going to be faced with the responsibility of paying off this debt. You cannot just laugh it off; sometime somebody is going to have to face up to the responsibility of paying it. We legislators must face up to this, for they are continuing to build up expenditures.

Just about a year ago President Kennedy said:

> I would not hesitate to recommend an increase in taxes if it is necessary to balance the budget.

One year later we are coming in here now with a proposed tax reduction coupled with an increase in the budget. I do not believe that the rules of arithmetic have been repealed, as far as I know, and I think it is about time that we call a halt to this reckless spending and slow it up.

Mr. BOW. I thank the gentleman from Michigan, and I repeat that the sole responsibility for the fiscal health of this country lies in this body and the body at the other end of the Capitol. Under the Constitution we have the power to do that, but in order to do the job we have got to have tools, we have got to have the information that is required for us to form our judgment.

I now yield to the gentleman from Iowa [Mr. JENSEN], ranking minority member of the Appropriations Committee.

Mr. JENSEN. I want to compliment the gentleman for introducing the bill which he has just explained. I feel that such a proposition as is proposed in his bill will save possibly billions of dollars.

The gentleman is a very important member of the Committee on Appropriations. It has been my pleasure to serve on a committee with the gentleman for a number of years. He is a sound, deep thinker, and I join him and other Members of this Congress in doing my level best to see to it that our Government is a frugal government, that it will stand out in the history of this world as a government of the people, by the people, and for the people.

There is only one way to stop misery, distress, and everything that is bad in this world, and that is by stopping the spending of the people's money as recklessly and as wastefully as we have in past years.

As the gentleman knows, I made a speech on last Thursday pointing out the pitfalls which lie ahead and which every nation in the world has suffered that has traveled the full length of the spending road on which we have traveled at breakneck speed for nigh on to three decades.

You will find misery, strife, hunger, and cold wars in most every one of those nations across the seas that has followed the spending and waste theory to the end of the road.

So I shall be with the gentleman every step of the way and with every Member, regardless of party, who is determined to save this country from national bankruptcy and personal bankruptcy, misery, and strife.

Mr. BOW. As the gentleman understands, this bill I hope will have bipartisan support. It is not politically motivated. It is simply to give the House of Representatives and the Senate an opportunity to review the budget that came up today, which admittedly by the President's own message, we do not have the figures or the information upon which we can intelligently appropriate in the future.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman for yielding.

I want to associate myself with his study, and I certainly will do anything I can to assist in getting the fiscal considerations of our country back to where they belong under the Constitution.

I appreciate the remarks of the ranking member of the Committee on Ways and Means and the ranking minority member of the Committee on Appropriations. Through his courtesy I was given the opportunity to see the budget and some extracts therefrom.

As proof of what the gentleman in the well stated, I would call attention to the fact this is a hoax about the billion-dollar savings in agriculture. You cannot save while adding 36,000 people to the public payroll.

By analyzing the President's own message, on page 10 you can figure three different ways whether the deficit is going to be from $5 to $6 million and more, or 13.6. The central figure of $11.9 billion deficit attached to the $15 billion deficit of the first 2 years of this administration is enough to bring forcibly to the attention of anyone that we must fear drastic inflation which is undercutting the savings, as we are told, of those we try to honor most in this Nation—the senior citizens.

After having been presented today the most inconsistent budget ever submitted by a President, may I say it is not a question of "Alice in Wonderland" but "Jack in Wonderland."

Mr. Speaker, at this point I would like to revise and extend my remarks and include a news release that I already have sent to the Seventh Congressional District of Missouri.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. Hall's news release is as follows:

Congressman Durward G. Hall, Republican, of Missouri, today called President Kennedy's budget proposals to the Congress "utter fiscal insanity of a Jack in Wonderland" in the following news release:

"The President first tells us that tax reduction is the first order of business and that with defense and space expenses going up he was 'obliged to limit severely 1964 expenditures' in the domestic and civilian fields. And then, 3 days later he sends the Congress a budget listing increased expenditures for all these domestic programs: 'Natural resources, commerce and transportation, health, labor and welfare, education and that elusive topic—general government.'

"Also, quite aside from defense and space plans, he again conveniently forgets his promise to the American people and asks for increased funds to be spent by all these Federal organizations: The Defense Department's civil programs, the judiciary, his Executive Office of the President, the Commerce Department, the Department of HEW, the Department of Interior, the Department of Justice, the Department of Labor, the Treasury Department, the Federal Aviation Agency, General Services Administration, District of Columbia and that fine category 'allowances, undistributed.'

"It also is interesting to see that in his rush to hold down domestic expenditures Mr. Kennedy has found it helpful to call for an increase in the number of Federal employees in these organizations under his control:

"Executive Office of the President, Agriculture, Commerce, Defense Department civil programs, HEW, Interior, Justice, Labor, Post Office, State, Peace Corps, Treasury, Atomic Energy Commission, Federal Aviation Agency, General Services Administration, U.S. Information Agency, and again that catchall category of 'miscellaneous independent agencies.'

"After making all these requests, the President is naive enough to indicate that most if not all of the increases in these programs will be offset domestically by an expected cut in expenses for his farm program. Oddly enough, no farm program in 30 years ever has saved as much money as any President ever claimed it would.

"Most farm programs somehow end up costing the taxpayers more dollars. This is totally false and inadequate basis upon which to build American hopes that domestic expenses will be about the same in fiscal 1964 as in fiscal 1963.

"But certainly the New Frontier brain trusters and ghostwriters like Heller and Sorensen have not left their President out on such a wildly drooping limb without a new fiscal concept to explain it all. In fact, Mr. Kennedy has given us our choice of three ways to explain the added debt that his programs will place on Americans.

"All that needs to be noted is that each of the three ways winds up with a red ink total. You may take your choice of whether the United States is to go into the hole an additional $11.9 billion, $10.3 billion, or $7.6 billion. That should make everybody feel better.

"If the budget is approved in this form, it will mean a $26 billion deficit over the first 3 years of the New Frontier. The inflationary aspects of this trend should shock the American people.

"And despite his talk of tax reduction, the President also slipped into his budget message a short paragraph or two about the increased taxes he will ask for, including a user charge for taxpayers who use the public airways and the public inland waterways.

"Among the dozens of irresponsible programs hinted at in this message he also tells us these things:

"1. He is for more contributions to the economic development overseas of less privileged independent peoples. I wonder if he considers the Communist-oppressed people of Poland to be independent. If so, must we anticipate a drive to send U.S. tax dollars to Hungary and the Ukraine and Red China?

"2. He will use the Trade Expansion Act to expand foreign markets for our farm products. That will be a bitter reference for poultry farmers who already are finding curtailment in their European sales as the Common Market methodically slaps on 'variable levies' to keep our farm products out.

"3. The food stamp plan will be continued. That will be good news for the Democratic Congressmen whose districts are benefiting from this program as a party slush fund as I vigorously pointed out last year. That won't help the rest of the country one iota.

"4. Health insurance for the aging will be sought, not only under social security but for everybody else out of general revenues. Medicare was enough of an insult to the people. Now he wants 'omnicare.' That is socialism.

"5. Pay hikes will be sought for Federal department and agency heads and their deputies. Mr. Kennedy appoints those persons on a political basis."

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Texas.

Mr. ALGER. In his state of the Union message the President said that many desirable programs must be reduced or postponed. Does the gentleman know—or can we determine—what these programs are that we are postponing because of lack of money?

Mr. BOW. I will say to the gentleman that I heard the President make that statement and reread the budget message and found that a most interesting paragraph, and I shall take it with me to every appropriation hearing that I sit in on.

(The joint resolution previously referred to reads as follows:)

H.J. Res. 129

Joint resolution amending the Budget and Accounting Act, 1921, as amended

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That title II of the Budget and Accounting Act, 1921, as amended (31 U.S.C. 11–24), is further amended by adding the following new section:

Sec. 218. (a) Not earlier than May 1 nor later than May 20 of each year, the President shall transmit to Congress, in such form and detail as he may determine, such revisions of estimates and summary data contained in the last annual Budget and subsequent amendments thereto as may be necessary to update the Budget in the light of then existing conditions.

(b) These revisions shall include, as a minimum—

(1) estimated receipts and expenditures, and actual or proposed appropriations or other obligational authority of the Government during the fiscal year in progress;

(2) estimated receipts of the Government during the ensuing fiscal year under laws then existing and also under the revenue proposals, if any, contained in the Budget or otherwise recommended to the Congress by the President;

(3) estimated expenditures and proposed appropriations or other obligational authority necessary in the judgment of the President for the support of the Government for the ensuing fiscal year;

(4) balanced statements of the condition of the Treasury at the end of the fiscal year in progress and at the end of the ensuing fiscal year if the financial proposals contained in the Budget or otherwise recommended to the Congress by the President are adopted; and

(5) the estimated effect, if any, of legislation adopted or pending adoption in the current session of the Congress on such estimates and summary data, to the extent necessary to more complete disclosure of the prospective condition of the Treasury.

(c) Revisions transmitted pursuant to subsection (a) of this section shall be accompanied by (1) such statements as are necessary to disclose the bases and reasons for such revisions and (2) recommendations for any legislative actions that, in the judgment of the President, should be taken in the circumstances.

## CONGRESSIONAL MEDAL OF MERIT FOR THE HUMANITIES

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Iowa [Mr. Schwengel] is recognized for 60 minutes.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. Mr. Speaker, before the gentleman proceeds, I should like to say that by prearrangement I agreed to yield with the hope and with the belief that the gentleman from Missouri, who is my very good friend and neighbor, has something of great worth to share with us, and it is appropriate, I think, after the remarks we just heard, that they be heard at this time, so I am glad to yield to the gentleman from Missouri [Mr. Cannon].

## THE PRESIDENT'S BUDGET AND MESSAGE

Mr. CANNON. Mr. Speaker, we live in the day of the superlative. Everything is bigger and better—or bigger and worse—and relatively more or less impressive or progressive than anything in its respective catagory that has ever come or gone down the echoing corridors of time and eternity. And today's budget is no exception to the rule.

In many respects this is the most portentous message the President plans to send down this year. I have listened to messages from Presidents here in the House for 40 years, but in all that time

I have never seen or heard a budget message like this one, and neither have you; nor has anyone else.

### HIGHLIGHTS OF THE BUDGET

This budget is the recordbreaker of all the succession of recordbreaking budgets of the last 10 years.

It is the largest expenditure budget since 1789—it proposes to spend $98,802,000,000. That tops the peak of World War II spending by $500,000,000 when the sky was the limit and survival the sole object. And it tops the current year's estimated level by $4,491,000,000, and billions above earlier budgets. And as I shall shortly document, much of it is for nondefense purposes. Even with the tax revisions, it proposes to take more from the people than in any year since 1789, war or peace—the sum of $86,900,000,000 in 1964 or $1,400,000,000 higher than now estimated for fiscal 1963.

And even though it anticipates record national revenues, they fall far short of meeting the expenditures urged in the budget. Only once before—in fiscal 1959—has the budget in peacetime exceeded the $11,902,000,000 deficit shown in this budget. And impressions to the contrary, more than $6,600,000,000 of that tentative deficit figure cannot be ascribed to loss through tax cuts or revisions or national defense spending increases. Nor will rising space and interest expenditures account for it. Nondefense spending beyond available revenues is heavily involved. Details in substantiation follow.

And, Mr. Speaker, this $11,902,000,000 deficit is so tenuous, so precarious, so uncertain that the President plans to wait until later this year to advise the House how much he will have to ask in the way of a higher debt ceiling. But he concedes the obvious—the present ceiling for fiscal 1963 must be promptly hiked and a much further enlargement provided for fiscal 1964.

But using the tentative, the deficit estimate of $11,902,000,000 for 1964, following as it does an $8,811,000,000 deficit in the current year, and a $6,378,000,000 deficit in fiscal 1962, would add to the staggering sum of $27,091,000,000 of redink spending in 3 years. And that follows deficits of $21,953,000,000 in the previous 8 years for the shocking total of $49,044,000,000 since the war ended in Korea.

Ah, but you say we have had to defend the country; we have had to build our defenses; modernize; supply our forces with missiles and Polaris submarines. And, of course, national defense expenditures have been high—including documented widespread waste and some other questionable items. Let me cite a few figures taken from the budgets.

This 1964 budget proposes spending of $4,491 million above 1963—and $2,062 million of the increase is for other than national defense, a 5-percent increase.

This 1964 budget proposes spending of $17,287 million above 1961—and $9,348 million of the increase is for other than national defense, a 27-percent increase.

This 1964 budget proposes spending of $31,265 million above the year following Korea, fiscal year 1954—and $22,818 million of the increase is for other than national defense, an increase of 111 percent for nondefense, as contrasted with 18-percent increase for national defense items.

So, Mr. Speaker, no matter what the philosophy, no matter what the merits of these ever-rising nondefense budgets, it is beyond dispute that we have been spending more and more and more for nondefense things and loading the cost onto future generations. Refusing, in time of successively recordbreaking years of economic activity and national revenues, to either pay as we go along or do without or defer some projects until we are—if we ever are—willing to pay for them.

If there is the slightest hope in the message or the budget today that the budget will be balanced even in fiscal 1965, there is no documentation to sustain it. On the contrary, there are abundant indications of another heavy deficit in 1965—and inevitably the debt must go higher and higher.

Today's press quotes the Secretary of the Treasury as saying that not only will there be another deficit in 1965, but very possibly in 1966. Incredible. Unbelievable.

Nothing seems to be so permanent as temporary increases in the national debt ceiling.

The size and direction of this budget—following the excessive appropriations of the past—indicate beyond question that if adopted you gentlemen will have to secure reelection to subsequent Congresses before you see even the faintest hope of a budget balance. Secretary Dillon confirms it today. Or any reduction of the debt.

This budget calls on Congress, at this session, to approve an appropriation or new obligational budget of $107,927,000,000 for fiscal 1964. A defense budget. A peacetime budget. The second peacetime year in which the asking price crosses the $100,000,000,000 mark. More than half of the increase over last year is for nondefense and in the same budget estimating a deficit at $11,902,000,000.

This budget proposes imposition of new taxes. And another extension of Korean war taxes.

If this budget is adopted, the public debt, according to the tentative estimate today, will reach a new alltime high—$315,604,000,000—billions above any figure ever before contemplated. You will be asked to again extend, and of course raise, the present limit of $308,000,000,000. A mere gesture. We need a limit on Federal expenditures more than we need a limit on the national debt.

With these ever-increasing deficits and debts and decline in the value of the dollar, who is to say that European bankers, holding more claims against our shrunken and dwindling gold supply, will not resume their demands of the last 5 years when $6,802,000,000 in gold left Fort Knox? Since we convened here on the floor a year ago, our gold supply has dropped $910,000,000.

Since we convened here a year ago, the purchasing power of the dollar fell to a new low. Savings, pensions, life insurance, bonds will buy less.

Since we convened here a year ago, the cost-of-living price index hit a new high 6 times.

Since we convened here a year ago, despite record national business activity as measured by virtually every significant indicator, we spent ourselves deeper in debt. The inevitable limit is just that much closer. Khrushchev is waiting. And you cannot lay the blame at the door of defense and security. The distinguished gentleman from Texas [Mr. MAHON]—an authority on the subject—told you here on the floor last April:

> We should not give ourselves an opiate and lay all our problems at the door of defense spending.

At the heart of our national finances is a simple, inescapable fact, easily grasped by anyone. It is that our Government—any government—like individuals and families—cannot spend and continue to spend more than they take in without inviting disaster. With governments, continued deficit spending inevitably leads to debasement of currency. A dollar is only as valuable and reliable in the eyes of others as it is to us.

### BUDGETARY OVEROPTIMISM

It has become traditional—and perhaps only natural—that budgets from the executive branch are almost always optimistic as to revenue and conservative as to expenditures. The budget balance or unbalance is prospectively and optimistically arrived at; it rests on contingencies and demonstrated uncertainties. And it too frequently violates in the name of urgent national necessity elementary business prudence by failing to allow clear margins as a hedge against overoptimism and for unforseeen national emergencies.

So, Mr. Speaker, the first thing to keep in mind as the committees and the House process this budget—both sides of it—is not to accept it at face value. It will not turn out the same. It never does. This one is evidently to tenuous that the President says he will wait until later in the year to specify the amount of the additional debt ceiling. And more often than not, the final result is for the worse, not the better. If the original January budgets for the last 9 fiscal years, 1955 through 1963, had held, there would have been a $3,600,000,000 surplus to apply against the national debt. Instead, we went $33,900,000,000 deeper in the red—the original marks were missed by $37,500,000,000. In 6 of the 9 years, revenues fell short of original estimates, and in 6 of the 9 years, expenditures exceeded original estimates. So for purposes of deciding what to do in the processing of this budget, we can all agree it would be wiser to presume a change for the worse rather than the better, and act accordingly.

> They were feasting on the delights of sweet anticipation, but now we are gnawing on the cold corncob of stern reality.

**In summary, here is the situation:**

*Variations from original budget predictions (using the last 9 budgets, 1955–63)*

| | |
|---|---|
| Revenues: | |
| Original January budget predictions | $673,400,000,000 |
| Final results | 657,500,000,000 |
| Revenues fell short by | 15,900,000,000 |
| NOTE.—In 6 of the 9 years, revenues were less than the original budget; 3 were more. | |
| Expenditures: | |
| Original January budget predictions | 669,800,000,000 |
| Final results | 691,400,000,000 |
| Expenditures went higher by | 21,600,000,000 |
| NOTE.—In 6 of the 9 years, spending exceeded the original budget. In 3 years, it was less. So, in total, there was a deviation of | 37,500,000,000 |
| Surplus (+) or deficit (−): | |
| Original budget predictions | +3,600,000,000 |
| Final results | −33,900,000,000 |
| So, in total, instead of a surplus of $3.6 billion over the 9 years as originally predicted, there was a deficit of $33.9 billion—a change for the worse of | 37,500,000,000 |

NOTE.—Figures for 1963 "final result" are taken from 1964 budget and therefore are subject to adjustment, but not enough to distort the end result.

Source: Budget documents.

### ANALYSIS OF THE PROJECTED 1964 DEFICIT OF $11,902,000,000

Mr. Speaker, a feature of this budget is the alarming size of the deficit—$11,902,000,000. The committees, the House and the country ought especially to know why so large a part is written in red ink. Only once before in our peacetime history have we faced such a deficit. And it follows on the heels of an $8,811,000,000 deficit predicted in this budget for the current year. And that follows a $6,378,000,000 deficit last year, fiscal 1962.

That adds up to $27,091,000,000 in the red in the three fiscal years, 1962–64. And that exceeds the budgetary failure of the previous 8 peacetime years of $21,953,000,000. It write another chapter to an already sorry record of refusal to live within national income or at least defer other than necessities until we are willing and able to pay for them. A little national self-discipline. Imagine, 28 deficits in the last 34 years, through wars; through peace; through unprecedented national prosperity and maximum national revenues.

But what about this monstrous deficit of $11,902,000,000 urged in the budget for 1964? Is it accounted for by loss of revenues under the President's tax reduction and revisions? Is it accounted for by the suggested speed-up in corporation tax payments—a shift, of course, that would not alter ultimate total collections? Do rising national defense costs explain it? Is it incident to increased propositions for space conquest? Is it the result of higher interest costs on the ever-growing national debt? Is it first year costs—and the first year is often the lowest—of new nondefense programs urged in the budget?

No, Mr. Speaker, combine all these—accept them for the sake of analytical computation—and you still cannot account for the $11,902,000,000 deficit urged upon the House. Substantial deficits remain. Due to what? Spending for nondefense activities already underway—and in excess of alltime record national revenues. Refusing to retrench expenditures to bring them within the limit of the funds at hand. Proposing new programs—on borrowed money. Hiking the national debt to a new alltime high and thereby moving closer to the inevitable consequences. Here are the dimensions of today's message:

*Analysis of President's projected 1964 budget deficit of $11,902,000,000*

| | |
|---|---|
| 1. Budget deficit for fiscal 1964 (starting July 1, 1963) as projected by the President, Jan. 17, 1963 (as with every budget, it rests on a number of assumptions and contingencies) | $11,902,000,000 |
| 2. Eliminate fiscal 1964 budgetary effect (net estimated loss of revenue) of President's tax reduction and revision proposals and proposed new transportation user taxes: | |
| (a) Tax reduction and revisions | −5,300,000,000 |
| (b) Speedup of collection of corporation taxes and initial stimulus from tax proposals if adopted | +2,600,000,000 |
| (c) New transportation user taxes | −100,000,000 |
| Deficit remaining | −9,102,000,000 |
| 3. Eliminate projected fiscal 1964 budget expenditure increases for national defense purposes (the estimated increases over 1963). (NOTE.—Includes $885,000,000 applicable to military pay increase proposed in budget as new legislation) | −2,429,000,000 |
| Deficit remaining | −6,673,000,000 |
| 4. This remaining deficit projection divides as follows: | |
| (a) 1964 budget expenditure effect of proposals for new legislation. First year is after the smallest. (1964 budget request for new obligating authority in 1964 for these is $1,827,468,000) | 317,845,000 |
| (b) 1964 budget expenditure increases for space and interest on the debt (the estimated increases over 1963). (These items also emphasized in state of Union message): | |
| (1) Space (NASA) | 1,800,000,000 |
| (2) Interest on debt | 320,000,000 |
| (c) All other purposes | 4,235,155,000 |
| Deficit remaining | −6,673,000,000 |

NOTE.—1964 budget also assumes extension of certain excises for another year—now due to expire or decline June 30, 1963, and extension of 52 percent corporate tax rate to Dec. 31, 1963. Principal economic assumptions affecting revenues are a $578,000,000,000 gross national product; $459,000,000,000 personal income; corporation profits before taxes, $53,000,000,000.

Source: 1964 budget.

All protestations, all rationalizations, all plausible economic and fiscal theories aside, deficits are by historical fact becoming a way of life—uninterrupted by the upward direction in this budget. Once again no provision of a systematic and methodical liquidation of the national debt—not even a nominal beginning is suggested or in sight.

> There ought to be in every government, a perpetual, anxious, and unceasing effort to reduce that debt which at any time exists, as fast as shall be practicable, consistently with integrity and good faith.

Somewhere in the sprawling bureaucracy there may be a recognition of the need to control—that is the word used, as distinguished from reduce—expenditures but we challenge anyone to find reductions significantly manifested either in last year's appropriations or in the budget today. Turn to the budget book itself and leaf through, page by page, item by item, and see the surprising number of increases over the last budget—hundreds of them. Nondefense items. Then compare the number of reductions — comparative handfuls. Either we ought to do without or should be financially responsible enough to pay for them as we go. Cut out the frills and the furbelows. That is the minimum demanded by commonsense, and especially so with a staggering, and increasing, national debt hanging heavily over our heads.

### DEFENSE AND NONDEFENSE SPENDING

Mr. Speaker, some confusion persists about the nondefense expenditures in today's budget. We have demonstrated time and again—and the House, the press, and the country are more and more aware—that it is the ever-rising nondefense items that have unbalanced the budgets of the last 10 years. In view of the reports and the confusion, especially the comparison of next year with the current year, let us once again nail down the unvarnished facts, in unmistakable terms, with unassailable budget figures, corroborated by unimpeachable authority. We need to know this. The press needs to know it. The country needs to know it.

Expenditures recommended in the budget today for fiscal year 1964 for other than national defense are higher than now shown in the budget for the current year 1963. Let me repeat—nonnational defense expenditures for 1964 in this budget exceed those of the current year by $2,062 million.

This is the consistent pattern of the last 10 budgets. The distinguished gentleman from Texas [Mr. MAHON] gave you the facts last April when he presented the defense appropriation bill here on the floor. He is an authority on the matter of what is in the budgets for national defense and by the same rule an authority on what is not down for national defense. Let us bring his figures down to date:

> There is a tendency on the part of many Americans in and out of Government to feel, more or less, that high taxes, big Government spending and the increase in the ceiling on the national debt are the result of defense spending.
>
> That is not correct. We should not give ourselves an opiate and lay all our problems at the door of defense spending.

The gentleman from Texas substantiated his statement by citing the level of change for the 8 years from fiscal year 1954—the first year after Korea—through fiscal 1961. National defense spending increased only 1 percent but nondefense spending increased 65 percent.

In further substantiation, he continues:

> If you project this through fiscal year 1963, which will begin on July 1, 1962, you will find again, according to the budget estimates, that through that period the increase in defense spending will be 12 percent above 1954 and nondefense spending will be 94 percent above nondefense spending in 1954.

There, Mr. Speaker, is the unvarnished fact, in unmistakable terms, using unassailable figures, by an unimpeachable authority. And there lies the genesis of much of our tenuous fiscal situation. There is the place—had we exercised self-restraint—where we could have held the line. But we refused—repeatedly. And that is a primary reason the debt has risen every year—we insisted on including nondefense items for which we could not pay. And in the budget today, with its hundreds of requests for increased appropriations—at a cost beyond what they can expect to take in—there are no reassuring signs of any disposition to reverse the trend. More and more—and borrowing to make up the difference.

Specifically, this budget proposes to spend $43,369,000,000 in fiscal 1964 for other than national defense, or $2,062,000,000 more than now currently proposed for fiscal 1963. It is $9,348,000,000 above fiscal 1961—a 27-percent increase.

And it is $22,818,000,000, or 111 percent, above fiscal 1954. And this largely on borrowed money.

National defense expenditures in this budget for 1964 are estimated at 5 percent above 1963; 17 percent above 1961; and 18 percent above 1954. There is of course universal agreement that large and continuing sums are required for defense and so far as can be seen they will continue at high levels, but nothing—not even defense items—within the power of men to alter, beginning in this session, should logically be regarded beyond reach of the knife. We are between a rock and a hard place and nondefense spending for things we could do without or defer until we have the money in hand helped put us there. And this budget proposes to add new programs. And to add to the cost of old programs. And without the money in sight to pay for all or any of it.

> The duty of economy is not debatable. It is manifest and imperative.

Mr. Speaker, I include official figures on national defense and nondefense expenditures in support:

*Budget expenditures for national defense and nondefense—in summary*

[NOTE.—Round figures used]

| | National defense | Other than national defense | Total |
|---|---|---|---|
| President's fiscal 1964 budget estimates of expenditures (Jan. 17, 1963): | | | |
| 1964 over current budget estimate for fiscal 1963 | +$2,429,000,000 | +$2,062,000,000 | +$4,491,000,000 |
| 1964 over fiscal 1961 | +7,939,000,000 | +9,348,000,000 | +17,287,000,000 |
| 1964 over fiscal 1954 | +8,447,000,000 | +22,818,000,000 | +31,265,000,000 |

Source: Budget documents.

*National defense and nondefense—Net budget expenditures*

[In millions of dollars]

| Fiscal year | National defense functions | | Other than national defense | Total net budget expenditures |
|---|---|---|---|---|
| | Defense, military | Total | | |
| Fiscal 1953 (Korean war year) | 43,610 | 50,442 | 23,678 | 74,120 |
| Fiscal 1954 | 40,336 | 46,986 | 20,551 | 67,537 |
| Fiscal 1955 | 35,532 | 40,695 | 23,694 | 64,389 |
| Fiscal 1956 | 35,791 | 40,723 | 25,501 | 66,224 |
| Fiscal 1957 | 38,439 | 43,360 | 25,606 | 68,966 |
| Fiscal 1958 | 39,062 | 44,234 | 27,135 | 71,369 |
| Fiscal 1959 | 41,233 | 46,491 | 33,851 | 80,342 |
| Fiscal 1960 | 41,215 | 45,691 | 30,848 | 76,539 |
| Fiscal 1961 | 43,227 | 47,494 | 34,021 | 81,515 |
| Increase in level during the 8 years 1954–61 | +2,891 | +508 | [1]+13,470 | +13,978 |
| Fiscal 1962 | 46,826 | 51,103 | 36,684 | 87,787 |
| Fiscal 1963 (revised estimate shown in fiscal 1964 budget) | 48,300 | 53,004 | 41,307 | [2] 94,311 |
| Fiscal 1964 (President's budget estimate and proposal, January 1963) | 51,000 | 55,433 | 43,369 | [2] 98,802 |
| Comparisons: | | | | |
| 1964 budget compared with 1963 currently estimated | +2,700 | [2] +2,429 | [3] +2,062 | +4,497 |
| 1964 budget compared with 1961 actual | +7,773 | [2] +7,939 | [4] +9,348 | +17,281 |
| 1964 budget compared with 1954 actual | +10,664 | [2] +8,447 | [5] +22,818 | +31,265 |

[1] Represents 65 percent increase, 1961 over 1954.

[2] For national defense functions the 1964 budget compares as follows: Above 1963 by 5 percent; above 1961 by 17 percent: and above 1954 by 18 percent.

[3] Represents 5 percent increase, 1964 budget estimate over 1963 currently estimated.

[4] Represents 27 percent increase, 1964 budget estimate over 1961 actual.

[5] Represents 111 percent increase, 1964 budget estimate over 1954 actual.

NOTE.—"National defense" follows the 1964 budget classification and consists of defense, military (including civil defense), military assistance, AEC, stockpiling strategic materials, expansion of defense production, and selective service, and emergency preparedness work.

Source: Budget documents.

**Mr. JONAS.** Mr. Speaker, will the gentleman from Iowa yield to me so that I may ask the gentleman from Missouri a question?

**Mr. SCHWENGEL.** I yield to the gentleman.

**Mr. JONAS.** I think the record ought to show at this point, and I believe the chairman of the House Committee on Appropriations will agree, that if the House and the other body had gone along with the House Committee on Appropriations during these last 10 years, we would have reduced our national budgets by some $30 to $40 billion and that amount would have been saved; is that not true?

**Mr. CANNON.** We, on the House side, in the House committee, always set the figure at the lowest point but, of course, the total figures are altogether too high. The gentleman has in the main stated the situation correctly. But I want to emphasize this, my friends. The President of the United States, for whom I have the highest affection and the warmest regard, has for the last 2 years after the adjournment of Congress, issued an order to his departments that they are not to use all of the money that Congress has voted for civil employees—because they are not all needed. It is not the President, but the Congress, the men who sit here before us today in this body and the other body, who are allowing these excessive appropriations. Twice the President of the United States has announced in October, after Congress adjourned, that the departments should not spend all the money appropriated for certain purposes.

**The SPEAKER pro tempore.** The time of the gentleman from Missouri has expired.

**Mr. CANNON.** Mr. Speaker, will the gentleman yield me 5 minutes more? I think I can conclude in 5 additional minutes.

**Mr. SCHWENGEL.** Seeing that the gentleman is doing a great job in the public interest and being very much interested in his remarks, I am very glad to yield the gentleman an additional 5 minutes.

**The SPEAKER pro tempore.** The gentleman from Missouri is recognized for 5 additional minutes.

### NEW AUTHORITY TO OBLIGATE GOVERNMENT

**Mr. CANNON.** Mr. Speaker, Congress must first appropriate or otherwise enact authority to obligate the Government before the departments can remove a dollar from the Treasury for any purpose at any time. The executive branch recommends, urges, pressures, promises, but only Congress can grant the obligational authority. Congress does not act directly on the expenditure budget of $98,802,000,000. We act on the obligational budget. And once you obligate, you have to expend to satisfy the claim. So the important longrun figure, the most accurate barometer to future spending in today's budget is not the $98,802,000,000 spending total but rather the $111,843,000,000 of new obligating authority urged by the President—$3,916,000,000 of which is for supplements to fiscal 1963 and $107,927,000,000 is for the fiscal year 1964 beginning July 1 next.

Last year the obligational budget first exceeded $100 billion in time of peace. This budget request tops that. Budgets of recent years have been recordbreakers. And so is this one. Every year they urge more. And every year Congress appropriates more—including more for nondefense. And practically every year it carries us deeper in debt, just as this budget proposes to do.

> Nothing is easier than the expenditure of public money. It does not appear to belong to anybody. The temptation is overwhelming to bestow it on somebody.

This budget urges upon this session new obligating authority $4,735,000,000 above the current year total even assuming approval of the $3,916,000,000 anticipated supplementals for fiscal 1963—$2,212,000,000 for national defense and $2,523,000,000 for other than national defense.

This budget urges for fiscal 1964 new obligating authority $21,252,000,000 above what was enacted for the last fiscal year of the previous administration, fiscal 1961—$10,708,000,000 more for national defense and $10,544,000,000 more for nondefense items.

This budget urges for fiscal 1964 new obligating authority $27,060,000,000 above the $80,867,000,000 recommended in the outgoing fiscal 1962 budget submitted by President Eisenhower 2 years ago yesterday—$10,424,000,000 more for national defense and $16,636,000,000 more for nondefense items.

This budget urges for fiscal 1964 new obligating authority $45,162,000,000 above what was enacted for fiscal year 1954, the first year after Korea—$17,801,000,000 more for national defense and $27,361,000,000 more for nondefense items.

Yes, Mr. Speaker, who will deny that the spenders and the special pleaders are on both sides of the aisle and in both administrations, and borrowing the money to make up for our failure to pay as we go along, and in times of record national revenues.

*President's requests to Congress for new authority to obligate the Government—In summary*

| | National defense functions | Other than national defense | Total |
|---|---|---|---|
| President's fiscal 1964 budget of Jan. 17, 1963, compared with— | | | |
| 1964 budget compared with 1963 currently proposed | +$2,212,000,000 | +$2,523,000,000 | +$4,735,000,000 |
| 1964 budget compared with 1961 actually enacted | +10,708,000,000 | +10,544,000,000 | +21,252,000,000 |
| 1964 budget compared with 1954 actually enacted | +17,801,000,000 | +27,361,000,000 | +45,162,000,000 |

Source: Budget documents.

*Authority to obligate the Government (new obligational authority), which precedes "Budget expenditures"*

[NOTE.—Rounded amounts used]

| Fiscal year or budget | National defense functions | | Other than national defense | | Total new obligational authority |
|---|---|---|---|---|---|
| | Amount | Percent of total | Amount | Percent of total | |
| 1953 enacted (Korean war year) | $57,298,000,000 | 71.3 | $23,010,000,000 | 28.7 | $80,308,000,000 |
| 1954 enacted | 38,901,000,000 | 62.1 | 23,864,000,000 | 37.9 | 62,765,000,000 |
| 1955 enacted | 33,656,000,000 | 59.0 | 23,420,000,000 | 41.0 | 57,076,000,000 |
| 1956 enacted | 35,903,000,000 | 56.8 | 27,295,000,000 | 43.2 | 63,198,000,000 |
| 1957 enacted | 40,234,000,000 | 57.3 | 29,945,000,000 | 42.7 | 70,179,000,000 |
| 1958 enacted | 40,448,000,000 | 53.0 | 35,897,000,000 | 47.0 | 76,345,000,000 |
| 1959 enacted | 45,517,000,000 | 55.9 | 35,848,000,000 | 44.1 | 81,365,000,000 |
| 1960 enacted | 44,761,000,000 | 56.3 | 34,813,000,000 | 43.7 | 79,574,000,000 |
| 1961 enacted | 45,994,000,000 | 53.1 | 40,681,000,000 | 46.9 | 86,675,000,000 |
| Increase in level in 8 years, 1961 over 1954 | +7,093,000,000 | 29.7 | +16,817,000,000 | 70.3 | +23,910,000,000 |
| 1962 enacted | 52,414,000,000 | 56.4 | 40,448,000,000 | 43.6 | 92,862,000,000 |
| 1963 total now proposed, including supplementals | 54,490,000,000 | 52.8 | 48,702,000,000 | 47.2 | [1] 103,192,000,000 |
| 1964 budget, total proposed | 56,702,000,000 | 52.5 | 51,225,000,000 | 47.5 | [2] 107,927,000,000 |
| Comparisons: | | | | | |
| 1964 budget compared with 1963 currently proposed | +2,212,000,000 | 46.7 | +2,523,000,000 | 53.3 | +4,735,000,000 |
| 1964 budget compared with 1961 enacted | +10,708,000,000 | 50.4 | +10,544,000,000 | 49.6 | +21,252,000,000 |
| 1964 budget compared with 1954 enacted | +17,801,000,000 | 39.4 | +27,361,000,000 | 60.6 | +45,162,000,000 |

[1] Includes $3,916,000,000 proposed supplementals for 1963 of which $2,000,000,000 is additional Export-Import Bank borrowing authority; $500,000,000 is for public works acceleration; $394,235,000 is for pay increases; and numerous other supplementals.

[2] Includes $2,727,468,000 applicable to proposed legislation.

NOTE.—"National defense" functions consist of defense military (including civil defense), foreign military assistance, AEC, stockpiling strategic materials, defense production expansion, selective service, and emergency preparedness work.

Source: Budget documents.

### FEDERAL CIVILIAN EMPLOYEES

Mr. Speaker, since the beginning of the Government public men have contended with the size of the Federal Establishment—manifested in part by the number of civilian employees. The problem today is at its peacetime worst. Members of Congress have inveighed against a swollen bureaucracy in every campaign before the folks back home. It is a standard plank in every economy and efficiency platform. The situation was evidently so bad last fall—after Congress had made the appropriations and gone home—that the President told the departments to reduce personnel and to refrain from filling jobs. Many departments have already ordered percentage cuts. They have been told not to fill jobs for which they have the appropriations in hand.

But of course you understand the root of the trouble is too much money. Excessive appropriations. They cannot hire employees without money so when you decry the number of employees you are really talking about excessive appropriations.

The President knows we have appropriated more than was necessary—why else would he direct the departments to hire fewer employees even though they have the money in hand? The question answers itself—more money than the minimum necessary. You have been doing that right along. This is the second straight year the President directed them to hire less employees than Congress provided for. He issued a similar directive in October of 1961.

And yet this budget today would add over 36,000 new employees in fiscal year 1964. And that on top of 127,000 added since June of 1961 when the present administration assumed full fiscal-year control. And do not jump to the conclusion they are in the defense items; defense employees are reduced, according to the budget. I will insert a table here so you can see for yourself. Scan the right hand columns and see where we have been providing excess appropriations—nondefense appropriations. Every single nondefense line on the table shows an increase. More employees voted right here on the floor. And 2 years in a row, after we made the appropriations and went home, the President directed the agencies not to hire to the limit of their appropriations. Nondefense appropriations. Nondefense agencies. Look at the list of agencies. Read it. Now listen to what the President told the agencies.

In the fall of 1961, October 26:

> There is no question that employment can be held substantially below the levels which would be possible under the funds authorized by the Congress, if strong efforts are made to achieve increases in efficiency * * * and to staff each activity with only the minimum number of employees needed to carry out our objectives.

Again from the same directive:

> I much prefer that obligational authority remain uncommitted where there is any

doubt that expenditures would yield substantial returns to the national interest.

In the fall of 1962—October 11—in a directive on tightening up on manpower and its utilization and referring to productivity gains:

> Such an accomplishment would translate into tens of thousands of Federal jobs that either could be eliminated or would not have to be added to the present numbers.
>
> It is expected that the same amount of work will be performed by increasingly fewer people.

There is only one certain way—and it is simple method—available to the Congress to assure the result and that is to cut the budgets. The time to begin is in this session. The Committee on Appropriations cannot do it alone. The Members will have to manifest their support. May we urge each Member to hammer away at these excessive budgets. The President's directives concede we have appropriated for too many jobs in each of the last 2 years.

*Summary of civilian employment in the executive branch*

| Description | As of June 30— | | | Estimated change, June 1964, compared with— | |
|---|---|---|---|---|---|
| | 1961 actual | 1963 estimate | 1964 estimate | June 30, 1961 | June 30, 1963 |
| Executive Office of the President | 2,767 | 1,681 | 1,769 | −998 | +88 |
| Department of Agriculture | 102,557 | 116,268 | 121,583 | +19,026 | +5,315 |
| Department of Commerce | 30,337 | 32,802 | 36,299 | +5,962 | +3,497 |
| Department of Defense: | | | | | |
| Military [1] | 1,012,375 | 1,032,739 | 1,022,612 | +10,237 | −10,127 |
| Civil [2] | 30,032 | 32,260 | 32,553 | +2,521 | +293 |
| Department of Health, Education, and Welfare | 70,335 | 83,306 | 89,237 | +18,902 | +5,931 |
| Department of the Interior | 59,458 | 70,721 | 74,720 | +15,262 | +3,999 |
| Department of Justice | 31,262 | 32,607 | 33,372 | +2,110 | +765 |
| Department of Labor | 7,491 | 9,620 | 10,913 | +3,422 | +1,293 |
| Post Office Department | 582,447 | 598,609 | 608,259 | +25,812 | +9,650 |
| Department of State | 23,814 | 24,633 | 25,368 | +1,554 | +735 |
| Agency for International Development | 14,906 | 16,588 | 16,540 | +1,634 | −48 |
| Peace Corps | 227 | 1,051 | 1,251 | +1,024 | +200 |
| Treasury Department | 79,970 | 87,494 | 91,643 | +11,673 | +4,149 |
| Atomic Energy Commission | 6,846 | 7,152 | 7,330 | +484 | +178 |
| Federal Aviation Agency | 42,838 | 48,040 | 48,666 | +5,828 | +626 |
| General Services Administration | 29,944 | 34,349 | 37,557 | +7,613 | +3,208 |
| Housing and Home Finance Agency | 11,507 | 14,235 | 15,037 | +3,530 | +802 |
| National Aeronautics and Space Administration | 17,471 | 29,147 | 33,100 | +15,629 | +3,953 |
| Veterans' Administration | 174,110 | 176,881 | 177,290 | +3,180 | +409 |
| Other agencies | 76,335 | 83,858 | 85,434 | +9,099 | +1,576 |
| Total | 2,407,029 | [3] 2,534,041 | [3] 2,570,533 | +163,504 | +36,492 |

[1] Consists of civilian employment for military functions and military assistance.

[2] Employment for Panama Canal Zone Government, Panama Canal Company, and U.S. Soldiers' Home is included in "Other agencies" below.

[3] Excludes project employees for the public works acceleration program which are estimated to total approximately 35,000 by June 1963, and are estimated to be nominal by June 1964 under the existing program.

NOTE.—Although most of the employees shown here are paid from administrative budget funds, some are paid from trust funds; and in the case of some agencies, the table includes employees who are paid from other funds outside the scope of the budget document. The figures include tentative estimates for employment under appropriations proposed for later transmittal. In accordance with definitions of the Civil Service Commission, the figures cover both those employees who are working on June 30, and also part-time and intermittent employees who work at any time during the month of June.

Sources: Tables in budgets for 1963 and 1964.

### THE PUBLIC DEBT

Mr. Speaker, I include official data on the size and trend of the rising national debt.

Under the budget today, the propositions urged upon the Congress will, if adopted, push the debt to $315,604,000,000 at least. The message admits to uncertainty because of other uncertainties. But one thing is certain—we will be asked, for the 12th succeeding time, to again raise the debt ceiling—essentially an ineffectual annual ritual—first by raising the fiscal 1963 ceiling to $308,000,000,000 at June 30 and then to something beyond the $315,604,000,000—the budget is uncertain on the point. But as everyone must know, as a practical matter it is too late to limit expenditures after they have been voted and obligations incurred. And it is becoming absurd to cling to a "temporary" ceiling increase for a few years and then blithely convert some of it to a permanent status.

> For every one who is hacking at the roots there are a hundred hacking at the branches.

For the first time in history the national debt crossed the $300,000,000,000 mark last August. Now it is to go higher and higher, for at least 3 more years according to Secretary Dillon's statement in the press today—much of it to meet the demands for more nondefense spending beyond what we are willing to pay.

Just to carry the debt the annual interest cost in this budget amounts to $10,020,000,000, or about 10 cents out of the budget dollar—the budget for the entire Government when the country was flat on its back in the 1930's never got near what we pay today in annual interest alone. You can grasp the dimensions of this mandatory item when you realize that every minute the clock ticks, day and night, interest accrues at the rate of $19,000. Incredible.

A recent computation is even more revealing. If we set about to pay off a $300,000,000,000 debt at a modest rate by the year 2100, or 138 years from now, and for simplicity assume one payment of interest and principal a year at 3 percent, we would pay $9,154,923,649.00 each year but the total outlay would be $1,263,379,463,562.00. Unbelievable. Yet we do not sense any disposition in this budget for retrenchment or return to sound fiscal policies or any evidence of determination to make even a modest start on methodical reduction of the debt. And no provision for unforeseen national emergencies.

The peak in World War I was $26,596,701,643.01.

The peak in World War II was $279,764,369,348.29. Most of the debt up to 1947 was unavoidably accumulated through unprecedented war expenditures.

The lowest postwar debt was $251,553,319,739.98 on April 30, 1949. We were making some progress in liquidating the war debt.

In January 1953 the debt stood at $267,393,784,247.66. We had financed the Korean war.

Eight years later, in January 1961, the debt had climbed to $290,174,764,757.12 as a result of continued spending beyond record national revenues, primarily for nondefense purposes. That is the situation—an increase of $22,780,980,509.46 in the 8 years—none of them war years. That accumulation was equal to that of the first 130 years in the development of this great American wilderness of wealth by self-reliant, hardworking, rugged, imaginative pioneer people.

When the Congress convened last week—January 9, 1963—the national debt had reached $303,451,350,959.26—up by $13,276,586,202.14 in 2 years and it is shown as rising to $315,604,000,000 under this 1964 budget at June, 1964. What will the next figure be—much higher, in any event, according to Secretary Dillon in today's press. When will the limit be reached? How long will foreign bankers defer cashing in more of our dollars for gold as they watch us pile up more and more debt?

From the debate here on the floor in March 1865 at a time of great stress:

> Have we not already, like other nations, instead of providing for the principal, provided only for the interest of these great debts? What follows? That money borrowed, being obtained without sweat or sacrifice, is spent lightly, without economy or care. A revenue raised at the expense of posterity is sure to be squandered wastefully. Waste begets want, and the sums raised by loans will commonly be large.

It strikes me, Mr. Speaker, that the observation is especially applicable to the present situation.

It is said that the Federal debt, on a per person basis, has been dropping since World War II. Exactly true, because the population has grown faster than the debt. But there is only one population—and they owe all the public debt, State and local as well as Federal. If it is ever to be paid, all debt must come from the same pocket and the same paycheck. And according to available published figures, on a per person basis and despite a rising population, the American people owed four times more public debt in 1960 than they did in 1940; more in 1960 than they did in 1950; more in 1960 than in 1953.

*Federal debt on significant dates*

| Date | Classification | Total direct and guaranteed debt [1] [2] | Per capita [3] |
|---|---|---|---|
| | WORLD WAR I | | |
| Mar. 31, 1917 | Prewar debt | $1,282,044,346.28 | $12.36 |
| Aug. 31, 1919 | Highest war debt | 26,596,701,648.01 | 250.18 |
| Dec. 31, 1930 | Lowest postwar debt | 16,026,087,087.07 | 129.66 |
| | WORLD WAR II | | |
| June 30, 1940 | Debt preceding defense program | [a] 48,496,601,692.96 | 367.08 |
| Nov. 30, 1941 | Pre-Pearl Harbor debt | 61,363,867,932.26 | 458.47 |
| Feb. 28, 1946 | Highest war debt | 279,764,369,348.29 | 1,989.75 |
| June 30, 1946 | Debt at end of year in which hostilities ceased | 269,898,484,032.56 | 1,908.79 |
| Apr. 30, 1949 | Lowest postwar debt [4] | 251,553,319,739.98 | 1,690.29 |
| | SINCE KOREA | | |
| June 30, 1950 | Debt at time of opening of hostilities in Korea (hostilities began June 24, 1950) | 257,376,855,385.01 | 1,696.74 |
| Dec. 31, 1952 | | 267,445,125,544.96 | [a] 1,687.90 |
| Nov. 30, 1962 | Highest debt [5] | 305,892,963,927.29 | [b] 1,628.39 |
| Dec. 31, 1961 | Debt a year ago | 296,498,920,739.92 | [a] 1,600.19 |
| Nov. 30, 1962 | Debt last month | 305,892,963,927.29 | [b] 1,628.39 |
| Dec. 31, 1962 | Debt this month | 303,987,703,889.27 | [b] 1,616.49 |

[1] Does not include obligations owned by the Treasury.

[2] Includes outstanding matured principal of guaranteed obligations for which cash is held by the Treasurer of the United States in the general fund balance for the payment of such obligations.

[3] Based upon estimates of the Bureau of the Census.

[4] Represents the lowest point of the debt at the end of any month following World War II. The lowest point of the debt on any day following that war was on June 27, 1949, when the debt was as follows:

| | |
|---|---|
| Direct debt (gross) | $251,245,889,059.02 |
| Guaranteed debt (not including obligations owned by the Treasury) | 23,876,001.12 |
| Total direct and guaranteed debt | 251,269,765,060.14 |

[5] Represents the highest point of the debt at the end of any month. The highest point of the debt on any day was Nov. 30, 1962, when the debt was as follows:

| | |
|---|---|
| Direct debt (gross) | $305,390,198,052.29 |
| Guaranteed debt (not including obligations owned by the Treasury) | 502,765,875.00 |
| Total direct and guaranteed debt (includes $371,956,195.15 not subject to statutory limitation) | 305,892,963,927.29 |

[a] Revised.

[b] Subject to revision.

*Federal, State, and local tax receipts, expenditures, and debt—On a per capita basis, selected fiscal years*

| Year | Per capita | | | | Percentage distribution | | | |
|---|---|---|---|---|---|---|---|---|
| | Total | Federal | State | Local | Total | Federal | State | Local |
| 1. Tax receipts: | | | | | | | | |
| 1940 | $109 | $43 | $32 | $34 | 100 | 39.2 | 29.2 | 31.6 |
| 1946 | 370 | 286 | 45 | 39 | 100 | 77.3 | 12.2 | 10.5 |
| 1950 | 369 | 255 | 60 | 54 | 100 | 69.1 | 16.3 | 14.6 |
| 1953 | 576 | 433 | 77 | 67 | 100 | 75.2 | 13.3 | 11.5 |
| 1960 | 715 | 499 | 114 | 102 | 100 | 70.1 | 15.5 | 14.4 |
| 2. Expenditures: | | | | | | | | |
| 1940 | 156 | 77 | 35 | 44 | 100 | 449.3 | 22.3 | 28.5 |
| 1946 | 602 | 502 | 47 | 53 | 100 | 83.5 | 7.7 | 8.8 |
| 1950 | 473 | 301 | 86 | 86 | 100 | 63.7 | 18.2 | 18.1 |
| 1953 | 707 | 514 | 90 | 103 | 100 | 72.7 | 12.8 | 14.5 |
| 1960 | 864 | 548 | 153 | 164 | 100 | 63.2 | 17.6 | 19.2 |
| 3. Gross debt: | | | | | | | | |
| 1940 | 483 | 328 | 27 | 128 | 100 | 67.9 | 5.7 | 26.4 |
| 1946 | 2,154 | 2,034 | 18 | 102 | 100 | 94.4 | .8 | 4.8 |
| 1950 | 1,893 | 1,731 | 36 | 127 | 100 | 91.4 | 1.9 | 6.7 |
| 1953 | 1,925 | 1,708 | 50 | 167 | 100 | 88.7 | 2.6 | 8.7 |
| 1960 | 2,010 | 1,617 | 105 | 288 | 100 | 80.5 | 5.2 | 14.3 |

BUDGET RECEIPTS AND EXPENDITURES

**Mr. Speaker, the following official budget figures summarize the steadily rising budgets of the last 11 years during which Treasury budget books were thrown out of balance by deficit spending—spending beyond record national revenues and borrowing to meet the shortage:**

| | |
|---|---|
| Deficit during the 8 fiscal years under the previous administration | $21,953,000,000 |
| Deficit during the 3 fiscal years of the present administration on the basis of actual 1962; currently estimated 1963, and the budget estimates for 1964 | 27,091,000,000 |
| Total deficit, 11 years 1954-64, on basis shown | 49,044,000,000 |

*Net "budget" receipts and net "budget" expenditures, 12 years, 1953–64*

[In millions of dollars]

| Fiscal year | Net "budget" receipts | Net "budget" expenditures | Budget surplus (+) or deficit (−) |
|---|---|---|---|
| 1953 (Korean war year) | 64,671 | 74,120 | −9,449 |
| 1954 (from July 1953) | 64,420 | 67,537 | −3,117 |
| 1955 | 60,209 | 64,389 | −4,180 |
| 1956 | 67,850 | 66,224 | +1,626 |
| 1957 | 70,562 | 68,966 | +1,596 |
| 1958 | 68,550 | 71,369 | −2,819 |
| 1959 | 67,915 | 80,342 | −12,427 |
| 1960 | 77,763 | 76,539 | +1,224 |
| 1961 (to June 1961) | 77,659 | 81,515 | −3,856 |
| 8 years, 1954-61 | 554,928 | 576,881 | −21,953 |
| 1962 (from July 1961) | 81,409 | 87,787 | −6,378 |
| 1963 (current estimate in 1964 budget) | 85,500 | [1] 94,311 | −8,811 |
| 1964 estimate (original budget) | [2] 86,900 | [3] 98,802 | −11,902 |
| 3 years, 1962–64, on basis shown | 253,809 | 280,900 | −27,091 |
| 11 years, 1954–64, on basis shown | 808,737 | 857,781 | −49,044 |

[1] Includes $1,249,000,000 estimated out of supplementals proposed to be submitted for 1963.

[2] On basis of economic assumptions and tax reduction and revision recommendations in 1964 budget (a GNP of $578,000,000,000 in calendar 1963; personal income of $459,000,000,000; corporation profits of $53,000,000,000; proposed tax changes and revisions, offset in part by proposed speedup of corporation tax payments and initial stimulus to economy from tax program, a net estimated loss in 1964 of $2,700,000,000; new transportation user tax proposals, $100,000,000 additional; and assumes extension of present excise taxes due to decline or expire in June 1963).

[3] Includes $1,202,000,000 applicable to proposed legislation for new purposes or programs.

COST OF LIVING—VALUE OF THE DOLLAR

**The cost-of-living index continues to creep upward. It pinches every family budget. The value of the dollar declines. And we cannot—they cannot—forget that today's dollar is worth only 45 cents. Nor can we ignore the fact that the cost of living hit new high-water marks six times in 1962.**

**These are the inevitable results. And what about the future if we keep spending more than we take in—constantly tempting the fires of inflation?**

*Consumer price index and purchasing power of the dollar*

| Years | Consumer Price Index (1947–49=100) | | Purchasing power of the dollar (calendar year 1939=100 cents) [1] |
|---|---|---|---|
| | All items | Foods | |
| 1939 | 59.4 | 47.1 | 100.0 |
| 1940 | 59.9 | 47.8 | 99.2 |
| 1941 | 62.9 | 52.2 | 94.4 |
| 1942 | 69.7 | 61.3 | 85.2 |
| 1943 | 74.0 | 68.3 | 80.3 |
| 1944 | 75.2 | 67.4 | 79.0 |
| 1945 | 76.9 | 68.9 | 77.2 |
| 1946 | 83.4 | 79.0 | 71.2 |
| 1947 | 95.5 | 95.9 | 62.2 |
| 1948 | 102.8 | 104.1 | 57.8 |
| 1949 | 101.8 | 100.0 | 58.3 |
| 1950 | 102.8 | 101.2 | 57.8 |
| 1951 | 111.0 | 112.6 | 53.5 |
| 1952 | 113.5 | 114.6 | 52.3 |
| 1953 | 114.4 | 112.8 | 51.9 |
| 1954 | 114.8 | 112.6 | 51.7 |
| 1955 | 114.5 | 110.9 | 51.9 |
| 1956 | 116.2 | 111.7 | 51.1 |
| 1957 | 120.2 | 115.4 | 49.4 |
| 1958 | 123.5 | 120.3 | 48.1 |
| 1959 | 124.6 | 118.3 | 47.7 |
| 1960 | 126.5 | 119.7 | 47.0 |
| 1961 | 127.8 | 121.0 | 46.5 |
| Selected months: | | | |
| 1946—June | 79.8 | 72.1 | 74.4 |
| 1950—June | 101.8 | 100.5 | 58.3 |
| 1952—December | 114.1 | 113.8 | 52.1 |
| 1958—December | 123.7 | 118.7 | 48.0 |
| 1959—December | 125.5 | 117.8 | 47.3 |
| 1960—December | [2] 127.5 | 121.4 | 46.6 |
| 1961: | | | |
| June | [2] 127.6 | 120.9 | 46.6 |
| July | [2] 128.1 | 122.0 | 46.4 |
| August | 128.0 | 121.2 | 46.4 |
| September | [2] 128.3 | 121.1 | 46.3 |
| October | [2] 128.4 | 120.9 | 46.3 |
| November | 128.3 | 120.3 | 46.3 |
| December | 128.2 | 120.4 | 46.3 |

**See footnotes at end of table.**

*Consumer price index and purchasing power of the dollar*—Continued

| Years | Consumer Price Index (1947–49=100) | | Purchasing power of the dollar (calendar year 1939=100 cents) [1] |
|---|---|---|---|
| | All items | Foods | |
| 1962: | | | |
| January | 128. 2 | 121. 0 | 46. 3 |
| February | [2] 128. 6 | 121. 7 | 46. 2 |
| March | [2] 128. 8 | 121. 8 | 46. 1 |
| April | [2] 129. 1 | 122. 0 | 46. 0 |
| May | 129. 1 | 121. 8 | 46. 0 |
| June | [2] 129. 2 | 122. 1 | 46. 0 |
| July | [2] 129. 4 | 122. 5 | 45. 9 |
| August | 129. 4 | 122. 5 | 45. 9 |
| September | [2] 130. 2 | 123. 7 | 45. 6 |
| October | 130. 1 | 123. 1 | 45. 7 |
| November | 130. 1 | 122. 8 | 45. 7 |

[1] As measured by the BLS Consumer Price Index.

[2] New record high.

Source: Office of the Secretary of the Treasury, Office of Debt Analysis, Jan. 4, 1963.

GOLD SUPPLY AND THE CLAIMS AGAINST IT

**Mr. Speaker, I include pertinent data on our dwindling gold supply. We have lost nearly $7,000,000,000 of our reserve since January 1958.**

**Our supply is now just below $16,000,000,000.**

*Decline in gold assets of the United States, 5 years 1958–1962*

| Date or period | Gold assets | Change |
|---|---|---|
| Dec. 31, 1957 | $22, 780, 675, 342 | |
| Dec. 31, 1958 | 20, 534, 104, 913 | −$2, 246, 570, 429 |
| Dec. 31, 1959 | 19, 456, 135, 794 | −1, 077, 969, 119 |
| Dec. 31, 1960 | 17, 766, 797, 708 | −1, 689, 338, 086 |
| Dec. 31, 1961 | 16, 888, 905, 838 | −877, 891, 870 |
| Dec. 31, 1962 | [1] 15, 978, 190, 463 | −910, 715, 375 |
| Decline in gold holdings in 5 years, 1958–62 | | −6, 802, 484, 879 |

[1] It was $15,978,113,685 on Jan. 9, 1963.

Source: Daily Treasury statements.

*Our tenuous gold position*

[In billions of dollars,

| Date | U.S. gold stocks | Gold stock (above required 25 percent backing for currency and deposits) | Possible foreign claims | Potential shortage of gold with present 25 percent backing provision |
|---|---|---|---|---|
| 1957 (Dec. 31) | $22. 9 | $10. 8 | $14. 9 | $4. 1 |
| 1958 (Dec. 31) | 20. 6 | 8. 5 | 15. 6 | 7. 1 |
| 1959 (Dec. 31) | 19. 5 | 7. 3 | 17. 7 | 10. 4 |
| 1960 (Dec. 31) | 17. 8 | 6. 1 | 18. 8 | 12. 7 |
| 1961 (Dec. 31) | 16. 9 | 4. 9 | 20. 4 | 15. 5 |
| 1962 (October—latest for which data is available) | 16. 0 | 4. 2 | 21. 6 | 17. 4 |
| Change, January 1958 through October 1962 | −6. 9 | −6. 6 | +6. 7 | +13. 3 |

Source: Department of Commerce.

**All but $4,200,000,000 is earmarked as backing for our money supply on a 25-percent basis.**

**There are possible foreign claims outstanding of $21,600,000,000.**

**That leaves a potential shortage—an outside extreme, but illustrating the problem—of $17,400,000,000 after allowing for the 25-percent backing.**

**If we insist on further cheapening our dollar it would, manifestly, be absurd to delude ourselves into thinking foreign nations would sit idly by holding our dollars and securities when all they have to do is demand gold. They are watching us because their interests are at stake. And it would be to the interest of every American if the Congress—every Member of both Houses—watched the situation as closely and did something about it. The size and complexion of today's 1964 budget make it an imperative national necessity that we put our fiscal policy on a sound and more sensible footing before it is too late.**

CONCLUSION

Mr. Speaker, the inescapable consequences of indefinitely continuing to spend more than we take in as we have done in 28 of the last 34 budgets and for at least 2 more years according to Secretary Dillon in today's press—much of it conclusively shown to be for nondefense purposes—are not precisely predictable. This budget offers absolutely no hope of an early reversal. Granting further growth of national revenues, the relentless upward trend of spending over the last many years strongly suggests the probability that any additional income would be consumed entirely by additional propositions of expenditure. Secretary Dillon, in today's press, foresees deficits in 1965 and 1966.

This admittedly tenuous budget is too high. It can be cut. It ought to be drastically revised. Undoubtedly the people would demand that we practice some restraint if they were but harshly aware of what they are paying Uncle Sam each week or each month in income taxes. The withholding tax system was devised to accelerate and facilitate collection of revenues to help finance World War II. And while it undoubtedly still serves to facilitate collections it sedates the people. It is painless. It mitigates the consciousness of tax burden. It caters to the illusion that money in Washington is free for the asking. That the Treasury is a bottomless resource with a boundless supply of dollars. I am not so certain but that revision of the system would be decidedly in the public interest. The people would demand an accounting if they were fully and painfully conscious of the tax bite, if periodically they had to draw a check or money order in favor of Uncle Sam and mail it to Washington.

The Committee on Appropriations will welcome every suggestion for revision of the portions of the budget committed to it. We would especially appreciate citations to page and line where excessive amounts can be trimmed. Every suggestion will be considered. We do not process all the budget—not even all the expenditure side; some portions first go before the legislative committees. And there are permanent appropriations which do not require annual action. But on items in the regular appropriation bills, we urge every Member to submit suggestions. And in the present critical condition of the budget we hope you will refrain from pressuring the committee to add to the budget. It is already too high. The revenues are short of meeting the budget. This is no time to urge expenditures. Secretary Dillon, in today's press, foresees a big deficit again in fiscal 1965 and "very possibly" in 1966. This is the time to stop accumulating more debt.

We expect to begin consideration of the budget on Monday. We welcome suggestions.

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, the distinguished gentleman from Missouri, the chairman of the Committee on Appropriations, has made an important and valuable statement. No Member of the Congress in either House is more qualified than is the gentleman from Missouri to evaluate the budget of the Government of the United States. I share his concern at the size of the budget, and even more, with the size of the deficit.

The gentleman from Missouri mentioned that no workable plan for reduction of the national debt has been presented by a Member of the House or of the other body. I should like to draw his attention to H.R. 113. This is a bill I have been introducing ever since the 84th Congress. It provides for an amendment to the Budget and Accounting Act, requiring that the President of the United States, in each fiscal year, include in the budget an item to reduce the national debt by at least $2 billion. The gentleman from Missouri will agree with me that the Congress and the President could, without any further legislation, reduce the national debt if they desired to do so. But, we are not doing it. We must, to preserve our way of life. In my opinion, it is wrong for us to ever say "Our budget is balanced," until we have provided something for debt reduction. No housewife can balance her budget without providing for payments to be made on debt, no business can do so, and I submit that neither can a government do so.

Therefore, Mr. Speaker, while my bill may be giving Congress the "idiot treatment" in inducing it to take a step toward reducing the national debt, which it could take anyway, our failure or refusal to make any such reduction seems to indicate that perhaps we deserve this kind of treatment.

I commend H.R. 113 to the consideration of the gentleman from Missouri and to the Committee on Government Operations, to which the bill has again been referred.

Mr. WATSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection?

Mr. WATSON. Mr. Speaker, I would like to associate myself with the remarks of the distinguished gentleman from

Missouri [Mr. CANNON], the chairman of the Committee on Appropriations.

Surely this budget will be not only a recordbreaker—it will also be a backbreaker for our already strained economy. And I find myself constrained to ask the perennial question: Will we ever learn that we cannot keep spending what we do not have for what we do not need? I despair at the answer.

It is astounding that this budget with a built-in deficit of $11.9 billion could be proposed to this body considering that it now costs nearly this amount, or $10 billion, annually to service the present debt.

This recordbreaker, $4.7 billion over the current budget and one-half billion dollars greater than the highest budget during World War II, was particularly surprising to me in light of the President's remarks in this Chamber on Monday—at least, as I understood them—when we find that over one-half of this $4.7 billion increase is for nondefense spending. And surely all of us must be surprised upon learning that there is proposed a net increase of 36,000 Government employees despite a proposed decrease of 10,000 in the Defense Department—in other words, an increase of 46,000 personnel for nondefense functions.

I note that of this increase, 5,000 would be in the Washington area which, in my opinion, certainly has its share already. If a bona fide need for these additional employees exists, which I seriously question, then they should be in the various districts and States. I submit that a real and immediate need does exist for the employment of additional people to find some means of reducing the national debt and restoring some sense of fiscal responsibility to our budget requests.

While I appreciate the tremendously valuable services rendered by our Government workers, I believe that it would be better to reward them adequately rather than constantly to increase their number.

Mr. Speaker, to me it is the height of inconsistency to propose in one breath a reduction in taxes and in the next the highest budget in history. Our action on this matter will reveal whether or not we want to be a generation of freeloaders, letting our children pick up the tab for our folly.

May I say to the distinguished chairman of the Appropriations Committee that I appreciate his remarks and that he can expect my support in his efforts to pare this overwhelming budget.

Mr. JENSEN. Mr. Speaker, will the gentleman from Iowa yield to me?

Mr. SCHWENGEL. I am happy to yield 5 minutes to the gentleman from Iowa, and will look forward to listening to whatever he has to say.

Mr. JENSEN. I thank my able colleague.

Mr. Speaker, I can assure the Members of this House that I shall carry on as a member of the Committee on Appropriations and as a Member of the House of Representatives in the same manner I have carried on in the past, which is to do my best to eliminate all unnecessary and wasteful spending.

I am sure that every member of the Committee on Appropriations who has sat with me behind closed committee doors—as you know, the hearings of the Committee on Appropriations are not open to the public. I wish they were. I have offered many, many motions to reduce Federal expenditures. Some of these were accepted, some were not; but I am proud to say that no bill has ever come to the floor of this House from a subcommittee of which I have been a member that was not below the budget and as you know, Mr. Speaker, I have been a member of the Committee on Appropriations for the past 20 years.

Now may I say that the gentleman from Missouri [Mr. CANNON], my chairman, has just made my speech, to a very great degree. The President's' requests that Congress appropriate for fiscal year 1964 $98,800 million—in cash—out of the U.S. Treasury, and in addition the President asks Congress to give him authority to obligate another $9 billion expenditure for fiscal year 1964 and thereafter. But considering the cash request of $98,800 million only, which we know will be spent unless Congress reduces that figure, which most certainly we must, and by taking the President's "estimated" estimate in revenues from every source of $86,900 million, he agrees that we will have a deficit in fiscal year 1964 of $11,900 million.

Let us look at a few of the President's budget requests for a moment. The Space Administration is $4.2 billion in fiscal year 1964. That Administration had $2.4 billion in 1963. Here is an increase of $1.8 billion. I daresay that this agency appears to be getting quite out of hand. Maybe some people would like to go to the moon, but so far as I am concerned, I don't want to be a party to spending unnecessary billions upon billions of dollars just to prove that the moon is not made of green cheese. I am willing to spend a reasonable amount, for essential space explorations, but not $4,200 million in fiscal year 1964, alone.

Now, as to interest on the national debt. The President is asking $10,100 million for fiscal year 1964 or $300 million more just to pay the interest on the national debt for fiscal year 1964 than for fiscal year 1963. It is costing each American family over $16 per month on an average just to pay the interest on our national debt. Of course, there is not much we can do about that except to cut deeply into the President's budget in order to cut down the Federal debt, so we can finally start paying off and thus reduce the national debt.

National defense is in the budget for $55,400 million or $2,400 million more than for fiscal year 1963. Everybody wants more than adequate national defense, but surely we can have just that with billions less than is requested now.

Our national debt today is more than 1½ times greater, Mr. Speaker, than the Federal debt of all the other nations of the world all put together, and yet we are being asked this year to appropriate over $3 billion for foreign aid. A singular situation, when our national debt is 1½ times more than all of the nations in the world put together, and yet we are spending billions of dollars all over the world. Some 30 years ago, in fiscal 1934 to be exact we had a national debt of $27 billion. At that time President Roosevelt said we could safely afford a Federal debt of $75 billion. Look now, today, this very minute, we have a national debt of over $303 billion—$276 billion more than our national debt in fiscal 1934. Look again, we have gone in debt over $9 billion every year during the past 30 years, on an average, and with another deficit of $11,800 million in the offing for fiscal year 1964.

Now, what will happen when we get to the end of the reckless spending road?

The answer is simple and plain—we will suffer the same fate as has every nation in this world that traveled the wasteful spending route to the end of the road that we have been traveling at breakneck speed for 30 years. The crash came awful fast to those nations. Yes, it came, and fast, when the people lost faith in the stability of the government bonds and they stopped buying those bonds. Then the governments started their printing presses; turning out paper bills by the tons, there was no other recourse, and soon it took a big handful of paper currency just to buy a loaf of bread. You say it cannot happen here? Well, it will happen here, and good proof of that is the flight of our gold to foreign countries who do not have confidence in our American dollar and who demand gold for the goods they sell to us. The gold we have left is the only thing that is backing the paper dollar you have in your pocket today, as all of us know only too well.

Mr. Speaker, I shall at a later date have more to say about the budget—a lot more, I assure my colleagues.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I shall be glad to yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I listened with a good deal of interest to a great part of the speech which was made by the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON]. I am sure all of us are concerned about the debt. But I might say in the 14 years I have been here I have never been before the Committee on Appropriations one single time and asked them for one single appropriation. But I would have been a lot more impressed still if I had not been around here last year and had seen the spectacle of the fight for prestige that went on and a considerable number of weeks of the time of the Congress and the country wasted. I would have been more impressed if the chairman would have devoted himself at that point to trying to reduce the debt instead of trying to increase his own prestige.

Mr. SCHWENGEL. Mr. Speaker, when I asked for an hour the other day I had not intended that it be used this way. I am glad I was able to yield some of my time and I am able to adjust what I have to say to the remaining time, which I will do.

Mr. Speaker, I want to say that I think the attention paid here by the Members who are on the floor and the fact that the Speaker has not had to gavel for attention and no one was forced to raise a point of order in the House because of the lack of attention indicates that the Members of the Congress here today have a great concern about the problem that the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], talked about so adequately and so eloquently and so understandably. The gentleman has presented what I think has become, and we should recognize, a sad state of affairs in America. The gentleman has presented a dismal picture that ought to give us pause, especially those of us who have the great opportunity and privilege to serve the greatest country in this world.

Mr. Speaker, it occurred to me, and I feel impelled to say, that the more we practice fiscal irresponsibility the more certain we will be that freedom will be weakened, that our liberties that we cherish so much and which we talk about so much will be in jeopardy, and that the great American system of freedom and free enterprise will be weakened, if not eliminated.

Mr. Speaker, I say, and I believe sincerely, the more we do this type of thing—that is, practice fiscal irresponsibility to which the chairman of the Committee on Appropriations referred and to which others referred and commented on, the more certain we will be that tyranny will come to America in some form. So I would like to suggest that if we need the Federal programs that we have launched out on—and I think many of them are needed; I think there is a place for the Federal Government to participate in answering problems; I think there are areas where only the Federal Government can function effectively and efficiently—I believe there are also other areas that need to take their full share of responsibility.

Mr. Speaker, I would like to say to every Member of Congress, and especially to the leadership on our side, that we work overtime and search for some other answers to these problems and have them presented in this Congress. I think there are answers, there are better answers and sounder answers that ought to be presented and I hope that some of us will make it our business to do this. There is no better way, in my opinion, to serve this great land, this great idea of freedom, than to do that.

Mr. Speaker, I want to point out that I yielded, and did so gladly, 25 minutes to the distinguished gentleman from Missouri and I listened intently as did every Member of the House to what he said. Every word of what he said will appear in the RECORD. Indeed, I hope more than that; I hope that he will elaborate on some of the points and ideas that I am sure he did not have time to comment on, and I suggest to the Members that if he does, this CONGRESSIONAL RECORD of today will be an eloquent testament to our faith in sound fiscal policy and may, indeed, be a guide and furnish us reasons for thinking on these important questions.

### GENERAL LEAVE

Mr. Speaker, because I know there are other people who share the feelings that have been expressed today who would like to make a statement and have it appear in the RECORD, I, therefore, ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this very important subject we have had under discussion for the past 35 or 40 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the chairman said he had never heard any voice in Congress on the subject of reducing the debt. I would like to say that there have been many of us who have tried to be heard on the House floor, who have talked about it, and who have some convictions about it. I have always voted against increasing the debt limit, because I thought it was our business to find ways and means to pay the bills that are presented as we go. More than that, I have introduced legislation that would require us to reduce the debt every year. That bill has not been introduced again this year, but it will be in the very near future.

Mr. BERRY. Mr. Speaker, even with increased revenues the President's budget presented today envisions a deficit for next year of almost $12 billion and recognizes a deficit from the last fiscal year of $8.8 billion, rather than the previous Treasury estimate of $7.8 billion.

In the face of this, the administration is plugging for a very sizable tax reduction which would greatly increase the proposed deficit for next year.

Mr. Speaker, whenever a government provides tax reduction to its citizens through bond issues it is doing nothing more than effecting an indirect subsidy to every taxpayer and voter in the nation.

This practice has sounded the death knell for every nation in history that has attempted it.

Mr. ALGER. Mr. Speaker, The Federal budget for fiscal 1964 is a blueprint for the fiscal suicide of the United States. It is a 1,200 page monstrosity. Indeed it is hard to believe that a President of the United States could so misunderstand basic economies or have facts so misrepresented that he would deliver such a message to the knowledgeable men of Congress and the sensible people they represent.

The President obviously believes that Federal programs and the Federal expenditure of taxpayers' money is the avenue, indeed the primary avenue for U.S. economic growth and improvement of our standard of living. That the contrary is true is evidenced by his recognition that our present tax program is a checkrein on public growth and too heavy a burden for an economy to carry and taxes should be reduced. So his solution is to increase spending in every area of Government, request the addition of 36,000 new employees, in addition to the 150,000 he has added since his inauguration, while at the same time promising to hold nondefense expenditures to the same overall level as this year, regardless of this year's deficit. Then he lists many new programs requiring absolutely new obligational authority which further confounds any attempt at logic. He completely repudiates first, the principle of the yearly balanced budget, an Alger concept of constitutional government; and, second, the balanced budget of the economic cycle which he promised as a platform plank in his campaign. The evidence of this is clearly in this budget of $122 billion, the highest peacetime expenditure in prosperous times when by his own campaign promise this is the period for restoring a fiscal balance by paying down the debt out of surplus. He reverses his promise now by labeling the deficit resulting from tax cut in prosperous times as necessary and good.

No real effort is made to trim expenditures. Specific figures are contradictory or downright misrepresentations, for example, in agriculture, where he mentions a cut but there is actually increased expenditure. Nowhere is there evidence or specification of the "many desirable programs which must be reduced or postponed" to "keep the budget deficit manageable." On the contrary, he repudiates his own state of the Union message. Buried in the budget message but implicit in any summation of figures is the obvious truth that nondefense expenditures are soaring and yet are being presented as increases necessitated by defense and the cold war.

At a time of deficit financing there is even less justification for more public works projects, boondoggling, logrolling, tradeouts, junkets, and other misuses of the taxpayers money. This brings us to Federal buildings. I would heartily agree that no new buildings should be started at this time. But for this budget to list a number of new Federal buildings to be built none having the priority and approval of Congress that the Dallas Federal Building has had and then to give no reason for not including it reminds us again of the action which the Democrat leadership took the responsibility for last year that the Dallas building is being held up for political reasons. The administration, President Kennedy and his advisors should be advised that Dallas constituents and this Member of Congress cannot be coerced, bribed, or intimidated for their political convictions. I believe public morality in Dallas is too high, that Dallas people will not capitulate to such treatment.

However, all is not lost since in the budget the President proposes and Congress disposes, it is my hope, my prayer, and my intention that Congress will trim the President's budget, knock out unnecessary expenditures and refuse a tax cut, unless appropriate reductions in spending are made. Toward that end I shall direct my efforts, endorsing and working for a balanced budget, reduced taxes within a balanced budget, a tax reform of the Alger-Baker-Herlong type and an overall effort to get this Nation back on a sound economic footing which alone can undergird us in a world divided, where only one side can win.

## CONGRESSIONAL MEDAL OF MERIT FOR THE HUMANITIES

Mr. SCHWENGEL. Mr. Speaker, my purpose today in taking the floor is to advocate a proposition that I believe is utterly without partisanship. It is what may be called a unifying goal that can have all of us, on both sides of the aisle, pulling together. My bill, which I am introducing today, Mr. Speaker, would enable the Congress of the United States, officially and ceremonially, to give its recognition in a personal and a most dramatic form, to the support of the humanities upon which our system of freedom has been built and with which we became great.

This bill merely asks that the Congress be authorized to present a Congressional Medal of Merit to an American who has, in the opinion of Congress, with the advice and consultation of respected authorities, made contributions to those humanities and arts that have served to strengthen and promote the American ideal here and abroad.

It is as simple, as limited, as forthright as that.

The bill itself specifies that the award is to be made not necessarily regularly, but periodically, from time to time, as great men or women in our society appear who are worthy of what we propose shall be a high and distinguished award.

There are many reasons for proposing such an award. The intrinsic value of the medal would be of relatively little cost to the taxpayer and yet would have great value to the Nation which makes it possible for people everywhere in this country to make individual and collective contributions to the general area of the humanities toward a more worthwhile and rewarding life through unselfish service to our people and to our country.

In discussing the idea with many of my friends, some of whom have an awfully skeptical and critical turn of mind, there seems to be no valid reason to argue against it. On the other hand, the affirmative reasons seem compelling. This recognition, it seems to me, would fill a sadly needed gap in our national attitude towards the humanities and the arts.

Mr. Speaker, it is not overstating the case when we observe that the American tragedy in international public relations is that the image of our country has been viciously and incredibly distorted. Too often they have been too successful in this.

The record shows clearly that no nation in the world at any time in the whole of human history has contributed so much of itself, in terms of legislation, in dollars, in dedication, in sheer educational genius to the uplift of its own people by education. Our celebration of the 100th anniversary of the Morrill Land-Grant Act is a recent spectacular example, notable but not exceptional. This effort on behalf of education—and particularly in the humanities as well as in science—is, of course, the stone at the head of the corner in the structure of our democracy.

Not only by public—that is governmental and legislative appropriation—but from private sources, an immense treasure has poured from our people as a whole, into the needs of the education of the individual and the mass.

This is an extraordinary record and it stands out as one of the high watermarks in the story of American civilization.

Yet, a vast proportion of mankind from one end of this planet to the other sees our society as selfishly centered in a dynamic plunge towards materialism in its most oppressive and allegedly ugly forms. We are accused of perpetually boasting about our gross national product now reaching toward $600 billion annually. Our most altruistic motives and our unrivaled and unprecedented generosity as indicated by foreign aid from lend-lease and the Marshall plan to the Agency for International Development have been tortured into a picture that presents us as doing it all from motives of self.

Our enemies say there is not a drop of the milk of human kindness in any of this. Yet nothing but a Judaeo-Christian philosophy inspires most of this phenomenal program for the help of those less fortunate than we are. We know that and our enemies, of course, know it. But, up to now, this is not the portrait that has been given the world to see. Up to now we seem to have lacked the skill or the will, or both, to represent our actions for what they are.

The blame, in my judgment, rests in large part on those who willfully and deliberately bear false witness against us. But part of the blame, and no small part, rests without a shadow of a doubt upon our own shoulders. We have in the first instance shown a very limited talent for international public relations. We can advertise among ourselves gadgets and filter cigarettes, and shoes with spike heels or no heels at all, and mouth washes. But the greatest product of all time, the product that makes our contribution to the story of man the equal of anything that has been yet produced by the Graeco-Roman and the Judaeo-Christian civilization—that story we have been unable to peddle as successfully as we can or should to the millions on this earth who seem to misunderstand us.

We can sell cosmetics and beer but we have yet to learn how to sell liberty.

And liberty is our foremost product.

This bill that I propose to the House today will not of itself remedy this situation. But it is a significant step in the direction of throwing a national shaft of light on our true portrait as a people who appreciate and therefore recognize the great artists among us—artists in stirring literature, artists in any of the arts, and artists in what generally we call the humanities. The gesture of bestowing such a medal of merit on the greats in these fields would have the effect of personalizing and dramatizing, of advertising and doing honor not only to the individual who has been chosen, but to the Congress itself and to the American people. This, says this award, in part, is what we truly are, a people who have respect for and bestow honor upon the outstanding personalities in American culture, in the broad but important area we call the humanities.

This, Mr. Speaker, is really the burden of my message and my bill.

Inherent in the bill are provisions designed to prevent unwise or unthought-out decisions in the matter of making the proposed awards. Thus the awards are to be made by a joint committee of the House and the Senate. This committee is to name its own chairman. The committee will be composed of four Members of the House of Representatives, two from the majority party and two from the minority party, and four Members from the Senate also equally divided between the two parties. They are to be appointed by the Speaker and the Vice President. The chairman of this committee is authorized to receive recommendations as to whom the Medal of Merit shall be awarded. This is so stated in the bill. Moreover, the committee may seek recommendations from and the advice and assistance of a committee of experts. By experts I mean, for example, as provided in the bill, the Librarian of the Congress, the Secretary of the Smithsonian Institution, the National Music Council, the American Studies Association, the Modern Language Association, the American National Theater and Academy, and the American Academy of Arts and Letters, and such other organizations and individuals as may be regarded advisable.

The only money mentioned in this bill is an authorization of $2,500 per award to carry out the provisions of this act.

It may be inevitable and vital to our defense in our time to explode a missile-borne hydrogen bomb 200 miles in the air. And it may be inescapable that the story of such a bomb will fill the newspapers and the communication media of the world more prominently than any other event of the day. But I maintain that this—however inescapable in the world that now surrounds us—ought somehow to be offset by exposing to mankind another side of our civilization and our culture.

This award aims to do that.

This award aims to do for the man of letters and the arts what we have already done so well for the heroes who do valiant things on the field of battle beyond the call of duty to protect our country and our way of life. We have the Congressional Medal of Honor. No American lives who would not cherish such a decoration. Is it not time we had a medal for those men and women in our midst who achieve immortal distinction in the humanities? Thus our own people may be moved to a deeper recognition of their own folklore and a better understanding of themselves, and the world around us will see us more and more as we really are: great in our economy, of course; great in defense, of course; foremost in living standards for the mass of our people, but great and outstanding also in the humanities and our general culture.

I should like to call attention to the fact that the president of the Congressional Medal of Honor Society, made a very pertinent comment on this matter the other day. He is Luther Skaggs, who won his medal by leading a marine assault against the Japanese on Guam in World War II. He said:

> Courage is not restricted to those who have been honored for deeds performed on the field of battle. In all of America's wars, many men have fallen, unseen and unsung, with no one to witness their courage. So, too, there are countless unsung heroes in civilian life.

I remark here only that among these unsung heroes in civilian life are the Americans this bill aims to accord this great national distinction. The medal, it is proposed, will be of gold, but its real gold rests in its glory for the recipient and for us all as a nation, for having produced the type of genius who serves his country and mankind.

If, by this bill, we give the endorsement of the Congress of the United States to this side of American life, by this award of merit, we are performing, I believe, a service to American history, to the American people, and to the men and women among us who deserve our recognition.

In fact, Mr. Speaker, if Congress should give further public affirmation of the humanities it would reflect an interest in promoting a fine kind of patriotism through the encouragement of learning, writing, and teaching of history. Moreover, it would develop a greater appreciation of literature, art, music, and philosophy of America and the interpretation of the American ideals through these arts that are so worthwhile and seem so necessary in the battle for the minds and hearts of people everywhere today. And, we should remember also that it is in the understanding and the living of the philosophy of our forebearers which make us different and great.

I ask only that we do for ourselves what the Nobel prize and kindred awards have thus far been doing for us. Let the Congress of the United States, officially and ceremonially, give due recognition to the achievements of our outstanding minds, and help them and us on the path to cultural immortality.

## THE IOWA PLAN FOR GROWTH AND PROGRESS IN HIGHER EDUCATION

**Mr. SCHWENGEL.** Mr. Speaker, since the launching of sputnik by the Soviet Union there has been a great deal of soul searching by educators in the United States. In some quarters the outcries have been quite violent. Though the reevaluation of just where we are in the field of education has been on the whole beneficial, there are those who have used the Soviet achievements in science as a springboard for venting their spleen on American educators and the American educational system in frantic terms. Where they found weaknesses, which there certainly were, they made blanket condemnations. These critics looked at Soviet statistics on the number of students in the engineering and scientific fields and decided that the Federal Government must institute a crash program in this area. While not categorically denying all validity to the arguments of these critics let us look once again briefly at some of these statistics and view them in the broader aspects of the virtues of the American educational system and its achievements. It will be my contention that improvement of our educational system should not mean an imitation of the Soviet system, but an improvement of the opportunities our system now provides for study in the areas of both science and the humanities in an atmosphere of stern competition and freedom. It is my contention that Federal programs should not encourage the gap between the sciences and the humanities. And finally, I will again present a proposal that I believe will strengthen the virtues of our educational system as it has historically evolved.

Mr. Speaker, in the United States we now have 1,975 institutions of higher learning. The Soviet Union has 760 institutions of higher learning. We have 143 universities compared to 40 in the Soviet Union. The type of educational system of the Soviet Union is reflected in the fact that they have 720 technical institutes compared to 50 technological schools in the United States. Universities and technical schools account for all 760 institutions of higher learning in the Soviet Union. In addition to these, we in the United States have 764 liberal arts colleges, 198 teachers colleges, 176 religious schools, 45 schools of art, 75 other professional schools, and 524 junior colleges.

In the United States, 4,300,000 are enrolled in institutions of higher learning compared to 2.4 million in the Soviet Union.

Granting the fact that the technical institutes of the Soviet Union include areas in teaching and the humanities it is clear from the above figures that we have a much greater freedom of meaningful choice in where and what college to attend. While we cannot overlook the political power advantages the Soviet system has in directing a total system along the lines the leaders have set, neither can we overlook the fact that in our country our principle of freedom of choice in higher education—with a tremendous number of schools to choose from—is a major factor in maintaining an open, dynamic, and free society. While recognizing the importance of science today, let us adhere as closely as possible to our basic premises that under our system of education our young people will freely choose to study and prepare themselves in areas that are vital to the national interest.

When speaking of maintaining our might to defend and promote our high national purpose we should not become immersed in fear and forget that our national purpose is individual freedom. Because of certain political advantages of a single-minded system, I do not think we should lose faith in our citizens' ability to educate themselves in a climate of freedom.

These are some of the considerations that weigh on my mind when thinking of the problems that face us in higher education. These are some of the considerations that have led me to search for a plan of aid to higher education that would be consistent with individual initiative regardless of wealth or social status; a plan that would protect our diversity of educational opportunity; a plan that would be consistent with our constitutional principle of the separation of church and state; a plan that would be fiscally sound; and finally, a plan that continually builds for the future.

These, Mr. Speaker, are some of the considerations that led me, as I mentioned a week ago, to direct my research team of students at the State University of Iowa law school, under the very able direction of Dr. Diel Wright and Dr. Russell Ross, to make a thorough study and evaluation of the problems confronting higher education. The result of this study and consultation with other authorities in the field of higher education, is the Iowa plan for growth and progress in higher education; in short, the Iowa plan. The Iowa plan has been refined and was reintroduced in this session on January 9, the bill being H.R. 22.

The Iowa plan is a tax credit proposal. Phase I of H.R. 22 would grant a tax credit of $50 a year for each educational certificate purchased from a local commercial bank, a savings and loan association, or a life insurance company doing business in at least three States.

One certificate a year could be purchased every year for each dependent from age 1 through 18, or graduation from high school, whichever comes first. This educational certificate would be purchases by the parent, guardian, or their written designee whether it be an individual or corporation. Only one certificate for each child could be purchased. The amount of the money paid for educational certificates would be deducted from the purchaser's income tax. For example, a man has three children and buys three certificates, costing him $150. His total income tax for that year is $600. He would then deduct the $150, the amount paid for educational certificates that year, from his total tax bill of $600 and pay the Federal Government $450.

These certificates can be used only by the student for the purpose of higher education in an approved institution of higher learning, and only if he maintains his grades. If a certificate is purchased every year from age 1 through 18, a fund of $900 would be invested in these educational certificates. When you add the interest to this you have a fund of $1,400. If, for any reason, the student does not enroll in a college within 4 years, or if he does not maintain his grades, the fund of that individual will revert to the Federal Treasury. If the student attends college, this fund will be distributed over a 4-year period. The financial institution holding the funds from purchase of the educational certificates will treat this account as it would any savings account until the child enters college. It would then make payments directly to the particular college for application against tuition, fees, room, and board, and so forth.

Phase II of the Iowa plan would grant a tax credit not exceeding $100 a year or the actual amount of educational expenses for a full-time student, whichever is less, to the taxpayer sustaining the major burden of educational expenses for that individual student. This credit then would apply to either the student, his parents or guardian, or their designee in writing. The Secretary would set up a scale of the amount of tax credit for part-time students.

The total amount of the tax credit an individual could receive, applying to his college expenses, with interest, would be approximately $1,800.

Phase III of the Iowa plan is still in the research stage. Phase III involves the use of the revolving fund accruing from the purchase of educational certificates, an estimated fund of $20 billion. We are proposing that a State board of approximately 25 members, representing the various interest groups of the State, be set up. The professions, labor, business, finance, the State school board, junior colleges, public and private educational institutions, the board of regents, et cetera, would be represented. This board would be commissioned to keep on top of the educational problems of its particular State and recommend policies to be followed. It would also be empowered to grant loans to colleges for whatever purposes the individual college has a need, if it clearly demonstrates its need and ability to repay the loan. The board would also be permitted to make loans to individual students whose financial situation is such that the tax credit would be insufficient to insure his ability to attend college.

If a loan is approved by the board, a central bank of the State would be directed to grant such a loan from the funds accruing from the purchase of educational certificates. The central bank would inform the individual financial institutions what percent of their deposits they should send to the central bank for such loan, based on an annual audit. Upon repayment of the loan to the central bank, the financial institution would be repaid with interest.

Mr. Speaker, I do not contend that the Iowa plan will mass-produce brilliant scientists. I do not contend that the Iowa plan is a cure-all for our educational ills. I do not contend that it will produce a new American man as the Soviets are trying to produce a new Soviet man. But I do contend that it is a sound and fair proposal that would greatly enhance the opportunities our educational system offers without imposing bureaucratic controls on that system. I do contend that it is a proposal consistent with the goals of democracy and freedom that our great Nation stands for. I do contend that if a potential scientist desires an education this plan will make it possible for him to have one regardless of his wealth or social status. Finally, I contend that it will also permit a student interested in art, in poetry, in history—in the humanities in general—to attend college. I do not think we should forget this area. Of all the dangers of federally controlled higher education, the encouragement of the gap between the sciences and humanities is certainly one of the most perilous.

## AN URGENT NEED FOR APPROPRIATIONS FOR DAY-CARE SERVICES

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN of New York. Mr. Speaker, today I have introduced appropriation bills which appropriate for fiscal 1963 $5 million and for fiscal 1964 $10 million for child day-care services.

Let us first review last year's legislative history concerning this matter. On July 28, 1962, at the time of the enactment of the Public Welfare Amendments of 1962—Public Law 87-843—authorizing money for day-care services, Mrs. Katherine B. Oettinger, Chief of the Children's Bureau, termed the current day-care services a national disgrace, and added:

> The supply of good day-care programs is inadequate to meet the need. On a national basis, the quality of day care now being offered is frequently so poor that children who receive it may suffer serious personality damage—if not physical harm.
>
> The President's approval of the Public Welfare Amendments of 1962 this week gives us a golden opportunity to help the States expand and improve their day-care services, and make life better for the thousands of children who need good care if their mothers must work.
>
> There is urgent need for action. We can see the tangible results of the physical abuses suffered by children in day care. We will be coping for years to come with the intangible results of the damage they are suffering in their most formative years.

Public Law 87-543 authorized $30 million for fiscal 1963 and $35 million for fiscal 1964 for child welfare services. In each fiscal year the amount appropriated in excess of $25 million was to be earmarked for day-care services. Therefore, $5 million would be allocated to day-care services in fiscal 1963 and $10 million in fiscal 1964.

The supplemental appropriation bill (H.R. 13290) included the $5 million for day-care services for fiscal year 1963. It passed the House on October 3, 1962, and the other body on October 11, 1962. Unfortunately, it did not go to a conference before Congress adjourned. I hope that we will be able to appropriate this amount very early in this session.

Mr. Speaker, the need for day-care services has existed for as long as our country has been an industrialized society with mothers working. The need for expanded and improved day-care services is now greater than ever. As early as 1854 in New York City the first day-care services were provided for children whose mothers eked out an existence in domestic service or in the factories. Following this farsighted effort day nurseries came into being all over the country—each one a philanthropic effort on the part of a community. And in 1898 the National Federation of Day Nurseries was organized in Chicago and became a spokesman for the cause of decent day-care facilities.

But, as a publication of the Children's Bureau points out:

> Despite these solid beginnings, the expansion of day-care programs has been sporadic. Day care received impetus from the tragedies of the Civil War, World War I, the great depression, and World War II. After each of these events, enthusiasm leveled off.

A solid, federally financed and stimulated program is necessary for adequate nationwide and statewide services to be set up and maintained.

An example of the powerful impetus provided by the investment of Federal funds in this area was the World War II emergency program under the Lanham Act. Two areas, California and New York City, owe most of their existing programs to centers set up under this act and then continued with State and municipal funds.

Mr. Speaker, there are more women in the labor force today than ever before in our Nation's history. There has been a 66-percent increase in the number of working mothers with children under 18 years of age in the past 10 years. There are about 15 million children under 18 years of age whose mothers are working; 4 million of these children are under 6 years of age and 5 million are between the ages of 6 through 11; in addition, there are nearly half a million mother-only families with children under 6 where the mother is the sole support of her family. There are also 117,000 children under 6 living in father-only families.

Moreover, working parents are not alone in need of good daytime supervision for their children. Consider the mother who is ill, the mother living in an overcrowded slum with no play opportunities for her children, the mother with emotionally handicapped or mentally retarded children, the mother in a family with emotional problems.

A 1958 survey of the Bureau of Census revealed that 400,000 children under 12 years of age were completely unsupervised. This figure covers only children whose mothers worked full time, leaving them unsupervised; it does not cover those mothers who worked part time. And in the major public welfare program of aid to dependent children, where one-sixth of the mothers were employed part time or full time, one-seventh of the children of part-time working mothers and one-ninth of the children of full-time working mothers were expected to care completely for themselves in their mothers' absence. Surely decent day-care facilities are just as vital to those mothers and their children as the aid-to-dependent-children payments.

Despite the overwhelming need, the present capacity of all reported licensed day-care facilities is for only 185,000 children.

A sound nationwide day-care program is the objective of the Federal program. Before a State becomes eligible for its share of the day-care appropriation, it must enact a licensing law requiring certain minimum conditions in any licensed facility.

Ultimately this requirement should encourage a high standard of uniformity among State laws and interchange of information among States. To date, 8 States have no licensing laws, and 12 others have only partial control of the licensing authority. The licensing provision does not restrict the allotment of funds to any one kind of facility; Federal money can be used to support either a State or public facility, or a private nonprofit group providing day-care supervision, or a private home where such services are offered.

The law also provides that arrangements be made with State health and public school authorities to assure maximum utilization of such agencies for health care and education for day-care children and for safeguards assuring that day care be provided only where it is in the interest of mother and child.

Mr. Speaker, I urge that the House take prompt action to provide the $5 million for day care for this fiscal year and the $10 million in succeeding years. For New York State, this appropriation could mean $297,817 this year and $593,246 in the following year. No child should be permitted to grow up in an environment which lacks warmth and a concern for his development as an individual and constructive human being. We can do our part in improving the environment of the Nation's children by approving these funds for day-care services.

## NEED FOR A LEGISLATIVE BUDGET

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

Mr. CURTIS. Mr. Speaker, like the other Members of the House, I was very much interested in the discussions today in regard to the President's budget message. I was particularly appreciative of the suggestions being made for organizing the Congress in a manner in which we can bring about a legislative budget, something that the people of the country are unaware of, I have found out over a period of years. We actually do not have the machinery, or at least have not used the machinery for creating a legislative budget.

Herein lies the reason the Congress has been largely ineffectual in keeping the President's budget in line.

One other remark I may make in regard to setting up the machinery—and this is said in somewhat of a chiding fashion perhaps to the chairman of the Committee on Appropriations—the Appropriations Committee in the 83d Congress set up a staff that was very adequate, and some $12 billion was cut off the Truman prepared budget in a detailed fashion. So well was the job done that we heard very few repercussions either on the floor of the House or the Senate during debate or throughout the country. That staff was largely eliminated when Congress changed hands in the 1954 elections. To this day we do not have the kind of staff—the caliber of the individuals on the staff I hasten to remark is excellent—to do the job that must be done if a detailed review of these budget items is to be made. It is only through this kind of detail that we can make this meaningful.

The President has basically changed the format of his budget presentation for 1964 from that of preceding years. This, of course, makes it difficult to compare the previous budgets, and perhaps this is intentional.

If anyone cares to look at the budget for 1963 and compare it with the year 1964, he will see the manner in which the format has been altered, which makes it quite difficult to compare apples with apples and oranges with oranges. We see a great deal of use of apples and oranges and peanuts and pumpkins in going through this.

The language was so carefully selected that I had a doubt in my mind as to just whether it meant what it really said as far as his budget proposals for 1964 were concerned. The truth is now out that the budget requests for 1964 in nondefense expenditures are not down and that the only thing he could have been referring to is the payments-to-the-public budgetary item. If one will note, the only sizable reduction in nondefense payments to the public is in the agriculture and agricultural research sector. For 1963 the estimate was $6.7 billion and the 1964 estimate is $5.7 billion; international affairs and finance, 1963 estimate $2.9 billion, $2.7 billion for 1964; housing and community development $0.5 billion in 1963 and $0.3 billion in 1964. All the other nondefense items are increased. The only reason these increases can be made with the total remaining not greater is because of the cuts essentially in the agricultural sector.

What I have been reading to you is in the forepart of the President's budget and that which has been given to the press and, as emphasized, is not in the budget at all.

Now, however, let us look at the real budget picture in the agricultural sector. Far from a decrease there is a sizable increase. The 1963 obligational authority of the Department of Agriculture was $6.7 billion. The request for new obligational authority in the 1964 budget is $8.1 billion or an increase of $1.4 billion.

Incidentally, defense shows in 1963 new obligational authority of $49.96 billion, in the 1964 budget $51.28 billion, or an increase of defense of only $1.3 billion. So, just agriculture alone in the nondefense sector is a greater increase than that in defense, and, I might say, percentagewise the increase in agriculture is substantially over that of defense. But, let us take another item.

Health, education, and welfare increase in the 1964 obligational authority goes up $1.7 billion in the 1964 request. Now, this is important, because the President has been making the statement that the increased budget is in the defense sector. How does one say this forcefully so that the people of this country can understand the techniques that are being used to deceive the people? What is going on here? What kind of language can one use that is parliamentary and yet forceful? The obligational authority, of course, is the test of a budget and what the future expenditures will be, whether they occur actually in the fiscal year for which the requests have been made or not.

A very interesting point in the Department of Agriculture item is to compare the new obligational authority for 1962, 1963, and 1964 budgets. In 1962 the new obligational authority was $7.4 billion, in 1963 $6.7 billion and in 1964 $8.1 billion.

Now, go through a little bit of arithmetic with me. Take $0.7 billion off the 1964 estimate and add that to the 1963 estimate and we will get for all 3 years, 1962, 1963, and 1964, the exact same amount, $7.4 billion of new obligational authority, and when we dig into the details of it we begin to see that these are unreal. This is merely putting in some figures.

However, the reason for the discrepancy of the payments-to-the-public aspect of the budget in relation to new obligational authority lies not in a payment to the public sector in agriculture at all but rather in a sector of which should be receipts from the public.

In other words, there is a juggling of figures here.

The President states:

> Federal payments in 1964 for all agricultural programs are estimated at $5.8 billion, a reduction of $1.1 billion from the 1963 level. This reduction results largely from anticipated substantial sales by the Commodity Credit Corporation in 1964 of cotton expected to be placed under price support in 1963.

That is from page 21.

The actual amount of these anticipated sales is supposed to be around $2.5 billion. Now the item of sale of Commodity Credit Corporation should be listed in the Government receipts from the public and Government revenue portions of the budget and yet that item is not there. It is juggling to place this item in the expenditure side by simply reducing payments to the public. Actually expenditures will increase as the new obligational authority and actual expenditure rates for agriculture show.

This is only one item in this juggled budget that reveals that the President is not cutting expenditure in nondefense area but actually is embarking us upon a continued increase in expenditure levels primarily in nondefense areas which began with the last Eisenhower budget of $81 billion expenditure request, to an $87 billion mark for fiscal year 1962, to a $94 billion mark for fiscal year 1963, and now to something that is well over $100 billion for fiscal year 1964.

Let it not be forgotten that the 1963 budget, although calling for an expenditure level of $92.5 billion, actually had requests for obligational authority of just under $100 billion. The 1964 budget request for new obligational authority is $107.9 billion. This indeed is fiscal irresponsibility. It is a deceitful presentation to the Congress and to the public.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. Yes, I yield to the gentleman from Texas.

Mr. ALGER. I recall in the President's state of the Union message that the President observed that many desirable programs must be reduced or postponed. Immediately thereafter the President listed a number of new programs, including mass transit, education, the youth programs—the conservation corps of some sort—medicare, and so forth.

Does the gentleman from Missouri know what those programs might be that the President had in mind that will be reduced or postponed?

Mr. CURTIS. No; and I think it is a question that should be asked the President, because as near as I can figure, everything he has been talking about and at least campaigning on seems to be requested of the Congress to provide the authority, and it is budgeted. I do not know a single thing that the President has actually cut back, or at least as far as his statements are concerned. I find that his statements frequently do not relate to actually what will be in the budget request or indeed in the program that he seeks to push through the Congress.

He has promised a great many things to the people and he still says he is going to produce these things for them. I think many of those items may not be in the budget but at least as far as his statement is concerned they are in the budget.

Mr. McCLORY. Mr. Speaker, will the gentleman yield for a question?

Mr. CURTIS. Yes, I will yield to the gentleman.

Mr. McCLORY. Would the program which was advocated here earlier in the day by the gentleman from Ohio [Mr. Bow] fulfill the need for this legislative investigation of the budget which prevailed in 1954 or prior to 1954 to which the gentleman from Missouri made reference in the gentleman's remarks?

Mr. CURTIS. Requiring the legislative budget? I think it might produce that machinery. Certainly, I have a great respect for the gentleman from Ohio [Mr. Bow] and it is possible that this kind of machinery would produce it. I would say, though, essentially what has to happen is the Committee on Appropriations has to staff itself adequately. And, let me say something else: The Congress should be concerned about this. The President in his budget message has said he is going to ask the Congress almost immediately to increase or to hold the debt limit increase to $308 billion, which was only temporary. This is going to come before the Committee on Ways and Means, this request that the President needs to have the debt limitation kept at $308 billion. So, one of the first measures that is going to come on the floor of the House is going to be this issue to deal with this expenditure level. I think the Congress can use that issue as the fulcrum. The Committee on Ways and Means can use its power in this area to review this overall budget request and probably get some discipline in this area. Let us find out early in this Congress whether or not we are going to follow the fiscal irresponsibility set out in the President's budget or whether we in Congress are going to assume some fiscal responsibility in behalf of the people.

## DISPUTE INVOLVING THE AMATEUR ATHLETIC UNION OF THE UNITED STATES AND THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from North Carolina [Mr. KORNEGAY] is recognized for 30 minutes.

Mr. KORNEGAY. Mr. Speaker, under instructions from President Kennedy, the dispute involving the Amateur Athletic Union of the United States—AAU—and the National Collegiate Athletic Association—NCCA—with Gen. Douglas MacArthur as arbitrator, will get underway tomorrow in New York City. These proceedings are of utmost importance to all of us. They involve no threat of thermonuclear war, or even of brush-fire conflict, yet their success or failure will have a direct bearing on the world prestige of the United States.

This arbitration arises because the United States is currently torn in athletic civil war. Much has been written, much has been said, for the viewpoints of the two competing organizations. Undoubtedly there are areas in which both sides have right and proper contentions, but just as obviously there are areas in which the two competing parties are dead wrong.

The AAU is the affiliated governing body in the United States for track and field and holds the U.S. representative authority in the International Federation and thus the International Olympic Committee, and the NCAA seeks in this particular instance to take this power in field and track. With the backing of the NCAA, a U.S. Track and Field Federation has been formed, which seeks cosanctioning power with the AAU.

Certainly it would not be in the best interest of these talks for us to try to resolve the differences here, at this time. It could, however, become necessary for Congress to take action in the future should these negotiations fail to resolve what has snowballed into an intolerable situation. It is therefore very fitting, I believe, for us today to admonish those charged with the responsibility of resolving these differences to place individual whims, jealousy, and personal prestige in the background and to put the best interest of our international athletic prestige first in their minds.

Today's global coexistence has become a very complicated affair with tangents that amaze and astound all of us. One of these facets, surprisingly enough, is concerned with athletic competition, not necessarily within our own country but between nations all over the world.

For many of us this interest centers on Olympic years, every quadrennial, when amateur athletes of all countries compete against one another. Gold medals are awarded, flags are flown, national anthems are resounded, and on the Olympic competition fields, all nations are equal. But there is more to the 4-year Olympic matches than this fanfare and glamor. Olympic committee personnel and working staffs never relax. U.S. athletes and teams compete every season of the year, in a variety of sports, with athletes and teams of other countries. We send athletes and coaches to many nations to assist them in their own programs. These are good-will ambassadors, and it has been shown time and again that international athletic competition is one of the best ways to get the message of the free world directly into the eyes and ears of those who are not certain—citizens of the noncommitted countries, as well as those whose minds are cluttered by half-truths or no-truths about our American way of life.

Some time ago Gary Player, the fine young South African golfer, who won our national PGA championship last summer, made a telling remark about one of our own great golfers, Arnold Palmer, when he said that, in his opinion, the United States has never sent a better ambassador abroad than Arnold Palmer. We cannot, because of the petty differences of two organizations, allow any Arnold Palmers to be left on this side of the Pacific when our Olympic team goes to Tokyo next year for the 1964 Olympics.

And Jim Beatty, the world's finest miler, winner of the Sullivan Award as this country's outstanding amateur athlete of 1962, and a fellow North Carolinian, while recently relating some of his travels to foreign countries, including his trip to the 1962 Olympics in Rome, stated, as many athletes have done, that the people of other nations look up to the American athlete, expect so much from his performance, and watch everything he does.

This is not an Olympic year, true, but the 1964 Olympics are fast approaching. In the late spring of 1963, the United States will compete in the Pan-American Games in Brazil, prior to the 1964 Olympics in Tokyo. These are therefore important and formative months for the American teams which will carry our colors in these international events. Unfortunately, however, some of our outstanding track and field men are not competing in the winter indoor track meets and are therefore missing a competitive season which they sorely need.

I am not attempting to say which of the competing organizations, AAU or NCAA, is right and which is wrong, or even to define the gray areas of the dispute; but as these two groups meet with President Kennedy's distinguished arbitrator, Gen. Douglas MacArthur, in New York tomorrow, I am sure it must be concluded that there is room for both groups in our athletic picture. But there is no room for the kind of bickering which has been going on for months—indeed for more than 2 years now. Unless this bickering is ended—and immediately—one of democracy's greatest cold war weapons for peace may be blunted irrevocably. Therefore it behooves the American people to demand of both the AAU and the NCAA that every effort be directed toward one common cause—the supremacy of the American athlete in this cold war of international competition, which can only be achieved by the best in training, preparation, leadership, organization, and freedom from internal strife.

And to this end, let us fervently hope that tomorrow's conference, and all future sessions, will be dedicated.

## NATIONAL SERVICE LIFE INSURANCE PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I have today submitted a bill authorizing the reopening of the national service life insurance program to veterans of World War II and the Korean conflict—which I trust will win the overwhelming approval of this Congress.

It will be recalled that similar legislation became enmeshed in unfortunate complications last year. In justice to those who served their country in time of war the situation should be corrected this year.

Mr. Speaker, I believe the principles of equity and fair play support the basic concept embodied in the bill. Briefly, it provides that veterans of World War II and the Korean conflict who did not exercise their right to apply for national service life insurance during their initial period of eligibility, now be given a 1-year period in which to apply for insurance coverage.

The granting of a period of grace to World War II and Korean war veterans would go a long way toward assuring men and women who served in these two conflicts equality of treatment with veterans of World War I. The later, as it turned out, had 33 years in which to apply for Government insurance based on their service in the Armed Forces of the Nation. By contrast, those who served in the Second World War had only 4½ years, ending April 25, 1951, in which to apply. And those who served in the conflict after that had only 120 days after separation in which to apply. In all fairness, it seems to me, a 1-year period of grace should be granted to the two recent groups of veterans to put them on a more equal basis, with respect to application for NSLI, with World War I veterans.

In asking approval of the period-of-grace principle, I should like to point out that there are many reasons why World War II veterans and Korean veterans who could have applied for NSLI during their initial period of eligibility failed to take advantage of the opportunity. Some veterans suffered readjustment problems that made it difficult for them to get a job or, if they did, to meet the NSLI premium payments. Others were too young at the time of their separation from the service to realize fully the value of life insurance, and simply could not foresee the time when they would be family men, and insurance would be vital to the security of their wives and children. Still others, at the time of separation, were just getting started in their careers, interrupted by the years of service, but already had families to support on low-paying jobs. Many veterans, for all these reasons, did not apply for NSLI right away. They did not anticipate that their right to apply would be cut off in such a short time as proved to be the case, and they planned to apply later on when it was less difficult for them financially to make payments. Now, as a result of the Servicemen's Indemnity Act of 1951—Insurance Act of 1951—Public Law 82-23—and of the Servicemen's and Veterans' Survivors Benefit Act—Public Law 84-881—these veterans find that they have lost the right to apply for NSLI.

That this right is an extremely valuable one, and not to be taken away lightly, is attested by recent figures supplied by the American Legion, one of the many veterans' organizations that support the basic period-of-grace principle contained in my bill and in other bills submitted in earlier years. These figures show that the cost of NSLI, by comparison with similar commercial policies, is far lower. The average net annual premium charged by four leading commercial insurance firms for 5-year term insurance at age 35 is $6.64 per $1,000 of coverage, compared with only $1.20 for NSLI, for example. There are similar differences in rates—in some cases not as large, but still substantial—for other types of insurance. This means that the loss of eligibility to apply for NSLI represents a considerable loss of equity for veterans who, for any of the reasons enunciated above, failed to take out NSLI during their initial periods of eligibility.

Are we now to continue to deprive veterans of this very valuable right, which they earned by their service in the Armed Forces of this Nation, simply because—as a result of economic hardship or immature judgment, they failed to exercise it immediately? I think the obvious answer to this question is "No."

The bill would not create any new Federal programs or make any new groups of veterans eligible for NSLI. It would simply restore eligibility previously earned by veterans by virtue of their service in the Armed Forces. Second, the bill would not add to Government costs under the NSLI program, since additional costs of administration would be charged to those using the grace period to enter the NSLI program. It is estimated that millions of ex-servicemen—perhaps as many as 14 to 16 million—would have their right to purchase NSLI policies restored if the period-of-grace concept is enacted.

Mr. Speaker, I have received dozens on dozens—actually hundreds of letters from people in my district urging favorable action on the period-of-grace principle. As the sponsor of an earlier bill to achieve that end and as a member of the Veterans' Affairs Committee, I have also received many letters from people outside my district—from all over the country—in favor of the principle. I have not received even a single letter opposing the period-of-grace approach.

In letter after letter, veterans and others describe their own situations or those of members of their family—either because of economic hardship or immaturity, they failed to take advantage of NSLI eligibility right after leaving the service; then they suddenly found it was too late—before they realized it, they were no longer permitted to purchase NSLI policies. Now they are asking to have their right restored. They are not asking for special benefits; they are not asking for handouts or charity. All they want is a chance to exercise the rights that Congress provided for them and that they earned by their service.

It has been argued that a bill such as this would put the Government in the insurance business and provide a Government subsidy to veterans. I think it is fair to say that these arguments are completely invalid.

With regard to the charge that the bill puts the United States in the insurance business, the fact is that it does not create any new Government programs, does not bring under NSLI coverage a single veteran not previously eligible. All the bill does is permit veterans—for a limited time only—to take advantage of rights that they earned earlier by service in the Armed Forces but did not exercise.

There is, perhaps, one final contention that deserves mention, and that is the Government should not be selling insurance to veterans at all, because this represents competition with private business. Whatever the merits of this contention, it does not involve a question that we are called on to decide in consideration of this bill. The question of whether the Government may "sell" insurance—where Congress decides that the public interest, or solemn commitments to members of the Armed Forces require it—was decided long ago. I should like to point out that Congress, in 1935, in the Social Security Act, set up the old-age and survivors insurance system and established the Federal-State unemployment insurance system, and the U.S. Government has been in the insurance business ever since. And with regard to this very bill that I have submitted, Congress years and years ago established the principle that war veterans should be eligible to purchase insurance at cost from the Government.

In conclusion, let me say again that this bill does not propose establishing any new Federal program, it does not attempt to make eligible anyone who was not formerly eligible; it does not put the Government in the insurance business, for the simple reason that NSLI is already long established; it does not give anyone a handout because all costs will be entirely covered by the premiums. All that the bill does is to extend simple equality of treatment to World War II and Korean veterans—in relation to World War I veterans—by granting them a period of grace in which they may take up rights, guaranteed by Congress, which they did not exercise.

To repeat, Mr. Speaker, a comment I made earlier: I believe that the principles of equity and fair play most strongly support the basic period-of-grace concept enunciated in this bill.

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## ELIMINATION OF RESTRICTIONS ON RESIDUAL OIL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. MORSE] is recognized for 20 minutes.

Mr. MORSE. Mr. Speaker, I rise today to urge the complete and immediate elimination of restrictions on residual oil imports.

Residual oil supplies the heat for most large buildings in New England and the east coast.

It heats our hospitals, our industrial buildings; it is used by our manufacturers to produce process steam; it is used by many electric utilities to produce the electric power which is the lifeblood of our economy. Most of New England, New York State, New Jersey, and the east coast down to Florida are dependent upon residual as an energy source. Sixty percent of the United States consumption in 1960 was along the east coast. Its use is rising gradually while the output from domestic refineries feeding the east coast has been dropping steadily. At the present time, less than 37 percent of the requirements for the east coast is produced by domestic refiners. It is only natural, therefore, that imports for consumption have increased to make up the difference. Imports represented one-third of consumption in 1949 to two-thirds in 1960. About half of the total imports come into the New York-New Jersey area and about a third of this amount of 33 million barrels a year each comes into the Boston and Philadelphia areas.

Residual oil is an essential raw material for our economy which is not produced domestically in sufficient quantities to meet the demand. It is ridiculous to impose restrictions on imports of this vital product.

The oil import administration has juggled quotas for 3 years. Under rigid controls instituted in 1960, prices skyrocketed. Under more liberal controls initiated a year ago, prices dropped somewhat, but they still have not dropped to the free world price for this oil. Currently oil sold outside of the program—bonded oil—is being sold on the east coast at $2.10 a barrel. The same oil sold domestically under the program—nonbonded—commands a price of $2.33 a barrel. Perhaps those who administer the import program think this is an unimportant difference, but I am told this additional 23 cents a barrel is costing the east coast over $73 million annually.

In a speech before the American Petroleum Institute, the Honorable John M. Kelly, Assistant Secretary of Interior for Mineral Resources, stated that:

> The control program was a bulwark of stability in an unstable petroleum world and that the ultimate cost, if any, to the consumers are cheap insurance for national security, and an adequate consumer supply.

Mr. Speaker, I would be mighty interested in learning how the additional cost to the east coast of over $73 million annually strengthens our national security.

The question of import controls on residual oil has been under study by the Office of Emergency Planning for 2 years. It is their job to determine the national security aspects of imports. Their failure to reach a conclusion to this date is persuasive evidence that there are no pressing national security considerations involved in the importation of residual oil. It would seem to me that in our global defense strategy, the ability to draw on petroleum supplies from several sources outside the United States might be an important advantage.

My colleagues in the coal-producing States may take violent exception to my remarks, but in spite of their best efforts they have failed to demonstrate that this program has had any significant effect on employment in the bituminous coal industry. In the first 10 months of 1962, bituminous coal production increased 5.4 percent over 1961 and during the same period employment in the industry is down. After 3 years of controls on residual oil imports, the situation of the unemployed coal miner has not been materially assisted by such restrictions.

At this very moment there is a shortage of residual oil building up which is about to become critical. To support this contention let me point out that: first, importers have had to borrow against their first quarter quotas to the extent of 3½ million barrels in order to supply their needs for the last quarter of 1962; and, second, the spot market for residual oil disappeared about 2 months ago and the trade press has, each day, drawn attention to the fact that the market is tight and getting tighter. The ultimate result, of course, is price increases which were announced within recent weeks by two major suppliers in the Philadelphia area and one in New York City.

And, at the very moment when we are trying to do our utmost to bring about hemispheric solidarity with our South American neighbors, in spite of our solemn promises at Punta del Este last year, we continue to slap our Venezuelan neighbors in the face.

Venezuela lives from oil exports. Because of its low gravity, crude oil residual represents 57 percent of the total output of refined products in that country. In the Netherlands Antilles, a major refining center for Venezuelan crudes, residual represents 48 percent of the total refined products. Many of these crudes have little or no other value than for residual.

Residual, then, to these countries is a major product, not a waste byproduct. The United States is the most natural and important market outlet.

The Venezuelans are aware of the fact that import controls on residual oils were not instituted to protect the domestic oil industry; they know too much about the U.S. oil industry to even consider such a ridiculous proposal. The Venezuelans know that the importation into the United States of their residual oil has no bearing on our national security. They know that unemployment in the coal mining regions is caused by technological improvements, increased output per man, the loss of the home heating market and the conversion of the railroad industry from coal burning steam locomotives to diesel. The Venezuelans must think that we are stupid when they see consumers of their oil in this country, paying more for fuel than consumers in other countries; countries which do not have the energy resources that the United States does.

In closing, I would like to quote from a recent editorial in the Boston Herald addressed to the oil import program:

> What sort of a system is this that doles our fuel to us in hand-to-mouth barrels per day?
>
> What sort of a system is it that takes a Nation's high cost fuel area, New England, and spikes it with higher costs by an artificial shortage of one of its most important energy sources?
>
> What sort of a system is it that makes the Government the sole regulator of the market for this commodity, restricting rations, and with wartime severity?
>
> What kind of a system is it that says we must use coal when we want to use oil, and where has New England failed that it cannot bring to play for justice and fairness the pressures on a Government that the coal States can bring for injustice and unfairness. There must be complete elimination of restrictions on residual oil imports. Quotas, no matter how carefully prescribed, dislocate the market, push up prices, and unjustifiably interfere with New England's right to choose its own fuels.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. MORSE. I yield to the gentleman from New Hampshire.

Mr. WYMAN. May I ask the gentleman if it is not a fact that the present President, when a Member of the Senate, signed a petition to President Eisenhower asking for just the kind of relief that is sought here?

Mr. MORSE. I recollect that he did so.

Mr. WYMAN. May I inquire whether the action that is sought here, that is, relief for New England, may be obtained by Executive order?

Mr. MORSE. Yes, indeed.

Mr. WYMAN. Does the gentleman from Massachusetts know whether anyone has asked the President whether or not he has changed his mind?

Mr. MORSE. I am sorry I do not have the facts at hand, but I think it might be an appropriate thing to be done.

Mr. BURKE. Mr. Speaker, will the gentleman yield?

Mr. MORSE. I yield to the gentleman.

Mr. BURKE. Is it not true that in 1961 relief was given by the President in this respect?

Mr. MORSE. Yes. I think all of us hailed his action, but I think we all recognize, and I am sure our distinguished colleague, the gentleman from Massachusetts, would recognize, that even further relief is needed, and I think if he will join with me in urging complete elimination of residual oil import restrictions would give the further relief that is needed.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. MORSE. I yield to the gentleman.

Mr. McINTIRE. I wish to join with the gentleman from Massachusetts. I may say that all of the New England delegation has been deeply concerned about this problem ever since import restrictions were imposed. I want to ask the gentleman, if in his opinion, as he has evaluated the impact of this restriction on the New England economy, if it is a fact that after having operated under this limitation since its imposition in 1959, if I remember correctly, that the New England economy has absorbed millions of dollars of costs which has been inequitable in relation to our competitive situation and inequitable by virtue of this imposition, and that if the New England economy has not now reached a point where the continuation of this inequity is indeed a most serious burden upon every element of our economy which is dependent upon these types of fuel.

Mr. MORSE. I wholeheartedly agree with the gentleman from Maine. I might add I have been told that the cost borne by the New England consumers amounts to some $30 million a year as a direct result of the restriction program. I thank the gentleman.

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. Stafford] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I rise to compliment the distinguished Member from Massachusetts [Mr. Morse] on his able and scholarly discussion of the impact of residual oil quotas on the New England States and desire to associate myself with his remarks.

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Tupper] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TUPPER. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Massachusetts [Mr. Morse]. Every person living in New England is directly effected by the unrealistic and unfair restrictions on imports of residual fuel oils.

Unless import quotas on residual fuel oils are removed, industry will be severely penalized, and there will be more unemployment. Electricity bills to individual consumers will rise, and hospitals and institutions will be adversely affected.

Allow me to cite one isolated example of one firm in the State of Maine employing 500 people and contributing indirectly to the livelihood of over 2,500 people. This industry uses 350,000 barrels of residual fuel oil per year; 10 percent of its gross sales go toward the purchase of fuel oil. This company is highly respected in its field, but is operating in the red. Unless import quotas on residual fuel oils are lifted so that costs can be reduced, there will be layoffs and eventually this plant will close. Maine cannot afford to lose jobs; on the contrary we are making every effort to attract more industry to our State and create more job opportunities.

Mr. Speaker, I hope that every Member of Congress from New England will make himself heard in righteous protest on this matter.

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I would like to associate myself with my colleague from Massachusetts, Congressman Morse, in the remarks which he has made today on the question of residual oil import restrictions and their impact upon the economy of New England. He has ably presented arguments which are shared by all of us from the six New England States.

The mandatory quota program must be eliminated before it destroys an important part of the New England business community, undermines the economic growth of our region and continues to exact a heavy penalty from the consumers of our States.

I should like to comment on one particular aspect of the residual oil import quota program which I believe to be especially significant. The economy of my State was built upon the foundation of small, free, independent enterprise. We are proud of the Yankee craftsmen who through their own efforts have been able to fashion successful small business enterprise in our region. Indeed, the Congress has expressed over and over again its deep concern with the maintenance of an economic climate which encourages the growth of small independent businesses.

Before the quota program was put into effect, there were 10 independent heavy fuel oil marketers in the 6 New England States. As of today, there are only three. One by one they have been taken over by large integrated oil companies for the prime purpose of picking up their import quota tickets. The marketers have become prisoners of the large international oil companies. The marketers find in many cases that their supplier is selling residual oil in the area they serve at lower retail prices than they are able to buy at wholesale and, because of the rigidity of the quota program, they are unable to take their business to any other supplier. This is monoply in its most insidious form—monopoly created by the Federal Government for the benefit of a very few importers, whose quotas are based on the mere accident of the amount of oil they happened to import in the year 1957.

This quota program must be eliminated before the last remaining independent businesses in the New England petroleum industry are swallowed up by the international giants.

I am also reliably informed by many users of residual oil in New England that the quota program has eliminated all competition among sellers. Buyers are locked in with their historical supplier and have no opportunity to approach new sources. We have innumerable reports of requests for bids on annual oil requirements which are answered by only one supplier. This is very poor purchasing procedure and has been consistently complained of here in Washington by the General Services Administration, which has been unable to get competition when it advertises the requirements of the Federal Government.

Thus the residual oil import program is making a mockery of our competitive free enterprise system. It is totally inconsistent with the Trade Expansion Act of 1962, which was backed in a very substantial manner by the Congressmen and Senators from the New England States. It has created a Government-sponsored monopoly which threatens to eliminate competition in the distribution of residual oil throughout New England. The effects of this, Mr. Speaker, will be to place upon the homeowners and consumers of our region a heavy and unnecessary penalty.

## THE CIVIL SERVICE

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Maryland [Mr. Mathias] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, I received a letter yesterday that made me very proud. It made me proud to have proof that individual Americans are still jealous enough of their personal liberties and their independence and still concerned enough about public principles to speak out in their defense. In the present atmosphere of the city of Washington, it took courage to write this letter, and I am glad to be able to read it here. It is addressed to the Democratic Inaugural Anniversary Committee, Washington, D.C.:

Silver Spring, Md.,
*January 9, 1963.*

Democratic Inaugural Anniversary Committee,
*Washington, D.C.*

Dear Sir: This refers to the invitation I received to attend the Second Inaugural Salute, on January 18, 1963.

In the absence of any other logical source of the information, I must assume that my name was obtained either from the Civil Service Commission or from the rolls of the agency in which I am employed. In either case I consider this a politically inspired infringement on the career service.

Notwithstanding the legal aspects of the procedure, and there remains some question of its legality, I feel that it is morally wrong both for the administration to ask for the information, and for the agency to divulge it. We are accustomed to brinkmanship in the cold war negotiations. This, too, is a form of brinkmanship, on the thin line between right and wrong; between legality and nonlegality. It is not conducive to confidence in the national leadership.

Within this purview I must protest the action, and decline the invitation to attend the salute.

Respectfully,

JOHN E. DURRETT.

Mr. Speaker, if the author of this letter or any other civil servant who refuses to pay tribute to the administration's war chest should suffer any discrimination as a result, I pledge myself to the fullest extent that it is possible for me to do so, to come to his or her defense. More than that, I call upon every Member of the Congress, regardless of party, to sustain the civil service principle by assuring all Government employees that they will be protected from any sort of political recrimination in this or any other fund drive by this or any other administration.

### THE LONGSHOREMEN'S STRIKE

Mr. Speaker, the President last night took official cognizance of the crippling and tragic longshoreman strike presently affecting all of our Atlantic and gulf coast ports.

This strike has resulted in serious economic dislocation in the entire country. Its effects are growing daily and I hesitate to forecast the final cost to this Nation's economy and well-being. In my own sixth district of Maryland, the unfortunate plight of our business community is becoming more serious day by day. Industries that have oversea commitments are unable to secure shipment of their goods, and must transfer their orders to foreign subsidiaries and in many cases completely lose the business to distant competitors. It is becoming apparent that the longshoremen's strike is resulting in permanent reduction in oversea sales of U.S. industry. The damaging effects of this stark reality are incalculable—corporate incomes are affected, tax payments to the Federal Government will decrease not to mention the detrimental effect this type of strike is having on our balance-of-payments problem. This is an intolerable contradiction of the spirit of the Trade Expansion Act enacted last year. It is making it impossible for American business to compete in the marketplace or the road.

Those industries producing consumer goods are especially affected as they are confronted with the fact that when their merchandise is not available to the consumer the buyer is forced to purchase competitive products and the lost sale may never be regained. In addition, the consumer is, to some extent, a creature of habit, who finds himself making purchases through other distributing outlets and is loath to change back again, particularly when the dealers have supplied him during a period of emergency.

Mr. Speaker, this Nation cannot afford a continuation of this ruinous longshoremen's strike. Citizens from one end of the country to another are embittered and angered to see a disruption in our economy of the present magnitude. In every sense of the word, the longshoremen tieup is a paralysis strike and its detrimental consequences are tragic and far reaching.

I also note with increasing alarm that in our Nation's largest city, New York, the public has been without the benefit of daily newspapers for nearly 2 months. The hardship visited upon the millions of New Yorkers is appalling, and the damage to shops, businesses, and laborers in allied industries can never be accurately determined. As our distinguished colleague, the chairman of the House Judiciary Committee, the gentleman from New York [Mr. CELLER], noted some weeks ago:

> In a democracy which depends on an informed citizenry, any such prolonged stoppage of the steady flow of news and opinions to the people of our greatest city is indeed a matter of deep concern.

Mr. Speaker, I reemphasize the concern expressed by the gentleman from New York [Mr. CELLER]. But the time has come for more than expressions of concern. The time has come to exert wise and forceful leadership to eliminate from the American scene the tragic resort to the paralysis strike as an economic instrument. This Nation can no longer afford a strike affecting millions of disinterested people, labor and management alike, all suffering in the consequences of total and far-reaching work stoppages.

I can recall several years ago—and I remember it because of the coincidence that on the same date Governor Nelson Rockefeller, of New York, and Mr. Justice Goldberg, prior to the time that he was Mr. Secretary Goldberg, and when he was in fact the general counsel of the AFL–CIO, both stated that the day of the paralysis strike as an economic weapon in America was past. If contemporary collective bargaining techniques are incapable of solving present-day union-management contract deliberations without insupportable national cost, then it is time to search for a new rule of law to provide the solution for these severe industrial controversies.

While President Kennedy has appointed a special arbitration board to attempt to resolve the Longshoremen's strike, the President himself admits it is only an attempt to solve this one strike. There is no long-term, or permanent answer to the paralysis strike in the President's proposal. While it may achieve positive results this one time, and I sincerely hope it does, the newspaper strike continues. The contract deliberations in the railroad industry are just around the bend and missile defense contractors are similarly confronted with approaching serious contract negotiations.

Current collective bargaining methods are today at the conference table proving themselves inadequate to cope with important contract negotiations.

It is, furthermore, sad commentary on American collective bargaining to note that the Executive Office of the President is increasingly utilized as the cure-all for the paralysis strike. This is not free collective bargaining at work, it is not the private deliberations that have until now admirably pervaded the area of contract negotiations, it is not the impartial rule of law that has been the hallmark of our American labor movement. Rather it is a solution by Executive fiat, coercion; it is a strike-to-strike reaction to the intransigence of the bargaining parties. And as such, this approach to serious controversy is not only disjointed and disorganized, it is a dangerous and only temporary alleviation of the crippling paralysis strike.

Because of these facts, Mr. Speaker, and due to my sincere belief that America cannot continue to undergo the drastic economic dislocation in both labor and industry occasioned by such strikes, I am today calling upon the President of the United States to immediately appoint a National Committee of Inquiry to investigate without delay the adequacy of existing law and collective bargaining techniques and the means to restore the benefits of free collective bargaining to the American economy—divorced from blighting effects. I am suggesting that the President appoint to this Committee representatives of labor, management, government, and also, essentially, representatives of the public interest.

I call upon the President to establish this Committee with an urgency of purpose and in expectation of definitive action to resolve the growing impasse of labor and management at the bargaining table. Lasting solution to the national danger of paralysis strikes must be found before we are confronted with another of such drastic economic loss to this Nation.

## IMPROVING METROPOLITAN PLANNING

**Mr. ANDERSON.** Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

**Mrs. DWYER.** Mr. Speaker, the rapid growth of metropolitan areas in the United States makes it increasingly important that public planning and development within these areas be as thorough and well coordinated as possible.

To facilitate such coordination—to avoid the waste of resources, loss of time, intergovernmental conflict, and other obstacles which lack of coordination breeds—I am today introducing legislation providing for review of Federal grant applications by metropolitan planning agencies. This modest requirement will, I believe, help make possible the more effective utilization of Federal grant-in-aid assistance to States and communities.

I am especially pleased to note, Mr. Speaker, that an identical bill is also being introduced today by our distinguished colleague, the gentleman from Alabama [Mr. RAINS], who has contributed so much to the solution of metropolitan area problems as chairman of the housing subcommittee of the Banking and Currency Committee.

The need for such legislation has been well documented by the report of the Advisory Commission on Intergovernmental Relations on "Governmental Structure, Organization, and Planning in Metropolitan Areas." This bill is designed to implement one of the report's recommendations. It is intended to encourage the formation of metropolitan planning agencies and to provide through them an effective means of relating locally initiated programs and projects to the development of the metropolitan area as a whole. It is a well-known fact that many Federal grant projects in the past have been approved and completed without any reference to other Federal, State, and local programs or to their impact on the overall metropolitan region they are designed to serve.

The bill provides, Mr. Speaker, that effective July 1, 1965, applications for Federal grants-in-aid for hospital construction, airport construction, water supply facilities, waste treatment works, urban highways, public housing, and urban renewal be reviewed and commented upon—but not necessarily approved—by an official metropolitan planning agency in the area within which the assistance is to be used.

This requirement would in no way change Federal, State, or local laws which now govern such grant-in-aid programs. Rather, it would assure that consideration is given by the agencies and governments concerned to the need for proper coordination of interrelated development programs in any given metropolitan area. It would assure that the proper interests of the area as a whole are considered before the Federal Government underwrites, in whole or in part, a project in one part of that area.

This bill is a slightly revised version of the bill (H.R. 11797) which I introduced in the 87th Congress. As recommended by the Advisory Commission, it was adopted without dissent by members representing all levels of government, Federal, State, and local. The 1962 Convention of the National Association of Counties formally voted to support enactment of the legislation, as did the board of directors of the National Housing Conference. The American Institute of Planners, as well as other public and private organizations, political scientists and urban planning authorities have expressed their support of this legislation.

## MAINTENANCE OF EMPLOYMENT ACT OF 1963

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Siler] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SILER. Mr. Speaker, I am today introducing a bill that I hope might offer some help toward solving part of the unemployment problem here in our land caused by automation and mergers.

It is a bill that I call the Maintenance of Employment Act of 1963 and it offers an incentive or financial inducement to all employers that can be certified as maintaining their employee levels at the figures of July 1, 1962, without further abatement through mechanization or mergers. This financial inducement would be through cheaper rates of interest on borrowed money to those employers with enough human interest to try and retain their employees such as locomotive firemen and coal mine workers that are now slated to become victims of "the great pagan god of efficiency" unless something is done.

My approach is through a proposed amendment to the Federal banking laws and my bill would come under the jurisdiction of the Banking and Currency Committee, the one on which I am serving. If this is not the right approach or the best approach, then a study should be made by Congress looking toward a solution of this immense problem that is caused by our modern all-out worship of an efficiency that constantly destroys human values.

I hope many Members of Congress will study my bill and will become concerned about one of the greatest problems of 1963, the displacement of human beings by metal machines and maneuvering men.

## ACQUISITION OF VETERANS HOSPITALS IN KENTUCKY

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Siler] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SILER. Mr. Speaker, the United Mine Workers of America has four modern, efficient, and practically new hospitals in eastern Kentucky at Hazard, McDowell, Middlesboro, and Whitesburg which are now up for sale. Only one of them is in my own congressional district, but all of them are in very strategic places to serve many war veterans in Kentucky, West Virginia, Virginia, and Tennessee areas.

I have been informed that the Veterans' Administration has been making some plans to increase its hospital beds in Kentucky, and I suppose this is also true in the other States mentioned.

Today I have introduced a bill in Congress directing the Administrator of Veterans' Affairs to negotiate a procurement of these very hospitals for the benefit of our veterans needing medical and hospital care. This would be an efficient way to take care of a great need for more hospital facilities, particularly in a part of the country where many of our veterans are unable to meet hospital and doctor bills. The enactment of this bill would do more good among people of greatest need than a medicare law, and I hope the Veterans Affairs Committee will give it suitable attention and recommend it for passage. It would hardly cost a fractional part of what will be spent on foreign aid this year, yet the small cost of it would all be upon American aid for American patriots.

## MEDICAL AND HOSPITAL CARE FOR THE AGED

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have introduced a proposal, H.R. 388, to amend the Internal Revenue Code to allow a tax credit for the purchase of health insurance for persons 65 years of age or over. This bill is an amended version of the proposal which I introduced in the last Congress, and I am sure that these revisions will be looked upon as desirable improvements.

It is true that the existing provisions of the Internal Revenue Code provide a tax deduction available to the elderly for the cost of health insurance, but let me explain briefly why it is necessary to amend the code so as to provide for a tax credit rather than a deduction from reportable income.

The benefit provided by present provisions of the code vary greatly from one taxpayer to another, depending on the income tax bracket of the taxpayer entitled to the deduction. For instance, an elderly person in a very high income tax bracket is in a position to charge off most of the premium he pays, and, similarly, a son in a relatively high income tax bracket actually may pay only a small part of the cost of the protection on a dependent parent.

On the other hand, the benefit afforded by a tax deduction may be relatively small, possibly only 20 percent of the cost of the protection if the taxpayer is in a low income tax bracket. Since the elderly individuals who need assistance in meeting their medical and hospital needs are in the low tax brackets or pay no income tax at all, it would appear that the present tax-deduction method works in the wrong direction in that it is of most help to those who are best able to provide their own coverage.

Recognizing the need which exists for reducing the burden of health costs which so often falls upon many of our Nation's older citizens, and noting the inadequacy of present medical deduction provisions of the Internal Revenue Code, I am offering my tax credit plan to stimulate voluntary health insurance coverage of the Nation's aged population.

The tax credit principle is the central theme of the plan embodied in my proposal. Under terms of my bill, H.R. 388, premiums up to $150 paid for a health insurance policy for an elderly person could be taken as a credit on the income tax of the person paying the premium. In the event the elderly person does not have a tax of that amount, he would be issued a Treasury certificate which could be used to purchase appropriate insurance coverage. The tax credit would also be available to a close relative who might purchase the insurance coverage for a dependent elderly person.

Provisions of this bill would place an income limitation on the availability of the tax credit. Application of the plan would be restricted to the elderly citizen whose annual income does not exceed $4,000 or $8,000 in combined income with his spouse in the last taxable year. These limits will eliminate from coverage about 2.5 million persons whose incomes exceed the stated amounts. The savings realized by limiting the plan to those of lower incomes makes it possible to increase the tax credit per individual to $150 from the $125 figure which would have been available under the proposal which I introduced in the last Congress.

Benefit standards are set forth in the bill spelling out the minimum coverages of health insurance which would be certified as acceptable under the plan. The policy must be of a noncancellable nature, and must provide protection without regard to any preexisting health condition. Hospital room and board would be covered at a rate equal to the hospital's customary charges for semiprivate accommodations for a period not to exceed 90 days in any 1 calendar year. This plan will cover both hospital and medical and would provide for payment of $5 for each doctor call up to $75 in any 1 year.

The problem of medical and hospital costs for our elderly citizens is a very real one; and it seems to me, Mr. Speaker, that if it is found necessary to provide a 7-percent investment credit for large corporations in order to get our country moving again, then it would follow as a matter of course that our needy old folks should merit consideration of their just requirements. In our haste to move, let us not leave our elder citizens behind. They have made great investments in our Nation's strength and prosperity, so let us recognize their contribution with credit for what they have done.

And let us not discriminate against any of our aged by limiting any health plan to those who are eligible for social security benefits. The plan I am offering would afford help to those who need the help—it would include those who do not even have the benefit of social security payments. On the other hand, the social security approach would provide benefits regardless of the wealth of the individual while ignoring several million needy citizens who do not have social security coverage.

### RESERVE OFFICER TRAINING

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEITH. Mr. Speaker, it has been reported that the Department of Defense proposes to curtail its Reserve officer training in the schools and, at a saving of $5 million, eliminate entirely the voluntary high school ROTC program.

Frankly, Mr. Speaker, I am shocked at the suggestion. Clearly, if there ever was one, this is a case of being penny-wise and pound foolish. We spend billions upon incomprehensible billions of dollars each year on unmanned, automated, inhuman instruments of wholesale death and destruction. Yet someone feels compelled to economize when it comes to a time-honored program that not only gives this Nation a leadership Reserve in times of need, but which teaches our young men invaluable lessons of patriotism, discipline, and a sense of personal achievement and responsibility.

I have written Secretary McNamara protesting this proposal, and I take this opportunity to call the matter to the attention of my colleagues and urge that they join in this protest. In this regard, I am glad that I am able to report at this point that hearings before the House Armed Services Committee have already been requested.

Most of us recognize that the Congress must cut needless Government spending wherever possible. This is particularly true if there is to be a tax cut. Unfortunately, however, it very often seems that the more questionable projects of Government are the last to go, while some of our most cherished institutions are razed in the name of economy.

New Bedford High School, the largest high school in my district, has had an ROTC unit since World War I and, before that, a cadet corps dating back to the 1880's. High School Principal John F. Gracia and Principal Emeritus Allison R. Dorman are two of those who have written to me in opposition to the Defense Department proposal. New Bedford has found the ROTC program a most important part of the curriculum over the years. In fact, 15 years ago the program was considered so worthwhile that the entire ROTC schedule was incorporated within the schoolday, so that now New Bedford cadets have three periods of classroom instruction and two drill periods each week. During the winter the drill periods are used for physical training.

Principal Gracia has asked how we can justify the abandonment of such an important program for youth. I would like to quote from his letter:

> In these trying times in which we live and in which we are all endeavoring to train our youth to become loyal Americans, it is difficult to understand and certainly difficult to explain to them that ROTC, which teaches them citizenship, leadership, loyalty, responsibility, and love of country, is to be scrapped to save $5 million in a proposed military budget of $50 billion—to say nothing of the approximate $4 billion proposed for foreign aid.

There are many aspects of the voluntary high school ROTC program that merit consideration, not the least of which is the physical training, which has been stressed, of course, by the President on many occasions. Another example of the general worth of the program is the fact that in order for a boy to earn his commission he not only has to meet military requirements but has to earn community service points as well. This, like many of the benefits of the program, is not always apparent at first glance and certainly the dollar value is a hard thing to pin down.

The Secretary of Defense has been quoted as indicating that there is no real military value to the high school program. I would disagree with this statement very strongly. The fact is that the program has a true national value and it would be very regrettable if it were abandoned at a time when there is such a great need for the type of training it is now providing our youth in some 250 high schools throughout the land. I hope and trust that the House Armed Services Committee will recommend to the Congress—and that the Congress will, in turn, advise the Secretary of Defense—to retain or, better still, strengthen this worthy program.

### PERSONAL PROPERTY DONATION PROGRAM

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Cunningham] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have introduced a bill today to extend the personal property donation program to certain recreation agencies. These include State and local park, recreation, and public monument agencies, as well as fish and wildlife agencies. To be eligible they must be public, tax-supported activities.

Such agencies presently have the right, along with many other activities, to acquire real property when surplus to Federal needs. Price of such real property is determined according to the circumstances in each case.

This bill would extend to recreation-type public agencies the additional right to receive surplus Federal personal property. It is sought by various agencies and groups, including the National Conference on State Parks.

In his state of the Union message to Congress, the President pointed out that our recreation facilities are already overcrowded. He added:

> If we do not plan today for the future growth of these and other great natural assets—not only parks and forests but wildlife and wilderness preserves, and water projects of all kinds—our children and their children will be poorer in every sense of the word.

At present only education, public health, and civil defense agencies are eligible for personal property. I urge that recreation agencies be considered for inclusion in the personal property program.

### FEDERAL AVIATION AGENCY

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, during the last session of the 87th Congress

I repeatedly called the attention of the House to problems that exist within the Federal Aviation Agency, to breakdown in that Agency's air route traffic controls, and to what I consider delinquencies on the part of the FAA Administrator, Mr. Najeeb Halaby.

Mr. Halaby and I have had some rather heated exchanges in the past year. This is perhaps unfortunate since it has led some to believe that our differences are merely personal in nature. This is not the case, as I have tried to document in over a dozen extensions of my remarks on this subject.

Since we adjourned the 87th Congress, I find, as I am sure you have found, that there is a growing concern over the inadequacies of our air safety systems and over the Agency that is responsible for them. This concern has been registered from several quarters and I propose that we should examine these during this session.

Yesterday there came to the newsstands the January 19, 1963, edition of the Saturday Evening Post. This respected journal has never to my knowledge been characterized as wild-eyed or irresponsible in its editorial opinions. Therefore, when this journal speaks editorially about the delinquencies of Mr. Najeeb Halaby, it should be worthy of the attention of the Members. When the Post says, "The FAA's Administrator, Najeeb Halaby, has sounded off before without knowing the facts," I, of course, welcome this further support for a viewpoint I have repeatedly urged in this House.

So that you might have all of this editorial comment before you, I am herewith submitting for the Record the editorial in full:

### We Need More Safety in the Air

A huge jet crashed into Jamaica Bay, carrying 95 people to their death. The Civil Aeronautics Board, under its statutory authority, launched a long and arduous investigation. The tortuous investigative trail traced by Trevor Armbrister led at length to the Eclipse-Pioneer Division of the Bendix Corp. in Teterboro, N.J., after CAB's Wesley Cowan had detected telltale tweezer marks on the sleeving and wires of a gadget called a servo, precisely like the marks on the wiring of the ill-fated flight 1.

Conforming to requirements, the CAB relayed Cowan's findings to the Federal Aviation Agency, which sent messages to carriers operating 707's, suggesting that neither the yaw damper nor the automatic pilot be used below 5,000 feet until more conclusive information could be obtained. Incredibly the FAA, after testing a different type aircraft—the 720—subsequently decided that the damaged wires were not significant.

The public is constantly told that air travel is as safe as driving a car down the street. Statistics are dredged up in droves to prove the point. All things considered, air travel is remarkably safe. But the point is irrelevant to the fate of flight 1. The 95 people who died in the mudflats of Jamaica Bay will not be helped by all the flight-safety statistics or all the safe arrivals and departures in the world. The public has a right to expect that no one shall die needlessly.

The failure of the manufacturer and the carrier to discover the defective servo is regrettable. The servo unit never should have left the Bendix plant. Once it was installed in the 707, it should have been detected by the carrier. Admiral Rickover has indicated a shocking statistic. "About 10 percent of commercial airplane accidents," he says, "are traceable to poor quality control during maintenance." There is no excuse for this kind of shoddy maintenance.

Once the American 707 had crashed into Jamaica Bay, the Federal Aviation Agency should have done everything in its power to facilitate the investigation, instead of issuing premature and ill-informed statements about the cause of the crash and refusing to require a mandatory check on servo units. The FAA's Administrator, Najeeb Halaby, has sounded off before without knowing the facts.

Trevor Armbrister's visit to the tower at Chicago's O'Hare International Airport, the Nation's busiest airport, points up another major problem of U.S. aviation. The men in the crucial traffic-control posts at major U.S. airports work under incredible pressure—pressure that sooner or later is bound to produce mistakes, simply because men are human.

Yet anyone who asks the FAA about the pressure on traffic-control personnel is blandly told that the FAA is aware of the problem and it has evolved a system of switching key personnel every 2 or 3 hours to posts where the pressure is not so intense. In theory this sounds good, but it is far from actual practice. The FAA is sincere in its concern, but directives are issued and little or nothing ever comes of them. Switching occurs today in some pressure posts, but it is haphazard and unscheduled. At Washington National Airport, right under the FAA's nose, traffic-control personnel work 8-hour stretches. Half the time they eat their sandwiches on the job. There is no lunch break for traffic-control personnel except on an erratic basis when traffic is light. No one should work 8 hours in such a post without a break.

In a celebrated incident last year a traffic controller at Washington National Airport made a mistake that might easily have caused a major disaster. He did not make a note of an altitude change. As a result, for 42 minutes two aircraft were circling in the same flight path at the same altitude over Springfield, Va. The controller, who was handling nine aircraft at the time and who had worked for 9 years without making a mistake, was blamed and was removed to a less active post.

It might have been more relevant to blame the system. There is hardly a man in the world who will not make one mistake in 9 years, especially if he works under heavy pressure. The real problems of traffic control are the need for more precision instruments and the assignment of greater numbers of qualified personnel to traffic-control towers and centers. Idlewild Airport, for example, is supposed to have 51 journeymen controllers, but in actuality it has only half that number. Important radar handoff posts at many of our airports are tendered by personnel who double in other jobs.

Mr. Halaby likes to boast to Congress that he has cut FAA personnel. He has been known to walk into a traffic-control center and announce with a sweeping gesture to the men who worked there, "Some of you won't be here the next time I come," leaving a badly shattered staff in his wake. Economy is a virtue if wisely achieved, but the real problem, as congestion around our big airports approaches the saturation point, is not to save money but to save lives. What we need is bolder and more effective leadership to see to it that we have the personnel and the precision equipment demanded by the times.

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## SOVIET STRATEGY ON THE HIGH SEAS—GRAB FOR NARROW WATERS

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include an article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FLOOD. Mr. Speaker, in the course of my studies of the problems of the Caribbean, in which the control of the Panama Canal is a key element, I have long been impressed by the fact that efforts to wrest jurisdiction of that waterway from the United States have been contemporaneous with movements to gain dominion over other strategic water routes.

An informative article on this subject by Brig. Gen. James D. Hittle, U.S. Marine Corps, retired, which was published in the December 21, 1962, issue of Life, is commended for reading by every Member of the Congress and by those officials in the executive branch of our Government concerned with the safeguarding of the vital interests of our country.

The article follows:

### New Soviet Strategy of the High Seas: The Grab for Narrow Waters

(By James D. Hittle[1])

The sea, beautiful and rich and useful, is also a source of danger. For the moment, at least, the great powers seem to have stopped fighting bloody battles on her surface with shells or even torpedoes. And the advent of long-range nuclear bombers and 18,000-mile-per-hour missiles flashing through space has diverted attention from the sea as a major battlefield in the classic sense. But the ocean remains a crucial factor in the defense of any nation whose shores are lapped by salty water.

The United States knows this well and has proved it with its fleet of Polaris submarines roaming the world with a nuclear deterrent that the enemy cannot keep in sight. The use of naval power to blockade Cuba and force the Soviet withdrawal of missiles is an immediate case in point.

But it is becoming increasingly and ominously clear that it is that old landlubber, the Soviet Union, that is now making the greatest strides in conquering the sea and that she is setting out, with tremendous energy and characteristic cunning, to turn it to her own use.

There is one shrewd project in particular which the Soviets seem to be pressing ahead on. This, as the map above shows, involves a long-range scheme to gain control over the narrow waters of the world—that is, the key strategic corridors of the sea through which much of the world's shipping must pass. Some of the Soviet moves along this line are on the surface and already obvious. Other moves are more subtile and still inconclusive. If the scheme is carried out to its logical conclusions, it would provide a major economic and military threat to the West.

But to understand more fully what it is the Russians are up to here, it is necessary first to review their other significant seagoing activities.

In the last decade, huge fleets of the Soviet Union's fishing trawlers have broken away from the home coasts and made themselves at home off Cape Cod, Newfoundland, Alaska, France, and Scotland. Just last month the

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[1] General Hittle, now director for National Security and Foreign Affairs of the Veterans of Foreign Wars in Washington, served during his distinguished Marine Corps career on U.S. battleships, with troops on Iwo Jima. He is an experienced analyst of global military developments.

Coast Guard had to chase Soviet trawlers out of U.S. territorial waters near Provincetown, Mass. And they so cluttered up the narrow French waters with their nets that the French fishing fleet went home in disgust. The trawlers do engage in fishing but they also have another big mission. Their masts are cluttered with high-grade electronics gear which allows them to double as communications ships and military intelligence centers. Russia's interest in the sea has grown so rapidly that in the past 25 years she has risen from 22d place in world trade to 6th. In the last 4 years alone she has increased her merchant fleet's capacity from 2.7 to 3.4 million gross tons. And to break the ice which used to keep her ships landlocked during the long Russian winter, she has constructed a modern fleet of icebreakers—at least one of them nuclear-powered—that insures year-round sailing.

On top of all this, the Soviets have concentrated on their navy. At the end of World War II, Russia did not even rank among the great nations in naval power. Now she is second, having passed even Great Britain. The backbone of the young and therefore up-to-date force is a fleet of nearly 500 submarines. Considering the fact that Nazi Germany chopped up allied convoys and almost cleared the seas with a starting force of only 57 U-boats, the Soviet figure is all the more formidable.

But there is more to the Soviet Navy than its subs. Though Premier Khrushchev has sneered that surface vessels are obsolete, he still maintains a fleet of modern cruisers and destroyers and goes on building more. And he is outfitting many of these with guided missiles to increase their firepower.

So much for the evidence. What will Russia do with all this seapower? What are her intentions?

Two major patterns emerge. One is simple and easy to see because Khrushchev has stated it loud and clear. Speaking to an American visitor in 1957, he said, "We declare war on you—excuse me for using such an expression—in the peaceful field of trade." That is what all the merchant ships are for, to carry Soviet goods, machinery, building materials—and ideas—to all corners of the world where only ships could do the job so economically. To Africa, to South America, to Japan, to Western Europe, to places where the United States herself is so dependent on trade for her own welfare. The Soviet Union is of necessity becoming a great seapower because Soviet landpower, which stretches from the Baltic to the Pacific, has almost reached its geographic limits. Any moves the Russians now wish to make to extend their influence to other continents must depend on seapower.

Ominous as it is, this pattern is ostensibly peaceful, and it is a logical development of Soviet growth which can be matched by strong economic competition. But it is the second pattern which is the most worrisome, simply because it is still rather ghostly, full of mystery and incompleted moves, and rife with the possibility of military, rather than economic, conflict. This is the narrow-water pattern which is illustrated with the map on page 83 [not printed in RECORD].

The Soviets are using the sea in the same way they use every other form of activity—as a chessboard on which they can try to checkmate or outmaneuver the opposition as they themselves move forward. And, like good chess players, they are preparing each move with patience and foresight, willing to lose now for later gain.

The "narrow water" thesis is based on an analysis of Soviet moves so far. It goes like this: The seas are vast, but for reasons of economy, geography, and navigational convenience, seagoing trade has settled down over the centuries along certain routes. The Nazis knew this well and plied along under these routes with their U-boats. At six key geographic spots around the world these routes come together. To avoid long time-consuming and fuel-consuming passages around huge land masses like Africa or South America, commerce is funneled through channels of water so narrow that sometimes not even two ships can pass. These six points of narrow water are the Suez Canal, the Panama Canal, the Strait of Gibraltar, the Straits of Malacca, the Skagerrak leading out of the Baltic, and the Dardanelles leading out of the Black Sea.

The last two points are not in the same category with the others as highways of world commerce. Both the Baltic and the Black Sea are virtually Soviet lakes and the possibility here is that it is Russian fleets that could be bottled up to prevent them from emerging into the Atlantic or the Mediterranean. But in each of the other four potential bottlenecks, the Russians are carrying out a series of moves which are so consistent in style and content that it is difficult to believe that they are mere coincidence.

Take the Suez. Egypt's Nasser now controls the canal. Nasser has accepted not only tremendous amounts of aid from the Russians to help him build his big Aswan Dam and handle his Soviet Migs and other military purchases, but he has also accepted a Soviet gift of several Russian submarines. To help him run them, the Russians of course, send in Soviet sub experts and spare parts. This gives the Russians—for the time being, at least—effective control over the subs. They thus have a cadre on hand for an underwater buildup of their own which could be used in the future to seal off the canal or make its use impractical for anyone but the Soviet Union and its friends.

Just in case this is not enough to effectively cut off traffic from the Mediterranean to the Indian Ocean and then on to the Pacific, the Russians are wedging in at the narrows on the southern end of the Red Sea, to the south of the Suez, where they spent 3 years building a new port at Hodeida on the coast of Yemen. From the way things have been developing in Yemen, this seems to have been a neat package deal. Yemen got a fine port right on the narrow waterway, tons of new military equipment which was landed there even before the port was completed—and a revolution last September that overthrew the monarchy and seriously threatened the status quo in the neighboring oil-rich land of Saudi Arabia.

The Russians have also been busy at the other end of the Mediterranean, where Britain's Rock of Gibraltar has guarded the western gate to that huge inland sea for centuries. Here, so long as Gibraltar stands on one side of the bottleneck, the Soviets cannot at present plug up or cork the passage. But by establishing a commanding military position on the other side of the narrow corridor, they could at least imperil its free use in the future. And this is exactly what they are doing. As the United States moves its own bases out of Morocco under Moroccan pressure, the Soviets have already delivered Migs, light arms, military vehicles, thousands of tons of ammunition—and are negotiating to build a new shipyard for Tangiers along with a sub base at Alhucemas Bay just 100 miles southeast of Gibraltar and 150 miles from the big U.S. naval base at Rota, Spain. The Algerian revolution is already clearing the French from the southern shores of the Mediterranean.

Since Soviet naval intrusion into the Mediterranean would dangerously expose the southern flank of NATO strength in Europe, the whole scheme is so logical that the Russians are either doing all this according to a deliberate plan or they have accidentally stumbled across a most astute strategic gambit. We should know by now, however, that the Soviets seldom do anything by accident. Some military observers have been heard to scoff at this thesis on the grounds that naval power moves of this kind are so conventional and old-fashioned in this nuclear age that the Russians could not possibly be considering them. "Let them try to seal off the 'Med,'" the answer goes, "and we'll either blast them out of the water or turn our missiles loose on Moscow." The answer—and the recent Cuban adventure bears it out—is that the Russians are sticking to their standard doctrine of making zigzag moves to advance wherever possible, withdraw when they are challenged and always avoid a major military collision.

The grab for the narrow waters fits in with this doctrine because it does not involve a single overt move of war, but consists simply of keeping on the move and exploiting all political and strategic opportunities that come along.

Cuba, of course, is another example of the same pattern being applied. Here, whether they have missiles and bombers on hand or not, the Russians are using the same combination of economic penetration, new shipyards, fishing fleets and naval presence (there was a buildup of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well and bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves on these narrow corridors they gain a tremendous advantage they never had before.

One of the most important campaigns of all in this shadowy pattern is aimed at controlling the Straits of Malacca, the long, narrow passage between the Pacific and the Indian oceans and one of the great waterways of the world.

Communist armies and guerrillas are hard at work trying to capture southeast Asia in order to grab off the rich rice bowl and encircle India from the east. There is also another target—Singapore, one of the best-positioned naval bases in the world. There is already a power vacuum in this area between Singapore and Suez because of the virtual disappearance since World War II of British seapower in the Indian Ocean. This absence of naval force helps explain the flow of Communist power into southeast Asia, and whichever nation fills this vacuum could easily dominate the entire area. The Russians are already at work in Indonesia, that vast archipelago which stretches from the Indian Ocean, past Singapore to the waters of northern Australia. Indonesia's boss, Sukarno, is a power-hungry man who likes to play with ships, so the Kremlin has given him four Soviet destroyers, eight large and modern patrol ships, a cruiser and two of its long-range "W"-class submarines. Whether Sukarno ever uses this navy in battle or not, all of his threatened neighbors know the ships are there, and they also know who controls them. The Russians have thus set up a strong naval position in the area by proxy—with Indonesian crews and flags on the ships. In a cold war like this, the psychological advantage of a bold move such as this is enough to embolden our enemies and discourage our friends. The sea is, as always, an integral part of our defenses against the spread of communism, and it is still a likely battlefield, whether cold or hot.

At a NATO meeting in Paris last month, Vice Adm. Richard M. Smeeton, of the Royal British Navy, who is NATO deputy supreme allied commander, Atlantic, warned the delegates what the Russians were up to. The Soviet navy was "more modern than NATO's," he said, and it would not be easy against this new threat to maintain free access to the vital water routes on which the free world depended. He emphasized four routes, all narrow—the Strait of Gibraltar, the Suez Canal, the Straits of Malacca and the Panama Canal. "If we do not control the oceans," he said, summing up, "the Communists will."

## DEPUTY THELMA KING—CASTRO'S NO. 1 REPRESENTATIVE IN PANAMA

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FLOOD. Mr. Speaker, in the course of my statements on Panama Canal and Caribbean questions, I have spoken, in and out of the Congress, concerning the activities and ideology of Castro's No. 1 representative in Panama, Senora Thelma King. A member of the Panamanian National Assembly, Deputy King has been a leading agitator for a new canal treaty and, on November 16, 1961, was a cosigner with Aquilino Boyd, another extremist, of a resolution by the National Assembly stating the minimum aspirations of the Panamanian people concerning the Panama Canal enterprise. Its objectives include the sovereign control of the Canal Zone; participation in the maintenance and operation of the waterway, business activities, policing and administration of justice; raising the Panama flag on all vessels in transit as well as on public buildings in the zone; and increased benefits from toll revenues. All these demands were made without any idea of a compensatory accommodation on the part of Panama.

The claims of Panamanian sovereignty over the Panama Canal made by Deputy King, an avowed Communist or fellow traveler, is nothing new but has a history that goes back to 1904. Later, in 1917, John Reed, a notorious Communist, advocated the internationalization of the canal. In each case, the true purpose has been to wrest control of the waterway from the United States.

The fact that Deputy King is accepted without reservation in the Panama National Assembly is significant. She is thus maintained in a position from which to help in the formulation of Panamanian policies with respect to the canal. In fact and effect, she and other isthmian radicals lead the Panamanian efforts on the question of sovereignty. Certainly, it is the duty of our Government to recognize this situation and cease to temporize with it. How can our country operate the canal with any less authority than that which was written into the treaty under which it was constructed and has been since maintained and operated?

While crossing the isthmus recently on return from South America, I had an opportunity to visit the canal to inspect parts of it, and to talk with many of our citizens there, civilian and military. They are well aware of what has been, and still is, taking place on the isthmus in the way of undermining the position of our Nation in the Canal Zone.

It was, therefore, with the keenest interest that I read in the column, "Interesting if True," by Edward Scott, in the December 13, 1962, issue of the Panama American, the record of an interview by Deputy King for the NBC System of New York.

From this it will be seen that not only has she visited Moscow but also Soviet Cuba, to which she travels frequently and always sees Castro.

Mr. Speaker, it is notorious on the isthmus that Deputy King has been brazenly violating official privileges in connection with her frequent visits to Cuba. I would urge the appropriate customs officials and other inspection authorities to make careful examinations of her baggage whenever she leaves for Havana and to look for certain types of things that are now openly and shamelessly passed through Panama.

The indicated NBC interview with Deputy King follows:

### INTERESTING IF TRUE

(By Edward Scott)

Wilson Hall, chief correspondent in Latin America for NBC of New York, had an interview with Thelma King, Deputy to the Panamanian National Assembly, and one of the Republic's most controversial revolutionary figures, when he was here 2 weeks ago.

The interview was taped on Walter Diamond's small recorder. NBC was not satisfied with the quality for network use, and asked me to do the interview again with Senorita King—which assignment I dutifully performed in the studios of HOG, courtesy of Manager Ramon Levy.

It was used on NBC's "Monitor" program last Sunday night, and the following is a transcript of the encounter between Deputy Thelma King and Edward Unready, Isthmian correspondent of NBC:

Question. "Senorita King, would you mind giving me your estimate of the Cuban situation, now that the rockets brought in by the U.S.S.R. apparently have been removed?"

Answer. "I think the situation is better because now there will be peace for Cuba and for all the hemisphere."

Question. "How do you think that Dr. Castro emerged from the situation. Do you think that he enjoys more worldwide support or support among his people, or do you think that support for him has diminished?"

Answer. "Definitely more support because Castro has proved to the world that he does not receive orders from Russia or from the United States."

Question. "You are very friendly with Mr. Castro, are you not?"

Answer. "Yes, very much."

Question. "And I understand that you admire him as a leader."

Answer. "I do admire him."

Question. "In an interview today, you were reported to have said that a revolution—that revolutionary activity—is as inevitable as the rain. Did you say something of that character?"

Answer. "Oh, yes I did, because I think that a revolution in Panama is necessary."

Question. "What kind of revolution do you speak of—a revolution of the Castro type?"

Answer. "A Panamanian revolution, but a very violent one."

Question. "Will that affect the Panama Canal?"

Answer. "I don't know. If the Americans interfere, maybe, but I suppose that the Americans are going to leave the Panamanians to deal with their own revolution."

Question. "And do you think this revolution might be accompanied by firing squads, as they had in Cuba?"

Answer. "I don't know, but in a revolution firing squads are always necessary."

Question. "You mean to execute people, to shoot them?"

Answer. "Well, in every revolution that becomes very necessary."

Question. "And so you think it might be necessary in the Panamanian revolution?"

Answer. "Definitely."

Question. "And what is your view of the present political status of the Canal Zone?

"Do you still maintain as you have stated on previous occasions that Panama is the sovereign of the U.S. jurisdiction of the Canal Zone or what is known as the U.S. jurisdiction of the Canal Zone?"

Answer. "Panama is sovereign of the Canal Zone, she is, she was, and she will always be. Force has denied Panama all of the rights in the Canal Zone but we will get it one day."

Question. "And what form do you think it will take. How do you think you will be able to secure effective sovereignty over the Canal Zone?"

Answer. "It depends * * *. Peacefully if the Americans do not want to do it in a violent form but in any way we will get it because that is the right of the Panamanians and the new generations are not going to stand for what our forefathers did in 1903 because that belongs to the past and we want to build a very new country."

Question. "Do you think that the alternative is violence?"

Answer. "Oh, yes."

Question. "And what form of violence would you suggest might occur?"

Answer. "I don't know how it is going to happen because I cannot decide for all the Panamanians, but I know that the Panamanians are completely aware that we have to get sovereignty in the Canal Zone and we will get it one way or the other."

Question. "What is your view of the present situation in the Canal Zone where an American, named Gerald A. Doyle, is taking action against the Canal Zone authorities, the Governor and against the Secretary of the Army in order to have the Panamanian flags taken down?"

Answer. "It is very stupid to have two flags in the Canal Zone. I think only one flag has the right to be there and that is the Panamanian flag. But if I were an American, I would think exactly as Doyle is thinking now."

Question. "That is you would assume the same position that Doyle has taken and would take action against the superior authorities to have them take down the Panamanian flag?

Answer. "If I were an American, yes."

Question. "And do you think there will be resentment in Panama if the Court decides that Doyle is right and that the flags have to come down?"

Answer. "Yes, there will be resentment because we know that we are right, but I think the Panamanians should see the side of Mr. Doyle, who, I think, is a very stubborn man, but I do feel that he is honest in his views."

Question. "I understand that you talked to Mr. Doyle the other day."

Answer, "Yes, I did."

Question. "And did you tell him what you have just said?"

Answer. "Yes, I did."

Question. "What do you think is the position of Castro revolutionary activity in the other Latin American countries including Panama since the blockade in Cuba and the cancellation of the blockade by the United States?"

Answer. "I think Castro has more support now because the Latin Americans feel that Castro has proved to the world that he is the only leader in Latin America and the way that Castro has managed the situation has revealed without any doubt that he is a complete leader for Latin American countries. I think that Castro has more support now than he ever had before."

Question. "In Cuba and throughout Latin America?"

Answer. "Every place in Latin America."

Question. "What do you think will be the result of what occurred in Cuba insofar as the independent Russian Communist activity, which rather left Castro out in the cold. Has that not had some effect on his standing in Cuba?"

Answer. "The Latin Americans do not care about Russia nor Mr. Khrushchev. We care about Castro, we believe in Castro and believe in the Cuban revolution. That is a Latin American revolution, which has nothing to do with the United States nor with Russia. What we want is a Latin American hemisphere without the interference of the United States or Russia. We don't want Khrushchev and we don't want Kennedy."

Question. "You've been to Cuba several times this year, have you not? How many times, do you recall?"

Answer. "Four or five times."

Question. "And you are going again are you not, very soon?"

Answer. "Yes, very soon."

Question. "When do you think you might go to Cuba?"

Answer "Next week."

Question. "And how long will you stay there?"

Answer. "Maybe 2 weeks."

Question. "And do you always see Castro when you are there?"

Answer. "Yes, I think I'll see Castro."

Question. "But you have in the past seen him quite frequently, have you not?"

Answer. "Yes."

Question. "Are you in any way connected with his movement? Are you a representative of his movement?"

Answer. "No I am not."

Question. "Could you indicate to me what you talk about with Castro. Do you talk about political topics?"

Answer. "Oh, yes."

Question. "About the future of America?"

Answer. "Yes."

Question. "And the future of Panama?"

Answer. "Yes."

Question. "And of the Panama Canal?"

Answer. "No."

Question. Do you talk about the Guantanamo Naval Base?"

Answer. "Yes."

Question. "And is Dr. Castro of the same point of view as you are with respect to the Panama's sovereignty over the Panama Canal?"

Answer. "Well, he has said it many times so it is not something new. He has always said that Panama has the right in the Canal Zone."

Question. "And after you come back from Cuba, I understand that you are going to Europe?"

Answer. "Yes, I am going to London * * * I am going to London University to take a special course in international law."

Question. "And you are not going to Russia on this trip?"

Answer. "No I am not."

Question. "But you went to Russia on a previous trip, did you not?"

Answer. "Yes, I was in Russia."

Question. "How did you like it?"

Answer. "It is a very nice country, but I prefer Panama 100 times."

"Thank you very much indeed, Sra. King."

## CONSUMER BULLETIN NO. 1

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Vanik] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. VANIK. Mr. Speaker, from time to time, as circumstances permit, I expect to direct the attention of the House to business practices which affect the consumer. With the prospect of expanded consumer purchasing power resulting from reduced Federal taxes, every lure in the commercial world will be employed to pick up the extra cash.

About a week ago, my attention was drawn to the following department store advertisement:

> Men's shirt sale, famous name brands. We cannot tell you the name—all sizes and colors—$3.95 each or three for $10.

Mr. Speaker, the store was Washington's Woodward & Lothrop, and being in need of extra shirts, I availed myself of the opportunity of the sale.

There were famous name shirts on the rack—several of them. The famous name was Arrow, and they were displayed in several different colors and sizes. The colored Arrow shirts on display were very attractive in schoolbus yellow and un-American pink. There were also displayed several varieties of striped shirts—football referee stripes not likely to be worn by young executives still hoping to succeed in business.

The several Arrow white shirts on display were in sizes designed for neckless men with flippers instead of arms. All in all, it was quite a sale.

However, there were some bright spots at the sale. The sale counters were generously supplied with attractive white shirts in all sizes and type with the following label:

> Atkinson, single needle throughout, tailored in Japan, all combed cotton.

As well as another type of shirt bearing this label:

> Woodward & Lothrop, Pima, tailored in Japan, 2 by 2 imported Pima.

It was then that I discovered that the famous label was a lure and that the sale was "puffed" in order to get me into an Atkinson—tailored in Japan—shirt or a Woodward & Lothrop—tailored in Japan—Pima.

Well, I have always supported reciprocal trade and the idea that free world unity depended considerably on the exchange of goods between nations, so I bought an Atkinson shirt—tailored in Japan—and decided to give it a test. In order to be thoroughly fair, I bought an Arrow shirt with a "flipper" sleeve—which I thought I could use later as a short-sleeved shirt—and sent them both to the laundry for a wash and starch test.

When the shirts returned from identical treatment at the laundry, the Arrow was of usual high quality, soft and comfortable. The Atkinson—tailored in Japan—came back like thin armorplate. The shirt was completely unresponsive to my commands. When I sat down, the Atkinson shirt remained standing. If I stood too long, the shirt tugged at me to sit down. The unruly shirt simply refused to obey. Now, which should be the master, the shirt or the man?

Now I have no objection to sales—they can be great fun. The Woodward & Lothrop store here in Washington is a good department store—perhaps better than most. I presume the same method of merchandising prevails in all department stores. Nor do I wish to infer that all shirts or other items made in Japan are inferior. On the contrary, there are many manufactured items which are made better abroad. However, the American consumer is entitled to his money's worth whatever the product and wherever it is made.

I protest the sale technique which uses a false lure like a famous label to trap the unsuspecting customer into buying a worthless, disobedient shirt.

## A LEGISLATIVE PROPOSAL TO ENABLE AMERICANS TO GET THE CLEANSING BENEFITS OF DETERGENTS WITHOUT POLLUTING OUR WATER SUPPLY

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. REUSS. Mr. Speaker, I have today introduced H.R. 2105, designed to bar from interstate commerce, after June 30, 1965, all surface-active detergents which do not meet standards of decomposibility to be set by the Surgeon General of the United States.

Surface-active detergents are at the heart of a great American industry. Even more important, detergents are used by the vast majority of American housewives in doing their weekly wash. It thus behooves one who would forbid interstate commerce in such detergents to give his reasons and, at the same time, give assurance that such prohibition will constitute neither a deathblow aimed at a thriving sector of American commerce, nor an inconvenience for the American housewife.

### FOAM IN THE DRINKING WATER

The reasons for legislation are becoming painfully plain to many Americans in many parts of the country. They were burdensomely plain last year in Lindenhurst, Long Island, where housewives kept drinking water in separate containers and imported that drinking water from other communities. The reason for this extraordinary procedure was this: When a Lindenhurst housewife turned on the tap in the kitchen sink, water gushed out foaming with crisp, white suds. The thickness was such that before a container was half full of water, the suds already would have foamed out over the edge.

Similar conditions exist elsewhere in this country, including heavily developed residential areas in nearby Maryland and Virginia. The cause for this startling occurrence is the same: Used laundry or dish water, saturated with surface-active detergents, has seeped through the ground and contaminated the sources of drinking water. We are confused, Mr. Speaker, with that classic terror of the human community, the well poisoner. Only, in this case, it is we ourselves who have poisoned our wells, we ourselves who suffer from it and, happily, we ourselves who have within our grasp the power to clean up the condition.

Pollution by detergents is not confined to underground water. As more and more detergents pass through sewage disposal plants, the rivers, streams, seas, and lakes into which the treated wastes are poured become more and more detergent polluted.

### THE STUDENT PRINCE AND HAMLET

Recently I studied the detergent problem in areas which are even worse off than the worst in this country, the densely populated parts of Germany and Denmark. At Heidelberg, for example, I witnessed clouds of detergent foam floating down the River Neckar not far from where the Student Prince once sang to his love. Today it is possible he would not be able to sing, "Overhead the moon is beaming." He would not be able to see the moon because of the piling up of detergent foam on the Neckar.

At Elsinore, where Prince Hamlet confronted the ghost of his murdered father, on the rampart overlooking the sea, I saw what seemed to be either the ghost's ectoplasm or a gigantic iceberg come down from the north. By all the logic of oceanography, there could not be an iceberg there, and, sure enough, there was not. The iceberg was a mountain of detergent foam, floating serenely along on the water.

Such are a few of the more curious effects of the permanent stock of detergent foam we are accumulating in the world. The more serious ones are illustrated by the plight of the housewives at Lindenhurst. To have to carry in water from a distant source is surely a throwback to an earlier, more primitive way of life than most Americans are accustomed to. Yet such a retrogression is the direct result of our efforts to advance further in comfort, convenience and general efficiency in cleanliness. In perfecting synthetic detergents, we have become so efficient that we are hopelessly inefficient in other, equally essential, aspects of living. For the housewife whose faucet foams with her own waste wash-water, cleanliness is next to ungodliness.

### HOW DETERGENTS DEVELOPED

The problem of the foam in the faucet, of course, is part of the general problem of our vastly increased population, part of the general problem of clean water procurement in changing circumstances. But there is a special aspect, also. For centuries mankind cleaned himself, his clothes and his other possessions with soap made of animal fats. Part of our American tradition of the self-sufficient frontier household—along with candle-making and home-tailoring—contains the image of huge vats in the barnyard in which soap is being boiled. Soap was and remains a largely satisfactory substance for its age-old task. It had certain disadvantages, however, and the chief of these was its less than satisfactory union with hard water. Encountering hard water, which exists throughout the Middle West and elsewhere, natural soap, made of animal or vegetable fat, often left a ring of dirt around the bathtub or sink when the water flowed down the drain. As those of us who enjoyed a midwestern boyhood well remember, this required extra scrubbing to get rid of.

### THE WORLD WAR I BLOCKADE

For Imperial Germany during World War I, the problem with natural soap was that animal and vegetable fats simply were not available in sufficient quantity, due to the blockade the Allies set up and maintained. Ingenious German chemists turned their attention to the problem and solved it. They invented synthetic detergents. These had the immediate advantage of being able to be made from obtainable materials—petroleum from the Middle East.

Later it was discovered that, due to their chemical composition, synthetic detergents, or "syndets," had other distinct advantages over natural soap. The chief of these was an unheard of ability to make things soluble that ordinarily are not. Synthetic detergents were thus ideally suited to cope with the hard water of the Midwest and other areas of the United States.

It was not, however, until the years after World War II, with the sudden availability of automatic washers for the home and for small do-it-yourself laundry businesses, that synthetic detergents really took over in the cleanser industry. The new cleansers rapidly demonstrated their superiority to the American housewife and now constitute around 80 to 85 percent of the total output. Natural soap accounts for 15 to 20 percent. It is worth pointing out that this phenomenal acceptance of a new product was not the result of promotion or salesmanship, since the producers of synthetic detergents are the same as the producers of natural soaps. It was clearly a case of a forward-looking American industry seeking and finding a better product for its customers.

The key ingredient in the new, synthetic detergents is alkyl benzene sulphonate, commonly known in the trade as ABS. This chemical substance is in plentiful supply and is cheap. It is the byproduct of petroleum refining. It works well in hard water. It is neither gummy nor sticky and can be manufactured in the form of flakes, powders, bars, or liquids. It can be combined with a variety of other cleansing builders in order to accomplish many specific cleansing jobs. ABS is not abnormally irritating to sensitive skins. With all these advantages, ABS quickly became the base upon which the American soap industry transformed itself into the synthetic detergent industry.

### THE SCARCITY OF PURE WATER

At the same time that ABS was being eagerly accepted by the American housewife everywhere, Americans generally were becoming aware of a serious problem. Our water supplies were in danger. Once mankind progressed beyond the most primitive of communities, the constant, adequate supply of pure water became a problem.

It has been one ever since. Some of the most noble architectural achievements of the ancient world, the Roman aqueducts, testify to the great age of the problem and of man's attempts to solve it. The aqueduct suggests a rather simple solution: bring in fresh water from its source in mountain streams, use it as needed, and throw the waste into the river to be carried to the sea.

The water problem is no longer quite that simple. Instead, we live in the middle of, and by the grace of, a water cycle. In its progress from mountain spring or melting glacier or falling rain, to the open sea, our water is used and reused many times by succeeding communities along our rivers. This is possible because of nature's own process of purification, a process imitated and increased by man's water purification plants.

The problem of water today is that we are polluting water faster than we can purify it. The problem presented by synthetic detergents is that, unlike animal or vegetable fat soaps, these new, artificial substances do not lend themselves to nature's plans for the purification and reuse of water. The very qualities which make ABS so outstanding a cleanser also make it a special problem in the water cycle. Once water has been saturated with synthetic detergents, it stays that way. Nature is powerless to purify such water because ABS, brought out of petroleum, is an artificial insert into the water cycle.

So synthetic detergents, like Tennyson's brook, go on forever. We must now ask ourselves, What is the harm in that? Water contains chemicals already—hydrogen and oxygen, if I remember correctly—so what harm are a few more going to do?

The answer is: Plenty.

### 1. ESTHETIC: THE RIGHT TO FOAM-FREE WATER

Pure water needs to be more than just free from poison: it must be appetizing to look at. Since the creation, pure water has been a source of beauty to man. It is not beautiful to see huge clouds of detergent foam floating on rivers and lakes. It is downright alarming to have foam pour out of the faucet.

Apologists for the detergent industry have from time to time attempted to make a virtue out of the vice of detergents' penchant for perpetual foam:

> If your tap water foams, be grateful for the detergents. The foaming indicates that your water supply is polluted, and while the detergents won't kill you, the other pollutants may.

To this pitch, the American public can quite justifiably say, Thanks for nothing. The analogy to the canary whose early death warned the coal miner of impending air poisoning seems misplaced, since coal miners were not in the habit of eating the canaries.

### 2. DIRECT POISONING OF HUMAN BEINGS

There is no evidence, so far, that detergents as presently contained in our water supplies are directly harmful when consumed by human beings. But these tentative conclusions are based on only 2 years of study, a wholly inadequate time in view of the cumulative nature of the synthetic detergent problem. Syndets do not dissolve in water and they are not subject to normal bacterial action. Detergents are now being added to our water supplies at an annual rate of increase of 5 percent. At this rate, the present, apparently nontoxic level of detergents in our water supplies will be doubled in 14 years. It would be folly to ignore future dangers.

Furthermore, the more recent literature on the effects of detergents indicates that drinking detergent-containing water may be directly dangerous. A publication of the official West German Institute for Water, Soil, and Air Hygiene of June 1962 prepared by Dr. W. Janicke, finds indications of cancer-producing effects of detergents in the water supply.

### 3 INTERFERENCE WITH SEWAGE DISPOSAL

Detergents increasingly interfere with the process of sewage disposal. They do so in a number of ways. Workers. in sewage disposal plants, it is reported, have difficulty performing their tasks because they cannot see what they are doing for the detergent foam.

Dr. Erich Naumann, head of the West German Institute for Water, Soil, and Air Hygiene—Berlin-Dahlem—told me, when I conferred with him in November, that detergent foam retards the process of sewage treatment in disposal plants by preventing light and oxygen from getting into the brew which the sewage-disposal plant is trying to decompose. Even without the foam, the dissolved detergents in the brew may prevent the adequate diffusion of oxygen already in the water.

A retarding effect of the decomposition process, similar to that which takes place in sewage-disposal plants, takes place also in septic tanks and similar underground method of waste disposal.

### 4. TRANSPORTATION

On European rivers and canals, instances have been recorded of detergent suds blowing against the pilothouse and obstructing the view of the master of the vessel. Auto accidents have also been caused by suds blowing from a river or canal onto the windshield of a motorist on an adjoining highway.

With the potential increase of detergents in our waters, this danger will correspondingly increase.

### 5. DANGER TO FISH

The state of learning on the effect of detergents on fish is contained in a study prepared for me by the Library of Congress Legislative Reference Service. I quote from that study—"Detergents—A Source of Pollution and What Is Being Done," by Edward Wise, Senior Specialist in Science and Technology, Library of Congress, Legislative Reference Service, November 1, 1962:

> There is a scarcity of information available on ABS concentrations in natural waters of fisheries or recreational importance. There is, likewise, a paucity of information on toxicity of syndets and surfactants to fish and aquatic life. In some European countries, the possible effects of detergents on fish have received more attention than in this country. The majority conclusion is that ABS, in normally found concentrations, does not appear to be toxic to fish. There is evidence to the contrary, however. A recent report of the (British) Department of Scientific and Industrial Research states: "It was concluded that under the conditions likely to be experienced in rivers in this country, detergent residues present no serious danger to fish." The technical advisory council of the Soap and Detergent Association, after reviewing all the research in this area, stated early this year, "so far as we can determine, there are no cases on record of fish kills in streams or lakes directly attributable to ABS."
>
> In 1959 Henderson and others conducted toxicity experiments on fathead minnows using syndets (Cheer, Tide, Dreft, Felso, and Vel) and ordinary soap (Lux Flakes, Ivory Snow, and Fels Naphtha). They used bioassay methods involving various median tolerance limits—concentration of test material causing 50 percent mortality ($\text{TL}_m$). Their findings are of interest. The household syndets were all toxic to fish at moderate levels. Four of the five syndets were more toxic in hard water than soft water. (Average 96 hr. $\text{TL}_m$—39 parts per million for hard water against 61 parts per million for soft water.) Soaps were slightly more toxic (average 96 hr. $\text{TL}_m$—34 parts per million in soft water). In hard water, however, the average $\text{TL}_m$ of 1,470 parts per million indicated soaps to be about 40 times less toxic in hard water than soft water and from 20 to 40 times less toxic than syndets. Thus, while the toxicity of household syndets is roughly comparable to soaps in soft waters, soaps are much less toxic in hard waters.
>
> Bioassays were then conducted separately on varying concentrations of the major surfactant, ABS. The 96 hr. $\text{TL}_m$ values averaged 6.6 parts per million (ranging from 3.6 to 9.2 parts per million) in soft water and averaged 4.3 parts per million (3.5 to 5.1 parts per million) in hard water; thus indicating that these materials were considerably more toxic than packaged syndets.
>
> From all this work, it was concluded that a concentration of ABS exceeding 1 or 2 parts per million may be expected to have some effect on the more sensitive fishes. Others have reported toxicity results on concentrations of syndets ranging from 2 to 25 parts per million. Obviously, more research information, both laboratory and field, is needed before precisely safe concentrations can be estimated.

Mr. Speaker, there are indications that the first effects of increasing detergents in our rivers, lakes, and streams will be evacuation by fish of these waters, rather than their wholesale destruction. Fish swim away from large bodies of petroleum substances which flow in their water. When the entire stretch of their water world becomes contaminated, they will attempt to swim to a whole new area.

### THE SUFFOLK COUNTY PROPOSAL

Confronted with the detergent problem, American communities have moved slowly and cautiously. Only one governmental unit has elaborated and put into force an effective code for dealing with syndets in the water supply. Suffolk County, N.Y., the eastern half of Long Island, attacked the end result of the long process by requiring commercial laundries to filter out waste detergents before discharging their sewage. This is an expensive process.

It seems inevitable that, as the accumulation of ABS builds predictably up, more and more communities will be forced to adopt the rather cumbersome and certainly costly methods of Suffolk County. However, there is another approach to the problem. Since it is a nationwide problem, a nationwide solution is justified. The problem can be attacked at its source, namely the production of synthetic detergents.

Legislation requesting the return to soap as this Nation's primary cleanser is not justified. The change-back would be enormously costly to the companies concerned and it would be justly resented by the American housewife, who has learned to appreciate the many virtues of the synthetics. It is possible, however, to produce synthetic detergents so constituted that they will yield to the normal breakdown of waste products by either nature's bacterial process or man's imitation of nature's process in our sewage treatment plants.

### SUCCESSFUL RESEARCH

Successful research along these lines has been and is being conducted by the Department of Health, Education, and Welfare, by some States, and by universities, the latter two with the aid of grants from the Department of Health, Education, and Welfare through the Public Health Service. Similar research is also being conducted by the detergent industry, although industry spokesmen have sometimes shown an unfortunate tendency to treat the problem as essentially one of public relations—or public education—rather than as the important part of the water pollution problem it certainly is.

At this point the problem is one of production and costs, not one of discovering the technical solution. That discovery has been made. Fittingly enough, it was made in Germany, the original source of both the benefits and dangers of synthetic detergents. The new types of detergents have been successfully developed in plants at Huells, at Gelsenkirchen, and at Hamburg. These new synthetics clean as well as those now in use. But they decompose in much the manner of soap made from natural animal and vegetable fats, and they do so without foaming. They are only slightly more expensive than the nondecomposing synthetics now threatening the purity of our water. The problem is not a laboratory problem, but an industrial management problem.

H.R. 2105 is essentially aimed at helping management make the transition to decomposible detergents. The commercial risks of such a change are evident. The manufacturer who undertakes it immediately raises the cost of his product, thereby putting himself at a competitive disadvantage with any manufacturer who does not make the change. Conceivably the entire American industry could place itself at a similar disadvantage in relation to imported detergents made under the old, nondecomposing formulas. Again the German experience is valuable as a guide.

The West German Government, concerned with the problem of detergent water pollution, tried prolongedly and unsuccessfully to accelerate research by private German industry. Switching to legislation, the legislature of the Federal German Republic passed the law of September 5, 1961. Under its provisions, nondecomposable synthetic detergents are banned from the German market after December 31, 1964. An Executive order of October 1962 spells out the details of technical compliance. Briefly, the new standard of decomposability is 80 percent as compared with the former rate of 20 percent. The legislation and its ensuing Executive order are designed to protect the cooperative manufacturer against unfair competition from noncooperating manufacturers both at home and abroad.

H.R. 2105 would essentially adopt the successful approach used in West Germany. The text of H.R. 2105 follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### DEFINITIONS

SECTION 1. As used in this Act—

(1) The term "person" means an individual, partnership, corporation, association, or other form of business enterprise.

(2) The term "interstate commerce" means (A) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States and any place outside thereof which is within the United States, (B) commerce between points in the same State, the District of Columbia, the Commonwealth of Puerto Rico, or possession of the United States, but through any place outside thereof, or (C) commerce wholly within the District of Columbia or any possession of the United States.

(3) The term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(4) The term "Surgeon General" means the Surgeon General of the Public Health Service.

(5) The term "detergent" means any synthetic petroleum-based detergent.

### PROHIBITED ACTS

SEC. 2. It shall be unlawful for any person to import into the United States or introduce or deliver for introduction into interstate commerce any detergent after June 30, 1965, unless such detergent conforms with standards of decomposibility prescribed pursuant to section 3 of this Act.

### STANDARDS OF DECOMPOSABILITY

SEC. 3. (a) The Surgeon General shall on or before the one hundred and eightieth day after the date of enactment of this Act prescribe and publish in the Federal Register standards of decomposibility for detergents, based on the latest scientific and technical knowledge available with respect to the manufacture of detergents and the operation of sewage treatment systems, which will assure that all detergents imported into the United States or shipped in interstate commerce after June 30, 1965, will decompose reasonably quickly and completely after use. Included with such standards shall be specific methods by which detergents shall be tested by the Surgeon General to determine if they conform to such standards.

### SEIZURES

SEC. 4. (a) Any detergent which does not conform with standards prescribed pursuant to section 3 when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce shall be liable to be proceeded against while such detergent is in interstate commerce or at any time thereafter, on libel of information and condemned in any district court in the United States within the jurisdiction of which such detergent is found; except that this section shall not apply to a detergent intended for export to any foreign country.

(b) Such detergent shall be liable to seizure by process pursuant to the libel, and the procedure in cases under this section shall conform, as nearly as may be, to the procedure in admiralty; except that on demand of either party any issue of fact joined in any such case shall be tried by jury. When libel for condemnation proceedings under this section, involving the same claimant and the same issues, are pending in two or more jurisdictions, such pending proceedings, upon application of the United States or the claimant seasonably made to the court of one such jurisdiction, shall be consolidated for trial by order of such court, and tried in (1) any district selected by the applicant where one of such proceedings is pending; or (2) a district agreed upon by stipulation between the parties. If no order for consolidation is so made within a reasonable time, the United States or the claimant may apply to the court of one such jurisdiction, and such court (after giving the other party, the claimant, or the United States attorney for such district, reasonable notice and opportunity to be heard) shall by order, unless good cause to the contrary is shown, specify a district of reasonable proximity to the claimant's principal place of business, in which all such pending proceedings shall be consolidated for trial and tried. Such order of consolidation shall not apply so as to require the removal of any case the date for trial of which has been fixed. The court granting such order shall give prompt notification thereof to the other courts having jurisdiction of the cases covered thereby.

(c) Any detergent condemned under this section shall, after entry of the decree, be disposed of by destruction or sale as the court may, in accordance with the provisions of this section, direct and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States; but such detergent shall not be sold under such decree contrary to the provisions of this Act or the laws of the jurisdiction in which sold; except that after entry of the decree and upon the payment of the costs of such proceedings and the execution of a good and sufficient bond conditioned that such detergent shall not be sold or disposed of contrary to the provisions of this Act, the court may by order direct that such detergent be delivered to the owner thereof to be destroyed or brought into compliance with the provisions of this Act under the supervision of an officer or employee duly designated by the Surgeon General, and the expenses of such supervision shall be paid by the person obtaining release of the detergent under bond.

(d) When a decree of condemnation is entered against the detergent, court costs and fees, and storage and other proper expenses, shall be awarded against the person, if any, intervening as claimant of the detergent.

(e) In the case of removal for trial of any case as provided by subsection (b)—

(1) the clerk of the court from which removal is made shall promptly transmit to the court in which the case is to be tried all records in the case necessary in order that such court may exercise jurisdiction;

(2) the court to which such case is removed shall have the powers and be subject to the duties, for purposes of such case, which the court from which removal was made would have had, or to which such court would have been subject, if such case had not been removed.

### INJUNCTIONS

SEC. 5. (a) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65(a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

### STYLE OF ENFORCEMENT PROCEEDINGS—SUBPENAS

SEC. 6. All libel or injunction proceedings for the enforcement, or to restrain violations, of this Act shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States in any district may run into any other district in any such proceeding.

### REGULATIONS

SEC. 7. (a) The authority to promulgate regulations for the efficient enforcement of this Act, except as otherwise provided in this section, is hereby vested in the Surgeon General.

(b) The Secretary of the Treasury and the Surgeon General shall jointly prescribe regulations for the efficient enforcement of the provisions of section 9, except as otherwise provided therein. Such regulations shall be promulgated in such manner and take effect at such time, after due notice, as the Surgeon General shall determine.

### EXAMINATIONS AND INVESTIGATIONS

SEC. 8. (a) The Surgeon General is authorized to conduct examinations, inspections, and investigations for the purposes of this Act through officers and employees of the Public Health Service or through any health officer or employee of any State, or political subdivision thereof, duly commissioned by the Surgeon General.

(b) For purposes of enforcement of this Act, officers or employees duly designated by the Surgeon General, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which detergents are manufactured, processed, packed, or held for introduction into interstate commerce or are held after such introduction, or to enter any vehicle being used to transport or hold such detergents in interstate commerce; (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle, and all pertinent equipment, finished and unfinished materials; and (3) to obtain samples of such materials. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commended and completed with reasonable promptness.

(c) If the officer or employee obtains any sample, prior to leaving the premises, he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained. If an analysis is made of such sample, a copy of the results of such analysis shall be furnished promptly to the owner, operator, or agent in charge.

### IMPORTS

SEC. 9. (a) The Secretary of the Treasury shall deliver to the Surgeon General, upon his request, samples of detergents which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Surgeon General and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that such detergent does not conform to standards prescribed pursuant to section 3, such detergent shall be refused admission, except as provided in subsection (b) of this section. The Secretary of the Treasury shall cause the destruction of any such detergent refused admission unless such detergent is exported, under regulations prescribed by the Secretary of the Treasury, within ninety days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations.

(b) Pending decision as to the admission of a detergent being imported or offered for import, the Secretary of the Treasury may authorize delivery of such detergent to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury.

H.R. 2105 prohibits the movement in interstate commerce after June 30, 1965, of detergents unless they conform with the standards of decomposibility to be prescribed by the Surgeon General within 180 days after the enactment of the act. The Surgeon General is instructed to set up standards to require that detergents decompose reasonably quickly and completely.

It is anticipated that the Surgeon General would set up standards somewhat along the lines of the German standards. We already know that industry can readily and quickly meet these standards.

H.R. 2105 will spur research and speed the arrival of decomposible detergents. We have had detergents for some 40 years. If we allow them to pollute our water supply for another 40 years, we cannot look upon ourselves as much of a civilization. The time allowed—until June 30, 1965, some 2½ years—is adequate. The cutoff of harmful detergents at that time will insure that reputable manufacturers do not face cutthroat competition either at home or from abroad.

No one at all aware of the water problems of the United States today would pretend that this legislation is anything more than the smallest step toward their ultimate solution. But it is a step. By adopting this course, the U.S. Government will have shown that, confronted with a specific source of specific water pollution, it can move efficiently and effectively toward the removal of the source.

The legislation, therefore, will not only create an immediate improvement, it will serve as a pledge and a precedent for further action in the future.

### PRAISE FOR OUR SPEAKER

**Mr. TAYLOR.** Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

**The SPEAKER pro tempore.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

**Mr. MONAGAN.** Mr. Speaker, we in the House have always been conscious of the leadership qualities of our Speaker. We have always recognized his fairness, his devotion to principle and his willingness to cooperate with Members, regardless of party.

We have also recognized the contribution that he has made to the passage of difficult legislation which he considered to be for the benefit of the Nation as a whole.

These qualities and attributes of our Speaker have not been so widely known outside the neighborhood of the Capitol, and it is a distinct pleasure, therefore, to find a growing recognition of his position in the legislative process and in the Government, generally. As an example of this recognition, I am pleased to include herewith a recent column on Speaker McCormack, by William S. White, which appeared in the Waterbury American on January 15, 1963:

#### McCormack Takes His Place

(By William S. White)

Washington, D.C.—Congress has at last entered the post-Rayburn era, more than a year after the death of the man whose power and personality had dominated it so long—Speaker Sam Rayburn of Texas.

His successor, Speaker John W. McCormack, of Massachusetts, has now emerged from the long shadow of "Mr. Sam" to become the heart in fact of the House of Representatives. So, too, has emerged the assisting group immediately around him—Representative Carl Albert, of Oklahoma, the Democratic floor leader, and Representative Hale Boggs, of Louisiana, the Democratic whip, or assistant leader.

All this must now in fairness be said by those who, like this columnist, had seen Sam Rayburn, of Texas—agree with him always or not—as more or less the indispensable man. It is not necessary to go so far as to say that McCormack has succeeded to all of Rayburn's prestige or rare sense of national responsibility.

He has, however, now truly and fully succeeded to Rayburn's position. Heretofore, he was a sort of probationary Speaker, serving in a Chamber where the old master's commanding voice had been so profoundly missed that the ukases of his successor tended to be lost in the nostalgia of the yesterdays.

#### VICTORY ON RULES

All this, though not inconsiderable, is about the only real meaning of the success of McCormack, Albert, and Boggs—allied with the Kennedy White House—in keeping the vital House Rules Committee packed as Rayburn himself had packed it at the onset of another Congress in 1961.

The mere result itself, despite much happy gee-whizzing by leadership Democrats, was not so much a victory as a staving off of defeat. After all, the administration is no better off than it was before. But—after all, too—it is surely no worse off; and worse off it very well might have been.

The Rules Committee has a qualified—but not a total—right to prevent legislation from reaching a vote in the House, because this committee normally must give right of way to all bills. Two years ago Rayburn increased it from 12 to 15 members so as to reduce the power of its conservative coalition to bottle up Kennedy measures. The change was to last only until 1963 unless the House, by affirmative action, decided otherwise.

The question as this new Congress opened thus was whether the committee should revert to the total clutches of the Republican-southern Democratic coalition or remain the moderate instrumentality which Rayburn had made it.

#### PROOF OF LEADERSHIP

With a good deal of hard wheeling and dealing and maybe a little logrolling—all of which is both constitutional and permissible—McCormack and his associates saved the committee at its present size. Though literally it was a standoff, in spirit it was more than this, since it was so much better than the defeat which only weeks ago seemed likely to await them.

The value of the episode to the Kennedy administration is its proof that the McCormack leadership—allied to other increasingly savvy Boston political pros in the White House like Kenneth O'Donnell and Larry O'Brien—has come into its own. So, too, have they.

It would be the greatest mistake, however, to suppose that all is now clear in the House for liberal legislation. The Rules Committee is still there, and unchanged. That part of the President's program which is welfarist in tone will be no better off than before.

For the sole real victory here, apart from the personal vindication of McCormack's leadership, is a victory not for liberalism but, again, for moderation. It is the mixture as before, the only difference being that the new pharmacist, McCormack, is now fully qualified in his own right.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Flood (at the request of Mr. Nix), from January 21 through January 31, on account of official business.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ryan of New York for 5 minutes, today, and to revise and extend his remarks.

Mr. Curtis, for 15 minutes, today.

Mr. Flood, for 1 hour, on February 14.

Mr. Kornegay, for 30 minutes, today.

Mr. Halpern (at the request of Mr. Anderson), for 10 minutes, today.

Mr. Morse (at the request of Mr. Anderson), for 20 minutes, today.

Mr. Mathias (at the request of Mr. Anderson), for 30 minutes, today.

### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Toll.

Mr. Alger and to include extraneous matter.

Mr. Curtis in three instances and to include extraneous matter.

(The following Members (at the request of Mr. Anderson) and to include extraneous matter:)

Mr. Martin of Nebraska.

Mr. Byrnes of Wisconsin.

Mr. Berry.

(The following Members (at the request of Mr. Taylor) and to include extraneous matter:)

Mr. St. Onge.

Mr. Kastenmeier in two instances.

Mr. Macdonald.

Mr. Moss in two instances.

### ADJOURNMENT

**Mr. TAYLOR.** Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Friday, January 18, 1963, at 12 o'clock noon.

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## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

205. A letter from the President, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the 34th Annual Report of the Work and Operations of the Gorgas Memorial Laboratory, covering the fiscal year ended June 30, 1962, pursuant to 22 U.S.C., 278a (H. Doc. No. 10); to the Committee on Foreign Affairs and ordered to be printed.

206. A letter from the Secretary of Agriculture, transmitting a report covering the activities of the Rural Electrification Administration for the fiscal year 1962; to the Committee on Agriculture.

207. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian"; to the Committee on Armed Services.

208. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale"; to the Committee on Armed Services.

209. A letter from the Assistant Secretary of the Treasury, transmitting a report relating to the number of officers in the Coast Guard above the rank of lieutenant commander receiving monthly flight pay for the period from July 1 to December 31, 1962, pursuant to Public Law 301, 79th Congress, as amended; to the Committee on Armed Services.

210. A letter from the Under Secretary of the Navy, transmitting a report relating to the number of officers in the Navy above the rank of lieutenant commander receiving monthly flight pay for the 6-month period through December 1962, pursuant to Public Law 301, 79th Congress; to the Committee on Armed Services.

211. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend certain criminal laws applicable to the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

212. A letter from the Under Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland"; to the Committee on Foreign Affairs.

213. A letter from the Deputy Administrator, Veterans' Administration, transmitting a report by the Veterans' Administration on its activities in the disposal of foreign excess property for the period January 1 through December 31, 1962, pursuant to Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

214. A letter from the Administrator, General Services Administration, transmitting the annual report of the General Services Administration for the fiscal year ending June 30, 1962; to the Committee on Government Operations.

215. A letter from the Comptroller General of the United States, transmitting a report on the review of the Post Office Department's procurement of lockboxes; to the Committee on Government Operations.

216. A letter from the Comptroller General of the United States, transmitting a report on the examination of the procurement of crude helium by the Bureau of Mines, Department of the Interior, under four negotiated fixed-price contracts awarded during fiscal year 1962, pursuant to Public Law 86-777; to the Committee on Government Operations.

217. A letter from the Comptroller General of the United States, transmitting a report on the examination of the catalog prices charged for klystron tubes under noncompetitive procurements negotiated by the military departments and their prime contractors with Varian Associates, Palo Alto, Calif.; to the Committee on Government Operations.

218. A letter from the Comptroller General of the United States, transmitting a report on the review of rental charges, costs, and other matters relating to Government-owned quarters provided to employees of the Veterans' Administration; to the Committee on Government Operations.

219. A letter from the Assistant Secretary of the Interior, relative to the extension of the authority of the Secretary of the Interior exercised through the Geological Survey of the Department of the Interior to areas outside the national domain, pursuant to Public Law 87-626; to the Committee on Interior and Insular Affairs.

220. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize modification of the repayment contract with the Grand Valley Water Users' Association"; to the Committee on Interior and Insular Affairs.

221. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of a proposed bill entitled "A bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

222. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of a proposed bill entitled "A bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

223. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of a proposed bill entitled "A bill to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

224. A letter from the Chairman, Federal Power Commission, transmitting the annual report of the Federal Power Commission for the fiscal year ending June 30, 1962; to the Committee on Interstate and Foreign Commerce.

225. A letter from the Chairman, Interstate Commerce Commission, transmitting copies of certain final valuations of properties of certain carriers, pursuant to section 19a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

226. A letter from the executive vice president, Agricultural Hall of Fame, transmitting the annual audit and report for their fiscal year September 1, 1961, through August 31, 1962, pursuant to Public Law 86-680; to the Committee on the Judiciary.

227. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to repeal subsection (d) of section 2388 of title 18 of the United States Code"; to the Committee on the Judiciary.

228. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend section 3238 of title 18, United States Code"; to the Committee on the Judiciary.

229. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to prohibit wiretapping by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes"; to the Committee on the Judiciary.

230. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to provide for the promulgation of rules of practice and procedure under the Bankruptcy Act, and for other purposes"; to the Committee on the Judiciary.

231. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts"; to the Committee on the Judiciary.

232. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend subdivision d of section 60 of the Bankruptcy Act (11 U.S.C. 96d) so as to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding"; to the Committee on the Judiciary.

233. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend section 47 of the Bankruptcy Act"; to the Committee on the Judiciary.

234. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend sections 334, 367, and 369 of the Bankruptcy Act (11 U.S.C. 734, 767, 769) and to add a new section 355 so as to require claims to be filed and to limit the time within which claims may be filed in chapter XI (arrangement) proceedings to the time prescribed by section 57n of the Bankruptcy Act (11 U.S.C. 93n)"; to the Committee on the Judiciary.

235. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend subsection b of section 60—Preferred Creditors; subsection e of section 67—Liens and Fraudulent Transfers; and subsection e of section 70—Title to Property; of the Bankruptcy Act (11 U.S.C. 96b, 107e, and 110e)"; to the Committee on the Judiciary.

236. A letter from the Under Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968"; to the Committee on Post Office and Civil Service.

237. A letter from the Under Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce"; to the Committee on Post Office and Civil Service.

238. A letter from the Chairman, U.S. Civil Service Commission, relative to the establishment of an additional position in grade GS-18, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

239. A letter from the Chairman, Railroad Retirement Board, transmitting a report on positions in grades GS-16, GS-17, and GS-18, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

240. A letter from the Chairman, U.S. Tariff Commission, transmitting the 46th Annual Report of the U.S. Tariff Commission, pursuant to section 332 of the Tariff Act of 1930; to the Committee on Ways and Means.

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## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PERKINS:

H.R. 1890. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. ASHBROOK:

H.R. 1891. A bill to strengthen democratic processes respecting the calling of strikes, to protect employees against unjustifiable pay losses from strikes, to protect employers from needless production interruptions arising out of strikes contrary to the wishes of employees, and to minimize industrial strife interfering with the flow of commerce and the national security by amending the National Labor Relations Act to require economic strikes to be authorized by a secret ballot; to the Committee on Education and Labor.

By Mr. ASPINALL:

H.R. 1892. A bill to repeal the act of October 22, 1919 (41 Stat. 293; 43 U.S.C. 351-355, 357-360); to the Committee on Interior and Insular Affairs.

By Mr. BECKER:

H.R. 1893. A bill to provide, under the laws of the District of Columbia, for the life imprisonment of any person convicted of four felonies; to the Committee on the District of Columbia.

By Mr. BERRY:

H.R. 1894. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. BOLAND:

H.R. 1895. A bill to establish a National Institute of the Arts and Humanities, to authorize programs of information, education, advisory services, and financial assistance for the encouragement and advancement of artistic and cultural activities, and for the development of a more widespread appreciation of America's cultural heritage and accomplishments, and for other purposes; to the Committee on Education and Labor.

H.R. 1896. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, to authorize student assistance for study in such institutions, and to provide financial assistance to the States for the construction of certain public community college facilities; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 1897. A bill to amend the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

H.R. 1898. A bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force; to the Committee on Merchant Marine and Fisheries.

By Mr. BRAY:

H.R. 1899. A bill to strengthen State governments, to provide financial assistance to States for educational purposes by returning a portion of the Federal taxes collected therein, and for other purposes; to the Committee on Education and Labor.

By Mr. BUCKLEY (by request):

H.R. 1900. A bill to enable the Secretary of Agriculture to construct and maintain an adequate system of roads and trails for the national forests, and for other purposes; to the Committee on Public Works.

By Mr. JOHNSON of California:

H.R. 1901. A bill to enable the Secretary of Agriculture to construct and maintain an adequate system of roads and trails for the national forests, and for other purposes; to the Committee on Public Works.

By Mr. McFALL:

H.R. 1902. A bill to enable the Secretary of Agriculture to construct and maintain an adequate system of roads and trails for the national forests, and for other purposes; to the Committee on Public Works.

By Mr. CAHILL:

H.R. 1903. A bill to amend the Internal Revenue Code of 1954 to permit the wholesale sale of liquors by retail dealers to certain organizations without payment of the special tax on wholesale dealers in liquors; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 1904. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 1905. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the midstate reclamation project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1906. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to implement the purposes for which surplus personal property may be donated; to the Committee on Government Operations.

By Mr. CURTIN:

H.R. 1907. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 1908. A bill to amend the Internal Revenue Code of 1954 to provide that the costs of education or training shall be deductible as trade or business expenses when incurred in order to obtain a new or better job, as well as when incurred in order to maintain existing skills, status, salary, or employment; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 1909. A bill to amend title I of the National Housing Act to provide that a home improvement loan may be the subject of insurance thereunder even though its maturity exceeds the specified limits if it is made for the purpose of financing the construction of a family fallout shelter; to the Committee on Banking and Currency.

By Mrs. DWYER:

H.R. 1910. A bill to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such grants; to the Committee on Banking and Currency.

By Mr. FARBSTEIN:

H.R. 1911. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. FULTON of Pennsylvania:

H.R. 1912. A bill to amend title II of the Social Security Act to provide that the unmarried child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 1913. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. FISHER:

H.R. 1914. A bill to limit and prevent certain concerted activities by labor organizations which interfere with or obstruct or impede the free production of goods for commerce or the free flow thereof in commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 1915. A bill to strengthen democratic processes respecting the calling of strikes, to protect employees against unjustifiable pay losses from strikes, to protect employers from needless production interruptions arising out of strikes contrary to the wishes of employees, and to minimize industrial strife interfering with the flow of commerce and the national security by amending the National Labor Relations Act to require economic strikes to be authorized by a secret ballot; to the Committee on Education and Labor.

By Mr. FUQUA:

H.R. 1916. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments; to the Committee on Agriculture.

H.R. 1917. A bill to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. GONZALEZ:

H.R. 1918. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local public service employment programs; to the Committee on Education and Labor.

By Mr. HAGAN of Georgia:

H.R. 1919. A bill to establish a Federal Commission on Alcoholism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY of Indiana:

H.R. 1920. A bill to provide that until the national debt is retired, not less than 5 percent of the net budget receipts of the United States for each fiscal year shall be utilized solely for reduction of the national debt; to the Committee on Government Operations.

By Mr. HEALEY:

H.R. 1921. A bill to amend title II of the Social Security Act to provide minimum benefits under the Federal old-age, survivors, and disability insurance program for needy individuals who are 70 years of age or over and are not otherwise entitled to benefits under such title; to the Committee on Ways and Means.

H.R. 1922. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze with 15 quarters of coverage, regardless of when such quarters were earned; to the Committee on Ways and Means.

H.R. 1923. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending high school or college; to the Committee on Ways and Means.

H.R. 1924. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. HECHLER:

H.R. 1925. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. JOELSON:

H.R. 1926. A bill to encourage the development, initiation, and expansion of occupational safety programs in the States through grants to States for demonstration and experimental occupational safety projects, and for other purposes; to the Committee on Education and Labor.

By Mr. LIBONATI:

H.R. 1927. A bill to amend title 38, United States Code, so as to revise the rates of disability and death pension authorized by the Veterans' Pension Act of 1959, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LINDSAY:

H.R. 1928. A bill to authorize the appropriation of $3,063,500 as an ex gratia payment to the city of New York to assist in defraying the extraordinary and unprecedented expenses incurred during the 15th General Assembly of the United Nations; to the Committee on Foreign Affairs.

By Mr. McMILLAN:

H.R. 1929. A bill to permit an officer or member of the Metropolitan Police force of the District of Columbia to detain and question persons suspected of committing crimes; and to require bond in the case of certain material witnesses; to the Committee on the District of Columbia.

H.R. 1930. A bill to provide for the admission of certain evidence in the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 1931. A bill to increase the compensation of the Commissioners of the District of Columbia and of the Superintendent and Deputy Superintendent of Schools of the District of Columbia; to the Committee on the District of Columbia.

H.R. 1932. A bill to amend section 927 of the act of March 3, 1901, relating to responsibility for criminal conduct, and for other purposes; to the Committee on the District of Columbia.

H.R. 1933. A bill to amend the act of February 9, 1907, entitled "An act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia," as amended, with respect to the minimum age limitation for registration; to the Committee on the District of Columbia.

H.R. 1934. A bill to increase the jurisdiction of the municipal court for the District of Columbia in civil actions, to change the name of the court, and for other purposes; to the Committee on the District of Columbia.

H.R. 1935. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MARTIN of Nebraska:

H.R. 1936. A bill to prohibit discrimination on account of sex in the payment of wages by certain employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. MATHIAS:

H.R. 1937. A bill to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940; to the Committee on the District of Columbia.

By Mr. MINISH:

H.R. 1938. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

H.R. 1939. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. MOORHEAD:

H.R. 1940. A bill to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORRIS:

H.R. 1941. A bill to provide for the establishment of Valle Grande National Park in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H.R. 1942. A bill to authorize modification of the existing project for the Mississippi River, Baton Rouge to the Gulf of Mexico, Louisiana, in the interest of navigation; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 1943. A bill to extend for 2 additional years the temporary provisions of Public Laws 815 and 874, 81st Congress; to the Committee on Education and Labor.

H.R. 1944. A bill to amend the Gold Reserve Act of 1934 to permit American citizens to hold limited quantities of gold coins, and for other purposes; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 1945. A bill to extend for 1 additional year the temporary provisions of Public Laws 815 and 874, 81st Congress; to the Committee on Education and Labor.

By Mr. PUCINSKI:

H.R. 1946. A bill to amend title IX of the National Defense Education Act of 1958 to provide for a Science Information Data Processing Center to be located at one place in Chicago, Ill.; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 1947. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. LINDSAY:

H.R. 1948. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. ASHLEY:

H.R. 1949. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. BOLAND:

H.R. 1950. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. BRADEMAS:

H.R. 1951. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. HALPERN:

H.R. 1952. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H.R. 1953. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. ROOSEVELT:

H.R. 1954. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. ZABLOCKI:

H.R. 1955. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. MINISH:

H.R. 1956. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. WYDLER:

H.R. 1957. A bill to establish a Commission on the Organization of Congress; to the Committee on Rules.

By Mr. RIVERS of Alaska:

H.R. 1958. A bill to amend section 303(c) of the Career Compensation Act of 1949, as amended, to authorize in the case of members of the uniformed services transportation of housetrailers and mobile dwellings within Alaska and between Alaska and the 48 contiguous States; to the Committee on Armed Services.

H.R. 1959. A bill to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska; to the Committee on Government Operations.

By Mr. RODINO:

H.R. 1960. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 1961. A bill to provide for the establishment of the Bureau of Senior Citizens within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help senior citizens; and for other purposes; to the Committee on Education and Labor.

H.R. 1962. A bill to amend the Small Business Act to make it clear that disaster loans in cases of flood or other catastrophe may be made with respect to property of any type (including summer homes as well as other residential property); to the Committee on Banking and Currency.

By Mr. ROGERS of Colorado:

H.R. 1963. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

H.R. 1964. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide that upon application therefor, real property donated to the United States by any State or political subdivision which is surplus to the United States shall be returned to such State or political subdivision; to the Committee on Government Operations.

By Mr. RYAN of New York:

H.R. 1965. A bill making an appropriation to the Secretary of Health, Education, and Welfare for the fiscal year 1963 to enable him to assist the States in providing day care under their State child-welfare services plans; to the Committee on Appropriations.

H.R. 1966. A bill making an appropriation to the Secretary of Health, Education, and Welfare for the fiscal year 1964 to enable him to assist the States in providing child-welfare services (including day care) under their State child-welfare services plans; to the Committee on Appropriations.

H.R. 1967. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1968. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for qualified dependent relatives of certain insured individuals; to the Committee on Ways and Means.

H.R. 1969. A bill to amend title II of the Social Security Act to provide that the child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

H.R. 1970. A bill to provide coverage under the old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 1971. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 1972. A bill to eliminate the requirement that poll taxes be paid in order to qualify for voting; to the Committee on House Administration.

By Mr. SCOTT:

H.R. 1973. A bill to amend section 8 of the National Labor Relations Act, as it relates to picketing; to the Committee on Education and Labor.

By Mr. SCHNEEBELI:

H.R. 1974. A bill to amend the Internal Revenue Code of 1954 to allow a credit for amounts paid for tuition or fees to institutions of higher education or for occupational training or retraining to allow a credit for taxes paid for public education, and to exempt from income tax certain scholarships, fellowships, and student assistantships; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 1975. A bill to provide coverage under old-age, survivors, and disability insurance program, as self-employed individuals, for Federal employees in the legislative branch who are not eligible to participate in the civil service retirement program; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 1976. A bill to provide financial aid to all employers engaged in commerce and industry who will maintain full employment, and for other purposes; to the Committee on Banking and Currency.

By Mr. SLACK:

H.R. 1977. A bill to amend the Randolph-Sheppard Vending Stand Act; to the Committee on Education and Labor.

By Mr. TOLL:

H.R. 1978. A bill to amend title II of the National Defense Education Act of 1958 in order to increase the amount which may be made available annually by the United States for loans to students in institutions of higher education participating in the loan program under title II; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H.R. 1979. A bill to amend the National Housing Act to provide that only lumber and other wood products which have been produced in the United States may be used in construction or rehabilitation covered by Federal Housing Administration insured mortgages; to the Committee on Banking and Currency.

By Mr. VANIK:

H.R. 1980. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. WALLHAUSER:

H.R. 1981. A bill to provide for the establishment of a Commission on the United States Science Academy; to the Committee on Science and Astronautics.

By Mr. WHITENER:

H.R. 1982. A bill to amend section 10 of the District of Columbia Traffic Act, 1925, as amended, so as to require reports of collisions in which motor vehicles are involved; to the Committee on the District of Columbia.

By Mr. ADDABBO:

H.R. 1983. A bill to make the Commission on Civil Rights a permanent agency in the executive branch of the Government; to the Committee on the Judiciary.

H.R. 1984. A bill to prohibit the application of unreasonable literacy requirements with respect to the right to vote; to the Committee on the Judiciary.

H.R. 1985. A bill to provide additional means of securing and protecting the civil rights of persons within the jurisdiction of the United States; to the Committee on the Judiciary.

H.R. 1986. A bill to prevent the use of stopwatches, work-measurement programs, or other performance-standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 1987. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending high school or college; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 1988. A bill to provide for the settlement of claims of certain residents of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

H.R. 1989. A bill to authorize the government of the Virgin Islands to issue general obligation bonds; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 1990. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 1991. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 1992. A bill to provide for the temporary suspension of the duty on corkboard insulation and on cork stoppers; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 1993. A bill to repeal the interest rate limitations on obligations of the United States issued under the Second Liberty Bond Act; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 1994. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

H.R. 1995. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 1996. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. CELLER:

H.R. 1997. A bill to amend subsection (c) of section 1332 of title 28, United States Code, relating to diversity of citizenship; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 1998. A bill to protect consumers and others against misbranding, false invoicing, and false advertising of decorative wood and simulated wood products; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:

H.R. 1999. A bill to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 2000. A bill to amend the Agricultural Act of 1956; to the Committee on Agriculture.

By Mr. DINGELL:

H.R. 2001. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2002. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 2003. A bill to amend title III of the National Housing Act to enable the Federal National Mortgage Association to provide special assistance in the financing of fallout shelters constructed with FHA-insured loans; to the Committee on Banking and Currency.

By Mr. DOWNING:

H.R. 2004. A bill to amend the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. FINO:

H.R. 2005. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 2006. A bill to amend title II of the Social Security Act so as to increase the minimum amount of the monthly insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 2007. A bill to repeal the Federal retailers excise taxes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 2008. A bill to provide for the issuance of a special postage stamp in honor of the late Philip Murray; to the Committee on Post Office and Civil Service.

By Mr. GATHINGS:

H.R. 2009. A bill to amend title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

H.R. 2010. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

H.R. 2011. A bill to amend the Agricultural Act of 1949 to provide for the increased use of milled or enriched rice by the Armed Forces, Federal penal and correctional institutions, and to certain federally operated hospitals, and for other purposes; to the Committee on Agriculture.

By Mr. GILBERT:

H.R. 2012. A bill to provide that tips received by an employee in the course of his employment shall be included as part of his wages for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 2013. A bill to grant civil-service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 2014. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which may be received by an individual while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 2015. A bill to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to extend to imported tangerines the restrictions imposed by such section on certain other imported commodities; to the Committee on Agriculture.

By Mr. HEALEY:

H.R. 2016. A bill to amend the Internal Revenue Code of 1954 to provide an additional $2,400 exemption from income tax from amounts received as annuities, pensions, or other benefits; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 2017. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 2018. A bill to correct a technical error in the Self-Employed Individuals Tax Retirement Act of 1962; to the Committee on Ways and Means.

By Mr. KILGORE:

H.R. 2019. A bill to provide for the establishment of a veterans' hospital in south Texas; to the Committee on Veterans' Affairs.

By Mr. LENNON:

H.R. 2020. A bill to amend title 14, United States Code, to require authorization for certain appropriations; to the Committee on Merchant Marine and Fisheries.

By Mr. LINDSAY:

H.R. 2021. A bill to amend the International Claims Settlement Act of 1949; to the Committee on Foreign Affairs.

By Mr. McFALL:

H.R. 2022. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mr. McINTIRE:

H.R. 2023. A bill to amend title 10, United States Code, with respect to crediting certain service of females sworn in as members of telephone operating units, Signal Corps; to the Committee on Armed Services.

By Mr. MINISH:

H.R. 2024. A bill to prohibit the use of Government property by any organization practicing segregation on the basis of race, creed, or color; to the Committee on Public Works.

H.R. 2025. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 2026. A bill to provide for payment for hospital services, skilled nursing home services, and home health services furnished to aged beneficiaries under the old-age, survivors, and disability program, and for other purposes; to the Committee on Ways and Means.

H.R. 2027. A bill to protect the right of individuals to be free from discrimination or segregation by reason of race, color, religion, or national origin; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 2028. A bill to suspend for 3 years the duty on hexachlorethane; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 2029. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. MORRISON:

H.R. 2030. A bill to amend the Civil Service Retirement Act with respect to annuities of Panama Canal ship pilots; to the Committee on Post Office and Civil Service.

H.R. 2031. A bill to authorize the continuation of certain inspection activities of the Secretary of the Interior; to the Committee on Merchant Marine and Fisheries.

H.R. 2032. A bill proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.R. 2033. A bill to provide that agricultural furloughs during World War I shall be deemed creditable service for pension purposes; to the Committee on Veterans' Affairs.

H.R. 2034. A bill to provide for the establishment of a soil and water conservation research field station; to the Committee on Agriculture.

H.R. 2035. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of an individual's wages, salary, or other income shall be exempt from levy to enforce the payment of Federal taxes; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 2036. A bill to revise the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

H.R. 2037. A bill to repeal part I of subchapter G of chapter 1 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. NORBLAD:

H.R. 2038. A bill to provide for the waiver of a condition on certain land in Clatsop County, Oreg., so as to permit its use as a public park; to the Committee on Merchant Marine and Fisheries.

By Mr. OLSEN of Montana:

H.R. 2039. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2040. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 2041. A bill to make the civil service retirement and disability fund available for annuity benefits authorized by law; to the Committee on Post Office and Civil Service.

H.R. 2042. A bill relating to rates of postage on third-class matter mailed by certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 2043. A bill to extend the benefits of the Panama Canal Construction Service Annuity Act of May 29, 1944, to certain individuals; to the Committee on Merchant Marine and Fisheries.

By Mr. OSTERTAG:

H.R. 2044. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 2045. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 2046. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

By Mr. RIVERS of Alaska:

H.R. 2047. A bill to authorize survey and establishment of a townsite for the Juneau Indian Village of Alaska; to the Committee on Interior and Insular Affairs.

H.R. 2048. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Veterans' Affairs.

By Mr. ROBERTS of Alabama:

H.R. 2048. A bill to amend title 10, United States Code, to permit a Representative in Congress to nominate as a candidate to a service academy, a person domiciled at any place in the State from which such Representative is elected; to the Committee on Armed Services.

By Mr. ROGERS of Colorado:

H.R. 2050. A bill to provide that tips and other gratuities reecived by an individual in the course of his employment (or self-employment) may be considered self-employment income for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

H.R. 2051. A bill to grant civil-service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 2052. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 2053. A bill to provide for the temporary suspension of the duty on corkboard insulation and on cork stoppers; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 2054. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 2055. A bill to amend section 277 of title 10, United States Code, to provide post exchange and other privileges for persons transferred to the Retired Reserve; to the Committee on Armed Services.

By Mr. SILER:

H.R. 2056. A bill to provide for the acquisition of four additional hospitals by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 2057. A bill to authorize a per capita distribution of $500 from certain funds of the Yakima Tribes of Indians; to the Committee on Interior and Insular Affairs.

H.R. 2058. A bill to prevent the use of stopwatches, work-measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON (by request):

H.R. 2059. A bill to amend section 277 of title 10, United States Code, to provide commissary and other privileges for retired civil service employees and their wives or widows, and veterans on pension or compensation and their wives or widows; to the Committee on Armed Services.

By Mr. VANIK:

H.R. 2060. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking and Currency.

By Mr. WICKERSHAM:

H.R. 2061. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

H.R. 2062. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Waurika reclamation project, Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. ADDABBO:

H.R. 2063. A bill to amend section 601 of the Federal Aviation Act to require identification markings on the underside of the wings of certain aircraft; to the Committee on Interstate and Foreign Commerce.

H.R. 2064. A bill to amend the Federal Aviation Act of 1958 so as to require the suspension or revocation of airman certificates in connection with the imposition of civil penalties, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2065. A bill to permit the burial in national cemeteries of mothers of deceased servicemen or veterans who died leaving no spouse or minor child entitled to be buried in a national cemetery; to the Committee on Interior and Insular Affairs.

H.R. 2066. A bill to amend section 601(a) of the Federal Aviation Act of 1958 to give the Administrator of such agency authority to prescribe standards relating to the suppression of noise created by the operation of aircraft; to the Committee on Interstate and Foreign Commerce.

H.R. 2067. A bill to amend section 902(a) of the Federal Aviation Act of 1958 so that the criminal penalties provided therein will apply to violations of civil aeronautics safety regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2068. A bill providing that the Surgeon General of the United States shall establish a hospital at Ellis Island, N.Y., for the treatment of persons addicted to the use of habit-forming narcotic drugs; to the Committee on Interstate and Foreign Commerce.

H.R. 2069. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2070. A bill to amend section 601(a) of the Federal Aviation Act of 1958 to require the Administrator of the Federal Aviation Agency to issue certain regulations concerning air traffic at La Guardia and New York-International (Idlewild) Airports in the State of New York, and Newark Airport in the State of New Jersey; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL:

H.R. 2071. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State; to the Committee on Interior and Insular Affairs.

H.R. 2072. A bill to assure payment of just compensation for the use and occupancy of certain lands on Kwajalein and Dalap Islands, Trust Territory of the Pacific Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2073. A bill to place certain submerged lands within the jurisdiction of the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BECKER:

H.R. 2074. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BROOKS:

H.R. 2075. A bill to amend title II of the Social Security Act to eliminate the restriction on the period during which an application for a determination of disability is granted full retroactivity, and for other purposes; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 2076. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct (as trade or business expenses) the expenses of travel, meals, and lodging while employed away from his regular place of abode; to the Committee on Ways and Means.

H.R. 2077. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain expenses incurred by a taxpayer for the care of his children while his wife is physically or mentally incapable of caring for such children; to the Committee on Ways and Means.

H.R. 2078. A bill to amend section 170(b) (1) of the Internal Revenue Code; to the Committee on Ways and Means.

H.R. 2079. A bill to amend the Internal Revenue Code of 1954 to provide that certain insurance agents shall be treated as outside salesmen for purposes of computing adjusted gross income; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 2080. A bill to provide social security coverage as self-employed individuals for fee office branch managers of the Michigan Department of State and their employees; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 2081. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 2082. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H.R. 2083. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2084. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from income tax for certain nonprofit clubs organized and operated for the purpose of paying benefits to the members and their dependents; to the Committee on Ways and Means.

H.R. 2085. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for child-care expenses shall be available to a wife who has been deserted by and cannot locate her husband on the same basis as a single woman; to the Committee on Ways and Means.

H.R. 2086. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 2087. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph; to the Committee on Interstate and Foreign Commerce.

H.R. 2088. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2089. A bill to amend the Interstate Commerce Act and certain supplementary and related acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 2090. A bill to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving unifications or acquisitions of control of freight forwarders under the provisions of section 5 of the act; to the Committee on Interstate and Foreign Commerce.

H.R. 2091. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2092. A bill to amend section 1(14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2093. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2094. A bill to make the civil forfeiture provisions of section 222(h) of the Interstate Commerce Act applicable to unlawful operations and safety violations by motor carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HEALEY:

H.R. 2095. A bill to prohibit the application of unreasonable literacy requirements with respect to the right to vote; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 2096. A bill to prohibit the charging of a fee to view telecasts in the home; to the Committee on Interstate and Foreign Commerce.

By Mrs. KELLY:

H.R. 2097. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. KILGORE:

H.R. 2098. A bill to amend the Internal Revenue Code to allow gas tax refunds due for gasoline used by aerial applicators serving farmers to be refunded to the aerial applicators providing such service to farmers; to the Committee on Ways and Means.

H.R. 2099. A bill to amend the Internal Revenue Code of 1954 to provide for the refund of manufacturers excise taxes in certain cases where the articles are exported by persons other than the manufacturers, producers, or importers of the articles; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 2100. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide a special rule for the computation of net earnings from self-employment by ministers and members of religious orders under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 2101. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 2102. A bill to provide for Federal assistance on a combination grant and loan basis in order to improve patient care in public and other nonprofit hospitals and nursing homes through the modernization or replacement of those institutions which are structurally or functionally obsolete; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Illinois:

H.R. 2103. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 2104. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States; and other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H.R. 2105. A bill to require certain standards of decomposability of synthetic petroleum-based detergents imported into the United States or shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Arizona:

H.R. 2106. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Pennsylvania:

H.R. 2107. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 2108. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Alabama:

H.R. 2109. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Interstate and Foreign Commerce.

H.R. 2110. A bill to authorize grants to assist the States in strengthening professional nurse education, in order to relieve the shortage of well-trained professional nurses and to meet the requirements of Federal, State, and local governmental hospitals and health agencies, as well as of nongovernmental hospitals and other employers; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Colorado:

H.R. 2111. A bill to amend subchapter S of the Internal Revenue Code of 1954 to provide that a small business corporation may in certain cases retain its tax status thereunder even though one of its shareholders becomes a trust; to the Committee on Ways and Means.

By Mr. RYAN of New York:

H.R. 2112. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2113. A bill to amend section 625 of the Public Health Service Act to require that hospitals assisted under the Hill-Burton program shall not discriminate on the basis of race, creed, or color in selection of their staff or employees; to the Committee on Interstate and Foreign Commerce.

H.R. 2114. A bill to amend the Hospital Survey and Construction Act to prohibit discrimination in any respect whatsoever on account of race, creed, or color in hospital facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 2115. A bill to provide protection against lynchings; to the Committee on the Judiciary.

H.R. 2116. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 2117. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

By Mr. SIBAL:

H.R. 2118. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct from gross income tuition paid by him to an institution of higher education for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 2119. A bill to amend title II of the Social Security Act to include Kentucky among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 2120. A bill to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.R. 2121. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 2122. A bill to authorize the withholding from the pay of civilian employees of the United States the dues for membership in certain employee organizations; to the Committee on Post Office and Civil Service.

By Mr. BLATNIK:

H.R. 2123. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. CLEVELAND:

H.R. 2124. A bill to amend title 38, United States Code, to permit for 1 year the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. CUNNINGHAM:

H.R. 2125. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 2126. A bill to amend the Civil Rights Act of 1957 to make the Commission on Civil Rights a permanent agency of the United States, to broaden the duties of the Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. FORRESTER:

H.R. 2127. A bill to designate the lake formed by the Walter F. George lock and dam, Alabama and Georgia, as "Lake Chattahoochee"; to the Committee on Public Works.

By Mr. GARMATZ:

H.R. 2128. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," to require the construction, alteration, and repair of U.S. naval vessels in shipyards in the United States; to the Committee on Public Works.

By Mr. GLENN:

H.R. 2129. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

H.R. 2130. A bill to reunite families in the United States by granting nonquota status to certain aliens entitled to a preference under the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 2131. A bill to prevent the use of stopwatches, work-measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 2132. A bill to amend the Federal Aid Highway Act of 1962 to increase the authorization for forest development roads and trails for the fiscal years 1964 and 1965; to the Committee on Public Works.

By Mr. HALEY:

H.R. 2133. A bill to amend section 902(a) of title 38, United States Code, to authorize payment of an additional $100 to cover the cost of acquiring, opening and closing, and complete servicing of burial plot; to the Committee on Veterans' Affairs.

H.R. 2134. A bill to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; to the Committee on Veterans' Affairs.

By Mr. HALPERN:

H.R. 2135. A bill to amend section 715 of title 38, United States Code, to permit veterans with service-connected disabilities less than total who have $5 per $1,000 total disability income provisions included in their national service life insurance policies to obtain the $10 per $1,000 total disability income protection; to the Committee on Veterans' Affairs.

H.R. 2136. A bill to amend title 38, United States Code, to permit for 1 year the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 2137. A bill to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan; to the Committee on Veterans' Affairs.

By Mr. HARVEY of Michigan:

H.R. 2138. A bill to amend the Flood Control Act of 1958 to authorize reimbursement to Frankenmuth, Mich., for certain work on the flood control project on the Saginaw River, Mich.; to the Committee on Public Works.

By Mr. HEALEY:

H.R. 2139. A bill to permit the absence from duty for a minimum period of 2 hours of certain Federal employees for the purpose of voting in person in certain elections, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HUDDLESTON:

H.R. 2140. A bill to amend the Civil Service Retirement Act to provide for the reemployment by the Government of disability annuitants who have recovered from their disabilities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 2141. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mrs. KEE:

H.R. 2142. A bill to amend section 632 of title 38, United States Code, to provide for an extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans; to the Committee on Veterans' Affairs.

By Mrs. KELLY:

H.R. 2143. A bill to provide for the reentitlement of certain surviving widows to annuities under the Civil Service Retirement Act upon termination of their subsequent remarriages by reason of death of husband, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LINDSAY:

H.R. 2144. A bill to amend the Internal Revenue Code of 1954 so as to permit charitable contributions, bequests, transfers, and gifts to the United Nations Children's Fund (UNICEF) to be deductible for income tax, estate tax, and gift tax purposes; to the Committee on Ways and Means.

By Mr. MILLER of California:

H.R. 2145. A bill to prevent the use of stopwatches, work-measurement programs, or other performance-standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. MINISH:

H.R. 2146. A bill to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes; to the Committee on the Judiciary.

H.R. 2147. A bill to authorize the Attorney General to institute for the United States a civil action for preventive relief whenever any acts have been committed which would give rise to a cause of action under section 1980 of the Revised Statutes; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 2148. A bill to amend chapter 37 of title 38, United States Code, to provide for the waiver of indebtedness to the United States arising out of a veteran's default in payment of a guaranteed home loan where the default occurred because of compelling reasons without fault on the part of the veteran; to the Committee on Veterans' Affairs.

H.R. 2149. A bill to require that title to certain vessels supplied directly or indirectly by the United States for oceanographic research shall remain in the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2150. A bill to amend title 38, United States Code, to permit, for 1 year the granting of national service life insurance to veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 2151. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 so as to permit employees to acquire an additional unit of insurance under such act by paying both the employee's and the Government's share of the cost of the premiums thereon; to the Committee on Post Office and Civil Service.

H.R. 2152. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining anuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 2153. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 2154. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

H.R. 2155. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2156. A bill to extend benefits under the Retired Federal Employees Health Benefits Act to the survivors of retiree annuitants who died before April 1, 1948, and to employees who retired from the Tennessee Valley Authority and Farm Credit Administration, prior to July 1, 1961; to the Committee on Post Office and Civil Service.

H.R. 2157. A bill to amend the Civil Service Retirement Act to equalize additional annuities in return for contributions of annuitants during service in excess of the amount necessary to provide the maximum annuity under such act at the time of their retirement; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 2158. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. RIVERS of Alaska:

H.R. 2159. A bill to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 2160. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, to authorize length of service credit for periods of employment by agricultural stabilization and conservation county committees, and to provide that annual leave unused at the end of a leave year shall be credited to the employee's sick leave account; to the Committee on Post Office and Civil Service.

H.R. 2161. A bill to provide certain employment preference for Government employees disabled in line of duty; to the Committee on Post Office and Civil Service.

By Mr. RODINO:

H.R. 2162. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 2163. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

H.R. 2164. A bill to amend the Library Service Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain colleges and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

H.R. 2165. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2166. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 2167. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ROGERS of Colorado:

H.R. 2168. A bill to amend section 4161 of title 18 of the United States Code, entitled "Crimes and Criminal Procedure," to provide for increasing the good-time allowances to be deducted from the terms of the sentences of prisoners convicted of offenses against the United States and confined in penal or correction institutions for a definite period other than for life; to the Committee on the Judiciary.

H.R. 2169. A bill to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other documents, showing certain information in lieu of requiring such to be marked on the package; to the Committee on the Judiciary.

H.R. 2170. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2171. A bill to amend section 503 of title 38, United States Code, to provide that payments under the Uniformed Services Contingency Option Act shall not be considered as income for the purposes of payment of pension under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 2172. A bill to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2173. A bill to amend the act of August 9, 1946 (60 Stat. 968), providing for the preparation of a membership roll of the Indians of the Yakima Reservation; to the Committee on Interior and Insular Affairs.

By Mr. GIAIMO:

H.J. Res. 124. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

By Mr. ST. GERMAIN:

H.J. Res. 125. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 126. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

By Mr. BERRY:

H.J. Res. 127. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOLAND:

H.J. Res. 128. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

By Mr. BOW:

H.J. Res. 129. Joint resolution amending the Budget and Accounting Act, 1921, as amended; to the Committee on Government Operations.

By Mr. CAHILL:

H.J. Res. 130. Joint resolution proposing an amendment to the Constitution of the United States to limit the power of the States and their political subdivisions to tax the salaries and wages of persons who are not domiciliaries or residents thereof; to the Committee on the Judiciary.

By Mr. DAGUE:

H.J. Res. 131. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FISHER:

H.J. Res. 132. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.J. Res. 133. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.J. Res. 134. Joint resolution to authorize the President to designate Philadelphia, Pa., as the site of a world's fair commemorating the 200th anniversary of the signing of the Declaration of Independence; to the Committee on Foreign Affairs.

By Mr. HEALEY:

H.J. Res. 135. Joint resolution proposing an amendment to the Constitution of the United States to abolish literacy test qualifications for electors in Federal elections; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 136. Joint resolution to authorize the Secretary of the Army to convey certain lands at Fort Miles, Del., to the State of Delaware on terms no less favorable to Delaware than certain lands at the Fort Hancock Military Reservation, N.J., were recently conveyed to the State of New Jersey by the Secretary of the Army; to the Committee on Armed Services.

By Mr. MATTHEWS:

H.J. Res. 137. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.J. Res. 138. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MOSS:

H.J. Res. 139. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.J. Res. 140. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

H.J. Res. 141. Joint resolution requesting the President to instruct the permanent representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

By Mr. RANDALL:

H.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.J. Res. 143. Joint resolution authorizing the President to proclaim annually the week which includes July 4 as National Highway Safety Week; to the Committee on the Judiciary.

By Mr. ROBISON:

H.J. Res. 144. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.J. Res. 145. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. SCHWENGEL:

H.J. Res. 146. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriation bills; to the Committee on the Judiciary.

H.J. Res. 147. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items in any bill; to the Committee on the Judiciary.

H.J. Res. 148. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items in bills with certain exceptions; to the Committee on the Judiciary.

H.J. Res. 149. Joint resolution to establish a joint congressional committee for the purpose of awarding a Medal of Merit to citizens of the United States who have made significant contributions to the humanities and the arts; to the Committee on Rules.

By Mr. SIKES:

H.J. Res. 150. Joint resolution proposing an amendment to the Constitution of the United States to permit the offering of prayer in public schools; to the Committee on the Judiciary.

By Mr. SILER:

H.J. Res. 151. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SLACK:

H.J. Res. 152. Joint resolution to authorize the Architect of the Capitol to construct a memorial to James Madison, and for other purposes; to the Committee on Public Works.

By Mr. SMITH of California:

H.J. Res. 153. Joint resolution authorizing the President to proclaim the period of July 1 through July 7 as National Flag Week; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.J. Res. 154. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 155. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

By Mr. JONAS:

H. Con. Res. 44. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. MILLER of New York:

H. Con. Res. 45. Concurrent resolution expressing the sense of the Congress that the Administrator of the St. Lawrence Seaway Corporation should cooperate with other governmental authorities in the United States and with Canadian authorities to reduce oil pollution; to the Committee on Public Works.

By Mr. ROBERTS of Alabama:

H. Con. Res. 46. Concurrent resolution expressing the sense of the Congress with respect to promoting international educational radio and television broadcasting as a means of achieving better understanding among and promoting education of the peoples of the world; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER:

H. Con. Res. 47. Concurrent resolution expressing the sense of the Congress with respect to the operations of the United Nations being conducted in the Congo in violation of the United Nations Charter, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ABBITT:

H. Res. 111. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ALGER:

H. Res. 112. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BARING:

H. Res. 113. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BATES:

H. Res. 114. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BECKER:

H. Res. 115. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BERRY:

H. Res. 116. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BYRNES of Wisconsin:

H. Res. 117. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. GOODLING:

H. Res. 118. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HALEY:

H. Res. 119. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HALL:

H. Res. 120. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HARRISON:

H. Res. 121. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HORAN:

H. Res. 122. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HOSMER:

H. Res. 123. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. JONAS:

H. Res. 124. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. McLOSKEY:

H. Res. 125. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MATHIAS:

H. Res. 126. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MINSHALL:

H. Res. 127. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. NELSEN:

H. Res. 128. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mrs. ST. GEORGE:

H. Res. 129. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SIKES:

H. Res. 130. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SLACK:

H. Res. 131. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SMITH of California:

H. Res. 132. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. VAN PELT:

H. Res. 133. Resolution amending clause 2, subsection (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WYDLER:

H. Res. 134. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 135. Resolution to provide funds for the expenses of the investigations authorized by House Resolution 79; to the Committee on House Administration.

By Mr. BECKER:

H. Res. 136. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of crimes in the District of Columbia; to the Committee on Rules.

By Mr. CURTIS:

H. Res. 137. Resolution to create a committee for small unions; to the Committee on Rules.

By Mr. HALPERN:

H. Res. 138. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. KING of California:

H. Res. 139. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

By Mr. LINDSAY:

H. Res. 140. Resolution to amend the Rules of the House of Representatives to transfer the responsibilities of the Committee on Un-American Activities to the Committee on the Judiciary; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 141. Resolution creating a select committee to conduct an investigation and study of management and coordination problems in the various foreign assistance programs of the United States; to the Committee on Rules.

By Mr. McMILLAN:

H. Res. 142. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the government of the District of Columbia; to the Committee on Rules.

By Mr. MILLER of California:

H. Res. 143. Resolution to authorize the Committee on Science and Astronautics to conduct studies and investigations and make inquiries with respect to aeronautical and other scientific research and development and outer space; to the Committee on Rules.

By Mr. RHODES of Arizona:

H. Res. 144. Resolution creating a select committee to conduct an investigation and study of management and coordination problems in the various foreign assistance programs of the United States; to the Committee on Rules.

By Mr. ROBERTS of Alabama:

H. Res. 145. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Highway Safety; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON:

H. Res. 146. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 84; to the Committee on House Administration.

By Mr. WICKERSHAM:

H. Res. 147. Resolution to authorize identification cards for congressional staff members and committee members; to the Committee on House Administration.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States relative to expressing strong support of Representative HUDDLESTON's bill designed to protect and promote the security of a vital segment of Alabama's economy; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to enact legislation to admit to citizenship Mrs. William Tiu and her children; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 2174. A bill for the relief of Nicola Nunnari; to the Committee on the Judiciary.

H.R. 2175. A bill for the relief of Cosimo Barbetta; to the Committee on the Judiciary.

H.R. 2176. A bill for the relief of Sime Guzabat; to the Committee on the Judiciary.

H.R. 2177. A bill for the relief of Andrea Castellano; to the Committee on the Judiciary.

H.R. 2178. A bill for the relief of Won Loy Jung; to the Committee on the Judiciary.

By Mr. AVERY:

H.R. 2179. A bill for the relief of Mrs. David Ishmael, Manhattan, Kans.; to the Committee on the Judiciary.

H.R. 2180. A bill for the relief of Mrs. Dini Wiradilaga Jones; to the Committee on the Judiciary.

H.R. 2181. A bill to confer jurisdiction upon the U.S. District Court for the District of Kansas to hear, determine, and render judgment upon certain claims of Thomas E. Bell and Mary B. Bell; to the Committee on the Judiciary.

H.R. 2182. A bill for the relief of Phillip L. Harris; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 2183. A bill for the relief of Helene Papadopoulos; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 2184. A bill for the relief of Katica Milkovic; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 2185. A bill for the relief of Jose Maldonado-Padilla; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 2186. A bill for the relief of George M. Thomas; to the Committee on the Judiciary.

H.R. 2187. A bill for the relief of Michael and Concetta Terriaca; to the Committee on the Judiciary.

H.R. 2188. A bill for the relief of Anastasia Theodosiou; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 2189. A bill for the relief of Morris Aronow and other employees of the Post Office Department; to the Committee on the Judiciary.

H.R. 2190. A bill for the relief of Anna Del Baglivo; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2191. A bill for the relief of Jamil Hamady; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 2192. A bill authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy; to the Committee on Armed Services.

By Mr. COHELAN:

H.R. 2193. A bill for the relief of Tom Fook Tin; to the Committee on the Judiciary.

H.R. 2194. A bill for the relief of Mariano Mundala; to the Committee on the Judiciary.

H.R. 2195. A bill for the relief of Edward Wong (Woo Kok Wan); to the Committee on the Judiciary.

H.R. 2196. A bill for the relief of Stephen Yu (Chun Pai Yu); to the Committee on the Judiciary.

H.R. 2197. A bill for the relief of Miss Helena Hilda Butterfield; to the Committee on the Judiciary.

H.R. 2198. A bill for the relief of Joseph Tang-Nam, Yuck Har Tang-Nam, Willie Tang-Nam, Wilson (Richard) Tang-Nam, Willsang (Francis) Tang-Nam, Sue Young (Rose Marie) Tang-Nam, and Willmin (Bernard) Tang-Nam; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 2199. A bill for the relief of Dr. Nestor Zenarosa; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 2200. A bill for the relief of Enrico Milano; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 2201. A bill for the relief of Dr. Kazimierz Brzeski; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 2202. A bill for the relief of Maurice Mo, Sam Wan Cheng Mo, and Sze Mai Mo (also known as Rosie S. Mo); to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2203. A bill for the relief of Salvatore Romeo; to the Committee on the Judiciary.

H.R. 2204. A bill for the relief of Luciano Lo Bello; to the Committee on the Judiciary.

H.R. 2205. A bill for the relief of Elio Vecchiarelli; to the Committee on the Judiciary.

H.R. 2206. A bill for the relief of Mr. and Mrs. Lawrence J. Palombo; to the Committee on the Judiciary.

H.R. 2207. A bill for the relief of Francesco Di Giacomo; to the Committee on the Judiciary.

H.R. 2208. A bill for the relief of Nicolo Scorsone; to the Committee on the Judiciary.

H.R. 2209. A bill for the relief of Maria Petrozza; to the Committee on the Judiciary.

H.R. 2210. A bill for the relief of Francesco Lupo; to the Committee on the Judiciary.

H.R. 2211. A bill for the relief of Lucy P. T. Chen; to the Committee on the Judiciary.

H.R. 2212. A bill for the relief of Domenico Palermiti; to the Committee on the Judiciary.

H.R. 2213. A bill for the relief of Dr. Giuseppe Spataro; to the Committee on the Judiciary.

H.R. 2214. A bill for the relief of Raffaele and Franceschina Piscitelli; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.R. 2215. A bill for the relief of E. A. Rolfe, Jr.; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2216. A bill for the relief of Mario Calia; to the Committee on the Judiciary.

By Mr. GLENN:

H.R. 2217. A bill for the relief of Basile and Palagia Stavropoulos; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 2218. A bill for the relief of Dr. Isidro Enriquez Custodio and his wife, Elena Custodio; to the Committee on the Judiciary.

H.R. 2219. A bill for the relief of Flora Kim; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 2220. A bill for the relief of Mrs. Mary Wadlow; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 2221. A bill to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif.; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 2222. A bill for the relief of Thurman & Wright; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 2223. A bill for the relief of Ernesto Manuel Amaral Furtado; to the Committee on the Judiciary.

By Mr. KILBURN:

H.R. 2224. A bill for the relief of Bok Hi Lee; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 2225. A bill for the relief of Fidel Villanueva Magbitang; to the Committee on the Judiciary.

H.R. 2226. A bill for the relief of William Herbert vom Rath; to the Committee on the Judiciary.

H.R. 2227. A bill for the relief of Marvin C. Norman; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 2228. A bill for the relief of the estate of Rafaello Busoni; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 2229. A bill for the relief of Louis Adler; to the Committee on the Judiciary.

H.R. 2230. A bill for the relief of Anna Trojnar; to the Committee on the Judiciary.

H.R. 2231. A bill for the relief of Lilias Jane Reid McKnight; to the Committee on the Judiciary.

H.R. 2232. A bill for the relief of Olimpia Barbano Clingo, Rosa Clingo, and Pietro Clingo; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2233. A bill for the relief of Sau Hung Wong and Wai Kin Wong; to the Committee on the Judiciary.

H.R. 2234. A bill for the relief of Barbara Mlynarczykowska; to the Committee on the Judiciary.

H.R. 2235. A bill for the relief of Monique M. Gibbs; to the Committee on the Judiciary.

H.R. 2236. A bill for the relief of Maria del Rosario de Fatima Lopez Hayes; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 2237. A bill for the relief of Maria Rossi; to the Committee on the Judiciary.

H.R. 2238. A bill for the relief of Erwin A. Suehs; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 2239. A bill for the relief of Annunziata Sabatini; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 2240. A bill for the relief of Angela Teresa Petrelli; to the Committee on the Judiciary.

H.R. 2241. A bill for the relief of Ephna Eulinis Christian; to the Committee on the Judiciary.

By Mr. HARVEY of Michigan:

H.R. 2242. A bill for the relief of Guzin Delman; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 2243. A bill for the relief of Ana Santos Nogueira; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 2244. A bill for the relief of Osmundo Cabigas; to the Committee on the Judiciary.

H.R. 2245. A bill for the relief of Stella McKee; to the Committee on the Judiciary.

H.R. 2246. A bill for the relief of Soterios Bairaktaris and his wife, Efthemia Bairaktaris; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 2247. A bill for the relief of Estefania Racheva de Mussevits (nee Stefana Domusstchieva); to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 2248. A bill for the relief of Miss Mary R. Verso; to the Committee on the Judiciary.

H.R. 2249. A bill for the relief of Miss Varsen Emciyan; to the Committee on the Judiciary.

H.R. 2250. A bill for the relief of Lucio Marinucci; to the Committee on the Judiciary.

H.R. 2251. A bill for the relief of Juana Brandariz Sanchez; to the Committee on the Judiciary.

H.R. 2252. A bill for the relief of the family of Capt. William B. Clifford; to the Committee on the Judiciary.

H.R. 2253. A bill for the relief of Dr. Sayed Ahmad Madani and Shami H. Madani; to the Committee on the Judiciary.

H.R. 2254. A bill for the relief of Emilia D'Addario Santorelli; to the Committee on the Judiciary.

H.R. 2255. A bill for the relief of Mrs. Marianna Martino Paviglianiti; to the Committee on the Judiciary.

H.R. 2256. A bill for the relief of Jose Domenech; to the Committee on the Judiciary.

H.R. 2257. A bill for the relief of Kenneth F. Miller; to the Committee on the Judiciary.

H.R. 2258. A bill for the relief of Loreto Mario Vincenzo Angeloni, Emilia Nella Angeloni, and Enzo Angeloni; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 2259. A bill for the relief of Beatriz Foronda; to the Committee on the Judiciary.

H.R. 2260. A bill for the relief of Mrs. Rozsi Neuman; to the Committee on the Judiciary.

H.R. 2261. A bill for the relief of Dr. Kyu Soo Kim; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 2262. A bill for the relief of Catalina Properties, Inc.; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 2263. A bill for the relief of Eve Banasiak; to the Committee on the Judiciary.

H.R. 2264. A bill for the relief of Tak Wa Kwok; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 2265. A bill for the relief of Mrs. Rasheedi Kater; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 2266. A bill for the relief of A. A. Lindley; to the Committee on the Judiciary.

H.R. 2267. A bill for the relief of G. J. Guitreau; to the Committee on the Judiciary.

H.R. 2268. A bill for the relief of Mrs. Geneva H. Trisler; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 2269. A bill for the relief of Lucy Malca; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 2270. A bill for the relief of Maggiorina Magnante; to the Committee on the Judiciary.

H.R. 2271. A bill for the relief of Mrs. Catalina Castillo Cantos Savell; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 2272. A bill for the relief of Filipinas J. Lowery; to the Committee on the Judiciary.

H.R. 2273. A bill for the relief of Edward George Roberts; to the Committee on the Judiciary.

H.R. 2274. A bill for the relief of Donald Heywood; to the Committee on the Judiciary.

H.R. 2275. A bill for the relief of Vilma Angela Roberts, nee Keller; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 2276. A bill for the relief of Kyriakoula Michalopolous; to the Committee on the Judiciary.

H.R. 2277. A bill for the relief of Colombo Melone, his wife, Vivalda Melone, and his minor child, Maria Teresa Melone; to the Committee on the Judiciary.

H.R. 2278. A bill for the relief of Czeslaw Michalewicz; to the Committee on the Judiciary.

H.R. 2279. A bill for the relief of Phillipas C. Konstantelos; to the Committee on the Judiciary.

H.R. 2280. A bill for the relief of George Hatzopoulos; to the Committee on the Judiciary.

H.R. 2281. A bill for the relief of Constantinos Vlasios Manaves; to the Committee on the Judiciary.

H.R. 2282. A bill for the relief of Jozefa Pietka; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2283. A bill for the relief of Rosario Ferrante; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 2284. A bill to authorize the disposal of surplus equipment, materials, books, and supplies under section 203(j) of the Federal Property and Administrative Services Act of 1949 to the Arizona Boys' Ranch and Epi-Hab Phoenix, Inc.; to the Committee on Government Operations.

By Mr. RIEHLMAN:

H.R. 2285. A bill for the relief of Dr. Bedros Manguikian; to the Committee on the Judiciary.

H.R. 2286. A bill for the relief of Peter Gerhard Kubetschek; to the Committee on the Judiciary.

H.R. 2287. A bill for the relief of Shin Sook (Renee) Whang; to the Committee on the Judiciary.

H.R. 2288. A bill for the relief of Ingrid Henriette Bela Wolff; to the Committee on the Judiciary.

H.R. 2289. A bill for the relief of Marie Tchernosvitoff; to the Committee on the Judiciary.

H.R. 2290. A bill for the relief of Marija Lulic; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 2291. A bill regarding a homestead entry of Lewis S. Cass; to the Committee on Interior and Insular Affairs.

H.R. 2292. A bill for the relief of Marvin M. Greenlee; to the Committee on the Judiciary.

H.R. 2293. A bill to validate the homestead entries of Leo F. Reeves; to the Committee on Interior and Insular Affairs.

H.R. 2294. A bill to authorize the Secretary of the Interior to convey certain land situated in the vicinity of Unalakleet, Alaska, to Mrs. William E. Beltz; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 2295. A bill for the relief of Mui Kim Chen Liang; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 2296. A bill for the relief of Mrs. Evdoxia Giorgiaki; to the Committee on the Judiciary.

H.R. 2297. A bill for the relief of Hisoe Iwata; to the Committee on the Judiciary.

H.R. 2298. A bill for the relief of Byung Yong Cho (Alan Cho Gardner) and Moonee Choi (Charlie Gardner); to the Committee on the Judiciary.

H.R. 2299. A bill for the relief of Harry N. Duff; to the Committee on the Judiciary.

H.R. 2300. A bill to relief of the Outlet Stores, Inc.; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 2301. A bill for the relief of Georgios (George) Theoharis; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 2302. A bill for the relief of James M. Norman; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 2303. A bill for the relief of Elizabeth Kolloian; to the Committee on the Judiciary.

H.R. 2304. A bill for the relief of Henry Gamero; to the Committee on the Judiciary.

H.R. 2305. A bill for the relief of Zoltan Friedmann; to the Committee on the Judiciary.

H.R. 2306. A bill for the relief of Uichi Kayahara; to the Committee on the Judiciary.

H.R. 2307. A bill for the relief of Lilian E. Gonzales (Reyes); to the Committee on the Judiciary.

H.R. 2308. A bill for the relief of William Bloom (also known as William Blake); to the Committee on the Judiciary.

H.R. 2309. A bill for the relief of Luigi Giuseppe Luraschi; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 2310. A bill for the relief of Dimitrios Verveniotis; to the Committee on the Judiciary.

H.R. 2311. A bill for the relief of Eugenia K. Verros; to the Committee on the Judiciary.

H.R. 2312. A bill for the relief of Spyros Athanasopoulos; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 2313. A bill for the relief of Izhak Sokolski; to the Committee on the Judiciary.

H.R. 2314. A bill conferring U.S. citizenship posthumously upon Jeno Balazs; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 2315. A bill for the relief of Akabi Ozdere; to the Committee on the Judiciary.

By Mr. SCOTT:

H.R. 2316. A bill for the relief of Edward Kuen Sang Shum; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 2317. A bill for the relief of Janos Kardos; to the Committee on the Judiciary.

H.R. 2318. A bill for the relief of Antonio da Costa; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2319. A bill for the relief of Maj. Lionel L. Riave, U.S. Air Force; to the Committee on Armed Services.

By Mr. TOLLEFSON:

H.R. 2320. A bill for the relief of Frederick Ho Wolf; to the Committee on the Judiciary.

H.R. 2321. A bill for the relief of Mrs. Faye E. Russell Lopez; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 2322. A bill for the relief of Frances Kastelic; to the Committee on the Judiciary.

H.R. 2323. A bill for the relief of Teresa Mikucki; to the Committee on the Judiciary.

H.R. 2324. A bill for the relief of Rosa Stefano Ratajczak; to the Committee on the Judiciary.

By Mr. WALLHAUSER:

H.R. 2325. A bill for the relief of Mrs. Mari Ipekciogullari; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 2326. A bill for the relief of Maurice Casner and Eileen G. Casner; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H.R. 2327. A bill for the relief of Lt. Col. Edward C. Campbell; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 156. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

17. By Mr. COHELAN: Petition of San Francisco East Bay Community Forum For Civil Liberties to abolish the House Committee on Un-American Activities; to the Committee on Rules.

18. By the SPEAKER: Petition of Margaret C. Vosbury, president, Twentieth Century Club, Washington, D.C., relative to urging the Federal Government to pay a higher proportion of expenses in maintaining the government of the District of Columbia; to the Committee on the District of Columbia.

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# EXTENSIONS OF REMARKS

## President Kennedy's State of the Union Message

EXTENSION OF REMARKS
OF
**HON. WILLIAM L. ST. ONGE**
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 17, 1963*

Mr. ST. ONGE. Mr. Speaker, this was my first experience as a new Member of Congress to hear the President deliver in person his state of the Union message to the Congress and the people of the United States. It was not only a most exhilarating but also a most sobering experience.

I could not help but think, as I sat and listened to our Chief Executive, that here was a man who is very serious minded, who has deep understanding of our Nation's problems, and who possesses the leadership and the ability to cope with these problems in this very crucial period in world history.

The program he presented to Congress today is a sensible one. I am in agreement with most of the proposals contained in that program, because they are in the best interests of the American people. I am very much encouraged by the President's assurance that "we have every reason to believe that our tide's running strong."

I believe the President deserves the full support of the people. I shall do all I can to help in the enactment of his program.

## Judge Patrick T. Stone

EXTENSION OF REMARKS
OF
**HON. ROBERT W. KASTENMEIER**
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 17, 1963*

Mr. KASTENMEIER. Mr. Speaker, on Sunday, January 13, 1963, death brought an end to the career of one of our Nation's most eminent and able jurists. Patrick T. Stone succumbed to cancer at his home in Wausau, Wis. He was 73 years old. For 30 years he had served the people of Wisconsin as judge of the U.S. District Court for the Western District of Wisconsin.

He served the people well. For him, the speedy and impartial administration of justice was not just an ideal to which our judicial system should aspire—it was the basic and necessary principle of his daily courtroom conduct.

Despite a schedule that would have staggered the most ambitious of men, Judge Stone was always up to date in his work. His court was a model of efficiency, impartiality and dignity.

At the same time, his deep compassion for people was well known and greatly appreciated by all who had the privilege of working with him.

Judge Stone was born in Ontario, Canada, but moved with his family to Tomahawk, Wis., when he was 2. He attended Tomahawk's public schools and received his law degree from Marquette University Law School. During World War I, Judge Stone served in the U.S. Navy. After practicing law and serving as Wausau city attorney for 8 years, Judge Stone was appointed to the Federal bench in 1933 by President Franklin D. Roosevelt. His was the first judicial appointment made by the new President.

Judge Stone presided over many important cases in his long career on the bench. In 1937 and 1938 he sat during the trial of 23 major oil companies charged with price fixing. He presided over the famous bankers trial in Detroit, the trial of two assistant U.S. attorneys in Chicago, and an historic counterfeiting case in New York. Just last year Judge Stone was one of three Federal judges named to hear the Wisconsin reapportionment suit.

His great respect for the traditions of our law did not keep Judge Stone from urging reform when he thought it necessary. He was a pioneer in the use of presentence investigations, which were instituted in his court in 1938.

Both on the bench and off Judge Stone had the respect and affection of lawyers and laymen alike. His firmness and businesslike conduct in his courtroom was matched by his warmth and affability during his rare leisure hours, when he enjoyed a good game of bridge with some of his many friends.

We of Wisconsin are proud of Judge Stone. His record of service to his community, the incisiveness and humanity of his judicial opinions will long be remembered. He has left an indelible mark on the law and on the lives of the people of the western district of Wisconsin. He will be missed, not only by those of us who knew him and felt the power and warmth of his personality, but by all who respected him as a judge among judges, as a man among men.

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## Benjamin Franklin

EXTENSION OF REMARKS

OF

### HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. TOLL. Mr. Speaker, today marks the 257th anniversary of the birth of Benjamin Franklin, whose statesmanship contributed so much to our heritage of liberty and independence.

Although Franklin was born in Boston, he spent the major part of his adult life in Philadelphia, and we of the Commonwealth of Pennsylvania are proud to claim him as our first citizen.

Of humble origin, he rose to a position of affluence and renown, honored throughout the civilized world. I need not discuss at length his illustrious career as an author, publisher, scientist, inventor, diplomat, and statesman. Countless pages have been written in his praise. I should like, however, to point out that there is guidance in the precepts of Franklin that will help us to meet the difficulties that confront our Nation and the free world today.

Franklin's philosophy was based upon his unfailing devotion to the cardinal virtues of integrity, industry, and thrift. Such a philosophy, which might otherwise have been stern and demanding, was relieved by tolerance, serenity, zest, and humor. The homely wisdom of Poor Richard is timeless. To many of our present problems Franklin, if again in our midst, would apply his well-poised judgment, his unfailing humor, and his love of constructive achievement. He might urge that many of these problems could be solved by more working and less talking.

It is often unfair to evaluate an individual's political philosophy in the light of the knowledge of a much later date. But Franklin's ideas of democracy have more than held their own with the passage of time. Throughout the world his principles of an extended franchise and proportional representation have been steadily gaining ground. Even his proposal of a unicameral legislature has been coming into increased favor with the passing years.

However, it is in the field of international relations that Franklin's vision has had its most dramatic vindication. The need for closer international cooperation, which he was among the first to see clearly, is now apparent to all. In his conception of the duties and responsibilities of nation to nation, his political theories attain their loftiest and most progressive form. In his faith in the application of united effort to the common problems of human society, he was consistently in advance of contemporary thought. No system which has been consciously evolved to further this ideal will become obsolete as long as human society itself endures.

Few philosophers have exerted a more wholesome influence upon the development of political thought than did Franklin, or have equaled him in transforming abstract theories into living realities of government. The record of his long life of public service endures in the imperishable annals of our Nation.

In these days of world crisis, every American can find inspiration in the words and deeds of Benjamin Franklin. It is appropriate on this anniversary of his birth that we pay tribute to a great champion of human freedom and a great American.

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## No-Show Plan

EXTENSION OF REMARKS

OF

### HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. MACDONALD. Mr. Speaker, in March of 1962 the Civil Aeronautics Board put into effect a program penalizing passengers who missed their plane connections. Under the no-show plan, passengers who failed to fulfill their reservations were fined from $5 to $40. As I have stated on several occasions, this plan is loaded in favor of the airlines and is unfair to the traveling public.

I am happy to inform my colleagues that the no-show plan will expire on February 1 of this year. Although I commend the dropping of the passenger penalties by the airlines, it is indeed regrettable that the Civil Aeronautics Board did not end the fines at the end of the original 6-month experimental period. It is significant to note that most airlines found the passenger ill will with the plan worse than the no-show problem itself.

The sole benefit to come out of this notable experiment was the fact that much of the reservation problems of the airlines were found to stem from the internal practices of the airlines themselves. A recent Wall Street Journal account estimated that 90 percent of the no-show problem was caused by the airlines, not the passengers. I urge the Civil Aeronautics Board to continue to investigate this problem.

It is a warning signal that this plan which hurt the individual passenger was dropped only after pressures exerted on the Civil Aeronautics Board, which is charged with protecting the public interest, by the airlines who understandably are interested in the private interests of their owners and shareholders.

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## New Light on the Michigan Study of the Elderly

EXTENSION OF REMARKS

OF

### HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. CURTIS. Mr. Speaker, most of the major American newspapers carried, shortly before the last election, articles on the report of the University of Michigan Survey Research Center on its study of the condition of America's elderly. A great deal of information is to be gained from a careful reading of this report, just as a great deal of information could be gained from a careful reading of the House Ways and Means Committee's hearings on the King-Anderson proposal, H.R. 4222, of the last Congress. Unfortunately, these articles did not reflect a careful reading and a careful reporting job.

I was contacted by one of my constituents who, on the basis of the newspaper coverage given this report, took issue with earlier statements I had made about the financial position of our senior citizens. I am placing a copy of my reply to my constituent in the CONGRESSIONAL RECORD for two purposes: First, to set the record straight factually, giving a more accurate presentation of the position of our elderly, and second, to show how distortion can be used to prevent the real facts of an issue from getting through to the people:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., November 19, 1962.*

DEAR SIR: Thank you for your letter of November 1, 1962, calling to my attention an Associated Press story appearing in the October 31 St. Louis Globe-Democrat, page 9C, on the report from the University of Michigan Survey Research Center, "Oldsters Worse Off Financially." I not only read this Associated Press story which the Globe-Democrat printed; I have read the Michigan

University report itself. Far from disputing the point I made, that 80 percent of those 65 years of age and over are well able to take care of themselves and do not need financial assistance for their medical costs, the report actually substantiates the point.

The Associated Press story deceives the casual and already somewhat prejudiced reader.

Let me quote the lead sentence. "Older people are worse off financially than other groups on several counts, reports the University of Michigan Survey Research Center." The phrase which keeps the sentence from being a whole cloth lie is "on several counts," but this phrase is buried in the sentence structure and so glossed over by the quick reader. The headline writer fell for the trap and the headline reads, with no qualifying phrase, "Oldsters Worse Off Financially." Later in the article it is pointed up that the report said on other counts the oldsters are better off financially. The real question we are seeking the answer to is, What is the total financial condition of the oldsters balancing off the various counts? The total picture of oldsters today is that—

1. They are better off financially than they have ever been before, as are other groups.

2. They are better off in the total financial balance than any other age group in our society.

The only areas in which they are worse off are the two listed:

1. Yearly income, which is to be expected because they generally receive pensions rather than salaries, and pensions are less than salaries.

2. Their health costs average more than the health costs of any other group.

Balancing off are these counts, among others:

1. They have more assets, both liquid and in total, than any other age group. (Almost 80 percent own their own homes, and this free of mortgage—their average equity is over $9,000.) This is to be expected because they have been accumulating property and savings during their working years which the younger age groups are only in the process of doing.

2. Their budgets for food, clothes, rent, dependents, travel, recreation, and insurance (except health insurance) are considerably less than that of any other age group and the total budget, including the one higher cost for health insurance, is considerably less than for that of any other age group.

All the statistical studies adduced by the Ways and Means Committee in its public hearings on the subject of health care for the aged point out the same thing. One item that tends to prove this point is the statistical studies which consistently reveal that the oldsters are the best paying of any age group when it comes to medical or any other kind of cost.

Our problem is with the less than 20-percent oldsters who are having problems, not just for health costs, but many of them for other living costs. There is little sense, in my judgment, for establishing compulsory governmental system which covers the 80 percent simply to get at the problems of the 20 percent unless there is no other practical way of doing it. Fortunately, there are practical ways of meeting the problem of the 20 percent without interfering at all with the 80 percent—the Kerr-Mills Act and the golden-age 65 plans, health insurance for people over 65 without medical examination and noncancelable, which Connecticut started just a year ago, and New York, Massachusetts, and other States are imitating. The prospects in the future are even better for our oldsters because of the health insurance programs contained in most of our labor-management contracts which now carry over into retirement and the availability of prepaid noncancelable insurance on an individual basis or group basis paid up at 65. The 20-percent oldsters with health cost problems will dwindle in the future until they are less than 10 percent of our older people.

I appreciate your writing to me on this important subject. I would be glad to receive your further comments.

Sincerely,

THOMAS B. CURTIS.

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## Transmission of Electricity

EXTENSION OF REMARKS
OF

### HON. JOHN E. MOSS

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 17, 1963*

Mr. MOSS. Mr. Speaker, today I have introduced a bill to allow transmission of electrical energy in interstate commerce at normal voltages in excess of 230,000 volts. A similar bill has been introduced today also by my good friend, the distinguished Senator from California, Hon. CLAIR ENGLE.

The new bill, similar to one offered in the 2d session, 87th Congress, would amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for electrical energy transmission in interstate commerce.

The old bill, H.R. 12181, was referred to the Committee on Interstate and Foreign Commerce, but was not taken up before the end of the session.

In recent years, there have been great advances in the techniques of transmitting electric power. Until recently, the longest economical transmission distance ranged from 200 to 400 miles at maximum voltages of 230,000. For several years, there have been lines operating in Europe and Russia at greater distances and higher voltages. An Interior Department task force which recently studied the possibility of an intertie between the Pacific Northwest, where power can be produced economically in hydroelectric plants, and the Pacific Southwest, where the need for more electric energy at low cost is acute. The Interior Department study points out that electricity now can be transmitted for more than 1,000 miles at 750,000 volts.

Construction of such lines would have a tremendous impact upon the power utilization and economic growth of our country. Experiments have been conducted in the United States on transmission of extra-high-voltage power. Recently it was announced that such a line will be built in northern California and southern Oregon to interconnect the systems of Pacific Power & Light Co. and Pacific Gas & Electric Co. The Federal Power Commission has ruled by split vote that the terms of the Federal Power Act do not authorize the Commission to determine whether such extra-high-voltage lines are compatible with the public interest, convenience, and necessity.

The tremendous effect of such extra-high-voltage lines demands regulation by the Federal Power Commission. The bill provides that a certificate of convenience and necessity must be obtained from the Federal Power Commission before any person or company may construct, extend, operate, or maintain any facilities for transmission of electricity at normal voltages in excess of 230,000 volts. Anyone who, at the time this bill is enacted, is already then engaged in the transmission of electricity at a normal voltage in excess of 230,000 volts will automatically receive such a certificate if he files for it within 90 days. Our proposal will require all applicants, except those who already have existing extra-high-voltage lines in operation at the time this bill is enacted, to show that their operations are required by present or future public convenience and necessity, and to observe such reasonable terms and conditions as the Federal Power Commission requires for the public convenience and necessity. In addition, no public utility would be permitted to abandon or curtail such extra-high-voltage transmission lines unless the Commission finds that such abandonment or curtailment would be consistent with the public interest and then grants permission for such abandonment or curtailment. The abandonment provision in our bill is identical with the provision in S. 1607 which was approved by the Senate August 14, 1961.

This bill also provides that any such extra-high-voltage transmission facilities authorized, but not required for the applicant's own use in power transmission, shall be made available on a common carrier basis for other electric energy. The Federal Power Commission will have authority to attach other reasonable conditions to granting permission for extra-high-voltage transmission facilities.

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## John W. Tramburg, Devoted Public Servant

EXTENSION OF REMARKS
OF

### HON. ROBERT W. KASTENMEIER

OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 17, 1963*

Mr. KASTENMEIER. Mr. Speaker, on January 14, the cause of social work and public welfare was dealt a great loss—John W. Tramburg, former Director of Public Welfare of the District of Columbia and of the State of Wisconsin, died at the age of 49 after suffering a heart attack.

Mr. Tramburg, a native of Fall River, Wis., and graduate of Whitewater State Teachers College in 1935, taught at Norwalk, Wis., and had been recreation and athletic director of a CCC camp in northern Wisconsin. He then attended the University of Chicago, where he received a master's degree in social service. During World War II he served for 3 years in the Navy.

Mr. Tramburg was the head of the District of Columbia welfare program in 1950 when he was hired to run Wisconsin's multimillion-dollar public welfare department. He remained in this post until 1955, except for a 1-year interruption to serve as the first Federal Commissioner of Social Security under President Eisenhower in Washington, where he had charge of drafting revisions in the social security system.

In 1955 Mr. Tramburg left Madison to become New Jersey State Commissioner of Institutions and Agencies, a post he held at the time of his death.

During his service in Wisconsin, Mr. Tramburg began a widely copied series of penal reforms for both adult and youthful offenders and he continued his efforts in this field in New Jersey.

Mr. Tramburg gave unstintingly of himself in positions of leadership to the field of social work through working as chairman of the Commission on Social Policy and Action of the National Association of Social Workers. As a member of the ad hoc Committee on Public Welfare appointed by Secretary of Health, Education, and Welfare Ribicoff, he played an important role in developing the Public Welfare Amendments of 1962.

His contributions to, and concern for, health and welfare issues were signally recognized when he was elected president of the National Conference of Social Welfare for 1963.

The dedication and service to people of Mr. Tramburg crossed party lines—a Republican, he left his Wisconsin post to serve under New Jersey Democratic Governors Meyner and Hughes. In his death, the underprivileged and forgotten people have lost a stanch friend and advocate.

## How Much Government Can We Afford?

EXTENSION OF REMARKS

OF

### HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. CURTIS. Mr. Speaker, shortly before the opening of the 88th Congress I had the chance to address the New York Chamber of Commerce on an issue, the increasing cost of Government, which has been thrust even more importantly into public focus by the President's plans for a tax reduction and his budget for fiscal year 1964. I should like to place this speech, with its comments on these very current questions, in the RECORD at this point:

HOW MUCH GOVERNMENT CAN WE AFFORD?

"Fellow citizens, we cannot escape history. We will be remembered in spite of ourselves." Abraham Lincoln once used those words to admonish his countrymen. The import of those words inescapably confronts us today. History will remember us in spite of ourselves—and because of ourselves.

Today I would ask the question, "How Much Government Can We Afford?" Asking the question, I suppose, imposes an obligation to try to provide an answer. This I will endeavor to do in the next few minutes.

First, let me express my appreciation to this group of business leaders for inviting me to New York City to join in this chamber of commerce meeting. Much of what I will say this noon will be meaningless unless the people who belong to organizations such as yours take an informed stand on the issue of how much government we can afford; how much our economy can pay for and still be free and enterprising.

You will notice I said "people" must take the stand. An organization undertaking is only as good as the effort by the people who belong to that organization. How much zeal, how much knowledge, how much patriotism, how much conviction, how much principle do the people of an organization bring to their organization objectives and endeavors? When our zeal, our knowledge, our patriotism, our convictions, our principles are too little or too casual we risk having the words "free" and "enterprising" lost as being descriptive of both our economy and our way of life.

I am not here to preach on patriotism nor to speak partisanly. However, I have strong feelings on the urgency of citizen action and organization responsibility; I have strong basic disagreements with others who have recently used New York forums to espouse economic and political views which I believe hold danger for our Nation.

How much government can we afford? Over the past three decades our Federal Government has tried and failed in the effort to spend our Nation rich. With budgetary deficits 80 percent of the time in this period, our economy has grown in fits and spurts. We have failed to produce sustainable economic growth. We have produced a fiscal environment of constantly rising and mounting tax burdens; burdens that consistently proved inadequate to pay the Government bills we incurred.

We have justified our extravagant and profligate ways by giving recognition to a fiscal tenet that just does not work, this tenet says that it is not necessary to worry about a budget imbalance in any particular year so long as it is balanced over a period of years. The resort to expediency implicit in this philosophy has led us to what can only be termed fiscal immorality—the consequences of which can only be measured in a trillion dollars of debt, in a burgeoning Government bureaucracy, and in a curtailment of human liberty.

Thus, one of the answers to the question of how much government can we afford is that we apparently cannot afford as much as we have. The last time we succeeded in even paying our way in a fiscal year was in 1960, and it now seems almost certain that at least a half a decade will elapse from then before we again have a chance of a budget balance. In those intervening 5 years we will add a minimum of between $25 and $30 billion to the Federal debt even if we succeed in stemming the rising tide of annual total spending. In the past three decades we had no program for debt retirement and we have none for the future—as citizens we are content to be prodigals.

The continuing budget deficits of the last 30 years did not occur in times of depression nor in times of little or no change in Government fiscal affairs. Indeed, relative prosperity has marked the post-World War II period and the Government's fiscal experience has found budget expenditures and tax collections increasing more than twentyfold in the last three decades. We have had the opportunity to do something about paying our way, but we have instead chosen a course of Government on credit—we have chosen to let our children be the fall guys for our fiscal imprudence.

But we need not go back three decades to measure an alarming growth in levels of spending and taxing. I will not belabor you with endless statistics but the facts are there as conclusive proof that our spending increases for civil matters exceeded the relative increase in military spending.

If these spending increases had been for Government goods and services that were provided within the framework of a balanced budget, they would have represented expenditures which we were willing to pay for rather than pass on as a charge to succeeding generations. The fact is we did not pay for the cost of those goods and services and, as a consequence, we have a Federal statutory debt in excess of $300 billion. The present annual interest charges on that debt, without providing for any debt retirement, are more than double the total budget expenditures for all purposes by the Federal Government three decades ago.

But this $300 billion figure does not tell the whole story. The truth is that our Federal indebtedness today exceeds $1 trillion, and it means that every American family of four has a share of $22,000 of this debt. This trillion-dollar debt includes such items as $250 billion for unfunded obligations of the social security system, $70 billion for unfunded obligations of Government retirement programs, $300 billion of commitments to veterans, $150 billion for unfunded public works and similar charges to the statutory debt. These are currently accruing obligations of our Government that we are not paying for and that will represent demands on the productivity of succeeding generations.

As bad as these fiscal facts are, I feel that future events will pale our past experience to insignificance. Under the present administration we have found that new spending authority has risen from $80 billion in fiscal year 1960 to $100 billion for fiscal year 1963. It is inevitable that this fact will produce increased spending pressures in future years. The distinguished chairman of the Senate Committee on Finance has predicted that by the year 1965 the Federal budget figures will exceed $135 billion, including $30 billion of trust fund expenditures. I call to your attention the fact that this budget event, if it materializes as predicted, is only 2 years away. Now would seem to be the very latest moment for an all-out program to call a halt to this compulsive spending unless we as taxpayers are willing to pay for it.

In an inaugural speech of not too long ago we were encouraged, if not reassured, by a reiteration of the principle that individuals should concern themselves with what they can do for the state rather than being preoccupied with what the state can do for them. As recently as a few weeks ago we were told, "If Government is to retain the confidence of the people, it must not spend more than can be justified on grounds of national need or spent with maximum efficiency." It seems paradoxical to me that such statements are made by a political leader who since taking office has sent to the Congress 262 different spending proposals which, if they had been enacted by the Congress would, in my judgment, have done much to destroy private enterprise and individual liberty.

Regardless of the fact that our Federal Government is the biggest spender, the biggest employer, the biggest property owner, the biggest tenant, the biggest insurer, the biggest lender and the biggest borrower in all the world, we find a growing impatience on the part of many holding high office in our land to make government even bigger. Thus, we are told that it is the Federal Government which must grant aid to schools, compulsory medical care, a permanent system of extending unemployment compensation benefits, an expanded food-stamp plan, an expansion of area redevelopment and public works, enlarged public assistance programs, increased public power projects, enlarged housing programs, increased subsidies and other items on a staggering list of so-called Government giveaways—giveaways that inescapably cost the taxpayers of today and tomorrow for programs that involve the massive Federal intervention urged by the Government spenders.

In this tragic failure to control and manage our fiscal affairs within the limits of what we are willing to afford, we have essentially departed from a basic philosophy of our Founding Fathers who believed that it was our citizen duty to support our state and not our country's obligation to support its citizens. To this end, the patron saint of the Democratic Party, Thomas Jefferson, once said:

"I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared. * * * To preserve our independence, we must not let our rulers load us with perpetual debt—we must make our choice between economy and liberty, or profusion and servitude. If we can prevent the Government from wasting the labors of the people, under the pretense of caring for them, they will be happy."

In our time we have disregarded the wisdom of Thomas Jefferson. We have also rejected the prophetic admonition of the French philosopher deTocqueville who warned us in the early history of our country that if the time should ever come when people conclude they can vote themselves benefits out of the public treasury, self-government by responsible men will be an impossibility.

I need not tell a sophisticated group such as this that the implications of our failure to do better in handling our fiscal affairs are of concern not only to ourselves and our children but also to any person now living, or to live in the future, who might aspire to be free of political domination. The truth of the matter is that we are the free world's banker; on the strength and stability of the American dollar rests the economic vitality and monetary security of the non-Communist world. In the past 12 years we have had 11 deficits in our balance of payments and our gold supply has dwindled to approximately $16 billion. Our commitments against this gold supply included our obligations of $12 billion of legal monetary reserves and obligations of a considerably greater magnitude held by foreign governments and foreign nations.

The simple fact that as the world's banker we borrow short and lend long demonstrates the importance of confidence in our ability to conduct our fiscal and monetary affairs in such a way as to avoid debasing the purchasing power of the dollar.

Against this backdrop of debt, deficits, and declining gold supply, we are now told that the cure for virtually all our problems is to be found in a tax cut. This proposal makes me wonder whether this issue should be decided by the votes of those American citizens who are now of voting age or by the votes of those young people whose age does not now qualify them for voting status. Indeed, it is the latter group that we will be taxing to make up the deficit from the tax reduction that we give to ourselves. Americans have always felt strongly against the idea of taxation without representation; hence, my suggestion that Americans under age 21 should be allowed to ballot on the question of a tax cut at this time of needlessly high spending and uncontrolled deficits.

There is no one who is more concerned than I am over the stifling effect of our present tax structure on economic growth and national strength. Our tax laws represent a peculiar tax policy for a country that relies on individual initiative for progress. Tax receipts of Federal, State, and local governments take almost one-third of our net national product, and most of these receipts are derived from assessments on earned income and on capital accumulation. The more productive and venturesome a person is, the higher tax he pays.

The result is that our present tax system has an impact that is not conducive to economic growth. We have a sharp progressivity of tax rates that is self-defeating. The complexity of our tax structure discourages enterprise and impairs venture taking. In short, I agree wholeheartedly with those who say tax reduction and reform are long overdue. I wholeheartedly disagree with those who say we can have high deficit spending as usual and still have lower tax burdens across the board. I disagree with those who believe that foolish outlays for untested and unwanted Government programs can be continued even though we are going to tax less to pay more for those programs. In short, I support a major program of tax rate restructuring and reform to stimulate incentive and capital formation, but only within the bounds of fiscal responsibility and monetary prudence.

Tax reduction should not be enacted at this time without a commitment from the administration and a pledge by the Congress to hold spending over the next 2 or 3 years at a level that does not exceed the 1963 figure. Tax reduction should not be enacted unless it is designed to increase productive incentive and to enable the capital accumulation needed to undertake the entrepreneurial risks. Tax reduction should not be enacted if it is designed for a mere short-term stimulant that would not result in sustainable economic growth.

Thus, I think it can generally be agreed among this group that our tax reduction objective (1) must be sought under conditions of our regaining control over our spending activities, (2) must be directed toward the attainment of long-term economic progress, and (3) must have as its focal point the easing of tax burdens from those critical rates and substantive provisions that, under present law, make tax saving more important than taxable earnings. In short, we must free our tax structure from its inhibitants against growth and efficiency. How do we do this?

First, we must realize that as long as we are spending for more Government than we are willing to afford, we cannot have tax reduction solely for the sake of making the cost of Government generally less on our citizens. Any tax reduction must be so planned and designed as to achieve maximum incentive benefit at minimum revenue loss. We must not have a tax reduction that seeks to solve our growth and full employment problems merely by increasing the size of the deficit that would have to be financed by added Government borrowing and bank-created funds.

Second, we must recognize that the economic progress from tax reduction at this time finds its key in the vigorous expansion in business investment in new plant and equipment and in the growth of small business. In our last two recessionary periods business capital investment has lagged and, as a consequence, we have had a recovery in each instance that fell short of expectation. This supports the view that our tax reform at this time and under present circumstances must emphasize easing the tax burdens on savings and investment.

Parenthetically, on this second point, I would observe this fact: Anything we may do in the area of tax reform, revision, and reduction will be to no avail if our people do not have confidence in Government administration and policies. Therefore, we must not repeat the self-defeating mixture of bad and good tax changes that comprised the administration's tax package of the last Congress. We should avoid seeking through tax legislation the accomplishment of nonrevenue objectives such as social reforms and curbs on foreign investment by American free enterprise. We should strengthen, not weaken, confidence in the integrity of government. We should base our tax reform on the hard realities of sound economics and competitive advancement and let the politics be damned.

A third factor that we must take into account as we seek tax reform conducive to growth and efficiency is our present undue reliance on taxes on earned income to produce our Government revenues. The statistic and comparative tax tables on this point are well known, and the details need not detain us here. The effect is that our tax structure with its steeply progressive rate schedule and high corporate rate discourages risk and productive effort and even brings about what I will term the "economic withdrawal" of some of our most promising and able producers.

Tax reduction involving minimum revenue loss and maximum economic benefit will take account of those factors which will encourage utilization of technological innovation and which will sustain in our people a desire to work hard for enlarged incomes and a willingness to accept the risks of entrepreneurial activity. This sort of tax reduction can help us to afford the government we need; government whose every expenditure meets the test of absolute essentiality and government whose every service and good is provided to the people only because the people cannot do it for themselves.

I would close this discussion of how much government we can afford by recalling the words of President Eisenhower in his last budget message presented to the Congress in which he said:

"In summary, if we plan wisely and allocate our resources carefully, we can have both public and private advancement. Sound fiscal policies and balanced budgets will sustain sound economic growth and, eventually, will make possible a reduced tax burden. At the same time, we can have necessary improvements in Federal programs to meet the demands of an ever-changing world.

"If, however, we deliberately run the Government by credit cards, improvidently spending today at the expense of tomorrow, we will break faith with the American people and their children, and with those joined with us in freedom throughout the world."

My friends, the government we can afford is only that which we are willing to pay for in the tax burden we are willing to sustain. If we seek more government than that, the price we will pay will be in more than dollars—it will be in terms of lessened individual liberty and curtailed economic opportunity. In answering the question of "How much government can we afford," we should do so in the context of how do we wish to be remembered by history in spite of and because of ourselves. Thank you.

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## Freeman Forges Ahead

EXTENSION OF REMARKS

OF

### HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. BERRY. Mr. Speaker, the international thunderheads seem to be hiding the glow of the New Frontier dawn over agricultural trade with the Common Market.

A year ago today, the New Frontier cowboys were riding around the Nation telling the American people that if an unwilling Congress were only forced to turn the tariffmaking power over to the President, he would increase our exports many times over.

Secretary of Agriculture Freeman was telling the farmers that the Trade Expansion Act was necessary if the American farmer expected to increase his sales to the Common Market countries.

The New Frontiersmen, who have been able to sell their program of centralization of all legislative, executive, and judicial power in the hands of the President, sold this nefarious plan to the Nation and to the Congress. Now, less than 6 months later, we find them talking out of the other side of their mouths.

In his testimony before the House Ways and Means Committee last year, the Secretary of Agriculture, on page 840 of the committee report, testified:

> The potential for expanding foreign trade is of vital importance in the years ahead. It is especially apparent in Western Europe, particularly in the six countries of the Common Market. We have had a taste of what prosperity can do to our export sales in that area, and would like more of it. During the past 5 years, our sales of farm products to EEC countries have expanded 29 percent. In fiscal year, 1961, our agricultural exports to EEC came to $1.1 billion, which was about one-third of our total dollar exports.

Again, on page 842, the Secretary is reported as having testified, "From most of these commodities, which account for about 70 percent of our agricultural export trade to the community, we can expect our exports to expand in the years ahead."

On page 843, the Secretary, still attempting to sell the so-called Trade Expansion Act to the Congress, testified as follows:

> The legislation before this committee would give us a splendid opportunity to do some swapping of concessions. But we must try to make certain that any swap with them includes assurance that reasonable terms of access will be provided for our agricultural products.

Later, he said:

> Our ability to support these forces and to help direct the path of the Common Market trade policies in the liberal direction will depend to a large extent on the new authority of the proposed Trade Expansion Act.

Later, he said:

> Furthermore, we have ample evidence that a liberal trade policy helps American farmers to capitalize on their export market potential.

That, Mr. Speaker, was before the passage of the Trade Expansion Act, when they were putting the heat on Congress to pass the bill. Now, less than 6 months later, when they have their so-called liberal trade policy to help the American farmer to capitalize on his export market potential, what is this great exponent of freewheeling and free trade saying? I would like to quote to you from a speech he made at the annual meeting of Farm Cooperatives in Miami Beach, on January 8, 1963.

In that speech, he said:

> The vital nature of our export trade in farm products causes us to be deeply concerned that protectionist tendencies are appearing today in the common agricultural policy of the European Common Market.

He said further:

> Protective devices, adopted or proposed by the Common Market center, around the use of a varying levy fee are a serious threat to as much as $600 million in our annual agricultural exports to present and prospective members of the Common Market.

It must be just a little embarrassing to the great and wise planners of all political and economic programs, both nationally and internationally, to find that in less than 6 months, the bubble they painted as a gold nugget has blown up in their face. Instead of doubling our agricultural exports, as Mr. Freeman predicted 9 months ago, these exports for cash to the Common Market countries are actually being slashed in half, while the farmers of America are paying the price for another New Frontier experiment.

The thing the planners downtown cannot understand is that whenever a country wants to protect their industries or farmers they will do so without asking us. After it is too late our planners will probably discover that the people of these countries are not a bunch of Boy Scouts.

## Equal Pay for Equal Work

EXTENSION OF REMARKS

OF

### HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. MARTIN of Nebraska. Mr. Speaker, I have introduced a bill today which will go far toward insuring that the women of America will receive equal pay when they are doing work which is equal to that which is performed by male employees. The concept of lower wages for female employees is both antiquated and ridiculous in this day and age. Today, the women of America, thanks to our splendid educational system and the increasing trend toward automation and laborsaving devices, are just as capable of performing the bulk of the office and industrial tasks as are the men. Thus, many of the logical reasons for a differential in pay have been narrowed and in many cases they have even disappeared.

As you know, Mr. Speaker, an equal pay bill, H.R. 11677, was passed by the House of Representatives on July 25 of last year. Thanks to a number of amendments which were offered by my Republican colleagues and accepted by the House, the bill as enacted was basically a good bill. It was then considered by the Senate on October 3, 1962. Unfortunately, it was considered and passed as an amendment to an embassy construction bill, H.R. 11880. As a result, it could not go to the appropriate conference so that the differences between the House and Senate version could be ironed out.

The bill which I have introduced today is basically the same bill which was passed by the House last year. It contains the safeguards with respect to the investigative authority of the Secretary of Labor. It also provides for the trial of all violations in a U.S. District Court rather than before an administrative tribunal. Finally, the provision that there shall be equal pay for equal work is retained.

I believe that the modifications which I have made in the bill, although minor in nature, will both strengthen it and help it to receive favorable consideration.

For example, I have substituted the word "establishment" for the term "place of employment." This change nails down once and for all the often-expressed congressional intent that the provisions of this bill will apply only within and on an individual plant or store basis. Jobs in one plant or store will not be compared to jobs in another store or plant.

In section 4 I have also added the phrase, "or where such payment is attributable to other reasonable differentiation based on a factor or factors other than sex." This phrase appears in a number of State equal-pay statutes. By adding this phrase it is then no longer necessary to list in detail each and every valid reason that would justify a disparity in wage payments. For whenever an attempt is made to list exceptions, there is also the danger that subsequent statutory interpretation will construe the partial listing to mean that those exceptions and only those exceptions that are listed will be considered valid.

Section 5(b) has also been reworked so that it is absolutely clear that the Secretary's investigative authority is limited to those facts, conditions, practices, and matters that are specified in and directly relate to the charge. I am sure that no one wants to arm the Secretary of Labor with a wandering-minstrel type of investigative authority. One of the touchstones of our present legal system is that the accused is advised in advance of the charge that has been made against him. We do not permit the police or the FBI to move in on a citizen, or to invade his place of residence or business; there to stay until such time as an exhaustive and never-ending investigation discloses some type of violation. This smacks far too much of the police state. Certainly this concept should not be applied in the name of equal pay for women.

I have also established a 6-month statute of limitations. This corresponds with the statute of limitations in the Taft-Hartley Act. The National Labor Relations Board has not experienced any difficulty in operating under this rule. In fact, it has proven to be a blessing for it automatically weeds out all stale claims.

In section 6(d) I have eliminated the reference to double pay and have substituted a provision which calls for the payment of back wages plus 6 percent interest. Assessing double pay can be only construed as a penalty or a fine whereas the concept of backpay is instituted in an effort to make the employee whole for any loss that she may have suffered. The addition of a reasonable amount of interest along with the award of backpay further implements this policy of complete restitution without moving into the field of a penalty or a fine.

Finally, Mr. Speaker, I have completely eliminated section 8 from the bill. This section provided special blacklisting penalties for any employer who does business with the Government. I am sure that we have all been troubled by the recent trend which some have characterized as an antibusiness trend. All too often a concept of special and exceedingly harsh penalties has been applied to business. Business has been treated as if it is some type of "Peck's Bad Boy." It is unnecessary and unwise to permit this special-treatment concept to creep into this bill. Moreover, it is an exercise in forensic vindictiveness for under the related provisions of this bill, an employer cannot be penalized in this fashion unless he has been found guilty of a violation by a U.S. court and then refused to comply with an appropriate court order. In other words, he would have to be in contempt of court. We all know that the courts can take care of themselves if and when an individual or a company has the poor judgment to become contemptuous.

It is my sincere hope that the bill that I have introduced will be speedily considered by the Education and Labor Committee. As a member of that committee I will do everything that I can to see that this is done. I urge my colleagues to vote in the affirmative when it is brought before the House for approval.

## Accident and Health Insurance Tax Credit

EXTENSION OF REMARKS
OF

## HON. JOHN W. BYRNES

OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 17, 1963*

Mr. BYRNES of Wisconsin. Mr. Speaker, on January 9, 1963, I introduced a bill—H.R. 453—to provide a 20-percent tax credit for premiums paid by the taxpayer for health and accident insurance. The 20-percent credit is the equivalent of allowing a full deduction for insurance costs for a taxpayer in the first tax bracket. I first introduced this bill in July of 1962—H.R. 12693, 87th Congress, 2d session—and am reintroducing it in this Congress because I feel it is a sound and practical approach to the problem of encouraging voluntary health insurance.

This bill is intended to serve a twofold purpose: First, it remedies an inequity in the provision of existing tax law providing for a medical deduction; second, it will encourage more persons to obtain accident and health insurance.

The medical expense deduction presently available is confined to expenses in excess of 3 percent of the taxpayer's adjusted gross income. This penalizes the taxpayer who insures himself and his family through accident and health insurance.

For example, taxpayer A, whose income consists of wages of $5,000 per year, purchases a medical insurance plan at a cost of $150 per year. Since $150 is not in excess of 3 percent of $5,000, he would not be allowed a medical deduction in any year for the cost of his medical plan. Taxpayer A continues the plan for 5 years at a total cost of $750. In none of the years was he able to deduct this as a medical expense. In the fifth year, he incurs $750 of medical expenses. This $750 of medical expenses is covered by his insurance. He gets no deduction because his medical expense was covered by insurance, although he has paid out a total of $750 over the 5 years for the coverage.

On the other hand, taxpayer B, who has the same $5,000 income as our first taxpayer, has no medical insurance. Taxpayer B deposits $150 a year in a savings account, on which he earns interest. In the fifth year, taxpayer B also incurs $750 of medical expenses. He uses $750 which he has saved to pay his medical bill. The first $150—3 percent of his income—is not includible as a medical deduction. Taxpayer B subtracts this $150 from his $750 medical bill, and takes a medical deduction for the balance—$600.

Thus, while both taxpayer A and taxpayer B had identical annual incomes and medical costs, B gets the benefit of the interest earned while his $750 was invested, plus a tax deduction of $600. From this simple illustration it is apparent that the present medical deduction favors the uninsured taxpayer, to the detriment of the insured taxpayer.

While I have taken taxpayers with an income of $5,000 for purpose of comparison, the effect is the same irrespective of the taxpayer's income. The taxpayers who carry medical insurance are penalized under the Federal tax laws because those taxpayers will not obtain any benefit from the medical deduction, while the taxpayers who do not carry medical insurance will have the benefit of a tax deduction if their medical expense in any year exceeds 3 percent of their income. Taxpayer A is, in effect, penalized for protecting the Government's revenues against the risk of a medical deduction.

In providing a tax credit for medical insurance for the taxpayer, the bill includes amounts paid by the individual for himself, his spouse, his parents, his spouse's parents, and his dependents. Thus, whether or not his, or his spouse's parents qualify as dependents within the meaning of our tax laws, the taxpayer would be permitted to claim the 20 percent credit. This will act as an incentive for children to adequately insure their parents against a major illness.

The effect of this will be to encourage individuals to provide for adequate medical protection: First, for themselves; second, for those dependent upon them; third, for those who might later become dependent upon them; and fourth, beyond this, it will encourage individuals to provide for adequate medical insurance in advance of their old age.

Some may find that if they waited until age 65 or over to take out medical insurance, the cost would be such that adequate coverage is not within their means. This credit would apply to the purchase of level-premium policies or paid-up policies during their younger years which would provide health insurance coverage for their later years.

In providing for a credit instead of a deduction, the bill would still permit the taxpayer to use the tax tables or to take advantage of the standard deduction. The standard deduction—which is reflected in the tax tables—is the equivalent of a deduction of 10 percent of the adjusted gross income. This use of the tables makes it unnecessary for the taxpayer to itemize all his personal deductions. It is in lieu of any other deductions permitted under our tax laws—such as charitable deductions, interest payments, personal taxes, and nonbusiness casualty losses. If medical insurance premiums are treated as an additional personal deduction, the 37 million taxpayers who today elect to use the standard deduction and the tax tables would either lose the benefit of the insurance deduction or the simplicity of the standard deduction and the use of the tax tables. They would have to account for each and every item of personal expense allowable as a deduction. This would materially complicate the filing of returns, particularly for those in the lower tax brackets.

On the other hand, with a 20-percent tax credit for medical insurance, the taxpayer who had an income of $5,000 would still be entitled to the $500 standard deduction. The tax credit provided by my bill would be taken in addition to—not in lieu of—the standard deduction. In other words, the medical insurance credit would be treated in the same manner as the 4-percent credit for dividends received and the $1,200 retirement income credit, both of which are taken in addition to the standard deduction.

Medical care is not solely a problem for those under the social security system, or those 65 years of age. A major illness can befall both young and old. Legislation which limits relief to a segment of the population is deficient. A young father may be just as hard pressed to meet the expense of illness in his family as would the retired person who himself became ill. The bill I have introduced provides tax relief for meeting the medical expenses of both through private insurance. It does not attempt to socialize medical insurance as the Kennedy administration would do.

This bill makes no attempt to regiment our elderly citizens into a Government-conceived, adopted and controlled system of compulsory health insurance. It does not require that the taxpayer's insurance conform to certain standards set by the Federal Government before favorable tax treatment can be obtained. Many of our elderly citizens are at present adequately providing for themselves through private plans of their own choosing, and prefer to continue to do so. This bill recognizes that it is the right of the individual—young and old—to select the type of insurance program which best meets his needs—and to select it in a free and competitive marketplace.

The bill approaches the problem through the encouragement of private insurance—without Government interference and control. Unlike other concepts, it realizes that it is not only the role of the Government to encourage adequate health protection among those age 65 and over, but that our Nation is faced with a problem which transcends both age and economic standards. The bill would encourage individuals of all ages and income levels to provide health and accident insurance as a means of protecting themselves against catastrophic and prolonged illness.

We have made tremendous gains in public acceptance of health and accident insurance over the past decade. The problem is that medical expenses are so treated under existing law that the taxpayer, instead of being given an incentive to enroll himself or his family in a medical plan, is penalized for doing so. Recognition in the tax laws of the desirability of private health insurance is long overdue. The tax credit I propose, by correcting this inequity, would build on the gains we have made in the field of private health insurance.

## Washington Report

EXTENSION OF REMARKS

OF

### HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of January 12, 1963:

WASHINGTON REPORT

(By BRUCE ALGER, Fifth District, Texas)

EIGHTY-EIGHTH CONGRESS OPENS

In one of the most critical periods in the history of mankind the 88th Congress convened on Wednesday. Once again 435 elected Representatives of the people to the House of Representatives swore to "support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same." Within minutes of taking this oath the Members engaged in the first debate and vote testing our allegiance to the Constitution in letter and spirit—the administration-backed proposal to pack the Rules Committee. The resolution passed 235 for (207 Democrats, 28 Republicans) to 196 against (148 Republicans, 48 Democrats). I voted against the proposal because it violates the constitutional conception of the separation of powers. The President, in my opinion, exerted undue influence on Congress to get his way and he will now control the Rules Committee whose primary function is to determine the rules under which legislation is brought to the floor. Past history shows us that when the radical-liberals have had such control all the welfare state and social legislation is sent to the House under gag rules with debate strictly limited and all amendments prohibited. The Rules Committee cannot block legislation. House rules contain adequate provisions for bringing to the floor any measure the leadership wants to bring out.

Preceding the rules votes the House was organized and every Democratic Member voted for liberal leadership which insures that all important House committees will again be headed by the most liberal Members in Congress. Just to remind you what Democratic organization of the House means and for which every Democrat votes on this first vote, the key committees of Education and Labor, Judiciary, Government Operations, and Public Works, among others, will again be headed by chairmen who have 100-percent Americans for Democratic Action voting records.

Big battles ahead will concern tax legislation, medical aid under social security, raising the debt limit, Federal aid to education, and expanded Federal programs and control. The President will begin a series of messages on Monday with his state of the Union message. Most of the bills embracing the President's program will come before my Committee on Ways and Means, emphasizing again the importance of this powerful committee on which I represent the people of Dallas County.

TEXAS REPUBLICAN DELEGATION

The Texas Republican delegation in Congress, consisting of Senator JOHN TOWER, Congressman ED FOREMAN, and me, held our first meeting, luncheon with the press representatives of Texas newspapers and wire service. ED FOREMAN is going to be a great Congressman and I appreciate the honor and privilege of serving with him in the House. He was my first guest on my 1963 television series, the first of which will be telecast on WFAA, Sunday, January 20 at 1:15 p.m. Congressman FOREMAN and I divided the two Republican Committee appointments with ED serving on the Republican Congressional Campaign Committee and giving me the responsibility of continuing service on the Committee on Committees. At the moment I am doing my level best to get Congressman FOREMAN appointed to the Armed Services Committee, the committee of his choice.

ALGER LEGISLATION

The Alger yardstick, "Is it a function of the Federal Government—can we afford it?" formed the basis of the 11 bills and resolutions I introduced on the first day of the session. This is my way of doing my part as your Representative to preserve your freedoms and the free enterprise system. My bills are: H.R. 263, to rescind and revoke membership in the United Nations; H.R. 264, to make labor unions subject to antitrust laws; H.R. 737, to provide for a flat percentage tax instead of present income tax rates; H.R. 738, tax reduction and reform (Alger-Baker-Herlong bill); H.R. 739, to eliminate withholding of income tax from wages and salaries; House Joint Resolution 5, to prevent treaties and international agreements from superseding the Constitution (Bricker amendment); House Joint Resolution 6, to prohibit the Federal Government from engaging in business in competition with its citizens; House Joint Resolution 7, enforced balanced budget; House Joint Resolution 8, expressing the will of the American people and their Government in winning complete victory over the worldwide Communist conspiracy (the victory resolution); House Concurrent Resolution 4, emphasizing the sovereignty of the United States by protecting American lives and property anywhere in the world; House Resolution 26 to establish proper representation for the minority party in House committee staff appointments.

Legislation in these fields is basic to reestablish responsible, constitutional limited Government of, by, and for the people. My bills may not be the complete answer, but they form the groundwork for discussion. If the committees will schedule hearings the best brains in the Nation within and without Congress, could use my proposals as a basis for discussion. I hope these proposals will receive widespread publicity across the Nation so the people will express themselves on the importance of action on these matters. My conservative creed: the Government cannot successfully nor constitutionally, feed, clothe, house, provide jobs, medical care and basic necessities for the people.

CURRENT EVENTS

Why? Why? Why? The world was horrified at news stories of innocent women shot down by U.N. troops in Jadotville in the Congo. The pitiful picture of a husband of one of the murdered women asking "Why?" aroused in all of us deepest sympathy and stirred in our minds the same question. Why are U.N. troops, an organization dedicated to peace, forcing war on Katanga? Why does U.S. policy permit us to support such action? Adequate answers have not been given by the U.N. or the Kennedy administration. U.S. foreign policy is being tailored to meet U.N. approval and the U.N. is packed against us with the Communist nations and the so-called neutrals who invariably vote with the Communists, in the majority. While we, the American taxpayers, almost alone finance the U.N., it is being used as a propaganda forum for the Soviet Union and its stooge nations, and millions of dollars of our tax money is actually being channeled to Cuba whose Government is doing its level best to involve us in a war with the rest of the world. The U.N. influence has never been used in the interest of self-determination of people, a must in the cause of freedom. The U.N., as it is presently constituted, does not serve the self-interest of the United States, is a threat to our sovereignty, and its heavy financial demands upon us endanger our solvency and could be a contributing factor to bankrupting the United States. For these reasons, I introduced H.R. 263 to withdraw from the U.N. and to strengthen our alliances with those nations determined to stand with us in the cause of freedom.

God-fearing Americans were heartsick at the news of 30 Christian peasants in Russia being refused asylum by our Embassy in Moscow. Unfortunately, there was nothing we could do to help these unfortunate people who are being denied the right to worship God by the anti-God Government of the Soviet Union. We cannot dictate to that Government how it shall operate in Russia. We can, as I have suggested, encourage and assist satellite nations which have been enslaved by the Soviet to revolt which, in turn may inspire the Russian people themselves to throw off the yoke of Communist slavery. We can, as I have advocated, break off diplomatic relations with a nation which denies its people the right to worship freely and which is attempting to spread its antireligious doctrine to the whole world. If we refused to recognize the Communist Soviet Union, we would take away from that ruthless dictatorship the respectability we have given it through recognition and its acts of violence, murder, and suppression of the rights of man, would be exposed in all clarity.

"The spirit of truth and the spirit of freedom—they are the pillars of society"—from "Pillars of Society" by Henrik Ibsen.

## Foreign Economic Policy: The Herter Lecture Series

EXTENSION OF REMARKS

OF

### HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. CURTIS. Mr. Speaker, I was greatly honored shortly before the opening of the present session of Congress to be invited to initiate the Christian Herter lecture series at Tufts University. In recognition of the services which Herter has given as Congressman, Governor of the State of Massachusetts, and Secretary of State of the United States and in the understanding of the difficult job which lies ahead of him as Chief

Trade Negotiator under the new American Trade Act, Tufts has begun a lecture series to look into the difficult area of trade policy and foreign economics. I join with Tufts and the entire Nation in wishing Christian Herter well in his new job, so important to our economic future.

I was very much in favor of personalizing the job of Trade Negotiator as the considerations of the Trade Expansion Act were in progress and I believe both the job and the man offer the greatest promise.

My speech in the lecture series concerned trade, economic policy, and Herter's job as Chief Trade Negotiator.

It is set out below:

### FOREIGN ECONOMIC POLICY

(Remarks of the Honorable THOMAS B. CURTIS, Republican, Second Missouri District, at the Herter lecture, Tufts University, Boston, Mass., Monday, Jan. 7, 1963)

It is a privilege to be a participant in the Christian Herter lecture series established at this great university. It is appropriate that I should discuss foreign trade on this occasion as Christian Herter, the first Chief Trade Negotiator of the United States, pilots this Nation on a new and an uncharted course in the altered archipelago of foreign trade.

I would be remiss if I did not take note of the appearance of Walter Hallstein, the President of the European Economic Community, here at Tufts in April of 1962, to lecture on the dramatic economic developments occurring in Western Europe in the 5 years since the Rome Treaty was signed. This massive emergence is one of the major reasons that old charts and old courses must be abandoned and new ones charted.

The most important provision of the Reciprocal Trades Act of 1962 (Trade Expansion Act) was the creation of the position of Chief Trade Negotiator requiring Presidential appointment and Senate confirmation, carrying with it the rank of Ambassador Plenipotentiary, and investing in it the basic powers of negotiating our trade treaties, and chairing the newly designed Intercabinet Trade Policy Committee.

There are two basic reasons for the importance of this provision. First, it raised the stature of trade negotiating throughout the world. Other countries sent their trade negotiating teams to Geneva headed by top Cabinet officers or other top governmental official. The United States, on the other hand, frequently and usually sent a team headed or directed by a top civil service employee, a highly competent person with highly competent people to assist him, but one with no stature of his own. His decisions were subject to telephone approvals sought from other faceless officials back in Washington, D.C. Now this has been changed. The decisions now will be made on the spot backed by the authority and integrity of one of the highest officials in our Government, one who is directly responsible to the President.

Second, it raises the stature of trade negotiating in the United States. Personally, I favored the creation of a new Department of Foreign Economics headed by a Cabinet officer who would be the Chief Trade Negotiator, and who would draw together in one place all the various important points where foreign economics impinge upon our domestic economics. As it is, the contact points of foreign economic forces are spread in an uncoordinated fashion throughout our Federal departments, bureaus, and agencies.

I believe foreign trade or, to use the broader terms, foreign economics, has assumed such great importance to our Nation, even though trade itself amounts to less than 10 percent of our gross national product, that we could not possibly deal with the problems it creates under our former administrative setup.

However, I believe it is possible for the Chief Trade Negotiator to develop the powers that are entrusted to him in the Trade Expansion Act of 1962 so that he can deal with the most important of the foreign economic contact points.

The powers that go with preparing for trade negotiating are vested in this newly created office. The powers of conducting the negotiations of course are vested here. Furthermore, if the concept of the Intercabinet Trade Policy Committee that some of us had, and tried to spell out in the committee report and during the congressional debate, is carried out, the compliance with the treaties and agreements negotiated will be supervised by the Chief Trade Negotiator. Finally, the Committee has authority to develop procedures for receiving, hearing, evaluating and recommending remedial action to the President on allegations of unfair trade practices which bear on foreign trade agreements, even though not specifically a part of them.

These charges of unfair trade practices may be directed against foreign or domestic businessmen, I hasten to point out.

At this point, let me state that President Kennedy by appointing a former U.S. Secretary of State to the position of Chief Trade Negotiator has captured the full significance of upgrading the place foreign trade should hold in the council of nations and in the United States. Let me further state that by appointing a person with the wisdom, experience, imagination, and integrity that Christian Herter possesses, we are most likely to develop the governmental machinery the new law makes possible for dealing with the problems presented in the field of foreign economics.

It is in these areas that the Trade Expansion Act of 1962 deserves the oft applied cliche, bold and imaginative. At the same time I make this point I want to make the point that what has been hailed as bold and imaginative in the Trade Expansion Act—the granting to the President of additional trading material to further reduce tariff rates and eliminate many altogether—is shirking and stereotype. This is no more than the last possible move remaining that could be made under the provisions of the Smoot-Hawley Tariff Act of 1930. Too many people have forgotten that the Reciprocal Trade Acts were mere amendments to this basic act which remains on the books today. By starting from a level of high tariff rates, we were able to negotiate downward as Congress intermittently gave the President power to do so. Incidentally, the original Reciprocal Trade Act and most of those that followed permitted the President to negotiate upward if he had been so inclined, and so does the present law. This point has not been overlooked by many people who are unsympathetic with the doctrine of freer trade and may have a great significance. Time will tell.

What our trade policy will be, once we have used this last bit of tariff trading material the President now has is one of the questions not yet resolved.

I have said that in this area of trading material the act is shirking, not bold. I justify my choice of words for the following reason. Today tariffs are among the least of the trade barriers that hamper free trade. Quotas, licenses, embargoes, internal excises, monetary policies, exchange rates, governmental subsidies of an infinite variety, state trading, Government sponsored or unrestrained cartels, health and other regulatory laws perverted to embargoes are the major barriers in international trade today. The United States is an offender in these areas, along with the other major trading nations, yet nothing meaningful is said in the Trade Expansion Act about these trade barriers. The GATT, which seeks to eliminate all trade barriers, remains unmentioned in the Trade Expansion Act, either by name or by reference to its principles.

As a matter of fact, the most liberal of all trade barriers is the much abused tariff which is now being abandoned in toto. A tariff at least is a law for all to read, determine, and apply, and courts have been set up to resolve differences of interpretations in accordance with established laws and procedures. The other types of trade barriers I have listed almost without exception require administrative determination without established laws, procedures, or courts. Who gets a quota, and how much, and into what ports in what quantities is the subject of administrative negotiation. This is government by men, not government by law. In this process woe betides the little operator and fortune blesses the operator with political connections and power.

The trade adjustment features in the Trade Expansion Act deserve no such accolade as bold and imaginative. Redundant and defensive are the adjectives that come to my mind to describe them. The adjustment features for the unemployed duplicate the provisions in our unemployment insurance laws, our Manpower Training Act, and our depressed areas legislation. These new provisions can only confuse and damage established programs and do little or no good. The adjustment features which relate to employers are unnecessary for large corporations which can adjust their line of products and services within their own structure, and duplicate for smaller businesses the loan provisions of the Small Business Act. I used the adjective "defensive" because these provisions were placed in the law as a defense mechanism against those who had been claiming for years that foreign competition damaged their business or their jobs. The same reasoning could be applied to any form of competition. The proponents of this defense mechanism fell back on the thesis that this economic damage results from the governmental action in reducing tariff rates and, therefore, the Government should compensate. The same reasoning should then apply when Government moves its contracts from certain businesses in one area to businesses in other areas, or when Government takes any action which has an impact upon the marketplace. This would be quite an undertaking for a Government with an annual expediture of $100 billion.

At this point I would like to make an observation that I have been making for the past few years. I am convinced that most of our people who think they want protection really want fairness in trading—not protection, not an advantage, and definitely not a handout. I have listened for years to the testimony of businessmen, labor and farm groups who have appeared before the Ways and Means Committee in opposing the Reciprocal Trade Act extension. I have dug into what seemed to be bothering them. Most of their troubles arise from lack of fairness or reciprocity in trade matters on the part of their foreign competitors, from a State subsidy to their competitor, or an embargo, or a quota system, or an unhealthy wage scale—unhealthy to the overall economy of the country which permitted it.

I recall a statement from one of our exporters to Venezuela. He said his company was unable to compete with the Western German companies in that market because the German companies could offer more liberal credit terms financed by the German Government. I posed this case to Secretary of Commerce Hodges during the public hearings on the Trade Expansion Act last year. The Secretary's response worried me. He said, "Well, we will look into that and perhaps we (meaning some governmental agency) can enable the U.S. companies to match this liberal credit extension." My expressed thought was, if we really are talking about freeing up trade, why not negotiate with the German Government to quit subsidizing their businesses? Don't compound the error by subsidizing ours.

Another matter coming out of the hearings comes to my mind which illustrates the point in a somewhat different way. The Secretary of Interior pointed with some pride to the fact that Government loans had been extended to some of our west coast fishermen who otherwise would have been forced out of business by the Japanese. The point was that our fishing boats were obsolete and needed renovation. I asked why the tariff on fish was not increased, if there was to be protection. In that way the most efficient of our fishermen would do the renovation. By a subsidy, the fishermen who were most efficient in presenting their case to the Small Business Administration for the guaranteed loan, not necessarily the best fishermen, would do the renovation. Either way, however, we were not freeing up trade and by the subsidy method we might even be keeping an inefficient operation alive which would be coming back for more subsidy. As a not too irrelevant side point, there was testimony to the effect that it was not the efficiency of the Japanese fishing boats as much as it was the noncompliance by the Japanese with the international fishing agreements set up for conservation purposes which kept our fishermen from competing.

If this latter point turned out to be true, the gravamen of our fishermen's case was not protection of an American industry, but rather, insistence on the mutual observance of good conservation laws. By protecting instead of insisting that a violation cease, we compounded the error and impeded the expansion of trade.

I want to express one other specific point of concern I have about our foreign trade policy. Section 203 of the Agriculture Act which authorizes the President to enter into international cartel agreements in respect to agricultural products and products manufactured therefrom with other nations was not only not repealed by the Congress, but at the request of the administration, its authority was broadened to provide that these agreements would be made binding on nations not party to the international agreement. It was this authority, incidentally, that lay at the base of the international textile agreement entered into in Geneva in January of 1962.

I asked Secretary of Commerce Hodges how it was determined how much textile, of what varieties, from what companies, from what countries were to come into what U.S. ports. He replied straight-facedly that they were going to use the 1960 census figures. In other words, we are going to freeze the trade pattern as of that date. How expansive and progressive can we get? I know of nothing that more dramatically drives home the point I seek to make of the regressiveness, the stifling aspects of the license-quota type trade barrier. Is this what we are coming to once we have run out of the tariff-rate trading material set up in the Smoot-Hawley Tariff Act? This is not an isolated example of our use of quotas and licenses or international type cartel agreements. The Sugar Act is an example. Many of our agricultural products are state traded, under Public Law 480. Indeed, very few agricultural products move without knocking against these kinds of trade barriers and government subsidies. Recently we have been utilizing the quota system instead of tariffs for oil imports.

And now I must relate another important piece of legislation affecting foreign economics which was passed the last session of Congress. I refer to the Revenue Act of 1962; that part which altered the tax treatment of American enterprise abroad. It has been my observation that we cannot separate trade from foreign investment and that anything that deters foreign investment will deter trade. I think this is particularly true in face of the development of the European Common Market. Much has been made of the efficiencies the EEC countries will derive from manufacturing for a mass market. However, these are efficiencies that they should be able to put into effect without too much to do. However, mass manufacturing is based upon mass distribution and mass servicing, a point that seems to escape many economic planners. It requires the economic infrastructure of power, communications, transportation, and education. The United States is just about the only society that has developed the techniques of mass distribution and mass servicing. For this reason I have suggested that the greatest opportunities open to U.S. enterprise in the European Common Market lie in the field of distribution and servicing.

If some question this point, let me give just a practical illustration which may drive it home. I have a friend who mass-produces special pallets to be used in mass warehousing where turnover is fast and handling must be made as efficient as possible. There is no market in Europe, as yet, for his product, because warehousing has not been developed to this point and probably will not be for many years.

We have had so little regard for the distributive and servicing sectors of our economy, probably as a result of what seems to be our mesmerization with mass production, that we really have been unaware of what is going on. We accept packaging as routine and actually curse advertising with an unawareness of the vital economic part they both play in obtaining the efficiencies that can be had in a mass market. Perhaps this point will drive the point home; while employment has been steadily declining in manufacturing in the United States, employment in the service and distributive fields has continued to climb, even during our post-World War II recessions.

Now, to get back to the point I sought to make about foreign investment. If we are going to avail ourselves of the opportunities offered in the European Common Market in the service and distributive fields, we must encourage, not discourage, our capital to move there. All the talk about our manufacturing processes moving to Europe is largely unanalytical. What movement there has been is largely to gain the efficiencies derived from having a crucial part of the manufacturing process nearer to the market for distributive and servicing efficiencies. Actually this process creates more jobs in the United States than it displaces, not less. However, it is true the jobs will be shifted out of manufacturing into distribution and servicing, but they will become better paying and requiring less brawn, but a little more brains.

It certainly is a shortsighted policy which seeks to solve a balance-of-payments problem through discouraging healthy and remunerative private investment going abroad. This is sacrificing gain over the long haul for a very temporary short-term benefit. One of the strongest items in our balance of payments is the income we derive from our foreign investment. And yet government policy seeks to weaken it.

I do not introduce the subject to argue its merits or demerits. I brought it up primarily to emphasize its inseparable relation to our trade policy. In trade we talk of going one way, toward expansion, to help our balance of payments, and in investment we talk and promote contraction, allegedly for the same purpose. This is a grave inconsistency.

I do not like to mention the relatively trivial items the administration sponsored in the previous Congress, such as increasing the tariffs on the most person to person of all foreign trade, the trade between our tourists and the foreign shopkeeper, and cutting back on military personnel purchasing abroad, but they are straws in the wind which reflect the way the trade policy really is blowing. These two pieces of legislation were also promoted in the name of balance-of-payments problems.

I must mention a major administration policy not referred to the Congress but set by Executive decree. This is the buy American program adopted by the Defense Department. This policy requires purchases of military goods to be made in the United States if the United States price is not 25 percent greater than the foreign price. Already this has cost the Military Establishment over $100 million, at least, that is the boast of the Defense Department and the administration when they were toting up the effective job they claimed they had done in respect to the balance-of-payments problem.

While the administration talks freer trade every policy it has followed to date indicates it is pursuing a course of more restricted trade—all in the name of balance of payments.

From this discussion you may be gaining the impression that I am the greatest free trader since Adam Smith. In theory, I guess I may be, but in practice I am a fair trader which puts me in bad with the so-called protectionists with some frequency. I happen to believe that increased trade depends upon free trade and free trade depends upon fair trade. The points at issue revolve around the definition of fair trade. For a starter I will take the definitions set forth in the GATT. What my protectionist friends call protection I find, on analysis, to be usually a differential reflecting some subsidy or impact of a trade barrier set up on the other side by the competitor. The policy I would have us pursue is to remove the subsidy or the barrier which is the justification for the differential. However, if a differential is to be used, I would recommend that the most liberal differential possible be used; this happens to be also the most flexible—it is the tariff. I would adopt only as a last recourse the other differentials—those regressive devices of licenses, quotas and subsidies. I would eschew without equivocation health and other regulatory laws used as subterfuges for economic differentials.

I would oppose any differential that created a preference, that is, any differential which went beyond the economic difference sought to be measured for adjustment.

I think our foreign economic policy should be trade wherever possible, not aid; when trade is not possible, then loans rather than grants; where loans are not possible, then know-how rather than money; and when know-how is not possible, then outright gifts, rather than money with a string tied to it. When we get to money with strings tied to it, we move out of economics into diplomacy which is the realm of the State Department.

I am happy that foreign economics is being taken out of the hands of the State Department and is being placed, to some degree, in the hands of a new, independent and possibly coequal agency headed by the Chief Trade Negotiator. This new law serves as the authority to do this. I believe our State Department should be relieved from any control of the details that go to make up our economic arm, just as they have no control of the details that go to make up our military arm. Diplomacy is the area of endeavor of the State Department. In implementing our foreign policy, exercising diplomacy that is, we must be able to utilize the strength of either and both arms, military and economic. To make and keep them as strong as possible, they must be under the direction of their specialists, not specialists in diplomacy who sometimes are tempted, like Xerxes, to whip the seas when the laws of nature fail to respond to their pleas.

## Bill To Assist Public and Private Nonprofit Hospitals and Nursing Homes

EXTENSION OF REMARKS

OF

### HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 1963*

Mr. MOSS. Mr. Speaker, I have introduced a bill, similar to one I sponsored in the 87th Congress, to assist public and private nonprofit hospitals and nursing homes to undertake badly needed modernization and replacement projects. The bill provides for establishment of a combination matching grant and loan program. The need for such legislation was contained in the President's budget message.

Modernization, rather than construction of new bed capacity, is the primary health facility need of today. This situation, not generally recognized by the public, has come about because of the prolonged concentration on important hospital needs accumulated during the depression and World War II. I want to cite the particularly critical shortage of bed space in rural areas of a few years ago.

Federal aid for construction of new hospitals, through the existing Hill-Burton program, has been instrumental in helping to reduce greatly the Nation's deficiency of hospital bed space. However, in recent years there has been a growing obsolescence of the hospitals that were already in existence and, for the most part, located in urban areas, when the Hill-Burton new construction program was begun in 1946.

In 1960, a U.S. Public Health Service survey of 25 metropolitan areas and 32 sample rural-urban areas showed a projected national cost for needed modernization and replacement of $3.6 billion. That figure is almost four times the current rate of annual construction expenditures in the entire health facilities field, and only a fraction of that is spent on modernization and replacement, which does not add new bed capacity.

This, as the survey showed, is a nationwide problem. I wish to point out that my home State, California, has an estimated modernization need backlog of $513 million.

The bill would authorize the Surgeon General, acting through State Hill-Burton agencies, to make grants up to 50 percent of the cost of qualified modernization projects, or loans as a supplement to grants or in lieu thereof. The total Federal share may not exceed 80 percent of the cost of the project. Also, assistance would be provided for development of comprehensive regional health facilities plans. The amounts to be authorized are left blank in the bill pending the development in committee hearings of information on the optimum size of the proposed program. The program would be effective July 1, 1964, meaning no budgetary impact until fiscal 1965.

The program in my bill is to complement and not interfere with the existing Hill-Burton construction program. It would be administered similarly. State agencies now involved in the Hill-Burton program would process the new applications and the Surgeon General would employ administrative procedures similar to those presently in effect for the construction program. Modernization assistance funds would be eligible only for projects that would not increase bed capacity by more than 5 percent.

Mr. Speaker, this legislation deals with an important national health facility need. Under existing programs, much progress undoubtedly will be made in rapidly adding to the current number of hospital beds. However, modernization and replacement of many facilities is required to improve patient care by increasing adequacy of services, safety and efficiency, and to adapt present facilities to new hospital and related medical needs.

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# HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 18, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 119: 165: *Great peace have they who love Thy law.*

Most merciful and gracious God, who art always speaking unto us through Thy inspired and holy word, may we be blessed with the listening ear and the understanding heart.

Grant that the grace and beauty of the life of our Lord, revealed in that word, may be more fully manifested in our own character and conduct, crowning our days with the diadem of joy and peace.

Show us how we may minister unto the welfare of all mankind and discover for humanity the blessings of health and happiness and find the most effective means of safeguarding and defending the freedom of men everywhere.

We are not asking Thee to deal with our blessed country in any preferential manner, enabling her to become an "industrial paradise" or an "economic Garden of Eden" whose people have an abundance of food and clothing and plenty to make their days and nights merry, while vast multitudes are finding the struggle of life so drab and difficult.

Hear us in Christ's name. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

## SWEARING IN OF MEMBER

Mr. MURRAY appeared at the bar of the House and took the oath of office.

## ELECTION TO COMMITTEES

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 148) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That ANTONIO FERNÓS-ISERN, the Resident Commissioner to the United States from Puerto Rico, be, and he is hereby, elected an additional member of the following standing committees of the House of Representatives: Committee on Agriculture, Committee on Armed Services, and Committee on Interior and Insular Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ADJOURNMENT TO MONDAY, JANUARY 21, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I shall not object, of course, can the gentleman from Oklahoma give us any information at this time as to any special legislative program for next week?

Mr. ALBERT. If the gentleman will yield, of course we do not expect any legislative program next week. There will be other messages from the President coming up, and no major legislative program.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## THE DISTRICT OF COLUMBIA BUDGET—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 15, PT. 2)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

*To the Congress of the United States:*

I present herewith to the Congress the budget for the District of Columbia for the fiscal year 1964, beginning next July 1. Departing from past practice, I am transmitting the District budget with this separate message because the problems of the District have become so critical as to challenge the National Government—both the administration and the Congress—to redouble its understanding of and interest in its Capital City. Because Washington is the Nation's Capital, the National Government has, and must continue to have, a special responsibility and a special relationship to the District of Columbia.

In evaluating the District's financial needs, understanding of the unique but changing character of the District is basic. Its government exercises responsibilities not unlike those of a State and county as well as those of a city. Yet since its boundaries are, for practical purposes, unchangeable, it has become no more than the central portion of a large metropolitan area, most of which is beyond its limits. Within those boundaries, the character of the population has undergone a change as rapid as the growth of the metropolitan area itself—and the National Capital region has been the most rapidly growing large urban area east of the Mississippi River.

From 1950 to 1960, the total population of the District dropped from 800,830 to 763,956. During that same period, the number of school-age children rose by 30,000, an increase of 23 percent. Older citizens, over 65, increased by 12,500, or 22 percent. Thus the age groups requiring heavy public expenditures for such services as education, welfare, health, and recreation continued to increase, while the wage-earning group which requires a minimum of these public services and provides a solid source of tax revenues decreased by 16 percent. Finally, while the percentage of Negro persons in the whole metropolitan area has remained essentially the same as it was in 1950, and is substantially below what it was at the turn of the century, artificial barriers have required most of the normal increase in Negro population to concentrate in the District. As a result, the Negro population in the District has risen from 35 percent to 54 percent. Since the economic and social resources of the Negro population, taken as a whole, remain below those of the white population which has moved beyond the District boundaries, the relative prosperity of the District's taxpayers has suffered at the same time the District's services are in increased demand. While there is reason to hope that these trends can be slowed and ultimately reversed, the indications are that present conditions will continue through the decade of the 1960's.

Because of these changing characteristics in the District's population, there will be a continuing increase in the cost of its government until there is a change in the present trends. On the average, ordinary general fund operating expenses of the District have risen at the rate of 5 percent annually, while revenues from the District's general fund tax base have risen at the rate of about 3.5 percent, exclusive of changes in tax rates. When major pay raises occur, as authorized by the last Congress, this gap widens. Hence, because of this condition and the need to continue the public works program, the total appropriations of $320.2 million recommended for the fiscal year 1964 require general fund revenues of approximately $33.1 million from new sources. Of the latter amount $28.1 million require legislative authorization before the appropriations can be made.

There is need, however, to look beyond fiscal 1964. Orderly and efficient solutions to problems in the District cannot be achieved by viewing District programs and needs from the perspective of one fiscal year at a time. I am, therefore, proposing that the Congress make the necessary adjustments now in the three basic resources of the District's general fund—local taxes, Federal payment, and borrowing authority. This plan, as outlined in the accompanying table, will permit the Commissioners to carry out long-term commitments within the framework of sound fiscal policy.

*Long-range projection of requirements and financing of the general fund*

[In millions of dollars]

| | Estimates | | | Projections | | | |
|---|---|---|---|---|---|---|---|
| | 1963 | 1964 | 1965 | 1966 | 1967 | 1968 | 1969 |
| Funds required: | | | | | | | |
| Operating expenses | 226.9 | 240.0 | 254 | 266 | 279 | 293 | 308 |
| Capital outlay | 23.1 | 34.7 | 36 | 32 | 34 | 34 | 30 |
| Debt service | | 1.8 | 2 | 4 | 5 | 7 | 8 |
| Total funds required | 249.9 | 276.5 | 292 | 302 | 318 | 334 | 346 |
| Revenues and balances: | | | | | | | |
| From present sources: | | | | | | | |
| Taxes, fees, etc | 202.8 | 205.8 | 213 | 220 | 228 | 237 | 244 |
| Balances | 1.3 | 5.6 | | | | | |
| Federal payment | 30.0 | 32.0 | 32 | 32 | 32 | 32 | 32 |
| Loan authorization | 18.7 | | | | | | |
| Total from present sources | 252.7 | 243.4 | 245 | 252 | 260 | 269 | 276 |
| From proposed sources: | | | | | | | |
| Taxes, fees, etc | | 9.0 | 11 | 12 | 12 | 15 | 18 |
| Federal payment | | 21.0 | 25 | 27 | 29 | 31 | 35 |
| Loan authorization | | 3.1 | 11 | 11 | 17 | 19 | 17 |
| Total from proposed sources | | 33.1 | 47 | 50 | 58 | 65 | 70 |
| Total revenues and balances | 252.7 | 276.5 | 292 | 302 | 318 | 334 | 346 |

Local taxes: In 1962, of each general fund dollar spent by the District, 87 cents represented revenues from the people of the District. Local taxes have been increased as expenditures rose.

District citizens should continue to bear their proper share of the costs of mounting expenditures. Accordingly, under the above plan increases are proposed in real estate and certain other local taxes in fiscal year 1964, which will produce $9 million additional revenue in fiscal year 1964, and an estimated $11 to $12 million when fully effective in 1965 and 1966. Furthermore, additional adjustments in these tax rates would now appear to be needed by 1968 or 1969. These actions will represent a substantial local contribution, and should for several years relieve the Congress of the need to consider further increases in local taxes.

Federal payment: The present lump-sum authorization of $32 million has no direct relationship to local taxes or requirements, and does not reflect the proper share of the financial needs of the District which should be furnished by the Federal Government. Therefore, I fully support legislation to authorize an annual Federal payment based on a formula which more accurately measures the Federal responsibility to the Capital of the Nation. This formula method will result in an appropriate degree of flexibility, will relate more directly to District needs and local resources, and will be predictable for long-range financial planning. It evolved from consideration of home rule legislation last year, but that proposal provided for a permanent appropriation as well as a flexible authorization. Pending home rule, I am supporting the flexible authorization, but with annual appropriations.

The formula consists of (a) the amount of real estate taxes the District would obtain if property owned and used by the Federal Government, and property exempted by special act of Congress, were taxable; (b) the amount of personal property taxes the District would obtain if tangible personal property, exclusive of objects of art, museum pieces, and libraries, owned by the Federal Government were taxable; and (c) an amount equivalent to the business income and related taxes which the District could reasonably expect to collect from the Federal Government if it were a private business, as measured by the relative numbers of Federal employees and employees in private business.

Under this formula, the Federal payment authorized in fiscal year 1964 would be approximately $53 million. It is estimated to increase to $59 million in fiscal year 1966 and to $67 million by fiscal year 1969. These increases reflect the increased ownership and use of property in the District by the Federal Government, the increased level of local tax rates, and an anticipated increase in property values.

Borrowing authority: The District's existing borrowing authority from the U.S. Treasury for general fund purposes of $75 million has been committed. The District pays an average of about 4 percent interest on these borrowed funds. As with the Federal payment authorization, a lump sum borrowing authorization bears no direct relationship to either local needs or ability to repay. Therefore, rather than requesting a fixed amount of additional borrowing authority, I will submit to the Congress legislation authorizing the District to borrow for general fund purposes from the U.S.

Treasury up to a limit of outstanding indebtedness equal to 6 percent of the 10-year average of the combined assessed value of real and personal property (including property owned and used by the Federal Government as specified in the Federal payment formula). This will represent a flexible yet prudent debt limit, taking into account local resources and ability to repay, and follows the practice common in most State and local jurisdictions.

Under my proposal, the maximum general fund debt limit will rise from $225 million in fiscal year 1964 to an estimated $275 million in fiscal year 1969. Without additional borrowing authority, the District would be required to finance its general fund capital outlays from current revenues, which would necessarily result in payments "in advance" for facilities whose useful life extends well into the future. Because of the lack of sufficient borrowing authority in the past, a serious backlog of capital outlay needs has developed, which within reasonable limits should be financed by long-term debt.

The adoption of the proposals for revenue increases from local sources and the proposals for the Federal payment authorization and loan authority will produce the following major benefits: The Congress can reasonably expect to have resolved the District's general fund financial problems for some years in the future; the Commissioners will be able to predict financial resources with a greater degree of assurance; there will be a built-in incentive to look for additional revenues from local tax sources—because of the nature of the proposed formula for the Federal payment; the Congress, the executive branch, and the Commissioners will have time to examine long-range needs and resources; and the Commissioners will be able to formulate well-considered proposals for constructive future action. In summary, the critical general government needs of the District can be met on an orderly, planned basis.

Accordingly, the general fund budget for fiscal year 1964 is based on estimated revenues of approximately $243.4 million from currently available sources, $5 million from increased real estate tax rates, and $28.1 million for which legislative authority will be needed. The combined totals will permit limited but nonetheless necessary improvements in services, will provide for an adequate program of capital improvements, and will cover mandatory cost increases under recently enacted legislation.

*Total new obligational authority, all funds*

[In thousands of dollars]

| Programs | 1962 enacted | 1963 estimate | 1964 recommended | |
|---|---|---|---|---|
| | | | Total | From proposed sources |
| Current authorizations: | | | | |
| Education | 54,206 | 60,024 | 63,951 | (2,142) |
| Welfare and health | 62,315 | 66,702 | 71,052 | (3,088) |
| Public safety | 56,001 | 59,774 | 66,297 | (925) |
| Highways and traffic | 10,904 | 11,527 | 12,424 | (171) |
| General operations | 15,529 | 16,382 | 17,997 | (939) |
| Parks and recreation | 8,136 | 8,494 | 8,982 | (119) |
| Sanitary engineering | 20,123 | 20,877 | 21,304 | (7) |
| Potomac interceptor sewerline | | | 51 | |
| Repayment of loans and payment of interest | 765 | 1,495 | 4,990 | |
| Payment of judgments, claims, and refunds | 789 | | | |
| Capital outlay | 50,533 | 52,251 | 53,130 | (23,205) |
| Subtotal | 279,301 | [1] 297,526 | [1] 320,178 | (30,596) |
| General fund: | | | | |
| Obligations | (233,571) | (255,317) | (267,642) | (30,531) |
| Change from obligations to new obligational authority | (8,174) | | | |
| Other funds | (37,556) | (42,209) | (52,536) | (65) |
| Permanent authorizations | 1,042 | 1,029 | 695 | |
| Trust fund operations | 42,277 | 48,332 | 65,110 | |
| Repayment of advances from Federal funds | −5,000 | −3,000 | | |
| Investments | 712 | | | |
| Total authorizations | 318,332 | 343,887 | 385,983 | (30,596) |
| Funds required, general fund: | | | | |
| Current authorizations | 233,571 | 255,317 | 267,642 | (30,531) |
| Adjusted deferred financing | 3,816 | −7,675 | 7,300 | (2,600) |
| Supplementals and indefinite appropriations | 66 | 2,296 | 1,584 | |
| Total funds required, general fund | 237,453 | 249,938 | 276,526 | (33,131) |

[1] These amounts include $7,045 and $13,251 for pay increases in 1963 and 1964, respectively.

The essential need for the additional legislative authority to make this budget possible is highlighted by the situation facing the District in certain specific program areas. I should like to mention a few of the more significant ones.

### EDUCATION

By 1970, some 165,000 children will be enrolled in the public school system, about 24 percent more than the present 133,000. The District must immediately undertake both primary and secondary school construction to catch up with and prepare for this growing school population—to eliminate present part-time sessions, to replace inadequate facilities, and to provide suitable facilities in the years ahead. There should be continuing improvement in the pupil-teacher ratio.

Textbooks, like facilities and instructional staff, are a prime factor in a proper educational environment. New techniques for teaching are developed each year, and substantive matters to be taught undergo constant change. The present level of expenditure for textbooks and workbooks permits them to be replaced only every 6 to 10 years. In the light of the dynamic changes in our society, appropriations should be adequate to permit replacement at least every 5 years.

The Congress, in enacting appropriations for the fiscal year 1963, recognized the need of the District for more special classes (for slow learners, mentally handicapped, and socially maladjusted pupils), continued participation in the great cities program, and more physical facilities and teachers. Good progress has been made in solving the academic and behavioral problems resulting from the desegregation of the public school system in 1954. Nevertheless, further increases in funds in fiscal year 1964 are essential.

The great cities program deserves special mention. With the help of a Ford Foundation grant, the District is endeavoring to increase the ability of culturally deprived students to speak, read, and write the English language and thereby overcome a handicap that has social, academic, and economic implications. The budget would continue the program for the current year.

Thus, the school budget exemplifies the serious nature of the District's financial problems. Without the additional general fund financing for which legislative authority will be needed, there would be no provision for additional teachers to handle the projected increase in school population, for acceleration of the textbook replacement program, or for a building program adequate to keep pace with increased enrollment.

I am concerned that in the Nation's Capital general education beyond the secondary level is not available at a nominal cost, as it is in many major cities and in the States. I endorse the proposals for the establishment of a junior college program possibly at the District of Columbia Teachers College and for a study group to examine the desirability of establishing a downtown city college with a department of teacher training.

### WELFARE AND HEALTH

The District's welfare needs, and the administration of the programs designed to meet them, were the subject of grave concern by the previous Congress. As a result, the Commissioners have taken measures to strengthen administration, and have undertaken a complete review of the District's welfare programs. Their review takes into account both the responsibility of public officials to dispense public funds in accordance with laws and regulations, and the problems and needs of underprivileged persons.

The Congress has recognized the need for Federal assistance to the States in strengthening their welfare programs and in accelerating the adoption throughout the Nation of the policy of services, rehabilitation, and training as opposed to support of prolonged dependency. Amendments to the Social Security Act in both 1961 and 1962 enlarged and strengthened this national policy. The District should be a leader in these efforts. The additional general fund financing in fiscal year 1964, for which legislative authority will be needed, will provide the District with the funds necessary to enable it to qualify for and participate in these programs.

The problems of less fortunate children are particularly distressing. Junior Village, the District's institution for neglected children, overflows. Ironically, it is, at once, much the most expensive manner of caring for neglected children and the least satisfactory. A major effort is needed to reduce reliance on institutional housing for these children to a minimum and to provide each with a home within a family setting. The Commissioners are taking the steps available to them under present laws. The additional general fund financing will permit other major efforts in this direction. Higher payments to foster parents will increase the number of available foster homes. Financial aid to needy children of unemployed parents will diminish the cases in which children must be removed from their own homes. An expanded program for training unemployed mothers and fathers in marketable skills will likewise reduce the number of children who now cannot be supported by their parents, and will, of course, remove the parents from the unemployment rolls.

The District's extensive program of health services arises in large part from the age and income characteristics of its population. The fiscal year 1964 budget continues this program. It also includes funds to complete the financing of the urgently needed reconstruction of District of Columbia General Hospital. In the field of mental health, a study is being undertaken by the District of Columbia which will produce a long-range program for the District to take advantage of new developments in the care and treatment of the mentally ill. I shall ask the Department of Health, Education, and Welfare to assist the District in this effort. Pending the development of that program, the fiscal year 1964 budget proposes establishment of a per diem rate at which the District will reimburse St. Elizabeths Hospital for its residents who are committed there.

### PUBLIC SAFETY

Individuals should be able to live and work safely in the Nation's Capital. Flagrant infringements of this right, which occur all too often, make news not only of local, but also of national and international importance. The fiscal year 1964 budget under present and proposed legislation will supply the funds needed to bring the police force up to full strength by providing 100 additional policemen and 25 additional canine teams.

Here, too, the problems of youth are of critical importance. A juvenile delinquency program does not appear as an itemized request in the budget. Juvenile delinquency is far too complex. The battle against delinquency and youth crime is waged on many fronts—in the preventive areas of education, health, welfare, and recreation, and in the correctional and rehabilitative areas of law enforcement and the juvenile court. School dropouts, for example, constitute at the same time an educational, economic, and social problem. The District is participating in the national program, authorized by the Congress in 1961, to develop the most effective attack on juvenile delinquency which the Commissioners, together with community leaders, can devise. The District's efforts, like those in other cities, are being supported initially by Federal funds. As a program is developed, the local communities are expected to assume responsibility for full program costs. While no funds are requested in the fiscal year 1964 budget, the District expects to request later the funds needed to carry out its work in this vital area.

### HIGHWAYS AND TRAFFIC

The critical deficiencies in the general fund do not extend to the water and sanitary sewage works funds, which are financed by earmarked revenues. Prospective revenues for these funds are sufficient to meet obligations for the next 5 years.

The highway fund, which is similarly financed, will face critical deficiencies after 1965. The exact extent of the problem will depend on decisions as to the scope of the highway program. Those decisions will be made promptly. The National Capital Transportation Agency has prepared and transmitted to me a report recommending a system of highway and modern rail transit facilities for the National Capital region. This report is being reviewed by appropriate Federal and local agencies. When that review has been completed I will forward the report of the National Capital Transportation Agency to the Congress with my recommendations. Therefore, I am withholding from the fiscal year 1964 budget those highway projects which do not conform to the highway recommendations of that Agency—the east leg of the Inner Loop Freeway, the Intermediate Loop, the Potomac River Freeway, and the Three Sisters Bridge. At the completion of the review, appropriate budget amendments will be submitted with respect to both the mass transit and highway programs of the District. The projects which are not in question in the current review, particularly the center leg of the Inner Loop and its continuation to the north, as well as the modified Interchange C, represent a major and important highway program.

### CONCLUSION

The need to establish a sound financial structure for the District, in fiscal year 1964 and thereafter, is of vital importance. There are also other matters concerning the District which the Congress will be called upon to consider.

This administration proposed home rule legislation for the District to the last Congress. I again urge that the Congress restore to District residents the basic right to local self-government. Indeed, the urgency of the District's present problems underscores the necessity to place responsibility for dealing with municipal problems in the people of the District themselves, with appropriate provisions to assure continued consideration by the Federal Government of the Federal interest.

A study made during the last Congress at the request of the Committee on the District of Columbia of the House of Representatives showed the need for a better organizational framework for developing and executing urban renewal projects in the District. Legislation to provide adequate relocation assistance to persons displaced by public action, and to extend urban renewal powers to nonresidential areas as an aid to the District citizens who have taken the initiative in planning a revitalized downtown area, is of particular importance.

Other items of legislation required for effective accomplishment of local government objectives will be proposed by the Commissioners.

I have said that the decade of the 1960's will be a time of crises and decisions for our country. And so it will be for the District. Washington, D.C., is the Capital of the United States of America. Let us make it a city of which the Nation may be proud—an example and a showplace for the rest of the world.

JOHN F. KENNEDY.

JANUARY 18, 1963.

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## ANNUAL REPORT OF THE U.S. CIVIL SERVICE COMMISSION, 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. NO. 13)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered printed with illustrations:

*To the Congress of the United States:*

I transmit herewith the annual report of the U.S. Civil Service Commission for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 18, 1963.*

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## MENTAL PATIENT RELEASE ENCOURAGED BY BUDGET

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I have heard many zany suggestions about maintaining fiscal sanity budget affairs, but I notice in the District of Columbia budget one of the zaniest ideas I have ever heard as a means of returning to fiscal responsibility. As a matter of fact, I am just informed and I read that St. Elizabeths Hospital is now going to be encouraged to return mental patients to the community more rapidly so more can be sent to the hospital. This will then show an increased patient load, and thereby get more money from the Federal Government.

This, of course will encourage our courts to send more criminals up to St. Elizabeths for psychiatry because they will get out faster and be returned to the community to prey upon and commit more crimes upon the people of the District of Columbia and on the tourists who come here.

I have never heard such a zany idea as this, to pay them to turn out mental patients whether they are cured or not, but get them out in the community—criminals who are committing crimes every day in the week. This is really a beaut. That is about the only kind of language I can use. Maybe the hospital could turn them over to the Budget Bureau.

I include the following article from the Washington Star of January 17, 1963:

### MENTAL PATIENT RELEASE ENCOURAGED BY BUDGET

The proposed Federal budget released today, would give the District and St. Elizabeths Hospital new financial incentives to encourage them to return mental patients to the community promptly.

The proposed 1964 budget provides that the District pay St. Elizabeths according to the actual number of patients the District has there.

Thus, for example, if the District can find cheaper foster home care for a senile patient, it can save money. At the same time, a bed would be released for the hospital's use.

#### DOUBLE PAYMENT SEEN

A spokesman for the hospital said today that under the present system the District pays, in effect, a relatively fixed amount to the hospital. If the District finds foster-home care for an aged patient, for whom the hospital can do no more than it has, then the District pays double—paying for the foster care and still paying its contribution to the hospital.

The spokesman said $9.49 has been discussed as the daily rate per patient that the District would pay under the new scheme.

Since 70 percent of the hospital's patients are from the District, the proposed system of payment could make the hospital's budget very uncertain and unstable.

The proposed budget would prevent this by providing an indefinite Federal appropriation that would rise when other sources of revenue decline.

#### SECOND INDUCEMENT

This second step also provides the hospital itself with a financial inducement to return patients to community facilities as soon as possible. It would allow the hospital to keep its patient load down without losing funds and having to cut back on research.

The 1964 Federal budget also would provide a $2.5 million grant to assist George Washington University Hospital here to build an addition on 22d Street between I Street and Pennsylvania Avenue NW. The hospital will have to match this grant with donations from other sources.

## NATIONAL SCIENTIFIC DATA PROCESSING CENTER

**Mr. PUCINSKI.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

**Mr. PUCINSKI.** Mr. Speaker, yesterday I introduced H.R. 1946, which would authorize the establishment in the United States of a National Scientific Data Processing Center to make readily available to American scientists research information assembled not only throughout the United States, but also throughout the world.

My legislation proposes that this nerve center for disseminating scientific information be located in the city of Chicago.

H.R. 1946, in effect, expands the work now being done by the National Science Foundation through its Science Information Service. Existing law charges the National Science Foundation with responsibility to "provide or arrange for the provision of indexing of abstracting, translating, and other services leading to a more effective dissemination of scientific information; and, second, undertake programs to develop new or improved methods, including mechanized systems, for making scientific information available."

This provision was included and approved as an amendment to the National Defense Education Act in 1958.

My bill expands the work of the Science Information Service by providing that all of the functions of the Service presently being conducted would be conducted from a centrally located scientific data processing center in Chicago. Here you would find a staff which would assemble, translate—where necessary—codify, and register on electronic computers and recall machines, the scientific data from all over the United States and the world to be readily available for use by American scientists.

Under my proposal, we would provide a more efficient method for scientific recall which, in the final analysis, is perhaps the most productive result of scientific research.

This Nation spends billions of dollars annually in scientific research both through activities of the Federal Government and in the private sector of our economy. There can be no question that some adequate method must be determined to coordinate the knowledge gained from this massive research and make it readily available to all of our scientists.

I am fully aware that this National Scientific Data Processing Center is a most ambitious project. But if the United States is to make full use of its intellectual resources, we must take steps now to make certain that scientific research will find the widest expression.

I have proposed establishment of the National Scientific Data Processing Center in Chicago for many reasons. The most important is that Chicago has within its immediate community seven of the Nation's outstanding universities, including the University of Chicago, which gave birth to the nuclear age. Within a radius of a few hundred miles of Chicago, throughout the Midwest, we find some of the Nation's finest universities, all of which are just a couple hours' drive from the city of Chicago. All of these outstanding institutions of higher learning could make available, on the one hand, personnel to help operate the Data Processing Center; and conversely, the scientific personnel of these institutions could readily draw upon the services of the National Scientific Data Processing Center in Chicago.

Another compelling reason for establishing this Center in Chicago is because Chicago is today the international crossroad of the world. Scientists from all over the country and all over the world would have ready access to the Center and its elaborate scientific data resources.

Another compelling and justifying reason is that Chicago and the entire area within a 200-mile radius today constitutes the greatest industrial concentration in the whole world, and from this industrial complex will flow the great scientific discoveries of the future.

Mr. Speaker, last year the National Science Foundation spent $10½ million in operating its Office of Science Information Service. At the conclusion of my remarks today, I shall include the report of the Foundation's work during 1962. The Foundation has indeed written an impressive record in its effort to make scientific research information more readily available to American scientists.

In fiscal 1963 the Foundation anticipates spending $13½ million for similar work, and I feel confident that the Foundation's record will be one to inspire praise. However, the chapter on dissemination of scientific information contained in the National Science Foundation's 12th Annual Report for 1962 clearly demonstrates the urgent need for establishing a central data processing center from which will flow the many corollary activities in this very important field. The Foundation's efforts to establish a center for Government reports in the Library of Congress is a good beginning. But this fails to cover the massive research in the private sector. I believe the report justifies my proposal better than anything I might say.

I hope the Congress will seriously consider my proposal. There is reason to believe that perhaps the world is now moving away from a tendency to resolve its differences through armed conflict, and instead there are strong indications that the great struggle between the two concepts in the world today will be waged in both the economic and scientific arenas. I predict that within a short time this whole process of scientific recall will constitute an entirely new and daring industry in the 7th decade of the 20th century.

This whole matter of properly coordinating and making available to scientists scientific research not only from within the United States, but all over the world, translated into English in those instances where the initial research has been done by scientists using other languages, is rapidly becoming one of the most important problems to confront this Nation.

It is for this reason that I sincerely hope we will obtain quick approval for this program so that we can indeed expand the excellent work already being carried on by the National Science Foundation in the dissemination of scientific information.

Mr. Speaker, this whole project is neither unique nor original. Paradoxically, this idea stems from a program now in operation by the Soviet Union in Moscow. There is today a giant scientific data processing center in Moscow. Every Soviet legation, trade mission, delegation, and even Soviet travelers are instructed to gather whatever scientific data is made available to the public in the countries they visit. This information is then forwarded to Moscow, where it is translated into Russian and fed into giant electronic brains. Scientists from all over the Soviet Union have access to the data processing center in Moscow to study whatever scientific data interests them. I am quite sure this Soviet operation has played an important role in Russia's significant postwar scientific achievements.

There is no question in my mind, Mr. Speaker, that with our fantastic development of electronic computers and with the type of research that is being done today, for instance, by the Bell & Howell Corp. in Chicago in the art of scientific recall, we Americans can very quickly have operating a National Scientific Data Processing Center which will capture the imagination of scientists all over the world.

Mr. Speaker, following is the chapter on dissemination of scientific information which appeared in the National Science Foundation's 12th Annual Report, which was filed with the House of Representatives yesterday:

### DISSEMINATION OF SCIENTIFIC INFORMATION

All scientific research produces information. All scientific research uses information. Maximum scientific progress requires maximum effectiveness in the dissemination of research-produced knowledge. Improving the control and dissemination of scientific information for the benefit of U.S. scientists is the fundamental mission of the Foundation's Office of Science Information Service (OSIS). Fiscal year 1962 marks the third full year of operation under directives the Foundation received from the President and the Congress in 1958–59.[1]

An extensive and highly complex, but relatively uncoordinated, scientific information system has existed in the United States for many years. It being neither desirable nor possible to wipe this system out and start completely anew, the plans and programs of the Office of Science Information Service necessarily involve simultaneously two basic efforts:

1. Promoting the study and development of new and better techniques and systems for controlling and disseminating scientific information.
2. Maintaining and improving existing services in this field.

### HIGHLIGHTS

Three areas of scientific information can serve to illustrate and highlight the increased emergence in 1962 of an integrated pattern of OSIS activity that points toward a coordinated national scientific information system.

#### *Grants as means and ends*

In fiscal year 1962, OSIS made 232 grants (including contracts and purchase orders) totaling $7,575,000. During this same period, 311 formal proposals were received requesting over $16 million. Grants can be used merely to insure the achievement of immediate, more or less unrelated ends. But they also can be important means in a planned, coordinated program looking toward the accomplishment of major, long-term objectives. In the OSIS grant program, NSF places heavy emphasis upon the latter aspect.

Those grants solely or predominantly in the "means" category naturally are concerned largely with promoting the development of new and improved ways of handling, controlling, and disseminating scientific information, the ultimate goal being the achievement of a coordinated, effective national system. Such grants mostly can be grouped in terms of the following steps:

1. Obtaining a comprehensive picture of the existing situation.
2. Determining the information practices and needs of users of scientific information.
3. Carrying on studies and research on improved methods.
4. Supporting programs to test and evaluate new procedures and systems.

Among means-type projects illustrative of Foundation support along these lines in fiscal year 1962 are the extensive communications studies that the American Institute of Biological Sciences, the American Institute of Physics, and the American Psychological Association are conducting in their respective fields. An important aspect of these investigations is the description and analysis of present information activities and services. The same is true of the large-scale study of the abstracting-indexing problem recently launched by the National Federation of Science Abstracting and Indexing Services.

In the past, work directed specifically toward determining the information practices of scientists has been supported at Columbia University and the Case Institute of Technology. Obtaining such knowledge, which is basic to the analysis of needs, is another of the goals of the broad disciplinary and abstracting-indexing projects mentioned above. A Syracuse University analysis of how and to what extent scientists are using the translated U.S.S.R. journals impinges on this objective.

Studies and research on improved methods of information handling have emphasized fundamental investigations related to the mechanization both of the storage and retrieval of information and of translation. Representative of such work funded during 1962 are projects in linguistic research at the Universities of Pennsylvania and Texas and a study of new mathematical techniques of subject classification by the Cambridge (England) Language Research Unit. Other work looking toward improved procedures, but not directly linked to mechanization, includes a project at Georgia Institute of Technology on the training of information specialists; one by John I. Thompson Co. on the distribution of Government reports; and work by Arthur D. Little, Inc., on centralization of various aspects of information handling.

Experimental programs to test and evaluate new procedures and techniques are a logical followup of the preceding study and research activities. Among efforts of this kind is a project completed during 1962 by the British Association of Special Libraries and Information Bureau (ASLIB). By making a comparative study of the retrieval efficiency of four indexing and classification schemes, ASLIB developed a test method that has been applied to several operating systems, among them the American Society for Metals-Western Reserve University metallurgical searching service. Work is continuing under a new grant on both testing methods and evaluation of various indexing techniques.

Experimental development and test programs looking toward new procedures or systems for use in operating situations are the Mathematical Reviews' experiments and test runs with the Photon (a photocomposition device) for mathematical composition, and Chemical Abstracts' work in mechanizing certain aspects of its chemical information handling.

NSF has also supported conferences closely related to various phases of developing improved information procedures. Among such meetings in 1962 were a mechanical translation conference on syntactic analysis in Princeton, N.J., a workshop on information system design organized by the University of California (Los Angeles) and the American Documentation Institute, and a storage and retrieval workshop held by the U.S. Patent Office.

On the other hand, many grants necessarily are directed primarily toward meeting immediate needs and emergency situations. Examples include temporary and emergency funding of primary and abstracting-indexing journals, support of monographic publications, subsidy of translation journals, assistance to scientific societies for special projects, and the like. Even these can and do have important implications as means toward an ultimate, overall objective. Abstracting-indexing support, for example, is granted along lines that will aid in coordinating all such efforts. In brief, a very large fraction of the total grant effort in 1962 was either predominantly means in nature or had significant implications beyond any immediate ends that were met.

#### *A Federal scientific information program*

The Government, being itself a major producer and user of scientific information, possesses a large and complex internal program in this field. For the total U.S. system to be fully effective, intra-Government scientific information activities must be coordinated both with each other and with the extra-Government pattern. Effecting coordination within the Federal Establishment is complicated by the varying basic missions of different scientific information groups. Any overall coordinating effort must try to combine maximum value to the national scientific effort with minimum jeopardy to the various programs' individual responsibilities.

The Foundation's plan for discharging its Federal coordinating responsibility has involved, as a minimum, the cooperative development of a Government system that could provide any U.S. scientist or scientific organization promptly and reliably with: (1) information on the nature and status of federally supported research in progress; (2) announcements, abstracts, and indexes of reports issued on such research; (3) access to copies of these reports; and (4) a single source of information on where answers can be obtained to substantive scientific questions.

During 1962, significant additional progress was made toward this composite goal, through the joint efforts of OSIS and the several other agencies involved. Organizational mechanics were completed on the expansion of the former Bio-Sciences Information Exchange into the Science Information Exchange (SIE), which will cover the physical, and eventually the social, as well as the life sciences. The SIE maintains and provides information on who is performing what research where. To begin with, only research supported by Federal grants and contracts is being covered. Planning calls for further extension of the scope beyond Government-sponsored R. & D.

In the field of technical report literature, the Office of Technical Services (OTS) of the Department of Commerce has for some years published the abstracting journal U.S. Government Research Reports (USGRR). As a result of the Foundation's work with OTS and the report-originating agencies, USGRR's coverage has increased steadily for the past 3 years. During 1962, it became essentially complete for unrestricted Atomic Energy Commission (AEC) reports, National Aeronautics and Space Agency (NASA) reports, and Department of Defense reports held by the Armed Services Technical Information Agency (ASTIA). To provide rapid subject-oriented announcement of technical reports, NSF promoted the establishment of a Keywords Index of documents, that later will be abstracted in USGRR. The first issue of this semimonthly journal appeared just at the close of the fiscal year.

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[1] Title IX, National Defense Education Act of 1958 and March 1959 amendment to the Executive Order No. 10521.

USGRR always has carried information on how to obtain copies of all documents it abstracted. Thus, expansion of USGRR's coverage automatically has made many more technical reports easily available to the scientific and technical community. Also, a reference collection of all reports covered by USGRR has been maintained for some years in the Library of Congress. Eleven more such regional report centers were established during fiscal year 1962 in selected universities and libraries scattered across the Nation, increasing manyfold the number of scientists and engineers with ready reference access to these documents.

As noted above, the Science Information Exchange is designed to meet the need for a single source of information on the nature and status of federally supported research. A somewhat analogous need has been for a center that could dispense knowledge regarding the multitude of information services available within and outside of Government—that is, for a single source to which a scientist or an organization might go to find out where answers can best be obtained to specific questions. Toward the end of fiscal year 1962, plans were completed for the establishment of such a referral center in the Library of Congress during fiscal year 1963.

Supplementing these actions, which are tied specifically to the four minimum objectives stated previously, have been studies and surveys pertinent to a coordinated Federal information program as a whole.

But the Federal Government also has a scientific information responsibility beyond its own immediate operations. For example, various journals published by scientific societies are essential research tools for Government programs and find their principal (sometimes almost their total) market in the Federal establishment. NSF has played, and continues to play, a major coordinating role in these situations by calling together representatives of all parties concerned, private and Government, to work out fair and mutually beneficial patterns of support. A major 1962 advance in this problem area was the adoption by the Federal Council on Science and Technology, at NSF's recommendation, of a standardized Government policy favoring the honoring of journal page charges that increasingly are being levied by nonprofit scientific publishers. Enunciation of this policy was particularly significant in that it marked the recognition by the Council that dissemination of research results is an integral element in the R. & D. sequence and, therefore, properly should be supported from research funds.

### *Mechanical translation (MT) and coordination*

One 1962 development in MT deserves special mention as a particularly significant coordinating advance. Encouraged by NSF's promotion of increased coordination in all Federal information programs, NSF, the Department of Defense, and the Central Intelligence Agency, developed, during 1962, plans for a joint research and development program for automatic language processing, with particular attention to MT.

## DOCUMENTATION RESEARCH

The documentation research program concerns almost entirely the first of the two fundamental objectives of OSIS. It is directed principally toward stimulating and supporting studies, research, and experimentation along three general lines: (1) Identifying and assessing the information needs of scientists, (2) developing new and more effective systems—mechanized where advantageous—for handling and controlling scientific information, and (3) achieving mechanized translation of foreign language material into English.

### *Communication problems and information needs of scientists*

Several major communications studies were mentioned previously. The one being conducted by the American Psychological Association includes the following topics: Communication and information practices of a sample of productive research psychologists; tools and techniques employed by psychologists who have prepared review papers; comparative coverage of "Psychological Abstracts" and the "Annual Review of Psychology"; the readership of psychological journals and the use of Psychological Abstracts; cross-citations among psychological journals and images of journals held by psychologists; the information exchange that takes place at meetings; the characteristics and patterns of communication within specialized societies or groupings in the field of psychology; and comparison of concepts expressed in titles of papers with those employed in indexing the papers. Another new study undertaken by the Advance Information Systems, Inc., is concerned with behavioral factors in information systems.

### *Information organization and searching*

In the important University of Pennsylvania project on linguistic research, an exact, mechanizable procedure is being devised for converting a complex sentence into a much simpler form that will maintain the original meaning but be more amenable to machine processing for information retrieval. Much new knowledge about the English language is resulting from this work, and the development of computer programs to accomplish automatically the grammatical and transformational decomposition of English sentences is well along.

Other continuing projects showing significant progress this year include research by the National Bureau of Standards on the mechanical processing of both pictorial and linguistic information,[2] development by the National Biomedical Research Foundation of a computer program for automatically producing a tabular form of coordinate index, and an Advanced Information Systems, Inc., study of large file organization with emphasis on self-organizing capabilities.

Among the new projects are a Lehigh University study of models of information retrieval systems, Western Reserve University research on automatic processing of abstracts for storage and retrieval, and an engineering terminology study by the Engineers Joint Council.

### *Mechanical translation (MT)*

Probably the most significant 1962 development in MT was the three-agency agreement previously mentioned regarding future research and development. In U.S. basic research in this field, a major portion of which NSF supports, considerable progress was made in fundamental studies of language structure including the design of computer programs to aid in language analysis, the compilation of bilingual computer dictionary programs, and the development of computer programs for steps in the translation process. Also of considerable importance this year was the third in a series of working conferences of MT investigators. This one was devoted to certain phases of the syntactic analysis of languages.

### *Evaluation of information systems and procedures*

The Association of Specialized Libraries and Information Bureaus project, already mentioned, is an example of significant NSF-supported work in this area, one which is increasingly being emphasized in the OSIS program. Because of a lack of rigorous standards on which to base quality judgments, two exploratory studies were launched to develop criteria for evaluating information systems and procedures. They were recommended by a National Academy of Sciences-National Research Council (NAS-NRC) committee set up to study this question and were conducted by Stanford Research Institute and Arthur Anderson and Co.

Other NSF-funded 1962 projects with significant evaluative aspects included: A test program of the AMS–WRU metallurgical searching service, the results of which are being evaluated by NAS–NRC; a survey by users of this service by the Bureau of Social Science Research; and an NAS–NRC study of chemical notation systems to determine the uses currently being made of them and their strengths and weaknesses for organizing and searching information on chemical structures. Late in the year a grant was made to the Massachusetts Institute of Technology to design and establish, in the Boston area, a test environment in which controlled tests can be made of information system components and new types of service.

### *Surveys and reports*

Two extensive state-of-the-art reports were issued with NSF support—on character recognition, by the National Bureau of Standards, and on coordinate indexing, by Documentation Incorporated. The Documentation Research Program continued to compile and publish its semiannual report on "Current Research and Development in Scientific Documentation," the May 1962 issue containing some 450 descriptions of R. & D. projects and studies in the U.S. and 20 other countries. During the year the program also surveyed operating systems that employ new techniques or devices and prepared for publication the third edition of its series "Nonconventional Technical Information Systems in Current Use."

## SUPPORT OF SCIENTIFIC PUBLICATIONS

The activities of this program (SSP) are directed toward the goal of an optimum publication system for dissemination of research results. The program considers such a system to consist of two basic, related parts: primary publications for first reports of the results of research and secondary publications or services for reference purposes.

NSF concern with primary publication is largely a national problem, but the growth of world publication of scientific research results has broadened consideration of secondary reference services to the international level, especially in abstracting-indexing which is the keystone of scientific reference service. Projects supported are of two types, those that aid existing publications and services, and others that experiment with new techniques. Although the proposals received by SSP are many and varied, a major factor in their screening is their contribution toward providing prompt publication of the results of scientific research in a usable quantity and form.

Kinds of projects supported during 1962 included: modernizing and expanding coverage of abstracting-indexing services; publishing significant single items, including monographs, symposium proceedings, reviews, data compilations, and bibliographies; launching new primary journals; eliminating manuscript backlogs of existing journals; and experimenting with new publication-oriented information techniques. Representative projects of particular significance follow.

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[2] Jointly supported by NSF and the Patent Office.

### *Support of primary publications*

During 1962 this program supported the launching of three new journals: Applied Optics, Applied Physics Letters, and Malacologia. The first of these, which began publication in January 1962, is directed toward physical, electron, and space optics; lens design; optical engineering; and plasma and solid state physics. Although jointly sponsored by the American Institute of Physics and the Optical Society of America, Applied Optics is published independently by the latter. The new journal is devoted largely to original research and to reviews of major research topics; articles may be published in English, French, German, and Russian. Applied Physics Letters, a second rapid publication medium in physics, is aimed at providing a quick announcement service for short papers in a number of fields not covered by Physical Review Letters, the first such journal initiated with NSF support. Malacologia provides a medium for literature in the field of mollusks; at present such literature is scattered through many journals. Research in this field is moving at a rapid rate in many countries, and this new outlet will allow more prompt publication of good papers in systematic and experimental areas of malacology. All NSF funding of primary journals is done on a temporary basis.

More than half of the grants made for the support of publication of 31 monographs during 1962 were in biology, where outlets, particularly for taxonomic volumes, appear limited.

The Pacific Science Congress and the International Physiological Congress were two international meetings receiving publication support.

### *Studies and experiments in scientific communication*

The New York Botanical Garden pilot project on a machine coding system for plant taxonomy produced the first volume of the planned International Index. This volume contains all the plant families. Orders, genera, and species have also been coded. Subsequent volumes will contain this information.

Representative of the five catalogs and handbooks supported during 1962 is the "Checklist of Amphibians and Reptiles," an ambitious experimental project undertaken by the American Society of Ichthyologists and Herpetologists that will offer complete summaries of all North and South American species.

The American Institute of Physics Documentation Study mailed a questionnaire during 1962 to some 1,500 physicists to determine how physicists describe their own fields of activity. Analysis of these descriptions will form a basis for compiling improved subject indexes, and designing a more adequate reference retrieval system for physics literature.

With NSF support, a group of Latin American editors attended the February 1962 meeting of the U.S. Conference of Biological Editors (CBE). At this meeting they organized a Latin American CBE to provide a forum to promote improved biological journal publication in their countries. As an initial project they are working on a Spanish style manual similar to CBE's "Style Manual for Biological Journals."

### *Support of secondary services*

Support was continued for improved operation and expansion of several major abstracting-indexing services including Mathematical Reviews, International AeroSpace Abstracts, GeoScience Abstracts, Biological Abstracts, and Chemical Abstracts.

The Operations Research Society of America (ORSA) initiated publication of the International Abstracts in Operations Research with NSF grant funds. In addition to the conventional author and subject indexes, each issue of IAOR contains a digest that lists abstracts serially and describes the referenced publication by key words indicating principal topics and methodology and by letter codes representing bibliographic, computational, experimental, and other aspects of the contents.

Support of specialized bibliographies was limited, and only experimental indexing projects were considered. Six grants were made during 1962 for the publication of compilations in such diverse subjects as ethnography of South America, radioastronomy, and palynology.

NSF support during 1962 played a significant role in a number of activities relative to mechanization of abstracting-indexing procedures. For example, grant funds provided for the purchase of a Photon by the American Mathematical Society for use in developing complex mathematical photocomposition. Conversion to tape typewriters by Engineering Index will enable them to initiate monthly issues and to prepare these; as well as the annual issue, from a single typing. Permuted indexes were published by both Chemical Abstracts and Biological Abstracts. Large scale application of this indexing technique is relatively recent, however, and funds were provided for further experiments. A grant was made for an experimental citation index in the field of statistical methodolgy. Chemical Abstract's mechanized file of chemical compounds, permitting computer searches for both molecular and structural correlations, approached productive level of coverage, and codes were developed to relate biological, physical, and physiological properties to the appropriate chemical entity.

## FOREIGN SCIENCE INFORMATION

The basic mission of the Foreign Science Information program is to promote the effective availability in the United States of scientific research results published in foreign countries and to foster interchange of scientific information between these countries and the United States. This mission is implemented by encouraging the broadest possible communication between U.S. scientists and their counterparts throughout the world. Program activities are designed:

1. To promote effective acquisition of foreign scientific publications through purchase and by exchange between United States and foreign organizations.

2. To provide data to the U.S. scientific community on sources and availability of foreign scientific information, which includes support for scientific and technical reference aids.

3. To increase the scope and quantity of translations of the most important foreign scientific publications.

4. To stimulate cooperation with international organizations in support of projects which will add to the U.S. store of information and materially improve scientific communication on an international scale.

### *Translations*

Emphasis was placed upon encouraging professional groups to obtain access to foreign scientific literature through programs of selective translation, principally from the Russian, and to inaugurate new programs for the translation of Japanese scientific journals in physics, chemistry, biology, and selected areas of engineering. By the end of the fiscal year, NSF was supporting, through grants to scientific societies and universities, the cover-to-cover translation of 42 Soviet scientific and technical journals and selected translations from 13 others.

An example of a highly selective translation journal is International Chemical Engineering, inaugurated by the American Institute of Chemical Engineers, which concentrates on the literature of the Sino-Soviet bloc. Funds were granted to the American Mathematical Society for translation of the Communist Chinese journal, Acta Mathematica Sinica. Also, the American Institute of Physics was supported in a cooperative arrangement with the Japan Physical Society to encourage the dissemination in the United States of the English-language journal, Japanese Bulletin of Applied Physics.

Oversea translation activities carried out during fiscal year 1962 under Public Law 480 (Agricultural Trade Development and Assistance Act of 1954) constitute another important effort to utilize the results of foreign research and to stimulate international scientific cooperation. This program is being carried on in Israel, Poland, and Yugoslavia by Federal agencies using foreign currencies accruing through the sale of U.S. agricultural commodities overseas. A total of 25,800 pages of Russian, 13,000 pages of Polish, and 4,300 pages of Serbo-Croatian material was translated and disseminated in the United States in fiscal year 1962, under Foundation leadership. In addition, simultaneous English language editions of the leading Polish and Yugoslav primary journals are now underway.

### *Studies and reference aids*

Considerable emphasis was placed on studies of scientific research and information activities in foreign countries. These included compilation of directories of foreign scientific research institutions and scientists, reviews of the state-of-the-art of sciences in foreign countries, science information activities in foreign countries and international organizations, and preparation of bibliographic guides to foreign scientific publications.

There was a similar concentrated effort to produce guides for the scientific community relating to foreign scientific literature available in the United States, both in the original languages and in translation.

### *International activities*

The FSI program has been instrumental in developing measures for closer coordination of science information activities among international scientific and information organizations, such as United Nations Educational, Scientific, and Cultural Organization, International Council of Scientific Unions, Federation of International Documentation, International Federation of Library Associations, International Organization for Standardization, and others. Assistance has also been rendered to appropriate U.S. agencies and organizations in the development and strengthening of information activities within, or supported by, these and similar international organizations.

### *Resources and exchanges of information*

Finally, emphasis was placed during the past year on fostering programs for the acquisition and exchange of foreign scientific publications. With NSF support, a large-scale exchange has been worked out by the American Mathematical Society and the Lenin State Library whereby multiple copies of some 700 Soviet scientific periodicals come directly to approximately 75 U.S. research libraries. The American Mathematical Society provides U.S. publications in return.

## RESEARCH DATA AND INFORMATION SERVICES

The two general problem areas of primary concern to this program are: (1) the Government system for the control and dissemination of scientific information stemming from federally supported research and development, and (2) specialized data and information centers. These categories obviously are not mutually exclusive since the Federal information complex includes a number of specialized services, and many privately sponsored centers handle certain Government-originated materials and include Federal agencies among their users.

Major 1962 emphasis continued to be on stimulating and, where appropriate, supporting the coordination of various Federal information activities, looking toward the development of a balanced, effective overall Government system.

*The Federal scientific information system*

NSF's major role in these activities has been to encourage and work with the Federal agencies that are operationally involved. In some cases financial support also has been provided, usually for necessary experimentation or to speed up initiation of specific projects.

The Science Information Exchange, an expansion of a similar project of some years' standing in the life sciences, increasingly is providing information on federally supported research in progress in the physical and biological sciences. Plans call for later extension to include the social sciences and to cover privately sponsored research. Abstracting coverage by U.S. Government Research Reports has become essentially complete for unrestricted AEC, NASA, and ASTIA-held Department of Defense reports. OTS' new Keywords Index now can provide prompt, subject-oriented announcement of reports subsequently abstracted in U.S. Government Research Reports. Twelve regional report centers give scientists and engineers in major U.S. research and development centers ready reference access to the technical reports covered by USGRR. At the end of the fiscal year, the Library of Congress had just begun to establish a referral center that will provide a single source to which a scientist or engineer can go for information on where answers to substantive scientific questions can best be obtained.

Supplementary to these specific steps in the direction of a well-coordinated Federal information system have been studies on the initial distribution of technical reports, on the practicability and implications of various degrees of centralization of Federal information activities, and on problems of compatibility between existing information systems.

*Data and information centers*

The continued growth in the number and use of scientific data, reference, and information centers has resulted in numerous requests to the Foundation for funds to establish and support such operations. NSF activities in this area are designed to develop basic information on the use and value of data centers and the services they perform.

Late in the year the Foundation initiated, as a part of a general continuing study, a comparative economic analysis of two different hypothetical information systems—one, a subject-oriented information service network and the other, a geographically-oriented network. The study, being carried out by a private firm, involves the construction of models characteristic of the two systems and the formulation of various mathematical expressions of the systems, through the use of which a comparative economic analysis is being made.

Under contract to the Foundation, the Battelle Memorial Institute carried out an extensive survey of specialized science information services in the physical and biological sciences. A directory based on the survey and listing more than 400 such groups was published during 1962. Entitled "Specialized Science Information Services in the United States," the directory is designed for use as a reference aid for working scientists and engineers.

A grant was made to the American Society of Mechanical Engineers for the establishment of a scientific film library service on flow visualization research data in fluid mechanics. Purpose of the project is to improve the dissemination of such data available on motion picture film and, at the same time, to serve as an experiment in the use of scientific film as a medium for exchange of information among scientists.

EDUCATION AND TRAINING

Although not established as a formal program, the OSIS education and training activity functioned during 1962 in much the same manner as the programs described above. The fundamental overall mission of this effort continues to be the improvement of the competence of: (1) science librarians and information specialists in organizing, controlling, and disseminating scientific information, and (2) scientists and engineers in the use and presentation of the results of scientific research. The Foundation's long-range objective is to encourage the development in U.S. colleges and universities of curriculums, of various kinds and at a variety of levels, that will accomplish this two-phase mission. NSF's own role in stimulating and promoting such curriculum development requires it to study, on a continuing basis, the needs for trained manpower in these areas; to work with the universities and scientific groups in establishing program requirements for training the needed manpower; and to develop within the Foundation an effective, realistic plan of encouragement and support.

During the past year, activity in this program has concentrated on the initial aspects of the first of the mission areas. Studies were conducted in-house to obtain current information on educational programs, both academic and nonacademic, for training information personnel. Library school curriculums were surveyed to determine the extent to which course offerings prepare librarians for work with science collections or science information centers. Also, a survey was conducted of curriculums in other departments of universities to determine the extent to which they are applicable to training students for work with science information. Finally, the content of various conferences, institutes, and short courses on science information activities was examined to determine its relevancy to training programs for librarians and information specialists.

In addition to the in-house activity, a grant was made to the Georgia Institute of Technology for a study of various factors that affect development of educational programs for information specialists. These include development of curriculums, recruiting students, faculty requirements, and the relative values of short courses and degree programs. Preliminary conclusions developed from the study indicate that university programs for training specialized personnel for work in various aspects of science information can and should be developed.

Studies for support and encouragement of educational programs was also a major project in the 1962 education and training activity. The planning and development was coordinated with the NSF Division of Scientific Personnel and Education (SPE). Implementation by this division is expected to begin during the next fiscal year.

## GOVERNMENT EXPENDITURES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I should like to ask a very important question: Is the tax cut recommended by President Kennedy, with no recommended cut in Government expenditures, really intended to serve our economy or actually to serve the political fortunes of President Kennedy in 1964?

Has the administration asked us to risk a tax cut, and another huge deficit of $11.9 billion, for political or for economic purposes?

This is not a facetious question. It is one of major importance and quite pertinent.

Last night in a speech before members of the Democratic National Committee, here in Washington at the Sheraton-Park, Ted Sorensen, special counsel to President Kennedy and long-time aid and adviser, quite frankly told the assembled group that President Kennedy's prospects of reelection depended upon forcing Congress to cut taxes this year.

I do not believe the Congress will be willing to endanger the fiscal stability of the country that political ends may be served. If taxes are to be cut, we should likewise cut expenditures, however politically popular the expenditures may be.

## AMENDING TITLE X OF THE MERCHANT MARINE ACT OF 1936

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. BONNER] may address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BONNER. Mr. Speaker, yesterday I introduced a bill, H.R. 1897, to amend the Merchant Marine Act, 1936, as amended, which would reinstate and bring up to date title X of the Merchant Marine Act of 1936.

Immediately following the enactment of the 1936 act, which established a comprehensive and long-range national policy for our merchant marine, the then new U.S. Maritime Commission was directed to make overall studies of the maritime industry and report to Congress as soon as possible as to additional needs and mechanisms to make the basic policy fully effective. In 1938, a number of legislative modifications, including two new titles to the act, were recommended. One of these recommendations which was adopted in the 1938 amendments to the 1936 act, was title X, to set up a Maritime Labor Board with powers to mediate in this very specialized industry. The Board was also directed to submit a comprehensive plan for the establishment of a permanent Federal policy stabilizing maritime labor relations.

Unfortunately, before the newly established Maritime Labor Board was able to complete its studies and make its recommendations, World War II intervened and the legislative authority for surveillance of maritime labor expired.

Experience during the postwar years has shown the need for special treatment of strikes and lockouts in the maritime industry when the normal processes of collective bargaining break down and threaten the national health and safety.

After an extensive study of conditions in maritime labor-management relations by the Committee on Merchant Marine and Fisheries in 1955 and 1956, this committee had hopes that the industry might be able to put its own house in order without resort to extreme measures to protect the public interests. Events in recent years show that these hopes were in vain.

The bill I introduced yesterday was made necessary by the actions of a small group of willful men in imposing a stranglehold on a large portion of the waterborne commerce of the United States. Since 2 days before Christmas, we have seen our ships on the gulf and east coast tied up with their cargoes rotting and with a progressive slowdown in our economy resulting from the inability to move our goods in foreign commerce.

Quite aside from the direct loss to shipowners, their crews, the longshoremen, and others engaged in the handling of our exports and imports, there is incalculable loss to almost every other segment of industry in this Nation. The farmers of South Carolina must stand by while their seed potatoes rot in the holds of idle vessels. The automobile manufacturer in Detroit faces the loss of sales abroad by reason of his inability to deliver cars.

In my own State, the Wertheimer Manufacturing Co. has had to close down its operations in the manufacture of bagging for agricultural products of North Carolina and elsewhere in the Southeast due to inability to receive imports of jute, the key fiber for bag production. Only this morning I received a wire from the vice president of the American Carpet Institute, which reads:

> Dock strike causing serious crisis in carpet industry with many plants forced to curtail production or close in next few days as result of jute shortage. Request you wire President Kennedy for immediate action to end strike.

These are only a few examples of the mounting national stranglehold of American industry. Multitudes of workmen in many industries are deprived of the opportunity to earn their wages because the fruits of their labor cannot move in the stream of commerce.

I am a great believer in the process of free collective bargaining but experience in recent years has weakened my faith in its application to the maritime industry. Over the past few years we have seen strikes of considerable duration in virtually all phases of the industry with resultant great harm to our economy at a time when our need for increased foreign business is critical.

Existing law has not been and is not adequate to deal with the type of problem exemplified by the current dock strike. Here is the record of the use of the Taft-Hartley Act in maritime labor disputes:

June 1948: Against west coast longshoremen, and several seamen's unions, affecting shipping on Atlantic, Pacific, and gulf coasts, and Great Lakes. Settled in part with seamen, but longshoremen resumed strike for 3 months, after injunction was dissolved.

August 1948: Board set up for North Atlantic longshoremen. Settlement reached in negotiations, but rejected by membership and strike pursued after injunction was dissolved.

October 1953: Board set up for North Atlantic longshoremen after strike began. Strike halted by injunction October 5. Problem involved independent union and newly formed AFL unit. Strike resumed in New York March 5, 1954, for 2 months. Settlement reached December 31, 1954, with retroactivity to October 1, 1953.

November 1956: Board created in dispute involving longshoremen from Maine to Texas. Ten-day strike halted November 26, but resumed February 12, 1957, when injunction expired. The second strike involved only North Atlantic ports, which returned to work February 23.

October 1959: Board created October 6 to halt strike from Maine to Texas. Settlements reached in various ports from December 1 for New York to December 26 for gulf ports. Gulf ports were real reason this strike began because North Atlantic had initially settled before September 30 midnight deadline.

June 1961: Board created to halt nationwide seamen's strike. Injunction halted walkout July 3 and partial settlements were reached with foreign-flag issue still pending, although recommendations were due within 6 months. West coast officers union resumed strike after injunction expired.

April 1962: Board created to halt west coast unlicensed seamen's strike. Settlement reached just before injunction expired.

October 1962: Board named within 10 hours after east and gulf coast longshoremen walked out. Injunction presented within 4 days; strike resumed December 23 when injunction expired.

Clearly, something must be done.

At present in the longshoremen's strike, the processes of collective bargaining have proved inadequate to meet the overriding needs of the public, and the very Nation itself. Therefore, we must seek elsewhere for a solution to prevent further damage to our economy.

Since the parties to the dispute have not been able to resolve their differences over the conference table in the manner of reasonable men, and since the Government has proven itself powerless to protect the public interest, it appears to me that legislation is imperative to establish machinery whereby differences in an industry as vital as this may be resolved in the public interest. My bill seeks to solve the problem by adding a final conclusive step to the ordinary processes of collective bargaining, mediation and factfinding, by requiring submission of controversies to compulsory arbitration when the President finds that such step is necessary in the public interest.

It is my hope that use of the machinery and the authority therein provided will be availed of only as a last resort when all other efforts have failed.

I intend to press for enactment of this bill at the earliest opportunity.

I do not regard it as a complete solution to the labor relation ills of the maritime industry and I pledge the House that I will proceed to a comprehensive review of the entire problem during the current session.

The text of my bill follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Merchant Marine Act, 1936 (49 Stat. 1985; 46 U.S.C. 1131), as amended, is further amended by adding thereto title X, sections 1001 to 1013, inclusive, which shall read as follows:

"TITLE X

"SEC. 1001. It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions of the free flow of waterborne commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and the prompt and orderly settlement of all disputes concerning rates of pay, hours of employment, rules, or working conditions, including disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, hours of employment, rules, or working conditions.

"SEC. 1002. As used in this title X, the term 'maritime industry' shall include employers, employees, and parties to the dispute defined as follows:

"(a) The term 'employer' shall include owners and operators of all American-flag oceangoing vessels and of all auxiliary craft such as tugs, lighters, and barges serving oceangoing vessels in the waters of the United States, employers of longshoremen and all other classes of labor engaged in work on piers or wharfs in the United States in connection with handling, receipt, loading, discharge, and delivery of cargo to or from oceangoing vessels; and, only with respect to their shore-based employees in the United States, owners and operators of foreign-flag oceangoing vessels.

"(b) The term 'employees' shall include all seagoing personnel, licensed or unlicensed and whether supervisory or not, and all other employees, other than executive and administrative personnel employed ashore, of owners and operators of American-flag oceangoing vessels working in the United States; all personnel employed in the United States by stevedoring companies servicing American and foreign-flag oceangoing vessels; all other employees engaged on piers and terminals in the United States; all employees serving on auxiliary craft such as tugs, lighters and barges operating in the United States ports; all pilots rendering service to American-flag oceangoing vessels in the United States ports and all personnel of foreign-flag carriers employed ashore in the United States.

"(c) The term 'parties to the dispute' shall for the purposes of sections 1005(b), 1006, 1009(e), and 1010, include all employers and employees as defined herein who have resorted or who may resort to strike or lockout in connection with a labor dispute whether or not they may be direct participants in such dispute.

"(d) The term 'United States' shall include its territories, possessions, and the Commonwealth of Puerto Rico.

"(e) Where in this title resort to strike or lockout or interruption of work is forbidden, such prohibition shall include also threats, inducements, picketing or violence designed to induce such strike, lockout or interruption of work.

"SEC. 1003. When a dispute arises out of any collective bargaining negotiations, which has led or threatens to lead to a strike or lockout which would affect a substantial part of the United States merchant fleet in any area of the United States and which if permitted to continue or occur would imperil the effective operation of a substantial part of the United States merchant fleet in any area of the United States or which in any other way would imperil the national health and safety, then the Director of Federal Mediation and Conciliation Service (hereinafter called the 'Director') not later than seventy-two hours prior to either the termination of the collective-bargaining agreement, or seventy-two hours prior to the earliest time when a strike or lockout could commence under the terms of such agreement, or as soon as possible after any strike or lockout occurs, shall report such facts to the President of the United States and shall promptly advise the parties to the dispute that he has done so.

"SEC. 1004. (a) Upon receiving such a report from the Director the President in his discretion may appoint a Maritime Emergency Board which shall consist of a chairman and such other members as the President shall determine.

"(b) The Board shall hold an inquiry including written or oral submissions of the parties to the dispute as the Board deems appropriate and within seven days of its appointment make a written report to the President which shall include a statement of the facts with respect to the dispute, each party's statement of its position, and whether there is, or in its opinion there is a threatened, strike or lockout which would affect a substantial part of the United States merchant fleet in any area of the United States and which if permitted to continue or occur would imperil the effective operation of a substantial part of the United States merchant fleet in any area of the United States or which would in any other way imperil the national health and safety and thus create a national emergency.

"SEC. 1005. (a) Upon receipt of such written report from the Board the President may (1) dismiss the Maritime Emergency Board, or (2) declare the existence of a national emergency as defined in section 1004 hereof and instruct the Board to attempt to settle the dispute by further mediation between the parties.

"(b) From the time the Director advises the parties that he has filed his report with the President until ten days after (a) the President announces his intention not to appoint such a Board, or (b) the President dismisses such Board as provided in section 1006 hereof, the parties to the dispute shall resume and/or continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the existing or last-existing contract.

"SEC. 1006. (a) On the declaration of a national emergency, the President is hereby authorized to order the parties to the dispute to continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the last existing contract (except as otherwise agreed in writing by the parties) until such time as agreement regarding the dispute is reached but no longer than eighty days from the declaration of the national emergency unless at that time the Board has reasonable grounds for believing that further mediation efforts may bring about a settlement and so advises the President and the parties, in which event the parties to the dispute shall continue in full force and effect without resorting to strike or lockout all the terms and conditions of the last existing contract (except as otherwise agreed in writing between the parties) until such time as settlement is reached or for fifteen days after the Board reports to the President that further mediation efforts are useless.

"(b) Notwithstanding the expiration dates of the prohibition against strike or lockout provided by subsections (b) of section 1005 and (a) of this section 1006, such prohibition, in the case of a dispute between an employer covered by this Act and its employees aboard an American-flag vessel operating under shipping articles, and with respect to any such vessel which at or after the time of the expiration date of the prohibitions aforesaid and while the dispute is still pending arrives at a United States port, shall with respect to such vessel and its cargo be extended in its application to all employers and employees in the maritime industry as defined in Section 1003 hereof, until the due completion of the articled voyage including the discharge and customary handling and delivery from the wharf, pier or terminal of cargo aboard such vessel.

"SEC. 1007. In conducting mediation between the parties the Board is authorized to recommend procedures or techniques to the parties which appear conducive to settlement; to make findings of fact, upon due notice and hearing, regarding the issues in dispute and related matters, and upon authorization from the President, to make recommendations to the parties regarding settlement of these issues which recommendations may be made public.

"SEC. 1008. (a) The Board, in conducting mediation, shall have power to sit and act in any place within the United States and to conduct such hearings either in public or in private as it may deem necessary or proper.

"(b) Each member of the Board shall receive compensation at the rate of $100 for each day actually spent by him in the work of the Board, together with the necessary travel, subsistence, and other expenses incurred while serving as a member of the Board.

"(c) For the purpose of any inquiry or mediation conducted by any Board appointed hereunder, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U.S.C. 19, title 15, secs. 49 and 50, as amended), are hereby made applicable to the powers and duties of such Board.

"SEC. 1009. (a) If the Maritime Emergency Board should report to the President, either during the first eighty days after declaration of the national emergency or thereafter under the provisions of section 1007(a) hereof, that further mediation efforts would be useless, the President within twelve days thereafter, if he should find that an emergency threatening the national safey or welfare would otherwise result, and if he deems it necessary under all the circumstances, may appoint a panel of three disinterested persons, who may if he so desires be or include the same persons who served on the Maritime Emergency Board, to serve as a National Maritime Arbitration Board to hear and settle the dispute. The issues to be submitted to and determined by the Arbitration Board shall, except as otherwise mutually agreed by the parties, be limited to the issues set forth in the findings of fact of the Maritime Emergency Board made under section 1004 (b) or 1007 of this Act.

"(b) The National Maritime Arbitration Board shall organize and select its own chairman and make all necessary rules for conducting its hearings: *Provided, however,* That the Board shall be bound to give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims, and an opportunity to present their case in person, by counsel, or by other representatives as they may respectively elect.

"(c) A National Maritime Arbitration Board may, subject to the approval of the Director, employ and fix the compensation of such assistants as it deems necessary in carrying on the arbitration proceedings. The compensation of such employees, together with their necessary traveling expenses and expenses actually incurred for subsistence, while so employed, and the necessary expenses of a National Maritime Arbitration Board shall be paid by the Department of Labor. The provision of section 1009 (except as to private hearings) shall apply also to the National Maritime Arbitration Board.

"(d) The Board shall endeavor to enter its award within sixty days after its appointment, or as soon thereafter as may be reasonably possible. It shall deliver copies of its award, containing its reasons therefor, to the President, the Director, and the parties to the dispute. The award shall be final and binding upon the parties for the term of the ensuing contract as agreed by the parties. If one of the issues is the duration of the contract, then the award shall be final and binding for one year from the date of the award or for such longer period as may be mutually agreeable to the parties.

"(e) During the period between its appointment and the expiration date of its award, the parties to the dispute shall continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the last existing contract of employment except as modified by (1) the arbitration award under this section and (2) any agreement in writing between the parties to the dispute for other and different terms and conditions.

"SEC. 1010. (a) Any party violating any provision of this title shall be liable in damages to any other party injured thereby by suit brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties.

"(b) In the event any party violates or threatens to violate any of the provisions of this title with respect to disputes set forth in sections 1003–1006 and 1009 hereof the President of the United States may direct the Attorney General to petition any district court of the United States having jurisdiction of the parties to enjoin said violation or strike or lockout, and such court shall have jurisdiction thereof without regard to the Act of March 23, 1932 (47 Stat. S. 70; U.S.C. 1001–115).

"SEC. 1011. This title X shall govern the settlement of labor disputes within the maritime industry, as herein defined, and sections 206 to 210, inclusive, of the Labor-Management Relations Act, 1947, as amended, shall be inapplicable to the merchant marine industry. All other provisions of the Labor-Management Relations Act shall apply to the maritime industry except that if any should be contrary to or inconsistent with this title X then the provisions of this title X shall control.

"SEC. 1012. If any provision of this title X or application thereof to any person or circumstance is held invalid the remainder of this title and the application of such provision to other persons or circumstances shall not be affected thereby.

"SEC. 1013. There is hereby authorized to be appropriated such sums as may be necessary for expenditure by the Federal Mediation and Conciliation Service in carrying out the provisions of this title including the payment of the compensation and expenses of the members of any Maritime Emergency Dispute Board and National Maritime Arbitration Board."

## BUDGET MESSAGE OF THE PRESIDENT

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. McCLORY] is recognized for 5 minutes.

Mr. McCLORY. Mr. Speaker, as a new Member of Congress, I have been greatly disturbed by the budget message and request of the President delivered yesterday to the House. The constitutional authority of the House of Representatives for raising revenues contemplates that this body shall be the keeper of the purse strings of the Nation. We have heard other learned and cogent remarks on the floor of this House deploring the record peacetime budget of almost $100 billion.

We have heard discussion too of the responsibility of the House to investigate the budget requests and to establish a sound schedule of expenditures which might match the anticipated revenues during the coming fiscal year.

But I say that the desire to cut Government expenditures with regard to nondefense spending is an overwhelming desire on the part of the people of this Nation. The demand was voiced here on the floor yesterday by the distinguished chairman of the House Appropriations Committee, and this position was supported by all of the other Members who addressed themselves to this subject.

But the responsibility for setting expenditures of the Federal Government is an Executive function as well. Indeed the executive department of our Government, as the manager of the business of our Nation, should, and does, know best where reductions in spending can be made.

I say on behalf of the overwhelming majority of members of my party that the 48 percent of the people who voted for Republican Members of the House in the recent elections want Federal Government spending kept within the limits of Federal revenues. Indeed a large percentage of those who voted to elect Democratic Members of Congress did so in support of Members from the other side of the aisle who advocated reduced Federal spending.

The desires of the Congress and the people should be clear. The cut in Federal spending on the basis of this budget should be anywhere from $7 to $12 billion. That is the hope and desire of the people and, I believe, of the majority of the Congress.

Where the reduction in spending should occur, the exact departments and agencies which should absorb these cuts, the exact jobs which should be eliminated, the governmental functions which should be ended, the projects which should be abandoned or postponed, these are decisions which the Executive should make.

The Congress and the people want an end to ever-increasing Federal spending.

Let us, by whatever action is needed, make our position clear.

Let then the Executive, by whatever steps are needed, bring soundness, stability, and strength to the economy of the Nation and the welfare of the entire world.

## SOCIETY OF FRIENDS OF PUERTO RICO AWARD THE ONE AMERICA AWARD TO AMBASSADOR TEODORO MOSCOSO

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, on January 12, 1963, the Society of Friends of Puerto Rico awarded its second Eugenio Maria de Hostos One America Award to Ambassador Teodoro Moscoso, Assistant Secretary of State and Coordinator of the Alliance for Progress. The Society of Friends of Puerto Rico bestows the Eugenio Maria de Hostos One America Award to the American who best exemplifies the ideas and ideals of Eugenio Maria de Hostos, one of Latin America's outstanding intellectual leaders of the 19th century, a Puerto Rican who devoted his life to the fight for freedom for his country and the economic and political union of the Western Hemisphere.

Before President Kennedy named him U.S. Ambassador to Venezuela and later Coordinator of the Alliance for Progress, Ambassador Moscoso was the director of Operation Bootstrap in Puerto Rico—the industrial development program which has been so phenomenally successful.

Mr. Speaker, those in attendance at the award were charmed by the delightful remarks of Mrs. Amalia R. Guerrero, who is the founder and president of the Society of Friends of Puerto Rico. Under the inspiring leadership of Mrs. Guerrero, the Society of Friends of Puerto Rico is playing an invaluable role in our community.

O. Roy Chalk, civic and business leader of New York and Washington, served as chairman of the dinner at which the presentation was made. Mr. Chalk gave unstintingly of his time and effort to make the dinner a success.

Mr. Speaker, under leave to extend my remarks, I include the address of Ambassador Teodoro Moscoso:

### ADDRESS BY THE HONORABLE TEODORO MOSCOSO

Madam President and all good friends of Puerto Rico, it is such an inadequate gesture to say thank you for the award you have given me tonight. One says thank you for commonplace courtesies, for passing the salt, for the loan of a pencil. I'm afraid that neither of our languages, Spanish nor English, has words to express the feelings of an undeserving individual honored by a presentation that links his name with one of the truly great and admirable men of our past.

Eugenio Maria de Hostos was in all respects a Western Hemisphere man. He knew the Americans intimately from New York to Santiago. For his great devotion to human freedom, for his remarkable versatility, for his imagination and formidable energy we must count him alongside Jefferson.

We see him in 1863—precisely 100 years ago—a young Puerto Rican student in Spain, joining the first advocates of a Spanish republic, agitating for more autonomy for Puerto Rico and for the abolition of slavery.

We see him in New York in 1870 editing a paper for Cuban independence; in Peru in 1871 leading a successful campaign against the exploitation of Chinese immigrant workers; in Chile proposing the trans-Andean railroad; in Washington in 1899 advocating before President McKinley a plebiscite and a plan of self-government for Puerto Rico.

All during that period books, essays, and articles poured from his pen so that, at his death in 1903, he had created his own enduring monuments in a stack of 50 volumes.

Now we can look back and see in his example a lesson for the great undertaking of the Americas in our time, the Alliance for Progress. De Hostos personified the historic search for hemisphere peace and prosperity through unity of free and diverse elements that the Alliance hopes to bring to a successful culmination.

You could say that the Alliance for Progress had its true inception in the visionary minds of men like De Hostos and Bolivar. Just when the Alliance began, or how old it is, are matters almost of random choice.

In September 1960, in Colombia, the American republics signed the historic Act of Bogotá calling for hemispheric cooperation in attacking illiteracy, ill health, poor housing, and archaic tax and land-tenure systems.

The Act of Bogotá was in harmony with the spirit of Operation Pan America proposed by President Kubitschek, of Brazil.

On March 13, 1961, President Kennedy called for an Alliance for Progress of the nations of this hemisphere—in his words, "a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools."

The Charter of Punta del Este, signed by the finance ministers of the member nations of the Organization of American States, except Cuba, in Uruguay in August 1961, established the Alliance and set the stage for its actual beginning. That was 1 year and 5 months ago.

No undertaking of this magnitude ever springs full blown from the minds of men, or even from a great document like the Charter of Punta del Este. It was only little more than a year ago that a U.S. Coordinator for the Alliance was named and established in office. (At the moment, his name slips my mind.)

From the very beginning we had to satisfy ourselves, Congress, and the people of the United States that we were not indulging in any giveaway program. And we had to convince the republics of Latin America that it wasn't going to be a giveaway program. On the other hand, we had to show that it wasn't simply a bureaucratic obstacle course either.

At the same time we had to cope with two other somewhat contradictory requisites. The ultimate success of the Alliance was bound to depend on long-term planning and careful, studied apportionment of the available funds. But the peoples of Latin America were either ignorant or skeptical of the Alliance. They needed to be shown quickly and visibly, not with mere blueprints, that the Alliance could do something for them. They needed vivid demonstrations of the fundamental theory of the Alliance for Progress, the theory of the peaceful revolution. That theory is that through cooperation and determination you can change misery into decency and dignity without bloodshed—that we have reached a state of civilization where people no longer should have to die to enable the survivors to live better.

It is a grim and grievous fact to contemplate, but many good people have died in Latin American revolutions without any perceptible benefit to the masses of their countrymen for whom they fought.

I believe Latin America is ready now to try another way, the Alliance for Progress way. If it proves to be only half a success it will have done more good for more Latin Americans than a great many past revolutions we all could name.

In the short, crowded months of the Alliance's beginnings we have already given the people some demonstrations that the wheels of progress are best oiled by honest sweat and too often clogged by a futile spilling of blood and tears.

Tens of thousands of new houses have been built in the past year or so from the Rio Bravo to southern Chile and more are going up every day.

Tens of thousands of farm families have been resettled on their own land and have access to credit facilities, technical assistance, and public services.

Thousands of schools are being built in constantly increasing numbers and teachers trained to staff them.

Health centers and hospitals are being built to end what is both a moral failure and an economic waste of human resources.

Many thousand miles of roads are being laid down to bring farm products to market or industrial goods to the ever-increasing consumer groups.

In Venezuela an extensive program of land reform has resettled 55,000 families on farms whose total area runs to 5 million acres. Labor unions and employers have joined in a program to build low-cost homes. The budget for health and education has been tremendously expanded.

Why then, you may ask, do we hear of violent rebellions against the government of President Betancourt? Precisely because these programs are giving the average man not only a sense of his right to economic and social justice, but a living hope that he will achieve them. And freemen are dangerous in the eyes of extremists.

In Brazil's impoverished northeast a massive attack on misery is underway. Schools, water systems, health centers, roads are being built.

All these are beginnings—little more. They reflect only dimly in the statistics of progress but they light up a hope in the minds of men. Tonight, however, I can tell you that we are at the end of beginnings. The Alliance of Progress has turned the corner. It is moving ahead. It is moving now on the great fundamental problems that beset Latin America and it is moving with a gathering momentum and an increasing unity of force and action.

The signs are unmistakable. Look at them as they come in to us one by one. Seven nations have already completed development plans of varying duration an absolute prerequisite to an effective program for economic salvation and an essential principle of the Alliance. The seven nations that have taken this firm step forward are Bolivia, Chile, Colombia, Mexico, Peru, Venezuela, and, the most recent, Brazil, largest country of Latin America.

President Joao Goulart has just rededicated Brazil to the principles of the Alliance, lining up his vast country behind the democratic and peaceful revolution.

As President Goulart put it: "I am sure that the 3-year plan [of Brazil] will bring about * * * new and extremely positive possibilities, together with the vitalization of the Alliance for Progress, showing the Brazilian problems in an organic form and disciplining the use of our own resources."

On the Pacific coast, Chile has enacted an agrarian reform program. A tax reform program is before the Chilean Congress. For the first time in Chilean history two tax evaders have been prosecuted and several other cases are pending.

In Venezuela, the peasants and urban workers supporting President Betancourt's democratic pro-Alliance government have risked their lives fighting Communist guerrillas.

In El Salvador, capital which was flowing out of the country for so long, has started returning to build up the economy—a sure sign of faith.

Both Colombia and Chile are on the verge of international financing programs which, we hope, will draw on European and Japanese as well as American capital, just as conceived by the Alliance.

All over Latin America patriotic and dedicated young men are rising and taking important places in the ranks of government. They are young men with democratic ideals, and they are imbued with the spirit of the Alliance. They believe that the Alliance holds the only real hope for their peoples. They believe their governments and peoples are the Alliance.

These dynamic young people who have exchanged dogmatism for pragmatism, who are looking for solutions rather than revolutions, who want to demonstrate results rather than just demonstrate—these young men are one of the most hopeful auguries for Latin America's future. They are a new and emerging element in Latin American life. They are cabinet ministers, economic planners, development leaders, businessmen and labor leaders. You find them in offices, in factories, and on the land. They want their countries to move ahead, they want to make the Alliance work, and they will not take "no" for an answer.

In recent months there has begun to develop a spirit of commitment to the Alliance on the part of each country.

Oddly enough, the Cuban crisis of last October brought that out with great clarity. Perhaps the people of the hemisphere wanted a demonstration of the resolve and the strength of the United States, and its determination to protect itself and its neighbors regardless of the sacrifice.

When the crisis over Cuba developed, the finance ministers of the Alliance countries were meeting in Mexico City to review the first year's effort and plan for the second. There were three significant results of that conference.

First, there was unanimous agreement that the course charted at Bogotá and Punta del Este was the right course and the Cuban crisis served to bring into focus the urgency of an all-out effort.

Second, there was a better understanding of the meaning of the Alliance, a recognition that it represents a radical break with the past, that it is a vast cooperative effort whose success depends primarily on the initiative of Latin America.

Third, there was clearer recognition that governments alone cannot do the job, that they need the wholehearted support of private capital and private initiative, from within and from outside.

I ask you to note that when I mention these significant and varied evidences that the Alliance is on the move, I do not talk in terms of loans or grants. I do not see the Alliance as an aid program and I never have. The Alliance is a spirit, a mystique, a marshalling of Latin American forces which the United States will help and encourage to the fullest extent, and I hope other countries will, too.

There used to be a sign in my office in Puerto Rico that read, "There is no limit to the good man can do if he doesn't care who gets the credit." The Alliance for Progress is not a credit-grabbing venture of the United States. Nor is it an effort to win love through charity—we've seen that fail before.

We are in it because it is morally right—and because it is in the best interests of this country to live in a hemisphere made up of nations that are politically independent, economically strong, and socially just.

The cost of the Alliance for Progress has been set at $100 billion in this decade. Now there are only two principal difficulties about a $100 billion project—getting the money, and spending it wisely.

By far the greater portion—four-fifths or $80 billion—must come from within Latin America. The remaining fifth, or $20 billion, must come from outside. Private enterprise in the United States is expected to invest $3 billion. Here, too, there are signs that private enterprise is ready to do so, and on a basis of enlightened social responsibility. These signs come in the wake of a sharp decline of U.S. private investment and of an increased realization in Latin America that the pendulum must swing back from hostility to hospitality for badly needed investment.

Let me quote from a recent statement of a U.S. business leader, Arnold H. Maremont. It typifies the new thinking among private investors contemplating Latin America. He said: "The fantastically high profits realized by American business abroad are a thing of the past. * * * We are going to have to be satisfied with the kind of returns that prevail in the United States. * * * We as businessmen must reconcile ourselves to the reinvestment of a substantial part of our profits in these countries. * * * We must reconcile ourselves to a new set of ground rules whereby U.S. investors don't grab for the safety valve of political protection the minute they feel insecure. We must recognize that in the era of the Alliance economic interest and political interest are no longer interwoven."

President Kennedy has pledged the United States to contribute $10 billion, one-tenth of the Alliance total, from public sources, mostly in the form of long-term development loans.

Has the U.S. Government honored its commitments so far?

The answer is "Yes." Altogether it has committed more than $1.5 billion of public funds.

Has the money been used wisely? All I can tell you is we have tried mightily to insure that. The full answer will not be known for years. The only true answer lies in the kind of change Latin America achieves, for change it must.

And yet I think there are portents of that, too, already at hand. Puerto Ricans need look only 30 miles to the west of them to see a truly outstanding example.

After 31 years of dictatorship that did its best to extinguish every tradition of the democratic process, the Dominican Republic has just changed its government in an orderly and well-conducted election.

This was peaceful transition against great odds. Yet such is the nature of news that I daresay many if not most people in the United States are barely aware of it. Suppose the Communists and Fidelistas had been successful in their repeated efforts to turn the Dominican Republic into a shambles. The headlines would have blared the news the world over and everyone would have been talking about it.

Let us not blame the press for this. The press reported the facts. The value of news derives from the direction of humanity's interests, and the negative, the destructive, the sensational, are always more interesting than the orderly march of progress. But because of this we tend to lose sight of the positive and constructive while we focus our attention on the ominous.

With that notably democratic election last month the Dominican Republic has only taken a step toward the arduous task of solving its problems. But it is an important step and it augurs well. And it exemplifies what the Alliance is trying to achieve and the way in which it is trying to achieve it, first, because it was done by the Dominicans themselves; second, because it was brought about with the cooperation and help of the Organization of American States and other inter-American agencies; third, because U.S. aid was effectively geared into the whole period of rebuilding that led up to the election, from the time of the assassination of the dictator, Trujillo.

It should be a source of enormous satisfaction to all Puerto Ricans that their own people made a substantial contribution in counsel and expertize to the tranquil transition of their Dominican neighbors. I believe an aura of lasting appreciation will surround such Puerto Rican names as Rafael Picó, Enrique Campos del Toro, Arturo Morales Carrión and Ismael Rodriguez Bou in the Dominican Republic. They, like many other Puerto Ricans, gave gladly and freely of their time and talents to help their neighbors find their way to a government of the people's free choice.

They were following in the footsteps of the man whose memory we honor tonight, Eugenio de Hostos, who almost a century ago went to the Dominican Republic as an educator dedicated to laying the groundwork for an ethical revolution.

Today, all through Latin America you will find Puerto Ricans working in the great effort of the Alliance. I wonder if you realize that in the last year the Agency for International Development alone benefited from the services of 147 Puerto Ricans. It needed them because they combined expert knowledge with fluent Spanish and experience in the same trying situations that confront other Latin Americans. I can assure you they were not engaged simply because they were Puerto Ricans. I had good reason to know personally the fact of being Puerto Rican is not necessarily an advantage in working with some of our fellow Latin Americans.

I have heard criticism of my own appointment on the rather absurd grounds that the job was important enough for a North American. That observation came from Latin Americans who did not realize that the U.S. Government considered the job important enough for a U.S. citizen with an emotional involvement in Latin America and some experience in the very problems that beset Latin America.

No thoughtful Puerto Rican—and certainly not I or the others who have been working for the Alliance—thinks that any place else in Latin America can make a carbon copy of the Puerto Rican development story. On the contrary, I am afraid our love of "patria" gives us a feeling that Puerto Rico cannot be duplicated anywhere on earth, but this of course is more a devotion to the land and to our own people.

The experience of Puerto Rico and the unfolding history of the Alliance are bound to be different and distinct. But no one can gainsay the fact Puerto Rico had to face up to many of the same vexations that many countries of Latin America are facing today. Some of our solutions, often reached by trial and error, must have potential value to people of the same origins confronted with the same problems.

Certainly our investment policy is an example of how foreign capital can be used to improve the lot of an impoverished people. The distinguished economist, K. E. Boulding, calls Puerto Rico's development the Fomentarian revolution, and one of the pillars of that revolution he describes as the skill to strike clever bargains with foreign capitalists.

"We should look carefully," he says, "at those social processes, as exemplified in Puerto Rico, that seem to make the best of both worlds, that use both government and private enterprise, both domestic reorganization and foreign investment, and that foment rather than whip."

We Puerto Ricans hold a unique status. I can understand why it would be difficult for many of our hispanic brothers to understand that we can take positions in the U.S. Government as loyal citizens of the United States who wish to serve our country just as we might have worked for our own Puerto Rican Government as patriotic Puerto Ricans wishing to serve our homeland.

There are those who would force independence on Puerto Rico in the name of freedom. But our association with the United States has enlarged our freedom, not restricted it. In creating the Commonwealth, the people of Puerto Rico rose above narrow nationalism and in approving their creation the United States showed its respect for the cultural and historical identity of a people who share with it common ideals of democracy.

The future, the security, and the freedom of Puerto Rico lie in permanent and irrevocable association with the United States. And I sincerely believe that the one way now open to us to assure that and allow Puerto Rico to develop as it must is through Commonwealth status.

The Commonwealth relationship is now 10 years old. During that experimental decade some questions about it have arisen. Fortunately, it was conceived to allow the flexibility of change. If in the light of profitable experience it can be perfected now by the common effort of the Puerto Rican people and the U.S. Congress, I think it would be a valuable asset to the United States and a matter of additional pride and security to Puerto Rico.

Again I would not hold it up as a model to be copied by others, since each country's needs are different, but I would expect it to offer a broad pattern for the future of mutual benefit in the relationships between large communities and small ones, between wealthy ones and poor ones.

Some of you here, like myself, are of fairly recent residence in the United States, but all of you are taking your places in the life of the city and the Nation. It is good that you do so, good for the United States, and good for Puerto Rico. I only wish more of us would spread out to other parts of this country.

I need not congratulate you for taking an avid interest in civic and national affairs, for your energy in conducting register and vote campaigns, for your efforts to improve housing, to inspire your children to seek higher horizons in education. These traits are natural for Puerto Ricans. I urge you to keep them up.

It has been demonstrated over and over that in the United States any people can get to the top. Believe me there is more room at the top than some of our unfortunate countrymen in the cities find in the overcrowded areas of the underprivileged. Little by little they are going to be drawn from their traditionally humble beginnings to the more rarefied atmosphere of responsibility and leadership. Those who don't make it will see to it that some of their children do. It is inevitable. It is the pattern of America.

My friends, and my fellow Puerto Rican migrants among you, I thank you, and I salute you.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. McClory, for 5 minutes, today.

Mr. Hemphill (at the request of Mr. Albert), for 1 hour, on Tuesday, January 22, 1963.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Member (at the request of Mr. Anderson) and to include extraneous matter:)

Mr. Schenck.

## ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until Monday, January 21, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

241. A letter from the Secretary of the Air Force, relative to the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of government, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

242. A letter from the Assistant Secretary of the Navy (installations and logistics), relative to a proposal by the Navy to transfer a 63-foot aircraft rescue boat (hull No. C–16494) to the Mid City Branch of the Young Women's Christian Association, Philadelphia, Pa.; to the Committee on Armed Services.

243. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill providing for the establishment of the National Capital Parks Memorial Board"; to the Committee on House Administration.

244. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

245. A letter from the Administrative Assistant Secretary of the Interior, transmitting a report on the progress that has been made in carrying out the helium program, pursuant to Public Law 86–777; to the Committee on Interior and Insular Affairs.

246. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers"; to the Committee on Interstate and Foreign Commerce.

247. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

248. A letter from the Comptroller General of the United States, transmitting a report concerning the claim of Ronnie E. Hunter against the United States, pursuant to the act of April 10, 1928, ch. 334, 45 Stat. 413, 31 U.S.C. 236; to the Committee on the Judiciary.

249. A letter from the Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to amend further section 11 of the Federal Register Act (44 U.S.C. 311)"; to the Committee on the Judiciary.

250. A letter from the Assistant to the Governor, Canal Zone Government, transmitting a draft of a proposed bill entitled "A bill to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act"; to the Committee on Merchant Marine and Fisheries.

251. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 328, 383); to the Committee on Science and Astronautics.

252. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

253. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 2328. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

By Mr. BECKWORTH:

H.R. 2329. A bill to amend the Internal Revenue Code of 1954 to provide that interest on series E U.S. savings bonds shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 2330. A bill to amend the Tariff Act of 1930 to provide, as a substitute for the existing requirement of production before 1830, that antiques may be imported free of duty if they exceed 100 years of age at the time of importation; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 2331. A bill to amend the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. DENTON:

H.R. 2332. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. GATHINGS:

H.R. 2333. A bill to permit the exchange between farms of cotton acreage allotments for rice acreage allotments; to the Committee on Agriculture.

By Mr. GONZALEZ:

H.R. 2334. A bill to provide that any civilian agency which contemplates moving or closing any of its installations shall notify the Members of Congress concerned and shall afford an opportunity for public hearings with respect to such contemplated action; to the Committee on Public Works.

By Mr. GRAY:

H.R. 2335. A bill to amend the Standard Time Act of March 19, 1918, so as to provide that the standard time established thereunder shall be the measure of time for all purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2336. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. HARDING:

H.R. 2337. A bill to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRISON:

H.R. 2338. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act; to the Committee on Interior and Insular Affairs.

By Mr. JONAS:

H.R. 2339. A bill to provide for import fees on cotton products during periods the United States is subsidizing the export of cotton; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 2340. A bill to amend the provisions of law relating to the prevention of pernicious political activities (the Hatch Political Activities Act) to make them inapplicable to State and municipal officers and employees, to permit limited partisan political activities by Federal officers and employees in certain designated localities, and for other purposes; to the Committee on House Administration.

H.R. 2341. A bill to revise the effective dates of certain increases in compensation granted to employees of the Government Printing Office, and for other purposes; to the Committee on House Administration.

H.R. 2342. A bill to authorize the withholding for the pay of civilian employees of the United States the dues for membership to certain employee organizations; to the Committee on Post Office and Civil Service.

H.R. 2343. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

H.R. 2344. A bill to amend the Civil Service Act of January 16, 1883, to eliminate the provisions of section 9 thereof concerning two or more members of a family in the competitive civil service; to the Committee on Post Office and Civil Service.

H.R. 2345. A bill to amend the Civil Service Retirement Act to authorize retirement with reduced annuity of employee attaining the age of 55 years and completing 25 years of service; to the Committee on Post Office and Civil Service.

By Mr. MONTOYA:

H.R. 2346. A bill to amend the Federal Employees' Compensation Act so as to permit injured employees entitled to receive medical services under such act to utilize the services of chiropractors; to the Committee on Education and Labor.

H.R. 2347. A bill to increase from $600 to $1,000 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age and blindness); to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 2348. A bill to amend chapter 119 of title 28, United States Code, to provide that clergymen shall not be competent to testify with respect to certain communications; to the Committee on the Judiciary.

H.R. 2349. A bill to amend section 1498 of title 28, United States Code, to permit patent holders to bring civil actions against Government contractors who infringe their patents while carrying out Government contracts; to the Committee on the Judiciary.

H.R. 2350. A bill to amend the Tariff Act of 1930 to provide that any article of medical equipment or machinery imported by a State or its political subdivision for certain purposes shall be free of duty; to the Committee on Ways and Means.

By Mr. SELDEN:

H.R. 2351. A bill to amend section 332 of title 10 of the United States Code to limit the use of the Armed Forces to enforce Federal laws or the orders of Federal courts; to the Committee on Armed Services.

H.R. 2352. A bill to amend title 10 of the United States Code to prohibit the calling of the National Guard into Federal service except in time of war or invasion or upon the request of a State; to the Committee on Armed Services.

By Mr. WHITTEN:

H.R. 2353. A bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2354. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2355. A bill to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Veterans' Affairs.

H.R. 2356. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

H.R. 2357. A bill to amend title IV of the Social Security Act to permit Federal grants for aid to dependent children to be made thereunder even though the parents or other relatives with whom such children are living are required to perform services in a work relief program as a condition of such aid; to the Committee on Ways and Means.

H.R. 2358. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. KYL:

H.J. Res. 157. Joint resolution to enable the District of Columbia government to aid the arts in ways similar to those in which the arts are aided financially by other cities of the United States by providing funds for special concerts for children and others, by aiding in the establishment of a permanent children's theater, and by providing a municipal theater for competitions to discover and encourage young Americans in the pursuit of excellence and to acquaint them with the best of our national cultural heritage; to the Committee on the District of Columbia.

By Mr. WHITTEN:

H.J. Res. 158. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 159. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

H.J. Res. 160. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

H.J. Res. 161. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

H.J. Res. 162. Joint resolution to restore to the States certain rights affected by recent Supreme Court decisions; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 48. Concurrent resolution expressing the sense of Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H. Res. 149. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. GROSS:

H. Res. 150. Resolution amending clause 2 subsection a of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MURRAY:

H. Res. 151. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 152. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 151; to the Committee on House Administration.

By Mr. RAINS:

H. Res. 153. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations and make inquiries relating to housing; to the Committee on Rules.

By Mr. THOMSON of Wisconsin:

H. Res. 154. Resolution amending clause 2 subsection a of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECKER:

H.R. 2359. A bill for the relief of Demetrios Hasapoglou; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 2360. A bill for the relief of Alban H. Lalonde; to the Committee on the Judiciary.

H.R. 2361. A bill for the relief of Yvany Basso Eckley; to the Committee on the Judiciary.

H.R. 2362. A bill for the relief of Maria Nilda Jordao Cann; to the Committee on the Judiciary.

H.R. 2363. A bill for the relief of Ines Maria Foncesa Litto; to the Committee on the Judiciary.

H.R. 2364. A bill for the relief of the Clay County Hospital, Brazil, Ind.; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 2365. A bill for the relief of Kent Sujo; to the Committee on the Judiciary.

H.R. 2366. A bill for the relief of Suen Yun; to the Committee on the Judiciary.

H.R. 2367. A bill for the relief of Chan Sze Yuen; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 2368. A bill for the relief of Ita Zwibel; to the Committee on the Judiciary.

H.R. 2369. A bill for the relief of Rufina Juan Escudero; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2370. A bill for the relief of Angelo Adragna; to the Committee on the Judiciary.

H.R. 2371. A bill for the relief of Nicolo Adragna; to the Committee on the Judiciary.

H.R. 2372. A bill for the relief of Dr. Jose Felix Garcia; to the Committee on the Judiciary.

H.R. 2373. A bill for the relief of Domenico Monetta; to the Committee on the Judiciary.

H.R. 2374. A bill for the relief of Pietro Maniciotti; to the Committee on the Judiciary.

H.R. 2375. A bill for the relief of Achilefs Zavitsanos; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 2376. A bill for the relief of Toon-Ming Wong, also known as Hoi-On Tom; to the Committee on the Judiciary.

By Mr. SELDEN:

H.R. 2377. A bill for the relief of Christine Kligge; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 2378. A bill for the relief of B. Matusow & Son; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 2379. A bill for the relief of Masako Ohara; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

19. Mr. NORBLAD presented a petition of Tom Swaja, and others, Portland, Oreg., requesting the Congress of the United States to preserve the Monroe Doctrine; which was referred to the Committee on Foreign Affairs.

# SENATE

## Friday, January 18, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 12 o'clock meridian on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, spirit of light and truth, of beauty and freedom, bestow unto us, we pray, Thy sustaining grace, that our strength fail not, nor the vision splendid fade in the heat and burden of the day.

Grant us the grace of toiling in these fields of time in the sense of the eternal. In work that keeps faith sweet and strong, Thou callest us to be fellow laborers with Thee. We bring our stained lives to the holiness that shames our uncleanness, to the love that forgives our iniquities, to the truth that reveals our falseness, to the patience that outlasts our fickleness.

In the fret and jar of these difficult days, make us thoughtful one with another, remembering that each comrade by our side fights a hard fight and walks a lonely way. Teach us a gentler tone, a sweeter charity of words, and a more healing touch for all the smart of this wounded world. Grant us inner greatness of spirit and clearness of vision to meet and match the vast designs of this glorious and challenging day, that we may keep step with the drumbeat of Thy purpose which is marching on.

In the dear Redeemer's name we ask it. Amen.

## THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 17, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## DISTRICT OF COLUMBIA BUDGET, 1964—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 15, PT. 2)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, transmitting the District of Columbia Budget, 1964; which, with the accompanying document, was referred to the Committee on Appropriations.

(For messages from the President, see House proceedings of today.)

## REPORT OF CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 13)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

*To the Congress of the United States:*

I transmit herewith the annual report of the U.S. Civil Service Commission for the fiscal year ended June 30, 1962.

John F. Kennedy.

The White House, *January 18, 1963.*

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

## NOMINATION OF JOHN GREEN TO BE COLLECTOR OF CUSTOMS—MEMORIAL

As in executive session,

The VICE PRESIDENT laid before the Senate a telegram in the nature of a memorial, signed by John Wick, of Duluth, Minn., remonstrating against the confirmation of the nomination of John Green to be collector of customs, which was referred to the Committee on Finance.

## RESOLUTION OF KANSAS STATE FEDERATION OF LABOR

Mr. CARLSON. Mr. President, at its fifth annual convention, the Kansas State Federation of Labor, AFL–CIO, adopted a resolution relative to use of prison-made goods and services by Federal, State, county, city, or municipal governments.

I ask unanimous consent that this resolution be made a part of these remarks and referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Resolution 5

SUBJECT: PRISON-MADE GOODS, SIGNS, MARKERS, AND SERVICES. THEIR USE, PURCHASE, OR INSTALLATION BY FEDERAL, STATE, COUNTY, CITY, OR MUNICIPAL GOVERNMENTS

"Whereas the United States of America is spending billions of dollars in foreign aid; and

"Whereas the purpose of such expenditures are in part to emphasize the advantages of a free enterprise and free labor economy system; and

"Whereas the purchase of such named goods and services by the Federal Government or any contractor doing work financed in whole or in part by Federal moneys or by any State, county, city, or municipality thereof; or by any contractor doing work financed in whole or in part by State, county, city, or municipality moneys results in a segment of American economy supporting free labor being in competition with slave labor and tends to add to the already serious extent of unemployment and places the American system in the ridiculous and hypocritical position of advocating the blessings of free labor while patronizing slave labor which is a morally untenable position: Therefore be it

"*Resolved*, That the Kansas State Federation of Labor, AFL–CIO, in assembly at Hutchinson, Kans., October 25, 26, 27, 1962, go on record as being unalterably opposed to the purchase, use, or installation of prison-made signs, markers, goods, or services being utilized any place by the State, county, city, or municipal governments, except within the confines of such prison or institution housing such prisoners; be it further

"*Resolved*, That the State Federation of Labor through its legislative committee, strongly urge the passage of State laws prohibiting the purchase, use, or installation of such prison-made goods or services except as outlined before; by the State or any county, city, or municipal government thereof; or by any contractor doing work financed in whole or in part by moneys derived from any of the aforementioned political subdivisions; and be it further

"*Resolved*, That the State Federation of Labor through its duly elected officers, contact each Member of the U.S. Congress elected from the State of Kansas, and urge that each Senator and each Representative work toward the passage of Federal laws prohibiting the purchase, use, or installation of such prison-made signs, markers, goods, or services by any contractor doing work financed in whole or in part with Federal moneys or by any branch of the Federal Government except those serving to house Federal prisoners."

Approved at the regular meeting of Painters District Council No. 3, October 4, 1962.

James B. Cox,
*Secretary-Treasurer.*

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## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

S. 296. A bill for the relief of Anne Marie Kee Tham; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. Humphrey, Mr. Morse, Mr. Bible, Mr. Randolph, Mr. Engle, Mr. Bartlett, Mr. Williams of New Jersey, Mr. Moss, Mr. Saltonstall, Mr. Javits, Mr. Cooper, Mr. Prouty, and Mr. Cotton):

S. 297. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies; to the Committee on Finance.

S. 298. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bills, which appear under a separate heading.)

By Mr. ROBERTSON:

S. 299. A bill to amend section 1391 of title 28 of the United States Code, relating to venue generally; to the Committee on the Judiciary.

(See the remarks of Mr. Robertson when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S. 300. A bill for the relief of Itrat-Husain Zuberi, his wife, Saida Zuberi, and their children, Mobina Zuberi, Jawaid Zuberi, and Nayab Zuberi;

S. 301. A bill for the relief of Norma T. Sadumiano;

S. 302. A bill for the relief of Elena A. Basco; and

S. 303. A bill for the relief of Alicia A. Basco; to the Committee on the Judiciary.

By Mr. MILLER:

S. 304. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 305 A bill amending title I of the Social Security Act so as to require that, in the administration of State programs for medical assistance for the aged established pursuant to such title, a statement of a claimant for assistance under any such program with regard to his financial status shall, if made under oath, be regarded as factually correct for purposes of determining his eligibility for assistance under such programs; and

S. 306. A bill to amend title II of the Social Security Act to increase to $1,800 the annual amount individuals are permitted to earn while receiving benefits under such title; to the Committee on Finance.

S. 307. A bill to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency and to authorize their protection by the Secret Service.

S. 308. A bill for the relief of the estate of Walter Clark;

S. 309. A bill for the relief of Lt. Col. Henry H. Allport, Army of the United States, retired;

S. 310. A bill for the relief of Kaino Hely Auzis;

S. 311. A bill for the relief of Sonja Lynn Newman;

S. 312. A bill for the relief of Danusia Radochonski;

S. 313. A bill for the relief of Evanthia Talidis; and

S. 314. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the Judiciary.

S. 315. A bill to amend the National Cultural Center Act, as amended, to enlarge the site within which the National Cultural Center may be built; to the Committee on Public Works.

By Mr. DIRKSEN (for himself and Mr. Carlson):

S. 316. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Finance.

By Mr. KEATING (for himself and Mr. Javits):

S. 317. A bill to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself and Mr. Hruska):

S. 318. A bill to provide that each member of the bar of the highest court of a State or of a Federal court shall be entitled to practice before administrative agencies of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 319. A bill to provide for the establishment of the Geographic Center of the North American Continent National Monument; to the Committee on Interior and Insular Affairs.

S. 320. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law;

S. 321. A bill for the relief of Dr. Fang Luke Chiu; and

S. 322. A bill for the relief of Markos J. Janavaras; to the Committee on the Judiciary.

S. 323. A bill to provide for retroactive payment of annuities payable under the Civil Service Retirement Act to the survivors of Members of Congress who died between February 29, 1948, and March 5, 1954; to the Committee on Post Office and Civil Service.

By Mr. EASTLAND:

S. 324. A bill for the relief of Constantinos Pavlou; and

S. 325. A bill for the relief of Nikolaos Ilias Petrantis; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 326. A bill for the relief of Miloye M. Sokitch; and

S. 327. A bill for the relief of Jessie V. Robertson; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 328. A bill for the relief of Vernon E. Linth; to the Committee on the Judiciary.

By Mr. CANNON:

S. 329. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 330. A bill to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphan's educational assistance program shall be by State approving agencies; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. Hill, Mr. Morse, Mr. Burdick, Mr. Williams of New Jersey, and Mr. Pell):

S. 331. A bill to amend section 632 of title 38, United States Code, to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of certain veterans in the Republic of the Philippines; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 332. A bill to prohibit trading in Irish potato futures on commodity exchanges; to the Committee on Banking and Currency.

By Mr. MOSS:

S. 333. A bill to amend the Colorado River Storage Project Act with respect to the protection of national parks and monuments under the provisions of such act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MOSS when he introduced the above bill which appear under a separate heading.)

By Mr. HUMPHREY:

S. 334. A bill for the relief of Glenwood Hills Hospital;

S. 335. A bill for the relief of Dr. Manuel S. Lina and Dr. Constancia L. Ortega Lina;

S. 336. A bill for the relief of Dr. Mustaffa Muharrem Aksoy;

S. 337. A bill for the relief of Dr. Shaoul G. S. Shashoua;

S. 338. A bill for the relief of Chue Yung Chul;

S. 339. A bill for the relief of James Christian Braut; and

S. 340. A bill for the relief of John Fetiou Leckas; to the Committee on the Judiciary.

By Mr. FONG:

S. 341. A bill to provide a method for regulating and fixing wage rates for employees of Pearl Harbor Naval Shipyard in Hawaii; to the Committee on Armed Services.

S. 342. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Labor and Public Welfare.

By Mr. FONG (for himself and Mr. INOUYE):

S. 343. A bill to authorize the Secretary of Agriculture to provide for a program of research for coffee produced in the State of Hawaii; to the Committee on Agriculture and Forestry.

S. 344. A bill to amend the Internal Revenue Code of 1954 to permit an individual who leases land on which a residence owned by him is situated to deduct real property taxes paid by him which are assessed against such land; to the Committee on Finance.

S. 345. A bill to provide for the approval of a payment in lieu of taxes to be made for the fiscal year ended June 30, 1959, by the Hawaii Housing Authority to the city and county of Honolulu; to the Committee on Government Operations.

By Mr. CANNON (for himself and Mr. BIBLE):

S. 346. A bill to provide for the conveyance of certain lands to the city of Henderson, Nev.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CANNON when he introduced the above bill, which appear under a separate heading.)

## CONCURRENT RESOLUTIONS

### ACCEPTANCE OF STATUE OF THE LATE JOHN BURKE, OF NORTH DAKOTA, AND TENDERING THANKS OF CONGRESS THEREFOR

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) submitted the following concurrent resolution (S. Con. Res. 6); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the statue of the late John Burke, presented by the State of North Dakota, now in the Capitol Building, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for his historic renown and distinguished civic services.

*Resolved*, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of North Dakota.

### PLACEMENT IN ROTUNDA A STATUE OF THE LATE JOHN BURKE, OF NORTH DAKOTA, AND THE HOLDING OF CEREMONIES INCIDENT THERETO

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) submitted the following concurrent resolution (S. Con. Res. 7); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the North Dakota National Statuary Hall Commission is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late John Burke, of North Dakota, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

### TO PRINT AS A SENATE DOCUMENT THE PROCEEDINGS IN CONNECTION WITH ACCEPTANCE OF STATUE OF THE LATE JOHN BURKE, OF NORTH DAKOTA

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) submitted the following concurrent resolution (S. Con. Res. 8); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the proceedings at the presentation, dedication, and acceptance of the statue of John Burke, to be presented by the State of North Dakota in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed five thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand six hundred copies shall be for the use of the Members of the Senate from the State of North Dakota, and five hundred copies shall be for the use of the House of Representatives and two thousand eight hundred copies shall be for the use of the Members of the House of Representatives from the State of North Dakota.

## RESOLUTION

### CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CANNON (for himself, Mr. KEATING, and Mr. RANDOLPH) submitted a resolution (S. Res. 48) creating a standing Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CANNON, which appears under a separate heading.)

### STUDY OF AMERICAN SMALL AND INDEPENDENT BUSINESS PROBLEMS

Mr. SPARKMAN (for himself and Mr. SALTONSTALL) submitted the following resolution (S. Res. 49); which was referred to the Committee on Rules and Administration:

*Resolved*, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-first Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

### PROPOSED LEGISLATION RELATING TO SMALL BUSINESS

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, two bills affecting small business investment companies. My first bill relates to the income tax treatment of these companies. I ask unanimous consent that following my remarks the text of this bill be printed in the RECORD together with an analysis of the bill which I have prepared.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 297) to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. SPARKMAN. My second bill amends the Small Business Investment Act of 1958. I ask unanimous consent that following my remarks the text of this bill also be printed in the RECORD together with an analysis of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 298) to amend the Small Business Investment Act of 1958, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD.

(See exhibit 2.)

Mr. SPARKMAN. Joining me as cosponsor of each of these bills are Senators HUMPHREY, SMATHERS, MORSE, BIBLE, RANDOLPH, ENGLE, BARTLETT, WILLIAMS of New Jersey, MOSS, SALTONSTALL, JAVITS, COOPER, SCOTT, PROUTY and COTTON.

Mr. President, I believe that the merit of the legislation proposed by these bills is certainly indicated by the fact of its near-unanimous sponsorship by the members of the Select Committee on Small Business.

The Small Business Committee recognized last year the need for taking a close look at the small business investment company program. We undertook a study of the industry which included a number of public hearings as well as gathering detailed information from the individual companies by means of a questionnaire. The two bills which I have introduced are an outgrowth of our study. It is our firm conviction that the proposals made in these bills are justified by the facts as they presently exist within the small business investment company industry and within the small business community. Let us look at some of these facts.

On March 19, 1959, the first 2 small business investment companies were licensed; 3 years later, on March 19, 1962, there were 517 small business investment companies licensed to do business; today there are over 600. The first two licensees brought $650,000 into the program; today, there is over $600 million committed to the small business investment companies—the overwhelming majority of its dollars invested by private citizens.

Back in 1958, we believed that most of the companies would call upon the Government for half of their capital, but that has not been the case. At the present time, there are 7 private dollars in the program for every $1 committed by the Small Business Administration. The bills which I have introduced would stimulate even greater participation by private capital and private credit in this program.

The record shows that much of the money now invested in small business investment companies is already in use, since more than $200 million has been invested in and loaned to small business enterprises in the 3 years from the granting of the first licenses through March 31, 1962.

I believe that I can say without contradiction, then, that substantial progress has already occurred in transforming small business investment companies from a legislative dream to an operating reality. I have personally been proud of the growth of the program and the contribution it has made to our national economy through its timely aid to growing independent businesses.

But now I turn to the large dark cloud which some observers see hovering over the small business investment companies. A number of financial writers have concluded that these are "shaky small business investment companies," as the Wall Street Journal headlined its story on July 16, 1962. I quote from the article:

> The risky business of providing risk capital for small businesses unable to raise money through more conventional sources is proving to have more hazards than many small business investment companies bargained for. These new lending institutions, brought into being by an act of Congress only 4 years ago, were given special tax treatment and the privilege of borrowing on reasonable terms from the Government. Nevertheless, they are beset these days with a host of troubles stemming from the declining stock market, touchy relationships with their customers, a snarl of Government redtape, occasional bad investments, and some miscalculations about the nature of this fledgling financial field.

It is quite true that despite some improvement within the last week or so, the quotations from the stock of the 48 small business investment companies which have raised capital through public offerings have declined precipitously during the past 12 months. One private market service publishes an index of small business investment companies stock prices; on June 30, 1961, the index stood at $18.27. By November 30, 1962, it had tobogganed to $6.90. Naturally, this leads to serious questions about the health of the program.

During the past year, several of the larger small business investment companies have sustained sizable losses on investments they have made, and several others have stated that they fear such losses in the near future. Here again is a bearish factor depressing the small business investment companies' outlook. One of the bills I have introduced would provide for statutory loss and bad debt reserves for small business investment companies—something which is vitally needed by the industry.

One of the larger small business investment companies which raised $15 million through a public stock offering has left the small business investment company field and become a conventional investment company. This development, too, has served as a basis for gloomy predictions about the future of the industry.

It is also true, as the Wall Street Journal stated, that the organizers of other small business investment companies have found themselves without the time or the skills to operate profitably; a few of them have surrendered their licenses and others are not in active operation.

Finally, some members of the industry have found it difficult to understand the actions of those administering the program for the SBA; there have been some differences of opinion and some misunderstandings.

These, then, are five factors which lead to pessimism—which, for some observers, overshadow the bare facts of progress which I cited earlier.

Is there any way to analyze the present situation? Has the period of achievement passed, to be succeeded by a rapid decline into oblivion? Were we wrong when we conceived this program? Were the investors and managers wrong when they financed it?

Obviously, there are no easy answers, but I do believe that solid facts can be found which we can utilize in our study. None of them alone is conclusive; all of them together may not be conclusive, as a matter of fact. Nonetheless, I believe strongly that a sound reply should be made to the Cassandras whose dire prophesies are based upon a superficial analysis of scattered readings.

In the first place, I believe that the strongest possible answer to those who would bury the program can be found in the continuing and accelerating pace of small business investment company activity. Those small business investment companies which have been in the program the longest are, by and large, those who are most convinced of its essential soundness. Both of the first two licensees have greatly increased their initial capital—and both are now seeking additional funds. These are only two examples. Forty-eight of the more than six hundred small business investment companies have been able to sell their stock to the public; an additional 77 have increased their capacity to invest in small businesses by raising extra capital privately. Since the passage of the 1961 amendments to the Small Business Investment Act, 46 small business investment companies have raised their private capitalization and have asked Small Business Administration to purchase subordinated debentures.

This seems to me to be unanswerable evidence—this show of faith in the program backed by private dollars committed by individuals who have actually owned and managed small business investment companies for a period of time. If it is true that the program is shaky, I doubt very much that these practical businessmen-investors would choose small business investment companies over all the alternate forms of investment opportunities.

In addition to the fact that more dollars are being invested in small business investment companies, I would cite proof that more dollars are being invested in small businesses by the present small business investment companies. SBA reports show that over $200 million had been loaned to or invested in small businesses by March 31, 1962. This contrasts with the $79,500,000 of 1 year earlier and the $152,200,000 figure reported on September 30, 1961. Thus, it is apparent that the managers of the small business investment companies are not sitting on their hands content with investing their idle funds in Government bonds. As a matter of fact, all available evidence indicates that the pace of placing small business investment company dollars to work for small business firms has accelerated in the weeks since March 31.

Therefore, two concrete proofs can be demonstrated: first, small business investment companies are raising more dollars, and, second, small business investment companies are investing more dollars in eligible business enterprises.

Perhaps the most difficult feature of the entire small business investment company operation is the appraisal of the present and potential value of a small business. This is true at the time the business applies for financial assistance; it remains true after the firms receive small business investment company help. For that reason, my next point is not capable of definite proof.

Nonetheless, I believe on the strength of the study of the Senate Small Business Committee and on the basis of other independent analyses, that the small business investment companies have made sound investments. Although there have been a few well-publicized losses, the bulk of the small business investment company portfolios appear sound. The public companies list their investments in their annual reports and it appears that most of their client companies have made progress with the help of small business investment company funds and show promise of further substantial growth.

In addition, our committee heard from the presidents of many small business investment companies during our field hearings last spring. All of them testified that they felt that most of their investments were working out and that they expected some of them to be exceptionally successful. This, of course, is the pattern we expected, for no one ever believed that every small business would suddenly become a Ford Motor Co. or an IBM as soon as it received small business investment company funds.

The printed record of the committee's hearings is replete with case studies showing the value of small business investment company financing to dozens of individual small firms.

This, then, seems to be a third strong plank underpinning the small business investment company program; namely, the worth of the small businesses to whom the investment companies have advanced funds.

A fourth factor of strength is the growing rapport between the industry and its regulator, the Small Business Administration. Congress has directed the SBA to license small business investment companies and to regulate their operations. Naturally, during the early months of the program, there were misunderstandings and areas of friction, as both the operators and the regulators tried to learn how to make this new machine work. Now, after 4 years, much of the pioneering and the educating has taken place and the small business investment companies now realize that they must operate completely within the framework of an industry affected with a public interest, while the Investment Division of SBA has learned that small business investment companies are essential elements of the free enterprise system which must make a profit—or at least, have the chance to make a profit—if they are to survive. The ground rules have been established; many of those who had no concept of how the small business investment companies should operate are gone; and the SBA and the industry are working closely together on all remaining problems.

Mr. President, as I have said many times, I am confident that this program will continue to succeed. It must if the capital requirements of the American independent businessman are to be met. The surface has only been scratched; small business has legitimate need for hundreds of millions of dollars every year for capital. In 1957, the Federal Reserve Board estimated the equity needs of small business to be about $550 million annually. The program now has sufficient funds to take care of just 1 year's minimum requirement. Therefore, there will have to be a fivefold increase merely to fulfill the 1957 estimate.

As the business and financing community become better acquainted with the small business investment company program; as the Congress continues to support its legitimate requirements through passage of legislation such as I have proposed today; as the SBA works in close harmony with the industry, existing and future small business investment companies will continue to grow and to prosper.

And through the assistance they receive from small business investment companies, tens of thousands of independent small businesses will be able to make their individual contributions to a vigorous, competitive, and growing American economy.

EXHIBIT 1

S. 297

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 165 of the Internal Revenue Code of 1954 (relating to deduction for losses) is amended by redesignating subsection (i) as subsection (j), and by inserting after subsection (h) the following new subsection:

"(i) SMALL BUSINESS INVESTMENT COMPANIES.—

"(1) RESERVE FOR LOSSES ON CERTAIN INVESTMENTS.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, there shall be allowed, in lieu of any deduction under subsection (a) for any loss sustained on any investment described in section 1243(a)(1), a deduction for a reasonable addition to a reserve for losses on such investments.

"(2) AMOUNT OF ADDITION TO RESERVE.—The reasonable addition to a reserve for losses under paragraph (1) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this paragraph shall not be greater than the lesser of—

"(A) the amount of its taxable income for the taxable year, computed without regard to this section, or

"(B) the amount by which 20 percent of the taxpayer's total investments described in section 1243(a)(1), at the close of the taxable year with respect to which this section applies, exceeds its reserve for losses on such investments at the beginning of the taxable year."

SEC. 2. (a) Section 166 of the Internal Revenue Code of 1954 (relating to deduction for bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following new subsection:

"(g) SMALL BUSINESS INVESTMENT COMPANIES.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, the reasonable addition to a reserve for bad debts under subsection (c) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this subsection shall not be greater than the lesser of—

"(1) the amount of its taxable income for the taxable year, computed without regard to this section or,

"(2) the amount by which 20 percent of the taxpayer's total loans to small business concerns, at the close of the taxable year with respect to which this section applies, exceeds its reserves for bad debts at the beginning of the taxable year."

SEC. 3. Section 532(b) of the Internal Revenue Code of 1954 (relating to exemptions from accumulated earnings tax) is amended—

(1) by striking out "or" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (3) the following new paragraph:

"(4) a small business investment company operating under the Small Business Investment Act of 1958."

SEC. 4. (a) Section 542(c)(11) of the Internal Revenue Code of 1954 (relating to exception of small business investment companies from definition of personal holding company) is amended to read as follows:

"(11) a small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act in accordance with regulations prescribed by the Small Business Administration pursuant thereto. This paragraph shall not apply if any shareholder of the small business investment company owning, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), 10 percent or more of the outstanding stock of such small business investment company owns at any time during the taxable year, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), a 10 percent or more proprietary interest in a small business concern to which funds are provided by the small business investment company or 10 percent or more in the value of the outstanding stock of such concern. For purposes of the preceding sentence, a shareholder of a small business investment company shall not be considered as owning any proprietary interest in or stock of a small business concern solely by reason of his ownership directly or indirectly of stock of such small business investment company.

SEC. 5. (a) Section 851(a) of the Internal Revenue Code of 1954 (relating to general rule for definition of regulated investment company) is amended—

(1) by striking out "or" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (2) the following new paragraph:

"(3) which, at all times during the taxable year, is a small business investment company operating under the Small Business Investment Act of 1958 (whether or not registered under the Investment Company Act of 1940, as amended)."

(b) Section 851(b) of such Code (relating to limitations on definition of regulated investment company) is amended by adding at the end thereof the following new sentence: "Paragraph (2), (3), and (4) shall not apply to any corporation which is a small business investment company operating under the Small Business Investment Act of 1958, whether or not such company is registered under the Investment Company Act of 1940, as amended."

SEC. 6. (a) Section 1243 of the Internal Revenue Code of 1954 (relating to losses of small business investment companies) is amended to read as follows:

"Sec. 1243. Loss of Small Business Investment Company.

"(a) General Rule.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, if—

"(1) a loss is on equity securities (including stock received pursuant to an option or conversion or exchange privilege) acquired pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section, and

"(2) such loss would (but for this section) be a loss from the sale or exchange of a capital asset, then such loss shall be treated as a loss from the sale or exchange of property which is not a capital asset.

"(b) Special Rule for Determining Amount of Loss on Stock.—Under regulations prescribed by the Secretary or his delegate, for purposes of determining the amount of loss (if any) from the sale or exchange by small business investment company of stock acquired by such company pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section (including stock received pursuant to an option or conversion or exchange privilege), the basis of such stock shall be reduced (but not below zero) by an amount equal to the amount of any distribution received by such company with respect to such stock on or after the date of the enactment of this subsection, to the extent that any such distribution is made by the distributing corporation out of its earnings and profits accumulated prior to the date of the acquisition of such stock by such company.

"(c) Definition of 'Equity Securities'.—For the purposes of this section, the term 'equity securities' means—

"(1) Stock of any class or type; or

"(2) Convertible debentures which are convertible into stock of incorporated small business concerns; or

"(3) Any right or warrant issued and/or acquired in connection with the purchase of any stock, convertible debenture, or debt instrument under section 305 of the Small Business Investment Act of 1958, as amended, which right or warrant provides the holder thereof with an option to purchase a specified maximum number of shares of stock of the issuer; or

"(4) Any combination of the foregoing."

Sec. 7. Section 1371(a)(2) of the Internal Revenue Code of 1954 (relating to definition of small business corporation) is amended to read as follows:

"(2) have as a shareholder a person (other than an estate or a small business investment company operating under the Small Business Investment Act of 1958) who is not an individual;".

Sec. 8. The amendments made by sections 1 and 2 of this Act shall apply to taxable years ending on or after March 31, 1962. The amendments made by section 4 of this Act shall apply to taxable years beginning after December 31, 1958. The amendments made by section 6 of this Act shall apply to taxable years ending after June 11, 1960. Except as herein otherwise provided, the amendments made by this Act shall apply to taxable years ending on or after the date of the enactment of this Act.

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### Analysis of Bill (S. 297)

This bill amends the Internal Revenue Code with respect to the income tax treatment of small business investment companies, as follows:

Section 1 and section 2: These sections provide for the establishment by small business investment companies of reserves for losses and bad debts, and will allow a small business investment company to deduct reasonable additions to these reserves. The amount of such reserves is limited to 20 percent of the small business investment company's total investments or loans, as the case may be.

Section 3: This section will exempt small business investment companies from the accumulated earnings tax imposed by section 531 of the Internal Revenue Code.

Section 4: This section will clarify section 542(c)(11), which excepts small business investment companies from the definition of a personal holding company, and will bring the self-dealing qualification contained in that section in line with the SBA regulation prohibiting self-dealing. Under the present law, a small business investment company is not considered a personal holding company unless a shareholder of the small business investment company owns a 5 percent or more proprietary interest in a small concern to which the small business investment company has provided funds. In applying this section, the Internal Revenue Service maintains that stock acquired by the small business investment company in a small concern must be attributed to the shareholders of the small business investment company, in proportion to their respective stockholdings in the small business investment company, to determine whether or not any one of such shareholders owns as much as 5 percent of the small concern. Section 4 of the bill would avoid this interpretation by IRS by providing that a shareholder of the small business investment company shall not be deemed to own the stock of a small concern solely by reasons of his ownership of stock in the small business investment company.

In addition, this section of the bill provides for the loss of exempt status in a case of self-dealing only where the common shareholder owns a 10 percent interest in the small business investment company (as contrasted with present law applying to any shareholder) and also owns 10 percent of the small concern (as contrasted with the present 5 percent). These are the percentages presently contained in SBA regulations prohibiting self-dealing.

Section 5: This section will allow all small business investment companies to qualify as regulated investment companies, so as to enable them to pass through income to their shareholders. This privilege is presently afforded publicly owned small business investment companies which have registered with the Securities and Exchange Commission under the Investment Company Act of 1940. The section will also make inapplicable to small business investment companies the portfolio and income restrictions provided by subsections (2), (3) and (4) of section 851(b) of the code. This is made necessary by the unique nature of small business investment companies and their investments.

Section 6: This section will allow losses on any equity securities to be deducted against ordinary income. This treatment of small business investment company losses was limited in the original act to losses suffered on convertible debentures, since, at that time, the convertible debenture was the only type of equity security authorized to be used by a small business investment company. The act has since been amended to permit the use of other forms of equity securities, and section 6 of the bill will bring the tax laws in line with the act, as amended. A special rule is included in the bill which is applicable to losses on stock. This rule will prevent a small business investment company from recovering the amount of its investment in a small concern through tax-free dividends paid by the small concern out of earnings and profits accumulated prior to acquisition of the stock by the small business investment company, and thereafter receive a full deduction from ordinary income in the event of a loss from the sale of the stock.

Section 7: This section will permit a small corporation to qualify under subchapter S of the code to be taxed as a partnership notwithstanding the fact that the corporation has a small business investment company as a shareholder.

Section 8: Except where otherwise provided in the bill, the amendments made by the bill will apply to taxable years endings on or after the date of the enactment of the bill.

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### Exhibit 2

### S. 298

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Small Business Investment Act Amendments of 1963".

Sec. 2. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended by striking out "$400,000" and inserting in lieu thereof "$1,000,000" and by striking out "three years" and inserting in lieu thereof "seven years".

Sec. 3. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies, the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to lend funds to such companies either directly or by loans made or effected in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred (standby) basis. Such loans shall bear interest at such rate and contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of the Administration's share of loans made and outstanding under this subsection (b) to any one company at any one time (including direct loans, the Administration's share of loans made hereunder pursuant to agreements to participate on an immediate basis, and commitments to lend directly or on an immediate participation basis, but excluding loans made hereunder pursuant to agreements to participate on a deferred (standby) basis and any obligations acquired pursuant to such deferred participation (standby) agreements) shall not exceed an amount equal to 50 per centum of the paid-in capital and surplus of such company or $4,000,000, whichever is less. The total amount of the Administration's share of all loans made and outstanding under this subsection (b) to any one company at any one time, including loans made hereunder pursuant to agreements to participate on a deferred (standby) basis and any obligations acquired pursuant to such deferred participation (standby) agreements, shall not exceed an amount equal to the paid-in capital and surplus of such company or $8,000,000, whichever is less.

"(2) All loans made under this subsection (b) shall be of such sound value as reasonably to assure repayment."

Sec. 4. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"Sec. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 per centum of the combined capital and surplus of such small business investment company authorized by this Act."

### ANALYSIS OF BILL (S. 298)

Section 1: The act will be cited as the "Small Business Investment Act Amendments of 1963."

Section 2: This section will increase the amount of subordinated debentures of a small business investment company, which SBA is authorized to purchase under section 302(a) of the Small Business Investment Act of 1958, from $400,000 to $1 million. These funds will continue to be made available by SBA for the purpose of aiding in the formation and growth of small business investment companies, and will continue to be provided on a dollar-for-dollar matching basis with the private capital and surplus of the small business investment company. The present law requiring that such funds not be provided by SBA if they are available from private sources on reasonable terms would remain in effect.

The section will also increase from 3 years to 7 years the time after licensing within which a small business investment company may sell its subordinated debentures to SBA under section 302(a).

Section 3: This section will expand the lending authority which SBA now has under section 303(b) of the Small Business Investment Act. Under the present law, SBA may lend funds to a small business investment company (so long as such funds are not available from private sources on reasonable terms) through the purchase of their interest-bearing obligations. The total amount which may be loaned and outstanding to any one company at any one time may not exceed an amount equal to 50 percent of the paid-in capital and surplus of the company or $4 million, whichever is less, and such loans must be of such sound value as to reasonably assure repayment. In order to stimulate the extension of private credit to small business investment companies, and to encourage and promote maximum utilization of private credit facilities by small business investment companies, it is proposed by section 3 of the bill to expand this lending authority, as follows:

1. The Administration will be authorized to make loans under section 303(b) either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or a deferred basis. Such loans will continue to bear interest at rates fixed by the SBA and must be of such sound value as to reasonably assure repayment.

2. Exclude loans made in cooperation with banks or other lending institutions through agreements to participate on a deferred (standby) basis from the loan limit provided in the present law, i.e., 50 percent of capital and surplus of $4 million, whichever is less. By so doing, small business investment companies will be able to obtain loans which exceed the present limit from private lending institutions on the basis of an SBA agreement to take over the loan whenever called upon to do so by the private institutions. This section of the bill provides, however, that the total SBA share of all loans to any one company, including those made on such a standby basis, shall not exceed the amount of the paid-in capital and surplus of the company or $8 million, whichever is less.

Although present law contains no prohibition against loans by SBA under section 303(b) in participation with others, either on an immediate or a deferred basis, it is felt that granting specific authority for the making of such loans is advisable. At present, SBA has a program under which deferred (standby) participation loans are made under section 303(b) of the act. The existing program works in this way: When a licensee applies for a direct loan from SBA under section 303(b) of the Small Business Investment Act, SBA will not issue its commitment to purchase the licensee's obligations unless the latter certifies as to its inability to obtain the needed funds from private sources alone, as well as its inability to obtain such funds from private sources under the standby program. If a private financial institution is willing to provide the licensee with the loan funds under an SBA standby arrangement, SBA thereupon processes the loan application of the licensee, including the obtaining of executed loan documents and related instruments, in the same manner and under substantially the same terms as when SBA issues a loan commitment to a licensee and purchases the obligation of the licensee directly. However, where the standby arrangement is involved, the SBA commitment to the licensee indicates that either SBA or the private source will disburse the loan funds and will hold the note. Simultaneously with the issuance by SBA of a loan commitment to a licensee under the standby program, SBA and the private lending source (ordinarily a bank) execute an agreement under which:

(a) SBA assigns to bank the executed note of the licensee and bank assumes the obligation under the SBA loan commitment to disburse funds to the licensee under the note, but only when so directed by SBA.

(b) Bank may reassign the note to SBA at any time and SBA will thereupon pay bank the outstanding principal under the note. Recoveries of unpaid interest by SBA are prorated between SBA and bank.

(c) SBA may at any time require bank to reassign the note upon payment to bank by SBA of the outstanding principal thereunder. If at the time SBA ever exercises its right of reassignment, there is no default under the note in principal or interest, SBA will pay bank, in addition to outstanding principal, any accrued interest under the note.

(d) The commencement of bankruptcy or similar proceedings involving the licensee-borrower effectuates an automatic reassignment of the note from bank to SBA and the obligation of SBA to pay bank outstanding principal.

(e) Bank pays SBA a service and commitment charge of 1 percent per annum upon outstanding principal under the note while held by bank.

In providing specific statutory authority to make deferred participation loans, it is not intended to require SBA, in the exercise of that authority, to follow the exact procedures which are presently in use. However, it is intended to ratify and approve those procedures, and it is expected that the expanded authority granted by section 3 of the bill will be administered in a way very similar to the present SBA standby program.

Finally, it should be pointed out that section 3 of the bill does not fix a percentage limitation upon SBA's share of a loan made under section 303(b) on an immediate participation basis. This matter is left to the discretion of the agency. In the case of deferred participation agreements, it is intended that SBA be authorized to cover the entire amount of a loan by its agreement to participate on a deferred basis. Both immediate participations and deferred participations are, of course, subject to the limitations specifically provided in the bill.

Section 4: This section will repeal the dollar limitation upon the amount of funds which a small business investment company may provide to a single small business concern. Presently, section 306 of the Small Business Investment Act provides that the amount of such funds shall not exceed 20 percent of the combined capital and surplus of the small business investment company, or $500,000, whichever is less. To assure sufficient diversity of the small business investment company's portfolio, the present 20-percent limitation will remain in effect. Reliance would be placed upon the SBA size-standard regulations to assure that small business investment company funds are provided only to concerns which have traditionally been classified by these regulations as "small."

## AMENDMENT OF SECTION 1391 OF TITLE 28, UNITED STATES CODE, RELATING TO VENUE

Mr. ROBERTSON. Mr. President, I introduce, for appropriate reference, a bill to amend section 1391 of title 28 of the United States Code, relating to venue generally.

The object of the bill is to make statutory the decision of the minority in *Olberding* v. *Illinois Central Railroad Co.*, 346 U.S. 338, 74 S. Ct. 83. In that case an Illinois corporation brought an action against residents of Indiana in a district court in Kentucky for damages arising out of an automobile accident which occurred in Kentucky. Defendants pleaded improper venue. This plea was overruled by the district court and its judgment was affirmed by the U.S. Court of Appeals for the Sixth Circuit, 201 F. 2d 582. The Supreme Court reversed, Mr. Justice Reed and Mr. Justice Minton dissenting.

Until the decision in the Olberding case, the Federal courts had held that a nonresident by using the highways of a State, appointed, by implication of law, the motor vehicle commissioner of that State upon whom process could be served and hence the action could be brought in the State where the cause of action arose and service had upon the motor vehicle commissioner. But the court in the Olberding case held that the appointment by implication of law is not equivalent to an actual appointment and that the rules in the cases holding that the actual appointment of a statutory agent is consent to venue, do not apply where the appointment is by implication of law under the Nonresident Motorist Act. Mr. Justices Reed and Minton dissented upon the ground that they saw no difference between the signing of a paper upon which consent is based and the use of the State highways in driving a motor car over them from which consent is implied.

Since the Olberding case, it has not been possible to bring actions in the Federal courts in a State where the cause of action arose unless the plaintiff or the defendant resided in that State. The result is that if a citizen of Pennsylvania, traveling through Virginia, collides with a citizen of North Carolina, the Pennsylvania citizen must go to North Carolina if he wants to sue in the Federal court. Of course, he could file an action in the State court under a State statute providing for venue where the cause of action arises, and serve the defendant under the Motor Vehicle Act, but if he prefers, as a citizen of Pennsylvania, to sue in the Federal court, and I think the Congress should supply the venue.

The Federal venue statute was enacted many, many years ago, during horse and buggy days, and it was not as important then to lay venue where the cause of action arose. Now, however, we have a mobile population that travels from State to State, often crossing several

States, as it moves, and it is important to provide for venue where the cause of action arises.

Last year, during the 87th Congress, a subcommittee of the Judiciary Committee considered S. 701, a bill to add two new subsections to the Federal venue statute. One of the proposed sections in that bill was eliminated at the suggestion of the Attorney General and the Judicial Conference on the ground that the other section provided adequate relief. The bill I am introducing today contains only the remaining paragraph of that bill which simply provides:

> A civil action on a tort claim may be brought in the judicial district wherein the act or omission complained of occurred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 299) to amend section 1391 of title 28 of the United States Code, relating to venue generally, introduced by Mr. ROBERTSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

## AUTHORIZATION FOR SALE OF CERTAIN CADMIUM

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act. I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 304) to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately two million pounds of cadmium now held in the national stockpile. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, relating to dispositions on the basis of a revised determination pursuant to section 2 of said Act, to the effect that no such disposition shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees thereof of a notice of the proposed disposition.

## ANSLEY WILCOX HOUSE

Mr. KEATING. Mr. President, on behalf of my colleague from New York [Mr. JAVITS] and myself, I introduce, for appropriate reference, a bill to establish the Ansley Wilcox House in Buffalo as a national historic site. It is important that this nationally know house where Theodore Roosevelt took the oath of office as President of these United States on September 14, 1901, following the assassination of President McKinley be rescued from the demolition teams who would destroy it.

Not only should this house be preserved as one of the only four sites outside of Washington where the Presidential oath has been administered; it should be preserved to ever remind us of the issuing in of a new era in the history of our country at home and abroad by a great American. Such phrases as "Speak softly and carry a big stick; you will go far" have become immortalized in the American vocabulary as his image has been engraved on the pages of American history. It would be tragic indeed if the American people were deprived of a shrine where they could pay homage to a significant era in their history and to a President who "seemed to incarnate the soul of America."

Not only the citizens of Buffalo but also numerous State and national organizations are supporting the movement to save the Wilcox House. The American Institute of Architects has recommended the preservation of the Wilcox House as a most valuable example of postcolonial architecture. Support has been pledged by the New York State Historical Association, the American Association for State and Local History, the Sons of the American Revolution, the Daughters of the American Revolution, the Society of Colonial Wars, the Mayflower Society, the Daughters of American Colonists, the Society of New England Women, the Society of Colonial Dames, the Buffalo and Erie County Historical Society. I urge Congress to take action to make the Ansley Wilcox House in Buffalo a national historic site along the lines of this bill which my colleague [Mr. JAVITS] and I are today introducing.

I ask unanimous consent that the text of the bill may be printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 317) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site, introduced by Mr. KEATING (for himself and Mr. JAVITS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Secretary of the Interior shall acquire on behalf of the United States the real property described in section 2 of this Act, known as the Ansley Wilcox House, which real property is of national historic significance as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President William McKinley. The Secretary shall maintain and preserve such property as a national historic site for the inspiration and benefit of the people of the United States.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

All that tract or parcel of land, situate in the city of Buffalo, county of Erie, State of New York, and beginning at a point in the east line of Delaware Avenue distant 110 feet southerly from the southerly line of land of Catharine Marie Richmond, recorded in Erie County clerk's office in liber 247 of deeds at page 167; running thence easterly a distance of 110 feet;

Running thence southerly a distance of 60 feet to a point in the north line of land of Morris Michael, recorded in Erie County clerk's office in liber 531 of deeds at page 335; running thence easterly and along the north line of land of the said Morris Michael 64 feet more or less, and continuing easterly on a line extended from the land of Morris Michael a further distance of 174 feet more or less to the westerly line of Franklin Street; running thence northerly along the westerly line of Franklin Street 110 feet; running thence westerly 134 feet; running thence northerly and parallel with Franklin Street 59.51 feet more or less to a point distant 40 feet more or less easterly from the southeast corner of lands of Amelia Stevenson, recorded in Erie County clerk's office in liber 669 at page 299;

Running thence westerly 40 feet to the southeast corner of lands of the said Amelia Stevenson and continuing westerly in a line along the south line of the land of Catharine Marie Richmond a further distance of 174 feet more or less to the easterly line of Delaware Avenue; running thence southerly along the easterly line of Delaware Avenue 110 feet to the place of beginning.

And being subject to an easement as contained in a lease agreement dated January 6, 1959, between the landlord and the Liberty Bank of Buffalo covering a driveway ramp and automobile parking privileges, together with the right of ingress and egress to Delaware Avenue and Franklin Street, as contained in said lease.

## ADMISSION TO PRACTICE BEFORE FEDERAL ADMINISTRATIVE AGENCIES

Mr. KEATING. Mr. President, on behalf of the Senator from Nebraska [Mr. HRUSKA] and myself, I introduce, for appropriate reference, a bill to permit members of the bar of the highest court of a State or Federal court to practice before administrative agencies of the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 318) to provide that each member of the bar of the highest court of a State or of a Federal court shall be entitled to practice before administrative agencies of the United States, introduced by Mr. KEATING (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KEATING. Mr. President, this bill is identical to S. 1409 of the 87th Congress, which I introduced in March of 1961 on behalf of the Senator from Nebraska [Mr. HRUSKA] and myself and the late Senator Bridges. The remarks I made upon its introduction in the last Congress are still pertinent, and I ask unanimous consent to have them reprinted in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Attorneys wishing to practice before many Federal agencies are often confronted with formidable obstacles. The agencies' rules vary widely and make it extremely difficult for an attorney from outside of the District of Columbia to appear and present matters.

In the case of nonlawyers, additional requirements, qualifications, and investigations may be justified. However, this would not appear to be appropriate for an attorney who must show evidence of his good moral character and educational requisites, and pass a rigorous examination to be admitted to the bar of his home State. Upon admission to the bar, the attorney is subject to continued surveillance by the bench, fellow members of the bar, and the public with whom he must deal.

After consulting with the Director of the Office of Administrative Procedure in the U.S. Department of Justice, I find that only nine departments and other administrative agencies of the Government require an attorney to file an application for admission to practice. Thirty-one other administrative agencies do not require an attorney to follow such a procedure for admission to practice, which raises a question in my mind as to whether formal admission procedures really are necessary or in the best interest of the public.

Some proponents of formal admission requirements to practice before Federal agencies state that this is a method to insure proper discipline among members of the bar engaged in matters before these agencies. It may be that disciplinary actions, where necessary, are more appropriately and properly effected by the bar to which an attorney is admitted. However, there is nothing in the bill which would preclude agencies from disciplining an attorney or any other person who practices before them.

The Hoover Commission stated that at least $300,000 a year could be saved by the Treasury Department alone by eliminating some of its formal procedures for admission of attorneys. The admission of attorneys to practice in other agencies may not be as costly. However, the staff work and correspondence required to process formal applications certainly is substantial.

Uniform rules for admission to practice before Federal agencies are one step in the direction of helping to clear the maze of complex and often unnecessary rules or procedures that have developed within our Federal agencies. The Department of Justice in conducting its study of this problem has recommended that the agencies drop the formal admission requirements and adopt a uniform rule making anyone who is a member of the bar of the Supreme Court of the United States or of the highest court of any State eligible to practice before them.

Since this recommendation was made, I am informed by the Office of Administrative Procedure of the Department of Justice that only two Federal agencies have seen fit to adopt the proposal. My proposal is essentially the same as the recommendation of the Department of Justice and would be mandatory for all agencies and departments except the Patent Office. The Patent Office is excepted because of the very technical nature of the practice before this Agency.

When it is considered that in many cases it is easier to be admitted to practice before the Supreme Court of the United States than it is for an attorney to be recognized by Federal administrative agencies, the need for this bill becomes apparent. It is absurd to bar from practice before a Federal administrative agency attorneys who are considered qualified to present cases before the highest court of a State or the Supreme Court of the United States.

Mr. KEATING. Mr. President, the need for this legislation is as great today as it was in past years. There are still departments and agencies in the Government that require an attorney to follow formal admission procedures before he is permitted to appear in behalf of a client. This is as unfair to the client as well as the attorney. Litigants who are caught up in the administrative processes, many of them involuntarily in the sense that the proceeding is initiated against them by the agency, have a right to be represented by attorneys of their own choosing. Where these lawyers, who are members of the bar in good standing in their own State or of the bar of a Federal court, are not also admitted to practice before the particular agency involved, the burden of compliance with formal agency procedures may well dissuade them from making an appearance and require referral of the matter to attorneys already admitted. Or, in some cases, particularly where the administrative process is set in motion on short notice, the time factor is relevant, and an attorney retained by a client may suddenly discover his inability to appear at the time required. It may be easy for some to say that these burdens are not really difficult to overcome; most lawyers are used to filing papers, and a couple more will not make much difference to them. But, Mr. President, the question is not whether the obstacles are insuperable or easily hurdled; the question is whether the obstacles should be there in the first place. In my judgment, they are totally unnecessary and should be cleared away by the Congress at the earliest opportunity. The growth of the administrative process has been rapid, the proliferation of formal proceedings before nonjudicial bodies has been a development largely of the past half century and shows little sign of abating in the future. We have already reached the point that Federal agencies play a central role not only in larger economic life of the country but also in the lives of citizens as individuals. Before this process goes any further, we ought to take care of procedural obstructions that past experience has demonstrated serve no useful purpose.

Mr. President, I ask unanimous consent to have the text of the bill printed in the Record at this point.

There being no objection, the bill was ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, any person who is a member in good standing of the bar of the highest court of a State or possession of the United States, or of the District of Columbia, shall be entitled to practice before any department, board, bureau, or administrative agency of the United States, other than the Patent Office, without the necessity of making application therefor or of showing any other qualifications.

## REVISION OF FEDERAL ELECTION LAWS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

This bill is identical in every respect to S. 2426, which was passed by the Senate on September 15, 1961. Unfortunately, S. 2426 was not acted upon by the House of Representatives in time for passage during the 87th Congress.

The bill provides for the enactment of a great many desirable and necessary improvements in the existing law. No significant changes have been made in the Corrupt Practices Act or the Hatch Political Activities Act since 1925 and 1939, respectively. Continuing studies and hearings conducted by the administration and the Congress and various citizens' groups throughout the country demonstrate clearly the deficiencies and the obsolescence of the existing law. It is obvious to everyone that the cost of conducting political campaigns has risen astronomically since 1925 and it is equally obvious that the methods of campaigning have changed completely in the past 30 years.

The advent of television and the broad use of other communications media have not only brought great innovations to the field of political campaigning, along with an awareness of the vastly increased costs, but also those communications have brought about a greater consciousness of the need for public disclosure of the raising and distribution of political funds.

While the existing law requires political committees and candidates to file reports of receipts and expenditures with the Clerk of the House of Representatives and the Secretary of the Senate, there is no provision for making such information available throughout the country. Interested citizens, therefore, have difficulty in determining the sources of campaign finances and the manner in which those funds are expended.

This bill would require copies of financial reports to be filed with the secretary of state of the State where the candidate lives or where the principal office of the political committee is located. Thus, in any given State, the citizens thereof would have ready access to information on political funds and, at their own expense, could obtain copies of reports on file with the secretary.

In recognition of present-day costs of campaigning, his bill would permit a candidate for the office of U.S. Senator to spend, in his campaign for election, the sum of $50,000 or an amount to be ascertained by multiplying 20 cents by the first million votes cast or persons registered to vote in the last general election, plus 10 cents times the excess of all such votes cast or of such persons registered. For example, in a State of small population, like Alaska, a candidate for the Senate could spend $50,000 whereas in a heavily populated State, such as Illinois, on the basis of the 1960 returns, a candidate for the Senate could spend approximately $563,000.

On the other hand, candidates for the House of Representatives, including a Resident Commissioner, could spend under the provisions of this bill, $12,500 or a larger amount, under this formula, if the population of his representative district is large.

Also, while the existing law limits candidates for the Senate and House of Representatives, by subjecting them to the ceilings imposed on expenditures by State law, this bill would supersede State law where State limitations conflicted with its provisions.

It has been recognized by all political parties that the existing limitation on national committees of $3 million of contributions or expenditures is totally inadequate to meet the needs of present-day campaigning, particularly in presidential election years. This limitation has caused the organization of numerous national committees, in order to raise and spend lawfully the necessary campaign funds, to bring to the people in all 50 States, the issues and programs of the candidates and the parties. This bill, therefore, would permit national committees to receive contributions or make expenditures up to an amount ascertained by multiplying 20 cents by the highest number of voters casting votes for all candidates for the office of presidential elector in any one of the last three elections for that office. On the basis of the vote cast for all candidates for presidential elector in 1960, each national committee would be permitted to raise and expend almost $14 million.

The flexible formula thus established governing national committees would permit greater amounts to be raised and spent in accordance with the growth of the population and would obviate the necessity of establishing many ancillary fundraising committees.

The bill would impose more specific duties on the candidates and the treasurers of political committees, requiring them to file detailed reports of receipts and expenditures, including transfers of money to or from other political committees. The number of reports required of a political committee, while more detailed in content, would be fewer. Existing law requires six reports during an election year from political committees, whereas the bill would require only four reports during an election year.

This bill would impose duties on the Clerk of the House, the Secretary of the Senate and the secretaries of the various States to receive and preserve financial reports and statements for a period of 6 years. They would be required also to make such reports available for public inspection within 24 hours of their receipt during regular office hours and to permit copying of any report at the expense of the person requesting the copy.

Hearings before the Subcommittee on Privileges and Elections have always emphasized the need for a modernization of Federal election laws in consideration of the latest methods of campaigning and the costs of such campaigns, but on an equal level of importance, stress has been placed on the need for full disclosure on all levels of campaign financing. This bill recognizes the need for higher ceilings on contributions and expenditures and at the same time imposes a definite obligation upon candidates and political committees to disclose the sources of their campaign finances and the manner in which the funds are spent. The provision calling for copies of reports to be filed with the secretary of the State will enable citizens of the United States in every corner of the Nation to be fully apprised of the political funds of candidates and political committees seeking Federal office or attempting to influence Federal elections in a given State.

The provisions of this bill were, as I stated previously, incorporated in identical language in S. 2426, passed by the Senate last year, after having received the unanimous approval of the Subcommittee on Privileges and Elections and its parent Committee on Rules and Administration. The action of those committees and the action taken by the Senate itself, indicates a realization by the Members of the Senate that this is a good measure and one which is necessary in order to govern fairly and justly the orderly procedures of congressional campaigns in the United States.

I am hopeful that the bill will be given early consideration in committee and then by the Senate and the House of Representatives. I ask unanimous consent for the bill to lie held at the desk for 3 days for additional sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nevada.

The bill (S. 329) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Rules and Administration.

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## CONTINUANCE OF APPROVAL AUTHORITY OF STATE APPROVING AGENCIES

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies. In brief, the legislation would continue the existing system of approvals by State approving agencies for the war orphans' program beyond the end of the Korean program on January 31, 1965, and for so long as war orphans' educational assistance continues.

State approval agencies currently have the responsibility for the approval of courses of education and training under the war orphans' educational program. This responsibility arises by reason of section 1735(b) of title 38, providing that courses of education approved under the Korean GI bill shall be considered approved for the purpose of war orphans' educational assistance. Section 1735(c) of title 38 provides that, after the termination of the Korean GI bill, the Administrator of Veterans' Affairs shall be responsible for the approval of any courses for the purpose of the war orphans' program.

To preclude this reversion of approval authority to the Administrator, the bill authorizes the State approval agencies to continue the approval of courses under the war orphans' program beyond the end of the Korean GI program, and for so long as war orphans' educational assistance continues.

This proposed legislation was favored by the Veterans' Administration during the 87th Congress and was favorably reported by the Senate Committee on Labor and Public Welfare. I hope the bill can be reported to the full Senate at an early date for its consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 330) to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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## EXTENSION FOR 5 YEARS THE PROGRAM OF HOSPITAL AND MEDICAL CARE FOR SERVICE-CONNECTED DISABLED VETERANS OF THE PHILIPPINES

Mr. YARBOROUGH. Mr. President, on behalf of myself and Senators HILL, MORSE, BURDICK, WILLIAMS of New Jersey, and PELL, I introduce, for appropriate reference, a bill to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of service-connected disabled veterans in the Republic of the Philippines.

This bill is identical to a measure which I and a number of other Senators introduced during the 2d session of the 87th Congress, and which was favorably reported by the Senate Committee on Labor and Public Welfare. The bill had strong support among the national veterans organizations and by the Veterans' Administration during the last Congress. I am sure they will continue to support this proposed legislation during its consideration in this Congress.

This bill would extend for 5 years the program originally established in 1948, and which will terminate on June 30, 1963, unless extension legislation is enacted.

The program was originally established for the purpose of assisting the Republic of the Philippines in its postwar recovery and of fulfilling our obligations to members of the Philippine Commonwealth Army and guerrilla forces who served with our Armed Forces during World War II.

Two basic forms of assistance would be extended by the bill:

First, the grant-in-aid program, which reimburses the Republic of the Philippines for its expenditures regarding hospital care for service-connected disabled veterans; and

Second, the program of outpatient care for such veterans, which is managed directly by the Veterans' Administration.

Although existing law authorized program expenditures up to $2 million in any fiscal year, this bill fixes a ceiling of $500,000 for each fiscal year during the extended 5-year period. This ceiling is being lowered, because the number of veterans has decreased over the years and there has been a gradual lessening of cost to the U.S. Government in connection with the hospitalization program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 331) to amend section 632 of title 38, United States Code, to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of certain veterans in the Republic of the Philippines, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## AMENDMENT OF COLORADO RIVER STORAGE PROJECT ACT WITH RESPECT TO PROTECTION OF NATIONAL PARKS AND MONUMENTS

Mr. MOSS. Mr. President, in 1956, when the Congress passed the Upper Colorado River Storage Act, a provision was written in at the last moment requiring the Secretary of the Interior to construct two small dams to "protect"—and I use the word "protect" in quotes—the great Rainbow Natural Bridge in Utah from the encroaching waters of the lake to be formed by the Glen Canyon storage dam on the Colorado River.

I am today introducing a bill to remove from the act the requirement placed on the Secretary of the Interior to construct these dams. My bill deletes from the statutes all language relating to this matter.

I first took the position that the dams were not necessary shortly after I came to the U.S. Senate in 1959. I have held consistently to this position, appearing before both the House and the Senate Appropriations Committees each session to request that no funds be appropriated to construct the dams. For 3 successive years now the Interior appropriations bills have been reported from committee and passed without such funds. I am confident that the vast majority of the Members of the Congress, and certainly of the appropriations committees where the story is fully known, are wholly convinced that to spend the $25 million required to build the two dams, or even the millions required to build any of the suggested alternative dams, would be to waste the money completely.

No dam—no barrier—is necessary to "protect" the arch of the Rainbow Bridge in the national monument of that name from the backed-up waters of Lake Powell. On-the-ground inspections by the U.S. Geological Survey and by others, including the Secretary of the Interior himself, have established that the water, at its highest point, would be well below the columns of the arch, and would not endanger them. In the long controversy about the dams, this fact has not been disputed. There has never been any question of danger to the great arch from the water.

On the other hand, there is no doubt that any protective dam, or combination of protective dams, no matter how carefully built, would scar the primitive beauty of the bridge and its setting. Certainly, the disruption to the glorious spectacle would be greater from a dam than from a stream backing up under the arch, following the natural contours of the land.

And, certainly, it has never been disputed that a stream of water into this dry and arid land, aside from being very desirable in itself, would make the area more accessible. At the present time, Rainbow Bridge can be seen only after a long overland hike, but were there water under it, and boats could sail close to it, this unique and colorful arch could be seen by thousands who probably would not otherwise have this thrill.

As far as Congress is concerned, I feel that the issue of the protective dams at Rainbow Bridge has been settled. The refusal of the Congress to appropriate money for a dam, or dams, in three successive sessions, indicates that opinions have jelled, and that the money is not going to be appropriated.

Also, time has run out when the dams could be constructed. Glen Canyon Dam is to be closed sometime this month, and Lake Powell will start filling with the spring rains. Depending on the amount of rainfall, the flows could back up into the vicinity of the arch anytime within the next year. There is no money in the fiscal year 1963 appropriations, and fiscal 1964 would be too late.

But there still remains in the Upper Colorado River Storage Act the language requiring the Secretary of the Interior to build the protective dams. This he obviously cannot do if the Congress fails to appropriate any money for the dams. Since the Congress has made its wishes in the matter abundantly clear, the provision requiring the Secretary to build the dams should be removed from the law. This is what the bill I am introducing today would do, and I hope it will be enacted this session.

In this time of crisis—in these days when the cost of our defense and security is mounting to such astronomical heights—there can be no excuse for wasting $25 million; nor any excuse to damage the scenic area of Rainbow Bridge National Monument.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 333) to amend the Colorado River Storage Project Act with respect to the protection of national parks and monuments under the provisions of such act, introduced by Mr. MOSS, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## CONVEYANCE OF CERTAIN LANDS TO CITY OF HENDERSON, NEV.

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to authorize the conveyance of certain public lands to the city of Henderson, Nev. One of the difficulties facing the cities in my State is that they are generally surrounded by public domain and, therefore, cannot follow the ordinary procedure for growth, that is, annexation.

Henderson is located in southern Nevada which is the most rapidly growing portion of the State; and the State, incidentally, is growing at a more rapid pace on a per capita basis than any other. It is imperative, therefore, that the city be given opportunity to expand in order that adequate planning can be devised.

Mr. President, my colleague, the senior Senator from Nevada [Mr. BIBLE] joins me in introducing this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 346) to provide for the conveyance of certain lands to the city of Henderson, Nev., introduced by Mr. CANNON (for himself and Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CANNON. Mr. President, on behalf of myself, the junior Senator from New York [Mr. KEATING], and the senior Senator from West Virginia [Mr. RANDOLPH], I submit, for appropriate reference, a resolution to amend the Standing Rules of the Senate to create a standing Senate Committee on Veterans' Affairs and I ask that it be appropriately referred.

Mr. President, numerous efforts have been made to create a standing Veterans Committee in the Senate ever since the Reorganization Act of 1946. While such a standing committee was deleted from the 1946 legislation as a measure of compromise made during the Senate debate, the original recommendation of the Reorganization Act provided for a standing Committee on Veterans' Affairs.

The junior Senator from New York [Mr. KEATING] and the junior Senator from Nevada held hearings on this important matter during the month of June 1959, and unanimously recommended the creation of a standing committee. The recommendation was not passed by the full committee.

The major veterans' organizations have lent their support to the creation of this committee. This resolution is identical to Senate Resolution 134 which I submitted during the 87th Congress. On that resolution 32 Senators joined me as cosponsors. Therefore, Mr. President, with that in mind I ask unanimous consent that this resolution lie on the desk for 3 days in order that Senators who wish may add their names as cosponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Nevada.

The resolution (S. Res. 48) was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) Striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) Striking out subparagraphs 16 through 19 in paragraph (1) of section (1); and

(3) Inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

Sec. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs."

Sec. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

Sec. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the 88th Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. KEATING. Mr. President, I am proud and happy to join the Senator from Nevada in cosponsoring this resolution to establish a Senate Committee on Veterans' Affairs. In the early days of the 86th Congress, Senator Cannon and I were cochairmen of the subcommittee of the Rules Committee to investigate the situation to determine whether there was a genuine need for such a committee.

Now, as my colleagues realize, veterans' legislation in the Senate is divided between the Committee on Labor and Public Welfare and the Committee on Finance. It is not intended as criticism of either committee to say that this arbitrary division of legislation is inefficient and unreasonable. Our study reveals four distinct arguments in favor of the establishment of such a committee.

First, nearly half of the Members of the Senate have recognized the need for a veterans' committee by cosponsoring resolutions for this purpose.

Second, Mr. President, provision was specifically made for a veterans' committee in the 1946 congressional reorganization. Although generally cutting down the number of congressional committees, the act recognized the real need for a group with clear jurisdiction and competence in this area.

Third, it is sometimes said that the Finance Committee should retain jurisdiction because the authorization of veterans' benefits may create revenue problems. If this argument were followed to its logical conclusion we could abolish virtually every committee and let the Finance Committee handle everything.

Fourth, there are approximately 22 million veterans in the United States today. Their problems and the laws dealing with them are complex and specialized. A single committee in this area would be in the best position to develop staff and resources to judge veterans' needs fully and fairly.

Mr. President, those who are now veterans did not hesitate when they were called to serve their country in its time of need. They honored their commitment to the defense of our Nation. Surely, in simple justice to their needs and to a more efficient handling of veterans' problems, the creation of a Senate Veterans' Committee would be a step forward. I strongly support this resolution and urge the Rules Committee to act favorably upon the recommendations made by Senator Cannon and myself in 1959, as incorporated in this resolution.

Mr. CANNON. I thank the distinguished Senator for his remarks.

## WATER RESEARCH AND NATIONAL WILDERNESS—ADDITIONAL COSPONSOR OF BILLS

Mr. ANDERSON. Mr. President, on January 14 I introduced S. 2, a bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research, and S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people.

I request unanimous consent that at the next printing of these bills the name of the junior Senator from New Hampshire [Mr. McIntyre] be listed as an additional cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

## YOUTH EMPLOYMENT ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators Jackson, Anderson, and Hartke were added as additional cosponsors of the bill (S. 1) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs, introduced by Mr. Humphrey (for himself and other Senators) on January 14, 1963.

## AMENDMENT OF HOUSING ACT OF 1961, TO FACILITATE CONSERVATION OF LAND FOR OPEN SPACE—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators Case, Young of Ohio, Hart, Cooper, Long of Missouri, McCarthy, and Humphrey were added as additional cosponsors of the bill (S. 7) to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes, introduced by Mr. Williams of New Jersey (for himself and other Senators) on January 14, 1963.

## THE ELEANOR ROOSEVELT FOUNDATION—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators Bayh, Symington, and Yarborough were added as additional cosponsors of the bill (S. 171) to incorporate the Eleanor Roosevelt Foundation, introduced by Mr. Humphrey (for himself and other Senators) on January 14, 1963.

## COMMISSION ON CONGRESSIONAL REORGANIZATION — ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 14, 1963, the name of Mr. Keating was added as an additional cosponsor of the bill (S. 177) to establish a Commission on Congressional Reorganization, and for other purposes, introduced by Mr. Case (for himself and Mr. Clark) on January 14, 1963.

## COMMISSION ON OBSCENE MATERIALS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators Holland, Keating, Simpson, Thurmond, and Tower were added as additional cosponsors of the bill (S. 180) creating a Commission to be known as the Commission on Noxious and Obscene Matters and Materials, introduced by Mr. Mundt (for himself and other Senators) on January 14, 1963.

## ESTABLISHMENT OF JOINT COMMITTEE ON ORGANIZATION OF CONGRESS — ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Under authority of the order of the Senate of January 14, 1963, the name of Mr. Bayh was added as an additional cosponsor of the concurrent resolution (S. Con. Res. 1) establishing a Joint Committee on the Organization of the Congress, submitted by Mr. Clark (for himself and other Senators) on January 14, 1963.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Excerpts from an address by Hon. Guido Colonna, Acting Secretary General of NATO, at Paris meeting of NATO Parliamentarians;

**article from Elkins Inter-Mountain, Elkins, W. Va., Monday, December 17, 1962, reporting comments by Senator Randolph regarding NATO responsibilities of member nations.**

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## THE DOCKWORKERS' STRIKE

**Mr. LAUSCHE.** Mr. President, the President of the United States stated on January 16 that the dock strike on the east coast and the gulf coast is "doing intolerable injury to the national welfare" and is "disrupting vital free-world commerce." The impact of this strike has already been felt by businessmen and workers in Ohio, as evidenced by communications which I am receiving both by telegram and by mail.

In spite of the President's statement concerning the "intolerable injury to the national welfare," neither he nor any existing public agency is able to do anything about it. Thus, we have a situation in which the Longshoremen's Union, through its network of operations and reciprocal services rendered by other unions, has paralyzed the shipping facilities sailing on the high seas along the east and gulf coasts of the United States. International commerce is at a standstill. The Government is unable to do anything about it.

Can we tolerate power of that type, possessed by a union, resulting in damage to the economy of the country and creating "intolerable injury to the national welfare"?

It is hard to believe, yet it is true, that the small segment of our economy represented by the Longshoremen's Union is able to exercise a power greater than that vested in the President of the United States or now capable of being exercised by the people. Yet it is true; the Longshoremen's Union is a government within the Government. It has made the decision that no ships shall sail upon the high seas; yet nothing can be done about it.

So we have an empire within an empire. This union, engaged in work connected with transportation, is the empire within our society; and, whether we like it or not, under present law we must concede that it is all powerful.

The power to substantially and, if so determined, to completely destroy the transportation facilities of our country should not be permitted to exist in the hands of anyone. Excessive power makes tyrants out of persons possessed initially of the most compassionate attitudes; by power bad men are made worse; by power, good men frequently become bad. When allowed to be exercised without restraint, power is taken away from the people as a whole, and is vested in a few. I quote the words of Lord Acton:

> All power corrupts, and absolute power corrupts absolutely.

In this work stoppage by concerted action, the unions have set up a wall against the importation and exportation of any goods affecting our welfare and the economy. It has done so through a monopolistic control of the docks on the east and the gulf coasts, achieved through the working arrangements of the different unions and through monopolistic control impeding the free flow of trade.

Under the laws, the business managements of our country are comprehensively regulated. These laws are intended to prevent all monopolistic practices and restraints of trade. Operators of businesses have, under the laws prohibiting monopolies, been prosecuted and sent to jail; yet, unions connected with transportation are suffered to tie up the country by monopolistic practices and restraints of trade which the antitrust laws prohibit to business.

If there came before the Senate a bill proposing to give to the President of the United States the powers now possessed by persons in charge of the transportation labor unions, I would vigorously oppose it on the floor of the Senate, both by way of argument and by way of vote. If, by some extraordinary circumstance a similar power were sought to be placed in me, either as a citizen or a Senator, I would vigorously reject it as being inimical to the interest of my country.

The President has declared of utmost importance the passage by the present Congress of bills dealing with tax reduction; the establishment of a domestic Peace Corps; the creation of a Youth Conservation Force; the financing by the Federal Government of lawyers to represent indigent prisoners in the Federal courts; the gift of Federal moneys to local governments owning mass transportation systems, to enable them to buy buses and other facilities needed for improved transportation; the supply of hospital services for the aged under the social-security system; and a number of other Federally financed services. Each of these proposals of the President is worthy of careful and extensive consideration.

Of equal, and probably of greater, importance is the obligation, not only of the citizenry but also of the Members of the Congress of the United States, to bring to an end the inordinate and unjustified monopolistic strangle hold possessed by the leaders of the transportation unions over the economic life of our country.

It is my hope that the present administration will support the McClellan proposal, on the grounds that it will place corresponding obligations and will grant corresponding rights to business management and labor unions, alike.

I favor the placing of the unions dealing with international, national and domestic transportation within the provisions of the antitrust laws of the United States. I do so on the basis of my belief that justice and equality of treatment require that those who own the transportation systems and those who are in charge of the labor unions connected with those systems must be vested with similar responsibilities and rights, under law.

**The VICE PRESIDENT.** Under the 3-minute limitation, the time available to the Senator from Ohio has expired.

**Mr. RUSSELL.** Mr. President, I ask unanimous consent that the Senator from Ohio may be permitted to proceed for 2 additional minutes.

**The VICE PRESIDENT.** Is there objection to the request of the Senator from Georgia? The Chair hears none; and the Senator from Ohio is recognized for 2 additional minutes.

**Mr. LAUSCHE.** Mr. President, despite these weighty considerations to which I have referred, I might have hesitated to support the proposal of the Senator from Arkansas [Mr. McClellan], S. 287, if I had felt that it was, even to the slightest degree, unnecessarily crippling to organized labor, and, hence, unfair and inequitable. But even a casual examination of the bill clearly demonstrates this not to be so.

This measure would neither destroy, nor even diminish, the right or the ability of an individual labor union to engage in a strike, a picket line, a primary boycott, or any of the other activities which are necessary if labor unions are to bargain collectively with any effectiveness and with any equality of strength as they confront the employers. It is only when two or more labor unions combine, and, acting in concert, engage in these activities for the purpose, and with the effect of, substantially restraining interstate or foreign commerce in the transportation of persons or property, that the prohibitions of this measure would come into play. The essence of the proscribed offense lies in the combination, the concerted action. In the absence of that factor, this bill would do nothing to outlaw any union conduct of any kind.

**Mr. ROBERTSON.** Mr. President, will the Senator from Ohio yield?

**Mr. LAUSCHE.** I yield.

**Mr. ROBERTSON.** I wish to say that I wholeheartedly endorse the sentiments which have been expressed by the distinguished Senator from Ohio.

He was not a Member of the Senate at the time, but perhaps he will recall that in 1950 I introduced a bill comparable to the antitrust bill which has been introduced by the Senator from Arkansas [Mr. McClellan], of which I am a cosponsor. Does the Senator from Ohio recall that I introduced that bill?

**Mr. LAUSCHE.** I recall that last year there was some discussion of it.

**Mr. ROBERTSON.** Is not the present national tieup a threat to our national welfare, and perhaps to our national security?

**Mr. LAUSCHE.** It certainly is. In my judgment, Mr. President, there should never be granted the power to make it possible for any individual or any organization to paralyze completely the economy of the country, if anyone so desired.

That means that the longshoremen's labor union is more powerful than the people of the United States. It is more powerful than the President of the United States in dealing with this subject and that should not be.

**Mr. ROBERTSON.** Mr. President, I invite the attention of my friend to the fact that in my own home county of Rockbridge, Va., there is only one large industry, which is a carpet plant. It employes 2,200 workers. Those workers are about to be thrown out of work because they cannot get wool for the carpets. Can the Congress now do anything about it? Can the President now do anything about it to keep those people from losing their jobs?

Mr. LAUSCHE. It is my understanding that yesterday one of the international airlines was called on the telephone by one of the nations in the Caribbean. The airline was begged to make available an airlift for important necessities of life. Yet we cannot do anything about the problem.

The VICE PRESIDENT. The time of the Senator has expired.

## ORDER FOR RECESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, and after consultation with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], I announce that it is the intention of the leadership to recess this afternoon not later than 4:30. I ask unanimous consent, therefore, that when the Senate recesses today, it stand in recess until 12 o'clock noon on Monday.

The VICE PRESIDENT. Without objection, it is so ordered.

## I AM THE AMERICAN SMALL TOWN

Mr. CARLSON. Mr. President, the 20th century has brought about many changes in our economy and shifts in our population. Everyone must agree that the rural population is shifting rapidly to the urban centers. This shift in population is also having its effect on the small towns of America.

Rolla Clymer, owner of the El Dorado Times and one of Kansas' outstanding editorial writers, recently wrote an editorial entitled "I Am the American Small Town." In this beautifully written, descriptive editorial, Mr. Clymer stresses the important part that the small town has played in this Nation. His concluding sentence reads:

> I am the American small town—the final freehold of American liberties, and the sleepless guardian of America's unrivaled and surpassingly precious way of life.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

I am a compact cluster of people and their modest homes, set down along the banks of some placid stream, in some secluded vale, or perhaps in the sheltering shadows of high hills.

I make no pretense of earthly greatness. No roaring facilities of mankind intrude upon my premises; no glittering spires or minarets or towers dominate my lowly skyline.

Yet I represent a happiness and a repose such as is rarely found in these latter days of turmoil and striving.

Sturdy hands formed my outlines in the long long ago when the world was young—and when an empire was being wrested from the virgin wilderness. I am the product of the truehearted—Those faithful, valiant ones, who came and stayed, who planted their banners on the rolling prairies, and established a secure homeland for their kind.

I am profoundly grateful that the blood of those gallant pioneers runs in my veins; that the lessons they taught me of frugality, of the blessings of honest toil, and the wisdom of fair dealing have not departed from me.

I rejoice that those who dwell within my narrow boundaries find serenity in nature's loveliness about them, contentment in simple pleasures, and strength in close neighborly ties.

For my part, I endeavor to bestow upon them a perspective of peace—far removed from the clangor of worldly marts and the bedlam of industrial furnaces. Here, in the midst of tranquility, I offer them the opportunity to work and play at moderate pace, and to find sufficient room in which their souls may grow.

Wayfarers will not behold my name emblazoned in dazzling lights—yet there are those scattered in far places who remember me tenderly—sometimes with tear or sigh. The mapmakers mark me with a single dot upon their charts—but to some who wander in the desolation of human jungles, I bear the magic and mystic symbol of home.

I number my children only by the score, and those who sojourn in the canyons of massed centers hold me in slight esteem. I bear no grudge, for I am favored with such bounties as the good earth, the radiant sky, the free and vagrant winds, and the wideness of God's out of doors. Each day as it passes brings me new vigor—new joy in plain and wholesome living.

I occupy only a tiny spot in the firmament, yet my being must be marked for usefulness in the "master plan," else there would not be so many of me.

I am the haven of the freeborn, the habitation of those who cherish their independence. I have learned to dwell in harmony with my neighbor. From me flows a force which exerts a mellowing influence upon the lustiness of our Nation, and contributes the savor of tolerance and restraint to the distilled essence of its character.

I am the American small town—the final freehold of American liberties, and the sleepless guardian of America's unrivaled and surpassingly precious way of life.

## PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. MILLER. Mr. President, in the Tuesday, January 15, issue of the Milwaukee Sentinel there appeared an excellent editorial entitled "U.S. Paradox" commenting on the President's state of the Union message. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### U.S. PARADOX

It is a paradox to have the state of the Union good and, at the same time, to need major changes in Federal taxes. Logically, if the Union were in good shape there would not be much wrong with Federal taxes or, conversely, if Federal income taxes are so great a drag on the economy the state of the Union could not be called good.

But logic and politics don't mix. It is pointless to fault President Kennedy's state of the Union message because he says, in effect, that things are good and need correcting. The explanation for how this can be is to be found in the response given by the man who was asked how his wife was: "Compared to what?" The state of the Union is good, compared to what it was in times of war or economic recession. At the same time, Federal income tax rates are undeniably in need of correction.

President Kennedy spoke of much more than the tax problem in his message—of the trends in world affairs favoring the free, of the needs in the fields of education, health, and civil rights, of the need to strengthen America spiritually as well as materially. Nevertheless, his remarks on taxes dominated it all. As Mr. Kennedy said, "one step above all is essential—the enactment this year of a substantial reduction and revision in Federal income taxes."

Of course, things are never so good that they can't get better; it is always possible for things to get worse, and things can be good only relatively speaking. Chronic unemployment persists. The cost-price squeeze keeps getting tighter. Balance of payments remains a problem. The economic growth rate is too close to being stagnant.

The culprit in all this is clearly an oppressive income tax rate. Small wonder, then, that interest in the President's message should center on his tax remarks. Even so, these remarks are only preliminary. Now what Congress—and the Nation—will be anxiously waiting to see is Mr. Kennedy's tax and spending programs spelled out.

The President informed Congress that he will propose a permanent reduction in tax rates in an early message. He sketched the features in his message Monday—a $13.5 billion tax cut over 3 years, starting with a $6 billion reduction this year.

Interest will be just as keen in the President's budget message, scheduled to be delivered to Congress Thursday. Members of Congress in command of tax legislation—fellow Democrats, incidentally—are leery of tax cuts that are not accompanied by spending cuts.

Well aware of this attitude, President Kennedy held out a promise of a budget "which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level."

"This requires," he said, "the reduction or postponement of many desirable programs—the absorption of a large part of last year's Federal pay raise through personnel and other economies—the termination of certain installations and projects—and the substitution in several programs of private for public credit."

Fate of the tax cut proposal will be determined largely by how well President Kennedy keeps his promise to budget domestic expenditures below this year's level and to postpone so-called desirable programs.

## END OF PIPELINE SALES TO SOVIET UNION

Mr. KEATING. Mr. President, on a number of occasions I have spoken on the Senate floor in relation to the problem of the Soviet flood of oil into Western Europe and into the free world. Recently the Senate Internal Security Subcommittee conducted hearings on the threat to our national security posed by the so-called Soviet oil offensive. The Russians have embarked upon a program of expanding their oil trade by selling outside the Communist bloc, at a price well below the world market figure.

In other words, they charge the free world about half what they charge their own satellites—Poland, Hungary, and so forth—for oil. The tactic obviously is politically motivated in that it forces the smaller underdeveloped countries to become dependent on the Soviet as a source of the oil because they sell also to the underdeveloped countries at lower prices than they sell to the free world, and then they recoup their profits from their Communist satellites.

The expansion of the Russian oil industry would be impossible without the cooperation of many of our Western allies, who supply technological information, tankers and pipeline in return for oil.

Because the testimony given at the subcommittee hearings presented such a shocking picture, I was both surprised and extremely pleased to note this week that both the German and the Japanese Governments have announced an embargo on oil pipeline shipments to the Soviet Union. Moscow Radio announced that this reversal of policy on the part of two of our allies was due to the influence of the United States and NATO, and, in the case of the Japanese decision, Ambassador Reischauer was singled out for specific mention as "the man who played a vital role in inducing the Japanese Government to make the decision."

I would like to take this opportunity to commend those American and NATO officials who were instrumental in achieving this curtailment, and to assure the German and Japanese Governments that they have taken a wise course, one that will significantly contribute to the long-term economic strength and security of the free world.

## THE GREATER ROLE OF ELECTRONICS IN THE FIELD OF MEDICAL RESEARCH

**Mr. KEATING.** Mr. President, I have been impressed by the greater and greater role electronics is playing in the field of medical research. Although we have a long way to go to establish an efficient and comprehensible liaison between these two areas, we are making steady progress toward lessening the gap. In the near future, electronic devices and computers will become basic and most important instruments as our arsenal of medical knowledge increases and expands.

Just to point out the progress that has been made, today we have a radio pill, developed by the Rockefeller Institute, the New York Veterans' Administration Hospital, and the Radio Corp. of America, which as it passes through the body transmits the condition of the internal organs. And an electronic device called the pacemaker is in the process of being perfected to stimulate and regulate the pumping action of the heart. In the future, the time can be foreseen when patients subject to unexpected attack—such as cardiac, diabetic, and epileptic—can carry a sensing transmitter which in the case of impending attack will not only alert the patient himself but will also transmit a message to a central control board along with the code number of the wearer so that medical aid can be sent.

Mr. President, we have barely begun to tap the total potential of electronics in the area of medical research. The vast horizon of knowledge and discoveries that await us are clearly pointed out by Mr. David Sarnoff, chairman of the board of the Radio Corp. of America on the occasion of the Albert Lasker Medical Research Awards luncheon. His excellent address is a revelation of medical progress and a well-deserved tribute to the Lasker awards program.

Mr. President, I ask unanimous consent that following my remarks, the text of Mr. Sarnoff's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### MEDICAL RESEARCH AND ELECTRONICS

(Address by David Sarnoff, chairman of the board, Radio Corp. of America, Albert Lasker Medical Research Awards luncheon, Sheraton-East Hotel, New York City, November 14, 1962)

This luncheon which honors two distinguished explorers of the medical frontier is, in a true sense, a tribute to a vision. It is a vision symbolized by these miniature replicas of the Winged Victory of Samothrace—a vision that man need not be the yielding victim of disease and pestilence, disability and untimely death; and that knowledge, properly disseminated and deployed, can conquer the seemingly unconquerable.

Many have shared such an ideal, but few have ever possessed the dedication of Albert and Mary Lasker in carrying it forward.

It was my privilege to have known Albert Lasker intimately for 35 years. To all of us who were his friends, his last 12 years seemed to have been his happiest and most completely filled. For, during these years, he found in Mary Lasker not only a wife and companion but a partner and guide in bringing new purpose to his life and a new outlet for his vast capacity to serve the public welfare.

Together they fought the good fight against apathy and indifference, ignorance, and fear. They won victory upon victory—for the concept of government research support of medicine, for more vigorous foundation effort, for a greater public awareness of health needs and opportunities. Their influence extended far beyond their enormous personal dedication, and it continues to expand. Death never dissolved their partnership, for the good fight goes on under Mary Lasker, and we are witness to that fact today.

In 16 years, the Albert Lasker Awards have come to be recognized as America's Nobel Prize for basic and clinical pioneering in the field of health. In many instances these awards have anticipated the judgment of the Nobel committee, for no fewer than 15 Lasker award recipients have subsequently become Nobel laureates. Dr. Watson, of the United States, and Drs. Wilkins and Crick, of Great Britain, who received the Nobel award for medicine and physiology last month, were winners in 1960 of Albert Lasker awards.

Though I speak as a layman, I am sufficiently familiar with the meaning of their work to suggest that the awards being given today to Dr. C. H. Li and Dr. Joseph Smadel also are far from the last they will receive from their fellows.

I have often defined research as the distance we must travel between the problem and the answer. The Lasker awards for basic medical and clinical research are both a measure of the great distance we already have traveled and the greater distance there is still to go.

The deeper we probe the human structure the more clearly we realize that here is a cosmos as hidden and challenging as anything in the universe. Man himself is a scientific frontier—perhaps the greatest—and he is worth at least an equal expenditure of those talents and skills that we contribute to other scientific endeavors.

Indeed, there is much in common between the physical sciences and the science of man. It is through our explorations of the natural universe that we are given the opportunity better to understand the workings of man himself. We see affinities, parallels, and common origins. The atom and the molecule yield to similar approaches. Principles, techniques and instruments developed to penetrate the physical cosmos in many instances offer comparable opportunities for the cosmos of man.

My own field, electronics, offers striking examples of the support the physical sciences can bring to the study of human life and health. Indeed, without such support it would have been impossible for medical research to advance to its present level of progress and promise. The laboratories of Dr. Li and Dr. Smadel, I am certain, have complexes of electronic equipment which have become basic to their studies.

The maximum in present-day analysis of the invisible, for example, is the electron microscope and now the ultraviolet color television microscope. It was the electron microscope that first enabled biologists and medical researchers to view viruses and to study their structure.

I am told, incidentally, that Dr. Smadel was among the earliest visitors to the RCA research facilities in Camden when we were developing the electron microscope in this country some 20 years ago.

Another advanced method of electronically detecting the invisible, which is pertinent today, is the X-ray diffraction technique used by Dr. Wilkins, the Lasker and Nobel laureate, to determine the structure of the DNA molecule—the substance of heredity.

In other areas of medical research there are electronic instruments for instantaneous blood count, the measurement of blood viscosity, the detection of diseased body cells. Ultrasound is being used to explore the softer tissues of the human structure, supplementing and in some cases going far beyond the capabilities of the X-ray. We are just beginning to investigate the potentialities of highly concentrated and controlled light in the form of laser beams.

These examples of the bridge that exists between electronics and medical research can be broadened to include electronics instruments which have been developed for diagnosis and therapy, and the extension of electronics as a tool for medical education. But the important point is that we have scarcely begun to exploit the total potential of electronics to detect, amplify, measure, analyze, correlate, communicate, control, and prognose the manifestations of the human organism.

One major reason for this is that a serious gap exists between the science of electronics and medical research. It exists, in the first instance, because of differences in the language of the two specializations. More profoundly, it exists because neither field sufficiently comprehends what the other needs or has to offer.

We see everywhere today examples of the promise held out in a closer union of electronics and medical research. We in electronics are building devices which possess a compactness, sensitivity, speed, and reliability unimagined only a few years ago, and which have broad possible application for medical use. We can operate instruments outside and within the body by radio pulse. Through electronics we can stimulate some physiological actions and substitute for others.

A further advance is the radio pill, developed jointly by the Rockefeller Institute, the New York Veterans' Administration Hospital, and RCA. It is a completely miniaturized broadcasting station, about 1 inch in length and two-fifths of an inch in diameter, made to be swallowed and then to transmit signals on the condition of the internal organs through which it passes.

Several hundred cardiac cases are alive and active today because their heartbeat is maintained by electronic devices—pacemakers—implanted in the body. Smaller than the hand, weighing less than 10 ounces and capable of operating indefinitely, they deliver a one-thousandth-of-a-second pulse to the heart muscle every second to stimulate and regulate the pumping action.

We can foresee the day when devices like these will operate other human organs—the lungs, for example, or kidneys—whose functions have become impaired. It is within probability that there will be complete electronic substitutes for wornout or otherwise useless human organs. Missing legs, arms or hands also may find effective replacement through electronically controlled prosthetic devices operated by the body muscles.

We have read of the tiny sensing instruments attached to the bodies of astronauts which telemeter continuous reports on body temperature, respiration, heartbeat, blood pressure and the like. They can detect subtle changes in physical condition, amplify and transmit them for analysis by specialists on earth. These changes may happen well before the astronaut himself is aware of them, and in time for physicians on the ground to advise corrective action.

Today we are investigating the possibility of electronically controlled drug-containing devices which also can be attached to some portion of the spaceman's body. Upon signal from earth, or perhaps action by the astronaut upon instruction, these automatically will inject the drug into the body.

Thus we have means for remote radio monitoring of bodily conditions and conceivably remote control of emergency treatment. In fact, the Air Force may soon test an instrument, about the size of a cigarette pack, to be worn by ambulatory cardiac patients.

As they stroll through the hospital, it will broadcast continuously to a central nursing station. Should the patient be on the verge of a significant change in heart condition, the receiver will not only give warning but also indicate the location of the patient at the moment.

So we can foresee the time when all cardiac and diabetic cases, and others subject to unexpected attack, will carry similar devices as they go about their business. In the event of significant body change or impending attack, the sensing transmitter would flash not only a warning signal to a central control board and the code number of the wearer, but also alert the patient himself. He could then take emergency preventive measures before complete medical aid arrived on the scene.

We can electronically activate certain senses such as sight or touch whose nerve endings have atrophied or become impaired. It is possible now, for example, to talk without a larynx by means of an electronic speaking aid placed in the throat. We are working on guidance devices for the blind, using ranging and proximity techniques—a form of radar—to define distance, position, and dimension of objects.

Stimulation of different areas of the brain surface can cause the recall of long forgotten or dimly evoked memories. None of us ever employ more than a minute fraction of the images, impressions and knowledge we have gathered in the course of a lifetime. What a fantastic increase in our mental powers there might be if we could stimulate total recall and total knowledge.

With so many opportunities at hand or on the horizon for electronic contributions to medical research, it is essential that we take steps to bring the two sciences into a closer working bond. If we do, I believe electronics can be the single most important instrument in the arsenal of medical research in the years that lie ahead.

One immediate contribution of electronics, which could extend knowledge of current trends in all areas of medical research, would be the proper medical employment of a basic tool of electronics, the computer.

Every medical researcher, every physician, every clinic and hospital, struggles today with mountains of data requiring classification, analysis and storage for immediate retrieval. More and more of that burden can be shifted to modern electronic data processing equipment, with tremendous economies in time and gains in precision. Electronic performance provides in seconds, the kind of statistical and probability findings that, with conventional methods, take days or even weeks of onerous work.

No single requirement is more fundamental to the research scientist than knowing what has been done in his immediate area and in related areas. Lacking this knowledge, he can grope aimlessly, duplicating the work of others to a wasteful extent. In industry, such duplication costs an estimated billion dollars a year, and the toll is comparable in other fields.

Medical knowledge, including awareness of pertinent electronics developments, is increasing so rapidly that it has far outstripped the storage capacity of any single human brain. But computers enable us to store accumulated knowledge compactly, update it continuously, recall it instantly.

Through a blend of electronic computation and communication techniques, it would be possible to establish a national medical clearinghouse which could serve as a central repository for all the latest medical information. By a combination of communications circuits, every major research center, hospital and medical school in the country could be tied into this clearinghouse.

The planning of such an ambitious project, plus the exploration of other means of collaboration between our professions, calls for the creation of appropriate machinery to achieve permanent liaison between medical and electronics groups. At the same time, it poses an opportunity for a joint evaluation of the means of broadening financial support for medical research in view of our advancing technology.

In terms of dollars, when we contrast the scope of our current medical research effort to what we spend on other essential national activities, we are the gnat compared to the elephant.

In the fiscal year 1962, the Federal Government allocated $677 million through the National Institutes of Health to defend us against crippling and killing diseases, as compared with $2.8 billion for our farm price-support and related programs.

It allocated only $102 million to defend us against cancer, the cause of approximately one death every 2 minutes, compared with $158 million for agricultural research, including the health of cattle and pigs.

It allocated $93 million for research against all heart diseases, America's No. 1 killer, compared with $3.5 billion for the improvement of roads and highways.

These comparisons, and many others, are not intended to suggest that we reduce by a single penny our essential expenditures in any area of the national welfare and security. They are intended to suggest that in the protection of our most vital national resource—the lives and health of our citizens—we have been shortsighted indeed. And not merely shortsighted but wasteful, for the annual cost of illness to this country is some $35 billion, and we have lost as much as 600 million days of work in 1 year alone through illness or injury.

I would recall to you the words of Benjamin Disraeli, who said: "The health of the people is really the foundation upon which all their happiness and all their powers as a state depend."

Of course, tremendous progress has been made in the field of health through the efforts of Government and private research institutions, organizations such as the Albert and Mary Lasker Foundation, and the work of such scientists as Dr. Li and Dr. Smadel.

Over the past 18 years in this country, we have all but wiped out tuberculosis and polio, infant and maternal death, acute rheumatic fever, and greatly reduced the death rate of others. Since 1944, medical research has saved over 2,200,000 lives, enough to populate a city the size of Philadelphia.

But far more remains to be accomplished—in the battle against cancer, arteriosclerosis of the heart, the viral diseases, and a host of other disablers and killers. We must muster the resources of Government, industry, research, the medical profession, foundations, and the general public on a scale that dwarfs our present effort.

So the distance between problem and answer is still great. But we will conquer it, so long as we have devoted people like my good friend, Mary Lasker, to give direction to this great crusade, and scientists like Dr. Li and Dr. Smadel to give it meaning.

## GASOLINE PRICE WAR

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate an article entitled "Supreme Court Says Sun Oil Broke Law in Giving Dealer a Discount in Price War," which appeared in the Wall Street Journal of January 15, 1963. This article reports a Supreme Court decision in the case of the Federal Trade Commission, petitioner, against Sun Oil Co.

In 1956 my Subcommittee on Retailing, Distribution and Fair Trade Practices held hearings into the New Jersey price war involving independent gasoline station operators. As a result of these hearings the Federal Trade Commission reviewed the entire situation in light of its previous policy, and adopted a new construction of section 2(b) of the Robinson-Patman Act. This new policy stated clearly that a good-faith defense was limited to cases involving primary competition and did not extend to secondary competition. The Federal Trade Commission next proceeded against the Sun Oil Co. on the basis of facts involved in the Jacksonville, Fla., price war.

I was pleased to learn from this article that the Supreme Court on Tuesday, I believe, affirmed the legal position of the Federal Trade Commission. This article reports the opinion in detail. Independent gasoline dealers are indeed heartened by this decision, and I am sure it will go a long way in curbing gasoline price wars which have constituted such a financial disaster to so many independent dealers.

I ask unanimous consent that the text of the article to which I have referred be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Supreme Court Says Sun Oil Broke Law in Giving Dealer a Discount in Price War

The Supreme Court closed a door through which a major oil company had attempted to help a franchised dealer survive a gasoline price war.

In a unanimous decision, the High Court ruled that, under the Robinson-Patman Act, oil companies—the suppliers—could cut prices selectively only if their own competitors, not their dealers' competitors, cut prices.

The decision prohibits an oil company from cutting its price to a franchised dealer threatened by the price cutting of an independent nonaffiliated gasoline retailer on the theory that the independent didn't receive a special price cut from a supplier.

The Court didn't decide, however, whether price cutting by the supplier is permissible when the price-cutting retail station either is owned by a major oil company in competition with the supplier or has received a supplier's price concession to permit the retail price reduction.

The decision interprets the Robinson-Patman Act which requires a seller to treat all dealers in a given market alike. But the law permits price discrimination if the seller can show that his price reductions were made in good faith to meet an equally low price of a competitor.

Writing for the Supreme Court, Justice Goldberg said the Robinson-Patman Act "contemplates that the lower price which may be met by one who would discriminate must be the lower price of his own competitor."

The issue was brought to a test by Sun Oil Co., which relied on the meeting-of-competition defense in a Federal Trade Commission case stemming from a price war in Jacksonville, Fla. Price cuts in the summer of 1955 by Super Test Oil Co., an independent retail chain, at its Jacksonville station drew substantial business away from a Sunoco station run by Gilbert McLean. At Mr. McLean's urgent request, Sun granted him price concessions to help meet this competition from the independent station.

The FTC charged this was a violation of law because Sun hadn't for a period of almost 2 months offered similar price reductions to its other dealers in the Jacksonville area. The FTC denied the "meeting competition" defense on the ground that it permits discriminatory price cutting only to counter the tactics of direct competitors; that is, suppliers versus suppliers, retailers versus retailers. The Super Test station in Jacksonville wasn't in direct competition with Sun and therefore the defense was unavailable, FTC said.

The Fifth Circuit Court of Appeals disagreed, but the Supreme Court sided with FTC.

"Since there is in this record no evidence of any such price having been set, or offered to anyone, by any competitor of Sun," Justice Goldberg said, "Sun's claim to the benefit of the good-faith meeting of competition defense must fail."

Mr. Goldberg noted Sun chose to distribute its gasoline through independent, franchised dealers rather than through a company-owned system of outlets. "Having consciously chosen not to effect direct distribution through wholly owned and operated stations," he said, "Sun cannot now claim for itself the benefits of such a system and seek to inject itself as a supplier into what on this record appears as a struggle wholly between retailers, when such interference favors one of Sun's competitors at the expense of others."

"To allow a supplier to intervene and grant discriminatory price concessions designed to enable its customer to meet the lower price of a retail competitor who is unaided by his supplier would discourage rather than promote competition," Justice Goldberg said.

"We see no reason," he said, "to permit Sun discriminatorily to pit its greater strength at the supplier level against Super Test, which so far as appears from the record, is able to sell its gasoline at a lower price simply because it is a more efficient merchandiser, particularly when Super Test's challenge as an independent may be the only meaningful source of price competition offered the major oil companies, of which Sun is one."

In a footnote, Mr. Goldberg said the record isn't crystal clear on whether Super Test did in fact receive a price concession from a major oil company supplier to enable it to cut its price initially. If Sun can offer such evidence, he said, it may ask the FTC to reopen the case.

Justices Harlan and Stewart, while agreeing that Sun had failed on the record to sustain its defense, said the case ought to have been sent back to the Trade Commission to clarify the record on this point.

Sun Oil and other major gasoline distributors withheld comment on the decision pending a detailed study of its implications. Some major oil companies, however, suggested the High Court left unanswered some basic questions.

Spokesmen for some gasoline retailer groups lauded the decision as a great aid in stopping dealer price wars.

A number of oil companies suggested the decision left unanswered some basic questions. One specific area of uncertainty: How big is a marketing area; how large an area must be covered by discounts for an oil wholesaler to avoid being prosecuted under the Robinson-Patman Act for offering special prices to special customers?

The president of a major southwestern oil refinery said the decision "could conceivably lead to a change in the entire method of distribution" if trade areas are defined to be something larger than neighborhoods. Oil companies, he said, might well hire their dealers as sales agents and set prices themselves, paying the dealer a commission on sales. Most dealers currently are independent franchised operators.

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## EDITORIAL SUPPORT FOR YOUTH EMPLOYMENT ACT

Mr. HUMPHREY. Mr. President, I am pleased to see that my youth employment bill—S. 1 in the 88th Congress—was again supported on the editorial pages of the Washington Post and Times Herald this morning.

The editorial noted that President Kennedy's proposal to create a so-called domestic Peace Corps or National Service Corps—as noted in his state of the Union message—was "similar and supplementary" to my proposal to establish a Youth Conservation Corps and a local area youth employment program. The editorial went on to say:

> Both are urgently needed for the work they can do and for the regenerative opportunities they can afford the desperate and idle youth they would enlist.

I fully agree with this statement. Both are urgently needed.

However, I would like to take several moments to clarify the differences and the similarities between the proposals contained in S. 1 and the related concept of a National Service Corps.

First, I believe it is essential to recognize that S. 1, the youth employment bill, carries with it the full approval of the White House and the Bureau of the Budget. This bill has been cleared down to the last comma with the administration. This is the administration's bill relating to the problem of youth unemployment. It is the first bill of the 88th Congress to receive such White House endorsement.

The President is also considering sending to Congress a proposal to establish a National Service Corps, the so-called domestic Peace Corps. A Presidential task force, under the chairmanship of the Attorney General, has been considering the feasibility of such a corps and the final report is scheduled to be sent to the President in the next few days.

From the interim reports I have received, I believe the proposal to establish a National Service Corps should receive the support of every Member of Congress. I understand such a corps plans to attack a few critical domestic problems.

Men and resources will be concentrated to achieve maximum effect in these several projects. I believe this represents good commonsense. I compliment the task force on its outstanding job and I look forward to reading their final report.

The Youth Employment Act deals with the most serious social and economic problem currently facing this country, namely, the problem of youth unemployment.

The problem of youth unemployment cuts into the very fabric that binds our society together. Once again to quote from this morning's Post editorial:

> These young people, in many instances alienated from the community by disadvantagement in childhood, cut off from the hope of economic advancement by inadequate education, rebellious without aim or reason and dangerous because of their sheer unharnessed energy, constitute what Dr. James B. Conant has aptly called social dynamite. An intelligent investment in these young people can convert them into an invaluable social asset.

Unfortunately the Washington community had a shocking demonstration on the consequences of this social dynamite last Thanksgiving Day. The disturbances that occurred during and after the high school championship football game at D.C. Stadium were caused by exactly the type of youth described in the Post editorial. These are the school dropouts, untrained, unskilled, out of work, and out of hope, and out looking for trouble. As this football game demonstrated, they usually find what they are looking for.

I would like to quote from the report to the superintendent of schools from the Special Committee on Group Activities—the MacCarthy committee—that investigated the Thanksgiving Day riot. On page 26 the committee recommends:

> A Youth Conservation Corps or some similar program should be established for the District of Columbia. The program should give priority consideration to applications of dropouts. The activity should also be geared to providing training and experiences which will improve employment prospects and facilitate adjustment of the recruits upon their return to civilian life.

As I indicated in my statement accompanying the introduction of S. 1, the fundamental objective of the Youth Employment Act is to provide just such a work and training experience coupled with professional job counseling and job placement.

The actual costs associated with such outbreaks as occurred on Thanksgiving Day are impossible to calculate. How can the grief and suffering that results be translated into dollars and cents? But we can translate into dollars and cents the costs of relief, unemployment insurance, police protection, maintenance in reformatories or jails, and related expenses growing out of youth unemployment. For those constantly concerned with the dark specter of spending, the figures are there and I intend to supply them in the coming weeks.

Therefore, I am gratified by the full support and approval granted S. 1 by the administration and by the growing number of cosponsors here in the Senate; at last count 35 Senators have joined with me.

I believe the entire country has now realized that we cannot afford further procrastination in relation to youth unemployment. I certainly welcome this realization.

Mr. President, I ask unanimous consent that the Post editorial titled "Investing in Youth," and another editorial titled "Humphrey's Plan To Save Trees, Land, Boys" from the Daily Journal, of International Falls, Minn., be printed in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 17, 1963]

### Investing in Youth

"We need to strengthen our Nation," President Kennedy said, "by investing in our youth." This seems so indisputably sound, whether viewed in terms of economics, social justice, or national security, that no argument needs to be adduced in support of it. The only questions that can arise concerning it are questions of means and method.

For the million or more young Americans who are out of school and also out of work, the President in his state of the Union message, proposed the creation of a domestic Peace Corps or youth corps "serving our own community needs: in mental hospitals, on Indian reservations, in centers for the aged or for young delinquents, in schools for the illiterate or the handicapped."

The President's idea is similar and supplementary to a proposal introduced in the last Congress by Senator Hubert Humphrey. Both are urgently needed for the work they can do and for the regenerative opportunities they can afford the desperate and idle youth they would enlist. These young people, in many instances alienated from the community by disadvantagement in childhood, cut off from the hope of economic advancement by inadequate education, rebellious without aim or reason and dangerous because of their sheer unharnessed energy, constitute what Dr. James B. Conant has aptly called social dynamite. An intelligent investment in these young people can convert them into an invaluable social asset.

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[From the International Falls (Minn.) Daily Journal, Jan. 14, 1963]

### Humphrey's Plan To Save Trees, Land, Boys

Minnesota's Senator Hubert Humphrey has introduced into the Senate a Youth Employment Act deserving of thoughful and vigorous support that should rise above the hue and cry of partisan politics.

Humphrey's bill is an up-to-date version of a New Deal program—the Civilian Conservation Corps. The fact that it is a new version of a New Deal measure may give rise to political opposition, but it should be remembered that the old CCC was a Rooseveltian idea that nearly everybody applauded. It did yield a handsome profit for every American: public works that are still useful and effective throughout the country.

But more important than the public works of the old CCC which still abound in the land, are the boys it saved, along with the trees and land that were benefited by their work.

The theory back of the CCC which came into being back in 1933 was simple—this country had a lot of young men out of work. Outdoor work was good for them, therefore, let's get the boys out into the woods.

Within a year, CCC enrollment hit its average of 300,000. Until the early 1940's CCC boys were working in nearly 2,600 camps in State and National parks and forests. Millions of acres of land were transformed by reforestation, stripcropping, forest fire control, and gully stabilization.

But what happened to the boys themselves was most important. They put on weight. They grew taller. Many had dental and medical care that had been neglected. They developed skills and got specialized vocational training—truck driving, maintenance of machinery, building trades skills.

World War II meant the end of the CCC. But in its 9 years it accomplished much. The teams of boys planted nearly 3 billion trees, built more than 150,000 miles of trails and firelanes. They strung 85,000 miles of new telephone lines and put up 4,000 fire towers, 45,000 bridges, and thousands of buildings.

Senator Humphrey is convinced that this country must again provide a similar kind of opportunity for creative work on the land. His plan is good. His Youth Employment Act would constructively channel those restless energies that today are leading many underprivileged boys, and those who honestly cannot find work, in the direction of delinquency and violence.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

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## LAND REFORM IN MEXICO

Mr. HUMPHREY. Mr. President, an Associated Press story from Mexico on January 15 reported the plans of President Adolfo Lopez Mateos to complete the distribution of all remaining big tracts of tillable land in Mexico to landless rural families before the end of his term of office in December of 1964. I ask unanimous consent that the text of the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Land Plan Announced in Mexico

San Jose Iturbide, Mexico, January 15.—President Adolfo Lopez Mateos plans to complete the distribution of all remaining big tracts of tillable land in Mexico to landless campesinos before his term ends in December, 1964.

Roberto Barrios, head of the Agrarian Department, today announced a seven-point plan to fulfill the President's agrarian reform plans.

1. There will be no latifundiums or big agrarian properties left in Mexico. By the time Lopez Mateos goes out of office all useable lands will be distributed among landless campesinos.

2. An army of surveyors is already surveying lands to be distributed in the near future.

3. The campesinos will be taught modern cultivation techniques.

4. Cattle raising is to be encouraged on small tracts of land, and natural grasslands will be reduced by the use of artificial prairies and fodder.

5. Agrarian grants made in the past will be revised, and those failing to meet legal requirements will be revoked.

6. Small and communal agricultural properties will continue to have official support and will be respected.

7. State Governors are to endorse the requests of the landless campesinos in accordance with the constitution.

Mr. HUMPHREY. I had the privilege, Mr. President, of addressing the Senate of Mexico on the subject of agricultural development in Mexico early in December. At the same time I had the opportunity of discussing what I felt to be a need for an accelerated program of agricultural credit, cooperative development, and improved rural housing and transportation with President Lopez Mateos, the management of the Bank of Mexico, and the Minister of Agriculture.

While I complimented the Mexican leadership on the truly outstanding progress made in many areas of life in Mexico, I attempted to emphasize what I felt to be a lack of emphasis throughout Latin America as yet on agricultural development and the general improvement of conditions among the campesinos of Latin America.

Earlier this month there were reported alarming stories of violence and deep agricultural unrest in parts of Mexico, confirming the need to take dramatic steps to improve the conditions in rural Mexico.

The Mexicans are proud, energetic, and thoroughly competent people. They recognize, however, that their sister Republic to the north, the United States, has a special place in the world in terms of the success of our agriculture, and the Mexicans are willing and eager to join with us in the Alianza Para el Progreso to strengthen, in particular, the Mexican rural economy.

A loan is presently pending amounting to some $20 million for supervised agricultural credit to Mexican farm families, to be administered through the Bank of Mexico, with the cooperation of our AID mission in Mexico.

The details of this loan are being discussed at the top levels of the Agency for International Development at this time, and I would surely urge that every effort be made within the Agency to expedite action upon this important program.

No one understands more clearly the role of adequate agricultural credit than does a representative from a rural area. A farm cannot be successfully operated without credit. No rural development program, no program of land redistribution, can possibly succeed without an accompanying program of supervised agricultural credit, and I firmly believe where rural land units are small, it is impossible to succeed in a land reform program without the growth of purchasing, marketing, and distribution cooperatives.

Mr. President, I trust that the Agency for International Development is doing everything within its power to demonstrate to the Mexican authorities the value and the necessity of the development of a true farmer-owned and controlled system of cooperatives in rural Mexico.

We in the United States have a vital stake in the success of Mexican agriculture, for only upon success in the great areas of rural Mexico can the whole Mexican economy expect to grow and mature at the rate which it must if the people of Mexico are to enjoy the high standard of living and the political stability which they so richly deserve.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

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## AMENDMENT OF RULE XXII—CLOTURE

The PRESIDING OFFICER (Mr. SIMPSON in the chair). Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico, that the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.

Mr. HILL. Mr. President, I hope that Senators on both sides of the aisle are fully aware of the importance of the historic concept of the Senate as a continuing body.

On last Tuesday the Senate had the great opportunity of listening to the junior Senator from Virginia [Mr. ROBERTSON] make one of the ablest and most eloquent and most masterful addresses in this body that I have heard in my long years as a Member of the Senate.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ROBERTSON. I wish to express my deep appreciation for that high tribute. I welcome this opportunity to congratulate the people of Alabama on having in Congress for nearly 30 years a man who has never wavered in his support of States rights and of constitutional liberty.

Mr. HILL. I thank my good friend from Virginia for his most gracious expression and his kind and generous words.

I hope that every Member of the Senate is in accord with the fact that the concept of the Senate as a continuing body is a matter of constitutional law and historic Senate precedent, and that it is a matter of basic, fundamental, and paramount importance to our entire system of government.

Let me say, without any sense of exaggeration, that acceptance of the abrupt departure from our established parliamentary procedure, suggested by the proponents of these motions, which deny that the Senate is a continuing body, might well shake the very foundations of democracy in America as we and our forebears have known it these many years. Such a change forced upon us would take away a major historic protection of Senators in the minority, kindle the animosity of section against section, and mark the beginning of the end of State protection in the Senate at a time when our States and our people need more not less voice in the affairs of the Nation.

The House of Representatives is not a continuing body. For this reason a permanent and continuing Senate is uniquely equipped to act as a stabilizing influence upon the Federal Government. Indeed, a continuing Senate is the natural guardian of representative democracy, the spokesman of minorities of every description, and the consistent champion of the individual States and the rights of the people in those States.

Mr. President, that is precisely why the Constitution established the Senate as a continuing body. That is why the Senate has operated as a continuing body throughout its entire history of some 174 years. That is why no general revision of established parliamentary practice in the Senate has ever been adopted at the beginning of a new Congress. That is why two-thirds of the Members of the Senate continue in office from one Congress to another, and that is why the proposition has never been questioned except upon rare occasion and even then without the support of so much as a crumb of authority.

The concept itself finds its origin in the Constitution. Article 1, section 3 of the Constitution established the Senate as a continuing body. That article provides in part:

> The Senate of the United States shall be composed of two Senators from each State, elected * * * for 6 years, and each Senator shall have one vote.
>
> Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.

Mr. President, the Senate was purposely designed as a continuing body smaller than the other branch and with members of longer tenure. That is clear. A reading of the language will show how clear it is. Each Senator has a 6-year term. A House Member has only a 2-year term. The terms of all Members of the House expire at the end of 2 years. In this body, two-thirds of the Senators continue in their service; the terms of only one-third expire at the end of any 2-year period.

Does not the provision of the Constitution which I just quoted evidence the clear intention of the Founding Fathers that the Senate be a continuing body, that two-thirds of the Members of the Senate shall continue in office from one Congress to another. The Senate was designed to secure mature deliberation in depth. Hamilton describes this purpose in No. 62 of the Federalist. Hamilton wrote:

> The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies, to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions. * * * All that need be remarked is, that a body which is to correct this infirmity, ought itself to be free from it, and consequently be less numerous. It ought moreover to possess great firmness, and consequently ought to hold its authority by a tenure of considerable duration.

Mr. President, John Jay described the original design of the Senate as a body of orderly succession and uniformity in these words from No. 64 of the Federalist:

> It was wise, therefore, in the convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them * * *. Nor has the convention discovered less prudence in providing for the frequent election of Senators in such a way, as to obviate the inconvenience of periodically transferring those great affairs to new men, for by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.

If the Founding Fathers were wise in providing, when the Federal Constitution was written in 1787, that the Senate should be a continuing body, and foresaw the wisdom of providing, to some degree at least, with respect to treaties entered into by our country, that Senators be continuously available, who are knowledgeable and who have the information and experience to consider and act properly upon treaties, how much truer is it today, when we live in one world, and when treaties are sent to the Senate, from time to time, the operations of which confront us in our daily lives in a way never dreamed of in 1787? How much truer today is the necessity to have those safeguards for the wise, thorough, and knowledgeable consideration of treaties?

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield for a question?

Mr. HILL. I yield to the distinguished Senator from Virginia.

Mr. ROBERTSON. I am sure the Senator has read the statement made by Mr. Khrushchev in East Berlin yesterday, and also his speech later, in which he said that the Soviet Union has developed a 100-megaton bomb, but that they dare not drop it on Western Europe because it would be so destructive that it would destroy many of the Russian satellite nations. He said that if there were a war, such a bomb would have to be dropped on some faraway nation. But then he went on to say that the United States had, perhaps, several thousand atomic bombs. He said that the Soviet Union had enough for its own defense, but that if the Soviet Union started to use them, 800 or 900 million people would be destroyed in the first day.

The Senator from Alabama has made the point that long before what have been called the horse and buggy days, the Founding Fathers, in their wisdom, thought it desirable to establish one branch of Congress having continuous tenure; a branch which could in an emergency be called into special session to legislate, even if both Houses had previously adjourned sine die. Is it not much more important now, if a great emergency should develop, that the President, if he wants only Senate action, may call the Senate into session overnight?

Mr. HILL. The Senator from Virginia is absolutely correct. Since the Senator has addressed himself to this subject, I could not help recalling that at the end of World War II President Roosevelt asked the late Mr. Wendell Willkie to make a trip around the world and then to report upon the conditions he found in the different countries. When Mr. Willkie returned, he wrote a book describing his trip and the conditions he found throughout the world. He entitled his book "One World."

Whether we like it or do not like it, we now find ourselves in one world. All the treaties which the Senate must consider bear directly on the essential fact of our being in one world, and that something which a nation overseas might do today might vitally affect not only our national interest, but also the security and even the lives of our people.

So if it was important to have a continuing Senate in 1787, when the Founding Fathers wrote the Constitution, it is even more important and vital today.

Mr. ROBERTSON. The Senator from Alabama has pointed out how beyond any question the Constitution created the Senate as a continuing body. I have been observing the debate since it started last Tuesday, and I have not heard any challenge of the fact that the Senate is a continuing body.

Is it not true that from the first day of the institution of the Senate back in 1789 and down to the present time, there has been an unbroken acceptance of the constitutional fact that the Senate is a continuing body?

Mr. HILL. What the Senator from Virginia says is absolutely correct. For 174 years it has been an accepted fact; and I may say that since the Senate really began to function at this session, on Monday of this week, for the last 5 days the Senate has operated—not once, but a number of times—under the existing rules of the Senate.

Mr. ROBERTSON. That point brings up another question. There can be no doubt about the fact that the Senate has been operating under its rules as a continuing body. Therefore, I wish to ask this question: If the rules of the Senate, a continuing body, are carried forward from session to session, are all the rules carried forward; or are only some of the rules carried forward, if some Senator says, "I do not like one of the rules"?

Mr. HILL. Of course, the Senator from Virginia knows that all the rules of the Senate are carried forward from session to session; there can be no exception. Every rule of the Senate carries forward with each succeeding session, of course. If some Member of the Senate does not like a particular rule, that does not mean that when the next session begins, that particular rule is null and void, and passes out of the rules of the Senate.

Mr. ROBERTSON. Of course.

Mr. HILL. In short, there is an orderly procedure in connection with the rules of the Senate—just as there is in connection with the rules of any other body; and if a Senator wishes to change one of the rules, he can submit a proposal to change it—whether that be a rule affecting a matter involving millions of dollars or a rule affecting only a small claim, involving a few dollars.

Mr. ROBERTSON. Does not the Senate have the right and the privilege to change its rules?

Mr. HILL. Of course it does.

Mr. ROBERTSON. Can that right of the Senate be exercised by any other body?

Mr. HILL. No.

Mr. ROBERTSON. Can that right be taken away from the Senate?

Mr. HILL. No, except through an amendment to the Constitution of the United States.

Mr. ROBERTSON. Then the Senate is a continuing body; it has rules, all of which come forward from session to session, if any come forward; we have acted under the Constitution to fix those rules; and those rules provide that if there is a desire by Senators to amend them, a certain procedure shall be followed. Is not all that clear?

Mr. HILL. Certainly it is—so clear that he who runs can read it and can understand it. There is no question about it, and there can be no question about it.

Mr. ROBERTSON. And is not that as much an important part of constitutional liberty under our system as it is of States rights?

Mr. HILL. Of course it is. When we plead States rights, we plead the individual liberties of the people within the States. In fact, the plea is that the rights of the individuals within the States and the liberties of the individuals within the States shall be protected and preserved.

Mr. President, as the notes of the Constitutional Convention clearly indicate, the conclusion is unmistakable that the Senate was designed for the express purpose of introducing continuity and parliamentary stability into our system of government. Any other view of the Senate is at war with its fundamental purpose. As the distinguished Senator from Virginia has pointed out, no Senator has been able to cite a single instance, example, or article of any kind or description contrary to this view.

Mr. President, what else can explain the fact that—almost without exception—the Senate has been regarded as a continuing body by its Members and by students of its history and functions? As long ago as 1841, Senator Allen, of Ohio, vigorously denied the assertion that the Senate begins anew with each new session of Congress. Senator Allen denied with these words the assertion that the Senate of 1841 was a new Senate:

> They might as well speak of a new Supreme Court as of a new Senate. There was a new House of Representatives because the entire House expired at the expiration of the second year and because the 4th of March terminated the life of that body. But not so the Senate. The Constitution replenishes that body every 2 years by the election of a class of Senators, and thereby gives eternity to the duration of the body. There was no new, nor was there any old, Senate.

Mr. President, I submit that Senator Allen's analogy is entirely appropriate. Although from time to time there is a complete turnover in the membership of both bodies, neither the Supreme Court nor the Senate ever begins life anew as an institution. They are continuing bodies, because they were so designed by the framers of the Constitution. As a necessary consequence, the rules and procedures of the Supreme Court and of the Senate continue from year to year, until changed in accordance with the established procedure.

As the distinguished Senator from Virginia and I have said, the continuity of the Senate has been well recognized over the 174 years since the Constitution came into being.

Senator James Buchanan, of New York, later President Buchanan, declared that the rules of the Senate continue from Congress to Congress. Senator Buchanan said:

> There can be no new Senate. This is the same body, constitutionally and in point of law, which assembled on the first day of its meeting in 1789. It has existed without intermission from that day until the present moment and will continue to exist as long as the Government shall endure. It is emphatically a permanent body. Its rules are permanent and are not adopted from Congress to Congress like those of the House of Representatives.

Mr. President, on this subject the authorities are virtually unanimous. George Haynes, a brilliant student of the history of the Senate, wrote in his book, "The Senate of the United States," that the first rules adopted by the Senate have continued in force, without change and without reaffirmation, until amended or abolished. Haynes wrote:

> Since in each Congress the House is newly elected, it has been held that the rules of the House in the preceding Congress cannot without specific adoption be held binding on the new House.
>
> The Senate, on the other hand, is a continuing body. It first effected its organization April 6, 1789, and there never since has been a time when the Senate as an organized body has not been available, at the President's summons or in accordance with the terms of its own adjournment, for the transaction of public business.

Mr. President, that was the point the Senator from Virginia [Mr. ROBERTSON] was emphasizing a few minutes ago—namely, that this body, which is a continuing body, is always available, at the call of the President of the United States, to consider any important treaty or any other matter which may be important or vital to the security of the country or to the security and defense of its people.

Mr. Haynes added:

> The first rules, adopted only 10 days after the Senate came into being, have continued in force without reaffirmation until amended or abolished by the Senate.

Mr. President, on March 7, 1917, Senator Thomas J. Walsh first questioned the concept of the Senate as a continuing body. But he could cite no precedent or authority for the contention. Even Senator Walsh admitted that the rules of the Senate had always continued in force from session to session. He said:

> It is undeniable that since the present Government of the United States assumed the direction of their destiny the rules in force at the close of any session of the Senate have governed its deliberations upon reassembling without any formal action readopting them, even though the last adjournment marked the demise of Congress.

Indeed, Mr. President, only on four occasions in the entire history of the Senate has the Senate promulgated a new or revised code of rules for the transaction of business. General revisions of the Senate rules were made in 1806, 1820, 1868, and 1884. Let me point out, however, that none of these general revisions of the Senate rules was adopted at the beginning of a new Congress; and each change was established in conformity with established parliamentary practice in the Senate.

Senator Walsh argued that the Senate is not a continuing body, because unpassed bills, unratified treaties, and unconfirmed appointments lapse at the end of each Congress. With due respect to the late Senator Walsh, Mr. President, it is my opinion that his argument is completely specious. There is no inconsistency between the lapse of pending business at the end of a Congress and the continuance in force and effect of duly enacted laws and resolutions. The standing rules of the Senate are the result of duly enacted resolutions of the Senate and they remain in full force and effect, as does a general law until duly amended or abolished.

Mr. President, the contention of Senator Walsh was never accepted by the Senate. His motion that the Senate adopt a new set of rules at the beginning of the special session of the 65th Congress never came to a vote. Quite to the contrary, the famous cloture amendment to rule XXII adopted that year constitutes an important precedent that the rules of the Senate continue unchanged until duly amended or abolished. Amendment of rule XXII at that session of Congress affirmed the fact that the rule had continued in effect since its adoption during a preceding session of Congress.

Mr. President, during the famous debate in 1949 concerning the rules of the Senate, the beloved Senator Walter F. George expressed his opinion that the Senate is a continuing body. Senator George said:

> In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partake of the nature of conference and negotiation between sovereignties.

Senators and others seem to forget the great importance of the Senate in the words in which the then Senator George expressed it. It partakes of the nature of conference and negotiation between sovereignties. For that reason our Founding Fathers provided that all treaties must be ratified by the Senate. They wanted the Senate to be a partaker in those conferences and negotiations. They even went further and provided that the treaties must be ratified by a two-thirds vote of the Senate.

I believe that it was at the beginning of the 83d Congress in 1953 the Senator from New Mexico [Mr. ANDERSON] first offered his motion to consider the adoption of new rules notwithstanding the existence of the Standing Rules of the Senate. The late Senator Taft, who was majority leader at that time, strongly opposed the Anderson motion which was later tabled as have been all subsequent motions of that nature. The great Senator Taft said:

> It is vitally important to the Nation that the Senate be a continuing body. Let us consider the situation which will arise on the 20th of January, when new Cabinet officers are to take office. We must have Cabinet officers appointed as quickly as possible. We must have officials to operate the Government.
>
> If we should become involved in a rules fight, the discussion could go on forever. In fact, I would venture to say that if there were a majority in the Senate who wished to adopt the procedure suggested by the Senator from New Mexico [Mr. ANDERSON], the discussion would proceed almost indefinitely; we would continue the debate for a month in order to break the filibuster that might develop under such circumstances. Therefore, I believe it is exceedingly unfortunate to raise a controversy regarding the rules at this time and contend that the Senate must begin all over again at the beginning of the session and confront all the uncertain and difficult questions that would arise under the circumstances.

I submit that those words came from the then majority leader of the Senate, Senator Taft. He stood at yonder desk, at that time bearing all the heavy responsibilities and burdens of the majority leader for an administration that had only then come into power. It had to function, to go forward with its programs, and to meet its duties, responsibilities, and obligations under the Constitution of the United States.

Mr. President, in 1959, at the opening of the 85th Congress, the then majority leader of the Senate, and now the Vice President, offered a resolution which provided among other things that:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in the rules.

During the debate on that resolution, the Senator from Montana [Mr. MANSFIELD], our present distinguished majority leader, stated:

> As I have already made clear, I shall support the resolution of the distinguished majority leader Mr. JOHNSON, of Texas. That resolution as the Senate knows has two principal features. It seeks, first, to provide a rational way of avoiding an interminable wrangle over how to proceed each time a new Congress convenes. Second, it provides for cloture on the basis of a two-thirds vote of those present and voting.

The then majority leader of the Senate, Senator JOHNSON, now, as I have said, our distinguished Vice President, said in support of the resolution:

> There is no mystery about the rules of the Senate. The rules of the Senate are intended to expedite the business of the Senate. They are intended to permit the Senate to help express its will.
>
> In my judgment, rule XXII, as it stands at this moment, contains certain deficiencies. We can remedy these deficiencies. We are doing so in three respects.
>
> First, we are clearly stating that we do have rules, instead of anarchy, and we are going to be guided by rules from one session to another.
>
> Second, we are going to see that Senators must stand up and be counted; and, instead of having a constitutional two-thirds invoke cloture, require only two-thirds of those present and voting to invoke cloture. Therefore, Senators will have to stand up and be counted.
>
> Third, we provide that cloture shall apply to all rule changes; and that meets the request and the argument made by so many people for so long—almost 10 years—that the weakness of the rule was that it did not apply to a change of the rules. So we are requesting that it shall apply to a change of the rules.

Mr. President, as we know, the resolution submitted by the majority leader in 1959 was passed by the Senate and Senate rule XXXII was amended by adding this language:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Those words I quote from the rules of the Senate. I do not see how anything could be any clearer. That amendment to rule XXXII was passed for the express purpose of avoiding just such a situation as we are in today, and have been in since the Senate met on the 9th of January. As the Senator from Montana [Mr. MANSFIELD] well said in 1959, the rule seeks to provide a rational way of avoiding an interminable wrangle over how to proceed each time a new Congress convenes.

Mr. President, I ask only that we follow the mandate of the Constitution that the Senate is a continuing body. We know that the Senate has operated as a continuing body throughout its entire history. We know that no general revision of established parliamentary practice in the Senate has ever been adopted at the beginning of a new Congress. We know that any motion which denies that the Senate is a continuing body flies into the very teeth of settled and accepted constitutional law and historic Senate precedent.

I ask only that we preserve the continuity, the integrity, the permanence, the influence, the respect, the order, and the innermost character of the Senate.

Mr. President, I should now like to turn my attention to the different proposals to change rule XXII, to provide that cloture may be invoked by a vote of less than two-thirds of the Senators present and voting.

I do not believe we will be called upon during this session of Congress to consider any matter which poses a greater threat to our system of government than the proposal to change Senate rule XXII.

Adoption by the Senate of the proposed rule change would sound the death knell of the U.S. Senate as we have known it for these 174 years. I intend to express in the strongest possible terms my opposition to this proposed rule change which would pave the way for the deliberate destruction of what has been called the greatest deliberative body in the world.

Mr. President, in considering proposals for denying full debate in the Senate, we are not considering some simple matter of procedure in the Senate, some simple change of our rules. We are considering a proposed change in the Senate that would mean a fundamental and basic change in the Government of the United States as we have known that Government from the beginning down to the present.

The thing that I wish to emphasize with all the emphasis I can bring to bear is that if we deny free and unlimited debate in the Senate of the United States we have changed the character of the Senate of the United States. We cannot change the character of the Senate of the United States without changing the Government of the United States.

That is the true issue at stake in this matter. Are we going to change our Government, our constitutional Republic that we have had all these years and under which we have grown to be one of the greatest nations in the history of the world, and under which our people have enjoyed the greatest freedom ever known to mankind?

The right of a Senator to get on the floor of the Senate, to present all the facts in connection with an issue, to turn the light of truth and justice and fairness on that issue goes to the very heart of the freedoms of the people of these United States and to the protection not only of the freedom of the people and of the individual citizens but also to the protection of the rights of the several States, to the protection of the rights of minorities of every description.

It is suggested that this freedom of debate be cut off, be denied by simply a three-fifths vote in the Senate. It has even been suggested that it be denied by a majority vote in the Senate. The proponents of the measure before us are not content with the power to silence a third of the Senators in the U.S. Senate. Some are contending for the right to silence as many as 49 at one time. If they should silence as many as 40 Senators at one time, they might well silence the voices of from 20 to 40 States in the U.S. Senate.

It has been argued that it is necessary to have this power to gag so that a majority of the Senate may legislate for the benefit of the country. It is said they must have this power. It is said it is absolutely necessary in order to legislate for the people. It is said, "We have to have this power."

I can answer this specious argument simply by saying that a majority has been legislating for 174 years now, and I ask, Has anyone been able to suggest a single important or beneficent measure that has been killed because we have had free and unlimited debate in the Senate of the United States? Indeed, last year during the debate on the communication satellite bill, we saw proof that the Senate can, under the present rules, bring debate to an end in the face of determined opposition.

Since the Senate has had the present rule XXII, cloture petitions have been filed, as I recall, some 27 times, and only 5 times has the Senate seen fit to invoke that cloture. What reason have we today, what arguments have been presented, that would justify us in changing the character of the Senate, in changing our American constitutional Republic as we have known it?

The truth is, Mr. President, the situation in the Senate today is very materially different from what it was when the cloture rule of 1917 was adopted, due to the fact that since that time there has been adopted the 20th amendment to the Constitution, which put an end to what we knew as the "lame duck" session of Congress. As we know, before the "lame duck" amendment, the second session of Congress began on the first Monday in December. Usually there was about a 2-week recess for Christmas, and then at midnight on March 4 that session of Congress died. It died under the Constitution.

That is not true today. Congress does not die, except perhaps at the end of the year under the Constitution. It can go on in session from one Congress to the next, without any hiatus, without any recess, without any adjournment. That was not true before the "lame duck" amendment. Senators could kill a bill in the closing days of the session because they knew when midnight arrived on a specific night, even if the clocks were jockeyed with a little bit, finally it would have to be admitted it was midnight, and at midnight the Congress would be dead under the Constitution. That situation does not exist at all.

I have often thought, and I am persuaded and am sure in fact, it was that situation which brought about the adoption of rule XXII. Legislation would jam up at end of a period of less than 3 months. Congress would die, and that was the end of it.

That situation does not exist at all today, because March 4 does not mean any more than May 4 or July 4 or any other fourth day of a month. The Congress can and does continue. The Congress in the last session, as I recall, went to the 13th of October. It could have gone right into the new session, I think, if that had been the wish.

Mr. President, I have heard of no bill or measure that has gone down that should have been passed. I have not found anyone who could name one single measure, one single bill, that should have passed which failed to pass because of the free debate in this body. Free debate has brought about some delays, that is true, and I would be the last to deny that there have been some abuses. But, as long as human nature is human nature, and we are not perfect, we will have abuses. Fortunate to say, the record shows there have been very few of them. However, the question is not whether we have ever had any abuses; to the contrary, the question before us is whether or not the benefits of free debate so far outweigh its occasional abuse that we should dare tamper with this priceless right which, more than any other, characterizes the U.S. Senate.

We know the conscientiousness, the sense of responsibility, the devotion to duty that always triumphs among the membership of the Senate of the United States. Our country is not great because of the number of its laws and prohibitions. Our country is great because of the character of its people and the character of the men who represent our people in its government.

(At this point Mr. INOUYE took the chair.)

Mr. HILL. Under the free and unlimited debate of the Senate we went through all the terrible War Between the States. We fought that war with free and unlimited debate. We fought World War I which, up to that time, was the greatest war in the history of the world. Then, we fought World War II. Nothing in the history of the world has been comparable to our deeds and accomplishments in that war. In addition, we fought the war against the most terrible depression, the depression of the early thirties. We did not have to invoke any cloture to win these great wars. We won these wars with free and unlimited debate.

We have heard a good deal of discussion about action by a majority. On this point I should like to remind my colleagues that there are Members of the Senate today who served here when the majority party, which happened to be the Democratic Party, had 76 out of the 96 votes. At that time the Republican Party had only 16 votes. The other four votes were among the Progressives and the Farmer-Labor Party. That situation emphasizes the important thing I want to bring out, that parties do control this body so far as numbers are concerned. It is precisely this situation when we must have available to us the means to restrain them, if need be, and to keep their party spirit from running wild that we may not suffer from the baneful effects of that party spirit.

No one knows when he may be in the majority or in the minority in this body, and I say this to you: That some of those who now press hardest, some of those who insist most determinedly for change in the Senate rules and denial of our freedom of debate, may be the very ones who tomorrow will find that this free and unlimited debate is needed for the protection of their rights. The framers of the Constitution were well aware of the point I am making.

As we recall, the Founding Fathers—men like James Madison, Gouverneur Morris, and George Washington—had a great fear when they brought our Government into being. That fear was the danger of what they termed party spirit.

As George Washington expressed it in his farewell address, "the baneful effects of party spirit."

Senators, let me call to your attention an excerpt of his words, and I ask that you weigh this and weigh it well, because in my opinion the thing that has averted this danger, the thing that has averted the baneful effects of party spirit that Washington feared, was the same free and unlimited debate in the Senate of the United States which we are discussing today. In his farewell address George Washington said to us:

> I have already intimated to you the danger of parties in the States with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.
>
> This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all government, more or less stifled, controlled, or repressed, but in those of the popular forum it is seen in its greatest rankness and is truly their worst enemy. Without looking forward to an extremity of this kind, which nevertheless ought not to be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

The founders of the American Government were not unaware of the fragile nature of human freedom and sought to protect our liberty with definite safeguards. Among the most interesting statements to be found in the "Journal of the Constitutional Convention" kept by James Madison, who, as we know, later followed Jefferson as President, was the statement by Edmund Randolph concerning the purpose of the U.S. Senate.

I wish to quote this statement by Randolph from page 81 of the Madison Journal:

> Mr. Randolph observed that he had at the time of offering his propositions, stated his ideas as far as the nature of general propositions required; that details made no part of the plan, and could not perhaps with propriety have been introduced. If he was to give an opinion as to the number of the second branch (the Senate), he should say that it ought to be much smaller than that of the first; so small as to be exempt from the passionate proceedings to which numerous assemblies are liable. He observed that the general object was to provide a cure for the evils under which the United States labored; that in tracing these to their origin, every man had found it in the turbulence and follies of democracy; that some check therefore was to be sought for, against this tendency of our governments; and that a good Senate seemed most likely to answer the purpose.

What our Founding Fathers envisioned was a Senate of free debate, not simply a legislative body but a citadel of learning where questions are carefully studied and agreed upon, where no group or section of the Nation may ruthlessly impose a program on another group or another section of the Nation.

Mr. President, we observe from that statement of Edmund Randolph that the founders of our Government, the creators of our Constitution, established the U.S. Senate primarily as a protection for American liberty and as a restraint on the House of Representatives. It was instituted as a bulwark against the enactment of hasty legislation, a forum for full and open discussion, and a fortress to assure the continuance of American freedom.

Mr. President, we recall that Benjamin Franklin—and there was no wiser man than Franklin—spoke of the Senate as the saucer. In other words, it was a saucer into which the hot coffee was to be poured to give it time and opportunity to cool. The House of Representatives, if at any time it took any hasty action, if it acted with too much speed and did not thoroughly consider and thresh out the full significance and effect of that action, had always this saucer, the Senate, waiting for the measure to cool.

Mr. President, as we know, under our present rule 22, two-thirds of the Senators present and voting must decide in the affirmative that debate on a measure or motion be brought to a close.

In defense against any watering down of the present rule, I should like to point out that a two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, imposes the rule of a two-thirds majority in quite a number of instances, and I shall refer to those instances briefly.

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present—article I, section 3.

I think we all agree today that we are glad that provision was in the Constitution when Andrew Johnson was tried. A majority of the Senate voted to sustain his impeachment, but not two-thirds, and he continued as President of the United States.

Each House, with the concurrence of two-thirds, may expel a Member—article I, section 5.

In other words, a majority cannot do it; it takes two-thirds.

A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds—article I section 7.

It takes a two-thirds vote in both Houses to pass a bill over the President's veto.

The President shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur—article II, section 2.

In other words, a treaty that can receive only a majority of the votes of the Senate never becomes a treaty; it has to have the concurrence of two-thirds of the Members of this body.

Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States—article V.

When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union. That, we recall, was provided in the 12th amendment, which was adopted at a date later than the drafting of the original Constitution.

A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators—amendment 12.

The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control. We have seen that a two-thirds vote is required on many important occasions. Surely, free and full debate in the Senate is equally important.

Free debate in the Senate is a historic right. We recall that in 1789 the first Senate adopted 19 rules of which rule 9 related to moving the previous question. The original rule 9 read as follows:

> The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.

But, when the Senate rules were modified in 1806, reference to the previous question was omitted altogether. It had been moved only four times and used only three times during the 17 years from 1789 to 1806. After that, until 1917, as we shall see, there was no general rule limiting free debate in the U.S. Senate. Indeed, Dr. Joseph Cooper, of Harvard University, a distinguished scholar and student of American government, has shown recently in a most scholarly dissertation that the original rule 9 was never understood functionally as a cloture mechanism and that it was not designed to operate as such. Therefore it really means that the Senate never intended to have any motion to close debate under the previous question, and certainly from 1806 to 1917 there was no semblance of anything to that effect.

Mr. President, throughout the history of the representative government, it has been recognized that the right of unlimited debate is a valuable right for the protection of minorities, to check a ruthless majority. That right in the Senate has done much to hold the United States together. Had it not been for the right of unlimited debate in the Senate, the American Union, in all probability, would have been broken up in 1812, when there was a serious controversy in New England, and many of the New England citizens wanted to leave the Union because of the War of 1812. But, through the right of unlimited debate, New England Senators representing their States came here to counsel, caution, and debate with the other Senators, representing their States, and the great and complicated issues were thereby resolved for the good of all.

Under this system, Mr. President, we know that America has prospered. We have stood firm with the guiding principles on which our Nation was built.

A great challenge to free debate in the Senate occurred in 1841. On July 12, 1841, the distinguished statesman Henry Clay brought forth a proposal for the reintroduction of the "previous question" which had been eliminated in 1806 and which he stated was necessary by the abuse which the minority had made of the privilege of unlimited debate in the Senate. But in successfully opposing Clay's motion, Senator Calhoun said:

> There never has been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate has been maintained.

Fortunately for our Nation, Clay's proposition met with very considerable opposition and was abandoned.

Probably, the most famous bill ever defeated by the free and unlimited debate in the Senate was the so-called force bill introduced in the House of Representatives and valiantly fought for by Senator Henry Cabot Lodge, Sr., of Massachusetts, who was then a Member of the House of Representatives. He fought for that bill in the House. Afterwards, he came over to the Senate and, at first, was very much opposed to free and unlimited debate. He favored strict cloture.

But, after he had served in the Senate awhile, after he had gained the experience—and as we know he was one of the most erudite men ever to sit in the Senate of the United States, a great student not only of our own Government but of all the governments of the world—he gave to us who sit in the Senate today and to our country the benefit of his ripened and seasoned and mature judgment.

I want to take a minute to read a few excerpts from what Senator Lodge said. He was the author of the force bill, one of the very few bills in the history of the country that was killed by free and unlimited debate.

Senator Lodge said:

> It is not necessary to trace the long struggle between those opposing forces which ended the most famous compromise of the Constitution of which the Senate was the vital element and which finally enabled the Convention to bring its work to a successful conclusion. It is sufficient here to point out that, as the Constitution was necessarily made by the States alone, they yielded with the utmost reluctance to the grants of power to the people of the United States as a whole and sought in every way to protect the rights of the several States against invasion by the national authority. The States, it must be remembered, as they then stood, were all sovereign States. Each one possessed all the rights and attributes of sovereignty, and the Constitution could only be made by surrendering to the General Government a portion of these sovereign powers. In the Senate, accordingly, the States endeavored to secure every possible power which would protect them and their rights. They ordained that each State should have two Senators without reference to population, thus securing equality of representation among the States. They then provided in article 5 of the Constitution that "No State without its consent should be deprived of its equal suffrage in the Senate."

Then Lodge went on:

> Except on some rare occasions, the Senate has been the conservative part of the legislative branch of the Government. The cloture and other drastic rules for preventing delay and compelling action which it has been found necessary to adopt and apply in the House of Representatives have never, except in a most restricted form, been admitted in the Senate. Debate in the Senate has remained practically unlimited, and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important, and indeed very essential to free and democratic government, to have one body where every great question could be fully and deliberately discussed.

It must be remembered that Senator Lodge was the author of the force bill, which was defeated in this body by free debate. It was the bill that he had driven to passage in the House, but when it came here it was killed by free debate. Let me quote his words after he had served in the Senate and had had an opportunity to study the Senate and to appreciate and understand the place of the Senate in our constitutional democracy. He added—and I would emphasize these words:

> The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and genuinely desired to have action and the full opportunity for deliberation and discussion characteristic of the Senate. This has prevented much rash legislation born of the passion of an election struggle and has perfected still more that which ultimately found its way to the statute books.

Senator Lodge closes with these words:

> The Members of the U.S. Senate have always cherished the freedom of debate which has existed in this Chamber. Senators have been reluctant to adopt any rule of cloture, and, even after the present rule was adopted in 1917, they have been reluctant to invoke it. Cloture is a gag rule. It shuts off debate. It forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus the longer time, the more advanced age, the smaller number, the equal representation of all the States. Careful and thorough consideration of legislation is more often needed than the limitation of debate.

Those were the words of Senator Henry Cabot Lodge, Sr., of Massachusetts.

Senator Lodge knew, even as we know, of the temptations and the pressures that come. He knew that perhaps forgetful of their great responsibility of power, some may be shipped on by pressure groups or spurred by some political expediency to act without full and complete deliberation and mature consideration and do the very thing that George Washington in his Farewell Address warned us against.

For 111 years, from 1806 to 1917, there was no general rule which limited debate in the Senate. However, in the closing days of the 64th Congress in 1917, a filibuster defeated a bill to arm merchant ships to resist attacks by German submarines. War was impending. We knew that the dark clouds of war were moving more and more ominously all the time toward our own shores. Because of the threat of war, Congress was called into special session and on March 8, 1917, Senate rule XXII was amended to provide that on the second day after the filing of a petition by 16 Senators, the Senate could, by a two-thirds vote, limit debate so that no Senator could speak more than 1 hour on any pending measure.

Of the cloture rule adopted by the Senate in 1917, Robert Luce, in 1922, wrote a book entitled "Legislative Procedure"—Boston and New York, 1922, page 301.

I had the honor and privilege of serving in the House of Representatives with Mr. Luce when he was a distinguished Member of that body from Massachusetts. I know of no man with whom I have served in Congress, either in the House of Representatives or the Senate, who was a more careful or a more profound scholar of our constitutional system and our American democratic republic under the Constitution than was Mr. Luce. I quote his words:

> The very mild and moderate form of cloture adopted by the Senate will permit the majority in that body to assume responsibility in time of crisis, and threatens no great harm to minorities. After all, it is in large part a question of degree. Somewhere between the extreme contentions of majority rule and minority right is a point where dangers balance. If the Senate has discovered that point, so much the better. Whether the House has been successful in like discovery is not even yet clear though almost a score of years have passed since Mr. Reed put forth his famous rules. There is grave reason to fear that a lessening of sense of responsibility has accompanied the limitation of debate, throwing too much of the burden of decision on the Senate.

In other words, the limitation of debate in the House has tended to weaken the sense of responsibility of Members of that body and has perhaps kept them from meeting a greater part of the responsibility which they should have met with respect to fulfilling the duties, obligations, and functions of the Congress of the United States.

I should like to emphasize the sole reason the cloture amendment to rule XXII was ever adopted by the Senate in the first place. If one will read the debates in the CONGRESSIONAL RECORD when the resolution creating rule XXII was under consideration, one is bound to admit that it was the intention to resort to that rule only in cases involving the national defense, when war was imminent, and when cloture should be invoked in order to defend the country in a grave emergency.

On March 4, 1925, Vice President Charles G. Dawes delivered his inaugural address to the Senate, in which he advocated a more stringent gag rule than that provided in the existing rule XXII.

As a Member of the House of Representatives, I was privileged to be on the floor of the Senate that day and to hear the address by Vice President Dawes. For some time after the delivery of that address, I was also privileged to be on the floor of the Senate and to hear the comments of different Senators concerning the address. I can say that those comments were far from laudatory and far from giving any support to the proposal suggested in the address.

In swift response to a change in the Senate rules as recommended by Vice President Dawes many great Senators, both Democrats and Republicans, immediately made strong statements opposing the proposal. They showed the fallacy of Dawes' argument, and pointed out that this Nation would be better off if the rules were left as they were. I shall quote briefly from a letter dated May 13, 1925, written to the New York Times by Senator Key Pittman from the State of Nevada.

Senator Pittman at the time of his death was chairman of the Committee on Foreign Relations. He was also the

President pro tempore of this body. I quote from his letter to the New York Times:

> The campaign of Vice President Dawes is exciting considerable interest in the West.
>
> I have recently been requested to address semicivic societies and public service clubs upon this subject. I hoped that the majority and minority leaders in the Senate would set forth the reasons for the attitude which I believe a majority of the U.S. Senate hold in opposition to the position taken by the Vice President.
>
> The subject is not only very interesting but, in my opinion, of vital importance to the proper functioning of the legislative branch of our Government.

Also, concerning the Dawes proposal, I would like to quote from Bent Silas, a great writer on politics and the history of our country. In March 1928, he wrote in the Outlook, a magazine to which Theodore Roosevelt contributed so much:

> There is no need to limit the wordage output through alteration of the Senate rules. Vice President Dawes has never unlimbered his sharp tongue in a cause more ill considered than his campaign to limit debate in the upper house. Unlimited debate is a rampart erected against popular hysteria, the resistance to which is a constitutional obligation of the Senate. The rules under which this body proceeds were engendered by its function. It is the surrogate of weaker States. That is why a Nevada voter has, in effect, seven times as much power when he speaks through the voice of his Senator as a New York voter. That was why the Senate, less subject than the House to popular clamor, was set up as a barrier to Executive aggression. When the Senate rejects a Charles Beecher Warren, or compels a President to dismiss members already admitted to his Cabinet, as it has done in recent years, it is not arrogating to itself powers outside its province. It is there for just such contingencies. ("In Praise of the Senate," the Outlook, Mar. 4, 1928, p. 413.)

I think that Mr. Silas put the case very well. His words, I might add, are equally applicable at the present time. In 1925, there was another gentleman, N. D. Cochran, who saw through Dawes' proposal and estimated its true worth with these words:

> Mr. Dawes is leading a fight to fool the people of the United States into making the Senate surrender its constitutional power into the hands of a political party machine. An organized campaign is on to discredit the U.S. Senate, with Vice President Dawes a chief spokesman.
>
> My belief is that the purpose is to strengthen the executive branch of the Government at the expense of the legislative.
>
> If the Dawes scheme works and the Senate ceases to be a check on Presidential power, future Presidents will be dictators. (In the Washington News, as quoted by the Literary Digest, May 9, 1925, p. 15.)

I should like also to quote from the remarks of the late Senator Copeland, of New York, with whom I was privileged to serve in this body. Senator Copeland made some searching comment concerning the inaugural address by Vice President Dawes. In 1925, Senator Copeland said:

> I can quite understand why a citizen of Nevada might want to have the rules changed. Nevada has 77,000 population and yet it sends two Members to the U.S. Senate. If New York were represented in the same proportion, it would have 144 Members in the U.S. Senate instead of 2.
>
> Here is another thing to think about: The States of New York, Pennsylvania, Illinois, and Michigan pay 60 percent of the Federal taxes. The combined representation of these States in the Senate is one-twelfth of the total. Therefore, these States are totally submerged so far as voting power is concerned.
>
> New York State has as great a population as 18 other States combined. It exceeds the combined population of Arizona, Colorado, Delaware, Florida, Idaho, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Wyoming, Maine, and Nebraska.
>
> Add to these 18 States 7 other States—Arkansas, Louisiana, West Virginia, Connecticut, Washington, South Carolina, Maryland—and it will be found that these 25 States, controlling 50 of the 96 votes, have a majority in the Senate. These States represent less than 20 percent of the total population of the country and they pay not more than 10 percent of the taxes. Mr. Dawes' cloture rule would give this minority in population and financial standing absolute control of the Senate.

So Senator Copeland, from the great State of New York—a State now second, I believe, only to California, in population—pleaded against any cloture, for fear that Senators from the smaller States would impose cloture and thus would deny to Senators from the larger States their right to speak and to be heard, and thus would deny to the larger States and to their representatives in the Senate their due protection and rights in the Senate.

The Senate was established to protect all the States—the large as well as the small or the States of medium size.

There is just one other brief statement concerning the Dawes proposal which I should like to read. It is from a splendid statement by Frederick Ogg and Ormon Ray, appearing in their book, "Introduction to American Government." They wrote:

> Not even so vigorous a critic as Mr. Dawes * * * could stir up much response either at Washington or throughout the country, and no early change in practice appears probable. The weight of argument, indeed, is by no means entirely on one side of the question. Quite to the contrary, Senators and others who honestly believe the existing lack of restraint to be on the whole advantageous bring forward a number of contentions, all of considerable validity: (1) that under the rules as they stand, the Senate (as Mr. Dawes was obliged to concede) gets through with a very creditable amount of business—in five recent Congresses, for example, passing 182 more bills and resolutions than did the House; (2) that the present oft-used device of "unanimous consent", by which the Members agree in advance to limit speeches on a given measure after a certain day and to take a vote at a specific hour, serves all necessary purposes, being in truth itself a species of cloture; (3) that by far the greatest portion of the measures killed by filibuster are not wanted by the country and are never revived, a good illustration being the ship subsidy bill sponsored by President Harding in 1922; and (4) that the vigorous protests against filibustering sometimes voiced on the Senate floor come usually from Members whose pet projects have suffered, but who, with circumstances reversed, would themselves stand quite ready to launch or aid a filibuster effort. (Introduction to American Government, 7th edition, New York and London, p. 313.)

Senator James A. Reed, of Missouri, said something on the Senate floor in 1926 that we ought to bear in mind while we are considering this rule change. The astute Senator Reed recognized the direct connection between cloture and power.

He was one of the most erudite Members of the Senate, and was one of the most logical and powerful speakers I ever heard. He recognized the relationship between cloture, on the one hand, and power, on the other. He said:

> Cloture means the granting of power. Whenever you grant power you must assume that power will be exercised, so when we discuss this proposed rule we must do so in the light of how it may be exercised so as not to do harm.

Mr. President, it is true, and is an important fact, of which all of us should take notice, that after long service here, through the years, Senators become more and more determined to protect the right of free debate in the Senate.

To demonstrate this most significant fact, I should like to quote briefly from some of our famous statesmen of the not-too-distant past. The first one I shall quote is Champ Clark. Seventeen years after he first entered the House, and the year before he became its Speaker, Champ Clark wrote:

> I myself once felt that it would be a good thing if the Senate had a time limit; but I have changed my mind about that, as I have about many things; for I have come to the conclusion that there ought to be some place in our system of Government where a measure can be thoroughly discussed; and, while some of the Senators undoubtedly waste time and abuse the privilege of unlimited debate, it is better that a few should do that than that great measures affecting the welfare of 90 million people should not be so thoroughly ventilated that a wayfaring man, though a fool, can understand them.

In 1897, Adlai E. Stevenson, the grandfather of our Ambassador to the United Nations, and who at that time was Vice President of the United States, delivered his celebrated farewell address to the Senate. During that splendid, outstanding address, he had much to say about the rules of the Senate. His great words are most meaningful right down to this day, even as they were in 1897. Let me quote briefly from that address:

> It must not be forgotten that the rules governing this body are founded in deep human experience; that they are the result of centuries of tireless effort in legislative hall, to conserve, to render stable and secure the rights and liberties which have been achieved by conflict. By its rules the Senate wisely fixes the limits to its own power. Of those who clamor against the Senate, and its methods of procedure, it may be truly said: "They know not what they do." In this Chamber alone are preserved, without restraint, two essentials of wise legislation and of good Government—the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the delay which follows full discussion and deliberation. In my humble judgment, the historic Senate—preserving the unrestricted right of amendment and of debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of Government a value which cannot be measured by words.

He had presided over this body; he had seen the work of the Senate; and—most important—he had seen the vital part played by the Senate in our democratic system of government in the preservation of the rights of the States and—most important—in the preservation of the rights and liberties of the citizens in the States.

Mr. President, on this score I am sure you will be interested in the words of Senator Hoar which are direct and to the point. Senator Hoar was another one of our great Senators who mellowed with age.

As we know, he came from the State of Massachusetts. He said:

> There was a time in my legislative career when I believed that the absence of cloture in the Senate was criminal neglect and that we should adopt a system of rules by which business could be conducted.
>
> But the logic of my long service and observation has now convinced me that I am wrong in that contention. There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface observations.

I particularly like the last sentence from those words of Senator Hoar. I repeat what he said:

> There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface observations.

The history of the Senate confirms that. Many Senators have come to this body with the thought, the opinion, and the view that there should be limitation of debate in the Senate, but, after they have been here a while, and have seen the operations and the work of the Senate, and have been the part the Senate plays in our system and scheme of democratic government, have recognized that they were wrong, and have manfully said they were wrong, and have declared themselves in favor of free debate in this body.

I believe that with the words I quoted a moment ago, Senator Hoar put his finger upon the crux of this entire debate. He told why Senators change their view after long service in the Senate, why they favor free and unlimited debate in the Senate.

Several years ago, when I went to the House of Representatives, one of the wisest and ablest men in that body was the late Senator Theodore E. Burton, of Ohio. After a long and distinguished career in that body, he came to the Senate. He was one of the most profound, erudite, and wise men in the House of Representatives when I was privileged to enter the House. On the question of free debate and cloture, Senator Burton of Ohio, in 1915, set forth with clearness the cases in which he deemed a filibuster not only justifiable but salutary. He said:

> The first is when a vital question of constitutional right is involved; when a proposition is brought in that a Senator cannot conscientiously support.
>
> The second is when the measure is evidently that result of crude or inconsiderate action.
>
> From time to time some bill is sent in here for which a first burst of enthusiasm is aroused. It seems to be all right, but on further and more careful consideration it is found to be faulty and objectionable. Until the people can be heard from, the Senate is justified in holding up the measure.
>
> A third justification for a filibuster is when the Senate is convinced that because of some compulsion, if a vote is taken, it will not express the honest conviction of the Members.

Of course, we have all read of Senator John G. Carlisle, of Kentucky, a former Speaker of the House, and a distinguished former Member of the Senate. He grew to feel very strongly about freedom of speech in our legislative assemblies. Senator John G. Carlisle, of Kentucky, said:

> Universal freedom of speech among the people and perfect freedom of debate among their representatives is the common and unwritten law of the race to which we belong. These legislative assemblies are simply the representatives of the people and as a matter of fundamental rule or principle it might just as well be contended that the people themselves have no right to discuss a question presented for their decision as to contend that their representatives have no right to discuss the questions presented to them for their consideration.

I now bring to the attention of the Senate the words of a former Member of this body, a former Senator from the State of Ohio. I am sure we will all be most interested in his words if for no other reason than the fact that this Senator later became President of the United States. But there is another reason and that reason is the sincerity of his conviction that freedom of debate in the U.S. Senate is essential to the preservation of our democracy. I quote now from the Senator from Ohio, Senator Harding, who was our 29th President. He said:

> While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention; I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is a freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American public.

Senator Harding was speaking of the Senate as the one citadel for free discussion, free debate, and an expression of the opinion and the views of the people back home through their representatives, chosen and elected to the Senate.

Mr. President, I come now to one of the most famous quotations concerning free debate in the U.S. Senate. I read now from the rich prose of Senator La Follette, of Wisconsin, who said:

> I stand while I am a Member of this body against any cloture that deprives free and unlimited debate. Sir, the moment the majority imposes the restriction contained in the pending rule upon this body, that moment you shall have dealt a blow to liberty; you shall have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess. This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and compel its adoption that measure still may receive unlimited scrutiny.

He added:

> But when there is organized power behind measures, it is all the more reason why we should have unlimited debate in the U.S. Senate. There is a chance to be heard where there is opportunity to speak at length and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which will undermine the liberties of the people and be in violation of that Constitution which generations have sworn to support.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HOLLAND. First, I congratulate my distinguished friend on the scholarly address that he is now making.

Mr. HILL. I thank my friend.

Mr. HOLLAND. Second, in relation to the last sentence in the quotation from Senator La Follette which the Senator from Alabama has read, is it not true that, as stated in that sentence, and as has always been known to the Senate, any Senator who would try to exercise the right of unlimited debate on some frivolous subject with respect to which he had no conviction, and which did not relate to the matter of tranquillity, peace, and constitutional law in his area or in the Nation generally, would destroy the confidence of the public and the rest of the Senate in him, in his cause, and in his area? Would it not be the most futile and foolish thing he could possibly do?

Mr. HILL. I am delighted that the Senator has made that point. It is well taken. The Senator is absolutely correct. If a Senator wished to destroy any influence, standing, or prestige he might have in this body, he could follow no better course to bring about that destruction than to do what the Senator from Florida has indicated.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HILL. I yield to the Senator from Florida.

Mr. HOLLAND. There must always be imposed on the conscience of individual Senators or groups of Senators who resort to unlimited debate the condition that they shall never resort to that defense and that weapon which the law, the Constitution, the traditions of our country, and our institutions give them unless they have a strong conviction that they are right on a subject which adversely affects the peace and tranquillity of the areas which they represent, or even the safety and security of the Nation.

Mr. HILL. The Senator is so correct. I deeply appreciate the contribution he has made today. What he has said is absolutely correct. All the history and procedures of the Senate confirm how correct he is in the questions he has presented today. I thank him again.

I conclude my reading of the statement of Senator La Follette:

> When I take that power away from Members of this body, I let loose in a democracy forces that in the end will be heard elsewhere, if not here.

I wish to call attention briefly to the position and the words of three additional very distinguished former Members of this body. They were Senators who felt very strongly about our priceless heritage of free debate in the Senate. I will do this now before I go into another line of thought concerning our cherished right of free discussion in the Senate. These three Senators are George W. Norris, of Nebraska, Charles L. McNary, of Oregon, and Kenneth D. McKellar, of Tennessee.

Senator Norris said:

> The Senate is the only forum in our country where there is free and fair debate upon proposed legislation, and it is the forum where the legislation of the country is made. If we adopted majority cloture in the Senate as they have in the House, the last vestige of fair and honest parliamentary consideration would entirely vanish.

Mr. President, that is what the discussion is about today. Are we going to preserve the Senate as the American people have known it for 174 years, and as it has served our country, which has grown and prospered, fought war after war, and become the mightiest nation on the face of the earth, and at the same time preserve the liberties and the freedom of our people in the United States? Or are we going to bring about the proposed radical change in the great institution of the Senate as we have known it throughout all the years?

Mr. President, I wish to invite particular attention to the words of the late Senator Charles L. McNary, of Oregon. He was at times the minority Republican leader of the U.S. Senate. I sat in this Chamber as a member of this body and heard these words. There was no wiser or more devoted legislator than the late Senator McNary.

He was not only a great Senator, much beloved, honored, and esteemed by his colleagues as the leader of his party in the Senate, but, as we recall, he was the vice presidential nominee of his party in 1940. He said:

> Every Republican except two were for the bill—

The measure then pending before the Senate—

> and they were willing to remain there—

This was on the floor of the Senate—

> from sunrise to evening star and from evening star to sunrise in order to have the bill passed. But, Mr. President, I am not willing to give up the right of free speech and full and untrammeled opportunity for argument. That right is the last palladium. It is the last impregnable trench for those who may be oppressed or who are about to be oppressed. It may be the last barrier to tyranny.

Now I ask Senators to listen to the words of the late Senator Kenneth B. McKellar of Tennessee, former President pro tempore of this body, who for many years served in this body and closely observed the work and the operations of the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Does the Senator from Alabama yield to the Senator from Florida?

Mr. HILL. I yield to the Senator from Florida.

Mr. HOLLAND. Would the Senator object if I called attention at this stage to the fact that the distinguished former Senators whose remarks the Senator has quoted so properly represent every hue of the rainbow so far as their philosophies are concerned? Senator La Follette and Senator Norris were well known for their liberal philosophy.

Mr. HILL. That is correct.

Mr. HOLLAND. Sometimes they might have been called ultra-liberals. Senator McKellar and Senator Lodge were at the other end of the rainbow of philosophy.

Is it not true that Senators of long experience in their membership in this body, and of long observation as to what has occurred here, regardless of their different philosophies, have almost invariably come to the conclusion that unlimited debate is one of the citadels of freedom for which they must stand and fight?

Mr. HILL. I thank the Senator for his contribution. That is quite correct. As the Senator says, the Senators whose remarks I have quoted represent what we might call the whole spectrum of thought, of ideology, of ideas, and of political views, from one end of the spectrum to the other. Those men, who disagreed sharply on many issues before the Senate, who fought many battles one against another in the Senate, when it came to the question of free debate being preserved in this body, as to whether the Senate should be preserved as the institution in our Government given to us by the Founding Fathers, had no disagreement. They were all in accord for the preservation of the great right of free debate and for the preservation of the Senate as the Founding Fathers conceived it and as they sought to insure it in writing the Constitution of the United States.

I greatly appreciate the contribution made by the Senator from Florida.

Mr. President, I now wish to quote from the words of the late Senator Kenneth D. McKellar, of Tennessee, who, as I say, was a President pro tempore of the Senate, and one of the hardest working, most indefatigable, and most able Members of this body.

The distinguished Senator from Florida and I had the pleasure of serving with him in the Senate, and I was privileged to serve under him when he was chairman of the Senate Committee on Appropriations, the committee on which the distinguished Senator from Florida today serves.

Senator McKellar said:

> I have served nearly 6 years in the House and more than 8 years in the Senate. I am familiar with the rules of both Houses. I believe the present rules of the Senate make for greater efficiency, better carrying out of the people's will, than do the rules of the House. In the House the previous question can be called for at any time, debate stopped and a vote had. In other words, the party in power can pass any measure without debate and without public scrutiny. It is well known that many bills are thus passed in the House. I do not believe that this unlimited right of cloture is best for the public weal. As a matter of fact, all of the legislation in the House is agreed upon by a few men occupying leading positions in the House and the great body of Members is denied freedom of speech and action.

Senator McKellar added that he was unalterably opposed to any change in the rules or any change in procedure which would in any way deny free debate in the U.S. Senate.

Mr. President, is it not true that our historians and our educators have accepted the premise that, while history repeats itself we may, nevertheless, by studying history, benefit from the mistakes of the past?

Our Founding Fathers accepted this premise. The founders of the American Government were keenly aware of the fact that freedom in the Roman Republic had disintegrated as a result of identifiable factors which they sought to avoid in writing the Constitution of the United States of America.

May I say that a reading of the notes of the Constitutional Convention will disclose that time and again the difficulties which caused the destruction of Rome were pointed out and discussed, and an attempt was made to set up a system in this country so that the thing which caused the decline and fall of Rome would not happen on this continent, to insure that there would be no such decline and fall of the United States.

It is a historical fact that the forces intent on destroying Roman freedom first attacked the right of unlimited debate. It may be interesting for me to go a bit further and to note how Julius Caesar, in his ambitious manipulation of the Roman mob to further his own acquisition of power, proceeded from this point to whittle down the authority of the Roman Senate.

Caesar destroyed the power of the Roman Senate by imposing cloture on that great institution. Prior to Caesar's imposition of cloture, the Roman Senate had enjoyed free and unlimited debate for some 450 years. With cloture the golden days of the Roman Senate receded into history.

Cicero, one of the great statesmen of all time, recognized the issue and warned the Roman Senate that if they adopted cloture it would mark the beginning of the decline of Rome, and that within a few years there would be despotism and tyranny. He said that behind cloture the power of the Roman Senate would be whittled down, and a tyrant would then take its place and exercise its power.

And, Mr. President, that is exactly what happened to Rome. Julius Caesar was a very ambitious man. He desired to make himself dictator of an imperial Rome. The thing that stood in his way, the thing which prevented him, was free debate in the Senate of Rome. So he said, "We are going to distribute land among certain people." He brought those people to Rome and with their aid forced the Senate to change its rule of unlimited debate. Within 2 years he had destroyed the power of the Roman Senate. He became a dictator. Rome lost her liberty and we all know of her decline and fall.

Mr. President, the turning points of history are not always on the battlefield. Here was a great turning point of Roman history when Caesar broke the power of the Roman Senate, and though the Senate existed in name for another 500 years, from that time on it was always more or less a rubber stamp for the Emperor of Rome. Let us not repeat the mistake of Rome in the U.S. Senate.

Mr. President, why is it that almost all Senators who have served in this body any length of time, from the beginning down to the present time, have recognized the value of unlimited debate and have striven to preserve and protect that right and have considered it essential to protect the people in all areas of the country from unbridled majorities? A bill can be debated in the House of Representatives, under their rule, only; an hour. I have been there and have seen Representatives beg and plead for only 5 minutes time in which to explain their position on a major piece of legislation. Under the gag rule, if a measure came to the Senate it would be rammed through by the power of a great lobby or great pressure groups, and the people of the Nation would not know what happened, until the measure had already passed both Houses of Congress.

On that very point, Mr. President, I have an excerpt from George Haynes' scholarly treatise concerning the Senate of the United States. I would like to read the most pertinent part. He wrote:

> That the Senate will so amend its rules as to permit cloture upon the vote of a mere majority of those present, as in the House, is to the last degree improbable. Reluctance to make such a change is mainly due to a sincere conviction on the part of Senators (and of many outside of the Senate who have studied most closely the working of our system of government) that cloture thus applied would destroy the deliberative function of the Senate, annihilating the very reason for its existence, and making it automatically a mere annex of the House of Representatives. It was the intent of the framers of the Constitution to secure from the Senate a different point of view, a more matured judgment than that of the House. To those ends the longer term, the more advanced age, the smaller numbers, the equal representation were all expected to conduce. What is sorely needed in Congress is seldom greater speed but always more thorough consideration in lawmaking. Cloture by a vote of a chance majority in the Senate would have brought many a decision which would have accorded ill with the sober second thought of the American people.
>
> In these days of weakened party discipline, the temporary majority that group combination may today give upon a pending measure may by no means indicate a responsible majority's conviction that the measure is wise. Nor is it safe to assume that in blocking a given piece of legislation a small minority or even a single Senator is thwarting the will of the majority of the Senate.

Mr. President, during the famous debate on rule XXII that occurred in 1949, a remarkable article by Mr. Walter Lippmann appeared in the Washington Post. This most thoughtful article is entitled "Filibusters and the American Idea." I would like to read this article in its entirety because I believe it sums up in a masterful way the case against changing rule XXII.

Mr. Lippmann says:

> Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.
>
> The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried the existing power of a minority of the States to stop legislation will have been abolished. "Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue, is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-lunged Members who don't want democratic decision."
>
> This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.
>
> In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular minority, is alien to the American idea of democratic decision.
>
> The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practicable to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.
>
> For a decision which had to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.
>
> For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.
>
> This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.
>
> The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.
>
> The issue has been raised in connection with the civil rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.
>
> For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

A few moments ago I quoted what was said on this same subject in January of 1953 by the late Senator Robert A. Taft, of Ohio, majority leader at that time, who opposed denial of freedom of debate. I express approval of the forceful words Senator Taft used at that time:

> We must disregard the question of civil rights issues as affected by the rules predicated on the ground that here is an abuse which justifies the setting aside of the precedents of the Senate. I say there is no abuse. I say we have rules and we can operate under them.

Mr. President, I fully agree with those forceful words of Senator Taft, and I hope they will be carefully considered by our friends on the other side of the aisle during this debate. Indeed, is it not true that the very concept of the Senate as a forum for complete, full, and unlimited deliberation was what moved the Founding Fathers to select the Senate as the body to share in the treatymaking power of the Government, and also to share in the appointment power of the Chief Executive?

Bear in mind that, although officials of the departments of Government are appointed by the Chief Executive, and although they are members of the Chief Executive's official family, their nominations have to be confirmed by the Senate.

Mr. President, is it not true that the Senate is a great deal more than we might term an ordinary legislative body?

Is it not true that a State is prohibited from entering into any kind of a treaty or agreement with a foreign power, but that the States do share in the treaty-making power and in the shaping of our foreign policy through their representatives on the floor of the U.S. Senate?

Mr. President, when the American people are informed, they will do the right thing. I have always felt that we could trust the people. In fact, I think the people are more to be trusted than many political leaders think is wise for them to be trusted. The right of unlimited debate to inform the people and let the issues sink in is a great safety valve which will do much to protect our people and to preserve our Republic. When, supported by powerful pressure groups, we rush through legislation, then the Senate is not performing its intended function. It is supposed to be a check to balance this great legislative process.

During my remarks on this vital question, Mr. President, I have quoted from a number of outstanding American statesmen for the purpose of indicating their unanimity and strong feelings concerning the rights of the minority in the U.S. Senate.

Without regard, however, to the sufficiency of the distinguished authorities I have already mentioned I feel that my remarks would be less than complete if I did not include at least one quotation from our beloved Thomas Jefferson in view of this great concern for the rights of minorities.

Jefferson said:

> Bear in mind this sacred principle, that although the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.

Mr. President, the following excerpt, on the same subject, from the writings of one of our famous historians, the late Dr. Charles A. Beard, in my opinion is most enlightening with respect to the question before us.

He wrote:

> Denunciations of delays (occasioned by filibustering) have often been renewed; but the Senate has been obdurate and not without reason—liberty of debate in the Senate acts as a salutary check on the administration, gives the minority the right to be heard, and assures at least one open forum in the country for the free consideration of issues which might otherwise be smothered. ("American Government and Politics," 9th ed., New York, 1945, p. 135.)

Mr. President, before I close my remarks on this question, I should like to again remind those who now press for this change, that they may well be the first ones most in need of the protection of the historic right of free speech in the U.S. Senate. What is even more important, I should like to remind them that our historic right of free speech in the Senate is particularly crucial to the protection, the endurance and the lasting genius of our republican form of government.

We, of course, recall that Benjamin Franklin when he was asked what the Constitutional Convention had done, replied with his famous, challenging question. His answer was:

> We have given you a republic, if you can keep it.

Mr. President, for 174 years we have kept this Republic given to us by our Founding Fathers. I am here today pleading: Let us continue to keep it.

## MARYLAND CRABCAKES

During the delivery of Mr. Hill's speech,

Mr. HILL. Mr. President, I ask unanimous consent that the Senator from Maryland [Mr. Beall] may be recognized at this time, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BEALL. Mr. President, I rise to defend the fair name of the great Free State of Maryland against an insult.

Just as the distinguished Senators from Georgia would resent a knotty little peach being called "a Georgia peach," just as the Senators from Idaho would resent a puny little spud being called "an Idaho potato," just as the distinguished Senators from Maine would resent a crawfish being called "a Maine lobster," and just as the distinguished Senators from Kentucky would resent cheap bootleg being called "Kentucky bourbon" I resent the crabcakes being served in the Senate dining room being called "Maryland crabcakes."

On the menu, it says, bold and brazen, "Maryland crabcakes," but no Marylander would recognize what is served. Now, I do not say that the crabcakes served in the Senate dining room are bad; I simply say they fall far short of the high standard of "Maryland crabcakes," that tasty dish which has helped to make the name "Maryland" loved throughout the Nation.

Patrons of our dining room should be protected from deception.

I want the world to know that those crabcakes are not "Maryland crabcakes."

Mr. HILL. I may say to the Senator that we would like to have a demonstration of the superiority of Maryland crabcakes to those served in the Senate dining room.

Mr. BEALL. I promise the Senator from Alabama that that will be done. I thank him for yielding to me.

I ask unanimous consent to have an extract from today's menu printed in the Record.

There being no objection, the extract was ordered to be printed in the Record, as follows:

### Today's Entrees

1. Broiled fresh Jersey pork chops, applesauce, lyonnaise potatoes, buttered brussels sprouts, $1.55.
2. Combination of fresh sea food créole en casserole, timbale of rice, chef's tossed salad, $1.35.
3. Grilled chopped sirloin steak, onion sauce, whipped potatoes, new corn sauté, $1.05.
4. Fried fresh "Maryland crabcakes," tartar sauce, macaroni au gratin, old-fashioned coleslaw, $1.05.
5. Stuffed ripe tomato with fresh crabmeat salad a la Maryland, quartered hardboiled egg, coleslaw, assorted relishes, potato chips, $1.40.
6. Low calorie (285 calories): Tomato juice, shrimp salad on shredded lettuce, ripe olive, rye toast (no butter), two peach halves (dry), black coffee, tea with lemon, or skim milk, $1.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. HOLLAND. Mr. President, the question before the Senate during this debate, while it has come up frequently and in different forms, is always vital to the institution of the Senate itself, to its functioning in the way in which it was intended to function, and to the preservation of the tremendous value that it has to this Nation, to its people, and to all of its States. I do not believe there has ever been a time when this question has come up that the proposal before the Senate has been broader than it is in the present situation.

The present cloture rule, rule XXII, provides that cloture can be had only by a vote of two-thirds of the Senators present and voting, after compliance with the other provisions included in the rule. The three measures already offered to the Senate, two in the form of resolutions, one in the form of an amendment to those resolutions, cover a very broad range of proposed change.

The Anderson resolution, which is Senate Resolution 9, proposes that the present rule be so changed that 60 percent of the Senators present and voting may close debate when the conditions prescribed by the remaining part of the resolution have been fulfilled.

The Humphrey resolution, Senate Resolution 10, and the Humphrey amendments to Senate Resolution 9 prescribe that the constitutional majority of the Senate, 51 Senators, may bring on cloture and close debate when the conditions of the resolution have been complied with.

The Morse amendment, which has been offered by the distinguished Senator from Oregon, as an amendment to the Anderson resolution, prescribes that a majority of the Senators present and voting may bring on cloture; which means that if there were present a bare quorum of 51, 26 Senators could effect cloture in Senate debate.

So the scope of this debate is very wide, indeed, extending all the way from 60 Senators being required, in the case of the Anderson resolution, in the event all Senators were present and voting; 51 Senators—or a majority of Senators duly chosen and sworn—in the case of the Humphrey amendment, and down to, as a minimum, 26 Senators in the event the Morse amendment should apply, and the minimum quorum of the Senate were present at the time of voting.

I do not recall in my 17 years in the Senate, and having observed several debates on this subject, any time when the scope of the proposals offered was quite so broad as those which are presented in this debate. Surely, they could not be broader, because they cover almost every conceivable situation below the present requirement that two-thirds of the Senators present must vote in order to close debate.

Before beginning my remarks, which will not be extensive in length, I desire that the Record show clearly the seriousness of the matter of engaging in unlimited debate from the standpoint of those who engage in it. I have engaged in unlimited debate. I have also voted on two occasions to close debate, so as to limit it. I know that there is a heavy responsibility upon every Senator so to conduct himself and so to present the causes upon which he speaks that, in the first instance, it is evident that he believes, in the very depth of his heart, in the soundness of the proposal which he advances and in its merits not only on behalf of his own people, the people of the State which he represents, but also its soundness from the standpoint of the greatest protection of the people of the Nation. Any Senator who would engage in unlimited debate without having a cause which other Senators would recognize as representing the deep convictions of that Senator would jeopardize his standing, his reputation, his ability to gain the attention and the friendly and sympathetic interest and votes of his brother Senators. So any Senator who would indulge in unlimited debate without having a deep conviction that he was right would be upon very unsound ground, indeed. I cannot conceive of any Senator failing to recognize that that is the fact, and that when he proceeds, he must be very sure that his conviction is apparent in what he says, in what he does, in the arguments that he advances, and in the degree of dedication which he shows to the cause which he supports.

My second observation: Any Senator engaging in unlimited debate would not dare to do so unless he believed in his heart that he was representing the conviction of the vast majority of his people back home in his own State, because they know just as well as he knows that he is their representative here, and that if he does anything which destroys the confidence of other Senators in him, he affects gravely his ability to represent them and their right to obtain sympathetic consideration of their interests from the Senate generally and from every other Member of the Senate.

With those brief observations, I wish to lay the predicate for what I may say along three rather practical lines, because I do not want anyone who may read of this debate in the press or may read the proceedings in the RECORD tomorrow or in the years to follow to doubt for a moment that Senators who are opposing the proposals embraced in the three propositions which I have mentioned deeply feel the convictions they express and espouse and represent a cause in which they believe so sincerely that they know other Senators will recognize the sincerity of their beliefs.

Mr. President, my able friend, the Senator from Alabama [Mr. HILL], as is his custom, has in most scholarly, most able, and most eloquent fashion presented much of the argument in connection with this matter—much of the historic argument, much of the constitutional argument, and much, too, of the practical argument.

Insofar as I am concerned, I hope not to go over the same ground now, but to confine myself to three proposals which I believe to be highly practical, and which I think will perhaps bring to the attention of Senators three practical considerations which in my opinion are of importance as we decide this question. Those three considerations have to do with three several fallacies, three several mistaken opinions which are widely held, as to arguments which prevail in this cause. I believe these fallacies need to be exposed over and over again, so that the people, and particularly the Members of the Senate, may realize that these fallacies are being indulged in by many of the well-intentioned advocates of the change being proposed here. Mr. President, I do not question in the slightest the good intentions or the high motives of those who propose this change; but I believe they are suffering from the three fallacies which I shall mention, and which I believe should be mentioned in some detail in connection with the making of this record.

The first fallacy is the contention by many that more stringent limitation on debate than that incorporated in the present rule XXII must be imposed in order to enable the Senate to pass measures which are important to the welfare of the country. Mr. President, some Senators truly believe, I think, that important measures in various fields have failed of passage because of the restrictions of the present cloture rule. But I believe that conclusion to be fallacious. I think it can be very easily disproved. I do not believe it can be sustained at all, except as to one field; namely, the field of extreme so-called civil rights measures, as to which there is a difference of opinion in regard to what would be the result of imposing such extreme measures upon the people of the Nation. I believe that a review of the action taken by the Senate on the measures which have been subjected to extended debate, or so-called filibusters, will show clearly that this argument cannot be sustained.

Mr. President, the Library of Congress has prepared for the Senate, and there has been made available to every Member of the Senate, a memorandum revised down to November 1962. It is a very fine condensation of arguments, history, and material on this subject, and is under the heading "Limitation of Debate in the U.S. Senate." The last revision of this document, as well as some of its earlier drafts, if not all, was prepared by Dr. George B. Galloway, senior specialist in American government, of the fine Legislative Reference Service of the Library. On page 30, of the November 1962, revision, appears a tabulation of the votes in the Senate on the question of invoking the cloture rule. It is a tabulation of all votes, since the enactment of the cloture rule in 1917, upon proposals to invoke cloture. It begins with the Treaty of Versailles, in 1919; and ends with the vote taken last year on the so-called Communications Satellite Act. I ask unanimous consent that the entire list of Senate votes on the question of invoking the cloture rule be printed at this point in the RECORD, as part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

*Senate votes on invoking cloture rule* [1]

| Congress | Session | Date | Subject | Senator offering motion | Yeas | Nays | CONGRESSIONAL RECORD | | Cloture |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Vol. | Page | |
| 66 | 1 | Nov. 15, 1919 | Treaty of Versailles | Lodge | 76 | 16 | 58 | 8555-56 | Yes. |
| 66 | 3 | Feb. 2, 1921 | Emergency tariff | Penrose | 36 | 35 | 60 | 2432 | No. |
| 67 | 2 | July 7, 1922 | Fordney-McCumber tariff | McCumber | 45 | 35 | 62 | 10040 | No. |
| 69 | 1 | Jan. 25, 1926 | World Court | Lenroot | 68 | 26 | 67 | 2678-79 | Yes. |
| | | June 1, 1926 | Migratory-bird refuges | Norbeck | 46 | 33 | 67 | 10392 | No. |
| 69 | 2 | Feb. 15, 1927 | Branch banking | Pepper | 65 | 18 | 68 | 3824 | Yes. |
| | | Feb. 26, 1927 | Retirement of disabled emergency officers of the World War | Tyson | 51 | 36 | 68 | 4901 | No. |
| | | Feb. 26, 1927 | Colorado River development | Johnson | 32 | 59 | 68 | 4900 | No. |
| | | Feb. 28, 1927 | Public buildings in the District of Columbia | Lenroot | 52 | 31 | 68 | 4985 | No. |
| | | Feb. 28, 1927 | Creation of Bureau of Customs and Bureau of Prohibition | Jones (Washington) | 55 | 27 | 68 | 4986 | Yes. |
| 72 | 2 | Jan. 19, 1933 | Banking Act | Robinson | 58 | 30 | 76 | 2077 | No. |
| 75 | 3 | Jan. 27, 1938 | Antilynching | Neely | 37 | 51 | 83 | 1166 | No. |
| | | Feb. 16, 1938 | do | Wagner | 42 | 46 | 83 | 2007 | No. |
| 77 | 2 | Nov. 23, 1942 | Antipoll tax | Barkley | 37 | 41 | 88 | 9065 | No. |
| 78 | 2 | May 15, 1944 | do | do | 36 | 44 | 90 | 2550-2551 | No. |
| 79 | 2 | Feb. 9, 1946 | FEPC | Barkley | 48 | 36 | 92 | 1219 | No. |
| 79 | 2 | May 7, 1946 | British loan | Ball | 41 | 41 | 92 | 4539 | No. |
| 79 | 2 | May 25, 1946 | Labor disputes | Knowland | 3 | 77 | 92 | 5714 | No. |
| 79 | 2 | July 31, 1946 | Antipoll tax | Barkley | 39 | 33 | 92 | 10512 | No. |
| 81 | 2 | May 19, 1950 | FEPC | Lucas | 52 | 32 | 96 | 7300 | No. |
| 81 | 2 | July 12, 1950 | do | do | 55 | 33 | 96 | 9982 | No. |
| 83 | 2 | July 26, 1954 | Atomic Energy Act | Knowland | 44 | 42 | 100 | 11942 | No. |
| 86 | 2 | Mar. 10, 1960 | Civil rights | Douglas and Javits | 42 | 53 | 106 | 5118 | No. |
| 87 | 1 | Sept. 19, 1961 | Amend rule XXII | Mansfield and Dirksen | 37 | 43 | 107 | 20147 | No. |
| 87 | 2 | May 9, 1962 | Literacy test for voting | do | 43 | 53 | 108 | 8058 | No. |
| 87 | 2 | May 14, 1962 | do | do | 42 | 52 | 108 | 8294 | No. |
| 87 | 2 | Aug. 14, 1962 | Communications Satellite Act | do | 63 | 27 | 108 | 16442 | Yes. |

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[1] Many cloture petitions have also been withdrawn or held out of order since 1917.

**Mr. HOLLAND.** Mr. President, I am sure Senators have noted that I named the Treaty of Versailles as the first proposal on which the cloture rule was subjected to the acid test of Senate opinion. Of course, Senators know that the issue of whether to arm our merchant ships was the occasion or the reason for the development of the cloture rule in 1917. However, I hasten to state for the RECORD that it was not necessary to utilize the cloture rule in order to decide that question because President Wilson was advised, and so found, that he had authority, by Executive order, as Commander in Chief, to meet that condition and to enable our merchant ships to be armed against the perils of German submarines. So, really, the first test did not come until 2 years later.

**Mr. HILL.** Mr. President, will the Senator from Florida yield?

**Mr. HOLLAND.** I yield to my distinguished friend.

**Mr. HILL.** Is it not true that but for the 20th amendment to the Constitution, which put an end to the so-called lame-duck sessions—namely, the second session of each Congress, which, as the Senator from Florida will recall, automatically terminated on March 4—we would not have rule XXII as we have it today?

**Mr. HOLLAND.** I believe the Senator from Alabama is correct. Perhaps this is—in the opinion of some, at least—one slender justification for the existence of the so-called lame-duck sessions—although the Senator from Alabama and I probably would not so find it.

**Mr. HILL.** Yes.

**Mr. HOLLAND.** At any rate, he is correct in the suggestion he has made.

Mr. President, instead of placing in the RECORD additional compilations—which exist in this document prepared by the Library of Congress—I believe I shall limit my remarks at this time to the compilation which deals with the 27 items involved in the Senate votes on the question of invoking the cloture rule, since that rule was adopted, in its original form, in 1917.

The first comment I make is that in five instances the votes on the question of invoking cloture were such as to invoke cloture—that is to say, to bring the debate to an end and to force the Senate to vote upon the matters involved in those five cases.

Those cases are as follows:

First. The question of ratification of the Treaty of Versailles. On that cloture vote, the Senate voted 76 to 16, on November 15, 1919.

Second. The World Court issue, on which the cloture vote was taken on January 25, 1926. The vote on the question of invoking cloture was 68 to 26.

Third. The branch banking bill the vote came on February 15, 1927, and was 65 to 18, on the question of closing the debate.

Fourth. The question of creation of the Bureau of Customs and the Bureau of Prohibition. That vote was taken on February 28, 1927; and the vote on the question of invoking cloture was 55 to 27.

Fifth. The vote taken on August 4, 1962, when, in bringing to a head the question of passage of the so-called communications satellite bill, the Senate voted 63 to 27 in favor of closing debate.

All the other items on the list compiled by Dr. Galloway are left for our close inspection to see what has happened. We must see whether or not failure to adopt cloture at the time the measure was suggested meant the defeat of the proposed legislation and, if so, what was the character of the proposed legislation that was so defeated. I will not go through the items one by one, but I shall make a general statement which will be borne out by the particular compilation I have in my hand and from others in the document, to the effect that every other item in this long list of proposed legislative acts, comprising almost every type of legislation upon which the Senate acts, was later—and with not too great delay—enacted into law, sometimes in its precise form and sometimes in an amended form; but in no case, except in the one case I shall mention as covering extreme civil rights cases, was there any extensive period of waiting before the proposed legislation was enacted. I think that is very important because the RECORD shows that from 1917 until now, on five measures which were regarded as most important by the Senate to the Nation cloture was immediately voted, and that on all the other matters listed, except the more extreme civil rights cases, the bills were passed thereafter without great delay.

I should like to read into the RECORD some of those bills without stating the dates on which they were enacted, or whether they were enacted in their precise form, in relation to which cloture was not voted, and which were passed in some amended form. The measures covered which were later enacted into law were as follows:

The emergency tariff; the Fordney-McCumber tariff; the Bird Migratory Refugee Act; the retirement of disabled emergency officers of the world war; the Colorado River Development Act; a bill covering public buildings in the District of Columbia; a general Banking Act; and the Atomic Energy Act, which most of us refer to as the McMahon Act, because we served in the Senate with the distinguished Senator who was the leader in bringing that act into existence. I believe that list covers most of the measures on which cloture was refused, but which were later passed either in their precise form or in an amended form, generally slightly amended.

**Mr. LONG of Louisiana.** Mr. President, will the Senator yield?

**Mr. HOLLAND.** I yield to the distinguished Senator from Louisiana.

**Mr. LONG of Louisiana.** Is it not generally correct that in cases in which bills were of such a nature that they would actually provoke unlimited debate or a so-called filibuster, from hindsight, even those who would favor the proposed legislation are usually compelled to admit that there was much merit to the arguments made by those who engaged in a so-called filibuster against that type of proposed legislation?

**Mr. HOLLAND.** What the Senator has said is true. Only a few minutes ago I said that I felt quite sure that no Senator would dare to stand on the floor of the Senate and indulge in unlimited debate unless he felt sure that his cause was such that other Senators would believe in his sincerity and in his dedication to the righteousness of his cause. They must know, too, that he believes sincerely that his people want him to do what he is attempting to do or he would never dare to jeopardize his own good will in the Senate and their good will by taking that position.

**Mr. LONG of Louisiana.** With regard to the so-called filibuster over the Atomic Energy Act, is it not correct to say that those who engaged in extended debate against that bill were eventually successful in compelling a majority to accept certain amendments which the minority felt were required unless that bill was greatly to violate the essentials of the national interest?

**Mr. HOLLAND.** It is true that certain amendments to the bill which was pending when cloture was requested and denied were written into the measure as it was finally passed. My recollection is, as stated by the Senator from Louisiana, that those amendments written in were a part of the cause of those who had engaged in the prolonged debate. I do not believe that all the conditions which they insisted upon were included in the amendments, but my recollection may be faulty in that regard.

**Mr. LONG of Louisiana.** If I recall correctly, one of the amendments which was insisted upon and agreed to by the Senate was an amendment providing for situations in which patents were to be obtained on atomic energy, requiring that there be compulsory licensing for a reasonable fee in order that competition might enter into the field in which someone held patents. Has the Senator ever heard anyone express serious criticism in relation to that provision, which was agreed to as a part of the final settlement of the atomic energy controversy?

**Mr. HOLLAND.** I have not. My own feeling is that when amendments have been offered, after cloture has failed, as they sometimes have been, generally they have brought about a composition of ideas and a compromise which has proved to be in the public interest. I regret that I do not have the exact details of the Atomic Energy Act before me, but my recollection is that most of the contentions of those who opposed the bill and opposed cloture were finally embodied in amendments to the bill by the time it was actually passed.

**Mr. LONG of Louisiana.** Is it not true that a great Nation consisting of 180 million people, 50 States, and comprising land about 5,000 miles in breadth from the most eastern point to the most western point—perhaps more than that—interests are so substantial and so diverse that it is desirable that those who would be seriously and adversely affected by such legislation should at least have some opportunity to obtain a compromise of the differences between a majority and a minority, so that the less powerful forces of our country might be considered in a final resolution of some of these questions?

**Mr. HOLLAND.** I think it is very important. In a Nation as great and diverse as ours, and with geographic differences as great as they are, and other differences in every field as variant as they are, it is necessary to have room for some give and take before important legislation designed to govern the entire nation is passed. I agree with the distinguished Senator.

Mr. LONG of Louisiana. Is it not true with regard to the troublesome issues we have had in our day—and I can only speak with respect to the 14 years that I have been a Senator, although I think it would be correct to say that it would go back beyond that point—that progress has been made toward resolving these issues; and the fact that there have been checks and balances and some restraint over the tyranny of a majority has made it possible for our Nation to adjust itself to the course on which it seems to have embarked?

Mr. HOLLAND. I believe that is correct. I thank the distinguished Senator.

Mr. President, to go back to the list, if I may, I wish to dispose first of three measures for which cloture was denied which were handled in a more moderate way than was proposed in the three measures. These measures—one pending in 1942, one in 1944, and one in 1946—were measures which proposed the abolition of the poll tax by Federal statute, and in each instance that brought on unlimited debate in the Senate, and in each instance cloture was applied for and denied.

The Senate knows that there have been many of us who have felt that the constitutional approach was the only sound one in that regard. A constitutional amendment was offered throughout this period of time, and eventually the vast majority of the Senate and the House as well approved that constitutional amendment, which would do away with the poll tax requirement as a requirement for voting for President, Vice President, Senators, and Members of the House of Representatives; and that constitutional amendment, as proposed, is now in the laps of the legislatures of the States and has been ratified by several legislatures, including New Jersey and Illinois. I observe in the Chamber the distinguished senior Senator from New Jersey [Mr. CASE]. I am happy to say for the RECORD that the legislature of his State ratified the proposed constitutional amendment by the unanimous vote of both houses on December 3, 1962.

I am calling attention at this time, however, to the fact that this is a specific instance in which a measure which was advanced and which was regarded by many—and I was one of those who opposed the statutory approach—as extreme and unconstitutional, was finally set aside and a more moderate approach was approved which could have the approval of nearly all the Senate. My recollection is that the vote in the Senate on that measure was 77 to 16, with several Senators shown as approving, although they could not be present to vote on that day.

So these were three of the measures on which cloture was requested and denied which are now out of the way so far as Congress is concerned, having been handled in another form, which I regard as being more constitutional and moderate.

While some Members of the Senate may disagree as to the wisdom of the procedure, I do not believe there is a single Senator who will not concede that was a constitutional way to get at the problem.

Mr. President, the second of the groups of measures which were not allowed to have debate closed on them related to antilynching. There was one antilynching bill, as I recall, which was subjected to two attempts at cloture in 1938.

I think we all know, Mr. President, that measure has had an effect of an indirect sort. Lynching has disappeared, as it was known then in the field of civil rights or as applied to the racial matter. We hear of it no longer. I have heard of no disposition on the part of anybody to press that measure any further.

Mr. President, these were two examples of attempts to invoke cloture which failed because of the extremity of the remedy which was proposed for an admitted evil; that is, the taking of jurisdiction by the Federal Government over the States in the enforcement of their own laws, and the enactment of penalties against areas and communities in States which were so unfortunate as to have lynchings within their borders.

Mr. President, the next group of measures on which cloture was not enacted was a group of two FEPC measures, one in 1946 and one in 1950. As a matter of fact, the one in 1950 was subjected to two efforts to close the debate, so really there were three instances in which there was an attempt to enact cloture as to Federal FEPC legislation.

Mr. President, the reason for that is obvious. It is an extreme measure for the Federal Government to step into the field of racial and religious and other relations and to say that an employee shall not have any opportunity to select a fellow employee, that an employee shall not have an opportunity to select his employer, that an employer shall not have any opportunity to select his employee; but that all shall be subjected to the long hand of Federal law reaching out from Washington.

Without attempting to argue the merits of that proposal now, because that is not my intention, I wish to invite attention clearly to the fact that three of these items with respect to which cloture was denied were efforts to impose an extreme Federal FEPC law on the Nation, on the States, and on the people of the States.

The next of the items which I shall mention is a civil rights bill proposed by the distinguished Senator from Illinois [Mr. DOUGLAS] and the distinguished Senator from New York [Mr. JAVITS], which is simply styled a Civil Rights Act, because it covered very many of the approaches, or at least several of the approaches, to civil rights. Some of them were extreme, such as the third section, so-called, of the original Civil Rights Act and such as the question of taking away the right to trial by jury in certain cases, and other matters of that kind. Cloture was denied in that case.

There was an effort to amend this same rule, rule XXII, made on the joint resolution of the two leaders, the majority leader, the Senator from Montana [Mr. MANSFIELD], and the minority leader, the Senator from Illinois [Mr. DIRKSEN], in 1961. Cloture was again denied. The reason for that at that time was that one of the same provisions which is embodied in the present proposals was involved, and the Senate felt it was too extreme to be made the subject of a mandatory, final vote on the Senate floor.

The last of the measures on which cloture was denied is covered by two cloture votes which took place last year on the so-called literacy test for voting; one on May 9 of last year and one on May 14, both relating to the same measure.

Mr. President, my point is that every important measure on which cloture was denied in the long history of this rule, from 1917 to now, some 46 years, has been enacted into law except a relatively few which lie in the field of extreme civil rights issues, and apparently that is the only field to which this proposed change in the rule can properly be held to apply.

I would like again to call attention to the fact that it is only the extreme measures that have been so treated as not to be subjected to cloture, extreme measures in the field of civil rights.

I have already mentioned the fact that the earlier effort to impose a ban on the poll tax by Federal statute was replaced by a proposed constitutional amendment, now being voted on by the States. That clearly shows no indisposition of the Congress or of the Senate to deal with the subject matter, but an insistence on more moderate methods. I am sure I correctly represent a great number in the Senate when I say we felt that was the only constitutional way to approach that problem.

Similarly, there have been perhaps five or six other civil rights measures which have been passed in the same period of time, all of which would come within the category of more moderate measures.

For instance, in 1957, the Civil Rights Commission Act was passed. It was not subjected to a long and extended filibuster, and no cloture was attempted on it, but the opponents of it—and there were some very determined opponents, and I was one of them—felt it was a matter which should go to a decision of the Senate and of the Congress and of the people, and we permitted the matter to come to a vote in the regular way. The measure was passed.

Again, in 1959, that measure was extended for an additional period of 2 years; and in 1961 it was again extended for 2 years.

So there were three more or less moderate measures passed for the setting up of a factfinding body to determine what are the facts in this troublesome field of civil rights, and to make recommendations to the executive and legislative branches of Government, so that progress may be made toward the solving of these problems.

That is moderate legislation. I call attention to the fact that no demands were made for cloture preceding the bringing on of a vote on any of these three determinations made by the Senate in this field.

There was another measure which, I may say, occasioned deep concern to many of us here in the Senate. That was when the Selective Service Act came up for extension in 1950. As submitted by the administration, that measure, for extension of the Selective Service Act, provided authority for integration of the races in the Armed Forces of the Nation to whom the men who were selected under Selective Service should be assigned.

The Senate may recall that the Armed Services Committee of the Senate reported that measure back to the Senate with an amendment in it, generally referred to as the Russell amendment, which did away with that particular provision, because of the deep conviction of many that there should be continued the tradition of separate service, such as was the case among the members of the 9th and 10th Cavalry, and the 24th and 25th Infantry Regiments, all of which had very fine records, and which were made up of segregated, Negro members. It was felt that the following of tradition was preferable, and that much greater contentment would exist in many families in the Nation in the knowledge that when their sons were taken by Selective Service to go into the Army, Navy, or Air Force, it was understood they would serve with men of their own color.

Mr. President, you will recall, no doubt, that that question became the subject matter of a very vigorous fight on the floor of the Senate. Those of us who believed that segregation in the Armed Forces should be continued and that it would be to the best interests of all concerned lost out on that vote. The question came up as to whether we would insist, in a matter affecting the security of our country, and affecting the ability of the country to continue to supply manpower to the Armed Forces, on going to the length of a filibuster and demanding an attempt to force cloture.

I attended the conference at which that subject matter was discussed, and which was finally decided upon on no other ground than that we felt, distasteful as that provision was to some of us, in a matter vitally affecting the security of our country and the ability to replenish the personnel of our Armed Forces, we should not resort to unlimited debate.

I could continue to name other matters in the general field of civil rights in which there has been no resort to cloture. Because some of us have felt the subject of civil rights does sometimes involve questions of extreme importance to our areas, which may run to the question of peace or disorder, which may run to the question of peaceful relations among our people or complete lack of them and all sorts of violence, we have reserved to ourselves the right and responsibility to raise the question of unlimited debate only when the question was extreme and when we have felt it was the only way in which we could adequately take care of our responsibilities to our own people.

So this first fallacy which I have mentioned and discussed briefly is, I think, very clearly shown to be a fallacy. That is a contention of some of the able and highly reputable advocates of these proposed changes in the rule that more stringent limitation of debate is required in order to enable the Senate to approve measures important to the country's welfare. I think that contention is shown not to be in accord with the facts, and that, instead, the only failure to pass measures because of the length of debate has been in the field of extreme civil rights.

The second point I want to mention is another fallacy which I hear frequently. I have heard it here on the floor of the Senate; I do not think it will be voiced after what happened last year, but it has been voiced frequently on the floor of the Senate. It is that southern Members of the Senate will never vote for cloture even when legislation affecting the welfare or security of the country or well-being of its citizens is before the Senate.

I have already mentioned legislation with reference to that matter, but there are many other instances on important measures in which I and other colleagues from the South have voted to limited debate.

Let us recall that the cloture rule has been in effect since 1917. Let us recall that there have been five different applications of the cloture rule by a vote of more than 2 to 1 of the Senate.

I have already read into the RECORD the subject matter of those facts, but I would like to read now into the RECORD the report from the Library of Congress, or the substance of the report, as to what happened when these various cloture votes were taken.

First, I mention the vote upon the Versailles Treaty, which was in 1919, in which the vote was 76 to 16.

As is shown by the report of the Library of Congress, a very large number of southern Senators were among the 76 who voted for the closing of debate on the Treaty of Versailles. The report of the Library of Congress shows that 20 southern Senators were among those 76 who voted to close that debate, and it gives the names of those 20 southern Senators.

Mr. President, I am very happy to say that my two distinguished predecessors who were in the Senate at that time representing the State of Florida, Senators Fletcher and Trammell, both voted for cloture, and were among the 20 southern Senators, therefore, who supported cloture on that occasion.

The next time the matter came up, it was again a matter affecting vitally the whole Nation. It was the matter of the establishment of the World Court. On that occasion, on January 25, 1926, 18 southern Senators voted in the affirmative, so as to bring about the closing of debate, which was accomplished by a vote of 68 to 26. I am pleased again to note that both of my distinguished predecessors from Florida, Senators Fletcher and Trammell, voted in the affirmative on that occasion; in other words, they supported cloture.

I believe that too many of our friends have forgotten the fact that this is the record and the history that has come to us since 1917, namely, that southern Senators have customarily voted for cloture, except on matters in the field of civil rights.

The third vote was on the branch bank bill, in 1927. The vote was 65 to 18. Seventeen Senators from the South voted in favor of the cloture petition. I am happy to say than one of my distinguished predecessors, Senator Fletcher, voted "yea." One of my predecessors, exercising his own judgment and discretion, voted "nay." That was Senator Trammell.

The fourth time when cloture was voted was in 1927, 10 years after the original rule was adopted. That was on the bill creating the Bureau of Customs and Prohibition. Cloture was voted by a vote of 55 to 27, a very close vote. Twelve southern Senators voted to invoke cloture.

I am happy to inform the Senate that both of my distinguished predecessors, Senators Fletcher and Trammell, were among those who voted for cloture on that occasion.

Last year there came up another matter, in connection with which cloture was invoked, on a matter not affecting extreme civil rights, and that was on the satellite communications bill. At that time cloture was voted by a vote of 63 to 27.

I know that Senators present will recall that both my distinguished colleague, the Senator from Florida [Mr. SMATHERS], and I, voted for cloture on that occasion. I believe they will also recall that six southern Senators were found to be absent at the time of the taking of that vote, though they were not too far away, as other parts of the RECORD will indicate.

Therefore, it is very clear that that vote could not have been accomplished and cloture enacted at that time without the aid of those eight southern Members of the Senate.

I mention these things so that this fallacy, that southern Senators will never vote for cloture, regardless of how important a matter is, is just not so. They have customarily voted for cloture. The only reason why such a conspicuous departure from the fact could have arisen is because cloture has been so frequently associated with extreme civil rights in recent years—and the position of southern Senators on extreme civil rights is so well known it does not need discussion here—people have come to the conclusion that southern Senators will not vote for cloture on any type of bill. That is not the case. Southern Senators have just as much desire to see things done that are necessary for the country's good as anyone else, although they will not vote for extreme civil rights measures which will bring confusion and violence and greatly worsen racial tension not only in our part of the country, but throughout the entire Nation, rather than lessen it.

**Mr. CASE.** Mr. President, will the Senator yield?

**Mr. HOLLAND.** I yield.

Mr. CASE. I thank the Senator for yielding to me. I wish to say, insofar as any statement of fact goes, no one in this body could or ever has questioned the accuracy of any statement the Senator from Florida has made, even though some of us do disagree with his conclusions from time to time, as in this instance.

I rise particularly to emphasize, if I might, this point in the Senator's remarks, since he himself has referred to the vote last year on the cloture motion in connection with the satellite bill. If it had not been for the votes of the two Senators from his State, his and his colleague's vote, and the absence from the Senate of six Members from the South, cloture would have been impossible. As he pointed out, that is most interesting. I do not wish to make an argument from that point at this time, because it would be an improper interruption of the Senator.

As the present situation exists, we can get cloture with the support of southern Senators, but we can never get it without their support. We will argue the implication of that fact on some other occasion.

Again I wish to thank the Senator for a factual and careful and courteous statement of the situation.

Mr. HOLLAND. I thank my distinguished friend from New Jersey. I wish it were true that it was impossible ever to get cloture without the votes of the southern Senators.

Mr. CASE. Not last year, at least.

Mr. HOLLAND. However, I wish to call the distinguished Senator's attention to the fact that there are only 17 of us here from the South and that that lacks a good bit of being the 34 now required, and that there always have to be good, sturdy friends, who will have convictions similar to those we have and who are willing to stand with us for what we believe in in connection with cloture.

The sole point of my remarks is to call attention to the fallacy—and it has been a fallacy—which has existed in the minds of many people, who have gotten so obsessed with the civil rights question that they have forgotten about other things, namely, the fallacy that the South will never vote for cloture on any matter, when the South has voted, as a matter of fact, on cloture that has been obtained, meaning the five occasions I have given, and which could not have been obtained without southern votes.

I wish there were 34 Members here representing the South. I think the Nation would be in better shape, if I may say so.

However, it does not happen to be so that on occasions we can stretch our votes out to cover the one-third of the membership present and voting, if every southern Member is present, unless others want to help effect cloture.

Mr. CASE. I say it is more than a coincidence that in every one of the successful cloture votes, since the rule has been in effect, it has been necessary to have the votes of southern Senators for the adoption of the cloture petition. I believe it is most significant that that is so. We do not disagree on the fact, although we can disagree on the implication.

Mr. HOLLAND. I thank the Senator for his concession.

Mr. CASE. It is no concession. It is something to be argued at a later date.

Mr. HOLLAND. What he calls it is up to the Senator, but I must be grateful to him for making it clear that he recognizes the fact that no single cloture could have been accomplished in the Senate up to now without southern votes, which made it possible at the time of each cloture voted. Of course that had to be accomplished with the aid of votes of Senators from other parts of the country, who, I must say, are entitled to just as much credit as are the Senators from the South who voted in that way. But I think that too few people who are ardent advocates of civil rights, and who seem to have forgotten everything else except these extreme civil rights questions, remember the record of the actual voting on the five clotures which have been accomplished. I thank the Senator from New Jersey for his comment.

Mr. President, the distinguished majority leader has indicated that he believes this debate, though not unlimited, may have proceeded far enough this afternoon. I am always glad to accommodate him. I shall be very glad to terminate my address with the understanding that not less than an hour may be allowed me to finish this, my first address on this subject, this year, because that is about the amount of material I have left. Will the Senator accomplish that in the unanimous-consent request?

Mr. MANSFIELD. That is perfectly agreeable to the Senator from Montana.

## RECESS UNTIL MONDAY

Mr. MANSFIELD. Mr. President, in view of the fact that this is a special day for one of the two really great parties in this country, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 51 minutes p.m.) the Senate took a recess, under the order previously entered, until Monday, January 21, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate January 18 (legislative day of January 15), 1963:

### DEPARTMENT OF LABOR

Daniel Patrick Moynihan, of New York, to be an Assistant Secretary of Labor, vice Jerry R. Hollaman, resigned.

### COUNCIL OF ECONOMIC ADVISERS

John Prior Lewis, of Indiana, to be a member of the Council of Economic Advisers, vice Kermit Gordon.

### WORLD HEALTH ORGANIZATION

Dr. James Watt, of the District of Columbia, to be the representative of the United States of America on the Executive Board of the World Health Organization, to which office he was appointed during the last recess of the Senate.

### DEPUTY SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

William T. Gossett, of Michigan, to be Deputy Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

### IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Robert E. Cushman, Jr.
Richard G. Weede
Leonard F. Chapman, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

John C. Miller, Jr.
Louis B. Robertshaw
Rathvon McC. Tompkins
John H. Masters

# EXTENSIONS OF REMARKS

## Each NATO Country Must Assume Full Responsibilities of Membership—Acting Secretary General of NATO, Hon. Guido Colonna, Addresses Paris Meeting of NATO Parliamentarians

EXTENSION OF REMARKS
OF
**HON. JENNINGS RANDOLPH**
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
*Friday, January 18, 1963*

Mr. RANDOLPH. Mr. President, as a member of the North Atlantic Treaty Organization, the United States is a shareholder in a 15-power partnership for world peace—a cooperative effort which demands from each participant a strong sense of understanding, trust, and responsibility. And, as our efforts are set in an alliance of 15 sovereign and independent states, and since the degree of cooperation and agreement among the member governments will necessarily dictate its effectiveness, it is essential to the interests of the free world that we unceasingly strive to reach a common accord.

One tangible evidence of a determined drive to attain this unanimity was the conference of parliamentarians from NATO countries in Paris last November. As a member of the official delegation from the Senate of the United States, it was my privilege to be in attendance, and, along with a number of colleagues, to participate in meetings aimed at promoting a singleness of purpose among treaty nations.

One significant highlight of the session was an informative address by Hon. Guido Colonna, who served as Acting Secretary General of NATO during the illness of Secretary General Dirk U. Stikker.

Mr. Colonna began his remarks with an informative digest of the changes in world affairs which had taken place in the last year, and the relationship of these alterations to the NATO alliance. He also discussed the current status of NATO in vital areas of political relationship, military preparedness, and civil emergency planning. The Secretary emphasized dangers which face the treaty countries, not only military, but ideological and economic as well.

In commenting on recent Western optimism over signs of strain between elements of the Communist bloc he observed that—

> Anything that may make for more variety and more independence behind the Iron Curtain is all to the good. Here again, however, we should not indulge in wishful thinking and we should not base our policies for today on what may—or may not—happen tomorrow. A less monolithic, less oppressive communism will not necessarily be a weaker communism. It may well be stronger because more firmly based on public support: and indications are not lacking that this may be so.

Mr. President, fully aware of the far-reaching implications of a cooperative spirit among the NATO countries, it is nevertheless my conviction that the United States should move to stimulate a more proportionate degree of participation in alliance activity by some other member nations. Certain of these Allies have, of course, been weakened by shortages of materials and manpower, and they have not yet fully recovered from the devastation of World War II. But, the United States has been shouldering a far larger portion of the military and financial burdens, and it is time that we make clear our desire that others also assume their full responsibilities.

I request that excerpts from the address by Secretary Colonna before the NATO Parliamentarians Conference be reprinted in the CONGRESSIONAL RECORD. Additionally, I request that statements of mine dealing with the need for equal adherence to NATO commitments, as reported in the Elkins Inter-Mountain, Elkins, W. Va., December 17, 1962, be likewise reproduced.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

### EXCERPTS FROM A SPEECH OF THE ACTING SECRETARY GENERAL, AT THE NATO PARLIAMENTARIANS CONFERENCE IN PARIS ON NOVEMBER 12, 1962

Mr. Chairman, ladies and gentlemen, it is a high honor for me, as the Acting Secretary General of NATO, to welcome you at our headquarters building on the occasion of your annual conference. At the same time, I am all too well aware that this honor has fallen to me only because, owing to his recent illness, the Secretary General, Mr. Stikker, could not be here today himself. Mr. Stikker has, however, asked me to express to you his most cordial wishes for a successful meeting and his profound regret at not being able to be with you.

He has—I know you will be glad to hear—made a remarkable recovery from what was a pretty serious operation; but even he still needs some rest to be fully able to resume his duties. There is every reason to hope that he will be back with us very soon. Meanwhile, Mr. Chairman, I hope I may convey to him the conference's best wishes for a speedy and complete recovery.

During this important conference, as indeed at any other time of the year, the International Secretariat will do everything in its power to lend you such help and facilities as it can in order to promote the successful work of this gathering.

We attach, as you know, the greatest value to your work, because we are fully aware that what we are trying to do, we can never accomplish in a vacuum. To succeed, we need the full support of the public opinion of our 15 member countries, and this means, first and foremost, that of the elected representatives of our allied nations. You, parliamentarians, and we, officials, must work hand in hand in mutual trust and in a common conviction as to the common goal to reach.

Every word spoken by you during this conference, every idea thrown out and every resolution passed by you will be read and listened to by all of us with the greatest respect and with the greatest interest. The wishes expressed by you and the suggestions you make will guide us in our future work as they have in the past.

I now wish to turn to the world situation in general and try to assess what changes there have been since last year. We should be deceiving ourselves if we were to say that there had been any diminution in the Soviet threat. Indeed, in some ways, it may even have increased. There is, therefore, no reason for either complacency or slackness on our part. Allow me to review the elements of the situation one by one.

The Soviet Union continues to gain economic, technological and military strength. It is true that she, as well as China and some of the satellites, encounters great difficulties in food production and the management of agriculture. The laws of nature often refuse to submit to the laws of Marx and Lenin. It is equally true that the standard of living in the Soviet Union, not to speak of that of Communist China, continues to be miserably low compared with that of the West. Progress is painfully slow, thus often straining the patience of the Russian masses, as manifested in the disturbances in some parts of southern Russia last summer.

But let us not be misled by the undoubted shortcoming in the Soviet system into underrating the expansion of Soviet industrial power, the rapid and in some respects admirable achievements in the scientific and technical field, and the formidable military build-up which these have enabled the Soviets to achieve. We in NATO have, to be sure, considerably improved our military posture. Our alliance possesses a formidable deterrent in time of peace and impressive fighting power in the event of war. The Soviet leaders must realize this. They must also realize that if they were to force a conflict upon us, they might certainly inflict fearful damage and loss on the whole Western alliance, but they would also provoke their own total destruction. That is the balance on which the peace of the world precariously rests. But that balance is not a static thing. If we have not stood still, neither—we may be sure—has our adversary. That is why we cannot be content with our efforts, but must renew and redouble them.

Over the years, there has been a gradual change in the face of communism. Since the death of Stalin, there have been one or two cracks in the grim, monolithic facade. Here and there, a little freedom, a little light has been allowed to seep in. We in the West have watched these developments with interest and not without sympathy. Not one of us would grudge the Russian people some relaxation in the burden they bear. None of us but would be overjoyed if they could have even a fraction of the right and freedom we take for granted. We have no quarrel with them: our enemy is the system under which they are forced to live. There may have been what some people call a thaw. The Soviet leaders may indeed have realized that the human spirit, even after 40 years of despotism, can stand so much tyranny and no more. But let us have no illusions. The central structure of communism remains. If anyone is inclined to believe that there has been a change of heart, let him look at the wall in Berlin, and at the tragedy and shame it has brought.

We know, it is true, that the Communist empire has its ideological and political strains and stresses. We know too that what in the horrible jargon of kremlinology is called "polycentrism" (ugly subjects seem to generate ugly words) is more and more replacing the monolithic bloc of Stalin's day. We have no reason not to welcome this. Anything that may make for more variety and more independence behind the Iron Curtain is all to the good. Here again, however, we should not indulge in wishful thinking and we should not base our policies for today on what may—or may not—happen tomorrow. A less monolothic, less oppressive communism will not necessarily be a weaker communism. It may well be stronger, because more firmly based on public support: and indications are not lacking that this may be so.

So much for our Soviet adversary. Let me now briefly review our own position today compared to our situation last year. Economically, the Alliance as a whole continues to prosper and progress. Production in most countries of the Alliance is still at an all-time high, though the rate of growth in some of the major industrial countries has levelled off, and we have had one or two warnings—in the stock market for example—that we cannot take our present momentum for granted. Encouraging progress is being made in the economic and social development of those countries and regions in the Alliance which had hitherto lagged behind. In the case of Greece and Turkey, two consortia have been set up under the aegis of OECD. This development warrants new hopes for increased and better coordinated economic assistance to these two countries.

The Common Market has proved an outstanding success exceeding even the hopes of its well-wishers. Its radiation and attraction is felt in every part of the Western World and far beyond.

The determination of the United Kingdom Government to negotiate acceptable terms for its entry into the Common Market will, we hope, bear fruit before long. With the addition of Great Britain and other Western countries, and with the association of large parts of Africa, the Common Market would become one of the most powerful units in the world and an entirely new element in world affairs.

If we needed any reassurance on the importance of the Common Market, it would be amply provided by the reactions of the other side. First of all, the line was that co-operation among capitalists was doomed to failure owing to the contradictions of a system under which—as some eminent Marxist once said—if one capitalist announced his intention of hanging himself, the rest would compete with one another to sell him the rope. It was indeed embarrassing when in a Europe which seemed ruined by war, rent by dissension, and doomed, by all the rules of the Marxist game, to decadence and decline, our free economy not only refused to lie down and die, but staged a spectacular renaissance. Later, the Soviets seem to have admitted to themselves that the Common Market could not be laughed or vilified out of existence. They would still like to see it fail. They, and those who consciously or unconsciously play their game, are still trying to prevent its further extension and to misrepresent it to the underdeveloped nations of the world as a cunning device to perpetuate their colonial bondage. But for better or worse they have had to accept that it is a force to be reckoned with—and lived with.

Politically, our alliance is in good health. Khrushchev's hopes to divide us on the issue of Berlin have been disappointed. We have stuck together, and jointly we have stuck to our guns. Most recently the alliance has shown spontaneous and magnificent solidarity with the United States in the Cuban crisis. Other issues which threatened to divide us in the past have faded into the background. Intensive political consultation carried on over the years is beginning to show its fruit, not necessarily by producing unanimity on each and every issue—which is perhaps not essential or even desirable in a community of free peoples—but in creating a common pattern of thought and of reactions to political events around the globe. In other words, we are not only overcoming past divisions, but we are in full process of growing together into a true family of like-minded nations. In this respect the spectacular Franco-German reconciliation—a long-evolving process whose completion was symbolized by Dr. Adenauer's visit to Paris and General de Gaulle's visit to Germany—is in its way as positive and momentous an event for the alliance as President Kennedy's declaration on 4th July of this year on interdependence between the United States and Europe. Europe must unite. None of us here, I think, would gainsay that. But we must not allow the bonds of unity which are growing closer every day to divert us from our goal of a true Atlantic community, or allow any contraction or conflict to arise between the two objectives of European unity and Atlantic solidarity. The Atlantic Ocean must unite, and not divide, the free world.

As to the development and strengthening of our Military Establishment, I have already had something to say in connection with the recommendations of your conference of 1961. I would now like to go into this question in more detail because it is, after all, an essential element in any review of Western strength and achievements that we wish to make.

You are all aware that since the Oslo Conference of May 1961 the North Atlantic Council has been engaged in a thorough examination of NATO defense problems with a view to determining long-term planning and policies. In his opening address to you last year, Mr. Stikker described some of these problems, particularly those relating to the control of nuclear weapons, and also explained to you why the council had temporarily to interrupt this study in order to give the highest priority to the urgent buildup of our military forces in face of the Soviet threat in Berlin.

I should, first of all, like to assure you that the determination and solidarity shown by NATO countries after the construction of the wall in Berlin in August 1961 has in no way slackened and that as a result the efficiency and state of readiness of the forces under SACEUR's command has greatly improved since last year and will continue to improve. But we have still a long way to go before we can be sure that our shield of conventional forces is fully capable of playing its role in the overall deterrent to aggression.

There is another aspect of our work in NATO to which I would like to refer this morning, that is civil emergency planning.

We regard progress in the wide field of planning and preparing for war in the civil sectors as of vital importance. Civil emergency planning is an essential complement to the NATO military buildup.

If our preparations in the civil field are obviously inadequate, the credibility of the deterrent is lessened. If war should be forced upon us, effective preparations in the civil sectors, both nationally and internationally, offer the only practicable means by which our populations could hope to survive and to sustain the allied war efforts to a successful conclusion.

We recognize of course that national preparations must remain the responsibility of the individual member governments. We recognize also that financial, and in some cases psychological, considerations cannot but hinder the full implementation of the wide range of measures ideally required.

We now review annually the progress made both nationally and internationally, and a comprehensive but, I regret, secret report is prepared each year by the senior civil emergency planning committee. Each government will thus be able to judge the success or failure of our international efforts and the extent to which they and their fellow governments have met national goals.

I will not hide from you that much remains to be done, but I am satisfied that the tasks with which we are confronted are being tackled with energy and determination by a sound and satisfactory organization acting under the direct auspices and responsibility of the North Atlantic Council itself.

At the same time I would like to point out the importance that we attach to the aid you can give in this as in other fields. Your support for legislation and financial measures aimed at enabling your respective governments to prepare for war in the civil fields is vital to the success of our combined efforts.

I should like now to look further afield. In a world in which two powerful alliances maintain an uneasy equilibrium, the position of those countries which remain outside the two alinements, is clearly of cardinal importance. This applies both to those countries which have formally adopted a policy of nonalinement, and to those which, though their political alinement is clear, do not actually belong to any particular grouping. Developments in those third countries are of the greatest importance to our alliances and we must pay the closest attention to them.

With this in mind I should like to try to draw up a kind of balance sheet of developments favorable and unfavorable to the West in those parts of the world which are not covered by NATO or the Warsaw Pact.

In the Far East, we watch with satisfaction and confidence the growing economic power, the social and political stability, and the sense of international responsibility of Japan.

In southeast Asia, the Geneva agreement has put an end to the dangerous fighting in Laos, though we still have considerable misgivings about what seem to be circumventions, if not breaches, of the agreement by the Communists.

In South Vietnam, the bitter guerrilla warfare between pro-Western and Communist forces continues, though the massive aid given by the United States appears to have given the edge of advantage to the West.

By a strange reversal of fortune, India—the aggressor of last year—has herself become the victim of a massive, ruthless and determined aggression by Communist China. It is too early to say how the conflict will develop. But there can be no doubt that it will have profound and far-reaching effects. It will certainly disillusion the Indian leaders and the Indian masses still further about the true nature of communism. The Indian Communists themselves have been unable to find any justification for China's action. It may well shake to its foundations the whole philosophy of nonalinement on which the Indians and many others, following their example, have based their whole foreign policy.

Mr. Nehru himself has virtually admitted that for the past 15 years, India has been living in a fool's paradise. It has already created a major problem in Sino-Soviet relations. Can the Soviets continue to give economic and even military aid to a power which with the other half of the Communist world is in a state of undeclared war, and what will happen to their relations with China if they do?

The Middle East has remained relatively calm, except for the revolution in Yemen and the Kurdish rebellion in Iraq, which General Kassam appears to be unable to put down, and which may yet have wider repercussions.

In north Africa, the farsighted and courageous action of the French Government has ended the 7 years' nightmare in Algeria. It has opened the way for a new pattern of cooperation, on a basis of sovereign equality, between two countries whose fates have been closely linked for more than a century. It has afforded France the opportunity of resuming in the near future her rightful role in the military effort of our alliance. It is our earnest hope that the great work begun at Evian will continue and that the new Algeria will develop along democratic lines and in close friendship and cooperation with France.

In Africa, south of the Sahara, the process of decolonization has gone steadily and peacefully on.

The road from colonial dependence to full sovereignty is a hard one for both sides to travel. There have been difficulties, and there are bound to be many more. But all that has happened over the past year has confirmed the wisdom of the decision to end the colonial link in freedom, order, and friendship. Even in the Congo, the gradual emergence from chaos and civil war affords some hope that some measure of stability may return to that unhappy country. Such progress as has been achieved has been won against heavy odds. The Soviet bloc has been concerned only to exploit and intensify internal divisions. But with patience and goodwill, order may yet prevail.

To turn now to Cuba, the swift and courageous action of President Kennedy has foiled a major threat to the security of the West and the peace of the world. It is too soon to say how things may turn out. It may be that this brave and well-judged stand may have opened up new possibilities and new prospects. Many of us may think so. But in our relief that, this time, catastrophe has been averted let us not forget that negotiations between East and West have been burdened for too long by a legacy of all too well founded suspicions of Soviet intentions and all too blatant Soviet bad faith. The events of the past few weeks can only have added to that burden. It is hard to negotiate with confidence with an interlocuteur whose main weapon in debate is the lie direct.

While the credit for the outcome of the crisis must be given in full measure to the courage and steadfastness of one country, and indeed of one man, I feel certain that the hand of the President of the United States was greatly strengthened by the response of the Organization of American States and by the full support he was given by this alliance. Therein lies a lesson for the future.

On the whole, and despite the alarms and excursions of the past weeks, I think the picture of the uncommitted world emerging from the survey is an encouraging one. Decolonization has continued swiftly and in general peaceably. Gradually, some measure of order and stability seems to be emerging in the southern half of the world. And—perhaps most important of all—slowly, painfully, but nonetheless surely, the neutrals are beginning to understand the realities of the world situation and the realities of world power. The shedding of illusions is always a painful process. We have found that ourselves. It is likely also to be a long one. We shall need all our patience and all our sympathy. But if we keep our heads, and steadily and consistently pursue our policy of promoting the independence, the economic well-being and the social stability of the emergent countries, commonsense is bound to prevail in the end. The neutrals are learning fast. Sooner or later they will realize—as many of them do already—that neutralism only makes sense in a world in which the opposing forces are more or less evenly balanced: that the attempts to upset that balance come from one side and one side only; that they themselves could not survive in a world dominated by communism; and that they bear a heavy responsibility not to upset the balance in favor of those who are in truth the last real and unrepentant imperialists of today.

However, provided we have the willpower to see things through, there is good reason to hope that peace will be preserved and that in the long run our side will win the race. There are many signs and facts to encourage us. Our economic strength and with it our social stability continue to grow. In the scientific field, we are making great strides forward and the recent splendid successes of our U.S. ally in the space field give us hope that the headstart which the Soviets have had in this field will be gradually diminished and finally overtaken by the West. Politically, our solidarity and cohesion as allies are growing and the prospect of a permanent interdependence of a united Europe and a United States of America, opens entirely new vistas into a better future.

Our greatest handicap often seems to be our lack of confidence in our own strength and our skepticism about our own values. A more positive, a more offensive psychology appears to me the necessary complement to a defensive strategy in the military field. And let us never forget that the West is not only NATO, but all those who, whether they are formally associated with us or not, share our aspirations and our way of life. In resolutely pursuing its policy of peace through strength, this alliance is fighting their battle as well as its own.

Mr. Spaak, in a recent and most eloquent speech before the United Nations, appealed to the Soviets to recognize the peaceful character of the Western system and to show through deeds that they are in earnest with their slogan of peaceful coexistence. This speech and this appeal received one of the most thunderous ovations the United Nations General Assembly has witnessed. Will it receive any response? On the answer to that question hangs the whole future of the world.

We live in the midst of many and great dangers, but the dangers that beset us are matched by the opportunities within our grasp. Let us seize them boldly and advance to our goal of a world in which war shall be no more.

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[From the Elkins (W. Va.) Inter-Mountain, Dec. 17, 1962]

### Randolph Says United States Must Insist Allies Meet Obligations

Insistence by the United States that its partner governments of the North Atlantic Treaty Organization meet their defense obligations, is imperative in the belief of U.S. Senator JENNINGS RANDOLPH, who returned only recently from a trip to Europe and a visit to the Supreme Allied Headquarters in Paris.

Before leaving Elkins this morning, following a visit here on Sunday, the legislator indicated that America is 10 percent over its commitment for conventional forces, while many other countries in the alliance against communism (Soviet Russia) are below promised strength.

"It is a fact that the covenant has not been adequately met by several nations," declared Senator RANDOLPH, who stated that "we have been the bulwark in this cooperative effort and have reason to be critical of certain deficiencies of our allies. They have, of course, been weakened by some shortages of materials and manpower and they have not recovered from the devastation of actual war destruction. But the United States has been committing 10 percent of its gross national product to defense as Great Britain allocates but 7.4 percent which is a little more than is done in France. In West Germany, the figure is only 5 percent but there will be an increase soon in that crucial area of West Europe."

"We know that the average of 1.1 percent of population in the armed forces in the NATO nations as a group does not equal the 1.5 percent of America.

"A month ago in Paris at the Supreme Allied Headquarters, I was told by Gen. Lauris Norstad, top commander, that we must have a stronger conventional force if our deterrent shield is to command respect of the Communist leaders, I fully agreed with his experienced conviction and so stated in public addresses in several cities in West Virginia."

Senator RANDOLPH went on to stress that citizens of West Virginia are concerned that NATO be more effective and they have been studying the cost in our budget of the alliance.

Later today at Salem College, the State's senior Senator will speak to the students there on the subject of "the alliance and our part in the organization."

"NATO," said the Elkins citizen, "is generally viewed by the public as primarily a military alliance. The success of this historically unusual venture is due in large part to the military shield which has prevented a Soviet takeover either by direct aggression or internal subversion, but there are other achievements which should be recognized.

"The fundamental objective of the alliance to maintain peace and stability having been achieved, NATO found itself forced to counter Soviet offenses in the political, economic and psychological areas. This led to purposeful cooperation, involving prior consultation among the nations in order to develop a common political front. Exchange of information and views before announcing a national policy has created mutual understanding and trust, especially as such a procedure forces each nation to consider and understand the point of view of its fellow nations before deciding on its own policy. Thus a degree of unanimity has been achieved, without sacrifice of national principle or national policy, unique in the history of the world.

"As a member of NATO, we are shareholders in a 15-power partnership for world peace—a cooperative effort which demands from each participant a strong sense of understanding, trust, and responsibility. And, since our effort is set in an alliance of sovereign and independent states, and since the degree of cooperation and agreement among the member governments will necessarily dictate its effectiveness, it is essential to the interests of the free world that we unceasingly try to reach understanding and accord.

"Though we attempt to maintain open and realistic diplomatic relations with nations the world over, it is in the scope of our NATO commitments that we perhaps meet our most challenging tests of loyalty, determination and resolve."

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## Hon. Samuel Woden Gralnick Receives the Eloy Alfaro Grand Cross and Diploma of the Eloy Alfaro International Foundation, of the Republic of Panama, in Recognition of Humanitarian and Philanthropic Services to His Fellow Man

EXTENSION OF REMARKS

OF

### HON. PAUL F. SCHENCK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 18, 1963*

Mr. SCHENCK. Mr. Speaker, under leave to extend my remarks, I insert the highlights of the proceedings of the Eloy Alfaro International Foundation, of the Republic of Panama, on the occasion of the luncheon and ceremony in the gold room at the Van Cleve Hotel, Dayton, Ohio, at which the award was made to Mr. Gralnick on November 7, 1962. This high honor was bestowed on him in the presence of a very distinguished group of his friends.

The invocation was delivered by Rabbi Selwyn D. Ruslander.

Dr. Herman A. Bayern, American provost, was then introduced, and he set forth at length the achievements and accomplishments of former President Eloy Alfaro, President of Ecuador at the turn of the century, as follows:

> We are gathered here today to honor a great humanitarian and philanthropist, Mr. Samuel Woden Gralnick, for his distinguished public and private services to mankind and in further recognition of his efforts toward the establishment of international peace.
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> But because many of you may not be fully aware of the background of the foundation, I would like at this point to describe it to you. The foundation was authorized by decree issued by His Excellency, Domingo Dias Arosemena, the President of the Republic of Panama, on January 22, 1949, to perpetuate the memory of Eloy Alfaro, martyred ex-President of Ecuador, a movement which has been devoted to the task of encouraging the study and propagation of the liberal ideals and principles, for which this Ecuadoran statesman and leader fought and died for during more than a half century.
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> General Alfaro was a soldier, patriot, statesman, and martyr, was a citizen not only of his native Ecuador, but of all the Americas. The personal integrity, the unwavering defense of the principles of truth, justice and friendship among nations, the self-control and self-sacrifice that marked about a quarter of a century of unflagging service to his fellowmen, extended beyond the confines of his own country, Ecuador.
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> He was a rebel and a conspirator—but his rebellion and conspiracy was directed against hatred, injustice, discord, and tyranny. He was the leader of a generation fired with the hope and desire that responsible political action would enhance the prosperity of their country and the welfare of their people. General Alfaro advanced the cause of his nation by setting up the judicial system, and expanded her schools and colleges and other institutions of learning.
>
> How the world needs another Alfaro today. History records that 70 years ago there was

convened in Washington, D.C., the Conference of American States, in which Eloy Alfaro actively participated as the dynamic leader. Subsequently, the Pan American Union developed. So that as long ago as 1890, Eloy Alfaro firmly advocated measures for improving the status of the Indians and the downtrodden, in his country and emancipating them from exploitation.

In 1907, Eloy Alfaro again was the dedicated leader who played a leading part at this International Conference in Mexico City, where the United States and six other pan-American nations assembled and did discuss and resolve questions relating to the well-being of the American states. As a matter of historical fact, Eloy Alfaro welded together the factions of the Cuban Freedom Party in December 1895, 3 years before the Spanish-American War, when he publicly petitioned the Queen of Spain demanding Cuban independence. In view of his achievements and accomplishments, there are monuments in the memory of Eloy Alfaro in almost every capital of the Western Hemisphere. And so today, we stand inspired by his example. The magnificent lessons resulting from so many noble undertakings by Eloy Alfaro are worthy of being transmitted from generation to generation for the honor and benefit of an entire community of nations.

Were he alive today, he would be in the forefront of the fight to preserve for the Western Hemisphere the pan-American unity of freedom loving people, that would be the perpetual harbinger against the attempt of any form of despotism to plant the tyrant's heel on even the tiniest portion of the soil of our pan-American nations, as the Soviet Union and Dr. Castro have actually done in Cuba.

Were Eloy Alfaro alive today, he would be a zealous supporter of the work of the program of our United Nations and the Organization of the American States, and he would leave no stone unturned to assure, for all peoples of the world, that hope and peace and good will to all men that is our common heritage from our common Creator.

The philosophy of Eloy Alfaro was based principally on service to his fellow human beings and to the cause and promotion of international peace. The public and private motion of peace. The public and private activities of our distinguished guest of honor, Mr. Samuel Woden Gralnick, comes within the framework of this kind of service to humanity. In recognition of this fact, and that you are a great humanitarian and philanthropist, the ruling body of the foundation grants you, Mr. Gralnick, its highest honor—the Eloy Alfaro Grand Cross and Diploma.

You know, my dear Mr. Gralnick, that you now join a goodly company of distinguished Americans, who have been similarly honored in the past. They include President Kennedy, former Presidents Hoover, Truman, and Eisenhower, Governor Nelson Rockefeller, General McAuliffe, Commissioner Moses, General Crittenberger, along with J. Edgar Hoover, who typify the caliber of men who hold this high honor.

Indeed, we further the ideals to which we are dedicated, we who are presented to do honor to ourselves, when in behalf of the Eloy Alfaro International Foundation it gives me genuine pleasure to exercise a pleasant duty, imposed upon me by the board of dignitaries of this foundation to carry out its determination to honor Mr. Samuel Woden Gralnick with the Eloy Alfaro Grand Cross.

Mr. Speaker, Mr. Gralnick then acknowledges receipt of the award which reads as follows:

Eloy Alfaro International Foundation—"Thus one goes to the stars"—recognizing the special value of the services rendered by the Honorable Samuel Woden Gralnick in support of the objectives of this institution, he has been awarded the Cross of the Eloy Alfaro International Foundation. In witness whereof, this diploma, with the seal of the foundation, is presented in the city of Panama, Republic of Panama, on the 25th of June 1962.

Mr. Gralnick acknowledges receipt of the award as follows:

I am overwhelmed with the great honors you have bestowed upon me and at joining such distinguished company. I little thought when I followed the dictates of my conscience that I would one day be so honored amidst such outstanding company from all over the world.

To be the recipient is indeed a high honor, and I shall regard it as an inspiration to accelerate my efforts in carrying out the high ideals and principles of Gen. Eloy Alfaro, and the principles for which General Alfaro laid down his life.

I wish to again express my personal appreciation and gratitude for your kindness in conferring this Eloy Alfaro Grand Cross on me.

May God be with you all, always.

Mr. Speaker, I am happy to join the many friends of Mr. Gralnick throughout the United States who sent congratulations which were read by Rabbi Ruslander. The Third District of Ohio is honored by the selection of this public spirited person to receive such an important award for his achievements and accomplishments.

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# SENATE

MONDAY, JANUARY 21, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, in the midst of all the bafflements of our mortal days we are grateful for the light that shines, and the music which sings, at the heart of our faith.

In the light of Thy holiness we are made aware that the chief quest of our stay on this earthly stage is to achieve the purity of heart which alone brings the faculty of seeing Thee and the godlike everywhere.

In a day when all the most precious values are imperiled by powers of darkness, arouse and stir us from our selfish love of comfort. Drive us, we beseech Thee, by the compulsion of these volcanic times from easy retreats from reality. Give us open eyes to see the momentous facts of our generation, and undergird us with courage to meet them and dedicated intelligence to handle them.

We ask it in the Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 18, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## THE ECONOMIC REPORT—REPORT OF COUNCIL OF ECONOMIC ADVISERS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 28)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which, with the accompanying document, was referred to the Joint Economic Committee.

(For President's report, see House proceedings of today's RECORD.)

## REPORT OF ACTIVITIES OF CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 42)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 21, 1963.*

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### Report on Reprograming of Construction of Facilities at National Aeronautics and Space Administration's Plum Brook Station, Sandusky, Ohio

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of certain funds authorized for the construction of facilities at that Administration's Plum Brook Station, Sandusky, Ohio; to the Committee on Aeronautical and Space Sciences.

### Reports on Reprograming of Launch Facilities at Atlantic Missile Range, Cape Canaveral, Fla.

Two letters from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of launch facilities at that Administration's Atlantic Missile Range, Cape Canaveral, Fla.; to the Committee on Aeronautical and Space Sciences.

### Procurement, Research, Development, Test, and Evaluation of Aircraft, Missiles, and Naval Vessels

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes (with accompanying papers); to the Committee on Armed Services.

### Report on Number of Officers Assigned to Permanent Duty in Executive Element of the Air Force at Seat of Government

A letter from the Secretary of the Air Force, reporting, pursuant to law, that as of December 31, 1962, there was an aggregate of 2,206 officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of Government; to the Committee on Armed Services.

### Audit Report on Commodity Credit Corporation

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Commodity Credit Corporation, Department of Agriculture, fiscal year 1961 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Federal Home Loan Bank Board

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Bank Board, fiscal year 1962 (with an acompanying report); to the Committee on Government Operations.

### Audit Report on Farm Credit Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Farm Credit Administration, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Examination of Catalog Prices Charged for Klystron Tubes Under Noncompetitive Procurements Negotiated by the Military Departments and Their Prime Contractors With Varian Associates, Palo Alto, Calif.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the catalog prices charged for Klystron tubes under noncompetitive procurements negotiated by the military departments and their prime contractors with Varian Associates, Palo Alto, Calif., dated January 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Matters Contained in the Helium Act

A letter from the Administrative Assistant Secretary of the Interior, transmitting, pursuant to law, a report on matters contained in the Helium Act, for fiscal year 1962 (with an accompanying report); to the Committee on Interior and Insular Affairs.

### Amendment of Chapter 35, Title 18, United States Code, With Respect to the Escape or Attempted Escape of Juvenile Delinquents

A letter from the Attorney General, transmitting a draft of proposed legislation to amend chapter 35 of title 18, United States Code, with respect to the escape or attempted escape of juvenile delinquents (with an accompanying paper); to the Committee on the Judiciary.

### Report on Claim of Ronnie E. Hunter Against the United States

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of Ronnie E. Hunter against the United States (with an accompanying paper); to the Committee on the Judiciary.

### Amendment of Section 11, Federal Register Act

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend further section 11 of the Federal Register Act (44 U.S.C. 311) (with an accompanying paper); to the Committee on the Judiciary.

### Establishment of National Capital Parks Memorial Board

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation providing for the establishment of the National Capital Parks Memorial Board (with an accompanying paper); to the Committee on Rules and Administration.

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## NOMINATION OF JOHN GREEN TO BE COLLECTOR OF CUSTOMS—MEMORIAL

As in executive session,

The VICE PRESIDENT laid before the Senate a telegram in the nature of a memorial, signed by O. J. Wuori, of Floodwood, Minn., remonstrating against the confirmation of the nomination of John Green to be collector of customs, which was referred to the Committee on Finance.

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## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 347. A bill for the relief of Mui Kim Chen Liang; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 348. A bill to amend chapter 2 of the Internal Revenue Code of 1954 to extend the period within which certain ministers, members of religious orders, and Christian Science practitioners may elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Finance.

By Mr. YOUNG of North Dakota (for himself and Mr. Burdick):

S. 349. A bill for the relief of the Kensal School District, North Dakota; to the Committee on the Judiciary.

By Mr. ENGLE (for himself and Mr. Burdick):

S. 350. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to the Committee on Commerce.

(See the remarks of Mr. Engle when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE (for himself and Mr. Kuchel):

S. 351. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 352. A bill to confer jurisdiction on the U.S. District Court for the District of Hawaii to hear, determine, and render judgment on the claims of Mrs. Agnes J. Wong against the United States;

S. 353. A bill for the relief of Benjamin A. Ramelb;

S. 354. A bill for the relief of Masayoshi Onaka;

S. 355. A bill for the relief of Gus Nihoa;

S. 356. A bill for the relief of Fred R. Methered;

S. 357. A bill for the relief of Mrs. Ryo H. Yokoyama;

S. 358. A bill for the relief of Mrs. Yvonne Frances Yeh;

S. 359. A bill for the relief of Kyozo Tanimoto;

S. 360. A bill for the relief of Sue Tamaru;

S. 361. A bill for the relief of Mrs. Kiku Matsuhashi;

S. 362. A bill for the relief of Chi Sheng Liu;

S. 363. A bill for the relief of Mrs. Kiyo Imamura;

S. 364. A bill for the relief of Graciano Cabuena Camello;

S. 365. A bill for the relief of Felicidad Caletena;

S. 366. A bill for the relief of Mrs. Sabina R. Caberto;

S. 367. A bill for the relief of Maria Rubi Lupisan Anit; and

S. 368. A bill for the relief of Eishin Tamanaha; to the Committee on the Judiciary.

By Mr. INOUYE (for himself and Mr. Fong):

S. 369. A bill to amend the Agricultural Act of 1949, as amended, in order to provide a price support program for coffee produced in the State of Hawaii; to the Committee on Agriculture and Forestry.

S. 370. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer pay payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; to the Committee on Armed Services.

S. 371. A bill relating to the income tax treatment of cost-of-living allowances received by certain caretakers and clerks employed by the National Guard outside the continental United States, or in Hawaii; and

S. 372. A bill to amend the Internal Revenue Code of 1954 to allow the standard deduction in the case of certain departing aliens, and for other purposes; to the Committee on Finance.

S. 373. A bill to amend the National Defense Education Act of 1958 to permit laboratory schools operated by public institutions of higher education to participate in certain programs under that act; to the Committee on Labor and Public Welfare.

By Mr. DIRKSEN:

S. 374. A bill to authorize the establishment of an International Home Loan Bank to assist in the development of savings associations and building societies in countries where they do not now exist in order to accomplish improved living standards, to increase employment, and to better social and political conditions through facilities for savings and home ownership for the millions of people of modest but stable earning capacity; to the Committee on Banking and Currency.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 375. A bill for the relief of Ark Lee Lew;

S. 376. A bill for the relief of Ng York Kuen;

S. 377. A bill for the relief of Demetrios Mouratidis; and

S. 378. A bill for the relief of Asadollah Azim Jabbarpour; to the Committee on the Judiciary.

By Mr. BEALL (for himself and Mr. BYRD of Virginia):

S. 379. A bill to amend the Hatch Act so as to permit certain political activity by Federal employees residing in Maryland or Virginia and employed in the District of Columbia or surrounding counties of such States; to the Committee on Rules and Administration.

By Mr. JOHNSTON:

S. 380. A bill to amend the act of June 29, 1960 (Private Law 86-354); to the Committee on the Judiciary.

By Mr. KEATING:

S. 381. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

By Mr. KEATING (by request):

S. 382. A bill to amend section 1498 of title 28, United States Code, to permit patent holders to bring civil actions against Government contractors who infringe their patents while carrying out Government contracts; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 383. A bill to authorize the erection of a U.S. Veterans' Administration hospital in the State of Texas; and

S. 384. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from premises rented for dwelling purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH (for himself and Mr. SPARKMAN):

S. 385. A bill to extend the maximum maturity of certain Veterans' Administration-guaranteed or insured home loans to 35 years; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. STENNIS (for himself and Mr. EASTLAND):

S. 386. A bill to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. STENNIS when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. KEFAUVER, Mr. DODD, Mr. LONG of Missouri, Mrs. NEUBERGER, Mr. MCNAMARA, Mr. MUSKIE, Mr. BARTLETT, and Mr. ENGLE):

S. 387. A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself and Mr. CURTIS):

S. 388. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mid-State reclamation project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. GRUENING, Mr. LONG of Missouri, and Mr. PELL):

S. 389. A bill to establish a program of scholarship aid to students in higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. FULBRIGHT, Mr. GRUENING, Mr. LONG of Missouri, and Mr. PELL):

S. 390. A bill to provide for loan insurance on loans to students in higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 391. A bill to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes; and

S. 392. A bill to authorize certain benefits under the provisions of titles II, V, and VI of the National Defense Education Act of 1958 for teachers in private nonprofit schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bills, which appear under a separate heading.)

By Mr. BARTLETT:

S. 393. A bill for the relief of Izzat George Saffoury; to the Committee on the Judiciary.

S. 394. A bill to validate the homestead entries of Leo F. Reeves; to the Committee on Interior and Insular Affairs.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 395. A bill to amend section 303(c) of the Career Compensation Act of 1949, as amended, to authorize in the case of members of the uniformed services transportation of house trailers and mobile dwellings within Alaska and between Alaska and the 48 contiguous States; to the Committee on Armed Services.

S. 396. A bill to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska; to the Committee on Government Operations.

By Mr. CHURCH (for Mr. MAGNUSON) (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. BIBLE, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. METCALF, Mr. MOSS, Mr. SIMPSON, and Mr. YOUNG of Ohio):

S. 397. A bill to repeal the tax on transfer of silver bullion, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER:

S. 398. A bill to reduce Government expenditures for price support for dairy products and discourage the production of excess supplies; to the Committee on Agriculture and Forestry.

By Mr. ELLENDER (by request):

S. 399. A bill to make permanent the definition of "peanuts" which is now in effect through the 1963 crop under the Agricultural Adjustment Act of 1938; and

S. 400. A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds; to the Committee on Agriculture and Forestry.

By Mr. GOLDWATER (for himself, Mr. SCOTT, Mr. FONG, Mr. HOLLAND, Mr. MORTON, Mr. PROUTY, Mr. SPARKMAN, Mr. HRUSKA, Mr. COOPER, Mr. MCCLELLAN, Mr. CHURCH, Mr. KUCHEL, Mr. CURTIS, Mr. HUMPHREY, Mr. BENNETT, Mr. DOMINICK, and Mr. MCCARTHY):

S. 401. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. ELLENDER (by request):

S. 402. A bill to amend the Commodity Exchange Act, as amended; and

S. 403. A bill to clarify the authority of the Secretary of Agriculture to prescribe contract violations which warrant termination of soil bank contracts and the authority of State agricultural stabilization and conservation committees to impose civil penalties required by section 123 of the Soil Bank Act; to the Committee on Agriculture and Forestry.

By Mr. MUNDT:

S. 404. A bill to provide for the establishment of a soil and water conservation laboratory; to the Committee on Agriculture and Forestry.

## RESOLUTION

## ESTABLISHMENT OF SELECT COMMITTEE ON TECHNOLOGICAL DEVELOPMENTS

Mr. LONG of Louisiana (for himself, Mr. RANDOLPH, and Mr. BURDICK) submitted the following resolution (S. Res. 50); which was referred to the Committee on Labor and Public Welfare:

*Resolved*, That (a) there is hereby established a select committee of the Senate to be known as the Select Committee on Technological Developments (referred to hereinafter as the "committee") consisting of nine Members of the Senate, of whom six shall be members of the majority party and three shall be members of the minority party. Members and the chairman thereof shall be appointed by the President of the Senate. Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(b) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate.

(c) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate.

(d) The committee shall cease to exist on January 31, 1966.

SEC. 2. (a) It shall be the duty of the committee to conduct a comprehensive study and investigation with respect to—

(1) the extent to which departments and agencies of the United States Government, through research and development activities undertaken directly or by the use of facilities of private contractors and grantees, are responsible for scientific and technological developments achieved within the United States;

(2) the effect of such activities upon the scientific, technical, and economic progress

of the United States and upon the structure of the economy of the United States; and

(3) the nature and extent of the action which is required to provide for the effective employment of such activities to promote to the greatest practicable extent the scientific, technical, and economic progress of the United States, the effective utilization of the manpower and material resources of the United States, the promotion of higher standard living for the people of the United States, and the achievement of the maximum economic strength of the United States.

(b) On or before January 31 of each year, the committee shall report to the Senate the results of its studies and investigations, together with its recommendations for any additional legislative or other measures which it may determine to be necessary or desirable to attain the objectives specified in paragraph (3) of subsection (a).

SEC. 3. (a) For the purposes of this resolution, the committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; and (7) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable, except that the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1949, as amended, for comparable duties.

(b) Upon request made by the members of the committee selected from the minority party, the committee shall appoint one assistant or consultant designated by such members. No assistant or consultant appointed by the committee may receive compensation at an annual gross rate which exceeds by more than $1,400 the annual gross rate of compensation of any individual so designated by the minority members of the committee.

(c) With the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, the committee may (1) utilize the services, information, and facilities of any such department or agency, and (2) employ on a reimbursable basis the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $ through January 31, 1966, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## FEDERAL POWER COMMISSION REGULATION OF CONSTRUCTION AND OPERATION OF INTERSTATE HIGH-VOLTAGE TRANSMISSION LINES

**Mr. ENGLE.** Mr. President, late in the last Congress I introduced a bill to provide for Federal Power Commission regulation of the construction and operation of interstate high-voltage transmission lines. It was S. 3432 in the 87th Congress.

The proposal has brought widespread favorable response from many people who believe that modern technology of moving electric power has brought us to the point where transmission grids have just as much impact nationally upon the utilization of our electric resources as does the construction and operation of the power plants themselves.

Accordingly, I am introducing the proposed legislation again, with the cosponsorship of the Senator from North Dakota [Mr. BURDICK], whose interest in this subject dates back some years. Representative JOHN MOSS, of California, is introducing a similar bill in the House.

We have made two changes in the language. The new bill covers interstate transmission lines operated at normal voltages of 230,000 volts or higher. It also contains a provision to require that such high-voltage lines be operated as common carriers to the extent that capacity may be available.

**The VICE PRESIDENT.** The bill will be received and appropriately referred.

The bill (S. 350) to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce, introduced by Mr. ENGLE (for himself and Mr. BURDICK), was received, read twice by its title, and referred to the Committee on Commerce.

## INTERNATIONAL HOME LOAN BANK

**Mr. DIRKSEN.** Mr. President, I introduce, for appropriate reference, a bill to authorize the establishment of an International Home Loan Bank to assist in the development of savings associations and building societies in countries where they do not now exist, in order to accomplish improved living standards, to increase employment, and to better social and political conditions through facilities for savings and homeownership for the millions of people of modest, but stable, earning capacity.

Briefly summarized, the bill would provide for the incorporation and regulation of a corporation to be known as the International Home Loan Bank under the following conditions:

First. The Federal Home Loan Bank Board is authorized to incorporate such a bank and to supervise the operation of such a bank, and is directed to be guided by the Department of State, so that the policies of the Bank will be consistent with this country's foreign policy.

Second. The actual management of the Bank will be in the hands of a 12-member Board of Directors who are citizens of the United States. Except for the initial Directors, who shall be appointed by the Federal Home Loan Bank Board, the Directors shall be nominated and elected by the members, plus two ex-officio Directors, one to be nominated by the Secretary of the Treasury, and one by the Secretary of State, to serve as advisors on matters coming within the interest of these two Departments. Provisions are made for the terms of the Directors and their qualifications, and persons serving on the Board of Directors shall receive no compensation by reason of their service as Directors.

Third. The Bank shall have such capital stock as the Home Loan Bank Board shall prescribe, and all stock shall be without preference or priority as to dividends or assets.

Stock may be purchased or otherwise acquired and held by any Federal home loan bank or any member of such a bank, or any State chartered savings and loan association, or building or loan association authorized by the law of that State to be members of a Federal home loan bank, or any mutual savings bank duly chartered by any State and whose savings accounts are insured by an instrumentality of the Federal Government. While holding such stock, any Federal home loan bank or any such member shall automatically be a member of the bank.

Legal authority to acquire the securities of the International Home Loan Bank is to be conferred on the types of banks described in the preceding paragraph, subject to the following limitations: First, that the par value of the total amount of such stock owned by such Federal home loan bank, association, or member does not exceed 1 percent of the total capital stock, reserves, and surplus of such Federal home loan bank or 1 percent of the assets of such association or such member; and second, that any Federal home loan bank member, other than an insurance company, immediately prior to the purchase of such stock have reserves and surplus at least equal to 5 percent of its savings accounts.

The bill also authorizes the Bank to first, invest in loans to foreign mutual thrift and home financing institutions and foreign home loan banks; second, it confers on the Bank all the powers and authority customary or appropriate to conduct an international banking organization to serve such banks; third, it authorizes the Bank to promote and assist in the establishment and development in foreign countries of mutual institutions having as primary purposes the receipt of savings and the financing of homes and the establishment of credit and financing facilities for such institutions; fourth, it authorizes studies and investigations as necessary to carry out the purposes of this act; and, fifth, it sets forth the conditions under which the International Home Loan Bank is authorized to borrow and give security.

**The VICE PRESIDENT.** The bill will be received and appropriately referred.

The bill (S. 374) to authorize the establishment of an International Home Loan Bank to assist in the development of savings associations and building societies in countries where they do not now exist in order to accomplish improved living standards, to increase employment, and to better social and political conditions through facilities for savings and homeownership for the millions of people of modest but stable earning capacity, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

## CONSTRUCTION OF VETERANS' ADMINISTRATION HOSPITAL IN SOUTH TEXAS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the erection of a U.S. Veterans' Administration hospital in the State of Texas.

This bill would authorize the Administrator of Veterans' Affairs to acquire by purchase, condemnation, or otherwise, a suitable site in south Texas, and to contract for the erection thereon of a hospital with a capacity of 300 beds, together with the necessary auxiliary structures, mechanical equipment, domiciliary and outpatient dispensary facilities and accommodations for personnel.

The erection of this hospital would provide the sorely needed general medical and surgical facilities to 1,500,000 south Texas veterans entitled to hospitalization or domiciliary care. The area covered by this hospital would encompass 40 counties covering over 40,000 square miles. This area now has no Veterans' Administration hospital. Most of the territory is in the 14th and 15th Congressional Districts south of San Antonio. It includes 3 of the 11 most populous counties in our State. It is in the area of the lower Rio Grande Valley, with extensive irrigation, citrus farms, and inhabited by many people, including elderly people who enjoy living in that salubrious climate. The vast area where this hospital is needed is 20 times larger than the entire State of Rhode Island, and is bigger than a half dozen other States in the Union. In some sections, it is necessary for veterans to travel 400 miles to a veterans hospital and in many instances veterans have died making the trip to the hospital. In other instances, veterans have been denied hospitalization benefits because they were unable to make the long trip.

The South Texas Veterans Alliance, an organization representing all veterans groups in the 14th and 15th Congressional Districts have repeatedly urged the construction of the south Texas veterans hospital.

Incidentally, a very kind lady has offered to donate property for a veterans hospital site, a beautiful lakeside site of over 140 acres worth over a half million dollars, if the hospital is created and erected on this site. However, location of the hospital will be decided by normal administrative procedure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 383) to authorize the erection of a U.S. Veterans' Administration hospital in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## TO AMEND SECTION 300 OF THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend section 300 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, which provides protection against eviction of dependents of military personnel.

Mr. President, the distinguished Senator from Alabama [Mr. SPARKMAN] had a considerable part to play in the drafting of the Soldiers' and Sailors' Civil Relief Act of 1940, and the amendments to the law.

Presently, section 300 of the Civil Relief Act provides that dependents of a serviceman shall not be evicted from their dwelling places, except pursuant to a court proceeding, when the rent does not exceed $80 per month. Because it was enacted in 1940, and because of the rise in the costs of rent since that time, the $80 per month limitation does not afford today the protection for servicemen and their families intended by the original act. The bill I have introduced deals with this problem simply by changing the $80 per month limitation to $135 per month. The new monthly rental limitation properly takes into account the increased rental costs, as gaged by the Business Consumer Price Index. In sum, the bill adjusts the statute so as to provide generally the same protection today concerning rent eviction as was afforded servicemen 23 years ago.

The American Legion endorsed this proposal at their last national convention, and I ask unanimous consent that their resolution on the subject be included in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

### RESOLUTION 626, 44TH ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION, LAS VEGAS, NEV., OCTOBER 9–11, 1962

Committee: Economic.

Subject: Amendment to section 300 of the Soldiers' and Sailors' Civil Relief Act of 1940.

Whereas, the American Legion has consistently supported a strong military establishment with full recognition of the justice in protecting ex-servicemen, reservists and members of the National Guard against the loss of their jobs and reemployment benefits as well as protection to "persons in the military" under the Soldiers' and Sailors' Civil Relief Act; and

Whereas the Soldiers' and Sailors' Civil Relief Act provides for the "temporary suspension of legal proceedings and transactions which may prejudice the civil rights of persons" in the military service of the United States "in order to enable such persons to devote their entire energy to the defense needs of the Nation"; and

Whereas section 300 of the Soldiers' and Sailors' Civil Relief Act, approved October 17, 1940, limits protection from evictions to cases wherein the agreed rent does not exceed $80 per month; and

Whereas the rent index in the Business Consumer Price Index is now $67.40 higher than in 1940 and thus rents are about two-thirds higher than the 1940 statistics; and

Whereas because of the rise in the cost of living since 1940 the $80 maximum permissible under the Act is not an equitable amount: Now, therefore, be it

*Resolved by the American Legion in national convention assembled in Las Vegas, Nev., October 9–11, 1962,* That the national legislative commission be, and it is hereby authorized and directed to sponsor legislain the Congress of the United States to amend paragraph 1, section 300 (50 Appendix U.S.C. 530), of the Soldiers' and Sailors' Civil Relief Act of 1940 by inserting $133 per month in lieu of the presently stated $80 per month.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 384) to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from from premises rented for dwelling purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## TO EXTEND THE MAXIMUM MATURITY ON VETERANS' ADMINISTRATION GUARANTEED OR INSURED HOME LOANS FROM 30 TO 35 YEARS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, on behalf of myself and the Senator from Alabama [Mr. SPARKMAN], a bill to extend the maximum maturity period of Veterans' Administration guaranteed, insured, or direct home loans from 30 to 35 years.

The effect of the bill will be to make maturities on veterans' loans comparable to section 203, FHA insured loans, which under the Housing Act of 1961—Public Law 87-70—were extended from 30 to 35 years in the case of new construction. The longer maturity on veterans' loans would make it possible for some veterans in lower income groups to qualify for GI loans who could not otherwise qualify. The average guaranteed home loan in 1961 for the purchase or construction of new homes was about $14,900. The difference in the amount of the monthly payment on a loan at 5¼ percent per annum for 30 years and for 35 years is $4.77. A reduction of this size would be a favorable factor in determining whether the veteran has the ability to meet the payments on the proposed loan.

Although the increase in total interest on a longer payment period would be a deterrent to some veterans in making a loan, the greater length of time to maturity is an optional matter for decision between the veteran and the lender. This bill would be beneficial to home building on the farms and ranches and in the small towns.

This bill is almost identical to S. 3024, which was favorably reported by the Labor Committee and passed by the Senate during the 2d session of the 87th Congress. The bill I have introduced today differs from S. 3024 only in this respect: The earlier bill, S. 3024, made the 35-year maturity applicable to existing as well as to newly constructed dwellings. The bill introduced today does not apply to existing construction, which makes the longer maturity applicable only to newly constructed dwellings or to prospective construction of a dwelling. This modification is in response to a VA comment on last year's legislation pointing out that the 35-year maturities on FHA loans were not applicable in cases of existing construction, but rather only to new construction. In brief, the bill in its present form conforms to the VA comment on this point, and to existing FHA law.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. SPARKMAN. Is it not true that the bill, in the same form, was passed by the Senate last year?

Mr. YARBOROUGH. Yes. The bill was passed by the Senate last year. I commend the distinguished Senator from Alabama for pointing out that fact. The bill did not get through the House, because of the snarlup in the last few days.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 385) to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years, introduced by Mr. Yarborough (for himself and Mr. Sparkman), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## CONSOLIDATION OF VICKSBURG NATIONAL MILITARY PARK

Mr. STENNIS. Mr President, for several years the Department of the Interior, through the Park Service and the Superintendent of the Vicksburg Park, has conferred with officials of the city of Vicksburg, Warren County, the Vicksburg Chamber of Commerce, and other interested groups and individuals, to work out a proposal which would consolidate and develop the park in a manner in the public interest and acceptable to all concerned. With the cooperation of all concerned, at the beginning of the 87th Congress, I introduced S. 765, a bill to consolidate the Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road and for other related purposes.

The bill which I now introduce, and which is identical to S. 765 of the 87th Congress, would authorize the addition of not more than 544 acres to the park, provide for the conveyance of certain properties to the city of Vicksburg and Warren County, Miss., and authorize the Secretary of the Interior to provide such alterations, relocations, and construction of local roads as are directly attributable to the installation, within the park, of a one-way park tour road.

The park encircles the city of Vicksburg against the Mississippi River, as did the battle area. Through the years numerous public and private access roads have been provided, and the flow of traffic to and from the city through the park has increased tremendously. At the same time the number of visitors to the park from all parts of the country has multiplied. It is easy to understand that for those who visit the park it is much to be desired to have a road designated primarily for tours and free of the hazards of the traffic of highways and city streets. On the other hand, a growing city like Vicksburg must have ample routes for the free flow of its traffic.

This bill incorporates the plan which has been so carefully worked out to serve these several needs and purposes. The solution is a give-and-take proposition which will certainly be in the public interest. The details of the consolidation of the park, the designation of outlets for city and county maintenance, and the authority of the Park Service to transfer some lands and to acquire others, are set forth in careful language in the bill.

The park is a unit of the national park system, and, like the many splendid facilities of its kind, is dedicated to preserving the historical heritage of the people of our great country and for the continued benefit and inspiration of all who visit it.

The Vicksburg National Military Park and Cemetery, containing 1,766.19 acres, was first established in 1899 and placed under the jurisdiction of the War Department. In 1933 jurisdiction was transferred to the Department of the Interior.

In 1934, when counting of visitors began, through June of 1962, 7,085,000 people have visited the area. In 1961, 955,000 visitors were counted. It is anticipated that by 1973 this number will have risen to 1,500,000.

Mr. President, the good citizens of Vicksburg and Warren County, Miss., have worked diligently in the years gone by with the Park Service officials to help maintain and preserve this park as a sacred shrine for the entire Nation, and are deeply interested in improving the park and in cooperating with the Park Service to develop and use this facility in the best possible manner. The local chamber of commerce and other interested groups have assumed the initiative to explore the needs of the park, and with the help of its superintendent to develop the plan which this bill incorporates. While the park is to be operated primarily for the tourists who visit the battlefield, if the interest of the citizens of Vicksburg can be served without interference with this primary purpose, certainly this should be done.

Mr. President, late in the 2d session of the 87th Congress the Public Lands Subcommittee of the Senate Interior and Insular Affairs Committee visited the park to hold a hearing and personally survey the needs of the park to which this proposed legislation relates. As a result of this Senate inquiry, the committee unanimously recommended that the bill be enacted, and the Senate did in fact pass the measure on September 28, 1962, without a record vote.

Mr. President, the consideration and action of the Congress on this measure during the last session will serve as an excellent start for early consideration of this meritorious proposal, and I am indeed hopeful of its early enactment during this present session.

I introduce, for myself and my colleague, the senior Senator from Mississippi [Mr. Eastland], for appropriate reference, the bill referred to in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes, introduced by Mr. Stennis (for himself and Mr. Eastland), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## TRUTH IN PACKAGING BILL

Mr. HART. Mr. President, in behalf of myself and Senators Kefauver, Dodd, Long of Missouri, Neuberger, McNamara, Muskie, Bartlett, and Engle, I introduce, for appropriate reference, the truth in packaging bill.

Similar legislation was introduced in the closing days of the 87th Congress so that suggestions and comments concerning its provisions could be made and studied.

As a result of responsible industry and consumer reaction, some changes have been made that give added benefits to consumer and businessman alike.

The proposed legislation directs the Food and Drug Administration—for foods, drugs, and cosmetics—and the Federal Trade Commission—for other consumer commodities—to promulgate regulations that will require packages accurately and clearly to give essential product information and fairly represent the contents.

In the original bill the authority to draft discretionary regulations on a product-line basis was given to the Federal Trade Commission. Under the new bill, traditional lines of authority have been reestablished. The Food and Drug Administration will exercise the authority for foods, drugs, and cosmetics and the Federal Trade Commission will have jurisdiction for all other consumer commodities within the purview of the bill.

Other sections have also been modified.

Notice to promulgate regulations under the discretionary subsection must be published in the Federal Register so that all affected persons will have the opportunity to participate in the regulation-making process. In this way, it is intended that industry expertise can be utilized in the public interest.

Retailers and wholesalers are specifically excluded from the coverage of the bill unless they are actually engaged in the packaging and labeling process in interstate commerce.

The authority of the individual States to act in this area is protected and the Federal Government is directed to work with the States only on a voluntary basis to help achieve uniformity in the law.

The fact that this is a civil antitrust measure and carries no criminal sanctions has been further emphasized.

The definition of "consumer commodity" has been limited generally to "kitchen and bathroom" items, these being the great majority of products sold as marketbasket items in the average supermarket. These products represent commodities for which the package has replaced the salesman as a source of information. They have given rise to the kinds of problems for which the solutions of this bill are tailored. And these solutions are designed to require this package-salesman to represent the product as clearly and fairly as we used to expect from the corner grocer.

Approximately $70 billion a year are spent by the American consumer on the marketbasket items about which this bill is concerned. This is an important segment of the American economy and represents almost one-third of the average family's budget.

Our aim is threefold: First, that the spirit and substance of the antitrust laws be extended to the relatively new form of nonprice competition represented by packaging. Second, that the American manufacturer be freed from the unfair trade practices that have grown up in this area beyond the reach of present law. Third, that the American consumer can know what she is buying and paying for.

Testimony at the hearings held last year by the Antitrust and Monopoly Subcommittee indicated that a large slice of the average family budget is being wasted because of the kind of packaging practices which this bill is designed to halt.

We learned that manufacturers are being forced by competitive packaging tactics to adopt practices of which no one is proud, but as one executive said, "We don't know how to get off the merry-go-round."

This bill is designed to take the ethical manufacturer off the merry-go-round so he may compete on a basis that is good for himself, the economy and the consumer—on the basis of price and quality, not on packaging gimmickry and deception.

This bill is designed to update the antitrust laws so they can respond to the new facts of life in the marketplace. Price competition too often finds itself obscured by newer forms of nonprice competitive practices that favor the big, discriminate against the small and cost the consumer untold sums yearly.

We have received a wide base of support for this bill as "public interest" legislation. The administration has pledged its support. Consumer-interest groups will work for its passage. Many State weights and measures and agriculture officials have expressed a strong desire for its enactment. And a number of manufacturers and industry representatives have indicated support for its provisions.

I believe that this widespread support from persons of diverse political philosophies means that before the 88th Congress has adjourned, truth in packaging will be the law of the land.

It is also encouraging that the gentleman from New York, Congressman Celler, chairman of the House Judiciary Committee, is introducing a companion bill in the House. His support and participation are gratifying and welcome.

This bill is not intended as a cure-all to marketplace confusion. But it establishes an approach and a means for dealing with the misleading and unfair trade practices affecting the 8,000 items now on the average supermarket shelf. And it has been estimated that in the next decade there will be 20,000 such items from which the consumer must make a choice.

The record of the hearings the Antitrust and Monopoly Subcommittee has held on packaging and labeling practices, the thousands of letters of support that have poured into my office and the newspaper and magazine comments convince me that consumer and businessman alike need and welcome the benefits this bill affords. It is a reasonable attempt to solve problems that can and should be solved.

Your support is solicited in achieving truth in packaging.

I ask unanimous consent, Mr. President, that the text of the bill and a section-by-section analysis of it be printed at this point in the Record; and I ask that the bill lie on the table until the close of business on Wednesday, January 23, 1963, so that other Senators who may wish to do so may join in sponsoring it.

The **VICE PRESIDENT**. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the Record, and the bill will lie on the desk, as requested by the Senator from Michigan.

The bill (S. 387) to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes introduced by Mr. Hart (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 730 et seq.; 15 U.S.C. 12 et seq.), commonly known as the Clayton Act, is amended by inserting therein, immediately after section 3 thereof, the following new section:

Sec. 3A. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined by this section) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to regulations promulgated pursuant to this section.

"(b) The prohibition contained in this subsection shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) determine by any means the nature, form, or content of packages in which such commodities are contained or labels affixed to such commodities.

"(c) As soon as practicable after the effective date of this section, regulations shall be promulgated to—

"(1) require the net quantity of contents (in terms of weight, measure, or count, or any combination thereof) of consumer commodities to be stated upon the front panel of packages containing such commodities, and upon any labels affixed to such commodities;

"(2) establish minimum standards with respect to the location and prominence of statements of the net quantity of contents (including minimum standards as to the type size and face in which such statements shall be made) appearing upon packages containing any consumer commodity and upon labels affixed to any such commodity;

"(3) prohibit the addition to such statements of net quantity of contents of any qualifying words or phrases;

"(4) prohibit the placement upon any package containing such commodity, or upon any label affixed thereto, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price, or that a retail price advantage is accorded to retail purchasers thereof by reason of the size of that package or the quantity if its contents, except that no regulation promulgated under this section shall prevent any person engaged at any time in the sale of any consumer commodity at retail to ultimate purchasers thereof from placing upon any such commodity, or upon any package containing that commodity, any marking which states the true and correct retail sale price at which such person at that time is offering that commodity for sale to such purchasers;

"(5) contain such exceptions to the foregoing requirements as the promulgating authority may determine to be required by the nature, form, or quantity of particular consumer commodities, except that no exception may be made if that exception would deprive consumers of reasonable opportunity to make rational comparisons between or among competing products; and

"(6) prevent the placement, upon any package in which such commodity is distributed for retail sale, of any illustration or pictorial matter which may deceive retail purchasers in any respect as to the contents of that package.

"(d)(1) Regulations under this section shall be promulgated by—

"(A) the Secretary of Health, Education, and Welfare, with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and

"(B) the Federal Trade Commission with respect to any other consumer commodity.

"(2) Such regulations adopted by the Secretary and by the Commission shall be uniform in content and application to the greatest practicable extent, as determined by consultation between the Secretary and the Commission.

"(e) Whenever the Secretary of Health, Education, and Welfare (as to any food, drug, device, or cosmetic), or the Federal Trade Commission as to any other consumer commodity, determines that additional regulations are necessary to establish or preserve fair competition between or among competing products by enabling consumers to make rational comparison with respect to price and other qualities, or to prevent the deception of consumers as to such product, the Secretary or the Commission, as the case may be, shall promulgate under this subsection with respect to that commodity regulations effective to—

"(1) establish reasonable weights or quantities, or fractions or multiples thereof, in which that commodity shall be distributed for retail sale;

"(2) prevent the distribution of that commodity for retail sale in packages of sizes, shapes, or dimensional proportions which may deceive retail purchasers as to the net quantity of the contents thereof (in terms of weight, measure, or count);

"(3) establish and define standards of designations of size (other than statements of net quantity of contents) which may be used to characterize quantitatively the contents of packages containing that commodity;

"(4) establish and define the net quantity of any commodity (in terms of weight, measure, or count) which shall constitute a serving, if that commodity is distributed to retail purchasers in a package or with a label which bears a representation as to the number of servings provided by the net quantity of contents contained in that package or to which that label is affixed;

"(5) establish and define standards for the quantitative designation of the contents of packages containing any consumer commodity of a kind the net quantity of contents of which cannot meaningfully be designated in terms of weight, measure, or count; and

"(6) require (consistent with requirements imposed by or pursuant to the Federal Food, Drug, and Cosmetic Act, as amended) that sufficient information with respect to the ingredients and composition of any consumer commodity (other than information concerning proprietary trade secrets) be placed in a prominent position upon packages containing that commodity and upon labels affixed thereto.

"(f)(1) Before promulgating any proposed regulation under subsection (e) with respect to any consumer commodity, the Secretary or the Commission, as the case may be, shall (A) consult with other agencies of the Government having special competence with respect to the subject of that regulation concerning the scope, application, form, and effect thereof, (B) publish in the Federal Register reasonable advance notice of intention to promulgate such regulation, and (C) accord to persons who would be affected thereby reasonable opportunity for consultation with respect to such proposed regulation.

"(2) All regulations adopted under this section shall be promulgated in conformity with provisions of the Administrative Procedure Act.

"(3) Any regulation promulgated under this section may be modified by the promulgating authority, upon the initiative of that authority or upon application made by any person affected by that regulation, whenever such authority determines that such modification is necessary to conform to the requirements of this section or to any change occurring in the method of packaging, labeling, distributing, or marketing of any consumer commodity.

"(g) Upon written request made, by the officer or agency authorized or directed by this section to establish packaging or labeling regulations as to any consumer commodity of any class or kind, to any producer or distributor thereof, such producer or distributor shall transmit promptly to that officer or agency a true and correct sample of each package and label used or to be used by that producer or distributor for or in connection with the distribution in commerce of any particularly described consumer commodity of that class or kind. Any person who, with intent to evade compliance with the requirement of this subsection (g), fails to transmit any such sample to such authority promptly upon receipt of such request shall be fined not more than $1,000, or imprisoned not more than one year, or both.

"(h)(1) Any consumer commodity introduced or delivered for introduction into commerce in violation of any regulation promulgated by the Secretary of Health, Education, and Welfare under this section while that regulation is in force and in effect shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act.

"(2) Any violation of any regulation promulgated under this section by the Federal Trade Commission while that regulation is in force and in effect shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act.

"(3) The remedy provided by section 16 of this Act shall be available to any person threatened with loss or damage by any violation of any such regulation while that regulation is in force and in effect.

"(i) Each officer or agency required or authorized by this section to promulgate regulations for the packaging or labeling of any consumer commodity shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this section during the preceding calendar year.

"(j) A copy of each regulation promulgated under this section shall be transmitted promptly to the Director of the National Bureau of Standards, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal standards for the packaging and labeling of consumer commodities. Nothing contained in this subsection shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under other provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

"(k) As used in this section—

"(1) the term 'consumer commodity', except as otherwise specifically provided by this paragraph, means any food, drug, device or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household and which usually is consumed or expended in the course of such consumption or use. Such term does not include (A) any meat, meat product, poultry, or poultry product, or any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act; (B) any beverage subject to packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); (C) any household appliance, equipment, furniture, furnishing, or other durable article or commodity; or (D) any article or commodity intended for use in the maintenance of the exterior, or for the repair of any part, of any structure, or for use in the maintenance or repair of any article or commodity described by clause (C) of this sentence;

"(2) the term 'package' means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that commodity to retail purchasers thereof, but does not include (A) shipping containers or wrappings used solely for the transportation of such commodity in bulk or in quantity to wholesale or retail distributors thereof or (B) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–257i);

"(3) the term 'label' means any written, printed, or graphic matter affixed to any consumer commodity; and

"(4) the term 'person' includes any firm, corporation, or association."

(b) The amendment made by this section shall take effect on the first day of the sixth month beginning after the date of enactment of this Act.

Sec. 2. No amendment made by this Act shall be construed to repeal, invalidate, supersede, or otherwise adversely affect—

(a) the Federal Trade Commission Act or any statute defined therein as an Antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act;

(c) the Hazardous Substance Act; or

(d) any provision of State law which would be valid in the absence of such amendment unless there is a direct and positive conflict between such amendment and such provision of State law.

The analysis presented by Mr. Hart is as follows:

### ANALYSIS OF TRUTH IN PACKAGING BILL

### INTRODUCTION

The bill amends the Clayton Act by adding a new section 3(a) (to take effect 6 months after enactment), for the purpose of prohibiting restraint of trade carried into effect through the use of unfair and deceptive methods of packaging and labeling certain consumer commodities as defined by this section.

### SECTION 3(a)

Subsection (a) makes it unlawful for any person to package or label any consumer commodity (as defined by subsection (k)(1)) or to distribute in commerce any packaged or labeled commodities which do not conform to the regulations promulgated under this bill.

Subsection (b) exempts retailers and wholesalers from the provisions of the bill except to the extent they are actually engaged in packaging and labeling in interstate commerce.

Subsection (c) directs that the following regulations be promulgated:

1. To require that the net quantity of content statement be stated upon the front panel of packages and labels.
2. To establish minimum standards with respect to the location and prominence of net quantity of content statements (including minimum standards relating to type size and face).
3. To prohibit the addition of any qualifying words or phrases to net quantity of content statements.
4. To prohibit the printing on packages of information stating or implying that the product is being offered for sale at a price lower than the customary retail price or that a price advantage is being accorded to the purchaser because of the size or quantity of the package. But this does not apply to the ultimate retailer.
5. To make provision for exceptions to the foregoing requirements when necessary because of the nature, form, or quantity of the product.
6. To prevent placing illustrations or pictorial matter on packages which may deceive the purchaser as to the net quantity of content.

Subsection (d)(1)(a) and (b) require that the regulations under this section shall be promulgated by the Secretary of Health, Education, and Welfare with respect to foods, drugs, or cosmetics and by the Federal Trade Commission with respect to all other commodities.

2. Provides that regulations promulgated by the FDA and FTC shall be as uniform in content and extent as possible.

Subsection (e) gives the FTC and FDA discretion to establish additional regulations on a product-by-product basis. This discretion may be utilized only when necessary to establish or preserve fair competition by enabling consumers to make rational comparisons between competing products and when necessary to prevent consumer deception. Such regulations may be promulgated only to:

1. Establish reasonable weights or quantities in which a product can be sold.
2. Prevent the sale of a commodity in a package whose size, shape, or proportions may deceive purchasers as to the weight or the quantity of the product within the package.
3. Establish standards of size terminology such as "small," "medium," or "large."
4. Establish "serving" standards.
5. Establish standards to designate the quantitative contents of a package where net weight or number is not meaningful.
6. Require that sufficient information about the ingredients or composition be displayed prominently on the package or label with the exception of information concerning proprietary trade secrets.

Subsection (f):

1. Provides that before any regulation can be promulgated under the authority of subsection (e) that there must be consultation with other agencies of Government having special competence in the area involved and with persons or companies who might be affected by the proposed legislation. Notice of intention to promulgate such regulations must be printed in the Federal Register so that all affected parties can have an opportunity to be present if they desire. This subsection anticipates the "trade conference" concept presently being utilized by the FTC.
2. Provides that all regulations shall be promulgated in conformity with the Administrative Procedure Act.
3. Provides that any regulations may be modified on the initiative of the promulgating authority or by affected persons when changes in marketing methods and techniques make it necessary.

Subsection (g) authorizes the promulgating authority or the appropriate officer thereof to make a written request of any producer or distributor for a correct sample of any package or label he is presently using or intends to use. Failure to promptly forward the requested samples with intent to avoid compliance is punishable by a fine of not more than $1,000 or not more than a year's imprisonment, or both.

Subsection (h):

1. Provides that if a commodity is put into commerce in violation of a regulation promulgated by the FDA, it shall be deemed "misbranded" within the meaning of the Food, Drug, and Cosmetics Act and subject to the penalties provided therein. This includes seizure, injunction, or criminal sanctions, depending on the circumstances involved.
2. Provides that any violation of a regulation promulgated by FTC shall constitute an unfair trade practice as set forth in section 5(a) of the Federal Trade Commission Act. In general, this section sets forth the procedure for the issuance of cease-and-desist orders.
3. Makes the remedy for private litigants available in section 16 of the Clayton Act applicable to this section. Section 16 details the procedure for private litigants to get injunctive relief when threatened by loss or damage for a violation of the act.

Subsection (i) provides that FDA and FTC shall transmit to Congress a yearly report of their activities under this act.

Subsection (j) provides that a copy of each regulation promulgated under this bill shall be forwarded to the National Bureau of Standards. The Bureau is directed to transmit copies to the appropriate State agencies and officials and furnish information and assistance to the States for the purpose of promoting uniformity between State and Federal standards.

This subsection anticipates the utilization of the Bureau of Weights and Measures in working with State officials or agencies on a voluntary basis to make State and Federal packaging and labeling regulations conform to the greatest practicable extent.

Subsection (k):

1. Defines the term "consumer commodity." The term means any food, drug, device, or cosmetic as those terms are defined by the Federal Food, Drug, and Cosmetic Act and any other commodity distributed through retail sales agencies for use by individuals for purposes of personal care or in the performance of services usually rendered within the household and usually used up in the performance of such services.

Specifically excluded are (A) any meat, meat product, poultry, or poultry product, or any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act; (B) any beverage subject to packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); (C) any household appliance, equipment, furniture, furnishing, or other durable article or commodity; or (D) any article or commodity intended for use in the maintenance of the exterior, or for the repair of any part, of any structure, or for use in the maintenance or repair of any article or commodity described by clause (C) of this sentence.

2. Defines "package" to mean any container or wrapping in which a consumer commodity is enclosed for use in the delivery or display of the product to consumers. It exempts shipping containers or wrappings used solely for shipping the product to wholesale or retail distributors.
3. Defines "label" to mean any written, printed, or graphic matter affixed to a consumer commodity.
4. Defines "person" to include any firm, corporation, or association.

Section 2 provides that no amendment made by this act shall be construed to invalidate or otherwise adversely affect—

(a) The Federal Trade Commission Act or any statute defined therein as an Antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act;

(c) the Hazardous Substance Act; or

(d) any provision of State law which would be valid in the absence of such amendment unless there is a direct and positive conflict between such amendment and such provision of State law.

## MID-STATE RECLAMATION PROJECT, NEBRASKA

Mr. HRUSKA. Mr. President, I am today introducing, on behalf of myself and my colleague, the junior Senator from Nebraska [Mr. Curtis], a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mid-State Reclamation District in Buffalo, Hall, and Merrick Counties in Nebraska.

The Senate approved S. 970, an identical measure on September 21, 1961, but as action was not completed in the other body it becomes necessary to reintroduce the measure this session. Congressman Dave Martin introduced a companion measure, H.R. 64, this week.

Mr. President, I wish to take only a moment to recall for the Senate the fact that no irrigation project in recent years has had the thorough and expert study given Mid-State. The question of the repayment rate has arisen in connection with this project. The fact is that the repayment rate on Mid-State will be substantially higher than any existing project in Nebraska, and Nebraska's repayment rate is higher than the average in the Missouri Basin.

The decade of planning which has gone into this project suggests by itself good reason why Congress should act on the authorization with a new sense of urgency. In the years of its development, Mid-State has gained wide and popular support and understanding by the people of the area involved and they are justified in expecting the early consideration of this bill.

I ask, unanimous consent that the text of this bill will be printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 388) to authorize the Secretary of the Interior to construct, operate, and maintain the Mid-State reclamation project, Nebraska, and for other purposes, introduced by Mr. Hruska (for himself and Mr. Curtis), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to construct, operate, and maintain in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto) the Mid-State Federal reclamation project, Nebraska, for the principal purposes of furnishing a surface irrigation water supply for approximately one hundred and forty thousand acres of land, aiding in the replenishment of the ground water supply of the area for domestic and agricultural use, controlling floods, conserving and developing fish and wildlife, and producing hydroelectric power. The principal works of the project shall consist of a diversion dam on the Platte River, a main supply canal, an interconnected reservoir system, hydroelectric power facilities, wasteways, pumps, drains, canals, laterals, distribution facilities, and related works, including, on a nonreimbursable basis, minimum basic recreational facilities.

Sec. 2. The Mid-State project shall be integrated, physically and financially, with the other Federal works in the Missouri River Basin constructed or authorized to be constructed under the comprehensive plans approved by section 9 of the Act of December 22, 1944 (58 Stat. 891), as amended and supplemented, and shall be a unit of the Missouri River Basin project therein approved and authorized, and the authorization for the appropriation of funds for the accomplishment of the works to be undertaken by the Secretary of the Interior under said authority shall extend to and include funds for the construction of the Mid-State project.

Sec. 3. The interest rate used for computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest bearing features of the project shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due or callable for redemption for fifteen years from date of issue.

Sec. 4. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

## REPEAL OF TAX ON TRANSFER OF SILVER BULLION

Mr. CHURCH. Mr. President, on behalf of the Senator from Washington [Mr. Magnuson] and a number of cosponsors, including myself, I introduce, for appropriate reference, a bill to repeal the tax on the transfer of silver bullion, and for other purposes. I ask that the bill be appropriately referred. I also ask that the bill be held at the desk for the remainder of the week, in order that other Senators who may desire to join in sponsoring the bill may have an opportunity to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Idaho.

The bill (S. 397) to repeal the tax on transfer of silver bullion and for other purposes, introduced by Mr. Church (for Mr. Magnuson and Senators Bartlett, Bennett, Bible, Burdick, Cannon, Gruening, Hartke, Hayden, Jackson, Jordan of Idaho, Kuchel, Long of Missouri, Mansfield, McCarthy, McGee, Metcalf, Moss, Simpson, and Young of Ohio, was received, read twice by its title, and referred to the Committee on Finance.

## ESTABLISHMENT OF RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 14, 1963, the name of Mr. Hruska was added as an additional cosponsor of the bill (S. 3) to establish rules of interpretation governing questions of the effect of Acts of Congress on State laws, introduced by Mr. McClellan (for himself and other Senators) on January 14, 1963.

## THE COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators McCarthy, Fulbright, Cannon, Moss, Pastore, Nelson, Fong, Johnston, Hart, Young of Ohio, Metcalf, Magnuson, Bible, Bayh, and Edmondson were added as additional cosponsors of the bill (S. 5) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period, introduced by Mr. Yarborough (for himself and other Senators) on January 14, 1963.

## NATIONAL ACADEMY OF FOREIGN AFFAIRS ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators Boggs, Smathers, Humphrey, McGee, Yarborough, Moss, Long of Missouri, Randolph, Clark, Engle, Mansfield, and Ribicoff were added as additional cosponsors of the bill (S. 15) to establish a National Academy of Foreign Affairs, introduced by Mr. Symington on January 14, 1963.

## AMENDMENT OF INTERNAL REVENUE CODE, RELATING TO NONMARRIED PERSONS OVER 35—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 14, 1963, the name of Mr. McGee was added as an additional cosponsor of the bill (S. 35) to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, introduced by Mr. McCarthy (for himself and other Senators) on January 14, 1963.

## ASSISTANCE TO SCHOOLS IN FEDERALLY IMPACTED AREAS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 15, 1963, the name of Mr. Long of Missouri was added as an additional cosponsor of the bill (S. 236) to extend for 1 year certain provisions of Public Laws 815 and 874, 81st Congress, and to amend such laws with respect to the definition of the term "real property," introduced by Mr. Dodd on January 15, 1963.

## AMENDMENT OF PEACE CORPS ACT, TO PROVIDE FOR AWARDING A MEDAL TO BE KNOWN AS THE PEACE CORPS MEDAL—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 16, 1963, the names of Mr. Carlson and Mr. Douglas were added as additional cosponsors of the bill (S. 289) to further amend the Peace Corps Act (75 Stat. 612), as amended, to provide for the awarding of a medal to be known as the Peace Corps Medal, introduced by Mr. Scott (for himself and other Senators) on January 16, 1963.

## CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of January 18, 1963, the names of Senators Ribicoff, Scott, Long of Missouri, Neuberger, and McIntyre were added as additional cosponsors of the resolution (S. Res. 48) creating a standing Committee on Veterans' Affairs, submitted by Mr. Cannon (for himself and other Senators) on January 18, 1963.

## NOTICE OF RECEIPT OF CERTAIN NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, on behalf of the chairman of the Committee on Foreign Relations, I desire to announce that on Friday, January 18, the Senate received the nominations of Dr. James Watt, of the District of Columbia, to be the representative of the United States of America on the executive board of the World Health Organization, and William T. Gossett, of Michigan, to be Deputy Special Representative for Trade Negotiations, with the rank of Ambassador; and that today the Senate received the nomination of Charles D. Withers, of Florida, a Foreign Service officer of class 2, to be Ambassador to the Republic of Rwanda.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

## SERVICE OF SENATOR MORSE IN SEEKING SOLUTION OF LONGSHOREMEN'S STRIKE

Mr. MANSFIELD. Mr. President, I wish to take this occasion to extend congratulations to the President of the United States for appointing the distinguished senior Senator from Oregon [Mr. Morse] to head a board to seek to bring about a solution of the longshoremen's strike. I do not think the President could have selected a more competent person than the Senator from Oregon, because, as the Senate will recall, before the Senator from Oregon became a Member of the Senate, 19 years ago, he served long and with distinction as an arbitrator in disputes affecting the welfare of the Nation.

In reading the press this morning, I note that an agreement of sorts has at least been reached by Senator Morse and the two other members who comprise his board, that the agreement has been presented to both the employers and the longshoremen, and that the longshoremen have indicated their acceptance of the Morse proposal.

It is my hope that in view of the national interests involved, the employers likewise will give this proposal of the board the most serious consideration, to the end that the strike will be settled, and that exports and imports, which mean so much to the economy of our Nation, can once again be resumed, and perhaps also to the end that this will mark the beginning of a labor peace which will last for some time and will redound to the interests of the Nation as a whole.

Again I wish to say that I think Senator MORSE has done a magnificent job, and is to be commended for taking time from his regular senatorial duties to perform this function, in addition to those which the chores of this body call upon him to perform.

## BIRTHDAY CONGRATULATIONS TO JOHN D. RHODES

Mr. DIRKSEN. Mr. President, I call the attention of the Senate to the fact that our distinguished chief of Official Reporters of Debates, John D. Rhodes, had his 83d birthday on Saturday. He has been here, serving on the senatorial scene, for a long time—44 years, the coming August—and has watched the ebb and flow of history. What a great autobiography he could write, and what a great postscript it would be to history. I think the occasion calls for congratulations to our distinguished dean of the Senate reportorial corps, John D. Rhodes.

## A NEW LOOK AT LATIN AMERICA

Mr. HUMPHREY. Mr. President, now that the Alliance for Progress is beginning to roll, Latin America is finally receiving some attention from American scholars and journalists. It deserves even more attention, but progress has been made in the last 2 years. It is now common to read in our leading magazines and periodicals thoughtful analyses of Latin American problems.

One of the best analyses on Latin America to appear in recent months is an article by Charles E. Lindblom, entitled "A New Look in Latin America," which appeared in the Atlantic Monthly of October of the past year. It is a thoughtful analysis of some of the major problems confronting Latin American countries, and of possible forms of assistance on the part of the United States. I hope the article will be read by every Member of Congress who has an interest in our Alliance for Progress and in our relationships with Latin American countries. Mr. President, because the CONGRESSIONAL RECORD is read by many of the thoughtful leaders of our Nation, I bring this article to the attention of Congress; and I ask unanimous consent that the article be printed at this point in my remarks in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### A NEW LOOK AT LATIN AMERICA

(By Charles E. Lindblom, professor of economics, Yale University)

Through the Alliance for Progress, we are gambling heavily that we can bring about reforms in Latin America; our strategy is to make domestic reform in each country a condition of its receiving aid. Our eyes are on the now-familiar revolution of expectations which has created disturbing new political demands from the bottom. We fear that these demands will create support for what will turn out to be coercive settlements of issues, as in Cuba, with a high probability that the coercing authority will be allied with communism. We hope, however, that the demands can be met with a minimum of coercion in the form of concessions, if large enough and fast enough, by the dominant groups presently supporting the more and less democratic governments that exist in Latin America. Our stake in Latin American reform is therefore enormous.

But if, through the alliance, we seek to induce Latin America's governments to undertake reform, a pertinent question is, have they the political capacity to do so? We may doubt it. Latin Americans themselves tell us that many of their governments cannot function as instruments of reform because they are perverted into elaborate systems for an exchange of favors. Public office is not a public trust but a public trough. And if there are groups in the population powerful enough to demand more reform and less spoils, they appear to be divided into the lethargic and the stubborn. Some will not stir themselves; they already have received from government the favors that they wish. Others will stir, but only to suppress reforms that challenge the continuation of their favors.

Still, some countries—Mexico, for example—manage to combine reform with corruption. On the other hand, where an able President, such as Lleras in Colombia, does clearly put the national interest above private gain, reform does not necessarily follow. Corruption is a major obstacle to reform, but it is apparently not an insuperable one; nor does it appear to be the principal one. So also is lethargy. By any reasonable test, most Americans are apathetic citizens, but a minority of the politically active, together with a core of leaders deeply committed to political careers, somehow saves the United States from the worst consequences of apathy. If the outcome is different in Latin America, we should perhaps stop wringing our hands over apathy itself and look instead into the performance of the politically active and their leaders. How have they failed?

One is tempted to answer, by their obstinacy. But this is too simple an explanation. Latin America suffers no shortage of able political leaders who are willing to bend, because they see the handwriting on the wall, or eager to move, because they see a political career in reform. If obstinacy is a serious obstacle, it is the obstinacy of some of the dominant groups in the population. Is it not, then, a possibility that leaders have somehow failed to lead? Has leadership in Latin America failed to demonstrate that stubborn resistance conserves less than concession?

It appears that corruption, apathy, and obstinacy each point to a more fundamental disability in Latin American politics, a disability somehow related to the way in which leadership practices its role. By focusing on the role of leadership, we may be able to throw new light on Latin American capacities for reform.

A first striking fact about leadership is that in many Latin American countries political leaders lack essential information about the conditions and terms on which peaceful reform might be possible. I suspect that many of us here in the United States have never stopped to reflect on the richness of information in our own country and its relative paucity in Latin America. The fact gatherers in the United States are an army with many divisions: research institutes, pollsters, journalists, professors, public administrators, and fence-mending politicians.

In some of the Latin American countries, by contrast, they are a very feeble small force. Central banks have led the way in the accumulation of certain kinds of necessary information for policymakers: quantities of imports and exports, balance of payments, bank deposits, number of unemployed, and so forth. Even so, many of these countries cannot even satisfactorily estimate the gross national product, describe the distribution of income, or determine whether the price level is rising or falling. Nor, typically, can they answer questions with such explosive political implications as: Who owns the land? How much of it is fertile? How much new land can be brought under cultivation? What kinds of land reforms, if any, are talked about among the peasantry? What kinds of peasants are moving into the cities, and with what frequency do they come in contact with what political movements?

Latin American political leaders are therefore ill informed about how the various sections of the population might be satisfied and how conflicting demands could be reconciled without repression or revolution. Often they do not even know what the rural electorate is being offered by local leaders, including the Castros, outside the relatively homogeneous group of leaders who cluster in the capital; how the countryside is responding to those offers; and what offers would win it away from movements antagonistic to developments that in the long run could be called democratic. Such ignorance would be unbelievable in the United States, where journalists, academic researchers, and politicians thrive on uncovering our political movements.

The consequence of ignorance of the terms which would make reform possible is that more or less democratic political leadership in many Latin American countries is paralyzed. In the case of the political figure who is committed simply to shoring up the old order as long as possible, hoping to preserve for himself, and perhaps for his sons, the privileges of a favored position, ignorance is a satisfactory excuse for refusing to yield to pressures from below. He can hope the masses will remain leaderless, uninformed, and inert, as they have for centuries in some countries. In Peru, for example, millions of illiterate Indians, who scarcely realize that a national government exists, share neither language nor culture with their Spanish-speaking countrymen. Ignorance shields the established political leader from having to respond to growing signs of unrest, permits him to assure himself that inaction is, after all, as sensible as misguided reform, and leaves him without any capacity for leadership when reform is violently demanded.

More disturbing is the consequence of inadequate information for the kind of leader who brings intelligence, foresight, and goodwill to reform—a Lleras, a Quadros, or a Betancourt, among others.

If, for example, the President of Venezuela wants to start his country along the path of reform, avoiding the path of Castro, he will find that he does not know what the critical demands of the underprivileged are. To be sure, more food, more land, more money, more of many things are urgently demanded; but some demands are more urgent than others. Some must be met on pain of revolution; others can be deferred. He does not know which is which. Nor does he know how far he can go in demanding concessions from the elite, or in what areas they would yield.

He does not know enough even to offer, as a political bargain, an assurance to the elite that a concession today will soften rather than stir up additional demands for concessions tomorrow; hence, he is deprived of a means of payment with which he might buy a few reforms. Soon he decides not to try at all for any fundamental reform; he is then reduced to a policy of admonishing his compatriots on the need for the reforms that he dares not attempt.

Furthermore, relatively few Latin American political leaders are experienced in the task of mutual adjustment of demands; therefore, they lack the required political skills. Politics is a struggle for office. In the United States, the struggle is a competition in the exercise of skills in the adjustment or harmonizing of the diverse demands of the citizenry. In Latin America, by contrast, the struggle has been a competition in the exercise of skills, which Latin Americans unquestionably possess, in negotiating private alliances with other politicians, including the military. Today, leaders find themselves called upon to reform, a specialized task of large-scale mutual adjustment for which their experience has not prepared them. Their lack of experience with adaptation and adjustment explains in part their disinclination to ferret out the information they need before reform is possible. But this is a vicious circle, for their ignorance continues to discourage them from experiments in the practice of the required skills.

In their inexperience, they throw another obstacle in their own path. Many Latin American political leaders do not even conceive of policymaking as a task in mutual adjustment of citizen's demands, but see it instead as a technical process of applying correct solutions to well-defined problems. The passion for the technical—for the economist, engineer, or agricultural expert—is strong in Latin America. If there is inflation, there must be a technical solution for it; never mind the more fundamental political problem of too many conflicting demands for a share of the national income, which lies behind the immediate problem. If there is unrest among small laborers, send the agricultural technicians to raise output; forget the demands for land redistribution that press on the great landowners. If there must be tax reform, call in the technical experts who know how to construct a tax system; forget that the inadequacy of tax revenue is fundamentally a reflection of the elite's refusal to surrender their own claims on income.

Problem solving so conceived is appealing in Latin America on several counts. It has all the prestige of the scientific method. It is up to date and appears to be the practice of the more developed nations. It is also, for the impure of heart, a dignified way to let George do it. Wait for the technicians, even if they must be found abroad, and even if there will not be enough of them to go around for at least a decade or so.

If leaders had the necessary information, skill, and appreciation of the need for a politics of adjustment and accommodation, would they find that the time for mutual adjustment has already passed? Have positions been too firmly taken; are demands already intransigent? It seems clear that for the most part the masses in Latin America have not settled fixedly on specific demands. They are willing to consider a wide variety of reforms; they are not anti-West or anti-American; and they are heavily dependent on leadership for advice on what to press for, so much so that we see them endorsing in one country after another the program of almost any vigorous leader who appears to be committed to them.

They, like politically inexperienced people all over the world, are easy prey to communism because they are easy prey to anything. They will turn to communism not so much because on the strength of its call as because of the absence of other voices. They want someone to lead them, but the international ideology of a potential leader is less important to them than the position he takes on their immediate problems and the slogans he espouses. Most of them do not know what communism is, but will accept any leader or ideology that holds promise for them. And they will not turn away from any leader or any ideology that holds promise for them simply because, from a more sophisticated view, he or it is inimical to some such abstraction as freedom.

If leadership could play its role, there would be many possibilities for peaceful adjustment of demands. The masses are still uncommitted, and the dominant groups are now willing to explore politics as a task in conciliation; the situation is not yet beyond hope.

What, then, can the United States do? The most cautious inference is that we can do nothing, except to continue economic aid and technical assistance in the hope that it will lighten the burdens on promising political leadership where, by good luck, the right kind of leadership arises.

But we might explore the problem of developing appropriate political skills in Latin America. Sensitive to the charge that political democracy cannot be exported to people whose culture or political habits do not support it, we have tended to abandon, and perhaps rightly, any frontal attack on the baffling problem of how to make democracy flourish. The problem of developing political leadership skilled in mutual adjustment is, however, much simpler. It can be solved to a tolerable degree long before the institutions of political democracy reach a high level of development, as the case of Mexico seems to suggest. Genuinely free elections, a fair competition between parties, and a legislative body with a very large degree of independence on major decisions—these and some of the other attributes of political democracy are not yet established in Mexico, even though leaders there have achieved, as an alternative to tyranny, a peaceful, if not wholly secure, working relationship with one another.

For the time being, the United States needs only to encourage the extremely restricted kind of political democracy that is embodied in the practices of such leadership as the Mexican. We make our problem unnecessarily and impossibly difficult if we proceed as though the only alternative to communism were democracy in some such form as we know it at home. We dissipate our energies on one hand, or succumb to apathy on the other, if we confuse the smaller problem, which may turn out to be manageable, with the larger one, which is not.

If we accept the task of encouraging a new style of politics in Latin America, we shall probably see the need for identifying and encouraging various forms of leadership. First, there are the high-level politicians already discussed. Beyond that, however, are two other kinds of leaders who can accomplish a harmonizing function, often without so intending.

One is the demander, the leader of some group in the society whose shared interests are a source of strong—and in some societies, dangerous—demands on the political system, the counterparts to our labor leaders, lobbyists, and certain Congressmen and Senators who represent a sectional interest. In the United States, of course, we count on these leaders to express group interests that must be satisfied if we are to enjoy domestic political peace. But, more important, we count on them also to find ways of channeling group demands so that their satisfaction is not intolerably costly to other groups in the society.

The other kind of leader is the communicator, the disseminator of information. He is often identified in the United States as a specialist: journalist, editor, researcher, professor, author, or lecturer. In fact, however, in the United States much of the information that is brought to bear on policymaking is assembled and distributed by parties to disputes, not solely by the specialists. This is, of course, conspicuously the case where policy is made through litigation, as in the Supreme Court decision on desegregation of public schools; but the close connection between advocacy and information is everywhere notable. In public controversy, congressional hearings, and discussion among political leaders, the desire of the activist to make his view prevail motivates much of the communication of information. Thus, some of the communicators are identical with politicians or demanders.

That communicators in Latin America will be partisan even more commonly than in the United States seems highly probable. For only a wealthy society can afford to support, in addition to partisan communicators, a host of institutions which gather and disseminate information free from any political alliance. In many Latin American countries, we would therefore do best to nourish, as the most vigorous plant in the garden, the partisan collection and dissemination of information, although we should not neglect impartial research and communication.

By identifying, specifying, and facing the problem, we shall work our way to fresh new policies that are not yet apparent to us as possibilities. For the mere identification of a new or reformulated public problem in the United States often taps sources of policymaking creativity in our society.

When problems become urgent enough, policymaking often becomes inventive; our own history is full of examples. The 50-destroyer deal and lend-lease were in their time new and imaginative policy responses; so, also, in domestic policy was the maintenance-of-membership rule in industrial relations, a formula that satisfied both union demands calling for the union shop and employer insistence that the war not be used to support a union organizing campaign. Somewhat later, the organization of the atomic energy industry through contractual relations between the AEC and private corporations illustrated again a capacity for inventiveness in policymaking.

Examples of creativity in policymaking are harder to find in the postwar period, and part of the explanation is to be found in our failure to diagnose carefully the problems to be solved, as well as in strong tendencies, more marked in some years than others, to deny the very existence of the problems. But the Alliance for Progress is evidence that inventiveness is, even if somnolent, not dead.

Inventiveness often has the appearance of frivolity. One might propose, for example, to encourage a new style of political leadership in Latin America by overturning existing leadership through the more vigorous application of methods unsuccessfully applied to upset Castro; or by fomenting internal revolution through the services of a host of paid agents in Latin American countries; or by socializing American enterprises whose stakes in Latin America lead them to influence American policy in ways antagonistic to reform in Latin America; or by general abandonment of any policy of nonintervention in the internal affairs of those countries, followed by relatively uninhibited interference, such as the Soviet Union practices in, say, Hungary.

These proposals, it ought to be noted, are discredited as soon as offered, not because we have studied them and find that they will not work, but because we are not willing to consider them. They are dismissed as frivolous because they fall outside the ordinary range of discussion of possible American policies. But, then, it is a real possibility that they are rejected not because of their flaws but because of flaws in the character of public discussion. For example, at one stage in the public discussion of U.S. foreign policy in the late thirties, lend-lease would have been summarily rejected.

To be taken seriously, inventiveness must spring from a kind of interchange of ideas among many leaders of opinion, including political leaders, in which what is politically feasible is seriously reconsidered in the light of the diagnosis of the particular problem at hand. This being the case, we shall not begin to create innovations in U.S. policies toward Latin America until large numbers of our own political and intellectual leadership reconsider the range of possibilities that might be appropriate for the encouragement of the required leadership in Latin America. And when they do so, new policy possibilities will come to light.

We might, for example, try to adapt the idea—once novel, now ordinary—of the county agent to the service of budding young politicos in the Latin American countryside. How to get in touch with one's clientele, how to enter into that relation through which a leader influences followers and is influenced in return, how to mobilize political power for effect in the national arena—for that matter, how to collect a crowd, operate a mimeograph machine, or raise funds—all are questions on which inexperienced young leaders need help, and it should be possible to find ways, beyond anything we now do, of bringing such help to them in the field.

If a swarm of county agents in the United States can increase the yield of wheat, cannot a counterpart swarm, for politicians rather than farmers, raise the political productivity of the Latin American grassroots politician? The agents in Latin America will be from the United States. To be sure, this poses some delicate problems of who they will be and what they will pretend to be if, as might be wise, they do not acknowledge what they are; but these complications are not sufficient grounds for rejecting the proposal out of hand.

Or we might consider supporting a large number of training institutes for young would-be politicians. The Institute of Political Education in Costa Rica may be a prototype. I am not here proposing to train public administrators, economists, or engineers for government services; many institutions have already responded to the need for such technical experts, as, for example, Yale's program in international and foreign economic administration. There seems also to be a clear case for institutional training in political skills—skills for the politicians, demanders, and communicators.

In strengthening the skills of young political leaders scattered about each country, we make a double contribution to the politics of mutual adjustment. We train a new generation of leaders and at the same time increase the pressures on established national leadership to play the game of mutual adjustment. For the immediate result of improved leadership at the grassroots is to make the demands of the grassroots more specific, more skillfully adapted to the possibilities, hence, more constructively pressing on established national leadership.

Still further, we could stimulate the growth of the necessary political skills by some shift of our intelligence operations in Latin America from espionage to research—perhaps it would describe the shift more precisely to say, from private intelligence to public information. We could help identify the terms and conditions of possible reforms if we put money and energy in substantial amounts into the kind of organized fieldwork that would help Latin American politicians, as well as our own, discover what the populations there believe, fear, want, expect, and intend to resist or fight for.

To discover these essential facts, it is not enough that an embassy employee or visiting social scientist ask for opinions about these facts from Latin Americans who, however well informed, cannot be well enough informed. What is required is organized fieldwork of the type better understood by social scientists than by intelligence agents. And the more widely the results are known, the better. The dissemination of such facts as could be gathered both permits a politician to make a career out of reform and compels him to do so. Without such facts, he does not know how or what to attempt; with these facts, he does not dare fail to try.

As an example of very small changes in policy that are worth considering, we might try never to send a technical mission to Latin America (except on a narrow and precisely defined purely technical problem) without a politician at its head. Such a move would make the point that important Latin American problems require political skills to which technical skills are only supplementary. Moreover, it would permit a demonstration of the politician's approach to a problem and of his employment of the technical expert as an aid rather than as a substitute. It would also enlarge opportunities for Latin American politicians to observe our kind of politician, to see in what respects he has attitudes, dispositions, and habits of action that they might themselves find useful.

I can make no claim of general superiority of North American ways. But I acknowledge that the hypotheses from which these recommendations spring recognize one point of superiority, and it is not to be disguised or modestly minimized: our politicians, whose brains and morals are not a whit superior to those of politicians in Latin America, have learned a set of skills that Latin American politicians have yet to learn. One can gladly grant that, by accident of history, learning has been much easier in this country than in Latin America; one need not therefore find fault or draw any distinction as to personal capacities.

The range of fruitful innovation in American policy toward Latin Americans is limited, however, by our inability to work out in the United States certain prerequisite adjustments of our own. We have so far failed to reconcile here at home a continuing tradition that we minimize interference in the domestic affairs of foreign governments with a growing demand that we come to the aid of Latin Americans, even if a nonrepresentative government objects. That is to say, we confuse Latin American interests with the interests of Latin American ruling minorities. We have also so far failed to reconcile the demands made on American policy by American firms in Latin America with a variety of other American interests in that area, and here the prerequisite adjustment must presumably be on terms less favorable to the American companies than now exist. We have also failed to reconcile traditional American interest in capitalism with our urgent national self-interest in supporting socialist reforms in Latin America. I return therefore to the point made earlier: a far-reaching reconsideration of American policy is more to be urged than are any of the particular proposals that have been here presented to illustrate policy possibilities.

As to the limits on our policy that might be set by irremediable incapacities in Latin America, they are less binding than might be thought. In Latin America there is, of course, no shortage of men able enough to learn the game of mutual adjustment. Furthermore, there appears to be developing a new generation and kind of popular leader. Still further, as already noted, intransigence among the existing elite is on the decline; they sometimes see the necessity of concession and conciliation if they are to win anything at all from the political struggles of the next decade or two.

Still another favorable factor is the greater freedom Latin American military groups are giving to their governments; in some cases, the army's primary demand on a government—the condition of the army's consent to that government—is that the government make some progress in the direction of harmonizing competitive demands. Finally, when, as even in Peru, for example, national leadership comes to be increasingly drawn from the middle class rather than from a landowning aristocracy, it is not blind to its own stake, in accommodations.

To be sure, any effective proposals will deeply offend many members of dominant political groups and classes who are not yet willing to admit that they must concede. But we need not fear bearing their ill will, for they have no place to go. As is not the case with the more numerous poor, our failure to ally ourselves with the rich and the powerful does not drive them to communism.

Let me finally now put much of the argument of this paper in a simple formula. We and the Russians are competing for Latin America. They can and do offer solutions to problems because their adherents do not shrink from coercively imposing them. We can offer no solutions because the kind of noncoercive solution we favor has to be worked out in the politics of each country.

What, then, do we have to offer? Assistance in the development of Latin American political competence. That is about all. To those Latin Americans who want a solution right now rather than the competence to find a solution next year, we cannot appeal. But to those of them who realize that political competence is to be prized both as a practical virtue in economic development and as the foundation for political independence, political competence is priceless. We can therefore appeal to proud Latin American hopes that Latin American peoples can exploit their own potentials and that each Latin American nation can be, as much as is possible for any nation, its own master.

## COMMENDATION OF WORK BEING DONE BY U.S. INFORMATION AGENCY IN LATIN AMERICA

Mr. HUMPHREY. Mr. President, at the meeting with the press, following my return from Mexico, I expressed my satisfaction with the work now being done in Latin America by the U.S. Information Agency. I noted that great progress had been made during the past year; and I appropriately recommended Mr. Murrow, the Director of that Agency, for the progress and the improved record. It may be recalled that my report a year ago on our information program in Latin America was critical.

I am happy to report that one area in particular in which we have made great progress during the past year in Mexico is the field of labor. Through our labor information officers assigned to USIA, we are now reaching the trade union movement in Mexico and in other Latin American countries. One reason why we are now being effective is that we are using experienced union men. Five of the nine labor information officers now serving in Mexico City have a union background.

One of the most successful of these labor information officers is Joe Glazer, who is known to many Members of this body for his excellent work in the trade-union movement in Ohio and throughout the country. He is a personal friend of mine, and is outstanding in the field of education and information on trade-union matters. He was formerly with the United Rubber Workers and also the Textile Workers Union. In my opinion he represents the kind of enlightened labor statesmanship that is required for our domestic labor-management relations, as well as our international obligations.

I was happy to see in Business Week for November 10, 1962, an excellent article giving a full account of Mr. Glazer's activities in Mexico. Mr. President, I ask unanimous consent that the article be printed at this point in my remarks in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### REACHING THE PEOPLE IN LATIN AMERICA—NEW STYLE GOOD-WILL AMBASSADOR TO MEXICO IS A UNIONIST WHO WORKS WITH LOCAL LABOR MOVEMENT TO MAKE FRIENDS FOR UNITED STATES AS PART OF STEPPED-UP USIA PROGRAM

To thousands of Mexicans, Mr. United States is neither a striped pants diplomat nor a businessman interested in investments. He's a union man with a guitar.

Joe Glazer—whose guitar and educational skills were formerly at the service of the United Rubber Workers and the Textile Workers Union of America—represents something new in American diplomacy. He is one of nine labor information officers assigned to Latin America in a U.S. Information Agency program to reach the people through local trade union movements. Five of the nine are former union staffers; the others had regular contact with unions as newspapermen or in similar jobs.

Rich pastures: Latin America offers a natural field for their efforts. The battle for men's minds is among the hottest in the world and—unlike the situation in much of Asia and Africa—the union movement south of the border is highly developed, providing a large organized group to work with. There are 2 million union members in Mexico alone.

"Before USIA began this program, we had to paint with a pretty broad brush," says Saxton Bradford, public affairs officer at the U.S. Embassy in Mexico City. "Of course, some union members listened to our radio programs, for example, but the material couldn't be tailored specifically for their interests. Now we can aim directly."

Typical week: Taking aim during a recent, typical week, Glazer: Showed a U.S. union movie ("With These Hands," the International Ladies' Garment Workers' Union story of its struggle from sweatshops to modern collective bargaining) at a Mexican union hall—and stood in the middle of a crowd for an hour afterward to answer questions.

Lectured on the training of shop stewards at a class of the Inter-American Regional Organization of Workers (ORIT)—following up with a party at his home for the ORIT students, young labor leaders from all over Latin America, and Norteamericans from the Embassy. "Everybody sang, we had a real ball," Glazer says with enjoyment.

Presented a USIA library (15 titles ranging from "Moby Dick" to "How To Prevent Accidents") to the Tampico local of the Labor Federation of Women's Organizations—climaxing the ceremony with a tour of a U.S. destroyer then in port. "We made the union gals feel as important as Rotary Club members," says Glazer, "which they are."

Worked on two publications, a weekly mimeographed news sheet that goes to 800 Mexican newspapers, union papers, and union leaders; and a 12-page monthly magazine, El Obrero (the Worker), whose 30,000 circulation covers unions in Mexico and all Latin America.

Mutual aims: El Obrero bears down on such Kennedy statements as "Until each child has food, and each student the chance to study, and everyone who wants work finds employment, and each one who has reached old age can enjoy security * * * our revolution and the revolution of this hemisphere will still be incomplete."

After Kennedy's crackdown on the steel companies, El Obrero seized the opportunity to point out that contrary to Communist propaganda, the big corporations don't run the United States.

Insider: Actually, Glazer's Mexican activities aren't too different from what Glazer did stateside as a union education director, when he trained local union leaders, turned out movies and publications, and—probably the country's best-known performer of labor songs—strummed his guitar at union events.

That he's doing what comes naturally is precisely the point. As a U.S. Government spokesman, Glazer is inescapably something of an outsider to the Mexican workers he meets. But as a man with three union cards (teachers, musicians, and Government employees), the composer of a labor classic about a textile worker's dream of heaven—

"The mill was made of marble,
The machines were made of gold,
And nobody ever got tired,
Nobody ever grew old."

He is trusted as an insider.

Moreover, he dramatizes a fact that USIA is trying hard to get across: that the United States contains devoted union members as well as business tycoons.

We're all workers: The aim, Glazer's and that of every labor information officer—is to present an image of that segment of U.S. life with which the Latin American worker can identify, the U.S. labor movement, while helping him to strengthen his own non-Communist union movement.

In USIA terms, the task breaks down into an "information function" and a "service function," "talking about the social goals we share," and "working with the host country's institutions to attain them." The labor information officer writes pamphlets on collective bargaining, interprets U.S. union publications, issues on-the-spot replies to Communist propaganda, advises—tactfully—local unionists; above all, makes friends.

On the job. Part of the information officer's work overlaps that of the labor attaché who is a regular member of many U.S. embassy staffs. But the attaché's primary function is to report back to the State Department on oversea labor affairs. And he is more likely to be a Foreign Service career man than a unionist—although some unionists fill this slot, too.

The labor information office program began under President Eisenhower but went into high gear only a year ago, in response to President Kennedy's emphasis on people-to people contacts. Most of the participants have been union staff specialists—research, education, or publications people. There's nothing one could call standard operating procedure yet, but staffers have worked out some rough rules of thumb.

Glazer, for instance, sets great store by working with middle leadership. Top leadership, in Mexico as in many other areas, may be isolated from the rank and file. But the next level—minor officials, heads of local unions—are often workingmen themselves, or at least are still in close touch with the working class. They are the real opinion leaders, Glazer believes.

The head of the women's group that toured the destroyer works as a movie cashier—but how she feels about the United States is likely to have a greater impact on the other members of the group than any formal statement by a high-up union official, Glazer notes.

No resentment: A U.S. program forthrightly designed to promote the peaceful revolution and strengthen union activity might be expected to anger some business groups in the host countries. So far it hasn't happened, says Bradford, Glazer's boss at the Embassy. He sees no reason why it should.

"By the same token, labor leaders could be mad at the Alliance for Progress for trying to increase industrial productivity," he observes. "We don't regard this as a matter of group conflict. We see it as a problem in the overall modernization of these countries."

## AAU-NCAA AGREEMENT IS ONLY THE FIRST STEP TOWARD U.S. 1964 OLYMPIC VICTORY—COORDINATED ATHLETIC-FITNESS-YOUTH CONSERVATION PROGRAM NEEDED

Mr. HUMPHREY. Mr. President, the Nation has welcomed the news over the weekend of the successful "patching up" of the family quarrel between the Amateur Athletic Union and the National Collegiate Athletic Association.

The compromise settlement represents an objective which I, for one, have urged in a series of public statements during the last 5 months.

### CONGRATULATIONS TO OUR CHIEF EXECUTIVE

Congratulations are due to President John F. Kennedy for successfully bringing to bear the full prestige of the Presidential office toward settlement.

It should be noted, for example, that for the first time in American history the successful makeup of an American Olympic team had become the topic of a Presidential press conference.

It should be noted, too, that this country owes another deep debt of thanks to the man whom President Kennedy so wisely picked to help end the dispute, a great soldier, Gen. Douglas MacArthur. As President Kennedy has stated, General MacArthur "effectively and successfully" mediated a quarrel which "had threatened to penalize hundreds of athletes and weaken American participation in the 1964 Olympic games."

It is good to know, too, that General MacArthur has announced that he "will mediate any other problems that come up" before the 1964 Olympics.

The Nation shares the President's hope, as expressed in his historic statement, that:

> General MacArthur's plan would set the stage for a new era in the administration of our amateur athletic plans—one wholly consistent with traditional sportsmanship and desire to cross the line first.

### THE $64 QUESTION AND OUR FUTURE OLYMPIC SHOWING

Sports experts will inevitably make analyses as to which athletic organization gave the most ground in the settlement. What counts, however, for the country, is the answer to the $64 question:

> Now that the feuding, fussing and fighting is set aside until after the 1964 Olympics, how do we actually strengthen our Olympic team for the Tokyo contests?

The fact of the matter is this: while everyone is to be congratulated over the settlement, we must not lose sight of the continuing weaknesses in U.S. preparations for the Olympics—weaknesses which predated the settlement and which will persist until positive steps are taken.

The NCAA-AAU and U.S. Track and Field Federation settlement represents the removal of an obstacle; that is, the elimination of a negative force; it does not, in and of itself, affirmatively strengthen our Olympic team. That is, it does not broaden our base, that is, increase the number of athletic contestants—other than those who are already participants; improve the training of our contestants; add to our pitifully inadequate sports facilities; and so forth.

### NEED FOR POSITIVE PROGRAM AS SUGGESTED IN PARADE

To attain all of these positive objectives, we must bring into reality an affirmative program, such as I offered in an article in the January 7, 1963, issue of the distinguished weekly supplement, Parade.

I will not now reiterate all the points in that program.

I will, however, emphasize this point.

If there is any single goal which is needed, it is the goal of coordination: A coordinated Federal Government effort; a coordinated Federal-State-local-official effort; and a coordinated public-private effort.

Consider, for example, the Federal Government's own needs and responsibilities.

Throughout our history, up until recent times, Federal effort has, unfortunately, tended to be an off-again, on-again patchwork collection of activities. The patchwork has consisted of the activities of the groups represented on the President's Council on Youth Fitness, in the Bureau of Cultural and Educational Affairs of the Department of State, and in other programs.

There has, regrettably, not been either a plan, a continuity, or depth of interagency cooperation.

Nowhere, perhaps, is this more apparent than in our lack of a coordinated program for utilization and expansion of outdoor activities in our Nation.

### A COORDINATED YOUTH-RESOURCE PROGRAM

That is why I point out that the Youth Conservation Corps which other Senators and I have once more proposed in the form of S. 1, 88th Congress, should be considered not just by itself, but as a foundation for a coordinated youth-resource program in our Nation.

In my view, the Federal Government must view its national resources—our priceless manpower, young and old, as well as our land and water resources as national assets to be developed together.

This means not only in the Far West, but in every region of the Nation.

It means in every community of the land.

### PRIVATE AND OFFICIAL LEADERSHIP

Fortunately, more and more leadership is being demonstrated at Federal, State and local levels toward this type of goal.

The American Association for Health, Physical Education and Recreation has been most prominent toward this type of objective.

On Capitol Hill, on January 14, 1963, the distinguished senior Senator from New Mexico [Mr. ANDERSON] introduced, on behalf of himself and other Senators, an important bill, S. 20, known as the "Organic Act for the Bureau of Outdoor Recreation."

Senator ANDERSON, in so doing, pointed out:

> Our citizens engaged in about 4 billion recreation activity occasions in 1960. This will triple by the year 2000.

He noted the origins of the legislation—in the important work of the Outdoor Recreation Resources Review Commission.

On Capitol Hill and in the executive branch, still other steps will, I am sure, be recommended and taken, in accordance with long-range administration programs for our people's recreation and fitness.

### MORE FUNDS NEEDED

The Congress will, as usual, play a crucial role. Not only should the Congress enact legislation for coordinated authority and organization, but we must provide necessary appropriations. This means adequate funds for new programs and expanded funds for old programs—such as financial assistance by the Department of State for international sports exchange programs.

I ask unanimous consent that there be printed at this point in the RECORD: First, the text of my article in Parade; and second, quotations from a few of the many letters which I have received prior to the article and following it.

There being no objection, the article and excerpts from letters were ordered to be printed in the RECORD, as follows:

[From Parade magazine, Jan. 6, 1963]

### WHY WE MUST WIN THE OLYMPICS

(By Hon. HUBERT H. HUMPHREY, of Minnesota)

WASHINGTON, D.C.—The Russians are feverishly building toward what they expect to be a major cold war victory in 1964: a massive triumph in the Tokyo Olympics. They plan not only to beat us, but to do it decisively, while the whole world watches.

You may ask what the Olympics have to do with international politics. Make no mistake about it, the relentless struggle between freedom and communism embraces almost every level of life from spacemen to sprinters. Because the Russians understand this, they have converted the once-idealistic Olympic games into an ideological battlefield.

They sneer at the Amerikanskis as a nation of softies and portray the United States as a "tired, decadent, declining power." Once they have crushed us in the coming Olympic battle, the Red propaganda drums will thunder out a worldwide tattoo, heralding the "new Soviet men and women" as "virile, unbeatable conquerors" in sports—or anything else.

Indeed, the U.S.S.R.'s massive Olympic preparations cannot be matched by any other country on earth. The Russian program is expected to produce 50 million sportsmen by 1965, including 30,000 "masters of sport." The "masters," of course, are amateurs in name only. The Government provides them with everything—training, housing, transportation, food. They need worry about only one thing: finishing first. (The International Olympic Committee, while sounding off periodically against "state amateurs," has done nothing about them.)

### APATHY AND SQUABBLES

If Russia is at the top in Olympic preparation, the United States can only be described as part way to the bottom. Many countries on both sides of the Iron Curtain do their utmost to win Olympic honors. They provide heavy state financing or, as in Italy, use a national lottery to pay for the effort. But while foreign athletes get wholehearted support, their American counterparts are handicapped by a combination of national apathy and intramural squabbles.

The Amateur Athletic Union and the National Collegiate Athletic Association have been waging a cold war of their own over who should represent the Nation's amateurs in world competition. One group even threatened to disqualify any athlete from the Olympics who had competed in a meet sponsored by the other. Also, many minor Olympic sports—from fencing to volleyball—are represented by small groups, loosely organized, haphazardly financed, and attracting too few participants to develop top competitors.

Our country has a wonderful record in past Olympics, but time appears to be running out on us. We had to come from behind to win in 1956, and, no matter what scoring system you used, we showed up poorly in Rome in 1960. One widely used scoring method rated us third: behind Russia and Sweden.

Although we finished first in men's track and field, basketball and swimming, we gave up our crowns in rowing and weightlifting. We failed to pick up any points at all in canoeing, cycling, and Greco-Roman wrestling, though points were given for ninth place in some events.

Since our inglorious showing in 1960, we have done little to remedy our weaknesses. Yet the Russians have made a national cause of improving their standing.

It is time we realized the deep issue at stake here, and it involves far more than whether or not we get our ears pinned back in Tokyo. I believe our greatness as a nation has arisen, in part at least, from the fact that we always play the game to win and that we do not take any defeat lying down. For when the day comes that we can shrug off a resounding defeat with indifference, a whole era in our history must be considered closed.

What must we do? Let's not forget that many a great champion has literally gotten up off the floor to win. Although we are still far from flattened, our Olympic trend is downward, and it must be reversed.

Let's remember, too, that we are the richest, greatest Nation on earth. With the exception of Russia, we have the widest range of geography and climate for training men and women in all fields of sports. Our people also have more leisure time than those of any other advanced power.

To use these advantages, we must all work together to regain the ground we have lost in fitness and athletics. I urge that we start off 1963 by adopting the following national New Year's resolutions:

1. We should make a voluntary, all-out effort to step up the physical fitness level of our whole population. In your community, make sure the schools have a good physical fitness program carried out by qualified instructors using approved facilities. Then set a good example of physical fitness for your child, not by saying but by doing.

2. To insure that the athletes we send overseas are our best, we should set up a vast, nationwide junior Olympics competition, starting at the neighborhood level. Work with local civic groups to organize competition in your neighborhood; urge your mayor to set up an Olympic committee in your city; call upon your Governor to establish a State committee.

3. We must interest young Americans in the seemingly obscure Olympic sports, which don't excite our sophisticated youngsters much but which pile up points in world competition. Write to the U.S. Olympic Committee, 57 Park Avenue, New York, N.Y., for literature on any sport you might be willing to promote.

4. As interest is aroused, we must see to it that facilities for these sports are adequate. For instance, there isn't a single banked track for cycling in the country. And there is only 1 speed-skating rink (in Squaw Valley, Calif.), while Moscow alone has 32.

5. We must persuade our athletes to adopt Olympic rules and standards in their sports. In skating, for example, we race against one another instead of racing against the clock, Olympic-style. And the Olympic wrestling form is quite different from our collegiate style.

6. We should encourage our girls and young women to participate in sports. They have been taking a drubbing in the Olympics from Soviet women.

7. We need to change our basic attitude toward our athletes. So many of our star athletes turn pro at the height of their powers that we must send over relatively inexperienced competitors to each Olympics. When they are beaten, foreigners naturally conclude that our country's "best" have been defeated. Thus our Olympic teams assume global importance, but you would never know it from the way we treat them. When our teams go overseas, we virtually ignore them, and, except for a brief flurry of publicity, they are accorded the same treatment on their return. A little public appreciation might persuade the stars to keep their amateur standing and carry their country's banner on the field of honor.

8. Uncle Sam should do more to stimulate enthusiasm in the Olympics. The Government could help conduct a nationwide publicity campaign, could also help by picking up more of the tab for the international travel and expenses of the coaches and teams. Now, the State Department often doesn't even know who is on the teams, or where or when they are going. Although the decision as to who goes is strictly private—which is correct in a democratic society—we must not overlook the fact that foreigners view our athletes as official representatives of our country.

9. We must find ways to raise the funds necessary to provide adequate training and facilities for our international competitors. Your contribution to the U.S. Olympic Committee will help assure better teams.

10. The President's Council of Youth Fitness should be established on a permanent basis, and the national defense education law should be amended to provide matching grants-in-aid to the States for physical fitness programs. Urge your Congressman to support these changes.

I have talked to President Kennedy about the Olympics' challenge, and he shares my concern. As a first step, he urged the NCAA and the AAU to settle their differences. We can also look forward to his greeting our athletes at the White House before they go to Tokyo. Win, lose, or draw, they should also be given an enthusiastic reception upon their return—parades, banquets, awards.

We can win the next Olympics if we give it a real, old-fashioned American try. As A. O. Duer, secretary-treasurer of the NATA puts it: "The Olympic games are second only to the space challenge as the major issue in the cold war."

### YOUR IDEAS CAN HELP

As one step toward meeting the Olympic challenge, perhaps a Foundation for Fitness should be established—to raise funds and promote fitness across the land, and to be dedicated to strengthening the well-being of youngsters and adults alike.

Let us know your reaction to this suggestion. Send your comments to: Foundation for Fitness Proposal, Parade Publications, Inc., 733 Third Avenue, New York, N.Y. Your response will be studied and turned over to suitable authorities.

### EXCERPTS FROM MESSAGES TO SENATOR HUMPHREY

University of Minnesota,
*October 17, 1962.*

Hon. Hubert H. Humphrey,
*U.S. Senate Office Building,*
*Washington, D.C.*

Dear Senator Humphrey: I have read with considerable interest your speech, "A Five-Point Fitness Program for America," that was printed in the Congressional Record of the U.S. Senate for September 12, 1962. I would like to congratulate you for bringing this basic national problem to the attention of your colleagues in the Senate.

* * * * *

Cordially yours,
Richard J. Donnelly,
*Assistant Director.*

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Oregon Association for Health,
Physical Education and Recreation,
*December 20, 1962.*

Hon. Hubert H. Humphrey,
*U.S. Senator, Minnesota,*
*U.S. Congress, Washington, D.C.*

Hon. Senator Humphrey: As the president of the Oregon Association for Health, Physical Education & Recreation, I am privileged to express the sincere appreciation of our membership for the profound interest you have for the health and physical fitness of our Nation. The following resolution was unanimously adopted at the 45th annual convention convened on December 1, 1962, at Medford, Oreg. It reads:

"*Resolved*, That the Oregon Association for Health, Physical Education, & Recreation hereby approve of, and commend Senator Hubert Humphrey for his interest and support of physical education and physical fitness as stated in his article in the October 1962 issue of the Journal of Health, Physical Education and Recreation of the American Association for Health, Physical Education & Recreation, and that this approval and interest be conveyed to Senator Humphrey by a letter from the president of the Oregon Association for Health, Physical Education & Recreation."

Sincerely yours,
Dr. George J. Sirnio,
*President OAHPER.*

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Falls Church, Va.,
*January 8, 1963.*

Hon. Hubert H. Humphrey,
*U.S. Senate, Washington, D.C.*

Dear Senator Humphrey: You are absolutely right, we must win the Olympics.

Your article in the Parade is a real contribution in the winning direction. I hope that more of our leaders will take an equally active part.

* * * * *

You may be interested in an article I wrote, "How the Soviet Union Exploits Sports," that appeared in the American Legion magazine last February and which I am enclosing.

Sincerely,
John J. Karch.

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American Association for Health,
Physical Education and Recreation,
*October 1, 1962.*

Hon. Hubert Humphrey,
*U.S. Senate, Washington, D.C.*

Dear Sir: May I express my personal appreciation to you and the appreciation of the American Association for Health, Physical Education, and Recreation for the comments you made in your report to the Senate regarding health, physical education, and recreation. I have read with interest and enthusiasm the Congressional Record of Wednesday, September 12, 1962, and the reprints of your report.

The support you have given through your comments is invaluable to one serving the profession of health, physical education, and recreation and the American Association for Health, Physical Education, and Recreation.

Sincerely,
Anita Aldrich,
*President.*

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West Virginia Youth Fitness Council,
*October 16, 1962.*

Hon. Hubert H. Humphrey,
*U.S. Senate, Old Senate Office Building,*
*Washington, D.C.*

My Dear Senator Humphrey: I would like very much to have 50 copies of the reprint "H 9-5-62." I wish to provide each member of our West Virginia Youth Fitness Council with a copy and make this very fine speech available to students and department chairmen.

I certainly applaud your interest in physical fitness of our youth, and my reactions to your proposals are quite favorable. I commend you for your vigorous action and I trust that you will continue to support the movement to improve the fitness of American youth.

Sincerely yours,
Ray O. Duncan,
*Chairman.*

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U.S. Junior Chamber of Commerce,
*Tulsa, Okla., January 15, 1963.*

Senator Hubert H. Humphrey,
*Senate Office Building,*
*Washington, D.C.*

Dear Senator: Let me first congratulate you on your very excellent article entitled "Win the Olympics" which appeared in the Parade section of our St. Paul Sunday Pioneer Press on last January 6. The subject of youth fitness today vitally interests a large number of young men in the United States who have already determined to do something about the appalling lack of youth fitness.

It was extremely interesting and coincidental that your article should come shortly after a meeting of several State Jaycee presidents, the U.S. Jaycees, Minnesota Jaycees, and St. Paul Jaycees, the express purpose being an expansion of our answer to the condition of youth fitness today. Our answer is the Junior Champ program.

Junior Champ is a program of track and field events and is highlighted by meets at the local and State level which aim to direct attention to, and arouse interest in, the concept of physical fitness. All events are Olympic events, and an Olympic theme is carried through much of the Junior Champ program.

As I read your article and your recommendations, I was about moved to pick up the phone to call you and shout it out that we were already doing exactly what you said should be done. Last year as closely as we can determine, the Junior Champ program reached nearly one-half million youngsters. This year the potential number is unlimited, since we are planning the first National Junior Champ Track and Field Meet; and many States are either planning or expanding their State meets. All this "frosting on the cake" will serve to promote thousands of local meets, which serve as the grass roots basis of many highly successful year-around fitness programs. Remember too, that the moving force behind Junior Champ is the Junior Chamber of Commerce with 4,500 local chapters in the United States, and over 200,000 young men with the drive and dedication to solve our youth fitness problem.

* * * * *

Very truly yours,
G. Richard Palen,
*General Chairman,*
*1963 National Junior Champ.*

CALIFORNIA WESTERN UNIVERSITY,
*January 13, 1963.*

Hon. HUBERT HUMPHREY,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR HUMPHREY: I have just read your splendid article, titled "Why We Must Win the Olympics," which recently appeared in the magazine section of the San Diego Union. I am heartily in accord with everything you wrote. It is an article which every American should read. There is no question that everything done by the Soviets, including winning the Olympic games, is part of the cold war, an attempt on their part to degrade the West, especially the United States, and to enhance the prestige of the Communists before the eyes of the world.

* * * * *

May I again thank you for your enlightening appeal in behalf of our Olympic team and our country.

Respectfully yours,
JACK MASHIN,
*Track Coach.*

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JANUARY 16, 1963.

Senator HUBERT HUMPHREY,
*U.S. Senate,*
*Capitol Building, Washington, D.C.*

DEAR SENATOR HUMPHREY: Our family wishes to thank you for your recent article on our U.S. amateur athletes which appeared in the January 6 issue of the Chicago Sun-Times.

We want you to know what it is like to be an amateur athlete in this country. My husband is a soccer player, a sport that is popular in almost every other country of the world except the United States of America. Every time we send a soccer team to the Olympics we get eliminated in the first round. In fact, if the U.S. soccer team ever gets to the Olympics, it's a small miracle. Since there are about 80 countries that wish to enter their soccer teams in the Olympic games, world regional preliminary rounds must be played prior to the games in order to cut down the teams to 16 entries. Thus the U.S. team must play a series of games against Canada, Mexico, Central America, Caribbean, and even South American teams. If the U.S. team survives these formidable preliminary contests then a trip to the Olympics is possible.

All of these U.S. soccer players, being classified as amateurs, receive no reimbursement for loss of wages while they are participating in the elimination rounds or Olympics. The U.S. team is composed of a national selection. The players have never played together and it is necessary to have some degree of training as a team before the team starts the rounds against countries whose teams have been playing as a unit for years. During this training period, our players receive no compensation.

My husband loves the sport, has believed in its value to train young boys at a low cost to the school budget. He has spent much time helping promote the sport among juveniles, on local TV shows, at luncheons, and press meetings. He has been on three U.S. Olympic teams—1956, 1960, and now 1964. He participated in the 1959 Pan American games, and will also be in Brazil for the April 1963 games. During all this time, he has participated as an amateur—has never received one penny, has lost wages because he believes in the amateur sport system. But how long can the public expect young couples to do this?

We have mortgages to pay, children to raise, and the majority of the amateur athletes are construction or factory workers. Once an athlete leaves college, he leaves the amateur ranks and is lost to our Olympic teams.

As you pointed out in your article, Russia and many other countries reimburse, support their athletes and families to concentrate on developing their athletic talents. Why can't this country realize the sacrifice our Olympians are expected to make and then have to compete against other countries whose athletes have had nothing to do except sharpen their skills?

After the last Olympics, it was evident the United States scored miserably in the lesser known sports as fencing, equestrian, water polo, women's track, soccer, cycling, etc. If we are to compete as a world power then our athletes need help. It takes time and money to train, coach, house, and transport these men and women.

Perhaps with your and other officials' help the day will come when to be an amateur will not mean you are second rate.

Thank you for your attention.

Very truly yours,
JOAN S. MURPHY.

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NEW YORK, N.Y.,
*January 7, 1963.*

Senator HUBERT H. HUMPHREY,
*U.S. Senator of Minnesota,*
*Washington, D.C.*

DEAR SENATOR HUMPHREY: I read your article on the Olympic problem in the recent issue of Parade magazine and would like you to know that I am in full agreement with your position. I have alerted the president of the Touchdown Club of New York to your article and I am certain that both as a group and as individuals the members of the Touchdown Club will aid your outlined program.

I think it is time that the Nation begins to realize the importance of our Olympic participation. I wish you luck with your campaign.

Warmest personal regards.

JAMES J. DEURSO.

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KANSAS CITY, MO.,
*January 8, 1963.*

PROGRAM FOR PHYSICAL FITNESS,
PARADE MAGAZINE,
*New York, N.Y.*

SIR: Thanks to Parade for publishing the well-written article by Senator HUMPHREY on the urgent need for physical fitness among American youth.

As the parents of seven children, we certainly recommend and urge a continuation of the President's Council on Youth Fitness and wholeheartedly endorse its program.

Federal funds should definitely be made available to expand this program, with the possibility of coordinating it with the activities of the U.S. Olympic Committee in furthering the physical aptitudes of our young athletes.

The two organizations should work together in the promotion of a campaign to encourage more active participation in the Olympics.

In our ultimate future as world neighbors, we must all engage in a program of daily physical fitness and sportsmanship. Competitive sports can become the strongest bond of friendship among all nations.

Sincerely,
GLENNON CORBETT.

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[From Physical Fitness News Letter, November 1962]

### SENATOR HUMPHREY'S PROPOSALS

On September 12, 1962, a five-point physical fitness program proposed by Senator HUBERT H. HUMPHREY of Minnesota was published in the CONGRESSIONAL RECORD. Extensive excerpts from this statement appear in the October Journal of Health, Physical Education, and Recreation. Inasmuch as most, if not all, readers of this newsletter have ready access to the journal, a brief résumé of Senator HUMPHREY's remarks only will be given here. His five points follow: the comments with each point represent the Senator's views.

First. In 1963, the 88th Congress should amend the present national defense education law so as to provide long-needed assistance to the States to foster excellence in physical education. Our Nation's school systems simply do not have the means at present to do what must be done to help our youngsters, from kindergarten through college, improve their physical performance.

Second. Congress should establish the vital President's Council on Youth Fitness on a permanent statutory basis—with its own appropriation. This would replace the present temporary, administrative basis, on which the Council functions, living on handouts, so to speak, from other agencies.

Third. We should encourage civic and sports leadership throughout the land to establish—voluntarily—a national goal, a national plan and program for American participation in international competition, particularly in the Olympics. A private U.S. Olympic Foundation should be established. It should replace the relatively unplanned, haphazard, "pass the hat in the 11th hour" basis on which we have fielded hastily assembled Olympic teams in the past.

Fourth. We should coordinate, systematize, evaluate, and apply medical and related research in youth and adult fitness. Fortunately, much worthwhile research in this field has been done, particularly abroad. The value of the research tends to be dissipated, however, insofar as the United States is concerned, because its results—like most research results—are relatively scattered and unassimilated.

Fifth. We should plan fitness opportunities for all Americans. This means in our cities, our suburbs, and our great outdoors. Fitness should be facilitated, not made difficult.

Senator HUMPHREY ends by saying: I believe that around this proposed fitness program we can have the fullest bipartisan participation. It is a program to which every American, rich or poor, big or little, strong or weak, whatever may be his race, color, or religion, can make a distinct contribution.

### REACTIONS TO SENATOR HUMPHREY'S PROPOSALS

Whenever a great public figure, such as a Senator of the United States, especially one of HUBERT H. HUMPHREY's stature and fame, speaks out vigorously in bipartisan support of a much-needed physical fitness program for the Nation, professional physical educators can be thankful. The Nation can be thankful, too, as our lack of physical fitness generally has been demonstrated, the relations of physical fitness to mental, social, personal, and emotional responses have been shown, and the need for exercise as a way of life has been documented. In such statements, Senator HUMPHREY is serving his country in a very real sense.

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SAN DIEGO CITY SCHOOLS,
*San Diego, Calif., January 14, 1963.*

Hon. HUBERT H. HUMPHREY,
*U.S. Senate,*
*Washington, D.C.*

MY DEAR SENATOR HUMPHREY: Congratulations for a very fine article in the January 6, 1963, issue of Parade magazine. I find myself in almost complete accord with your statements.

* * * * *

With respect to your points on developing a greater degree of physical fitness for the Nation's youth, I should like to propose to you that the Youth Fitness Council be placed upon a more certain footing than it is now under the President. While it is true that President Kennedy gives this council considerable personal attention, it may also be true that the next President might not. Also I believe that if it were set up properly by Congress and funded, it could be a mighty force in the refabrication of physical fitness in this land.

Yours in the interest of youth fitness.

DARRELL J. SMITH,
*Physical Education Specialist.*

Mr. HUMPHREY. Mr. President, I should like to make a few general observations on our participation in the 1964 Olympic games. I believe that our voluntary groups, colleges, great athletic clubs, and other amateur organizations in our country, should make every effort to put into the field the finest talent our Nation has for the 1964 Olympics. I for one feel that we can win the Olympics honorably and on the terms of amateur athletic status. But we cannot do it unless we try. We cannot do it unless we want to win. It is not good enough merely to send a team to the Olympics. What we need to do is to send the best we have. That is why the Senator from Minnesota has proposed that in every State, county, and major city in the Nation there be an Olympic-type competition among our young men and women so that we can bring to the forefront the finest talent our Nation has. Then when our teams go into the field and track meets of the Olympics including the winter competitions, we shall be able to say that we did our best. Frankly, up to now we have not been doing our best because we have had far too little national support—from the Nation and from the people in the Nation—for the Olympic participants.

It is my hope that whoever is selected for our great Olympic teams to represent our Nation in 1964 will be honored by a personal invitation to the White House, greeted by the President of the United States as they leave for Tokyo to participate in the 1964 Olympics, and greeted again upon their return. I hope they will receive the commendation of our Government.

## THE MEANING OF FREEDOM

Mr. GOLDWATER. Mr. President, the terms "liberal" and "conservative" have—in the words of the late E. E. Cummings, "like old razor blades"—been used to the point of "mystical dullness" and emphatically need to be resharpened. Amidst the welter of controversy which surrounds those who classify themselves as one or the other, it must never be forgotten, as it occasionally has been, that what matters is not the label we append to a particular viewpoint but the protection of the rights and dignity of the human person, in other words, the preservation of freedom.

But even here, if we pause for a moment to reflect on what seems such a simple and easily understood concept, the realization is brought home to us that the meaning of freedom has grown not only complex, but also confusing, and that clarification is required. Fortunately, this essential task has been accomplished in a manner both eloquent and persuasive.

A few months ago, Mr. Frank S. Meyer, a senior editor of National Review, and author of that remarkable study "The Moulding of Communists" which had been commissioned by the Ford Foundation, published a little book called "In Defense of Freedom." I strongly recommend this work to all of my colleagues and to the public as well. I can think of little on the subject of "freedom" which is of greater value. In that connection, Mr. President, I ask unanimous consent that the review of Mr. Meyers' book by William Henry Chamberlin, which appeared in the Wall Street Journal for Thursday, December 27, 1962, be printed at this point in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

### DEFENDING INDIVIDUALISM IN A COLLECTIVE AGE

(By William Henry Chamberlin)

The two political and philosophical thought systems known as liberalism and conservatism have exchanged intellectual baggage so completely during the last century that representatives of both may now be properly asked to state what they really believe in.

The old-fashioned conservative of the 18th and 19th centuries gave a high priority to order and respect for the state as a source of constituted authority. The modern conservative is often (for there is no uniformity in the conservative camp) a passionate champion of what used to be thought of as liberal values, liberty and individualism.

In the same way, especially in America, liberalism, which developed and grew strong in asserting the rights of the individual against the state, has become closely identified with statism. The hallmark of the American liberal is the belief that the state can do more for the individual than the individual, if left to his own resources, can do for himself. The typical liberal, modern American style, wants high Government spending, high taxation, and a continued expansion of the size and functions of the Federal bureaucracy.

#### THE TRULY GOOD LIFE

An interesting and significant contribution to the eternal liberal-conservative debating dialogue is Frank S. Meyer's "In Defense of Freedom: A Conservative Credo." A frequent contributor to conservative magazines of opinion, Mr. Meyer pitches into the economic theories of Lord Keynes and the educational theories of John Dewey with truly crusading zeal. But his conservatism is deeply rooted in individualism, in a profound conviction that the individual human being is the final source of virtue, of cultural appreciation, of all the attributes of a truly good life.

Edmund Burke is widely regarded as the intellectual patron saint of modern conservatism. But Meyer contends that there is a pronounced difference between Burke, invoking inherited experience in his defense of the existing political and legal setup of Great Britain against the doctrinaire challenge of the theorists of the French Revolution, and the situation which confronts American conservatives today.

For now, as the author maintains, liberal collectivism is in the saddle and dominant in many areas of thought and action. Reason is an essential tool if this grip is to be loosened or broken.

Mr. Meyer is convinced that virtue is personal, not institutional. Freedom is to be cherished for many reasons, but not least for the fact that it gives men the best opportunity to pursue and practice virtue. Coercive measures in this field are useless and self-defeating. The proper concern of government is not the inculcation of virtue, but the preservation of an order conducive to freedom. In his belief that ethics is personal, not the product of any set of institutions, he is in agreement with all the world's great religious and moral teachers.

The author retains an old-fashioned belief, reinforced by a good deal of experience, past and present, that individuals are best able to make their own economic decisions. He aims one of his sharper shafts at Keynes and one of Keynes' modern disciples, John Kenneth Galbraith:

"Where Keynes thought that the capitalists did not know how to invest and that bureaucrats could do it better by state manipulation, Galbraith thinks that consumers do not know how to spend and that bureaucrats can do it better for them by transferring purchasing power from 'the private sector' to 'the public sector', that is, from individual persons to the state."

#### WIT AND PERCEPTION

Although Mr. Meyer sometimes employs a technical philosophical vocabulary that might put off the lay reader, his writing often sparkles with qualities of wit and perception that are best conveyed by a few direct quotations:

"To deprive the able of the opportunity to realize their ability, in the name of a leveling equalitarianism, is as great an oppression as to enslave the many for the benefit of the few."

"The form of institutions has no power to make bad men good or good men bad."

"A free economy can no more bring about virtue than a state-controlled economy. A free economy, is however, necessary in the modern world for the preservation of freedom, which is the condition of a virtuous society."

Perhaps not since Friedrich Hayek published his superb "Road to Serfdom" has there been such a stout defense of the values of freedom and individualism in this collectivist age.

WILLIAM HENRY CHAMBERLIN.

## ALLEGED PROMISE OF AIR COVER FOR CUBAN INVASION

Mr. GOLDWATER. Mr. President, over the weekend the American public was treated to some very strange statements with regard to the situation in Cuba, both past and present. For example, our esteemed Vice President, Mr. LYNDON JOHNSON, was quoted as saying that "we have pulled the fangs of the rattlesnake in Cuba." Now, while this may well be his view of the situation in the Caribbean, I suggest it is a highly optimistic view and one which the United States cannot afford to adopt as a matter of policy. For the fact is that we have not pulled all of Castro's fangs. He still has an estimated 17,000 Soviet troops and technicians at his disposal, as well as Mig fighters and other important types of Soviet-supplied military equipment. To all intents and purposes, he is enjoying the protection of an anti-invasion pledge from the United States—regardless of whether we formalize the assurances President Kennedy gave to Nikita Khrushchev with an official declaration to the United Nations Security Council. Plans are still going ahead for the construction of a Soviet fishing port which can easily accommodate Russian submarines.

In sum, Mr. President, Castro's Cuba is still a menace to freedom in the Western Hemisphere. It is an island which bristles with offensive weapons, only some of which are presumed to have been removed at the time of the American quarantine. We do not even have positive evidence that all of Russia's long-range missiles and bombers have been removed. In this respect we are making a heavy assumption based entirely on

Soviet assurances and a few aerial photographs after dropping our proper demands for inspection.

But be that as it may, the strangest Cuban statement of all over the weekend is the one attributed in this morning's newspapers to Attorney General Robert Kennedy.

According to this story, Mr. Kennedy claims that no U.S. air cover was ever planned or promised for the Bay of Pigs invasion of Cuba in April of 1961. Thus, after 21 months, the Attorney General makes a claim that his brother, the President, never saw fit to make at the time when he was assuming the whole blame for the fiasco at the Bay of Pigs. I myself talked with President Kennedy at his request only a few days following the abortive invasion attempt. And I certainly got the impression then that an air cover had been part of the original invasion plans. I am sure the entire American public has understood that the air cover was definitely in the invasion plans until the President was persuaded—by some still unidentified advisers—to cancel it. At the time of the invasion, stories printed in almost all American newspapers told of U.S. planes actually being in the air, ready for use, if the command should come. There were reports of an aircraft carrier standing off the invasion coast at the time of the landing.

Mr. President, I suggest it is proper to inquire into this latest example of "news management" by the New Frontier. Has this practice of the administration now been extended to the rewriting of history in an image acceptable to the men presently in charge of the National Government?

If there was never any plan to provide an air cover for the Bay of Pigs invasion, why was this never brought to light before? Why did every Cuban exile leader with whom I spoke tell me that the United States had definitely promised to give such help? Why has the Government permitted the American people to labor for 21 months under the wrong impression?

## AMENDMENT OF RULE XXII—CLOTURE—LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I should like to have the attention of the Senate. I do so for the following purpose. We have been engaged in a debate on a motion to take up the Anderson proposal to change rule XXII. I express the hope that from now on Senators will remain in Washington to the end that we may face the question which is holding up the business of the Senate, the selection of committees—at least on the Democratic side—and appointments to fill vacancies on both the steering and policy committees on the Democratic side.

I hope also that sometime this week it will be possible for some Senator to make a motion, preferably first on the question of constitutionality, so that there can be a test of the sentiment of Senators. Of course, we can continue for a long time the way we are going at present. But I urge Senators to "put their ducks in order," so to speak, to try to bring the question now before the Senate to a head, to the end that some sort of conclusion can be reached, legislation can be considered, and committees can be appointed.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Is it fair to say—and I think it is very important that the point be developed—that the majority leader's views as to the length of the session are entirely amenable to those who wish to speak? In short, if certain Senators wish to speak, there is no reason why the Senate sessions cannot accommodate all Senators who wish to speak. Also, if I understand the majority leader correctly, nothing may be deduced from the fact that he is perfectly willing to see sessions end at convenient hours—5 o'clock, 6 o'clock, or 7 o'clock—but such willingneses is not designed to give us a rule by which Senators are to be limited in their speeches. If Senators wish to speak, the majority leader will accommodate them.

Mr. MANSFIELD. In my opinion, the use of the word "rule" is unfortunate, because neither the majority leader nor the minority leader can lay down a rule. All we can do is to make statements as to what is our intent.

If Senators wish to speak later than 6 or 7 or 8 o'clock, that is perfectly all right. The only stipulation I would try to make is that if they do speak until a late hour the membership as a whole be given assurances that there will be no votes of any kind, because I think that is a part of our responsibility.

I hope that some Senator will make a motion soon, so that this subject can at least be "put on the road." What we are doing now is expressing our opinions merely on a motion to proceed to consider. Having had some experience with such motions, I must say I do not like debate on those particular subjects, even though they are well within the rules. But I do not think it is wise for the Senate to go along at the pace at which it has been going, and hold up the appointment of Members to committees. I think it is advisable, in our own best interest and in the interests of the Nation as a whole, to get down to business and, to use a colloquial phrase, "to get off the dime."

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I wonder if the majority leader can advise the Senate whether he has any knowledge of any Senator who proposes to make a motion to proceed under the Constitution to adopt rules; and, if so, whether some time has been tentatively established for the submission of such a motion.

Mr. MANSFIELD. In response to the questions raised by the distinguished minority leader, I have no exact knowledge. I have heard rumors that perhaps at some time during the middle of this week some Senator will offer a motion to test constitutionality. I have heard rumors that after that is done, if it is done, a motion to table will be made.

I personally do not intend to make either motion, because I think there ought to be a reasonable amount of debate. But I would like to see some action taken to the end that we may get underway.

Mr. DIRKSEN. Mr. President, will the majority leader yield further?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I wish to ask a question of any of the proponents of a rules change. Can any of them advise the Senate now as to whether such a motion as has been discussed will be made; and, if so, at what approximate time?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. First, I believe it would be well to clarify the intention of the minority leader, as expressed last week, to offer a tabling motion to determine whether that procedure is to be followed; and, if so, when? Then I would say to the minority leader that if such a motion were to be made and if such a motion were to be defeated, there would be an intention on our part to raise the so-called constitutional question—in other words, a motion to bring debate to a close and to vote thereon.

Mr. DIRKSEN. Mr. President, I can give a very candid answer. It has been suggested to me that the motion dealing with constitutionality should come first in the procession of motions, and in view of that suggestion I stated that I would gladly forbear; and I have done so.

Mr. HUMPHREY. I was merely seeking information. I appreciate the candor of the Senator's remarks. There have been discussions—only discussions—relating to the making of a simple motion by a Senator to terminate debate upon the present issue of the motion to consider the Anderson resolution. Such motion would be made by the Senator from New Mexico, whose motion is now pending before this body; namely, the motion to proceed to consider Senate Resolution 9.

Mr. DIRKSEN. Mr President, will the majority leader forbear further?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. If the distinguished Senator from Minnesota can give the Senate a hint as to the day when such a motion will be made, it will be possible then to bring absent Senators back to Washington, if they are absent, so that there will be a full contingent when the question is considered.

Mr. HUMPHREY. As of this hour, no particular date has been agreed upon, but we will inform the leadership, so that arrangements can be made to see that every Senator interested in this subject has an opportunity to be present in the Chamber.

There have been rather extended discussions of this subject. My personal view is that action should be taken early this week. I hope that it can be taken between now and Wednesday. But I stress this is only my personal view. I know certain of my colleagues have other views. I mention Wednesday only as a personal suggestion.

Mr. MANSFIELD. Does the distinguished minority whip, who has coauthored the resolution presented in his behalf and in behalf of the distinguished majority whip, wish to make any comment at this time?

**Mr. KUCHEL.** I do.

Mr. President, the issue before the Senate at the moment is relatively simple. It is merely a motion to make the Anderson resolution the pending business in the Senate; and to determine, after a week's debate in this Chamber, whether that simple issue is to be voted up or voted down.

I suggest, first, that a unanimous-consent request be made that the Senate proceed to vote on the Anderson motion to set the resolution for debate; and if, as I apprehend, there may be objection to that unanimous-consent request, then, for our guidance I should like to ask the distinguished Presiding Officer, the President of the Senate, a parliamentary question or two, which I think might help to enlighten those of us who believe that a change in the rules is necessary. If the Senator will yield to me for that purpose, I should like to ask the distinguished Vice President a question.

**Mr. MANSFIELD.** I yield for that purpose.

**Mr. KUCHEL.** Mr. President, those of us who have placed our names on a proposed rule change under which, when a cloture petition has lain at the desk for 15 legislative days, a majority of the Senate—51 Senators—might invoke cloture, base our contention upon section 5 of article I of the U.S. Constitution which, as the Presiding Officer well knows, states that "Each House may determine the rules of its proceedings * * *."

It is our contention, simply stated, as the Presiding Officer well knows, that that wording of the Constitution gives to the Senate—and by that I mean a majority of those present and voting—the right to terminate debate at the beginning of a Congress, so that the Senate may proceed, by a majority vote, to adopt "the rules of its proceedings."

My parliamentary question is this: If the distinguished senior Senator from New Mexico [Mr. ANDERSON] were to rise and make a motion to terminate debate now, would the Presiding Officer put that motion to the Senate?

**The VICE PRESIDENT.** The Chair made clear his position on matters involving questions of the Constitution. The Senator from California points out what is his interpretation of the Constitution.

**Mr. KUCHEL.** Yes.

**The VICE PRESIDENT.** Of course, the Senator is entitled to his own interpretation. The Senate universally has reserved to itself the right to interpret any matter affecting the Constitution. No Presiding Officer in the history of the Senate has regarded that as his prerogative. Even the former Vice President, Mr. Nixon, when he gave an advisory opinion for the information of the Senate, stated that if a question of the Constitution were raised he would have to follow the precedents and submit it to the Senate.

The Chair has repeated again and again that that is what he would do if such a situation should arise.

If such a motion should be made, the Chair would attempt to determine from the mover whether it was made under the Constitution or under the rules. If it were made under the Constitution the question would automatically go before the Senate to be determined. If it were made under the rules, the Chair could either make a ruling or submit the question to the Senate; whichever the Chair, in his wisdom, determined.

**Mr. KUCHEL.** I thank the Presiding Officer. May I ask for a little additional enlightenment?

If a motion were made to terminate debate immediately, or if a motion were made in the nature of a motion for the previous question, and the distinguished Presiding Officer, either applying the provisions of the Constitution or otherwise, were to present that motion to the Senate, in what form would it be presented to the Senate? Would the Chair rule that that motion was subject to unlimited debate?

**The VICE PRESIDENT.** The Chair would submit the question, such a motion being in order, and when submitted, it would be debatable.

**Mr. KUCHEL.** If a motion were made to terminate debate now, and if it were ruled that a motion made to terminate debate now were subject to unlimited debate, I would respectfully contend that a non sequitur had been reached.

My only purpose in asking these questions is to determine whether or not, if the Senator from New Mexico were to make such a motion, it would be possible, in one fashion or another, Mr. President, at that time to have the Senate vote on the merits of the motion or upon the decision of the distinguished occupant of the chair.

**The VICE PRESIDENT.** Will the Senator restate his inquiry, if he is making one?

**Mr. KUCHEL.** Yes. Assume again that the distinguished senior Senator from New Mexico were to make a motion for the previous question, and assume that the Presiding Officer were to permit the Senate to determine whether that motion were in order or not. Would it be possible for that issue to be taken up and disposed of at that time? Would the Chair be able to present the motion to terminate debate to the Senate so that the Senate might then proceed to make its decision, unrestricted by unlimited debate?

**The VICE PRESIDENT.** If a constitutional question is submitted to the Senate, it is subject to debate. Also, a motion to table is in order. The motion to table would not be debatable.

**Mr. KUCHEL.** If a motion to table a motion to terminate debate fails, assuming the motion to terminate debate is made by the Senator from New Mexico, and assuming a second Senator moves to table that motion, assuming the tabling motion is defeated, then is the motion debatable——

**The VICE PRESIDENT.** The Chair thinks the best thing to do is for the Senate to determine what it wants to do, get a reasonably good idea about it, move to that end, and let the Chair rule on the questions as they come up, instead of having imaginary, hypothetical cases, difficult to follow and rule on.

The Chair said the other day that he did not want to indulge in the practice of considering imaginary, visionary, hypothetical cases that may or may not come before the Senate.

**Mr. KUCHEL.** Neither do I, but I seek all the guidance I can receive. I want to determine how best the Senate may come to grips with the constitutional contention, and let the Senate vote it up or down in that fashion. It would be a tragedy, in my judgment, if a motion to terminate debate, based on constitutional arguments, were subject to "unlimited debate," because such a motion to terminate debate will be made.

I certainly was not trying to be visionary. All I was trying to do was to obtain guidance from the Chair so the Senate might know how to proceed now or at the time the motion is made.

**The VICE PRESIDENT.** Whatever the Senator's intent may be, the Chair will repeat what he has said on several occasions: Any constitutional question submitted to the Senate is debatable.

**Mr. RUSSELL.** Mr. President, if the time has expired, I would like to be heard for a moment.

I regret very much that the distinguished majority leader is displeased with the debate on the motion to take up the resolution. He states that it is somewhat unusual. I can only reply that everything connected with this whole procedure is most unusual and unknown to the ordinary practices of the Senate.

In the first place, an effort is being made to bring this question before the Senate for determination without giving the Rules Committee of the Senate an opportunity to have a hearing on it. Talk about unusual procedure. An attempt is being made to bypass the committees of the Senate in the haste to change the rules, so that a simple majority may gag their colleagues who may wish to state their position or defend the vital interests of the people who sent them here as their representatives.

So it is all unusual. There is nothing ordinary about this procedure. It is all extraordinary.

Those of us who are resisting the motion to take up are not responsible for this extraordinary procedure. We think this question should be considered by a committee, as other matters of moment are, and that all those interested should be given an opportunity to be heard.

Senators talk about the right of Senators to vote. Is that paramount to the right of the people of the United States to be heard? Is that superior to the right of petition or the right of the people of his country to express their views?

It is said that hearings have been held in the past. Of course they have been held. Likewise, this proposal has been voted on at the beginning of the previous five Congresses, and the Senate has consistently rejected it.

We are completely justified in resorting to any procedure, however extraordinary, to meet the effort to lynch the rules of the Senate without any hearing before the proper committee of the Senate. For my part, I intend to use every device at my command in an attempt to bring my wayward brethren back to the proper procedures of the Senate in dealing with questions of such vital importance.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. RUSSELL. I would be glad to yield, but I have only 3 minutes. I ask the Senator to forgive me.

I wish to say one thing further. It is easy to obtain consideration of the proposal. All that has to be done is to send it to the committee, which is the proper way. Let the motion be withdrawn and let it go to the committee for hearings. Then the Senate can proceed to organize and get about its business, as provided in the rules of the Senate.

A few moments ago the Senator from California said the Constitution provides that the beginning of the session the Senate should adopt rules. I defy him to show me any such provision. It is not in the Constitution. The Constitution provides that each House shall determine its rules of procedure. It does not say where or at what time. The general assumption would be that that means after the committee had passed upon the question.

I have not gone back into all the dusty and musty past, but I doubt not that in the first Senate of the United States a committee was appointed to consider the matter of rules and procedures in the Senate and that some kind of report was made.

Apparently that procedure is not good enough now. We are told that we must take a short cut.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. RUSSELL. Apparently the proponents now contend that we must lynch the right of free speech in the Senate. I do not believe the Senate will agree to any such summary action without a full hearing under the law as embodied in our rules.

## UNJUSTIFIED COSTS UNDER NEGOTIATED CONTRACTS

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a recent Comptroller General's report wherein he outlines how the Government under four negotiated contracts has incurred at least $155 million in unjustified costs. These contracts involve the procurement by the Government of approximately $1 billion worth of helium.

The Comptroller General charges that annual profits of some contractors will range as high as 106 percent on their costs—before taxes.

The four negotiated contracts to which he refers are with Helex Co.—Northern Natural Gas Co.; Cities Service Helex, Inc.—Cities Service Co.; National Helium Corp.—Panhandle Eastern Pipeline Co. and National Distillers & Chemical Corp.; and Phillips Petroleum Co.—(two plants).

The Bureau of Mines entered into these long-term negotiated fixed-unit-price contracts for the production of large quantities of helium without any provision for periodic price redeterminations.

The contracts were signed as not being subject to the Renegotiation Act.

Mr. SYMINGTON. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, by not requesting price proposals the Bureau did not afford the various potential suppliers an opportunity to compete on this aspect of the proposed awards and thus denied the Government the benefits of competition and the opportunity to obtain the most favorable terms.

The four fixed-price negotiated contracts virtually eliminate many of the financial risks generally assumed by a contractor under a fixed-price contract.

Under these contracts the Government provided a market for the companies' entire production and virtually guaranteed the companies' recovery of the estimated capital investments.

On the basis of the Comptroller General's review of the Bureau's estimates of the contract unit prices he stated that it appeared that the Government would incur unjustified costs on these four contracts of at least $155 million.

This amount—$155 million—will be received by these contractors as profits over and above the $158 million allowed as profits in the composition of prices prepared by the Bureau.

For a more complete summary of how these unjustified costs developed I ask unanimous consent that excerpts from the Comptroller General's report of January 16, 1963, be incorporated at this point as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

### UNJUSTIFIED COSTS INCLUDED IN CONTRACT PRICES

On the basis of our review of the Bureau's estimates of the contract unit prices, it appears that the Government will incur unjustified costs of at least $155 million. An equivalent amount will be received by the contractors as profits over and above the $158 million allowed as profits in the composition of prices prepared by the Bureau. Of the $155 million of unjustified costs, $144 million represents special allowances for the helium content in the natural gas which are in addition to allowances of about $27 million included in the Bureau's estimates for shrinkage in the volume of natural gas resulting from the extraction of helium. The special allowances were included in the Bureau's initial estimates without establishing that any associated costs would be incurred by the contractors, and the negotiation records do not show that the contractors requested or required the special allowance as an added profit payment for the value of the contained helium. The remaining $11 million of unjustified costs represents excessive allowance for plant construction and related costs on one of the five plants, and overestimates of a similar nature could well exist for the other plants.

For the one contractor whose plant facility was substantially completed at the time of our examination, we estimated that the Government would incur unjustified costs of about $43.4 million. Accordingly, the contractor may realize annual profits of about $3.9 million or about 106.8 percent on cost before income taxes. The contracts were awarded, as follows:

| Company (and parent company, when applicable) | Contract date | Initial unit price per M c f. | Maximum annual payment |
|---|---|---|---|
| | | | *Millions* |
| Helex Co. (NorthernNatural Gas Co.) | Aug. 15, 1961 | $11.24 | $9.5 |
| Cities Service Helex, Inc. (Cities Service Co.) | Aug. 22, 1961 | 11.78 | 9.1 |
| National Helium Corp. (Panhandle Eastern Pipeline Co. and National Distillers & Chemical Corp.) | Oct. 13, 1961 | 11.78 | 15.2 |
| Phillips Petroleum Co. (2 plants) | Nov. 13, 1961 | 10.30 | 13.7 |
| Total | | | 47.5 |

These negotiated contracts provide that the private companies concerned will finance, construct, and operate a total of five helium extraction plants and receive in return an amount computed at a fixed unit price for contained helium delivered to the Government. The contracts extend for a period of 22 years, including the time required for construction of the plants. The Bureau estimated that, during the 22-year period, helium gas procured from these private companies will total about 62.5 billion cubic feet and will cost a maximum of about $1 billion. Contracts for helium gas are not subject to the Renegotiation Act (50 U.S.C. App. 1216).

* * * * *

The Helex Co.'s total plant investment of $14,738,197 includes an allocation of $4,171,150 to the helium facility for gas-conditioning facilities installed in an existing liquid hydrocarbon extraction plant owned and operated by Northern Gas Product Co. which, like Helex, is a wholly owned subsidiary of Northern Natural Gas Co.

* * * * *

The Bureau of Mines entered into long-term negotiated fixed-unit-price contracts for the production of large quantities of helium without any provision for periodic price redeterminations.

* * * * *

By not requesting price proposals, the Bureau did not afford the various potential suppliers an opportunity to compete on this aspect of the proposed awards and thus denied the Government the benefits of competition and the opportunity to obtain the most favorable terms.

### LIMITED FINANCIAL RISK TO CONTRACTORS

The four fixed-price contracts virtually eliminate many of the financial risks generally assumed by a contractor under a fixed-price contract. All four contracts provide for (1) a guaranteed market for virtually all the contractors' product, (2) recovery of the contractors' estimated capital investments, and (3) escalation of the unit price based on changes in a national commodity index. In addition, three of the contracts provide for termination in the event of an appreciable decrease of the helium content in the natural gas and one contract provides for termination in the event of failure of gas wells due to force majeure. Upon termination for such reasons, three of the contracts provide that the contractors can require the Government to purchase the plants at original cost, less depreciation, as shown on the contractors' books. In the event of termination under the fourth contract, the contractor can require the Government to purchase the plant for an amount equal to the original cost of the plant factored by the change in a national commodity index, less depreciation.

* * * * *

Under these contracts the Government provided a market for the companies' entire production and virtually guaranteed the companies' estimated capital investments by providing for (1) a guaranteed market for all the crude helium produced by the companies for the life of the contracts subject only to an annual dollar limitation and (2) recovery of capital investments through the inclusion of depreciation allowances in the unit prices for helium delivered, based on the Bureau's estimates of plant construction costs.

* * * * *

A comparative schedule of the estimated profits for the Helex contract, before and after adjustment, follows:

| | Helex Co. | |
|---|---|---|
| | Bureau's estimate | Adjusted estimate |
| Total annual revenues | $7,587,000 | ---------- |
| Total annual costs | 5,842,000 | ---------- |
| Net profit before taxes | 1,745,000 | $1,745,000 |
| Adjustments for additional profits: | | |
| Helium allowance (see p. 38) | | 1,607,000 |
| Overestimate of construction costs (see p. 32) | | 436,000 |
| Overestimate of operating costs (see p. 32) | | 131,000 |
| Adjusted profits before taxes [1] | | 3,919,000 |
| Annual profits in excess of those contemplated by the Bureau | | 2,174,000 |

| | Bureau's estimate | | Adjusted estimate | |
|---|---|---|---|---|
| | Before income taxes | After income taxes | Before income taxes | After income taxes |
| Percentage of profit: | | | | |
| On total unamortized investment | 13.9 | 6.5 | 48.3 | 22.4 |
| On sales | 23.0 | 10.7 | 51.7 | 24.0 |
| On cost | 29.9 | 13.9 | 106.8 | 49.6 |

After considering the aforementioned adjustments under the Helex contract, the estimated profits in excess of those contemplated by the Bureau amount to about $2,174,000 annually and about $43.4 million over the life of the contract.

The Bureau's estimates for the other three contracts similarly included unjustified allowances. However, by considering the special allowances for the helium contained in the natural gas streams ($144 million) and the overestimates in plant construction and related costs for the Helex contract ($11.3 million), the unjustified costs to the Government may total at least $155 million over the term of the contracts.

* * * * *

By letter dated November 16, 1962, the Administrative Assistant Secretary, in commenting on the special allowance for helium, advised us that:

"The Department does not agree with the finding that unjustified allowances were included in the Bureau's estimate of unit prices. The Department does not consider that the $2 value per thousand cubic feet of helium content in natural gas is a special allowance or to be considered as a profit to the contractor."

* * * * *

Our review disclosed instances where the negotiation records did not contain adequate documentation to support the reasonableness of reductions in percentage factors contained in the contractors' original proposals.

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent that the Comptroller General's letter of January 15, 1963, be printed at this point. But first I quote one significant sentence from that letter:

Our examination disclosed that the negotiation procedures and practices employed by the Bureau were seriously deficient.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
*Washington, D.C., January 16, 1963.*

To the PRESIDENT OF THE SENATE and the SPEAKER OF THE HOUSE OF REPRESENTATIVES:

Herewith is our report on examination of the procurement of crude helium by the Bureau of Mines, Department of the Interior, under four negotiated fixed-price contracts awarded during fiscal year 1962 in accordance with the authority provided in the Helium Act Amendments of 1960, Public Law 86-777, 74 Stat. 918, 50 U.S.C. 167.

The contracts provide that the private companies concerned will finance, construct, and operate a total of five plants for extracting helium from their natural gas supplies. In return, the companies will receive an amount computed at a fixed unit price for contained helium delivered to the Government. The contracts will extend for a period of 22 years and provide an estimated 62.5 billion cubic feet of helium at a maximum cost of about $1 billion. As of September 1962, one extraction plant had been substantially completed and the remaining four plants were under construction.

Helium, a noncombustible gas, is in effect a minor impurity in the natural gas. The helium contained in the natural gas streams to be used for processing under the subject contracts was previously wasted to the atmosphere when the natural gas was burned as a fuel. The companies with contracts awarded under the helium conservation program are given the opportunity to sell separately this inert constituent of natural gas which prior to the conservation program had no value either to the companies' operations or to their customers. The removal of the inert gases increases the heating value of each cubic foot of residual natural gas and also offers the natural gas companies an opportunity to extract heavy hydrocarbons, such as propane and butane gases, for sale on the commercial market without reducing the heating value of the fuel gas below a suitable minimum.

Our examination disclosed that the negotiation procedures and practices employed by the Bureau were seriously deficient. The fixed-price contracts do not contain any provision for price redeterminations although they are to cover a 22-year period, are for a product that has not been previously produced on an extensive scale, and prospective participants were not requested to submit price proposals. Further, the negotiation records disclosed that the Bureau did not request or obtain detailed estimates of costs from the four selected contractors.

On the basis of our review of the Bureau's estimates of the contract unit prices, it appears that the Government will incur unjustified costs of at least $155 million over the life of the contracts. Equivalent amounts will be received by the contractors as profits over and above the $158 million allowed as profits in the composition of price prepared by the Bureau. Of the $155 million of unjustified costs, $144 million represents special allowances for the helium content in the natural gas, which are in addition to allowances of about $27 million included in the Bureau's estimates for shrinkage in the volume of natural gas resulting from the extraction of helium. The special allowances were included in the Bureau's initial estimates without establishing that any associated costs would be incurred by the contractors, and the negotiation records do not show that the contractors requested or required the special allowances as added profit payments for the value of the contained helium. The remaining $11 million of unjustified costs represents excessive allowance for construction and related costs of one of the five plants, and overestimates of a similar nature could well exist for the other plants.

For the one contractor whose plant facility was substantially completed at the time of our examination, we estimated that, as a result of these unjustified allowances, the contractor may realize annual profits of about $3.9 million, or about 106.8 percent, on cost before income taxes, compared with profits of about $1.7 million, or about 29.9 percent, as contemplated in the Bureau's estimate. The Bureau's estimates for the other three contracts similarly included unjustified allowances.

In hearings before a subcommittee of the House Committee on Appropriations, on March 21, 1962, the Bureau stated that it had allowed the contractors a 6.5-percent return on the unamortized investment after income taxes. However, this estimated return was computed on allowances for construction costs that were based on the Bureau's theoretical plans rather than on plans which the companies expected to use. Our examination disclosed that the estimated return on the unamortized investment after income taxes on one contract would be about 22.4 percent, or about 48.3 percent before income taxes.

After the findings contained in this report were brought to the attention of the Department of the Interior, we were advised that the Department would immediately take the steps necessary to strengthen the contracting procedures and negotiation practices of the Bureau of Mines by requiring the submission by contractors of detailed cost and pricing data and the certification by contractors of the completeness and accuracy of such cost and pricing data. The Department advised us also that on November 16, 1962, the Secretary of the Interior sent each contractor a letter proposing that Department and contractors representatives meet to discuss the feasibility of amending the existing contract to provide for price redetermination. However, the Department does not agree that the allowances for helium in the natural gas should be considered as unjustified special allowances or as profits to the contractors and therefore does not anticipate any adjustment for the allowances in the subject contracts. The Department's position is based primarily on the inclusion of an equivalent allowance in a contract executed in April 1958 for gas supplied to its Keyes, Okla., helium plant and the Department believes that this previous action constituted a precedent for future purchases of helium.

The fact that an equivalent allowance was paid at the Keyes plant does not necessarily mean that such an allowance should or need be paid under an entirely different contract arrangement under which the contractors are otherwise provided a profit for

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[1] Does not include any additional profits that may accrue to the contractor from allowances for fuel gas at prices generally equal to the companies commercial sales rates from overestimates of unit costs which may result from an understatement of expected production quantities, and from failure to recognize lower unit costs resulting from the production of total quantities in excess of those contemplated in negotiations.

> their participation in the program. Moreover, the proportion of helium content in the gas under the subject contracts is substantially less than that contained in the gas processed at the Keyes plant. By proceeding in a manner whereby it set the pattern of the financial arrangements providing the special allowance for helium and construction cost elements, the Bureau has precluded the functioning of effective negotiations as to existing contracts and has also made it much more difficult to carry out effective negotiations for any future contract awards in this program. Accordingly, we believe that the special allowances for helium represent unjustified costs to the Government.
>
> We are recommending that the Secretary of the Interior make every reasonable effort to amend the existing contracts to effect price reductions to eliminate these unjustified costs. With regard to future contracts, we are recommending that, where allowances are made in excess of costs, the Secretary require contracting officials to clearly identify such allowances as part of the total estimated profits to be allowed in the contract unit prices.
>
> Copies of this report are being sent to the President of the United States and to the Secretary of the Interior.
>
> JOSEPH CAMPBELL.

Mr. WILLIAMS of Delaware. Mr. President, Congress cannot continue to ignore these examples of unnecessary waste of the taxpayers' money by our Government procurement officers.

The cumulative total of such examples of unnecessary waste in government contributes heavily to our huge deficits each year.

I note that the Bureau of Mines takes the usual bureaucratic position; namely, that they see nothing wrong with the manner in which the contracts were negotiated. Certainly any contract which results in over 100 percent profit without risk needs questioning.

I strongly recommend that the Symington committee reexamine the Government's entire procurement program of helium with particular attention being given to a further examination of these four contracts.

## RULES OF THE SENATE

Mr. ROBERTSON. Mr. President, it is quite evident that the distinguished Senator from California [Mr. KUCHEL], in expressing his views on the rules of the Senate, could not have heard the speech I made last Tuesday on that subject. If he had, he would have known that there is no provision in the Senate rules to move to end debate.

The distinguished Senator from Illinois had asked me whether or not I know that Thomas Jefferson, in the rules of the Senate, had included a provision to move the previous question. I admitted that prior to 1806 there had been a provision in the rules to move the previous question. However, I called attention to the fact that the Senator from Georgia said that that did not end debate.

So I went back to the exhaustive study made by a Harvard professor on the history of the previous question—and I hope that some day if Senators keep up the argument about a motion to end debate someone will put that study in the RECORD—and found that it was possible to move the previous question in the days of Thomas Jefferson, but that that motion was debatable. That is the point.

When the Senate rules were revised in 1806, that provision was eliminated.

The Senator from California said someone will move the previous question.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ROBERTSON. Under what authority will that be done? Debate can be closed in only one way, and that is under rule XXII, the cloture rule. Perhaps it will be said that there is no cloture rule. Then I would like to see how debate could be closed. Senators should not say they are going to move the previous question and ask the Presiding Officer, who knows rules, to rule in their favor. They cannot move the previous question.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. KUCHEL. All I say to the Senator from Virginia is that he and I disagree in our contention, and that we ought to have the Senate pass judgment on whether our contention is correct or whether his contention is correct.

Mr. ROBERTSON. The only contention we make is that Senators on the other side of the question either do not know what the rules say or do not wish to be bound by them. That is the only difference between us.

The VICE PRESIDENT. The Chair invites the attention of the Senators to page 186 of the CONGRESSIONAL RECORD of January 14, 1963, particularly to the question asked by the Senator from New York [Mr. JAVITS], as follows:

> Mr. President, I propound the following parliamentary inquiry:
>
> Does the Chair believe that notwithstanding the fact that motions to amend the rules are made under the Constitution, nonetheless the Chair may, as is its prerogative, determine questions of procedure as the Chair deems advisable in the exercise of the prerogatives of the Chair?

The Chair, in response to that inquiry of the Senator from New York, was fully responsive to and covered the point raised by the Senator from California today.

A careful study of that response, together with the subsequent statement, also printed in the RECORD, will bring to light the right of the Senator from California to proceed.

The Senator from Minnesota [Mr. HUMPHREY] has stated that he is prepared to inform the Senate on the procedure he intends to follow, and the Chair recognizes the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I assure the Presiding Officer of the Senate that prior to making any motion as indicated this morning, it will be the intention of the Senator from Minnesota, the Senator from California, the Senator from New Mexico, and other Senators to consult with the Vice President, or Presiding Officer, so that he may know the form of the motion and the steps that we will follow.

This is a very difficult problem. All of us want to be well aware of the procedures that we should follow, and the consequences of such procedures. It would be far easier just to vote on the Humphrey and Anderson resolutions, but it appears that we will not have this opportunity for sometime, if at all.

But I assure the Presiding Officer that every possible effort will be made early this week to determine upon our procedure and to consult with him. But at this juncture no firm date or commitment to vote can be made.

Those of us who support the principle of the right of the Senate to adopt its rules at the beginning of each new Congress do so with sincerity and conviction. We believe that the right of the Senate today is the same as the right of the first Senate of the Congress of the United States, and that the first Senate adopted its rules by majority vote. It did not permit one-third of the Senators present and voting, plus one, to negate or paralyze the action of a majority of the Senators.

We believe that the Senate in the 88th Congress has exactly the same constitutional rights possessed by the Senate in the 1st Congress of the United States; no more and no less. We further believe that the fundamental issue before the Senate is a constitutional one, namely, Does the membership of the Senate of the 88th Congress have power, undiluted by actions of the previous Senates, to determine the rules under which it will operate? I wish the press and the public would come to accept the importance of this constitutional argument.

The Senate of the 87th Congress, in the 1st and 2d sessions, had rules under which it operated. Those rules are carried over either by acquiescence or by overt acceptance. Those rules may be modified as they are adopted, namely, by majority vote; and this has been stated by none other than the chief contender on the opposite side of this issue. For example, I quote from the RECORD of January 14, 1963, the statement by the distinguished Senator from Georgia [Mr. RUSSELL]:

> Mr. President, there is no question that a majority of the Senate can change the rules of the Senate; none of us contends otherwise. We are merely contending that the rules can be changed only in the manner prescribed in the rules.

It is that latter phrase with which we disagree, because we say—the Senator from California [Mr. KUCHEL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from New York [Mr. JAVITS], the Senator from New Mexico [Mr. ANDERSON], and other Senators—that the rules can be changed by a majority vote at the inception or at the beginning of a new Senate, if the Senate so wills it. But we also maintain the Senate has a right to reach the parliamentary situation where a majority can decide. If the Senate accepts the rules of a previous Congress, that is an overt act by itself, even if it comes through acquiescence.

The changing of the rules in the manner prescribed in the rules is the point where the will of a majority of the Members of the Senate is frustrated. Since under the rules adopted in previous Senates a majority must surmount the hurdle, the stopping or closing of debate by, first, obtaining the vote of two-thirds of the membership under rule XXII, it is easy to see that the statement that the rules can be changed by majority vote, as was said on January 14, by the distinguished Senator from Georgia [Mr. RUSSELL], is not an accurate statement in fact, if a majority can never have an opportunity to vote because of Senate rules adopted by another majority of Senators in another Congress. We claim a constitutional right to put the question to a majority of Senators in the 88th Congress.

The statement has been made that the proposal should be referred to committee. But there are no committees. Committees have not been constituted in the Senate of the 88th Congress. The Senate has not yet constituted the committee membership. New Senators are present who have every right of every other Senator. They have not been assigned to any committee. They have received no official assignments from this body. Some of us who have been here all this time have become accustomed to the fact that there are committees; but the plain fact is that until the Senate authorizes committees, until Senators are placed on committees, until the membership of the committees has been confirmed and affirmed by this body, and placed in the CONGRESSIONAL RECORD, committees have no official purpose and are not in session.

Mr. RUSSELL. The Senator from Minnesota knows that every other bill or resolution introduced or submitted in the Senate—and I think the number has probably reached into the hundreds—has been referred to committee.

Mr. HUMPHREY. Bills and resolutions have been referred to committees; but the committee membership has as yet not been ascertained; and the Senator from Georgia knows the rules of this body better than does the Senator from Minnesota.

Mr. RUSSELL. Of course they have not been ascertained. If committees are not to be used any more in the handling of legislation than the Senator from Minnesota proposes to use them as he attempts to rush this matter through the Senate, it does not make any difference whether committees are constituted as the proposed legislation can be brought directly to the floor. The committees would then be completely dead.

Mr. HUMPHREY. The Senator from Minnesota believes in the committee system; but he believes committees are not established by act of God, but are established by act of Congress. The Senator from Minnesota contends that until those committee structures are filled with personalities, persons, individual Senators, the committees are not official bodies. Many new Senators are present. To what committees are they assigned? They will not be assigned to committees until the Senate takes official action to do so.

**In the First Congress rules were adopted. What rule was used to establish the first committees? The Senate then used the constitutional right of the Senate under the Constitution of the United States to protect the rights of individual Senators, that a majority shall constitute a quorum for the purpose of doing business.** The Constitution is particular and specific that a majority shall constitute a quorum for the purpose of doing business in every single instance of legislative practice except in those instances prescribed in the Constitution where a two-thirds majority is required. If Congress wishes to amend that provision under the provision of article I, section 5, whereby each House can adopt rules and govern its proceedings, we are privileged to adopt rules governing our procedures. That is our prerogative, and we can adopt those rules in the beginning of a new Congress by a majority vote. The principle for which we are arguing here is majority vote.

I ask the Senate: Shall a majority govern us? Or shall one-third plus one govern us? Shall a majority have the right to adopt its rules, uninhibited, unencumbered, or shall it be a minority—one-third plus one—which will stymie our action? That is what this fight is about.

We intend to pursue our course of action, but we shall do so in an orderly way. We shall permit the Vice President, as the Presiding Officer, to know beforehand every procedural motion we intend to make, so that we can bring this whole debate to resolution, because I am convinced that what we are arguing about has great historic importance, and I believe we ought to have rulings by the Senate itself, and if the Vice President so wishes, his own rulings, also.

Mr. JAVITS. Mr. President, I should like to add to what has been said, because I am one of those involved. It is interesting to hear the explanation of Senators who are opposed to changing the Senate rules.

There have been committee hearings, and committee has reported a Senate rules change very much along the lines being contended for by the Senator from Minnesota [Mr. HUMPHREY], and other Members of the Senate. That took place in 1958. In 1959 there was no filibuster against adopting a change in rule XXII. The price paid for it was a declaration which runs contrary to the Constitution, and now contained in the rules of the Senate, that the Senate is a continuing body and its rules are continuous.

It seems to me, first, that we have had committee hearings, in 1958; and second, the history of 1961 weighs very heavily against those who would oppose a majority determining whether we shall or shall not have rules.

In 1961 this question was laid aside when it was first brought up, when Congress was organized, on the ground that it simply could not be considered and ought to be referred to committee. It was referred to committee, and some 9 month later it was brought up again on the floor of the Senate pursuant to a pledge of the majority leader. Again, it was filibustered to death, the end of the session then being close at hand.

It seems to me that that is a very spotty pattern for those who propose the reference of the resolution to committee and say that the Senate can then work its will.

Finally, it seems to me to be a strange anomaly to hear it argued that the mandate which we find in the Constitution is not effective as against the Senate rules themselves, and for this reason: If that were so, any Congress could write into any piece of legislation a new and inhibiting rule against this change, to provide that the rules could not be changed except by a two-thirds vote. That would be effective on succeeding Congresses. But would a succeeding Congress pay attention to it? We all know it would not. Therefore, the constitutional mandate which entitles us to change our rules—yes, says the Senator from Georgia, at any time—must be made to operate consistently with the proposal that rules may be accepted by the mere fact of going ahead and doing business under them. That is a perfectly consistent pattern. It follows out the traditions of the Senate, going down through the years. That is what we contend. That has not been mentioned. If we let this moment pass by, then we accept the rules of the Senate, and go on to operate under them, and then, traditionally, the practice holds that we have adopted them in full.

Finally, and very importantly, if there is no cloture rule—and I heard that intimated a few minutes ago—then certainly debate can be closed under the normal rules of debate which guide a parliamentary body. In short, the absence of a cloture rule cannot be used, so there is no way to cut off debate at all; debate goes on forever. If it is admitted that there is no cloture rule then debate may be closed by the normal parliamentary process; and that is exactly what we are contending for.

So, Mr. President, based upon this pattern, which subserves only the effort to prevent us from changing the rules, and nothing else, I think the Senate is duty-bound, if it is not to have anarchy in the country—and that is what is intimated, to find a way out of the morass into which it is plunged.

It is our effort to do precisely that; and that is what we intend to do by this motion.

Mr. RUSSELL. Mr. President, we have heard much discussion and argument, by men of great influence and position in the Senate, to the effect that the Senate has no rules and has no committees, that therefore the Senate is at a standstill, and that that justifies the proposed departure from the regular procedures of the Senate and utilization of the committees of the Senate.

Mr. President, I point out that the Senate does have committees; and I call attention, on page 37 of the Standing Rules of the Senate, to subsection 2, which reads as follows:

> Each standing committee shall continue and have the power to act until their successors are appointed.

Mr. President, that is not only a rule of the Senate; it is an act of Congress. It was embraced in the Reorganization

Act of 1946; and it is a law, passed by both branches of Congress, and signed by the President of the United States. But our friends say it is unconstitutional. They, themselves, declare it unconstitutional, although it is both a rule of the Senate and an act of Congress, signed and approved by the President of the United States.

Of course, it would have just as much validity if it were merely a rule of the Senate, because the Senate is a continuing body. I await with interest, Mr. President, the time when Senators who, I know, are able lawyers will take the position that the Senate is not a continuing body. If a majority of them vote that way, someone will be stultifying himself, because it is known that the Senate is a continuing body; and in that connection I have pointed to subsection 2 of rule XXV, which states that "each standing committee shall continue and have the power to act until their successors are appointed," and also to rule XXXII, subsection 2, which is to be found on page 43 of the manual of the Standing Rules of the Senate, which provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That rule, in connection with the fact that the law I have cited carries over the committees from Congress to Congress, makes the Senate a continuing body, and makes the question of attempting to ram through some previous question, in order to cut off debate, no minor matter, but a violation of the Constitution of the United States and of the rights of Members of this body—an attempted violation, by means of brute force proposed to be imposed on us, instead of having any justifiable claim of constitutional right.

The Senate is a continuing body, and has always been construed as being a continuing body. The same Supreme Court which has held the Senate to be a continuing body has handed down decisions which we have been told we must follow explicitly, as the law of the land, in every detail. The Supreme Court has so held on more than one occasion. Yet we are now confronted with an extraordinary attempt to shortcut the Constitution and demolish the rights of Senators who represent sovereign States, and to violate the rules of the Senate, in an effort to rush through this proposal without a committee hearing.

The Senator from New York says there has been a committee hearing on it in the past. But, Mr. President, committee hearings have been held in 10 or 12 successive Congresses on proposed legislation which has been introduced in those Congresses. That is due to the fact that conditions change and the views of the people of the United States change. We are not living in an absolutely static world; conditions do change. For that reason, committee hearings are held in each and every Congress on every piece of proposed legislation that is introduced. And hearings are held on every change sought in the Senate rules except when it comes to one affecting this particular question which is brought forward at the beginning of the Congress.

In this case it is proposed to repeal the constitutional right of Senators, without any debate at all, but merely cram the previous question down their throats, to shut them off.

Mr. President, I point out that we are somewhat tired and wearied by hearing this debate, during which it has been alleged at times that we do not adhere to the Constitution and to the rules of the Senate. It has been said that a filibuster is a long speech with which one disagrees, whereas if it happens to be a speech with which one agrees, then he regards it as a profound and statesmanlike utterance. That is just about the fact of the case, Mr. President.

I point out that we are standing not only on the Constitution of the United States, but also on acts passed by both Houses of Congress and signed by the President, and also on the rule that the Senate is a continuing body, with one-third of its membership replenished every 2 years, and also on the rule which provides that the rules of the Senate can be changed only in the manner prescribed therein. We are standing on the rights of minorities and of the small States of the Union to have their chance to have their say in the Senate of the United States, and not be stifled by any majority.

We are told that the proposed rule provides for 15 days of debate. However, Mr. President, such a provision does not mean a thing, for if there were a ruthless majority in this body, it could adjourn the Senate every day, immediately after the Senate convened, and thus prevent Senators from having an opportunity to say a word in behalf of the people they represent.

Mr. KUCHEL. Mr. President, I invite the attention of the majority leader and of the Senator from Georgia to the fact that there is pending a motion to make the resolution the pending business. That is all we have before the Senate—a motion to have the Senate proceed to the consideration of a piece of business. That motion has been pending for a week.

I wonder whether my able friends would be inclined to look with favor on my desire to ask unanimous consent that the Senate vote on the Anderson motion on Wednesday.

Mr. MANSFIELD. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. What the Senator from California proposes is the right of any Senator at any time he sees fit to do so.

Mr. KUCHEL. I am completely assured that my leader of the Republican Party on this floor has no objection to what I have in mind. First, I would be glad to suggest the absence of a quorum, so that absent Senators might participate; although, realistically, I do not think that necessary.

So, Mr. President, I ask unanimous consent that the motion now pending be voted on next Wednesday, at 3 o'clock in the afternoon.

The VICE PRESIDENT. Is there objection?

Mr. RUSSELL. Mr. President, those of us who are opposed to the proposed procedure of bypassing the committees of the Senate did not bring this question here, and we do not propose to join our friends in rushing to its termination. So I shall certainly object; although, of course, such unanimous consent is not in order under the rules.

The VICE PRESIDENT. Objection is heard.

Mr. KUCHEL. Mr. President, I wish to make a very brief comment. I have not been in the Senate a long period of time. However, in the decade that I have been here, I do not recall that the Senate ever adopted rules of procedure after a committee had passed judgment on them.

Mr. RUSSELL. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. RUSSELL. The Senator from California is not arguing to have that done now, is he? He has accepted every rule of the Senate except rule XXII, and he has operated under it until now. Therefore, the Senator from California is asking that only one rule be changed; he has accepted all the other rules.

Mr. KUCHEL. I thank my very able friend, the Senator from Georgia.

Mr. RUSSELL. Thirty-nine of the rules, I believe, have been accepted; there is only one of the rules that my friend, the Senator from California, does not like.

Mr. KUCHEL. I thank the Senator from Georgia, who is as skilled in the field of parliamentary procedure as is any other Member of the Senate, and who by his last comment has demonstrated that during these many years a committee of the Senate has never passed judgment on the rules of the Senate. Of course, it has not.

Mr. President, what we contend is that, under the Constitution we have a right to rid ourselves of the shame of a rule under which filibusters, often weeks in extent, continue to be tolerated without regard to the wishes of a majority of the elected Members of the Senate.

Earlier today it was solemnly declared that every bill and resolution that is introduced is referred to a committee before the Senate works its will on it. I deny that. In 1957, when our friend, the distinguished Republican leader from California, William Knowland, sat in the chair of the minority leader and a civil rights bill came before the Senate, the Senate decided that it would not refer that bill to a committee where it would be foredoomed to death, but that it would keep it before the Senate until it was passed. The bill was passed.

So do not tell me that every bill and every resolution which comes to the floor of the Senate is sent in a sacrosanct fashion to a committee. That simply is not true.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. In the interest of accuracy, the Senator will recall that 2 years ago this month the Senate referred the Anderson proposal to the

Committee on Rules and Administration, of which committee I am the chairman. At that time we made a commitment that we would report a resolution to that effect by not later than the following September, if my memory serves me correctly. We reported the Anderson proposal in legislative form. It was considered on the floor of the Senate. An attempt to invoke cloture was made. That attempt was not successful at that time. So there was at least one proposal which was referred to the committee. I make the statement only in the interest of accuracy.

**Mr. KUCHEL.** The Senator is correct.

**Mr. RUSSELL.** Mr. President, will the Senator yield?

**Mr. KUCHEL.** I yield.

**Mr. RUSSELL.** Further in the interest of accuracy I point out that the cloture measure to which the Senator from Montana referred did not even receive a majority vote of the Senate.

**Mr. MANSFIELD.** The vote was unsuccessful.

**Mr. KUCHEL.** The Senator is completely correct. That is the untimely and unhappy history of the Senate in dealing with the problem.

Mr. President, I conclude my remarks by saying that, in my judgment, a clear majority of Senators, both Democratic and Republican, wish a change in the rule. In my judgment, a clear majority of Senators, Democrats and Republicans alike, would oppose a motion to table the measure. That being so, I hope that with the honorable assistance of the Chair to guide us in presenting the question to the Senate, a majority of Senators may be able to proceed to determine how and in what fashion they want rule XXII of the prior rules of the Senate changed at the present session of the Congress.

**Mr. HUMPHREY.** Mr. President, it is apparently quite obvious that we are not going to resolve the question today. I believe that the basic line of argument between the contesting parties has been fairly well described and laid down for further consideration. As I stated earlier, the central point at issue is as follows: Does the membership of the Senate of the 88th Congress have power, undiluted by actions in previous years, to determine the rules under which it will operate? It is the contention of the Senator from Minnesota that rule XXII as now written denies the majority that opportunity.

I also invite the attention of Senators to the fact that a substantial number of Senators have never had an opportunity to vote on rule XXII, the Senate rule at the root of this debate. Since January 1959, when the last revision of rule XXII was adopted, 23 new Senators have come to the Senate. Those 23 new Senators have never been given an opportunity to act upon the rules of the Senate, or particularly, in this instance, upon rule XXII.

**Mr. RUSSELL.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I yield.

**Mr. RUSSELL.** For the purpose of keeping the record straight, I point out to the Senator that the last Congress amended the rules of the Senate. The Senate amended the rules at least in one respect and, I believe, in two or three respects.

**Mr. HUMPHREY.** I referred to rule XXII.

**Mr. RUSSELL.** Oh, no; not rule XXII.

**Mr. HUMPHREY.** I said rule XXII.

**Mr. RUSSELL.** Oh, well, I can understand the Senator's peculiar fascination for rule XXII.

**Mr. HUMPHREY.** We have a certain degree of fascination for it, I say most respectfully, because it is rather basic to the right of the majority to establish rules for the Senate and to establish any other kind of body of law. We maintain that rule XXII prevents a majority of Senators from exercising their constitutional rights in regard to the determination of rules at the opening of a session.

I wish to correct the record in one further respect. Not only rule XXII attracts our attention, but also section 2 of rule XXXII, which reads as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

I submit that the provision that the rules are to continue either by acquiescence or to be changed by overt action of the Senate itself is an unconstitutional provision.

A moment ago I made some comment relating to the committees of the Congress. There was an indication that the committees carried over, and that that system is a part of the continuing apparatus of the Senate. I should like to make quite clear that I do not disagree with the point which is made that certain functions and attributes of the Senate are continuing. That is not the argument at all. That point was the subject of a preliminary argument some years ago with which I disagreed then and disagree now. I believe that the Senate is a continuing body in certain respects. Under the Reorganization Act of 1946 the committee structure continues. But the Reorganization Act also provides as follows·

> The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise.

I call to the attention of Senators the fact that the committees are to be appointed at the commencement of each Congress. They do not merely continue with membership. They are to be appointed at the commencement.

By tradition and accommodation we talk about the rule in relation to the Committee on Foreign Relations and the Committee on Appropriations. We know who were members of those committees last year. But I submit that no resolution has been adopted by the Senate as to its membership this year. Since the law is quite specific, it might be well that even if tradition has trained us otherwise—and it may be a tradition that is well worth keeping; I am not particularly arguing otherwise—if someone seeks to remember the law, then the law is manifestly clear:

> The following standing committees shall—

That is not an option; it is an order—

> be appointed at the commencement of each Congress, with leave to report by bill or otherwise.

Then the committees are listed. Every Senator knows, of course, that we speak of our membership on committees. I fully approve of that procedure. But when we get down to debating the technicalities of law, while I am not a lawyer—and that perhaps has been quite obvious and evident in my comment—I think I do have enough commonsense to know that the word "shall" is a mandatory word. We do adopt or agree to a resolution appointing the committees. Senators are wondering on what committee they will serve, and until they receive their assignments, they will have been denied certain rights and privileges of a Senator.

**Mr. RUSSELL.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I yield.

**The VICE PRESIDENT.** The time of the Senator has expired.

**Mr. HUMPHREY.** Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes so that I may yield to the Senator from Georgia.

**The VICE PRESIDENT.** Is there objection? The Chair hears none, and it is so ordered.

**Mr. RUSSELL.** I have not stated that I objected to the committees being appointed. I stated that I would not consent to a unanimous-consent request to lay aside the resolution, preventing it from going to a committee, in order to appoint committees.

**Mr. HUMPHREY.** I understand that.

**Mr. RUSSELL.** The Senator from Georgia has no power to prevent the naming of committees. But I do have the power to prevent the resolution from being laid aside by unanimous consent for the appointment of committees. It can be done by motion. If the Democratic leadership wishes to appoint committees, it can get the list ready, bring the list to the Senate, and make a motion to lay aside the motion to consider the resolution. Then perhaps the Senator might be a little more favorably disposed toward following the normal procedure of the Senate, to permit the resolution to be referred to the committee, as is done in the ordinary manner, if we should proceed in the manner referred to.

I shall be happy to make an agreement with the Senator now that I shall not even object to the committees being organized, if he would be willing to let the Committee on Rules and Administration exercise its prerogative over this resolution.

**Mr. HUMPHREY.** I wish to say that the Senator is always very pleasant.

**The VICE PRESIDENT.** For the information of the Senate, the Parliamentarian informs the Chair that under section 2 of rule XXV each standing committee shall continue and have power to act until its successor is appointed.

Committees are now functioning. They are not functioning at full strength. The Committee on Foreign Relations has already met and has reported resolutions and has taken action. The Committee on

Government Operations has done the same. The Committee on Banking and Currency reported a resolution to the Senate. The Senate, in turn, has referred resolutions.

Mr. HUMPHREY. There is not any doubt about the fact that all of this has happened. I fully recognize that.

I am merely saying that this happened as a result of usage and not of law. Parliamentarian or no Parliamentarian—and I have a high regard for the Parliamentarian—I did go through high school and I can read what is stated. The law says:

> The following standing committees shall be appointed at the commencement of each Congress—

If any Senator thinks any committee has been appointed, apparently it would have had to be done on some day when I was not present, and I have been present every day. It is a fact that by common practice we have accepted these committees. I do not disagree with that. I merely say that if some Senator wishes to apply the rule strictly, then the committees have not been appointed.

I say again I do not make any protestation at all concerning the conduct of the Senator from Georgia, nor any criticism of the Senator from Georgia, about the committee appointments. The Senator is not holding up the committee appointments. I have as much responsibility on those as has the Senator from Georgia.

We have an honest disagreement. I think we ought to try to settle it and to settle it as soon as we can. It is not the Senator from Georgia who is holding up anything, and I do not think the Senator from Minnesota is holding up anything. We happen to have a disagreement. That is what this body is for. Let us argue it out.

Mr. RUSSELL. Let us put the blame on the disagreement, not on the Senator from Georgia or on the Senator from Minnesota.

Mr. HUMPHREY. On that basis I would say that we have both been exonerated.

Mr. RUSSELL. Down with the disagreement.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The Senator from North Carolina is recognized.

## BIRTHDAY OF ROBERT E. LEE

Mr. ERVIN. Mr. President, it is especially fitting at this time of the centennial celebration of the War Between the States that we pause to pay homage to the memory of one of the men whose immortality was forged from the fire and chaos of that war. This Saturday past was the birthday of one of our greatest citizens, Robert E. Lee. Now that time has dictated how history shall be written, the South alone can no longer claim this man; he belongs to the Nation.

Robert E. Lee, one of the greatest military leaders the world has known, has become for America a symbol not merely of the region for which he fought so gallantly, but also a symbol of reconciliation and reunion. His dignity, his courteous deference to the officers under his command, and his concern for the welfare of all his men—all these qualities combined to make this man a general as loved by his soldiers as any other who ever lived. Yet the affection of his men could not have been won and held by courtesy and kindness alone.

In addition to these gentle virtues, Robert E. Lee had the strategic ability, the tactical skill, the stubborn persistence, and the dashing courage, that combine to make a leader whom men will gladly follow into battle throughout all the dangers, difficulties, and heartbreaks of long campaigns. Perhaps his appeal can best be summarized in the brief biographical sketch of him in the Columbia Encyclopedia—1940:

> Before the war ended, Lee was idolized by his soldiers. He has remained a symbol of the southern spirit and the lost cause. His courage, his honesty, his courtesy, and his tenderness, in addition to his fine presence and his brilliant mind, won the admiration of the North as well as the South and have made him one of the American heroes.

The greatness of Lee is succinctly demonstrated in one of his last orders as the commander of the Army of Northern Virginia:

> GENERAL ORDER NO. 9
>
> HEADQUARTERS,
> ARMY OF NORTHERN VIRGINIA,
> *April 10, 1865.*
>
> After 4 years of arduous service marked by unsurpassed courage and fortitude, the Army of Northern Virginia has been compelled to yield to overwhelming numbers and resources.
>
> I need not tell the survivors of so many hard fought battles who have remained steadfast to the last that I have consented to this result from no distrust of them.
>
> But feeling that valor and devotion could accomplish nothing that would compensate for the loss that would have attended the continuance of the contest, I determined to avoid the useless sacrifice of those whose past services have endeared them to their countrymen.
>
> By terms of the agreement, officers and men can return to their homes and remain until exchanged. You will take with you the satisfaction that proceeds from consciousness of duty faithfully performed, and I earnestly pray that a merciful God will extend to you His blessing and protection.
>
> With an unceasing admiration for your constance and devotion to your country, and a grateful remembrance for your kind and generous consideration of myself, I bid you all an affectionate farewell.
>
> ROBERT E. LEE,
> *General.*

There is no doubt that Lee's attitude in accepting the consequences of defeat and surrender and in urging the immediate return of the southern soldiers to their homes, was a powerful influence upon the resumption of orderly government in the country, and upon the resumption of fraternal feelings among those who had so recently been at war.

The example of his honor, his loyalty, and his good will toward all men is one that may well be set before us as a model today. The stature of this man was great as he reluctantly took up arms in behalf of his native State, yet it proved to be even greater as he laid down those arms in defeat and directed his great qualities of mind and heart to the rebuilding of an all but shattered land and people.

I request unanimous consent that the article, "The Remarkable Robert E. Lee," from the January 17, 1963, edition of the Fayetteville, N.C., Observer be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

> THE REMARKABLE ROBERT E. LEE
>
> Most of the Southern States Saturday celebrated the birthday of Gen. Robert E. Lee, the military genius of the Southern Confederacy, whose brilliance on the battlefield enabled the South to hold out against the superior numbers and equipment of the North for the last 3 bitter years of the Civil War.
>
> Although always outnumbered he inflicted defeat after defeat on the Union forces which opposed him and was never driven from a battlefield. The two battles which he lost, Antietam and Gettysburg, were in reality draws, but ghastly draws because the losses sustained by Lee's forces rendered him unable to continue the fighting.
>
> Even in the final agony of the war in 1865, Lee was able to withdraw his troops in good order from the trench warfare trap at Petersburg.
>
> It is notable in any understanding of Lee as a general that he was not given command of the Army of Northern Virginia until the late spring of 1862, and that he was not made commander in chief of the southern forces until 1865 when the war for all intents and purposes had been won by the North in its successful western campaigns and Sherman's victorious march through Georgia.
>
> Not only Lee's military genius but his moral virtues stamped him as one of America's greatest citizens.
>
> He did not smoke, drink, or use profanity. He unhesitatingly assumed the responsibility for reverses which a lesser man might have blamed on his subordinates.
>
> He was not a slaveowner and was opposed to the system of slavery, yet when Abraham Lincoln reputedly offered him command of all the Union armies at the onset of the war, he resigned his commission in the U.S. Army and offered his services to his native State, Virginia.
>
> After the war, honored by all sections of the country even in defeat, he was offered the opportunity of achieving great wealth merely by lending his name to commercial enterprise.
>
> These offers he rejected, preferring to accept the presidency of the small college which now bears the name of Washington and Lee University, and to devote the remainder of his life to the education of southern youth toward the day when a new generation would rebuild the war-ravaged economy of his beloved Dixie.
>
> When Lee died at the comparatively young age of 63, a distinguished British soldier, Viscount Wolseley, had this to say of him:
>
> "I have met many of the great men of my time, but Lee alone impressed me with the feeling that I was on the presence of a man who was cast in a grander mold and was made of a different and finer metal than all other men. He is stamped upon my memory as a being apart and superior to all others in every way—a man with whom none I ever knew, and very few of whom I have read, were worthy to be classed."
>
> Today, in a reunited Nation, Robert E. Lee's historic virtues and genius belong not to the South alone, but to all America and all the world.

## AMENDMENT OF RULE XXII—CLOTURE

Mr. HART. Mr. President, I wish to emphasize again for the record what to many may seem an aside but which might capture the imagination of certain people across the country with respect to the strong plea made by the senior Senator from Georgia that the procedure we should follow with respect to a change of rule XXII should be to send it to the committee and permit a study of it to be made, then having it return to the Senate, where we would work our will.

That sounds wonderful. There is not a person in this Chamber who does not understand that if we go that route we shall be stuck, as we have been session after session, with the problem of the one-third plus one making impossible the adoption of a significant change in the rule. It is for this reason that we insist that we should proceed under the right which the Constitution gives us—and indeed the duty it imposes—that a majority of this body shall make up its mind now with respect to its rules and not permit the 76th, 86th, or 87th Congress to tell us, Mr. President—you and me and others—how we shall proceed in this Congress.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Are we still in the morning hour?

The PRESIDING OFFICER. We are. Is there further morning business?

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## NEW SOVIET STRATEGY ON THE HIGH SEAS

Mr. STENNIS. Mr. President, a recent issue of Life magazine dealt with the oceans of the world. It was remarkable for the beauty and sensitivity of its presentation and the breadth of is coverage. One article was a lucid, cogent exposition of one of the great strategic problems facing the United States. It should be read by everyone concerned with the Nation's defense effort. The article "The Grab for Narrow Waters" is written by Gen. J. D. Hittle, U.S. Marine Corps, retired.

General Hittle is a well-known and respected writer and analyst of military affairs. His book "History of the Military Staff" is the classic on the subject. He is presently director of military and foreign policy affairs for the Veterans of Foreign Affairs. The straightforward and commonsense approach of the VFW to defense legislation is well known to the Congress. General Hittle in the "The Grab for Narrow Waters" explains the theory of the Communist effort to gain control of the narrow ocean passages through which most of the world's ocean traffic is funneled. The free world depends on this ocean traffic for its vitality. It is all important to our American way of life and standard of living.

In mid-December one of the areas mentioned in the article, Guantánamo Bay, Cuba, was visited by myself and two members of the staff of the Preparedness Subcommittee of the Armed Services Committee of the Senate. I was once again vividly impressed with the enormous strategic importance of that area. It dominates one of the world's narrow ocean passages, a crossroads of seaborne traffic. The country which possesses the fine harbor of Guantánamo Bay as a base controls the north-south commerce of the Western Hemisphere and the world's traffic which uses the Panama Canal. General Hittle's article demonstrates why the Communists must never be allowed to lever us out of that base, and exposes their scheme to grab control of the other ocean passages of vital importance to the free world, whose economic health and military strength depend on the use of the oceans.

I ask unanimous consent that this article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### The Grab for Narrow Waters

(By James D. Hittle, brigadier general, U.S. Marine Corps, retired)

The sea, beautiful and rich and useful, is also a source of danger. For the moment, at least, the great powers seem to have stopped fighting bloody battles on her surface with shells or even torpedoes. And the advent of long-range nuclear bombers and 18,000-mph missiles flashing through space has diverted attention from the sea as a major battlefield in the classic sense. But the ocean remains a crucial factor in the defense of any nation whose shores are lapped by salty water.

The United States knows this well and has proved it with its fleet of Polaris submarines roaming the world with a nuclear deterrent that the enemy cannot keep in sight. The use of naval power to blockade Cuba and force the Soviet withdrawal of missiles is an immediate case in point.

But it is becoming increasingly and ominously clear that it is that old landlubber, the Soviet Union, that is now making the greatest strides in conquering the sea and that she is setting out, with tremendous energy and characteristic cunning, to turn it to her own use.

There is one shrewd project in particular which the Soviets seem to be pressing ahead on. This, as the map above shows, involves a long-range scheme to gain control over the narrow waters of the world—that is, the key strategic corridors of the sea through which much of the world's shipping must pass. Some of the Soviet moves along this line are on the surface and already obvious. Other moves are more subtle and still inconclusive. If the scheme is carried out to its logical conclusion, it would provide a major economic and military threat to the West.

But to understand more fully what it is the Russians are up to here, it is necessary first to review their other significant seagoing activities.

In the last decade, huge fleets of the Soviet Union's fishing trawlers have broken away from the home coasts and made themselves at home off Cape Cod, Newfoundland, Alaska, France, and Scotland. Just last month the Coast Guard had to chase Soviet trawlers out of U.S. territorial waters near Provincetown, Mass. And they so cluttered up the narrow French waters with their nets that the French fishing fleet went home in disgust. The trawlers do engage in fishing but they also have another big mission. Their masts are cluttered with high-grade electronics gear which allows them to double as communications ships and military intelligence centers. Russia's interest in the sea has grown so rapidly that in the past 25 years she has risen from 22d place in world trade to 6th. In the last 4 years alone she has increased her merchant fleet's capacity from 2.7 to 3.4 million gross tons. And to break the ice which used to keep her ships landlocked during the long Russian winter, she has constructed a modern fleet of icebreakers—at least one of them nuclear-powered—that insures year-round sailing.

On top of all this, the Soviets have concentrated on their navy. At the end of World War II, Russia did not even rank among the great nations in naval power. Now she is second, having passed even Great Britain. The backbone of this young and therefore up-to-date force is a fleet of nearly 500 submarines. Considering the fact that Nazi Germany chopped up Allied convoys and almost cleared the seas with a starting force of only 57 U-boats, the Soviet figure is all the more formidable.

But there is more to the Soviet Navy than its subs. Though Premier Khrushchev has sneered that surface vessels are obsolete, he still maintains a fleet of modern cruisers and destroyers and goes on building more. And he is outfitting many of these with guided missiles to increase their firepower.

So much for the evidence. What will Russia do with all this seapower? What are her intentions?

Two major patterns emerge. One is simple and easy to see because Khrushchev has stated it loud and clear. Speaking to an American visitor in 1957, he said, "We declare war on you—excuse me for using such an expression—in the peaceful field of trade." That is what all the merchant ships are for, to carry Soviet goods, machinery, building materials—and ideas—to all corners of the world where only ships could do the job so economically—to Africa, to South America, to Japan, to Western Europe, to places where the United States herself is so dependent on trade for her own welfare. The Soviet Union is of necessity becoming a great seapower because Soviet land power, which stretches from the Baltic to the Pacific, has almost reached its geographic limits. Any moves the Russians now wish to make to extend their influence to other continents must depend on seapower.

Ominous as it is, this pattern is ostensibly peaceful, and it is a logical development of Soviet growth which can be matched by strong economic competition. But it is the second pattern which is the most worrisome, simply because it is still rather ghostly, full of mystery and incompleted moves, and rife with the possibility of military, rather than economic, conflict. This is the narrow-water pattern which is illustrated with the map on page 83. The Soviets are using the sea in the same way they use every other form of activity—as a chessboard on which they can try to checkmate or outmaneuver the opposition as they themselves move forward. And, like good chess players, they are preparing each move with patience and foresight, willing to lose now for later gain.

The narrow-water thesis is based on an analysis of Soviet moves so far. It goes like this: the seas are vast, but for reasons of economy, geography, and navigational convenience, seagoing trade has settled down over the centuries along certain routes. The Nazis knew this well and plied along under these routes with their U-boats. At six key geographic spots around the world these routes come together. To avoid long time-consuming and fuel-consuming passages around huge land masses like Africa or South America, commerce is funneled through channels of water so narrow that sometimes not even two ships can pass. These six points of narrow water are the Suez Canal, the Panama Canal, the Strait of Gibraltar, the Straits of Malacca, the Skagerrak leading out of the Baltic, and the Dardanelles leading out of the Black Sea.

The last two points are not in the same category with the others as highways of world commerce. Both the Baltic and the Black Sea are virtually Soviet lakes and the possibility here is that it is Russian fleets that could be bottled up to prevent them from emerging into the Atlantic or the Mediterranean. But in each of the other four potential bottlenecks, the Russians are carryout a series of moves which are so consistent in style and content that it is difficult to believe that they are mere coincidence.

Take the Suez. Egypt's Nasser now controls the canal. Nasser has accepted not only tremendous amounts of aid from the Russians to help him build his big Aswan Dam and handle his Soviet Mig's and other military purchases, but he has also accepted a Soviet gift of several Russian submarines. To help him run them, the Russians, of course, send in Soviet sub experts and spare parts. This gives the Russians—for the time being, at least—effective control over the subs. They thus have a cadre on hand for an underwater buildup of their own which could be used in the future to seal off the canal or make its use impractical for anyone but the Soviet Union and its friends.

Just in case this is not enough to effectively cut off traffic from the Mediterranean to the Indian Ocean and then on to the Pacific, the Russians are wedging in at the narrows on the southern end of the Red Sea, to the south of the Suez, where they spent 3 years building a new port at Hodeida on the coast of Yemen. From the way things have been developing in Yemen, this seems to have been a neat package deal. Yemen got a fine port right on the narrow waterway, tons of new military equipment which was landed there even before the port was completed—and a revolution last September that overthrew the monarchy and seriously threatened the status quo in the neighboring oil-rich land of Saudi Arabia.

The Russians have also been busy at the other end of the Mediterranean, where Britain's Rock of Gibraltar has guarded the western gate to that huge inland sea for centuries. Here, so long as Gibraltar stands on one side of the bottleneck, the Soviets cannot at present plug up or cork the passage. But by establishing a commanding military position on the other side of the narrow corridor, they could at least imperil its free use in the future. And this is exactly what they are doing. As the United States moves its own bases out of Morocco under Moroccan pressure, the Soviets have already delivered Mig's, light arms, military vehicles, thousands of tons of ammunition—and are negotiating to build a new shipyard for Tangiers along with a sub base at Alhucemas Bay just 100 miles southeast of Gibraltar and 150 miles from the big U.S. naval base at Rota, Spain. The Algerian revolution is already clearing the French from the southern shores of the Mediterranean.

Since Soviet naval intrusion into the Mediterranean would dangerously expose the southern flank of NATO strength in Europe, the whole scheme is so logical that the Russians are either doing all this according to a deliberate plan or they have accidentally stumbled across a most astute strategic gambit. We should know by now, however, that the Soviets seldom do anything by accident. Some military observers have been heard to scoff at this thesis on the grounds that naval power moves of this kind are so conventional and old fashioned in this nuclear age that the Russians could not possibly be considering them. "Let them try to seal off the Mediterranean," the answer goes, "and we'll either blast them out of the water or turn our missiles loose on Moscow." The answer—and the recent Cuban adventure bears it out—is that the Russians are sticking to their standard doctrine of making zigzag moves to advance wherever possible, withdraw when they are challenged and always avoid a major military collision. The grab for the narrow waters fits in with this doctrine because it does not involve a single overt move of war, but consists simply of keeping on the move and exploiting all political and strategic opportunities that come along.

Cuba, of course, is another example of the same pattern being applied. Here, whether they have missiles and bombers on hand or not, the Russians are using the same combination of economic penetration, new shipyards, fishing fleets and naval presence (there was a buildup of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well as bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves on these narrow corridors they gain a tremendous advantage they never had before.

One of the most important campaigns of all in this shadowy pattern is aimed at controlling the Straits of Malacca, the long, narrow passage between the Pacific and the Indian Oceans and one of the great waterways of the world. Communist armies and guerrillas are hard at work trying to capture southeast Asia in order to grab off the rich rice bowl and encircle India from the east. There is also another target—Singapore, one of the best-positioned naval bases in the world. There is already a power vacuum in this area between Singapore and Suez because of the virtual disappearance since World War II of British seapower in the Indian Ocean. This absence of naval force helps explain the flow of Communist power into southeast Asia, and whichever nation fills this vacuum could easily dominate the entire area. The Russians are already at work in Indonesia, that vast archipelago which stretches from the Indian Ocean, past Singapore to the waters of northern Australia. Indonesia's boss, Sukarno, is a power-hungry man who likes to play with ships, so the Kremlin has given him four Soviet destroyers, eight large and modern patrol ships, a cruiser and two of its long-range "W"-class submarines. Whether Sukarno ever uses this navy in battle or not, all of his threatened neighbors know the ships are there, and they also know who controls them. The Russians have thus set up a strong naval position in the area by proxy—with Indonesian crews and flags on the ships. In a cold war like this, the psychological advantage of a bold move such as this is enough to embolden our enemies and discourage our friends. The sea is, as always, an integral part of our defenses against the spread of communism and it is still a likely battlefield, whether cold or hot.

At a NATO meeting in Paris last month, Vice Adm. Richard M. Smeeton, of the Royal British Navy, who is NATO deputy supreme allied commander, Atlantic, warned the delegates what the Russians were up to. The Soviet Navy was "more modern than NATO's," he said, and it would not be easy against this new threat to maintain free access to the vital water routes on which the free world depended. He emphasized four routes, all narrow—the Strait of Gibraltar, the Suez Canal, the Straits of Malacca, and the Panama Canal. "If we do not control the oceans," he said, summing up, "the Communists will."

## THE PRESIDENT'S ECONOMIC MESSAGE

Mr. KEATING. Mr. President, I compliment the President on his candor. He has recognized that the country certainly is not moving again. The economic report acknowledges that our growth rate is lagging, capital investment is in the doldrums, unemployment remains high, and the need to improve the education and skills of our people—upon which in the long run economic growth is dependent—remains unmet.

The message presents taxes as a kind of composite answer to these problems. While all of us want our taxes cut, and I favor a tax cut as a stimulus, I doubt if the American people will want to use this measure as the be-all and end-all answer to continuing fiscal problems such as the zooming public debt and continuing deficits. In this sense the message revealed an urgent need for new ideas and new approaches in our fiscal and economic existence.

## ANTI-SEMITISM IN THE SOVIET UNION

Mr. KEATING. Mr. President, nearly every day brings new reports of anti-Semitism in the Soviet Union. The closing of the last remaining synagogue in Lvov, U.S.S.R., leaves 30,000 Jews in that area deprived of a place of worship. We see the continued persecution of Jews for so-called economic crimes, the drastic crack-down of Jewish cultural activities of all kinds, the consistent application of capital punishment where Jews are involved, and the monotonous reference to Jewish criminal activities ranging from treason to usury and drunkenness in the synagogue.

Mr. President, there can be no doubt that the Communist rulers of the Soviet Union are using every means at their disposal, both obvious and subtle, to wage an active campaign against the Jewish minority in the Soviet Union. It is certainly significant that of all the Stalinist crimes which Premier Khrushchev has denounced, Khrushchev has made no mention of the vicious terror which Stalin waged against the Jewish people. In a veiled form, this terror and deprivation is continued in the Soviet Union.

Mr. President, the hypocrisy and falsehoods of Communist methods are well illustrated by this continual persecution of a minority group. This is what respect for human rights means to the Communists. This is what any minority group or any religious people can expect where the Communists actually take power. The United States can play an important role in making these facts clear throughout the world. Certainly our Government should leave no stone unturned in the United Nations and elsewhere to publicize and document the infamy of religious persecution which did not die with Nazi Germany but continues in more subtle forms throughout the Soviet Communist empire.

Mr. President, I ask unanimous consent to include, following my remarks in the RECORD, an excellent article from the January 1963 issue of Foreign Affairs by Moshe Decter, whose research on the subject of Jewish minorities in the Soviet Union is widely known and acclaimed. I also ask unanimous consent to include a recent article from the Jewish Veteran, monthly publication of the Jewish War Veterans of the United States of America, and a dispatch printed in the Jewish Press on the subject of Soviet anti-Semitism.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Jewish Press]

### SOVIET SENTENCES MORE JEWS TO DEATH

PARIS.—Nine Jews were sentenced to death and ten others were given long prison terms in two separate mass trials in the Ukraine, all charged with economic crimes, according to press dispatches from Moscow received here today.

Six of the Jews sentenced to death were charged with illegal financial operations, and three others with corruption and handling stolen property, the dispatch reported.

In one of the cases, illegal financial operations were allegedly committed in Kharkov, involving 10 million rubles and large quantities of gold, platinum, diamonds, watches and other precious objects. In the second case, the charges alleged, five directors of a manufacturing plant at Ivano Frankovsk had produced extra merchandise, valued at more than 2 million rubles, selling the stuff in the black market through assistants.

Jewish circles here today took a very grave view of these latest mass persecutions of Jews, seeing in the trials another instance in which Soviet authorities have made Jews the scapegoats for the regime's financial difficulties.

(In Washington, National Commander Morton London, of the Jewish War Veterans of the U.S.A., today made known his organization feels that not enough is being done in the United States to challenge rising Soviet action against Jews. He called for a vigorous campaign coinciding with the opening of the new session of Congress. Mr. London said the Jewish War Veterans was planning a campaign against new anti-Semitic manifestations in Russia through all available means.)

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[From the Jewish Veteran, January 1963]

### JEWISH WAR VETERANS ASKS FREE WORLD TO CHALLENGE SOVIET ANTI-SEMITISM

A massive protest by the free world was asked today by Morton L. London, national commander of the Jewish War Veterans of the United States of America, to challenge Soviet anti-Semitism. He called for reaction to the action which precludes any possibility of freedom of worship. This results from the closing of the last remaining synagogue in Lvov, U.S.S.R. This leaves the 30,000 Jews in that community and area without a single house of worship.

The hypocrisy of Communist attempts "to seduce racial and religious minorities throughout the world" must be exposed by spotlighting Soviet religious persecutions within the U.S.S.R., said Mr. London. He called for an intensification of efforts in the year 1963 toward this end, at the United Nations and by all free peoples and governments.

Mr. London pointed out that direct and massive confrontation is the best way of checking Soviet excesses. He cited the Communist retreat in Cuba in the face of open confrontation as evidence establishing the validity of this argument.

Reviewing the strangulation of religious and cultural Jewish life in the U.S.S.R., Mr. London said Soviet policy placed the Russian Jew in an unmerciful vise; that they are not permitted to live a religious life, nor emigrate to Israel or any other country, or anywhere else where they can live freely as Jews. He said this is a "spiritual strangulation and deprives Jews of their faith, history, and religious concept of brotherhood of man under the fatherhood of God."

Mr. London said the failure of the free world to forcefully confront the Soviet Union on its new anti-Semitic campaign has emboldened the "Commissars of atheism." He referred to the Soviet actions as increasingly arrogant, "Nazi-like steps."

The Lvov Pravda newspaper, speaking for the regime, and seeking to link the synagogue with alleged economic crimes termed religious Jews "idlers, speculators, parasites, and money grabbers." Several members of the synagogues board of directors were arrested and charged with profiteering and hooliganism.

Mr. London found the synagogue closing reminiscent of the early days of the German Nazi regime."

He made it known that the Jewish War Veterans plan a vigorous fight to challenge this Soviet policy through all available means.

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[From the Foreign Affairs magazine, January 1963]

### THE STATUS OF THE JEWS IN THE SOVIET UNION

(By Moshe Decter)

During the past quarter-century, enlightened public opinion throughout the world has become keenly sensitive to the treatment of minorities as a barometer of moral decency and social sanity. The awesome experiences of this period have drawn particular attention to the symbolic and actual position of the Jewish minority. In this light, the status of the Jews in the Soviet Union warrants special concern.

The situation of Soviet Jews can be comprehended primarily within the framework of Soviet nationalities policy. That policy, as reflected in Communist party directives, the Soviet Constitution and public law, is based on the ideological acceptance of the concept of national self-determination and on the legal recognition of the right of all nationalities within Soviet borders to cultural freedom. Actual Soviet policy toward the Jews clearly violates these principles. It is tantamount to a policy of discrimination for it denies to the Jews such ethnic-cultural rights as are generally accorded all other Soviet nationalities.

The Soviet Union officially recognizes Jews as a nationality. In the personal identification papers which all Soviet citizens carry (the internal passport), Jews must list their nationality as "Jewish" (Yevrei) just as other nationalities—such as Russians, Ukrainians, Georgians and others—must list theirs. Thus, in the official Soviet census returns of 1959, published in Pravda on February 4, 1960, Jews are listed among the official nationalities. In all previous censuses, citizens were required to provide proof, in the form of their internal passport, of their claim to belong to one or another nationality. In 1959, for the first time, they were allowed to volunteer, without proof, the nationality with which they chose to be identified. Despite the possibility thus provided for Jews to "pass," 2,268,000 people specified their nationality as Jewish (there are reasons to believe that the total number more closely approximates 3 million).

Soviet Jews constitute 1.09 percent of the population, but they occupy a far more significant place than this figure suggests. Of the considerably more than 100 diverse Soviet nationalities, the Jews are 11th numerically. The great majority of them live in the three most populous Union Republics: 38 percent in the Russian Republic, 37 percent in the Ukraine, 7 percent in White Russia; but there is no republic of the U.S.S.R. where Jewish communities may not be found. And an important reflection of their sense of identification after several decades of direct and indirect forcible assimilation is that 472,000 (20.8 percent) gave Yiddish, which is the traditional language of speech and literature of East European Jews, as their mother tongue.

The Jews are also regarded, secondarily, as a religious group. This complicates their status and makes it even more precarious. For though their unique dual character is a natural outgrowth of Jewish history and tradition, it creates unusual difficulties for them under Soviet conditions. An assault upon the Jewish religion, for example, will inevitably be taken, by Jews and non-Jews alike, as an attack upon the Jewish nationality as a whole—upon Jews as such. And they have come increasingly to be considered an alien group in a land where they have resided for more than a thousand years.

Their vulnerability is increased by the fact that, unlike most other Soviet nationalities, which have their own geographic territories, the Jews are widely dispersed throughout the country. They are also the only Soviet nationality, a majority of whose total world population lives outside the U.S.S.R. Because the Soviet Jewish minority has historic and traditional ties of culture, religion and family with Jewish communities throughout the world outside the Communist bloc, it is subject to even greater suspicion.

Soviet Jews are especially sensitive to their vulnerable condition because their memory of what they themselves call the "black years"—the last 5 years of Stalin's rule, when his terror assumed a viciously and openly anti-Semitic form—has not been erased. One reason they have not forgotten is that Soviet policy toward Jews and Judaism has remained essentially the same since 1948—with the vitally important exception, of course, that the terror is gone. And they are not less keenly cognizant of the fact that, of all the crimes of Stalin catalogued by Premier Khrushchev and his colleagues at the 20th and 22d Congresses of the C.P.S.U., his crimes against the Jews were passed over in utter silence.

The significance of Soviet policy toward the Jews was dramatically highlighted in September 1961 by the publication of a poem, "Babi Yar," in the Literary Gazette, organ of the Soviet Writers Union. This poem by a loyal Communist, Yevgeny Yevtushenko—one of the most popular young Soviet poets—caused a sensation. It is a searing indictment of anti-Semitism both historically and as a facet of contemporary Soviet society. In his opening line, the poet protests that there is still no monument to the scores of thousands of Jewish martyrs slaughtered by the Nazis in 1941 at Babi Yar. a vale on the outskirts of Kiev. This is a pointed reflection of the fact that Soviet authorities have been consistently silent about the nature, dimensions and even the very existence of the unique Jewish tragedy during the Second World War. Though not himself a Jew, Yevtushenko identifies himself in his poem with persecuted Jewry throughout history. He thus points up the existence of a historic Jewish people, which Soviet doctrine denies—and of Jewish history, which Soviet policy prevents Jews from learning.

Yevtushenko is not alone in mirroring the mood and sensibility of the literate younger Soviet generation. There is a whole underground literature that passes from hand to hand among the university and literary youth, and one of its frequent leitmotifs is isolated, disadvantaged Soviet Jewry. In this, as in their general quest for a purified idealism, Yevtushenko and his confrères are in the main stream of the honorable tradition of the liberal Russian intelligentsia from Pushkin to Tolstoy and Gorky.

#### II

The Jews are the only nationality which is deprived of the basic cultural rights accorded to all others in the U.S.S.R. These rights have recently been reaffirmed by no less an authoritative source than the new party program adopted by the 22d congress in October 1961: "The Communist Party guarantees the complete freedom of each citizen of the U.S.S.R. to speak and to rear and educate his children in any language—ruling out all privileges, restrictions, or compulsions in the use of this or that language."

Until 1948 the Jews were permitted a cultural life in their own language, Yiddish (though Hebrew was forbidden), on a large scale: newspapers, publishing houses, thousands of books, a variety of literary journals, professional repertory theaters and dramatic schools, literary and cultural research institutes, a network of schools, and other means of perpetuating Jewish cultural values, albeit in a Communist form. In 1948 (and in some cases during the purges of 1937–39), the whole vast array of institutions was forcibly closed.

No basic change in this policy of cultural deprivation occurred, despite Stalin's death and the gradual easing of the tyranny, until 1959. Since then, a grand total of six Yiddish books has been published—by writers long dead. (None has been published in 1962 as of November.) They were put out in editions of 30,000 each, mostly for foreign consumption, but those copies that were available to Jews inside the U.S.S.R. were eagerly and quickly snapped up.

This total of six books is to be compared with the facilities made available to many ethnic groups far smaller than that of the Soviet Jews, and which do not possess as ancient, continuous, and rich a culture. Two striking examples are in order. The Maris and Yakuts are two tiny primitive Asian groups which number 504,000 and 236,000 respectively. In 1961 alone, Soviet printing presses produced 62 books for the Maris and 144 for the Yakuts, in their own languages.

The Soviet Yiddish theater was once considered one of the prides of Soviet artistic achievement. Today there is only a handful of amateur theatrical groups, made up of Jewish workers banded together after working hours, existing on a marginal basis; there is not even such a group in Moscow or Leningrad, the two major centers of Soviet Jewry, together totaling nearly 1 million.

In the autumn of 1961, for the first time since 1948, a Yiddish literary journal, Sovietish Heimland, began publication as a bimonthly. Welcome though this is, it is no more than the exception proving the rule. But it does represent, along with the meager half-dozen Yiddish books (and the concerts of Yiddish dramatic readings and folk songs which have been permitted and which have been attended by millions of Jews in recent years) a tacit repudiation of the oft-repeated Soviet assertion that Soviet Jews have lost interest in their culture. This state of affairs is again to be contrasted with the press available to the Maris and Yakuts. The former have 17 newspapers, the latter 28.

A frequent Soviet rationalization for the absence of cultural institutions for the Jews is that the Jews are so widely dispersed. This is invalidated, however, by the fact that tiny minorities like the Chechens (418,000), Ossetians (410,000), and Komis (431,000), which do not have their own territories, yet have their own newspapers and literatures in their own languages, and schools where their languages are taught. The Tadjik minority in Uzbekistan (312,000 out of a total Republic population of 8,106,000) has similar rights and institutions, as have the Poles in White Russia (539,000 out of 8,055,000).

It is not just schools that are forbidden to the Jews.[1] They are not even allowed classes in Yiddish or Hebrew in the general schools; nor, for that matter, classes in the Russian language (comparable to Sunday school education in the United States) on Jewish history and culture. Nor are Soviet Jews permitted to have contact on purely Jewish cultural matters with Jewish institutions abroad.

## III

All religions in the U.S.S.R. exist very precariously within a context of official antireligious ideology and propaganda. In a variety of fundamental respects, however, Judaism is subjected to unique discrimination. Jewish congregations are permitted no variant of the right enjoyed by the others to maintain nationwide federations or other central organizations through which religious functions are governed, religious needs serviced, religious belief bolstered, and communication between congregations strengthened. Rabbis and synagogue leaders have nothing at all comparable to the Holy Synod of the Russian Orthodox Church, the All-Union Council of Evangelical Christians-Baptists, the National Ecclesiastical Assembly of the Armenian Church, the Lutheran Churches of Latvia and Estonia, or the Moslem Board for Central Asia and Kazakhstan.

These churches are permitted a wide range of religious publishing facilities, publishing houses, and paper supplies. Thus, the Russian Orthodox version of the Bible was reprinted in 1957 in an edition of 50,000. In 1958, 10,000 copies of a Russian-language Protestant Bible were published by the Baptists. The same year the Moslem Directorates in Ufa and Tashkent produced editions of 4,000 and 5,000 copies, respectively, of the Koran. And in May 1962 the Moslem Board for Central Asia issued still another new edition. It should be noted that these editions of the Korans are in Arabic, a language not spoken by Soviet Moslems, but used for religious study and other religious functions. This is comparable to what the status of Hebrew might be there.

Judaism is permitted no publication facilities and no publications. No Hebrew Bible has been published for Jews since 1917. (Nor has a Russian translation of the Jewish version of the Old Testament been allowed.) The study of Hebrew has been outlawed, even for religious purposes. Not a single Jewish religious book of any other kind has appeared in print since the early 1920's. In contrast, prayerbooks are available to the other denominations in relatively ample supply: the Baptists were authorized in 1956 to publish 25,000 hymnals; the Lutheran Church of Latvia has produced 1,500 copies of a psalter and is now preparing a new edition of its 1954 hymnal. Religious calendars, indispensable guides for religious holidays and observances, are freely available. Other types of religious publications are also permitted. The Russian Orthodox Church publishes the Journal of the Moscow Patriarchate, its official monthly organ. It has also published collections of sermons and several annuals. The All-Union Council of Baptists puts out a bimonthly, the Fraternal Review.

No such prerogatives have been vouchsafed to the Jews. Until 1958, no siddur (Sabbath prayerbook in Hebrew) was printed. In that year, an edition of 3,000 copies of a pre-Revolutionary siddur was provided by photo-offset—a ridiculously small figure for the hundreds of thousands of religious Jews whose prayerbooks are tattered and worn. No edition at all has been allowed of special prayerbooks which Jews use on their high holidays and major festivals. As for calendars, the Jews have had to depend on photographed copies of handwritten ones, surreptitiously circulated from hand to hand.

A subtler but harsher form of discrimination has resulted from the ban on Hebrew. The Russian Orthodox, Baptist, Lutheran, Georgian, or Armenian believer is not handicapped in his participation in religious services, for they are conducted in his native spoken tongue. But the half-century-old ban on Hebrew has made it impossible for Jews educated under the Soviet regime to make sense of their synagogue services. Thousands come—and must stand mute and dumb.

The other major ecclesiastical bodies are authorized to produce a variety of religious articles—ritual objects such as church vessels, vestments, candles, beads, crucifixes, and ikons. The mass sale of such articles, especially candles, is an important source of church income. But the production of such indispensable religious objects as the tallis (prayer shawl) and tefillin (phylacteries) is prohibited to Jews.

A brief statistical examination illuminates the extent to which the faithful are served by churches and priests, synagogues and rabbis. For the 40 million Russian Orthodox there are some 20,000 churches and 35,000 priests (quite apart from those in the 69 monasteries and convents). This comes to one place of worship for each 2,000 believers and one priest for each 1,100 believers. For the 3 million Baptists (including women and children who are affiliated through family membership) there are roughly 6,000 parishes and pastors, which amounts to one place of worship and one minister for each 500 believers. The Lutheran churches of Latvia and Estonia have 100 churches and 150 pastors for about 350,000 communicants—approximately one church for each 3,500 believers and one minister for each 2,300. By contrast, there are some 60 or 70 synagogues and rabbis for the nearly 1 million Jewish believers—which amounts to one synagogue and one rabbi for each 15,000 to 16,000 Jewish believers.

Most religious groups also maintain educational institutions to prepare men for the priesthood. The Russian Orothodox have two academies and five seminaries; the Moslems have a madrassa where their mullahs are trained. In addition, quite a few Moslem clerical students have been permitted to advance their studies at the theological seminary in Cairo. Young Baptist seminarians have attended theological schools in Great Britain and Canada. Such programs serve the twofold function of maintaining spiritual contacts with coreligionists abroad and of enhancing the quality of religious education at home.

Until 1957, religious Jews had no institution to train rabbis. In that year, a yeshiva (rabbinical academy) was established as an adjunct of the Great Synagogue in Moscow. Since then, precisely two men have been ordained as rabbis, neither of whom has function as a synagogue leader. Of the 13 students at the yeshiva until April 1962, 11 were over 40—which means that very little provision was made for replacing the rabbis now serving in the U.S.S.R., all of whom are in their seventies and eighties. This is to be contrasted with the "accent on youth" for Russian Orthodox seminarians. The Jewish community is thus being deprived of needed religious leadership.

A most serious restriction was imposed on the yeshiva in April 1962, when a majority of the students, who came from the oriental Jewish communities of Georgia and Daghestan, were forbidden to resume their studies in Moscow, on the ground that they lacked the necessary residence permits for the capital city which is suffering from a housing shortage. This left just four students in an institution that has been transformed into a virtually empty shell. Nor has any Jewish seminarian in the last 5 years been allowed to advance his studies at institutions of Jewish learning abroad.

In addition to their prerogatives at home, other Soviet ecclesiastical bodies have enjoyed the privilege of regular and permanent ties with coreligionists abroad, an incalculably important boost to their morale. Since 1956 there have been innumerable exchange visits of religious delegations—Russian Orthodox, Baptists, and Moslems—between the U.S.S.R. and Western Europe, the United States and the Middle East. The Soviet Moslems have for years been associated with a World Congress of Moslems. At the end of

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[1] Though Soviet law permits any 10 parents who request it to organize instruction for their children in their own language, Jewish parents have been understandably loath to take advantage of this provision.

October 1962 a national conference of Moslem leaders, meeting in Tashkent, was authorized to establish a permanent department for international relations, with headquarters in Moscow, which would speak for all Moslem boards in the country. And within the past year, the World Council of Churches (Protestant) accepted the full-fledged membership of the Russian Orthodox Church and of five other major Soviet ecclesiastical bodies: the Georgian and Armenian Churches, the Baptists, and the Lutheran Churches of Latvia and Estonia.

No Jewish religious delegation from the U.S.S.R. has even been permitted to visit religious institutions abroad. Nor are synagogues in the Soviet Union allowed to have any kind of official contact, permanent ties or institutional relations with Jewish religious, congregational, or rabbinic bodies outside their country.

The process of attrition and pressure against Judaism and Jewish religious institutions and practitioners has been systematically stepped up since the middle of 1961. In June and July of that year, the synagogue presidents in six major provincial cities were deposed. In that same period, six lay religious leaders in Moscow and Leningrad were secretly arrested. In September 1961, on the occasion of the Jewish high holy days, the authorities ordered the construction of a special loge in the Moscow Great Synagogue to seat the Israel Embassy officials who came to attend services—the better to cut off the thousands of Jews who came to the synagogue from their fellow Jews from abroad. In October 1961, the Moscow and Leningrad leaders were secretly tried and convicted of alleged espionage, and sentenced to lengthy prison terms. In January 1962, Trud, the central trade union paper, published a notorious article that portrayed these devout religious Jews as agents of Israeli spies who, in turn, were described as tools of American intelligence.

On March 17, 1962, Rabbi Judah Leib Levin of the Moscow synagogue announced that the public baking and sale of matzah (the unleavened bread indispensable to the observance of the Passover) would be forbidden. This was the first time in Soviet history that a total ban on matzah was enforced throughout the country. The ban was actually part of the larger official attempt to destroy the bonds between Soviet Jewry and the traditional roots of Judaism that have a national historical significance. Since Passover is the ancient feast that commemorates the liberation of the Hebrews from Egyptian slavery and their establishment as a religious people, this holiday is subjected to especially virulent assault in the Soviet press. It is linked with Zionist ideology, the State of Israel, chauvinism and so forth. The propaganda goes so far as to brand Jewish religious holidays, and Passover in particular, as subversive. "Judaism kills love for the Soviet motherland"—this is a slogan from a typical press article.

All this adds up to a systematic policy of attrition against religious Jews and their religious practices. The synagogues are the only remaining institutions in the U.S.S.R. which still embody the residues of traditional Jewish values and where Jews may still forgather formally as Jews. The objective of this policy is clearly to intimidate and atomize Soviet Jewry, to isolate it both from its past and from its brethren in other parts of the world, to destroy its specifically Jewish spirit.

### IV

This policy of cultural and religious repression is conducted within the charged atmosphere of a virulent press campaign against Judaism. From it the image of the Jew emerges in traditional anti-Semitic stereotypes. The majority of the articles appear in the provincial press—in the larger cities, frequently the capitals, of the various republics, primarily the Russian Republic, the Ukraine, and White Russia. These are the regions where the bulk of Soviet Jewry lives and where popular anti-Semitism is still widespread and endemic.

A study of a dozen such publications reveals that the following themes recur repeatedly:

1. The stereotype that emerges most blatantly is that of Jews as money worshippers. Rabbis and lay leaders of the synagogues are consistently portrayed as extorting money from the faithful for ostensibly religious purposes, their object, in fact, being to feather their own nests. Thus, whether it is the religious service itself or some ancient rite, it is all presided over by religious figures who are in reality money-grubbing thieves.

2. Judaism is constantly denigrated. All its rites are mocked in a manner which contrasts harshly with the Soviet Union's boasts of religious toleration. Circumcision, for example, is denounced in the crudest terms as a barbarous and unhealthful ritual: "The priests of the synagogue offer the regular sacrifice to their God, Jehovah."

3. Drunkenness in the synagogue is another favorite theme. The scandalous rogues who pocket the money innocently contributed by the believers are shown as devoted to drink—guzzlers who confuse their prayers under the influence of alcohol. The leader of a synagogue burial society is quoted as saying: "In booze—I believe; in God—I don't."

4. Brawling is alleged to occur frequently in the synagogue, invariably over the division of the ill-gotten profits from religious speculation. The newspapers name the names of the religious misleaders allegedly involved and frequently give their addresses and public positions, if any.

5. In these articles Jews often are used to inform on fellow Jews and to denounce Judaism. Many articles are signed by Jews; some contain recantations, usually by elderly men, of their religious faith.

6. A favorite device is for the writer to single out for special attention the adult children of elderly religious Jews. They are usually named and their public positions (teacher, engineer, nurse, etc.) noted, as well as their places of work and, where relevant, their party membership. Thus, not only the parents but the presumably loyal, nonreligious Communist children are held up to public obloquy, in a not very subtle effort to exert social blackmail on them.

7. Propaganda assaults on private prayer meetings are also frequent. Since many synagogues throughout the country are closed, Jews have taken to foregathering in each other's homes for prayers. Such gatherings are frowned upon, indeed unauthorized, and have regularly been dispersed, and their members warned and even punished. Articles list those who organize and attend such prayer meetings.

8. Perhaps the most ominous of all the themes is the consistent portrayal of the tenets and practitioners of traditional Judaism as potentially or actually subversive. The following references are typical: "The Jewish clericals and bourgeois nationalists provide grist for the mills of our class enemies, distract workers from their class and Communists' interests, and weaken their consciousness with chauvinist poison." "The traditions bolstered by the synagogue are doubly harmful. First of all, they contribute to the perpetuation of the false religious world outlook. Secondly, they serve as an instrument for the propagation of bourgeois political views which are alien to us."

This must be contrasted with the resolution of the Central Committee of the Communist Party, signed by Premier Khrushchev on November 10, 1954, and reechoed in Pravda on August 21, 1959: "It must not be forgotten that there are citizens who, though actively participating in the country's life and faithfully fulfilling their civic duty, still remain under the influence of various religious beliefs. Toward these the party has already demanded, and will always demand, a tactful, considerate attitude. It is especially stupid to put these under political suspicion because of their religious convictions."

These standards have been clearly violated where Jews and Judaism are concerned. In the Soviet Union official atheism affects all religious groups; but it is only with regard to Jews and Judaism that the theme of lack of patriotism, disloyalty and subversion is injected into the propaganda. When the religion of the Russian Orthodox, the Armenian Orthodox, the Georgian Orthodox, the Baptist or the Moslem is attacked in the press he does not thereby come under political suspicion, nor does he feel his loyalty impugned either as a member of a given nationality or as a Soviet citizen. By the same token, the mass of nonbelieving Russians, Armenians, Georgians or Uzbeks do not feel that they are involved when the religious members of their nationality see their religion attacked in the official propaganda.

But with the Jews it is different. Because of the persistence of popular anti-Semitism, subtly encouraged from above, an attack upon the religious Jew and the portrayal of the Jewish image in traditional anti-Semitic stereotypes is felt even by the nonreligious Jew as somehow involving him too. And he is not far wrong in feeling that many of his non-Jewish neighbors understand it in the same way. Small wonder, then, that—in the absence of a consistent educational campaign against anti-Semitism, such as was conducted in Lenin's time—an assault upon the Jewish religion will be sensed, by Jews and non-Jews alike, as an assault upon the entire Jewish group.

### V

In such an atmosphere, it is hardly surprising that Jews should be subject to a subtle policy of discrimination in employment, education, and other sectors of public life. That policy may be summarized in the phrase attributed, perhaps apocryphally but nonetheless aptly, to a top-level Soviet leader: "Don't hire, don't fire, don't promote."

A few especially gifted or brilliant Jewish individuals can still be found within the Soviet leadership. Many occupy positions in the middle ranks of professional, cultural, and economic life. But virtually all face potent discriminatory measures in key security-sensitive areas of public life. The instrumentality for this exclusion, carried out quietly and informally, is the nationality listing on the internal passport. Thus, Jews have virtually disappeared from positions of major responsibility in the diplomatic service and, with rare exceptions, in the armed forces. This contrasts sharply with the situation that prevailed from 1917 to the late 1930's. The proportion in higher education, science, the professions and political life has also been declining for many years. The key to the decrease is the system of nationality quotas in university admissions. A considerable body of evidence points to the existence of a numerus clausus for Jews in the universities and, in some cases, of numerus nullus. This explains the decline of Jewish representation in important activities.

The extent of the decline in higher education is reflected in the fact that Jews today represent 3.1 percent of all students in higher education, as contrasted with 13.5 percent in 1935. During this 27-year period, the Jewish proportion of the population decreased merely from 1.6 to 1.1 percent. There is no way of accounting for this drastic decline in a country with an expanding economy and growing opportunities—except by discrimination.

Even the present 3.1 percent is a skewed figure, for it fails to take account of two decisive factors. In the first place, the category "higher education," as given in Soviet statistics, lumps together both universities and many other types of specialized academies such as teacher training schools, music conservatories and journalism institutes. Jews have a strong position in the latter types, and this fact artificially raises the total by balancing out the much lower proportion of Jews in the universities as such. Secondly, it is estimated that 90 percent of Soviet Jews are urbanized. Most universities are located in the larger cities and recruit their student bodies from the children of the urban intelligentsia, in which the Jews have traditionally occupied a leading position. To get a more accurate measure of Jewish representation in higher education in proportion to the population, the Jewish proportion would have to be compared not with the percentage of Jews in the total population of a given republic, but with the percentage of Jews in an urban university area.

As for the professions, the declining proportion of Jews has been as much as admitted by Premier Khrushchev and Culture Minister Furtseva themselves as a matter of policy. (In making such admissions, they have referred to the necessity of making room for our own intelligentsia—clearly giving away their feeling that the Jews are not truly indigenous.) In general, the proportion of non-Jewish nationalities among professionals has been rising at a very rapid rate, but that of the Jews at a much slower rate. For example, since 1955 the number of Russians and Ukrainians in science has increased by 40 percent, that of the Jews by 25 percent. In 1955, Jews constituted 11 percent of Soviet scientists; the figure was 10.2 percent by 1958 and 9.8 percent by 1960. Even this figure is deceptively high, for it includes a substantial number of an older generation who had far freer access to the universities and the professions in the 1920's and 1930's. It is obviously the Jewish youth who are hardest hit by the declining rate; they have to be very good indeed even to get into the universities, and they find it increasingly difficult to enter the professions.

The disappearance of Jews from leadership positions in political life has been striking and dramatic. Soviet spokesmen have tried to counter this fact by noting recently that 7,623 Jews were elected to local Soviets all over the country. This seems impressive until it is realized that, as of 1960, more than 1,800,000 such local deputies were elected. The large number of Jews thus comes to less than one-half of 1 percent. Moreover, in all but 1 of the Supreme Soviets of the 15 republics, the number of Jews is far below their proportion of the population.

When this pattern of discrimination is linked to other facets of Soviet policy toward the Jews, it becomes clear that they are considered a security risk group—suspected of actual or potential disloyalty, of essential "alien-ness."

### VI

Many nuances of the same pattern of hostility have been revealed in the massive campaign waged with increasing severity in the past few years against the widespread economic abuses that characterize so much of Soviet life. A series of decrees, beginning in May 1961, called for capital punishment for such offenses as embezzlement of state property, currency speculation, and bribery. The authorities have made no attempt to conceal their concern over these activities or the fact that vast numbers of the population engage in them. Major pronouncements by leading officials have, indeed, given a picture of a country shot through with corruption—ironically, of a capitalist sort. All organs of the party, the Komsomol, the state, the press, and other major institutions have been pressed into service in the campaign against it. The secret police, one of the last strongholds of Stalinism, plays a key role. And the public at large has been strenuously urged on to be vigilant, with all the overtones of vigilanteeism.

Though the campaign's objective may not be anti-Jewish, there is little doubt that it has had anti-Jewish implications and consequences, of which the authorities—and the secret police—cannot but be aware.

Thus the Soviet press has especially featured those trials that have resulted in death sentences (frequently accompanied by the denial of the right of appeal). To date, 36 such trials have been reported in 26 different cities. In these trials, death sentences have been meted out to 70 individuals—of whom 42 (and possibly 45) are Jews. In a number of cases, the Jewish religious affiliation of some of the culprits was made explicit: the synagogue was portrayed as the locus of illegal transactions, religious Jews were mockingly described as money worshippers, the rabbi was shown as their accomplice, their family connections in Israel and the United States were pointed up. In general, the Jews are presented as people "whose only God is gold," who flit through the interstices of the economy, cunningly manipulate naive non-Jewish officials, prey upon honest Soviet workers and cheat them of their patrimony. They are portrayed as the initiators and masterminds of the criminal plots; the non-Jews are depicted primarily as the recipients of bribes and as accomplices.

The ominous significance of this publicity is clear. It informs the conditioned Soviet reader that the government thinks the tiny community of Jews, which constitutes little more than 1 percent of the population, is responsible for nearly two-thirds—and in some areas 100 percent—of the economic crimes that warrant capital punishment. Anti-Semitic feelings are exacerbated. From many cities come reports of grumbling on the food queues: "The Jews are responsible for the shortages." Western travelers who were in Vilna during and immediately after a major economic trial in February 1962—where all eight accused were Jews, four of them receiving capital punishment and four lengthy prison terms—reported that the authorities mobilized the entire population to attend what was universally called the Jewish show trial. The atmosphere of fright in the Jewish communities may be imagined.

### VII

In sum, Soviet policy places the Jews in an inextricable vise. They are allowed neither to assimilate, nor live a full Jewish life, nor to emigrate (as many would wish) to Israel or any other place where they might live freely as Jews. The policy stems, in turn, from doctrinal contradictions abetted by traditional anti-Jewish sentiments. On the one hand, the authorities want the Jews to assimilate; on the other hand, they irrationally fear the full penetration of Soviet life which assimilation implies. So the Jews are formally recognized as a nationality, as a religious group, as equal citizens—but are at the same time deprived of their national and religious rights as a group, and of full equality as individuals.

Though the Jews are considered a Soviet nationality, official doctrine has consistently denied the existence of a historic Jewish people as an entity, and official practice has always sought to discourage Soviet Jews from feeling themselves members of that entity throughout the world.

Soviet policy as a whole, then, amounts to spiritual strangulation—the deprivation of Soviet Jewry's natural right to know the Jewish past and to participate in the Jewish present. And without a past and a present, the future is precarious indeed.

## LAUNCHING PHOTO CARAVAN, U.S.A.

**Mr. KEATING.** Mr. President, it was a great source of pleasure for me to participate in the sendoff for Photo Caravan, U.S.A., last Wednesday, January 16. This giant photographic project, sponsored by the Eastman Kodak Co., from my home city of Rochester, will travel throughout the United States for a year to capture on color film scenes typical of America. The huge picture-taking project will be completed in time for the opening of the World's Fair in April 1964, where the photographs will be exhibited inside the Kodak pavilion and on its 80-foot Tower of Photography. There five giant color pictures will be specially illuminated so as to be visible day and night for miles. They will be changed every several weeks.

In addition to providing pictures for use at the World's Fair, which is expected to attract over 70 million people from all over the world, the U.S. Travel Service may plan a special exhibit of some of the photographs in other countries throughout the free world.

It is gratifying to witness the close cooperation between Federal and State Governments and private enterprise that will insure far-reaching consequences for this ambitious project.

The sponsors of the caravan are to be congratulated for their imagination and vision. The caravan will record on film all aspects of America, capturing the scenic grandeur of our cities, villages, and farms—memorializing the lives, work, and play of our people.

I believe in the old maxim "a picture is worth a thousand words." The tens of thousands of people from foreign lands who will visit the fair will take home with them a very distinct opinion of America, largely based on what they see there.

Unlike the breakdown in spoken and written communications which occur sometimes in our relations with other countries, there is no language barrier in the world of photography. It is a common language. It is a medium which seldom leaves room for misinterpretation or misrepresentation.

Therefore, what better way lies open to us than to portray all that America stands for with pictures? They will inform and entertain our foreign guests, while educating them in the geography of our Nation. Posted high above the fair with the sky as a background, the caravan photos will make a dramatic and long-lasting impression on all who view them.

## THE NATION'S TRANSPORTATION PROBLEMS

**Mr. HARTKE.** Mr. President, in the January 21, 1963, edition of the Washington Evening Star, on the front page, is an article which distresses me—and 10,700 other persons—deeply.

The 10,000 persons distressed are the daily riders of the North Shore & Milwaukee Railway, which rolled to a stop and ended its 68 years of service at about 4 a.m. on January 21.

The 700 persons distressed are the employees. They are now statistics among the unemployed.

The cessation of operations, Mr. President, of the North Shore & Milwaukee Railway is the passing of an era—when it need not be passed. As a member of the Surface Transportation Subcommittee of the Senate Committee on Commerce, I am vitally concerned when I learn that another mode of public transportation has ended, or desires to end, its operations.

Mr. President, America cannot afford the problem which transportation provides. This problem must be solved. Today, as a result of North Shore & Milwaukee's cessation of operations, it means that at least 5,000 more vehicles may well be going into Chicago each day. I am sure that Chicago has enough of a traffic problem, just as we here in the Nation's Capital, have a traffic problem.

I ask you, Mr. President and my distinguished colleagues, if we are going to continue to persist to eliminate more public transportation facilities or encourage their operations. Dumping more traffic in already-congested areas will not solve the problem. It only adds more to the problem.

I am sure that my colleagues join with me in anxiously awaiting the message of the President pertaining to transportation.

I choose, however, at this time, Mr. President, to go on record as saying that I shall await the President's transportation message; but then I shall work untiringly for an answer to this knotty problem.

In northern Indiana, we have a South Shore commuter line, similar to the now defunct North Shore. I would hate to think of what would happen to Chicago if the South Shore should also go out of business. There would be more unemployed and more traffic pouring into Chicago.

Mr. President, because this national problem deserves the attention of each Member of this august body, I, therefore, ask unanimous consent at this time that the news report as it appeared in the Washington Evening Star now be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### TEN THOUSAND SEVEN HUNDRED HIT END OF LINE AS NORTH SHORE QUITS

CHICAGO, January 21.—It was the end of the line today for the 10,000 daily riders and 700 employees of the Chicago, North Shore & Milwaukee Railway.

The 106-mile electric commuter line between Chicago and Milwaukee—known as the North Shore—rolled to a stop and ended its 68 years of operations at about 4 a.m.

Thousands of commuters will have to find other means of transportation, but the railroad's employees face a stiffer problem. They have to find jobs.

To the last, some hoped for an 11th-hour order from Illinois Gov. Otto Kerner or President Kennedy staying the line's death.

Allan C. Williams, a consultant to the Lake County, Ill., Planning Commission, had requested such orders yesterday. Lake County embraces many of the homes of commuters north of Chicago who depended heavily on the line.

The North Shore obtained permission of the Interstate Commerce Commission to abandon operations on the grounds it was losing $1,000 a day.

But the North Shore Commuters Association has bitterly attacked the road's management, charging it was needlessly dumping the North Shore.

The association said the line's owners, a holding corporation named the Susquehanna Corp., would gain a multimillion-dollar tax break on its other operations when the line shut down.

The commuters' group, in another attempt to keep the wheel rolling, has offered to lease or buy the line. It offered to lease the road for $200,000 a year, and to pay $150,000 for an option to buy the railway for $2.5 million when it manages to raise that much.

The commuters offered to underwrite losses to keep the line moving during negotiations, but that offer was not accepted.

Last runs of the trains brought out hundreds of railroad fans for a final ride.

## CRABCAKES IN THE SENATE RESTAURANT

Mr. BEALL. Mr. President, last week my home-State pride forced me to address this body about the crabcakes which were being served in the Senate restaurants as Maryland crabcakes.

As I pointed out at the time, there was nothing personal in my remarks about our chefs nor was there any attempt to belittle the tastes of those diners who enjoy the crabcakes served on Capitol Hill.

I was insistent, however, on the fact that what I ate for lunch were definitely not Maryland crabcakes.

Today, Mr. President, I want to indicate that my views on the subject are strictly nonpartisan and that Marylanders are quick to place their gastronomic achievements above politics when their worldwide reputation has been maligned.

In my hand, Mr. President, is a letter from the charming Mrs. J. Millard Tawes, wife of Maryland's Governor, who is a member of the other party and a native of our State's Eastern Shore.

In her letter, Mrs. Tawes says:

DEAR SENATOR BEALL: I have just read this article in the Baltimore News-Post about our Maryland crabcakes, and I'm sending you this little cookbook of mine.

How about giving it to the chef of the U.S. Senate dining room? Please tell them to try the recipes with some real Maryland seafood. Is there any reason why they can't serve superb seafood dishes there? It's too bad to serve the kind mentioned in this newspaper article, since we have the best seafood in the world.

Do you think you could get them to try some of these recipes? When I serve them here at Government House, people seem to rave about the flavor.

Sincerely,

AVALYNNE TAWES.

As I have just read, Mr. President, Mrs. Tawes is not content merely to decry the misuse of Maryland's fair name in connection with crabcakes in which even the meat is admittedly from some other State. She has also sent a recipe on which she has noted that it is "the best crabcake recipe I know," and I ask unanimous consent to have it reprinted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the recipe was ordered to be printed in the RECORD, as follows:

### CRABCAKES

One pound crab claw meat.

Two eggs.

Two tablespoons mayonnaise.

One tablespoon Kraft's horseradish mustard.

One-fourth teaspoon salt.

One-eighth teaspoon pepper.

Dash of tabasco sauce.

One tablespoon parsley chopped.

Combine all above ingredients including the unbeaten eggs and mix lightly together. Form mixture into desired size of cake or croquette. Do not pack firmly, but allow the mixture to be light and spongy. Roll out a package of crackers into fine crumbs. Do not use prepared cracker crumbs. Then pat the crumbs lightly on the crab cake and fry in deep fat just until golden brown. Remove from hot fat just as soon as golden brown.

Drain on absorbent paper and serve hot.

I think this is the best crabcake recipe I know of.

AVALYNNE TAWES.

Mr. BEALL. Mr. President, in addition, the State of Maryland has offered to send me 100 copies of Mrs. Tawes' booklet entitled "My Favorite Maryland Recipes," and I shall distribute them with justifiable pride to each of my colleagues.

The PRESIDING OFFICER. Is there further morning business?

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.

Mr. SPARKMAN. Mr. President, I rise to defend the concept of free debate.

I cannot believe that there is any legislation so urgent that it does not need the benefit of intensive scrutiny on the part of the Members of this body.

This scrutiny is needed more today than ever before because the Federal Government through the years has whittled away at the rights of the States. As matters stand today further Federal encroachment could take away still more States rights.

I believe that a further change in rule XXII would hasten the weakening of State powers by paving the way for legislation designed to force still more Federal control upon the States.

Rule XXII has been tampered with enough. The extent of this tampering is obvious when we review developments leading to the present rule.

Let us look back through the years and see how the principle of free debate has fared in the Senate and how rule XXII came into being.

Senate rule XXII took its present form in January 1959. It reads in part as follows:

> 2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by 16 Senators to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question: Is it the sense of the Senate that the debate shall be brought to a close?
>
> And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.
>
> Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.
>
> 3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution or proposal to change any of the Standing Rules of the Senate.

That is the pertinent part of rule XXII.

When the first Senate convened in 1789, a rule was adopted providing that, when a question was before the Senate, no motion should be received unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn. In 1806 the rules were modified and reference to the previous question was omitted; no other cloture provisions were made.

In 1807, debate on an amendment at the third reading of a bill was forbidden and from this time until 1846 there were no further limitations on Senate debate. In 1807 a species of cloture came in known as the unanimous-consent agreement, a device for limiting debate and expediting the passage of legislation. During the Civil War debate in secret session on matters relating to the war was limited by rule to 5 minutes by any Member and was confined to the subject.

In 1868 the Senate adopted a rule providing that motions to take up or proceed to the consideration of any question should be determined without debate.

In 1870 the Senate adopted the Anthony rule limiting debate on the call of the calendar to one 5-minute speech per Senator on any question. The Anthony rule was made a standing rule in 1880—rule VIII. During the 1870's Senate debate on appropriations bills was limited by the 5-minute rule.

In 1881 the Senate agreed, for the remainder of the session, to limit debate to 15 minutes on a motion to consider a bill or resolution. No Senator could speak more than once or for over 5 minutes.

In 1884 the Senate amended its rules to provide that all motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate—rule VIII. In the same year the Senate amended its 10th rule so as to provide that all motions to change the order of precedence on special orders, or to proceed to the consideration of other business, should be decided without debate. Also in that year the Senate provided by rule that motions to lay before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives should be determined without debate—rule VII.

In 1908 it was decided that Senators could, by enforcement of the rules, be restrained from speaking on the same subject more than twice in the same legislative day.

The next important Senate rules change came in March 1917, when Senator Walsh's amendment to rule XXII was adopted. This permitted debate to be brought to a close by the affirmative vote of two-thirds of the Senators present and voting, assuming a quorum. In February 1949, during an attempt further to liberalize this rule, the requirement was added—by the Wherry-Hayden amendment—that the two-thirds vote must be made up out of the Senate as constitutionally organized, not just those present.

In connection with the change which was made in 1949, to which I have just made reference, it was also provided that the rule of cloture might apply to motions to take up, as well as to matters pending before the Senate, as had been the case before.

Prior to that change in the rule, no cloture would lie against motions to take up bills, resolutions, or other matters. However, in the change that was made in that year, the rule was liberalized to cover all matters that might be before the Senate, or motions to take up.

For the next 10 years a vote of 64 Senators was required for debate to be ended.

In January 1959, we who believed in free and full discussion were successful in staving off attempts to make drastic changes in rule XXII.

I favored the rule just as it was and I did everything I could to keep it that way. We defeated a number of moves designed to end the right to extended debate. We were highly successful in beating down drastic proposals.

In 1959, there were four different proposals involved in the fight to change rule XXII. Some wanted to change the rule in such a manner as to require only a majority of the Senate membership to end debate. Others wanted to require three-fifths. Still others wanted to end debate by a vote of two-thirds of those Senators present and voting. This is the proposal that was finally adopted. Needless to say, I voted against it and voted for the maintenance of the rule as it was.

Now we see a further attempt to change rule XXII. Some Members of this body want to change the rule to three-fifths of those present and voting.

Those who advocate a three-fifths majority received recently some very sober advice from an outstanding newspaper reporter, and columnist, William S. White. In his syndicated column Mr. White said:

> For even if the reformers were able to alter the rule to the supposedly magic three-fifths formula, they still would not be able to find three-fifths willing to put a gag upon opposition to extreme measures. Three-fifths of the Senate will not vote, any more than two-thirds of the Senate will vote, to silence the rest of the Senate upon any bill which cannot at length produce a favorable public consensus in this country.
>
> Essentially, the leading advocates of rules change are motivated by a determination to press upon an actual majority—not a mere southern minority—of the Senate legislation on civil rights which this actual majority is convinced would be both unworkable and unwise.
>
> Repeatedly unable to carry the Senate on the merits of their case, they repeatedly have recourse instead to trying to change the rules of the game. Their trouble is not that the rules are bad; their trouble is that their bills are bad.

Mr. White goes on to point out that those who would do away with freedom of debate use rule XXII as an excuse for their inability to come up with acceptable legislation and that in fact the present rule protects them from the voters at home.

Now there are still others who seek to end debate by a vote of 51 Senators. Who knows how much further they may attempt to go in changing the rule?

### CLOTURE HAS BEEN OBTAINED FIVE TIMES IN SENATE HISTORY

Some say that the present rule makes it difficult to obtain cloture. On August 14, 1962, the Senate proved that debate could be ended. And is it not strange that cloture was invoked not against a determined band of southern Senators but against a determined band of liberal-minded Senators from outside the South? During the debate on the satellite bill it was proved that the present rule would work.

Furthermore, cloture had been invoked on four previous occasions and under different rules.

### CLOTURE INVOKED ON CONSIDERATION OF THE TREATY OF PEACE WITH GERMANY

The first time debate was cut off in the Senate the matter at issue was a very grave and important one. Senators were considering ratification of the German

Peace Treaty which was concluded at Versailles on June 28, 1919.

Shortly after 10 a.m. on November 15, 1919, in a Saturday session, I may say, the Senate was drawing near a vote to end debate on the Versailles Treaty. The Vice President informed the Senators that the vote for cloture would take place at 11 a.m. on that same day. At that time, an interesting discussion arose relating to the rules of the Senate. Senator Hitchcock was on the floor discussing the situation. He said:

> I have introduced here a number of reservations, proposed amendments, and substitutes, and even a proposed resolution of ratification, which I do not think really is in order in the Senate sitting as in Committee of the Whole, for I find some Senators have interpreted the cloture rule to mean that nothing can be presented of a new character after cloture is once agreed upon. Is that the interpretation of the Senator from Massachusetts?
>
> Mr. Lodge. Certainly, that is obvious on the face of the rule.
>
> Mr. Hitchcock. The rule, however, only applies to amendments; it does not apply to reservations. We are talking now about a resolution of ratification containing reservations. My interpretation of the matter is that when we get into the Senate, then, for the first time, under a strict application of the rules, the resolution of ratification can be considered, and we ought to be able then to introduce amendments, reservations, and substitutes for what is pending. That will not affect the debate; debate will be cut off just as effectively; but Senators will not be prohibited from introducing what may develop to be necessary in order to bring about a result.

The Vice President, at that time, after some discussion among the Senators, stated that the Chair could "hardly rule upon a moot question."

At that point Senator Brandegee asked Senator Hitchcock to state precisely his parliamentary inquiry. Senator Hitchcock did so as follows:

> Mr. Hitchcock. My inquiry is this: When the hour of 11 o'clock has arrived, and the vote has been taken upon cloture, if it shall carry, is it possible after that time to introduce amendments to the pending reservations or new reservations or even in the Senate a resolution of ratification, or must all of those matters, under the cloture, be introduced before the vote on cloture is taken? I should like to have the opinion of the Senator from Connecticut as to that, if he will express one.

Senator Brandegee, after hearing the question again, agreed with the Vice President that the parliamentary inquiry did constitute a moot question. Following Senator Brandegee's statement, the Vice President said:

> The Chair feels that there is a way by which an appeal can be taken from the Chair at 11 o'clock, but in passing upon the question of cloture the Chair feels, in justice to Senators, that he ought to express an opinion as to what this application of the cloture rule means with reference to the subsequent procedure of the Senate. If the Chair's opinion is wrong, then is the time for the Senate to reverse the ruling of the Chair.

Then followed a further inquiry to the Vice President:

> Mr. Lenroot. May I inquire of the Chair whether the ruling the Chair has in mind goes only to the effect of cloture and does not pass upon the question of whether additional resolutions would be in order under another rule of the Senate?

For the next few minutes, the Senators further discussed the ratification of the Versailles Treaty but further inquiry about the cloture rule came up again. This time Mr. Brandegee asked:

> Mr. President, I rise to make a parliamentary inquiry; and then I shall yield the floor and let all amendments in, as I realize the stress. I understand the Chair has stated, in reply to the parliamentary inquiry of the Senator from Nebraska [Mr. Hitchcock], that he is going to express an opinion as to how he will rule when certain things are offered later, I ask the Chair whether the Chair holds that when he has expressed that opinion, if a Senator desires to differ with him, or test it before the Senate, he must then appeal from the opinion of the Chair as to how he will rule in the future, or whether he is estopped from an appeal?
>
> The Vice President. The Chair is going to express his opinion before Senators vote upon the question of cloture.
>
> Mr. Brandegee. The Chair then does not rule that later on, when he does rule, an appeal will not be in order?
>
> The Vice President. The view of the Chair, perhaps a mistaken one, is that the opinion of the Chair should be in the minds of Senators when they vote on the question of cloture.
>
> Mr. Brandegee. We will have an opportunity to appeal then later?
>
> The Vice President. Yes.

In a few more minutes the Vice President laid the following motion before the Senate dated Washington, D.C., November 12, 1919:

> The undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, move that debate upon the pending measure—the treaty of peace with Germany—be brought to a close.

At that point, Senator Hitchcock rose, stating:

> Mr. President, I rise to a point of order. The President pro tempore of the Senate, in the Chair at the last session of the Senate, ruled against me that it was not competent for the cloture resolution to state what was the pending measure. I had stated that the pending measure was the reservation of the Senator from Massachusetts [Mr. Lodge], and the President pro tempore ruled that it was not competent for the motion to state what it was, but that was to be left for decision.
>
> Mr. Brandegee. I desire to be heard on that.
>
> Mr. Lodge. I ask for the ruling of the Chair.
>
> The Vice President. As the President pro tempore, the Senator from Iowa [Mr. Cummins], has stated the opinion of the Chair as to what the pending question is, the Chair overrules the point of order. The Secretary will call the roll in accordance with the rule.

Following the call of the roll, at which 92 Senators answered their names, the Vice President ruled that a quorum was present. He then read rule XXII as it stood at that time.

After reading rule XXII the Vice President said:

> Before this vote is taken the present occupant of the chair feels that it is advisable to state the views of the Chair with reference to the rules of the Senate.

Senator Brandegee asked the Chair to repeat his statement. The Vice President replied as follows:

> The Vice President. The Chair said that before voting upon the question of cloture, the Chair thought it fair to state the opinion which the Chair entertains with reference to the rules of the Senate. The Chair believes that the President pro tempore, the Senator from Iowa [Mr. Cummins], has correctly stated—
>
> Mr. La Follette. Mr. President, I rise to a point of order. My point of order is that 1 hour after the Senate met today it became the duty of the Vice President to submit the question of cloture to the Senate. I make the point of order that it should be submitted now, under the rule, without further delay.
>
> The Vice President. The Chair has read the rule. It says "without debate." The Chair is not debating.
>
> Mr. La Follette. If the Chair will permit me, the rule provides that "if at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one he shall lay the motion before the Senate and direct the Secretary to call the roll."
>
> The Chair has no more right to make a speech than any of the rest of us.
>
> The Vice President. The Senator does not read all of the rule. That is the difficulty.
>
> Mr. La Follette. I make that point of order.
>
> The Vice President. The rule further provides that the roll shall be called "and, upon the ascertainment that a quorum is present, the Presiding Office shall, without debate, submit to the Senate," and so forth.
>
> The present Presiding Officer overrules the point of order.
>
> Mr. La Follette. From that decision, I appeal.
>
> Mr. Ashurst. I move that the appeal be laid on the table.
>
> The Vice President. The question is on laying the appeal on the table.
>
> Mr. Lodge. We have been debating already.
>
> Mr. La Follette. I call for the yeas and nays.
>
> The yeas and nays were ordered, and the Secretary called the roll.

Mr. President, I have been reading this part of the Senate proceedings, even though it might not be entirely pertinent to the issue now before us, because it is interesting to note that there was considerable discussion and diversity of opinion at the time when cloture was first being applied under rule XXII—the first instance of its application after the adoption of rule XXII.

The yeas outnumbered the nays, 62 to 30; so the appeal from the decision of the Chair was laid on the table; whereupon the Vice President said:

> The Chair was about to say that the question of the consideration of this treaty under the rules of the Senate is an extremely vexatious one. By section 5 of article I of the Constitution "each House may determine the rules of its proceedings." By section 2 of article II the President is given the power, "by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." The Chair is of the opinion that the constitutional right of the Senate to advise and consent to the making of a treaty by the President, in such terms and under such conditions and with such amendments or such reservations as it may desire to make, rests exclusively

> with the Senate, and cannot be taken away from the Senate by any strained construction of the rules.
>
> The Chair believes that after one resolution of ratification containing reservations has been rejected by the Senate, if a majority of the Senators so desire they may present other resolutions of ratification, in the hope in some way, with reservations, that the treaty may be ratified. It is always within the power of the majority of the Senate to construe its rules, and thus it is with the power of the majority of the Senate to keep this treaty before the Senate. It can dispose of it by taking up other business, by recommitting it to the Committee on Foreign Relations, by referring it to a special committee, or by sending it back to the President and saying that it will not have anything to do with it; but so long as a majority of the Senators want to try to ratify in some way, as it is usually expressed, this treaty, the majority of the Senate has it within its power so to act. The adoption of the cloture rule, if adopted, will not prevent the majority from attempting to ratify the treaty in some way, although it will end the debate within the period of time provided by that rule.
>
> Mr. REED. Mr. President, a parliamentary inquiry. There being no question before the Senate except the mere matter of cloture, are we to understand that the ruling of the Chair now will constitute such a ruling as will bind the Senate?
>
> The VICE PRESIDENT. Oh, no. The Chair has made no such statement as that. The Chair has simply made his statement in order that Senators may vote on the question of cloture having in mind what the Chair thinks the rules are. When the time comes, if the present occupant of the chair is in the chair, he will rule the way he has indicated; but if he is not, the President pro tempore will not at all be bound by the statement which the present occupant of the chair has made. The question can then be raised.

Senator Lodge, as the vote was about to be taken, delivered another parliamentary inquiry. He asked if the Chair had held that "when the reservations now pending and the resolution of ratification are disposed of" would the cloture rule then expire. The Vice President replied, as follows:

> The VICE PRESIDENT. No. The Chair was at one time impressed with the idea that if the resolution of ratification as finally formulated failed of the necessary two-thirds vote it would be needful to move to reconsider in order to take further action on the treaty, but the Chair has drifted away from that view of the question for this reason: In the case of a bill the sole question is, Shall the bill pass? If there were no reservations and the resolution of ratification failed, the Chair would hold the treaty was at an end; but the question that will be now put will not be analogous to the question, Shall the bill pass? If the present reservations are adopted, the question will rather be analogous to the question, Shall the bill pass provided the Supreme Court will hold that section 10 is constitutional, or, Shall the bill pass provided the Supreme Court will hold that it is not applicable to citizens of Massachusetts? That is the reason the Chair has drifted away from the idea that this treaty is the same as a bill.
>
> To put it briefly, the Chair in making the statement now has no purpose except that Senators may consider it and may vote intelligently upon the question of cloture. The view of the Chair is that if the resolution of ratification, when finally voted upon, is not carried by the constitutional number of votes, another resolution or other resolutions of ratification may be presented and voted upon, if a majority of the Senators desire to try to proceed further with the ratification of the treaty.

This view of the Chair evidently did not satisfy Senator Lodge. Accordingly, he stated that he wanted to get the opinion of the Chair "as to when the cloture rule which is about to be adopted expires."

The Vice President replied that the opinion of the Chair was that cloture would end when "the Senate either ratifies the treaty or displaces it, or recommits it to the Committee on Foreign Relations, or sends it back to the President and says it will not have anything to do with it."

Following this interchange, Senator Lodge asked one other question, as follows:

> Mr. LODGE. One other question. I understood the Chair to say that the expression of opinion of the Chair does not preclude the right of appeal when the ruling is made upon the specific point?
>
> The VICE PRESIDENT. There is no doubt about that. The Chair has no desire to take advantage of a single Senator; and the Chair has no desire even to influence the mind of the President pro tempore if he should happen to be in the chair when a ruling is made; but the Chair believed it was fair to express his views before the vote was had on cloture.

As Members of the Senate can see, even the Senators who were later going to vote to invoke cloture were very concerned about the possibility that cloture would backfire on them and that cloture might seriously hamper adequate consideration of the peace treaty. This concern is evidenced in the following interchange that took place on the Senate floor just a few minutes before cloture was invoked:

> Mr. JONES of Washington. Suppose the Senate finally should refer the treaty back to the committee and the committee later should bring in a report. That report would have to be disposed of then without debate, would it not?
>
> The VICE PRESIDENT. Oh, no; that is not what the cloture rule provides.

When the vote was cast to invoke cloture. Senators voted 78 to 16 to do so. The margin was far more than what was needed for cloture.

(At this point Mr. BAYH took the chair as Presiding Officer.)

### PRESENT RULE, A COMPROMISE

Mr. SPARKMAN. Mr. President, I believe that the present rule reflects a reasonable compromise of the various beliefs which Members of the Senate have about the amount of curb needed on Senate debate. I do not want any further curb on Senate debate. Some want to end debate by a vote of a simple majority. We have differences. We have compromised these differences. Let us leave the rule alone.

I am strongly supported in my belief that there should be no further tampering with rule XXII. Many famous persons intimately associated with a deep knowledge of the factors which make our Nation strong have spoken out for the concept of free debate. Thomas Jefferson, in his "Manual of Parliamentary Procedure," said:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

Senator Henry Cabot Lodge before coming to the Senate believed in ending debate by the vote of a majority. After working in the Senate he came to see the wisdom of free debate. He once said:

> Cloture is a gag rule. It shuts off debate. It forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus the longer time, the more advanced age, the small number, the equal representation of all States. Careful and thorough consideration of legislation is more often needed than the limitation of debate.

The remark of Columnist William S. White, in his 1957 book, "Citadel," seems appropriate. Of course, the very name of his book, "Citadel," indicates that he was referring to the Senate. He said:

> This institution came upon the scene to check bigness, a big Federal Government, the big States, the big parties—and even the big majority.
>
> The existence of filibustering in America today is evidence of a compromise between the authority of the many and the rights of the few. The principle of leadership is tinctured with restraints.

And as the very distinguished former Representative from Massachusetts, Mr. Robert Luce, argues in his 1922 book, "Legislative Procedure":

> The very mild and moderate form of cloture adopted by the Senate will permit the majority in that body to assume responsibility in time of crisis, and threatens no great harm to minorities.

Mr. Luce's comments as to the reasonableness of the compromise arrived at in 1917 make even greater sense today.

Mr. Walter Lippmann has written:

> The genius of the American system * * * is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision.

The Senates of 1917 and 1959 appear to have been in agreement with Mr. Lippman on that score.

Gen. Henry Robert, for example, states in his "Rules of Order, Revised," that—

> There has been established as a compromise between the rights of the individual and the rights of the assembly the principle that a two-thirds vote is required to adopt any motion that * * * closes or limits, or extends the limits of debate.

As General Robert is regarded today as perhaps the leading authority on parliamentary law, his views on this compromise seem significant.

As George Henry Haines observed in his very excellent study, "The Senate of the United States":

> What is sorely needed in Congress is seldom greater speed but always more thorough consideration in lawmaking. Cloture by a vote of a chance majority in the Senate would have brought many a decision which

> would have accorded ill with the sober second thought of the American people: it would probably have given us the force bill in 1891; free silver in 1893; prompt admittance of Lorimer in 1909; the Ship-Purchase Act in 1915; the ratification of the Versailles Treaty in 1919; the antilynching bill in 1922; the ship-subsidy bill in 1923; the World Court adherence without reservations in 1926.

How effective in the past has been unrestricted debate in preventing good legislation, truly desired by the Senate and by the people, for more than a fleeting moment of history? Writing in 1922, Robert Luce said:

> Experience has shown that delays produced by filibusters have never permanently prevented action that proved to be wanted by the people.

In 1926, Prof. Linsay Rogers, of Columbia, could testify in his well-known work, "The American Senate," that—

> Practically every proposal defeated by a filibuster has been unregretted by the country and rarely readvocated by its supporters.

The very distinguished professor of political science, Denis Brogan, of Cambridge, wrote:

> The Senate * * * knows that its power and prestige depend, in great part, upon the fact that it does not limit debate, that it allows irrelevance, that it tolerates very dramatic and sometimes distressing exhibitions of senatorial vanity and other faults. But in return, it gets attention; it does dramatize great issues; it does make it possible to expose abuses, to take skeletons out of cupboards, to make politics interesting.

On January 3, 1959, the Saturday Evening Post spoke out editorially on the subject of free debate. The Post said in part:

> The * * * liberals are swooping down upon the Senate's rule 22, which protects free debate in the Senate. If * * * successful, they will have knocked down a bulwark of the States against complete national control of local affairs. They will have destroyed a fortress which has prevented many efforts of the majority to tyrannize over the minority. * * *
>
> The filibuster has been used scores of times by minorities of all parties and from every section of the country to defeat bills * * * repugnant to localities, or * * * regarded as in violation of a State's constitutional rights. Even majorities have used free debate to prevent minorities from defeating legislation. A majority filibuster in 1917 was at least partly responsible for the establishment of the cloture rule under which two-thirds of the Senators may limit debate. * * *
>
> We need have no real fear that vital * * * legislation will be defeated by the filibuster. If the whole people want a law badly enough, it will be passed in spite of delaying tactics. * * *
>
> Our Federal system was founded on the principle that the Senate represents the States, not a majority of the people of the Nation. Conditions vary among the States and among groups of States. The advantage of a Federal system over a national system of government is that we can accommodate ourselves to these variations. That was the reason for allowing equal representation in the Senate and unlimited debate.
>
> We ought to count 10 before changing the Senate rules to limit debate substantially.

The quotations that I have just cited represent some of the feelings of people who have studied this matter of free debate. I believe the Members of this body should consider what they have said and after due consideration realize that a true democracy is one in which the rights of minorities are respected. That is all I am pleading for today: the right for the minority viewpoint to be heard, to be studied, and to be debated. Those who would now for the sake of political victory destroy this right ought to consider well that they may some day become the minority.

### QUOTES SUPPORTING RULE XXII

Earlier in this debate, I quoted statements by various persons who support the idea of free debate. I have here further quotes which I feel are of great value in this battle to protect the rights of minorities.

My colleague the senior Senator from Alabama, my friend LISTER HILL, has spoken frequently against efforts to limit debate. In 1957, he testified at hearings held by my friend the Senator from Georgia [Mr. TALMADGE]. As many Senators will recall, the Senator from Georgia [Mr. TALMADGE] was head of the Special Subcommittee on Amendments to rule XXII. At these hearings my colleague [Mr. HILL] said:

> Now, Senators, what is it that makes the Senate remarkable? Nothing more nor less than the free and unlimited debate in the Senate. If you take from the Senate this right of free and unlimited debate, if you invoke cloture in the Senate, then your Senate will be no more than the House of Representatives or any other legislative body that we might consider. It is remarkable, as Mr. Gladstone said, only because of this free and unlimited debate.
>
> The thing that I wish to emphasize to this committee with all the emphasis that I can bring to bear is that if you deny free and unlimited debate in the Senate of the United States, you have changed the character of the Senate of the United States. You cannot change the character of the Senate of the United States without changing the Government of the United States. * * *
>
> So, you gentlemen in considering these resolutions here today are not considering some simple matter of procedure in the Senate, some simple change of its rule. You are considering a proposed change in the Senate that would mean a fundamental and basic change in the Government of the United States as we have known that Government from the beginning down to the present.
>
> That is the question before this committee. Are you going to change our Government—this constitutional Republic that we have had all these years and under which we have grown to be the mightiest nation that the sun ever shown upon, and under which our people have enjoyed the greatest freedom ever known to mankind?
>
> Mr. Chairman, the rights of a Senator to get on the floor, to present all the facts in connection with an issue, to turn the light of truth and justice and fairness on that issue goes to the very heart of the freedoms of the people of the United States and to the protection not only of the freedom of the people and of the individual citizens but to the protection of the rights of the several States, but to the protection of the rights of minorities of all kinds. Let us never forget that under the free and unlimited debate of the Senate we went through all the terrible War Between the States. We fought that war with free and unlimited debate. We fought World War I which, up to that time was the greatest war in the history of the world. Then, we fought World War II. Nothing in the history of the world has been comparable to our deeds and accomplishments in that war. We fought the war against the most terrible depression ever dreamed of back in the early thirties. We didn't have to invoke any cloture to win these great wars. We won these wars with a free and unlimited debate.

I think that my colleague [Mr. HILL] made some good points at that hearing. Accordingly, I wanted to make sure that our colleagues had an opportunity to know of his telling blows in behalf of free debate.

A number of good points were voiced at these hearings. Mr. Omar B. Ketchum, director, National Legislative Service, Veterans of Foreign Wars, appeared before the committee. He testified in part as follows:

> It is our opinion that, all things considered, it would be better to let Senate rule XXII stand as it is rather than change it as proposed in any of the above-mentioned resolutions. * * *
>
> I believe all thinking people must be impressed by the fact that today, both here and abroad, there is a tendency toward bigger and more centralized government. This is a natural result of the increasing complexity of our lives in many fields. But big and centralized government is always, of its very nature, a threat to individual liberties, and this is something we cannot afford to forget. If anything, we need more protection against government today than ever before. We need a revival of the old healthy skepticism of government that characterized Thomas Jefferson and our Founding Fathers. Rather than loosen the reigns on government, we should try to tighten them. We need to be certain that our system of checks and balances is in good order and the tradition of nearly unlimited debate in the Senate has become a part of that system of checks and balances. * * *
>
> Tremendous progress has been made in the field of communications. * * *
>
> The potential for good in these communication mediums is tremendous. * * *
>
> At the same time, however, these mediums also have a potential for mischief. As one example, they provide a means by which a Chief Executive with dictatorial leanings and spellbinding ability could create an unreal and unfounded sense of urgency on a certain issue, and thus arouse great numbers of people to support measures that may actually threaten their welfare and fundamental rights. Khrushchev recently paid tribute to the propaganda value of television.
>
> Inasmuch as legislation can be rushed through the House with little or no debate, it is more important than ever that some means be present to prevent the same thing from happening in the Senate. Making it easier to invoke cloture in this body would have the effect of breaking down our protection against such a development.
>
> I want to make it clear that in pointing this out, I have no intention of implying sinister motives of any kind to our present President or any other important officeholder.
>
> This, and my remarks about the need for skepticism of government, are no more than observations on the nature of government and the kind of persons who occasionally comprise it. It could happen here.

Certainly, we should not go through this debate without knowing of the views of Mr. Ketchum.

Another witness before Senator TALMADGE's subcommittee was Dr. Albert B.

Saye, professor of political science, University of Georgia. Some important points of this testimony follow:

> The Senate is the only forum in the Nation that can check on executive and party propaganda. It is the only forum where a majority President can be forced to explain the meaning of proposed legislation.
>
> It is the forum where minority criticisms can be effectively voiced and minority aspirations expressed. Alteration in rule XXII as proposed by Senate Resolution 17, Senate Resolution 21, or Senater Resolution 28 would drastically alter the relation between the President and Congress. * * * The concept of majority rule is simple, but the concept of unrestrained majority rule is foreign to our written Constitution and to the spirit of American political institutions. A Federal union is not designed to enable one section to triumph over another, or the numerical majority in the Nation to force any section to the breaking point. There are areas in which self-restraint, tolerance for the opinion of others, and compromise are to be preferred to force.

Mr. President, I was a witness at this hearing, and I want to quote just briefly something I told the Talmadge subcommittee in 1957. I said:

> Unlimited debate, * * * serves especially as a protection against unwarranted invasion of the Federal Government into the private rights of minority groups. Unlimited debate has been minutely considered in the past and has been approved by the Senate. * * *
>
> The rule is a sound one, passed after long consideration, and is an effective tool against passage of hysterically written and emotionally debated legislation.
>
> I think we ought to keep that in mind; that the present rule is an evolution from a time when there was no such thing as cloture at all in the Senate of the United States, and I see no need of going further. I believe in the system of this Government of ours. I believe in this system of checks and balances, and I don't believe it ought to be disturbed.

My colleague Senator JOHN STENNIS also testified before the Talmadge subcommittee. He made a strong case for the protection of the rights of the States. He said:

> Mr. Chairman, the U.S. Senate is the only place in American Government where the States are represented as States. Now, the phrase "States rights" is often used. I am thinking of this in terms of States powers. We are down to the last nub of representation of States as States.
>
> The President represents the Nation as a whole, and his responsibilities are to the people. The executive branch, constituting the civil service, is not responsible to the States. Most of the officials in this branch are never elected, nor can the people bring about their removal except in accordance with impeachment laws or complicated administrative procedures for dismissal.
>
> The Members of the House of Representatives, elected directly by the people from the beginning of our country's history, representing their districts which are geographical subdivisions of the States, are responsible to the voters or people of the subdivisions.
>
> The Federal courts certainly do not represent the States, and the recent trend in the Supreme Court decisions has certainly shown disregard for the constitutional and historical respect for the integrity and sovereignty of the States. It is only in the Senate that the States as such have representation. Their rights and powers are deposited in the Senate Chamber. It is their only forum in Government. It is the only place where their rights and powers, which were not delegated but were reserved under the 9th and 10th amendments, find their protectors.
>
> If this be true, and it is true, then it must follow that the Senators elected from their States are the trustees of their States' rights and powers. * * *
>
> Now, if the Senate is just another legislative body with no concept beyond that, then rule XXII cannot be sustained. But, if it has any measure of the concepts that I have tried to outline here in the representation of the States, and that is unquestionably true, then there must be special rules to protect those powers and rights of the Senate; and in our form of government we are down now to where this is the last citadel of protection of those rights and powers. * * * The question in my mind is: Is not a vote to make cloture easier a vote to diminish State power?—and it certainly is.

Senator STENNIS is to be commended for the observations he made before the Talmadge subcommittee.

Senator William Langer, of North Dakota, was a Republican who fully realized the value of full discussion in the Senate. In a statement filed with the Talmadge subcommittee he said:

> Gentlemen, I have been on record for many, many years concerning the rules of the Senate and the entire matter of cloture. I must state that, without exception, I have not changed my views. On March 11, 1949, I rose on the floor of the Senate. I followed the distinguished Senator from Wisconsin, Robert M. La Follette, when he stated at that time that the only remedy the minority had in matters of this kind was unlimited debate. I agreed with that principle, I still agree with that principle, and I shall vote not to amend the rules.

Senator OLIN JOHNSTON, in a letter to the Talmadge subcommittee, described the U.S. Senate as "the last citadel of man's freedom." Senator JOHNSTON further stated:

> This right of free discussion affords me and every other Member of the Senate the opportunity to fight in defense of some fundamental principle or to prevent the destruction of some basic right. Without such a rule of unlimited debate in the U.S. Senate, we would all become the prey of hysteria and minority rights could exist only in theory and not in fact. It is ironic that those who favor abolishing unlimited and unrestricted debate exercise such a right more freely and more often than do a great deal of us who sometimes are referred to as being reactionary or conservative for opposing changes in rule XXII.

Former Vice President John Nance Garner said in a letter to Senator TALMADGE:

> I favor free and unlimited debate in the Senate.

Dr. Julius F. Prufer, associate professor of political science and alumni director of Roanoke College at Salem, Va., made an interesting observation in a letter to Senator TALMADGE. He wrote:

> If a disillusioned group of Americans can find one Senator who will champion their views, nothing can be rushed or covered up. * * *
>
> I have taught political science here for over 30 years, and have watched this matter of the Senate debate with real interest. Usually when men rush something they have something they wish to cover up. As Gamaliel said in the case of Jesus, if he is the Messiah he will succeed, if he is not he will go the way of all the other imposters.

During these hearings conducted by Senator TALMADGE in 1957, many fine people had a great deal to say about the threat posed by limiting Senate debate. I wish there were time to quote from more of the testimony. In any event, I did want to review for Senators at least some of the good testimony gathered by Senator TALMADGE.

Following Senator TALMADGE's hearings on rule XXII amendments, he issued a report giving his individual views. In these views he summed up what he had learned from the witnesses. I wish at this time to quote a few of Senator TALMADGE's observations. They follow:

> I have given long and careful study to the transcript of testimony taken at those hearings and to all related materials * * * I herewith set forth in the most earnest terms at my command the compelling reasons why Senate rule XXII must be upheld as written.
>
> Although * * * hearings previously have been held on the subject in 1947, 1949, and 1951, it was not until 1957 that any effort was made to determine the thinking and wishes of the American people on this issue so fundamental to the protection * * * of their constitutional freedoms. * * *
>
> While previous hearings had been confined largely to testimony from Senators and paid spokesmen for partisan pressure groups, the 1957 hearings heard from such well-known and respected organizations as the American Legion, the Veterans of Foreign Wars, and the Sons and Daughters of the American Revolution.
>
> As the result of the labors of the subcommittee a printed transcript of 364 pages—which unquestionably is the most comprehensive document of its kind ever assembled—now is a matter of official record and, for the first time, Senators have as a basis for informed action on this subject a presentation which encompasses the grassroots sentiments of their constituents.
>
> It must be recognized that the Senate of the United States, as an instrumentality of the States and their citizens, is the property of every American and does not belong to the individuals who transiently occupy the seats in its Chamber. Individual Senators have no proprietary rights in the operation of the Senate except as they act as creatures of the will of the States and constituents they represent. * * *
>
> No Senator honestly seeking to be responsive to the will of those he serves will wish to close his mind on this issue before giving careful study and consideration to the transcript compiled by this special subcommittee and the unmistakable conclusions of public opinion it affords. * * *
>
> That transcript discloses that more than three-fourths of those presenting their views to the subcommittee, expressed approval of Senate rule XXII as it now stands and confidence in it as the major bulwark of the people in the maintenance of constitutional government and individual liberty in this Nation. * * *
>
> There is only one conclusion which can be drawn logically and dispassionately from the actions of those who persist in their efforts to change rule XXII: That their onslaught to stifle freedom of speech on the floor of the Senate is an attack not only on the Senate itself but also on the stature, perquisites, and prerogatives of each Senator in national affairs and every other responsibility incident to the senatorship. * * *
>
> Frankness compels the observation that the ultimate objective of opponents of free debate in the Senate is cloture by a simple majority vote of Senators present at any given time. Eventual adoption of such a rule would make it possible for 25 Senators, a majority of a quorum to impose gag rule.

Senator TALMADGE's prediction that the objectives of opponents of free debate is cloture by a simple majority of those present is certainly well taken. It is entirely possible that eventually, if the Senate were to be so unwise as to limit debate further, there would be some who would work to make it possible for a majority of a quorum to end debate.

All of us are familiar with the difficult problems of government facing such nations as France and Italy. In these countries great problems are caused by the large number of very active political parties. Senator TALMADGE has made an observation relating to this problem. He said:

> If minority rights are trampled in the Senate there is only one remaining remedy available to those who do not happen to be with the majority; that is, affiliation with a multiplicity of splinter parties. No greater catastrophe could befall our country than such enforced destruction of the two-party system and substitution of a countless number of political parties.
>
> It does not take much vision to perceive that under such circumstances a small militant minority, exercising the balance of power, could be catapulted into a position of leadership where it could inflict great harm on constitutional government and democratic processes.
>
> Even a cursory study of constitutional history and an examination of contemporary documents penned at the time of the drafting of the Constitution and its approval by the States show beyond any doubt that the creation of the Senate, as a continuing council of States wherein each has an equal voice, was the price of forming the General Government.
>
> At the formation of this Government the Constitutional Convention stood for the protection of private economic interests; a stronger central authority; a stabilized monetary policy; orderly legal processes; and for a republican form of government as opposed to an unlimited democracy.
>
> The whole motivating spirit of the Convention—not expressed but clearly understood—was to make the Nation safe from the tyranny of unchecked majorities. The intention is unmistakable as one may deduce from James Madison's own notes and also from the papers of most of the delegates.

Senator TALMADGE called attention to some unique functions of the Senate—functions which I believe we should pause and consider soberly, before taking the ill-advised action advocated by those who would further limit debate in the Senate. Senator TALMADGE said:

> As we have seen from Alexander Hamilton's writings, the Senate is not an "upper house" of a national legislature in any sense of the word.
>
> The Senate exercises quasi-executive functions in relation to the treatymaking power.
>
> The Senate sits as a judicial body in impeachment proceedings.
>
> The Senate must give its advice and consent to the appointments of the Executive.
>
> The Senate is the repository of State sovereignty on the national level.
>
> The Senate cannot legitimately be compared in any terms with either State senates or with the assemblies of foreign nations.

Mr. President, it was with a great deal of pride that I studied Senator TALMADGE's report as I prepared this talk. Senator TALMADGE's report, I believe should go down in our Nation's history as a classical document on democracy. I urge my colleagues to go back and read Senator TALMADGE's noble work. If they will read it, I believe they will have second thoughts on the advisability of changing rule XXII. The Talmadge report is entitled: "Proposed Amendments to rule XXII of the Standing Rules of the U.S. Senate—Relating to Cloture." It was published in the form of a committee print during the 2d session of the 85th Congress.

### PRACTICE OF STATE LEGISLATURES

It is sometimes argued by those who would change rule XXII that the practice of the legislatures of the several States with respect to terminating debate shows the desirability of changing the cloture rule in the U.S. Senate. This comparison does not seem appropriate.

The Senate of the United States is a unique body. It is a Chamber of the utmost importance, functioning on a national level, within a remarkable system of checks and balances. The practice of State legislatures, or of any other legislatures, should not determine practice of the U.S. Senate.

In any event, the practice of the State legislatures will probably arise in this debate. Therefore, I propose to call attention to some facts about free debate in State legislatures.

The proponents of a change in rule 22 will probably take heart in the knowledge that in a majority of the State senates, the previous question may be passed by a majority vote.

This is highly misleading. State legislatures do use tactics designed to insure that a measure is given thorough consideration.

One authority on this matter, Willis G. Swart, professor of government and dean of the Graduate School at Southern Illinois University, in his 1961 book, "American Governmental Problems," argues as follows—page 165:

> In State legislatures, the steps in legislative procedure are very similar to those in Congress, including opportunities for dilatory tactics. As in the U.S. Senate, the opportunities for effective filibustering are usually greater in the upper house of the State legislature than in the lower. Here the smaller size and more liberal rules of procedure may permit a minority party or faction to delay legislative action almost indefinitely. Unlike the present U.S. Senate, some State legislatures have a practical deadline of midnight, June 30, for adjournment. Under such circumstances, by virtue of the last-minute log-jam of legislation, including necessary appropriation bills, even a threat of filibustering may be sufficient to attain the minority objective.

One important dilatory tactic was mentioned by Jefferson B. Fordham in his 1959 book, "The State Legislative Institution," when he made reference to "a familiar State requirement of reading of a bill in each house on three different days"—page 55:

Consider also a pair of specific situations, the practices of the legislatures of Alabama and Illinois. According to Dr. Coleman Ransone, professor of political science and public administration at the University of Alabama, the following situation obtains in Alabama:

> The legislature can, and does, use dilatory tactics short of closure. Included in these tactics would be such devices as dilatory motions, reading the journal in full, reading bills at length, and rollcall votes on any of these matters. These tactics (except rollcalls—done by electric voting machines) are used primarily in the house because debate in the house is generally more limited than in the senate. The senate uses the regular filibuster and in addition uses the methods I have described. This has been particularly true of the present (1961) session.

Mr. President, there is great freedom of debate in Alabama. Frequently, the Alabama Senate prolongs debate. Usually both sides eventually get together and agree on some practical course for the time being.

The situation in Illinois was discussed by Neil Garvey, associate professor of political science at the University of Illinois, in his book, "The Government and Administration of Illinois," pages 75–76, 92, 96:

> There is * * * a practical factor which, in effect, imposes a limitation, forcing the legislature to complete its work for a regular session by midnight of June 30. This is to be found in the stipulation that no act of the general assembly shall take effect until the first of the following July, unless it be passed as an emergency measure—designated as such in its title—by a vote of two-thirds of all the members elected to each house. * * * To attempt to employ this device for any appreciable number of the mass of bills which usually jam the legislature grist mill toward the end of any regular session would be practically impossible. Hence the general assembly accepts, as fact, the necessity of winding up its business before July 1 arrives, even though it may be necessary to deliberately kill literally scores of pending bills by formally striking them from the legislative calendar and permitting many others to die merely because they cannot be brought to passage stage and final vote before the hour of adjournment.

Professor Garvey goes on to point out that the Illinois Constitution contains impediments "designed primarily to protect the legislator to insure him an opportunity of knowing the scope and substance of pending bills."

The Illinois constitution thus accepts the fact that large volumes of bills make it probable that some legislators may not have the time to study all of the finer points of all of the bills considered on the floor of the legislature. Goodness knows, we face that problem right here on Capitol Hill, with Representatives introducing around 12,000 bills per Congress and Senators introducing between 4,000 and 5,000 per Congress. This need for understanding what is in a bill seems reason enough to keep rule 22 as it is. I just hope that this body will not see fit to change it and I am glad that the Illinois constitution seeks to insure full study of bills before the legislature.

Professor Garvey also said:

> There is a specific constitutional requirement in Illinois that no bill may be enacted into law unless it has been read at large on three separate days in each house. * * * Each member * * * (has) the prerogative of requiring that any bill be given a full reading at any or all of these stages.

At best the assumption that State senates may pass the previous question by a majority vote is inconclusive, because of the many different ways in which they may have, in effect, unlimited debate, even though they do not call it that, as we do.

Mr. STENNIS. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I am glad to yield to the distinguished Senator from Mississippi, from whom I quoted a very fine statement a few minutes ago while the Senator was unavoidably absent from the Chamber. I read an excerpt from his testimony before the Talmadge subcommittee in, I believe, 1957. I am sure the Senator will recall that.

Mr. STENNIS. I do recall it, and I am flattered that the Senator from Alabama should have seen fit to quote it.

Mr. SPARKMAN. I think it is an excellent statement, because it sets forth so clearly and cogently something that we in the Senate ought to remember; that is, that this is the repository of States rights on the national level. The States are represented here, and Senators represent their States and the citizens of their States.

It was either the Senator from Mississippi or another Senator who, in that connection, cited the fact that the Senate does not function only as an ordinary legislative body, but that it has other functions to fulfill, as well, and that we should never lose sight of the fact that the Senate is the repository of States rights on the national level.

I am glad to yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Alabama. He has been in the Senate longer than I have, and has previously participated in the debates on this subject, and also in certain adjustments which have been made in the rules.

I invite his attention to the last part of rule XXXII, a new part of that rule, which was inserted in January 1959, as the Senator from Alabama will recall; and I am sure he took part in the writing of that part of the rule. In order to get it into the RECORD and before the Senate, I now quote section 2 of rule XXXII:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

I am sure the Senator from Alabama remembers when that part of the rule was adopted.

What explanation has been given by the proponents of the proposed new change, and does that explanation accord with the facts which existed when the rule was developed and with its present wording? I should like to have the Senator from Alabama comment on the background of that rule, for some Senators are new Members of the Senate, and therefore I believe it appropriate that the Senator from Alabama comment on this subject.

Mr. SPARKMAN. I believe that is relevant.

The Senator from Mississippi will recall that during the morning hour, there was considerable discussion in this connection. The very able Senator from Minnesota [Mr. HUMPHREY] quoted from the rule which provides that the committees shall be appointed. The rule refers to the composition of the committees. In that connection, the Senator from Minnesota laid much stress on the use of the word "shall." The Senator from Mississippi is an able lawyer and a former judge, and he knows that great stress is laid on the use of the word "shall." I point out that this part of the rule also uses the word "shall."

Mr. STENNIS. That is correct.

Mr. SPARKMAN. This part is just as strong as the other one, and provides that the rules "shall continue from one Congress to the next," does it not?

Mr. STENNIS. That is correct.

What authority does the Senate have to repudiate its own rule; or what authority does a Senator have to repudiate his own language, if he helped to make the rule?

Mr. SPARKMAN. In my opinion, there is absolutely no justification for having the Senate repudiate one of its own rules, unless it follows the regular procedure for changing the rules of the Senate.

It seems to be the idea of some Senators that at the beginning of a session of Congress, a change can be made in a constitutional right. But if that could be done at the beginning of a session, it could be done at any time during a session; and that would mean that the Senate would function without any rules, except majority rule. That would result in a chaotic situation.

Suppose the Senate tried to function on the basis that whenever any Senator wished to do so, he could move that the rules be changed. That is what the argument of the proponents amounts to. However, if a constitutional right exists at the beginning of a session, it also exists the day after the session begins, and also the day before the session ends, and throughout the session. A constitutional right never ceases to exist; it continues to exist.

The Senator from Mississippi has correctly quoted from the rule the Senate adopted, and I believe the Senator from Minnesota [Mr. HUMPHREY] voted for it. Will the Senator from Mississippi read it again?

Mr. STENNIS. Yes. This is section 2 of rule XXXII:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

The Senator from Alabama wished me to read that again, for the benefit of the Senator from Minnesota, who returned to the Chamber a moment ago.

Mr. SPARKMAN. Yes. A few minutes ago I pointed out that section 2 of rule XXXII uses the same strong, mandatory language that is used in the rule which deals with the appointment of Senators to committees. The latter rule was quoted in part, during the morning hour, by the Senator from Minnesota.

Mr. STENNIS. Yes.

Is not the rule I have read just now of recent enactment?

Mr. SPARKMAN. Yes; it was enacted in 1959.

Mr. STENNIS. Is it not consistent with a rule which existed at that time, which provides:

> Each standing committee shall continue and have the power to act until their successors are appointed.

Mr. SPARKMAN. Yes; and that rule also uses the word "shall."

Mr. STENNIS. Yes, the word "shall" is used. Those rules supplement one another and are consistent with each other; is that not true?

Mr. SPARKMAN. Yes. I think the rule the Senator from Mississippi has read and also section 2 of rule XXXII are really restatements of what the Senate has been doing through the years and what the writers of the Constitution intended that the Senate do.

Mr. STENNIS. The Senator from Alabama has anticipated my next question, which is as follows: Are not both of them founded on the idea that the Senate is a continuing body and will continue to function?

Mr. SPARKMAN. Yes.

Mr. STENNIS. Is it not also true that the proponents of the pending proposal recognize that these conditions are true, and that the rules we have read apply, along with all the other rules, except that it is said that rule XXII, which the proponents do not like, does not apply? So they propose to change it in a way different from the way in which the rules would ordinarily be changed.

Mr. SPARKMAN. Yes. That situation reminds me of the old saying about eating cake and having it, too.

Mr. STENNIS. Is it not true that what is proposed in this instance could not happen in a constitutional body which had respect for the integrity of its own rules?

Mr. SPARKMAN. Yes—and also had respect for procedure in an orderly manner, continuing from day to day and from year to year, representing the States in the national government, and functioning as a coordinate branch with the other branch of the national legislature.

Mr. President, I yield the floor.

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## ATLANTIC AND GULF COAST DOCK STRIKE

Mr. HRUSKA. Mr. President, the situation created by the Atlantic and gulf coast dock strike daily grows more critical. This morning's newspapers report a proposed settlement which has been accepted by the longshoremen and which is under consideration by the shipowners.

Without entering into a discussion of the merits of the proposed settlement, one fact is painfully clear: Each new day of the strike brings tragic new setbacks for the American economy.

Markets served by our factories and farms are being lost—perhaps permanently—to foreign competition. Our people cannot be expected to wait patiently for a possible settlement much longer.

To illustrate how serious the problem is, I request unanimous consent that there be printed at the conclusion of my remarks a telegram sent to me by Mr. J. A. Mactier, president of the Nebraska Consolidated Mills Co., Omaha, Nebr.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, it is fervently to be hoped that the dispute will be settled at an early date. It is a problem which goes far beyond the temporary closing of businesses, unemployment, or loss of profits. The harmful effects project themselves far into the future, and some of them will be permanent.

Consider the situation of Molinos de Puerto Rico, a flour feed mill in Puerto Rico, which is the main source of supply of flour and feed to that commonwealth. It is estimated that the resulting losses to innocent Puerto Ricans could well reach into a figure as large as $100 million. It is stated that millions of broiler chickens and laying hens will starve and die for want of feed. About 400,000 dairy cows are likely to dry up and will not give milk again until after their next calving season, which is months away. That means that fresh milk will be scarce for months. Unemployment will be widespread and will continue as milk pasteurizing plants close for lack of milk and bakeries for the lack of flour.

For 2 or 3 weeks a cargo of 10,000 tons of grain has been in Mobile awaiting loading on a proper ship. It has been there all that time and, of course, the present strike is preventing the delivery of that grain to Puerto Rico. Dire circumstances will be visited upon those people, and the results will thrust into the future for an indefinite period of time. Obviously, it will mean the wiping out of the personal fortunes of some of the dairy operators there, and they are not easy to recoup these days. It is our earnest and fervent hope that the dispute will be settled by the time mentioned in Mr. Mactier's telegram in order to avert the direct consequences he describes.

Mr. President, I yield the floor.

EXHIBIT 1

OMAHA, NEBR., *January 19, 1963.*

Senator ROMAN HRUSKA,
*Washington, D.C.:*

The following telegram was sent to President John F. Kennedy, Senator Wayne Morse, and Capt. William Bradley, president, Longshoremen's Union:

"Our company, Molinos de Puerto Rico in Puerto Rico, is the main supplier there of animal and poultry feeds and bakery flour.

"Puerto Rican farmers and consumers face disaster as the supplies of feeds and flour dwindle because of the longshoremen's strike. Supplies are running dangerously low and will soon be exhausted.

"The resulting losses to innocent Puerto Ricans could reach $100 million.

"Millions of broiler chickens and laying hens in confinement will starve and die.

"Four hundred thousand dairy cows will dry up and will not give milk again until after their next calving, months away.

"Bread, a main part of the diet, will be gone from the tables.

"Fresh milk will be scarce for months.

"Unemployment will be widespread and continue as milk pasteurizing plants close for lack of milk and bakeries close for lack of flour.

"We have a 10,000-ton cargo of grain in Mobile, and the steamship *Marine Coaster* has been waiting 2 weeks for this cargo. If it sails by January 26 at the very latest, the catastrophe will be averted.

"If the strike is not settled by then, can you prevail upon the union to load this one vessel so as to avoid this chaos in Puerto Rico?"

J. A. MACTIER,
*President, Nebraska Consolidated Mills Co.*

## FEDERAL JUDGE PATRICK T. STONE

Mr. PROXMIRE. Mr. President, recently a distinguished Federal judge in Wisconsin, Patrick T. Stone, died. He was one of the first Federal judges appointed by Franklin D. Roosevelt. Judge Stone was not only a brilliant jurist, but also a very fine human being with a delightful sense of humor. He had many friends in our State. I ask unanimous consent that an excellent article entitled "Federal Judge Stone Dies of Cancer at 73," published in the Milwaukee Journal on January 14, setting forth the facts of Judge Stone's life, be printed at this point in the RECORD, together with an editorial from the Milwaukee Sentinel.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal, Jan. 14, 1963]

FEDERAL JUDGE STONE DIES OF CANCER AT 73—WAUSAU JURIST HAD SERVED SINCE 1933—WAS KNOWN FOR HIS WIT AND ENERGY

WAUSAU, WIS.—Judge Patrick T. Stone, 73, the first Federal judge appointed by President Franklin D. Roosevelt, died of cancer Sunday at his home here.

Judge Stone had presided in the U.S. court in the western district of Wisconsin since June 13, 1933. He built a reputation for having a sharp wit, yet at the same time running a strict court.

Known for his energy, he battled cancer for several years, while continuing on the bench. He had had two operations, the latest one last spring. Yet last summer, he swam daily at his cottage on Lake Tomahawk, went sailing, and played golf regularly.

He held court in Madison a few days before he entered St. Mary's Hospital, Wausau, on Dec. 21. He stayed 10 days, then returned home.

A native of Pembroke, Ont., Judge Stone was brought to Tomahawk at the age of 2. He was graduated from Marquette University law school in 1912, passing the state bar examination while still a student.

SUPPORTED ROOSEVELT

He served in the Navy in World War I. He practiced law and was Wausau city attorney until nominated for the Federal judgeship by Senator F. Ryan Duffy, Sr., of Milwaukee.

A Democrat, Judge Stone had been one of the State's first supporters of Roosevelt for the Presidency. Later, Duffy also was named a Federal district judge. He now sits in the Federal district court of appeals, Chicago.

In recent years, Judge Stone had presided at a number of patent cases, including complicated disputes involving cheese firms.

In 1958, Judge Stone ordered that eight food companies repay the Government interest on cheese windfall profits they made in dealings with the Government's Commodity Credit Corporation. He ruled that the Agriculture Department had erred in allowing the firms to sell cheese to the Government at one price, under the support through purchase program, then buy it back after supports were dropped April 1, 1954.

In 1949, he was sent to New York and presided at a case dealing with counterfeiters. He sentenced one man to 15 years in prison. Federal agents said the judge's rulings helped smash a ring operating in 28 States and Canada.

He gained national prominence in 1936 when he was named to preside at the trial of three bankers in Detroit.

Duffy, Judge Stone, and Federal Judge Kenneth Grubb served as a three-man panel last year to hear a suit seeking to reapportion Wisconsin's legislative districts.

CAUSED LAUGHTER

Judge Stone's asides and sometimes caustic remarks often brought laughter into the courtroom. Yet he could be stern.

Prohibition had just ended when he took office and he issued a warning on his first day on the bench that sellers of intoxicating liquors to boys and girls would draw severe penalties in his court.

Judge Stone presided at a number of cases involving moonshiners. He was firm with the violators, but also spoke sharply to Federal agents who had been buying as much as 30 gallons of illegal liquor for evidence.

"A pint would be enough," he snapped at them.

He was also particularly stern with income tax violators, because, he said, "the working man pays his taxes and also the taxes of dishonest persons."

HONORED BY ASSOCIATION

In 1958, the Seventh Federal District Bar Association honored him for 25 years on the bench.

He is survived by two sons, Patrick H., of Minocqua, and Louis, of Wausau, and a daughter, Mrs. William Yeschek, of Lac du Flambeau. His wife, the former Blanche Dessert, died in 1945.

The body will be at the home of the late Miss Louise Dessert, a sister of Mrs. Stone, here after noon Tuesday. Services will be held at the home at 10:30 a.m. Wednesday and at St. James Catholic Church, Wausau, at 11 a.m.

[From the Milwaukee Sentinel]

JUDGE STONE

With the death of U.S. District Judge Patrick T. Stone on Sunday, Wisconsin lost one of its most respected—and at the same time most lovable—citizens.

During almost 30 years on the Federal bench, Judge Stone became known as a jurist whose sense of humor was exceeded only by his sense of justice. He was stern, but kindly. In the conduct of his court and in his decisions he never lost sight of the fact that the law, for all its cold complexity, is a human thing, intended to serve human beings.

Over the years, Wisconsin has had a number of great jurists. The name of Patrick T. Stone is now added close to the top of that list.

## REPRESENTATIVE HENRY S. REUSS

Mr. PROXMIRE. Mr. President, one of the outstanding Members of the House of Representatives is the Representative of Wisconsin's Fifth Congressional District, HENRY S. REUSS. HENRY REUSS is a man who brings great talent to the House of Representatives. He serves on the Joint Economic Committee, on which I also serve, and also on the House Banking and Currency Committee. In my judgment he is one of the two or three really outstanding experts on monetary policy and banking policy in the Congress of the United States.

Recently the magazine Banking contained an article on Henry S. Reuss, his opinions, abilities, and background. I ask unanimous consent that the outstanding article on one of our most competent Representatives be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Banking's Spotlight on Henry S. Reuss

Henry S. Reuss, 50-year-old scion of Wisconsin German ancestors, is his Republican family's gift to the liberal wing of the Democrats in Congress.

A prominent member of the House Banking and Currency Committee and of the Joint Economic Committee, who by his probing of Fed and Treasury policies has attracted the notice of the banking world, Mr. Reuss in November won his 5th term in the House by a safe margin of 43,000. He campaigned partly on Cuba, but mainly on the need for a more dynamic economic policy and more vigorous export efforts. These may not all have been the issues the voters would have selected, but they seemed to like Mr. Reuss' leadership and gave him 63.3 percent of the total of ballots cast in his district.

Henry Reuss is a battler for those things in which he believes. He fought in World War II, entering the service as a private and emerging from the war as a major with bronze battle stars for Normandy, central France, and Germany. In the Congress he fights for the liberal monetary and economic measures he deems necessary, although this brings him into inevitable clashes with the views of the more conservative school represented by Chairman Martin of the Fed.

Congressman Reuss paid no major attention to economics on his way through Cornell and Harvard Law School, but since college days he has read extensively on our central banking system, money and banking, and economic questions. He is chairman of the Joint Economic Subcommittee which is concerned with the balance of international payments.

"The commercial banking system plays an indispensable role in the U.S.," says Henry Reuss. "The growth we need for our own welfare and for our world responsibilities can come only with a healthy banking system. Since the great depression, our banks have worked well, but there are at least two areas in which the House Banking and Currency Committee under Chairman Patman will take a long and deep look: (1) The laws governing the national banks cry for revision and improvement in many particulars; (2) the relationship of the Federal Reserve System to the Congress and to the executive branch needs attention. I believe the Fed should be independent, but also that it must play a responsible role.

"While I don't want the Executive to have the power to overrule the Fed, I do want the lines of authority fixed so that responsibility of decisionmaking won't be blurred and obscured. I think this needs to be the subject of a full-fledged study by the House Banking and Currency Committee, a legislative committee, unlike the JEC which has had many hearings," he continued. "If the public is to understand its Government, it must know who makes decisions and why. In this matter the JEC has come to the end of its abilities. Now it is a matter for the legislative committee.

"As for the recommendations of the three interagency committees which have reported to the President on subjects dealt with by the Commission on Money and Credit and others, we'll look at their recommendations. I'd welcome a broadly based Presidential program for reforms; but this does not relieve the Banking and Currency Committee from its constitutional duty to survey the Nation's needs and seek passage of needed laws. I feel a sense of urgency on this, as domestic and foreign policies are almost totally interdependent.

"Under Chairman Patman, for the first time in recent history, I expect the Banking Committee to study the entire field of money and banking and to draft and report appropriate legislation. Also for the first time in many years, I expect subcommittees with specified jurisdictions to be appointed. Congressman Patman will prove to be a vigorous, forthright, and responsible chairman."

Asked for his views on particular changes he favors in the banking system, Mr. Reuss explained: "I can't be very specific on the changes in the national banking system, since I need to do a lot more research and study. The one thing that I am clear on is that the present system of divided jurisdiction between the Federal Reserve, the FDIC, and the Comptroller of the Currency results in divided authority and responsibility, particularly in the field of mergers. Unified regulation should be the first order of business."

Mr. Reuss has been following money and banking not only on the two committees already mentioned, but also as a member of the House Government Operations Subcommittee on Foreign and Monetary Affairs. Twice during the past year he has carried on individual inquiries on these subjects in Europe and has lectured before several German university groups. Mr. Reuss was one of several members of the Congress who attended the International Monetary Fund meeting in Vienna in 1961.

In 1939–40 Mr. Reuss was assistant corporation counsel in Milwaukee County. Next he was with the OPA in Washington. In 1945 he was with the price control branch of the Office of Military Government for Germany. Later, before running for Congress in 1954, he held various public and private posts. Mr. Reuss explains how he got into politics very simply: "I didn't like the way the older generation was handling the world."

#### ONCE A REPUBLICAN

How did a Republican scion become a Democrat? "In the early 1950's Joe McCarthy dominated Wisconsin politics." How did he happen to land on the House Banking and Currency Committee? "Couldn't get Public Works or Foreign Affairs, my first preferences."

The Congressman's grandfather came here from Germany in 1848 as a youth of 18, soon had a job with the Marshall & Isley Bank in Milwaukee, and ultimately became its president. The bank, the oldest in the Northwest, is now Wisconsin's second largest bank. The Congressman's father also made his career with this bank and Henry Reuss himself, during his college vacations, did stints there as a runner and as a teller in the transit department. Until he entered politics Henry Reuss was a director of the bank.

#### ARTICULATE CONGRESSMAN

Mr. Reuss is one of the most articulate of Congressmen. Time magazine has called attention to his energy, ability, and ideas. He is a leading congressional conservationist. A former Deputy General Counsel in Paris for the Marshall plan, he is now a lieutenant colonel in the Infantry Reserve. Mr. Reuss is an enthusiastic outdoorsman; he likes to fish, hunt, hike, camp, sail, and play tennis with his wife and their four children.

The Wisconsin Congressman is keeping a close eye on banking. Bankers should keep an eye on him.

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## JOHN W. REYNOLDS, GOVERNOR OF THE STATE OF WISCONSIN

Mr. PROXMIRE. Mr. President, Wisconsin has been blessed with a long series of progressive and humanitarian Governors. The Republicans have had some of the great ones. Robert La Follette, Sr., was one of the five greatest Senators who have ever served in this body. We Democrats also have had some great ones. One such Governor is now a Member of the U.S. Senate, having been elected in the last election—Gaylord Nelson. Gaylord Nelson's successor as Governor is John W. Reynolds. Gov. John W. Reynolds was formerly attorney general of our State. In November he was elected to be Governor of Wisconsin. A few days ago John W. Reynolds delivered his state of the State message or constitutional message to the legislature. It was a superb message, in the best progressive traditions of our State. It was such an unusual address that I ask unanimous consent that it be printed at this point in the Record as an indication of the progressiveness that still dominates our State, and, I am also proud to say, dominates our Democratic Party in Wisconsin.

There being no objection, the address was ordered to be printed in the Record, as follows:

### Biennial Constitutional Message to the Legislature From the Honorable John W. Reynolds, Governor, State of Wisconsin

It gives me pleasure to extend my personal welcome to the members of the 1963 Legislature of the State of Wisconsin.

I do not come before you to describe a State beset by problems. I intend to speak rather of a State whose people have the best years of their lives before them. These years will be enriched if we but seize the opportunities within our reach.

We have been blessed in these past years with abundance. The opportunities before us result from this abundance—from the fact that we have a healthy economy, with a lot of healthy people who are having a lot of healthy babies. Back in 1945, 62,000 babies were born in this State. Last year, there were almost 100,000 live births in Wisconsin. This is our greatest resource. Isn't it wonderful that the Lord has seen fit to bless us in this manner, even though we know that every one of our kids must be provided with schooling for at least 12 of their first 20 years?

As parents, none of us has the slightest intention other than to give our children the best education available. As citizens, we have a vital interest in the education of our neighbors' children as well as our own. As I have said before, we have no choice in this matter. We will educate our children, because we must.

We have other responsibilities, and other opportunities. We live in a humane society. By that I mean that we do not abandon our aged, our handicapped, our mentally ill, or our retarded children. We do not leave them on hillsides to die, or turn our backs on their suffering. We want to care for them as best we can.

Some of you joined me when I toured the institutions the people of this State have built to care for these helpless citizens. Many of you were sobered, as I was, to find that there is so much more that we can do that we are not doing. I intend to ask the department of administration to arrange tours of our State hospitals, prisons and children's colonies for any legislators who have not yet had the opportunity to see our institutions. I urge you to go beyond the figures and look into the faces of the helpless. I am sure that you will come away as I did, convinced that the suffering of these people is our suffering.

Our population is increasing rapidly, but its greatest increase is among those who are very young and very old. These are the people who are most in need of our assistance.

In all fields—correction, public welfare, and education alike—we cannot exploit our opportunities without additional trained workers. They must be well trained, and they must be well paid.

The overall emphasis in Wisconsin's public welfare programs should be directed at enabling our people to leave our institutions. We must encourage our counties to treat these people, to provide professional staffs in their hospitals, and to continue treating them when they return to their homes.

We must not only expand our services to meet the needs of a growing population, but we must also give greater attention to rehabilitation, prevention and research. An increase in the number of adequately trained personnel to do this job is essential.

I am going to outline opportunities before us in improving our economy—to provide more income and more jobs for our people.

We must act vigorously to promote economic growth and industrial development, particularly in those areas of the State which have been hardest hit by the depletion of our forest and mineral resources and the disruptions of technological change.

But there is no reason for pessimism. The facts show clearly that ours is basically a healthy, vigorous economy. Every economic guideline—personal income, wage rates, employment levels, value added by manufacturing—gives evidence of our growth and economic vitality.

With 2.2 percent of the population, Wisconsin had, in 1961, 2.8 percent of the Nation's income from manufacturing. Of the seven Midwestern States, Wisconsin and Minnesota led the other five in rate of economic growth since 1953.

But we cannot rest on our laurels. We must direct our development into areas of expansion. Although no economy is sound in the long run if it is based solely on Federal defense contracts, the stimulating effect of such income could lay the groundwork for new types of peacetime industry in this State.

In 1961, Wisconsin received only 1.2 percent of all Government research, development, testing and evaluation contracts, compared to 41 percent for California. Even at that low figure, we led Illinois, Minnesota, Indiana, and Iowa in this area. This type of contract is important, for it represents 58 percent of all Government missile awards and 25 percent of electronics contracts.

James Webb, Administrator of the National Aeronautics and Space Administration, was asked not long ago why such awards were concentrated in California, Massachusetts, and New York. He answered: "We place our research contracts where the brains are."

The bulk of Wisconsin manufacturing is in industries that, by national standards, carry on a moderate to small amount of research. We must encourage private industry to do more research. We have brains in this State. We produce them, and then we export them to the east and west coasts. We also have one of the Nation's finest institutions of higher learning in the University of Wisconsin. Cooperation between the university and State industries in this area must be encouraged.

We have other opportunities to bring more Federal dollars into this State. We can do this, and at the same time provide for a number of our children who are being unjustly deprived of important aid. Recent changes in the aid to dependent childrens' program make available aid to children whose dependency is the result of a father's unemployment. Wisconsin must pass enabling legislation to take advantage of this liberalization of the Federal law. There have been actual cases where unemployed fathers left home, so that their children could receive aid they could not get if the family stayed together. Our property owners are paying five and a half million dollars for general relief that can be replaced with Federal funds. By taking advantage of other Federal welfare aids, we can not only help our unfortunates, but we can help our economy. We cannot have a healthy economy when many of our people have barely enough to exist on. Uncle Sam is the big tax collector. It is our job to see that our people get their fair share of these tax dollars.

Other opportunities abound. We are richly endowed with water resources, far beyond supplies available to people in most parts of this country. But we must not abuse this resource—we must protect it. If, in using water we pollute it, we must clean it up so it can be reused by others.

Our farmlands are another precious resource. It is misleading to quote declining farm population figures in an attempt to picture agriculture as an industry of declining importance. Four out of every 10 jobs in private employment are related to agriculture. We must act to not only protect our farmers, but to expand this industry. We must work to promote the free flow of milk and other agricultural products across State lines, and to encourage voluntary marketing contracts between farmers or handlers and the State director of agriculture. We must aid new product development, and widen the scope of the dairy industry trade practices law to protect all products processed and marketed in Wisconsin against practices aimed at stamping out free competition.

Our cities present us with an opportunity to act so as to make life more worth living for the majority of our citizens who are now classified as urban dwellers. Since 1930, more than half of our citizens have been living in urban centers. Today, city life is the way of life for two-thirds of us.

We can do more for our cities than we are doing. Our goal must be healthy communities, able to grow in a planned and orderly manner. They must be attractive places in which to live. We must be concerned with beauty as well as with efficiency.

There is still land that can be set aside for recreational use within and around our expanding cities. We must not act too late in this matter, for those of us who have grown up knowing the joys of the countryside and the woods have a responsibility to preserve these joys for our children.

We must aid and encourage our cities to participate wholeheartedly in the Federal urban renewal program. New construction which results from urban renewal increases tax revenues and reduces the cost of services to the community. It aids communities in replacing wornout facilities. Its benefits are felt by all of us.

As we have the challenge and opportunity to make great strides in rebuilding our cities, so do we have the opportunity to preserve our countryside. This State has embarked on one of the Nation's most impressive and significant conservation programs. We must carry this program through to fruition. The money we are receiving from the special 1-cent levy on each package of cigarettes sold in the State must continue to be used for its most urgent purpose—the purchase of land for future development as recreation sites.

This is an opportunity which, postponed, can never be regained. Diversion of these funds to other purposes, no matter how urgent they may now seem, would be a disservice to future generations.

We must also make sure that our people can see and enjoy what we have preserved. We must pass reasonable laws controlling the location of billboards along State highways.

In every other facet of our economic lives—in transportation, in job retraining, in highway construction—we have opportunities before us. There is much work to be done, but there is time to act if we act now.

I will shortly submit a series of special messages to the legislature setting forth in detail my proposals for seizing opportunities in the fields of welfare, education, resource development, highway safety and other fields. We must consider these opportunities earnestly.

We are fully able to meet these challenges. We can take care of our young, our aged and our disabled. We can pave the way for industrial growth, rebuild our cities, farms and countryside. We are healthy, not ailing.

In 1930, 10½ percent of our personal income was spent on State and local governmental services.

In 1960, despite a vastly increased range of services, that figure had increased by only one-half of 1 percent. For between 1930 and 1960, our personal income in this State rose from $1¾ to $8½ billion. In 1961, we passed the $9 billion mark.

In 1961–62, for instance, the amount each of us spent for higher education in Wisconsin was $10.80. During the same period, each of us spent about $35 for cigarettes, $50 for beer and $35 for liquor. We don't have to give up life's little enjoyments in order to give our children an education. The people of this State can afford and are determined to have both.

There are other areas in which we have an opportunity to act so as to improve our political institutions—our structure of State and local government, and our democratic system.

We must amend the State constitution now to provide a 4-year term of office for Governors. This change should be effective in 1966. Such a change would permit a Governor two legislative sessions to consider and act on his proposals. Chances would be vastly improved for adoption of worthwhile programs and for time to carry out new programs.

Beyond that, we must provide for the election of the Governor and Lieutenant Governor on a single ballot, in the same manner in which we elect a U.S. President and Vice President. We should provide for the appointment by the Governor of a cabinet, composed of the heads of major State departments. We will not have efficient and effective government in Wisconsin until we give the executive the means to carry out his administrative responsibilities. We must consider consolidation of State agencies to eliminate overlapping functions and wasteful duplication.

A single legislative services agency must be provided for individual legislators and committees. It would save time and effort now exercised by separate staffs, provide better communication among various legislative services, and permit independent analysis by the legislature of executive proposals.

It is time to set machinery in motion leading to an end of the system of dummy building corporations Wisconsin now depends on to finance State building projects. These corporations are costing State taxpayers a million dollars each year in interest payments that would be lower if the constitution was amended to put the full faith and credit of the State behind our borrowing.

We must also immediately launch a study of the way in which we are organized to provide local services. In 1957, Wisconsin had 5,730 units of local government, and the highest average number of local governments per county of any State in the Union. Changing the structure of this State's local government would have far-reaching consequences, for it would affect virtually every program of statewide significance.

But if we are interested in promoting efficiency in government, we can no longer fail to act here. Of the billion dollars spent for State and local government in Wisconsin last year, over $8 of every $10 was spent by local units of government.

Accordingly, in keeping with our traditions of independent analysis and of the use of reason in dealing with public affairs, I intend to ask the legislature to furnish funds for an impartial study of Wisconsin local government. I will ask that the legislative appropriate money to make it possible for a committee of scholars, appointed by the president of the University of Wisconsin, to make a comprehensive study of local government in this State.

We have never really looked into this situation—not because we didn't know it existed, but because it was considered political suicide to do so. The task is too important, however, to be delayed any longer.

To insure that democracy has real meaning, we must act during this legislative session to apportion senate, assembly and congressional districts in this State so that, as nearly as possible, every Wisconsin citizen's vote has equal importance. Based on the 1960 census, 39 percent of the people of Wisconsin elect a majority of the State assembly, and 42 percent elect a majority of the State senate.

The courts—both State and Federal—have decreed that we must redistrict the State. It is now inevitable that Wisconsin will be reapportioned in 1963. The only question is, who will do it? If we redistrict fairly, the task will be ours—the elected representatives whose constitutional duty is before us. If we fail to do so, the job will be done by the courts.

I would like to commend the new attorney general of this State for pledging that he will, if the situation demands, go to court to see that this reapportionment obligation is carried out.

There are legislative tasks before us, requiring careful consideration, that will increase justice for our workers and our housewives.

Our unemployment compensation laws must be changed so that workers idled because of a strike by members of another union do not lose their right to benefits. Workmen's compensation benefits must be revised, so that they reflect a proper percentage of wages lost through injury. They must reflect average State wages, as do the unemployment compensation schedules.

Our garnishment laws must be amended to protect the rights of defendants, so that no man is deprived of his property without a court judgment. We must protect the jobs of our workers against the importation of professional strikebreakers into our State.

We have a growing awareness of the need for legislation in a new area. We must act to protect the housewife against deceptive practices.

She must be told true annual interest rates on time purchases she makes in our stores. The meat and poultry she buys must be inspected under State laws which fill the loopholes in Federal statutes.

She must be guaranteed that labels on the packages she purchases are clear, readable, and accurate statements of amounts and ingredients she will find in them when she gets home.

Drug prescriptions should specify the general name of a drug, not simply a brand name, so that a housewife may be allowed to choose among comparable products on the basis of price. Both the housewife and the businessman must be protected against fraudulent practices of transient peddlers.

Finally, we have an opportunity to make new strides toward fulfilling the pledge of America that this land would be a place of equal opportunities, where each man would be judged on his merits as a creature of God.

Earlier this week, I proclaimed 1963 a year we would observe as the 100th anniversary of the signing of the Emancipation Proclamation by Abraham Lincoln. A hundred years is a long time. It seems even longer when it is lived in the shadow of promises unfilled.

We can be proud of the accomplishments we have made, but great needs remain.

We must strengthen the Governor's Commission on Human Rights by providing it with an executive and staff, who would be empowered to make findings and use the civil courts to enforce them. Our prohibition against discrimination must be expanded to include housing, for it is the ghetto that is the great enemy of human dignity.

Our citizens, whatever their race or religion, must be allowed to have a place to live. They must be given the opportunity to raise their children in places other than slums, which breed high rates of disease and crime.

It is time that we acted in the name of justice and reason.

Some of the proposals I have made to you will cost money. Many of you want to know where that money will be coming from. In the near future, I will present to you the executive budget, and after that, my tax message. But certain things are already evident.

One is that the money to finance these measures, by which we will make use of the opportunities before us, will come from the same place that all our funds have come from—the pockets of our citizens. Call a tax what you will, it remains a tax on the income of the citizens of the State.

The problem with State and local finances, as opposed to Federal finances, is that our revenue does not increase in proportion with the growth in our incomes. That is why States all over the Nation are constantly faced with the problem of devising new schemes to pay for needs that only they can fill.

The reason that the Federal tax system is better is that it relies most directly on a progressive corporate and personal income tax.

The sales tax has been proposed as a method of paying for the programs that both candidates for the governorship agreed were needed. It is not a good tax. It does not provide growing revenues with growing income. It taxes the poor more heavily than the rich.

Those who doubt that some of us are poor should consider that 100,000 of our families, with $1,000 in cash each year to feed, clothe and house themselves, now pay 34 percent of their income for State and local taxes. About 25 percent of our people live on 5 percent of the total personal income of our State.

I will not add to the plight of these people. While I am Governor, there will be no sales tax passed into law in the State of Wisconsin. We will pay for the programs we need by taxing those who can pay for them. Those who can pay more, will be taxed more. Those who can pay less, will be taxed less.

And of course, we will pay the bill. There is no other choice. What would we sacrifice: The education of our children? The jobs of our workers? The care of our helpless?

I do not think there is one among us who, faced with the facts, will fail to meet his responsibilities.

Thank you.

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## SECRETARY OF DEFENSE ROBERT S. McNAMARA

Mr. PROXMIRE. Mr. President, I am distressed, as I am sure many other Senators are, that not only is increased spending called for in the President's proposed budget, but virtually every single department of the Government, with only one exception, has proposed an increase in the number of Federal employees projected for 1964 over 1963. The one exception, very interestingly to me, is the Department of Defense. In the Department of Defense there actually will be fewer employees in 1964 than in 1963. One of the reasons for that is, I believe, one of the finest management jobs we have had in Government in a long time, by the outstanding Secretary of Defense Robert S. McNamara.

Lt. Comdr. Robert J. Massey, U.S. Navy, has written a fine article entitled "Department of Defense Programing Innovations Encourage Good Management," which appeared in a recent publication entitled "Navy Management Review." One of the interesting innovations is to recognize that a great weakness in governmental administration is that here is a lack of the kind of incentives which exist in private enterprise to keep costs down.

Recognizing that, the Defense Department has worked very hard to provide such incentives. Mr. Massey in his article sets forth exactly how that has been done. He shows how real competition among the services and among programs is provided. He indicates that there is a real incentive for every policymaking official to keep his costs as low as possible.

In view of the fact that Secretary McNamara has not only been successful in keeping costs down and in reducing the number of employees in the Department of Defense, but also has built the strongest Defense Establishment in the history of the world, I think a great result has been obtained. I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### DOD PROGRAMING INNOVATIONS ENCOURAGE GOOD MANAGEMENT

(By Robert J. Massey)

(Lt. Comdr. Robert J. Massey, is associate editor of Naval Aviation News and a naval aviator.

(Long interested in management, he is an honor graduate of the Navy management postgraduate program at Monterey, and a candidate for a masters degree in Public Administration at the American University.

(His extensive research on the defense planning-programing-budgeting innovations of the new administration began early in the spring of 1961. In addition to academic credit, these studies were reflected in the Naval Institute Proceedings; articles, "The First Hundred Days of the New Frontier," (August 1961) and "Program-Packaging—Opportunity and Peril" (December 1961), which he coauthored with Capt. Harry C. White.)

The new Department of Defense integrated planning-programing-budgeting procedures are of vital importance to all Navy officials, military and civil, whether involved in financial management or not. These innovations are not mere technical changes in financial management procedures, but vital alterations in decisionmaking and incentive structures which will encourage and reward good management, and accelerate the demise of marginal managers, their programs and their organizations.

This is a new challenge to the Navy, which if met with an appropriate response, will see the Navy rise to a period of ever-increasing usefulness to the Nation. This paper will briefly examine the DOD programing innovations and suggest a pattern of response which will help the Navy adapt to the new environment where good management is the key to survival.

### THE PROGRAM SYSTEM

Through his programing system, the Secretary of Defense has established a firm control over force levels and supporting programs to be carried on and budgeted for by the military departments. A 5-year force structure and financial program, projected through fiscal year 1967, has already been established for the Department of Defense. By his recently implemented program change control system, the Secretary of Defense has the means to evaluate and decide upon proposed changes in forces, military and civilian manpower, research and development effort, major procurement and construction items, and operations and maintenance costs.

The Secretary of Defense, without question, has a program and related information system to assist him in deciding force objectives and the financial levels at which programs are to be initiated or continued within projected Department of Defense budgetary resources. Although decisions resulting from the change procedure will be made finally by the Secretary of Defense, specific proposals will be developed and evaluated by all relevant Department of Defense components—Director of Defense Research and Engineering, Chairman of the Joint Chiefs of Staff, Assistant Secretaries of Defense and Defense agencies. Changes and related decisions will be made within the framework of multiservice programs and program elements on the basis of comparative mission effectiveness and dollar costs.

### THE CHALLENGE OF THE NEW SYSTEM

In essence, the programing system is a way of bringing together the necessary information so that trade-offs—taking funds from a marginal program to put them into a competing program which will use them more effectively—can be made rationally. Expenses are grouped to show the cost of significant chunks of mission capability. Under former accounting and budgetary procedures the inputs spent on defense were readily identified. We could tell almost to the penny what we had spent on operations and maintenance, military construction, new procurement, etc., but we could not accurately relate these inputs with mission capability outputs such as the cost of keeping a ready carrier in the Mediterranean, or a division of marines on Okinawa. The cost information system which is now being perfected will provide the Secretary of Defense the information he needs to answer this question: "How can I allocate the defense budget among competing programs and alternatives to give the country the best defense?"

To develop this kind of information all costs are grouped into units called program elements. Mr. Hitch, former Rand Corp. economist, principal author of "Economics of Defense in the Nuclear Age," and present Comptroller of the Department of Defense, defines a program element this way: "By a 'program element' we mean an integrated activity, a combination of men, equipment and installations, whose effectiveness can be related to our national security policy objectives." He used as examples a B-52 wing, an infantry battalion or a combatant ship, taken together with all the equipment, men, installations, supplies, and support required to make them effective military forces.

Program elements are grouped for decisionmaking purposes into eight major programs (formerly termed "program packages"). Mr. Hitch defines a program as "an interrelated group of program elements that must be considered together because they support each other or are close substitutes for each other." The first four programs are oriented around major military missions: (1) Strategic retaliatory forces, (2) continental air and missile defense forces, (3) general purpose forces, the means to fight so-called conventional war, and (4) airlift and sealift forces. The other four programs are oriented around support functions: (5) Reserve and Guard forces, (6) research and development, (7) general support, and (8) civil defense.

The new programing procedure stands in striking contrast to previous procedures in two very significant ways: the framework within which trade-offs are made, and the position of the decision-maker within the defense organization.

Formerly each service was relatively free to allocate its share of the defense budget among its programs and activities as it saw fit. The military departments were not required to indicate planning, programing and related budgetary implications beyond the immediate budget year. The Department of Defense and the Budget Bureau were much more concerned with the Service staying within its budget ceiling than with the allocation of the budget among its programs. In short, trade-offs were made within the framework of a service budget, between programs of that service, and the trade-off decisions were substantially internal decisions by that service, even though subject to review at higher levels.

Now the budget has been restructured into eight program pots instead of four service pots. Trade-offs will now be within the framework of DOD major programs, between all the elements in the program regardless of service sponsorship, and the final decisions will be made by the Secretary of Defense.

The Secretary will make these program decisions on the basis of the comparative effectiveness and cost of the competing programs in support of National Security Council objectives. In short, where once the seller dominated the division of a service's budget, an all powerful customer is now in control. Regardless of what might have been the key to success in the past, it is now the ability to develop programs which clearly support national security objectives, and produce and manage those programs with maximum efficiency.

It is not a coincidence that the programing innovations are bringing the requirements for successful military management closer to those for successful civil management in a competitive economy. The architects of this system have deliberately tried to simulate the mechanisms of the free market. In "Economics of Defense" Mr. Hitch pointed out what he considered to be factors leading to inefficient use of resources in government:

"The reason the efficient use of military (and other Government) resources is a special problem is the absence of any built-in mechanisms, like those in the private sector of the economy, which lead to greater efficiency. There is within the Government neither a price mechanism which points the way to greater efficiency, nor competitive forces which induce Government units to carry out each function at minimum cost. Because of the lure of profits and the threat of bankruptcy, private firms are under pressure to seek out profitable innovations and efficient methods."

In the same section of the book he lamented that in the Government "* * * the cost of choosing inefficient policies does not impinge upon the choosers," while in the private sector of the economy those who fail to make right choices and use efficient methods "* * * tend to be eliminated by the process of natural selection."

Through the programing system, Mr. Hitch has recast the defense budgetary and incentive structures so that these observations are becoming less and less true. The programing system provides persuasive incentive to maximize effectiveness and minimize cost; the cost of bad decisions will now impinge on the decisionmaker—or at least on the service in whose name the bad decisions were made—and those who fail to remain competitive will be eliminated. Nonfunding will eliminate a program just as surely as natural selection and probably do it quicker.

### MANAGEMENT PERFORMANCE AND COMMAND

This is indeed a challenge for an organization, which for generations and centuries has focused on the necessities of battle on the seas, and now finds itself in a struggle, with everything at stake, with management performance the criterion of success.

This new challenge can be met the same way we accomplish anything else, by defining the task and by assigning specific responsibility for its accomplishment. It is proposed that the obligations of every line official—military or civil—be defined to include optimum management performance in terms of mission effectiveness and cost.

Many will argue that this has always been a line responsibility and is so understood by most officials. It is indeed true that many individuals view their responsibilities this way. This concept of duty is particularly prevalent among those officers who rise to positions of high responsibility, and probably accounts in large measure for their success. However, this view of line responsibility is unfortunately by no means universal, particularly in working level units and offices where the bulk of the Navy's work is carried on.

Unfortunately there is considerable ambiguity in the demands placed upon the people who man the Naval Establishment. Do we expect them to function as managers—to use their full intelligence to adapt means to ends to maximize efficiency in terms of output over input? Or do we expect of them that they merely comply with the flood of directives? Or should they just do whatever seems to please the old man in their lives and not worry about the mission or the organization's future? There are signals which would dictate each of these lines of conduct. Unfortunately, the signals demanding the first type, which we might call guidance by the logic of the mission, are sometimes drowned out by signals demanding conduct guided by the logic of bureaucracy, or the logic of command. See Massey, Robert J., and Waino W. Suojanen; "Bureaucracy, Command, or Management," Advanced Management, July–August 1961.

One common way of evaluating ambiguous demands from the hierarchy is to analyze the sanctions available for enforcing the demands upon the members of the organization. What are the sanctions available to enforce the above three lines of conduct? At least as far as the Uniform Code of Military Justice is concerned, it is relatively easy to punish failure to comply with regulations or with orders of a superior but impossible to apply effective sanctions against the individual who fails to take advantage of opportunities to improve effectiveness beyond what is considered acceptable.

The proposed redefinition of the obligation of individual line officials would resolve the existing ambiguity, and make good management in terms of optimum mission effectiveness, in relation to costs, a prime line responsibility.

There are very important reasons why we should demand optimum performance rather than satisfactory ("adequate," "efficient," or "effective") performance—each of these words frequently appear in directive language. There is a world of difference between the two, the difference between an enforceable demand and an admonishment. Without the goal of optimum performance, it is impossible to evaluate organizational or individual performance objectively. What is "satisfactory" is a matter of opinion or preference; what is "optimum" is subject to objective verification. (For discussion of this point see chapter IX of Administrative Behavior by Herbert A. Simon entitled "The Criterion of Efficiency," New York: Macmillan Co., 1945.)

There are also compelling psychological reasons for demanding optimum performance. It seems to be human nature that people tend to be complacent and be satisfied with adequate performance. Most businessmen do not really strive—economic theory notwithstanding—to maximize their profit. They try to survive and make a satisfactory profit. In sports it takes a fast pace setter to set a fast high time for the race.

The demand for optimum performance can only be met when each individual accepts the Navy's goals as his own goals and uses his full intelligence to direct his own efforts in support of those goals. It requires that an individual be goal-directed, self-controlled and self-driven.

A sincere commitment to optimum performance also requires of the individual that he engage in activities which some people would consider as evidencing a lack of veneration for the Navy that we have inherited and a lack of faith in its current leadership. For those hardy souls willing to accept the risk of shocking their more conservative associates by taking the actions necessary to help the Navy respond effectively to today's challenges, some corollary rules of conduct are offered.

The demand for optimum management performance implies some corollary obligations which should also be stated as specific demands upon each line official. One such corollary is this: It is the duty of every line official to do all within his power to perfect his organization as the instrument of its functions.

This corollary can hardly be considered merely a codification of something most Navy citizens have always accepted as part of their obligation. This function has never been assigned with the same certainty that operational responsibility has traditionally been fixed.

The doctrine that each line individual has the obligation to do all within his power to perfect his organization as the instrument of its functions has its own corollary: Command must recommend to higher authority all those needed changes beyond its authority to implement. The right of individuals in the Navy to forward via the chain of command recommendations for improvement in naval efficiency is well established and even specifically protected by Article 1245 of Navy Regulations. However, this right has not been extensively exercised by the average line official. It is proposed that what has previously been a neglected right be now redefined as a duty.

It might appear that the demand for optimum management performance in terms of mission effectiveness and cost, might conflict with the obligation to comply with instructions and regulations and faithfully execute all orders.

That conflict is more apparent than real. In day to day operations every Navy citizen should strive to achieve maximum mission effectiveness within the limits of existing regulations, while at the same time to help perfect the institutional framework as the instrument of its functions. If an official were to completely fulfill his obligations as proposed in this paper, he would tend to be meticulous—as meticulous as a scientist testing a hypothesis—about carrying out commands and regulations with precision. All regulations and standing orders should help maximize the Navy's mission effectiveness. Only by careful testing can it be determined if they measure up against this standard. If they fail this test, it is the duty of the organizational citizen to help perfect, or abolish, them. If this were faithfully done, the most frequent recommendation would probably be to cancel mandatory instructions to leave management free to manage.

The DOD programing system poses a unique challenge for the Navy, for it makes the Navy's future contingent upon management performance in terms of mission effectiveness in relation to cost in a competitive environment. Fullest success in meeting this new challenge will require that all Navy officials approach their duties as mission oriented managers clearly responsible for developing optimum effectiveness from the resources at their disposal. In order to promote this orientation, it is proposed that the obligation of each Navy line official be redefined or clarified so that it clearly and explicitly demands that he accept as his duty:

(1) Optimum management performance by his organization in support of approved goals.

(2) Continuous efforts to improve his organization as the instrument of its functions.

(3) Implementation of all possible improvements within his authority and the forwarding to higher authority of recommendations for all improvements beyond his authority.

This modified concept of duty, if internalized by all members of the Naval Establishment, provides an approach through which all members can cooperate in the task of guiding and accelerating the evolution of the institution we have inherited to make it the optimum instrument for meeting the challenges it faces today and will meet in the foreseeable future.

Mr. PROXMIRE. Mr. President, a short time ago Secretary of Defense Robert S. McNamara was discussed in an article published in Parade magazine. In my judgment, Secretary of Defense McNamara is the very first Secretary of Defense who has been able to master that very complex and difficult Department, in which intelligence and understanding of a specialized kind is so vital and represents real power. I do not mean to say that there have not been fine Secretaries of Defense in the past. There have been. But the fact that Secretary McNamara has reached that point in 2 short years—in fact, he did it a few months after he became Secretary of Defense, at a time when the Defense Department is so big and increasingly complex—is an indication of the very great talent that man has.

In view of the fact that Secretary McNamara is not an elected official, he probably has not received the kind of consideration he deserves. With that in mind, I shall ask that the article published in Parade magazine spelling out what Secretary of Defense McNamara has done and what he stands for be printed in the RECORD. I should like to call attention to the expression of Mr. McNamara set forth in his Veterans Day speech. I remember how struck I was when I heard it. He said that the basic challenge of our time and the resources we need to meet this challenge: strength; the resolve to use that strength when we have to do so; and the restraint to keep its exercise to an absolute minimum.

I think all three of those are important. It is vital to have a Secretary of Defense who recognizes the importance of restraint in relation to the vast powers at his disposal.

I ask unanimous consent that the article to which I have referred, entitled "He Cracked the Brass Curtain," published in Parade magazine November 11, 1962, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### HE CRACKED THE BRASS CURTAIN

(By Jack Anderson)

WASHINGTON, D.C.—As Americans today honor the dead of two World Wars, a lean, bookish man behind a massive desk in the Pentagon ponders the threat of a third Armageddon. His name: Robert S. McNamara, Secretary of Defense. Probably no man, save President Kennedy himself, has a more vital, awesome responsibility for protecting the peace.

To McNamara, the crunch of the Berlin crisis and the menace of Castro's Cuba are flashpoints that could set off the ultimate holocaust. But his eyes must also be on every frontier where Communist tenacles spread and probe. He must watch the steaming jungles of southeast Asia, the deserts of the Middle East, the dense wilderness and arid plains of Africa, the hills and mountains of Latin America.

Even now, he is studying intelligence reports weighing alternatives, planning and preparing to counter Russia's next move in Berlin. Premier Khrushchev for the second time in 18 months is threatening a military showdown. Previously, McNamara called his bluff by beefing up our forces in West Germany; the Russian boss backed away from Berlin growling.

#### WILLING TO EMPLOY NUCLEAR WEAPONS

Now he is back at the Berlin wall again, baring his teeth. This time he will contend with a more experienced McNamara willing to employ nuclear weapons. Explains a top aid: "eighteen months ago, McNamara wouldn't consider using our nuclear punch except as a desperate last resort. But his attitude has changed. Now it would take less to provoke him into recommending a nuclear response."

Is McNamara worried about the Russian threat? "Of course, I am concerned, but not frightened," he told Parade. "We have more missiles than Russia, and our overall strength is superior."

What is he like, this 46-year-old Defense Chief who, after 5 days to think it over, accepted his brainbusting job with a brisk: "I think I can handle it, Mr. President."

From President Kennedy on down, including brass hats and politicians whom he has angered, there is general agreement that Bob McNamara is the best Secretary of Defense the United States has ever had. Of course, the former whiz kid boss of Ford Motor Co. still has his critics. They speak of him as a fact-gobbling robot, a human IBM machine, with IBM standing for "I, Bob McNamara."

But beneath his brusque efficiency, McNamara is a warm, almost tender person. According to his attractive brunette wife Margaret, he is a devoted husband and father. His deepest concern about accepting a Cabinet appointment was that it would uproot his three children (Margie, 20; Kathy, 17; Craig, 12) from their university-town environment at Ann Arbor, Mich. His greatest satisfaction was the discovery that Washington stimulated them even more than had their academic surroundings.

To those working close with him, McNamara is courteous and considerate, even phoning anxious wives to apologize for keeping their husbands late at their desks. "He is really a softie," says Assistant Secretary

Arthur Sylvester. "He hates to hurt a human being."

McNamara is the eighth Secretary of Defense (the post was created in 1947) to sit behind the 9- by 5-foot, solid walnut desk that was made for Gen. Black-Jack Pershing, the biggest desk in the world's biggest office building.

The first Secretary, James Forrestal, suffered a mental breakdown from the strain and committed suicide. Charles Wilson, who came to the Pentagon, like McNamara, from the automobile industry, stuck with the job for 5 years. Then he confided wearily to friends: "I'm leaving because I find myself making decisions from fatigue." For several days after his departure, Wilson sat around his home in Michigan, staring, almost speechless, as if in shock. Another former Secretary, Robert Lovett, described the job to McNamara: "It's like backing into a buzz saw."

But McNamara was neither frightened nor awed by the job. Indeed, his greatest achievement is the firm hold he has taken on the Pentagon. The admirals and generals have always been slow to change, slower still to reform. Their civilian superiors have proposed, but the brass hats have usually disposed.

Bombarded with expert advice by bemedaled officers skilled in bureaucratic warfare, past Secretaries found themselves merely trucemakers in the constant skirmishing among the three services. The flow of military papers was routed across the massive desk. But former Secretaries seldom interfered with the flow of the stream; they merely dipped their toes in it.

Not so Bob McNamara. He plunged into the paperwork and started firing broadsides of questions, scribbled with his left hand on the bottom of Pentagon papers: "Why do you think so?" "What are the facts?" "How much?" "How big?"

### THE BRASS HATS HAVE TO SPELL IT OUT

Other Secretaries, in their tangles with the brass hats, have been defeated by the mysterious retort: "This is the military requirement." For a civilian, this gambit is hard to counter. But McNamara waves it aside, demands that the requirements be defined and described. "Don't leave it out. Spell it out," he barks.

He is not at all dazzled by the glitter of gold braid. The Joint Chiefs once submitted a report on targeting which brought this McNamara reaction: "My children could have done better."

At first, the Joint Chiefs thought they were being ignored or overrun. But now they have learned they can work with McNamara. Instead of a committee of compromisers, he has turned them into an effective planning committee. They came back with a targeting report, for instance, which he was able to describe as "superb." Indeed, he has shifted the whole cumbersome defense machinery into high gear. Adds Air Force Secretary Eugene Zuckert: "McNamara has made us think. He has made us look at ourselves. He has made us see our problems better."

McNamara has gathered around him a brain trust from some of the Nation's best "think factories": lawyers, professors, scientists, management specialists. Inevitably, they have been nicknamed "McNamara's Band." But even the loftiest general cannot fail to hear the new music resounding in the Pentagon's corridors.

McNamara blocks off his day in 15- to 30-minute packages. He pulls up in front of the Pentagon precisely at 7:15 each morning after taking exactly 13 minutes to drive from his Georgetown home. He holds conferences and tosses off decisions as he strides down the corridor.

### HOW LONG WOULD IT TAKE TO BUILD ROME?

"It is tremendously taxing to keep up with McNamara," sighs an aid. "He doesn't tire you out just mentally, but physically as well."

Another officer, grumbling over a McNamara deadline, complained: "Rome wasn't built in a day." Snapped the superior who had handed him the assignment: "Rome was not on the Secretary's project list."

McNamara has shaken up Congress almost as much as the Pentagon. Senators and Congressmen had become accustomed to Defense Secretaries arriving at hearings with a retinue of experts. McNamara turned up with a couple of aids whom he almost never consulted. He rapped out answers with a speed and precision they had never known.

He has had his share of battles with the solons, but has come through remarkably unscathed, even though he has closed down 52 military bases dear to the hearts of the Congressmen in the affected districts.

McNamara's critics complain that he treats them the way a college dean might handle a group of freshmen. "He has a capacity for making the most able people look their worst," grumbles one subordinate. Though McNamara is scrupulously polite, his irritation begins to show when he hitches up his pants leg and starts to rub his calf. On occasion, when his patience has been nearly exhausted, his pants cuffs have been seen to reach his knees.

McNamara admits he is impatient with people who can't express their ideas. "Sometimes my children will ask me to help with their homework," he says. "I'll ask them a question, and they'll say they know the answer but just can't find the words to explain it. I tell them they don't know the answer until they can express it. Here in the Pentagon, I want to scare away any ideas that are so foggy they can't be expressed."

But not even McNamara's most bitter critics challenge his patriotism and integrity. Robert McNamara, who gave up a $400,000 annual income to serve as Secretary of Defense for $25,000 a year, was born neither wealthy nor healthy.

His father, sales manager of a San Francisco shoe company, was hard hit by the 1929 crash. Robert was a spindly, asthmatic boy whose desire to excel made him a bookworm and a whiz at mathematics. Yet he had a boy's passion for adventure and at 17 shipped out as seaman on a freighter sailing through the Panama Canal to the Caribbean. Later, while aboard the S.S. *President Hoover*, he was bombed by Japanese planes as they opened their war on China in 1937.

He majored in economics at the University of California, went to Harvard Business School for his master's degree. He returned to California to become an accountant, fell in love with a former classmate, pretty Margaret Craig. Invited by one of his Harvard professors to join the business school faculty, he hesitated to go without Margaret. The professors suggested that a preacher could easily solve his problem.

McNamara quickly tracked down Margaret, who was traveling in the East, and proposed over the long-distance telephone. She later thanked the grizzled Harvard Cupid. "I was wondering," she confided, "when Bob would get off dead center."

In 1943, McNamara joined the Army Air Corps, quickly rose to lieutenant colonel, and shone as a procurement and logistics specialist. At the war's end, he joined a group of brainy, young Air Force officers, who went to Ford Motor Co. as a team to pep up the sagging management. For the first time in his life, McNamara was nearly late for work. He had contracted polio and so had his wife Margaret. He was in the hospital for a month, she for 5 months.

But McNamara made it to Dearborn, Mich., where the team began in typical McNamara fashion by asking innumerable questions. This won them the nickname "quiz kids," which was changed to "whiz kids." Both quizzier and whizzier than the others, McNamara moved rapidly up the executive ladder to become president of the company.

Today he is working harder than he has ever done in his life. But unlike the Secretaries of Defense before him, he's standing up to the strain. And he's determined to stay on the job as long as President Kennedy wants him. That means he will carry his global burden so long as Kennedy remains in the White House.

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## HIGHER EDUCATION PROPOSALS

Mr. HUMPHREY. Mr. President, the need for the allocation of additional resources to higher education in this country, far from decreasing, is steadily increasing.

Not only is the cost of such education steadily rising, but also the number of our young people seeking advanced education and the demands of our economy for an increasing number of highly educated and trained persons are growing even more rapidly. The need to invest more heavily in our human resources is more universally recognized with each passing year.

The hard facts of life regarding higher education are these: Present facilities and resources are inadequate to the task of properly educating the more than 4,200,000 students now seeking a college education. While this task must remain primarily a State and private responsibility, State and local governments are already spending in excess of their receipts by nearly 50 percent. Budgetary deficits are not uniquely a problem of the Federal Government.

College enrollments are presently increasing more than 8 percent per year. Population figures indicate an even more rapid increase as the postwar baby boom is transformed into the college freshman bulge of the mid-sixties.

There are many facets to the problem. Not only are there more students on the horizon than physical facilities and teaching staff, but there is also the related waste in undeveloped talent. There are more than 150,000 young people of top scholastic ability who do not go on to college or university training each year. Neither they, nor their families, have the necessary funds.

The solution to this problem of inadequate staff and physical plant is not to make higher education ever more expensive, which, by the way, is exactly what is being tried now as a way of curtailing enrollment. An attempt is being made to raise the standards and to increase the cost of education, with the result of pricing education out of the market in a country which is supposed to be dedicated to equal opportunity for every citizen, regardless of race, color, creed, national origin, geography or the economic condition in which one might find himself. This will only price it out of the reach of a growing number of our young people. I am hopeful this Congress will act to provide increased support for higher education.

To provide for these young people I wish to offer the following program:

First, a college scholarship program with rewards ranging from $500 to $1,500 per year based upon merit and need.

Second, a student loan insurance program to help young people finance their college education with loans up to $1,000 per year.

Third, a special 5-year program of grants and scholarships for collegiate education in the field of nursing—an area of special need.

Fourth, a provision authorizing certain benefits under the National Defense Education Act for those who will teach in America's schools be made available to teachers in private, as well as public, schools.

I can think of no item of legislative business which is more important than education. This Nation preaches to the whole world about the necessity for upgrading what we call human resources. We have told many of the areas of the world that their major problem is that they have a deficit of human resources, because of inadequate training and inadequate education.

I charge on the Senate floor today that this Nation is one of the main offenders with respect to human resources; namely, in respect to providing adequate training for our young people and for those who wish to improve themselves through higher education, through technical education, and through general education.

This Nation can afford to take care of the problem. When I think of the size of our Federal budget and how much of it goes into defense, I wonder why we have not stressed a little more the importance of the continuing defense of this country through the improvement and training of the mind. We are living today on the resources of yesterday. The Federal Government has a responsibility for national security, and our national security is jeopardized in this country and throughout our alliances when inadequate attention is paid to the educational needs of our people.

### SCHOLARSHIP PROPOSAL

My colleagues will recall that in 1962 the Senate by a vote of 68 to 17 approved a higher education bill including undergraduate scholarships for needy students. Under my proposal, cosponsored by Senators **Gruening**, **Long** of Missouri and **Pell**, at least 46,000 outstanding young men and women would be able to enter college each year. Any graduate of an accredited public or private high school would be eligible to compete for a $500 merit scholarship regardless of need. The program would be administered by the State department of education.

Youngsters without financial resources could get additional assistance up to $1,500 a year for 4 years. My scholarship proposal would also authorize payment of $500 per student to the college accepting the scholarship winners. This would help meet the costs of education not covered by tuition and fee revenues.

This proposal will be a sound investment for the Nation. It will return far more in tax revenues through the increased earning capacity of these individuals. It will also do much to encourage our secondary students to greater academic effort.

### STUDENT LOAN INSURANCE

My second proposal, cosponsored by Senators **Fulbright**, **Gruening**, **Long** of Missouri, and **Pell**, would establish a Federal loan insurance program to protect educational and financial institutions making loans to students. I am introducing this legislation because it meets an urgent need at very little cost to the taxpayer. More than half our college students finance more than three-fourths of their education from sources beyond their families' incomes. Thirty percent of our students finance their entire education costs out of jobs, scholarships, and loans. Over 70 percent of present borrowers come from families with average annual incomes of $6,000 or less.

This loan insurance program would protect colleges against loss on student loans. It would also protect financial institutions such as insurance companies, endowment funds, and pension and welfare funds against loss on loans to colleges for student loan purposes.

My proposed legislation provides that a student would be permitted up to $1,000 per year in insured loans with an overall maximum of $5,000. These loans would be at a maximum of 5 percent interest and would be repayable over a 10-year period commencing 1 year after graduation or leaving school. The interest payment includes the one-quarter of 1 percent Federal insurance cost.

This self-financing loan program will not be a drain on the Federal Treasury. The Federal Government would only insure repayment of loans to colleges or financial institutions by the students.

Federal guarantees have made a tremendous contribution in the area of home financing. They can also be a powerful stimulant in providing funds for student loans.

This loan program would not be competitive with the National Defense Education Act loan provision. This loan program simply does not meet the existing demand for loan funds. My bill further provides that the Federal loan insurance program would only be in effect when appropriations for the National Defense Education Act reach at least 75 percent of the amount authorized. The Federal loan insurance program would expire when the National Defense Education Act expires.

In short, this legislation would vastly increase the funds available for financing higher education and encourage financial institutions to increase their investment in our human resource development.

### FEDERAL GRANTS FOR COLLEGIATE NURSING EDUCATION

My third proposal would authorize a program of grants and scholarships for collegiate education in the field of nursing. The same reasons that prompted Congress to enact the National Defense Education Act prompted me to introduce this bill: the need for additional trained personnel in an occupation where a most critical shortage exists. This is an area demanding immediate action.

For many years the demand for nurses has increased far more rapidly than the medical science, the increased longevity of our citizens, and the expansion in hospital and medical insurance are acting to increase sharply the demand for trained people in the field of nursing. Often the benefits of medical research are not fully available to our citizens due to this serious shortage. The National League for Nursing has estimated that the number of annual graduations from collegiate schools of nursing must triple to meet this existing need.

For example, there is a crying need for more public health nurses. Industry is rapidly increasing the number of nurse employees. School nurses are in short supply. If we are to meet these needs and provide trained personnel to staff the nursing homes and hospitals now being built, there must be an immediate expansion of nursing education in our schools and colleges.

My proposed bill provides for three major areas or aid: construction grants, teaching assistance, and scholarships. At the present time there are less than 200 schools of nursing offering a baccalaureate degree. My bill provides that schools would receive matching grants; no school could receive more than $500,000 in the 5-year period.

The second section of the bill provides funds for assistance in the costs of instruction. No institution would receive over $25,000.

The third section provides student scholarships. These would be available to both entering students and to graduate nurses with a 3-year hospital diploma. This would serve to increase the number of degree nurses and upgrade the qualifications and training of present 3-year graduates.

To eliminate the current shortage, to provide for future needs, to safeguard our Nation from a critical shortage in time of national emergency, action by the 88th Congress is imperative.

### REPEAL OF PROVISIONS OF NATIONAL DEFENSE EDUCATION ACT WHICH DISCRIMINATE AGAINST PRIVATE SCHOOL TEACHERS

My final proposal would broaden the sections of the National Defense Education Act which contain inducements and benefits for students who are teaching, or plan to teach in public schools. I can see no valid reason why these benefits should not also be made available to teachers in private schools.

Title II of the National Defense Education Act provides for loan forgiveness up to 50 percent of any student loan if the recipient becomes a full time teacher in a public elementary or secondary school.

Title V authorizes payment of $75 per week plus $15 per week per dependent to persons engaged in, or preparing for, public secondary school guidance and counseling work when they are attending special institutes. Those engaged in private school counseling and guidance may attend such institutes but are not eligible for the weekly stipends available to public school participants.

Title VI authorizes similar payments to foreign language teachers from public schools attending special institutes. Private school language teachers face the same discrimination. They are eligible to attend the institutes but receive no stipends. My proposal would eliminate all these discriminations in the National Defense Education Act. The entire nation will benefit from such a broadening of the National Defense Education Act provisions. I urge their prompt adoption.

Mr. President, I introduce the bills for myself and the cosponsors previously named, and ask for their appropriate reference. I also ask unanimous consent that the text of each bill may be printed in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY (for himself, Mr. GRUENING, Mr. LONG of Missouri, and Mr. PELL):

S. 389. A bill to establish a program of scholarship aid to students in higher education.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SHORT TITLE

SECTION 1. This Act may be cited as the "Student Aid Act of 1963".

### FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 2. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision or control over the curriculum or program of instruction of any educational institution or, except as provided in sections 14 and 16, over its administration or personnel.

### ADMINISTRATION

SEC. 3. (a) This Act shall be administered by the Commissioner of Education, under the supervision and direction of the Secretary of Health, Education, and Welfare. The Commissioner shall, with the approval of the Secretary, make all regulations specifically authorized to be made under this Act and such other regulations, not inconsistent with this Act, as may be necessary to carry out its purposes. The Commissioner is authorized to delegate to any officer or employee of the Office of Education any of his powers and duties under this Act, except the making of regulations.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and, without regard to section 3709 of the Revised Statutes, of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency or institution.

(c) The Commissioner shall, with the advice and assistance of the National Council, make or cause to have made studies, investigations, and reports of the effectiveness of the student aid program established by this Act, and prescribe objective tests and other measures of ability for the selection of individuals to be awarded certificates of scholarship.

(d) At the beginning of each regular session of the Congress, the Commissioner shall make through the Secretary a full report to Congress of the administration of this Act, including his recommendations for needed revisions.

(e) The Secretary shall advise and consult with the heads of executive departments or independent establishments of the Federal Government responsible for the administration of scholarship, fellowship, student-loan, or facilities assistance programs, with a view to the full coordination of all specialized scholarship, fellowship, student-loan and facilities assistance programs administered by or under all departments and establishments of the Federal Government with the general programs established by this Act.

(f) When deemed necessary by the Commissioner for the effective administration of this Act, experts or consultants may be employed as provided in section 15 of the Administrative Expenses Act of 1946 (5 U.S.C., sec. 55a).

### NATIONAL COUNCIL ON STUDENT AID

SEC. 4. (a) There is hereby established a National Council on Student Aid, consisting of the Commissioner, as Chairman, and twelve members appointed without regard to the civil service laws by the Commissioner with the approval of the Secretary. The twelve appointed members shall be so selected that the Council will be broadly representative of the individual, organizational, and professional interests in education, and of the public. Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that of the members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Commissioner at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed since the end of his preceding term.

(b) The Council shall advise the Commissioner as specifically indicated in this Act and assist and advise him with respect to other matters of basic policy arising in the administration of this Act.

(c) Persons appointed to the Council shall, while serving on business of the Council, receive compensation at rates fixed by the Secretary, but not to exceed $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

(d) Whenever the Council considers matters of concern to another agency of the Federal Government, the Secretary may invite the head thereof to designate a representative to be present at such consideration.

### ADMINISTRATIVE APPROPRIATIONS AUTHORIZED

SEC. 5. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each fiscal year thereafter, such sums as may be necessary for the cost of administering the provisions of this Act, including the administrative expenses of State commissions on Federal scholarships.

### DISCRIMINATION PROSCRIBED

SEC. 6. The awarding of certificates of scholarship and the granting of scholarship stipends under this Act shall be without regard to sex, creed, race, color, national origin, or residence.

### DEFINITIONS

SEC. 7. As used in this Act—

(a) The term "State" means a State, the Canal Zone, the District of Columbia, Puerto Rico, or the Virgin Islands.

(b) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a secondary education or its recognized equivalent, (2) is legally authorized within its own State to provide a program of higher education, (3) offers and conducts an educational program extending at least two academic years beyond the high school, and (4) either is nonprofit and tax-supported, or is determined by the Internal Revenue Service to be an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 as exempt from taxation under section 501(a) of such Code.

(c) The term "Commissioner" means the Commissioner of Education.

(d) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(e) The term "State commission" means the commission on Federal scholarships established in any State for the purposes of this Act.

(f) The term "National Council" means the National Council on Student Aid established in accordance with the provisions of this Act.

### SCHOLARSHIP APPROPRIATIONS AUTHORIZED

SEC. 8. For the purpose of providing scholarship stipends for young persons of demonstrated ability and need, to assist them to attend institutions of higher education, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1964, the sum of $46,000,000; for the fiscal year ending June 30, 1965, the sum of $92,000,000; for the fiscal year ending June 30, 1966, the sum of $138,000,000; for the fiscal year ending June 30, 1967, the sum of $184,000,000; and for each fiscal year thereafter, the sum of $184,000,000 or such greater sum as the Congress may hereafter authorize to be appropriated.

### APPORTIONMENT OF FUNDS FOR SCHOLARSHIP STIPENDS AND DECLARATION OF FIELDS OF STUDY

SEC. 9. (a) The Commissioner shall for each fiscal year beginning with the fiscal year ending June 30, 1964, estimate the total sum from the appropriation, made for such year under the authorization in section 8, which is necessary for continuing to make payments with respect to such year to individuals receiving scholarship stipends for previous years. He shall, in accordance with regulations prescribed by him, apportion such sum among the States on the basis of the aggregate amount paid in the preceding year to scholars from each State, his estimate of changes in the number of such scholars from each State who will be eligible for continuing payments in the year for which such apportionment is made, and such other factors as he may find to be relevant.

(b) The remaining portion of such appropriation shall be available for such year for grants of new scholarship stipends. One-half of such remaining portion shall be apportioned among the States on the basis of the relative numbers of students graduating from high school in such States during the most recent year for which nationwide figures are available through the Office of Education, and one-half shall be apportioned among them on the basis of the relative numbers of their total population between the ages of eighteen and twenty-one, inclusive, as determined by the most recent available estimates furnished by the United States Bureau of the Census.

(c) In time of actual hostilities involving the Armed Forces of the United States, or when found by the President to be necessary in the interest of national defense, the Commissioner shall for each such year designate the percentage, uniform for all States but in no event less than 60 per centum, of the total number of scholarship stipends to be paid to students engaging in fields of study which are determined, in a manner prescribed by the President, to be related to the national defense or to defense-supporting activities.

### SELECTION OF RECIPIENTS OF SCHOLARSHIP CERTIFICATES AND STIPENDS

SEC. 10. (a) To be eligible to compete in any State for a certificate of scholarship, an individual (1) (A) must hold a certificate of graduation from a school in the State providing secondary education, or (B) must be determined by the State commission for the State in which the individual finished his secondary education (or, in case of an individual who finished his secondary education abroad, by the State commission for the State of which he is a resident), to have attained a level of educational advancement generally accepted as constituting the equivalent of secondary school graduation in the State; (2) must not be eligible for education and training under title II of the Servicemen's Readjustment Act of 1944, as amended, or title II of the Veterans' Readjustment Assistance Act of 1952; (3) must make application for such certificate of scholarship in accordance with such rules as the State commission for such State may establish; and (4) must not have had any Federal scholarship, previously granted under this or any other law, terminated or vacated for any reason (except health) which was inconsistent with continued eligibility to compete for such previous scholarship.

(b) From among those competing for certificates of scholarship for each fiscal year, the State commission shall, in accordance with the objective tests and other measures of ability prescribed by the Commissioner pursuant to section 3(c), select the individuals who, on the basis of their outstanding ability to do work in higher education, are to be awarded certificates of scholarship for such year. From among those selected for certificates of scholarship (including individuals so selected in prior years), it shall also select the individuals who, on the basis of their financial need and demonstrated ability, are to be granted scholarship stipends from the State's apportionment for new stipends made pursuant to section 9 for such year, determine the amount of stipend payable to each, and, in the case of a scholar whose stipend is to be charged against a percentage quota established pursuant to section 9(c), designate the field of study for which the stipend is to be granted. Such elections and determinations shall be made in accordance with general principles and methods, including objective measures for determining the fact and degree of financial need and the amount of the stipend, prescribed in regulations made by the Commissioner with the advice of the National Council and in accordance with percentage quotas, if any, established pursuant to section 9(c).

(c) The Commissioner shall award certificates of scholarship, and within the limits of the State's apportionment for new scholarship stipends for a fiscal year and applicable quota (if any) established pursuant to section 9(c) grant scholarship stipends, to individuals certified to him by the State commission of the State as having been selected for a certificate, or for a certificate and stipend, as the case may be, in accordance with the State plan.

### AMOUNT AND DURATION OF SCHOLARSHIP STIPENDS

SEC. 11. (a) The Commissioner, with the advice of the National Council, shall prescribe regulations for determining for each academic year scholarship stipend amounts related to the scholar's financial need (objectively measured pursuant to regulations prescribed under section 10(b)), and for each such year shall fix a maximum stipend amount not in excess of $1,500. The scholarship stipend granted to any scholar under this Act shall, for any academic year of the scholarship stipend's duration (as provided in subsection (b)), be the amount determined (pursuant to regulations of the Commissioner prescribed under section 10(b)) with respect to such scholar for such year by the State commission which selected him and shall be payable in such installments and at such times as the Commissioner shall prescribe.

(b) The duration of a scholarship stipend granted under this title shall be a period of time not in excess of four academic years (as defined in regulations of the Commissioner) or, subject to such regulations, such longer period as is normally required to complete the undergraduate curriculum which the recipient is pursuing; but in no event shall the duration extend beyond the completion by the recipient of the work for his first post-secondary school degree. Notwithstanding the preceding provisions of this subsection, a scholarship stipend granted under this Act shall entitle the scholar to payments only while (1) the recipient is in financial need thereof, as determined annually (pursuant to regulations of the Commissioner prescribed under section 10(b)) by the State commission which selected him, (2) the recipient devotes essentially full time to educational work in attendance and in good standing at an institution of higher education (except that failure to be in attendance at an institution during the summer months shall not by itself constitute a violation of this requirement) and, in the case of a stipend charged against a percentage quota established pursuant to section 9(c), does so in the field of study to which his stipend is restricted except as otherwise permitted pursuant to regulation, (3) the recipient is not receiving expenses of tuition or other scholarship or fellowship aid from other Federal sources (other than (A) a monetary allowance under a Reserve officers' training program, or (B) compensation for work done for the institution which he is attending or any other work, regardless of the source of the funds from which such compensation is paid), and (4), in the case of a stipend holder considered for a continued payment under a stipend granted for a prior year, the amount of such payment is within the limits of the apportionment for continuing payments made pursuant to section 9(a) to the State from which such stipend holder was selected.

### PLACE OF MATRICULATION

SEC. 12. (a) An individual granted a scholarship stipend under this Act may attend any institution of higher education which has been determined as such in accordance with section 13 and which admits him, regardless of the State in which such institution is located.

(b) An individual granted a scholarship stipend under this Act may attend any institution outside of the United States, its Territories, and possessions which admits him, if the Commissioner determines that such institution is substantially comparable to an institution of higher educaton as defined in section 7(b).

### SCHOLARSHIP COMMISSIONS IN THE STATES

SEC. 13. (a) Any State desiring to participate in the administration of the scholarship program under this Act may do so by establishing a State commission on Federal scholarships broadly representative of educational and public interests in the State and by submitting through such commission a State plan, authorized under State law, for carrying out the purposes of this Act, which is approved by the Commissioner under this section. Such plan must (1) provide that it shall be administered by such commission; (2) provide for the determination of the institutions in the State which are institutions of higher education as defined in section 7(b); (3) provide for the determination, in accordance with the provisions of section 10, of eligibility to compete for certificates of scholarship, for the selection, in accordance with such provisions, of individuals to be awarded certificates of scholarship, and of individuals to be granted new scholarship stipends out of the State's apportionment, for certification of such individuals to the Commissioner, and for subsequent certification of the fact and degree of the continued financial need of, and the amounts payable to, recipients of scholarship stipends and for charging of stipends against any applicable quota established pursuant to section 9(c); (4) provide that the selection of individuals for certificates of scholarship and scholarship stipends under this Act shall be made without regard to sex, creed, color, race, national origin, or residence; (5) provide for the making of such reports, in such form and containing such information, as the Commissioner shall from time to time reasonably require for the purposes of this Act, and for compliance with such provisions as the Commissioner may from time to time find reasonably necessary to assure the correctness and verification of such reports; and (6) indicate the official to whom funds for the administrative expenses of the State commission are to be paid.

(b) The Commissioner shall approve any plan which fulfills the condition specified in subsection (a).

(c) In the case of any State which does not establish a commission and submit and have approved a State plan in accordance with the provisions of this section, the Commissioner shall perform the functions of the State commission in such State until such time as a plan has been submitted by such a commission and is approved under this section.

(d) In the case of any State plan which has been approved by the Commissioner, if the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering such plan, finds (1) that the plan has been so changed that it no longer complies with the provisions of subsection (a), or (2) that in the administration of the plan there is a failure to comply substantially with such provisions, the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this Act until he is satisfied that there is no longer any such failure to comply. Until such time he shall perform the functions of the State commission in that State.

### PAYMENT OF SCHOLARSHIP STIPENDS

SEC. 14. The Commissioner shall from time to time determine the amounts payable to recipients of scholarship stipends under this Act, and shall certify to the Secretary of the Treasury the amounts so determined and the name of each individual to whom such amounts are to be paid. The Secretary of the Treasury shall thereupon pay in accordance with such certification by check payable to such individual, transmitted through an official of the institution of higher education which such individual is attending. Such official shall be selected by the institution with the approval of the Commissioner. The official thus selected shall transmit such checks to the payee only upon his determination in each instance, and certification thereof to the Commissioner that the recipient is at the time of such transmittal devoting essentially full time to educational work in attendance and in good standing at the institution, that, in the case of a student whose stipend was charged against a percentage quota determined pursuant to section 9(c), he is pursuing such studies in accordance with his designated field except as otherwise permitted pursuant to regulation, and that, so far as can be ascertained on the basis of the recipient's work at that institution, his scholarship stipend has not, under the provision of the first sentence of section 11(b), terminated. If for any reason such certification cannot be made by any such official with respect to an individual, the official shall return the check or checks involved to the drawer for cancellation.

### ADMINISTRATIVE EXPENSES OF STATE COMMISSIONS

SEC. 15. The Commissioner shall from time to time certify to the Secretary of the Treasury for payment to the official designated in each State to receive funds for the administration of the State plan such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan approved under this title). The Secretary of the Treasury shall, upon receiving such certification and prior to audit or settlement by the General Accounting Office, pay to such official, at the time or times fixed by the Commissioner, the amounts so certified.

### PAYMENTS AUTHORIZED FOR COMPENSATION TO INSTITUTIONS OF HIGHER EDUCATION FOR EDUCATIONAL SERVICES

SEC. 16. The Commissioner shall pay to any institution of higher education providing education to an individual under a scholarship granted under the provisions of sections 8 through 15 such amounts not in excess of $500 per academic year as are determined by the Commissioner to be necessary to reimburse such institution for the estimated costs of services rendered in providing such education to such individual over and above amounts received from or on behalf of such individual for such services. Such amounts shall be determined in accordance with regulations established by the Commissioner with the advice of the National Council. Costs of services rendered in providing such education shall include instruction, plant operation, administration (including not more than $1.50 a month for administrative costs with respect to such scholarship), and library costs and any other costs reasonably allocable to providing educational services, but shall not include costs of services related to activities not creditable toward the attainment of a degree.

### APPROPRIATIONS AUTHORIZED FOR EDUCATIONAL SERVICES COMPENSATION

SEC. 17. There are authorized to be appropriated such amounts as may be necessary for the payments authorized in section 16.

By Mr. HUMPHREY (for himself, and Senators FULBRIGHT, GRUENING, LONG of Missouri, and PELL):

S. 390. A bill to provide for loan insurance on loans to students in higher education.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### *Short title*

SECTION 1. This Act may be cited as the "Student Loan Insurance Act of 1963".

#### *Definitions*

SEC. 2. As used in this Act—

(a) The term "State" means a State, the Canal Zone, the District of Columbia, Puerto Rico, or the Virgin Islands.

(b) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association, or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(c) The term "Commissioner" means the Commissioner of Education.

(d) The term "Secretary" means the Secretary of Health, Education, and Welfare.

### TITLE I—LOAN INSURANCE FOR STUDENT LOANS

#### *Authorization*

SEC. 101. For the purpose of facilitating loans to students in institutions of higher education, such institutions shall be insured by the Commissioner against losses on loans made by them to such students in the fiscal year ending June 30, 1964, and the succeeding fiscal year, if made upon the conditions and within the limits specified in this title. The total principal amount of new loans to students covered by insurance under this title in any fiscal year shall not exceed $100,000,000. The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this title, assign, within such maximum amount, insurance quotas applicable to eligible institutions of higher education, or to States or areas, and may reassign unused portions of such quotas.

#### *Limitations on individual loans and on insurance*

SEC. 102. No loan or loans by one or more institutions of higher education in excess of $1,000 in the aggregate to any single student in any fiscal year shall be covered by insurance under this title, nor shall the aggregate insured unpaid principal amount of loans made to any student exceed $5,000 at any time.

#### *Source of funds*

SEC. 103. Loans made by institutions of higher education in accordance with this Act shall be insurable whether made from the funds of the institution or from funds held by the institution in a trust or similar capacity and available for such loans.

#### *Eligibility of student borrowers and terms of student loans*

SEC. 104. A loan by an institution of higher education shall be insurable under the provisions of this title only if made to a student in such institution who devotes essentially full time to educational work in attendance at such institution, as determined by such institution, and if evidenced by a note or other written agreement which (1) provides for repayment of the principal amount of such loan in installments each quarter or lesser period beginning (except in the event of default in the payment of interest, or in the payment of the cost of insurance premiums, or other default by the borrower) within one year following the date on which the student ceases to devote essentially full time to educational work in attendance at any institution of higher education, (2) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, either security or endorsement may be required, (3) requires full repayment of the principal with interest within not more than ten years after the date on which the first installment of principal becomes due, (4) provides for interest on such loan at a per annum rate not exceeding 4¾ per centum on the unpaid balance and accrued interest, but payment of interest accruing prior to the date on which the first installment of principal becomes due may be postponed until after such date, (5) entitles the student borrower at his option to accelerate repayment of the whole or any part of such loan, and (6) contains such other terms and conditions consistent with the provisions of this title and with the regulations issued by the Commissioner pursuant to this Act as may be agreed upon by the parties to such loan, including, at their option, a provision requiring the borrower to pay to the institution, in addition to principal and interest, amounts equal to the insurance premiums payable by the institution to the Commissioner with respect to such loan.

#### *Certificates of insurance—Effective date of insurance—premiums*

SEC. 105. (a) If, upon application by an institution of higher education, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the institution has made a loan to an eligible student which is insurable under the provisions of this title, he shall, upon tender by the institution of the first year's insurance premium payable pursuant to subsection (d), issue to such institution a certificate of insurance covering such loan and setting forth the amount and terms of such insurance.

(b) Insurance evidenced by a certificate of insurance pursuant to subsection (a) shall become effective upon the date of issuance of such certificate, except that the Commissioner is authorized, in accordance with regulations, to issue commitments with respect to proposed loans submitted by eligible institutions, and in that event, upon compliance with subsection (a) by the institution, the certificate of insurance may be issued effective as of the date when the loan to be covered by such insurance was made. Such insurance shall cease to be effective upon thirty days' default by the institution in the payment of any installment of the premiums payable pursuant to subsection (d).

(c) An application submitted pursuant to subsection (a) shall contain (1) an agreement by the institution of higher education to pay, in accordance with regulations, the premiums fixed by the Commissioner pursuant to subsection (d), and (2) an agreement by such institution that if the loan is covered by insurance the institution will submit such reports during the effective period of the loan agreement as the Commissioner may by regulation prescribe as necessary to carry out the provisions of this title.

(d) The Commissioner shall, pursuant to regulations, charge for insurance on each loan under this title a premium in an amount not to exceed one-fourth of 1 per centum per annum of the unpaid balance of principal and accrued interest of such loan, payable in advance, at such time and in such manner as may be prescribed by the Commissioner. Such regulations may provide that such premium shall not be payable, or if paid shall be refundable, with respect to any period after default in the payment of principal or interest, or after the borrower has died or becomes totally and permanently disabled, if (1) notice of such default or other event has been duly given, and (2) request for payment of the loss insured against has been made or the Commissioner has made such payment on his own motion pursuant to section 106.

(e) The rights of an institution of higher education arising under insurance evidenced by a certificate of insurance issued under this section may not be assigned or transferred by such institution, except as provided in case of default in section 106.

(f) The consolidation of the obligations of two or more insured loans obtained by a student borrower in any fiscal year into a single obligation evidenced by a single instrument of indebtedness shall not affect the insurance by the United States. Upon surrender of the original certificates of insurance in such cases, the Commissioner may issue a new certificate of insurance in accordance with this section upon such consolidated obligation.

### *Procedure on default, death, or disability of student*

SEC. 106. (a) Upon default and a reasonable effort toward collection by the institution on any loan covered by insurance pursuant to this title, or upon the death of the student borrower or a finding by the institution that the borrower has become totally and permanently disabled, determined in accordance with regulations established by the Commissioner, before the loan has been repaid in full, and prior to the commencement of suit or other enforcement proceeding upon the loan or upon any security for such loan, the institution shall promptly notify the Commissioner who shall thereupon, if requested by such institution or on his own motion, if the insurance is still in effect, pay to the institution the amount of the loss sustained upon such loan as soon as such amount has been determined.

(b) Upon payment by the Commissioner of the amount of loss pursuant to subsection (a), the United States shall be subrogated to the rights of the institution upon the insured loan and be entitled to an assignment of the note or other evidence of the insured loan and any security therefor.

(c) Nothing in this section or in this Act shall be construed to preclude any forbearance for the benefit of the student borrower which may be agreed upon by the parties to the insured loan and approved by the Commissioner, or to preclude forbearance by the Commissioner in the enforcement of the insured obligation after payment on such insurance, or to require collection of the amount of any loan by the institution of higher education or by the Commissioner from the estate of a deceased borrower or from a borrower found by the institution to have become permanently and totally disabled.

(d) Nothing in this section or in this Act shall be construed to excuse the institution of higher education from exercising, in the making and collection of loans under the provisions of this title, the same care and diligence which would reasonably be used in making and collecting loans not insured. If the Commissioner, after reasonable notice and opportunity for hearing to the institution, finds that an institution of higher education has substantially failed to exercise such care and diligence, or to make the reports required under section 105(c), or to pay the required insurance premiums, he shall disqualify such institution for further insurance on loans granted pursuant to this title until he is satisfied that such failure has ceased and finds that there is reasonable assurance that the institution will in the future exercise necessary care and diligence or comply with such requirements, as the case may be.

### TITLE II—LOAN INSURANCE ON LOANS TO INSTITUTIONS OF HIGHER EDUCATION

### *Authorization*

SEC. 201. For the purpose of assisting institutions of higher education in obtaining funds to make loans insured under title I, the Commissioner, on terms and conditions prescribed by him consistent with the provisions of this title and necessary to protect the interests of the United States, may insure in whole or in part any public or private financing institution, or trustee under a trust or indenture or agreement for the benefit of the holders of any securities issued thereunder, by commitment or otherwise, against loss of principal and interest on any loan to an institution of higher education for the purpose of providing such institution with necessary funds to make loans insured under title I of this Act. The total principal amount of new loans covered by insurance under this title in any fiscal year shall not exceed $100,000,000. The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this title, assign, within such maximum amount, insurance quotas applicable to eligible institutions of higher education, or to States or areas, and may reassign unused portions of such quotas.

### *Limitations*

SEC. 202. No loan shall be covered by insurance under section 201 unless—

(1) the Commissioner finds that such loan is necessary to enable the institution of higher education to provide student loans to be insured under title I;

(2) the rate of interest to be paid on the loan is 4½ per centum or less;

(3) the terms of such loan require repayment in twenty years or less; and

(4) the Commissioner finds that there is reasonable assurance that the institution of higher education has the ability to repay the loan within the time fixed therefor.

### *Payment on guarantees*

SEC. 203. Payments required to be made as the result of default on any loan insured by the Commissioner under this title shall be made from the revolving insurance fund established under section 301.

### TITLE III—ADMINISTRATIVE MATTERS

### *Revolving insurance fund*

SEC. 301. (a) Premiums under title I and all other moneys derived by the Commissioner in the course of operations under this Act shall be deposited in a revolving fund in the Treasury of the United States. All moneys in the revolving fund shall, upon requisition by the Commissioner, be available until expended, (1) for the payment of losses in connection with insurance undertaken pursuant to this Act, and (2) for any fiscal year, in the amount provided for by an appropriation Act, for defraying the expenses of administration incurred under this Act.

(b) For the purposes of carrying out the provisions of this Act, there are hereby authorized to be appropriated to the revolving fund provided in this section—

(1) the sum of $500,000 for the initial establishment of the revolving fund; and

(2) such further sums, if any, as may become necessary for the adequacy of the revolving fund.

(c) The Commissioner shall, from the revolving fund, pay annually into the Treasury, as miscellaneous receipts, interest on any sums appropriated to the revolving fund pursuant to subsection (b) which have not been repaid into the Treasury as provided in subsection (d). The Secretary of the Treasury shall determine the interest rate annually in advance, such rate to be calculated to reimburse the Treasury for its costs in connection with such appropriated funds, taking into consideration the current average interest rate which the Treasury pays upon its marketable obligation.

(d) Until all advances made to the revolving fund by appropriation pursuant to subsection (b) (1) and (2) have been repaid through credits as provided in this subsection, the Commissioner shall, at least annually, determine any balance in the revolving fund in excess of an amount determined by him to be necessary for the requirements of the fund, and for reasonable reserves to maintain the solvency of the fund, and such balance shall be paid into the Treasury as miscellaneous receipts and the amount thereof be credited against such advances.

(e) The Commissioner may authorize the Secretary of the Treasury to invest and reinvest such portions of the revolving fund as he may determine to be in excess of current needs in any interest-bearing securities of the United States or in any securities guaranteed as to principal and interest by the United States, and the income therefrom shall constitute a part of the revolving fund.

### *Legal powers and responsibilities*

SEC. 302. (a) With respect to matters arising by reason of this Act, and notwithstanding the provisions of any other law, the Commissioner may—

(1) sue on behalf of the United States and be sued in his official capacity in any court of competent jurisdiction, State or Federal;

(2) subject to the specific limitations in this Act, consent to the modification, with respect to rate of interest, time of payment of principal and interest or any portion thereof, or security, of the provisions of any note, contract, mortgage, or other instrument evidencing or securing a loan which has been insured under this Act;

(3) enforce, pay, or compromise, any claim on, or arising because of, any such insurance; and

(4) enforce, pay, compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right of redemption.

(b) The Commissioner shall, with respect to the financial operations arising by reason of this Act—

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act; and

(2) maintain an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act, except that the financial transactions of the Commissioner, including the settlement of insurance claims, and transactions related thereto and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all accounting and other officers of the Government.

### *Treatment of certain trusts, foundations, and other organizations as institutions of higher education*

SEC. 303. The Commissioner may by regulation provide for the treatment of any nonprofit trusts, foundations, or other similar organizations, controlled by an institution of higher education or the officials thereof, as part of the institution of higher education for the purposes of this Act, if he determines that such treatment would promote such purposes. Such regulations may establish such requirements for the purpose of this section as may be necessary to protect the interests of the United States.

### *Administration*

SEC. 304. (a) This Act shall be administered by the Commissioner, under the supervision and direction of the Secretary. The Commissioner shall, with the approval of the Secretary, make all regulations specifically authorized to be made under this Act and such other regulations, not inconsistent with this Act, as may be necessary to carry out its purposes. The Commissioner is authorized to delegate to any officer or employee of the Office of Education any of his powers and duties under this Act, except the making of regulations.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and, without regard to section 3709 of the Revised statutes, of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency or institution.

(c) At the beginning of each regular session of the Congress, the Commissioner shall make through the Secretary a full report to Congress of the administration of this Act, including his recommendations for needed revisions in the Act.

(d) When deemed necessary by the Commissioner for the effective administration of this Act, experts or consultants may be employed as provided in section 15 of the Act of August 2, 1946 (60 Stat. 806, 810).

### *Federal control of education prohibited*

SEC. 305. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum or program of instruction of any educational institution, or except as provided in sections 105 and 106(d), over its administration or personnel.

### *Authority under Act conditional upon amount of appropriation for title II of the National Defense Education Act of 1958*

SEC. 306. The authority of the Commissioner to insure any loans in any fiscal year under the provisions of this Act shall be conditional upon the appropriation under the provisions of the Department of Health, Education, and Welfare Appropriation Act for such year of at least 75 per centum of the amount authorized for such year under the provisions of title II of the National Defense Education Act of 1958.

By Mr. **HUMPHREY**:

S. 391. A bill to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Collegiate Nursing Education Act of 1963."

SEC. 2. The Public Health Service Act, as amended, is amended by adding at the end thereof the following new title:

### "TITLE VIII—ASSISTANCE FOR THE COLLEGIATE EDUCATION OF NURSES

"SEC. 801. The Congress hereby finds and declares that—

"(a) there is a shortage of professional nurses with collegiate training essential to maintaining and improving the Nation's health and there is an increasing need for such nurses; such shortage will therefore increase unless present facilities and opportunities for the education of such nurses are strengthened and expanded;

"(b) the cost of providing adequate collegiate nursing education and facilities therefor is so high and the sources of income for institutions providing such education are so limited as to render it impossible for such institutions to provide the necessary funds for such strengthening and expansion, and to discourage the construction of new facilities for such education;

"(c) it is, therefore, the policy of the Congress (1) to provide funds for the construction of educational facilities and the cost of instruction of institutions offering collegiate nursing education, in order to assist such institutions in improving and expanding their programs of such education and to provide opportunities for qualified individuals to obtain such education, and (2) to provide scholarships to induce and enable greater numbers of qualified students to study professional nursing, and to induce and enable graduates of diploma schools of nursing to obtain baccalaureate degrees in nursing.

### *"Definitions*

"SEC. 802. As used in this title—

"(a) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects' fees in excess of amounts granted under section 804(b)(2), but not including the cost of acquisition of land or off-site improvements, except in the case of existing structures suitable for use as educational facilities, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

"(b) The term 'collegiate school of nursing' means a school (including a department, division, or other administrative unit in a college or university) which provides education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or other baccalaureate degree of equivalent rank, approved or accredited by the State board of nursing in the State where such school is located, or by the governmental body or agency performing the accrediting functions of a State board of nursing in such State;

"(c) The term 'nursing student' means a student enrolled full time or an approved applicant for full-time study in a collegiate school of nursing as defined in subsection (b) of this section.

### *"Expert advisory committee*

"SEC. 803. (a) The Surgeon General shall appoint an expert advisory committee, consisting of thirteen persons (not otherwise in the full-time employment of the United States), without regard to the civil service laws and with the approval of the Secretary of Health, Education, and Welfare. Four of such members shall be selected from the field of nursing education, three from the field of nursing service, one from the field of medicine, one from the field of hospital administration, one from the field of industry, one from the field of public health, and two from the general public. Members of such committee, while attending meetings of the committee or otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"(b) The advisory committee shall advise, consult with and make recommendations to the Surgeon General in connection with the administration of this title, including the development of program standards and policies and the payments out of appropriations authorized by this title.

### *"Grants-in-aid for construction of teaching facilities*

"SEC. 804 (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each of the four succeeding fiscal years, the sum of $20,000,000 to make the payments provided in this section. The sums appropriated pursuant to this section shall be used by the Surgeon General, upon recommendation of the expert advisory committee, to make grants-in-aid for the construction of teaching facilities (exclusive of residence facilities) of collegiate schools of nursing.

"(b) No such grant for construction of teaching facilities shall be in excess of 50 per centum of the cost of construction with respect to which it is made, except that—

"(1) in the case of new schools, grants may be made, upon recommendation of the State board of nursing or other State accrediting agency, in an amount not to exceed 66⅔ per centum of such cost of construction; and

"(2) upon application of any collegiate school of nursing or new school, a grant of not to exceed $10,000 may be made for the purpose of preparing initial plans with estimates for the proposed new construction.

"(c) No grant or grants for construction shall be made to any one collegiate school of nursing in excess $500,000 for the total five-year program authorized in this section, exclusive of amounts granted under subsection (b)(2) of this section.

"(d) Funds appropriated for construction of facilities pursuant to this section shall remain available for fiscal year in which appropriated and the two succeeding fiscal years.

"(e) The Surgeon General shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on any construction project assisted under this title (1) shall be paid wages at rates not less than those prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. secs. 276a—276a-5), and (2) shall be paid not less than 1½ times the basic hourly rate of pay for all hours worked in excess of 8 hours in any 1 calendar day or in excess of 40 hours in any workweek.

### *"Grants-in-aid for costs of instruction*

"SEC. 805. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each of the four succeeding fiscal years, the sum of $10,000,000 to make the payments provided in this section. The sums appropriated pursuant to this section shall be used by the Surgeon General, upon recommendation of the expert advisory committee, to make grants-in-aid for the costs of instruction of collegiate schools of nursing.

"(b) No such grant for costs of instruction of a collegiate school of nursing shall be in excess of $25,000 in any one fiscal year for expansion and improvement, except that in the case of new schools, grants may be made, upon recommendation of the State board of nursing or other State accrediting agency, in an amount not to exceed 66⅔ per centum of such costs of instruction. Such amount may be granted for each of the five years of the program authorized by this title. The term 'costs of instruction' as used in this section shall include such items of cost as shall be set forth in uniform definitions or regulations adopted and promulgated by the Surgeon General, except that such term shall not include the cost of residence facilities.

### *"Application by collegiate schools of nursing for grants*

"SEC. 806. (a) Any new or existing collegiate school of nursing desiring a grant under this title may at any time after the enactment hereof file an application therefor with the Surgeon General for any fiscal year or years for which such grant is desired. Such application shall contain such information as the Surgeon General may by regulation prescribe and shall contain adequate assurances that the school will comply with all provisions of this title and regulations promulgated pursuant thereto. Such application shall also contain adequate assurances that such school will, during the period in which it receives such payments, maintain its income for operating expenses from sources other than the United States at a level at least equal to that which it was received before such payments began (or, in the case of a new school, at the highest possible level).

"(b) Except as provided in subsections (b) (1) and (2) of section 804 and subsection (b) of section 805, payments from appropriations under sections 804 and 805 may be made only in the case of accredited schools of nursing.

*"Appropriations for scholarships*

"SEC. 807. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each of the four succeeding fiscal years, the sum of $10,000,000 to make the payments provided in this section. The sums appropriated pursuant to this section shall be used by the Surgeon General, upon recommendation of the expert advisory committee, to pay for the scholarships provided in this section.

"(b) An individual shall be eligible for a scholarship under this section only if such individual is an approved applicant, or is enrolled, in a collegiate school of nursing.

"(c) The selection of nursing students to be awarded scholarships under this section shall be made by the Surgeon General after consultation with the expert advisory committee, upon the basis of ability and the extent to which financial assistance is necessary in order to enable a qualified individual (irrespective of whether such individual shall have previously studied nursing or shall have a diploma in nursing) to pursue a baccalaureate program in professional nursing (both the ability and the need of financial assistance to be attested by the school).

"(d) Any student to whom a scholarship shall have been awarded shall be entitled to continue to receive the benefit of the amounts thereby provided only so long as his work shall continue to be satisfactory, according to the regularly prescribed standards and practices of the school which he is attending.

"(e) Any student to whom a scholarship shall have been awarded under this section shall be entitled to continue to receive the benefit of the amounts thereby provided until the completion of his regularly prescribed course of study of professional nursing at the school which he is attending, subject to subsection (d).

"(f) No scholarship shall be awarded to any individual for any period during which he is receiving education and training as a veteran or under any other law of the United States providing financial assistance to students.

"(g) Any scholarship awarded under this section to any individual shall be contingent upon acceptance and recommendation by a collegiate school of nursing of his choice.

"(h) Scholarships under this section shall be awarded by the Surgeon General through grants to collegiate schools of nursing providing the education. Payments to collegiate schools of nursing under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Surgeon General finds necessary. Such payments shall be in the amount of $1,000 per student per school year. Each such scholarship shall be for a period of time not in excess of that customarily required for completion of the standard course offered by the school leading to a baccalaureate degree.

*"Grants for construction, costs of instruction and scholarships*

"SEC. 808. The Surgeon General, in accordance with regulations, and upon the recommendation of the expert advisory committee, shall determine from time to time the amounts to be paid to each collegiate school of nursing from appropriations under this title and shall certify to the Secretary of the Treasury the amount so determined. Upon receipt of any such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with with such certification.

*"Withholding or recapture of payments*

"SEC. 809. Whenever the Surgeon General, after reasonable notice and opportunity for hearing to a collegiate school of nursing, shall find, with respect to payments made from appropriations under this title to carry out any of the purposes of this title, that there is a failure by such school to comply with the provisions of this title or the regulations promulgated pursuant thereto, the Surgeon General shall notify such school that further payments will not be made to it from such appropriations until he is satisfied that there is no longer any such failure. Until he is so satisfied, the Surgeon General shall make no further certification for payments to such school from such appropriations.

*"Regulations*

"SEC. 810. All regulations under this title with respect to payments to collegiate schools of nursing shall be made only after obtaining the advice and recommendation of the expert advisory committee.

*"General provisions*

"SEC. 811. (a) Nothing in this title shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or prescribe any requirements with respect to, the personnel, curriculum, or administration of any collegiate school of nursing, or the admission of applicants thereto.

"(b) Nothing in this title shall be construed to authorize the Surgeon General to exercise any influence upon the choice, by an applicant for or recipient of a scholarship under this title, of a course of training or study, or of the collegiate school of nursing at which such course is to be pursued."

*Technical amendments to Act of July 1, 1944*

SEC. 3. (a) The Act of July 1, 1944 (58 Stat. 682), as amended, is hereby further amended by changing the number of title VIII to title IX and by changing the numbers of sections 801 to 814, inclusive, and references thereto, to sections 901 to 914, respectively.

(b) Section 1 of the Public Health Service Act is amended to read as follows:

"SECTION 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Services Act'."

By Mr. HUMPHREY:

S. 392. A bill to authorize certain benefits under the provisions of titles II, V, and VI of the National Defense Education Act of 1958 for teachers in private nonprofit schools.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 205(b)(3), 511, and 611 of the National Defense Education Act of 1958 are amended by inserting before the word "public" the following: "private nonprofit or".

## TRIBUTE TO HUGH GAITSKELL

Mr. HUMPHREY. Mr. President, I shall take only a few more moments to comment on two developments over the weekend. The first I note with sadness and sorrow. Death has taken from us one of the great parliamentary figures of our time. It has taken a warm personal friend and a wise counselor from those of us who were privileged to know him. It has robbed Britain and the entire free world of a man who knew both the dimensions and the obligations of freedom, of a man who knew the full value of democratic government. Death defeated a man who time and again throughout his career had transformed the appearance of defeat into triumphs of will, character, and courage.

Everyone will recognize that I am talking about the late Hugh Gaitskell, leader of the British Labor Party and a man who until last week had an excellent chance of becoming the next Prime Minister of his country. I am sure that even Hugh Gaitskell's political opponents will concede that we have just witnessed one of the most tragic ironies of history. The man who inherited the mantle of Labor Party leadership from Clement Atlee had seen his party go under in three successive elections. Then, at the height of his powers, with Labor ahead in the public polls, Hugh Gaitskell succumbed to a virus infection despite the best efforts of his country's medical profession. Our thoughts and condolences go out to his bereaved wife and family, as well as to his party, which will not easily replace him.

I knew Hugh Gaitskell from the earliest days of my service in the Senate. Over the past 10 or 12 years we met frequently and exchanged views on a variety of problems affecting our two countries and the survival of freedom as we know it in the West. I always found his views incisive and firmly based on principle. Anything but a fanatic, Hugh Gaitskell could not be budged from a position once he convinced himself that it was right. It was small wonder that he became to so many people the conscience of the Western World without once occupying a position of formal governmental leadership.

To my mind the greatest service performed by Hugh Gaitskell was to hold his party together after the 1959 elections, when Cassandras to right and to left were predicting the imminent breakup of the moderate labor opposition. When the so-called unilateralists rebelled over the issue of Britain's possession of nuclear weapons, Hugh Gaitskell fought like a man possessed to preserve labor's commitment to the Atlantic alliance. He fought the left wing of the Labor Party; he fought those who wanted to hold to the letter of Marxist dogma regarding public ownership of the means of production; he fought those who tried to drive a wedge between labor's representatives in Parliament and the party rank-and-file. To the amazement of seasoned political observers Gaitskell defeated the unilateralists after stubbornly taking his case to the people. As he promised when things looked blackest for him, he fought, and fought, and fought again to preserve labor's image of responsible opposition. More than anyone else it was Hugh Gaitskell—whom some have called colorless—who deserved the credit for the buoyant health of the British Labor Party today.

Hugh Gaitskell had a host of friends here in the United States, and many friends in the Senate and House of Representatives. He was well known by the President of the United States and members of the Cabinet. Mr. Gaitskell was looked upon as a true and tested friend of the United States. We shall miss him.

No man is irreplaceable, but some men are unforgettable. Whoever succeeds Hugh Gaitskell at the helm of the Labor Party will owe him a debt of gratitude for the fact that he has a strong party to lead and a great nation to serve.

I ask unanimous consent that three articles, one appearing in the Washington Post of today by Mr. Max Freedman, another in the Christian Science Monitor, an editorial from the Christian Science Monitor, and another article from the Christian Science Monitor, all be printed in the RECORD at this point in my remarks.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 21, 1963]

### MR. GAITSKELL

(By Max Freedman)

The death of Mr. Hugh Gaitskell, leader of the British Labor Party, has done much more than change the balance in British politics. It has robbed many honorable causes of a voice of reason that has often filled the world. For his friends, there will be personal grief at the knowledge that the sword at last has worn out the scabbard. There will be other battles, but his flashing spirit no longer will point the way. Other leaders will come, but he will be remembered with affection and with gratitude.

In these last few days we have seen a dramatic example of the way the fortunes of free nations have become entangled. We have all known that in the course of time the political period associated with aged leaders like Adenauer, De Gaulle, Nehru, and Chiang Kai-shek must end. Mr. Gaitskell, measured in these terms, was still young and was out of power. We had the right to expect that long years of service awaited him. Now our vigil on the medical bulletins has ended in sadness.

Mr. Gaitskell followed his own path of leadership. It was said of the first great leader of the Labor Party, Keir Hardie, that he hated the palace because he remembered the pit. He was almost as eager to tear down the rich as he was to raise up the poor. This passion for social justice, never tumultuous in Ramsay MacDonald, thinned out in the latter days to little more than a timid advocacy of tentative reform.

An interlude of pacifism marked the party's history as it followed the brief leadership of George Lansbury, who mistook the mandates of his conscience for the facts of life. The Labor Party reached its glory under the guidance of Clement Attlee, whose threadbare personality concealed a mind of surprising power and dexterity.

Poverty never cradled Mr. Gaitskell into socialism nor did trade unionism give him its rewards. He was an intellectual, and the slovenly waste of the British economic system irritated his precise mind even more than the curse of injustice outraged his conscience. For many years he was the respected spokesman of the Labor Party in the age of the welfare state. Neither a pioneer nor a prophet, he brought into the British debate an instructed conscience without which public controversy would more easily have fallen into a mere argument over managerial techniques.

He stirred Englishmen to think anew of the perils as well as the hopes of an equal society. In the process he persuaded British socialism to disenthrall itself of many ancient dogmas. He was a liberator even more than a leader, for the verdict in national elections went against him.

Inside the Labor Party, he never lacked rivals and opponents. Aneurin Bevan, who was born, like Lloyd George, with a silver tongue in his cheek, once derided Mr. Gaitskell as a desiccated adding machine. The gibe was a victory of invective over accuracy. Mr. Gaitskell's offense consisted in being far more interested in the rights of Englishmen than in the wrongs of man. It is a small offense, and for it his friends need offer no prolonged atonement.

Always in British politics the Liberal or progressive party has wavered between two distinct groups. Gladstone as Liberal leader had to remember the protests of John Bright and the campaigns of the young Joseph Chamberlain. In a later period, Rosebery suffered under the more imperious spirit of Harcourt, and Asquith bowed to the mercurial genius of Lloyd George.

It is not surprising therefore to find the Labor Party, in our day, divided by quarrels and quivering with antagonisms. Mr. Gaitskell managed to compose these disagreements even though he never could end them. His departure has raised many anxious questions about the future of the Labor Party.

During the Suez crisis of 1956 Mr. Gaitskell never hesitated to denounce British policy even while British troops were moving into action. This conduct is more consistent with British than with American experience. The tradition here calls for the closing of ranks in an emergency, to be followed by a loud and painful post-mortem when it can do very little good. The British people are no strangers to national unity. But they respect the voice of conscience amid the crash of arms. Mr. Gaitskell convinced few voters that he was right about Suez. But even his critics honored his independence, and his refusal to be stampeded by organized appeals to national emotion.

In the last period a shadow crept across Mr. Gaitskell's career. He had every right to be critical of British entry into the Common Market. But his tone was wrong. He was querulous and bitter where he should have been sedate and constructive. He winced from the embrace of Europe. The friend of the Commonwealth was reluctant to go on the new pilgrimage.

Walter Bagehot said the House of Commons has more brains than everyone in it. It has a corporate judgment and sense of honor more sensitive and profound than the qualities of all its members. Soon the Labor Party must find a new leader. One hopes he will be as good a friend of this country as Mr. Gaitskell was at every stage of his career. Meanwhile there is a lonesome place in Parliament, and a burden of sadness in the hearts of many Americans who never had the privilege of his friendship.

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[From the Christian Science Monitor, Jan. 21, 1963]

### PARTY FACES TEST—GAITSKELL: LABOR STATESMAN

LONDON.—The passing of Labor Leader Hugh Gaitskell poses new challenges for Britain at a time when it is entering one of the most significant and perhaps difficult eras in its history.

Mr. Gaitskell seemed destined to become Prime Minister within 18 months. Of late, the political indications had been that Britain would again turn to a radical government at a moment of drastic national reconstruction and reform just as it did in 1945, immediately after World War II.

As Prime Minister Harold Macmillan has wrestled with the massive problems of Britain's place in the modern world—the European Common Market, revitalization of the economy, unemployment, and nuclear defense—the British people have shown an increasing lack of confidence in the present Conservative government.

#### LIFTED LABOR'S HOPES

The fact that the Labor Party had become the favorite to win the next general election was due primarily to the statesmanship, courage, and integrity of one man—Hugh Gaitskell.

Basically, the British are not a socialist people. They mistrust state ownership and control of industry; they are resistant to too much planning; they have few illusions about communism and about much left-wing idealism.

But by masterly leadership of the Labor Party, notably over the past 3 years, Mr. Gaitskell tamed and harnessed even his most prima-donnaish followers to such an extent that many a traditional anti-socialist of late looked on him as an acceptable alternative to the present Tory leadership.

And even if Mr. Gaitskell had not won the next general election, his continued guidance of the Labor opposition in the House of Commons would have continued to be of outstanding value to Britain.

#### WON WIDE RESPECT

One of his political opponents said of him recently:

"Mr. Gaitskell is a figure of truth. He has established a position of respect, confidence, and affection in his party and in the country. He is such a responsible figure that he keeps his party responsible."

His loss greatly increases the uncertainty of the political outlook in Britain.

Admittedly, there is often a tendency to exaggerate the extent to which a government or a political party is a "one-man band." Forecasts about human irreplaceability are apt to be confounded.

But in the case of the British Labor Party today it is difficult to see anything but a rocky path ahead in the replacement of Mr. Gaitskell.

George Brown, the party's deputy leader, is regarded as too much to the right to be acceptable to the left wing of the party. Mr. Brown has a reputation for stirring things up rather than calming down internal rivalries and fostering party unity.

Another contender for the leadership, Harold Wilson, is one of the ablest men in the party. But he is neither liked nor trusted by the powerful trade union representatives in the party.

#### OTHER CONTENDERS

Of late, one of the more likely successors to Mr. Gaitskell has seemed to be James Callaghan, who despite his Irish name represents the South Wales constituency of East Cardiff.

A Welshman, Ray Gunter, is another of the Labor top rank who seems to be of leadership caliber. But there is no denying that the party is sadly unprepared for having to find quickly a replacement for Mr. Gaitskell.

In consequence, Labor's chances of defeating the Conservatives at the next general election can hardly fail to suffer a major—though perhaps temporary—setback.

#### PROFESSORIAL MANTLE

Mr. Gaitskell succeeded Clement R. Attlee (now Earl Attlee) as Labor Party leader in December, 1955. Like Lord Attlee he was not of working-class origin. He was the son of a middle-class English civil servant. He was educated at a most exclusive, top-class intellectual school—Winchester—and won a first-class honors degree in philosophy, politics, and economics at New College, Oxford.

Before entering politics he was an economics professor, a trace of which was sometimes noticed around the person of Hugh Gaitskell. That was what led the late Aneurin Bevan, his belligerent leftist colleague, to call Mr. Gaitskell on one occasion "a desiccated calculating machine."

But Mr. Gaitskell expressed much warmth and humanity.

He had become increasingly liked by his friends and increasingly respected by the British people in general. He was a giant in his party. He had become one of the most effective political figures on TV. Had he become Prime Minister, leading Britain into a new era in the mid-1960's, he might have left a big mark in history.

He was essentially pro-American even though his opposition last October to British entry into the European Economic Community considerably affected his friendly relationship with President Kennedy.

[From the Christian Science Monitor, Jan. 21, 1963]

### AFTER GAITSKELL, WHO?

(By Peter Lyne)

LONDON.—While tributes to the late Hugh Gaitskell pour into London from all over the world, the question of his successor as leader of Britain's Labor Party becomes of supreme national importance.

As Prime Minister, Harold Macmillan said in his tribute, Mr. Gaitskell had achieved "great political stature." The British people had come to accept Mr. Gaitskell as an alternative Prime Minister. Now, as Liberal Leader Jo Grimond has said, they are faced with the problem of no obvious new figure to fill the gap.

The next general election could be postponed until the autumn of 1964. But there is the possibility that Mr. Macmillan might decide on an appeal to the nation's electors this year in view of the critical uncertainties over Britain's proposed entry into the European Economic Community.

#### ELECTIONS DIFFER

Therefore the Labor Party must at all costs try to settle down under a new leader in a matter of weeks if it is to consolidate the great opportunity Mr. Gaitskell built up for it of forming the next government of Britain.

The leader of the Conservative Party in Britain is chosen by the elders and the power groups. The leader of the Labor Party is elected by the Labor members of Parliament. George Brown who was Mr. Gaitskell's deputy does not automatically become leader. Other obvious contenders for the position include Harold Wilson and James Callaghan.

Both Mr. Brown and Mr. Callaghan are rightwingers. Mr. Wilson is left of center.

But what is most worrying to a majority of the party is that the leftwing, which Mr. Gaitskell effectively tamed, might use this opportunity to try to reassert itself.

#### LEFT-WING CANDIDATE

This could revise the old rivalries between left and right which so weakened the Labor Party in the period from 1951 until Mr. Gaitskell achieved his ascendancy in the last 2 years.

The leftwing's most likely candidate for leadership is young, handsome Anthony Greenwood.

But the old hands in the party will strive their utmost to prevent the recurrence of internal rivalry between left and right. They recognize that the British electorate is unlikely to return to power a party which has been unable to resolve its own internal feuding.

#### TRIBUTES POUR IN

Queen Elizabeth II cabled Mrs. Gaitskell: "I have learned with deep distress of the death of Mr. Gaitskell, whose distinguished services to the country and in Parliament will be sorely missed. My husband (the Duke of Edinburgh) joins me in sending our sincerest sympathy to you and all the family."

President Kennedy, in a statement issued in Washington, declared in Mr. Gaitskell's passing, freedom loses a gallant champion. The President said, "I am deeply grieved by the death of Hugh Gaitskell. His strength of character, force of intelligence, and generosity of purpose made him one of the foremost figures in the Western community."

[From the Christian Science Monitor, Jan. 21, 1963]

### GAITSKELL AND HIS PARTY'S FUTURE

Britain's Hugh Gaitskill led the Labor Party from the doldrums into which it drifted after the Conservative victory of the early 1950's and into a new land whose promises have been shining brighter and brighter in the last year. He did it by reasserting over and over again a prime quality that earned him reputation as a "moderate." But Britons who knew him through closer-than-headline contact held him in affectionate esteem for an even more important characteristic: namely, responsibility.

Now that he has passed on, it is this specific source of strength that the Labor Party as a whole will need most to cultivate. It needs it for the good of Britain and the Western alliance of which Britain is a key member. It needs it for the party's own political survival.

The fact that British politics these days has seemed to be more and more a matter of personalities could tempt some of the contenders for Labor Party leadership to forget how the Gaitskell "personality" emerged. It appeared as a result of the leader's holding to honest and well-thought-out convictions.

Change in the party hierarchy must now be worked out with care and patience. But time is also of the essence. The party's forces must be put into formidable array to offset any Conservative move to take advantage of its temporary confusion.

The Conservatives, in addition to national discontent over economic uncertainties, have had to sustain blows to their prestige both from Washington (over the Skybolt missile) and from Europe (while Common Market negotiations dragged on without bringing Britain appreciably nearer to membership).

Mr. Gaitskell, however, did more than take advantage of the Macmillan embarrassment in Europe. Under Mr. Gaitskell the party's pro-Common Market members were kept in working harness with others who felt that Britain did not have good enough terms for entering. Part of the Gaitskell influence was due to his profound sense of the importance of Commonwealth relations—to Britain's world position, and in the average Briton's sentiment.

There may now come a subtle change in the tone of Labor Party attitudes if and when the more European-minded George Brown, the late leader's likeliest successor, takes the reins. The coming changes should not, however, affect the party's attitudes toward cold war problems. It was Mr. Brown who made the Khrushchev visit to London several years ago such a famously uncomfortable affair.

Britons and their friends now are taking a necessary forward look at British politics. But this does not mean that they are forgetting the services Hugh Gaitskell has performed. The regard he won among all classes is no short-lived sentiment. He will be gratefully remembered, his influence long felt.

## NUCLEAR TEST BAN NEGOTIATIONS: THE KHRUSHCHEV-KENNEDY LETTERS

Mr. HUMPHREY. Mr. President, the press, radio, and television of today tell us of rather significant developments on the international scene between the United States and the Soviet Union.

Since the latter part of December, Mr. President, an air of cautious optimism has enveloped the question of concluding a nuclear test-ban agreement with the Soviet Union. When United States-Soviet negotiations resumed early this month, it was widely assumed that a certain relaxation in the Soviet position had taken place. For the first time since November 1961, when the Soviet Union abruptly deserted its agreement in principle to on-site inspection as a means of verifying a nuclear test ban, the phrase "on-site inspection" once again seemed to denote a realistic goal. The reason is clearly perceived in the release of letters exchanged by Chairman Khrushchev and President Kennedy in recent weeks. I shall ask unanimous consent to place the text of these letters, as published in today's Washington Post and Times Herald, in the RECORD at the conclusion of my remarks.

The important element in this correspondence is that the exchange was initiated by Chairman Khrushchev himself. Let me quote what strikes me as the most significant paragraph of Khrushchev's letter of December 19:

> It seems to me, Mr. President, that the time has come now to put an end once and for all to nuclear tests, to draw a line through such tests. The moment for this is very, very appropriate. Left behind is a period of utmost acuteness and tension in the Caribbean. Now we have united our hands to engage closely in other urgent international matters and, in particular, in such a problem which has been ripe for so long as cessation of nuclear tests.

Chairman Khrushchev then goes on to accept the principle of annual on-site inspection of a limited number of suspicious seismic events on Soviet territory, provided that such inspections were carried out with reasonable assurances against their being used for espionage. He also discussses the installation of unmanned seismic stations at specific locations in the Soviet Union, and he concedes, as "a major act of good will on the part of the Soviet Union," that foreign personnel might "participate" in the delivery of equipment to and from these automatic seismic stations.

Elsewhere, Mr. President, in a statement released to the news media today, I remarked that Khrushchev has returned to a position which he repudiated in November 1961 at a time of great international tension. I also remarked that the number of annual on-site inspections, the number and location of automatic recording seismic stations on Soviet territory, and other details left unresolved by the Khrushchev-Kennedy correspondence are clearly negotiable.

I suppose that, as one of the Members of this body, I have given about as much time to the subject of nuclear test conferences and negotiations as has any other Senator. This has been an area of particular interest to me. As chairman of the Subcommittee on Disarmament of the Senate Committee on Foreign Relations, I have tried to keep myself abreast of all developments in this field. Therefore, I make this comment today relating to these most recent developments.

There is room for negotiation. There is plainly room for agreement if the Soviet Government actually wants an agreement. Let me suggest a few reasons why at last the Soviet Union may be seeking an agreement on nuclear testing, not to speak of other issues connected with the development and worldwide proliferation of nuclear weapons.

The primary reason, it seems to me, is the clearing of the air produced by the Cuban crisis last October, when one gaze into the awful abyss of nuclear warfare evidently convinced Mr. Khrushchev that this was not the way to propagate communism. As a result of this experience Khrushchev has plainly shifted his tactical line from one of utmost pressure on the United States and its allies to one of apparent reasonableness. The threat of a new crisis in Berlin has not materialized as yet.

Soviet officials and visitors speak openly of cooperation between the United States and the Soviet Union. Khrushchev speaks in his letter of December 19 of the United States and the Soviet Union "joining hands to engage closely in other urgent international matters." The fact that he says this in the face of an hysterical chorus of disapproval and contempt from Peiping indicates at least the possibility of the Kremlin's having made a sober appraisal of the balance of world power. For years the Soviet propagandists have preached the doctrine that the balance of power had inevitably shifted in their favor. To some Communists this line seem to justify risky adventures—in the Congo, in Cuba, and elsewhere. Now these same propaganda organs are arguing that the might of the Socialist Camp, headed by the Soviet Union, guarantees the feasibility of pursuing the struggle against capitalism by means short of nuclear warfare. The Chinese Communists, meanwhile, insist that the United States is a "paper tiger" with whom no agreement advantageous to the Communist cause is possible.

I digress to call the attention of my colleagues to the fact that Mr. Khrushchev, in speaking in East Berlin recently, told the Communists that the "paper tiger" had 40,000 nuclear weapon teeth, which I think is some indication of the respect Mr. Khrushchev has gained for American power. Whether that figure was accurate or not, at least it was descriptive of his idea of American power.

As President Kennedy noted in his state of the Union address, the Sino-Soviet dispute is essentially an argument over the best way to bury us.

I think we ought to keep in mind the fact that, while there are differences between the Soviet and the Chinese Communists, the differences are primarily over who shall be supreme in the Communist world or what methodology or what formula shall be used to overwhelm us.

We can, therefore, derive little comfort from this split or difference between them except to rejoice at the infirmities besetting the so-called monolithic Communist bloc.

If we had not stood firm in Berlin, in Cuba, in southeast Asia, the whole Communist world might justifiably have dismissed us as a "paper tiger." But we stood our ground and maintained our strength while never failing to explore reasonable grounds for the settlement of catastrophically dangerous international disputes.

I believe that President Kennedy will be respected in history in the years to come for having pursued a course of action with firmness and resolution without being belligerent and arrogant.

I believe that he will have written for himself and his administration a great chapter in the history of the world for developing the strength that was necessary to face a challenge from the Communist bloc, and at the same time pursuing with reason and prudence and sincerity every possible avenue which might eliminate or dissolve these areas of international dispute and tension.

It is an act of statesmanship, on the one hand, to be strong and mighty with sheer military and economic power and the alliances which enhance that power, and, on the other hand, to develop an astuteness of diplomacy and statesmanship which will spare the world the tragedy of war and at the same time safeguard the areas of freedom.

I venture to say that our standing our ground and seeking these areas of agreement has helped to split the Communist world into a majority bloc which shuns the gruesome prospects of nuclear destruction, and a minority bloc which adopts a much more immature approach fraught with danger to mankind.

The present Soviet leadership has shown beyond a shadow of a doubt that it realizes the consequences of nuclear warfare. The most casual reader will be struck by this fact if he glances through the Pravda editorial of January 7 or through the reams of commentary on this editorial in the Soviet propaganda media. Khrushchev's respect for the U.S. nuclear arsenal is one of the more striking aspects of his speech of January 16 to the East German Communist Party congress. After discussing the enormous power in the hands of the United States and his own country, Khrushchev reportedly made the following transparent reference to Peiping:

> As it is said, blessed is he who chatters about war and does not understand what he is chattering about.

Say what we will about Khrushchev, he does get off some very good phrases. If we look for their hidden meaning they become quite obvious.

The Pravda editorial of January 7 rebukes Khrushchev's Chinese critics for preaching their adventurous doctrine while basking under the umbrella of Soviet military power:

> Is it not plain that even those who so maliciously deride the Soviet Union at this moment could not maintain themselves without Soviet might in the face of an imperialism which is armed to the teeth.

There is no question, Mr. President, that the Soviet Union, no less than the Chinese Communists, would love to celebrate the funeral of the "imperialist colossus."

I wish to make quite clear that I recognize that both of these camps, one in China and one in the Soviet Union, would be mighty happy over any sign of weakness in our power, or by our defeat.

Mr. Khrushchev's letters, however, indicate that he, unlike his irresponsible critics, has no real hope of witnessing the downfall of freedom in his lifetime.

He knows the real alinement of world power. Khrushchev came to power through power. He understands power. We have at our disposal an array of power the likes of which the world has never known. Sometimes I believe it would be well for every American, and indeed everyone associated with us, to be reminded every day, either by their own thought processes or through the words of someone else, that the United States and its allies represent the greatest array of sheer military power that the world has ever known since the dawn of civilization.

Mr. Khrushchev understands that point. He is the head of one of the "have" nations, one of the big nations, one of the richer nations. I gather that Mr. Khrushchev has no desire to see it destroyed in the fire and blast of nuclear warfare. He knows the terrific strain which the cold war imposes on the Soviet economy and Soviet society. Whether his appraisal of the facts of life will be accompanied by corresponding deeds turning downward the nuclear arms race is purely a matter of conjecture.

I have never been able to figure out the reasoning processes of Communist philosophies and leaders. They have very intricate thought processes. I have also never been able fully to understand their motivations. However, I believe that we ought very carefully to observe them and to keep a watchful eye over every development.

Mr. Khrushchev's letters to President Kennedy leave many questions unanswered, but I hope they will be carefully studied by the appropriate committees of the Senate and the House and by officials of our Government in the executive branch, as well as by students of Sino-Soviet policies. At least they open a crack in the door which until now has prevented a conclusion of a nuclear test ban. We should encourage the President to widen this crack and, if possible, to open the door. We should do it with careful planning, and with the most meticulous preparation.

Fortunately we now have an agency within the Department of State, known as the Arms Control and Disarmament Agency, under the guidance of an able and conscientious and prudent Director, Mr. William Foster. For the first time in our history we are preparing ourselves carefully, thoughtfully, and perseveringly for negotiations on vital matters such as a nuclear test ban, surprise attacks, and stages of disarmament.

Just as it is important to have officers of the military make plans for the defense and security of this country from any form of attack from any quarter, so it is essential that we have diplomats, backed up by the technicians, backed up by the scientists, backed up by the officers of the military, to prepare or at least to study the ways and means of entering into sensible and, we hope, constructive negotiations, to turn downward the arms race and to turn downward the nuclear race, lest this race of nuclear weapons devour the civilized world.

I was deeply concerned by the reported statement in today's press of Admiral Felt, for whom I have the highest regard. He is the commander in chief of our Pacific forces. I have visited with him at his headquarters at Honolulu last year. He indicated that the Chinese Communists were within 1 or 2 years of developing at least a crude form of nuclear weapon. I could not help feeling a little more uneasy. I say this because the leadership of the Chinese Communists has repeatedly demonstrated its total irresponsibility to humanity. Not only do they possess political arrogance and aggressive spirit, but also a military arrogance and aggressiveness, which threatens not only the United States and not only the nations we call the West, but also the Soviet Union itself.

I believe that the Soviet Union and its leaders are beginning to understand that they are faced with some danger in the vast areas of Asia controlled by the present Chinese Communist leadership.

I ask unanimous consent that the text of the letters and certain articles be published in the Record at this point.

There being no objection, the letters and articles were ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 21, 1963]

### Text of United States and Soviet Letters on Test Ban

(From Khrushchev to President Kennedy, December 19)

Dear Mr. President: In our recent correspondence related to the events in the Caribbean area we have touched on the question of cessation of nuclear weapon tests. Today I would like to come back again to that problem and to set forth my views concerning possible ways of its speediest solution which would be mutually acceptable to both our sides.

It seems to me, Mr. President, that time has come now to put an end once and for all to nuclear tests, to draw a line through such tests. The moment for this is very, very appropriate. Left behind is a period of utmost acuteness and tension in the Caribbean. Now we have united our hands to engage closely in other urgent international matters and, in particular, in such a problem which has been ripe for so long as cessation of nuclear tests.

A certain relaxation of international tension which has emerged now should, in my view, facilitate this.

The Soviet Union does not need war. I think that war does not promise bright prospects for the United States either. If in the past after every war America used to increase its economic potential and to accumulate more and more wealth, now war with the use of modern rocket-nuclear weapons will stride across seas and oceans within minutes. Thermonuclear catastrophe will bring enormous losses and sufferings to the American people as well as to other peoples on earth. To prevent this we must, on the basis of complete equality and with just regard for each other's interests, develop between ourselves peaceful relations and solve all issues through negotiations and mutual concessions.

One of such questions with which the governments of our countries have been dealing for many years is the question of concluding a treaty banning all tests of nuclear weapons.

Both of us stand on the same position with regard to the fact that national means of detection are sufficient to control banning experimental nuclear explosions in outer space, in the atmosphere and under water. So far, however, we have not succeeded in finding a mutually acceptable solution to the problem of cessation of underground tests.

The main obstacle to an agreement is the demand by the American side of international control and inspection on the territories of nuclear powers over cessation of underground nuclear tests. I would like to believe that you yourself understand the rightness of our arguments that now national means are sufficient to control also this kind of tests and be sure that agreement is observed by any side.

But so far you do not want to recognize openly this actual state of things and to accept it as a basis for concluding without delay an agreement on cessation of tests.

Striving to find a mutually acceptable basis for agreement the Soviet Union has made lately an important step toward the West and agreed to installing automatic seismic stations. This idea, as is known, was put forward not by us. It was introduced by British scientists during the recent meeting in London of the participants of the Pugwash movement. Moreover, it is well known to us, that when this idea was proposed, it was not alien to your scientists who were in London at that time.

We proposed to install such stations both near the borders of nuclear powers and directly on their territories. We stated our agreement that three such stations be installed on the territory of the Soviet Union in the zones most frequently subjected to earthquakes. There are three such zones in the Soviet Union where these stations can be installed: Central Asian, Altaian and Far Eastern.

In the opinion of Soviet scientists the most suitable places for locating automatic seismic stations in the Soviet Union are area of the city of Kokchetav for Central Asian zone of the U.S.S.R., area of the city of Bodaibo for Altaian zone and area of the city of Yakutsk for Far Eastern zone.

However, should, as a result of exchange of opinion between our representatives, other places be suggested for locating automatic seismic stations in these seismic zones, we will be ready to discuss this question and find mutually acceptable solution.

Besides the above said zones there are two more seismic zones in the Soviet Union—Caucasian and Carpathian. However, these zones are so densely populated that conducting nuclear tests there is practically excluded.

Of course, delivery to and from international center of appropriate sealed equipment for its periodic replacement at automatic seismic stations in the U.S.S.R. could well be made by Soviet personnel and on Soviet planes. However, if for such delivery of equipment to and from automatic seismic stations participation of foreign personnel were needed we would agree to this also, having taken, if necessary, precautionary measures against use of such trips for reconnaissance. Thus our proposals on automatic seismic stations includes elements of international control. This is a major act of good will on the part of the Soviet Union.

I will tell you straightforwardly that before making this proposal I have consulted thoroughly the specialists and after such consultation my colleagues in the Government and I came to a conclusion that so far as the Soviet Union is concerned the above considerations on the measures on our part are well founded and, it seems to us, they should not cause objections on the part of the American side.

You, Mr. President, and your representatives point out that without at least a minimum number of on-site inspections you will not manage to persuade the U.S. Senate to ratify an agreement on the cessation of tests. This circumstance, as we understand, ties you and does not allow you to sign a treaty which would enable all of us to abandon for good the grounds where nuclear weapons are tested. Well, if this is the only difficulty on the way to agreement, then for the noble and humane goal of ceasing nuclear weapons tests we are ready to meet you halfway in this question.

We noted that on this October 30, in conversation with First Deputy Foreign Minister of the U.S.S.R. V. V. Kuznetsov in New York, your representative Ambassador Arthur Dean stated that, in the opinion of the U.S. Government, it would be sufficient to carry on two to four on-site inspections each year on the territory of the Soviet Union. According to Ambassador Dean's statement the United States would also be prepared to work out measures which would rule out any possibility of carrying on espionage under the cover of these inspection trips including such measures as the use of Soviet planes piloted by Soviet crews for transportation of inspectors to the sites, screening of windows in the planes, prohibition to carry photocameras, etc.

We took all this into account and, in order to overcome the deadlock and to arrive at last at a mutually acceptable agreement, we would agree, in those cases when it would be considered necessary, to two to three inspections a year on the territory of each of the nuclear powers in the seismic areas where some suspicious earth's tremors might occur. It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection in combination with automatic seismic stations. On-site inspections could be carried on with the precautions mentioned by Ambassador Dean against any misuse of control for purposes of espionage.

We believe that now the road to agreement is straight and clear. Beginning from January 1 of the new year of 1963 the world can be relieved of the roar of nuclear explosions. The peoples are waiting for this—this is what the U.N. General Assembly has called for.

With the elimination of the Cuban crisis we relieved mankind of the direct menace of combat use of lethal nuclear weapons that impended over the world. Can't we solve a far simpler question—that of cessation of experimental explosions of nuclear weapons in the peaceful conditions? I think that we can and must do it.

Here lies now our duty before the peoples of not only our countries but of all other countries. Having solved promptly also this question—and there are all the pre-conditions for that—we shall be able to facilitate working out an agreement on disarmament and with even more confidence proceed with solving other urgent international problems, which we and you unfortunately are not short of.

Sincerely,

N. Khrushchev.

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(From the President to Khrushchev, December 28)

Dear Mr. Chairman: I was very glad to receive your letter of December 19, 1962, setting forth your views on nuclear tests. There appear to be no differences between your views and mine regarding the need for eliminating war in this nuclear age. Perhaps only those who have the responsibility for controlling these weapons fully realize the awful devastation their use would bring.

Having these considerations in mind and with respect to the issue of a test ban, I therefore sincerely hope that the suggestions that you have made in your letter will prove to be helpful in starting us down the road to an agreement. I am encouraged that you are prepared to accept the principle of on-site inspections. These seem to me to be essential not just because of the concern of our Congress but because they seem to us to go to the heart of a reliable agreement ending nuclear testing.

If we are to have peace between systems with far-reaching ideological differences, we must find ways for reducing or removing the recurring waves of fear and suspicion which feed on ignorance, misunderstanding or what appear to one side or the other as broken agreements. To me, the element of assurance is vital to the broader development of peaceful relationships.

With respect to the question of on-site inspections, I would certainly agree that we could accept any reasonable provision which you had in mind to protect against your concern that the on-site inspectors might engage in "espionage" en route to the area of inspection. In a statement at the United Nations, Ambassador Stevenson suggested that the United States would accept any reasonable security provision while the inspectors were being taken to the site, so long as they had reasonable provision for satisfying themselves that they were actually at the intended location and had the freedom necessary to inspect the limited designated area.

With respect to the number of on-site inspections there appears to have been some misunderstanding. Your impression seems to be that Ambassador Dean told Deputy Minister Kuznetsov that the United States might be prepared to accept an annual number of on-site inspections between two and four. Ambassador Dean advises me that the only number which he mentioned in his discussions with Deputy Minister Kuznetsov was a number between 8 and 10. This represented a substantial decrease in the request of the United States as we had previously been insisting upon a number between 12 and 20. I had hoped that the Soviet Union would match this motion on the part of the United States by an equivalent motion in the figure of two or three onsite inspections which it had some time ago indicated it might allow.

I am aware that this matter of onsite inspections has given you considerable difficulty although I am not sure that I fully understand why this should be so. To me, an effective nuclear test ban treaty is of such importance that I would not permit such international arrangements to become mixed up with our or any other national desire to seek other types of information about the Soviet Union. I believe quite sincerely that arrangements could be worked out which would convince you and your colleagues that this is the case.

But in this connection, your implication that onsite inspections should be limited to seismic areas also gives us some difficulty. It is true that in the ordinary course we would have concern about events taking place in the seismic areas. However, an unidentified seismic event coming from an area in which there are not usually earthquakes would be a highly suspicious event. The United States would feel that in such a circumstance the U.S.S.R. would be entitled to an onsite inspection of such an event occurring in our area and feels that the United States should have the same rights within its annual quota of inspection.

Perhaps your comment would be that a seismic event in another area designated for inspection might coincide with a highly sensitive defense installation. I recognize this as a real problem but believe that some arrangement can be worked out which would prevent this unlikely contingency from erecting an insuperable obstacle.

Your suggestion as to the three locations in the Soviet Union in which there might be unmanned seismic stations is helpful, but it does not seem to me to go far enough. These stations are all outside the areas of highest seismicity and, therefore, do not record all of the phenomena within those areas. These stations would be helpful in increasing the detection capability of the system, but I doubt that they would have the same value in reducing the number of suspicious seismic events by identifying some as earthquakes. For this purpose unmanned seismic stations should be in the areas of highest seismicity, not outside them. To achieve this result there would be need for a number in the Tashkent area. It might be possible, of course, to reduce somewhat the number actually in the Soviet Union by arranging stations in Hokkaido, Pakistan, and Afghanistan. If the stations on Soviet territory were sited in locations free from local disturbances and could be monitored periodically by competent U.S. or international observers who took in portable seismometers and placed them on the pedestals it would be very helpful in reducing the problem of identification.

You have referred to the discussion of the "black box" proposal at the 10th Pugwash Conference in London in September of this year as a United Kingdom proposal to which the United States has agreed. I do not believe that this was the situation. This proposal was reported to me as a Soviet proposal which was discussed with some U.S. scientists. Of the U.S. scientists who signed the statement none represented the U.S. Government or had discussed the matter with responsible officials. All were speaking as individuals and none were seismologists. Their agreement does not signify anything other than that this was an area which justified further study. The U.S. Government has given it that study and the results have been the conclusions which I have indicated above.

Notwithstanding these problems, I am encouraged by your letter. I do not believe that any of the problems which I have raised are insoluble but they ought to be solved. I wonder how you think we might best proceed with these discussions which may require some technical development. It occurs to me that you might wish to have your representative meet with Mr. William C. Foster, the director of our Arms Control and Disarmament Agency at a mutually convenient place such as New York or Geneva. I will be glad to have your suggestions. After talks have been held we will then be in a position to evaluate where we stand and continue our work together for an effective agreement ending all nuclear tests.

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(From Khrushchev to the President, January 7, 1963)

DEAR MR. PRESIDENT: I received your reply to my message of December 19, 1962. I am satisfied that you have appraised correctly the Soviet Government's proposals set forth in that message as directed to securing in the very near future a ban on all tests of nuclear weapons.

We understand your answer as meaning that you do not object that national means of detection together with automatic seismic stations should be the basis for control over an agreement banning underground nuclear tests. We note your agreement that installation of automatic seismic stations will prove useful from the point of view of increasing the effectiveness of control over cessation of undergound nuclear explosions. During the Geneva talks it was justly observed, also by your representatives, that installation of such seismic stations would serve as good means of verifying the correctness of functioning of national seismic stations. It is precisely by these considerations that the Soviet government was guided in proposing that the idea of installing automatic seismic stations put forward at the Pugwash meeting of scientists be utilized.

In my message of December 19, 1962, I indicated those three areas where in the opinion of our scientists automatic seismic stations should be set up on the territory of the Soviet Union. Those areas were selected after a thorough study with comprehensive consideration being given to geological and seismic conditions in those places.

In the areas of Kokochetav and Bodaibo automatic seismic stations would be located, according to our suggestion, at the exposures of crystalline rocks while in the Yakutsk areas—in the zone of eternal congelation. As is known on crystalline rocks and on grounds frozen deep down always only minor seismic hindrances are noticed which facilitate reliable detection of underground nuclear explosions. In combination with seismic stations abroad, on territories adjacent to the seismic zones in the Soviet Union automatic stations located in the abovementioned points will be adequate means capable of removing possible doubts of the other side with regard to the correctness of functioning of the national seismic station network.

You did not make any comments on the location of an automatic seismic station for the Altai zone in the region of the city of Bodaibo, and thus we could consider this question as agreed upon.

However, you have doubts as to the location of automatic seismic stations for the other seismic zones in the Soviet Union—Far Eastern and central Asian zones. As far as those zones are concerned, in your opinion, it would be expedient to place such stations in the Kamchatka area and in the area of Tashkent. In the opinion of Soviet scientists placing automatic seismic stations in the areas of Tashkent and Kamchatka would be a worse variant as compared to the one that we propose because in those areas functioning of automatic stations will be seriously handicapped by seismic hindrances. But if you believe it more expedient to relocate those stations we will not object to that. In my message to you I have already pointed out that the Soviet Union is prepared to seek a mutually acceptable solution also in the question of location of automatic seismic stations. We would agree to relocate the automatic seismic station for the central Asian zone of the U.S.S.R. to the Tashkent area placing it near the city of Samarkand and for the Far Eastern zone—to place the automatic station at Seimchan which is part of the Kamchatka seismic area.

Location of an automatic seismic station on the Kamchatka Peninsula itself seems, in the opinion of Soviet scientists, clearly unacceptable in view of strong hindrances caused by the proximity of the ocean and strong volcanic activity in the peninsula itself which will inevitably hamper normal functioning of a station. It appears to us that thus we could consider as agreed upon also the question of the location of automatic seismic stations for the central Asian and Far Eastern zones of the U.S.S.R.

The Soviet Government having consulted its specialists came to the conclusion that it is quite enough to install three automatic seismic stations on the territory of the Soviet Union. The more so that in your message, Mr. President, a possibility is envisaged of setting up automatic seismic stations on territories adjacent to the seismic zones in the Soviet Union—on the Hokkaido, in Pakistan and Afghanistan, naturally with the consent of respective governments.

The Soviet Government has named definite areas for the location of automatic seismic stations on the territory of the U.S.S.R. Moreover, Mr. President, taking into account your wishes we agree to relocate two stations to new places. We are entitled to expect therefore that your side also will name definite areas where such stations should be set up on the territory of the United States and that in reaching an agreement on the sites where stations are to be placed the American side will take into account our wishes.

Mr. President, we are convinced that all conditions exist now for reaching an agreement also on the question of inspection. It is known that all the recent time we heard not once from the Western side—agree in principle to inspection and then the road to agreement will be open. We believed and we continue to believe now that, in general, inspection is not necessary and if we give our consent to an annual quota of two or three inspections this is done solely for the purpose of removing the remaining differences for the sake of reaching agreement.

As you see we have made a serious step in your direction. The quota of inspections on the territory of each of the nuclear powers that we propose is sufficient. Indeed, in the negotiations your representatives themselves recognized that there is no need to verify all or a greater part of significant suspicious phenomena to restrain the states from attempts to violate the treaty. And they gave figures of annual inspections practically equaling the quota proposed by us. Naturally it is most reasonable to carry out inspection in seismic areas where the biggest number of unidentified seismic phenomena may occur. However, if you consider it necessary we have no objection to inspection being carried out also in nonseismic areas provided such inspections are conducted within the annual quota indicated by us.

I noticed that in your reply you agree with the necessity of taking reasonable measures of precaution which would exclude a possibility of using inspection trips and visits to automatic seismic stations for the purpose of obtaining intelligence data. Of course, in carrying out onsite inspection there can be circumstances when in the area designated for inspection there will be some object of defense importance. Naturally, in such a case it will be necessary to take appropriate measures which would exclude a possibility to cause damage to the interests of security of the state on the territory of which inspection is carried out. In this respect I fully agree with the considerations expressed in your message.

Mr. President, in your message you suggest that our representatives meet in New York or in Geneva for a brief preliminary consideration of some of the problems you touched upon. We have no objections to such meeting of our representatives. The Soviet Government for that purpose appointed N. T. Fedorenko, U.S.S.R. permanent representative to the U.N. and S. K. Tsarapkin, U.S.S.R. permanent representative to the 18-Nation Disarmament Committee, who could meet with your representative Mr. William C. Foster in New York on January 7–10. We proceed here from the assumption that meetings of our representatives should lead already in the near future to agreement on questions still unsettled so that upon the reopening of the 18-nation committee session our representatives could inform it that the road to the conclusion of agreement banning all nuclear weapons tests is open.

Sincerely,

N. Khrushchev.

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[From the Washington Post, Jan. 21, 1963]

## K. Warms to West as Red Rift Grows

(By Marquis Childs)

The most conspicuous feature of the international scene is not what is happening but what is not happening.

From Berlin last year a great many of us wrote that some time after December 15 the Soviet Union would sign a separate peace treaty with East Germany and close the access routes to the West and then the great test would follow. This has not come about and if the speeches at the Communist rally in Berlin are any criterion, it is unlikely to occur in the foreseeable future.

Those speeches were not full of love and kisses for the West. But they contained neither new deadlines nor new threats; and this may be the most remarkable alteration in the atmosphere following the Cuban confrontation last October on the brink of nuclear war. The talks at East Berlin were largely taken up with the split within the Communist bloc.

How this split has been widened by the Cuban crisis is just becoming evident. Fidel Castro was egged on by the Chinese Communists in Cuba to resist the settlement of the crisis agreed to by Premier Khrushchev and President Kennedy. From sources trustworthy in the past it has been learned that the conviction is widely held within the Communist bloc that Castro would have agreed to some form of on-the-spot inspection—with a face-saving provision—if it had not been for the Chinese.

They constantly encouraged him to resist. As a consequence, they made the task of Deputy Premier Anastas Mikoyan all but impossible during the 3 difficult weeks he spent in Havana as Khrushchev's compromiser. This is one of the deepest sources of resentment not only in Moscow but in Communist capitals where loyalty to the Khrushchev coexistence line is greatest.

Since the Cuban crisis was only in part resolved, one reason being the split in the bloc, it resembles today a minefield that still abounds with boobytraps. While the offensive missiles have been removed, the skeptical are saying that the components for secretly putting new offensive weapons in place, including 15,000 to 17,000 Soviet troops, still remain. How real this threat is only those with access to all intelligence reports can say.

Likewise the degree of hope in negotiations with the Soviets, currently renewed, is hard to appraise. Talks on a nuclear test ban are going on in New York anticipating a new go-round in February of the 18-nation disarmament conference. Moscow sent Semyon Tsarapkin, the chief test-ban negotiator, for these talks. Printed reports have been to the effect that the Soviets are prepared to give up their opposition to on-site inspection and agree to a minimum of three or four inspections a year.

Officials of the Disarmament Agency are coy about such hopes. Yet William C. Foster, Director of the Agency, now in New York for the talks, said in a recent television interview that after 4½ years of negotiation "an agreement now appears to be within reach." Pointing out that the United States is prepared today to ban tests in the atmosphere, under water and in outer space, he added:

"There is no way at present to distinguish certain natural underground occurrences from nuclear explosions. We have therefore insisted that if underground tests are banned, we must have the right to conduct a very limited number of on-site inspections each year in suspicious cases to make sure that they were not secret tests."

In the same interview, as though to discourage any sudden rush of optimism, he added that negotiation with the Soviets could succeed, citing the Austrian treaty. But that break came only after 8 years around the conference table.

Negotiation on several aspects of the peaceful use of outer space will begin in Rome in March. These cover joint exploration with the Soviets of weather and the magnetic field and the next launching of an Echo satellite.

The key words may well be patience and forbearance—the qualities conspicuous in the President's State of the Union address. For a man of Khrushchev's ebullient temperament there was a kind of restraint in his Berlin speech; above all, an awareness of the total disaster of nuclear war.

Castro and the Chinese would like to kick over the applecart. Whether they have any success will depend on the capacity to continue to be patient and forbearing.

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[From the Washington Post, Jan. 21, 1963]

## Agrees To Allow Two or Three On-Site Visits Annually

(By Carroll Kilpatrick)

In a move which American officials interpret as indicating significant progress, Soviet Premier Nikita S. Khrushchev has agreed to permit two or three on-site inspections a year in an effort to reach agreement on a treaty banning nuclear tests.

Khrushchev's concession to American opinion was disclosed last night in the simultaneous release in Moscow and in Washington of letters between him and President Kennedy.

A high American official said after release of the letters that he regarded the Soviet offer, while inadequate, as truly a hopeful move. He also said that while no definite agreements were reached between Soviet and United States negotiators in New York last week the Soviet responses indicated a serious desire to negotiate.

### TALKS TO CONTINUE

In releasing the exchange, the State Department announced that the talks would be resumed in Washington Tuesday and that the British also would participate in them. An attempt will be made to reach a broad area of agreement before the 18-nation disarmament talks resume in Geneva February 12.

Marked progress has been made in recent years in detecting atmospheric tests from a great distance. The problem facing the two countries is to agree on inspection to detect suspected underground tests, which cannot always be distinguished from earthquakes.

The United States originally asked for 20 on-site inspections with 19 internationally manned stations on Soviet territory. As a result of further development of detection devices, the number of on-site inspections proposed has been reduced to 8 or 10.

### RELIANCE ON STATIONS

The United States has agreed to reply on international supervision of the present national systems for detecting earthquakes. These consist of seismic stations, 73 of which are in Russia and 76 in the United States. They could pick up earth shocks caused by underground nuclear explosions.

These would be supplemented by so-called black box on-site inspection stations under international control. Khrushchev has agreed to three such unmanned stations in Russia, but President Kennedy indicated that more were needed.

The stations would be subject to international inspection 8 or 10 times a year under the American proposal, but only 2 or 3 times under the plan outlined by Khrushchev.

The Soviet Premier made his original proposal to permit a limited number of inspections in a letter to President Kennedy, December 19. He said that "time has come now to put an end once and for all to nuclear tests."

Several years ago, in the original talks on a test-ban treaty, the Soviets accepted the principle of on-site inspection, but when negotiations resumed in November 1961, they rejected the idea and said it was unnecessary.

In replying on December 28 to the Khrushchev letter, President Kennedy said he was encouraged by the Soviet proposal. But he said 8 or 10 inspections were required. The President nevertheless urged a prompt resumption of Soviet-American talks on a test-ban treaty.

On January 7, the Soviet leader replied and agreed to a resumption of talks, which began last week in New York. But again he argued that no more than two or three inspections were needed.

In fact, Khrushchev said that on-site inspection was not necessary at all but that he made the concession to reach agreement with the United States.

The State Department said last night it is to be hoped that the Soviet Union will approach negotiations on the number of such inspections and other related arrangements in a realistic and meaningful way.

William C. Foster, Director of the Arms Control and Disarmament Agency, took part in the New York talks for the United States. N. T. Fëdorenko, Soviet Ambassador to the United Nations, and S. K. Tsarapkin, chairman of the Soviet delegation to the 18-nation disarmament committee, represented the Soviet Union.

They will be joined in the Washington talks beginning Tuesday by British Ambassador Sir David Ormsby Gore.

In his letters, Khrushchev exhibited the same extreme reluctance Soviet leaders have shown in the past about permitting inspectors to enter his country.

Nevertheless, he said the present moment to end tests "is very, very appropriate. Left behind is a period of utmost acuteness and tension in the Caribbean.

"Now we have untied our hands to engage closely in other urgent international matters and, in particular, in such a problem which has been ripe for so long as cessation of nuclear tests.

"A certain relaxation of international tension which has emerged now should, in my opinion, facilitate this."

Khrushchev said "we believe that now the road to agreement is straight and clear." When the test-ban problem is solved, he said, work can be done on disarmament and other urgent international problems.

The President replied that the United States would accept reasonable restrictions on the travel of inspectors to prevent any suspicion of espionage en route.

But he said the inspectors must have reasonable provision for satisfying themselves that they were actually at the intended location and had freedom to inspect the limited designated area.

The President said he was aware that onsite inspections cause the Soviets considerable difficulty, but he said he could not understand why.

He promised, however, that a test-ban treaty "is of such importance that I would not permit such international arrangements to become mixed up with our or any other national desire to seek other types of information about the Soviet Union."

The President told Khrushchev that his suggestion for three on-site inspection stations is helpful but it does not seem to me to go far enough.

He said also that unmanned seismic stations—the so-called black boxes—should be in the areas of highest seismicity, not outside them.

"To achieve this result there would be need for a number of stations in the vicinity of the Kamchatka area and a number in the Tashkent area," the President said.

Khrushchev rejected this proposal in his January 7 letter. However, he said the Soviet Union would permit inspection "in nonseismic areas provided such inspectons are conducted within the annual quota indicated by us."

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. The Senator has made some outstanding remarks here, particularly in calling attention to the letters and in making the points he has made. The Senator's opinions are of great value.

Does the Senator believe that Khrushchev has really gone further in his recent proposal than he did a year ago—or perhaps it was more than a year ago—when proposals were made and discussions were held in which some of the proposed concessions were made? Can the Senator make those comparisons? His opinion is worth something on this subject.

Mr. HUMPHREY. I shall place in the RECORD the statement which I released to the press this morning on this subject.

Mr. President, I ask unanimous consent that my statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### STATEMENT BY SENATOR HUMPHREY

The release of an exchange of letters between Chairman Khrushchev and President Kennedy indicates that some serious discussion has taken place on the question of reaching a treaty banning nuclear weapons tests. The Soviets have now stated they can accept some on-site inspections as part of the verification of an agreement. This position, a restatement of an old Soviet position which the Soviets had repudiated, is a hopeful sign that agreement may yet be reached. The Soviet offer of 3 on-site inspections and the United States previous position for 8 to 10 such inspections leaves room for negotiation. Also, the Soviet offer to place on its territory three automatic recording seismic stations, while perhaps not as many as the United States thinks would be most useful, also ought to be negotiable. The important matter is the number and procedures for on-site inspection and I believe that if the United States and the United Kingdom and the Soviet Union could reach agreement on this question then the remaining issues including the use of automatic recording seismic stations should not be difficult, assuming the Soviets want an agreement. I know that the United States believes that an effective test ban agreement remains as a worthwhile goal to be reached as soon as possible.

Mr. HUMPHREY. Mr. President, the letter of Mr. Khrushchev concerning onsite inspection is a restatement of his previous position, the one which had been canceled, in November 1961, for whatever tactical or political reasons Khrushchev may have had in mind. The comment concerning seismic stations within the Soviet Union is a change.

Mr. STENNIS. That is entirely new?

Mr. HUMPHREY. That is an entirely new proposal. We have never accepted the limited number of three onsite inspections as being adequate. I have made it quite clear to the public, insofar as I could through my statement this morning, that we ought not be willing to accept that figure; that the earlier figure we had offered, of some 8 or 10, is a minimum figure or a much more realistic figure. But, at least, this area is now negotiable, and the new proposal refers to the placement of automatic, machine-manned seismic stations within the Soviet Union, plus the willingness of the Soviet to permit international experts to come in, establish those stations, and check on them.

Mr. STENNIS. That is the basis which the Senator from Minnesota believes is a really new departure and holds these possibilities?

Mr. HUMPHREY. A little possibility. As I have said, I think we must be cautious in these matters, because we have been at the conference table with the Soviet Union for many years, and will continue to be there whenever there is a possibility of any improvement of relations. But we ought to recognize that the opening is, as I have said, a little crack in the door of diplomacy or of negotiation, and my hope is that we may explore it fully.

Mr. STENNIS. But the Senator from Minnesota recommends the utmost and extreme caution at every step?

Mr. HUMPHREY. I do. The Senator from Mississippi and I have had the privilege to sit in executive session with Mr. William Foster and some of his aids, as well as, of course, the Secretary of Defense and the Secretary of State, when these questions have been discussed relating to the arms race, the problem of arms control, and the possibility of nuclear test cessation under safeguards and inspection. I believe we both came to the same conclusion, namely, that those tasks are in the hands of men who are trustworthy, who are prudent, who are students of the problem, and who are in no way impetuous. In no other words, the desire for negotiation exists, but not to the point of sacrificing the security interests of our country or of our allies.

Mr. LONG of Louisiana. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LONG of Louisiana. I congratulate the Senator for the indefatigable work which he has done in this field. I know of no Member of this body who has been more zealous in the cause of mutual cooperation in the field of disarmament than the Senator from Minnesota.

May I ask the Senator if, in the years of hard, intensive work which he has devoted to this subject, he has yet to feel that there is any real desire on the part of the Soviet leaders to come to any sort of arrangement whereby this Nation, as well as the Soviet Union, could have some assurance that a nuclear holocaust would not break out before sunrise on the following day?

Mr. HUMPHREY. I am not certain that our negotiations have revealed any such development; but there has been of late some indication on the part of Chairman Khrushchev of the consequences which would befall his own people and his own nation, as well as his own system, if a nuclear struggle were to take place.

The Senator from Louisiana knows that I have always believed that our best policy for successful negotiation with the Soviet Union is to negotiate from a position of unmistakable strength. I believe this has been demonstrated in recent months to be the proper and correct position. In other words, the current arms race with the Soviet Union has a chance of getting out of hand and of bleeding the people, the public, financially for years to come. It was my view for some time that we did not strengthen our defenses adequately, and that, therefore, our efforts at negotiation were weakened and that the Soviet Union was able to maintain a military posture which was equal to ours.

In recent years, particularly in the last 2 or 3 years, we have improved our Military Establishment, by adding billions of dollars to its cost, of course, to such a point that the Soviets are compelled, month after month, to reappraise their capacity to maintain this race. The

Soviet Union does not have the industrial capacity that we have; it does not have the available wealth that we have. Neither does it have the reservoir of trained manpower that we have. To be sure, they are gaining in the economic sphere every year; but the arms race has been a terribly heavy burden on the Soviet economy. Therefore, I believe there is a possibility that Mr. Khrushchev and his advisers do consult frequently as to whether they can sustain this race. More importantly, I think that they were taken right up to the abyss of hell, so to speak—face to face with the possibility of a nuclear holocaust—on the Cuba issue, when this Government did not flinch, and they were permitted to look down into that firey pit and ask themselves, "Is this what we want? Is this what is to be our reward some 45 years after the Bolshevik Revolution?"

I think that when the Soviets took that new look, they came to the conclusion that perhaps some rethinking ought to take place.

Finally, I believe that the Soviets have every reason to be concerned about the aggressive spirit of the Chinese Communists. I remind Senators that the Soviet Union—Russia—has been successfully invaded, in all of its hundreds of years of history, from the East, rarely from the West. It has been under the heel of the conquerors from the East, but only briefly under the heel of the conquerers from the West. There is in the Soviet Union a prejudice toward the Chinese that is a real, sociological fact. Sometimes I wonder why we have not heard more about it in the United States.

I believe there may be a rising doubt in the minds of some of the Russian leaders, who are Russian and Communist—or perhaps I should put it, who are Communist and Russian—whether or not they may not have more trouble from the Chinese than from some of the Western nations, trouble particularly in terms of what force or what person will be the guiding influence in the exposition of Communist doctrine, because, after all, Communist doctrine is frequently referred to as a religion. I prefer to call it an irreligion.

Nevertheless, somebody wants to be the head of it, and today there is quite an argument as to who is the head, which nation is to be the spearhead, and what program is to be used to advance the doctrine.

In every area of the world today, there is a conflict between the Communist parties—between those under the influence of Russian communism, and those who are under the influence of Chinese communism. In Cuba today, the Chinese Communists are the chief agitators. That does not mean that the Russians are much less the agitator group, because they have a feeling that they have to compete; but the Chinese are there, and there is evidence that they have gained the ear of the Cuban Communist leadership.

So I should say there is perhaps a possibility, a remote possibility, of some successful negotiation. At least, the question is worthy of exploration under the terms and conditions I have set forth.

Mr. LONG of Louisiana. Is it not also true that the Soviets have in some respects built themselves an additional problem, in that if a war were to break out—whether by accident or by design—between the Soviet Union and the United States, after both those nations had more or less destroyed each other, the enormous mass of population in Communist China would be in a geographical position to move in and take over what was left of the Soviet Union?

Mr. HUMPHREY. How correct the Senator from Louisiana is. He recalls that approximately 1 year ago the foreign minister of Communist China was reported to have said that China could lose 375 million people in a nuclear war and still be a major power in the world. These 375 million people are exactly 150 million people more than the entire population of Russia, and considerably more than the total population of the United States. But imagine the situatior of Mr. Khrushchev—who at that time was attempting to preach the doctrine of peaceful coexistence—when he found that the foreign minister of a so-called ally, Communist China, had announced that his country could lose 375 million people in a nuclear war and still be a powerful nation.

I repeat that the difference between those countries is only one of method; the leaders of the Soviet Union are just as anxious to communize the world as are the leaders of Communist China. That is my point.

Mr. LONG of Louisiana. I thank the Senator from Minnesota.

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## SERVICES OF SENATOR MORSE IN MEDIATING LONGSHOREMEN'S STRIKE

Mr. HUMPHREY. Mr. President, at this time I welcome back to the Senate Chamber the Senator from Oregon [Mr. MORSE], who has performed a miraculous service for his country.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. The Senator from Minnesota is very kind; but I point out that the case has not yet been settled.

Mr. HUMPHREY. However, Mr. President, I have faith that even after all the progress the Senator from Oregon has made, he would not return to this Chamber unless he had the situation very well thought out. After all, Napoleon said he always felt better when Marshall Ney was at his side. [Laughter.]

Mr. MORSE. I thank the Senator from Minnesota.

Mr. HUMPHREY. So I feel better because of the fact that the Senator from Oregon was the head of the panel, went to New York, was able to draw up a proposed agreement, and was able to persuade the representatives of the longshoremen to agree to it. I feel much better, too, now that the Senator from Oregon has returned to the Chamber with a twinkle in his eye.

Mr. MORSE. I would feel better if I had had the aid, at my right hand, of the Senator from New York [Mr. KEATING].

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, before a vote is taken on the first of the proposals to amend rule XXII of the Standing Rules of the Senate, I wish to state briefly my reasons for supporting a change to the three-fifths rule at this time, and for opposing the so-called majority cloture proposal.

First, I wish to state that I have no grievous quarrel with the very substantial number of Senators who now favor the adoption of a rule providing for cloture by vote of 51 Members of the Senate. No great question of principle separates us. My friends of this persuasion are not really advocating the application of ordinary majority rule in the Senate. The Senate normally does its substantive business by a majority of those present and voting. Even changing the cloture rule itself requires only a majority of those Senators present and voting. The so-called constitutional majority is not the majority we usually require for the transaction of legislative business. Like the proposed three-fifths rule, the constitutional majority proposal is a departure from the usual rule that if the Senate has a quorum in attendance, a majority of those Senators present and voting is sufficient for the enactment of bills and the conduct of most of our lawmaking functions. We are concerned here only with the degree to which the regular procedure should be modified for purposes of limiting debate.

Further, I wish to say that I favor the substantive legislative objectives of those who now seek to authorize cloture by the votes of 51 Senators. I supported civil rights legislation in 1957, and again in 1960. So long as provision for a jury trial in criminal contempt cases is retained in the law, I shall work for the enactment of the "part III" proposal to authorize the Attorney General of the United States to initiate actions to enforce any civil right conferred by the Constitution.

But when the question before the Senate is not the approval of substantive legislation, which can be judged in each case on its merits, but a change in a general procedure which will apply to all future legislation—good and bad alike—I think a cautious approach is wisest. We have made moderate but significant changes in rule XXII since I have been in the Senate. When I became a Member of the Senate, it provided for cloture only by votes of two-thirds of the whole membership of the Senate, and cloture could not be applied at all to any proposal to change the rules of the Senate. Now cloture can be applied by two-thirds of the Senators present and voting, and the rules themselves have been expelled from the privileged sanctuary they then occupied.

I think the Senate should modify rule XXII still further to make it somewhat easier to limit debate, after full and fair consideration has been given a legislative measure. But I think we should go no further than a three-fifths rule, accumulate experience under it, and then reassess our position.

It has not been proved, to my satisfaction, that substantial progress in enacting needed civil rights legislation cannot be accomplished under such a rule. After all, the Senate has passed two major civil rights bills in recent years without need of cloture, and cloture was accomplished last year, under the present more restrictive rule, on substantive legislation of a different kind.

I adhere to the belief that we ought to retain some restraint upon the power of a majority to readily impose its will against the strongly held convictions of a sizable and cohesive minority. The provision in the pending proposal for mandatory delay before attempting cloture is itself a restraint of this nature, which differs only in degree, not in kind, from a requirement that some number of Senators greater than a majority concur in pressing this particular course of action.

The Senate of the United States serves the unique and necessary function of providing a place where those differences among us which are peculiarly regional in character can be illuminated, discussed, and eventually accommodated. If our country had no regional differences, if it were completely homogeneous socially, politically, and economically, there would be no need to preserve this function, and perhaps no need for the Senate. The various regions of the United States differ less now than they did when the Union was formed, and many of the differences are now less fundamental than they were then. But profound differences still remain. Let us adjust the procedures of the Senate gradually, as the country changes gradually, so that steady pressure is applied to any region which appears to be too far out of step with the national consensus, but in such a manner as to avoid riding roughshod over those regional attitudes and traditions which are yielding, and will continue to yield, not alone to legislation, but to persuasion and the changing times.

Progress has been made, progress will continue to be made, in the field of necessary and proper civil rights legislation. But the procedures of the Senate govern the whole of our lawmaking power. Prudence dictates that each change in them should be made cautiously a step at a time. Within the limits of the alternatives now presented to us for changing rule XXII, I believe the Senate should move no further than to reduce the present two-thirds requirement to three-fifths of those Senators present and voting.

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## FINANCING OF U.N. PEACEKEEPING OPERATIONS

Mr. CHURCH. Mr. President, the International Court of Justice ruled last summer that the costs of United Nations peacekeeping operations are binding on all members, and that failure to meet assessments would result in suspension of voting rights in the General Assembly. Concern about this decision, then pending in the Court, and about possible reactions to it in the General Assembly, was several times expressed in the course of the Senate debate, last April, on the President's request for authority to make an emergency loan to the United Nations. I think it is appropriate for the record to show the actual resolution on this subject approved by the General Assembly, by a vote of 76 in favor, 17 opposed, and 8 abstaining, last month, and I read it now for the information of the Senate:

> The General Assembly, having regard to resolution 1731 (XVI) of December 20, 1961, in which it recognized "its need for authoritative legal guidance as to obligations of member states under the Charter of the United Nations in the matter of financing the United Nations operations in the Congo and in the Middle East,"
>
> Recalling the question submitted to the International Court of Justice in that resolution, having received the Court's advisory opinion of July 20, 1962, transmitted to the General Assembly by the Secretary General, declaring that the expenditures authorized in the General Assembly resolutions designated in resolution 1731 (XVI) constitute "expenses of the Organization" within the meaning of article 17, paragraph 2, of the charter, accepts the opinion of the Court on the question submitted to it.

Mr. President, I am pleased to note that the General Assembly did not let the matter rest with this significant, but in some ways precarious, solution to the problem. By an additional resolution, the General Assembly established a special working group of 21 nations to study the remaining problems relating to the financing of U.N. peace-keeping operations, and to make recommendations for additional arrangements. I have been assured that our own State Department will be consulting thoroughly with the Congress on all proposals for meeting the still unresolved aspects of the problem. I ask that the full text of the second resolution to which I have referred may be printed as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> The General Assembly,
>
> Recognizing that peacekeeping operations of the United Nations, such as those in the Congo and in the Middle East, impose a heavy financial burden upon member states, and in particular on those having a limited capacity to contribute financially,
>
> Recognizing that in order to meet the expenditures caused by such operations a procedure is required different from that applied to the regular budget of the United Nations,
>
> Taking into account the advisory opinion of the International Court of Justice of July 20, 1962, in answer to the question contained in Resolution 1731(XVI),
>
> Convinced of the necessity to establish at the earliest possible opportunity financing methods different from the regular budget to cover in the future peacekeeping operations of the United Nations involving heavy expenditures, such as those for the Congo and the Middle East,
>
> 1. Decides to reestablish the working group of 15 with the same membership as that established in Resolution 1620(XV) and to increase its membership to 21 by the addition of 6 member states to be appointed by the president of the General Assembly with due regard to geographical distribution as provided for in Resolution 1620(XV), to study, in consultation as appropriate with the Advisory Committee on Administrative and Budgetary Questions and the Committee on Contributions, special methods for financing peacekeeping operations of the United Nations involving heavy expenditures such as those for the Congo and the Middle East, including a possible special scale of assessments;
>
> 2. Requests the working group of 21 to take into account in its study the criteria for sharing of the costs of peacekeeping operations mentioned in past resolutions of the General Assembly, giving particular attention to the following:
>
> (a) The references to a special financial responsibility of members of the Security Council as mentioned in Resolutions 1619(XV) and 1732 (XVI);
>
> (b) Such special factors relating to a particular peacekeeping operation as might be relevant to a variation in the sharing of the costs of the operation;
>
> (c) The degree of economic development of each member state and whether or not a developing state is in receipt of technical assistance from the United Nations;
>
> (d) The collective financial responsibility of the members of the United Nations;
>
> 3. Requests further the working group of 21 to take into account any criteria proposed by member states at the 17th session of the General Assembly or submitted by them directly to the working group;
>
> 4. Requests the working group of 21 to study also the situation arising from the arrears of some member states in their payment of contributions for financing peacekeeping operations and to recommend, within the letter and the spirit of the charter, arrangements designed to bring up to date such payments, having in mind the relative economic positions of such member states;
>
> 5. Requests the working group of 21 to meet as soon as possible in 1963 and to submit its report with the least possible delay and in any case not later than March 31, 1963;
>
> 6. Requests the Secretary-General to distribute the report of the working group of 21 to member states as soon as possible with a view to its consideration when appropriate by the General Assembly.

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objections, it is so ordered.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. STENNIS. Mr. President, even though the debate upon the proposed rules change has not been extensively covered by the press and the other news media, as some debates are, I am fully satisfied in my own mind that there will not be a more important issue before the Senate at this session—nor has there been at any other session—than the proposal now before the Senate, primarily for the reason that if the assault upon rule XXII is continued until it is finally whittled down so that a majority, or a constitutional majority, or a little more than a majority, can cut off debate and determine votes and rapidly pass legislation, the whole character and basic foundation of the Senate, as a part of our form of government, will have been radically changed, and the Senate will have been greatly diminished in its importance as well as in its power, and greatly diminished as an influence in government affairs. Every individual Senator's influence and power and responsibility will have been correspondingly diminished.

I have great respect for the House of Representatives, but I fear the Senate may become an appendage to or a subordinate part of the legislative branch of our great Government.

I have been encouraged by finding among a number of Senators who are not ordinarily classified as conservative a growing feeling, as it has been expressed in the cloakroom or in various other places, that there is no need to change rule XXII. There seems to be a general recognition that rule XXII as it is now framed serves well, and that as a practical vehicle for legislative affairs it is workable and serves the needs of the time.

One of the considerations is that legislation passes the Senate when there is a real need for it to pass.

Another is the point I have already mentioned; namely, that rule XXII now preserves the Senate as a distinct body in the legislative process different from any other.

There is also a recognition on the part of nearly everyone that there must be a place somewhere in our system and under our form of government where there can be a slowdown at times, though slowdowns will not occur except when they are reasonably necessary. There is need for a place for full discussion, for a free exchange of ideas, and for at least an opportunity to cut off hasty action.

I say to the new Members of the Senate that rule XXII does not have as its sole virtue the slowing down of the passage of legislation or giving time for debate. It is a very effective weapon, and it will be used this year and in years to come as it has been in the past, as a method of obtaining reasonable concessions or compromises, with reference to toning down measures, or amending them, to make them meet the needs of various areas of the country.

I remember the situation we faced only a few years ago in the consideration of a bill called the atomic energy bill, which also had a great deal to do with public power in the West, or in the South, or elsewhere. I went to the House to hear the debate on the floor of the House on that bill. One of the Representatives from Mississippi, who represented 15 or 16 counties, every one of which was to be vitally affected by the bill, had 5 minutes to speak. He was allowed 5 minutes to speak on the bill. I think he had 3 minutes in his own right and some other Representative yielded him 2 minutes. He used his 5 minutes before he had the full attention of the House, and then he had to take his seat. The bill passed that night.

The bill then came to the Senate. We debated that bill for about 3 weeks, as I recall. It finally passed, but it passed only after some very valuable concessions had been made to those of us who were so vitally concerned.

That bill was about as far from a civil rights bill as one could imagine. It had to do with publicly produced electricity. The part I was referring to was the TVA. Some concessions were given, and the bill was finally passed.

That happened 7 or 8 years ago, and time has proved that the legislation finally enacted is a sound and workable approach, and really far more advantageous than it would have been in its original form, even for its proponents.

That is a practical illustration of what I mean. If it had not been for rule XXII that bill would have passed the Senate nearly as rapidly as it passed the House. Other illustrations could be given, but I am sure they have been given by others.

I have examined the records, too. The longer I serve in this body, Mr. President, the more I am impressed by the idea of looking at the practical side of these questions, to see what really happens.

In the last 2 years there have been four instances in which there was an effort to impose cloture under rule XXII. Four times in the last 2 years an effort was undertaken to impose cloture. One of those times was on the rule fight itself. The vote in that case was 37 for and 43 against cloture. In other words, it did not even get a majority. Certainly, no one can be heard to complain about a vote which did not convince a majority of this body to impose cloture. The effort fell then, not because of rule XXII, but because of the lack of merit in the proposal.

There were two such votes on the literacy test bill in 1962. The first one came on May 9, 1962, on a motion to impose cloture, the result of which was 43 for and 53 against cloture. It was another time when there was just not enough merit in the bill to get even a majority who were strong enough for the bill to vote for cloture.

The next vote came the following week, 5 days later, on May 15. At that time there were even less who voted for cloture. Forty-two for cloture and fifty-two voted against it.

Sometime later in the session, we had before the Senate what was called the communications satellite bill. After a long debate, a motion was filed for cloture. That time 63 voted in favor of imposing cloture and 27 against. The bill itself had so much merit in it and so commended itself to the membership of this body that there was not much trouble about getting to a final vote on it, and it passed by a large vote, although I do not have the exact vote before me.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. The Senator from Louisiana took part in that debate. I yield to him. Perhaps he wants to ask a question about it.

Mr. LONG of Louisiana. In my judgment, that was one of the worst bills I have known of being introduced in this body. It would suggest to me that if one could get cloture voted in the Senate on that kind of bill, one should be able to get cloture very easily on a good bill.

Mr. STENNIS. I think the Senator has made a good point on the question of procedure. We happened to be on opposite sides on that bill. We were sitting next to each other, and the Senator from Louisiana put up a wonderful fight in opposition to the bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield gladly.

Mr. LONG of Louisiana. I believe a Senator voted against cloture on that occasion who had desired to speak against the bill but had not even been permitted to make his first speech.

Mr. STENNIS. That is true. That was an unfortunate part of the debate. I am citing this fact as an indication that there was a majority of the membership in favor of the bill and they got cloture. It shows the workability of rule XXII.

I have made a further check, and, as I checked the record, during the entire administration of President Kennedy, 2 years now, every single matter in his legislative program that he was asking Congress to pass has gotten to the floor of the Senate for a vote on the merits. Such part of the program as did not pass did not fail because of rule XXII; it failed because, in the judgment of the membership of this body at that time, there was not enough merit in the bill.

I believe there was one major recommendation that passed the House of Representatives and did not get through the Senate. On the other hand, the Senate passed one bill which did not get through the House. But every single major measure of the Kennedy administration that has come to the Senate has received a vote on the floor of the Senate. One was in the form of the so-called literacy test bill, in the form of a vote on procedure or a vote on cloture. In two votes of that kind a majority vote was not even secured.

So, as I have said, the bill fell by the wayside not because of rule XXII, but because there was not a majority vote available for it.

I think a close check of the 8 years of the Eisenhower administration, which would take us back 10 years, will show that every major recommendation President Eisenhower made to the Congress had a chance or "run for its money" on the floor of the Senate, and was either passed or defeated on its merits. If it was defeated, it was not because of rule XXII, but because it did not get a majority vote when it came to the floor.

Two of those bills, I remember, were so-called civil rights bills. They passed, too. Rule XXII was about like what it is now. Perhaps it has been modified a little. In those cases, as I mentioned a while ago, some concessions and some modifications were made; but the so-called voting rights bill passed in 1957 and was renewed in 1960.

So I can say that, certainly so far as I can recall, every major measure of the last 10 years which has been recommended by a President or has been really pushed hard by a formidable group in this body has been passed on. If it failed, it failed because of a lack of sufficient merit in the view of those composing the membership, and not because of the operation of rule XXII.

I believe those hard, practical facts are gradually sinking into the minds of a growing number of the membership of this body, who feel more and more, every day that, after all is said and done, rule XXII is workable and practical, and we had better keep it as it is.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Mississippi recalls, does he not, that it was the former Senator from Wyoming, Mr. O'Mahoney, and the present Senator from Idaho [Mr. CHURCH], who made the fight to preserve the rights of American citizens to jury trial?

Mr. STENNIS. Certainly.

Mr. LONG of Louisiana. At that particular time there was much pressure and clamor brought into the debate to the effect that southern juries of white persons could not be depended upon to do the honorable thing and to find a person guilty of a crime if he was guilty. If there had not been the right of free debate in the Senate and if we had not had an opportunity to bring forth the merits of the case, it is entirely possible that, under the guise of proceeding in equity rather than prosecuting directly for the commission of a crime, the citizens of this country could have been deprived of the right of trial by jury.

I ask the distinguished Senator from Mississippi, who is an outstanding jurist in his own State, whether it is not correct that, if such a mistake had been made by the Senate, it could very well have been the entering wedge for the further stripping away of the rights of American citizens to a jury trial when accused of crime.

Mr. STENNIS. The Senator from Louisiana has given us an excellent illustration. I agree with the Senator from Louisiana. I thank him for refreshing not only the mind of the Senator from Mississippi, but the minds of all the Members of the Senate and the people of the country at large as to the pressure that was being applied in a so-called civil rights bill, and of the outstanding way in which the late Senator from Wyoming, Mr. O'Mahoney, and our present valuable Member, the Senator from Idaho [Mr. CHURCH], boldly presented their fine views here and their strong arguments, which I think made a favorable impression on the Members of the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. I should like to ask whether the Senator has since heard anyone seriously suggest that the right of jury trial shall no longer exist in favor of any American, or that he should not be tried before a jury of his peers?

Mr. STENNIS. I have not; and I do not believe we will hear it suggested again. The debate brought out the circumstances as to the need, the value, and the sacredness of that practice in our system of government; and we wrote into law a provision that is more liberal along that line than the law is with reference to other subject matters.

Mr. LONG of Louisiana. Does the Senator agree that that was a case of one more very bad instance of striking at fundamental American democracy which was killed by free debate?

Mr. STENNIS. That is undoubtedly true. I appreciate the Senator's illustration.

Before we leave that point I wish to reemphasize the fact that I believe the principle which is embodied in rule XXII—and it is not the language that is sacred, but the principle—makes the Senate an important arm of the National Legislature. If we whittle down rule XXII, if we do—and God forbid that we should do that—we will find ourselves to be a subordinate body, with lost prestige and influence and power in the legislative branch.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. In similar fashion, is it not true that the proposal of President Truman, which may have appeared logical during a national emergency confronting our country at the time, in the form of a railroad strike, passed the House on the same day on which it was introduced, but once again, thanks to the right of free debate which exists in the Senate, that proposal was completely destroyed under the free debate rules which exist in the Senate, and many Senators who might have voted for it originally were persuaded that they should not do so?

Mr. STENNIS. The Senator is correct. A Member of the Senate told me only last week that under the impulse of the moment he voted for the railroad strike bill while he was a Member of the House. That is the bill which provided that if a man were called to work on a railroad, and he held out for 24 hours, he would immediately be inducted into the Army. That is the bill to which the Senator has reference, I believe.

Mr. LONG of Louisiana. Yes.

Mr. STENNIS. The Senator to whom I have referred said that under the impulse of the moment he voted for that bill in the House of Representatives. When he came to the Senate he said, "Thank God the Senate held it up and gave us time to take a second look." The bill was never seriously considered again, and it passed into oblivion.

I wish to comment briefly with further reference to the report that has gone out that until rules are adopted the committees in the Senate will have no existence and no power to act. This was pointed out previously in the debate, but I repeat it now because it is pertinent to other remarks that I shall make.

On page 37 of the standing rules of the Senate, printed in the "Senate Manual," I read:

> Each standing committee shall continue and have the power to act until their successors are appointed.

On page 43, at the bottom of the page, I read a part of rule XXXII. This is the provision which the Senate enacted as recently as 3 years ago. It provides as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

The footnote reference shows that this rule was amended on January 12, 1959, 4 years ago. That rule was composed and passed by the Senate by an almost unanimous vote, as the Senator from Mississippi recalls; and is as plain in its language and as certain in its terms as it is possible for it to be.

That was the issue that had been raised in the Senate at the time, when the Senate was looked upon as a continuing body. Nevertheless, that view was challenged. The Senate accepted the challenge and wrote out its concept of the situation of what would be the rule in the future, and incorporated that concept into the written rules of the Senate in plain, simple language.

With all deference, it seems to me that it is a bold assault on orderly procedure to come back, especially so soon, while the ink is hardly dry on the rule as written, and try to ignore the terms of that rule and the history of the Senate and the letter and the spirit of that rule and all the other rules, and, on top of all that, to argue, in effect, that we can come charging in, whether we have reason or not, and that all that is required is boldness, in effect, to force the Senate to adopt the previous question. It is said, "We will not call it the previous question. We will not call it a motion for the previous question. We will call it a motion in the nature of a motion for the previous question."

I cannot believe that such reasoning as that will prevail. I do not believe it is sound. I believe that when the Senate comes to make its considered judgment and weighs the pros and cons, so to speak, I pray, and I am confident, that the overwhelming majority will sweep aside those contentions as not having enough weight and validity and soundness to upset the whole procedures and precedents and rules of the Senate.

There have been several changes in the Senate rules since I became a Member of this body, changes which have been made over the strong protests of several Members and several segments of this body. But the changes were always made according to the rules of the Senate, the rules of accepted debate, the "Senate Manual," and what had been considered the sacred precedents of the Senate. They were not made through sheer audacity or boldness, by saying, "We will get the votes. We will put this over. We will change the whole nature of this body and the whole foundation upon which it rests by forcing through a rule by a mere majority vote and, in effect, hereafter be able to move the previous question with reference to the passage of bills."

Mr. President, only 4 short years ago the Senate by a vote of 72 to 22 effected a drastic change in the cloture rule which further limited the right of individual Senators and minority groups of Senators fully to be heard. Notwithstanding the revolutionary changes of 4 years ago we are today faced with proposals which would limit and restrict those rights even more severely. I shall endeavor to show that further changes are unwarranted by any jeopardy to majority rule or threat to the integrity of the Senate, and that, if they are effected, the minority voices in the Senate will be threatened with extinction.

In proposing stronger cloture rules, the contention is continually made by the proponents in debate on this floor that it is necessary at times to silence a dissenting minority in order that the will of the majority will be vindicated rather than frustrated. I have always been unimpressed with this contention because it postulates, in the face of overwhelming evidence to the contrary, that the Senate is unable effectively to deal with its own business. Historical fact, I believe, establishes the proposition that the cloture rule protects the rights of both the majority and the minority and does not arbitrarily or unreasonably impede or defeat the majority will.

I am unwilling to believe that the Senate, entrusted as it is with its responsibility in guiding the destinies of this Nation, would this long have tolerated a rule which arbitrarily makes it impossible for us to transact our important business. Are we to believe that the great Americans who have served in this body over the years would not have framed a better rule if the existing cloture provisions make this Senate as impotent as the proponents of change contend? Although many opportunities have been presented the Senate, in its wisdom, has seen fit to invoke cloture only on 5 occasions since the modern rules were adopted in 1917 although in the intervening time there have been 27 attempts to invoke cloture. Must we assume that the majority has been suffering and chafing all this time and yet has been unwilling or unable to do anything about it? On the contrary, I suggest that the results show a healthy and historical respect for the rights of those who believe in full and free debate.

I repeat—the proponents of cloture have failed 22 times out of 27 to convince the Senate that the time has come to stop debate and start voting. The proponents of cloture have been able to prevail only once since 1927. I suggest that we would underrate the Senate and the desire of its members to do their best for the country if we imputed to the great men who have served in this Chamber any intolerable frustration under the cloture rules that have existed since 1917.

It has been a long time since 1927. The Nation has been through a depression. It went through World War II and the postwar period. It went through the Korean war, and now, some ten years later, the post-Korean war period. In all that time, since that day in 1927, cloture has been imposed once; yet rule XXII now is more liberal than it was during most of those years. Can any Senator point out where any real harm has been done?

Has there been a failure to meet any kind of emergency during the years I have mentioned, from before the depression, during the periods of the great changes of which I have spoken, and up to the days of our present challenges which confront us day after day? Have we failed to meet those challenges because of rule XXII? I do not believe we have. I have never heard anyone seriously contend, in a specific case, that we have.

Let us remember that the Senate can adopt any rule it pleases to limit debate. Since 1917, cloture has required at different periods either a two-thirds constitutional majority or a two-thirds majority only of those present and voting. We have acted out of respect and deference to the time honored right and privilege of a member of this body to discuss the issues confronting him without arbitrary, unreasonable, or undue restriction. Why should we slight the Senate by insisting that it has been prevented under its cloture rules from achieving any of its finest purposes.

The plain and simple fact is that majority rule has not been nullified or defeated under our cloture rules. As I have stated, cloture has been attempted 27 times since 1917. Yet, if a majority-of-the-entire-membership cloture rule had been in effect during this period, cloture would have failed 17 out of 27 times.

This bears repeating. Had the Senate been called to vote its full membership from 1917 to 1962 it would have rejected cloture in 17 out of 27 cases if the issue had been decided by a majority vote. It would have voted cloture only 10 times. I say again that the majority has not been imposed upon.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Does the Senator agree that it is not really important what a majority believes when a legislative proposal is first submitted? Is not the important thing what the majority believes after the matter has been heard, and the arguments have been explored on both sides?

Does not the information which the Senator is presenting indicate quite well that after these questions had been explored, a majority became convinced that the undertaking was a bad one, one not in the national interest; and is not that further evidence, in the Senator's opinion, that the rule was serving us in good stead and was protecting us against unwise legislation, legislation which could not stand the light of free debate?

Mr. STENNIS. The Senator from Louisiana has very well stated a fact of life; namely, that regardless of how we may consider any particular bill, there was a period in our Nation's history, extending from 1917 to 1962, when cloture did not prevail. That is a period of 45 years.

The RECORD shows that those votes were taken after discussion, after debate, after hearings, and after the public had had opportunity to react, so to speak, and both sides had been heard, and the American people had taken a second thought. I think there is much wisdom in the second thoughts of the American people. Sometimes they go off on tangents; but the second thoughts of the American people are usually sound. As the Senator from Louisiana has so clearly brought out, that is where wisdom lies.

Mr. LONG of Louisiana. Does the Senator from Mississippi nowadays hear much support among the rank and file of the people for the so-called title III proposal, against which some of us were compelled to engage in extended debate at one time, having in mind the proposal that the Government should be the taxpaid lawyer for everyone who felt that in some respect his civil rights may not have been fully respected?

Mr. STENNIS. I do not think the country, or Senators either, hear that subject mentioned any more. It fell by its own force and its own defects. Its departure was good riddance. I am sure the country is better off because of that, and I am sure those it was designed to help are better off because title III was left out. That is a good illustration.

Mr. LONG of Louisiana. Does the Senator from Mississippi have in mind any particular measures which those who want to have free debate in the Senate restricted might have in mind imposing upon us by gag rule?

Mr. STENNIS. I do not know just what measures they may have in mind; that has not been made clear during this debate, at least. As I recall, one Senator said he had some civil-rights measures in mind. But I believe that if the rules of the Senate were changed in the way that is proposed, a great many economic measures, so-called, would be brought up, and very likely tremendous pressure to rush them through would be exerted. If such measures were enacted in that way, tremendous injustice would be done; furthermore, the rights of individual Senators would be jeopardized. In addition, the rights of various areas of the country would be jeopardized, for this situation is no longer confined to States' rights. It is now of importance to the representatives of all sections of the country, who must have a chance to be heard and to obtain concessions and adjustments under which the people of their areas can live.

Mr. LONG of Louisiana. Is it not also true that in the absence of the right of free debate in the Senate, the attempt made by a previous President to pack the Supreme Court would have had a good chance of becoming the law of the land?

Mr. STENNIS. Yes. From what I have been told by Senators who were here at that time and from what I know of public opinion, there is no doubt that in the absence of free debate in the Senate, that measure would have become law. Certainly that would have been a great error and a cause of great regret. Furthermore, if that measure had been passed by the Senate at that time, there would have been little chance to rectify it. I thank the Senator from Louisiana for referring to it.

Mr. LONG of Louisiana. Is it not also true that after the hearing on that measure was held by the Senate Judiciary Committee, and after that hearing exposed the fallacy of that proposal, it encountered great opposition, although even after the bill had passed the House, its weaknesses and its lack of soundness were not immediately apparent?

Mr. STENNIS. Yes. Of course, following that debate, a sounder development occurred—no doubt sounder than otherwise would have been the case.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Is the Senator from Mississippi familiar with the situation in State legislatures where the previous question is permitted, wherein those who favor proposed legislation have a tendency—knowing they have a majority—to rise before the debate has continued for perhaps half an hour, or sometimes even before the debate has continued for 20 minutes, and move the previous question—knowing that the longer the debate continues, the greater will be the number of votes against the particular proposition?

Mr. STENNIS. That has been my experience in my State legislature, where I had the honor to serve. It was a great honor, and such service is a great training ground. That was certainly the experience there, and I believe it will continue to be the case.

So if our present rule is changed, so as to allow cloture by majority vote or by the affirmative votes of three-fifths, I believe Senators will be under tremendous pressures by part of special groups to force quick action or almost immediate action on a bill—attempts to "hammer while the iron is hot," which is the point the Senator from Louisiana has brought out. Such a development would result in great injury to the people and great confusion and misunderstanding as to the real issues at stake. So I believe it most desirable that we proceed with great caution and deliberation.

Mr. President, I think those who are opposed to the proposed change in this rule have displayed great willingness to hear the other side. This debate has, I believe, demonstrated a magnificent respect for dissent and a willingness to hear the other fellow out, confident that the majority would not be jeopardized or thwarted in the final analysis.

On that point I speak with some experience. Just last year, the space satellite bill was before the Senate. The Senator from Louisiana has referred to the situation which existed at that time. That bill was reported to the Senate from the Committee on Aeronautical and Space Sciences. I attended the hearings and participated in the committee procedure under the leadership of the late Senator Kerr. I expected that after a reasonable amount of debate, the bill would be passed by the Senate. But even though the debate continued day after day, and even though only a small number of Senators participated in it, I never had a moment's distrust of any of them or a moment's impatience. I knew they were honest and sincere, and I admired them.

I was proud to see them carry on their fight. They carried it on courageously, even though they were faced with tremendous odds. I had a chance to observe that debate while I was—relatively speaking—on the sidelines, instead of being very much a part of that fight. My appreciation of, and admiration for, the Senate rules increased throughout that procedure, for I knew we were dealing with some important fundamentals. That debate involved the right of those Senators to make their fight and their presentation and to be heard and to exhaust all the remedies available to them. I think it was a wonderful illustration, too, of personal courage and sincerity on the part of those Senators.

Furthermore, Mr. President, as my experience in the Senate grows, and as I learn the lessons that history teaches, so do I become more and more distrustful of precipitate haste in connection with legislation; so do I appreciate and relish the need and the absolute necessity for full and exhaustive consideration of the proposed legislation which would be imposed on more than 188 million people. If it be urged that extended debate has sometimes resulted in the failure to enact legislation, I would call attention to a recent study of the legislative process which demonstrates that although the mills of Congress may sometimes grind slowly, Congress generally gets around to the passage of the legislation in later sessions. The study in point spans the period from 1865 to 1950, and cites 36 bills before the Congress which claimed wide interest, but initially failed of passage, because of alleged filibusters. Of the 36 measures listed, all but 11 eventually became law—in some cases after compromise had been made in their provisions, following a failure to invoke cloture.

That study is a most important one for our consideration in connection with this situation. In short, of those 36 measures, 25 actually became law.

That is a long enough period of time to judge the operation of the rules, to observe the trends of legislation and to measure the concrete results that follow from the passage of proposed legislation, or a failure to pass it.

I cannot conclude that existing cloture rules have reduced this body to frustration or have impaired its ability to function in view of the legislative record which I have cited. However, I believe that we would be greatly reduced in stature if a numerically superior portion of this body should insist that weight of numbers alone should be the measure of a Senator's right to be heard or his right to represent his State or his area.

The proposed change in rule XXII in 1959 was advanced as a rule change to end all rule changes. It was said that no further changes would be necessary. As I said in the beginning, I believe that still represents the view of this body. Changes have already been made, and no further changes are necessary. Indeed, there is a total absence of proof that such a change is in order or that it is needed. Since the rule change in 1959 there have been only a few efforts to invoke cloture. Cloture has been invoked during that time only once. On other occasions, as I have already shown, the motion to invoke cloture did not even receive a majority vote, much less two-thirds of the Senators present and voting, as required by the 1959 change.

And yet the vote on the communications satellite bill in 1962 proved without question that the present rule is effective when legislation truly necessary and in the national interest is at stake.

The changes that we have already made are great and sweeping. They involved great concessions and were adopted only 4 years ago. I pose the following question now: Why should the Senate, which accepted the change by the one-sided 72 to 22 vote in 1959, and which was apparently well satisfied with the changes that it had wrought only 4 years later, be anxious or even willing to further erode the rights of the minority to free debate and full expression of opinion? Has there been any experience in the intervening period which points up the necessity for further changes in the rules to put even stricter limitations on the right of debate? Certainly no such experience was evidenced in the previous Congress. Certainly there was no frustration in the Senate's final ability to achieve legislation in the case of the satellite communications bill. The vote to invoke cloture was 63 to 27, better than three-fifths. So ammunition in favor of the pending proposal cannot be found in the case of that bill.

That over the years we have required more than a simple majority to close off debate in the Senate springs from long recognition that in a democracy minorities are endowed with rights which no majority should trample upon. One of these rights—one of the most precious—is the right fully to enunciate and plead one's position. This has been recognized in many ways in the organization and functioning of our constitutional system.

Why has it been Senate policy through the years to conclude that debate therein should be curtailed by margins substantially larger than majority margins? One reason, I would think, is the reluctance of the Senators to conclude that the proper course of proposed legislation was that offered by a particular group at a particular time, even if this group were the majority. Wisdom is not the exclusive property of one group just because, at a specific time, it is in the majority. Frequently it has been our experience as we go home or as we travel the country or as time passes, to discover that the majority opinions held by us in Washington were not necessarily those held by the people back home. We have been compelled to retrace our steps and to find a solution in new legislation. We have learned that one small voice or several small voices were more truly representative of the will and the needs of the people than the mood of the Senate as expressed by the majority of the votes. Prophets among us have not always been recognized at the time of the prophecy.

All of us have lived long enough to witness the emergence of a minority rule as the one eventually accepted. This has been true in the Halls of Congress as well as in the bright and illustrious history of the law where many a brave dissent has later blossomed into acceptance by a majority of the Court. I do not intend by this to impute any necessary virtue to the minority simply because of its later acceptance. Perhaps in time it may again become the minority. What I do point out is that this minority is always entitled to be fully heard. It may be the doctrine we eventually may come around to. Let the pendulum not swing too far in a given direction. If it does, it might also swing too far in the other direction. History teaches us that a sober middle course is not so susceptible of revolutionary change.

Free, full and untrammeled debate is the very essence of our form of government that has survived so well and against so many onslaughts. Pondering the question of our strength and our continued solidarity, historians agree that our system of checks and balances within a tripartite form of government has been the very cornerstone upon which our ability to survive has depended. In other countries, one or another of the branches of government has become all powerful so that either political or military dictatorships have emerged. On the other hand, we have governed as the wise Founding Fathers planned it, so that no particular branch of government would get so strong as not to be restrainable by the counterforce and the ameliorating influence of the other branches.

An example within an example of this proposition is the counteracting force that the Senate has so often exerted in the case of legislation proceeding through the other branch at a pace made possible by reason of its special rules on debate. Obviously I intend no criticism of the House rules. The very size of the other Chamber has much to do with this. On the other hand, as a smaller body, the Senate can well afford full and considered debate.

I submit that this is the way the Founding Fathers planned it and because our system has worked so well and with such great advantages for a civilized world, I have often wondered why anyone should want to tinker much with this splendid machinery of government.

Due to the fact that we are small in number, we have a better opportunity to deliberate, extend, and ameliorate certain phases of a bill, or even reach sound compromises with reference to the balancing of economic interests, as well as other interests. We have a substantial duty to perform. Certainly that is in the spirit of the Constitution. Senate rules that will permit that special function are required. Perhaps the Senate has there found its greatest field of achievement and is entitled to more laurels. It has made a greater contribution to our Government throughout our history than has any other particular avenue of service. I think that is what makes the Senate a distinct body. It also describes the field of its main contribution. Let us keep it that way.

I say to those who would effect further changes in the rules of debate that I hope they are sure of what they are doing. I wonder at the fact that a number of those who were so recently the victims of the imposition of the gag rule should be working so diligently for the imposition of an even stricter gag rule. Apparently they have not profited from the bitter experience which brought anguished cries from them at the time. I hope they know what they are doing. I hope legislation can never be whisked through the Senate with the same speed and with the same absence of debate as is now possible in the House of Representatives. If this should happen it could help to speed the end of the most glorious system of government the world has ever known.

As I have stated, the deep respect of the Senate for minority rights has been responsible for the historical fact that cloture must be invoked by margins greater than simple majorities. The Senate, like the framers of the Constitution, has decided that certain measures call for broad unanimity on the part of its Members and has provided the corresponding appropriate rule.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator recognizes, does he not, that one can never anticipate exactly what the future abuses of the absence of free debate might be? I ask the Senator if it is not fair for those of us who believe in free debate in the Senate to ask those who would undermine and destroy something which has always been sacred to this body what bill they propose to pass by eliminating free debate in this body? What bill would they propose to put before the Senate, which they would like to force through by a gag rule, with respect to which they feel they could get 60 percent, let us say, but not 66⅔ or 67 percent?

I should like to ask the Senator if it is not fair that those who would destroy free debate first tell us what they hope to accomplish by it? What specific legislation do they have in mind?

Mr. STENNIS. It seems to me that that is fair, especially in view of the legislative history of what has happened in the past, when majorities have been able to take care of themselves pretty well. They finally prevail. They always have. At the same time, we have seen how minorities can exhaust all their reasoning and exhaust all their logic, unless aid is given.

I emphasize more than some other Members that minorities can force certain concessions and certain give and take, so to speak. Our form of government is based upon adjustment and give and take in economic affairs particularly.

I cannot see the wisdom of changing the rule and particularly, as the Senator says, for the proposed rule. What is being sought? What do Senators wish, after all? What will come after the rule is changed?

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield to the Senator.

Mr. LONG of Louisiana. Can we not cite as examples of what we are trying to save this country from the effort to pack the Supreme Court, because the President did not like its decisions; the effort to draft striking laboring men into the Army, because the Nation was impatient with their strike; and the effort to deny free men their right to a jury trial? Are not those fundamental rights which the people should have a right to have protected under free debate, before we seek to strike at the fundamentals of our Government?

Mr. STENNIS. They are outstanding examples of the very basic principles and fundamentals of our Government. Rule XXII saved the situation.

Mr. LONG of Louisiana. Might I suggest to the Senator that before we sell our birthright for a mess of pottage someone at least should show us what the pottage is? What is the bill they propose to pass by a gag rule in the Senate, and what is the urgency of its passage?

Mr. STENNIS. On the other hand, in all sincerity, what injury has been done reference to the few bills that did fail to pass? Over the 75-year history I cited, only 11 failed to survive in one form or another out of the 36 that were defeated in 75 years. All but 11 came back and were passed in one form or another, because they had merit—and doubtless more merit when they passed than they possessed when they were originally defeated.

Mr. LONG of Louisiana. Would it not be correct to assume that those 11 have more or less dropped by the wayside because of their lack of merit?

Mr. STENNIS. Yes. I think we could get a bill of particulars on that, and mostly there would be smiles rather than regrets now—smiles that the proposals were ever seriously pushed.

I thank the Senator.

In Senate debates on cloture, however, some apparently contend that a simple majority rule is the magic touchstone by which everything should be decided, no matter what issues are involved and no matter whether long established rights are being swept away. They apparently impute to the majority an infallibility which historical fact denies. At least that appears to be the impression sometimes created by those who contend for an easier cloture rule.

The constitutional scheme and process, on the other hand, is more discriminating than this in the case of certain important actions. For example, it is provided in article I, section 5(2) that if a member is to be expelled by either House this must be with the concurrence of two-thirds of the Members. Again, article I, section 7(2) requires the votes of two-thirds of the Members of each House if a presidential veto is to be overridden, and article II, section 2 provides for the presidential power to make treaties with the concurrence of two-thirds of the Senators present. Furthermore, article V provides:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution, or on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof.

Important actions are these—the overriding of a presidential veto, the amending of the Constitution, and the concurrence in a treaty—actions so important that our Founding Fathers, in their wisdom, considered that the concurrence of two-thirds of the Senate was requisite. There was no slavish adherence to the concept of a simple majority rule in these cases.

I will be told, I know, that we are living in a modern era and things must move along more efficiently than was necessary in 1787 or 1789. I suggest, however, that the Nation would be better off and the Senate better off if we resist the epidemic effect of speed in this modern era and try to keep the Senate as it was intended to be—a haven for deliberate thought and considered action. If the advocates of a more efficient legislative process would have it otherwise as to the particular delays in question, they should reckon with the chances for dealing with it via the constitutional amendment route.

Let me refer again to the several actions in which a two-thirds majority is required by the Constitution. The framers of the Constitution reckoned with delay here too, perhaps. At least, in these instances, they were not overwhelmed by the concept of a simple majority rule.

Proponents of the speeded-up legislative process sometimes profess to find support in the allegation that experience abroad indicates that debate can be limited in the Senate without undemocratic results. I wonder what countries they are talking about—I wonder whether, if actually called upon to make a choice, those who advance this argument would trade any small part of our legislative process for the corresponding section in the models they hold up to view. I sincerely believe that these debaters would not ever sacrifice a step in the domestic legislative Halls for the equivalent measure found abroad. Again I ask, why tinker with a wonderful machine?

I think it always makes sense when one is considering changing something, to ask just what one may be getting into when one makes a substitution. It makes sense to resist change when one notes that the old model has served the Nation well. A change should only be made on the merits of the proposed change and not for the sake of change alone.

It would be erroneous to infer from this statement that I believe we must never change in the Senate, or that the Constitution, as framed, should be immutable "like the laws of the Medes and Persians that alter not." Nothing could be further from the truth. The record will show that I have sponsored or cosponsored a number of resolutions proposing constitutional amendments.

Where drastic action is required, I will support it heartily; but when drastic action would, by my lights, do more harm than good, I will resist it to the limit of my ability. This is how I feel about the pending proposals for hampering and limiting debate.

By and large, the legislative procedure in the U.S. Senate needs no apology from anybody. I say this because it has sometimes been contended that extended debate has resulted in the defeat of needed legislation. It is even urged that the American democratic process is weakened thereby. Yet we know that action has been taken in almost every field in the last few years. This included legislation which was obnoxious and repugnant to me.

In fact, proponents of the proposed rule change are unable to point to a single solitary instance, outside the repugnant and wholly unnecessary field of so-called civil rights, where there has been a failure to bring proposed legislation to a vote on the floor of the Senate. During the past 2 years, the Senate has considered and voted on many issues, strictly on the merits, some after little debate, some after extensive debate. Many of these measures were far-reaching and charted new courses for our Nation. Many of them I felt to be unwise, wasteful, and contrary to the sound, conservative, and constitutional principles upon which our Nation is founded. The list of subjects considered and voted on by the Senate during this period includes area redevelopment, extension of unemployment compensation, feed grains, minimum wage, aid to education, housing, social security, agriculture, foreign aid, manpower development, disarmament, accelerated public works, trade expansion, medical care under social security, United Nations bonds, postal rates, compensation for Government employees, drug protection, merchant marine ship construction, space, and many others. I have named only a few of the many subjects which the Senate considered and upon which the Senate voted on the merits of the issue. Many of these bills were adopted, although I actively opposed some of them. Others were defeated in the Senate or in the House. But the fact remains, all of the issues named, and many others, actually came to a vote in the Senate under the rules as they exist now.

The entire program submitted to the Congress last year by the President came to a vote in the Senate. I do not know of a single, major piece of legislation, necessary and vital to the country, which failed because it did not reach a vote in the Senate last year.

What is wrong with the present rule? The proponents of a change have failed to advance one truly compelling and convincing reason for a change in the present rules. Frankly, it appears that the move to change the rules is brought up each year purely through habit.

I say this with all respect to the Members of the Senate. It is like a wheel turning. I remember the old horse and buggy days when occasionally there would be a tire on a buggy wheel that the maker had not welded exactly right, and every time the wheel turned it made a peculiar mark in the dust, sand, or soil. Each time the wheel came around, it made this dent. These questions arise every 2 years. The wheel turns.

Certainly, there have been no new developments since the Senate last considered the subject. It seems that the proposal to change the Senate rules must come around each year, just like Washington's Birthday, the Fourth of July, and Labor Day.

We can lapse into erroneous thinking if we overaccentuate the failure of legislation first proposed, blame it on extended debate, or filibusters, and then fail to note that the same legislative proposals met with success, perhaps in modified form, at subsequent sessions.

I can remember, when I came to the Senate, that the big debate then each year was with reference to the FEPC bill. That measure was debated week after week, at times. The bill never did pass. I think it has now been 13 years since the bill has been seriously proposed. The country has gone away from it and has decided it does not want it. I think almost everyone now is glad we did not put our economy into such a vice and control on a nationwide basis at the Federal level as would have been imposed by those bills. It used to be, in the old days, the proponents of such measures would be here every session, hammering at the door; and now they are gone. They will be among those that I think will not come back and will not get passed.

As I have stated earlier, 36 measures attracting widespread attention were before the Senate from 1865 to 1950 and were allegedly talked to death. Yet we find 25 of these bills turning up and being passed in later sessions. Was there no good reason for the delay in at least some of these bills? Why does an obsession for characterization require that we brand the debates as filibusters? Why were the same legislators willing to pass a bill later they had filibustered against before? Should we not learn something from this experience as we consider the current proposals to further limit the right of free and full debate?

Many of us might have thought that the question of whether the Senate was a continuing body and that, therefore, the 1959 rule was in effect at least until altered, had been resolved in the minds of those who were among the 72 when the 72 to 22 vote in 1959 altered Senate rule XXXII by adding the following language:

> The rules of the Senate shall continue from one Congress to another Congress unless they are changed as provided in these rules.

I would like to believe that those 72 Senators voting for this change in rule

XXXII were convinced that the modification represented the appropriate expression of the legal situation. If so, I would hope this continues to be their opinion. In any event, I submit that it constitutes a precedent which is binding upon us.

Mr. President, it hurts me to see an attempt being made to ignore that plain mandate and language of the rule, language we wrote into the rules ourselves just a few years ago.

This quoted rule is not something that was written away back yonder in Thomas Jefferson's day. It is a rule we wrote that we adopted in the Senate 4 years ago. The great majority of the Senate, whether Senators voted for it or not, had a part in formulating that rule. They brought it into the bosom of the Senate. To say now that it is invalid, unconstitutional, not binding is the same as saying that we did not know what we were doing. It just hurts my concept of my senatorial responsibility, as I see it, for the Senate to glibly try to push our own language aside or get around it or ignore it or say it is invalid or has no meaning or is not effective as to us.

As we know, however, the question arose again at the opening of Congress in 1961, and here today we are advised that it again is in issue.

The question is not, however, one of first impression. It was, for example, presented before the Congress when censure charges were preferred against a Senator in 1954. A select committee to study these charges submitted its report on November 8, 1954. That committee consisted of the then Senator from Utah, Mr. Watkins, the then Senator from Colorado, Mr. Johnson, the Senator from Kansas, Mr. Carlson, the late Senator from South Dakota, Mr. Case, the Senator from North Carolina, Mr. Ervin, and the Senator from Mississippi. The report contained the following conclusion:

> The fact that the Senate is a continuing body should require little discussion.

A point was made in that report that all the recommendations of the committee would fall and would be invalid and would be of no import unless the Senate was a continuing body. This is the way the report filed by that select committee read. It was acted on by the Senate, and a vote was taken on those recommendations, and the resolution supporting those recommendations was adopted. This is what the report said:

> The fact that the Senate is a continuing body should require little discussion. It has been uniformly recognized by history, precedent and authority. While the rule with reference to the House whose Members are elected all for the period of a single Congress may be different, the Senate is a continuing body whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only become vacant at the end of each Congress. (See S. Doc. 99, 83d Cong., 2d sess., "Congressional Power of Investigation," p. 7).

As I say, that was a matter of censure concerning a sitting Member of the Senate, and the question involved was whether or not the Senate was a continuing body. If it was not, it had no power over the situation. The report disposed of it in three or four sentences. The Senate took that report and acted on the resolution carrying out its recommendations, and adopted the resolution.

In the opening session of Congress in 1959, the Senator from Virginia [Mr. ROBERTSON], a distinguished colleague and a scholar of the first magnitude, directed himself to this question with his usual clear and comprehensive perception. He presented a paper on the subject which should be perused in detail for its illuminating historical narrative and its penetrating analysis. Senator ROBERTSON pointed out that the proposition that the Senate is a continuing body was a fundamental principle intended by the framers of the Constitution, as was stated at the time in the Federalist Papers by Hamilton, Madison, and Jay. He cited two Supreme Court decisions on the subject which reached the same conclusion.

The rationale cited in the Federalist Papers is as follows:

> In providing that two-thirds of the Senate always would hold over, and in providing that the President would send nominations to the Senate while it was in recess—not to a new Senate but to the same continuing Senate—the drafters of the Constitution evidenced their intention to create a continuing body.

The two U.S. Supreme Court decisions dealt with the functioning of Senate committees during a recess, and reasoned that the committees would not be able to function and would not exist if the Senate were not a continuing body.

Following his introductory remarks, summarizing the holdings of the authorities on the subject, Senator ROBERTSON introduced a paper entitled "The Senate as a Continuing Body." I want to comment here on selected portions of this learned document. It is a privilege for me to associate myself with this scholarly compendium.

Realizing that my poor effort can neither add to nor detract from the merit of this paper, I offer this abstract in the knowledge that Senator RORERTSON's work is as pertinent and helpful now as it was in 1959. My service, if it can be called that, is to refresh the Senate on the illuminating details of Senator ROBERTSON's thesis.

Senator ROBERTSON commenced his scholarly paper by referring to the then Vice President's informal opinions at the opening of the Senate in 1957 and 1959 to the effect that the Senate was not a continuing body and, therefore, had the right to adopt new rules. The situation which resulted in this opinion in 1959 was a motion to adopt new rules. Senator ROBERTSON made reference to a number of pertinent quotations which refuted the Vice President's position. One was a quotation from a report by the Committee on Rules and Administration to the Senate on May 13, 1953, on Senate Resolution 20. The report said:

> Traditionally the Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with one-third of its membership elected every 2 years, whose members moreover come from component parts of the Union.

Another quotation which Senator ROBERTSON cited as demonstrating the continuing nature of the Senate was taken from Woodrow Wilson's authoritative book entitled "Constitutional Government in the United States." President Wilson said—page 127—that:

> The continuity of the Government lies in the keeping of the Senate more than in the keeping of the executive, even in respect of matters which are the special prerogative of the Presidential Office.

Since reason is the life of the law we must look to the reason which prompted the Founding Fathers to create the Senate as a continuing body. Senator ROBERTSON found this reason to be their desire to erect an effective Union of the States without defeating their individual sovereignty to be complemented by the infusion at short intervals, every 2 years, of fresh representation to be merged with maturity and experience in the legislative branch in the form of the Senate. The author of The Federalist, letter No. 63, either James Madison or Alexander Hamilton recognized that a branch of the national legislature elected for such a short period of time as is the House of Representatives should not be held solely responsible for the final result of matters upon which the general welfare may essentially depend. In letter 63 of The Federalist we find the following:

> The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

Senator ROBERTSON then turned to article II, section 2 of the Constitution, for additional light on the intent of the Founding Fathers. This provides:

> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

It is pointed out that the reference is to the recess and the next meeting, not of a different Senate, but of one and the same Senate.

Earlier, I narrated the stringent circumstances under which the Senate adopted cloture rules in 1917. It is revealing in this connection to note, as Senator ROBERTSON states, that the Senate, prior to that time, lived and functioned without a cloture rule, save for a brief interval in the War Between the States. One of our greatest statesmen, Senator Elihu Root, of New York, is quoted by Senator ROBERTSON as illustrative of the antipathy toward restrictions on Senate debate.

Senator Root stated his views on February 15, 1915, CONGRESSIONAL RECORD, page 3793, in which he said:

> The Senate is a continuous body and its rules once adopted continue until they are changed.

The Senator from Kentucky—Mr. James—had asked:

> Shall we be bound by these old dead hands?
>
> Yes—

Answered Root—

> unless we see fit to change the rule. Nor is it the dead hand alone that binds us; it is the observance and recognition of the rule at every session of the Senate for these 108 years. Bound by the men of 100 years ago? No, bound by all the great and patriotic and wise and able men who have made the Senate of the United States for that century.
>
> The Senate not a continuing body? Why, sir, what happened here 2 years ago come the 4th of March? It was here in the Senate of the United States you were inducted into office. What happens when Congress adjourns? The House goes out of existence; there is a new House, and until the House is organized the statute says the Senate Committee is the Joint Committee of Congress on the Library. No reorganization is required.

Reference was made to the time before the adoption of the amendment fixing the convening of Congress in January.

The distinguished Senator from New York added:

> The purpose of rules is to establish a course of conduct which shall be a protection to the minority and preserve them in the performance of their duties against arbitrary restriction on the part of a majority.
>
> Sir, there is no right of liberty in the Republic more essential and vital than is the representation and the protection of the minority in the performance of their duty. Otherwise, why are we here at all?

Mr. President, that covers a part of the presentation of the Senator from Mississippi with reference to the historical fact of the Senate's being a continuing body.

It is approaching the hour for a recess. I shall continue my speech at some other time, if I may. Under those circumstances I yield the floor.

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## RECESS

Mrs. NEUBERGER. Mr. President, I move that the Senate stand in recess until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 51 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, January 22, 1963, at 12 o'clock meridian.

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## NOMINATIONS

Executive nominations received by the Senate January 21 (legislative day of January 15), 1963:

### Diplomatic and Foreign Service

Charles D. Withers, of Florida, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Rwanda.

### Interstate Commerce Commission

Paul J. Tierney, of Maryland, to be an Interstate Commerce Commissioner for the term of 7 years expiring December 31, 1969, vice Donald P. McPherson, term expired.

### Post Office Department

William J. Hartigan, of Massachusetts, to be an Assistant Postmaster General.

The following U.S. Coast Guard officers for promotion to the permanent rank of rear admiral in the U.S. Coast Guard:

Capt. James D. Craik.

Capt. Louis M. Thayer, Jr.

### In the Army

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, sections 593(a) and 3384:

*To be major generals*

Brig. Gen. William Joseph Hixson, Jr., O302021.

Brig. Gen. Michael Bernard Kauffman, O364438.

Brig. Gen. Ernest Louis Massad, O302186.

Brig. Gen. Raymond Forrest McNally, Jr., O294487.

Brig. Gen. John Chester Monning, O337254.

Brig. Gen. de Lesseps Story Morrison, O302989.

Brig. Gen. Robert Fulton Sikes, O291193.

*To be brigadier generals*

Col. Bodley Booker, Jr., O376560, Infantry.

Col. John Lewis Boros, O405754, Transportation Corps.

Col. Carl Leslie Buck, O410902, Infantry.

Col. Prentiss Courson, O1173570, Artillery.

Col. Rowland Falconer Kirks, O337691, Civil Affairs.

Col. William Percival Levine, O1055895, Artillery.

Col. John Francis Linehan, Jr., O1313261, Infantry.

Col. William Francis McGonagle, O325282, Artillery.

Col. Robert Roy Owen, O468688, Infantry.

The Army National Guard of the U.S. officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

*To be major generals*

Brig. Gen. Claude Feemster Clayton, O322985.

Brig. Gen. Benjamin Franklin Merritt, O244836.

Brig. Gen. Cecil Lee Simmons, O360399.

*To be brigadier generals*

Col. David Combs Baum, O534933, Infantry.

Col. Robert Stickney Dale, O378584, Artillery.

Col. Charles Watts Fernald, O1287851, Infantry.

Col. Donald Nielsen Moore, O372591, Armor.

Col. Paul Joseph Mozzicato, O371323, Artillery.

Col. Louie Charles Wadsworth, O260016, Armor.

The Army National Guard of the U.S. officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

*To be major generals*

Brig. Gen. Paul Leonard Kleiver, O397818.

Brig. Gen. George Oliver Pearson, O253334.

*To be brigadier general*

Col. Marshall Edgar Bush, O298635, Infantry.

### TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

*To be major generals*

Brig. Gen. John Edward Kelly, O20156, Army of the United States (colonel, U.S. Army).

Brig. Gen. Louis Alfred Walsh, Jr., O19567, U.S. Army.

Brig. Gen. Elmer John Gibson, O19822, U.S. Army.

Brig. Gen. Edwin Hess Burba, O31518, Army of the United States (colonel, U.S. Army).

Brig. Gen. Alexander Day Surles, Jr., O20622, Army of the United States (colonel, U.S. Army).

Brig. Gen. Benjamin Henry Pochyla, O30103, U.S. Army.

Brig. Gen. Joe Stallings Lawrie, O20914, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Roberts Calhoun, O19256, U.S. Army.

Brig. Gen. Walter August Jensen, O19006, U.S. Army.

Brig. Gen. George Thomas Powers 3d, O19137, U.S. Army.

Brig. Gen. Jackson Graham, O20553, Army of the United States (colonel, U.S. Army).

*To be brigadier generals*

Col. Julian Johnson Ewell, O21791, Army of the United States (lieutenant colonel, U.S. Army).

Col. Howard Wilson Penney, O22917, Army of the United States (lieutenant colonel, U.S. Army).

Col. Peter Clarke Hyzer, O20589, U.S. Army.

Col. Walter Evans Brinker, O21776, Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Thomas Cassidy, O23213, Army of the United States (lieutenant colonel, U.S. Army).

Col. Emil Paul Eschenburg, O23469, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Norton, O23858, Army of the United States (lieutenant colonel, U.S. Army).

Col. Leland George Cagwin, O23200, Army of the United States (lieutenant colonel, U.S. Army).

Col. Albin Felix Irzyk, O24158, Army of the United States (lieutenant colonel, U.S. Army).

Col. Walter Philip Leber, O25130, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Charles Gribble, Jr., O23695, Army of the United States (lieutenant colonel, U.S. Army).

Col. Harry Jarvis Engel, O39840, Judge Advocate General Corps, U.S. Army.

Col. Richard Pressly Scott, O23787, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Clinton Taber, O25270, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Pershing Brown, O23544, Army of the United States (lieutenant colonel, U.S. Army).

Col. Keith Lincoln Ware, O33181, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Lafayette Mabry, Jr., O34047, Army of the United States (lieutenant colonel, U.S. Army).

Col. Woodrow Wilson Vaughan, O23004, Army of the United States (lieutenant colonel, U.S. Army).

Col. Ralph Longwell Foster, O22669, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Parker Warner, O32462, Army of the United States (lieutenant colonel, U.S. Army).

Col. Raymond Leroy Shoemaker, Jr., O22978, Army of the United States (lieutenant colonel, U.S. Army).

Colonel Clarence William Clapsaddle, Jr., O22972, Army of the United States (lieutenant colonel, U.S. Army).

Col. Willard Pearson, O44466, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Eugene DePuy, O34710, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Joseph McCaffrey, O22065, Army of the United States (lieutenant colonel, U.S. Army).

Col. Edward Paul Smith, O22063, Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Alexander McChristian, O21966, Army of the United States (lieutenant colonel, U.S. Army).

Col. Fred Wilbur Collins, O33425, Army of the United States (lieutenant colonel, U.S. Army).

Col. Herron Nichols Maples, O45920, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Bruce Smith, O46241, Army of the United States (lieutenant colonel, U.S. Army).

Col. Kenneth Howard Bayer, O23551, Army of the United States (lieutenant colonel, U.S. Army).

Col. George I. Forsythe, O24510, Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Joe Seitz, O33979, Army of the United States (lieutenant colonel, U.S. Army).

Col. Arthur Lorenzo West, Jr., O25269, Army of the United States (lieutenant colonel, U.S. Army).

Col. Ellis Warner Williamson, O34484, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Edmondston Coffin, O25234, Army of the United States (lieutenant colonel, U.S. Army).

Col. Dayton Willis Eddy, O24565, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Gray O'Connor, O21088, Army of the United States (lieutenant colonel, U.S. Army).

Col. Thomas Mull Crawford, O21983, Army of the United States (lieutenant colonel, U.S. Army).

Col. Thomas Augustine Kenan, O22670, Army of the United States (lieutenant colonel, U.S. Army).

Col. Elias Carter Townsend, O31680, U.S. Army.

Col. Henry Augustine Miley, Jr., O22993, Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Miller Heiser, Jr., O43773, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles William Eifler, O32614, Army of the United States (lieutenant colonel, U.S. Army).

Col. Austin James Montgomery, O51942, U.S. Army.

Col. Raymond Chandler Conroy, O33276, Army of the United States (lieutenant colonel, U.S. Army).

Col. Bryan Coleman Thomas Fenton, O20088, Medical Corps, U.S. Army.

Col. Conn Lewis Milburn, Jr., O20405, Medical Corps, U.S. Army.

Col. Joe Morris Blumberg, O29332, Medical Corps, U.S. Army.

# HOUSE OF REPRESENTATIVES

## MONDAY, JANUARY 21, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Chronicles 26: 5: *As long as he sought the Lord, God made him to prosper.*

Eternal God, our Father, whose deep concern includes all sorts and conditions of men, Thou art always opening unto us windows and doors to a richer and fuller experience of that wisdom and understanding which will reveal unto us the truth and the faith which will give us patience and perseverance.

Help us to be diligent and faithful in discharging our duties and prompt in repelling all thoughts of doubt and discouragement, and of selfishness and suspicion, as we counsel and confer with one another in the sacred business of statecraft.

Grant that as a legislative body charged with the responsibility of formulating and enacting laws that will be for the welfare of our beloved country, may we be eager to exercise economy in expenditure and generosity in giving aid to the needy.

Hear us in Christ's name. Amen.

### THE JOURNAL

The Journal of the proceedings of Friday, January 18, 1963, was read and approved.

### MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

### DALLAS FEDERAL CENTER

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, I rise to call to the attention of the Members of the House of Representatives a situation so serious that it could mean the end of our Republic as we have known it. I refer to the deliberate attempt of the Kennedy administration to penalize and punish one of the great metropolitan areas of the Nation because its people did not support the candidate of the President's choice for election to the House. Mr. Speaker, such a bold and tyrannical attempt to force the election of favored candidates to the legislative branch cannot, must not go unchallenged in this free society. If the Congress fails to stand against the President in this ruthless display of politics, then no Member is safe against the machine which is being operated from the White House and we will have, in all practical effect, dictatorship.

The matter I refer to is the construction of a Federal building in Dallas. This project was initiated by my predecessor, a Democrat, and has been approved by the General Services Administration because it was found to be in the interest of efficiency and economy, and has had approval by the Committee on Public Works in both the Senate and the House. Without relation to cost or disavowing the project by merit, a Democratic administration refuses to include it in the budget while at the same time approving projects of less merit which were initiated at a much later date than the Dallas Federal Building.

The following articles from the newspapers in Dallas over the past several days furnish shocking revelations that it is from the White House itself that the word has gone out that "Dallas will never get the Federal building as long as BRUCE ALGER is in Congress."

Mr. Speaker, I do not believe that any Member of this body will endorse that kind of gutter politics and political reprisal. I know the people of Dallas and of Texas, and I hope the entire country, will express their righteous anger at this attempt to control elections and to assure only handpicked candidates of the President, membership in Congress. I will welcome, and I know the people of Dallas will appreciate the support of any of my colleagues who resent, as do all patriotic citizens, this attempt by the White House to emasculate the constitutional separation of powers. It is bad enough to approve public works by deficit financing; it is far worse to discriminate selectively against one project for political punishment.

At this point I would like to include the articles from the Dallas Times Herald and the Dallas Morning News, not omitting the criticism leveled at this Member, although the debate does not hinge upon what an editorial writer thinks of me personally, but the constitutional principle involved here.

Mr. Speaker, I now say "Mr. President, this is not good government nor good politics—and you will learn that American peoples, including Texans, will not come to heel when you command."

[From the Dallas (Tex.) Times Herald, Jan. 20, 1963]

### THE DALLAS FEDERAL CENTER—A POLITICAL HATCHET JOB

The Federal Government is using political reprisal for an inexcusable hatchet job on one of its greatest American cities; namely Dallas.

Failure of the Democratic administration to include the $26 million Dallas Federal Center in the 1963 budget comes as a bitter disappointment.

The merited project has been nearly 10 years in the making. It has been approved by committees of both the Senate and the House. The site has been acquired. The plans have been drawn.

The project has merit and Dallas businessmen have personally taken the matter to President Kennedy to prove it. In rent alone it would save the Federal Government $1.5 million annually.

But Dallas County is getting its punishment from the Democrat administration because it voted a Republican Congressman into office.

The blow was accentuated by the fact that a $15 million Federal building for Fort Worth was included in President Kennedy's budget request. Oddly, the Dallas building was proposed by the General Services Administration nearly 4 years before the Fort Worth building was conceived.

It is not idle thought to imagine that if Fort Worth gets its huge new Federal center that many of the Dallas agencies will be moved 28 miles west. We do not quarrel with Fort Worth if it needs a center, but we violently object to politics that would retard the economy of Dallas.

Now the General Services Administration belatedly states that projects are requested on the basis of relative urgency. How, we ask, can Fort Worth be given a more urgent status than a city that has far more Federal agencies to house?

The public assumption, whether true or not, is that Fort Worth has a Democratic Congressman and we have a maverick Republican—more popular at home than he is in Washington.

If this assumption is correct, it does not represent democracy at its best.

We suggest that President Kennedy refresh himself on remarks of idealism expressed in his 1961 inaugural address.

We further suggest that Representative Bruce Alger adopt a realistic attitude as concerns the future of his district and stop dealing in generalities and political pinpricking. We want him to be concerned about America and the world but we also want him to be concerned about the economic future of the district that elected him.

It takes courage for a Democratic President to approve a $26 million building for a district represented by an unfriendly Republican—particularly when he doesn't have enough to go around for Democrats who also have worthy projects.

But this is exactly the type of courage we expect from a President of all the people if the project is a worthy one.

The President calls upon all his people to drop party labels and follow him in a national crisis. We expect the same treatment from the White House when an American city's growth and economic stature is involved.

Need for the Dallas building is now more pronounced than it was in 1955. It will, as stated, save the Federal Government $1.5 million annually in rentals now paid for inadequate space scattered over the city. It will improve operational efficiency.

A sizable investment has already been made for the Dallas center—$1.5 million for the site and $600,000 in completed plans.

The city of Dallas believes the center should be included in a supplemental budget or a congressional appropriation.

We should continue to fight for it—Democrats and Republicans alike. There are no party labels pasted on taxes we send to Washington and we want none in return.

Dallas County has been built upon a very solid rock of political independence. It has a right to vote Republican or Democrat—a very sacred right reserved for the individual.

But it will rise up in unison in that same independence to condemn any party that attempts to punish it while in temporary political power.

This is an independent Democratic newspaper talking—one that has supported far more Democrats than Republicans. But it is also a voice of Dallas and it does not like seeing its city shoved around as a political pawn.

Seventy thousand Democrats voted in the last election in Dallas. The party's advantage has dwindled in recent years because of internal haggling and such hatchet work as we are now witnessing.

Dallas Democrats are loyal to their city—and they will continue to resist political efforts to move Federal agencies from Dallas to more favorable Democratic terrain.

We call upon the President of the United States to be just that—a President of all the people, regardless of political ties.

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[From the Dallas (Tex.) Times Herald, Jan. 20, 1962]

### For Federal Center—Dallas To Fight On

(By Charles Holmes)

A group of Dallas civic leaders who have been fighting to get a new Federal Center for Dallas indicated Saturday they would continue the struggle for the multimillion dollar project despite still another setback.

Dallas' hopes for the $26.7 million building were dealt a severe blow when President Kennedy announced his 1963 budget and it did not include the building for Dallas.

"The building is still as vital to the community as it ever was," James F. Chambers Jr. said.

Mr. Chambers, president of The Times Herald, was spokesman last July for eight business and civic leaders who called on the President about the proposed center.

#### MORE WORK PLEDGED

"We will continue to work toward the day when we can have it," Mr. Chambers pledged.

It has been 8 years since the General Services Administration first proposed the center. It has been embroiled in politics and controversy since.

Much of the controversy has centered around the question of whether Dallas' failure to gain approval of the project is political reprisal against its pro-Republican voting record.

Dallas' congressman, Representative Bruce Alger, has claimed that the center is being denied Dallas because of him and his voting record. The Republican congressman, however, once praised Republican President Eisenhower for refusing to include the center in the budget.

#### POTENTIAL SAVINGS

Dallas leaders have pointed out the potential savings that can be derived by building a center and not having to pay rent for all the agencies now housed around the city. Budget officials have contended the money is not now available for the Dallas center.

Looking back at that July meeting in the White House, Mr. Chambers said, "At the time we visited with the President about the GSA center for Dallas, he told us that he did not feel the project economically feasible, but that if it had a strong enough recommendation he would certainly feel compelled to consider the source of the recommendations and that his mind was open on the subject."

Mr. Chambers said the President pointed out, "there were a number of GSA buildings proposed across the Nation and that the expenditure for a building in Dallas was not his sole consideration."

"The group that met with the President came away with the feeling, however," Mr. Chambers continued, "that he would take a Dallas building into consideration if it appeared to be getting any support from Congress or any of the agencies involved."

#### OTHERS ATTENDING

Attending that July meeting in addition to Chambers were Stanley Marcus, J. Erik Jonsson, J. W. Aston, J. T. Suggs, Robert Cullum, Gen. Robert Smith and Dale Miller. Mr. Mr. Chambers said it was a nonpartisan group made up of both Republicans and Democrats.

Mr. Marcus was out of the country Saturday and was unavailable for comment. General Smith could not be reached Saturday and Mr. Aston said he did not care to comment. Mr. Miller is the Washington representative of the Dallas Chamber of Commerce.

Some of the statements by others who attended that meeting and statements by Mayor Earle Cabell and County Judge Lew Sterrett:

J. Erik Jonsson: "The President made an appointment for us with the head of the GSA, who told us the Dallas center was at the head of the Nation in the line of economic justification. If it were something that did not have justification, I'd say forget the whole thing, but it is something worth fighting for."

Robert Cullum: "Naturally, we are quite disappointed, but we are not totally discouraged. We have to sell the idea we need it on its merits. Since it is the sound and economic thing, we think it can be sold to Congress."

#### WASHINGTON DISFAVOR

J. T. Suggs: "As everyone is saying, we seem to be in disfavor up there. I don't think I'd care to add anything else that hasn't already been said."

Mayor Cabell: "I would imagine our leadership and our influence in Washington is weak for some reason. Otherwise it would not have been omitted as it has been an approved item (by both the House and Senate Public Works Committees) for several years. It is a needed, economically feasible project. It is not in the pork barrel legislation area."

Judge Sterrett: "I think it is a pretty serious blow to Dallas. Dallas should be the hub of the Southwest for Federal employees and I'm fearful if we do not get the Federal center we'll lose some mighty fine people. I'm not discouraged, I believe we will get the Federal center."

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[From the Dallas (Tex.) Morning News, Jan. 19, 1963]

### Dallas Man Rebuffed in Center Plea

(By Robert E. Baskin)

Washington.—A Dallas visitor at the White House Friday said aids there "made it plain that Dallas wasn't going to receive any consideration (for a Federal center) as long as Bruce Alger was in Congress."

The Dallas Democrat, who asked that his name not be used, said he was astonished by the strong anti-Dallas feeling evidenced by White House aids in the discussion over the center.

He said he knew that the New Frontier administration played a hard game of politics, but he had not realized how much cynicism existed among presidential assistants.

The visitor came away feeling that nothing more could be done about forwarding the $27,500,000 Dallas project at this time. He expressed doubt that further calls on the President by delegations from Dallas, such as that made last spring, would accomplish anything.

Dallas civic leaders indicated Thursday that they were considering another call on President Kennedy.

Meanwhile Friday, Representative Jim Wright, of Fort Worth, expressed regret that President Kennedy had not seen fit to include the Dallas Federal Center in his 1963 budget.

Wright, a member of the House Works Committee, which approved the Dallas project, said he was willing to make a further effort on behalf of it.

He said he had made requests on four projects to the administration for the next fiscal year's budget and three of the four, all in his Tarrant County District, were in the budget.

The four were the $15,660,000 Fort Worth Federal center, the Dallas center, and flood control projects on Big Fossil Creek and in the Sunset Acres area of Fort Worth.

"I'm on the spot where the President has done three of the four things I requested, and I can't attack his action," Wright said.

Wright made appeals last fall to the General Services Administration and the Budget Bureau on behalf of both the Dallas and Fort Worth centers.

He had taken the position that the two projects should be constructed simultaneously.

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[From the Dallas (Tex.) Morning News, Jan. 19, 1963]

### Federal Center

On Dallas' failure again to get its Federal center, one can strongly suspect but not prove that—

We are being punished because Dallas County voted against Mr. Kennedy by nearly 70,000 votes. Other Republican districts are getting their share of projects.

Continued reelection of Bruce Alger, a Republican, to Congress militates against us.

Mr. Kennedy said last year that other projects have priority over that in Dallas. That is ridiculous. The Dallas center was conceived and approved by appropriate committees long before that one in Fort Worth. Now Austin gets one worth $9,257,000—not to mention Harry Truman's hometown of Independence.

Dallas doesn't want the center if it doesn't deserve it and if it doesn't need it. We have existed, somehow, without the help of unnecessary handouts.

Truth is, we do need it, it is worthy, it will save the Government money; and regardless of how the free people of a free district vote freely for whom they please, the center should be authorized on merit—and merit alone—regardless of Alger, Kennedy, or anybody else.

Unfortunately, Government is not a science in which merit always governs.

## COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that the Committee on Science and Astronautics may sit tomorrow and Wednesday while the House is in session to hear its scientific panel members and to consult with them.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## A NEW BILL TO CURB FOREIGN SHIPS IN THE CUBAN TRADE

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I should like to advise the Members of the House that I am introducing a bill to amend the Merchant Marine Act so as to establish it as the policy of the United States that foreign vessels which trade with Cuba and certain other Communist countries may not participate in carrying U.S. Government-generated cargoes. Under the provisions of this bill no vessel which is engaged in or has engaged in trade with Cuba, Communist China, North Korea, or the Communist-controlled area of Vietnam shall be permitted to participate in the transportation of any goods or commodities under any law of the United States, whether such goods or commodities are being imported, exported, or transported for any other purpose. Furthermore, no petroleum or petroleum products subject to an import quota shall be admitted to the United States within such quota when carried in such vessel.

Under the provisions of this bill the Secretary of Commerce is directed in the administration of the Export Control Act of 1949, as amended, to apply the same restrictions as to ship stores and bunker fuel as have been imposed with regard to vessels engaging or which have engaged in trade with Red China and other Communist-controlled areas.

Vessels covered by the provisions of this legislation would be those registered, controlled by or chartered to Communist countries or vessels which have been engaged in Communist trade since February 1, 1962, when the United States first initiated its voluntary free world shipping boycott of Cuba. Also affected would be vessels scheduled to call at a port of such a Communist-controlled area and likewise included would be other vessels owned or operated or chartered to the owners of one or more vessels subject to this restriction.

Mr. Speaker, the provisions of this measure would be inoperative at anytime as to any country or area as the President proclaimed that he has determined that such country is no longer dominated or controlled by or part of the world Communist movement. Likewise, in accordance with the customary procedures in matters involving trade with Communist countries the provisions of this bill could be waived by the President upon a determination by him that such waiver would be in the interest of the national security.

In connection with my proposal to put more teeth in the present free world shipping boycott of Cuba and our so-called Red China restrictions, I should point out that my information is to the effect that the U.S. Department of Agriculture has been approving foreign flag vessels for the shipment of grain where such ships have been making trips to Cuba in violation of our voluntary embargo. Our Government, I am told, has failed to withhold U.S.-generated aid cargoes from these owners who have been active in the Cuban trade.

According to the American Maritime Association our Department of State is obviously involved and is using every conceivable excuse to delay the initiation of promised Government shipping orders designed to curb the use of foreign ships who participate in trade which conflicts with our national interest.

Obviously the United States is either unwilling or has been unable to persuade its free world allies to forego this trade. Meanwhile, if what I hear is true, there are influential Government officials who now are suggesting a policy of massive aid to Cuba similar to our previous policy of attempting to win Communist Yugoslavia's good will and thus woo her away from Moscow and the Kremlin. As for the present Department of Commerce regulations covering bunker fuel for vessels which have called at or scheduled to call at Far Eastern ports, I might say that they are wholly ineffective because any such ship that desires to pick up American cargo in an American port only has to refuel in Canada or some other foreign country and then can proceed to load an American cargo at an American port without being affected. Obviously my bill would correct this situation.

The Constitution provides that Congress—not the State Department or the executive branch of our Government—should regulate commerce with foreign nations. In the case of Cuba, Congress should exercise this power and tighten our economic boycott.

Mr. Speaker, passage of legislation such as I have introduced is urgently needed to protect American shipping interests and the American seamen who man our American-flag ships.

I hope for an early hearing on my bill and urge my colleagues to support its passage in every way possible.

## UNITED STATES SPENDING ITSELF INTO GRAVE

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include editorials.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, the President presented the 88th Congress with perhaps its most pressing problem last week when he outlined a proposed tax cut, which would amount to $13.5 billion over the next 3 years, and then submitted a budget calling for expenditures of nearly $99 billion and a deficit of $12 billion for fiscal year 1964.

It is clear that the administration is going to try to obtain a much-needed overhaul of a tax system that has operated as a drag on our economy, and at the same time continue its reckless, inflationary policy of piling deficit on top of deficit with a casual assurance that all will balance out in the end. Some deficit could have been anticipated as a result of the tax cut, but one this size makes the President's professed interest in holding spending in check ring just a little bit hollow.

The public has supposedly been well conditioned to accept the age of $100 billion Federal budgets and to dismiss talk of deficit spending and inflation as being some sort of blind adherence to archaic and outmoded economic theories.

I, for one, do not think the public is being fooled at all. People over this country are having hard second thoughts about the effect of a tax cut on top of continued massive deficit spending. They know what the inflationary impact of this kind of Government fiscal policy does to the dollars in their pockets and if my mail is any indicator of public sentiment people are wondering what good it does to have more dollars that are worth less.

We cannot spend ourselves rich, as we certainly must learn some day when the rude awakening comes, but we certainly can, as the following editorial from the Syracuse (N.Y.) Post-Standard so aptly puts it, spend ourselves into the grave:

### How To Bury Capitalism—United States Spending Itself Into Grave

If President Kennedy were determined to help Nikita Khrushchev "bury capitalism," he could do it no more effectively than by means of the Federal budget which he submitted yesterday to the Congress.

While promising a tax reduction of $13,500 billion in the next 3 years, he submits a budget which would cost $98,802 million in the next fiscal year, which would create a deficit for that 1 year of $11,902 million, and which would shoot the national debt up to $315,604 million by June of 1964.

If that is not the sure road toward national bankruptcy and "the burial of capitalism," we don't know what it is.

Prime Minister Khrushchev has no desire to wage a hot war against the United States. The last thing he would want to do would be to direct a missile at Washington, or New York, or Syracuse. He is well aware of our retaliatory power.

He is quite content to sit quietly in Moscow and continue to pull strings here and there which will force the United States to spend even more of its billions for defense, for foreign aid or for space exploration.

In effect, the Communists are calling the signals which compel us to spend ourselves into national bankruptcy at a headlong rate.

One difficulty with a $99-billion Federal budget is that the figure is so completely incomprehensible.

Who can imagine what $1 billion means? It is $1,000 million, but who understands that? And when we get up to $99,000 million, where are we?

Such sums are too staggering for the human mind, so the average citizen gives up in despair: That is why politicians know they can make more "political hay" by exposing a $1,000 theft or even a $50 graft than by opposing a needless $1 million appropriation.

And that is why State and Federal budget makers know they can get away with astronomical recommendations with a minimum of public reaction.

One possible means of translating $99 billion into an understandable figure is to estimate what such a national budget would cost locally. The Empire State Chamber of Commerce has done this and has come up with some startling data.

New York State's share of the President's new budget is $13.2 billion, or $765.14 for every man, woman and child in this State. This is an increase of $603 million over the New York portion of the current Federal budget.

Figuring that New Yorkers pay 13.39 percent of Federal taxes (exclusive of social security and other nonoperating levies), the Empire State Chamber says that Onondaga County's share of Federal spending for the coming fiscal year will be $293,690,904.

On this basis, here are the estimates for other counties in the P–S area:

Cayuga, $37,042,096; Chenango, $22,489,844; Cortland, $22,489,844; Franklin, $18,521,048; Jefferson, $44,979,688; Lewis, $10,583,456; Madison, $23,812,776; Oneida, $165,366,500; Oswego, $37,042,096; St. Lawrence, $48,948,484; Seneca, $19,843,980; Tompkins, $41,010,892; Wayne, $38,365,028.

What will it cost to carry a national debt of $303,494 million at the end of this fiscal year, or a total of $315,604 million at the end of June 1964?

At 3 percent annual interest, which is a conservative rate for Government borrowing, the annual cost of carrying this year's accumulated debt will be $9,104,820,000.

The $315,604 million debt at the end of fiscal 1964 will cost the taxpayers, at 3 percent, a total of $12,468,120,000 a year.

At this rate, should we be considering a tax reduction of $13.5 billion and increased Federal spending of $4,491 million?

Or have we all gone crazy?

## GLOSSING OVER CUBAN FACTS WOULD MAKE UNITED STATES AN INTELLECTUAL OYSTERBED

**Mr. RIEHLMAN.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include editorials.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. RIEHLMAN.** Mr. Speaker, I would like to include at this point in the RECORD an excellent editorial from the Fort Lauderdale News for the benefit of those of my colleagues who may not have seen it. It deals with the aftermath of the Cuban October crisis and with the critical situation which still remains in that Red-ruled country, and it expresses my own concern that too many Americans will consider the Cuban problem as solved, wrapped, tied in a bow, and presented to the public as a great cold war victory, not to be opened, discussed or questioned until some future Christmas—preferably post-1964.

The editorial also expresses my belief that it is incumbent upon the Congress to lay the bare bones of our entire Cuban policy, past and present prospective, on the table for all Americans to see. The American people must be in a position to judge for themselves the wisdom of the policies their leaders pursue and I am afraid only the Congress can prevent the facts which the people so desperately need from being swept under the rug. Thought manipulation by the oracles who formulate national policy cannot be permitted to become the guiding light for American public opinion. The American people are capable of making the right decisions if they are only given the facts.

Our foreign policy is surely headed for some disastrous turns if soothing sirup, pretty ribbon and a generous supply of whitewash continue to be Washington's answer to the plaintive plea of the American people for the facts.

We in Congress have a responsibility to give the Cuban situation a full airing, and the sooner we proceed the better.

### GLOSSING OVER CUBAN FACTS WOULD MAKE UNITED STATES AN INTELLECTUAL OYSTERBED

(By William A. Mullen)

Please forgive any indelicacy or bruising of the ego that may result from this imbalanced analogy: The modern human intellect is assuming the characteristic of a seeded oyster.

Now, as most everybody knows, an oyster infested either artificially or naturally with an irritant solves its problem by coating the grit with a smooth membranous secretion. Layer by layer, the irritant is covered until, presto, a pearl is formed. And this pearl has considerable monetary value although it is, in truth, merely the byproduct of an ailing mollusk.

So it goes with the human intellect in these days of complex, fast-moving, high-pressure events. An irritant such as Cuba annoys the logic of the mind, which is conditioned to accept truth and fact and to instinctively reject that which is the opposite.

Try as it might, the mind cannot reject Cuba because day in and day out, it is riddled with propaganda, distortion, insistence and all of the techniques available in the refined science of communication between intelligent human beings.

Then it follows that, when the mind cannot rid itself of disquieting irritants, a defense mechanism acts and the oyster process sets to work to smooth over the disturbance. Soon there are such pearls formed as the Cuban Bay of Pigs prisoners were not ransomed, they were liberated; the fiasco of the missiles was not a defeat for the United States, it was a success on the part of the Kennedy administration.

Add for good measure the inconsistency that Cuba is not a menace to this Nation or this hemisphere, but someday this nonmenace will be liberated and another problem will be solved.

All of this might not be of such great concern if it were not for the inescapable conclusion that the minds of far too many Americans have either accepted the desired version of the Cuban affairs, plural, as the truth, or have set to work to cover them with a smooth, conscience-relieving coating.

#### THOUGHT MANIPULATION DANGEROUS

The acceptance of the process are the more disturbing in that the procedure is a flagrant example of thought manipulation, with those who resist becoming exposed to the most caustic vituperation.

If the pattern succeeds in the matter of the Cuban affairs, then it can more readily be applied to some future problems and before long, a nation that prides itself in knowing the truth and believing that the powers of government are held by the people will be transformed into an intellectual oysterbed. And history is studded with the empty shells of such nations.

Our salvation, it appears, has come to rest more and more with the Congress, which has the power and the facilities not enjoyed by the people to investigate, to ascertain the truth, and to take any corrective or punitive measures required.

Therefore, if the Congress is to serve the people to whom it is directly responsible, it must probe the Cuban affairs relentlessly to find the truth and to present that truth publicly, however harsh it may be, for the entire sordid Cuban picture is not a private matter, although there are efforts to make it such.

The Congress must act forthwith to prevent the Cuban crises and their aftereffects from being swept under the rug as our national caretakers busily attempt to tidy up this chapter of history.

Truth must be ascertained and truth must be told if we are to protect our historic integrity, even if it is necessary to establish hard hitting and rankling truth squads, such as the Republicans employed in past presidential campaigns as they dogged the opposition candidate around the Nation. But these should not be constructed on a partisan skeleton. They should be formed around a hard core of sincere concern for the future of our country.

#### PUBLIC SHOULD HAVE FACTS

We should know all of the facts concerning the missile buildup in Cuba, what transpired between the President and Dictator Khrushchev. We should know whether any pledge not to invade Cuba was given or implied.

We should know why the fleeting insistence for actual inspection of Cuban missile installations was allowed to melt away, culminating only yesterday in a joint Kennedy-Khrushchev statement that they cannot come to a satisfactory conclusion over this one Cuban affair.

A cold light of truth should be cast upon the other affair, the ransoming of the Bay of Pigs prisoners, in a search for answers as to whether the corporations who contributed to the massive but unpublicized campaign to raise the necessary money and materials were coerced under an implied threat of reprisal.

Just how much manipulation of Government powers to allow tax deductions for the gifts over and above limits on charitable contributions was exercised should be ascertained. So should the amount of money involved in what boils down to nothing less than taking some $20 million in internal revenue funds and transferring them into the ransom payment.

Finally, Congress must determine why the end, no matter how humanitarian, justified the means employed, and whether this procedure might not be used again. Each of us individually cannot get all the facts. Nor can our private agencies.

The onus rests with the Congress and for our future well-being this is the heaviest responsibility in the session that opens today.

## ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 28)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Joint Economic Committee and ordered to be printed with illustrations:

*To the Congress of the United States:*

In response to the requirements of the Employment Act of 1946, I report to you—

That the "economic condition" of the United States in 1962 was one of continued advances in "employment, production, and purchasing power."

That the "foreseeable trends" in 1963 point to still further advances.

That more vigorous expansion of our economy is imperative to gain the heights of "maximum employment, production, and purchasing power" specified in the act and to close the gap that has persisted since 1957 between the "levels obtaining" and the "levels needed" to carry out the policy of the act.

That the core of my 1963 "program for carrying out" the policy of the act is major tax reduction and revision, carefully timed and structured to speed our progress toward full employment and faster growth, while maintaining our recent record of price stability and balance-of-payments improvement.

The state of the economy poses a perplexing challenge to the American people. Expansion continued throughout 1962, raising total wages, profits, consumption, and production to new heights. This belied the fears of those who predicted that we were about to add another link to the ominous chain of recessions which were more and more frequently interrupting our economic expansions—in 1953–54 after 45 months of expansion, in 1957–58 after 35 months, in 1960–61 after 25 months. Indeed, 22 months of steady recovery have already broken this melancholy sequence, and the prospects are for further expansion in 1963.

Yet if the performance of our economy is high, the aspirations of the American people are higher still—and rightly so. For all its advances the Nation is still falling substantially short of its economic potential—a potential we must fulfill both to raise our standards of well-being at home and to serve the cause of freedom abroad.

A balanced appraisal of our economy, then, necessarily couples pride in our achievements with a sense of challenge to master the job as yet undone. No nation, least of all ours, can rest easy—

When, in spite of a sizable drop in the unemployment rate (seasonally adjusted) from 6.7 percent as 1961 began, to 5.6 percent as 1962 ended, the unemployment rate has fallen below 5 percent in but 1 month in the past 5 years, and there are still 4 million people unemployed today.

When, in spite of a gratifying recovery which raised gross national product from an annual rate of $501 billion as 1961 began to $562 billion as 1962 ended, $30 to $40 billion of usable productive capacity lies idle for lack of sufficient markets and incentives.

When, in spite of a recovery growth rate of 3.6 percent yearly from 1960 to 1962, our realized growth trend since 1955 has averaged only 2.7 percent annually as against Western European growth rates of 4, 5, and 6 percent and our own earlier postwar growth rate of 4½ percent.

When, in spite of achieving record corporate profits before taxes of $51 billion in 1962, against a previous high of $47 billion in 1959, our economy could readily generate another $7 to $8 billion of profits at more normal rates of capacity use.

When, in spite of a rise of $28 billion in wages and salaries since the trough of the recession in 1961—with next to no erosion by rising prices—the levels of labor income could easily be $18 to $20 billion higher at reasonably full employment.

We cannot now reclaim the opportunities we lost in the past. But we can move forward to seize the even greater possibilities of the future. The decade ahead presents a most favorable gathering of forces for economic progress. Arrayed before us are a growing and increasingly skilled labor force, accelerating scientific and technological advances, and a wealth of new opportunities for innovation at home and for commerce in the world. What we require is a coherent national determination to lift our economy to a new plane of productivity and initiative. It is in this context and spirit that we examine the record of progress in the past 2 years and consider the means for achieving the goals of the Employment Act of 1946.

### THE 1961–62 RECORD

As I took office 24 months ago, the Nation was in the grip of its third recession in 7 years; the average unemployment rate was nearing 7 percent; $50 billion of potential output was running to waste in idle manpower and machinery.

In these last 2 years, the administration and the Congress have taken a series of important steps to promote recovery and strengthen the economy:

1. Early in 1961 vigorous antirecession measures helped get recovery off to a fast start and gave needed assistance to those hardest hit by the recession.

2. In 1961 and 1962, new measures were enacted to redevelop chronically depressed areas; to retrain the unemployed and adapt manpower to changing technology; to enlarge social security benefits for the aged, the unemployed and their families; to provide special tax incentives to boost business capital spending; to raise the wages of underpaid workers; to expand housing and urban redevelopment; to help agriculture and small business—these and related measures improved the structure and functioning of the economy and aided the recovery.

3. Budgetary policy was designed to facilitate the expansion of private demand—to avoid the jolting shift from stimulus to restriction that did much to cut short recovery in 1958–60. The resulting fiscal shift in 1960–61 was much milder. In addition to increases in defense and space programs, measures of domestic improvement, such as the acceleration of public works, reinforced demand in the economy.

4. Monetary conditions were also adjusted to aid recovery within the constraints imposed by balance of payments considerations. While long-term interest rates rose by one-third in 1958–60, they changed little or actually declined in 1961–62. And the money supply grew much more rapidly in the present expansion than in the preceding one.

These policies facilitated rapid recovery from recession in 1961 and continuing expansion in 1962—an advance that carried total economic activity onto new high ground. The record rate of output of $562 billion in the final quarter of 1962 was, with allowance for price changes, 10 percent above the first quarter of 1961 and 8 percent above the last recovery peak in the second quarter of 1960. The industrial production index last month was 16 percent above the low point in January 1961 and 7 percent above the last monthly peak in January 1960.

These gains in output brought with them a train of improvements in income, employment, and profits, while the price level held steady and our balance of payments improved. In the course of the 1961–62 expansion:

1. Personal income rose by $46 billion to $450 billion, 12 percent above its peak in the previous expansion. Net income per farm rose by $330 as farm operators' net income from farming increased by $800 million. Total after-tax income of American consumers increased by 8 percent; this provided a $400 per year increase in living standards (1962 prices) for a family of four.

2. Civilian nonfarm employment increased by 2 million while the average factory workweek was rising from 39.3 to 40.3 hours.

3. Corporate profits, as noted, reached a record $51 billion for 1962.

4. Wholesale prices remained remarkably stable, while consumer prices rose by only 1.1 percent a year—a better record of price stability than that achieved by any other major industrial country in the world, with the single exception of Canada.

5. This improving competitive situation, combined with closer international financial cooperation and intensive measures to limit the foreign currency costs of defense, development assistance, and other programs, has helped to bring about material improvements in our balance of payments deficit—from $3.9 billion in 1960 to $2.5 billion in 1961 and now to about $2 billion in 1962.

These are notable achievements. But a measure of how far we have come does not tell us how far we still have to go.

A year ago, there was widespread consensus that economic recovery in 1962, while not matching the swift pace of 1961, would continue at a high rate. But the pace slackened more than expected as the average quarterly change in gross national product was only $6 billion in 1962 against $13 billion in 1961. The underlying forces in the private economy—no longer buttressed by the exuberant demand of the postwar decade, yet still thwarted by income tax rates bred of war and inflation—failed to provide the stimulus needed for more vigorous expansion. While housing and government purchases rose about as expected and consumer buying moved up rather well relative to income, increases in business investment fell short of expectations.

Yet, buttressed by the policies and programs already listed, the momentum of the expansion was strong enough to carry the economy safely past the shoals of a sharp break in the stock market, a drop in the rate of inventory accumulation, and a wave of pessimism in early summer. As the year ended, the economy was still moving upward.

### THE OUTLOOK FOR 1963

The outlook for continued moderate expansion in 1963 is now favorable:

1. Business investment, responding in part to the stimulus of last year's depreciation reform and investment tax credit and to the prospect of early tax reduction and reform, is expected to rise at least modestly for 1963 as a whole.

2. Home construction should continue at about its 1962 level.

3. Government purchases—Federal, State, and local combined—are expected to rise at a rate of $2 billion a quarter.

4. Consumer purchases should rise in line with gains in business and Government activity.

These prospects, taking into account the proposed tax reduction, lead to the projection of a gross national product for 1963 of $578 billion, understood as the midpoint of a $10 billion range.

I do not expect a fifth postwar recession to interrupt our progress in 1963. It is not the fear of recession but the fact of 5 years of excessive unemployment, unused capacity, and slack profits—and the consequent hobbling of our growth rate—that constitutes the urgent case for tax reduction and reform. And economic expansion in 1963, at any reasonably predictable pace, will leave the economy well below the Employment Act's high standards of maximum employment, production, and purchasing power.

We end 1962 with an unemployment rate of 5.6 percent. That is not maximum employment. It is frustrating indeed to see the unemployment rate stand still even though the output of goods and services rises. Yet past experience tells us that only sustained major increases in production can reemploy the jobless members of today's labor force, create job opportunities for the 2 million young men and women entering the labor market each year, and produce new jobs as fast as technological change destroys old ones.

We end 1962 with U.S. output of goods and services running some $30–$40 billion below the economy's capacity to produce. That is not maximum production. And the prospective pace of expansion for 1963 promises little if any narrowing of the production gap until tax reduction takes hold. Our growing labor force and steadily rising productivity raise our capacity to produce by more than $20 billion a year. We need to run just to keep pace and run swiftly to gain ground in our race to full utilization.

We end 1962 with personal income, wages and salaries, and corporate profits also setting new records. But even this favorable record does not represent maximum purchasing power, as the figures I have already cited clearly demonstrate.

In summary: The recovery that was initiated shortly after I took office 2 years ago now stands poised at a moment of decision. I do not believe the American people will be—or should be—content merely to set new records. Private initiative and public policy must join hands to break the barriers built up by the years of slack since 1957 and bring the Nation into a new period of sustained full employment and rapid economic growth. This cannot be done overnight, but it can be done. The main block to full employment is an unrealistically heavy burden of taxation. The time has come to remove it.

### TAX REDUCTION AND REFORM IN 1963

We approach the issue of tax revision, not in an atmosphere of haste and panic brought on by recession or depression, but in a period of comparative calm. Yet if we are to restore the healthy glow of dynamic prosperity to the U.S. economy and avoid a lengthening of the 5-year period of unrealized promise, we have no time to lose. Early action on the tax program outlined in my state of the Union message—and shortly to be presented in detail in my tax message—will be our best investment in a prosperous future and our best insurance against recession.

### THE RESPONSIBLE CITIZEN AND TAX REDUCTION

In this situation, the citizen serves his country's interest by supporting income tax reductions. For through the normal processes of the market economy, tax reduction can be the constructive instrument for harmonizing public and private interests:

The taxpayer as consumer, pursuing his own best interest and that of his family, can turn his tax savings into a higher standard of living, and simultaneously into stronger markets for the producer.

The taxpayer as producer—businessman or farmer—responding to the profit opportunities he finds in fuller markets and lower tax rates, can simultaneously create new jobs for workers and larger markets for the products of other factories, farms, and mines.

Tax reduction thus sets off a process that can bring gains for everyone, gains won by marshaling resources that would otherwise stand idle—workers without jobs and farm and factory capacity without markets. Yet many taxpayers seem prepared to deny the Nation the fruits of tax reduction because they question the financial soundness of reducing taxes when the Federal budget is already in deficit. Let me make clear why, in today's economy, fiscal prudence and responsibility call for tax reduction even if it temporarily enlarges the Federal deficit—why reducing taxes is the best way open to us to increase revenues.

Our choice is not the oversimplified one sometimes posed, between tax reduction and a deficit on one hand and a budget easily balanced by prudent management on the other. If the projected 1964 Federal cash deficit of $10.3 billion did not allow for a $2.7 billion loss in receipts owing to the new tax program, the projected deficit would be $7.6 billion. We have been sliding into one deficit after another through repeated recessions and persistent slack in our economy. A planned cash surplus of $0.6 billion for the fiscal year 1959 became a record cash deficit of $13.1 billion, largely as the result of economic recession. A planned cash surplus of $1.8 billion for the current fiscal year is turning into a cash deficit of $8.3 billion, largely as the result of economic slack. If we were to slide into recession through failure to act on taxes, the cash deficit for next year would be larger without the tax reduction than the estimated deficit with tax reduction. Indeed, a new recession could break all peacetime deficit records. And if we were to try to force budget balance by drastic cuts in expenditures—necessarily at the expense of defense and other vital programs—we would not only endanger the security of the country, we would so depress demand, production, and employment that tax revenues would fall and leave the Government budget still in deficit. The attempt would thus be self-defeating.

So until we restore full prosperity and the budget-balancing revenues it generates, our practical choice is not between deficit and surplus but between two kinds of deficits: between deficits born of waste and weakness and deficits incurred as we build our future strength. If an individual spends frivolously beyond his means today and borrows beyond his prospects for earning tomorrow, this is a sign of weakness. But if he borrows prudently to invest in a machine that boosts his business profits, or to pay for education and training that boosts his earning power, this can be a source of strength, a deficit through which he builds a better future for himself and his family, a deficit justified by his increased potential.

As long as we have large numbers of workers without jobs, and producers without markets, we will as a nation fall into repeated deficits of inertia and weakness. But, by comparison, if we enlarge the deficit temporarily as the byproduct of our positive tax policy to expand our economy this will serve as a source of strength, not a sign of weakness. It will yield rich private dividends in higher output, faster growth, more jobs, higher profits and incomes; and, by the same token, a large public gain in expanded budget revenues. As the economy returns to full employment, the budget will return to constructive balance.

This would not be true, of course, if we were currently straining the limits of our productive capacity, when the dollars released by tax reduction would push against unyielding bottlenecks in industrial plant and skilled manpower. Then, tax reduction would be an open invitation to inflation, to a renewed price-wage spiral, and would threaten our hard-won balance of payments improvement. Today, however, we not only have unused manpower and idle plant capacity; new additions to the labor force and to plant capacity are constantly enlarging our productive potential. We have an economy fully able and ready to respond to the stimulus of tax reduction.

Our need today, then, is—

To provide markets to bring back into production underutilized plant and equipment.

To provide incentives to invest, in the form both of wider markets and larger profits—investment that will expand and modernize, innovate, cut costs.

Most important, by means of stronger markets and enlarged investment, to provide jobs for the unemployed and for the new workers streaming into the labor force during the sixties—and, closing the circle, the new jobholders will generate still larger markets and further investment.

It was in direct response to these needs that I pledged last summer to submit proposals for a top-to-bottom reduction in personal and corporate income taxes in 1963—for reducing the tax burden on private income and the tax deterrents to private initiative that have for too long held economic activity in check. Only when we have removed the heavy drag our fiscal system now exerts on personal and business purchasing power and on the financial incentives for greater risk-taking and personal effort can we expect to restore the high levels of employment and high rate of growth that we took for granted in the first decade after the war.

### TAXES AND CONSUMER DEMAND

In order to enlarge markets for consumer goods and services and translate these into new jobs, fuller work schedules, higher profits, and rising farm incomes, I am proposing a major reduction in individual income tax rates. Rates should be cut in three stages, from their present range of 20 to 91 percent to the more reasonable range of 14 to 65 percent. In the first stage, beginning July 1, these rate reductions will cut individual liabilities at an annual rate of $6 billion. Most of this would translate immediately into greater take-home pay through a reduction in the basic withholding rate. Further rate reductions would apply to 1964 and 1965 incomes, with resulting revenue losses to be partially offset by tax reforms, thus applying a substantial additional boost to consumer markets.

These revisions would directly increase the annual rate of disposable after-tax incomes of American households by about $6 billion in the second half of 1963, and some $8 billion when the program is in full effect, with account taken of both tax reductions and tax reform. Taxpayers in all brackets would benefit, with those in the lower brackets getting the largest proportional reductions.

American households as a whole regularly spend between 92 and 94 percent of the total after-tax (disposable) incomes they receive. And they generally hold to this range even when income rises and falls; so it follows that they generally spend about the same percentage of dollars of income added or subtracted. If we cut about $8 billion from the consumer tax load, we can reasonably expect a direct addition to consumer goods markets of well over $7 billion.

A reduction of corporate taxes would provide a further increment to the flow of household incomes as dividends are enlarged; and this, too, would directly swell the consumer spending stream.

The direct effects, large as they are, would be only the beginning. Rising output and employment to meet the new demands for consumer goods will generate new income—wages, salaries, and profits. Spending from this extra income flow would create more jobs, more production, and more incomes. The ultimate increases in the continuing flow of incomes, production, and consumption will greatly exceed the initial amount of tax reduction.

Even if the tax program had no influence on investment spending—either directly or indirectly—the $8 to $9 billion added directly to the flow of consumer income would call forth a flow of at least $16 billion of added consumer goods and services.

But the program will also generate direct and indirect increases in investment spending. The production of new machines, and the building of new factories, stores, offices, and apartments add to incomes in the same way as does production of consumer goods. This too sets off a derived chain reaction of consumer spending, adding at least another $1 billion of output of consumer goods for every $1 billion of added investment.

### TAXES AND INVESTMENT

To raise the Nation's capacity to produce—to expand the quantity, quality, and variety of our output—we must not merely replace but continually expand, improve, modernize, and rebuild our productive capital. That is, we must invest, and we must grow.

The past half decade of unemployment and excess capacity has led to inadequate business investment. In 1962, the rate of investment was almost unchanged from 1957 though gross national product had risen by almost 16 percent, after allowance for price changes. Clearly it is essential to our employment and growth objectives as well as to our international competitive stance that we stimulate more rapid expansion and modernization of America's productive facilities.

As a first step, we have already provided important new tax incentives for productive investment. Last year the Congress enacted a 7-percent tax credit for business expenditures on major kinds of equipment. And the Treasury, at my direction, revised it depreciation rules to reflect today's conditions. Together, these measures are saving business over $2 billion a year in taxes and significantly increasing the net rate of return on capital investments.

The second step in my program to lift investment incentives is to reduce the corporate tax rate from 52 percent to 47 percent, thus restoring the pre-Korean rate. Particularly to aid small businesses, I am recommending that effective January 1, 1963, the rate on the first $25,000 of corporate income be dropped from 30 to 22 percent while the 52 percent rate on corporate income over $25,000 is retained. In later stages, the 52 percent rate would drop to 47 percent. These changes will cut corporate liabilities by over $2.5 billion before structural changes.

The resulting increase in profitability will encourage risk taking and enlarge the flow of internal funds which typically finance a major share of corporate in-cial accommodation. But global totals vestment. In recent periods, business as a whole has not been starved for finan-mask the fact that thousands of small or rapidly growing businesses are handicapped by shortage of investible funds. As the total impact of the tax program takes hold and generates pressures on existing capacity, more and more companies will find the lower taxes a welcome source of finance for plant expansion.

The third step toward higher levels of capital spending is a combination of structural changes to remove barriers to the full flow of investment funds, to sharpen the incentives for creative investment, and to remove tax-induced distortions in resource flow. Reduction of the top individual income tax rate from 91 to 65 percent is a central part of this balanced program.

Fourth, apart from direct measures to encourage investment, the tax program will go to the heart of the main deterrent to investment today; namely, inadequate markets. Once the sovereign incentive of high and rising sales is restored, and the businessman is convinced that today's new plant and equipment will find profitable use tomorrow, the effects of the directly stimulative measures will be doubled and redoubled. Thus—and it is no contradiction—the most important single thing we can do to stimulate investment in today's economy is to raise consumption by major reduction of individual income tax rates.

Fifth, side by side with tax measures, I am confident that the Federal Reserve and the Treasury will continue to maintain, consistent with their responsibilities for the external defense of the dollar, monetary and credit conditions favorable to the flow of savings into long-term investment in the productive strength of the country.

Given a series of large and timely tax reductions and reforms, as I have proposed, we can surely achieve the balanced expansion of consumption and investment so urgently needed to overcome a half decade of slack and to capitalize on the great and growing economic opportunities of the decade ahead.

The impact of my tax proposals on the budget deficit will be cushioned by the scheduling of reductions in several stages rather than a single large cut; the careful pruning of civilian expenditures for fiscal 1964—those other than for defense, space, and debt service—to levels below fiscal 1963; the adoption of a more current time schedule for tax payments of large corporations, which will at the outset add about $1½ billion a year to budget receipts; the net offset of $3½ billion of revenue loss by selected structural changes in the income tax; most powerfully, in time, by the accelerated growth of taxable income and tax receipts as the economy expands in response to the stimulus of the tax program.

### IMPACT ON THE DEBT

Given the deficit now in prospect, action to raise the existing legal limit on the public debt will be required.

The ability of the Nation to service the Federal debt rests on the income of its citizens whose taxes must pay the interest. Total Federal interest payments as a fraction of the national income have fallen, from 2.8 percent in 1946 to 2.1 percent last year. The gross debt itself as a proportion of our gross national product has also fallen steadily—from 123 percent in 1946 to 55 percent last year. Under the budgetary changes scheduled this year and next, these ratios will continue their decline.

It is also of interest to compare the rise in Federal debt with the rise in other forms of debt. Since the end of 1946, the Federal debt held by the public has risen by $12 billion; net State-local debt, by $58 billion; net corporate debt, by $237 billion; and net total private debt, by $518 billion.

Clearly, we would prefer smaller debts than we have today. But this does not settle the issue. The central requirement is that debt be incurred only for constructive purposes and at times and in ways that serve to strengthen the position of the debtor. In the case of the Federal Government, where the Nation is the debtor, the key test is whether the increase serves to strengthen or weaken our economy. In terms of jobs and output generated without threat to price stability—and in terms of the resulting higher revenue—the debt increases foreseen under my tax program clearly pass this test.

Monetary and debt management policies can accommodate our debt increase in 1963—as they did in 1961 and 1962—without inflationary strain or restriction of private credit availability.

### IMPACT ON PRICES AND THE BALANCE OF PAYMENTS

The administration tax program for 1963 can strengthen our economy within a continuing framework of price stability and an extension of our hard-won gains in the U.S. balance-of-payments position.

Rising prices from the end of the war until 1958 led the American people to expect an almost irreversible upward trend of prices. But now prices have been essentially stable for 5 years. This has broken the inflationary psychology and eased the task of assuring continued stability.

We are determined to maintain this stability and to avoid the risk of either an inflationary excess of demand in our markets or a renewed price-wage spiral. Given the excess capacities of our economy today, and its large latent reserves of productive power, my program of fiscal stimulus need raise no such fears. The new discipline of intensified competition in domestic and international markets, the abundant world supplies of primary products, and increased public vigilance all lend confidence that wage-price problems can be resolved satisfactorily even as we approach our full-employment target.

Indeed, in many respects the tax program will contribute to continued price stability. Tax reduction and reform will increase productivity and tend to cut unit labor costs by stimulating cost-cutting investment and technological advance, and reducing distortions in resource allocation. As long as wage rate increases stay within the bounds of productivity increases, as long as the push for higher profit margins through higher prices is restrained—as long as wage and price changes reflect the "guideposts" that were set out a year ago and are reaffirmed in the accompanying Report of the Council of Economic Advisers—the outlook for stable prices is excellent.

Price stability has extra importance today because of our need to eliminate the continuing deficit in the international balance of payments. During the past 2 years we have cut the overall deficit, from nearly $4 billion in 1960 to about $2 billion in 1962. But we cannot relax our efforts to reduce the payments deficit still further. One important force working strongly in our favor is our excellent record of price stability. Since 1959, while U.S. wholesale prices have been unchanged, those in every major competing country (except Canada) have risen appreciably. Our ability to compete in foreign markets—and in our own—has accordingly improved.

We shall continue to reduce the overseas burden of our essential defense and economic assistance programs, without weakening their effectiveness—both by reducing the foreign exchange costs of these programs and by urging other industrial nations to assume a fairer share of the burden of free world defense and development assistance.

But the area in which our greatest effort must now be concentrated is one in which Government can provide only leadership and opportunity; private business must produce the results. Our commercial trade surplus—the excess of our exports of goods and services over imports—must rise substantially to assure that we will reach balance of payments equilibrium within a reasonable period.

Under our new Trade Expansion Act, we are prepared to make the best bargains for American business that have been possible in many years. We intend to use the authority of that act to maximum advantage to the end that our agricultural and industrial products have more liberal access to other markets—particularly those of the European Economic Community.

With improved Export-Import Bank facilities and the new Foreign Credit Insurance Association, our exporters now have export financing comparable to that of our major competitors. As an important part of our program to increase exports, I have proposed a sharp step-up in the export expansion program of the Department of Commerce. Funds have been recommended both to strengthen our overseas marketing programs and to increase the Department's efforts in the promotion of an expanded interest in export opportunities among American firms.

In the meantime, we have made and will continue to make important progress in increasing the resistance of the international monetary system to speculative attack. The strength and the stability of the payments system have been consolidated during the past year through international cooperation. That cooperation successfully met rigorous tests in 1962—when a major decline occurred in the stock markets of the world; when the Canadian dollar withstood a run in June; and when the establishment of Soviet bases in Cuba threatened the world. Through direct cooperation with other countries the United States engaged in substantial operations in the forward markets for other currencies and held varying amounts of other currencies in its own reserves; the Federal Reserve engaged in a wide circle of swap arrangements for obtaining other currencies; and the Treasury initiated a program of borrowings denominated in foreign currencies. And with the approval by Congress of the necessary enabling legislation, the United States joined other major countries in strengthening the International Monetary Fund as an effective bulwark to the payments system.

With responsible and energetic public and private policies, and continued alertness to any new dangers, we can move now to revitalize our domestic economy without fear of inflation or unmanageable international financial problems—indeed, in the long run, a healthy balance-of-payments position depends on a healthy economy. As the Organization for Economic Cooperation and Development has emphatically stated in recent months, a prosperous American economy and a sound balance of payments position are not alternatives between which we must choose; rather, expansionary action to bolster our domestic growth—with due vigilance against inflation—will solidify confidence in the dollar.

### IMPACT ON STATE AND LOCAL GOVERNMENTS

The Federal budget is hard pressed by urgent responsibilities for free world defense and by vital tasks at home. But the fiscal requirements laid upon our States, cities, school districts, and other units of local government are even more pressing. It is here that the first impacts fall—of rapidly expanding populations, especially at both ends of the age distribution; of mushrooming cities; of continuing shift to new modes of transportation; of demands for more and better education; of problems of crime and delinquency; of new opportunities to combat ancient problems of physical and mental health; of the recreational and cultural needs of an urban society.

To meet these responsibilities, the total of State and local government expenditures has expanded 243 percent since 1948—in contrast to 166 percent for the Federal Government; their debts by 334 percent—in contrast to 18 percent for the Federal Government.

The Federal budget has helped to ease the burdens on our States and local governments by an expanding program of grants for a multitude of purposes, and inevitably it must continue to do so. The Federal tax reductions I propose will also ease these fiscal burdens, chiefly because greater prosperity and faster growth will automatically increase State and local tax revenues at existing rates.

### TAX REDUCTION AND FUTURE FISCAL POLICY

While the basic purpose of my tax program is to meet our longer run economic challenges, we should not forget its role in strengthening our defenses against recession. Enactment on schedule of this program which involves a total of over $10 billion of net income tax reduction annually would be a major counterforce to any recessionary tendencies that might appear.

Nevertheless, when our calendar of fiscal legislation is lighter than it is in 1963, it will be important to erect further defenses against recession. Last year, I proposed that the Congress provide the President with limited standby authority (1) to initiate, subject to congressional veto, temporary reductions in individual income tax rates and (2) to accelerate and initiate properly timed public capital improvements in times of serious and rising unemployment.

Work on the development of an acceptable plan for quick tax action to counter future recessions should continue; with the close cooperation of the Congress, it should be possible to combine provision for swift action with full recognition of the constitutional role of the Congress in taxation.

The House and the Senate were unable to agree in 1962 on standby provisions for temporary speed-ups in public works to help fight recession. Nevertheless, recognizing current needs for stepped-up public capital expenditures, the Congress passed the very important Public Works Acceleration Act (summarized in appendix A of the report of the Council of Economic Advisers). I urge that the Congress appropriate the balance of funds authorized for programs under the Public Works Acceleration Act. Initial experience under this program offers promise that rapid temporary acceleration of public projects at all levels of government, under a standby program, can be an effective instrument of flexible antirecession policy. Further evaluation of experience should aid in the development of an effective stand-by program which would allow the maximum room for swift executive action consistent with effective congressional control.

### OTHER ECONOMIC MEASURES

Apart from the tax program, and the elements of the growth program discussed in the final section of this report, there are several other economic measures on which I wish to report or request action. They are:

### TRANSPORTATION

Our national transportation systems provide the means by which materials, labor, and capital are geographically combined in production and the resulting products distributed. Continuous innovations in productive techniques, rapid urbanization of our population, and shifts in international trade have increased the economic significance of transportation in our economy.

Our present approach to regulation is largely a legacy from an earlier period, when there was a demonstrated need to protect the public interest by a comprehensive and detailed supervision of rates and services. The need for regulation remains; but technological and structural changes today permit greater reliance on competition within and between alternative modes of transportation to make them responsive to the demands for new services and the opportunities for greater efficiency.

The extension of our Federal highway system, the further development of a safe and efficient system of airways, the improvement of our waterways and harbors, the modernization and adaptation of mass transport systems in our great metropolitan centers to meet the expanding and changing patterns of urban life—all these raise new problems requiring urgent attention.

Among the recommendations in my transportation message of April 1962 were measures which would provide or encourage equal competitive opportunity under diminished regulation, consistent policies of taxation and user charges, and support of urban transportation and expanded transportation research. I urge favorable congressional action on these measures.

### FINANCIAL INSTITUTIONS AND FINANCIAL MARKETS

In my economic report a year ago, I referred to certain problems relating to the structure of our private financial institutions, and to the Federal Government's participation in and regulation of private financial markets. A report on these matters had recently been completed by a distinguished private group, the Commission on Money and Credit. In view of the importance of their recommendations, I appointed three interagency working groups in the executive branch to review (a) certain problems posed by the rapid growth of corporate pension funds and other private retirement funds, (b) the appropriate role of Federal lending and credit guarantee programs, and (c) Federal legislation and regulations relating to private financial institutions.

These interagency groups are approaching the end of their work. I have requested my Advisory Committee on Labor-Management Policy to consider the tentative recommendations of the first of these three committees. Work of the second will, I am sure, be extremely useful to the Bureau of the Budget, the Treasury Department, and the various Federal credit agencies in reviewing operating guidelines and procedures of Federal credit programs. Work of the third committee, whose task was the most complex, is still in process.

### SILVER

I again urge a revision in our silver policy to reflect the status of silver as a metal for which there is an expanding industrial demand. Except for its use in coins, silver serves no useful monetary function.

In 1961, at my direction, sales of silver were suspended by the Secretary of the Treasury. As further steps, I recommend repeal of those acts that oblige the Treasury to support the price of silver; and repeal of the special 50-percent tax on transfers of interest in silver and authorization for the Federal Reserve System to issue notes in denominations of $1, so as to make possible the gradual withdrawal of silver certificates from circulation and the use of the silver thus released for coinage purposes. I urge the Congress to take prompt action on these recommended changes.

### PERMANENT UNEMPLOYMENT COMPENSATION

I will propose later this year that Congress enact permanent improvements in our Federal-State system of unemployment insurance to extend coverage to more workers, and to increase the size and duration of benefits. These improvements will not only ease the burdens of involuntary unemployment, but will further strengthen our built-in defenses against recession. Action is overdue to strengthen our system of unemployment insurance on a permanent basis.

### FAIR LABOR STANDARDS ACT

Amendments to the Fair Labor Standards Act in 1961 extended the coverage of minimum wage protection to 3.6 million new workers and provided for raising the minimum wage in steps to $1.25 per hour. These were significant steps toward eliminating the degrading competition which depresses wages of a small fringe of the labor force below a minimum standard of decent compensation. But a large number of workers still remain without this protection. I will urge extension of coverage to further groups.

### POLICIES FOR FASTER GROWTH

The tax program I have outlined is phased over 3 years. Its invigorating effects will be felt far longer. For among the costs of prolonged slack is slow growth. An economy that fails to use its productive potential fully feels no need to increase it rapidly. The incentive to invest is bent beneath the weight of excess capacity. Lack of employment opportunities slows the growth of the labor force. Defensive restrictive practices—from featherbedding to market sharing—flourish when limited markets, jobs, and incentives shrink the scope for effort and ingenuity. But when the economy breaks out of the lethargy of the past 5 or 6 years, the end to economic slack will by itself mean faster growth. Full employment will relax the grip of restrictive practices and open the gates wider to innovation and change.

While programs for full utilization of existing resources are the indispensable first step in a positive policy for faster growth, it is not too soon to move ahead on other programs to strengthen the underlying sources of the Nation's capacity to grow. No one doubts that the foundations of America's economic greatness lie in the education, skill, and adaptability of our population and in our advanced and advancing industrial technology. Deepseated foundations cannot be renewed and extended overnight. But neither is the achievement of national economic purpose just a task for today or tomorrow, or this year or next. Unless we move now to reinforce the human and material base for growth, we will pay the price in slower growth later in this decade and in the next. And so we must begin.

Last summer, convinced of the urgency of the need, I appointed a Cabinet Committee on Economic Growth to stand guardian over the needs of growth in the formulation of Government economic policies. At my request, this Committee—consisting of the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Director of the Bureau of the Budget as members, and the Chairman of the Council of Economic Advisers as its Chairman—reported to me in December on policies for growth in the context of my 1963 legislative program.

### TAX REVISION

Their report urges the central significance of prompt tax reduction and reform in a program for economic growth: first, for the sustained lift it will give to the economy's demand for goods and services, and thus to the expansion of its productive capacity; second, for the added incentive to productive investment, risk taking, and efficient use of resources that will come from lowering the corporate tax rate and the unrealistic top rates on personal income, and eliminating unwarranted tax preferences that undermine the tax base and misdirect energy and resources. I have already laid the case for major tax changes before you, and I will submit detailed legislation and further analysis in a special message. I remind you now that my 1963 tax proposals are central to a program to tilt the trend of American growth upward and to achieve our share of the 50-percent growth target which was adopted for the decade of the sixties by the 20 member nations of the Organization for Economic Cooperation and Development.

Tax reduction will remove an obstacle to the full development of the forces of growth in a free economy. To go further, public policy must offer positive support to the primary sources of economic energy. I propose that the Federal Government lay the groundwork now for positive action in three key areas, each singled out by the Cabinet Committee as fundamental to the longrun strength and resilience of our economy: (1) the stimulation of civilian technology, (2) the support of education, and (3) the development of manpower. In each of these areas I shall make specific proposals for action. Together with tax revision, they mark the beginning of a more conscious and active policy for economic growth.

### CIVILIAN TECHNOLOGY

The Federal Government is already the main source of financial support for research and development in the United States. Most funds now spent on research are channeled to private contractors through the Department of Defense, the National Aeronautics and Space Administration, and the Atomic Energy Commission. The defense, space, and atomic energy activities of the country absorb about two-thirds of the trained people available for exploring our scientific and technical frontiers. These activities also assert a strong influence on the direction and substance of scientific and engineering education. In many fields, they have transformed our understanding of nature and our ability to control it. But in the course of meeting specific challenges so brilliantly, we have paid a price by sharply limiting the scarce scientific and engineering resources available to the civilian sectors of the American economy.

The Government has for many years recognized its obligation to support research in fields other than defense. Federal support of medical and agricultural research has been and continues to be particularly important. My proposal for adding to our current efforts new support of science and technology that directly affect industries serving civilian markets represents a rounding out of Federal programs across the full spectrum of science.

Since rising productivity is a major source of economic growth, and research and development are essential sources of productivity growth, I believe that the Federal Government must now begin to redress the balance in the use of scientific skills. To this end I shall propose a number of measures to encourage civilian research and development and to make the byproducts of military and space research easily accessible to civilian industry. These measures will include:

1. Development of a Federal-State Engineering Extension Service.
2. New means of facilitating the use by civilian industry of the results of Government-financed research.
3. Selected support of industrial research and development and technical information services.
4. Support of industry research associations.
5. Adjustment of the income tax laws to give business firms an additional stimulus to invest in research equipment.
6. Stimulus of university training of industrial research personnel.

Together, these measures would encourage a growing number of scientists and engineers to work more intensively to improve the technology of civilian industry, and a growing number of firms and industries to take greater advantage of modern technology. For Americans as a whole, the returns will be better products and services at lower prices. A national research and development effort focused to meet our urgent needs can do much to improve the quality of our lives.

### EDUCATION

History will value the American commitment to universal education as one of our greatest contributions to civilization. Impressive evidence is also accumulating that education is one of the deepest roots of economic growth. Through its direct effects on the quality and adaptability of the working population and through its indirect effects on the advance of science and knowledge, education is the ultimate source of much of our increased productivity.

Our educational frontier can and must still be widened: through improvements in the quality of education now available, through opening new opportunities so that all can acquire education proportionate to their abilities, and through expanding the capacity of an educational system that increasingly feels the pinch of demands it is not equipped to meet.

In our society, the major responsibility for meeting educational needs must rest with the State and local governments, private institutions, and individual families. But today, when education is essential to the discharge of Federal responsibilities for national security and economic growth, additional Federal support and assistance are required. The dollar contribution the Federal Government would make is small in relation to the $30 billion our Nation now spends on education; but it is vital if we are to grasp the opportunities that lie before us.

By helping to insure a more adequate flow of resources into education, by helping to insure greater opportunities for our students—tomorrow's scientists, engineers, doctors, scholars, artists, teachers, and leaders—by helping to advance the quality of education at all levels, we can add measurably to the sweep of economic growth. I shall make a number of specific proposals in a forthcoming message on education. All of them are designed to strengthen our educational system. They will strengthen quality, increase opportunity, expand capacity. They merit support if we are to live up to our traditions. They demand support if we are to live up to our future.

### MANPOWER DEVELOPMENT

Education must not stop in the classroom. In a growing economy, the skills of our labor force must change in response to changing technology. The individual and the firm have shouldered the primary responsibility for the retraining required to keep pace with technical advance—and their capacity to do this increases when markets strengthen and profits grow. But Government must support and supplement these private efforts if the requirements are to be fully met.

The Area Redevelopment Act reflects the importance of adapting labor skills to the needs of a changing technology, as do the retraining and relocation provisions of the Trade Expansion Act of 1962. And in adopting the Manpower Development and Training Act, the Congress last year gave further evidence of its understanding of the national needs and the Federal responsibility in this area. I will shortly present to the Congress an Annual Manpower Report as required under this act. This will be the first comprehensive report ever presented to Congress on the Nation's manpower requirements and resources, utilization and training. The programs under this act are already demonstrating the important contribution which an improvement of labor skills can produce, not only for the individual, but for the community as well. I have therefore recommended an increase in the funds for these programs in the coming fiscal year. Not only are the programs needed in today's economy with its relatively high unemployment; they will play an even more significant role as we near the boundaries of full employment. For they will permit fuller utilization of our labor force and consequently produce faster growth.

A second important requirement for an effective manpower policy in a dynamic economy is a more efficient system of matching workers' skills to the jobs available today and to the new jobs available tomorrow. This calls for an expanded informational effort, and I have included in my 1963 program a proposal to achieve this. I attach special importance to the work being done in the Department of Labor to develop an "early warning system" to identify impending job dislocations caused by rapid technical changes in skill requirements in the years ahead. Such information is important as a guide to effective manpower retraining and mobility efforts. It will also be useful in shaping important school programs to meet the manpower needs, not of yesterday, but of tomorrow.

The persistently high rates of unemployment suffered by young workers demand that we act to reduce this waste of human resources. I will therefore recommend the passage of a Youth Employment Opportunities Act to foster methods for developing the potential of untrained and inexperienced youth and to provide useful work experience.

To facilitate growth, we must also steadily reduce the barriers that deny us the full power of our working force. Improved information will help—but more than that is called for. Institutions which tie workers in their jobs, or encourage premature retirement, must be critically reexamined. An end to racial and religious discrimination—which not only affronts our basic ideals but burdens our economy with its waste—offers an imperative contribution to growth. Just as we strive to improve incentives to invest in physical capital, so much we strive to improve incentives to develop our human resources and promote their effective use.

### CONCLUSION

Stepping up the U.S. growth rate will not be easy. We no longer have a large agricultural population to transfer to industry. We do not have the opportunity to capitalize on a generation's worth of advanced technology developed elsewhere. The only easy growth available to us is the growth that will flow from success in ending the period of sluggishness dating back to 1957. That we must have if only because it is inexcusable to have the American economy operating in low gear in a time of crisis.

Beyond full employment, however, we must rely on the basic sources of all long-run growth: people, machines, and knowledge. We must identify and use a variety of ways—some imaginative, some routine—to enable our people to realize the full promise of our technology and our economy. In a setting of full employment, these measures can help to move our growth rate to 4 percent and above, the American people toward greater abundance, and the free world toward greater security.

JOHN F. KENNEDY.

## CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 42)

The SPEAKER laid before the House the following message from the President of the United States which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 21, 1963.*

## ECONOMIC REPORT A SICK DOCUMENT

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, the Economic Report is a fit companion for the Budget and state of the Union messages. It is a sick document, full of the same sickness, "government-itis," and the cure proposed is more of the same sickness, more Federal control and more Federal aid. Yes, it is Keynesianism part and parcel or less camouflaged by name, known as socialism or collectivism, as contrasted to capitalism, the private enterprise system. Parkinson's laws aptly describe, so far as they go, certain features of the "new collective frontier." First, "more and more Federal employees are needed to do less and less," and, second, "expenditures rise to meet income." Any increase in tax take goes to meet the increased spending. Yet the President has included the oldest trick of all, that goes beyond the second Parkinson law, namely, printing money, that is deficit financing. So the answer is spend, spend, spend—throw money at all the problems.

So what does the President and his advisers say, not forgetting Mr. Heller who now runs things as head of the economic advisers to the President but whose socialistic advice was wastebasketed by West Germany when they chose capitalism and flourished.

The President starts off with the Employment Act of 1946 which is considered either good law or harmless by liberals and conservatives respectively in that order but which lays all the necessary verbiage for the legislative basis for government's participating in any or every level of business activity, in the name of providing the right "climate" for business. Read it and check the language.

The President then makes four reports to Congress relative to the Employment Act of 1946 concerning first, economic conditions; second, foreseeable trends; third, economic expansion; and fourth, program for carrying out the policy of the act. These statements overlook the fact that expansion would be greater with less of the so-called Government help, that many of these Government activities are unconstitutional—how old-fashioned a view—and that private initiative needs to be freed rather than replaced by Federal fiat. No wonder the President then calls the challenge perplexing. He doesn't understand that he is endeavoring to inject the Government even more in areas where it does not belong.

### UNEMPLOYMENT FIGURES MISLEADING

The unemployed are constantly a source of concern and yet the President should know what many do not—that the rolls of the unemployed are filled with those who choose not to work, are seasonal, students, migrants, spouses, goldbricks, and, indeed, includes anyone over 14 years old who has asked for work. Still this is as good an excuse as any for lamenting our plight and suggesting more Government aid is in order. Indeed no one yet has clearly established the multimillion base figure of those unemployed, the irreducible minimum in a work force of free people. Yes, you could eliminate unemployment by Government decree—put everyone to work.

### GROSS NATIONAL PRODUCT AND GROWTH

Gross national product, and growth factors are then considered. Once again the Chief Executive assumes a role of all-wise father to identify and prescribe problem and solution. Who is to say what our growth rate should be, starting with our tremendous standard of living? Socialist nations fall short too—should we then compare them to us or we to them. Of course not, nor does gross national product tell the whole story.

I begrudge the Chief Executive playing the role of "Supreme Being" in diagnosing and prescribing. We are a free people, not a controlled and regimented society. Growth is the result of millions of voluntary actions by millions of people acting and reacting to and with a private market of supply and demand and countless employers. Certainly, you can set goals and speculate on what we could be, "generate another $7 to $8 billion of profit" as the President says, but not by Government control and dictation. We need less, not more Government, Mr. President.

### CREDIT NOT DUE ADMINISTRATION

The 1961–62 record portrayed page X and XI is not quite accurate. Nor again is all economic data and activity the province of Federal Government. The recession was almost over by inauguration time and the President can hardly take credit, in all fairness. Nor did "1961 vigorous antirecession measures help get recovery off to a fast start." Recovery was well under way and the pump priming, as we have learned over and over, came too late, in the wrong areas, and only impeded the recovery by heavier spending, the necessary taxes, more Government direction, and deficits. The depressed areas bill is almost a joke, a bad one, to all who know its operation. Again we see the wrong areas, wrong projects, and heavy expense plus more Government tampering with the private economy. Texas is a good example. Despite the Governor's denial that Texas' 17 counties, listed, were not depressed, the Federal Government insisted they were and financed a motel to prove it in one area. As usual, the aid was not needed—wrong project, wrong area—but when Federal money is offered some will take it and then Government has a toehold on which to build more such unneeded projects. Other programs listed can be no better justified.

The President's characterization of social security as an antirecession measure, which it is not; tax incentives to boost capital spending which penalized those who were staying current in replacing equipment; more social housing, more profiteering in downtown urban development, more subsidy to farmers who prefer freedom from regulation. These did not aid recovery but hampered it, if the truth were known.

### BUDGETARY POLICY

Budgetary policy, next mentioned, page 11, shifted all right—to an emphasis on deficits, rather than balanced budget or surpluses, and significantly interest rates did go up necessarily as a market factor contradicting the President's campaign promises for low interest and easy money policy, these again being outside Government's area. Inflation and gold outflow—the twin dangers of the President's new budgetary policy are discounted as dangers and almost disregarded as accompanying factors.

### FLIGHTS INTO FANTASYLAND

The Outlook for 1963 on pages 12 and 22 takes us into even fancier flights of wishful thinking and disregarding the hard facts of reality. With a heading of the responsible citizen and tax reduction, we are told a new, or is it an old formula, to be for every appropriation and for every tax cut. That makes a fiscally responsible Member of Congress quite negative. So the proper atmosphere is prepared for what follows. The taxpayer is told that as consumer and producer all will go well if he accepts a tax cut—conveniently unmentioned is that no matching Federal cut in spending is considered, rather the contrary. We are told that "many taxpayers seem prepared to deny the Nation the fruits of tax reduction because they question the financial soundness of reducing taxes when the Federal budget is already in deficit." There it is—the overburdened taxpayers understand all right only the President does not, that you cannot have your cake and eat it.

### DEFICIT SPENDING CAUSES RECESSIONS

Then we are told "we have been sliding into one deficit after another through repeated recessions and persistent slack in our economy" demonstrating once again that years of failure of New Deal, Fair Deal, and now New Frontier deficit spending, aiding and abetting these recessions by stultifying and self-defeating Government pump priming, Government planning and control, and Government aid, always with heavier taxes haven't taught him and his advisers a thing. And, yet, at other places in the report the President embraces the accurate diagnosis and cure that the present tax load is too heavy and depresses business activity. Why cannot he see that heavy Government spending created the need for these heavy taxes and that to cut taxes the spending must be cut? What new lessons are needed by the New Frontiersmen for them to know you cannot get blood out of a turnip. You cannot spend yourself rich. You cannot spend without paying the price in taxes. The President documents his new budgetary policy and failure to grasp these basic economic facts of life when he states that fiscal 1963's planned $1.8 billion surplus was turned into a $8.3 billion deficit by his profligate spending. Then he says we must have even more of the same medicine and that will cure us. In fact, if we spend more and cut taxes simultaneously we will prosper so greatly we'll reach a balance and a surplus to paying down the debt just created. How is that for logic? What economic system's professor would give a student 100 percent on that? Keynesian and Socialist—that is who. And that is our President's recommendation.

### MARKETS, INCENTIVES, JOBS

The President then discusses our need to provide markets, incentives, and jobs. Well, Mr. President, the markets are there without the need for Federal Government; the incentives are there because it is a private market of supply and demand, providing the Federal Government will stay out; the jobs, unlimited numbers of them will be waiting for employers and workers if Government does not kill initiative and incentives and the profit motive by redtape, control, and taxation.

### PRESIDENT'S OUTLOOK IS DEPRESSING

The President rightly recognizes we must increase the debt limit. While there are no spending restrictions in our appropriation procedures there is the monetary limit. At this point the attempted logic becomes quite fuzzy and depressing as we see an attempt to justify the staggering Federal debt, first as a percentage of our total national income, then as compared to the increase of debt at other levels of government and then, private debts. May I suggest a staggering new concept—that of no Federal debt regardless of the debts of others; that we study the delights of equity, not debt financing, and strive for the least Federal spending and taxing, leaving our citizens as free as possible to keep the fruits of their labors. How about no Federal debt, the lowest possible budget always balanced, a surplus on hand and the lowest taxes consistent with only legitimate expenses of Government as outlined in the Constitution interpreted today as Thomas Jefferson would interpret it.

### GOLD OUTFLOW

Next, we come to the inflationary psychology related to stable prices. If this means anything all now goes out the window as increased spending and lower taxes creates deficits yearly into the tens of billions. Inflation will be rampant—and our money devalued. If this danger to our money is not enough then the President discusses our international balance of payments which deficit he notes must be reduced, and is being reduced or so he states. This just is not so. Not only does the world hold $22 billion or more claims against our $16 billion of gold left, still rapidly outflowing, but we are losing our collective shirts by giving it away as foreign aid and by being outtraded through others' refusal to make reciprocal tariff cuts which results in flooding our country with goods. Both our aid and trade, therefore, are building the pressure against our gold in the imbalanced buildup of payments. It cannot be talked or wished away—not even by an official economic report.

We do not need an International Monetary Fund to shore up our currency value. We need responsible Government which means less foreign aid giveaway—fair trade and tariffs—not the opposite proposed in this report. Only our gold shores up the value of our money. We must keep it.

### BID FOR DICTATORSHIP

The very mention by the President of two proposals for new authority requested last year show how far the President would go to gain almost dictatorial power, which of course will inevitably work to force on us more Government, not less, more fiscal danger, not less, more spending, not less, and more control by the executive at the expense of the legislative branch, in violation of the constitutional separation of power. These are, first, to initiate temporary reductions in individual income tax rates and second, to accelerate and initiate properly timed public capital improvements in times of serious and rising unemployment. The second was passed, the first not though still desired by the President. We now see in being, and being used a political slush fund to keep entrenched some of those now in office, providing these Members of Congress comply with the President's wishes. Is this good government for a proud and free people? Hardly. Nor is it good economics.

### MORE FEDERAL INVASION

From page XXII on we have a succession of more Federal invasion of our lives and communities, more spending, more control. To mention several: First, transportation, which of course, is not the role of Federal Government—in that connection the minority views accompanying the 1958 Transportation Act might be found meritorious; second, unemployment compensation must conform to new Federal standards regardless of present State law and jurisdiction—wrong again, if we want sounder administration and less goldbricking; third, minimum wage must be increased and broadened again—wage fixing is not the role of Government and that is that—if we would have sound, that is, private economy.

### MONOPOLY AND ANTITRUST

Under policies for faster growth defensive restrictive practices—from feather bedding to market sharing are mentioned but without coming to grips with the biggest and most dangerous problems of all if we want a strong, private economy; namely, labor's monopolistic position which under unlimited market violations flourish—and antitrust law which can and does paralyze business growth and development—present law is so broad and vague that businessmen can be prosecuted for prices higher, the same as, or below competition. The private market can indeed be killed by Government, and this economic report fails to even treat the twin dangers of labor monopoly and business antitrust law.

The treatment that follows, then, of first, civilian technology; second, education; and third, manpower development, might be appropriate of a private foundation's analysis of historical development of our society but it is hardly fit for an economic report which purports to show government's role.

> The Federal Government is already the main source of financial support for research and development in the United States.

The report stated.

Sure, shortly, following the New Frontier policies, Government will be the only source of money. Certainly education is important, assuredly our manpower is and always has been vital to us—but it did not take Government to discover it including the New Frontier, nor Government to develop it.

### PRIVATE INITIATIVE MOST PRODUCTIVE

If money were left to individuals and business instead of drained off by Government there will be ways and means to accomplish American objectives without socializing our Nation to do it.

The President, despite his high office, his manifold abilities, education, and zeal must not forget, must be reminded, or learn that this Nation is based on capitalism, not socialism; that individual and economic freedom is more vital to our growth and well-being than aid and control; that the only success and growth possible is private, not public; and is through initiative and individual hustle, not Federal planning, orders, and regimentation. Free people, in a private economy, unburdened by controls, taxes and the Federal spending that occasions them will, as they always have, bring increasing wealth and a higher standard of living to this Nation and those who would trade with us. The course of the New Frontier of increased spending and increased deficits is the course to fiscal suicide, bankruptcy of the Nation.

### A POSITIVE PROGRAM

How to start, legislatively speaking, in contradistinction to the the state of the Union, the budget, and this economic report. Here is what we need:

First, a balanced budget; second, get Government out of business; third, tax reform reducing confiscatory rates and all brackets, within a balanced budget until the income tax is a flat percentage no matter what the level of income; fourth, prevent labor monopoly and dictation; fifth, eliminate foreign economic aid; sixth, establish reciprocal trade where others match our tariff reduction. These comprise a starting point for our overswollen Government worthy of any economic plan purporting to represent capitalism and a free people. Let us either adopt such a program or admit we no longer believe in constitutional limited government, the profit motive, and private enterprise, including the merit system, incentives and initiative. If we repudiate these traditional basic concepts we will be conforming to the President's Economic Report, without masquerading, and be calling a spade a spade.

As for me, I still believe in constitutional government and capitalism and shall so conduct myself as a citizen and Member of Congress.

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## ADJOURNMENT TO THURSDAY, JANUARY 24, 1963

Mr. ALBERT. Mr. Speaker, after having conferred with the distinguished gentleman from Indiana, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

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## THE BOW MEDICAL CARE PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, the problem of medical care for the elderly has been an issue in the last two campaigns, and it will be an issue in the next one unless Congress acts to solve it in 1963. Campaign harangues do not pay medical bills, and I am firmly convinced that our elderly citizens deserve and require assistance now. In short, we have a problem that is not solved by existing legislation.

First, we must describe the problem. As matters stand today, there are perhaps 4 million men and women past age 65 who are able to afford medical care insurance and take care of themselves. At the other end of the financial scale, there are several million who are indigent, or nearly so. They have the assistance of the States and localities, of individual physicians and hospitals, and of the Kerr-Mills Act where it has been implemented, but these are not always adequate or satisfactory for the proper care of these citizens.

In between are perhaps 10 million men and women who are able to live modestly on retirement income, but face the threat of being wiped out financially if they suffer a long and costly illness. These are the people who urgently need assistance. They are not indigent. They are not eligible for assistance under most current programs. They face the danger of losing all of their resources if they must meet the cost of prolonged illness. In altogether too many cases, a surviving spouse is left penniless when the costly terminal illness of the partner consumes all of their resources including, quite often, their home. We must develop a policy that will make certain these citizens receive adequate medical care and do not become indigent because of illness.

### KING-ANDERSON UNSATISFACTORY

This problem will not be solved by the King-Anderson or similar proposals because they have been administratively and financially unsound and they have failed to meet the medical needs of our older citizens or even of those older citizens that would be benefited by their limited provisions. Let us remember, also, that King-Anderson was only a program for hospitalization, not general medical care.

Social security financing for hospitalization of the aged meets with the resistance of working men and women who already are heavily burdened with taxes and who do not believe they should be further burdened to pay for current hospital expenses of persons who have made no contribution to this program.

Social security financing means Federal control of and interference in the administration of hospitals and related health facilities as well as the practice of medicine. The contracts which would be entered into between participating hospitals and the Secretary of the Department of Health, Education, and Welfare, as well as the authority of the Secretary to issue regulatory directives, are the basis for rigid Government control. Such control is inevitable despite any protestations or restrictions against it that may be made now by the sponsors of the legislation. The text of the proposed legislation speaks for itself.

Furthermore, the King-Anderson bill proposed a program of hospitalization and related services that was actuarially unsound and could not have been financed by the proposed tax increases. Any additional benefits would seriously weaken, if not ultimately destroy the social security system itself, and the sponsors of the legislation repeatedly made clear that King-Anderson was only the foot in the door. They admitted that the limited benefits of King-Anderson would fall far short of meeting the medical care requirements of our elderly population, and promised that once enacted, these benefits would be enlarged and improved by succeeding sessions of Congress, thus increasing the cost of the program far beyond what King-Anderson contemplated and what its sponsors proposed to finance through a tax increase.

### REDTAPE IN DISABILITY PROGRAM

Members of Congress quickly gain familiarity with the procedures followed by the Social Security Administration in establishing the eligibility of a working man or woman for disability freeze or disability benefits. Months elapse. Endless hearings are conducted. Communications are transmitted from the individual to his local office, to the State, to Baltimore and back at each stage of the case. And most of the applications eventually are denied. Persons have died of their ailments while still trying to convince the Social Security Administration that they are too ill to work.

Translate this kind of operation into hospitalization of social security beneficiaries and I envision the most complicated and unsatisfactory program yet devised by the bureaucracy if anything resembling the King-Anderson bill is enacted into law. The complications involved in establishing eligibility for hospitalization, eligibility for payments, ability of the individual to pay his $10 per day for the first 9 days, claims for reimbursement because individuals were treated who should not have been, or hospitals were overpaid—this alone should be enough to convince anyone but the most dedicated redtape artist that social security medicine cannot solve the problems of the aged.

It is difficult even for one with long experience in Government to envision the magnitude of the new bureaucracy that would be created within the Social Security Administration to handle the endless details of the proposed hospitalization program. This bureaucracy would extend into every community in the United States where there is a hospital, and the cost of administration alone would be a dangerous burden to an already shaky social security trust fund.

This is only a hasty summary of my reasons for opposing the King-Anderson bill or any other connected to the social security system.

### THE VOLUNTARY BOW PLAN

I developed H.R. 10981 in the 87th Congress as a result of my dissatisfaction with other proposals. This bill would establish a voluntary medical care insurance program for persons over 65, and 33 colleagues cosponsored the bill. I have explained it before dozens of audiences—labor groups, older people, political rallies, professional and medical meetings, and service clubs—and it never fails to receive a warm reception. An improved version of the bill, H.R. 21 of the 88th Congress, is now available, and I urge you to obtain a copy and consider whether this is a vehicle around which we can build a good medical care program in 1963.

H.R. 21 would solve the medical care problems of elderly people in the low- and middle-income groups by making available to them, with Federal Government encouragement and assistance, comprehensive medical care insurance of the kind now being offered by countless insurance carriers of various kinds.

The bill describes a "first-dollar" policy and a coinsurance policy, either of which would be immensely helpful to an elderly person of moderate means as well as to the medically indigent. These are insurance programs, the main provisions of which were worked out with the advice of experts, similar to many policies now being offered in the growing and highly competitive field of health insurance.

The premium cost of either of them is approximately $150. Like many policies now available, they would be offered without regard to medical history of the individual on a guaranteed renewable basis, and are particularly adaptable to group coverage.

The basic mechanism of my proposal is a tax credit of up to $150 per year for each individual to cover the cost of the premiums he may pay on any policy the benefits of which include the minimums spelled out in the bill. The credit is made available also to any taxpayer who wishes to provide this protection for an elderly relative, and to employers who wish to provide protection for retired employees. With respect to individual taxpayers over 65, the bill's coverage is limited to individuals with incomes of less than $4,000 per year, or $8,000 for man and wife. I am confident that many millions would take advantage of this incentive.

For those whose tax liability ranges from nothing to $150, the bill provides that the Treasury shall issue a medical care certificate. The certificate will be used by the individual to pay all or part of the premiums on a qualified medical care policy, and the certificate will then be redeemed from the carrier by the Treasury.

### BOW PLAN ADVANTAGES

In this manner, all of the administrative detail of medical care insurance remains the problem of the insurance carriers, the hospitals and the medical profession. The individual has freedom to select his own insurance. He is encouraged to help himself as much as possible. Most elderly Americans wish to be independent and self-reliant to their maximum possible degree. The private enterprise system is sustained and encouraged. We avoid the difficulties of the social security approach, both as to financing, adequacy of coverage, and interference in hospital administration as well as the practice of medicine.

I have had many inquiries concerning the cost of this program and its financing, especially as compared with the cost and method of financing the King-Anderson bill.

The maximum cost of my proposal is $150 multiplied by the number of persons over 65 whose income is less than $4,000 if single or $8,000 if a married couple. It is estimated that there are approximately 14.5 million people in this category. That establishes a ceiling cost for the Bow bill of slightly more than $2 billion. This figure must be reduced, however, by the amount that would be saved by reason of the fact that medical expenses now claimed by many of these people as an income tax deduction would be covered by the income tax credit, thus offsetting part of the cost. Further, it would be reduced by the fact that a great many of those in the age bracket are already protected against medical expenses by reason of veterans' status or residence in State custodial institutions. Finally, to the extent that the medical care insurance would replace direct Federal, State, and local expenditures for medical care of the indigent, there would be a large saving. I estimate conservatively that these factors will reduce the cost of the Bow bill in its first year to approximately $1,250 million.

This figure is comparable to the administration's 1962 estimate of the first-year cost of the King-Anderson plan, but experts in the field believe that the administration's cost estimates were actuarially unsound, far too conservative, and politically rather than constructively presented. Some experts predicted that the first-year cost would be closer to $3 billion rising to $5 billion as the program developed. Remember, this sum would be expended for benefits far more limited than those that would be made available under my bill. Briefly, they were 90 days hospitalization subject to a $90 payment by the individual, diagnostic services subject to a $20 deductible, limited convalescent service when released from a hospital. No provisions are made for the cost of physicians' services, drugs, and so forth.

In further comparison, the Bow bill, like almost every other Federal program, charges all of the taxpayers of the Nation to pay the cost of providing this protection to all who fall in the proper age and income bracket. The King-Anderson bill, or any other social security bill, charges only working men and women, and this charge falls most heavily on those with least income, to take care of only part of the needs of only part of the people who face the problem of high medical costs in old age.

Finally, H.R. 21 can be coordinated readily with all existing programs for the medical care of the elderly. It will supplant some. It will supplement the Kerr-Mills Act. It is the final step in providing a well-rounded program that will serve the recognized need of our elderly citizens and remove their problem from the arena of biennial partisan debate.

If we can agree to tackle the problem on a nonpartisan, commonsense basis, recognizing first of all the need to solve this urgent problem, we can enact legislation this year.

I sincerely hope that you will give H.R. 21 your consideration. I would welcome your comments, questions and any indication that you are willing to join in the effort.

By way of further explanation, I ask leave to include with my remarks at this point the minimum benefits specified in my bill under each of the qualified medical care insurance alternatives:

(a) DEFINITION OF QUALIFIED MEDICAL CARE INSURANCE PROGRAM FOR THE AGED.—As used in this section, the term "qualified medical care insurance program for the aged" means a program, offered by one or more insurance carriers operating in accordance with State law, providing protection, without regard to any preexisting health condition, under guaranteed renewable insurance for individuals 65 years of age or over against the costs of medical care (as defined in section 213(e)) through a system of benefits including either—

(1) a plan providing benefits which may not be less than:

(A) hospital room and board charges equal to the hospital's customary charges for semiprivate accommodations, for confinements not to exceed 90 days in a calendar year;

(B) $120 for hospital ancillary charges in any calendar year including any such charges in connection with surgery or emergency treatment on an outpatient basis;

(C) $6 for convalescent hospital room and board charges per day of confinement and $186 for all days of confinement in any one calendar year, immediately following confinement in a general hospital;

(D) surgical charges according to a fee schedule with a $300 maximum;

(E) $5 per call for physicians' services, and $75 for all such services in any one calendar year; or

(2) a plan providing payment at the rate of not less than 75 percent of the following

covered medical expenses after a deductible and subject to a maximum as specified in (B) below:

(A) covered medical expenses must include at least the following:

(i) hospital room and board charges equal to the hospital's customary charges for semi-private accommodations;

(ii) hospital ancillary charges including any such charges in connection with surgery or emergency treatment on an outpatient basis;

(iii) $6 for convalescent hospital room and board charges per day of confinement immediately following confinement in a general hospital and $540 for all days of confinement in any one calendar year;

(iv) surgical charges according to a fee schedule with a $300 maximum;

(v) $5 per call for physicians' services, other than for surgery or postoperative care;

(vi) $16 for professional private duty nursing charges per day and $480 for all days in any one calendar year;

(vii) charges for drugs and medicines which require a doctor's prescription; diagnostic X-rays and other diagnostic and laboratory tests; X-ray, radium, and radioactive isotope treatment; blood or blood plasma not donated or replaced; anesthetics and oxygen; and rental of durable medical or surgical equipment such as hospital beds or wheelchairs; or

(B) payment of benefits for the foregoing charges may be subject to a deductible of not more than $200 in a calendar year and a lifetime maximum of not less than 10,000.

## TAX DEDUCTION FOR PAYMENT OF PARENTS' MEDICAL EXPENSES

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the closing days of the 87th Congress, I placed in the Congressional Record a speech indicating that I would offer legislation early in the new Congress to provide a tax break for those who bear the medical expenses of their parents. This speech appeared in the Congressional Record, volume 108, part 16, pages 22380–22381. In it I noted the fact that, at present, we have some provision for the deduction of such costs when a parent is dependent upon the taxpayer, and this has been extended by giving a broader interpretation to dependency than is normal and liberalized by taking out the 3 percent limitation which exists for regular medical deductions.

My proposal would further extend the group of taxpayers who might benefit by the deduction when they have paid their parents' medical costs. Now the law covers those situations of actual dependency under the tax laws—where a taxpayer may take his dependent parent as an exemption on his personal income tax—and dependency but for the $600 income limitation—where a taxpayer pays over half of his parent's expenses but cannot take the parent as an exemption due to the fact that the parent has an income of more than $600. Under my bill, a deduction would be allowed when a taxpayer underwrites the medical expenses of his parents who would be eligible for assistance under the medical assistance to the aged provision of the Kerr-Mills Act.

Under Kerr-Mills, help is given through a State-Federal program to those elderly who, although able to meet their normal day-to-day expenses out of their retirement income, cannot stand up to a large medical expense. Aid is given in this one area where it is needed and the individual is not called upon to face the cruel choice of going without help which is needed or, by accepting it, losing entirely his former way of life. Kerr-Mills is a liberalizing step in the welfare field, and by coordinating with this law a tax deduction for the assistance of this same elderly group, another significant step can be taken to alleviate the real problem which exists in the financing of health care for America's senior citizens.

It might be in order at this time briefly to review the progress that has been made in this important area of public interest. The starting point for an examination of the cost problem in health care is an understanding of the dramatic, and costly, progress which has been made in the health sciences. Many of the diseases which were looked upon with dread in the last century and even in the earlier years of this century are no longer a threat in this country. Years have been added to the life expectancy of Americans, 10 to 15 years in the time since those of my age were born. Miracle drugs and miracle cures are commonplace now; no aspect of our health sciences has been without progress of the most awe-inspiring kind. But, as I have noted, progress in the health sciences costs a great deal, just as progress in any field is costly. Much of our present problem resolves around the increased cost of our modern medical care, especially to the elderly who have a greater health care burden than other age groups, and the fact that extra years have been added onto the lives of all of our citizens, years which were not expected and for which no financing plans had been made.

Progress has been made, as well, in the procedures for financing health care costs, but this progress is only now catching up with the costs of health science advances. We have but recently seen tremendous strides forward in health insurance, and these are continuing as the scope and quality of coverage improves. Special plans for the elderly, including noncancelable and prepaid policies and catastrophic illness coverage, are now available. State legislatures in a number of States have given permission to the insurance companies operating within the State to band together, spreading the risks of providing health insurance for the elderly and enabling insurance protection to be made available to the elderly at more reasonable rates. The Blue Cross-Blue Shield plans of various States have also taken steps to provide special low-cost coverage to the elderly. Health insurance is growing in popularity and companies are offering an ever-increasing number of policies allowing a wide range of choice and permitting the individual to find the coverage which best suits his needs.

In the public sector we have been moving ahead also. In older days the form of welfare which society provided its indigents was the county poor farm. Great strides were made in welfare by the initiation of old-age assistance which allowed the individual to remain in his community although a great deal of the control of his life passed into the hands of welfare workers who budgeted the money which he received. The OASDI approach in social security represents another step forward. Here the individual receives aid but is allowed, nonetheless, to control his own life and budget his income as he sees fit. Kerr-Mills, as I have noted, moves us forward again, providing needed aid in the health care sector of the individual's life without disturbing his everyday life outside of this sector.

But welfare is not the only area in which the Government has worked to help provide for the medical needs of the elderly. We, through our Federal Government, assist in the construction of health care facilities, hospitals under the Hill-Burton program and nursing homes through the FHA loan guarantee program. I am proud to say that I sponsored the legislation which made FHA assistance possible for nursing homes. We assist in the training of personnel in the health sciences and the related technical fields through the National Defense Education Act and through the Practical Nurse Training Act, whose extension I cosponsored. Through our tax structure we encourage gifts to medical charities by making such gifts deductible; we permit corporations to deduct the cost of health benefits provided under employee pension plans, an amendment to the pension sections of the Internal Revenue Code which I sponsored in the last Congress; we permit, as noted above, the deduction of some of a taxpayer's parents' medical expenses paid by the taxpayer.

This is not an exhaustive statement of what we have done in our society, both through the Government and through private initiative, to help meet the problem of medical costs for our elderly. This is a dynamic area, with progress and innovation the norm. We have not achieved a final solution in this area, but we have made substantial and meaningful progress and we are continuing to do so. I believe that the proposal which I have offered today is another beneficial change that will help in reaching the goal which we all desire, that of assuring that our elderly, and indeed all of our people, can enjoy the full benefits of the unparalleled medical care available in our society.

## LIMIT OF TENURE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have once again introduced a proposal, in the form of a constitutional amendment, to limit the tenure of U.S. Senators and Representatives. In operation, this proposal would limit a Member of Congress to 12 consecutive years of service, two Senate terms or six House terms, and then require that he take a 2-year sabbatical leave before he would once again be eligible to serve in our National Legislature.

This proposal, which I have offered in earlier Congresses, has often appeared in lists of "legislation least likely to succeed." And, to that conclusion I must sadly agree. Sadly, I say, because I believe that there is a kernel of real hope in this proposal, hope to improve the operation of our Congress and to help its Members do a better job in framing the policies for our country. Yet, despite the possible help which this amendment might provide, it receives no serious consideration from the Congress and little more from outside these two chambers.

The kernel of hope which I see in this proposal is in two areas. First, it would help to overcome the detrimental aspects of the seniority system. I see many valid bases for recognizing the length of service in this body and in its committees as one of the factors of leadership. I have defended the system as the best compromise we can achieve under our present rules of operation when shallow criticism calls for scrapping it without offering any valid alternative. The proposal which I have offered would allow a continued use of the seniority system but the chain of seniority would be broken from time to time and greater flexibility would be permitted in congressional leadership.

The second aspect of this hope deals with the work of the individual Congressman. As the name implies, it is the function of Representatives, and no less of Senators, to represent the people from whom they have been sent to Washington. Representation, in this context, has two facets; to represent, the Congressman must use his best abilities in studying and understanding the legislation which is brought before him, and further he must strive to understand the community of which he is a part and which he is called upon to represent. This does not mean that he is to be a personified public opinion poll. There is more to representation, as the former part of my definition indicates, than being a mirror to the unstudied reactions of one's constituency.

This sabbatical leave would give the chance to the Congressman to get reacquainted with his constituents and their feelings. It would put his feet back on the ground and would put him back into the mainstream of his community. Certainly the experience of recent Congresses, running for 9 and 10 months each year, indicates that there is to be precious little time for such a process of reaquaintance in the normal congressional year. I sincerely believe the Congress would be stronger for having its Members better attuned to the crosscurrents of the districts which they represent.

Perhaps once again it can be said that this is among those legislative ideas least likely to succeed. I hope, however, that it will be given serious consideration by those interested in improving the institution which serves to formulate our national policies.

A copy of this proposal is set out below:

H.J. RES. —

Joint resolution proposing an amendment to the Constitution of the United States to limit the tenure of Senators and Representatives in Congress

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE—

"SECTION 1. No person who holds the office of Representative in Congress for the whole or major portion of each of six consecutive full two-year terms occurring after the ratification of this article, shall again be eligible to hold the office of Representative in Congress until two years shall have elapsed from the date of the expiration of the sixth of such consecutive terms.

"SEC. 2. No person who holds the office of Senator for the whole or major portion of each of two consecutive full six-year terms occurring after the ratification of this article, shall again be eligible to hold the office of Senator until two years shall have elapsed from the date of expiration of the second of such consecutive terms.

"SEC. 3. This article shall be inoperative unless it is ratified as an amendment to the Constitution within seven years from the date of its submission to the States by the Congress."

## GARNISHMENT OF FEDERAL EMPLOYEES' SALARIES

**Mr. STAFFORD.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from Vermont?

There was no objection.

**Mr. CURTIS.** Mr. Speaker, one of the curious byproducts of the concept of national sovereignty is that employees of the Federal Government are shielded from some of the normal processes which creditors may use to reach the assets of defaulting debtors. In particular, the garnishment, execution, and trustee processes which might be used against the wages or salary of one hired by a private business are not available in pursuing a Federal employee; for the Federal Government has not consented to be made a part of such legal action and without consent it cannot be subjected to it.

On the surface it would seem that this is a problem of peculiar interest to the consumer credit industry, and especially to the creditmen of the District of Columbia and surrounding areas. Certainly it does interest them, and I have had a number of offers of assistance, in the form of stacks of worthless judgments against Federal employees, from the credit companies in the Capital region.

But this idea should not find acceptance only with the credit industry. It will operate as well to the benefit of the Federal employee who pays his bills, the various governmental agencies and even to the defaulting employee.

Knowledge of the difficulty which faces creditors in getting satisfaction from recalcitrant Federal employees leads them, in self-defense, to make credit rules tighter for all Federal employees. The honest Federal worker who would not avoid his obligations is placed in the same light, for purposes of extending credit, as his less desirable coworker. In short, he pays the penalty for the man who would not pay his bills.

For the agencies the advantage lies in the lessened administrative burden which they must carry. Executive opposition to this proposal has, in the past, been based on the idea that allowing the normal legal processes for the protection of creditors' interests would complicate the workings of the agencies. Yet, at present, mail to the agencies on the subject of unmet obligations is voluminous. Correspondence, personal interviews with the employees involved and, as a last resort, dismissal proceedings all result from the failure of there being an established procedure for the collection of these obligations. Even more important, however, in the lessening of the administrative burden on governmental agencies through the adoption of this proposal would be the self-restraint which the existence of these proceedings would impose on those Federal employees who now use their reflected immunity to scorn payment of their debts. Knowledge that their obligations may be enforced against them will be an effective deterrent to such activities.

Finally, the enactment of this proposal will be of benefit to the defaulting employees themselves. Presently such acts on the part of a Federal employee are met by only one sanction, dismissal from Federal service. Unable to enforce payment, the agency can only use dismissal to curb a continuing offender. In the short run the debtor may have a couple of more dollars in his pocket by avoiding his debts; in the long run he stands a good chance to lose his job.

For all concerned, this proposal would be beneficial and I hope that action on it will be possible in this Congress.

## THOMAS KENNEDY

**Mr. RHODES of Pennsylvania.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

**Mr. RHODES of Pennsylvania.** Mr. Speaker, one of the Nation's most outstanding labor leaders, Mr. Thomas Kennedy, died last Saturday. He was well-known, respected and beloved in his native State of Pennsylvania where he was born and died. His death occurred in Hazleton at age 75.

Mr. Kennedy began work as a miner at the age of 12. In 1900 he joined the

United Mine Workers of America and rose to the presidency of that great organization in 1960 when he succeeded John L. Lewis.

He took over the post after the veteran mining union leader was elevated to president-emeritus. Mr. Kennedy had been in ill health during the past year.

Soon after the turn of the century, Mr. Kennedy became fired by the organizing campaign of John Mitchell, then international president of the UMW, and began to interest himself in the problems of labor. In 1905 he held his first local union office at the age of 18.

From then on, his rise was rapid. Four years later he was elected president of UMW District 7, one of the three in the hard coal fields of eastern Pennsylvania.

He was elected as Lieutenant Governor of Pennsylvania in 1934. During the 4-year period when he served in that post and as presiding officer of the State senate many great social reforms and much progress were made. He served as a delegate to the Democratic National Conventions in 1936 and 1940.

Mr. Kennedy was a member of the National Defense Mediation Board and the National War Labor Board created by President Roosevelt in 1942.

During World War II, Mr. Kennedy was a member of the advisory committee of the bituminous coal division of the international department. He also was a member of Interior's Solid Fuels Administration for War and the President's Committee on Vocational Education.

After 22 years as international secretary-treasurer of the UMW, Mr. Kennedy was named vice president in 1947.

It was my pleasure to know Thomas Kennedy when we were both actively associated with the Pennsylvania Federation of Labor.

He was a man with many high qualities. He was dedicated in serving his fellowmen. Even those who disagreed with him held him in high regard because of his sterling character, ability, integrity, and sincerity.

To his wife and other members of his family I express deepest sympathy.

## PEACE CORPS SUCCESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Landrum] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LANDRUM. Mr. Speaker, last fall Mr. Sylvan Meyer, editor of the Gainesville, Ga., Daily Times, a very able newspaperman and widely knowledgable on the U.S. relations with other countries, was engaged by the State Department to conduct a lecture tour in parts of South America, Jamaica, Ecuador, Venezuela, British Guiana, and Martinique.

Following Mr. Meyer's return from this 4-weeks tour it was my pleasure to visit with him for several hours and discuss some of the experiences he had during his visit. Among other things, we talked about his observations of the accomplishments of the Peace Corps. Mr. Meyer is a practical man, not addicted to snap judgments and he told me that the Peace Corps is, in his opinion, doing a very fine service for the United States in the countries where he visited. In the Sunday, December 9, 1962, issue of the Daily Times Mr. Meyer referred to the Peace Corps accomplishments in an editorial which I include with these remarks and commend to the attention of all the Members:

### Peace Corps Success Surprised All

(By Sylvan Meyer)

In the middle of a slum in a South American city a dozen Americans are teaching hygiene, child care, home economics on a most elementary level and community responsibility.

These people represent a phenomenon in internation relations. They are serving because they want to serve and at the same time they are building an image of this country's idealism and unselfishness that could be desseminated no other way.

What many thought was merely a wild campaign promise by President Kennedy has turned into the Peace Corps, an outfit 4,000 strong serving in 43 nations of the world and eagerly sought by many more. The Peace Corps reports that its requests from other countries for personnel exceed by 10 times the number of people who will be available next year.

A report on the Peace Corps shows that of the first 2,500 who volunteered only 25 have withdrawn, 3 of those through death in a plane crash. Only 10 have failed on the job. This is a tribute to those who have selected and trained Peace Corps people.

It costs about $9,000 to select, train, transport and maintain a Peace Corps volunteer, which is pretty cheap compared with the cost of supporting a soldier abroad. Of course, the Peace Corps doesn't take the place of the soldier but its members may be accomplishing as much, if not more, over the long run.

Not all Peace Corps volunteers are youngsters. In Ecuador, in a mountain city, I met a former schoolteacher, now 55, who works right alongside the others in training Indians to do more for themselves.

Host countries like the Peace Corps volunteers. They stay out of politics, stick to their jobs and genuinely desire to help. In many cases, the host countries have supplied equipment to help the corpsmen.

Sports Illustrated this week noted that trained coaches and athletic directors are much in demand by the Peace Corps, especially in Indonesia and southeast Asian countries. This is typical of the emphasis the Peace Corps is placing on specialists in various fields and the ease with which properly trained Americans can work with youngsters of other countries, proving to them that we have their interests at heart.

As the Peace Corps proves itself further, its service should count against required military service and its rank should be thereby increased.

## JOINT ECONOMIC COMMITTEE ELECTS SENATOR DOUGLAS CHAIRMAN AND REPRESENTATIVE BOLLING VICE CHAIRMAN

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last Thursday afternoon the Joint Economic Committee held its own organization meeting and elected Senator Paul H. Douglas, Democrat, of Illinois, chairman to serve for the 88th Congress, and elected our colleague Representative Richard Bolling, Democrat, of Missouri, to serve as vice chairman during the 88th Congress.

It is my privilege, on behalf of Senator John Sparkman, Democrat, of Alabama, the senior Senate member of the committee, to introduce a resolution calling for the unanimous election of Senator Douglas; and further, to introduce on my own behalf a motion calling for the unanimous election of Mr. Bolling to be vice chairman, with the understanding that this action does not prejudice my own seniority on the Joint Economic Committee in future Congresses. These motions were unanimously adopted.

Under the rules of the Joint Economic Committee the chairmanship and vice chairmanship of the committee alternate between the Senate and House Members at the beginning of each new Congress.

It was my pleasure to serve as chairman of the committee during the last Congress, and I am indebted to the members both for the fine cooperation they gave the chairman, and for the excellent work they did, both on the full committee and on the various subcommittees.

I should add that our colleague, Mr. Thomas B. Curtis, of Missouri, who is the senior minority member of the Joint Economic Committee was nominated, on behalf of Senator Jacob K. Javits, of New York, to be the senior minority spokesman for the committee, and this motion carried unanimously.

## SMALL BUSINESS INVESTMENT COMPANIES, A POWERFUL TOOL FOR ECONOMIC GROWTH

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on Monday of last week, we heard the President of the United States deliver an eloquent plea for the cause of accelerated economic growth. I would agree that this is one of the key domestic issues facing the 88th Congress.

While the President devoted the bulk of his attention to the role he felt a tax cut could play in reinvigorating our sluggish economy, I am sorry that he failed to mention another method for helping attain the same goal. I speak of the relatively new, but remarkably effective, device for channeling investment funds to worthy and growing independent businesses, the small business investment company program.

Certainly, the SBIC industry is not an alternative to a broad-based tax cut, but I believe that it could be a useful companion.

In the 4½ years since Congress passed the Small Business Investment Act of 1958, this pioneering program, designed to fill the institutional gap in equity capital and long-term credit faced by small business firms, has compiled a noteworthy record. After an intensive study of the subject, the House Small Business Committee, in its final report submitted to this body on January 3, 1963, concluded:

> The SBIC's are successfully carrying out the congressional mandate to provide long-term equity capital for small businesses which have historically encountered great difficulty in obtaining other than short-term financing. This has increased availability of funds needed for growth through new development, new equipment, and marketing expansion.

Despite the pride which we who sponsored this program feel about the achievements of the 650 SBIC's now in operation, we recognize that they are only beginning to fill the role we marked out for them in 1958. Since that time, we have done some tinkering with the legislation under which they operate, but we have not undertaken a thoroughgoing review and revision. We all realized that such a new program would require changes, and I believe that the time has come to enact amendments which will provide the boost needed to help the resources of the program meet the requirements of America's small and independent business firms.

It is for that reason that I have introduced three bills during these first weeks of the new Congress. On January 9, I submitted two bills, one of which—H.R. 583—would amend the Internal Revenue Code of 1954 to spell out changes in our tax laws which the SBIC's very much need. My second bill—H.R. 799—would amend the Small Business Investment Act of 1958 to provide additional Government assistance for those SBIC's which are seriously endeavoring to meet the capital needs of small business. Today, I am introducing the third and final bill which would further amend the 1958 act by giving the Small Business Administration greater power to regulate all phases of the SBIC industry—particularly the activities of those SBIC's which have issued their securities to the public.

Mr. Speaker, I will include the text of all three of these bills, along with a section-by-section analysis of each bill, in the Record at the end of my remarks. An analysis of the two previously introduced bills may also be found in the Congressional Record, volume 108, part 15, page 20224, having been inserted there at the time of their introduction during the 87th Congress.

I do not believe that these three bills will entail the expenditure of any substantial amount of Federal funds. To date, the record of the SBIC's in this regard has far exceeded the hopes of its most ardent advocates. Well over $6 in private funds have been subscribed for every Federal dollar loaned to the SBIC's—at a profitable rate of interest. It seems to me that these bills give further incentives for the investment of private funds in the program and, therefore, will bring beneficial long-term results with small initial outlays and no long-range cost whatever. This is as true of the tax provisions contained in H.R. 583 as it is of the changes proposed in H.R. 799.

In closing, let me say that I believe that Congress can be proud of the leadership it took in establishing this program 5 years ago. Our economy, and particularly our small business firms are stronger because of the $300 million which has been invested in them by the SBIC's now in operation. But I believe that this is only a fraction of the entire need—I know that there are additional thousands of small firms which urgently need capital funds today; they require equity investments for more and better machines; for additional working capital; for new and improved products; for research and development; and most important of all, they need these dollars to hire additional employees to expand their output and to bring new competition and stronger competition into all areas of commercial enterprise.

In speaking before the fourth annual meeting of the National Association of Small Business Investment Companies here in Washington in December, I said:

> I have complete faith in the mission of the SBIC program and in its continuing success. I hope that you will continue with all vigor. By doing so, you will not only help to create more profitable opportunities for yourselves, but, by helping to create opportunities for all kinds of small businesses, you will help preserve economic independence. You will be doing a high public service to our Nation and indeed to the whole free world.

I commend these bills to your attention; I believe that they are completely nonpartisan—as attested by the support given H.R. 583 and H.R. 799 by all 13 members of the House Small Business Committee; I believe that they will assist small business investment companies in their critical task of providing equity capital and long-term credit for America's small and independent businesses:

### H.R. 583

A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 165 of the Internal Revenue Code of 1954 (relating to deduction for losses) is amended by redesignating subsection (i) as subsection (j), and by inserting after subsection (h) the following new subsection:

"(i) Small Business Investment Companies.—

"(1) Reserve for losses on certain investments.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, there shall be allowed, in lieu of any deduction under subsection (a) for any loss sustained on any investment described in section 1243 (a)(1), a deduction for a reasonable addition to a reserve for losses on such investments.

"(2) Amount of addition to reserve.—The reasonable addition to a reserve for losses under paragraph (1) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this paragraph shall not be greater than the lesser of—

"(A) the amount of its taxable income for the taxable year, computed without regard to this section, or

"(B) the amount by which 20 percent of the taxpayer's total investments described in section 1243(a)(1), at the close of the taxable year with respect to which this section applies, exceeds its reserve for losses on such investments at the beginning of the taxable year."

Sec. 2. Section 166 of the Internal Revenue Code of 1954 (relating to deduction for bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following new subsection:

"(g) Small Business Investment Companies.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, the reasonable addition to a reserve for bad debts under subsection (c) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this subsection shall not be greater than the lesser of—

"(1) the amount of its taxable income for the taxable year, computed without regard to this section, or

"(2) the amount by which 20 percent of the taxpayer's total loans to small business concerns, at the close of the taxable year with respect to which this section applies, exceeds its reserves for bad debts at the beginning of the taxable year."

Sec. 3. Section 532(b) of the Internal Revenue Code of 1954 (relating to exemptions from accumulated earnings tax) is amended—

(1) by striking out "or" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (3) the following new paragraph:

"(4) a small business investment company operating under the Small Business Investment Act of 1958."

Sec. 4. Section 542(c) (11) of the Internal Revenue Code of 1954 (relating to exception of small business investment companies from definition of personal holding company) is amended to read as follows:

"(11) a small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act in accordance with regulations prescribed by the Small Business Administration pursuant thereto. This paragraph shall not apply if any shareholder of the small business investment company owning, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), 10 percent or more of the outstanding stock of such small business investment company owns at any time during the taxable year, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), a 10-percent or more proprietary interest in a small business concern to which funds are provided by the small business investment company or 10 percent or more in the value of the outstanding stock of such concern. For purposes of the preceding sentence, a shareholder of a small business investment company shall not be considered as owning any proprietary interest in or stock of a small business concern solely by reason of his ownership directly or indirectly of stock of such small business investment company."

Sec. 5. (a) Section 851(a) of the Internal Revenue Code of 1954 (relating to general rule for definition of regulated investment company) is amended—

(1) by striking out "or" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (2) the following new paragraph:

"(3) which, at all times during the taxable year, is a small business investment company operating under the Small Business Investment Act of 1958 (whether or not registered under the Investment Company Act of 1940, as amended)."

(b) Section 851(b) of such Code (relating to limitations on definition of regulated investment company) is amended by adding at the end thereof (after and below paragraph (4)) the following new sentence: "Paragraphs (2), (3), and (4) shall not apply to any corporation which is a small business investment company operating under the Small Business Investment Act of 1958, whether or not such company is registered under the Investment Company Act of 1940, as amended."

Sec. 6. Section 1243 of the Internal Revenue Code of 1954 (relating to losses of small business investment companies) is amended to read as follows:

"Sec. 1243. Loss of Small Business Investment Company.

"(a) General Rule.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, if—

"(1) a loss is on equity securities (including stock received pursuant to an option or conversion or exchange privilege) acquired pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section, and

"(2) such loss would (but for this section) be a loss from the sale or exchange of a capital asset, then such loss shall be treated as a loss from the sale or exchange of property which is not a capital asset.

"(b) Special Rule for Determining Amount of Loss on Stock.—Under regulations prescribed by the Secretary or his delegate, for purposes of determining the amount of loss (if any) from the sale or exchange by a small business investment company of stock acquired by such company pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section (including stock received pursuant to an option or conversion or exchange privilege), the basis of such stock shall be reduced (but not below zero) by an amount equal to the amount of any distribution received by such company with respect to such stock on or after the date of the enactment of this subsection, to the extent that any such distribution is made by the distributing corporation out of its earnings and profits accumulated prior to the date of the acquisition of such stock by such company."

"(c) Definition of Equity Securities.—For purposes of this section, the term "equity securities" means, (1) Stock of any class or type; or (2) Convertible debentures which are convertible into stock of incorporated small business concerns; or (3) Any right or warrant issued and/or acquired in connection with the purchase of any stock, convertible debenture or debt instrument under section 305 of the Small Business Investment Act of 1958, as amended, which right or warrant provides the holder thereof with an option to purchase a specified maximum number of shares of stock of the issuer at a price established by negotiations between the small business concern and the small business investment company at the time of issuance; or (4) any combination of the foregoing.

Sec. 7. Section 1371(a)(2) of the Internal Revenue Code of 1954 (relating to definition of small business corporation) is amended to read as follows:

"(2) have as a shareholder a person (other than an estate or a small business investment company operating under the Small Business Investment Act of 1958) who is not an individual;".

Sec. 8. The amendments made by the first two sections of this Act shall apply with respect to taxable years ending on or after March 31, 1962. The amendment made by section 4 shall apply with respect to taxable years beginning after December 31, 1958. The amendment made by section 6 shall apply with respect to taxable years ending after June 11, 1960. The amendments made by the remaining provisions of this Act shall apply only with respect to taxable years ending on or after the date of enactment of this Act.

H.R. 583 would amend the Internal Revenue Code in major respects as follows:

Sections 1 and 2 permit small business investment companies to set up reserves for losses and bad debts and to deduct reasonable additions to such reserves, the amount of which is limited to 20 percent of an SBIC's total investments or loans, as the case may be.

Section 3 exempts SBIC's from the accumulated-earnings tax.

Section 4: Under present law, an SBIC is not considered a personal holding company unless a shareholder owns a 5-percent-or-more, proprietary interest in a small concern to which the SBIC has provided funds. Section 4 provides that a stockholder of an SBIC shall not be deemed to own stock of a small concern solely by reasons of his ownership of stock in an SBIC.

Section 5 allows all SBIC's to qualify as regulated investment companies, so as to enable them to pass-through income to their shareholders. This privilege is presently accorded to publicly owned SBIC's registered with the Securities and Exchange Commission.

Section 6 would allow losses on any equity securities to be deducted against ordinary income.

Section 7 would permit a small corporation to qualify under the code to be taxed as a partnership, notwithstanding the fact that the corporation has an SBIC as a shareholder.

### H.R. 799

### A bill to amend the Small Business Investment Act of 1958

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Small Business Investment Act Amendments of 1963".

Sec. 2. The second sentence of section 302 (a) of the Small Business Investment Act of 1958 is amended by striking out "$400,000" and inserting in lieu thereof "$1,000,000" and by striking out "three years" and inserting in lieu thereof "five years."

Sec. 3. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies, the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to lend funds to such companies either directly or by loans made or effected in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. Such loans shall bear interest at such rate and contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of the Administration's share of loans made and outstanding under this subsection (b) to any one company at any one time (including direct loans, the Administration's share of loans made hereunder pursuant to agreements to participate on an immediate basis, and commitments to lend directly or on an immediate participation basis, but excluding loans made hereunder pursuant to agreements to participate on a deferred basis and any obligations acquired pursuant to such deferred participation agreements) shall not exceed an amount equal to 50 per centum of the paid-in capital and surplus of such company or $4,000,000, whichever is less. The total amount of the Administration's share of all loans made and outstanding under this subsection (b) to any one company at any one time, including loans made hereunder pursuant to agreements to participate on a deferred basis and any obligations acquired pursuant to such deferred participation agreements, shall not exceed an amount equal to the paid-in capital and surplus of such company or $8,000,000, whichever is less.

"(2) All loans made under this subsection (b) shall be of such sound value as reasonably to assure repayment."

Sec. 4. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"Sec. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 per centum of the combined capital and surplus of such small business investment company authorized by this Act."

H.R. 799 would amend the Small Business Investment Act as follows:

Section 2 would increase the amount or subordinated debentures of an SBIC which SBA can purchase under section 302(a) from $400,000 to $1 million. In addition, the period, after licensing, within which an SBIC may sell its subordinated debentures to SBA would be increased from 3 to 5 years.

Section 3 would expand SBA's lending authority under section 303(b). Presently, the total amount outstanding to any one SBIC cannot exceed an amount equal to 50 percent of an SBIC's paid-in capital and surplus, or $4 million, whichever is less. Under the proposed amendment, SBA could make loans under section 303(b) either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred—standby—basis. Moreover, deferred participation loans would be excluded from the present limitations of 50 percent of capital and surplus, or $4 million, whichever is less. The section provides, however, that the total SBA share of all loans to any one SBIC shall not exceed the amount of the paid-in capital and surplus, or $8 million, whichever is less.

Section 4 would repeal the dollar limitations on the amount which an SBIC may provide to a single business firm. The present limitation holds an SBIC to

20 percent of its capital and surplus, or $500,000, whichever is less. To assure diversity, section 4 retains the 20-percent limitation.

### H.R. 2422

A bill to amend the Small Business Investment Act of 1958, the Investment Company Act of 1940, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 102 of the Small Business Investment Act of 1958 is amended by striking the words "That this policy shall be carried out in such manner as to insure the maximum participation of private financing sources," and by substituting in lieu thereof the words, "That this policy shall be carried out in such manner as to protect the interest of investors in said program to the end of insuring the maximum participation of private financing sources."

SEC. 2. Section 103 of the Small Business Investment Act of 1958 is amended by adding the following definitions, numbered as follows:

(8) The term "affiliated person" of another person means (A) any person directly or indirectly owning, controlling, or holding with power to vote, 10 per centum or more of the outstanding voting securities of such other persons (B) any person 10 per centum or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by such other person; (C) any person directly or indirectly controlling, controlled by, or under common control with, such other person; (D) any officer, director, partner, copartner, employee or close relative of such other person; (E) if such other person is a small business investment company, any investment adviser thereof.

(9) The term "assignment" includes any direct or indirect transfer or hypothecation of a contract or chose in action by the assignor, or of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor; but does not include an assignment of partnership interests incidental to the death or withdrawal of a minority of the members of the partnership having only a minority interest in the partnership business or to the admission to the partnership of one or more members who, after such admission, shall be only a minority of the members and shall have only a minority interest in the business.

(10) The term "close relative" includes only brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

(11) The term "control" means the power, directly or indirectly, to exercise a controlling influence over the management or policies of a company, through the ownership of voting securities, by contract or otherwise. Any person who owns beneficially, either directly or through one or more controlled companies, 25 per centum or more of the voting securities of a company, shall be presumed to control such company. Any person who does not so own more than 25 per centum of the voting securities of any company shall be presumed not to control such company.

(12) The term "convicted" includes a verdict, judgment, or plea of guilty, or a finding of guilt on a plea of nolle contendere, if such verdict, judgment, plea or finding has not been reversed, set aside, or withdrawn, whether or not sentence has been imposed.

(13) The term "equity capital" means funds received by an incorporated small business concern in consideration for the issuance of its equity securities.

(14) The term "equity securities" means (A) stock of any class or type; or (B) convertible debentures which are convertible into stock of incorporated small business concerns; or (C) any right or warrant issued and/or acquired in connection with the purchase of any stock, convertible debenture or debt instrument under section 305 of the Act, which right or warrant provides the holder thereof with an option to purchase a specified maximum number of shares of stock of the issuer at a price established by negotiations between the small business concern and the small business investment company at the time of issuance; or (D) any combination of the foregoing.

(15) The term "investment adviser" of a small business investment company means (A) any person (other than a bona fide officer, director, or employee of such company, as such) who pursuant to contract with such company regularly furnishes advice to such company with respect to the desirability of investing in, purchasing, retaining or selling securities of a small business concern or is empowered to determine what securities shall be purchased, retained or sold by such company, and (B) any other person who pursuant to contract with a person described in clause (A) regularly performs substantially all of the duties undertaken by such person.

(16) The term "joint enterprise or other joint arrangement or profit-sharing plan" means any written or oral plan, contract, authorization or arrangement, or any practice or understanding concerning an enterprise or undertaking whereby a small business investment company or a controlled company thereof and any affiliated person of or proponent of such small business investment company or any affiliated person of such a person or proponent, have a joint and several participation or share in the profits of such enterprise or undertaking, but shall not include an advisory contract subject to section 308(j) of the Act.

(17) The term "net asset value" means the value of the assets of a small business investment company remaining after deducting all liabilities and the amount of any preferred stock involuntary liquidating preference plus accrued dividends on such preferred stock, if any, from total assets, with assets valued at market value where readily available or, in the case of assets having no readily ascertainable market value, at fair value as determined in good faith by the board of directors of the small business investment company.

(18) The term "paid-in capital and paid-in surplus" means the amount received in cash or eligible Government securities by the small business investment company in consideration for the issuance of its capital stock, plus the outstanding amount of any loans or commitments made by Small Business Administration pursuant to section 302(a) of the Act, less any amounts shown on the books for organizational expenses.

(19) The term "person" means a natural person, a corporation, partnership, pension fund, profit-sharing fund, an association, a joint-stock company, a business trust and any other organization of whatever nature.

(20) The term "proponent" means a person who, acting alone or in concert with other persons, is initiating or directing, or has within one year initiated or directed, the organization of a small business investment company, including any person who executes and submits a proposal.

(21) The term "value" means, with respect to securities for which market quotations are readily available, the market value of such securities; with respect to other securities and assets, fair value as determined in good faith by the board of directors of the small business investment company.

SEC. 3. Section 301 of the Small Business Investment Act of 1958 is amended by adding the following subsections:

"(d)(1) It shall be unlawful for a small business investment company to have as an officer, director, investment adviser or affiliated person of an investment adviser or to sell 5 per centum or more of its voting securities to:

"(A) Any person who within ten years has been convicted of any criminal offense involving dishonesty, fraud, or a breach of trust, or other fiduciary relationship;

"(B) Any person who by reason of misconduct involving dishonesty, fraud, or breach of trust, or other fiduciary relationship is permanently or temporarily enjoined by order, judgment or decree of any court of competent jurisdiction because of such misconduct;

"(C) Any person who the Small Business Administration determines, in its discretion, after investigation of his character, experience, qualifications, and financial responsibility, is not eligible to participate in the program.

"(2) Any person who is ineligible by reasons of paragraphs (d)(1) (A) or (B) of this section to serve in any capacity set forth in paragraph (a)(1) hereof or any person who disputes a preliminary determination by the Small Business Administration, under paragraph (d)(1)(C) of this section, that he is not eligible to serve in such capacity, may file an application with the Small Business Administration for an exemption from the provisions of this subsection (d). The Small Business Administration may grant such application either conditionally or on an appropriate temporary or other conditional basis if it is established that the prohibitions as applied to such person are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or detrimental to carrying out the provisions of the Act in accordance with the purposes of the Act.

"(e)(1) A majority of the directors of a small business investment company must be citizens of the United States.

"(f)(1) It shall be unlawful for a small business investment company to have a board of directors more than 60 per centum of which are officers and employees of, attorneys for, affiliated persons of attorneys for, investment advisors of, affiliated persons or stockholders of an investment advisor of, such small business investment company or persons controlling or controlled by such small business investment company or affiliated persons (other than solely as directors) of controlling or controlled persons of such small business investment company or investment advisor; provided, however, that in no event shall officers and employees of such small business investment company, taken together, comprise more than a minority of the members of the board of directors of such small business investment company.

"(2) If by reason of the death, disqualification, or bona fide resignation of any director or directors, the requirements of the foregoing provisions of this section in respect of directors shall not be met by a small business investment company, the operation of such provisions shall be suspended as to such small business investment company for a period of thirty days if the vacancy or vacancies may be filled by action of the board of directors, and for a period of sixty days if a vote of stockholders is required to fill the vacancy or vacancies, or for such longer period as the Small Business Administration may prescribe, by rules and regulations upon its own motion or upon application by a small business investment company.

"(3) No person shall serve as a director of a small business investment company unless elected to that office by the holders of the outstanding voting securities of such company, at an annual or a special meeting duly called for that purpose; except that vacancies occurring between such meetings may be filled in any otherwise legal manner if immediately after filling any such vacancy at least two-thirds of the directors then holding office shall have been elected to such office by the holders of the outstanding voting securities of the company at such an annual or special meeting. In the event that at any time less than a majority of the directors of such company holding office at that time were so elected by the holders of the outstanding voting securities, the board of directors or proper officer of such company shall forthwith cause to be held as promptly as possible, and in any event within sixty days, a meeting of such holders for the purpose of electing directors to fill any existing vacancies in the board of directors unless the Small Business Administration shall extend such period.

(g) The articles of incorporation of every small business investment company shall provide for only one class of common stock, all shares of which shall have equal voting rights.

(h)(1) The articles of incorporation of a small business investment company may provide for the issuance of preferred stock but such stock may be issued only if it has, immediately after issuance, an asset coverage, after deducting all liabilities, of 110 per centum, which shall not be subsequently reduced by the declaration of any dividend on the common stock (except a dividend payable in common stock of the company), the declaration of any other distribution on the common stock or the purchase of any common stock of the company.

"(2) Any preferred stock shall have priority over the common stock as to distribution of assets and payment of dividends, which dividends shall be cumulative at least to the extent earned in any one year; be entitled, as a class, to representation on the board of directors by at least two members at all times; and be entitled to elect a majority of the board of directors if at any one time dividends are accrued and unpaid equivalent to two years' requirements, such right to continue until sufficient income applicable to such stock has been earned to pay, or otherwise provided for such accruals and such payment or provision for payment is actually made.

"(3) Whenever the right to elect a majority of directors shall have accrued to holders of the preferred stock, the proper officers of the company shall call a meeting for the election of directors, such meeting to be held not less than ten days and not more than thirty days after the receipt of such request. Conversely, whenever sufficient income applicable to the preferred stock, upon which dividends are in arrears, as above, has been earned to pay or otherwise provide for such arrears, and such payment or provision for payment has been made, thus entitling the holders of the common stock to their full voting rights, the proper officers of the company shall call a meeting for the election of directors, such meeting to be held not less than ten days and not more than thirty days after the reversion to the holders of the common stock of their full voting rights."

SEC. 4. Section 302 of the Small Business Investment Act of 1958 is amended by adding the following subsections:

"(d) A small business investment company may not voluntarily reduce or increase its paid-in capital and paid-in surplus without the prior written approval of the Small Business Administration.

"(e) Subject to the provisions of subsection (d) above, a small business investment company that is not indebted to the Small Business Administration pursuant to Sections 302 or 303 of this Act, may repurchase its own securities only in accordance with and subject to such rules and regulations as the Small Business Administration may prescribe and, provided, that prior to the repurchase of any securities hereunder, any plan or other program of repurchase of its own securities shall have been approved at a meeting duly called for such purpose by a vote of the holders of two-thirds of the outstanding voting securities of such company, and further provided that any securities repurchased shall be immediately retired and canceled.

"(f)(1) Notwithstanding the provisions of subsection (e) of this section, a small business investment company may call or redeem any security of which it is the issuer in accordance with the terms of such securities or the charter, indenture or other instrument pursuant to which such securities were issued; provided that if less than all the outstanding securities of a class are to be called or redeemed, the call or redemption shall be made by lot, on a pro rata basis, or in such other manner as will not discriminate unfairly against any holder of securities of such class.

"(2) A small business investment company which proposes to call or redeem less than all of the outstanding securities of a class, shall file with the Small Business Administration notice of its intention to partially call or redeem such securities at least thirty days prior to the date set for the call or redemption.

"(g) A small business investment company may issue its securities only for (1) cash, (2) direct obligations of, or obligations guaranteed as to principal and interest by, the United States, (3) securities of which it is the issuer, in connection with a reclassification or recapitalization of its capital structure approved by SBA, (4) services previously rendered to the small business investment company, (5) physical assets to be currently employed in the operation of the small business investment company, (6) as a dividend or (7) in connection with a statutory or other type of merger or consolidation with another licensee, approved by the Small Business Administration: *Provided, however,* That any shares of stocks issued as part of the initial minimum capital required by paragraph (a) of this section may be issued only in consideration of the simultaneous payment of cash or upon the simultaneous transfer to the small business investment company of securities permitted by section 308(b) of the Act and regulations thereunder, and provided further that a small business investment company may issue its common stock for equity securities of a small business concern pursuant to the provisions of section 304(c) of the Act.

"(h) A small business investment company may issue stock options to its officers and employees, provided such options qualify as restricted stock options under section 421 of the Internal Revenue Code of 1954 as such section now exists or may hereafter be amended, subject to such rules and regulations as SBA may promulgate governing the issuance and exercise of such options. No such options may be granted to any officer or employee who has any interest in, direct or indirect, or who receives compensation from, an investment adviser of the small business investment company.

"(i) A small business investment company shall not sell any common stock of which it is the issuer at a price below the current net asset value of such stock, exclusive of any distributing commission or discount, except (1) in connection with an offering to the holders of one or more classes of its capital stock; (2) with the consent of the holders of two-thirds of its common stock; (3) upon conversion of a convertible security in accordance with its terms; (4) upon the exercise of a warrant, right or option issued by the small business investment company or (5) under such other circumstances as the Small Business Administration may permit."

SEC. 5. Section 303(b) of the Small Business Investment Act of 1958 is amended by striking the words "formation and" from the first sentence thereof.

SEC. 6. Section 307 of the Small Business Investment Act of 1958 is amended by striking subsection (c) thereof in its entirety.

SEC. 7. Section 308(c) of the Small Business Investment Act of 1958 is amended by striking the first sentence thereof and by substituting in lieu thereof the following: "The Administration is authorized to prescribe regulations governing the operations of small business investment companies as it may deem necessary and appropriate in the public interest and in the interest of investors in such companies, in order to carry out the provisions of the Act, in accordance with the purposes of the Act."

SEC. 8. Section 308 of the Small Business Investment Act of 1958 is further amended by adding the following subsections:

"(f) No small business investment company shall, unless authorized by the vote of two-thirds of its outstanding voting securities and with the prior approval of the Small Business Administration:

"(1) deviate from its policy in respect of concentration of investments in any particular industry or group of industries, as recited in its application to operate as a licensed small business investment company.

"(2) cease to be a licensed small business investment company and surrender its license.

"(g)(1) Every small business investment company shall transmit to its stockholders, at least semiannually, reports containing the following information and financial statements within forty-five days after the date as of which the report is made:

"(A) a balance sheet accompanied by a statement of the aggregate value of investments on the date of such balance sheet;

"(B) a list showing the amounts and values of securities owned on the date of such balance sheet;

"(C) a statement of income, for the period covered by the report, which shall be itemized at least with respect to each category of income and expense representing more than 5 per centum of total income or expense;

"(D) a statement of surplus, which shall be itemized at least with respect to each charge or credit to the surplus account which represents more than 5 per centum of the total charges or credits during the period covered by the report;

"(E) a statement of the aggregate remuneration paid by the company during the period covered by the report (i) to all directors for regular compensation; (ii) to each director for special compensation; (iii) to all officers; and (iv) to each person or entity of whom any officer or director of the company is an affiliated person; and

"(F) a statement of the aggregate dollar amounts of purchases of equity securities, and long-term loans, other than Government securities, made during the period covered by the report.

"(2) Financial statements contained in annual reports shall be accompanied by a certificate of an independent public accountant. The certificate of such accountant shall be based upon an audit not less in scope or procedures followed than that which independent public accountants would ordinarily make for the purpose of presenting comprehensive and dependable financial statements. Each such report shall state that such independent public accountants have verified securities owned, either by actual examination, or by receipt of a certificate from the custodian.

"(3) The Small Business Administration may, in its discretion, require the inclusion of such other information in such reports as it deems appropriate.

"(h) Every person who is directly or indirectly the beneficial owner of more than 10 per centum of any class of outstanding securities (other than short-term paper) issued by a small business investment company or who is an officer, director, investment adviser or affiliated person of an investment adviser, of such a company shall, in respect of his transactions in any securities of such company (other than short-term paper), be subject to the same duties and liabilities as those imposed by Section 16 of the Securities Exchange Act of 1934 upon certain beneficial owners, directors, and officers in respect of their transactions in certain equity securities, provided, however, that the Small Business Administration shall, by rules or regulations or order after notice and opportunity for hearing in particular cases, exempt transactions of a director, officer or the beneficial owner of 10 per centum or more of the voting securities of a small business investment company who is engaged in the investment banking business and who is a broker-dealer registered with the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 and any corporation or partnership in which such director, officer or stockholder is an affiliated person, where such transactions are engaged in solely for the purpose of maintaining or participating in the maintenance of a market for the benefit of investors in the securities of such small business investment company.

"(i) A small business investment company shall not lend money or property to any person, directly or indirectly, if such person controls or is under common control with such company.

"(j) (1) A small business investment company which obtains investment advisory services from an investment adviser on a continuing basis, shall contract in writing for such services, which contract shall be submitted to the Small Business Administration for its written approval prior to such contract becoming effective. Such written contract shall specifically:

"(A) Describe such services;

"(B) Describe all compensation to be paid thereunder;

"(C) State the duration of the contract;

"(D) Provide for its termination by the small business investment company, without penalty, on not more than sixty days' written notice;

"(E) Provide for its automatic termination in the event of its assignment by the person performing the services;

"(F) Be approved by a vote of a majority of the outstanding voting securities of the small business investment company prior to such contract becoming effective; and

"(G) Be approved annually by a vote of a majority of the outstanding voting securities of the small business investment company or by the vote of a majority of its board of directors, including the approval vote of a majority of those members of the board of directors who are not parties to, or do not have a pecuniary interest, direct or indirect, in such contract.

"(2) Contracts for appraisal, custodial, collection, bookkeeping, accounting and legal services shall not be considered investment advisory services for purposes of this part.

"(k) (1) A small business investment company may not adopt as part of its name or title, any word or words which the Small Business Administration finds to be deceptive, misleading, inappropriate or not suitable.

"(2) A small business investment company may not include the words 'United States', 'National', 'Federal', 'Reserve', or 'Government' in its corporate name.

"(l) (1) No small business investment company, in issuing or selling any security, shall represent or imply in any manner whatsoever that such security has been guaranteed, sponsored, recommended, or approved by the United States or any agency or officer thereof, and a statement to such effect shall be included in any solicitations to investors.

"(2) No person affiliated with any small business investment company shall represent or imply in any manner whatsoever that such person has been sponsored, recommended or approved, or that his abilities have in any respect been passed upon by the United States or any agency or officer thereof.

"(m) A small business investment company shall not, without the prior written approval of the Small Business Administration:

"(1) purchase any security or other property from any affiliated person or proponent of such small business investment company or any affiliated person of such a person or proponent;

"(2) sell any security or other property to any affiliated person or proponent of such small business investment company or affiliated person of such a person or proponent; or

"(3) borrow money or other property from any affiliated person or proponent of such small business investment company or any affiliated person of such a person or proponent.

"The provisions of this subsection shall be applicable to any transaction effected within six months following the date of termination of any affiliation which would otherwise operate to make such transaction subject to this subsection.

"(n) (1) A small business investment company shall not participate in, or effect any transaction in connection with, any joint enterprise or other joint arrangement or profit-sharing plan in which any affiliated person of or proponent of such small business investment company or any affiliated person of such a person or proponent, is a participant and which is entered into, adopted or modified subsequent to the effective date of this subsection of the Act unless an application has been filed with the Small Business Administration for the prior approval of such joint enterprise, arrangement or profit-sharing plan and the Small Business Administration has granted approval.

"(2) Notwithstanding the requirements of this subsection, no application need be filed pursuant to such subsection with respect to any of the following:

"(A) Any profit-sharing plan provided by any controlled company for its officers or employees, provided no affiliated person of any small business investment company which is an affiliated person of such controlled company participates therein.

"(B) Any plan provided by any small business investment company for its officers or employees if such plan has been qualified under section 401 of the Internal Revenue Code of 1954 and all contributions paid under said plan by the employer qualify as deductible under section 404 of said code.

"(o) Each small business investment company shall, pursuant to a written contract, place and maintain its securities, similar investments and cash assets in the custody of a bank which shall have at all times an aggregate capital, surplus, and undivided profits of not less than $50,000 and which shall be a member of the Federal Reserve System, or a nonmember insured bank, subject to such rules and regulations as the Small Business Administration may prescribe.

"(p) A small business investment company may not effect any plan of recapitalization or reclassification of its capital structure, or merge or consolidate with any other company without the approval vote of the holders of two-thirds of its voting securities and the prior written approval of the Small Business Administration, which may prescribe such rules and regulations in reference thereto as it deems appropriate.

"(q) (1) Every small business investment company which is a party and every affiliated person of such company who is a party defendant to any action or claim by a small business investment company or a security holder thereof, in a derivative capacity against an officer, director, or investment adviser, of such company for an alleged breach of official duty, which such action or claim is commenced or asserted after the effective date of this subsection of the Act shall transmit, unless already transmitted, to the Small Business Administration, the documents specified in paragraph (2) hereof if:

"(A) such section has been compromised or settled and such settlement or compromise has had the approval of a court having jurisdiction to approve such settlement or compromise; or

"(B) a verdict has been rendered or final judgment entered on the merits in such action.

"(2) Within thirty days after such settlement or compromise, verdict or final judgment, copies of all pleadings and any written record made in such action, together with a statement of the terms of settlement or compromise, if such terms be not included in the record, shall be transmitted to the Small Business Administration.

"(r) (1) Any condition, stipulation, or provision binding any person to waive compliance with any provision of the Act, or with any regulation or order thereunder, shall be void.

"(2) Every contract hereafter made in violation of any provisions of the Act or of any regulation or order thereunder, the performance of which involves the violation of, or the continuance of any relationship or practice in violation of, any provision of the Act, or any regulation or order thereunder, shall be void (A) as regards the rights of any person who, in violation of any such provision, regulation or order, shall have made or engaged in the performance of any contract, and (B) as regards the rights of any person who, not being a party to such contract, shall have acquired any right thereunder with actual knowledge of the facts by reason of which the making or performance of such contract was in violation of any such provision, regulation or order.

"(s) No person may cause to be done, directly or indirectly, any act or thing through means of any person which such person is prohibited from doing under the provisions of the Act or any regulation or order thereunder.

"(t) No person shall solicit or permit the use of his name to solicit any proxy, consent or authorization in respect of any security issued by a small business investment company except upon compliance with such rules and regulations as the Small Business Administration may promulgate for the purposes of this Act.

"(u) Whenever, in the opinion of the Small Business Administration, any director, officer, or investment adviser of a small business investment company shall have continued to violate any law or duly enacted regulation relating to such company or shall have continued to be guilty of misconduct or abuse of trust in respect of such company, after having been warned by the Small Business Administration to discontinue such violations of law or regulations, the Small Business Administration may cause notice to be served on such person to appear before it to show cause why he should not be enjoined from acting in such capacity. If after granting the accused director, officer, or investment adviser a reasonable opportunity to be heard, the Small Business Administration finds that he has continued to violate any law or duly enacted regulation relating to such company or has continued to be guilty of misconduct or abuse of trust in respect of such company, after having been warned by the Small Business Administration to discontinue such practice, the Small Business Administration in its discretion, may order that such director or officer be removed from office or that such investment adviser cease to act in such capacity: *Provided*, That such order and findings of fact upon which it is based shall not be made public or disclosed to anyone except the director, officer, or investment adviser involved and the directors of the small business investment company involved.

"(v) Whoever steals, unlawfully abstracts, unlawfully and willfully converts to his own use or to the use of another, or embezzles any of the moneys, funds, securities, credits, property, or assets of any small business investment company shall be deemed guilty of a crime, and upon conviction thereof shall be subject to the penalties provided in subsection (w) hereof. A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution under this subsection for the same act or acts.

"(w) Any person who willfully violates any provision of this Act or of any rule, regulation, or order hereunder, or any person who willfully, in any application, report, account, record, or other document filed or transmitted pursuant to the Act, makes any untrue statement of a material fact or omits to state any material fact necessary in order to prevent the statements made therein from being materially misleading in the light of the circumstances under which they were made, shall upon conviction be fined not more than $10,000 or imprisoned not more than two years or both; but no person shall be convicted under this section for the violation of any rule, regulation, or order if he proves he had no actual knowledge of such rule, regulation, or order.

"(x)(1) After one year from the effective date of this subsection, neither the charter, certificate of incorporation, nor the bylaws of any small business investment company nor any other instrument pursuant to which such company is organized or administered, shall contain any provision which protects or purports to protect any director or officer of such company against any liability to the company or to its security holders to which he would otherwise be subject by reason of willful misfeasance, bad faith, gross negligence or reckless disregard of the duties involved in the conduct of his office.

"(2) After one year from the effective date of this subsection, no contract or agreement under which any person undertakes to act as investment advisor for a small business investment company shall contain any provision which protects or purports to protect such person against any liability to such company or its security holders to which he would otherwise be subject by reason of willful misfeasance, bad faith, or gross negligence in the performance of his duties, or by reason of his reckless disregard of his obligations and duties under such contract or agreement."

Sec. 9. The Small Business Investment Act of 1958 is further amended by adding the following section:

"Sec. 321. (a) The Administration, by rules and regulations upon its own motion, or by order upon application, may conditionally or unconditionally exempt any person or any class or classes of persons, securities or transactions, from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the purposes fairly intended by the policy and provisions of the Act.

"(b) A small business investment company whose outstanding securities (other than short-term paper) are beneficially owned by not more than one hundred persons and which is not making and does not presently propose to make a public offering of its securities is exempt from the provisions of sections 301(f) and 308 (g), (h), (m)(3), (n), (o), and (t) of this Act.

Sec. 10. Section 3 of the Investment Company Act of 1940 is amended by adding to subsection (c) thereof a new paragraph (16) to read as follows: "Any small business investment company licensed and operating under the Small Business Investment Act of 1958" and section 18 of the Investment Company Act of 1940 is amended by striking subsection (k).

Section 1 would amend the policy statement contained in section 102 of the Small Business Investment Act of 1958 by charging the Administration with the responsibility to administer the program "in such manner as to protect the interest of investors in said program." This would be in addition to the stated policy of the Congress and the purpose of the act "to improve and stimulate the national economy in general and the small business segment thereof in particular."

Section 2 of the bill would incorporate in the statute definitions of various terms applicable to the program.

The terms "affiliated persons," "assignment," "control," "convicted," "investment adviser," "Net asset value," "person," and "value," are defined substantially as the same terms are defined in section 2(a) of the Investment Company Act of 1940 and in regulation S-X of the Securities and Exchange Commission.

The definition of the term "joint enterprise or other joint arrangement or profiteering plan" conforms to the definition contained in rule 17d(1) of the Securities and Exchange Commission.

The term "proponent" is defined substantially as the term "promoter" is defined in section 2(a) of the Investment Company Act of 1940.

The term "close relative" is defined as the word "family" is defined in section 544(a)(2) of the Internal Revenue Code of 1954.

The terms "equity capital," "equity securities," and "paid-in capital and paid-in surplus," are defined substantially as now defined in SBA regulations and interpretations.

While the term "affiliated person" is defined in part in section 2(a) of the Investment Company Act of 1940 as being a person owning, controlling, and so forth, 5 percent or more of the voting securities, the bill amends this ratio to 10 percent to conform to existing SBA regulations on self-dealing and to the agreed position of the Treasury Department under section 542(c)(11) of the Internal Revenue Code.

Section 3 of the bill would add a number of new subsections to section 301 of the Small Business Investment Act of 1958 to accomplish the following purposes:

A new subsection (d) would proscribe certain classes of persons from participation in the SBIC program, following the principle of section 9(a) of the Investment Company Act of 1940.

A new subsection (e), adopting the principle of section 72 of the National Bank Act, would require that a majority of the directors of an SBIC be citizens of the United States.

The new subsection (f), adopting the principle of sections 10 and 16 of the Investment Company Act of 1940, would require a certain number of outside directors in the management of SBIC's.

The new subsection (g), providing for only one class of common stock, adopts the principle of section 18(i) of the Investment Company Act of 1940.

The new subsection (h), adopts the principle of section 18(a)(2) of the Investment Company Act of 1940 relative to the issuance of preferred stock, but permits greater flexibility than now permitted under the Investment Company Act of 1940. While the latter act requires 200 percent asset coverage on a senior security which is a stock, this new subsection would permit the issuance of preferred stock having asset coverage of 110 percent.

Section 4 of the bill would incorporate into the Small Business Investment Act of 1958 certain existing policies of SBA relative to the capital structure of SBIC's and their right to purchase or redeem their outstanding securities. The proposed language would give SBA clear statutory authority to control the size of licensees, particularly with respect to increases or decreases in their capitalization. These provisions are set forth in new, proposed subsections (d), (e), and (f) of section 302 of the Small Business Investment Act of 1958.

The new subsections (g) and (h) would incorporate in the statute provisions of present SBA regulations with reference to issuance of stock and stock options by an SBIC, while the new subsection (i) would incorporate the principle of section 23(b) of the Investment Company Act of 1940.

Section 5 of the bill would delete the words "formation and" from section 303(b) of the Small Business Investment Act of 1958 for the reason that the funds authorized under this section are intended to encourage the growth of SBIC's rather than their formation.

Section 6 of the bill would delete subsection (c) of section 307 of the Small Business Investment Act. This section exempts SBIC's from certain provisions of section 18(a)(1) of the Investment Company Act of 1940. The enactment of this bill would render section 307(c) of the Small Business Investment Act unnecessary.

Section 7 of the bill would modify the opening sentence of section 308(c) of the Small Business Investment Act of 1958 by conferring on SBA the responsibility to administer the program in the public interest and in the interest of investors in such companies.

Section 8 of the bill would add to section 308 of the Small Business Investment Act several new subsections to accomplish the following:

New subsection (f), patterned after section 13(a) of the Investment Company Act of 1940, would require approval of two-thirds of the stockholders before a change in investment policy or prior to surrender of its SBIC license.

New subsection (g), patterned after section 30(d) of the Investment Company Act of 1940, would set forth statutory requirements with reference to reports to stockholders.

New subsection (h) would subject officers, directors, investment advisers, and holders of 10 percent of outstanding securities of an SBIC to the duties and liabilities imposed by section 16 of the Securities Exchange Act of 1934 in respect of their transactions in certain equity securities, but would give SBA authority to exempt transactions engaged in solely for the purpose of maintaining markets in SBIC stocks.

New subsection (i) conforms to section 21(b) of the Investment Company Act of 1940, prohibiting loans by an SBIC to persons connected with it.

New subsection (j) incorporates in the statute the provisions of existing SBA regulations and the principle of section 15(a) of the Investment Company Act of 1940 relative to investment advisory contracts.

New subsections (k) and (l) adopt provisions of section 35 of the Investment Company Act of 1940 and existing SBA regulations with reference to the use of certain words in the name of an SBIC and restrictions on implications of sponsorship or approval of the company or its securities by the United States or any agency or officer thereof.

New subsection (m) incorporates provisions of existing SBA regulations and section 17(a) of the Investment Company Act of 1940 relating to self-dealing.

New subsection (n) would adopt provisions of section 17(d) of the Investment Company Act of 1940 relative to joint ventures.

New subsection (o), corresponding to section 17(f) of the Investment Company Act of 1940, would require SBIC's to maintain securities and cash assets in the custody of a bank.

New subsection (p) incorporates principles now contained in SBA regulations as well as section 25 of the Investment Company Act of 1940 with reference to recapitalization or reclassification of a company's capital structure.

New subsection (q) would incorporate in the act the substance of section 33(a) of the Investment Company Act of 1940 requiring licensees to report to SBA any actions or claims involving the licensee or any person affiliated with it.

New subsection (r), conforming to section 47 of the Investment Company Act of 1940, would render void any act or contract entered into in violation of the act or regulations.

New subsection (s), patterned after section 48(a) of the Investment Company Act of 1940, would bar any person from doing indirectly what he cannot do directly under the act or regulations.

New subsection (t), patterned after section 20 of the Investment Company Act of 1940, would subject SBIC's to rules similar to existing SEC proxy rules.

New subsection (u), patterned after section 77 of the National Bank Act, would give SBA the authority to remove from office any director, officer, or investment adviser of an SBIC found in violation of any law or duly enacted regulation relating to such company.

New subsection (v), patterned after section 37 of the Investment Company Act of 1940, and new subsection (w), patterned after section 49 of the Investment Company Act of 1940, would impose criminal penalties on persons embezzling funds of an SBIC or making false statements or willfully violating a provision of the act or regulations.

New subsection (x), patterned after section 17(h) of the Investment Company Act of 1940, would prohibit an SBIC from agreeing to indemnify any officer or director against any liability to the company to which he would otherwise be subject by reason of willful misfeasance, bad faith, gross negligence, or reckless disregard of the duties involved in the conduct of his office.

Section 9 of the bill would add a new section 312 to the Small Business Investment Act of 1958 for the following purposes.

The new section 312(a) would give SBA broad authority, similar to that conferred on the SEC under section 6(c) of the Investment Company Act of 1940, to exempt any person, security, or transaction from any provision of the act or of any rule or regulation issued thereunder "if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the purposes fairly intended by the policy and provisions of the act.

New section 312(b) would exempt those SBIC's not now subject to the Investment Company Act of 1940 from the provisions of the new sections 301(f) and 308 (g), (h), (m)(3), (n), (o), and (t) of the act.

Section 3(c)(1) of the Investment Company Act of 1940 now exempts from the provisions of that act any issuer whose outstanding securities—other than short-term papers—are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities.

Of the 666 SBIC's which have been licensed to date, approximately 90 percent are not now subject to the provisions of the Investment Company Act of 1940 by virtue of provisions of section 3(c)(1) of that act.

The purpose of section 10 of the bill, incorporating the new section 312, would be to continue to exempt such companies from certain provisions of the law not deemed necessary to be applied to them.

Section 10 of the bill would amend the Investment Company Act of 1940 in two respects:

First. It would specifically exempt small business investment companies from the provisions of the Investment Company Act of 1940.

Second. It would repeal section 18(k) of the Investment Company Act of 1940. Section 18(k), added to the Investment Company Act of 1940 by section 307(c) of the Small Business Investment Act of 1958, exempted small business investment companies from the 300 percent asset coverage requirement of the Investment Company Act of 1940 with respect to debt. The enactment of this bill would render section 18(k) of the Investment Company Act of 1940 moot.

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## SPECIAL ORDERS RESCHEDULED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all special orders secured for Members for tomorrow and Wednesday of this week may be the first order of special order business on Thursday next.

The SPEAKER pro tempore (Mr. MADDEN). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MICHEL (at the request of Mr. SCHADEBERG), for 30 minutes, on January 24.

Mr. DERWINSKI (at the request of Mr. SCHADEBERG), for 60 minutes, on January 24.

Mr. BOW, for 30 minutes, today.

Mr. LINDSAY, for 1 hour, on Monday, January 26.

Mr. MATHIAS, for 1 hour, on Monday, January 26.

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## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BECKER.

Mr. PELLY.

Mr. ALGER.

Mr. ANDERSON.

Mr. ROOSEVELT in two instances.

Mr. RHODES of Pennsylvania.

(The following Member (at the request of Mr. SCHADEBERG) and to include extraneous matter:)

Mr. SNYDER.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. DENT in two instances.

Mr. MULTER, notwithstanding it exceeds the limit of two printed pages and is estimated by the Public Printer to cost $585.

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## ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Thursday, January 24, 1963, at 12 o'clock noon.

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## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

254. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Farm Credit Administration for the fiscal year ended June 30, 1962 (H. Doc. No. 40); to the Committee on Government Operations and ordered to be printed.

255. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Commodity Credit Corporation, Department of Agriculture, for the fiscal year 1961 (H. Doc. No. 41); to the Committee on Government Operations and ordered to be printed.

256. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes"; to the Committee on Armed Services.

257. A letter from the Assistant Secretary of State, relative to enclosing an English

translation of an appeal from the representatives of the people of Mexico to the legislative bodies of all countries for international peace, world disarmament, and the prohibition of nuclear tests for warlike purposes. The appeal was delivered to the Department of State under cover of a note dated December 31, 1962, from the Mexican Embassy with the request that it be forwarded to the Speaker of the U.S. House of Representatives; to the Committee on Foreign Affairs.

258. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Home Loan Bank Board for the fiscal year ended June 30, 1962; to the Committee on Government Operations.

259. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend chapter 35 of title 18, United States Code, with respect to the escape or attempted escape of juvenile delinquents"; to the Committee on the Judiciary.

260. A letter from the Maritime Administrator, Maritime Administration, Department of Commerce, transmitting the Annual Report of the Maritime Administration for the fiscal year 1962; to the Committee on Merchant Marine and Fisheries.

261. A letter from the Administrative Assistant Secretary of Agriculture, transmitting the annual report on positions established under Public Law 313, 80th Congress, pursuant to Public Law 87-367; to the Committee on Post Office and Civil Service.

262. A letter from the Director, Administrative Office, U.S. Courts, relative to furnishing certain information relating to four GS-17 positions allocated to this agency by section 1105(f), pursuant to section 1105a of title 5 of the United States Code; to the Committee on Post Office and Civil Service.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 2380. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood; to the Committee on Banking and Currency.

By Mr. BERRY:

H.R. 2381. A bill to extend for 2 years the temporary provisions of Public Laws 815 and 874, 81st Congress, which relate to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 2382. A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 2383. A bill to provide for the garnishment, execution, or trustee process of wages and salaries of civil officers and employees of the United States; to the Committee on the Judiciary.

H.R. 2384. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses incurred for the medical care of his parents if they would be eligible for medical assistance for the aged under title I and XVI of the Social Security Act, even though they are not actually dependent upon him; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 2385. A bill to amend the Internal Revenue Code of 1954 to provide that certain tuition payments be treated as charitable contributions; to the Committee on Ways and Means.

H.R. 2386. A bill to amend the Internal Revenue Code of 1954 to provide a 30 percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education and high schools; to the Committee on Ways and Means.

H.R. 2387. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2388. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide an exemption from coverage under the old-age, survivors, and disability insurance system for individuals who are opposed to participation in such system on grounds of religious belief; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 2389. A bill to amend the Export-Import Bank Act of 1945 to facilitate exports to areas with respect to which the United States is incurring a trade deficit; to the Committee on Banking and Currency.

H.R. 2390. A bill to authorize the Secretary of the Interior to dispose of surplus real property for public park, forest, wildlife refuge, and recreational area purposes, and for other purposes; to the Committee on Government Operations.

H.R. 2391. A bill to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2392. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

H.R. 2393. A bill to increase the participation by counties in revenues from the national wildlife refuge system by amending the act of June 15, 1935, relating to such participation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2394. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on automobiles and on parts and accessories, and to reduce the manufacturers excise tax on trucks and buses to 5 percent; to the Committee on Ways and Means.

H.R. 2395. A bill to amend the Internal Revenue Code of 1954 to impose a manufacturers excise tax on component parts of ammunition; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 2396. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

H.R. 2397. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 2398. A bill to amend section 1613 of title 38, United States Code, to provide that periods spent in active duty pursuant to recall occurring after August 1, 1961, and before January 1, 1962, shall not be counted in determining the period within which certain education and training must be initiated or completed; to the Committee on Veterans' Affairs.

By Mr. HAGAN of Georgia:

H.R. 2399. A bill to increase from $600 to $1,200 the personal income-tax exemption of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness; to the Committee on Ways and Means.

By Mr. GRIFFIN:

H.R. 2400. A bill to establish the Sleeping Bear Dunes National Park; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 2401. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 2402. A bill to amend the prevailing wages section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; to the Committee on Education and Labor.

H.R. 2403. A bill to establish a National Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 2404. A bill to amend section 601(a) and section 901 of the Federal Aviation Act of 1958 to provide for the issuance of rules and regulations pertaining to the elimination or minimization of aircraft noise nuisance and hazards to persons or property on the ground, and to provide for penalties for the violation thereof; to the Committee on Interstate and Foreign Commerce.

H.R. 2405. A bill to require the Administrator of the Federal Aviation Agency to issue rules and regulations to minimize or eliminate aircraft noise nuisance and hazards to persons or property on the ground; to the Committee on Interstate and Foreign Commerce.

H.R. 2406. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

H.R. 2407. A bill to amend the Internal Revenue Code of 1954 to allow a depreciation deduction for the wear and tear of real property used as the taxpayer's principal residence; to the Committee on Ways and Means.

H.R. 2408. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Ways and Means.

H.R. 2409. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 2410. A bill to amend the Public Health Service Act to provide greater flexibility in the organization of the Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 2411. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 2412. A bill to amend sections 1231, 272, and 631 of the Internal Revenue Code of 1954 with respect to iron ore royalties; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 2413. A bill to provide that until the national debt is retired, not less than 10 percent of the net budget receipts of the United States for each fiscal year shall be utilized solely for reduction of the national debt; to the Committee on Government Operations.

By Mr. LANKFORD:

H.R. 2414. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LENNON:

H.R. 2415. A bill to prohibit strikes by employees employed in certain strategic defense facilities; to the Committee on Education and Labor.

H.R. 2416. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 2417. A bill to amend section 304(a) (3) of the Tariff Act of 1930 with respect to the marketing requirements in the case of imported woven labels; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 2418. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for real property taxes shall be allowed to a tenant in certain cases; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 2419. A bill to amend section 21 of the Second Liberty Bond Act to provide that the annual budget shall include an amount to be applied toward the reduction of the public debt; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 2420. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN of Montana:

H.R. 2421. A bill to provide for the live trapping and disposal of surplus elk in Yellowstone National Park; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 2422. A bill to amend the Small Business Investment Act of 1958, the Investment Company Act of 1940, and for other purposes; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 2423. A bill to amend the Merchant Marine Act, 1936, to prevent detriment to American shipping by declaring as the policy of the United States that foreign vessels which trade with Cuba or certain other Communist countries may not participate in the carrying of cargoes under programs of the United States; to the Committee on Merchant Marine and Fisheries.

By Mrs. ST. GEORGE:

H.R. 2424. A bill to amend the Internal Revenue Code of 1954 so as to provide for reform of personal and corporate income tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. ST. GERMAIN:

H.R. 2425. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. SCOTT:

H.R. 2426. A bill to prohibit strikes by employees employed in certain strategic defense facilities; to the Committee on Education and Labor.

H.R. 2427. A bill to amend the Library Services Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain college and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

H.R. 2428. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2429. A bill to provide for the live trapping and disposal of surplus elk in Yellowstone National Park; to the Committee on Merchant Marine and Fisheries.

By Mr. SISK:

H.R. 2430. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. SNYDER:

H.R. 2431. A bill to amend the Internal Revenue Code of 1954 so as to provide for reform of personal and corporate income tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 2432. A bill to provide for the establishment of a commission on congressional reorganization; to the Committee on Rules.

By Mr. TEAGUE of California:

H.R. 2433. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 2434. A bill to amend section 560 of title 38, United States Code, to permit the payment of special pension to holders of the Congressional Medal of Honor awarded such medal for actions not involving conflict with an enemy, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2435. A bill to amend section 521 of title 38, United States Code, to provide for payment of additional amounts of pension to blinded veterans or veterans who are permanently housebound; to liberalize the income limitations applicable to payment of pension; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2436. A bill to amend section 101(18) of title 38, United States Code, to permit the furnishing of benefits to certain individuals conditionally discharged or released from active military, naval, or air service; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 2437. A bill to repeal certain provisions of law exempting labor organizations from the antitrust laws, and for other purposes; to the Committee on the Judiciary.

By Mr. VINSON:

H.R. 2438. A bill to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

H.R. 2439. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes; to the Committee on Armed Services.

H.R. 2440. A bill to authorize appropriations during fiscal year 1964 for procurement research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. WALTER:

H.R. 2441. A bill to authorize establishment of the Tocks Island National Recreational Area in the States of Pennsylvania and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COLMER:

H.J. Res. 163. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

By Mr. CURTIS:

H.J. Res. 164. Joint resolution proposing an amendment to the Constitution of the United States to limit the tenure of Senators and Representatives in Congress; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.J. Res. 165. Joint resolution to provide for the issuance of a champion of liberty postage stamp in honor of Taras Shevchenko on the occasion of the 150th anniversary of his birth in 1964; to the Committee on Post Office and Civil Service.

By Mr. HAGEN of California:

H.J. Res. 166. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HARRIS:

H.J. Res. 167. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 168. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TOLL:

H.J. Res. 169. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 170. Joint resolution to enable the District of Columbia government to aid the arts in ways similar to those in which the arts are aided financially by other cities of the United States by providing funds for special concerts for children and others, by aiding in the establishment of a permanent children's theater, and by providing a municipal theater for competitions to discover and encourage young Americans in the pursuit of excellence, and to acquaint them with the best of our national cultural heritage, and for other purposes; to the Committee on the District of Columbia.

By Mr. BECKER:

H. Con. Res. 49. Concurrent resolution providing that the U.S. mission to the United Nations shall take such steps as might be necessary to have each day's session in the United Nations opened with a prayer; to the Committee on Foreign Affairs.

By Mr. ELLSWORTH:

H. Res. 155. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. GILBERT:

H. Res. 156. Resolution creating a Select Committee on Consumer Interest; to the Committee on Rules.

H. Res. 157. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules,

By Mr. JENSEN:

H. Res. 158. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 159. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. NYGAARD:

H. Res. 160. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. OSTERTAG:

H. Res. 161. Resolution to provide that no money shall be drawn from the Treasury but in consequence of an appropriation made by law; to the Committee on Rules.

By Mr. STINSON:

H. Res. 162. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H.R. 2442. A bill for the relief of Mrs. Mei Lee Wong; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 2443. A bill for the relief of Mrs. Chin Shui Ying and daughter Chin Oi Wan; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 2444. A bill for the relief of Mrs. Mabel Constance Kennedy; to the Committee on the Judiciary.

H.R. 2445. A bill for the relief of Mrs. Barbara Ray Van Olphen; to the Committee on the Judiciary.

H.R. 2446. A bill to provide for the conveyance of certain real property of the United States to the Greater Houston Council of Camp Fire Girls, Inc., Texas; to the Committee on Government Operations.

By Mr. CLARK:

H.R. 2447. A bill for the relief of Mrs. Miroslawa Kulesza; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 2448. A bill for the relief of Edward Pechdimaldji; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 2449. A bill for the relief of Miss Rose Herceg; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2450. A bill for the relief of Lucia Carta Gallitto; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 2451. A bill for the relief of Antonio Giambrone; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 2452. A bill for the relief of Manuel Martinez Gonzalez; to the Committee on the Judiciary.

H.R. 2453. A bill for the relief of Mrs. Chu Chai-ho Hay; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 2454. A bill for the relief of Leonardo Russo; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 2455. A bill for the relief of Francesco Di Maria; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 2456. A bill for the relief of Fotios Gianoutsos (Frank Giannos); to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 2457. A bill to extend certain time limitations of section 901(b) of the Merchant Marine Act, 1936, with respect to the vessel *Spitfire;* to the Committee on Merchant Marine and Fisheries.

H.R. 2458. A bill to provide that the vessel *Montauk* may be a U.S.-flag commercial vessel for the purposes of section 901(b) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

20. By Mrs. ST. GEORGE: Petition of Harry B. Seymour, relative to strikes; to the Committee on Education and Labor.

21. By the SPEAKER: Petition of Paul Berinstein, Brooklyn, N.Y., relative to a grievance relating to a series of documented charges against the Comptroller General for malfeasance in office, which were filed with the House Committee on Government Operations; to the Committee on the Judiciary.

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# EXTENSIONS OF REMARKS

## H.R. 2158

EXTENSION OF REMARKS
OF
**HON. THOMAS M. PELLY**
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 21, 1963*

Mr. PELLY. Mr. Speaker, I have introduced a bill, H.R. 2158, to provide for recognition by law of organizations of postal and Federal employees.

This legislation is the same as I sponsored in previous sessions of Congress, and it is submitted notwithstanding the fact that it is almost precisely a year since President Kennedy, on January 17, 1962, signed Executive Order 10988 to provide for "employee-management cooperation in the Federal service."

Mr. Speaker, I am told that the postal unions are concluding a basic agreement to apply to all postal employees throughout the country. In an election which was held several months ago, the employees chose six national organizations for exclusive recognition under the terms of the President's order. Listed in alphabetical order, those six organizations are: National Association of Letter Carriers, AFL–CIO; National Association of Post Office and General Services Maintenance Employees; National Association of Special Delivery Messengers, AFL–CIO; National Federation of Post Office Motor Vehicle Employees, AFL–CIO; National Rural Letter Carriers Association; and United Federation of Postal Clerks, AFL–CIO.

Spokesmen for these organizations tell me that the negotiations with the Post Office Department have in the main been very wholesome, and that an overall agreement covering grievance procedures, disciplinary action, appeals from adverse action, and advisory arbitration will be signed no later than mid-February.

Even though we have no doubt of the genuineness of the Post Office Department's intentions to fulfill a farsighted Executive order, I feel that the country still needs the law which is envisioned by my legislation.

I feel for example that we may need to improve on the arbitration procedures which are allowable under the Executive order. I have very genuine doubts over whether the language of the Executive order, section 8b, on arbitration goes sufficiently far. That language specifies:

> Such arbitration (1) shall be advisory in nature with any decisions or recommendations subject to the approval of the agency head; (2) shall extend only to the interpretation or application of agreements or agency policy and not to changes in or proposed changes in agreements or agency policy; and (3) shall be invoked only with the approval of the individual employee or employees concerned.

Furthermore, I feel that the Executive order does not go sufficiently far in the area of coverage for negotiation purposes. The Executive order specifies that in making rules and regulations, agencies are to be aware of their obligation to consummate agreements with employee organizations but that the obligation to bargain with employee organizations "shall not be construed to extend to such areas of discretion and policy as the mission of an agency, its budget, its organization and the assignment of its personnel, or the technology of performing its work."

In the Post Office Department expressly, I question whether the Administrators are omnipotent, and I feel that certainly the promotion policy to be followed in various post offices should be the subject of hard and fast agreements with employee organizations, thereby eliminating the multitude of complaints received each time political favoritism is shown or some other kind of special consideration is shown to a candidate for promotion to a supervisory position.

Mr. Speaker, because of considerations such as these, I decided again to reintroduce my legislation governing recognition of employee organizations and I hope that early and favorable action may be taken.

## Ukrainian Independence Day

EXTENSION OF REMARKS
OF
**HON. JAMES ROOSEVELT**
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 21, 1963*

Mr. ROOSEVELT. Mr. Speaker, in the great tradition of the gallant and gifted Ukrainian people there are many glorious events, but the event that marked the rebirth of the Ukraine and the rise of the Ukrainian Republic early in 1918 stands out most significantly in its history. On January 22, 1918, after enduring the oppressive yoke of Russian autocracy for more than 250 years, Ukrainians proclaimed their independence and founded their Republic. From the time of its very birth, however, this weak state found itself in the midst of insurmountable difficulties. And it was surrounded with enemies whose aim was to put an end to its very existence. After struggling for a little over 2 years against formidable odds, the country was invaded by the Red army, and the Ukrainian Republic was no more. The land became part of the U.S.S.R. and its unhappy people fell under the tyranny of the Kremlin.

Today there are no free Ukrainians in that fair land, but even under totalitarian tyranny a stout-hearted and freedom-seeking people cherish their national goal, their freedom and independence. On this 45th anniversary celebration of their independence day let us all hope that they attain that goal.

## Ukrainian Independence Day

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. DENT. Mr. Speaker, the fair and fertile Ukraine has been a borderland between East and West, between Europe and Asia, and its sturdy inhabitants have borne the brunt of all invaders in either direction throughout centuries. For more than 300 years in modern times it has been submerged in the Russian landmass, and during all that time autocratic czars and Communist tyrants have done their utmost to suppress and crush all distinctive Ukrainian national traits: their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their willingness to sacrifice their worldly possessions as well as their lives for the attainment of their national goals. Only once in the course of their centuries-long subjugation to alien rulers have they had the chance of attaining their freedom. That was in 1918. When the czar's decrepit autocracy was overthrown, and Austria no longer ruled over western Ukraine, they seized upon the occasion and proclaimed their national independence. That was done on January 22, 45 years ago.

That significant landmark in the recent history of the Ukrainian people has become their national holiday. They celebrate that day in due solemnity, even though the freedom which was ushered in on that day has long ceased to exist. Nearly 43 years ago they were robbed of their freedom by the Red army, and since then these sturdy and stout-hearted peasants have been subjected to the callous and cruel regime of the Kremlin.

To this day the Ukraine remains a province of the Soviet empire, and for more than four decades some 42 million Ukrainians have been living in their homeland as prisoners in a large prison camp, working there mostly for the benefit of their heartless taskmasters. They are separated from the free world by the unspeakable Iron Curtain and they are sealed off from the outside world. Of course, they cannot enjoy any of the freedoms which we in the West regard as our birthright. Under such conditions, of course, they do not and cannot celebrate their national holiday, their independence day. Fortunately hundreds of thousands of Ukrainians who live in freedom in the free world celebrate that holiday, and Ukrainian-Americans solemnly observe the anniversary of this memorable day in an effort to keep alive the undying spirit of an independent Ukraine. I am indeed glad to join them in the 45th anniversary celebration of the Ukrainian Independence Day.

## Ukrainian Independence Day

EXTENSION OF REMARKS

OF

### HON. FRANK J. BECKER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. BECKER. Mr. Speaker, 45 years ago there emerged in Eastern Europe a new, free and independent nation, the Ukrainian National Republic. The breath of freedom was soon squeezed out of this new nation by the tyrants from Moscow who, through subversion and outright conquest destroyed the Republic. The Communists went further than that; they made of the real Ukrainian Republic a mockery and included that name as one of the many so-called Soviet Republics.

Since 1920 the people of the Ukraine have slaved under Communist domination. Indeed, they were the first people to be conquered by the Communists, the forerunner of many millions more who have been forced into slavery and worse by the Reds.

Mr. Speaker, the date, January 22, is well worth remembering. It should be a goad to the conscience of all freemen everywhere in the world—a reminder that their freedom is precious and a noble thing. This date should serve to remind freemen of the conditions under which their brothers must now live, of the slavery which exists in the world, of the police state and of totalitarian governments.

Although the people of the Ukraine are under the domination of the Communists, I know that there still burns deep within them a spirit of freedom. This may today be only a candle flickering in a great darkness. But if those of us in the free world can act together, perhaps one day this tiny flame will spring into a roaring conflagration which will consume communism itself.

We who today can count ourselves among the fortunate few who are free must also realize that so long as there is one person alive in this world to whom freedom is denied by ruthless, lawless and Godless tyrants, some small part of our own freedom is eroded away from us. We cannot count ourselves totally free if there are those existing in the dark misery of slavery.

Mr. Speaker, the United States must dedicate itself not only to the preservation of freedom here and throughout the world, it must dedicate itself as well to the restoration of freedom for those millions who have been engulfed in communism.

We must each shoulder this responsibility and make this our goal. We cannot sit idly by while slavery continues to exist. We must take every step and follow every course that a rational man can to achieve this ultimate goal.

If as a Nation and as individuals we do dedicate ourselves to these principles, then the goal of freedom for all mankind must inevitably be reached.

## Comparison of Budget Deficits Under Eisenhower and Kennedy Administrations

EXTENSION OF REMARKS

OF

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. ANDERSON. Mr. Speaker, under leave to insert my remarks in the RECORD, I enclose a copy of a letter which I have addressed to Mr. Walter Scott, columnist for Parade magazine, and to the president and publisher, Mr. Arthur H. Motley.

I think that particularly in the context of today's events, it is essential that the American public not be hoodwinked into believing that there is anything like the comparison between the fiscal policies pursued under the Eisenhower administration and the squandermania which is now the fixed policy of the Kennedy administration.

Mind you, Mr. Speaker, by way of comparison, during the last 3 years of the Eisenhower administration, not counting the fiscal year 1961 which was a transitional fiscal year under both Presidents, the Eisenhower administration had a total of $257.6 billion of revenue at its disposal and during this period incurred a net overall deficit of some $12.9 billion.

However, during a like period; namely, the 3 complete fiscal years under the Kennedy administration, the Kennedy administration will have had 25 percent more to spend than Eisenhower—a total of $322.3 billion, but yet with more money to spend the figures reflect a net deficit of some $27 billion for the Kennedy administration.

Mr. Speaker, my letter to Parade magazine follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 21, 1963.*

MR. WALTER SCOTT,
*Parade Publications,*
*New York, N.Y.*

DEAR MR. SCOTT: As usual, I read your column, "Personality Parade," which appeared in the Washington Post on January 20, 1963. The introduction to your column states that it is for readers who want the facts and want to spike rumors. It is now apparent to me that your column is more than that. It has apparently become a vehicle for those who are trying to justify the spendthrift policies of the Kennedy administration.

You published a question in the issue to which I refer from a Mr. Harrison Cutler, who asked for a comparison of the budget deficit under Kennedy and Eisenhower and then said, "Take a year like 1959." One would have to be completely naive not to assume that the author of this question knew the answer before he even asked for it, for it has been widely publicized that 1959 was the year of the largest peacetime deficit in our Nation's history. However, it should be pointed out that we were in the depths of a recession and it was because of the curtailment of Government revenues that this extraordinary deficit occurred. On the other hand, the Kennedy administration in a period which they proudly claim is one of the most prosperous in our history will show us a deficit of more than $8 billion in fiscal 1963 and they are already predicting a budget deficit of $11.9 billion for the fiscal year not yet begun. You might also inform Mr. Cutler that the Kennedy administration, during the 3 fiscal years for which it has been responsible, has achieved or will achieve budget deficits approximating $27 billion. During the 8 years of the Eisenhower administration, budget deficits totaled $23 billion.

To conclude, I certainly hate to see your column used for the very obvious purpose that it was used when you published the question by Mr. Cutler. We who constitute the loyal opposition have enough trouble already with the managed news policies of this administration. We therefore sincerely hope that editors and columnists like yourself will not become the foils of those who blandly justify anything and everything that this administration has done.

Very truly yours,

JOHN B. ANDERSON,
*Member of Congress.*

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## Washington Report

EXTENSION OF REMARKS
OF
## HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 21, 1963*

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following newsletter of January 19, 1963:

### WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, January 19, 1963)

### BUDGET, FISCAL YEAR 1964

The budget, by definition and practice, is both a financial report and a plan for the future. It is also a request for legislation, and an administrative guide to Government—all based on congressional approval. The President proposes; Congress disposes. The budget is presented to Congress each January, 6 months before the start of a new fiscal year (July 1 to June 30). The fiscal 1964 budget is approximately 1,200 pages and outlines both receipts and expenditures, also the comprehensive overall legislative program for the year of both appropriation by program and revenue by tax measures. The President's message accompanied the budget and described it, a truly amazing, unbelievable statement. Some of his statements should be remembered.

The President said: (1) "This budget presents a financial plan for the efficient and frugal conduct of the public business."

(2) "We have substantially reduced the deficit in our balance of payments."

(3) "I have felt obliged to limit severely my 1964 expenditure proposals."

(4) "The expenditure program is the minimum necessary."

(5) "The Federal deficit which will be incurred in the fiscal year 1964 should neither raise fears of inflation nor cause increased concern about our balance of international payments."

(6) "The total of administrative budget expenditures for all other programs, combined, has been held slightly below the 1963 level."

(7) "Other moderate expenditure increases being proposed * * * are offset by decreases in other administrative budget expenditures. For example, lower expenditures are estimated for the postal service, for certain housing, international and other lending programs, through substitution of private for public credit and for agricultural price supports."

(8) "Our practical choice is not between a deficit and a budgetary surplus. It is instead between two kinds of deficits; a chronic deficit of inertia due to inadequate economic growth—or a temporary deficit resulting from a tax and expenditure program designed to provide for our national security, boost the economy, increase tax revenue, and achieve future budget surpluses. The first type of deficit is a sign of waste and weakness. The second is an investment in the future."

(9) "As the tax cut becomes effective a substantial part of the revenue increases must go toward eliminating the transitional deficit."

Then an administrative digest from the Executive called the budget in brief speaks of the budget as "strengthening freedom" the debt as "our paying for the continuing costs of past war" and that "efficiency is increasing in Government," and that "payments to the public from Government are 20 percent of the gross national product."

### THE FACTS

The facts and sound economic interpretation are, of course, just the opposite of the above statements. Let's examine these statements and the facts.

(1) The cash budget outlines expenditures of $122.5 billion (not $98.8 billion of the administrative budget) of expenditures and $112.2 billion receipts (not $86.9 billion of administrative budget) and no one, not even the radical-liberals will deny there is waste and extravagance. The deficit will be $10.3 billion in cash budget. Frugality? Efficiency?

(2) The balance of payments, or gold outflow and accumulating pressures are greater, not less, and the danger more acute. Devaluation of our money is now a real possibility.

(3 and 4) How can the biggest peacetime budget in history, an increase of $5.7 billion over the 1963 budget (which itself ran $8.3 billion in the hole) be called a "minimum or severe limitation in spending"?

(5) Here the President disquiets all sound economic students because he clearly recognizes though decries the two clear and present dangers directly resulting from his profligate spending—inflation and gold outflow—both calculated to destroy our currency value, the purchasing power of U.S. money.

(6) This is a flat misstatement of fact. The nondefense expenditures will soar above the 1963 level, because of (A) increases in almost every existing program, (B) new programs started:

(1) Youth Conservation Corps, (2) aid to education, (3) mass transit aid, (4) medicare, etc.

(C) Usual additions as unanticipated expenses result from domestic and foreign problems that arise. The Appropriation Committee chairman in debate specified a $2 billion increase immediately and more to come. Then he outlined the 27 percent increase in nondefense expenditures compared to 17 percent defense spending increase since 1961.

(7) The alleged decreases specified by the President are fallacious. Agriculture spending goes up, in his budget, not down as he said in his message. Postal spending goes up, not down. REA spending goes up, not down. Public works up, not down. Certain international, and housing and lending programs are mentioned as down only because the President hopes to sell for cash some of the existing Government loans. We have figure juggling, inaccurate bookkeeping methods, and wishful thinking instead of facts and truth.

(8) The choice is not between deficits. It is between profligate spending, wastefulness, Federal control, and aid on the one hand, or reduced Federal spending and a return to limited Government of freedom, incentives, and the Constitution on the other—a choice the President apparently neither recognizes nor understands.

(9) The recognition of a tax cut being a business stimulus is illusory and dangerous if not coupled with reduced Government spending. Inflation may produce more dollars later in taxes, but will destroy our whole economy. The budget in brief calling such extravagance and deficit as strengthening freedom and increased Government efficiency is worth only a laugh, if it weren't too painful a subject over which to laugh. It isn't laughable, it's tragic. We are indeed witnessing and being asked to take a path to fiscal suicide—the bankruptcy of the United States by our own hands—a prediction by the Communists years ago.

### WHAT OTHERS SAY

Perhaps others in critical analysis, rather than in blind acceptance, will focus enough attention in days ahead so that Congress will compel our President to return to fiscal solvency and the balanced budget. Here are some comments: "The President's budget can only be termed a radical proposal"—Congressman JOHN BYRNES of Wisconsin. "The most inconsistent budget ever submitted by a President"—Congressman HALL. "For 40 years I have never seen or heard a budget message like this one, and neither have you, nor has anyone else"—Congressman CANNON, chairman, Appropriations Committee. "Mr. Kennedy's economic proposals are straight out of the dream book"—Chicago Daily Tribune.

### CONCLUSIONS

As I see it this budget clearly shows the President and his advisers' clear lack of understanding (1) the basic economics of a private market economy, (2) the role of constitutional limited government of a free society, (3) human nature, that people will work better for themselves than they will for Government. Now, who is negative and positive? Is it negative for a Member of Congress to vote against deficit spending? Is it positive to be for a balanced budget?

### *Public works and the Dallas Federal building*

Finally, are new and expanding public works justified during times of deficit financing? Of course not. Yet on page 710 of the budget are listed many new Federal buildings. The Dallas Federal building is omitted, no reasons given. This poses two problems and decisions for the people of Dallas:

(1) Are the people of Dallas willing to lead the way to sound, balanced budget economics and constitutional government, asking others to join in, or are we ready to capitulate and join liberals in the race to bankruptcy.

(2) Can we be coerced, bribed or intimidated politically by Federal leaders who do not grade the Federal projects on merit but on political dictation? To pose the questions gives the answer, which a sensible, intelligent constituency will support. The Kennedy administration should disavow the Dallas Federal building because it has not been proven meritorious, if that is the case or it should be given number one priority over all other Federal buildings approved in the current budget. Or to say it another way, in a period of deficit financing there should be no public works and Federal buildings, but if there are going to be such projects, the Kennedy administration cannot morally deny a Federal building to Dallas while approving others of less priority and merit.

Supported by the people of Dallas, who have always supported sound principles, I shall continue my efforts for fiscal solvency and sanity and constitutional government. Your views are always welcome.

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## West Penn and Project Keystone

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. DENT. Mr. Speaker, recently, publicity was given to a new project of great proportions and great importance to the area of Pennsylvania I represent, as well as a vast area including parts of New York, New Jersey, and West Virginia.

This project is to be constructed entirely by investor owned utilities. The magnitude of the project makes it one of the boldest and largest privately financed endeavors of this day and age. If this can be accomplished without Federal or Public Treasury moneys it will mark a rebirth of the private enterprise system in the field of power producing installations.

Those of us in Government charged with fiscal responsibility will watch with more than passing interest the progress of this project.

The great promise of increased economic activity in western Pennsylvania coal mines, which can add at least 1,200 new mine jobs, will be a welcome lift to this hard-hit region.

Unemployment in this area is chronic and the recession is serious. Many of our people have been unemployed for many months, some stretching into years.

This condition cannot endure much longer. The depreciation of values in both human, as well as economic conditions must be halted.

If this project succeeds in this area it can well set up a pattern for an economic revival in other hard hit, depressed areas of our country.

I sincerely hope the Members can find time to read this encouraging message to all of us whose districts have felt the blight of economic depression for too long:

WEST PENN AND PROJECT KEYSTONE

The same kind of thinking big that inspired Americans to cross the Rocky Mountains in wagon trains or slice through the Isthmus of Panama became evident once more in the electric utility industry on November 19.

That day, West Penn Power joined with 17 other investor-owned utilities[1] in announcing plans for a giant $350-million coordinated extra-high-voltage transmission line and power plant construction program.

Allegheny Power System's part will account for $75 million of this total program, which calls for completion of the first stages by 1967.

Simultaneously at press conferences across the State, the 18 companies revealed the mammoth project which includes construction of a 1,600,000-kilowatt power station in Armstrong County, a 500,000-kilowatt station near Point Marion on the Pennsylvania-West Virginia border, and a 600-plus-mile extra high voltage transmission system that will supply power from the 2 stations at 500,000 volts to a 7-State area with a population of 30 million persons.

This is one of the largest coordinated extra-high-voltage transmission line and powerplant construction programs in the history of the electric utility industry, and will mark one of the first full-scale uses of 500,000-volt transmission in our Nation. Transmission at 500,000-volt is so far limited to experimental lines.

Civic and business leaders throughout the country and especially in the 7-State region have hailed it as an important step in meeting future electric needs efficiently and at low cost. (The project will also boost the economy of western Pennsylvania areas near the power stations, and northern West Virginia.)

Participating companies will benefit from such economic factors as lower costs in transmitting large blocks of power at extra high voltages, more efficient operation of larger generating units, power pooling between companies and systems to meet peak loads and emergencies more efficiently, and coal mined near the new power stations to reduce hauling expenses.

General Public Utilities Corp. (GPU), Pennsylvania Power & Light Co., and Philadelphia Electric Co. will jointly own the $175 million Keystone station set for construction near Elderton just inside the eastern boundary of Armstrong County in Kiski District.

Our neighboring utility, Pennsylvania Electric Co. (Penelec), headquartered at Johnstown, is one of four GPU subsidiaries.

The first of Keystone's two 800,000-kilowatt generating units will go into service in 1967, and the second will follow a year later, making this the largest power station in Pennsylvania. (Its 1,600,000-kilowatt capacity will approach West Penn's total 1963 capability of 1,662,000 kilowatts after Mitchell unit No. 3 goes "on line" early next summer.)

Keystone's high-pressure boilers will consume about 4.7 million tons of coal each year for the first 10 years and during their estimated useful life of 40 years should burn about 160 million tons of coal.

Most of this coal will be mined within 15 miles of the plant—although some will come from a radius of 40 miles, providing 1,200 new mining jobs. The station itself will employ about 175 persons.

The nearness of coal to Keystone will keep down costs of hauling fuel, following the "mine mouth" concept that it is cheaper to generate near the coal supply and transmit the power than it is to haul coal a long distance to a power station.

Lacking a large water supply, Keystone, situated near the confluence of Crooked and Plum Creeks, will require four huge cooling towers which look like prehistoric silos. The only other similar cooling tower in the country is at Kentucky Power Co.'s Big Sandy plant.

Allegheny Power System will build and operate the power station on the Monongahela River at the State line near Point Marion, a $57.5 million plant.

When this APS unit goes into operation in 1967 it will consume as much as 1,350,000 tons of coal annually in its early years of operation, and over a 40-year period use 40 million tons. This will become the largest generating unit and plant in the Allegheny Power System, and could possibly be doubled in size if future economic conditions should warrant it. Consolidation Coal Co. will supply fuel for this station.

More than 600 miles of extra high voltage transmission lines stretching from a point near Wheeling, W. Va., across Pennsylvania and on into northern New Jersey and metropolitan New York will tie these two new stations into existing interconnected transmission networks to the west as well as the east and deliver power from these two stations at 500,000 volts alternating current (a.c.) to terminals near Philadelphia, Newark, and New York City.

One 500-kilovolt line will run westward from the new APS station to tie in with the American Electric Power System's Kammer station near Wheeling. Another line will run northeast from the APS station to the new Keystone station. West Penn will build most of these two lines which will total 130 miles and will cost $17.5 million.

From Keystone station, two 500-kilovolt lines will run eastward. One will terminate near Philadephia, a 225-mile distance, and the other will connect with northern New Jersey and New York City 300 miles away.

The decision to build the giant power stations and 500-kilovolt lines came after more than 2 years of careful study of tests and research conducted by utilities and electrical equipment manufacturers during the past 15 years.

Penelec's pioneer 2-year experimental operation of a 13-mile section of 500-kilovolt lines provided valuable information in making the decision. By special arrangement with Penelec, West Penner William C. Guyker took part in this research program to help our company gain firsthand knowledge of extra high voltage operating methods and results.

West Penn and other companies involved in this program have already developed facilities to interchange power.

For years, interconnections between companies have existed as a protection against emergencies. But only beginning November 1 was frequency coordinated between the interconnected systems group of which West Penn is a part and the PJM companies to the east.

Last month, APS and GPU companies placed six interconnections in parallel operation, three of which involved West Penn and Penelec:

Near Clarion, 4.25 of a 115-kilovolt transmission line connects West Penn's Burma substation to Penelec's Piney station; a 138-kilovolt interconnection at our Loyalhanna substation, near Blairsville; and the interconnection at our Shingletown substation.

Potomac Edison System also has three interconnections.

How does the $350 million project fit into the national and international electric industry pictures?

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[1] Allegheny Power System and its subsidiaries: Monongahela Power, Potomac Edison, West Penn Power; Pennsylvania-Jersey-Maryland Power Pool Co.—Atlantic City Electric, Baltimore Gas & Electric, Delaware Power & Light, General Public Utilities Corp. and its subsidiaries: Jersey Central Power & Light, Metropolitan Edison, New Jersey Power & Light, Pennsylvania Electric; Luzerne Electric Division of United Gas Improvement, Pennsylvania Power & Light, Philadelphia Electric, Potomac Electric Power, Public Service Electric & Gas, and Consolidated Edison.

The Federal Government is making a survey of transmission facilities in the United States. The present administration has indicated an interest in building a coast-to-coast transmission network linking Federal and rural electric cooperative generating facilities. Such a move would cost U.S. taxpayers many hundreds of millions of dollars and entrench the Government deeper in the electric business.

In addition to providing economic advantages for its participating companies, the new project ties together the entire mid-Atlantic region into one large-scale transmission network.

American Electric Power, serving nearly 5½ million persons in seven States including Michigan, Indiana, Ohio, Kentucky, West Virginia, Virginia, and Tennessee, has a 345-kilovolt transmission network.

The direct tie-in between these two systems will provide a major investor-owned transmission grid stretching one-third of the way across our Nation.

Other investor-owned transmission networks—existing or proposed—will eventually make a coast-to-coast grid which should offset the need for Federal construction to duplicate facilities.

For example, studies indicate that it may be desirable to connect the new 500-kilovolt transmission system with that of Virginia Electric & Power Co. now under construction.

Internationally, Russia is the United States' closest competitor in electric generation and transmission.

Russia pushed ahead fast in developing extra high voltage because of its need to carry power over vast, undeveloped areas of land.

However, U.S. capability is 199.9 million kilowatts, or three times that of Russia, and the total number of miles of transmission lines in the United States far exceeds Russia's.

Furthermore, the announced extra-high-voltage project in which West Penn is participating will strengthen our Nation's position in extra-high-voltage transmission.

President Streuby L. Drumm has cited extensive engineering and economic studies of the past 2 years as supporting the technical and financial feasibility of the overall $350 million project.

He said, "although this program is one of the biggest single projects ever advanced by the electric industry, it is only a small part of future expansion plans.

"The Nation's investor-owned utilities will invest a total of $42 billion in plant and equipment during the current decade and another $80 billion in the 1970's. This continuing investment is one reason Americans are so far ahead of the rest of the world in availablity and use of electric energy."

The following correspondence is worthy of reprint:

SECRETARY OF INTERIOR PRAISES CONSTRUCTION PROGRAM

Secretary of Interior Stewart L. Udall lauded West Penn and the 17 other investor-owned electric utilities for their bold and imaginative plan to link 3 mid-Atlantic power systems at a cost of $350 million, and called it American private enterprise at its best. Here is his complete letter, and President Streuby L. Drumm's answer to it:

NOVEMBER 21, 1962.

Mr. S. L. DRUMM,
*President, West Penn Power Co.,*
*Cabin Hill, Greensburg, Pa.*

DEAR MR. DRUMM: I read the press accounts yesterday of the bold and imaginative plan of your company, and 17 other private utility companies, to further integrate and coordinate your systems. Having recently seen some of the pioneering work which the Soviets are doing in extra high voltage transmission power, it was heartening to me to note your plan to activate a long-distance line as part of your overall program to keep the cost of electric power at the lowest possible level.

It is my strong feeling that a plan such as the one you have just announced will do much to keep American energy competitive and to help our Nation meet the challenge of efficiency which President Kennedy has stressed so many times as a major national goal.

I should, therefore, like to commend you and your associates in the highest terms for the scope of your plans. To me this is American private enterprise at its best.

Sincerely,

STEWART L. UDALL,
*Secretary of the Interior.*

NOVEMBER 28, 1962.

Hon. STEWART L. UDALL,
*Secretary of the Interior, U.S. Department of the Interior, Washington, D.C.*

DEAR MR. UDALL: It was considerate of you to share with us your reaction to the recently announced $350 million, 18-company generation and transmission project.

We too, of course, are enthusiastic over the contribution this project will make in holding the line on the cost of electrical energy and meeting the ever-growing energy needs of America.

We are particularly pleased at your reference to this as a contribution of private enterprise.

Sincerely,

S. L. DRUMM.

## Landmark Decision by Supreme Court

EXTENSION OF REMARKS

OF

### HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. ROOSEVELT. Mr. Speaker, on Monday of last week, the Supreme Court in a unanimous decision in the case of FTC against Sun Oil Co. ruled that petroleum suppliers, under the Robinson-Patman Act, can cut prices selectively only in competition with their own competitors. They may not cut prices in order to meet the competition of their dealers' competitors.

This is an historic landmark decision. It establishes new limits on the use of discriminatory price cutting by suppliers. It will be of invaluable assistance in eliminating costly and destructive price wars. This decision is one that will have great impact not only upon the petroleum industry, but upon the entire framework of American commerce and the consuming public, as well.

This case arose from a price war in Jacksonville, Fla., in the summer of 1955. At that time, the Super Test Oil Co., an independent retail chain, by virtue of its lower retail prices was drawing substantial business away from a Sunoco station. To help their dealer meet this competition from the independent station, Sun granted certain price concessions. The Federal Trade Commission charged that this was a violation of law for the reason that the Sun Oil Co. had not offered similar price reductions to their other dealers in the Jacksonville area.

The Sun Oil Co. interposed the defense that it was meeting competition in good faith. This was rejected by the Federal Trade Commission on the grounds that discriminatory price cutting can be used only to counter direct competition at the same level; that is, suppliers versus suppliers and retailers versus retailers, not, as in this case, suppliers versus retailers.

The Fifth Circuit Court overruled the Federal Trade Commission, but the Supreme Court sided with the FTC in reversing the circuit court decision. In the Supreme Court's decision Justice Goldberg said:

> Since there is in this record no evidence of any such (lower) price having been set or offered to anyone by any competitor of Sun, Sun's claim to the benefit of good faith meeting of competition defense must fail. To allow a supplier to intervene and grant discriminatory price concessions designed to enable its customer to meet the lower price of a retail competitor who is unaided by his supplier would discourage rather than promote competition.

The decision does not apply to those cases where a competing supplier distributes his products at the retail level through company-owned stations. It is likewise noted that the record was less than completely clear on whether the independent chain competing with Sun's retailer had received price concessions from a major supplier. It was pointed out that if such evidence was forthcoming the FTC could reopen the case.

The reopening of this case by the Federal Trade Commission could conceivably establish that one of the major companies had supplied the Super Test Oil Co. with its petroleum products. It might even establish that price concessions were made which would give the Sun Oil Co. the right to use the "good faith" defense. But, even assuming this to be so, where does this leave the major oil companies?

There has long been speculation as to the extent to which the major petroleum companies control the prices on both sides of the trenches during price wars. Many independents, of course, obtain their petroleum products from the majors. Thus, the majors are in the position of acting as supplier to both sides—company stations and independents—during many price wars.

If the Sun Oil case is reopened by the Federal Trade Commission, one of the byproducts could be full disclosure as to whether there is agreement within the petroleum industry regarding the wholesale prices to be charged when major companies sell their products to independent stations for resale under an independent brand name. If this should prove to be the case, the possibilities of both antitrust violations and unfair competition are certainly great.

This entire question of price wars and price structure is of vital importance to the many thousands of small businessmen engaged in the distribution of petroleum products.

Every week—virtually every day—I receive letters from throughout the country in which service station operators tell me that if price wars and discounting are not stopped, they will be driven out of business.

Yesterday I received a petition signed by 280 service station operators in the greater Kansas City area, asking that I forward it to the Federal Trade Commission. The petition requested that the FTC "hold an on-the-spot investigation of the gasoline pricing structure for the purpose of determining whether there is price discrimination and price fixing in the area" and "to protect us as small businessmen as is guaranteed under the Robinson-Patman and Clayton Acts."

I have forwarded this petition to the Federal Trade Commission with the urgent request that action be taken at once.

But more is needed to combat price wars than sending investigators to the scene of the latest outburst. We must also examine the entire structure of petroleum pricing practices. We must find a way to stop these costly and destructive gasoline price wars. The very existence of thousands of small businesses throughout the country depends upon the prompt solution of this pressing problem.

## Medical Care

EXTENSION OF REMARKS

OF

### HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

**Mr. SNYDER.** Mr. Speaker, these are indeed awesome times for a newcomer to take his seat in this Chamber.

Abroad we are beset with the menace of communism, the need for arming and strengthening our allies, the constant threat of further crises which we may have to meet at any time at any of half a dozen points on the globe.

At home we are faced with the unending problems of our growing population, the provision of adequate, normal services for our citizens at all levels of government, and the ever-growing costs incident thereto. Military spending is to be increased in the aftermath of the Cuban crises. Our race into space continues to cost billions. The expense of welfare programs already on the books is rising steadily.

To meet these tremendous obligations, we are carrying an income tax load which many competent authorities insist is a drag on our entire economy. At the same time, we are struggling under a mounting burden of State and local taxes.

Against this background, as the time drew near for me to take my oath, I was disturbed by the administration's determination to revive its ill-conceived program to federalize hospital care for the aged under social security.

The program is bad enough; the strange "business as usual" attitude on the New Frontier is past understanding. This is a period of grave national concern over problems affecting our very prospects of survival. It is not a time for power-hungry bureaucrats and irresponsible crusaders to be running wild, bent on rescuing a segment of the population from an artificial difficulty which only they can see. As usual, of course, they expect to accomplish their wonders with other people's money and other people's liberties.

With debate already contemplated over an income tax cut—and the question in some circles already having become whether the cut shall be $13 billion or more or less—it makes no sense to talk at the same time of a new tax levy which will move in the opposite direction and siphon off added billions from the resources of American workers and their employers in the years ahead.

I am not discussing the merits or demerits of a tax cut at this time. That issue will be before us later. We will then have the benefit of the views of the Ways and Means Committee on the wisdom of such a step when Federal spending remains at the highest point in our peacetime history.

What I am saying today is simply that if the economy is lagging, as the administration claims—and if a reduction in personal and corporate income taxes is a valid means for increasing business activity by putting more money in circulation—then a program to increase taxes and take more money away from wage earners and employers is insupportable. The administration cannot have it both ways.

By the same token, it is equally unreasonable to project a new and fantastically wasteful spending scheme in the face of the soaring Federal deficit. Yet that is what the administration proposes in this instance.

No one knows what the ultimate cost of an adventure into Government medicine would be. We do know that no nation which has tried compulsory, government-controlled health care has ever been able to anticipate the cost correctly. England's program now costs five times the original estimates.

The administration's estimate of the cost of its plan was $1 billion at the last session. But that was when, in its infinite wisdom, the administration was ignoring the 4 million Americans over 65 who are not on social security, an anomaly which never has been explained. For among these older citizens are the most needy in the Nation.

Adding them to the program would increase the cost still further. Many actuaries believe, and have produced figures to show, that the $1 billion estimate was merely the beginning. They have computed the cost at $2.2 billion the first year and a steadily increasing load as more and more citizens reach retirement age.

There is only one answer to this—constantly growing payroll deductions lowering the income of American workers, or more deficit spending and a staggering new addition to the national debt.

Moreover, it does not square with the President's pledge last month before the Economic Club of New York as he spoke eloquently of the need for a tax cut to spur the Nation's economic growth. He used the words of our own Ways and Means Committee chairman when he acknowledged that a tax reduction must be accompanied by "increased control of the rise in expenditures."

Said the President:

> That is precisely the course we intend to follow.

Saddling the Treasury with a new burden of spending, the end of which no one can see, to provide federalized hospital care for millions of the aged who are self-reliant and can take care of themselves, hardly seems to be following a sensible course of controlling rises in expenditures.

For the current fiscal year, according to the administration's own estimate in November, we face a budget deficit of $7.8 billion. It will be the 28th deficit in 34 years, during which the national debt has risen from $16 billion to $300 billion. A probable deficit of $11 billion or more is foreseen next year, not all of which is because of defense and space expenditures deemed vital to the national security. If there is a tax cut of $13 billion, the deficit could be $15 billion or more, the largest in peacetime. The overall budget next year will be the highest in history, exceeding the peak spending of World War II.

I say it is folly for the administration to promote extravagant new social spending schemes in the situation confronting us today. But more than this, I say it is folly beyond description for any administration to tamper at any time with a system of medicine that has become one of the wonders of the modern world.

Let me make myself clear. I am not here to defend the medical profession. It has demonstrated that it can take care of itself in the arena of public affairs.

Rather, I am speaking on fundamental principles that lie at the heart of our system. It is wrong, for example, to compel one segment of the population to underwrite a program of health care for another regardless of need. But that is exactly what has been proposed. The measure before Congress in the last session called for young wage earners to pay a double increase in payroll taxes—a one-quarter of 1 percent higher rate for employees and employers, alike, and a broadening of the tax base from $4,800 to $5,200. The rate for the self-employed would have been three-eighths of 1 percent on the first $5,200 of income.

Administration spokesmen quote these small and harmless sounding fractions in their efforts to show how little is involved here. Surely, they argue, anyone who would object to one-quarter of 1 percent to take care of a segment of the population which they portray as being uniformly sick and impoverished must be stingy and unfeeling. To hear them tell it, you would think they have a monopoly on sympathy and goodwill in this country.

What is involved, actually, is a 17-percent increase in the amount of the tax with the burden falling entirely on the small wage earner. The $5,200 clerk would pay as much as the $50,000 corporation executive. At least 40 percent of all taxable income in the United States would escape any responsibility whatever to help defray the cost of medical care for the aged, including the income of 9 million workers not on social security.

We are aware that an automatic increase in the social security payroll deduction went into effect January 1. This is the ninth such increase since the social security program was adopted in 1937. Two more increases by 1968 are already scheduled by law. Without any other increases, the rate then will be 9¼ percent, or within a fraction of the 10 percent which many experts believe is the limit taxpayers will stand.

Had the compulsory hospital care tax also been adopted, employees and employers would now be paying 40 percent more social security taxes than they were in 1961. By 1968, they would have been paying 87 percent more. And these figures are based on the administration's outdated estimate that the cost of the program will not exceed $1 billion. That was the amount when only older citizens on social security were to be covered. If the cost reaches $3 billion by 1968, which has been forecast, wage earners and their employers would be paying 94 percent more social security taxes than they were in 1961.

But, I repeat, nobody actually knows what the ultimate cost of the program will be. Yet, this uncertainty notwithstanding, Congress is asked to accept the program, and at the same time take away liberties of older people, impose a new tax on younger people, and clear the way for the Washington bureaucracy to fasten its grip on hospitals and physicians in this country for the first time.

This is not all. Passage of the legislation would immediately impose an unbelievable liability of $35 billion on the social security system, already staggering under a mounting excess of outgo to pay benefits beyond income from payroll taxes. This sum is the amount necessary to cover the expected lifetime hospital expenditures of those who would be eligible for care at once without ever having contributed a dime to the program. The money, of course, would have to come from the contributions of younger workers. They would be paying their family medical expenses out of their pockets while they pay increased taxes for the care of the elderly, millions of whom are completely solvent and able to handle their own needs.

Meanwhile, the entire social security system would be subjected to a new and possibly ruinous strain. Most of today's workers are relying on social security for some support in their retirement years. As originally conceived, the system was intended to place a "floor of protection" under the elderly with cash dollars to spend as they see fit, to buy the things they want or need, when their income falls below a certain level. Now something drastically different is proposed. Federal control of hospitalization for the aged would be a program of services, not cash benefits. Instead of trusting people to decide how they want to spend their health care dollars, the Government would spend their money for them through a new system directed from Washington.

Before wage earners join in a move to take social security on this alien venture, they should pause and reflect on the fact that the social security fund went $1,248 million deeper "into the red" in the last fiscal year. An automatic tax increase on January 1, 1962, did not halt the drain on the reserve fund to pay retirement benefits. Even with the new tax rise this month, the Treasury has reported that it sees no hope of getting the fund's current disbursements in the black this year. The total fund is already about $300 billion in arrears in cash to meet retirement obligations to all who have paid into it since its inception, or an amount equal to the national debt.

Surely, this is not the time to be playing fast and loose with a national institution which people are depending upon to permit them to live in dignity and security in their older years.

I have dealt with some of the basic fiscal objections to this unworkable, ill-founded proposal. There is more, much more, that can and will be said on the question in the months ahead. For there is a deeper, graver meaning to this controversy than the surface arguments that have been advanced by the proponents of government control of hospitalization for the elderly.

This is not, as they loudly proclaim, a holy crusade to bring help to a pathetic group of Americans.

If the legislation known as the King-Anderson bill had passed the last session of Congress, it would not have become effective until 1964. What of the ailing older people in the meantime, if the emergency is as great—if the need is as imperative—as the administration says it is? Where were they going to get help for more than a year?

When the program did become operative, according to responsible authorities, it would have covered only about 25 percent of an individual's normal medical expenses. It would not have paid for doctors' bills, or surgery, or prescription drugs outside a hospital. Even the most needy would have been required to pay the first $90 of their hospital bills.

How would the needy sick raise the 75 percent of their illness cost not covered by the program?

How can an indigent sick person pay as much as $90 of a hospital bill?

The questions answer themselves. This program would solve nothing. The need is not present—has never been present in the exaggerated terms employed by the administration in its drive to pressure Congress to adopt the program.

I believe it is well established by now that this is simply a matter of playing politics with human need and not the appealing humanitarian cause claimed for it. It is a bold bid to buy the votes of the Nation's older citizens by taking credit for offering them tax-supported hospital care whether they need it or not. At the same time, there is an appeal to sons and daughters by giving them the opportunity to shift responsibility for their aging parents on to the back of the Government. I do not buy that kind of thinking and I am proud to acknowledge here and now that most Americans have demonstrated they do not buy it either.

Last March, according to the Gallup poll, a majority of voters—55 percent—favored Federal control of old age hospitalization. By July, those favoring the administration's program had slipped to 48 percent. By August Dr. Gallup reported, public support had fallen another four points to 44 percent—from a majority to a clear minority in the space of a few months as the Nation learned more and more the plan's details and implications.

All of us here are familiar with the gigantic propaganda circus that has been staged by the administration and certain so-called labor leaders to whip up a crisis atmosphere over the health problems of the aged. In the last campaign, many of us had to meet the tide of misrepresentations, untruths and slippery statistics which have marked the calculated efforts to stir the Nation's sympathies for the elderly people. They are portrayed as a mass of helpless, sick human beings, unable to cope with the problems of their later years.

The opposite is true. Today, 55 percent of all Americans over 65, or 9,550,000, have private insurance plans to protect them from the costs of illness. They have demonstrated their self-reliance. They do not need Government paternalism to free them from risk and individual responsibility. In a few years, the figure is expected to reach 90 percent.

For those who are in need, and those generally self-supporting but unable to meet the cost of serious illness, the Kerr-Mills law provides for State-Federal matching funds to help them secure much more complete medical care than under the limited benefits offered a federally controlled hospital program. Administration of the Kerr-Mills law is left where it belongs, at the local level. Tax funds are not squandered on the nonneedy. The self-supporting and the well-to-do cannot get a free ride at the expense of the small wage earner.

But the Kerr-Mills law has never been liked by those, including labor union bosses, who want the Federal Government to assume total charge of medical care. It is not a gravy train or a gigantic handout. It will not produce millions of votes. These forces are most interested in creating a political issue on false grounds than they are in existing law which will do the job now for those requiring assistance. They would substitute compulsion for free choice in financing medical care. This must not happen.

For passage of the administration program in any form whatever would mark the first step down the road toward complete socialization of medicine in this country. This is the fundamental peril that confronts us. The greatest system of medicine ever enjoyed by any people anywhere has unjustifiably been placed on trial in the political arena. Here it must be safeguarded and protected. We cannot afford to retreat to a form of mass medicine, cafeteria style, under Government controls. We cannot permit the quality of medicine to deteriorate or allow the standards of practice to be corrupted under bureaucratic interference.

These are basic considerations. We all know that a healthy nation is a strong nation and at no time in our history has it been more vital that our Nation be strong.

## Statement in Support of the Establishment of Federal Mutual Savings Banks

EXTENSION OF REMARKS

OF

### HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. MULTER. Mr. Speaker, on January 9 I introduced a bill (H.R. 258) to authorize the establishment of Federal mutual savings banks. During the past few Congresses I have been joined by several of my distinguished colleagues on the Committee on Banking and Currency in introducing similar legislation. In the past these bills have been introduced for the purpose of allowing study of their provisions. This year the bill is being introduced for consideration and, hopefully, early action.

The basic idea of the proposed legislation is to authorize the granting of Federal charters to mutual savings banks. At present this fine thrift system operates solely under charters granted by 18 of our States. It is most appropriate that this legislation be considered during the current year that marks the centennial of the establishment of the dual banking system for commercial banks. Savings and loan associations also have the opportunity to obtain either Federal or State charters. So do credit unions. The passage of this legislation would bring the mutual savings banking industry with its $45 billion of assets into the fold of dual banking.

Mutual savings banks have a long and honored history of stability in this country. The first such banks in the United States were established in the early 1800's in Philadelphia and Boston. They provided a useful facility to encourage people of moderate means to open and maintain savings accounts. Their savings in turn have been invested by the bank in useful community projects in order to earn income adequate to pay an attractive rate of interest return to the savers.

I shall not at this time go into detail but it is a matter of interest that where mutual savings banks exist, the per capita rate of savings has been higher than in places that lack mutual savings bank facilities. It is also interesting to note that in the areas where mutual savings banks are located, the interest rates charged for lending money on home mortgages and other investments are among the lowest in the Nation. Mutual savings banks exist today in 18 States and one possession. Yet their benefits extend far beyond the borders of the States in which they are located because they invest in out-of-State mortgages and other obligations. The passage of the proposed legislation will enable all sections of the country to enjoy to a fuller extent the many benefits that flow from mutual savings bank operations.

Previous bills on this subject matter have received favorable comment from the Housing and Home Finance Agency and the Veterans' Administration. The Board of Governors of the Federal Reserve System in the past has stated that the proposal deserves careful consideration. The Commission on Money and Credit, a private group of financial experts, has also recommended that Federal charters be authorized for mutual savings banks. It is understood that this position is also being adopted by the Committee on Financial Institutions, a Presidential group appointed to study the recommendations of the Commission on Money and Credit. The National Association of Home Builders, an organization with understandable interest in the increase of home construction, has added its endorsement to the proposed legislation.

The study of this proposal is also underway in several Federal agencies in addition to those named above. Their reports on the legislation may be expected to be received at an appropriate time. Many leaders in the savings and loan industry have expressed their support of the proposal to grant Federal charters to mutual savings banks. Last session, immediately following introduction of the bill, leading savings and loan executives commented favorably on the bill. I would like at this point to reinsert those remarks in the RECORD.

In the Midwest, Mr. A. D. Theobald, president of the First Federal Savings & Loan Association of Peoria, Ill., made the following observations on October 3:

> For the past year or so, several other savings and loan industry representatives and I have had an opportunity to work closely with mutual savings banking leaders in the preparation of proposed legislation to authorize the establishment of Federal mutual savings banks. Many of the ideas suggested by savings and loan leaders, arising from their intimate experience with the field of thrift and home financing, have found expression in the Federal mutual savings bank bill being introduced in both Houses of Congress today. I believe that upon careful study, others in the savings and loan industry will find this proposed law to be of interest to them as well as advancing the public interest. I commend it to the attention of my colleagues in the savings and loan industry.

In the South, Mr. Wallace O. DuVall, president of the Atlanta Federal Savings & Loan Association of Atlanta, Ga., stated:

> I am pleased to note that a revised Federal mutual savings bank bill has been introduced in Congress. As one always interested in making the thrift institution I serve more useful to the community, I have watched closely the development of the plan for Federal charters for mutual savings banks, because of the opportunity it offers for increased service for mutual thrift institutions. Many savings and loan leaders have outlined suggestions for building an extremely strong institutional system for savings through the combined patronage of savings and loan associations and mutual savings banks. These ideas have been incorporated in the bill introduced today. It is my hope that serious study will be given to this proposal.

In the New England area, Mr. James E. Bent, president of the Hartford Federal Savings & Loan Association in Hartford, Conn., and former president of the National League of Insured Savings Associations, recalled that in 1960 he had encouraged then Senator Prescott Bush, Republican of Connecticut, to support legislation authorizing Federal charters for mutual savings banks. Said Mr. Bent:

> I am happy to see a revised version of a Federal mutual savings bank bill introduced at this time. The savings and loan industry will now have an opportunity to study the proposed legislation before it is reintroduced with the prospect of early Congressional hearings in 1963.

From the far south, Mr. Oscar R. Kreutz, chairman of the board and president of the First Federal Savings & Loan Association of St. Petersburg, Fla., and past president of the National League of Insured Savings Associations, and chairman of its legislative committee, asserted that the new Federal mutual savings bank bill offers a fine opportunity to those interested in the mutual thrift industry to give some deep thought to the future of that industry. Mr. Kreutz said:

> This new bill contains many ideas combining the best features of the savings and loan and mutual savings bank industries. It should serve as an excellent vehicle to prompt thrift and home finance leaders to consider the best means of developing mutual thrift institutions in a way that will best serve their communities.

I would also like to insert at this point recent speeches on this subject delivered by Mr. A. D. Theobald, president of the First Federal Savings & Loan Association of Peoria, Ill., and Mr. Morris D. Crawford, Jr., president, the Bowery Savings Bank, New York, N.Y.:

#### PARTNERS IN PROGRESS

(Address by A. D. Theobald, president, First Federal Savings & Loan Association, Peoria, Ill., at the 16th midyear meeting, National Association of Mutual Savings Banks, December 4, 1962, New York City)

#### BUSINESSMAN, AUTHOR, TEACHER, SCHOLAR

Excerpts from the introduction of Mr. Theobald by John W. Kress, president, National Association of Mutual Savings Banks: "Our guest speaker is a businessman, author, teacher and scholar—a combination hard to beat. He holds degrees from the University of Akron and from Northwestern University. He has taught economics and real estate financing for more than three decades. He is the author of basic textbooks on the savings and loan and the real estate industries. For 8 years he was director of education and research for the American Savings & Loan Institute. From 1935 to 1946 he was on the executive staff of the United States Savings & Loan League—first as assistant vice president and later as vice president. In 1934 he put his academic theories into practice by becoming vice president of the First Federal Savings & Loan Association of Chicago. In 1946 he became president of the First Federal Savings & Loan Association of Peoria, Ill.[1] He is presently a member of the legislative committee of the United States Savings & Loan League and he serves on the task force of the Federal Home Loan Bank Board. Also, he has worked with representatives of both savings and loan and our savings bank industry to develop a sound legislative basis for a united and nationwide thrift system."

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[1] First Federal Savings & Loan Association of Peoria, Ill., has assets of $93,008,332.

I want to visit with you about some things that are close to my heart, and which I think maybe are close to your hearts.

I'd like for a moment to stroke my long gray beard and take a throwback some 31 years to the summer of 1931, and my first contact—actually the first time I was really conscious of the fact that there was such a thing as a mutual savings bank.

In July of that year, I had been hired to work for the American Savings and Loan Institute—actually for the United States Savings & Loan League. I went to work for them because I had to eat. Nineteen hundred and thirty-one, the year in which I had been awarded a master's degree, was not an easy time to get a job. My intention then was to work only during the summer and continue work on a Ph. D. that fall and eventually wind up teaching at the collegiate level.

Well, that was changed in about 2 months for two reasons: One of them, I found the work fascinating; the other was, I got married, and continuing to hold a regular salaried job became of real importance.

In August of that year, the United States Savings & Loan League convention was held in Philadelphia. Several things stand out in connection with that convention. One of them was that the secretary treasurer of the league, who kept whatever statistics there were, was able to announce that in the year 1930 (and the figures were just out in the summer of 1931), the total assets of the savings and loan business had increased. And the second one, pertinent to the savings bank business, was that in the year 1930 the total assets of the savings and loan business had for the first time passed the total assets of the mutual savings bank business.

Well, I was on the staff of the national organization, and we corrected that whole situation real quickly. The total assets of the savings and loan business decreased for approximately 8 years until they got down to something under $6 billion. They stayed under the total assets of the mutual savings bank business for some 15 years beyond that period.

The next occasion that I had to look at the mutual savings bank business was in 1934. John Kress has referred to the fact that I became vice president of the First Federal Savings & Loan Association of Chicago in that year. That was a newly chartered Federal savings and loan association, organized primarily by Morton Bodfish, the executive vice president of the United States Savings & Loan League. I recall that in rounding up a group of outstanding citizens in Chicago to be directors of that association, he received a letter from one gentleman whose name many of you, I'm sure, would recall, asking what are the prospects for this sort of operation—savings and loan association—in Chicago. Morton asked me to prepare a reply for him. I prepared a rather long reply, and I said it seemed to me very probable that the total assets of that institution would in our lifetime pass a hundred million dollars.

### SAVINGS BANK BASIS FOR FORECAST

The reasoning I applied to it was first the record of the mutual savings banks in the major mutual savings banking cities. That record suggested that this type of institution could have that sort of performance. So also did the record of the building societies in Great Britain, where they had long been substantial organizations.

I know Morton didn't believe that, but he was busy, and he didn't have time to argue with me—and he sent the letter out. It wasn't a very good guess because although I expect to have a further lifetime, the assets of the First Federal of Chicago are now around $400 million.

I bring this out because in 1933 it seemed to me that there was such a close relationship between the operation of mutual savings banks and mutual savings and loan associations that the performance of one could well be a pattern for the performance of the other.

### TWO PERIODS COMPARED

I'd like to take you back to 1931–34 for reasons other than my own personal recollection of them. It seems to me that the period that we are now in, the period, let's say, of 1962 through 1964, in many, many ways resembles that crisis period in the middle part of the depression. That was a period of flux, crisis, danger, change—but the thing to emphasize is that it was also a period of opportunity; a period of opportunity missed in some cases, seized and taken advantage of in others. To a very substantial extent, the question of whether or not opportunity in the changing world of the financial systems of that time was seized or missed rested on the dynamics of trade association leadership.

By trade association leadership, I don't mean just the typical service that we all expect from a trade association, but the leadership which is inherent in the staff of the association itself: developing ideas, concepts, programs—and carrying them through. There are dynamics to that sort of leadership which I see at the present time and which seem to me very significant.

Let's start first with the Federal Home Loan Bank System, which grew out of the President's Conference on Home Ownership called by President Hoover in October of 1931.

As nearly as I can recall, the savings bank industry took very little part in the legislative struggle which took place with regard to the Federal home loan bank system. Among other things, mutual savings banks were integral parts of the American Bankers Association; the ABA opposed the Federal home loan bank idea. The bankers were not too popular, and they were not very effective. The most effective opposition came from the insurance companies using the Mortgage Bankers Association as their particular vehicle.

The push that carried it forward in the private industry field was the United States Savings and Loan League. Now I want to point out to you something that very few people know, because there are not too many of us left who had an active part at that time: at this same United States League convention in Philadelphia in the fall of 1931, a committee report which had been the result of a good many years' study, advocating a Federal home loan bank system of some kind, and advocating a system of Federal savings and loan associations, was rejected by the convention membership by a rather substantial majority. The savings and loan business was not, in itself, pushing for a Federal home loan bank system. But within 6 months, the development of a Federal home loan bank system was a principal activity of its trade association.

### SAVINGS AND LOAN INSURANCE STRATEGY

Let's carry on for 1 more year, the year in which the Federal Savings and Loan Insurance Corp. was created. At the executive committee, which was the broad policy group of our national trade association, the leadership of the organization never permitted a vote on the question of whether we should or should not have a system of insurance of accounts for savings and loan associations. The discussion was pointed entirely toward the question of what, if we had to have one, the nature of the system would be. After all, the FDIC already had been enacted. The question discussed was what would be the nature of the savings account insurance corporation that might be set up.

Mutual savings banks, of course, had little interest in the Federal Savings and Loan Insurance Corporation. So far as they felt that insurance of accounts was useful, they found it through the FDIC, and the Federal Savings and Loan Insurance Corporation became entirely a savings and loan vehicle.

One year later there came the opportunity to develop a Federal system of savings and loan associations. By this time, while there was some real difference of opinion as to the advisability, that difference of opinion was not so effective as to be found in any official position. The development of a system of Federal savings and loan associations was definitely a part of the program of the United States Savings and Loan League.

Now, How many of you know what follows? It was not widely discussed anywhere in the industry. The home mortgage system of the country was prostrate. It became a matter of administration direction to the Chairman of the Federal Home Loan Bank Board that something should be done about it; some vehicle should be created to revive the home mortgage market throughout the country. The mutual savings bank industry was first approached to see whether it would be interested and would sponsor the development of a system of Federal mutual savings and mortgage institutions.

### SAVINGS BANKS MISSED OPPORTUNITY

They were not interested. Then the savings and loan associations had their opportunity. Up to that time, the idea of a dual system in financial systems was, of course, confined to the commercial banking system. We now had a dual system of financial institutions in the savings and loan field also.

Here I think that some of the things that a dual system—and I emphasize first the Federal part of it because it was the new part—did for our business.

Let me say that, prior to that time, operating under different laws in 48 States, it was hard to say that there was a system of savings and loan associations. There was terrific diversity in name, in practice—in almost anything that you could use to describe a savings and loan association.

The federal system gave us an opportunity to develop common terminology, to borrow from the practices and the laws of the most advanced States—and for the first time in a way that would not have been possible in any other way—to develop a modern savings and loan association; at least modern in its time.

It brought compulsory insurance of accounts to those institutions that chose to and could operate under Federal charter, and insurance of accounts was vital to the restoration of confidence in our business. It brought full time operation of thrift institutions to many States where part time operation had been characteristic before.

And I think it brought the full advantage of the dual charter system to all savings and loan associations throughout the country. From that time on there wasn't exactly competition between them, the State-chartered system and the Federal-chartered system, but there was constant progress, first on the one side and then on the other. In some States a modernizing factor would be followed by the Federals, then followed by other States—all the very real advantages, including continual modern community service, that the dual system is supposed to bring.

### POSTWAR GROWTH OF INDUSTRY

Since the war, all financial institutions have grown fantastically. Commercial banks have grown, dollar-wise, more than any other type of financial institution. But by, I suppose, 1955, the end of that period of growth, insofar as it came from the commercial or demand deposit side of the business, was in sight. After all, the growth of a demand deposit, money-creating system is limited by the monetary needs of the country, and we had had an adequate development of the strictly commercial banking, money-creating side of our financial system.

Insurance companies grew. Mutual savings banks grew, and very substantially. I'm willing to bet that few of you 15 years ago could have forecast within even a reasonable percentage the amount of your growth during the past 15 years. Savings and loan associations grew, and they grew much more rapidly than did the mutual savings banks.

Part of this faster growth was due to the fact that they were operating all over the United States, in a much broader field. Sometimes we like to attribute at least a part of that growth to the fact that we felt that we had pretty vigorous, aggressive management. But basically, it seems to me that the savings and loan associations grew because they were fulfilling a fundamental national need.

The tremendous increase in home building and home ownership after the war necessitated the development of vast amounts of capital. I don't think anyone foresaw how much, immediately after the war. The institutions that were set up and specialized in that field had to grow, and if they hadn't, some other type of setup to do the same sort of job would have had to be created.

We have a busy time, and I really didn't have much time to pay attention to the mutual savings bank business until about 3 years ago. I think my attitude toward your great industry at that time would have been fairly typical of that of a great many savings and loan managers. It was something like this: I didn't even realize that John deLaittre had a big mutual savings bank in Minneapolis. I was barely conscious that there was a substantial mutual savings bank in Cleveland. But basically I thought the nearest mutual savings bank to my city of Peoria was 500 miles to the east and 2,000 miles to the west, and that was a real good place for them.

THRIFT INDUSTRIES BEGIN TO CONVERGE

As I did think of them and began to see how closely our two types of institutions were growing together, I still liked our emphasis on purpose, mainly of home financing, as contrasted to what I conceived to be your emphasis on purpose, mainly the development of thrift. And I concluded rationally, whether correctly or not, that our emphasis on purpose in home financing was more likely to survive than an emphasis on the development of thrift because there were so many places where people could save money, and there were not so many places that really specialized in this growing demand for home financing.

For some reason, however, about that time—3 or 4 years ago—I subscribed to your national publication and started reading it. One of the first articles that I read, and it is still very much in my mind, was an analysis by a student of your field of the extent to which a mutual savings bank could take advantage of membership in the Federal Home Loan Bank system and could take advantage of the advance powers—the securing of money and the repayment of that money—from and to Federal home loan banks. The thing that impressed me was, that was exactly what the First Federal of Peoria had been doing for more than 10 years.

If that sort of financial policy seemed reasonable to a student in your business, it seemed to me that mutual savings banks might be much more like what I was doing than I had previously supposed.

TAX FIGHT UNITES THRIFT INDUSTRIES

About that time some disturbing elements started entering into all of our pictures. Mutual savings banks and savings and loan associations became very conscious of the fact that we had a real common enemy—an enemy which, using the taxing power of the Federal Government, had set out to, if not destroy us, certainly to clip our wings. I felt then, and I feel now, that the tax fight which was concluded this year was never an end in itself, at least in the minds of a great many of the people in the commercial banking business, but rather a means to a more basic objective. It became apparent that you and I had a lot of things in common if we were going to see anything like a reasonably satisfactory settlement of that issue.

Another disturbing fact was that it became apparent that there were some pretty slippery customers in the savings and loan business and that more and more we were receiving publicity of a type which was certainly not desirable from the point of view of a good many of us.

With that background, about 3 years ago, I happened to be one of the rather small group of savings and loan managers on whom this idea of a Federal charter for mutual savings banks was tried out. I'll be frank to say my first reaction was a very hostile one.

However, I was exposed to about as effective a group of salesmen as I have ever encountered anywhere. You will agree when I identify them. Those salesmen were Rusty Crawford, John deLaittre, and Grover Ensley. They were so effective that they made me and some other savings and loan managers examine this whole question carefully, as much as possible away from our original prejudice. We learned some things.

We learned, for example, that there were substantial degrees of difference in the operations and concepts of some mutual savings banks, that they were not nearly identical in concept and type of organization. We knew that that was true of the savings and loan business—that there were real differences in the point of view and the operation of the different savings and loans.

DIFFERENCES IN INSTITUTIONS

We learned that there are some savings and loan associations more like some mutual savings banks than they are like some other savings and loan associations, and that the same thing was true on the mutual savings bank side of the picture. This ran through a great many things, including your relations with your depositors or our members; your concept of trusteeship as related to what many of us feel is the fiduciary relationship of the directors and management of a savings and loan association. I became convinced that I could operate First Federal of Peoria under the mutual savings bank charter of a good many States and not really tell very much difference, and that a good many of your managers could operate their institutions under a Federal savings and loan charter and not really tell a lot of difference; and that both of us could operate under a Federal mutual savings bank charter, as it is conceived in the law now introduced, and not tell very much difference in day-to-day operations—that the only real difference on both sides would be a wider concept of services.

So it seems to me that, as in 1931, we have in 1962 an opportunity, a great opportunity for modernization, for renewed development, for redirection in expanded service under the Federal savings bank law as we in the savings and loan business had under the Federal savings and loan law 31 years ago.

OPPORTUNITY FOR PARTNERSHIP

It isn't often that we get an opportunity as I have had in one generation to have two chances like that. I believe that the mutual savings bank business and at least a substantial portion of the savings and loan business does have a situation in which it can and should be partners in progress, and that we also run the risk of being partners in liquidation.

There are some great forces operating in the financial systems of our country which affect that conclusion, which I'll grant is a personal one on my part. Rusty Crawford mentioned some of them. But some others occur to me.

One of them is the emphasis on national economic growth. That is not a partisan matter. It is not confined to either Republicans or Democrats. A great many people in this country—I suppose all—feel that it would be desirable if the rate of economic development in this country were more rapid. We are distressed by unemployment. We are distressed by the fact that we are not making maximum use of our economic resources.

We are convinced that there are going to continue to be efforts to do something about that, and that they will be primarily Federal efforts. To a major extent, Federal vehicles will be used to implement them.

We are confronted with great national flows of capital, and changing demands in these flows of capital. The commercial banks can adjust to those changes much more easily, much more rapidly than can we, and it seems to me important that we do what we can to be a part of those adjustments.

We are involved in the economic forces inherent in the vast movements of people on a regional basis and into urban and suburban areas within regions. They create capital demands far beyond what we have ever experienced before. This requires constant adjustment on the part of the institutions that are to serve them.

Again I return to the dynamics of trade association activity. We are confronted—and possibly the nation is assisted—by the dynamics of the American Bankers Association. That organization is a vastly different one than it was 8 or 10 years ago. You know that it is a tremendously more dynamic one represented by dynamic personalities and dynamic programs.

INFLUENCE OF THE COMPTROLLER

We see the Comptroller of the Currency taking an active part in the program for the development of the commercial banking system, more active, it seems to me, than any other supervisory authority that I have yet seen, and active in the development of the national banking system.

The Saxon report can develop a great many differences of opinion, but it's going to be referred to, and it's going to have influence. The Committee for Economic Development and its Monetary Commission have recognized the fact of change and have made recommendations as to very basic changes. Those we cannot ignore.

In connection with these changes, where they affect our system, where they affect the commercial banking system, we have a responsibility to present our concept of the public interest and to present it as effectively as we possibly can.

We see changing attitudes with regard to the merger of financial institutions. We see changing attitudes with regard to branch policies. There is no part of the financial system at which you can look without being conscious that we are being swept along by some real fundamental changes in thinking.

The question is: Will we see these changes as an opportunity, or will we be swept along blindly by them? Will we help direct them?

Part of this picture, it seems to me, lies in the nature of the commercial banking system. My opinion is that the commercial banking system is a deadly enemy of the thrift institutions, although only in part as the result of a conscious purpose of some individuals. Of course, it's perfectly obvious that some individuals in the commercial banking business seek the elimination of your type of institution and of my type of institution.

### COMMERCIAL BANK HISTORY CITED

But beyond that, it is the nature of the commercial banking business to engulf and submerge and eventually get rid of other types of institutions in the fields of activity in which that system takes an important interest. May I remind you that trust companies, beginning in the 1870's, were very important as independent types of institutions; that the national banks were not permitted to have trust departments until as recently as 1913; that very few State banks were permitted to have trust departments until after that time.

Since the enactment of that legislation in 1913, the independent trust business is no longer of any significance; it is a part of the commercial banking system.

Industrial banks, designed specifically for true consumer financing, began to be significant around 1911. Commercial banks were uninterested in the field. Subsequently they became interested and the independent industrial bank is almost gone. The possibilities of very much the same sort of development are inherent in our type of institutions emphasizing thrift and home financing.

This whole situation creates a great mutual interest between your industry and mine. We must find some more effective means of working together to take advantage of opportunities on the one hand and to protect the mutual thrift and home financing idea to which we are all dedicated on the other hand.

We can work together. The tax fight indicated that we can and that we have worked together effectively. However, it seemed to me that on a number of occasions during the past 2 years, it was really a nip-and-tuck proposition as to whether we could keep that unity of interest. To a very great extent the fact that we were able to maintain it rested on the broad and compatible personalities of a rather limited number of people on the staffs of our two great national organizations.

I hope that that will continue. But it does seem to me that it is something on which we should not wholly rely. We must be thinking of how we can make more certain that, in the great fields in which we do have completely mutual interests, we will have a vehicle—some type of organization for working together.

### LOCAL COOPERATION IMPORTANT

That question goes to other levels; it goes to the State level and it goes to the city level where there are both of our types of institutions operating together. As an old pro in the trade association field, I know that at that level the problems of working together are more difficult. You are really close to the individual, competitive problem. But I submit to you what I think is the case, that in a given city or a given State, the competition between mutual savings banks on the one hand is more vigorous than their competition with savings and loan associations, and that the competition between savings and loan associations—between themselves—is more vigorous, frequently more personal, than is the competition between the mutual savings banks and the savings and loan associations.

We find ways of having competitive institutions work together for common purposes under the same type of charter in our city and State organizations. I wonder if we can't be giving some thought to a more effective way of having those under different if similar charters work together at city, State, and National levels. Convinced as I am of the importance of dynamic trade association leadership, it seems imperative that we start evolving some way of doing that.

The last thing I'd like to visit with you about is the importance of membership in the Federal Home Loan Bank System. Not very many mutual savings banks belong. I can tell you that for every reason that mutual savings banks have for not joining the system, many savings and loan associations have had exactly the same reasons. However, over a period of time economic forces have brought membership in the Federal Home Loan Bank System almost universally, so far as savings and loan associations are concerned. I think that this might very well be true so far as mutual savings banks go.

### BANKS STAKE IN FHLB SYSTEM MEMBERSHIP

It has been suggested that you join the system to show how interested you are in the Federal charter idea. I think that's important. But I'd like to submit that there are other reasons, maybe more important, that go to the heart of the welfare of your bank and of its depositors; that go really to the immediate interests of your institutions.

All of you, like all of us in the savings and loan business, have a responsibility of providing liquidity to take care of the needs and maybe merely the willful demands of our depositors or savings account holders. All of us have, as a part of our liquidity policies, some assets which could be earning at a higher rate, except that we have to make provision for this unknown emergency.

Membership in the Federal home loan bank is not going to take that responsibility from you, but I think it can help your planning, and therefore the administration of your portfolio assets, if you do have this access to emergency liquidity. Certainly pooled access to the capital markets in an emergency is likely to be much more effective than that of the individual institution.

You, like us, have seasonal flows of money. You, like us, have times when the savings are coming in more rapidly just for seasonal reasons than the outward flow of funds in connection with your lending and investment opportunities. We, in the savings and loan business, have learned to use the Federal Home Loan Bank System to make adjustments to those facts.

You, like us, have cyclical flows. Your net inflow of deposits or savings is relatively low at a period of high mortgage and other loan demands; you must necessarily restrict the amount that you can put into earning assets at a higher earning rate than you will find at any other phase of the cycle because that's the period in which relatively your savings are down. Like us, you've witnessed the other part of that picture. When your mortgage demand and other loan demands are relatively down, and rates are relatively low, you have the most money to invest.

And you can't very well adjust it through the security portfolio because in the period when you need the money your bond accounts are selling at the lowest figures and at the period when you don't need the money, when you are investing, they are at the highest figures. That is an automatic loss situation.

This is the sort of analysis which I encountered in one of your publications some years ago. It points to the way in which we at First Federal Savings of Peoria have been using the Home Loan Bank system for a long time. It helped us to have a more productive policy in connection with our entire investment, mortgage, and security portfolios.

Membership in the bank system would make you somewhat less dependent on the commercial banking system, and I think that generally is desirable.

### BROAD APPEAL OF FEDERAL CHARTERS

Now, may I refer for a moment to the Federal charter idea. I don't know whether I have indicated strongly enough my belief that this idea is vital to the development of your business. I think it is vital to the continued development of the mutual thrift idea—either savings and loan or savings banks.

I think it is a vehicle which many of you could use. I think it is a vehicle which many savings and loan associations could use. The strength of my convictions goes to this: If the Federal charter law is adopted in approximately its present form, the First Federal Savings & Loan Association of Peoria will convert to a Federal mutual savings bank charter. That is not merely the irresponsible opinion of its president. It is the considered judgment of its board of directors, who have been kept rather constantly informed of the developments in this area; and it seems to me the benefits to the whole central Illinois area, to our members, as we call them now, our depositors as we would call them then, are so obvious that there would be no question about our members concurring in that decision should the opportunity come.

Maybe there has been some reason why the president of a little savings and loan association in the Midwest should visit with you. I know that my contact and experience with your business has been a most enlightening one to me. It has, I think, made me a better president of a savings and loan association, and—if, as the result of this conversation, I never see you again—it's been nice knowing you.

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## FEDERAL CHARTERS NOW

(Address by Morris D. Crawford, Jr., president, the Bowery Savings Bank, New York City, at the 16th midyear meeting, National Association of Mutual Savings Banks, December 4, 1962, New York City)

### MORRIS D. CRAWFORD, JR.

(Mr. Crawford, who is now in his 4th year as chairman of the committee on Federal legislation of NAMSB, has been in the forefront of activity on behalf of Federal charters for mutual savings banks since the current legislative effort got underway in the summer of 1958. He serves on the Federal Home Loan Bank Board Task Force, composed of both savings and loan and savings bank leaders, and he has worked with representatives of both industries to develop a sound legislative basis for a united nationwide thrift system.)

On October 2 and 3, a Federal mutual savings bank bill was introduced in the Congress for the third successive year. I am delighted at these tangible results of our long years of effort. In previous years, we have proceeded deliberately. Our approach has been one of caution, of probing. We wanted to test the reactions of Government agencies and of the other financial industries and associations; we were always mindful of the demands of the tax struggle; we wanted to provide time for the study of this legislation; we wanted to gather our allies; and we wanted to identify our opponents.

This process, I am happy to announce, has now been largely completed. The opinions of all interested groups have been sought. Based on the results obtained, the board of directors of the association believes that we are ready to present our case to the Congress. This belief is shared by the congressional sponsors of this legislation. They have counseled us that the legislative climate is favorable and that if we are serious and determined in our purpose—the time to proceed is now.

But even absent this generous counseling—we have only to consult the evidence of our own senses. No banker today needs a seismograph to detect the rumblings of change in the entire banking industry. The commercial banking industry is making its massive presence felt in the savings and mortgage markets. The savings and loan industry, faced with this new competitive pressure, is chafing at its narrow statutory bonds. The Comptroller of the Currency and the State supervisors are confronting one another in a controversy the results of which may change the entire profile of American banking.

Gentlemen, the winds of change have blown through banking once before in our time—the early 1930's—and while they raged, the savings bank industry rode out the gale at anchor, moored in the good ship "Status Quo." That ship is now as obsolete as the *Bounty*. We cannot afford to remain immobile this time. We can and must become part of the reorganization and modernization of the Nation's financial system through achieving our goal of Federal chartering.

In our efforts we will find that we are not alone. The Commission on Money and Credit, established to review the Nation's monetary and credit structure, has completed its studies. Its position on Federal charters is one of unequivocal support. In his 1962 economic report to the Congress, the President characterized the findings and recommendations of the Commission on Money and Credit as deserving of careful consideration by the Congress, the Executive, and the public. It is important to note that the President has established a Committee on Financial Institutions composed of 11 key members of the administration to consider changes in Federal policy that will promote stability, growth, and efficiency of private financial institutions. The Federal chartering of mutual savings banks is included in the agenda of this committee. It is hoped that the committee will favor Federal chartering of mutual savings banks when it submits its recommendations to the President shortly.[1]

### FEDERAL AGENCY SUPPORT

The Veterans' Administration and the Housing and Home Finance Agency are also in favor of Federal charters for mutual savings banks. During the last year the Federal Home Loan Bank Board, originally opposed to the bill, has now indicated its informal approval. Chairman Joseph P. McMurray of the Federal Home Loan Bank Board has stated that the task force which he appointed to advise him on a wide scope of issues has given its support to the idea of Federal charters for mutual savings banks. The Federal Reserve Board has agreed that the idea merits careful study.

We have received the support of that great American trade group, the National Association of Home Builders.

The findings of a study by an academic team at the University of Chicago strongly support the economic advantages of extending mutual savings banking beyond its present confines.

The National Association of Supervisors of State Banks, which has repeatedly emphasized its support of dual banking, will maintain, we would trust, a neutral position on this national issue.

Perhaps the most heartening development of the last 2 years has been the work of the savings and loan and savings bank exchange groups—unofficial committees composed of savings bankers and savings and loan executives. This group has worked hard and long, and in an atmosphere of growing understanding and alliance, to perfect a Federal mutual savings bank bill which would combine the best features of both our industries. I would like you to know that the Federal mutual savings bank bill now before the Congress represents invaluable contributions from our savings and loan friends. These men, although not official representatives of the savings and loan trade associations, are important figures in their industry, and they are men committed to the goal of a new, united thrift system through Federal mutual savings banks.

At this gathering of savings bankers, I do not believe that I need review at any length the merits of this legislation for our own industry and its depositors—the increased growth it offers, the greater access to national forums through which we may hope at last to be able to aid in determining the outlines of our future, the potential ability a Federal charter bill will give us to respond to oppressive supervisory practices and the enjoyment of 20th-century powers for 20th-century institutions.

### WHY FEDERAL CHARTERS

To persons other than savings bankers, however, I would also urge the support of this bill on the following grounds:

First. A system of Federal mutual savings banks would result in an increased and evenly distributed flow of savings, savings which will become the ultimate source of that capital expansion so necessary to meet the demands of our country and the competitive challenge of the Common Market.

Second. The increased availability of mortgage and other long-term credit with a consequent reduction in costs of borrowing and in regional mortgage yield spreads.

Third. The ending of restricted entry into financial markets for savings banks, which has led to insufficient savings facilities, inefficient allocation of resources, and limited credit availability.

Fourth. The introduction of new equality of competitive opportunity leading to progress for all competing financial institutions. Mutual savings banks may not be organized in 32 of our States. Recent efforts to have the merits of savings bank legislation considered in these States have been frustrated by short-sighted competitors at the expense of the public welfare. It is clear that extension can best be achieved through Federal charter legislation.

Fifth. The modernization of investment powers for other savings institutions. The savings and loan industry, over the past 30 years, has developed mature, progressive institutions quite capable of investment powers beyond the archaic confines they now must endure. The Federal mutual savings bank bill provides for the optional conversion of such institutions into Federal mutual savings banks—into banks capable of performing brilliantly their traditional role in home financing and at the same time enjoying the flexibility to provide capital to many new areas of the investment spectrum.

These reasons are at the heart of our Federal charter program. We believe in them and we are prepared to go before the Congress and defend them—now.

### CENTENNIAL OF DUAL BANKING

No talk on banking would be complete without the mention of the centennial of dual banking: In 1963, the Nation's financial industry is honoring the 100th anniversary of dual banking, that extension to banking of the Federal concept of government found in our Constitution. Dual banking provides for a system under which banks may operate under the authority of either the State or Federal Government.

Dr. Charls E. Walker, executive vice president of the American Bankers Association, has stated this analogy between our system of government and our system of banking as follows:

"Indeed, there is in my mind a close if not inseparable relationship between the dual banking system and the concepts underlying the division of powers and responsibility between our States and the Federal Government."

Expanding on the constitutional analogy, and on the system of checks and balances so basic to this Government, Mr. Robert Myers, Jr., secretary of banking for the Commonwealth of Pennsylvania, has stated:

"The dual banking system is the unique feature of American banking. It comprehends two separate and distinct systems of banks, one chartered, regulated and supervised by the States, and the other chartered, regulated, and supervised under Federal law. It is the product and result of the American plan for the division of governmental responsibilities and powers between the States and the National Government. It is in harmony with American ideals and our traditional concept of government."

It is not often so easy to find such unanimity. And that is fortunate for us, for we have always wholeheartedly subscribed to dual banking, and we demonstrate this continually by our efforts to expand mutual savings banking on a State as well as a National level. This industry joined with the State of Alaska in bringing mutual savings banking to that great area. Our committee on extension continues to give its entire effort to spreading further our State system.

### WHY NOT US?

In our support of dual banking and its benefits, we have often wondered: "Why not us?" Every other form of banking and savings institution enjoys dual chartering. There are National and State commercial banks, there are Federal and State savings and loans, there are Federal and State credit unions. Existing side by side, both systems have continued to flourish and to contribute to one another's progress. Mutual savings banking, alone, though it represents more than $40 billion of the deposits of Americans, does not enjoy membership in the dual banking system. We ask, for the benefit of the country as well as for mutual savings banks and their depositors, that our long exile from dual banking be ended—and that it be ended now.

The sponsors of the Federal mutual savings bank bill, Senator Sparkman, of Alabama; Representative Multer, of New York; Representative Rains, of Alabama, and Senator Bush, of Connecticut, recognize that dual banking presupposes that both the States and the Nation have a vital interest in the strength of American financial institutions. The independence of both necessarily means independent responsibility and so individual conclusions on how best to serve those responsibilities.

Thus, the decision of the States of Alaska, Massachusetts, and New York to regard mutual savings banking as crucial to their banking needs does not dictate that the Federal Government must decide, in its independent appraisal, that Federal mutual savings banks are vital nationally.

By the same token, the decision of other States that mutual savings banks are not needed in their banking structure should not prevent the Federal Government from making a different decision in pursuance of its own responsibilities.

This is the very essence of a dual system. It presupposes two independent judgments as to the best fulfillment of independent responsibilities. Some argue for maintenance at all costs of a delicate balance between State and National banks. They would apparently argue that the goal to be pursued is absolute agreement in the conclusions of 50 States and the Federal Government as to what response to make to banking needs. This kind of search for monolithic uniformity doesn't seem to be in keeping with a dual system concept nor with the basic economic fact that competitive uniformity inhibits progress. The most cogent presentation of this basic fact has come from the Comptroller of the Currency, Mr. James J. Saxon: "The only sense in which the duality of a banking system can be made truly meaningful is to regard the authority of each segment as separate and distinct, and not subordinate one to the other. Far from posing a threat to the duality of our banking system, this separation of power is the only means by which the dual banking system may be sustained. Under any other approach one authority would become predominant, and duality in any practical terms would disappear." And: "It is no threat to a dual banking system, but merely the natural expression of such a system, to allow the Federal and the individual State authority to be separately and independently exercised in full."

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[1] On December 14, the American Banker reported approval of Federal charters in the staff report of the committee.

### CONGRESSIONAL HEARINGS

The congressional sponsors of the Federal mutual savings bank bill have said that they will urge hearings on this bill within the next 2 months. We must support them every step of the way in what will be a long and closely contested struggle.

I want to impress on you that what is demanded of us is action now. If our years of urging Federal mutual savings banking have been only an academic exercise, then I submit we have done a disservice to our depositors and to the Nation.

This will be an exacting process for all of us, and, as the proponents, we will have to carry the burden of proof as to the merits of the bill. That proof is now being assembled by the national association's leadership and its research and legal departments. Documents substantiating our claim that economic and other public benefits can be expected to flow from enactment of the Federal mutual savings bank bill are nearing completion. They will be of primary importance at the congressional hearings.

### CALL TO ACTION

In the meantime, what can each of us do to advance the day when mutual savings banks will be permitted throughout the Nation? You have already received materials analyzing the present bill and presenting the salient arguments. The national association, in coordination with the nine State associations and with designated board members in the rest of the States, is conducting an action campaign to be certain that every Congressman and every U.S. Senator in every mutual savings bank State is well informed about our industry and its extension objectives via the Federal charter route. The materials which member banks have received furnished the basic guide lines for your communications with your congressional representation. If you need further assistance, the national association's officers and staff are immediately available to you. We must first achieve the support of Federal legislators in the 18 mutual savings bank States before we can expect anyone else's support.

When you enlist in this campaign, there will be no jobs for generals. All of us will be on the firing line. Each of us must speak to our Congressmen, our State supervisors, our trustees, our depositors, our local civic and business groups. And this campaign must begin immediately. Gentlemen, the time is now.

Mr. Speaker, the proposed legislation presents the possibility of two-way conversions between savings and loan associations and Federal mutual savings banks. Many of the specific provisions in this bill result from suggestions made by savings and loan leaders.

The most recent legislation on this subject was introduced by several of my colleagues and me in October 1962. My bill was H.R. 13318. The present bill contains a few comparatively minor changes from the form of the bill introduced in October 1962. Basically the two bills are alike and, therefore, the study given to H.R. 13318 will produce conclusions valid with reference to the new bill. As an original sponsor of this type of legislation, I recommend it highly to my colleagues. It will represent a major stride forward toward reaching maximum economic growth by providing the country with a major source of capital to finance home purchases, industrial development, and public works.

After a reasonable period of time has been afforded for study of this proposed legislation, it is my hope that the Committee on Banking and Currency will arrange for public hearings to be held later during the present session. I fully expect that these hearings in turn will lead to the enactment of a practical piece of financial legislation that will add a substantial number of thrift facilities to the present dual banking system in the United States.

Mr. Speaker, I also include a summary and section-by-section analysis of H.R. 258:

### Summary of Federal Mutual Savings Bank Act (H.R. 258)

The declaration of policy asserts that to increase the savings necessary for capital formation within the dual banking private enterprise system, Federal charters should be authorized for mutual savings banks. Thereby the vitality of State-chartered mutual savings banking will be maintained and strengthened. Home financing and business enterprise in the area where Federal mutual savings banks are located will be encouraged through new sources of long-term credit. Efficiency requires insurance of savings in federally chartered thrift institutions by a single Federal agency.

Title I provides that 5 to 21 members (who may be designated corporators or trustees) may apply to the Federal Home Loan Bank Board for a charter. The Federal Home Loan Bank Board will issue a charter upon finding that the savings bank will serve a useful community purpose, have a reasonable expectation of financial success, and will not unduly injure existing savings institutions. Federal mutual savings banks must belong to the Federal Home Loan Bank System and have savings insured by the Federal Savings Insurance Corporation. Members of a Federal mutual savings bank elect the board of directors, or a board of directors may be elected by applicants for a charter in a savings bank without members. Directors manage the savings bank. Statutory restrictions control any self-dealing by directors with the savings bank.

Savings bank borrowing is controlled by the Federal Home Loan Bank Board. A savings bank may issue passbooks or other evidence of savings, and provide for bonus accounts.

Investments authorized include among others Federal obligations, municipal obligations, real estate mortgages under specified restrictions, and corporate securities under the prudent man rule. A savings bank may also make consumer loans. It may establish branches to the extent that financial institutions accepting funds from savers on deposit or share accounts enjoy such privilege.

State-chartered mutual savings banks and State mutual or federally chartered savings and loan associations may convert to Federal mutual savings banks and vice versa. Federal- or State-chartered mutual savings banks may merge or consolidate with one another. Among other general powers, a Federal mutual savings bank may exercise in its State of location all powers of a State-chartered mutual savings bank in such State. Savings banks must be examined at least annually. The Federal Home Loan Bank Board has general regulatory authority. Provisions against discriminatory State taxation are set forth. Conservators and receivers may be appointed as provided in the bill.

Title II creates the Federal Savings Insurance Corporation out of the FSLIC and constitutes the Federal Home Loan Bank Board its board of trustees. Insurance premiums are the same as for FSLIC. A State-chartered savings bank insured by FDIC shall take with it a pro rata share of FDIC insurance reserves if it should become a Federal mutual savings bank, and thereafter ceases to be insured by FDIC.

Title III requires an annual report by the supervisory board to the President for transmission to the Congress.

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### Section-by-Section Analysis of the Federal Mutual Savings Bank Act (H.R. 258)

Section 1. Title: Federal Mutual Savings Bank Act.

Section 2. Declaration of policy: To encourage increased savings to finance new housing and other capital formation, privately managed, federally supervised mutual savings banks should be authorized to be chartered by a single agency of the Federal Government. Accounts in such savings banks should be insured by a Federal agency. Such savings banks will aid in executing the constitutional duty of the Federal Government to regulate the value of money and will provide a depositary for public money.

### TITLE I

Section 101. Definitions: The following terms are defined: "Board," "conventional loan," "doing business," "financial institution," "first mortgage," "first deed of trust," "first lien," "savings bank," "State," "State of domicile," "domiciliary State," and "thrift institution." "Thrift institution" includes Federal- and State-chartered savings and loan associations and like organizations, and Federal- and State-chartered mutual savings banks and State-chartered guarantee savings banks. "Financial institution" includes thrift institutions as so defined, commercial banks, trust companies, and insurance companies.

Section 102. Chartering: 5 signers from 21 or more individuals acting as members (usually known as corporators or trustees in the mutual savings bank system) may apply to the Federal Home Loan Bank Board for a charter. The Board will issue a charter when it finds the savings bank will serve a useful community purpose, enjoy reasonable expectation of financial success, and in operation will not unduly injure thrift institutions or commercial banks accepting savings deposits. Savings banks so chartered must have the words "Federal," "savings," and "bank" in their titles. Each must become a member of the Federal Home Loan Bank System, and have deposit insurance with the new Federal Savings Insurance Corporation, successor to Federal Savings and Loan Insurance Corporation.

Section 103. Members: Qualifications for members are prescribed. They serve for staggered terms of 10 years (They elect directors.)

Section 104. Directors: Qualifications for directors, who manage and control the savings bank, are prescribed. They number from 7 to 25 and hold office for staggered terms of 3 years. Controls over self-dealing by directors with the savings bank are specified.

Section 105. Commencement of operations: Savings banks must qualify as insured banks in FSIC before commencing operations, and must maintain such status to continue operations. Before operating, a cash expense fund satisfactory to the Board must be raised by sale of transferable deferred payment certificates.

Section 106. Reserve fund: Before obtaining a charter, a savings bank must also have in cash an initial reserve fund of at least $50,000, evidenced by transferable deferred payment certificates. The reserve fund can be used only to meet losses. The savings bank may retain additional reasonable amounts for any corporate purpose.

Section 107. Borrowing: A savings bank may borrow funds subject to Board regulation.

Section 108. Deposits: A savings bank may handle usual passbook savings accounts and bonus accounts. It may decline or repay deposits at any time. Interest on savings may be paid as approved by directors. The savings bank may invoke up to a 90-day advance notice of withdrawal. The board may extend this period in an emergency. FSIC may take action necessary to make a savings bank sound and solvent either before or after closing.

Section 109. Investments: A savings bank may invest in Federal obligations, municipal securities, property improvement loans, certain Canadian obligations, World Bank obligations, Inter-American Development Bank obligations, first mortgage loans on real property under specified restrictions of dollar amounts, class and loan, maturity, loan-to-value ratio, and geographical limits. Broad participation powers are granted. Savings banks may also invest in bankers' acceptances, corporate securities under the prudent man rule plus stated restrictions, obligations of mutual savings banks, and certain promissory notes, both secured and unsecured.

Section 110. Branches: With Board approval, a savings bank may establish in-State branches only to the extent any savings institutions can. The Board must first make findings required for issuance of a charter. A savings bank resulting from conversion, consolidation or merger, may retain existing offices and unexercised branch rights.

Section 111. Conversion: With Board approval and subject to new charter provisions, any thrift institution may convert into a Federal mutual savings bank, under specified procedure, but not in contravention of the laws under which the converting institution is organized. Minimum requirements for members and directors are excused for a savings bank formed by conversion. The Board must find the converting institution can observe the duties and restrictions of Federal mutual savings banks, and conform to this act's requirements. A converted savings bank may retain and service all accounts and assets lawfully held on the date of conversion.

A Federal mutual savings bank may convert into any nonstock thrift institution, with approval of the authority regulating the resulting institution, and consent of FSIC. Any resulting savings and loan association shall have its share accounts automatically insured by FSIC.

Section 112. Merger and consolidation: Federal mutual savings banks may merge or consolidate with each other or with in-State, State-chartered mutual savings banks. State approval is required if the resulting bank is State chartered; Board approval if the resulting bank is federally chartered. The Board must consider the act's purposes, the prospects for financial success, and ability to meet the duties of and restrictions on a Federal mutual savings banks. Corporate existence of the combining institutions continues in the resulting one, and rights and obligations are transferred to it pursuant to terms of the merger or consolidation agreement.

Section 113. General powers: Express operational powers are granted to Federal mutual savings banks. Included is authority to exercise all powers of State-chartered mutual savings banks in the same State. Powers reasonably incident to express powers are also conferred.

Section 114. Examination: Annual examinations by the Board are required with expenses assessed to cover costs. The Board may conduct additional examinations.

Section 115. Regulatory authority: The Board is granted general regulatory authority and supervision over Federal mutual savings banks.

Section 116. Taxation: No State shall tax Federal mutual savings banks more than the least onerous tax on any other local financial institution. No State other than the domiciliary State shall tax such savings banks for transactions in the State that do not constitute doing business, but foreclosed properties are subject to ad valorem or income-on-receipts taxes.

Section 117. Conservators and receivers: The Board by resolution shall state any alleged violation of law or regulation and notify the Federal mutual savings bank involved. The bank has 30 days to cure the defect, else the Board shall give 20 days notice of charges and of a hearing by an examiner as provided by the Administrative Procedure Act. The Board is given subpena powers enforceable by the U.S. District Court. Appeal lies from the Board decision, with court review based on the weight of evidence.

When notice of the alleged violation is given, the Board or the savings bank may within 30 days apply to the U.S. district court for declaratory judgment and injunctive relief. The court may enforce Board orders on request. The Board is made subject to suit and may be served through any of its agents and registered mail at its District of Columbia headquarters.

On giving notice of an alleged violation, the Board may issue a cease and desist order effective until the end of the hearing and enforceable by the U.S. district court. The Board can't bring charges on an act over 2 years old or known to the Board over 1 year. Charges must be dismissed if the Board doesn't adjudicate them within 1 year after they are filed.

Grounds for conservatorship or receivership are violation of an order or injunction final because time to appeal has expired or an unappealable order or impairment of capital. On such a ground the Board shall petition the U.S. district court for a conservator or receiver. With savings bank consent, the court may name either one without notice or hearing.

In any event, the court may appoint a conservator after notice and hearing. The person appointed as temporary or permanent conservator must be a Board officer or agent.

If liquidation seems necessary, the FSIC shall be named receiver, and may liquidate the savings bank in addition to having all powers of a conservator.

A temporary conservator may operate the savings bank as in normal course of business, subject to court limitations. A conservator may also reorganize the bank or organize a new savings bank or merge the bank with another savings bank or sell its assets.

Remedies in this section are exclusive. Orders or injunctions expire within 3 years unless extended for cause. Savings banks in custody continue to make reports and the Board must give Congress detailed reports of seized savings banks and of general enforcement under this section. Savings bank officials may contest any proceeding and be reimbursed from bank assets.

In an emergency, the U.S. district court ex parte and without notice, upon Board petition, may name a temporary conservator. The petition under oath must allege facts requiring prompt action to prevent irreparable injury. The Board must promptly proceed to correct the alleged defects or move to appoint a conservator or receiver. The temporary conservator must be removed when the defect is cured or the motion for a conservator or receiver has been adjudicated.

### TITLE II

Section 201. Federal Savings Insurance Corporation: The name of the Federal Savings and Loan Insurance Corporation is changed to the Federal Savings Insurance Corporation. The Federal Home Loan Bank Board, as the board of trustees for FSIC, is given power to manage its affairs, and the chairman of the board of trustees has the same type of powers he has as Chairman of the Board. Federal- and State-chartered mutual savings banks are made eligible to apply for FSIC insurance, and shall pay the same insurance premiums as do savings and loan associations insured by FSLIC. Federal mutual savings banks cannot voluntarily withdraw from insured status with FSIC.

Section 202. Transfer of funds from Federal Deposit Insurance Corporation. When a State-chartered mutual savings bank insured by FDIC becomes a Federal mutual savings bank by conversion, merger or consolidation and becomes insured by FSIC, it takes with it a pro rata portion of FDIC insurance reserves calculated according to a formula based on assessments the savings bank has paid to FDIC. Amounts so transferred go to the primary reserve fund in FSIC. With the transfer the savings bank ceases to be insured by FDIC, but outstanding obligations to all parties are protected. The same procedure applies to a State-chartered mutual savings bank choosing to change deposit insurance to FSIC from FDIC.

Section 203. Miscellaneous: FSIC is made subject to Budget Bureau control, as is FSLIC.

### TITLE III

Section 301. Annual report: The Board must submit an annual report of its operation to the President for transmission to Congress.

Section 302. Separability: The rest of the act stays valid even though a provision or its application to any person or circumstances is held invalid.

Section 303. Right to amend: Congress reserves the right to alter, amend, or repeal this act.

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## Ukrainian Independence Day

EXTENSION OF REMARKS

OF

## HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 21, 1963*

Mr. RHODES of Pennsylvania. Mr. Speaker, I am proud to join with Americans of Ukrainian descent in celebrating the 44th anniversary of Ukrainian Independence Day and in paying tribute to these freedom-loving people who have a history of a great struggle for independence.

Their dedication to the principles of freedom and the dignity of the individual, in the face of the oppression to which they have been subjected, is a shining example to all of us in our efforts to see that every country has the right to determine its own form of government.

To those of us who are free, the flame of Ukrainian liberty should renew our desire to maintain and strengthen the cause of freedom everywhere.

It is a pleasure to join my colleagues in commemorating the 44th anniversary of Ukrainian Independence Day and to assure the captive people of that country that we in America join in their prayers and hopes that freedom will again shine in their land and they will be given the opportunity for a free and just form of government.

# SENATE

## Tuesday, January 22, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

Rev. Joseph J. Fedorek, rector, St. Michael's Ukrainian Catholic Church, Shenandoah, Pa., offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost. Amen.

Almighty, all loving and eternal Father, we, Thy children, offer our profound gratitude for the abundant blessings Thou hast bestowed upon America and her children.

We beseech Thee, our Creator, to look favorably upon our beloved President, John Kennedy, and to guide, strengthen, and assist him in the arduous duties and obligations that daily confront him.

Bless and sustain our Vice President, Lyndon Johnson; grant wisdom, understanding, and courage to the Members of this 88th Congress.

Merciful Father, we recommend to Thy clemency the souls of the heroic dead of our Armed Forces. Hold not against them any of their iniquities, but grant them eternal rest with the company of Thy saints in heaven.

Cognizant and deeply grateful for the freedoms which we enjoy in these United States of America, we pray to Thee, our Heavenly Father, for all enslaved peoples and nations, whose names and sufferings are invoked in the Captive Nations Week resolution enacted by Congress.

Our Father, in whose image we, Thy children, have been created, Thou hast instilled in our hearts at birth the desire to live as free human beings. We implore Thee today, on the 45th anniversary of the independence of Ukraine, to turn Thy benevolent countenance on this enslaved nation and her children and to sustain them with hope—they who were the first to feel the lash of liquidations and inhuman tortures of the Kremlin.

O God, in spite of the many crosses borne by Thy Ukrainian children behind the Iron Curtain, yet, they are sustained in their faith, recalling the Good Friday endured by Thy Divine Son, prior to His glorious resurrection on Easter Sunday.

May the end be in sight of the Good Friday being endured by the Ukrainian nation. May its resurrection as a sovereign nation be swift in coming to pass, we pray and beseech Thee, through Jesus Christ, our Lord, Thy Son, who with Thee liveth and reigneth in the unity of the Holy Ghost forever. Amen.

In the name of the Father and of the Son and of the Holy Ghost. Amen.

### THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 21, 1963, was dispensed with.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

### TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

### THE LONGSHOREMEN'S STRIKE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that because of the present importance of the situation in connection with the dock strike, the distinguished senior Senator from Oregon [Mr. Morse], the Chairman of the Board set up by the President to look into that matter, be permitted to address the Senate for 15 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, is it necessary that a limitation on the time available for that purpose be imposed? I think the Senator from Oregon should be permitted to proceed for as long as may be necessary.

Mr. MANSFIELD. If additional time is necessary, we shall request it.

Mr. RUSSELL. However, I do not think any limitation should be set.

Mr. MANSFIELD. Very well. Then, Mr. President, I make the request without any time limitation.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSTON. Mr. President, the Senator from New York [Mr. Javits] spoke to me; and I believe he has a request along the same line to make.

Mr. JAVITS. Mr. President, I have talked to the Senator from South Carolina; but I am glad to defer to our friend, the Senator from Oregon [Mr. Morse], who has rendered such outstanding service. I thank the Senator.

The VICE PRESIDENT. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I do not rise to make an official report on the longshoremen's strike. I rise only to present certain facts which should be stated publicly, so that the parties to the strike, who probably this afternoon will make a final decision as to what will be their course of action, will have a public record of the facts, which I propose to give at this time, in behalf of my unanimous Board.

Before I turn to the presentation of those facts, I wish to say to the majority leader [Mr. Mansfield] that I deeply appreciate the kind remarks he made yesterday on the Senate floor, during my absence, in regard to my work in connection with the dock strike. Naturally, I appreciate his kind remarks. I only wish to say to him that the strike has not yet been settled; and I hope only that the final result will justify at least the words spoken by the Senator from Montana [Mr. Mansfield], the majority leader, in behalf of my Board.

Mr. President, I wish to say to the Senate that I speak for a unanimous Board; and I could not have been associated with two more able men in the field of labor mediation work in this country than Prof. James Healy, of Harvard University, and Mr. Theodore Kheel, of New York, who is a standing arbitrator, as we know, in a series of major industry contracts in this country.

Mr. President, it is to be expected that in a dispute as complex as this one and of the nature of this one, there would be many misunderstandings in regard to some of the facts involved.

In the press today—for example, in an editorial published this morning in the Baltimore Sun and in other editorials and in certain newspaper articles—it is claimed that the proposed settlement of the Board is a package proposal of 39.9 cents, and that the settlement of the Board pierces the ceiling of the anti-inflation policy of this administration. Mr. President, speaking in my capacity as Chairman of the Board, and in behalf of the Board, I wish to state publicly at the present time that the figure of 39.9 cents is completely inaccurate. After all, one cannot change the law of mathematics; and 23½ cents plus 13½ cents equals 37 cents, and the package proposal is a 37-cent proposal. The figure 39.9 cents emanates from representatives of the Shipowners Association; but they are completely mistaken, and we have told them so, and they have failed to submit to us any addition that raises the figure beyond 37 cents.

I ask unanimous consent to insert at this point in the Record the exact breakdown to the Board's proposal.

There being no objection the tabulation was ordered to be printed in the Record.

*North Atlantic longshore mediation proposal*

[In cents]

| | Changes, 1st year | Increased cost of 1st year over existing contract | Changes, 2d year | Increased cost of 2d year over existing contract |
|---|---|---|---|---|
| Wages (present base is $3.02) | +15 | 15 | +9 | 24 |
| Pensions | 4 | 4 | +5 | 9 |
| Catchup [1] | (+3) | (3) | (0) | (3) |
| For new benefits | (+1) | (1) | (+5) | (6) |
| Health and welfare | +2½ | 2½ | 0 | 2½ |
| Clinics | +2 | 2 | −2 | 0 |
| Holidays | 0 | 0 | +1½ | 1½ |
| Total | +23½ | 23½ | +13½ | 37 |
| Wages | +15 | 15 | +9 | 24 |
| Fringes | +8½ | 8½ | +4½ | 13 |
| Fringes less catchup | +5½ | 5½ | +4½ | 10 |

[1] Necessary to make old schedule of benefits actuarially sound.

**Mr. MORSE.** Mr. President, as to the alleged breaking through of an anti-inflationary program—and, likewise, that allegation is not a correct one—I make this statement: At the joint meeting of the shipowners and the longshoremen, at the Commodore Hotel, in New York City, on Sunday night, when we made this last offer to the parties, we said, "We come before you as your servants; we come before you as pleaders; we come before you in no capacity other than to urge you to recognize that both sides to this dispute have the responsibility of being responsive to responsibility, and the great responsibility of the two sides to this dispute is to be responsive to the responsibility of promoting the national interest in this critical hour of economic crisis."

In a moment I shall read the very brief statement this unanimous Board made to them on Sunday night—pointing out that, after all, the national interest and the facts supporting the national interest are paramount.

Mr. President, we have not broken any anti-inflationary ceiling. The wage increase proposed in this case was less than 4 percent. We must keep in mind the fact that under the anti-inflationary program it is understood that in all labor negotiations and mediations consideration shall be given to inequities. We take into account wage increases which are necessary to raise wages to the point that the cost of living is taken care of. Then we have to take into account increases necessary to do reasonable justice in connection with existing inequities within an industry.

So I wish to stress those two points in regard to the latter subject of the total cost of the package and what it proposes to rectify. I wish the American people to know that the wage increase recommended by the Board in this case amounts to less money than the longshoremen on the west coast received in a recent settlement of their dispute under the anti-inflationary policies of the present administration. I wish the American people to know that the wage increase allowed in this case is less than the wage increase that the seamen who take the cargo away from the docks received in a very recent settlement of their dispute. I wish the American people to know that the wage increase proposed in this case is less than the wage increase that the truckers who take the cargo to the docks received in a recent settlement of their labor difficulties.

I wish the country to know that the wage increase proposed in this case is less than the wage increase that a considerable number of unions in the economic area of the dispute—Greater New York—such as the construction industry, have received in recent weeks in the settlement of their disputes.

The Board was at all times fully cognizant of the anti-inflationary policy of the present administration. We are in support of that policy, and the recommended settlement does not violate that policy.

The newspaper stories and editorials also seek to give the impression, or openly charge, that the package proposal which the Board has recommended to the parties is much nearer to the proposals of the longshoremen than to the proposals of the employers. If that were true—which it is not—I would say it is completely irrelevant. Certainly a board of mediation is not going to make its recommendations on the basis of any principle that we are going to have to cut the melon right in half. That statement leads me to point out that the responsibility of the board of mediation, in contrast to the responsibility of a board of arbitration, is to do what it can to lead the parties to conscionable compromise of their differences, keeping in mind the paramount public interest, or, in this case, the national interest.

So the Board made very clear from the first day of the proceedings—and both sides attempted to place us under this restriction—we were not going to listen to any mandate from the parties that we would have to follow some particular course of action that would turn us into special pleaders of their side of the case.

How well I remember the first day of our session when we met with the union negotiators. I point out that we had to negotiate with a negotiating committee of 125 union delegates. I suggest that Senators try that some time. Those delegates comprised a committee that large, representing many locals, each local seeking to get for itself something that some other local might not get. If Senators believe that there is unanimity of demands in a case which involves a labor dispute stretching from the top of the New England States to Hampton Roads, Va., then they are mistaken, because in all these various areas within the region there are special demands and special interests.

So at the first union meeting we had a speech made by the chairman of the labor negotiating committee which lasted for about 30 minutes. In my judgment it was a speech that, had we accepted its premises, would have destroyed any possible effectiveness of the Mediation Board.

I am free to make the following statement: I think Senators will enjoy its implications. When that union leader finished, I had to rise, of course, to speak for the Board of which I was Chairman and, in this instance, defend the Board's prerogatives. At that time I good naturedly said, "If I were Teddy Gleason, chairman of the negotiating committee for the union, I think I might have made that speech. Or if I were Alex Chopin, chairman of the shipowners' negotiating committee, I might have made the speech that I heard him making about 45 minutes ago upstairs when we appeared before about 25 negotiators for the shipowners. But I do not happen to be either one. I happen to be Chairman of this Board, and, speaking for a unanimous Board, I want to talk to both sides about the obligation of being responsive to responsibility. I wish to lay out the framework of the rules of this mediation."

I said, "Mr. Gleason has pointed out here with great emphasis that no one in the Government—no one who has been involved in this case up to this time—has said that there is anything unreasonable about any of the demands that the union had made for these many months in this case. I want to ask him, 'What has that to do with this case?' "

I said further, "We have now reached the place—and I wish to stress this point as a problem which confronts mediators—in which the question of reasonableness of the demands of either side is not controlling, for there are a great many demands made by both sides which, in an arbitration, would be perfectly reasonable, but which the Board is going to have to discard completely from this case because they would take weeks to analyze from the standpoint of their economic merits or demerits. We are going to have to take your old contract, and we are going to have to look at the major issues which separate the parties. The major issues happen to be money issues. Finally, by midnight Sunday night, we are going to give you our last offer. It will be up to you, then, to decide whether or not you wish to accept or reject that offer, for we will leave Monday morning at 7:30 to lay the matter before the President.

"We will not appear before you Sunday night to defend our proposals, but to recommend them to you. But let me make very clear to both sides in this dispute that once we make them and return to Washington, we shall defend them to the hilt."

No board could have made clearer to the parties what its position was to be.

PROPOSED SETTLEMENT CLOSER TO EMPLOYERS

A point which is irrelevant, but is being played up in the press, is in relation to the subject of whether or not the final money package proposal of the board of 37 cents for the next 2 years is nearer the longshoremen's or the employers' proposal. On that subject I should like to put into the RECORD the exhibit of the employers in regard to the union demands. In regard to those demands the employers said the union at no time receded, but that the union had laid down these demands, and they took the position, "Take it or else."

I ask unanimous approval to insert this exhibit in the RECORD at this point.

There being no objection, the exhibit was ordered to be printed in the RECORD, as follows:

*Union demands as of Jan. 6, 1963—Additional costs per straight-time hour above. Current expenditures on wages and fringes*

[In cents]

| | 1st year | 2d year |
|---|---|---|
| Wages [1] | 15.0 | 26.0 |
| Pensions [2] | 9.0 | 9.0 |
| Welfare (including major medical)[2] | 8.0 | 8.0 |
| Clinic | 3.0 | 3.0 |
| 4 new holidays (plus new rate for 8 holidays) | 7.3 | 8.0 |
| 4th week vacation (plus new rate for existing vacation)[3] | 6.1 | 7.1 |
| 8-hour day | 32.6 | 33.5 |
| Total straight-time cost [4] | 81.0 | 94.6 |
| Additional overtime costs plus payroll taxes, insurance, etc | 5.0 | 8.5 |
| Total | 86.0 | 103.1 |

[1] Since 25 percent of all man-hours worked are overtime hours, the 15-cent wage increase would actually amount to 17 cents the 1st year, and the 26-cent increase the 2d year would cost 29.25 cents.

[2] Union accepts a figure submitted by Prof. James Healey as being accurate but demands employers must guarantee contributions on the basis of 43,000,000 man-hours a year.

[3] Assume 4th week of vacation applicable to men with 15 years of service and that 13,500 men would qualify.

[4] All annual costs were divided by 41,000,000 man-hours to get an accurate cents-per-hour cost.

**Mr. MORSE.** I say to the country that in all of our mediation the union stood by these demands. This is the employer's exhibit as to the cost of those demands. For the first year they add up to 86 cents an hour. For the second year they make a total package cost, for the 2-year contract, of $1.03, or in round numbers, the union asked for, stood for, struck for, and refused even to sit down in negotiations for less than, $1.03 an hour for a 2-year contract. The Mediation Board has made a recommended settlement of 37 cents.

Therefore, I say, if it were relevant, the fact is our proposed settlement is much nearer another figure in regard to which the employers were equally adamant—22 cents.

There was this great differential between 22 cents and $1.03, and the recommendation of the Board is 37 cents.

In fairness to the Board, I wish to say it really is not 37 cents, but is less. It is 37 cents in the sense that there will have to be a payment that amounts to 37 cents.

This is a contract which involves substantial outlays for pensions. The pension in this industry has been a pension which is supposed to produce $85 a month. The pension funds are administered jointly by an equal number of shipowner trustees and longshore trustees. It is admitted by both sides that the Board found that the pension fund has been administered on an unsound actuarial basis. The fund is at least 3 cents per hour actuarily unsound. That is really nearer to 4 cents per hour, but we have used the figure of 3 cents throughout all our conversations with the parties. They admit it.

There is on my Board one of the leading authorities in the entire country on pensions and welfare funds and health benefit funds, Professor Healy, of the School of Business Administration of Harvard University. I say without fear of successful contradiction, "You cannot produce a single member of the employer negotiating committee or of the union negotiating committee who will not agree with what I have just said." Their respect for him was very high. He spent hours with them in the mediation, going over the pension figures. Their respect for him was so high that when they finally came to us, as a full Board, to state their position in respect to this fund, both sides said that they were unanimously of the opinion that it would take between 3 cents and 4 cents per hour to make this fund actuarily sound.

No mediation board could deny that sum, because the pensioners' rights are at stake, and no industry and no union would have any moral right to be maintaining a pension fund which was not actuarially sound, because, if they knew it was not actuarially sound and continued to maintain it on that basis they would be guilty of moral deception. None of these people want to continue an actuarially unsound pension plan, so they recognized and agreed we had 3 cents tied around our necks to begin with, so far as the mediators were concerned, as a stone around our necks so far as the settlement was concerned, because we could not start with zero. We had to start with 3 cents, for the fund had to be made actuarially sound.

From that standpoint, only in the sense in which I am discussing it, Mr. President, it is necessary to take that 3 cents off the 37 cents, so in fact there was a 34-cent package.

One of the most bitter controversies between these parties is a controversy over the funds for clinics in the Greater New York area. They maintain diagnostic clinics. They pay 6 cents per hour to maintain these diagnostic clinics. The clinics do not provide health service, other than diagnosis. If a longshoreman goes to the clinic, the doctor there will take X-rays and examine him, and he might say, "You had better get to the doctor fast. You must have a gall bladder operation." Or he might say, "You must have major surgery in some other respect." So the longshoreman would leave the clinic, which the union and the employers have been supporting, and go to his doctor. That doctor will not accept the diagnosis. He will repeat the procedure. He will repeat the X-rays. He will repeat all of the expenses of the diagnosis.

So we found there was gross inefficiency and waste in the whole clinic and health program of this union. As I said to the press yesterday, I repeat on the floor today. We did not find a scintilla of evidence that supported some charges that there was dishonesty and corruption and misuse of funds, but we found waste and inefficiency. The health program and the clinic program should be jointly administered; they should not be separated.

Our mediation proposal proposes that the parties hire a recognized authority or authorities. I can tell Senators now, without naming them, there is agreement as to whom those authorities should be. They will be either one or two, and I hope two. They will be men from the College of Medicine of Columbia University in the Department of Administrative Medicine. Columbia University Medical School is doing pioneer work in this whole matter of the administration of medical benefits of pension and health and welfare funds.

I do not have any doubt, Mr. President, that if this proposal of ours is accepted by the parties they will select one of these men to make recommendations to them for the elimination of waste in this fund. Mr. President, that will save millions of dollars, and we allowed 2 cents for the first year. I ask Senators to note this fact. We allowed 2 cents for the first year, to still go into the clinic fund, so that they can proceed with this investigation of the administration of the clinics. But at the end of the first year that payment of 2 cents will cease, and they will return to their present contribution of 6 cents. So when we look at the 2-year contract, this means there will be a further reduction from the 37-cent package of 1 cent, for at the end of the first year the 2 cents will disappear. That will bring the total package down to a 33-cent package.

I only mention this because in fairness to my Board I think it is unfortunate that these news stories are going out that my Board has recommended a 39.9-cent package, when in reality it could be justifiably said it is a 33-cent package; although I am perfectly willing to stand on the addition of the figures, which add up, at least at the beginning, to 37 cents.

Now, my friends in the Senate, in the House, and in the country, let me point out that this is a mediation-proposed settlement, and not an arbitration settlement. A lot of notions seem to be around that, if these matters could only be arbitrated, it would cost less. I stand before you as an old arbitrator today and tell you that, in my judgment, if this case had gone to arbitration, it would cost the employers at least twice the 37 cents, and that would be a gross understatement.

Arbitration settlements are quite different from mediation settlements. In arbitration one does not say to the parties, as I said the other night, "What does the question of whether or not your proposal is reasonable have to do with the settlement of this case? We have to look at all the proposals to strike a conscionable compromise, and that conscionable compromise will not necessarily have anything to do with the reasonableness of any single proposal."

But if one is an arbitrator, he acts as a judicial officer. If one is an arbitrator, he decides each issue on its merits. If he is an arbitartor, he renders a decision by applying the rule of preponderance of evidence to the case that the parties make by way of proof as to each issue.

Just take a look at this question for a moment and Senators will see what I mean. We declined to consider a long list of demands of both the employers and the union that, if the matter had been arbitrated, would have had to be considered on their merits and a decision rendered on the merits. We threw out of window the question of the 8-hour day. An arbitrator would have had to consider it.

Senators know the kind of appeal this union has been making on an 8-hour day, but, in our judgment, an 8-hour day should not be considered by this board, for this is an industry of casual employment. The employers said that if we rendered a decision on an 8-hour day, it would require an increase of 32 cents an hour. We did not even consider it.

I am not saying an arbitrator would have granted it. An arbitrator might very well have granted some adjustment on this matter. But the employers would have certainly run an entirely different kind of risk if they had been involved in arbitration rather than mediation.

In a labor dispute such as this, certain issues take on great emotional appeal among certain groups. Let us take the no-cancellation-Monday-work decision. A longshoreman is ordered to work on Monday. This applies only on Monday; it does not apply on Tuesday, Wednesday, or any other day, but only on Monday. The longshoreman is told to be down at the dock to unload the *Queen Elizabeth* Monday morning. The longshoreman reports to the dock on Monday morning, and he finds that the *Queen Elizabeth* got hung up on the narrows and did not even get to dock, and will not be there until Tuesday morning. The longshoreman does not receive even his subway fare, and he may have traveled 20 miles to the dock. He does not get a cent for reporting on Monday morning.

I said to the shipowners, "What do you think would happen in an arbitration on that issue?" I do not think we have to use our imagination.

We threw that question out the window because we said it is past practice and it is not our business to rewrite all these contracts in their ancillary details.

I make this point only because some of the information being broadcast in this country seeks to give the impression that these parties would have been better off with arbitration than with mediation. I repeat, it is an understatement when I say there would have been a cost involved, at a minimum, of twice the 37-cent package we have offered.

I am about to close by repeating, for the benefit of the country, because public opinion is now in no small measure the final determiner of this dispute: We have done our best to get the parties to be responsive to responsibility.

But, on behalf of my Board, I want the country to know what we said to the parties Sunday night from the standpoint of the right of the public to have this case settled and settled now. I read this statement by the mediators:

STATEMENT BY THE MEDIATORS

> It is imperative that this dispute be settled quickly. The impact of the strike extends far beyond the parties immediately involved. The economic well-being of the country is being seriously impaired, innocent parties irreparably harmed, and the economies of many of our allies in the free world injured.
>
> Several million Americans owe their livelihood to foreign trade, much of which has stopped, impairing jobs as well as our vital dollar balance. Millions of dollars are being lost daily; tens of thousands of American workers have lost jobs. Others face unemployment unless shipping is resumed at once.
>
> Five hundred and fifty-six ships are tied up due to the strike. One hundred thousand longshoremen and American and foreign seamen are idle in our ports. There is an estimated 20,000 boxcars backed up along the Atlantic and gulf coasts. Ten thousand truck drivers in the New York area alone are without work.
>
> A shortage of raw materials, such as jute, wool, and other materials, has caused plants in many parts of the country to cut production and lay off workers. The prices for foods and many other imported commodities have increased. The supply of sugar is running short immediately threatening the jobs of 10,000 refinery workers.
>
> The pinch is being felt in Puerto Rico where unemployment is increasing daily.
>
> These are but a few of the very many economic disjointures caused by this maritime tieup. Therefore, the Board urges the parties to reach whatever understandings are necessary so that the ships will start moving at the earliest possible moment.
>
> It is against this background that we have advanced our proposal to assist the parties in reaching an agreement. This proposal has grown out of our mediation efforts. It is based on extensive discussions with the parties and information they have supplied us.
>
> Our recommendations on wages and fringe benefits necessarily take into account inequities existing between employees in this industry and those in other related industries and area groups.
>
> We wish, however, to emphasize our strong belief that the capacity of this industry to support wages and benefits to which the employees are entitled cannot continue without serious impairment in the absence of marked improvements in manpower utilization. It is for that reason that the Board calls to the attention of the parties the importance of implementing at the earliest possible date the findings growing out of the manpower study.
>
> We wish, also, to emphasize the dual scope of the study in its related aspect of job security, since this is of critical importance in connection with the elimination of inefficient manpower utilization.

I close by saying to the shipowners, "You have this afternocn the responsibility of being responsive to the national interest. In a mediation settlement, both sides are never completely pleased."

I say to the shipowners from this floor, as I said to them during the mediation, "There is great merit in your concern about the failure of this union to give you the most efficient utilization of manpower on the docks in the solution of the make work program." I said to them, "I speak as the one who handed down the first maritime award in that respect in the maritime industry against make work programs on the docks of America. The make work programs can never be justified. Every shipowner knows that that is the position of the members of this Board."

I said, "However, you cannot arbitrarily set 'job use' programs." There is provided in this settlement a study to be made by the Secretary of Labor into every facet of job utilization on the docks, with a request that the parties seek to negotiate a modification of the agreement as soon as these findings are made available to the parties.

Any refusal to negotiate a modification of contracts would result in the setting up of a neutral board, which would conduct formal hearings and give the shipowners the opportunity to present their proof, in a formal hearing on the make work programs on the docks, and give the union an opportunity to defend their present work practices. This neutral board would then make recommendations for work rules.

However, I said to the shipowners, "You cannot justify in the national interest refusing to accept this proposed mediation settlement and to keep these ships tied up to the national detriment and against the economic interest of the country."

As I said to them in the mediation conference, from the standpoint of the time element, they are much better off in getting those ships moving on the basis of this mediation proposal than to wait for the weeks that it will take and the millions of dollars of further losses that will result, in some hope that they will be able to exercise the necessary political power in the determination of the manpower issue.

I plead with them, as I did in New York, not to draw that issue at this time, because the American people are entitled to have their ships put back to work, as the longshoremen indicated they are willing to go back to work, until in future developments we can work out, on the basis of the establishment of proof in regard to the facts, a better solution of the manpower issue in the ports.

I wish to say to them again, "You put the board in a very difficult position when, in the mansion of the mayor of New York, before the board got into the issue, a powerful and prominent shipowner made the suggestion of a 35-cent settlement, even though he had added, 'I want something for my 35 cents.' "

I said, "The moment that word hit the docks, so to speak, that a major shipowner was willing to settle for 35 cents, did you think they were going to talk about the conditions? Did you tell them what the shipowner had said about what he expected in connection with his proposal?"

I want the country to get a great deal for this 37-cent proposal, and it gives them a great deal.

The time has come for all involved to relax their visceras and to let their intellects take over. They should recognize that all of us have a responsibility for being responsive to the great national welfare responsibility.

I am sorry that I have taken such a long time, but in fairness to my Board and to my President and in fairness to the Department of Labor—and we are all greatly indebted to the great industrial statesmanship of the Secretary of Labor, Mr. Wirtz, and the Assistant Secretary of Labor, Mr. Reynolds—and in fairness to the national interest, that this had to be said.

We on the mediation board knew when we took the assignment we would be fair game, so to speak. We are always willing, as I said to the parties involved, to serve as scapegoats, if it will help them in their negotiations with their principals.

Although I say again that this is a fair proposal, we are prepared to defend it to the hilt. That means that we would be willing to open up all the windows to this dispute and to open all the economic facets involved in this dispute, including some economic facets close to the hearts of the American shipowners and American workers.

I apologize for having taken so much time, but I considered it to be my duty to do so.

Mr. JAVITS and Mr. HOLLAND addressed the Chair.

The VICE PRESIDENT. Does the Senator yield; and if so, to whom does he yield?

Mr. MORSE. I have received permission to speak for an indefinite time. If I yield, I believe the same understanding should apply to both Senators. If I may do so, I will first yield to the Senator from New York and then to the Senator from Florida.

Mr. HOLLAND. I did not rise to make a request that the Senator yield to me. I rose to suggest the absence of a quorum so that Senators who are conducting the course of the matter before the Senate may return to the Chamber.

Mr. MORSE. Will the Senator permit me to yield to the Senator from New York?

Mr. HOLLAND. If the same agreement under which the Senator has spoken is understood to apply.

Mr. MORSE. Let us find out from the Parliamentarian what the situation is.

The VICE PRESIDENT. The Senator may yield for a question.

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. I should like to ask the Senator a question, because he has just rendered a signal service to the city of New York and to our metropolitan community as a whole in undertaking this great responsibility, which we feel he has carried off very well indeed.

I note also that another strike is pending in the New York area, namely, a strike against the newspapers. It deeply affects all of us, and some feel that eventually that strike may have to be submitted to a similar method of settlement.

I should like to ask the Senator from Oregon whether he feels, from his experience with this kind of mediation procedure—generally it is thought that in a mediation one sits down with the parties and have them get together, but do not find facts and make recommendations, as this Board did—in other words, does the Senator feel that this technique can be very useful in solving the problems plaguing the country, and can materially help in similar situations, in place of the proposal of some persons, for drastic arbitration or compulsory arbitration, or the application of antitrust laws to labor, which I do not favor?

From the Senator's experience, can he lift his gaze, so to speak, to his senatorial duties, and tell us whether he believes that these techniques can be employed in similar disputes?

Mr. MORSE. I would rather answer that question after 5 o'clock this afternoon. I hope we will hear by then what the final decision of the operators has been, as to whether or not they will accept this proposal. I believe that all parties to the dispute, even those who at the present time wish the proposal were more in their favor, say they much prefer this method to voluntary arbitration.

This is a precedent case. I have not checked the facts, but I am advised that this is the first time that a mediation settlement has been used in his manner. No precedent has been found in major disputes in which a mediation board, after it had made the usual classic mediation, or usual mediation, finally recognized that it would have to make a proposal to the parties and about which we finally said, "This is it. Take it or leave it." This is considered a hybrid, in between conciliation and arbitration. We think that procedurally it offers a great deal. But the test will be its results. That is why I say I shall be glad to visit with the Senator from New York about 5 o'clock this afternoon.

Mr. President, I yield the floor.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### Amendment of Title V, Housing Act of 1949, To Provide for Insuring Rural Housing Loans

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend title V of the Housing Act of 1949 and the Federal National Mortgage Association Charter Act, in order to provide for insuring rural housing loans and market assistance thereof, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

### Report on Operations Under Federal Airport Act

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on operations under the Federal Airport Act, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

### Appeal From Representatives of the People of Mexico

A letter from the Assistant Secretary of State, transmitting an appeal from the representatives of the people of Mexico to the congresses, parliaments, popular assemblies and legislative bodies of all countries for international peace, world disarmament, and the prohibition of nuclear tests for warlike purposes (with an accompanying paper); to the Committee on Foreign Relations.

### Audit Report on Federal Savings and Loan Insurance Corporation Supervised by Federal Home Loan Bank Board

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Savings and Loan Insurance Corporation supervised by the Federal Home Loan Bank Board, year ended June 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Repeal of Act of October 22, 1919 (41 Stat. 293; 43 U.S.C. 351–355, 357–360)

A letter from the Assistant Secretary of the Interior transmitting a draft of proposed legislation to repeal the act of October 22, 1919 (41 Stat. 293; 43 U.S.C. 351–355, 357–360) (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### Amendments to Rules of Civil Procedure for the U.S. District Courts—Report of Judicial Conference of the United States

A letter from the Chief Justice of the United States, transmitting, pursuant to law, amendments to the Rules of Civil Procedure for the U.S. District Courts, and a report of the Judicial Conference of the United States (with accompanying papers); to the Committee on the Judiciary.

### Report on Tort Claims Paid by U.S. Department of Justice

A letter from the Administrative Assistant Attorney General, transmitting, pursuant to law, a report on tort claims paid by the Department of Justice, during the fiscal year 1962 (with accompanying report); to the Committee on the Judiciary.

### Report on Tort Claims Paid by U.S. Government Printing Office

A letter from the Public Printer, U.S. Government Printing Office, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Office, during the fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

### Reports on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Administrative Assistant Secretary, Department of Agriculture, reporting, pursuant to law, on positions established pursuant to Public Law 313, 80th Congress, during the year 1962 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., reporting, pursuant to law, on positions filled in that agency, during the year 1962; to the Committee on Post Office and Civil Service.

### Amendment of Retired Federal Employees Health Benefits Act, Relating to Government Contribution for Expenses Incurred in Administration of Such Act

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act (with an accompanying paper); to the Committee on Post Office and Civil Service.

## JOINT RESOLUTION OF ALABAMA LEGISLATURE

Mr. SPARKMAN. Mr. President, on January 15, 1963, both houses of the Alabama State Legislature passed House Joint Resolution 15 memorializing our colleague, the distinguished senior Senator from Alabama [Mr. Hill] upon his long and excellent service in the Congress of the United States. I ask unanimous consent that that resolution as passed by the Alabama State Legislature be printed at this point in the Record.

There being no objection, the resolution was ordered to lie on the table, and to be printed in the Record, as follows:

### House Joint Resolution 15

Whereas Lister Hill, senior Senator from Alabama, has devoted 39 years of his life to service of the people of Alabama in the Congress of the United States; and

Whereas Lister Hill has served this State and Nation for 25 years as a Senator and has achieved national recognition for his contribution to the growth and development of our State and Nation; and

Whereas Lister Hill has earned the affection and esteem of his colleagues in the Congress of the United States as evidenced by the expressions on the floor of the Senate on January 9, 1963, on the occasion of his 25th anniversary as a Senator; and

Whereas Lister Hill has never wavered from his devotion to principle and his selfless determination to promote the welfare of the people of Alabama and of the United States:

Now, therefore, the people of Alabama through their elected representatives in the Legislature of Alabama, both houses concurring, do hereby express their appreciation for the long, distinguished, devoted and fearless service of Lister Hill and wish for him many more years of good health and humanitarian devotion to this State and Nation; and be it further

*Resolved,* That copies of this resolution be delivered to the President of the U.S. Senate, to Senator Hill and Senator Sparkman, and to each member of the congressional delegation from Alabama.

Unanimously adopted by the house of representatives January 15, 1963.

Concurred in by the senate January 15, 1963.

## RESOLUTION OF AMERICAN ASSOCIATION OF NURSERYMEN

Mr. CARLSON. Mr. President, many nurserymen and officers of the Association of Nurserymen have written me in regard to proposed changes of quarantine 37.

The nurserymen feel that the inspection of foreign plant material should be continued as it is being done at the present time.

At a recent legislative meeting of the American Association of Nurserymen, held in Chicago, they adopted a resolution expressing their opposition to this change.

I ask unanimous consent that this resolution be printed in the Record, and referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

The members of the second legislative conference, sponsored by the American Association of Nurserymen, Inc., assembled in conference at the Hotel La Salle, Chicago, Ill., have viewed with alarm the proposed revision of quarantine 37.

Whereas there are hundreds of potentially serious insect and disease pests resident in the United States; and

Whereas the percentage of interceptions of potentially serious pests intercepted at ports of entry increases annually; and

Whereas eradication of introduced pests is always expensive and frequently impossible; and

Whereas there is no assurance that plant products frequently used as packing are pest free prior to processing and eventual use; and

Whereas there could be no assurance that the shipments would not be contaminated en route from the site of origin either in foreign ports or aboard ship: Therefore, be it

*Resolved,* That we, the undersigned, official representatives of the nursery industry of several States, oppose any change in quarantine 37, which would obviate inspection of plant materials at a designated port of entry in the United States; and be it further

*Resolved,* That copies of this resolution be forwarded to the Secretary of Agriculture, the Director of the Plant Quarantine Division, and certain Congressmen and Senators.

## TWELFTH ANNUAL REPORT OF ACTIVITIES OF JOINT COMMITTEE ON DEFENSE PRODUCTION—REPORT OF A COMMITTEE (S. REPT. NO. 3)

Mr. ROBERTSON. Mr. President, in accordance with section 712(b) of the Defense Production Act of 1950, as amended, I submit the 12th Annual Report of the Activities of the Joint Committee on Defense Production. I ask that the report be printed, with illustrations.

The PRESIDING OFFICER (Mr. Brewster in the chair). Without objection, the report will be received and printed, as requested by the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the Record a brief description of what is contained in the report.

There being no objection, the description was ordered to be printed in the Record, as follows:

### Description of Report

As chairman of the Joint Committee on Defense Production, I have released the 12th annual report. This report contains much information relating to materials, including a history of the various materials programs and the expansion of productive capacity under the Defense Production Act. I believe the information contained in this report is of considerable interest at this time, and will request that an extension of my remarks on this subject be printed in the Record.

The Joint Committee on Defense Production has the responsibility of reviewing the execution and administration of Defense Production Act programs. The Banking and Currency Committees have legislative jurisdiction over this act.

The Joint Committee on Defense Production is frankly proud that it was able to save the taxpayers of the Nation a substantial sum through reductions in materials purchases. Upon the recommendation and at the urging of this committee, in the past 5 years there have been reductions of $351.3 million in the contracts which provided for the delivery of materials to the Defense Production Act inventory.

It has been more than 5 years since this committee called in procurement officials to see what the Government could do to reduce future deliveries of surplus materials that were expected to replace earlier shortages and also live up to its contractual obligations. As a result of the actions which followed, the deliveries to the Defense Production Act inventory have been substantially less than the contracts provided. The reduction of $90 million in aluminum purchases was brought about when the committee insisted that consideration be given to the imports of Canadian aluminum by Alcoa and Kaiser.

In addition, the Joint Committee on Defense Production took a close look at new proposals calling for the expenditure of DPA funds. In a hearing on May 28, 1957, this committee questioned the necessity of buying $47 million worth of cobalt, inquired as to whether the agreement for the purchase of nickel from the Freeport Sulphur Co. was in the best interest of the Government, and received assurances that the U.S. Government was not obligated to buy additional quantities of nickel from the International Nickel Co., as had been previously indicated.

As to nickel, it is pertinent to remember that when the planning for a 5-year emergency was changed in 1958 to that of a 3-year emergency, the stockpile objective for nickel was reduced from 675 million pounds to 323 million pounds. This reduction of 352 million pounds compares with 142,077,157 pounds of nickel that was reported to be in surplus supply as of June 30, 1962.

It was the Joint Committee on Defense Production that called for the rejection of a proposal to use $5½ million of DPA funds to bail out a railroad that had not made a profit in years.

This committee repeatedly opposed the use of DPA funds to solve economic dislocations as being contrary to the purposes of the Defense Production Act, and millions of dollars could have been saved by eliminating a high percentage of the $78 million expended for materials under Public Law 206 and the administrative actions which followed. This law came into being through a convenient bypass of the committees having legislative jurisdiction over the Defense Production Act, authorized the use of DPA borrowing authority funds intended for defense and defense supporting purposes, increased the deliveries of unneeded materials to the DPA inventory over an extended period of time, and thereby brought about additional losses for nondefense purposes.

If there have been any new contracts signed in recent years to increase surpluses, these contracts have not involved the use of Defense Production Act funds. The General Services Administration advises the committee that there has not been one contract signed to buy materials for the Defense Production Act inventory in more than 3 years. Mica was the only material involving new contractual obligations under the Defense Production Act during the fiscal years of 1958 and 1959.

There have been deliveries of materials to the DPA inventory in recent years, but it must be remembered that many of the DPA contracts provided for deliveries over a period of years. The primary purpose for purchasing materials under the Defense Production Act was to expand the productive capacity of the United States to overcome critical shortages in supply, and this objective was accomplished. The accumulation of a DPA inventory of materials was a byproduct of this endeavor.

The Congress recognized that there would be losses under these expansion programs when the Defense Production Act was approved in September 1950, and provided for reports to the Congress covering losses incurred and anticipated losses. I am not aware of any newly discovered losses on materials purchased under the Defense Production Act not previously reported by this committee and the agencies concerned.

The probable ultimate net loss and expense on Defense Production Act programs administered by GSA, which includes materials, was estimated to be over $1 billion more than 8 years ago. Estimated losses were published quarterly prior to the year

1960 and semiannually thereafter. Information on these losses and the quantities of materials held in the DPA inventory was not classified.

The committee report indicates that total gross transactions contracted under the Defense Production Act to June 30, 1962, by the General Services Administration amounted to $7,508,712,000 and that the losses and expenses on these transactions are expected to amount to $1,260,844,000 by the end of the fiscal year 1965. There were additional gross transactions by other departments and agencies in the amount of $539,218,000 on which anticipated losses and expenses will amount to about $108,320,000 by the end of the fiscal year 1965.

The Joint Committee on Defense Production has conducted a continuing review of disposal plans and receives advance notice when sales are to be made from the Defense Production Act inventory. Sales have been made from the DPA inventory in the amount of $69.3 million through disposal plans.

No solution has yet been offered for the problem that we have been stressing for the past 5 years, namely: How can the Government dispose of surplus materials without undue loss to the taxpayers on the one hand and without unduly depressing the market on the other?

Surplus materials may be sold from the Defense Production Act inventory without congressional approval at not less than the current domestic market price. However, until recently the policies and procedures being followed in the administration of the disposal program permitted any one interested agency to veto a disposal plan except when materials were sold to other agencies. When it appeared that disposal plans were being held up or vetoed without adequate justification, the committee staff questioned some of the actions that were taken. The committee then reported to the Congress in the 11th annual report that a proposed disposal could be upheld by the dissent of a single department or agency and that disposals could be delayed for indefinite periods if a department or agency elected to keep a proposed plan under consideration.

In 1955 this committee objected when the Office of Defense Mobilization authorized the General Services Administration to cancel shipments of copper which permitted three producers to make a windfall of about $231,000. This practice, which was discontinued thereafter, was reported in the fifth annual report of this committee.

Surplus materials have resulted largely because of reductions in the stockpile objectives. On June 13, 1958, the Director of the Office of Defense Mobilization announced that strategic and critical materials would be stockpiled for a 3-year emergency period and he stated that since July 1957 new commitments were limited generally to meeting the needs of a 3-year emergency. Prior to that time materials were being acquired for a 5-year emergency.

When the planning for a 5-year emergency was changed in 1958 to that of a 3-year emergency the overall stockpile objectives were reduced from $8.5 billion to $4.4 billion, a reduction of $4.1 billion. Although Government inventories on hand and on order were about $1.1 billion short of meeting objectives for a 5-year emergency at that time, this decision created a surplus in excess of $3 billion in specification grade materials plus the additional quantities of lower grade materials.

It is obvious that any decision to change the planning concept from a 5-year emergency to that of a 3-year emergency would have been considered at a high level, and that this was not a decision which would be left to an office having responsibility for pulling together total materials requirements or to a procurement agency.

The Office of Emergency Planning and predecessor agencies have had their porblems in obtaining current materials requirements from the Department of Defense. This committee has repeatedly questioned the adequacy of the procedures followed by the Department of Defense with respect to maintaining and reporting military requirements for materials. The OEP and precedessor agencies have found it necessary to wait for extended periods of time to obtain these military requirements for materials.

In past reports the Joint Committee on Defense Production has criticized the poor judgment which was exercised in the execution and administration of some purchase agreements which did not offer a legal basis for the recovery of funds. In the current report the committee points out that the recommendations contained in its progress report No. 29 of 1957 continue to apply, and calls for a review of the auditing procedures of the General Services Administration. The committee report states that the payment of funds under circumstances which permit the expensing of costly items, thereby increasing the cost of nickel, raises a question as to the adequacy of the auditing procedures being followed by the General Services Administration.

The committee report is critical of the Interstate Commerce Commission for its insistence on a so-called system of "random sample" audits of its records by the General Accounting Office. Under this system the GAO was denied access to records considered pertinent for an audit of the guaranteed loans extended to the New York, New Haven & Hartford Railroad. The committee report states:

"In the letter to the Chairman of the Interstate Commerce Commission dated August 2, 1962, the chairman of the Joint Committee on Defense Production stated that even though this railroad had lost more than $50 million since it had made an annual profit, the Interstate Commerce Commission acted favorably on a $7.5 million loan guarantee as late as December 8, 1961, bringing the total amount owed on ICC guarantees to $34,790,440 in addition to defaulted DPA loan guarantees of $11,797,198. Yet, the ICC was required to make a finding under the law that there was reasonable assurance that this railroad would repay the loan. About 3 months earlier the ICC had asked for direct Federal grants for this railroad, stating that it is highly improbable that the New Haven can emerge from reorganization and continue to render essential transportation services in the absence of direct Federal grants. It was later reported in the press on October 29, 1962, that this railroad sustained a deficit of $9,938,401 for the first 9 months of 1962.

"It is the belief of this committee that the 'random sample' formula of the Interstate Commerce Commission provides inadequate protection for safeguarding the expenditure of public funds. Although this committee has taken action to stop the use of Defense Production Act funds for the purpose of paying the operating deficits of this railroad, additional Government funds were made available through the action of the Interstate Commerce Commission. If the General Accounting Office is to serve as an effective arm of the Congress, the Comptroller General must be permitted to exercise some discretion as to the records he requires for an audit. The General Accounting Office should be permitted to continue with its investigation and audit of all Government loans or guaranteed loans extended to the New York, New Haven & Hartford Railroad."

The Joint Committee on Defense Production has conducted its review of Defense Production Act programs within the framework of an act that did not provide for profit controls. On August 11, 1950, in debate in the Senate on the Defense Production Act, I stated that a comprehensive renegotiation act was a necessary and integral part of a successful defense production program. This matter was also discussed when the Defense Production Act Amendments of 1951 were considered. The Senate Banking and Currency Committee stated in its report at that time that if the Congress sees fit to control profits, it will do so through tax legislation.

As I have indicated previously, the Joint Committee on Defense Production is proud that substantial sums have been saved as a result of continuing reviews and the actions taken by the committee.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER:

S. 405. A bill to amend the copyright laws with respect to certain rights of copyright holders in musical compositions; and

S. 406. A bill for relief of Rickert & Laan, Inc.; to the Committee on the Judiciary.

By Mr. LONG of Missouri:

S. 407. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Finance.

(See the remarks of Mr. Long of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF (for himself and Mr. Mansfield):

S. 408. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Government Operations.

By Mr. CURTIS:

S. 409. A bill for the relief of Yeng Burdick; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 410. A bill to authorize the Secretary of the Interior to receive from the Devils Lake Sioux Tribe of the Fort Totten Reservation, N. Dak., a deed conveying certain property on such reservation to the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 411. A bill to provide for allowance of credit under the Civil Service Retirement Act for service as a member of a county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act; to the Committee on Post Office and Civil Service.

By Mr. YARBOROUGH:

S. 412. A bill to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. HAYDEN:

S. 413. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 national jamboree, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Hayden when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself, Mr. Douglas, Mr. Case, Mr. Dodd, Mr. Smathers, Mr. Goldwater, Mr. Proxmire, Mr. Fong, Mr. Hickenlooper, Mr. Miller, Mr. Keating, Mr. Lausche, and Mr. Scott):

S. 414. A bill to create the Freedom Commission and the Freedom Academy; to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States in the global struggle between freedom and communism; to educate and train Government personnel and private citizens to understand and implement this body of knowledge; and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Foreign Relations.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 415. A bill to amend Public Laws 815 and 874, Eighty-first Congress, in order to extend for 1 year certain expiring provisions thereof, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 416. A bill for the relief of Patrick E. Eagan;

S. 417. A bill for the relief of Raghavaiyengar Parthasarathy and his wife, Sarada Parthasarathy;

S. 418. A bill for the relief of Syun-Ichi Akasofu and his wife, Emiko Akasofu; and

S. 419. A bill for the relief of Joseph T. Flakne; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 420. A bill for the relief of Frederick Ho Wolf; to the Committee on the Judiciary.

By Mr. FONG:

S. 421. A bill for the relief of Ho Koon Chew; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 422. A bill for the relief of Jasenko Rokov; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 423. A bill to amend title V of the National Defense Education Act of 1958 in order to provide for guidance, counseling, and testing programs in elementary schools, and to provide for training for individuals engaged in counseling and guidance in elementary schools; to the Committee on Labor and Public Welfare.

By Mr. LAUSCHE:

S. 424. A bill for the relief of Venson Chu, Miao-Chuen Liu Chu, Jeannie Ju-Yue Chu, Turney Hou-Nan Chu, Paul Tsze-Yuen Chu, and Barbara Chuen-Yue Chu; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 425. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title; to the Committee on Finance.

By Mr. DOUGLAS:

S. 426. A bill for the relief of Remo Angelo Santilli;

S. 427. A bill for the relief of Regidor Nava Guirre (also known as Felipe Capulong);

S. 428. A bill for the relief of Joseph Lovrich (also known as Josip Lovric);

S. 429. A bill for the relief of Rachel Ann Proctor; and

S. 430. A bill for the relief of Kam Ng; to the Committee on the Judiciary.

By Mr. BEALL:

S. 431. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and enter judgment upon the claims of certain Army and Air Corps officers for back pay authorized by the act of September 14, 1922 (42 Stat. 840, ch. 307); to the Committee on the Judiciary.

By Mr. KEATING:

S.J. Res. 19. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day";

S.J. Res. 20. Joint resolution designating the third week in June of each year as National Amateur Radio Week;

S.J. Res. 21. Joint resolution designating February of each year as American History Month;

S.J. Res. 22. Joint resolution designating November 19, the anniversary of Lincoln's Gettysburg Address, as Dedication Day; and

S.J. Res. 23. Joint resolution to designate the second Monday in April as National Teachers' Day; to the Committee on the Judiciary.

## CONCURRENT RESOLUTIONS

### CEREMONIES IN ROTUNDA IN CONNECTION WITH STATUE OF THE LATE JOSEPH WARD OF SOUTH DAKOTA

Mr. MUNDT submitted the following concurrent resolution (S. Con. Res. 9); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the South Dakota State Historical Society of South Dakota is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Joseph Ward, of South Dakota, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

### THANKS OF CONGRESS TO SOUTH DAKOTA FOR STATUE OF THE LATE JOSEPH WARD

Mr. MUNDT submitted the following concurrent resolution (S. Con. Res. 10); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the statue of Joseph Ward, presented by the State of South Dakota, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered said State for the contribution of the statue of one of its most eminent citizens, illustrious for his leadership as author of the State's motto, framer of the Territorial school law, founder of the first college, and outstanding churchman in the founding of Christian churches among whites and Indians; and be it further

*Resolved*, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of South Dakota.

### TO PRINT AS A SENATE DOCUMENT THE PROCEEDINGS AT THE ACCEPTANCE OF THE STATUE OF THE LATE JOSEPH WARD

Mr. MUNDT submitted the following concurrent resolution (S. Con. Res. 11); which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (the House of Representatives concurring)*, That the proceedings at the presentation, dedication, and acceptance of the statue of Joseph Ward, to be presented by the State of South Dakota in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

Sec. 2. There shall be printed three thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand two hundred copies shall be for the use of the Members of the Senate from the State of South Dakota, and five hundred copies shall be for the use of the House of Representatives and one thousand two hundred copies shall be for the use of the Members of the House of Representatives from the State of South Dakota.

## RESOLUTIONS

### ESTABLISHMENT OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. PEARSON submitted a resolution (S. Res. 51) creating a standing Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Pearson, which appears under a separate heading.)

### STUDY OF MATTERS PERTAINING TO VETERANS' AFFAIRS

Mr. YARBOROUGH submitted the following resolution (S. Res. 52) to authorize a study of matters pertaining to veterans' affairs, which was referred to the Committee on Labor and Public Welfare:

*Resolved*, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to veterans' affairs including, but not limited to, such problems as (a) vocational rehabilitation and education of veterans, (b) veterans' hospitals, medical care, and treatment of veterans, (c) soldiers' and sailors' civil relief, and (d) readjustment of servicemen to civil life.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## APPEARANCE OF SENATOR EASTLAND AS A WITNESS IN THE CASE OF UNITED STATES AGAINST ROBERT SHELTON

Mr. EASTLAND submitted the following resolution (S. Res. 53); which was referred to the Committee on the Judiciary:

*Resolved*, That whereas the Senator from Mississippi, Mr. EASTLAND, has been subpenaed to appear and testify in the case of *U.S.* v. *Robert Shelton*, in the United States District Court for the District of Columbia.

*Resolved*, That the permission of this body for the Senator from Mississippi, Mr. EASTLAND, to appear and testify in response to the aforesaid subpena is hereby granted.

## INCOME TAX DEDUCTIONS FOR CERTAIN COSTS OF HIGHER EDUCATION

Mr. LONG of Missouri. Mr. President, for a number of years Congress has been struggling over proposals to promote education. To the best of my knowledge, every Member of Congress agrees that education and its development is vital to our Nation's future. However, agreement stops here. From this point on, attitudes and views run the full range from no Federal action to a comprehensive program of Federal assistance at every level and to all schools. Since entering the Senate, I have supported legislation to provide grants to the States to be used for school construction and teachers' salaries. Also, my support has been given to legislation to assist in the construction of academic facilities at institutions of higher education. I have supported a Federal scholarship program for higher education and proposals to strengthen the National Defense Education Act. All of these measures, in my opinion, are necessary if our young people are to have the opportunity to obtain the best possible education. It is my firm conviction that we have a responsibility to see that the youth of our country have this opportunity.

In the days ahead, we will discuss and debate these issues at length. It is my hope that a sound program will receive final congressional approval. Certainly, I will exert every effort in this direction. In the meantime, however, quick action should be taken on a measure for which there is widespread support. That is tax relief for costs of higher education. During the past few days, numerous proposals have been introduced in both Houses for this purpose. Some propose an additional $600 exemption for a full-time student. Some propose a tax credit. Some propose a tax deduction. Some contain limits while others cover all expenses. But they all share a common purpose to stimulate higher education through a tax incentive. Last year, the Congress approved an investment credit provision to stimulate economic growth. Certainly we can afford a similar incentive to stimulate that which is of even greater importance—human growth. An outstanding feature of this approach to aid higher education is that it nurtures diversification. It provides equal help to the student of math, the student of medicine, the student of art, the student of political science, the student of physics, the student of engineering, the student of music. All of these, as well as all other areas of learning, are essential to our society.

Mr. President, I now introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education.

This bill would allow a taxpayer to deduct certain costs of higher education for himself, his spouse, and his dependents. It would include expenses for tuition, fees, books, and board and room. To insure that all taxpayers will enjoy the benefits of this proposal, the deduction would be allowed on page 1 of the tax form in computing adjusted gross income. While I believe this approach the best, I hope the Congress can move quickly to resolve the differences in the various proposals and approve one. The administration has opposed the tax approach in the past, but I am hopeful it will reassess its position. A tax incentive measure would, in my opinion, fit well into a comprehensive aid to education program.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 407) to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education, introduced by Mr. LONG of Missouri, was received, read twice by its title, and referred to the Committee on Finance.

## WAIVER OF INDEBTEDNESS TO THE UNITED STATES ON DEFAULT OF GUARANTEED VA LOANS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration.

This bill would authorize the Administrator of Veterans' Affairs to waive, under certain circumstances, the recovery from veterans or their spouses of any indebtedness owed the United States resulting from default on guaranteed or direct loans.

Specifically, the bill would permit waiver of recovery of such indebtedness if the Administrator determines that the default arose out of compelling reasons without fault on the part of a veteran, or that collection of the indebtedness would otherwise work a severe hardship upon a veteran. The bill does not authorize the VA to grant a complete waiver of a veteran's liability where his financial situation is such that he could arrange to pay all or a substantial portion of the indebtedness without severe hardship upon himself or his family.

During the 87th Congress the Veterans' Administration officially requested enactment of this legislation in order to clarify the law relating to waiver of loan indebtedness. The law now provides that the Administrator may pay, compromise, waive, or release claims arising in connection with the guaranteed and direct loan programs of the VA. Despite this broad grant of authority, the VA believes that administrative action granting total forgiveness of indebtedness on the basis of hardship would be very questionable in the absence of specific authorization.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 412) to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## LOAN OF CERTAIN EQUIPMENT TO BOY SCOUTS OF AMERICA

Mr. HAYDEN. Mr. President, I introduce, for appropriate reference, a bill which will authorize the Secretary of Defense to loan, at no Government expense, certain equipment and services for the use of the Boy Scouts of America and Scout officials attending the Sixth National Jamboree to be held during July and August 1964, at Valley Forge State Park, Pa.

The bill permits the Secretary of Defense to loan tents, cots, blankets, commissary equipment, flags, refrigerators, vehicles, and other equipment and services as may be necessary or useful to the extent that the items are in stock and available and their issue will not jeopardize the national defense program.

In view of the outstanding accomplishments of this fine movement in the past, in aiding the youth of America, I urge my colleagues to take favorable action on this measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 413) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 national jamboree, and for other purposes, introduced by Mr. HAYDEN, was received, read twice by its title, and referred to the Committee on Armed Services.

## FREEDOM COMMISSION ACT

Mr. MUNDT. Mr. President, in behalf of myself and Senators DOUGLAS, CASE, DODD, SMATHERS, GOLDWATER, PROXMIRE, FONG, HICKENLOOPER, MILLER, KEATING, LAUSCHE, and SCOTT, I introduce, for appropriate reference, a legislative proposal now widely known as the Freedom Academy bill.

This bill proposes the establishment within the structure of the National Government of an autonomous institution for broad-scale training and research in the nonmilitary areas and disciplines of our total national security operations. This marks the third successive Congress in which this legislation has been introduced.

In the 86th Congress Senator DOUGLAS and Senator CASE joined with me in sponsoring the Freedom Academy bill in the Senate. That bill was unanimously approved by the Senate late in the second session, following a highly favorable report from the Senate Judiciary Committee which stated in part:

> The committee considers this bill to be one of the most important ever introduced in the Congress. This is the first measure to recognize that a concentrated development and training program must precede a significant improvement in our cold war capabilities. The various agencies and bureaus can be shuffled and reshuffled. Advisory committees, interdepartmental committees, and coordinating agencies can be created and recreated, but until they are staffed by highly motivated personnel who have been systematically and intensively trained in the vast and complex field of total political warfare, we can expect little improvement in our situation.

Failing to obtain favorable action in the House at the late hour in the session, Senators DOUGLAS and CASE and I, along with nine other Senators representing a broad spectrum of partisan attitudes, reintroduced the Freedom Academy bill in the 87th Congress.

On that occasion, in response to special request, the bill was referred to the Committee on Foreign Relations, where unfortunately it remained without any action being taken for the entire term of the 87th Congress. In large part our inability to gain the favorable action of both Houses of Congress on the Freedom Academy bill has stemmed from the adamant opposition of the Department of State, opposition which has persisted over the past several years. I might observe that the position rigidly held by the Department of State is meeting growing and strong opposition from many highly influential sectors.

In 1960 the Sprague committee, composed of several distinguished Americans, all highly qualified in the field of foreign affairs, presented a report to the President of the United States concerning the effectiveness of our foreign information program, in which cognizance was taken of the present inadequacy of our overall training activities in the nonmilitary sector of our national security operations. The Freedom Academy bill has been endorsed by the AFL–CIO and was the subject of a favorable resolution adopted last year by the junior chambers of commerce in national convention. The Freedom Academy bill has received many plaudits from leading national journals and newspapers, such as Life magazine, the Readers Digest, the Atlanta Journal and Constitution, the Cincinnati Enquirer, the New York Daily News, the Cleveland Plain Dealer, the Tampa Tribune, and the Miami Herald.

Just recently, a special study panel appointed by President Kennedy, of which Mr. James A. Perkins is the chairman, has issued a report which emphasizes our urgent needs for vast upgrading of our government training and research activities in the field of foreign operations. Their report recommends the creation of a National Academy of Foreign Affairs and, to quote the members of this distinguished panel, makes that recommendation "based on our strong belief that existing public programs of training, education, and research in U.S. foreign affairs fall dangerously below the requirements of a country whose officials must receive the best the country can provide."

The Perkins panel study corroborates the thinking and public utterances of the Freedom Academy sponsors and supporters. We feel that this report gives added impetus to our efforts to fill the research and training gap which presently exists in the national security area of our governmental structure.

Mr. President, I ask unanimous consent that the text of the bill may be printed in the RECORD following my remarks, and also a statement taken from a monograph prepared for the President of the United States by Alan G. Grant, of Orlando, Fla. I ask that that part which appears on pages 32 to 56, inclusive, appear as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the request of the Senator from South Dakota is agreed to.

The bill (S. 414) to create the Freedom Commission and the Freedom Academy; to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States in the global struggle between freedom and communism; to educate and train Government personnel and private citizens to understand and implement this body of knowledge; and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SHORT TITLE

SECTION 1. This Act may be cited as the "Freedom Commission Act".

### CONGRESSIONAL FINDINGS AND STATEMENT OF POLICY

SEC. 2. (a) The Congress of the United States makes the following findings and statement of policy:

(1) The United States in preparing to defend its national interests in coming years faces grave and complex problems in the nonmilitary as well as military areas.

(2) First and foremost are the problems raised by the unremitting drives by the Soviet Union and Communist China seeking world domination and the destruction of all non-Communist societies. The Communist bloc and the various Communist parties have systematically prepared themselves to wage a thousand-pronged aggression in the nonmilitary area. Drawing on their elaborate studies and extensive pragmatic tests, Communist leaders have developed their conspiratorial version of nonmilitary conflict into an advanced, operational art in which they employ and orchestrate an extraordinary variety of conflict instruments in the political, psychological, ideological, economic, technological, organizational and paramilitary areas enabling them to approach their immediate and long-range objectives along many paths. This creates unique and unprecedented problems for the United States in a conflict that is being waged in student organizations, peasant villages, labor unions, mass communication systems, in city and jungle, and institutions and organizations of every description, as well as in the world's chancelleries. Recognizing that nonmilitary conflict makes extraordinary demands upon its practitioners, the Communists, for several decades, have intensively trained their leadership groups and cadres in an extensive network of basic, intermediate, and advanced schools. The Sino-Soviet conflict capacity has been immeasurably increased by the mobilization of research, science, industry, technology, and education to serve the power-seeking ambitions of Communist leaders rather than the needs of their people.

(3) Second, the problems of the United States are complicated by the emergence of many new nations, the unstable or deteriorating political, social and economic conditions in many parts of the world, the revolutionary forces released by the rising expectations of the world's people, and other factors, all of which increase the difficulties of achieving our national objectives of preventing Communist penetration while seeking to build viable, free, and independent nations.

(4) The nature of the Sino-Soviet power drive, the revolutionary and fluid world situation, the emergence of the United States as the major leader of the free world and the need to deal with the people of nations as well as governments, has compelled the United States to employ many new instruments under the headings of traditional diplomacy, intelligence, technical assistance, aid programs, trade development, educational exchange, cultural exchange, and counterinsurgency (as well as in the area of related military programs). To interrelate and program these present instruments over long periods already requires a high degree of professional competence in many specialties, as well as great managerial skill.

(5) However, the United States has fallen short in developing and utilizing its full capacity to achieve its objectives in the world struggle. Not only do we need to improve the existing instruments, but a wide range of additional methods and means in both the Government and private sectors must be worked out and integrated with the existing instruments of our policy. Otherwise, the United States will lack the means to defeat many forms of Communist aggression and to extend the area of freedom, national independence, and self-government, as well as to attain other national objectives. However, this will require an intensive and comprehensive research and training effort first to think through these additional methods and means, and, second, to educate and train not only specialists, but also leaders at several levels who can visualize and organize these many instruments in an integrated strategy, enabling the United States to approach its national objectives along every path in accord with our ethic.

(6) There has been a tendency to look upon strategy as a series of discrete problems with planning often restricted by jurisdictional walls and parochial attitudes and too much piecemeal planning to handle emergencies at the expense of systematic, long-range development and programing of the many instruments potentially available to us. While there has been marked improvement in such things as language training at

agency schools, and while university centers have made significant progress in area studies, nowhere has the United States established a training program to develop rounded strategists in the nonmilitary area or even certain vital categories of professional specialists, particularly in the area of political, ideological, psychological, and organizational operations and in certain areas of development work. Nor has the United States organized a research program which can be expected to think through the important additional range of methods and means that could be available to us in the Government and private sectors.

(7) In implementing this legislation the following requirements for developing our national capacity for global operations in the nonmilitary area should receive special attention:

I. At the upper levels of Government, the United States must have rounded strategists with intensive interdepartmental training and experience who understand the range of instruments potentially available to us and who can organize and program these instruments over long periods in an integrated, forward strategy that systematically develops and utilizes our full national capacity for the global struggle.

II. Below them, Government personnel must be trained to understand and implement this integrated strategy in all of its dimensions. Through intensive training, as well as experience, we must seek the highest professional competence in those areas of specialized knowledge required by our global operations. Government personnel should have an underlying level of understanding as to the nature of the global conflict, the goals of the United States, and the various possible instruments in achieving these goals to facilitate team operations. We should seek to instill a high degree of elan and dedication.

III. Foreign affairs personnel at all levels must understand communism with special emphasis on Communist nonmilitary conflict technique. It is not enough to have experts available for consultation. This is basic knowledge which must be widely disseminated, if planning and implementation are to be geared to the conflict we are in. (The present two weeks seminar offered at the Foreign Service Institute is entirely too brief for even lower ranking personnel.)

IV. The private sector must understand how it can participate in the global struggle in a sustained and systematic manner. There exists in the private sector a huge reservoir of talent, ingenuity, and strength which can be developed and brought to bear in helping to solve many of our global problems. We have hardly begun to explore the range of possibilities.

V. The public must have a deeper understanding of communism, especially Communist nonmilitary conflict technique, and the nature of the global struggle, including the goals of the United States.

(8) The hereinafter created Freedom Academy must be a prestige institution and every effort should be made to demonstrate this is a major effort by the United States in a vital area.

(b) It is the intent and purpose of the Congress that the authority and powers granted in this Act be fully utilized by the Commission established by section 4 of this Act to achieve the objectives set forth in subsection (a)(7) of this section. It is the further intent and purpose of the Congress that the authority, powers, and functions of the Commission and the Academy as set forth in this Act are to be broadly construed.

### DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Commission" means the Freedom Commission established by section 4 of this Act; and

(2) The term "Academy" means the Freedom Academy established by section 6 of this Act.

### ESTABLISHMENT OF THE FREEDOM COMMISSION

SEC. 4. There is established in the executive branch of the Government an independent agency to be known as the Freedom Commission which shall be composed of six members and a chairman, each of whom shall be a citizen of the United States. The Chairman may from time to time designate any other member of the Commission as Acting Chairman to act in the place and stead of the Chairman during his absence. The Chairman (or the Acting Chairman in the absence of the Chairman) shall preside at all meetings of the Commission, and a quorum for the transaction of business shall consist of at least four members present. Each member of the Commission, including the Chairman, shall have equal responsibility and authority in all decisions and actions of the Commission, shall have full access to all information relating to the performance of his duties or responsibilities, and shall have one vote. Action of the Commission shall be determined by a majority vote of the members present. The Chairman (or Acting Chairman in the absence of the Chairman) shall be the official spokesman of the Commission in its relations with the Congress, Government agencies, persons, or the public, and, on behalf of the Commission, shall see to the faithful execution of the policies and decisions of the Commission, and shall report thereon to the Commission from time to time or as the Commission may direct. The Commission shall have an official seal which shall be judicially noticed.

### MEMBERSHIP OF THE COMMISSION

SEC. 5. (a) Members of the Commission and the Chairman shall be appointed by the President, by and with the advice and consent of the Senate. Not more than four members, including the Chairman, may be members of any one political party. In submitting any nomination to the Senate, the President shall set forth the experience and qualifications of the nominee. The term of each member of the Commission, other than the Chairman, shall be six years, except that (1) the terms of office of the members first taking office shall expire as designated by the President at the time of the appointment, two at the end of two years, two at the end of four years, and two at the end of six years; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The Chairman shall serve as such during the pleasure of the President, and shall receive compensation at the rate of $20,500 per annum. Each other member of the Commission shall receive compensation at the rate of $20,000 per annum. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(b) No member of the Commission shall engage in any business, vocation, or employment other than that of serving as a member of the Commission.

### ESTABLISHMENT OF THE FREEDOM ACADEMY; PRINCIPAL FUNCTIONS OF THE COMMISSION AND ACADEMY

SEC. 6. The Commission shall establish under its supervision and control an advanced research, development, and training center to be known as the Freedom Academy. The Academy shall be located at such place or places within the United States as the Commission shall determine. The principal functions of the Commission and Academy shall be:

(1) To conduct research designed to improve the methods and means by which the United States seeks its national objectives in the nonmilitary part of the global struggle. This should include improvement of the present methods and means and exploration of the full range of additional methods and means that may be available to us in both the Government and private sectors. Special attention shall be given to problems of an interdepartmental nature and to problems involved in organizing and programing the full spectrum of methods and means potentially available in the Government and private sectors in an integrated, forward strategy that will systematically develop and utilize the full capacity of the United States to seek its national objectives in the global struggle, including the defeat of all forms of Communist aggression and the building of free, independent, and viable nations.

(2) To educate and train Government personnel and private citizens so as to meet the requirements set forth in section 2(a)(7) of this Act. The Academy shall be the principal Government interdepartmental, educational, and training center in the nonmilitary area of the United States global operations. Authority is also granted to educate and train foreign students, when this is in the national interest and is approved by the Secretary of State.

(3) To provide leadership in encouraging and assisting universities and other institutions to increase and improve research, educational, and training programs attuned to the global operational needs of the United States.

(4) To provide leadership, guidance, and assistance to the training staffs of Government agencies handling United States global operations, including training programs conducted at oversea posts.

(5) To provide a center where officers and employees of Government agencies, as well as private citizens, can meet to discuss and explore common and special elements of their problems in improving United States capabilities in the global struggle.

### STUDENT SELECTION; GRANTS; ADMISSION OF FOREIGN STUDENTS

SEC. 7. (a) Academy students, other than Government personnel, shall be selected, insofar as is practicable and in the public interest, from those areas, organizations, and institutions where trained leadership and informed public opinion are most needed to achieve the objectives set forth in section 2(a)(7) IV and V. Persons in Government service coming within the provisions of the Government Employees Training Act may be trained at the Academy pursuant to the provisions of said Act. All agencies and departments of Government are authorized to assign officers and employees to the Academy for designated training.

(b) The Commission is authorized to make grants to students and to pay expenses incident to training and study under this Act. This authorization shall include authority to pay actual and necessary travel expenses to and from the Academy or other authorized place of training under this Act. The Commission is authorized to grant financial assistance to the dependents of students who hold no office or employment under the Federal Government during the time they are undergoing training authorized under this Act. Grants and other financial assistance under this Act shall be in such amounts and subject to such regulations as the Commission may deem appropriate to carry out the provisions of this Act.

(c) Foreign students selected for training under this Act shall be admitted as nonimmigrants under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) for such time and under such conditions as may be prescribed by regulations promulgated by the Commission, the Secretary of State, and the Attorney General. A person admitted under this section who fails to maintain the status under which he was admitted, or who fails to depart from the United States at the expiration of the time for which he was admitted, or who engages in activities of a political nature detrimental to the interest of the United States, or in activities in conflict with the security of the United States, shall, upon the warrant of the Attorney General, be taken into custody and promptly deported pursuant to sections 241, 242, and 243 of the Immigration and Nationality Act (8 U.S.C. 1251, 1252, and 1253). Deportation proceedings under this section shall be summary and findings of the Attorney General as to matters of fact shall be conclusive. Such persons shall not be eligible for suspension of deportation under section 244 of such Act (8 U.S.C. 1254).

INFORMATION CENTER

SEC. 8. The Commission is authorized to establish an information center at such place or places within the United States as the Commission may determine. The principal function of the information center shall be to disseminate, with or without charge, information and materials which will assist people and organizations to increase their understanding of the true nature of the international Communist conspiracy and of the dimensions and nature of the global struggle between freedom and communism, and of ways they can participate effectively toward winning that struggle and building free, independent, and viable nations. In carrying out this function, the Commission is authorized to prepare, make, and publish textbooks and other materials, including training films, suitable for high school, college, and community level instruction, and also to publish such research materials as may be in the public interest. The Commission is authorized to disseminate such information and materials to such persons and organizations as may be in the public interest on such terms and conditions as the Commission shall determine.

DISCLOSURE OF INFORMATION

SEC. 9. Nothing in this Act shall authorize the disclosure of any information or knowledge in any case in which such disclosure (1) is prohibited by any other law of the United States, or (2) is inconsistent with the security of the United States.

SECURITY CHECK OF PERSONNEL

SEC. 10. (a) Except as authorized by the Commission upon a determination by the Commission that such action is clearly consistent with the national interest, no individual shall be employed by the Commission, nor shall the Commission permit any individual to have access to information which is, for reasons of national security, specifically designated by a United States Government agency for limited or restricted dissemination or distribution until the Civil Service Commission shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual, and the Commission shall have determined that employing such individual or permitting him to have access to such information will not endanger the common defense and security.

(b) In the event an investigation made pursuant to subsection (a) of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty or is a questionable security risk, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action.

(c) If the Commission deems it to be in the national interest, the Commission may request the Civil Service Commission to make an investigation and report to the Commission on the character, associations, and loyalty of any individual under consideration for training at the Academy, and if the Commission shall then determine that the training of such individual will not be in the best interest of the United States, he shall receive no training under this Act.

(d) In the event an investigation made pursuant to subsection (c) of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty or is a questionable security risk, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action.

(e) If the President or the Commission shall deem it to be in the national interest, he or the Commission may from time to time cause investigation of any individual which is required or authorized by subsections (a) and (c) of this section to be made by the Federal Bureau of Investigation instead of by the Civil Service Commission.

GENERAL AUTHORITY OF THE COMMISSION

SEC. 11. (a) In addition to the authority already granted, the Commission is authorized and empowered—

(1) to establish such temporary or permanent boards and committees as the Commission may from time to time deem necessary for the purposes of this Act;

(2) subject to the provisions of subsection (b) of this section, to appoint and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission;

(3) to conduct such research, studies, and surveys as the Commission may deem necessary to carry out the purposes of this Act;

(4) to make, promulgate, issue, rescind, and amend such rules and regulations as may be necessary to carry out the purposes of this Act;

(5) to make such expenditures as may be necessary for administering and carrying out the provisions of this Act;

(6) to utilize, with the approval of the President, the services, facilities, and personnel of other Government agencies and pay for such services, facilities, and personnel out of funds available to the Commission under this Act, either in advance, by reimbursement, or by direct transfer;

(7) to utilize or employ on a full-time or part-time basis, with the consent of the organization or governmental body concerned, the services of personnel or any State or local government or private organization to perform such functions on its behalf as may appear desirable to carry out the purposes of this Act, without requiring such personnel to sever their connection with the furnishing organization or governmental body; and to utilize personnel of a foreign government in the same manner and under the same circumstances with the approval of the Secretary of State;

(8) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(9) to receive and use funds donated by others, if such funds are donated without restrictions other than that they be used in furtherance of one or more of the purposes of this Act;

(10) to accept and utilize the services of voluntary and uncompensated personnel and to provide transportation and subsistence as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons serving without compensation;

(11) to utilize the services of persons on a temporary basis and to pay their actual and necessary travel expenses and subsistence and, in addition, compensation at a rate not to exceed $50 per day for each day spent in the work of the Commission.

(b) The personnel referred to in subsection (a)(2) of this section shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with the Classification Act of 1949, as amended, except that, to the extent the Commission deems such action necessary to the discharge of its responsibilities, personnel may be employed and their compensation fixed without regard to such laws. No such personnel (except such personnel whose compensation is fixed by law, and specially qualified professional personnel up to a limit of $19,000) whose position would be subject to the Classification Act of 1949, as amended, if such Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

GENERAL MANAGER OF THE COMMISSION

SEC. 12. The Commission is authorized to establish within the Commission a general manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The general manager shall be appointed by the Commission, shall serve at the pleasure of the Commission, shall be removable by the Commission, and shall receive compensation at a rate determined by the Commission, but not in excess of $18,000 per annum.

ADVISORY COMMITTEE

SEC. 13. (a) To assure effective cooperation between the Freedom Academy and various Government agencies concerned with its objectives, there is established an advisory committee to the Freedom Academy (referred to hereinafter as the "Committee"). The Committee shall be composed of one representative of each of the following agencies designated by the head of each such agency from officers and employees thereof. The Department of State; the Department of Defense; the Department of Health, Education, and Welfare; the Central Intelligence Agency; the Federal Bureau of Investigation; the Agency for International Development; and the United States Information Agency.

(b) Members of the Committee shall elect a member to serve as Chairman of the Committee. The Chairman shall serve for such a term of one year. The chairmanship shall rotate among the representatives of the agencies who comprise the membership of the Committee.

(c) No member of the Committee shall receive compensation for his services as such other than that received by him as an officer or employee of the agency represented by him. Each member of the Committee shall be reimbursed for expenses actually and necessarily incurred by him in the performance of duties of the Committee. Such reimbursements shall be made from funds appropriated to the Freedom Commission upon vouchers approved by the Chairman of the Committee.

(d) The Committee shall—

(1) serve as a medium for liaison between the Freedom Commission and the Government agencies represented in the Committee;

(2) review from time to time the plans, programs, and activities of the Freedom Commission and the Freedom Academy, and transmit to the Commission such recommendations as it may determine to be necessary or desirable for the improvement of those plans, programs, and activities;

(3) meet with the Freedom Commission periodically, but not less often than semiannually, to consult with it with regard to the plans, programs, and activities of the Freedom Commission and the Federal Academy; and

(4) transmit to the President and to the Congress in January of each year a report containing (A) a comprehensive description of the plans, programs, and activities of the Commission and the Academy during the preceding calendar year, and (B) its recommendations for the improvement of those plans, programs, and activities.

(e) The Committee shall promulgate such rules and regulations as it shall determine to be necessary for the performance of its duties.

(f) The Commission shall furnish to the Committee without reimbursement such office space, personal services, supplies and equipment, information, and facilities as the Committee may require for the performance of its functions.

### APPROPRIATIONS

SEC. 14. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

The statement presented by Mr. MUNDT is as follows:

### Part II: The Limited Nature of the U.S. Research and Training Program in Nonmilitary Conflict—The Five Requirements and Our Failure To Meet Them

The very great capabilities of the Communist enterprise in political warfare makes our problems of defense and offense extremely difficult. The more or less conventional methods of diplomacy, economic and military aid, student and cultural exchange, the limited informational activities of USIA, together with certain covert intelligence operations and limited efforts by private organizations, are proving inadequate, as presently formulated and implemented, to contain, much less defeat, Soviet indirect aggression. Undoubtedly some of the things we are doing are causing the Soviets more difficulty than is generally realized, but overall the existing methods and means, as they have been employed since the end of World War II, have only succeeded in slowing the Soviet push.

Again and again our methods have proven inadequate, because the enemy has mastered all arms and is employing an extraordinary variety of conflict instruments which enables him to outflank, envelop, or smother the more limited and hesitatingly applied instruments of our policy. Thus an aid program, even when well conceived, may achieve nothing toward improving the economic or political conditions in the recipient nation, if it is more than offset by Communist economic sabotage and superior agitation and propaganda capabilities. A USIA library in India is simply overwhelmed by a Soviet translation and publication effort which distributes millions of books and periodicals each year in many tongues and dialects, the large scale buying up of publishing houses and intimidation of bookstores, the massive penetration and manipulation of the mass communications system—and it hardly competes at all with trained Communist organizers operating in universities, unions, peasant villages, classrooms, and various fronts.

The rapidly expanding Soviet capacity in nonmilitary conflict and the dangerous developments beginning in 1956, now confirmed by the new draft program, make it imperative for the United States and its allies to develop, and rapidly, a far greater capacity in the area of nonmilitary conflict.

The question is, What are the conditions, the requirements, which must be met before this Nation can realize its full capacity to engage in the type of global struggle which has been forced upon us? It is rather remarkable that with all that has been written and said about the cold war, so little thought has been devoted to thinking through these requirements and how best we can meet them.

Only by understanding these requirements and the wide margin by which we have failed to realize them, can the present legislation be understood. Most of our failures to date can be traced to our central failure to take the necessary organizational measures to meet these needs systematically.

It is submitted the principal requirements are as follows:

Requirement No. 1: At the upper levels of government we must have conflict managers on our side who understand the full range of methods and means by which this Nation and its allies can meet the entire Communist attack and work toward our global objectives systematically. This means they will have to master a broad range of nonmilitary measures which have yet to be thought through and systematized. It means they must be able to organize and orchestrate these measures in an integrated strategy in which our national objectives are approached from many directions, using every promising means in accord with our ethic.

Requirement No. 2: Below these conflict managers, agency personnel must be trained to understand and implement this integrated strategy in all of its dimensions. Unless these people share a substantial common fund of knowledge about the nature of the enemy, the global conflict, and the vast array of positive and negative measures potentially available to us, there cannot be the close teamplay necessary to carry out a complex strategy with vigor and elan against a skilled and dedicated enemy.

Requirement No. 3 (implicit in above, but listed separately to facilitate subsequent analysis): Policymakers and cold war personnel at many levels must understand communism, with special emphasis on Communist conflict technique. It is not enough to have experts available for consultation. This is basic battle knowledge which must be widely disseminated in the agencies, if planning and implementation are to be geared to the conflict we are in.

Requirement No. 4: The public must have greater understanding of communism, especially Communist conflict technique, and the nature of the global struggle. This is necessary to maintain the will to victory and to overcome apathy in a long and tedious struggle. It is necessary if the public is to support wholeheartedly the difficult and often distasteful things we must do in the coming years. In a free society, policy, to be effective, must have support. A widening fissure between public knowledge and policy can spell disaster. For defensive purposes alone this knowledge is essential, if public opinion is not to be confused and manipulated by the deceptions and blandishments of skilled propagandists who understand us and our desire to be left alone too well.

Requirement No. 5: The private sector must know how it can participate in the global struggle in a sustained and systematic manner. There exists in the private sector a huge reservoir of talent, ingenuity, and strength which can be developed and brought to bear in helping solve our cold war problems. A wide range of interrelated programs can be implemented, if certain preconditions are met. Whether these things are done or not done can be the difference between victory and defeat in a close contest in which the enemy has mobilized his entire society to win the cold war, as well as to prepare for hot war.[1]

It is submitted these requirements cannot be met without a large-scale research and training program directed by exceptional men who have a clear understanding of these needs.

Unfortunately, it is still being argued that existing research and training is adequate for our cold-war needs, or can be made adequate with a little beefing up. It is true that many things are being worked on within the Government that the general public is not aware of, and that institutions like the War Colleges and the Foreign Service Institute have adjusted their curriculums to some degree to meet new situations created by the Communist enterprise and the revolutionary forces at work in Afro-Asia and Latin America. It is also true that various Russian research centers and centers for international and area studies have been established at a number of universities since the end of World War II, and that the Government has available to it certain research organizations like Rand.

Yet it is equally true that the existing programs have failed to achieve to a substantial degree any one of the above requirements. Further, I can find no evidence that anyone in Government has thought out the overall research and training program which would be necessary to fill systematically and adequately these five fundamental requirements, or if anyone has done so, that he was able to make any impression on his superiors. Rather, the research and training problem has been considered in bits and pieces, and the programs instituted met bits and pieces of the problem. This should be self-evident, but there is a built-in ability within the agencies to resist these facts and the conclusions to be drawn.

It seems it will be necessary to summarize the existing programs in relation to these requirements before proceeding to an examination of the Freedom Academy bill. This will help define the nature of the gaps to be filled.

For a starting point, take requirement No. 3, the need for wide understanding of communism and especially Communist conflict technique in the agencies. This is the most obvious and fundamental requirement and should have been recognized and systematically approached at least 15 years ago. Yet, even today there is little evidence of a comprehensive, organized effort to fill this need.

Before reviewing the present programs in relation to this requirement, two points should be emphasized. First, communism, especially Communist conflict technique, is not a quick and easy subject to learn.[2] It requires a considerable amount of systematized study. Training courses lasting a few days or weeks simply cannot give the student more than a superficial introduction, regardless of how well they are run.

Secondly, there is the distinction between area studies of the Communist bloc dealing with such things as agriculture, the transportation system, the new managerial class, internal indoctrination, the arts and sciences and Kremlinology, on the one hand, and studying Communist strategy and tactics for external political warfare. To a remarkable degree our university centers have concentrated on the former and ignored the latter.[3] Both subjects are important, but our cold-war strategists and operational personnel will need months of intensive schooling, in addition to a range of operator experience, before they can begin to master Soviet political warfare.

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[1] There are other requirements, but the above are basic in fixing goals for our research and training program. Of course, we want our friends and allies to develop a similar capacity.

[2] A minimum curriculum would have to include the historical development of communism; the principal theoretical works of Marxism-Leninism, including Mao; the Communist bloc from 1917 to the present. This would be background. The most important part of the curriculum would be a study of Soviet external political warfare which is an encyclopedic subject requiring the reading of many books, the study of numerous operational case histories, and a well organized course of study. I am appalled that some still seem to believe this is an easy subject to grasp or can be covered in a few days or weeks of training. They are displaying gross ignorance of the subject matter.

With this in mind the inadequacy of the present programs becomes apparent.

The War Colleges[4] may devote 2 weeks to a month to coverage of the Soviet bloc. Within that period the specific treatment of communism and Communist conflict techniques rarely exceeds 2 or 3 days. It is true, of course, that the rest of the instruction is related to the Communist threat. But this is an indirect tie which in many cases presupposes a more complete understanding of Communist operations than the student actually possesses.

The Foreign Service Institute[5] has a 2-week seminar on "Communism and the Soviet Union." This is a broad survey course which can give only light treatment to communism and Communist conflict techniques. By trying to cover everything in 10 days of actual training, the course is necessarily superficial. For example, it provides 1½ hours of lecture discussions each on communism in the Far East, South Asia, Africa, Southeast Asia, Western Europe, Eastern Europe, Latin America, and the United States. There is one lecture discussion on such involved, encyclopedic subjects as "Subversion" and "Coordination of Forces to Stop the Communist Advance." Considering the very few points even a first-class teacher can get across in 1 hour, the superficiality of the course is self-evident. This is no criticism of the teachers—they just don't have enough time.

The "Basic Foreign Service Officer's Course" (9 weeks) required of all junior officers on appointment and the "Mid-Career Course in Foreign Affairs" (13 weeks), which are the mainstay of FSI training (outside language training), offer almost nothing. The basic course has 6 hours of lectures by CIA experts covering the Soviet Union, the international Communist movement, the organization and strategy of communism, Soviet global propaganda, and how to answer criticisms abroad originating from Communists. (In Orlando we considered 17 hours on the same subjects too skimpy for high school seniors.) The "Mid-Career Course" includes only a 2-hour lecture on Communist doctrine and practice, 2 hours on the role of behavioral sciences in Soviet strategy, and 2 hours on Soviet political organizations. There is time, however, for 5 hours on "Philosophy of Administration" and 4 hours on "Origin and Diffusion of Myths and Rites."[6]

In 1958 FSI inaugurated the "Senior Seminar in Foreign Policy," a 9-month course, for about 20 senior officers at a time which appears to be the FSI counterpart to the War Colleges. This devotes 5 days to "Communist Strategy," and a good part of this time is spent in discussion groups or attending optional films. Actually there are just five lectures by four guest lecturers, who are, however, top men, and several short training films. Thirty-one books are recommended to the students, together with certain classified material, but this lengthy list must have been drawn up with tongue in cheek for a 5-day course. Again, much of the remainder of the course relates to the Communist threat, but as in the case of the War Colleges, this is an indirect tie which presupposes more knowledge about communism than the student usually possesses.

The USIA training program has no course on communism, but makes use of the 2-week FSI seminar. The FBI, I am told, has a 1-week course for its internal security people.

In summary, I do not know of a single Government-operated school which gives coverage in any real depth to communism and Communist conflict technique.[7] Without detracting from the general value of the war colleges and agency trade schools, it cannot be seriously argued these schools provide an adequate coverage. There is indeed a coverage in broad outline, but no intensive study in depth. It can hardly be otherwise under present conditions, since there are no textbooks covering the necessary range of material between covers, and the student who wants to be knowledgeable about Communist political warfare must read dozens of books and such an undertaking is simply not in the cards within a 10-month course (length of War College courses), most of which deals with other subjects, let alone courses lasting only a few weeks. Further, literature dealing with communism shows large gaps.

The answer sometimes given by Government spokesmen is that Government operated schools were not intended to provide this coverage. Instead, agency personnel are sent to leading universities for graduate work. However, an examination of these graduate studies, insofar as they are concerned with communism, reveals that practically all of them are of the area study type devoted to the internal study of Soviet Russia or China rather than study of Communist external political warfare.[8]

Further, the various Russian research centers are not suitable for instruction, but are devoted to research, and again this is overly academic and mostly of the area study type. Research on specific operational problems is rarely done. This should be obvious from the literary output of these institutions.

Last fall Columbia University announced it was establishing a Research Institute on Communist Affairs. The most interesting part of this announcement was Columbia's opinion this was believed to be the first institute in any American university devoted to intensive study of relations and comparisons of Communist states and movements throughout the world.[9] In other words, for the first time an American university was departing from internal area studies to take a serious, scholarly look at communism outside the Sino-Soviet bloc and relations between members of the bloc. Coming in the 16th year of the cold war, that is an appalling admission of the lack of interest in the academic community in some of the most fascinating and involved problems ever to face mankind and on the solution of which this Nation's security depends.

The Orlando committee congratulates Columbia, but we hope policy planners in Washington will not be mislead. This is a research center, not a training center. And it is concentrating on communism, not developing our methods and means of nonmilitary conflict. To the extent it may deal with countermeasures, this will apparently be almost entirely at the diplomatic level (i.e., what diplomacy can do to increase the rift between the Soviet Union and Communist China). If this institute runs true to form, we can expect its output to be overly academic.

How many more years will slip by before an American university will announce it is establishing an institute that will take a serious interest in researching nonmilitary conflict for our side; and how many years after that will an American university announce it is offering training in this area?

Requirements 1 and 2: Speaking generally there is no existing training program or combination of programs which can produce conflict managers for our side. Even if requirement No. 3 is fully met, we will still be a long way from realizing requirements 1 and 2. Studying Communist political warfare is a necessary prerequisite to becoming an expert in nonmilitary conflict for our side, but expert knowledge about communism does not make an expert in our methods.[10] We can learn a great deal from the Soviets, but we must develop our own art and science of nonmilitary conflict that meets our special needs and is in accord with our ethic.

Our training programs are a reflection of our whole limited approach to the cold war. Sixteen years ago, when the agencies realized we were entering a protracted cold war, our policy planners formulated some rather minimal ideas and programs for meeting the nonmilitary part of the challenge. As the crisis deepened and the massive nature of the Soviet assault on our civilization became evident, various research projects were instituted at our universities and within the agencies; there was an increase in language training at the Foreign Service Institute and greater emphasis was placed on the nonmilitary area at the War Colleges. But our policy planners did not seem to comprehend the new areas of knowledge, especially operationally attuned knowledge, we would have to explore and the range of subjects our policy level people and operators would have to master before they would be able to compete globally with the superbly prepared conflict managers and cadres directing and implementing the Soviet effort.

The result has been a grossly inadequate approach to the research and training problems posed by the Soviet political warfare challenge. While the Communists recognized that political warfare is at least as difficult as any of the arts and sciences and that those who lead it must be intensively and specially trained professionals, the way we prepared our people seemed to reflect a belief that a liberal education gave our policy makers and operators most of the actual schooling they needed, other than on the job experience.

This attitude is seen most clearly at the Foreign Science Institute where newly appointed Foreign Service officers, fresh from the campus, are given only 9 weeks of general orientation training before being committed to the global conflict of systems.[11] Only as they are entering midcareer do they qualify for 13 more weeks at the Institute, and this training is not only inadequate as regards communism, it fails to give the student even a superficial survey of the range of measures potentially available to us. Only when he becomes a senior officer is he qualified for a 9-month course, and here the training in nonmilitary conflict, as will be developed later, is still most inadequate.

This would seem to reflect an attitude that nonmilitary conflict is really not so complex and that one can pick up the essentials on the job. Or it can reflect a general resistance to going beyond the traditional instruments of foreign policy conventionally applied, which leaves the Communists unopposed on much of the political-ideological terrain.

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[3] This can be seen by glancing through their journals.

[4] Army War College, Naval War College, Air University, National War College, and the Industrial College of the Armed Forces.

[5] Established in 1947 under the State Department to provide in-service training to the Foreign Service and other agency personnel.

[6] Figures are based on the 1960–61 academic year.

[7] A partial exception may be a CIA school about which I have little information.

[8] Diligent inquiry may uncover a rare seminar giving more coverage to nonmilitary conflict problems. I understand such seminars have been held by Kissenger at Harvard and Possony at Georgetown. This does not change the general picture.

[9] The Christian Science Monitor, Nov. 3, 1961, p. 14.

[10] It is remarkable how many people assume that an expert on communism is also an expert on nonmilitary conflict for our side.

[11] This is not an argument for an undergraduate foreign service academy. We agree this might take students out of the main stream of American life at too early a stage in their development.

Lacking an adequate training program, our cold-war strategists and operators have had to learn on the job, with tragic consequences. Furthermore, and this is an important point, the conceptual thinking and experience of careerists is often limited to one agency. While they may serve on various interagency boards and even attend one of the other agency schools, they are short on operator experience outside their agency. There are exceptions—noncareerists like Robert Lovett and Gordon Gray come to mind, who have moved around quite a bit.

As previously noted, this stands in marked contrast to the preparation of Soviet conflict managers who have often rotated through the KGB, Army, AFITPROP, and Foreign Service.

Henry Kissinger, in his useful study, "Nuclear Weapons and Foreign Policy," commented on this (p. 434):

"Whatever the qualities of Soviet leadership, its training is eminently political and conceptual. Reading Lenin or Mao or Stalin, one is struck by the emphasis on the relationship between political, military, psychological, and economic factors, the insistence on finding a conceptual basis for political action and on the need for dominating a situation by flexible tactics and inflexible purpose. And the internal struggles in the Kremlin ensure that only the most iron-nerved reach the top. Against the Politburo, trained to think in general terms and freed of problems of day-to-day administration, we have pitted leaders overwhelmed with departmental duties and trained to think that the cardinal sin is to transgress on another's field of specialization. To our leaders, policy is as a series of discreet problems; to the Soviet leaders it is an aspect of a continuing political process. As a result, the contest between us and the Soviet system has had many of the attributes of any contest between a professional and an amateur. Even a mediocre professional will usually defeat an excellent amateur, not because the amateur does not know what to do, but because he cannot react with sufficient speed and consistency. Our leaders have not lacked ability, but they have had to learn while doing, and this has imposed too great a handicap."

C. D. Jackson, who has been closely associated with our political warfare efforts, such as they are, for two decades as Deputy Chief of Psychological Warfare at SHAEF, later president of the Free Europe Committee, and finally President Eisenhower's special assistant on cold war planning, made these pertinent observations at the 1959 Senate hearings on the Freedom Academy bill (pp. 60, 61):

"If there is a single common denominator running through these different experiences—military, civilian, governmental, and private—it is the difficulty of finding Americans who have not only an instinct or a flair for political warfare, but also the elementary knowledge and training on the nature of the conflict and how to go about our end of the conduct of this very real and continuing warfare.

"To be a Communist is to make political warfare a full-time job and a life commitment. For Americans it is at best a part-time aspect of some other job, conducted intermittently and with grossly inadequate training. There are far too few Americans who are both dedicated enough and knowledgeable enough to combat communism effectively on a full-time basis. If the Communists are scoring steady political gains—and we know they are, in all corners of the world—it is because they take their political warfare seriously and we do not. Our greatest danger, it seems to me, is that we may let the victory go by default, simply because too few of us realize the nature and understand the weapons of the struggle.

"Now, Mr. Chairman, if I may repeat and paraphrase, I am sure that there is a general impression that adequate instruction places exist where this art or this profession can be studied. Actually, sir, there is no existing place where the whole problem is pulled together and taught in concentrated form and not in bits and pieces. That is why I think this is a good idea."

During the past decade, the nearest thing we have had to a training program taking note of the new forms of struggle has been at the war colleges. Originally designed to emphasize military subjects, the colleges have reoriented their courses to give to national and international affairs something approaching a coequal role. Their primary purpose is to give the officer, often insulated from nonmilitary matters prior to World War II, a grasp of the broader aspects of national strategy. Tiny quotas are also assigned from State, USIA, CIA, ICA, Treasury, and Commerce.

Many factors which go into formulating national policy are considered. In terms of providing a broad survey of our cold and hot war machinery, an understanding of the interplay between existing programs, and a survey of current political, economic, military matters around the world, the war colleges do a reasonably good job and they enjoy considerable prestige.

However, the War Colleges, despite their excellence, fall far, far short of training rounded conflict managers. Their purpose is more modest. They were designed as finishing schools for military officers—not as training centers for conflict managers in the new forms of struggle. Such central subjects as Communist conflict doctrine are, as noted, given only the lightest coverage. The all important subject of psycho-political warfare is mentioned, but not studied in depth, and so forth. The same is true at the senior officer's seminar at FSI. They hardly begin to open the students' eyes to the whole new range of operational methods and organizational forms which we must develop and master, if we are to successfully resist Communist protracted conflict from the student organizations of Latin America to the jungle villages of Vietnam.

In the spring of 1961 the writer asked Dr. Stefan Possony[12] to list some of the important subjects not being covered in government cold war training programs. Here is part of his reply:

"If we look at specific gaps, we find that there is nowhere any instruction on political warfare. Sometimes the word is used, but the speaker usually has no solid background of information nor is documentation handy. Nowhere, to my knowledge, is the subject treated comprehensively, and even if one agency does devote some attention to this, I doubt that there is enough competence throughout the Government. Hence not only our own operators, but also those large segments of the U.S. Government who are the very target of political warfare, are left in ignorance about the matter.

"Similarly, there is no place where ideology is being studied. Ideologies are studied in universities, of course, but only in terms of Hegel, Marx, etc. In a deeper operational sense, notably in view of offensive or defensive manipulation, ideology is not on the instructional map. I would go so far as to say that there is no instruction throughout the Government designed to protect us against hostile propaganda. It is naively taken for granted that our people understand propaganda techniques and have no trouble distinguishing propaganda from genuine communications.

"Going beyond propaganda, I am unaware of any Government effort dealing with psychological warfare including such important features as motivation, will, perseverance, conversion, anxiety neuroses, and other factors from the area of psychology and personality.

"There is unquestionably some pragmatic experience in economic warfare, but there is no agency where this problem is studied comprehensively.

"With respect to technological warfare, the Industrial College of the Armed Forces has been making some progress, but, essentially, this school continues to deal with economics in the traditional sense.

"The interrelationships between psychological and technological warfare such as they manifest themselves in the test-ban agitation are studied nowhere. The many scientists who are called upon to advise the U.S. Government on technological matters are kept in blissful ignorance about the most essential points on which their advice has a bearing.

"Academic instruction is one thing and operational training another. The operational training the U.S. Government has been providing, even in its trade schools, is quite inadequate, partly because operational records are kept highly classified and are withheld from instruction. Once a particular operation is terminated, the data and the lessons learned could be incorporated into the instructional materials, but this is not done, possibly with the occasional exception of one trade school.

"There are several efforts to acquaint reserve officers and civilian leadership groups with communism and other strategic problems (strategy seminars). But these programs are intermittent, improvised, and have too broad or narrow an audience base. No effort is really made to give the facts to such key segments of the American people as the communications industry. Nor is a real effort made to acquaint public opinion with the facts of life. Add to this the unfulfilled or largely unfulfilled need to increase the knowledge on communism in Allied countries, and to give a proper instruction to exchange people and foreign students, and you have a good list of the many things we are not doing."

These gaps in political warfare and its substrategies of economic, psychological, technological warfare and propaganda, as well as operational communism, could hardly be more critical, for they are in the very subjects which are essential to an understanding of the conflict we are in.

Without intensive, systematic study of these subjects, how can a cold war strategist possibly hope to develop strategy attuned to the world conflict? To say that specialists are available to advise him on these matters is like saying experts on strategy and tactics are available to a field commander who has never gotten around to studying these things himself. Washington advised Braddock about those unconventional Indians and well before the ambush. Unless the policymaker has himself mastered these central subjects and can think conceptually about the nonmilitary conflict, the availability of specialists will not make a strategist out of him.

When these grave deficiencies are pointed out, the stock answer is, we know Government training programs are inadequate, but this is supplemented by sending regular quotas to the better schools of international studies at our universities. As one State Department official put it to me, "We like our people to get the Harvard viewpoint, the Johns Hopkins viewpoint, the MIT viewpoint."

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[12] Dr. Possony, author of the pioneering book, "A Century of Conflict" (1953), and coauthor of "A Forward Strategy for America" (1960), has devoted much of his adult life to a study of Soviet conflict methods. He is a professor at Georgetown, past faculty member at the National War College, occasional lecturer at FSI, and adviser to the Defense Department on Soviet affairs.

The point is that our universities are concentrating on language and area studies and not on developing or teaching nonmilitary conflict. Whoever heard of a course in political warfare? Yet it is total political war in which we are engaged.

I do not argue against the desirability of exposing agency personnel to many viewpoints. I do say that when these training programs, in sum, skim over or bypass subjects essential to an understanding of the war we are in, they are in no sense a substitute for the Freedom Academy. Language studies and area studies are essential. But until the strategist has also studied in depth Communist conflict doctrine and political, ideological, psychological, organizational, economic conflict from our viewpoint, as well as the Soviets, he cannot relate the other knowledge to the world struggle—he cannot "reorient our forces of all kinds" in the new forms of struggle.

The urgent need is for rounded cold war strategists. Our universities are attuned to developing scholars and specialists. The urgent need is for operational-organizational know-how in the new dimensions of struggle. Our universities are attuned to language and area studies or to international law and diplomacy in a more conventional context.

There is another most important reason why our universities fall short. This has to do with motivation and the will to victory. Motivation is the most essential element we must instill in our people at all levels. We are constantly told that the Communists work harder with more dedication than their opponents. This is true because the Communist training program, the whole process by which they mould their cadre, concentrates on achieving a complete personal commitment. We naively assume motivation. Our Armed Forces understand its importance. Paratroop, Marine Corps, and Special Forces cadres have it, and it has been carefully cultivated in training, because their tough combat missions require it. Yet nonmilitary conflicts tests the human will in more subtle and deadly ways than military combat, and the will to win is crucial. The university atmosphere is simply not conducive to developing a complete personal commitment. Sometimes it will, but this is by accident rather than by design.

Many of the programs which are potentially available to us are conditioned on highly motivated as well as trained personnel to implement them. Men and women ready to accept any financial sacrifice or physical rigor, if it contributes to victory; who will not permit themselves to be affected by the apathy of their associates or the psychological pressures of the enemy.

Our training program is, of course, severely handicapped by the grossly inadequate research and development program in nonmilitary conflict. This has kept us from understanding our potential capacity and instituting a training program oriented to this capacity. It has kept our training programs confined to the comparatively narrow scope of our present knowledge.

Much work has been done at our universities on area research, especially on the Soviet Union. The Russian Research Center at Harvard and the Russian Institute at Columbia have produced a number of books going into many facets of the Soviet state. There is an increasing awareness of the need for African, Latin American, and Eastern studies, and many area studies are underway at our universities. Language training is being stepped up. Hundreds of books have been published on communism.[13]

Yet, we must keep constantly before us the distinction between studying communism and the languages, institutions, economies, and histories of foreign countries on the one hand and researching and developing the operational-organizational knowhow and the conceptual framework for nonmilitary conflict. Only the latter makes it possible to understand the conflict we are in, in all its dimensions, and to apply the full range of methods and means potentially available in an integrated, sustained, and consistent fashion.

It is this operational-organizational knowledge and a realistic conceptual framework for a global struggle between freedom and communism which is neglected at our universities. I do not mean that nothing is being done about these things at our universities. Here and there an individual professor or small group is doing useful work. This does not change the general picture. There seems to be a feeling that the operational problems of nonmilitary conflict are not a suitable subject for the campus.

The Soviets also engage in extensive area and language studies, and in African studies they are probably ahead of us. But it is not this which gives them their great advantage. Rather, it is the systematic way in which they have thought out and mastered all the organizational forms and operational techniques which are possible in a total power struggle and the way in which they apply these flexibly yet systematically and consistently with clearly understood purpose within an all-encompassing conceptual framework. This gives them the capability of using the production of their area studies to best advantage.

The Government research effort in nonmilitary conflict has been a bits-and-pieces affairs. There has been considerable ad hoc inquiry into specific, limited operational problems as they arise. There has not been an organized, comprehensive effort to think through the full range of methods and means potentially available to us. The emphasis has been on meeting the day-to-day problems, rather than a long-range research and development effort to systematically develop our national capacity to engage in the new dimensions of struggle. Furthermore, the existing operational knowledge and research has not been assembled at one place so that we can determine what has already been done, define the gaps to be filled, and then set about in an organized way to fill these gaps.

The result of this research and training failure is that our policymakers simply do not know what our national potential is in the global struggle. A whole range of means which could be available to us do not enter into our planning, because our policymakers have not been prepared to understand these things, our operators have not been trained to implement them, and our research has not been attuned to finding out what they are.

Therefore, in seeking our national objectives we employ only a fraction of the methods and means potentially available. Again and again an objective is approached along a few well-worn avenues when a whole complex of access roads lead directly or indirectly to the same objective. Ours has been a limited approach to strategy, while the Communists employ all arms.

Our greatest weakness is that we continue to plan too much in terms of present capacity rather than in terms of systematically developing capacity in the new dimensions of conflict by instituting a research and training program organized to fill the five requirements I have listed.

Consider requirement No. 4—adequate public knowledge about communism and the global struggle. Again there is no evidence of an organized effort which can hope to fill the gap.

It should be emphasized once again that adequate generalized knowledge about communism and Communist conflict technique can only be obtained through a systematic training program or a heavy amount of organized reading. It is no answer to say that our news media give excellent coverage of world events. They present a hodgepodge of uncorrelated facts which leave the untrained individual with a blurred image of communism. Nor is it any answer to say there are many good books about communism in our libraries, when no significant number of people are reading these books, or reading them in sufficient quantity.

It should be kept in mind there is little in the experience of our people to prepare them to understand the present struggle. The type of enemy we face, the confusing array of methods and means used against us, the skillful deception, the ambiguous nature of enemy moves, the misleading vocabulary, the slow, and often concealed erosion of our position, the seemingly disconnected events in all parts of the globe, subversion raised to the level of a science, the staggering long-range implications of the Soviet industrial, technological, scientific effort, are all foreign to our experience.

Our secondary schools and universities are an obvious place to make a beginning. Yet by and large they offer almost nothing. Allen Dulles, in his August 1960 speech to the VFW, commented:

"In our schools and colleges we can find many courses in ancient history, in philosophy, courses on the great movements of the past, the conquests of ancient times from Alexander the Great to Napoleon. Courses on Communist theory and practices are few and far between.

"By and large, however, in our educational institutions, except in the graduate field or in specialized schools and seminars, these subjects are not generally taught.

"There is a real urgency to build up our knowledge on the entire background of the Communist thrust against our civilization.

"The people of this country are and will continue to be basically opposed to communism in general. This opposition is based more on instincts than on knowledge. This is not enough. Our people should be sufficiently educated in all of the ramifications of communistic intrigues and its historical background, its purposes, and programs adequately to contribute toward an effective answer.

"The initiative for new knowledge comes more often from those of us who want to learn than from those who teach. But let us also call on our educators, and on those in authority who have influence over the development of our educational system to begin to expand the realistic teaching of the history and policies of communism."

Mr. Dulles was overly generous in his reference to the graduate field. One expert recently advised me, "I do not think there are more than half a dozen courses in the entire country that cover communism as such and, if so, discuss operational technique rather than political philosophy and history. If there are more such courses they would be outside regular degree curricula." A course covering political philosophy in the 19th and 20th centuries in which the student reads the "Communist Manifesto" and "State and Revolution," does practically nothing to prepare him to understand the conflict we are in. Nor do a few chapters on

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[13] In many of these books, the author in the closing chapter feels the need to suggest countermeasures. Usually they have little to offer. This is most revealing as to our low level of knowledge in the area of nonmilitary conflict.

Russia since 1917 in a modern European history course. Yet this is about all that many colleges offer.

As Dulles emphasized, this instruction should begin in our secondary schools. Here the gap is almost complete. Actually some public pressure is developing to institute courses on "Communism Versus Democracy" in our high schools. However, even if our schools wanted to do this, and some now do, they are stymied because no teachers have been trained to give such courses, or to include the subject in adequate form in social science and history courses.

Nothing demonstrates our research and training failure better than this failure to teach the teachers. Again and again civic organizations, the American Bar Association for example, have urged such instruction. And each time they run up against the same roadblock. There is little evidence our teachers colleges and State universities are doing anything to remedy the situation or that they have instructors themselves, in many instances, who are prepared to teach these things. It is unrealistic to expect our busy teachers to educate themselves in this difficult subject. Under mounting pressure, courses will begin to appear in our high schools, but their quality, in the absence of systematically trained teachers, will leave much to be desired.

There are a few bits and pieces, small scale attempts to overcome public ignorance. The War Colleges bring in a few private citizens, mostly reserve officers, for 1- or 2-week strategy seminars. These range over such a wide area they can provide only the skimpiest coverage of communism. Some private groups have initiated schools on communism, usually of 1- to 5-day duration. Sometimes these have been well run. Sometimes they have been unnecessarily partisan. There is seldom any followup. Last fall the University of Southern California received a $350,000 gift to establish a school on "Communist Strategy and Tactics." Presently it is offering 6 weeks of night classes. This event was so unique in the academic world, it received wide press coverage. It is a small, but hopeful beginning.

It is when we come to requirement No. 5, however—not merely understanding communism and the nature of the global struggle between systems, but knowing how the private sector can contribute to winning this struggle—that the extent of the research and training gap really becomes apparent.

The very idea of the private sector playing a large role in the cold war may seem novel. The Orlando committee, after years of considering the problem, is convinced that many of our most difficult cold-war problems are susceptible of partial solution, at least, through a wide range of method and means which can be implemented by the private sector—provided our private institutions and civic organizations have among their members some who have received at least a little systematic training about communism, the global conflict, and what the private sector can contribute. Without such trained and motivated people, what the private sector can do is limited. With them, even in comparatively small numbers, the range of activities * * * is almost unlimited. Yet, as in the case of schoolteachers, we have neglected to provide anywhere a training program which would enable any significant number of private citizens to learn about these things.

Today the private sector wants to participate. From personal experience, and this has been confirmed by others I have talked with, I can testify a marked change has occurred in the public's attitude toward the cold war. Responsible citizens who showed little concern even a year or two ago, are now crowding forward to ask "What can we do?" They are worried. They sense that the business as usual civic projects now engaging their time are a little remote in terms of the present world situation. Many display eagerness to involve themselves and their organizations in worthwhile projects that have some real bearing on winning the cold war. These are responsible civic leaders, who understand the battle must be won in Latin America and Africa as well as Hoboken, and by a combination of positive as well as negative programs.

By and large, however, this increasing desire to participate has been frustrated by lack of trained leadership at the community, State, and National levels and advanced knowledge on what the private sector can do.

This is disturbing, because every day important opportunities are slipping by, some never to reappear. But our civic leaders lack the training to enable them to visualize these opportunities or the methods and means their organizations could employ to take advantage of them.

The little training that is available, like the strategy seminars, has one common failing. It gets the student all stirred up and then suggests little or nothing he can do. There is a good reason why. In this tough and complex struggle the things the private sector can do are not as obvious as some imagine. Knowing something about the enemy is not sufficient preparation for making an effective contribution. It will require a concentrated, systematic research program involving a broad cross section of experts with a maximum cross fertilization of ideas and experiences to think through the many methods and means the private sector can employ—if the private sector is to participate on a sustained and systematic basis.

A number of private organizations are making some contribution here and overseas. Certain foundations are spending substantial sums overseas on a range of projects that sometimes have at least an indirect bearing. The AFL–CIO has done considerable work in Latin America, Africa, Europe and Asia attempting to build up free labor against the Communist onslaught. If you go through the whole list of private participation, at first glance it appears impressive.

In fact, it is not. Only a tiny fraction of the ingenuity, talent, and strength that could be brought to bear here and overseas is being utilized. The great majority of our civic organizations are uninvolved. Much of what is being done is mediocre in terms of what it could be, if we had trained, motivated people to carry out these programs.

To my knowledge, there is no comprehensive, organized effort going on anywhere to research and think through the full range of methods and means the private sector can properly employ. Nor does any existing center have the staff, funds, or directive to undertake this enormous and challenging job. Yet, until the problem is considered whole, until a wide range of expert knowledge is focused on the problem, we can never know what the true capacity of the private sector is.

In planning our strategy in the nonmilitary area, we tend to downgrade the role of the private sector and this is realistic, considering its present limited capacity. The point is that we can very likely develop a very large capacity to participate with the type of research and training program envisioned for the Freedom Academy. Instead of bemoaning the lethargy, indifference, and seeming incapacity of the private sector, we should recognize these are the natural and expected results of our neglect to institute an adequate research and training program.

The President's speech of April 20, 1961, to the American Society of Newspaper Editors indicates the administration may have turned a corner in its comprehension of the inadequacy of our strategy and the means of implementation in nonmilitary conflict. I was particularly struck by these words:

"It is clear that the forces of communism are not to be underestimated in Cuba or anywhere else in the world. The advantages of a police state, its use of mass terror and arrest to prevent the spread of free dissent, cannot be overlooked by those who expect the fall of every fanatic tyrant.

"If the self-discipline of the free cannot match the iron discipline of the mailed fist in economic, political, scientific, and all the other kinds of struggle as well as the military, then the peril to freedom will continue to rise. * * *

"It is clearer than ever that we face a relentless struggle in every corner of the globe that goes far beyond the clash of armies or even nuclear armaments.

"We dare not fail to see the insidious nature of this new and deeper struggle. We dare not fail to grasp the new concept, the new tools, the new sense of urgency we will need to combat it. * * * And we dare not fail to realize that this struggle is taking place every day without fanfare in thousands of villages and markets day and night and in classrooms all over the globe. * * *

"Too long we have fixed our eyes on traditional military needs; on armies prepared to cross borders; on missiles poised for flight. Now it should be clear that this is no longer enough; that our security may be lost piece by piece, country by country, without the firing of a single missile or the crossing of a single border.

"We intend to profit from this lesson. We intend to reexamine and reorient our forces of all kinds; our tactics and our institutions here in this community. We intend to intensify our efforts for a struggle in many ways more difficult than war."

These are hopeful words. Whether the corner has been turned will depend in good measure on the training and research effort we now inaugurate to prepare us to understand and master the new concepts, the new tools which will enable us to reexamine and reorient our forces of all kinds, our tactics, and our institutions.

For many years I have felt that one of the best indicators of future Soviet intentions is their immediate research and training effort. No one who noted the stepped-up training of Latin Americans at Prague beginning in 1954 would have been misled by Khrushchev's protestations of peaceful coexistence.

By the same token I will remain unimpressed by talk about new methods and means until an adequate research and training program is inaugurated to provide them.

The question is this. Will the administration take the position that the existing research and training program is adequate, or can be made adequate with a little more emphasis on nonmilitary conflict? Or will the administration admit that we have not even come close to an adequate research and training effort in the new dimensions of conflict, and then set about systematically creating national capacity for the long haul in the new forms of struggle?

The President is on record that we can lose everything if we fail to master the new forms of struggle. As of today there is not a single center in or out of government where this vast subject is pulled together and taught in concentrated form.[14] Yet, only when it is

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[14] The Senate Judiciary Committee in its June 1960 report on the Freedom Academy bill made this finding:

"1. No concentrated, systematic effort is being made to develop an integrated operational science for our side which will meet the entire Soviet attack and work toward our long-range national objectives in a coordinated manner, utilizing every area of potential strength in the public and private sectors. We have not thought through all of the short- and long-range methods and considered whole can we understand the nature of the challenge and generate an adequate response.

## SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

Mr. MOSS. Mr. President, the program of Federal school assistance to local school districts under Public Laws 874 and 815 has now been operating successfully for 12 years. It has served all of our 50 States, Guam, Puerto Rico, and the Virgin Islands under many diverse situations and conditions, and served them remarkably well.

During this time, the impacted-area laws have been extended many times, and have been adjusted again and again to meet new situations and to iron out inequities. Public Law 815, which provides construction funds, was extended, or its provisions modified to adjust assistance to recently modified needs, three times in the 83d Congress, three times in the 84th Congress, three times in the 85th Congress, three times in the 86th Congress, and once more in the 1st session of the 87th Congress.

Public Law 874, which provides operation and maintenance funds in federally impacted areas, was extended, or modified, with similar purposes in view, three times in the 83d Congress, five times in the 84th Congress, twice in the 85th Congress, three times in the 86th Congress and once in the 87th Congress, 1st session.

The Members of Congress who sit on the committees responsible for the impacted-area laws have shown great willingness to adjust the laws to fit newly emerging situations, and the Congress has given almost unanimous support to the recommendations of the committees.

As a result, in 1962, approximately 11 million schoolchildren, or close to one-third of all pupils attending public elementary and secondary schools, were in attendance at a school in one of the 4,065 school districts receiving aid under one or more of the impacted-area programs. Federal property forming a basis for this assistance totaled 255 million acres. There were some 5,288 different Federal properties claimed by applicants as a basis for federally connected children. I quote these figures to indicate how widespread the programs are, and the increasingly important impact this assistance is having on all public elementary and secondary education in the United States.

In my State of Utah, in 1962, 12 school districts were aided under Public Law 874, the operation and maintenance law, receiving a total of $2,257,342. Two school districts were helped by Public Law 815, the school construction law, receiving $1,094,329. In a relatively small State like Utah, where there is a high birthrate, a personal income average below the national average, and more children in public schools per capita than in any other State, the $3 million in school assistance provided by these two laws was welcome, indeed, indispensable.

Some provisions of these valuable and highly regarded laws have been made permanent, but others are under temporary extension, and will expire on June 30 of this year. I hope that in this session we can give these programs early and careful consideration, so we will not be faced with pushing them through at the last moment—or even after they have expired, as was the case in the 1st session of the 87th Congress—and that we can also consider carefully some adjustments which would broaden the programs slightly to allow other schools to participate and would also clear up inequities. I am, therefore, introducing a bill today which I hope will be a basis for such action.

### PUBLIC LAW 874

My bill proposes to extend the provisions of Public Law 874 now due to expire this June 30 to June 30, 1965. It would also change the eligibility requirements for school districts with 35,000 children or over. At the present these large districts must prove that 6 percent of their children in average daily attendance are federally connected. My bill would lower this percentage to 3 percent, which is the same figure now used for eligibility for districts with enrollments under 35,000. Some of the large school districts are now eligible on the basis of 3 percent federally connected children, and all of the smaller districts. It seems to me that all districts should be made eligible on the same basis—it costs all of them just as much to educate the children in question.

Adjustments of this provision would make some 20 to 25 additional large school districts in the country eligible, at a total estimated cost to the Federal Government between $18 to $20 million.

I have been advised by Dr. M. Lynn Bennion, superintendent of schools in Salt Lake City, that Salt Lake City has now reached a figure of 4.3 percent federally connected children. A reduction to a 3-percent qualification would, therefore, immediately make this important large district in Utah eligible.

Another large Utah school district, the Granite District, has recently applied for assistance and this reduction would assure it. The Granite District had had great difficulty this past year in holding qualified teachers because salaries are low, and their problems have erupted several times in our local papers. Federal funds for operation and maintenance could free other school district funds for higher salaries and other urgent needs.

Among large city districts which probably could be qualified for assistance under this eligibility adjustment of from 6 to 3 percent are Los Angeles, Chicago, New York City, Richmond, Detroit, Dallas, and Miami. Also, some of the larger consolidated school districts might qualify.

### PUBLIC LAW 815

My bill would extend Public Law 815 for 2 years until June 30, 1965, and modify the minimum requirement in two instances. It would cut from 5 to 3 percent the minimum requirement of a percentage increase in federally connected children with parents on Federal property during a 2-year increase period over the base year—sections 5(A) (1) and (2)—and reduce from 10 to 5 percent the minimum requirement for children of parents brought into the community because of defense contracts—Section 5 (A) (3).

There has been increasing difficulty on the part of school districts to meet the requirement of a 5-percent increase in membership over a 2-year period of children connected with Federal property so the district can make application for new school construction. The nonfederally connected school population has increased in many districts that have been applicants under Public Law 815 in past years, an increase induced partly by the increased Federal activity in a community. Approximately one-half of the applicants whose applications were processed after recent cutoff dates under Public Law 815 have failed to meet the minimum requirements for eligibility, not because they did not need the classrooms for federally connected children, but because the minimum requirements were too exacting.

An analysis of the applications processed after the last four cutoff dates of June 19, 1961, December 11, 1961, June 25, 1962, and November 19, 1962, indicated 781 applications filed, of which 546 have been processed. Of those processed 44.9 percent were declared ineligible for various causes. There were 118 districts which did not meet the required 5-percent increase in school membership, during a 2-year increase period, of children connected with Federal property. The federally connected increase in school membership in these 118 districts ranged from 3 percent to 4.9 percent. Causes of ineligibility for the other 127 applicants were such things as, first, an insufficient number of unhoused children, second, insufficient growth in the non-Federal school population to meet the required 107 percent, third, the fact that an applicant might have been paid under a previous application for more federally connected children than it now has in terminal membership, or fourth, other causes. The probable effect of reducing the percentage increase requirement to 3 percent would be to increase the number of successful applicants by about 20 percent.

The number of school districts affected by the change from 10 to 5 percent—5(A) (3)—would not be large, but

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means which freemen can properly use when faced with a Soviet-type challenge, and we have not integrated these methods into a broad strategic plan. This is especially true in the field of political and economic warfare. Bits and pieces of the problem are being worked on within the Government and at some universities, and part of this development work is of a high order, but the total effort falls far short of seeking an integrated, operational science and does not begin to develop our true potential.

"2. Nowhere today can Government personnel or private citizens receive broad spectrum training in cold war, especially in the large and highly complex field of political and economic war. Not only do we lack top level schools, we do not even have intermediate or lower level schools. There is no place where the bits and pieces are pulled together and taught in concentrated form."

a few more districts might qualify. The justification for the proposed percentage reduction from 10 to 5 percent under this section of the law is its consistency with the original purpose of Public Law 815. The criteria for eligibility under this law attempted to measure the point at which increases in school enrollment of federally connected children as defined in the law caused a serious financial burden on the school district. The entitlement formula attempted to relate the amount of Federal payment to the extent of the financial burden imposed on the local educational agencies by Federal activities. Details of these formula provisions have been altered by amendments to the original act, but the basic concept has remained the same since the law was originally passed.

The type of federally caused impact recognized under subsection 5(A)(3) of this law is a sudden and substantial increase of children resulting directly from activities of the United States carried on either directly or through a contractor. These are mostly defense contracts with privately owned plants. For the sake of consistency it appears that a school district should not be prevented on a much more severe basis from participation in Federal assistance for a federally caused burden ascribed to Federal contract activity than for a burden ascribed to employment of a parent on a military installation.

Lastly, I would like to emphasize again the urgent need for action on my bill very early in this session of the 88th Congress, in order to give local school district applicants under the school assistance program a firm basis for estimating the amount of Federal payments they may expect to receive for fiscal year 1964. The urgency, as I have stated, arises from the fact that certain temporary provisions of both Public Law 815 and Public Law 874 will expire as of June 30, 1963, if not renewed. If there is delayed action on the renewal of these portions of these laws, a large number of school districts in all the States will face uncertainty in the determination of their budgets for fiscal year 1964.

I send this bill to the desk for appropriate reference, and request that it remain at the desk for a period of 5 days to give my colleagues an opportunity to join in cosponsoring this measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 415) to amend Public Laws 815 and 874, 81st Congress, in order to extend for 1 year certain expiring provisions thereof, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## ESTABLISHMENT OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. PEARSON. Mr. President, I submit, for appropriate reference, a resolution proposing the creation of a Standing Committee on Veterans' Affairs. This is similar to Senate Resolution 110 submitted by my predecessor, Andrew Schoeppel, in the 1st session of the 87th Congress and which I urged the Senate Rules Committee to approve during the 2d session of that Congress.

The 1946 Reorganization Act included provision for a Standing Committee on Veterans' Affairs when it was presented to the Senate. The authorization was deleted by floor amendment with the reluctant agreement by Robert La Follette, Jr., who was in charge of the bill. Subsequently, a number of Senate resolutions have been introduced to authorize the creation of such a committee. These culminated in the appointment of a Special Subcommittee to the Committee on Rules and Administration during the 86th Congress to conduct hearings. The subcommittee, composed of Mr. CANNON and Mr. KEATING, reported favorably and urged creation of a Committee on Veterans' Affairs. The full committee did not endorse the subcommittee's report, however.

During the 87th Congress at least 50 bills affecting veterans were referred to the Senate Finance Committee alone. I have the greatest appreciation for the concern of the members of that important committee for the welfare of our veterans. I am certain, however, that they will be first to admit that the demands upon their time and energy have increased to a tremendous magnitude in recent years. Last year such important and controversial measures as the Trade Expansion Act, medicare, and tax revision consumed major attention of the committee. This session of the 88th Congress will depend upon the committee for a time-consuming study of the administration's proposed tax cuts.

Veterans organizations and other Members of this Senate have urged consistently that the business of concern to veterans and the major business of the Finance Committee in particular could be expedited by the creation of a Committee on Veterans' Affairs.

In view of the interest expressed by a substantial number of the Members of the Senate, in view of the recommendation of the subcommittee, in view of the overwhelming support expressed by witnesses during the hearings, and most importantly, in view of the merits of the proposal itself, this Senate resolution warrants full Senate support.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 51) was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (1) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Paragraph 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences, and Committee on Veterans' Affairs".

SEC. 3. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

## URBAN MASS TRANSPORTATION ACT OF 1963—ADDITIONAL COSPONSORS OF BILL

Mr. WILLIAMS of New Jersey. Mr. President, on January 14, I introduced for appropriate reference a bill to authorize the Housing and Home Finance Agency to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas.

The bill, known as the Urban Mass Transportation Act of 1963 attracted broad bipartisan support at the time of introduction and since then, others have asked that their names be added to the list of cosponsors.

Mr. President, I ask unanimous consent that at the next printing of the bill, S. 6, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Pennsylvania [Mr. SCOTT] be added to the list of those who cosponsor the bill I introduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXTENSION OF TIME FOR RESOLUTION TO LIE ON THE DESK FOR ADDITIONAL COSPONSORS

Mr. KEATING. Mr. President, I ask unanimous consent that Senate Resolution 30, submitted by the Senator from Vermont [Mr. PROUTY], be allowed to lie on the desk for additional cosponsors until January 29.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. CANNON. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from New

Jersey [Mr. CASE] be added as a cosponsor of the resolution (S. Res. 48), which would create a Standing Committee on Veterans' Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Under authority of the order of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill and joint resolution:

Authority of January 14, 1962:

S. 34. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level.

Name added: Mr. LONG of Louisiana.

Authority of January 15, 1963:

S.J. Res. 17. Joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in the States of Wyoming and Utah, as "O'Mahoney Lake and Recreation Area."

Names added: Mr. COOPER, Mr. MORSE, Mr. CLARK, Mr. MCNAMARA, Mr. BURDICK, Mr. WILLIAMS of New Jersey, Mr. FULBRIGHT, Mr. MCCARTHY, Mr. BAYH, Mr. THURMOND, Mr. ERVIN, Mr. KENNEDY, Mr. EDMONDSON, and Mr. MCCLELLAN.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HARTKE:

Address by Vice President LYNDON B. JOHNSON at a luncheon for Democratic workers, in Washington, D.C., on January 19, 1963.

## ORDER OF BUSINESS

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, will the Senator from Florida withhold his suggestion of the absence of a quorum?

Mr. HOLLAND. I am sorry, but I must tell the Senator from New York that I agreed to call a quorum in deference to Senators who are not now on the floor, so I shall have to insist on my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I now understand that the sole purpose of calling a quorum was to make certain that the distinguished Senator from South Carolina was on the floor. He is present; therefore, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REPORT OF FINANCIAL HOLDINGS OF SENATOR YOUNG OF OHIO

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I made in writing to the Secretary of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR YOUNG OF OHIO

Hon. FELTON M. JOHNSTON,
*Secretary of the Senate,*
*The Capitol, Washington, D.C.*

DEAR MR. SECRETARY: At the outset of convening of the 88th Congress, I file with you and publicly report my financial holdings. I have done this before. In my campaign for election in 1958, I made two promises to citizens in asking for their votes: (1) that I would make public my financial interests and personal finances so that anyone could judge whether or not any of my votes were cast for purely selfish reasons and against the public interest; and (2) that I would conduct myself at all times and always vote in accord with my judgment and conscience, giving no thought to political considerations; that no pressure groups would prevail and that this was the last public office I would occupy and I intended to try hard to be a good public servant.

I owned stock in sugar corporations, such as Cuban-American Sugar Co., Fajardo, Central Violeta & South Puerto Rico Sugar Co., and I have sold all stocks I owned in such corporations. In addition, I sold my stock in Pan American Airways, which corporation owns Cape Canaveral. I did this because of my membership on the Senate Committees on Aeronautical and Space Sciences and on Agriculture.

I make public a complete and correct statement of my financial holdings. I own real estate in Ohio, Mississippi, and Washington, D.C. Also, I have conveyed an oil lease on my Mississippi acreage, which may posssibly result in income. In addition to the real estate and stocks, I also own a modest amount of some U.S. Government bonds.

As a member of the Committee on Ways and Means of the House of Representatives, I voted to reduce the depletion allowance of oil and gas producing corporations from 27½ to 15 percent. I have not changed my views. As Senator, I voted for an amendment to reduce this depletion allowance.

Some of the oil stock I own was purchased by me before I went overseas in World War II. Like other stockholders, I receive form letters and circulars along with dividends, urging me to write my Congressman, expressing views coinciding with those of the corporate officials. This is an additional reason causing me to feel I should make a financial disclosure. Obviously, circulars of this sort are not persuasive to me. With my views a matter of record, I knew of no reason for selling my stock in oil producing corporations.

I owe no banking institution or individual any unsecured loan. I owe to banking institutions two real estate mortgages and notes and this, and other secured loans I owe, total approximately $116,000.

I own the following shares of stock: 2,032 W. R. Grace & Co., 1,100 Airport Parking of America, 921 Monsanto Chemical, 809 Mission Development, 300 Sinclair Oil, 209 Robbins & Myers, 240 Martin Marietta, 200 Mission Corp., 100 Canadian Pacific Railway, 200 General Fireproofing, 160 Atlantic Refining, 200 Pacific Northern Airlines, 100 United Fruit, 100 Delta Airlines, 104 Socony Mobil, 131 Ashland Oil & Refining, 40 British Petroleum, 50 Rainbow Products, 42 Scurry Rainbow, 5 Getty Oil, 100 Lucky Stores, Inc., 200 DuBois Chemicals, 150 Radio Corp. of America, and 31 Tidewater Oil.

Sincerely yours,

STEPHEN M. YOUNG.

## PROTECTION OF CITIZENS OF MAINE BY SENATOR SMITH

Mrs. SMITH. Mr. President, in the years when we had a Republican President, I did not permit his being a Republican to prevent me from taking issue with him when I felt that he had not acted in the best interests of the people of Maine. One of the matters on which I disagreed with him was his action for the protection of the oil industry—when he placed restrictions on oil imports for the protection of oil interests here at home—but discrimination for oil interests in Texas and elsewhere at the expense of the people of Maine, who repeatedly are victims of high oil prices about which they can do nothing because they are a captive market.

With vigor, I criticized the Republican President. And in view of the recent action of the Democratic President restricting imports of oil, I am equally critical of this action which discriminates against the people of Maine, and I am critical with equally bipartisan vigor.

I speak of this today because our Nation is going through its coldest spell of this season and because prospects are that we will continue to have our coldest weather for the next 2 months.

I speak of it because I remember so well what happened in past years during such cold periods, of how fuel oil prices went up, of how the restrictions against oil imports lessened competition so much that the fuel oil prices could be easily raised in the coldest time of the year, when Maine people in a captive market could do nothing about it, could not convert to another means of heat, had no choice but to pay the raised fuel oil prices or go cold and risk their health and their lives.

It is said that what is past is prolog and that future actions can be predicted on the basis of past behavior. If this pattern should prove to be the case, then the people of Maine—and of the other captive market areas of our Nation—face the tragic possibility that again they will be at the mercy of the oil producers with hiked prices when they can do nothing but pay the hiked prices.

In this connection, I want to make it crystal clear that I refer to the oil producers—and not to the oil distributors—for the distributors are at the mercy of the oil producers. I know this because many of the oil distributors in Maine have expressed to me their own resentment of the price hikes that are forced upon them by the oil producers.

One of the reasons why I was so hesitant to vote for the trade expansion bill was the manner in which that legislation sacrificed the textile, shoe, and plywood industries of Maine but at the same time protected the oil industry of Texas and other States from foreign oil imports. It is true that the name of oil was not mentioned in the protective provisions of that legislation. But if you dug a little deeper than the surface words of that legislation, you found that very clearly oil was one of the commodities given protective exemption from the provisions of the legislation.

What is this power that the oil interests have which enables them to receive such protection to the detriment of fuel oil users? Why the protection against the foreign oil competition imports that could competitively bring the prices down—protection given by a Republican President and now by a Democratic President? Why protection for the millionaires in the oil industry, but no protection for the little textile worker and the little shoe worker?

In the face of a huge deficit, Congress has been asked to make a tax cut. But the emphasis appears to be on a tax cut rather than on tax reform. Why do we not close up some of the flagrant tax loopholes such as the 27½-percent depletion allowance that the oil millionaires enjoy? Why is tax protection and favoritism continually given to them, just as in the recent action of the President restricting oil imports for their protection and helping them keep their prices up?

Why all the evident concern and action for the oil millionaires? Why is not some action taken for the protection of the little man? Why not some protective action for the little people who hover around a fuel oil stove in the cold of winter after spending the precious small amount of money they have for fuel oil to keep warm and to survive the winter?

## FREEDOM ACADEMY

**Mr. KEATING.** Mr. President, I am very happy to join with Senator MUNDT and nearly a dozen other Senators in cosponsoring legislation to create a Freedom Commission and Freedom Academy. I enthusiastically support this proposal to create institutions to mobilize the United States for the continuing battle against international communism in all its forms.

From the time this proposal was originally put forward in the 86th Congress, it has had impressive, diverse, and bipartisan support. The senatorial cosponsors are a bipartisan group. The bill has the support of the AFL–CIO. It has always enjoyed tremendous public support among eminent professors and Soviet specialists, and it is backed vigorously by millions of Americans who see the increasing need every year for more effective techniques to combat the Soviet menace.

Mr. President, this year for the first time the State Department and the administration has recognized the deficiency in governmental training programs for personnel who must deal with the Communists and formulate our policies toward them. For the first time the State Department is itself moving toward a similar objective. The President's advisory panel, headed by James A. Perkins, of the Carnegie Corporation of New York, has called for a National Academy of Foreign Affairs.

Mr. President, there is much in the Perkins report that I would applaud. It is anticipated that specific recommendations in the form of legislation will be sent to the Congress as soon as they are completed. The purpose of reintroducing this bill in a slightly revised form at this point is not to preclude consideration of other suggestions that may come before the Congress. Rather it is to permit a full study and hearing to be held on all relevant possibilities. For instance, specific questions have been raised as to whether this institution should be limited to college graduates if persons are otherwise qualified, as to whether training in such an institution should be limited to government personnel, as to whether citizens of foreign nations should be permitted to attend, and as to whether such an institution should replace or merely supplement the present Foreign Service Institute. These and other questions will have to be studied in some detail during the legislative process.

But the time has undoubtedly come, Mr. President, to acknowledge the need for an institution to prepare Americans to wage the kind of nonmilitary warfare at which the Communists excel. The Communists have long been experts in using political, psychological, economic, and technological weapons in their ambitious plan for world conquest. In the military field there is no doubt that our resources are as great as theirs—in fact, greater. But in these other nonmilitary areas they have a network of organizations and tactics that have been active for years. We, on the other hand, must mobilize ourselves more effectively to meet the many-pronged challenge of Soviet political warfare. The purpose of this institution would be to help American citizens, primarily in government, to develop the professional competence, experience, and knowledge necessary to meet the extraordinary variety of techniques employed by the Communists throughout the world. Prompt congressional action along the lines of this bill or similar proposals would constitute a long and important step in strengthening America's arsenal of nonmilitary cold-war weapons.

## ANTI-SEMITISM IN THE SOVIET UNION

**Mr. SCOTT.** Mr. President, the U.S.S.R., as its propaganda boasts will affirm, is a party to the Universal Declaration of Human Rights. Article 18 of that declaration states:

> Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private to manifest his religion or belief in teaching, practice, worship, and observance.

Soviet actions belie this pledge. We have ample documentation of the Soviet treatment of one of its minorities, the Jews. This sordid evidence is detailed in an article by Moshe Decter in the January 1963 issue of Foreign Affairs Quarterly, published by the Council on Foreign Relations. It contains a dossier of Soviet perfidy that should be included in the files of all who would pin the lie on Communist pretenses of regard for individual and group rights. It reveals the extent of just one aspect of Soviet racism at a time when the Russians are making their strongest appeals to the newly emergent nations of Asia and Africa.

The following are some of the salient features of current Soviet anti-Semitism:

> 1. While there are over 100 nationalities in the U.S.S.R. which are granted the right to their own cultural institutions, their own schools, and their own language, the Jewish people—who are considered as members of the Jewish nationality by Russian law—are the only such group denied any semblance of nationality rights.
>
> 2. Jews who maintain their Jewish identity—and item 5 of all Soviet passports lists an individual's nationality—face increasing restrictions in educational and occupational opportunity.
>
> 3. While all the major religious groups in the Soviet are permitted regional or national ecclesiastic organizations so they might maintain contact with their people, only the Jewish religious groups are barred from official contact with one another.
>
> 4. Bibles, prayerbooks, and religious objects have been provided all other religious groups in the Soviet; these have, in effect, been denied Jews. In addition, while other faiths are truly permitted houses of worship, Jewish synagogues have been closed in community after community.
>
> 5. Synagogue leaders have been arrested on undisclosed charges. Jews are also being singled out in the Soviet press for so-called economic crimes and capital sentences are meted out to them in increasing numbers. As Mr. Decter points out in his article, a "policy of cultural and religious repression is conducted within the charged atmosphere of a virulent press campaign against Judaism."

These facts add up to a damning indictment of Soviet deeds as contrasted with Soviet words. While other nations, our own included, are called upon to answer charges of racism within national borders, the U.S.S.R., by the peculiar standard of international double morality which has too long been to its advantage, seems exempt from this obligation. It is incumbent upon the Soviets to disprove these charges or to stand before the world wearing the brand of racism which it has so eloquently decried in its own propaganda pronouncements. The Kremlin in the treatment of its Jewish minority clearly has one standard of morality for its own conduct and another higher standard for use in picturing itself to the world.

## SOLICITATION OF FEDERAL EMPLOYEES FOR CONTRIBUTIONS

**Mr. CARLSON.** Mr. President, there recently has been much talk, in the press and out, pertaining to the solicitation of Federal employees for contributions to political dinners. It was not the intent of the so-called Hatch Act to prohibit a classified civil service employee from voting as he pleases or even attending a dinner which might properly be labeled a birthday or party dinner.

It was and is the intent of the law to prohibit a public employee or anyone else from soliciting another public employee on public property for funds to such an occasion. Any such solicitation by a Federal employee, or by anyone else on public property, or elsewhere, which carries with it the slightest intimation that it might be best for the civil service employee to make a contribution, or to purchase tickets, is in my opinion a violation of the law.

If this procedure were permitted to continue, it could very well ruin the entire merit system.

One of the great privileges which has been mine has been that of working with the devoted Federal employees during my tenure in the Congress. To be able to watch the development of our excellent Federal merit system, and to have had a small part in its growth, is a source of satisfaction to me. I for one do not intend to remain silent when political leaders or others may in a mood of overenthusiasm pursue a course which might jeopardize the true working of our merit system.

Many excellent articles and editorials have been written recently in regard to the assessment by the Democratic National Committee of our Federal employees for the President's inaugural anniversary dinner.

Joe Young of the Washington Star has written an excellent article stressing the lack of concern on the part of employee organizations in behalf of their own members.

I ask unanimous consent that the article be made a part of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### EMPLOYEE GROUPS' SILENCE VIEWED AS STRANGE IN $100 TICKET PRESSURE

(By Joseph Young)

Perhaps the strangest aspect of the entire spectacle of unashamed Democratic pressure on Government career employees to attend tonight's $100-a-ticket gala is the complete silence of Government employee unions and the National Civil Service League on the matter.

Not a peep has been heard from any of the major unions or the nonpartisan league, which came into being 80 years ago to uphold the merit system, since this reporter and the Star on December 6 first disclosed the pressure on career employees to purchase the $100 tickets.

The employee leaders appear too intent on such unattainable pie-in-the-sky objectives as a 35-hour workweek, etc., to bother with the unprecedented pressure on career employees by the Democratic National Committee and officials of the Kennedy administration. Only the recently formed National Society of Federal Engineers, Scientists, and Allied Professionals have criticized the goings-on.

The unions' excuse is that not many career employees in the upper middle and top grades are members of their organizations, and hence they don't want to get into the fray. The long-range adverse implications on the merit system seem to escape them.

The silence of the National Civil Service League is even more puzzling. The main purpose of the nonpartisan business-supported league is ostensibly to protect and support the merit system.

The failure of Government employee unions to protest the situation may stem from the close relationship the groups have with the Kennedy administration, and their reluctance to do anything to endanger this alliance. Under President Kennedy, the unions have won formal bargaining rights, pay adjustments, support for a union dues checkoff, etc.

Another reason may be the unionists' indifference to groups of career employees who generally aren't found in their memberships.

This could be very shortsighted on the part of the unions.

The Kennedy administration won't last forever, and the next administration—if it is Republican—isn't likely to forget how the unions backed the Democrats by their silence.

This year's pressure was put on grade 12 and above career employees. Next year the pressure could be put on employees in grade 9 and above, and on even lower grade employees in the years ahead. The Kennedy administration is not bashful in telling employees it is responsible for their latest pay raise and the upcoming one next year, and probably doesn't have many qualms in "selling" $100 tickets to as many career employees as the traffic will bear.

As for the Civil Service Commission's silence until now on the situation, this is rather understandable. CSC officials privately are most unhappy over the situation. But there are only two men in Government who could have done something to stop it—President Kennedy and his brother, Attorney General Robert Kennedy, who could have ordered such practices stopped on threat of Justice Department prosecution under the Corrupt Practices Act. Under the circumstances, the CSC could do little but remain silent.

Meanwhile, the performers at tonight's gala—stellar stars though some of them may be—will have to be extra good to get any kind of ovation from the many Federal career employees who have reluctantly shelled out their $100 to attend. And without Frank Sinatra yet.

## EIGHTIETH ANNIVERSARY OF CIVIL SERVICE

Mr. CARLSON. Mr. President, last week the civil service celebrated its 80th anniversary. Many excellent articles and editorials were written, including an editorial in the Topeka State Journal, issue of January 17.

I ask unanimous consent that the editorial be made a part of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### CIVIL SERVICE MARKS 80 YEARS

Civil service made its appearance on the American scene 80 years ago this month. Few acts of Congress have had such great impact upon the lives of the people than this. Today it touches about 1 out of every 10 Americans who are making a career of public service in all levels of government.

High standards of integrity, nonpartisanship, and permanence of tenure were established by George Washington when he assumed the Presidency. These gradually eroded with succeeding Presidents under political pressure. Under Andrew Jackson the spoils system became well established, the old warrior adhering to the theory that more is lost by the long continuance of men in office than is generally gained by their experience.

Party patronage prevailed in Government until, under pressure of a reform movement, enactment of the Civil Service Act came about. Patronage continued on a political basis, however, in States, cities, and counties. A number of States still do not operate under civil service although they have merit systems which include employees in federally financed grant-in-aid agencies.

In Kansas a constitutional amendment in 1940 granted authority to the State legislature to establish a merit system of civil service. The legislature passed the civil service act in 1941. In 1951 the civil service department was consolidated with the joint merit system council which had been serving the grant-in-aid agencies.

Kansas recently was singled out by the public affairs committee, a nonprofit educational organization founded in 1935, as an outstanding example of how civil service systems can be demonstrated to save money in addition to their intangible benefits. A survey showed most departments of the State government to have upped their average output per employee with a lowering of overall personnel cost.

Through its fourscore years of operation civil service has outgrown many of the objections leveled at it. Once under civil service, some Government workers were found to become inefficient and discourteous. Instances of this may still be found but they are becoming more rare. An employee isn't necessarily fixed for life once he becomes a Federal employee. He can be discharged for specific reasons. About 23,000 workers are fired by the Federal Government each year.

The same holds true under civil service in Kansas. Despite their achieving status in the ranks, more workers are said to be discharged by government than by industry. Three hearings for discharged State employees are now scheduled in Kansas.

Federal civil service has prevailed for 80 years. In that time it has been the launching ground for thousands of men and women who have chosen public service as careers and who have become dedicated servants of the citizens of this Nation who are their employers.

## U.S. POLICY AND INDONESIA

Mr. SCOTT. Mr. President, last year when the United States interceded through the United Nations to bring about a settlement of the West New Guinea dispute between Indonesia and the Netherlands, I pointed out in a brief speech on the floor that I felt that this country would live to regret the day that we did not uphold the Dutch position on this matter.

I share the feeling of many cognizant of the strategic importance of that area occupied by members of the Southeast Asia Treaty Organization, in fear that the undermining of such an organization will eventually adversely affect our position in that part of the world.

Within recent weeks we have seen Indonesia, led by the so-called neutralist Sukarno, attempt to spread its peculiar type of self-determination philosophy to parts of Borneo. We have seen Indonesia expand its armed forces from a defenselike posture to an attack potential. It will do well for this country to keep developments in the Indonesia area under constant surveillance.

An article by O. S. Hintz, which appeared on January 21 in the Baltimore Sun, is most interesting in its development of one of the problems that might face us as a result of the West New Guinea agreement.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### U.S. POLICY AND INDONESIA

(By O. S. Hintz)

AUCKLAND.—Good friends of the United States in remote New Zealand heaved a sigh of relief last year at the news from Cuba. Their early apprehensions over President Kennedy's boldness in calling the Russian bluff changed to admiration as the call succeeded. But some New Zealanders have been wondering since whether Americans realize that there are other Cubas.

The feelings of friendship in New Zealand for the United States burgeoned in war and have been strengthened in peace. They have not been purchased with grants of aid and they owe nothing to a sense of dependence. Although New Zealanders are almost entirely dependent on a high level of oversea trade, they are a self-reliant lot. They have lately borrowed a little in New York. They have never begged in Washington.

Thus the friendship of New Zealanders for America is genuine and largely disinterested. Such a natural affection may cause some pleasure where it is reposed, although the friendship of 2½ million people in the distant South Pacific counts for relatively little in the international scheme of things, either economically or strategically.

But New Zealand is in a unique position to take a detached view of world affairs. She is a small country, but not a backward or undeveloped country. Her people, predominantly of Anglo-Saxon stock, enjoy a standard of living exceeded, if at all, only in the United States.

When her voice is raised among those of the small nations, it is the voice of a people with no particular ax to grind, except for considerations of economic vulnerability in relation to the European Common Market.

So when New Zealanders look critically at certain aspects of United States foreign policy, they are neither biting the hand that feeds them nor teaching their grandmother to suck eggs. They are putting forward the point of view of a prosperous, progressive and peaceful nation which acknowledges the beneficence of American influence in world affairs, but which finds some aspects of American policy frankly puzzling.

Berlin, Cuba, and New Guinea seem to indicate to the informed New Zealander certain fluctuations and variations in American policy. The stand on West Berlin seems utterly and incontrovertibly right; the calculated risk on Cuba an example of high political courage; and the washing of the hands over Indonesian imperialism in New Guinea completely inexplicable.

Berlin is a long way off from New Zealand, and so is Cuba; and New Zealanders have no particular right to be heard on either issue.

New Zealanders can understand that Americans do not relish the prospect of a Communist base on an offshore island. But, by the same token, they cannot comprehend why American influence should have been exerted to allow the establishment of a pro-Communist base which menaces the two western democracies of the South Pacific.

When Britain and France a few years ago tried to bring President Nasser to heel over the Suez Canal, the United States was horrified. When Castro emulated Nasser, the United States got hopping mad. And when Sukarno rivals Nasser and Castro in presumption and outdoes them in territorial acquisitiveness, the United States leans over backward to placate him.

New Zealanders, who saw something of Egypt in both world wars, generally hold a fairly poor opinion of Egyptians. They know very little of Cubans, but are not inclined to take them seriously. They hold no brief for the Indonesians whom they regard as corrupt and untrustworthy.

The explosive potential in West New Guinea does not press as closely on New Zealanders as it does on their Australian cousins. Nevertheless, it worries them.

They have watched the Indonesians using sheer effrontery and persistence in falsehood to gain acceptance of a territorial claim which possesses no ethnic, historical, geographical, or other substance. They can comprehend the American dislike for colonialism, but they cannot see that things are improved when West New Guinea changes from a Dutch colony into an Indonesian colony.

Perhaps the New Zealand view is colored to some extent by the presence of a substantial number of Dutch settlers, the largest alien group to enter the country as immigrants since the war. Many of these Dutch folk formerly lived and worked in Java and Sumatra. They make good citizens, industrious and law abiding, and most of them have done well for themselves in the new land of their adoption. But they have no love for the Indonesians who uprooted them.

New Zealanders also know that the bulk of foreign aid extended to Indonesia since the war, mostly American, has been lamentably abused. They know that the Sukarno regime exists on corruption and graft. They sometimes question the wisdom of including Indonesia among the beneficiaries under the Colombo plan. And they become rather impatient with New Zealand educationists who, in a perfect ecstasy of UNESCO idealism, rush off to teach English to the Indonesians when New Zealand herself is short of teachers.

But, above all, New Zealanders look askance at the mounting Indonesian arsenal of Russian warplanes, warships, and weapons. They know that such stores are not required for defensive purposes, since Indonesia has no neighbor with aggressive intentions.

The recent attempts in Brunei to reject the whole concept of Malaysia which newly independent Asian peoples have devised for themselves were supported, if not inspired, from Jakarta. It can only be a question of time before Indonesia lays claim to the whole of Borneo.

Conditions akin to famine exist from time to time in Java; and Sukarno cherishes vast, improbable ideas for the forced migration of the crowded Javanese to the lesser islands of the archipelago, to West New Guinea and to Borneo.

In short, New Zealand sees Indonesia as a constant source of trouble in its Near North and is puzzled that the United States should ease Sukarno's path for him. They do not exclude the possibility that Sukarno or his successors may doublecross the Russians and link up with the Chinese, particularly if the latter elect to resume their Indian offensive, roll up Burma and overrun Malaya and Thailand.

New Zealanders are worried not for themselves, because they think that pressures may build up slowly; but they are worried for their children.

They spare a thought, too, for the primitive natives of New Guinea—stone age savages whose lot might gradually improve under Western tutelage and protection, but who are doomed to extinction under the oriental ineptitude of Indonesian rule.

The West New Guinea settlement, in the view of many New Zealanders, is a sop to Cerberus. It was a United Nations sop, certainly; but an uneasy feeling persists that American influence helped to prepare it.

## ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I suggest that if there is no other Senator who is seeking recognition in the morning hour, I shall need a little more time than that usually allotted during the morning hour.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9 to amend the cloture rule of the Senate.

## ADMISSION OF GREAT BRITAIN TO EUROPEAN COMMON MARKET

Mr. JAVITS. Mr. President, I wish to express my appreciation to the distinguished Senator from South Carolina [Mr. JOHNSTON]. I shall not speak for more than 10 minutes. I shall address myself this morning to a very serious foreign policy issue which faces our Nation and the world. It involves a decision taken by President de Gaulle, a decision which is being widely interpreted on both sides of the Atlantic as barring the way to Great Britain's admission to the European Common Market.

I think every Senator knows how deeply interested I am in the current debate and that I would be most loath to take even 1 minute of time which might intrude into that debate. But this is a matter of such moment and so immediate that I trust it will be understood that when I take a few minutes to discuss this subject it is really because of its urgency and pertinency at this particular time.

Mr. President, Britain's hour of trial is before us as a major issue for our Nation, as well as for Britain, for she is being made to suffer due to the alleged "special relationship" which exists between her and the United States. It is inconceivable that a close and traditional friendship between the United States and the United Kingdom, sealed in the blood of millions of their sons in the defense of freedom in the 20th century, should be considered as a disbarment from participation in European unity—a development which has changed the economy and face of Europe, a development made possible by the Marshall plan aid of the United States, and forecast—indeed, asked—by the Marshall plan legislation. I personally served on the Foreign Affairs Committee when that legislation was drafted.

Yet this is the practical effect of President de Gaulle's press conference of January 14, in which he described the United Kingdom as too insular and maritime to become fully integrated into Europe, and suggested, instead, an association with the European Common Market, demeaning to the Common Market countries, as well as to the people of the United Kingdom.

Obviously, it would be unseemly and contrary to the interests of mankind's freedom to allow this situation to go on without declaring our clear purposes in respect to it. We must show our clear support of the efforts of the other five members of the European Economic Community to admit Britain to full European partnership and to help it meet the special and interim problems of relations with the British Commonwealth which it faces.

Chancellor Adenauer, Premier Fanfani, and Paul Henri Spaak—three of the great leaders of the European Economic Community—have already signalized the efforts of France's EEC partners to bring the United Kingdom into the European Common Market now, to help it in the transitional stage of dealing with its special problems, and also to focus President de Gaulle's attention on the world situation. The United States must now back up effectively its friends in Western Europe and its longstanding and traditional bonds of friendship with the United Kingdom, in the interests of free world unity.

Mr. President, inasmuch as I generally do not believe in forensics, but like to get to the hardpan of what is to be done, I propose that the United States do the following:

First. The United States should make crystal clear its readiness to offer full economic partnership to Great Britain, the British Commonwealth, and other nations threatened by exclusion from the European Economic Community, through trade concessions, coordination of capital investment, and international monetary policies to strengthen the dollar and the pound sterling.

Second. The United States should negotiate with Great Britain and other members of NATO means for the rapid implementation of a multilateral nuclear force to be based on European NATO contributions to a stronger and more effective ground force, leaving France with the choice of joining or remaining a minor nuclear power.

Third. President Kennedy should express without fear the conviction of the United States that it is not the EEC which is isolating itself, but it is President de Gaulle, who is threatening to isolate the ECC: responsibility must be placed where it belongs.

Mr. President, I say this with the greatest respect and with almost veneration for the tremendously important role in the preservation of mankind's freedom that was played by President de Gaulle; and, indeed, it is only to our very dear friends whom we respect so deeply that we speak so frankly.

Thus, our course of action, as the leaders of the Atlantic alliance, is not a churlish retreat into reciprocal isolationism and is not a hands-off policy of hoping that the forces of reason win out. It is, rather, an unequivocal acceptance of our responsibility and expectation that others will accept theirs.

President de Gaulle seems to conceive of the United States as a shield—strong enough still to deter Communist aggression, and useful in protecting the continental Western European nations, but only while they carry through their own policies, whatever those policies may be, without the necessary regard for their effect on us or the rest of the free world.

President de Gaulle could build a new continental European provincialism on the strong foundation of economic power which is being established by the European Economic Community—thereby taking us back some decades. If the European Economic Community were persuaded to go through with actions intended to make their nations the core of a so-called third force in world politics, that would gravely strain the bonds of unity which since 1947 have enabled the free world to resist Communist aggression. The danger is real and imminent.

We cannot let the situation get away from us, because the consequences are too grave for the United States and the free world—and for France itself.

This new danger was foreseen by many, like myself, who strongly favored and supported the movement for European economic and political integration which has resulted in the creation of the European Economic Community. We were and are right, for the added strength to the free world brought by the European Economic Community was worth the risk; but this does not erase the need to fight the danger now. It must be met by policies which will lead to the successful entry of the United Kingdom and its European trading partners of the EFTA, or as many as possible.

But a decision must be made to apply our strength, rather than to stand transfixed by the quixotic spectacle being enacted in Paris. I may point out that if we were to proceed along that line—although I hope and pray we do not have to—we have powerful assets.

There is little doubt that the devisive elements which are pulling dangerously on the fabric of Atlantic unity have gained strength over the past year. Memories of past grandeur and revived suspicions and prejudices in Europe have taken on substance, and could pose new dangers to the cause of freedom.

The United States cannot by moral suasion instill what we would consider to be political maturity in the leaders of sovereign nations with histories older than the discovery of America and with experiences so tragic and so oft-repeated that words of advice should be unnecessary—and are, in fact, vain. The well-known requirements of our own safety would make futile the threat to withdraw the protective umbrella of our military might, under the assured safety of which our friends are considering dangerous games.

But we can, and must, stand ready to strengthen Great Britain's bargaining power with the EEC. I suggest that the means for doing so reside in our ability to negotiate on money, trade, and economics with Britain and her industrialized Commonwealth and European partners in a broad scale way. Even now the United Kingdom is our third best customer; and, although 16 percent of its total trade is with the EEC, 10 percent is still with us. We are leading customers for British machinery and transport equipment, leather and wool textile manufactures, and, of course, Scotch whisky. Britain, in turn, is among the top European purchasers of our machinery, chemicals, grain products, fats and oils, nonferrous metals, textiles, pulp and paper, and fruits and vegetables. During 1961, Britain, combined with Canada, Australia, and New Zealand, which are also threatened with exclusion from access to the EEC, took $5.2 billion of our exports—$1.6 billion more than the five EEC nations combined. The basis for effective partnership exists there.

The EEC would be faced by the threat of being confronted with a trading partnership—I do not say it should be set up; I merely say it could be set up if it has to be—made up of the United States, Great Britain, Canada, Australia, New Zealand, other European nations, Japan, and Latin America, along with other large areas of the developing world, by far more potent economically than the EEC itself. No one recognizes better than I do that such a confrontation, with its danger of mutual exclusion, would be damaging to the EEC and to the whole of the free world; it would endanger the alliances in a way the U.S.S.R. has sought for years—but unsuccessfully—to do.

But it is an alternative—although admittedly a deplorable one—to an even worse scattering and dilution of free world power, as now threatened. Although we would regret greatly to see such an alternative used, yet certainly it could be used if this matter were to be stretched to the extreme that President de Gaulle indicates he wishes to stretch it.

It is unfortunate indeed that the Trade Expansion Act of 1962 does not contain the full powers of negotiation with Great Britain and other industrialized nations which it provides with the EEC—for it assumed that Great Britain would join the EEC. This is a shortcoming of the act which the Senate attempted to correct last year—without success, mainly because of lack of support from the administration. Still, however, the residual negotiating powers in the act do give the United States the opportunity to apply its economic weight to the task of holding together the free world. I only wish to point out that a somewhat more sophisticated concept of international realities on the part of the administration last year would have made our task easier today.

Lest there be further miscalculation, hesitation, and timidity, let me point out that the application of our economic strength to the cause of free world unity would find powerful support within the ECC itself. None of the partners of France in the EEC seemingly desires an isolated Community that would shut out the contributions of the United Kingdom and other European nations and would delve inward, underneath the progress of today, to find in the rubble of past wars the ephemeral glories which caused those wars. And I have little doubt that in France itself there is a great body of enlightened opinion which seeks the very goals toward which all of us must strive.

Mr. President, as an indication of the course we should follow, I should like to point out that in drafting the Trade Expansion Act of 1962, we took account of the assumed fact that Britain would enter the European Economic Community, notwithstanding the arguments, which persons such as myself made, to the effect that that was a very risky assumption. It may now prove to have been very unwise. Indeed, the Senate did not decide to proceed in that way; but the other body did, and the Senate was compelled to compromise on that basis. However, the freedom of negotiation which otherwise we would have is now restricted by the assumption on which that act was based, although that assumption has now been proved to be wrong; namely, that the European Economic Community would include the United Kingdom. Therefore, the percentage figures used in connection with negotiations to waive entirely customs and duties were fixed so high, in arriving at the estimates of the production of those who participated in the negotiations, that we should not engage either with the European Economic Community or with the United Kingdom, if it were barred directly from the European Economic Community, under the present Trade Expansion Act. I point that out to my colleagues, to show that we took for granted much that is very seriously being jeopardized at this time.

Mr. President, I end on the following note: I urge a policy of Atlantic unity—boldly pursued both in military and economic matters. The backward vision of one man, no matter how great and justly admired and honored a figure he is—and I join in so saluting General de Gaulle—must not be permitted to drive the world backward, after he has contributed so greatly to moving it forward. It is for that reason that I make these recommendations.

## RELIGIOUS PERSECUTION IN THE SOVIET UNION

Mr. JAVITS. Mr. President, the Soviet Union's continuing policy of persecuting religions and religious groups has been exemplified in recent weeks by the reports of a Russian Baptist sect seeking refuge in the U.S. Embassy in Moscow, by attacks on Lithuanian Catholics, Jehovah's Witnesses and other sects, by the reported closing of the synagogue in Lvov, a city in the western Ukraine, and by other similar practices. Despite Soviet denials of anti-Semitism, there is little doubt that in practice Jews in the Soviet Union are singled out for special discrimination and sudden persecution. Soviet authorities cite statistics to show that Jews hold a high proportion of professional, artistic, and political positions but replies of this character are evasions of the central issue, which is the existence of discrimination and persecution.

I have never received direct and satisfactory answers from the Soviet authorities to questions which I have raised publicly on the persecution of Jews in the Soviet Union. Even if one accepted questionable Soviet statistics as fact, this would not tell us why there has been a special crackdown on Jewish cultural life and the use of Yiddish by Russian Jews as compared with the treatment accorded other Soviet minority groups. Nor does it answer why there has been special prominence and featuring in the Soviet press of Jewish names and Jews charged with crimes involving currency speculation and black marketing. Why have these alleged crimes been linked with the synagogue as a purported cover for them, and why have synagogues been charged with being centers of subversive activity? Why the prohibition on so basic a religious practice as the baking of matzoth at Passover?

Last month, a group of 46 leading Catholic, Protestant, and Jewish clergymen sent a cable to Premier Khrushchev urging that the U.S.S.R. lift its policy of oppression against Russian Jews. I ask unanimous consent to have printed in the RECORD the text of the cable sent on December 7; an editorial entitled "An Appeal to Khrushchev," which appeared in the Washington, D.C., Post, December 7; and a list of discriminatory practices against Soviet Jews and the Soviet reply, headlined "Russia's Defense on Jewish Bias Charges," which appeared in the New York Herald Tribune on November 24, 1962.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 7, 1962]

Chairman NIKITA S. KHRUSHCHEV
*The Kremlin,*
*Moscow, U.S.S.R.:*

The Soviet Union declares it is a champion of human dignity and equality. No nation has been more persevering in pronouncing itself a defender of minority rights.

Soviet spokesmen cite your country's constitution, wherein equality of citizens is guaranteed, as proof that religious discrimination is not countenanced in the U.S.S.R. You yourself have said: "The question of a man's religion is not asked in our country. It is a matter for the conscience of the person concerned. We look upon a person as a person."

But what are the facts?

The Soviet Government's persistent enmity to religion is a matter of historical record. While most faiths are permitted bare necessities, such as requisites for worship, sacred literature, theological seminaries and central bodies, their activities are sternly circumscribed. Devout citizens—Catholic, Protestant, Orthodox—suffer harassment. Nowhere, not even within the walls of church or mosque, is religion secure from surveillance. This is a fact of Soviet life.

It is also a fact that within the narrow framework of permissible religious practice, discrimination is enforced. Jewish citizens of the Soviet Union, numbering close to 3 million, are denied minimal rights conceded to adherents of other creeds.

Hard pressed as they are by blanket restraints, none of the other major religions of the Soviet people, neither the Orthodox, Armenian, Catholic, or Protestant churches, neither Buddhism nor Islam, have been subjected to the extraordinary disabilities inflicted on Judaism and its followers.

Legally constituted Jewish congregations are isolated from one another. They are forbidden to organize a central body. They are allowed no contact with Jewish religious groups in other countries. Their leaders are singled out for abuse.

Since June 1961 synagogue presidents in six cities have been arbitrarily removed from office. Jewish communal leaders in Leningrad and Moscow have been sentenced to prison for the alleged crime of meeting with foreign visitors to their synagogues.

Scores of synagogues have been closed by the state. The few that remain are served by rabbis who were ordained more than 40 years ago. For more than a generation, Jewish theological seminaries have been banned, except for a lone yeshiva in Moscow, opened in 1956. Its enrollment, never permitted to exceed 20, was reduced to 4 in April 1962.

No Jewish Bible has been printed in 40 years. No articles for Jewish ritual can be produced. This year, for the first time in Soviet history, even the sale of unleaven bread, essential to observance of the Passover, was banned. The prayers of Judaism are said in Hebrew, yet the teaching of that language is prohibited.

Although half a million Jews declared Yiddish as their mother tongue in the Soviet census of 1959, their hundreds of schools, their once-flourishing theaters have been stamped out. Much smaller ethnic or linguistic groups have schools, theaters, books, and newspapers in their own languages.

These conditions conjure up memories of the anti-Semitic Stalin regime, which you yourself have denounced.

According to the United Nations Universal Declaration of Human Rights and the constitutions of enlightened countries, freedom of conscience and expression is vested unconditionally in every human being.

Unless the Soviet Government conforms its behavior to this universal standard and to its own professed principles, it forfeits the confidence of all peoples.

When will synagogues and Jewish seminaries be reestablished, imprisoned synagogue leaders set free, the ban on unleavened bread rescinded, ritual articles and Jewish prayerbooks made available?

When will the Yiddish-language institutions that sustained Soviet Jewish culture and education be restored?

When will Jewish congregations, like those of other religions, be enabled to form a central body, to join in fellowship for the continuity of their faith?

The world awaits your response.

By deeds alone, can your Government confirm that the Soviet Union in truth upholds the rights of minorities and the equal dignity of man.

Mathew Ahmann, Executive Secretary, National Catholic Conference for Interracial Justice; Archbishop Karl J. Alter; Rabbi Abraham N. AvRutick; Bishop George W. Baber, Presiding Bishop, African Methodist Episcopal Church; Dr. John C. Bennett, Dean of Faculty, Union Theological Seminary; Rev. Raymond T. Bosler, Editor, Indianapolis Criterion; Francis G. Brown, Associate Secretary, Philadelphia Yearly Meeting, Religious Society of Friends; Dr. Frank H. Caldwell, President, Louisville Presbyterian Theological Seminary; Rev. John F. Cronin, S.S.; Dr. Robert E. Cushman, Dean, Divinity School, Duke University; Rabbi Oscar Z. Fasman, President, Hebrew Theological College; Dr. Harold E. Fey, Editor, Christian Century; Dr. George L. Ford, Executive Director, National Association of Evangelicals; Rabbi Theodore Friedman, President, Rabbinical Assembly; Dr. Norman Gerstenfeld, Rabbi, Washington Hebrew Congregation; Dr. Herbert Gezork, President, Andover Newton Theological School; Dr. Nelson Glueck, President, Hebrew Union College-Jewish Institute of Religion; Rabbi Harold H. Gordon, Executive Vice President, New York Board of Rabbis; Dr. Carl F. H. Henry, Editor, Christianity Today; Rev. Theodore M. Hesburgh, C.S.C., President, University of Notre Dame; Rabbi Abraham J. Heschel; Msgr. George Higgins; Archbishop Iakovos, Greek Orthodox Archdiocese of North and South America; Dr. Robert E. Jones, Executive Director, Unitarian Fellowship for Social Justice; Rabbi Wolfe Kelman, Executive Vice President, Rabbinical Assembly; Bishop John Wesley Lord; Bishop Edgar A. Love, Methodist Church; George Maislen, President, United Synagogue of America; Rabbi Julius Mark, President, Synagogue Council of America; Rev. Philip Marquard, O.F.M., Executive Secretary, Third Order of St. Francis in North America; Rabbi Albert G. Minda, President, Central Conference of American Rabbis; Rev. John B. Morris, Executive Director, Episcopal Society for Cultural and Racial Unity; Dr. Walter G. Muelder, Dean, School of Theology, Boston University; Dr. Herman Norton, Divinity School, Vanderbilt University; Archbishop Patrick A. O'Boyle; Dr. John J. O'Connor, Professor of History, Georgetown University; James O'Gara, Managing Editor, Commonweal; Bishop James A. Pike; Dr. Daniel A. Poling, Editor, Christian Herald Magazine; Dr. Alvin N. Rogness, President, Lutheran Theological Seminary; Very Rev. Gerard Rooney, C.P., Provincial, Passionist Fathers; Mrs. H. Herbert Rossman, President, National Women's League, United Synagogue of America; Dr. Fredrik A. Schiotz, President, Augustana Lutheran Church; Dr. Bernard Segal, Executive Director, United Synagogue of America; Rev. Louis J. Twomey, S.J., Editor, Social Order; Dr. Samson R. Weiss.

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[From the Washington Post, Dec. 7, 1962]

### An Appeal to Khrushchev

The contention of an advertisement published in this newspaper today, that the Soviet Union imposes on its Jews restrictions more crushing than those placed on other faiths, cannot be disputed. It has been aptly said that if all religions are captive in Russia, the Orthodox are the "trusties," the Mohammedans and Baptists are the ordinary prisoners and the Jews are in solitary. The differences are so great, in fact, that the continued existence of organized Jewish life in Russia is in serious doubt.

The Soviet Union has pursued an unhappily inconsistent policy toward its Jews. It has called for their assimilation, a condition which in Russia means religious death, and it has made that generally unattainable by engaging in official discrimination and by not checking Russia's active popular anti-Semitism. The Jews are too useful to the regime, as a scapegoat at home and a political pawn abroad, to be left alone.

The advertisement published today consists of an appeal to Premier Khrushchev for equality for Soviet Jews. It is signed by a group of distinguished religious leaders of different faiths. The entire community will surely join them in the hope that their appeal leads to constructive results.

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### Russia's Defense on Jewish Bias Charges

(To be a Jew in Russia, as the New York Herald Tribune has repeatedly pointed out, is to be subject to sudden changes of official policy, sudden persecutions, constant denial of liberties available in other lands. Now the Kremlin has apparently found public awareness of this an international embarrassment. It has published—in an English language journal—a glowing picture of the status of Jews in the Soviet Republic. It will be read and reported by Western journalists. But few Russians will ever see it.)

#### THE ACCUSATIONS

The headline in yesterday's Moscow News—"Jews—Equal Nationality"—would be humorous were the plight of Jews in the Soviet Union not so tragic, were they not subject to an ever-deepening, ever-widening pattern of discrimination.

This discrimination is applied to no other religious or ethnic group in the U.S.S.R. Russia's Jewish community feels it on the religious, economic, and political levels. And a recent on-the-spot survey by B'nai B'rith shows that with the notable exception of Stalin's "Black Years," the pattern of discrimination is "more evident today than at any time in the past generation."

Every Soviet Jew knows he is a Jew. The word "Jew" is in his internal passport. And under the Soviet system of nationalities, 116 distinct nationalities are recognized. A Jew, whether he's religious or not, is born a Jew. He dies a Jew. He can change his name. But it makes no difference.

The fact remains—and this is borne out by the B'nai B'rith survey—that it is very difficult for Jews to advance to the very highest level of Soviet administration.

Many Jews fill out the administrative ranks, but policymaking, top-level jobs are rarely given to Jews. B'nai B'rith finds, independently of information available to the New York Herald Tribune, that a considerable number of Jews in the managerial class are being passed over for promotion or are being demoted in favor of non-Jewish executives.

Moreover, Jews are being rapidly eased out of positions of political leadership. B'nai B'rith notes there are no longer any Jews in important posts in the Soviet Foreign Ministry.

And Jews applying for entrance to Soviet universities find that a Soviet-type quota system has been established.

In religion, the survey found, "The Jewish faith is quarantined from its means of sustenance. This is not by law but by administrative control."

Avrom Gontar's claim in Moscow News that Jews are only 1.1 percent of the Soviet population but rank third in the number of students is misleading. The figure of 1.1 percent is based on the Soviet Union's entire population of 220 million.

Yet, in some areas of the U.S.S.R., Jews form a large part of the population. This is true in areas in Western Russia. And it is in these areas that Jews are restricted by quota in enrollment at certain schools.

Jews might be 50 percent of an area's population, but the total student body of that area will by no means be half Jewish.

Students of Soviet conditions were interested in Mr. Gontar's remark that last year more than 7,500 Jews were elected deputies of local government bodies. For in the Soviet Union there is a statistical report on every Jew, and Mr. Gontar does not say whether the 7,500 elected ones consider themselves Jews.

#### *Official religion: Atheism*

Officially, the Soviet Government is atheistic. Membership in the Communist party is prohibited for those who profess any kind of bourgeois religious sentiment.

In his defense Mr. Gontar goes on to refer to Veniamin Dymshits, a vice-chairman of the Council of Ministers; Gen. Yakob Kriezer and Ilya Ehrenburg, the writer, as deputies to the Supreme Soviet.

He does not point out that Mr. Dymshits is a brilliant engineer, known for his work in building a steel plant in India; that General Kriezer has a remote, obscure post in Siberia, that Mr. Ehrenburg can hardly be classed as a Jew since he has not hesitated to side with anti-Semites.

Mr. Gontar's report that 20 percent, or 470,000, of Russia's Jews consider Yiddish their native tongue is remarkable after 45 years of communism. For, with minor exceptions, there is no Yiddish instruction in the Soviet Union. There is no Yiddish theater. There are no Yiddish newspapers, with the minor exception of an obscure paper, issued three times a week, in Birobidzhan.

Here are other facts of Soviet Jewish life since 1917:

1. The government has not authorized the printing of a single edition of the Hebrew Bible. There has been only one printing—5,000 copies—of the Siddur, or prayer book.

2. There is no central organization for Jewish life. There is no rabbinical association. There is no central association of synagogues. Mr. Gontar says "many towns have synagogues." He does not report this fact: many synagogues have been closed recently, especially in cities off the tourist track. Moscow, Leningrad, Kiev have synagogues in fairly good shape. In other cities there has been vandalism, hooliganism, direct official pressure to close.

#### *One yeshiva—Enrollment 30*

3. There is only one yeshiva, for the training of rabbis and other functionaries, in Russia. It is in Moscow. Its authorized enrollment is 30.

4. The manufacture of religious articles, such as prayer books, prayer shawls, and other items is not permitted. Nor can they be imported. Yet the Russian Orthodox, the Baptists, Buddhists, and others are allowed to operate nationally, publish religious books, manufacture or import religious articles, maintain contact with brethren outside Russia.

As for Sovietisch Heimland, for which Mr. Gontar writes, it frequently prints anti-religious stories.

Mr. Gontar cites the demand for Yiddish literature. Under Stalin the cream of this literature was destroyed. Still unexplained are the disappearances and/or deaths of the biggest names in Yiddish prose and poetry.

#### *Yiddish books at a premium*

Books published in Yiddish are hard to find. They are snapped up on publication. Second hand, they command big prices. Some writers, like Sholom Aleichem—cited by Mr. Gontar—are approved, probably mostly for the effect on the West.

Mr. Gontar's windup to the effect that all Soviet citizens have the same rights is a shocker. Jews alone of all national groups were not represented in the November 7 gala celebrations at the Kremlin of the revolution's 45th birthday.

And there are groups in the U.S.S.R. with only a few thousand members. They have their own schools, language, literature. Not so the Jews. "Jews—Equal Nationality." Is Moscow News trying to kid the world?

#### THE SOVIET REPLY

(By David Miller, of the Herald Tribune staff)

Moscow.—An English-language newspaper published in Moscow disclosed yesterday that more than 7,500 Jews were elected to local government offices in the Soviet Union last year.

The disclosure came in the latest issue of Moscow News, a tabloid issued weekly by the Union of Soviet Societies of Friendship and Cultural Relations with Foreign Countries.

The newspaper also published in French and Spanish is distributed throughout the Soviet Union as an aid in learning foreign languages and throughout the world wherever Communist material is available.

Under the headline "Jews—Equal Nationality," the newspaper devoted the bottom quarter of a page covering readers' questions to answering a letter from a "Joseph Hoffman" of the United States, who was not otherwise identified.

Mr. Hoffman, according to an explanatory note, asked for information on the position of Soviet Jews, especially facts and figures. The reply was credited to Avrom Gontar, a member of the editorial board of Sovietisch Heimland, a Yiddish-language magazine published in Moscow.

Here is Mr. Gontar's reply:

"I will begin by citing a few figures. According to the 1959 census, there are 2,268,000 Jews in the U.S.S.R. This is only 1.1 percent of the entire population, and yet they rank third in the number of students (after Russians and Ukrainians).

"Four hundred and twenty-seven thousand Jews have higher or secondary specialized education and are employed in various fields. Fifteen percent of the Soviet doctors, nearly 10 percent of the writers and journalists, and over 10 percent of the lawyers are Jews.

"The names of Academicians Lev Landau, Alexander Frumkin, and Ben Zion Wul are known far beyond the borders of the country for their research in physics, mathematics, and chemistry.

### *Elective officers*

"Jews are taking an active part in the development of Soviet science, culture and art and in the management of the state. Last year more than 7,500 Jews were elected deputies of local government bodies. Some are deputies to the Supreme Soviet of the Ukraine, Byelorussia, Lithuania, and other Soviet Republics, and also to the Supreme Soviet of the U.S.S.R. (for instance, Veniamin Dymshits, who is a vice chairman of the Council of Ministers of the U.S.S.R., Gen. Yakob Krizer, or writer Ilya Ehrenburg).

"The census shows that 20 percent of Soviet Jews (over 470,000) consider Yiddish to be their native tongue.

"The Sovietisch Heimland is published especially for those who speak it. Put out in 25,000 copies, it has a larger circulation than any other literary Jewish magazine in the world. In the United States, where 6 million Jews reside, literary magazines are published in 1,000 or 1,200 copies. The same is true of Israel.

"The Sovietisch Heimland unites over 100 authors, members of the Soviet Writers' Union. They write in Yiddish. In the last 7 years publishing houses in various parts of the country produced about 200 of their works in a total of 12 million copies.

"Jewish classics are published in very big editions—up to 300,000 copies in Russian and 30,000 in Yiddish. Writings by Sholom Aleichem have been translated into 32 languages spoken by Soviet peoples. The total print of books by Soviet pet Lev Kvitko exceeded 5 million in 1956–62.

### *Religious situation*

"A few words about religion: in the Soviet Union the conditions for the Jewish religion are the same as for the Orthodox, Moslem, and Catholic faiths. Many towns have synagogues where religious Jews go to pray and observe their holidays. True, the numbers of believers is gradually diminishing, but this is not the outcome of administrative measures but is due to the fact that materialist concepts are gaining the upper hand over idealistic conceptions.

"I believe these facts and figures answer the question and show that whatever the nationality, every citizen in our country enjoys the same rights as everybody else."

## MODERNIZATION OF THE IMMIGRATION LAWS

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an important resolution of the United Italian Labor Council, Inc., calling for the modernization of our immigration laws. Such modernization is critically and urgently needed in the interest of our Nation and in the interest of the freedom of mankind.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

### RESOLUTION ON IMMIGRATION

Whereas tens of thousands of citizens of low-quota countries such as Italy, members of alien families legally residing in the United States and members of families or close relatives of American citizens in the United States, have applied for admission to our country and their applications have been processed and approved; and

Whereas they have been registered, respectively, either under the third preference of the quota, for which visas are insufficient, or under the fourth preference of the quota, for which visas are unavailable, with the result that these applicants have to wait years and years before being permitted to join their dear ones in the United States; and

Whereas the U.S. Congress, sensitive to the urgent need of reuniting families and providing entry of close relatives of U.S. citizens, in 1961 enacted Public Law 87–301 and in 1962 Public Law 87–885 which provided a very partial solution of this problem; and

Whereas President Kennedy recognized this problem and urged its solution stating: "I believe that the most important immediate objective of immigration policy is the reuniting of families. There are many new citizens in America whose closest kin are in other lands waiting to join them. We have a social obligation to bring these families together, provided they are eligible under the law"; and

Whereas George Meany, president of the American Federation of Labor and Congress of Industrial Organizations, only a year ago stated that: "It is my belief that the number of quota immigrants admitted annually can be increased from the present quota of 165,000 to 250,000 without undermining employment opportunities for American workers. Every immigrant is a potential customer for the products of American workers and every employed immigrant a producer who contributes to our total wealth": Be it

*Resolved,* That the 21st annual conference of the United-Italian American Labor Council held on December 8, 1962, Hotel Commodore, New York City, call upon the administration and Congress to have in its next session enact permanent measures providing for the admission of the aforementioned members and close relatives of families of American citizens, who live in countries which are members of the Atlantic Alliance and which, like Italy, have an ever increasing number of already approved applications under the third and fourth preference of the quota, but are still anxiously waiting for U.S. visas; and be it

*Resolved,* That we commend the fruitful and tireless efforts made by the American Committee on Italian Migration in order to improve and humanize our immigration laws; and be it further

*Resolved,* That this resolution be sent to the President of the United States, to the leaders of the U.S. Congress, to the AFL–CIO, and to the press.

## INDEPENDENCE OF THE UKRAINE

Mr. JAVITS. Mr. President, I am proud to join in the observance marking the 45th anniversary of the independence of the Ukraine, which was proclaimed on January 22, 1918. This independence was the culmination of a centuries-old struggle by the Ukrainian people to achieve their freedom from Moscow, but their victory was short lived. The country was quickly overrun by the Bolshevik armies, and once more Ukraine became a captive nation.

In spite of deportations, imprisonment, religious persecution, labor camps, ruthless executions and other Soviet repressive measures, the spirit of the people has not been broken, and the hope of regaining their independence continues to burn brightly in their hearts. The right of the oppressed people of the Ukraine to liberty and independence is upheld by the principle of self-determination, which the United States has championed. In the fight against communism, this principle of self-determination is a potent force and in support of it, the United States is bringing to bear all the resources of diplomacy at its command.

I have deep sympathy for the people of the Ukraine and will do all I can to bring nearer the day when their hopes for freedom and independence will be fulfilled.

Mr. KEATING. Mr. President, for centuries, the gifted and gallant Ukrainians have not been allowed to enjoy freedom and peace in their historic homeland. These 42,000,000 Ukrainians have not been masters of their fate for some 300 years, and except for a brief period of 2 years, they have not known national independence. During that long period they have been held down by alien tyrants. True in 1917 they were given a chance by the revolution that overthrew the Russian czarist regime and shattered the chains that held them in check. They proclaimed their independence on January 22, and founded the Ukrainian Republic 45 years ago today.

Although that freedom was short-lived, that important event, the proclamation of Ukrainian independence and the establishment of the Republic, symbolized the realization of a centuries-old dream. The significance of that event is not lost on Ukrainians anywhere in the world, and is celebrated as a national holiday wherever they have the freedom to do so.

The Ukrainian people have suffered more under the Soviet tyranny than their forebears had suffered under Russia's autocratic czars. Today their fair and fertile homeland is shut off from the free world, completely isolated from the West; our information about their situation is scanty. We know for sure that, under Soviet tyranny their lot is not an enviable one, and they are not allowed to celebrate their national holiday. That privilege is denied to them by their masters in the Kremlin. But Ukrainians in the free world, and particularly those in the United States, observe that holiday with due solemnity. I gladly join all Ukrainian-Americans in the celebration of Ukrainian Independence Day.

Mr. LAUSCHE. Mr. President, today, January 22, 1963, marks the 45th anniversary of Ukrainia's Independence Day. I am glad to join with the thousands of Americans with Ukrainian descent in recognition of this important occasion.

The Ukrainians are one of the oldest and largest of the Slavic ethnic groups. They are known also as one of the most peace-loving and industrious peoples in Eastern Europe, but for centuries they have not been allowed to live in peace, nor have they been allowed to reap much benefit from their hard work. The reason for this misfortune is that, except for the short but the happy 2-year period of independence in 1918–1920, they have been suffering under the alien and oppressive Russian yoke for more than three centuries.

Up to the middle of the 17th century the Ukrainians were able to survive the onslaught of invading Asiatic hordes. Then in the year 1654 the Ukrainian leaders signed a treaty with the Russian czar by which they meant to unite the two countries. Soon Ukrainian leaders realized that they were tricked into a trap by the Russian czar; the wily autocrat succeeded in nullifying the terms of this compact and put an end to the Ukraine's independence. Nearly all of Ukraine's subsequent misfortunes seem to have stemmed from the deliberately misrepresented terms of that compact.

Under Russian czars the Ukrainians were expected to abandon their national ideals and traditional beliefs, and be merged with the great Russian family. The czarist government set out to Russianize, by compulsion if necessary, all Ukrainians. Imperial decrees banned the use of Ukrainian as an official language; in schools the teaching of Ukrainian was not permitted, and the whole country was treated as a colonial adjunct of Imperial Russia.

During all those years, however, Russians were not able to eradicate Ukrainian nationalist feelings. The more oppressive was the hand of the government, the more the Ukrainians resented and rebelled against their overlords. As a result, Ukrainian nationalism was kept alive and became a powerful living force in the country. The idea of freedom was carefully nurtured in the people's hearts. And finally, some 250 years later, when the Ukrainians had the chance to regain their freedom toward the end of the First World War, they seized upon it and proclaimed their national independence. The day of that proclamation, January 22, 1918, has become a momentous landmark in modern Ukrainian history, and since then it has been solemnly celebrated as a Ukrainian national holiday.

The Republic which the Ukrainians founded 45 years ago was a frail and fragile being—young, weak, and beyond the reach of aid from its sympathetic friends and well-wishers. It was surrounded by powerful and dangerous enemies. All of them were prepared to pounce upon the new state and put an end to its existence. And the inevitable occurred in 1920: the country was invaded and overrun by the Red army and its independence shattered. Thenceforth the Ukraine became part of the Soviet Union and so it remains to this day.

Today Communist totalitarian tyranny has turned Ukraine into a large prison camp in which more than 42 million freedom-seeking and hard-working Ukrainians are crushed under the grinding steamroller of the Kremlin. There is no freedom of movement, and no freedom of expression. But the irrepressible free spirit of the Ukrainians refuses to be chained, and they retain their high ideals and nurse their national aspirations, even though they cannot celebrate their national holiday, their independence day.

**Mr. SCOTT.** Mr. President, this day, January 22, marks the 45th anniversary of the proclamation issued by the National Council at Kiev, declaring the Ukraine to be a free and independent Republic.

On January 22, 1918, after a long struggle with their Russian overlords, the Ukrainian people announced to the world that henceforth their fate would be determined by themselves. This, Mr. President, was an historic event. Since the mid-17th century the Ukrainians had slaved under Russian masters; now they would be free to enjoy the advantages of national freedom and personal liberty.

But, unfortunately, the citizens of this land had but a brief time—less than 3 years—to enjoy independence. In 1920, establishing a pattern which was to repeat itself in many of the smaller Eastern European nations, the Soviet Union coldbloodedly overran the Ukraine and proclaimed her people liberated. Mr. President, we know very well that "liberation" by the Soviet Union means the end of human lives and human liberty.

Subsequently the Soviet Union followed a consistent policy of premeditated colonialism in Eastern Europe. It usurped the right of self-government from the unlucky peoples of Latvia, Lithuania, and Estonia. It encroached upon the freedom of Czechoslovakia, Hungary, and Yugoslavia. Its bloodspattered tentacles turned Poland and Albania into slave states. Mr. President, these are only a few of many examples.

The Ukrainian people have suffered greatly under Communist rule. After the peasants refused to join the Soviet-established collective farms, close to 5 million people died in an enforced famine. Over 2,400,000 Ukrainians were forcibly deported to unknown parts of Siberia.

Mr. President, in my State of Pennsylvania there are a large number of people of Ukrainian birth or descent. I have had the good fortune to know many of these citizens, and understand their dreams, their dedication to their former homeland, their fervent desire to retain their colorful and centuries-old traditions.

The Ukrainians have never forgotten their national heroes. Many Ukrainian organizations and individuals worked hard for legislation—now public law—to authorize a statue in honor of Shevchenko, the famous Ukrainian poet and freedom fighter. I am told that the ground for the Shevchenko Memorial here in Washington will be dedicated during this year. We can all view with much inspiration this unquenchable desire by the Ukrainians to keep alive a national heritage.

Mr. President, I join my fellow Americans in bringing congratulations to the Ukrainian people and in the hope that the freedom we enjoy in the United States can become a way of life for all the lands now controlled by communism.

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## THE CUBAN INVASION FIASCO

**Mr. GOLDWATER.** Mr. President, now that Attorney General Robert Kennedy has opened for discussion the whole sordid story of the fiasco at the Bay of Pigs in the early days of his brother's administration, I believe the American people are entitled to a full airing of that situation conducted by persons not directly or indirectly involved in the invasion attempt. It is my considered opinion that the Congress of the United States is perhaps the only body that could properly weigh all the evidence available and provide a coherent explanation of what was planned and what actually occurred on that infamous day. I certainly feel that it is long past the time when every official report bearing on the invasion attempt should be made public.

Mr. President, I for one am not content to accept as gospel the highly colored account of the Bay of Pigs story as offered by the Attorney General in an exclusive interview. It strikes me as one of the most deliberate and flagrant uses of the news management devices yet attempted by the Kennedy administration. For, under the guise of news, the Attorney General is engaged in a massive readjustment of facts concerning the invasion attempt to place the New Frontier in a better light. This is plainly and simply a cleanup operation in public relations designed to make the worst mistake of the President's career seem like something entirely different.

The account of the Attorney General's explanation, as copyrighted by the Knight newspapers, contained numerous indications that Mr. Kennedy's whole view of the Bay of Pigs story was as superficial as it was erroneous.

For example, he says that the plan used in the invasion was "planned at the Pentagon in whatever manner they do these things." Now, it strikes me that the Attorney General—one of the two men appointed by the President to study the whole invasion failure—should by this time know in detail how the Pentagon goes about programing any military operation.

In another instance, the Attorney General says:

> One of the major mistakes in the American plan was the role played by three or four T-33 jet trainers at the Bay of Pigs.

These trainers were in the hands of Castro's men and, according to Mr. Robert Kennedy, the administration "underestimated what a T-33 carrying rockets could do." He told his interviewer, "they caused us a great deal of trouble."

Mr. President, I don't know how the invasion plan was programed at the Pentagon and apparently neither does the Attorney General. But it seems to me very strange indeed that anyone involved in the plan could have been surprised at what a T-33 jet trainer carrying rockets could do or could not do. Anyone connected with training in the Air Force could have supplied the information. A T-33 jet trainer carries a minimum number of 2½-inch air-to-ground practice rockets whose warheads contain only enough powder to mark the point of impact on a target. It stands to reason that this kind of rocket could not have caused the trouble. So, Mr. President, we have to assume that some other kind of air-to-ground rockets were used—that is, if we adopt the Attorney General's account. And these rockets could have come from only one of two sources, the Soviet bloc, or the United States. I certainly never heard that the Soviets were shipping this kind of equipment to Cuba at that early date, and I certainly would

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not like to think that the Kennedy administration had any hand in placing such dangerous devices in Castro's hands.

But if rockets carried by T–33's caused so much major trouble at the Bay of Pigs, let the Attorney General tell us what kind of rockets they were and where they came from. This is a highly important point if we take the Attorney General's story seriously.

But if we do not take it seriously—and I certainly do not as of this moment—then we have to recognize why the T–33's played such an important part in the Attorney General's post mortem. The motivation, quite plainly, is political. The purpose is to attach a major portion of the blame for the invasion fiasco at the feet of the Eisenhower administration. If we read the interview story carefully we will find that along with the Attorney General's lament about the trouble caused by three T–33 jet trainers a statement that the planes were given to former Cuban Dictator Batista and inherited by Castro. This, of course, had to happen before the New Frontier came to power.

Mr. President, in the morning paper I read that our esteemed colleague, the Senator from Arkansas [Mr. FULBRIGHT], has said that the President's preeminent task is to educate and lead public opinion. I wonder if it follows that the Attorney General's preeminent task is to tamper with history and brainwash the American people into a belief that the New Frontier can do no wrong?

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## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. JOHNSTON. Mr. President, I rise to defend the rules of the Senate and to speak in objection to the ideas and concepts contained in the brief dated January 4, 1963, entitled "Memorandum and brief concerning the need for a new antifilibuster rule permitting a majority of the total Senate to close debate, and, supporting the proposition that the Senate of the 88th Congress has power to enact such a rule at the opening of the new Congress by majority vote, unfettered by any restrictive rules of earlier Congresses." This memorandum contains basic presumptions with which I cannot agree. I believe the entire basis of this memorandum is in error. For convenience I have divided my remarks in two parts in an effort to correct the false impressions created by this brief. First I would like to speak against the idea that this rules battle is nothing more than a civil rights squabble and a cloak behind which liberals are making a noble battle to assure our citizens a protection of civil rights. On the contrary, I intend to show, using previous debate and the positions taken by great Members in the history of the U.S. Senate, that exactly the opposite is true and that unlimited debate has been the bulwark behind which minorities have steadfastly stood to defend their rights. I feel very deeply that a close look at the history of the Senate debate on this question will show that this is not a civil rights battle, but one which goes to the very essence of our form of government. I feel equally deeply that the proponents of the change of rule XXII are misleading the public, the press, and many Members of the Senate on what this battle is all about.

My early remarks will cover a wide range including such men as La Follette, Borah, Calhoun, Townsend, Dawes, and many others. I believe a study in depth of the history of these men is irrefutable proof that the brief filed by the proponents on this rules change is based on fallacy.

Second, I shall discuss the second major premise of the brief, that is, that the Senate is nothing more than another House of Representatives, is not a continuing body, and only a simple majority is required to do anything to Senate rules they desire. This particular question has much historical significance and my opponents are not impressed by the most serious scholars and writers on this question. The position of eminent historians and textbook writers as well as the position in the courts, which I shall document in my talk, that the Senate is a continuing body, is dismissed as "dubious academic theory" which the proponents of cloture wish to subject to practical reality. To shed some light on the fallacy contained in this issue I will delve into the practical history of this body and court decisions on this question. I intend to show nothing could be more practical than the 175 years' practice which has given the Senate a wonderful set of rules into which the wisdom of nearly two centuries has gone. These rules must be protected against the onslaught of a temporary majority backed by numerous pressure groups. These are my sincere convictions. I have in the past made my position clear in my three terms in this body and I plead that this evidence and these talks will not be lightly considered by those of us presently enrolled in this battle. For 18 years I have held this same position.

Mr. President, I pointed out in 1961, and I would again like to bring to the attention of the Senate some aspects of this question frequently ignored by the proponents of a more rigid cloture rule of the Senate. I would like to point out that, contrary to popular opinion, we do not have freedom of debate at this time in the U.S. Senate, but, as a matter of fact, two-thirds of those Senators present and voting can require the other one-third, or a total representation of 16 of our sovereign States, to silently watch legislation they detest be passed by this body.

Unfortunately for those who sincerely feel that there are many legitimate reasons why the Senate should have unlimited debate, the American public has been led to believe that there is one reason, and one reason only, why a bare majority vote in the Senate cannot shut off debate, and that the only reason we require a two-thirds vote is because the southern Senators use feedom of debate as a weapon against civil rights legislation.

Mr. President, I can think of no greater disservice that could be done to the citizens of this country than to mislead them about one of our greatest institutions, and to place in their minds the mistaken concept that this battle which has been fought in the U.S. Senate ever since its inception is a civil rights struggle.

Mr. President, there are at least 10 very good reasons why the Senate should have unlimited debate, some of them, of course, much better than others; but each on its own merits a very valid reason for continuing this Senate as the last free forum in the world.

Mr. President, in an effort to shed some light on this subject that has been so clouded by the opponents of free discussion in the Senate, I shall list some of these reasons and discuss them in the hope that we can disprove the opposition's theory that this is merely a sectional civil rights battle.

Mr. President, one of the reasons why we have traditionally had unlimited debate in the Senate and have not resorted to the majority rule which prevails in most of our other institutions, is the very cogent fact that minorities have rights which no majority should be able to override.

The framers of our Constitution, having full knowledge of this fact, set up the Senate as a separate entity without reference to population of the States whatsoever, so that a simple majority of our population could not trample the rights of a minority. Unfortunately, some of our very largest minority groups who have temporarily gained majority influence over the Congress through bloc voting and propaganda efforts unwisely lose sight of the valuable contribution the Senate has made in the protection of the rights of these very minorities. Unbelievably at this particular time, they are among the most vocal advocates of a change in the very rule which so often has protected them.

Mr. President, another reason that the Senate does not have majority cloture is the realization that many times a majority of Senators do not represent a majority of the people of the United States.

Many times in the past Senators of the large populous States have fought against such changes as are proposed here today because, as they have pointed out, a coalition of smaller States representing a fragment of the population of our country, but a majority in the U.S. Senate could, with a simple majority vote, overwhelm the vote of the Senators of the larger States even though the senatorial minority represented by far a majority of the population, the wealth, and the tax contribution of the United States.

Unfortunately again, many of these Senators are at this time on the other side of this battle and now clamor for majority cloture, losing sight of, or ignoring the fact that their predecessors in their infinite wisdom not only established unlimited debate in the Senate, but fought vehemently to protect their right to speak out at length on any subject.

Mr. President, the advocates of simple majority cloture, in the Senate, which should be termed "gag rule," many times have pointed out that this is the last bastion of freedom of debate anywhere in the world, and have cited foreign parliamentary bodies as well as State senates of the great States of our own Nation as operating under rules which include the previous question rule or simple majority cloture. Each time this comparison has been drawn, the Senators fighting to preserve free speech in this body have pointed out, and I shall point out again, that very little parallel can be drawn between such institutions and the U.S. Senate.

First of all, the U.S. Senate has the unique duty of sitting in appellate capacity, so to speak, to carefully inspect legislation, to mull over, chew on it, and digest it, and we are the only body in this Congress that has the time or the rules to allow such complete consideration. To eliminate freedom of debate in the Senate is to make this body nothing more than a rubberstamp for the House of Representatives and to reduce this Senate to a shell of that which it was when we were elected to office.

Furthermore, the Senate has the additional unique functions of giving advice and consent to the President on treaties and confirmation of appointments which are functions not served by any other body in our Government and which, in itself, requires that we have generous debate so we can freely discuss these things without danger of intimidation by the tremendous powers of the White House. To remove generous debate from the rules of the Senate would, for all practical purposes, eliminate the Senate's function of acting as a curb on the Presidency, since a majority of the President's party could railroad through legislation and confirmation without an opportunity for minority dissidents to speak out in opposition.

Mr. President, a reason frequently given by proponents of cloture in the U.S. Senate is that needed legislation is blocked by unlimited debate and we must, in fact, have majority cloture in order to pass the legislation the country needs.

Mr. President, a review of the debates on legislation throughout the history of the Senate indicates very strongly that the vast majority of the legislation defeated by generous debate was, in fact, later recognized as bad legislation; and the proponents of cloture are sadly lacking in examples of good legislation that has been defeated by unlimited debate. Several years ago in this body, in debate on this same question, it was pointed out that we must have majority cloture if we were to pass foreign aid legislation, the Federal aid to education bill, and civil rights measures.

Mr. President, in the last session, operating under the existing rule, as far as debate is concerned, we saw the largest foreign aid bill ever passed go out of this body, we saw the Federal aid to education bill pass this body, and we saw the Civil Rights Commission's life extended for an additional 2 years, even though a large minority of the Senators feel that the Civil Rights Commission does more harm than good.

If we remove ourselves from the world of fancy for just a few moments and look to the lessons of history, a more concrete basis from which to draw our conclusions, we will see that very rarely in the past has needed legislation been defeated and that, as a matter of fact, many times unwise legislation such as the Reconstruction Act of Louisiana and the force bill, which would have put Federal bayonets around our ballot boxes, has been defeated. I might note that later it was acknowledged by the proponents of these measures that the legislation was unwise and should not have been passed.

Mr. President, in every effort to sway public opinion, the proponents of this measure in the past and at the present time have misled the American people into thinking this entire Government was set up so that a simple majority would prevail in all functions.

It has been pointed out time and time again, and it hardly seems necessary—but unfortunately it is required—that I point out that the very reason the Senate was set up was so that the majority of the population in this country could not run roughshod over the smaller States or the lesser or minority group. The Senate itself was a part of a compromise between the people who wanted majority rule and those who wanted to protect the rights of the States.

Mr. President, it saddens me that a great number of people across this land of ours have chosen to disregard or have completely forgotten the wisdom of our forefathers in framing this Constitution so that we could not have an impassioned temporary majority running wild over the rights of the minority and using the very force of government which is supposed to protect the minorities to grind these unhappy people into dust.

The Constitution itself provides for yeas and nays by a small minority of the Senators as a check on the majority and as a method which can be used and has been used as a dilatory tactic. Furthermore, the Constitution itself provides in several instances, which I shall enumerate later, for a two-thirds vote of the Senators. These constitutional requirements, along with the constitutional provision that no State can be deprived of its equal representation in the Senate without its consent, certainly stand as bulwarks against a temporary majority depriving Senators or States of their votes.

One argument frequently used by those wishing to impose gag rule on the Senate is the possibility of a minority of the Senators holding up legislation that the majority thinks is important. What these people fail to see is that there is much less danger from a minority than there is from a majority. Our predecessors in this body in their wisdom established unlimited debate for the very purpose of allowing deliberations to go to any lengths necessary in order to insure good, calm, deliberative action. Nowhere in their efforts to impose this gag rule on the Senate do the proponents of this measure point out the times that a single Senator or a small handful of Senators have delayed action on unwise bills until the public indignation could rise to such a point that the small minority became a majority and the legislation was subsequently defeated.

There is not a Senator in this body who is not aware that hasty action creates many mistakes, and that time after time the Senate in its deliberations on various measures has recognized mistakes which the House has made in bills passed in haste and corrected them, principally through the efforts of a small minority of the Senators endeavoring to shed some light in the particular subject.

A further argument for majority cloture that goes hand in hand with the contention I was just discussing is the more frightening suggestion that unlimited debate allows a small minority to block much legislation. This particular position of the proponents of majority cloture fascinates me for several reasons.

First of all, it has been pointed out that many times the Senate with relative unlimited debate passes more bills in a session of Congress than does the House with its strict cloture rule. When this fact is pointed out to proponents of majority cloture they easily shift their line of logic and maintain that this phenomenon occurs because of a fear of the majority of the Senators of this body that one Senator may block some pet proposal of theirs if they block his proposal. Not only does this glib switch from one line of reasoning to another refute their contention that legislation is blocked by unlimited debate, but it casts aspersions on every Member of this body who is conscientiously seeking to represent his State.

Mr. President, it seems to me unfortunate that on an issue as vital as this, which concerns the very essence of the U.S. Senate, that all the bad should be pointed out and indeed magnified, while none of the advantages of unlimited debate are given publicity, and especially by our newspapers.

I believe that unselfish interests, when properly instructed as to the nature of majority cloture and the very real protections the Senate offers to minority groups under its present rules, will favor the retention of the rules we now have. It seems to me especially worthy of note that many men who have used unlimited debate, even though they were in a small minority of Senators to protest action when great, vital, constitutional issues were at hand, have been among those considered to be the giants of the Senate.

Three such men who were violently opposed any change in unlimited debate have their portraits hanging in the Senate reception room right outside this Chamber. They represented divergent views on most other issues and they came from different sections of the country, but they were giants of the Senate and they opposed cloture. Men such as John C. Calhoun of my own State of South Carolina, Bob La Follette, from Wisconsin, and Daniel Webster, three Senators selected as among the five greatest in our history. When a vital constitutional issue was at hand in the Senate, none of these men would flinch from using every senatorial power at his command to focus public attention on what he considered to be inopportune action and thus bring great pressure on this body to act in a more wise manner.

Unfortunately in this time and age of fantastic communication devices, people can be given superficial explanations of issues and can be aroused to a fever pitch on the wrong side of any question in a matter of hours. In order to adequately educate the public on issues of vital concern to their welfare under such adverse conditions, it sometimes becomes necessary for a minority of the Senators to resort to lengthy discussion of the issues before the Senate in order to get even a cursory mention of their viewpoint.

While it is true that we have much faster communications in our day and time than this Nation had in the days of such stalwarts of oratory as Daniel Webster, John C. Calhoun, and Bob La Follette, it is also a truth that much of our communication network is in the hands of a relatively few men, and in many cases there is presently only the side of an issue favorable to limited interests.

One of the things that will be lost if this body adopts majority cloture is the opportunity of a Senator, when he feels in his heart that the Senate is taking precipitate, unwise action, to take the floor and by sheer length of debate focus national attention on what he considers to be the true issues at stake.

Many times since I became a Member of this body, I personally, and many of my colleagues, have been attacked as being provincial because we still believe in sovereignty of the individual States. While the press of modern affairs has required a much greater centralization of government, it does not necessarily follow that we must abolish the system of government so wisely established for these United States by the framers of the Constitution.

Certainly every Senator must concern himself with the national interest, but by no means does this require that a Senator fail to represent the interests of his State. It is sad but true in many cases that the only voices which a State may have to protect the citizens and interests of that State are those of its two Senators. Unfortunately it is also true that many times when a Senator raises his voice in defense of his State, he is accused of provincialism and held up to ridicule before the people of the other areas as though there were no longer any sovereignty vested in our 50 States.

I think it was wise indeed to realize when this great Union was formed, while we had much in common, there would forever be divergent interests among the States, and to provide each member of the Union with two voices in this body which could not be removed without their consent.

I remind every Member of this body that the U.S. Senate is the only place where the State has a voice representing it, and where the rape of the State's rights can be protested.

Unhappily, certain groups in our country have felt it to their interest to ridicule the idea that Senators are ambassadors of their States by refusing to recognize the divergent interests of our States at all, but using the dangerous world situation to spotlight only the general welfare of the United States and, consequently, sneer at any consideration of Senators as being their States' ambassadors.

I sincerely pray that this unfortunate view will be exposed for what it is, to wit, an effort to change the very constitutional nature of our Government and to eliminate the last vestige of States' rights in our country. I think that when the question of unlimited debate is removed from all the trappings that have been placed around it by organized pressure groups and misguided advocates, we shall see the problem a lot more clearly and a lot more sensibly before we are moved to vote on it.

Mr. President, I would like to return and dwell at length on the first point I made and in order to dispel this erroneous notion that the fight over cloture is nothing more than a civil rights battle of a very recent nature, I would like at this time to call to the attention of the Senate some comments of Senators speaking of cloture who have preceded us in this body and who have ranged over a period of half a century. These comments are taken from the report of the Committee on Rules and Administration in 1947, 80th Congress, 1st session, Calendar No. 85, Report No. 87, and should dramatically demonstrate that this is not merely a fight on one narrow legislative objective.

This question has been before the Senate for many years, long before the civil rights issue ever came into being.

William Alden Smith, a Senator from Michigan from 1907 to 1919, said:

> The proposed new rule is intended to curtail the individual power of Senators. How can a Senator represent his State appropriately in a crisis if a few Senators may decree in caucus and then absent themselves, leaving the State to its fate, shorn of the power to be effective?
>
> I have never seen the present rule abused. I have been impatient at times with Senators, but good has come to the country in most instances as a result of our liberal latitude in debate.
>
> Much good and no harm has come from unlimited discussion here; and, to curtail it and deprive ourselves of this power and privilege, it seems to me, is not called for by any situation now existing.
>
> The instances where this rule of unlimited debate has been abused and has worked to the disadvantage of the Government are very rare indeed and the cases where it has been of tremendous advantages to the Government and to the people of the United States can be counted by hundreds and hundreds.

Senator Smith, of Michigan, further said:

> No, unlimited, debate, as I define it, was such a protracted and prolonged discussion as to bring acutely to the minds of Senators the necessity of composing that particular situation.
>
> The longer I stay here the less I speak. Some of the best men who ever served in this body have grown to dislike verbal controversy.
>
> Men got over the fascination of their own speech, but if the occasion should require, or if some injustice has sought to be done, unlimited debate would be a very desirable and potential weapon to reside in the senatorship.
>
> It is not that a Senator wishes to be heard at great length: It is the power to defend his State, which you are attempting to curtail.
>
> Take away the right of unlimited debate and you take away the one great distinguishing characteristic of senatorial procedure.
>
> A great deal of agitation has been heard at varying times concerning the necessity for having some rule that would limit debate. There were those of us who did not think any rule at all was necessary. I speak now advisedly, as a member of the Committee on Rules, when I say that that rule was adopted as a compromise rule, and assurances were given that if it should be agreed to—as it was, without any controversy—it woulld end this matter of so-called cloture legislation. It has answered its purpose.
>
> During my somewhat protracted membership of this body a few filibusters have been engaged in. I was the victim of one of those filibusters, Mr. President. A bill in which I was deeply interested, which had been debated for weeks in the body, as I remember it, was at the end of a session defeated by a filibuster.
>
> At that time I felt very keenly on the subject but, when I came to look it all over, I was led to the conclusion that the evils that grew out of our present system were insignificant compared to the benefits that grew out of it.
>
> I think I have myself participated in two filibusters during the time I have been a Member of this body, and I have never had occasion to regret it. I believed that they were justified. I believe that great good came to the country because of those protracted discussions.

Henry Cabot Lodge, a Senator from Massachusetts from 1893 to 1924, said:

> This is a general rule to limit all debate, indiscriminately on every measure, whether trifling or of the gravest importance, affecting the Constitution, the welfare of the entire country, or the interests of a section of the country, or what may be the vital interests of a single State. Mr. President, I believe that a rule of that kind is thoroughly unsound in principle, and I think we ought to retain in principle, and I think we ought to retain in the Senate the general debate and the latitude of debate which we now have.

Certainly, Mr. President, as the late Senator Lodge said, we should "retain in the Senate the general debate and the latitude of debate which we now have," even though they have been whittled down somewhat since the time when Senator Henry Cabot Lodge was a Member of this body, because at that time the cloture rule was much stronger than the cloture rule we have today.

Mr. ERVIN. Mr. President, will the Senator from South Carolina yield for a question?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. JOHNSTON. Yes, if it is understood that in doing so, I shall not lose the floor, and shall not be charged with making two speeches.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Does not the Senator from South Carolina recall, as a historical fact, that when the first cloture rule was adopted, in 1917, the very famous liberal, Senator Robert La Follette the elder, of Wisconsin, stated, in speaking in opposition to the rule:

> Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule upon this body, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess. This Senate is the only place in our system where, no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support.

Does not the Senator from South Carolina recall that that magnificent statement was made by Senator La Follette during one of the previous fights in regard to the rules question?

Mr. JOHNSTON. Yes; and Senators will recall that he favored even a stricter rule than the one we now have.

Mr. ERVIN. Yes. At that time Senator La Follette was speaking, was he not, against any cloture whatsoever?

Mr. JOHNSTON. That is true.

Mr. ERVIN. Does not the Senator from South Carolina agree with me that if either the proposal for majority cloture or the proposal for cloture by 60 percent of the Members of the Senate were adopted, it would sound the death knell of the freedom of debate the Senate has always stood for as the greatest deliberative body on earth?

Mr. JOHNSTON. In my opinion, there is no question about that.

Furthermore, when two-thirds of the Members of the Senate belonged to the same party that the head of the administration belonged to—as at present—if only a bare majority of the Senate were needed in order to invoke cloture and to pass measures, in view of the pressure used by the administration, the minority—in this instance the Republicans—might just as well close shop and go home, for if there were majority rule on everything, the administration could control the Senate.

Mr. ERVIN. And if a majority cloture rule were adopted, would it not permit a majority of a quorum, namely, 26 Senators out of 51, to silence the entire Senate?

Mr. JOHNSTON. That is true.

Mr. ERVIN. And if the Senate adopted a rule to permit cloture to be invoked by the affirmative votes of 60 percent, would not that mean that 31 Senators out of a total of 51 could silence the Senate?

Mr. JOHNSTON. That is true; in that way Senators could be prevented from speaking.

Mr. ERVIN. Does the Senator from South Carolina share my conviction that if a majority of Senators were granted the power to silence all other Senators, they would be granted the power—which could be exercised arbitrarily—to prevent a minority of Senators from representing their States under the Constitution?

Mr. JOHNSTON. Certainly that is correct.

Mr. ERVIN. I should like to call the attention of the Senator from South Carolina to a statement made by Senator Moses, of New Hampshire, as set forth in an article which he wrote in 1925 for the Saturday Evening Post. I ask the Senator from South Carolina whether he agrees with the observation, made by Senator Moses, to the effect that no good legislative measure had ever been defeated or unduly delayed by the right of freedom of speech in the Senate.

Mr. JOHNSTON. I have read that article, and later in my speech I shall quote part of it. I think Senator Moses was entirely correct when he made that statement.

Mr. ERVIN. I should like to ask the able and distinguished Senator from South Carolina whether he had the privilege of serving the U.S. Senate with the great liberal, Senator Joseph O'Mahoney, of Wyoming?

Mr. JOHNSTON. I did.

Mr. ERVIN. Does the Senator from South Carolina recall that in the fight for the rules change in 1959, Senator O'Mahoney stated that rule XXII, in securing the right to speak, as it does, was necessary to be retained, because it was the only rule which made it possible for the Senate to be a forum of freedom of speech for the benefit of the people of the United States?

Mr. JOHNSTON. He did—and very forcefully.

Mr. ERVIN. Does not the Senator from South Carolina agree that not only does the rule under discussion afford protection to a minority, enabling it to state its views, and giving it an opportunity to convert itself into a majority; but also it is a rule which protects all the people in the United States?

Mr. JOHNSTON. The Senator is correct. At times certain questions arise that should be explained to the public at large. Time is required to do that.

Mr. ERVIN. I should like to ask the Senator from South Carolina if it is not his understanding that the Senate is the last legislative body on the face of the earth in which a minority has a right, by virtue of the rule under discussion, to exercise freedom of speech for the benefit of its country?

Mr. JOHNSTON. That is true.

Mr. ERVIN. I ask the Senator if the Senate is not the only place, even in our own land, which we call free America, where the rights of the people can be preserved even against the attack of overwhelming majorities?

Mr. JOHNSTON. The Senator has spoken the truth on that point. The right has been very useful on many occasions.

Mr. ERVIN. I thank the Senator for yielding.

Mr. JOHNSTON. I thank the Senator from North Carolina for the questions he has asked.

Mr. President, the case for free debate in the Senate has never been better stated than in a paragraph I am about to read from a well-known book. It is there said:

> It is the proper duty of a representative body to look diligently into every affair of Government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served: And unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.
>
> The informing function of Congress should be referred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

That, Mr. President, is taken from "Congressional Government," pages 303 and 304, written by the then President of the United States, Woodrow Wilson, and I think it would not be easy to find a more powerful exposition to that necessity for debate which, I think, is infringed on by this proposed rule.

Warren G. Harding, a Senator from Ohio, 1915–20:

> I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.
>
> I have been observing the Senate at close range now for 3 years. I came with the notion that the Senate "fiddled" away a great deal of valuable time in debate, and I am still of that opinion; but the debate that needlessly consumes the time of the Senate is not reached by the proposed rule.

If it is desired to cut down the number or length of speeches, Senators could be told at the beginning of a session that they could speak only 25 or 30 hours during the year, and when they had spoken for that length of time, they would have to stop. Such a rule might prevent some from talking so long and taking so much time to make speeches.

Further quoting from Harding:

> I want to feel that the Senate still controls its own destinies. Moreover, the new cloture rule is ample. I am opposed to the so-called reformation of the Senate in the name of a war measure.
>
> But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this body, the more convinced I become that the freedom of debate in the U.S. Senate is one of the highest guarantees we have of our American institutions.

> Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit.
>
> While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic.

Mr. ERVIN. Mr. President, will the Senator yield so that I may ask him some questions to determine whether he agrees with me that one of the best illustrations of the wisdom of the Senate rules occurred in 1946?

Mr. JOHNSTON. I yield, with the same understanding, that I do not lose my right to the floor.

Mr. ERVIN. I ask the Senator if he does not recall that during the spring of 1946, a strike of many weeks' duration occurred in the coal mines of the United States.

Mr. JOHNSTON. I recall the incident clearly.

Mr. ERVIN. I ask the Senator if he does not recall that before the end of that strike, a strike vote was taken on the railroads, and some of the railroad unions voted to go on strike on a certain designated day.

Mr. JOHNSTON. I remember.

Mr. ERVIN. Does not the Senator recall that a great deal of public feeling was aroused due to the fact that a long strike had taken place in the coal industry, and that a threat had been made that on a particular day there would be a nationwide strike on the railroads?

Mr. JOHNSTON. I recall that.

Mr. ERVIN. Does not the Senator recall that at that time a proposal was made in the House of Representatives that railroad workers be drafted into the Army, and, as members of the Army, be compelled to remain at work regardless of their wishes?

Mr. JOHNSTON. I remember that also.

Mr. ERVIN. Does not the Senator remember that the House of Representatives acting under the high popular feeling of the moment and acting under a rule which limited debate to a comparatively few minutes, passed the bill undertaking to draft railroad workers into the Army by an overwhelming majority?

Mr. JOHNSTON. I recall that.

Mr. ERVIN. Does not the Senator remember that when that bill, which had passed the House after only a few minutes of debate and by an overwhelming majority, reached the Senate, a request was made that the Senate proceed to the immediate consideration of the bill and that thereupon an objection was interposed by a Senator under the Senate Rules, which necessitated the bill going to the committee?

Mr. JOHNSTON. I recall that.

Mr. ERVIN. Does not the Senator recall that as a result of the ensuing delay, Senators were given time to think, and recognized the truth, which apparently had escaped all of us in the House—that if the bill became law, the Congress of the United States would be undertaking to impose involuntary servitude upon railroad men?

Mr. JOHNSTON. That is correct. I remember it. I was a Member of the Senate at that time.

Mr. ERVIN. Can the Senator from South Carolina understand why the Senator from North Carolina, after a few minutes' reflection, has always considered that that was the worst vote he, the Senator from North Carolina, ever cast as a member of any legislative body?

Mr. JOHNSTON. I presume the Senator would so consider it.

Mr. ERVIN. Does not the Senator from South Carolina think that is a perfect illustration of the unwisdom which legislators may exercise in times of public excitement if they are not restrained by some rule which enables one Senator, or a minority of Senators, to point out the unwisdom of the legislative proposal which the majority may be at the point of adopting?

Mr. JOHNSTON. I certainly do. I can understand why the Senator feels as he does today, because he acted, we might say, hastily, without proper debate having been had upon a subject, such as should be had in the Senate.

Mr. ERVIN. Does not the Senator from South Carolina rejoice in the fact that so long as rule XXII stands in its present form the Senate is not likely ever to engage in the passage of legislation like that piece of proposed legislation in haste?

Mr. JOHNSTON. That is correct. That is the way I feel, and I know the Senator feels as I do in this regard.

Mr. ERVIN. I thank the Senator.

Mr. JOHNSTON. I thank the Senator from North Carolina.

Mr. President, I now wish to quote the words of a Senator with whom I served in the Senate. He represented the State of California from 1917 to 1945. I refer to Hiram W. Johnson. This is what he said:

> But in this day, Mr. President, there is something else that I see as well. I see that we have transmuted in the past 14 months our Republic; I see that upon which we have prided ourselves in the past, that of which we have boasted in the past, that which we have taken upon ourselves and loved during all of the years that this Nation has been a nation—has been transmuted under the exigency and the emergency of war, and rightly so, into an autocracy as powerful as any autocracy upon the face of the earth.
>
> But, Mr. President, there is another day coming as well, and in transmuting our Government temporarily in the fashion that we have done, there is no reason why any man of wisdom, of foresight, with an atom of statesmanship, should not prepare against that day when it will be his duty and his obligation as great as is the obligation today to win this war, to bring back this Republic into its own, and make this Government as it has been in all the years of the past.
>
> It is that day when we must finally face the ultimate issue and restore this Government to its pristine purity and its pristine glory and to its original character; it is this day I guard against now by permitting not the entering wedge in this body and with its Members, so that they could not do fully, freely, wholly, absolutely, and successfully their duty when the day shall come.
>
> The last place in all this world where freedom obtains, the place where freedom of speech may be abused, abused, abused, and abused again, but the last free forum in that day will then have been destroyed, and we here this day will have commenced and made easy that destruction.

It is my understanding that the Senator from Hawaii [Mr. FONG] wishes to make a short statement at this time. I shall be glad to yield to him with the understanding that I shall not lose my right to the floor and that when I resume my remarks it not be counted as a second speech, if the Senate will agree to that request unanimously.

The PRESIDING OFFICER. Is there objection to the request by the Senator from South Carolina? The Chair hears none, and it is so ordered.

Mr. FONG. Mr. President, as a cosponsor of the Humphrey-Kuchel substitute amendment for Senate Resolution 9, I should like to make a brief statement for the record setting forth my reasons for supporting a change in Senate rule XXII so as to permit a constitutional majority of elected Senators to limit debate after reasonable time has been allowed for debate.

What we seek to provide by this additional method of limiting debate is a way by which the principle of majority rule may become operative so that the majority of the Senate can come to a vote on the merits of the substantive issues which come before it.

In the brief 3½ years it has been my privilege to serve in the U.S. Senate, I have witnessed five "talkathons" designed to prevent the majority of the Senate from voting on the merits of substantive measures before it. I have witnessed how the threat of a talkathon succeeded in forcing the majority to emasculate legislation in order to get a bill of some sort passed. I have witnessed how the Senate rules have been used not as tools for promoting orderly business in the Senate but as tools for thwarting the majority from its duty to legislate.

I recall very vividly the round-the-clock sessions of the Senate in 1960 which lasted for 9 days and nights and forced Senators to remain within calling distance of the floor at all times, sleeping at night in their offices and in rooms near this Chamber. An attempt to halt the talkathon by closing debate under existing rule XXII requiring a two-thirds majority failed. The upshot was that, in order to pass a civil rights bill, the majority was forced to water it down to the point of acceptability to the minority of civil rights opponents.

What has happened from time to time in the Senate resembles minority rule rather than the majority rule contemplated by the Founding Fathers. These architects of the U.S. Constitution clearly endorsed majority rule as the rule for congressional action, for they expressly specified all the instances in which more than a majority vote is required. There are only five instances in which a two-thirds majority is stipulated in the Constitution: in the power of Congress to override a Presidential veto, in Senate ratification of treaties, in the initiation by Congress of amendments to the Constitution, in the impeachment power, and in expulsion of Members of Congress.

It seems clear that, insofar as the drafters of the Constitution were concerned, Congress was to operate by majority rule unless otherwise instructed by terms of the Constitution.

Indeed, Alexander Hamilton, in Federalist No. 22, wrote:

> To give a minority a negative upon a majority [which is always the case where more than a majority is requisite to a decision] is, in its tendency, to subject the sense of the greater number to that of the lesser.

Hamilton also pointed out:

> If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to national proceedings.

In the words of the Supreme Court, majority rule is "sanctioned by our governmental practices, by business procedure, and by the whole philosophy of democratic institutions" (*N.L.R.B.* v. *A. J. Tower Co.*, 329 U.S. 324, 331). Moreover, the Court has ruled that a House of Congress may not by its rules ignore constitutional restraints (*United States* v. *Ballin*, 144 U.S. 1, 5).

The history of the U.S. Senate shows that throughout the years Senators have zealously guarded their rights to full and free debate, each always conscious of the fact that while today he might be in the majority on one issue, tomorrow he might be in the minority on another issue.

This helps to explain why the Senate has been so loathe to limit debate of some of its Members who have used filibusters to prevent majority action. Since 1917, when the Senate adopted the original rule XXII to limit debate, there have been 27 votes to limit debate, only 5 of which succeeded. That is a batting average of only 17 percent. The Senate succeeded in limiting debate in 1919, on the Versailles Treaty; in 1926, on the World Court; in 1927, on branch banking; in 1927, on prohibition reorganization; and last year, on the communications satellite.

Eleven of the twenty-seven cloture votes have dealt with civil rights issues, including two votes last year on the literacy test bill. Every attempt to close debate on civil rights matters has failed.

It seems ironic that the majority of the Senate, in attempting to protect the rights of minority groups throughout America, has found itself thwarted time and time again by a minority of Senate Members right here in this Chamber.

That the existing rule XXII makes it possible for a minority to obstruct the will of the majority of the Senate was recognized by both major political parties in their platforms adopted in 1960. The Republican platform states:

> We pledge: Our best efforts to change present rule XXII of the Senate and other appropriate congressional procedures that often make unattainable proper legislative implementation of constitutional guarantees.

The Democratic platform pledges:

> In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 87th Congress to improve congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.
>
> To accomplish these goals will require Executive orders, legal actions brought by the Attorney General, legislation, and improved congressional procedures to safeguard majority rule.

Unless and until these reforms in congressional procedures are effected, the pledges of both the Republican and the Democratic Parties for meaningful and effective civil rights legislation will remain just noble words and noble promises, incapable of fulfillment, for never has the Senate agreed to limit debate on a civil rights issue since rule XXII was first adopted in 1917.

To permit the principle of majority rule to operate, not only in civil rights matters, but in all other substantive matters, no matter how controversial, we sponsors of the Humphrey-Kuchel substitute are proposing a second procedure whereby the Senate could limit debate.

Our proposal, which is embodied in Senate Resolution 10 and in the substitute amendment to Senate Resolution 9, retains the existing method whereby a vote on cloture could be had 2 days after filing of a cloture petition signed by 16 Senators. To succeed, this, of course, would require two-thirds of the Senators present and voting to vote in the affirmative. If 100 Senators voted, 67 would have to vote "yes" in order to limit debate.

Under our proposed alternative, the vote on cloture would occur 15 days following the filing of a cloture petition by 16 Senators. To limit debate under our proposal, 51 of the 100 Senators would have to vote in the affirmative.

A majority of the Senate can vote to draft your young men into the armed services, and a majority of the Senate can vote to send them to war. It would seem reasonable that a majority of the Senate should be allowed to limit debate. Particularly since the Constitution, article I, section 5, provides that a majority shall constitute a quorum for doing business and that a majority shall determine rules of procedure.

Inasmuch as all Senators are well aware that they may be in the minority sometimes, it is highly doubtful that 16 Senators would file a petition until there was real evidence of a filibuster. Probably 2 to 3 or even more weeks of debate would occur before Senators would sign a petition. After the petition is filed, our plan guarantees 15 additional days of debate before the vote on limitation could be taken. This adds another 2 weeks for debate.

Then, if 51 votes are cast for debate limitation, a minimum of an additional 100 hours of debate is allowed. The majority would have 50 hours to debate and the minority would have 50 hours to debate. If the 50 hours of debate on either side expired before a Senator had an opportunity to speak, he would be given an hour to talk, under our guarantee of 1 hour for each Senator.

Ours is a more generous plan for the minority than existing rule XXII, which guarantees only 1 hour of debate for each Senator. Thus, at present a minority of 20 Senators would have a total of 20 hours guaranteed them for debate. Under our plan, this same minority would be guaranteed 50 hours.

Certainly, the weeks preceding filing of a debate limitation petition, plus the 15 days guaranteed after its filing, plus the minimum of 100 hours after the Senate agrees to limit debate, provide ample time to present the pros and cons of any issue and to inform the American people.

The Senate often passes important, far-reaching, and costly legislation with only a few days' debate. Last year, for example, the Senate debated the highly controversial trade bill only 3 days and the controversial tax revision bill only 9 days.

To contend that our proposal unduly restricts the time for debate is not very persuasive in the light of such experiences. For, in the 5 to 6 or more weeks available for debate under our plan, surely Members of the Senate—majority and minority alike—have ample opportunity to present their opposing viewpoints.

So we come to the real bone of contention—whether the majority of the Senate shall be permitted to perform their duty to legislate on matters of vital importance to the Nation; or whether one-third of the Senate shall be permitted to obstruct the other two-thirds of the Senate.

In other words, shall the minority rule the Senate by denying the majority the right to come to a vote?

Or shall the Senate, by its rules of procedure, permit the majority to work its will while at the same time safeguarding the right of the minority to be heard?

If I understand the sum and substance of the present parliamentary tangle in the Senate, the Senate could be doomed to a self-perpetuating debate limitation rule which a minority could employ to block majority rule.

If the opponents of changing rule XXII prevail, the majority of the Senate may even be denied an opportunity to vote on the merits of the changes proposed in rule XXII. If the majority of each new Congress is denied the right to change Senate rules by minority filibuster which can only be cut off by two-thirds vote, the Senate forever will be the victim of rules adopted by a Senate of years gone by. The majority will continue to rule only by sufferance of the minority, who will still possess the weapons with which to deny the majority the right to legislate. Only insofar as the minority decides to permit the majority to act, will the majority be able in practice to act. Majority rule as contemplated by those who framed our Constitution will be a mockery.

Against a determined minority, the majority will continue to be frustrated in attempts to insure the protection of civil rights for those Americans who now do not enjoy the rights guaranteed to all Americans by the Constitution.

Against a determined minority, the majority will continue to be frustrated in attempts to enact legislation in other essential fields, despite the mandate of

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the electorate at the polls and despite party platform promises.

The rule XXII change we propose will help the majority fulfill its responsibility to legislate while at the same time it will protect the right of the minority to be heard. As Alexander Hamilton said:

> The public business must go forward.

The rule XXII change we propose will offer Senators from every State, large or small, equal opportunity to be heard. Similarly, the equal number of votes awarded to each State in the Senate, whether large or small, is undisturbed, so that small States under our proposal need have no fear of being outvoted merely on the basis of size. Each State will still have two votes.

The rule XXII change we propose is one step toward more orderly procedure in the Senate at a time when representative government is on trial before all the world, whose people are watching to see whether our National Congress is geared to the space age.

Attempts to improve rule XXII have failed at the beginning of each of the last three Congresses by the expedient of avoiding a vote on the merits of the proposed changes. I hope that this year the Senate of the United States will be permitted the opportunity to express itself on the merits of the pending proposals. Let the Senate of the United States no longer sidestep the important issues involved, but face up to its responsibilities.

Let us make representative government more workable in this legislative body and more responsive to the will of the American people who are represented here in the U.S. Senate. Let us justify the faith the people had in electing us and let us demonstrate anew the viability of the Government fashioned so wisely by the Founding Fathers that individual freedom and liberty might be perpetuated for one and for all in America forevermore.

**Mr. PROXMIRE.** Mr. President, will the Senator from South Carolina yield to me, so that I may make a brief statement, without his losing his right to the floor?

**Mr. JOHNSTON.** I yield to the Senator with the understanding that my so doing will not affect my speech in any way, and that it will be regarded as only one speech, and that I do not lose my right to the floor.

**Mr. PROXMIRE.** I ask unanimous consent that these remarks may not in any way affect the rights of the distinguished Senator from South Carolina.

**The PRESIDING OFFICER.** Without objection it is so ordered.

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## EXCESSIVE SPENDING

**Mr. PROXMIRE.** Mr. President, I have been disturbed—as I am sure many other Members of the Senate have also been disturbed—by the increase in Government spending, particularly in some areas in which such increases are hard to understand and explain.

One of the most shocking of this spending increases is listed in the budget under "Commerce and Transportation." In the past 6 years there has been an increase in Government spending for Federal aviation, for example—representing subsidies to commercial aviation, from $219 to $885 million; for water transportation—representing largely subsidies to shipbuilders—there has been an increase from $365 to $677 million; and the most dramatic of all increases has been subsidies for "advancement of business"—which is the term that is used in the budget—from $127 million in 1957 to $617 million in the present budget. This is an expansion from 1957 alone of nearly fivefold.

One of the reasons for this explosion of spending is because the Small Business Administration has expanded its activities. I am conscious of this, as chairman of the Small Business Subcommittee of the Banking and Currency Committee.

Today there appears in the Washington Daily News an article entitled "Small Business Agency Is Now a Banking Giant." It is written by Dixon Preston, and spells out in detail the story of Small Business Administration loans for recreational purposes.

The regulations of SBA provide, at page 8 of its pamphlet entitled "Business Loans" under "Ineligible Applications," the category of ineligible:

> 6. If the purpose of a loan is to finance the construction, acquisition, conversion, or operation of recreational or amusement facilities.

For this purpose the agency is not by law to make loans. However, there is a saving clause which provides "unless the facilities contribute to the health or general well-being of the public."

As Mr. Preston points out, under this "unless" clause, in the 6 months between June and November 1962, the SBA made loans to 128 motels and hotels, 42 bowling alleys, 15 ski lifts, ski lodges and other skiing operations, and 11 golf courses.

Mr. President, in my State, as I am sure is also true in many other States, we find that some commercial recreational enterprises are overbuilt; there are too many of them, and they are having difficulty surviving competition.

In areas where banking facilities are adequate, which is true in most parts of the country, it is very hard to justify this kind of activity by a Government agency.

I hope Congress will consider, during this session, modifying the authority of the Small Business Administration to make loans of this kind, which make a very questionable contribution to the economic growth of our Nation.

**Mr. ERVIN.** Mr. President, will the Senator yield on an economic matter?

**Mr. PROXMIRE.** I yield.

**Mr. ERVIN.** I have a question which troubles me. Due to my limited capacity, I find I am unable to unscrew the inscrutable. I was reading this morning an article by a theoretical economist who said that if the Government spent more money than it received in revenue, it had an active deficit and the likelihood was that this would spur the economy into action; however, if the Government received in revenue less than it spent, it meant that there was a passive deficit, which was bad. Can the Senator explain exactly how much difference there is between spending more than one receives, and receiving less than one spends, and why one of them is good for the country and the other is bad?

I am incapable of comprehending the difference, because I have not studied enough of modern economics.

**Mr. PROXMIRE.** I was fascinated by the same phrase, which appeared, I believe, in the Washington Post lead editorial this morning. It said that the kind of deficit proposed in the 1964 budget was an active deficit. I was deeply concerned because that was not in keeping with even the Keynesian economics that I studied. Keynes theorized that during a depression, or recession, at a time when the economy is going downhill, a Government deficit stimulates the economy and helps to halt the decline. But the idea of an active deficit in the editorial is that when the economy is moving ahead, and progressing, and profits are going up, and all the business indexes are advancing, but not fast enough, it is still necessary to have a deficit, but under these circumstances to increase the growth even further.

This means, to me, that when the economy is going downhill, we have a passive deficit; that when it is going up, we have an active deficit. However, at all times, we have a deficit, and at no time do we have a surplus.

Apparently that surplus word is one that is going out of the economic vocabulary. During super economic expansion periods when the economy is operating, perhaps, under virtual war conditions, the economists will permit a surplus to prevent inflation. But this would be, if past experience is a guide, only at a time when the Government is spending astronomical sums of money. As we know from World War I and II experience, the deficits are bigger than ever under such circumstances. They become super active deficits. The surplus is on its way to dodo land to become extinct.

I share the view of the Senator from North Carolina. I am not capable of unscrewing this inscrutable. I feel it remains inscrutable.

Mr. President, I ask unanimous consent that the article published in the Washington Daily News be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Its Record: $2 Billion in Loans in 10 Years—Small Business Agency Is Now a Banking Giant

As a taxpayer, you might be surprised to know you're helping finance a commercial deer park in Park Rapids, Minn.

Also a ski lift in northern Indiana, golf courses in New Mexico, Ohio, and Tennessee, bowling alleys in Texas, a summer camp in Pennsylvania, a kosher delicatessen in Memphis, a marina here in Washington, mountain lodges in Colorado, motels in Alabama, and a fellow out in Hawaii who simply describes himself as a professional planner.

You're doing all this because you, as a taxpayer, help to support a young but fast-growing Federal agency called the Small Business Administration (SBA).

The Small Business Administration, as its name implies, makes loans and provides other services for small businesses. But as an agency, SBA itself is anything but small business.

### RAPID GROWTH

From virtually a standing start 10 years ago, SBA has grown into a banking giant. It has 3,200 employees, a loan fund of nearly $1.3 billion and has, in 10 years, made or taken part in 54,518 loans totaling more than $2 billion.

Yet it loses money. And that is where you come in. Tax funds of $26 million a year pay the administrative costs of operating the agency. Funds borrowed from the U.S. Treasury pay the difference between what SBA doles out in loans and what it gets back in interest and repayments. Last year alone, this amounted to $200 billion—although much of it eventually will be recovered.

SBA business loans go to enterprises which have tried—and failed—to borrow money from private banks. In theory, they are supposed to stimulate the economy, to help build up depressed areas, to create new jobs.

### SOME EYEBROWS

But the nature of some of them has raised a few eyebrows on Capitol Hill. In the 6 months between June and November 1962, for instance, SBA made loans to 128 motels and hotels from coast to coast; 42 bowling alleys; 15 ski lifts, ski lodges, and other skiing operations; 11 golf courses; and 50 assorted recreation areas, including that deer park and also drive-in movies, roller and ice skating rinks, dude ranches, marinas, party fishing operations, camps, amusement parks, and a kiddieland picnic ground.

Nor is that all.

Does a doctor want a nice new office? He's a small business, according to SBA rules. So's a lawyer, dentist, veterinarian, chiropractor, accountant, optometrist, chiropodist, or architect.

In the same 6-month period, SBA loans for new offices and equipment went to 25 physicians, 9 lawyers, and 51 other types of professional men.

The agency also loaned $10,000 to a credit bureau—which presumably didn't have good enough credit to do its own borrowing privately.

### RULES CHANGES

Such loans for recreational facilities and professional men formerly were barred by SBA's Loan Policy Committee. But the rules were changed during President Eisenhower's administration, and SBA Administrator John E. Horne thinks the change was justified.

"Having clean and wholesome places for young people and adults to maintain recreational activities is a legitimate exercise of our lending power," Mr. Horne says.

"It keeps them from going to less desirable places—and helps make them more healthy citizens."

Some Members of Congress, however, think the Government shouldn't be in the position of financing such things as bowling alleys and doctors' offices.

"Often such loans contribute relatively little to employment and economic growth," says Senator WILLIAM PROXMIRE, Democrat, of Wisconsin.

"I have no doubt that these firms are profitable, attractive enterprises, but I question whether aiding them with substantial Federal loans is good public policy."

### NO LIMITS SET

The law under which SBA operates sets no limits on what kinds of business can receive loans. It leaves that up to the Loan Policy Board, on which Mr. Horne serves along with the Secretaries of Treasury and Commerce. Only restriction is that the loans should be "in the public interest."

Currently the Board rules out only three types of enterprises—gambling establishments, firms which get most of their income from liquor, and newspapers and other media which express editorial opinion.

The ban on newspapers is for an obvious reason. Such loans would offer almost an irresistible temptation to politicians to finance papers which agreed with them editorially.

"We're under constant pressure from the liquor industry to make them eligible," Mr. Horne says. "In fact, we're accused more often of being too tight with our funds than of being too loose with them."

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## FREEDOM ACADEMY

Mr. PROXMIRE. I am very proud and happy to join the distinguished Senator from South Dakota [Mr. MUNDT] and the Senator from Illinois [Mr. DOUGLAS], the Senator from New Jersey [Mr. CASE], and other Senators, who are cosponsoring the Freedom Academy bill, which we are introducing today.

The bill is urgently needed for many reasons. One reason, in the view of the Senator from Wisconsin, is that we have had far too much irresponsibility and unenlightened and uninformed talk about the menace of communism, and too little clear-headed understanding.

This Academy offers an opportunity to put the study of communism on an informed basis under the direction of experts.

I thank the Senator from South Carolina for yielding to me.

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## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. JOHNSTON. Mr. President, Charles E. Townsend, a Senator from Michigan, 1911–23, said:

> It will be a sad day for our Republic when the Senate ceases to be a free and open forum.
>
> Not cloture but intelligent deliberation is the present need. This is an insidious attempt, as it seems to me, to limit debate and confine it according to the wishes of people not connected directly with the Senate.
>
> Mr. President, since I have been a Member of the Senate I have never seen, except during the last days of a Congress, any bill defeated, by a filibuster, or otherwise, which a majority of the Senate earnestly desired to pass. It has never been done, and it cannot be done. The will of the majority properly determined can always be exercised, not on the minute, not a given hour possibly, but at some time during the session, and it always will be so.
>
> Public sentiment. Senators seem to be fearful of public sentiment. The only sentiment that I have to face is that of my constituents. I object, Mr. President, to having any Senator or number of Senators place any restriction upon me in the exercise of my duties as a representative from my State.
>
> When I was a Member of the other House, to me one of the attractive features of service in the Senate was that there was an opportunity for debate and full consideration. I did not expect to abuse that privilege, and I never have done so.
>
> Most new Senators are instinctively for reforming the rules. We have been in the habit of condemning long speeches sometimes, and I confess that at times I have criticized them, too; but I have recalled that subsequent events have shown that many Senators were right in appealing to the Senate to consider the question under discussion, and it was their duty to make those appeals to the Senate, if by doing so they had any hope of changing the sentiments of the Senators.

Let me quote now from a speech by James E. Watson, a Senator from Indiana, 1916–33. He said:

> If this had been the rule of the U.S. Senate after the adoption of the Constitution and the formation of the Union, many of the great orations that challenged the attention of mankind and fashioned the policy of the Republic would have been but partially delivered.
>
> If this had been the rule of the U.S. Senate for the first 50 years of its existence John C. Calhoun would not have been able to thunder forth the doctrines in which he believed; Hayne could not have announced on the floor the ideas which he so eloquently espoused; Henry Clay would have been unable to deliver in full any one of the score of speeches that accomplished so much for his country; and Daniel Webster, imperious orator of American history, could not have blazed the pathway of the future in that historic utterance in which he announced the essential policies of the Republic if its institutions are to endure, for on the floor of the U.S. Senate and in the open forum of debate he, in a sense, shaped the destiny of the Republic and molded the future of the Nation.
>
> If this had been the rule of the Senate even in our day, the great debates that have occurred upon the financial and economic problems which have engaged the thought and attention of the Republic could not have taken place to the full.
>
> Why, Senators, we are not children; we are men. We are not engaged in some sport in which a man is limited to a certain number of strikes; we are Senators, chosen because of supposed ability, fitness, and character to measure up to the great demands of statesmanship, to grapple with the eternal verities that underlie all progress and all enduring Government, and why should it be thought that we must place a limitation upon ourselves else we shall trample upon the rights of the people by too great speeches?

Asle J. Gronna, a Senator from North Dakota from 1911 to 1921, said:

> In my judgment, this rule is an insidious effort to throttle free speech in the Senate. It is an effort to shackle the membership of this body; it is the forerunner of boss rule; it is the keystone to the foundation of a political machine. It matters not what time is allotted to any Member, the rule in itself is autocratic; it is despotic; it is contrary to democratic principles of a free government.

Reed Smoot, a Senator from Utah from 1903 to 1933, said:

> The passage of this resolution means that running debate will be closed in the future, and I say now that there has been more information given to Senators, actual information, information that affected the votes of Senators, more real information gained, in a running debate where questions are freely asked, than there is in all the set speeches that were ever made in this body.

James D. Phelan, a Senator from California from 1915 to 1921, said:

> It is the history of this body that there are empty benches occasionally when a Senator exceeds what, in the judgment of the absentees, may be a reasonable time limit. I believe it was held in the House of Commons that, whereas a man had a right to speak, he had no right to be heard.
>
> The Senate rules serve by arresting hasty action. Members of the House have appealed to me to save the power of the Senate

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> on which the Members of the House themselves so often rely. On it the country relies to have time to deliberate and if necessary, protest.
>
> Men are carried away by passion, heat, and rancor, and they enact laws thoughtlessly; again, they enact laws ignorantly. Debate restrains passion; debate restrains heat; debate restrains rancor, and at the same time debate commands deliberation. Therefore I oppose the arbitrary rule and stand for the power and dignity of the Senate which has served the country so well in this war.

Frank B. Brandegee, a Senator from Connecticut from 1905 to 1924, said:

> Mr. President, I look at this right of debate not as a right, much less a privilege, which we are conferring upon ourselves as a matter of favor. I look upon it as a right which attaches to the sovereign States of this Union, each of which is represented here by two Senators, and whose sole method of putting its case before the people of the United States and before this body is through the voice of its two Senators.
>
> So I say that this is the forum of the States. This is a federated government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment.

### VICE PRESIDENT DAWES

At the beginning of a special session of the Senate on March 4, 1925, Charles G. Dawes, who took the oath that day as Vice President, delivered an address to the Senate in which he said:

> Reform in the present rules of the Senate is demanded not only by American public opinion, but I venture to say in the individual conscience of a majority of the Members of the Senate itself.

With special reference to rule XXII, the new President of the Senate stated:

> That rule which at times enables Senators to consume in oratory those last precious minutes of a session needed for momentous decisions, places in the hands of one or of a minority of Senators a greater power than the veto power of the President of the United States, which is limited in its effectiveness by the necessity of an affirmative two-thirds vote. Who would dare to contend that under the spirit of democratic government the power to kill legislation providing the revenue to pay the expenses of Government should, during the last few days of a session, ever be in the hands of a minority or perhaps one Senator? Who would dare maintain that in the last analysis the right of the Senate itself to act should ever be subordinated to the right of one Senator to make a speech?

Lynn Haines, the editor of a monthly publication the Searchlight on Congress, wrote letters to each Member of the Senate, asking for a statement as to his opinion of the proposal of Vice President Dawes. The following are excerpts from some of the replies printed in the May 1925 issue of that publication:

William E. Borah, a Senator from Idaho from 1907 to 1940, wrote:

> I do not know what changes Vice President Dawes proposes with reference to the Senate rules. In a general way it seems that he would adopt strict cloture. I am opposed to cloture in any form.
>
> I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate.
>
> There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington.

James Couzens, a Senator from Michigan from 1922 to 1936, wrote:

> While I am a comparatively new Member and not a good parliamentarian, it seems to me that rule XXII, as amended March 8, 1917, is sufficient cloture.

As we recall, it was amended in that way in 1917; prior to that time, there was no such thing as cloture in the Senate.

Senator Couzens also wrote:

> When the importance of the occasion seems to demand it, all that has to be done is: 16 Senators making such a motion, same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required; otherwise the majority might ride roughshod over the minority at any time.
>
> Mr. Dawes has not pointed out any real injury that has occurred to the country because of the rules he complains about. I would be interested in specific information of the damage that has been done.

Smith W. Brookhart, a Senator from Iowa from 1922 to 1933, wrote:

> I do not think the Senate rule of unlimited debate will be materially changed. It is this rule that makes the U.S. Senate the one great open legislative forum in all the world.
>
> The rule sometimes delays good legislation, but never kills it. Good legislation always comes back, and finally wins. The rule kills a great deal of bad legislation. That class of legislation which cannot stand the light of publicity will always be killed by unlimited debate.

Furnifold McL. Simmons, a Senator from North Carolina from 1901 to 1931, wrote:

> I am utterly opposed to Mr. Dawes' views on this subject. After 24 years in the Senate, I am satisfied that the rules which prevent arbitrary cloture of debate have been a great protection against ill-advised legislation and have brought about that thoroughness of discussion which is impossible under the rules of procedure obtaining in the House of Representatives.
>
> Under the present rules of the Senate two-thirds of the Senate can at any time restrict debate within reasonable limits. When Mr. Dawes becomes familiar with the rules of the Senate, I think he will become less radical in his views.

Royal S. Copeland, a Senator from New York from 1923 to 1938, wrote:

> I can quite understand why a citizen of Nevada might want to have the rules changed. Nevada has 77,000 population, and yet it sends 2 Members to the U.S. Senate. If New York were represented in the same proportion, it would have 144 Members in the U.S. Senate instead of 2.
>
> Here is another thing to think about: The States of New York, Pennsylvania, Illinois, and Michigan pay 60 percent of the Federal taxes. The combined representation of these States in the Senate is one-twelfth of the total. Therefore, these States are totally submerged so far as voting power is concerned.
>
> New York State has as great a population as 18 other States combined. It exceeds the combined populations of Arizona, Colorado, Delaware, Florida, Idaho, Montana, Neveda, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Wyoming, Maine, and Nebraska.
>
> Add to these 18 States 7 other States—Arkansas, Louisiana, West Virginia, Washington, South Carolina, Maryland, and Connecticut, and it will be found that these 25 States, controlling 50 of the 96 votes, have a majority vote in the Senate. These States represent less than 20 percent of the total population of the country and they pay not more than 10 percent of the Federal taxes. Mr. Dawes' cloture rule would give this minority in population and financial standing absolute control of the Senate.

### THE SECOND UNDERWOOD RESOLUTION

On June 4, 1926, Senator Oscar W. Underwood, of Alabama, moved that consideration be given to Senate Resolution 225, which we had introduced on May 17 to amend the rules of the Senate to provide that:

> Whenever a bill raising revenue or a general appropriations bill has been under consideration by the Senate for more than 1 calendar day, as relating to such bills, there shall be a motion for the previous question, which, being ordered by a majority of Senators voting, if a question is present, shall have the effect to cut off all debate and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.
>
> 2. All such motions for the previous question shall, before being submitted to the Senate, be seconded by a majority by tellers, if demanded.
>
> 3. When a motion for the previous question has been seconded, it shall be in order, before final vote is taken thereon, for each Senator to debate the propositions to be voted upon for one hour.

The following extracts from arguments made against the resolution indicates why the resolution was not brought to a final vote.

Joseph T. Robinson, a great Senator from Arkansas from 1913 to 1937, said:

> The filibuster has been invoked comparatively few times in the history of the country, and every time it has been invoked and proved successful it has been justified in the judgment and in the conviction of the public.

Every Senator whom I have quoted said the same thing. Further quoting from Senator Robinson:

> If it had not been for the filibuster that the Senator from Alabama himself waged, which he led and of which he boasted, we would not have been able to defeat a bill which authorized the Federal Government to permit judgment in damages against counties and municipalities for no alleged wrongful act, a bill which took away from the local governmental institutions the few remaining powers which they are permitted to exercise.
>
> The force bill would have become a law but for the organized and persistent opposition of Senators who saw in its provisions dangers to the fundamental institutions of this Republic. They defeated it by fighting and falling back and fighting again until the hosts which were assaulting them real-

> ized that the attack had failed. Never since has a Congressman or a Senator said that Armed Forces of the United States shall be planted about ballot boxes and men and women who exercise the power to vote shall be under the coercion and intimidation of men with bayonets in their hands. The force bill and all that was associated with it went by for all time and a filibuster in the U.S. Senate accomplished it.

If we did not have in the Senate rules such as those we have, we would have that kind of law upon our statute books today.

Another great Senator, Senator Reed, of Missouri, said:

> The late Senator Lodge, sponsor for what is called the force bill, years afterward, indeed, only a year or two before his lamentable death, stated to me upon the floor of the Senate that he was convinced that the force bill was wrong and that the result of the filibuster had been a great blessing to the country.

Senator Robinson had the following to say:

> Of course, the rules could be amended and improved, but that, Mr. President, is not the question. The proposition is, shall the voice of the people through their Senators be stifled and suppressed? I care not whether Senators come from New England or from the South, whether they come from the West or the East, the proposition is that here is one forum which, under traditions and precedents, affords an opportunity for the public to have expression of its views through the representatives of the people.
>
> Should we adopt the rules that apply in the House of Representatives as advocated by the Senator from Alabama, instead of correcting whatever evils may be found in the Senate rules insofar as the public interest may be concerned, we would give impetus, momentum, and power to forces that do not want open expression of opinion or free discussion anywhere.
>
> It is far better, sir, for that flag and all it typifies, far better for the Constitution of the United States, far better for this body and the body at the other end of the Capitol, far better for the millions who are the victims or the beneficiaries of our wise or improvident action in legislating that legislation should proceed slowly and under safeguards, rather than hastily and in darkness.
>
> When I recall the fact that under the rules of the House of Representatives one man on one side and another man on the other side, frequently both of them, really agreeing as to the proposition in dispute, actually control all the time that is allotted; that no Member may speak except by permission of someone else, and that his only remedy is to print in the Record a speech which frequently he himself does not comprehend and which nobody on God's earth will ever read, I am willing to vindicate this forum of open debate where fools may be arrogant, but where men who have studied problems still have a chance to speak.

James A. Reed, another great Senator from Missouri from 1911 to 1929, had the following to say:

> Cloture means the granting of a power. Whenever you grant a power you must assume that the power will be exercised. So, when we discuss this proposed rule, we must do so in the light, not of how it may be exercised so as to do no harm, but we must consider how it may be exercised to do harm.
>
> I need not pause to add to the argument already made, that when it is proposed to bring in a great measure involving the expenditure of vast sums of money, if it be a bill for the appropriation of money, or a bill for the collection of taxes from the entire country, affecting intimately the industries of the country, an hour's debate upon such a bill is utterly insufficient, utterly inadequate, and that a rule limiting debate to 1 hour would mean the end of debate. The truth is that this measure, if adopted, will empower a majority to throttle freedom of speech upon this floor and enable sinister and wicked measures to be carried to consummation without the country being advised of the iniquities they bear.
>
> Gag rule is the last resort of the legislative scoundrel. Gag rule is the surest device of the rascal who presides over a political convention and proposes to accomplish something which will not bear discussion. Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.
>
> There is justification for unlimited debate in this body. I am getting a little tired of hearing about the sacred rights of the majority; that this is a country ruled by the majority, and that the majority has the right to have its way. This is not a country ruled by the majority. This is not a country of majority rule, the Constitution of the United States was written, in large part, to prevent majority rule. The Declaration of Independence was an announcement that there are limitations upon majority rule.
>
> The rights to life, liberty, and the pursuit of happiness were declared in the Declaration to be inalienable rights. They could not be given away by the citizen himself. Much less could they be taken away by temporary agents, sitting in legislative bodies, holding a limited authority of brief duration.
>
> #### THE CONSTITUTION
>
> The Constitution itself is a direct limitation upon the majority rule. "You shall not take property without due process of law," says the Constitution, and before we can take that safeguard away what must we do? We must obtain not a majority of this body, not a majority of the House of Representatives, but a two-thirds majority in each House concurring in a resolution, and that resolution must be approved by three-fourths of the States. What about majority rule in connection with that proposition?
>
> The right to trial by jury cannot be taken away by majority rule. The right for the habitation of the citizen to be free from unreasonable searches and seizures cannot be taken away by majority rule. If it could have been so taken away Volstead and his like would have invaded every home in America and fanaticism would have thrust its ugly face into every home of the land long ago.
>
> Before you can trample upon certain rights of the American people you must have more than a majority, sir, and I believe it to be true that there are certain rights which, even by amending the Constitution of the United States, we cannot take away from the citizens of the United States.
>
> Majority rule: Where is the logic or the reason to be found back of majority rule except in the mere necessity to dispatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ, the majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.
>
> Majority rule without any limitation or curb upon the particular set of fools who happen to be placed for the moment in charge of the machinery of a government: The majority grinned and jeered when Columbus said the world was round. The majority threw him into a dungeon for having discovered a new world. The majority said that Galileo must recant or that Galileo must go to prison. The majority cut off the ears of John Pym because he dared advocate the liberty of the press. The majority to the south of the Mason-Dixon line established the horrible thing called slavery, and the majority north of it did likewise and only turned reformer when slavery ceased to be profitable to them.
>
> #### THE PUBLIC BUSINESS
>
> Oh, but somebody says—and we have heard it ad nauseam, indeed, until the gorge would rise in the gizzard of an ostrich at the sheer idiocy of the statement—"We must speed up the public business. We must enact more laws." We must not consider them. We must not analyze them. We must not talk about them. Of course, if we cannot talk about them we ought not to think about them. There are a good many men who do a good deal of talking in favor of stopping talking who never stop long enough talking themselves to do any thinking themselves.
>
> What we need to do is to stop passing laws. We have enough laws now to govern the world for the next 10,000 years. Every crane who has a foolish notion that he would like to impose upon everybody else hastens to some legislative body and demands that it be graven upon the statutes. Every fanatic who wants to control his neighbor's conduct is here or at some other legislative body demanding that a law be passed to regulate that neighbor's conduct.
>
> #### FREEDOM
>
> What is it has made this race great? It has not been the proud blood of any illustrious ancestry; it has not been because we could trace our lineage back to kings and a royal household; it has not been because of the peculiar graces or abilities of those immigrants who came to our shores and from whose loins we are sprung. It is simply because for once in the history of the world the chains were taken from the arms, the shackles from the brain, the shadows of fear were dissipated by the sunlight of liberty and freedom, and every brain of every human being, great or small, was at liberty to function, every arm and every limb was at liberty to move. So we unleashed the latent powers of a race of people; and from the cottage of poverty there came forth the genius, and from the house of man of humble estate there emerged the child who could turn the dull, inexpressive canvas into pictured harmony of color, light and shade, and paint the rainbow's mingling hues and marvelous tints.
>
> From the cottages of the impoverished, from the homes of ancestors who had been enslaved and enthralled, there came forth children who in the full liberty of our civilization were able to attack every problem and to undertake every great vocation of life, so that within one generation of time we produced here orators whose words of flame could fire the hearts of all the people of this land; poets whose words will be read so long as men shall love the music of our tongue, and a citizenry who have defended our soil and our flag with unexampled valor in every contest of this Republic. All these triumphs of intellect, all these great advances in the arts and in the sciences, all our wondrous advance in wealth are due to one great fact: That we have allowed the individual in this land the opportunity to develop, the opportunity to express himself.
>
> #### FREE DEBATE
>
> Mr. President, what has this to do with the question I am discussing? Everything.

sir. Before any law to bind 110 million people could be passed it should somewhere be subject to free debate. Sometime it should encounter opposition: Somewhere the fires of keen intellects should burn their heat about it and test it for its metal; somewhere and somehow it should be determined by all that the intellect can do and all that the tongue can express whether the particular law which is proposed is fit to be fastened upon 110 million people who think they are free and who once were free. That one forum reserved of all the places in the world is the Senate of the United States. Here a man can stand and express his views until exhaustion comes. And what of it? Some rules of commonsense and decency and gentlemanly conduct have their effect. Not in all the nearly 16 years I have sat in this body have I ever seen but two or three instances of what might be really called a filibuster.

Time and time again I have seen the opportunity under the rules for the minority to have stood and obstructed legislature, but as soon as debate was fairly over they have invariably given way and the vote has come. In the two or three instances which I remember a very simple expedient was adopted. Freedom of speech was not denied, but continuance of speech was demanded. It was insisted that the bill was before the Senate and that the opponents or advocates of the bill should speak for or against it and that no other business should intervene.

We have been told here of two or three bills—one of them the force bill. The force bill, if it had been enacted, would have kept alive the fires of hatred between the North and South almost as bright and keen and as hot as they were at the close of the great civil strife.

### NEW MEXICO AND ARIZONA

Another example: It was sought to admit New Mexico to statehood as a partisan measure and under a constitution that had been written by the corporations of New Mexico. It was insisted upon the other hand that New Mexico should not come into the Union except under a fairly adopted constitution, and that at the same time Arizona should be received. What happened? One or two men stood here and held their ground; and a short space of time, a few months, rolling by, both States were received into the Union with proper constitutions.

Sir, I know it is popular to attack the Senate. So many an ass has stood and brayed at the lions. He who would claim for this body perfection would prove himself a fool. But the more imperfect we are, the more we need to counsel and to take advice. The less we know, the more we ought to strive to know. There may be some men of such supernatural power of intellect that they can gain nothing by the discussions their fellows may produce: But I have never seen an important bill upon the floor of the Senate, unless there was some political organization in control determined to pass it without the dotting of an "I" or the crossing of a "T," that has not been amended and amended to its benefit.

### A FREE FORUM

As long as we can keep this forum free, as long as a vigorous and determined minority can prevent the passage of a statute, so long this counry will be safe, reasonably safe, at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.

But strike down this safeguard of public discussion, apply the gag, and imagine, if you please, that it is to be applied only to pass good measures, only to accomplish the virtuous and the wise and the holy, only to bring the thing of rectitude, imagine that, if you please. He is a fool, he is every kind of a fool, that has ever cursed this earth or cursed himself, who thinks that any power will always be used wisely and justly. Power is almost invariably abused.

Has there ever been one of those important measures discussed on the floor of the Senate when it was not found that many changes were necessary, when the proponents of the measure have not been willing to accept amendment after amendment? Why should there not be some place in this country where the virtues or the iniquities of proposed legislation could be exposed without gag, without rule, without limit, some place where every public act must come under the surveillance of men who have complete freedom of speech, so that the good that is in it may be properly exemplified and the evil that exists may be properly exposed?

Mr. President, those Senators I have just quoted are not from one region, one party, or one Congress. They represent the accumulated wisdom of the Senate over many years.

Second only to the civil rights smokescreen over this question is the added confusion of that glorious phrase "majority rule."

Mr. President, while speaking on this subject of majority rule for this great Nation of ours, I would like to make a few observations that seem to me so apparent I cannot possibly understand why they seem to be overlooked by the proponents of majority cloture, or else absolutely ignored. It has been pointed out many times in this body but sadly it needs repeating, that our Constitution itself provides instances wherein the majority rule shall not prevail.

In the interest of brevity, I shall merely mention these instances at this time and elaborate only on several which I think are of special import to this question we are here considering. For instance, in article I, section 5, it is provided that each House with the concurrence of two-thirds, may expel a Member. It is provided in article I, section 3, that no person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present.

In addition, article I, section 7, requires a two-thirds vote to override a Presidential veto. Furthermore, article II, section 2, places a constitutional requirement for concurrence by two-thirds of the Senators present to complete the advice and consent of the Senate for treaties. In article V, it is provided that Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States. Also under article V, it is provided that Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary.

In the event the choice of President should be thrown into the lap of the House of Representatives, the quorum required by the 12th amendment consists of a Member or Members from two-thirds of the various States of the Union. A quorum of the Senate when choosing a Vice President shall consist of two-thirds of the whole number of Senators under the 12th amendment.

Mr. President, these provisions of the Constitution requiring two-thirds quorum vote should by themselves convince the Members of this august body that simple majority rule was never intended. Without further investigation, the public responds to the siren song of their elected representatives who, in turn, in many instances, dance to the tune of an unsymphonic choir composed of political pressure groups.

The average man in the street today, when he reads in the paper that the Senators are embroiled in a debate, which seeks to provide for him through his representative in the Senate that glorious old institution, majority rule, smiles with a satisfaction that comes to a man only when he knows that his hero is embroiled in a ferocious struggle in his behalf. The prose and poetry of the large publications, many of which in a self-seeking manner have misled him as to the true nature of our constitutional government, have done a wonderful job of convincing many modern Americans that this country always has been and should be ruled by a simple majority. Unfortunately, the many instances where the Constitution prohibits the majority from acting have had a veil drawn over them so that uninformed public opinion sees, hears, and understands only that glorious phrase, "majority rule."

Mr. President, as I pointed out earlier, when the framers of our Constitution provided for two houses in this Congress, the primary purpose of this institution known as the Senate of the United States was to prevent the majority of our people through their representation in that body across the way from running roughshod over the rights of the minority. I have previously discussed this question so I shall limit my remarks on this issue to the statement that the very existence of two bodies on this issue to the statement that the very existence of two bodies in this Congress constituted as they are, one to represent the population, the other to represent the States, should suffice to show that we were never intended to be ruled by a simple majority in all respects of our life. Indeed, to recreate the Senate in the image of the House of Representatives with popular election of the Senators and absolute majority cloture is to undo the brilliant work done by those men who framed this Constitution and established these bodies after shedding their blood for the right of self-government.

At this time I yield to the Senator from Arkansas [Mr. FULBRIGHT].

Mr. ERVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. ERVIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ANDERSON. I did not hear the statement, Mr. President. Was there objection, or was there not?

Mr. ERVIN. There was—and is.

Mr. FULBRIGHT. Mr. President, I have no objection to the rescinding of the order for the quorum call.

The PRESIDING OFFICER. Without objection, the order for the quorum call is rescinded.

Mr. ANDERSON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield with the understanding that my right to the floor will be protected.

Mr. ERVIN. Mr. President, I do not believe the quorum call has been called off; but I am now willing to concur in the request of the Senator from Illinois that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The order for the quorum call has already been rescinded.

## WATER RESEARCH—ADDITIONAL COSPONSOR OF BILL

Mr. ANDERSON. Mr. President, on January 14 I introduced S. 2, a bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research.

I ask unanimous consent that at the next printing of this bill the name of the senior Senator from Hawaii [Mr. FONG] be listed as an additional cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REDUCTION IN TAX RATE TO AID SMALL BUSINESS

Mr. FULBRIGHT. Mr. President, before I discuss the pending business, I desire to make a brief statement concerning another subject.

I was delighted to read in the President's Economic Report, submitted on January 21, the following statement, which I quote from page xvii:

> Particularly to aid small businesses, I am recommending that effective January 1, 1963, the rate on the first $25,000 of corporate income be dropped from 30 to 22 percent while the 52 percent rate on corporate income over $25,000 is retained.

A more detailed report on this item was published in the Wall Street Journal on January 18, 1963, as follows:

> Corporate rates: Corporations now pay 30 percent on the first $25,000 of their annual profits and 52 percent (the 30 percent rate plus 22 percent surtax) on all over $25,000. Beginning July 1 this year and thus applicable to half of 1963 profits, the administration would cut the 30-percent bite on the first $25,000 of annual profits to 22 percent. The existing 22 percent surtax on the portion of profits over $25,000 would be raised to 30 percent, maintaining the total 52-percent rate on that part of profits. All corporations would thus enjoy some drop in taxes—up to $2,000, for a full year—but the biggest break would be given to small corporations. This would mean something around $400 million in business tax relief in a full year.
>
> The ultimate drop in corporate taxes from 52 to 47 percent, promising $2.5 billion in annual tax relief, would begin January 1, 1964. At that time, the surtax would drop 3 percentage points, making the corporate rate for next year 22 percent on the first $25,000 of corporate profits and 49 percent on all over that amount. On January 1, 1965, the surtax rate would fall a final 2 percentage points, so that the rate would then be 22 percent on the first $25,000 of corporate profits and 47 percent on the portion over $25,000.

Regardless of the fate of the President's tax program as a whole, I express the hope that this particular provision will be enacted. It is one which I have urged since 1956, when, together with a number of cosponsors, I presented the identical proposal.

A similar amendment came to a vote in 1957 and was defeated, largely through the efforts of the then Secretary of the Treasury Humphrey.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which shows the effect of a normal tax rate of 22 percent and a surtax rate of 30 percent upon corporations having various incomes.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Effect of a normal tax rate of 22 percent and a surtax rate of 30 percent*

| Income subject to normal tax and surtax | Present tax liability (normal rate, 30 percent; surtax rate, 22 percent) | Proposed tax liability (normal rate, 22 percent; surtax rate, 30 percent) | Change | |
|---|---|---|---|---|
| | | | Amount | Percent |
| $5,000 | $1,500 | $1,100 | −$400 | −26.7 |
| $10,000 | 3,000 | 2,200 | −800 | −26.7 |
| $15,000 | 4,500 | 3,300 | −1,200 | −26.7 |
| $20,000 | 6,000 | 4,400 | −1,600 | −26.7 |
| $25,000 | 7,500 | 5,500 | −2,000 | −26.7 |
| $50,000 | 20,500 | 18,500 | −2,000 | −9.8 |
| $100,000 | 46,500 | 44,500 | −2,000 | −4.3 |
| $225,000 | 111,500 | 109,500 | −2,000 | −1.8 |
| $500,000 | 254,500 | 252,500 | −2,000 | −.8 |
| $1,000,000 | 514,500 | 512,500 | −2,000 | −.4 |
| $10,000,000 | 5,194,500 | 5,192,500 | −2,000 | −.04 |
| $100,000,000 | 51,994,500 | 51,992,500 | −2,000 | −.004 |

Mr. FULBRIGHT. Mr. President, as the table I have placed in the RECORD shows, corporations earning up to $25,000 per year will receive a tax bill 26.7 percent smaller than they pay now. Corporations earning $50,000 per year will pay approximately 10 percent less. Corporations earning $100,000 per year will pay 4.3 percent less, corporations earning $1 million per year will pay four-tenths of 1 percent less, and corporations earning $10 million per year will pay four one-hundredths of 1 percent less. Companies like General Motors, with earnings of $1 billion or more, would save four ten-thousandths of 1 percent of their tax.

Obviously, this redistribution of the impact of corporate taxes would be of primary benefit to the small income corporations. While the tax relief afforded would be modest, I believe it would be of material benefit to the smaller businesses of the Nation.

Mr. President, for many years I have been convinced that the most practical step the Congress can take to help small businesses is to modify the stifling burden of the present corporate tax structure. I believe that the tax structure as it now exists promotes mergers and fosters the growth of our corporate giants.

As far back as March of 1948, I introduced an amendment which would have provided special tax benefits for small businesses.

A healthy community of small businesses is essential to national growth, national prosperity, and political health. We must prevent the development of an economic no man's land for small business. That means some form of encouragement must be devised for the modest-sized enterprise, to enable it to compete successfully with the giants and supergiants of industry.

As I see it, the chief competitive handicaps of the small business are: first, great difficulty and expense in obtaining equity capital; second, high interest rates upon borrowed money; and, third, insufficient funds for management personnel. Our tax structure emphasizes and compounds these discriminations against small business.

The small businesses have three principal sources of funds with which to maintain and expand production: first, new capital investment; second, borrowing; and, third, business earnings.

Small business has difficulty in obtaining equity capital, because it does not have the large financial resources which will guarantee stockholders against severe loss on their investment. A small businessman who needs equity capital usually is told that the expense of raising up to $300,000 in the securities market averages almost 20 percent, and may reach 25 percent or 30 percent. He may ask why, and point to Ford or General Motors issues, where the expense was a small fraction of 1 percent. But he must face the uncomfortable fact that it will cost him 40 or 50 times as much to tap the capital markets as it costs the larger corporations.

Because of the difficulty in obtaining equity financing, the small businessman usually must borrow for a short term, from a bank or other lender, funds with which to realize his capital needs. Long-term borrowings in the securities markets would be subject to the same difficulties as equity financing. This gives larger corporations a competitive advantage, which they can reflect in lower costs, and, therefore, lower prices to customers or higher returns on their stockholders' investments.

These difficulties which the smaller corporation has in obtaining equity capital from stock issues or borrowings lead him to rely much more heavily on retained earnings than do larger companies. Hence, unless his profits are greater or his tax burden less, he finds himself in a position of relative weakness, compared to larger companies with whom he must often compete.

By nature, the small business corporation involves more risk, less diversification of product, and a smaller financial cushion against initial reverses.

Also, Mr. President, I believe this change will serve to relieve, to some extent, the constant drain of management personnel from small business, which is one of the greatest handicaps of all. A growing, expanding enterprise presents a challenge to management and good management will stay with the business so long as it can participate in its growth. If our tax policies militate against

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growth, there is little incentive to the personnel.

In addition, higher retained earnings would enable the business to pay higher salaries; and this, too, would serve to keep good management from accepting positions with larger companies. In many instances, under the present tax structures, the small businessman finds it more profitable to sell his business and go to work for one of the large corporations. Additional tax incentives should cause a reversal of this trend.

Mr. President, the President's proposal would redistribute the tax burden more equitably and make a positive contribution toward the encouragement of vigorous small-business enterprises. The present rate structure seems to have contributed to the decline in the relative importance of small business in recent years. The change will help stem that decline, will assist companies in the formation or development stage to overcome initial capital difficulties, and will help assure a continuing supply of capital when it is needed to maintain the competitive position of the small-business enterprise. I can think of no action more vital to the maintenance of our system of free enterprise than the encouragement and development of small businesses. It is the very foundation of our national economy.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. FULBRIGHT. Mr. President, during the course of this debate, and especially in the earlier days, many references have been made, by proponents of the change in rule XXII, to the fact that other legislative bodies, especially those of our States, permit the closure of debate by a simple majority. I believe that argument to be wholly irrelevant to the question before the Senate. The States are relatively homogeneous communities which bear little resemblance to the huge expanse and diversity of the Nation, with its 50 great States. The problem of reconciling the differences which naturally arise within a society encompassing such diverse interests is vastly more complicated than it is within a single State.

I emphasize this aspect because of the appeal made a few days ago to the new Members of this body by one of the leaders of the assault upon our rules. It was said that they were familiar with the fact that their State governments operate well with limited debate, and that therefore such a rule should be adopted in this body.

Before reaching a decision on this matter, I hope all new Members of the Senate will give serious attention not only to the views of many of the wisest statesmen and observers of the past and the present, but also to the unique experience of our country, as compared to that of all others.

Throughout history, one cannot find a precedent for the success of democratic self-government on such a scale as we find here in the United States. From the time of Rome to the present, successful democratic self-government has been confined largely to relatively small communities—as it is, indeed, today, with the exception of this country.

Rome became a republic; but when she grew to a great empire, the self-government of the republic thus collapsed, and authoritarian rule became the order of the day. I believe that the proponents of this change fail to recognize the difficulties of operating a democratic system.

Mr. President, today we can look around at the casualties in this field—countries which in good faith, I think, attempted after the Second World War, and more recently after their liberation from colonial status, to operate under a democratic system; but one after another have been forced to give it up—being unable to make such a system function effectively—and have resorted to some sort of authoritarian rule.

I do not say this critically; I have great sympathy for these countries. I mention this, not to be critical of such countries, but in order to emphasize to my colleagues—who, I think, have overlooked the point that a democratic system is extraordinarily difficult to operate—and that they do not appreciate the role the Senate plays in making it a success in this country.

If they were to succeed, in changing this rule of the Senate—though I certainly hope that they do not—they would reduce the role of the Senate to that of a nonentity, just as such bodies have generally been reduced to in other countries. In that event, I think they would have taken a very important step toward ending the democratic system in this country; and thus, unless Americans are in a very special way protected by the Almighty, I believe we might easily fall heir to the ills which today afflict so many other countries.

Mr. President, ever since I have been a Member of this body, proposals to change rule XXII have been linked with the question of whether or not the Senate would pass certain substantive legislation. Practically every press account of these debates is written in terms of how the proposed change will affect the prospects for so-called civil rights legislation. This is unfortunate and fails to bring about any real public understanding of the fundamental issues involved. The proponents of these changes, however, have no hesitancy in stating their objective in changing the Senate rules. For example, in the brief prepared by the rule-change proponents it is stated on page 3:

> Rule XXII is * * * the gravedigger of meaningful and effective civil rights legislation.

On page 4 it is stated that:

> Changing rule XXII is the only way to implement civil rights promises of both parties.

On page 10 it is said that:

> It is not too much to suggest that the difference between majority and three-fifth closure may spell the difference between closure and no closure and thus between civil rights legislation or no civil rights legislation.

Mr. ERVIN. Mr. President, will the Senator yield for a series of questions?

Mr. FULBRIGHT. I yield for that purpose.

Mr. ERVIN. Does the Senator remember that during 1960 the Senate devoted approximately 6 weeks or more to consideration of so-called civil rights bills?

Mr. FULBRIGHT. The Senator is quite correct. I remember that debate very well.

Mr. ERVIN. Does the Senator recall that at that time the majority leader and the minority leader stated on the floor of the Senate that any Senator who desired to offer a civil rights bill could offer such bill as an amendment to a bill which had been reported, authorizing the use of Army facilities by the Stella School District in Missouri, where the school had been destroyed by fire?

Mr. FULBRIGHT. I remember that very well indeed.

Mr. ERVIN. Does the Senator recall that at that time civil rights bills as "thick as autumnal leaves that strow the brooks in Vallombrosa" were introduced by advocates of civil rights measures?

Mr. FULBRIGHT. A great many were introduced.

Mr. ERVIN. Does not the Senator recall that on that occasion I collected all the civil rights bills which had been introduced, and discovered that they constituted a pile about as thick as I am indicating and weighed approximately 5 pounds and 3 or 4 ounces?

Mr. FULBRIGHT. I remember very well that the Senator did that.

Mr. ERVIN. I will ask the Senator if during the discussion of civil rights bills the Senate did not have approximately 45 yea-and-nay votes on various proposals?

Mr. FULBRIGHT. The Senator is quite correct. I recall those votes.

Mr. ERVIN. I ask the Senator if he does not recall that during the course of the consideration of the so-called civil rights bills, virtually every so-called civil rights bill that ever had been conjured up in the most vivid imagination from the beginning of the world down to that date was introduced on the floor of the Senate as an amendment to the Stella bill?

Mr. FULBRIGHT. The Senator is quite correct.

Mr. ERVIN. I should like to ask the Senator if he finds it possible to reconcile the event which occurred at that time on the floor of the Senate, in view of the entire Nation, with the oft-repeated statement that rule XXII prevents consideration by the Senate of so-called civil rights legislation?

Mr. FULBRIGHT. The Senator is quite correct. The rule has not prevented such consideration. I remind the Senator that not only in that instance, but also I believe 3 years before then, we passed a bill concerning civil rights.

Mr. ERVIN. Does not the Senator recall that in 1960 we considered a so-called civil rights bill which provided that in case discrimination was found in a certain area, referees would be appointed to pass on the qualifications of voters, and that the proposed voting referee should take the evidence in favor of the applicant for registration in an ex parte proceeding from which the election official whose conduct was being inquired into would be excluded from appearing, being represented by counsel, offering testimony, or cross-examining witnesses?

Mr. FULBRIGHT. Yes, indeed.

Mr. ERVIN. Can the Senator recall among the great volume of legislation that we have in our country any other law which provides that a man cannot be permitted to participate in the trial of the case in which his conduct is being investigated?

Mr. FULBRIGHT. I know of no precedent for it, even in respect to such crimes as treason and other serious crimes.

Mr. ERVIN. Does the Senator from Arkansas agree with me in the earnest conviction that that so-called civil rights bill, which in my judgment is typical of many, was the worst example of the prostitution of the judicial process that has ever been written into statutory law in our country?

Mr. FULBRIGHT. Yes, indeed. The Senator is absolutely correct.

Mr. ERVIN. I thank the Senator for yielding. I should like to ask a question of the Senator relating to legislation in 1957. Does not the Senator recall that in 1957 civil rights bills were debated for approximately 5 weeks?

Mr. FULBRIGHT. Yes.

Mr. ERVIN. Does not the Senator recall that after the able, distinguished and eloquent Senator from Georgia [Mr. RUSSELL] had spoken and told the Congress, the press, and radio and TV people exactly what was in that so-called civil rights bill, President Eisenhower held a press conference and said:

> I did not know all of that stuff was in the civil rights bill. I thought it was a simple voting rights bill.

Mr. FULBRIGHT. Yes; I remember that very well.

Mr. ERVIN. Does not the Senator from Arkansas remember that, as a result of the exposure of the contents and meaning of the bill on the floor of the Senate, 11 of our Republican friends on the other side of the aisle who had been cosponsors of that bill joined us in voting to eliminate from the bill the most drastic provisions?

Mr. FULBRIGHT. The Senator is quite correct.

Mr. ERVIN. Does not the Senator think that that experience in 1957, in which the civil rights bill and all proposed amendments to it came to votes, it is one of the most excellent examples of the wisdom of giving a small group of Senators an opportunity, as does rule XXII, to inform other Senators and the people of our country what is in proposed legislation?

Mr. FULBRIGHT. The Senator is absolutely correct. The Senator's analysis of the results of that debate is absolutely accurate.

## SETTLEMENT OF DOCK STRIKE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may yield to the Senator from Oregon [Mr. MORSE] without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, I have just been notified officially that the maritime strike in the North Atlantic ports has ended by the acceptance of the offer of the Board of Mediation for its settlement. The acceptance was not by unanimous vote of the operators but by an overwhelming majority.

I wish to say, as I make the announcement to the American people—and I say it in behalf of the President of the United States also, because I have been in communication with the White House—that our Government is most appreciative of the splendid and wonderful cooperation that the negotiators for the shipowners and the negotiators for the union extended to the President's Board at all times. It was an exceedingly difficult case, and it called upon the parties involved in the case to put the national interest first.

I wish to extend my sincere thanks, in behalf of the unanimous Board, to Mr. Alex Schopin, the head of the negotiating committee for the shipowners, and all of his colleagues on the committee; to Mr. Gleason, the head of the negotiating committee for the union, Mr. Bradley, the president of the union, and to all members of their negotiating committee for the splendid cooperation that they extended to the President's Board.

Mr. President, this, however, does not end the dispute. Although the settlement involves an acceptance from all the ports from the northern point of New England down the east coast to Hampton Roads, Va., it does not cover the southern ports around to the gulf, because it is the long historic practice and policy in this industry that those ports have their separate contracts and are not involved in what is known as the North Atlantic pact. However, it has also been the historic practice for a long time that after the so-called east coast settlement has been reached then the operators and the local unions in the southern ports quickly meet and negotiate an adjustment of their contracts to bring their contracts into conformity with the changes which have been accepted in regard to the North Atlantic pact contract.

Speaking for the President, I wish to say to the operators of the South and the gulf, and to the unions, also, that this dispute has reached such a critical state that the all-important issue now is the national interest. I urge the parties to the dispute in the South and in the gulf to proceed to bargain immediately. By "immediately" I mean to start now. I urge them to seek within the next day or two to make the necessary adjustment so that we may get the ships moving.

It is true, Mr. President, that there is also a historic practice that the workers in the other ports do not go back to work while workers in the southern ports and the gulf ports are met with a failure upon the part of the operators to settle their case.

I sincerely hope, Mr. President, that within the not too many hours hence the American people can be told that the ships are moving again and that this tremendous loss, which amounts to more than $25 million a day, will soon come to an end.

The loss is more than a money loss. We are losing some other great values, especially in respect to American foreign policy. I am glad the chairman of my committee is in the Chamber. American foreign policy has a vital interest in the solution of and settlement of the strike, because it is affecting our foreign aid shipments, as the chairman of the committee, the Senator from Arkansas, knows. It is affecting our relationships in regard to getting food to famine areas. It is having a very serious effect in connection with our whole Latin American program and our southeast Asian program.

I say this in all solemnity. I know the parties know that I have never engaged, in all these mediations, in any flag waving, but I say to them that they have a patriotic duty which is far greater than what they may consider to be their selfish economic interests in this dispute at the present time. They have a patriotic duty to make whatever sacrifices are necessary—and they will not be great and serious sacrifices—in order to put this fair and justifiable proposal for settlement into immediate operation.

Mr. KEATING. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I should like to make a comment, and then I shall yield to the Senator.

Mr. President, I wish to offer my sincere congratulations to the Senator from Oregon. Of course, we all know that many years ago he had experience of great value to him, I am sure, in this connection, when he served on the War Labor Board. There is no question in my mind that his experience and also his very great persuasive powers had much to do with bringing this strike to a close. I congratulate the Senator on a job well done. It is too bad that he was not brought in some weeks ago.

I wish to confirm what the Senator said about the effects of the strike on foreign policy. These things we often forget. I read a story the other day that in the one case of Equador, because of the denial to them of their market for bananas in this country, they had already lost more than our whole aid program to that country. That situation could be multiplied many times all over the Caribbean area.

In our own country, some of our own plants have had to close down. There was one plant in North Carolina, I believe employing 7,000 people, which had to close because of a failure to receive wool shipments to that textile plant.

All over the country the strike has had additional effects upon our economy and upon the economies of foreign nations, and has caused disastrous results in our foreign relations and in respect to our foreign policy.

Mr. President, I now ask unanimous consent that I may yield to the Senator from New York [Mr. KEATING] without losing my right to the floor.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

**Mr. KEATING.** Mr. President, I wish to add my congratulations to those of the distinguished Senator from Arkansas to our colleague for leading the Board which has brought about a settlement of the costly strike, the longest strike in the history of the docks. I share all of the sentiments which have been expressed about the serious effects of this strike on foreign as well as U.S. companies and employees. Of course, its impact has been brought home to me more with respect to the effects on the economy of the State of New York and on the companies and thousands of workers in related industries as well as in shipping whose jobs have been imperiled by the strike. Many companies—particularly smaller companies—have been faced with financial ruin, and the workers in those plants have been laid off, with all the attendant hardships which actions of that kind entail.

Although the effects of this strike were felt far beyond the boundaries of the port of New York, it is particularly on behalf of the people of the State of New York and the city of New York, that I wish to express my congratulations to the distinguished Senator for his services over and above the call of duty.

**Mr. MORSE.** Mr. President, if the Senator will permit, in behalf of my Board I wish to express my appreciation to the Senator from New York. As he knows, one of my colleagues was the great mediator and arbitrator of the State of New York, Mr. Kheel; and the other was an expert in the whole field of labor relations, Professor Healy, of Harvard University. We are all appreciative of the Senator's remarks.

Mr. ERVIN rose.

**Mr. FULBRIGHT.** Mr. President, I ask unanimous consent that I may yield to my colleague from North Carolina without losing my right to the floor.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

**Mr. ERVIN.** Mr. President, I wish to say I think the able and distinguished Senator from Oregon deserves the thanks of the Nation for the skill and the zeal which he has employed in this successful effort to end the strike. On behalf of a number of manufacturers in North Carolina and those who work in their plants, which were threatened with being closed down on account of the strike, I wish to express my congratulations to him.

**Mr. MORSE.** I thank the Senator very much.

**Mr. FULBRIGHT.** Mr. President, I have only one further word on that subject. My State also has a very direct interest in the problem. We export a substantial quantity of agricultural commodities such as rice. I heard from representatives of this industry that the export of this commodity—and I am sure the same applies to cotton and soybeans—has been seriously interrupted by the strike. On all counts we are extremely pleased that the settlement has been brought about.

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## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

**Mr. FULBRIGHT.** Mr. President, returning to my comments about the pending business, also, on page 11 of the brief prepared by the proponents of this change, there is this statement:

> The same group that makes it impossible to obtain two-third's closure on meaningful and effective civil rights legislation makes it impossible to obtain two-third's closure on a rule change for the purpose of enacting such meaningful and effective civil rights legislation.

And so on throughout the brief. I submit, Mr. President, that it is unwise for this body to consider making such a fundamental change in its rules solely for the purpose of passing any type of substantive legislation. If the legislation is important and the Senate wishes to vote on it, it can be done, and has been done many times, under the existing rules in spite of the opposition of a significant minority.

The senior Senator from Georgia [Mr. RUSSELL] and also the senior Senator from North Carolina [Mr. ERVIN] have fully developed the facts regarding these past occasions. Therefore I will not repeat them now. The Senator from North Carolina, only a few moments ago, when he asked questions, pointed out how many times in 1960 and in 1957 we had voted on practically every conceivable aspect of the so-called civil rights matter. So the question of obtaining a vote has not been the issue; the trouble with the proponents of changing the rule has been that they have not had a majority of the Senate to support some of their more radical proposals.

Our Government is designed to provide the machinery by which people may live at peace with one another. This is the basic reason for the establishment of any type of governmental authority—the substitution of order for the law of the jungle. There have been many experiments as to how best to provide the climate wherein people can live at peace and retain certain basic freedoms. Most such experiments have ended in failure and in the process the people have lost their freedom, their peace, or, in many instances, both.

In order to understand the significance of this debate, it is necessary to consider the role of the Senate in our constitutional system. The American experiment in government is unique. We have successfully welded together in governmental and economic unity people of greatly varying racial, religious, and ethnic origins. The vast difference in climate, terrain, and resources within the boundaries of our country have shaped our national experience and have preserved diversity within unity. The price of Federal union over such vast differences is compromise—which often involves the power to delay action and, if necessary, to deny it, so that majorities living thousands of miles away cannot impose their ignorance upon local minorities. Our Nation's Founding Fathers were acutely aware of the difficulties in forming a government that would encompass such diversity within a Federal union.

No other major item in the Constitution gave the delegates to the Constitutional Convention so much trouble as the form for the second branch of the Legislature. The issue of how the Senate was to be constructed threatened to wreck the Constitutional Convention. The delegates from the smaller States were deeply concerned about the Virginia plan, which provided for proportional representation in both legislative bodies. Rightfully, they saw the plan as a dire threat to the interests of the smaller States. A counterplan, offered by Patterson of New Jersey on the part of the smaller States, was explicitly only a revision of the outmoded Articles of Confederation. This was completely unacceptable to the larger States and the dispute threatened tc wreck the Convention. The "Great Compromise," as it has often been called, on the composition of the Senate broke the deadlock and was the beginning of our Federal form of government.

There is little doubt that the Founding Fathers deliberately planned for the Senate to act as a check upon intemperate action by a majority. In the debates during the Convention, James Madison said, when discussing the makeup of the branch that became the Senate:

> In order to judge of the form to be given to this institution, it will be proper to take a view of the ends to be served by it. These were, first, to protect the people against their rulers; secondly, to protect the people against the transient impressions into which they themselves might be led. A people deliberating in a temperate moment, and with the experience of other nations before them, on the plan of government most likely to secure their happiness, would first be aware, that those charged with the public happiness might betray their trust. An obvious precaution against this danger would be, to divide the trust between different bodies of men, who might watch and check each other. In this they would be governed by the same prudence which has prevailed in organizing the subordinate departments of government, where all business liable to abuses is made to pass through separate hands, the one being a check on the other. It would next occur to such a people, that they themselves were liable to temporary errors, through want of information as to their true interest; and that men chosen for a short term, and employed but a small portion of that in public affairs, might err from the same cause. This reflection would naturally suggest, that the government be so

> constituted as that one of its branches might have an opportunity of acquiring a competent knowledge of the public interests.

I think that Madison's comments on the functions to be served by the Senate deserve to be repeated because this is really the crux of the debate in which we are now engaged. These functions were:

> First, to protect the people against their rulers; secondly, to protect the people against the transient impressions into which they themselves might be led.

That, I submit, is exactly what those of us who oppose changing rule XXII have been saying, and preservation of this rule is essential if the Senate is to be able to fulfill the functions envisioned by the Founding Fathers.

Alexander Hamilton, in discussing the role of the Senate during the debates in the New York Convention on the proposed Federal Constitution, commented on the importance of the Senate's role in checking intemperate action in the popular assembly. He said:

> The zeal for liberty became predominant and excessive. In forming our confederation, this passion alone seemed to actuate us, and we appear to have had no other view than to secure ourselves from despotism. The object certainly was a valuable one, and deserved our utmost attention, but, sir, there is another object, equally important, and which our enthusiasm rendered us little capable of regarding; I mean a principle of strength and stability in the organization of our Government, and vigor in its operations. This purpose could never be accomplished but by the establishment of some select body, formed particularly upon this principle. There are few positions more demonstrable than that there should be, in every republic, some permanent body to correct the prejudices, check the intemperate passions, and regulate the fluctuations, of a popular assembly. It is evident that a body instituted for these purposes must be so formed as to exclude, as much as possible from its own character, those infirmities, and that mutability, which it is designed to remedy. It is, therefore, necessary that it would be small, that it should hold its authority during a considerable period, and that it should have such an independence in the exercise of its powers, as will divest it, as much as possible, of local prejudices. It should be so formed as to be the center of political knowledge to pursue always a steady line of conduct, and to reduce every irregular propensity to system. Without this establishment, we may make experiments without end, but shall never have an efficient government.

Mr. Hamilton's comments on the necessity for a check on the actions of the House of Representatives are most pertinent to this debate. Eliminate the fight of free debate in the Senate and the Senate becomes little more than an adjunct of the House of Representatives.

I remind my colleagues of the controversy which took place between two important committees, one of the House and the other of the Senate—and I speak of the Appropriations Committee—in which it was quite evident that the House is tending to try to impose upon the Senate.

As we all know, there is no provision in the Constitution requiring that an appropriation bill originate in the House of Representatives. The House has simply usurped this power, in this case, by attempting to change the place of meeting and to change an unaltered rule ever since we have had conferences, I believe, that the chairmanship of the conference be held by the chairman of the Senate committee.

In other words, there is growing a tendency and an urge on the part of the House of Representatives to intrude on the rights of the Senate.

This, I may say, should not surprise anyone. This is precisely what took place in Great Britain. At one time the House of Lords was the predominant House, and the more important and more influential branch of the legislative body in England. However, by a process of erosion and the enactment of various bills, the power of the House of Lords today is almost nonexistent. It has the insignificant power of delaying a bill. I believe that on important money bills the House of Lords does not even have the power of delay. It is only with respect to the lesser bills that the House of Lords has any power of delay.

Therefore, I beg of my colleagues, especially the newer Members of the Senate, to consider very seriously the effect on this body of the proposed rule change. Having fought, as many of them have, to be elected to this body, it is utterly incomprehensible that they should proceed in the early days of their tenure to try to destroy the very body which they fought so hard to join. This seems to me to be an utterly irrational procedure. There is no point in their being Senators, if that is what they wish, unless they are looking for a place for retirement, and perhaps for some honor. However, I cannot believe that anyone who has gone through a typical election in this country should not realize the significance of the destruction of one of the most unique characteristics of this body.

There is no question that if this rule is changed, and if we become less and less influential, the House of Representatives will usurp complete legislative power, and gradually the Senate will become an honorary body in reality, just as most other second houses have already become throughout the world.

How, for example, could the Senate have prevented passage of the Supreme Court packing bill if there had not been the right to unlimited debate in this body that resulted in pointing out the grave harm that this fundamental change would have done to our constitutional system. Alexander Hamilton was speaking as a well-read student of history when he said, and I quote:

> There are few positions more demonstrable than that there should be, in every republic, some permanent body to correct the prejudices, check the intemperate passions, and regulate the fluctuations, of a popular assembly.

The Federalist papers shed much light on the intent of our Founding Fathers as to the role to be played by the Senate. In No. 62 of the Federalist, Hamilton comments further on the dangers of hasty and frequent passage of unneeded or dangerous legislation. The Senate in the view of the authors of the Constitution was to provide an expertise in the legislative process that was expected to be lacking in the House of Representatives due to its varied nature. I quote a pertinent portion from No. 62 of the Federalist for the information and enlightment of my colleagues:

> Thirdly, another defect to be supplied by a Senate lies in a want of due acquaintance with the objects and principles of legislation. It is not possible that an assembly of men called for the most part from pursuits of a private nature, continued in appointment for a short time, and led by no permanent motive to devote the intervals of public occupation to a study of the laws, the affairs, and the comprehensive interests of their country, should, if left wholly to themselves, escape a variety of important errors in the exercise of their legislative trust. It may be affirmed, on the best grounds, that no small share of the present embarrassments of America is to be charged on the blunders of our governments; and that these have proceeded from the heads rather than the hearts of most of the authors of them. What indeed are all the repealing, explaining, and amending laws, which fill and disgrace our voluminous codes, but so many monuments of deficient wisdom; so many impeachments exhibit by each succeeding against each preceding session; so many admonitions to the people, of the value of those aids which may be expected from a well-constituted Senate?
>
> A good government implies two things; first, fidelity to the object of government, which is the happiness of the people; secondly, a knowledge of the means by which that object can be best attained. Some governments are deficient in both these qualities; most governments are deficient in the first. I scruple not to assert, that in American governments too little attention has been paid to the last. The Federal Constitution avoids this error; and what merits particular notice, it provides for the last in a mode which increases the security for the first.
>
> Fourthly, the mutability in the public councils arising from a rapid succession of new Members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the Government. Every new election in the States is found to change one-half of the representatives. From this change of men must proceed a change of opinion; and from a change of opinions, a change of measures. But a continual change even of good measures is inconsistent with every rule of prudence and every prospect of success. The remark is verified in private life, and becomes more just, as well as more important, in national transactions.
>
> To trace the mischievous effects of a mutable government would fill a volume. I will hint a few only, each of which will be perceived to be a source of innumerable others.
>
> In the first place, it forfeits the respect and confidence of other nations, and all the advantages connected with national character. An individual who is observed to be inconstant to his plans, or perhaps to carry on his affairs without any plan at all, is marked at once, by all prudent people, as a speedy victim to his own unsteadiness and folly. His more friendly neighbors may pity him, but all will decline to connect their fortunes with his; and not a few will seize the opportunity of making their fortunes out of his. One nation is to another what one individual is to another; with this melancholy distinction perhaps, that the former, with fewer of the benevolent emotions than the latter, are under fewer restraints also from taking undue advantage from the indiscretions of each other. Every nation, consequently, whose affairs betray a want of wisdom and stability, may calculate on every loss which can be sustained from the more

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> systematic policy of their wiser neighbors. But the best instruction on this subject is unhappily conveyed to America by the example of her own situation. She finds that she is held in no respect by her friends; that she is the derision of her enemies; and that she is a prey to every nation which has an interest in speculating on her fluctuating councils and embarrassed affairs.
>
> The internal effects of a mutable policy are still more calamitous. It poisons the blessing of liberty itself. It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes that no man, who knows what the law is today, can guess what it will be tomorrow. Law is defined to be a rule of action; but how can that be a rule, which is little known, and less fixed?

Mr. President, the very nature of the great compromise reached by the Founding Fathers made the Senate the forum for the various States. We are, in effect, representatives of our States to the National Government. The importance of the Senate in the federal system is indicated by the fact that the only provision in the Constitution which cannot be amended assures equal representation for the States in the Senate. Free speech in the Senate is essential if we are to protect the rights of our respective States and the elimination of free speech would signal the beginning of the end of the States as political entities.

The Senate is today, as it was in the Constitutional Convention, looked upon as the great equalizer. Alaska, with a population of some 230,000, is the equal of New York with a population of some 17 million. It is the only place in our system of government where the States can compete on an equal basis. We all know that in national politics the large States, such as New York, California, Illinois, and Pennsylvania, pretty well control the national conventions and, in effect, the naming of the Presidents of the United States. The electoral college, although giving slight weight to the smaller States because of their representation in the Senate, is easily controlled by a few of the larger States. Eleven States can elect the President of the United States regardless of the attitude or feeling of the citizens of the other 39 States. The makeup of the House of Representatives makes it possible for the larger States to do as they will with even the vital interests of the smaller States, if the larger States could agree on a course of action. So, Mr. President, that leaves the Senate as the sole protector of the interests of the small and medium size States. How are we to protect the interests of our States or section if a majority of the Senate can work its will at any time?

Woodrow Wilson was an astute observer of our political system. In his book "Constitutional Government in the United States" there are some very pertinent comments on the role of the Senate. His comments are as pertinent today as they were when written over half a century ago. I am going to read a portion of one chapter, which I commend to the Senate's consideration:

> The Senate has, in fact, many contrasted characteristics, shows many faces, lends itself easily to no confident generalization. It differs very radically from the House of Representatives. The House is an organic unit; it has been at great pains to make itself so, and to become a working body under a single unifying discipline; while the Senate is not so much an organization as a body of individuals, retaining with singularly little modification the character is was originally intended to have.
>
> As I have already said in a previous lecture, it is impossible to characterize the United States in any single generalization; and for that very reason it is impossible to sum up the Senate in any single phrase or summary description. For the Senate is as various as the country it represents. It represents the country, not the people; the country in its many diverse sections, not the population of the country, which tends to become uniform where it is concentrated.
>
> What gives the Senate its real character and significances as an organ of constitutional government is the fact that it does not represent population, but regions of the country, the political units into which it has, by our singular constitutional process, been cut up. The Senate, therefore, represents the variety of the Nation as the House does not. It does not draw its membership chiefly from those parts of the country where the population is most dense, but draws it in equal parts from every State and section.
>
> It seems to me that those critics of our Government—they are, I believe, without exception domestic critics—who criticize the principle upon which the Senate is made up on the ground that States having little wealth and small population have as many representatives in the Senate as the richest and most populous States of the Union, the newest and least developed as many as the oldest and most highly organized, entirely mistake the standard by which the Senate should be judged as an instrumentality of constitutional government in a system like ours.
>
> They are entirely wrong in assuming, for one thing, that the newer, weaker, or more sparsely populated parts of the country have less of an economic stake in its general policy and development than the older States and those which have had a great industrial development. Their stake may not be equal in dollars and cents—that, of course—but it is probably greater in all that concerns opportunity and the chances of life. There is a sense in which the interest of the poor man in the prosperity of the country is greater than that of the rich man: he has no reserve, and his very life may depend upon it. The very life of an undeveloped community may depend upon what will cause a richer community mere temporary inconvenience or negligible distress. And yet, even this, vital as it is to the validity of the usual criticisms of the makeup and character of the Senate, is in fact neither here nor there as compared with the essential point of the matter.
>
> Even if every State of the Union were of artificial creation, not a natural community, but merely a region marked off to make a congressional district for elections to the Senate, the principle I am just now interested in pointing out as of capital importance in a system and country like ours would not be altered or affected. That is the principle that regions must be represented, irrespective of population, in a country physically as various as ours and therefore certain to exhibit a very great variety of social and economic and even political conditions. It is of the utmost importance that its parts as well as its people should be represented; and there can be no doubt in the mind of anyone who really sees the Senate of the United States as it is that it represents the country, as distinct from the accumulated populations of the country, much more fully and much more truly than the House of Representatives does. The East and North are regions of concentration, regions of teeming population and highly developed industry, the regions north of Mason and Dixon's line and east of the Mississippi. It will not long be so. Cities are springing up in the South and beyond the Mississippi in the Middle West, on the Pacific coast, and upon the great lines of traffic that connect coast with coast, which will presently rival the cities of the East and of the old Northwest in magnitude and importance; and many a region hitherto but sparsely peopled is thickening apace with crowding settlers and an accumulating commerce. But for the present the South and West, if I may use those terms in the large, are not the centers of wealth or of population, and have a character unlike that of the marts of trade and industry; and there are more Senators from the South and West than from the North and East. The House of Representatives tends more and more, with the concentration of population in certain regions, to represent particular interests and points of view, to be less catholic and more and more specialized in its view of national affairs. It represents chiefly the East and North. The Senate is its indispensable offset, and speaks always in its makeup of the size, the variety, the heterogeneity, the range and breadth of the country, which no community or group of communities can adequately represent. It cannot be represented by one sample or by a few samples; it can be represented only by man—as many as it has parts.
>
> It thus happens that there are in the Senate more representatives of the individual parts of the country than of the characteristic parts of it. At least that is true if I am right in assuming that the characteristic parts of America are those parts which are most highly developed, where population teems and great communities are quick with industry, where our life most displays its energy, its ardor of enterprise, its genius for material achievement. Other communities are no doubt more truly characteristic of America as she has been known in the processes of her making.
>
> Certainly it is easier to represent a northern or eastern constituency in Congress than to represent a southern or western constituency. There is more individuality, man for man, in the West and South than in the East and North. How constantly we repeat each other's opinions and bow to each other's influence; how seldom we take leave to be ourselves and utter thoughts of our own genuine coinage, in regions where we are parts of a packed and thronging multitude. Rubbing shoulders every day with thousands of your fellow citizens, putting your mind into contact with other minds at every encounter, you slowly have the individuality rubbed out of you by mere attrition and are worn down to a common pattern. Your opinion is everybody's opinion; my information is the common information current everywhere; your mind, like mine, like our neighbor's, is assaulted day and night with the multitudinous voices of clamorous talk, and a common atmosphere gives us a common habit and attitude.

I may say at this point, Mr. President, that that was written before the days of radio and television. I wonder what Mr. Wilson would say today, in view of the nationwide TV and radio broadcasts which largely originate in New York.

I read further form Mr. Wilson's book "Constitutional Government in the United States":

> Only very unusual men can remain individual under such pressure of uniformity. It is uncomfortable to be singular in any habit, whether of action or of thought, where so many look on and make comment.

Mr. ERVIN. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield for a question.

Mr. ERVIN. Does not the Senator from Arkansas think the conditions Wilson described in our areas of thickest settlement account in part for the overwhelming demand today for conformity?

Mr. FULBRIGHT. I certainly agree. I think the situation today is even more acute, and the pressures for conformity in connection with these matters are even greater, in view of modern developments.

Mr. ERVIN. Does not the Senator from Arkansas think the genius of those who established our Government was largely based upon their conviction that each person should be free to think his own thoughts and to state his own views and, in a sense, to live his own life in accordance with his own views?

Mr. FULBRIGHT. Certainly that is true. In fact, I believe the first settlers who came to this country had in mind that very thing—the right of the individual to think his own thoughts.

Mr. ERVIN. Does not the Senator from Arkansas also believe that one of the most unfortunate tendencies of today is the insistent demand by many organizations that every person be compelled to think the same thoughts and to conform to the notions of such organizations, even to the extent of using the Armed Forces of the Nation to compel, require, and enforce such conformity?

Mr. FULBRIGHT. Mr. President, the Senator from North Carolina could not be more correct. I think one of the most unfortunate developments in this country and in all other countries is the tendency toward uniformity. I believe that is one of the great dangers to our country.

Mr. ERVIN. Does not the Senator from Arkansas believe that one of the great threats to the America which we know and love arises from that very development?

Mr. FULBRIGHT. The Senator from North Carolina is entirely correct.

Mr. ERVIN. Does not the Senator from Arkansas also believe that one of the remaining safeguards for the America we know and love is the existence of a forum in which those who do not wish to indulge in conformity shall have the right of freedom of speech?

Mr. FULBRIGHT. Yes; and that is what makes the Senate so important in our system.

Mr. ERVIN. Does not the Senator from Arkansas believe that the only thing which will preserve the America we know and love, because of its desire to promote the fullest possible development of the individual, is the preservation of the Senate and its right of freedom of speech?

Mr. FULBRIGHT. I most certainly believe that. I think it is of the highest importance that the Senate be maintained as the unique element in our Government; and I believe that characteristic of the Senate has contributed more than any other single element to the maintenance in this great Union of a high degree of freedom and of individual liberty.

Mr. ERVIN. Does not the Senator from Arkansas also believe that the question at issue here far transcends in importance the question of whether any particular piece of legislation should be passed speedily, because it really involves the continued existence of a nation of freemen who are free to think their own thoughts, and to speak their own minds, and to maintain their own sovereignty under their own hats, instead of being forced to conform, either by law or by coercion?

Mr. FULBRIGHT. I think the Senator from North Carolina is quite correct. I believe the success of our confederation, as it exists today, is to a great extent due to the fact that, by means of the mechanism of the Senate, compromises of some very great problems have been brought about by the influence of the Senate.

Mr. ERVIN. And does not the Senator from Arkansas also believe that it is one of the great tragedies of this generation that there are so many sincere persons who are so convinced of the rectitude of their own notions that not only would they like to impose and require conformance on the part of others, but they also would deny to others the right to protest and to point out the unsoundness of such notions?

Mr. FULBRIGHT. Mr. President, the Senator from North Carolina is correct, and I could not agree more with him. It is most unfortunate that that attitude has arisen. I may say that, strangely enough, it has arisen in some very diverse quarters. During the last election, I was the victim of attacks from a different quarter from that which is proposing this change; and I am always amazed at the similarity of what I call the extremes, whether one calls them the extreme right and the extreme left, or whether one calls them the conservative and the liberal—extremes which will tolerate no difference of opinion, but insist upon having their own way. Such an attitude is entirely inconsistent with the continued strength and prosperity of our Nation. We have been a tolerant people, and I believe that tolerance has stemmed from this very body, the U.S. Senate, because it could not be forced, as other governmental bodies have been and as many State governmental bodies have been. A situation which permits of such force is a very dangerous one, insofar as the National Government is concerned. It is true that the State governments operate in relatively small areas, in which the interests involved are not very different. So rules of the nature now proposed might be perfectly all right in such cases, for State governments are more like city councils, and the differences which exist there are not likely to be very deep seated or of very great importance. Therefore, in such circumstances there will always be a certain amount of conformity, without necessitating the exercise of force.

As we enlarge the community about which we are talking, diversities appear. That has been the unique contribution of our system. To a great extent the federal system has succeeded as a result of the contribution by the Senate.

To say that in Norway and in England the legislatures operate with the use of the previous question proves nothing. England is almost as homogeneous as one of our States. At one time the Scots did not get along with the British; the Welsh did not get along with them. But over the centuries the fundamental differences have been largely eradicated. It is what we might call a homogeneous nation. By reason of the pressures of radio and television, the large press services, a few big corporations, and other influences, we may become conformers regardless. I think it will be too bad if we do. But it would be a terrible mistake to promote that possibility by destroying the one forum in which some degree of individual liberty is left, and where I believe an atmosphere exists in which some originality may be exhibited stemming from the various sections of the country.

I appreciate the questions of the Senator from North Carolina. This effect of repeal or change of the rule under consideration is probably the most significant and important aspect of the entire debate.

The Senator's comment reminds me of some comments by Alexis de'Tocqueville in his work called "Democracy in America." The Senator from North Carolina undoubtedly is familiar with it. It illustrates a tendency which I think would be promoted and encouraged by a change in the rules. De'Tocqueville wrote in 1835. More than 100 years ago he recognized the pressures that tend to bring about conformity and uniformity of view.

I continue Mr. Wilson's description of the significance of the Senate.

> Conformity is the easiest, plainest, safest way, and countless multitudes there be that walk in it.
>
> The variety of the country, therefore, is better represented in the Senate than in the House, its variety of opinion as well as its variety of social and economic makeup, its variety of opinion because its variety of social and economic makeup. There are more opinions because there is more individuality in the uncrowded South and West than in the crowded East and North. Each mind is there apt to have a greater, freer space about it, space in which to look around and form impressions of its own. No country ought ever to be judged from its seething centers. To be truly known, it must be known where it is quiet, in places where impulse is not instant, hot, insistent; where you can at least presume that opinion will next week be what it is today.

I think that is one of the best passages in the entire statement. I continue to read Mr. Wilson's statement:

> The fact that the Senate has kept its original rules of debate and procedure substantially unchanged is very significant. It

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> is a place of individual voices. The suppression of any single voice would radically change its constitutional character; and, its character being changed, the individual voices of the country's several regions being silenced, there would no longer be any sufficient reason for its present Constitution. If it were to follow the example of the House and make itself chiefly an efficient organ for the transaction of business, the critics who condemn it because it is unequally compounded upon any balanced reckoning of the wealth and numbers of the country would have not a little tenable ground to stand upon.
>
> This, then, is the Senate, the House of individuals, a body of representative American men, representing the many elements of the Nation's makeup, exhibiting the vitality of a various people, speaking for the several parts of a country of many parts and many interests, a whole and yet full of sharp social and political contrasts; men much above the average in ability and in personal force; men connected in most cases by long service with the business of the Government and accustomed to handle its affairs in all their range and variety; a body of counselors who act, if not always wisely or without personal and party bias, yet always with energy and without haste.
>
> Indeed, the Senate is, par excellence, the Chamber of debate and of individual privilege. Its discussions are often enough unprofitable, are too often marred by personal feeling and by exhibitions of private interest which taint its reputation and render the country uneasy and suspicious, but they are at least the only means the country has of clarifying public business for public comprehension.

It is well known that later on President Wilson when confronted by a reluctant Senate, changed his thinking on the advisability of free debate in the Senate. This, in my opinion, fortifies the argument against amending the cloture rule. It is natural that any President would feel frustrated and disheartened at having one of his major legislative proposals held up by extended debate in the Senate. In this respect the Senate is performing one of the major functions intended for it by the Founding Fathers—acting as a brake on the power of the Executive. I will discuss this point further in just a moment.

The Senate was, as I have indicated, a product of compromise. Most major legislation passed by the Senate is the product of compromise. Indeed the legislative process in the Congress, and in any legislative body, entails the art of compromise. But should we remove the right of free debate in the Senate, we will have destroyed the only tool available to minorities for forcing compromise when a significant majority wants and demands hasty action. By eliminating this tool the nature of our entire system of government will be radically changed.

Most Senators, I am sure, have at one time read the interesting book on the Senate by the noted columnist, William S. White. Mr. White very eloquently states the importance of the Senate to a preservation of our federal system. I am taking the liberty of quoting a portion from his book, "The Citadel," the story of the U.S. Senate:

> Conscious though one is of the abuse of senatorial power, one glories nevertheless in the circumstances that there is such a place, where big Senators may rise and flourish from small States.
>
> For the institution protects and expresses that last, true heart of democratic theory, the triumphant distinction and oneness of the individual and of the little State, the infinite variety in each of which is the juice of natural life.
>
> It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments the ideal is not for the majority of all but actually for the minority of one.
>
> The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.
>
> This is a large part of the whole meaning of the institution. Deliberately it puts Rhode Island, in terms of power, on equal footing with Illinois. Deliberately by its tradition and practice of substantially unlimited debate, it rarely closes the door to any idea, however wrong, until all that can possibly be said has been said, and said again. The price sometimes is high. The timekilling, sometimes, seems intolerable and dangerous. The license, sometimes, seems endless; but he who silences the cruel and irresponsible man today must first recall that the brave and lonely man may in the same way be silenced tomorrow.
>
> For illustration, those who denounce the filibuster against, say, the compulsory civil rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the techniques of communication, and with them the drenching power of propaganda, have vastly risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in which matters can be examined at leisure, even if a leisure uncomfortably prolonged.
>
> It is, in the very nature of the Senate, absolutely necessary for the small States to maintain the concept of the minority's veto power, having in mind that it is only within the institution that this power can be asserted or maintained.
>
> Where a powerful majority really wants a bill it will find means to have its way, cloture or no cloture.

I would now like to discuss briefly the importance of the Senate as a check on the expansion of power of the executive branch of the Government. These are difficult and complex times which are conducive to expansion of executive power. The executive branch of the Government has numerous advantages over the legislative and judicial branches in the control and manipulation of public opinion which could, if used unwisely, lead to a public clamor for congressional approval of dangerous legislation. I mean no reflection on the present President, or any past President. I am only pointing out a simple fact of political life. In this day of saturation communications the persuasive powers of a strong, but unscrupulous President could easily result in the Senate's having to resist improper and hasty actions by the House acting under pressure from an aroused populace.

This is a role which was fully intended for the Senate by the Founding Fathers. It is the very nature of the executive branch to attempt to expand. And the legislative branch by its nature is naturally resistant to expansion of executive power. The destruction of individual freedoms almost always comes from the executive not the legislative power in any government. And the approach of the executive is to destroy the legislative branch which constitutes the protection of the peoples' liberties. Once the legislative branch is destroyed the executive branch is in possession of complete power which may or may not be used in a responsible manner. It is easy to say "it cannot happen here." But there is no divine assurance that our form of government will succeed. It will not succeed unless we work at it. By eliminating the right to free debate in the Senate we will have taken a giant step toward increasing immeasurably, in my opinion, the power of the executive branch and at the same time destroying the fundamental character of our federal system. Only the Senate is in position to prevent intemperate legislative proposals from the executive branch from being rushed through the Congress under pressure of some transient public passion. Once the right to free debate in the Senate is eliminated we will have destroyed this power to resist executive encroachments.

I mentioned a moment ago in this connection the demise in recent years of governments which I think in good faith attempted to maintain a representative system. It was quite characteristic, without exception, that in each case it was the executive which ended up with all the power of the state. There was never a usurpation of power in any single instance by the legislatures. Of course, this has been true throughout history.

Mr. ERVIN. Mr. President, will the Senator yield for a question along that line?

Mr. FULBRIGHT. I yield for a question.

Mr. ERVIN. Does not the Senator often hear it said by those who advocate a rule change that we should streamline our government to enable it to travel fast, because this is the space age?

Mr. FULBRIGHT. That is correct.

Mr. ERVIN. Does not the Senator think that one of the reasons why the Senate has treasured unlimited debate is the fact that Senators have thought that if we want any legislative body to act wisely it must keep its feet on the intellectual ground as well as think about things in outer space?

Mr. FULBRIGHT. I quite agree with the Senator.

Mr. ERVIN. Does the Senator agree with me in the observation that perhaps the greatest lesson taught by history is that no man or set of men can be safely entrusted with unlimited governmental power?

Mr. FULBRIGHT. That most certainly is correct. To prevent that is one of the primary purposes of our system.

Mr. ERVIN. In other words, when the Founding Fathers established our Government, and particularly when they created the Senate, they were not actuated so much by a desire to form an extremely efficient government, but they were desirous of forming a government which would prevent a recurrence of that which had destroyed liberty in other lands; namely, a streamlined, dictatorial government.

Mr. FULBRIGHT. The Senator is exactly correct.

Mr. ERVIN. Was it not their primary purpose to establish a government under which liberty could be preserved and governmental tyranny prevented?

Mr. FULBRIGHT. That is correct.

Mr. ERVIN. Does not the Senator agree that despite the impatience which all of us may have at times with the slowness of government we must maintain such features of government as rule XXII if we are to preserve liberty and to prevent governmental tyranny?

Mr. FULBRIGHT. The Senator is quite correct. It is an essential part.

Mr. ERVIN. Does the Senator agree that often we must make choices between alternatives in government as well as in our personal lives?

Mr. FULBRIGHT. Most of the time we do.

Mr. ERVIN. Does not the Senator think that if we have to make a choice between the preservation of liberty and the prevention of governmental tyranny on the one hand and an absolutely efficient, streamlined government on the other——

Mr. FULBRIGHT. Which effect is characteristic of other governmental structures.

Mr. ERVIN. In other words, the most efficient government on earth today, perhaps, is the Russian Government?

Mr. FULBRIGHT. In some respects. It is efficient, using the word in a very narrow sense.

Mr. ERVIN. Yes. I am talking about the ability of the government to put into immediate effect the will of the government as distinct from the will of the governed.

Mr. FULBRIGHT. To act quickly. I think the Senator is correct.

I wish to generalize without reflection. Some of the new dictators—and I am thinking of Mr. Nkrumah, who does not even have a politburo to whom to report—can perhaps act more rapidly than Mr. Khrushchev can act. Even the Russians intend now to develop a form of committee to which the principal executive power must be responsible.

Mr. ERVIN. But does the Senator agree that history teaches that whenever a strong man arises who wishes to impose his will upon his people, or the world for that matter, the first thing he does is to destroy free legislative government?

Mr. FULBRIGHT. The Senator could not be more correct. That is exactly what happened, not only in past history but in many countries in the last few years. So one does not have to go back very far and he does not have to say that times have changed, because this has happened in modern times, within the past few years.

Mr. ERVIN. Would the Senator go so far as I have in this field and say that an absolutely efficient government is really inconsistent with liberty and the prevention of governmental tyranny?

Mr. FULBRIGHT. I would, certainly. A compromise is almost inherent in free government, some form of reasonable compromise of the divergent views of the government and the people; and compromise is antithetical to efficiency where a single will has its way.

Mr. ERVIN. I thank the Senator. I think the Senator from Arkansas has presented the most serious aspect of the subject with which we have been confronted.

Mr. FULBRIGHT. I thank the Senator for his comment. I think this is essentially the most important element concerned with the whole debate.

As the Senator has so well said, we must take the good with the bad. From our experience, we know that the good has outweighed the bad. All one has to do is look at the present status of the United States, as compared with any other country. What has been the unique characteristic of our form of government? All governments have executives—strong executives in many cases. Practically all of them have some kind of courts. None of them, that I am aware of, has a body quite like the Senate. They all have chambers of deputies or houses comparable to the House of Representatives. Some of them have almost the same rules, in that the previous question can be moved.

But the unique part of our Government is the Senate. I know of no legislative body in any other country that is quite comparable with it. And a distinguishing characteristic of the Senate is its representative character; that is, it has two Members from each State, regardless of its size, and they may speak their piece as long as they want, under rule XXII. When I say "as long as they want," after all, that is an overstatement. A cloture rule does exist, and whenever a really important majority of two-thirds thinks a subject has been discussed long enough, it can call a halt.

Another characteristic of this country's government is that, in spite of its system of checks and balances, in real emergencies, such as wartime, and even, in some areas, in less emergent conditions than wartime, we make reasonable adjustments of the normal restrictions upon tyranny or upon executive power. It is not an inflexible rule either way.

We have, in case of war, often without formal abdication of powers, merely by a sort of tacit approval, gone along with an unusual exercise of executive power. This has occurred on numerous occasions.

The well-known story related by Moncure Conway of Washington's view of the Senate's function in tempering hasty House action bears repeating here:

> There is a tradition that on his return from France, Jefferson called Washington to account at the breakfast table for having agreed to a second Chamber. "Why," asked Washington, "did you pour that coffee in the saucer?" "To cool it," quoth Jefferson. "Even so," said Washington, "we pour legislation into the senatorial saucer to cool it."

My colleagues who have served in this body a number of years can recall many instances where the Senate was called upon to correct, revise drastically, and, in some cases, kill measures which sailed through the House of Representatives without close examination of their merits.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. ERVIN. I wish to ask a question which has been provoked by the Senator's reference to the comparison of the Senate with the saucer into which hot coffee is poured.

The Senator from New Hampshire also said this in 1925:

> If these rules are now to be changed as demanded, many a scalding draught will be poured down the throat of the country.

Does the Senator agree with that observation?

Mr. FULBRIGHT. I certainly do; it would be inevitable, just as it would if one drank his coffee too quickly. I think that is a very apt way to put it, and I have no doubt that it would happen. It would happen as a result of action by people of good will who think they know what is good for the country, but without the agreement of the rest of the country. This would cause dissention which in the long run could well threaten either the unity of the country or the freedom of the people. Either it would lead toward a dictatorship of some form in which tyranny would exist or the Nation would break up into factions.

Mr. ERVIN. Does the Senator agree with the proposition that the function of the Senate is as a cooling chamber for legislation? Has it not been of the greatest value to the country that legislation is "saucered and blowed," which is a good North Carolina term, before it is enacted into law?

Mr. FULBRIGHT. That is most certainly true. It is the function of this body not to allow a bill to pass without examination and consideration. I suppose one could find a bill that had gotten through the Senate without real consideration, a type of bill that not many persons were really concerned about. It may have been overlooked on the call of the Calendar. But every measure of real importance has had the close examination and attention of the Senate. I think this is a very important function of the Senate. The very fact that the Senate exists and that this rule is in effect causes Senators to anticipate and to prepare justifications and explanations of whatever measures they may be interested in. If this rule did not exist they would not care so much about the merits; it would be mostly a question of organizing a majority and passing them as soon as possible.

I do not like to be too hard on the other body, but I know what happens when there is a closed rule and there is no opportunity to amend, and very little opportunity to discuss a measure.

The House of Representatives, by its very nature, does not lend itself to weighty and careful consideration of legislation during the floor debates. I recently had occasion to read again an interesting article by Mr. Allen Drury, who was a keen observer of the legislative process and the necessity for the Senate's reviewing carefully the handiwork of the House. I quote a pertinent part of this article for the information of my colleagues:

> Consider specifics for a moment, they say. A civil rights bill, cluttered up with devious and dangerous language devised for their

> own clever purposes by the bright young men of the Justice Department, roars through the House with a whoop and a holler under tight parliamentary restrictions that divide debate neatly between the indignant and the innocuous. It then goes to the Senate, and thereupon everybody is vastly surprised to find that a sober and careful appraisal, a reasoned and cogent and deliberate debate, reveals all kinds of peculiar worms in the woodwork.
>
> There is a part III, for instance, harnessing the bill to Reconstruction force statutes, making it possible, unlikely, it is true, but nonetheless legally possible, for the President to send the armed might of the Federal Government into the South to enforce a whole range of civil rights extending far beyond voting to school desegregation, joint use of entertainment facilities, equal employment opportunities, and the like. Whatever the merits of these rights standing alone, force, the Senate and most responsible observers believed, is not the way to achieve them; yet the House dismisses this aspect of the bill as though it doesn't exist.
>
> There is also the matter of the jury-trial amendment. It is offered in the House, but the House votes it down with a will after a cursory debate. There are the powers of the special Civil Rights Commission set up in the bill, the provision that its members need not be confirmed by Congress, the provision that they may hire unpaid voluntary workers to roam the country in the search for civil rights violations, the provision that newsmen who reveal the proceedings of secret commission meetings may be subject to fine and imprisonment.
>
> The House pays these no mind, although anyone who knows Washington knows exactly the uses to which the unpaid volunteers and the secret commission meetings would have been put.
>
> Or take a foreign aid bill, intelligently trimmed in the Senate, shredded to ribbons in the House; or a labor bill, loaded with wide-open dangers in the House, patiently reworked into sound legislation in the Senate; or a bill—but the examples the critics cite are manifold, and multiplication can make their point no stronger than it inescapably is.
>
> This sort of legislative buckpassing is particularly noticeable in such controversial areas as civil rights, labor, foreign aid, the military, Government salaries. It grows more arrant when sheer politics is involved. The popular thing to do at the height of the railroad strike was to mirror the country's frenzy; the popular thing to do on the civil rights bill was to bow to the weight of every passing pressure group that said boo. To be responsible took guts.
>
> The House ought to legislate as if the Senate were not there. For too often, as its critics truly say, it legislates as if nothing but the Senate were there.

This tendency for the House to be stampeded by transient passions was well recognized by the Founding Fathers. Hamilton commented on this danger in the Federalist as follows:

> There are particular moments in public affairs, when people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth can regain their authority over the public mind?

Only the Senate is in a position to resist the pressures which Hamilton and the other authors of the Constitution clearly foresaw. Eliminate free debate in the Senate and we will have lost forever the Senate's ability to fulfill its constitutional role as the preserver of our liberties in times of great public clamor or high feeling. Prof. Lindsay Rogers in his book, "The American Senate," summed up this role very well in the following paragraphs:

> My view then, shortly stated, is this: The undemocratic, usurping Senate is the indispensable check and balance in the American system, and only complete freedom of debate permits it to play this role.
>
> Its power comes, in large part, from the guillotine to which the House of Representatives submits—a procedure which has attracted scant attention—and is the more indispensable because it is directed against Government by favorable publicity through the medium of the White House spokesmen. Adopt cloture in the Senate and the character of the American Government will be profoundly changed.

I call this statement of Professor Rogers to the special attention of the newer Members of this body. He is an eminent professor at Columbia University, or was the last I heard, and is one of the leading authorities in this field. He is certainly not biased with respect to any area of rights, civil rights or any other rights, and certainly has no reason to be biased in connection with the South, the West, or the East. If anything, rising from his own profession, and where he lives and what he does, it would be a bias in favor of the larger States of the Union.

I have the feeling that newer Members, because they have not had an opportunity to understand the significance of the rules of this body, could be misled into making a mistake which they would later regret. I therefore recommend to them expressions of these people—among them Professor Rogers, William S. White, Woodrow Wilson, and Mr. Walter Lippmann, as men who have absolutely no motive other than their own great intellects and judgment, based, in the case of all of these men, on a long history of applying their excellent minds to an analysis of government matters.

I do not know where one could find better authority on the merits of these questions than here. This is not, by the farthest possible reaches of imagination, prejudice of any kind which is speaking out. This is a record of the most mature and thoughtful intellect that we have produced in this country in the field of political science.

The last sentence of Professor Rogers is particularly significant:

> Adopt cloture in the Senate and the character of the American Government will be profoundly changed.

How could it be changed? It would be changed by destroying the capacity of the Senate to defend individual liberties and its ability to force compromises in our Government.

I am informed that the majority leader has indicated that it will now be in order to move that the Senate recess until tomorrow at noon.

Mr. JAVITS. I believe that before the Senator makes that motion——

Mr. FULBRIGHT. I was told that the majority leader indicated his approval of such action.

Mr. JAVITS. May we know whether that terminates the Senator's speech today?

Mr. FULBRIGHT. Yes.

Mr. JAVITS. If the Senator will yield, I have a little business to transact.

Mr. FULBRIGHT. I yield the floor.

## FIFTEEN YEARS OF SERVICE OF THE AMERICAN HERITAGE FOUNDATION

Mr. JAVITS. Mr. President, I have before me a paper entitled "Fifteen Years of Service in the National Interest: The Story of the American Heritage Foundation."

This organization has been honored by our Presidents and by our Nation for service to the American tradition, and with the exercise of the responsibilities of citizenship by all members. I believe this is of great significance and importance to all of us and our Nation. I ask unanimous consent that it may be made a part of my remarks, signalizing the 15 years of service of this outstandingly fine organization.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

### FIFTEEN YEARS OF SERVICE IN THE NATIONAL INTEREST: THE STORY OF THE AMERICAN HERITAGE FOUNDATION

"Our American heritage is threatened as much by our indifference as it is by the most powerful foreign threat," says former President Eisenhower. President Kennedy, former Presidents Hoover and Truman and other eminent Americans concur with General Eisenhower whose words remind us of Edmund Burke's dictum: "All that is necessary for the forces of evil to win in the world is for enough good men to do nothing."

The challenge of citizen indifference is a continuing one. To meet it, a group of business, labor, and educational leaders banded together in 1947 and formed the American Heritage Foundation.

The American Heritage Foundation is a nonpartisan, nonprofit educational organization headed by a board of trustees of leading Americans from the fields of business, education, and labor. Founder-president is Thomas D'Arcy Brophy. Chairman of the board is Gen. David Sarnoff. Beginning with the national tour of the Freedom Train (1947–49), which sparked the rededication of people all across the country to the principles of American liberty, the foundation has sponsored a continuing series of successful programs in support of its basic objectives. These objectives are twofold:

To develop a greater awareness and a deeper appreciation of the ideals, sense of purpose, and advantages of our American heritage, emphasizing the relationship of our hard-won liberties to our responsibilities and opportunities as the greatest nation of free people in the world's history.

To persuade all Americans that only by exercising the responsibilities of personal, participating citizenship, can we safeguard our freedoms, achieve the great goals and purposes of our Nation and demonstrate to ourselves and to the world that the way of freemen is best.

#### HOW THE FOUNDATION FUNCTIONS

The foundation has developed a unique ability to activate and coordinate the volunteer work of millions of good citizens. It functions as a catalyst and clearinghouse of how-to-do-it materials for a cooperating team of more than 150 national membership organizations and community groups, each working through its own membership and in its own sphere of activity. By this voluntary arrangement, each organization not only supports the foundation's overall program but specializes in a particular phase without duplicating the efforts of other organizations.

Then with the invaluable help of the Advertising Council and all media of communications, the foundation backs up this team effort with programs of public service advertising and information.

### AN INSTRUMENT IN THE NATIONAL INTEREST

The American Heritage Foundation functions as an instrument in the national interest. At the request of President Truman, the foundation conducted the 37,000-mile tour of the Freedom Train (1947-49). At the request of President Eisenhower it sponsored the Crusade for Freedom in behalf of Radio Free Europe (1953-55). At the request of the Democratic and Republican National Committees, it conducted the 1950 and 1952 "register and vote" campaign, the 1956 "register, inform yourself, and vote" campaign and the 1958, 1960, and 1962 "register, vote on an informed basis, and contribute to the political party of your choice" program.

President Kennedy has twice honored the foundation: First, by addressing the 15th annual meeting of our board of trustees at the White House, February 20, 1962; and secondly, by meeting with members of our executive committee at the White House, August 28, 1962. On the latter occasion, the President, after hearing a progress report on the foundation's current "register, vote on an informed basis and contribute to the party of your choice" program, joined with former Presidents Hoover, Truman, and Eisenhower and other eminent citizens in saluting the foundation:

"I want to congratulate the American Heritage Foundation for its efforts on a nonpartisan basis to remind us of the fundamental obligations of citizenship. In my opinion, the foundation's 'register, vote on an informed basis, and contribute to the party of your choice' program is a vital public service that deserves the support of every American citizen regardless of political affiliation."

President Eisenhower: "I believe there must be a concerted effort to convince more and more Americans of the importance of political participation. Toward this end the American Heritage Foundation is conducting a campaign of public education which I wholeheartedly endorse."

President Harry S. Truman: "Your 'contribute to the political party of your choice' program is a splendid addition to the 'register and vote' campaigns your organization has developed in past years. The broadest possible participation in politics by our citizens is vital to our democracy."

President Herbert Hoover: "I agree completely with President Truman that contributions to political parties and candidates should be broadened."

Representative WILLIAM E. MILLER, chairman, Republican National Committee: "I appreciate very much the outstanding job being done by the American Heritage Foundation in stimulating public awareness of the importance of political participation and fulfillment of civic obligations. I hope that you will continue to do this outstanding and needed job."

John M. Bailey, chairman, Democratic National Committee: "The Democratic National Committee attaches the greatest importance to the nonpartisan efforts of the American Heritage Foundation to encourage citizens to register, vote, and contribute to the party of their choice. I sincerely hope that you will continue this important work, not only in national elections, but in all elections."

Richard M. Nixon: "The American Heritage Foundation is acting in the best national interest when it urges all citizens to play a more active role in politics. This program has my complete support."

JOHN W. MCCORMACK, Speaker, U.S. House of Representatives: "Countless millions of persons, under Communist domination, would give everything they have to possess personal liberty with the right to vote for the party or candidates of their choice. We have that right in America. Everyone should appreciate the same and exercise that great right by voting."

Gen. Mark W. Clark: "The materials in your kit evidence a great deal of imagination and industry on your part and I hope that they will be effective in helping us get more people to exercise their franchise—a sacred trust that Americans should never surrender."

LeRoy Collins, president, National Association of Broadcasters: "Broadcasters support wholeheartedly all efforts to impress upon our citizens their obligation to become well informed on all public issues and to vote based upon convictions of right. We also recognize the virtue and strengths inherent in our party system and urge that citizens give the party of their choice essential financial support. An informed actively participating citizenry is essential to the progress and survival of democratic ideals. The fate of our Nation and the world could well depend on an informed and active electorate."

H. Ladd Plumley, president, Chamber of Commerce of the United States: "Americans who enjoy the precious heritage of life in a free society should not only register and cast an informed vote, but should also actively work for the political party of their choice."

Merle H. Tucker, president, Kiwanis International: "We in Kiwanis International have long felt that programs aimed at encouraging voting by all eligible voters, based on sound, mature, individually arrived at convictions, were perhaps the strongest basis for a continuation of our form of government. We are pleased to be numbered with people like the American Heritage Foundation, who are so dramatically involved in this great work."

Mrs. Dexter Otis Arnold, president, General Federation of Women's Clubs: "When we think of the captive peoples of the world, how they would give their very lives for the right to vote, we are more aware than ever that we must preserve our precious right of citizenship. We need to be more faithful to the ideals and principles which made us a great Nation. Let us never surrender our liberties by neglecting to register and vote."

Beach Vasey, president, National Council of the YMCA: "Informed voting is the only way to make government of, by, and for the people really work—indeed probably the only way to preserve it. This is our simple duty, and high privilege, as Americans. It is the only way to make sure our system works and lasts. This is the whole idea behind the nationwide, nonpartisan program in which the YMCA is working with the American Heritage Foundation and other organizations."

Doug Blankenship, president, U.S. Junior Chamber of Commerce: "The nonpartisan program conducted by the American Heritage Foundation is a giant step forward in persuading citizens to exercise their constitutional rights and become more active in the party of their choice. The 210,000 Jaycees in over 4,400 communities across the Nation are vitally interested in such a program."

### REGISTER, INFORM YOURSELF, AND VOTE PROGRAMS

Since the end of the Freedom Train tour, the foundation has concentrated on voting as the basic act of American citizenship. The foundation's first get-out-the-vote campaign conducted in 1950 with the Advertising Council resulted in the largest nonpresidential vote up to that time.

Our experience in the 1950 campaign revealed the pivotal role of registration. So, in 1952 the foundation threw its full resources behind a national nonpartisan "register and vote" campaign—working as a coordinator and unifying force for scores of national nonpartisan organizations and business and labor groups. The results were as follows: More people registered and voted than in any previous election—up 23 percent from the previous record. The official vote was 61,552,000 or 62.7 percent of civilians of voting age.

The 1952 campaign showed the need for greater emphasis on informed voting. So in 1956, the American Heritage Foundation in cooperation with the Advertising Council and some 150 national membership organizations launched a nationwide "register, inform yourself, and vote" program. Although the presidential candidates were the same as in 1952, the vote cast on November 6, 1956, surpassed all expectations. Total ballots cast set a record 62,118,936 compared with the previous high of 61,551,919 in 1952.

Results of our 1960 program shattered all previous records. Total vote was 68,832,818—6 million more than in 1956. Percentage of civilians of voting age who voted was 64.3, an alltime high. It was an informed vote, too, as indicated by the widespread ticket splitting, political analysts observed.

Our 1962 program achieved a record vote for a nonpresidential year. More than 53.7 million Americans voted. Percent of civilians of voting age who voted for the House of Representatives was 46.5, 2 percentage points higher than the previous record for a nonpresidential year established in 1938.

### CONTRIBUTE TO THE PARTY OR CANDIDATE OF YOUR CHOICE

In 1958, 1960, and 1962 the American Heritage Foundation added to its voting program a new dimension designed to encourage small financial contributions to political parties. Political campaign costs have skyrocketed in recent years and only a small percentage of the American people have made a political contribution—with 90 percent of political funds coming from less than 1 percent of the population—obviously an unhealthy situation.

"The Report of the President's Committee on Campaign Costs," commended and called for a continuation of "the efforts of the American Heritage Foundation and other organizations that have engaged in bipartisan efforts to encourage individuals to register, vote and contribute."

### PROGRAM TO MODERNIZE ARCHAIC ELECTION LAWS

The closeness of the 1960 elections dramatized the need for the American Heritage Foundation's educational program to modernize outmoded election laws. The program, started in 1952, is a byproduct of our vote campaigns. Every election eve, we are deluged with complaints by citizens from all parts of the Nation, telling us: "You have persuaded me to register and vote, but I can't because of outmoded election laws." Many of these laws were established a century ago and do not meet the needs of today's highly mobile America.

Archaic State election laws are one of the greatest barriers to voting. On November 8, 1960, there were 104 million citizens of voting age. Of these, only 86,635,000 were, because of various State election requirements, actually eligible to vote. In other words,

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19,265,000 citizens were prevented from voting in 1960 either because they moved or couldn't get absentee ballots or lived in the District of Columbia, etc. About three-fourths that number—15,800,000—deliberately stayed away from the polls.

In 1960 some 33 million Americans moved and an estimated 8 million of these were unable to meet State, county, or precinct residence requirements. About 5 million were ill and unable to vote by absentee ballot. Another 2,600,000 traveling adults were ineligible to cast absentee ballots. Some 1,750,000 adult Negroes in 11 States were kept from the polls by local rules, poll taxes, subjective literacy tests and various social pressures. Also 500,000 citizens living abroad could not vote and another 500,000 in the District of Columbia. The last of these disqualifications was remedied in 1961 by the 23d amendment to the Constitution, giving qualified residents in the District of Columbia the right to vote for President and Vice President.

As a nonprofit organization, the American Heritage Foundation refrains from lobbying. Its role in the voting reform program is educational, serving as a clearinghouse of election research and encouraging State legislatures, Governors, election officials, and opinion molders to evaluate each State's election laws in terms of 20th-century needs.

Since 1953, 16 States have adopted basic reforms based on the foundation's findings. New Jersey reduced its residence requirement to 6 months for all elections. Alabama, Louisiana, and South Carolina lowered their 2-year requirement to 1 year. Wisconsin, Massachusetts, Ohio, Missouri, California, Arizona, Colorado, Kansas, and Oregon suspended their State residence requirements as a condition for voting in the presidential elections; and Idaho reduced theirs to 60 days. Vermont followed Connecticut in allowing former residents to return to vote for President and Vice President if unable to vote in new State.

For the first time, Pennsylvania civilians were able to cast absentee ballots in the 1960 elections, a reform proposed by the foundation.

Similar legislation easing residence requirements and absentee voting is under consideration in Delaware, Idaho, Illinois, Iowa, Kansas, Louisiana, Maine, Maryland, New York, Rhode Island, and South Dakota.

### ELECTION REFORMS: AN UNFINISHED TASK

The American people overwhelmingly approve the foundation's elections reform program. Dr. Gallup reports that 75 percent favor shorter residence requirements; and 87 percent would make it easier for travelers, the ill, disabled, and hospitalized to vote by mail.

Despite the millions of Americans who move and travel yearly, 37 States still require 1 year's residence in the State; 1 demands 2 years; and 12 call for 6 months. Five States do not allow mail absentee voting by civilians; and most States lack adequate provision for voting by the sick, hospitalized, and travelers.

Substantial progress has been made in removing needlessly restrictive election laws. But much work lies ahead. It promises to be hard work. Embodied in State constitutions, many election laws can be changed only through constitutional amendment, a difficult and time-consuming process. Some State constitutions can be amended only every 10 years. Although the overall picture is brightening, there are still millions of voters who are victimized by antiquated laws. Not until these laws have been changed will America score higher in voter participation.

### INFORMED VOTING: A CONTINUING PROBLEM AND OPPORTUNITY

Alerting Americans to the importance of informed voting is a job that will always be unfinished business. The problem of voter indifference is a perennial one. This is the price we pay for freedom. People forget; relax into old habits. Thus, the 64.3 percent vote of 1960 dropped to 46.5 percent in 1962. Informed voting, like any other habit, requires regular exercise. A continuing program is essential if our fellow Americans are to achieve a higher level of participating citizenship.

Annual local elections and biennial congressional elections are often more important than quadrennial elections. Off-year elections are a misnomer, deciding as they do such vital issues as schools, taxes, housing, highways, and other subjects intimately affecting our daily lives.

This is a continuing program, first, of course, because informed voting in all elections is the number one obligation of every citizen, and secondly, because of the mobility and changes in our voting population. For example, 35 million people moved last year and most of these need to be reminded to reregister. More than 1 million young people reach voting age every year and of course, must register if they are to cast their first ballots.

### CONTRIBUTE TO YOUR PARTY: A LONG-RANGE PROGRAM

Broadening the base of political financing is a long-range program because it involves a fundamental change in the basic attitudes and political habits of the American people. The majority of Americans still maintain a negative attitude toward giving to a political party. It will take years of education before the average citizen comes to look upon political contributions as an accepted obligation of citizenship similar in importance to supporting the community chest and other worthwhile causes.

In response to requests from both political parties and the President's Commission on Campaign Costs, the American Heritage Foundation will continue its pioneer work in this vital area.

### FUTURE ACTIVITIES

In 1963 the American Heritage Foundation will step up its educational program to streamline outmoded election laws; and prepare new materials and make plans for the all-important 1964 elections. Also, more than 600 cities will hold elections in 1963 and in these cities, the foundation will conduct its "register, vote on an informed basis, and contribute to the political party of your choice" program.

An effective instrument in the service of our country, the American Heritage Foundation will continue to devote its resources and facilities to this vital citizenship work—not only in 1963 and in the crucial 1964 elections, but as long as the national interest requires.

The foundation is supported by firms, foundations, organizations, and individuals who believe that the best way to maintain our free political climate is through participation by the people in the choosing of their government and sharing in its decisions. Contributions are tax deductible.

## SETTLEMENT OF THE DOCK STRIKE IN NEW YORK

Mr. JAVITS. Mr. President, it has been my practice to seek the floor independently in the course of the debate on the question which is before the Senate now. Hence, I did not interrupt the proceedings before, but I wish now to join with my colleagues the Senator from New York [Mr. KEATING], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from North Carolina [Mr. ERVIN] in commendation of Senator MORSE and the panel which was instrumental in settling the dock strike. In addition to the Senator from Oregon, the panel consisted of Theodore Kheel, a fellow townsman of mine in New York, and Professor Healy. They have rendered signal service to the Nation in helping to bring about this result, the end of a disastrous strike, so critically important to us all.

My colleague from New York said—and I join him, to make it official—that the people of our State are deeply indebted to the panel for its work. I have already said as much to the Senator from Oregon [Mr. MORSE], but this effort is now capped by the acceptance by the New York Shipping Association of the proposed terms of the settlement.

We have every hope that these terms will also be found to be applicable in the other areas of the country where there is a strike.

I return again to the discussion earlier today with the Senator from Oregon [Mr. MORSE] and point out that the experimental technique which has been employed, namely, the idea of a fact-finding board to make recommendations, has, at least in this case, demonstrated that it does not cut off or embarrass the collective bargaining process but, on the contrary, is an extremely useful tool in a real national emergency strike.

I have sponsored proposed legislation before, calling upon the President to exercise such authority, and also providing for a modest period of standstill, in which he would take such action even before a strike has taken place. So I take great comfort in the fact that this experience, so very ably and magnificently concluded by one of our own numbers, makes us doubly proud and lends substance to this approach, rather than to the more drastic approaches of compulsory arbitration and the application of the antitrust laws to trade unions, and similar action.

The city of New York still has a very critical and crippling strike, the newspaper strike. It may not qualify in the same sense as the longshoremen's strike, with respect to tying up the shipment of goods, or be so closely related, as the Senator from Arkansas [Mr. FULBRIGHT] so properly said, to foreign aid and other critical national aspects of our life; but certainly it is unbelievably disconcerting and very harmful to all of us because it shuts off the sources of information and discussion—I hope no one will consider this offensive, but I think it is factually true—of many of the most influential and important journals in the country.

Therefore, I think that an example like the one we have just seen is critically important to us in New York, as perhaps indicating lines which, sooner or later—and it is now growing very late—will have to be followed in connection with the newspaper strike there.

I take this occasion again, while congratulating the Senator from Oregon [Mr. MORSE], in whom we take great pride, to call attention, first, to the need for a greater range of techniques for dealing with such urgent strike situations. As I have said, I have offered proposed legislation on this subject in preceding Congresses, and shall offer it again, to include the idea of a factfinding board which would have power to make recommendations and to provide for a period of standstill while the board acts. Again, I call attention to the deplorable and intolerable situation in the New York City newspaper strike, and to express, with all the cooperation we can give, the hope that that strike, too, may perhaps, even by some such technique as this, be soon brought to a close.

Mr. WILLIAMS of New Jersey. Mr. President, I share the views of the senior Senator from New York [Mr. JAVITS], both with respect to the dock strike settlement and the implications of this kind of approach, and also the tragedy of the continuing New York City newspaper strike. I feel certain that when the President announced the appointment of the board, of which the distinguished senior Senator from Oregon was the chairman, all across the country there was a feeling, as I felt it, knowing the senior Senator from Oregon, and having worked with him on the Committee on Labor and Public Welfare, that there was a great wave of confidence that the committee would develop findings and proposals which would be very helpful in bringing that strike to an end. That has now come to pass, and I am sure the Nation is doubly grateful to the President for his wisdom in naming the senior Senator from Oregon, and doubly grateful, too, for the strong effort the committee made in offering proposals which now, evidently, have been accepted.

## RECESS

Mr. ERVIN. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, January 23, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate January 22 (legislative day of January 15), 1963:

### DEPARTMENT OF THE NAVY

Rear Adm. Kleber S. Masterson, U.S. Navy, to be Chief of the Bureau of Naval Weapons in the Department of the Navy for a term of 4 years, to which office he was appointed during the last recess of the Senate.

### IN THE NAVY

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

Edwin S. Miller
Bernard M. Strean
Francis J. Blouin
Arthur R. Gralla
John J. Hyland
Henry L. Miller
John M. Lee
Robert E. McC. Ward
Rhodam Y. McElroy, Jr.
John O. Miner
Theodore A. Torgerson
Edward A. Ruckner
Odale D. Waters, Jr.
Harry L. Reiter, Jr.
Joseph C. Wylie, Jr.
Earl R. Eastwold
William A. Stuart
George R. Luker
William H. Groverman, Jr.
George W. Pressey
Francis E. Nuessle
Robert B. Moore
Magruder H. Tuttle
Harold G. Bowen, Jr.
Edgar H. Batcheller
William A. Brockett
Levering Smith
Edward J. Fahy

MEDICAL CORPS

Harold J. Cokely
Robert B. Brown

CIVIL ENGINEER CORPS

Lewis C. Coxe

DENTAL CORPS

Frank M. Kyes

The following-named officers of the Naval Reserve for permanent promotion to the grade of rear admiral:

LINE

Harry R. Canaday
William C. Hughes

MEDICAL CORPS

Raymond T. Holden
Hugh Warren
Donald E. Hale

SUPPLY CORPS

Edward J. Costello, Jr.

DENTAL CORPS

Samuel S. Wald

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# EXTENSIONS OF REMARKS

## Address by the Vice President Before Democratic Workers

EXTENSION OF REMARKS
OF
**HON. VANCE HARTKE**
OF INDIANA
IN THE SENATE OF THE UNITED STATES
*Tuesday, January 22, 1963*

Mr. HARTKE. Mr. President, last Saturday, January 19, I was privileged to attend a luncheon at the Sheraton-Park Hotel where the Vice President spoke.

As always, LYNDON JOHNSON captivated and inspired his audience. He outlined for a large group of Democrats from all corners of the United States the principles upon which the Democratic Party was founded, and then he showed how these principles have been practically applied through the years in successful and forward-looking foreign and domestic programs.

Mr. President, I believe the Vice President's excellent address will be of great interest to the Members of the Senate and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON AT THE DEMOCRATIC LUNCHEON, SHERATON-PARK HOTEL, WASHINGTON, D.C., JANUARY 19, 1963

I have never ceased to be amazed by the dedication of the loyal Democratic Party workers who give so freely of their time and their energies to a cause. To me, this is one of the true strengths of a free people.

You have put aside your affairs and traveled hundreds, and even thousands, of miles to strengthen the party. And you have done so only because you believe in goals which are over and beyond your own, individual interests.

A democratic form of government can exist in the modern world only if people organize themselves to make a point of view effective. Without that organization, government becomes the exclusive province of a small group of officials who have succeeded by one means or another in capturing power. And government that is exclusive is exclusive of the people.

There is a cynical view which holds that politics is the art of organizing to seize power. In our country, I believe, it is the art of organizing to achieve goals that will serve the people.

You and I have chosen the Democratic Party because we have faith in its dreams and aspirations. And, as we close out the books on the first 2 years of a Democratic administration, I feel we can conclude that our faith has been justified under the leadership of John F. Kennedy.

President Kennedy likes to trace our party's beginning back to 1791, when Thomas Jefferson and James Monroe went from Virginia to New England on what they called a "botanizing excursion." The seeds they planted on that trip blossomed almost immediately and the plant still bears fresh fruit every year in the form of new leaders, new ideas, new accomplishments, and new victories.

We are here as members of the world's third oldest political party—and we were a concern when the English Whigs and Tories were merely the political arm of a few established families.

I never tire of telling people why I think we have remained in good shape for so many years. There is a lesson in this great political success story, and the better we remember it, the more effective we will be when we leave Washington and return to our homes and the voters, the real source of our party's strength.

Franklin Roosevelt once said that the Democratic Party would be the major party as long as it belonged to the people. He went on to describe our party as one that believes "in the wisdom and efficacy of the great majority of the people, as distinguished from the judgment of a small minority."

"Our party," Roosevelt said, also "believes that, as new conditions arise beyond the power of men and women to meet as individuals, it becomes the duty of the Government itself to find new remedies with which to meet them."

These are principles of constant change—as man's needs are constantly changing. But they are firmly rooted in stable and fruitful soil.

To begin with, we Democrats are not an exclusive party. If this country was founded as a haven where all who believe in liberty could come, live together in harmony, and try to make their lives better, then it follows that a party which hopes to lead the country must believe in these things, too.

So we Democrats have always been the one great national political party, made up of people from all sections, all classes, all races, all religions. From the outset, we have been the party that has met the immigrant at the dock and helped him to become a citizen—just as it reached out a helping hand to the sharecropper, the workingman, the student, and the businessman.

But we knew that this was not enough. Jefferson said that the only healthy republic was one of educated citizens, each with a stake in his country's welfare. So we believe in educating each American to the utmost

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of his capacity. So we believe in the right of every American to have an equal chance to contribute his talent to our country.

Our foreign policy has been equally uncomplicated down through the years. We Democrats, of course, believe that in a world of aggressors our country can only remain free by remaining brave, by remaining strong. But we do not arm for conquest. We arm to maintain freedom and preserve peace.

But we also believe that the best way to have a good neighbor is to be one. This is the basis of our historic reciprocal trade policy, which encourages commerce among all the nations of the globe. It is the basis of our support of the United Nations in its painful quest for world order, and of our support of programs which help others to help themselves.

These principles, as you can see, are neither numerous nor hard to understand. But they have lasted, and our party has lasted with them.

When I entered politics, some 30-odd years ago, I found my natural home in the Democratic Party. It wasn't hard for me to join—I was born one.

I found it easy to remain in the Democratic Party because my deepest personal political principles were at home there.

I believed that it is the politician's first duty to hold his country together, to appeal to the forces that unite us, and to channel the forces that divide us into paths where a democratic solution is possible. It is our obligation to resolve issues—not to create them.

None of us will ever live to see our country perfect, just as we will never live to see ourselves perfect. But we can try—and if we leave the world a little better than we found it, and if we die with a little more understanding than we had when we were born, we are doing all right. I have found that being a Democrat has helped me to try to do both.

Our work is made easier because during the past 2 years, we have had a man in the White House who has dedicated his life to advancing the cause of freedom and social justice in every corner of our land and in every corner of the globe.

John F. Kennedy has taken the principles of the Democratic Party and has applied them to solving the world's problems.

Because our administration believes in strength, freedom is stronger everywhere in the world. We have pulled the fangs of the Cuban rattlesnake—and made it clear there were no limits to our determination to defend our security.

By calling the bluff in Cuba, we made freedom in Berlin and southeast Asia that much surer. And, where a few short years ago the Communist world was solid and united, its major preoccupation today is a bitter internal quarrel between its two most powerful leaders.

Because we believe in collective security and in being a good neighbor, we have supported intelligent trade, the Alliance for Progress, the Peace Corps, and the United Nations.

Because we believe in solving problems, we are seeking to bring our economy to full capacity, so that every American capable of holding a job or a place in college attains those goals; so that the senior citizens among us need no longer feel the crippling financial effects of lingering illness, and so that our great metropolitan areas are made livable for the overwhelming majority of Americans who reside in them.

The Democratic Party has grown in recent years because the people know it is the best vehicle for carrying out their hopes for a better world. We have gained this confidence for three reasons.

First is our history, our principles, and our present program.

Second is our willingness to work long and hard for what we believe in. We know that human needs change, and we must plan for the future. But also we know that current needs must be solved. We are trusted because we have the eyes to see what must be done and the courage to do it.

Third is the kind of people our party attracts. I mean more than the tens of millions of voters—a vast majority, by the way—who consider themselves Democrats. I mean the kind of people—the hundreds in this room and the millions of people to whom we will carry the message when we leave here—who hold our party together.

So I would like to thank you again, in behalf of the President and myself, for what you did for us in 1960; for what you did last year; and for what you will do next year to help elect the Democratic candidates for President and Vice President—whoever they might be.

We will meet again next year to choose those candidates. If the Democratic Party holds true to the country, and if we hold true to our party, we will have doubly earned the victory that will be ours.

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# SENATE

## WEDNESDAY, JANUARY 23, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of all mercies, whose faithfulness abides in spite of all our fickleness, whose forgiveness outlasts all our transgressions, take from our minds which at best see but as in a glass darkly, the delusions which so often color our fallible judgments and control our partisan verdicts. Keep us from mistaking one ray of light for the total effulgence of the sun.

Arm our spirits in this forum of liberty to guard well the principles which are the very warp and woof of the Republic's life. Give us to see, with a solemnity that awes our spirits, that if as a people we come to value anything more than freedom under God, we will lose our birthright, and that if it is comfort or luxuries, security, or money that a nation, in practice values most, in the long run as it gains that material world it will lose its soul.

We ask it in the Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 22, 1963, was dispensed with.

### TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

### EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Bill D. Moyers, of Texas, to be Deputy Director of the Peace Corps;

Christian A. Herter, of Massachusetts, to be special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary;

David Elliott Bell, of Massachusetts, to be Administrator of the Agency for International Development;

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund;

John C. Bullitt, of New Jersey, to be U.S. Executive Director of the International Bank for Reconstruction and Development; and

William T. Gossett, of Michigan, to be deputy special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

Mr. FULBRIGHT. Mr. President, in addition I report favorably the following nominations that have previously appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

G. Edward Clark and sundry other persons for promotion in the Diplomatic and Foreign Service of the United States.

### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RIBICOFF:

S. 432. A bill to accelerate, extend, and strengthen the Federal air pollution control program; to the Committee on Public Works.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON:

S. 433. A bill to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth class mail; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 434. A bill for the relief of Toni Schwarz; to the Committee on the Judiciary.

By Mr. HART:

S. 435. A bill for the relief of Mrs. Inge Maarsso Fischer;

S. 436. A bill for the relief of Stanislaw Bialoglowski;

S. 437. A bill for the relief of William Konyen;

S. 438. A bill for the relief of Francesco Scardina, his wife, Maria, and their children, Salvatore and Antonia;

S. 439. A bill for the relief of Jose L. Rodriguez;

S. 440. A bill for the relief of Dr. Emiliana San Diego Anselmo; and

S. 441. A bill for the relief of Modesta Alzate Ogoy; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 442. A bill for the relief of Andreas Glinos; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota (for himself and Mr. BURDICK):

S. 443. A bill to authorize Federal assistance for the construction by public school districts of classroom facilities needed for the education of Indian children who reside outside the boundaries of the district; to the Committee on Interior and Insular Affairs.

By Mr. ENGLE (for himself, Mr. BAYH, Mr. BREWSTER, Mr. CLARK, Mr. KEATING, Mr. MOSS, Mr. MUSKIE, Mr. PELL, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S. 444. A bill to extend and strengthen the Federal air pollution control program; to the Committee on Public Works.

By Mr. BEALL:

S. 445. A bill to authorize the Administrator, General Services Administration, to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc.; to the Committee on Government Operations.

S. 446. A bill for the relief of Julia Kok; and

S. 447. A bill to provide for the care and custody of dangerously insane persons acquitted of offenses against the United States solely by reason of insanity; to the Committee on the Judiciary.

S. 448. A bill to permit unmarried annuitants under the Civil Service Retirement Act of May 29, 1930, as amended, to elect survivorship annuities upon subsequent marriage; to the Committee on Post Office and Civil Service.

By Mr. YARBOROUGH:

S. 449. A bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. KUCHEL, Mr. CLARK, Mr. HART, Mr. ENGLE, Mr. DOUGLAS, Mr. MORSE, Mr. CASE, Mr. JAVITS, Mr. KEATING, Mr. PROUTY, and Mr. SCOTT):

S. 450. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. SIMPSON:

S. 451. A bill to prohibit the destruction of wild birds and animals in Yellowstone National Park for the purpose of controlling their number; to the Committee on Commerce.

(See the remarks of Mr. SIMPSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 452. A bill to permit coverage under the Federal Employees Health Benefits Act of 1959 and the Retired Federal Employees Health Benefits Act of employees of the Tennessee Valley Authority heretofore retired or hereafter retiring under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 453. A bill to change the name of the Memphis lock and dam on the Tombigbee River near Aliceville, Ala.; and

S. 454. A bill to designate the lake formed by the Walter F. George lock and dam, Alabama and Georgia, as Lake Eufaula; to the Committee on Public Works.

By Mr. KEFAUVER:

S. 455. A bill to establish a U.S. Department of Science and to prescribe the functions thereof; to the Committee on Government Operations.

S. 456. A bill for the relief of Miss Mamie H. Winstead;

S. 457. A bill for the relief of Mrs. Margaret Patterson Bartlett;

S. 458. A bill for the relief of Reeder Motor Co.;

S. 459. A bill for the relief of Charles Bernstein; and

S. 460. A bill for the relief of Cathie Lee Clark; to the Committee on the Judiciary.

S. 461. A bill to extend the provisions of the Federal Employees' Compensation Act to State and local law enforcement officers who are killed or injured while, or as a direct result of, enforcing any Federal law; to the Committee on Labor and Public Welfare.

By Mr. KEFAUVER (for himself and Mr. GORE):

S. 462. A bill to change the name of the lake formed by Kentucky Dam; to the Committee on Public Works.

By Mr. DODD:

S. 463. A bill for the relief of Mrs. Loukia Spathakis; and

S. 464. A bill for the relief of Marie Rose Abdul Massih Denha; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 465. A bill for the relief of Zsuzsanna Szalai; to the Committee on the Judiciary.

By Mr. MOSS:

S. 466. A bill to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 467. A bill for the relief of Helen Duey Hoffman; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. DODD, Mr. KUCHEL, Mr. RANDOLPH, Mr. SALTONSTALL, and Mr. SPARKMAN):

S.J. Res. 24. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S.J. Res. 25. Joint resolution proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President by primary elections; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself and Mr. LONG of Missouri):

S.J. Res. 26. Joint resolution proposing an amendment to the Constitution to repeal the twenty-second article of amendment to the Constitution; to the Commitee on the Judiciary.

By Mr. KEFAUVER:

S.J. Res. 27. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; and

S.J. Res. 28. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above joint resolutions, which appear under a separate heading.)

By Mr. CURTIS (for himself and Mr. BYRD of Virginia):

S.J. Res. 29. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

## RESOLUTION

## STUDY OF FACTS SURROUNDING THE BAY OF PIGS INVASION

Mr. GOLDWATER submitted a resolution (S. Res. 54) authorizing a study of the facts surrounding the Bay of Pigs invasion, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. GOLDWATER, which appears under a separate heading.)

## CLEAN AIR ACT OF 1963

Mr. RIBICOFF. Mr. President, I introduce for appropriate reference, a bill to accelerate, extend, and strengthen the Federal air pollution control program. I ask unanimous consent that this bill be permitted to lie on the desk for 10 days so that any of my colleagues who wish to may join on the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk as requested by the Senator from Connecticut.

The bill (S. 432) to accelerate, extend, and strengthen the Federal air pollution control program, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. RIBICOFF. Mr. President, during my term as Secretary of Health, Education, and Welfare I realized how serious was the entire problem of air pollution. The air we breathe is being poisoned. We are not doing enough about it. And the situation is getting worse as our population and our productivity increase.

If a sensible man were standing in a room and someone were pumping filthy waste matter into the air, he would take action. He would not stay in the room—he would not let his wife or child or even his dog stay in it. Or, if he had to stay, he would open the windows and clear the air.

But millions of sensible men and women and children are trapped in our growing cities today. They cannot leave, and fresh air is often miles from their windows. So they are forced to breathe polluted air, and they usually do not know they are doing so. The damage caused by this air to our lands and crops, to our livestock and vegetables, and to our very health and lives—this damage cannot be measured.

We have an air pollution program now, of course. But it is basically a research program. Early last year I recommended to the President that he convene a National Conference on Air Pollution. This Conference met in Washington in December 1962. The facts are all in. Now is the time for action. And the necessary action must be taken by Congress.

Let me detail the problem a bit further.

As a nation we have experienced over the past 20 years a continuing concentration of population and economic activity in metropolitan areas. Nearly two-thirds of the entire population of the United States, according to the 1960 census, lives within metropolitan areas. The 212 areas recognized as metropolitan in 1960 accounted for 84 percent of all the increase in the Nation's population during the 1950 to 1960 decade. By 1980 our population will jump to approximately 260 million, a 45-percent increase. Every year we could populate two new cities, each larger than Chicago or Los Angeles.

This means we will have more homes to heat, more automobiles to drive, more factories to operate, more refuse to dispose of, and more power to generate. This means the aggravation of an already very serious problem—the poisoning of our air through the uncontrolled emission of filthy wastes into the atmosphere.

Few people realize the enormous magnitude of the quantities of wastes being discharged into the atmosphere. In one of our larger American cities a well-known research institute has estimated the emissions of pollutants at 25,000 tons daily, comprised of a great variety of gases and liquid and solid aerosols. Despite daily seasonal variations, the air supply available to our cities is basically fixed; the ability of the atmosphere to dilute and disperse pollutants is limited.

The effects of air pollution are already serious. Air pollution has been linked with increased mortality from cardiorespiratory causes, increased susceptibility to respiratory disease, and interference with normal respiratory functions. Specific diseases associated in one degree or another with air pollution are emphysema, chronic bronchitis, asthma and lung cancer. The economic costs of air pollution are also formidable. Through injury to vegetation and livestock, corrosion and soiling of material and structures, depression of property values, air pollution costs our country billions annually. There is a growing body of evidence which indicates that the long-term effects of exposure on people to ordinary concentrations of air pollutants adversely affects the health of many, may result in chronic disease, and premature death.

The air pollution threatening the Nation's health and causing untold loss in human and economic damages must be dealt with on a broad scale. The role of the Federal Government to date has been limited to a supporting one of research, technical assistance to public and private organizations, and training of technical personnel. We urgently need significant expansion in the scope of the Federal air pollution control program. After all the winds know no artificial boundaries; the air currents know no State lines.

Recognizing that the primary responsibility for the control of air pollution rests with State and local governments, what is the proper role of the Federal Government?

First, city, county, and regional air pollution control activities need expansion. Although the key to air pollution control is effective action at the local level, only 34 local governmental air pollution control agencies have annual budgets of $25,000 or more; fewer than 1,000 people are employed by all local governments to control their air pollution problems; and only 13 air pollution control agencies employ more than 10 people. About 200 cities with populations over 50,000 are considered to have air pollution problems, but only approximately half of them have an air pollution control program—and many of these programs are seriously understaffed.

Second, State air pollution control programs must be strengthened. Of the more than $2 million all 50 States spent for air pollution control in 1961, more than $1 million was spent by 1 State, California. Although today most States have air pollution control legislation of some kind only 17 States spend more than $5,000 annually for their programs; only 9 States spend $25,000 or more. And only approximately 150 people are employed by all State governments to combat their air pollution problems. State activities must be greatly accelerated if all citizens are to enjoy clean air.

The Federal Government must provide leadership, encouragement, technical know-how, and financial assistance to local and State governments in the development of a national program of research and development for the prevention and control of air pollution. This is its proper job.

The purpose of the bill I introduce today is the development of such a program. This bill elevates the Federal role to a proper status of responsibility and leadership while recognizing the basic responsibilities of State and local governments.

The main provisions of the bill provide for—

First, establishment of a national research and development program for air pollution prevention and control under which the Federal Government would promote the coordination and acceleration of research, investigations, training, demonstrations, surveys, and studies relating to the causes, effects, and prevention and control of air pollution; encourage, cooperate with and render technical and financial assistance to local and State agencies; and conduct investigations, research, and surveys concerning any specific problem of air pollution, with a view to recommending a solution to the problem. In carrying out this program the Federal Government would develop air quality criteria based on scientific information to guide communities in the establishment and conduct of control programs and establish regional field laboratory and research facilities;

Second, a 10-year, $74 million program of grants to State, local and regional agencies to assist them in developing, initiating, or improving programs for the prevention and control of air pollution; and

Third, Federal enforcement measures against air pollution patterned after the enforcement procedures of the Federal Water Pollution Control Act.

Mr. President, these are the main elements of the Clean Air Act of 1963. This is, I believe, a strong measure commensurate with the problem confronting us. I ask unanimous consent that the full text of the bill and a section-by-section analysis be printed in the RECORD at this point.

There being no objection, the bill and section-by-section analysis were ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of July 14, 1955, as amended (42 U.S.C. 1857–1857g), is hereby amended to read as follows:

"FINDINGS AND PURPOSE

"SEC. 1. (a) The Congress finds—

"(1) that the predominant part of the Nation's population is located in its rapidly expanding metropolitan and other urban areas, which generally cross the boundary lines of local jurisdictions and often extend into two or more States;

"(2) that the growth in the amount and complexity of air pollution brought about by urbanization, industrial development, and the increasing use of motor vehicles, has resulted in mounting dangers to the public health and welfare, injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to air and ground transportation;

"(3) that the prevention and control of air pollution at its source is the primary responsibility of States and local governments; and

"(4) that Federal financial assistance and leadership is essential for the development of cooperative Federal, State, regional, and local programs to prevent and control air pollution.

"(b) The purposes of this Act are—

"(1) to protect the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population;

"(2) to initiate and accelerate a national research and development program to achieve the prevention and control of air pollution;

"(3) to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs; and

"(4) to encourage and assist the development and operation of regional air pollution control programs.

"COOPERATIVE ACTIVITIES AND UNIFORM LAWS

"SEC. 2. (a) The Secretary shall encourage cooperative activities by the States and local governments for the prevention and control of air pollution; encourage the enactment of improved and, so far as practicable in the light of varying conditions and needs, uniform State and local laws relating to the prevention and control of air pollution; and encourage agreements and compacts between States for the prevention and control of air pollution.

"(b) The Secretary shall cooperate with and encourage cooperative activities by all

Federal departments and agencies having functions relating to the prevention and control of air pollution, so as to assure the utilization in the Federal air pollution control program of all appropriate and available facilities and resources within the Federal Government.

"(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and control of air pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements or compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by Congress.

### "RESEARCH, INVESTIGATIONS, TRAINING, AND OTHER ACTIVITIES

"SEC. 3. (a) The Secretary shall establish a national research and development program for the prevention and control of air pollution and as part of such program shall—

"(1) promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution; and

"(2) encourage, cooperate with, and render technical services and financial assistance to air pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals in the conduct of such activities; and

"(3) conduct investigations and research and make surveys concerning any specific problem of air pollution confronting any air pollution control agency with a view to recommending a solution of such problem, if he is requested to do so by such agency or if, in his judgment, such problem may affect or be of concern to communities in various parts of the Nation or may affect any community or communities in a State other than that in which the source of the matter causing or contributing to the pollution is located.

"(b) In carrying out the provisions of the preceding subsection the Secretary is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations in connection therewith, pertaining to such research and other activities;

"(2) cooperate with other Federal departments and agencies, with air pollution control agencies, with other public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and conduct of such research and other activities;

"(3) make grants to air pollution control agencies, to other public or nonprofit private agencies, institutions, and organizations, and to individuals, upon such terms and conditions as he may determine;

"(4) contract with public or private agencies, institutions, and organizations, and with individuals, without regard to section 3648 of the Revised Statutes (31 U.S.C. 529);

"(5) provide training for, and make training grants to, personnel of air pollution control agencies and other persons with suitable qualifications;

"(6) establish and maintain research fellowships, in the Department of Health, Education, and Welfare and at public or nonprofit private educational institutions or research organizations;

"(7) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological air quality and other information pertaining to air pollution and the prevention and control thereof;

"(8) develop effective and practical processes, methods, and prototype devices for the prevention or control of air pollution;

"(9) recommend to air pollution control agencies and to other appropriate organizations, after such research as he determines to be necessary, such criteria of air quality as in his judgment may be necessary to protect the public health and welfare; and

"(10) establish, equip, and maintain regional field laboratory and research facilities for the conduct of research, investigations, experiments, field demonstrations and studies, and training relating to the prevention and control of air pollution, and insofar as practicable, each such facility shall be located near institutions of higher learning in which graduate training in such research might be carried out.

### "GRANTS FOR SUPPORT OF AIR POLLUTION CONTROL PROGRAMS

"SEC. 4. (a) There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1964, $6,000,000 for each succeeding fiscal year to and including the fiscal year ending June 30, 1967, $7,000,000 for each succeeding fiscal year to and including the fiscal year ending June 30, 1970, and $10,000,000 for each succeeding year to and including the fiscal year ending June 30, 1973, for grants to air pollution control agencies to assist them in meeting the costs of establishing and maintaining programs for the prevention and control of air pollution. Sums so appropriated shall remain available for making grants as provided in this section during the fiscal year for which appropriated and the succeeding fiscal year.

"(b) From the sums available therefor for any fiscal year the Secretary shall from time to time make allotments to the several States, in accordance with regulations, on the basis of (1) the population, (2) the extent of the air pollution problem and (3) the financial need of the respective States. For purposes of this section, population shall be determined on the basis of the latest figures furnished by the Department of Commerce, and per capita income for each State and for the United States shall be determined on the basis of the average of the per capita incomes of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce.

"(c) From each State's allotment under paragraph (b) for any fiscal year, the Secretary is authorized to make grants to air pollution control agencies in such State in an amount equal to two-thirds of the cost of establishing and maintaining programs for the prevention and control of air pollution: *Provided*, That in the case of grants to an interstate air pollution control agency (as defined in section 10(b)(2)) the grant shall be made from the allotments of the several States which are members of such agency on such basis as the Secretary finds reasonable and equitable.

"(d) Such grants shall be made, in accordance with regulations, upon such terms and conditions as the Secretary may find necessary to carry out the purposes of this section. Such regulations shall include provision for special financial incentives for regional air pollution control programs which meet criteria established by the Secretary as necessary for the effective control of air pollution in the area.

"(e) Sums allotted to a State under subsection (b) of this section which have not been obligated by the end of the fiscal year for which they were allotted because of a lack of approvable applications shall be reallotted by the Secretary, on such basis as he determines to be reasonable and equitable and in accordance with regulations promulgated by him, to States from which approvable applications have been made but which have not been approved for grants because of a lack of funds in the allotment of such State. Any sum made available to a State by reallotment under the preceding sentence shall be in addition to any funds otherwise allotted to such State under this Act and shall be available for grants to air pollution control agencies in such State.

"(f) Payments of grants under this section shall be made through the disbursing facilities of the Treasury Department.

### "AIR POLLUTION CONTROL ADVISORY BOARD

"SEC. 5. (a)(1) There is hereby established in the Department of Health, Education, and Welfare an Air Pollution Control Advisory Board, composed of the Secretary or his designee, who shall be chairman, and nine members appointed by the President none of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this Act, shall be selected from among representatives of various State, interstate and local governmental agencies, of public or private interests contributing to, affected by, or concerned with air pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of air pollution prevention and control, as well as other individuals who are expert in this field.

"(2)(A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of the members first taking office after July 1, 1964, shall expire as follows: Three at the end of one year after such date, three at the end of two years after such date, and three at the end of three years after such date, as designated by the President at the time of appointment. None of the members appointed by the President shall be eligible for reappointment within one year after the end of his preceding term.

"(B) The members of the Board who are not regular full-time officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(b) The Board shall advise, consult with, and make recommendations to the Secretary on matters of policy relating to the activities and functions of the Secretary under this Act.

"(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Department of Health, Education, and Welfare.

### "ENFORCEMENT MEASURES AGAINST AIR POLLUTION

"SEC. 6. (a) The pollution of the air in any State or States which endangers the health or welfare of any persons, shall be subject to abatement as provided in this section.

"(b) Consistent with the policy declaration of this Act, municipal, State, and interstate action to abate air pollution shall be encouraged and shall not be displaced by Federal enforcement action except as otherwise provided by or pursuant to a court order under subsection (g).

"(c)(1) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to air pollution which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located and to the interstate air pollution control agency, if any, of such State, and shall call promptly a conference of such agency or agencies and of the air pollution control agencies of the municipalities which may be adversely affected by such pollution, and the air pollution control agency and interstate agency, if any, of the State or States in which such municipalities are located. Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to air pollution which is endangering the health or welfare of persons only in the requesting State in which the discharge or discharges (causing or contributing to such pollution) originate, give formal notification thereof to the air pollution control agency and interstate agency, if any, of the requesting State, to the air pollution control agencies of the municipality where such discharge or discharges originate, and of the municipality or municipalities alleged to be adversely affected thereby, and shall promptly call a conference of such agency or agencies, unless, in the judgment of the Secretary, the effect of such pollution is not of such significance as to warrant exercise of Federal jurisdiction under this section. The Secretary shall also call such a conference whenever, on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a) and endangering the health or welfare of persons in a State other than that in which the discharge or discharges originate is occurring.

"(2) The agencies called to attend such conference may bring such persons as they desire to the conference. Not less than three weeks' prior notice of the conference date shall be given to such agencies.

"(3) Following this conference, the Secretary shall prepare and forward to all the air pollution control agencies attending the conference a summary of conference discussions including (A) occurrence of air pollution subject to abatement under this Act; (B) adequacy of measures taken toward abatement of the pollution; and (C) nature of delays, if any, being encountered in abating the pollution.

"(d) If the Secretary believes, upon the conclusion of the conference or thereafter, that effective progress toward abatement of such pollution is not being made and that the health or welfare of any persons is being endangered, he shall recommend to the appropriate State or municipal air pollution control agency (or to both such agencies) that it take necessary remedial action. The Secretary shall allow at least six months from the date he makes such recommendations for the taking of such recommended action.

"(e) If, at the conclusion of the period so allowed, such remedial action has not been taken or action which in the judgment of the Secretary is reasonably calculated to secure abatement of such pollution has not been taken, the Secretary shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a hearing board of five or more persons appointed by the Secretary. Each State and each municipality in which any discharge causing or contributing to such pollution originates and each State and each municipality claiming to be adversely affected by such pollution shall be given an opportunity to select one member of such hearing board and at least one member shall be a representative of the Department of Commerce, and not less than a majority of such hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least three weeks' prior notice of such hearing shall be given to the State, interstate, and municipal air pollution control agencies called to attend the aforesaid hearing and the alleged polluter or polluters. On the basis of evidence presented at such hearing, the hearing board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the hearing board finds such pollution is occurring and effective progress toward abatement thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and suitable to secure abatement of such pollution. The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution, together with a notice specifying a reasonable time (not less than six months) to secure abatement of such pollution, and shall also send such findings and recommendations and such notice to the State, interstate, and municipal air pollution control agencies of the State or States, and of the municipality, where such discharge or discharges originate.

"(f) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of air pollution which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

"(2) in the case of air pollution which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, may, with the written consent of the Governor of such State, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

"(g) The court shall receive in evidence in any such suit a transcript of the proceedings before the hearing board in such case and a copy of such board's recommendations and shall receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

"(h) Members of any hearing board appointed pursuant to subsection (e) who are not regular full-time officers or employees of the United States shall, while participating in the hearing conducted by such board or otherwise engaged on the work of such board, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(i) In his summary of any conference pursuant to this section, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to this section involving any pollution alleged to be affected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the hearing board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such hearing board.

### "REQUIREMENT OF REPORTS

"SEC. 7. (a) The Secretary is authorized to require any person whose activities result in the emission of air pollution causing or contributing to air pollution which has been the subject of a conference under section 6 to file with him, in such form as he may prescribe, a report, furnishing to the Secretary such information as may reasonably be required as to the character, kind and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the emission of pollutants by the person filing such reports. Such report shall be made under oath or otherwise, as the Secretary may prescribe and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. All information in such report shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

"(b) If any person required to file any report under this section shall fail so to do within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business: *Provided*, That the Secretary may upon application therefor, remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

"(c) It shall be the duty of the various United States Attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

### "COOPERATION BY FEDERAL AGENCIES TO CONTROL AIR POLLUTION FROM FEDERAL FACILITIES

"SEC. 8. It is hereby declared to be the intent of Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare and with any air pollution control agency in preventing and controlling the pollution of the air in any area insofar as the discharge of any matter from or by such building, installation, or other property may cause or contribute to pollution of the air in such area.

### "ADMINISTRATION

"SEC. 9. (a) The Secretary is authorized to prescribe such regulations as are necessary to carry out his functions under this Act. The Secretary may delegate to any office or employee of the Department of Health, Education, and Welfare such of his powers and duties under this Act, except the making of regulations, as he may deem necessary or expedient.

"(b) Upon the request of an air pollution control agency, personnel of the Public Health Service may be detailed to such agency for the purpose of carrying out the provisions of this Act. The provisions of section 214(d) of the Public Health Service Act shall be applicable with respect to any personnel so detailed.

"(c) Payments under grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary.

### "DEFINITIONS

"SEC. 10. When used in this Act—

"(a) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(b) The term 'air pollution control agency' means any of the following:

"(1) A single State agency designated by the Governor of that State as the official State air pollution control agency for purposes of this Act;

"(2) An agency established by two or more States and having substantial powers or duties pertaining to the prevention and control of air pollution;

"(3) A city, county, or other local government health authority, or, in the case of any city, county, or other local government in which there is an agency other than the health authority charged with responsibility for enforcing ordinances or laws relating to the prevention and control of air pollution, such other agency; or

"(4) An agency of two or more cities, counties, or other local governments located in the same State or in different States and having substantial powers or duties pertaining to the prevention and control of air pollution.

"(c) The term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

"(d) The term 'person' includes an individual, corporation, partnership, association, State, municipality, and political subdivision of a State.

"(e) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law.

### "OTHER AUTHORITY NOT AFFECTED

"SEC. 11. This Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provision of law, of the Secretary or any other Federal officer, department, or agency.

### "SEPARABILITY

"SEC. 12. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

### "SHORT TITLE

"SEC. 13. This Act may be cited as the 'Clean Air Act of 1963'."

SEC. 2. The title of such Act of July 14, 1955, is amended to read: "An Act to provide for air pollution prevention and control activities of the Department of Health, Education, and Welfare, and for other purposes".

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## CLEAN AIR ACT OF 1963—SECTION-BY-SECTION ANALYSIS

### SECTION 1. FINDINGS AND PURPOSE

This section makes congressional findings that the predominant part of the Nation's population live in urban areas which are generally interstate in character; that air pollution has become a serious and major problem especially in these areas; that the primary responsibility for solving this problem rests with State and local governments; and that Federal leadership and financial assistance are essential for the development of cooperative Federal, State, regional, and local programs.

The purposes of the act are to protect the Nation's air resource; initiate and accelerate a national research and development program; provide technical and financial assistance to State and local programs; and encourage regional program development.

### SECTION 2. COOPERATIVE ACTIVITIES AND UNIFORM LAWS

Within the Federal Government: Subsection (a) would amend the present act to provide that the Secretary of Health, Education, and Welfare shall encourage cooperative activities by all Federal departments and agencies having functions relating to the prevention and control of air pollution.

Between State and local governments: Subsection (b) provides that the Secretary shall encourage cooperative activities by the States and local governments for the prevention and control of air pollution. It would amend the present act to provide that the Secretary shall encourage the enactment of effective State and local laws relating to air pollution, and encourage agreements and compacts between States for the prevention and control of air pollution.

### SECTION 3. RESEARCH, INVESTIGATIONS, TRAINING, AND OTHER ACTIVITIES

National research and development program: Subsection (a) requires the establishment of a national research and development program for air pollution prevention and control.

Federal support to local agencies: Subsection (a) also provides that the Federal Government shall promote the coordination and acceleration of research investigations, training, demonstrations, surveys and studies relating to the causes, effects, and prevention and control of air pollution; encourage, cooperate with and render technical and financial assistance to local and State agencies; and conduct investigations, research, and surveys concerning any specific problem of air pollution, with a view to recommending a solution to the problem. To establish a national program and furnish support to State and local agencies the Secretary of Health, Education, and Welfare is authorized to—

(a) Distribute information pertaining to research findings;

(b) Cooperate with other Federal, State, and local departments and agencies and with private organizations, including industry, in the preparation and conduct of research activities;

(c) Make grants to air pollution control agencies and other agencies and individuals for the conduct of appropriate air pollution control programs;

(d) Enter into contracts for the conduct of research, investigations, training, and other authorized activities;

(e) Provide training for and make training grants to qualified individuals;

(f) Establish and maintain research fellowships;

(g) Collect and disseminate basic data relating to the prevention and control of air pollution;

(h) Develop effective and practical processes, methods, and prototype devices for the prevention or control of air pollution;

(i) Develop air quality criteria based on scientific information to guide communities in the establishment and conduct of control programs; and

(j) Establish, equip, and maintain regional field laboratory and research facilities.

### SECTION 4. GRANTS FOR SUPPORT OF AIR POLLUTION CONTROL PROGRAMS

Appropriations authorized: Subsection (a) authorizes $74 million over a 10-year period for grants to air pollution control agencies for projects for the development, initiation, or improvement of programs for the prevention and control of air pollution. Funds would be allocated to States on the basis of population, financial need, and the extent of the air pollution control problem. Grants would be made to State, local, and interstate agencies in the amount of two-thirds of the cost of the project.

Special grant provisions: Grants to interstate agencies will be made from the allotments of the several States which are members of such agency. Special financial incentives for regional air pollution control programs are authorized. Funds allotted to a State and not obligated within 1 year because of a lack of approvable projects will be reallotted to States from which approvable applications have been made but which have not been approved because of a lack of funds.

### SECTION 5. AIR POLLUTION CONTROL ADVISORY BOARD

This section establishes an Air Pollution Control Advisory Board in the Department of Health, Education, and Welfare.

### SECTION 6. ENFORCEMENT MEASURES AGAINST AIR POLLUTION

Interstate pollution: In the case of air pollution which is endangering the health or welfare of persons in a State other than that in which the discharge originates, the Secretary is empowered to call a conference of the air pollution control agencies of the States involved either at the request of the State or States involved (including municipalities) or on his own initiative. The purpose of the conference is to determine the extent of the pollution problem, what is being done about it, and the nature of any delays being encountered in abatement work. Following the conference, if the Secretary believes that effective progress is not being made toward abatement he shall recommend appropriate remedial action. If after 6 months such action has not been taken, the Secretary shall call a public hearing. Each State and municipality involved will be able to choose one member of the hearing board. The hearing board shall hear evidence and make findings on the basis of such evidence as to whether pollution exists and whether effective progress toward abatement is being made. The Board will recommend appropriate remedial measures if such are necessary. The findings and recommendations of the Board will be sent to those causing or contributing to the pollution with a notice specifying a reasonable time (not less than 6 months) to secure abatement. If appropriate action is not taken in the specified time, the Secretary can request the Attorney General to bring a suit on behalf of the United States to secure abatement. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, will have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

Intrastate pollution: The same procedure as above is followed in cases involving pollution occurring wholly within one State except that Federal action can be taken only at the request of the State and court action, following a conference and hearing, can be taken only with State concurrence.

### SECTION 7. REQUIREMENT OF REPORTS

This section authorizes the Secretary to require any person whose activities result in the emission of air pollution which has been the subject of a conference under the preceding section to file reports or answers to specific questions relating to the character, kind and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the emission of pollutants by the corporation. Trade secrets are protected and remedies to compel the filing of reports are provided.

### SECTION 8. COOPERATION BY FEDERAL AGENCIES TO CONTROL AIR POLLUTION FROM FEDERAL FACILITIES

This section provides that Federal departments and agencies should, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare and with air pollution control agencies in preventing and controlling air pollution from Federal facilities.

### SECTION 9. ADMINISTRATION

Regulations and delegation of functions: Subsection (a) provides that the Secretary of Health, Education, and Welfare is authorized to prescribe such regulations as are necessary to carry out his functions under the act, and to delegate his functions except the making of regulations.

Loans of Federal personnel: Subsection (b) would amend the present act to authorize the Secretary of Health, Education, and Welfare upon the request of an air pollution control agency, to detail personnel of the Public Health Service to such agency.

Grant payment methods: Subsection (c) authorizes the payment of grants, under the act, in advance, in installments, or by way of reimbursement.

### SECTION 10. DEFINITIONS

This section defines the terms "Secretary," "air pollution control agency," "State," "person," and "municipality."

### SECTION 11. OTHER AUTHORITY NOT AFFECTED

This section provides that the act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provision of law, or of any other Federal officer, department, or agency.

### SECTION 12. SEPARABILITY

This section contains a standard separability clause.

### SECTION 13. SHORT TITLE

This section would amend the present act to provide that the act may be cited as the "Clean Air Act of 1963."

Mr. RIBICOFF. Mr. President, we must also be mindful that the full implementation of this legislation at the Federal, State, and local level will require not only the expenditure of public funds but of private resources as well. To the extent that private industry is responsible for the problem, it also has a responsibility for the abatement—the prevention and control—of the problem. But it is unrealistic to expect that private industry, any more than public agencies, will spend significant sums of money for equipment and programs that produce no revenue without some assistance or incentives. The Federal incentive to public agencies is contained in this bill.

Either tax incentives or extension of credit, or a combination of these approaches should be carefully explored. At a later date I shall propose legislation to make it economically feasible for private industry to discharge its responsibilities in combating air pollution.

Mr. President, as was said at the recent conference on air pollution, "Enough has been said. Let's clear the air."

## FOURTH-CLASS PARCEL POST SYSTEM

Mr. JOHNSTON. Mr. President, the financial condition of our nationwide fourth-class parcel post system is a matter of grave concern to me and to the thousands of postal patrons who use this important part of the postal service.

As Senators know, the Congress by statute has relinquished its authority to establish parcel post rates. Present law provides that when rates require adjustment, the Postmaster General shall petition the Interstate Commerce Commission for authority to make any change. He is further required to make whatever adjustment is needed to keep the gap between fourth-class costs and revenues within 4 percent.

Thus parcel post rates are not set by the Congress but by the Postmaster General and the ICC. The history of this arrangement shows that it is unsatisfactory.

Accordingly, I introduce, for appropriate reference, a measure to restore to the Congress its previous fourth-class ratemaking authority so that the problems of this class can be considered along with those of all classes of mail.

As part of congressional consideration of fourth-class ratemaking authority, I believe that a thorough study of all the problems which have recently arisen concerning parcel post should be undertaken. Upon completing this study, Congress will have the aid of clear guidelines to help direct its deliberations. I firmly believe that action should be taken during the present session. The recent proceedings which the Postmaster General filed with the Interstate Commerce Commission have been stalled by differing interpretations of existing law and are now at a standstill. One result of this is that the deficit for parcel post is $114 million a year.

This condition in itself is reason enough for returning parcel post ratemaking authority to the Congress.

Approximately 2 years ago the Postmaster General filed with the Interstate Commerce Commission its case in this regard. The Interstate Commerce Commission, because certain things entered into the request with which they did not agree—they could not dot an "i" or cross a "t" unless it was already in the request—did not take the needed action. That being so, it is a matter now, as I see it, for the Congress to handle. We have lost more than $200 million in the past 2 years. The rates were out of balance more than 4 percent for many years prior to that.

Therefore, I introduce the bill to return to the Congress the parcel post ratemaking authority.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 433) to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth-class mail, introduced by Mr. JOHNSTON, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

## TO PROVIDE AUTO GRANTS TO DISABLED VETERANS UNDER CERTAIN CONDITIONS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans.

This bill would authorize the Administrator of Veterans' Affairs to make grants not exceeding $1,600 toward the purchase of an automobile to certain cold war veterans with a specified service-connected disability. Such grants would be afforded only to cold war veterans who have sustained the loss or permanent loss of use of one or both feet as a direct result of armed conflict or while engaged in extrahazardous service, including such service under conditions simulating war.

I remind the Senate of the conditions in South Vietnam, although that is not the only place where veterans of this cold war are serving under conditions simulating war, and where loss of life and loss of limb is occurring. Those who lose a limb need this same type of benefit that is now being granted to World War II and Korean war veterans.

Eligibility for benefits under this bill would be conditioned upon service beginning after January 31, 1955, and ending on the day before the first day thereafter on which individuals are no longer liable for induction into the Armed Forces under the Universal Military Training and Service Act. The reason that the eligibility date begins after January 31, 1955, is that veterans up to that date are already eligible. This proposal was favored by the Veterans' Administration during the 87th Congress, and it is identical to a measure favorably reported by the Senate Committee on Labor and Public Welfare last year. I hope the bill can be reported to the full Senate at an early date for its consideration. It was too late in the last year to receive that full consideration. I hope we can move it out at an early date this year.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 449) to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## AMENDMENT OF DAVIS-BACON ACT, RELATING TO PAYMENT OF PREVAILING WAGES ON FEDERAL CONSTRUCTION WORK

Mr. HUMPHREY. Mr. President, on behalf of myself and Senators KUCHEL, CLARK, DOUGLAS, HART, ENGLE, MORSE, CASE, JAVITS, KEATING, PROUTY, and SCOTT, I introduce, for appropriate reference, a bill to amend the so-called Davis-Bacon Act, relating to the payment of prevailing wages on Federal construction work.

I was privileged to join with the assistant minority leader in the last Congress in proposing this legislation. While no action was taken on this bill in the Senate in the 87th Congress, the Education and Labor Committee in the House of Representatives reported it favorably. It is our hope that both Houses will approve this badly needed amendment in the 88th Congress.

The Davis-Bacon Act was first enacted in 1931 and was considerably revised in

1935 to represent what was then a comparatively effective instrument for preventing the purchasing power of the Federal Government from undermining existing labor conditions in the construction industry.

Since 1935, however, experience has revealed many drawbacks in the framework for administering the Davis-Bacon Act. In fact, changing conditions in the construction industry have required a new look at the way the act operates today. That is the purpose of this bill; namely, to provide a basis for taking a new and more realistic look at the Davis-Bacon Act.

Since 1935 the Secretary of Labor has confined himself to determine the basic hourly wage rate as the only prevailing rate required by the act. Nowadays, however, this basic hourly wage rate falls far short of reflecting the actual hourly labor costs on construction jobs. Collective agreements throughout the industry now cover many additional payments for the welfare of workers—payments which did not exist in 1935. For example, most agreements in many areas of the country now provide for payments, on an hourly, or payroll basis, to so-called health and welfare funds, so as to provide much needed sick and hospital and medical benefits to construction workers and their families. Payments are also frequently required to be made to pension funds and to supplementary unemployment benefit funds. Many agreements also require payments to various training funds of direct benefit to journeymen and apprentices whose skills are the lifeblood of the construction industry and the mainstay of those who depend upon this great industry for their livelihood.

Recent surveys have shown that the payments to these funds are not only a substitute for direct wage increases which workers would otherwise have received as a part of their basic hourly wage rate but, in addition, that these payments now are a very large part of the hourly wage costs in the construction industry.

In the plumbing and pipefitting branches of the construction industry alone, there are funds in more than 68 of 100 cities surveyed by the U.S. Department of Labor. Payments to these funds run as high as 46½ cents per straight time hour or as high as 12 percent of the basic hourly wage. Other crafts in other cities have negotiated even higher payments.

These payments cannot be ignored or discouraged because they exist to benefit workers for whom they are made. Yet under the interpretation of the present act they are ignored and discouraged. Day after day the law is extending an open invitation to outside contractors to bring low wages and cheap labor into higher wage communities because these lower labor costs give them a successful bidding advantage on Government work.

This type of unfair wage competition was the very reason for the enactment of the Davis-Bacon Act in the first place. It is the purpose of this amendment to upgrade the act so that it will once more carry out its original purpose.

Under the amendment the Secretary of Labor would be required to predetermine and Government contractors would be required to pay not only the prevailing hourly rate as presently specified in the Davis-Bacon Act but also prevailing contractor payments to (a) health and welfare funds, (b) retirement funds, and (c) apprenticeship funds.

Mr. President, I respectfully urge that the Senate Committee on Labor and Public Welfare give early and sympathetic consideration to this measure. I believe that anyone who studies this amendment in an objective manner will be convinced of its merits and that it should be enacted in order to correct a shortcoming in the present Davis-Bacon Act. The time to act on this amendment is now, and I hope that this Congress will not adjourn without having taken action on this measure.

Mr. President, I ask unanimous consent that the bill lie at the desk for 5 days for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 450) to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. KUCHEL. Mr. President, I am delighted once again to join my able friend, the distinguished minority whip, and other Senators, on both sides of the aisle, in sponsoring legislation which is completely in the public interest.

For almost a third of a century, ever since Congress announced a policy as indicated in the Davis-Bacon Act, that law has stood for fair play in every sector of the country, with respect to public contracts.

In some parts of the country, loopholes have developed, and some contractors have taken advantage of them. To that extent this proposed legislation represents a closing of those loopholes.

I regret that similar proposed legislation was not enacted into law last year. I hope that we may have early hearings on the subject in the Committee on Labor and Public Welfare, because I feel sure that the overwhelming majority of the Members of Congress, given an opportunity to do so, would approve the legislation which we introduce today.

Mr. HUMPHREY. I thank the Senator.

## PROHIBITION OF DESTRUCTION OF WILD BIRDS AND ANIMALS IN YELLOWSTONE NATIONAL PARK

Mr. SIMPSON. Mr. President, for many years I have been vitally concerned with the arbitrary management of game animals in Yellowstone National Park, Wyo. and Mont., under the program of the National Park Service.

Again this year, as last year, the Park Service is slaughtering large numbers of magnificent elk which are part of the few remaining large herds of these animals in the United States.

Mr. President, I introduce, for appropriate reference, a bill which I hope will be an instrument for proper management of the elk, and which will stop the slaughter of these majestic animals.

I ask unanimous consent to have printed in the RECORD a letter which I wrote to Secretary of the Interior Udall, regarding the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 451) to prohibit the destruction of wild birds and animals in Yellowstone National Park for the purpose of controlling their number, introduced by Mr. SIMPSON, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. SIMPSON is as follows:

JANUARY 22, 1963.

Hon. STEWART L. UDALL,
*Secretary of the Interior,*
*Washington, D.C.*

DEAR MR. SECRETARY: As you well know, Mr. Lemuel A. Garrison, Superintendent of the Yellowstone National Park, in face of strong protests, ordered the killing of 4,309 head of elk in the northern herd in Yellowstone Park during the winter 1961–62. Violent protests were rendered by the surrounding States and by the people of America. A suit was even instituted in the Federal court at Cheyenne, Wyo., seeking to enjoin such wanton destruction. This suit was brought by three outfitters of my hometown, Cody, whose livelihood was jeopardized by this unjustified slaughter, because the northern herd includes the so-called North Fork of the Shoshone and the Sunlight Basin herd. Both of these areas are in my State.

The Park Service is continuing the slaughter this winter, and I understand that as of noon, January 21, 1963, 240 of these magnificent animals had been butchered.

I am introducing a bill, a copy of which is enclosed, for the purpose of ending the needless slaughter of wild animals and, in particular, the majestic elk.

Mr. Secretary, the slaughter of the animals in Yellowstone Park is a disgraceful chapter in the history of the National Park Service. It has been done in a ruthless and arrogant manner without resort to the thinking of the game and fish commissions of either Wyoming or Montana. It has been pursued in a dictatorial manner, careless of the interests of the people in this region. If allowed to continue, we will live to see the extermination of the wapiti as well as other wild animals.

I call this shameful condition to your attention again, and ask that you give strict orders to Mr. Garrison and others in charge to immediately stop the practice of killing off the northern herd.

I am sending a copy of this letter to Mr. Conrad L. Wirth, Director, National Park Service, for his immediate attention.

Sincerely yours,

MILWARD L. SIMPSON.

## AMENDMENT OF SOCIAL SECURITY ACT RETIREMENT TEST

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to amend the Social Security Act retirement test. The retirement test—also called the earned income limitation—is the provision of the law that states that a recipient's social security payments must be reduced, or stopped completely, if he earns a certain amount of money during a year.

A retirement test of one form or another has been written into the Social Security Act since it was first enacted in 1935. In its present terms the law states that any recipient who earns more than $1,200 a year will lose $1 of benefits for every $2 of earnings in excess of $1,200 up to $1,700 and $1 of benefits for every $1 of earnings over $1,700 a year. Two major exceptions to this requirement are that it does not apply to individuals age 72 or over and that no reduction in benefits will be made for any month in which the recipient earns less than $100 in wages or fails to render substantial services in connection with self-employment activities.

In my opinion, the enactment of the retirement test was one of the most unfortunate and regrettable actions taken by Congress in connection with the social security program. I am sure that there are multitudes among the millions of individuals receiving social security benefits, and a good many among those charged with administering the law, who share my view.

The retired worker views the retirement test as an incomprehensible technicality that interferes with his desire to work, and his efforts to be as independent as possible. Untold numbers on the social security rolls are prevented from accepting employment because of the retirement test and many more are forced to curtail their employment activities to keep their earnings within the $1,200 limit.

The retired worker becomes more irritated and confused when he is told that the retirement test applies only to earned income, not to investment income. He asks himself, "Why penalize me because I need to work to maintain my home, while my more fortunate neighbor is allowed to receive a tidy income from his stock holdings without losing any of his social security benefits?"

This is a hard question to answer, and it is only one of the difficult questions the people in the social security district office must answer when they try to explain the retirement test to someone who feels that he has been treated unfairly because of it.

Several years ago the House Ways and Means Committee asked the Department of Health, Education, and Welfare to study the retirement test. In response to this request the Department submitted a report to the committee in 1960. In this report the Department made the following candid statement which reflects the inexorable conflict of desires inherent in the retirement test:

> The fact must be faced that the retirement test is the center of an insoluble dilemma. There is, on the one hand, the need to conserve the funds of the program by not paying benefits to people who have substantial work income, and on the other hand, the need to avoid interfering with incentives to work. Both of these objectives cannot be fully accomplished. The best that can be done is to accommodate the two, so that while the funds of the system are in a large part directed to the most socially useful purposes, at the same time interference with incentives to work is kept at a reasonably low level.

Mr. President, I do not believe that the present law maintains a proper accommodation between the needs stated in the Department's report. I think that it does interfere unreasonably and unwisely with an individual's inclination and incentive to work. What is more, I think that the present retirement test hits hardest upon those individuals who have the greatest desire and the greatest need to work in order to supplement their retirement income.

Under the Social Security Act, the maximum benefit a retired worker can receive is $127 a month. This adds up to $2,974 a year. Even this maximum amount is hardly enough to sustain an individual for a year. Very few individuals, however, are drawing this maximum amount. The average old-age benefit now being paid to the retired worker under social security is little over $76 a month. In July of 1962 it was $76.09. This average payment, which totals to only $917.08 a year, is most certainly not enough for a retired worker to live on. If the retired worker has a wife who qualifies for a wife's benefit, she receives one-half the amount that the retired worker is entitled to.

It is evident from these figures that most people retired on social security must have supplementary income in order to maintain themselves at decent living standards. If they do not have substantial annuity income of one sort or another or if they were not able to build up sizable amounts in savings or investments, they must seek out employment—or ask for public assistance—to pay their bills.

The people who are most adversely affected by the retirement test are those who are entitled to lower social security benefits. Not only are they, as a general rule, most in need of added income, but they see their earnings eating into and eliminating their social security benefits sooner. Those who receive lower benefits cannot earn as much as those receiving higher benefits before their benefits are cut off completely. A few examples will illustrate this point. Everyone whose earnings are subject to the test loses $1 in benefits for every $2 of earnings between $1,200 and $1,700 and $1 in benefits for every dollar of earnings over $1,700. The more he earns, the less he receives in benefits until his benefits are wiped out completely. The point at which his earnings wipe out his benefits is called the overall earnings limit, and it varies with the amount of the benefit. The overall earnings limit for a person receiving the minimum benefit for $40 a month is $1,930 a year. If a person receiving a minimum benefit earns this much a year he receives no social security payment. The overall earnings limit for a retired worker receiving close to the average benefit—say it is $76 a month—is $2,360. A person receiving the maximum primary benefit of $127, however may earn $2,974 a year before he reaches his overall earnings limit and a retired worker whose family is receiving the maximum family benefit of $254 a month does not reach his overall earnings limit until he earns $4,498.

The bill I am introducing is designed to bring about a more balanced accommodation between the conflicting needs of the retirement test. It would simply raise the basic exempt amount from $1,200 to $2,400 a year and provide for dollar-for-dollar reduction in benefits for earnings over $2,400. The amount of $1,200 has remained unchanged in the law since it was put in in 1954. Living costs and wage rates have increased so much since that time that $1,200 is no longer an adequate or realistic figure. I feel that it must be raised in order to lessen the discriminatory effect of the retirement test on those who are ready, willing, and able—and in many cases forced—to work.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 466) to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Finance.

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## BAY OF PIGS RESOLUTION

Mr. GOLDWATER. Mr. President, I submit a resolution, ask that it be referred to the Committee on Armed Services, and ask unanimous consent that it may be printed in the body of the RECORD.

I also ask unanimous consent that two newspaper articles pertinent thereto may be printed in the RECORD.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution and articles will be printed in the RECORD.

The resolution (S. Res. 54) was referred to the Committee on Armed Services, as follows:

> Whereas the Bay of Pigs invasion of Cuba in April of 1961 failed for the lack of adequate American assistance, including an air cover for the landing forces; and
>
> Whereas the American public was led to understand for twenty-one months that an air cover had definitely been promised to the invading force and withheld at the last minute on orders from the President of the United States; and
>
> Whereas the Attorney General of the United States has now stated that no such air support was ever contemplated in the invasion plan; and
>
> Whereas the Attorney General of the United States has further stated that the invasion plan had the approval of the Joint Chiefs of Staff and the Central Intelligence Agency; and
>
> Whereas an invasion plan which did not include air cover was foredoomed to failure in the minds of veteran military experts; and
>
> Whereas the Attorney General's statements have consequently called into question the wisdom and efficiency of the Joint Chiefs of Staff and the Central Intelligence Agency; and
>
> Whereas the Attorney General's account of what happened at the Bay of Pigs has left the American public in a state of confusion as to the true facts; and
>
> Whereas the continued presence of Communist military forces and equipment in Cuba makes that island a persistent threat to the United States and the Western Hemisphere; and
>
> Whereas a full disclosure of the invasion plans for the Bay of Pigs can no longer be

considered a breach of military security: Now, therefore, be it

*Resolved*, That the Committee on Armed Services or any duly authorized subcommittee thereof is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate to conduct a full and complete study to determine the true facts surrounding the Bay of Pigs invasion with particular reference to the kind of American assistance promised to the invading force.

SEC. 2. The committee shall report its findings upon the study and investigation authorized by this resolution to the Senate at the earliest practicable date, but no later than March 31, 1963.

SEC. 3. Expenses of the committee under this resolution, which will not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The articles presented by Mr. GOLDWATER are as follows:

### THE MISSING AIR COVER

For some time, Kennedy administration spokesmen have been denying privately that the President called off planned U.S. air cover for the 1961 Bay of Pigs invasion. Attorney General Kennedy, in two interviews, now has put this denial on the record.

The Attorney General gave his version of the affair in separate interviews to U.S. News & World Report and to the Knight newspapers. The interviews do not jibe in every detail, but they are in substantial agreement.

It is an incredible story. According to Mr. Kennedy, there was never anything in the invasion plan which called for U.S. air cover of the landing area. This was never suggested by the military and, in fact, was never even considered. Yet, he says, the wholly inadequate plan was approved by the Joint Chiefs of Staff and also by the CIA, which had primary planning responsibility; and, of course, it received final approval from the President.

On the Saturday before the invasion a flight of obsolete B-26 bombers, World War II vintage, took off from a Latin American base and made a strike against Castro's landing fields and planes. Another strike was supposed to have been made early the following Monday, timed to coincide with the landing of the refugee troops. But the first strike had caused a flurry at the United Nations; the President decided the second should be postponed unless those who had responsibility for the plan had strong objections, and the second strike did not come until later in the day.

At that time, according to the Attorney General, it did not accomplish much.

This is hardly surprising. For Castro's planes, their pilots alerted by the landing, were in the air, and three or four T-33 jets, inherited from the Batista regime and armed with rockets, were blasting the landing beach, sinking supply ships, and chasing the propeller-driven B-26's out of the sky.

It was on this wretched basis, according to the Attorney General, that the invasion effort foundered and failed, and Castro became an enduring menace in the Western Hemisphere. Still, things might have been worse. What if such botched planning had formed the basis for a major U.S. military operation? We would be lucky if anyone had gotten out alive.

### U.S. AND THE BAY OF PIGS FIASCO—QUESTION OF MILITARY COMPETENCE OR CIVILIAN INTERFERENCE IS RAISED

(By David Lawrence)

The American people are entitled to know whether the chiefs of their armed services are incompetent or whether, in strictly military operations, they are being interfered with by civilians in the Government.

A congressional investigation of just what happened before the Bay of Pigs invasion of Cuba took place in April 1961, is more than ever necessary now, because of what is being disclosed as the true story of the fiasco. For unless the responsibility of the U.S. Chiefs of Staff during military operations is clearly fixed, the capacity of the United States to prevent or resist armed attacks in this hemisphere may be open to question.

More than 300,000 men of our armed services were mobilized last October inside the United States for a possible invasion of Cuba in order to get rid of the Soviet missile bases there. But there is no way to judge whether the military chiefs even then had the full authority to act and just what restrictions were placed upon them which could have affected the success of that expedition.

Attorney General Robert F. Kennedy, who—because he is a brother of the President—is regarded as the administration's authoritative spokesman in many matters outside his own department, has just given two interviews on the Cuban fiasco—one to the Knight newspapers and the other to U.S. News & World Report.

The two interviews dovetail, though they do not cover all of the same points. The Attorney General told David Kraslow, Washington correspondent of the Knight newspapers, that there had been no invasion plan completed during Mr. Eisenhower's term. He said: "There was just a general concept. The logistics and the details were worked out after the President [Kennedy] took office."

Added interest has developed now in this whole subject, because many of the Cuban officers of the invasion force, who were recently ransomed have been telling Americans that the United States had assured them of air cover. Attorney General Kennedy makes quite a point of the fact that no U.S. air cover was ever promised. Technically, this is correct. But the United States was fully cognizant of the air support the Cubans were supposed to have. Yet this was inadequate. Attorney General Kennedy said in his interview in U.S. News & World Report:

"The first point is that there was not U.S. air cover and none was withdrawn. In fact, the President didn't withdraw any air cover for the landing forces—United States or otherwise.

"What happened was this: One air attack had been made on Saturday on Cuban airports. There was a flurry at the United Nations and elsewhere and, as a result, U.S. participation in the matter was coming to the surface. This surfacing was contrary to the preinvasion plan. There was supposed to be another attack on the airports on Monday morning.

"The President was called about whether another attack which had been planned should take place. As there was this stir about the matter, he gave instructions that it should not take place at that time unless those having the responsibility felt that it was so important it had to take place, in which case they should call him and discuss it further. And that's what was postponed. It wasn't air cover of the beaches or landings. And, in fact, the attack on the airports took place later that day."

The air cover provided was from a base in Central America. What part the U.S. Government played in organizing it is not disclosed. In the middle of a military operation, however, you can't make a long-distance call to the White House and discuss the next move. The anti-Castro forces were sure air cover was coming from somewhere.

The Attorney General was asked who did the planning. He declared that the plan that finally went into effect was approved by our military—the Pentagon, the Joint Chiefs of Staff, as well as the Central Intelligence Agency. He added that, while the Joint Chiefs approved the plan, the responsibility for the planning lay primarily with the CIA, and that, since the President had to give final approval to the plan, he had accepted the blame.

In both interviews the Attorney General said that U.S. airpower was to have been used only if the ships transporting the Cuban invasion force had been detected by Castro before they reached the target area and were attacked on the high seas on their way back to Central America. This is the explanation given for the presence of U.S. warships, including an aircraft carrier, in the vicinity of the Bay of Pigs on the day of the invasion. Yet it is asserted that before the invasion the President had made it clear that U.S. Armed Forces, including airpower, would not be used.

In the interview in the Knight newspapers, the Attorney General said, "The plan that was used was fully cleared by the CIA and the Joint Chiefs of Staff."

But what does "cleared" mean? Do the Joint Chiefs take responsibility for any such plan as was employed?

Listing the major mistakes, Mr. Kennedy added: "There was not sufficient air cover at the beach. That was a mistake. There were not enough men and equipment. That was a mistake. Underestimating the T-33's (Castro's airplanes)—that was a serious mistake. The planning was inadequate, just inadequate."

But who did all this planning, and why wasn't someone in the U.S. Air Force able to say in advance whether the T-33's had the capacity to carry rockets? These were the U.S. planes originally given to the Batista regime in Cuba.

The important details have never been divulged, as there has been a constant coverup. But if Congress now fails to make a searching inquiry, with testimony available to the public, another military fiasco could occur, especially if the same military planners are still in command at the Pentagon or elsewhere.

**Mr. GOLDWATER.** Mr. President, I have today submitted a resolution calling for a full and impartial investigation by the Senate Armed Services Committee into the circumstances surrounding the so-called Bay of Pigs attempt to invade Cuba in April of 1961. It is my firm conviction that only through such an inquiry can the American people be fully informed about the events attendant to one of the most inglorious adventures in which this Nation ever has become involved. It is my belief that such an airing of facts attendant to the Bay of Pigs invasion attempt has been made mandatory by recent statements by the Attorney General of the United States purporting to tell what was promised to the invading force by the U.S. Government and what happened when the invasion failed.

Because the fate of Cuba is a matter of extreme importance to the American people and because the full story of the Bay of Pigs fiasco has never been told, the time is long past for an adequate, uncolored accounting of this disgraceful chapter in the history of the Kennedy administration.

Mr. President, I suggest that it is an insult to the intelligence of every concerned American for the Attorney General of the United States—the President's brother—to give an informal, disjointed account of this important matter in a couple of exclusive interviews which did not even cover the entire American press. And I suggest the form that these

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revelations took—in carefully arranged interviews—indicates that they were mapped with only one object in mind: to whitewash the Kennedy administration. Consider, Mr. President, that for 21 months the people of the United States have been led to believe that the United States had promised the Cuban invading force air cover and naval support.

And there was no denial from the White House, nor from the Attorney General, when stories were printed throughout the American press that the air cover was withheld on orders of the President. It is true, President Kennedy manfully accepted all the blame for the Bay of Pigs fiasco. But it is also true that he never gave the American people a true account of what had been planned and what actually occurred. Now, after all this time, we get from the Attorney General an account which defies belief and runs counter to everything the American people had been led to believe and contradicts the understanding of almost every man engaged in the abortive invasion attempt.

The Attorney General tells us that the invasion plan—without provision for an air cover—had the approval of the Joint Chiefs of Staff and the Central Intelligence Agency as well as that of the President.

Does he ask us to believe that seasoned military men—such as the members of the Joint Chiefs—ever seriously considered that an invasion force of 1,500 men could succeed in establishing a beachhead in Cuba and moving on to join with guerrilla forces to liberate the island from the grip of a fully armed Communist dictator? I suggest that this assumption defies belief. Any military man with 10 minutes of experience knows that not only an air cover but also naval support is not only advisable but also absolutely essential to any kind of a landing operation on an island as small as Cuba.

In effect, what the Attorney General has done in his interesting and highly questionable account of the Bay of Pigs is cast grave doubts on the ability of the American military establishments. If we take as fact his statement that no air cover was planned and then add to that the number of mistakes he listed as reasons for the invasion's failure, then we must assume that the military men who approved the plans were entirely lacking in experience as well as judgment.

The Attorney General says it was a mistake to invade with only 1,500 men. This fact should have been apparent before the invasion began. No military commander I have ever met would ever think of launching an invasion against an entrenched Communist regime with only 1,500 men—no matter how well armed and supported they were.

And this brings me to one of the most important reasons why I believe a thoroughgoing investigation is needed right away. That reason is that the Congress of the United States and the American people must find out once and for all just how much influence inexperienced civilian officials are wielding in military matters which affect the security of the United States and the cause of freedom throughout the world. I say very frankly that the plan for the invasion of Cuba—as described by the Attorney General—looks exclusively like the work of some civilian strategists who have never faced up to the realities of a rigid military situation. It certainly looks like the last type of a military operation that ever would gain the approval of men who drew their experience from World War II or the Korean war.

In other words, Mr. President, if we accept the Attorney General's account, we must decide that the American end of the Bay of Pigs invasion was in the hands of the rankest kind of military amateurs. And I do not have to remind Senators that in these days of cold war crisis we cannot afford to have military amateurs making our plans.

Why is it, for example, that in 1961 the administration thought we could invade Cuba with 1,500 men without air cover or naval support, but in 1962, when it was thought we might have to invade Cuba to remove Russian missiles, a force of more than 300,000 men and every kind of air support possible was mustered along our southern coast? It is true that in the interim Castro had obtained heavy supplies and manpower from the Soviet bloc. But he did not receive enough to make this kind of a difference on our plans for invasion.

Mr. President, there are more reasons why an investigation of the Bay of Pigs invasion is needed than I can possibly get into here today. But I believe it is sufficient to say that the American people are entitled to the fullest disclosure of the facts that it is possible for this Congress to give them. I am convinced that the people are not going to be satisfied with piecemeal and informal accounts given by members of the administration to favored correspondents or selected publications. I believe that the Committee on Armed Services should be authorized to immediately begin work on such an investigation. I would suggest that they call in Gen. Lyman Lemnitzer, who was chairman of the Joint Chiefs of Staff at the time of the invasion, and Allen Dulles, former head of the Central Intelligence Agency, as well as everyone in the Pentagon or the CIA or the State Department, or any other Government department who had anything to do with the mapping and carrying out of the Bay of Pigs plans.

Mr. MORSE. Mr. President, as chairman of the Subcommittee on American Republic Affairs of the Foreign Relations Committee, I should like to make a recommendation to my colleagues in the Senate before more partisan speeches are made involving the foreign policy interests of this Republic.

If Members of the Senate will go to the Foreign Relations Committee room and ask for the privilege, it will be granted to them to read the secret transscript of the record taken in executive session of the Foreign Relations Committee investigation of the ill-fated Bay of Pigs expedition. That inquiry ran from April 28, 1961, to June 27, 1961. Senators may read the testimony of the chairman of the Joint Chiefs of Staff, General Lemnitzer. They may read the testimony of Allen Dulles and Richard Bissell of the CIA. They may read the testimony of the Secretary of State and of other top officials who had the responsibility at the time for American foreign policy in respect to that ill-fated operation.

I ask unanimous consent that the full list of hearings and witnesses be printed at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Subcommittee on American Republic Affairs, April 28, 1961—Senators present: Morse, Sparkman, Church, Hickenlooper, Aiken, Fulbright, Mansfield, Lausche, Wiley, and Carlson.

Subcommittee on American Republic Affairs, May 1, 1961, Dean Rusk—Senators present: Morse, Sparkman, Church, Hickenlooper, Aiken, Fulbright, Humphrey, Mansfield, Gore, Lausche, Symington, Wiley, Carlson, and Williams.

Full committee, May 2, 1961, Allen W. Dulles, Director, CIA, accompanied by Richard M. Bissell, Jr.—Senators present: Fulbright, Sparkman, Mansfield, Morse, Long, Gore, Church, Symington, Hickenlooper, Aiken, Capehart, Carlson, and Williams.

Subcommittee on American Republic Affairs, May 15, 1961, Adolph A. Berle, consultant to the Secretary of State, accompanied by Robert Sayre, staff assistant, and Warren Cikins, office of congressional relations—Senators present: Morse, Sparkman, Mansfield, Hickenlooper, Aiken, Capehart, and Carlson.

Full committee, May 17, 1961, Chester Bowles—Senators present: Fulbright, Gore, Symington, Dodd, Wiley, Aiken, and Williams.

Subcommittee on American Republic Affairs, May 19, 1961, Gen. Lyman Lemnitzer, Chairman, Joint Chiefs of Staff, accompanied by Maj. Gen. David Gray—Senators present: Morse, Sparkman, Long, Church, Hickenlooper, Capehart, Fulbright, Gore, Lausche, Symington, Wiley, and Williams.

Subcommittee on American Republic Affairs, June 7, 1961, Henri Raymont, diplomatic correspondent for Latin America, UPI—Senators present: Gore, Lausche, Symington, Clark, and Moss.

Subcommittee on American Republic Affairs, June 8, 1961, Paul H. Nitze, Assistant Secretary of State accompanied by Brig. Gen. W. A. Enemark, Department of Defense—Senators present: Morse, Fulbright, Hickenlooper, Aiken, Symington, Dodd, Smathers, Proxmire, Smith of Massachusetts, Stennis, and Morton.

Subcommittee on American Republic Affairs, June 22, 1961, Tad Szulc and Max Frankel, correspondents of the New York Times—Senators present: Morse, Hickenlooper, Capehart, and Carlson.

Full committee, June 27, 1961, Adlai Stevenson, accompanied by Lincoln Gordon, member of Task Force on Latin America, and Wymberly deR. Coerr, Acting Assistant Secretary of State for Inter-American Affairs.

Mr. MORSE. Mr. President, after they have read the testimony, they can decide whether or not they want to make some partisan speeches involving the security of this country regarding foreign policy.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GOLDWATER. I have read the testimony the Senator refers to. It is the most inconclusive testimony I have ever had the pleasure to read. The question I raise here on the floor today is not answered in that testimony. I do not bring it up here in a partisan way; I bring it up because the Attorney General has injected this question into the minds of the American people.

**Mr. MORSE.** I would like to have the jury of the Senate read the testimony and decide whether or not the conclusion of the Senator from Arizona is right when he says he thinks it is inconclusive testimony. In my judgment, it is clear and unequivocal and answers the problem the Senator from Arizona is raising. We did feel that some unresolved questions needed further elaboration from the Central Intelligence Agency. So I wrote to CIA Director John McCone, outlining the matters we felt were still unclear, and asking whether he wished to add further comment or information on those points.

Mr. McCone declined to do so. I suppose it is possible that as a Republican Mr. McCone would be more responsive to a Republican inquiry, but I surely doubt that such would be the case.

## ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 16, 1963:

S. 283. A bill to amend the Small Reclamation Projects Act of 1956: Mr. Morse.

Authority of January 21, 1963:

S. 387. A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes: Mr. Douglas.

## TRIBUTE TO SENATOR AIKEN

**Mr. MANSFIELD.** Mr. President, there is no Member of the Senate for whom the Senate has more affection, respect, and admiration than it has for the distinguished senior Senator from Vermont [Mr. Aiken]. He is a good man; he is an outstanding Senator; he is a great American. He typifies Vermont and New England at their best; and his contributions to the welfare of his State, his region, and our Nation will be monuments to his patriotism and service for generations to come.

Vermont has every reason to be proud of its native son and senior Senator; and we salute him for his granite character, his understanding, his simplicity, and his tolerance.

Mr. President, I ask unanimous consent that an editorial entitled "Tribute to Aiken," published on January 15 in the Rutland Daily Herald, of Rutland, Vt., be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Tribute to Aiken

When the U.S. Senate organized last week, the spotlight was on Senator Kennedy, of Massachusetts, but a special degree of attention was paid to Vermont's Senator Aiken, dean of Republicans in the Senate, who was nominated for President pro tempore by Senator Dirksen.

It is customary in the Senate for the two parties to nominate their senior members for the position of President pro tempore, which is largely an honorary position although it is third in the line of succession to the Presidency of the United States after the position of House Speaker. As a member of the minority, Senator Aiken could not, of course, have been elected, but it provided the occasion for Members of the Senate to demonstrate the esteem and affection which they have for Vermont's senior Senator.

Reports from Washington indicate that the demonstration was something out of the ordinary and considerably more than routine evidence of senatorial courtesy toward a respected Member. The majority leader, Senator Mansfield, expressed regret that he was not in a position to vote for the Vermonter.

This was not the first time that Senator Aiken has been honored by the Senate. His high standing has been recognized before. It could also so be that Senators are well aware of the respect with which Aiken was treated in the last election campaign by Vermont Democrats. And that they are aware that a Democratic preelection poll disclosed that he has a greater proportion of support in Vermont than any other Senator in his home State.

## ACCEPTANCE BY NEW YORK AND NEW ORLEANS STEAMSHIP ASSOCIATIONS OF STRIKE SETTLEMENT PROPOSED BY MEDIATION BOARD

**Mr. MORSE.** Mr. President, I take pleasure in announcing to the Senate, in behalf of the President's Special Mediation Board which is handling the dock strike along the east coast, in the southern ports, and along the gulf coast, that the New Orleans Steamship Association has notified the Board that it has voted to accept the proposal of the Mediation Board for settlement of the strike.

Mr. President, I submit, for printing in the Record—and ask unanimous consent for that purpose—a press release issued by me, announcing this acceptance by the New Orleans Steamship Association of the strike settlement proposed by the Mediation Board. I wish to congratulate the New Orleans Steamship Association on placing the national interest before any selfish interest.

I also submit, and request that there be printed in the Record, the full text of the telegram from Mr. R. R. Barkerding, president of the New Orleans Steamship Association, announcing its acceptance of the settlement; and I also submit for printing in the Record the Board's reply to that telegram.

I also ask unanimous consent to have printed in the Record a telegram I have received from the New York Shipping Association, announcing its acceptance, and also the reply of the Mediation Board.

There being no objection, the release and the telegrams were ordered to be printed in the Record, as follows:

### Press Release From the Office of Senator Wayne Morse, Democrat, of Oregon

Senator Wayne Morse today issued the following statement:

"I am pleased to announce, in behalf of the President's Special Mediation Board handling the dock strike along the east coast and southern ports and gulf, that New Orleans Steamship Association has notified the Board that it has voted to accept the proposal of the Mediation Board for settlement of the strike. A telegram from Mr. R. R. Barkerding, president of the New Orleans Steamship Association states: 'In principle we accept the money package indicated in the memorandum of settlement proposed at New York by your Board on January 21, 1963. We also accept that the agreements previously in effect at New Orleans and which expired on September 30, 1962, shall be extended for a term of 2 years; namely, until September 30, 1964. We additionally agree to the proposed study by the Department of Labor, of manpower utilization-job security problems, as outlined, but separate and concurrent for port of New Orleans. We will make the above an official offer, including the extension of the conditions of the expired contract, subject to an immediate acceptance by the ILA local unions in the port of New Orleans and a return to work forthwith, at a meeting with the local unions scheduled for tomorrow, Wednesday, January 23.'

"In view of the fact that the Board did not have jurisdiction over the southern and gulf ports in the mediation hearings that were held in New York, it is greatly gratified that the New Orleans shipowners have agreed to cooperate with the Board in the settlement of the dispute.

"In the past years the practice has been for the shipowners and local unions in the southern and gulf ports to adjust their contracts to the terms of the settlement reached in the North Atlantic ports. The President has asked for the Mediation Board to continue its efforts to obtain an early resumption of operations in the southern and gulf ports because the movement of the shipments in eastern ports is dependent upon the resumption of work in the southern and gulf ports.

"In behalf of my Board, I wish to express our deep appreciation to the ship operators in New Orleans for their cooperation with the Board and I congratulate them on their willingness to place the national interest above all else in their decision to adjust their contract to meet the terms of the Board's recommendations to the parties that were involved in the strike along the east coast."

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New York, N.Y.,
*January 22, 1963.*

Re longshore dispute.
Hon. Wayne Morse,
*Chairman, Special Presidential Board, U.S. Senate Office Building, Washington, D.C.:*

Following statement issued today:

"Once again, in the national interest and in cooperation with the President, the New York Shipping Association has voted to accept the recommendations of the President's Special Board to end the strike which was called by the International Longshoremen's Association in defiance of President Kennedy's earlier appeal to continue negotiations.

"This has been an unnecessary and costly strike for the Nation, for the individual longshoreman, and for our depressed industry which must now assume additional heavy operating costs of more than $28 million during the 2-year period in the port of New York alone, while waiting for implementation of the results of a study to be conducted by Secretary of Labor Wirtz on the manpower utilization question.

"It is significant to note that the New York Shipping Association has acceded to all Government proposals, which were made on three separate occasions during this breakdown in collective bargaining, by Secretary of Labor Wirtz, the President, himself, and now the President's Board, headed by Senator Wayne Morse, in an effort to end this strike which has cost our industry and business more than $700 million.

"This alone should prove that something must be done to protect the Nation and the public from union power plays which present the only alternative of economic suicide by giving in to impossible union demands or taking an equally ruinous strike.

"With respect to the master contract provisions applying to the North Atlantic ports, our acceptance is made within the legal bargaining limitations of the New York Shipping Association that local conditions must be satisfactorily negotiated in all other North Atlantic ports prior to conclusion of the master contract."

ALEXANDER P. CHOPIN,
*Chairman, New York Shipping Association, Inc.*

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WASHINGTON, D.C.,
*January 23, 1963.*

Mr. ALEXANDER P. CHOPIN,
*Chairman, New York Shipping Association, Inc., New York, N.Y.:*

Deeply appreciate receiving your telegram which I have transmitted to the White House, the Labor Department, Mr. Theodore Kheel and Prof. James Healey. Please express to your members the sincere thanks of all of us on the Mediation Board for the patriotic cooperation which you have extended to the Government in an hour of great need.

Regards.

WAYNE MORSE.

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NEW ORLEANS, LA.,
*January, 22, 1963.*

Senator WAYNE MORSE,
*Chairman, President's Special Board,*
*Senate Office Building, Washington, D.C.:*

With reference to proposal made January 20 by President's Special Board to New York Shipping Association/ILA-New York and accompanying request that South Atlantic and gulf ports now work toward bringing immediate settlement of current strike difficulties, we respectfully submit that for this and other associations in the gulf to accept money package proposed at New York constitutes an extremely serious increased cost of operation which maritime employers should not be asked or expected to accept under today's precarious economic conditions affecting steamship industry.

The foregoing is based on our already unprofitable or, at best, dangerously thin and steadily disappearing margin between cost, income and profit.

The facts are that if shipping and international trade connected with the United States are going to compete and survive in world markets with severe competition from other countries, unlike situation in other industries, such increases can hardly be added to our already drastically depressed ocean freight rates with which the shipping industry has been confronted for the past 5 years and which freight market shows no signs of improvement in the foreseeable future, due to insufficient cargo in relation to the overabundance of vessel tonnage available for transport. Additionally, the level of higher revenue producing traffic is considerably lower here in the gulf than on the competing North Atlantic seaboard. And voyage durations to the principal world markets are considerably longer from the gulf.

Now, however, despite these substantial reasons and the already grave economic climate prevailing in shipping, further accentuated by the present month-long, senseless and unnecessary strike, the New Orleans Steamship Association now stands ready once again to heed President Kennedy's urgent request to serve the public interest and well-being, so as to avoid further irreparable damages, just as our industry did on December 23 when we agreed to the President's request to extend the contract for 90 days, which was ignored by the unions, which then called this unfortunate strike.

Accordingly, we hereby propose to sacrifice our sound and justified position and, as requested by the President, look beyond this dispute, in a move which we trust will be a major contribution toward a speedy return to work on the waterfront.

Therefore, for your notification, in principle we accept the money package indicated in the memorandum of settlement proposed at New York by your board on January 20, 1963.

We also accept that the agreements previously in effect at New Orleans and which expired on September 30, 1962, shall be extended for a term of 2 years, namely, until September 30, 1964. We additionally agree to the proposed study by the Department of Labor, of manpower utilization-job security problems, as outlined, but separate and concurrent for port of New Orleans.

We will make the above an official offer, including the extension of the conditions of the expired contract, subject to an immediate acceptance by the ILA local unions in the port of New Orleans and a return to work forthwith, at a meeting with the local unions scheduled for tomorrow, Wednesday, January 23, 1963.

May we express the fervent hope that when this latest unwarranted strike disaster is behind us remedial Federal legislation will be enacted by Congress to prevent such useless and monopolistic nationwide maritime strikes against employers and the general public. Meanwhile, we endorse the statement made by your Board, "We wish, however, to emphasize our strong belief that the capacity of this industry to support wages and benefits to which the employees are entitled cannot continue without serious impairment in the absence of marked improvements in manpower utilization. It is for that reason that the Board calls to the attention of the parties the importance of implementing at the earliest possible date the findings growing out of the manpower study."

We would appreciate your acknowledgment of this telegram and your serious effort toward congressional action at this session to provide the controls necessary to insure true collective bargaining, which repeated instances at the port of New Orleans have clearly demonstrated is not possible under present laws, until needed regulatory measures are adopted.

NEW ORLEANS STEAMSHIP ASSOCIATION,
By R. R. BARKERDING,
*President.*

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WASHINGTON, D.C., *January 22, 1963.*

Mr. R. R. BARKERDING,
*President, New Orleans Steamship Association, New Orleans, La.:*

Deeply appreciate receiving your telegram which I have transmitted to the White House and the Department of Labor, and to Mr. Kheel and Professor Healey, the other members of the President's Special Board of Mediation. Please express to your members the sincere thanks of all of us on the Mediation Board for the patriotic cooperation which you have extended to the Government in an hour of great need.

Regards.

WAYNE MORSE.

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## TRIBUTES AND BIRTHDAY CONGRATULATIONS TO SENATOR CARLSON

Mr. PEARSON. Mr. President, today is the birthday of my colleague, the distinguished senior Senator from Kansas [Mr. CARLSON]. At home on many occasions I have said to the people of Kansas something they already know, that no Senator on either side of the aisle is more admired or respected than Senator FRANK CARLSON. I will also say to Senators, in like manner, something they already know, that there is no public servant or man in Kansas more respected and loved by the people of Kansas than FRANK CARLSON.

So, Mr. President, today, on his birthday, I wish him a happy day; and I say to him that I hope he will have many, many more in the years ahead.

Mr. KEATING. Mr. President, will the Senator from Kansas yield to me?

Mr. PEARSON. I yield.

Mr. KEATING. I should like to add a word to the remarks made by the distinguished Senator from Kansas.

Mr. President, it has been my pleasure to find from personal knowledge the validity of what our friend, the junior Senator from Kansas [Mr. PEARSON] has said. In speaking in Kansas at a large statewide dinner, I met so many friends of Senator FRANK CARLSON who, it may truly be said, worship him. He is as deeply respected by those who know him best as any Member of the U.S. Senate whom I have ever had the privilege of meeting.

I hope this day will be enjoyable for him, and that he will have many, many other happy returns of this day, and—if I may add, in a nonpartisan vein—that he will be serving in the U.S. Senate for many years to come.

Mr. JAVITS. Mr. President, I wish to add my congratulations and best wishes for a happy birthday to Senator FRANK CARLSON, and to tell him directly and personally how much we love and admire him, as he knows we do.

Mr. CARLSON. Mr. President, let me express my sincere thanks for these kind words of congratulations and felicitations on my birthday. Of course these words are greatly appreciated.

About all I can say is that these birthdays are getting very close together—and closer together as I grow older.

I thank my colleagues very much.

Mr. DIRKSEN. Mr. President, we salute our distinguished friend, the Senator from Kansas [Mr. CARLSON], who comes from the great Sunflower State. I think that great plant so well typifies the good nature, the brightness, and the sunshine of our distinguished friend, the senior Senator from Kansas.

I recall serving with him in the House of Representatives, and what a delightful experience that was. I was delighted to join him in this great and august deliberative body, where he has done such yeoman work upon the Finance Committee.

He does not look a day older than when I first saw him, and that was a long time ago.

It has been my pleasure to go to Kansas on occasion and to say a kind word in his behalf, although it was never necessary, for he served with such distinction as the Governor of that State, and he now serves with such distinction as one of its two great Senators.

So, Mr. President, for all the outstanding service he has rendered, and also for all the vigor and charm he possesses, notwithstanding his age—which, of course, we shall not disclose—we salute him and wish him many other happy anniversaries, not only of his birth, but also of his coming to this great deliberative body.

**Mr. CARLSON.** I thank the Senator from Illinois very much.

**Mr. JOHNSTON.** Mr. President, it would not be quite fair to have all the congratulations to the Senator from Kansas [Mr. Carlson] come from across the aisle. I have worked with Senator Carlson about as closely as any other Senator. I have found him to be one of the most pleasant men to deal with. At all times he looks after the interests not only of his State and Nation, but those of every individual. So I am glad to know that today he has passed one more milestone in his years of living. I hope that he will have many more years with us in the future.

**Mr. RUSSELL.** Mr. President, I am privileged to add a word of salutation and congratulations to my distinguished friend the senior Senator from Kansas on the anniversary of his natal day.

It has been a real privilege to know Senator Carlson and to work with him in the Senate. Anyone who has ever served with him in this body can testify that there has never been a tougher fighter for the wheat farmers of our country than Frank Carlson.

Above and beyond that, Frank Carlson is a Senate man. He understands and appreciates the position of the Senate as a stabilizer in our system of government. As a Senator, I appreciate Frank Carlson as a stabilizer of the Senate. I am privileged and proud to claim him as a friend. I join with others of his friends in wishing him many happy returns of the day, not only for himself, but for the welfare of the country he has served so well.

**Mr. ROBERTSON.** Mr. President, the junior Senator from Virginia is the only Senator now in the Chamber who had the privilege of serving on the Ways and Means Committee of the House of Representatives with the distinguished Senator from Kansas [Mr. Carlson]. Between 1937 and 1946 he and I helped to write 12 tax bills. He is still writing tax bills, although I hope he will not be in too big a hurry to write one this year.

The Senator from Kansas has been outstanding in his service in the House and in the Senate. I can say of him, as a former attorney general of Virginia, John R. Saunders, said of a very popular rabbi, Rabbi Calish:

> Over and above all else, he is a Christian gentleman.

Mr. President, it is an honor and a pleasure to be in the Senate with a man like Frank Carlson.

**Mr. KUCHEL.** Mr. President, Senators join the people of the State of Kansas in paying tribute, on the anniversary of his natal day, to the first citizen of that great State. Speaking for myself, I merely echo sentiments that I know are in the hearts of every Senator who values the friendship of the senior Senator from Kansas, and who equally values the advice, counsel, and vigorous leadership which Frank Carlson has provided to the Senate and to the country, particularly in those fields around which his work revolves, including his successful labors in the Finance Committee and in the Committee on Post Office and Civil Service.

But beyond that, because he comes from the section of the country which constitutes the breadbasket of America, it is to Frank Carlson that Senators, both Republican and Democratic, have turned again and again for advice and guidance in reaching their decisions with respect to the foreign policy of our country.

On a personal note, I am glad to recall that usually on Saturdays the senior Senator from Kansas has luncheon in the dining room. A few of us are always privileged to join him. I am most grateful to be able to stand here as a Senator and to salute a distinguished American, in great part because of the friendship that he has exhibited to all of his colleagues.

**Mr. MANSFIELD.** Mr. President, I join with the distinguished acting minority leader, the junior Senator from Kansas [Mr. Pearson] and all other Senators in extending congratulations to the distinguished senior Senator from Kansas on this his birthday. I have the privilege of serving with Senator Carlson on the Foreign Relations Committee, where he is a tower of strength. He is a kindly man. He is a gentleman in the full and true meaning of that word. Kansas is extremely fortunate, as is the Senate and the Nation, to have a man of his caliber serving in this body.

**Mr. MORSE.** Mr. President, I associate myself with the remarks of the Senator from California and the majority leader. I should, however, express my appreciation to Senator Carlson in behalf of all the wheatgrowers of the State of Oregon, because to them he is "Mr. Wheat" in the Senate. I receive my advice from the wheatgrowers as to what they would like to have me do in the Senate, and they usually conclude by saying to me, "Be sure and talk to Frank Carlson." Senator Carlson has been very helpful to us in all of our western problems. I serve with him on the Foreign Relations Committee. I consider him not only a wonderful friend but a wonderful Senator.

## INDIAN HOUSING PROGRAM

**Mr. MANSFIELD.** Mr. President, perhaps one of the greatest accomplishments in the field of housing in recent years has been in the implementation of new housing programs on our Indian reservations. One of the major problems which have confronted those interested in the development of the resources of our Indians has been the generally inadequate and substandard housing that is found in these areas.

Recently an Indian housing program was established under the Public Housing Administration. There has been considerable success in this area through the cooperation of the housing authorities in the Bureau of Indian Affairs, the Indian Health Service and a number of other interested Federal agencies.

In Montana the Indian housing program has been enthusiastically received and applications for housing programs on two of our reservations have already been approved.

Mr. President, I ask unanimous consent that the December 1962, report on the status of the Indian housing program be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

*Monthly report on status of the Indian program—Summary*

| Location | Number units: Total | Number units: General occupancy | Number units: Senior citizens |
|---|---|---|---|
| Programs under annual contributions contract: | | | |
| Pine Ridge Reservation, S. Dak.: | | | |
| SD-1-1 | 50 | 50 | -------- |
| SD-1-2 | 23 | 0 | 23 |
| Standing Rock Reservation, N. Dak.: | | | |
| McLaughlin, S. Dak | 60 | 50 | 10 |
| Fort Yates, N. Dak | 40 | 30 | 10 |
| Total | 173 | 130 | 43 |
| Applications for program reservation approved: | | | |
| Blackfeet Reservation, Mont | 50 | 50 | 0 |
| Cherokee Reservation, N. C.[1] | 50 | 38 | 12 |
| Fort Peck Reservation, Mont | 40 | 40 | 0 |
| Laguna Reservation, N. Mex | 40 | 30 | 10 |
| Applications for program reservation approved—Continued | | | |
| Pine Ridge, S. Dak.[2] | 77 | 77 | 0 |
| Rosebud Reservation, S. Dak.[3] | 150 | 130 | 20 |
| Standing Rock Reservation, N. Dak.[4] | 50 | 50 | 0 |
| Total | 457 | 415 | 42 |
| Applications for program reservation being processed in central office: | | | |
| Mescalero Apache Reservation, N. Mex | 56 | 50 | 6 |
| Allegany and Cattaraugus Reservations, N.Y | 60 | 48 | 12 |
| Total | 116 | 98 | 18 |
| Total units | 746 | 643 | 103 |

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[1] 41 units being developed at this time, including 5 on scattered sites.

[2] A total of 150 units was requested and approved; only 73 units are being developed at this time.

[3] Immediate development to be limited to 30 units, 6 for senior citizens and 24 for general occupancy at Rosebud; 10 units (4 for senior citizens) in the St. Francis area; 20 units (2 for senior citizens) in the Mission area; and 10 units (4 for senior citizens) in White River. The remaining 80 units are to be held in abeyance pending experience with the initial program.

[4] Only 100 units are being developed at this time; 150 units were approved.

*Monthly report on status of the Indian program*

| Reservation | Location | Status |
|---|---|---|
| Alaska: | | |
| Annette Islands Reserve (Metlakatla Indians) | Metlakatla Community, Alaska. | Eligibility determination has been made. Representative of San Francisco regional office visited in October. Market study has been completed. Conventional low-rent program not presently feasible. Possibilities of self-help program being studied. |
| Indians (various) | Eek, Barrow, and Nome, Alaska. | Meetings have been held with Senator Bartlett of Alaska and Mr. Gebhart, executive director of the Alaska Housing Authority. Further study is being given to program possibilities. Any program undertaken will be under the direction of the Alaska Housing Authority. |
| Arizona: | | |
| Fort Apache Reservation (Apache Indians) | Whiteriver, Ariz | Ordinance adopted by tribe and reviewed by PHA. Amendment required because of omissions. Representative of SFRO to visit reservation in January 1963. |
| Gila River Reservation (Pima and Maricopa Indians). | Sacaton, Ariz | Preliminary inquiries received. No further developments. |
| Navago Reservation (Navajo Indians) | Window Rock, Ariz | Preliminary eligibility determination made by PHA. Members of tribe attended meeting with representatives of BIA, Fort Worth regional office of PHA and HHFA in Albuquerque on Aug. 7. No further developments. |
| Papago Reservation (Papago Indians) | Sells, Ariz | Tribe indicated interest in forming a housing authority but no further steps have been taken. |
| Salt River Reservation (Pima Indians) | Near Phoenix, Ariz | Economic studies completed. Preliminary eligibility determination made. Representative of SFRO scheduled to visit reservation in January 1963. |
| San Carlos Reservation (Apache Indians) | San Carlos, Ariz | Surveys have revealed that it will be impractical to establish a conventional low-rent program at this time. Tribe may be interested in self-help housing. |
| Colorado: | | |
| Southern Ute Reservation (Ute Indians) | Ignacio, Colo | Tribal representatives participated in Albuquerque meeting on Aug. 7. No further developments. |
| Ute Mountain Tribe (Ute Indians) | do | Do. |
| Florida: | | |
| Dania (Seminole) Reservation (Seminole Indians) | Fort Lauderdale-Miami, Fla., area (west of Dania). | Representatives of tribe met with BIA and PHA central office officials on Nov. 28 to discuss a proposal for self-help housing for the Miccosukee Tribe of Seminoles. Legal problem concerning tribal jurisdiction over site has to be resolved. |
| Maine: | | |
| Undesignated reservations | | Tribes not under jurisdiction of BIA. Attempts have been made by NYRO to set up meeting with the Governor of Maine, who has expressed interest in the program, and tribal officials but such arrangements have not yet been completed. |
| Michigan: | | |
| Michigan Reservation (Chippewa Indians) | Brimley, Mich | Inquiry received from Bay Mills community of Chippewa Indians regarding eligibility of tribe for low-rent housing. No further developments. |
| Minnesota: | | |
| Federated Tribe (Chippewa Indians): | | |
| Fond du Lac Reservation | Sawyer, Minn | Preliminary determination by PHA that Federated Tribe has the legal capacity to create a housing authority with the power to develop and operate projects on the reservations of the constituent bands. Organization documents given to tribal manager. Rental housing suitable on a limited basis in several communities. Fond du Lac group reported to be pressing for action on program. |
| Grand Portage Reservation | Grand Portage, Minn | |
| Greater Leech Lake Reservation | Cass Lake, Minn | |
| Mile Lacs Reservation | Vineland, Minn | |
| Nett Lake (Bois Fort) Reservation | Nett Lake, Minn | |
| White Earth Reservation | Mahnomen, Minn | |
| Red Lake Reservation (Chippewa Indians) | Red Lake, Minn | Preliminary eligibility determination made by PHA. Representative of the Chicago regional office visited the reservation Oct. 9. Organization documents furnished. Tribe has awaited initiation of industrial development. Some industry recently located on the reservation. Housing authority may be organized shortly. |
| Montana: | | |
| Blackfeet Reservation (Blackfeet Indians) | Browning, Mont | Ordnance adopted by tribe and accepted by PHA and BIA. Blackfeet Indian Housing Authority organized. Workable program approved. Application for program reservation for 50 units approved. Development program approved. |
| Crow Reservation (Crow Indians) | Crow Agency, Mont | No prospects for program at present. |
| Fort Belknap Reservation (Assiniboine and Gros Ventres Indians). | Harlem, Mont | HHFA regional office reports tribal interest in program and intent to establish local housing authority. |
| Fort Peck Reservation (Assiniboine and Sioux Indians). | Poplar, Mont | Tribal ordinance approved by BIA. Workable program pending approval by the Administrator, HHFA. Program reservation approved for 56 units, 40 for general occupancy and 16 for senior citizens. Tribe plans to develop 26 units (6 for senior citizens) in the Wolf Point area and 30 units (10 for senior citizens) in the Poplar area. |
| Northern Cheyenne (Tongue River) Reservation (Northern Cheyenne Indians). | Lame Deer, Mont | Tribal ordinance approved by BIA. Market survey completed and being analyzed. Tribe possibly interested in self-help housing. Request for workable program being prepared. |
| Nebraska: | | |
| Omaha Reservation (Omaha Indians) | Macy, Nebr | BIA has advised that tribe is eligible to participate in the low-rent program, provided the housing projects are developed on tribal land. No further developments. |
| Winnebago Reservation (Winnebago Indians) | Winnebago, Nebr | BIA has advised that tribe is eligible to participate in low-rent housing program provided housing projects are located on tribal land. Chicago regional office has forwarded to the tribe information as to procedures to be followed and documents required for establishment of a housing authority. |
| Nevada: | | |
| Pyramid Lake Reservation (Paiute Indians) | Nixon, Nev | Market survey indicated potential for self-help housing. Tribal attorney expected in Washington in December to discuss possibility of mutual self-help program with PHA and BIA officials. |
| New Mexico: | | |
| Jicarilla Apache Reservation (Apache Indians) | Dulce, N. Mex | A meeting was held with the New Mexico Indian tribes (as well as representatives from the Navajo in nearby States) at Albuquerque, N. Mex., on Aug. 7. The BIA, the Fort Worth regional office, PHA, and the Fort Worth regional administrator's office were represented. A great deal of enthusiasm for the program was apparently engendered by the meeting, and it is expected that requests for programs will be forthcoming shortly from a number of the tribes. |
| Laguna Reservation (Pueblo Indians) | Grants, N. Mex | Ordinance creating a local housing authority approved by BIA. Workable program approved July 16. Program reservation approved for 40 units—30 for general occupancy and 10 for senior citizens. Proceeding with preparation of development program. Amendment to preliminary loan contract relating to Executive Order 11063 was transmitted to the local authority Dec. 4, 1962. |
| Mescalero Apache Reservation (Apache Indians) | Mescalero, N. Mex | Tribal ordinance has been submitted to BIA and PHA for approval; to be amended. Workable program submitted to OA regional administrator on Nov. 15. Application for 56 units (6 for senior citizens) being reviewed in central office. |
| San Juan, Pojoaque, Nambe, Tesuque, San Ildefonso, Cochiti, Santo Domingo, San Felipe, Sandia, Jemez, Zia, Santa Ana, Isleta, Acoma, and Zuni Reservations. | | Representatives from these reservations attended the Albuquerque meeting on Aug. 7. Interest was expressed in the program and 10 tribes have requested additional information. No further developments. |
| New York: | | |
| Onondago Reservation (Onondago and Oneida Indians). | Onondago County, N.Y. | Inquiries received; possible interest in program. Fee of reservation is in New York State. No further developments. |
| Seneca Nation, Allegany and Cattaraugus Reservations (Seneca Indians). | Salamanca, N.Y | Seneca Housing Authority created June 7, 1962. Chairman and members of the authority were appointed. A legal opinion confirming the eligibility of the tribe has been rendered by the Solicitor, Department of the Interior. Application for 60 units, 48 for general occupancy, and 12 for senior citizens, received in central office Nov. 26. |
| North Carolina: Cherokee (Qualla Boundary) Reservation (Eastern Band of Cherokee Indians). | Cherokee, N.C | Qualla Housing Authority organized May 1962. Ordinance approved by BIA Aug. 13. Workable program approved. Program reservation for 50 units, 12 of which are for senior citizens, approved Oct. 12, 1962. |
| North Dakota: | | |
| Fort Berthold Reservation (Sioux Indians) | New Town, N. Dak | Fort Berthold Tribal Housing Authority organized. Ordinance of the three affiliated tribes approved by BIA, Aug. 29, 1962. Workable program submitted. Application for program being prepared. |
| Fort Totten (Devil's Lake) Reservation (Sioux Indians). | Fort Totten, N. Dak | BIA reported that tribe was proceeding with organization and workable program. No progress reported since May. |

*Monthly report on status of the Indian program*—Continued

| Reservation | Location | Status |
|---|---|---|
| North Dakota—Continued | | |
| Standing Rock Reservation (Sioux Indians) | Fort Yates, N. Dak | Workable program approved. Preliminary loan contract executed Aug. 21; annual contributions contract approved. 50 units for general occupancy and 10 units for the elderly will be constructed adjacent to McLaughlin and 30 for general occupancy and 10 for the elderly at Fort Yates. 50 additional units will be constructed later at a site on the reservation not yet selected. Preliminary drawings being prepared. |
| Turtle Mountain Reservation (Chippewa Indians) | Belcourt, N.Dak | Eligibility determination made by BIA. Ordinance creating housing authority approved. Workable program approved. Tribe wishes to proceed with a program; probably will request 25 units at Belcourt and 25 at western end of reservation. |
| Oklahoma: | | |
| General | | On Sept. 26, BIA area directors for Anadarko and Muskogee attended the hearing of the Special Public Housing Authorities Committee of the Oklahoma Legislative Council and testified concerning the great need for low-rent housing for low-income Indian families in Oklahoma. The governor of the Chickasaw Tribe also testified. |
| Comanche, Kiowa, and Apache Indian areas (Comanche, Kiowa, and Apache Indians). | | These tribes are very much interested in obtaining low-rent housing and will support the proposed enabling legislation when presented to the Oklahoma Legislature in January. |
| Cherokee Tribe (Cherokee Indians) | Eastern Oklahoma (near Muskogee). | On Nov. 9, 1962, a representative of the Fort Worth regional office, PHA, met with the Governor of the Chickasaw Indian Nation and the chairman of the tribal council of the Five Civilized Nations. The chairman proposes to call an intertribal conference at Muskogee at an early date concerning low-rent housing for low-income Indian families. The Department of Interior and the PHA General Counsel agree that the tribe does not have the power to enact a housing authority ordinance. Formal opinion by Solicitor, Department of Interior, not deemed necessary. The tribes would prefer their own housing authorities, but would support enabling legislation for municipal or county housing authorities if this is not possible. |
| United Keetoowah Band of Cherokees (Cherokee Indians). | Eastern Oklahoma | Copies of PHA suggested forms for organizing an Indian Housing Authority were submitted to the area director of the BIA at Muskogee for transmittal to the leaders of the United Keetoowah Band of Cherokees. This band proposes to establish a housing authority and transmit organization documents to the BIA, along with full supporting data, as a test case on the question of whether the Oklahoma Indian Tribes are legally authorized to create their own housing authorities. |
| Oregon: Warm Springs Reservation (Walla Walla and Wasco Indians). | Warm Springs, Oreg | Preliminary determination of eligibility by PHA. No further developments. |
| South Dakota: | | |
| Cheyenne River Reservation (Sioux Indians) | Eagle Butte, S. Dak | Tribal council has tabled resolution temporarily. |
| Crow Creek Reservation (Sioux Indians) | Fort Thompson, S. Dak. | Attorney of tribe has requested PHA to develop and construct housing because of July 1, 1963 deadline on occupancy in Big Bend Reservoir area. Application documents awaiting tribal action. |
| Lower Brule Reservation (Sioux Indians) | Lower Brule, S. Dak | Ordinance approved by BIA. Tribe supplied with application forms and instructions. Expect to apply for 25 units to replace housing on land flooded by Missouri River Reservoir. Will ask that program be expedited because of July 1, 1963, deadline on occupancy in Big Bend Reservation area. |
| Pine Ridge Reservation (Sioux Indians) | Pine Ridge, S. Dak | Annual contributions contract approved. SD-1-1, 50 units, and SD-1-2, 23 units under construction. 1st project dedicated on Oct. 28. Draft of cooperation agreement furnished tribal attorneys. Revised draft received and being reviewed by PHA. |
| Rosebud Reservation | Rosebud, S. Dak | Housing Authority organized. Ordinance approved by BIA. Workable program certified. Application for 150 units (20 for elderly) and preliminary loan approved Oct. 18. Site visits made by project planner. |
| Yankton Reservation (Sioux Indians) | Yankton, S. Dak | No development since initial expression of interest. |
| Washington: | | |
| Yakima Reservation (Yakima Indians) | Toppenish, Wash | Eligibility of tribe being studied. Representative of San Francisco regional office visited Oct. 15 and 16. Preliminary evaluation of market factors indicates that a modest low-rent program can be sustained. |
| Wisconsin: Bad River Reservation (Chippewa Indians) | Odanah, Wis | Meeting of tribal council on Dec. 5 will be attended by economist from CRO. Tribe must move from flood lands of Bad River to new townsite provided by U.S. Army Corps of Engineers. |
| Wyoming: Wind River Reservation (Arapaho and Shoshone Indians). | Fort Washakie, Wyo | Shoshone Tribe market survey completed. San Francisco regional office evaluating results of survey. Preliminary results indicate good market for self-help housing.<br>Arapaho General Council voted not to proceed with program until such time as experience with other reservations could be reviewed. |

## HUNTING IN MONTANA

**Mr. MANSFIELD.** Mr. President, the December 1962 issue of the American Rifleman, an official publication of the National Rifle Association of America contains an excellent article, entitled "Hunting in Montana."

Hunting is one of the major attractions in a constantly developing tourism in my State. Almost any type of hunting both small and big game is available in Montana during appropriate hunting seasons.

I ask unanimous consent that this article be printed in the RECORD. I know that it will become an excellent guide to those interested in planning a hunting trip to Montana and the Northwest.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### HUNTING IN MONTANA

(By Robert H. Norton)

Montana hunters can legally hunt some type of game 11 months of the year. The total big-game harvests of 144,000 animals in 1958 and 153,000 in 1959 were unsurpassed by those of any other State. In 1960 and 1961 the totals exceeded 149,000 and 166,000 respectively.

All of Montana's hunting is available to nonresidents. The class B–2 ($100) nonresident license permits the holder to take one elk, two deer, and one bear (either black or grizzly), to hunt game birds, and to fish. The holder may also enter the antelope drawing at no extra cost, and apply for special licenses for moose ($25), mountain sheep ($15), and mountain goat ($5). Applications for antelope permits and for special licenses in quota areas must be postmarked no later than July 31. Permits are allocated by machine drawing August 15 and special license fees are refunded to unsuccessful applicants.

A class B–1 ($25) nonresident game bird license permits the hunting of all game birds except turkeys. Nonresidents must possess a class B–1 or B–2 license to be eligible to purchase a $2 turkey permit.

Resident and nonresident children under 15 years of age may fish and hunt game birds (except turkeys) without a license. However, all persons must have a license to hunt big game, and only those 12 years and over may obtain a big-game license.

Montana is the fourth largest State, including Alaska, yet has fewer people than Dallas, Tex. Difference in elevation between highest and lowest points is some 11,000 feet. The resultant diverse soils and climate contribute to a variety of plant and animal life. Sportsmen hunt 9 species of big game, 9 upland game birds, several waterfowl, and 15 mammals on which there are no seasons or bag limits.

#### MOUNTAIN CHAINS

The Rocky Mountains cross western Montana in roughly parallel chains running north and south. In these mountainous areas hunters find elk, moose, sheep, goat, mule, and white-tailed deer, black and grizzly bear, and grouse. The valleys, the largest 25 to 100 miles long and 10 to 20 miles wide, are a mixture of range and diversified crop land. They provide hunting for antelope, waterfowl, prairie grouse, and pheasant.

The Great Plains stretch across the eastern two-thirds of the State. The level land is broken by isolated mountain areas, badlands, and bluffs which border the rivers. Deer, antelope, grouse, pheasant, and waterfowl are hunted throughout this region.

Hunting is allowed with the regular license in all the national and State forests. These lands are located mainly in the western half of the State and comprise over 16 million acres.

Nine wilderness areas totaling 2 million acres have been established within the national forests to preserve natural conditions in their virgin beauty. The forests and wilderness areas provide the State's best elk, moose, sheep, goat, and bear hunting.

Montana law does not require the use of guides or outfitters. Unguided hunters are advised not to penetrate deeply into rugged areas if they are unfamiliar with the country. All guides and outfitters must be licensed by the State. The Montana Fish and Game Department does not recommend specific guides, but will supply a list on request. Well before the season, hunters should contact one or more in the area they select to determine what is offered and the cost. The average price is $35 per hunter per day and includes the cost of everything but personal gear. The general hunting season on deer and elk opens in mid-October and lasts 30 days or more. The State is divided into 97 deer-elk management areas. The season opens in several of these in mid-September, and closing dates in some districts are extended through February to attain the desired kill. Holders of a big-game license can hunt deer or elk nearly 6 months of the year if they are willing to travel to open areas.

Elk are one of the most valued big game species. The large antlers make impressive trophies and the meat is often considered the equal of prime beef. In 1961 a total of 15,500 of these animals was taken, with 1 out of 4 elk hunters successful. Early in the season the best elk hunting requires packing into back country.

An exciting sport is calling the bulls to the hunter with an elk whistle, but this can be done only in September when they are rutting. Good early-season hunting is found on the South Fork of the Flathead River drainage, the Absaroka Plateau adjacent to the north boundary of Yellowstone Park, and in the Bitterroot River drainage in Ravalli County.

Productive methods of hunting elk during early and midseason include tracking after a light snow, still-hunting timbered areas, stalking elk located with binoculars, and taking a stand at open meadows and grassy slopes where elk like to feed in early morning and late in the day.

Heavy mountain snows drive elk to lower elevations. They are easier to find on their reduced winter range, and hunters willing to brave snow and cold late in the season have good success. Two especially productive areas late in the season are the Big Hole country in Beaverhead County and the Sun River country south of Glacier Park.

Montana law has no restrictions on caliber of rifle used in big-game hunting. The .30–'06 with its different bullet weights is a good choice for the one-rifle sportsman. Nearly 40 percent of Montana's hunters use it, with the .270 next. However, full-grown elk struck in the chest cavity with these calibers, especially at longer ranges, are sometimes lost. Large bulls average 700 pounds and have gone over 1,000 pounds. They are heavy boned and tenacious of life. The rifle should preferably be of large bore shooting a long, heavy bullet capable of penetrating through the animal on a broadside shot so as to leave a good blood trail. For best penetration it is advisable to use the 150-grain bullet in the .270, 175 grain in Remington's new 7-millimeter Magnum, and the 220-grain bullet in rifles of caliber .30.

Splendid elk cartridges for the shooter who can condition himself to the recoil are the .338 Winchester using 250-grain bullets, and the .375 H. & H. firing bullets of 270 or 300 grains. The .348 and .358 can be considered fine timber calibers for all big game.

Almost all Montanans use a scope sight. The most popular is the 4–X as an all-round power.

Shiras moose are Montana's largest animals, with bulls weighing up to 1,200 pounds. Numbers stay fairly constant at about 3,500, and hunters kill from 400 to 500 each year. Success ratio is high—during the 1961 season 613 hunters took 530 moose. Hunting is done in 42 specified areas in southwestern and northwestern Montana. Antlered bulls only may be taken in five areas, and either sex in the others.

Montana's moose are solitary and often show little fear of man. Elk and deer hunters detour around them rather than provoke the belligerent beasts. Favored feeding spots during the fall are willow bottoms and patches of aspen. The animals lie up in dense timber and thickets at the heads of drainages or along stream bottoms. They appear coal black, and run with surprising speed through the densest cover without snapping a twig. The still hunter must often fire through heavy brush. This calls for a blunt, heavy bullet of good sectional density. All calibers recommended for elk generally will be found to be excellent for moose.

Montana's management problem with deer, as well as elk and moose, concerns keeping the number of animals in balance with the winter food supply.

Heavy snows push hoofed game to lower elevations. Because they concentrate in a relatively small area, feed becomes limited on the winter range. Consequently game harvests are set at a figure intended to keep herds in balance with the winter carrying capacity of the range. The present management program is designed to maintain harvests of over 100,000 deer each year. In 1961 the number of deer taken (mostly mule deer) was 129,000, with 9 out of 10 hunters successful.

### MOST ABUNDANT BIG GAME

Mule deer are the most abundant of Montana's big game. They are extremely adaptable and excellent hunting is found from the brushy draws of the eastern prairies to timberline on the mountains in the West. Local inquiry in almost any part of the State will direct the hunter to good shooting.

The brakes, or badlands, along the Missouri River in northwestern Montana provide some of the best deer hunting in the entire West. The Fort Peck Game Range lies in the heart of the brakes and offers almost a million acres of excellent hunting. Boats, horses, and four-wheeled-drive vehicles are used to enter this spectacular, lonely area. A boat trip especially will penetrate country not readily accessible to others. Antelope and controlled elk hunting are also found here.

Organized deer driving is not done in Montana as in the East; nor is hunter concentration heavy enough for the shooter to take a stand and have game pushed to him. Most deer hunting is done by prowling on foot, generally within a mile of roads because of the difficulty of packing out game. Jeeps are popular where terrain permits. Although horses are used principally by elk hunters, they are advantageous in getting into remote, high country where trophy bucks are found. Binoculars are commonly used to search patches of timber, far slopes, and brakes.

A flat-shooting cartridge in a bolt-action rifle with a 4X scope is the most popular combination. Almost all calibers are used for deer, but the .243, 270, and .30–'06 class are particularly favored. Thin jacketed varmint bullets should be avoided since they will not pentrate deer or antelope deeply enough to kill, regardless of the caliber.

Some of the best whitetail hunting is found throughout the mountainous northwest portion of the State. Particularly good are Lincoln, Flathead, Sanders, Mineral, Missoula, and Powell Counties. Large numbers of deer are also taken in Fergus County in the State's central portion, and in Phillips County north of U.S. Highway 2 in the north-central portion.

Whitetail deer frequent valleys and river bottoms which are heavily timbered and brushy. They are taken by still-hunting, and from stands at crossings and feeding areas in early morning and evening. The cartridge for whitetails should have a blunt-nosed, slower bullet than those recommended for mule deer since the shots are usually at short range in heavy brush.

By 1913 Montana's once vast antelope herds had been reduced to about 3,000 animals. These few pronghorns increased under complete protection and in 1943 the first hunting in 40 years was authorized with the issuance of 750 permits. Over 18,000 antelope have been harvested each year for the past 10 years. In 1961 a total of 24,337 hunters took 19,300 antelope for a hunter success ratio of 79 percent.

### ANTELOPE BY PERMIT

Antelope hunting is by permit only. Top areas are the Centennial Valley in the southwestern corner; Custer, Powder River, and Carter Counties in the southeastern section; and counties south of and next to Fort Peck Reservoir in the northeastern part of the State.

It is unlawful to shoot from a vehicle. However, some run the antelope in jeeps and trucks, then jump out and flock-shoot the running herd. This results in an unfortunate number of cripples. It is far more sporting and rewarding to stalk a particular animal. A stalk may seem impossible on first seeing the level country. Yet the foot hunter will find terrain irregularities on the flattest valley floor, and sage or high grass can also be used to the stalker's advantage. This writer has enjoyed the thrill of taking seven standing bucks by this method on seemingly flat prairie.

Antelope shooting requires peak performance by the rifleman and his firearm. The target is small and often at very long range. Time is well spent in tuning and sighting the rifle, buying or handloading an accurate cartridge, and practicing marksmanship. The .243, .257, .264, .270, 7 millimeter, .280, and .30–'06 are all popular, with quick-opening, but not varmint, bullets. Scope power can be increased from 4–X to the point at which heat mirage or tremor becomes distracting. A heavy-barreled rifle will provide steadier holding, and a shooting sling is an asset.

Special $20 deer and special $20 antelope licenses are issued to nonresidents for certain areas. The deer permits are on a quota basis in some areas and unlimited in others. The special antelope licenses are issued only if a district's quota is not filled by resident and nonresident holders of class B–2 licenses. Only one special deer and one antelope license is issued per person, and only one animal is allowed to be taken on each license.

Montana leads all States, including Alaska, in the number of mountain goats taken. During the 1961 season 851 hunters killed 330 goats. Permits are issued on a quota basis in 18 areas, and in 5 areas permits are unlimited. The Bitterroot Mountains in Ravalli County furnish accessible country and good hunting. The Crazy Mountains north of Livingston, and the Teton area south of Glacier Park, offer drainages close to roads and had over 50 percent hunter success in 1961.

Bighorn sheep are Montana's most highly prized trophy game. The State carries on a continuous trapping and transplanting program for both sheep and goat. As a result harvests are increasing and have averaged 50 sheep annually since 1953, while the average for the preceding 5 years was only 4 per year. In 1961 a total of 258 hunters took 72 sheep. Hunter success runs highest in the Rock Creek and Sun River areas.

In four of the five areas open to sheep hunting, shooting is restricted to rams with a three-fourth curl or better; but in the Rock Creek area in Granite County, permits are issued for 25 sheep of either sex. All who wish to hunt bighorn sheep may do so, since an unlimited number of permits is issued in two areas. Rifles in the .270 and .30–'06 class, with 4–X scope, are the most popular for sheep and goat in Montana. A rifle carrying sling is a must.

### BEAR HUNTING

The season on black bear and its color phases, brown and cinnamon, opens in mid-March and closes late in November. Black bear are little hunted by Montanans, although bear are numerous in the western section. Most are taken on chance encounters by elk and deer hunters. Special $20 bear licenses for certain districts are offered to nonresidents in an attempt to increase the kill. Some of the best areas are the Swan Valley, the South and Middle Forks of the Flathead River, the Whitefish Range, the St. Regis River drainage, from the town of Thompson Falls west, and the Libby country, all in western Montana. There are an estimated 1.25 bears to be found per square mile in these sections, yet the statewide kill of 1,790 in 1961 is the highest figure recorded.

The most successful time to hunt is early spring when the bears appear on hillside parks, snowslide areas, and grassy logging roads below snowline to feed on grass, dandelions, and clover. During the fall they prefer thick growths where they feed on a variety of berries. Apple orchards are also frequented in the fall, and elk and deer hunters sometimes return to find a bear on their kill. Cubs and females with cubs at their sides may not be taken until mid-September. Staking out baits and hunting with dogs are prohibited. Since bears are more tenacious of life than hoofed game, cartridges that are recommended for elk are advisable.

Grizzly bear hunting is restricted to the fall. The season on this rarest of Montana's big game opens in mid-October and closes about mid-November. Sixty were taken in 1959, thirty in 1960, and sixty in 1961. Most grizzlies are killed in the Bob Marshall Wilderness Area south of Glacier Park, and in the Absaroka Wilderness north of Yellowstone Park. They shun civilization and are found in the most remote back country. Cubs and females with cubs at their sides are protected.

It is prudent to have an adequately armed companion when shooting one of these dangerous beasts. A crippled grizzly menaces the shooter and other hunters in the area. A .338 using 250- or 300-grain bullets or a .375 H. & H. loaded with 300-grain Silvertips is recommended. A bullet aimed to penetrate both shoulders is the preferred shot.

Upland birds were pursued by 32 percent of Montana's hunters in 1961, and these 59,000 gunners averaged 7.3 birds each.

Montana's grouse are separated into two groups: mountain grouse which include ruffed, blue, and Franklin's; and prairie grouse, which are the sage and sharptail. Not native to the State are the introduced ringneck pheasant, Hungarian partridge, chukar partridge, and Merriam's turkey.

Mountain grouse are found in the western third of the State, where they are common to abundant. Ruffed made up 45 percent of the total seasonal harvest of 150,000 mountain grouse in 1961, blues 40 percent, and Franklin's 15 percent. Blues are the most prized. These large birds often weigh over 2½ pounds. Franklin's grouse (fool hens) lack the wariness required for sporting purposes. In attempting to dislodge fool hens from their perch, this writer has often had them refuse to fly when struck with a stick held in the hand. These two species are normally found in evergreen growth at high elevations. Ruffed grouse seem to prefer lower country. They are commonly to be found in mountain draws beside brush-choked streams.

Blue and ruffed groups become wary after being hunted. Blues will often freeze in a tree, letting the hunter pass beneath; while ruffs explode underfoot and quickly dodge behind an obstruction. Most hunters walk up these grouse without the use of dogs. Some slowly drive logging roads hoping to spot birds.

Rifles are permitted for mountain grouse, in addition to shotguns, so that big-game hunters may take birds for the pot. However, shotguns are preferred by most grouse hunters. Savage's Model 24 MDL over-under rifle-shotgun in the new chambering of .22 rimfire and 20-gage should prove very useful for this sport because of the variety of conditions under which the birds are shot.

Sage grouse (sage hen), as their name implies, depend on sage for food and shelter. They are found mostly in semiarid plains and plateaus east of the Rockies, although Beaverhead and Madison Counties in southwestern Montana have good populations. Hunters killed 27,000 sage grouse in 1961. As they are large birds weighing from 4 to 7 pounds, a full-choked 12-gage using high-velocity shells with No. 4 or 5 shot is preferred by most gunners.

Sharp-tailed grouse are scattered broadly over Montana. The best hunting is found in the wheat fields of the southeastern section, in the Missouri River brakes, and in the foothills of Judith Basin County. They are medium-sized birds weighing up to 2½ pounds. A modified-choke 12-gage and No. 6 shot is a good choice.

Hungarian partridge are found statewide, but prefer wheat-farming areas interspersed with grasslands. These rather small birds are common to abundant in number.

Chukar partridge are hunted in only a few scattered localities. The releases have not done well. In 1961 only 800 chukars were killed as compared to 37,000 Hungarian partridge and 169,000 ring-necked pheasants. A 20-gage using No. 7½ shot will take partridge.

### MOST POPULAR GAME BIRD

Ring-necked pheasants are Montana's most popular upland game birds and are distributed statewide. The season opens during late October, usually for 2 weeks. Three areas have pheasant populations equal to the best in the United States, acre for acre. These are the Flathead Valley between the towns of Polson and St. Ignatius, the Sun River irrigation project, and croplands in the vicinity of Conrad and Valier in Pondera County.

Dogs are used more frequently for pheasant than for other upland birds. Labradors are very popular, but many breeds are pressed into service to flush birds and chase cripples. A 12-gage modified or full choke, loaded with high-velocity shells and No. 6 shot, is preferred for these hard-to-kill birds.

Seasons and bag limits vary from year to year on upland birds depending on recommendations from the field. Seasons usually run from mid-September to mid-October. Only shotguns not larger than 10-gage may be used on prairie grouse; rifles or handguns are not permitted. The 12-gage is the most widely used shotgun in Montana, with the 20-gage next.

The first turkey release in Montana was carried out in 1955 when 13 birds were released near Ekalaka. Four years later their numbers had grown to 1,000. Thirteen other flocks have since been started by transplanting to locations throughout the State.

When the first turkey season opened in 1958, few residents had ever seen one of these wary birds. About 500 gunners bagged fewer than 100 turkeys. In 1961 success improved when 1,318 hunters killed 409. Both rifles and shotguns are used.

Excellent duck and goose shooting is enjoyed throughout the State. Seventeen species of duck and Canada geese nest here, and waterfowl from three flyways pass through on migratory flights. Mallards are the most common puddle duck, followed by blue-winged teal and baldpate.

The best shooting covers the period from early October until the latter part of November. In a normal year, lakes are frozen and the Canadian flights have passed through by the first of December, although some mallards and goldeneyes linger on unfrozen rivers throughout the winter.

Good duck hunting is found on the many lakes, reservoirs, and larger streams in western Montana. Canada and snow geese are taken in grain fields throughout this region.

East of the Rockies good waterfowl gunning is found on the Yellowstone, Musselshell, Missouri, Marias, and Milk Rivers.

The State is divided into two flyways, with separate seasons and bag limits. The section west of the Continental Divide lies in the Pacific flyway, while the rest of the State is located in the Central flyway.

No license is required of residents or nonresidents to hunt mountain lions, bobcats, wolves, coyotes, weasels, skunks, raccoons, red foxes, woodchucks, rabbits, hares, badgers, porcupines, prairie dogs, and ground squirrels (gophers). There are no closed seasons or bag limits on these animals. Bounties are not paid on any birds or mammals. Doves are protected. The last wolf reported killed was in 1956, and no authenticated sightings have been reported since that time.

Carcasses of black and grizzly bear may be left in the field after the head or hide is taken. It is unlawful to abandon the meat of any other game animals.

### MAPS ARE VALUABLE

Topographic maps of the hunting area will prove extremely valuable. The U.S. Forest Service at Missoula supplies a list of maps covering Montana's national forests. Maps of the areas outside the forests are sold by the U.S. Geological Survey, Federal Center, Denver, Colo. Maps furnished by these agencies show all roads and trails. The largest scale that is offered will prove the most useful.

Next to a rifle and scope, high quality binoculars of 7-, 8-, or 9-power are the big-game hunter's most valuable equipment in Montana. They are essential for locating sheep and goat, and valuable for finding all other big game. Eight-power glasses will reveal antelope on a flat prairie which are invisible to 20/20 eyesight. Trophy hunters will also want a spotting scope to size up horns.

Montana's weather varies greatly due to the wide differences in elevation. In early October elk hunters may encounter an early blizzard at high altitude while antelope hunters are in warm sunshine on a near-by valley floor. The following is a general guide: September 1–15, warm to hot with occasional rain; September 16–30, warm with an occasional early snowstorm at higher altitudes; October 1–13, brisk to cool with mountain snowstorms very probable; November 1–30, cool to cold with permanent snows arriving about mid-November; December 1 until spring, periods of subzero cold and heavy snowfall.

### HUNTER SAFETY PROGRAM

In 1957 a hunter safety program for young people was initiated by the fish and game department with the assistance of the National Rifle Association. The "NRA Hunter Safety Handbook" is used as a student textbook to provide the core of instruction. Additional training is given in first aid, survival, identification of game animals, landowner-sportsman relations, and field care of game.

Resident hunters under 18 years must satisfactorily complete the training before being issued a big-game license. Over 20,000 students have taken the course with excellent results. Older hunters have also become more aware of safe gun practices through the safety consciousness of the youngsters.

Hunting is not allowed in Glacier and Yellowstone National Parks. State and Federal preserves closed to hunting are distributed widely throughout the State. Hunting on Montana's seven Indian reservations is under the control of tribal councils. If these reservations are open to hunting, it is only with the consent of the councils.

It is reasonable to question whether Montana's game harvests can be held at their present high levels. The fish and game department believes that they can be for a long time to come through progressive management supported by the citizens. The abundance, however, must be divided among an increasing number of hunters.

Hunting maps and further information may be obtained from the Montana Fish and Game Department, Helena, Mont.

## TRIBUTE TO THE LATE SENATOR KERR

Mrs. SMITH. Mr. President, at a later date I shall pay my respects to the late Robert S. Kerr in greater detail. Suffice it to say now, he was one of the very best friends that I had in the U.S. Senate—and as a committee chairman he accorded to me more committee consideration than anyone has.

So that the record may be straight and in full justice to this great Senator for whom I had so much respect and admiration, I have written that distinguished reporter, Mr. Marshall McNeil, a letter. I ask unanimous consent that that letter be placed in the body of the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,  
*Washington, D.C., January 23, 1963.*

Mr. Marshall McNeil,  
*Scripps-Howard Newspaper Alliance,*  
*Senate Press Gallery,*  
*Washington, D.C.*

Dear Mr. McNeil: In all friendliness, I want to say to you that while he was chairman of the Space Committee, the late Senator Robert S. Kerr kept me fully advised with respect to matters before the committee and never in the dark.

In fact, no committee chairman ever kept me so currently informed, so constantly sought my reaction, and so completely extended consideration and courtesy to me as did Bob Kerr.

Sincerely yours,  
Margaret Chase Smith,  
*U.S. Senator.*

## EUSTACE CULLINAN, 1876–1962

Mr. KUCHEL. Mr. President, on October 5 of last year I had the privilege of paying tribute in this body to Eustace Cullinan, of San Francisco, one of the most distinguished senior citizens of the State of California. It is with deep regret that I report that Eustace Cullinan died peacefully in his sleep on the morning of November 12. His native city, which he graced for 86 years, mourned him with unabashed emotion.

I am quite grateful to add that the last letter Eustace Cullinan wrote on earth was to his friend, the senior Senator from California, offering congratulations on the results of the general election several days earlier. As a "model for these younger times" he had disregarded the infirmities of age and despite great pain and inconvenience he cast his vote in that election.

The American Bar Association Journal does not often print obituaries of its deceased members, limiting the number to about four a year. However, in the December 1962 issue of the journal there appears a beautiful tribute to Eustace Cullinan, written by a lifelong friend, C. Julian Goodell, who, before his retirement some years ago, was a most distinguished member of the superior court bench of California and the district court of appeals of my State. I ask unanimous consent to have this moving article about a brilliant lawyer and a beloved San Franciscan reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Eustace Cullinan, 1876–1962

Eustace Cullinan, one of California's most eminent citizens, passed away on November 12 in San Francisco, his native city, where he had practiced law with great distinction for over six decades. He was 86.

On graduating from the University of Notre Dame in 1895 with an A.B. degree he entered Hastings College of the Law in San Francisco and received his LL. B. degree in 1898. While there he worked as a reporter, and later as an editorial writer, on the San Francisco Bulletin, whose owners chose him as their lawyer immediately upon his admission to practice.

In 1907 he was awarded an M.A. degree by the University of San Francisco. He practiced actively as a partner in leading firms in San Francisco. Several of his former partners are now judges—William T. Sweigert became a judge of the superior court in San Francisco, and then a judge of the U.S. district court; Ben C. Duniway became a justice of the district court of appeal, and then a judge of the U.S. Court of Appeals for the Ninth Circuit; and Eustace Cullinan, Jr., who died in 1959 while a judge of the superior court in San Francisco.

In addition to handling a busy practice, he was the consultant of some large corporations and was often called in by other practitioners on vexing problems.

He was an outstanding member of this association since becoming a member in 1921, and contributed numerous articles to the Journal.

He was deeply devoted to his profession. He drew the first bill presented to the California Legislature for the creation of an integrated bar, and after the State bar was organized, in 1927, he was a member of the board of bar examiners for 5 years, and its chairman part of that time.

For 31 years he was a trustee of the San Francisco Public Library.

During the days of San Francisco's 1906 catastrophe he was deep in relief work and later in rehabilitation problems.

Despite the demands of his practice, he found time for unselfish service of a public character. His counsel was constantly sought by persons in important public positions, locally, and nationally, who valued his wise and judicious approach to a problem, whatever it might be. He, however, never held any public office.

He was a devoted member of the Bohemian Club, which he joined in 1904 and in which he served as president for two terms.

Eustace Cullinan was a man of many talents. He had great charm and the rare faculty of not only winning friends, but of holding their friendship. While a very gentle person, he had a character of much firmness, and possessed the highest integrity and sense of honor. His place in the community in which he lived will be hard to fill. He leaves a host of devoted friends.

His wife, Katherine, and two sons, Judge Eustace Cullinan, Jr., and Matt I. Cullinan, predeceased him. Surviving him are two sons, Vincent, a member of his law firm, and Gerald, a public relations counsel, of Washington, D.C., and four grandchildren.

C. J. Goodell.

San Francisco, Calif.

## STRIKES THAT IMPERIL THE NATIONAL HEALTH AND WELFARE

Mr. ROBERTSON. Mr. President, I have prepared comments on strikes that imperil the national health or welfare, and include therein a statement I made on the floor of the Senate more than 10 years ago in behalf of legislation proposed to make labor unions that engage in strikes that imperil the health and welfare of our Nation subject to the antitrust laws.

In my opening statement I quote from a great statesman from the great State of Texas, John Garner, who said to a former colleague, Burton K. Wheeler, that it is more important for a Senator to have guts than to have brains. He argued that there is not a Senator who does not have sufficient brains to know that labor unions should not have the privilege to beat us to our knees.

I ask unanimous consent that the statement be printed at this point in the Record.

There being no objection, the comments and statement were ordered to be printed in the Record, as follows:

### Comments by Senator Robertson

It will be some days before we receive and can appraise the viewpoint of the shipowners concerning the so-called eminently fair and just basis on which they were forced to settle the dock strike. I heard over the radio last night a statement by a commentator to the effect that nearly all of the wage demands of the striking longshoremen were successful, and that there was eliminated from the agreement any settlement whatever of the automation issue. That of course becomes increasingly important to the shipowners as wages and fringe benefits they pay to the dockers increase, first this year, and again next year, and undoubtedly will continue to increase if the Congress supinely allows a union composed of 100.000 dockworkers, which on the west coast has been known for its communistic affiliations, to beat shipowners and the shipping public to their knees through the brutal exercise of unrestricted economic power. All of the economic loss of the dockers' strike has not been tabulated, but the current estimate is three-quarters of a billion dollars, and that, of course, does not include collateral losses occasioned by work stoppages in industries throughout the Nation whose production depended upon imported goods such as foreign wool and jute backing for carpets, for instance.

According to the report submitted to the Senate by Senator Morse, there was a clear implication that if the striking dockworkers did not accept the wage package recommended by the Mediation Board, the Congress could be expected to take some action to protect the general welfare. We, of course, are happy that the dock strike has been settled and let us hope that when all the facts are in that the settlement will be considered as not having been unfair to the shipowners. But that one settlement by no means solves the vital problem of strikes by transportation unions, strikes by workers in factories producing vital defense armament, or any other type of strike that would imperil either the national health or national security.

The unwillingness of Congress to come to grips with this situation forcibly illustrates how right former Vice President Garner was when he said to our former colleague, Burton K. Wheeler: "A Member of the Senate needs guts more than he does brains." It takes no brains to know that the Supreme Court of the United States clearly misinterpreted the intent of the Congress when it construed the

La Guardia amendment to the antitrust law as completely exempting labor unions from their operation. The Congress simply has not had the guts to do anything about it. If the dock strike had continued, let us say, for another month, shutting down many industries and causing an overall economic loss of aproximately $2 billion, it is conceivable that a majority of the Members of the Senate would find that refusing to support legislation to make such strikes amenable to the antitrust laws was no longer politically expedient.

Now, the Senate has drawn, as I said, a sigh of relief that the dock strike has been settled. Now, some Members of the Senate may feel that they need not be further concerned about action at this session on pending bills to make strikes affecting the national welfare subject to control under court action in an antitrust proceeding. In view of that possibility, I am including in the RECORD what I said on this subject on May 15, 1952, which, of course, is more than 10 years ago—10 troublesome years in which billions of dollars have been lost because of strikes which should have been under the control of appropriate antitrust laws:

[From the CONGRESSIONAL RECORD, May 15, 1952]

"LABOR UNIONS AND THE ANTITRUST LAWS

"Mr. **ROBERTSON**. Mr. President, I ask unanimous consent to proceed for not to exceed 5 minutes.

"The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Virginia may proceed.

"Mr. ROBERTSON. No industrial dispute in the history of the Nation has stirred our people to a greater extent than has the current dispute between the steel operators and the steel workers. No constitutional issue has arisen which is more vital to the future of our democratic institutions than the one so ably argued last Monday by Hon. John W. Davis in the steel seizure case.

"In January of 1950, when it was apparent to all that we were moving into a major rearmament program, the junior Senator from Virginia anticipated that in that program we might encounter some industrial disputes between management and labor which could be very harmful to the defense effort, and perhaps fatal to our effort to prevent a third world war by demonstrating readiness, willingness, and ability successfully to defend ourselves should we be attacked.

"On January 23, 1950, the junior Senator from Virginia introduced a bill, Senate bill 2912, to protect trade and commerce against unreasonable restraints by labor organizations. The bill was referred to the Committee on the Judiciary. I ask unanimous consent that that bill be printed in the RECORD at this point as a part of my remarks.

"There being no objection, the bill (S. 2912) to protect trade and commerce against unreasonable restraints by labor organizations, was ordered to be printed in the RECORD, as follows:

" '*Be it enacted, etc.*, That (a) section 1 of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," as amended (U.S.C., title 15, sec. 1), is amended by inserting before the period at the end thereof the following: *"Provided further,* That when a labor organization or the members thereof have unreasonably restrained trade or commerce among the several States, or with foreign nations, in articles, commodities, or services essential to the maintenance of the national economy, health, or safety, or any substantial segment thereof, such conduct shall not be made lawful, and the jurisdiction of any court of the United States to issue an injunction against any such conduct shall not be restricted or removed, by the act of October 15, 1914, entitled 'An act to supplement existing laws against unlawful restraints and monopolies and for other purposes,' as amended, or the act of March 23, 1932, entitled 'An act to amend the judicial code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes'."

" '(b) Section 3 of the Act of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," as amended (U.S.C., title 15, sec. 1), is amended by inserting before the period at the end thereof the following: *"Provided,* That when a labor organization or the members thereof have unreasonably restrained trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, in articles, commodities, or services essential to the maintenance of the national economy, health, or safety, or any substantial segment thereof, such conduct shall not be made lawful, and the jurisdiction of any court of the United States to issue an injunction against any such conduct shall not be restricted or removed, by the Act of October 15, 1914, entitled 'An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes,' as amended, or the Act of March 23, 1932, entitled 'An Act to amend the judicial code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes'." '

"Mr. ROBERTSON. After some weeks of delay that bill was referred to a subcommittee, which held hearings. As I understand, the subcommittee favorably reported the bill to the full committee, but the full committee has taken no action on it.

"One of the witnesses who appeared before the subcommittee was my dear departed friend, Edward H. Miller, then a practicing attorney in Washington, and previously one of the ablest lawyers to serve in recent years in the Antitrust Division of the Department of Justice. The arguments advanced by Mr. Miller, in a brief prepared by him at that time on the antitrust laws, for making labor unions, under certain circumstances, amenable to the antitrust laws when they undertake to exercise control of vital national industries was so cogent that I ask unanimous consent to have it printed in the RECORD at this point, as a part of my remarks.

"There being no objection, the brief was ordered to be printed in the RECORD, as follows:

" 'STATEMENT OF EDWARD H. MILLER, BEFORE A SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE IN CONNECTION WITH S. 2912, AN AMENDMENT TO THE SHERMAN ANTITRUST ACT

" 'My name is Edward H. Miller. I am a practicing lawyer in Washington and am appearing before this subcommittee at the invitation of its chairman. I represent no one in presenting this statement, and the views I express are entirely my own.

" 'Before I entered the private practice of law in Washington, I served for over 4 years as a special assistant to the Attorney General of the United States in the Antitrust Division of the Department of Justice. In the course of that experience, I was working constantly with problems arising under the Sherman Act and the other antitrust laws, an experience which, I believe, prompted Senator A. WILLIS ROBERTSON to ask me to testify during the course of the hearings he conducted on behalf of the Senate Banking and Currency Committee last July and August. I have given careful consideration to Senator ROBERTSON's proposed amendment to the Sherman Act embodied in S. 2912, as well as to other possible methods of approach to the problem with which this bill attempts to deal, and I am convinced that Senator ROBERTSON's approach is the soundest, fairest, and most practical solution for this difficult, but most urgent, problem.

" 'I

" 'Today the Sherman Antitrust Act is, for practical purposes, a nullity as far as labor union activities are concerned. Labor unions can do practically anything they please to impose unreasonable restraints on the interstate commerce of this Nation, free from any fear of injunction, criminal prosecution, or treble damage suit. For whatever value it may have to this committee, I shall try to analyze some of the vagaries of the antitrust laws as they have been applied to labor unions, by sketching the evolution of these laws to their current state, and by pointing out how they immunize labor unions from all the normal legal sanctions applicable to other groups. Naturally any future antitrust legislation will be interpreted against the background of past experience under the Sherman, Clayton, and Norris-La Guardia Acts. Therefore, it is necessary to examine the past application of these acts to unions, and thus gain a realization of the steps by which labor has achieved its present immunity from the antitrust laws.

" 'Under the common law of England, all combinations of labor for any purpose were originally outlawed, and the cases so holding were the very cases relied on by our Supreme Court in defining and building up the nonstatutory concept of criminal monopoly by business. The British Parliament gradually liberalized by statute the common law restrictions on labor unions, just as the restrictions on combinations of capital were also eased. Thus restraints of trade and monopolies by labor were not entirely foreign to the antitrust problem when the Sherman Act was passed in 1890.

" 'With this background in mind, it is not surprising that the Sherman Act was originally interpreted to apply to labor unions, although it was not passed with that specific purpose in mind. Section 1 of the Sherman Act[1] provides that "Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal."

" 'This language is unambiguous and unqualified. Read literally, it includes every combination and conspiracy in restraint of trade, whether engaged in by labor organizations or others. Thus, those who contend that the Sherman Act was not originally intended to apply to labor[2] are forced to rely chiefly on the Sherman Act's legislative history. In the debate in the Senate it was argued that the bill if enacted in its original form (for which Senator Hoar was largely responsible) would be employed to oppress labor and agricultural organizations. Senator Sherman offered a proviso exempting the activities of such organizations from the act. Senator Edmunds attacked this proviso on the floor of the Senate and the bill was then referred to the Judiciary Committee, of which Senator Edmunds was chairman. The language of the bill was materially altered by the committee and no proviso exempting labor was included. Senator Edmunds, who had vehemently opposed the exemption, professed himself satisfied, and no reference to the labor problem appears in the subsequent debates in either the Senate or the House.

" 'It has been argued that the elimination of Senator Sherman's labor-exemption proviso clearly indicates that Senator Edmunds' view prevailed. If so why then did not the protagonists of labor voice their objection to it? On the other hand, it has been contended that the revised bill, by using language normally applicable only to business combinations, made any specific exemption of labor unions unnecessary, but the latter argument begs the question, and leaves Senator Edmunds' acquiescence unaccounted for. A solution which will explain the reconciliation of the conflicting senatorial positions is that while the revised bill was regarded as not exempting labor entirely, it was accepted as applying only to unlawful labor activities. The bill to which the proviso had been appended originally gave justifiable grounds for believing that activities of labor unions which had been previously regarded as lawful would be in violation of its terms. The removal of this threat by the revision of the bill sufficed to satisfy the advocates of the proviso, without giving to labor a blanket immunity which would have met with the continued opposition of Senator Edmunds.

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[1] 15 U.S.C., sec. 1.

[2] For statements of this view see Berman, Labor and the Sherman Act (1930), pt. 1; Boudin, the Sherman Act and Labor Disputes, 39 Col. L. Rev. 1283 (1939), 40 Col. L. Rev. 14 (1940).

" 'The Supreme Court first applied the Sherman Act to labor unions in *Loewe* v. *Lawlor* (208 U.S. 274 (1908), known as the Danbury Hatters case. This case was a treble-damage action against a union brought by a hat manufacturer employing about 230 people. Through a nationwide secondary boycott, pressure was brought by the union against wholesalers and retailers to keep them from buying the plaintiff's hats in order to compel the plaintiff to consent to a closed shop. The Supreme Court construed the Sherman Act to prohibit any combination whatever which essentially obstructed the free flow of commerce between the States, or restricted, in that regard, the liberty of a trader to engage in business. At common law, according to the Court, "every person has individually, and the public has collectively, a right to require that the course of trade should be kept free from unreasonable obstruction," and the Sherman Act has a broader, not a narrower, application than the common-law rule. Thus any distinction between labor and business combinations was repudiated by the Supreme Court at its first opportunity. This holding was in accord with prior lower Federal court decisions.

" 'Three years later the Supreme Court in *Standard Oil Co.* v. *United States* (221 U.S. 1 (1911)), held that illegal combinations could be dissolved under the Sherman Act. This caused union leaders to become apprehensive that unions might be dissolved under the act regardless of the extent of their activities. Concurrently—and of more immediate importance to labor—the labor injunction was assuming a more prominent role in labor disputes as a strike-breaking device. Organized labor trained its guns on both the labor injunction and the application of the Sherman Act to union status and activities, and protection against these threats was promised in the Democratic platform in the presidential campaign of 1912. These promises to labor were dealt with in the Clayton Act of 1914.

" 'Section 20 of the Clayton Act[3] prevents the granting of injunctions by Federal courts against certain specific labor activities which even at that time were generally considered legal, such as peaceful picketing. By implication it left undisturbed the illegality attached to certain other conduct.

" 'Section 6 of the Clayton Act,[4] after declaring that "the labor of a human being is not a commodity or article of commerce," provides that "Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor * * * organizations * * * or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws." This section was the answer to the other promise made in 1912, following the apprehensions engendered by the Standard Oil Co. decision. It removed all doubt of the right of labor to organize in unions, and affirmed the legality of their status. However, by the use of such language as "legitimate objects," and by legalizing not the acts of labor organizations or their members, but only the organizations and members themselves, it is plainly confined to an attempt to protect labor unions against a charge of an unlawful status.

" 'With the Clayton Act, as with the Sherman Act, the legislative history shows that Congress did not intend to exempt all union activities from the act. In the course of the debates in the House, after a question had been raised as to the meaning of section 6, and particularly the meaning of the declaration that labor is not a commodity or article of commerce, a clear-cut labor exemption proviso was offered by way of amendment, and was rejected.

" 'After the passage of the Clayton Act, the Supreme Court took the first opportunity to refute, in very explicit language, the suggestion that the Clayton Act had created any blanket immunity for labor unions. In *Duplex Printing Press Company* v. *Deering* (254 U.S. 443 (1921)), a majority of the Court held that section 6 of the Clayton Act protected only the existence of labor organizations. The act was said to be merely declaratory of the prior substantive law—merely declaratory of what the best practice always had been for the granting of injunctions. See *American Steel Foundries* v. *Tri-City Council* (257 U.S. 184, 203 (1921)). Further, section 20 was construed to apply only where an employer-employee relationship existed.

" 'Since the Clayton Act allowed individuals as well as the Government to seek injunctions, the injunction problem became increasingly acute in the eyes of labor organizations. The question of what a union could or could not do legitimately to further its interests was frequently litigated in the twenties, and the now famous labor dissents of Justices Holmes, Brandeis, and Stone were mostly concerned with the question of the justifiable extent of a labor union's interest in industrywide conditions, in how far a union could go to further the welfare of its members.

" 'The cases decided under the Clayton Act recognized that a union cannot be effective in raising the wages of its members without going outside a single employer's shop. As Chief Justice Taft expressed it, "It is helpful to have as many as may be in the same trade in the same community united, because in the competition between employers they are bound to be affected by the standard of wages of their trade in the neighborhood. Therefore, they may use all lawful propaganda to enlarge membership and especially among those who labor at lower wages and willingly injure their whole guild." *American Steel Foundries* v. *Tri-City Council* (257 U.S. at 209).

" 'Some members of the Court went further. Mr. Justice Brandeis, in his dissenting opinion in *Hitchman Coal & Coke Co.* v. *Mitchell* (254 U.S. 229, 268 (1917)), stated that the desire of the United Mine Workers to unionize every mine on the American Continent, and especially those mines in competition with mines already unionized, was not unlawful but was part of a reasonable effort to improve the condition of workingmen engaged in the industry by strengthening their bargaining power through unions and extending the field of union power.

" 'In spite of these favorable legal demonstrations, unions still found the Sherman and Clayton Acts embarrassingly restrictive, and the use of the injunction as a strike-breaking weapon increasingly onerous, as unions expanded and sought greater power.

" 'The result of labor's hue and cry was the Norris-La Guardia Act[5] of 1932, which broadly and unequivocally removed the jurisdiction of any Federal court to issue any restraining order or injunction in practically any case arising out of a labor dispute. Thus, labor finally secured immunity from the injunctions that had plagued so many of its organizing campaigns.

" 'The main object of the Norris-La Guardia Act was to remedy what was felt to be an existing evil; namely, a too-liberal use by the Federal courts of their equity power to issue injunctions in labor disputes. Labor unions and their partisans had contended that whatever power labor might possess through collective action was effectively canceled by the ability of employers to secure temporary restraining orders against strikes, picketing, and other concerted activities, merely by filing an affidavit in a Federal district court, without notice to the opposing party. To remedy this situation, the act provided in substance that the Federal courts should no longer have jurisdiction to issue restraining orders or temporary or permanent injunctions in any case involving or growing out of a labor dispute.

" 'It will be noted that to some extent the Norris-La Guardia Act duplicates section 20 of the Clayton Act. Two significant distinctions between these statutes exist, however.

" 'The first of these differences is that the term "labor dispute" is defined explicity in the Norris-La Guardia Act to cover more ground than was covered by section 20 of the Clayton Act. A labor dispute may exist within the meaning of the Norris-La Guardia Act, whether or not the disputants stand in the proximate relation of employer and employee (sec. 13(c)).

" 'The second major difference between the Clayton Act and the Norris-La Guardia Act is that the latter purported to do no more than regulate the issuance of injunctions by the Federal courts. Whereas section 20 of the Clayton Act contained the substantive provision that none of the labor activities therein mentioned should be considered or held to be violations of any law of the United States, the Norris-La Guardia Act nowhere contains such a provision.

" 'With the law in this posture, the Department of Justice in 1939 began a nationwide campaign against racketeers in the building trades, where labor unions were prohibiting the use of new building techniques, imposing wasteful featherbedding practices on employers, and, in general, restraining trade through callous abuse of their power. No clearer example of restraints of trade can be conceived than the policy of certain unions of excluding from a geographical area the products of companies in competition with local employers of union labor.

" 'Criminal prosecutions under the Sherman and Clayton Acts were begun on a nationwide basis, and numerous indictments secured. The whole campaign, however, came to naught when the Supreme Court held in *United States* v. *Hutcheson* (312 U.S. 219 (1941)), that labor activities exempted from injunction by the Norris-La Guardia Act were by implication exempted completely from the prohibitions of the Sherman Act. This case involved an employer caught in the middle of a jurisdictional dispute between the carpenters' union and the machinists' union. The carpenters' union called a strike, picketed the premises, requested its members throughout the Nation not to buy the employer's product, and attempted to foment sympathy strikes. The Government caused the head of the carpenters' union to be indicted. The holding in this case might well have been that the direct employer-employee relationship brought the case within the immunities provided by section 20 of the Clayton Act. Instead, the majority opinion by Mr. Justice Frankfurter was based on the theory that the Norris-La Guardia Act had in effect amended both the Clayton Act and the Sherman Act to immunize all concerted labor activities where pursued by labor unions acting in their own interests and where such activities were involved in or grew out of labor disputes as defined in the Norris-La Guardia Act. This bombshell was fatal to the Department of Justice's attempts to remove these logjams in the stream of interstate commerce and explains why the Department cannot adequately deal with problems like the present coal situation.

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[3] 29 U.S.C., sec. 52.

[4] 15 U.S.C., sec. 17.

[5] 29 U.S.C., sec. 101 et seq.

" 'The licit and the illicit under section 20 of the Clayton Act were no longer, after the Hutcheson case, to be distinguished by any judgment regarding the wisdom or unwisdom, the rightness or wrongness, the selfishness or unselfishness, of the end which the particular union activities sought to achieve. And the case of *Hunt* v. *Crumboch* (325 U.S. 821 (1945)), underscored the holding in the Hutcheson case that motive and wisdom are immaterial. In that case the union's grievance stemmed wholly from a personal dislike for the employer, because of which the union withheld its labor from the employer in order to destroy him. Although the employer offered to sign a closed-shop contract, the union refused to let its members work for him, and forced his customers, with whom the union had closed-shop contracts, to cease doing business with him. Such conduct was held to be lawful under the doctrine of the Hutcheson case, on the theory that laborers can sell or not sell their labor on such terms as they please. The employer was destroyed but left without legal recourse.

" 'Under the Hutcheson case the only apparent limitations upon the immunity accorded a union are that it must act to further its self-interest as a labor organization, and cannot combine with nonlabor groups. Thus, except in certain cases, where business conspires with labor, every conflict in which labor is involved can qualify as a labor dispute.

" 'II

" 'The Hutcheson case marked the practical realization of the complete immunity of labor from the antitrust laws. Between 1914 and 1941 the courts were considering the extent and scope of the statutory immunity of labor created by the Clayton and Norris-La Guardia Acts. While the statutory immunity was still regarded as incomplete, the courts also were considering the companion problem of what types of union restraints were illegal under the Sherman Act itself. This is now a purely academic question to most lawyers, but peculiarly of interest to this committee, since the effect of removing by legislation part of labor's immunity will be to reinvigorate and rejuvenate the concept of unreasonable restraints of trade as developed prior to the Hutcheson case.

" 'While the basic language of the Sherman Act is unchanged, the Supreme Court's version of its meaning has been subject to modifications. The rule as to which restraints are illegal adopted in *Loewe* v. *Lawlor*, which held illegal a secondary nationwide boycott of a small hat manufacturer, was thus stated by the Court:

" ' "In our opinion, the combination described in the declaration is a combination 'in restraint of trade or commerce among the several States,' in the sense in which those words are used in the act, and the action can be maintained accordingly.

" ' "And that conclusion rests on many judgments of this Court, to the effect that the act prohibits any combination whatever to secure action which essentially obstructs the free flow of commerce between the States, or restricts, in that regard, the liberty of a trader to engage in business.

" ' "The combination charged falls within the class of restraints of trade aimed at compelling third parties and strangers involuntarily not to engage in the course of trade except on conditions that the combination imposes; and there is no doubt that (to quote from the well-known work of Chief Justice Erle on trade-unions) 'at common law every person has individually, and the public also has collectively, a right to require that the course of trade should be kept free from unreasonable obstruction' " (208 U.S. at 292).

" 'This concept was subjected to modification by the *Standard Oil* case (221 U.S. 1 (1911)). That case first established the rule of reason, which declared that only those contracts which unreasonably restrained trade were outlawed by the Sherman Act. The opinion contains an elaborate analysis of the common law dealing with monopolies. Later, the rule of reason was declared applicable to labor restraints, in *National Association of Window Glass Manufacturers* v. *United States* (263 U.S. 403 (1923)).

" 'Typical of the cases following the *Loewe* v. *Lawlor* concept of physical interference with interstate commerce is *Hitchman Coal & Coke Co.* v. *Mitchell* (245 U.S. 299 (1917)), an extremely controversial opinion by Mr. Justice Pitney, which upheld an injunction against an attempt by the United Mine Workers to organize nonunion mines in which the workers had agreed to quit work if they joined a union. In dealing with such an employer the unions naturally strove to keep the extent of their success in organizing secret until they were able to close the mine by strike. Also, the members of the union kept working while awaiting the strike call. The opinion stressed the idea that the employer's action in imposing the condition of nonunion membership was reasonable due to the difficulties in operating with a union shop in the past. The union recognized these unorganized mines as a serious threat, since the competition produced by the unorganized field rendered it more difficult for the operators of union mines to grant concessions demanded by the union. Thus, in order to relieve the pressure on union members and their employers elsewhere, a concerted organizing drive was undertaken in the unorganized West Virginia district.

" 'On these facts the Court held that the employer was within its legal rights in employing its men only on terms of continuing nonmembership in the union. It was held that the employer had a property right in the employment relationship with its employees which could not be interfered with by a third person. The union had violated this property right by secretly soliciting among the employees in preparation for a strike, and therefore the union was not pursuing its object by lawful means.

" 'Mr. Justice Brandeis' dissent was predicated on the proposition that the organizing campaign in West Virginia was part of a reasonable effort to improve the conditions of workingmen engaged in the industry by strengthening their bargaining power through unions, and extending the field of union power. According to his dissent, the employees were not induced to violate their contracts with the employer, but were merely solicited to join the union. This distinction the majority of the Court declined to recognize.

" 'A different approach is reflected in *United Mine Workers* v. *Coronado Coal Co.* (259 U.S. 344 (1922)). Chief Justice Taft, speaking for a unanimous Court, reversed and remanded a judgment against a union entered as a result of a strike accompanied with considerable violence in the Arkansas coalfields. Some Arkansas mines which had been operating as union mines decided to operate as an open shop. The strike, fighting, and flooding of the mines followed. An injunction was secured, and nonunion miners were brought in from outside the State. Some of the strikebreakers were shot in an attack by the union forces.

" 'The Court held that obstruction to coal mining is not a direct obstruction to interstate commerce in coal, although it may be affecting it by reducing the amount of coal to be carried in commerce. The UMW pressed the unionization of the mines not only as a direct means of bettering the conditions of the workers there, but also as a means of lessening interstate competition for union operators. But this latter was held to be only an ancillary motive, with the actuating force in a given case necessarily dependent upon the particular circumstances to which it is sought to make it applicable. According to the Court, if unlawful means had been used by the union to unionize miners whose product was important, actually or potentially, in affecting prices in interstate commerce, the union would be guilty of an actionable conspiracy under the Sherman Act, but here the evidence was held not to show any primary plan to control competition. *Loewe* v. *Lawlor* was distinguished on the ground that the direct subject of attack there was interstate commerce. The Supreme Court said that the capacity of the mines affected was not shown to be large enough to affect substantially the market price of coal, and the decision of the lower court was reversed.

" 'A new trial was granted, which resulted in a directed verdict for the defendants, and the case was brought to the Supreme Court for a second time. 268 U.S. 295 (1925). New evidence was introduced at the second trial to show that a major purpose of the strike was to prevent the nonunion coal from competing with coal produced by union mines. Evidence about union meetings, and testimony by former union officials, indicated the great concern of the union over that part of the industry not covered by union contracts. New evidence also showed that the productivity of the mines in question was much greater than had been indicated in the first opinion of the Court, and could have an effect upon the general price level of coal. The Supreme Court held that there was substantial evidence at the second trial to show that the purpose of the strike was to stop the production of nonunion coal and to prevent its shipment to markets in other States where it would be in competition tending to reduce the price of the commodity and affect injuriously the maintenance of wages for union labor in competing mines.

" '*United Leather Workers* v. *Herkert & Meisel Trunk Co.* (265 U.S. 457 (1924)), involved a strike to secure a closed shop. Illegal picketing and violence followed and in consequence the employer was unable to fill orders from out of State. There was no evidence as to any attempt to impose a boycott or to prevent shipment in interstate commerce of already manufactured products. The Court held against the employer on the ground that only where there is a direct intention to restrict interstate commerce and thus to create inflated price structures or prevent price competition is there a violation. "It is only when the intent or the necessary effect upon such commerce in the article is to enable those preventing the manufacturer to monopolize its supply or control its price or discriminate between its would-be purchasers, that the unlawful interference with its manufacture can be said directly to burden interstate commerce."

" 'Important distinctions between the second Coronado and Herkert cases are hard to find since in both cases the unions acted with the object of either compelling unionization or forcing employers out of business. Although there was proof in the second Coronado case, as there was not in the Herkert case, of an intention on the part of the union later to gain the elimination of non-union mined coal in the national markets, such proof was not required in the secondary boycott cases of *Loewe* v. *Lawlor* and *Duplex Printing Press Company* v. *Deering*. The confusion was enhanced when the Court in 1927 decided *Bedford Cut Stone Co.* v. *Journeymen Stone Cutters' Association* (274 U.S. 37 (1927)), which, following the two cases last named, held unlawful a nationwide secondary boycott.

" 'This confusion remained relatively static until the Supreme Court decided *Apex Hosiery Co.* v. *Leader* (310 U.S. 469 (1940)), a civil action for treble damages under the Sherman Act against a union which had shut an employer down by use of sitdown strike tactics. The strike was marked by violence; and although the jury only found an intent by the union to conduct a sitdown strike, there was specific testimony that the strikers refused to permit the withdrawal of finished merchandise from the manufacturer's factory for shipment to fill out-of-State orders.

" 'The union argued once again that union activities should be granted an immunity under the Clayton and Sherman Acts. Once again this was rejected. Stating that mere violent interference with interstate commerce, such as a train robbery, is not necessarily a violation of the Sherman Act, Mr. Justice Stone conceived the question as "whether a conspiracy of strikers in a labor dispute to stop the operation of the employer's factory in order to enforce their demands against the employer is the kind of restraint of trade or commerce at which the act is aimed, even though a natural and probable consequence of their acts and the only effect on trade or commerce was to prevent substantial shipments interstate by the employer" (310 U.S. at 487).

" 'The Court held that the Sherman Act was not designed to police interstate commerce but was enacted for the prevention of restraints to free competition in business and commercial transactions which tended to restrict production, raise prices, or otherwise control the market to the detriment of purchasers or consumers of goods and services, all of which had come to be regarded as a special form of public injury (310 U.S. 493). According to the opinion, the Sherman Act did not apply in any case, whether or not involving labor organizations or activities, unless there was some form of restraint upon commercial competition in the marketing of goods and services, and could not apply in cases of local strikes conducted by illegal means in a production industry except where it was shown that the restriction on shipments had operated to restrain commercial competition in some substantial way. In other words, a restraint on competition in the course of trade in articles moving in interstate commerce is not enough unless the restraint is shown to have, or have been intended to have, an effect upon prices in the market, or otherwise to deprive purchasers or consumers of the advantages which they might derive from free competition. Although in order to render a labor combination effective it must eliminate the competition from non-union-made goods, and although the elimination of price competition based on differences in labor standards is the objective of many national labor organizations, this effect on competition was stated not to be considered the kind of curtailment of price competition prohibited by the Sherman Act. It was observed that in each of the cases where the act was held applicable to labor unions, the activities affecting interstate commerce were directed at the control of the market and were so widespread as to affect it substantially.

" 'Mr. Justice Stone did not find it necessary to overrule any precedents. *Lowe* v. *Lawlor*, and the Duplex Printing Press Co. and the Bedford Cut Stone Co. cases, were all distinguished on the stated ground that in those cases—

" 'The effort of the union was to compel unionization of an employer's factory, not by a strike in his factory but by restraining, by the boycott or refusal to work on the manufactured product, purchases of his product in interstate commerce in competition with the like product of union shops.

" 'In the Bedford Cut Stone Co. case it was pointed out that, as in the Duplex Printing Press Co. case, the strike was directed against the use of the manufactured product by consumers with the immediate purpose and effect of restraining future sales and shipments in interstate commerce and with the plain design of suppressing or narrowing the interstate market, and that in this respect the case differed from those in which a factory strike, directed at the prevention of production with consequent cessation of interstate shipments, had been held not to be a violation of the Sherman law.

* * * * *

" ' "That the objectives of the restraint in the boycott cases was the strengthening of the bargaining position of the union and not the elimination of business competition—which was the end in the nonlabor cases—was thought to be immaterial because the Court viewed the restraint itself, in contrast to the interference with shipments caused by a local factory strike, to be of a kind regarded as offensive at common law because of its effect in curtailing a free market and it was held to offend against the Sherman Act because it affected and was aimed at suppression of competition with union-made goods in the interstate market" (310 U.S. at 506).

" 'In the Apex case the Court found the elements of restraint of trade present in the second Coronado case, and alone to distinguish it from the first Coronado case and the Leather Workers case, were here lacking. The restraints imposed were said not to be within the Sherman Act unless they were intended to have or in effect have the effects on the market on which the Court had relied to establish the violations in the second Coronado case, and restraints not within the act when achieved by lawful means are not brought within its sweep merely because, without other differences, they are attended by violence.

" 'Thus, after 13 years, an attempt at a definitive statement of the application to labor unions of the antitrust acts was finally given. Unfortunately, it has had little practical value yet, because the next year, in the Hutcheson case, labor unions were accorded the immunity from the Sherman Act which they had been denied in the Apex case.

" 'III

" 'The Apex case shows that if this Congress should strip away from the Clayton and Norris-La Guardia Acts a meaning which this Congress, in my judgment, never intended those acts to have—a meaning which was read into those acts by the majority opinion in the Hutcheson case—the Sherman Act would again emerge, not really amended but rather restored, to condemn restraints of trade in the same forceful and unequivocal language as in 1890. Labor unions are immune only because of the Supreme Court's construction of the subsequent statutes, and the Supreme Court has recently held[6] that there is no constitutional ground requiring the exemption of any group from the antitrust laws.

" 'As I see it, Senator ROBERTSON's bill would accomplish only one result, but that result would be an extremely important one, from the standpoint of our national welfare. Today, under the Hutcheson case, labor has what amounts to an absolute immunity from criminal prosecution, injunction or treble damage suit based on the Sherman Act. The Sherman Act, until the decision of the Supreme Court in the Hutcheson case in 1941, was the only really effective deterrent to unreasonable restraints imposed by labor unions on interstate commerce. If the Hutcheson case were nullified, as it would be by S. 2912, the Government could, in the event a labor union undertook to impose restraints on interstate commerce so unreasonable as to prejudice the national economy, health, or safety, move against the union either by a criminal prosecution or a suit for an injunction, or both. To bring about this change in the law would require no modification of the language of the Sherman Act. Congress would merely read out of it and out of the Clayton Act a meaning which this Congress, in my judgment, never intended either of those acts to have, a meaning which was read into those two acts by the Supreme Court's interpretation of the Norris-La Guardia Act in the majority opinion in the Hutcheson case.

" 'Today the courts of the United States are closed to the Government, as far as applying the Sherman Act to labor union activity is concerned. Senator ROBERTSON's bill would open that door. Once the Government had then come into a Federal court and named a labor union as a defendant, the Government would have the burden of convincing the court that the labor union activity complained of was not legitimate labor union activity, but was so unreasonable, and so unrelated to any legitimate labor union objective, that it fell within the prohibition of the Sherman Act as an unreasonable restraint of interstate commerce. The Government would have the further burden of showing that, however unreasonable the restraint the union had imposed, the restraint had been imposed on articles, commodities, or services essential to the maintenance of the national economy, health, or safety. Under these qualifications and this heavy burden of proof, the Government could not be expected to proceed against a labor union under the Sherman Act unless the union had gone far beyond what any fairminded citizen would believe was legitimate union activity, and unless the case was so important that the union activity was really seriously prejudicing the national welfare.

" 'In each case it would be up to the court, or up to a jury under appropriate guidance from the court, to decide the ultimate question of whether or not an unreasonable restraint of trade had been imposed. Of course, a union could not come into court and successfully insist, no matter what it had been doing, that its primary purpose was to obtain better wages or working conditions, and thus preclude the court or jury from looking behind that statement and determining whether such a motive was a primary one. On the other hand, neither could the Government preclude the court or jury from determining that the primary purpose of the union was to obtain better wages or better working conditions. In each case it would be a question of fact, although there are certain activities which any court would be obliged to hold, under controlling Supreme Court decisions, are per se violations of the Sherman Act, such as price fixing and nationwide secondary boycotts.

" 'Nothing in Senator ROBERTSON's bill would prevent the right of labor to organize, to strike, or to work for legitimate union objectives, on a nationwide basis or otherwise. The sole purpose of this act, as I see it, is to give the Government a chance to go into a court and to convince that court that certain labor-union activity had been so outrageous, so shocking to principles of rightness and wrongness, so unrelated to any legitimate union objective, and so far reaching as to prejudice the national economy, safety, or health, that the court, if it agrees with the Government, can take appropriate steps to stop conduct which carries with it all these elements of shocking unreasonableness. I have difficulty in understanding why anyone who has the welfare of this Nation at heart should object to entrusting his Government with this kind of power'."

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[6] *Giboney* v. *Empire Storage Co.* (336 U.S. 490 (1949)).

## SERVICES OF SENATOR MORSE IN SETTLING LONGSHOREMEN'S STRIKE—NEWSPAPER STRIKES IN OHIO AND NEW YORK

**Mr. YOUNG of Ohio.** Mr. President, may I express my great admiration and manifest my devotion to one of the truly great Americans of our time. I refer to our colleague the distinguished senior Senator from Oregon, WAYNE MORSE. Also, I express publicly my thanks to the citizens of Oregon for returning this great man to the Senate for another 6 years service to his State and to our Nation.

This Nation was afflicted with a long, drawn-out longshoremen's strike which was seriously hurting American workers and consumers everywhere, and in which no progress seemed to have been made in bringing about a settlement. Our President showed great leadership and excellent judgment in appointing the senior Senator from Oregon [Mr. MORSE] to be Chairman of the Special Mediation Board which he set up to look into the matter and to endeavor, by dealing fairly with both parties, to bring about an end to the tragic labor dispute which had afflicted the American people.

The distinguished Senator from Oregon took on that task, spent many hours in conferences, and then the tremendously good news went throughout the country that he had successfully worked out a solution to the problem.

This news comes home to the people of Ohio with great impact. In Cleveland, Ohio, we have two great newspapers, the Cleveland Press and the Plain Dealer, with a circulation of three-quarters of a million, mostly, of course, in Ohio. For 52 days there has been a news blackout caused by an unfortunate strike, afflicting the workers, the reporters, the members of the editorial department, the pressmen, the machine operators, and the management of those papers.

In New York City, likewise, there has been a prolonged newspaper strike which has proved to be disastrous to many persons.

Of course, I have tried, in my humble way, through the mayor of Cleveland and others, to do what I can to bring about an end to the newspaper strike in Cleveland. I believe in the collective bargaining process, and throughout my 8 years as a Congressman at Large, representing the sovereign State of Ohio in the other body, I attested my belief in this process time after time. I feel sure that these labor disputes will be solved through this voluntary method.

Our great mayor of Cleveland, Ralph S. Locher, has been working during this entire period trying to help to work out a solution.

Our President accomplished much and showed fine judgment in selecting our great colleague, the senior Senator from Oregon, to be entrusted with this opportunity to perform great service. He rendered this service not only to the President of the United States but to all the citizens of the Union.

Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

**The PRESIDING OFFICER** (Mr. PROXMIRE in the chair). Is there objection? Without objection, it is so ordered.

**Mr. YOUNG of Ohio.** Mr. President, as I have stated, there are other serious strikes existing in New York State and in my State of Ohio. While paying deserved tribute to this truly great colleague of ours, who has performed so magnificently in helping to bring about an end to the longshoremen's strike, it occurs to me that the President might communicate with the mayors of Cleveland and New York City and to the parties involved in the newspaper strikes in those cities to determine whether they are willing to have our distinguished colleague, the senior Senator from Oregon, come into Cleveland and New York City to help settle these disputes. I am not speaking in favor of compulsory arbitration, but of his going to those cities to see if he cannot sit down at the collective bargaining tables and work his magic. It seems to me he did work his magic in ending the longshoremen's strike. By coming into my home city of Cleveland and augmenting the fine efforts being made by the great mayor of Cleveland, Ralph S. Locher, and collaborating with him, it is quite probable he could help end this news blackout.

**Mr. MORSE.** Mr. President, will the Senator yield?

**Mr. YOUNG of Ohio.** I yield.

**Mr. MORSE.** I would be less than human if I did not appreciate the kind words of the Senator from Ohio. I appreciate his kind references to me with reference to the longshoremen's dispute. But let me say to the Senator from Ohio that if I hear another syllable out of him trying to get me involved in the newspaper strike, I will go into the courts of the State of the Senator and see if I can get a restraining order against his right of free speech. I would like to be able to remain at my office and return to my duties. Also, I know that the best time to quit is when one is ahead.

I will not try my case, but in my judgment that is not the way to try to settle the newspaper dispute. Although I appreciate the compliments, I am simply not one to become involved in that dispute. I thank the Senator.

**Mr. YOUNG of Ohio.** I again express my admiration for the Senator from Oregon. I will not contest with him, because I am fearful of doing so. I yield the floor.

**Mr. YARBOROUGH.** Mr. President, I wish to commend the distinguished senior Senator from Oregon for the great service he has rendered the Nation and for the progress that has been made in the settling of the critical longshoremen's strike, which has tied up thousands of vessels on the east coast and on the gulf coast.

I have watched the Senator's leadership and the progress of the negotiations. The President of the United States showed good judgment in reaching out from the executive department into this legislative body to pick a man who has great negotiating ability, which he demonstrated in World War II, when he served in an important position in connection with labor matters. He has brought his skill and his magic to the settlement of the longshoremen's strike, and it appears that it is now on the verge of solution. I understand his Board's proposal has been accepted by most of the parties involved—by labor and by the majority of the shipowners.

All of us owe the Senator a great vote of thanks for the great service he has rendered. It is a tribute to the Senate that we have among us a man who can render this kind of service. I therefore join with the Senator from Ohio in these words of commendation.

**Mr. MORSE.** As I leave the floor I merely wish to say that I appreciate all the kind words that have been spoken about me. However, let us keep our fingers crossed. The ships are not moving yet. I hope that those involved in the gulf ports—at Houston and Galveston and other ports—will go along with the settlement. I have several cups of free coffee waiting for the Senator from Texas if he can help me to bring that about.

**Mr. YARBOROUGH.** I hope that the ships will start moving again.

## VIOLENCE AT THANKSGIVING FOOTBALL GAME—THE MACCARTHY COMMITTEE REPORT

**Mr. HUMPHREY.** Mr. President, last week I commented briefly on the report of the Special Committee on Group Activities—the Shane MacCarthy report—that investigated the tragic outbreak of violence at the high school championship football game on Thanksgiving Day.

I noted that one of the principal recommendations of the MacCarthy committee report related to the need for a Youth Conservation Corps to provide a means whereby teenage school dropouts could acquire the skills and self-respect so necessary to becoming employable, self-sufficient members of society. As Senators know, my youth employment bill, S. 1 and H.R. 1 in the 86th Congress, establishes both a Youth Conservation Corps and a local area employment program. I sincerely believe that these two programs will provide the basis for a broad national effort to meet the crisis of massive youth unemployment that was emphasized in the MacCarthy report. The MacCarthy report probes deeply into the circumstances behind the Thanksgiving Day disturbances. The committee asks many searching questions, often unpleasant questions, and comes up with a series of recommendations, some quite controversial.

The Special Committee on Group Activities was established by Superintendent of the District of Columbia Public Schools, Dr. Carl F. Hansen, to investigate the facts surrounding the Thanksgiving Day violence. Dr. Shane MacCarthy, director of community programs, National Lumber Manufacturers Association, was named by Dr. Hansen, to serve as chairman of the committee. Dr. MacCarthy had previously directed the President's Council on Youth Fitness during the Eisenhower administration. Dr. MacCarthy asked 10 outstanding and respected community leaders not associated with the District schools or the District Government to serve with him. I commend the chairman of the committee and his fellow committee members on their dedicated work. They accepted a difficult task and the entire Washington community owes them a vote of thanks for their willingness to accept this assignment.

The distinguishing factor of this report is its honesty, frankness, and determination not only to seek causes but to offer specific recommendations for avoiding similar occurrences in the future. Since publication of the report several weeks ago, it has been defended and criticized by many persons. There has been, and will continue to be, much honest disagreement regarding some of the committee's conclusions and recommendations.

Frankly, the report is not pleasant reading. It illustrates vividly that the frequently used phrase, "social dynamite," is indeed an accurate description of young people lacking self-discipline, self-respect, a sense of community responsibility, and the ability and disposition to become self-sustaining members of society.

While the report is deeply disturbing, it also places before us many harsh facts of life existing within the Washington metropolitan area. As I noted last week, since the Congress seems unable to divest itself of the task of functioning as a city council for the District of Columbia, every Member of Congress has the duty to appreciate the magnitude of the problems existing within the Washington community.

Until the District of Columbia has the prerogative of home rule, I do not see how we can really build the sense of citizenship lacking in many of its young residents. If we are to really expect persons to obey the law, we ought to give to the community the right to write its laws. I have confidence that the residents of Washington have the ability and the wisdom to govern themselves. I hope we will live to see such a day.

Moreover, the basic conditions described in this report are also the concern of every growing urban area of this country. The massive problem of establishing a stable urban society in the face of rapidly changing social patterns, expanding population, shifting environments, and stunted opportunities challenges the courage, faith, and dedication of every American—regardless of his place of residence.

These massive problems cannot be understood or attacked constructively by pretending they do not exist, or that they will suddenly disappear. Therefore, I believe they should be faced with the same honesty and frankness that characterized the work of the MacCarthy committee. Until I have had greater opportunity to confer with the District, school, and civic officials concerned with this incident, I do not intend to comment specifically on any portion of this document.

By asking unanimous consent that the principal sections of the report be printed in the RECORD, I neither endorse nor disagree with the work of the committee as contained in this report. What I do say is this: Every responsible citizen of the Washington area should have the opportunity to read and evaluate the work of the MacCarthy committee. I sincerely hope that such evaluation will be entirely constructive, without malice or prejudice against any segment of this city's population.

In this spirit I would like to quote from the closing paragraph of Dr. MacCarthy's letter of transmittal:

> We earnestly trust the report, when acted upon, will help those who need assistance most—the boys and girls of our public schools in the National Capital. The attributes that have made our country great—truth, courage, determination, and moral integrity—must combine to foster a behavior pattern among all our young people of such essential worth that another Thanksgiving riot cannot happen. With the current stress on the physical aspect of fitness, let's always remember that true fitness involves even more important factors—the muscles of the mind and the fibers of the will.

This is the goal before us in Washington. It is time we attended more closely to its realization.

Mr. President, I ask unanimous consent that principal portions of the report of the Special Committee on Group Activities be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

## REPORT TO THE SUPERINTENDENT, PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA, JANUARY 1963

(By Special Committee on Group Activities of the District of Columbia)

### MEMBERSHIP OF COMMITTEE

Chairman: Dr. Shane MacCarthy, director of community programs, National Lumber Manufacturers Association.

Special consultant: Judge Stephen S. Jackson, Deputy Assistant, Secretary of Defense.

Committee members: Simeon S. Booker, Jr., chief, Washington bureau, Johnson Publishing Co., Inc.

Mrs. Henry Grattan Doyle, past president, Board of Education.

Arnold Fine, director of public relations, the Hecht Co.

Philip Larner Gore, president, Security Storage Co.

Lt. Gen. Lewis B. Hershey, Director of Selective Service.

Col. John V. Hinkel, vice president, Kelly-Sanders-Hinkel, Inc., public relations.

Mrs. Jehu L. Hunter, 2d vice president, League of Women Voters of the District of Columbia.

Dr. E. Franklin Jackson, minister, John Wesley A.M.E. Zion Church.

Alphonse "Tuffy" Leemans, past president, Touchdown Club.

Sterling Tucker, executive director, Washington Urban League.

### SUBCOMMITTEES

Citizen responsibilities: Chairman, Simeon S. Booker, Jr., Philip Larner Gore, Lt. Gen. Lewis B. Hershey, Dr. E. Franklin Jackson.

School responsibilities for sports: Chairman, Mrs. Henry Grattan Doyle; Arnold Fine, Mrs. Jehu L. Hunter.

Interschool competitions: Chairman, Sterling Tucker; Col. John V. Hinkel, Alphonse "Tuffy" Leemans.

Drafting of report: Chairman, Simeon S. Booker, Jr.; Mrs. Henry Grattan Doyle, Sterling Tucker.

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Special Committee on
Group Activities of the
District of Columbia,
*Washington, D.C., January 8, 1963.*

Dr. Carl F. Hansen,
*Superintendent of Schools, Public Schools of the District of Columbia, Washington, D.C.*

Dear Dr. Hansen: Attached is the Report of the Special Committee on Group Activities established by you to investigate thoroughly the incidents and disorders which arose out of the city championship football game on Thanksgiving Day, 1962.

While Thanksgiving 1962, will be remembered long as a dismal day for many, those most grievously affected plead—not for revenge—but for action, so that an affair of this kind will not occur again. In essence this is the challenge you have placed before this Committee, and I assure you that every member has worked assiduously to face up to it.

In responding to your invitation to be Chairman of this Committee, I had little appreciation of the depth and enormity of the problems involved.

Since you had confidence in selecting me as Chairman of this Committee and in allowing me the liberty to choose the members of the Committee, I feel you should receive from me the frank statement of my own views which are contained in this transmittal letter. Clearly do I recall your mandate to me personally to "lay it on the line."

To consider the Thanksgiving Day disorders as beginning and ending with the referee's whistle would be to ignore the pleading of the injured and to minimize the fundamental factor that behavior at one sports contest—in this instance a football game—follows the pattern of conduct at other similar events and in the daily surroundings of the schools.

Thus the tragic happenings at District of Columbia Stadium may beget good and lasting results if they awaken the public mind and shock responsible persons into assessing the discipline of students in our public schools. This serious theme—the urgent need for both group and self-discipline—runs throughout the report. The brutal display of irresponsibility and lack of self-discipline must be examined in the context of normal living among average law-abiding citizens. Not a single teacher to whom I have spoken in the past few weeks was surprised that the outbreak took place. Uniformly came the response, "Why should we be? We live with this brand of conduct every day in the schools."

Your written invitation, Mr. Superintendent, to all teachers to speak with me directly, buttressed by a meeting of principals in your office, brought little response. This is attributable to two reasons:

(a) Lack of follow-through by many principals; and

(b) fear on the part of the teachers lest frankness would jeopardize their positions.

Some very conscientious teachers did accept our invitation to come before the Committee. Many talked to me alone—not wishing to disclose themselves further. What they said in vivid detail corroborated the information the Committee already received about the discipline problems in the public schools at all levels—elementary, junior high, and high—and the inability of teachers to teach under such conditions. With a tolerated policy to keep youngsters off the streets and in the schools, many teachers too often become mass babysitters for the young and wardens for the older groups. It is virtually impossible for an instructor to put over a subject when some students talk, walk around the room, curse, throw objects, remain in the halls for inordinately long periods, resent any mandate, and at times even ridicule and threaten the teacher. The lack of respect for the teacher is causing many dedicated persons to either bide their time to retirement or seek occupation in other fields. Teacher frustration under such difficult circumstances is an all too common disease.

Teachers find it difficult to live with their consciences when too many pupils are passed upward from grade to grade, not because they have the academic ability, but only because they are getting older. Teachers are heartbroken under these conditions.

In all my discussions with persons in the schools there was reflected the dedication of heart, mind, and physical effort in the interest of all of the children of all of the people. The eagerness of school personnel to succeed in this overwhelming task deserves and requires the help of the entire Washington community.

It is only in this full context that the District of Columbia Stadium conduct of students, school dropouts, and neighborhood hoodlums can be understood and analyzed for corrective action. The format becomes apparent when we realize how little educational and behavior benefit some pupils are capable of accepting in the classroom. Nevertheless these children go to higher grades until they attain the compulsory attendance age of 16 and then go out to face the world. Many among them cannot read and write and are unable to get jobs. Crime, with its ever ready appeal of ease, too often supplies an answer to joblessness, frustration, and boredom. Unfortunately, examples of criminal conduct crop up too often within some schools, jeopardizing pupil safety and influencing other students. Not unusual are organized extortion rings where older boys take lunch money from younger boys and girls; stealing of clothes, radios, books, and balls; molesting of students in corridors and threats of violence. Much of this happens without public notice because those affected are coerced by threats not to tell, and many school officials choose to live with what they have come to regard as inevitable rather than notify the police. Too often when the police are brought in and the culprit remanded to justice, he returns to school within a few days, having been told by court authorities to be "a better boy."

It is no wonder that widespread rumors persisted in the public schools before the Thanksgiving Day game that there would be trouble if St. John's won. Because of this, hundreds of boys and girls in the public schools did not go to the football game and do not go to the basketball games at the present time.

Many of the behavior problems occur in the basic groups at the high schools because those pupils have little interest or desire to advance. They can be easily led or misled. Irresponsibility and lack of self-discipline are all too prevalent in this section of the schooling process. But the roots of this problem go back to the early grades of elementary school where the fundamental skills of the three R's have not been acquired by these pupils. Lecturing to these unfortunate children about the correlation between rights and responsibilities or the necessity of respect for persons and property means nothing. They simply are unprepared to accept abstract ideas of this kind. Their behavior patterns in and around the schools reflect this ignorance and indifference. If irresponsibility is their daily norm, the charged atmosphere of stadium tension is a natural environment for irresponsible explosion.

Since 1954, the date of integration, many students, both white and colored, have found the training of our District of Columbia public schools an adequate and often exemplary base for immediate positions in the business world or for advanced education. However, the rapid growth in numbers of Negro pupils, many with low mental rating, coupled with increasing crowding of facilities, neutralized the academic standards of the education system in the District of Columbia.

Placing the Negro children with the white 8 years ago was desegregation, not integration. Only too prevalent was the pattern of the Negroes and the white continuing to segregate themselves within the same school. In undertaking any process, there are two methods: the easy and the hard; usually the first is the less effective. So it appears to have been with the laudable step to blend the races in our American schools.

Integration is a most complicated undertaking. It is not accomplished simply by opening classroom doors. It is not brought about by a paper decision to recognize the rights of fellow citizens. It is not achieved by an emotional urge that follows the prodding of the heart rather than the leadership of the head. We do a grave disservice to boys and girls of both races when we direct them to integrate and thrust them into indiscriminate mingling without the thorough preparation which is a mandate for success in any undertaking. The unique difficulties which many teachers face today and which too often rock their morale in teaching basic students and in controlling classroom discipline, illustrate the need for prior training and preparation essential to achieve good results. We must now acknowledge the existence of current school disciplinary problems resulting in large measure from the lack of such teacher preparation and resolve to take drastic measures to cope with existing conditions.

For the colored as well as the white, it must be acknowledged that lawbreaking anywhere—at school, in the street, or in a stadium—is not the result of being underprivileged. Breaking the law results from a fundamental lack of self-discipline. Social background unquestionably affords some of the reasons for malcontent, but persons, if they are to be contributive citizens, must learn to rise above their environment. While inequities of citizenship can never be condoned, it must be recognized that sometimes it takes years and years to remove them. In the meantime, those so affected must learn to control themselves. Our American society at every stage of its development has been marked by the patience and perseverance of individuals and ethnic groups. Our own Negro leaders of today, typified by those on this Committee, are splendid examples of men and women who have coped with difficult social circumstances in their own youth and have risen above them.

Racial hatred of fellow Americans is intolerable whether it be white against Negro or Negro against white. We are all American citizens. As our Negro citizens develop social maturity they must differentiate between those who would exploit their condition for proximate or ultimate political purposes and the white citizens who want them to enjoy the full and unhampered benefits of American citizenship. Negroes must have confidence in the latter. With this approach, Negro achievements will be notable and lasting. Without this, suspicion and bitterness inevitably continue.

Mutual confidence of this kind between the races was exhibited in all our Committee discussions. In fact, our common labors to assess the meaning of "what happened" and "why" clearly show how much better conditions at D.C. Stadium on Thanksgiving Day 1962 would have been if planning such as this had taken place ahead of time.

The Committee members join me in thanking you for the honor you have done us in requesting that we serve you on this difficult assignment. From the beginning of our deliberations until the end, you have carefully refrained from interfering in the slightest degree. Through you we received a great quantity of pertinent written information from all the public schools, and your immediate staff attended to all our housekeeping needs.

We earnestly trust the report, when acted upon, will help those who need assistance most—the boys and girls of our public schools in the National Capital. The attributes that have made our country great—truth, courage, determination, and moral integrity—must combine to foster a behavior pattern among all our young people of such essential worth that another Thanksgiving riot cannot happen. With the current stress on the physical aspect of fitness, let's always remember that true fitness involves even more important factors—the muscles of the mind and the fibers of the will.

With the submittal of this report, the Special Committee on Group Activities is disbanded.

Respectfully submitted.

SHANE MACCARTHY,
*Chairman.*

OPENING STATEMENT OF DR. SHANE MAC CARTHY, CHAIRMAN OF THE SPECIAL COMMITTEE ON GROUP ACTIVITIES

The concept of champions is an ancient one. Champions were chosen to represent kingdoms and states as exemplars of the finest virtues of the people they represented. The philosophy of championship contests has survived. It is regretful, indeed, that such a contest was the setting for a grim spectacle on Thanksgiving Day.

An American sports event, played in an American stadium, on an American holiday, in the National Capital, came to a close with a grandstand performance of ill will and irresponsibility with too many of those in attendance playing the leading roles. The show that ensued blasted loud and vengeful in and around the District of Columbia Stadium. It was real, and it was painful. The riotous conduct was the part of the afternoon that won immediate and lasting wide attention.

Few Americans can recount the score of that game—many can probably not even identify the winning team But the shame of the fighting and the bloodshed is remembered well, to the detriment of our city, our District citizens, and indeed to our Nation.

The savagery at District of Columbia Stadium was participated in and witnessed by more than 48,000 Americans; reports of it were simultaneously broadcast to countless other thousands; it has occupied pages of newspaper and magazine space in far-distant places as well as at home; and numerous commentaries have been made, with and without the facts. The eyes of the Nation and of the world are watching to see how the citizens of the Capital City of the world's most respected Nation undertake to restore the dignity of that Capital and its people.

The Special Committee on Group Activities has the important duty of analyzing this grave and critical situation. It is necessary before proceeding with the study to make sure that all members of the Committee think alike about the seriousness and significance of the circumstances. To appreciate the full intent of the project at hand, each member of the Committee will need to become thoroughly informed. Reports from responsible persons in the school system, police reports, press accounts of the violence, individual and group feeling as expressed in letters to the Committee and to the editors of the newspapers, TV, radio reports, films, and personal interviews with those who saw, or were a part of, the actual violence are the principal sources being used in acquiring this information. The Committee will be looking at facts, not hearsay; finding ways to correct the situation, not giving excuses; bringing to light reasons for the breakdown in personal responsibility; not seeking a scapegoat.

The primary purpose of the Committee. then, will be to investigate these sources to find out just exactly what did happen at the District of Columbia Stadium on Thanksgiving Day, to find out why it happened, and to formulate recommendations to help prevent a recurrence of mob violence at a high school athletic contest.

Every cognizant of the variety of factors that contribute to violent outbreaks of uncontrolled behavior—for example, housing conditions, economic, social, and religious differences—the Special Committee on Group Activities will be able to consider at this time only those facts pertinent to the Stadium altercations. Should facts come to light that indicate a need for further study and more intensive investigation, such tasks will not be the responsibility of this Committee. In these instances the Committee will be a direction indicator.

Therefore, in approaching our task let us each withhold decisions until we have examined the facts thoroughly. Orbiting in generalities or attempting to use this Committee as a platform to espouse causes or to deny problems will not help us achieve our purpose. So with objectivity and impartiality let us avoid the useless process of manufacturing excuses and strive instead to find the reasons and the answers.

I have confidence in the ability of this group to attack the grave problem before us with thoroughness, efficiency and understanding and to move with steady pace to the completion of a report within 3 weeks.

In this endeavor we pray God's help.

DECEMBER 5, 1962.

## REPORT OF THE SPECIAL COMMITTEE ON GROUP ACTIVITIES

### *Introduction*

On Thanksgiving Day, 1962, an estimated 50,000 persons viewed the annual schoolboy competition at the District of Columbia Stadium featuring the public school champions, Eastern, and the Catholic League winners, St. John's. One of the largest crowds ever to see an athletic contest in the stadium witnessed a thriller but also saw a disgraceful climax of lawlessness, rioting and mass misbehavior on the part of a small percentage of spectators. What started out as the football season finale, the highlight of an athletic character building program, degenerated into a shameful exhibition of poor sportsmanship and misconduct which was widely publicized. The reputation of the Capital City of the world's greatest democracy was tarnished and its citizens were shocked and chagrined.

What happened? Why did it happen? What flaws in planning the contest set the stage for the riots? What are the basic causes of incidents such as the stadium outbreaks? What are the preventatives, particularly in definition of the school's responsibilities?

To assume the heavy responsibility of analyzing the causes of the Thanksgiving Day lawlessness and suggesting ways to prevent a recurrence of such incidents in the city, the Superintendent of the District of Columbia Public Schools, Dr. Carl F. Hansen, established a Special Committee on Group Activities and named as Chairman Dr. Shane MacCarthy, a former White House aid (under President Eisenhower) who directed the President's Council on Youth Fitness. The Chairman set up a 10-person committee with outside impartiality—none of whom were from any part of the school system nor from the School Board, nor from any segment of the government of the District of Columbia.

Dr. Hansen's command was specific: "Our wish is to have from you a frank and unrestricted evaluation of what happened at the stadium, why it happened and what should be done to prevent anything like this from happening again. Let us know what our failures were and what we need to do as a school system to do a better job."

For almost 5 weeks, the Committee members examined available data, materials, letters from school officials and students, letters from families and individuals who attended or who had relatives who attended the game, police reports, injury lists supplied by the Catholic and public schools, regulations, and reports of various public officials. In closed hearings, the group discussed with school officials and citizens various aspects of the Thanksgiving game. The Committee herewith records its appreciation to those persons who cooperated fully with the Committee. Carefully assessing and interpreting the information supplied by guest speakers, the collected materials, the Committee to the best of its abilities, concluded with this report:

### *The game: What happened?*

The 1961 city schoolboy championship game, in which Eastern toppled St. John's by a 34–14 margin, attracted 49,690 spectators, the largest sports crowd ever assembled in the Nation's Capital. In 1962, the schoolboy classic was sold out days before the game and the attendance figure threatened to pass the old record as the result of promotion. In fact, a newspaper created a stir by printing an article which inferred the stadium was oversold. School officials later denied the story.

Police reported the gates opened at 9 a.m. and the majority of the early arrivals were youngsters between 9 and 18 years of age, most of whom were unaccompanied by any adult. As the crowd gathered nearer the 11 a.m. game time, several persons reported young adults scalping tickets on the outside of the stadium. Several appeared to have an ample supply of the ducats.

Just before the start of the game, when the national anthem was played, hundreds of young adults were seen retaining hats on their heads or sitting in their seats. Reports indicated that as the first half of the game progressed many aisles were filled by restless spectators who moved to and fro and there were a few complaints of roving gangs attacking individual fans.

At half time, when many adults left their seats in the lower level nearest the playing field, police report youngsters in the upper levels moved down into their seats, causing confusion. There were reports of several fights in the stands and some altercations in restrooms, as well as the bootleg sale of liquor. A police officer reported the presence of known thugs in unruly groups. It was also near this time, the attendance was announced—50,033, a new record.

Most of the observers, including game officials, considered the game clean, hard-fought, and well played up until the last quarter. However, the Eastern coach mentioned that he tried to complain about illegal blocking on the part of some St. John's players but during the half-time break, he did not take the opportunity to register an official protest.

The turning point of the action on the field took place in the final quarter. A review of the film clips showed hard blocking on the part of both teams. On one such play the elbow of a St. John's player, Jay Calabrese, caught Harris on the right side of his face. When Harris drew back to throw a punch, an official saw him and ejected him from the game. The official did not see illegal use of hands by Calabrese. An Eastern player, Calvin Harris, was ejected from the game for attacking a St. John's player, Jay Calabrese, following a play a few yards from the Eastern bench. Seconds afterward, the Eastern coach entered the playing area, according to him, "to see what was the matter." While on the playing field, he gestured defiantly at the officials and registered a sense of disgust which was noticeable to many fans. While the Eastern coach was on the field, an action which was not sanctioned by officials, Harris raced back onto the field and began attacking St. John's players. Players from the Eastern bench then ran onto the field, apparently to restrain Harris but in the mixup, new fights broke out between members of the two teams. During the melee, police on the sidelines were forced to hold back scores of spectators on the Eastern side of the field, while at the same time, the St. John's coach restrained his team members from crossing the field and becoming engaged in the disorder.

When order was restored, Harris, restrained by his own teammates, was strapped to a stretcher and carried from the field. There was no announcement concerning his condition nor an explanation via the microphone of the activity on the field.

In explaining the gridiron action, a veteran referee, Raymond J. Wrenn, wrote in part, this statement to the committee:

"The game had been going along without any problems for more than three quarters. The boys did not present any problems and there were no remarks between players. As an example, no official had to penalize a player until late in the third quarter and this foul was a simple holding one.

"With about 6 minutes left in the game, there were still no problems and it was a good game until it was necessary to put an Eastern player out of the game for hitting a St. John's player. At this time there was an injured Eastern player on the field. The coach, Mr. Richard Mentzer, instead of attending to the injured player, took this opportunity to complain to the officials about the rough and unsportsmanlike fouls being committed by the St. John's players. He made gestures of the type of fouls and directed his remarks to the St. John's players. After I marched off a 15-yard penalty against Eastern making it first down and 25 yards to go, we were ready to run off another play. I saw an Eastern player run off the bench and go up behind the St. John's middle linebacker and hit him behind the head with his fist. This same player was the one ejected from the game. Many of the Eastern players on the bench charged on the field and a fight took place. The 11 St. John's players had to fight off the attack and were in danger of serious injury.

"I believe that if the Eastern coach and his assistants had restrained their reserve players instead of coming on the field with the players from the bench the one Eastern player could have been restrained by the four officials. This would be a routine game procedure.

"Again Mr. Mentzer, and Mr. Bristor, assistant coach, made remarks about the St. John's players playing illegally and not being penalized. Again gestures were made by Mr. Mentzer about the type of illegal fouls being committed.

"Because of the unsportsmanlike foul relating to the player who came back onto the field, it was necessary to add another 15-yard penalty. I asked him to please leave the field.

"The game was continued and it was necessary to remove another Eastern player for hitting with an elbow. There were several more fouls but all of them on routine plays associated with the game of football.

"The gestures made about illegal play and the threatening to make the game movies available to point out the officials' mistakes was not in keeping with coaching ethics. It is a known fact that problems on the field reflect themselves in the stands."

From the outbreak of fighting on the field, tensions rose, a factor which many spectators seemed to notice. Many admitted that they bundled children and began leaving the stadium apprehensive of trouble to come. The police summed up the situation in this way:

"Several of the persons interviewed expressed a feeling of rising tensions in the crowd as the game progressed. To what extent the events on the field had in creating tension or adding to that which existed, if any, is not known. Some persons expressed the view that these occurrences were a factor in the trouble that developed."

Another segment of the police report states: "After the melee on the field the spectators in the Eastern High School section became restless and noisy, and tension appeared to increase. Fights in the stands increased and police officers had to restrain some persons from going onto the field."

Officers stationed at the Eastern stands reported that a few seconds before the game ended, the fans started a "countdown" and there were cries of "Let's fight" and "Let's get them."

Continuing with the police report, an evaluation of summaries submitted by 242 police officials, it states:

Immediately after the game was over there was a rush of several thousands of persons from the Eastern stands toward the St. John's stands. Officers reported it was physically impossible to stem the rush. Police officers were ordered to escort the St. John's team and band off the field. Other officers proceeded to exits and ramps where numerous attacks were taking place.

Many officers reported attacks on white persons by Negroes in and out of the stadium and seeing a number of white persons injured. They stated, in a number of cases, that they went to the assistance of the injured persons. They repeatedly stressed the difficulty of identifying the assailants and the fact that one assault after another occurred with the assailants disappearing into the crowd. The officers concentrated on assisting the injured and dispersing the crowds.

They reported the extreme difficulty encountered in efforts to control the crowd.

Bottles and debris were thrown at the St. John's band and at several police officers.

Officers reported that a large number of persons exited at gate E on the north side of the stadium. The crowd was yelling, cursing, and generally in wild disorder. Three priests, as yet unidentified, were assaulted by a group of Negroes. One priest was bleeding about the face or head. There were reports of unprovoked attacks on white persons by Negroes. The attacks in this area extended to parking lot 7 located north of the stadium.

It was estimated that approximately 3,000 persons were involved in the incidents at gate E. Police officers reported the impossibility of making arrests because of the size and temper of the crowd and the numerous assaults taking place simultaneously.

There was some trouble at gate D and on the southeast side of the stadium but most of the trouble occurred at gate E, parking lot 7, and on the streets north and northwest of the stadium.

Many thousands of persons left by the main entrance. These persons were orderly and no trouble was encountered except for heavy pedestrian and vehicular traffic.

The disorder and assaults spread northward. The worst of these were at 18th and D Streets NE., and 21st Street and Benning Road NE. Several arrests were made at these locations. There was also trouble at 21st and E Streets NE. There were hundreds of persons at these locations. There were fights in the groups and numerous reports of rocks being thrown.

It was reported that Negro residents of the neighborhood viewed the occurrences as disgraceful. Some of these Negro families opened their homes to white persons to protect them from the mob.

Inside the stadium one officer reported he was assisted by two Negro male adults in breaking up a group of Negroes who had attacked a white girl.

One officer reported his motorcycle was overturned by a group of Negroes. He was calling for assistance and just managed to get off the motorcycle before it was overturned.

At gate E and at 21st and E Streets NE., dogs were used to bring the crowd under control. At 21st and Benning Road NE., a police dog was kicked by a Negro male who also struck at the officer. When the officer attempted an arrest he was jumped on by others and struck on the head and kicked. Rocks and bottles were thrown at the officer.

At Oklahoma Avenue and Benning Road NE., a police dog was kicked by a Negro male. At 21st and Benning Road NE., an officer was pursuing a Negro male who had a rock in his hand. He was pushed down a hill and his police dog was kicked. The dog was snapping back, but the officer does not know if anyone was bitten.

At all of the locations mentioned there were reports of large crowds fighting, cursing, and throwing rocks and bottles.

One officer was spit upon. Four were struck by thrown bottles. One was struck on the head by some object.

In another section of the police report, a study was conducted of residents in an adjoining neighborhood of the stadium. It is printed in full:

"The general area north of the District of Columbia Stadium was the scene of many fights and assaults. To obtain information residents in the 400 block of 21st Street NE., 500 block of 21st Street NE., 2000 block of E Street NE., 600 block of 20th Street NE., and the 600 block of 21st Street NE., were interviewed. This was apparently the area in which the worst of the rioting took place. These residents are Negroes.

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|---|---|
| Total residences visited | 106 |
| Number of families interviewed | 83 |
| Not at home during canvass or during trouble | 30 |
| Did not see anything—just normal football crowd | 27 |

"A number of persons interviewed could furnish no useful information, but many expressed the view that the occurrences that took place were disgraceful.

"Practically all of the persons interviewed saw the large groups of persons. Ten persons stated they saw Negroes attacking white persons. Eleven stated they saw Negroes, mostly juveniles, jumping on automobiles and running up on porches. A number saw fights taking place.

"Several of the residents had attended the game. One stated he saw an Eastern player striking St. John's players and another Eastern player kicking a St. John's player. They stated they left the game early because they felt trouble coming. One saw sporadic fighting among Negroes during the game. Another stated he saw juveniles drinking from whisky bottles in the men's restroom.

"Two persons stated a Negro neighbor opened her home to several injured white boys. Another Negro stated he told several white boys to come up on his porch but they ran away and he saw them attacked by Negroes. Another Negro resident permitted white boys to stay on her porch. One stated she went to the assistance of a white boy who had been assaulted by Negroes.

"One Negro resident stated a Negro youth brought a white youth to her door. Both had been beaten. At the same time, four other white youths ran up and she took all six into her home. They, too, had been beaten. They remained there until the police arrived. Another Negro neighbor went to the assistance of this resident and both of them went into the street to assist white persons.

"None of the persons interviewed could identify any of the attackers. From the residents in this neighborhood, however, the following views were expressed:

"1. The assaults were unprovoked and committed by one segment of Negroes on white persons and on other Negroes who came to their aid.

"2. There appeared to be considerable drinking.

"3. Many were angry because Eastern lost the game.

"4. A group of Spingarn students attempted to stop the assaults and aid the victims.

"5. The majority of the disorderly crowd were not students.

"6. The residents deplored this behavior and will discuss the matter with their civic associations.

"7. They were complimentary of the action taken by police officers. Additional information on the rioting compiled by police included:

"Statements were obtained from two bus drivers which described the disorder created on the buses by large numbers of Negro teenagers and the damage inflicted on the buses.

"Also one report of an assault which occurred on parking lot 7 in which a white female was attacked by 15 to 20 Negro females. She received only home treatment for minor injuries."

Eleven reports were received from members of the U.S. Park Police.

Three U.S. Park Police officers were detailed to the parking lots at District of Columbia Stadium. One of these officers reported a large group of possibly 1,500 teenagers on lots 7-A and 7-F with several groups fighting in the center of the crowd. He witnessed six or seven Negroes beating up two white boys and went to their assistance. He tried to break up several other fights and was encompassed by the crowd. The crowd pushed the assailants away and prevented apprehension. He stated the crowd surged on and numerous fights continued.

Another saw fighting on the parking lot. He saw one Negro male bleeding from the nose. The officer was struck in the chest by a thrown rock. He also saw a white male bleeding. He tried to disperse the crowd. He also investigated the complaint of a Negro female that she injured her hand when struck by an automobile occupied by several white females. The Assistant Corporation Counsel refused to issue papers in this case.

Another officer who was assigned to parking lot 8 responded to parking lot 7. The heavy traffic delayed his arrival and when he did arrive he saw a large group of persons, mostly Negro, running up the parking lot bank. He saw no fighting at that time.

One officer saw no fighting on arrival but took custody of two lost children.

Another went to 21st and D Streets NE., and assisted the Metropolitan Police in taking three white males and two white females to their cars because they had been threatened by Negroes. He also assisted the Metropolitan Police at 21st and Benning Road NE., in dispersing large groups.

One officer went to the East Capitol Street Bridge where large groups of teenagers were running down the middle of the roadway blocking traffic. He restored traffic movement and then assisted in dispersing large groups on lot 7.

Five U.S. Park Police officers responded, with special equipment, from their headquarters. They arrived at lot 7 and found no disturbances. Also responded to lot 6 and found no trouble. They patrolled the area but the gathering of groups had subsided.

### *Causes of the violence*

In examining what it considered a chain of events which triggered such a frightful uprising, the committee found no incident which could singly be blamed for touching off the riot. If there were one that seemed to fit the requirement, it probably was the disgraceful conduct of the Eastern coach and his ousted player. To charge this pair with sole guilt for touching off such an awesome climax, would perhaps, take out of context their unfortunate role and make them the scapegoats for a shocking laxity of the sponsors, the Washington Post, the Touchdown Club, and those school officials in both Public and Catholic Leagues who served as members of the championship game committee. These parties showed an amazing lack of awareness of the flammable potential as illustrated by the uncivilized behavior.

This insensitiveness was unfortunate because for the past several years misconduct has plagued athletic events of the public schools—and even, the schoolboy classic as far back as 1956. During the intervening years, school officials have done little to curb this type of violence at school athletic contests. Unable to cope with the misconduct problem at smaller games, school officials nonetheless approved a citywide game drawing more than 50,000 spectators, unpicked and unknown, and under outside auspices. Several guests mentioned that a committee should have been named several years ago to probe violence and misconduct at school athletic events.

As recent as the 1961 Thanksgiving Day game, the first high school game at the stadium, police reported difficulties of an alarming degree. Almost 50,000 attended the game between St. John's and Eastern. According to police, one student was beaten on a parking lot after the game and there was considerable vandalism to the stadium during the game. At the close of the annual Turkey Day game in 1959, spectators rushed onto the field, according to police. A player was stabbed. Another person was struck by a chain. Seventeen other incidents were reported to police.

Despite this experience, sponsors and school officials with knowledge of the Police Department promoted the 1962 gridiron battle without formulating a system of sound safeguards and prevention. Here are some of the important factors the committee believes produced the charged atmosphere and tension which set the stage for violence:

1. Overcommercialization: For the past decade, the game has grown into an unwieldy institution with a sportsmanship theme but of necessity a commercial promotion. In urging the public to purchase tickets, promoters used the gimmick of "a grudge battle" which created a climate, according to many students and officials, of an intense and passionate desire for victory. There were reports that principals were required to sell at their school building certain amounts of tickets to the game—even to outsiders who entered their buildings and interfered with normal school programing. One public high school principal claimed he was exhorted to sell 5,000 tickets by superiors. Even with many of the principals opposing the game as contrary to the best educational standards, they distributed and sold tickets in any desired amounts to all takers, regardless of their reputation. The low-cost admission and the indiscreet ticket sales attracted the most undesirable elements and made it possible for an unruly element to destroy all evidence of a character building program. There is much doubt, however, in the minds of some committee members how much character building there is in the school athletic program. At the present time, the public school athletic program does not enforce standards of eligibility ironclad enough to prevent undesirables from participating in the sports program. This probably is due to the overemphasis of interscholastic athletics to the detriment of developing a strong and widespread intramural sports programing.

2. Inadequate planning: With thousands of students, many without parents or adults, teenagers and a hanging-on following of numerous drop-outs, delinquents, and gang members on hand to watch a game which easily could excite a basic emotion, there were these inadequacies:

(a) Complete confusion in the stands: There was no usher system, except where least needed within the very limited reserve seat section where dignitaries sat, or a pattern of each school delegation sitting together under the supervision of a teacher (as called for in the official school regulation on athletic events). There were no assigned seats which could have put an orderliness into the picture. When some left their seats to go to the restrooms or refreshment stands others moved into them. There was, according to many observers, a continual clogging of aisles, a restlessness, and frequent standing, all evidences of mass confusion which contribute to wide disorder in time of trouble.

(b) Disorganization in arrangement: At the time of crisis, no one occupied a position of authority to put into operation a fast moving prevention plan. As it happened, when fighting broke out on the field, the announcer fell silent, the bands were not instructed to play, and there was no program to sidetrack growing tensions. Even the police were caught short.

(c) Lack of good-will theme: For a predominantly Negro gathering, the sponsors and school officials showed little concern for developing a wholesome racial climate. As police report, the matter of a predominantly white team versus a predominantly Negro team was discussed in prior meetings. But there was no sign of a constructive step in that direction. There was no plan to invite as a sponsoring group the Pigskin Club, a predominantly Negro sports organization of some 600 professional men interested in character building in the Nation's Capital. There was no attempt to invite headline Negro sports stars or performers. Utilization of Negroes in preparation for the game possibly could have produced more constructive results than using them after the game to find out what went wrong.

(d) Element of racism: There was evidence of racial prejudice among attackers during the stadium riot. Remarks, profanity, and utterances heard by some spectators carried the bitterness of racial hatred. Despite the several references, the Committee found no link with the uprising to the Black Muslim movement. In a statement issued shortly after the riot, leaders who represent the great majority of Negroes, condemned the unsportsmanship conduct and rowdyism, contending that it can neither be excused or tolerated. The leaders pointed to a release of pent-up emotions built around the championship game and mentioned that aspect of the fracas reflects ominous overtones and mirrors the challenge of much of America's unfinished businessful participation in all aspects of community life and the exercising of total responsibility in community affairs.

Whether there is a gulf of hatred between whites and Negroes in the Nation's Capital certainly cannot be judged on the basis of the riot. The hoodlums who went on rampage at the stadium would have attacked supporters of any victorious team, including a predominantly Negro one, as they have in the past without interference. Yet fostered by the hoodlums, a very small minority of the city's Negro population, the stadium fracas loomed as a serious racial conflict, pitting angry Negroes against whites, and it impaired the city's community relations. Violence is no answer to any problem and offenders should be dealt with severely.

(e) Atmosphere of lawlessness: Testimony before the full committee developed an awareness of administrative lack of control over hoodlum elements in the school system and a deteriorating condition in mass audience events outside of the school buildings. Violence, assaults, disrespect of teachers are acts of an undesirable element of students. An atmosphere of permissiveness has discouraged the personnel of many schools and caused a citywide lessening of discipline standards. Fear rages through many school buildings which have become tramping grounds for outside influences, including thugs, hoodlums, and persons of the lowest character. The school administration has difficulty in coping with this situation. The morale of many teachers has suffered and the percentage of resignations and transfers has increased. Nevertheless, school officials fail to cooperate with police and report violations of the law nor do they maintain a citywide reporting system of incidents of misconduct.

With such a climate in the school system, students receive little discipline, little guidance and little incentive to develop strong citizenship qualities in far too many cases and the result has been a steadily worsening misconduct problem in the public schools. Conduct at athletic games—including the recent stadium contest—is symptomatic of the school conditions the committee discovered as it probed into the causes of one of the city's worst racial flare-ups in many years. Alarming were the reports that many public schoolchildren and officials decided not to attend the game because of the fear of violence. Staggering was the testimony of various individuals and police as to the stockpiling of weaponry—umbrellas with sharp points, broken bottles, rocks, knives, and chains—which are used in public schools and in some instances were displayed at the stadium. There was wide belief that the stadium violence was preplanned and organized in some quarters but the Committee found no basis for this. The Committee did find that many students and teachers considered Eastern supporters poor losers and many of its adherents being persons of undesirable qualities. That such a disciplinary problem would reach such proportion in our school system should be a matter of great concern to all citizens. Even more so, the situation should shock all leadership both Negro and white into immediate action to insist on better training and better standards for all schoolchildren and wage a relentless campaign to improve their conduct. Negro leadership faces a particularly important challenge in this regard, because of its greater ability to identify with, and gain the confidence of, a large segment of the public school population.

(f) Inadequate policing (special note): In discussing this area, it must be disclosed that although the Police Department furnished the Committee its stadium report, the police turned down an invitation to appear before the Committee to explain the report and answer pertinent questions. The Police Department failed to wholeheartedly cooperate with the Committee. For a major city, such a sign of disunity is distressing and points up the need for greater cooperation between various agencies and departments in the Nation's Capital. Refusing to discuss the stadium developments, police sent representatives to elaborate on juvenile misconduct conditions. But there was always the suspicion why they refused to discuss the stadium patrolling, especially in view of the Committee's objective desire to probe deeply into the situation.

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Throughout the testimony and in many letters were words of praise for individual policemen who performed with courage and devotion during a trying experience. Certainly no one can blame the police performing any way but their best under difficult circumstances but there were many areas in which it can be advanced that the Department needed to be much more concerned. Here are the areas the Committee wanted much to probe:

Human relations: During the Committee's first meeting, a police officer, on a tour of the stadium told the group that he noted no rise in tensions at the game. Another officer while talking to the Committee Chairman reported he spotted known hoodlums in the crowd. An expert in mass behavior wondered why a police officer specializing in riot control didn't give leadership in the crisis. There were comments that the police youth aid division with officers familiar with the schools' problem children and young adults wasn't used more extensively at the game.

Enforcement: During the game, many spectators complained of open drinking, gambling, scalping of tickets and bootleg sale of liquor in restrooms. All of these were illegal. There were few arrests for these offenses. One police officer said most of the offenders were escorted from the stadium. This allowed the buildup on the outside, a nucleus of a discontented grouping.

In high school games in other years and only a few weeks before the Thanksgiving Day contest, student crowds rushed onto the playing field. The procedure has become routine. At the Thanksgiving game, the onrush onto the field provoked disorders. A police officer said his men had no orders to stop the crowd after the game as they did when fighting broke out during the game. In the police report, it is mentioned that the crowds were too big to halt. The Committee was left without a clear picture. Certainly, there is a need for enforcement of a policy barring on-field rushes after a game, even with penalties.

Another confusing situation developed when it was brought out that the large number of police who circled the field at the end of the game were inactive while fighting broke outside the stadium. Because of the lack of mobile equipment, there was no communication between the full police staffing. The Committee could not probe into this situation.

Also, in his report, Deputy Chief of Police George R. Wallrodt, reported that, "During the entire game I kept a close surveillance on the entire crowd and did not observe any roving group or gang which I felt was agitating trouble." Later he wrote, "Neither did I personally observe any person with any instrument which could be classified as a weapon." This was not in keeping with reports the Committee received from spectators, but the police officer would not discuss the matter.

Officers of the juvenile division of the Police Department reported that there exists a strained relationship with school officials growing out of some principals' failing to report juvenile crimes. There are few meetings or conferences between the top officials to discuss the matter. Police officers of the juvenile division who appeared before the Commitee deplored the situation and are anxious to help clean it up, but they claim they cannot get the full cooperation of school officials.

No city or community can peacefully exist without law and order, and respect for law and order. The citizens of the Nation's Capital have a responsibility to develop a working relationship among all departments and agencies, and certainly the Police Department will be a key agent in any all-out effort to end lawlessness and violence. The Department deserves the help, support, and cooperation of every citizen.

RECOMMENDATIONS

### *The championship game*

While in its initial effort, of central concern to the Committee were questions related to:

1. Whether or not the city championship game should be played; and
2. If so, under what circumstances and auspices.

As the investigation progressed, it was clear that the questions, issues, and problems related were much more broad and more deep than suggested by these questions. It became clear that the first question did not readily lend itself to a "yes" or "no" type answer. The answer to such question, in view of the information examined by this Committee, must necessarily be punctuated with qualifiers such as "if," "when," and "unless."

With reference to the game itself, this Committee believes that both the public and Catholic school systems should first take a close, hard look at the activity to determine whether or not it has educational value. This, we believe, is a reasonable yardstick by which a school function might be measured. There was considerable testimony on both sides of this question and this Committee believes that the answer to this issue must come from those persons charged with the administration of the school systems. If it is concluded by the educators that the answer is "no," then this Committee believes that the game should be discontinued.

On the other hand, if it is decided that there is educational value in this athletic contest, then we recommend that the game be continued when it has been established that:

1. High powered promotional and commercial aspects of the game have been eliminated;
2. Broader representation of school personnel and the general public is present on the planning committee;
3. Ticket sales are under rigid control and supervision;
4. Only students may purchase tickets in the schools with a limit of two or three tickets per student upon presentation of identification card and signature;
5. Continuation of the game receives the support of the association of principals;
6. Adequate police and auxiliary services will be provided;
7. All seats in the stadium will be assigned. Student bodies will be seated together with teacher personnel assigned to sections with their students and identified by school name and school colors;
8. Uniformed ushers (whether paid or volunteer) are assigned throughout the stadium;
9. No team will be permitted to participate in two consecutive years in the championship game—patterned after the Big Ten Rose Bowl rule;
10. Head coaches will be rotated between public schools on an equitable and systematic basis so that dynasty building will be discouraged;
11. Eligibility rules will require an average of grade C in order to participate in inter-high school athletics for the reporting period prior to the championship game;
12. Fans should be barred from entering the playing field and this policy should be announced and enforced;
13. Loudspeakers at the game should be manned by announcers qualified to handle crowd emergencies;
14. The use of alcoholic beverages be absolutely prohibited with violators being arrested on the spot.

But these proposals deal only with the game, and what happened on Thanksgiving Day was but a serious symptom of a larger problem. A riot, shameful as it was and frustrating to thousands of ambitious schoolchildren, jarred Washingtonians to the frightful conditions that abound in our city, not really our city but the Capital of a nation which is operated absentee fashion by Congress. Much can be written about the need for home rule. Much can be written about the need for funds to enlarge and expand the services in our community. Much can be written about the discrimination pattern in employment and apprenticeship training which limits the future of many graduates of our school system. The committee recognizes the vastness of the problems faced by the city fathers and the officials of the school system. That is an area of special concern.

Realizing the predicament, our committee was interested in finding out whether school officials used to best advantage the tools, the funds, and the know-how which they now possess. In a school system which President Eisenhower once said that he wanted to become the model of integration in education, the Committee found areas in which improvements can be made:

1. A failure of the school administration to establish a system of developing well-disciplined students, who hold respect for a code of conduct and sportsmanship. Because of the fear of criticism, educators too long have covered up serious deficiencies in conduct and failed to seek the help of the police department to insure an enforced atmosphere of peace and harmony. The District of Columbia school system needs an "Amidon Code of Conduct," as one authority suggested, to allow teachers to return again to the field of teaching instead of fulfilling the role of policemen. This wave of lawlessness does not spring from the schools, but the schools are caught in the web, and must halt the invasion onto their properties. The increase of vandalism and nonrespect for the law needs serious attention, too.

2. In the last few years, the system's basic track system has become the dumping ground for hundreds of Negro youth, who are consigned to inferior instruction, far too large classes, and a complete lack of training to fit them to become employable citizens of tomorrow. Some of these youngsters graduate from high school without acquiring the ability to read and write and later meet rejection when they apply for jobs. Many others, discouraged at being tossed into a scrap heap, lose interest in schooling and become dropouts, the members of a large grouping who form the social dynamite to haunt our community in the months to come. A workable system has not been developed to train, equip, and inspire every student, no matter his skill or brainpower, to perform a role in society. This ignoring of a problem has done much to build a climate of despair and helplessness—but yet school officials are caught in a vise—they have no money to do the things they know need doing.

3. With the steady accumulation of unfavorable conditions, teachers have become martyrs in a sometimes hopeless struggle. Many have given up, but others, more courageous, remain to valiantly carry on. To this group, Washingtonians should feel proud and give them every assistance. Citizens should work to make their job of teaching the most important in the months to come. The same feeling should apply to administrators. Harsh as it is, criticism should be constructive. Willing to face up to his responsibilities and seek the answers, School Superintendent Hansen asked for honest opinions. He is to be commended and certainly our committee shares with him the concern to develop an adequate school system. Problems are staggering but

not too staggering for citizens of Washington, Negro and white, to work shoulder to shoulder to eliminate. Our city is the most important city in America to demonstrate that Negro and white can work together, live together, and play together as a symbol of democracy to nations throughout the world. We can do this even though there are some in Congress who believe the highlighting of our weaknesses is an admission that integration of public schools cannot work. School integration can work but it requires the help of responsible leaders, parents, citizens, and children.

Here are our major recommendations:

1. The District Commissioners, Superintendent of Schools, and Chief of Police should issue, immediately, a strong and unequivocal statement making it unmistakably clear that any students or hangers-on engaging in delinquent or other forms of unlawful activity will be subject to disciplinary action.

In addition to others, this policy position should cover such activity as loitering on and near school buildings, attacks on teachers and other school personnel, rowdyism and gang actions.

2. Any problem which might be interpreted as a law violation should be reported immediately to the Youth Aid Division of the Police Department.

This committee has been informed that where lawless activity in and around schools has been reported immediately, the problem is quickly brought under control and patterns of lawlessness are broken. Strict adherence to such procedure by school personnel will relieve teachers and administrators of police duties, permitting more time for teaching—their primary responsibility.

3. The Superintendent of Schools and the Board of Education should revise the current policy governing disciplinary measures which may be taken by teachers. This committee believes that teachers should be given more authority and protection in their efforts to maintain standards of deportment in our public schools.

While the rights of students must surely be protected, the welfare and responsibility of teachers must also be considered.

4. The superintendent of schools should take immediate steps to ensure proper conduct on the field of play citing the behavior of Calvin Harris as the type which cannot and will not be condoned.

Richard Mentzer, the Eastern coach, should be severely disciplined by the school authorities. His example in front of his players and before nearly 50,000 spectators, most of whom were charged with tension, was deplorable and inexcusable.

Those who are varsity players and their coach are expected to exemplify all of the best qualities of behavior and sportsmanship. To have these serious offenses go unpunished lends gall to the undisciplined and encouragement for wrongdoing to the indifferent.

5. Regulations governing participation in the high school cadet program of the public schools should be enforced rigidly and uniformly.

In years gone by, the cadet program was an area of activity which provided opportunity for building and strengthening codes of discipline and standards of conduct. In recent years, administration of the program has been relaxed to the extent that it has become easy for students to gain excuse or exemption from this activity.

6. There must be more strict police enforcement of laws relative to drinking in public places, such as the stadium.

7. There should be established in the Police Department a race relations detail as exists in other metropolitan centers. This highly trained unit would discover and remain alert to tension areas so as to be prepared to offer quick and positive actions to prevent violence.

8. A captain's advisory council of citizens in each police precinct should be implemented, as recommended by the Commissioners' Crime Council.

Effective functioning of such groups can be useful in building community-police relations, thus serving to reduce antipolice feelings now present in the District—particularly among a large segment of the Negro population.

9. A citywide citizenship program should be organized by the Commissioners' Council on Human Relations with active cooperation from all media of communication. This program would emphasize such things as proper attitudes and actions in public places under different kinds of circumstances.

This citizenship program might:

(a) Develop a series of open forums of community groups to develop communication and understanding.

(b) Urge greater exchange programs among religious, civic, and business groups.

(c) Urge planning of an annual Citizenship Day event observance with high schoolers taking over the duties of municipal and Federal officers for a day.

(d) Urge greater contribution of finances and personnel to existing organizations engaged in character building and job opportunity programs.

It might serve well to follow the lead of the advertising industry and constantly focus attention to our desired product—good citizenship.

10. A close, hard look should be given the track plan of the public schools and its effectiveness—particularly as related to the basic track.

Even though this program is designed to find a place in the curriculum for every child at a level of his ability to learn and perform, the dropouts remain high and threaten to continue upward unless some specific steps are taken to curtail this trend.

While students in the basic track often need special attention, most teachers, particularly the more experienced, feel demoted when assigned to such classes. In such instances both the children and the teacher suffer.

We believe that many of these children are basic only in description—not in potential, and this potential will go undeveloped except that a proper atmosphere of instruction and learning is provided this group.

11. A full-time administrative position on human relations should be established in the public school system for coordinating and developing human relations activities in the schools. This staff person would carry the additional responsibility for school-community relations in matters of human relations, and would coordinate his efforts with other agencies of government and the community.

12. The District of Columbia Congress of Parents and Teachers should reemphasize their programs of parent attitudes on school matters.

The home must be tied closely into the school if cooperation and followthrough are to be achieved.

13. Personnel of all public agencies who provide field services to underprivileged homes should be given special training in human relations.

This can serve to build a better understanding of the people they serve which, in turn, can help reduce hostilities toward the service by those directly benefiting from it.

14. All schools should keep records of discipline problems including their nature and disposition. Such records should be forwarded to the Superintendent on a regular basis.

15. The rules and regulations on athletic activities should be viewed annually and rigidly enforced. Violations should not be treated lightly or casually. If administrators of such programs act in disregard to regulations, what, then, can be expected of the youth they lead?

16. Lines of authority should be clearly spelled out and observed. Our investigation reveals that patterns of authority have been built up in the athletic programs which do not conform to lines of authority as charted administratively. This, we believe, makes for confusion, misplaces responsibility, and throttles communication.

17. The athletic, health, and physical education program of the District of Columbia Public Schools should receive an immediate, thorough examination and evaluation.

These areas in education can have a marked impact on the discipline and behavior pattern of the indifferent and resentful student with consequent benefits to other areas of education.

18. A Youth Conservation Corps or some similar program should be established for the District of Columbia. The program should give priority consideration to applications of dropouts. The activity should also be geared to providing training and experiences which will improve employment prospects and facilitate adjustment of the recruits upon their return to civilian life.

19. The District Commissioners and Superintendent of Schools should use every possible means available to them in seeking to open the doors of apprenticeship and other on-the-job training programs to Negro youth. Negro students are heavily enrolled in the vocational schools but find little opportunity of finding employment in the field of their training under existing practices of some labor unions—particularly the building trades. This represents a serious problem for the District since the construction industry here is second only to the Federal Government in the number of persons it employs.

The District government, including the public schools, should not participate in any programs which are not open on an equal basis to all qualified applicants.

20. More remedial work should be given a sizable group of our public school children. Teachers should be specially trained to teach that group of students who suffer culturally, academically, and economically.

Wholesale exodus of white students from public schools leaves an unbalanced rather than normal-type school population. Teacher selection and training should take this into account.

21. More counselors and social workers are badly needed throughout the public school system. Here, again, such personnel should have a special understanding of the problems of the students with whom they work. These people ought to be well-trained to give counsel and aid which will guide youth toward attainable goals.

22. While many hours have been devoted to investigation of the stadium fracas and school problems by this Committee, we have been severely limited by time and expertise in our attention to some of the broader considerations of this matter.

The indication is clear that more assistance should be given school officials in the problems they face in providing the best educational atmosphere possible for the children they serve.

The Committee requests the Superintendent of Schools to present this report to the Board of Education with the Committee's strong recommendation that the Board take immediate action to implement those suggestions that are within its jurisdiction.

## THE UKRAINIAN REPUBLIC OF 1918

**Mr. HUMPHREY.** Mr. President, each year in January it is my privilege to commemorate the anniversary of the Ukrainian Republic which was proclaimed on January 22, 1918, and which endured a brief, and stormy, 2 years. This republic was the incarnation of an ideal cherished for centuries; and which persists today despite the systematic denationalization, deportation, and starvation practiced by its Kremlin rulers. From their first association with the empire of Moscow by the treaty of Pereyaslav in 1654, Moscow has striven in vain to deny the cultural integrity of the Ukrainian nation which constantly and courageously resurges.

Briefly, let me retrace some of the determining events in Ukrainian history. The country was christianized from Constantinople; Kiev, its capital, developed into one of the most prominent outposts of Byzantine civilization. In the 13th century the Mongol Tartar invasion destroyed the Kievan state. Gradually it became divided among surrounding countries, but the culture and traditions were more tenacious than the shifting borders and the Ukrainians remained a distinctive national group.

Beginning in 1783 with Catherine II's ruthless suppression of all traces of self-government or separatism in the Ukraine, the stem of the Ukrainian national movement was severed again and again by czarist persecution, but the root remained intact.

Although recognized as an independent state by Lenin in 1917, he simultaneously presented it with an unacceptable ultimatum whose rejection precipitated the Soviet declaration of war upon the Ukrainian National Republic. The Republic proclaimed its complete independence on January 22, 1918, and began a valiant and stubborn fight to preserve it. Despite its heroic struggle, the last remnants of the government of the Ukrainian National Republic were forced into exile in November 1920, marking the close of another chapter in the Ukraine's pursuit of national independence.

In 1922 certain prohibitions against the cultivation of the Ukrainian culture and language were relaxed. As in previous instances, this official thaw immediately germinated a renaissance of literature and the other arts. But in 1926, these awakened hopes were again brutally shattered. Stalin's policy of centralization and industrialization demanded that the independent peasantry of the Ukraine collectivize their farmlands. Those who resisted were deported. When these methods failed to break the opposition, Stalin imposed new and harsh delivery quotas upon villages and removed grain stores from Ukraine, provoking an intense famine which ravaged the country and depopulated whole villages. This was accompanied by a purge of Ukrainian intellectuals and the destruction of the cultural renaissance.

Although resistance has never ceased and was carried on heroically by the Ukrainian Insurgent Army during World War II, against both its Nazi and Communist oppressors, the Ukrainian people have been unable to shake the tyrannous yoke of the Kremlin. Still, there are countles valiant Ukrainians who refuse to abandon their goal of national self-determination, an objective which finds free expression by the Ukrainians who have sought liberty and refuge in our own country.

May I suggest that we pause for a moment to assess the true value of freedom in light of the history of this brave people—an ideal which cannot be quenched in blood, nor buried under years of repression. In the Ukrainian Soviet Socialist Republic of today the voice of these patriots has been silenced. But its echo vibrates still in the conscience of all freemen.

**Mr. HART.** Mr. President, yesterday, 45 years ago, a new nation was born—the Republic of the Ukraine. This nation could well be described by the same eloquent words once applied to our Nation's birth because the Ukrainian Republic was indeed a nation "conceived in liberty and dedicated to the proposition that all men are created equal."

But, as we all know, the Ukrainian Republic did not long endure. In 1920, its declaration of independence was declared void by the Soviet Government and the new nation lost a brief but bitter struggle with the Red army.

This was not the first time the Ukrainian people had been crushed by an invasion. Their geographical position and the wealth of their soil has brought them a long history of invasions.

Yet, the Ukrainian national identity, culture, and customs were tenaciously preserved. Hopes for liberty and self-determination were passed from one generation to the next.

These hopes are still alive. Yesterday, Ukrainians in all parts of the free world solemnly marked the anniversary of the nation's short-lived independence with sorrow, with pride, and with a renewed pledge that the Ukrainian people will again be free.

**Mr. DODD.** Mr. President, on January 22, the Ukrainian people celebrated the 45th anniversary of their independence. On this date, in the year 1918, they threw off the centuries-old yoke of Muscovite domination, and proudly proclaimed themselves a sovereign nation.

But their freedom was short lived. A few years later the Bolsheviks hurled the Red army against the newborn Ukrainian state. The Ukrainian people resisted bravely, but they were vanquished by overwhelming odds. Night again descended on this heroic and long-suffering people.

There has been too great a tendency to accept the Soviet Union as a monolithic state. The Soviet Union is not a monolith, but a gigantic prison house of nations, where men are persecuted as individuals and where peoples are persecuted as peoples. And the chief of the imprisoned nations within the confines of the U.S.S.R. is the Ukrainian nation.

The Ukrainian people have never reconciled themselves to the Bolshevik regime. Time and time again they have resisted—and resisted to the death. Five million Ukrainians died resisting the forced collectivization in the thirties. They rose again against the Bolsheviks during World War II. Even in recent years, the Soviet press has been constrained to admit that Ukrainian guerrillas were still active.

We have made a practice of observing Ukrainian Independence Day on the floor of the Senate, and it is fitting that we should do so.

It is fitting that we should join with the millions of Americans of Ukrainian descent who commemorate their day of liberation.

It is fitting that we should tell the 35 million Ukrainians, who groan under the cruelest yoke in their history, that we have not forgotten them, that we do not accept their enslavement as final, that we are confident the sun of freedom will again shine on them and that they will take their place, as is their God-given right, among the community of sovereign nations.

## D.C. SWIMMING POOLS NEEDED NOW

**Mr. HARTKE.** Mr. President, I noticed with interest a story in this morning's Washington Post reporting that the city's Recreation Board has asked the District Commissioners to put 15 swimming pools in their 6-year public works program.

The appalling lack of public swimming pools in Washington has been a matter of concern to me for some time. In the summer of 1961, the statistics on the number of pools in Washington was brought to my attention during an investigation of juvenile delinquency in the District which was being conducted by the District of Columbia Committee's Subcommittee on the Judiciary, of which I am chairman. It seemed unbelievable to me, then, that the District of Columbia with its population of nearly 764,000 would have fewer public swimming pools than Evansville, Ind., a city one-fifth its size. The District has seven, Evansville has eight pools.

I began my public life in the field of recreation, as a playground director. Later, as mayor of Evansville, I put heavy emphasis on a program of healthy recreation for our young people as a part of our efforts to fight juvenile delinquency. Today the results are apparent in the statistics there.

According to Recreation Superintendent Milo F. Christiansen, Washington has seven public pools. Two of these are operated by his Department and the other five by a company under contract to the National Park Service. The two municipal pools date back to 1916 and the Park Service pools were built in the early 1930's, the article says, and all are deteriorating beyond the point of repair.

I commend Superintendent Christiansen on his recommendation. However, Mr. President, whatever needs to be done, and I do not believe building 15 pools is too much, should be done now. We cannot afford to wait. For it is my contention, Mr. President, that a boy who swims and exercises all day is a boy who will be too tired to get into mischief at night.

## PACIFIC NORTHWEST GRAIN PROGRAMS

**Mr. MORSE.** Mr. President, the December 21, 1962, issue of Oregon Farm & Market Outlook, a publication of the cooperative extension program in Oregon, contains a thoughtful review and analysis of the alternatives facing Oregon farmers in the months ahead. The article is entitled "New Grain Programs

Call for More Decisions With Many Implications," and was written by Marion D. Thomas, an extension agricultural economist of Oregon State University in Corvallis, Oreg.

In his article, Mr. Thomas points out that the decisions of the U.S. Department of Agriculture with respect to its management of the feed grain programs in the Pacific Northwest can either make or break the feed grain industry of our section of the country.

If action desired by our Oregon and Washington grain-feeding industry is taken, then an economic asset to the west coast can be nurtured. The consumers of meat in California, Oregon, and Washington can be benefited and the economy of our coast States can be strengthened.

On the contrary, if adverse management of the feed grain programs is decided upon by the Department of Agriculture, as Mr. Thomas points out, the stakes for the State of Oregon are high. He says in his concluding paragraphs:

> It seems safe to say that discussions and actions here in Oregon and at other points throughout the Nation during 1963 will have important bearings on whether or not the State has the opportunity to retain and expand local feed markets for grain. This situation holds the key to whether or not Oregon can do more to help supply the meat wanted by the rapidly growing Pacific coast population, and, in turn, enjoy the economic development that stems from converting grain into meat.
>
> If the area is denied the opportunity to develop a larger grain-feeding industry, it appears most likely that the trend will be, perhaps slowly but almost surely, toward more and more idle acres. This may mean either more or fewer Government checks. It would mean a continuing transfer of investment and employment opportunities from this area to other parts of the Nation. Of course, these so-called idle acres may serve long-term beneficial purposes in soil-conserving crops and as recreational open spaces; but such uses generate few jobs and rather low investment returns.
>
> In all this, manmade Federal programs seem likely to play important, if not controlling roles.

As the senior Senator from Oregon, I am naturally very concerned about what has happened in the past, as the result of attitudes in the Department of Agriculture, which resulted in what Mr. Thomas characterizes as having dwarfed Oregon's poultry enterprises. It is the kind of attitude which he believes threatens now our cattle feeding and hog raising operations.

I cannot, as a legislator from the Pacific Northwest, accept as justified Federal governmental manipulation of Federal stocks of feed grains which would place Oregon farmers in a vulnerable competitive position.

I express the hope that the logic of the position set forth by Marion Thomas will be carefully considered by the Department of Agriculture in coming to its future decisions in the feed grain area.

Mr. President, I ask unanimous consent that the article to which I have referred be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### NEW GRAIN PROGRAMS CALL FOR MORE DECISIONS WITH MANY IMPLICATIONS

(By Marion D. Thomas)

Pressures for idling acreage and reducing grain production are increasing. New programs are being offered. These aim to reduce tax costs of storing, exporting, supporting, diverting, and the like. The programs seek to bring production in better balance with available markets at prices and with payments that will provide reasonable returns to efficient farmers. The consequences remain to be seen. Meanwhile there will be much uncertainty and speculation about decisions of administrators, producers, and others.

### BARLEY GROWERS HAVE ALTERNATIVES

Early in 1963 Oregon barley growers, and other feed grain growers throughout the Nation, will have to decide whether or not to participate in the Federal feed grain program authorized under the 1962 Food and Agriculture Act. Under this program, they will have a choice. They may choose between (1) idling at least 20 percent of their feed grain acreage and receiving amenities in the form of Government checks and a guaranteed minimum price or (2) planting as much barley and other feed grain as they like and taking chances on the open market price.

Obviously, the first choice tends to reduce the amount of raw products available to support grain exporting, livestock feeding, and other related economic activities. The second choice exposes grain producers to certain short-term price and income risks that are now greater than in other recent years. These greater risks stem from new administrative alternatives and changing supply and demand conditions. Barley market prices could be $5 or $6 a ton below returns available to growers who participate, instead of equal to or higher than supports as in other recent years.

County ASCS offices will have details on this program. County extension agents have partial budget work forms and other information to assist those wishing to analyze income effects of various alternatives on their farms.

Similar pressures to reduce plantings are at work on wheat. The foreseeable possibilities no longer include wheat at $2 a bushel grown fence to fence, as would be preferred on many Oregon farms. This opportunity has not existed since 1954. At that time, wheat growers accepted the alternative of price supports at 75 percent to 90 percent of parity on about two-thirds of their wheat land and began shifting the remaining acres to other crops, primarily barley here and milo (grain sorghum) in the Great Plains.

### NEW CHOICES PROVIDED FOR WHEAT

For 1963 wheat growers have already made the choice between (1) a further cut of at least 20 percent in their wheat acreage and eligibility for income-protecting payments and loans or (2) no payments and planting their allotted acreage.

This coming spring, wheat growers will be offered a new choice for 1964, under provisions of the 1962 Food and Agriculture Act. This new choice is a modified and diluted version of an approach long favored by Oregon wheat industry leaders. In effect, it would attempt to price some wheat back into its traditional use in this area as a feed grain. In this way, it also aims to bring idle or diverted acres back into production as soon as surpluses have been reduced to needed reserve levels.

This plan splits the wheat supply between domestic food use, exports, and other domestic uses. This approach has been resisted by politically powerful grain and livestock interests in the corn and milo country east of the Rockies. They prefer to minimize the Northwest's ability to compete, directly or indirectly, in markets for livestock and poultry products. They would like to corner as much as possible of the Pacific coast market as well as the eastern markets for grains, livestock, and poultry.

### GRAIN FEEDING HAMPERED

These attitudes and resulting programs have dwarfed Oregon's poultry enterprises. Wheat feeding has practically vanished. Now barley feeding and Oregon's relatively recent expansion in cattlefeeding and hog raising are threatened. For many years, and especially the past 4 or 5 years, Federal grain programs have operated in such a way as to place the Northwest's grain-feeding industries in a very vulnerable competitive position. Efforts are being made to alleviate this situation, but the response at the Federal administrative level has not been very encouraging since the fall of 1961, when special sales programs were operated for a short time. Actions which tended to reduce fall 1962 barley prices were not necessarily in the national interest and certainly were not among those favored by leaders in northwest grain and livestock industries.

As 1962 ended, the USDA continued selling milo and corn in the Great Plains and Midwest at $4 to $6 a ton below price-support levels. This held market prices down and thus became an indirect subsidy to livestock and poultry feeders there. No similar program was available in the Northwest.

### STATE'S STAKES HIGH

It seems safe to say that discussions and actions here in Oregon and at other points throughout the Nation during 1963 will have important bearings on whether or not the State has the opportunity to retain and expand local feed markets for grain. This situation holds the key to whether or not Oregon can do more to help supply the meat wanted by the rapidly growing Pacific coast population, and, in turn, enjoy the economic development that stems from converting grain into meat.

If the area is denied the opportunity to develop a larger grain-feeding industry, it appears most likely that the trend will be, perhaps slowly but almost surely, toward more and more idle acres. This may mean either more or fewer Government checks. It would mean a continuing transfer of investment and employment opportunities from this area to other parts of the Nation. Of course, these so-called idle acres may serve long-term beneficial purposes in soil-conserving crops and as recreational open spaces; but such uses generate few jobs and rather low investment returns.

In all this, manmade Federal programs seem likely to play important, if not controlling roles.

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## FEDERAL LANDS AND COUNTY REVENUES

Mr. MORSE. Mr. President, Judge Lloyd Rea, of Baker County, Oreg., delivered an excellent and most interesting address before the National Association of Counties in December on the subject of Federal lands and county revenues. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### Federal Lands and County Revenues

(Address by Judge Lloyd Rea, Baker County, Oreg., before the Land, Water, and Money Conference of the Western Regional District, National Association of Counties, Las Vegas, Nev., December 13, 1962)

It is with profound humility that I approach the subject of Federal-local fiscal relations, about which so much has been said and written by experts.

At least five major studies of Federal payments to State and local governments on behalf of Federal lands have been made during the last 20 years.[1] Relatively little, however, has been said or written—at least by way of formal reports—by the county officials who are so vitally interested and involved with this problem. Of the five major reports cited, two were prepared by Federal officials, one by a congressional committee, one by the National Education Association, and one by an intergovernmental committee which did not have a single representative of county government.

Thus the voice of the counties has not yet been heard by those who have been striving for years to develop a uniform policy and to bring some order out of this chaotic and vast field. Now, with the build-up of our State associations of county officials during the past few years, the creation of this western regional district, and above all, the transformation of our national association into an active and articulate spokesman for grassroots government, it is going to be possible for the counties to take a more active role in shaping the decisions that affect us.

I do not propose, in this brief address, to lay down any proposed panacea that would solve all of our problems, or even any part of them. It seems doubtful to me that any single principle or policy can be devised which will satisfy all of the interests reflected in this problem, and if it is possible to devise one, such a task would call for great cooperation and effort on the part of many people and organizations. What I do hope to do is, first, review some of the most important factors underlying the problem, and second, to suggest some guidelines which should be considered in evaluating any legislative proposal which seeks to improve or otherwise alter the many existing provisions for Federal payments to States and local governments related to Federal ownership of land.

#### UNCLE SAM: THE WEST'S RICHEST LANDLORD

The extent of Federal land ownership in the West is certainly not appreciated by easterners, and is probably not fully realized even by many westerners. We used to be able to say that about half the land in the Western States is owned by the Federal Government. Now, with the admission of Alaska to the Union, we can increase that figure: about two-thirds of the land area of the 13 Western States is now owned by Uncle Sam.

Alaska alone has 364,503,821 acres of Federal land—more than all 12 other Western States put together—99.7 percent of its land area is owned by the Federal Government.

In my own State of Oregon, we think we have a large amount of Federal land, with 51 percent of our area in Federal ownership. But our problems seem slight in comparison with those of Idaho, with 65 percent, Utah, with 69 percent, and Nevada, with 87 percent. The Western State with the smallest percent of federally owned land is Washington with 29.5 percent—but even this amount is sufficient to call for serious attention by county officials.

Before going ahead to consider other aspects of this problem, I would like to point out that from a county government standpoint even these large percentages do not tell the story. In my own State, for example, although the statewide proportion of Federal land is only 51 percent, there are counties with more than 70 percent Federal ownership. I am sure that even higher proportions of Federal ownership are found in some counties in the other Western States.

It would, of course, be misleading to jump from these figures to the conclusion that the 13 Western States are just some kind of Government reservation. Actually, the most valuable third of the Western States is not owned by Uncle Sam, but is in private or other governmental hands. The Federal lands, for the most part, and at the present time, are relatively low value areas.

Certain pieces of Federal real estate are of high value. The national forests of Oregon, for example, comprising about 35 percent of the combined area of private property and national forest property, have been valued by the Forest Service at about $2.5 billion. This compares with a total true cash value of taxable land outside cities and taxable timber of only about $2 billion.

Certainly the relative value of other Federal holdings in the West would be much lower than that of the national forests in Oregon. Actually, there are no reliable figures as to the value of most Federal property. There are no value figures at all for most of the public domain.

A few estimates have been made. In 1937 a special committee appointed by the President estimated that Federal land values were equal to about 2.89 percent of the assessed value of all property in the entire United States then being taxed. In 1948 the National Educational Association estimated that, for the 11 continental Western States only, the value of Federal property was about 12.83 percent of the assessed value of these States, and the individual State figures ranged from 5.37 percent in Colorado up to 32.88 percent in Nevada. Subsequent reviews of these estimates have lead to the conclusion that they were probably too low, but in the absence of a good inventory and appraisal of Federal property, not to mention a reliable set of figures on private property valuation, we can only guess at the true picture as to the value of Federal holdings.

Even if good figures on the value of Federal real estate were available, they would have little pertinence to the main point I want to emphasize today. What seems important to the West, standing as it does on the threshold of a vast expansion in its population and economy, is not what the Federal lands are worth today, but what they can contribute to our growth in the future, and what they will be worth 50 years from today.

Are there resources on the Federal lands which can contribute to the expansion for which we in the West are so ripe?

The Forest Service thinks so. Its long-range program forecasts a doubling of recreation visits in the national forests during the next 10 years—and a sextupling of such visits by the year 2000. Timber cut from national forests will increase from 11 billion board feet annually now to 13 billion board feet in 10 years, and up to 21 billion board feet in the year 2000. Forest Service revenue, now less than $150 million, would increase to $230 million in 10 years and to $350 million by the year 2000.

The Bureau of Land Management also thinks so. Under its long range program, Project 2012, the production of forage on grazing lands would increase from about 17 million AUM's now to 29 million AUM's in 1980 and 46 million AUM's in 2012. The acreage under mineral lease or permit would increase from 105 million acres to 270 million acres in 2012. And Federal receipts from the national land reserve would double by 1980 and quadruple by 2012.

I can state without fear of contradiction that the county officials of the West not only agree with these agencies in their estimates of the potential of the Federal lands, but stand ready, willing and able to help create the conditions which are necessary to help bring this development into being. I refer specifically to the investments which must be made and will be made in Federal resources, in order to bring them into a condition in which they can yield their full potential to the public.

#### UNCLE SAM AS A CIVIC BOOSTER

You can see from these figures and comparisons that Uncle Sam is not only one of the biggest landowners and most important businessmen in the West, but he is perhaps the one with the greatest growth potential of all. Like any other businessman, we westerners expect him to be a part of the community—to take part in its advantages, and to make contributions to its welfare. We know his home office is in Washington, D.C., and that he represents 185 million stockholders, most of whom do not live in the West, but we believe nevertheless that he owes a special obligation to our western communities. Parenthetically, it might be a good idea if more of his branch offices were located somewhere west of the Mississippi River.

One of the most important ways in which businessmen generally contribute to their communities is by the payment of taxes. In this respect, Uncle Sam is not a very good citizen. The great Chief Justice, John Marshall, settled this point in the early case of *McCulloch* v. *Maryland* when he formulated the doctrine of governmental tax immunity. "The power to tax," said Justice Marshall, "is the power to destroy," and to permit one government to tax another (in this case, the State of Maryland was taxing some Federal bank notes) would be to permit one government to seriously impair the functioning, if not destroy, another.

The doctrine of governmental tax immunity will not be found in the words of the Constitution. Marshall created it—or, as the courts prefer to say, he implied it. Nevertheless, it held full sway for more than a century in this country.

In recent years, this famous doctrine has been weakened, though very slightly. In two U.S. Supreme Court cases in 1938 and 1939 it was finally held that the Federal Government could tax the incomes of State and local government employees, and vice versa. Some of the language in these cases suggests that the courts might now go even further in the direction of direct taxation of one government's instrumentalities by another.

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[1] Federal Real Estate Board, Federal Contributions to States and Local Governmental Units With Respect to Federally Owned Real Estate, Washington: U.S. Government Printing Office, 1943 (H. Doc. No. 216, 78th Cong., 1st sess.); U.S. Secretary of the Treasury, Federal, State and Local Government Fiscal Relations (letter from the Acting Secretary of the Treasury * * * in response to S. Res. 160), Washington: U.S. Government Printing Office, 1943 (S. Doc. No. 69, 78th Cong., 1st sess.); National Education Association, Committee on Tax Education and School Finance, Status and Fiscal Significance of Federal Lands in the 11 Western States, author, 1950, U.S. House of Representatives, Committee on Interior and Insular Affairs, Federal Land Ownership and the Public Land Laws (report on "taxes and other in-lieu payments * * *"), Washington: U.S. Government Printing Office, 1954 (83d Cong., 2d sess., Committee Print No. 23); Commission on Intergovernmental Relations, Study Committee on Payments in Lieu of Taxes and Shared Revenues, Payments in Lieu of Taxes and Shared Revenues, author, 1955.

For practical purposes, however, it makes little difference whether the courts broaden or restrict the doctrine of governmental tax immunity, for this doctrine has never prevented the making of voluntary payments by one government to another, with proper legislative authorization. Accordingly, in response to particular circumstances, problems, and pressures from time to time, there has grown up a complex structure of Federal payments to States and local governments, on behalf of land or other property owned by the Federal Government. These payments may be classified into three main groups: voluntary direct taxation, payments in lieu of taxes, and shared revenues.

Some kinds of Federal property have, by act of Congress, been made liable for payment of local taxes to the same extent as similar property owned privately. For the most part, this is property owned by certain Government corporations, or taken over by the Federal Government for some temporary purpose, such as property acquired by the Alien Property Custodian or through foreclosure by one of the Federal lending agencies. Congressional consent to direct taxation is a rare event, and it need not involve us long here in relation to the kind of Federal real estate with which we western county officials are mainly concerned.

The term "payments in lieu of taxes" covers a multitude of arrangements for Federal payments—and, perhaps, a multitude of sins as well. By the term "payments in lieu of taxes" I mean any payment arrangement short of direct taxation which is not geared directly to revenues produced by the property in question. Thus, for example, three-fourths of 1 percent of the fair appraised value of the Superior National Forest lands in Minnesota is paid annually to the counties in which these lands lie. Sums based on the actual cost of providing certain public services are paid by the Department of Agriculture to local units having resettlement or rural rehabilitation projects under the Resettlement Administration, taking into account the benefits derived from such projects by the local community. The reconveyed Coos Bay Wagon Road lands in Oregon are under such an arrangement, where a valuation is established and made subject to whatever the local tax rate may be, but the payments are limited to a certain percentage of the actual revenue from the land. Sums fixed merely by agreement, not more than the local taxes would be, are paid for public housing by the U.S. Housing Authority. These do not by any means exhaust the kinds of arrangements found in the "payments in lieu" category, but they are enough to illustrate the general idea.

Shared revenue arrangements are almost as variable in their rates as payments-in-lieu arrangements, but they are all geared directly to revenues derived from the property on behalf of which they are paid. Most of these arrangements are familiar to western county officials, and I will list the major ones only briefly. The following proportions of public land revenues are paid either directly to the States or local governments, or indirectly through the States to the local governments: 25 percent of revenues on national forests, 75 percent of revenues from Corps of Engineers flood control leases, 5 percent from sales of unreserved public domain lands or their products, 12.5 percent of grazing fees from lands within grazing districts or 50 percent from lands outside grazing districts under the Taylor Grazing Act, 75 percent of the revenues of the Oregon & California Railroad grant lands (of which the counties turn back one-third for investments of various types on the lands), 37.5 percent of Federal mineral leasing receipts, and 25 percent of receipts from wildlife refuges. Also, indirectly related to public land payments are the sums paid to the State governments from Federal excise taxes on firearms and ammunition and on fishing gear, to be used for fish and wildlife development.

### THE IMPACT ON LOCAL GOVERNMENT

So far I have pointed out that the Federal Government owns most of the land area of the 13 Western States, that this Federal land is of relatively low value at present but has a tremendous potential for the future, and that Uncle Sam has proven himself to be a pretty good citizen in our western communities by voluntarily making a large payment annually to support State and local government. What, then, is the impact of Federal land ownership on local government in the West?

Traditionally, we county officials—and Federal officials as well—have defined this problem in terms of tax losses to local government by virtue of the tax immunity of the Federal property. "What would the property pay in property taxes if it were privately owned?" has been the question that has tended to define the limits of county interest in Federal lands. Almost all formal studies of this problem are in agreement that the property tax loss to local government is the major problem. For example, the Kestnbaum Commission's central conclusion was one "of the desirability, if not need, of finding a solution within the framework of considerations germane to the property tax system. The problem is one created by the immunity of Federal properties to State and local taxation and its solution should be one bearing a rational and explainable relationship to the results which would follow if Federal properties were subject to these taxes."

In this definition of the problem, it has never been seriously suggested that the solution would be to put all Federal property on the local tax rolls. Several points have usually been made pointing to something less than this.

In the first place, the vast acreages of public domain are said to deserve special exemption. The economy of western communities, it is said, has been developed on the assumption that these lands would contribute little or nothing in public revenues, and to bring them under some form of payment in lieu of taxes would be to provide an unexpected windfall for the local governments, and an intolerable burden for the Federal Treasury. Conversely, there is a seeming willingness to consent to some form of payment or in-lieu taxation on lands which were formerly on the tax rolls, since the removal of these lands from the tax rolls presents a problem of immediate impact.

Secondly, Federal officials, at least, rarely see any justification in making payments equal to the full local rate of taxation even on properties deemed to have some tax liability. They allege that local governments do not extend the same services to public lands which they provide for comparable private lands, and that the Federal Government should not therefore have to pay the full rate. The Forest Service, for example, in comparing its payments to counties under the 25-percent formula with what it would pay under property taxation, invariably deducts contributions in kind from the gap between taxes and shared revenues. These contributions in kind have to do with road construction and maintenance, fire protection, law enforcement and other services which the Forest Service assumes would be financed from public funds if the lands were privately owned.

There are other modifications in the theory that the responsibility of the Federal Government on behalf of its lands to local government should be measured in terms of property tax concepts, but these are perhaps the major ones. What it amounts to is an apparent policy that on certain types of Federal property Uncle Sam acknowledges an obligation to local government not greater than the amount it would pay in property taxes on the property, and usually considerably less. This is the general standard which has been used, apparently, in evaluating both shared revenue and payments-in-lieu arrangements.

There are, in my opinion, several things wrong with this property tax theory of Federal-local relationships in the public lands field. In the first place, it assumes that the property tax alone is the ultimate measure of Federal responsibility. Actually, local governments, including counties, are relying less and less on the property tax as a revenue source. Gas taxes and other highway revenues, sales taxes, whether locally imposed or State imposed and shared with counties, licenses and permits, and other miscellaneous receipts constitute an important and growing proportion of the county revenue base. None of these taxes is paid directly or indirectly by Federal agencies: yet economic activity such as timber sales, grazing leases, mineral leases, and recreation, if conducted on private lands, would be generating revenue through these sources.

Secondly, in using the property tax equivalent as a rule of thumb standard, the theory assumes that the Federal obligation on its public lands is owed only to local governments. Private land, on the other hand, is subject to levies from the State level as well, especially in the form of sales taxes and income taxes.

Thirdly, the assumption that the obligation of the original public domain differs in kind from the obligation on behalf of lands purchased from private owners and added to the public holdings is questionable. Counties in which 70 or 80 percent or more of the land is public domain cannot be said to have adjusted to the fact that such a large proportion of their territory produces no public revenue. These lands must be crossed by county roads; drainage from these lands must be handled; the products from these lands must be moved over county roads; activities upon these lands require a certain amount of police protection; and in other ways the public lands, whether acquired or public domain, do impose a burden of service upon local governments.

Finally, the reservation usually made that payments on behalf of Federal lands should be tied directly to services provided them is questionable, to say the least. It would be a novel theory of taxation that the owner of property should pay only for the services he receives. The fact is that in the taxation of private lands there is no counterpart to this theory. Property taxation is according to value; expenditure for services is according to need, as determined by the responsible public officials and the voters.

The difficulties with this property tax theory of measuring the Federal Government's obligation on behalf of its lands to local government are so numerous that I have concluded that the theory itself is inadequate. In view of the virtual unanimity of opinion that this should be the measure, I have great trepidation in criticizing it. However, on the other hand, I think we may stand at a crossroads so far as Federal-local relations in public lands is concerned. We can continue to go down the same route we have been following—a course apparently preferred by many—or we can branch out into a new type of Federal-local relationship.

What I am suggesting is that we view the relationships between local and Federal Government, insofar as public lands are concerned, not in terms of the relationship between a tax levying body and a taxpayer, but rather in terms of the relationship between a senior partner and a junior partner in the mutual furtherance of a joint enterprise; namely, the development of the public lands into a condition of maximum productivity on a multiple use, sustained yield basis.

The property tax theory is certainly not all bad, and certain features of it should definitely be preserved. But I think it fails to provide the framework for a constructive and positive relationship between local and Federal Governments as to the public lands. The public lands are, above all, public; and this means not only that every citizen of the United States has an interest in their management, but that the public in the area in which they are located also has a definite interest. And it is the county governments and county officials who represent this local public.

With these considerations in mind, let me suggest some general principles which should be considered by those who in the future attempt to revise the present provisions for Federal payments on behalf of the public lands. These suggestions are offered purely to stimulate your thinking on this subject, and not with any thought that they should be translated immediately into an action program of any kind. That would be unrealistic, since they reflect a point of view quite different from that reflected in the present laws. Yet, I believe they are sound in principle, and that they point the way toward a new and mutually beneficial relationship in the public lands field between local, State, and Federal Governments.

1. Except for properties maintained by the Federal Government primarily to service local communities, Federal property generally should make some payment to local government, if not to State government. The fact that certain kinds of Federal property have never been on the tax rolls does not justify withholding of Federal payments when the land either produces Federal revenue or is held to serve a national purpose.

2. Payments to each local or State government should be generally proportional to the value or productivity of the property within its borders. It is obvious that some Federal property is more valuable or more productive than other Federal property. I believe that each community is entitled, as nearly as possible, to the maximum benefit of the value of productivity of its own property. It seems wrong and artificial, as some have proposed, to spread the benefits of certain parcels of highly productive Federal lands among all State or local governments having property of that general class. If the property were privately owned, its benefits would accrue primarily to the local community or State, and I see no reason to alter this general principle with respect to federally owned property.

3. Payments should not be limited to the amount that would be produced by ad valorem taxation, but should reflect the partnership interest of State and local governments in the benefits of a joint enterprise with the Federal Government. This means, of course, that some kind of shared revenue arrangement should apply to all Federal lands capable of producing revenue. It is of interest to observe here that the historic reason for shared revenue arrangements has been that the lands in question were deemed to be of such low value and potential that Congress and the Federal agencies were afraid to commit themselves to any kind of base or minimum payment-in-lieu arrangement. This situation has in some instances already become reversed, so that the present justification for retaining the shared revenue arrangement is to provide incentive for the State and local governments to contribute to the further development of the land. This will be all the more important in the future, as productivity of Federal lands increases in response to the demands of a growing population and a higher standard of living.

4. As a corollary of No. 3, State and local governments should be prepared to offer not only moral support to the progressive development of the public lands, but also to assist in this development financially, in circumstances where a prudent investment policy by a State or a county would pay dividends to itself in the form of increased shared revenues. We in county government cannot expect to receive benefits from an expanded program on the public lands without making some contribution toward that expansion. The O. & C. counties in Oregon have pointed the way in this respect, by voluntarily plowing back into their timber lands one-third of the shared revenues they receive. This policy has been a dramatic and widely acclaimed success. I think it teaches us a lesson which can well be applied to other categories of Federal lands.

## WESTERN REGIONAL DISTRICT NATIONAL ASSOCIATION OF COUNTIES GRAZING, WATER, AND REVENUE CONFERENCE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter from Mr. Paul N. Carlin, assistant director for Federal ownership problems, National Association of Counties, dated January 21, 1963, enclosing a copy of five resolutions which were adopted at the western regional district meeting of the National Association of Counties held in Las Vegas, Nev., on December 11 to 13, 1962.

There being no objection, the letter and resolutions were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF COUNTIES,
*Washington, D.C., January 21, 1963.*
Hon. WAYNE MORSE,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR MORSE: Enclosed with this letter is a copy of the five resolutions which were adopted at the western regional district meeting of the National Association of Counties which was held in Las Vegas, Nev., on December 11–13, 1962.

These resolutions pertain to the sharing of wildlife revenues with counties, exclusive legislative jurisdiction over certain federally owned lands, county studies of timber access roads, State water rights, and the Youth Conservation Corps.

It would be very much appreciated if you would insert these resolutions in the CONGRESSIONAL RECORD.

Sincerely yours,
PAUL N. CARLIN,
*Assistant Director for Federal Ownership Problems.*

### RESOLUTIONS

### I

Whereas statutory authority exists for acquisition of land by the U.S. Fish and Wildlife Service to add to the national wildlife refuge system; and

Whereas the need for a more equitable system of shared revenues and payments in lieu of taxes to county governments for such lands has been recognized by the Commission on Intergovernmental Relations, the congressional Committee on Commerce, and other groups which have studied this problem carefully; and

Whereas S. 2138, 87th Congress, 2d session, as proposed by the Senate Committee on Commerce, did not fully meet the recognized need for improvement of the present formula for shared revenue and payments in lieu of taxes with respect to the national wildlife refuge system: Therefore be it

*Resolved,* That the western regional district, National Association of Counties, recommends to the parent organization that if legislation similar or identical to S. 2138 is introduced in the 88th Congress, it be amended in the following particulars:

1. Departmental administrative expenses, as described in section 401(b) of S. 2138, should be provided from regular appropriations, and should not be deducted from wildlife refuge revenues;

2. Mineral receipts and timber receipts, whether from reserved lands or acquired lands, should be shared on the present 25-percent basis with the counties in the particular area of the system from which such receipts are derived;

3. The value of acquired lands, for the purpose of the three-fourths of 1 percent formula, should be determined by a joint appraisal committee, consisting of a representative of the Department, a representative of the counties in the particular area of the system, and a neutral third party acceptable to both the Department and the counties; and there should be a reappraisal at least every 5 years;

4. If revenues from the system in any given year are insufficient to meet the Federal obligation to the counties under the three-fourths of 1 percent formula, the amount needed to meet the obligation should be taken from duck stamp revenue; and

5. As to any land acquired in the future, which is part of an existing drainage, irrigation, diking, or similar district, the Department should continue to be liable for any assessments levied by the district.

### II

Whereas proposals for a Federal Youth Conservation Corps have received the sincere and vigorous support of the National Association of Counties during the 87th Congress; and

Whereas the need for such a program increases with the passage of time: Therefore, be it

*Resolved,* That the western regional district of the National Association of Counties urges the parent organization to continue its active support of this proposal during the 88th Congress, and pledges its utmost cooperation to the end that an adequate program be established.

### III

Whereas S. 154, 87th Congress, represented the best efforts of the Federal agencies, the State governments, and the county governments to reach a solution to the problem of exclusive Federal jurisdiction over certain federally owned lands; and

Whereas this legislation failed to pass during the recent session of Congress for reasons wholly extraneous to the purpose and merits of the bill; and

Whereas the chances of adoption of such legislation would appear to be improved if the bill could be amended so as to apply only to the States of Alaska, Hawaii, Washington, Oregon, California, Idaho, Nevada, Arizona, Montana, Wyoming, Utah, New Mexico, and Colorado: Therefore be it

*Resolved,* That the western regional district of the National Association of Counties urges the parent organization to support an amendment to legislation similar or identical to S. 154, 87th Congress, which would limit the scope of the bill to the 13 Western States.

### IV

Whereas the Northern California County Supervisors Association has presented to the western regional district of NACO a study of timber access roads in the national forests, as these roads affect the revenues of the various counties; and

Whereas it appears that similar studies in other areas of the Western States would be highly desirable; and

Whereas this association recognizes multiple use and that additional supplemental funds appear to be needed to construct roads for multiple-use purposes: Now, therefore, be it

*Resolved,* That this matter be referred to the NACO board of directors for transmittal to their committee on natural resources for action; and be it further

*Resolved,* That other forest counties in the western region be urged to conduct similar studies.

V

Whereas the principle of supremacy of State water laws in deriving rights to the ownership, distribution, and use of ground and surface waters has been recognized in States lying wholly or partly west of the 98th principal meridian by both Federal law, State law, and the enabling acts by which many of the States were admitted to the Union; and

Whereas the stability of the economy, the property values, and the continued peace, prosperity, and development of much of the whole United States is dependent on a continued recognition of the supremacy of State water laws and the property rights which have been derived and settled thereunder; and

Whereas acts of some of the departments of the executive branch of the Federal Government and even decisions of the judicial branch of the Federal Government have thrown doubt upon the sanctity of these principles and the property and human rights protected thereby; and

Whereas application of the principle of preservation of existing and potential beneficial uses of water by reference to application of State law is beneficial throughout the Nation; and

Whereas application of authority to control interstate commerce or other claimed constitutional authority ought not to be used by any branch of the Federal Government to impair or destroy supremacy of State water laws and the property and human values based thereon: Now, therefore, be it

*Resolved by the western regional district of the National Association of Counties,* That the parent organization be requested to memorialize the Congress of the United States to enact a law so clear and unambiguous as to be incapable of evasion by either Executive order or judicial interpretation and requiring every agency, permittee, licensee, and employee of the Federal Government, as a condition precedent to the taking or use of any water, to acquire a right to the use thereof in conformity with State laws and procedures relating to the control, appropriation, use, or distribution of such water; and defining the water affected by such legislation to include all water originating on federally owned or controlled lands which contribute to flowing or moving surface or ground waters.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. Is there further morning business?

Mr. HOLLAND. Mr. President, I believe the distinguished majority leader would prefer to have the morning-hour business concluded before the Senate resumes the debate on the pending business.

The PRESIDING OFFICER. Under those circumstances, if the Senator from Tennessee has morning business, the Chair recognizes him before the Senate resumes the consideration of the pending business.

## PROPOSED AMENDMENTS TO THE CONSTITUTION

Mr. KEFAUVER. Mr. President, I introduce for appropriate reference five joint resolutions, each of which contains a proposed constitutional amendment. Each of them also concerns either our Federal electoral system or our governmental structure. I ask unanimous consent that the text of each of the joint resolutions be printed in the RECORD following my remarks and that they then lie on the table until the close of business on Friday, January 25, to permit other Senators who might so desire to join in sponsoring one or more of the resolutions by giving their names to the bill clerk.

Mr. President, as you know, during the 86th Congress two-thirds of both Houses of Congress agreed on an amendment to give the people of the District of Columbia a vote in presidential elections. This proposal was ratified within less than 10 months after it was submitted to the States.

The 87th Congress then approved what I hope and believe will become the 24th amendment to the Constitution, the anti-poll-tax amendment, for which the distinguished senior Senator from Florida [Mr. HOLLAND] worked so hard for so long. I was happy to be a cosponsor of that resolution.

Mr. HOLLAND. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. HOLLAND. The aid, assistance, and leadership given by the Senator from Tennessee in that effort were of invaluable importance. I do not believe the amendment could have been submitted without his joining as a cosponsor of it.

Mr. KEFAUVER. I thank the Senator from Florida for his generosity and thoughtfulness.

But, Mr. President, there remain several points at which our Constitution should be amended; and, as chairman of the Subcommittee on Constitutional Amendments, I hope to see continued close examination and study of these areas. I believe each of the resolutions which I introduced today is a well-considered method of dealing with a need for constitutional amendment in one of these areas.

The electoral college method of electing the President will again be a matter of high priority with the Subcommittee on Constitutional Amendments. I am honored today to introduce on behalf of a distinguished group of Senators a current version of the so-called Lodge-Gossett or proportional system of electoral college reform, which in 1950 passed the Senate by more than a two-thirds vote. It was again approved by the Senate Judiciary Committee in 1955. I am joined in introducing this resolution by the Senator from Connecticut [Mr. DODD], the Senator from California [Mr. KUCHEL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Alabama [Mr. SPARKMAN]. I know many other Members of the Senate strongly favor this proposal and this group of sponsors indicates the support for the proposal among all sections of the country and in both political parties.

Another past proposal which I am reintroducing would provide for the establishment of a system of national primaries for nomination of the President and Vice President. The present system of hit-and-miss primaries in a few States is highly unsatisfactory. Rather than attempt to set out the details of national primaries in my proposed amendment, it would simply authorize Congress to enact legislation establishing and regulating national primaries.

I am also introducing for myself and the Senator from Missouri [Mr. LONG] a proposed amendment which would repeal the 22d amendment to the Constitution. I still believe the people of this country should be able to put aside the two-term tradition in case of an emergency and that we can well afford to leave to the good judgment of the American electorate whether or not a President should be elected for a third time.

On the subject of electoral reform, I am introducing an additional proposal in order that it may be before the subcommittee when it considers this problem. This is a proposed amendment which would perfect our present system by eliminating the college of electors and awarding electoral votes automatically based upon the popular vote. This is the proposal which was introduced by President Kennedy when he was a Member of the Senate. I do not believe this goes far enough in modernizing our presidential elections method, but it would be a worthwhile improvement upon the present system.

The subject of Presidential inability will be explored by hearings conducted by the Subcommittee on Constitutional Amendments early in the 88th Congress. I am reintroducing a proposal which was approved once in a previous Congress by the Subcommittee on Constitutional Amendments which would place in the President's Cabinet the power of deciding the beginning and termination of any Presidential inability. This is essentially the solution which Attorney General Rogers and Attorney General Brownell advanced during the Eisenhower administration. Of course, we all hope that such a provision would never be needed, but I feel that we must establish a constitutional and orderly procedure for handling such a situation, in case of one of our Presidents might become unable to discharge the duties of his office.

The VICE PRESIDENT. The joint resolutions will be received and appropriately referred; and, without objection, the joint resolutions will be printed in the RECORD, and lie on the desk, as requested by the Senator from Tennessee.

The joint resolutions introduced by Mr. KEFAUVER were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

By Mr. **KEFAUVER** (for himself, Mr. Dodd, Mr. Kuchel, Mr. Randolph, Mr. Saltonstall, and Mr. Sparkman):

S.J. Res. 24. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That an amendment is hereby proposed to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Consitution only if ratified by three-fourths of the legislatures of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"Section 1. The President and Vice President of the United States shall be elected by the people of the several States and the District constituting the seat of government of the United States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe less restrictive qualifications with respect to residence therein. The electors in the District shall have such qualifications as the Congress may prescribe. The places and manner of holding such election in each State shall be prescribed by the legislature thereof. The place and manner of holding such election in the District shall be prescribed by the Congress. Congress shall determine the time of such election which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. The people of each State shall be entitled to cast a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The people of the District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State.

"Within forty-five days after such election, or at such time as the Congress shall direct, the official custodian of the election returns of each State and the District shall make distinct lists of all persons for whom votes were cast by electors for President and the number of votes for each, and the total vote of the electors of the State or the District for all persons for President, which lists he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall in the presence of the Senate and House of Representatives, open all certificates and the votes shall then be counted. The person receiving the greatest number of votes for President in any State or the District shall receive all of the electoral votes of such State or the District. If two or more persons receive an equal number of votes in any State or the District, the electoral votes thereof shall be divided equally between such persons. The person receiving the greatest number of electoral votes for President shall be President, if such number be a majority of the whole number of electoral votes received by all persons. If no person receives such majority, then from the person having the two highest numbers of electoral votes for President the Senate and the House of Representatives sitting in joint session shall choose immediately, by ballot, the President. A majority of the votes of the combined authorized membership of the Senate and the House of Representatives shall be necessary for a choice.

"The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same provisions, as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

"The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose the President or Vice President whenever the right of choice shall have devolved upon them.

"Sec. 2. This article shall take effect on the tenth day of February next after one year shall have elapsed following its ratification."

By Mr. **KEFAUVER**:

S.J. Res. 25. Joint resolution proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President by primary elections.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years of the date of its submission by the Congress:

"ARTICLE —

"The Congress shall have power to provide for nomination of candidates for President and Vice President by primary elections to be held in each State, the District of Columbia, and the territories, and to make all laws which shall be necessary and proper for carrying into execution this provision."

By Mr. **KEFAUVER** (for himself and Mr. Long of Missouri):

S.J. Res. 26. Joint resolution proposing an amendment to the Constitution to repeal the 22d article of amendment to the Constitution.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"Section 1. The twenty-second article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

By Mr. **KEFAUVER**:

S.J. Res. 27. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That an amendment is hereby proposed to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by three-fourths of the legislatures of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected as provided in this Constitution.

"The office of elector of the President and Vice President, as established by section 1 of article II and the twelfth article of amendment to this Constitution, is hereby abolished. The President and Vice President shall be elected by the people of the several States and the District constituting the seat of government of the United States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein. The electors in the District shall have such qualification as the Congress may prescribe. The places and manner of holding such election in each State shall be prescribed by the legislature thereof. The place and manner of holding such election in the District shall be prescribed by the Congress. Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State.

"Within forty-five days after such election, or at such time as Congress shall direct, the official custodian of the election returns of each State and the District shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, and the total vote of the electors of the State or the District for all persons for President, which lists he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all certificates and the votes shall then be counted. Each person for whom votes were cast for President in each State and the District shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. In making the computation, fractional numbers less than one one-thousandth shall be disregarded. The person having the greatest number of electoral votes for President shall be President, if such number be at least 40 per centum of the whole number of such electoral votes. If no person has at least 40 per centum of the whole number of electoral votes, then from the persons having the two highest numbers of electoral votes for President the Senate and the House of Representatives sitting in joint session shall choose immediately, by ballot, the President. A majority of the votes of the combined authorized membership of the Senate and the House of Representatives shall be necessary for a choice.

"The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same proivsions, as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

"The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of death of any of the persons from whom the Senate and the House of Representatives may choose a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 2. This article shall take effect on the 10th day of February next after one year shall have elapsed following its ratification."

By Mr. KEFAUVER:

S.J. Res. 28. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. In case of the removal of the President from office, or of his death or resignation, the Vice President shall become President for the unexpired portion of the then current term.

"SEC. 2. If the President shall declare in writing that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 3. If the President does not so declare, the Vice President, if satisfied that such inability exists, shall, upon the written approval of a majority of the heads of the executive departments in office, assume the discharge of the powers and duties of the office as Acting President.

SEC. 4. Whenever the President makes public announcement in writing that his inability has terminated, he shall resume the discharge of the powers and duties of his office on the seventh day after making such announcement, or at such earlier time after such announcement as he and the Vice President may determine. But if the Vice President, with the written approval of a majority of the heads of executive departments in office at the time of such announcement, transmits to the Congress his written declaration that in his opinion the President's inability has not terminated, the Congress shall thereupon consider the issue. If the Congress is not then in session, it shall assemble in special session on the call of the Vice President. If the Congress determines by concurrent resolution, adopted with the approval of two-thirds of the Members present in each House, that the inability of the President has not terminated, thereupon, notwithstanding any further announcement by the President, the Vice President shall discharge such powers and duties as Acting President until the occurrence of the earliest of the following events: (1) the Acting President proclaims that the President's inability has ended, (2) the Congress determines by concurrent resolution, adopted with the approval of a majority of the Members present in each House, that the President's inability has ended, or (3) the President's term ends.

"SEC. 5. The Congress may by law provide for the case of the removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected. If at any time there is no Vice President, the powers and duties conferred by this article upon the Vice President shall devolve upon the officer eligible to act as President next in line of succession to the office of President, as provided by law."

## AMENDMENT OF RULE XXII—CLOTURE

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9 to amend the cloture rule of the Senate.

Mr. HOLLAND. Mr. President, last Friday, January 18, the Senator from Florida spoke rather briefly on the pending business. In the course of my remarks, the distinguished majority leader [Mr. MANSFIELD] asked that I allow the Senate to take a recess, so that important public business which was pending outside the Senate might be attended to that day. I was glad to cooperate with the majority leader. My understanding is—and I read now from the CONGRESSIONAL RECORD of January 18, 1963—that the Senate took the following action:

> Mr. HOLLAND. I shall be glad to terminate my address with the understanding that not less than an hour may be allowed me to finish, this, my first address on this subject, this year, because that is about the amount of material I have left.

I ask the Chair, as a parliamentary inquiry, if I am correct in my understanding that I have not less than an hour in which to complete my remarks.

The PRESIDING OFFICER. The Chair advises the Senator from Florida that under the informal understanding he has not less than 1 hour in which to complete the speech he began last Friday.

Mr. HOLLAND. I thank the Presiding Officer. While the understanding is that I may have not less than an hour, I propose to conclude my remarks within 1 hour, so that Senators who have other business to transact may know that within less than 1 hour the Senator from Florida hopes to be eating his lunch.

Mr. President, on Friday I addressed myself to two of the major fallacies advanced by some of those who advocate more drastic limitation of debate as proposed by the various measures which have been offered to this body.

The first fallacy I discussed Friday was the contention that a more stringent limitation on debate must be imposed to enable the Senate to work its will on important legislation which comes before it. I believe I demonstrated clearly, and I hope convincingly, that the legislative history of measures which have been subjected to unlimited debate proves that the argument cannot be sustained, except as to the passage of extreme civil rights proposals. To those Members who were not present Friday when I spoke, I refer to the review of the Senate's 27 votes on invoking cloture prepared by Dr. George B. Galloway, of the Legislative Reference Service of the Library of Congress, which appears in the CONGRESSIONAL RECORD of January 18, 1963, at pages 628 to 629.

Of these 27 items, cloture was voted on 5, and they were passed at once; whereas 14 others were passed later, either in their original form, or sometimes with amendments or in modified form. The other eight instances in which cloture was denied and in which no subsequent legislation has been passed are wholly in the field of extreme civil rights proposals, as follows: First, an antilynching act, on which cloture failed twice; second, Federal FEPC legislation, on which cloture failed twice; third, the omnibus civil rights proposal offered in 1960 by Senators DOUGLAS and JAVITS; fourth, the literacy test for voting, on which cloture failed twice; and fifth, the amendment and proposed emasculation of rule XXII, which subject now clearly relates only and solely to the effort to pass extreme civil rights legislation.

In my remarks last Friday I pointed out clearly that, notwithstanding the refusal of the Senate to vote cloture to pass those extreme civil rights measures, the Senate has passed, without filibuster and without cloture, several moderate civil rights measures in recent years. I specifically mentioned five of these more moderate civil rights proposals which have been passed in recent years and which have become law, which measures are listed in my remarks on page 631 of the CONGRESSIONAL RECORD of Friday, January 18, 1963.

The second fallacy I discussed was the false assumption, made by many, that southern Members of the Senate will not vote to limit debate on legislation affecting the welfare of the country or its citizens. This is a myth, as the well-documented material provided by the Library of Congress shows. The fact is that cloture could not have been obtained on the five occasions when it has been voted without the support of southern Senators. The clear facts on these five cloture votes, all made possible by southern support, as supplied to me by the Legislative Reference Service of the Library of Congress, are set forth in detail in my statement of last Friday, on pages 631 and 632 of the CONGRESSIONAL RECORD.

Mr. President, today I should like to discuss a third fallacy—possibly the most significant of all—which is being indulged in during this debate. That fallacy is the mistaken belief that decision by a simple majority on all matters affecting the country or coming before the Congress, no matter how controversial they may be, is a fundamental principle of our Government which should be rigidly adhered to.

Mr. President, that is a mistaken belief of significant proportions. As a matter of fact, the profound change in the Senate's parliamentary procedure which is proposed today by those who would make of the Senate a mere debating society rigidly controlled by a constitutional majority, or even by a mere majority of a quorum present, runs counter to many of the safeguards protecting individual liberties and the rights of minorities written into the Constitution itself.

Nowhere do I find in that document any mandate that majority rule shall absolutely govern on all issues the country faces or on which the Congress acts.

To the contrary, as the late Senator Francis Case of South Dakota, pointed out in the Senate on January 12, 1959—in the CONGRESSIONAL RECORD, volume 105, part 1, page 430—there are eight instances in which the Constitution requires a two-thirds vote upon certain matters vital to the Congress, the framework of the Government, and the rights of citizens.

However, rather than argue the matter in my own words, Mr. President—which would be the words of a southerner, which—on the matter of civil rights, at least, I know are always suspect—I choose to quote from three most distinguished philosophers whose scholarly views on constitutional government are held in highest regard. They are Mr. Walter Lippmann, the distinguished columnist; Mr. Arthur Krock, the highly regarded political commentator of the New York Times; and Mr. David Lawrence, the well-known editor of the U.S. News & World Report. Mr. Lippmann's comments in his column in 1949 referring to the proposed limitation of debate that year, is a convincing expression of great weight which goes right to the heart of the situation that exists today. Although I referred to Mr. Lippmann's comments last August, when we were debating the cloture motion on the communications satellite bill, I should like to recall to the attention of Senators the following excerpts:

> Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.

Mr. President, those are not my words; they are not the words of a southern Senator. They are the words of Mr. Walter Lippmann, who said that the question of amendment of rule XXII was "whether there shall be a profound and far-reaching constitutional change in the character of the American Government."

I quote further from the article by Mr. Lippmann:

> In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decisions.
>
> The American idea of a democratic decision has always been that important minorities must not be coerced.

These are Mr. Lippmann's words; and I quote further from the article written by him:

> When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it. * * *
>
> For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. * * *
>
> The opposition and the resistance, having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

Mr. President, those, too, are the words of Mr. Walter Lippmann.

I continue to quote from the article he wrote:

> For that reason, it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.
>
> This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device—rather an awkward and tiresome device * * * to prevent large and determined communities from being coerced.
>
> The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.
>
> The issue has been raised in connection with the civil rights legislation.

Mr. President, I call especial attention to this particular quotation, because everyone knows that Mr. Lippmann is an ardent writer in the field of civil rights which most disturbs the Senate at the present time. I quote further from the article by him:

> The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on a majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.
>
> For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

I have finished the quotation from the 1949 statement of Mr. Walter Lippmann.

Mr. President, I do not see how anyone reading that statement and realizing the source from which it comes can but pause and reexamine the entire question, because Mr. Lippmann has made it clear that what is suggested in the Senate and what is being urged in good faith by people who have good intentions but apparently do not understand where they are going is a complete departure from the established rule of our democracy to which he referred.

Twelve years later on January 5, 1961, in the Washington Post, Mr. Lippmann again devoted himself to the problem of coercion of the minority by majority rule in the following words:

> The problem of the Senate, on the other hand, involves questions of high constitutional principle. The crux of the question is not whether the majority should rule but what kind of majority should rule. Shall it be a simple numerical majority of the Senators present and voting? Shall it be two-thirds of all the Senators elected: Or shall it be something between the two?
>
> Here lies the crux of the argument. What kind of majority shall have the right to end debate in the Senate, and therefore to bring about a vote? The kind of majority that has the power to do this has the power to legislate.
>
> The recognition that there may be various kinds of majorities is deeply imbedded in the Constitution. Simple majority rule—one more than half a quorum—is by no means the general principle of the Constitution. Constitutional amendments, the expulsion of Members, the overriding of the President's veto, require two-thirds of all the Senators elected. Treaties and impeachments require two-thirds of those present and voting.
>
> Why these variations? Because these are questions which involve the whole Nation * * * the Constitution requires that such grave decisions shall have a large not merely a simple majority.
>
> In my view it is important, indeed vital to our liberties, to preserve the principle that for great issues, for issues that affect deeply great regions or sections of the Nation, there should be required more than a simple majority. For we must never forget that majorities are not always liberal and that they may be quite tyrannical. It is, I have always thought, a short view of history to equate simple majority rule with the defense of the civil rights of Negroes.
>
> The civil rights of all Americans will be safer if within the Senate, which represents the Federal principle, we do not give absolute power to simple majorities.

This is Mr. Lippmann speaking, not the Senator from Florida.

**Mr. SPARKMAN.** Mr. President, will the Senator yield for a question?

The **PRESIDING OFFICER** (Mr. EDMONDSON in the chair). Does the Senator from Florida yield?

**Mr. HOLLAND.** I yield to my distinguished friend the Senator from Alabama for a question.

**Mr. SPARKMAN.** The Senator from Florida has quoted a very pertinent column written by Mr. Walter Lippmann. I should like to ask the Senator if, within the past 2 or 3 weeks, he read a column written by another outstanding columnist, Mr. William S. White, in which Mr. White dealt with the same subject.

**Mr. HOLLAND.** I did. He dealt with the question in substantially the same way. I could multiply several times the number of authorities from whom I could quote, but I have deliberately chosen, not only in my present appearance but in earlier appearances, to quote from a highly liberal columnist, well known as such, who happens to be Mr. Lippmann in this instance; from a highly conservative columnist, well known as such, who happens to be Mr. David Lawrence; and from a columnist who is regarded as rather in the middle of the stream, namely, Mr. Arthur Krock. I prefer at this time to quote from only those three authorities, although there are many others, including the distinguished Mr. William S. White, who take the same position.

Mr. SPARKMAN. Yes. I had not intended to suggest that the Senator should necessarily use the quotation to which I referred. When I spoke a few days ago I quoted from Mr. William S. White. If the Senator from Florida read the column to which I referred, I should like to ask him if he recalls that Mr. White said that the reason cloture in the Senate had been so infrequently successful was the type of proposed legislation that was offered. If measures were desired, and good laws that could be sustained before the people of the country were proposed, they would be passed. Does the Senator recall that statement, and does he not agree that that is good reasoning?

Mr. HOLLAND. I thank the Senator. I recall that statement. It is good reasoning. In my earlier remarks I pointed out that, by considering the number of instances in which cloture was attempted to be applied, 27 in all, we see that there were only 8 instances in which the bills were not enacted later, which were proposals in the field of extreme civil rights. In the meantime quite a number of more moderate acts in the field of civil rights have been enacted by the Senate, which supports entirely the view stated by Mr. White, that it is the type of proposed legislation in a most vital field which determines whether or not a filibuster can hope to succeed.

Mr. SPARKMAN. Would the Senator include in his description of legislation of vital importance the proposed legislation that was before the Senate last year which was known as the communications satellite bill?

Mr. HOLLAND. I certainly would. In my earlier remarks I mentioned that in that instance cloture was voted, and in that instance, and in all the other four in which cloture was voted, it could not have been voted without the active help of Southern Senators.

Mr. SPARKMAN. As I recall, the Senator from Florida has not always abstained from voting for cloture. Is that not correct?

Mr. HOLLAND. That is correct. Twice I have voted for cloture, both times on questions which I thought were of great importance to the Nation. One was the communications satellite bill of last year, and earlier the atomic energy bill, on which the cloture motion failed, but which within a few hours, as I recall, or certainly within not more than a couple of days, was enacted by the Senate agreeing to certain amendments, which did not destroy the bill at all, but enabled its early passage.

Mr. SPARKMAN. I am glad the Senator brought up that point. Is it not true that the atomic energy bill was discussed in the Senate in such a manner that the debate served to educate—if I may use that term—Senators and the country as a whole, and that as a result of the discussion that took place for several days, and as a result of the failure of cloture to apply at the time, the Senate, working its own will, arrived at a compromise on the bill that brought about its passage?

Mr. HOLLAND. The Senator is eminently correct in that statement.

Mr. SPARKMAN. Does that not bear out the statements made by both Mr. Lippmann and Mr. White, that good legislation can be passed when the sentiment of the people is behind it?

Mr. HOLLAND. It certainly does. That is the history of debate in the Senate.

I should like to add one additional instance to that mentioned by the Senator from Alabama. In the case of the poll tax measure, the ardent advocates to repeal the poll tax tried three times to do so by statute. Each time they tried to obtain cloture, and they could not. Then later, by a vote in the Senate—not unanimous, but 77 to 16—this body approved Senate Joint Resolution 29 proposing a constitutional amendment, which is the constitutional way to handle the question. There was no prolonged debate, no resort to cloture, and no need for it. The States now have that constitutional amendment before them. I thank the distinguished Senator for his comment.

Mr. President, I should like to refer to Mr. Lippmann's most recent observation on this subject that I have seen, which was on December 27, 1962—a month ago—in an article in the New York Times discussing the problems of government in France, England, and the United States. In the article Mr. Lippmann calls for various reforms in our governmental structure. But it is interesting to see what he says about the proposed reform in Senate rules. I should like to read Mr. Lippmann's comment into the RECORD:

> The American version of the problem arises, as I see it, out of the fact that the American form of government cannot be operated at all in wartime and cannot be operated successfully in peacetime except under presidential leadership. In domestic affairs, which include such external affairs as tariffs, foreign aid, and the character of the defense structure, presidential leadership is checked and balanced and is often vetoed and frustrated by the rules of Congress, including particularly the rule of seniority and the entrenched power of the standing committees.
>
> It will be a labor of Hercules to reform the system. But if the American Government is to be adequate to the times we live in we have to begin the reform. For myself, I would begin in the House with a concentrated assault on the entirely arbitrary and high-handed usurpation by the Rules Committee when it arrogates to itself the right to decide what bills Congress shall vote upon. This usurpation is quite outside the meaning of the Constitution.

I ask Senators to listen carefully to the following:

> At the same time, I would not reopen now the question of the limitation of debate in the Senate. There is a strong case to be made for continuing the tradition which makes it necessary that legislation which is highly controversial must command a consensus in the Senate which is much bigger than one more than one-half. I believe that in the long run the preservation of this principle in one of the Houses of Congress is a protection of our liberties.

Mr. President, this is a columnist who perhaps is supporting the administration more actively in its requests for far-reaching legislation than any other, who recognizes there are obstacles to the enactment of some of that legislation arising from the Senate rules and from the House rules and from the traditions of Congress, who takes this occasion to say again what he has said so well before, that he thinks no attempt should be made to amend the Senate rule because—and I read the last sentence of his statement again—

> I believe that in the long run the preservation of this principle in one of the Houses of Congress is a protection of our liberties.

Mr. Krock, the distinguished political commentator of the New York Times, directing his thoughts to the same problem on March 3, 1960, in an article dealing with debate in the Senate at that time, had this to say:

> The all-out southern filibuster in the Senate, which really is centered only on those sections of equal-rights bills that would impose total racial integration by Federal force, is under the usual attack of being undemocratic.
>
> Yet the Senate rules which lend strong protection to such delaying actions are historically in alinement with the basic concept on which the Constitution was drafted and ratified. This was that the enforcement of the will of the majority on a strongly opposed minority must be subject to many checks and balances.
>
> Since the Constitution established a republic, and not a mass-action democracy, a number of these checks and balances were written into the text. It allotted two Senators to each State, regardless of size or population, so that the Senators from Rhode Island have the same voting power in their body as the Senators from New York. It provided for the Presidential veto by which one-third plus one Member of either branch of Congress can kill legislation supported by one less than two-thirds.
>
> The Constitution also requires a two-thirds Senate vote to approve international treaties submitted by the President. Three-fourths of the States must ratify a constitutional amendment to make it the supreme law of the land. And the Supreme Court has successfully read into the national charter the unspecified power to nullify acts of Congress as unconstitutional.
>
> The Senate rules, which make it possible for a determined minority to forestall a vote on pending legislation until and unless two-thirds of the Members present support a motion to close the debate at a specified time, reflect this same fundamental concept of the Constitution.
>
> And seldom mentioned is the additional fact that, in the most recent of a series of tests of Senate opinion, many more than one-half of the membership again refused to change the rules to allow either a simple majority of those present and voting, or a constitutional majority (now 51), to terminate a filibuster or any other form of deliberately protracted debate.
>
> Also, in the criticism of the current filibuster as undemocratic, it is rarely if ever recalled that the threat of a filibuster by nonsoutherners, in August 1958, when Senators were anxious to go home, killed the House preemption bill.

I shall not be unkind enough, Mr. President, to give the names of those liberal associates of ours, all friends of ours, who threatened to filibuster at that time to kill a bill which had passed the House by an immense majority, and which would have passed the Senate by an almost equal majority, in my opinion, if it had been allowed to come to a vote. I again quote Mr. Krock:

> Moreover, the undemocratic charge against Senate rules, which at all times have been drafted and modified by a majority (otherwise they would not be in the manual), suggests that some who make it are fundamentally opposed to the concept of checks and balances deliberately embedded in the Constitution. It suggests that what these critics really want is a mass-action democracy—except of course, when a filibuster attains one of their ends. But this cannot be unless the national charter is rewritten and adopted by three-fourths of the States.

Mr. David Lawrence on March 2, 1949 in discussing the right of a majority to limit debate in the Senate, made these pertinent comments in an article published in the Washington Evening Star:

> The debate over the right of a majority to cut off discussion in the Senate has implications that can affect the future of American history, as they have in the past.
>
> The issue goes deeper, however, than civil rights and racial problems. It goes to the heart of minority rights on all questions. The right of unlimited debate has kept the Senate from becoming a rubber stamp for the Executive on matters of domestic as well as foreign policy.
>
> In times of economic stress an intolerant majority can ride roughshod over the rights of the minority. In the Senate it has been possible for unlimited debate to be checked only by the processes of public opinion when the debate privilege was abused.

Mr. President, if I may, I wish to dwell for a moment on this statement by Mr. Lawrence. I think he went to the very heart of the question when he referred to the fact that when public opinion frowns upon a so-called filibuster or a resort to unlimited debate that filibuster is sure to collapse and is sure to fail.

As I stated the other day in my remarks, every Senator who resorts to unlimited debate knows that he does so against the background that he, as the representative of his people, trying to obtain for them from the Senate the consideration which they deserve, is jeopardizing his standing with his associates if he stands upon a ground which he knows to be unsound or in which he does not believe with all his heart. Likewise, he jeopardizes his own standing at home if he dares to take a position which the majority of his people do not, in his sincere opinion, support.

In addition, Mr. President, I think that the power of public opinion runs much wider than the confines of State bounds, because I have seen its effects in the Senate in respect to the tidelands bill, when a group of liberals were seeking to filibuster against it, when papers like the Washington Post, which supported them, and the New York Times, which supported them, and other papers I could mention which supported them, came out, nevertheless, with editorial comment which frowned upon what they were doing in wearing out the Senate and refusing to allow the Senate time to take up and to pass some very important measures for the Nation. That opposition caved in. The measure got to a vote, and the bill was passed.

In spite of the dedicated opinions of those who opposed it that it was unconstitutional, the distinguished Presiding Officer knows that the Supreme Court very quickly, when the matter came to it—with, I think, one dissenting vote—sustained the constitutional aspect of the law.

The fact of the matter is, Mr. President, that the power of public opinion in the final analysis governs on a matter of this kind. It is only when Senators feel sustained by the force of public opinion which sympathizes with the stand they are taking, when they believe their stand is right, or when something is so questionable that it is believed to be right to indulge in unlimited debate, that anyone can hope to stand on this floor literally until he drops and fight for those things which are involved in that particular contest.

So, Mr. President, in my opinion, the fallacy that one more than any majority should prevail on questions no matter how fundamental to our Government and no matter how important to our people is convincingly disproved by the studious comments of these three distinguished authorities, who are not southerners, but who are great scholars and great patriots and are so recognized by everyone, regardless of whether one agrees with their statements. The columns of these great Americans are read with respect, even though all may not agree with the philosophy they espouse.

Mr. President, the tragic events which have occurred in recent months prove clearly that coercion, whether by the courts, the executive branch, even extending to the use of military force, or by any proposed legislative mandate does not produce the desired results in the difficult field of civil rights.

It should be obvious to all by now that attempted enforcement by coercion of the decisions made by what may be a transient majority, which decisions are offensive to the traditions, the customs, and the conscience of a great number of our people, who are determinedly opposed to them, cannot succeed, without grievous injury to the peace, tranquillity, and well-being of the country, or at least a great section of it, nor, I regret to say, without bloodshed and violence.

I want the record to show, as I stated the other day, that when we talk about the South, we are talking about a region that, without including the border States, has a population of some 50 million, and which comprises an area greater than most of the great states of the world. To attempt to do something by coercion which conflicts with the traditions, beliefs, and longstanding customs and practices of the people of a great area like that, and with our illustrious history, is bound to fail to succeed.

Two recent events I hardly need to mention amply illustrate this: the tragic disorders last fall at Oxford, Miss., and the race riot at the District of Columbia Stadium on Thanksgiving Day.

It is lamentable even to have to recite what happened at Oxford, but there may be those who in later years will forget what transpired there. My position has been stated pretty well. I stated on the floor that, so far as I was concerned, I would have acceded to the court order, even though I strongly disbelieved in it. But today we are looking at the results of what transpired—results which show that action as completely unwise and demonstrate the complete failure of what was done.

At Oxford two persons were killed, scores seriously injured, many college students hurt, an entire semester of learning greatly impaired for thousands of students, and the lives of thousands of citizens disrupted with lasting effects of bitterness of which all of us are only too painfully aware.

It is painful to talk about this deplorable event—coercion, court decree, executive interference, a resort to arms, plus military force to go along with it, which brought about an abysmal failure.

I notice in the Washington News of today, which just reached me a few minutes ago, an article—and I do not vouch for its accuracy—to the effect that Meredith, the student who was put in there by that forceful effort, has just left school, having failed some of his semester examinations. Events of the near future will make clear whether that statement is true or not. Whether it proves to be true or not, the fact is that several hundred students were withdrawn from the university during the semester because of the travail there. The fact is that the whole course of academic learning on that campus for some thousands has been greatly hindered with lasting effect. The fact is that the bitterness which came about on that campus and the whole area affected will remain for years and years. The fact is that huge amounts of public money have been spent in an effort that now proves was clearly abortive from the beginning.

I inquired as to the amount of public moneys involved. I was advised by the two distinguished Senators who I think are closer to the Defense Department than is any Senator on the floor except the Senator from Georgia [Mr. RUSSELL]—and I refer to the Senator from Virginia [Mr. ROBERTSON] and the Senator from Mississippi [Mr. STENNIS]—that they have been informed the total cost exceeded $4 million sometime around the first of December. I doubt if it will ever be known exactly what the cost was.

I think the matter of the cost in money is one of the least important elements in the matter. The total failure to accomplish any good—and the violence and destruction wrought—is so very clear that I do not think anyone would belabor the question at all—but so the record may be complete I submit figures provided by the Department of the Army and the Department of Justice on the cost of supporting the Federal marshals and soldiers sent to Oxford.

The Library of Congress, which looked into this matter for me, advises these Departments reported that the cost to the Federal Government of supporting thousands of armed troops, 325 of which are still stationed in Oxford, for 60 days up to November 30, 1962, exceeded $2 million. This was the Department of Army estimate. The cost of supporting the 541 U.S. marshals, 15 of which are still on the University of Mississippi campus, with their ammunition, communications, and equipment, according to the Department of Justice, amounted to $406,508 as of October 31.

Mr. President, that mass effort of 541 U.S. marshals supported by the thousands of armed Federal troops to enforce the precipitous enrollment of a Negro candidate in the University of Mississippi—who intends to withdraw—or has already withdrawn if today's newspaper reports are true—as precipitously as he was entered—is without parallel in our history.

The cost, beyond that in terms of human misery which never can be paid, of that forced implementation of the Supreme Court's decision far exceeds any progress in civil rights even the most optimistic extremists could hope for.

What I am trying to say is that those who believe that coercion will bring about good results are wrong, because we are dealing with a matter that my 70 years of life in the South and my 40 years of service in public positions, in the State legislature, as Governor of Florida, and in the Congress, has led me to believe cannot be handled by coercion. And I am regarded as a moderate. I am the one who for years introduced the anti-poll-tax amendment, which has now been submitted to the States. I am the one who voted for cloture on two occasions. I am one who has done things that some people in my State cannot follow me in. I have done them sincerely, because I thought they were the right things to do.

I am sincere in saying that if persons think they can bring about the results they want by coercion, they are entering a blind alley. They will not get anywhere, just as has been proved in the case of the trouble on the campus of "Ole Miss," which it appears is now about to come to an end.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question.

Mr. SPARKMAN. I wonder if the Senator saw quoted in the press within the last few days a statement by the Attorney General in which he said to a group that the future of integration would depend upon the will of the people of the respective communities and localities. Did the Senator see that statement?

Mr. HOLLAND. I saw that statement, Mr. President. I am going to quote from it, because I think it is the most hopeful sign that has appeared on the Federal horizon for a long time. Apparently the learned Attorney General is learning something new that is not in the books. He is learning that coercion does not pay. He went before this fine group of ministers to whom he was speaking to say to them frankly—and I am going to read from that statement——

Mr. SPARKMAN. I was not trying to anticipate the Senator but I thought it was quite apropos in connection with the Senator's discussion of the idea of coercion. It certainly does not fit in with the type of coercion that was attempted at Oxford; does it?

Mr. HOLLAND. It does not.

If the Senator will allow me to read the quotation attributed to the learned Attorney General by the Washington Post, it may point out just what the Senator has mentioned.

Mr. SPARKMAN. I have felt all the time, as the Senator from Florida has stated, that it was a matter which would have to be decided by the people who were concerned.

Mr. HOLLAND. The Senator is so correct about that. Now I propose to read into the RECORD a quotation or two from the statement of the Attorney General as reported by the press to the effect that he is beginning to come to the point of view which is so necessary for someone in authority to reach, before we make further progress in the difficult problem we face, because these abortive attempts and coercive actions have set us back tremendously in our progress toward firmer and more lasting and equal relations between the races in the South.

In connection with that statement, Mr. President, I note that the Attorney General on Monday of this week in an address to the ministers of the Episcopal diocese of Washington appears to have come to the conclusion that the imposition of Federal force in the field of civil rights does not produce the desired results.

Mr. Kennedy, according to the Washington Post of Tuesday, January 22, 1963, in a front-page article, stated:

> No one is satisfied with the present rate of racial desegregation and that clergymen must supply added motive power to accelerate the pace.

The quotation embraces part of the leading paragraph of the article, not the Attorney General's words.

Further, according to the Washington Post, Mr. Kennedy stated:

> Negro leadership has become independent and is charting the course of desegregation without reference to what white leadership may consider appropriate.

The quotation again embraces the statement attributed by the Washington Post to the Attorney General, not his actual words.

He stated further—and I again quote from the Washington Post:

> Not the Federal Government emphasizing the law but community acceptance is the factor that will bring integration about.

Further along in the article the Attorney General is quoted as saying:

> The 25,000 Federal troops at the University of Mississippi were not the answer.

With which statement I could not more wholeheartedly agree.

So that Mr. Kennedy's remarks as reported by the Washington Post may be read in their full context, I ask unanimous consent that that portion of the article to which I have referred be printed in the RECORD at this time.

There being no objection, the excerpt from the article was ordered to be printed in the RECORD, as follows:

### ROBERT KENNEDY ASKS CLERGY TO ACCELERATE DESEGREGATION'S PACE

(By Kenneth Dole)

Attorney General Robert F. Kennedy said yesterday that no one is satisfied with the present rate of racial desegregation and that clergymen must supply added motive power to accelerate the pace.

Desegregation is moving too slowly for Negro leaders, who find "even the progress we're making now unacceptable," Kennedy said in a wide-ranging talk before the ministers of the Episcopal diocese of Washington.

Formerly, the Negro leadership "was closely related" with the white leadership, he said. "They would agree, this year five jobs to Negroes, next year seven, but I don't think such arrangements will be acceptable anymore," he said. Negro leadership has become independent and is charting the course of desegregation without reference to what white leadership may consider appropriate, he said.

"If I've learned anything in the last 2 years in working on the local level," he said, "it is that when the clergy provides leadership, we can move ahead." When the clergy holds back, "the whole country suffers," he declared.

Not "the Federal Government emphasizing the law" but "community acceptance" is the factor that will bring integration about, he said.

And community approval is up to the ministers: "People such as yourselves," he told the Washington ministers, "will provide leadership for the local people." In their influence, "they will be far more important than people in the Federal Government speaking from Washington."

All ministers and priests share this responsibility, he emphasized. "The direction in which we have to move must be given by you and your counterparts (Catholic priests)," he said.

The 25,000 Federal troops at the University of Mississippi "were not the answer," he said.

Mr. HOLLAND. Mr. President, elsewhere in the article, according to the Washington Post, the Attorney General discussed the situation existing in the District of Columbia. I now refer to the unfortunate event which took place at the stadium in the District of Columbia on Thanksgiving Day. I quote from the article:

> Asked what "we, as clergy, can do in the Washington area?", the Attorney General gave suggestions that also apply elsewhere.
>
> "You have the problem of the schools, where parents do not accept one another, nor pupils accept each other. Perhaps bitterness would be quieted if white and Negro leaders should sit down together and figure out answers to the problems. You, the clergy, have got to go in and give some leadership."

Mr. President, the Attorney General concedes, in so many words, the fact that there is bitterness as between students, between each other, and between the parents. He asks—and I commend him for asking—the Protestant ministers, to whom he was talking at the time, to accept greater responsibility than they have thus far.

As to the race riot which occurred at the District of Columbia Stadium on Thanksgiving Day the Attorney General, according to the Washington Post, said this "was not surprising." I again quote from the Washington Post article:

> The Thanksgiving Day riot at a high school football game here "was not surprising," he said, "in view of the shocking conditions uncovered by the survey."

Mr. President, the events at the District of Columbia Stadium on Thanksgiving Day clearly demonstrate the futility of mass integration of the races without adequate preparation and adjustment. This was not an overnight or spur of the moment clash but the culmination of deep-seated emotions which have been brought to a climax in Washington over the years.

Mr. President, I have been here for most of the 8 years during which integration has been attempted in the Washington public schools. I would like to quote to the Senate excerpts from the letter by Chairman Shane MacCarthy accompanying the citizens committee report on the Thanksgiving Day rioting as reported in the Washington Evening Star on Wednesday, January 9, 1963.

I understand that he is a very dedicated citizen, and the wording of his report so indicates. The fact that he was chosen by Dr. Hansen, the fact that this report, representing both races and all religions and all schools of thought, was unanimous, is of great importance. Mr. MacCarthy said:

> Since 1954, the date of integration, many students, both white and colored, have found the training of our District of Columbia public schools an adequate and often exemplary base for immediate positions in the business world or for advanced education. However, the rapid growth in numbers of Negro pupils, many with low mental rating, coupled with increasing crowding of facilities, neutralized the academic standards of the education system in the District of Columbia.
>
> Placing the Negro children with the white 8 years ago was desegregation, not integration. Only too prevalent was the pattern of the Negroes and the whites continuing to segregate themselves within the same school. In undertaking any process, there are two methods: the easy and the hard; usually the first is the less effective. So it appears to have been with the laudable step to blend the races in our American schools.
>
> Integration is a most complicated undertaking. It is not accomplished simply by opening classroom doors. It is not brought about by a paper decision to recognize the rights of fellow citizens. It is not achieved by an emotional urge that follows the prodding of the heart rather than the leadership of the head. We do a grave disservice to boys and girls of both races when we direct them to integrate and thrust them into indiscriminate mingling without the thorough preparation which is a mandate for success in any undertaking.
>
> Racial hatred of fellow Americans is intolerable whether it be white against Negro or Negro against white. We are all American citizens. As our Negro citizens develop social maturity they must differentiate between those who would exploit their condition for proximate or ultimate political purposes and the white citizens who want them to enjoy the full and unhampered benefits of American citizenship. Negroes must have confidence in the latter. With this approach, Negro achievements will be notable and lasting. Without this, suspicion and bitterness inevitably continue.

I do not wish to impose, but I would like to direct Senators' attention to a most significant paragraph in Mr. MacCarthy's comments above. Note that he says:

> Integration is a most complicated undertaking. It is not accomplished simply by opening classroom doors. It is not brought about by a paper decision to recognize the rights of fellow citizens. It is not achieved by an emotional urge that follows the prodding of the heart rather than the leadership of the head.

Mr. President, the frightening disorder on Thanksgiving Day was not an isolated outburst triggered by schoolboy emotions stemming from a bitter rivalry between their schools. This is shown clearly in the committee report, as reported by the Evening Star.

In discussing the insensitiveness of District of Columbia public officials, organizations and public school authorities to "the inflammable potential" of the racial climate in Washington, the committee reported:

> This insensitiveness was unfortunate because for the past several years misconduct has plagued athletic events of the public schools—and even the schoolboy classic as far back as 1956. During the intervening years, school officials have done little to curb this type of violence at school athletic contests. Unable to cope with the misconduct problem at smaller games, school officials nonetheless approved a citywide game drawing more than 50,000 spectators, unpicked and unknown, and under outside auspices. Several guests mentioned that a committee should have been named several years ago to probe violence and misconduct at school athletic events.
>
> As recent as the 1961 Thanksgiving Day game, the first high school game at the stadium, police reported difficulties of an alarming degree. Almost 50,000 attended the game between St. John's and Eastern. According to police, one student was beaten on a parking lot after the game and there was considerable vandalism to the stadium during the game. At the close of the annual Turkey Day game in 1959, spectators rushed onto the field, according to police. A player was stabbed. Another person was struck by a chain. Seventeen other incidents were reported to police.

There is no question that the Thanksgiving Day disorder was a race riot despite the utterances to the contrary of some who would like to look the other way. In determining the important factors which set the stage for the violence the committee report forthrightly stated:

> Element of racism: There was evidence of racial prejudice among attackers during the stadium riot. Remarks, profanity, and utterances heard by some spectators carried the bitterness of racial hatred. Despite the several references, the committee found no link with the uprising to the Black Muslim movement. In a statement issued shortly after the riot, leaders who represent the great majority of Negroes condemned the "unsportsmanship conduct and rowdyism," contending that it can "neither be excused nor tolerated."

Again, in its determination of the causes leading to the Thanksgiving Day riot the Committee report included a statement relating to the situation which its investigation revealed existing in the District of Columbia's public schools which I am confident is of the gravest concern to every Member of the U.S. Senate.

The report states:

> Atmosphere of lawlessness: Testimony before the full committee developed an awareness of administrative lack of control over hoodlum elements in the school system and a deteriorating condition in mass audience events outside of the school buildings. Violence, assaults, disrespect of teachers are acts of an undesirable element of students. An atmosphere of "permissiveness" has discouraged the personnel of many schools and caused a citywide lessening of discipline standards. Fear rages through many school buildings which have become tramping grounds for outside influences, including thugs, hoodlums, and persons of the lowest character. The school administration has difficulty in coping with this situation. The morale of many teachers has suffered and the percentage of resignations and transfers has increased. Nevertheless, school officials fail to cooperate with police and report violations of the law nor do they maintain a citywide reporting system of incidents of misconduct. Conduct at athletic games—including the recent stadium contest—is symptomatic of the school conditions the committee discovered as it probed into the causes of one of the city's worst racial flareups in many years.

Note, Mr. President, this is a quotation from the report of the biracial committee which so thoroughly investigated into this matter and then unanimously signed its report.

Note again that the distinguished group of citizens who investigated the Thanksgiving Day crisis characterized it exactly for what it was, "one of the city's worst racial flareups in many years." I disagree with only one word in that statement, "flareups"—it was a full scale race riot of staggering consequence which in the opinion of many authorities was preplanned to some extent, although the committee reports it found no basis for that. I read this paragraph from the committee's report:

> Staggering was the testimony of various individuals and police as to the stockpiling of weaponry—umbrellas with sharp points, broken bottles, rocks, knives, and chains—which are used in public schools and in some instances were displayed at the stadium.

Mr. President, without laboring the question any further, I think it ought to be just as clear, so clear that every citizen can see it, that it is futile to proceed by coercion, to simply say that by a stroke of the pen that the schools shall be integrated, and then to herd the children all together within the four walls of a school and expect peace to exist. In the first instance friction arises between the children; in the next instance between the parents; and in the third instance the matter becomes so injurious as to cause a riot such as that which occurred last Thanksgiving Day in the U.S. Capital, where we are under the observation of thousands of people, friendly and unfriendly, from other nations, who are sent here and who expect to see here a good example of what a free nation does to the inhabitants of the Capital of the world's greatest free nation today.

The result of that frightful outburst of violence was a very great disservice to our Nation. It ought to make us all stop, look, and listen, and see where we are going.

As a moderate in this field—and I have been a moderate through the years—and that is shown by my action of voting in the State legislature, as the Governor of my State, and since I have been in the Senate of the United States for 17 years—I simply say that if we do not desist from this program of always approaching this difficult problem legalistically—by passing a law, by handing down a decree, by issuing an executive order, by sending an army of U.S.

marshals, an army of troops from the Regular Establishment, and by impressing into military service the National Guard of the States, we will make this matter intensely worse.

That is exactly what has been done by well-intentioned people in the recent years, during which we have seen this problem become aggravated, instead of lessened. It has become much more notorious in the world than it was, and much more bitter in the feeling it has engendered between the races. I think I know what I am talking about. I have the friendliest possible relations with people of color who reside in my hometown and throughout my State. I asked them repeatedly, during the wartime, when I was serving them and the rest of my people as Governor, to do things in behalf of my State and the Nation, and they did them, and did them well. They have always expressed approval of my asking them to do them, generally separately from the white race. Generally they want to do things that way to show what they can do.

I have no apologies to make to anyone. When I strongly supported the repeal of the poll tax in my State, it was not a popular move.

When I strongly supported the repeal of the poll tax by a constitutional amendment, that was not universally popular. But I have not hesitated to stand for my position, and I have not hesitated to take such action.

I say out of the depth of a full heart that we are drifting into a situation where, by totalitarian means, by the employment of force, threats, and coercion—we attempt to get done things which cannot be done in that way, because they are things which affect the good will of people toward other people, which cannot be effected by force, but only by persuasion, by accommodation, and kindness.

This was well exemplified in the beautiful islands of Hawaii, our latest State, which is making an outstanding record of peace and harmony between the races. Hawaii is not doing this by coercion. I am proud to see in the chair of the Presiding Officer at this time the distinguished junior Senator from Hawaii [Mr. INOUYE], who knows perfectly well that not by coercive means, but by means which depend upon brotherly love, good will, understanding of the races, and an expression of sympathetic understanding between the races do we make progress in this difficult field. Hawaii has made progress in that direction. We could take some lessons from her.

Mr. HILL. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Alabama.

Mr. HILL. Is it not correct that the distinguished Senator from Florida was one of the earlier and stanchest advocates and supporters of Hawaiian statehood?

Mr. HOLLAND. I thank the Senator. His statement is correct. I believe I was the first southern Senator to sponsor a bill for Hawaiian statehood, and likewise a bill for Alaskan statehood. That surely does not indicate that I am too hopeless a mossback, and, Mr. President, I may say, I do not think I am.

The fact is that I have tried to go down the line in doing things which are kindly and which I think will tend to promote good will and tend to bring out from each American citizen the maximum of service to himself, his family, his community, and his nation.

I say we are not approaching things in that way when we act with force, compulsion, and coercion.

It is perfectly clear, not only from the RECORD which I have cited here, and from what has happened in the application of cloture, but also from the concession made the other day by the distinguished senior Senator from Illinois [Mr. DOUGLAS], in his colloquy with the Senator from Virginia [Mr. ROBERTSON], that this attempt to more drastically limit debate is sought solely to obtain passage of civil rights bills. As the Senator from Illinois said that there is now only one excuse for the attempt to modify the cloture rule; that is, the effort to pass civil rights legislation, legislation which I term "extreme civil rights legislation," because much progress has been made by the moderate acts which have been passed. As the experiences of the races and the experience of the States and the people make it possible for us to go further, we shall go further—but only on a basis of moderation and accommodation, if we hope to make any lasting progress.

We shall not go further by sending an army. We shall not go further by passing decrees. We shall not go further by passing bills. That amounts to simply trying to override and tear down the good efforts of the people. They will not swallow those actions, when they are not convincing to their own deep feelings and their innermost beliefs. It simply will not work.

I thank the Presiding Officer and all other Members of the Senate who are present.

## O'CONNOR CRITICIZES WASTE IN GOVERNMENT-SUPPORTED SCIENTIFIC RESEARCH

Mr. PROXMIRE. Mr. President, recently Basil O'Connor, chairman of the national foundation, and former head of the Institute for the Prevention of Poliomyelitis; delivered an address at the Third International Symposium on immunopathology, at La Jolla, Calif. Of all American citizens, Basil O'Connor is certainly among the first to recognize the very great importance of scientific research. He has been the head of an institute which has been devoted to medical research.

In his speech, which I think is historic and should be noted by Members of Congress, he calls national attention to this very serious problem. In his speech, he said:

> The Federal Government finances 60 percent of the basic research in the United States; it provides support for a very large portion of the students studying for scientific careers; and it is currently enlarging its role in financing the improvement of science instruction in the schools.

As Basil O'Connor points out, the result of all this activity has been an increase in the research budget of the Nation, and a vast enlargement of the Federal Government's role in American science.

In the course of the speech Mr. O'Connor made clear that he highly approves—as, of course, I do—this research, and recognizes that not only is it good, but also it is one of the most essential activities carried on by our Government or by our society as a whole. However, very serious problems are involved in the deep involvement of the Federal Government that has been developing in science. As Mr. O'Connor said:

> Government-supported science has become a fiscal giant that surpasses even our agricultural price supports. This has been accompanied by a relative decline in the contributions from other private sources: industry, universities, and the foundations.

Mr. O'Connor then quoted, Carl Stover, who wrote, in a recent pamphlet, "The Government of Science," published by the Center for the Study of Democratic Institutions:

> As a result of the alterations that have taken place since the end of World War II, the Federal Government is no longer simply aiding science and technology, it is guiding them. American science and technology are dependent on governmental action, just as American agriculture has been for many years. The growing magnitude of Federal financial support distributed according to Federal policy determinations, the increased reliance on science and technology in the conduct of Government programs, and the ever closer relationships between Government officials, scientists, and technicians have worked a qualitative change in the mutual relationship between Government and science.

Then Mr. O'Connor gave a case-history example of what can develop. In considering the effect on the health sciences, he said:

> As a case history of what happens to science when it moves from pluralistic support to reliance on the state, I would like to look briefly at a specific field, the one in which you and I have the greatest personal commitment. The Federal Government's role in medical research and training has grown prodigiously in recent years. Over the past decade, Federal aid for medical facilities, staff, and research has outpaced Federal aid in any other comparable area. In 1947 the Federal Government paid for about one-third of the Nation's medical research. Today it pays for one-half; tomorrow it will pay for two-thirds, if current trends continue. The National Institutes of Health are among the few Federal agencies which regularly receive more than the administration has asked for on their behalf from Congress.

Then he cited the experience, which is very familiar to many Members of the Senate, on the basis of recent debates:

> Since 1953 congressional appropriations for NIH have averaged about 25 percent above administration requests, and 33 percent above the previous year's figure. For fiscal 1962, for example, President Kennedy asked for $583 million for NIH, which was $34 million more than the previous year's appropriation. The House upped this to $641 million, the Senate topped that with $835 million, and the compromise finally

adopted was $738 million—$155 million more than the administration request. Congress uncritical generosity extended to the most ludicrous extremes, such as giving more than double what was asked for in training grants, despite the fact that NIH Director James Shannon himself had argued that a moratorium on the increases was desirable to enable the Institutes to evaluate the program's effect. This past year the National Institutes of Health came out rather poorly: Congress thrust upon them only $100 million above the administration request.

As I have pointed out on the floor, this administration is notably generous in its dealings with our health problems and it is expertly qualified to deal with them. When President Kennedy was a Member of the Senate and was a member of the Senate's Committee on Labor and Public Welfare, he was greatly concerned with our country's health problems and he was anxious to have the Senate do all it could possibly do in this field.

Mr. O'Connor said:

The result of this "force feeding"—the term comes from a recent description of the situation in Science magazine—is that the National Institutes of Health receive more money for medical research than can be used soundly.

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Indeed, reliable reports indicate that the National Institutes of Health have more than once had to "beat the bushes" to find researchers willing to accept huge amounts, so that the money would not revert to general funds at the end of the fiscal year. This is not the way to disburse support for science. Moreover, the constant flow of new money prevents adequate followup on previous grants. Long-term awards are not followed up after the first year, and funds have been given automatically for up to 8 years thereafter.

Because there is so much money to be disposed of, the National Institutes of Health are apparently much less rigorous than other grantmaking agencies in evaluating applications. They award grants to a surprisingly large number of those who apply, and they give each grantee a surprisingly large proportion of the amount he requests. Science magazine summed this up in reporting a study of NIH conducted in 1961, saying:

"NIH gave 95 cents on the dollar to two-thirds of all new applicants; the National Science Foundation gave 60 cents on the dollar to one-third of its new applicants."

I quote further from Mr. O'Connor's speech:

Charles V. Kidd of the NIH has pinpointed the principal areas in which problems arise in the science-government partnership. He has said:

"Lack of money is not now the most important barrier to the establishment of greater national strength in basic research. The more acute problems relate to the training of manpower, the effects of heavy research support upon universities as educational institutions, and the terms and conditions under which Federal funds are distributed to them."

I would add to this that the plethora of funds actually constitutes a positive threat to excellence. The effect of too much money has been succinctly described recently by Alvin Weinberg, Director of the Atomic Energy Commission's Oak Ridge National Laboratory. In the past, Weinberg points out, both thought and money were hard to come by. Now money is plentiful, but thought is still scarce. The result is a tendency to spend rather than think. Another of our leading scientists, Hans Bethe of Cornell—

Who probably is the outstanding expert in our Nation on nuclear physics—

echoed Weinberg's warning in an interview last year, saying: "I believe scientists can be overfed, and the consequence is that they don't think enough."

Of course, no one is advocating that scientists should be made to build their linear accelerators out of matchsticks, or reinvent the electron microscope. But the opposite extreme breeds its own dangers. An oversupply of money not only tempts scientists to spend rather than think, it also requires them to administer rather than experiment.

* * * * *

This kind of waste results from the notion that scientific creativity can be hurried by the application of enough additional money. One scientist has compared this fallacy to the idea that if a woman can produce a baby in 9 months, nine women should be able to produce it in 1 month.

* * * * *

The universities and the government today are in a state of "unprecedented mutual dependence." Alvin Weinberg has warned that such dependence can be ruinous for the universities:

"I think there is a very grave danger to our universities in this incursion of big science. A professor of science is chosen because he is extremely well qualified as a scientist, as a thinker, or as a teacher once big science has invaded his precincts and he becomes an operator (even though a very effective one), his students and his intellectual eminence and proficiency are bound to suffer. I do believe that big science can ruin our universities, by diverting the universities from their primary purpose and by converting university professors into administrators, housekeepers, and publicists."

* * * * *

Such forebodings do not, of course, discourage our universities from accepting ever larger Federal research grants. And who can blame them?

Mr. President, such forebodings can hardly dissuade Members of Congress from fighting for such grants. We are proud to do all we can for our States and our States' universities and other centers of higher learning. We want to do all we can for them, and we are glad to help plead for such grants for them.

Mr. O'Connor further said:

What university president can turn down a million-dollar grant, even if he thinks it would throw his institution's whole program out of kilter? He'd have to face his trustees and alumni. And how many scientists can resist a sizable award, even if it distorts the direction of their research? Scientists and administrators living off Federal funds are, as Don Price has pointed out, in the position of the worldly wise girl in the classic limerick:

"There was a young lady from Kent
Who said that she knew what it meant
When men took her to dine
Gave her cocktails and wine,
She knew what it meant—but she went."

Similarly, we know what are the long-term consequences of such grants and assistance to the programs, but we find it very difficult to resist the making of the grants unless we resist at the authorization and the appropriation levels.

Then Mr. O'Connor said:

The Senate, which periodically thrusts excessive funds on the NIH, set up a special committee of consultants to pass judgment on the appropriation for fiscal 1960. This committee not only endorsed the current rate of support for NIH, it recommended even greater increases in the future. When you look closely at the membership of this committee, however, you may have some doubts about its objectivity. All but one of the consultants were members of NIH study sections or advisory councils either at the time of the study or in the past. Moreover, 6 of the 12 actually received NIH research grants in the very year in which they served on the committee to evaluate the use of NIH funds.

Mr. O'Connor also said:

Louis Lasagna, associate professor of medicine at Johns Hopkins, with whom I disagree on many things, has criticized these powerful study groups in a way which I find wholly convincing:

"Once appointed to a study section, a scientist is eligible to become a fullfledged participant in the game of musical chairs played by a small minority of the country's researchers. One finds certain people moving from section to section, section to council, governmental to nongovernmental advisory bodies. This reflects partially the eminence and ability of such scientists and in part the desire of administrative groups to play safe in their choice of advisers. The result is to place the research activities of the country in the hands of an expert, but perhaps smaller, group of scientists than is optimal to carry out the Public Health Services directive to be critical, imaginative and daring."

Thus the general direction and the specific applications of Government support for biomedical research are largely determined by a small captive audience—the very people who are directly benefiting from government largess.

There is a risk of profound public disillusionment with science and scientists.

While Basil O'Connor labors the point at length, I shall quote only briefly from his statement:

I can foresee a situation in which the public and Congress, aroused over signs of waste in the financing of scientific research, reacted with such alarm that even the most competent investigator had a hard time finding the funds he needed. Or, less dramatically, I can see the gradual extension of political control over research. There are signs of this already.

* * * * *

Another effect of massive Federal support is to lure scarce specialists into research. This is fine if there are great opportunities for progress in research in the areas involved and if our other needs are being met. But with our critical shortages of medical college faculty and of doctors, I seriously wonder whether the exodus from the teaching and practice of medicine and into research is in the best interest of the Nation as a whole. Dr. Samuel Levine, retiring president of the Harvard Medical Alumni Association, has even proposed, with tongue in cheek, a 5-year moratorium on medical research. He suggests that the money thus saved could well be used to further the utilization of the knowledge we already have, to provide every sick person with the kind of medical care which is now technically available, and to expand medical education.

To sum up, Mr. O'Connor said:

I believe that more than money is needed to promote genuine progress in scientific research and education. Money can provide the opportunity to achieve great things in science. Wisely used, it can encourage the excellent. Foolishly used, it can foster mediocrity and stifle excellence. It is not our scientists alone who may be prone to spend rather than think if money is easier to come by than ideas. Those in charge of administering Government research funds may also find it easier to avoid difficult decisions if they have sufficient money to support every plausible proposal which is presented to them.

Secondly, I conclude that the good name of science is not a permanent asset of scientists. It must be guarded vigilantly if it is to be preserved. The logrolling and sheer waste which accompany ill-advised, massive government appropriations could tragically undermine the public's confidence in the whole scientific enterprise.

Mr. President, I know that the speech by Basil O'Connor can be viewed by some as an attack upon Government assistance for scientific research, and especially medical research. It is anything but that. Mr. O'Connor believes, as I do, that we must continue to provide this assistance, and more of it in the future than in the past. But I ask that in the future, Senators particularly—because we have been most delinquent in that regard—consider with great care the recommendations of the administration, and exceed those recommendations of the administration, which is most sympathetic with this subject, only when we are convinced on the basis of the most conclusive evidence that the additional funds are indeed necessary, and that without the additional funds, scientific research cannot proceed as it should.

It is a tough decision to make. One can sometimes be put in the position of voting, I suppose, "in favor of cancer" or "in favor of heart disease." No politician wishes to be put in that position. But if we are going to mean it when we say that we believe in eliminating unnecessary expense, certainly when experts like Basil O'Connor on the one hand and others who are actually in charge of the spending programs themselves urge us to limit our spending, we should follow their advice.

Mr. President, I ask unanimous consent that the address of Basil O'Connor be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### SCIENCE AND GOVERNMENT: THE PERILOUS PARTNERSHIP

(By Basil O'Connor, president, the National Foundation)

It is a pleasure and a privilege for me, a nonscientist who has spent half of his adult life working with scientists to promote progress in biomedical studies, to address you this evening.

My subject goes to the heart of the contemporary scientific enterprise. You may not agree with some of the things I have to say. I warn you at the start that my subject is one in which frankness leads inevitably to controversy. My hope is that the controversy will in turn lead to a realistic appraisal of the problems we face, and to intelligent action to meet those problems.

Science and Government need each other today as never before in history. Only science can provide Government with the new knowledge and technology essential for survival. The advanced nations are engaged in a vast international competition in everything from missiles to medicine. Each day's headlines testify to the truth of Alfred North Whitehead's remark: "In the conditions of modern life the rule is absolute, the race which does not value trained intelligence is doomed."[1]

At the same time, science depends on Government for a growing portion of its support. The Federal Government finances 60 percent of the basic research in the United States; it provides support for a very large proportion of the students studying for scientific careers; and it is currently enlarging its role in financing the improvement of science instruction in the public schools.

Science and the Government have become mutually dependent. Their relationship may be described as a kind of symbiosis; it is necessary and in many ways advantageous to both. Yet in one sense the analogy is incorrect. For the mutual dependence of science and Government also has some disadvantages. That is why I call it a perilous partnership.

C. P. Snow, in his book "Science and Government,"[2] has warned of the dangers to democratic government when scientists are put into positions of isolated power. My concern tonight is with the dangers of the science-Government relationship to science rather than to Government.

The partnership between science and Government is inevitable. On this there can be no disagreement. But I have come to believe that the relationship entails great hazards for the professional health of the scientific community. To see why, let us consider briefly how this extraordinary partnership grew up.

When modern science was going through its birth pangs in the 17th and 18th centuries, scientists very consciously divorced themselves, as scientists, from merely serving the interests of their particular nations. And this independence was recognized by national governments. "Nations truly civilized will never wage war with the arts and sciences." These words were included in the charter of the American Philosophical Society in 1780, approved by the Continental Congress at a time when the American Colonies were at war for their independence.

During the 19th century, too, scientists thought of themselves as members of a vast international community. The period stretching from 1815 to 1914 saw the nations of the world participating in a broad scientific enterprise which brought biology to maturity as a science, laid the foundations of modern chemistry, and witnessed enormous creativity in physics.

Even after the First World War, scientists clung to the fading dream of an international scientific community. In this country, for example, an International Research Council was proposed to replace the National Research Council which had enlisted science in the American war effort.

The Second World War dealt the death blow to this ideal. As Vannevar Bush observed, it was the first war in human history to be decided by weapons which had not been thought of when it started. The lesson was not lost on political leaders: science itself had become a vital weapon for national progress and defense in the modern world.

As the cold war crystallized out of the postwar tensions, the United States took action to support scientific research and development through its National Government. We knew that we could no longer afford to rely on Europe for our basic research. The new image of the scientist as a kind of intellectual soldier in the cold war was expressed by a New Yorker cartoon which pictured white-coated scientists marching in drill formation to the laboratory, singing:

"From the cyclotron of Berkeley to the labs
of MIT,
We're the lads that you can trust to keep
our country strong and free."

National defense was the first order of business, but the new faith in science carried over to other fields, among which our own, the medical sciences, had high priority.

Government agencies to deal with science and technology have burgeoned since the end of the war. In 1946 the Atomic Energy Commission and the Office of Naval Research were established. In 1952 the Army set up a Chief of Research and Development in the Office of the Chief of Staff. The Air Force also appointed a Deputy Chief of Staff for Development.

Meanwhile, in 1950, the National Science Foundation had been created, after much controversy, as the first general purpose Federal science agency. Its mission was to "develop a national policy for the promotion of basic research and education in the sciences." Under President Eisenhower, a Special Assistant for Science and a Science Advisory Committee were appointed to work with the Chief Executive and the Federal agencies in coordinating national science policy. Finally, in 1959, a Federal Council on Science and Technology was organized, with representatives of the top policy levels of all departments and agencies engaged in science. This Council tries to coordinate science and technology throughout the Federal Government.

The result of all this governmental organization has been an extraordinary increase in our research budget as a nation, and a vast enlargement of the Federal Government's role in American science. As a nation we spent more for research and development last year than was spent in the entire period from the American Revolution to the end of World War II. The total amount available for basic research from all sources has soared from $432 million in 1953–54 to $1.8 billion in 1960–61. Federal funds constituted 45 percent of the total national expenditure for basic research in 1953–54; by 1957–58 the Federal share had risen to 51 percent and in 1960–61 it reached 60 percent.[3] Government-supported science has become a fiscal giant that surpasses even our agricultural price supports. This has been accompanied by a relative decline in the contributions from other, private sources: industry, universities, and the foundations.

The significance of the growing support of science by Government is sharply defined by Carl Stover in a recent pamphlet, "The Government of Science," published by the Center for the Study of Democratic Institutions. Stover writes:

"As a result of the alterations that have taken place since the end of World War II, the Federal Government is no longer simply aiding science and technology, it is guiding them. American science and technology are dependent on governmental action, just as American agriculture has been for many years. The growing magnitude of Federal financial support distributed according to Federal policy determinations, the increased reliance on science and technology in the conduct of Government programs, and the ever closer relationships between Government officials, scientists, and technicians have worked a qualitative change in the mutual relationship between Government and science."[4]

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[1] Alfred North Whitehead, "The Aims of Education," p. 26 (New York: New American Library, 1949).

[2] C. P. Snow, "Science and Government" (Cambridge: Harvard University Press, 1961).

[3] "Funds for the Performance of Basic Research in the United States, 1953–58," in "Reviews of Data on Research and Development" (Washington: National Science Foundation, August 1960). Also "Investing in Scientific Progress, 1961–70" (Washington: National Science Foundation, 1961).

The dangers to science may be briefly summarized in this way, I think. The American scientific community fully realizes its responsibility to contribute to the Nation's strength for both peace and possible war. In working to fulfill this responsibility, however, scientists find themselves harassed and frustrated by developments which actually inhibit scientific progress. This has led many scientists to see real dangers in the fact that they can no longer rely for support on a variety of private institutions, and must turn more and more to the dominant Federal agencies. For science has traditionally maintained its independence by relying on diverse sources of support. But current trends clearly point to heavier and heavier dependence on one source: the Federal Government.

In his most recent book Rene Dubos, of the faculty of the Rockefeller Institute, points out that in the past applied science and technology had clearly defined objectives: The production of the necessities of life, the harnessing of power, and the control of suffering. Pure science was also simpler in the past. As Dubos writes:

"Scholars worked individually on questions that interested them. Receiving little recognition or help from the community, they had much intellectual freedom in the selection of their field of endeavor. The situation is now different because the elementary problems of survival have been solved, and also because the scientist has become a paid servant of the state. As a result, the question of what to do next, which used to concern chiefly the individual person, now must be considered by the social group as a whole."[5]

As a case history of what happens to science when it moves from pluralistic support to reliance on the state, I would like to look briefly at a specific field, the one in which you and I have the greatest personal commitment. The Federal Government's role in medical research and training has grown prodigiously in recent years. Over the past decade, Federal aid for medical facilities, staff, and research has outpaced Federal aid in any other comparable area. In 1947 the Federal Government paid for about one-third of the Nation's medical research. Today it pays for one-half; tomorrow it will pay for two-thirds, if current trends continue. The National Institutes of Health are among the few Federal agencies which regularly receive more than the administration has asked for on their behalf from Congress.

Since 1953 congressional appropriations for NIH have averaged about 25 percent above administration requests, and 33 percent above the previous year's figure. For fiscal 1962, for example, President Kennedy asked for $583 million for NIH, which was $34 million more than the previous year's appropriation. The House upped this to $641 million, the Senate topped that with $835 million, and the compromise finally adopted was $738 million—$155 million more than the administration request. Congress' uncritical generosity extended to the most ludicrous extremes, such as giving more than double what was asked for in training grants, despite the fact that NIH Director James Shannon himself had argued that a "moratorium" on the increases was desirable to enable the Institutes to evaluate the program's effect. This past year the National Institutes of Health came out rather poorly: Congress thrust upon them only $100 million above the administration request.

The result of this "force feeding"—the term comes from a recent description of the situation in Science magazine[6]—is that the National Institutes of Health receive more money for medical research than can be used soundly. I do not believe that the colleges and universities can profitably spend the amounts being awarded to them by NIH in the life sciences. It frightens me to think what Abraham Flexner would find if he were here to look into the use of these research funds in our colleges and universities. I do not think that he would find dishonesty. But I do think he would find waste on a grand scale.

Indeed, reliable reports indicate that the National Institutes of Health have more than once had to beat the bushes to find researchers willing to accept huge amounts, so that the money would not revert to general funds at the end of the fiscal year. This is not the way to disburse support for science. Moreover, the constant flow of new money prevents adequate followup on previous grants. Long-term awards are not followed up after the first year, and funds have been given automatically for up to 8 years thereafter.

Because there is so much money to be disposed of, the National Institutes of Health are apparently much less rigorous than other grant-making agencies in evaluating applications. They award grants to a surprisingly large number of those who apply, and they give each grantee a surprisingly large proportion of the amount he requests. Science magazine summed this up in reporting a study of NIH conducted in 1961, saying:

"NIH gave 95 cents on the dollar to two-thirds of all new applicants; the National Science Foundation gave 60 cents on the dollar to one-third of its new applicants"[7]

I leave it to you to decide whether projects proposed to NIH are so much better than those proposed to the National Science Foundation, or whether it is simply the availability of enormous funds which compels NIH to give nearly the full amount requested to so many more applicants.

I have described the NIH grant program in some detail because it reveals some of the hazards of Government-science partnership more clearly than the even greater growth in defense-related research or the civilian space program. In national defense the Government must take the major role, but the same technique is carried over into other fields where it is not appropriate.

The National Institutes of Health also constitute an interesting example because biomedical studies in this country are now at a turning point in regard to dependence on Government support. About one-half of all the support for such research comes from the Federal Government. This is much more than is provided for research in the social sciences, and less than the Federal funds for the physical sciences related to defense.

Thus our field is an ideal test case for discussing what we might learn from the recent period of increased Government support. Several danger signals have already appeared in the relationship between the Government and science, and these are reflected particularly in biomedical research.

In what follows I will be discussing American science in general, and using biomedical research as a source of examples and concrete instances of what I am talking about. I must preface my remarks by stating quite emphatically that nothing I will be saying hereafter, or have already said, should be construed as criticism of the current directors of the National Institutes of Health. I have sincere respect and admiration for these men; they have done an extraordinary job of digesting and administering constantly increasing funds thrust on them by overzealous congressional enthusiasts. I have drawn examples from NIH because these examples sharply illustrate some current problems of the science-Government partnership and because they are of special interest to us at this meeting.

Charles V. Kidd of the NIH has pinpointed the principal areas in which problems arise in the science-Government partnership. He has said:

"Lack of money is not now the most important barrier to the establishment of greater national strength in basic research. The more acute problems relate to the training of manpower, the effects of heavy research support upon universities as educational institutions, and the terms and conditions under which Federal funds are distributed to them."[8]

I would add to this that the plethora of funds actually constitutes a positive threat to excellence. The effect of too much money has been succinctly described recently by Alvin Weinberg, Director of the Atomic Energy Commission's Oak Ridge National Laboratory.[9] In the past, Weinberg points out, both thought and money were hard to come by. Now money is plentiful, but thought is still scarce. The result is a tendency to spend rather than think. Another of our leading scientists, Hans Bethe of Cornell, echoed Weinberg's warning in an interview last year, saying: "I believe scientists can be overfed, and the consequence is that they don't think enough."[10]

Of course, no one is advocating that scientists should be made to build their linear accelerators out of matchsticks, or reinvent the electron microscope. But the opposite extreme breeds its own dangers. An oversupply of money not only tempts scientists to spend rather than think, it also requires them to administer rather than experiment. C. Northcote Parkinson, that sharp-eyed satirist of modern bureaucracies, has traced the process.[11] As the result of a successful experiment, a scientist is deluged by research funds. Thereafter he is so busy with administration that he never finds his way back to the laboratory. Parkinson's Law for medical research reads: Successful research attracts the bigger grant which makes further research impossible. According to this law most of you here tonight will end up administering, which is what you might have ended up doing had you never gotten into research.

This kind of waste results from the notion that scientific creativity can be hurried by the application of enough additional money. One scientist has compared this fallacy to the idea that if a woman can produce a baby in 9 months, nine women should be able to produce it in 1 month.

So far I have been talking about the effect of massive Federal support on scientists as individuals. Now I would like to turn to something equally important: the impact of such support on the universities where most of these scientists do their work, particularly in the life sciences.

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[4] Carl Stover, "The Government of Science," p. 15 (Santa Barbara: Center for the Study of Democratic Institutions, 1962).

[5] Rene Dubos, "The Torch of Life: Continuity in Living Experience," p. 95 (New York: Trident Press, Simon & Schuster, 1962).

[6] Robert Toth, "Congress Presses Funds on NIH," Science, Sept. 22, 1961, pp. 822–824.

[7] Ibid., p. 824.

[8] Charles V. Kidd, "American Universities and Federal Research," p. 226 (Cambridge: Harvard University Press, 1959).

[9] Alvin Weinberg, "Impact of Large-Scale Science on the United States," Science, July 21, 1961, pp. 161–164.

[10] "Science: An Interview by Donald McDonald With Hans Bethe," p. 5 (Santa Barbara: Center for the Study of Democratic Institutions, 1962).

[11] C. Northcote Parkinson, "Parkinson's Laws in Medical Research," Bulletin of the Atomic Scientists, November 1962, pp. 23–24.

The universities and the government today are in a state of unprecedented mutual dependence.[12] Alvin Weinberg, Director of Oak Ridge National Laboratory, has warned that such dependence can be ruinous for the universities:

"I think there is a very grave danger to our universities in this incursion of big science. A professor of science is chosen because he is extremely well qualified as a scientist, as a thinker, or as a teacher once big science has invaded his precincts and he becomes an operator (even though a very effective one), his students and his intellectual eminence and proficiency are bound to suffer. I do believe that big science can ruin our universities, by diverting the universities from their primary purpose and by converting university professors into administrators, housekeepers, and publicists.[13]

And you may recall that President Eisenhower, in his farewell address, offered a second warning in addition to his oft-cited reference to the "military-industrial complex." He cautioned against the "prospect of domination of the Nation's scholars by Federal employment, project allocation and the power of money."

Such forebodings do not, of course, discourage our universities from accepting ever larger Federal research grants. And who can blame them? What university president can turn down a $1 million grant, even if he thinks it would throw his institution's whole program out of kilter? He'd have to face his trustees and alumni. And how many scientists can resist a sizable award, even if it distorts the direction of their research? Scientists and administrators living off Federal funds are, as Don Price has pointed out, in the position of the worldly wise girl in the classic limerick.

"There was a young lady from Kent
Who said that she knew what it meant
When men took her to dine
Gave her cocktails and wine,
She knew what it meant—but she went."[14]

Massive Government support also affects the community of science itself. The result is less talked about than intellectual laziness, grantsmanship, or administritis. It is not a pleasant topic, but I would be less than candid if I did not say that it troubles me greatly. I would describe it as scientific logrolling, perpetuated in the field of medicine by a relatively small group of researchers and others who advise Government on its role in the health sciences and who also pass on support for each other's investigations.

For example, the Senate, which periodically thrusts excessive funds on the NIH, set up a special committee of consultants to pass judgment on the appropriation for fiscal 1960. This committee not only endorsed the current rate of support for NIH, it recommended even greater increases in the future. When you look closely at the membership of this committee, however, you may have some doubts about its objectivity. All but one of the consultants were members of NIH study sections or advisory councils either at the time of the study or in the past. Moreover, 6 of the 12 actually received NIH research grants in the very year in which they served on the committee to evaluate the use of NIH funds.

NIH grant funds are actually awarded by 35 study sections composed of renowned experts in their fields, who meet regularly to judge research applications. Their recommendations must be approved by appropriate advisory councils of laymen, scientists, and representatives of the Armed Forces, Veterans' Administration, and the Public Health Service, but these councils habitually rubberstamp the judgments of the study sections.

Louis Lasagna, associate professor of medicine at Johns Hopkins, with whom I disagree on many things, has criticized these powerful study groups in a way which I find wholly convincing:

"Once appointed to a study section, a scientist is eligible to become a full fledged participant in the game of musical chairs played by a small minority of the country's researchers. One finds certain people moving from section to section, section to council, governmental to nongovernmental advisory bodies. This reflects partially the eminence and ability of such scientists, and in part the desire of administrative groups to play safe in their choice of advisers. The result is to place the research activities of the country in the hands of an expert, but perhaps smaller, group of scientists than is optimal to carry out the Public Health Service's directive to be critical, imaginative, and daring."[15]

Thus the general direction and the specific applications of Government support for biomedical research are largely determined by a small captive audience—the very people who are directly benefiting from Government largess. This is, I submit, a dangerous situation, however conscientious and incorruptible the individuals involved may be. It invites public scrutiny and risks eventual public distrust. Indeed, the past 2 years have seen increasing congressional unrest over the limp fiscal safeguards and lax scientific followup of NIH grants. A report by the Intergovernmental Relations Subcommittee last year documented charges of waste, carelessness, and abuse in the use of NIH funds.[16] The gist of the report was that the National Institutes of Health are pouring money into medical research without adequately keeping track of how the money is being used.

The danger here is more serious than a waste of money. There is a risk of profound public disillusionment with science and scientists.

I can foresee a situation in which the public and Congress, aroused over signs of waste in the financing of scientific research, reacted with such alarm that even the most competent investigator had a hard time finding the funds he needed. Or, less dramatically, I can see the gradual extension of political control over research. There are signs of this already. In recent years Congress has been mixing into its largess a good measure of stipulations about the direction of research. For example, Congress has stipulated that the NIH must tackle certain diseases, like polio and cystic fibrosis, despite the judgment of scientists about the ripeness of the fields or the availability of sufficient funds from other sources.

I hope that the public never loses its confidence in the scientific community. But the danger is real. The best way to avoid the danger is to face it squarely now. Neither you nor I want to run the risk of the words "science" and "scientists" acquiring a bad connotation.

Another effect of massive Federal support is to lure scarce specialists into research. This is fine if there are great opportunities for progress in research in the areas involved and if our other needs are being met. But with our critical shortages of medical college faculty and of doctors, I seriously wonder whether the exodus from the teaching and practice of medicine and into research is in the best interest of the Nation as a whole. Dr. Samuel Levine, retiring president of the Harvard Medical Alumni Association, has even proposed,[17] with tongue in cheek, a 5-year moratorium on medical research. He suggests that the money thus saved could well be used to further the utilization of the knowledge we already have, to provide every sick person with the kind of medical care which is now technically available, and to expand medical education.

Still another dangerous symptom is our preoccupation with sheer numbers in educating scientists. We constantly set guidelines for the production of so many thousands of physicists, biologists, etc., to meet our national needs. But what do we mean by a physicist—a mere technician, or an Einstein? We do not specify or seem to concern ourselves with the quality of these graduates. Here again is the fallacy that by making nine women pregnant you can speed up the process of making a baby. If basic progress in science comes out of the heads of creative men of genius and dedication, then numbers are largely irrelevant. Quality is the all-important factor. "In the advancement of science the best is vastly more important than the next best," as the President's Science Advisory Committee put it.[18]

Let us now consider the future. If we keep on the way we have been going, what will the relationship between Government and science look like 10, 20, 50 years from today?

The prospect, in my opinion, is not a comforting one. If the dangers we can see today are real threats to the professional health of the scientific community, then the future is threatening indeed.

Each year the Federal Government pays for the education of more and more scientists, underwrites more and more of the research which goes on in our universities. If the trend continues unchecked, if alternate sources of support are not strengthened, then Government will attain, during the next 15 years, a virtual dominance of scientific education and the practice of science in this country.

To give you a dramatic glimpse of what frightens me, consider an admittedly satiric but essentially accurate picture of the effect of the National Defense Education Act, the Government's major effort to finance scientific education. Writing in the Reporter magazine, Daniel Moynihan described the ideal "educated man" as envisioned by the act. He would "be an engineer, spotted as talented early in life and carefully guided into his useful profession. After graduate school he will owe the Federal Government something like a year's pay. In order to borrow it, he will have taken a loyalty oath five times and signed five loyalty affidavits (one basic vaccination and four booster shots each). To pay the money back he will probably go to work in a defense plant."[19]

The effect of Government support will also be severe on the universities. As a result of massive research grants, the universities are becoming financially dependent on the Federal Government. This is all right as long as the policies of government and the universities agree, but what if they should di-verge? How independent can an institution be when a substantial proportion of its support comes from one source—the Federal Government? Twenty percent of the total expenditures in higher education now come from Federal sources. The National Government underwrites two-thirds of all research and development conducted in our colleges and universities. I think you would be hard put to find a first-rate graduate department of physics or chemistry in our entire system of higher education which could maintain its present standing, personnel, facilities, and even student body, without Federal income and Federal stipends. What university could maintain its freedom of action if the Federal Government threatened to withdraw support of such magnitude? Can the representatives of such an institution be expected to take a detached view of the advisability of Federal support of research?

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[12] Kidd, op. cit., p. 206.

[13] Weinberg, op. cit., p. 162.

[14] Don K. Price, "Government and Science," p. 96 (New York: New York University Press, 1954).

[15] Louis Lasagna, "The Doctors' Dilemmas," p. 179 (New York: Harper & Bros., 1962).

[16] "Administration of Grants by the National Institutes of Health (Reexamination of Management Deficiencies)," 21st report by the Committee on Government Operations, June 30, 1962, Union Calendar No. 811.

[17] Samuel Levine, "Some Speculations on Cessation of Research," Saturday Review, Dec. 1, 1962, pp. 73–74.

[18] Daniel Moynihan, "A Second Look at the School Panic," the Reporter, June 11, 1959, p. 14.

[19] "Scientific Progress, the Universities, and the Federal Government," statement by the President's Science Advisory Committee, the White House, Nov. 15, 1960, p. 14.

Moreover, the incentive for further Government domination of the whole scientific enterprise is already evident. The field of biomedicine provides an example. As early as 1957 Congress made this comment on the niggardly administrative budget of the National Institutes of Health:

"The lack of foresight and imagination displayed by those in the executive branch who are responsible for the grand national strategy of medical research has been reflected in wholly inadequate appropriation requests."[20]

I call your attention to that phase, "grand national strategy." The implication is clear that Congress is demanding that the NIH assume the authority to devise and implement such a strategy. This demand embodies a characteristically 20th-century belief described by Sir Charles Harrington in his book "Leadership in Scientific Research." Sir Charles described the notion in these words:

"The Government alone is in a position to take a comprehensive view of national needs, if only because it alone has all the relevant information at its disposal."[21]

The idea of a grand national strategy for medicine, devised and administered by the Federal Government, would run directly counter to the counsel of many experienced scientists, such as Michael Polanyi:

"No committee of scientists, however distinguished, could forecast the further progress of science except for the routine extension of the existing system. The pursuit of science can be organized, therefore, in no other manner than by granting complete independence to all mature scientists. The function of public authorities is not to plan research, but only to provide opportunities for its pursuit. To do less is to neglect the progress of science; to do more is to cultivate mediocrity and waste public money."[22]

The problems I have described cannot be solved by a rollback of Federal support of scientific research—that is out of the question. Whether they can be solved by more intelligent direction of scientific effort, I do not know. I hope so. What is at stake is, as I have said before, nothing less than the professional health of the scientific community.

If we continue on our present course, I foresee an aggravation of our problems in the science-Government partnership. The partnership becomes more perilous as the two institutions become more mutually dependent. We seem to be moving toward a kind of nationalization of science.

I dread the prospect of reaching a point when the vast majority of scientists will be indebted to the Federal Government for their education and for their opportunities for research, when our universities will be so dependent on Government subvention that they will have lost their autonomy, and when the forced-feeding of excessive research funds will have seriously weakened the scientific professions by encouraging waste, preoccupation with administration, and a misguided emphasis on quantity instead of quality in research and training. Before one decides that none of this is possible, I suggest that one read the recent (December 12, 1962) statement of the President's Science Advisory Committee, entitled "Meeting Manpower Needs in Science and Technology—Report No. 1: Graduate Training in Engineering, Mathematics, and Physical Sciences."

We have looked at the present, and we have projected the future. Many of you may disagree with my analysis of the present and my forebodings about the future. I welcome debate over these issues. My greatest fear is that the scientific community will let the issues be resolved by default, rather than facing them squarely and arguing them out.

In conclusion, I would like to leave you with four observations which I have drawn from our experience with medical research in this country over the past quarter of a century.

I believe that more than money is needed to promote genuine progress in scientific research and education. Money can provide the opportunity to achieve great things in science. Wisely used, it can encourage the excellent. Foolishly used, it can foster mediocrity and stifle excellence. It is not our scientists alone who may be prone to spend rather than think if money is easier to come by than ideas. Those in charge of administering Government research funds may also find it easier to avoid difficult decisions if they have sufficient money to support every plausible proposal which is presented to them.

Secondly, I conclude that the good name of science is not a permanent asset of scientists. It must be guarded vigilantly if it is to be preserved. The logrolling and sheer waste which accompany ill-advised, massive Government appropriations could tragically undermine the public's confidence in the whole scientific enterprise. Scientists must realize that the more Government supported they are, the more they must account directly to the people in language the people can understand.

Third, science is not all and all is not science. I believe that the layman has a definite place in applying intelligence to the direction of the scientific effort. Much that is wrong with medical research today can be traced directly to the reliance on a captive audience of scientists and university administrators who are simply not in a position to look the gift horse of Government support in the mouth.

The judgment of impartial, intelligent, scientifically sophisticated laymen has proved effective in promoting scientific progress in the private sector, outside of Government. I believe that its increased use in the highest councils of Government science policy would constitute one of the most effective means of avoiding the perils of the partnership between science and Government.

Finally, if the two dangers I have noted—the dependence on money instead of intelligence, and the degrading of the good name of science—if these dangers can be avoided, then I foresee opportunities for extraordinary scientific advances in this country in the years ahead. The people are behind their scientists; all that is required is intelligent direction of the scientific enterprise. To provide that leadership will require that we make the best use of all our resources of intelligence: public and private, academic and industrial, lay and professional.

## WORLD AFFAIRS—REMARKS OF SENATOR CURTIS ON THE OCCASION OF THE 75TH ANNIVERSARY OF NEBRASKA WESLEYAN UNIVERSITY

Mr. HRUSKA. Mr. President, Nebraska Wesleyan University rounded out 75 years in the cause of education at the opening of its academic term this year. This is an enviable record and one in which the people of our State take considerable pride.

As a part of its 75th anniversary program, my distinguished colleague [Mr. Curtis] addressed the university's annual homecoming convocation on its beautiful campus in Lincoln.

Senator Curtis spoke with characteristic candor on world affairs. His thoughtful and searching remarks were enthusiastically received by his audience of students, faculty, and friends of Nebraska Wesleyan.

The university is the alma mater of my colleague. For several years he has striven to acknowledge and repay in part his debt of gratitude, among other ways, by serving with distinction on its board of trustees. Likewise, it is in thorough keeping with the spirit and generous character of my colleague that he shared his time and thoughts on today's complex world situation with that audience last November 2.

I ask unanimous consent that his remarks on that occasion be printed at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

### Speech of Senator Carl T. Curtis at the Homecoming Convocation at Nebraska Wesleyan University, November 2, 1962

You have honored me in this invitation to speak today. This I appreciate. I shall speak on world affairs as I see them, with sincere respect for those present who may disagree with me.

We meet at a time when the challenge to the world and the challenge to the university, to the concept of the university, are strikingly similar.

In the world, the challenge is to the state of man—whether he can continue to exist as a private man, an individually responsible man, or whether the demands of a populous world require that he exchange his private character for a collective character. It is said that he must do this because the times are complex and technologies of the times are terrifying. Survival of the group is the motive. Survival of the soul becomes secondary.

In the university, the challenge is to the ancient precepts of the school as a teacher of truths. There is an academic expediency that does not bother to ask "What is truth." It begins by saying there is no truth, that all truth is relative to the times, that the times in turn are relative only to technology.

It is the glitter of apparatus that seems to panic us in both cases—not the glitter of man's mind. We march more to the mood of our machines, and less to the anthems of our ideals.

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[20] Jeanne L. Brand, "The Federal Government and the Support of Research," in "Voluntary Action and the State: The Eastern States Health Conference," Iago Galdston, editor, p. 78. (New York: International Universities Press, 1961).

[21] Sir Charles Harrington, "Leadership in Scientific Research," p. 15 (London: Oxford University Press, 1958). Cited by Brand, op. cit., p. 79. I am indebted to Miss Brand for this point.

[22] Michael Polanyi, "The Logic of Liberty," p. 90 (Chicago: University of Chicago Press, 1951).

The noblest motive in the world at large today, as yesterday, is the liberty of man's movement and mind, not the survival of his material possessions or being.

The noblest motive of the university today, as yesterday, continues to be the general nourishment of the mind and character of man. It is to teach the disciplines of thought first, and the applications of thought secondarily.

Technology has not changed the nature of man or his world, but only the ways in which some men think of that nature and of that world. How to think remains more important than the rote recitations of what to think.

The regimentation of men and the conquest of their nations is no more deadly because it wears a nuclear sword than when it brandished a crossbow. Numbers change in such an equation, but that is all.

The choice of submission to brutality and tyranny for a single man of the Middle Ages, for fear of his single life, is only mathematically, not morally, different from the choice of submission to brutality and tyranny, for fear of a million lives, in the 20th century. To be important two-by-two, or three-by-three, or millions-by-millions, life must be essentially important one-by-one.

Yet, we hear, today is different. Different not only from the long ago, but even from the yesterdays of our own generations. It is to the actual lack of difference that I would like to speak.

What are the actual terms of international relations now operating as policy in the world today. On tyranny's side, the terms were defined in the hundreds of pages of transcript of the Communist Party's World Congress in Moscow. Peace was the word, throughout. And also, throughout, it received only one definition. In Khrushchev's own words the definition of peace is "the final victory of socialism" and "the creation of a world Socialist system." There is, he said, "no shadow of a doubt * * * as to the outcome of the world struggle." Until that day, he added, "this ought not be forgotten."

Have we listened? We say we have. Yet here are the terms in which we respond.

First we say that communism can be contained. That the conditions for peace are not as absolute as Khrushchev says, but that he will, instead, mellow to new conditions. And then we add that the terrible technologies of the times make it impossible to take any action that would more effectively advance the cause of freedom or repel the forces of communism.

If the lessons of the past are prolog to the future we have but to apply these terms to the recent past to test them. This is the picture such a test paints.

In the late 1930's we were faced with a similar tyrannical enemy nazism and Adolf Hitler, and with a similar technological advance: the rapid and obvious development of bombing aircraft.

If, at that time, we had applied the policies of today we would find a far different situation than the one that actually developed.

We would hear people saying "Better Nazi than dead." Others would be calling for the unilateral cessation of aircraft development. Winston Churchill would not be awakening the defenders of freedom. He would, instead, be dispatching his subordinates to make speeches saying that Hitler will mellow, that his threatened conquests might be deplored but must be resolved diplomatically, if at all, on some far distant date when world tensions had ceased.

The United States would then institute aid programs to Nazi conquered areas such as the Rhineland—to strengthen institutions of freedom there. We would also welcome the neutralization of Norway under the middle-of-the-road leadership of Mr. Quisling. The German-American Bund would be defended right up to the Supreme Court, and even beyond, as no threat and as a test only of civil rights. Anti-Nazi outcries in the Congress and by the military would be hotly denounced as extremist.

Can we learn from that test? Most importantly, could freedom have won under such handicaps? Where do we stand? What are the alternatives available to us?

The situation that puts this into sharpest focus today is Cuba. The crisis of the moment is just an extension of the crises of the past. A proper solution must mend the mistakes of the past as well as overcome the immediate threats of the present.

It all began with a shocking revelation of the difference between wishful thinking and political reality. When Fidel Castro came out of the hills, his credentials were ignored while his credal statements were taken at face value. Behind him was a full and revealed record of Communist associations. Ahead of him, however, went the banners of reform and opposition to an existing autocratic government. America's most influential eyes turned only to the banners.

The responsibility of weighing the devil we knew, Batista, against the devil we didn't know, Fidel Castro, was ignored. A government which was not wholly democratic but which was at least highly anti-Communist and pro-American was swapped for one which was wholly tyrannical, wholly Communist, and completely anti-American.

We will be faced with such conditions again and again in Latin America. In Peru a military government, which is quite popular with the people, quite pro-American, and powerfully anti-Communist, has been greeted by the active hostility of official American policy.

Unhappily, we are divided on the definition of the Cuban problem. Officially we say we are concerned only that Cuba does not represent a physically offensive threat to the United States or to other nations of the hemisphere.

Cuba's mere existence as a Communist satellite violates hemispheric security as defined in the Monroe Doctrine. The forces that turned Cuba Communist are the forces with which we must contend throughout the hemisphere.

For too long the United States passively watched and waited developments in Cuba only to find Cuba dangerously reinforced by her new Red masters.

As far back as August 1961, I proposed on the floor of the Senate that we institute a blockade against Cuba. But not until photographic evidence of Soviet missile sites could be produced did we implement a policy that had been available, workable, and supportable all along. Now, with the blockade having achieved its limited goal in regard to the missiles, we still are faced with terrible questions regarding long-range goals. Now that the President has acted, the country must unite in a policy of firmness and strength. There must be no compromise that would leave communism undisturbed in Cuba or aid it anywhere in the world.

False claims of reforms will continue to haunt us in Latin America unless exposed. Land reform for Latin America preoccupies many. It is even said that no matter what else, Castro at least achieved such reforms.

The problems of Latin America will never be solved by such a simple and single-minded approach. Land reform is most usually viewed as the splitting up of vast hereditary or commercial holdings. Such reform is said to provide the base on which economic freedom can be built. Yet, in Cuba, such reform has failed utterly. It has destroyed commercial land holdings and substituted state land holdings which have given the people nothing in the way of freedom or land, but only chains far heavier than any imposed by earlier owners.

The vast primitive and underdeveloped areas of Latin America offer a challenge far beyond the already cleared and working hereditary and commercial land holdings. There are many frontiers, but there are few frontiersmen. Nurturing a spirit that would open up new lands would be a reform that would truly mean something.

In the meantime, American policy does little to encourage private industrial development—the real key to the emancipation from feudal forms. Our aid programs do not discourage the expropriation of industrial property by the state. They do not encourage private initiative above state initiative. They tend to respond to the material needs of the moment—most easily administered through government-to-government aid. They do not respond vigorously to the needs of initiative, of individual responsibility, and private energy which have throughout history been the principal fount of freedom.

The encouragement of socialism in Latin America is not a kindness. It is a distinct disservice. The failure of state enterprises create dependency, not freedom, and are apparent around the globe. The successes of free enterprise are equally apparent.

In Africa there is a revolution of rising expectations. The people there, gaining freedom on a timetable accelerated beyond any previous experience of history, want more, and will not be satisfied until they get it. Thus the chaos and the tensions result. The chaos and the tensions will end only in a revolution of rising responsibilities.

As new nations are likely to be, Ghana was immediately susceptible to the blandishments of Soviet aid which emphasized hatred of old colonial systems while being propagandistically immune from criticism of the new Red colonialism. Then, with no base of trained citizens, no tradition of courts and laws independent of the British, Ghana was subject to domestic tyranny—all in the name, of course, of native independence. The result was a completely autocratic ruler who even went so far as to ask that the puppet legislature name him a living god.

The country's expectation was to enter the 20th century. Instead it was plunged backward.

The same spectacle is being enacted elsewhere in Africa today. American support is needed, therefore, not simply for the expectations of these new nations. It is needed for the creation and realization of their responsibilities also.

Neutralism, which we once felt to be an immorality, is now seen all too often as a virtue. Again, American policy supports neutralism while often punishing commitment.

Pakistan, once firmly committed to the West, is an example. Pakistan's Ayub Khan some years ago warned that the West must support its friends before appealing to its enemies or to the uncommitted. The warning was not heeded. Major emphasis in aid in that area went to neutral nations. The result is a rising tide of doubt in Pakistan.

Thailand, another nation fully committed to the West, is neglected by comparison with neutralist Cambodia, who befriends the Soviet and Red China and receives our massive aid and plaudits.

The kingdom of Laos, split by Communist troops, has been negotiated into a state of neutralism. There is little more than an installment plan surrender to communism. Inconsistencies with reference to South Vietnam can also be recited.

What is lacking is the clear statement that the friends of freedom will be fully supported by this Nation, while the foes of freedom will be fully opposed. Neutralism must be branded for what it is—a failure of morality, a failure to take sides in the most meaningful struggle of human history, the struggle between tyranny and liberty.

Neutral nations contend they want first and foremost to guarantee their own survival, not to be caught between great contending powers. They fail to take into account that great principles are in contention also. That survival, if tyranny wins, is merely slavery.

Indonesia, armed and trained by the Soviet launched a series of assaults against the Dutch colony of West New Guinea, half of the huge island for which 7,000 Americans died in the Second World War. The Dutch, holding out for a free choice by the natives there, were hauled instead to a negotiating table just outside of Washington, D.C. There, under American pressure, West New Guinea was handed over to token United Nations administration prior to a later handover to Indonesia. Today, as a result, radio Moscow goads Indonesia to reach for Portuguese Timar.

An effort to calm troubled waters instead of buying tranquillity bought predictable trouble.

Would rewarding commitment above neutralism threaten the peace? Not if the peace we seek is one of real meaning, just, and of real duration. The actions we have taken threaten such a peace, in the long run. Appeasement has never achieved peace. Only surrender walks at the end of that road.

Elsewhere around the world there are sharply pointed examples of double standards of diplomacy that endanger the defenses of the free world.

Portugal, owner of the key Atlantic base of the Azores, is rebuffed because of her maintenance of colonial holdings and got only token support when Goa was taken from her by armed force. Yet the Soviet Union expands the greatest colonial empire of all history while still sitting in a seat of mighty respect in the councils of nations.

A double standard wins neither friends nor victory.

Wherever and whenever the West has moved with determination, and with power, in defense of its great principles, the enemy has backed away from the challenge.

Greece was taken from communism on the field of battle, and the Soviet did nothing. The West called a halt to Soviet aggression in Iran, and the Red tide receded. Troops landed in Lebanon and the Soviet sword rattled back into its sheath. The first major crisis in Berlin brought threats of war, but the airlift soared over them and silenced them.

To say that the defense of freedom involves no risks at all would be as false as to say that it is not worth risks.

The greatest risk of all, however, is to the nation that will take no risks. To such a nation, the scrapheap of history beckons, not the beacon of hope.

We must determine what is real peace, worthy of risk taking. Otherwise, we can only drift and talk, but never act, never see real peace, but only the picket fences of the false peace of Communist conquest.

Our Declaration of Independence proclaims principles worth living for and upon which real peace must be shaped. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

It is these principles which the state tyranny of the enemy challenges. It is these principles which have inspired millions but enslaved none, conquered none, debased none, freed all who have followed them.

There is but one test to apply to our strategies. If they advance the cause of liberty, if they are true to the spirit of our revolution, follow them. If they are not, reject them.

This is a test beyond technology and beyond material history itself. It is a test of our souls and our wills. It offers trying times and stormy seas. But its goal is peace with justice and mankind liberated. In the success of this enterprise is the only tolerable condition of man. Under God, let it become our consecration.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 5 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Arkansas Mr. [McCLELLAN], the Senator from Wyoming [Mr. McGEE], and the Senator from South Carolina [Mr. THURMOND] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] and the Senator from North Carolina [Mr. JORDAN] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

## PRESENT AND FUTURE LEGISLATIVE GOALS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a speech I delivered at the meeting of the Democratic National Committee men and women on Saturday, January 19, 1963, in Washington, D.C.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### PRESENT AND FUTURE LEGISLATIVE GOALS

I am delighted and proud to be here with Democrats from the North, South, East, and West.

We represent the only real national party and, because of that, we represent a wide divergence in views.

It is our job to overcome or, at least, alleviate our differences to the end that the Democratic Party can remain a cohesive whole and our Nation continue to advance along the path of greatness. To do that we must all work together to the end that we can elect our candidates at the city, county, State, and National level in the years ahead.

This is what we must do in our own behalf and the responsibility rests not on you alone but on all of us—no matter what part of the country we come from.

We begin the 88th Congress with a Democratic President and an administration which has received the nearest thing to a popular vote of confidence that is possible under our system in a nonpresidential year. It was not an overwhelming vote but it was a healthy democratic vote, let there be no mistake about it.

To be sure, there were local and State issues which loomed large in it. But just about everywhere the Kennedy administration was an articulated and an implied issue. And the answer is clear. Throughout the Nation, the people want the kind of government—a mixture of idealism and realism; the sensitivity to human needs and human possibilities which the President, himself, personifies.

I know of no goals which the Congress—a Democratic Congress—can aspire to than to give the President every possible assistance through legislation in leading the Nation in the direction which he dedicated in his state of the Union message a few days ago. Certainly, as the Democratic leader of the Senate, elected by my Democratic colleagues from all sections of the country, that will be my primary purpose. We shall not try to steamroller the President's program. We shall not ask Senators to suspend their critical faculties. We could not do so, even if we were so inclined which we are not. There are still major differences with some elements of the President's program on the part of Democratic Members of Congress, let alone insofar as Republicans are concerned. But there is also a great area of common agreement among Democrats with the President. That is the area which the leadership will seek out and encourage with a view to realizing as much of the President's program as possible.

Our goals in this Congress will most certainly center on the tax cut. The President has laid great stress on its need both in terms of its benefits to each American family but even more important in terms of putting a surge forward into the Nation's economy. Conditions have been good in the Nation but they have not been good enough. They have not been good enough to raise our sights to new possibilities and standards of excellence for all our citizens.

That is what is involved in a tax cut of the kind the President seeks and in the Senate we shall do what we can to get it into legislation.

Beyond the tax cut, we must turn our attention to the special needs of older citizens and young people. In these areas, there is too much callous neglect. In the case of older citizens we shall set out legislative goals to the end that they may live their years not only free from the want of food and shelter but also free from the fear of impoverishing illness.

And as for young people, we shall do what we can to establish creative outlets for their energies both in terms of constructive service to the Nation and constructive development of their capacities for their own sake. The key, here, is to open equal opportunities for education throughout the land so that all young people may be educated in excellence to the limits of their capacity and determination. What it takes in the way of legislation to achieve these ends, that is what we shall seek.

Looking beyond the immediate, the legislative goals of the Democratic Party in Congress, as in the administration shall be to seek in every possible way to bring this Nation closer and closer to its ideals of equal opportunity for all Americans whoever they may be and wherever they may be in this Nation.

And while we seek this goal we shall also endeavor to do our part in bringing this Nation and the world closer and closer to a more secure peace. For it is upon peace in this nuclear age and all else depends. The President leads in this matter. He leads with intelligence and courage and restraint. In Congress, we can perform no greater service than to support him in every possible way in this fundamental task of the Nation and of all nations. A great President deserves no less.

### AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

**Mr. MANSFIELD.** Mr. President, I should like to have the attention of Senators, if I may, to find out if it is possible to reach any agreement concerning a move to bring the issue now under discussion to a head, or at least partly along the road to a head.

If some action is not taken soon—and I say this advisedly and not as a threat, but with the full concurrence of the distinguished minority leader—it is the intention of the leadership to bring the Senate into session at 10 o'clock beginning Monday next.

I hope that a suggestion, a motion, or at least some information will be forthcoming from one side or the other.

I make this request because I have not been privy to what has been taking place in either group; and like other Senators who are not so associated, I should like some information, so that the further course of action on the part of the Senate may be determined.

**Mr. HUMPHREY.** Mr. President, will the Senator from Montana yield?

**Mr. MANSFIELD.** I yield.

**Mr. HUMPHREY.** The majority leader knows that we are now prepared, if we are given the opportunity, to vote at this very moment upon the motion of the Senator from New Mexico [Mr. ANDERSON] to make Senate Resolution 9 the pending business of the Senate. We understand there are Senators who are opposed to that particular procedure. That is why we have been engaged in this rather prolonged debate. But we are now prepared to vote. I hope the Chair will put the question. If that is not done, and if there are Senators who feel that this debate ought to be brought to a conclusion, they can offer a motion to table. We are prepared to meet that. It is my hope that one of those two procedures will be afforded.

Frankly, it seems to me that the Senate deserves the right and the opportunity to debate the substance of the Anderson resolution, rather than to debate the parliamentary question of whether the Senate can consider the Anderson resolution. In other instances, the Senate has debated the substantive question.

I appeal to Senators to permit the Senate to vote, by a yea-and-nay vote, on the motion of the Senator from New Mexico to bring Senate Resolution 9 before the Senate as the pending business. If that can be done, some progress will have been made.

If there are Senators who do not believe the Senate should have this opportunity—and I gather that that is the case—let them move to table the motion of the Senator from New Mexico. We are prepared to meet that test. I say most respectfully to all Senators that if the motion to table carries, the debate will be at a conclusion, and the Senate will proceed to the consideration of other business. If the motion to table does not carry, it will be necessary to proceed for a longer period of time with the consideration of the motion to take up the resolution.

There are two ways in which to extricate ourselves from this situation. I appeal to Senators to give us the opportunity. We who feel that we want to modify the rule will take our chances. I ask for a fair count in this body. I ask that we be given the opportunity either to vote on the question now pending, the motion to take up the resolution of the Senator from New Mexico, which is a legitimate proposal in this body; or that those who are opposed to the motion move to table it, and we will take our chances on the motion to table. If a motion to table the motion to take up the resolution is successful, this Senator gives his word that the subject will be dropped at once. I ask for some cooperation.

**Mr. DIRKSEN.** Mr. President, will the Senator from Montana yield?

**Mr. MANSFIELD.** I yield.

**Mr. DIRKSEN.** Will the Chair advise the Senate as to the parliamentary situation which confronts the Senate at present? What matter, initially, is the Senate considering?

**The PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9.

**Mr. DIRKSEN.** So the motion to consider is the present business of the Senate?

**The PRESIDING OFFICER.** The Senator is correct.

**Mr. ANDERSON.** Mr. President, will the Senator from Montana yield?

**Mr. MANSFIELD.** I yield.

**Mr. ANDERSON.** The Senator from Minnesota has put this subject in proper place: that the Senate vote either to take up the resolution or to table the motion to take up the resolution. Why not vote? We are not holding up a vote. There is no Senator, so far as I know, on the side of those who favor changing the rules, who is making long speeches. We are ready to vote now, an hour from now, 5 hours from now, or tomorrow or the day after that. But it seems that the Senators do not want to vote. Why do we not vote on the simple question of whether to take up the resolution and consider it? We are now considering a motion to consider. What is wrong with a motion to take up a resolution?

**Mr. RUSSELL.** Mr. President, I am greatly intrigued by the statements made by the Senator from Minnesota and the Senator from New Mexico. I do not recall a time when the Senate had to vote merely because a majority wanted to vote, except in this instance. I think there are enough votes to kill this proposal, but I do not know that it should be terminated as rapidly as the Senator from Minnesota and the Senator from New Mexico suggest.

Those of us who oppose the resolution did not bring it up. We have seen similar resolutions brought up time after time during the past five Congresses. The situation has been pretty much the same, except that this is the first time the proponents of the resolution have appealed to the opponents of the resolution to follow an exact procedure as set forth by the proponents. The opponents are not responsible for creating this condition, and we perhaps do not feel the same responsibility for extricating the Senate from it as the Senator from Minnesota and the Senator from New Mexico feel.

This is a vital and most important issue. This is one time when those who believe in the power and the traditions of the Senate hope to have an opportunity to speak long enough and fully enough on all facets of this proposal, to the point where we compile so strong a record that it will end the practice of submitting such resolutions to the Senate at the opening of every Congress.

Heretofore such resolutions have been disposed of after 3, 4, or 5 days and I see no good reason for any great haste on the part of the Senate in disposing of this proposal today. I know that some of my colleagues who are opposed to the proposal have spent long hours in preparing remarks to deliver on the floor of the Senate. I do not propose to vote to deny them the right to make those remarks. A number of Senators, not confined to this side of the aisle, have addresses which they wish to make to the Senate on this issue; who wish to defend the right to speak in the Senate; who wish to express their opposition to gag rule in the Senate. I think they should have that opportunity. There will never be a period in the Senate when we shall have more time on our hands than right now. We are at the beginning of a session. While I think a discussion of this question is an exceedingly poor way to begin a session of the Senate, those on the other side of the question think differently. So I have accommodated myself to their demands up to now, and am willing to be present from 10 o'clock in the morning until 10 o'clock at night, or at other hours, so as to afford Senators who have labored so earnestly on their remarks some opportunity to make their record.

No necessity has been shown for this resolution. There is nothing on earth to prevent the Senator from New Mexico from withdrawing it. All he has to do is to say, "Mr. President, I withdraw my resolution and my motion"; and this subject can be terminated in a few seconds. In that way, it would not even be necessary to call the roll, and there will be no more speeches—although some of my colleagues and leaders of the group who have been opposing the resolution may find it necessary to make their speeches later in order to complete the record.

A number of angles of this proposal have never been considered at any time it has come before the Senate. The proponents of the proposal have said that any rule which prevents a majority of the Senate from working its will is unconstitutional. They even had a former Presiding Officer of the Senate make such a ruling; he announced that such a rule was unconstitutional.

The proponents have proposed two changes which would permit a majority to work its will in the Senate—one by three-fifths, a fraction which is unknown to any other phase of our law by the Constitution. Two-thirds is a well-known figure in the Constitution. All Senators know of five or six instances in which the Constitution requires a two-thirds vote.

But three-fifths is a fractional vote that is not known in the Constitution or the rules of the Senate. While I have not researched this question completely, I should like to have any Senator who knows of any State legislature which has a three-fifths rule with respect to any matter, rise and tell us now, because I have no familiarity with it. It would add to my education in this field, a field in which I am constantly trying to learn more and more as time goes on.

If the two-thirds provision is unconstitutional, a three-fifths provision would be unconstitutional. We cannot escape that fact. We shall deal with that subject at length in some of the speeches which will be made later on this subject. If three-fifths is unconstitutional as a number to gag the Senate, a majority of the Senators chosen and sworn, or 51, is likewise unconstitutional.

Where in the Constitution of the United States is to be found any reference to 51 Senators or to "a majority of Senators chosen and sworn"? According to that argument, the Senator from Oregon is the only one who has proposed such a "constitutional" gag rule for the Senate, because under his proposal a majority of those voting—or 26—could gag all the others, if only a bare quorum were present. That is one facet of this matter that has not been discussed.

Mr. President, this subject has a long history. It goes back to the very beginning of our Government. It goes back to times when, in yesteryears, giants sat in this body—men who engraved in the history of this land their deeds and their contributions to their Government. Their memorials will be found in the statutes of this country. Without exception, they resisted every effort which was made to gag the Senate. They did so before there was any such thing as a civil rights issue. They opposed any gag rule, whether by three-fifths or by a majority of those chosen and sworn or whether by a majority of those present and voting.

Mr. President, the Senate has been the forum of the States; and Members of the Senate, feeling that they were here as representatives, and, indeed, as ambassadors of sovereign States, have not felt that they wished to contribute to a situation which would deny them the right and privilege to voice the hopes, the views, and, indeed, the aspirations of the people of the States they represented, even if those hopes, views, and aspirations might differ from those held by people of other States of this Union.

Mr. President, on the question of convincing our colleagues who press this resolution to our lips every year, in an attempt to make the Senate destroy itself—for that is what it amounts to; an effort to get the Senate to destroy itself, to deny the power of individual Senators—we hope to make a record that will dispose of this issue once and for all.

I wish to express my profound regret that more Senators have not remained in the Chamber to hear some of the very able speeches which have been made. As I look about me now, I see three or four of my colleagues who have made speeches which have been in the greatest traditions of this body, and who have done so at times when only a very few Senators were present—and most of them were among those who are opposed to this proposal.

I suppose that is so because Senators who are trying to have a resolution of this kind adopted by the Senate could not bear to stay here and hear the real iniquities of their position exposed.

Mr. ERVIN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the able Senator from North Carolina.

Mr. ERVIN. I should like to ask the able senior Senator from Georgia whether he suspects that the proposal that 60 percent of the Members of the Senate be authorized to gag the other 40 percent is perhaps a sort of halfway house toward a future effort to authorize cloture to be invoked by the affirmative votes of a smaller number of Senators.

Mr. RUSSELL. Oh, yes; and the proponents have gone about it much after the manner of the cat that licked the grindstone—bit by bit. Those who wish to change the Senate, emasculate its powers, and destroy its position as a unique body unknown in any other government on earth, have been going at it by degrees, because they knew that if they said they wanted to have a previous question rule adopted, the Senate would rebel. So they have gone at it bit by bit by bit, trying to whittle down the present rule.

Of course the Senator from North Carolina knows that if the Senate were so completely to lose its poise and judgment as to adopt the present proposal, next year another gag rule would be proposed by the same group of Senators.

Mr. ERVIN. May I ask the Senator from Georgia if he will permit me to ask a question changing his metaphoric cat into a dog?

Mr. RUSSELL. I do not know exactly what the Senator from North Carolina is driving at. I hope there is nothing personal about it.

Mr. ERVIN. Mr. President, may I ask a question of the Senator from Georgia, and state a preamble before doing so, without causing the Senator from Georgia to lose his right to the floor or prejudicing his rights in any way?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ERVIN. I preface my question with this preamble. There was a man who wished to have a short-tailed dog. He cut off his dog's tail a little at a time—so that the cutting process would not hurt the dog too much.

Does not the Senator from Georgia think the effort to reduce by degrees the requirements for cloture may be prompted by a feeling that it will be less painful to destroy the Senate as a deliberative body if the freedom of speech of Senators is cut off a little at a time by reducing cloture rule requirements a little at a time?

Mr. RUSSELL. Yes, Mr. President; and I think the Senator from North Carolina is justified in making that statement.

The proponents of the resolution are responsible for this situation. We did not bring it about. If this resolution had been permitted to follow the normal procedure of being referred to the appropriate committee, it would have been referred to the Committee on Rules and Administration; and, in that event, most of the statements which Senators have made here could have been made before that committee, rather than here on the floor of the Senate, with the resulting tieup of the Senate's proceedings.

But, Mr. President, we shall take whatever opportunities we have. If we are permitted to go before a committee and make our statements there, we shall do so. But if other Senators will not permit the resolution—vital as it is to the future of the Nation—to be referred to a Senate committee, we shall avail ourselves of our rights, and shall speak on this floor.

I assure the distinguished majority leader of my desire to cooperate procedurally in every way I possibly can. I assure him that I will be in attendance promptly at 10 a.m. on Monday or tomorrow—whenever the Senate is to meet at 10 a.m.; and I will remain in the Chamber as regularly as almost any other Member of this body. I hope this question may be brought to a vote at an early date.

I tell my leader that I shall endeavor to canvass the situation and to ascertain how much time is desired by conscientious Senators who have spent a great deal of time doing research in connection with the preparation of the statements they wish to make. I shall endeavor to ascertain how much time they desire to have in order to present their views, and whether they can reduce the length of their remarks, so that we may make some progress toward determining when a vote on this question may be held.

As I have said, I feel no specific responsibility to dispose of this question today or tomorrow, because I did not bring it here; and those who did bring it here have a way to remove it.

But I shall endeavor to cooperate, and I shall contact the majority leader as soon as I have an opportunity to confer with all Senators who have indicated to me a desire to speak.

**Mr. DIRKSEN.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I am glad to yield to the distinguished minority leader.

**Mr. DIRKSEN.** Mr. President, on a previous occasion when this subject engaged the attention of the Senate, there was an agreement to refer it to the Committee on Rules and Administration and to have the committee report back on a day certain. I have forgotten exactly the details, but I believe I was the coauthor of the motion to have that done.

Would it not be possible, in the interest of the economy of time, to determine now—in view of the considerable number of Senators now present—whether such an arrangement could be contrived, thus permitting the Committee on Rules and Administration to give the resolution whatever attention it may wish to give it? Incidentally, I am a member of that committee, and I would be glad to have the committee give the resolution all the time necessary. Then the committee could report it back one way or another, for further consideration by the Senate.

**Mr. MANSFIELD.** Mr. President, will the Senator from Georgia yield to me?

**Mr. RUSSELL.** I yield to the distinguished majority leader.

**Mr. MANSFIELD.** I recall the incident referred to by the distinguished minority leader. Two years ago, after 4 or 5 days of debate, the Anderson resolution was referred to the Committee on Rules and Administration, with the proviso that it would report it to the Senate on a date certain. That was done last year because the program of the new President had to be considered by the Congress.

Two years later, conditions are different. As of the moment, I would be opposed to having the Anderson proposal or any other proposal referred to the Committee on Rules and Administration; and certainly I would be opposed, as of the moment, to forcing the Committee on Rules and Administration to report it to the Senate by a date certain.

As Senators have said, we have a great deal of time. The real business of the Senate can wait, if the Senate so desires. The responsibility as to what happens to the particular proposal and all other proposals before the Senate is the responsibility of the Senate as a whole. I hope that Senators on either side or both sides will come forward with a solid proposal of what they intend to do, because until and unless the question is settled one way or the other, the Senate cannot proceed to function. I urge Senators to keep that in mind and, on that basis, to live up to their responsibilities. I speak as earnestly to the Republicans as I do to my own colleagues on this side of the aisle.

**Mr. DIRKSEN.** Mr. President, will the Senator yield further?

**Mr. RUSSELL.** Mr. President, I trust that I may be able to live up to my responsibilities. I shall endeavor to do so with such light as I have before me. I know of no higher responsibility that could possibly devolve upon me than to undertake to preserve freedom of speech in the Senate.

I yield now to the Senator from Illinois.

**Mr. DIRKSEN.** Mr. President, if the Senator will yield for the purpose, and there is no objection, I should like to ask the majority leader what he proposes to do about sessions of the Senate from this point on.

**Mr. MANSFIELD.** The Senator from Illinois knows that this subject has been discussed. I have announced to the Senate that beginning on Monday next the Senate will start convening at 10 o'clock in the morning. It may be that as time goes on it will convene at an earlier hour. It is entirely possible that it will remain in session until a later hour. There will be no all-night or round-the-clock sessions; but in some way, somehow, someday we must face the issue, decide it one way or the other, and get down to the real business of the Senate.

**Mr. RUSSELL.** Mr. President, I shall cooperate with the Senator to the fullest extent possible, compatible with my responsibilities, as I see them, as a Senator of the United States.

**Mr. HUMPHREY.** Mr. President, the discussion has been interesting and, I trust, helpful. I refer Senators to page 7 of the calendar of business dated Wednesday, January 23, 1963, for the Senate of the United States, 88th Congress, 1st session. At the top of that page appears the following:

| Order No. | Number and author of bill | Title | Reported by— |
|---|---|---|---|
| 1 | S. Res. 9; Messrs. Anderson and Morton. | Resolution to amend the cloture rule of the Senate. | Jan. 15, 1963.—Ordered placed on calendar. |

Ordered placed on the calendar by the Presiding Officer.

It is a commonly accepted practice—a well known practice—that any Senator may move at any time to proceed to the consideration of any resolution or bill on the calendar. The Senator from New Mexico [Mr. Anderson] has exercised that privilege and right as a Senator. He exercises that right as a Senator by reason of his election, by reason of his presence in this body, and by reason of his serving in this body, having taken the oath under the Constitution.

Mr. President, no rule has been violated, not even the rule of common courtesy, because every Senator knows that he is entitled—as Senators have been entitled since the year 1789, with the First Congress—to move to proceed to consider a bill or a resolution on the calendar if he can get the votes to do so. Ordinarily it is a common procedural practice that a motion is made to proceed to consider an item on the calendar and bring it before the Senate without debate. But the privilege of debate exists, and debate has taken place on the Anderson motion to consider Senate Resolution 9.

The commonly accepted and traditional way of handling that kind of motion is to vote on it. That is what Senators are here for. A majority shall constitute a quorum for the purpose of doing business—not monkey business, not paralyzing the Senate—but doing business. What has the Senator from New Mexico asked for? He has asked for a vote, in the hope of getting a majority vote, on his motion to take up a resolution that he and the Senator from Kentucky [Mr. Morton] have sponsored.

Is that unusual? Is that unconstitutional? Is that unorthodox? Is that un-American? I think it is in accord with the whole practice and procedure of this body.

What is unusual, Mr. President, is that Senators are being denied a vote. What is unusual is that Senators are being denied the opportunity to vote on a simple parliamentary procedure which has been an accepted procedure in this body since the first day of the first Senate.

It is another thing to argue about the substance of the resolution. Yet we should have an opportunity to vote upon that. Every Senator knows that a majority, except in certain instances prescribed by the Constitution, is adequate to enact proposed legislation. Every Senator knows that a majority can amend the rules of this body, and that those rules, as amended, will then be binding for that Congress.

It is the contention of the Senator from New Mexico and others that under the Constitution, at the opening or commencement of a new Congress, Senators—some of them Senators from previous years and some of them newly elected Senators—shall have the right by majority vote to adopt rules of procedure for the Senate. No Member of this body denies that under the old rules, by a majority vote—if we can ever get to a vote—we can adopt rules of procedure.

The only argument that we are having is whether one-third of the Senators plus one as we organize the Senate for the purpose of doing business, shall be able to stymie or stop the other two-thirds from organizing the Senate under a body of rules. We say that a majority shall have the right to adopt its rules. The Senator from Georgia has said a majority shall have the right to adopt its rules. However, the Senator from Georgia and other Senators have said that before the majority can exercise its will, two-thirds of those present and voting under the cloture provision of the old rule must vote for cloture.

If we are talking about a contradiction, that is it. I have heard some brilliant speeches in the Senate. I have heard the most scintillating and exciting humor. It is wonderful. I like the story about the dog. But I remind my friend from North Carolina [Mr. Ervin] that generally when tails are cut off from dogs, a new dog is produced each time. I will say to my friend from North Carolina that the Senate in each new Congress, for the purpose of its body of rules, is a new Senate and has the right to adopt whatever new rules it wishes, whether the rules be shortened or lengthened.

Mr. ERVIN. Mr. President, since my friend has spoken of the Senator from North Carolina——

Mr. HUMPHREY. I am glad to yield to my friend, the Senator from North Carolina.

Mr. ERVIN. The Senator from North Carolina would appreciate it very much if his friend would tell him why the Constitution of the United States applies at the beginning of a session and does not apply on the other days of the session.

Mr. HUMPHREY. The Senator from Minnesota believes that the Constitution applies 365 days of the year, and he believes it applies the first day as well as the last day of the session.

Mr. ERVIN. And so does the Senator from North Carolina.

Mr. HUMPHREY. There is no doubt about it.

Mr. ERVIN. The Senator from North Carolina says that if the majority has the right to act as it pleases at any time, we cannot adopt any rule of the Senate which would keep a majority from acting at any time it sees fit, on anything.

Mr. HUMPHREY. If a majority of the Senate adopts a rule that two-thirds of the Senate shall be required to close debate, that is the rule. As the Senator from Georgia [Mr. RUSSELL] and other Senators have said, if a majority decides to adopt a rule that only a majority of the Senate is required to close debate, that is the law. I say most respectfully that there is not a Senator present who denies that majority rule prevails in this body, except for the provisions listed in the Constitution, with respect to which a two-thirds vote is required.

It required a majority even to have rule XXII. It took a majority to put rule XXII on the books.

Mr. ERVIN. I wonder if the Senator from Minnesota will allow me to state another agreement between us?

Mr. HUMPHREY. Yes.

Mr. ERVIN. I agree perfectly with the statement made by the Senator from Minnesota, that when one cuts off part of a dog's tail one has a different dog. When one cuts off the right to free speech in the Senate one has a different Senate.

Mr. HUMPHREY. While I know the Senator is a specialist on the canine species, I have never known of a dog that lost its bark because of cutting off its tail. I have never heard of freedom of speech being denied by cutting off a tail.

Mr. ERVIN. No.

Mr. HUMPHREY. We are not trying to cut it off. The trouble is that the tail is getting in the way of business.

Mr. ERVIN. The Senator from Minnesota misunderstands his own proposal, or that of the Senator from New Mexico, because it is not proposed to cut off the dog's tail only. It is proposed to cut off its bark, too.

Mr. HUMPHREY. The Senator is too nearsighted. We are not proposing that at all. What we are proposing is that we not let the tail get in the way of doing business. That tail we are talking about is getting pretty old. I fear it has lost some of its brightness, some of its fur.

Let us get back to the principle of free speech. Nobody is talking about curbing free speech. No one is talking about denying the right to debate every question at length.

I agree with the Senator from Georgia. Senators are here and have prepared speeches on this very important subject. They should be permitted to give them. They should not be denied an opportunity to speak on this subject. I, for one, would not wish to have them denied that opportunity.

I merely say that whenever those who are opposing the motion of the Senator from New Mexico are ready to vote, we are ready to vote. We are ready. But I have a sneaking suspicion that those who are making the long speeches on this subject matter do not want to vote.

I have never heard such a strong speech for a weak argument as I have heard today. These are long, strong speeches for old wornout rules.

Any time that Senators want to vote on the Anderson motion to consider the resolution, we will vote and take the consequences. Any time that any Senator thinks he wants to stop this debate, after there has been sufficient debate, he can offer a motion to table. If the motion to table is accepted, if my colleagues vote in a majority to table, that is the end of it. I will respect the majority vote.

We used the motion to table, Mr. President, time after time in this body on the communications satellite bill. We used it time after time. We have used the motion to table in this body on issue after issue. I have voted to table, and I have accepted the consequences. I have voted against tabling, and I have accepted the consequences of that.

I do not think this body has a right to paralyze itself by using parliamentary tactics and maneuvers to deny this body the exercise of majority rule.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. HUMPHREY. Mr. President, I should like to end up with one further thought.

A comment was made only a moment ago—and I took it down verbatim—that the position of the Senator from New Mexico and of the Senator from Minnesota and of other Senators is that "any rule that prevents a majority of the Senate from working its will is unconstitutional."

We have never said that. What we are saying is that if the Senate is denied the right to adopt its rules by a majority vote at the commencement of a new Congress and of a new Senate, that is unconstitutional.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. HUMPHREY. Yes; of course I yield.

Mr. CURTIS. I should like to ask the distinguished Senator if there is any motion or any other proposal before the Senate to adopt rules for the 88th Congress?

Mr. HUMPHREY. No. The motion which is before the Senate is on rule XXII.

Mr. CURTIS. There is no motion, then, pending, based on the premise that we have no rules?

Mr. HUMPHREY. That is correct. The Senator from Minnesota feels that it would have been wise policy to have an affirmative motion relating to the rules at the very first moment of the convening of the Senate, and if any rules were to be left out or to be altered they could have been left out or altered by separate resolution.

It has been the position of those of us who have supported the Senator from New Mexico in his motion—and my colleague the Senator from California [Mr. KUCHEL] and others of us who are in favor of what we call the majority cloture rule—that the rules which are used at the opening of the session are acquiesced in, and therefore become, by acquiescence, the rules of the Senate.

But we are not acquiescing in rule XXII. We have filed a motion, so to speak, which is a motion of opposition to rule XXII. We have said that this rule will not be binding, that this rule will be altered. It seems to me that this is our privilege.

A man has a right to go to court. He accepts the body of law which governs the court, except that he says, "I disagree with this rule. I say that this rule is unconstitutional." Men can always go before the courts of this land. That does not mean they are attempting to violate every law or to ignore every law.

I heard the arguments which were made earlier in the debate. I heard it said that any citizen can get up at any time and say he does not accept a city ordinance. That is correct. There is a procedure for that. The procedure is not to deny that citizen the right to be heard, nor to deny that citizen the right to a decision. The courts of this land are so organized that a citizen can get a decision. He can get a decision in those courts under due process of law.

We are asking for due process of law in this parliamentary body which is known as the U.S. Senate. We are asking for the right to bring this issue to a head. We should like to win according to our rights as we see them.

We should like to change the rule, but we may not have enough votes to do so, Mr. President.

Mr. CURTIS. Mr. President, will the Senator yield further?

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. HUMPHREY. As a matter of fact, there are some who think we do not have enough votes to do so.

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. HUMPHREY. Not at the moment, Mr. President.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. HUMPHREY. We should like one privilege, in order to act on what I think is the urgent business of this Congress. We should like to have the privilege to which we think we are entitled as elected Senators of the United States. We should like to have the privilege as Senators in this body who have never had an opportunity to vote on the rules of this body.

Mr. CURTIS. Mr. President——

Mr. HUMPHREY. Some Senators have never had an opportunity to vote on those rules. We should like to have the privilege of voting on the motion of the Senator from New Mexico [Mr. ANDERSON], which is a motion to consider a resolution which relates to the possibility of changing the rules.

What is so radical and so revolutionary about that? It seems to me that this is as normal as strawberry shortcake, the Fourth of July, and Mother's Day. It seems to me that this is thoroughly within the American practice and tradition.

Mr. JOHNSTON rose.

Mr. HUMPHREY. I say right now, Mr. President, I shall ask the Presiding Officer to put the question on the motion of the Senator from New Mexico.

The question before this body, as I understand it, is on agreeing to the motion of the Senator from New Mexico to consider Senate Resolution 9. Am I correct in my understanding?

Mr. JOHNSTON. Mr. President——

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I ask the Presiding Officer: Am I correct in my understanding?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. Would the Presiding Officer inform me how we can get a vote on it?

Mr. JOHNSTON. Mr. President——

Mr. HUMPHREY. I will yield, of course, after the Presiding Officer gives me some indication.

Mr. CURTIS. Mr. President, will the Senator yield briefly?

Mr. HUMPHREY. In just a moment. I should like for the Presiding Officer to give me some indication, some guideline as to how we might get a vote on this world-shaking question as to how the U.S. Senate can get a vote on the very simple and direct motion of the Senator from New Mexico to consider Senate Resolution 9.

The PRESIDING OFFICER. When the time arrives that no Senator desires to speak, the Chair will put the question.

Mr. HUMPHREY. The Presiding Officer will put the question.

A further parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Do I correctly understand that when all Senators who wish to speak have exhausted the two speeches to which each is entitled, then the question will be put?

The PRESIDING OFFICER. If no other Senator desires to speak, the question will be put.

Mr. HUMPHREY. If no other Senator desires to speak the question will be put. Is it possible that there may be a substitute motion for the motion of the Senator from New Mexico?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON]. When that resolution is before the Senate, it will become amendable.

Mr. HUMPHREY. So the motion of the Senator from New Mexico is subject to amendment?

The PRESIDING OFFICER. It is not subject to amendment; the resolution would be subject to amendment, if and when it gets before the Senate.

Mr. HUMPHREY. The motion to consider the resolution is not subject to amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. Is the motion subject to being displaced by another motion?

The PRESIDING OFFICER. It is not possible to make another motion to displace this motion; it may be disposed of by adopting a motion to table it, or to postpone it, or by adjournment.

Mr. HUMPHREY. I ask the Presiding Officer to pardon me. I did not hear the statement.

The PRESIDING OFFICER. A Senator may make a motion to table the motion, or certain other preferential motions.

Mr. HUMPHREY. In other words, the only way this motion can be displaced is by tabling it or by voting it down by a yea-and-nay vote; is that correct?

The PRESIDING OFFICER. It is more complex than that.

Mr. HUMPHREY. That is the only way it can be displaced.

Mr. RUSSELL. Mr. President, it can be withdrawn by the mover. [Laughter.]

Mr. HUMPHREY. I want to accept the amendment of the Senator from Georgia. That is another remote possibility in the realm of theory.

The PRESIDING OFFICER. Will the Senator repeat his inquiry?

Mr. HUMPHREY. I merely seek the guidance of the Chair and the Parliamentarian. The only ways to displace the motion by the Senator from New Mexico to consider Senate Resolution 9 are by a motion to table, a yea-and-nay vote on the motion itself, or withdrawal. Is that correct?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that there are various complications.

Mr. HUMPHREY. Yes. Well, I do not want to push the situation too far on this matter, but the further complications are the ones that indicate to me we may be in for a rather long period of discussion on this world-shaking motion of the Senator from New Mexico [Mr. ANDERSON] to consider Senate Resolution 9.

Is that a possibility, may I ask the Chair?

The PRESIDING OFFICER. The Chair feels it is a possibility.

Mr. HUMPHREY. I do not know whether the Chair is looking happy or distressed about it.

Mr. CURTIS. Mr. President, will the Senator yield further?

Mr. HUMPHREY. I yield to the Senator from Nebraska.

Mr. CURTIS. I will be brief. Is it the position of the Senator from Minnesota that the rules of the Senate that have been brought to us from previous Congresses at this moment now govern?

Mr. HUMPHREY. It is not, unless they are acquiesced in and have been acquiesced in by usage.

Mr. CURTIS. If we have used them.

Mr. HUMPHREY. The only rule that has been contested, I believe, is section 2 of rule XXXII, which covers the matter of the rules carrying over from one Congress to another. That is done on the basis that we can test rule XXII by asking that it be changed.

Mr. CURTIS. We have no rules?

Mr. HUMPHREY. Yes, we have rules. We have acquiesced in the rules of the Senate. We have accepted them by the fact of usage, but we have not accepted rule XXII. We have filed, in other words, a motion of exemption or exception in that instance, saying that the rule violates the Constitution. We are saying section 2 of rule XXXII, I believe it is, violates the Constitution.

Mr. CURTIS. If we have adopted them by usage, how many Senators must agree that they be used?

Mr. HUMPHREY. The fact that this body accepts them, overtly or just by acceptance, is sufficient.

I yield now to the Senator from South Carolina. He asked me to yield previously. I regret that I did not yield at that time.

Mr. JOHNSTON. I wish to ask the Senator some questions.

The first is, Under what rules is the Senate acting at the present time? I think the Senator will have to agree that we are acting now under the regular rules of the Senate. If that is so, it proves the Senate is a continuing body.

Mr. HUMPHREY. I do not argue with that——

Mr. JOHNSTON. Have we ever adopted rules?

Mr. HUMPHREY. Yes.

Mr. JOHNSTON. When?

Mr. HUMPHREY. The Senate did in 1789.

Mr. JOHNSTON. That is what I am talking about.

Mr. HUMPHREY. I do not think the Congress of 1963 is any less potent or meaningful than any Congress since 1789.

Mr. JOHNSTON. The Senate has been a continuing body ever since, because two-thirds of the Senators do not have to be reelected, and the Senate is in operation continuously.

Mr. HUMPHREY. May I say most respectfully that the Senate has had many rules. There was a period of time in the Senate when a rule such as that of the previous question was used. I am not applying that particular rule. The Senate, in its first session, adopted rules. One of the first items of business was to adopt rules of procedure.

All I am saying in support of the motion of the Senator from New Mexico is that it is the right—whether we exercise the right or not is our own responsibility and our option, but it is the right—of the Senate of the United States and of Senators of this body to propose, on the opening or the commencement of the Congress, changes in the rules or adoption of new rules, if that Senator or Senators wish. That is the point being made by the Senator from New Mexico. Briefs have been filed on this question. This is a question of constitutional law. It is a question that can be determined only by this body.

Article I, section 5, makes it specifically clear that each House may write rules to govern its own proceedings. We are the judges of our own rules.

I would like to ask the new Senators that have come into this body, Have you voted on the rules? Have you voted on rule XXII? You may not want to. You may want to acquiesce in it. If so, there is a simple way to do—vote against the Anderson motion. Each Senator has a right to express his own point of view. I have not been putting an arm around anyone here saying, "We want you to vote our way."

This is a question that every Senator must decide in his own mind or conscience, but the Senator from Minnesota makes no apology to anyone at any time for asking for a vote. The Senate has the right to be heard and the right to have a vote. We surely have been given the right to be heard. But when do we get to a vote? That is what the Senate is for—at least partly.

Ultimately, we ought to get to the question of decision. I fully concur with what the majority leader has said in not wanting all-night sessions. I know the back or spirit of the opposition can be broken, on one side or the other, in long, all-night sessions, but in doing so we would also break the hearts and health of Senators. I think it demeans the Senate to do that. I do not think it helps the Senate in public respect. We ought to have sessions long enough to enable ample opportunity to debate, but I have said to my colleagues who have associated with me on this question that I do not want to go through the misery of all-night sessions. I want the Senate to arrive at a decision.

I believe the Senator from New Mexico has something to say that he might be wanting to share with the Senate on how we might get to a decision. There are several ways. One is to have a vote on the motion. The second is by a motion to table the motion. The third way is that the Senator from New Mexico could withdraw his motion, but he has no intention of doing it.

The fourth way I shall leave to the Senator from New Mexico to discuss.

I yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I wish the floor in my own right.

Mr. HUMPHREY. I yield the floor.

Mr. ANDERSON. Mr. President, I have been in this vineyard laboring for this rules change a good many years. I sometimes wonder why I spend as much time on it as I have. I only say, when the Senator from Georgia says this keeps coming up and up, again and again, that the philosopher was right who suggested that no great problem is settled until it is settled right. The Senate of the United States has had this problem long enough; but it has never been settled right.

In 1949, the first year I was in the Senate, we became involved in a discussion of the rules. Many of us remember how that problem was solved—by the circulation of a round robin that we would vote to set up a certain restriction, and a certain restriction only. The Senate had no free vote then. The Senate has no free vote now.

After this round robin was circulated and it was decided to require a two-thirds vote, the author of the round robin said that might be a pretty good solution. I said, "Why didn't you make it four-fifths? Why didn't you make it eight-ninths? Why didn't you make it 95 percent? There is just as much sense in 95 percent as there is in this." New Senators coming into this body do not have a word to say about these rules; and if the 1949 compromise had been more sweeping, they might be debarred completely and unanimous consent required.

Men are here who served in the House of Representatives. That problem was posed in the House at one time. The House did not solve it by kicking it under the rug thereby referring it to the Rules Committee, knowing it would be killed there. The House met the question squarely by providing that every one of the 435 Members has a right to vote on the rules the first day of the session.

I have heard persons say, "You will never solve it if you open up the rules. We will be debating on the changes for 5 years."

The House does it in 5 seconds. "Oh," it is said, "they do it because the House gives in." No; the House does not give in. It stands up any time and effects a change as it did when John Rankin wanted it to add a new committee. This is not a formality. It is not a formality in the House by any means. We can do the same thing in the Senate.

These problems do not stay settled on the basis of a round robin circulated at 3 o'clock in the morning, by which enough northern Senators sign up with southern friends to make sure that no rule regarded as a bad rule, from the standpoint of the South, is adopted. That is the basis on which it was settled in 1949; it was not settled on the basis of what was right. It was settled on the basis of being able to get men to compromise on a plan.

Someone has said, "We never adopt new rules in the Senate." They should read the story of Senator Walsh, of Montana. When he was not satisfied with the rules of the Senate he knew what to do. A few people surrendered to what he was proposing. Why should we be less courageous than he?

Do we not have the right to stand up and extend to former Members of the House, with their great experience in that body, as much right in the Senate as they had in the House? Should we be less courageous?

The statement has been made that those of us who are making the present proposal are doing so in an effort to let the Senate destroy itself. I must say that that is the most amazing statement I have ever heard. I have never tried to have the Senate destroy itself. I do not believe the Senator from Minnesota is seeking to have the Senate destroy itself. I do not believe that the new Members of the Senate wish to have the Senate destroy itself. I do not believe that those who seek to have a majority vote on these proposals wish to have the Senate destroy itself.

I know that the suggestion is made that the Senate send this resolution to the Committee on Rules and Administration.

That suggestion was made by my able and devoted friend the Senator from Illinois [Mr. DIRKSEN]. I say to him in language with which he must be familiar, "You took us down that path once before."

Once before he and the Senator from Montana had this question referred to the Committee on Rules and Administration. That is where it was sent by the Senate. I opposed that procedure. I said at that time:

> Do that, and you know what you are doing. You are burying it beyond all future redemption if you do that.

The Senator from Illinois was trying to help in getting the Senate underway. I have a great deal of sympathy for the position the Senator from Illinois and the Senator from Montana took at that time. A new President had been inaugurated, and that happened rather late in January. We had many problems to solve. The sensible thing at that time seemed to be to send the question to the Committee on Rules and Administration.

Mr. President, we are not in that position now. I believe we can decide this question before us.

The Senator from Georgia [Mr. RUSSELL] says that it is our contention that anything that provides for anything over a bare majority is unconstitutional. Not at all. The Senator from Minnesota answered him on that point. I wish to answer him further. The Constitution provides that each House may determine the rules of its proceedings. All we contend is that anything that violates that provision which is in the Constitution, anything that prevents this House from determining its own rules, is unconstitutional. Sixty percent is no different than 70 percent or 90 percent, unless it is so big that a House cannot change its rules.

Our difficulty is that we wrote into the rules a provision stating that the rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in our rules. This, we say, is unconstitutional. That is what a former Vice President, Richard Nixon, said in an advisory opinion. That is what Alben Barkley believed. He was prepared to rule that way, but he never had a chance to do so. The motion to table came too quickly. I hope every Vice President will recognize that any rule which says that the newly elected Senators cannot have any word in the making of their rules is unconstitutional. Why was it, that three or four Senators could negotiate between a few northern and southern Senators in 1949, and by what they did, bind the newly elected Senators in this body? I believe that not one of them is still serving in the Senate. I have not made an exact determination, but I do not believe one of them is still here. Why would those few Senators be allowed to tie the hands of a new Senator who has had experience in the House and in the Cabinet like the Senator from Connecticut [Mr. Ribicoff]? Why should their compromise tie the hands of the Senator from Indiana [Mr. Bayh], who came to this body after a rather surprising upset vote in his State? Why should it tie the hands of the present Presiding Officer of the Senate [Mr. Inouye]?

Why do these new men not have as much right to help make the rules of the Senate as those Senators had in 1949? That is the only thing I say. I do not know what the final rules would be. I do not know whether they would destroy anyone. I do not believe they would. I believe the Senate is a rather safe place to place our trust.

I remember speaking at one time to that great Speaker of the House of Representatives, Sam Rayburn, and I said to him, in speaking about one Member of the House:

> I do not believe that man will go very far, because I believe he is a thoroughly bad character.

Mr. Rayburn said:

> Clinton, you don't have to worry about that. The House of Representatives is the finest jury before which a man could be tried. In 99 out of 100 cases it will render the correct verdict.

I do not know what the Senate will do. I do believe, however, that the Senate is competent to act. I am unwilling to believe that the action of four or five men with a round robin, circulated at 3 or 4 o'clock in the morning, is a better way of acting than to have all the Senators act.

I believe it is time that we tried to solve this problem, and to solve it correctly.

I submit that the House has demonstrated the fact that it has the power to change its rules. I only hope that the Senate will do the same.

The able majority leader has made a suggestion, concurred in by the minority leader—and I strongly commend them for it—that the Senate stay in session longer. If we are to debate every motion to take up, a group of Senators can destroy the leadership in a very short time. When the Senator from Montana moves that the Senate proceed to the consideration of an appropriation bill, without fail that motion is always carried. That situation does not apply to the motion now before the Senate. That practice is not being followed now. I wonder what would happen if, every time a motion were made to take up a matter, it was decided to debate for 4 or 5 weeks the motion to take up—or forever, as has been suggested. How would the Senate get anything done?

Do we not have any consideration at all for the respect of the country? Do we not know that people are saying:

> Why is it that a simple motion to consider a change in the rules cannot be brought to a vote?

It has been suggested that the motion could be disposed of if I were to withdraw it. Well, Mr. President, Adlai Stevenson had something to say about ice in some parts of the world. I assure the Senate that the same situation obtains so far as I am concerned, because I have no intention of withdrawing the pending motion.

If long sessions start on Monday, in an effort to be helpful to the majority and the minority leader, I intend on Monday to offer a parliamentary procedure which will make an effort to allow the Presiding Officer to submit to the Senate the constitutional question that is involved.

If Senators believe that the present rule to which I have referred is unconstitutional, they can say so. A previous Vice President said it is unconstitutional. I, too, think it is unconstitutional. Anyone who reads the long story of the proceedings of the House and the Senate might conclude that it is unconstitutional to say to a newly elected Senator that he has no voice in setting the rules of the Senate; that he comes enslaved by the rules adopted in previous years. I do not believe that is right. Therefore, I intend in a parliamentary fashion to submit to the Senate the question of the constitutionality of the existing rules.

I hope that my effort in that connection will be a step forward in solving the problem which the Senator from Montana now faces.

Mr. MANSFIELD. Mr. President, I wish to express my thanks to the distinguished Senator from New Mexico for giving to the Senate the first word of light on this subject. I take it that he has assured us now that it is his intention to bring up the question of constitutionality on Monday next.

Mr. ANDERSON. Of course, I have been in the Senate for a long time, and I have seen one Senator hold the floor for 24 hours. However, subject to my ability to get the floor, I will do so.

Mr. MANSFIELD. The Senator is as fair as anyone could be. The Senate is on notice. I hope all Senators will be on hand. I hope they are on hand now.

Mr. HOLLAND. Mr. President, I have the utmost respect, as he knows, for the distinguished Senator from New Mexico, and also for our distinguished majority whip, the Senator from Minnesota. I cannot understand, however, how these two Senators can be taking the position which they are taking in this particular matter, because of the position which they took, not as followers but as leaders, in 1959, and not in 1949, the year to which the Senator from New Mexico has referred.

I believe this is important. Senators should recognize now that we are not talking about a rule made in 1949. We are talking about a rule made in 1959. We are talking about a rule as to which both the Senator from Minnesota and the Senator from New Mexico were supporters of the rule that the Committee on Rules and Administration worked out, and in connection with which they were among the leaders and advocates of the working out of an amended rule at that time which was worked out.

Mr. President, the rule adopted in 1959 had two major features. One of them was an amendment of rule XXII, which provided that two-thirds of the Senators present and voting should effect cloture, rather than two-thirds of the entire constitutional membership, as had previously been the case.

The other part of that rule was the amendment of rule XXXII, by adding section 2 to rule XXXII. Have I made it clear that both of those changes appeared in the single change of the rules which was made in 1959; that they stand together; and, particularly, that they were both supported by the affirmative votes of the Senator from Minnesota and the Senator from New Mexico?

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. First let me complete my statement. I am reading from page 37 of the Journal of the Senate in 1959. I could read the whole resolution, but I do not think that is necessary. I think that the Senators who were here then will recall that this was a double-barreled resolution. I think they will recall that the question was put as a single question. I think they will recall that a yea-and-nay vote was taken. The point to which I call attention at this time is that among the affirmative votes of those who adopted the resolution—and the vote was 72 to 22; the Senate was pretty largely represented at the time this rules change was made—among the 72 affirmative votes were the votes of the distinguished Senator from New Mexico and the distinguished Senator from Minnesota.

Mr. ANDERSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ANDERSON. Does the Senator know if any division was possible, so that one could have voted for the improvement in the two-thirds, and not have had to vote for the section which provided something about the changing of the rules?

Mr. HOLLAND. I am looking at the Journal of the Senate. I do not see that a request for a division was made. It could have been made, if it were possible, by any Senator who was then present, including the Senator from New Mexico and the Senator from Minnesota.

Mr. ANDERSON. Therefore, if a Senator wished to vote, he had the alternative of voting for a better cloture rule plus the other provision, or of voting to let the rule stand as it was. If we had allowed the proposal to be killed, we would have gone back to the old rule, which provided for a vote by two-thirds of the elected Senators, instead of two-thirds of the Senators present and voting.

Mr. HOLLAND. The Senator from New Mexico has stated the situation correctly. But I think it should be clear that the rule was in two parts, and that the Senator from Minnesota and the

Senator from New Mexico were finding fault with Senators who, like them, voted for that rule change, and who still believe in that rule change, and are standing up for the changing of rule XXXII, since their position in standing up for it would be adversely affected if the Senate voted favorably on the motion to take up the resolution.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. I voted for the rule change because the proposed rule was a better rule than the previous one. We had not been able to succeed in our efforts at the beginning of the 86th Congress to change the rules, as we had not been successful in other Congresses. So we took what was available as a means of improvement. The rule was not divided. There was one vote, and only one vote. If the Senator from Florida wishes to know whether I am particularly happy about that vote, the answer is, "No," very frankly, "No." I have not changed my position one bit. My position was——

Mr. HOLLAND. Mr. President, I wish to be generous toward the Senator from Minnesota. I yielded only for a question.

Mr. HUMPHREY. I did not understand the Senator from Florida to have made that request.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Minnesota to enable him to make such statement as he wishes to make.

Mr. HUMPHREY. I assure the Senator from Florida that that request, while in order, was unnecessary, because all day long we have been yielding to one another without worrying lest some Senator be taken off his feet. No Senator will have that happen to him.

The Senator from Minnesota has no apologies to make for his vote. The vote was to improve the rule which then existed. It was not nearly what I wanted. But I am a reasonable man. All I have asked for today is a chance to vote. I did not even say I thought we would win the vote. It is simply that I should like to have a chance to vote.

I did not like the second section of that rule; I do not like it now. Frankly, I did not like it then. I think it ought to be repealed.

All we are asking for in the rule XXII fight is merely an amendment of rule XXII again. We are asking for an opportunity to vote at the beginning of this session of the Senate.

Mr. HOLLAND. I want the Senator from Minnesota to search his conscience a little, to see if this is not the situation: That he has confessed on the floor of the Senate that he voted for the latter part of the rule in 1959 with his fingers crossed. He knew it was unconstitutional—that is what he now says it was—but he voted for it, nevertheless, to get what he thought was an advantage in the changing of rule XXII.

Mr. HUMPHREY. The Senator from Minnesota voted for the rule change in 1959 because it made the rule better than the rule that preceded the rule change in 1959.

If the Senator will give me a chance now, I shall again vote for a better rule. I should like to have a chance to vote for majority rule. I doubt that such a change would carry, so I shall vote for the three-fifths proposal submitted by the Senator from New Mexico. If the Senator from Florida will permit me to do so, I shall vote for the motion to bring up the resolution.

The Senator from Minnesota is not asking for utopia; he is asking for an opportunity for Senators of the United States to vote on the worldshaking motion of the Senator from New Mexico; namely, the motion that the Senate proceed to the consideration of Senate Resolution 9. One would think that somehow the Republic would be wrecked if the Senate voted on a simple motion to bring up a measure to debate it.

Mr. HOLLAND. The distinguished Senator from Minnesota has not really examined the situation very fully, because what he is doing is asking the Senate to vote to take up a measure, when he knows perfectly well that if we take it up, we will take it up in defiance of section 2 of rule XXXII, because that section, which was adopted by the affirmative vote of the Senator from Minnesota and other Senators, reads:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

So the Senator from Minnesota is asking Senators who believed in that change, and who still believe in it, and who still believe in the enforcement of the rules and believe strongly in the enforcement of section 2 of rule XXXII, to forget about that section, to forget about the fact that it was adopted by an overwhelming vote of the Senate, to forget about the fact that it makes it very clear that in order to be properly considered, any effort to amend the rule must, in itself, be handled in accordance with the rule.

The Senator from Minnesota wishes us to forget that part of the rule which he helped to adopt, to forget the fact that he is asking us to take up a measure to amend rule XXII in defiance of rule XXXII, and in defiance of the finding of a great majority of the Senate that this is a continuing body and that the rules cannot be changed except by following the rules in the machinery of the change.

Mr. HUMPHREY. Mr. President, will the Senator from Florida further yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. I thank the Senator. I say, most respectfully, that no rule of the Senate is being violated by the present procedure. On the calendar, according to the rules of the Senate, acquiesced in by this body—which within itself is an affirmative act—there is Senate Resolution 9. Under the rules of the Senate, we are privileged to call up the resolution. We have called it up. A motion has been made to call it up. We are simply asking the Senator from Florida, in accordance with the rules of the Senate, which provide that a majority may act on proposed legislation, to permit the majority to act. That is all. If anyone is violating the rules of the Senate, it is those who will not permit us to cast an affirmative or a negative vote, either by a yea-and-nay vote, by a division, or by voice, upon a simple motion to bring up a resolution. I submit that the rules of the Senate, past or present, permit us to vote.

What the Senator from Florida is saying is simply that he proposes to exercise the rule but not as a rule. There is no rule which provides that a Senator may filibuster. What the Senator is saying is simply that the opponents propose to talk as long as they wish to talk on the question of the motion to bring up Senate Resolution 9. That is their position.

I was not happy with the rule change which was made in 1959; but it resulted in a rule better than the one we had in 1958.

I am not happy with the rule situation today, and I wish to have it improved; and I am following every rule a Senator can think of, when I join, together with other Senators, with the Senator from New Mexico [Mr. ANDERSON] in asking that Senate Resolution 9 be brought up for consideration by the Senate.

Does the Senator from Florida deny that the placing of Senate Resolution 9 on the calendar was in accordance with the rules of the Senate?

Mr. HOLLAND. I deny that that procedure was either the ordinary or the proper way to change the rules of the Senate. Such a proposal should have come from the Committee on Rules and Administration or should have been referred to that committee.

If the Senator from Minnesota is taking the position that the Senate should make its rules of all descriptions and kinds without the benefit of committee hearings and without advising the public of the proposed changes, but simply by rushing such a resolution, immediately following its submission, to the calendar, and then by immediately having it debated in perfunctory fashion and then adopted, I say he has a much different idea of what is good for the country than I have, because I could not for a moment concur in the Senator's suggestion that the appropriate procedure is to submit such a resolution and then, within a day or so, have the Senate take it up.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. Then does the Senator from Florida say the Vice President violated the rule when he placed Senate Resolution 9 on the calendar on January 15?

Mr. HOLLAND. I did not say that. But the action taken by one person or another in connection with such a measure does not demonstrate whether the procedure followed in connection with it is within the rules or is not within the rules.

My interpretation of the rule is that any proposed change in the Senate rules should be referred to the Committee on Rules and Administration, and then should be considered by it, and then should be reported by it to the Senate, so that then the Senate will know what it is dealing with, and so that then the public will have an opportunity to know what is proposed. However, nothing of that sort is proposed here by the proponents of the resolution.

It seems to me that Senators who insist that their colleagues give up their conviction—and it is our conviction—that section 2 of rule XXXII is a good and an effective and an existing rule which should be followed, are acting very naively, I believe, because they are saying, in effect, "We insist that you recognize in advance that the rule is unconstitutional; we insist that you recognize in advance that although we voted for that rule, it is unconstitutional and should not be enforced and should not be considered at all as existing in the rulebook of the Senate."

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to my distinguished friend from Virginia.

Mr. ROBERTSON. When the Senator from Florida mentioned voting for that rule, did he forget that all Members of the Senate voted for the act which we call the Reorganization Act of 1946? That act provided for our pensions, did it not? No Senator was against that, was he?

Mr. HOLLAND. No.

Mr. ROBERTSON. In that act did we not reaffirm that the rules of the Senate should go forward from one Congress to the next? Is that not the law until we exercise our constitutional right to change the rule? Under that law, do not the rules of the Senate go forward from one session to the next?

Mr. HOLLAND. I believe that all portions of the rules which are contained in the La Follette-Monroney Act do constitute law, rather than Senate rules, and do go forward, of course, from session to session.

Mr. ROBERTSON. And that act specifically provided that the rules of the Senate will go forward from session to session. No Senator voted against that. That is the point I am trying to make.

Mr. HOLLAND. I thank my distinguished friend. He was a Member of the Congress at the time when that measure was passed. It was a subject of grave consideration and debate, and I have no doubt that what he has said is true.

I revert now to the point that our naive friends are asking us to forego and give up our convictions, and to forego and give up a rule for which we and they voted, and to admit in advance that it is unconstitutional, and that since it is unconstitutional—this is the sequence of their reasoning—we can now ignore it, and can now proceed to take up a measure to repeal rule XXII, notwithstanding the provisions of section 2 of rule XXXII.

Mr. President, I am not going to give in to such an argument.

Furthermore, I think it particularly important to remember now that if we voted to take up Senate Resolution 9, we would be, in effect, ignoring section 2 of rule XXXII and we, ourselves, would be in the position, for the first time in the history of the Senate, because this is the first time the matter has come up, as I recall, since that rule was adopted, of admitting that section 2 of rule XXXII is unconstitutional.

I do not believe it is unconstitutional. I believe it is a good rule. I think when rules of the Senate are changed, they should be changed with some formality, following hearings and a report by the appropriate committee, where all interested persons can be heard.

So far as I am concerned, I shall not give up my conviction that section 2 of rule XXXII is a good rule, and I shall vote to sustain it; and I am sorry that some of those who voted for its adoption, now say it is unconstitutional. I do not join in that conclusion.

Mr. CLARK. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. CLARK. Before I put my question, I wish to state that I assume that the Senator from Florida would include me among his "naive friends." Certainly I am his friend; I do not know whether I am naive.

The point I wish to make is that perhaps my alleged naivete is determined by the Senator because I take the position that the right of a majority to fix the rules is the rule which applies to every American institution with which I am familiar, except when the Constitution of the United States otherwise expressly provides.

Mr. HOLLAND. Mr. President, I respect the opinion of the Senator from Pennsylvania, and I agree in part with it, in that the majority of the Senate do fix the rules of the Senate. But the bringing up of the measure to be discussed and considered is still subject to the Senate rules, and should be; and the Senator from Pennsylvania is trying to get us in the position—if he is taking the position already taken here by some of his friends—of ignoring part of the existing rules, for which Senators who then were in the Senate voted.

I am happy to say that the Senator from Pennsylvania also voted for adoption of this double-barreled rule in 1959; and surely he is not now going to stand here and confess that he voted in part for an unconstitutional measure which he is now trying to have stricken—even though he helped create it—and that now he is trying to have it stricken as unconstitutional.

Mr. CLARK. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. CLARK. The Senator from Florida well knows that my vote in support of that rule in 1959 was forced at the end of a rather disastrous defeat for those of us who believe in majority rule in the Senate. I voted for that rule change with some doubt, because it did make a hairline improvement in the rule which theretofore had existed. But I do not believe that vote in any way waived my constant efforts to persuade the Members of the Senate that majority rule is the law of democracy—in the Senate, as elsewhere.

I ask the Senator from Florida this question: Is not his position fundamentally that majority rule should not prevail, the Constitution of the United States to the contrary notwithstanding, with respect to the rules of the Senate?

Mr. HOLLAND. Why does the Senator from Pennsylvania say "the Constitution of the United States to the contrary notwithstanding"?

Mr. CLARK. Because the Constitution says the Senate and the House shall have the right to make their own rules, and it says nothing about 66 percent.

Mr. HOLLAND. Does it say anything about majority rule?

Mr. CLARK. It is implicit in the Constitution, as the Senator from Florida knows, that unless the Constitution explicitly states to the contrary, the normal American majority rule shall prevail; and the Constitution does not explicitly state to the contrary. So I think it must be very clear to any lawyer that that means majority rule.

Mr. HOLLAND. Then the Senator from Pennsylvania puts himself at complete variance with the views of three distinguished students of the law whom I quoted earlier today—I refer to Walter Lippmann, Arthur Krock, and David Lawrence—and also at variance with Mr. William S. White, whose recent article on that subject was quoted during my remarks, in the course of a very able interruption, which I appreciated, and which was made by the Senator from Alabama [Mr. SPARKMAN], who now is on the floor.

I say to the Senator from Pennsylvania that all those authorities, and many, many more take the position—and I believe it is unassailable—that on matters of very grave controversy, running to the question of law and order in large areas of the country, it is the genius of our law and our system of government to have persuasion, rather than coercion.

However, what is being sought here—and it was admitted the other day by the distinguished senior Senator from Illinois [Mr. DOUGLAS], in his colloquy with the Senator from Virginia [Mr. ROBERTSON]—is to attempt to change this rule for one reason only, and that is to vote through some extreme civil-rights measures.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. CLARK. The Senator well knows that Mr. William S. White, a devoted admirer of the old prebellum South, is not a lawyer. The Senator well knows that Mr. David Lawrence, an equal devotee of every conservative principle which has ever been advanced by the Senator from Arizona [Mr. GOLDWATER] down through the years, is not a lawyer. The Senator knows that Mr. Walter Lippmann, whom I revere very much——

Mr. HOLLAND. I have heard the Senator quote Mr. White's words in this Chamber.

Mr. CLARK. He is a gentleman with whom I usually agree, but I do not on this occasion. He is not a lawyer. Mr. Arthur Krock, who is well known around Washington as Washington's leading legal layman, speaking with great authority on decisions of the Supreme Court of the United States and on the rules of the Senate, has never had the benefit of having gone to a law school.

Mr. HOLLAND. Mr. President, all I can say is that if the Senator from Pennsylvania would attend the arguments of the Senate, which he has not been doing—particularly the arguments tomorrow when my dear friend, the Senator from Virginia [Mr. Robertson] will speak—he will hear many able legal authorities quoted upon precisely the point which Messrs. Lippman, Krock, Lawrence, and White have spoken. They may persuade him—and I hope they will persuade him—to change from the error of his position and come around to a decision more nearly in line with that which we support.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. HOLLAND. I should like to complete my statement first. I am told by the Senator from Virginia that the columnists whom we have mentioned are completely familiar with the legal opinions and decisions, which he will mention again, before they took the positions that they have taken. So far as I am concerned, I am prepared to speak of them all as distinguished scholars of the law and as students of the law. They are well familiar with the law. They have made it their preferred field of study for all these years and, so far as the Senator from Florida is concerned, he does not think that many lawyers in general practice have had the opportunity to familiarize themselves on the subject of constitutional law as much as those distinguished gentlemen I have mentioned have had.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. CLARK. I most respectfully disagree with my able friend the Senator from Florida with respect to the legal erudition of each of the charming and delightful gentlemen who have been mentioned.

With respect to the fact that it has been alleged that I have not attended as vigorously on the floor of the Senate to listen to the learned discourses of my southern friends on this subject, might I say that when I first came to the Senate approximately 6 years ago I was assiduous in attention to everything that was said by those able and fine friends of mine. I find as I read the Record from day to day that they have said nothing new in the course of those 6 years, and I believe I understand what appears to me to be their utterly fallacious reasoning in their able arguments.

Mr. HOLLAND. I appreciate the highly literary style of the Senator in making his statement. If he had attended the session only today he would have heard some new material referred to by the present speaker, the Senator from Florida. But again I say I am sorry that he does not see fit to attend.

Second, I am sorry that my distinguished friend, the Senator from Pennsylvania, now finds it possible to reverse the stand that he took in 1959 when he voted for section 2 of rule XXXII, and now declaims that his vote was for an unconstitutional measure, which he is seeking to have the rest of the Senate ignore as unconstitutional, as a predicate to what they will do in the present debate. I yield to the Senator from Virginia.

Mr. ROBERTSON. The Senator from Pennsylvania must realize that since we did not cite any new reasons as to why throughout all the years the Senate has been a continuing body, it was not necessary, therefore, for him to listen to a discussion of the fundamental principles which have been underlined and agreed upon from the creation of the Congress down to the present time.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ROBERTSON. If my estimate is correct, it was nearly 3,500 years ago when God told Moses on Mount Sinai that the fundamental laws of life should include the following:

> Thou shalt not kill.
> Thou shalt not steal.
> Thou shalt not bear false witness against thy neighbor.

That was a long, long time ago. I would hope that it is not the philosophy of the distinguished Senator, that these laws are no longer valid. They have been fundamental principles of Christian life for 3,500 years.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I would be happy to yield——

Mr. HOLLAND. The Senator from Virginia was yielded to by me. I shall be glad to yield to the Senator from Pennsylvania if the Senator from Virginia has completed his statement.

Mr. ROBERTSON. I have concluded.

Mr. HOLLAND. I yield to the Senator from Pennsylvania.

Mr. CLARK. I thank my friend for his courtesy.

May I say that I do not think it is quite fair for the Record to indicate that the Senator from Pennsylvania was alone in what might be called his boycotting of the able and erudite arguments made by his friends from Virginia and Florida on the subject under discussion. I believe those in the press gallery and elsewhere will recognize that the attendance at those law lectures has been quite slight indeed. I am reminded of the old homily, which I know my friend from the Shenandoah Valley is familiar with, that "You can lead a horse to water but you can't make him drink."

Mr. ROBERTSON. I recognize that. I recognize also that there are those whose determination to violate the precedents and the legal rights of the Senate has caused them to close their ears to any argument; they will not come here to have their consciences impinged upon by arguments to the contrary. We stand here and advance, not any new argument, but the principles of the same old Constitution. It is my intention to speak at some length tomorrow; at that time I shall point out that our Nation was guided by the principles of our Constitution until 1937. In 1936, in the case of United States against Butler, the old Court struck down the Agricultural Adjustment Act of 1933. The Court held that Congress had no unlimited power to tax, and that the law violated the 10th amendment.

Before the decision was rendered, President Franklin D. Roosevelt, had breathed fire and brimstone against the Court for its 1935 decision in the Schechter Poultry case. In effect, Mr. Roosevelt said, "I am not going to stand for the way those old fossils are declaring New Deal proposals unconstitutional. If they won't rewrite the Constitution, I am going to pack the Court with Justices who will."

The distinguished Senator Ashurst in early 1937 introduced the court-packing bill.

To my recollection, the case of United States against Butler in 1936 was the last decision in which the Supreme Court was not dominated by political pressure in its interpretation of the 10th amendment.

What does that mean? It means that if we do not stand here and protect the States against unconstitutional legislation, who will protect them? That is the essence of the fight.

When I speak tomorrow, I shall trace the history of the Virginia Declaration of Rights, which is the very foundation for the Declaration of Independence and for the Bill of Rights of our Constitution. I shall show how the courts have held through the years until 1937 that the 10th amendment was inserted into the Constitution for the protection of the States and of the people, and how it confirms that our Government was intended to be one of restricted and delegated powers.

I shall stand on this floor and review recent decisions of the Supreme Court which have distorted the 10th amendment beyond recognition. These decisions make it mandatory that Senators preserve the right to free and full debate on this floor.

I thank my friend.

Mr. HOLLAND. I thank both my friends for their observations.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Georgia.

Mr. RUSSELL. Will the Senator indulge me to offer the suggestion that he have a copy of the resolution and of the vote printed in the Record as a part of his remarks?

Mr. HOLLAND. I think well of that suggestion. I therefore ask unanimous consent, Mr. President, that there be printed as a part of my remarks and copied in the Record at this point the excerpt beginning "The question being taken on agreeing to the resolution" with the copy of the resolution, the summation of the vote, and the names of those voting for and against the adoption of the resolution.

Mr. JAVITS. Mr. President, will the Senator yield to me? I have no objection to the request. I merely wish to be heard for a minute in connection with this matter.

Mr. HOLLAND. I am glad to yield to the Senator.

Mr. JAVITS. Will the Chair first put the question?

The PRESIDING OFFICER. Is there objection to the request by the Senator from Florida?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The question being taken on agreeing to the resolution, viz:

"*Resolved,* That subsection 2 of rule XXII of the Standing Rules of the Senate is amended (1) by striking out 'except subsection 3 of rule XXII,', and (2) by striking out 'two-thirds of the Senators duly chosen and sworn' and inserting in lieu thereof 'two-thirds of the Senators present and voting.'

"SEC. 2. Subsection 3 of rule XXII of the Standing Rules of the Senate is amended by striking out 'and of subsection 2 of this rule'.

"SEC. 3. Rule XXXII of the Standing Rules of the Senate is amended by inserting '1.' immediately preceding 'At', and by adding at the end thereof a new paragraph as follows:

" '2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.' "

It was determined in the affirmative—yeas, 72; nays, 22.

The yeas and nays having been heretofore ordered,

Senators who voted in the affirmative are Aiken, Allott, Anderson, Bartlett, Beall, Bennett, Bible, Bush, Butler, Byrd of West Virginia, Cannon, Capehart, Carlson, Carroll, Case of New Jersey, Case of South Dakota, Chavez, Church, Clark, Cooper, Cotton, Curtis, Dirksen, Dodd, Dworshak, Engle, Ervin, Frear, Goldwater, Gore, Green, Gruening, Hartke, Hayden, Hennings, Hickenlooper, Holland, Hruska, Humphrey, Jackson, Johnson of Texas, Jordan, Keating, Kefauver, Kennedy, Kerr, Magnuson, Mansfield, Martin, McCarthy, McGee, Monroney, Morton, Moss, Murray, Muskie, O'Mahoney, Pastore, Prouty, Proxmire, Randolph, Saltonstall, Schoeppel, Scott, Smathers, Smith, Symington, Wiley, Williams of New Jersey, Williams of Delaware, Yarborough, Young of Ohio.

Senators who voted in the negative are Byrd of Virginia, Douglas, Eastland, Ellender, Fulbright, Hart, Hill, Javits, Johnston of South Carolina, Kuchel, Langer, Lausche, Long, McClellan, McNamara, Morse, Robertson, Russell, Sparkman, Stennis, Talmadge, Thurmond.

So the resolution was agreed to.

On motion by Mr. DIRKSEN to reconsider the vote agreeing to the resolution.

On motion by Mr. JOHNSON of Texas, the motion to reconsider was laid on the table.

Mr. JAVITS. Mr. President, if the Senator will yield to me, I am one of those who voted against that particular rule change, because I felt very strongly at the time about the provision put into rule XXXII, and expressed myself most specifically on that subject, so perhaps I am in a good position to move to reconsider, or at least in a position better than many.

I say to the Senator that what the Senator is emphasizing is very important because it is a fact that this debate, on either side—either on the side of the distinguished legions led by our colleague from Florida and our colleague from Georgia and other Senators, or on our side—has really recognized the very deep questions involved in this debate. They are very profound questions. Every once in a while a legislative body comes up against the question as to whether there is to be anarchy or whether there should be decided basic and very fundamental policy under the Constitution.

I think the Senator from New Mexico is serving us all very well. I wish to say, in all frankness, that it has always been my deep feeling that the sooner we get to a resolving of this very basic question of the Constitution and what it really means in terms of article I, section 5, the sooner we will get to that point that even the Senator from Georgia talks about—the resolution of this question.

Really, this question cannot be resolved by the type of tugging and hauling which we have had. The Senator shows that most ably by putting the vote in the RECORD. That was a situation in which, as the Senator from Pennsylvania [Mr. CLARK] said, Senators had to decide whether the little modicum of amelioration was worth support. The Senator from Pennsylvania felt it was. I felt precisely the other way. We are both, I think, the same type of lawyers. At least, we believe we know our business. We came to different conclusions because we were not dealing with the really basic question, which was the constitutional issue.

So I say to my colleague—and I appreciate his yielding—he has pointed up why the only way in which we will ever get a permanent resolution of this question is to proceed in the manner which the Senator from New Mexico, with the full support of all those who are on that side, I feel, is proposing.

I hope very much that we may, as a Senate, resolve that very basic constitutional question which, if not resolved, could—perhaps even will, as we go along in the ensuing days—put the Senate in the posture of anarchy unless it is resolved.

I thank my colleagues.

Mr. HOLLAND. Mr. President, I appreciate the comment of the distinguished Senator from New York. The fact is that he is one of a few who is a thorough enough lawyer to have recognized the implications involved in the vote on the resolution at that time. He is only one of six or seven Senators, as I recall the record, who are now supporting the effort to change the rule, who voted against the rule in 1959.

My own feeling was that, though I disliked the first part of the amendment, I thought the second part relating to section 2 was of such great importance to the area of the country which I serve in part, that I was willing to swallow a little hard over the first part. I can see that the Senator's view and mine were not very greatly different as to the importance of the particular portions of the resolution.

I invite attention at this time to the fact that that resolution, adopted in 1959 by the heavy vote which has been mentioned—72 to 22—was offered by the then distinguished majority leader, Mr. JOHNSON of Texas, who is now the Vice President of the United States and the President of the Senate, and that it was voted for not only by those whose names have been mentioned but also by the present leaders of the Senate, the majority leader [Mr. MANSFIELD] and the minority leader [Mr. DIRKSEN], along with the Senator from Minnesota [Mr. HUMPHREY], who is the majority whip, and the Senator from New Mexico [Mr. ANDERSON], the principal author of the proposed resolution.

It seems to me it is inescapable that Senators who ask us to vote for the motion to consider the resolution are asking us to assume the view that section 2 of rule XXXII is unconstitutional, and that therefore we should consider this business which is proposed to be transacted in defiance of that rule.

I shall never be in that position, and I do not think it will be an easy position for other Senators who voted for the resolution in 1959 to take.

Mr. RUSSELL rose.

Mr. HOLLAND. I yield to the Senator from Georgia.

Mr. RUSSELL. I was seeking the floor, to make a brief statement.

Mr. HOLLAND. Mr. President, I yield the floor.

Mr. RUSSELL. Mr. President, I feel, inasmuch as this matter has been raised this afternoon, that I should make a brief statement explaining the fact that some 14 Members of the Senate, I believe it was, who were opposed to any change in the rules voted against the resolution to which the Senator from Florida refers. We were opposed to the resolution for two reasons.

In the first place, I regarded section 2 of rule XXXII as sheer redundancy. The Senate had been a continuing body since the first day it ever met. Its rules had been carried over without question for 180 years. I saw no reason for adding something which was redundant, which was self-evident, which had been in existence 180 years—the understanding that the rules should carry over until they were changed in the method prescribed therein.

That part of the rule did no harm. It stated a self-evident fact. It stated the fact and the rule of law which several thousand men who have served in the Senate Chamber since the first Senate met have recognized as being a sound rule of law under the Constitution of the United States.

I would not have voted against the resolution only on that ground, because I am redundant myself sometimes, I must say.

I voted against it because it likewise weakened the rule of free speech on the floor of the Senate. I believe it brought down the number which was required to gag Senators from two-thirds of the Senators chosen and sworn to two-thirds of the Senators present and voting. This rule made it easier to prevent Senators, emissaries from the sovereign States, from speaking on the floor of the Senate—disadvantaging the small States and prohibiting any Senator, however extreme his argument might be, from making his statement on the floor of the Senate.

I wish to advert for just a moment to the great solicitude that was expressed by the Senator from Minnesota and the Senator from New Mexico for the new Senators who were sworn this year. I was deeply moved and touched by this solicitude. They stated that we have said to these men who were sworn in this year that they have no right to pass on and to vote on the rules. But the proponents of this proposal maintain every rule is in effect except a part of rule XXII and a part of rule XXXII, and that all the rest were accepted by acquiescence.

I rather resent the inference that might be drawn to the effect that the new Senators are entitled to vote only on a fraction of 40 rules. I do not believe in second-class Senators and first-class Senators. We may be judged in that way by the press. We may be judged in that way by our constituents. But when it comes to the rules of the Senate, every Senator ought to have exactly the same right, and I resent the implication that the Senators who were sworn in this year are entitled only to vote on a part of 2 rules out of 40 rules.

**Mr. CLARK.** Mr. President, will the Senator yield?

**Mr. RUSSELL.** I yield.

**Mr. CLARK.** It seems to me that one who takes the position the Senator from Georgia so ably takes would of necessity be forced to say every Senator has the right to change any rule he wants to change at the beginning of the Senate session, but no Senator has expressed that right; and in colloquy I waived the right which I asserted 2 years ago to change any rule, in the interest of harmony and convenience, by having any proposed rule changes referred to the committee. That fact does not prevent any Senator who wants to from trying to change any rule. The only rule we want changed is rule XXXII.

**Mr. RUSSELL.** Speaking for those Senators, I am glad the Senator from Pennsylvania extends to them the same right and authority to offer amendments to rules that he himself has. I know that Senators who are newly sworn will be deeply grateful for that concession on the part of the Senator from Pennsylvania.

**Mr. CLARK.** I yield to no man in my high respect for my dear friend from Georgia, but I submit he does not speak with authority for the new Senators.

**Mr. RUSSELL.** No; but I did not want the opportunity to pass, since no new Senator is present on the floor——

**Mr. CLARK.** The Presiding Officer (Mr. McINTYRE in the chair) is.

**Mr. RUSSELL.** When the Senator from Pennsylvania made that concession, I thought someone should thank him for his magnanimity. Therefore, while I cannot speak as a new Senator—as a matter of fact, I am getting a little rusty around here—I wanted the Senator from Pennsylvania to know, inasmuch as he took the same position I did, that the new Senators had exactly the same right as did the Senator from Minnesota, the Senator from New Mexico, and the Senator from Pennsylvania on this floor, as it has been stressed, and no one brought it forward.

Instead, the Senator from Minnesota said the Senator from New Mexico has a right to move to take up his resolution. Who sought to deny him that right? We have not. The Senator from Minnesota said the Senator from New Mexico was elected to this body, that he was sworn in as a Senator and he has rights here, and that Senators want to vote on the resolution. That is correct. We concede the right of the Senator from New Mexico to make the motion; we do not think it is good parliamentary procedure to bypass committees; we know it is not in the tradition of the Senate to bypass a committee on an important resolution which would gag Members of the Senate; but we concede he had the right to make the motion. However, those of us who are opposing the motion of the Senator from New Mexico insist we have an equal right to oppose that motion.

The Senator from Minnesota was more persuasive in asserting that right and of slurring over the rights of 99 other Senators than any other Member of the Senate.

The Senator from New Mexico has the right to make the motion, but we have the right to oppose it, and we are exercising that right.

The Senator from Minnesota has asked whether the motion by the Senator from New Mexico is unusual or unorthodox or un-American. No, I do not assert it is un-American, but I do say it is unusual and it is unorthodox to bypass the Rules Committee on a matter of this kind, involving the right of a Senator to speak on the floor, which we defend here as an ancient and a most important right that a Senator can exercise. In many instances it is a much more important right than the right to vote, because a Senator has only one vote, but he can cry out against an injustice, he can inveigh against a fraud, which will change a number of other votes in the Senate, and eventually see that justice and right are done.

The Senator from Minnesota referred to due process of law. He said, "I believe in due process of law. Let us vote now." Yes; he believes in due process of law as he interprets it. He says debate is exhausted, and he wants to vote. There are those of us who have rights that equal his rights on this floor who do not think debate has been exhausted. This is a matter involving an amendment of the rules which will change the very form of our government, because when the Senate is downgraded and is removed as the keystone of the arch of constitutional government, the form of our government is being changed in a very marked degree.

In the first place, we do not think this proposal should be brought up in the Senate without a committee having had an opportunity to pass on it, without a committee having had an opportunity to hear witnesses, to make the detailed staff analysis as to its effect on legislation, which we do as to ordinary legislation, not to speak of something that is as momentous in its character as this provision to change the rules.

I was also greatly disturbed by the reference made by the Senator from New Mexico to the rule of the House of Representatives. He said the House adopts its rules on opening day and they can move to close debate. God forbid that the Senate of the United States will ever be bound by the rules which exist in the other body, the House of Representatives of the United States. Why, they can invoke a rule that will prevent an amendment from being offered to the most important bills that come before that body.

**Mr. HILL.** Mr. President, will the Senator yield?

**Mr. RUSSELL.** Yes; I yield to the Senator from Alabama, who served with distinction in the House of Representatives for a number of years.

**Mr. HILL.** Is it not a fact that the House of Representatives proceeds under such rules, as the Senator has said, that debate can be cut off, and the House can prevent every Member of it from offering an amendment or suggesting a change to proposed legislation? Does not that fact make it all the more compelling why there should be free debate in the Senate?

**Mr. RUSSELL.** If that right is not maintained in the Senate, the right of the people of the United States to be heard on matters of vital concern will be absolutely denied and rejected, because any man who has ever been on the floor of the House has seen distinguished men in that body, who have served there 15 and 18 years, beg a Member of the House in charge of a bill, "Please give me 3 minutes to speak on this matter on the floor."

Sometimes they plead that they be allowed 2 minutes to speak on the floor. The Senator from New Mexico [Mr. ANDERSON] suggests that that is a desirable system for the Senate. I say it is time for every Member of the Senate to take a long look at this proposition before we are placed in the position of the House of Lords, with a great title but no power and authority.

**Mr. HILL.** Mr. President, will the Senator yield?

**Mr. RUSSELL.** I yield.

**Mr. HILL.** Is it not true that all history shows that whenever any individual or any group of individuals have sought to gain or exercise autocratic or tyrannical power, the first thing they have done, and the first thing they have sought to do, has been to shut off the voice of the people spoken through their representatives?

**Mr. RUSSELL.** That was true in the time of the Caesars. The drive of the Caesars for autocracy finally imposed a gag rule in the Roman Senate. The Senate and the Roman people had a great name and a great empire. There was nothing greater in those days than the Roman Empire. However, Caesar contrived a rule that gagged the Senate, and thus planted the seeds of the ultimate destruction of the greatest empire the world had ever seen up to that time.

When we come down to modern history, we know about Hitler and what he accomplished. We know what happened when Hitler proposed to suppress all speech which was contrary to his plans and programs in Germany. He imposed a gag rule in the German Reichstag. Then he proceeded to absolute domination in Germany.

It is unnecessary at this hour to dwell upon all the suffering that ensued throughout the world as a result of the gagging of the members of the German Reichstag.

The Senator from Alabama is eminently correct. We can go back to the earliest parliamentary body. As long as there was freedom of speech, and so long as the voice of the people could be heard, it was impossible to impose the tyrannical will of one man upon them. Once there was imposed a gag rule, once the voice of the representatives of the people was silenced, all they had left was a great title. The Senate of Rome had a great title. The title was there, but the power was gone, once that voice was silenced. When that power was gone, the twilight descended on the great brilliance of the Roman Empire.

Mr. SCOTT. Mr. President, will the Senator from Rome—Georgia yield?

Mr. RUSSELL. I am glad to yield to the Senator from Rome. [Laughter.]

Mr. SCOTT. I am the junior Senator from Pennsylvania. I am much impressed by the Senator's references to Roman history. Far be it from me to say to all the Ciceros and Cicerones whom we have in the Senate that I would venture to quote in any improper form or appellation any lines of Cicero, but I venture to ask:

"How far then, Catiline, will you abuse our patience?"

We in the Senate are infinitely patient, as we should be, of course.

May I ask the distinguished Senator from Georgia a hypothetical question? In defense of the right of free speech in the Senate of the United States, assuming that the Senator knows no more than I do, how much free speech remains presently engendered but undelivered on the part of Senators?

Let us assume that this urge for free speech were to be so great as to last until the next to the last day of this session. Does the Senator feel that then the Senate would be acting as a responsible body if it consumed 364 days in discussion, leaving one day for the consideration of the public business?

Mr. RUSSELL. The Senator, of course, has, as he has properly said, posed a hypothetical question—a very highly hypothetical question. I will only say this. There was a man who walked the earth 2,000 years ago and undertook to bring a new faith, a new religion, into the world. That religion has been preached every day somewhere, somehow, since the Man of Galilee first enunciated it. That may be too much. That may try the patience of some people. However, as long as there are sinners in the world, people will be justified in preaching that religion.

As long as there are those about who would gag the Senate of the United States, I have no apology to make for standing on this floor to defend the right of free speech in the Senate of the United States. If it takes 300 days, it would be better to spend the time doing that than the time used to pass some of the legislation that will be passed by the Senate.

Mr. SCOTT. Mr. President, will the Senator be good enough to yield further?

Mr. RUSSELL. Yes; I shall be glad to yield again, unimpressed as I am by the Senator's humor.

Mr. SCOTT. I am afraid that neither my humor nor logic will sway the Senator from his appointed position. Much as I respect the Senator from Georgia, I will not rely further on humor, but will meet him on the ground of logic, hopefully, I would say, first, by way of a preliminary, that I had the impression that the Man of Galilee died on the cross for the rights of all men, and that that would include civil rights; therefore, I think that those of us who feel very strongly that the rights of men must be preserved equally are entitled to believe that we are proceeding in the path of Christian ethics or Judeo-Christian philosophy, as the case may be.

Shall I assume from the Senator's answer that he does reply affirmatively to me that it would be better that his own view shall prevail, than that the public business shall be consummated?

Mr. RUSSELL. The Senator is entitled to draw any conclusion he desires from any statement I have made. However, if his memory is no longer as to what I said than as to what has transpired in the Senate, I cannot help him.

If there is any issue which has been voted on by a yea-and-nay vote over the last 5 years in more detail on the floor of the Senate than the various proposals that have been brought forward and called civil rights proposals, I do not know of any.

In 1957, when a civil rights bill was before the Senate, 41 or 42 amendments were offered. They dealt with every phase of that question that the mind of man could possibly conceive. Not only did Senators present amendments, but groups outside designed various legislative proposals for presentation in the Senate. They were voted either up or down by yea-and-nay votes in the Senate.

The Senate then proceeded to pass a bill after the majority in the Senate had worked its will. It passed what a majority called a civil rights bill.

Later, in 1960, we had the same experience here. A bill which was called a civil rights bill came to the floor of the Senate. We had a large number of yea-and-nay votes on it. I do not remember the exact number. Perhaps there were 50 such votes taken on various amendments. They covered every phase of so-called civil rights legislation that could be thought up by any person. The Senate voted on those amendments. The Senate voted them up or down by yea-and-nay votes. The Senate finally passed a bill again in 1960 which was called a civil rights bill.

Therefore, for the life of me I have never been able to understand the argument of those whose chief energies and abilities are devoted to developing what they call civil rights legislation that this issue has anything whatever to do with voting on so-called civil rights matters. In view of the record, I cannot understand why it is necessary to have a gag rule in the Senate to vote on civil rights legislation.

There has been no single class of legislation which has been voted on more often by yea and nay votes on the floor of the Senate over the past 5 years than what is called civil rights legislation. I deny that it is necessary to gag the Senate to get up civil rights legislation or to vote on civil rights legislation, or for the Senate to pass what it calls civil rights legislation, however vigorously it may be opposed by the Senator from Georgia.

Mr. SCOTT. Mr. President, will the Senator yield again, so that I may ask him a question?

Mr. RUSSELL. I am glad to yield to the Senator from Pennsylvania.

Mr. SCOTT. If the Senator feels that it is not necessary to gag the Senate, and if some of us feel that a change in the rules is essential, does not the Senator from Georgia feel that there should be some reasonable time in the near or prospective future by which that majority about which he speaks so feelingly should be given an opportunity to work its will as to the course of the proposed amendment to the rules of the Senate?

Mr. RUSSELL. As I said twice earlier this afternoon, this question will be voted on in due season, when Senators who hold views dear to them, and who have prepared speeches on the question, have had an opportunity to deliver them.

I can understand the anxiety of both the Senators from Pennsylvania. This is one subject in which they are in complete accord. This is one matter in which they are two souls with but a single heart; or two hearts that beat as one.

Mr. SCOTT. That has happened occasionally.

Mr. RUSSELL. In other instances, they may hold contrary views; but when it comes to the subject of changing the rules or doing anything else in order to please and appease the so-called civil rights advocates, they are two hearts that beat as one.

Mr. SCOTT. I thank the Senator from Georgia for his semitestimonial.

Mr. RUSSELL. If the Senator wishes to take it as that, he is perfectly willing to receive it. I assure the Senator from Pennsylvania that in due season, and before 365 days have expired, there will be a vote on this question on the floor of the Senate. But I do not care to tell the Senator the exact hour or moment when the vote will take place, because the Senator from Georgia does not know.

Mr. SCOTT. The Senator from Georgia has spoken of due season. I wonder if the Senator has in mind the season of the blossoming flower; the coming fruition or blessing of the land; the season of the falling leaves, or the season of the deepening snows.

Mr. RUSSELL. If the Senator from Pennsylvania will possess his soul with patience and occupy his seat in the Senate, he will be able to determine in what season the vote will be held, because it will be held.

Mr. SCOTT. Patience is a virtue; and virtue is its own reward.

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I wonder if the distinguished Senator knew that pursuant to the general course of the two distinguished Senators from Pennsylvania, the junior Senator from Pennsylvania [Mr.

Scott], like his distinguished senior colleague [Mr. Clark], voted for the 1959 resolution, by which section 2 of rule XXXII was accepted, and which he now proposes to repudiate.

**Mr. RUSSELL.** These questions involve matters which are not within the province of the Senator from Georgia to discuss.

**Mr. SCOTT.** Mr. President, will the Senator from Georgia yield, since the Senator from Florida referred to me?

**Mr. RUSSELL.** I yield.

**Mr. SCOTT.** Yes, indeed, I voted for it, because I have learned that when one cannot get all that he seeks, he should take what he can get. This was perhaps half a loaf. It was perhaps the best we could have got, after diligent effort and much controversy.

The very reason why we are here today urging action is that we were compelled by the circumstances of that occasion to vote for something which we thought was all good and to accept as a part of it something which we distinctly said, when we voted, was not good. We are now trying to eliminate the "not good," in order to secure what we seem to think may be the whole good, insofar as one may use that phrase in this imperfect world.

**Mr. RUSSELL.** Most of those who are espousing the proposed change in rule XXXII and say the rule is unconstitutional, did not believe it was unconstitutional when it was adopted. But I suppose what the question comes down to is: What is a difference in constitutionality among friends?

**Mr. CLARK.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I yield.

**Mr. CLARK.** Since my name has been brought into the debate, I should like to make a comment for the Record. I am sure that the Senator from Georgia will agree with me that confession is often good for the soul. I deeply regret my vote in that year. I am confident that the second section is unconstitutional. We may not have held that opinion at the time, but we learn by error.

**Mr. RUSSELL.** Honest confession is good for the soul. If the Senator is now of the opinion that the section is unconstitutional, I suppose he will vote accordingly. I should suppose that so careful and skilled a lawyer as the senior Senator from Pennsylvania would have apprehended that the section was unconstitutional if he had had notice as to the Senate's being a continuing body and that the rules of the Senate carry over from one Congress to the next.

**Mr. CLARK.** The Senator from Georgia is aware that for many purposes the Senate is not a continuing body. Every bill before the Senate when the 87th Congress adjourned, died. There are many other instances to prove that the Senate is not a continuing body. With respect to the adoption of rules, I think the Senate is not a continuing body. But that is a matter for debate. The proponents will support everything on the side which the junior Senator from Pennsylvania and I take on that question.

**Mr. RUSSELL.** Very well. I, of course, always concede to every man the right to hold his view and to change his mind. At times, I hold to my views with some tenacity. I have been known to change my mind, but I do not change it quite so often in relation to a matter of this kind, which has been before the Senate at the beginning of every Congress for the last five Congresses.

**Mr. HILL.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I yield.

**Mr. HILL.** The Senator from Pennsylvania has admitted that he was wrong when he cast his vote in 1957. Does not the Senator from Georgia believe it is entirely probable that several years from now the Senator from Pennsylvania will admit that the position he takes today is wrong?

**Mr. RUSSELL.** Yes; but I fear that the damage will have been done beyond repair. The Senator can admit his error in having voted for this measure, and it can do no damage; but if he should later say "I was wrong when I said we should gag the Senate by a majority vote," and the rights and liberties of the American people had gone down the drain as a result of that vote, it might then be too late, and there would not be room at the weeping wall for those who might wish to come up and bewail the vote.

Mr. President, I do not know whether any other Senator wishes to address the Senate.

**Mr. SCOTT.** I know of no other Senator who wishes to be recognized.

### RECESS

**Mr. RUSSELL.** Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 56 minutes p.m.) the Senate took a recess until tomorrow, Thursday, January 24, 1963, at 12 o'clock meridian.

# SENATE

## Thursday, January 24, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

Rev. C. Frank Pittman, D.D., pastor, Central Baptist Church, Greenville, S.C., offered the following prayer:

Almighty God, our gracious Heavenly Father, give us to know and to appreciate properly Thy generous, benevolent hand that supplies our needs from day to day. Thou hast so graciously blessed us as a nation. Enable us to walk humbly and uprightly before Thee. Let us never forget that Thou art our mighty protector, and except Thou dost build the house, they labor in vain that build it; except Thou dost guard the city, the watchman walketh but in vain. We humbly beseech Thee to continue Thy favors upon our great Nation. Give the needed measure of wisdom and strength to these, Thy servants, as they minister in their places of responsibility. Bless our President and all those who serve with him. Grant them health and strength for their exacting tasks. Bless the citizenship of our Nation. Grant us the needed wisdom in this day to be servants endowed with proper wisdom to know and to do what we should do; and as citizens of two worlds may we render unto Caesar what belongs to Caesar, and unto God what belongs to God. In humility we confess our sins, asking Thy forgiveness. Humbly we make our petition in Christ's name. Amen.

### THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 23, 1963, was dispensed with.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session,

The **VICE PRESIDENT** laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### ATTENDANCE OF A SENATOR

**HARRY F. BYRD**, a Senator from the State of Virginia, attended today.

### TRANSACTION OF ROUTINE BUSINESS

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that there may be a morning hour for the introduction of bills and the transaction of routine business.

The **VICE PRESIDENT**. Without objection, it is so ordered.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The **VICE PRESIDENT**. Without objection, it is so ordered.

### EXECUTIVE COMMUNICATIONS, ETC.

The **VICE PRESIDENT** laid before the Senate the following letters, which were referred as indicated:

Report on Title I Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of December 1962 (with accompanying papers); to the Committee on Agriculture and Forestry.

Report of Director of Selective Service

A letter from the Director, Selective Service System, Washington, D.C., transmitting, pursant to law, his report, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

### Amendment of Title 10, United States Code, To Provide for Participation by Members of the Armed Forces in International Sports Activities

A letter from the General Counsel of the Department of Defense, Washington, D.C., transmitting a draft of proposed legislation to amend title 10, United States Code, to provide for participation by members of the Armed Forces in international sports activities (with an accompanying paper); to the Committee on Armed Services.

### Repeal of Legislation Relating to Purchase of Silver

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to repeal certain legislation relating to the purchase of silver, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

### Audit Report on Federal Prison Industries, Inc.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on Federal Prison Industries, Inc., Department of Justice, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Federal Deposit Insurance Corporation

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Deposit Insurance Corporation, for the year ended June 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Audit Report on Federal Home Loan Banks Supervised by Federal Home Loan Bank Board

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal home loan banks supervised by the Federal Home Loan Bank Board, year ended June 30, 1962 (with an accompanying report); to the Committee on Government Operations.

### Report on Review of Renovation of Certain Quarters, Veterans' Administration Center, Los Angeles, Calif.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the renovation of housekeeping quarters No. 23, Veterans' Administration Center, Los Angeles, Calif., dated January 1963 (with an accompanying report); to the Committee on Government Operations.

### Col. Frank D. Schwikert

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Col. Frank D. Schwikert, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

### Report on Administration of Welfare and Pension Plans Disclosure Act

A letter from the Secretary of Labor, transmitting, pursuant to law, his report on the administration of the Welfare and Pension Plans Disclosure Act, for the calendar year 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

### Definition of the Term "Child" for Lump-Sum Payment Purposes Under the Civil Service Retirement Act

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to define the term "child" for lump-sum payment purposes under the Civil Service Retirement Act (with an accompanying paper); to the Committee on Post Office and Civil Service.

### Report on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on positions filled in the U.S. General Accounting Office under the Classification Act of 1949, in grades GS-16, 17, and 18, for the calendar year 1962 (with an accompanying report); to the Committee on Post Office and Civil Service.

## RESOLUTION OF NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.

The VICE PRESIDENT laid before the Senate a resolution adopted by the National Association of Social Workers, Inc., of New York, N.Y., commending the President and the Congress for the enactment of the United Nations bond issue bill, which was referred to the Committee on Foreign Relations.

## INVESTIGATION OF CERTAIN MATTERS BY COMMITTEE ON PUBLIC WORKS—REPORT OF A COMMITTEE

Mr. McNAMARA, from the Committee on Public Works, reported favorably, without amendment, the resolution (S. Res. 12) authorizing the Committee on Public Works to investigate certain matters, and submitted a report (No. 4) thereon; which resolution, under the rule, was referred to the Committee on Rules and Administration.

## REPORTS OF COMMITTEE ON THE JUDICIARY

### STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 55) to study administrative practice and procedure, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practice and procedure within the departments and agencies of the United States in the exercise of their rulemaking, licensing, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 56) to investigate antitrust and monopoly laws of the United States, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV on the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws; and

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $535,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 57) authorizing a study of matters pertaining to constitutional amendments, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its activities and findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $51,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 58) to investigate matters pertaining to constitutional rights, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $165,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## CONSIDERATION OF MATTERS PERTAINING TO GOVERNMENT CHARTERS, HOLIDAYS, AND CELEBRATIONS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 59) to consider matters pertaining to Government charters, holidays, and celebrations, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to consider all matters pertaining to Federal charters, holidays, and celebrations.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $7,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## STUDY OF MATTERS RELATING TO IMMIGRATION AND NATURALIZATION

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 60) to study matters pertaining to immigration and naturalization, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## STUDY AND EXAMINATION OF THE FEDERAL JUDICIAL SYSTEM

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 61) to study and examine the Federal judicial system, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a study and examination of the administration, practice and procedures of the Federal judicial system with a view to determining the legislation, if any, which may be necessary or desirable in order to increase the efficiency of the Federal courts in the just and expeditious adjudication of the cases, controversies, and other matters which may be brought before them.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis professional, technical, clerical, and other assistants and consultants: *Provided*: That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of departments and agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF ADMINISTRATION, OPERATION, AND ENFORCEMENT OF THE INTERNAL SECURITY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 62) to investigate the administration, operation, and enforcement of the Internal Security Act, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its territories and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, that the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $360,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF JUVENILE DELINQUENCY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 63) to investigate juvenile delinquency, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts; and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $188,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 64) to investigate national penitentiaries, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## EXAMINATION AND REVIEW OF ADMINISTRATION OF THE PATENT OFFICE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 65) to examine and review the administration of the Patent Office, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF PROBLEMS CREATED BY FLOW OF ESCAPEES AND REFUGEES FROM COMMUNISTIC TYRANNY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 66) to investigate problems created by flow of escapees and refugees from communistic tyranny, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems created by the flow of escapees and refugees from Communist tyranny.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $87,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

## STUDY OF REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 67) to study revision and codification of the Statutes of the United States, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution the committee from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## INVESTIGATION OF ADMINISTRATION OF THE TRADING WITH THE ENEMY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 68) to investigate the administration of the Trading With the Enemy Act, which was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended, and consider proposed legislation affecting said Acts.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $60,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

J. Wesley Jones, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Peru.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. Moss):

S. 468. A bill to amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources; to the Committee on Public Works.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself and Mr. Javits):

S. 469. A bill to admit the vessels *Fort Town, Maple City*, and *Windmill Point* to American registry and to permit their use in the coastwise trade; to the Committee on Commerce.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 470. A bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 471. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Commerce.

By Mr. SIMPSON:

S. 472. A bill to prohibit the extension of Grand Teton National Park without the expressed approval of Congress; to the Committee on Interior and Insular Affairs.

By Mr. McINTYRE:

S. 473. A bill for the relief of Miss Wladyslawa Kowalczyk; to the Committee on the Judiciary.

By Mr. SMATHERS (for himself and Mr. Sparkman):

S. 474. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 475. A bill to amend section 503 of the Federal Aviation Act to provide substantive Federal law relating to the validity of conveyances which affect title to or interests in civil aircraft of the United States and related equipment; to the Committee on Commerce.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 476. A bill for the relief of Zenon Zubieta;

S. 477. A bill for the relief of Berenice Vanin;

S. 478. A bill for the relief of Felicia Atkins; and

S. 479. A bill for the relief of Chung K. Won; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 480. A bill to provide for the conveyance of a certain tract of land in Houston, Harris County, Tex., to the State of Texas; to the Committee on Armed Services.

S. 481. A bill for the relief of Marko Markovic; to the Committee on the Judiciary.

By Mr. MOSS:

S. 482. A bill to amend the act of June 14, 1926 (44 Stat. 741), as amended, to provide that conveyances under such act for State park purposes shall be made without consideration; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK (for himself and Mr. Allott):

S. 483. A bill to provide for the free entry of a microcalorimeter for the use of the University of Colorado, Office of Research Services, Boulder, Colo.; to the Committee on Finance.

By Mr. SPARKMAN (for himself and Mr. Yarborough):

S. 484. A bill to provide assistance in acquiring specially adapted housing for certain blind veterans who have suffered the loss or loss of use of a lower extremity; to the Committee on Banking and Currency.

By Mr. BIBLE (by request):

S. 485. A bill to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended;

S. 486. A bill to amend certain criminal laws applicable to the District of Columbia, and for other purposes;

S. 487. A bill to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced;

S. 488. A bill to amend the District of Columbia Traffic Act, 1925, as amended;

S. 489. A bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia;

S. 490. A bill to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia so as to eliminate the requirement that an alphabetical file on such liens be maintained;

S. 491. A bill to amend the act of February 9, 1907, entitled "An act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia," as amended, with respect to the minimum age limitation for registration; and

S. 492. A bill to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939, as amended; to the Committee on the District of Columbia.

By Mr. KUCHEL:

S. 493. A bill for the relief of Maria J. M. DeBrito; and

S. 494. A bill for the relief of Ingrid Davis; to the Committee on the Judiciary.

By Mr. DODD:

S. 495. A bill for the relief of Evanthia Haji-Christou; and

S. 496. A bill for the relief of Enrico Agostini and Celestino Agostini; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 497. A bill relating to the tax treatment of transfers of rights to copyrights and literary, musical, and artistic compositions;

S. 498. A bill to amend the Internal Revenue Code of 1954 to provide for the averaging of income derived from literary, musical, and artistic compositions and copyrights by the individuals whose efforts created such property; and

S. 499. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admissions to any live dramatic (including musical) performance; to the Committee on Finance.

S. 500. A bill relating to college academic facilities and student assistance; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. BEALL:

S. 501. A bill for the relief of Dr. Cristobal Vela; to the Committee on the Judiciary.

By Mr. HAYDEN (for himself, Mr. ANDERSON, Mr. BIBLE, Mr. ENGLE, and Mr. MOSS):

S. 502. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HAYDEN when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 503. A bill to authorize the addition of certain donated lands to the administrative headquarters site, Isle Royale National Park; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

S. 504. A bill for the relief of Domenico Martino;

S. 505. A bill for the relief of Khalil Maghen;

S. 506. A bill for the relief of Panagiota Makris;

S. 507. A bill for the relief of Dr. Chul Nam Lee;

S. 508. A bill for the relief of Mrs. Hae Kyong Han, and her minor children, Myong Suk Lee, Ki Dong Lee, and Kyong Dong Lee;

S. 509. A bill for the relief of Dr. George R. Mikhail, his wife, Mrs. Elizabeth Mikhail, and their children, Marianne Mikhail and Michael Mikhail;

S. 510. A bill for the relief of Joan Winkel Biront;

S. 511. A bill for the relief of Athanasios D. Tsigas;

S. 512. A bill for the relief of Dr. Mamdouh S. Younes; and

S. 513. A bill for the relief of Dr. Woo Yoon Chey; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 514. A bill for the relief of Emmanouel Christos Stasinos;

S. 515. A bill for the relief of Dr. Francisco B. deCarvalho;

S. 516. A bill for the relief of Dr. Shiro Shimosato;

S. 517. A bill for the relief of Mrs. Maria Luisa D. Furtado;

S. 518. A bill for the relief of Maria Pimentel De Sousa;

S. 519. A bill for the relief of Orazio Santangelo; and

S. 520. A bill for the relief of Silvestro A. Moco; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey (for himself, Mr. BURDICK, Mr. CLARK, Mr. HUMPHREY, Mr. DOUGLAS, and Mr. YARBOROUGH):

S. 521. A bill to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children; and

S. 522. A bill to amend the act establishing a Children's Bureau so as to assist States in providing for day-care services for children of migrant agricultural workers; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bills, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. BURDICK, Mr. CLARK, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 523. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes;

S. 524. A bill to provide for the registration of contractors of migrant agricultural workers, and for other purposes; and

S. 525. A bill to provide for the establishment of a Council to be known as the National Advisory Council on Migratory Labor; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bills, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. BURDICK, Mr. YARBOROUGH, Mr. CLARK, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 526. A bill to amend the Public Health Service Act so as to establish a program to assist farmers in providing adequate sanitation facilities for migratory farm laborers; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. CLARK, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 527. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes;

S. 528. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes; and

S. 529. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bills, which appear under a separate heading.)

## CONCURRENT RESOLUTION

### ONE GENERAL EXPENDITURE AUTHORIZATION ACT FOR EACH FISCAL YEAR

Mr. BYRD of Virginia (for himself and Mr. WILLIAMS of Delaware) submitted a concurrent resolution (S. Con. Res. 12) providing for one General Expenditure Authorization Act for each fiscal year, and for other purposes, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. BYRD of Virginia, which appears under a separate heading.)

## RESOLUTIONS

### RESOLUTIONS TO INVESTIGATE CERTAIN MATTERS BY COMMITTEE ON THE JUDICIARY

Mr. EASTLAND, from the Committee on the Judiciary, reported the following original resolutions, which were referred to the Committee on Rules and Administration:

S. Res. 55. Resolution to study administrative practice and procedure;

S. Res. 56. Resolution to investigate antitrust and monopoly laws of the United States;

S. Res. 57. Resolution authorizing a study of matters pertaining to constitutional amendments;

S. Res. 58. Resolution to investigate matters pertaining to constitutional rights;

S. Res. 59. Resolution to consider matters pertaining to Government charters, holidays, and celebrations;

S. Res. 60. Resolution to study matters pertaining to immigration and naturalization;

S. Res. 61. Resolution to study and examine the Federal judicial system;

S. Res. 62. Resolution to investigate the administration, operation, and enforcement of the Internal Security Act;

S. Res. 63. Resolution to investigate juvenile delinquency;

S. Res. 64. Resolution to investigate national penitentiaries;

S. Res. 65. Resolution to examine and review the administration of the Patent Office;

S. Res. 66. Resolution to investigate problems created by flow of escapees and refugees from communistic tyranny;

S. Res. 67. Resolution to study revision and codification of the Statutes of the United States; and

S. Res. 68. Resolution to investigate the administration of the Trading With the Enemy Act.

(See the above resolutions printed in full when reported by Mr. EASTLAND, which appear under separate headings.)

## SAVE OUR STREAMS

Mr. METCALF. Mr. President, during the 87th Congress, I introduced a bill designed to help protect our fish, wildlife, and recreation resources from damage in connection with Federal-aid highway construction.

The proposed legislation, S. 2767, of the last Congress, which came to be known as the SOS—save our streams—bill, died in the Committee on Public Works with the adjournment of the 87th Congress. S. 2767 proposed amendment of title 23 of the United States Code, relating to highways, to require approval by the Secretary of the Interior of surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems.

Today, Mr. President, I am reintroducing, on behalf of myself and the junior Senator from Utah [Mr. MOSS], the "save our streams" proposal. I earnestly hope this proposed legislation will receive favorable consideration by this Congress.

Damage to fish, wildlife, and recreation resources, due to highway construction, is a serious problem which we can no longer afford to ignore. It is a problem demanding immediate attention if we are to preserve these fast disappearing natural resources.

Mr. President, the evidence continues to mount that, throughout our Nation, highway engineers and builders are ruining some of our greatest natural resources—our fishing streams—through indiscriminate road construction; and, in many cases, they are using Federal funds to do it.

Gen. Omar Bradley recently was quoted by the National Wildlife Federation as saying:

> If we are not careful, we shall leave our children a legacy of billion-dollar roads leading nowhere except to other congested places like those left behind. We are building ourselves an asphalt treadmill and allowing the green areas of our Nation to disappear.

Integral parts of the "green areas" to which General Bradley referred are our streams, rivers, and lakes, which provide millions of Americans with recreational opportunities. These natural rivers, streams, and lakes constitute an irreplaceable resource, Mr. President, and they are disappearing. We must act—and act soon—if we are to preserve them for future generations.

Of course, the problem of stream damage from highway construction cannot be solved by Federal action alone; the solution will come only through cooperation with the various States. But we can take a big step in the right direction at the Federal level by providing that the Secretary of the Interior shall approve Federal-aid highway projects before they are started. In this way, Mr. President, we could be sure that fish, wildlife, and recreation resources would be protected in Federal-aid highway construction.

Such action at the Federal level would not cost a great deal of money—in fact, practically nothing, when compared with the vast benefits in the form of preserved recreation resources and aesthetic values which would accrue to this and succeeding generations.

When I introduced S. 2767 last year, Mr. President, I quoted from a letter from Director Walter J. Everin, of the Montana Fish and Game Department, to explain the need for such legislation. Mr. Everin's warning is even more important today than it was a year ago, for every year that passes, we have irrevocably lost to highway construction many more miles of superb fishing streams and rivers.

In his letter, dated January 9, 1962, Mr. Everin stated:

> As indicated by the enclosed reports we have made several requests to the Montana Highway Department that sections of proposed highways be rerouted to avoid damaging trout streams. To date we have not had a major request granted. The highway department has cooperated in saving a few natural stream meanders but only when there was no additional cost involved or the cost was negligible. In at least one instance a highway was routed into a trout stream to avoid the cost of moving a powerline.
>
> Only on national forest land has adequate consideration been given to stream preservation during highway routing and construction. This is due, of course, to the fact that permits must be obtained before construction can be undertaken on national forests.
>
> The basic problem is that by State law the highway department chooses the routes and makes decisions as to what considerations are important. There appears to be little question but that routing a highway up a stream valley is often the cheapest from the point of view of highway construction alone. Then, too, Congress has exerted pressure to keep Federal-aid highway construction as economical as possible.
>
> The highway department maintains that the Bureau of Public Roads will not approve the additional costs involved in saving streams. We have been told that the highways could be built away from streams but that the public has given no indication of being willing to pay the extra costs.
>
> Fishermen spent $36 million pursuing their sport in Montana last year. In other words, fishing is important enough to the State's economy alone that it should not be allowed to dwindle away for lack of concern. Good fishing depends, more than anything else, on good habitat; that is, natural stream meanders, pools, riffles, clean water, etc. At least 75 percent of the trout creeled in Montana originate from natural spawning. This is the fishing we are trying to protect from ruin due to stream alteration. Once lost it cannot be replaced.
>
> Part of the answer, it appears to us, is legislation that will protect fish habitat when projects are built with Federal funds.

Eugene B. Welch, pollution control biologist for the Montana Fish and Game Department, conducted in 1961 a study entitled "Destruction of Natural Fish Habitat Is Ruining Montana's Fishing Streams." He concluded his study with the statement:

> Montana trout streams are slowly being eaten away by legitimate processes carried on under the guise of "progress." Individually the losses do not appear great in most cases, however, grouped they are staggering.

I hasten to add, Mr. President, this is certainly not a problem unique to Montana, or even one confined to the West. It is a national problem requiring National attention as well as State attention.

After introducing the original "save our streams" bill last January, I received expressions of support from all parts of our Nation—north, south, east, and west, alike. Nearly every major national conservation organization is on record in favor of this proposed legislation. I have been encouraged by newspapers, periodicals, and citizens in every corner of this country. These people want our streams, rivers, and lakes preserved for their own and their children's enjoyment. The proposed legislation we are introducing today is one way we can help save our streams from undue encroachments by our modern civilization and preserve a very important part of our great American heritage.

When Congress adjourned last fall, I decided to determine the extent to which highway construction was threatening our streams and rivers. I sent questionnaires to fish and game management officials in each of our 50 States. To date, Mr. President, I have received responses from 46 States.

The questionnaire consisted of 10 questions, one of which was: "Are trout streams or other important fishing streams or lakes adversely affected by highway construction in your State?" Thirty-two of the forty-six States which have responded to the questionnaire answered affirmatively, although damage varies in seriousness from State to State.

Perhaps more significant were the responses to the question: "Do you feel that additional legislation at the Federal or State levels is necessary to bring about a satisfactory degree of coordination of highway and wildlife conservation interests and objectives in your State?" To this question, Mr. President, fish and game management men in 37 States replied, "Yes." Two States were undecided about the necessity for legislation, and only seven see no need for action in this area.

Mr. President, my questionnaire revealed general agreement, among those most qualified to know, that there is a need for legislation. This is not a partisan, political issue; it is a conservation problem cutting across party lines, as shown by responses to my questionnaire. Fish and game officials working for Republican and Democratic State administrations agreed that there is a need for legislation to protect fish, wildlife, and recreation resources from damage due to highway construction.

Our bill, Mr. President, provides a method of meeting that need. I urge my colleagues to study this problem as it relates to their own States. I hope this matter will receive the attention of the Congress this year.

Mr. President, I ask unanimous consent to have printed in the RECORD immediately following my remarks, the text of the bill, the Welch report to which I have referred, and other articles which point up the need for the legislation proposed.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, report, and articles will be printed in the RECORD.

The bill (S. 468) to amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources, introduced by Mr. METCALF (for himself and Mr. MOSS), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 106 of title 23 of the United States Code, relating to surveys, plans, specifications, and estimates for the Federal-aid highway systems, is amended by inserting at the end thereof a new subsection as follows:

"(d)(1) All surveys, plans, specifications, and estimates submitted to the Secretary under this section shall be submitted by the Secretary to the Secretary of the Interior, and the Secretary shall not approve any project under this section until the Secretary of the Interior approves the surveys, plans, specifications, and estimates for such project as being satisfactory in the interests of conserving fish and wildlife and recreation resources in the area of the project.

"(2) In order to carry out his functions under this subsection the Secretary of the

Interior (A) may conduct such investigations, surveys, and research projects as he deems necessary, and (B) shall consult with and give consideration to the recommendations of the appropriate agencies of the State submitting such project.

"(3) Funds made available under the provisions of section 104(a) for administration and research shall also be available for investigations, surveys, and research carried out by the Secretary of the Interior under this subsection."

The report and articles presented by Mr. METCALF are as follows:

### DESTRUCTION OF NATURAL FISH HABITAT IS RUINING MONTANA'S FISHING STREAMS

(By Eugene B. Welch, pollution control biologist, Montana Fish and Game Department, November 15, 1961)

What is happening to Montana's fishing? Is it declining because of increased fishing pressure? Or is it because the Fish and Game Department isn't planting enough fish? These two possibilities can be ruled out because about three-fourths of the fish caught are wild fish and in even the most heavily fished streams, the wild trout populations are underharvested. These facts have prevailed in the face of increased trout stocking.

Records show a sevenfold increase in the catchable trout stocking program over the 10 years from 1948 to 1958. With all of these fish being planted it would seem our streams would soon be full of trout and fishing would be getting better and better. Why doesn't this happen? Biologists have shown that habitat is the key to good trout fishing. That is, a stream must have adequate cover for trout, preferably brush and undercut banks which are formed by a meandering stream. The stream must have adequate spawning conditions—this means little or no sediment pollution. And adequate food conditions must prevail—which again means little or no pollution of any form (sediment, organic waste, pesticides, or industrial waste). Yes, trout are fussy, and if any of these ingredients for good habitat are missing, a desirable trout fishery, the type that lures anglers from all over the United States to Montana, will also be missing regardless of how many hatchery fish are planted. However, if adequate habitat is available, wild trout can maintain a hatchery, in most streams, without stocking.

Realizing the extreme importance of Montana's wild trout fishery and the fact that two-thirds of the Montana anglers prefer stream fishing, what is being done to preserve these streams so they will produce trophy trout for future generations? Tourists are not attracted by large reservoirs with expanses of exposed mud flats—that is not the kind of trout fishing Montana is famous for. It is the productive trout streams like the Madison, Gallatin, Big Hole, Beaverhead, Yellowstone, and Rock Creek (near Missoula), to name a few, that have branded Montana as a famous trout fishing State. The reason they have been productive is because the right kind of habitat has been present.

What is happening to our trout streams? They are slowly being eaten away by legitimate processes carried on under the guise of progress. Individually the losses do not appear great in most cases, however, grouped they are staggering. What are these processes? They are as follows:

1. Channel realignment by highway construction, railroad construction, individual landowners, municipalities, and various Federal agencies. Highway construction is the most destructive.

2. Dewatering of the natural streams for irrigation. Without water it is not possible to raise fish. If only the flow is cut for one day—the protection is taken away from the fish revealing it to predators or else the fish dies from increased water temperature and oxygen reduction.

3. Sediment pollution from overgrazing, irrigation waste water, logging, or mine wastes. Sediment seals the fate of fish by decreasing reproduction and the food supply. It does not kill fish directly under natural conditions.

4. Other forms of pollution: industrial waste, pesticides, etc.

5. Stream bank destruction, such as; brush removal, overuse by cattle, diking for flood protection, and bank stabilization with car bodies, steel riprap, etc. These all have the effect of removing the all important cover from the bank which is necessary for trout.

How extensive are the processes of habitat destruction in Montana? How many miles of stream have been affected? To partially answer these questions we might look at highway construction and the impact it has had and will have on several streams in the State. Twenty-four streams, or segments of streams (see appendix), were surveyed during 1961 and were found to have lost at least 78.4 miles of their original channel to highway and railroad construction.

Meanders were cut off and the water diverted into new, shorter, straightened channels. The water velocity is thus increased and in many cases the streambank (which has been cleared of vegetation) is eroded causing sedimentation downstream.

What effect does straightening the channel have on the fish population, the water is still there even though the area is reduced? Studies have shown that as much as 94 percent of the fish 6 inches long and over can be eliminated from a section of stream that was straightened to follow the highway. Even if the stream is given several years to recover there are still only 4 catchable-size trout where there once were 10. The removal of brush cover (coincident with highway construction) has been shown to decrease or even eliminate a fish population.

South Dakota biologists have shown where there were once 1,200 miles of trout streams in the Black Hills, a renowned recreation area, there are now only 160 miles remaining that will support trout. They attribute the major portion of this loss to highway construction and the sediment pollution it produces. The President's Pollution Control Advisory Board considers highway construction as a major cause of sediment pollution and stream destruction.

A pilot study was run by the fish and game department on the Little Big Horn River in which all types of channel alteration were considered. A total of 54 miles (45 percent of the total length) of original stream channel were lost or altered to the point of being unsuitable for trout.

A few words might be said about stream improvement. Stream improvement devices have not been found to take the place of natural cover. Michigan has been the leader in this field and they have given up widespread use of improvement structures as too costly with too few dividends. They have gone to improvement of the entire watershed under the theory that a stream depends on a well-vegetated watershed in addition to an undisturbed flood plain and without them it is not possible to improve a stream. With a good watershed producing water of sufficient quality and quantity the natural meandering of the stream will create desirable trout habitat. Of course, the stream has to be allowed to meander. Michigan has chosen to treat the real cause rather than the symptom.

Montanans must take action if the valuable trout streams of the State are to be preserved. With proper consideration and direction our trout streams can remain in a natural, productive condition long after highways have come and gone. However, if highways are built at the expense of the trout stream, Montana will soon be holding a postmortem similar to that on the now ruined trout streams in the Black Hills of South Dakota.

#### APPENDIX

*Summary of channel changes caused by highway construction on 24 streams surveyed in 1961*

| Stream | Nearest landmark | Miles of stream lost |
|---|---|---|
| North Fork, Blackfoot River. | Ovando, Mont | 0.50 |
| Bitterroot River | Florence, Mont | 1.00 |
| Skalkaho Creek | Hamilton, Mont | .37 |
| West Fork, Bitterroot River. | do | .34 |
| East Fork, Bitterroot River. | do | 1.83 |
| Bridger Creek | Bozeman, Mont | 1.00 |
| Big Spring Creek | Lewistown, Mont | 1.90 |
| Clark Fork River (below Drummond to Missoula). | | [1] 21.17 |
| St. Regis River | St. Regis, Mont | 12.00 |
| West Gallatin River | Bozeman, Mont | 6.52 |
| Little Big Horn River | Hardin, Mont | 1.78 |
| Boulder River | Boulder, Mont | 3.70 |
| Deep Creek | Townsend, Mont | 4.17 |
| Sheep Creek | White Sulphur Springs. | 2.53 |
| Belt Creek | Monarch, Mont | 4.40 |
| Bison Creek | Boulder, Mont | .43 |
| Beaverhead River | Armstead, Mont | .55 |
| Do | Pipe Organ Lodge | [1] 1.02 |
| Lower Prickley Pear Creek. | Clancy, Mont | 2.15 |
| Newlan Creek | White Sulphur Springs. | .70 |
| Otter Creek | Raynesford, Mont | 2.85 |
| Prickley Pear Creek | Wolf Creek, Mont | [2] 5.49 |
| Cut Bank Creek | Browning, Mont | .25 |
| Rocky Creek | Bozeman, Mont | [2] 1.50 |
| Total | | 78.40 |

[1] Includes damage due to railroad construction.

[2] Proposed.

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[Conservation News, published by National Wildlife Federation, Dec. 15, 1961]

### LOGAN CANYON PORTENDS NATIONAL ROADS IMPLICATION

Regional Forester Floyd Iverson, when interviewed by TV newscasters about the refusal of the Forest Service to grant a permit to improve a highway in Logan Canyon, Utah, stated that the action could have national effects. A large segment of citizens would hasten to add beneficial effects. Mr. Iverson told the Utah Highway Department and the U.S. Bureau of Public Roads that his agency is under increasing fire from groups throughout the Nation who protest marring of the natural beauties of forest lands.

Thus a series of negotiations has come to an apparent plateau for the time being. The highway department and Forest Service have worked on plans to improve the highway and still retain the scenic beauties and fishing for which Logan Canyon is famous. News releases state the two agencies are about $125,000 apart on a 4⅕-mile section of canyon highway. The meeting held on November 22 came to an impasse when neither side felt it could compromise further on the basic issues involved.

If authorities see fit to put the $125,000 addition into the project, what then? Just this—it still ends up being a compromise as far as the scenic values and retaining proper conditions for fish life are concerned. The decision to allow even this much destruction is causing a wave of wincing among people who know the fragile nature and importance of trout streams. How firm can one stand in the way of progress and still be practical?

Details of negotiations in this case are difficult to report. According to press releases from Salt Lake City, the State highway commission has, in a period of weeks, changed its mind several times on how to handle this negotiation.

The Logan Canyon case may be a promise that whenever new or improved highway projects are contemplated on forest lands the Forest Service will resist pressures to insist on all of the numerous land uses being taken into account. Increasing pressure for road rights-of-way, reservoir sites, energy, and communication lines, public use areas, commercial operations, recreation facilities, and other uses will require increasing careful planning and long-range viewpoints so a hodgepodge of cluttered countryside will not occur on these Federal lands as is so often the case on lands where no such control exists.

It is reported that the State, with the blessing of the Bureau of Public Roads, in the planning figured about $125,000 more to preserve the canyon's beauties and stream over what ordinarily would go into this road. Incidentally, three-quarters of the total road costs for this project will come from Federal funds. Without the Forest Service being in a position to require compromise, the additional funds for preservation probably would not have even been considered. Unfortunately, no such agency exists for most lands on which highways are being built. While many highways use lands not critical in nature and while roadside beautification is improving, attrition is still hardly the word to describe what is happening to many public values due to roadbuilding.

The Forest Service can take a firm stand in these matters only as long as the public is willing to support them. Using the words "in the public interest" rings off key when uttered by individual public servants without concrete visible verbal and written support from individuals and groups which constitute this public. Floyd Iverson and his staff deserve praise for the Logan Canyon position. It may influence roadbuilding on forest lands in many States.

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[From Transactions, American Fisheries Society, 1959]

### Detrimental Effects of Highway Construction on a Montana Stream

(By Arthur N. Whitney and Jack E. Bailey)

In 1955, it was learned that plans for highway improvement in Granite County, Mont., would involve some channel changes on Flint Creek. This stream is a tributary of the Clark Fork of the Columbia River. The fish population in several sections of Flint Creek had been inventoried annually each spring by electric shock census as part of a Federal aid investigations project (Montana F-13-R) initiated in 1954.

Flint Creek averages about 20 feet in width, 6 inches in depth. It has holes up to 4 feet deep, and has an average flow of about 15 cubic feet per second. In its original condition good trout cover was provided by overhanging willows and undercut banks (fig. 1). Rainbow trout (Salmo gairdners), cutthroat trout (Salmo clarks), eastern brook trout (Salvelinus fontinalis) and mountain whitefish (Prosopium williamsoni) are the game fishes in this study area.

A 230-volt direct current portable generator, used for fish population census, was efficient at capturing approximately 90 percent of the large sized (6 inches total length and over) game fish present in Flint Creek, as indicated by recaptures of tagged trout. Sections of the stream to be shocked were blocked off with one-half-inch mesh seines placed a measured distance (usually 300 feet) apart.

The new highway construction was begun in the fall of 1956 and continued through the summer of 1957. A bulldozer was used to remove brush, scour the stream bed and straighten approximately 350 feet of the channel of Flint Creek (fig. 2). Such channel changes are common along new highway construction in mountainous terrain and affect many miles of stream each year in Montana.

Nearly the same 300-foot section of stream at the highway construction site was sampled each spring from 1955 through 1957. Fish taken in 1955 and 1957 were enumerated, weighed, measured, and recorded (table 1). Those taken in 1956 were counted and recorded only as over or under 6 inches in total length. All fish captured were returned alive to the study area. Numbers of large sized trout captured were 75 and 69 in 1955 and 1956 respectively. Only six large sized trout were found in this section in 1957, after the channel changing phase of the highway construction had been completed.

The reductions shown in table 1 were 94 percent in both numbers and weight of large sized game fish. In small sized game fish (under 6 inches total length) these reductions were 85 percent in number and 76 percent in weight.

TABLE 1.—*Game fish captured by electric shocker from 300-foot section of Flint Creek, Mont., 1955 and 1957*

| Species | 1955 | | 1957 | |
|---|---|---|---|---|
| | Number | Pounds | Number | Pounds |
| Large-sized fish: | | | | |
| Rainbow and cutthroat trout | 68 | 12.63 | 6 | 1.19 |
| Eastern brook trout | 7 | 3.86 | 0 | 0 |
| Mountain whitefish | 16 | 2.25 | 0 | 0 |
| Total, large-sized fish | 91 | 18.74 | 6 | 1.19 |
| Small-sized fish: | | | | |
| Rainbow and cutthroat trout | 46 | 1.32 | 6 | .26 |
| Eastern brook trout | 6 | .17 | 2 | .10 |
| Mountain whitefish | 1 | .04 | 0 | 0 |
| Total, small-sized fish | 53 | 1.53 | 8 | .36 |
| Total, fish, all sizes | 114 | 20.27 | 14 | 1.55 |

### Sport Fisheries Resources and the Proposed Interstate Highway Between Mouth of Bell Canyon and Barratts Siding

(Report by Montana Fish and Game Department, Helena, Mont., March 13, 1961)

The proposed route for the interstate highway in the Dillon-Armstead area involves several channel changes and other factors that will affect the fishery of the area.

One project (FAPI-15-1 11-37) concerns that portion of the proposed road between S28, T9S, R10W and S9, T11S, R10W. This construction will require channel changes on the Beaverhead River in T9S, R10W, sections 28, 32, and 33. It is our understanding that this portion of the construction will be put up for bids within the next month. Therefore, it appears that the fish and game department was advised of this project too late for recommendations or suggestions that would reduce the loss to fish habitat in the Beaverhead River.

The plans show an interchange at the Clark Canyon damsite and another at the south end of the Red Rock Arm of the reservoir. Between these two points, a distance of 5 miles, there will be no way for a fisherman to get to the reservoir. Over $1 million of the costs of the Clark Canyon Reservoir project are allocated to fish and wildlife benefits. Therefore every effort should be made to insure that adequate access to the reservoir is provided.

The proposed interstate highway between Pipe Organ Lodge and Barratts Siding involves extensive channel changing. Between stations 777 and 784 a 700-foot artificial channel will replace approximately 850 feet of streambed. The proposed route goes around the base of Pipe Organ Bluff and there is no reasonable way of avoiding this stream loss. A 700-foot change is also proposed between stations 973 and 980.

The most serious changes are between station 852 and 937. The three changes in this area total 6,950 feet of artificial channel that will replace something over 7,000 feet (1.3 miles) of natural streambed. Part of the old streambed will be retained between stations 930 and 937 to provide drainage for Grasshopper Creek. However, the quality of this portion of the channel for fish habitat will be greatly reduced. An alternate survey was made away from the river bottom between a point near station 820 and the mouth of Grasshopper Creek. This route would cause only one-fifth as much fish habitat loss as the proposed route; however, an evaluation by the highway department indicates it will be more expensive due to extra excavation and other work necessary to meet interstate highway standards.

Trout fishing in the Beaverhead River ranks high not only in Montana and the northern Rocky Mountain region but nationally as well. In fact, in a recent survey by a national outdoor magazine it was listed among the 100 best trout streams in the country.

The greatest importance of the Beaverhead River fishery lies in the fishing pressure it can absorb in future years. A combination of population increases, more leisure time, and better highways will result in greatly increased fishing pressures on Montana trout streams. Fish habitat must be preserved if the State and Nation's recreation needs are to be met.

It is anticipated that the Beaverhead River could easily support fishing pressures of 50 fishermen per mile each day or an annual total of 12,000 fisherman days per mile. Using the 1948–54 average fisherman expenditure of $7.38 per day, gives this stream a potential value of nearly $90,000 per mile per year. This is a minimum figure since this stream could support heavier fishing pressure and the estimated daily expenditure of $7.38 is undoubtedly below present or future costs.

Due to the importance of the Beaverhead River, the Montana Fish and Game Commission requests every consideration be given to following the alternate route which stays out of the river bottom between station 820 and the mouth of Grasshopper Creek.

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### The Effects on Fish and Game of Proposed Routes for the Interstate Highway From Helena to the Vicinity of Wolf Creek, Mont.

(Report by Montana Fish and Game Department, Helena, Mont., January 30, 1961)

A multimillion-dollar highway construction program is in progress in Montana. Good roads generally assist hunters, fishermen, campers, picnickers, and others reach the site of their outdoor recreation. However, the quest for faster, better roads often results in the ruination of fish habitat in streams and, in the case of limited access highways, bars access to outdoor recreation areas.

The proposed interstate highway between Helena and the vicinity of Wolf Creek could cause excessive losses to fishing and hunting due to the possible location of a four-lane, limited access highway in Wolf Creek Canyon.

Information furnished by the Montana State Highway Commission indicates three possible routes for this highway. The west and middle routes follow closely along Prickley Pear Creek from Sieben through Wolf Creek Canyon. The east route crosses the Missouri River and follows the east shore of Holter Lake until it meets the present highway. This latter route would have considerably less detrimental effect on fish and wildlife habitat than the other two. Following are evaluations of the effects of these three highway locations on (1) fish and (2) game.

### COMPARATIVE EFFECTS OF THE THREE PROPOSED HIGHWAY LOCATIONS ON FISH

The proposed east highway location would involve no loss of stream channel and could provide much-improved access to Holter Lake and the surrounding recreational area. Over much of the proposed route, this area is now accessible only on foot or horseback. The middle route (the route most favorably considered by the highway commission) would destroy 4 to 6 miles of natural stream channel and greatly restrict access to the undamaged section of stream in Wolf Creek Canyon. The west route involves even more fish habitat destruction.

Two-thirds of the people fishing Montana waters prefer stream fishing to lake or reservoir fishing as indicated by their fishing habits. Prickley Pear Creek rates relatively high on the statewide stream evaluation. (Stream Classification Committee, 1959.) It is in the class III group, designated as of interest to a large portion of the State. There are only 3,900 miles of stream in Montana in this or a higher class. Most fishermen on Prickley Pear Creek are from Great Falls and Helena. This stream plus the Prickley Pear Creek through Clancy (which will also be subjected to severe fish habitat losses due to interstate highway construction) contribute a sizable amount of the stream fishing in this area.

A fish population study was conducted on the Prickley Pear Creek in Wolf Creek Canyon during the summers of 1949, 1950, and 1951 (Stefanich, 1952). Six 600-foot sections were randomly selected and found to have an average of 211 pounds of game fish per mile—a good population. The habitat was excellent for trout and whitefish except in relatively short stretches where it had already been destroyed by channel changing during highway and railroad construction. Observations in the sections studied indicated that Prickley Pear Creek varied from 15 to 60 feet wide with maximum depths from 6 inches to 8 feet. There was a gradient of 41 feet per mile and the highest temperature recorded was 67° F. There was a good interspersion of pools and riffles with good cover provided by undercut banks and overhanging brush. Food production was good and adequate spawning areas were available.

Based on creel census estimates, 2,072 to 3,377 fishermen trips were made in the canyon in 1951 and again in 1952. This is about 230 fishermen per mile per summer. The U.S. Fish and Wildlife Service (Nicholson, 1957) estimated the average daily expenditure by cold water fishermen in the Missouri River Basin during the period 1948 to 1954 was $7.38. Using this figure the 2,072 to 3,377 fishermen on the 12-mile stretch of stream spent $15,291 to $24,922 annually or approximately $1,700 annually per stream mile.

The real value of Prickley Pear Creek lies in its potential as a fishing stream. The number of fishermen trips in the Nation and in Montana is expected to expand in the next few decades. In fact, in the past 10 years Montana fishing pressure has increased at about twice the rate of the general population increase. Increased numbers of fishermen coupled with destruction of many additional miles of fish habitat by dewatering, road construction, pollution, etc., will result in greatly increased use of all remaining fishing streams.

It is anticipated that Prickley Pear when managed for full utilization can furnish 6,400 man-days of fishing per mile each year. This estimate is based on present concentrations of fishermen on streams in more heavily populated States. Using the $7.38 per day fisherman expenditure figure gives Prickley Pear Creek a potential annual value of approximately $47,000 per stream mile. Either inflation or deflation could alter the potential annual value. It is anticipated that if the habitat of Prickley Pear Creek is maintained, the fisherman use will steadily increase from the present use to this full utilization.

An interstate highway through Wolf Creek Canyon has two possible routes (1) primarily east of the stream and (2) primarily west of the stream.

The east route through Wolf Creek Canyon would involve approximately 3,240 feet of channel change along with a serious reduction in access to the stream, parking areas, and picnic areas. This would greatly decrease recreational use of the stream. The access limitation could be alleviated if the old Mullan Road were reopened.

The west route through the canyon would result in 4 to 5 miles of additional channel change over and above that of the east route. These 4 to 5 miles would be in the most productive part of the stream. This channeling would reduce the fish habitat in the 12 miles of stream involved by at least one-half. Whitney and Bailey (1959) found that channel changes on Flint Creek due to highway construction near Philipsburg resulted in a loss of 94 percent (by number and weight) of game fish 6 inches and longer in affected stretches of the stream. Cutting the cottonwood trees along the river, as planned in connection with the west route, would reduce shade and cover important to fish life and to the recreation-minded public. This route would probably involve a series of drops or dams in the stream to reduce the stream's velocity. Possibly these could be designed to permit fish passage and provide pools which would mitigate some of the fish habitat damage caused by stream straightening. It is anticipated that in time these pools would fill with sediment.

### COMPARATIVE EFFECTS OF THE THREE PROPOSED HIGHWAY LOCATIONS ON GAME

Deer, elk, and mountain goats are the chief big game species found in the mountainous sections of the area between Helena and Wolf Creek. Important game birds are blue and ruffed grouse. Waterfowl, both ducks and geese, are commonly found on the section of Holter Lake adjacent to the east route.

Hunting is an important recreational activity in this area, particularly in the vicinity of Wolf Creek Canyon.

Difficulty in getting off the interstate highway to hunt big game and mountain grouse in the section between Sieben and Wolf Creek (Wolf Creek Canyon) would represent a definite wildlife management detriment in the selection of either the middle or west routes.

The exchange at the mouth of Lions Creek would aid in access to one of the more important hunting sections of the Wolf Creek Canyon area. A very substantial amount of the canyon area would still remain accessible, however.

Definite big game and game bird hunting benefits would be gained by the selection of the east route. A big game area of major importance on the east side of Holter Lake that is now definitely underharvested would be made much more accessible to sportsmen by the interstate highway. Waterfowl hunting on Holter Lake would become more important with improved access.

In summary, either the middle or west routes would seriously limit access to presently important big game and mountain grouse hunting areas in Prickley Pear Canyon.

Conversely, both big game and waterfowl hunting would be improved by the increased access made available in the construction of the east route.

### DISCUSSIONS AND CONCLUSIONS

The route along Holter Lake is by far the most desirable from the outdoor recreation viewpoint. Improved access would be provided to an area that now has very limited access, and greatly increase the use of Holter Lake as a recreation area. Even more important, damage to Prickley Pear Creek and the reduction of access to hunting could be avoided.

The highway commission is dedicated to the policy of building the best roads possible at least cost. This often means straight routes through narrow canyons which crowd formerly valuable streams into sluice-like runs of little value to fish life. Wildlife and esthetic values in this program, we feel, have not been given sufficient consideration. Roadbuilders should assume a responsibility toward maintaining certain other values when considering the routing of highways.

Funds financing roadbuilding come from the same public that enjoys outdoor recreation. In Montana one-third of the population fishes or hunts. There is no estimate of how many others simply enjoy esthetic values such as the beauty of a natural trout stream.

Due to serious wildlife losses the Montana Fish and Game Department takes the stand that the interstate highway between Helena and the vicinity of Wolf Creek should not be routed through the Wolf Creek Canyon.

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*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 106 of title 23 of the United States Code, relating to surveys, plans, specifications, and estimates for the Federal-aid highway systems, is amended by inserting at the end thereof a new subsection as follows:

"(d)(1) All surveys, plans, specifications, and estimates submitted to the Secretary under this section shall be submitted by the Secretary to the Secretary of the Interior, and the Secretary shall not approve any project under this section until the Secretary of the Interior approves the surveys, plans, specifications, and estimates for such project as being satisfactory in the interests of conserving fish and wildlife and recreation resources in the area of the project.

"(2) In order to carry out his functions under this subsection the Secretary of the Interior (A) may conduct such investigations, surveys and research projects as he deems necessary, and (B) shall consult with and give consideration to the recommendations of the appropriate agencies of the State submitting such project.

"(3) Funds made available under the provisions of section 104(a) for administration and research shall also be available for investigations, surveys, and research carried out by the Secretary of the Interior under this subsection."

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[From the CONGRESSIONAL RECORD, 1962]

### HIGHWAY CONSTRUCTION AND STREAM CONSERVATION

Mr. METCALF. Mr. President, on January 30 I introduced S. 2767, to save our vanishing streams from the roadbuilders.

It would require approval of the Secretary of Interior of Federal-aid highway plans involving fish, wildlife, and recreation resources. The bill would require the Secretary to consult with appropriate State agencies.

I have had a considerable amount of mail in support of this proposal. But some of my correspondents suggest that this be left in the hands of the States.

That this has not worked is demonstrated in State after State. The President's Pollution Control Advisory Board considers highway construction as a major cause of sediment pollution and stream destruction. Some 1,200 miles of trout streams in the Black Hills have been reduced to 160 miles. South Dakota biologists attribute the major portion of this loss to highway construction and the resultant sediment pollution.

A 1961 survey of only a few of the streams in Montana showed 78.4 miles of original channel lost to highway construction.

In Montana, leaving this question in the hands of the State has meant leaving it in the hands of the highway department, which has demonstrated no concern for protecting valuable natural resources. In the words of Director Walt Everin, of the Montana Fish and Game Department:

"We have made several requests to the Montana Highway Department that sections of proposed highways be rerouted to avoid damaging trout streams. To date, we have not had a major request granted."

[From the Congressional Record, Mar. 5, 1962]

## SOS: Save Our Streams

Mr. **Metcalf.** Mr. President, highway construction is ruining many fine streams. On January 30, I introduced S. 2767, which would require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highways systems, for the purpose of protecting fish, wildlife, and recreation resources. The bill was referred to the Senate Committee on Public Works.

Recently, Utah State University published a study entitled "Road Construction and Resource Use"—Extension Circular 297. This statement, with recommendations for coordinated planning is a contribution of the College of Forest, Range, and Wildlife Management, at Utah State. The concluding recommendations are:

First. Begin a stepped up research program to determine future transportation requirements as related to resource use and human populations. It is suggested that the resources of universities be utilized for this research.

Second. Enact Federal and State legislation requiring coordination of all agencies having responsibility for resources affected by highway construction. At present, such consultation frequently takes place on a voluntary basis; but there is no legal mandate for coordinated planning.

Third. Establish through legislation, State highway planning boards or commissions having broad representation in all phases of land use, with authority to review and reject highway-design proposals.

Fourth. Obtain legislative recognition by local, State, and Federal Governments of this principle: The costs of adequately protecting major resources—forest, range, and watershed; recreational and scenic; and wildlife—are normal costs of highway construction.

Mr. President, I ask unanimous consent to have the text of this pamphlet printed in the Record.

There being no objection, the pamphlet was ordered to be printed in the Record, as follows:

### "THE GENERAL IMPACT OF HIGHWAY CONSTRUCTION UPON LAND USE

"The United States is experiencing a mass shift in population. There are movements from farms toward cities and from city centers outward, engulfing farms. This twofold shift has created the modern suburban phenomenon.

"There are many reasons for these movements, but their direction is determined largely by highway construction. This has been true since man's earliest times. Shelters, villages, towns, and cities have followed trails, roads, and waterways. To a large extent, accessibility and transportation govern where people live and how land will be used.

"Perhaps the most obvious effect of highway construction is the direct loss of land, especially farmland—an incipient erosion of a national resource. For example, the new Federal freeway program requires 30 acres per mile of highway. The freeways will consume the equivalent of 11,000 farms of 160 acres each. Of even greater importance is the indirect loss. Residential, business, and industrial expansions follow new highways, leapfrogging from one intersection to the next. These developments consume a vast acreage and modify the use of adjacent lands. Between the intersections, islands of unmanageable lands are created. These frequently become the sites for junkyards, shoddy developments, and other land wasting areas. The older concentrations become less important, but remain. This unplanned development of shoestring communities alters tax structures and complicates public services such as school facilities, garbage and sewage disposal, and police and fire protection.

"There are many other impacts including direct destruction of scenic, recreation, and wildlife values as well as the more subtle influence upon animal behavior, especially wildlife movements.

"While man has strong material interests, he has, through recorded history, demonstrated a strong desire and need for the aesthetic values of life. This is evidenced by the culture of early civilizations and by present day efforts to beautify utilitarian objects. Similar expressions are evident today in Europe. England, for example, takes great pride in the green belts which surround and beautify its communities. These make highway travel a more pleasing experience.

"Basically, highways serve a strictly utilitarian purpose—their function is to get people and materials from one place to another, whether this be for reasons of commerce, defense, or recreation. There is, however, a growing interest in beautifying these routes. This requires more money, first to minimize damage, and secondly to enhance the beauty of the road.

"Highway designers are primarily concerned with three factors: traffic patterns; engineering feasibility; and economy of design. These have been the guides governing highway construction. Traffic demands, destinations, safety factors, and public pressures have been important considerations. Rarely has the impact upon land use and human population distributions received adequate attention. Indeed, those who urge consideration of other resources are often labeled 'obstructionists to progress.'

"In States lacking a highway planning board or commission, the highway department has in effect become the land use planning agency, generally without personnel competent in many aspects of land use.

"This statement is concerned with the impact on only three major resources groups: (1) Forest, range, and watershed resources; (2) wildlife resources and (3) scenic and recreational resources.

### *"Forest, range, and watershed resources*

"Highways have certain positive values for forest and range resources. Timber and livestock are commonly transported by truck; hence, the improvement of roads aids in the normal activities of marketing these resources.

"Deleterious effects also occur. With better highways, more people visit forest and rangelands which are frequently critical watershed areas. Increased visits magnify fire dangers and the risk of denuding critical areas. Moreover, livestock losses due to theft and accident may occur more frequently. The latter loss can be minimized by fenced roadways. Fenced rights-of-way, however, complicate range management practices.

"Highway cuts frequently alter water table levels in their immediate vicinity. These changes often have adverse effects upon adjacent timber, causing it to become weakened and more susceptible to disease and insect infestation that may spread through the entire stand. This is but one of the unexpected and complex impacts of highway construction on natural resources.

"Watershed problems are serious. The large cuts and fills common to modern highway design expose raw, unstabilized soil to the forces of erosion. Further, hard-surfaced roadbeds accumulate water which must be disposed of wisely to prevent erosion damage. In mountainous range and forest lands this is not easy. Natural channels are often forced to accommodate quantities of water far beyond their natural capacities, and the frequently step gradients intensify erosive action.

"Concentrations of runoff from large areas into a limited number of culverts which conduct the concentrated flow into inadequate channels on the downhill side create major watershed problems. Highway engineering and designing should include facilities to reduce the concentration of runoff and to expend the energy of increased runoff volume and velocity so that soil stability is retained. Gully formation below culverts lowers water tables and is a prime contributor to deterioration of vegetation.

"There are similar problems, on a smaller scale, with access roads, trails, and other unsurfaced routes in forest and watershed areas. These, too, deserve careful attention.

"Erosion can be minimized by careful engineering. In the past, this has received too little attention. This may reflect a weakness in engineering education. Many engineers are not aware of the complex and adverse biological effects of erosion.

### *"Wildlife resources*

"Game: Highways are increasingly hazardous to game animals. Wider roads, higher speeds, and fenced rights-of-way combine to cause losses among game animals, especially in the West where big game migrations take place from mountains to foothills.

"Some of these losses and hazards will not be eliminated. Speed limits cannot be reduced to levels which would eliminate game losses. Nor can the width of the roads be reduced. Two features may be effective in considering game needs: road location, and type of construction, including fencing.

"In the West, big game animals, particularly deer, migrate from high mountain summer ranges to the foothill winter ranges. Since towns and cities are often located in the mouths of canyons, the major highways which connect these towns lie at the base of the mountains and, frequently, directly across these semiannual migration routes. Considerable losses occur in localities where there are large migrating herds. This has been true in the past with single lane roads, unfenced or so poorly fenced as to cause no obstacle to animal movements.

"The construction of wide, divided, and fenced freeways is of greater concern. The fences are not complete barriers to deer. Older and weaker animals often fail to clear the fence and become entangled. The animals entering the right-of-way face other obstacles, the second fence and the oncoming cars. They often become confused and mill about until hit by vehicles. Also, of paramount concern is the hazard to human life and property.

“These losses may be minimized by advance planning. In some areas, the highway could be located far enough from the foothills to avoid the major migration route and be fenced as an added precaution. Fences should be big-game proof. Where there is sufficient winter range above the highway, this may solve the problem.

“In some cases, highway location cannot be varied to avoid migration routes. This is true in canyons and where the winter range is a great distance from the planned route. The solution to this hazard may be fencing to prevent entry of animals into the right-of-way, combined with underpasses at strategic intervals. If properly constructed and located, it seems likely that these safeguards would provide sufficient opportunity for game to safely bypass the highway. However, the responses of big game to bypasses are not well known.

“Another problem is in maintaining adequate game harvest. Many canyon highways are narrow and tortuous. Often the entire canyon bottom may be expropriated by the right-of-way, effectively sealing off access to the trails and secondary roads leading up tributary drainages formerly open and used by hunters. The Federal freeway system, with its limited access, has the same effect. This prevents hunter access and proper harvesting of game in the contiguous areas, resulting in a deterioration of range conditions. Proper planning can minimize, if not eliminate, the difficulties. Interchanges leading to existing roads and new construction of subsidiary roads should be part of the roadbuilding operation if proper game harvest is to be maintained. Access is also needed in managing other resources—for timber removal, fire suppression, and moving livestock.

“The direct and indirect loss of farmlands is important to upland game, especially pheasants and quail. In addition to the land used for roads, residential, and industrial purposes, ‘shoestring’ developments create isolated islands of habitat where game management and harvest is impractical. These ‘islands’ cause safety problems; some areas must be closed even where game is present in harvestable numbers.

“Shifting human populations, following highway construction, cause changes in hunting pressures. Further, modern highways and automobiles result in a very mobile hunting public, with hunting areas within easy reach. This means that game managers should develop and use means of manipulating hunter pressure.

“Clearly, the impact upon game resources and their harvest must receive more attention in highway planning.

“Fish: Water courses, lakes, swamps, and marshes often complicate highway construction. Often the “ideal” site for a proposed highway is also the location of bodies of water. The simplest expedient is to follow the most economical course, and this course very often modifies the flow rate, gradient, pools, and riffles of a stream, or the water levels of marshes, swamps, and lakes. Waters, wherever they occur, are of scenic value. For that reason alone, their protection should be considered.

“A body of water capable of supporting fish is a living thing—a delicately balanced system. This is not generally understood. There is a delicate ‘chain’ that must not be broken—a chain of light and shade, aquatic plants and animals, adequate oxygen, proper temperatures, and other factors. Any disturbance of this chain upsets the delicate balance so essential to fish life.

“For example, channelizing or straightening a stream increases erosion and siltation, resulting in turbid waters. Sunlight reaching the stream bottom is reduced, eggs are smothered, and tiny food organisms suffocated. Removal of streamside vegetation reduces shade and increases water temperatures. Channelizing eliminates meanderings, increases the gradient and the velocity of the water. Fish, like all animals, need rest. With high velocity, rest is impossible and fish are eliminated. Channelizing also reduces the length of a stream, decreasing the amount of living space. The sum effect of channelizing a stream is to eliminate or very seriously reduce fishing.

“Earth filled structures across lakes cause biological changes. Water above the impoundment may fluctuate or stagnate, often causing changes in its biological composition.

“Drainage of swamps or marshes eliminates fish habitat and ultimately the fishery along with waterfowl and furbearer resources.

“Even with the best of intentions and substantial funds, complete mitigation of losses is virtually impossible. We do not know how to immediately create a fishing hole or restore a length of stream with the proper biota—with the proper relationship of pools, riffles, and shade. Further, restoration costs more than protection.

*“Scenic and recreational resources*

“Highways which provide access to areas of scenic grandeur are a service to a vast number of Americans. What is often not considered, however, is that the country through which these highways pass is often of scenic and recreational value in its own right. These values should be preserved wherever possible.

“Many highways pass through canyon bottoms. Because it is usually narrow, the canyon bottom is the cheapest and most direct course. This type of road very often sacrifices the bottom of a canyon, eliminates valuable streamside trees, channelizes a meandering stream, and reduces scenic beauty simply because it costs more money to build a bridge or move away from the stream.

“The West has a great many scenic areas that are sought by millions of people every year. The American public has shown a need for scenic values and open spaces. Millions leave the cities on weekends to enjoy and recreate in areas of natural beauty. This need must not be ignored when highways are planned. Highways should be designed to minimize damage to recreational values.

*“Esthetic and social considerations*

“Enjoyment of the out of doors is no longer a trivial pastime. National leaders are stressing that under modern-day conditions outdoor recreation is vital to our individual and national character. Marion Clawson, a director of Resources for the Future, has cautioned, ‘We don't just want outdoor recreation, we need it.’

“Outdoor recreation has become of tremendous social importance. It is a form of national therapy. The need is evidenced by the phenomenal return to the out of doors through the increase in fishing and hunting, picknicking, camping, and boating. The increase in these activities outstrips the population gain. Consideration for scenic and recreational values is justified solely on the basis of esthetic and social values.

*“Economic consideration*

“Tourists in the United States spend over $20 billion annually. Scenic and natural recreational opportunities are responsible for much of this tourism. Fishermen and hunters spend over $5 billion. These expenditures will continue to rise.

“Tourism can and is adding a third dimension to the usual two-dimensional agricultural-industrial economy. Obviously, good roads are essential to increasing tourism. It is equally obvious that destruction of the attractions is poor resource use and poor economy.

“Considering the tremendous and increasing economic value of wildlife, scenic and recreational resources, it is absurd and ridiculous to damage these resources unnecessarily simply to reduce highway costs. Such thinking is shortsighted and untenable.

*“The need for coordinated planning*

“Obviously, highway construction has an important impact on natural resources and on every phase of human activity, particularly upon urban and rural growth, development, and government. With more people placing more demands upon natural resources and the obvious necessity for a modern transportation system, there is an urgent need for coordinated and integrated planning. The United States can no longer afford unnecessary resource waste or unwise land use. Obviously, under these circumstances the cost of highway construction must increase.

“Only through carefully integrated, long-range planning can resource waste be minimized. It has long been held that highway planning and urban and rural development are local responsibilities. Too often this responsibility has not been accepted. The State and Federal Governments have cautiously maintained a hands-off attitude. The importance of the responsibility at the local level is recognized and not minimized. The State and Federal Governments, however, have not accepted their full share of responsibility in providing assistance in a transportation system that has both State and National impacts.

“Road location and design have been the province of county and State highway departments with local chambers of commerce usually having a considerable influence. Agricultural, wildlife, recreational, and other interests have not been actively involved except where pressures have been brought to bear.

“The broad resource picture and the needs and requirements of all resource users cannot be considered until there is adequate representation of all interests in the earliest planning stages of highway construction. There must also be support from administrative and elected officials sympathetic to the unvoiced needs of the public—needs that are perhaps unknown to the general public during the planning stages.

*“Recommendations*

“The following actions are recommended to assure coordinated planning, intelligent resource use and orderly urban and rural development, all of which are influenced to a large extent by highway construction:

“1. Begin a stepped up research program to determine future transportation requirements as related to resource use and human populations. It is suggested that the resources of universities be utilized for this research.

“2. Enact Federal and State legislation requiring coordination of all agencies having responsibility for resources affected by highway construction. At present such consultation frequently takes place on a voluntary basis, but there is no legal mandate for coordinated planning.

“3. Establish through legislation State highway planning boards or commissions having broad representation in all phases of land use with authority to review and reject highway design proposals.

“4. Obtain legislative recognition by local, State, and Federal Governments of this principle: The costs of adequately protecting major resources—forest, range, and watershed; recreational and scenic; and wildlife—are normal costs of highway construction.”

[From the daily Congressional Record, Mar. 8, 1962]

### SOS: Save Our Streams

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Thursday, March 8, 1962)

Mr. Metcalf. Mr. President, the March 1 issue of Conservation News, published by the National Wildlife Federation, features an essay by Ernest Swift entitled "Conservation and the Construction of Public Roads."

Mr. Swift refers to my bill, S. 2767, now before the Committee on Public Works, which would protect fish and wildlife and other recreation values in highway construction by requiring approval of the Secretary of the Interior of project surveys, plans, specifications, and estimates for Federal aid roads.

He states that the idea behind the bill "is being substantially endorsed by conservation groups from many States, who resent the callous disregard given to recreational and esthetic values."

Mr. President, I ask unanimous consent to insert the article, "Conservation and the Construction of Public Roads," in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### "CONSERVATION AND THE CONSTRUCTION OF PUBLIC ROADS: PART I

"Long before the advent of white men on the North American Continent, game trails were being used as routes of travel by the Indians. Herbivorous animals such as buffalo, elk, and deer had a canny instinct for easy courses which avoided steep elevations and obstructions. Invariably, game trails led to water, to food, or to areas of protection against winter storms. It was logical that Indians used these trails when hunting or as a means of traversing the country. Many of the trails were very distinctive, having been worn down by countless hooves and moccasins.

"The early white man, recognizing logic of the Indian, also used game trails in penetrating the continent. However, in the eastern United States and Canada the numberless rivers and waterways, man's most ancient highways, better served the first explorers. Travel by water was faster, often more safe, and provisions and trade goods could be carried. Lewis and Clark used the great continental artery, the Missouri River, on their notable expedition.

"But following the explorers, the church, and the traders, came armies and then settlers. Armies are not so constituted as to travel light, and settlers, cutting loose from home communities, took as many worldly goods as could be piled in a wagon. Meager by present standards—plunder they called it—they took tools for farming, as well as furniture, and a few dishes and fine linens as a symbol of civilization.

"Until the prairies and then the plains were reached, roads had to be cut through a thousand miles or virgin forest. These new gashes through timber, full of roots, and mosquito holes, invariably followed game and Indian traces; and wandered through mountain gaps, around promontories and into sylvan valleys where food for stock, fuel, water, and wild meat could be found.

"West of the Mississippi, forests were of less consequence, until the mountains were reached, and then the massive ramparts were more of an obstacle than trees. First there was the long, waving prarie grass, dwindling in lushness with the advance toward the western sun, then buffalo grass, and finally desert with its punishing heat and sparse waterholes.

"The long line of freight wagons with their many oxen and mules, pulling out of St. Louis for Santa Fe; Oregon and California, left their historic imprints across 2,000 miles of open country, mountains and desert. The deep ruts left by these prairie schooners still can be traced in some regions and have been given immortality by way of historic markers. And, with people surging off into the wilderness from the main line of travel, more wagon ruts followed in the wake of the vanishing game and Indians. Settlements began to spring up which were connected by stagecoach lines; and civilization resolutely crept into the hinterlands.

"In the forest country of New England, New York, Pennsylvania, and the Great Lakes States, tote roads were axed through to supply distant lumber camps with beans, salt pork, and tea. As the forest fringe receded, stoic but chronically hopeful frontiersmen followed the old logging trails with wagon, family, and livestock to hew out a farm among the stumps. In much of the South it was easier to drive a team of mules and wagon through the pine forests to a new plantation site, a turpentine or logging camp.

"Such was the beginning of roads in the United States, mere threads of travel following the ancient paths of game herds and red men, with possible confusion where there was a fork, and an equally questionable destination.

"No doubt I will be accused of reactionary sentiments if I advert to recalling the sand trails where I hiked or drove a wagon some 50 years or more ago. But such roads could be a means of some education. A bare board across a wagon box for a seat developed physical endurance and patience, and was an ideal point of observation. Many of my first conservation lessons in tree, flower, and bird identification were the result of a slow-moving team along two sandy ruts with a grassy hump between, where a wheel hub would occasionally scrape the bark from a tree as the wagon rolled and swayed over an exposed root or boulder.

"With a heavy load, 3 miles an hour was average progress; with an empty wagon, possibly 4. With some, the mind became a blank of stoic patience, but to me it was a fascinating panorama of nature and wonderful smells. Invariably, red squirrels vented their indignation at being disturbed, and there were occasional deer, a wolf track in the sand, and over long, long intervals, a bear in a raspberry patch.

"The brisk chill of winter ushered in a different but equally fascinating world. There was the contrast of green pine, balsam, and spruce, often festooned with snow, and interspersed with leafless hardwoods and aspen. Roads were unplowed in those days, and the sleigh—now a museum piece—was the sole conveyance. With hot bricks as foot warmers, and the music of heel chains, the crystal snow vistas would be punctuated with occasional tracks of some wild creature in search of food. There would be the silent flight of a lumberjack, and then on the clear, sharp air would come the raucous croak of a raven, or the impertinent challenge of a bluejay. And nothing can surpass the beauty of a small stream with miniature rapids fighting the ever-encroaching ice as it edges out from the banks, and overall, flanked with a blanket of tufted snow.

"I am glad that I was privileged to attend these seminars of nature via the old woods road. Many a person today has nostalgic memories of such experiences as a trace across an unplowed prairie in heat and in cold, with the North Star as the only guide.

"In 1860, railroads had reached the Mississippi River and the covered wagon was becoming less important as a mode of travel. The Civil War emphasized the importance of railroads to both the North and the South and, when hostilities ceased, the Nation was ready to span the continent with steel rails, by joining the Central Pacific coming east from Sacramento and the Union Pacific from Omaha.

"From then on, railroads were built with a frenzy, piercing many an unknown wilderness. But from the settlements which sprang up, it was still the horse, wagon, and buggy, and the old country road that connected the hinterlands with this new phenomenon of speed and comfort.

"The explosion of an atomic bomb changed the portent of future civilization beyond all imagination and, with it, the lives of all individuals. However, the automobile, with a somewhat longer time fuse, also drastically reshaped the Nation's living pattern; and with the arrival of the model T—the Tin Lizzy—available at a very modest price, many traditions became buried under a new and strange era.

"The model T was easy with which to tinker, economical to operate, and versatile in its uses. It could negotiate sagebrush and sand trials into mining, cow, and logging camps. It brought isolated plainsmen and back-country farmers in touch with the outside world; this in spite of the fact that it might have to be put up on blocks during the winter months. People could visit around the neighborhood more often and seek out relatives at a much greater distance than formerly; and a few daring easterners vetured west to Yellowstone Park and other scenic regions. These early conquests prompted the camera business and the sale of magazines, portraying the conquistadors in linen dusters and goggles, with their open-air vehicles loaded down with camp equipment. Often it showed them prying themselves out of the mud, or with a team of horses hitched to the front.

"The tempo of life became accelerated; there was more sophistication, and the so-called country bumpkin disappeared as the range of travel broadened. Garage signs appeared over blacksmith shops, and hand-cranked gas pumps replaced watering troughs.

"As the rich, level prairies were homesteaded, roads were built on section lines. They were narrow, with definite right angle corners so as not to take up any more valuable plowland that was necessary; and was at a time when the Nation's population was much less than half its present density.

"In the hill and mountain country, roads often followed the valleys, and for egress made switchback cuts in the hill or mountainside to the rim above the valley floor.

"Identifications were much more colorful than a mere number on a sign. There would be the valley road, the river road, the sandy creek road, the swamp road, the Swede road, the Russian road, or a musical Indian name; and not a few went by some vivid Anglo-Saxon terminology to indicate their impassibility or rough elevations.

"Prior to the automobile, roadbuilding was a township, village, or municipal responsibility, with much of the maintenance carried on by each landowner working out his poll tax. I distinctly recall substituting for my father in working out the poll tax. Road construction and repairs were a matter of teams and slushers or wheel scrapers, dump wagons, a breaking plow and hand shoveling, and with a generous application of dynamite for stumps and rocks. Bridges and culverts were of wood and swamps were corduroyed.

"As the Nation became dedicated to the automobile, such methods no longer sufficed. The gas tax came into being for new and improved road construction and, to insure comparable standards, State highway commissions were established and granted some very positive authorities in spending and determining highway routes. The automobile also developed many new professions, among them the highway engineer. Finally came the Bureau of Public Roads, created by the National Congress, with even greater authorities and fabulous sums to spend.

"With the scent of public money in the air, the superhighway, the cloverleaf, and the doubledeck roads have been sponsored enthusiastically by industries such as the automobile manufacturers, oil and gas interests, equipment, cement and construction companies, and a vast army of superbureaucrats. Transcontinental roads have been officially blessed as a military necessity and as public works projects to prime the national economy.

"As is common when a program grows to such gargantuan proportions with almost unlimited powers, and becomes so expensive, so dislocating to many people, and with so much land covered by concrete, and so ruthless in relation to other resources affected, all in the holy name of progress, many people begin to question the validity of certain aspects and the justifications set forth.

"Based on these rapidly growing protests, Congressman Glenn Cunningham, of Nebraska, introduced H.R. 8595 in August of 1961, limiting powers of the Bureau of Public Roads to condemn rights-of-way through lands dedicated and used as public parks, including city and municipal, county, and State parks. To further indicate a growing concern, S. 2767, which would protect fish and wildlife and other recreation values in highway construction by requiring approval of the Secretary of the Interior of project surveys, plans, specifications, and estimates for Federal-aid roads, was introduced recently by Senator Lee Metcalf, of Montana.

"Both of these proposals would have far-reaching effects in regulating the activities of the Bureau of Public Roads. No doubt they will bring forth some plain-and-fancy protests. But, the idea is being substantially endorsed by conservation groups from many States, who resent the callous disregard given to recreational and esthetic values."

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[From the daily Congressional Record, Mar. 16, 1962]

### S O S: Save Our Streams

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Friday, March 16, 1962)

Mr. Metcalf. Mr. President, the lead article in the March issue of the Sport Fishing Institute Bulletin discusses "Roadbuilding and Fishing."

The article deals with the harmful effect, on fishery resources, of "channelization, inadequate or poorly designed culverts, dredging in the streambeds for gravel to use in road construction, and the suspended silt loads resulting from these activities."

According to Oklahoma studies, reports the bulletin:

"Fish in clear water gained weight about four times as fast as in muddy water. Muddy water had a marked unfavorable effect on reproduction of certain species. Food production was up to 14 times greater in clear than in muddy waters."

The article also refers kindly to S. 2767, my bill, to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway system, for the purpose of protecting fish, wildlife, and recreation resources.

I ask unanimous consent to have printed in the Record the SFI Bulletin article.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### "ROADBUILDING AND FISHING

"There has been growing concern in the past decade among conservationists over the increasing threat to fishery resources and dependent fishing posed by expanding road and highway construction programs. The impact has been both direct—through construction activities in the beds of streams and the extensive removal of gravel deposits vital to fish spawning and fishfood production—and indirect, as a result of the effects of suspended silt on spawning success, food production, and fish growth. A number of localized biological studies have been conducted and have demonstrated the harmful effects of channelization, inadequate or poorly designed culverts, dredging in the streambeds for gravel to use in road construction, and the suspended silt loads resulting from these activities.

"Effects of suspended silt on fish populations are less obvious though nonetheless harmful. An extensive study was made of this problem several years ago in Oklahoma. The differences found in fish growth and reproduction, and production of fishfoods between clear and muddy waters were of great significance. Fish in clear water gained weight about four times as fast as in muddy water. Muddy water had a marked unfavorable effect on reproduction of certain species. Food reproduction was up to 14 times greater in clear than in muddy waters.

"We have heard of many past instances in the West where spawning areas of salmon and steelhead have been physically removed or where they have been damaged by pollution resulting from gravel washing operations. In the East and North, many locally famous trout streams have been destroyed by bulldozing. In the South, gravel dredging and washing has done incalculable harm to smallmouth bass especially.

"The key question involved concerns relative values. For which purpose is the streambed gravel more valuable—to produce fish or roadbeds? In this connection, California has made an intensive survey of its available spawning beds. It was estimated in 1953 that each spawning salmon, regardless of sex, in the Sacramento Valley was worth about $17.50 in terms of the commercial and sport fishing values produced by its progeny.

"The average annual value to the sport and commercial fisheries of the salmon produced by an average of 380,000 spawners in the Sacramento Valley is roughly $6,500,000—more at times. This is a naturally renewable resource—a perpetual source of recreation and food that costs nothing to produce. The capitalized value at a conservative 4-percent interest rate, is over $160 million.

"This tremendous crop of salmon is produced from a small area of gravel distributed in about 200 miles of streams in the Sacramento Valley. On the average nearly 2,000 spawning salmon use each mile of stream during the spawning period. These are small streams. They seldom have as much as 40 acres (usually half or less) of actual spawning gravel per mile of stream. And perhaps some 50 salmon spawn on each acre of gravel, as an estimate. Thus the value of the salmon produced per acre of spawning gravel exceeds $800 (often $1,600 or more) annually.

"Very little farmland in the country can consistently produce this kind of a monetary return. Any land that produces an annual crop worth $800 would cost at least $20,000 per acre. But so far as we know, no one is paying this much for land for farming or subdivisions yet, let alone twice that much.

"Gravel in a stream bed represents fully as tangible an asset to the sport and commercial fishing industry as it does to the construction industry for use in highways. In the past, however, there has been virtually no consideration given to protecting these valuable gravel spawning beds.

"The tremendous Federal-State roadbuilding program now underway can be expected to exercise a major influence on fishing for decades to come. Its magnitude is staggering. At the outset of the program, nearly 5 years ago, the U.S. Department of Commerce estimated that over 9.7 billion tons of aggregate would be used for Federal-aid highways through 1970. Unfortunately, unless stringently controlled, much of this incredible amount of gravel would be dug from streambeds, especially in regions where gravel deposits are scarce.

"Mr. Bertram D. Tallamy went on record several years ago, in his capacity as Federal Highway Administrator, as being concerned for the esthetic values of road construction. He stated that it costs no more to have a highway divide around a clump of trees or a trout stream than it does to ignore these values and destroy them. While this was an encouraging attitude, it has often proved difficult to convince State highway engineers that recreational considerations may be fully as important as their goal of getting people from one place to another in as short a time as possible. Throughout the country emphasis on limited access highways has already fenced off many streams. Insufficient thought has been given to providing access to streams and parking areas for fishermen and other recreationists.

"A recent example of the inflexible thinking exhibited by many highway engineers is the proposed construction of several miles of new high-speed highway through Logan Canyon, Utah. This would have serious adverse effects on the important sport fishery of the Logan River, yet could be ameliorated to a great extent through redesign at an added cost of $325,000. This is opposed by the State engineers. By comparison, fishermen fishing the Logan River are estimated to spend $444,000 annually.

"This is by no means a unique situation, occurring all too frequently in many States. It is because of such widespread occurrences, coupled with a full appreciation of the fish and wildlife resources affected, that the International Association of Game, Fish and Conservation Commission, adopted a resolution at its 1961 convention calling for forceful action to alleviate the problem. The international association expressed support for any congressional action to make all plans for Federal-aid highways subject to review by the U.S. Fish and Wildlife Service through amendment to the Federal Coordination Act.

"In this vein, we were pleased to note last month that the National Association of County Officials and the American Association of State Highway Officials have formed a 14-man joint State-county highway committee. Some of the announced objectives of the committee—to work on "problems of highway and mass transportation planning, right-of-way acquisition, community planning and zoning, and the problems of relationships of transportation programing to other aspects of community development"—would seem to offer an open door to conservation leaders.

"While this is encouraging, we believe that the problem is so urgent and complex that voluntary efforts are not enough. Therefore we were pleased to see that Senator Lee Metcalf, of Montana, has introduced a bill (S. 2767) in the Congress that would extend the Coordination Act principles to Federal-aid highway systems. The bill would actually amend the United States Code relating to highways in such a way as to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway system for the purpose of protecting fish, wildlife, and recreation resources. Companion bills (H.R. 10269 and H.R. 10453) were introduced by Congressmen Henry Reuss, of Wisconsin, and Arnold Olsen, of Montana."

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[From the daily Congressional Record, Mar. 19, 1962]

### S O S: Save Our Streams

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Monday, March 19, 1962)

Mr. Metcalf. Mr. President, on March 2 the New York World Telegram and Sun carried an article, by Ray Ovington, which told of possible destruction of fish and recreation values on the Beaverkill River in New York State, because of superhighway construction.

Based on a letter written to Secretary of the Interior Udall, by Ronald J. Eisen, the article states:

"Unfortunately, the New York State Highway Commission's position has been so arbitrary that even though thousands of sportsmen have written to the representatives and the Governor, the commission will not even make public the entire plans for the highway."

The article also refers to the reply Mr. Eisen received, from Charles Stoddard, director of the resources program staff, who called attention to my bill, S. 2767, now before the Committee on Public Works, which would require approval of the Secretary of the Interior to surveys, plans, specifications and estimates for projects on the Federal aid highway systems for the purpose of protecting fish and wildlife and recreational resources.

Mr. President, I ask unanimous consent to insert Mr. Ovington's article, entitled "Beaverkill's Anglers Encouraged," in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### "BEAVERKILL'S ANGLERS ENCOURAGED

"(By Ray Ovington)

"A letter written by Ronald J. Eisen to Secretary Stewart Udall, Secretary of the Interior, and an answer from Charles Stoddard of the latter's Office is interesting in light of the roadbuilding on the Beaverkill River:

"'I am writing you of a specific problem, the Beaverkill River in New York State, an area which in all probability will be destroyed beyond redemption by construction of a superhighway, built mainly with Federal funds.

"'The river attracts thousands upon thousands of nature lovers and fishermen to the area each year. It seems to me the engineers without the counsel of the New York State Conservation Department have chosen the route for this highway, which by the most conservative estimates would ruin the river. Undoubtedly a rerouting of the road might be more expensive in dollars. Roads can be rebuilt, but natural resources cannot.

"'Unfortunately, the highway commission's position has been so arbitrary that even though thousands of sportsmen have written to their representatives and the Governor, the commission will not even make public the entire plans for the highway. Fortunately several individuals have seen the map of the proposed route and have made public what they have seen.

"'Since the Federal Government is paying 90 percent of the cost, I believe it is your responsibility to look into this situation. I will guide you through this area if need be.'

"And here is the answer from Mr. Stoddard:

"'While this Department has no jurisdiction over highway matters, either at the Federal level or local, we are concerned over tendencies to ignore or fail to give adequate consideration in highway planning to many important values. On other problems, Secretary Udall has communicated his own interest and concern directly to the Secretary of Commerce, who has the proper jurisdiction.

"'I believe you will be interested to know of a bill recently introduced by Senator Metcalf, S. 2767, which would require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreational resources.'"

[From the daily Congressional Record, Mar. 20, 1962]

### SOS: Save Our Streams

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Tuesday, March 20, 1962)

Mr. Metcalf. Mr. President, the December 22, 1961, issue of Life magazine was devoted to our great outdoors. Editorially, Life tells how the modern metropolis is out of harmony with the surrounding countryside.

The editorial deals primarily with problems of land use, urban sprawl, poor planning. It states that:

"Our huge Federal highway program, instead of attempting to restore this harmony, is strictly an interurban layout with little concern for its effect on the land and towns between. It illustrates the bad American habit of letting the automobile direct our development, instead of telling the auto where we want to go."

The Federal highway system destroys water resources as it likewise damages land. We do not, under the present system, give due regard to fish, wildlife, and recreation values in planning highway construction.

That is why I have introduced S. 2767, which would require the Secretary of the Interior's approval of Federal-aid highway projects affecting our fish, wildlife, and recreation resources. Mr. President, I ask unanimous consent to insert the Life editorial, entitled, "Use and Promises of America's Land," in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### "USES AND PROMISES OF AMERICA'S LAND

"No change in man's condition is more dramatic than his relationship to his sister Nature. He started life on earth worshiping nature, whether as sun, moon or thunderbolt. As he shifted his worship to an unseen Father, man launched his long war on nature with weapons that developed from club to plow to dynamite and rocket. There is no aspect of terrene nature, not even the seas and the poles, which man has not studied to subdue to his purpose, mostly with success.

"The American experience with nature is a 450-year capsule of this human story. On the beautiful howling wilderness in which our aborigines found their gods, our settlers, to survive, at once declared war. By 1900 the continent and its wealth were at our mercy. We then declared a truce called conservation, a gesture of penance, prudence, and piety. Now we face a different problem: finding a way to live in stabler harmony with nature. It is a problem of baffling complexity; for the competing claims for the use of our conquered and finite land—for houses, highways, industry, recreation, wildlife, a whole variety of public and private uses—have never seemed so urgent.

"'The land was ours before we were the land's,' said Poet Robert Frost. To their courageous discoverers the American forests seemed literally inexhaustible as well as hostile. 'Cut, burn, plant, destroy, move on'—that was the necessary slogan that peopled this continent. Slowly the process of possessing this land turned us into 'her people.' The savage pioneers became homesteaders and husbandmen. Not until the Dust Bowl of the 1930's did we learn that soil as well as trees must be treated with respect, but conscience had begun to curb our ferocity even before the end of the Indian wars.

"A turning point came by a campfire near Wyoming's Firehole River on September 19, 1870. Ten men who had just explored the Yellowstone had a rather unusual discussion of what to do with their incredible find. After lively suggestions for preempting title and exploiting it, Judge Cornelius Hedges of Montana spoke. He did not approve of these plans. The whole region was too magnificent to be privately owned. It should be set apart as a great national park, and the discoverers should try to get this done. Most of them caught the judge's spark. Thus was our national park system born for the benefit and enjoyment of the people.

"A generation later Theodore Roosevelt, with Gifford Pinchot's expert help, made conservation a popular cause and a permanent policy. He did so by dramatizing the battle of public conscience against private exploiters. Today this battle is less relevant. Nobody is against the conservation of our national resources. But neither do the conservationists agree on one meaning for the word, nor is there any single formula, short of the modern catchall ecology, by which man's purposes and nature's can be precisely reconciled. Most conservation laws now stipulate the multiple-use management of public lands—among the several uses—they are not always compatible—being the guardianship of timber, water, power, wildlife, grazing, recreation, and sheer wildness.

"The Federal Government already controls the use of 34 percent of the surface of the United States, largely in the arid West and in Alaska. Elsewhere there is a serious shortage of public recreational facilities. If new Federal land purchases are to supply this lack, as proposed in Secretary Udall's new program, the Government could well balance the purchases by sales from its western holdings—preferably to industrial and residential developers as proposed in H.R. 7788. These western acres, now low priced, are as underpopulated as eastern land is overpopulated and overpriced. Sell the West and buy the East might be one formula for the new and broader Federal land policy we need.

"Sustained-yield management is now commonplace in all big private as well as public forests. Soil conservation, thanks partly to F.D.R., Harold Ickes, and Henry Wallace, is the increasing practice of our farmers. Many States are as conservation minded as the Federal Government and are in better shape than they were a generation ago. The old T.R. type of conservation battle will still go on in local areas. But it is not the major problem that now confronts the American in his relationship to nature.

"A predominantly rural people in 1900, we are now predominantly 70 percent urban and suburban.

"There is nothing unnatural about cities or suburbs; but the modern metropolitan area represents our greatest unsolved problem of land use. Slum clearance and public housing have not made our cities more livable. The squares that let London breathe, the fountains of Rome, the seaside amenities of Copenhagen seem beyond the imaginative reach of Los Angeles and New York. But these are parenthetical failures. The great problem of the modern metropolis is less within than without. The metropolis itself is out of harmony with the surrounding countryside.

"Our huge Federal highway program, instead of attempting to restore this harmony, is strictly an interurban layout with little concern for its effect on the land and towns between. It illustrates the bad American habit of letting the automobile direct our development, instead of telling the auto where we want to go. This habit's most visible result is urban sprawl, perhaps our cruelest misuse of land since our soil mining days.

"Urban sprawl is not the growth of cities. Instead, as House and Home put it, the cities are disintegrating and spreading the pieces over miles and miles of countryside. It is an affront to esthetics, to human relations, and to nature. It will take far more use of the infant art of environmental planning to correct this misuse of land. The new art is hampered by its lack of community support—and frustrated by our old practice of encouraging unproductive speculation by undertaxing unused land.

"To make our cities and their outskirts more livable; to enlarge the people's right to clean air and smells and water, sky and space and seasons and parks; and to shorten their travel time both to work and to the woods or the beach—this is the next frontier in the American's long attempt to get himself into a better relationship with nature. He needs nature to help him to a sane idea of the good life. From now on the changes man works on the face of the earth should conform to nature's principles of order and balance as well as to his own desires. Says regional planner Christopher Tunnard, 'Man is a learning animal, and nowadays there is no reason to be content with landscapes which are not of a higher level than before.'

"Cried the angel in Revelation: 'Hurt not the earth, neither the sea, nor the trees.' For nature is a part of the glorious fullness of God's creation no less than man. In a notable sermon in New Delhi last month, Theologian Joseph Sittler, of Chicago, exhorted Christians to remember this. Science has enabled man to move in on the realm of nature and virtually take it over. But in her pathetic openness to glorious use as to brutal rapacity, our sister nature reminds us of our common parentage and linked destiny."

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[From the daily CONGRESSIONAL RECORD, Mar. 23, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Friday, March 23, 1962)

Mr. METCALF. Mr. President, last September the International Association of Game Fish and Conservation Commissioners adopted a resolution urging immediate action, by the Fish and Wildlife Service and Bureau of Public Roads, to alleviate damage caused by construction of highways which "in many instances impedes fish runs, results in detrimental stream realinement, destroys spawning areas, obstructs deer and other big game migration routes."

The international association also resolved that "in the event congressional action is required to accomplish this objective, the association does hereby endorse and urge the necessary amendments to the Coordination Act."

Mr. President, legislative remedy is available through my bill, S. 2767, to amend the Highway Act to require the Secretary of the Interior's approval of Federal-aid highway surveys, plans, specifications, and estimates so as to protect fish, wildlife, and recreation resources.

Mr. President, I ask unanimous consent to have the resolution of the international association printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"RESOLUTION 9—APPLICATION OF PRINCIPLES OF COORDINATION ACT TO FEDERAL HIGHWAY CONSTRUCTION

"Whereas the construction of modern highways in many instances impedes fish runs, results in detrimental stream realinement, destroys spawning areas, obstructs deer and other big game migration routes, and otherwise creates damage to fish and wildlife resources; and

"Whereas public access to important hunting and fishing areas is not always adequately programed in highway construction plans, especially along sparsely settled areas in public land States; and

"Whereas Public Law 732, better known as the Coordination Act, has been determined as not applicable to highway construction by a ruling of the U.S. Fish and Wildlife Service; and

"Whereas highway construction is being accelerated and the problem concerning wildlife is still unsolved: Now, therefore, be it

"*Resolved*, That the International Association of Game, Fish, and Conservation Commissioners urges immediate action on the part of the U.S. Fish and Wildlife Service in conjunction with the U.S. Bureau of Public Roads to concur on an action program to alleviate the situation either by protective legislation or through agreement between the two agencies; and now, therefore, be it further

"*Resolved*, That in the event congressional action is required to accomplish this objective, the association does hereby endorse and urge the necessary amendments to the Coordination Act."

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[From the daily CONGRESSIONAL RECORD, Mar. 24, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Saturday, March 24, 1962)

Mr. METCALF. Mr. President, on March 8 I placed in the RECORD the first part of an essay entitled "Conservation and the Construction of Public Roads." Written by Ernest Swift, it appeared in the March 1 issue of Conservation News, published by the National Wildlife Federation.

#### PART II

The March 15 issue of Conservation News carries part II of this excellent statement, which cites additional reasons for passage of my bill, S. 2767. The bill would require the Secretary of the Interior's approval of Federal-aid highway projects, surveys, plans, specifications, and estimates which affect fish, wildlife, and recreation values.

I ask unanimous consent to have printed in the RECORD part II of "Conservation and the Construction of Public Roads."

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

#### "CONSERVATION AND THE CONSTRUCTION OF PUBLIC ROADS—PART II

"(By Ernest Swift)

"The National Wildlife Federation has been receiving numerous calls for help from every corner of the Nation in the matter of roadbuilding, and it is time that conservationists unite to help preserve some of America's most cherished possessions before they are bulldozed under or excavated away.

"Highways are constructed in the name of progress and promoting the general welfare. To what extent highways should be given dominance over all other values at all times, however, is highly debatable. It is evident, though, that greater controls need to be exerted on those who would push roads through any and all areas with callous disregard for anyone or anything.

"Grass on the other side of the fence always is greener, the truism relates. Thus, travel to faraway places long has had allure for many people. Travel opportunities today are greater than in any previous age, and much of the development is recent.

"There was a time when the railroads proudly called themselves the lifeline of the Nation, but that slogan has been deftly pilfered by the Bureau of Public Roads. The romantic days of the railroads are quietly slipping into the pages of history or into museums.

"Based on rapidly growing protests, Congressman GLENN CUNNINGHAM, of Nebraska, last August introduced H.R. 8595 to limit powers of the Bureau of Public Roads to condemn rights-of-way through lands dedicated as public parks, including city and municipal, county, and State parks.

"Then, in February of this year, Senator LEE METCALF, of Montana, introduced S. 2767 which would protect fish and wildlife and other recreation values by requiring approval of the Secretary of the Interior of project surveys, plans, specifications, and estimates, etc., for Federal-aid roads.

"These proposals would have far-reaching effects in regulating road construction activities and likely will evoke some plain and fancy protests. Different conservation groups in many States, however, resent the callous disregard given to recreational and esthetic values. In fact, it often seems that parks and refuges and forests hold a fascination for highway planners, possibly because esthetic values are more difficult to prove and protect.

"In one of its releases, the Bureau of Public Roads promotes its own importance by stating: 'The Interstate System will give new freedom and new speed and safety to the movement of people and goods. The advantages to long-range travel, whether by car, bus, or truck are obvious. Business and vacation travel will take less time. There will be greater comfort and less strain in driving. Deliveries will be faster and truck operation more productive * * * farm products will move quicker and with less damage.' Most people accept this as an enticing and sound argument.

"Public Law 87–61 of the 87th Congress the Federal-aid highway program, is a rather short but formidable document which, in essence, takes up the slack of roadbuilding and has escalator clauses running into 1972. It provides, among other things, for a 41,000-mile System of Interstate and Defense Highways, at a cost of $41 billion. This does not include improving 826,000 miles in the Federal-aid network of primary and secondary roads and major urban streets.

"The law and news releases imply that the Federal highway program is a pay-as-you-go effort and that road users foot the bill, but it appears that diversion of general tax revenues will be necessary. This means tax moneys from sources other than gas and vehicle taxes.

"This is to provide stimulus for employment in the steel, construction, cement, and other industries. Since industry, earthmovers and labor groups have few political differences when the scent of public money is in the air, their combined power can crush any little two-bit conservation movement to save a park or glen or crystal stream.

"Statistics can be likened to a lamppost—it can be used for illumination or to lean against. In analyzing figures from offices of the Bureau of Public Roads, one could suspect the agency is using statistics for both purposes. By 1976, says the Bureau of Public Roads, there will be 113 million motor vehicles traveling 1.2 trillion miles per year. These figures are impressive, but not exhilarating. To produce that many vehicles and the many during intermediate years will no doubt require the strip mining of much low grade ore—because much of the accessible high grade ore is gone—wherein much land and landscape will be destroyed in addition to the many streams which will run foul with waste and spoil.

"Present law gives the Federal Government the right to condemn land in any State for use as the right-of-way for a Federal highway. This statute has been tested in court and its constitutionality has been upheld in the U.S. district court in Tennessee in a test involving condemnation of part of a cemetery. Some States do not give their State highway departments the right of eminent domain in condemning public-use lands such as schools, churches, parks, cemeteries, etc. Here the Federal Government steps in at the request of the State highway department and condemns lands and then turns it over to the State for its use. Just how people who hold that States rights are a virtue can salve their consciences to such gerrymandering is hard to fathom. Federal paper and outside money can make a tattered and shabby rag of States rights.

"Specific cases? Here are a few:

"From the New York Times, January 1, 1962, 'Tyranny of Roads': 'The most significant construction work being done in America today, for good or ill, does not shoot up into the sky but lies down flat. The modern American speedway, with a maximum curve of three degrees and maximum grade of 3 percent, strides across the landscape like a Martian canal. Occasionally protests arise against the foolish and arbitrary things the designers do. Sometimes they seem to aim deliberately at the beautiful and historic—as when their makers propose to cut through some of the pioneer structures of Sacramento, Calif., or more recently to cripple the building plans of Swarthmore College in Pennsylvania.' A proposed highway route would destroy lovely Crum Creek, including land acquired by the college a century ago.

"From the Beacon, Philadelphia Conservationists, Inc.: 'The New York and New Jersey open space bond issues and the proposed Pennsylvania bond issue testify to the desire of the public for open space preservation. * * * How can the highway department of Pennsylvania be so ignorant of, or indifferent to, the needs of other State departments and local agencies, and to the open space problem, that it would propose an expressway through the most unique area in a heavily populated region? We are told that highway experts and technologists say it is easier and cheaper to use a natural creek valley than some other route. * * * Maybe it is easier, but are we always going to take the easy way at the cost of sacrificing the larger benefits of a little hard work and hard thinking?'

"Antioch College in Ohio was roused to a fighting pitch in 1958 when a release was made that a 300-foot dual highway was planned to intersect a cherished beauty spot owned by the college and called Glen Helen. Friends of Glen Helen mounted a publicity campaign which resulted in rerouting of the highway. The community subsequently was honored by an American Motors conservation award.

"Protest to the ruthless autonomy of highway construction springs up from many sources, and in many parts of the Nation. The January 1962 issue of Outdoors in Maryland, a monthly magazine representing 300,000 sportsmen, relates how a proposed relocation of Highway 40 would cut an 8-mile swath through the area's best deer and turkey hunting grounds. In Utah, conservationists are opposing widening and relocation of a highway through beautiful Logan Canyon in the Cache National Forest.

"How does highway construction affect fish and wildlife and outdoor recreation? To begin with, the highway itself takes much wildlife habitat (a cloverleaf requires the space of a small farm). Then, between intersections, islands of unmanageable land are created, and the highways cut across migrations of big game animals, and many are killed or stopped by fences. Land is open to erosion which, along with construction, ruins streams for fishing.

"Senator Metcalf, in material inserted in the Congressional Record, quotes Walter Everin, director of the Montana wildlife agency: 'The highway department has cooperated in saving a few natural stream meanders but only when there was no additional cost involved or the cost was negligible. In at least one instance the highway was routed into a trout stream to avoid the cost of moving a powerline.' Everin was quoted as saying: 'The highway department maintains that the Bureau of Public Roads will not approve the additional costs involved in saving streams.'

"Protests also are being registered in Connecticut, West Virginia, and New Hampshire. The International Association of Game, Fish, and Conservation Commissioners is being pressed by its members to enter the arena against irresponsible roadbuilding in game, park, and forest areas.

"The question becomes ever more urgent as to when resource management will be viewed with proper perspective and balance. When will the Congress realize how damaging it is to authorize one agency to save and another to destroy? When will Federal bureaus be made to realize they have an overall duty to the Nation in managing resources which transcends some one-cylinder laws under which they operate?

"Today the Department of Agriculture, the Army Engineers, and, in some instances, the Bureau of Reclamation seemingly have no guilt complex in destroying the Nation's waterfowl areas. The Federal Power Commission merrily authorizes high dams which rapidly kill off the finest salmon runs on the continent. Even when a State by referendum vote protests, the Federal courts have overruled wishes of the State—this was done in Washington on the Cowlitz River. Industries and municipalities fill our streams with filth and stench. And, now comes the highway programs to aid and abet in the destruction.

"All of these bureaus have been given powers of eminent domain—authorities which would make a dictator jump with glee. Too few words of caution or responsibilities to all resources have been written into authorizing acts creating these agencies.

"Too few bureaucrats in position of authority take a broad interest in the whole ecology of nature, or feel that preserving that ecology is part of their jobs—either as a public employee or as a citizen. Regardless of how many resources may be damaged or destroyed, many fanatically follow a narrow and ill-conceived sense of duty to the bitter end."

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[From the daily Congressional Record, Mar. 26, 1962]

### S O S: Save Our Streams

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Monday, March 26, 1962)

Mr. Metcalf. Mr. President, "It is as dangerous to leave roads purely to the engineers as it is to leave war to the generals."

This comment appeared in a recent New York Times editorial, reprinted March 18 in the Salt Lake Tribune.

The comment is part of the Times' perceptive comment on the damage to landscape by road construction.

The Times' editorial is further evidence of the need for legislation such as I propose in S. 2767. It would require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems, for the purpose of protecting fish, wildlife, and recreation resources.

I ask unanimous consent to have printed in the Record the Times' editorial, "Tyranny of Superroads."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

"TYRANNY OF SUPERROADS

"People in eastern Westchester and southern Putnam Counties are having road trouble. The engineers propose to develop an expressway running north from Stamford and heading into Route 22 north of Brewster. It will be a wonderful road if the assumption is that all that is necessary is to move motor vehicles through the countryside in large numbers and at high speed.

"The immediate debate is whether it will be better to ruin a wildlife sanctuary on the west side of Byram Lake or another one on the east side. We advocate ruining neither; but one will doubtless be ruined and in a short time persons going north on No. 22 will find it simpler to do so. They will be in too much of a hurry to think about sanctuaries, for either wild or human life.

"The issue of highway destructiveness keeps coming up all over the United States. With the Federal Government paying 90 percent of the cost of the road and the State only 10 percent, it seems to cost—although this is an illusion—very little to wreck a lot of landscape. The great superroads come down across the country like roaring torrents and are almost as hard to divert or stop. Most persons think a road is a good thing, regardless of its location or its effect on the scenery. It is certainly a necessary thing—but the question is, do the new roads have to destroy as much as we let them destroy? Obviously not."

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[From the daily Congressional Record, May 3, 1962]

### Conservation of Fish, Wildlife, and Recreational Values in Highway Planning and Construction

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Thursday, May 3, 1962)

Mr. Metcalf. Mr. President, Resolution 1 adopted by the National Wildlife Federation recently proposes that fish, wildlife and recreational values be adequately considered in highway planning and construction. This consideration would be achieved through passage of S. 2767.

Mr. President, I ask unanimous consent that the resolution referred to be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

"RESOLUTION 1, NATIONAL WILDLIFE FEDERATION 26TH ANNUAL CONVENTION, DENVER, COLO., MARCH 9–11, 1962

*"Public roads*

"Federal and State highway programs are causing major problems in the management of natural resources, particularly fish and wildlife. Not only are major amounts of land being removed from agricultural use, but highway construction is disrupting streams, invading the sanctity of public parks, forests, and wildlife refuges, and creating barriers to migrations of big game herds. Some do not allow access to public lands. The National Wildlife Federation proposes the principle that highway construction be considered in the same light as water development and fish and wildlife and recreational values be adequately considered in the advance planning of any road program and any wildlife losses be fully mitigated."

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[From the daily Congressional Record, Apr. 3, 1962]

### S O S: Save Our Streams

(Extension of remarks of Hon. Lee Metcalf, of Montana, in the Senate of the United States, Monday, April 2, 1962)

Mr. Metcalf. Mr. President, German brown trout weighing more than 25 pounds used to be taken in Logan Canyon in Utah. Never again. A portion of the Logan River has been ruined, as a great fishing stream, because of highway construction.

The March 1962 issue of American Forests, published by the American Forestry Association, tells what happened in an article by Frank A. Tinker entitled "The Battle for Logan Canyon."

Such irreparable loss of sport fishing resources would be avoided or minimized by passage of my bill, S. 2767, which would require the Secretary of Interior's approval of Federal-aid highway plans involving fish, wildlife, and recreation.

Mr. President, I ask unanimous consent to insert the article referred to in American Forests in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"THE BATTLE FOR LOGAN CANYON

"(By Frank A. Linker)

"Must we have superhighways at the sacrifice of almost all other considerations? In some of the many areas where our huge roadbuilding program is now well along, it may be that such sacrifice is required by the very geography. A disturbing question then faces everyone concerned.

"Logan Canyon, a gorge which cuts through the Wasatch Range between Bear Lake and the central Utah Valley, has long been one of that State's prized scenic areas. A winding, two-lane macadam road allowed travelers, most of them recreation bound, to enjoy the towering canyon walls, the branching canopies overhead, and the shadowed Logan River which runs alongside. Unfortunately, the curving road did restrict speed; it took additional time to make the 40-mile trip through the impressive gorge.

"The result was inevitable under today's rules. In 1959 the Utah State Highway Commission presented the region IV headquarters of the Forest Service with a request for approval of plans to reconstruct Highway 89 where it runs through the Cache National Forest in this canyon. The results of the commission's traffic survey of this road were offered as proof of the need for improving the highway to meet both present and future traffic requirements. With reservations and some misgivings, the Forest Service approved the plans for the lower 4.2 miles of this road.

"Although it was recognized at the time that improvements to this highway would probably result in changes detrimental to the canyon and the river, the total impact was not fully appreciated until the first section was completed. In 1924 the largest German brown trout ever legally hooked, weighing over 25 pounds, had been taken from the Logan. Never again. Now, the stream's quiet pools had been ruthlessly, albeit unavoidably, eliminated. The channels of swift water which were left would preclude any return of such whoppers, or even minnows. Vegetation which had not only contributed to the scenic beauty of the stream but served as protective insect-producing cover for the fish had been bulldozed out in providing right-of-way.

"Where the existing road had followed the meandering of the stream in order to avoid encroaching onto its banks, hugging the cliffs when necessary, the new highway was now as straight as the canyon terrain allowed. True, the rugged canyon walls were more visible, but this and the elimination of a few minutes' traveltime were the only real improvements in the road that members of the National Wildlife Federation, the Utah Fish and Game Department, and an aroused committee from the Utah State University could see. These organizations surveyed the damage and descended upon the Forest Service with their findings. Many of these supported the Service's worst fears.

"While the already completed 4.2 miles of the highway had destroyed the few good pools along this lower section of the river, much of the stream here was already being diverted for irrigation and community purposes. The Logan had managed to operate three powerplants and irrigated some 18,000 acres of valley land in addition to providing refuge for record trout. Only the trout and the traveler had lost in the first round, but it was obvious now that the next section along the upper river would have to be protected from such drastic modifications.

"Several other alarming illustrations of uncontrolled highway construction nearby were cited—Blacksmith's Forks and Daniels Canyon. The Forks, however, ran through private land for the most part, and Daniels Canyon was on an important east-west highway, so the Forest Service has not been faced there with such a delicate balance in values. The construction so altered the once fine trout streams in these canyons that Blacksmith's Forks declined from one of Utah's most productive waters to one of doubtful fishing value either now or in the future. Daniels Canyon is thought by experts to be completely eliminated as a fishing stream. Both have suffered extensive and obvious loss of scenic value.

"As for the Logan, the Forest Service's own fish habitat survey had shown only a few large pools and somewhat more smaller ones along its length. These, formed by boulders, cliff outcroppings, and streambank vegetation, lay directly within the path of the proposed new construction. Any changes in the main stream, removal of brush, or an increased gradient with its high water velocity would cause shifts in the streambed and probably ruin natural channels and eddies.

"Dr. C. J. D. Brown, a nationally recognized authority on trout waters, made a detailed study of the Logan in 1935 and reported, '* * * the most undesirable physical condition existing in the main Logan River from the point of view of fisheries is the almost complete absence of good pools. The Logan River has but one or two good pools per mile, while the Blacksmith's Fork stream has 40 to 50.' Dr. Brown warned, 'Shade and cover in the Logan River are generally good. In many sections, it is very dense and affords an excellent hideout for fish. Those plants along the banks and the brush falls in the water should be carefully guarded.' The Forest Service believes this appraisal reflects present conditions as well—where the construction project has not laid its heavy hand.

"But the first round of the battle of Logan Canyon was now already over and conservation people thought it had been lost by simple default.

"Round two began in March of 1961, when representatives of the Forest Service met with those from Fish and Game, the Utah Highway Department, and the Bureau of Public Roads at the site of the next construction project—another 4.2 miles. Plans for this were discussed and changes were suggested to preserve as much of the natural setting as practicable. This proposed section and that which was to follow are the narrowest and most difficult parts of the canyon, but they also hold the greatest number of trout pools, vegetative cover, recreational areas, and just plain scenery of the whole 40 miles.

"This round went to the conservationists when the Forest Service withheld its permit, and back to the drawing boards went the highway engineers. They revised plans to shift a 1,200-foot section of the roadway, to save the trees and brush screening the front of Guinavah Forest Camp, to install two culverts so a trout pool might be protected, add a highwater bypass to handle the excess volume of water the culverts might not carry, and to reduce riparian changes throughout the project by about 4,560 feet. But—and here's the rub—all this would increase the cost of that section by $100,000 to a total of $460,000.

"When this same group met again in June, the highway department displayed these revised plans for approval and round three began. A close reading of the fine print on the new plans by the Forest Service and its allies has indicated that while these plans are good as far as they go, they do not provide the complete safeguards discussed in March. The Service believes these should include plans to avoid some 1,210 feet of channel construction which, as presently designed, would duplicate the damage done to the lower river. A single 10-foot setback suggested in one area would save more needed vegetation on the stream and eliminate 385 feet of channel encroachment. So the battle has proceeded along every yard of the canyon.

"Again, the cost of these additional changes insisted upon by the Forest Service was high—$126,925 more than the $460,000 already planned by the highway department. And this still left 8,400 feet of important riparian vegetation subject to loss from channel changes, including two major shifts involving construction of 900 feet of entirely new channel. To protect this area fully would cost an additional $325,000, or a grand total of $785,000 for the project. The Forest Service now realizes the impossibility of saving the whole section, but feels it has compromised as much as possible.

"The highway department replies that charging taxpayers $35,000 a mile over its revised figures was expecting too much. Also, as the Service has pointed out, the section to follow will involve similar costly modifications. The inevitable impasse between cost and conservation has thus arrived.

"Now, however, the Forest Service has proposed a method of arriving at a lower, more acceptable cost-per-mile figure. By planning the construction of the entire 40 miles of highway and averaging the cost, the more expensive sections would be balanced by those upper stretches where the canyon widens and can easily accommodate the new road.

"Will this admitted accounting gimmick provide a way around the roadblock? Pressures are building both to halt and to hasten the construction of this high-speed highway. Economic groups in Logan hope to divert some of the Utah-Idaho traffic through their city with a consequent increase in consumers. Boating enthusiasts, normally on conservation's side, here want merely to travel the road as swiftly as possible to and from Bear Lake. Fishermen point out that they not only fish, but that their dollars are just as important, if not more so, as those of the occasional traveler who wants to trade their many hours of enjoyment for a few questionable minutes saved in travel. Other heretics have pointed out that the Logan Canyon Road does not really go anywhere important—why should it be given such priority over all other considerations?

"Public Law 86–517 (the multiple use and sustained yield legislation enacted June 12, 1960) provides that both tangible and intangible values must be considered in the management of national forest lands, and this the Forest Service here has tried to do conscientiously. But the battlelines are neither simple nor clear; there is good faith and good argument on both sides. It is this situation which may arise time and again as our billion-dollar highway program develops.

"It appears to some disgruntled citizens that the highway through Logan has been halted because neither agency will yield. However, both are still hopeful. At the present time the highway department is working on plans for the entire project without regard to preserving stream or vegetation, merely to arrive at a basic cost, while the Forest Service is devising ways of preserving as much as possible and still provide a good road. When both these estimates are added together and the cost-per-mile refigured, it is possible—and even mandatory—that some compromise can be reached. Until then, hurrying motorists who have sped through the canyon's lower, improved road have saved about a minute. However, if the wider road is not extended, that which has been finished remains a waste of money.

"The fact is that highway engineers have done their job well, and perhaps far too well. Their assignment until now has been to devise roads that are efficient, safe thoroughfares at minimum cost to taxpayers. But somewhere along the line their hard logic may break down, or have to give way to softer, more pervasive argument. For instance, are straighter roads, which encourage higher speeds, safer in all instances? Statistics prove otherwise. Does a road such as this through Logan Canyon have the same purpose as that through a Chicago suburb? Are the minutes saved in transport equal to the enjoyment lost by their construction?

"Each individual, obviously, must answer such questions for himself, and probably no two answers will be alike. A recent report by Utah State University which emphasizes the need to plan and finance resource protection as an integral part of highway construction projects indicates that Logan's example will not be overlooked in the future. Such protection for intangibles will undoubtedly add to highway costs, but it may save a different wealth which in most cases can neither be counted in dollars nor replaced when once destroyed. It is this difficult balance between real and unseen values, between present costs and future returns, which must be struck. Logan Canyon has shown how this old and thus far irreconcilable problem has reached into an increasingly important area. Whatever compromise is reached will certainly not be satisfactory to every faction. But just as certainly, it will affect everyone who drives, whether his purpose is to go someplace else, or to enjoy the going."

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[From the daily CONGRESSIONAL RECORD, May 21, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Monday, May 21, 1962)

Mr. METCALF. Mr. President, the Baltimore Sun in an editorial on April 14, 1962, entitled "Sportsmen's Weekend," mentions the opening of the trout season, along with baseball and racing. But, as the editorial states, "Alas, the area for trout fishing undergoes another constriction this year." Then it goes on to describe the changes brought about on a popular stream by the construction of a new expressway, and the desecration caused by the construction.

Mr. President, I ask unanimous consent to insert the editorial referred to in the Baltimore Sun in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"And tomorrow the trout season opens, even less a mass sporting affair than the country races, a sport for men who don't mind taking their pleasure and exercising their skill in solitude. Alas, the area for trout fishing undergoes another constriction this year. Most popular hereabouts was the mile or so of Jones Falls from the point where it passed east of the Falls Road near the conjunction with Joppa to the point where it passes west again just north of Bare Hills. It coincides with the area taken over for a vast interchange between the new Jones Falls Expressway and the Beltway. Throughout most of its length the stream has been scooped out, diverted, and generally manhandled, and the wilderness along its borders which provided much of its charm scraped off by bulldozers, the banks bare, the stream itself a river of mud. No doubt in time the stream will look like a stream again, but not this year."

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[From the daily CONGRESSIONAL RECORD, May 22, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Tuesday, May 22, 1962)

Mr. METCALF. Mr. President, the largest independent newspaper in my own State of Montana, has joined in the effort to save our streams. In an editorial on April 24, the Great Falls Tribune, Great Falls, Mont., pleads the case for protection of the fine fishing streams for which Montana is noted, through cooperative planning by the State highway departments, Bureau of Public Roads, and fish biologists.

Mr. President, I ask unanimous consent to have printed the editorial referred to in the Great Falls Tribune in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"METCALF, OLSEN WOULD SAVE FISH

"Streams would be reserved for fish and fishing and highway routings in Montana and other States would have to respect the reservation if Congress adopts proposals now pending before the Senate and House Public Works Committees.

"The bills, S. 2767, by Senator LEE METCALF, of Montana, H.R. 10453 by Representative ARNOLD OLSEN, of Montana, and H.R. 10269 by Representative HENRY S. REUSS, of Wisconsin, would require the Secretary of Interior's approval for all surveys, plans, specifications and estimates for the Federal-aid highway systems.

"The State highway departments generally hold that the Federal Bureau of Public Roads will not approve the additional costs in locating roads to spare streams or to skirt game concentration areas. The Bureau, in turn, claims that the public has given no indication that the additional costs would be acceptable.

"Proponents of the measures say construction causes erosion and exposes more raw soil to erosion with increased silt pollution in streams as the end result. The silt settles out on the streambeds, suffocating desirable aquatic organisms, running spawning bars. It also clouds the streams, shutting off sunlight and lessening the productivity of the waters as fish habitat.

"All of these undesirable factors, according to one Montana fisheries biologist, are slowly eating away the Treasure State's trout streams by legitimate processes carried on under the guise of progress. Individually the losses do not appear great in most cases; however, in groups they are staggering. Montana, he said, lost 78 miles of original stream channel in 1961."

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[From the daily CONGRESSIONAL RECORD, MAY 25, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Friday, May 25, 1962)

Mr. METCALF. Mr. President, it is significant that many of the State fish and game departments are becoming increasingly aware of the destruction of fishing streams through the building of new highways. It has come to my attention that more than just the streams are being destroyed. In the Commonwealth of Pennsylvania highway development will affect a fish hatchery which is valued at close to a million and a half dollars and 8 miles of excellent trout water on Fishing Creek. This is an urgent S O S in support of my bill, S. 2767.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter to the executive director of the National Wildlife Federation, Mr. Thomas Kimball, from Mr. Albert M. Day, executive director of the Pennsylvania Fish Commission.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"COMMONWEALTH OF PENNSYLVANIA,
"PENNSYLVANIA FISH COMMISSION,
*"Harrisburg, Pa., April 18, 1962.*

"Hon. THOMAS KIMBALL,
*"Executive Director, National Wildlife Federation, Washington, D.C.*

"DEAR TOM: I notice in the last issue of the News a request for information about the effect of highway development on conservation projects. We have a good one in Pennsylvania and anything you can do to assist will be most welcome.

"The old Federal trout hatchery at Lamar, Pa., is in danger of serious damage or perhaps complete destruction by the plans of the highway engineers for the building of the Pennsylvania shortway. This is located on one of the finest limestone streams in the East and over the years has been one of our most productive hatcheries. The fish from this installation are planted pretty well over Pennsylvania and perhaps even into New York. It has been built at great expense. Perhaps a million and a half dollars would not cover its actual value. Above it lies about 8 miles of beautiful trout water known as Fishing Creek which is an excellent natural producer as well as supplying water for the hatchery.

"Preliminary plans indicated that the highway engineers proposed to run their super highway directly through the hatchery grounds and on along Fishing Creek above, to the top of the canyon. We think we have been able to divert their efforts from the hatchery grounds, but we fear that if the road parallels the stream, it may well ruin it from siltation and that the blasting in this limestone area may even disrupt or ruin the springs which help feed the hatchery its present water supply.

"The details on this can be secured from Abe Tunison or someone over in the Bureau of Sport Fisheries and Wildlife, but I believe it is an excellent example of how the highway program can interfere with existing wildlife values."

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[From the daily CONGRESSIONAL RECORD, June 11, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Monday, June 11, 1962)

Mr. METCALF. Mr. President, the Water Control Advisory Board met in Washington, D.C., March 1 and 2, 1962, to review program progress and discharge its responsibilities under the Water Pollution Control Act. One of the items considered was the staff findings regarding responsibilities for pollution caused by interstate highway construction. A summary of the findings is included in the board's report to the Secretary of Health, Education, and Welfare.

Mr. President, I ask unanimous consent to have printed in the RECORD a summary and ensuing resolution which the board adopted unanimously approving the principle of S. 2767, which I introduced on January 30, 1962.

There being no objection, the report and resolution were ordered to be printed in the RECORD, as follows:

"REPORT ON POLLUTION CAUSED BY HIGHWAY CONSTRUCTION

"Contact was made and discussions held with the proper people in the Bureau of Public Roads. They say that specifications for highway construction are largely accomplished by the State highway departments, and that the contractor is liable for negligence resulting in property damage covering such items as turbidity, mud damage, washouts, et cetera, during construction.

The Bureau of Public Roads does insist that embankments, highway cuts, et cetera, receive proper attention and contractors are required to satisfactorily reseed and sod and otherwise repair such embankments, cuts, washes, et cetera. The Bureau of Public Roads believes the control of water pollution caused by highway construction could be effected if there were effective coordination among State agencies involved. They will be glad to discuss the matter with the Water Pollution Control Advisory Board if this board desires. Mr. Krause and the Bureau of Public Roads people concluded that additional research into the problem may be beneficial, although the Bureau has already done considerable research in the turbidity problem. Mr. Krause made available to board members a copy of S. 2767 by Senator METCALF, a bill introduced in the U.S. Senate, January 30, 1962, 'To amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources.' The board thanked Mr. Krause for his investigation and report. In the ensuing discussions, the board unanimously adopted the following resolution:

" 'The Water Pollution Control Advisory Board, in consideration of its responsibilities, approved the principle of S. 2767 introduced by Senator METCALF in the U.S. Senate, January 30, 1962, because of the beneficial results that must come in the field of water pollution abatement as a necessary result of this action.' "

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[From the daily CONGRESSIONAL RECORD, June 20, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States., Wednesday, June 20, 1962)

Mr. METCALF. Mr. President, the Beaverkill-Willowemoc Rod & Gun Club of Roscoe, N.Y., recently announced a drive to secure signers to a petition to the Honorable Nelson A. Rockefeller, Governor of the State of New York, which protests destruction of the Beaverkill-Willowemoc streams, situated in Sullivan and Delaware Counties which will occur if present alinement for reconstruction of Route 17 is followed along and in these streambeds.

Petitioners ask the Governor to "intervene with your public works department and any other agency responsible for this alinement, which will destroy these famous rivers on which the fishing is owned by New York State license holders. This public fishing is an irreplaceable part of our American heritage; its destruction to locate a highway is vandalism. We respectfully suggest intervention with the public works department and that you insist on relocation of the alinement."

S. 2767, which I introduced on January 30, 1962, would preclude destruction of fish, wildlife, and recreation values by construction of Federal-aid highways. It is to be hoped that not only the State of New York, but all of the 50 States will be able to curb the destruction of natural habitat for fish and wildlife that can be wrought through roadbuilding.

Mr. President, I ask unanimous consent to have printed in the RECORD the remarks of Mr. Harry A. Darbee, chairman of the Beamoc Conservation Committee, explaining the purpose of the petition.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

"Loss of the streams involved is a concern not only of anglers but of nature lovers, bird watchers, and conservationists throughout the land. The historical background of the Beaverkill-Willowemoc Valleys goes back a couple of hundred years. These streams have figured in the writings of many American authors. Their beauty and the angling in these streams is famous worldwide. This was not only the cradle of American dry fly fishing, but the rivers were frequented by artists, statesmen, captains of industry, authors, the clergy, renowned scientists, as well as many, many common men. Here on the banks of these streams they all belong to one fraternity; those who pursue their recreation out of doors.

"Destruction of these famous streams means not only loss of angling but loss of 23 miles of lovely natural scene, 23 miles of habitat for birds, fishes, and water-loving wildlife. The diminishing natural water courses in New York State and the United States should be a cause for serious concern to every American citizen. It is unfortunate that only enlightened groups are apt to be aware of the losses and the implications involved.

"Our children are heirs to the rivers and the lands of the United States. Let us leave them as complete a heritage as we can. Destruction of all or any part of a stream where such destruction is preventable, merely to locate public works, is a wanton act."

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[From the daily CONGRESSIONAL RECORD, July 5, 1962]

### S O S: SAVE OUR STREAMS

(Extension of remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Thursday, July 5, 1962)

Mr. METCALF. Mr. President, the State educational director of the Audubon Society of New Hampshire, Mrs. Claire S. Batchelder, is very critical of the route of Federal Highway 93 going up through beautiful Franconia Notch, in the lovely State of New Hampshire. My bill, S. 2767, which I introduced on January 30, 1962, would make it necessary for fish and wildlife and recreation values to be considered before a Federal highway could be constructed in such an area.

Mr. President, I ask unanimous consent to insert in the RECORD excerpts from a letter from Mrs. Batchelder to the National Wildlife Federation.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

"Many of us here in New Hampshire have been and are much concerned about Federal Highway 93 going up through beautiful Franconia Notch and have fought it. But, as of now, it has been a losing game. As you know, our famous Old Man of the Mountain is in this notch.

"The land up through the notch is largely State land with some being in the White Mountain National Forest. A large area of this land was purchased years ago by thousands of citizens, many of them schoolchildren contributing money for this purpose and given to the State.

"This highway has already been constructed down to Littleton and is now under construction in the towns of Plymouth and Campton with the opening date set for late summer or fall. Now the highway departments claim they have spent so much money that they will have to go through the notch.

"We are also trying to keep the highway from spoiling an excellent bog area right in the city of Manchester, our largest, and owned by the city. This area had been and is used as a study area for schools and colleges nearby."

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[From the daily CONGRESSIONAL RECORD, Aug. 1, 1962]

### S O S: SAVE OUR STREAMS

(Extension of Remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Wednesday, August 1, 1962)

Mr. METCALF. Mr. President, the May–June 1962 issue of Audubon magazine, published by the National Audubon Society, cites examples of the "tyranny" that is occurring when disregard and apathy supply the criteria for roadbuilding through some of the Nation's most scenic preserves.

My bill, S. 2767, which I introduced on January 30, 1962, would necessitate taking into consideration destruction to our natural resource and help to check the "tyranny" of which the Audubon magazine speaks.

Mr. President, I ask unanimous consent to insert in the RECORD excerpts from an editorial entitled "Highway High-Handedness," from the May–June 1962 issue of Audubon magazine.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

"The New York Times recently carried an editorial entitled "The Tyranny of Roads." The Times editor deplored a threat to beautiful pioneer buildings in Sacramento, Calif., and asked why highway planners must bulldoze their routes through irreplaceable parks, scenic preserves, and archeological treasures.

"In New York the State department of public works insists on building a superhighway down the narrow valley of the Beaverkill, which is perhaps the most storied trout stream in America.

"Such examples of "tyranny" are occurring in many places. With vast sums of Federal money to distribute, and emboldened by the economic and political leverage that accompanies such spending authority, the highway agencies have assumed an arrogant posture. But public concern is growing."

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[From the daily CONGRESSIONAL RECORD, Aug. 3, 1962]

### S O S: SAVE OUR STREAMS

Mr. METCALF. Mr. President, a letter to me from the publisher of the Salt Water Sportsman, Mr. Henry Lyman, of Boston, Mass., tells a tragic but hopeful story. It is a story of water and of fish, of wildlife and birds. It is the story of polluted water caused from neglect in the past, and of hopes to make that water clean again, to restore what nature created and to give to future generations a refuge from urban life in the beauties of nature. It is the story of efforts to restore Neponset River Reservation being thwarted by construction of Route 95 in Massachusetts, and of construction turning into destruction.

My bill, S. 2767, introduced on January 30, 1962, would make it necessary to consider possible damage to natural resources and wildlife before undertaking construction of a Federal highway.

Mr. President, I ask unanimous consent to insert in the RECORD, excerpts from Mr. Lyman's letter of July 18, 1962.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

"Let me make it clear at the outset that the Neponset River in its present condition has little to recommend it from the recreational water use point of view. Heavily polluted where it flows through the towns of Norwood, Canton, Westwood, and Milton, it oozes its slow way through a marsh that was formerly known as the Fowl Meadows because of the numbers of waterfowl found there.

"Plans have been drawn by the metropolitan district commission to deepen the river channel and to straighten it in some areas. This will have the effect of speeding up the current flow. In addition, industrial pollution * * * is gradually being lessened. * * * The river is fed by various unpolluted streams in this area, some of which are now stocked with trout by the Massachusetts Division of Fish and Game.

"Present plans for construction of route 95 call for a limited access expressway running in a northerly direction toward Boston. These plans at the moment terminate at route 128. * * * The marsh area south of route 128 is zoned for industry * * * is privately owned and is undeveloped. Wildlife * * * is found in this valley despite the effects of the polluted river. * * * Marsh birds of all kinds and most of the marsh flora and fauna common to * * * New England * * * are * * * found throughout the Neponset Valley.

"The line of route 95 * * * would destroy most of this marsh habitat. An alternate route * * * which would not only save the marsh, but would also be more economical to construct, has been disregarded by the highway engineers.

"The importance of the Neponset River Reservation * * * cannot be over-emphasized. * * * It is easily reached by a large number of people from the metropolitan area. The metropolitan district commission * * * had plans for improvement of the area in coordination with the river channel work. Now that the highway is aimed through the center of the reservation, such improvement is impossible.

"Any action taken on your bill (S. 2767) may be too late to save the Neponset River Reservation but it certainly will prevent such destruction of public lands in the future."

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[From the daily CONGRESSIONAL RECORD, Oct. 19, 1962]

SOS: SAVE OUR STREAMS

(Extension of Remarks of Hon. LEE METCALF, of Montana, in the Senate of the United States, Saturday, October 13, 1962)

Mr. METCALF. Mr. President, in June of this year a resolution was adopted by the Izaak Walton League of America at its 40th annual convention and conservation conference resolving that our scenic preserves containing wildlife, water resources, and recreational facilities be accorded the attention they deserve when highway planners consider construction of roads.

This resolution is of particular interest to me because my bill, S. 2767, introduced January 30, 1962, would make it necessary to consider possible destruction to wildlife and water areas before Federal highways could be constructed.

This is a subject which many conservationists are becoming increasingly alarmed about, and the Izaak Walton League has expressed its opinion in this resolution.

Mr. President, I ask unanimous consent to have printed in the RECORD the resolution adopted by the Izaak Walton League.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"RESOLUTION 5

"Resolution on modern highway construction and conservation of natural resources

"Whereas Federal and State highway construction, resulting from pressures of an expanding population and increased travel, is causing major problems in the management of natural resources on both public and private lands, particularly with respect to fish and wildlife, and results in detrimental stream alinement, destroys spawning areas, creates barriers to migration of deer and other big game herds, and the protection and enhancement of important outdoor recreation and scenic areas is sometimes overlooked in highway construction; and

"Whereas access to important public recreation areas is not always adequately included in highway construction plans; and

"Whereas highway construction is being increased and the problems concerning wildlife are still unsolved: Now, therefore, be it

"*Resolved by the Izaak Walton League of America, in convention assembled this 23d day of June 1962, at Portland, Oreg.*, That in highway construction advance planning definitely provide for the protection of water resources, fish and wildlife, and recreational values, and that the costs of adequately protecting the range, the watershed, the forests, the wildlife, and the scenic values be considered normal cost of highway construction and included therein."

## OGDENSBURG FERRIES

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to admit the vessels *Fort Town, Maple City,* and *Windmill Point* to American registry and to permit their use in coastwise trade. My colleague, the senior Senator from New York [Mr. JAVITS], joins me in cosponsoring this measure.

The purpose of this bill, Mr. President, is to enable the Ogdensburg Bridge Authority of Ogdensburg, N.Y., to sell these three vessels. The authority was forced to acquire the vessels at an inflated price from the Canadian owner in order to obtain Canadian Government approval for a franchise to build a bridge over the St. Lawrence River. When the bridge was completed, the authority was required to discontinue the ferry service. Since these vessels were built in Canada, they cannot under existing law be sold in the United States. However, because they are very small vessels, without a seagoing capacity, it is virtually impossible to sell them overseas. Moreover, even if they could be sold under the present circumstances, over half of the proceeds would revert to the Canadian Government as taxes.

Mr. President, last year after looking into the matter thoroughly the Department of Commerce withdrew its objections to this bill, as did the Shipbuilders Council of America some time before. This measure passed the Senate without objection last fall but there was not sufficient time for the House committee to hold hearings or investigate the very clear merits of this legislation.

Mr. President, I cannot imagine any Member opposing a bill which will, in effect, provide revenue for the community involved at no expense whatsoever to the Federal Government. In fact, if the bill is not passed, these vessels will undoubtedly remain tied to the dock in Ogdensburg until they rot or any revenues that could accrue from their sale abroad would end up in the hands of the Canadian Government.

Mr. President, I am very hopeful that the Senate will give its favorable consideration to this bill promptly so that this unfortunate situation can finally be ended.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 469) to admit the vessels *Fort Town, Maple City* and *Windmill Point* to American registry and to permit their use in the coastwise trade, introduced by Mr. KEATING (for himself and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Commerce.

## HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE ACT

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to increase the opportunities for training of physicians, dentists, and other professional health personnel.

Mr. President, this Nation is coming face to face with a critical shortage of trained doctors, dentists, and other professional health personnel. In 1950 there were 1,300 people in the United States for each family physician. In 1960 the ratio was 1,700 to 1. By 1975 it is estimated that there will be 1 family physician for every 2,000 families.

Research in the laboratory, until it is applied, saves mice, not men. Only an adequate supply of trained doctors and other health specialists can make it possible for the miracles of modern medicine to reach our communities and hospitals.

The lack of adequate health profession teaching facilities and the high cost of training are at the root of the critical shortage of trained health personnel. The time has come to recognize the entire problem and attack it on a broad scale. If this job is to be done right, we must provide some form of Federal assistance.

Last year the House Committee on Interstate and Foreign Commerce, under the chairmanship of Congressman OREN HARRIS, favorably reported H.R. 4999. As reported by the Harris committee, the bill enjoyed widespread support not only from the administration but from various interested health groups including the American Medical Association. I believe the version of the bill reported by the Harris committee is the one that stands the best chance of passage, and I am therefore introducing the bill in that form at this time. The bill authorizes a 10-year program designed to alleviate critical shortages of professional health personnel. It establishes, first, a 10-year program of matching grants for up to two-thirds of the cost of the construction of teaching facilities for medical, dental, osteopathic, and professional public health personnel as well as for pharmacists, optometrists, podiatrists, and nurses; and second, a 5-year program of loans for students of medicine, dentistry, and osteopathy.

The enactment of such a program is essential to protect the Nation's health. This is true even in States like Connecticut where we are fortunate enough to enjoy a statewide ratio of 1 physician to 640 persons—far above the national average. However, since 1950 the ratio has dropped in five of Connecticut's eight counties; in the State's two least populated counties, Windham and Tolland, the ratio of physician to population is 1 to 1,124 and 1 to 2,200, respectively. The writing is on the wall for Connecticut and for all the Nation.

Connecticut has recognized the problem and under Governor Dempsey's leadership has taken the first necessary steps to solve it. The Connecticut Legislature has appropriated $2 million toward starting a medical-dental school in Hartford County as part of the University of Connecticut. An outstanding commission was named to select a site and land has now been purchased. Now Federal assistance is needed, so Connecticut and all States can construct facilities based on need and not the limited resources of the individual State.

The adoption of the Health Professions Educational Assistance Act this year, Mr. President, is of vital importance. Adequate training facilities and manpower is essential to the future health and well-being of the Nation. I intend to do everything I can to bring this proposed legislation to a successful conclusion.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 470) to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## BILL TO ESTABLISH THE INTERNATIONAL HOME LOAN BANK

Mr. SMATHERS. Mr. President, on behalf of myself and my colleague, the junior Senator from Alabama [Mr. SPARKMAN], I introduce, for referral to the proper committee, a bill which provides for the establishment of an International Home Loan Bank.

For the past several years, the savings and loan industry of the United States has given a great deal of study to the establishment of an International Home Loan Bank. The Bank would be set up to help create mutual thrift and home financing institutions in friendly underdeveloped nations in an effort to improve living conditions and strengthen the free world alliance.

At the same time, a number of Federal agencies have interested themselves in the proposal as a possible step to expand home construction under our foreign aid program without incurring additional budgetary expense to the U.S. Government. Interest in the International Home Loan Bank has been heightened by the success achieved by the Agency for International Development in making "seed" capital loans to newly opened savings and loan associations in an effort to spur development of the thrift and private homeownership program.

In this connection, it is interesting to note that during the past 2 years, the U.S. Government has allocated approximately $40 million in "seed" capital loans to Chile, Peru, Ecuador, the Dominican Republic, and Colombia. As a result of this assistance, more than 30 savings and loan associations are now operating in these countries while similar programs are being considered in other nations in Latin America.

In developing the U.S. assistance program in the savings and loan area, the Government has had the benefit of technical advice from leaders of the savings and loan industry, many of whom believe that the homeownership program in Latin America can be expedited by the establishment of an International Home Loan Bank.

It was my privilege to introduce a similar proposal in Congress 3 years ago; namely, S. 582. Since that time, a great deal of study has been devoted to this proposal by the two savings and loan trade associations—the United States Savings and Loan League, and the National League of Insured Savings Associations. Moreover, the establishment of an international bank has been carefully considered by a number of Federal agencies, and I am hopeful that the administration will take a favorable position on this legislation in the near future.

Under the provisions of the bill which I am reintroducing today, savings and loan associations and mutual savings banks in the United States would be authorized to invest up to 1 percent of their assets in the International Home Loan Bank. The Bank would use such funds to provide seed capital loans to help establish mutual thrift and home financing institutions in such friendly underdeveloped areas of the world as Latin America, Africa, and Asia.

I should like to emphasize, Mr. President, that in making loans to mutual thrift institutions in oversea areas, savings and loan associations in the United States would not exercise either control or ownership of the counterpart institution in a friendly foreign nation. These would be locally owned mutual thrift institutions. Moreover, I am convinced that the sole objective of the savings and loan industry in supporting this legislation is to make a contribution to the free world's fight against communism by facilitating the expansion of homeownership in an effort to create better living conditions in the friendly oversea areas.

I am advised that the Senate Subcommittee on Housing, headed by my distinguished colleague, the Senator from Alabama, has already launched a comprehensive study of problems in the field of international housing and expects to file a report shortly to the Senate on this very vital matter. I would like to express my own personal hope that this study will lead to hearings by the Senate subcommittee and ultimate enactment of International Home Loan Bank legislation.

Having been to Latin America on numerous occasions, I can testify to the enormous housing problem existing in Central and South America. This long-festering problem provides daily grist for the Communist mill operating in Latin America.

Housing experts have estimated that more than 12 million housing units are required in Latin America to meet the present requirements of the people. Obviously, this volume of housing cannot be constructed in a single year or even a single decade. But if we are able to expand home construction through such facilities as the International Home Loan Bank, we will give the people hope where none exists today.

It seems to me that under the Alliance for Progress program, one of our main objectives is to improve the living conditions of the people of the friendly underdeveloped half of the world. It is my considered judgment that the International Bank will make a major contribution toward this objective, and I would hope that the Congress would be able to enact this legislation before adjournment.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 474) to provide for the establishment of an International Home Loan Bank, and for other purposes, introduced by Mr. SMATHERS (for himself and Mr. SPARKMAN), was received, read twice by its title, and referred to the Committee on Banking and Currency.

## UNIFORM CHOICE OF LAW GOVERNING TRANSFERS OF TITLE TO AIRCRAFT

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill brought to my attention during the 87th Congress by the Association of the Bar of the City of New York, to remedy a chaotic situation in the aircraft industry which exists because of conflicting State law as to the validity of conveyances of aircraft and related equipment. Introduced last session as S. 2773, the bill was reported favorably after hearings by the Committee on Commerce, and was passed unanimously by the Senate. Unfortunately, there was not sufficient time remaining in the session to obtain House action.

The bill is substantially identical to the bill introduced in the 87th Congress. It does not change the substantive law of the various States but simply amends the Federal Aviation Act of 1958 so that there is a uniform rule as to which State's law applies to a given conveyance, lease, or other transfer of title or interest in such equipment. This would alleviate the present uncertainty which arises because at least three different rules are now in use. Comparable provisions already exist in relation to ships and motor vehicles, where equipment is constantly in rapid movement across State lines.

I ask unanimous consent that a memorandum explaining the bill in greater detail be included in my remarks at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 475) to amend section 503 of the Federal Aviation Act to provide substantive Federal law relating to the validity of conveyances which affect title to or interests in civil aircraft of the United States and related equipment, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Commerce.

The memorandum presented by Mr. JAVITS is as follows:

### MEMORANDUM IN SUPPORT OF PROPOSED AMENDMENT TO SECTION 503 OF THE FEDERAL AVIATION ACT OF 1958

The purpose of the proposed legislation is to provide substantive Federal law relating to the validity of conveyances which affect the title to or interests in civil aircraft of the United States and related equipment. This is accomplished by providing that the substantive validity of such an instrument, i.e., a conveyance, lease, mortgage, equipment trust, contract of conditional sale, other instrument executed for security purposes, or assignment of amendment thereof or supplement thereto, is to be determined by the substantive law of the jurisdiction within the United States or its territories or possessions in which such instrument is delivered. Thus, the Federal law would look to the substantive laws (as distinguished from the adjective laws, including recording and filing provisions) of the State in which the relevant instrument is delivered and if such instrument is valid under that law and is in turn recorded under the applicable provisions of the Federal Aviation Act of 1958, the instrument would be deemed valid in all jurisdictions in the United States in respect of the property covered by the instrument.

There is an urgent need, emphasized by recent court decisions, for the proposed legislation so as to bring order to the existing chaotic situation with respect to conveyances by and to domestic air carriers.

The laws of the various States differ as to the requirements governing the validity of mortgages, conditional sale agreements, leases, equipment trust agreements and the like. Furthermore, there are at least three theories considered applicable in attempting to resolve the question as to which jurisdiction's laws should be taken into account in determining the validity of many such instruments, namely, (1) the jurisdiction in which the particular property is located at the time the instrument is executed and/or delivered, (2) the jurisdiction within which the instrument is executed and/or delivered, and (3) the residence of the parties to the transaction, particularly the conveyor. Which theory or theories should be adopted regarding a proposed financing of an air carrier incorporated under the laws of one State, maintaining airport facilities and aircraft and related equipment in many States, flying scheduled routes over many more States and seeking the financing from banks located in other States? At the time a chattel mortgage, for example, is given to the banking institution by the air carrier, its aircraft may be located in or over any number of States. Were the parties to such a transaction to follow only the first theory referred to above, at the moment the chattel mortgage on the air carrier's fleet of aircraft (many of which would be in the air) is executed the laws of many States would come into play, and a moment later the laws of different States would apply, notwithstanding any contradiction between the laws of such States. Moreover, there is no real logic in considering the law of State X paramount as to the validity of a chattel mortgage on a specific aircraft when the aircraft is at that moment traveling over the State at a speed in excess of 500 miles an hour and at a height in excess of 40,000 feet.

The proposed legislation would serve to preempt the field as to the substantive validity of such conveyances just as present section 503 of the Federal Aviation Act of 1958 has, since 1938, preempted the field as to the recording of such conveyances. A provision comparable to the proposed legislation has been applicable to conveyances of U.S.-flag vessels since the enactment of the Ship Mortgage Act of 1920. Similarly, a 1958 amendment to the Motor Carrier Act now provides comparable legislation as to motor vehicles.

The proposed legislation has been drafted within the framework of section 503 of the Federal Aviation Act of 1958. It applies only to those conveyances enumerated in said section and does not conflict with or impinge upon the other provisions of said section or the act.

## TRANSFER OF LANDS TO STATES FOR RECREATION AND STATE PARK PURPOSES

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to transfer Federal lands to the States for recreation and State park purposes without cost.

I sponsored a bill on this subject in the 86th Congress, but the measure which passed in Congress did not change the present requirement that the State must pay for any Federal land transferred and Secretary Udall has fixed a price of $2.50 per acre. It did provide, however, that the 640-acre provision should not apply to the conveyance of lands for State park purposes, and Congress empowered each State to apply for 6,400 acres a year for not more than three recreational sites and for 12,800 acres in the calendar years 1960, 1961, and 1962. Only a small amount of acreage has been transferred to date in Utah under this amendment—and other applications are pending. Processing of applications by the Bureau of Land Management is unreasonably slow, but that is another problem which I hope to discuss in more detail later on this floor.

My purpose here today is to launch another attempt to pass a cost-free State park land conveyance bill. Conveyance without cost was recommended in the report of the Outdoor Recreational Resources Review Commission, and there is growing support for this principle.

I realize that Congress will undoubtedly give serious consideration this session to a bill to establish a Land and Water Conservation Fund. The Senate Interior and Insular Affairs Committee, of which I am a member, worked on this problem last session, and a revised bill is expected to be introduced shortly. It will use entrance, admission, or other recreation user fees from Federal land and water areas to build up a recreation fund. The major portion of these funds would be given to the States, on a grant-in-aid program, for planning, acquisition, or development of State recreation areas.

I shall most certainly support this measure, but if at the same time we could pass my bill for cost-free conveyance, it would enable the States to use this grant money to plan and develop their recreational areas, and we could move ahead much more rapidly with development of our outdoor recreation facilities.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 482) to amend the act of June 14, 1926 (44 Stat. 741), as amended, to provide that conveyances under such act for State park purposes shall be made without consideration, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## TAX RELIEF FOR THE ARTS

Mr. JAVITS. Mr. President, the problem of stimulating the arts in an industrial society such as ours is one which has long concerned me, as my colleagues well know. Tax relief for the arts is an additional avenue toward such stimulation, supplementing my long effort toward the establishment of a U.S. Arts Foundation, which culminated in introduction last week of S. 165, the bill which was favorably reported by the Senate Labor and Public Welfare Committee during the 87th Congress.

Bills parallel to those I am introducing today are also being introduced today in the House of Representatives by my colleague from New York, the Honorable JOHN LINDSAY, who has also long fought for proper recognition of the role of the arts.

The first of these bills would provide for capital gains rates, rather than ordinary income rates, upon the sale or other transfer of copyrights and other rights in literary, musical, and artistic compositions.

The second bill would provide for averaging of income derived from such compositions so that the impact of taxation in a single year would be lessened in the case of a composition which took a number of years to complete.

Finally, the third bill would repeal the Federal admissions tax on live dramatic performances.

I very much hope that the present emphasis on tax reform will not neglect these measures, which could be so important to the development and maintenance of our great cultural assets.

Mr. President, as part of my continuing interest in our need to adopt a totally new attitude toward the development of culture in our country and toward the Federal Government's responsibility in respect to it, I am introducing this group of bills for appropriate reference.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 497. A bill relating to the tax treatment of transfers of rights to copyrights and literary, musical, and artistic compositions;

S. 498. A bill to amend the Internal Revenue Code of 1954 to provide for the averaging of income derived from literary, musical, and artistic compositions and copyrights by the individuals whose efforts created such property; and

S. 499. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admissions to any live dramatic (including musical) performance.

## COLLEGE ACADEMIC FACILITIES AND STUDENT ASSISTANCE ACT OF 1963

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, the College Academic Facilities and Student Assistance Act of 1963. This is essentially the same as S. 3775 which I introduced in the 87th Congress. It incorporates all the provisions in the conference report agreed upon by the House and Senate conferees with the exception only of the deletion of the provision for so-called nonreimbursable loans.

This bill provides almost $2 billion over a 5-year period for college construction grants and loans; loans to help needy students which incorporate a 50-percent forgiveness feature for excellence in scholarship; and construction grants for public community colleges. This assistance, on which the House and Senate conferees were in agreement last year, is urgently required by needy students and overburdened colleges faced with a steadily increasing number of students applying for admission. We cannot put off consideration of this problem except at our own peril.

Statistics demonstrate that time is running out on the opportunity we have to save the Nation's skilled manpower. During the first 8 months of 1963, this year, the number of applications for college entrance in September will be a quarter of a million higher than those admitted in 1962. This is an increase of nearly 25 percent in this year alone. Next year the increase will amount to another 215,000 above the number in 1963. The primary reason for these increases is that there are now 553,000 more young people in the high school senior age group than was the case a year ago.

Our colleges and universities are making almost desperate efforts to meet this approaching enrollment bulge, but they are far behind in meeting the need for classrooms, laboratories, and other necessary facilities.

Another proposal in the bill provides loans for needy students with generous forgiveness features for scholarly excellence. Such loans will help students meet increasingly high tuition costs and at the same time give impetus and reward for exceptional achievement in scholarship.

Today the higher education picture is not good—expanding registrations, overcrowded classrooms, inadequate teaching staffs, worn out or old-fashioned equipment. Our educational system in this space age should be of the very best quality we are capable of in order to meet the growing shortage of skilled manpower. We do not have the best system now and we are not doing enough to get it. Unless funds for construction of academic facilities and for aid in construction of community colleges—which are taking an increasingly important role in our education picture—unless these funds become available, there will be many young Americans intellectually eligible who will be denied the opportunity to be educated at the college and university level. The responsibility is on us not to allow this circumstance to come to pass.

I ask unanimous consent to have a tabulation in regard to costs printed in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TITLE I—CONSTRUCTION

One hundred and eighty million dollars per year in grants.

One hundred and twenty million dollars per year in loans.

Five-year total, $1,500 million.

TITLE II—STUDENT LOANS

First year, $17.5 million.
Second year, $26.250 million.
Third year, $26.250 million.
Fourth year, $35 million.
Fifth year, $35 million.
Total, $140 million.

TITLE III—CONSTRUCTION GRANTS FOR PUBLIC COMMUNITY COLLEGES

Fifty million dollars per year for each of 5 years.

Total, $250 million.

Mr. JAVITS. Mr. President, without going into all of the details of the bill, which are fairly extensive, it represents the most comprehensive approach to Federal aid to higher education on which we were able to agree in the last Congress. In my opinion it deals most satisfactorily with the school-church issue, by providing, in what I think is a perfectly constitutional way, for reimbursement or help to whoever is rendering educational services of essential character to the national interest, whatever the source may be.

Mr. President, one of the most shocking failures in terms of the national interest in the last Congress was the failure to adopt aid to higher education which, if anything does, holds the key to our country's destiny as well as its security. We know absolutely and surely that there will be a doubling of college registrations within the next 10 years.

Mr. President, this involves the question of whether we are or are not going to be abreast of modern times and the competition with which we are faced from the whole Communist bloc, not only from the Soviet Union, but perhaps also, as time will tell in the future, even more dangerously from Communist China.

So I take this occasion, upon the introduction of the bill, to express my disappointment over the fact that the President in his state of the Union message did not emphasize what he has emphasized before but strangely omitted this time—the need for this proposed legislation. I point out that it was completely in balance between the House and Senate in terms of the conference which we had previously. I would put it as one of the highest priorities of this Congress.

It is for that reason, Mr. President, that I am introducing the bill at this time. I ask unanimous consent that the bill may be permitted to lie on the table until a week from today so that other Senators who may find it desirable to join in sponsorship of the bill may do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table as requested.

The bill (S. 500) relating to college academic facilities and student assistance, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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## PRESERVATION OF JURISDICTION OF THE CONGRESS OVER CONSTRUCTION OF HYDROELECTRIC PROJECTS ON COLORADO RIVER BELOW GLEN CANYON DAM

Mr. HAYDEN. Mr. President, on behalf of myself and Senators ANDERSON, BIBLE, ENGLE, and MOSS, I introduce, for appropriate reference, a bill to preserve the jurisdiction of Congress on hydroelectric projects on the Colorado River below Glen Canyon Dam. I ask unanimous consent that the bill may lie on the desk for the next 3 days for the addition of the names of those who wish to cosponsor it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as the Senator from Arizona has requested.

The bill (S. 502) to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam, introduced by Mr. HAYDEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

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## PROPOSED LEGISLATION RELATING TO MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, I send to the desk a legislative program designed to alleviate the serious and extensive problems which confront our Nation's migratory farm citizens. I ask unanimous consent that these bills be printed in the RECORD and lie on the desk until Monday, February 4, 1963, so that other Senators may join as cosponsors. This legislative program can be a social and economic Magna Carta for the most underprivileged and neglected group in our society—migratory farmworkers. It can also materially strengthen commercial farming by relieving it of many burdens historically incident to the use of migratory labor.

Specifically, this legislative program provides improved educational opportunities for the migrant and his family, day-care services for migrant children, improved child labor protection for migratory children, crew leader registration, a National Advisory Council on Migratory Labor, improved employment service for migrants, minimum wage, national labor relations coverage, and adequate sanitation facilities. The housing measure, to which I shall refer in a moment, is undergoing final drafting and will be introduced shortly.

We know that the migratory labor problem does not persent a one-sided issue. Vital interests of the farm employer, the farmworker, and their community must be melded together in a practicable, equitable legislative program. The legislation I have introduced accomplishes this purpose. It provides a balanced program, which recognizes this multiplicity of interests and takes into account their unique needs and relationship to each other. Every effort has been made to assure that no unfair or arbitrary provisions are imposed upon the farmworker or the farm employer.

The employer of migratory labor is often charged with the responsibility of the safety and welfare of the migrant farm families, especially the children. This responsibility often imposes a burden upon the farmer in that much of his time is spent worrying about his employee's family, rather than the operation of a business enterprise. The day-care bill relates directly to this problem; for the provision of proper care and supervision of migrant children will enable both the worker and the employer to go about their daily tasks, freed of worry about injury, accident or potentially harmful activities of the children.

Similarly, many growers are willing to improve their worker housing but are often prevented from doing so by lack of adequate financing. The housing bill and the sanitation bill attempt to ameliorate this situation by providing insured or direct loans for the construction or renovation of adequate housing and a program of grants to assist in the construction of sanitation facilities. The low-rent housing measure, moreover, may be a major factor in attracting a reliable work force to the area of need.

In the long run, both the farmer and the worker will benefit from legislation that will help the migrant not only to live a decent life, but also to improve his skills and abilities. Both will be better off when the migrant labor market is rationalized and produces a stable supply of skilled, dependable labor. The Voluntary Farm Employment Service Act goes to the heart of this problem and proposes sound and practical ways of achieving a stable labor market.

Finally, the National Advisory Council will give all interested groups a voice in the future of legislation, problems and projects which involve migratory farm labor.

It is often asserted that a prosperous society tends to forget its poor; that Congress will not concern itself with a group lacking a political voice, especially the migrant citizen whose very mobility costs him his vote. This myth has been exploded. People from all walks of life—growers and city folks alike—have expressed their concern for the migrant citizen and his family. The Congress has responded, and its work is having effect.

A number of important migratory labor proposals were passed by the Senate during the 87th Congress. One of these, the Migratory Health Act, was enacted into law. The others—which have been brought forward in the program introduced today—related to improved child labor protection for migratory children, improved educational opportunities for the migrant and his family, crew leader registration, day-care services for migrant children, and a National Advisory Council on Migratory Labor.

The enactment of the Migratory Health Act—Public Law 87-692—by the 87th Congress is a landmark in the history of American progress. A first firm step has been taken. We must take many steps more, however, if social justice is to become a reality for the many millions who go through life with the burdens of second-class citizenship. There are good reasons, moreover, to believe that this Congress will make a major contribution toward the eventual alleviation of the overall migratory labor problem.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD, and will lie on the desk, as requested by the Senator from New Jersey.

The bills, introduced by the Mr. WILLIAMS of New Jersey (for himself and other Senators) were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

By Mr. WILLIAMS of New Jersey (for himself, Mr. BURDICK, Mr. CLARK, Mr. HUMPHREY, Mr. DOUGLAS, and Mr. YARBOROUGH):

S. 521. A bill to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### *Short title*

SECTION 1. This Act may be cited as the "Migrant Agricultural Employees and Children Educational Assistance Act of 1963".

### *Findings and purpose of Act*

SEC. 2. The Congress hereby reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education. The Congress recognizes, however, that the interstate and large seasonal movement of migrant agricultural employees imposes severe burdens on local educational agencies in discharging their responsibilities with respect to the education of the children of, and in providing adult education for, such employees who temporarily live within their school districts. It is therefore the purpose of this Act to provide financial assistance for the education of children of migrant agricultural employees, and to provide for certain planning grants to the States to improve such education, and to provide financial assistance for pilot projects for adult education for such employees.

### *Federal control of education prohibited*

SEC. 3. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

### *Definitions*

SEC. 4. As used in this Act—

(1) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary, secondary, and adult education, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law;

(2) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State, and includes any State agency which directly operates and maintains facilities for providing free public education;

(3) The term "child" means any child who is within the age limits for which the applicable local educational agency provides free public education;

(4) The term "parent" includes a legal guardian or other person in loco parentis;

(5) The term "migrant agricultural employee" means an individual (a) whose primary employment is in agriculture, as defined in section 3(f) of the the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or performing agricultural labor, as defined in section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), on a seasonal or other temporary basis, and (b) who establishes with his family for the purpose of such employment a temporary residence;

(6) The term "Commissioner" means the United States Commissioner of Education;

(7) The term "average daily current expenditures per public school child" means the total current expenditures for a State's public elementary and secondary schools during a particular year divided by the product of the average daily attendance in such schools during such year times the number of schooldays in such year; the term "current expenditures" means expenditures for free public education in such schools to the extent that such expenditures are made from current revenues, except that such term does not include any such expenditure for the acquisition of land, the erection of facilities, interest, or debt service; and for the purposes of payments under title I for attendance during any academic year the Commissioner shall determine and use the average daily current expenditures per public school child for the year preceding such academic year;

(8) The term "institution of higher education" means any such institution which is accredited as such by a nationally recognized accrediting agency; and

(9) The term "migrant agricultural employee State" means any State which has five hundred or more such employees in any five or less counties each of which has at least one hundred such employees, and determinations for the purpose of this definition shall be made for the most recent year that satisfactory population figures are available from reliable sources.

### *Administration*

SEC. 5. (a) The Commissioner shall administer this Act, and he may make such regulations and perform such other functions as he finds necessary to carry out the provisions of this Act.

(b) The Commissioner shall include in his annual report to the Congress a full report of the administration of his functions under this Act, including a detailed statement of disbursements.

## TITLE I—PAYMENTS TO CERTAIN STATE EDUCATIONAL AGENCIES FOR ASSISTANCE IN EDUCATING CHILDREN OF MIGRANT AGRICULTURAL EMPLOYED PARENTS

### *Appropriations authorized*

SEC. 101. There are authorized to be appropriated for the fiscal year beginning July 1, 1963, and for the four succeeding fiscal years, such amounts as may be necessary to carry out the provisions of this title.

### *Payments*

SEC. 102. (a) Upon application in accordance with the provisions of this section for the school year beginning in 1963, or for any of the four succeeding school years, by the State educational agency of any migrant agricultural employee State, the Commissioner shall pay to such agency an amount equal to 100 per centum with respect to the school years beginning in 1963 and 1964 and 50 per centum with respect to the school years beginning in 1965, 1966, and 1967, of the average daily current expenditures per public school child, for such State, for each day's attendance during such school year in a free public elementary or secondary school of a local educational agency in such State, by a child who attends any such schools in such State for at least five days during such year and whose parent is a migrant agricultural employee. The amount paid under this section to a State educational agency for each day's attendance in a school of a local educational agency shall be paid by such State agency, in accordance with regulations established by the Commissioner, to such local educational agency.

(b) Payments by the Commissioner under this section shall be made for attendance during the regular school year beginning in 1963, and the four succeeding school years, and may be made at such intervals as the Commissioner deems appropriate. Such payments shall be made through the disbursing facilities of the Department of the

Treasury and prior to audit or settlement by the General Accounting Office.

(c) An application under the provisions of this section shall be in such form and contain such information as may be required by the Commissioner to carry out the provisions of this section, and the Commissioner may require such additional information and reports at such intervals during the school year as he deems necessary.

### TITLE II—GRANTS FOR SUMMER SCHOOLS FOR CHILDREN OF MIGRANT AGRICULTURAL EMPLOYEE PARENTS

#### *Appropriations*

SEC. 201. There is authorized to be appropriated $300,000 for the fiscal year beginning July 1, 1963, and for each of the four succeeding fiscal years, for grants under the provisions of this title.

#### *Allotments and grants*

SEC. 202. (a) Amounts appropriated pursuant to section 201 for any fiscal year shall be allotted among the migrant agricultural employee States on the basis of their relative populations of migrant agricultural employees for the most recent year that such populations are available from reliable sources. A State's allotment under this section shall be available during the year for which made and the succeeding fiscal year for payments in accordance with the provisions of this title for the operating costs of conducting necessary summer school sessions for children who have a parent who is a migrant agricultural employee, except that allotments for the fiscal year beginning July 1, 1965, and each fiscal year thereafter shall be available for paying not more than 50 per centum of any such costs. As used in this section the term "operating costs" includes all ordinary costs of operation other than any costs for the acquisition of facilities or costs related to any such acquisition.

(b) The amount of any State's allotment under this section for any fiscal year, which the Commissioner determines will not be required for carrying out the provisions of this title in such State during the period for which such allotment is available, shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under this section, but with such adjustments as may be necessary to prevent reallotment to any State of any sum in excess of the amount which the Commissioner estimates it needs and will be able to use during such period for carrying out the provisions of this title. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 201 for any fiscal year shall be deemed part of its allotment under subsection (a) for such year.

#### *Application and payments*

SEC. 203. (a) The Commissioner shall approve any application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out the State program for summer schools to be conducted in such State by local educational agencies or institutions of higher education, or both, the necessity therefor, the operating costs of such summer schools, and the amount needed under the provisions of this title to defray such costs; and

(3) provides that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner upon request, access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such State agency out of the allotment to such State, the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

### TITLE III—PLANNING GRANTS

SEC. 301. There is authorized to be appropriated $250,000 for the fiscal year beginning July 1, 1963, and for each of the four succeeding fiscal years for grants under the provisions of this title.

#### *Allotments and grants*

SEC. 302. (a) Amounts appropriated pursuant to section 301 for any fiscal year shall be allotted among the migrant agricultural employee States on the basis of their relative populations of migrant agricultural employees for the most recent year that such populations are available from reliable sources. A State's allotment under this section shall be available during the year for which made for payments in accordance with the provisions of this title (1) to survey the need for summer school sessions for children who have a parent who is a migrant agricultural employee; (2) to develop plans for such sessions where needed; (3) to develop and carry out programs to encourage such children to attend school during the regular academic year and such summer sessions, and to improve the quality of education offered such children; and (4) to coordinate programs provided for in this Act with similar programs in other States, including the transmittal of pertinent information with respect to school records of such children, except that allotments for the fiscal year beginning July 1, 1965, and each fiscal year thereafter shall be available for paying not more than 50 per centum of the costs of any activities for which payments are made under the provisions of this title. Grants under the provisions of this title shall not be available for the cost of acquisition of any facilities.

(b) The amount of any State's allotment under this section for any fiscal year, which the Commissioner determines will not be required for carrying out the provisions of this title in such State during such year, shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under this section, but with such adjustments as may be necessary to prevent reallotment to any State of any sum in excess of the amount which the Commissioner estimates it needs and will be able to use during such year for carrying out the provisions of this title. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed part of its allotment under subsection (a) for such year.

#### *Application and payments*

SEC. 303. (a) The Commissioner shall approve any application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out such program in sufficient detail to satisfy the Commissioner that it carries out the purposes of this title; and

(3) provides that such agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and to assure verification of such reports, give the Commissioner, upon request, access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such agency out of its State allotment the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

### TITLE IV—ADULT EDUCATION

#### *Appropriations*

SEC. 401. There is authorized to be appropriated $200,000 for the fiscal year beginning July 1, 1963, and for each of the four succeeding fiscal years, for grants under the provisions of this title.

#### *Pilot project grants*

SEC. 402. Amounts appropriated pursuant to section 401 for any fiscal year shall be used by the Commissioner for paying the operating cost of pilot projects for adult education for migrant agricultural employees and their spouses in such migrant agricultural employee States as he deems appropriate. As used in this section the term "operating costs" includes all ordinary costs of operation other than any costs for the acquisition of facilities or costs related to any such acquisition.

#### *Application and payments*

SEC. 403. (a) The Commissioner may approve an application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out a program of adult education classes for migrant agricultural employees and their spouses which is to be conducted in such State on a pilot project basis by a local educational agency or an institution of higher education, or both, to provide fundamental education and training for healthful modern living, including the operating costs of such classes, and the amount needed under the provisions of this title to defray such costs; and

(3) provide that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner upon request access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such State agency the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

#### *Cooperation with Department of Agriculture*

SEC. 404. In carrying out the provisions of this title, the Commissioner shall consult and cooperate with officials of the Federal Extension Service of the Department of Agriculture.

By Mr. WILLIAMS of New Jersey (for himself, and Senators BURDICK, CLARK, HUMPHREY, DOUGLAS, and YARBOROUGH):

S. 522. A bill to amend the act establishing a Children's Bureau so as to assist States in providing for day-care services for children of migrant agricultural workers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of April 9, 1912 (37 Stat. 79), is amended (1) by redesignating section 5 as section 6, and (2) by adding after section 4 the following new section:

"SEC. 5. (a) For the purpose of enabling the United States, through the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the 'Secretary'), to further cooperate with State public-welfare agencies which have included in their plans for child-welfare services the provision of day-care for children of migrant agricultural workers, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the two succeeding fiscal years, the sum of $750,000.

"(b) The Secretary shall allot the sums appropriated pursuant to subsection (a) to States as follows: He shall allot to each State with a State plan (as defined in subsection (f)(3)) which includes provision for day-care for children of migrant agricultural workers an amount which bears the same ratio to the amount appropriated pursuant to subsection (a) for such year as the total number of children of migrant agricultural workers who were in such State during the preceding fiscal year (as determined by the Secretary on the basis of the best data available to him) bears to the total number of such children who were in all such States for such preceding year (as so determined); except that if the amount so allotted for any year to any such State is less than $1,500, it shall be increased to $1,500, the total thereby required being derived by proportionately reducing the allotments of each of the remaining States, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being reduced to less than $1,500.

"(c) From its allotment under subsection (b) for any fiscal year, a State shall from time to time be paid an amount equal to the Federal share (as defined in subsection (f)(4)) of such portion of the total sum expended under its State plan (as defined in subsection (f)(3)), including cost of administration of the plan, as is attributable to the provision of day-care for children of migrant agricultural workers in public facilities or in facilities (including private homes) which are licensed by the State or are approved (as meeting the standards established for such licensing) by the State agency responsible for licensing facilities of this type. Such amounts shall be payable in the manner provided by section 523(b) of the Social Security Act.

"(d) The amount of any allotment to a State under subsection (b) for any fiscal year which the State certifies to the Secretary will not be required for carrying cut the provisions of its State plan relating to the providing of day-care for children of migrant agricultural workers shall be available for reallotment from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in carrying out the provisions of their State plan relating to the provision of such day-care for sums in excess of those previously allotted to them under such subsection and (2) will be able to use such excess amounts during such fiscal year in carrying out such provisions. Such reallotments shall be made on the basis of the need for additional funds in carrying out such provisions, after taking into consideration the relative number of children of migrant agricultural workers in each of such States. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (b).

"(e) In no case shall a State receive Federal financial assistance with respect to the same expenditure under this section and the provisions of part 3 of title V of the Social Security Act.

"(f) As used in this section—

"(1) The term 'migrant agricultural worker' means an individual (A) whose primary employment is agriculture, as defined in section 3 (f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or performing agricultural labor, as defined in section 3121 (g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(f)), on a seasonal or other temporary basis, and (B) who establishes for the purpose of such employment a temporary residence;

"(2) The term 'child' means a child who makes his home with his parent or the individual who stands in loco parentis to the child;

"(3) The term 'State plan' means a State plan developed as provided in part 3 of title V of the Social Security Act; and

"(4) The term 'Federal share' means the Federal share as determined under section 524 of the Social Security Act.

"(g) No funds appropriated under subsection (a) shall be payable to any State which imposes, as a condition of eligibility for day-care for children of migrant agricultural workers, any residence requirement which excludes any otherwise eligible child who is physically present in the State."

By Mr. WILLIAMS of New Jersey (for himself, Mr. Burdick, Mr. Clark, Mr. Humphrey, and Mr. Douglas):

S. 523. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 13 (c) of the Fair Labor Standards Act of 1938 is amended to read as follows:

"(c)(1) The provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee is—

"(A) employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person, or

"(B) is 14 years of age or over, or

"(C) is 12 years of age or over and is employed on a farm to which he commutes daily from his permanent residence, and (i) such employment is with the written consent of his parent or person standing in place of his parent, or (ii) his parent or person standing in place of his parent is also employed on the same farm.

"(2) No employee below the age of 18 may be employed in agriculture in an occupation that the Secretary of Labor finds and declares to be particularly hazardous for the employment of children below age 18, except where such employee is employed by his parent or by a person standing in the place of his parent on a farm owned or operated by such parent or person.

"(3) The provisions of section 12 relating to child labor shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

By Mr. WILLIAMS of New Jersey (for himself, Mr. Burdick, Mr. Clark, Mr. Humphrey, and Mr. Douglas):

S. 524. A bill to provide for the registration of contractors of migrant agricultural workers, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Farm Labor Contractor Registration Act of 1963".

### CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

Sec. 2. (a) The Congress hereby finds that the channels and instrumentalities of interstate commerce are being used by certain irresponsible contractors for the services of the migrant agricultural laborers who exploit producers of agricultural products, migrant agricultural laborers, and the public generally, and that, as a result of the use of the channels and instrumentalities of interstate commerce by such irresponsible contractors, the flow of interstate commerce has been impeded, obstructed, and restrained.

(b) It is therefore the policy of this Act to remove the impediments, obstructions, and restraints occasioned to the flow of interstate commerce by the activities of such irresponsible contractors by requiring that all persons engaged in the activity of contracting for the services of workers for interstate agricultural employment comply with the provisions of this Act and all regulations prescribed hereunder by the Secretary of Labor.

### DEFINITIONS

Sec. 3. As used in this Act—

(a) The term "person" includes any individual, partnership, association, joint stock company, trust, or corporation.

(b) The term "farm labor contractor" means any person who, for a fee, either for himself or on behalf of another person, recruits, solicits, hires, furnishes, or transports ten or more migrant workers (excluding members of his immediate family) at any one time in any calendar year for interstate agricultural employment. Such term shall not include (1) any nonprofit charitable organization, public or nonprofit private educational institution, or similar organization; (2) any farmer, processor, canner, ginner, packing shed operator, or nurseryman who engages in any such activity for the purpose of supplying migrant workers solely for his own operation; (3) any full-time or regular employee of any entity referred to in (1) or (2) above; or (4) any person who engages in any such activity for the purpose of obtaining migrant workers of any foreign nation for employment in the United States, if the employment of such workers is subject to (A) an agreement between the United States and such foreign nation, or (B) an arrangement with the government of any foreign nation under which written contracts for the employment of such workers are provided for and the enforcement thereof is provided for in the United States by an instrumentality of such foreign nation.

(c) The term "fee" includes any money or other valuable consideration paid or promised to be paid to a person for services as a farm labor contractor.

(d) The term "interstate agricultural employment" means employment in any service or activity included within the provisions of section 3(f) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(f)), or section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), when such service or activity is performed by an individual worker who has been transported from one State to another or from any place outside of a State to any place within a State.

(e) The term "Secretary" means the Secretary of the United States Department of Labor or his duly authorized representative.

(f) The term "State" means any of the States of the United States, the District of Columbia, the Virgin Islands, the Commonwealth of Puerto Rico, and Guam.

(g) The term "migrant worker" means an individual whose primary employment is in agriculture, as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f), or who performs agricultural labor, as defined in section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), on a seasonal or other temporary basis.

### CERTIFICATE OF REGISTRATION REQUIRED

Sec. 4. (a) No person shall engage in activities as a farm labor contractor unless he first obtains a certificate of registration from the Secretary, and unless such certificate is in full force and effect and is in such person's immediate possession.

(b) A full-time or regular employee of any person holding a valid certificate of registration under the provisions of this Act shall not, for the purpose of engaging in activities as a farm labor contractor solely on behalf of such person, be required to obtain a certificate of registration hereunder in his own name. Any such employee shall be required to have in his immediate personal possession when engaging in such activities such identification as the Secretary may require showing such employees to be an employee of, and duly authorized to engage in activities as a farm labor contractor for, a person holding a valid certificate of registration under the provisions of this Act. Except as provided in the foregoing provisions of this subsection, any such employee shall be subject to the provisions of this Act and regulations prescribed hereunder to the same extent as if he were required to obtain a certificate of registration in his own name.

### ISSUANCE OF CERTIFICATE OF REGISTRATION

SEC. 5. (a) The Secretary shall, after appropriate investigation, issue a certificate of registration under this Act to any person who—

(1) has executed and filed with the Secretary a written application subscribed and sworn to by the applicant containing such information (to the best of his knowledge and belief) concerning his conduct and method of operation as a farm labor contractor as the Secretary may require in order effectively to carry out the provisions of this Act; and

(2) has filed, within such time as the Secretary may prescribe, proof satisfactory to the Secretary of the financial responsibility of the applicant or proof satisfactory to the Secretary of the existence of a policy of insurance which insures such applicant against liability for damages to persons or property arising out of the applicant's ownership of, operation of, or his causing to be operated any vehicle for the transportation of migrant workers in connection with his business, activities, or operations as a farm labor contractor. The amount of any such policy of insurance shall be not less than the amount required under the law or regulation of any State in which such applicant operates a vehicle in connection with his business, activities, or operations as a farm labor contractor; but in no event shall the amount of such insurance be less than $5,000 for bodily injuries to or death of one person; $20,000 for bodily injuries to or death of all persons injured or killed in any one accident; $5,000 for the loss or damage in any one accident to property of others.

(b) Upon notice and hearing in accordance with regulations prescribed by him, the Secretary may refuse to issue, and may suspend, revoke, or refuse to renew a certificate of registration to any farm labor contractor if he finds that such contractor—

(1) knowingly has made any misrepresentations or false statements in his application for a certificate of registration or any renewal thereof;

(2) knowingly has given false or misleading information to migrant workers concerning the terms, conditions, or existence of agricultural employment;

(3) has failed, without justification, to perform agreements entered into or arrangements with farm operators;

(4) has failed, without justification, to comply with the terms of any working arrangements he has made with migrant workers;

(5) has failed to show financial responsibility satisfactory to the Secretary required by subsection (a)(2) of this section or has failed to keep in effect a policy of insurance required by subsection (a)(2) of this section;

(6) has recruited, employed, or utilized the services of a person with knowledge that such person is violating the provisions of the immigration and nationality laws of the United States;

(7) has been convicted of any crime under State or Federal law relating to gambling or prostitution, or to the sale, distribution, or possession of alcoholic liquors or narcotics in connection with or incident to his activities as a farm labor contractor;

(8) has failed to comply with rules and regulations promulgated by the Interstate Commerce Commission that are applicable to his activities and operations in interstate commerce; or

(9) has failed to comply with any of the provisions of this Act or any regulations issued hereunder.

(c) A certificate of registration, once issued, may not be transferred or assigned and shall be effective for the remainder of the calendar year during which it is issued, unless suspended or revoked by the Secretary as provided in this Act. A certificate of registration may be renewed each calendar year upon approval by the Secretary of an application for its renewal.

### OBLIGATIONS AND PROHIBITIONS

SEC. 6. Every migrant agricultural labor contractor shall—

(a) carry his certificate of registration with him at all times while engaging in activities as a farm labor contractor and exhibit the same to all persons wtih whom he intends to deal in his capacity as a farm labor contractor prior to so dealing;

(b) ascertain and disclose to each worker at the time the worker is recruited the following information to the best of his knowledge and belief: (1) the area of employment, (2) the crops and operations on which he may be employed, (3) the transportation, housing, and insurance to be provided him, and (4) the wage rates to be paid him;

(c) upon arrival at a given place of employment, post in a conspicuous place a written statement of the terms and conditions of that employment;

(d) in the event he manages, supervises, or otherwise controls the housing facilities, post in a conspicuous place the terms and conditions of occupancy; and

(e) in the event he pays migrant workers engaged in interstate agricultural employment, either on his own behalf or on behalf of another person, keep payroll records which shall show for each worker total earnings in each payroll period, all withholdings from wages, and net earnings. In addition, for workers employed on a time basis, the number of units of time employed and the rate per unit of time shall be recorded on the payroll records, and for workers employed on a piece rate basis, the number of units of work performed and the rate per unit shall be recorded on such records. The Secretary may prescribe an appropriate form for recording such information.

### AUTHORITY TO OBTAIN INFORMATION

SEC. 7. The Secretary or his designated representative may investigate and gather data with respect to matters which may aid in carrying out the provisions of this Act. In any case in which a complaint has been filed with the Secretary regarding a violation of this Act or with respect to which the Secretary has reasonable grounds to believe that a farm labor contractor has violated any provisions of this Act, the Secretary or his designated representative may investigate and gather data respecting such case, and may, in connection therewith, enter and inspect such places and such records (and make such transcriptions thereof), question such persons, and investigate such facts, conditions, practices, or matters as may be necessary or appropriate to determine whether a violation of this Act has been committed.

### AGREEMENTS WITH FEDERAL AND STATE AGENCIES

SEC. 8. The Secretary is authorized to enter into agreements with Federal and State agencies, to ulitize (pursuant to such agreements) the facilities and services of the agencies, and to delegate to the agencies such authority, other than rulemaking, as he deems necessary in carrying out the provisions of this Act, and to allocate or transfer funds or otherwise to pay or to reimburse such agencies for expenses in connection therewith.

### PENALTY PROVISIONS

SEC. 9. Any farm labor contractor or employee thereof who willfully and knowingly violates any provision of this Act or any regulation prescribed hereunder shall be fined not more than $500.

### APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 10. The provisions of the Administrative Procedure Act (5 U.S.C. 1001 and the following) shall apply to all administrative proceedings conducted pursuant to the authority contained in this Act.

### JUDICIAL REVIEW

SEC. 11. Any person aggrieved by any order of the Secretary in refusing to issue or renew, or in suspending or revoking, a certificate of registration may obtain a review of any such order by filing in the district court of the United States for the district wherein such person resides or has his principal place of business, or in the United States District Court for the District of Columbia, and serving upon the Secretary, within thirty days after the entry of such order, a written petition praying that the order of the Secretary be modified or set aside in whole or in part. Upon receipt of any such petition, the Secretary shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, set aside, modify, or enforce such order, in whole or in part. In any such review, the findings of fact of the Secretary shall not be set aside if supported by substantial evidence. The judgment and decree of the court shall be final, subject to review as provided in sections 1254 and 1291 of title 28, United States Code.

### STATE LAWS AND REGULATIONS

SEC. 12. This Act and the provisions contained herein are intended to supplement State action and compliance with this Act shall not excuse anyone from compliance with appropriate State law and regulation.

### SEVERABILITY

SEC. 13. If any provision of this Act, or the application thereof to any person or circumstance, shall be held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

### RULES AND REGULATIONS

SEC. 14. The Secretary is authorized to issue such rules and regulations as he determines necessary for the purpose of carrying out the provisions of sections 4, 5, 6, and 8 of this Act.

### EFFECTIVE DATE

SEC. 15. The provisions of this Act shall become effective on January 1, 1964.

By Mr. WILLIAMS of New Jersey (for himself, Mr. BURDICK, Mr. CLARK, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 525. A bill to provide for the establishment of a Council to be known as the National Advisory Council on Migratory Labor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) there is hereby established a Council to be known as the "National Advisory Council on Migratory Labor" (hereinafter referred to as the "Council"). The Council shall be composed of fifteen members, appointed by the President without regard to political affiliations as follows:

(1) Four individuals, appointed from private life, to represent the farmer;

(2) Four individuals, appointed from private life, to represent the migratory agricultural workers;

(3) Two individuals, appointed from private life, who shall have a demonstrated in-

terest in and knowledge of the problems relating to migratory agricultural labor, including the problems of the migratory agricultural worker, his employer, and the community;

(4) Two individuals, appointed from private life, who are or have been actively engaged in activities aimed at determining and solving the health, education, and welfare problems of the migratory agricultural worker and his family; and

(5) Three individuals who have had experience as State officials and who are knowledgeable of the problems relating to migratory agricultural labor.

(b) Members of the Council shall be appointed for the life of the Council. A vacancy in the Council shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) The President shall designate one of the members of the Council as Chairman, and one as Vice Chairman. Eight members of the Council shall constitute a quorum.

(d) Service of an individual as a member of the Council or employment of an individual by the Council as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

(e) Members of the Council shall each be entitled to receive $50 per diem when engaged in the actual performance of duties vested in the Council, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(f) The Council shall meet at the call of the Chairman or at the call of a majority of the members thereof, but not less often than once each calendar year.

SEC. 2. (a) The Council shall have a staff director who shall be appointed by the Chairman without regard to the civil service laws and the Classification Act of 1949, as amended. The staff director shall have such duties as may be imposed by the Council, and shall be compensated at a rate not to exceed $18,000 per annum.

(b) The Council shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(c) The Council may procure, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), the temporary or intermittent services of experts or consultants; individuals so employed shall receive compensation at a rate to be fixed by the Council, but not in excess of $50 per diem, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

SEC. 3. (a) It shall be the duty of the Council to advise the President and the Congress, with respect to (1) the operation of Federal laws, regulations, programs, and policies relating to any and all aspects of migratory agricultural labor; and (2) any and all other matters relating to migratory agricultural labor.

(b) It shall also be the duty of the Council to consider, analyze, and evaluate the problems relating to migratory agricultural labor with a view to devising plans and making recommendations for the establishment of policies and programs designed to meet such problems effectively. In carrying out such duty, the Council shall consider, among others, the following matters:

(1) The effect of existing laws, regulations, programs, and policies on the various problems relating to migratory agricultural labor, including the problems of the migratory agricultural worker, his employer, and the local area in which he is employed; and

(2) The means for improved coordination of Federal, State, county, and local policies and programs relating to migratory agricultural labor.

(c) The Council shall, on or before March 31 of each calendar year, submit an annual comprehensive report of its findings and recommendations to the Secretary of Labor for transmission by him to the President and to the Congress.

SEC. 4. The Council shall cease to exist upon the expiration of five years from the date of the initial appointments to the Council made by the President under this Act.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary, not to exceed $50,000 in any fiscal year, to carry out the provisions of this Act.

By Mr. WILLIAMS of New Jersey (for himself, Mr. BURDICK, Mr. YARBOROUGH, Mr. CLARK, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 526. A bill to amend the Public Health Service Act so as to establish a program to assist farmers in providing adequate sanitation facilities for migratory farm laborers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE VIII—PROGRAM TO ASSIST FARMERS IN PROVIDING ADEQUATE SANITATION FACILITIES FOR MIGRATORY FARM LABORERS

*"Findings of fact and declaration of purpose*

"SEC. 801. The Congress hereby finds and declares that (1) the serious and extensive health problems among our Nation's migratory farm laborers and their families who annually reap our Nation's health-giving harvests are of national importance and concern; (2) inadequate sanitation facilities are directly related to the disease and death rates among such laborers and their families; (3) the interstate movement of such laborers and their families, moreover, poses a serious health hazard for the farming communities which they serve; (4) farmers utilizing the services of such laborers are adversely affected economically because such laborers and their families, when afflicted with disease or sickness, cannot efficiently perform the services for which they are employed; and (5) farmers utilizing the services of such laborers often are unable to defray the construction or renovation costs required to provide adequate sanitation facilities for the use of such laborers. It is therefore the purpose of this title to assist, through a program of grants, in the construction of adequate sanitation facilities to serve the needs of our Nation's migratory farm laborers and their families.

*"Authorization of appropriation*

"SEC. 802. In order to carry out the purposes of this title, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each of the four succeeding fiscal years, such sums, not to exceed two million dollars for any such year, as may be necessary to enable the Surgeon General to make grants to States (a) to assist in the construction of adequate sanitation facilities for the use of migratory farm laborers, and (b) to assist States in conducting surveys to determine the need, within the State, for the construction of such facilities. From the amounts so appropriated for any fiscal year, the Surgeon General shall determine the portion to be made available to carry out the purposes of clause (a) of the preceding sentence and the portion to be made available to carry out the purposes of clause (b) of such sentence.

*"State plans for construction grants*

"SEC. 803. (a) From the funds determined to be available for carrying out the purposes of section 802(a), the Surgeon General shall make grants to States which have submitted and had approved State plans for grants to assist in the construction of sanitation facilities for migratory farm laborers. To be approved, such a plan must—

"(1) designate a single State agency as the sole agency for carrying out such purposes;

"(2) contain information satisfactory to the Surgeon General regarding the extent of the need for adequate sanitation facilities for migratory farm laborers, and the plans, policies, and methods to be followed in meeting such need;

"(3) provide that such funds shall be used solely to assist persons in constructing adequate sanitation facilities for the use of migratory farm laborers;

"(4) provide assurances that any sanitation facility, the construction of which is assisted with funds under this title, shall be maintained and operated in conformity with health standards prescribed by the State and will be available for use by migratory farm laborers for a reasonable time after the facility is constructed;

"(5) (A) provide a schedule of priorities for determining the eligibility of persons to be assisted under this title based on (i) the number of migratory farm laborers who would be served by a proposed sanitation facility, (ii) the degree of inadequacy of the sanitation facilities presently available to serve such laborers, and (iii) the financial need of the person seeking assistance under this title with respect to the construction of such facility;

"(B) provide reasonable standards, consistent with the purposes of this title, for determining the amount of funds any person shall be eligible to receive with respect to the construction of any such facility. Such standards shall be designed to afford the greatest assistance to persons with the greatest financial need, except that no person shall be eligible to receive more than 90 per centum of the cost of the construction of any such facility. In determining the financial need of any person for assistance with respect to the construction of a sanitation facility for purpose of this paragraph, due consideration shall be given to the amount of funds available to such person for the construction of such facility from other sources, and the terms and conditions under which such funds are so available.

"(b) The amount granted to any State under subsection (a) shall not exceed the amount allotted to such State pursuant to subsection (c).

"(c) From the amounts determined by the Surgeon General to be available to carry out the purposes of section 802(a) during any fiscal year, the Surgeon General shall (pursuant to regulations issued by him) from time to time make allotments to each State which has submitted and had approved by him a State plan for grants under subsection (a). Such regulations shall provide that the amount to be allotted to any State shall be determined on the basis of (1) the number of migratory farm laborers involved and the length of time they spend in the State, and (2) the extent of the need for the construction of sanitation facilities for such laborers in the State. The amount of any allotment to a State under this subsection for any fiscal year which will not be required for carrying out the provisions of its State plan shall be available for reallotment from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in carrying out the provisions of their State plan for sums in excess of those previously allotted to them under such subsection and (2) will be able to use such excess amounts during such fiscal year in carrying out such plan. Any amount so reallotted to a State shall be deemed part of its allotment under this subsection.

*"Regulations prescribing standards*

"SEC. 804. (a) The Surgeon General shall prescribe by regulations standards as to the type of construction projects which will be eligible for assistance from funds available for carrying out the purposes of section 801.

"(b) Such standards shall provide that a project must (1) be needed for the use of migratory farm laborers, (2) not be of elaborate or extravagant design or materials, and (3) be adequate in size, construction, and design to fulfill the purpose for which constructed.

*"Surveys*

"SEC. 805. (a) From the funds determined by the Surgeon General to be available for carrying out the purposes of section 802(b), the Surgeon General may make grants for surveys to States that do not have adequate data regarding the need in the State for the construction of adequate sanitation facilities for the use of migratory farm laborers.

"(b) The amount of such survey grant to any State shall be determined by the Surgeon General on the basis of the cost of the survey, giving due consideration to the number of migratory farm laborers involved, and the length of time they spend in the State.

*"Definitions*

"SEC. 806. For the purposes of this title—

"(a) The term 'sanitation facilities' means drainage, water, sewage- and waste-disposal facilities, and includes field-sanitation facilities.

"(b) The term 'construction', when used in reference to sanitation facilities, includes expansion, remodeling, and alteration of existing sanitation facilities.

"(c) The term 'person' includes any State (or political subdivision thereof), corporation, company, association, firm, partnership, society, or joint stock company, as well as any individual.

"(d) The term 'migratory farm laborer' means any individual who receives a substantial portion (as determined by the Surgeon General) of his income as a laborer on farms situated in the United States. Such term includes any member of such individual's family who accompanies him from place to place pursuant to the conduct of his occupation as a migratory farm laborer."

SEC. 2. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"SHORT TITLE

"SECTION 1. Titles I to VIII, inclusive, of this Act may be cited as the 'public Health Service Act'."

(b) Such Act is further amended by redesignating title VIII thereof (as in effect prior to the enactment of this Act) as title IX, and by redesignating sections 801 through 814 (as in effect prior to the enactment of this Act), and any references thereto, as sections 901 through 914, respectively.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CLARK, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 527. A bill to amend the Act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of June 6, 1933, as amended (48 Stat. 113; 29 U.S.C. 49 et seq.), is amended by inserting the heading "Title I" before the first section, and by adding at the end of such Act a new title as follows:

"TITLE II—VOLUNTARY FARM EMPLOYMENT SERVICE

*"Legislative findings and declaration of policy*

"SEC. 201.(a) The Congress finds that (1) an adequate supply of agricultural labor is essential to the Nation's health and welfare; (2) the insecurity and instability of agricultural employment has rendered such employment relatively unattractive; (3) in many cases agricultural workers have traveled unnecessarily long distances to obtain agricultural employment when such employment was available at relatively shorter distances; (4) shortage of agricultural labor in some areas have existed at the same time that surpluses of such labor existed in other areas; (5) the filling of such shortages with qualified, dependable agricultural workers would aid in reducing the serious rural unemployment and underemployment in this country; (6) the need for agricultural labor can be met and fuller employment for agricultural workers can be provided in many cases only through assisting such workers to travel, in many instances across State boundaries to areas in which agricultural labor shortages exist; (7) steadily increasing mechanization has resulted in greater demand for skilled agricultural workers; and (8) the need for agricultural labor can be better met, agricultural employment can be made a more stable and attractive means of earning a living, and fuller employment can be promoted through improvements in the recruitment, training, transportation, and distribution of agricultural workers.

"(b) It is hereby declared that the policy of the Congress is to meet the Nation's needs for agricultural labor, to make agricultural employment a more stable and attractive means of earning a living, and to promote fuller employment. It is the purpose of this title to effectuate such policy by authorizing the Secretary to develop and maintain, through the voluntary cooperation and the voluntary participation of employers and workers, improved methods of recruiting, training, transporting, and distributing agricultural workers.

*"Supplemental nature of program*

"SEC. 202. The authority of the Secretary under this title shall be in addition to and not in place of any authority under title I of this Act.

*"Preservation of individual choice*

"SEC. 203. Nothing in this title shall be construed as denying (1) the right of any worker to accept or refuse agricultural employment with any employer, or his right to refuse to enter into an agreement to perform work of a nature he does not wish to perform, or (2) the right of any employer to refuse to offer agricultural employment to any worker, or the right to offer agricultural employment to any worker of his choice.

*"Definitions*

"SEC. 204. As used in this title—

"(1) The term 'agricultural employment' means services and activities defined in section 3(f) of the Fair Labor Standards Act of 1938, as amended, or section 3121(g) of the Internal Revenue Code of 1954, as amended.

"(2) The term 'employer' means any person for whom agricultural employment is performed, or association of such persons, but shall not include any employment or labor contracting agent.

"(3) The term 'worker' means any individual who is a permanent resident of the United States and engaged in or available for agricultural employment.

"(4) The term 'Secretary' means the Secretary of Labor or his duly authorized representative.

"(5) The term 'United States' means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

*"Program authorized*

"SEC. 205. (a) In order to effectuate the purposes of this title, the Secretary is authorized to—

"(1) recruit qualified, willing, and able workers to fill orders placed by employers for workers recruited under this title;

"(2) provide for the medical examination of such workers to assure that they are physically capable of performing agricultural employment and suffering from no communicable disease;

"(3) furnish such workers with transportation to and return from areas of agricultural employment;

"(4) furnish such workers with food, housing, and emergency medical care during such transportation and while arrangements are being made for the employment of such workers or their departure from an area of agricultural employment;

"(5) provide such facilities as may be necessary to carry out the purposes of this title; and

"(6) establish a revolving fund sufficient to pay the cost of transportation, food, housing and emergency medical care authorized under this title.

"(b) An order by an employer for agricultural workers recruited under this title shall include such information as the Secretary finds necessary to enable him to carry out the purposes of this title, including information with respect to the type of agricultural employment to be performed, the time and place at which such employment is to be performed, and any particular qualifications or experience that the employer desires the workers to possess.

"(c) No worker shall be made available under this title to an employer unless the Secretary has determined that—

"(1) sufficient qualified, willing, and able workers who reside permanently in the area where the agricultural employment is to be performed are not available for such employment;

"(2) reasonable efforts have been made to attract such workers for such employment (including the offering of wages, hours, and working conditions comparable to those specified under section 207 for workers recruited under this title); and

"(3) the employment of workers recruited under this title will not adversely affect the wages and working conditions of workers similarly employed in the area where such employment is to be performed.

*"Employee and employer qualifications*

"SEC. 206. (a) No worker shall be made available under this title to an employer unless—

"(1) the Secretary has determined that such worker is (A) qualified, willing, and able to perform the agricultural employment specified in the employer's order, and (B) physically fit to perform such employment and suffering from no communicable disease, as determined by a medical examination;

"(2) such worker has been interviewed by the employer (or an opportunity for an interview has been afforded) and has not been rejected by him;

"(3) such worker has agreed (A) to accept agricultural employment, specified as to type, time, and area; and (B) to enter into an agreement, as provided in section 207, with each employer with whom he accepts such employment; and

"(4) such worker has agreed that if, without good cause, he fails to comply with any agreement entered into by him pursuant to paragraph (3) of this subsection and such failure is a material violation of such agreement, such worker will reimburse the United States for expenses incurred by it in furnishing him transportation, food, housing, and emergency medical care under this title. The amount of the reimbursement in any such case shall be determined by the Secretary, taking into account the amount of employment performed by the worker pursuant to his agreement under paragraph (3)(A) of this subsection.

"(b) No worker recruited under this title shall be made available to an employer unless such employer has agreed that if he employs such worker he will—

"(1) pay the United States a fee, not to exceed $15 (without charging the worker therefor) to cover expenses incurred by the United States in furnishing transportation, food, housing, and emergency medical care to workers recruited under this title;

"(2) furnish transportation (without charging the worker therefor) from a point designated by the Secretary in the area of employment to the point of such worker's employment and return;

"(3) enter into an agreement with the worker, or his representative, as provided in section 207; and

"(4) maintain such records relating to the earnings, deductions, and hours of employment of the worker, as the Secretary may by regulation require.

### *"Employment agreement*

"Sec. 207. Any agreement between any employer and any worker, or such worker's representative, entered into pursuant to subsections (a)(3)(B) and (b)(3) of section 206, shall clearly specify—

"(1) the period of the employment, and a guarantee that the worker shall have the opportunity to work at least three-quarters of full time during the period of the employment (forty-eight hours per week to be considered full time); but in the event an agreement is terminated by an employer for reasons beyond his control, the three-quarters work guarantee shall apply only to the period beginning on the day after the worker's arrival at the place of employment and ending on the date the agreement is terminated;

"(2) the wage rate to be paid the worker, which shall be not less than the prevailing wage rate paid by employers to workers similarly employed in the area in which the work is to be performed;

"(3) the intervals at which wage payments will be made, which shall be no less frequent than those established for other workers similarly employed by the employer, and in no event less frequent than semimonthly;

"(4) that any housing and sanitary facilities made available by the employer will conform to minimum standards prescribed by the Secretary;

"(5) that the employer will provide, at no cost to the worker, workmen's compensation insurance in jurisdictions in which the law permits coverage of the employee; and that in jurisdictions in which such coverage cannot be obtained, the employer will provide, at no cost to the worker, insurance coverage sufficient to provide for the payment of all expenses for hospital and medical care and treatment necessitated by work-connected accident and disease, and, in addition, in cases of work-connected dismemberment, disfigurement, or death indemnities in amounts not less than those required to be provided foreign workers admitted to the United States pursuant to title V of the Agricultural Act of 1949, as amended; and

"(6) that the worker will perform all agricultural work required of him with proper application, care, and diligence during the period of employment agreed upon; that he will exercise reasonable care and diligence in the use of any housing and sanitary facilities made available to him by the employer; that he will comply with all rules and regulations specified in the agreement relating to safety, discipline, and the care and maintenance of property; and that he will not, except by mutual agreement, perform work for any other employer during the period of the agreement.

### *"Replacement workers and reimbursement*

"Sec. 208. In any case in which the Secretary determines that a worker has failed to carry out the terms of an agreement entered into by him pursuant to section 206(a)(3)(B), and that such failure is a material violation of the agreement, the Secretary shall—

"(1) supply a replacement worker to the employer and furnish such worker transportation to the place of employment without charging an additional fee under section 206(b)(1), or reduce the amount of the fee paid or to be paid with respect to the worker who violated the agreement by an amount that is directly proportional to the period of the agreement that such worker failed to complete; and

"(2) in any case in which a replacement worker is supplied, reimburse the employer in an amount equal to any amount expended for transportation under section 206(b)(2) in excess of the amount such employer would have had to expend if no agreement violation had occurred, or, in any case in which a replacement worker is not supplied, reimburse such employer for transportation expenses incurred under such section with respect to the worker who violated his agreement, taking into account the portion of the period of employment provided for in the agreement not completed by the worker.

### *"Compliance*

"Sec. 209. (a) The Secretary may refuse to make the services afforded under this title available to any employer or worker upon a determination, made after notice and an opportunity to be heard, that such employer or worker has failed, without good cause, to comply with (1) any provision of this title, any rule or regulation implementing this title, or any agreement with the Secretary entered into pursuant to this title, if such failure is of such a nature as substantially to impair the effective administration of this title, or (2) any agreement entered into pursuant to section 206(a)(3)(B) or section 206(b)(3), if such failure is a material violation of such agreement.

"(b) The services afforded under this title may be furnished to an employer or worker who has previously been refused such services pursuant to subsection (a) if such employer or worker demonstrates, in accordance with regulations prescribed by the Secretary, that he will in the future comply with the requirements of this title.

### *"General provisions*

"Sec. 210. (a) The Secretary shall provide for the establishment and maintenance of a system of recording, utilizing, and making available to employers information concerning the willingness, ability, and specific qualifications of individual workers to perform agricultural employment.

"(b) The Secretary may provide, and may require reimbursement from the worker for the expenses of, transportation, food, housing, and emergency medical care to the members of such worker's family if he determines that the furnishing of such services is a practicable and desirable means of carrying out the purposes of this title.

"(c) Private employment agencies and labor contracting agents may be permitted, to the extent authorized under regulations prescribed by the Secretary, to participate under this title in the recruitment and placement of workers.

"(d) The Secretary is authorized to enter into such agreements with State and local agencies as he deems proper for carrying out the purposes of this title, and may utilize the services of any other department or agency of the Federal Government for such purposes on a reimbursable basis.

"(e) Any money received by the Secretary pursuant to section 206(a)(4), section 206(b)(1), or subsection (b) of this section shall be credited to the revolving fund established pursuant to section 205(a)(6) of this title.

"(f) The Secretary is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this title.

### *"Judicial review*

"Sec. 211. Any person aggrieved by any order or determination of the Secretary made under this title may obtain judicial review of such order or determination by filing in the United States district court for the district in which such person resides or has his principal place of business, or in the United States District Court for the District of Columbia, within sixty days from the date such order or determination was made, a written petition praying that the order or determination of the Secretary be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon the Secretary and thereupon the Secretary shall file in the court a transcript of the record upon which such order or determination was made. Thereupon the court shall have jurisdiction of the record and shall have power to affirm, set aside, modify, or enforce the order or determination of the Secretary, in whole or in part. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive. Service of process in such action shall be made in accordance with the rule for service of process upon the United States prescribed by the Rules of Civil Procedure for the United States District Courts.

### *"Special studies and projects*

"Sec. 212. In carrying out the provisions of this title the Secretary is authorized to undertake such special studies and conduct such experimental, pilot, and demonstration projects as he determines have promise of leading to fuller utilization of underemployed rural Americans and to meeting the labor requirements of employers. Such studies and projects may include, but shall not be limited to, special job training, counseling, resettlement, overnight transient camps, community exchange services, and special placement services. The Secretary is authorized to expend an amount not to exceed $200,000 per annum for the purpose of carrying out such studies and projects.

### *"Authorization for appropriations*

"Sec. 213. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

### *"Short title*

"Sec. 214. The provisions of this title may be cited as the 'Voluntary Farm Employment Service Act'."

Sec. 2. The Act of June 6, 1933, as amended (29 U.S.C. 49 et seq.), is further amended by inserting at the end of title I (as designated by the first section of this Act) the following new section:

"Sec. 14. As used in this title, references to 'this Act' shall be deemed to mean 'this title', and any reference to the provisions of this Act in any other law or in any regulation shall be deemed to refer to title I hereof unless the text clearly indicates otherwise."

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Humphrey, and Mr. Douglas):

S. 528. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Farm Workers' Minimum Wage Act of 1963".

Sec. 2. (a) Paragraph (e) of section 3 of the Fair Labor Standards Act of 1938, as amended, defining the term "employee", is amended to read as follows:

"(e) 'Employee' includes any individual employed by an employer, except that such term shall not, for the purposes of section 6 (a)(4), include any individual employed by an employer engaged in agriculture if such individual is (1) a member of the employer's immediate family, or (2) a sharecropper, or a member of the sharecropper's immediate family, working on or in connection with the sharecropper's tract of land."

(b) Section 3 of such Act is further amended by adding at the end thereof the following new paragraphs:

"(t) 'Man-day' means any day during any portion of which an employee performs any agricultural work;

"(u) 'Hired farm labor' means the labor of any employee employed in agriculture;

"(v) 'Sharecropper' means any individual who works in whole or in part a particular tract of land from planting through harvesting under general supervision and is entitled to receive as the primary return for his labor on the tract a share of the crop or crops produced thereon or of the proceeds realized therefrom."

Sec. 3. Subsection (a) of section 6 of such Act is amended by striking out the period at the end of paragraph (3), inserting a semicolon, and by adding the following new paragraph:

"(4) if such employee performs hired farm labor for an employer who during any one of the four preceding calendar quarters used more than five hundred and sixty man-days of hired farm labor, such employee shall be paid by his employer (i) not less than 75 cents an hour during the first year following the effective date of this paragraph, (ii) not less than 85 cents an hour during the second year following such effective date, (iii) not less than $1.00 an hour during the third year following such effective date, and (iv) thereafter, not less than the rate prescribed in paragraph (1) of this subsection. If such employee performs hired farm labor for such an employer on a daily, weekly, monthly, or annual basis, such employee shall be paid at a rate which will, for the period covered by the wage payment, provide him wages at least equal to compensation he would have been entitled to receive had he been employed at the minimum hourly rate prescribed in this paragraph. In any case in which employees (covered by the provisions of this paragraph) of any employer are paid on a piecework basis, the actual wage paid such employees shall not be less than prescribed in the foregoing provisions of this paragraph. Notwithstanding the foregoing sentence, if piecework rates paid to such employees for any particular kind of work yield to at least 90 per centum of such employees wages equal to not less than the minimum hourly rate herein prescribed, such rates shall be considered to be in compliance with the requirements of this paragraph. The Secretary of Labor, or his authorized representative, shall have power to make such regulations or orders as are necessary or appropriate to carry out any of the provisions of this paragraph. Notwithstanding any other provisions of this Act, this paragraph shall apply only with respect to an employee whose services during the workweek are performed within a State of the United States or the District of Columbia."

Sec. 4. (a) Subsection (a) of section 13 of such Act is amended by striking out in clause (6) thereof "in agriculture or".

(b) Subsection (b) of such section is amended by striking out the period at the end thereof, inserting a semicolon and the word "or" and by adding the following new paragraph:

"(12) any employee employed in agriculture.".

Sec. 5. This Act shall take effect on the first day of the fourth month following the month in which it is enacted.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Humphrey, and Mr. Douglas):

S. 529. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2(3) of the National Labor Relations Act, as amended, is amended by striking out the following phrase: "as an agricultural laborer, or".

Sec. 2. Section 8(f) of the National Labor Relations Act, as amended, is amended to read as follows:

"(f) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry, or an employer engaged in agriculture, to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, or as agricultural laborers, with a labor organization of which such employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided,* That nothing in this subsection shall set aside the final proviso to section 8(a)(3) of this Act: *Provided further,* That any agreement which would be invalid, but for clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e)."

Sec. 3. Notwithstanding the provisions of any other law, the amendments made by this Act shall take effect sixty days after the date of enactment.

## ONE GENERAL EXPENDITURE AUTHORIZATION ACT FOR EACH FISCAL YEAR

Mr. BYRD of Virginia. Mr. President, the President today has submitted the second section of his so-called tax cutting and reform program. Nothing in this message changes the huge deficits anticipated in the previous state of the Union and budget messages.

Without a tax cut the Federal deficit in the coming fiscal year, beginning July 1, will exceed $11 billion on the basis of figures in the budget message; and with the first step of the proposed tax cut, the deficit would approach $14 billion.

Federal taxes are excessive and, as chairman of the Senate Finance Committee, nothing could please me more than responsible tax reduction. But excessive expenditures are the only reason for the excessive taxes.

The President does not propose to reduce expenditures; he proposes to increase them. Expenditures in the coming fiscal year will exceed $100 billion. Under current conditions major tax reduction should be preceded by major expenditure reductions.

Since the President does not propose expenditure reductions, Senator John J. Williams, of Delaware, and I today submit a concurrent resolution which contemplates that the Congress would place an annual expenditure limitation on every spending account in the Federal budget.

By this process each year, in view of the latest and best revenue estimates, Congress would make deficit financing legal or unlawful.

I hope the resolution will be adopted by both the Senate and the House of Representatives.

With or without tax reduction, the need for better Federal expenditure control is urgent. This is obvious from the following facts:

Requested new appropriations and other expenditure authorizations—including those for back-door spending—for fiscal year 1964, beginning July 1, total $107.9 billion.

Estimated unexpended balances in appropriations and other expenditure authorizations—including those for back-door spending—enacted in prior years to be carried over for expenditure after June 30, 1963, total $87.2 billion.

Total appropriations and other expenditure authorizations—including back-door spending—available for expenditure beginning July 1 are estimated at $195.1 billion.

As of next June 30 expenditures will have exceeded revenue in 7 of the 10 fiscal years since the end of the Korean war, and the net cumulated deficit over this period will be at least $37 billion.

There was a $6.4 billion deficit in the fiscal year ended last June 30. There will be another deficit of at least $8.8 billion in the year ending next June 30.

Without a tax cut a deficit which might exceed $11 billion can be expected in the fiscal year beginning next July 1, and with the first step in the tax cut as proposed by the administration the greatest peacetime deficit in history—perhaps up to $14 billion—would be probable.

The Federal debt has risen in every year since the end of the Korean war. The cumulated increase through January 14, 1963, totals $38 billion; and it will go higher.

There is only one basic reason for high Federal taxes. That reason is high Federal expenditures. Tax collections are at their alltime high, but Federal expenditures are higher.

To reduce taxes in the face of chronic deficit financing simply would charge the tax cut into the Federal debt, and short of national emergency that is fiscally irresponsible.

If expenditures were reduced first, perhaps a tax cut could be justified; but the President says expenditures will rise. The Congress needs more effective procedures for curbing the increase.

The purpose of the resolution we are introducing is to provide procedures for effective annual expenditure control. It would amend House and Senate rules with respect to the appropriation process.

Under present procedures Congress acts on spending authorizations, such as appropriations, but where funds are available for more than one year it does not limit annual expenditures under the authorizations.

Under the resolution Congress would put an annual expenditure limitation against all expenditure authorizations, including current appropriations, unexpended balances, back-door spending items, and so forth.

Under present procedures Congress acts on appropriations, as such, in a dozen or so appropriation bills which are brought before it at different times over a period of months.

Under the concurrent resolution all expenditure authorizations, along with expenditure limitation, would be brought together under the cover of one general expenditure authorization bill.

Under present procedures each of the numerous appropriation bills is accompanied by its own committee report giving the explanation and justification for the items in that group of authorizations.

Under the concurrent resolution there would be a single report and, along with other information, it would tabulate all items as to both new authorizations and expenditure limitations, with grant totals.

It is the total of actual expenditures in a fiscal year—not expenditure authorizations enacted—against annual revenue which determines whether there is a deficit or surplus.

The concurrent resolution would require the Secretary of the Treasury to submit a revised estimate of revenue at each stage of the legislative process on the single money bill.

In short, the concurrent resolution would provide Congress and the country with an itemized list—in one place—of all expenditure items in the budget, with a total, along with the latest revenue estimate.

This is simple, fundamental information which is required for orderly and intelligent action on Federal fiscal legislation. It is not available under present appropriation procedure.

The concurrent resolution would require no change in committee organization. The single bill would be divided into titles corresponding to the separate bills under current procedures.

Each of the titles would be considered by the subcommittee which now has jurisdiction over the presently corresponding bill, and the subcommittee chairman would manage the title on the floor.

Another huge deficit, without tax reduction, is apparent for next fiscal year, beginning July 1; with tax reduction it probably would be the greatest in peacetime history.

Need for effective expenditure control is obvious.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 12) providing for one General Expenditure Authorization Act for each fiscal year, and for other purposes, was referred to the Committee on Rules and Administration, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That, effective on the first day of the ——— regular session of the Eighty-——— Congress, the joint rule of the Senate and of the House of Representatives contained in section 138 of the Legislative Reorganization Act of 1946 is amended by adding at the end thereof the following new subsections:

"(c)(1) All new expenditure authorizations for each fiscal year shall be contained in one general expenditure authorization bill to be known as the General Expenditure Authorization Act of ——— (the blank to be filled in with the appropriate fiscal year). The general expenditure authorization bill may be divided into separate titles, each title corresponding so far as practicable to the respective regular general appropriation bills heretofore enacted. As used in this paragraph, the term 'expenditure authorizations' shall not include deficiency or supplemental expenditure authorizations, expenditure authorizations under private Acts of Congress, or rescissions of expenditure authorizations.

"(2) The general expenditure authorization bill for each fiscal year, and each deficiency and supplemental general expenditure authorization bill containing expenditure authorizations available for such fiscal year, shall contain provisions limiting the total net expenditures during such fiscal year against each expenditure authorization made therein; and the general expenditure authorization bill for each fiscal year shall contain provisions limiting the total net expenditures during such fiscal year against each expenditure authorization available from prior years. In each case in which an expenditure authorization for any fiscal year for any purpose is provided in any such bill and any other expenditure authorization or authorizations for the same general purpose are available during such fiscal year, the limitation shall be against total expenditures from all expenditure authorizations available for the same general purpose during such fiscal year. The foregoing provisions of this paragraph shall not be applicable to expenditure authorizations made solely for the payment of claims certified by the Comptroller General of the United States or of judgments, to appropriations for the payment of interest on the public debt, or to expenditures from intragovernmental revolving and management funds. Nothing in this subsection shall be deemed to preclude the inclusion in any general expenditure authorization bill or in any deficiency or supplemental expenditure authorization bill of such provisions as may be deemed appropriate with respect to transfer of expenditure authorizations or expenditure limitations.

"(3) The committee reports accompanying each general expenditure authorization bill, and the statement of managers accompanying any conference report thereon, shall show in tabular form for information purposes, by items and totals—

"(A) the amount of each new expenditure authorization available for expenditure in the fiscal year;

"(B) estimates of the balances of expenditure authorizations as of the beginning of the fiscal year;

"(C) estimates of the net expenditures in the fiscal year from each expenditure authorization referred to in clause (A), except expenditures from intragovernmental revolving and management funds;

"(D) estimates of the net expenditures in the fiscal year from the balances of expenditure authorizations, referred to in clause (B), except expenditures from intragovernmental revolving and management funds;

"(E) estimates of the net expenditures in the fiscal year from intragovernmental revolving and management funds;

"(F) the totals of the amounts referred to in clauses (C), (D), and (E); and

"(G) estimates of the total amount which will be available for expenditure subsequent to the close of the fiscal year from the expenditure authorizations referred to in clauses (A) and (B).

The committee reports accompanying each deficiency and supplemental expenditure authorization bill containing expenditure authorizations available for obligation or expenditure during the fiscal year, and each expenditure authorization rescission bill, and the statement of managers accompanying any conference report on any such bill, shall include appropriate cumulative revisions of such tabulations.

"(4) The information reported under paragraph (3) shall be accompanied by (i) data on intragovernmental revolving and management funds and public enterprise funds (including the funds of wholly owned Government corporations) which shall show the gross amounts from which the net amounts estimated to be expended are derived, and information on estimated investments, repayment of capital, payment of dividends, and other cash transactions which do not affect net expenditures; and (ii) such supplemental data as may be considered desirable by the committee making the report.

"(5) No general expenditure authorization bill shall be received or considered in either House unless the bill and the report accompanying it conform with this rule.

"(6) For the purposes of this subsection, the amount of expenditures shall be determined upon a checks-issued basis.

"(7) As used in this subsection (c), the term 'expenditure authorization' shall apply to all current appropriations, permanent appropriations, contract authorizations, authorizations to expend from public or corporate debt receipts, cancellation of obligations of Government agencies to the Treasury, reappropriations, reauthorizations, and any other authorizations to withdraw moneys from the Treasury of the United States. The term 'expenditure authorization' shall not apply to appropriations of trust funds, deposit funds, transactions involving public debt retirement, or appropriations made solely for payment of refunds and drawbacks.

"(8) The Appropriations Committees of the two Houses may hold hearings simultaneously on each general expenditure authorization bill or may hold joint hearings thereon.

"(d) The general expenditure authorization bill for each fiscal year, and each deficiency and supplemental general expenditure authorization bill containing expenditure authorizations available for expenditure during such fiscal year, shall at the time the bill is reported to the House of Representatives and to the Senate contain in the body of the bill or in the preamble thereto, as the respective committees may deem appropriate, a current estimate by the Secretary of the Treasury of the overall Federal receipts for such fiscal year."

SEC. 2. (a) The Senate, recognizing the necessity for an amendment to its Standing Rules in order to make effective the amendment to the joint rule made by the first section of this resolution, hereby adopts the provisions of subsection (b) of this section as an exercise of its rulemaking power.

(b) Effective on the first day of the ——— regular session of the Eighty- ——— Congress, but only if prior thereto this resolution is adopted by both Houses of Congress, subsection (b) of rule XXV of the Standing

Rules of the Senate is amended to read as follows:

"(b) Committee on Appropriations, to consist of twenty-seven Senators, to which Committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Expenditure authorizations. As used in this paragraph, the term 'expenditure authorizations' means current appropriations, permanent appropriations, contract authorizations, authorizations to expend from public or corporate debt receipts, cancellation of obligations of Government agencies to the Treasury, reappropriations, reauthorizations, and any other authorizations to withdraw moneys from the Treasury of the United States except authorizations to withdraw moneys from the Treasury of the United States for the payment of private claims."

## REPORT OF U.S. DELEGATION TO 51ST CONFERENCE OF THE INTERPARLIAMENTARY UNION, BRASILIA, BRAZIL (S. DOC. NO. 5)

Mr. ROBERTSON. Mr. President, I send to the desk a report on behalf of the American delegation to the Interparliamentary Union, and ask unanimous consent that it be printed as a Senate document.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

## NATIONAL FOREIGN AFFAIRS ACADEMY—ADDITIONAL COSPONSOR OF BILL

Mr. SYMINGTON. Mr. President, at its next printing, I ask unanimous consent that the name of the distinguished junior Senator from Pennsylvania [Mr. Scott] be added as a cosponsor of the bill (S. 15) to establish a National Academy of Foreign Affairs, introduced by me on January 14, 1963.

The VICE PRESIDENT. Without objection, it is so ordered.

## ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 14, 1963:

S. 108. A bill making Columbus Day a legal holiday: Mr. Case, Mr. Randolph, Mr. Young of North Dakota, Mr. Miller, Mr. Humphrey, Mr. Dominick, Mr. Mansfield, Mr. Tower, Mr. Muskie, Mr. Ribicoff, Mr. McGee, Mr. Douglas, Mr. Scott, Mr. Cooper, Mr. Simpson, Mr. Keating, Mr. Beall, Mr. Kennedy, Mr. Nelson, Mr. Pastore, Mr. Engle, Mr. Byrd of West Virginia, Mr. Brewster, Mr. Smathers,. Mr. Allott, Mr. Mechem, Mr. Saltonstall, Mr. Carlson, Mr. Pell, Mr. Dodd, and Mr. Clark.

S. 151. A bill to amend Public Laws 815 and 874, 81st Congress, in order to make permanent the authorization for certain payments under the provisions of such laws: Mr. Long of Missouri and Mr. Burdick.

S. 152. A bill to create the National Weather Council and to provide coordination and central direction for an accelerated program of weather research, basic and applied: Mr. Metcalf, Mr. Anderson, Mr. Long of Missouri, Mr. Cannon, and Mr. Gruening.

## NOTICE OF HEARING ON 1962 INTERNATIONAL COFFEE AGREEMENT BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the committee will hold a hearing on the 1962 International Coffee Agreement, opened for signature in New York City in September 1962, beginning at 10 o'clock Tuesday, January 29, in room 4221, New Senate Office Building. Departmental and public witnesses will be heard.

## NOTICES OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Carl T. Rowan, of Minnesota, to be Ambassador to Finland.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Jonathan B. Bingham, of New York, to be the representative of the United States on the Economic and Social Council of the United Nations.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mrs. SMITH:

Address delivered by herself before the Columbian Women of George Washington University on January 19, 1963, on the subject "Space Explorations."

By Mr. SMATHERS:

Statement by himself in tribute to Hon. José A. Benitez, Deputy High Commissioner, Pacific Trust Territory, for service rendered by him in connection with the rehabilitation of the Territory of Guam following Typhoon Karen of November 11, 1962.

By Mr. BIBLE:

Address of welcome by Charles E. Phillips, president, Metropolitan Washington Board of Trade, delivered at a dinner honoring new Members of the 88th Congress, in Washington, D.C., on January 16, 1963, together with a statement he issued as chairman of the Senate Committee on the District of Columbia in connection with the President's District of Columbia special budget message.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to section 712(a)(2) of the Defense Production Act of 1959 (title 50, Appendix, United States Code, section 2162(a)(2)), Mr. Patman, chairman of the Committee on Banking and Currency, had appointed Mr. Patman, of Texas; Mr. Rains, of Alabama; Mr. Multer, of New York; Mr. Widnall, of New Jersey; and Mr. Fino, of New York, as members of the Joint Committee on Defense Production, on the part of the House.

## TAX REDUCTION

Mr. MANSFIELD. Mr. President, budgets and taxes are matters on which Members holding strong views and, with all due respect, sometimes, preconceived fixed notions of many years standing. It is my hope that before there is any shooting from the hip at the President's tax proposals, his message will be carefully studied by every Member of the Senate.

I must confess, Mr. President, that I was one who was somewhat disturbed by the reports some weeks ago that a tax cut would be pressed during this session. And I would still be opposed to a simple grab-bag cut.

But I have read with great care the President's message. It is a most lucid and thorough analysis of the complex structure by which we finance this Government and the influence which that structure has on the entire economy of the Nation.

There is a tax cut in these proposals, Mr. President; but there is also much more. These proposals contain the key to stimulating a sluggish economy to a new dynamism which will permit us, thereby, to get rid of the problem of persistent unemployment and the chronic budgetary deficits of the past decade. They point the way to sensible and long overdue tax reductions which will put more spendable funds in the hands of lower and middle income consumers, and at the same time will stimulate the wealthy to more productive use of their wealth. They provide a means for correcting the inevitable inequities which over the years have crept into the tax structure, whereby those who have substantial ability to pay sometimes avoid a large part of the obligation to pay, while the wage earner, the small businessman, and older people bear more than their fair share.

Mr. President, what the President is proposing here is a rounded assault of basic weaknesses in the inter-related tax and productive structures of the Nation. If we bring to the President's proposals an openmindedness, if we approach them as a totality, I am persuaded that we can come up with legislation which will act to move the economy forward, put Government finances on a sounder footing, prevent inflation, and bring greater equity into the payment of the bills of the Nation.

There is nothing partisan in these proposals. Republicans as well as the Democrats the Nation over have a major stake in seeing them enacted. The President has pointed the way with great clarity to a better break for all in an expanding national economy which offers better breaks for all.

## HARRY C. BURKE

Mr. COTTON. Mr. President, I should like to remind the Senate that 55 years ago today, Harry C. Burke, of Nashua, N.H., who now is clerk of enrolled bills in the office of the Secretary of the Senate, first entered upon his duties at the Capitol; and today he completes 55 years of almost continuous Government service.

Fifty-five years ago, as a mere boy, Harry C. Burke was appointed a messenger, through the efforts of the late Senator Jacob Gallinger, of New Hampshire. Mr. Burke's responsibilities carried him between the Record clerk of the Senate, Andy Smith, whom many of us remember, and the Government Printing Office. That was on January 24, 1908.

In 1918 Mr. Burke served as attaché at the American Embassy in Paris, following which he worked for Representative Edward H. Wason, of New Hampshire, and for the Federal Emergency Fleet Corporation.

On January 1, 1925, Mr. Burke was appointed assistant Journal clerk of the Senate through the aid of Senator Henry W. Keyes, of New Hampshire. Our distinguished and beloved friend Charles Watkins, Parliamentarian of the Senate, was then the Journal clerk. Mr. Burke served in that capacity until 1933, when he left to work for the Public Works Administration.

As the request of the late Senator Styles Bridges, Mr. Burke returned to the Senate on March 1, 1947, as clerk of enrolled bills, and he has served in that capacity ever since.

In 1919 Harry Burke married Yvonne Gelinas of Nashua, N.H. They have 5 children—4 girls, 1 boy—and 11 grandchildren.

Harry Burke was born on November 23, 1889.

Mr. President, when I came to the Senate in 1925 as a clerk of the old Committee on Post Offices and Post Roads, of which the late Senator George Moses, of New Hampshire, was chairman, I found Harry Burke, my fellow New Hampshirite from Nashua, here in his capacity then as assistant Journal clerk. He was very kind to me as a young man. I was in law school studying. I claim that I was kind to him, too, because many nights when Harry and Yvonne had social engagements, I would take my law books to their apartment and babysit with their small children, some of whom are now in middle life.

The friendship with Harry Burke that was formed then has continued uninterrupted through all the following years. Harry is loved by all who know him in the Senate. He still has the same wit, wisdom, and willingness that he always exhibited in years gone by. I am proud and happy that he is still with us, and serving as treasurer of the New Hampshire State Society.

As one of his Senators from New Hampshire, I take pride today in directing the attention of the Senate to the fact that today marks the 55th anniversary of his first employment in connection with this body. I am sure we all hope for him more years of useful service, of happiness, and comfort, both to him and to his wife, Yvonne.

**Mr. DIRKSEN.** Mr. President, I believe it can be rightly said that this is certainly an age of mobility. We notice the migration of people to the west coast, and the fact that, populationwise, the great golden State of California has become the largest State in the Union. Visiting with men in the military service at railway stations and airports, I heard the plans they had when they left the military service as to where they would go. So I think it can be said that mobility is in the air.

In the light of that tribute and that trend, there is something rather comforting to note an employee who has been in the Federal service for 55 years. Since almost the turn of the present century Mr. Burke has been engaged in Government service in one capacity or another. What a testimony it is to the spirit and to fidelity to service that he should be in the employ of the U.S. Government for more than a half century. That is a testimonial to him and, I think, to his family. That kind of fidelity should be saluted. So I join with the distinguished Senator from New Hampshire as he pays tribute to Harry Burke, from his own State of New Hampshire.

**Mr COTTON.** I thank the distinguished Senator.

## NATIONAL SECURITY—ADDRESS BY HON. ARTHUR SYLVESTER IN NEW YORK CITY ON DECEMBER 6, 1962

**Mr. COTTON.** Mr. President, I ask unanimous consent that excerpts from remarks by Arthur Sylvester, Assistant Secretary of Defense for Public Affairs, delivered at the Sigma Delta Chi dinner in New York City on December 6, 1962, as taped by the American Broadcasting Co. and transcribed by the American Newspaper Publishers Association, be printed in the body of the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

### Excerpts of Remarks by Arthur Sylvester

I respect completely and expect the news industry to call the shots. I also expect and I would hope you would expect that the fellows in Government have got to stand up and take it. You are not going to be loved if you're a good official; you're not going to be loved if you're a good newsman. You know that better than I do. You're calling the shots as a newsman; you know very well you ain't going to be loved if you're doing the job right. If you're respected, it seems to me, both in the news industry and in the Government, that's the most you can hope for.

Now just let's look a little bit on the so-called October 27 memorandum. That memorandum said precisely this: It asked the people in the Defense Establishment to have a public affairs officer. If you were in the Defense Establishment this is a sort of tricky thing. I'll get to it in a moment. It would be to get somebody from my office to sit in with you. If you don't want to do that, all we ask you to do is to give the name, the subject matter, and the date on which you talked with a newsman. Now in the Army that would be handled through the Chief of Information of the Army, Navy, and Air Force. I think you should probably keep in mind, and maybe some of you don't realize it, that the Defense Establishment which you created through your representatives in Congress has been a long time in coming. There are three services. In the field there is no real difference from what I can see and the way they work together. But in the Pentagon and where it comes to budgets, anybody who's covered Washington knows even better than I do that this is really the conflict, and gradually as various efforts of these services are unified, brought together, you will have less and less of this.

But there is a constant, I would say in the past, a constant inherent conflict in it. So that when I talk about the Defense Department it does not mean that my office has a direct control over the offices of the Chiefs of Information. It has an indirect control in the sense that the releases put out by the services have to be approved by our office. The news setup there runs about like this: I think I inherited about 127 people in our shop. I would say in the Army Chief of Information office there are about 140, identifiable; Air Force, about 150; Navy about the same. Add that up, you have about between 400 and 600 people, identifiable.

Now, how many people are there writing speeches or attached to various segments? I don't know, and I don't think anybody on this earth knows. So there you have about 600 people. So out of that you get quite a flow of news. Since that October 27 memorandum, if you look at the editorials, and we've been looking at them and all the comments, the fact is that most of them express a fear of what's going to happen. But what actually has happened between October 27 and today? I brought some figures along. A lawyer may be a knothead in many ways, but I'm not knothead enough not to know that putting out that memorandum on October 27 was not going to bring this sort of blowup that we had. If you're going to pick the worst timing in the world, we did it. And anybody in my job, or your job, could have said that very clearly.

But nevertheless we did it. But actually what had happened? During the period October 27 through December 3—and this is the 5th, so I'm 2 days late—a total of 129 interviews were reported and logged in the record book maintained by the Director for News Services. Who they were, I haven't the slightest idea. Now this reflects an average of approximately five interviews per day having a 5-day period. This analysis reveals that the persons interviewed covered a wide range from the Secretary of Defense to the Assistant Secretaries down to their special assistants and project directors of various DOD programs, down to the level of operational personnel, both civilian and military.

Now what are the subjects that the fellows were interested in? Well, they ranged from Cuba, civil defense, costs control, industrial relations, defense contracts, legislative matters, housing problems, NATO, Berlin, nuclear strategy, the Lockheed strike situation, the new DOD budget, the test ban, Guatemala, the Hawk versus the medium range ballistic missile, communications satellites, automatic data-processing equipment, names for Army missiles, planes for India, and the space program. A typical day in the life of an Assistant Secretary of Defense.

Now this group of interviews and telephone conversations would seem to indicate, in my judgment, no great reduction or restriction in the amount of information that we're putting out or providing or letting anyone get at. And mind you, this is over and above the many queries answered by our Director for News Services during this period. During that same period they answered 1,500 news queries a week. And during the peak of the Cuban crisis we answered 3,000. Actually, what will be restricted? I would say two things will be restricted, and I say this not on my say-so, but on the basis of a transcript of an hour's conference in which, if you ever saw a fellow get clobbered, I got it. The two things that were expressed there were these: (1) Under this directive, an officer or civilian who does not agree on the classification of any subject is no longer free to make up his own mind and give it out. Yes, this may well be cut down, and if it is I think it's good, and I'll tell you why, with one example: Last year, in February, there was quite a famous leak. In looking up the history on this for this meeting I find that leaks went back before George Washington and they are going to go on another thousand years, fortunately for all of us.

But, at any rate, this particular leak was the leak of a letter from Dean Rusk, the new Secretary of State to Bob McNamara, the new Secretary of Defense. And that letter, it was a "Dear Bob" letter, had two basic points in it. The first point was that we should increase and make sure that our nuclear superiority was unquestioned. Having done that, we should then build up our conventional strength. It is still a classified letter, but you have all seen the two aspects of this in the last 2 years of the buildup in this Defense Establishment. The first three budgets did take money, and Congress granted it, to increase our nuclear superiority.

Having done that, as you know, our nonnuclear capabilities have been tremendously increased. However, a service officer, who had been a very good source for newsmen, chose to interpret this memorandum as a threat to his Services' budget. He leaked the letter in such a fashion that the first story—and we're still trying to disabuse some of our allies—the impact of the first story was that this administration was down playing its nuclear power and up playing its nonnuclear. In other words, that the increase in the nuclear strength of this country was going to be at the expense of the nonnuclear.

If the October 27 memorandum slows that sort of thing down I think it will be a real gain, and there is an historical basis for this sort of thing: it has gone on in the past, it will go on. But it seems to me that the Defense Department has two things to do with this: First, to find out that which we want to keep secure. That, in my mind, means much less than in the past. As a matter of fact, a year ago the Secretary of Defense issued four principles of information. One of those four principles was, when in doubt, underclassify it. We are now in the midst of creating an office to establish standards which will result in less classification. Having done that, if we can get clearly in our minds what should be classified—as little as possible—and keep it secure, then it seems to be in the first instance it's our responsibility—meaning any Government official—to keep it that way, and not be blaming the newsmen.

After all, if some Government official makes available material which he shouldn't, I do not see that it is the responsibility of the news community to worry about it too much. The first responsibility is ours. Until we establish that, I think we can't ask you too much in the normal course of events. Yes, during the Cuban situation we did. My own experience and observation is that the news community around this country did a magnificent job. We had all sorts of calls. The sort of calls that indicated that every media, every type of media, is very sensitive, and I can only salute the sort of job they did. With that I will sit down and watch the questions. Thank you very much.

John Grider, Committee for Economic Development: "I know that everybody in this room is just as much interested in the national security as you are. But there are two questions that come to mind. The first one is this. It seems to me that if the Department of Defense wants security, the most important thing is to obtain the confidence of the newspaper correspondents in Washington. It seems to me that to close doors and not take them into their confidence is the one way not to do this.

"The other thing I want to say is in the tradition of newspaper correspondents, of which I have been one for quite a few years. The thing that you have to do is to cultivate sources. This is what you get paid for. If your source can't trust you, he is no longer a source. By trying to run this thing by edict, it seems to me, you are not only ruining the respect of the press but also cutting off their means of livelihood in a sense. I don't think that any correspondent who is a decent guy would betray any confidence that he got from anybody in the Pentagon that had to do with the national security. This is where I think things are a little off base. But I also can understand your problem, Arthur."

Answer by Sylvester: "I would respond in two ways, John. You made an assertion, as I heard it, without any fact to support it. What doors are closed and what stories have been denied anybody? I doubt that you can cite one."

Mr. Crider: "I can't cite one because I don't work in Washington any more, but I know what is going on and I only speak from what you have said, that you have to have a supervisor sitting there when you get an interview, have to report your interview, and so on. This is not the way it was when I was a reporter. I was there in World War II and, believe me, the correspondents were very respectful of national security. We heard lots of things many times; as a matter of fact I might confess that the Government many times used us. But how can you maintain this rapport between a press corps and the Government, and maybe I use the wrong term in saying closed doors, but if you are going to have reporters trailed and having to make reports about whom they see, it seems to me, Arthur, that this is cutting it pretty thin."

Mr. Sylvester: "I don't know of reporters being trailed and I tried to describe what the situation was. I doubt very much that anything that John Crider talked about to any officer or anybody in the Pentagon during World War II was anything that either he or the officer was ashamed of in any way. I think what you have here is another side. I do not accept the theory that the Secretary of Defense or the Secretary of State may not know as much about what his subordinates are talking to anybody about, as somebody outside the building.

"On the other hand, I would say to anybody who is a public affairs officer that he, too, has the same right to know what is being discussed as any newsman. What I think you are saying when you follow it down, John, is that you have a certain tyranny by newsmen that the people in the Pentagon have no right to know about."

Newark News: "Why did you choose to tear down the membrane of the fiction that there is freedom of the press by saying in your statement that news was part of the Government arsenal that would be used? Do you think that this is not classified with the same statement by Jim Hagerty and Eisenhower when they admitted that the U–2 was being used to fly over Russia, thereby tearing down the facade that Khrushchev needed for his own people? I think that much of the protest today is not so much that you are closing doors, because I don't think there are any more doors closed today. Any good reporter can get anything he wants. But did you choose to come out and say that? That's the point I would like to know."

Mr. Sylvester: "I think that's a perfectly good question. But before I answer your question, let me read to you from a statement of November 30 by Chairman JOHN MOSS, whose reputation in behalf of freedom of information is quite well known. Actually, I didn't see many stories on this part of the speech. He was speaking about the difficulty of trying to keep everybody informed and respecting the right of the people of this country to know about their Government. I would only say that I don't think the only way they know it is through the media. That's one of the ways. At any rate, he was talking about the conflict and the difficulty which has gone on all through our history, from the times of George Washington to our day, between the need for full information and the need for security. And he said, 'These are the horns of the dilemma on which we find ourselves. We have in the past few weeks experienced a degree of Government news management which is unique in peacetime. News generated by Government actions admittedly was used as part of our cold war weaponry and the weapons were successful. Seldom has our Nation achieved a victory in international negotiations comparable to the victory in the Cuban crisis. Speaking and acting as the Nation's own voice, President Kennedy prevented the cold war from becoming a nuclear holocaust. As a result of his position there is every hope that the cold war combatants will be brought closer to a solution of their differences.'

"I think the question you asked—and it was a good one—goes to why I opened my mouth. I would say this: Twice since I've been there, I forgot that I was no longer the Chief of the Bureau of the Newark News, and was the Assistant Secretary of the Defense for Public Affairs, and therefore what you say takes on a much more heightened effect. I could say what I wanted as the head of the Bureau; here it is an entirely different thing. In talking with Dick Fryklund of the Washington Star—and I might say that they corrected the original quotation, but nevertheless I made the basic mistake of trying to write my own analytical story as if I had been reporting it. I did not speak for the administration, although 'the tail goes with the hide' as you know. You cannot speak in any way if you are Assistant Secretary of Defense for Public Affairs unless you are associated with it, so I made a basic error there in phrasing it, or being the person who said it.

"But again, if I can speak as a member of Sigma Delta Chi, which I am, and as a newsman, and as one whose courage you know, overseas, I cannot see how any perceptive newsman does not know, does not see in the world we live in that information is power. It seems to me that I have read some place that 'in the beginning was the word' and if that is true, the word is much more powerful than the bomb or the gun. It has always seemed to me that the British have ruled the world as they did for 500 or 600 years. With what? A miserable army in terms of any size; a small population; a fairly good sized navy? No; but by telling their story successfully—that's how they ruled the world—and their story has been a good one. It's one we inherited.

"Almost any international meeting has seen this country bested by its friends—not its enemies; by its failure to understand the power of the word, the power of information. I can't see it any other way. Now, to go from there to say that the Government is going to put out phony news, if you do that, you're lost. The truth of what the Government says is going to be proven by its actions and by subsequent events. And if the events deny what it has said, then that Government is lost. And under our system of Government, as I understand it, every 4 years the people to whom has been given the stewardship for running that Government have to go before the people of this country and they will then say, you're in or you're out."

Newark News: "I agree 100 percent with what you said, Art. I disagree with your philosophy as to the political wisdom of saying it. I think you might have addressed yourself much more aptly to the fact that freedom of the press is not so much endangered by closing the doors in Washington as closing the doors on decent, honorable and intelligent reporters by refusing to pay them enough."

Question: "I'm Steve Shiftern, representing Long Island University. I would like to know how you are going to explain to college students, like myself, whom you often refer to as the lost generation or disillusioned youth, and who are having trouble enough explaining what a wonderful nation we are, with situations like the University of Mississippi—how are we to explain to the other nations of the world that we are not free to find out who 'blew' the Bay of Pigs invasion and why, and why did it take so long for President Kennedy to sign his Executive order on housing?"

Mr. Sylvester: "Is that all you wanted to know? Well, first off, by definition, and I'm sure you understand it immediately, I do not comment any time on what the President does or doesn't do. My comments must be limited to the Defense Department. So if you'll ask me a question in that field."

Mr. Shiftern: "I'm not asking you to answer that question. I just wanted to know how are we to explain to other nations that we are not free to find these things out."

Mr. Sylvester: "I don't accept your basic premise. What are you unable to find out?"

Mr. Shiftern: "Well, for instance, if you take the Bay of Pigs invasion, if you read any newspaper you got about 30 different stories on what actually took place."

Mr. Sylvester: "That's the freedom of the press."

Mr. Shiftern: "That's the freedom of the press and yet it has been mentioned that the press has not been able to get the precise information on exactly what happened."

Mr. Sylvester: "Well, let's go back to the Bay of Pigs. I would suggest to you that after that the newspapers of this country clobbered the administration, and I would say properly and with good grounds. I think if you read over the commentators or the editorials, as I have recently, you will find one theme running through them, and that was that it was run like a Madison Avenue operation—that the whole operation was telegraphed; that Castro knew what was coming; that the whole thing was given away in advance.

"Now I would suggest this is one thing that cannot be said about this one. I would also suggest to you that there were two periods here: the period up to the time President Kennedy spoke and afterward, and the time preceding that, and there was a tremendous clampdown for a purpose. And that purpose was to confront the Russians with an accomplished fact before they could react. And I would say that was successful. I think that anybody would look at it that way.

"But I would also say that this created a tremendous frustration within the field from which I come, the news field. And as John Crider said, 'Nobody was taken into anybody's confidence.' I think he can argue the point very well. I would not argue with him. It was not done this time. Obviously one of the penalties paid for not doing it was the sort of thing that brings us here tonight, and maybe it should have been done some other way. There were choices. This was the choice that was made.

"That being so, I think the second thing that happened was as Mr. Soveno (Newark News) mentioned. I think he said that the comments I made were in effect a sort of safety belt, and this let everybody—boom—go off like that. And I would agree with him if I had it to do over again, even though I have not changed my views, and even though I think what I said was accurate, I shouldn't have said it. That's quite right, I agree with him. I don't think you have any problems as a younger man coming along to say anything to the press. I think you have a tremendous story to tell both in the past and today. So I don't think you have any problem."

Bob Metz, News editor of NEA: "I'd like to descend for a moment to a very technical level and it's an area in which it seems to me that the greatest threat exists. This has nothing to do with the way in which the Cuban crisis was handled. A lot of what you said I personally would buy. But the regulation—the October 27 memorandum—sets up a situation which I know that you, as a longtime veteran of Washington, realize has to break down because it would be a fine system if every story in the Defense Department or every story when you are doing a military, strategic, analysis type story. There is no such thing as a single source story. Now, what is going to happen? You presented some very impressive figures as far as the number of interviews that have occurred. What I want to know is what is going to happen if our Pentagon man talks to a deputy assistant secretary and gets some good information and this man does issue request and files a memo and says, 'I talked to Ray Cromley of NEA and we discussed this, that and the other thing.'

"Two hours later, let's say, Mr. Cromley goes to the State Department where no such provision exists, and he gets some information there from someone who is not quite as discreet and he prints that information and your boss says to you, 'Where the hell did he get that?' And you call in your deputy assistant and you say, 'Look, you talked to this guy.' And he says, 'I didn't tell him that.' And you say, 'Where does he get it?' Now it would seem to me that you may take his word for it when he says, 'I didn't give it to Cromley, he must have gotten it somewhere else.'

"But I think that if I was working in Government my feeling about this would be that I'm going to be an awful lot more careful about what I say and about whom I talk to and how available I make myself for background interviews. And I think the effect of this memo is going to be one that is going to take an awful long time to have its full effect. Perhaps if all the people in Government were good, fine, courageous people who were willing to stand up to a situation like that, knowing they might get called on the carpet later, that would be fine but do you think they're all going to do this?"

Mr. Sylvester: "Well I don't think any of us are gods. I think we're just people. If the record shows that, then I think you've got a case, and it should be made. But let's look at some of the stories that have already been broken. I don't know where they came from and frankly I couldn't care less. You have the Jules Whiteover story on the upcoming story on the screening of personnel assigned to handle nuclear weapons. You remember that one. That was a piece of enterprising reporting which he did on his own. We did not initiate it. We wouldn't have blocked it, but he got it. The man with whom he talked, there was no problem involved. Fred Hoffman, of the AP, identified specific Army units alerted for possible invasion of Cuba. Actually it was a security violation. I don't know where he got it and I couldn't care less. He got it and he'll get others.

"Dan Hankin of the Army-Navy-Air Force Journal had a full report on McNamara's meeting with the service secretaries a few weeks ago, almost verbatim. Damn fine reporting. As a matter of fact, the Army-Navy-Air Force Journal had the text of a letter from Secretary McNamara to the Bureau of the Budget.

"I would only say that on the basis of the record today, the things that you worry about and that I worry about have not taken place. I do not believe they will because I think we've said here earlier it's going to be a spur of the people. Nobody is really going to let that stop him. I wouldn't and you wouldn't. If actually we were running the Department from the point of view of how we liked to cover it, we would eliminate it. But, and I may have a blind spot, I was brought up on the basis that the hurdles you have to get over to get the story were not important. The fact was you got the story, and I still think that's going to be the effect, regardless of how many hurdles in this administration or the next. I think the hurdles will get knocked down, the stories will be gotten, and in a constant interplay and intertension these things will be changed just as the sea washes in and changes and erodes the shore. And I think this will be eroded. So in that sense, if you'll look over it, I'm not as filled with worry as other people are."

Mr. Metz: "Pardon me, I don't want to engage in a colloquy and I am not as worried as some of my colleagues apparently are, from what I have read about whether the guys at the Pentagon are going to be able to get their stories. They obviously are. We've had one or two ourselves.

"But what I am concerned about is the eventual drying up of background information. Sure there are always ways in which you can get stuff. Stuff that possibly is going to be damaging and dangerous. If, at the same time, this initiative on the part of newsmen is still functioning and they are still succeeding in getting stuff that they shouldn't, if at the same time there is a drying up of availability of people who can say to them, 'Look, this is something I think you ought not to print for this reason'; then possibly you are going to get a little more irresponsible reporting rather than responsible reporting. That's all I have to say."

Mr. Sylvester: "Let me say this to you: Long before the October 27 meeting and long before this administration, the services, the DOD, or any other department of Government could put a story they didn't want so far down the deep freeze that an atom bomb wouldn't get it out. I know of a number of them. The October 27 memo won't increase it. This is the sort of natural reaction by people in responsibility where they are going to have to take the responsibility for wrong-doing, for bad judgment, or what not. This won't do that. Long before we got to this, I know of several stories that if you can get them out, or anybody else could get them out, it would take a nuclear bomb.

"I think what this will do and might do is not decrease the flow of information. But those officers and civilians who have a broad understanding, and really know what the facts are, are being urged by us to give you a balanced picture. There is a tremendous amount of material in the Defense Department, in my judgment, that the people of the United States ought to know about, ought to discuss, ought to argue about. You know as a newsman, and I know as a newsman, that when we get a story we say to ourselves, "What's the source of it? Why is he telling me this? Do I want to be used for this? Why is he giving me this material?'

"Now, on the other side, from any administration—not this one or any one—you as American citizens, it seems to me, may want to hear both sides of the whole story. I think this might contribute to that."

Question: "How effective do you think your October 27 memorandum has been? In other words, how many people in the Defense Department have talked to reporters since that time?"

Mr. Sylvester: "I wouldn't even think about it. I haven't the slightest idea. I did read, as you know, those who have talked and who have reported. What we are asking for is that Joe Blow talked to Jim Smith. We've had an average of 5½ interviews a week on a 5-day-a-week basis. Those who haven't talked and haven't reported I don't know. I never would think about it. I would hope quite a few."

Look magazine: "I'd like to switch off your October 27 memo and ask you about something else that I think is a little more long range.

"I totally agree that what this is all about is the tension, as you said, between the news people and the Government officials. I think the thing that I would like to hear you say is something about the problem of security. We have a system of voluntary censorship in this country, as I understand it, under which news people are morally obligated and have the personal responsibility, which I think all of us feel, to clear material of questionable military security with your people. It's very easy when it's a problem of reconnaissance tomorrow afternoon, to use your example. It's very easy, also, when it's a release that comes out of your office and contains no security problems, something you want to get out. But there is a whole middle area in there that isn't a hardware question or a troop deployment question—the questions I suppose you might say involve national security. There is an area there which I gather that you are paying some attention to because you mentioned that you have some kind of a group being set up to study this area. Is that what you said earlier?"

Mr. Sylvester: "If I did, I didn't mean to."

Look magazine: "Could you tell me something about your view at the present time of the area that isn't hardware, that isn't easy to turn out, which you regard as the kind of material, in the cold-war situation, that isn't military security? In other words, how broad or how narrow do you think the material coming out of the Pentagon is, that need not be cleared or that needs to be cleared? Everything has some ramification in the world, whatever we write."

Mr. Sylvester: "You give me an opportunity to make a long speech, Bob, but I won't. I did mention two things that we are trying to keep secure, and I think maybe I can give an example of the different approaches. One, I tried to suggest that we are trying to keep intelligence, not only what we gather and how we gather it, not because we believe in a closed society or that it is an open one we can keep everything out of the way. But we do know that lots of things that 2 years ago we assumed our adversaries had, they do not have. We know this by what they're spending money to get. What we are trying to do in this field is to make it as difficult as possible for them. We are trying not to wrap it up, put it on a silver platter and hand it to them. We are trying to make them spend as much time and effort as we have to. So, in that field, I think everybody will agree.

"The other field I would say we are trying to keep secure is the field of new weapons. These are the two main fields.

"Now you spoke, and I think correctly, of an element which is quite vague and does turn on judgment. And, since the men in Government at any given time are only men and not gods, and obviously make mistakes, this is a very delicate and difficult situation. This line in which you try to track between expanding the information to the people who are paying for this tremendous establishment, and, two, who are going to have to die if the judgments made by the people running that and the foreign policy are wrong, the line between the need for them to know, and, on the other hand, the line to try and make things secure, make it difficult for any adversaries. I have no quick answer for it.

"I would not suggest that if you went back over the decisions we've made in the last 23 months and analyzed them you would find that we made no mistakes. I know I've made some, and I'll make some more. I can't give you a pattern which you can put over something and check it off with a pencil, put a "O" in a square or a cross in a circle. It doesn't work that way, and there is a constant conflict. There is a conflict when a newsman goes into an area on a Polaris submarine or whatnot, and submits his material, that some of the material is taken out. It raises a question in his mind—why is it taken out? Or, in the case of one of your colleagues in a magazine piece, not your magazine, who was invited by one of our services to do one article. Every single item in it had no security. Put together, the service which invited him to do the job was aghast.

"Well, not to second guess them, you could almost see in advance the way it was going to come out. Now, this threw this man almost out of his mind, and me almost out of the Pentagon. This is very difficult; I have no answer for it. And again, I would say that the people who are trying to tell a story must give us constant friction, give us a hard time all the way, to make sure that we are really deciding it on the proper basis."

Associated Press: "You believe it is safe to use the press and leave it to the press to do the rest? How can we get at it if the doors are closed? Now, take Guantanamo—why did it take two weeks to get a reporter out to the fleet?

Mr. Sylvester: "Yes, I can tell you a few reasons, whether you believe them or not. First off, this was not classic quarantine or embargo. There was a constant—you can't go off the record in a room like this so I can't really reply to your question. But I would think that you, as a newsman, must have seen what was happening."

Associated Press: "I couldn't get there. I've got credentials that would get Mata Hari into Alamogordo except when something's happening."

Mr. Sylvester: "Well, you wouldn't want to be in with Mata Hari when something's happening to her, would you? That's sort of like being a 'peeping Tom,' isn't it? If you looked at what was happening day by day, you must have come to some conclusions in your own mind, you must have seen what was going on under your own eyes. Now whether you were on a ship or not * * * you didn't have to be on a ship to see that."

Associated Press: "I did make a flight as a matter of fact. I made the first flight that you authorized. We flew over the Soviet ships and watched them uncover the missiles, as you recall. However, we made that flight only after several other contacts with the Soviet ships had been made, and I think you had assured yourself that nothing was going to happen. Then we were allowed to take a look. Wouldn't it have been fairer to put us on the first plane and let us find out what was going to happen, or did you wait until you were sure there was going to be no problem?"

Mr. Sylvester: "No. You give us credit, much more credit than we are due. We did not know what was going to happen. But I do know that if you'd flown out there and had not made a contact, I do know what would have happened, and in that sense we made darned sure than when you flew out there you were going to fly on a productive trip. You didn't like the flight for itself, you don't love air travel that much. You were doing one job and that was to cover a ship where contact was made.

"In that sense, yes, we did know. We did try to get the Navy to plot out at what hour that contact would be made, so that you would see something and not go out on an unproductive trip. Now, there are other trips that you could have gone out on and your question at this table would have been different. We did not manage it that way.

"But again I would say to you that the exchange was a highly sophisticated operation. It isn't World War II, it isn't Korea. This is an entirely different operation. There was a constant series of signals between Washington and Moscow, and when this Government set its course nobody had given out any rainchecks if the thing didn't go right. Nobody knew, when we set that course, which the Congress approved and which I think the American people did, where we were going to come out. Because the United States had been committed before the world to get those missiles out of there by any way, where we were going and how far down that line we were going, nobody knew.

"And in the sort of world we live in today with nuclear power and what it can do, it's a completely different world. You're not covering it the same way. Now, just on the practical basis, sure we could have put you on the ships. Do you know how many words you'd have gotten back in a day for the whole group? Four hundred. That's how many words you'd have gotten back; no more—400 words for the whole group."

Murray Snyder: "What I wanted to do was to give Arthur a chance, perhaps, to correct something which I think was a case of misspeaking. He referred to the story of the Army units that were to have been available or to have been used in Cuba in the event they were needed. When I read that story I thought, too, that was a security breach. Arthur said—I think his words were that this was, in fact, a security breach, but I couldn't care where it came from. I think that if it was a security breach he does care where it came from and probably some other people in the Pentagon, too. That is, if it was a security breach. How about that, Arthur?

Mr. Sylvester: "Well, I think you are quite right. I was reading here from the notes I have that the security breach was so stated by the Director of Security Review. I think you quite correctly picked me up on something I said very casually. Of course I am concerned but I meant it in the sense that, as you know, the responsibility for running down the source of this story does not lie with me, and should not lie, in my judgment, with the public affairs officer. It goes to the General Counsel. And, as you know, as you did, and as I have to, security breaches are referred to them. And it is their responsibility.

"But, as any officer of the Government will cooperate with any other officer, I, of course, will cooperate with any officer who has the responsibility for running these down. The security breach, again, as you know, is not decided by me. In this case it's decided by the security people, and in this case by the Joint Staffs. It was one—I am concerned, I did mean that, thank God—but I do not have the responsibility for running it down. That's all. I got enough on my soul without that."

(Question not on tape, but taken from notes of ANPA staff member:)

United Press International: "What about half-truths? For instance, when President Kennedy interrupted his political tour in Chicago and returned to Washington, the reason given was that he had a cold."

Mr. Sylvester: "Let me begin by saying that as the Assistant Secretary of Defense I do not comment on anything about the President or the White House. So if we can get that aside and talk to the general point, it would seem to me basic, all through history, that a government's right—and by a government I mean a people, since in our country, in my judgment, the people express, have the right to express, and do express every 2 and every 4 years what government they want—that it's inherent in that government's right, if necessary, to lie to save itself when it's going up into a nuclear war. This seems to me basic—basic."

Question: "Is it possible to distinguish between political control versus national security? The Republicans charge that the presence of missiles in Cuba was known for quite some time but the presence was denied by the administration. What about that?"

Mr. Sylvester: "Let me see if I can take up one or two of the questions you've asked. First, is it possible to distinguish between political control versus national security? This, I think, goes to the basic integrity of the people in Government. If the people that you put in Government violate this trust then obviously they should be clobbered and gotten out. Basically, I think it is characteristic of any party in power to make itself look as well as it can, or to make its failures look not so bad. I would say, for instance, the past administration, in the case of the "basketball in the sky," did this. Obviously by its very nature, by the nature of the political organism, it is going to react the best way it can and present itself. Now if you would assume that the Russians came up next week with an electric ray, let us say, that could kill a million people just like that, I would assume that this administration would react and say we've got a million light bulbs and we'll put them together and it's just as good. It isn't obviously. It's going to be on the defensive, and when it's on the defensive under our political system I would always be suspicious of what it said, or any other administration; and I do not expect virtue to come out of men—complete virtue—or even maybe 75 percent virtue. If any of us are virtuous 51 percent of the time in life, that I see, it's a good record and in politics an amazing record. So I would start out on that premise.

"Now, as to the other questions of fact. What are in the caves of Cuba? We do not know, and nobody can give you a guarantee of whether there is anything there or not. We do not believe there is. We believe that on the basis of almost any point of view you look at, that all the missiles are out, if only because the Russians obviously didn't want us to ge hold of one of them. You take it from that point of view. There have been and continue to be reports from refugees, hundreds of them. They are being run down. Friends of mine send them to me, and I pass them on. Some of them go to the caves that we know about, some do not.

"I think you must also keep in mind there is an in-built desire on the part of many refugees to involve us in an invasion of Cuba or to change things there. As to the number of planes there, we think we know how many are there. But nobody can give you a 100-percent guarantee. You can make a rational deduction on the basis of the logic of the situation.

"As to whether the intelligence beforehand was good, bad, or indifferent, this takes me into a field in which obviously I can't discuss. But I would only say this: That from the time that the MRBM and IRBM fields were first discovered, to the time in which they became almost operational, so far as the MRBM is concerned, it was much faster than we had ever realized.

"Now, at the present time, you have been seeing stories that Soviet planes and Cuban planes have been overflying the southeastern part of the United States. We have denied this, not for political reasons, not for any reasons other than the fact that there isn't any evidence that the Defense Department has or any of its components.

"However, as recently as this week one large news organization reasserted that, and yesterday General LeMay who, after all, is not a political officer, asserted the facts as we have given them. I don't know how, when you state on the basis of the integrity of the Government, that this is not true, and other people say it is true, you can beat it. I think I know what the source of the story is. I know because friends of mine have told me it's been peddled to them. It's a two-way thing. I think the newspapers and radio and television have a basic responsibility in this, too. We have given exactly the facts, no more, no less, on the missiles. We are giving them, and will continue to give them, as they develop on the planes.

"But there isn't anybody short of going into Cuba who can guarantee to you that every last thing has been taken out. We simply say two things: That the Soviets have not put such missiles in any other satellite and it's been very clear with the speed that they have gotten them out that the last thing in the world they want is for us to get hold of one of them. And we have, of course, reserved the right if the time should ever come. I hope this answers your question. I have tried to answer it.

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## THE SENATE AS A CONTINUING BODY

Mr. ROBERTSON. Mr. President, our distinguished Presiding Officer has ruled—and I think correctly—that under the rules of the Senate, constitutional questions, when raised by a Member, are to be referred to the Senate for decision.

On yesterday the distinguished Senator from New Mexico [Mr. ANDERSON] put us on notice that on Monday he would offer some type of motion, the purpose of which, of course, would be to bring to a vote the pending motion to make the proposed Anderson rule change the pending business of the Senate. In making the motion, the Senator is going to claim that is a constitutional issue. So, if he makes that claim, the assumption is that the Presiding Officer will say, since it will be insisted it is a constitutional issue, that the Presiding Officer will refer the issue to the Senate for decision. Of course, that motion again will be debatable.

The point I wish to emphasize is that at some time—I do not know when—a motion will be made by some Senator to lay that constitutional question on the table.

It is inconceivable to me that Senators could conclude that the Senate is not a continuing body. I am sure that none of the able lawyers in this body, including some who would wish to strengthen rule XXII, will stultify themselves by voting that the Senate is not a continuing body. There is no better settled rule of constitutional law in this land than that since its organizaiton in 1789 the Senate has never died, and that therefore its rules go forward—not some rules, but all rules—and can be changed only in accordance with the rules, which means that resolutions to change the rules must go to the Committee on Rules and Administration, where hearings will be had, and then come back to the Senate. Then, of course, the Senate can take action by a majority vote, although the resolution still will be subject to debate, as should certainly be the case in respect to everything that comes before the Senate.

If I may do so with due modesty, since the Senator from Pennsylvania [Mr. CLARK] yesterday said there were few Senators on the floor when I discussed for 2 hours and 45 minutes on January 15 the fact that the Senate is a continuing body, I invite with all due deference the attention of my colleagues to what I said in support of my contention that the Senate is a continuing body, which no one yet has answered.

## STANDARDS OF HEALTH CARE

Mr. JAVITS. Mr. President, the quality of care is one of the urgent problems in health care for the aging that must be faced now. Guides are essential, and it is in recognition of this problem that Dr. T. Stewart Hamilton, director of the Hartford (Conn.) Hospital and president of the American Hospital Association, made the appended address. Adoption of a Federal program of health care for the aging, which I advocate, means that as hospital and skilled nursing facilities increase, quality of care will have to be raised to a level which will guarantee comparable treatment of a high standard in all parts of the country. Care rendered in hospitals and nursing homes today varies widely in spite of efforts by accreditation organizations to fix standards. Facilities, diagnostic services, availability of physicians, costs—all these are variables from State to State, and they now determine to a very large extent the level, content, and quality of medical care.

I ask unanimous consent to have printed in the RECORD his address, entitled "Higher Standards in Long-Term Care," which he delivered before the American Hospital Association House of Delegates, in Chicago, September 19, 1962, and which appeared in Trustee, the journal for hospital governing boards, for January 1963.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### HIGHER STANDARDS IN LONG-TERM CARE: AN URGENT HEALTH FIELD GOAL

(By Stewart Hamilton, M.D.)

Over the past several years it has been the custom of the newly inducted president of the American Hospital Association to outline what he believes are the key issues to be faced in the year ahead—to present, as it were, a charge to the association. Dues and program, new building, legislation, nursing and nurse education are among the issues stressed in recent years. Some are solved each year, some remain, and new ones arise. Almost a decade ago, for example, President Ritz Heerman said, "Greater attention must be paid to the type of care given in nursing homes, and efforts must be made to constantly improve the quality of care." This theme I shall stress again today.

In considering the many areas of interest to the AHA, I am hard pressed to choose a few upon which to lay special emphasis. The interlocking of activities makes selection of a small number all the more difficult.

All the councils of the AHA, for example, are concerned with the development of area planning councils, a rapidly growing trend of extreme importance. These planning councils and their work lead directly into the question of controls of hospitals and their operations: What is the optimum amount of control—the optimum mix between voluntary and Government control? In addition to planning, most association councils are concerned with public relations and public education. Should we concentrate our efforts in these fields? Or should we choose our main theme from the work of any of the councils? Some examples:

From administrative practice: Main concerns of this council are the growing necessity of uniform accounting practices among hospitals; the delineation of hospital performance standards; the strengthening of hospital personnel practices, and, along with the Council on Blue Cross, financing and prepayment, reimbursement cost formulas.

From association services: Tasks facing this council include the development of programs for integration of activities of the AHA with those of State, regional, and metropolitan associations on the local level and integration within the usual hospital activities of such allied interests as hospital chaplaincy programs.

From Blue Cross, financing and prepayment: The vital work of this new council deals not only in specifics, such as development of principles of reimbursement applicable to all third parties and not to Blue Cross alone, but also in such generalities as development of an equitable integrated working arrangement, a proper balance of give and take, between the Blue Cross Association and the American Hospital Association. Any substantial imbalance in this working arrangement can endanger the alliance, yet it is at least as important that it not maintain so stable a balance that it rests immobile on dead center.

From Government relations: Is there a more essential aspect of the association's work than keeping the membership informed and speaking for them in legislative matters at the national level? I doubt it.

From hospital auxiliaries: Volunteer programs, important for service and fund raising and encouragement of volunteer participation in public relations and public education within and without the hospital must be continued.

From professional practice: Vital areas include hospital-physician relationships delicate, vital, and in need of constant attention in these days of great concurrent medical and social change; mental health services, an area of growing importance; nursing staffing and nurse education, the backbone of hospital-provided care, and care of the chronically ill and of the aged and its concurrent question—How far should the association involve itself in these problems? I shall dwell later upon another subject which is of great immediate importance, but I cannot leave the area of nursing without a further comment. Because nurses are a sine qua non to hospital-based health care, their education is of vital importance to us. Continuing coordination of our efforts with those of the National League for Nursing so that the most effective and attractive programs of nurse education are fostered is as essential as any of the association's activities. I am certain that the interorganization committee on hospital schools of nursing, as well as the council on professional practice and its committee on nursing, equally convinced of this essentiality, will be concentrating their attention upon both short-term and long-term potentialities in this field.

From research and education: The growing number and importance of research projects under AHA aegis, together with areas for future exploration, and the enhancement of the already excellent programs of education carried on by the association, are all possibilities for emphasis in the association's program for the coming year.

From these and many unnoted activities, I have selected two related topics, health care of the chronically ill and aged, and extension of the role of the hospital. Exploration of these will, of necessity, include others as well.

Health care of the chronically ill and the aged offers us particular opportunities for service both now and in the years ahead. We have been concerned of recent months—and years—with national legislation affecting health care of the aged, for the outcome of debates upon this issue will profoundly affect us. We have developed a position over a period of a half dozen or more years, the latest and most complete statement of it having been made last January. Now we must either live with it, or, if we find it advisable so to do, change it. From my observation, it is so far standing up well.

Beyond the matter of legislation, which is only a means to an end, lies the goal itself—adequate health care for all aged persons who need it. This includes care for the chronically as well as the acutely ill. Because chronic illness is commoner among the aged, but by no means confined to them, it is not illogical at the same time to give thought to provision of care to all chronically ill. Such care takes buildings, equipment, and, most of all, skilled personnel. The role of physician must remain that of captain of the team, but he cannot function effectively without these buildings, equipment, and skilled help.

As was recently noted in the medical literature, among the dilemmas facing the medical profession today is recognition of the fact that the physician can no longer work alone, but is increasingly dependent not only upon the hands and feet of others, but even more upon the trained minds and specialized knowledge of others. Today and tomorrow he must captain a team which includes persons with skills and knowledge that even he does not possess in equal depth, for medical knowledge is already far beyond the compass of a single mind. It is up to us to help the physician recognize that his usefulness—and his importance—are enhanced by full appreciation of his growing role as captain of a team of professional specialists. It is up to us, with his guidance, to provide that team.

### PATIENT EASILY FORGOTTEN

It could be a waste if such highly skilled individuals were to confine their work within specific institutions or types of institutions. It is all too easy for us in general hospitals to become preoccupied with the growing volume and complexity of our activities and to forget that the patient in whose interest we exist was ill before he was admitted and will not be fully recovered when he is discharged. Particularly for the patient with a long-term illness, the general hospital is but one of the institutions to which he looks for help.

Yet, although the break in continuity of concern may not be complete when he is discharged (for he is still under his physician's care), the break in continuity of care is all too often almost total. Is it fair to the physician, or, more importantly, to his patient, to expect a team change which is total except for the captain when the patient leaves the general hospital? If it is not, as I am convinced it is not, then a closer integration must be developed between hospitals and inpatient care institutions other than hospitals.

### FIVE POSSIBLE LEADERS

Such an integration is unlikely to arise spontaneously; it must be developed. There are five possible leaders in such a development, singly or in combination. They are: physicians, hospitals, nursing homes, prepayment plans, and government. Because government should do for the people only what they cannot do for themselves, it is up to voluntary groups to make the first effort. Because institutions, equipment, and staff are primarily involved, and because hospitals are the most highly organized in the field, it is fitting that hospitals, through the American Hospital Association, should take the lead. This the association is doing.

Listing or registration of inpatient care institutions other than hospitals was initiated in 1960 and is progressing. A program of accreditation of nursing homes has been accepted by the commissioners of the joint commission on the accreditation of hospitals and has been recommended to its constituent bodies. We are beginning, 8 years after Ritz Heerman's admonition, to take definite steps to integrate voluntary health services in an effort to improve the quality of care.

The size of the task ahead is obvious when viewed from almost any angle: the number of nursing homes is at least twice the number of hospitals; their location is far more decentralized; their ownership is for the most part proprietary, whereas most hospitals are public or quasi-public institutions; the care rendered in nursing homes varies over a range far wider than that in hospitals (in good part because of the lack of effective national accrediting program), and the national organization of nursing homes is looser and less inclusive than that of the association.

If the task ahead is great for both nursing homes and hospitals, so are the potential rewards. If hospitals, physicians, and nursing homes, working through their respective organizations, can develop an effective program—first listing, then accreditation, and finally cooperation in rendering services—the benefits to the patient can be immense. There is a growing awareness of the need; the opportunity still exists for us to meet it by voluntary effort. If we fail, the obligation will then fall to Government.

This challenge stresses the importance of active effort in two rather similar areas:

The first area is closer integration and cooperation between the programs of the AHA and State, regional, and metropolitan associations. The rapid growth in importance and effectiveness of State and local associations provides us with the tools, if we will but use them, for a coordinated nationwide effort carried out at the local level. One of the great challenges before us today is effective implementation of this tool—statesmanship at local level combined to develop national policy and implementation at local level to carry it out.

### FACE-TO-FACE CONTACTS

The second area is coordination of our efforts with those of the medical profession. Mutual understanding begins with the face-to-face contacts in every hospital. We are expecting great changes in the attitudes of physicians, not only at the national level, but even more important, as individual practitioners. We must first make every effort to understand physicians' problems before we seek to acquaint them with ours. At the national level we already have an excellent mechanism to coordinate our efforts: the joint commission on accreditation of hospitals. Here the medical profession and hospitals work in concert to make every hospital a safer place for the patient, a better place for the physician. Through this mechanism, bolstered by understanding and cooperation at the local level, there exists the means to develop a program of great assistance to inpatient care institutions other than hospitals. If such a program is to succeed, it must have the cooperation and understanding of the physician. If it does succeed, the physician's work will be much easier and far more rewarding.

Our overriding interest in patient welfare demands that we move ahead in the extension of our services to include inpatient care institutions other than hospitals. We must do this, not only at the national level, but at the local level as well. We are in a position to lead, but we must involve all other interested groups to the optimum degree if success is to be achieved. Essential among these groups are the physician and dentist and their associations, the nurse and her associations, the nursing home and its associations. The task before us is tremendous, but the rewards of success are more than commensurate.

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## THE MANLY DEBT WE OWE BRITAIN

**Mr. STENNIS.** Mr. President, William S. White, noted and outstanding newspaper columnist, whose daily writings make a very great and valuable contribution to the educated and enlightened thought of American life, has again written a masterpiece.

In the Washington (D.C.) Evening Star, of January 23, 1963, Mr. White has written a column entitled "The Manly Debt We Owe Britain." I have read it with genuine interest and appreciation. I commend it most highly to my colleagues in the Senate.

Mr. President, I ask unanimous consent that the column by Mr. White be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE MANLY DEBT WE OWE BRITAIN

(By William S. White)

A hard-used cousin of the United States has fallen ill, and wearily so, and now requires our help and understanding, for the sake of ordinary decency but most of all for the sake of ourselves.

This cousin is Great Britain. And this national illness is like that personal illness which comes as a chilling vision upon a middle-aged war veteran long, long after the guns have rusted in the silence of the yesterdays. Suddenly, as though in the middle of the night, he sees clearly that all his old exertions and perils have ended in dust and ashes for him and that his late rivals and even enemies are doing far better than he in the world they lately sought to destroy.

He wears, along with his wound stripes and the invisible medals that bring no profit in the marketplace, the gray badge of economic fear while more fortunate men are living it up on top of that world which only his valor and honor had helped to make for them.

This parallel between an ex-soldier now suffering post-combat fatigue and a nation suffering the same, through no fault whatever of its own, is not inexact. It is plain, given the smallest perception and understanding, that today's Britain has had altogether too much to bear for altogether too long. (And it is petty undertone to the tragedy that the most brittle of England's young entertainers now wow them on this side of the Atlantic by venomous commentaries on the land of their birth.)

#### BARRED BY FRANCE

The nation which so long stood alone against Hitlerism—a Hitlerism backed for a time by Stalinist Russia, too—now finds itself barred from its best hope to recover its wasted strength, the European Common Market. And by whom? By the country, France, which went to its knees before Hitler's very first blows and left that island kingdom across the channel, that England which was once forever green, naked to a storm which blew not merely against England but against all freemen everywhere.

The nation whose civilians uncomplainingly underwent not days and weeks but months and years of bombing from the skies and freely spent its substance and its lives awoke at last from the nightmare of war. And to what? To an implacable pressure (at which the United States of America stood at the very forefront) to strip from her all that she had in colonial wealth; to tear from the living body of the old Commonwealth every oversea resource she might have had to repair her ravaged strength.

But not even all this ends the tale of the hero of war who was to fare so ill in the peace which so indispensably he had helped to win.

The harsh realities forced the United States to pour out treasure, not upon tired and broken old England but upon those other lands—whether ex-enemy, as in Germany, or ineffectual ally, as in France—which it was now necessary to bolster against the sick appeal of communism.

#### BRITAIN GOT SYMPATHY

We could always depend upon the British, tired and broken or not. So to Britain we gave, perforce, our sympathy; to the others we gave our billions. So at length these others, notwithstanding their past guilt and failures, became, not Britain's fair equals but Britain's subsidized superiors in the economic rat race which was one of the legacies of the war.

The British are stout fellows, and very proud, too. But, to repeat, they have had altogether too much to bear for altogether too long. They would reject pity; but manly help in mutual respect they need from us. Help in the economic rat race—a determination here that no Charles de Gaulle and no dozen Charles de Gaulles shall further push Britain down, economically or otherwise—that storied first home of an American Republic which was, after all, raised up by British men.

What, then, is required of us? Why, simply, all that may be required by them to keep that honored place which by blood and valor and brains and historic decency they have a hundred times overearned. If they are no longer quite a top power in this world, they have irreplaceable values to offer still. And that world without them would be poor beyond belief—for us as well as for them.

## SUCCESS OF 4-H CLUB MOVEMENT IN MISSISSIPPI

**Mr. STENNIS.** Mr. President, the 4-H Club movement has enjoyed a tremendous success in my home State of Mississippi, as well as in many other States of the Nation.

The programs sponsored and encouraged by our 4-H Clubs have been a rich training ground for the fine young leaders in the field of agriculture. I congratulate this group and its effective adult workers who have over the years consistently pushed for the improvement of farm life in America.

Mr. President, I request unanimous consent to insert in the RECORD at this point an editorial from the Jackson (Miss.) Clarion-Ledger of January 10, 1963, pointing to the success of the 4-H Club program in Mississippi.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### DEDICATED LEADERSHIP IS MAJOR FACTOR IN 4-H PROGRAM SUCCESS

Jackson is happy to welcome the annual meeting of the State 4-H Advisory Council and the 4-H Club Foundation of Mississippi meeting here today at the Heidelberg Hotel to map plans for further strengthening 4-H Club work during 1963.

Members of the council and the foundation are largely business and professional leaders who are actively interested in developing Mississippi's human resources by helping our boys and girls.

Dr. D. B. Roark, of Yazoo, is president of State 4-H Advisory Council, L. O. Palmer, of Clarksdale, is vice president, and Earle Gaddis, of State College, is secretary.

A. Ray Tillman, of Jackson, is acting chairman of the 4-H Club Foundation of Mississippi, Inc. His group sponsors statewide 4-H activities as needed, doing it with the annual earnings from a special endowment raised by contributions. About $80,000 of the $100,000 goal of this endowment has been raised to date.

A feature speaker at today's annual meeting here will be Kenneth Anderson, associate director of the National 4-H Service Committee in Chicago. This nonprofit service group coordinates the efforts of many nationally known businesses and individuals in providing financial incentives to 4-H in form of the annual 4-H Club Congress, special scholarships and other awards.

Certificates are being awarded today to Mississippi counties qualifying in the 1962 4-H Advisory Council honor program. This is a new and valuable activity of the State 4-H Advisory Council to encourage county councils. Special recognition will be given to Mississippi's 11 winners in national 4-H projects during 1962.

Mississippi has special reason to take pride in the wonderful growth and progress of the 4-H program at national, State, and local levels. The 4-H Club movement originated in Mississippi in 1907, first conceived by William Hall "Corn Club" Smith who was superintendent of Holmes County schools at the time.

He was assisted by imaginative, energetic leaders from Mississippi State University. The movement quickly spread throughout the South and later the Nation, under the name of 4-H Clubs.

All-important in past, present, and future success of this splendid youth program is the leadership provided by the State 4-H Advisory Council and the 4-H Club Foundation of Mississippi, meeting in Jackson today. We congratulate these dedicated leaders for many outstanding contributions and wish them even greater success in the years ahead.

## REGULATION OF BELL SYSTEM'S INTERSTATE OPERATION

**Mr. PASTORE.** Mr. President, during the hearings on the communication satellite legislation in the last Congress as well as in the debates on the floor, there were discussions of the regulation of the American Telegraph & Telephone Co. The Chairman of the Federal Communications Commission, Newton N. Minow, indicated on a number of occasions the various steps the Commission was taking in this field. Last week Mr. Minow forwarded to me a preliminary report, in the form of a summary, of the Commission's most recent activities with respect to the regulation of the Bell System's interstate operations. In order that everyone may have an opportunity to see this report, I ask unanimous consent to have it printed in the body of the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL COMMUNICATIONS COMMISSION,
*Washington, D.C., January 18, 1963.*
Hon. JOHN O. PASTORE,
*Chairman, Communications Subcommittee,*
*Senate Commerce Committee,*
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR PASTORE: During the congressional satellite hearings of last year, there were discussions of the regulation of the American Telephone & Telegraph Co. In this connection you may be interested in the latest developments before this Commission with respect to the regulation of the Bell System's interstate operations.

The Commission is in the process of completing informal hearings on the subject of the Bell System's level of earnings. We have held a total of 5 days of hearings before the Commission en banc, 4 days with the Bell System people and 1 day with representatives of the U.S. Independent Telephone Association. A set of the 5 volumes of transcript of these hearings has been delivered to your office this week.

The Bell System direct testimony was presented on September 19 and 20 by four representatives of the American Telephone & Telegraph Co., and three outside consultants. The major subjects discussed in the company's direct testimony were as follows:

(a) Summary of current interstate level of earnings and trends in volume of business.

(b) Discussion of the Bell System $3.1 billion construction program planned for 1963; new service offerings; service improvements; and research and development expenditures in connection with the satellite program.

(c) Discussion of Bell System source of funds for new construction; financing activities; experience with bond issues; and appropriate capital structure.

(d) Economic aspects of public utility regulation and the role of profits in the economy.

(e) Legal aspects of public utility regulation; attraction of capital and maintaining financial integrity; and rationale for use of comparisons of regulated with unregulated industries.

(f) Theory of cost of capital studies; effect of capital structure on cost of capital; and cost of capital to the Bell System.

(g) Studies of earnings of 225 manufacturing companies and 96 electric companies; comparisons of risks of Bell System with other companies; and conclusions based on either comparable earnings test or attraction of capital test, as to the Bell System's earnings requirements.

Following the presentation of the Bell System witnesses, the Commission contracted with two independent consultants to conduct studies and to present their views with regard to the matter under review. On December 13 these two witnesses testified on the following principal subjects:

(a) The role of profits in regulated and unregulated industry with special reference to the Bell System.

(b) The use of comparable earnings of unregulated industry as a guide to determining a proper level of earnings for the Bell System.

(c) The role of this Commission relative to national economic policy and the relationship of telephone rates to national economic goals.

(d) Cost of capital to the Bell System; proper capital structure and effect on cost of capital; and conclusions to a fair rate of return for the Bell System interstate operation.

On January 4 the company presented rebuttal testimony and presented an additional economic consultant to testify with respect to the economic aspects of utility regulation and the importance of the Bell System's operations to the national economy. The Commission's consultants were requested to submit in writing their comments with respect to the rebuttal testimony of the Bell witnesses and the company was authorized to file written responses to such comments. When these comments are received they will be made a part of records in these proceedings.

The United States Independent Telephone Association (USITA) requested permission to present information to the Commission which it believed to be pertinent to the matters under discussion. This request was granted and on January 10, two witnesses representing the independent (non-Bell) telephone industry presented testimony with respect to the importance of the independent telephone companies to the nation's communications systems, the problems faced by the independent telephone companies, the division of revenues between the independent telephone companies and the Bell System companies for jointly handled toll traffic and the effect of revisions in Bell System toll rates on the revenues and earnings of the independent telephone companies. Bell System and USITA representatives have been given an opportunity to comment on the testimony offered during these sessions.

The receipt of testimony in the current phase of the Commission's continuing informal investigation and surveillance of the Bell System's level of earnings from its total interstate operations will be concluded upon receipt of the written comments mentioned in the foregoing paragraphs. The Commission and its staff are in the process of evaluating the testimony received and what action, if any, appears to be warranted in view of the information developed through these informal hearings.

I trust that the foregoing will be of assistance to you and I will keep you informed of further developments which may be of interest to you.

Sincerely yours,

Newton N. Minow
*Chairman.*

## STATEMENT BY SENATOR SIMPSON ON MISSILE WITHDRAWAL FROM TURKEY

Mr. SIMPSON. Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks a statement released by me today relating to reports in the press to the effect that our Jupiter missile bases in Turkey are to be dismantled in compliance with what the State Department has chosen to term a weapons modernization program.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Statement by Senator Simpson

The press today is carrying reports that our Jupiter missile bases in Turkey are to be dismantled in compliance with what the State Department has chosen to term a weapons modernization program.

It occurs to me that this is the second in a series of revelations on commitments which occurred during the Cuban crisis last October, and we are, in fact, witnessing our end of the reciprocity agreement under which Chairman Khrushchev threw his puppet Castro to the propaganda winds to withdraw a portion of his missiles from Cuba.

Press reports quote administration sources as saying: "Removal of the 1,500-mile Jupiters from NATO bases in Italy and Turkey was contemplated long before the Cuban crisis." Note the self-serving words, "long before the Cuban crisis."

It is strange that a background paper entitled "Cuba, Questions and Answers" (DOD Gen–2), prepared after the Cuban invasion, under the signature of no less a Cabinet stalwart than Defense Secretary McNamara, and with concurrences noted by the State Department, says, "Our (NATO) bases abroad were established under open and announced agreement with sovereign states. They serve to strengthen the independence of those countries * * * our bases were provided in cooperation with our allies in the face of threat of Soviet expansion and aggression as exemplified in Eastern Europe, in Greece and Turkey, in Iran, in Korea, and elsewhere."

You will note again that the background paper which was prepared after the Cuban crisis specifically lauds our motives for maintaining missile bases in Turkey, the nation in which they are suddenly found to be undesirable.

On the 29th day of October 1962 the missile bases in Turkey, which are today considered undesirable by the administration, were publicly acknowledged to be a deterrent to aggression by Soviet Russia and as instruments for strengthening the independence of nations, among them Turkey.

Now, with reference to incidents which purportedly occurred before the Cuban crisis and which would be diametrically opposed to the administration's statements of 2 months ago, these Jupiter missiles are discovered to be no longer necessary to our NATO defenses.

I think that we have just observed the first example in history of a retroactive discovery.

I concur with the remarks of my colleague, the Senator from Arizona, Senator Goldwater, who observed Tuesday that the Kennedy administration is guilty of "most deliberate and flagrant uses of news management devices" and is engaged in a "massive readjustment of facts."

There is indeed some fact readjustment behind the decision announced this morning by the State Department.

It can be questioned whether the administration's published rationalization of the withdrawal is "weapons modernization" or whether those words are euphemisms for "quid pro quo," and we are only honoring a secret covenant entered into during the Cuban crisis without public knowledge.

## PROPOSED DISCONTINUANCE OF JUNIOR DIVISION ROTC PROGRAM

Mr. HRUSKA. Mr. President, all of us have received from the Department of the Army its announcement that it plans to discontinue its junior division ROTC program.

This is the 3-year military training program, established in 1916, and conducted at 225 secondary schools, both public and private. It has over the long years of its history proved most worthwhile and valuable, not only in preparing young men for military service but in helping to build character, stimulate leadership, and develop citizenship.

It has been a splendid program and has had a wholesome effect on tens of thousands of young men of high school age.

Now, at the very time the administration is expressing grave concern over high school dropouts and the broader problems of young people, including juvenile delinquency, and at the time we are being asked to appropriate new millions of dollars to finance such schemes as the Youth Conservation Corps and the Domestic Peace Corps—at this very same time, Mr. President, we are told the administration plans to scrap a going, working, proven program for the youth of high school age. It does not make sense.

It is true that the junior ROTC program is run in 255 different schools across the country and not from Washington. Could it be, Mr. President, that this administration believes that no program is good unless it emanates from and is controlled from Washington? I trust this is not the case. It certainly should not be the case.

It is noted that the Army, in notifying us of the proposed dropping of the program, pledges that—

> It is emphasized that no implementing action will be taken to carry out this plan pending completion of congressional hearings on the matter.

The same fact sheet notes that nowhere among the $99 billion of the fiscal 1964 budget are there funds for continuation of the junior ROTC program.

I sincerely trust, Mr. President, that it is not the plan of the Army to consider that the Appropriations Committee, by acting on a budget which omits funds for this program, is in any sense acceding to it. As one member of the Senate Appropriations Committee, I serve notice here that this would be regarded as a sham.

Many Nebraska parents and school officials have written to me expressing concern about this matter. One of the letters is from an old and valued friend who has served with great distinction in education at the secondary level. He is Mr. J. Arthur Nelson, principal of Central High School in Omaha. Writing on behalf of the principals of the other three Omaha high schools which have the ROTC program, he calls the discontinuance of the program "a tragic mistake."

I ask unanimous consent, Mr. President, that Mr. Nelson's thoughtful letter be printed in the RECORD as typical of the public's reaction to this ill-considered move by the Army.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CENTRAL HIGH SCHOOL,  
*Omaha, Nebr., January 21, 1963.*

Hon. ROMAN HRUSKA,  
*U.S. Senate,*  
*Washington, D.C.*

DEAR SENATOR HRUSKA: For some time we have heard rumors that the Department of the Army plans to discontinue in the public schools the junior division of the Army ROTC program as established under the provisions of the National Defense Act of 1916. We understand that this information was released to the press this morning.

I speak for the principals of the four public schools with ROTC programs in stating that educationally we consider this to be a serious mistake.

First, it is difficult for us to understand the reasoning involved in the discontinuance of ROTC in the public schools, and its continuance in a school or group of schools which are essentially private schools.

Second, we wonder if the conversion to NDCC training is only a half step to total dissolution of the program.

Third, we think that the results of the program have justified the expenditure.

A. In the Omaha schools it certainly has produced a satisfactory complement of candidates for the several service academies.

B. It has produced with us a group of boys who have learned the lessons of military courtesy, discipline, and leadership. One can tell the boys who have had this program from their bearing, their courtesy, and their participation in programs that require cooperation, discipline, and leadership.

C. In the Omaha schools these boys have learned a great deal about basic Army training; and from the remarks of boys who report back to me, it is my very distinct impression that the boys who have had the junior ROTC program are well ahead in their orientation into life in the armed services because of this program.

D. From the educational viewpoint we think this program greatly benefits both the boy and his country, whether or not he ever goes into the armed services. The lessons of courtesy, discipline, leadership, patriotism, services to the country have been promoted by ROTC here and are valuable parts of the training of any future adult citizen.

Personally and officially, I think that the discontinuance of the program is a tragic mistake, and I want to protest the decision. What I write represents the viewpoint of the four principals who have ROTC programs, but I am sure you also will hear separately from them and their patrons.

Sincerely,

J. ARTHUR NELSON.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## CIVIL DEFENSE SHELTER PROGRAM SHOULD BE DEFEATED

Mr. YOUNG of Ohio. Mr. President, the civil defense shelter program submitted to the Congress should be defeated. The advance of science has outstripped the civil defense planners, and we should not add further millions of dollars to the more than $1 billion that has already been wasted on the civil defense boondoggle.

President Kennedy's image had hardly faded from the television screen last October 22d when the clamor began for more Government spending for fallout shelters. It follows as the night the day that any new crisis will renew agitation for holes in the ground to hide in—mainly under a bundle of taxpayers' money. Get-rich-quick fallout shelter salesmen, whose business was in a state of innocuous desuetude, revived momentarily their schemes to promote the sale of their fallout shelters.

The committee of State Governors meeting in Washington urged revival of the $600 million fallout shelter program which the Congress had denied a month before. In my opinion, we acted wisely in doing this. What might have happened to that huge sum is indicated by a report of the General Accounting Office released about the time the Governors were meeting.

The report revealed that the Federal Government had distributed $182 million in surplus property to local civil defense units. More than half of this was converted to private use, wasted, or used in the normal operations of local governments to which it had been assigned for emergency use. It went down the same drain that has seen over a billion dollars of taxpayers' money squandered on futile and foolish civil defense projects from 1950 to this good hour.

Mr. President, you will recall that in the midst of the Berlin crisis in the summer of 1961, the Congress hurriedly appropriated $208 million of hard earned taxpayers' money for fallout shelters. No American family was made any safer or more secure as a result of that expenditure. It in no way deterred the aggressive acts of the Soviet and Red Chinese dictators. The Cuban crisis itself is ample evidence of this fact. In fact, building fallout shelters and stocking them with food and water is a defeatist psychology.

The Cuban crisis proved that our best—and probably the only—civil defense in this nuclear age is a firm, determined, resolute stand against aggression such as was taken by President Kennedy—plus the nuclear power to back it up. We would be far wiser to appropriate additional funds for our missile programs, our jet aircraft, and our missile-bearing Polaris submarine than for civil defense schemes that are hopeless at their inception.

Nevertheless, the civil defense planners continue to mesmerize the American public with the illusion that we have an effective defense program. Although the Congress appropriated $208 million in 1961 and an additional $38 million in 1962 for marking and provisioning fallout shelters, when the crisis came most of them could not be found, were not marked, or were unusable. Only a handful were provisioned. Rations and medical kits on which millions of dollars had been spent were still stocked in Federal warehouses and arsenals. Warning systems were inadequate and virtually useless. This is probably not too important, as in event of attack with nuclear warheads there would be at most perhaps 10 minutes' warning before the intercontinental ballistic missiles fell on American cities.

Civil defense officials reported that there were supposedly 60 million shelter spaces with a protection factor of 100—meaning one would supposedly be 100 times safer inside than out. Only a comparatively few were marked. Building owners worried about their liability for damages to strangers, objected to defacing their buildings with signs, and hesitated to devote valuable storage space for civil defense supplies.

In the midst of the Cuban crisis the planners doubled the number of potential shelter spaces, so-called, overnight. By simply using a mimeograph machine they lowered the suitable safety factor from 100 to 40. Signs were hurriedly put up—most of them after the crisis subsided. By this they hoped to soothe the anxiety of our citizenry.

A member of my staff reported to me that his apartment became a fallout shelter overnight. When he called local civil defense headquarters for information as to the nearest shelter for him and his family, he was told he was living in it. Signs were put up outside his door denoting his floor as a fallout shelter—one flight above ground level. It is as though the planners believe that merely by scattering shelter signs around public buildings, office buildings, and apartment houses they will somehow convince Americans they are safe in event of nuclear attack.

Mr. President, in the budget recently submitted by the President for fiscal year 1964, the administration has requested $300 million for civil defense purposes; and $218 million of this, I regret to say, is earmarked for fallout shelters. As of yet administration officials have failed to enunciate a clear, firm policy as to what we are trying to do in this area, as to what our goals are insofar as civil defense is concerned. Last year we were asked to appropriate $695 million. This year, $300 million. Where will it end?

I spoke out against these appropriations last year, and in every previous year since I have been a Member of this body. I will continue to speak out against this utterly worthless boondoggle.

Those favoring a massive fallout shelter building program have estimated that it will cost anywhere from $20 to $200 billion. Even then there is no guarantee that it will be effective. With extensive advances being made in rockets and nuclear technology, such a fallout shelter program would probably be obsolete before being completed. Unless we are prepared to embark on such a vast gamble, and spend perhaps $200 billion of the taxpayers money, we should carefully consider the wisdom of piecemeal appropriations amounting to hundreds of millions of dollars with no really effective purpose.

I was born and reared in a rural section in the State of Ohio, and I have worked all my life. I find it difficult to grasp the immensity of $200 billion, or of even $50 billion.

Yet, the civil defense officials say that any adequate shelter program—if there is such a thing— will cost somewhere between $50 and $200 billion. That is a huge expenditure. It is beyond the comprehension of most hard working American taxpayers.

For 13 years civil defense officials have been deluding the public into thinking that something of value was being done, that there is some measure of security in a nuclear war. We cannot close our eyes and refuse to realize the consequences of such a disaster.

I am certain that if the horror of a nuclear attack were to be unleashed on Washington, D.C., or any place where I was located, I would not hide underground and wait for the conquering paratroopers to come, or seek out the safety of some so-called shelter when I knew my loved ones were in another section of the city. I am certain that in the event of such a horror—and I do not believe it will ever occur in America—that the best any of us could do would be to fall down on his knees and say, "The Lord is my shepherd," seek God's guidance, and ask the Almighty to save him.

I agree with Gen. Curtis LeMay, Chief of Staff of the Air Force, who, in commenting on fallout shelters some months ago, said:

> I don't think that I would put that much money into holes in the ground to crawl into, that I would rather spend more of it in offensive weapons in the first place.

Maj. Gen. John Medaris, now retired, one of the outstanding authorities on missilery and former Chief of the Army Ordnance Missile Command, put it this way:

> The concept of mass evacuation of high density population centers and the burial of our citizenry in deep shelters would negate any kind of positive reaction to attack. It would convert our people into a horde of rabbits scurrying for warrens where they would cower helplessly while waiting the coming of a conqueror.

Mr. President, taxpayers have a right to know the truth about civil defense. They are tired of high-salaried officials thinking up schemes that will not be of any use in event of nuclear war.

Incidentally, I note that in the budget for fiscal year 1964 the average salary for paid civil defense employees will be $9,520 a year, one of the highest in the entire Federal bureaucracy. By comparison employees of the Federal Bureau of Investigation will average $8,383; $9,122 for the National Aeronautics and Space Administration; and $7,589 for the Small Business Administration, to name a few of the many important Government agencies where the average salary is less than that for civil defense employees. It would be difficult to find another agency in the Federal Government where so many have done so little to earn so much.

Mr. President, before we appropriate additional millions of dollars of taxpayers' money to continue this boundless boondoggle, I urge that we take a good hard look at what all these expenditures will accomplish. I also urge that the administration review its entire civil defense policy. I am certainly one Member of this body who desires at all times to support the administration when I can in good conscience do so. I am proud of the present administration. However, I feel that administration officials should review this civil defense policy so that we in the Congress may be aware of the ultimate cost of this program, and so we know where we are going in this area. Until that is done, I, for one, do not intend to vote for further funds for useless shelters—for useless holes in the ground. I shall continue to oppose such squandering of the taxpayers' money to the utmost of my ability and energy.

## A COURSE IN COMMUNISM—FLORIDA SHOWS THE WAY

Mr. SMATHERS. Mr. President, I would like to call attention to Roscoe Drummond's column which appeared in the Washington Post on Tuesday, January 22, 1963.

In his article entitled "Course in Communism—Florida Shows the Way," Mr. Drummond commends Florida for taking the lead in initiating an effective and intelligent program of teaching the subject of communism in public schools.

Dr. Thomas Bailey, State director of education and his deputy, Dr. Fred W. Turner, both mentioned in the column, deserve the highest praise for the enlightened approach they have taken in providing Florida's youth with an accurate and factual understanding of communism.

As a Floridian, I am proud of my State's great strides in this important area and as an American, I hope that Florida's accomplishment will serve as an example for other States to follow.

Mr. President, I ask unanimous consent to have this column printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### COURSE IN COMMUNISM—FLORIDA SHOWS THE WAY

(By Roscoe Drummond)

More southerners have recently been speaking out about the need for the South to give leadership to the Nation, particularly on the crucial front of public education.

Now it's happening.

For several years civic groups and educators have been groping to find a way to teach communism in the public schools intelligently and factually so that young people will be able to come to grips with the issues of the cold war on the basis of knowledge, not merely on the basis of fear and hate.

While many States have either been laggard or ill considered in preparing a teaching staff and a curriculum geared honestly to the facts, Florida has now done both, has done it well, and is making a signal contribution for others to follow.

It is not easy to avoid the pitfalls of the dull, pedantic, bland approach, which permits communism to get away with its false terminology and, on the other hand, the emotional, get-in-there-and-fight-it approach, which is not education but a form of brainwashing unworthy of the respect of honest seekers after truth.

Florida has done it. The State's textbook adoption committee has approved 3 books out of 22 submitted. The one selected without any requested change is the best on the subject. It is "The Meaning of Communism," written by William Miller, editorial writer of Life magazine, and is a 192-page text complete with picture essays in color. It will shortly be on sale in two editions, one as a textbook with notes for teachers, and the other, minus the teaching aids to be distributed nationally by Simon & Schuster.

It is fresh, vivid, and factual. It meets all the requirements of the inquiring mind. Dean Francis O. Wilcox, of the Johns Hopkins School of Advanced International Studies, says of it: "It ought to be required reading for every citizen interested in world affairs."

It is a tribute to the wisdom and courage of the Florida textbook adoption committee that it gave its first choice to "The Meaning of Communism."

The men who have put Florida on this sane and sensible road and kept it there deserve national praise. They are Dr. Thomas Bailey, State director of education, a South Carolinian who is in his 16th year in this elective office, and his deputy, Dr. Fred W. Turner who, in preparing the syllabus, interviewed every expert on the subject in the country. Dr. Bailey and Dr. Turner also prepared the Florida teachers who are going to start teaching this subject in February. They obtained funds to give them a 6-week summer school at the State university where Dr. Turner and others, deeply schooled in the field, provided basic grounding in its intricacies.

If communism is to be taught in the public schools—as it should be—it ought to be taught honestly and factually. The purpose should be to produce understanding, not fear or hate.

Any other approach, warns Dr. John H. Fischer, president of Columbia Teachers College, means employing the methods of totalitarian indoctrination and trying to frighten students, a purpose unworthy of American education.

Florida is showing how communism can be taught in the schools effectively and is giving the other States a valuable lead.

## WHAT MAKES AMERICA GREAT?

Mr. PELL. Mr. President, frequently, Members of Congress, in both the Senate and the House, receive letters from schoolchildren throughout the country asking for advice or making general inquiries on a variety of subjects. Many times teachers in our schools instruct their classes to write to public officials in our Government in order that the children might receive an expression of the thoughts and ideas of the men and women who make up the governing body of our democracy.

A short time ago a little girl named Linda Emmens in the sixth grade of the Ridge Ranch School at Paramus, N.J., wrote a letter to Adm. E. J. Roland, Commandant of the U.S. Coast Guard, asking him to tell her what makes America great. Her letter was a part of a class project in which similar letters were addressed to other eminent Americans.

Admiral Roland is a sincere, thoughtful, and intelligent leader of men, and he demonstrated this in his reply to this schoolgirl.

Mr. President, I ask unanimous consent that the Commandant's reply to a schoolgirl's question, "What makes America great," be printed in the Record at the conclusion of my remarks.

There being no objection, the reply was ordered to be printed in the Record, as follows:

### Admiral Roland's Reply

Dear Linda: When you ask what makes America great, you raise so broad and searching a question that I am not sure whether I can answer it to your satisfaction. Nevertheless, I shall try.

Our country, Linda, is the greatest miracle of all time. It is a miracle born of the blood, the toil, the hopes, and the sacrifices of generations of men and women who valued justice and freedom above all else. They were people who forsook the comforts of their native lands to follow the hard path of conscience. Against all odds, they built this great and shining monument that is known as America. That spirit still lives.

It is their spiritual legacy, Linda, which has made us great. For America represents, above all, the triumph of the human spirit over adversity. How else can you explain the defeat of the mighty British Empire by a handful of farmers and tradesmen? With crude weapons and with scarcely any military training they overcame the greatest military force of their time. They won, Linda, because they believed in and knew what they were fighting for. Americans have always valued freedom and justice above everything else. We are not perfect, of course, and from time to time we have made mistakes. But we have also proved over and over again that whenever man's liberty is threatened, we are ready to take up the challenge.

Do not be deceived, Linda, by those who tell you that Americans have become soft and too occupied with material things. We are still the descendants of the Revolutionary soldiers who left their bloody footprints on the snows of Valley Forge. Motor cars, television sets, and washing machines are fine things and they help to make life easier and more pleasant. But, if ever our liberty or that of an ally were threatened, you may be sure that we should not hesitate to put aside these comforts and take up the challenge. It has always been that way and always will be.

We are great, Linda, because America is the gigantic melting pot of the world. Into it, peoples from all over the world have poured, their skills, their talents, and their hopes for the future. We are a blend of many cultures, and this has given us the strength and resiliency of well-tempered steel. More than that, we have shown that it is possible for people with widely varying backgrounds to live together in peace and dignity. We are the living proof that democracy works and that it is the best system yet evolved for the fulfillment of man's hopes. Men in the farthest reaches of the earth still look toward the United States as the great promise of the future.

We are great because God has blessed us with a fair and fertile country and with a hard working and intelligent citizenry. We are also humbly aware that all of our blessings flow from Him and that we must keep ourselves worthy of His favor. In this humility lies much of our strength. If we should ever lose it, then this would no longer be the country we know and love. But this, I am sure will not happen.

In this country, Linda, a man may go as far as his talents and energies will permit him. With us, all that matters is human worth, not racial origin or economic status. Abraham Lincoln was the son of a poor frontiersman. He grew up in poverty and hardship and had very little formal education. Yet he rose to the highest office in the land and became one of our greatest men. There have been many others who have risen from obscurity to positions of great honor because of their abilities. Americans do not believe that a man's place in society is forever fixed by the circumstances of his birth.

We Americans are a great people who look toward the future rather than to the past. We respect tradition, but are not its slaves. Intellectual curiosity is one of our strongest traits. Because of it, we are always ready to experiment with new approaches which offer promise of human betterment. It is this same restless, striving spirit which drove our ancestors across a vast continent to build a new nation. We will respond to the adventure and excitement of new frontiers. That is why American science and industry today set the standard for the rest of the world. We are not afraid to think greatly and to act greatly. We have accomplished much to be proud of, but there is still much more to be done.

When you grow a little older, Linda, you may sometimes feel disappointed in the world we have given you. Try not to judge us too harshly. We did our best, but perhaps we haven't done enough. I hope that you and your generation can do more.

For soon—much sooner than you realize—our country's future will be in your hands. You and your generation will have to make decisions affecting not only our future but that of all mankind. Prepare yourself as well as you can so that your decisions may be wise and just. In this way you will be helping to perpetuate what Lincoln called man's "last best hope of earth."

This has been a very long letter, Linda, and I hope that it has answered some of your questions. It is good to know that earnest and intelligent young people such as yourself will one day assume the responsibilities of citizenship.

You have my best wishes for the future.

Sincerely yours,

Adm. E. J. Roland,
*Commandant, U.S. Coast Guard.*

## ORDER OF BUSINESS

Mr. RUSSELL. Mr. President, if the Senator from South Dakota will yield, without affecting his right to the floor, I should like to suggest the absence of a quorum. A quorum has not been established thus far today.

The VICE PRESIDENT. If the Senator from South Dakota yields for that purpose and with that understanding, the clerk will call the roll.

Mr. MUNDT. I yield with that understanding.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 6 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Oklahoma [Mr. Edmondson], the Senator from Tennessee [Mr. Gore], and the Senator from Wyoming [Mr. McGee] are absent on official business.

I further announce that the Senator from North Carolina [Mr. Jordan] is necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott] and the Senator from Delaware [Mr. Williams] are necessarily absent.

The PRESIDING OFFICER (Mr. Bayh in the chair). A quorum is present.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. MUNDT. Mr. President, I should like briefly to state my views and convictions relative to the question now before the Senate.

By now, it is quite apparent that the crucial issue before us is whether the U.S. Senate is a continuing body, and thus, as a continuing body, is obliged to conduct all its initial business in accordance with the standing rules which, as amended, have governed the work of the Senate since its very inception.

Mr. President, reduced to its simplest terms, my position is that I am opposed to changing the traditional rules of the

Senate at this time, by the proposed techniques, and through action by the tactics now involved.

This does not mean that I would oppose all future proposals to change rules, if brought before the Senate after careful consideration by the Rules Committee and under procedures which would protect the rights of the minority. However, the shotgun approach of trying to establish a new and basic Senate rule to the effect that at the opening of every new session of Congress the majority party in the Senate should be empowered to scrap all our traditional procedures and to rewrite the rule book to best serve their desires of the moment is, in my opinion, a proposed cure far worse and very much more insidious than any ill which it proposes to correct. Hence I shall vote, whenever possible, to prevent such a sharp departure from tradition and such a significant attack upon the rights and influence of the minority party in the Senate at any given time.

During the past several days we have been told by some, despite Supreme Court decisions and literally hundreds of customs and precedents of the Senate to the contrary notwithstanding, that the Senate is not a continuing body. It is the thesis of this group that with the beginning of each Congress the Senate is born anew and bound by no established rules of procedure, save those which a majority in their beneficent wisdom decree to accept. While these proponents of the "noncontinuing theory" have discoursed at great length regarding their concern for the rights of a minority, it is, nonetheless, interesting to note that no place in their grand plan are there any continuing rules to protect the right of a minority viewpoint to be heard at the opening of a new Congress.

I am sure that this point will be strenuously denied. It will be vigorously proclaimed that no such unhappy circumstance is intended by those who hold that our rules are to be written de novo at the opening of each new Congress. Indeed, they have given repeated verbal assurances that minority viewpoints concerning our rules of procedure will be given a full and fair hearing. Some inquisitive soul may ask, "What exactly is a full and fair hearing?" The answer, though not easy to discern from the debate thus far, but very easy to understand once discovered, is that a full and fair hearing will be a discussion of such duration and scope as a simple majority of our colleagues may deign to permit.

If a Senator's point of view is not too troublesome to the majority, he may be permitted rather extensive license to express it. On the other hand, if his views endanger the position of the majority, his opportunity to speak may be summarily terminated.

While there are any number of provisions in our statutes and the laws of the land which have the effect of limiting or restricting the fundamental democratic principle of majority rule, still we are told that such barriers against mob rule and ruthless behavior elsewhere cannot be tolerated in the Senate of the United States. Those catering this point of view are setting the stage for the institution of dangerous precedents as I see it. Should their view prevail we would be faced with a procedural nightmare, wherein the rules of the Senate could be drawn in a political caucus of the majority party without any concern for the very legitimate rights and prerogatives of the minority party.

The majority leader could then come to the floor, move the previous question, and impose the party's arbitrary decisions upon all Senators. In fact, it could transfer the decisionmaking power of the Senate from the floor of the Senate to the smoke-filled secret caucus room, where the majority party meeting in secret caucus could determine the fate of all of us.

It has been said by those who would seek to invoke cloture on debate by the affirmative vote of a constitutional majority that the existing cloture rule has demeaned the stature of the Senate and has made a mockery of its role as a legislative body.

In the first place, I deny that, and I deplore the efforts of those who would try to downgrade the Senate or to besmirch its reputation.

Am I to assume that we are glorifying the stature and reputation of the Senate as a body renowned for orderly and rational debate by these antics of the past 10 days where a group of our colleagues acknowledge and use certain of the Standing Rules of the Senate while at the same time denying the force and effect of other of those same rules which do not happen to suit the fancy of those who desire to change rules that they do not like?

Mr. President, either we are a continuing body with continuing rules or we are not; it is not possible to have the best of both worlds. Based on my own study it seems to me that the vast body of authoritative commentary supports the view that the Senate is a continuing body. The very fact that the Constitution provides for the tripartite division of the Senate for election purpose seems to admit to only one conclusion on this point—that the Senate was conceived as a continuing body. Certainly the commentaries of Madison, Hamilton, and Jay in the Federalist Papers strongly support this position.

Those seeking to convince us that rule XXII has no force or effect at the beginning of a new Congress unless it has been affirmatively approved by a majority of the duly constituted membership have placed great stress on the language in article I of the Constitution providing that a majority shall constitute a quorum for the purpose of transacting business. However, after having made the flat assertion that a majority of the membership shall constitute a quorum, which to my knowledge no one disagrees with, they have provided precious little in the way of cogent argument to support their plea that rule XXII is not presently operative. They argue that the Senate has no continuity.

If we should accept their arguments, what real—and I stress the word "real"—guarantees will a minority ever have again that their right to be fairly heard will be adequately protected? The answer to this critical question is most emphatically that there will be no real guarantees in the future.

I call to the attention of the small group of us Republican Senators who today represent the party of the opposition and the minority in the Senate, that whatever their reasons might be for voting to change the rules now by a majority vote, they would be voting to destroy, to a considerable degree, the effectiveness of the Senate political minority of which they are a part. I submit that if a two-party government is to operate successfully in our country, minorities must stand up and protect their rights and their position, to advance arguments and to determine decisions. If at the beginning of a session the minority party in the Senate begins to throw overboard the tools designed to give it some power, prestige, and stature, it looks as though the minority will write a pretty sorry record of opposition or even of constructive legislation in the remainder of the session of the Senate.

Mr. President, I am well aware of the various protections for a minority position which have been incorporated in the proposed new cloture rule being advanced by those who also argue that the rules do not continue from Congress to Congress. While I feel that their proposal is somewhat extreme in allowing a one-vote majority of this body's membership to cloture debate, I am not nearly so concerned with the substance of the proposal as I am with the means by which they suggest it should be adopted.

If we accept their view today that the existing provisions of rule XXII have no force and effect in this debate to amend that rule, then what protections does a minority have to fully air its views if at the beginning of the 89th, the 90th, or some future Congress a willful majority should decide to further restrict the rights of minority expression in the Senate?

This, Mr. President, is the crux of the problem. For no matter how often the distinguished deputy majority leader or any other Senator may reiterate his assurances that the right of minority expression will be fairly protected—and I do not doubt his sincerety—the plain and simple fact is that his assurances have no more duration than the usual new car warranty—they are good for only 24 months.

First, no one knows that those who make the promises will be here when the time comes to perform upon them; or second, if they are here, and if they should perform in good faith, as I believe they would, that they in turn would not be overridden by a majority of their associates in deciding that since the tool has been made available to them to change the rules by a simple majority vote at every session, they are determined to whittle down steadily the opposition and the power of the minority.

Once we destroy our rule book, Mr. President, we shall have shot the policeman protecting the rights of the minority. No one can promise on the floor of the Senate today what a Senate 2 years from now will do. None of us knows who will be here in 2 years. If we are to fulfill the promise, none of us can be sure he can sway a sufficiently large number of his colleagues to make performance of the promise a reality 2 years or 4 years hence.

Lest anyone say that my fears concerning future efforts more severely to limit the right of minority expression are imaginary, let me direct attention to page 335 of the Congressional Record for January 15 for this year, this session. There Senators will find a most interesting proposal on the question of germaneness authored by the distinguished senior Senator from Pennsylvania [Mr. Clark]. Under this proposed modification of rule XIX, the rule generally governing debate in the Senate, a simple majority of the Members present and voting could decree that all debate on a particular issue must be germane to the subject matter before the Senate, and once such decree had been made a simple majority could rule as to whether or not the statements of an individual member were germane. Where are the protections for minority expression in this authoritarian rule? Where is the 16-member petition calling for cloture? Where is the 15-day waiting period before the cloture vote? Where are the required 51 votes to invoke cloture? And, last but not least, where are the 100 hours of additional debate after cloture has been invoked? I will tell Senators where those grand protections for the minority are—they are crushed summarily under the bootheel of expediency. No, Mr. President, my fears are not imagined—they are most assuredly real.

The evidence is in the Congressional Record, in this session. If the effort is now successful to establish the precedent that by majority rule at the beginning of a session there can be a change of rule XXII, then by majority rule at the beginning of a session there can be a change of rule XIX or of any other rule, and this gag rule and arbitrary authority can be imposed upon a minority hidden under the dulcet description of germaneness, so as to stop without debate all discussion of an issue which a majority wishes to force through by immediate action.

Mr. President, there is a view abroad in this land, perhaps represented in this body, that the U.S. Senate should be transformed into a miniature House of Representatives; that we should become a bicameral legislature, one House with more than 500 Members and one House with 100 Members, both performing the same functions, with the same duties, and both utilizing the same rules. If the proponents of this view are given a free rein, they will have the Senate operating under the same "gag rule" procedures that govern debate in the House. I served for 10 years in the House of Representatives, and I acknowledge the need for rather severe restrictions on debate in a body of that size. But there is absolutely no justification for the use of similar procedures in the Senate. This body has an entirely different character and purpose than does the House of Representatives; it was conceived as a legislative forum of the several States, where all States regardless of population, economic station, or other factors, meet on equal ground for the purpose of deliberating and solving mutual and individual problems.

As individual U.S. Senators we owe to our States and to the Nation the responsibility of maintaining and preserving this vital role which the Senate serves in the total complex of governmental institutions. Perhaps I see more vividly the crucial function which the Senate serves as a protector of minority views and ideas by reason of the fact that I represent a State of small population with relatively modest economic resources. In South Dakota we have some problems and some interests which are not common to a majority of the State.

They include such matters as concern for our sizable Indian population and our concern over water rights and usages, among others. These problems and interests are nonetheless important and fully deserving of attention and consideration in the programs and policies of the National Government even though they are uniquely problems reflected in States like South Dakota and some of its small neighboring States.

Speaking for myself and for my own State, I do not intend to stand idly by and see the valuable rights and prerogatives which South Dakota enjoys in the U.S. Senate sacrificed on the altar of expediency. The best assurance we have that those problems and interests will receive appropriate consideration lies in the present power of the Senators from South Dakota, for example, to obtain a full and fair hearing in the U.S. Senate free from the threat of any gag rule tactics imposed by a willful and disinterested majority eager to get on with its own concepts of the business of the Senate.

Mr. President, in the event that any of my colleagues may have missed it, I should like to commend their attention to a highly illuminating commentary on the character and nature of the Senate rules authored by the distinguished senior Senator from Nebraska [Mr. Hruska]. This outstanding article appears at page 419 of the Congressional Record for January 16, and it is significant that the article was placed in the Record by the revered dean of this body, the distinguished senior Senator from Arizona [Mr. Hayden]. In placing this article before the Senate, our venerable colleague from Arizona praised the Senator from Nebraska [Mr. Hruska] for having pointed out "the intrinsic logic of the present rules in a legislative body whose role is to assure an equal voice for each of the several States in the lawmaking process."

While each Member of the Senate is sworn to discharge his responsibilities in accordance with the dictates of his individual conscience, nonetheless, each of us would be well advised to give abundant attention to the admonitions of the Senator from Arizona as we deliberate our position on the proposed modification of the rules. He, after all, has participated in more of the history of the Senate than any other Member presently serving; he understands through years of experience the unique capacity of the Senate to blunt ill-conceived and irresponsible measures; his commentaries on our rules are the product of vast experience in this body spanning several of the most critical decades in the history of our Republic.

Mr. President, I ask unanimous consent that two separate quotations from the article by the Senator from Nebraska [Mr. Hruska] may be printed in the Record at this point.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

> The very first page of Jefferson's historic manual gives us a quotation from Hatsell's "Precedents" which sets the spirit of the rules. "As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding."
>
> The Senate has zealously guarded this heritage by refusing to accept radical changes in its rules. The basic rules were drawn up during the first session of the Senate. They consisted of 19 articles. The total today is 40, but the spirit of the first 19 still prevails.
>
> There have been only four major recodifications, in 1806, 1820, 1868, and 1884, plus the additions made by the Reorganization Act of 1946. These revisions, in Haynes' words, "have been significant of no urgent spirit of revolt or reform; they have been authorized when the accumulation of changes through a long series of years made a new codification desirable." Numerous attempts to institute drastic changes have been beaten off, especially in recent years. In 1949, 1953, 1957, and 1959, for example, the Senate met and defeated vigorous movements to impose a strong cloture rule.

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> It is often said that these are days in which swift action is required. In almost the same breath we hear complaints that Congress should give way to the demands of the executive branch because in this complex world the latter has a firmer grip on the complexities.
>
> The fact is that the Senate can act swiftly and has done so when the need has arisen. Furthermore, it is because of those very complexities that the Senate's deliberative function is now more valuable than ever. In my judgment, to dilute or impair it, carries high threat to the true mission and purpose of this body.
>
> Woodrow Wilson's words, written in 1885, are as true today as they were then. He declared that "it must be regarded as no inconsiderable addition to the usefulness of the Senate that it enjoys a much greater freedom of discussion than the House can allow itself. The Senate's opportunities for open and unrestricted discussion and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revision."
>
> It is to be hoped that the Senate will continue to devote itself to the traditions and ideals it represents.

Mr. MUNDT. Mr. President, during these proceedings, several Senators, including my good friend from New Mexico [Mr. Anderson], expressed great distress that the new Members of the Senate will not have an opportunity to vote on the rules which will govern their actions in this body. Their great lament is somewhat amusing in that, according to the theory propounded by them, we do adopt certain rules in this body by silent acquiescence and usage.

If the Senators are to remain constant to that theory, it would seem we should then consult with all of the new Members to ascertain whether we are presently adopting any rules through "usage" which are particularly offensive to them.

Beyond this inconsistency of position of Senators who use the argument that we should change the rules at every session, simply because new Members have been elected to this body, I also sense in this type of argument certain other types of inaccuracies. While I recognize that there are no provisions in the present rules of the Senate guaranteeing to any new Member—or any old Member, for that matter—the unqualified right to change the rules of this body to suit his particular fancy, I am nevertheless unable to understand how the existing rules of the Senate differentiate in their application between old and new Members.

New Members, like old Members, can submit Senate resolutions proposing changes in the Senate rules. There is no provision in the Senate rules which prevents new Members from taking this action. It is interesting to note, however, that no new Members have offered such resolutions in this Congress. To my knowledge, none of our new colleagues have voiced any complaint with the existing rules of the Senate. The complaints are voiced by certain established Senators, who have been sitting Senators for some time, who appear to be dissatisfied with the rules, or at least one of the rules, which cramps their desire for speed on certain types of legislation.

Frankly, I do not think it is at all surprising that the new Members of the Senate have not flooded the hopper with proposals to change the rules, for, after all, none of them have yet had an opportunity to determine their virtues or vices through usage or experience and to indicate satisfaction or dissatisfaction with those rules.

It seems to me it is the Senators sponsoring immediate changes in the rules, without even any committee consideration of the proposals, who are placing the new Members in a disadvantageous position, for it is they who would force them to pass judgment on a rule they have never used or dealt with and to pass judgment on a rule with which they have had no experience. It is like asking a man to buy a pair of shoes before he tries them on.

Even if we were to support the position that the present rules of procedure somehow deprive new Members of their right to work their will on the Senate, I do not understand how either a three-fifths rule or a 51-vote rule provides new Members with any unqualified assurance that their objections to the Senate rules are going to be formally considered.

As a matter of fact, new Members will have a better opportunity to be heard on the rules under the present provisions of rule XXII than they would under either the Anderson or the Humphrey plans, for the simple reason that the oldtimers, who will always comprise nearly two-thirds of the Senate's membership, will have a more difficult time denying them the right to fully speak their piece. Under existing rules and procedures, new Members at least have the opportunity to appear before the Rules Committee to express their views and to argue, if they choose, on the floor of the Senate in favor of such viewpoints.

It must be remembered that the right to be heard in the Senate is frequently fully as important as the right to have a vote, because it gives new and old Members alike an opportunity to express their viewpoint on prevailing issues.

But if we shut off debate before the committees have even been appointed and force a decision by a majority of the Senate at each opening session of a new Congress, we virtually deprive all new Members for all time from having any impact on the writing of the rules, since approximately two-thirds of the Senate is always comprised of experienced sitting Members who could easily enough comprise the majority vote required under such circumstances to write the rules for all the Senators.

Mr. President, unless one looks down the path of the future concerning the full impact which would result from changing the Senate rules at this time by the simple majority vote of the Senate advocated by the proponents of the two major amendments before us, Senators may very well deceive themselves into believing such a vote today would give them some protection against more drastic and far-reaching rule changes proposed at the opening of the next or some future Senate.

However, once we establish the precedent that a simple majority at the opening of a new Congress can rewrite the rules, every protective shield the rules contain to safeguard the rights of the minority or to protect the smaller States of the Union disappears and will be gone forever.

This is a point which cannot be stressed too emphatically, because it is far too little understood across the country—that what is actually proposed here is the establishment of a precedent, the setting up of a new and untried policy in American history, and at every new session the Senate, the majority party then in control, by a simple majority vote, can scrap every single rule in the rulebook and write the rules all over again, so that any protective clauses incorporated in the rules which might be initially adopted are entirely illusive and ephemeral. This is true because the next Congress could, under the same precedent, change all such rules at the start of the session and write the kind of rules that a determined majority of the moment—at that time—might decide was essential for the achievement of certain programs or policies which they deemed to be urgent at the moment.

Once we establish the precedent that a simple majority, at the opening of a new Congress, can rewrite the rules—I repeat—every single protective device for protecting a minority viewpoint or a minority party in the Senate—sometimes Republicans, sometimes Democrats, sometimes a farm group, sometimes a city group, sometimes those from big States, sometimes those from small States—will be gone forever, because it will then be admitted that one vote more than half of those voting, on the opening day, can destroy all the guardians of the past and rewrite whatever the majority of the moment deems to be expeditious for its own particular partisan purpose.

Mr. STENNIS. Mr. President, I do not want to interrupt the Senator——

Mr. MUNDT. I am happy to yield.

Mr. STENNIS. If the Senator will yield, I wish to say that the Senator from South Dakota speaks from great experience here as a legislator, not only in the Senate but in the House of Representatives; but I do not rise merely to pay him a compliment, although I think his speech is so clear, so positive, so firm, that it is a landmark in discussing, in a clear, fine way the real meaning of the proposals for changes in the rules, and is a commentary on the historical operation of the Senate, for which I commend him.

I wanted to say that the Senator emphasizes the point that, once these rules are changed, as the Senator so well said, this protection is gone forever, because the trend is not to go back and restore former rules, but a bare majority will always demand the status quo once such a rule is adopted. Is that not correct?

Mr. MUNDT. That is correct. As the Senator knows, this body is governed in part by precedent. Once a pattern and precedent is established, succeeding Congresses will follow that precedent, just as we are endeavoring now to follow precedents of the past.

Mr. STENNIS. The Senator has pointed out that this is a protection of groups, whatever they are. It might be a political group, like a minority party, be it Democratic or Republican, or an area of the country, for example. It involves not only the so-called civil rights question, even though that is the driving force at this minute. All this goes to protect economic groups, religious groups, special political groups, economic areas of the country, political parties as such, or even one individual. Does the Senator agree?

Mr. MUNDT. The Senator is correct. It protects a minority, and gives it a right to be heard. Of course, it has the right to vote. However, it is also important to be heard. I shall allude a little later to some of my experiences in the House of Representatives, where the right to be heard was shut off time after time after time while I was a Member of the House. It was shut off under the rules of the House. It shows how a majority of the moment can sweep aside not only the opposition, but also the right of the opposition to present its case to the public and have it considered deliberately by those whose fate and fortunes are determined by the decisions then being made.

Mr. STENNIS. If the Senator will yield for one more question, I will not interrupt him further, and let him continue with his speech.

Mr. MUNDT. I yield.

Mr. STENNIS. The Senator has made references to the new Members of the Senate, the point being made on their behalf that they have not had a chance to take part in the framing of the rules of the Senate. Is it not true, if the new Members were to vote for the proposals now being made, that their first vote cast in the Senate would be to detract from and partly destroy and circumscribe their own seats which they have just taken, and their own position, which they have just assumed, and therefore, diminish the influence and power of the States which elected them? Is that not so strikingly clear?

Mr. MUNDT. Yes, it is. Such a debate was underway when I first came to the Senate. All of us were new Members at one time. It is hard to conceive of any new Senator who comes to the Senate, after aspiring to the office and after working hard to convince the people to send him here, and after having accomplished that goal—and there is no easy road to being elected to the U.S. Senate—should by his first vote help in degrading the body that he has aspired to join and has finally achieved in joining. That is indeed difficult for anyone to understand. He not only degrades the body, and he not only weakens the posture of the Senate, but he also weakens his own position of influence, because, if he sits here very long, at some time or other he will have the minority point of view.

In the third place, as I said, he weakens his right to have any influence in modifying the rules of the Senate, because he has helped to establish a formula whereby hereafter at every new session 51 percent of the Members of the Senate voting can change the rules, and two-thirds of the Members will be sitting as established Members, whose positions will carry the day over anything the new Members might propose.

The precedent of giving power to a majority today to require a two-thirds majority to shut off debate after due and adequate debate in the next session could with equal ease in the next Senate change the rule to shut off debate with a simple majority of the Senate with substantially less intervening debate or with no debate at all. We would then have reached the practice followed in the House, where the majority leader frequently moves the previous question, automatically shutting off all debate, silencing the minority completely even before it has fully presented its case, and marshaling the votes previously pledged in party caucus, so that the measure is adopted by the brute force of a disciplined majority.

In my 10 years in the House I saw this happen many times. Anyone who is seriously interested in learning why the Senate needs some rules to protect the minority position, if it is going to maintain a different character from the House of Representatives, need only read some of the past debates in the CONGRESSIONAL RECORD, at times when one party or the other had a predominant majority in the House of Representatives.

Time after time in those 10 years I was among those who had minority viewpoints, who desired to express them and who sought to get the precious 5 minutes, which is the maximum time allowable, usually, during debate on important issues in the House of Representatives.

Time after time I found myself confronting a door slammed in my face by the majority leader, who said, "I move the previous question, and all good and loyal Democrats will vote 'aye.'" And they did.

I did not have a chance to be heard. I am not egotistical enough to think that I would have changed any votes. However, I might have reenforced my own vote and reassured myself; and perhaps I might even have paved the way for some Senator reading the debate later to be influenced in part by the proposals which I had made.

Mr. President, turning the Senate over to the design and the determination of any willful majority is a step backward and a step downward. No line of argument and no series of synthetic promises by those who now propose to let two-thirds or three-fourths or 51 percent shut off debate after a certain time, can guarantee the Senate against moving steadily to the position of partisan curtailment of debate where the House is today.

That is the ultimate and logical destination toward which we move when we accept the thesis that a majority should be able to work its will at any time in any way and shut off the right of the opposition to be heard.

It is precisely this destination, of cutting off debate summarily, by a motion of the previous question, that Senators invite upon themselves, if we adopt the practice and establish the precedent of rewriting the rules of the Senate by a simple majority at each new session of the Senate.

That is why I said earlier I am against a change in the rules at this time, of the type produced by the tactics now being used. I am prepared to vote for a change in the rules, through an orderly course, after committee hearings, which will protect the rights of minorities and will protect the concept that this is a continuing body whose rules do not automatically evaporate and disappear with the opening of every new session of the Senate, so that each time we become a new and uncharted body, to be guided by the whims and by the determination, or by the power politics, of the majority of the moment.

It seems to me that action which would give that type of power to any majority at the opening of a new Senate would stab in the back one of the great advantages of our traditional two-party system of government in America.

In fact, one could build a pretty sound case for requiring a two-thirds rule of the Senate to change its rules at any time, inasmuch as most Senators agree that the Senate is a continuing body in virtually all respects. Rules are created in the main to protect the minority. A majority can always work its will with or without rules of procedure. Rules are tools designed to protect the minority, just as the Constitution is a great charter of freedom to protect the minority. Majorities throughout history have always found a way or ways of exercising the power to get what they want. Minorities need rules, constitutions, precedents, orders, and procedures.

As one member of a minority, a small Republican minority comprised of one-third of the U.S. Senate, I am one Republican who will not vote to destroy the power of his minority to exercise a little influence in the U.S. Senate. But that is what we would do if we handed to the majority on the opening day of a Congress the power to write any kind of rule it wanted; to write it with the assurance that within the party caucus 51 percent of those who belonged to that majority could say, "This is going to be it." If that were to happen, the minority would have its power to disagree shut off summarily.

It is a dangerous procedure to try to seek, at one stage of history, rule changes to attain a specific objective which happens to be desired by a majority, for the majority can destroy forever all of the protective mantle that wise and prudent rules provide for the minority of the Senate.

Our constitutional forefathers recognized that in some matters it was not wise and proper to permit a simple majority to prevail on every issue and to decide every public question or procedural process. The Constitution or the amendments thereto provide in at least eight different cases for a two-thirds majority.

Impeachment convictions require the concurrence of two-thirds of the Members present.

Expulsion of a Member requires the concurrence of a two-thirds majority.

Overriding a veto requires approval by two-thirds of the Members.

I do not know whether those who wish to substitute the power of an uncontrolled and undirected power of a majority for orderly procedure want to change all these provisions as well; but one proposal would seem to make about as much logic as the other, because they are based on the premise that the majority is always right, and that the majority is always right on time. Both of those premises may be completely fallacious.

There are other instances in which a two-thirds vote is required by constitutional provision.

For example, a two-thirds vote of Senators is provided on certain other orders and resolutions.

Amendments to the Constitution may be presented by two-thirds of both Houses, when they deem it necessary.

I once offered in the Senate, and had a yea-and-nay vote on it, a constitutional amendment which would have changed the Electoral College procedures and would have destroyed the most unconscionable and notorious violation of civil rights in America; namely, an amendment which would have provided the right to vote with equal impact in the election of a President. Much support was developed. The proposal was approved by a majority of the Senate; but because the Constitution provides that a constitutional amendment requires a two-thirds majority, the proposed amendment failed. I do not favor changing the rules because my amendment failed. I favor conducting an educational campaign to point out the

**injustice and the lack of propriety of giving to a single individual voter in the State of New York 45 pencils and 45 ballots as it were and the right to vote 45 times for President, when an equally intelligent and patriotic citizen in Delaware is given only an equivalent of 3 pencils, 3 ballots, and 3 votes for President. There is something basically wrong in that procedure.**

Oh, how I wish those who plead so hard for changes in the rules under the guise of providing some kind of automatic civil rights would devote a little attention to providing some support for Senate Joint Resolution 12, which would equalize the voting power of individual citizens in the United States for President, and not have the privileged type of 1st-class citizen vote for a bloc of 45 votes, while the "15th-class citizen," down at the bottom, has only 3 votes, in Delaware, Rhode Island, Nevada, and some other States.

Ah, Mr. President, the constitutional forefathers and those who have revised the Constitution understood this situation well. They provided that the ratification of treaties shall require a two-thirds vote of the Senators present. I suppose some eager beaver will argue that that could be done by a majority, or 51 Senators. But there must be some reason why those wise predecessors of ours felt that a vote of more than a bare majority on some issues was necessary: When we rewrite certain precedents; when we amend provisions dealt with in our constitutional charter of freedom; when we disrupt procedures which have existed for centuries. The Constitution provides that those changes shall be made by something more than a majority vote. That makes sense, and it has served our Republic well.

In the instance when the election of the Vice President should fall to the Senate, again the Constitution provides for a two-thirds vote.

On the removal of a disability for membership in the Congress, when it is caused by a Member having been involved in an insurrection, a two-thirds vote is required.

So, from my own studies, I know there are at least eight instances in which the Constitution stipulates that a two-thirds vote shall be required; in some instances to make decisions which are less far reaching in their implication and less important in their concept than the proposal now before the Senate, to give a simple majority of the U.S. Senate the right to change the rules of the game at the opening of every session of Congress.

Mr. President, there are times when speed and haste are not the best guidelines to correct achievement. I sincerely believe that determining the rules which govern the procedure and protect the smaller States and the minority Members of the U.S. Senate is one of those times. I hope the Senate will not make the fatal mistake of substituting speed for substance by permitting the majority of its Members to change the rules without committee consideration and by an abortive majority vote.

I do not believe that civil rights is an issue at all in this debate. If my memory serves me correctly, in the 24 years I have been a Member of the U.S. Congress, I have voted, without exception, for all the protective civil rights measures which have come up for a vote. That does not mean, however, that I will now vote to destroy the protective rules of the Senate in order to achieve some new and unnamed protective legislation for minorities; which, if it is good, is wise, and is prudent, can be enacted under the present rules, as we have demonstrated time after time after time in the Senate.

No; something far deeper, more important, and more fundamental than any civil rights proposal is involved in this debate. It is the citizenship rights of all Americans. It is the right of all minorities, not merely a racial minority or a religious minority or a geographical minority. It is the right of all minorities in America to be protected and to be heard.

The pendulum swings back and forth in our political successes and defeats.

While I happen to be a member of a group of Republicans who, in the present Senate, constitute a small minority, that has not always been the case, and it will not always be so in the future. So it is now incumbent upon those of us who today are members of the minority to continue the fight which has been fought for years by minority members of both parties in the Senate; namely, the fight to keep the rules of the game fair and to establish the position of minorities in such a way that they can be heard, and so that small States will have the same rights that big States have, and to provide in the Senate a cooling-off process, so that the whims, heats, and passions of emotion cannot stampede through a bicameral system, proposed legislation which the bicameral system was designed to slow down or to stop.

Mr. President, I should like to have printed at this point in the Record the sound and prudent advice of a newspaper writer in New York—one who, I am sure, cannot correctly be accused of being "anti-civil rights"—whatever that term means. Usually it means something to fit the particular political ambitions of some particular political candidate who is running for office, so far as I am able to understand, because there never seems to be very much consistency about the application of the term or about the votes cast by Members on various issues of that sort. Nevertheless, I do not think anyone can properly call Walter Lippmann "anti-civil rights." So, Mr. President, I now ask unanimous consent to have two excerpts from articles by Walter Lippmann printed at this point in the Record. The first excerpt is from an article written by him in 1949.

The PRESIDING OFFICER. Is there objection?

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

### Excerpt From Column Written by Walter Lippmann in 1949

In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decisions.

The American idea of a democratic decision has always been that important minorities must not be coerced.

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### Excerpt From Column Written by Walter Lippmann in January 1961

The problem of the Senate, on the other hand, involves questions of high constitutional principle. The crux of the question is not whether the majority should rule but what kind of majority should rule. Shall it be a simple numerical majority of the Senators present and voting? Shall it be two-thirds of all the Senators elected? Or shall it be something between the two?

Here lies the crux of the argument. What kind of majority shall have the right to end debate in the Senate, and therefore to bring about a vote? The kind of majority that has the power to do this has the power to legislate.

The recognition that there may be various kinds of majorities is deeply imbedded in the Constitution. Simple majority rule—one more than half a quorum—is by no means the general principle of the Constitution. Constitutional amendments, the expulsion of Members, the overriding of the President's veto, require two-thirds of all the Senators elected. Treaties and impeachments require two-thirds of those present and voting.

Why these variations? Because these are questions which involve the whole Nation * * * the Constitution requires that such grave decisions shall have a large, not merely a simple majority.

In my view it is important, indeed vital to our liberties, to preserve the principle that for great issues, for issues that affect deeply great regions or sections of the Nation, there should be required more than a simple majority. For we must never forget that majorities are not always liberal and that they may be quite tyrannical. It is, I have always thought, a short view of history to equate simple majority rule with the defense of the civil rights of Negroes.

The civil rights of all Americans will be safer if within the Senate, which represents the federal principle, we do not give absolute power to simple majorities.

Mr. MUNDT. Mr. President, the second excerpt is from an article written by Mr. Lippmann long after he wrote the first one in 1949. The second one was written in January 1961. With remarkable consistency for any columnist, Mr. Lippmann has adhered to his position and has reiterated his logic and his counsel, because in the second article he again pointed out the basic differences between the House and the Senate and the importance of retaining rules which will perpetuate and protect those differences.

Mr. President, at this time I shall yield the floor.

Mr. STENNIS. First, Mr. President, will the Senator from South Dakota yield briefly, to permit me to make an observation?

Mr. MUNDT. I yield.

Mr. STENNIS. I wish to say that I think a summary of the speech made by the Senator from South Dakota would be that the Senate is really fighting for its life as a legislative institution.

Mr. MUNDT. Yes. In fact, I will go further: The Senate is fighting for both its life and the life of the Republic. We are here today, and gone tomorrow; but there has been a Senate for a long, long time. So it is rather interesting to observe that never before has the Senate succumbed to the temptation to attempt to reach some immediate objective by creating a situation in which mob rule can prevail in the Senate. However, that is what would be the case if the majority were to be given the right to destroy all the protections of the past, to scrap all the precedents, and to rewrite the rules by majority vote. So we are fighting for the life of the Senate and the life of the Republic, because this country did not get to be the greatest of all in less than 200 years, and did not become the oldest governmental body operating under its original charter with a parliamentary system—despite our youthfulness in comparison with other countries—by doing everything all wrong.

We achieved our successes because we have failed to yield to the temptations which majorities in other countries so frequently have carried to excess; and I hope we do not destroy a great citadel of freedom here, under the false notion that by doing so, in some way or other we shall be helping temporarily some minority with some problem in some area, because those minorities, along with all other Americans, would suffer greatly, once the character and the significance of the U.S. Senate and of two-party government were destroyed.

Mr. STENNIS. Mr. President, the Senator from South Dakota stated that those of us who adhere to the two-party system—and I believe that almost everyone in the country does adhere to that general system—must realize that the demands of the two-party system are such that there must be some place where the minority cannot be written off at a caucus of the majority party.

In that connection, I recall that for 28 of the 40 years between 1913 and 1953, the Republican Party was the minority party; and at present it seems that that party will have a longer drought than that. Certainly these rules have at all times protected the minority party—at one time, the Democratic Party; and now, the Republican Party. So I think the Senator from South Dakota has rendered a distinct service by making that point.

Mr. MUNDT. I thank the Senator from Mississippi. Certainly these political droughts are not identified with only one party. I remember when there was a drought for the Democratic Party—a period when it had very small numbers among the Members of the House and the Members of the Senate, and when Republican Presidents were being elected again and again and again. At that time many persons said, "I think the Democratic Party is about to die. This is about the end of it."

But that did not happen; the Democratic Party came up with popular issues and popular candidates, and the pendulum swung over, until finally, after about the third election of Franklin D. Roosevelt, many persons said, "I guess the Republican Party is all over. It is out of contact with the people, and it does not provide the things that people want. It is doomed to die."

But then there came along a popular figure and some good issues and emotional situations, and then Dwight Eisenhower was elected President, and later was reelected, almost without serious opposition. Then the pendulum once again swung the other way. It will again reverse its direction in some future election.

So it is clear that it is most important that at all times the minority be protected, both for its benefit and for the benefit of other minorities, yet to come. It is essential that at all times the minority have the right to be heard and have is rights maintained.

In fact, I suspect that in the absence of the protection of such rights, some of the disciples of despair who argued that either the Democratic Party or the Republican Party might disappear might have been vindicated in their prediction, because it was only as a result of the right to present differing points of view that the Republican minorities became majorities, and, later, that the Democratic minorities became majorities, and that thus it has been possible to protect the two-party system.

Mr. President, why do you suppose that is so? Certainly the good Lord in all His wisdom has not been able to help us figure out a better means than the two parties to protect the American people. Other countries, despite all their efforts, have not been able to improve on our system. Our system has worked and "clicked" because we have a body of laws, precedents, and constitutional provisions and we maintain a federated system of government in a republic.

Therefore, why take the machine apart, scatter its pieces to the four winds, and try to produce something new, something untested and untried, merely because a determined majority of the moment wants to push the Republicans of the day around a little bit in the Senate, or to push other people around. If that were to happen, the result would be to create a Frankenstein which perhaps would devour something a great deal more precious than the laudable enunciated goals of those who want to change the rules of the Senate, so they can have their way at this time without delay, in seeking certain objectives which they have in mind.

Mr. President, I yield the floor.

## NOMINATION OF BILL D. MOYERS TO BE DEPUTY DIRECTOR OF THE PEACE CORPS

Mr. LAUSCHE. Mr. President, yesterday, January 22, the Senate Committee on Foreign Relations recommended to the Senate the confirmation of the nomination by the President of Mr. Bill D. Moyers to the post of Deputy Director of the Peace Corps. The nomination was made by President Kennedy on December 29.

Mr. Bill D. Moyers is a 28-year-old man from Texas. He is a former Texas radio, television and newspaper reporter. The nomination of Mr. Moyers puts him in a $20,000-a-year post in the international Peace Corps operation of our Government.

At the meeting of the Foreign Relations Committee there were present four members of the committee. Proxies were in the possession of the chairman. When the vote for the approval of the nomination came, I voted against the approval. The other members of the committee voted in favor of it.

In expressing my opposition, I did so on the basis that the nomination is not healthy from the standpoint of developing in the people of our country a confidence in the fiscal policies of our Federal Government. Prior to coming to work for the Federal Government, the nominee occupied three posts in private industry. He worked for $5,500 a year, $6,000 a year, and then $8,000. He came to work for the Federal Government at a salary of $10,000, and in 3 months he was elevated to $15,000. He has been with the Peace Corps for 2 years.

I do not detract from the type of work which he did. He is completely lacking in experience. Nothing that he has done demonstrates a timber that comes from experience.

At the hearing I asked the young man quite a number of questions. To those questions he gave answers. I ask unanimous consent that there be printed at this point in the Record a newspaper article relating to the nomination and the questions which I directed to him and the answers which he gave.

The PRESIDING OFFICER (Mr. Ribicoff in the chair). Without objection, it is so ordered.

There being no objection, the article and testimony was ordered to be printed in the Record, as follows:

Ex-Johnson Aid, 28, Gets Peace Corps Post

Palm Beach, Fla., December 29.—President Kennedy today named 28-year-old Bill D. Moyers, a former Texas radio, television, and newspaper reporter, to the $20,000-a-year post as Deputy Director of the Peace Corps.

The job to which Mr. Kennedy announced his intention to appoint Mr. Moyers requires Senate confirmation. He will serve under the President's brother-in-law, Sargent Shriver, who heads the Peace Corps.

Mr. Moyers, a onetime Rotary International fellowship winner and a consultant in the days when the Peace Corps was being formed, served as executive assistant to Lyndon B. Johnson during the 1960 Kennedy-Johnson election campaign. He became a personal assistant to Mr. Johnson in 1956.

He is believed to be one of Mr. Kennedy's youngest appointees in an administration that has been noted for calling upon younger men to serve in Government posts.

Mr. Moyers is a graduate of the University of Texas, where he studied journalism. He is married to the former Judith Davidson, of Dallas, Tex., and they have two children.

The Chairman. Senator Lausche, do you wish to ask questions?

Senator Lausche. Yes, I would like to ask questions.

The calculated cost of $9,000 a year per worker, has it gone up since the Peace Corps was established?

Mr. Moyers. No, sir. The cost factors have remained consistent.

Senator Lausche. Now, then, may I ask what are these 630 Peace Corps workers doing in the Philippines?

Mr. Moyers. They are primarily serving as teachers' assistants, Senator Lausche. They are working in remote villages as assistants to the Filipino teachers, and they are doing two things:

One, helping in the teaching of English, and, second, helping in the teaching of math and the sciences.

Senator Lausche. Do you know what the salary of the Philippine teachers is?

Mr. Moyers. Yes, sir; it is somewhere around $90 a month.

Senator Lausche. That would be $1,080 a year?

Mr. Moyers. Something like that, yes, sir.

Senator Lausche. We are sending our Peace Corps workers to that country at a cost of $9,000?

Mr. Moyers. However, Senator, in the Philippines our people——

Senator Lausche. You can answer that yes or no.

Mr. Moyers. Yes. The cost of each volunteer in the Philippines is $9,000, but he only gets $60 a month as a living allowance in the Philippines.

Senator Lausche. May I ask the chairman what is the cost of our exchange per year of teachers?

The Chairman. I haven't looked at it recently, Senator Lausche, but my memory of it last year or the year before was substantially less than that, but it varies.

You see, a student who goes abroad gets varying amounts according to living standards in the country, and this is in the neighborhood of $3,000. But if you get a teacher, a professor, out of a school, it will vary according to the position. That may run up to as high as $6,000 or $7,000. It is very rare that it goes over that.

I would say the average certainly would not be over $5,000.

(At this point, Senator Long enters the hearing room.)

Senator Lausche. Well, the chairman asked you this question and I want to repeat it:

If we send teachers with experience and training under the exchange program to these foreign countries at a cost of $5,000 a year, how do you justify sending a Peace Corps worker at $9,000?

Mr. Moyers. Well, one of the justifications, Senator Lausche, is that they are wanted, they are requested by the host country people.

I am not sure whether or not the Philippines, for example, ever requested 630 exchange students to teach in the rural villages of the Philippines. They requested us to do it and we responded, and have sent the people there to do this particular work.

I am quite happy to supply for the record a breakdown of the cost factors of volunteers, and would like to see, perhaps, a comparison made between those cost factors and the cost factors of an exchange student.

Senator Lausche. You have not answered my question: How do you justify sending Peace Corps workers who are recently graduate students, at $9,000 a year, at a cost of $9,000, and experienced teachers in colleges under the exchange program at $5,000?

Mr. Moyers. Well, the justification, Senator Lausche, comes in the breakdown of the cost factor.

For example, we provide a 2- to 3-month training program for our people that I do not believe is provided by the exchange program. This is the most expensive part of the domestic cost of Peace Corps.

I would think that that would account for one of the major reasons that the cost, the per year cost, for Peace Corps volunteers is more than the per year cost for an exchange student.

Senator Lausche. That would mean, then that what our colleges and universities have provided in training teachers without cost to us we provide in the Peace Corps by giving them this preliminary training, and that adds to the costs.

Mr. Moyers. We provide training, Senator Lausche, for the particular assignment that the person is going to. A person who comes out of a teacher training program, for example, at the University of Texas probably has not been prepared to teach English as a second language in the Philippines or Indonesia or any other country. We provide a 2- to 3-month training program which builds upon what the person learned in college and at the university.

Senator Lausche. May I put this question on this thought: Then you say that in the operation of the Peace Corps, it is proper and just and reasonable to send teachers to these foreign countries at a cost of $9,000 a year when under the exchange program we can send experienced professors at a cost of $5,000? You can answer that yes or no.

Mr. Moyers. I cannot answer that yes or no, Senator.

Senator Lausche. That is, can you answer it yes or no and then give your explanation, after you have given the yes or no answer?

Mr. Moyers. Would you rephrase the question?

Senator Lausche. Would you please read the question, Mr. Reporter?

(Senator Lausche's question was read by the reporter.)

Mr. Moyers. The answer to that question is, I think, yes, it is justified.

Senator Lausche. You say it is justified?

Mr. Moyers. Yes; I think it is justified.

Senator Lausche. Now, then, how many persons do we have in the central office at the Peace Corps?

Mr. Moyers. About, the last count was, 435 permanent positions filled at the Peace Corps and approximately 75 to 80 of what we call temporary people.

Senator Lausche. That is in the central office?

Mr. Moyers. Yes, sir.

Senator Lausche. So of the employees that you now have there are 500 in the central office?

Mr. Moyers. That is correct.

Senator Lausche. And your salary was how much, is how much, under your present position?

Mr. Moyers. $20,000 a year.

Senator Lausche. Under the new position it will be $19,500?

Mr. Moyers. That is correct.

Senator Lausche. Will you please tell me what your native State is?

Mr. Moyers. Texas.

Senator Lausche. Texas. How many jobs have you had in private industry before you went to work for the Government?

Mr. Moyers. I never worked for private industry. I have held a job in communications, one for an institution and one for a newspaper; that is three.

Senator Lausche. All right.

In communications, was that at college?

Mr. Moyers. It was while I was in school, Senator, but it was a full-time job. It might as well have been not as a student.

Senator Lausche. And you were a radio announcer?

Mr. Moyers. No. I was assistant news editor for television and radio.

Senator Lausche. What was your pay in that job?

Mr. Moyers. Eight thousand dollars a year.

Senator Lausche. Yes. When did you hold that job?

Mr. Moyers. That was in 1954 through 1957.

Senator Lausche. What was the next job that you held?

Mr. Moyers. The next year, Senator, I spent at the University of Edinburgh studying. I returned to take a job while I was in college studying for another degree at the theological seminary.

Senator Lausche. What was the pay of that?

Mr. Moyers. It was $6,000, but I was in school.

Senator Lausche. That was in a religious institution?

Mr. Moyers. Yes.

Senator Lausche. What was the third job you held?

Mr. Moyers. That was back prior to college when I was sports editor for a newspaper in Houston, Tex.

Senator Lausche. What was the pay of that?

Mr. Moyers. About $5,500.

Senator Lausche. Fifty-five hundred dollars.

Now then, when did you first go to work for the Government?

Mr. Moyers. Well, I spent one brief stint in 1954, but I came in 1959 full time.

Senator Lausche. Was that with the Peace Corps?

Mr. Moyers. No. That was with the then Senator Johnson.

Senator Lausche. You were in his office?

Mr. Moyers. Yes, sir.

Senator Lausche. What was your pay in that post?

Mr. Moyers. Well, the first month I came it was $10,000, but within 3 months it was $15,000.

Senator Lausche. That is, your highest pay in private industry until you came to the Federal Government was $8,000?

Mr. Moyers. That is right.

Senator Lausche. And you went to work for $10,000 and in 3 months were raised to $15,000?

Mr. Moyers. That is right.

Senator Lausche. And your present salary is $20,000?

Mr. Moyers. That is right.

(At this point Senator Carlson retires from the committee room.)

Senator Lausche. I have here a document sent to me by Mr. Shriver in which he answers certain questions which I put to him, and he says:

"The Peace Corps is a voluntary program. People who went to the Peace Corps will all be volunteers who know that neither their wages nor their living standards will be as high as what they could expect in the United States or in other oversea Government programs."

Does your status fall within this definition of what a Peace Corps work is?

Mr. Moyers. No. Mr. Shriver was referring to Peace Corps volunteers.

(At this point Senator Morse enters the committee room.)

Senator Lausche. I see.

Now then, your experience has been mainly as a scholar and sort of spasmodic, to a spasmodic degree, in the field of work—I am summarizing now. That is correct, is it not?

Mr. Moyers. For the last 2 years, Senator Lausche, I have been with the Peace Corps, and I think that my nomination for this position was upon that experience with the Peace Corps on the fact that there are not too many people in this country who know a great deal about the Peace Corps, and that Mr. Shriver and the President wanted someone in this position who did know something about the Peace Corps.

Senator Lausche. What is your degree; did you get a degree in journalism?

Mr. Moyers. Bachelor of journalism with a major of journalism and government, and with a bachelor of divinity, and graduate study at the University of Edinburgh.

Senator Lausche. So you trained yourself in the field of journalism?

Mr. Moyers. And government.

Senator Lausche. In government?

Mr. Moyers. And government; yes, sir. I had a double one.

Senator Lausche. Can you tell me what the average salary is in the Nation—maybe you cannot answer that—of journalists, with the experience that you have had?

Mr. Moyers. No, sir; I do not know.

Senator Lausche. Did you ever try to find out?

Mr. Moyers. No, sir.

Senator Lausche. Do you think it is up to $20,000 a year?

> Mr. MOYERS. I do not know, sir. I would be surprised if it were.
>
> Senator HICKENLOOPER. Will the Senator yield? What was the question, I missed it?
>
> Senator LAUSCHE. What the average salary in the Nation is of men engaged in the journalistic profession.
>
> Mr. MOYERS. Some of them are here, Mr. Senator. You might ask them. [Laughter.]
>
> Senator LAUSCHE. I would like to ask them, and I think it will not tend to strengthen your case if they answer.
>
> How many of you get $20,000 a year? You don't have to answer.
>
> (At this point Senator SPARKMAN enters the committee room.)
>
> Senator LAUSCHE. I think that is all.
>
> The CHAIRMAN. Senator HICKENLOOPER.
>
> Senator LAUSCHE. May I ask how many others are getting this salary of $20,000 who are working in the journalism department of the Peace Corps?
>
> Mr. MOYERS. There are none.
>
> Senator LAUSCHE. You were doing journalism—doing journalistic work in the Peace Corps because I have your releases here with your name on it. You were the press man, weren't you?
>
> Mr. MOYERS. No, I was not, Senator.
>
> Senator LAUSCHE. What are these?
>
> Mr. MOYERS. My name is on those, on that piece of paper there, because I sent—one of my jobs was to send to Members of the Congress news releases that bore upon their constituents.
>
> Senator LAUSCHE. Yes, I see. That is all.

Mr. LAUSCHE. When the nomination comes before the Senate for confirmation, I contemplate being present to oppose it. I shall oppose it even though not a single other Senator joins me. I cannot say to the people of my State that men who work in private life at $8,000 maximum shall come to the Federal Government and, within 2 years, be lifted to $20,000—a 28-year-old boy recently out of college.

I yield the floor.

Mr. HUMPHREY subsequently said: Mr. President, I wish to take a few moments to comment on a nomination that will be before the Senate very shortly, and one that was referred to earlier today by the distinguished Senator from Ohio [Mr. LAUSCHE]. I refer to the nomination of Mr. Bill D. Moyers, of Texas, for the position of Deputy Director of the Peace Corps.

Mr. Moyers has been with the Peace Corps since its inception. The testimony concerning his nomination was taken before the Senate Committee on Foreign Relations on Wednesday, January 23. I deeply regret that, because of other commitments and other duties in this body, I was unable to be present for the hearing on Mr. Moyer's nomination. However, I told the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], that I had carefully examined the record of Mr. Moyers, that I had visited with Mr. Moyers, personally, on a number of occasions, that I had worked with him on a very intimate basis in the preparation of Peace Corps legislation which it was my privilege to sponsor in this body, and that I had unqualified respect for and confidence in Mr. Bill Moyers.

Mr. Moyers has proven himself to be a tower of strength for the Peace Corps. Of all the programs that our country has, none has been more successful at any time than the Peace Corps under the able direction of its Director, Sargent Shriver, with the help and cooperation of Mr. Bill D. Moyers.

Mr. President, the Senator from Texas [Mr. YARBOROUGH] presented to the Committee on Foreign Relations the gentleman of whom I speak. I wish to read what the Senator from Texas had to say about Mr. Moyers. I do so because I must and do openly disagree with the position taken by the distinguished Senator from Ohio [Mr. LAUSCHE] relating to the nomination of Bill Moyers. I regret that the Senator from Ohio is not here at this time. I regret that I was not present when he spoke about it. However, I have the official transcript of the Senate proceedings containing the remarks by the Senator from Ohio [Mr. LAUSCHE] on the nomination of Mr. Moyers to be Deputy Director of the Peace Corps.

Senators have genuine respect for each other's point of view. The Senator from Ohio has been very candid about his point of view. He feels that the promotion came to fast and gives too much responsibility to a man who is as young as Bill D. Moyers. He surely is entitled to his opinion.

However, I have a different opinion. I think Bill Moyers has proved his competence. Did not Pitt, the younger, as a rather young man, prove his competence as Prime Minister of Great Britain?

He did not have to be 50, 60, or 65. He was in his twenties. All over the world today we find leaders of countries who are in their twenties. By the way, we also find that the average age of the signers of our Declaration of Independence was 36. Thomas Jefferson was less than 30 when he penned the famous Declaration of Independence. I do not believe that one need be an octogenarian, three score and ten, or two score and five, to be worthy of high position. Seniority is one way to demonstrate one's ability—at least his ability of survival. But it may well be that plain enlightenment, intelligence, and accomplishment is another way of demonstrating one's competence.

The Senator from Texas [Mr. YARBOROUGH] made the following statement about the gentleman from Texas, Mr. Moyers:

> Bill Moyers has such an enviable record of accomplishment at the age of 28 that he is about the youngest New Frontiersman I know in high position except for Senator Kennedy; he almost makes the Kennedy brothers like old gray heads.

I must say to the Senator from Texas [Mr. YARBOROUGH] that that is stretching it a little bit, but it is the use of dramatics to emphasize the point.

I read further from the testimony:

> Bill Moyers was a student at North Texas State College at Denton for 2 years, where he had the unusual accomplishment of being elected the outstanding student in the college for 2 successive years.
>
> He then came to Washington one summer as a summer intern in the office of Senator LYNDON JOHNSON, transferred to the University of Texas, worked his way through the school of journalism, and at the end of that time received the Cabot Award which is given each year to the student with the highest average grades for the entire time that he was in the school of journalism at the University of Texas.
>
> He then attended a school in Edinburgh, Scotland, the university, where he had a Rotary scholarship, one of the few worldwide Rotary scholarships where he studied the ecclesiastical history of Middle Europe.
>
> He returned and entered the Southwestern Baptist Theological Seminary at Fort Worth, Tex., which is the largest Baptist theological seminary in the world; graduated there with a doctor of divinity degree and he had prior to receiving the last two degrees been offered a position teaching ethics at Baylor University, but due to his experience in Washington, took a place instead on the staff of LYNDON JOHNSON, while he was running for the Presidency; and when Senators Kennedy and JOHNSON were nominated for the Presidency and Vice-Presidency, he became one of the chief staff members for the vice-presidential nominee, JOHNSON, and became the liaison officer between Senator Kennedy's campaign staff and Senator JOHNSON'S, and there came to the attention of the President.
>
> So that when the Peace Corps was formed, he already, as that became a campaign issue, was advocating it, was studying the various proposals, and he was appointed to a position with the Peace Corps where the first year as Associate Director he has been in charge of five divisions of the Peace Corps, congressional relations, agricultural affairs, professional and technical affairs, college and university affairs, and public affairs support.
>
> Six months ago Director Shriver placed on him the additional duties, as Acting Associate Director for the Peace Corps volunteers, and that put him in charge of the divisions of selection, training, volunteer administration, and oversea support.
>
> In the different divisions he has headed he has a record of accomplishment that is unmatched by anyone of my own personal acquaintance of his age.
>
> He is actually virtually Acting Deputy Director at this time, although under his present salary scale he receives $20,000 a year; and if and when he is confirmed for this job, that salary would drop to $19,500 because it is fixed by statute, and would result in a reduction in salary for him.

I have read these quotations about Mr. Moyers because I know this man well. I know him as well as, or perhaps better than, any other Member of the Senate, because I have spent countless hours with him on the legislation that became known as the Peace Corps legislation. He was in my office hour after hour working out the details of that legislation. He was at the Foreign Relations Committee room during the period of the hearings on the legislation and the markup on the legislation. He has been in my office practically every month one, two, or three times since the Peace Corps has been in operation. If I know any one member of this Government, I know Bill Moyers.

Bill Moyers was the contact man between the pilot project of the Peace Corps and the Congress of the United States. He arranged meetings between Sargent Shriver and Members of the Congress of the United States.

Frankly, I was surprised when I learned that he was only 28 years of age, because he has the kind of maturity, the sense of responsibility, and the sense of direction and perspective that leads one to believe he is a much older man.

But I do not care what is his chronological age. I do not wish to use any invidious comparisons, but, Mr. President, I have seen people who have lived a long time who have not learned a great deal, and I have seen people who have lived only a short time who have learned a very great deal.

Keats was one of the great poets, but he did not live to be 80, or 70, or 60, or 50. He died a young man. There are other comparisons which could be made, about great prophets and spiritual leaders who have died as very young men.

The point I am making is that Bill Moyers ought to be judged for what he is and what he has done.

I notice the complaint is that he never earned this much money before. Mr. President, some people ought to complain that they are paid too little, because they have never earned so little before. There are some people in Government today in that situation.

I wonder how Robert McNamara, the head of the Defense Department, feels. What he makes as Secretary of Defense would not provide tips for the president of Ford Motor Company, but I am sure the fact that he took a pay cut did not demonstrate that he is any less able.

The fact that Mr. Moyers may be paid more money—$19,500 a year—than most young people receive at the age of 28 does not prove anything. What would it prove? Everyone at age 28 is not of equal ability. Everyone at age 28 does not have the same opportunity.

Mr. Moyers proved himself to be a man who could take opportunity and do something with it for his country and for himself. I think he has a lot to recommend him. His college record is outstanding. His personal conduct is beyond reproach insofar as I have ever been able to determine. He is clean. He is intelligent. He is hard working. He is self-disciplined. He is mature. He is responsible.

This man has a background in the field of religion, ethics, and administration which qualifies him at least to be an honorable man. He worked for one of the truly great men of this body, former Senator LYNDON JOHNSON, who was majority leader of the Senate and is now Vice President of the United States. He was selected by the President of the United States and by the Director of the Peace Corps for a very responsible position. He was paid more in that position than he will be paid now. Yet there is objection to the confirmation of his nomination.

Every Senator has a right, of course, to object to the confirmation of the nomination of any person to which he wishes to object. I am not here to object. I am here to praise. I am here to commend Bill Moyers.

My good friend from Ohio said that he will be here to speak against the confirmation of this nomination. Just as surely, I say the Senator from Minnesota will be here to speak in favor of the confirmation.

It has been noted in the RECORD that most of the votes which were cast in the Foreign Relations Committee were proxy votes. That may be true, but that does not mean that a Senator does not know what is going on. If I had never come close to the Committee on Foreign Relations room, I would have been prepared to vote for the confirmation of the nomination of Bill Moyers, because I knew more about Bill Moyers before he came to the Committee on Foreign Relations room than the members of the Committee on Foreign Relations will know about him if they look at him for 2 years. I have worked closely with this man. Other Senators have, also. That is why he was given such a resounding vote of approval by the Committee on Foreign Relations.

Particularly, I should like to commend the Senator from Louisiana [Mr. LONG] for the fine questioning he gave Mr. Moyers.

I should like to invite the attention of the Senate to the remarks of the Senator from Louisiana, who took up every charge which had ever been made against Mr. Moyers, and through the questioning process, elicited answers from Mr. Moyers that should satisfy the most severe critics.

The testimony starts, insofar as the Senator from Louisiana [Mr. LONG] is concerned, on page 45 of the report of the proceedings held before the Committee on Foreign Relations on Wednesday, January 23. I have the transcript in my hand. Let me read a few of the questions and answers for the RECORD:

> Senator LONG. How old are you now?
>
> Mr. MOYERS. Twenty-eight and a half.
>
> Senator LONG. Twenty-eight and a half. Well, I must say that we are, perhaps, taking a risk on youth if we advance you here, but the people of my State put a considerable risk on youth when they only had two Senators, and they took a chance on this one when I was 29, so I suppose that it might not be too great a risk.
>
> How much experience have you had in this job now, I mean in the Peace Corps?
>
> Mr. MOYERS. Since February of 1961, 2 years this February, as long as anyone else in the Peace Corps.
>
> Senator LONG. So you have had as much experience then as anyone else has had in this?
>
> Mr. MOYERS. Yes, sir.
>
> Senator LONG. How old is the average Peace Corps person on duty at the present time, do you have any idea about that?
>
> Mr. MOYERS. You mean on the staff in Washington?
>
> Senator LONG. No, I mean in the field.
>
> Mr. MOYERS. Twenty-four and a half is the average age of the volunteers in the field.
>
> Senator LONG. Twenty-four and a half; then notwithstanding your own youth you still would be four years older than the average person whom you had the responsibility of supervising.
>
> Mr. MOYERS. Yes, sir.
>
> Senator LONG. It seems to me if we are going to be afraid of youth in this field that we should not have established a Peace Corps to begin with, and I take it that this promotion has been recommended by Mr. Shriver and by the others with whom you have worked in this undertaking, Mr. Moyers?
>
> Mr. MOYERS. Yes, sir.

Let me read now one of the comments of the Senator from Louisiana on page 47:

> Senator LONG. Personally I might say that I believe we should have someone in a responsible position with that organization who has youth, who is intelligent, who has a record to prove it, who is imaginative and not afraid of new ideas.
>
> So far as I can determine from the experience we have had with you before the Committee, I think you have those qualifications, Mr. Moyers. I am only sorry that the new job does not contain a pay raise; I think you are entitled to one.
>
> Mr. MOYERS. Thank you.
>
> The CHAIRMAN. Any further questions?
>
> Senator AIKEN. I would have a final word. I would say Mr. Moyers is very highly regarded by the people who have worked with him since the inception of the Peace Corps, and I think that is, perhaps, as good a recommendation as he can have, and just so long as he does not get involved in the domestic Peace Corps, so called, and I underline that "so called," I think I would favor his promotion, promotion in rank and demotion in salary.

The salary demotion to which the Senator from Vermont [Mr. AIKEN] referred is the fact that Mr. Moyers will receive $500 less as Deputy Director of the Peace Corps than he receives in his present position.

I have taken the time of the Senate to make my statement on this matter because it is so easy to get a story to the American people criticizing somebody. We are supposed to be a young nation. I see no reason why occasionally we should not place trust and responsibility in some young man who has proven his capacity and ability, so that we can at least let the rest of the world know that we do not have an antagonistic attitude toward youth.

I invite the attention of my colleagues to the fact that most of the great heroes of the Revolutionary War period, with few exceptions, were in their twenties and early thirties. I call to the attention of my colleagues the fact that many great men in history, from Alexander to Napoleon, achieved greatness when they were in their twenties. I make no comparison; I merely say that, for some reason or another, this country is becoming rather "stuffy" on occasion, because of the feeling that if one does not have gray hair and has not lived through every vicissitude of life, he is not prepared to undertake a responsible position. That is not the case.

I think we should judge persons, not by the calendar, but by caliber, by the mind and heart and proven capacity. If we do that, we may very well have a stronger and a much more vital and creative America.

Mr. THURMOND obtained the floor.

## THE CLEAN AIR ACT OF 1963

Mr. BIBLE. Mr. President, yesterday, the distinguished junior Senator from Connecticut [Mr. RIBICOFF], the present Presiding Officer of the Senate, introduced a bill which would remedy a problem that is growing virtually unchecked by alarming degrees—namely, the problem of air pollution.

This measure, S. 432, entitled "The Clean Air Act of 1963," is the result of careful study by the Senator from Connecticut, conducted while he performed commendable service to our country as Secretary of Health, Education, and Welfare. It is a bill that at once reaches the heart of the problem of air pollution;

further, it is a bill that speaks dramatically for itself and compels support by this Congress.

While Nevada is not known for metropolitan centers—at least, not yet—it is known for a climate of brilliant sunshine and invigoratingly dry, clean air. However, the healthy atmospheric conditions of the two principal population areas of my native State—Las Vegas and Reno—are being menaced by smoglike fumes even as these two areas are in the throes of such rapid expansion as to make Nevada the fastest growing State in the Nation. I am confident that this growth will one day see both areas, embracing respectively Las Vegas and Reno, reach metropolitan proportions.

One of the hazards of this growth is air pollution. As a city grows, more cars travel its thoroughfares and the chimneys of industry emerge on the skyline in ever increasing numbers, creating a residue which befouls the air.

In recent days, two leading newspapers serving the areas in Nevada of which I speak—the Las Vegas Sun and the Nevada State Journal—have commented editorially on this very condition as it affects their respective communities.

Both editorials point out that local and State governments are aware of the problem of smog control. But because of the immensity of the problem, it would appear only proper that the Federal Government provide the leadership, technical know-how, and financial assistance necessary to implement workable, practical programs in this field.

Mr. President, I ask unanimous consent that these editorials, from the Nevada State Journal dated January 17, and the Las Vegas Sun, dated January 14, be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Las Vegas Sun, Jan. 14, 1963]

### WHEELS THAT DON'T SQUEAK

"We hope the Nevada legislators arrived here early yesterday morning, for if they did, they were treated to one of the worst doses of smog which we have experienced this winter.

"Everything was working full blast. Down Pittman way the gravel plant was sending out its usual cloud of dust, and the hot-mix plant was putting out an enormous column of smoke which streaked across the sky toward the BMI plants, Townsite, and Black Mountain.

"Reaching the plant, the smoke mingled with a huge cloud of white lime dust which puffed up to meet it. The resultant dull-gray mass so beclouded the plants that the feathers of yellow, gray, and white smoke from the various smokestacks were completely blotted out. * * *

"Yes, we hope the legislators from all parts of the State came here early. We hope they were able to see for themselves the result of uncontrolled dust, smog, and fumes on our desert air. If they did, we hope they'll see fit to pass a State law to make the control of these air pollutants mandatory in every county, city, and hamlet in the State of Nevada." (Henderson Home News, Jan. 10, 1963.)

We know that the party of legislators spent considerable time under the Henderson smog blanket, and no doubt many of them took note of it as compared to the clear air of Las Vegas and at Lake Mead, which they also toured the same day.

But the thing that must have puzzled those who have heard complaints of the condition over the years, was that none of their hosts ever mentioned it, nor was it suggested that legislation be adopted to correct it.

We at the Sun do not know how long the Henderson newspaper has been urging legislation or ordinances to enforce smog control, but we have been at it for 10 years, with rarely any support from the people in Henderson who must exist in this unhealthy atmosphere.

We have urged service organizations, the chamber of commerce, the labor unions, and others to put their weight behind a campaign for corrective measures, but except for an occasional letter to the editor, we get virtually no response.

The Sun has said before, and we repeat, that nothing effective is likely to happen to force control of air pollutants unless those directly affected are in the forefront of an unceasing campaign to get the job done.

The wheel that squeaks gets the grease, but, sad to say, most "wheels" in Henderson operate the plants in question, and do very little squeaking about a condition that will cost them money to correct.

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[From the Nevada State Journal, Jan. 17, 1963]

### INDUSTRIAL SMOKE ONLY ONE OF LOCAL SMOG VILLAINS

Last November Dr. Wendell Mordy, director of the Desert Research Institute at the University of Nevada, and an expert on matters atmospheric, wrote in his Sunday column in this newspaper a dissertation on smog and what might be done about it in the Truckee Meadows.

His remark drew a great deal of comment and about the same time the city administration instituted action to get in motion studies that would lead to passage of an effective control ordinance. The assistant city attorney was sent to a pollution conference in Washington to secure the latest data on smog control.

Matters are now about ready to come to a head, and when they do it is to be hoped all the preparation will result in a good law in the first place and some enforcement of it in the second place.

One of the facets of the problem of smog in the Truckee Meadows seems to have been graphically illustrated in Carson City recently. In controlling smog the controllers must first know what causes it. The public generally seems to believe that if all the industrial smoke can somehow be eliminated we'll have clean air in Reno and vicinity. Dr. Mordy has warned this isn't necessarily so, and the Carson City situation bears him out.

There is very little industrial pollution in the State capital. Yet residents there and many commuters from Reno will testify that Carson has a serious inversion problem, too. Viewed from Lakeview Hill, a couple of miles this side of the city on any day conducive to inversion, Carson City is blanketed with a pall of smog that appears just as thick as that which covers Reno in a similar situation.

This would indicate there are many modern-day smoke emitters besides industrial plants, and probably the exhaust from automobiles will be revealed as one of the chief troublemakers—if not the chief one—in Reno, as it has been in larger cities.

It will be interesting to see how the ordinance coming up will handle this portion of Reno's serious smog problem.

Mr. BIBLE. Mr. President, I should like to note that the growth of Las Vegas and Reno is not a condition exclusive to Nevada. Throughout the West, cities of similar size are growing at an astounding pace, challenging the abilities of their planners. Without reflection on the progressive strides of our States to the east, I should like to assert my belief that the West is truly the New Frontier. But the limitless horizons of our growing Western States could well be blotted from view by uncurbed clouds of smog.

Thus, in light of the growth of the West and the firming of its eastward roots, it seems a program—as suggested by the Senator from Connecticut—is imperative to the national welfare, not only for the benefits to metropolitan centers already being choked by gaseous fumes, but for the needed assistance it would provide those smaller communities whose growth will be stunted by foul, polluted air.

Mr. THURMOND. Mr. President, I yield to the distinguished Senator from West Virginia [Mr. RANDOLPH] with the understanding that I do not lose my right to the floor and that his remarks will come at the conclusion of my address.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I am grateful for the cooperation of my capable colleague from South Carolina in allowing me at this particular point, during a discussion of a very vital subject, to join in the appropriate commendation which has just been expressed by my esteemed colleague from Nevada. I do so that the RECORD may reflect that the measure which has been mentioned has been referred to the Committee on Public Works. As a member of that committee, and as a Member of this body privileged to be a cosponsor of the bill with the dedicated Senator from Connecticut, I would wish to move with other Senators toward a very prompt and thorough consideration of the pending proposal.

I need not at this time add to the articulate and well-reasoned statement given by the Senator from Connecticut at the time he introduced the measure.

However, I would point out that some firms in West Virginia, and doubtless in other sections of the country also, would be pressed financially to implement the antipollution measures for which the bill calls. For this reason, and to provide incentive for private industry to take steps in this direction, I shall soon join with the junior Senator from Connecticut in sponsoring a bill which would give some form of tax relief for those firms which move forward in the field of air pollution control.

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## REVISION OF FEDERAL TAX SYSTEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 43)

Mr. STENNIS. Mr. President, today the President of the United States transmitted to the Congress a message relating to a revision of the Federal tax system. The message has already been read in the House of Representatives. I ask unanimous consent that the message from the President be referred, without reading, to the Committee on Finance.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, it is so ordered.

(For President's message, see House proceedings of today.)

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## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

**Mr. THURMOND.** Mr. President, I am unalterably opposed to any liberalization of rule XXII of the Senate which would increase the power of the majority to gag a minority. This year there are numerous proposals to be proposed by different factions in the Senate, all designed to simplify placing restrictions upon free and open debate in the Senate. In my opinion, if any change needs to be accomplished in the area of cloture, it is that cloture should be made more difficult to obtain or be completely done away with. Although many of the advocates of limited debate and close restrictions upon the right of free speech in the Senate argue to the contrary, for many years this body operated completely free of any debate limitations. Regardless of protestations to the contrary the "previous question rule" did not operate as a limit to free and open debate, and I intend to go into that question more fully on another occasion.

In the short period of slightly more than 170 years, the United States has grown and prospered from a group of scattered provincial settlements along the eastern seaboard into the foremost nation of the world. The population in this period increased from less than 4 million to over 188 million. Our people enjoy greater material abundance than any other people on earth and the highest standard of living in the world. Even more important, the individuals who comprise our Nation have throughout the period enjoyed freedom of thought, speech, and action, and it is this very individualism in which lies the secret of our national success.

The existence of individualism in the United States is no accident, but is a direct result accomplished by the system of government inaugurated through the Constitution. It would seem logical that all of us who share in the unsurpassed benefits of our governmental system would be both informed on the mechanics of its operation and jealous protectors of both the word and the spirit of its structure.

It is indeed a disillusioning experience to be confronted with such ignorance of the spirit of the Constitution, or disdain for its accomplishments, as that with which we are confronted in the U.S. Senate by this proposal to alter the Senate rules with regard to limitation on debate. We are confronted with arguments based on Rousseau's treacherous theory of "democracy"—a doctrine as alien to our system of government as any of the foreign "isms" which we find so repugnant. Rousseau's philosophy is no more or less than rule by the unbridled will of the majority, whether the majority be large or small, temporary or continuing.

In essence it is the rule of emotion, providing neither protection for individual rights nor orderly conduct of society, which is the only reason for Government's existence. Our Government is not democratic, but is a federated constitutional republic, and under the explicit terms of the U.S. Constitution, the National Government is charged with the responsibility of insuring to the people of each State a republican form of government, and thereby charged with preventing the institution of a democracy in any State.

Individual rights cannot exist where the emotional will of the majority is absolute, and our governmental system rejects democracy for that reason. Throughout our entire structure of government there are checks instituted on the will of the majority. While these checks do not provide an aggressive weapon for the individual, or the individuals within a minority, they do insure the existence of a negative weapon by which individuals may defend their basic rights against assaults from even the majority.

One of the many of such checks on the will of the majority is embodied in the relative freedom of debate in the U.S. Senate. This check would be even more consistent with the purpose of our governmental structure were it to permit no cloture, whatsoever. The present rule provides a minimum protection, and a forum for those individuals who find themselves temporarily in a minority insofar as representation in the Senate is concerned, if not among the populace as a whole.

The design of the Senate as an institution was intended to provide a degree of stability through deliberation, which, in its absence, would have been missing from the governmental structure. No less an authority than the Father of our Country, himself, attested to this fact. It is related that shortly after adoption of the Constitution, Thomas Jefferson, upon his return from France, breakfasted with George Washington, and their conversation centered on various aspects of the Constitution. During the course of the conversation, Jefferson protested to George Washington against the establishment of two Houses in the Congress. Washington asked:

> Why did you pour that coffee into your saucer?
>
> To cool it—

Jefferson replied.

> Even so—

Said Washington—

> we pour legislation into the Senatorial saucer to cool it.

Unfortunately, in the last few decades the Senate has abdicated its intended function as a damper on hasty, impetuous, and extreme actions by the Congress. There remains, however, by virtue of the relatively free debate permitted under rule XXII, a forum for those who cherish individualism and individual rights, even for those individuals represented by a minority in the U.S. Senate; and quite possibly, this remaining check serves as a mitigant against the excesses of the majority.

The impetuosity which underlies the current effort to emasculate rule XXII constitutes more than an assault on the procedure of the Senate. This impetuosity is the embodiment of a completely radical, political philosophy, which is un-American to its very roots. Its immediate manifestation is in the form of an attack on a mode of procedure that is only one element—albeit an essential element—of the machinery by which individualism is protected in this country. It is the initial step in an effort to substitute conformity as a national characteristic for individualism, the very factor responsible for our Nation's success. It is the desire of the adherents of this new radical political philosophy to achieve absolute control of the National Government, and, through its massive and numerous instrumentalities, to design a pattern of conduct for all Americans and enforce their conformity.

As novel as may be their approach, and despite their protests to the contrary, there is nothing new about the aim the conformists seek to achieve. It is as old as the writings of Lenin and Marx and is best known as state socialism. Nothing could be more indicative of state socialism that the intolerance which is exhibited by the proponents of majority cloture in the U.S. Senate toward the expression of views by Senators opposed to the welfare state measures and to the destruction of federalism. I am optimist enough to believe that the Senate has not yet degenerated to a point at which it will renounce its intended purpose and responsibility, and abjectly surrender to the autocratic forces of state socialism, who implore us to sacrifice the protection of individualism on the treacherous and alien altar of majority rule.

There is no solace in the fact that those attempting to limit debate by a majority vote in the Senate are satisfied to do so by stages. At the beginning of the session in 1959, they succeeded in returning to a provision for cloture by the smallest number of Senators who have ever in the history of this body held such power and it is under that rule that the Senate now operates. Just as the Senate is a continuing body, the attempts to provide a cloture rule by a majority vote of Senators is a continuing effort. This effort has already been too successful and even were concessions made to the proponents of change at this session, they would be right back in January 1965, making the same fight. They will not be satisfied until the Senate can be controlled by a bare majority of Senators.

It is my firm opinion that the rule by which two-thirds of the membership can limit debate is as restrictive of free discussion as it can be, at the present time, without seriously infringing on the right of the minority to be heard, the right of the States to equal representation, and the preservation of the Senate as a great and unique institution.

The Senate is the last forum on earth where men can discuss matters of vital importance without severe restrictions on debate. This circumstance is one reason, perhaps the major reason, why the Senate has become known as the world's greatest deliberative body and why the great English statesman, Gladstone, described the Senate as "that remarkable body, the most remarkable of all inventions of politics."

I willingly accept the fact, so frequently pointed out by those who would impose gag rule on the Senate, that the rules of this body are unusual. Indeed, the Senate is unique among parliamentary bodies. It is a great legislative body, and all the greater because it has not been constrained to bend to any popular notion of what rules a parliamentary body should follow.

The roots of the Senate rules are founded in history. At the time our Constitution was being framed, there was a great reluctance, on the part of the individual States to surrender any of their cherished liberties to a Federal government.

At that time, there were some unusual laws and customs in most of the individual States. The people within these States were wary of surrendering State sovereignty to a Federal government which might arbitrarily and hastily nullify State laws. They had recently freed themselves from tyranny and secured for themselves individual liberty in a great fight for independence. Consequently, numerous safeguards to protect the rights of the States were built into the Constitution. Before they would assent to the ratification of this supreme law, however, they won assurance of early approval of the first 10 amendments to the Constitution. These amendments, commonly referred to as the Bill of Rights, constitute the greatest set of civil and individual rights to be found anywhere.

In order to illustrate the value the people placed upon preserving their individual liberties and the rights of the States, I will briefly read to this body the Bill of Rights:

ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

ARTICLE III

No soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defense.

ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

One of the principal safeguards built into the original Constitution was the formation of a Senate in which every State was given equal representation. The Senate was envisioned, by the Founding Fathers, as a body where the rights of States, and the views of minorities, would be given unusual consideration. During the course of the debates of the Philadelphia Constitutional Convention of 1787, the delegates reached agreement upon a House of Representatives to be elected by the people every 2 years and, based upon a population ratio, divided into congressional districts. After this action was taken, the smaller of the participating 13 States wondered how their minorities could be adequately protected from the capricious whims of a majority in the House.

After long debate, which was at times most acrimonious and which actually threatened to break up the Convention, the solution was offered by the wise and venerable Benjamin Franklin; namely, equal representation in the Senate for every State. And, to make sure that that representation would be of a character that would calmly consider and patriotically and unselfishly act on laws under which all the people would have to live, it was provided in the original instrument that Members of the Senate should be elected by State legislators, and not by popular vote, and given a term of 6 years.

The Founding Fathers also wrote into the original Constitution other safeguards against what the advocates of a rules change term "majority rule." They provided in certain instances for votes requiring a majority of two-thirds. Here are some of these provisions as found in the Constitution:

Section 3 of article I of the Constitution provides that no person shall be convicted on a charge of impeachment without the concurrence of two-thirds of the Members of the Senate present.

Section 5 of article I provides for a two-thirds vote for either House to expel a Member of their body.

Section 7 of article I provides for the overriding of a Presidential veto of any legislation by a two-thirds vote of each body.

Section 2 of article II of the Constitution states that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

Article V of the Constitution empowers the Congress to propose amendments to the Constitution whenever two-thirds of both Houses deem it necessary.

Article V of the Constitution also authorizes the calling of a convention for proposing amendments on the application of the legislatures of two-thirds of the several States.

Article V provides that three-fourths of the several States are necessary to ratify a proposed amendment to the Constitution either in convention or by the legislatures thereof.

The 12th amendment of the Constitution provides that, when the choice of a President of the United States devolves upon the House of Representatives, a quorum of that body for the purpose of choosing a President shall consist of a Member or Members from two-thirds of the States.

Likewise, when the choice of a Vice President devolves upon the Senate, a quorum for the purpose consists of two-thirds of the whole number of Senators to be in accord with the 12th amendment.

It is easy to see from these numerous illustrations found in the Constitution that a simple majority was not held by our Founding Fathers to be sufficient in many instances to protect the populace and provide for the common good.

We can see from a glance back into history how concerned our forefathers were for protecting the rights of individuals, minorities, and the States in drafting the fundamental principles of our Government. From the start, too, our forefathers recognized that these rights could only be secured if adequate protection was provided by established rules of procedure. They had the wisdom to realize that substantive rights contained in the supreme law might be later mutilated or trammeled if procedural safeguards were not provided to insure long and careful deliberation of the legislative issues which, if approved, might restrict the rights of the individuals, minorities, and the States.

Thus we find the great statesman and political philosopher, Thomas Jefferson, saying in the preface to his "Manual," which he deposited with the Senate and which became the recognized guide for all our legislative bodies:

> Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced Members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measure proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.
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> And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

On a subsequent occasion, Mr. Jefferson had this to say concerning the protection of minority interests:

> Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression.

In accordance with the advice of Jefferson, the rules of the Senate were framed to provide for a check on the tyranny of the majority. The tradition has been preserved to the present day, although the rules of the Senate have been altered on some few occasions. Perhaps one of the best commentaries on how well the Senate rules have served their purpose in preserving minority rights without adversely affecting the rights of the majority was written by Mr. William S. White, distinguished journalist and author of the book "Citadel: The Story of the U.S. Senate." It is appropriate that his conclusions be presented to the Senate at this time:

> Conscious though one is of the abuse of senatorial power, one glories nevertheless in the circumstances that there is such a place, where Big Senators may rise and flourish from small States.
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> For the institution protects and expresses that last, true heart of democratic theory, the triumphant distinction and oneness of the individual and of the little State, the infinite variety in each of which is the juice of national life.
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> It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments the ideal is not for the majority of all but actually for the minority of one.
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> The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.
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> This is a large part of the whole meaning of the institution. Deliberately it puts Rhode Island in terms of power, on equal footing with Illinois. Deliberately by its tradition and practice of substantially unlimited debate, it rarely closes the door to any idea, however wrong, until all that can possibly be said has been said, and said again. The price sometimes is high. The time killing, sometimes, seems intolerable and dangerous. The license, sometimes, seems endless; but he who silences the cruel and irresponsible man today must first recall that the brave and lonely man may in the same way be silenced tomorrow. * * *
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> For illustration, those who denounce the filibuster against, say, the compulsory civil rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the techniques of communication, and with them the drenching power of propaganda, have vastly risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in which matters can be examined at leisure, even if a leisure uncomfortably prolonged. * * *
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> It is, in the very nature of the Senate, absolutely necessary for the small States to maintain the concept of the minority's veto power, having in mind that it is only within the institution that his power can be asserted or maintained. * * *
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> Where a powerful majority really wants a bill it will find means to have its way, cloture or no cloture.

Throughout the history of our country, majorities have assailed the rules of the Senate, because the rules of the Senate act as a brake on the will of the majority, especially a radical majority.

I shall not assign base motives to the various majorities who, down through the years, have attempted to change the rules of the Senate. Fortunately for the United States, there have been relatively few cases in which a group of Senators, pressing for legislation, was not motivated by a sincere desire to benefit the country. We can take it as a general rule that the majority always thinks it is right.

Believing themselves to be right, the majority side, in any issue, is naturally vexed and even angry when it finds its will frustrated by a minority. It resents seeing a group which it believes to be in the wrong obstructing and delaying the enactment of legislation it believes to be useful.

This is a frustration which can cause a great mind to go astray and fall into error.

I think of Woodrow Wilson, for example. Wilson was one of the great students of our Government long before his election to the Presidency. Writing in 1881, in his "Congressional Government," he observed that—

> The Senate's opportunities for open and unrestricted discussion, and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with every considerable success its high functions as a chamber of revision.

In further expressing his views on free debate in the Senate, Mr. Wilson made this statement:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.
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> The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

Long afterward, a minority of the Senate killed President Wilson's armed neutrality ship bill. We all remember, I am sure, his classic excoriation of the Senate:

> The Senate of the United States is the only legislative body in the world which cannot act when the majority is ready for action. A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States helpless and contemptible.

This is one example, a classic one. There have been many cases of Senators who have argued for greater restrictions on debate while pressing for a majority point of view, who changed their opinions when the heat of debate had cooled.

This point was deeply impressed on my mind when I recently made a thorough study of the issue of free debate in the Senate. I am sure that many others have come to this same conclusion after their research efforts on this subject. The distinguished senior Senator from Georgia [Mr. RUSSELL], one of the Senate's most able parliamentary experts of all time, made a very similar observation when testifying before the Senate Rules Committee in 1952. Here is what he had to say:

> I have studied this question of the proposal to institute a more restrictive gag rule in the Senate. I once spent a couple of weeks in going back over the various occasions in the history of the Senate when these motions, these efforts, have been made to change the rules. I was interested to note two things: That almost always those who sought to change the rules to gag his adversary of the minority when he was in power became a great advocate of freedom of debate when he was translated from the majority to the minority. Further, almost invariably men who came to the Senate determined to change the rules of the Senate, if they stayed there long enough, came to defend the rules.

Perhaps the best so-called proof of the pudding on this point lies in a statement made by a former President of the United States while serving as a Member of this distinguished body during the period from 1915 to 1920. Listen to these words of the late Warren G. Harding:

> I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.
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> But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this body, the more convinced do I become that the freedom of debate in the U.S. Senate is one of the highest guarantees we have in our American institutions.
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> Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit.
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> While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic.

Mr. President, more than a half century ago Senator Hoar of Massachusetts made this point on how experience can change minds:

> There was a time in my legislative career when I believed that the absence of a cloture in the Senate was criminal neglect, and that we should adopt a system of rules by which business could be conducted; but the logic of my long service has now convinced me that I was wrong in that contention. There is a virtue in unlimited debate, the philosophy of which cannot be detected upon a surface consideration.

I believe that I understand the desire of some of my colleagues to change the rules of the Senate. They are anxious to rush into law certain proposals which they believe to be right and for which they believe they can count on the support of a majority of the Senate.

The most recent cloture vote, which occurred only last year, and in which almost all of us participated, provides much food for thought. The Communications Satellite Act of 1962, which was the measure under consideration when cloture was invoked, was one of the few major proposals in recent years which met with almost unanimous bipartisan support. I am certain that none of us who played a part in considering this legislation were of the opinion that it was a perfect bill. Certainly there were areas in which the bill could have been improved even after it had undergone long and tedious hearings before three major committees of the Senate. All of those committees approved the proposed legislation, which attests to the fact that it was basically sound and responsible. Yet that bill was subjected to extended debate on the floor of the Senate by a group of Senators, a distinct minority, who favored the basically different approach of public ownership, rather than the private ownership of the communications satellite corporation which the bill established. After filling some 500 pages of the CONGRESSIONAL RECORD with floor debate on that measure, rule XXII, as it presently reads, was successfully resorted to, to prevent dilatory tactics by the opponents of that bill.

Many lessons can be learned from that incident. First and foremost, the success of that attempt to order cloture proves that the present rule XXII is operable and provides sufficient protection when the measure under consideration is thoroughly worthwhile. It also proves that an erstwhile majority can become completely vexed and thwarted in its efforts by a rule against which it continually inveighs when it is suddenly transformed into a vocal minority. It also proves that the cloture rule is indeed a two-edged sword, and that the prospects of its implementation are not so endearing to the liberal bloc when it must bear the brunt of its enforcement. In simple and colloquial terminology, things are not quite so nice when the shoe is on the other foot.

Although that was the first successful attempt to order cloture since February 28, 1927, and only the fifth time in the history of rule XXII that cloture was ordered, it was by no means the only attempt to order cloture. Altogether, four separate attempts to limit debate in the Senate were made during the 87th Congress. By way of attempting to arrive at some conclusion as to why cloture was ordered on that one occasion, I should like to discuss briefly the other attempts to order cloture during the 87th Congress. This comparison may provide some insight as to the reasons behind the success of that particular attempt.

The first attempt to order cloture during the 87th Congress came on September 19, 1961. The majority leader, the minority leader, and 19 other Senators offered a cloture petition to close debate on the motion to have the Senate take up Senate Resolution 4, to amend the cloture rule by providing for the ordering of cloture by the affirmative votes of three-fifths of the Senators present and voting, rather than by the present rule, which requires two-thirds. On that particular occasion, the motion was rejected by a vote of 37 in favor and 43 against, with 20 Senators not voting. On the Democratic side of the aisle, 48 percent of those voting, or 26 Senators, voted in the affirmative; and on the Republican side of the aisle, 42 percent of those voting, or 11 Senators, voted in the affirmative. Fifty-two percent of the Democratic Senators who voted, or 28 Senators in all, voted in the negative; while 58 percent of the Republicans voting, or 15 Senators in all, voted no. The 20 Senators who did not vote were equally divided between the Democrats and the Republicans.

A somewhat cursory glance at the voting records indicates that, on a regional basis, the Northeastern and North Central States provided the most support for the cloture motion, while the Southern and Western States were the primary ones whose Senators voted in the negative. On that occasion the issue was one on which the administration had taken no official or announced stand.

Cloture was next attempted on May 9, 1962. The issue under debate at that time was the patently unconstitutional literacy-test proposal. Once again, the cloture petition was offered by the majority and minority leaders; and on that occasion 29 other Senators joined them in signing the petition. In addition to the unquestionable lack of constitutional authority for that proposal, the procedure followed in bringing that matter before the Senate was most unusual, and was completely out of accord with the normal procedures of the Senate. That measure, which was offered as an amendment to a noncontroversial bill, was at that time being considered by a duly constituted subcommittee of the Judiciary Committee, and the hearings had not then been completed.

On that occasion, the attempt to order cloture failed by a vote of 43 yeas and 53 nays, with four Senators not voting. Fifty percent of the Democrats voting, 30 in number, joined with 36 percent of the Republicans voting, 13 in number, in voting in the affirmative. Fifty percent of the Democrats voting, 30 in all, joined with 64 percent of the Republicans voting, 23 in all, in casting negative votes on that cloture motion. Of the four Senators not voting, all were Democrats. That measure had been recommended by the administration, and therefore its position was in favor of cloture.

Five days later—on May 14—a second attempt to order cloture failed, by a vote of 42 yeas to 52 nays, with 6 Senators not recorded. On that occasion, 31 Democrats, or 51 percent of the Democrats voting, joined with 11 Republicans, or 33 percent of the Republicans voting, in casting votes in favor of closing the debate. Thirty Democrats, or 49 percent of those voting, joined with 22 Republicans, or 67 percent of those voting, in defeating that cloture motion on the literacy-test bill. The six Senators who did not vote were equally divided between the Republicans and the Democrats.

While it is true that, based on regional considerations, the southern and western Senators provided the major opposition to cloture, a number of Senators from other regions joined them in voting against cloture on that patently unconstitutional measure. Likewise, while the Senators who supported the cloture motion represented States in the northeast and north central areas, a number of Senators from other areas joined them in seeking to limit free debate on that subject.

Senators who have sought to have restrictions placed upon free and open debate in the Senate have made many attempts to categorize on a regional basis the supporters or the opponents of cloture. However, a careful study of previous attempts at cloture, including the successful one at the last session of Congress, reveals that regional considerations do not constitute the primary factor involved. It should be evident to anyone that the overriding factor which ultimately determines the success or failure of a cloture motion is the subject being debated. The communications satellite bill was one in which the country as a whole had a great stake. It was a constructive measure, and was not pointed at any one section of the country, in an attitude of vindictiveness or reprisal. On the occasions when the attempts at cloture were unsuccessful, the vindictive nature of the proposals under discussion could hardly be questioned.

Mr. President, I believe that the attitude of the Senate with regard to cloture was best summed up last year, following the invoking of cloture, by the senior Senator from New York [Mr. JAVITS]. On that occasion he said:

> Let the country take note that when the Senate wants to vote cloture, it votes cloture.

I commend the Senator from New York for expressing in clear and concise terms the true attitude of the Senate.

With that expression in mind, perhaps it would be beneficial to mention the four other occasions in the history of rule XXII when cloture was ordered.

On November 15, 1919, the Senate ordered cloture, by a vote of 78 yeas and 16 nays, during the debate on the Treaty of Versailles.

On January 25, 1926, the Senate ordered cloture, by a vote of 68 yeas to 26 nays, during debate on the question of U.S. adherence to the World Court.

The third measure on which cloture was ordered was a bill concerning branch banking. On that question, cloture was ordered on February 15, 1927, by a vote of 65 yeas to 18 nays.

The fourth time when cloture was ordered was when the subject was the Bureau of Customs and Prohibitions. That vote took place on February 28, 1927, and cloture was ordered by a vote of 55 yeas to 27 nays.

It will be noted that on the five occasions since the adoption of rule XXII when cloture has been ordered, the measures under discussion have been of general, overall interest and had no particular application to any one section of the country. On all occasions the Senate has declined to order cloture on any measure which can counter to the interests and long-standing traditions of any area or group of States. Therefore, I believe that the statement by the senior Senator from New York—"Let the country take note that when the Senate wants to vote cloture, it votes cloture"—is particularly astute.

Mr. President, much has been spoken and written concerning the procedures of the Senate, and, in particular, the procedures for ordering cloture, since the founding of our Nation. Particularly interesting is an article written by one of the most well-known of all liberal columnists, Mr. Walter Lippmann. Mr. Lippmann is considered by many to be the dean of American liberal commentators. In 1944, during an earlier attempt to modify rule XXII, Mr. Lippmann wrote a particularly astute column which I should like to read at this time:

> Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government. The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried, the existing power of a minority of the States to stop legislation will have been abolished.
>
> "Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-legged Members who don't want democratic decision."
>
> This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.
>
> In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision.
>
> The American idea of a democratic decision has always been that important minorities must not be coerced. * * *
>
> When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision * * * to respect the opposition and then to accept the burden of trying to persuade it * * *.
>
> For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce.
>
> The opposition and the resistance, having been overriden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision. * * *
>
> For that reason, it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.
>
> This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device * * * to prevent large and determined communities from being coerced.
>
> The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.
>
> The issue has been raised in connection with the civil rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on a majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.
>
> For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

Mr. President, I believe that in this article Mr. Lippmann has hit upon the crux of the matter at issue. The Senate of the United States was designed to be and still remains as the last stronghold of the beleaguered minority. While I am not one of those who believe that the Senate rules in and of themselves are sacred, I do believe that these recurrent attempts to enforce rule by a transient majority in the Senate violates the cardinal principle upon which the Senate itself is founded.

There inevitably come times when the majority is dead wrong, and these are times when the will of the majority, if unchecked, can destroy our American Government. Some of the best examples of majority mistakes and wrongs were best summed up by former Senator James A. Reed, of Missouri, during the 1917 debate over rule XXII with these words:

> Majority rule. Where is the logic or the reason to be found back of majority rule except in the mere necessity to dispatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate, is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ. The majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.
>
> Majority rule without any limitation or curb upon the particular set of fools who happen to be placed for the moment in charge of the machinery of a government. The majority grinned and jeered when Columbus said the world was round. The majority threw him into a dungeon for having discovered a new world. The majority said that Galileo must recant or that Galileo must go to prison. The majority cut off the ears of John Pym because he dared to advocate the liberty of the press.

Many other such examples could be cited down through the years of history. Since Senator Reed made his great fight to preserve free debate in the Senate, an outstanding example of majority action has cost the world the most devastating war of all times. I refer to the action of the majority in placing Hitler in power. Soon after this occurred he had a 100-percent majority in the German Parliament, but even this did not make Hitler's policies right. Nor does the alleged 99 percent votes of the people of Soviet Russia in support of the Communist Party—together with the unanimous approval of the Supreme Court Presidium—make the policies of the Kremlin leaders best for the people or right in any sense of the word.

There is no worse form of tyranny than the tyranny imposed by 51 percent of the people on the other 49 percent.

The Senate rules, as they stand, are an important safeguard to individual liberty. It is also obvious to any one who calmly appraises the actions of the U.S. Senate, without merely attempting to reach a predetermined conclusion, that the Senate operates very well within the framework of the rules now in existence.

The Senate rules operate as a safeguard not only to the many diverse minority groups and small States of this Union, but they operate also as a safeguard to the rights of each individual Senator. Any Senator has the opportunity as well as the right to champion an unpopular cause on the Senate floor if he remains within the bounds of the Senate rules and specifically rule XIX. If the idea of majority rule should prevail in this instance, who or what is to prevent it from prevailing over the rights of an individual Senator? If this improbable but possible circumstance comes about, who then would feel the freedom to champion any cause which he felt to be unpopular at the moment and risk retaliatory action by the majority?

There is no escaping the fact that proposals for further limiting debate in the Senate would have the effect of negating the power and the prestige of the Senator as an individual officeholder. Perhaps even more important than this, however, is the effect which it would have on the Senate as a whole. The Senate would be relegated to a position akin to, if not inferior to, that of the House of Representatives and would no longer maintain its position as a protective instrumentality within the framework of the National Government. During the last quarter of a century, there has been an unending encroachment on the powers of Congress by both the executive and judicial branches of the Government. One by one the powers of Congress have been dissipated both by delegation and by acquiescence. Congressional power over the purse strings has been challenged. Only last year Congress completely abdicated its constitutionally delegated responsibility to regulate trade with foreign countries. Many other powers and phases of Government operation have slipped away or have been greatly reduced.

If we of the Senate knowingly limit the right of free and open debate, we shall be party to the further diminution to the powers and prerogatives of the Senate. Rather than see this trend continue unabated, we should stand firm and refuse to surrender the right of freedom of speech on the floor of the Senate.

Mr. President, much has been said in debate as to whether the Senate is or is not a continuing body. Although I intend to discuss this particular point at more length later, there is one aspect of the problem which I feel needs discussing at this time.

I hardly see how intelligent men can study the rules, procedures and precedents of the Senate without arriving at the conclusion that the Senate was intended to be and is a continuing body and that its rules carry over from one session to the next. In recent days the proponents of majority cloture have taken obviously inconsistent positions on this question. Insofar as they have deemed it to be to their own benefit they have decided that certain rules of the Senate are in effect but that the rules with which they disagree have yet to be adopted under the pertinent provision of the Constitution. This absurd proposal must not go unchallenged.

Article I, section 3, of the Constitution provides for election of one-third of the Senate every 2 years. This provision is in direct contrast to that in the Constitution which requires biennial election of all House Members. Ever since the Senate organized for the first time in 1789, there has always been more than a majority of sitting Senators. Article 1, section 5, of the Constitution provides that "a majority of each shall constitute a quorum to do business."

Thus the Senate has always been able to carry on the business of the Senate since it has always had a quorum as required under the Constitution. The Senate also has responsibility for certain executive functions, as well as legislative functions. This attests to the fact that the Senate is a continuing body.

The Federalist Papers, which are the most authoritative interpretation of the Constitution, bear out this conclusion. In discussing the role of the Senate, the Federalist No. 62 says:

> It ought, moreover, to possess great firmness, and consequently ought to hold its authority by a tenure of considerable duration.

In the Federalist No. 63 the author states that—

> It is sufficiently difficult to preserve personal responsibility in the members of a numerous body for such acts of the body as have an immediate, detached and palpable operation on its constituents.
>
> The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

The Senate, as an institution, settled all questions as to its continuing status when it adopted rule XXXII. The proponents of majority cloture will have to accept the existence of this and all other rules of the Senate if they will accept any portion of the rules. It is impossible for them to point to selective parts of the Senate rules and say, "These we will accept, but to these others we deny any essence of validity." I believe that by their very actions they have evidenced their belief in the continuing nature of the Senate and in the fact that the Senate rules do carry over from session to session, thereby guaranteeing orderly procedure.

This is a proposition not unlike that which would arise if an individual, upon being appointed or elected to an important position, decided to accept the perquisites of the office but to reject the attendant responsibilities. This cannot be done, Mr. President, as all Members of the Senate well know. The opponents of free debate cannot establish their own set of rules and expect undeviating adherence to them by the Members of this body. By attempting to do so they cast a reflection upon themselves and upon the Senate. The ground rules of this encounter are already well established and it is imperative that they be strictly adhered to, not just in part, but in toto.

If the Senate were not operating under rules at the present time, the confusion which would exist is beyond the imagination of ordinary men. The emergencies of the country, both domestic and foreign, would have to run their course while we of the Senate wrangled in an attempt to extricate ourselves from a self-made jungle of parliamentary confusion.

Nor would that be the end. Should we so abandon order for confusion, a precedent would be set for future Congresses, many of which would then want to assert their independence and draft their own rules. Each group could flex its muscles and determine its gain or loss of strength among new Members. It is conceivable to me that eventually the first year of each session would have to be set aside for the Senate to make its rules under which to act on substantive matters during the second year of the session. It may be said that this is the wildest sort of speculation—and it is. That is the point. We are asked to sacrifice the traditionally orderly procedure of the Senate for something as to the nature of which we can only speculate; and I may add that the only guide that is offered to limit our speculation is our individual imagination.

I sincerely hope and trust that the Senate has not degenerated to the point at which it will, at one grand sweep, shatter the cornerstone of its existence. It deserves a better fate than strangulation in a parliamentary jungle of its own making.

**Mr. STENNIS.** Mr. President, I suggest the absence of a quorum.

**The PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

**Mr. DOUGLAS.** Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

**Mr. LONG of Louisiana.** Mr. President, I object.

**The PRESIDING OFFICER.** Objection is heard. The clerk will continue to call the roll.

The legislative clerk resumed the call of the roll.

**Mr. DOUGLAS.** Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

**The PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered.

**Mr. LONG of Louisiana.** Mr. President, I ask unanimous consent that I may yield 6 minutes of my time to the Senator from Arkansas [Mr. FULBRIGHT], without its counting as a speech against him, in order that he may make a brief statement on another subject.

**Mr. DOUGLAS.** Mr. President, I am very glad to give my concurrence to that request of the Senator from Louisiana.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## EUROPEAN UNITY AND ATLANTIC PARTNERSHIP

**Mr. FULBRIGHT.** Mr. President, as a result of recent actions by the French Government, the trend toward free world unity has suffered a severe setback. By his imperious disruption of the negotiations in Brussels for British admission to the Common Market, as well as by his rejection of proposals for a unified Western defense effort, General de Gaulle has made it clear that he is more interested in unattainable French ambitions than in a realistic program for the security and prosperity of the West. It is indeed puzzling that a leader who solved his country's colonial problems with the vision and realism of a Clemenceau should now try to shape the future of Europe with the romantic illusions of a Napoleon.

The great lesson of two World Wars and the postwar struggle with communism is that no free nation can hope to realize its own national ambitions in utter disregard of friends and allies. This is true for the United States, and it is certainly true for France. But General de Gaulle apparently does not think so. He appears to have persuaded himself that if he remains intransigent and uncooperative on matters that vitally affect France's partners, America will reward him with gifts of nuclear weapons, Britain will depart obligingly from the European scene, and the Common Market countries will submit tamely to French leadership. I am reminded of the saying of an old Arkansas farmer: "It's better to be ignorant than to know what ain't so."

The question underlying the present crisis is whether the free West is to unite its immense resources in an Atlantic partnership for the defense of freedom or to be divided against itself by the revival of wornout national ambitions. The Communists have tried and failed repeatedly over the past 17 years to shatter the Western alliance. It would be a tragedy of incalculable proportions if the great hopes and opportunities of a unified West were to be lost, not as a result of Communist efforts, but as a result of shortsighted and unrealistic ambitions within the Western community. Reluctantly but irrevocably, America in the last generation has abandoned its traditional isolation, recognizing that in the nuclear age even so powerful a nation as the United States can be neither secure nor prosperous in isolation. It would be ironic indeed if the United States were to be driven back into isolation by the revival of a narrow nationalism in Europe.

An American observer can only be perplexed by General de Gaulle's distrust and contempt for Great Britain and the United States. Since the end of World War II the United States has provided generous economic assistance and powerful political support for the revival and unification of Western Europe. It is not necessary to remind our European partners that without the Marshall plan and the NATO alliance they would almost certainly have fallen under Soviet domination. Since Europe has recovered its economic strength the United States has encouraged every step toward European unity—the Coal and Steel Community, the European Defense Community—which was conceived and then rejected by France—and finally the formation of the Economic Community under the Treaty of Rome. In addition, the United States bore, and continues to bear, a disproportionate share of the common defense burden, not only in nuclear weapons but in foot soldiers and conventional weapons as well.

In the light of these facts, it is beyond my understanding that General de Gaulle can profess to believe that the United States and Britain cannot be trusted to meet their obligation for the defense of Europe, that, indeed, the United States may someday unite with the Soviet Union against Europe. Again and again we have proven that our commitment to free Europe is absolute and irrevocable as long as Europe adheres to its own commitment. If General de Gaulle does not believe our assurances, it is because he chooses to disbelieve them.

The truly perplexing question is why. In the absence of any rational basis for General de Gaulle's distrust of the Anglo-Saxons, as he calls us, one can only look to some of the peculiar traits of the French nation. France has often had a special susceptibilty for grand, romantic causes and has pursued them at times with more regard for their grandeur than for their attainability. One recalls the liberation of France by Joan of Arc, the heroic but losing wars of Louis XIV, the vast ambitions of Napoleon I and the petty ambitions of Napoleon III, the heroic struggle in World War I and the collapse in World War II, and finally the foredoomed colonial wars in Indochina and Algeria.

It is in these last events, I think, that we can find important clues to current French policy. France has suffered deep humiliations in the last generation and is now engaged in a concerted effort to recover the dignity and self-respect that are appropriate to so great a people as the French. It should not be necessary to remind the French that it was not Britain and America who inflicted on France these great misfortunes. Everyone in the Western World, including the Anglo-Saxons, agrees that France can and should play a leading role in the new Europe and in an Atlantic partnership. This is the promise of true greatness for France. But General de Gaulle, more concerned apparently with glory than with greatness, has contemptuously dismissed France's real opportunity and instead pursues a hopeless dream of French dominance in a Europe divided from its friends and partners. De Gaulle's vision is perhaps consistent with the glorious adventures of the French past, but it is wholly inconsistent with the realities of the present. It rests on the assumption that the other great nations of Europe, notably a resurgent Germany which exceeds France in both population and economic resources, will passively permit their power and influence to be wielded from Paris.

Perhaps France will relent from her current course of dividing the Western community. There is some small hope in reports that the French Government has agreed to submit the question of British membership in the Common Market to the executive commission of that body rather than to break up finally the Brussels negotiations. It would be far more reasonable, however, to continue those negotiations without interruption. Until last week they were progressing toward a compromise solution, and one can hardly avoid the conclusion that General de Gaulle acted as he did not because the negotiations were going badly but because they were on the verge of success.

The responsibility for saving the Brussels negotiations necessarily falls upon France's partners in the Common Market. The five have already made quite clear their opposition to current French policy. Their influence on France, political and economic, can be considerable if it is exercised vigorously and in concert. I believe it is their responsibility to exercise this influence in the interests of their own welfare and security. I am sure that all of the Common Market countries, and none more so than Germany, are fully aware that America's ability to contribute to their defense depends upon a united and expanding Atlantic partnership.

Should Europe become a closed community, shutting itself off from its partners by trade barriers and exclusive political arrangements, the United States, as well as other countries, will have no choice but to seek alternatives to its present foreign policy. If our industrial and agricultural products are barred from European markets, we will be forced to find ways of dealing with an aggravated deficit in our balance of payments. It has even been suggested that the United States might find it necessary to remove American troops from central Europe. It is suggested in an editorial in this morning's Washington Post that we might consider participating in a free trade association embracing the United States, Japan, Great Britain, and the Commonwealth, and certain European countries which are not members of the Common Market. Such alternatives, of course, are far less desirable than a unified and thriving Atlantic community, but they are available if France and her partners deny us the broader community that we prefer.

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## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

### CAUTION, NEWCOMERS, BEFORE YOU ACT

Mr. LONG of Louisiana. Mr. President, at the outset of these remarks, let me address myself to the new Members of this body, to those Senators who took their first oath of office in the U.S. Senate on the opening day of this Congress. I hope that my other colleagues will not be offended by my not directing my remarks to them, but they have been here on previous occasions to participate in and to listen to these discussions over the rules of the Senate and what they mean to this body. Perhaps they have not been convinced of the wisdom and necessity of retaining the Senate's rules; nevertheless they have had an opportunity to hear such an argument advanced.

Our new friends in the Senate, though, have not been parties to this conflict before and, thus, it is to them I give a special invitation to hear what is to be said.

Mr. President, if I were not to get across another thought during this discussion, I would be content if I should be successful in cautioning these new Members of the Senate against hasty decision and action on the subject of changing the Senate rules, lest they vote to destroy this body even before they know what it is.

I am concerned, and greatly concerned, with what these newcomers may do, because I am well aware that they are being importuned to further restrict freedom of debate in the Senate by powerful pressure groups, each seeking to work to its own advantage, each lobbying in behalf of its own special interest and against the general interest of this Nation, each earnestly engaged in conditioning the thinking of these new Senators in order to make them less real Senators, and more their hapless pawns.

The greatness of the Senate is reflected by those who have respected the freedom of full debate. The breadth of this body, the vision of this body, has been supplied in the past, not by those advocating expedient means to desired ends, but by those who provided imagination to ideas, even the best of conservative ideas, and championed the right to fully explore those ideas.

Review the truly great Senators of the past—the ones who are best and most fondly remembered, Norris, Borah, Hiram Johnson; the ones chosen for the Senate's Hall of Fame, including Webster, La Follette, Calhoun, and Taft—all of them were exponents and advocates of the right of free debate in the Senate. They used this right effectively and our country forged its greatness as a result.

Free debate was their greatest weapon. Free debate has been the Mount Everest of impediments to greed, avarice, and the special interest. Yet Mount Everest was conquered. And today we see a determined effort to conquer free debate.

The pressure to destroy free debate in the Senate comes from rich and powerful minorities, who are concerned only with their self-serving, special interest and not with the general interest of all the people. This general interest has been protected and preserved through free debate. Free debate is the greatest enemy of tyranny and totalitarian forms of government. Free debate is the sworn enemy of hastily conceived and rash ideas. Free debate is the very essence of the U.S. Senate. Free debate is as fundamental as the Magna Carta, the Declaration of Independence, the right to petition for a redress of grievances.

Furthermore, there is a particular need for free debate in the Senate of the United States. The great compromise which created the U.S. Senate envisioned this body as a brake on the wantonness of power of which Thomas Jefferson, as the first Presiding Officer of this body, warned us in section 1 of Jefferson's Manual.

### SENATE, A DELIBERATIVE BODY

The indestructibility of our Government has been due in large part to the manner in which the Founding Fathers constituted the legislative arm of the Government. They decided upon a bicameral legislature; the House of Representatives and the Senate. This bicameral legislature was created not only to balance the power of the small States against that of the large States, but it was also set up to permit different approaches to be taken on the problems needed to be legislated.

The House of Representatives, the larger body, to be elected every 2 years, was supposed to mirror more accurately and quickly the ever-changing mood and temper of the people. The Senate, the smaller group, at first not even to be popularly elected and to be elected only every 6 years, was supposed to be the reflective body which would move slower, with less expediency and more long-ranged interests of the country in mind.

In modern-day political parlance, we would say that the Founding Fathers thought the House would be the liberal body and the Senate would be the conservative body which they hoped would neutralize each other and produce really sound legislation. This idea of the writers of the Constitution has been deviated from in great degree lately. However, to return to the plan that was originally intended cannot possibly be obtained by changing the Senate rules to limit debate.

The Senate is already moving in most instances swiftly enough according to the pattern of the Constitution's framers. It is the House which has upset the Founding Fathers' apple cart, so that, today, most experts will agree that the Senate is the more liberal body of the two, where legislation is less apt to be stalled or to meet with roadblocks.

One of the reasons for the House having slowed down is unquestionably the fact that the House Rules Committee has had such a powerful role in determining what legislation should come onto the House floor.

We have seen the attempt of the current administration to rectify this situation. I believe that the administration is correct in attempting to reform the machinery of the House. I believe that the reformation should take place in the House but not in the Senate. However, I would go even further in the House to reform its procedure. I would eliminate the House Rules Committee function of deciding which legislation should reach the floor of the House. I think the House, like the Senate, should permit its legislative committees, each an expert in its particular field, to decide what legislation will be presented to the full membership of the House.

Once the committee expert in that area has made its decision, there should be no other committee through which the legislation must be shifted. However, the House has apparently made its decision for the present and a certain amount of reform will result; but I reiterate the House is where the reformation has to come and not the Senate. To further limit free debate in the Senate would be truly contrary to what was intended for this deliberative body.

Therein lies my first complaint of the action being attempted here. This is an attempt to destroy the Senate. It is an attempt to pressure freshman Senators, complete novices to the Senate's procedures, into voting to destroy this body before they even know what it really is. It is for such reasons as this that I shall feel constrained to talk about the motives and purposes of free debate in this body, hoping that the new Members will give some thought to the suggestion that they remain here long enough to determine what the Senate is before they seek to destroy the ancient and essential virtues of this body.

Free debate in the Senate is far more necessary than such debate is in a State legislature. As different as the interests of one county in a State may be from those of another county in that same State, such difference must be multiplied fiftyfold and further to give some measure of the difference between the interests of one State as opposed to those of another State.

Even with the vast increase of migration across this Nation, there is still little opportunity for the citizens of one State to fully comprehend or appreciate, let alone respect, the needs of citizens perhaps a thousand, 3,000, yea, even 5,000 miles from him.

Many of these great sectional battles have been debated and considered in several previous Congresses without completely resolving the problem. They will be considered again, as they should be. Nothing of great national import and consequence should be summarily treated nor hastily consummated.

I have directed these remarks to the newest Members of this body, because I can well recall my own entrance into these hallowed Halls 14 years ago. When I came to the Senate, we had not been honored by the graciousness of the leadership to award important committee assignments to the freshmen. Senior Senators received all the plums, and after they had chosen, the neophytes took the dregs.

Thus it was that I became a member of the Committee on Rules and Administration in 1949 upon my arrival. My assignment there was not upon my request; but as a matter of hindsight I am happy now that it worked out that way, because to its credit the membership of the Senate of the 81st Congress was willing and content to permit the issue of changing the Senate rules relative to debate to be heard before the appropriate committee in full and open hearing. How unlike the present time when it appears to be the wish of both parties in the Senate that the proposed change in the Senate rules should be the first order of business, without any committee consideration of the subject in this Congress, without having before us the legislation which the change is designed to expedite through this House of Congress.

I recall that at that time the distinguished junior Senator from Mississippi [Mr. STENNIS], who at this time is one of the most senior Members of this body, was a member of the Committee on Rules and Administration. I have always greatly appreciated the statesmanship and good judgment which he demonstrated as a member of that committee in helping us to study this problem.

At that time, 14 years ago, we were able to report to the Senate a resolution which at least had been studied and considered. I recall that the Senator from Mississippi did not feel that that resolution should be adopted by the Senate, and the junior Senator from Louisiana voted against that proposal. But the committee accorded us a hearing. The committee gave everyone interested—particularly Senators; I believe they limited their studies to the statements of Senators, present and past—at least they gave Senators an opportunity to appear before the committee and present their case.

The committee studied that proposal and sought to devise a rule which would best serve the interests of the Senate. The committee reported to the Senate—a Senate comprised of new Members as well as experienced Members—a resolution which had had committee hearings and a committee report containing recommendations made before the committee. That was a situation far different from the pressure type of activity with which we are confronted today.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield, to permit me to make a brief comment?

Mr. LONG of Louisiana. Mr. President, reserving my right to the floor, I yield to the Senator from Mississippi.

Mr. STENNIS. The Senator from Mississippi well remembers the occasion to which the Senator from Louisiana refers, and also remembers that the Senator from Louisiana was very alert and studious as he considered what was perhaps the first major problem he dealt with after he became a Member of the Senate.

The committee then was presided over by the present President pro tempore of the Senate, the distinguished senior Senator from Arizona [Mr. HAYDEN]. I remember so well his caution and painstaking effort to make certain that everyone was fully heard or was understood. As the Senator from Louisiana has said, the committee reported a resolution which, although he and I did not vote for it, certainly was the result of painstaking work and was representative of the view of the majority of the group which labored on this problem for many days and worked on it most conscientiously.

Mr. LONG of Louisiana. The resolution represented consideration in accordance with the traditions of the Senate. The committee was not asking the Senate to "buy a pig in a poke"—to accept something sight unseen, which had not been considered or as to which the alternatives had not been weighed. The resolution represented the balanced judgment of the committee, after the committee had given full consideration to it.

Mr. DOUGLAS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield to the Senator from Illinois for a question.

Mr. DOUGLAS. Did not that rule represent the imposition of further shackles upon the North and the West, and a still further imprisonment of the forces which believe in civil rights?

Mr. LONG of Louisiana. No, not according to my recollection. I regret that the Senator from Illinois should have gained that impression of what was recommended by the Committee on Rules and Administration on that occasion. I did not favor the resolution; but my recollection is that what was recommended by the committee at that time was almost precisely what the rule is today. That was then the recommendation of the majority.

Mr. DOUGLAS. Is it not true that the resolution recommended a rule which required a two-thirds vote of the entire membership of the Senate, rather than two-thirds of the Senators present and voting; and furthermore provided that cloture could not be applied to any motion to change the rules of the Senate?

Mr. LONG of Louisiana. No. My recollection is that the committee on that occasion recommended that a two-thirds majority be necessary to close debate.

Mr. DOUGLAS. A two-thirds majority of Senators elected and sworn.

Mr. LONG of Louisiana. I do not recall that that was the case, although I am not positive on that point. But the change in the rules on that occasion, as I recall, was that the rule would be broadened beyond the previous rule, which did not apply to such events as a motion to proceed or a motion to amend the Journal, or various and sundry other motions. That type of motion did not fall within the term "measure," which existed in the rule at the time.

Mr. DOUGLAS. Mr. President, will the Senator from Louisiana further yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. DOUGLAS. Would the Senator from Louisiana be willing, after a full examination of what happened, to place in the CONGRESSIONAL RECORD, either today or tomorrow, precisely what the changes in the rules were in 1949?

Mr. LONG of Louisiana. I should be glad to do so. However, I believe that the Senator from Illinois is somewhat confused between what the Committee on Rules and Administration reported in 1949 and what the Senate actually voted when it finally got around to voting.

Mr. DOUGLAS. The point is that the vote which was finally taken was of the nature which the Senator from Illinois has stated.

Mr. LONG of Louisiana. I believe the Senator will find—and the RECORD will prove me to be either right or wrong; it is simply a test of memory at this point—that what the committee reported at that time was similar to the rules which exist today. The committee reported its recommendation that a two-thirds majority should have the power to close debate, but that the two-thirds majority to close debate could close debate on a motion to proceed or to bring a measure before the Senate, as well as on a motion to amend the Journal, or on the various other technical motions which had never been considered as legislative measures.

In the course of the debate which ensued, a proposed compromise was brought in by the late Senator Kerr of Oklahoma and by one other Senator. I regret that I do not now recall who the other Senator was. The proposed compromise was somewhat different from the proposal reported from the Committee on Rules and Administration. The compromise was adopted. I believe that was the measure to which the Senator from Illinois referred when he spoke of the rule which prevailed for a number of years thereafter, and which was adopted on that occasion. That rule was that debate could be closed on a matter by the affirmative votes of two-thirds of all Members of the Senate elected, the general effect thus being that an absentee would count as a vote against the motion to close debate.

Mr. DOUGLAS. That is correct.

Mr. LONG of Louisiana. And the Senator from Illinois knows that subsequently the rule was amended so as to provide that the two-thirds majority would not have to be so-called constitutional two-thirds majority, but could be a two-thirds majority of the Senators present and voting.

I believe that an examination of those instances will show that the rule we have today is about the same as the one the Committee on Rules and Administration recommended in 1949.

I was speaking of a great Senate of a previous day which had not seriously considered launching a broadside attack upon the rights of a large segment of the country without so much as 1 day of committee hearings.

In that 81st Congress, as a member of the Senate Rules Committee, it was the privilege of this Senator to participate in about a month of hearings in which the value of free debate in the Senate was discussed by eloquent witnesses who came before us. It was the good fortune of this Senator to realize that much more than an FEPC bill or the predecessor of a title 3 proposal was involved in that issue. The very life and blood, the pulse of this body, the sine qua non, that without which there would be no Senate, was involved.

While I am speaking of what sometimes seems to me a far and distant time, 1949, let me tell a story of Louisiana and the United States.

### A FRESHMAN IN 1949

It was early 1949. Several months previously, Louisiana had lost its senior Senator, John H. Overton. That was a sorrowful loss to Senator Overton's many admirers throughout Louisiana and across the Nation.

The Governor of the State, Earl K. Long, appointed as interim Senator to take Senator Overton's place until an election could be held, William Feazel. Bill Feazel, one of the wealthiest men in the State, and a stanch worker in the Democratic Party, was not a professional politician; but he accepted the appointment, out of a sense of duty to his State and to his party.

The present junior Senator from Louisiana was sent to the Senate in January 1949. The "still wet behind the ears" young freshman Senator resolved that he would follow the time-worn tradition of the Senate by keeping his eyes open and his mouth shut for the first year; that he would not make a major floor address during that first year in office; but, instead, that he would observe, learn, and hope to profit by the advice of his elders in the Senate.

But things were not to be that way. Early in the 81st Congress—on Monday, February 28, 1949, to be exact—debate opened on Senate Resolution 15, to amend the cloture rule. A resolution was presented by Senator CARL HAYDEN, our beloved President pro tempore, and the late Senator Kenneth Wherry, the then minority leader, to make the then existing rule XXII apply to all situations. In other words, a cloture petition, signed by 16 Senators, could thus be brought in at any time, upon any motion; and a vote could then be had to determine whether two-thirds of the Senators were in agreement that cloture should be ordered and debate limited to 1 hour for each Senator on the pending motion or resolution.

I believe the proposal offered at that time as the recommendation of the Senate Committee on Rules and Administration was almost precisely the same as the rule today, and that on that occasion the debate terminated when the so-called compromise was presented by the late Senator Kerr, of Oklahoma. That compromise provided, not for the ordering of cloture by means of the affirmative votes of a two-thirds majority of the Senators present and voting, but by the affirmative votes of a two-thirds majority of the Senators elected. But subsequently the rule was amended, so as to reflect exactly what the rule now provides.

Mr. HAYDEN. The Senator from Louisiana is correct. He will remember that there was no limitation on debate prior to approximately 1917. The question as to the need for some limitation on debate arose because of the action of what President Wilson called some willful men—a few Members of the Senate—who opposed the arming of the American merchant marine against German submarines. That debate tied up action on the bill during the last few days of that session of Congress, which then ended on March 4. In the meantime, the President decided he had authority to do that anyway, and he proceeded to do it. But it was believed that perhaps there was need for some sort of limitation on debate in the Senate. So that limitation rule was adopted—a rule in about the same language, except it failed to cover the reading of the Journal. Therefore, a Senator who wished to engage in a filibuster only had to ask that the Journal be read. So in order to include the reading of the Journal and in that way to perfect the rule, so that it would work on all occasions, Senator Wherry and I took up that matter.

Mr. LONG of Louisiana. Yes; and I believe it also covers a motion to have the Senate proceed to the consideration of a measure.

Mr. HAYDEN. That is correct.

Mr. LONG of Louisiana. I believe that addition was made.

Mr. HAYDEN. That is correct.

Mr. LONG of Louisiana. Yes, the Senator is entirely correct about it; and the proposal at that time was to change the rule, so as also to cover—as the Senator from Arizona has so well pointed out—a motion to amend the Journal or a motion to bring a legislative measure before this body.

Mr. CLARK. Mr. President, will the Senator from Louisiana yield for a brief comment?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield on that basis.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. I rise because, according to my recollection, the historical record is not quite as the Senator from Louisiana and the Senator from Arizona have indicated. I wish to ask whether it is correct that prior to 1809, debate in the Senate could be terminated, as provided under Jefferson's Rules of Procedure, by moving the previous question, and that was done on four occasions.

Mr. LONG of Louisiana. My understanding is that the previous question motion, an earlier practice of the Senate, did not have the same function as the one we usually think of in connection with Robert's Rules of Order, for example, but that it was a debatable motion.

Mr. CLARK. Robert's Rules of Order are different from Jefferson's Manual, in that they do not recognize a motion for a previous question. I believe it is the only parliamentary procedure book in the world which does not do so. Jefferson's Manual clearly does; and I believe the Senator from Louisiana will agree with me that in each of the State legislative bodies in this country, including the Legislature of Louisiana, a motion for the previous question will lie, as it does in the House of Representatives, and that it has only been in the Senate since 1809 that that has not been the case.

Mr. LONG of Louisiana. I do not question the Senator's judgment in regard to the rules in the State legislatures; but I believe historical research will show there was really no way by which debate could be shut off—except the provision in Jefferson's rules which would limit a Senator to two speeches on any one subject during a legislative day—between the Reconstruction days and the rule change in 1917.

Mr. CLARK. The Senator is correct. After 1809 that could not be done in the Senate. I believe the Senate is the only legislative body in America in which that is not the case. Prior to 1809 the previous question was permitted in accordance with the principles laid down in Jefferson's Manual.

Mr. LONG of Louisiana. I have heard considerable debate on that subject. I had never heard one side convince the other side about the practice prior to the year 1809. My impression has been that discussions as to what the record prior to 1809 proved almost invariably wound up with a conclusion which seemed to serve the arguments of whatever side had the floor. I have never heard one side agree with the other side on the issue of the situation prior to 1809. I certainly hope that my good friend from Pennsylvania would not favor—and I do not believe that he favors—the application to the U.S. Senate of a type of rule that exists in most State legislatures. One of the reasons I make that statement is that a practice which I criticize no one for using in the State legislatures of their own States, including the legislature in my own great State of Louisiana, would be very bad for our National Legislature. In our State legislature, the previous question can be moved at any time. A majority leader or an administration floor leader, if he wishes to do so, may present his bill and move the previous question, even before his opponents have an opportunity to respond.

That would be too raw. I have never seen quite that procedure followed. I have seen a legislator present the argument for his bill in 4 or 5 minutes. When an opponent rose to speak, the legislator who introduced the bill simply rose and moved the previous question. That is the type of rule that I know the Senator from Pennsylvania would not want in the Senate. I do not think the Senator would blame the legislator who moved the previous question any more than I would blame him for following practices which existed prior to that time. In other words, if one side had been in the majority and had used the practice of cutting off debate when it thought it was losing votes, one could not very well blame the other side for doing the same type of thing when it had an opportunity to serve its own purposes by limiting debate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. My own view—and since the Senator, with all good will, I am sure, intended to be kind to me, I shall endeavor to reciprocate—which the Senator has not stated correctly, is as follows: I think there should be the same procedural right to terminate debate as there is to make a motion to table.

In other words, Senators who wish to proceed with the business of the Senate by terminating debate should have the same right as Senators who wish to prevent the pending business from being further considered by a motion to table. I would reply on the common sense of the elected representatives of the people particularly in the Senate to exercise both of those rights with some discretion.

In the relatively brief period I have been in the Senate, I do not think the motion to table has been abused. I have known an occasion when a Senator who desired to speak at reasonable length on a question before a motion to table was made was not given that permission by the Senator who intended shortly thereafter to make the motion to table. I would reply on the discretion of Senators to the same extent; and I would reinstate the previous question procedure if I had my way—and I know I am not going to have it—to the same extent the motion to table exists today.

Mr. LONG of Louisiana. My good friend from Pennsylvania has said that he has not seen the motion to table abused. I have seen that motion abused. Perhaps the incident I am about to relate occurred prior to the time the Senator from Pennsylvania came to this body. I believe he would remember the occasion if he were here. I recall very well, that during the early years of the Eisenhower administration, when the atomic energy bill was debated, some Senators had a dedicated zeal against some of the recommendations of President Eisenhower.

They made what I regarded as one of the most determined fights on an economic issue I have seen in a long time, perhaps second only to the determined effort that some of us made against the communications satellite bill last year.

Mr. CLARK. I was not here at the time to which the Senator has referred.

Mr. LONG of Louisiana. The Senator informs me that he was not here on that occasion. The majority leader became very much irritated by the determined minority because of the fight they were making and refused to recognize the logic of their argument. Subsequently it was agreed that the debate would be gradually brought to a close, provided that certain essential amendments were agreed to. One of the amendments would protect the public interest in government discoveries against patents to be obtained on atomic energy by private interests, as sought by that bill.

That was agreed to. Two or three other important amendments were accepted more or less as a basis to bring the measure to a vote.

The Senator from Oregon [Mr. MORSE] desired to offer an amendment. It was late in the evening. He merely asked a reasonable amount of time to make his argument before a motion to table would be made. I recall that the then majority leader, the Senator from California, Mr. Knowland, became somewhat impatient with the Senator from Oregon and stated that he would permit him to make his argument provided he would limit himself to perhaps 15 or 20 minutes. I am sure the Senator from Pennsylvania can imagine how that statement appealed to the Senator from Oregon [Mr. MORSE]. The Senator from Oregon [Mr. MORSE] said he would not agree to speak under the shadow of such a blackjack. The Senator from California insisted upon his right to move to table the amendment of the Senator from Oregon without letting the Senator from Oregon say a word in support of his amendment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I can recall the event as though it happened yesterday. The Senator from Oregon informed us that if we wanted to do so, we could go home and come back at noon the next day, and he would still be talking. And so he was. I recall that I had the best night's rest that I had had in some time on that occasion. The Senator from Oregon held the floor until long past noon the following day.

I believe that is one reason why the motion to table is not used more in the Senate against what would appear to be the real desire of a Senator honestly and conscientiously to direct himself to his amendment. I recall that rather than save perhaps a half hour of discussion, which the Senator from California had hoped to save, he kept the Senate in session another day. It is true that the Senator from California was successful in his motion to table the amendment of the Senator from Oregon, but he kept the Senate in session all night long. Someone from his party had to remain and listen to all of that oratory that night. I might say, too, it was a good speech.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. STENNIS. I thank the Senator for yielding to me. I also thank the Senator from Pennsylvania. I did not wish to cut him off.

There was a further ritual which was adopted during that debate. It was done by an esteemed and popular floor leader of the Senate, the Senator from California, Mr. Knowland. In relation to the motions to table, Senators had to announce in advance that they would not speak for more than 5 or 10 minutes. Not only the Senator from Oregon, but also other and more timid Senators, refused to yield to those conditions.

They would waive the right to speak altogether rather than let anyone impose conditions like that. The Senator will recall that that was the pattern in relation to the amendments. It was not merely an incident. The procedure described was followed for days.

Mr. LONG of Louisiana. The Senator is correct. The Senator from California undertook to make each Senator who spoke use one of his two speeches on the bill itself, under the stipulation set forth in Jefferson's Manual. So when an amendment was offered, the Senator from California would seek recognition before the Senator who offered the amendment could be recognized to discuss his own amendment. He would inquire of the Senator offering the amendment how long he desired to talk on the amendment. If the Senator would agree to talk for a limited period of time, and no longer, the majority leader was willing to permit him to do so. The majority leader would then move to table the amendment without any further discussion. He had a majority voting with him. I believe the experience with the Senator from Oregon more or less terminated that practice.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to my friend.

Mr. CLARK. I think this most interesting bit of historical recollection from my friend from Louisiana and my friend from Mississippi merely buttresses my view that an overwhelming majority of the Senate has concluded that the motion to table has not been abused. In fact, it could not be abused for the very reason my friend from Louisiana has outlined; that a Senator would get on his feet and keep the Senate in session for a couple of days, and then someone would say, "We will not try that on him any more." I suggest that the same result would flow from the use of the previous question.

Mr. LONG of Louisiana. I would say that if the then majority leader, Mr. Knowland, on that occasion had had available to him a nondebatable motion of the previous question, he certainly would have moved it on that occasion long before that time, and the Senator from Oregon, who made his long speech on the bill in protest to those tactics, would have had no recourse, because once the amendment had been tabled the majority leader could have obtained recognition from the Presiding Officer again and on that occasion he could have moved the previous question on the bill.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I hope the Senator realizes my point So long as a Senator has the right of free debate on the bill itself it tends to prevent the abuse of the motion to table on the amendments, which otherwise might exist if the leadership had available to it a nondebatable motion on the previous question on a legislative measure.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator.

Mr. CLARK. I hope the Senator will understand that I say this in all friendliness and without animus, but I suggest that the activities presently being engaged in by the Senator from Louisiana and his colleagues, in extensive debate on a motion to consider, is, in effect, a denying to the majority of the Senate the right to debate the merits of a measure. This procedure has been engaged in now for a period of more than a week. When we challenge our friends on the other side to make a motion to table, to determine whether the Senate wishes to proceed and to consider the Anderson motion on its merits, our friends from the South are unwilling to meet that challenge; and they keep the Senate, I suggest against the will of the majority of the Members, engaged in an interminable discussion of a quite immaterial and definitely unimportant motion to consider a measure. So, in effect, this is a denying to us of the right to debate the merits of the measure, which I think the majority of the Members of the Senate would be willing to pass, if we were able to vote.

I suggest, in all good faith, to the Senator from Louisiana, that this is undemocratic, and comes pretty close to being un-American.

Mr. LONG of Louisiana. Mr. President, I know of nothing which is more American than for a person to speak out for that which he believes, speaking as long and as strongly as he knows how to discuss it. It seems to me that one of the things Americans fought for when they freed themselves from the King of England was the right to be heard, the right of free speech, and the right to have their arguments considered.

I say to my good friend that his statement causes me to think of the best definition of a filibuster that I ever heard stated in this body. It was stated by one of the Senators from the West who seldom engaged in any of the civil rights disputes, but who now and then was heard at great length, particularly on the subject of free trade. I refer to the former Senator from Nevada, Mr. Malone. He said:

> A filibuster is a long speech with which you do not agree. If you agree with the speech, it is profound debate.

That is about what it is.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I would say that there is nothing more irritating—and I have been on both sides of it—than to be forced to sit and listen to long speeches with which I do not agree, and that there is nothing more pleasing than to have some Senator make a speech with which I agree 100 percent.

I yield to my distinguished friend from Pennsylvania.

Mr. CLARK. I would say that the only thing I can think of which would be more irritating than listening to a long speech with which I disagree is to listen to 18 long speeches with which I disagree and then to listen to 18 more by the same gentlemen in the Senate, with which I disagree further, and still not be able to get to a vote on the question until each Senator has had 2 speeches on the same subject and the Senate has been in session for a couple of weeks.

Mr. LONG of Louisiana. Mr. President, I have seen it both ways, and I have had it both ways. I recall very well what happened when some of us wanted to pass the tidelands bill.

It seemed to the junior Senator from Louisiana that there was no greater service the U.S. Senate could perform for the Nation than to pass the tidelands bill and to place in the custody of the States some property which this Senator, both as a Senator and a lawyer, felt was property which always had belonged to the States, anyway. Some Senators did not feel that way about it. They felt that was a rape of the national interest, and they devoted themselves at very considerable length to that subject. Mr. STENNIS very well recalls that debate. There were southerners as well as easterners and westerners on both sides of that issue. If I recall correctly, that debate lasted about a month. I can recall nothing which irritated the junior Senator from Louisiana any more than having to sit there day after day after day, to hear those speeches at tremendous length and in the most vehement terms against our bill.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. If I may, I should like to go one step further first.

If that did not irritate this Senator enough, another thing which irritated him even more was that some of the speeches were picking up some votes, and that required some answering before we came to a vote, if we hoped to pass the bill.

While it is very irritating to sit and listen to some Senator make a speech contrary to what one believes, it is even more irritating when one sees the speech bringing some votes to the other side. Of course, that is the real purpose of the speeches—to make that side prevail.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield to the Senator.

Mr. CLARK. I suggest that one way of avoiding the irritation which afflicts both the Senator from Pennsylvania and the Senator from Louisiana, although for different reasons, is to stay away from the floor of the Senate, as 95 of our colleagues are doing now.

Of course, this has become the custom in the Senate. We think, on our side of this question—and perhaps we are unfair in so thinking—that we have heard all of these arguments so many times before that there is no point of coming to the Chamber to hear them again, and not much point in trying to read them in the RECORD, so we stay away in droves.

I remember when the Senator from Louisiana and I were trying to make an argument against the communications satellite bill last year. I did not happen to be one who engaged in a filibuster, but I was as much opposed as was the Senator, and I voted against it.

We found that Senators stayed away in droves then. Finally, ways and means were developed, by cloture, to terminate that debate, but meanwhile the Senate lost in time some 2 or 3 weeks. I, for one, after a reasonable amount of debate, would have been glad to see a motion for the previous question made. Perhaps we would have been beaten, but we would have taken our beating. I wish the gentlemen on the other side would do the same in this regard.

Mr. LONG of Louisiana. Mr. President, I have not at all given up hope for this body. If I had, I would not be here speaking against the rule change.

It is true that sometimes a Senator must talk for a long time to be heard. One Senator who served in this body several years ago, I believe a former Senator from Montana, Mr. Wheeler, used to say, "If you want to convince the Senate of something, you ought to plan to make at least two speeches. Oftentimes there will be very few Senators present."

I have found that sometimes merely because a Senator thinks something is awful is not enough. I say to the Senator from Pennsylvania that I think the matter of giving away the patent rights on $14 billion a year worth of Government research is an absolute outrage. I sometimes want to declare war on the Defense Department and the space agency and the health agency about that, but I have made speeches on the subject and I have not prevailed. I still make speeches on the subject. If a Senator thinks something is awful, I think he ought to speak against it, he ought to campaign against it, and he ought to keep speaking against it until he finally gets some results.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. If one can convince only one Senator, it is still a good day's work. Even if he does not convince one Senator, it is worth the effort if he has made any headway.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. I agree with the Senator from Louisiana in his views on the patent question, but he convinced me in about a 5-minute talk in the cloakroom one day. I did not have to be convinced by any long speeches. I have been convinced for 6 years that the entire rules of the Senate should be rewritten and changed. I myself made four or five speeches on the subject. I found they were equally ineffective.

Mr. LONG of Louisiana. Let me say to my distinguished friend from Pennsylvania that he places a very low value on the speeches and presentations he has made before this body, and before the Nation, for reform of the Senate. I agree with some of the recommendations he has made. I do not agree with what he wants to do about some of the rules, but the Senator from Pennsylvania has made a real contribution to the Nation by pointing out that there should be come changes. I would like to see some. I, myself, would like to recommend some that I think should be brought before this body.

This Senator is not at all discouraged because we have, from time to time, to speak to an almost empty Chamber. It seems to me we should time and again bring before this body proposals in which we believe. I also entertain the hope that Senators will read the RECORD. Sometimes it is a little late, but I know the Senator from Louisiana, in preparing for this debate, went back in the RECORD to read some of the speeches made in 1949 on the rules fight. Some of them I did not hear, but there was a great amount of information contained in those speeches which should be considered.

This Senator entertains the hope that Senators who are not present will read the RECORD, just as I have read much of the material which has been presented here. I must say that, in the judgment of the Senator from Louisiana, a great amount of good has been accomplished by speaking against bad legislation. Sometimes it has had to be done at great length. I would say, too, that both the Senator from Pennsylvania and the Senator from New Jersey [Mr. CASE] have made some worthwhile suggestions.

Mr. CASE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CASE. I asked the Senator to yield only that I might, in behalf of my colleague from Pennsylvania and myself, express appreciation for the kind words the Senator from Louisiana has expressed, and also to make it clear that, among the five Members of the Senate who are present, the Senator from New Jersey is one.

Mr. LONG of Louisiana. I hope the Senator is not suggesting the absence of a quorum, because, so far as I am concerned, I do not wish to have a quorum call for the purpose of having Senators present themselves in the Chamber. It does not embarrass the Senator from Louisiana, but it sometimes embarrasses the majority leader, for someone to point out that four or five Members of the Senate were present, because under the rules—under the Constitution, in fact—the Senator knows we cannot do business in the absence on the floor of a majority of the Members. So, notwithstanding the Senator's statement, I hope he may amend it for the Record. I am forced to assume, under the rules, that I am speaking to at least 51 Senators. Rather than bring other Members into the Chamber, I am going to indulge myself that presumption, because the Constitution requires it.

It seems to me, if we are going to reform the Senate, we ought to have a voting machine at the desk, as they do in most State legislatures, as the Senator knows, because we lose a great amount of time in counting votes. I suppose, over the period we are in session, we would save a couple of weeks' time if we had a machine to register and tabulate the votes, instead of taking 30 minutes once Senators are here during night sessions.

The Senator from Pennsylvania has made other suggestions.

I may point out that one of the great progressive newspapers of this country, in studying this matter, has concluded that, attention should be given to the suggestions for legislative reform made by the Senator from New Jersey and the Senator from Pennsylvania and that the Senate should do away with the waste of time in debating the subject of rule XXII, because it would be a futile matter and nothing would be gained by it.

Mr. President, I ask unanimous consent to place the entire editorial, entitled "First Item of Business" in the Record, but I want to read the last paragraph.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### First Item of Business

> "The public," says Senator Clifford P. Case, of New Jersey, "is beginning to lose confidence in the ability of the Congress to meet the problems of the 20th century." Congress is bedeviled by archaic rules, lack of systematic procedure, and the diffusion of leadership. Better organization of Congress itself thus becomes one of foremost issues before the present session.
>
> Mr. Case approaches the problem by a route somewhat different from that favored by many of his colleagues. In place of the Joint Committee on the Organization of Congress sponsored by Senator Joseph S. Clark, Jr., and 21 other Senators, including Mr. Case, the latter would create a Commission on Congressional Reorganization, modeled on the Hoover Commission which worked out plans for streamlining many segments of the executive branch a few years ago. The advantage of this approach is that the proposed Commission would include six outside experts as well as three Members of each House.
>
> The naming of specialists from private life would recognize the enormous interest of the public in a strong Congress. Doubtless it would also encourage the study group to bring in bold and comprehensive recommendations, for Members of Congress are often too deeply immersed in its traditions to see the need for changes. If Congress should insist on having a majority of its own Members on the study group, it could be made up of four Members from the Senate, four from the House, and four experts from private life. This would permit the naming of two Members from each party in each House.
>
> Senator Case would require the proposed bipartisan Commission to report on 12 specific problem areas, but it certainly ought not to be confined to any such list. One of the major problems is the excessive diffusion of power among committee chairmen, and this is not included among the 12 listed subjects unless it could be squeezed into point 2, dealing with the structure, staffing, and operation of committees.
>
> More important than either the structure of the study group or its agenda is an early start on this vital project. It would give the whole country .. lift if the Senate would make a study of Congress its first item of business in place of a futile filibuster over rule XXII.

Mr. LONG of Louisiana. The final paragraph of the editorial reads:

> More important than either the structure of the study group or its agenda is an early start on this vital project—

That is, the project suggested by the Senator from New Jersey [Mr. Case] in which he suggested that there should be a joint committee on the reorganization of the Congress. It was sponsored, I believe, by the Senator from Pennsylvania [Mr. Clark]. But the editorial concludes in this way:

> More important than either the structure of the study group or its agenda is an early start on this vital project. It would give the whole country a lift if the Senate would make a study of Congress its first item of business in place of a futile filibuster over rule XXII.

In other words, here is one of the great liberal papers saying that we ought to put this matter in committee, and study it along with other suggestions for constructive changes made by my distinguished friend, and some of which I, myself, would like to make. Then having studied them, we ought to bring in a proposal and see if we cannot agree on a program to modernize our procedures.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. I am sure I speak for the Senator from New Jersey when we urge the Senator from Louisiana to join the other 22 Members in cosponsoring a resolution for a study commission. He would be an honored sponsor of that measure. I do not think his cosponsorship of it would change his position on rule XXII.

Mr. LONG of Louisiana. I have looked at a number of these proposals. While I am not sure that a joint committee could do it better than could the Senate Rules Committee, I feel a number of changes could and should be made. I have on occasion sponsored some of the legislative suggestions of the Senator from Pennsylvania; others I would have sponsored if they had come to a vote.

Mr. CLARK. I recall the valiant and successful effort of the Senator from Louisiana on one occasion—I believe it was 6 years ago—to prevent selection of conferees who did not represent the prevailing view in the Senate. As a result, the Senators who were sent to conference were not senior members of the committee to which that subject related, but those who were prepared to fight for proposals which were voted for on the Senate floor, but which senior members of the committee did not favor.

Mr. LONG of Louisiana. The Senator from Pennsylvania felt the same way the Senator from Louisiana felt about that. It was my feeling he was right, because I had witnessed occasions when amendments adopted on the Senate floor—and I believe one of them had been sponsored by the Senator from Pennsylvania—which had prevailed by a substantial vote, were more or less dropped, with little debate. I believe it was moved to recede before the House conferees were even appointed. My feeling is that the rules were intended to prevent that kind of thing from occurring.

Mr. CASE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CASE. I am not sure the Senate rules as they are practiced are intended to govern that. I recall that the phrase "I will be glad to take it to conference" is almost as effective as a death sentence for many valued projects. The only thing it saves, perhaps temporarily, is the comity that exists between Members of the Senate.

I agree with the Senator in regard to this particular change, which I think is necessary, and there are many others; and I join with my colleague from Pennsylvania in welcoming the stalwart support which the Senator from Louisiana always brings to any project which he favors.

Mr. LONG of Louisiana. The Senator is most kind. I believe the discussions which have occurred in that particular field have had a very substantial impact on a number of conferences. I particularly have in mind some of the conferences between the House Ways and Means Committee and the Senate Finance Committee members, because I believe there has been much greater awareness of the duty of Senators to this body to support a position which they have advocated on the Senate floor.

I was discussing earlier the resolution which was brought before the Senate by the Senator from Arizona [Mr. Hayden] and the late Senator from Nebraska, Mr. Wherry, known as the Hayden-Wherry resolution.

The presentation of that resolution engendered debate of considerable volume. The matter was not to be resolved until Thursday, March 17, 1949, when a compromise resolution was adopted. More will be said on that a little later.

The bringing up on the floor of the United States Senate of this resolution to change the rule governing the limitation of debate caused the opponents of such a change no little concern. They immediately realized that they would have to speak, perhaps at length, upon the resolution to show its inadequacies and to illustrate why the rule on limitation of debate should not be so altered. To do so, they would require as many voices as possible. They felt they would have to count on the voice of the newly elected Senator from Louisiana as one.

And so it was that a relatively young man, hardly unpacked and certainly untested, instead of waiting for a year to speak to the Senate, found himself addressing that august body less than 60 days after treading upon its floor for the first time.

He began that first address, March 2, 1949, this way:

> Mr. Long. Mr. President, it is with very mixed emotions that I arise to address the Senate this afternoon. In these first formal words I have to utter before the body, I say in all earnestness that I would very much prefer to speak to my colleagues initially on some substantive legislation. I would prefer to be advocating some measure designed to help all our people, or certainly large portions of them, some legislation calculated to unify and benefit the great masses who look to us for guidance and for relief from their oppressions.

Mr. President, I ask unanimous consent to have the next paragraph of that speech printed in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> We are told that Nero fiddled while Rome burned; and I paraphrase to say that, while our laboring people cry out for removal of shackling Federal laws, we are here to consider legislation which would destroy one of the greatest balances of our republican form of government; while our farmers throughout the Nation plead for assistance in the face of fading markets, we would take action which might someday place them under tyranny; while my desk is burdened with letters from the poor, the disabled, and the sick importuning for broadened social-security benefits and for welfare laws, I must come here in an effort to protect those unfortunate people from a change in our own rules which might well serve hereafter as the vehicle which some future oppressive group could use to grind them to dust. The resolution we are now considering, if adopted, would serve as the entering wedge in the destruction of the most precious heritage we retain in the United States Senate, namely, the right of unlimited debate.

Mr. CASE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CASE. Would the Senator from Louisiana consider and accept the fact that it is being done in the warmest and most generous spirit when I suggest to him that we might have a quorum call without the Senator losing his right to the floor, so that other Members of the Senate may have an opportunity to hear for a second time these historic words of his?

Mr. LONG of Louisiana. I am afraid that most of the Senators never even heard my speech the first time. If the Senator from New Jersey wants to suggest the absence of a quorum, I will be glad to ask unanimous consent that he might do so without my losing my right to the floor.

Mr. CASE. I would do it only if that were the desire of the Senator from Louisiana.

Mr. LONG of Louisiana. I have not insisted upon it.

Mr. CASE. It would be unfortunate if I were not to hear the Senator's words a second time.

Mr. LONG of Louisiana. I did not know that the Senator heard them the first time.

Mr. CASE. No; I have not heard them. I was a Member of the other body at the time, and did not have an opportunity to hear the Senator's speech, but I did this afternoon.

Mr. LONG of Louisiana. I believe it might be necessary to send back to my office for the 1949 speech, so I could read it to the Senator and to our other colleagues in the Senate. I am sure that I was as correct at that time as I am today.

As I suggested in 1949, we should be trying to resolve some of the problems that confront us in a great number of fields, rather than being required to engage in a rather lengthy and probably futile debate over the rules of the Senate, which, in my judgment will not accomplish anything, or very little. If it accomplishes anything, I believe it will be for the worse.

I have recited this little story and read this excerpt from my opening speech to the U.S. Senate in order to show how things were when I came to the U.S. Senate, in 1949, as compared to how things are now, in 1963.

### PREFER TO BE DOING OTHER THAN DISCUSSING RULE XXII

And I can say again now, as I did in 1949, I would much prefer to be making my remarks today on some substantive legislation. There is much important legislation to be studied and to be acted upon by Congress this year. The administration alone wants us to consider such vital matters as tax reduction and tax reform, medical care for the aged, aid to education, help for our colleges and universities, urban affairs, mass transportation, foreign aid, and revision of the military structure. Each Senator and Representative has his own pet projects he would like to see considered by Congress. For myself, I had much rather be here talking about the need for a uniform Government patent policy to protect the results of public-financed research from going to create concentration and monopoly, or about the urgent necessity of reopening for a short period eligibility for National Service Life Insurance for World War II and Korean veterans, or about the fact that the care that the Federal Government extends to the sick should be expanded to include those in mental and tubercular institutions, as well as other hospitals.

A big criticism of Congress each year is that the sessions increase in length. Last year, we remained until October; and we are never out of here by July or August as was once the case. Perhaps the time at which we could adjourn Congress each year could be considerably shortened over what it presently is if we were to settle down at the beginning of each year to the duties that face us. These duties are particularly our committee duties, if we were to go right to the consideration in our committees of the important legislation those committees are to handle. But how can a committee handle legislation when a resolution to amend and to change the rules of the Senate takes the time and consideration of each Member of this Senate—when the new Members have not even been appointed to committees?

I had much rather at this time be sitting in a Finance Committee session analyzing some piece of legislation—perhaps a Presidential request to increase the debt ceiling, perhaps a welfare or social security measure, a piece of veterans' legislation, or some tax reform legislation. I could at this time be sitting in on a Foreign Relations Committee meeting. The meeting might be called to hear a member of the Department of State explain a particular troublespot in the world situation; perhaps it would be a briefing on the U.S. policy in southeast Asia or in Latin America. We might be going over in the Foreign Relations Committee the new foreign aid bill; and I would be perhaps attempting to see how this measure could be trimmed of so much of the waste I believe to be inherent in such legislation over the past few years.

As a member of the Senate Small Business Committee, and as chairman of that committee's Subcommittee on Monopoly, I might very well be presiding over hearings into the patent policies of various agencies of this Government. As a matter of fact, I had hoped to be conducting sometime this month hearings on the proposed rule changes of the National Aeronautics and Space Administration in the field of patents. As Senators may recall, I appeared before NASA in December to protest the revision of NASA's regulations concerning the disposition of patents that that agency was contemplating. At that time, I stated that I would be conducting hearings early in this year on whether NASA should change its rules and regulations concerning the disposition of patents, and whether or not it might not be a violation of the law we passed when we created the National Aeronautics and Space Administration. I would very much like to be delving into that problem of patent giveaways with the Small Business Committee.

As a member of the Joint Internal Revenue Taxation Committee, I could be doing my homework on the President's tax request and on other tax proposals that will be presented to us this year.

But none of these things am I able to do at the present time. No, neither I nor any other Member of the U.S. Senate will be able to devote much attention to any matter other than the pending fight over the rules of the Senate. We will not be able to concern ourselves with the affairs of the state of our Nation for some time to come probably because of this fight over a change in the Senate rules.

### SAME THING OVER AND OVER

Now, it would not be too bad if only one session of one Congress, in other words, 1 year, were devoted at its start to a fight to change the rules respecting limitation of debate in the U.S. Senate. But with the start of almost every Congress and sometimes with the start of each session of Congress, we are confronted with the same problem, and regardless of how the problem is resolved, it still crops up in the next session or the next Congress, or perhaps even in the latter part of that same session of that same Congress. I said that, when I came here in 1949, I was launched on my Senate career by speaking on the change of the Senate rules.

I said at that time:

> I predict that, if the Hayden-Wherry resolution is adopted, those Senators desiring majority cloture will be right back in the next Congress with their proposals, pushing and pressuring them just as steadfastly as they have been and now are doing. Yes, Mr. President, the Hayden-Wherry resolution is an entering wedge, one with which we dare not trifle if we hope to maintain the force of this great deliberative body.

What I said on March 2, 1949, has certainly come true. Senators desiring majority cloture have come back in Congress after Congress seeking their desired end, no matter whether they have received partial satisfaction or not. In 1949, for example, there was a change in the rules at the end of that several-week debate. The compromise by changing the Senate rules resulted in there being a live cloture to operate on any pending business or motion with the exception of debate on motions or proposals to change the Senate rules themselves, upon which cloture would not operate as it had before. And there have been several changes since 1949 in rule XXII. The first issue of the Congressional Quarterly Weekly Report for the week ending January 4, 1963, contains a concise statement of the development of rule XXII. I quote:

> At the beginning of the 83d Congress, in 1953, Senate liberals sought further liberalization of the cloture rule. They immediately ran into the question, however, of whether the Senate was a continuing body which operates under existing rules or whether it may drop its standing rules and adopt new rules by general parliamentary procedure—majority vote—at the beginning of a Congress. At the core of the question was the fact that under existing rules, as amended in 1949, cloture could not be used to cut off a filibuster against a change in the rules and therefore any attempt to change the filibuster rule while operating under that very rule was apparently hopeless. Liberals argued that the Senate at the beginning of a session should be able to adopt rules by majority vote, which would cover all motions or proposals. The issue was never settled, however, and the Senate instead voted to table (kill) a motion by Senator CLINTON P. ANDERSON, Democrat, of New Mexico, to consider a change in the rules.
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> In 1957, less than an hour after the Senate convened on January 3, ANDERSON again moved to consider adoption of new rules. Senate Majority Leader LYNDON B. JOHNSON, Democrat, of Texas, immediately moved to table the motion and the Senate the following day tabled the Anderson motion, 55 to 38.
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> During the debate preceding this vote, Vice President Richard M. Nixon, presiding over the Senate, rendered a significant advisory opinion on how the Senate could proceed to change its own rules. Citing the section of the Constitution which provides that "each House may determine the rules of its proceedings," Nixon said that he believed the Senate could adopt new rules "under whatever procedures the majority of the Senate approves." Although each incoming Senate had traditionally operated under existing rules, he said, in his opinion the Senate could not be bound by any previous rule "which denies the membership of the Senate the power to exercise its constitutional right to make its own rules." In this light, he said, he regarded as unconstitutional the section of rule XXII banning any limitation of debate on proposals to change the rules. Nixon gave this as a personal opinion and said that the question of the constitutionality of the rule could be decided only by the Senate itself.
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> The Senate did not take a vote on the question. The issue of a rules change was referred to the Senate Rules and Administration Committee, which set up an ad hoc subcommittee of Senators JACOB K. JAVITS, Republican, of New York, and HERMAN E. TALMADGE, Democrat, of Georgia, which held hearings but did not agree on further action.
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> Rule XXII was slightly changed in 1959. Senate liberals were defeated in attempts to substantially overhaul the rule and enable cloture by a majority or three-fifths of the Senate. Instead, a bipartisan leadership group pushed through a slight revision of the rule which the southern bloc opposed but did not really fight. The changes were basically designed and put through by JOHNSON, who seized the initiative from the liberals.
>
> The 1959 changes in rule XXII allowed cloture to be invoked by two-thirds of those present and voting (rather than two-thirds of the full membership), as it had been before 1949, and applied the cloture rule to debate on motions to change the Senate rules. The change also amended Senate rule XXXII by adding the language: "The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules." (Despite this, liberals later continued to argue that the Senate has a constitutional right to change its rules by majority vote at the beginning of a session, and that the amendment to rule XXXII should be inoperative at that time.) During the 1959 debate, Nixon repeated the gist of his 1957 ruling.

Mr. President, I digress to say that it seems to me that any Senator who voted for the 1959 change in the rules should, in a sense, feel estopped now to contend that the Senate is not a continuing body, when such Senator had voted to say that the rules of the Senate remain the rules of the Senate, and that they continue from one Senate until the next Senate. That is the language for which they voted when they voted to change rule XXXII. It seems to me that, having done that, Senators should not refuse to recognize their own handiwork and should not decline to be bound by it, although perhaps some Senators may contend that they are not bound by it.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield at that point?

Mr. LONG of Louisiana. I yield to the Senator from Mississippi, provided I do not lose my right to the floor.

Mr. STENNIS. The Senator is referring to a new part of rule XXXII, section 2, I believe, which was recently voted. I believe it was adopted 4 years ago.

Mr. LONG of Louisiana. Yes.

Mr. STENNIS. That point has been brought up on the floor before. It has been said that so many of the present membership, with all deference, voted for that rule at that time, and now they are, in effect, attacking it or are going contrary to it.

Has the Senator from Louisiana heard any explanation of the point which is being raised now, that the Senate, 4 years ago, deliberately voted this rule in its present form, in plain, simple, one- or two-syllable words? The English language has a definite meaning, and section 2 is a short sentence. Can the Senator from Louisiana think of any explanation, or has any been offered, so far as the Senator knows?

Mr. LONG of Louisiana. I have heard no explanation of it. The rule change provides that the rules shall continue to be the rules from that Congress through future Congresses, so it seems to me that any Senator who was serving at that time, in that Congress, and is still serving in the Senate, should be willing, in good conscience, to say that what he said was the rule then is the rule now. He ought to be willing to say that it is the rule, especially if he put his name on it. Why should one place his name on a contract if he wishes to violate his own contract?

Mr. STENNIS. The Senator may recall that we who argued this point at that time said it was not necessary to add that section to the rules, because we believed it was so obvious that that was already the rule. But that section was included as an assurance, and was voted for by many Senators who now perhaps, with all deference, it seems to me, wish to ignore what they themselves voted into the rules.

Mr. LONG of Louisiana. That absolutely confuses me, because it seems to me that one who voted in favor of the adoption of such a rule, but later said he opposed such a rule, would be in a situation much like that of those to whom I have heard some persons refer when, on occasion, they have said, "If you did not mean it, you should not have said it," or "If you did not want to abide by the contract, you should not have signed your name to it."

Mr. CLARK. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Louisiana yield to the Senator from Pennsylvania?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. Will the Senator state what year that was?

Mr. LONG of Louisiana. I believe it was 1959.

Mr. CLARK. Let me point out that 23 of the present Members of this body were not then Members of the Senate; and, as the Senator from Louisiana will well recall, that vote came at the end of a rather extensive debate; and the result was that some minor improvement was made in rule XXII, in that the number of Senators required in order to order cloture was changed from two-thirds of the total membership of the Senate to two-thirds of the number of Senators present and voting.

I voted for section 2 because I thought section 1 made a mild improvement in the rule. But I was rather sure at the time, and I am confident now, that section 2 was completely and utterly unconstitutional; and I am sure the Senator from Louisiana and the Senator from Mississippi will agree with me when I say that the fact of the matter is that the Senate is a continuing body for some purposes, but not for others. For example, every bill which Senators introduced last year has died, for this is a new Congress. However, there are other aspects in which the Senate is a continuing body.

We contend—and I am sure the Senator from New Jersey [Mr. Case] will buttress my remarks and will improve on them—that, insofar as the rules of the Senate are concerned, the Senate cannot be, and should not be, a continuing body; that in a new Congress it is the duty of the Senate to make it possible for the new Senators to help give the Senate sensible rules—which the Senate does not have today; and that the Senate is the only legislative body in the civilized world in which, under the rules heretofore in effect, debate cannot be terminated by majority action.

Mr. LONG of Louisiana. Mr. President, I hope the Senator from Pennsylvania has the same high regard for the Senate that I have. I think the Senate is the greatest deliberative body on earth. I would no sooner trade a seat in the Senate for a seat in the United Nations, for example, or for a seat in any other parliamentary body on earth than I would consider taking the first trip to the moon—for which I am very poorly qualified. It seems to me that we should recognize that in this body we have preserved what is the last great forum of free debate on earth, and that that is one thing we should seek to preserve, rather than destroy.

The Senator from Pennsylvania says the rule change made in 1959 was a very minor one. But I do not think so. For example, let me refer to the vote on cloture, last year, in connection with the communications satellite bill. I think the communications satellite bill was the worst bill passed by the Senate since I have been a Member of the Senate. I think that bill was the most monstrous one the Senate has passed during my service here. I do not reflect on any Senator when I say that in my judgment that bill was the most complete sellout of the public interest to the vested interests, the most complete sellout of a public asset for private profit that I have witnessed since I have been in public life or since I arrived on this earth. It was about the worst piece of economic legislation I ever saw; and I am proud that I fought against that horrible piece of legislation as long as I was allowed to, under the rule. Nevertheless, that measure was passed by the Senate—under a gag rule—by a vote of 63 to 27. However, under the rule previously existing, 67 affirmative votes—not just 63—would have been required. But under the 1959 rule change, it was possible in that way to gag the Senate, and thus allow that horrible monstrosity to be passed by the Senate. That is what that rule change made possible—about as horrible piece of legislation as could be imagined.

I understand that some of our outstanding labor leaders, such as Walter Reuther, have dedicated themselves to having the rules of the Senate changed—presumably for the benefit of minority groups for whom they have great sympathy. However, I point out that they had better be careful about engaging in such activity, for if such a change in the rule were made, one of these days, in connection with a strike such as the recent dock strike, a great wave of indignation might sweep the Nation, because of the irritation the public feels over prolonged strikes; and then the labor union leaders might find themselves confronted with proposed legislation which would endanger the basic rights of labor, and would, in effect, tend to crucify labor on the same cross.

So I would say that if their efforts were successful, they would make possible the passage by the Senate of legislation as bad for them as the satellite communications bill was bad for the public interest. It seems to me that is the danger they face when they seek to have such a change made in the rules of the Senate.

Let me point out that some of our good friends in the labor movement, the best of whom were opposed to the communications satellite bill, helped make possible the previous change in the Senate's rules. Mr. Walter Reuther is one of those who is in favor of changing the rules of this body. Those whom he represents may someday themselves be the victims of unwise legislation passed under gag rule.

Mr. President, I read further from the Congressional Quarterly Weekly Report for the week ending January 4, 1963:

> When the 87th Congress opened in January 1961, Senate liberals again hoped to push through an amendment to rule XXII allowing cloture by majority, or, at least, three-fifths of those present and voting. Although the incoming Kennedy administration stayed out of the fight, the liberals' hopes for a Senate rules change were running high. But they lost again.
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> After 7 days of debate, the new majority leader, Mike Mansfield, Democrat, of Montana, moved to refer the issue to the Rules and Administration Committee, of which he was to become chairman. The Mansfield motion barely carried, on a 50–46 rollcall vote. Mansfield promised to report out a rules change at a later date.
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> Much of the 7-day debate turned on rulings by Nixon, who was presiding (the change of administration had not yet taken place). Nixon again gave an advisory opinion that the Senate has a constitutional right to adopt new rules at the beginning of a new Congress and that this right could not be inhibited by the two-thirds requirement of rule XXII. Nixon further suggested that this might be done by moving the previous question—a standard parliamentary device in the House and other legislative bodies, but not in the Senate. Nixon's opinions furnished liberals with their major argument against deferring the rules change until later in the session.
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> Mansfield said, however, that he personally considered the three-fifths proposal, made by Anderson, desirable, but that possible rulings by the Presiding Officer of far-reaching consequence had never been considered in committee.
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> To the liberals' discomfiture, Mansfield did not bring up the issue again until the September adjournment rush was on. The liberals' defeat came in slam-bang order. Mansfield, September 16, moved that the Senate consider a resolution to change rule XXII to cut off debate by three-fifths vote. He also immediately filed a cloture petition on the inevitable Southern filibuster. On September 19 the Senate refused, by a 37–43 rollcall, to invoke cloture, and moments later adopted a Mansfield motion, 46–35, to again set the issue aside.

Mr. President, once again it becomes necessary for certain of us to undertake to explain that although this proposal might appear to help advance the interests of our Nation in the short run, in the long run it would do violence to our form of government and to the most essential and valuable elements in this country.

It may be true that, at this particular moment, we are not actually concerned with amending rule XXII, so as to impose further restrictions on freedom of debate in the Senate. We can talk all we want to about whether the Senate is a continuing body which carries over its rules from one Congress to another Congress, or whether it is supposed to adopt a new set of rules at the beginning of each Congress. We can talk all we want to about whether it takes only a majority, or whether it takes two-thirds of the Senate, to decide whether there is to be a change in the rules. We can talk all we want to about constitutional rights and the infringements thereon, and about rulings from the Chair. We can talk all we want to about a number of things. But let us be honest with each other: What this fight is all about is whether there should be further restraints on the length of time a Senator can speak on the floor of the U.S. Senate; and let us go further with our honesty by saying that the only reason why the debate limitation issue comes up is that so-called civil rights advocates have been unable to ram their proposed legislation in this field through the Senate; and they believe that the reason for this failure is the relatively free and open debate presently permitted in the Senate.

Mr. President, the problem today confronting the Senate is the same as the one I faced in 1949, when I came to the Senate. It now faces us in 1963. How strange it is that, without making a change in this rule, we were able to go through the Korean war, to mobilize our Nation's defenses in time of emergency, and to pass some of the greatest domestic legislation and economic legislation our country has ever seen. All that occurred during the intervening 14 years, even though no major change of the sort now proposed was made in the rules of the Senate. Today some Senators seek to change the rule, so as to provide that cloture may be ordered by the affirmative votes of a simple majority of Senators. Mr. President, even though without such a change we have been able to help our country make great progress, still that proposal is omnipresent; and the debate occurring today is somewhat similar to the first debate in which I engaged as a Senator.

Mr. President, later on I should like to discuss this subject at great length; but at this time I shall yield the floor.

Mr. HUMPHREY. Mr. President, do I correctly understand that the Senator from Louisiana [Mr. Long] is now prepared to yield the floor?

Mr. LONG of Louisiana. Yes.

Mr. HUMPHREY. I thank the Senator.

## ISRAEL'S ASSISTANCE TO UNDERDEVELOPED NATIONS

Mr. HUMPHREY. Mr. President, although we hear a great deal today about the failure of our European friends whom we aided in the Marshall plan to carry their fair share of free world assistance to underdeveloped nations, we often fail to take note of what actually is being done by some of our friends and allies. Israel is an example of a country which has received U.S. aid in the past and is now actively assisting other underdeveloped countries. Israel during the past 5 years has extended technical assistance to almost 80 countries in Africa and Asia. Yesterday's Washington Post carries a report that Israel is now accelerating its aid to Latin American countries. Specifically, Israel plans to train about 200 Latin American students in the field of agriculture during the next year.

I can think of no more important area of training than in the field of agriculture. It is desperately needed. The Israelis are surely competent, in the light of their own experience in their own country, to do a remarkable job in that area of education.

Israel has already shown what a small country with limited funds can do in the field of foreign aid. Her foreign aid program is very similar to our old point 4 program, which concentrated on extending technical assistance to underdeveloped countries, rather than on large loans or grants for economic development. Israel is favored with a large pool of trained experts in the fields of agriculture, health, and education. The expertise that made the desert bloom in Israel will now be extended to Latin America.

I am particularly happy to note that the technical assistance program currently being planned by Israel for Latin America is in the field of agriculture. The Israelis apparently recognize, as some others do not, that more attention must be given to rural development in Latin America.

The success or failure of the Alliance for Progress will largely depend on what is done in terms of rural development. That message must be driven home in our highly industrialized United States. A number of times I have said that if there is any one weakness in the Alliance for Progress, it is the lack of emphasis upon what we call the rural areas. There is a desperate need for more rural credits, well supervised, rural cooperatives, land reform, and technicians who can train agricultural people for modern agricultural production. We are so filled with love of the industrialized life and organization that we have almost forgotten that it was the embattled farmers of Lexington and Concord that made our Republic possible.

It might be well that we help farmers in some other parts of the world, particularly Latin America, to make possible the continued independence of the republics of the Organization of American States or the Latin American countries.

Mr. President, the new program for training agricultural specialists is not the first Israeli activity in Latin America. Already Israeli technicians are working on projects in Brazil, Ecuador, Bolivia, and Venezuela. In Brazil, Israeli technicians have been working on a project in the strife-torn northeast to convert impoverished arid lands into arable, fertile fields. To achieve this aim experimental farms and cooperative farm villages will soon be established. In Bolivia, Israeli advisers have prepared plans for the development of the Alto Plano region. In Venezuela, Israeli technicians have worked as consultants to the Venezuelan Government in implementing its excellent land reform program.

In all of these activities, Israel is again demonstrating the value of human resources in developing less developed countries. It is once again demonstrating that trained manpower is as essential to the economic and social development of a country as the large development loans which are now being given by larger countries and international lending institutions.

I am happy to make that report and comment on the activity of the Israelis, because in my visits to Israel I have talked with the officials of their Government, urging that their country take on more of those responsibilities. Israel is a very fortunate land in many ways. It has some highly trained and competent people in many fields of human endeavor. The fact that Israel is giving assistance in Latin America today is something that should bring joy and happiness to the hearts of many people in our part of the Western Hemisphere. I salute that country for what it is doing.

I ask unanimous consent that the article to which I have referred, published in the Washington Post, describing Israel's latest contribution in Latin America be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### ISRAEL PLANS TECHNICAL ASSISTANCE TO 200 LATIN AGRICULTURAL STUDENTS

(By Dan Kurzman)

Israel, which has been giving technical assistance to about 80 Afro-Asian countries, is now extending its aid arm into Latin America.

In cooperation with the Organization of American States, this little nation of 2 million people plans to train in Israel about 200 Latin American students in agricultural techniques suitable to their countries.

And under bilateral arrangements, Israeli technicians are being sent to Latin nations to work on pilot projects that could lead to the reclamation of vast arid areas of the continent.

The amount of funds Israel is spending or plans to spend in the immediate future in this hemisphere adds up to less than $500,000. As a tiny, poor country itself, Israel can hardly compete in terms of expenditure with the United States or other Western Powers.

But this small sum is going for vital projects that will teach Latin Americans how to help themselves, one of the primary aims of the Alliance for Progress.

Israel is spending little more than $7 million a year in the 80-odd Afro-Asian countries it is assisting, but some of the recipients consider Israeli aid as important to their economy as the vast sums of money they receive from larger, richer contributors.

Many recipients also favor Israeli aid because Israel is too small to have imperialistic ambitions, whereas the big powers are distrusted in varying degrees. At the same time, Israel, having conquered the problems of an underdeveloped nation, is often considered more capable of dealing with similar problems in other such countries.

The OAS is screening about 350 applications submitted by students and technicians from all 19 Latin members of the Organization for the 200 scholarships offered by Israel. Many more applications are expected in the next few months. Courses, which will include training in rural planning, the establishment of cooperatives and methods of overcoming aridity, will open in April.

Israel is earmarking about $300,000 for the 5 or 6 months' scholarships, with the OAS paying some $150,000 in transportation costs.

Complementing this program will be on-the-spot projects initiated by Israeli technicians under bilateral agreements. Students returning from Israel will gradually replace these experts.

Israeli technicians are now engaged in projects in Brazil, Ecuador, Bolivia, and Venezuela, while Trinidad and Jamaica may soon be receiving assistance.

In Brazil, four Israeli technicians have been working for 7 months on pilot projects designed to make arable the arid land of the impoverished northeast, which is one of the principal breeding grounds of communism in the hemisphere. Experimental farms and cooperative farm villages modeled after Israeli "mushav" settlements will soon be established.

In Bolivia, Israeli experts have prepared a preliminary plan for the development of the great Alto Plana highlands and may soon train youths as agricultural extension instructors.

Venezuelan land reform technicians have visited Israel and Israelis are being sent to Venezuela as consultants on land reform.

Five Israeli agricultural technicians may soon leave for Ecuador to advise the Agricultural Ministry on such matters as irrigation and hydrology.

In addition, Israel is offering opportunities to private groups to study in the Holy Land.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. CASE. Mr. President, I understand that the Senator from Minnesota [Mr. HUMPHREY] is about to move that the Senate recess. I would like to speak briefly on one other matter before that is done.

Mr. HUMPHREY. I yield the floor.

Mr. CASE. Earlier this afternoon, during the address by the Senator from Louisiana [Mr. LONG], he and the Senator from Mississippi engaged in a colloquy raising some question as to the propriety, perhaps, or consistency, of Members of the Senate who, having voted for the amendment of rule XXII in 1959, now contend that in part that rule is unconstitutional and not binding. The part that is referred to as not binding is the section of the change then made which states that the rules shall continue until changed as provided in the rules.

I call to the attention of Senators, and wish to have it made a part of the Record, that this question was raised specifically back in 1959 at the beginning of the session, and was the subject of two amendments. The debate and the disposition of the amendments appear in the Congressional Record, volume 105, part 1, beginning at page 446, and continuing through page 453.

The Senator from New York [Mr. Javits] offered an amendment to strike a portion of that restriction, and when that failed, I offered an amendment to strike the whole sentence.

I want to indicate what was said, as appears in the Congressional Record, volume 105, part 1, on page 449, during my discussion of the amendment of the Senator from New York, consideration of which preceded consideration of my amendment. I said:

> I do not have any doubt, even if this provision should not be changed, and the resolution of the Senator from Texas should be adopted without any change, that at the beginning of a new session it would be in order for Senators to propose amendments to the rules of the Senate or to propose new rules.
>
> There is nothing the Senate can do which can change the constitutional rights of the next Senate. It is the height of absurdity for us to purport to bind the next Senate. The Senator from New York is right in attempting to strike the language which his amendment would strike from the resolution.

As I said a little earlier on that same page, I would move to strike—as I later did—"the whole section, because it is not in accordance with my view as to the way the rules of the Senate should remain in existence.

"Whether or not this is so, the amendment of the Senator from New York must be made, because as a matter affecting the dignity of the Senate and the commonsense of the situation, for the Senate to incorporate into its rules something which cannot be defended upon constitutional grounds and which cannot have any effect"—I emphasize that—"would be an utterly wrong action."

Some Members of the Senate who were concerned about this particular part of the Johnson resolution voted against the resolution on that ground. Others of us, though disagreeing with that portion of the resolution, nevertheless voted for it because we believed it would make some slight improvement in the situation, and we believed this restriction would have no effect on the constitutional provision.

So, while I am sorry it is in there, and I tried to get it out, nevertheless it is without effect insofar as concerns its binding effect on the power of a majority of the Senate of the United States, at the beginning of each new session, to adopt new rules and to take any action necessary to make effective that right.

I have nothing further to say, and I yield the floor.

## TRIBUTE TO THE LATE JOHN W. TRAMBURG

Mr. WILLIAMS of New Jersey. Mr. President, we are deeply saddened to learn of the passing of the distinguished and beloved John W. Tramburg, commissioner of institutions and agencies in New Jersey. We were deeply shocked at this sudden loss due to a heart attack suffered at the age of 49. John Tramburg has rendered invaluable public service in New Jersey. We feel honored and fortunate to have had the benefit of his wide experience in helping the underprivileged, delinquents, insane and many other citizens falling within the scope of his wide range of responsibilities, that he so capably and sympathetically dealt with.

Among the posts held by him, Mr. Tramburg came to us after serving as director of the State department of public welfare in Wisconsin. Earlier, he was known in Washington, D.C., as Commissioner of Social Security in the U.S. Department of Health, Education, and Welfare.

He had a well-deserved, widely respected reputation in the field of welfare throughout the Nation. And was known by all for his fairness, patience, and worthy contributions.

Mr. President, I ask unanimous consent that the following editorials on behalf of Mr. Tramburg be printed in the Record for all to share.

There being no objection, the editorials were ordered to be printed in the Record as follows:

[From the Newark (N.J.) News, Jan. 16, 1963]

### John W. Tramburg

New Jersey has been well served by a distinguished succession of commissioners at the head of its department of institutions and agencies. John W. Tramburg continued the dedicated tradition set by his predecessors.

His was an exacting and difficult post, calling for a unique combination of humanitarianism and administrative efficiency. Commissioner Tramburg met the challenge.

His sudden death at 49 is a severe loss to the State for he was a career man in the best sense of the word, and his career was public service.

[From the Camden (N.J.) Courier-News, Jan. 16, 1963]

### Tramburg—Among the Most Able

Modesty often prevents citizens of one State from letting the rest of the Nation know how highly they regard an official from their own ranks, but it is fitting now to claim that John W. Tramburg was one of the best public servants in the country.

His death from a heart attack at the age of 49 is a tragic loss, therefore, not only for New Jersey but for the Nation as well. Fortunately, his good works were known outside the State, too, for in addition to his excellent reputation for accomplishment he also served well in former posts in Washington, Wisconsin, and elsewhere.

As New Jersey's commissioner of institutions and agencies since 1955, he was entrusted with monumental tasks under appointments by two Governors. Governor Hughes recognized him as a warm and trusted counselor whose passing will be felt most poignantly by those thousands of unfortunates whose needs were his life. And former Governor Meyner counted Mr. Tramburg as one of the most able and dedicated men Meyner was associated with in State government.

His service earlier as Commissioner of Social Security in the U.S. Department of Health, Education, and Welfare was recognized by Oveta Culp Hobby, then HEW Secretary, as reflecting tremendous qualifications.

Mr. Tramburg came to New Jersey after service as director of the State department of public welfare in Wisconsin, and later was instrumental in many advances made by New Jersey in the operation of his department. He was of particular assistance to a study group which conducted a 2-year review of institutions and agencies.

Few other men in the country have gained such wide knowledge as his in the field of welfare, and he was properly considered as one of the State's most astute public officials, making the State's loss now an extreme one and his replacement most difficult.

[From the Asbury Park (N.J.) Evening Press, Jan. 17, 1963]

### John Tramburg Deserves a Worthy Successor

The death of John W. Tramburg, commissioner of institutions and agencies, came as a shock to his wide circle of friends and as a major loss to the State's administrative organization. As an individual John Tramburg was warm, friendly, sympathetic, and fair. As an administrator he was competent and industrious and brought to New Jersey a wealth of experience gained at the national level and in other States. He will not soon be forgotten, nor easily replaced.

When the State board of control, which will nominate Mr. Tramburg's successor, and the Governor, who must approve the nomination, set about their task we hope they will keep the past before them and give the State a new commissioner of the same class as earlier holders of the office. Beginning with Burdette Lewis, through John Ellis, Sanford Bates, and John Tramburg, New Jersey has been fortunate in having a distinguished group of men to head its department of institutions and agencies. Anything less than a worthy successor to these distinguished commissioners would be a regrettably backward step.

The importance of the department of institutions and agencies can scarcely be overstressed. On two counts its work impinges upon every citizen. It is the State department which spends the greatest amount of the New Jersey tax dollar and it is the department whose activities bear heavily upon the welfare of every citizen. Welfare in all its forms, the care of the aged, the indigent, the retarded, the disabled, and the blind all come within the purview of this mammoth department. The custody of criminals, juvenile delinquents, and the insane are among its responsibilities. At some time in the life of every citizen, or that of his relatives or friends, this department is called upon to intercede. And the wisdom of its intervention strengthens or weakens our social structure and reflects directly and substantially upon the cost of government.

Without doubt the department of institutions and agencies has tremendous power and importance. Its commissioner must be a man of exceptional capability, patience, and understanding. The board of control of the department should comb the United States in the search for him.

## RECESS

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.) the Senate took a recess until tomorrow, Friday, January 25, 1963, at 12 o'clock meridian.

## NOMINATIONS

**Executive nominations received by the Senate January 24 (legislative day of January 15), 1963:**

### FOREIGN SERVICE

Carl T. Rowan, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Finland.

### DEPARTMENT OF AGRICULTURE

Roland R. Renne, of Montana, to be an Assistant Secretary of Agriculture.

### BOARD OF PAROLE

Homer Lester Benson, of Indiana, to be a member of the Board of Parole for the term expiring September 30, 1968. He was appointed during the recess of the Senate.

### IN THE REGULAR AIR FORCE

The following-named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code:

*To be major generals*

Maj. Gen. James C. Jensen, 1042A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Von R. Shores, 1236A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Sam Maddux, Jr., 1561A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Glen R. Birchard, 1623A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William K. Martin, 1697A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Henry Viccellio, 1728A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John K. Hester, 1870A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Charles M. Eisenhart, 1957A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. George B. Dany, 1061A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Chester W. Cecil, 1298A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John W. Carpenter III, 1647A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. James B. Knapp, 1668A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Jack G. Merrell, 1687A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Marvin L. McNickle, 1721A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Arthur C. Agan, Jr., 1759A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Horace M. Wade, 1872A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Austin J. Russell, 1980A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Robert H. Warren, 1987A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Theodore R. Milton, 2026A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. James W. Wilson, 1711A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John K. Cullen, 19068A (brigadier general, Regular Air Force, Medical), U.S. Air Force.

*To be brigadier generals*

Brig. Gen. Kenneth R. Powell, 1614A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Loren G. McCollem, 1632A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William S. Rader, 1636A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Andrew J. Kinney, 1661A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Richard D. Curtin, 1666A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas B. Whitehouse, 1677A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Milton B. Adams, 1712A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frederic C. Gray, 1729A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William E. Elder, 1772A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edgar W. Hampton, 1805A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert R. Rowland, 1806A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James B. Tipton, 1854A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William W. Veal, 1902A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Tarleton H. Watkins, 1910A (Colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Eugene B. LeBailly, 1920A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Charles R. Bond, Jr., 1937A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Gilbert L. Meyers, 1958A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Alvin C. Gillem II, 2025A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Rollen H. Anthis, 2053A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph A. Cunningham, 2054A (Colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Horace A. Hanes, 2060A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. McPherson, 2068A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Carroll W. McColpin, 3514A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Oran O. Price, 3563A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas K. McGehee, 3809A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Gerald F. Keeling, 3827A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Fred J. Ascani, 4036A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Gordon T. Gould, Jr., 4040A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. Henry, Jr., 4129A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert W. Burns, 4142A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John W. O'Neill, 4155A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Richard O. Hunziker, 4164A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Earl C. Hedlund, 4170A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Arthur G. Salisbury, 4224A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Winton R. Close, 4343A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jamie Gough, 4511A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James C. Sherrill, 4910A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Abe J. Beck, 5831A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Gordon M. Graham, 7761A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Samuel C. Phillips, 8981A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Alonzo A. Towner, 19158A (colonel, Regular Air Force, Medical), U.S. Air Force.

Brig. Gen. Kenneth E. Pletcher, 19136A (colonel, Regular Air Force, Medical), U.S. Air Force.

The following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

*To be major generals*

Brig. Gen. Robert S. Brua, 19063A, Regular Air Force, Medical.

Brig. Gen. Theodore C. Bedwell, Jr., 19101A, Regular Air Force, Medical.

Brig. Gen. Robert F. Worden, 1510A, Regular Air Force.

Brig. Gen. Edward G. Lanadale, 2534A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Reginald J. Clizbe, 2004A, Regular Air Force.

Brig. Gen. Robert N. Smith, 3783A, Regular Air Force.

Brig. Gen. George S. Brown, 4090A, Regular Air Force.

Brig. Gen. John C. Meyer, 4496A, Regular Air Force.

Brig. Gen. Jack J. Catton, 4719A, Regular Air Force.

Brig. Gen. Andrew J. Kinney, 1661A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Richard D. Curtin, 1666A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James B. Tipton, 1854A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Eugene B. Le Bailly, 1920A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Charles R. Bond, Jr., 1937A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Alvan C. Gillem II, 2025A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Rollen H. Anthis, 2053A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph A. Cunningham, 2054A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas K. McGehee, 3809A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. Henry, Jr., 4129A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Earl C. Hedlund, 4170A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jamie Gough, 4511A (colonel Regular Air Force), U.S. Air Force.

Brig. Gen. J. Francis Taylor, Jr., 1583A (colonel, Regular Air Force), U.S. Air Force.

*To be brigadier generals*

Col. William F. Cook, 19117A, Regular Air Force, Medical.

Col. Emmett M. Tally, Jr., 1312A, Regular Air Force.

Col. John L. McCoy, 1705A, Regular Air Force.

Col. Eugene L. Strickland, 1856A, Regular Air Force.

Col. Robert L. Delashaw, 1913A, Regular Air Force.

Col. Richard S. Abbey, 1992A, Regular Air Force.

Col. Robert W. Strong, Jr., 2010A, Regular Air Force.

Col. Roy W. Nelson, Jr., 2016A, Regular Air Force.

Col. Glenn A. Kent, 3701A, Regular Air Force.

Col. John L. Zoeckler, 3724A, Regular Air Force.

Col. Woodrow P. Swancutt, 3729A, Regular Air Force.

Col. Wendell E. Carter, 3848A, Regular Air Force.

Col. Howard A. Davis, 3860A, Regular Air Force.

Col. Thomas G. Corbin, 4097A, Regular Air Force.

Col. William B. Martensen, 4113A, Regular Air Force.

Col. Fratis L. Duff, 19188A, Regular Air Force, Medical.

Col. Joseph S. Bleymaier, 3883A, Regular Air Force.

Col. Andrew J. Evans, Jr., 4072A, Regular Air Force.

Col. William A. Tope, 4287A, Regular Air Force.

Col. Harrison R. Thyng, 4414A, Regular Air Force.

Col. Olbert F. Lassiter, 4445A, Regular Air Force.

Col. Richard A. Yudkin, 4480A, Regular Air Force.

Col. Timothy F. O'Keefe, 4608A, Regular Air Force.

Col. Richard C. Neeley, 4609A, Regular Air Force.

Col. William H. Brandon, 4712A, Regular Air Force.

Col. Delmar L. Crowson, 4954A, Regular Air Force.

Col. Anthony T. Shtogren, 4956A, Regular Air Force.

Col. William C. Lindley, 4976A, Regular Air Force.

Col. Lawrence S. Lightner, 5219A, Regular Air Force.

Col. Archie A. Hoffman, 19222A, Regular Air Force, Medical.

Col. Clarence J. Galligan, 4772A, Regular Air Force.

Col. John L. Martin, Jr., 7556A, Regular Air Force.

Col. William D. Dunham, 8097A, Regular Air Force.

Col. Lawrence F. Tanberg, 8286A, Regular Air Force.

Col. Royal N. Baker, 8315A, Regular Air Force.

Col. Jewell C. Maxwell, 8393A, Regular Air Force.

Col. Chesley G. Peterson, 9383A, Regular Air Force.

### United Nations

Jonathan B. Bingham, of New York, to be the representative of the United States of America on the Economic and Social Council of the United Nations.

# HOUSE OF REPRESENTATIVES

## Thursday, January 24, 1963

The House met at 12 o'clock noon.

The Very Reverend Volodymyr Bukata, pastor of Ukrainian Orthodox Church of Holy Ascension, Newark, N.J., offered the following prayer:

Almighty God, source of all good, benefactor of mankind:

We lift up our hearts in prayer to Thee and invoke Thy blessings upon this deliberative body—the House of Representatives of the United States of America.

May Thy grace and benevolence descend upon and fill these, Thy servants, the translators of the will of the free American people in this blessed country of ours. Take our land, we pray, its Government, Armed Forces, and its people, under Thy care. Preserve for the world and its peoples this bastion of defense against tyranny and oppression.

The universal cause of the dignity of man under God and his freedom is indivisible. We, therefore, on this day in commemoration of the proclamation of independence of the Ukrainian people 45 years ago as the Ukrainian National Republic raise our voices in prayer for this long-suffering nation which is denied freedom by Communist imperialism. We pray also for the many other nations which aspired and continue to aspire to freedom despite the brutal and ruthless suppression then and now by the most despotic ideology and regime the world has ever known.

The independence of the Ukrainian nation was destroyed and drowned in blood by the aggressive onslaught of the Communist hordes. Ukraine is enslaved, but not defeated. The Ukrainian people never ceased to struggle for liberty and independence. It continues the struggle even now by every means available to it. The eternally burning torch of freedom passes from hand to hand, from generation to generation, lighting the way to ultimate liberation.

The aspirations of all captive and oppressed peoples are the torches which will one day blend into a great flame, destroying evil and heralding the birth of a new day of freedom.

Permit us, O Lord, to pay tribute to those millions of patriots of Ukraine and all other nations in captivity who even today sacrifice for liberty, for the right of self-determination, for freedom from oppression and fear, for freedom of thought and speech, and for the right to worship Thee, our God.

O Lord, we pray to Thee: May the Ukrainian nation and all other captive nations soon have a new birth of freedom; that they may take their rightful place among the free nations of the world. Amen.

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### THE JOURNAL

The Journal of the proceedings of Monday, January 21, 1963, was read and approved.

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### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

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### ATTENDANCE AT SESSIONS OF THE HOUSE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I am taking this opportunity to call to the attention of the House an old statute, which while it has not been enforced for many years is still in effect. In my opinion the enforcement of this statute would result in expediting the business of this session, and would in a large measure eliminate a practice which has grown up over the years, resulting in making it virtually impossible to conduct the business of this House in the most efficient and most expeditious manner.

I am referring to the statute providing for deductions by the Sergeant at Arms from the pay of a Member who is absent from his seat without a sufficient excuse. The statute reads:

> The Secretary of the Senate and the Sergeant at Arms of the House, respectively, shall deduct from the monthly payments of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

This is a reasonable law. I would be happy to be enlightened as to why it has not and is not now being enforced.

In my opinion, when an individual is elected a Representative in Congress he assumes a full-time responsibility. Many of us have outside interests, but the duties and responsibilities of the office of Representative should not be secondary in importance to any other avocation or vocation.

If, for instance, a Member of this House continues in the practice of a profession which is lucrative in remuneration, and he finds that it is necessary to absent himself when the House is in session, he should not object to a forfeiture of his pay for a duty which he did not perform.

I believe I am speaking for a majority of the Members of this House when I express the opinion that the work of this body could be greatly expedited if the House would be in session 5 days each week, and a rollcall taken each day to establish the presence of the Members. This would, admittedly, work a hardship on the regular members of the so-called T-to-T Club, but it would permit the committees of this House to function, as they are unable to do at the present time when so many Members are away on long weekends.

In closing, Mr. Speaker, may I respectfully inquire, How about complying with the law, or if we are not in agreement with the law, how about repealing it?

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### SOW THE WIND AND REAP THE WHIRLWIND

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, sow the wind and reap the whirlwind. The Supreme Court of the United States has contributed more to present-day racial problems and racial discord by its sociological edicts than any other agency of Government in the history of the Nation. The Nation's Capital City has had a full measure of these problems. I should think the members of that august Court would have some cause for concern when they read in their own publication that the women employees of the Court are not safe when they leave the building. Lawlessness in the National Capital, particularly crimes against women, are a national scandal. I call attention to the lead article in the docket sheet for the Supreme Court of October 1962:

> **Women Employees Again Reminded To Have Police Escort When Leaving After Dark**
>
> As a reminder again this fall—as darkness comes earlier each day—women employees are requested to exercise caution in leaving the building. They are urged by Lt. Harry N. Hayes to stop at police headquarters, room 35, for a police escort to the parking lot or out front for a taxi. This system, now in effect for several years, has proved effective. Women employees, especially when leaving alone after dark, should take advantage of this protection. Either Lieutenant Hayes or Sgt. Thomas A. Barnett, who are on duty in police headquarters at that time of day, will be glad to arrange a police escort for you.

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### UKRAINIAN NATIONAL REPUBLIC

Mr. MINISH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Speaker, it was my privilege today to escort to the House my distinguished constituent, the Very Reverend Walter Bukata, of the Ukrainian Orthodox Church in Newark, who offered the moving prayer in commemoration of the 45th anniversary of the independence of the Ukrainian National Republic. His eloquent words reflect the sentiments of the membership of the House of Representatives who annually pay tribute to the heroic Ukrainian people and pray for their deliverance from the cruel yoke of their oppressors.

Ukrainians have been most unfortunate in their modern history, and to a great extent their misfortune has stemmed from the geography of their beloved homeland. Placed almost squarely between Europe and Asia the Ukraine has found itself the gateway to Europe for the invaders from the East. As one of the richest granaries of Europe, its fertile soil has aroused the envy and avarice of neighboring peoples. For these reasons the country has been an arena of discord between the East and West.

In the continental struggles between contending civilizations, between the Asiatic East and European West, the fate of Ukraine has been conditioned by forces and factors over which its people could exercise little control. For centuries their country was overrun by conquering armies, and remained divided under alien rulers until 1918. Then, as the forces which had suppressed their nationalist spirit were overthrown, the Ukrainians seized the opportunity and proclaimed their political independence. That historic event took place on January 22, 45 years ago.

But the new state, from the time of its very birth in 1918, was surrounded by powerful forces of destruction, and was marked by its foes, especially by the Russian Communist regime, as ready prey. In 1920 the country was overrun by the Red army and all Ukrainian opposition was subdued. That was the end of the short-lived Ukrainian National Republic.

Since then the people of Ukraine have been enduring their long national ordeal under the Soviet regime. The country has become part of the Soviet Union, and today more than 42 million Ukrainians are prisoners in their homeland. Of course, they cannot celebrate their great national holiday, their Independence Day. But those Ukrainians living in the free world, and especially Americans of Ukrainian descent in this great Republic, do so in the hope that someday and soon this Independence Day will be celebrated in a free and liberated Ukraine. I glady join all freedom-loving Ukrainians in their wish that their cherished dream will be realized.

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## DISTRIBUTION OF HARTWELL POWER

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the proposed allotment of power from the Government dam at Hartwell on the Savannah River is unfair and discriminates against the REA co-ops and other preference customers in the State of South Carolina. The Department of the Interior is proposing to allot 50 percent of the Hartwell power to Georgia, 37½ percent to North Carolina, and only 12½ percent to South Carolina.

Mr. Speaker, this means that Hartwell power would be wheeled right straight through western South Carolina into North Carolina, even to the borders of Virginia and Tennessee. This arbitrary plan or deal would establish a precedent and would create an unlimited service area. Under this plan, Hartwell power would be wheeled 125 miles, 150 miles, and even 200 miles away from the Hartwell damsite on the Savannah between South Carolina and Georgia.

Mr. Speaker, the Congress authorized the construction of Hartwell Dam. The Congress appropriated nearly $100 million to build this gigantic project. We did so in order that this power might be made available to preference customers and thus be a yardstick for power rates in that area. I expected and intended, when I supported this project, that this power would go first to the preference customers in the immediate area, certainly no further than 100 and 125 miles from the dam.

The REA co-ops and municipalities in my district and throughout western South Carolina could use this power and are entitled to their fair share. Not one acre in North Carolina is flooded by Hartwell Reservoir. More acres are flooded in South Carolina than in Georgia. Under the Department of Interior plan, my people will not only lose tax revenue but will lose the advantages of cheap power. This is definitely wrong. If South Carolina would be allotted its fair share of Hartwell power, South Carolina consumers would save $300,000 annually.

The REA has done an excellent job for the rural people of South Carolina. Mr. Speaker, I do not want to see the great REA program in western South Carolina undermined by this capricious, arbitrary, and autocratic proposal. I hope the Department of Interior will revise this plan and give the REA municipalities of South Carolina a fair deal.

Mr. Speaker, I am placing in the daily RECORD a resolution of protest unanimously adopted by the board of directors of the Saluda River Electric Co-op.

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## MODERN COLONIALISM—HUNGARY FORGOTTEN?

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, since there have been so many arresting international problems of recent days, few people have noted the action of the U.N. in relation to the question of Hungary.

Instead of continuing to authorize the special mission of Sir Leslie Munro to investigate the Hungarian situation, as was done in the past, the matter of implementing the action of the U.N. in relation to investigating conditions in Hungary was referred to U Thant, the Secretary General, to take such action as should seem appropriate to him.

Among other reasons, it was suggested that some of our associates in the U.N. were becoming tired of having this question repeatedly brought before the bar of this international organization.

If this is true, it is a strange commentary, indeed, to find that questions of oppression and tyranny can lose their immediacy with the passage of a few months.

A trenchant editorial on this subject appeared in the Waterbury (Conn.) American on January 7, 1963, and in the interest of further circulation of this excellent statement, I am appending this editorial hereafter.

[From the Waterbury (Conn.) American, Jan. 7, 1963]

### HUNGARY FORGOTTEN?

With world attention presently focused on the Congo, few people will have noted that the United Nations has apparently tossed in the towel in the matter of Hungary.

It was in 1956 that a resolution was adopted by the U.N. which condemned the enslavement of the Hungarian people by Soviet troops. Each year, until 1962, that resolution was reiterated. Last year for some unknown reason it was not.

Now the U.N. has canceled the special mission of Sir Leslie Munro, of New Zealand, to investigate the Hungarian situation. The whole business has been placed in the hands of Secretary General U Thant to handle as he sees fit. In this action the United States has acquiesced, unfortunately.

In effect, this withdrawal of any U.N. action on the matter of Hungary—and the other captive nations as well—is simply giving tacit approval to Russian colonialism.

The reasoning behind this is difficult to understand, unless it is that the West should tread softly in dealing with Moscow, for fear of creating any new crises.

But that gives little reassurance to the peoples of Hungary, Lithuania, Latvia, and Estonia—to name only a few—that the Western Powers are thinking in terms of eventual liberation for these captive countries. They may certainly not be criticized if they have the feeling that the free world has forgotten them.

President Kennedy spoke recently in terms of liberation for the people of Cuba, although short of lipservice to the ideal the administration has made it fairly clear that it will do nothing to give encouragement to the Cuban freedom fighters.

If the United States can talk of liberation (eventually) for Cuba, why not talk of liberation for the captive nations of Europe? Soviet suppression of once-free peoples is no less offensive in Europe than in Cuba.

The U.N. decision to drop the Hungarian investigation is a sad commentary on the state of world affairs.

## AMERICA NEEDS AN UNDERGRADUATE FOREIGN SERVICE ACADEMY

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, ladies and gentlemen, I hope the House will forgive me if I return to a familiar theme, but I should like to direct your attention for just a few minutes to something I regard as essential for the future security of this country, namely, the establishment of a National Foreign Service Academy.

I think the need for this Academy has long been obvious, and I think the proposal merits our most serious consideration. For 17 years we have been the object of a relentless cold war waged by the Communist powers of the world. Sometimes this war has flared into military conflict, but most of the time it has been carried on in the gray areas of propaganda, psychological, and economic warfare. The military aspects we can handle. We have a superb officer corps, highly trained at West Point, Annapolis, and at the new Air Force Academy, which is quite capable of devising the strategy to hurl back the Communist military challenge. But we have no comparable corps of Foreign Service officers, schooled in the techniques of nonmilitary conflict, capable of anticipating the Communist thrust and devising an effective parry, or, indeed, possessing the attitude of mind which thinks in terms of a prior thrust by the forces of freedom, for which communism must seek the counters.

To correct this condition I have introduced a bill, H.R. 1122, for the establishment of a U.S. Foreign Service Academy. This Academy would instruct and train diplomatic cadets, in preparation for careers as officers in our Foreign Service. The course of instruction would be prescribed by the Secretary of State, and would be the equivalent of the curriculum in the field of foreign affairs currently prescribed for the bachelor's degree in many of the Nation's leading institutions. Emphasis would be placed on history, culture, customs, folklore, and languages of the nations in which the diplomatic cadets would elect to serve, and provision would be made for field study in such nations. Entrance to the Academy would be on the basis of competitive examinations.

I wish to state most categorically that my proposal in no way reflects on the institutions currently offering training in foreign affairs. All across the country there are a number of first-rate programs which can offer the student a broad understanding of international relations, a specialized knowledge of an area, or both. But most of these programs are at the graduate level. Parenthetically I may add that a number of other bills introduced on the subject of a Foreign Service Academy are cast in terms of graduate instruction. There is nothing wrong in this. But I wonder if it does not result in the creation of detached, critical scholars, of which the country has an ample supply.

In contrast, I believe in the old-fashioned maxim, "catch 'em young." Of course we want the members of our Foreign Service to be thoroughly schooled, to be fully acquainted with the basis of international politics, and to know their areas thoroughly. But we want them to be engaged, or perhaps I should say committed, to believe completely in the cause of the United States, and to advance that cause by all legitimate means. In my judgment this can be accomplished successfully only if the recruits to our Foreign Service have gone through a course of study which instills this outlook. A U.S. Foreign Service Academy, which will feed in the bulk of the recruits to our Foreign Service, is the answer to the problem. It will give us not only scholars of international relations, not only men possessed of a deep knowledge of an area, but men capable of being the junior officers of the cold war—men who see the picture as a whole, who see it true, and who understand that the United States cannot sit idly by, but must advance the cause of freedom, else it will wither away.

My bill does not propose that the Foreign Service Academy will be the exclusive mode of entry into the Foreign Service. Graduates of our private colleges and universities would be admitted as before. But preference in making appointments to the Foreign Service would go to the graduates of the Academy. In this way there would be the stiffening of professionals, just as the officer corps of the military services is stiffened by the graduates of West Point and Annapolis in its midst. These would be the men professionally dedicated, the men with the concept of service. Such men have been needed at all times in our history, but never more than now, and nowhere is their dedication more appropriate than in the Foreign Service.

I might even add that educationally there is a unique feature to my bill. Field study of an area is not widely conducted at the undergraduate level. The usual pattern is for such study to be carried on at the graduate level, and it is not unknown for graduate students to so immerse themselves in the viewpoint of the area in which they specialize as to lose all perspective as Americans. But younger students, under the discipline of the Academy, could observe foreign cultures at close hand, could integrate that observation with classroom study, yet should be able to secure an appropriate grasp of how these studies fitted into the context of their own country's policy.

If I may summarize: I advocate the establishment of a U.S. Foreign Service Academy because it is educationally sound and politically necessary. I believe a unique opportunity is now at hand for the establishment of such an Academy. I say we should seize that opportunity, and establish such an Academy forthwith. I am confident that in just a few years the return would be well worth the cost.

## WORLD WAR II CLAIMS

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, last year Congress passed Public Law 87-846 which amended the War Claims Act of 1948 to authorize settlement of several classes of meritorious World War II claims which were not covered by the original law or its subsequent amendments. On August 8, 1962, at the time the measure was on the floor of the House, I supported the bill but pointed out that there was a grave inequity in it. It provided payment of a war claim only if the claimant, and all predecessors in interest, were on the date of the loss nationals of the United States. The claims of persons who were nationals of another country at the time of the loss but later came to the United States and became citizens of this country cannot be recognized. On August 8 I sought to amend the measure to include those citizens who suffered losses and later became American citizens.

Today I have introduced a bill to amend the War Claims Act of 1948 to allow the filing of claims by those citizens of the United States who would be eligible to file for compensation under the present law except for the fact that they were not citizens at the time of their loss.

My bill would in effect allow all citizens to file for compensation regardless of the date of their citizenship with the exception of members of the enemy armed forces during World War II.

I believe that the present law with its unjustifiable discrimination against American citizens creates, in effect, two classes of citizenship. The concept now embodied in the present War Claims Act that the United States owes a greater obligation to those who became citizens earlier than their fellow citizens is wholly antithetical to the spirit of the Constitution. Under our Constitution all American citizens are treated alike with the single exception of eligibility for the presidency. The Supreme Court of the United States has repeatedly stated that naturalized citizens are not second-class citizens.

It has been argued that this subject of war claims compensation involves international law and that the rules of international law require continuous citizenship from the date of loss to the time of filing with respect to claims one government asserts against another on behalf of its nationals. However, it must be remembered that we are not concerned with international law. This is not a situation in which the U.S. Government negotiates with a foreign government to obtain redress for wrongs against our citizens. The war claims are to be paid out of assets owned by the U.S. Government to U.S. citizens by the U.S. Government. This is a wholly domestic matter and should be governed by our fundamental constitutional principle that all citizens no matter when they became citizens should be treated alike.

In a sense the present policy discriminates against those who deliberately chose to owe their allegiance to the United States. Having renounced their former allegiances, they cannot now look to any other government for redress. Although they pay taxes and chose to be Americans, we refuse to treat them on the same basis as any other citizens.

I urge all the Members of the House to support this bill so that a serious inequity can be corrected in keeping with our constitutional principle of equal treatment for all citizens.

## UKRAINIAN INDEPENDENCE DAY

**Mr. PRICE.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

**Mr. PRICE.** Mr. Speaker, it is entirely proper that we in this country should take the occasion, once each year, to pay our respects to the freedom movement that still exists in the hearts of the people of the Ukraine. Assuredly it is appropriate for this House of Representatives to observe the celebration here and in many other lands of Ukrainian Independence Day.

The people of the Ukraine are now ruled by the political instruments of the Soviet Union, dominated by the Communist Party leaders centered in Moscow. But the Ukrainians are not Russians. They tried to break away from the Russian state in 1918–20, when the tides of revolution and war swept over Eastern Europe, and they have never ceased to long for a national homeland of their own.

There are tens of millions among the Ukrainians, with their central city of Kiev, who would seek today to restore their independence and sovereignty, to establish their own government, to practice the ways of freedom and democracy. They are held in bondage as a captive people, victims of Soviet colonialism that asserts a right to extend its empire to the limits of the brute strength of the Red army.

We know what the record shows—the existence all over this country of unswerving support of the Ukrainian independence movement among those of Ukrainian descent and among leaders who have themselves been forced to flee from the Soviet secret police. We know that even the most recent of Eastern Europe's wars revealed the Ukrainian people as turning in anger against aggressors and invaders of both Moscow and Prussia. We know that when resolutions of Congress memorializing in behalf of an independent Ukraine have been publicized, the Soviet Union has responded with a violence of denunciation that may expose the weakness of their position.

It has been 45 years since Ukrainian leaders proclaimed their nation's independence on January 22, 1918, and helped hurl out the remnants of the collapsed czarist armies. They were almost instantly victimized again by the Kaiser's armies, which backed the establishment of a monarchy headed by a puppet general, but they reasserted their rights on January 22, 1919, when the puppet king fled along with his military masters. Yet once again they were doomed to disappointment when Lenin sent the Red army back in and the Ukrainian leaders were either slain or forced to flee.

We have made a practice in this House of declaring our support of the captive nations held in thrall by Soviet power, and it is a privilege for me to assert again my support of this custom.

We should not be misled into imagining that such a practice infringes in any way on the prerogatives of the executive in foreign policy nor infringes on the accepted comity of nations.

The executive has its own responsibilities, and the gentlemen in the State Department may well feel they must deal with officials at present in control of the territory of the Ukraine. We in Congress also have our own responsibilities, and the proclamation that this Nation still stands for freedom is a necessary part of our duties.

We speak out in this House against imperialism and colonialism wherever the practice exists and whoever may be the aggressor. And I dare say the time is not likely soon to come when we shall hesitate to denounce Communist colonialism as well as the older imperialism of the West, which happily are now being disavowed and dismantled.

It is a privilege to declare the kinship of the American people with all those who love freedom, who seek independence and self-government, who wish to run their lives according to their own traditions and preferences. Most especially this group of high honor includes the captive people of the Ukraine.

## BILL TO ESTABLISH OFFICE OF FEDERAL ADMINISTRATIVE PRACTICE

**Mr. FASCELL.** Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

**Mr. FASCELL.** Mr. Speaker, I am introducing a bill to establish an Office of Federal Administrative Practice and to provide for the appointment and administration of a corps of hearing commissioners, and for other purposes, entitled the "Federal Administrative Practice Act."

This bill is sponsored by the American Bar Association. The need for an Office of Federal Administrative Practice has been recognized not only by the American Bar Association, but by every committee, commission, and conference that has inquired into the complex structure of Federal agency regulation. The need for such an Office was first recognized by the Attorney General's Committee in 1941. It was proposed again by the first President's Administrative Conference, and concurrently by the Hoover Commission, in 1953. It has again been proposed by the second President's Administrative Conference in its concluding report of last month. An array of our most distinguished legal scholars have written or testified in support of establishing an Office of Federal Administrative Practice.

While there is widespread support for such an Office, there are differences of view concerning the details of the Office's functions and its relation to the three branches of Government. The Office sponsored by the American Bar Association would be an independent agency. It would be headed by a Director who would be appointed for a term of 10 years. The Director would be given two classes of functions: first, that pertaining to agency proceedings, and, second, that pertaining to the administration of the trial examiner system which is presently administered by the Civil Service Commission.

The Director is given no authority over any other Government agency, but he is authorized to make continuous studies on the adequacy and efficiency of agency proceedings for the purpose of assisting in the effectiveness and fairness of their important regulatory operations. The Director is authorized to make recommendations to the Congress or to the President on any matters assigned to him under the act. These recommendations would include, for example, ways and means of minimizing undue delay and expense of agency proceedings, and recommendations which will provide persons the opportunity to participate more effectively in the development of agency regulations.

The importance of the Administrative Procedure Act is widely accepted, but presently there is no responsible agency charged with general superintendence to insure that what Congress intended by that important statute is fairly and effectively carried out in the conduct of agency proceedings.

The Director would also be authorized to receive complaints regarding matters of practice and procedure, and, while this function is somewhat controversial, it is regarded by many as a key provision of any independent office. The right of petition is one of our cardinal freedoms, and in the agency environment there is a substantial body of opinion which holds that a person who feels aggrieved or unfairly treated should have an opportunity to present his complaint to some central and responsible official. While the Director would have such "watchdog" functions in these matters, he would also be able to help the agencies and to help the Congress in improving agency organization and the regulatory process. The Director would provide assistance to the Congress in somewhat the same manner as the Director of the Administrative Office of the U.S. Courts and the Comptroller General. Congress obtains reports and information on the state of the hearing dockets of the Federal courts, but there is no comparable report or source of information on the state of hearing dockets of the Federal agencies. These agencies are now handling more cases than the courts and their trial examiners are now more numerous than all of the Federal court judges.

In another area Congress has set up machinery for conducting a postaudit function and determining how the agencies have complied with the congressional purpose in the expenditure of appropriated funds. We have no comparable machinery for systematically reviewing on a postaudit basis how effectively and fairly the agencies are carrying out what Congress intended in the Administrative Procedure Act in the exercise of a host of regulatory functions, which in one way or another now affect every person and business concern in the United States. Inquiries into such matters are made from time to time by various committees of the Congress on an individual or selective basis, but there is no systematic, continuous, and across-the-board approach to these problems by an informed and expert agency which would be able to assist all of the agencies and all of the committees of Congress in the discharge of their several functions.

Section 110 of the bill lists the important functions which would be assigned to the Director, none of which is now being performed, and in this sense the Office of Federal Administrative Practice would fill what is now a vacuum as to matters involving the agency proceedings.

The proposed Office would be one of the most independent agencies of Government. For example, it would be exempt from the Reorganization Act of 1946. The Director, as above stated, would have a fixed 10-year term and would be authorized to report directly to the Congress with regard to needed legislation rather than through the Bureau of the Budget.

The second major purpose of the Office of Federal Administrative Practice would be to assume administration of the trial examiner system, which is presently administered by the Civil Service Commission. There is widespread recognition of the importance of the trial examiner's position in the conduct of Federal agency proceedings. These men must be competent, judicious, objective, and impartial in the trial and decision of agency cases. President Kennedy in his message of April 13, 1961, said to the Congress with regard to standards for appointment, compensation, promotion, and removal of hearing examiners that the application of these standards "has been a continuing source of controversy." The President's message declared that—

> None of the regulatory agencies can be completely efficient and effective unless they are staffed by capable hearing examiners.

And he concluded with the statement:

> It is my hope that raising the selection standards and increasing the compensation of the hearing examiners will improve both their stature and their general level of competence.

The Attorney General's Committee in 1941 recommended that the selection and appointment of hearing examiners be given to a specially constituted board. Subsequent committees and commissions have proposed that the trial examiner system be removed from the Civil Service Commission and reassigned. The American Bar Association has sponsored this point of view. A distinguished staff director of a committee on hearing examiners of the recent Administrative Conference advised that administration of the trial examiner system be reassigned. This recommendation was a matter of controversy in the Administrative Conference, I am told, and was not adopted.

We now have about 400 trial examiners in the regulatory agencies, and there are substantial complaints concerning the trial examiner structure and the lack of improvement in the selection and qualifications of the examiners. The administration of trial examiners was assigned to the Civil Service Commission in 1946 by the Congress as an experimental and compromise effort. In view of the continuing widespread concern about the importance of the hearing examiner system and the persistence of controversies with respect to its administration, this subject needs to be thoroughly reexamined by the Congress at an early date, and the bill which I am introducing is a good starting point for such an inquiry.

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## ROLE OF THE U.S. SUPREME COURT

**Mr. FASCELL.** Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

**Mr. FASCELL.** Mr. Speaker, it was my great honor and pleasure to introduce Mr. Justice Reed at the 14th annual University of Miami Law School breakfast in Miami last October. From a Kentucky law practice, Mr. Justice Reed moved in rapid progression to General Counsel of the Federal Farm Board, the Reconstruction Finance Corporation, the Office of Solicitor General and in 1938 was appointed to the Supreme Court by President Roosevelt, where he served for 19 years, until his retirement on February 25, 1957. It was once said by a Washington lawyer:

> If you wish to get Justice Reed to agree with you, give him facts, not theory.

I commend to the attention of my colleagues the address delivered by Mr. Justice Reed before the law school alumni. He makes a scholarly and timely presentation on the role of the U.S. Supreme Court.

Mr. Justice Reed said:

My first visit to Miami was in January 1908. In my early years of practice in Kentucky, I returned a number of times on business to other parts of Florida, particularly the Lakeland region. There, with my clients, I weathered the boom and bust, and am still the fortunate possessor of a quarter section on the west coast that is worth more than it has cost. The Florida East Coast Railroad had only recently been constructed on my first arrival in Miami, and forward-looking men were struggling to get southern Florida started on the remarkable development that has produced the prosperous region we know today. Like other sections of our country, it owes its progress to the enterprise and foresightedness of its citizens and the system of government under which we live, with the rewards—economic and social—that have marked our Nation's progress. As lawyers and judges, you alumni have been and are contributing your part to the Nation's efforts to keep our legislation and decisions in step with our material and social progress.

It has long been a matter of particular interest to me to reflect and comment upon the various historical stages that have marked our law, stages that naturally correspond to our maturing economic and social advance. Neither the common law, statutes or judicial decisions are enacted or adopted from a preconception of what law should be. They develop out of man's contacts with other men and so take from the need of society as learned from human experience.

By far the most interesting and important clash of views dates from the Constitutional Convention and revolves around the power of the judiciary to declare invalid those statutes of Congress, acts of the States, or orders or acts of their personnel, or those of private individuals, which are beyond Federal constitutional limits. I refer to the kind of decisions we had in *Marbury* v. *Madison*, applying to litigants, or *In re Debs*, controlling disorder violating Federal rights, or *The Steel Seizure Case*, invalidating Presidential orders (*Youngstown Sheet and Tube Co.* v. *Sawyer*).

There is nothing sacrosanct in the right to judicial review. Few governments allow judicial review on the issue of the constitutionality either of legislation or of executive action. The power of courts to pass upon the conformity of such actions with constitutional requirements was an American contribution to the evolution of democracy.

Since in a republic, "all the citizens, as such, are equal, and no citizen can rightfully exercise any authority over another, but in virtue of a power constitutionally given by the whole community,"[1] machinery was necessary to adjudge rights.

The 17th century philosophers who taught the theory of the inherent rights of man left unnamed the arbiter whose decision would determine when fundamental rights were invaded by government. Obviously each individual cannot decide that for himself. "Fire burns both in Hellas and Persia; but men's ideas of right and wrong vary from place to place." If we are all to have our way, each would have a universal war against everyone—"bellum omnium contra omnes." Everybody would sit in judgment on everybody. We found our answer in judicial review of actions challenged as unconstitutional. While the power to declare State and Federal laws unconstitutional when violative of the Federal Constitution is nowhere expressly granted to the Federal courts, the expressions in the Constitutional Convention, the explanations in the Federalist, the early and continuous line of decisions by men familiar with the purposes of the Founders and the almost universal acceptance of the necessity for an arbiter have settled the question of judicial review for constitutional issues. The alternative is final determination of compliance with constitutional mandates by Congress or by the Executive. Since both of these arms of government have the power to initiate governmental action and to originate public measures in the heat of political conflicts and the height of popular discontent, the judiciary, which can only interpret and condemn after public hearing with reasoned decision, and which is without affirmative power to enact or administer, has been accepted as the arbiter of disputed issues of Federal constitutional law. By *Marbury* v. *Madison* the power over Federal action was established and by judicial interpretation of the Supremacy Clause a similar power was recognized in *Cohens* v. *Virginia* as to constitutional issues in State courts.[2] From this judicial power constitutional decisions have come from time to time that have had pronounced effect upon the development of the Nation. Judicial review has proven a workable political idea. The intermittent protests of the States, even when their own laws were made ineffective through the Supremacy Clause, have been unavailing from *Gibbons* v. *Ogden*, State steamboat licensing, to *Pennsylvania* v. *Nelson*, State punishment for a subversive act covered by Federal law.

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[1] *Penhallow* v. *Doane's Adm.*, 3 Dallas 54, p. 93.

Many court decisions, based on statutory construction, are important, sometimes destructive of or limitations on congressional purpose to accomplish social or economic changes.[3] Congress can remedy such decisions by curative legislation. But constitutional judgments adverse to the general field of legislation may set back advances for decades, as happened with minimum wages for women[4] and child labor.[5]

Such adverse rulings may require a constitutional amendment, as did the ruling in 1783 in *Chisholm v. Georgia*[6] on the right of a citizen of a State to sue another State in the Supreme Court of the United States. This decision brought prompt action through the 11th amendment, February 7, 1795. Usually such action is tedious. The judgment holding unconstitutional the income tax act of 1894 in *Pollock* v. *Farmers' Loan & Trust Co.*, 157 U.S. 429, was remedied by the income tax amendment, ratified in 1913. It took the adoption of the 14th amendment after the War Between the States to set aside the Dred Scott decision denying Federal citizenship to Negroes. Consequently, the Supreme Court approaches constitutional questions gingerly. One needs no citation of authority to assert that it is doubly difficult to secure a judgment by the Supreme Court overruling a former judgment on constitutional questions. Nor is the criticism of "men in a hurry," that the Court avoids constitutional decisions whenever reasonably possible, just. Perhaps avoidance sometimes approaches evasion, as in *United States* v. *CIO,* 335 U.S. 106, but justification is claimed, I think soundly, because of the far-reaching effects that questionable conclusions may have when handed down before full information is available for study.

Occasionally other means than amendments are available to overcome constitutional decisions contrary to purposes desired by the people. Thus the marginal seas decisions, which turned on the scope of national dominium, were rendered innocuous by the Submerged Lands Act, when Congress gave the States what the Court had refused.[7] The Supreme Court even suggested in *California* v. *Rolph,* 264 U.S. 219, 227, how the disadvantages arising from *Southern Pacific* v. *Jensen,* 244 U.S. 205, declaring States without power to apply compensation acts to maritime workers, could be rectified.

Since *Marbury* v. *Madison* we have accepted the view that the judiciary has power to interpret our Constitution. In order to get certainty in constitutional requirements, another theory has also been offered. This relates to whether, when a decision on constitutional interpretation has been reached by the Supreme Court of the United States—an interpretation treated as binding upon the courts, State and Federal—the Supreme Court can itself change its view as to constitutionality.[8] Such a question seemed pertinent to some because of the understanding that the English House of Lords could not overrule one of their prior legal decisions without an act of Parliament.[9]

Desirable as fixity is, it is fortunate, in my view, that the English conclusion has not been reached here on constitutional issues. Our requirements for constitutional amendments might well bar necessary adjustment. After the War Between the States, the practice by the Supreme Court of overruling decisions deemed erroneous was applied in the Legal Tender cases. In *Hepburn* v. *Griswold,*[10] the Court had decided in 1869 that contracts payable in species could not be satisfied by the U.S. notes, although these notes were legislatively declared legal tender in payment of debts. Later, in the Legal Tender cases,[11] *Hepburn* v. *Griswold* was specifically overruled, thus giving the necessary flexibility as to the nature of legal tender. This reversal was the forerunner of the gold clause legislation of 1935. Surely the sounder rule is that announced by Chief Justice Taney in the Passenger cases: "After such opinions, judicially delivered, I had supposed that question to be settled, so far as any question upon the construction of the Constitution ought to be regarded as closed by the decision of this Court. I do not, however, object to the revision of it, and am quite willing that it be regarded hereafter as the law of this Court, that its opinion upon the construction of the Constitution is always open to discussion when it is supposed to have been founded in error, and that its judicial authority should hereafter depend altogether on the force of the reasoning by which it is supported." (7 How. 283, at 470, dissenting.)

With the adoption of the last of the war amendments, the 15th, on the right to vote, the Nation turned from the major questions concerning National vis-a-vis State sovereignty to the problem arising from the growing industrialism, burgeoning corporations, conflicting governmental regulations.

A determination that had far-reaching results soon came down—*Santa Clara County, California* v. *Southern Pacific Railroad* (1886), 118 U.S. 394—decided that the word "person" in section I of the 14th amendment included corporations under equal protection. The Santa Clara case was the determinate decision in the California series of important railroad tax cases passing through the courts to determine the legality of State railroad assessments and classifications. The ruling on the point was short: "Mr. Chief Justice Waite said: 'The Court does not wish to hear argument on the question whether the provision in the 14th amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applied to these corporations. We are all of opinion that it does,' " page 396.

It occurred after lengthy discussion in the brief for defendant[12] and the ruling, 1882 in the Railroad Tax cases by Justice Field, who there said: "A similar provision is found in nearly all of the State constitutions; and everywhere, and at all times, and in all courts, it has been held, either by tacit assent or express adjudication, to extend, so far as their property is concerned, to corporations. And this has been because the property of a corporation is in fact the property of the corporators."[13]

Between the Santa Clara case and the great depression, the history of the struggle for regulation of industry through the Sherman and Clayton Acts, the Interstate Commerce and similar enactments, continued. Then came the depression.

One must recognize the innate conservatism of the law, its habit of holding firmly to the existing order. One must recognize, too, that lawyers are not as conservative as the law. New social or economic problems stimulate discontent with older concepts that seem to have failed. Old understandings will be applied to new situations. Fresh approaches will be adopted to find solutions. So it was in the thirties.

Fortunately, the Court's determination that the Federal commerce clause permitted regulation of acts that affected commerce, as well as that commerce itself, had laid a framework for elaborate structures of national economic and social policy. This determination was made in the Shreveport case, 1913, where the Court's opinion written by the then Mr. Justice Hughes, upheld I.C.C. power over intrastate railroad rates.[14] He said: "While these decisions sustaining the Federal power relate to measures adopted in the interest of the safety of persons and property, they illustrate the principle that Congress in the exercise of its paramount power may prevent the common instrumentalities of interstate and intrastate commercial intercourse from being used in their intrastate operations to the injury of interstate commerce."

Thus, in 1913, there was the genesis of the theory of Federal legislative power over local activities affecting commerce "among the States." The recognition that Federal power over commerce when exercised could control more than the actual incident of transportation was a weighty factor in enabling the Nation to adjust to the economic problems arising from the depression of the thirties. The National Labor Relations Act, the Securities and Exchange Act, and the Wage and Hour Act used "power over matters affecting commerce" as the constitutional basis for their enactment. They were upheld. A narrower interpretation of the commerce clause might well have required a constitutional amendment to accomplish the economic readjustments that enabled the United States to pass through the change from a conception of government as a policeman to maintain order to the idea of it as a public spirited enterprise to aid in those matters that the States cannot adequately accomplish for themselves.

Other Federal acts intended to aid economic recovery were found constitutional under other grants of power. For example, the 1935 Social Security Act gained approval for its taxation features under the provision of article I, section 8, of the Constitution, authorizing excise taxes, and for Federal contributions under the authority of the Federal Government to provide for the general welfare.[15] Fortunately an earlier decision, declaring unconstitutional the Agricultural Adjustment Act, had decided that expenditure under the general welfare clause

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[2] *Cohens* v. *Virginia*, 6 Wheat. 264.

[3] *United States* v. *Congress of Industrial Organization,* 335 U.S. 106; cf. *United States* v. *Automobile Workers,* 352 U.S. 567, *Arrow-Hart Co.* v. *Commission,* 291 U.S. 587. Clayton Act amendment of 1950, 64 Stat. 1125.

[4] *Adkins* v. *Children's Hospital,* 261 U.S. 525; *West Coast Hotel Co.* v. *Parrish,* 300 U.S. 379.

[5] *Hammer* v. *Dagenhart,* 247 U.S. 251; *United States* v. *Darby,* 312 U.S. 100.

[6] 2 Dallas 419.

[7] Cf. *Alabama* v. *Texas,* 347 U.S. 272, with *United States* v. *California,* 332 U.S. 19, and *United States* v. *Texas,* 339 U.S. 707.

[8] See the article by Prof. Emory Washburn, of the Harvard Law School, "Limitations of Judicial Power," 1 Southern Law Review, N.S. 354.

[9] *London Street Tramways Co.* v. *London County Council,* (1898) A.C. 375.

[10] 8 Wall. 603.

[11] 12 Wall. 457.

[12] Sanderson, "Brief for the County of Santa Clara, No. 464, 1885 Term, U.S. Supreme Court," p. 28; "Brief for County of San Bernardino, No. 619, 1885 term," p. 69.

[13] 13 F. 722, 746–747; see McLaughlin, "The Court, the Corporation and Conkling," 46 American History Review, p. 45.

[14] *Houston & Texas Ry.* v. *United States,* 234 U.S. 342, p. 353.

[15] *Steward Machine Co.* v. *Davis,* 301 U.S. 548; *Helvering* v. *Davis,* 301 U.S. 619.

"for public purposes is not limited by the direct grants of legislative power found in the Constitution."[18]

Hardly had the recognition and acceptance of the economic and social advances of the 1930's been completed before the distractions of the increased wealth, earnings and leisure, with their temptation to obtain easy money, began to create problems of crime. Adolescence vies with early manhood as the danger period for emerging criminality. Rapid economic and social changes have brought men into positions of business and organizational trust without backgrounds of established character that kept them free from wrongdoing. As shown by the FBI Uniform Crime Reports, crime has increased more rapidly than the population.

We are too close to the problems of crime, communism, and civil rights to foresee the final outcome, but the good sense and adjustability of our people and our law have not failed us in the past. The coming generations will not let the future be less well guided.

Wherever one goes, from hamlet to the Atlantic megapolis stretching along Highway 1 from Boston to Miami, the influence of the lawyer reaches beyond the courts into the daily life of the communities, giving a sense of soundness and security in the ordinary affairs of life. One feels that the Nation has confidence in the sound administration of the law.

The institutions of this fortunate land have long been directed to assuring that no bar of race or creed or birth shall block man from his goal. Such opportunity has been attained to an extent unimagined for centuries and is now an essential ingredient of our national life. The chance of helping ourselves while we help others has cleared the forests and drained the swamps, built great cities, established factories, spanned the earth, and harnessed air and water to serve our needs of transport and communication, and has enabled us to contribute our full share to the world's production of things of the mind and spirit—articles of beauty, structures of artistic merit, books, inventions in the fields of chemistry, physics, electronics—the applications of which have eased the rigors and enhanced the pleasures of life. This material and intellectual advance has not dulled our interest in philosophy and religion. Our philanthropies are immense, our charitable institutions are unmatched examples of altruism, our magnificent religious foundations work ceaselessly for the moral uplift of our people.

What formula for life has produced this unprecedented balance of material and spiritual riches? Is it merely an exploitation of the manifest wealth of our land? Can it be that our cross-breeding has produced a superior race? Other countries have equal fertility, equal mineral wealth, equal or better access to the sea and to adjacent lands. Our amalgam cannot be said to be a better mixture of blood than that of other races. Our immigrant forefathers were not drawn predominantly from the producing intellectuals of their native lands. The rest of the world's recent contributions to electronics, atomic physics, economics, and philosophy forbids us to boast that our thinkers have an intellectual capacity beyond that of the thinkers in other nations.

We have had, however, for our earliest beginnings in the highest degree something others lack, or, at best, possess in a relatively undeveloped form: a system of free enterprise and a classless society. Here every door to achievement in any line swings open to energy, determination, imagination, and intelligence. Those are two of the most important factors that have brought America successfully to this good hour, and so long as they remain our ideals we shall continue our advance. We cherish these freedoms to work, acquire, and advance not only because they offer opportunity for success to all but because our experience has shown their use has produced bountifully for the benefit of all. The test is to compare the way of life of our people with that of any other nation.

Because we are a government of laws and not of men, the people, realizing that power to act arbitrarily corrupts, find the primary protection of our liberties in the law and in lawyers. When we are admitted to the bar and the bench, the obligation for the preservation of those liberties devolves upon us.

Our members must be alert and sensitive to these values of our society in order to do their part to maintain America's primacy as a land of prosperity and freedom.

I know the alumni of the University of Miami will do their part.

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## A NATIONAL LOTTERY

**Mr. FINO.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. FINO.** Mr. Speaker, in spite of the reluctance on the part of Members of Congress to openly support my proposal for a national lottery, outside support continues to grow.

Last October 11, at the national convention of the American Legion, former President Harry S. Truman took a firm and strong position in favor of a national lottery. He argued that the only way we can eliminate our national debt is through a Government-run lottery.

I am happy to report to this House that another eminent citizen has also come forward in support of my bill. In the February issue of McCall's magazine, which hit the newsstands Tuesday, Mrs. Clare Boothe Luce, former U.S. Ambassador to Italy and a former Member of this House, affirmatively answers the question:

> Do you think we should have a national lottery similar to the Irish Sweepstakes?

In urging favorable consideration of this revenue-raising measure, Mrs. Luce writes:

> A national lottery might be an excellent way for the Government to cash in on a $50-billion-a-year business; namely, the gambling industry, much of the profits from which now go into the hands of organized crime.
>
> It would seem that the Government would be far better off to foster a legal lottery than to continue tolerating the illegal.
>
> I feel that the Government could endorse carefully regulated lotteries. These, of course, should be managed and controlled by scrupulously selected officials. However, the question of public support for a national lottery should be settled by holding a referendum in which every American could have his full say.

**Mr. WATSON.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

**Mr. WATSON.** Mr. Speaker, although these are merely preliminary remarks in response to the gentleman from New York I cannot resist the urge to express my strong opposition to the proposed measure calling for a national lottery.

The gentleman says there is widespread gambling throughout our Nation today, a statement with which no one could reasonably argue, yet I do not see the advisability of legalizing something simply because it is being practiced by many of our citizens. The records reveal that some of our most atrocious crimes are associated with gambling.

Additionally, if we are to follow the gentleman's argument to its logical conclusion, we would legalize the commission of any crime or undesirable practice simply because people continue to commit such acts.

May I respectfully submit to this body, Mr. Speaker, that our forefathers were primarily motivated by their love of God and came to this country seeking a place to worship Him according to the dictates of their conscience and to rear their families in the proper atmosphere. It is difficult enough for those who so sacrificially labor in our homes and in our churches and other religious endeavors to compete with the criminal elements, without this Congress making their assignment more difficult by legalizing lotteries.

As to the financial returns should the Government legalize the gambling business, no one could successfully argue that there would not be substantial revenue produced through such a measure. Yet on the other hand the additional taxes received would be more than offset by the increased law enforcement costs to our local and State governments, as well as the Federal police authorities, in properly policing national lotteries.

Not only would we be faced with the added law enforcement problems and costs, but our welfare payments would skyrocket. Many of our families who are now existing on marginal standards would be further robbed of a decent livelihood because of the inability of some member of the family to resist the temptation which would be offered by national lotteries.

Further, this practice would encourage our young people to look for the easy road in life instead of pursuing the only sure road for successful living—that of hard work.

Mr. Speaker, this country was not founded on such a basis nor will it continue to prosper should our Government resort to such unwise methods to raise money—methods which are in conflict with the best interests not only of our national welfare but also of our churches, and our local communities.

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## DEBATE ON U.S. BASES

**Mrs. FRANCES P. BOLTON.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include in the RECORD extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

**Mrs. FRANCES P. BOLTON.** Mr. Speaker, we have all been rather agitated and, rightly so, over the whole

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[18] *United States* v. *Butler*, 297 U.S. 1, p. 66.

Cuban situation. To me, a most interesting article in today's paper says that the United States is to take missiles out of Turkey.

Have you ever been to Turkey? You know how close it is to the Communists? Do you know anything about the feeling between those two peoples? Do you know anything of the friendship of Turkey for us? Better look it up and think it over.

Further, I want to remind you that on October 7, 1962, there was an article in the Times that had some very pertinent remarks in it. One was:

> The U.S. intercontinental advantage has not eliminated the strategic need for oversea bases. Oversea airfields are still highly useful for these purposes.

It further says:

> Withdrawal from facilities abroad could lead to the end of the U.S. system of international alliance upon which the entire postwar security system has been based.

I would like to ask the administration what they propose to do about these matters. I believe we have the right to be told.

Mr. Speaker, the newspaper articles to which I have referred are as follows:

[From the New York Times, Oct. 7, 1962]

### DEBATE ON U.S. BASES—PROGRESS ON MISSILES VIEWED AS AID TO RED DRIVE ON FACILITIES OVERSEAS

(By Hanson W. Baldwin)

U.S. bases overseas and military dispositions ranging from Japan to Greenland are again under Communist attack as a byproduct of the Cuban crisis.

Communist pressure is being aided by the global growth of nationalism and neutralism and by technological developments. The development of intercontinental ballistic missiles, Polaris missile-firing submarines and the art of refueling bombers in the air has reduced materially U.S. dependence upon oversea bases.

Today, the United States can deliver a devastating nuclear attack on the Soviet Union without utilizing oversea bases. By the end of 1962, the United States will have approximately 200 land-based intercontinental ballistic missiles in position.

#### NINE POLARIS SUBMARINES

There are nine nuclear-powered Polaris submarines with a total of 144 missiles in commission. The Navy maintains 16 attack carriers with more than 400 attack bombers, each capable of carrying nuclear weapons. The Strategic Air Command operates more than 700 B–52 and B–58 bombers with ample range to reach the Soviet Union—without air refueling from the United States. There are also 700 or 800 B–47's with shorter ranges. These are gradually being replaced by missiles. With air refuelings they can reach Soviet targets and return to bases in this country.

The smallest strategic warhead or bomb utilized by these planes and missiles has an explosive force of about half a megaton (the equivalent of about 500,000 pounds of TNT). The largest U.S. bombs are rated at 20 to 30 megatons.

This is held to be the major reason that the first chapter of the Cuban crisis was terminated in favor of Washington. The immensely superior nuclear delivery forces of the United States give it the capability to devastate the Soviet Union no matter what it did first; Moscow could hurt, but not destroy us.

The Soviet Union probably has considerably fewer than 100 ICBM's in position and its long-range bomber fleet and missile-firing submarines are inferior in numbers, quality and general technology. The Soviet Union has no aircraft carriers.

#### MOSCOW'S MISSILES

But Moscow has long had a large number of medium-range and intermediate-range ballistic missiles of sufficient range to reach the territory of U.S. allies and most of the U.S. bases overseas from Soviet soil. These missiles are incapable of reaching the United States.

Thus the Soviet missile bases in Cuba, though primarily of political and psychological importance, compensated to some extent militarily for the Soviet Union's intercontinental inferiority. If Moscow had been allowed to turn much of Cuba into a vast missile-launching site, the U.S. greatest military advantage would have been not eliminated but seriously reduced.

Moreover, the Cuban missile sites were so close to U.S. shores that little warning of missile firings would have been possible. In any case, the United States has no ballistic missile early warning system along its southern coast comparable to that in Alaska, Greenland, and England.

These facts would seem to indicate that Moscow, from a technological point of view, would benefit more from oversea bases than the United States.

There are other and more dominating reasons, however, for oversea bases, which would make any exchange of Cuba for Turkey (or similar bases) highly dangerous, in the opinion of both military men and political observers.

#### NEED FOR BASES SEEN

The U.S. intercontinental advantage has not eliminated the strategic need for oversea bases. Oversea airfields are still highly useful for these purposes: dispersion of strategic forces, bases for refueling aerial tankers, post-attack recovery bases for planes that have completed their attack missions, transport and air-supply staging bases, sites for tactical aircraft (fighter-bombers and light bombers) capable of carrying nuclear weapons.

Oversea bases and facilities are far more important as a political part of the general United States deterrent to Soviet expansionism, and as a military deterrent to limited aggression than as part of the strategic nuclear deterrent. Use of such bases would be essential, as the Turkish airfields were during the Lebanon crisis, to contain any threatened conflagration. In this context, they are virtually indispensable.

Withdrawal from facilities abroad could lead to the end of the U.S. system of international alliances upon which the entire postwar security system has been based. This is all the more true since some allies have expressed open suspicion that U.S. acquisition of an intercontinental delivery system might tend toward an isolationist "Fortress America" policy and that Washington would be unlikely, once it withdrew, to come to the aid of a threatened ally, particularly when it knew such aid might risk a nuclear attack upon the United States.

Washington has described the IL–28, a light bomber, as an "offensive" weapon when based in Cuba and has asked for its withdrawal along with the missiles. If the same reasoning were applied to Turkey, the Turkish airfields would probably become unavailable to any U.S. military aircraft, since fighter-bombers, as well as light bombers, can carry nuclear weapons and have range enough from Turkey for deep penetrations into the Soviet Union.

Such an interpretation, if applied, would, military men believe, effectively neutralize Turkey and perhaps detach her from the North Atlantic Treaty Organization.

The real measure of the oversea base, therefore, is its purpose. The U.S. contention, shared by its allies, has always been that its oversea bases were established solely in answer to Communist aggressive expansionism at the request of the countries concerned.

The United States maintains or has access to more than 300 bases, facilities, posts or stations overseas, ranging from small radar outposts to great air-land complexes, such as some facilities in Germany, or sea-air installations, such as the Navy's base at Rota, Spain.

There are about 60 Thor 1,500-mile missiles in Britain, which are now considered as obsolescent and are scheduled to be dismantled in the next 12 months. There are 30 Jupiters near Bari in Italy, and 15 Jupiter 1,500-mile missiles in Turkey. There are protected underground sites for winged Mace missiles in West Germany and in Okinawa, as well as some unprotected sites for older Matador winged missiles elsewhere in Germany.

The Mace sites still have technological usefulness; the rest of our land-based oversea missile sites could gradually be eliminated, if the countries concerned agreed, without significant impairment of our nuclear deterrent capability.

But the other functions of our oversea bases and positions are still of high importance. These indispensable functions include the protection of our sea-air lines of communications with our allies and oversea sources of raw materials; outpost warning positions; intelligence gathering functions; stabilizing points in areas of unrest (as in the Middle East), and as backup points and bases for the support of limited war operations.

Even more important, U.S. bases overseas have tremendous political and psychological—and in some cases, economic—importance.

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[From the Washington Post, Jan. 24, 1963]

### UNITED STATES TO TAKE MISSILES OUT OF TURKEY

(By Murrey Marder)

A new element in the shifting pattern of East-West relations was underscored yesterday in an official announcement by Turkey that the United States will dismantle its Jupiter missile bases there.

While the announcement was foreshadowed by reports to this effect in Washington last week, it drew added attention to the manner in which Soviet-American postures have changed since the Cuban crisis, for a combination of reasons.

The Soviet Union long has charged that one of the greatest obstacles to reduction of East-West tension is its "encirclement" by American bases overseas. This has been a main theme of Soviet propaganda.

U.S. officials vigorously denied yesterday, as they had last week, that plans to remove 30 Jupiter missiles from Italy and 15 from Turkey have any connection with the correspondence between President Kennedy and Soviet Premier Nikita S. Khrushchev during the Cuban crisis last October. At one point in that crisis Khrushchev demanded withdrawal of the American nuclear weapons from Turkey to offset his removal of Soviet missiles from Cuba.

Removal of the 1500-mile Jupiters from NATO bases in Italy and Turkey was contemplated long before the Cuban crisis, along with the earlier withdrawal of Thor missiles from Britain, as part of the process of "weapons modernization," American officials stressed.

Moreover, they noted, the targets in Soviet bloc territory at which these missiles are aimed will now be assigned to more effective, submarine-launched Polaris missiles. The result is more defensive power for the West, not less, American officials said.

Removal of the Jupiter bases from Italy and Turkey will end a situation in which

> these nuclear bases have been a "lightning rod" for Soviet propaganda that threatens to wipe them out first in event of nuclear war, American officials agree.
>
> As a result, these officials acknowledge, the thrust of Soviet psychological warfare probably will have to be altered to meet this shift of deployment of weapons by the Allies.
>
> But, it is insisted, no political significance whatever can be read into this change. There is absolutely no foundation, they assert, to speculation that this decision may be the result of a secret deal between President Kennedy and Premier Khrushchev.
>
> Many independent diplomatic observers, however, dispute the interpretation that there is no political import to the present action.
>
> Even if only by implicitly reacting to circumstances that have developed since the United States and the Soviet Union stood on the brink of nuclear war in October, each side independently has taken actions that have tended to ease the tensions between them.
>
> The Soviet Union has backed considerably from any showdown by force in Berlin.
>
> Both nations have joined in a new round of nuclear test ban talks now going on in Washington as the result of direct communication between President Kennedy and Premier Khrushchev.
>
> The Soviet Union may, of course, and presumably will, shift its target of attack from the land-based missiles to the sea-based missiles, but the psychological barb of confronting nuclear strategic missiles at its borders will be gone.
>
> Turkish Foreign Minister Feridon Cemal Erkin made the announcement of the plans to dismantle two American Jupiter missiles. State Department spokesman Lincoln White said, "We are discussing the modernization of weapons systems with a number of countries, including Turkey." White said he is "not prepared to say more at this point."

I believe the people of this country have a right to know what is behind the withdrawals to which the administration has apparently agreed.

## AIR SUPPORT AND THE BAY OF PIGS INVASION

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, national confidence in our ability to cope with the Cuban situation is at a low ebb.

After 2 years of being permitted to believe that air support was pledged, but withdrawn, in the Bay of Pigs invasion, we suddenly are advised by the Attorney General that air cover was never offered or intended.

Thousands of words have appeared in the press in the last 22 months quoting military and civilian leaders and Cuban invasion participants as flatly affirming the promise of U.S. air support in April 1961.

This tremendously important controversy transcends political parties and partisan motivations. At this late date, an honest, accurate report of events leading up to and including the invasion would not breach security. It would, instead, indicate the manner in which we have been, and are, dealing with the deadly menace of communism just 90 miles from our shore.

If our leadership in military strategy is shaky, sophomoric or incompetent, we must know it. If the facts are as the Attorney General has presented them, we are entitled to have our minds put at ease.

Cuba's present threat to our national existence will not disappear through wishful thinking. Cuba is even more of a threat today than it was last October. Reports that the Russians even now are constructing highly sophisticated ground and air bases in Cuba makes a complete review of our system of military policy-making absolutely urgent. It is a Communist base for propaganda, infiltration and subversion.

Therefore, I am introducing a concurrent resolution, identical in many respects to one introduced yesterday by Senator GOLDWATER. My resolution, however, would create a Special Joint Committee, composed on a bipartisan basis of Members of both House and Senate.

I urge its adoption be expedited by both Chambers of the Congress.

## DISCRIMINATION AGAINST THE STATE OF NEW YORK IN CORN PROGRAM

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I am greatly disturbed, as are many New Yorkers, at the discrimination being practiced under Secretary Freeman's order posted on January 9, 1963. This makes in order preferential freight rates on Government-owned corn shipped into the Southeastern States.

Now, Mr. Speaker, I realize that is the fashion around here to believe that the State of New York is bounded by the George Washington Bridge on the north, the Battery on the south, Brooklyn to the southwest, and Long Island City to the southeast. Mr. Speaker, this is a fallacy. The State of New York has vast farm areas. In my district the greatest single industry is dairy farming and of course we have poultry, truck farming, and so forth, in great quantity.

The Secretary's order reads:

> The corn will be offered at a price delivered f.o.b. car at 25 cents per bushel over the Chicago cash market price in quantities of 5 or more jumbo freight cars or 10 or more ordinary freight cars—in quantities of 1 through 4 jumbo cars or of 2 through 9 ordinary cars, the f.o.b. price will be 27½ cents above the Chicago cash market price.

Obviously this is discrimination against the State of New York and all the Northeastern States.

When we have complained to the Department about this discrimination we have been put off with the ridiculous statement that New York has a drought program in operation. Of course this is a preposterous excuse, and will not hold up. The Secretary's order on freight rates covers an entirely different problem and is in no way compensated for by the drought program.

Mr. Speaker, I trust the Congress will go to work at once to right this grievous wrong to the farmers of the Northeast.

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. MCINTIRE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. MCINTIRE. Mr. Speaker, I deeply appreciate the courtesy and consideration of the Congresswoman from New York in extending me time to address some comments to the subject of her remarks.

I want to say that I wholeheartedly concur with and endorse the Congresswoman's statements, and in support thereof I submit to the RECORD the two following communications:

> JANUARY 10, 1963.
>
> Hon. ORVILLE L. FREEMAN,  
> *Secretary, U.S. Department of Agriculture, Washington, D.C.*
>
> DEAR MR. SECRETARY: Although no press release was effected on the matter, I have been advised that under date of January 9, 1963, the Department of Agriculture posted notice that it was offering—on an f.o.b. delivery basis—Government-owned grain (chiefly corn) at 25 cents over the Commodity Credit Corporation bushel quotation in Chicago. The pertinent rate is applicable to bulk shipments of 500 tons, with a rate of 27½ cents per bushel applying on a single car base.
>
> This action was, of course, taken under the Emergency Feed Grain Act of 1961 and will have application to 12 Southeastern States, Maryland, and Delaware included.
>
> This represents to me a gross inequity, being extremely unfair to Maine poultrymen and dairymen. Such action on your part, as Secretary of Agriculture, places Maine poultry and dairy interests in an extremely disadvantageous position in marketing their products in market areas common to producers of both the Northeast and Southeast parts of the country.
>
> I urgently petition you to eliminate this inequity by acting to restore equitable conditions to the market for all feed grain users, with emphasis on those of Maine and the rest of the northeastern United States.
>
> Sincerely yours,  
> CLIFFORD G. MCINTIRE,  
> *Member of Congress.*

> JANUARY 11, 1963.
>
> Hon. ORVILLE L. FREEMAN,  
> *Secretary, U.S. Department of Agriculture, Washington, D.C.*
>
> DEAR MR. SECRETARY: I have been delegated by Republican members of the New England delegation in the House of Representatives to register vigorous opposition to the order posted by you on January 9, 1963, as pertaining to preferential freight rates on Government-owned corn shipped in the Southeastern States.
>
> As per this order: "The corn will be offered at a price delivered f.o.b. car at 25 cents per bushel over the Chicago cash market price in quantities of 5 or more jumbo freight cars or 10 or more ordinary freight cars—in quantities of 1 through 4 jumbo cars or of 2 through 9 ordinary cars, the f.o.b. price will be 27½ cents above the Chicago cash market price."

We Republicans of the New England delegation contend that this action under the Emergency Feed Grain Act of 1961 is discriminatory, having the effect of providing—through reduced freight rates—a price advantage for feed grain users in the Southeast over those in New England.

Equity dictates that the Secretary of Agriculture shall not extend preferential treatment under the law to one geographical area of the United States over another. In consonance with this consideration, we Republicans of the New England delegation in the House of Representatives strongly implore you immediately to take such action as is necessary to liquidate this obviously inequitable treatment to poultry raisers and dairymen of New England. We appeal to your good conscience to effect an equitable balance of costs for both feed grain users of both New England and the Southeast.

Your serious attention to this petition will be appreciated.

Sincerely yours,

CLIFFORD G. MCINTIRE,
*Member of Congress.*

## WASHINGTON STATE DOCTORS PLAN FOR MEDICAL CARE FOR THE AGED

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an article from the Seattle Times.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, the attached article from the Seattle Times demonstrates the willingness of Washington members of the medical profession to voluntarily alleviate the medical problems of our senior citizens:

### KING COUNTY MEDICS PIONEER PAST-65 PATIENTS' PLAN

(By Hill Williams)

The King County Medical Society has discovered—to its surprise—that it is pioneering in a new method intended to make sure older persons get needed medical care.

The society on July 1 put a plan into operation under which persons over 65 who felt they could not afford doctors' care could apply for reduced fees.

The plan was aimed at helping persons who had a little too much savings or income to qualify for State welfare aid but who felt that doctors' bills were a hardship.

"We didn't realize we were pioneering," a society spokesman said. "We thought we were using a plan tried out in St. Louis. But it turned out to be a very small trial in St. Louis County, so now we have the most experience in the country.

"There has been a tremendous amount of interest in our plan by groups for the aging and by other medical societies."

The society's past-65 plan has no connection with medical-insurance plans of the King County Medical Service Corp. There are no premiums in the past-65 plan. And it does not cover hospital bills.

Here is how it works:

A person who thinks he may be eligible talks to his own doctor, or goes to the society office, 105 Cobb Building, and is interviewed.

The interviewer asks the amount of income and savings the applicant has, how much he is paying for medicine and what his living expenses are. Then a committee of six doctors screens the applications.

Persons found eligible are given a card to show their physician. It entitles them to a specific percentage reduction in fees. More than half the society's members have agreed to take part in the plan.

Some doctors, who have not formally agreed to participate, have honored the cards anyway.

The past-65 plan has been approved by trustees of the Seattle-King County Pharmaceutical Society. Patients are urged to show the card to their pharmacist, who may be able to give them some price break.

"Many of the people we've interviewed tell us their doctors have been treating them all along at reduced rates," a member of the screening committee said. "Many tell us that drug prices are the biggest hardship."

Applicants have varied from a woman who had no income and was living on her savings of about $2,500 to a couple who had $19,000 in the bank and $400 a month income. The woman was given the biggest possible reduction. The couple was rejected.

The society has issued 165 cards and has rejected only 35 applicants. Those rejected were urged to apply again if their situation changed and they thought themselves eligible.

The society does not require bankruptcy or a "pauper's oath" for eligibility.

"Many applicants have incomes of about $100 a month and are trying to stay off welfare," a committee member said. "We feel like encouraging them."

The society's standards are flexible. But if an elderly couple had a small income and a couple of thousand dollars saved, the society would be inclined to give them a fee reduction.

But if the applicants were hanging on to substantial property or savings, the society would inform them it feels they should use at least part of it.

The plan is open to persons over 65 who have lived in King County at least a year.

The society has tried to spread the word about the plan through retired persons' clubs and similar groups.

"We had heard that there was a medical need in King County, not being met by welfare, composed of older persons barred from welfare aid by small savings accounts or property," a committee member said.

"We are trying to reach this group. So far, the response has been very gratifying, although we haven't found a great many cases we can help.

"We are most happy to explore any we hear about."

## LEGISLATIVE CODE OF ETHICS

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, last year Congress passed a law that established a modern conflicts-of-interest code for the executive branch of our Government. It was a notable achievement and represents the first major overhaul of our conflicts-of-interest laws in the 20th century. I was pleased to play a key role in that historic undertaking which represented the culmination of many years' effort on the part of Congress and the Executive with a superlative assist from the Bar Association of the City of New York.

However, we failed to enact a conflicts-of-interest code for the employees and Members of Congress. This is an omission which should be remedied.

Today I am submitting a concurrent resolution to establish a Joint Committee on Ethics to recommend a comprehensive code of ethics for Members of Congress and all legislative employees. It is unfair for Congress to bear down vigorously on the financial affairs of Executive appointees when no code of ethics exists to guide Members of Congress.

In addition to establishing a joint committee to draft a code of ethics for Congress, the resolution would lay down an interim code. This would require a Member of Congress to file with the Comptroller General record of any financial interest—valued at $10,000 or more—in an activity which is subject to the jurisdiction of a Federal regulatory agency. It would place limitations on outside employment and would ban the disclosure or use of confidential information for other than official purposes. It would also ban the use of official influence to gain unwarranted privileges and exemptions.

It is sad to say that the prestige of Congress is not exactly at an alltime high. Enactment of this resolution would be an important step toward restoring the U.S. Congress to the position of respect to which it should be entitled as the greatest legislative body in the world.

I am also introducing today a companion measure which would amend the Administrative Procedure Act to provide any written or oral communication between a Member of Congress or his staff and a Government agency concerning matters under adjudication before the agency be made a part of the public record of the proceeding in question. Enactment of this measure will make it more difficult for congressional influence to manifest itself in an improper fashion.

Mr. Speaker, I am happy to state that both measures have been introduced in the other body by the distinguished gentlemen who ably represent the State of New York, Senators JACOB JAVITS and KENNETH KEATING.

I am hopeful that the Congress can overcome its traditional aversion to putting its own house in order and act favorably upon this legislation.

## DEVELOPMENT AND PROGRESS OF THE ARTS IN THE UNITED STATES

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I am today introducing three important measures designed to encourage the development and progress of the arts in the United States. The first bill abolishes the present Federal admissions tax on live dramatic performances, whether or not musical. The second extends the capital gains benefit to copyrights, a benefit now enjoyed by patent owners. The third grants an income tax spreadback to individuals who create artistic works, spread ratably over the period during which the work took place. I am pleased to state that my colleague from New York, Senator JAVITS is introducing companion measures in the other body.

Mr. Speaker, at a later date I shall have more to state about each of these measures and also on the subject of a Federal Arts Council.

## PROPOSED AMENDMENT OF THE FEDERAL AVIATION ACT OF 1958

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I introduce today a bill to remedy a chaotic situation in the aircraft industry which exists because of conflicting State law as to the validity of conveyances of aircraft and related equipment.

The bill amends the Federal Aviation Act of 1958 to establish a uniform rule as to which State's law applies to a given conveyance, lease, or other transfer of title or interests in such equipment. The bill makes no change in the substantive law of the various States.

At least three rules are now in use, and the uncertainty which this creates in an industry where equipment is constanly in rapid movement across State lines is obvious. The bill would create a uniform rule that the substantive law of the State in which the revelant instrument is delivered is applicable. Comparable provisions already exist in relation to ships and motor vehicles, I therefore urge that prompt action be taken now to solve this problem in regard to aircraft.

I am pleased to announce that the bill is being introduced today in the Senate by the distinguished senior Senator of New York JACOB JAVITS. Last year an almost identical bill passed the Senate. I am hopeful that the House will act affirmatively on this needed measure.

With the permission of the House, I include at this point in the RECORD a memorandum which explains the bill in greater detail:

### MEMORANDUM IN SUPPORT OF PROPOSED AMENDMENT TO SECTION 503 OF THE FEDERAL AVIATION ACT OF 1958

The purpose of the proposed legislation is to provide substantive Federal law relating to the validity of conveyances which affect the title to or interests in civil aircraft of the United States and related equipment. This is accomplished by providing that the substantive validity of such an instrument, i.e., a conveyance, lease, mortgage, equipment trust, contract of conditional sale, other instrument executed for security purposes, or assignment or amendment thereof or supplement thereto, is to be determined by the substantive law of the jurisdiction within the United States or its territories or possessions in which such instrument is delivered. Thus, the Federal law would look to the substantive laws (as distinquished from adjective laws, including recording and filing provisions) of the State in which the relevant instrument is delivered and if such instrument is valid under that law and is in turn recorded under the applicable provisions of the Federal Aviation Act of 1958, the instrument would be deemed valid in all jurisdictions in the United States in respect of the property covered by the instrument.

There is an urgent need, emphasized by recent court decisions, for the proposed legislation so as to bring order to the existing chaotic situation with respect to conveyances by and to domestic air carriers.

The laws of the various States differ as to the requirements governing the validity of mortgages, conditional sale agreements, leases, equipment trust agreements, and the like. Furthermore, there are at least three theories considered applicable in attempting to resolve the question as to which jurisdiction's laws should be taken into account in determining the validity of many such instruments, namely, (1) the jurisdiction in which the particular property is located at the time the instrument is executed and/or delivered, (2) the jurisdiction within which the instrument is executed and/or delivered, and (3) the residence of the parties of the transaction, particularly the conveyor. Which theory or theories should be adopted regarding a proposed financing of an air carrier incorporated under the laws of one State, maintaining airport facilities and aircraft and related equipment in many States, flying scheduled routes over many more States and seeking the financing from banks located in other States? At the time a chattel mortgage, for example, is given to the banking institution by the air carrier, its aircraft may be located in or over any number of States. Were the parties to such a transaction to follow only the first theory referred to above, at the moment the chattel mortgage on the air carrier's fleet of aircraft (many of which would be in the air) is executed the laws of many States would come into play, and a moment later the laws of different States would apply, notwithstanding any contradiction between the laws of such States. Moreover, there is no real logic in considering the law of State X paramount as to the validity of a chattel mortgage on a specific aircraft when the aircraft is at that moment traveling over the State at a speed in excess of 500 miles an hour and at a height in excess of 40,000 feet.

The proposed legislation would serve to preempt the field as to the substantive validity of such conveyances just as present section 503 of the Federal Aviation Act of 1958 has, since 1938, preempted the field as to the recording of such conveyances. A provision comparable to the proposed legislation has been applicable to conveyances of U.S. flag vessels since the enactment of the Ship Mortgage Act of 1920. Similarly, a 1958 amendment to the Motor Carrier Act now provides comparable legislation as to motor vehicles.

The proposed legislation has been drafted within the framework of section 503 of the Federal Aviation Act of 1958. It applies only to those conveyances enumerated in said section and does not conflict with or impinge upon the other provisions of said section or the act.

## ANNIVERSARY OF DECLARATION OF UKRAINIAN INDEPENDENCE

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, January 22 signifies a historical landmark in man's epic struggle to attain national independence and personal liberty. For on that day in 1918 the Ukrainian Central Council gathered in the capital city of Kiev to proclaim the Ukrainian National Republic, thus bringing to its culmination a centuries-old struggle by the Ukrainian people to free itself from the oppressions of foreign domination. On this past Tuesday men devoted to freedom and justice commemorated throughout the world the anniversary of that inspiring event, and I consider it an honor to join today in this commemoration.

Search the voluminous annals of history and you will nowhere find a more heroic nor a more tragic account of one nation seeking, striving, struggling to survive. One thousand years ago Kiev, the capital of the Ukraine and the oldest city in the U.S.S.R., was the brilliant nerve center of a thriving and progressive people, the first eastern Slav state in history. And then this brilliance was snuffed out and the long dark era of oppression and persecution began. First came the Mongol hordes from the East; later the Poles and the Lithuanians from the West; and finally the Russians from the North. As early as 1667 the Czar began annexing the Ukrainian lands and enslaving the Ukrainian people. By 1700 he had torn away those lands east of the Dnieper and before another century had passed the Russian forces of reaction and repression had engulfed the entire Ukraine. Again the flame of Ukrainian freedom was dimmed but, as always, never extinguished. In 1831 that spark ignited in a revolution against the foreign oppressors only to be smothered beneath the sheer weight of 150,000 Russian troops. During the course of the latter 19th century Ukrainian books were banned and Ukrainian language theater performances proscribed as the Czar attempted to complete his cruel scheme to extinguish the smoldering coals of Ukrainian genius and Ukrainian independence.

January 22, 1918, proved that brutality and injustice were a poor match for the heroic determination and indomitable spirit of the Ukrainian people. Long had been their struggle for independence but short was to be their enjoyment of that hard-won freedom. Even as they proclaimed their independence the armies of the German Kaiser and the Russian Soviets were contesting who would be the next oppressor in the Ukraine. The people resisted for 3 long years, but in December 1920 the Bolshevik Army returned Russian domination to the Ukraine; the brutal oppression of the Czars found its successor in the cruel terror of the Soviets. Throughout the 1920's Ukrainians such as Mykola Khvylovy attacked this "rebirth of Muscovite messianism in a Communist guise." The Stalinism of the 1930's produced the greatest brutality in the Ukraine where lands were forcibly collectivized and leaders openly liquidated. This tragic epic of one nation's suffering and struggle reached its most tragic climax during World War II when Ukrainians valiantly but vainly fought to eject from their lands both Hitler's Wehrmacht and Stalin's Red Army.

Today the Ukraine remains the largest non-Russian captive nation in eastern Europe and in the U.S.S.R. The 45 million people of the Ukraine comprise one-fifth of the Soviet Union and give the

Ukraine the sixth largest population in Europe. Its area approximately equals that of France and provides one-fifth of the cultivated land in the U.S.S.R. These are the human and natural resources which the Communists have appropriated for themselves over the eloquent protestations and tenacious resistance of the Ukrainian people.

We Americans gained our independence within the course of several years; for the Ukrainians that struggle is one which spans centuries of heroic efforts and tragic defeats. But let the people of the Ukraine know that, whether their freedom burns brightly as it did in 1918 or smolders under foreign oppression as it has before and after that memorable date, that freedom shall never be extinguished. I join with my colleagues in sincere sympathy for their long suffering and with limitless admiration for their epic struggle. Their hope and their heroism shall not have been in vain.

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## DETERIORATION OF U.S. POSITION IN NUCLEAR TEST BAN NEGOTIATIONS

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, during the 5-year history of the so-called nuclear test ban negotiations the United States steadily has been losing its nuclear shirt. Whipsaw tactics of Soviet negotiators have eroded away U.S. determination to achieve an enforcible treaty with effective machinery to detect cheating backed up by necessary inspection procedures adequate to expose a cheater. Had President Kennedy exhibited the same ruthlessness in imposing his will at the test ban negotiating tables as he has against American businessmen this situation would not have come about.

When the negotiations began in 1958, a minimum of 20 annual on-site inspections of Soviet soil to investigate suspicious seismic signals which might be underground test violations was demanded. This week, when Khrushchev hinted at only two to three inspections, Secretary of State Dean Rusk and Presidential Scientific Advisor Jerome B. Wiesner danced with joy and babbled "we are encouraged," we are "within shooting distance" of agreements.

All this evidences a "treaty for treaty's sake" psychosis which seems to throw the Kennedy administration into an emotional jag whenever Khrushchev and company remove a switch-blade knife from the negotiating table and replace it with sandpaper to wear away another U.S. demand.

With secret negotiations now going on right here in Washington, today, on the fifth floor of the State Department Building it should be instructive for all Americans and particularly President Kennedy, Secretary Rusk, Disarmament Administrator William C. Foster, and others in that fifth floor secret discussion to review and compare our position in 1958 when test ban negotiations began and what it is now.

Here is the then and now comparison:

Then the negotiations started after the United States had completed an adequate series of tests and after adequate time to evaluate carefully a prior series of Soviet tests. Now negotiations are being carried on with a major series of Soviet atmospheric tests having hardly been completed and while it is yet highly unlikely that sufficient time has elapsed to determine what kind of nuclear weapons breakthroughs might have been achieved during the U.S.S.R. test series carried on to the last few days of December 1962.

Then the area of the Soviet Union which demands adequate detection machinery and inspection procedures spreads across two continents, encompasses 8½ million square miles and comprises one-sixth of the world's land area. Now the situation is no better.

Then a network of 180 internationally manned and controlled seismic detection stations was contemplated. Now the international network has been abandoned. Instead a system whereby cheaters would be expected voluntarily to submit seismic evidence of their crimes is under discussion.

Then 19 of the internationally manned and controlled detection stations were to be at necessary locations within the Soviet Union. Now only three unmanned, tamper-prone black-box seismic devices for the entire Soviet Union are within Khrushchev's terms. Even these would be shuttled back and forth by Soviet airplanes and installed by Soviet personnel.

Then, as earlier mentioned, 20 annual on-site inspections of suspicious events on Soviet soil was demanded. Now the secret negotiations are seeking a compromise between Khrushchev's low of 2 and Kennedy's high of 10.

Then the inspections were to be at the independent initiative of an international control commission. Now the discussions revolve around a scheme which contemplates inspections only at the invitation of the suspected cheater, a highly unlikely occurrence unless the cheater decides early in the year to use up the maximum allowed inspections on wild-goose chases, then safely proceed with his perfidy for the remainder of the year.

Then the inspections were to be carried on without limitations on necessary personnel or reasonable procedures including aerial photography, physical above and under the ground surveillance, radiation monitoring equipment, and the like. Now it appears inspection would be hamstrung by limitations on personnel and equipment due to complete dependence on Soviet transportation and logistics support which could easily limit, delay, or misplace equipment and personnel necessary for adequate inspection.

Then inspections were to be at any suspected location wheresoever. Now inspection teams could be restricted or completely denied entry into suspicious areas on grounds of danger to the security interests of the U.S.S.R. Teams would travel on Soviet airplanes piloted by Soviet crews and, according to Khrushchev, further be restricted by screening of windows in the planes, prohibitions to carrying photo cameras, and so forth.

Then the negotiations started with the objective of posing such serious risks of getting caught to cheaters that cheating would be deterred. Now negotiations are carried on in a frame of reference encouraging cheating because risks of getting caught would be so nominal.

Then negotiations started with the possibility France and Red China also would become subject to a test ban. Now both of these countries have declared an unwillingness to forego nuclear testing.

In short, negotiations began on a relatively safe basis for future U.S. security. Now they are being carried on from a relatively unsafe basis for future U.S. security.

This criticism of the Kennedy administration bargaining position at the test ban negotiating table springs from no desire to perpetuate the threat of nuclear war. Of course, the peaceminded people of the world, amongst whom I include the entire U.S. citizenry along with myself, want to be rid of the threat of nuclear war. But it must be clearly understood that the basic threat to mankind is nuclear war not nuclear testing.

The real threat, nuclear annihilation, cannot be dissipated by a lopsided, cheat-prone, illusory nuclear test ban treaty. Its loopholes only would increase that threat to America and her free world allies.

This is because Communist dogma has not relaxed its decree of destruction for all that is non-Communist. Until some better insulation against it comes along, U.S. policy has been to keep its nuclear capabilities so superior that potential Kremlin button pushers are deterred from attempting the destruction process with intercontinental nuclear warheads by our ability for instantaneous, costly retaliation.

The Kremlin has long chaffed under this limitation on implementing its design for world domination. It underlies the widely publicized differences between Moscow, which has something to lose from U.S. retaliation, and Peiping, which has little or nothing to lose. It is no secret Communist dogma also dictates that Mr. Khrushchev eliminate this restriction by fair means or foul as rapidly as he can. In the Communist book of immoralities, what is good for communism's goals is good to use to reach them.

Thus from the Communist viewpoint, a test-ban treaty which would keep us from testing while the Soviet Union does it surreptitiously and achieves some overwhelming nuclear breakthrough would be ideal for the purpose.

For this reason President Eisenhower, when the test-ban negotiations began in 1958, demanded that adequate detection and inspection machinery be included in any treaty. He recognized clearly that cheating must not be left a possibility. The risk of a surprise Soviet nuclear breakthrough to overwhelming nuclear superiority must be precluded unless the United States wishes some day to face a surrender-or-die ultimatum. In his 1959 state of the Union message President Eisenhower reiterated this viewpoint by saying:

> We can have no confidence in any treaty to which the Communists are a party, except where such a treaty provides within itself for self-enforcing mechanisms.

In concluding I wish to make two very firm recommendations to President Kennedy:

The first is that without delay demands by the United States for realistically adequate detection and inspection machinery in any such treaty be restored and declared nonnegotiable.

The second is that fully airborne atmospheric test data gathering equipment be at once assembled, installed in a fleet of airplanes, and held on standby readiness to meet any necessity for instantaneous resumption of atmospheric tests based on any eventuality.

## THE FEDERAL-AID HIGHWAY REFORM ACT

Mr. **CRAMER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **CRAMER**. Mr. Speaker, for a considerable number of years I have been deeply interested in and a staunch supporter of the Federal-aid highway program. Since my election to this honorable body, as a Representative of the State of Florida, it has been my privilege to participate directly and actively in the advancement of this program through consideration of legislative proposals and other aspects of the highway program which have received congressional attention.

My approach to highway matters has been guided by several basic convictions, the most important of which are these:

First. The continuation of the Federal-aid highway program, including the completion of the National System of Interstate and Defense Highways, is absolutely essential to the Nation.

Second. The basic concept of a State-Federal partnership program—with the States doing the work subject to the approval of the appropriate Federal agency, and the Federal Government bearing its proportionate share of the cost—must be preserved because of its proven success, since 1916, as evidenced by the best national highway system in the world today.

Third. The State and Federal officials and employees charged with the tremendous responsibility of carrying out this tremendous construction program are, in the main, honest, competent, and dedicated public servants, who have fully justified the trust placed in them.

Despite these convictions—or perhaps because of them—I have viewed the highway program from a realistic, objective standpoint. As a citizen, as a Member of the Congress, as a member of the Subcommittee on Roads of the Public Works Committee, and particularly as ranking minority member of the special Subcommittee on the Federal-Aid Highway Program, I have received information which clearly shows that thievery and incompetency does occur with disturbing frequency in the highway program, and the need for congressional action is urgently needed. In September of 1961, following hearings of the Special Subcommittee on the Federal-Aid Highway Program concerning Oklahoma, New Mexico, and Florida, I introduced H.R. 9353, to provide for a Federal-Aid Highway Reform Act to revise and strengthen Federal criminal laws in regard to offenses committed in connection with the Federal-aid highway program. In March of 1962, the Department of Commerce, which includes the Bureau of Public Roads as a constituent unit and is responsible for the administration of the Federal-aid highway program, awakened to the need for such legislation, and, as part of its legislative program, recommended enactment of a bill somewhat similar to my bill, H.R. 9353.

Following the introduction of my bill, additional hearings were held by the Special Subcommittee, involving the States of Massachusetts and West Virginia. Despite the revelations of these hearings, which further emphasized the need for congressional action, no action was taken by the 87th Congress with respect to either my bill or the draft bill submitted by the Department of Commerce.

Today I am again introducing a bill to revise and strengthen the Federal laws relating to offenses committed in connection with the Federal-aid highway program, and a copy of my bill is appended following these remarks. I have not been advised as to whether the New Frontier administration will press again for enactment of such legislation. In any event, I am convinced that such legislation is desperately needed, and will continue to press for its enactment, for the reasons I explained several times during the 87th Congress.

I want to set forth, in chronological order, the incidents which led to my introduction of legislation on this subject. But first, I want to make my position clear. I am convinced of the honesty, integrity, and competence of the vast majority of those involved in the Federal-aid highway program. However, for the protection of the public interest and the status and reputation of the thousands of honest, competent highway officials, and employees, I want the Congress to provide the Federal law enforcement agencies with tools which are adequate to root out and punish those responsible for the comparatively few incidents of dishonesty, graft, and incompetence which could destroy public confidence in and support of the Federal-aid highway program.

The events leading to my introduction of the proposed legislation are as follows:

The Federal-Aid Highway Act of 1956, enacted during the second session of the 84th Congress, launched the greatest and most costly public works project in history. It provided for the completion, by 1972, of the 41,000-mile National System of Interstate and Defense Highways, at a total cost then estimated to be approximately $27.6 billion, and now estimated to be at least $41 billion. This tremendous undertaking is to be accomplished under the traditional State-Federal partnership concept, with the State highway departments being responsible for the actual construction, subject to the inspection and approval of the Secretary of Commerce, acting through the Bureau of Public Roads, but with the Federal Government bearing 90 percent of the cost.

Any program which involves such tremendous sums of money and the participation of so many thousands of people, is bound to be a temptation to dishonest and unscrupulous persons who can find many opportunities to profit at the expense of the public. Reports and rumors of fraud and thievery in the highway program quickly followed enactment of the Federal-Aid Highway Act of 1956.

In Indiana, the chairman of the State highway commission and several others were indicted and convicted of fraudulent activities concerning the acquisition of land for highway rights-of-way. In Arizona, the chief right-of-way agent for the State highway department was arrested for allegedly causing a State warrant to be issued to a fictitious person, and of pocketing the proceeds. In Arkansas, a subcontractor and a highway department engineer were convicted by a Federal court on charges involving false certification as to the quantity of materials delivered to a Federal-aid project.

Because of these incidents and other reports and rumors, in the summer of 1957, the Bureau of Public Roads established a Project Examination Division with the specific responsibility of making reviews and investigations, on a "spot-check" basis, to determine whether prescribed procedures were being followed, and whether irregularities were occurring. Despite this and other action by the Bureau of Public Roads, reports and rumors of fraud and theft continued and, indeed, substantially increased. Because of this, in September 1959, the special Subcommittee on the Federal-Aid Highway Program was established as a subcommittee of the Public Works Committee, to investigate the highway program and act as a congressional "watchdog" to protect the Federal interest.

The first public hearings of the subcommittee with respect to a State highway deparment's activities in the Federal-aid highway program was held in May of 1960, and concerned the State of Oklahoma. These hearings disclosed that there had been deplorable failure to meet specifications during the construction of at least one highway. An amazing picture was presented of inadequate or no supervision, failure to make proper tests and inspections, falsification of test reports and samples, and the fact that a member of the Oklahoma Highway Commission was a hidden member of a firm bidding on highway department sodding contracts.

Since the Oklahoma hearings, several other hearings have been held, involving my own State of Florida, as well as New Mexico, Massachusetts, and West Virginia. The disclosures have been shocking.

Before the creation of the special Subcommittee on the Federal-Aid Highway Program, I was convinced that the vast majority of the persons building our highways were honest, competent, and dedicated to serving the public interest. I am still so convinced. However, the disclosures of the special subcommittee have made it abundantly clear that fraud, graft, thievery, and incompetency are far more widespread, and involve far more persons, than most of us would have suspected or believed.

I have mentioned the hearings involving Oklahoma. Let me briefly review the disclosures of the hearings involving other States.

In our own State of Florida it was shown that over the years many of the big highway contractors have been making payments of cash, whisky, turkeys, and other merchandise of substantial value to officials and employees of the State road department who were, of course, paid by the State to see that these same contractors complied with specifications. The Florida hearings have also shown that due to inadequate planning and worse, the State has disposed of valuable improvements on rights-of-way in total disregard of the public interest and has allowed the contractors and speculators to reap windfall profits that should have been realized by the State, a system that has permitted some contractors to use these valuable assets for what might be euphemistically called payola to grease the palms of two city commissioners and at least one highway official.

Hearings concerning highway construction practices in the State of New Mexico disclosed events somewhat similar to those which occurred in Oklahoma. Detailed evidence was presented showing negligent or nonexistent inspections, failure to comply with construction specifications, and the failure of a highway project before it was opened to traffic.

Hearings involving right-of-way acquisition practices in Massachusetts continued for several weeks. These hearings disclosed a revolting pattern of conspiracy between certain State employees, appraisers, and attorneys resulting in the payment of clearly inflated prices for property needed for highway rights-of-way. The hearings did not cover fraudulent practices of contractors and consulting engineers despite my insistence that these matters be fully exposed. However, I understand the Bureau of Public Roads is continuing to investigate these matters.

The latest hearings of the subcommittee held last July concerned right-of-way acquisition practices in West Virginia. Among other things, it was disclosed at these hearings that the practice is followed of requiring State highway department employees to make regular monthly contributions to the Democrat Party sustaining fund. State employees are furnished with a coupon book for their use in making the regular payment. State officials have denied that these contributions are mandatory but I have letters in my files from State employees who state that the only way they can keep their job or get a promotion is to make these so-called voluntary contributions.

The disclosures are certainly not at an end and investigations are continuing in a number of areas. However, it has become disturbingly clear that the Federal laws need to be greatly strengthened in order to protect the public interest. In September of 1961, more than a year ago, I introduced a bill to provide for a Federal-Aid Highway Reform Act. This bill would have added several new provisions to the law and amended some portions of existing law and would, in my opinion, greatly strengthen the Federal law enforcement agencies in their efforts to prevent frauds and abuses and to punish such actions when they are detected.

The U.S. Department of Commerce has also recognized the need for revising existing Federal statutes and, in March 1962, submitted proposed legislation to the Congress as part of its legislative program.

In a letter dated March 15, 1962, which transmitted the proposed legislation to the Honorable Speaker of the House of Representatives, the Under Secretary of Commerce stated, in part:

> The continuing investigation of the special Subcommittee on the Federal-Aid Highway Program of the Public Works Committee of the House of Representatives has produced ample evidence that such legislation is not only a desirable but a vitally necessary adjunct to present highway program legislation. It has become apparent that we cannot rely solely upon the deterrent effect of regulations issued under Federal-aid highway statutes nor upon the administrative authority of the Federal Highway Administrator to withhold participation of Federal-aid funds in indicated cases.

I do not always agree with the Department of Commerce, but I most heartily subscribe to this quoted statement. It accurately reflects the conclusions which led me to introduce a bill, some 6 months earlier, to provide for a Federal-Aid Highway Reform Act to accomplish the same objectives as those which the Department of Commerce so belatedly decided are so important.

A brief summary of my new bill to provide for a Federal-Aid Highway Reform Act is as follows:

First, the bill would provide a deterrent to conflicts of interest by prohibiting officials, employees, and other persons performing services in connection with a Federal-aid highway project from having any financial or other personal interest in any contract with respect to which they perform such services or have any official authority or responsibility. This part of the bill would also prohibit officials, employees and other persons performing services in connection with a Federal-aid highway project from having any financial or other personal interest in any real property acquired for the project without full and public disclosure of such interest.

Second, The bill would prohibit the reprehensible activities that have been disclosed in several hearings of the special Subcommittee on the Federal-Aid Highway Program: the practice of highway contractors and others working on Federal-aid projects giving money and other things of value to the State officials who are supposed to be supervising their work, and the directly related matter of knowingly performing work or furnishing equipment or materials, or knowingly permitting the performance of work or furnishing of equipment or materials, other than as provided in the plans, specifications or contract.

Third, the bill would revise and strengthen the existing Federal law relating to false statements and representations concerning Federal-aid highway projects by extending its terms to cover false statements and representations relating to the acquisition, administration and disposition of real property, as well as the work, material and equipment.

Fourth, the bill would prohibit political contributions to any political party, committee or candidate by any person or firm who is at the time negotiating for or performing a contract in connection with a Federal-aid highway project.

A word about the provision relating to political contributions. Existing Federal law, enacted in 1940, prohibits firms and individuals performing certain contracts with the United States from making political contributions to any political party, committee, or candidate for public office or to any person for any political purpose or use, and equally punishes anyone who knowingly solicits any such contributions. This in my judgment is sound public policy designed to prevent indirect financing of campaigns for and elections to public office out of the U.S. Treasury.

The statute does not, however, extend the same protections with regard to abuses of Federal-aid highway funds even though from 50 to 90 percent of the funds are Federal aid, because in this case the contracts are with the States and not the United States, although they are subject to Federal approval. But if it is bad to misuse Federal funds for political purposes at the Federal level, it is equally bad at the State level, and the obvious purpose of the legislation is to prevent political use of funds appropriated by the Congress for highway construction, nonpolitical purposes. Our highway hearings clearly showed that many highway contractors are very heavy political contributors and have considerable political influence. This ultimately results in some instances of control over State personnel and resultant shoddy workmanship—at the cost of the taxpayer.

Insofar as political contributions are concerned, my bill would simply extend to Federal-aid highway contracts let by the States substantially the same provisions which now apply with respect to contracts with the United States.

Our experience over the past few years has clearly demonstrated that existing Federal criminal laws are in need of strengthening and revision. It is not enough to simply detect dishonest and improper practices. The guilty persons must be appropriately punished, both as a matter of justice to the public and the thousands of honest, conscientious highway employees, and as a means of deterring others from surrendering to temptation. To accomplish these ends, we must provide our law enforcement agencies with the proper weapons—strong and effective laws.

It is for these reasons that today I introduced a bill to provide for a Federal-Aid Highway Reform Act, and I strongly urge its speedy enactment. A copy of the bill follows:

H.R.—

A bill to prohibit certain improper and undesirable practices relating to the Federal-aid program, and/or other purposes designed to protect the public interest and investment therein, and to prohibit indirect financing of primaries and elections out of Federal funds appropriated for highways

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Federal-Aid Highway Reform Act of 1963".

Sec. 2. Chapter 47 of title 18, United States Code, is amended by adding at the end thereof the following two new sections:

"§ 1028. Conflicts of interest.

"(a) No officer or employee of the United States or of a State, municipality, or other local governmental body, who is authorized in his official capacity to negotiate, make, accept, or approve, or to take any part in negotiating, making, accepting, or approving any contract or subcontract in connection with a project undertaken pursuant to the provisions of title 23, United States Code, shall have, directly or indirectly, any financial or other personal interest in any such contract.

"(b) No officer or employee or other person performing services for the United States or for a State, municipality, or other local governmental body, in connection with a project undertaken pursuant to the provisions of title 23, United States Code, shall have, directly or indirectly, a financial or other personal interest, other than his employment or retention by the United States or by such State, municipality, or other local governmental body, in any contract or subcontract with respect to which he performs such services.

"(c) No officer or employee or other person performing services for the United States or for a State, municipality, or other local governmental body in connection with a project undertaken pursuant to title 23, United States Code, shall have, directly or indirectly, any financial or other interest in any real property acquired for such project unless such interest is openly disclosed upon the public records of the State highway department and of such other governmental instrumentality, and such officer, employee, or person has not participated in such acquisition for and in behalf of the State.

"(d) Whoever willfully violates any provisions of this section shall be subject to a fine of not more than $10,000 and to imprisonment for not more than one year, or both.

"§ 1029. Highway projects.

"(a) Whoever, being an officer, agent, or employee of the United States or of any State, municipality or other local governmental body, having any official duty, responsibility, or function in connection with a highway construction or related project undertaken pursuant to the provisions of title 23 of the United States Code,

"(1) knowingly performs any work, or furnishes or uses any material or equipment, or authorizes or permits the performance of any work or furnishing or use of any material or equipment, other than as provided for or permitted under plans, specifications, or contracts applicable to such highway construction or related project; or

"(2) directly or indirectly solicits, demands, accepts, or receives any fee, commission, compensation, gift, reward, or other consideration of value in connection with such highway construction or related project (other than lawful salary, fees, or compensation paid by the United States or any State, or any political subdivision thereof); or

"(3) directly or indirectly solicits, demands, accepts, or receives any fee, commission, compensation, gift, reward, or other consideration of value (other than lawful salary, fees, or compensation paid by the United States or any State, municipality or other local governmental body), from any person, association, firm, or corporation performing work on, furnishing materials or equipment for, or having an interest in such highway construction or related project,

shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(b) Whoever, other than an officer, agent or employee of the United States or of any State, municipality or other local governmental body,

"(1) knowingly performs any work or furnishes or uses any equipment or material, or permits the performance of any work or furnishing or use of any material or equipment, other than as provided for or permitted under applicable plans, specifications, or contracts in connection with a highway construction or related project undertaken pursuant to the provisions of title 23 of the United States Code; or

"(2) offers, pays, or gives any fee, commission, compensation, gift, reward, or other consideration of value to any officer, agent, or employee of the United States or any State, municipality or other local governmental body, having official duty, responsibility, or function with respect to a highway construction or related project undertaken pursuant to the provisions of title 23 of the United States Code in connection with which such person, association, firm, or corporation performs work, furnishes material or equipment, or has an interest in a contract for the performance of work or furnishing of material or equipment,

shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(c) For the purposes of this section and section 1028 of this title, the term "State" includes the fifty States, the District of Columbia, and the Commonwealth of Puerto Rico, and any political or other subdivision thereof."

Sec. 3. Section 1020 of chapter 47 of title 18 United States Code is amended to read as follows:

"§ 1020. False statements in connection with highway projects.

"Whoever, being an officer, agent, or employee of the United States, or of any State or territory or political subdivision thereof, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, value, or cost of the material or equipment used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction of any highway or related project for which Federal funds are or will be paid under title 23, United States Code; or

"Whoever knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity, value, or cost of any work performed or to be performed, or materials or equipment furnished or to be furnished, or any property acquired, disposed of, or administered or to be acquired, disposed of, or administered, in connection with the construction of any highway or related project for which Federal funds are or will be paid under title 23, United States Code; or

"Whoever knowingly makes any false statement or false representation as to a material fact in any statement, certificate, or report submitted in connection with a project undertaken pursuant to the provisions of title 23, United States Code,

shall be fined not more than $10,000 or imprisoned not more than five years, or both."

Sec. 4. Section 611 of chapter 29 of title 18 of the United States Code is amended to read as follows:

"§ 611. Contributions by firms or individuals contracting with the United States and with the States on certain highway projects.

"(a) Whoever, entering into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b) Whoever, whether an individual, firm, partnership, corporation or association, entering into any contract with any State, the District of Columbia, the Commonwealth of Puerto Rico, or any municipality, or other local governmental body, except for a lawful contract of employment as an employee thereof, either for the rendition of personal or other services or furnishing any material supplies, or equipment in connection with the construction of any highway or related project on account of which Federal funds are or will be paid under the provisions of title 23 of the United States Code during the period of negotiation for, or performance under such contract or furnishing of material, supplies, or equipment, directly or indirectly, knowingly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

"(c) Whoever knowingly solicits any such contribution from any such individual, firm, partnership, corporation, or association, for any such purpose during any such period shall be fined not more than $5,000 or imprisoned not more than five years, or both."

Sec. 5. (a) The analysis reference to section 611 at the beginning of chapter 29 of title 18, United States Code, is amended to read as follows:

"611. Contributions by firms or individuals contracting with the United States and with the States on certain highway projects."

(b) The analysis reference to section 1020 at the beginning of chapter 47 of title

18, United States Code, is amended to read as follows:

"1020. False statements in connection with highway projects."

(c) The analysis of chapter 47 of title 18, United States Code is amended by adding at the end thereof the following:

"1028. Conflicts of interest.

"1029. Highway projects."

## FUMIGATING THE STATE DEPARTMENT

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, in my short tenure here, I have learned not to be surprised at anything the State Department does or has a hand in. But, to me, the dismantling of our missile bases in Turkey and Italy certainly indicates the dire need for a thorough fumigation of this Department.

Only time will tell how much more of our security measures the State Department has bartered away, and the American people are entitled to know just how far down the road of appeasement we have been led. Mr. Speaker, I am therefore calling upon Congress to conduct a full-scale investigation of the State Department and its role in the Cuban crisis.

One of the first issues raised by Mr. Khrushchev during the Cuban talks was the removal of our bases in Turkey. Obviously, this concession has been made to Russia, and the American people have been led to believe that Russian missiles and offensive weapons have been removed from Cuba, when in truth and fact, there has been a steady buildup of Cuba's military posture. Yet, in face of all this, we are expected to accept removal of bases designed for our own protection.

This sort of appeasement of communism and bartering away our national security must be halted and those responsible for such ill-advised policies removed from Government service, Mr. Speaker.

## WEAKENING OF OUR ALLIANCES

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, it has been universally recognized that the greatest single contribution of the late John Foster Dulles to the security of the free world was the system of alliances which he so painstakingly and carefully constructed.

It is, therefore, tragic to behold the gradual dismemberment of these alliances partially as the result of thoughtless and arrogant statements by spokesmen of the present administration.

Instead of strengthening our vital alliances, this administration has time and again taken actions which have sapped away the vitality of the alliance of free men.

We have substituted arrogance for leadership, vituperation for cooperation.

One of the best examples I have yet seen of this New Frontier diplomacy occurred on January 23. On that date the Under Secretary of State, George W. Ball, a top administration spokesman, undertook to launch a venomous personal attack against one of this century's foremost citizens of the Western World, the great soldier-statesman, Charles de Gaulle. Although the general's name was barely mentioned, Mr. Ball, by innuendo, characterized President de Gaulle as "harboring obsolete yet fiercely held ideas" that echo "a distant and earlier age."

Mr. Speaker, our Government has often had differences of opinion with Chiefs of State of other friendly countries. In the give and take of international diplomacy, this is only natural. However, I do not know of one single instance in which a person of Mr. Ball's official standing has mounted a vicious personal attack against a friendly chief of state because that leader failed to accept as gospel truth the opinions current within our own Government.

Mr. Ball is obviously piqued because President de Gaulle has refused to yield to administration arm twisting to: First, admit the British into the European Common Market instantly and without regard to the problems which this might involve for the Republic of France; and second, accept the same strategically questionable Polaris deal that the British were obviously forced to accept as their sole nuclear deterrent.

As an American citizen, I both regret and resent the arrogance and poor taste which these remarks reveal in a spokesman of our Government. I am certain, however, that General de Gaulle will rightly ascribe to this affront the same importance that an eagle would attribute to the attacks of a housefly.

## POSTAL TRANSPORTATION TRAVEL ALLOWANCES

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I am today introducing a bill to increase the maximum travel allowance for postal transportation clerks, acting postal transportation clerks, and substitute postal transportation clerks. The legislation which I am introducing will amend legislation in effect since June 10, 1955, and will increase maximum travel allowance from $9 per day to $12 per day.

The 87th Congress enacted legislation, which was signed by the President, increasing the maximum rates of per diem allowance for Government employees traveling on official business and for other purposes, but excluded postal transportation employees. I concur wholeheartedly with the opinions expressed by the Civil Service Commission in testifying before the 87th Congress:

> It is our belief that the rates presently paid for per diem and travel in the Federal Service are not adequate to reimburse employees for their out-of-pocket expenses for those purposes.

In testifying before the Senate Post Office and Civil Service Committee in the 87th Congress on S. 470, the Assistant Chief of Office Management and Organization in the Bureau of the Budget stated:

> As a matter of fact, in 1954 the Bureau of the Budget made a study of costs and on the basis of that study we recommend a maximum of $13 per day.

Postal transportation clerks are required to be away from home for extended periods, must travel long distances, and seek housing in metropolitan areas of all sizes. Since the enactment of the present governing legislation in the year 1955, the cost of hotel accommodations, meals, and other incidental expenses has increased steadily.

I feel there is an urgent need for increasing the travel allowance for these employees, since there has been no change in the amount allowed them in the past 7 years.

## OXFORD—A WARNING FOR AMERICANS

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, the whole truth about the events that occurred at Oxford, Miss., last fall have never reached the American people. The national press, radio, and television networks have distorted, censored, and slanted the Oxford incidents unashamedly in a deliberate and prejudiced effort to smear and malign the good people of the State of Mississippi.

Recognizing the futility of trying to have the truth about these incidents told to the people of the United States through these mediums, the Mississippi State Junior Chamber of Commerce, 501 Electric Building, Jackson, has prepared and distributed more than a million copies of a document entitled "Oxford—A Warning for Americans." This document furnished background information on the Meredith case hitherto withheld from public view by the shroud of censorship exercised by biased communication mediums.

Events at Oxford were inspired by power hungry national politicians and the tragedy there was precipitated by a politically motivated Attorney General.

The Attorney General has abused the truth in trying to brainwash the American people about Oxford. On a nationally televised program the day after his marshals had fired point blank into a defenseless group of men and women students, Robert Kennedy stated:

> The Supreme Court, the lower courts, all held that Mr. Meredith should be entered in the University of Mississippi.

That statement was a falsehood—whether deliberate or not, I do not know. But, as Attorney General, he should have known that the U.S. district court had thrown out Meredith's suit against the University of Mississippi and had ruled that he was not qualified for admission.

It is lamentable that people have to resort to private printing in order to promote truth and thus overcome the distortions of high Government officials. However, that was the reason the Mississippi Jaycees printed and distributed "Oxford—A Warning for Americans."

As a part of my remarks, I include this, the true story of Oxford.

## OXFORD—A WARNING FOR AMERICANS

### OUR SENSE OF DUTY

The whole world knows of the tragedy at Oxford, Miss., on the night of September 30, 1962, when Federal marshals and U.S. troops invaded the State of Mississippi. An almost infinite amount of national and international publicity has been devoted to it. However, the Mississippi State Junior Chamber of Commerce soon realized that much of the actual story remained untold. Imbued with a sense of duty to our beloved State and Nation and to Jaycees everywhere and realizing the desire of Jaycees and others to know the circumstances surrounding the invasion of the State of Mississippi, and dedicated to a sincere belief in the Jaycee creed, a portion of which states: "That government should be of laws rather than of men," the real story of Oxford will now be told.

### BLUEPRINT FOR TRAGEDY

The tragedy at the University of Mississippi resulting in two deaths, injuries to many persons, and heavy destruction of property was precipitated by the unwillingness of Attorney General Robert F. Kennedy and President John F. Kennedy to await the completion of judicial processes which they had invoked, and which, if permitted to continue, would have resulted in a final determination of the Meredith case and enforcement by regular judicial processes of whatever that determination might have been. The blueprint for tragedy:

1. Neither Gov. Ross R. Barnett nor Lt. Gov. Paul B. Johnson were parties to the James Meredith case in the U.S. district court. They were not parties to the appeal in the U.S. court of appeals nor parties to the petition for writ of certiorari (a request to be heard) before the Supreme Court of the United States. Neither they nor the State of Mississippi were joined until September 25, 1962, and then only as respondents to a restraining order issued without notice or hearing by the U.S. court of appeals. Their rights and duties under the Mississippi constitution and statutes had not been adjudicated. At all times leading up to the tragedy the original Meredith case was before the Supreme Court on petition for writ of certiorari. From September 25, 1962, to the date of the tragedy, September 30, 1962, restraining orders obtained by the U.S. Attorney General were pending.

2. When Governor Barnett and Governor Johnson personally denied admission to Meredith at the university, this provided a legal test as to whether the Governor and the Lieutenant Governor were bound by a suit in which they had not been joined as parties. Additionally, it provided legal means to test the constitutional right of the Governor (under the 10th amendment to the Constitution of the United States) to enforce State statutes not before the Court in the suit between Meredith and the University of Mississippi officials and the board of trustees.

3. At the time Governor Barnett acted, the University of Mississippi officials and the board of trustees had found that Meredith was not qualified to become a student at the university; the U.S. district judge had upheld the university's denial of admission after a full hearing and on the appeal one of the members of the three-judge panel of the U.S. court of appeals found that the U.S. district judge was correct in holding that Meredith was not qualified to become a student at the university and that "his entry therein may be nothing short of a catastrophe." In a 2-to-1 decision, the U.S. court of appeals reversed the U.S. district court and held against the university. The university officials then petitioned the Supreme Court of the United States for a writ of certiorari (a request to be heard). The very nature of the case called for both the State of Mississippi and the Attorney General of the United States to pursue their legal remedies through the courts to final completion.

4. Without awaiting a determination of these proceedings, the U.S. Attorney General and the President rushed in more than 400 armed Marshals and more than 25,000 troops on September 30 and October 1, 1962. Hasty action resulted in two deaths, injuries to many people, destruction of much property, and the most tragic situation which has occurred in the United States in many years. This was solely because of a refusal to await ordinary and proper judicial procedures to determine whether the U.S. district court or the U.S. court of appeals would be upheld by the Supreme Court of the United States and, if the U.S. court of appeals was upheld, whether or not the judgment was effective as against the Governor and Lieutenant Governor and the State of Mississippi, who were not parties to the original suit. Attorney General Kennedy had invoked these procedures just 5 days before the use of Armed Forces, and a hearing on these procedures was set for only 2 days after the dispatch of the forces to Oxford. Just 8 days later the U.S. Supreme Court considered the petition for writ of certiorari (a request to be heard).

5. There had not been any disturbances, property damages, injuries, or deaths while Governor Barnett was allowed to be responsible for law and order in Mississippi. Neither had there been a clash between law-enforcement officers of Mississippi and armed officers of the Federal Government. Mississippi officers were unarmed until after they were fired upon with tear gas. Governor Barnett (whose total force of State highway safety patrolmen available for duty as traffic officers throughout the entire State numbers less than 225 officers) maintained peace and order at the University of Mississippi so long as he was permitted. The tragedy was not precipitated by Mississippi or its public officials.

### THE JUDICIAL SEQUENCE OF EVENTS

James Meredith had previously applied to the University of Mississippi for admission and his application was rejected for failure to comply with standard requirements for admission to the university.

February 5, 1962: The U.S. district judge who heard the Meredith case ruled that Meredith failed to meet the requirements for admission to the University of Mississippi and further found as a matter of fact that he had not been denied admission because of his race. The case was then dismissed. The Governor of Mississippi was not a party to this suit.

June 25, 1962: The U.S. Court of Appeals for the Fifth Circuit reversed the district judge's decision and ruled by a 2-to-1 vote that Meredith had been denied admission to the university because of his race.

The dissenting judge in his written opinion stated that the district judge "was correct in finding and holding that appellant [Meredith] bore all the characteristics of becoming a troublemaker if permitted to enter the University of Mississippi, and his entry therein may be nothing short of a catastrophe."

The Governor of Mississippi was not a party to this appeal.

July 17, 1962: The U.S. court of appeals ordered the district judge to issue an injunction requiring University of Mississippi officials to admit Meredith. The Governor was not a party in this order.

July 18, 1962: A U.S. court of appeals judge issued the first of three stays granted delaying enforcement of the injunction until the U.S. Supreme Court could decide the case. Such stays are not unusual.

August 31, 1962: After the U.S. court of appeals twice overruled the court of appeals judge who had issued the stays, the case reached the U.S. Supreme Court for the first time. The U.S. Attorney General and the Justice Department intervened in the Meredith case by requesting that Justice Hugo Black of the U.S. Supreme Court set aside the stays.

September 10, 1962: Justice Black vacated the stays and ordered the court of appeals' ruling put into effect. Such actions are very unusual. Justice Black signed the ruling alone but said he had polled the other Justices. There was no hearing before the Supreme Court.

### GOV. ROSS BARNETT INTRODUCES DECLARATION OF STATE SOVEREIGNTY

On September 13 in a television address, Mississippi Gov. Ross Barnett introduced his declaration of State sovereignty, quoting the 10th amendment of the Constitution of the United States, as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Here are additional quotations from Governor Barnett's address:

"I speak to you as your Governor in a solemn hour in the history of our great State—in a solemn hour, indeed, in our Nation's history."

"In the absence of constitutional authority and without legislative action, an ambitious Federal Government, employing naked and arbitrary power, has decided to deny us the right of self-determination in the conduct of the affairs of our sovereign State.

"As your Governor and chief executive of the sovereign State of Mississippi, I now call on every public official and every private citizen of our great State to join wtih me in refusing, in every legal and constitutional manner available, to submit to illegal usurpation of power by the Kennedy administration.

"I especially call upon all public officials, both elected and appointed, in the State of Mississippi, to join hands with the people and resist by every legal and constitutional means the tyrannical edicts which have been and will be directed against the patriotic citizens of our State.

"The last hope of our constitutional form of government rests in the conscientious enforcement of our State laws; and the perpetuation of the sovereignty of the States. Without this, there can be no government of, by, and for the people. If our Nation is to survive, we must maintain strong State governments and unity in matters of national security.

"Therefore, in obedience to legislative and constitutional sanction, I interpose the rights of the sovereign State of Mississippi to enforce its laws and to regulate its own internal affairs without interference on the part of the Federal Government or its officers, and in my official capacity as Governor of the State of Mississippi, I do hereby make this proclamation:

"Whereas the United States of America consists of 50 sovereign States bound together basically for their common welfare; and

"Whereas the Constitution of the United States of America provides that each State is sovereign with respect to certain rights and powers; and

"Whereas pursuant to the 10th amendment to the Constitution of the United States, the powers not specifically delegated to the Federal Government are reserved to the several States; and

"Whereas the operation of the public school system is one of the powers which was not delegated to the Federal Government but which was reserved to the respective States pursuant to the terms of the 10th amendment; and

"Whereas we are now face to face with the direct usurpation of this power by the Federal Government through the illegal use of judicial decree:

"Now, therefore, I, Ross R. Barnett, as Governor of the sovereign State of Mississippi by authority vested in me, do hereby proclaim that the operation of the public schools, universities, and colleges of the State of Mississippi is vested in the duly elected and appointed officials of the State; and I hereby direct each said official to uphold and enforce the laws duly and legally enacted by the Legislature of the State of Mississippi, regardless of this unwarranted, illegal, and arbitrary usurpation of power; and to interpose the State sovereignty and themselves between the people of the State and any body politic seeking to usurp such power.

"Let us invoke the blessings of divine providence as we struggle to maintain our liberties. With the help of Almighty God, and with the unbounding determination of our people to remain free, we shall be invincible and we shall keep the faith."

### ATTEMPTS MADE TO ENROLL MEREDITH

*Governor Barnett tried in absentia*

September 13: U.S. district court entered an injunction ordering University of Mississippi officials to enter Meredith as required by the U.S. court of appeals. Governor Barnett was not a party to this injunction.

September 20: While case was still pending before the U.S. Supreme Court Meredith attempted to enroll at the university and Governor Barnett personally denied him admission at Oxford.

September 25: Governor Barnett refused admission to Meredith at Jackson. On request of the U.S. Attorney General the U.S. court of appeals made the Governor a defendant to a restraining order granted without notice and without a hearing. The court cited the Governor to appear at New Orleans on September 28 to face a charge of contempt of court.

September 26: Lt. Gov. Paul B. Johnson, Jr., refused admission to Meredith at Oxford. U.S. court of appeals ordered Lieutenant Governor Johnson to appear in court on September 29 to face contempt charges. On that date he did not appear in New Orleans. He was tried in absentia and was found guilty of contempt and given until October 2 to absolve himself of contempt or be fined $5,000 for each day of delay.

September 28: Governor Barnett did not appear in New Orleans. The U.S. court of appeals tried him in absentia, found him guilty of civil contempt, and ordered him to admit Meredith by October 2 or face arrest and be fined $10,000 for each day of delay.

September 29: Meredith's case for admission was before the U.S. Supreme Court awaiting action. A hearing was set in the U.S. court of appeals for October 2 on the enforcement of the contempt orders. Without waiting on normal judicial processes, U.S. Attorney General Kennedy and President Kennedy ordered hundreds of U.S. marshals to Oxford, where the University of Mississippi is located. Thousands of Federal troops were ordered into action. At midnight, President Kennedy federalized Mississippi's National Guard.

### ON A QUIET SABBATH EVENING MISSISSIPPI INVADED—VIOLENCE RESULTS

September 30: Meredith, protected by over 400 Federal marshals, arrived on the university campus. The marshals encircled the Lyceum Building—the main administration building—fully armed with night sticks, gas masks, tear gas guns, revolvers, and wearing protective vests and riot helmets. A crowd of university students and outsiders, many from other States, gathered in the vicinity of the marshals. The unarmed Mississippi highway safety patrolmen stood between the marshals and the crowd. Some of the crowd began to taunt and jeer the marshals. Several articles were thrown in the direction of the marshals. Without warning, on orders of James P. McShane, the chief Federal marshal, the marshals fired tear gas projectiles at close range directly into the crowd. This incensed the crowd and the riot began.

October 1: U.S. troops poured into Oxford. By dawn on Monday, order was restored on the campus, but rioting continued in downtown Oxford. Meredith was then enrolled by armed force as a student and started attending classes escorted by Federal marshals. In Mississippi, the force of Federal troops was built up to more than 25,000 men. (United States has only 6,000 men in Berlin.) The entire town of Oxford was under strict military control.

October 8: The petition for writ of certiorari (a request to be heard) was denied by the U.S. Supreme Court 8 days after the U.S. Attorney General Kennedy and the President resorted to armed forces.

### THE CONDUCT OF THE FEDERAL MARSHALS

Despite reports to the contrary, the conduct of the Federal marshals during the tragic events at Oxford was not something of which Americans can be proud. In fact, their conduct was reprehensible. Their inexperience was confirmed by President Kennedy at a meeting of Democratic congressional leaders as reported by the nationally syndicated Allen-Scott Report when the President was said to have stated, "The U.S. marshals were inexperienced and blundered in their use of tear gas. It was a very sad day."

After the battle began the night of September 30 the marshals went on a rampage firing tear gas projectiles at close range into students and even into the back of the head of a Mississippi highway safety patrolman knocking him unconscious. The marshals actually invaded the dormitories, firing tear gas projectiles. Because of the unnecessary use of tear gas by the marshals, the campus was thick with gas for several days. Some of the classrooms could not be used for days.

The treatment of prisoners, many of whom did not participate in the battle, was shocking. Many of the prisoners were 15- and 16-year-old boys; several were students; many were outsiders; and a few were elderly men.

The night of September 30 and the next day were hours of unbelievable terror for those prisoners, some of whom had nothing to do with the riot. The marshals administered beatings with nightsticks, knocking a few almost into a state of unconsciousness. A storeroom with no windows located in the Lyceum Building was converted into a virtual dungeon. Ordinarily, about 15 persons could have gotten into that room, and the marshals had packed it with almost 100 prisoners. The prisoners were neither fed nor given water for many long hours. With tear gas still in the air, the area was hardly bearable. Many of the boys had dried blood on their clothes and faces. A television newsman told at a press conference of the cruel treatment the prisoners received from the marshals in the Lyceum Building.

The events of the night of September 30 and the morning of October 1 were a long nightmare to many university students, townspeople, and particularly so for the prisoners. Beatings, unlawful searches and seizures, and harassments were not isolated instances at the university and in Oxford. One student, testifying under oath before a legislative investigating committee, told of his capture about 9 o'clock a.m. on the campus while driving to his girl's house (the daughter of a professor) on the morning of October 1. He was ordered out of his automobile and it was searched. An unloaded shotgun kept in the trunk for a planned hunt later, and which had not been fired in 2 or 3 weeks, was seized. The shells were in his hunting jacket in his dormitory room. He was taken under guard to the Lyceum Building, where the marshals blurted, "make room for the shotgun boys," and he was handcuffed to another boy. The marshals, while using filthy language, also, screamed at him "killer," "murderer." His personal belongings were taken from him and he was lined up against a wall. Later, in a national news service photo taken of him and some other prisoners, the caption said, "These prisoners were taken in rioting disturbances at the University of Mississippi at a place outside of the building in downtown Oxford." Of course, it was false. The picture was taken in the Lyceum Building on the campus and he and some of the others in the picture were not captured in any rioting. A marshal hit him in his ribs and back with a nightstick. He was not allowed to call his girl friend, his parents or an attorney; they held him incommunicado. He told of beatings by the marshals of other prisoners and their refusal to obtain medical aid for the injured. Finally, after being told to sign a release of his shotgun, and through the intervention of a faculty member, he was released. Many other innocent people were arrested without cause and subjected to inhuman treatment. This boy can still not believe that it all happened in America.

### PRESS CONFERENCE HEARD BY FEW

In a press conference on October 2 in Jackson, Miss., members of the national press gathered in Jackson and heard certain details and reports that had failed to reach the American people. Part of this news conference is presented:

Lt. Gov. Paul B. Johnson: "Ladies and gentlemen, I have a panel of gentlemen here with me who are willing to answer questions pertaining to the trouble at the University of Mississippi Sunday (September 30) and Monday (October 1). I'll be glad to answer any questions if you have them."

Newsman: "First, I would like to know if the Mississippi highway patrol was withdrawn from the campus in a critical moment in the demonstrating as Attorney General Robert Kennedy has charged."

Governor Johnson: "The highway patrol has never been withdrawn at any time since they went there Sunday night (September 30) until late yesterday (October 1) afternoon after the Army had come in and completely taken charge with 6,000 or 7,000 troops."

Newsman: "A newsman, who was up there, and others in our crew reported at various times during the demonstrating that highway patrol cars were being brought out or had moved off the campus. At one time, they reported only a few officers of the highway patrol, I believe at the alumni building—and what is the cause of that maneuvering back and forth?"

Governor Johnson: "Many of the cars were leaving—some of them hauling different people who had been hurt. In addition to that—trying to get out of the gassed area because of the heavy concentrations of gas. They were not equipped to operate in such a melee as that. That is the reason that many of them had pulled off back from the scene of the rioting—because they were overcome by gas the same as the students and others who were present."

Newsman: "Governor, were you there on the campus when the disturbances began?"

Governor Johnson: "No, I was not present. Officer (Gwin) Cole, the investigator from the [Mississippi] highway patrol, was present at the time. I'd like for Mr. Cole to tell you what had happened."

Officer Gwin Cole: "I was standing in the street in front of the Lyceum Building. There were about 200 marshals, I would say, surrounding this building and Army trucks sitting in front of the building that brought the marshals in, highway patrolmen, sheriffs, and deputy sheriffs, and other officers were engaged in getting these students back out of the street, on the curb—they were heckling the marshals and some of them were heckling us and throwing cigarette butts and what have you. And all at once I saw a chief duty marshal, Mr. James P. McShane—he shouted, 'Let 'em have it—gas.' And I dropped down to my knees—the gas was coming by me and over my head fired from these guns and I dropped down to my knees—and I saw him run back in the Lyceum Building. I followed him with my eyes full of gas and I got inside the building and I told him, I said 'That's the dirtiest trick that I have ever seen done.' And he dropped his head and walked off and Mr. (Deputy U.S. Attorney General) Katzenbach of the Justice Department walked up to me and told me he was sorry but somebody jumped the gun. And that's when the riot started."

Newsmen to Governor: "What did you find when you reached the campus?"

Governor Johnson: "When I reached the campus, I found the entire area covered with gas—there had evidently been tons of it that had been released—I found that a lot of it had been shot into the dormitories and they had driven the students from their dormitories out onto the campus. I found that it was so heavy that you couldn't stay in there unless you did have gas masks and when I got there I contacted Colonel (T. B.) Birdsong (director, Mississippi highway patrol) and Officer Cole and had them go with me to the Lyceum Building to see Mr. John Doar of the Justice Department and Mr. Katzenbach. And I told them at that time the highway patrol wanted to help and cooperate in any way that they could but that they could not operate on the campus in that gas—that if they would stop shooting the gas we felt that it would die down where we could come in and help them, but that the other proposition was that we could set up road blocks and prevent others from coming onto the campus. Mr. Doar said he thought that was the thing that needed to be done—set up the road blocks, and we set the road blocks up and kept people out all night and until the following morning when our highway patrolmen were relieved at the point of bayonets by the troops. They walked around to their backs and ordered them to move and used curse words and ran them off after we had helped them all night long."

Newsman: "What about the report from the Attorney General last night that at one point the highway patrol, I think he mentioned possibly 150 of them in some 80 cars, parked a half mile from the campus?"

Governor Johnson: "They gave orders for them to come down there so that they would all be available for further orders. They had left there in the Lyceum Building—the highway patrol had left a walkie-talkie radio in order that we might have connection between the Justice Department officials there and the highway patrol—so that we could help them in the ways in which it was possible for us to help them. We had to call the men to these concentrations so we could talk to them and give them the orders and have the roadblocks set up."

Newsman: "In other words, those 150 were waiting for instructions on roadblocks in accordance with John Doar's wishes?"

Governor Johnson: "A large part of our patrolmen were there; a good many of them were still around the edges of the campus where they could operate effectively."

Newsman: "How long do you think the situation can continue up there as it is now?"

Governor Johnson: "That would be a very difficult thing to say, strictly because of this use of the troops as an excuse to come in there and to have a tremendous buildup. I think actually what was trying to be done, they were trying to keep from doing the same thing that Eisenhower did at Little Rock. They provoked this incident in order that these troops could have an excuse to come in there. As a matter of fact, a good many of the troops were already on the way to the Oxford campus when I left Jackson to go to Ole Miss."

Newsman: "You think it was a deliberate provocation, sir?"

General Johnson: "That is the only thing that I can see, because evidently those orders had been given a long time previous to this incident for the MP's to have been able to get in there as quickly as they did, and then the crowd from Georgia being called in at the same time when I was headed for Oxford—the Kosciusko (Mississippi) unit of the National Guard. I'd say this—since there is a question about who started it—I do feel that for the benefit of the American people, in order that this sort of thing may never happen again in this country—I do think that the truth ought to come to light through a congressional investigation, and it ought to be done quickly before any changes are made."

### THE USE OF TROOPS WAS ILLEGAL

Literally thousands of the Armed Forces of the United States, including units of the 101st and 82d Airborne Division, moved onto the university campus and into the small town of Oxford. Citizens were arrested and searched without proper warrant, shoved around at bayonet point, detained for long periods without cause, and many were deprived of personal property by force. And yet martial law was never declared.

The invasion of the State of Mississippi by armed troops of the Federal Government was in direct violation of article IV of the U.S. Constitution, which states:

"The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence."

There was no such application made by the legislature or executive of the State of Mississippi. The United States did not protect the State of Mississippi against invasion as guaranteed under article IV of the U.S. Constitution, but rather the Federal Government, through President Kennedy and the U.S. Attorney General did, without legal authority, cause Oxford, Miss., and the University of Mississippi to be invaded and occupied by Armed Forces of the Federal Government. There is no express grant of power in the Constitution that authorized the President of the United States to use Federal troops as he did in Oxford and at the University of Mississippi.

The federalization of the Mississippi National Guard by the President of the United States under the circumstances in this case was in direct violation of the second amendment to the U.S. Constitution which states:

"A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

The calling of the Mississippi National Guard into Federal service deprived the State of Mississippi of the security of the militia as guaranteed by the Constitution of the United States. Therefore, the State had withdrawn from it by the Federal Government the very source of its State power to enforce law and order in Oxford, Miss.

Prior to the use of troops at the university, Senator John Stennis, of Mississippi, stated:

"It is shocking, to me, that consideration would be given, even for a moment, to the use of troops. The Meredith case, now pending . . . in the Federal courts, is strictly a civil matter, and all the proceedings in connection with it should be confined to the civil authorities."

Senator Stennis pointed out that the Attorney General of the United States intervened "so he said" as amicus curiae (friend of the court). The Senator then stated: "I bring up this point expressly at this time, because it relates to the civil rights bill of 1957, which then contained what was called title III.

"Title III proposed that the Department of Justice have exactly the same authority that the Department of Justice is exercising today in this case. Title III was debated for a long time on this floor; and when the vote was taken, the Senate—by a vote of 52 to 38 struck that provision from the bill."

"But that is not all. The vote I have mentioned was taken in 1957. But in 1960 another vote was taken in the Senate on the same provision, in substance; perhaps a few words were changed, but the substance was the same. Again, part 3 was stricken from the bill, that time by a vote of 55 to 38."

"That is not all. In 1961, title III or its substance, was offered as an amendment to an appropriation bill. The Senate again rejected title III—this time by a vote of 47 to 42."

"In the brief span of less than 5 years, on three separate occasions this identical proposal or proposed authority has had its day in this legislative Chamber, and every time it has been voted down."

"The use of Federal troops in Mississippi or in any other State is an exercise of a power of a police state at its worst. I believe such action is illegal."

"So, I think, at all levels of the Federal Government, among all authorities, this is a time to stop, look, and listen, with calmness, and to have a prayerful consideration of the major points involved not just for my State, but for all States and all the people of our great United States. We should calmly weigh the consequences. How many red lights are we running by?"

### A BROKEN PROMISE

Governor John Patterson, of Alabama, formerly one of President Kennedy's strongest supporters in the South, on September 29, 1962, wired the President's brother, Robert Kennedy, U.S. Attorney General, "I wish to remind you of your pledge at the Democratic National Convention in 1960 that Federal troops would never be used against the Southern States." Governor Patterson received his answer on September 30 when the Federal troops were sent into Oxford, Miss.

### DESIRE FOR EDUCATION

There are two important facts which cause one to doubt that James Meredith's enrollment at the university was a sincere desire to obtain an education. On October 9, 1962, it was revealed by Aaron Henry, Mississippi's president of the National Association for the Advancement of Colored People, in an interview with the Associated Press, that the James H. Meredith case has "already cost it upwards of $30,000." That same day James H. Meredith in an interview with the Associated Press criticized the U.S. Army for segregating the Army troops at Oxford. Is he a sincere student or is he a spokesman for the NAACP?

### NOT "THE LAW OF THE LAND" BUT RATHER "THE LAW OF THE CASE"

When the Constitution of the United States became a living document, the world was given for the first time a government upon the premise that people as individuals are endowed with the rights of life, liberty and property, and with the right of local self-government. The people and their local governments formed a central government and conferred upon it certain stated and limited powers and those necessarily implied therefrom. All other powers were reserved to the States and to the people.

The tragedy which has occurred at the University of Mississippi arose from a difference between one of the sovereign States and our Central Government. It is the right of every citizen, however humble he may be, to stand courageously against whatever he conscientiously believes to be the exercise of power beyond the constitutional rights conferred upon our Federal Government. This is also true of any one of the sovereign States whenever it acts to protect the powers reserved to it and the other States by the Constitution of the United States. Mississippi acted through its Governor, Lieutenant Governor, attorney general, legislature and its other public officials. Such action is not defiance of the law or defiance of the President of the United States or the Attorney General. Such action is an exercise of the heritage of freedom and liberty under the law.

The courts of our land and particularly the Supreme Court of the United States are entitled to and receive our deference and respect. Yet, their decisions are not now and never have been "the law of the land." Such decisions are "the law of the case."

Article VI, paragraph 2, of the Constitution of the United States provides that:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land."

In 1922, the eminent historian of the U.S. Supreme Court, Charles Warren, in volume 2, Warren, "The Supreme Court in the United States History," at page 748, stated:

"However the Court may interpret the provisions of the Constitution, it is still the Constitution which is the law and not the decision of the Court."

Alfred J. Schweppe, one of the outstanding constitutional lawyers in the United States, formerly dean of the University of Washington School of Law, said in an article appearing in the American Bar Association Journal in February, 1958:

"Thus, the lawmaking power is in Congress alone. Only Congress makes the law of the United States. Supreme Court decisions and district court decisions are not 'law of the United States' in the constitutional and statutory sense, suffice it to say at this point that they are merely decisions between parties to a case or controversy which declare what law is binding between those parties. They do not bind any person anywhere. On the other hand, 'laws of the United States' passed by Congress bind everybody everywhere within the jurisdiction of the United States."

If there is one thing clear from the history of our Nation and from the plain words of the Constitution, it is the proposition that a decision of the Supreme Court is not "the law of the land."

[From Congressional Record]

### Law Ignored

(Extension of remarks of Hon. W. J. Bryan Dorn, of South Carolina, in the House of Representatives, Tuesday, October 2, 1962)

Mr. Dorn. Mr. Speaker, the following article by David Lawrence appeared in the Washington Evening Star, Monday, October 1.

Most of the members of the American bar agree with the thinking advanced by Mr. Lawrence.

I commend this article to the attention of each Member of the Congress and the Justice Department:

"DUE PROCESS OF LAW IGNORED—ROOT OF MISSISSIPPI CONFLICT SEEN IN ILLEGALLY ADOPTED 14TH AMENDMENT

"(By David Lawrence)

"There is nothing in the Constitution of the United States or in the laws passed by Congress which authorizes the use of Federal troops to compel any public educational institution to admit a certain student just because he demands that he be enrolled.

"There is nothing in the Constitution which denies the Governor of a State an opportunity to be heard by the full membership of the Supreme Court of the United States in a dispute between State and Federal authority.

"There is nothing in the Constitution which even mentions education as one of the subjects coming within the powers of the Federal Government.

"Whatever authority the Department of Justice or the Federal courts claim today in this field is derived from a decision of the Supreme Court of the United States in 1954 which gave no legal reason but only sociological consideration as an argument for reversing an 1896 decision that permitted separate but equal facilities in dealing with segregation.

"The 1954 decision cited the 14th amendment as the basis for its ruling, but the amendment was never legally adopted by the necessary number of States. In fact, the legislatures of some of the Southern States were compelled at the point of the bayonet by Federal troops to ratify it. Since this happened in 1868—3 years after the War Between the States was over—the Supreme Court of the United States has never been willing to rule on the validity of the process by which the 14th amendment was allegedly ratified.

"Yet 1 of the 10 original amendments—known as the Bill of Rights and duly ratified in 1791—does say that no person shall be 'deprived of life, liberty or property, without due process of law.'

"Governor Barnett nevertheless has been threatened with jail—without due process of law.

"Last Saturday Attorney General Robert F. Kennedy, in a telephoned address to the American Bar Association's Convention at San Francisco, said that the distinguished lawyers of Mississippi had not spoken out in the battle over integration. Apparently Mr. Kennedy didn't note the speech made in the Senate just 2 days before by Senator John C. Stennis of Mississippi, one of the ablest lawyers in the country. He has sat on the bench. He is one of the fairest minded men in the Senate. He told of the origin of the case of James Meredith, the Negro applicant, as a private suit against the board of trustees of Mississippi's State University and how a learned judge of the U.S. district court ruled that the Mississippi college authorities were justified in denying admission to Meredith. Mr. Stennis described the subsequent legal battles in the U.S. circuit court of appeals. He referred to the fact that in the circuit court of appeals one judge said he thought Meredith would be a troublemaker and should be denied admission.

"But the main point of criticism made by Senator Stennis was that the State of Mississippi was being denied a hearing by the Supreme Court of the United States. The Constitution specifically provides that the Supreme Court must hear as a matter of original jurisdiction all cases involving a conflict between a State and the Federal Government and that the lower courts have no right to decide such a question. But only one member of the Highest Court—Justice Black—ruled on it, though he claims he consulted the other judges individually, since the Court was not in session. He doesn't say whether he did this by telephone or by personal visits, as the case arose recently during the time the Supreme Court members were on vacation. Certainly no opportunity was afforded the defendants for oral argument by their attorneys before the entire Court.

"'This,' says Senator Stennis, 'is certainly not judicial consideration of the case on its merits. This is not the type of searching thought and application of legal principles which should be given such a serious case. Is it really true that a Governor might be held in contempt of court, or sent to jail, or a sovereign State might be invaded by Federal troops and its citizens terrorized at the point of bayonets, on this fragmentary attention by one judge?'

"Senator Stennis also pointed out that on three separate occasions the Senate had 'soundly defeated proposals to give the Attorney General the very authority to exercise the powers which he has assumed.' Senator Stennis referred to the substitution of the Attorney General as a plaintiff in court for a private citizen.

"Senator James O. Eastland, of Mississippi—who has been for many years chairman on the all-important Judiciary Committee of the U.S. Senate—said to the Senate:

"'If the day has come when not only a citizen of Mississippi, but also the Governor of that great State, can be dragged across a State line by Federal marshals or troops and subjected to the dictates of appellate judges appointed to their cushy jobs for life, then judicial tyranny is a reality and not a fiction.'

"There is serious doubt from a legal standpoint whether a President has the right to send troops into a State under the circumstances existing in Mississippi. This correspondent made the same criticism 5 years ago when President Eisenhower ordered Federal troops to Little Rock, Ark.

"Whatever one's individual feelings may be about segregation or desegregation, it seems only fair to express agreement with Senator Stennis that the whole case should be heard on its merits by the Supreme Court. It seems fair also to suggest that the fraudulent method of 'ratifying' the 14th amendment—on which the whole series of court rulings and new Executive orders mobilizing Federal military forces are based today—should be opened up for trial after 94 years of tragic silence by the Supreme Court of the United States."

### THE TRAGIC LESSONS

Certainly, nearly all of mankind would agree that the Oxford saga is a sad one. Americans have witnessed one of the most tragic events in the history of their beloved country—Federal force against a sovereign State, brother against brother, education at bayonet point, violence at its worst, the loss of two lives, injuries to many persons, extreme property destruction, damage to the reputation of a great university, and deep wounds that will be long in passing.

At a time in the history of our country when the need for national unity has never been greater, all Americans should pause and reflect on the tragic situation at Oxford.

Was it all really worth it? Is the forced education of one man regardless of his race, worth millions of dollars in expense, the interruption of an education for 5,500 other students, denial of the constitutional rights of many, violence, and death and destruction? We do not believe so!

Tyranny is tyranny—whatever the form. It is the duty of every American citizen to be alert when his freedom is endangered. Our forefathers were not without courage—now the same responsibility to defend freedom is ours.

Let us not be unmindful of the right of dissent and our freedoms under the U.S. Constitution. In a recent speech, John C. Satterfield, a former president of the American Bar Association, stated: "We must realize that a person or State which tests whether or not he is or it is bound by the decree of any court to which he or it was not a party, or attempts to persuade a court to overrule any one or more of its decisions, is exercising a heritage of freedom which is ours under our form of government and is not a violation of the laws or a defier of the Constitution of the United States. In this time of peril, these truths should be recognized by all citizens of our great country, whether they be liberal, moderate or conservative, radical, middle of the road or reactionary. There must be forbearance and there must be understanding."

Every citizen of this great country must recognize that our Nation of liberty under the law, freedom of speech and action, is a nation in which men may honestly differ and yet respect each other. This will never be attained until we learn to disagree without being disagreeable, that might does not make right, that liberty under the law means the freedom of dissent, and that those with whom we disagree may nevertheless be honest, law-abiding, and patriotic American citizens.

## FORTY-FIFTH ANNIVERSARY OF UKRAINE'S NATIONAL INDEPENDENCE

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, the 22d day of January 1963, marks the celebration of the 45th anniversary of Ukraine's national independence. The sadness of this day in reviewing events through the years, suffered by the Ukrainian people held in captivity, calls for a day of lamentation and mourning. The Ukrainian people were the first victims of Communist aggression. I join with my friends of Ukrainian descent, in prayer, that the presently suppressed desires of the Ukrainian people to regain their freedom, be realized.

In America, where we enjoy all of the God-given freedoms it is important that we keep alive, by open discussion, the cause of Ukrainian independence. We are their only hope and we must be ever active to keep alive their fires of freedom and, further, by strengthening our potential military might, give realistic impetus to their belief that, some day, these peoples will return to enjoy the democratic fundamental principles of liberty, and as a nation. The flag of aqua blue and yellow gold is unfurled all over our land for those pioneers of Ukrainian ancestry who contributed so much to the economy and culture of our Nation. It is a reminder of the continuing protest of the American people against the enslavement of the Ukrainian people. We cannot accept the servitude of the people of the Ukraine nation without thinking that the purpose of our foreign policy is to restore to them their historic claim of freedom as an independent nation in the free world. We have, through our courageous and determined President, John F. Kennedy, in the recent Cuban incident, shown these devout Christian people, with a long record of opposition to Communist domination, that the military power of the United States is to be feared and respected.

The day is not distant when we will refuse to permit our enemies to retreat. The 86th Congress of the United States was militant in its pointed action toward this end—the sincerity of its attitude toward captive nations and their leaders was reflected in the passage of the Captive Week resolution, Public Law 86–749, authorizing a Shevchenko statue and honoring this "Europe's Freedom Fighter," House Document No. 445.

At the insistence of Representative DANIEL J. FLOOD, of Pennsylvania, as in the 87th Congress and presently in the 88th Congress, House Resolution 14 urges the formation of a Special House Committee on Captive Nations. It is of monumental importance for the United States to further impress all of the peoples within the immediate control of the Soviet nation that our determined foreign policy be accentuated in purpose to strongly symbolize to the world the determination of the American people, reflected by the Congress, to work toward the liberation of those captive nations.

The United States must destroy the false image of the capitalist system and its leaders. These are set up by our enemies as mental figments of clever propaganda—the method used to influence the peoples of the captive nations to transfer their loyalties and support to the Soviet Union.

We must, in our future actions, not only contrive to stop the spread of communism, but must, by every means, counteract false propaganda within the Soviet Union itself, and its satellites, to thus weaken our enemies from within.

The victory of this age of the cold war will only be ours when the internal control of the Soviet states will be weakened. This can best be accomplished by destroying the Russian image of power and falsity of purpose.

The freedom-loving patriots within these captive nations, armed with the truth and realistic proof, can cause such a measure of unrest and confusion that enormous military forces will be needed for security surveillance.

This aroused populace, flexing its muscles of freedom, will, in itself, weaken and destroy the stability of the controls at Moscow. It will hasten the end of the cold war and result in independence and freedom among all nations at the new, extended frontier of peace. We must persevere. We owe it to the Ukrainian people; they must be free.

## EQUAL EMPLOYMENT OPPORTUNITY—A CASE FOR THE NATION

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the malignancy of employment discrimination is eating through the fiber of America's economy, education, morality, and international leadership. Some kind of employment discrimination can be found in almost every industry, and contributes to the current staggering welfare assistance costs as well as to the disillusionment of high school students, increased school dropouts, and juvenile delinquency and crime. Inequality of opportunity strikes at the very heart and core of the democratic ideal. Persistent employment discrimination in the United States casts doubts upon our sincerity in furthering the cause of individual liberty and human dignity throughout the world.

Elimination of employment discrimination is a national problem, not limited to any particular city or region of the country. As a national problem it must be confronted and resolved by national policy and procedure. We can no longer ignore the anguish and spiritual suffering of our fellow citizens who, as a result of discrimination, are unable to get jobs commensurate with their abilities. We can no longer afford the immeasurable loss to the Nation and to the economy of unused skills and undeveloped potentialities. We can no longer endure the incalculable loss of international prestige and good will when the Nation's discriminations are broadcast throughout the world.

Twenty-four States have enacted fair employment practices laws. Just a few days ago one of our distinguished citizens, the Honorable Terry Sanford, Governor of the great State of North Carolina, called upon his fellow citizens to eliminate discrimination in job opportunities in that State. He is certainly to be commended. However, a State-by-State declaration and implementation of fair employment practices is not enough. There are now 100 million people not covered by State laws. State laws vary greatly in coverage and effectiveness. State commissions have encountered difficulty in dealing with large, multiphased operations of businesses in interstate commerce. Therefore, the task falls to the Congress to immediately declare and implement a national policy of equal employment opportunity and rid America of this virulent infection.

I have introduced a bill (H.R. 405) to establish a Federal Equal Employment Opportunity Commission with power to eliminate discrimination in employment on account of race, religion, color, national origin, ancestry, or age. It is my hope that my colleagues will join with me in realizing the urgent necessity for enactment of this proposed legislation. This bill, when implemented, will remove arbitrary barriers and open the doors to greater job opportunity, and consequently increased employment and economic stability. Immediate enactment of this bill will make real our claim of leader of the free world. Let us not delay.

## DEMOCRATIC OBJECTORS ON CONSENT AND PRIVATE CALENDARS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that during the 88th Congress the official objectors on the Democratic side for the Consent and Private Calendars shall be as follows:

Consent Calendar: The gentleman from Colorado [Mr. Aspinall], the gentleman from Massachusetts [Mr. Boland], and the gentleman from California [Mr. McFall].

Private Calendar: The gentleman from Alabama [Mr. Roberts], the gentleman from Massachusetts [Mr. Boland], and the gentleman from South Carolina [Mr. Hemphill].

## AIR SAFETY DOUBTS STEM FROM MAGAZINE'S ERRORS

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, in the January 19 issue of Saturday Evening Post there were two articles and an editorial which raised serious questions about the operation of the Nation's airways and the level of safety for millions of Americans who travel by air. The Federal Aviation Agency and its Administrator, N. E. Halaby, were criticized, accused of impeding the investigation of an airline accident and failing to do everything possible to raise safety levels. The Administrator and the Agency have taken exception to the material on the grounds that much of it is untrue and that it presents a distorted, damaging view of U.S. air commerce. To help put the situation into perspective, the Agency brought to public attention last week a number of the errors along with the facts in the case. This material, which includes a statement made by Mr. Alan S. Boyd, Chairman of the Civil Aeronautics Board, is hereby made a part of the Record so that all interested in this critical field of air safety can better evaluate the situation as described in the magazine:

### Air Safety Doubts Stem From Magazine's Errors

The January 19 issue of the Saturday Evening Post carries two stories and an editorial on U.S. civil aviation. This material contains errors which cast grave doubt on the high level of air safety today. Two of them are so serious they must be answered immediately.

In writing about the March 1 crash of American Airline Flight One, the magazine says the Federal Aviation Agency interfered with and impeded the Civil Aeronautics Board's investigation. This is not true. The FAA assumed its proper role as provided in the Federal Aviation Act of 1958.

Mr. Alan S. Boyd, Chairman of the Civil Aeronautics Board, stated this today:

"When it became apparent in early 1961 that Mr. N. E. Halaby and I were to be appointed respectively Federal Aviation Administrator and Chairman of the Civil Aeronautics Board, we agreed to devote whatever efforts were necessary to maintain and improve the coordination and spirit of cooperation between our two agencies. We have devoted a great deal of time and effort to these matters. The result is the greatest measure of cooperation these two agencies have ever known.

"With reference to the investigation by the CAB of the American Airlines Flight One accident, the fact is that the Federal Aviation Agency cooperated fully with the Board. The assertion that FAA obstructed the investigation or that there is feud between the two agencies is contrary to fact.

"Mr. Halaby and I have joined forces to promote cooperation of our agencies in the public interest. Within our jurisdictions this public interest is in the safety of flight. *Flying is safe today; the statistics for 1962* indicate 0.34 fatalities per 100 million passenger miles of domestic scheduled aviation—the second best year in aviation history. While we seek the ideal of a complete absence of accidents, we are pleased that scheduled commercial flying is the safest mode of travel today."

In another story, the magazine strongly implied that the Nation's air traffic controllers operate on the verge of nervous disorder. This also gives a false and extremely unfair impression. They are a calm, competent group of dedicated men and women who, working in a system that is being constantly improved, make a major contribution to the fine safety record U.S. civil aviation has made in recent years.

A detailed commentary on the material in the January 19 issue is attached.

### Federal Aviation Agency Memorandum, January 15, 1962

Subject: An article entitled "The End of Flight 1," by Trevor Armbrister, appearing in the Saturday Evening Post for January 19, 1963, carries a number of errors, the most important of which is that the FAA had no business being concerned with the accident investigation and that the Agency and the Civil Aeronautics Board were at cross purposes in the investigation. Because of public and congressional determination that the two agencies work closely and well to assure flight safety, a number of errors made in the article are repeated here with a following explanation of what did happen and what the truth is.

Page 14: "Suddenly the jet's nose lurched hard to the left. The plane banked sharply to 50°, 60°, 90°, then rolled all the way over on its back."

Fact: From the CAB's accident report: "Except for one witness who testified that the aircraft appeared to stall just before nosing over, most of the witnesses stated that the entire maneuver was characterized by smooth continuous movement with no indication of recovery action being discernible."

Page 14: "Last week, 10 months later, the Board announced its findings. The probable cause of the crash—a rudder control malfunction sparked by a tiny pencil-length wire one-sixteenth of an inch thick."

Fact: From the CAB report: "The Board determines that the probable cause of this accident was a rudder control system malfunction producing yaw sideslip and roll leading to a loss of control from which recovery action was not effective."

Page 15: "The search begun that morning in March was to be one of the most expensive, exhaustive, and frustrating in history. It was barnacled with an ugly cluster of obstacles. Not the least of these was a feud between the two Government agencies involved."

Fact: In accordance with Board investigative procedures, FAA technicians were assigned to the various working groups and worked hand in hand with Board investigators during the course of the investigation. Full cooperation and mutual and immediate exchange of information existed at all times. The Board's report makes this absolutely clear. Minor isolated differences of opinion could have existed between individual technicians as can be expected during the course of a major investigation with dedicated investigators, but there was never any indication of a feud between the agencies nor is there any now.

Page 15: "Disintegration was total."

Fact: Accident investigators and technicians recovered a considerable amount of aircraft structure, components, and systems intact, available for inspection and functional testing, as explained in the CAB report.

Page 16: "Reviewing the logbook all flight crews keep, he found this notation for January 23, 'Rudder and elevator are too sensitive.' On January 28, 'Rudder kicks when boost is turned on; nose goes to left.' That was all."

Fact: Referring to Docket SA-366, Exhibit No. 5E, Witness Huyler, page 4, Review of Logbook Entries. The following log entries are the ones previously referred to in their entirety:

1. 1/23/62, log page 2416280. With altitude control on autopilot rudder and elevator too sensitive. Corrective action: Replaced amplifier computor checked OK.

2. 2/7/62, log page 2416288. Rudder kicks when boost turned on and off nose goes to left. Takes one unit nose left trim to take it out. (Receival flight to Boeing for accomplishment of modification II with a total ship time of 7,996 hours.) Corrective action: Adjusted system at the tab and rudder. Ran picture pages—operation satisfactory. (This correction was accomplished at the Boeing plant.)

Page 17: "Gradually they deciphered some secrets; airspeed 220 knots; altitude 1,860 feet. Now they could be sure the jet hadn't stalled."

Fact: Airspeed and altitude would not be the only controlling parameters in determining stall condition in this instance. Other controlling conditions can cause a stall condition even at relatively high indicated airspeeds. Page 15 of the CAB's accident reports states: "The mediam acceleration trace shows a rise from 1.0 to 1.8 g. from time 1008:26 to 1008:30 at which time an abrupt change is recorded in a manner indicative of heavy stall buffet, which intensifies and continues until impact."[1]

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[1] Reference CAB's advance release copy of aircraft accident report—American Airlines, Inc., Boeing 707-123B, N 7506A, Jamaica Bay, Long Island, N.Y., Mar. 1, 1962.

Page 17: "As Cowan worried about lower 41, the answer to the whole puzzle lay unnoticed on the hangar floor—hidden inside a device called a servo. On a jet a servo's main function is to move the control surfaces electronically when the autopilot is turned on."

Fact: The Board does not in its report conclusively place the cause of the accident in the servo, as the article states.

Page 17: "Salvage crews had snatched up the rudder servo from American 1 as far back as March 2. But because of its heavy black housing seemed undamaged, it hadn't yet been examined."

Fact: In contrast to this statement the housing of the rudder servo reflected substantial damage. Reference: Docket SA–366, Exhibit No. 7E, Witness Cowan.

Page 25 of the CAB accident report further states: "A large portion of the housing of the rudder servo was missing, partially exposing the servo motor. The rate generator end of the motor was completely exposed."

Page 17: "For the first time since March 1 Cowan felt he was on to something. Deliberately he asked to see eight other servo units on American's stock shelf. Six bore similar cuts and scratches; one still carried the manufacturer's seal."

Fact: None of the stock shelf servo units examined showed evidence of cuts, the word "cut" having important and specific meaning in this case. Reference: CAB accident report, page 27, "Eight spare servo unit motors from the American Airlines stock were then examined, and six of these had the same type of scratching or gouging as found on the rudder servo. Some of them also had similar indentations or imprints on the sleeving enclosing the wires."

Page 17: "By themselves the cut wires meant nothing. But open wires can reclose in the wrong way. *If the wire ends had crossed, shooting 18 volts across a circuit designed to operate on 5 volts, the rudder might have kicked—violently—and thrown the jet into an uncontrollable roll."*

Fact: A violent hard-over rudder movement from such a wiring failure, resulting in uncontrolled roll, cannot be substantiated with results of any tests made thus far. The CAB reported: "Flights were also conducted in an attempt to duplicate the bench test malfunction while simulating approximately the flight conditions of N 7506A. A Boeing 707–131B was used in the flight tests. Duplication of the crossed wires malfunction in one maneuver, starting from a 30° banked turn to the left at constant altitude produced in 8 seconds a left rudder deflection of 7° at 210 knots IAS, causing the airplane to sideslip and to roll to the left. Although the hard-over signal was continuously applied throughout the maneuver and recovery action was delayed for 4 seconds, sufficient aileron control was available to stop the roll at 56° in 1½ seconds and then to level the wing."

Page 18: "This afternoon, on the assembly line, Cowan and his group watched three craftsmen assemble servo units. On one man's workbench lay a pair of tweezers, he hadn't used them. Cowan asked why not. The man replied he used them only now and then when he wanted to reach between the sleeving and the motor housing and pull out a cord to wrap around the wires.

" 'Show me how you do that,' Cowan asked. The man took the tweezers, reached down and squeezed. Cowan examined the sleeving. He saw no marks. Yet the tweezers still worried him. Photographs were taken. The spaces between the tweezer points precisely matched the spaces between the marks on the original wires. Soon afterward factory inspectors examined other servo units at the plant. Six of them had punctured sleeving, damaged wires, and scratches on the housing. Pay dirt. But Cowan's problems, far from being solved, were just beginning."

Fact: From the Board's accident report, page 28: "One of the scratched units from the American Airlines stock still bore the manufacturer's seal, indicating that it had never been disassembled since last leaving the factory." As a result of these findings, inspection of servo units was made on the production line at the manufacturer's plant. Board investigators enlisted the aid of the FAA manufacturing inspectors who found six unsatisfactory units. Marks, indentations, and electrical wire damage within the sleeving were found which was similar to the damage previously mentioned. FAA inspectors determined that this damage had occured as a result of improper use of tweezers when tying the wire bundles to the motor housing. Additional units were found to have marks and damaged protective sleeves, but no wire damage within the sleeves.

Page 18: "The FAA can make and enforce new safety rules based on the information it gets from the CAB, but that is the extent of the FAA legal role. It is not allowed to muscle in."

Fact: FAA has statutory responsibilities in accident investigation as set forth in section 701(g) of the Federal Aviation Act of 1958.

Page 18: "On April 5 the CAB related Cowan's findings to the FAA. Next day, FAA, George Prill, sent wires to all airlines operating 707's, suggesting that neither yaw damper nor autopilots be used below 5,000 feet. He said that until flight tests could be held, the companies themselves should examine their autopilot systems paying particular attention to the rudder servos."

Fact: As a result of the coordinated team effort, the FAA became cognizant, through its representative, in addition to being notified by the CAB, of this condition and initiated immediate action which resulted in an *Agency Alert Bulletin on April 6. This type of action exemplified the excellent cooperation which exists between the two agencies and particularly the technical staffs.*

Page 18: "On April 14 the flight tests began at Idlewild. Their announced purpose was to review the noise abatement turns and also to see whether a serious autopilot malfunction could be controlled by the crew. One top CAB official was invited to come along. He refused. 'FAA was using a Boeing 720,' he explained; 'the controls are fairly similar but let's be honest; its just not the same airplane that American flew. You don't test oranges to see if you are going to like apples.' "

Fact: Appropriate technical representatives of CAB assisted the FAA in the formation and accomplishment of its flight test program and in the reduction of flight test data thus obtained. The Boeing 720 in many areas is identical to the 707/123B. This is particularly true in the control systems. The areas of aerodynamic differences are relatively small and readily interpolated. Electronic systems in most areas would be interchangeable. Hydraulic systems are identical. The airplane handling characteristics are recognized as being so similar that pilots are not required to qualify on each model separately. A qualification on either model is recognized as a qualification for the other model.

Page 18: "FAA's tests also ignored other important details. For one thing, the Agency tried to stimulate the gross weight of flight 1 simply by reducing their own jet's engine thrust. Aerodynamically that is impossible."

Fact: The simulation of gross weight by reducing thrust was not a part of the tests to investigate malfunction of airplane controllability. In these areas a lower thrust when used symmetricaly would not affect the results of a control system malfunction at a given velocity. It was only on the demonstration of the performance of the airplane in the noise abatement flightpath that an attempt was made to use similar thrust-to-weight ratio. It is a common practice in flight testing to simulate various thrust-weight ratios when conducting performance testing.

Page 18: "Secondly, as the tests continued the FAA simulated an autopilot malfunction by having their pilot shove his foot down hard on the rudder pedal."

Fact: The simulation of an autopilot malfunction was conducted by the use of electronic equipment which would introduce into the automatic pilot a hard-over signal such as would actually occur in the case of an actual malfunction. This unit was obtained from the Boeing Co. and installed with the cooperation of the Boeing Co. and the Bendix Corp. to produce the exact effect of an autopilot hard-over electrical signal. All flight tests to investigate a hard-over in the rudder axis were conducted using this installation.

Page 18: "Van Epps pointed out that if the tests were to help the investigation at all they had to duplicate the exact conditions existing on March 1. This meant that in order to take into account the element of surprise the autopilot malfunction had to be triggered electronically. Van Epps even offered to pilot the jet himself during such a test. His offer was declined. 'The net result,' he recalls, 'was that I had to decide that we couldn't accept the FAA's findings as truly representative of what actually happened.' "

Fact: The exact conditions existing on March 1 were not known at the time nor are they known now. The purpose of the investigation was to attempt to determine these conditions. As stated in the preceding item, FAA representatives did exactly what Mr. Van Epps is quoted as saying should have been done to produce the element of surprise. Mr. Van Epps was personally allowed to pilot the airplane during *autopilot hard-over* and *rudder boost* malfunction, and to participate in any other test phases he desires.

Page 18: "Furthermore, said the Administrator, N. E. Halaby, the noise abatement turn prescribed at Idlewild had nothing to do with the accident. In other words, according to the FAA, the severed wires Cowan had found in the servo unit were meaningless. The CAB was stunned."

Fact: The FAA never said the severed wires in the servo unit were meaningless. On the contrary, an April 20 alert bulletin reading as follows was issued: "This telegram should not, repeat, not, be taken as deemphasis of hazards of ignoring autopilot malfunctions but is a recognition that malfunctions can be handled by the crew within normal pilot competence."

Page 18: "On April 17 CAB Chairman Alan Boyd wrote Halaby strongly recommending that FAA require an immediate and detailed examination of all rudder servos."

Fact: The suggestion in Chairman Boyd's letter of April 17 had been complied with April 6. This action was in unanimous agreement with all of the FAA, airline, and Board technical participants of Project Race.

Page 18: "The FAA recommended: 'While inspection of the servos is desirable, an electrical check is acceptable for units already installed in aircraft.' On May 11 Halaby answered Boyd's letter. He declined to require a check on the servos."

Fact: The Administrator called the CAB's attention to the previously issued alert bulletin which called for appropriate inspection of the servos. In view of these alert telegrams, the Administrator did not deem it necessary to publish an airworthiness directive on the same subject unless further substantiation warranted such action.

Page 18: "The theory sounded good, but there were several things wrong with it. Van Epps insisted that it was ridiculous to blame a bolt without having any hard evidence, and the bolt itself was still missing. Boeing said it had already alerted the airlines to the situation and on four occasions suggested inspection. The CAB and Boeing both asked Prill to reconsider. But he was adamant."

Fact: There is no "hard evidence" available to fully substantiate either the missing bolt theory or the rate generator shorted lead theory. Boeing's concern regarding the possibility of a missing bolt appears evident by the company's actions in suggesting an inspection and issuing, prior to the American Airlines Flight One accident, a service bulletin which incorporated design changes to add safety wiring that would help insure retention of the bolt. This design change had not been incorporated into the accident airplane.

Page 18: "On June 12 he issued what is known in aviation as an alert bulletin. It is usually sent through channels. Instead Prill held a press conference."

Fact: Four newsmen who covered each step of the investigation and who were going to write about this alert bulletin were given a briefing by Mr. Prill on this highly complex equipment at the request of the Agency information officer who did not feel qualified to explain it. The alert bulletin was sent through established channels.

Page 18: "Van Epps felt the bolt could not have caused the disaster for several reasons. Had it slipped out, it would have flipped the jet over onto its back quickly. Witnesses reported that the fatal roll was gradual."

Fact: The CAB's accident report, pages 48 and 49: "The Board, therefore, concludes that a throttled rudder control valve malfunction could have been the initiating abnormality which resulted in the accident."

Page 18: "Second, tests proved there was still pressure on the rudder hydraulic-boost gage at impact. If the bolt had fallen out, fluid would have rushed against the rudder boost; the pressure would have dropped."

Fact: The CAB's accident report, page 45, treats this point but offers no such conclusion. There are no known test procedures which could substantiate the existence of pressure on the rudder hydraulic-boost gage at impact.

Page 18: "Third, if the bolt had dropped out, where had it gone? The reason it was installed upside down was because there was no space in the hydraulic feed line. There was hardly room enough for it to slip away."

Fact: The CAB accident report, page 46, states, "It is possible that the bolt could drop out entirely free of the bellcrank and rod end."

Page 18: "Furthermore, the bolt theory has been pretty well discredited."

Fact: The Agency has no knowledge which eliminates the bolt as a possible source of the difficulty, as the CAB report states.

Page 19: "The yaw damper had kicked the rudder; because the plane was in a climbing bank Heist had temporarily lost all visual reference to the ground; it was impossible for him to sense the sudden yaw. By the time he knew something was wrong, it was much too late to do anything."

Fact: Visual reference to the ground is not lost during a climbing turn of the reported type performed by American Airlines flight 1.

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### FEDERAL AVIATION AGENCY MEMORANDUM, JANUARY 15, 1962

Subject: Comments on Saturday Evening Post article "They Can't Afford To Wait."

Page 20: "We are trying to provide service to 600-knot jets," one controller complains, "with equipment designed 20 years ago to handle 10-knot battleships."

Fact: The controller is probably talking about VG horizontal displays, designed originally for shipboard use, which are being replaced with television-type bright tubes just now becoming technically available. No shipboard or World War II radar is used and all of it was designed to handle aircraft.

Page 20: "This sort of thing" (microphone button jamming), says Controller Freer, "happens at least twice a week. That's twice too often."

Fact: We have no record of radio outages at Chicago twice a week due to microphone jamming. The system is designed to expect radio failure at any time for any reason and have built in procedural safeguards to contend with such emergencies. In November 1962, however, the month when Mr. Armbrister visited O'Hare Tower, official records show three cases of microphone button jamming. We have no records or other similar incidents at O'Hare before or since.

Page 20: "If Thomas' statistics hold, there will be 1,000 incidents in 1963."

Fact: The statistics cited of controller errors were based on only the qualified controller work force and did not consider the total work force employees, including clerical and supervisory personnel and assistant controllers. Actually, incidents are decreasing. Calendar year 1962 had a total of 263 incidents as compared to a total of 288 incidents which occurred in calendar year 1961; and 1963 is predicted to show slight improvement over calendar year 1962.

Page 21: "Until October 1961, the washout rate at O'Hare was high, an astounding 65 percent of the men who came from the FAA academy's 8-week course or transferred from smaller facilities couldn't adapt to the pace."

Fact: Of the 16 trainees assigned to Chicago in 1961, 7 failed to make the grade (washout rate 44 percent). Since October 1961, 30 experienced personnel have been assigned to O'Hare and there have been no failures at O'Hare.

Page 21: "There is hardly a facility in this country that does not have one-third to one-half of its staff suffering from ulcers."

Fact: These percentages are not supported by available medical or statistical records. In fact, during the 34-month period from October 1959 through July 1962, 239 control and communications personnel were separated due to death or disability. Of these, 28 had ulcers and 57 had a heart condition. No findings to date support claims of abnormal effects of stress conditions.

Editorial: "Comments on 8-Hour Shift and No Lunch Breaks."

Fact: Air traffic controllers, like policemen, nurses, and firemen, and many other health and safety personnel are scheduled on 8-hour duty so that three 8-hour shifts cover a full 24 hours.

There are days when work demands are such that lunch cannot be eaten, but in most cases, controllers are provided time for lunch without being charged for a lunch break on the basis that he is available for duty during the full 8 hours. Additional personnel are provided at busy locations to arrange for relief and for training. Controllers have consistently resisted a longer workday with a stated lunch hour (such as 8½ hours with ½-hour lunch break like other employees). Most favor an 8-hour day with lunch relief being contingent upon workload.

Editorial: "The controller, who was handling nine aircraft at the time and who had worked for 9 years without making a mistake, was blamed and was removed to a less active post."

Fact: The system and not the man was blamed. The Administrator publicly made this statement. The system was changed to require pilots to report altitudes more frequently and no adverse action was taken against the controller in this case.

Editorial: Referring to Mr. Halaby, "He has been known to walk into a traffic control center and announce with a sweeping gesture to the men who worked there, 'Some of you won't be here the next time I come,' leaving a badly shattered staff in his wake."

Fact: The Administrator never made this statement or anything similar at any traffic control center or any other FAA installation. Since Mr. Halaby became Administrator, FAA has been operated prudently and economically but new jobs have been provided as required. New positions totaling 5,387 have been added during the present administration, 1,155 of which were new controller positions to provide for the operation of new towers, new radars, radar hand-off and other new services. The Administrator also pushed through a grade raise for controllers.

Among the new facilities added were 12 long-range radars, 34 control towers, 21 instrument landing systems, 12 airport surveillance radars, 30 approach light systems, and hundreds of smaller aids and devices.

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## TAX REDUCTION AND REFORM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 43)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered printed:

*To the Congress of the United States:*

The most urgent task facing our Nation at home today is to end the tragic waste of unemployment and unused resources, to step up the growth and vigor of our national economy, to increase job and investment opportunities, to improve our productivity, and thereby to strengthen our Nation's ability to meet its worldwide commitments for the defense and growth of freedom. The revision of our Federal tax system on an equitable basis is crucial to the achievement of these goals.

Originally designed to hold back war and postwar inflation, our present income tax rate structure now holds back consumer demand, initiative, and investment. After the war and during the Korean conflict, the outburst of civilian demand and inflation justified the retention of this level and structure of rates. But it has become increasingly clear—particularly in the last 5 years—that the largest single barrier to full employment of our manpower and resources and to a higher rate of economic growth is the unrealistically heavy drag of Federal income taxes on private purchasing power, initiative and incentive. Our economy is checkreined today by a war-born tax system at a time when it is far more in need of the spur than the bit.

My recommendation for early revision of our tax structure is not motivated by any threat of imminent recession, nor should it be rejected by any fear of inflation or of weakening the dollar as a world currency. The chief problem confronting our economy in 1963 is its unrealized potential—slow growth, underinvestment, unused capacity and persistent unemployment. The result is lagging wage, salary and profit income, smaller take-home pay, insufficient productivity gains, inadequate Federal revenues and persistent budget deficits. One recession has followed another, with each period of recovery and expansion fading out earlier than the last. Our gains fall far short of what we could do and need to do, measured both in terms of our past record and the accomplishments of our overseas competitors.

Despite the improvements resulting from last year's depreciation reform and investment credit—which I pledged 2 years ago would be only a first step—our tax system still siphons out of the private economy too large a share of personal and business purchasing power and reduces the incentive for risk, investment, and effort, thereby aborting our recoveries and stifling our national growth rate.

In addition, the present tax code contains special preferences and provisions, all of which narrow the tax base (thus requiring higher rates), artificially distort the use of resources, inhibit the mobility and formation of capital, add complexities and inequities which undermine the morale of the taxpayer, and make tax avoidance rather than market factors a prime consideration in too many economic decisions.

I am therefore proposing the following:

(1) Reduction in individual income tax rates from their present levels of 20 to 91 percent, to a range of 14 to 65 percent—the 14-percent rate to apply to the first $2,000 of taxable income for married taxpayers filing joint returns, and to the first $1,000 of the taxable income of single taxpayers.

(2) Reduction in the rate of the corporate income tax from 52 to 47 percent.

(3) Reversal of the corporate normal and surtax rates, so that the tax rate applicable to the first $25,000 of corporate income would drop from 30 to 22 percent, so as to give particular encouragement to small business.

(4) Acceleration of tax payments by corporations with anticipated annual liabilities of more than $100,000, to bring the corporate payment schedule to a current basis over a 5-year transition period.

(5) Revision of the tax treatment of capital gains, designed to provide a freer and fuller flow of capital funds and to achieve a greater equity.

(6) Removal of certain inequities and hardships in our present tax structure.

(7) Broadening of the base of the individual and corporate income taxes, to remove unwarranted special privileges, correct defects in the tax law, and provide more equal treatment of taxpayers, thereby permitting a larger reduction in tax rates than would otherwise be possible and making possible my proposals to alleviate hardships and inequities.

The tax program I am recommending for enactment in 1963 would become fully effective by January 1, 1965. The rate reductions provide a cut in tax liabilities of $13.6 billion—$11 billion for individuals and $2.6 billion for corporations. Other adjustments, some of which lose and some of which gain revenue, would, on balance, produce a revenue gain of $3.4 billion, leaving a net reduction of $10.2 billion. Accelerating tax payments of large corporations to a current basis over a 5-year transition period would reduce the effect on tax receipts to $8.7 billion. These figures do not include offsetting revenue gains which would result from the stimulating effects of the program on the economy as a whole and on the level of taxable income, profits and sales—gains which may be expected to increase as the economy recaptures its vigor, and to lead to higher total tax receipts than would otherwise be realized.

### I. BENEFITS TO THE ECONOMY

Enactment of this program will help strengthen every segment of the American economy and bring us closer to every basic objective of American economic policy.

Total output and economic growth will be stepped up by an amount several times as great as the tax cut itself. Total incomes will rise—billions of dollars more will be earned each year in profits and wages. Investment and productivity improvement will be spurred by more intensive use of our present productive potential; and the added incentives to risktaking will speed the modernization of American industry. Additional dollars spent by consumers or invested by producers will lead to more jobs, more plant capacity, more markets and thus still more dollars for consumption and investment. Idle manpower and plant capacity make this possible without inflation; and strong and healthy economic activity is the best insurance against future recessions.

Unemployment will be reduced, as firms throughout the country hire new workers to meet the new demands released by tax reduction. The economic prospects of our depressed areas will improve as investors obtain new incentives to create additional productive facilities in areas of labor surplus. Pressure for the 35-hour week, for new import barriers or for other shortsighted and restrictive measures will be lessened. Companies and workers will find it easier to adjust to import competition. Low-income farmers will be drawn to new jobs which offer a better livelihood. The retraining of workers with obsolete skills will proceed more quickly and efficiently in a full employment climate. Those presently employed will have greater job security and increased assurance of a full workweek.

Price stability can be maintained. Inflationary forces need not be revived by strengthening the economy at a time of substantial unemployment and unused capacity with a properly constructed program of tax reduction. With the gains in disposable income of wage earners there should be less pressure for wage increases in excess of gains in productivity—and with increased profits after tax there should be less pressure to raise prices. Inflationary expectations have ended; monetary tools are working well; and the increasing productivity and modernization resulting from new levels of investment will facilitate a reduction of costs and the maintenance of price stability. This Nation is growing—its needs are growing—and tax revision now will steadily increase our capacity to meet those needs at a time when there are no major bottlenecks in manpower, plant, or resources, no emegencies straining our reserves of productive power, and no lack of vigorous competition from other nations. Nor need anyone fear that the deficit will be financed in an inflationary manner. The balanced approach that the Treasury has followed in its management of the public debt can be relied upon to prevent any inflationary push.

Our balance of payments should be improved by the fiscal policies reflected in this program. Its enactment—which will make investment in America more profitable, and which will increase the efficiency of American plants, thus cutting costs and improving our competitive position in world trade—will provide the strongest possible economic backing for the dollar. Lagging growth contributes to a lack of confidence in the dollar, and the movement of capital abroad. Accelerated growth will attract capital to these shores and bolster our free world leadership in terms of both our strength and our example. Moreover, a nation operating closer to capacity will be freer to use monetary tools to protect its international accounts, should events so require.

Consumers will convert a major percentage of their personal income tax savings into a higher standard of living, benefiting their own families while generating stronger markets for producers. Even modest increases in take-home pay enable consumers to undertake larger periodic payments on major purchases, as well as to increase purchases of smaller items—and either type of purchase leads to further income and employment.

Investment will be expanded, as the rate of return on capital formation is increased, and as growing consumer markets create a need for new capacity. It is no contradiction to say that the best means of increasing investment today is to increase consumption and market demand—and reductions in individual tax rates will do this. In addition, reducing the corporate tax from 52 percent to 47 percent will mean not only greater incentives to invest but more internal funds available for investment. Reducing the maximum individual income tax rate from 91 percent to 65 percent makes more meaningful the concept of additional reward and incentive for additional initiative, effort and risk taking. A rising level of consumer demand will enable the more than $2 billion worth of investment incentives provided by last year's tax actions (the depreciation reform and investment credit) to achieve their full effect. In addition, tax reform will reduce those distortions of effort which interfere with a more efficient allocation of investment funds. The cumulative effect of this additional investment is once again more income, therefore more consumer demand, and therefore still more investment.

State and local governments, hard-pressed by a considerably faster rise in expenditures and indebtedness than that experienced at the Federal level, will also gain additional revenues without increasing their own tax rates as national income and production expand.

### II. BENEFITS TO THE TAXPAYER

The increased purchasing power and strengthened incentives which will move us toward our national goals will reach to all corners of our population and to all segments of our business community.

Wage earners and low-income families will gain an immediate increase in take-home pay as soon as the tax program is enacted and new withholding rates go into effect. While tax rates are to be reduced for every bracket, the largest proportionate tax reduction properly goes to those at the bottom of the economic ladder. Accordingly, in addition to lowering rates in the lower brackets, I urge that the first bracket be split into two groups, so that married couples with adjusted gross incomes of $2,000 or less (or single persons with $1,000 or less) receive a 30-percent reduction in their tax rate. Some one-third of all taxpayers are in this group—including many of the very old and very young whose earning powers are below average. Many of the structural revisions proposed below are also designed to meet hardships which rate reduction alone will not alleviate—hardships to low-income families and individuals, to older workers and to working mothers. This program is far preferable to an increase in exemptions, because, with a far smaller loss of revenue, it focuses the gains far more sharply on those who need it most and will spend it quickly, with benefits to the entire economy.

Middle and higher income families are both consumers and investors—and the present rates ranging up to 91 percent not only check consumption but discourage investment, and encourage the diversion of funds and effort into activities aimed more at the avoidance of taxes than the efficient production of goods. The oppressive impact of those high rates gave rise to many of the undue preferences in the present law—and both the high rates and the preferences should be ended in the new law. Under present conditions, the highest rate should not exceed 65 percent, a reduction of 29 percent from the present rate—accompanied by appropriate reductions in the middle income ranges. This will restore an idea that has helped make our country great—that a person who devotes his efforts to increasing his income, thereby adding to the Nation's income and wealth, should be able to retain a reasonable share of the results.

Businessmen and farmers: Everyone whose income depends directly upon selling his products or services to the public will benefit from the increased income and purchasing power of consumers and the substantial reduction in taxes on profits. The attainment of full employment and full capacity is even more important to profits than the reduction in corporate taxes; for, even in the absence of such reduction, profits after taxes would be at least 15 percent higher today if we were operating at full employment. Enactment of a program aimed at helping reach full employment and capacity use which also reduces the Government's interest in corporate profits to 47 percent instead of 52 percent, thus lowering corporate tax liabilities by a further $2.6 billion a year—while increasing consumer demand by some $8 billion a year—will surely give American industry new incentive to expand production and capacity.

Small businessmen with net income of less than $25,000—who constitute over 450,000 of the Nation's 585,000 corporations—will, under this program, receive greater reductions in their corporation taxes than their larger competitors. Under my program, beginning this year, the first $25,000 of corporate taxable income will be subject to a tax rate of 22 percent rather than 30 percent, a reduction of almost 27 percent. This change is important to those small corporations which have less ready access to the capital markets, must depend more heavily for capital on internally generated funds, and are generally at a financial and competitive disadvantage. Unincorporated businesses, of course, will benefit from the reduction in individual income taxes.

### III. THE TAX PROGRAM AND THE FEDERAL BUDGET

A balanced Federal budget in a growing full-employment economy will be most rapidly and certainly achieved by a substantial expansion in national income carrying with it the needed Federal revenues—the kind of expansion the proposed tax revision is designed to bring about. Within a few years of the enactment of this program, Federal revenues will be larger than if present tax rates continue to prevail. Full employment, moreover, will make possible the reduction of certain Government expenditures caused by unemployment. As the economy climbs toward full employment, a substantial part of the increased tax revenue thereby generated will be applied toward a reduction in the Federal deficit.

As I have repeatedly emphasized, our choice today is not between a tax cut and a balanced budget. Our choice is between chronic deficits resulting from chronic slack, on the one hand, and transitional deficits temporarily enlarged by tax revision designed to promote full employment and thus make possible an ultimately balanced budget. Because this chronic slack produces inadequate revenues, the projected administrative deficit for fiscal 1964—without any tax reduction, leaving the present system intact—would be $9.2 billion. The inclusion of the tax program—after the "feedback" in revenues from its economic stimulus and the acceleration of corporate tax payments—will add only an additional $2.7 billion loss in receipts, bringing the projected deficit in the administrative budget to $11.9 billion. The issue now is whether the strengthening of our economy which will result from the tax program is worth an addition of $2.7 billion to the 1964 deficit.

If the tax brake on our economy is not released, the slack will remain, Federal revenues will lag and budget deficits will persist. In fact, another recession would produce a record peacetime deficit that would far exceed $11.9 billion, and without the positive effects of tax reduction. But once this tax brake is released, the base of taxable income, wages, and profits will grow, and a temporary increase in the deficit will turn into a permanent increase in Federal revenues. The purpose of cutting taxes, I repeat, is not to create a deficit but to increase investment, employment and the prospects for a balanced budget.

It would be a grave mistake to require that any tax reduction today be offset by a corresponding cut in expenditures. In my judgment, I have proposed the minimum level of Federal expenditures needed for the security of the Nation, for meeting the challenge facing us in space, and for the well-being of our people. Moreover, the gains in demand from tax reduction would then be offset, or more than offset, by the loss of demand due to the reduction in Government spending. The incentive effects of tax reduction would remain, but total jobs and output would shrink as Government contracts were cut back, workers were laid off, and projects were ended.

On the other hand, I do not favor raising demand by a massive increase in Government expenditures. In today's circumstances, it is desirable to seek expansion through our free market processes—to place increased spending power in the hands of private consumers and investors and offer more encouragement to private initiative. The most effective policy, therefore, is to expand demand and unleash incentives through a program of tax reduction and reform, coupled with the most prudent possible policy of public expenditures.

To carry out such a policy, the fiscal 1964 budget reduces total outlays other than defense, space and interest charges below their present levels—despite the fact that such expenditures have risen at an average rate of 7.5 percent during the last 9 years. Federal civilian employment under this budget provides for the same number of people to serve every 100 persons in our population as was true when this administration took office, a smaller ratio than prevailed 10 years ago. The public debt as a proportion of our gross national product will fall to 53 percent, compared to 57 percent when this administration took office. Last year the total increase in the Federal debt was only 2 percent—compared to an 8-percent increase in the gross debt of State and local governments. Taking a longer view, the Federal debt today is only 13 percent higher than it was in 1946—while State and local debt increased over 360 percent and private debt by 300 percent. In fact, if it were not for Federal financial assistance to State and local governments, the Federal cash budget would actually show a surplus. Federal civilian employment, for example, is actually lower today than it was in 1952, while State and local government employment over the same period has increased 67 percent. This administration is pledged to enforce economy and efficiency in a strict control of expenditures.

In short, this tax program will increase our wealth far more than it increases our public debt. The actual burden of that debt—as measured in relation to our total output—will decline. To continue to increase our debt as the result of inadequate earnings is a sign of weakness. But to borrow prudently in order to invest in a tax revision that will greatly increase our earning power can be a source of strength.

### IV. REQUIREMENTS FOR EFFECTIVE ACTION AND FISCAL RESPONSIBILITY

Fully recognizing that it is both desirable and necessary for the Congress to exercise its own discretion in the actual drafting of a tax bill, I recommend the application of the following basic principles in this vital task:

A. The entire tax revision program should be promptly enacted as a single comprehensive bill. The sooner the program is enacted, the sooner it will make its impact upon the economy, providing additional benefits and further insurance against recession. While the full rate reduction program must take effect gradually for the reasons stated below, I am proposing that the individual tax rates for 1963 income be reduced to a range from 18.5 percent to 84.5 percent, with a cut in the withholding rate from the present 18 percent to 15.5 percent becoming effective upon enactment of the law. This will increase the disposable income of consumers at an annual rate of nearly $6 billion a year in the second half of 1963. Also the rate of corporate tax on the first $25,000 of net income would be reduced from 30 percent to 22 percent for the year 1963. Equally important is action in 1963 on the additional individual and corporate rate reductions proposed for 1964 and 1965. The prompt enactment of a bill assuring this combination of realized and prospective tax reductions will improve the business climate and public psychology, induce forward business planning, and increase individual incentives. It will enable investors and producers to act this year on the basis of solid expectations of increased market demand and a higher rate of return. To delay decisive action beyond 1963 risks the loss of opportunity and initiative which this year uniquely offers.

B. The net amount of tax reduction enacted should keep within the limits of economic sufficiency and fiscal responsibility. Too small a tax cut would be a waste, gaining us little but further deficits. It could not cope with the task of closing a $30 to $40 billion gap in our economic performance. But the net tax cut of over $10 billion envisioned by this program can lead the way to strong economic expansion and a larger revenue yield.

On the other hand, responsible fiscal policy requires that we avoid an overly sharp drop in budgetary receipts for fiscal 1964–65, and that we hold the temporary increase in the deficit below the level which in the past has proved both manageable and compatible with price stability. Therefore, to make these reductions possible, I propose a program: (a) to phase the tax reductions over a 3-year period, with the final step effective January 1, 1965; (b) to couple these reductions, amounting to $13.6 billion, with selected structural changes and reforms gaining $3.4 billion net in revenues; and (c) to offset the revenue loss still further, during the next 5 years by gradually moving the tax payments of larger corporations to a more current time schedule, without any change in their tax liabilities.

C. Tax reduction and structural reform should be considered and enacted as a single integrated program. My recommendations for rate reductions of $13.6 billion are made in the expectation that selected structural changes and reforms will be adopted, adding on balance $3.4 billion in revenue and resulting in a net reduction in tax liabilities of no more than $10.2 billion. Larger cuts would create a larger budget deficit and the possibility of renewed inflationary pressures. Therefore, should the Congress make any significant reductions in the revenues to be raised by structural changes, these reductions would have to be offset by substantially equivalent increases in revenue, and this could only be achieved by sacrificing either some of the important rate reductions I have proposed or some of the measures I am recommending to relieve hardship and promote growth.

On the other hand, an attempt to solve all tax problems at once by the inclusion of even more sweeping reforms might impair the effect of rate reduction. This program is designed to achieve broad acceptance and prompt enactment.

Some reforms will improve the tax structure by reducing certain liabilities. Others will broaden the tax base by raising liabilities and will meet with resistance from those who benefit from existing preferences. But if this program of tax reduction is aimed at making the most of our economic potential, it should be remembered that these preferences and special provisions also restrict our rate of growth and distort the flow of investment. They discourage taxpayer cooperation and compliance by adding inequities and complexities that affect similarly situated taxpayers in wholly different ways. They divert energies from productive activities to tax avoidance—and from more valuable or efficient undertakings to less valuable undertakings with lower tax consequences.

Some departures from uniform tax treatment are required to promote overriding national objectives. But taxpayers with equal incomes who are burdened with unequal tax liabilities are certain to seek still further preferences and exceptions—and to use their resources where they yield the greatest returns after tax even though producing less before taxes, thus lowering our national output and efficiency.

Tax reduction is urgently needed to spur the growth of our economy—but both the fruits of growth and the burdens of the resulting new tax structure should be fairly shared by all. For the present patchwork of special provisions lightens the load on some by placing a heavier burden on others. Because they reduce the tax base, they compel a higher tax rate—and the reduction in the top rate from 91 percent to 65 percent, which in itself is a major reform, cannot be justified if these other forms of preferential tax treatment remain.

The resistance to tax reform should be less when it is coupled with more-than-offsetting tax reductions benefiting all brackets—and the support for tax reform should be greater when it is a necessary condition for greater tax reduction. Reform, as mentioned earlier, includes top-to-bottom rate reduction as well as structural change—and the two are inseparable prerequisites to the achievement of our economic and equity objectives. The new rates should be both lower and more widely applicable—for the excessively high rates and various tax concessions have in the past been associated with each other, and they should be eliminated together.

In short, these changes in our tax structure are as essential to maximizing our growth and use of resources as rate reduction and make a greater rate reduction possible. The broader the Congress can extend the tax base, the lower it can reduce the tax rates. But to the extent that the erosion of our tax base by special preferences is not reversed to gain some $3.4 billion net, Congress will have to forgo—for reasons of both equity and fiscal responsibility—either corporate or personal rate reductions now contained in the program.

### V. PROPOSALS FOR RATE REDUCTION

The central thrust of this proposed tax program is contained in the most thorough overhaul in tax rates in more than 20 years, substantially reducing rates at all levels, for both individuals and corporations, by a total of $13.6 billion. While the principal components of my proposals for rate reduction have been alluded to in the foregoing discussion, it might be well to specify them in detail here.

1. Reduction in individual income tax rates. Personal tax liabilities will be decreased by $11 billion through a reduction in rates from their present levels of 20 to 91 percent to a range of 14 to 65 percent, with appropriate reductions generally averaging more than 20 percent and covering every bracket. The lowest 14 percent rate would apply to the first $2,000 of taxable income for married taxpayers filing joint returns, and to the first $1,000 of the taxable income of single taxpayers—a reduction of 30 percent in the taxes levied on this new bracket, in which falls the entire taxable income of one-third of all taxpayers. The new maximum rate of 65 percent would enable those individuals who now keep only 9 cents out of each additional dollar earned to retain 35 cents in the future. I am attaching tables showing the proposed rate schedules for married and single taxpayers.

2. These reductions would take place over a 3-year period:

For calendar year 1963, I propose a rate schedule ranging from 18.5 percent to 84.5 percent, reducing the appropriate withholding rate immediately upon enactment from its present level of 18 percent to a new level of 15.5 percent. For purposes of taxpayer computations, the new tax rates would apply to the entire calendar year, thus requiring the lower withholding rate to minimize overwithholding.

For calendar year 1964, I propose a rate schedule ranging from 15.5 percent to 71.5 percent, effective for the entire year and accompanied by a withholding rate of 13.5 percent beginning July 1 of that year.

For calendar year 1965 and thereafter, I propose a permanent rate schedule ranging from 14 to 65 percent, maintaining the withholding rate at 13.5 percent.

3. Reductions in the corporate income tax rate will cut corporate tax liabilities by $2.6 billion per year (in addition to the reduction of $2 billion per year provided by the 1962 investment tax credit and depreciation reform), and take effect in three stages:

For calendar year 1963, the present normal tax of 30 percent, applicable to the first $25,000 of taxable corporate income (the entire earnings of almost half a million small corporations) would drop to 22 percent, a reduction of almost 27 percent, while the rate applicable to income in excess of $25,000 would remain at 52 percent, thus reversing the present normal tax of 30 percent and the surtax of 22 percent. The normal tax would remain permanently at 22 percent.

For calendar year 1964, the corporate surtax would be reduced to 28 percent, thereby lowering the combined corporate rate to 50 percent.

For calendar year 1965 and thereafter, the corporate surtax would be reduced to 25 percent, thereby lowering the combined corporate rate to 47 percent and ending the role of the Government as a senior partner in business profits.

4. Since the $25,000 surtax exemption and the new 22 percent normal rate are designed to stimulate small business, this reduction should be accompanied by action designed to eliminate the advantage of the multiple surtax exemptions now available to large enterprises operating through a chain of separately incorporated units. I, therefore, recommend that legislation be enacted which, over a transitional period of 5 years, will limit to one the number of surtax exemptions allowed an affiliated corporate group subject to 80 percent common control. This proposal would apply both to affiliated groups having a common corporate parent and to enterprises sharing common individual ownership. It will add $120 million annually to tax receipts.

5. On the other hand, if affiliated corporations are treated as an entity for the surtax exemption and other purposes, they should be permitted to obtain the advantages of filing consolidated returns without incurring the present tax of 2 percent on the net income of all corporations filing such returns. The 2-percent tax was removed in 1954 from consolidated returns of regulated public utility enterprises; and I recommend that it be repealed for all corporate enterprises beginning in 1964. This proposal will contribute to a more realistic corporate tax rate structure and reduce the adverse effect of high marginal tax rates on growth—at an annual cost to the Treasury of only $50 million.

6. To offset revenue losses by an estimated $1.5 billion per year over the next 5 years, without increasing the actual net burden of tax liability of corporations, I recommend that corporations with an annual tax liability in excess of $100,000—which are now on a partially current payment basis—be placed on a more current tax payment schedule beginning in 1964. Under this plan, such corporations would make a first declaration and payment of estimated tax on April 15, with subsequent payments due on June 15, September 15, and December 15, reaching a fully current basis similar to that required of individual income tax payers after a 5-year transition period. More current payment of corporate taxes will strengthen the Government's budgetary position, but will not—even during the 5-year transition period—offset the benefits of rate reduction for these corporations.

### VI. PROPOSALS FOR STRUCTURAL REVISION AND REFORM

The changes listed below are an integral part of a single tax package which should be enacted this year. All of them should be effective January 1, 1964. Some remove inequities and hardships and thus further reduce revenues; others recoup revenue by revising preferential tax treatment now accorded particular types of transactions, enterprises or taxpayers. Their combined revenue effect makes possible $3.4 billion of the $13.6 billion reduction in tax rates, for a net reduction of $10.2 billion. But their combined economic effect is even more important—to provide greater equity in a broader tax base, to encourage the full and efficient flow of capital, to remove unwarranted special privileges and hardships, to simplify tax administration and compliance and to release for more productive endeavors the energies now devoted to avoiding taxes. While rate reductions are also a major reform, they are in large part justified and made possible by structural reform—and the case for structural reform, in turn, would be weakened by the absence of substantial rate reduction.

These reforms may be divided into three categories:

(A) Relief of hardship and encouragement of growth;

(B) Base broadening and equity; and

(C) Revision of capital gains taxation for growth and equity.

### (A) RELIEF OF HARDSHIP AND ENCOURAGEMENT OF GROWTH

1. A minimum standard deduction: I do not believe that the individual income tax should apply at levels of income as low as $667 for single persons and $1,333 for married couples as it does now. One way to provide relief to low-income taxpayers—in addition to the splitting of the first bracket as already recommended—would be to raise the personal exemption above its present level of $600. This is an extremely costly approach, however, and one which would not fulfill our objective of giving relief where it is needed most.

As a more effective and less costly means of securing the same objective, I recommend the adoption of a minimum standard deduction of $300 ($150 for each spouse filing a separate return) plus $100 per dependent up to the present maximum of $1,000. Under present law the standard deduction cannot exceed 10 percent of a person's income. The establishment of a minimum standard deduction will provide about $220 million of tax relief, primarily to those with income below $5,000.

If this proposal is adopted, single individuals would remain free of income tax liability until their incomes exceeded $900 rather than the present $667, thus giving them the equivalent of an increase in the personal exemption of $233. A married couple, without dependents, now subject to tax on income in excess of $1,333, would be taxed only on income in excess of $1,500. A couple with two dependents would be taxed only on income in excess of $2,900, as compared with $2,667 under present law.

2. A more liberal child care deduction: Employed women, widowers, and divorced men are now allowed a deduction of up to $600 per year for expenses incurred for the care of children and other dependents who are unable to care for themselves. In its present form this provision falls far short of fulfilling its objective of providing tax relief to those who must—in order to work—meet extra expenses for the care of dependents.

I recommend increasing the maximum amount that may be deducted from the present $600 to $1,000 where three or more children must be cared for. I also recommend three further steps: raising from $4,500 to $7,000 the amount of income that families with working wives can have and still remain fully eligible; increasing the age limit of children who qualify from 11 to 12; and extending the deduction to certain taxpayers who now do not qualify—such as a married man whose wife is confined to an institution.

The revenue cost of these changes in the child care deduction would be $20 million per year, most of which would benefit taxpayers with incomes of less than $7,000.

3. The tax treatment of older people: The special problems encountered by older people are recognized in a variety of not always consistent provisions under the present individual income tax law, resulting in widely different tax burdens for similarly situated older people whose incomes are derived from different sources. The relief is not only unevenly distributed, but, to the extent that its benefits accrue to those with high income, is unnecessary, wasting revenue which could be used to provide more adequately for those who need it.

For example: a single taxpayer aged 65, whose income of $5,000 is entirely in the form of wages, now pays an income tax of $686. If he were retired and his income were in the form of dividends, his tax liability would be less than half as much—$329. Moreover, the extra $600 exemption helps most those with substantial incomes. I am convinced, therefore, that a more uniform and equitable approach, one which will reduce and tend to equalize the tax burdens of all lower and modest income older people, is required.

To this end, I recommend that all people aged 65 or over, regardless of the source of their income, be allowed a credit of $300 against taxes otherwise owing. This credit would replace both the extra exemption allowed to older people and the retirement income credit, and would be of far greater value to the vast majority of older taxpayers. Under present law the amount of retirement income utilized in computing the retirement income credit is reduced, dollar for dollar, by social security and railroad retirement benefits received. The proposed $300 credit would also be reduced but only by a limited amount. (This amount would be equal to the taxpayer's bracket rate times one-half of the benefits—that portion attributable to the employer's contribution.)

This treatment of social security and railroad retirement benefits is more favorable than present law in its effect on lower and middle income taxpayers; and, indeed, the overall result of this proposal for a $300 credit would be to liberalize substantially the tax treatment of aged lower and middle income taxpayers. Although this provision would moderately reduce the benefits of aged upper income taxpayers, they stand to gain substantially from the general rate reduction and will still pay lower taxes. Those whose incomes are wholly or primarily in the form of social security or railroad retirement benefits, of course, will still not be subject to income tax and these benefits will remain excludable from income.

The enactment of this recommendation will insure that single older people will not be subject to individual income tax liability unless their incomes exceed $2,900 (for married couples $5,800). These figures contrast with as little as $1,333 for single older individuals and $2,667 for older married couples under present law. It will also remove the existing excessively high tax cost imposed upon those older people who, out of preference or necessity, continue in gainful employment. The vital skills and energies of these older workers should not be discouraged from contributing materially to our economic strength.

A further major advantage of this recommendation is that it will greatly simplify the filing of tax returns for our older people. As much as two-thirds of a page of the individual income tax return now required for computation of the retirement income credit will be eliminated. In addition, a large number of older people who presently file tax returns will no longer find it necessary to do so because the filing requirement will be raised from $1,200 to $1,800.

The revenue reduction associated with these gains in equity and simplicity in the tax treatment of older people will be $320 million per year.

4. Income averaging. Many taxpayers are heavily penalized if they receive income in widely fluctuating amounts from year to year. I have instructed the Secretary of the Treasury to present to the Congress as part of this program an income averaging provision. It will provide fairer tax treatment for those who receive in a single taxable year unusually large amounts of income as compared to their average income for preceding years.

This proposal will go beyond the narrowly confined and complex averaging provisions of present law and will permit their elimination from the Internal Revenue Code. It will provide one formula of general application to those with wide fluctuations in income. This means fairer tax treatment for authors, professional artists, actors and athletes, as well as farmers, ranchers, fishermen, attorneys, architects and others. The estimated annual revenue cost of this proposal is $30 million.

5. Employees' moving expenses: Under present law employees are allowed to exclude from their taxable income any reimbursement received from their employer for moving expenses when changing their place of residence and job location while continuing to work for the same employer. In order to facilitate labor mobility and provide more equal treatment of similarly situated taxpayers, I recommend appropriate extension of this tax benefit to new employees. This recommendation will entail a revenue loss of $20 million per year.

6. Charitable contributions: Under present law an extra 10-percent deduction over and above the basic 20-percent limitation on deductions for charitable contributions is allowable for contributions to churches, educational institutions, and medical facilities and research. I recommend that this limit on the deduction for charitable contributions be liberalized and made more uniform. To this end the 30-percent limit should extend to all organizations eligible for the charitable contributions deduction which are publicly supported and controlled. This recommendation can be implemented at a revenue cost which is minor. But it will prove advantageous to the advancement of highly desirable activities in our communities, such as symphony orchestras and the work of community chests and cultural centers.

7. Research and development:

Current business expenses for research and experimental purposes may now be deducted as incurred. But under present law the cost of machinery and equipment, now so vital to modern research and development activities, must be capitalized and the cost deducted only over the useful life of the machinery or equipment.

As a spur to private research and development, so essential to the growth of our economy, I recommend that expenditures for machinery and equipment used directly in research or development activities be allowed as a current expense deduction.

I am confident that this measure, which will involve a revenue cost of some $50 million, will provide future benefits in the form of better products, lower costs, and larger markets. These benefits, in turn, will bear fruit in larger tax bases and budgetary receipts.

### (B) BASE BROADENING AND EQUITY

1. A floor under itemized deductions of individuals: Most taxpayers use the "standard deduction," generally equal to 10 percent of income up to a maximum of $1,000. But ever since this standard deduction was introduced during World War II, the proportion of taxpayers using it has declined steadily. At present, more than 40 percent of all individual income tax returns are filed by people who itemize deductions for a variety of deductible personal expenses, such as State and local taxes, interest, charitable contributions, medical expenses and casualty losses. The amount of itemized deductions claimed on tax returns has gone up sharply—from less than $6 billion in 1942 to $25.7 billion in 1957 and $40 billion in 1962.

The present practice of allowing taxpayers to deduct certain expenses in full—the only exception being medical expenses which are subject to a 3-percent floor plus a 1-percent floor for drugs—raises difficult problems of equity, taxpayers' compliance, and tax administration and enforcement. One purpose of itemized deductions is to relieve those taxpayers who are burdened by certain expenses or hardships in unusually large amounts, such as those involved in heavy casualty losses or serious illness. Another purpose is to stimulate certain desirable activities, such as charitable contributions or home ownership. Where such outlays are minimal relative to annual income, no serious hardship occurs and no special incentive is needed.

I, therefore, recommend that itemized deductions, which now average about 20 percent of adjusted gross incomes, be limited to those in excess of 5 percent of the taxpayer's adjusted gross income. This 5-percent floor will make $2.3 billion of revenue available for reduction in individual tax rates. At the same time incentives to home ownership or charitable contributions will remain. In fact, this tax program as a whole, providing as it does substantial reductions in Federal tax liabilities for virtually all families and individuals, will make it easier for people to meet their personal and civic obligations.

This broadening of the tax base which permits a greater reduction in individual income tax rates has an accompanying advantage of real simplification. An additional 6.5 million taxpayers will no longer itemize their deductions but still benefit overall from the reduced rates and other relief measures.

2. Simplification and liberalization of the medical expense deduction: The medical expense deduction allowed to taxpayers who are under 65 years of age is limited to medical expenses in excess of 3 percent of their income. A separate floor of 1 percent of income is applicable to expenditures for drugs. In the interests of simplification, these two floors should be combined. Under this recommendation, only those medical and drug expenses which together exceed 4 percent of income would be deductible. The qualifying expenses would, of course, along with other itemized deductions, be subject to the general 5-percent floor.

To lighten the burdens of our older citizens, all taxpayers who have reached the age of 65 should be relieved from the present 1-percent floor on drug expenses. They are already exempt from the 3-percent floor on medical expenses.

Under present law there is also a maximum limit on medical deductions of $5,000 for a single person and up to $20,000 for a married couple. This maximum limit represents an anomaly in the law in that it prohibits the deduction of the truly catastrophic expenses for medical care and drugs that are sometimes incurred. I recommend, therefore, that the maximum limit be removed.

Other amendments in the definition of certain medical and drug expenses, designed to prevent abuses, will be required in connection with these changes.

The net revenue change as a result of these recommendations for simplification would involve an increase of $30 million—an insignificant part of the $6 billion of medical expense deductions which are taken today.

3. Minor casualty losses: Casualty losses on property are today fully deductible, without any floor comparable to that applicable to medical expenses to separate the extraordinary casualty from the average run of minor accidents. There is no reason why truly minor casualties—the inevitable dented fender, for example—should receive special treatment under the tax law.

I, therefore, recommend that casualty losses enter into the calculation of itemized deductions only to the extent that they exceed 4 percent of the taxpayer's income. The qualifying expenses would, of course, along with other itemized deductions, be subject to the general 5-percent floor. This recommendation will increase annual tax receipts by $90 million.

4. Unlimited charitable deduction: Present law permits a handful of high income taxpayers to take an unlimited deduction for charitable contributions, instead of the 20 to 30 percent of income normally allowable. These taxpayers for a number of years have made charitable contributions in an amount which, when added to their income tax liability, exceeds 90 percent of their taxable income—thus making the contribution fully deductible. Usually these contributions are made in substantially appreciated stock or other property. In this way the appreciation in value, without ever being subject to tax, constitutes a major part of the unlimited deduction. While naturally these generous contributions are beneficial, these taxpayers—given their otherwise high taxable income (up to several million dollars annually in some cases)—should not be escaping all Federal income tax as is the case today. They should be limited to the same 30-percent deduction for charitable contributions as everyone else.

Repeal of the unlimited charitable deduction would mean an annual revenue increase of $10 million.

5. Repeal of the sick pay exclusion: Employees who are absent from work because of illness or injury may exclude from income subject to tax up to $100 a week received under employer-financed wage or salary continuation plans. This "sick pay" exclusion is clearly unjustifiable. The taxpayer escapes tax on the salary he continues to receive, although his substantial medical expenses are deductible; and the employee who stays on the job, even though ill or injured, is in effect penalized for working. The sick pay exclusion—which is of greatest benefit to those with large salary incomes and of far less value to most wage earners—should be repealed. This action would provide $110 million per year in additional revenue.

6. Exclusion of premiums on group term insurance: Neither the current value of group term life insurance protection nor the benefits received thereunder are now subject to tax if purchased for an employee by his employer. This is, in effect, a valuable form of compensation, meeting the widespread desire to provide protection for one's family, which other taxpayers must pay for with after-tax dollars. I recommend that the current annual value to the employee of employer-financed group term life insurance protection be included in income, with an exception for the first $5,000 of coverage to correspond to the present exclusion for uninsured death benefits.

Revenues would be increased by $60 million per year.

7. Repeal of the dividend credit and exclusion: There is now allowed as an exclusion from income the first $50 of dividends received from domestic corporations, and, in addition, a credit against tax equal to 4 percent of such dividend income in excess of $50. I repeat the recommendation made in my 1961 tax message that these provisions be repealed.

Proponents of the dividend credit and exclusion argued, in 1954, when these provisions were enacted, that they would encourage equity investment and provide a partial relief to the so-called double taxation of dividend income. Although these provisions involve an annual revenue loss at current levels of $460 million, they have failed to accomplish their objectives. The proportion of corporate funds secured from new equity financing has not increased; and the "relief" gives the largest benefits to those with the highest incomes.

A far more equitable and effective means of accomplishing the objectives of the dividend credit and exclusion is to be found in my recommendation for reduction in the corporate income tax rate. The five-point reduction in that rate will reduce the tax differential against distributed corporate earnings by approximately 10 percent for all taxpayers. The dividend credit, on the other hand, provides much less relief for taxpayers with taxable incomes of less than $180,000 ($90,000 for single individuals) and greater relief only for the very highest income recipients.

Moreover, since the benefits of the dividend credit and exclusion go largely to those in the middle and upper brackets, their repeal is necessary to justify the rate schedules I am recommending. Should no action be taken on this recommendation, a higher rate schedule designed to yield an additional $460 million from the middle and upper brackets would be appropriate. This would involve a rate structure scaled to a top rate of 70 percent rather than 65 percent, with appropriate changes in other brackets.

8. Natural resources: We must continue to foster the efficient development of our mineral industries which have contributed so heavily to the economic progress of this Nation. At the same time, however, in the interest of both equity and the efficient allocation of capital, no one industry should be permitted to obtain an undue tax advantage over all others. Unintended defects have arisen in the application of the special tax privileges that Congress has granted to mineral industries, and correction of these defects is required if the existing tax provisions are to operate in a consistent and equitable fashion. The changes recommended below will alleviate this situation and yield an additional $300 million per year in revenue.

The following areas in particular suggest the need for revision:

(a) Carryover of excess deductions: Under present tax law, mineral industries are permitted to deduct from taxable income a depletion allowance based on a percentage of gross mineral income but subject to a limit of 50 percent of net income from each producing property. The intent of this net income limit is not always realized, however, because substantial amounts of development costs and other expenses incurred while the property is being developed are not brought into the net income limit for the purpose of computing the depletion allowance, but are instead charged off against income from other sources. The result is that in many cases percentage depletion far exceeds 50 percent of net income earned over the life of the property, when net income is properly defined to include development costs.

One method of removing this defect in present law would be to provide that amounts in excess of gross income from the mineral property, which are deducted against other income of the taxpayer, should be used to reduce the net income from the property (for purposes of computing percentage depletion) in later producing years. These carryover amounts could either be applied fully as the taxpayer obtains income from the property or be spread over several years. The deduction of drilling and development expenditures when made would not be affected; but, regardless of when they were made, they would be taken into account in computing the 50 percent of net income limitation on percentage depletion. This proposal would apply only to expenditures made in taxable years beginning after December 31, 1963.

(b) Grouping of properties: This same 50-percent limitation imposed by the Congress has also been minimized by the effect of legislation enacted in 1954, which permitted large oil and gas producers to pick and choose properties to be combined into an operating unit for the purpose of computing depletion and reducing taxes. Percentage depletion historically has been computed separately for each mineral property. This grouping procedure has little or no business significance; and it benefits almost entirely companies with a large number of widely scattered mineral properties. The original strength and purpose of the 50-percent limitation should be restored by returning to the rule that different oil and gas leases or acquisitions may not be combined for tax purposes, and that separate interests may be combined only if they are all on a single lease or acquisition. Such a change would bring tax rules regarding the grouping of properties into accord with business procedures.

(c) Capital gains on sale of mineral interests: The Congress, in section 13 of the Revenue Act of 1962, recognized that the owners of depreciable business assets were obtaining an unfair advantage by taking depreciation deductions against ordinary income greater than the actual loss in value, and then, upon the sale of an asset, paying only a capital gains tax on the recovery of these deductions. The Congress, therefore, decided that any gains realized on the sale of such property should be taxed as ordinary income to the extent that the cost of the property has been deducted in the past—still permitting the excess of the sales price over the original cost to be treated as a capital gain. This same rule, which under my capital gains proposals discussed below would be extended to real estate and a variety of other situations, should also apply to mineral property subject to depletion, and would increase revenues by $50 million.

(d) Foreign operations: Inasmuch as American firms engaged in oil, gas, and mineral operations abroad are permitted the same depletion allowances and expensing of development costs as domestic producers, their U.S. tax on income from those operations is frequently smaller than the foreign tax they are entitled to credit. The law should be amended to prevent an unused or excess foreign tax credit from being used to offset U.S. taxes on other forms or sources of foreign income. In addition, the deduction of foreign development costs should apply only to the income from those operations, and should not be permitted to reduce the U.S. tax on their domestic income.

Action by the Congress in these four areas will adopt the most clearly justified steps needed to place the present system of depletion allowances in a more appropriate framework. In addition, both the administration and the appropriate committees of the Congress should study more closely the impact of the present percentage depletion rates and their applicability regardless of size or income on the development of our natural resources and the number of investors and producers attracted to the extractive industries. While these are complex as well as controversial problems, we cannot shrink from a frank appraisal of governmental policies and tax subsidies in this area.

9. Personal holding companies: The present restrictions upon the use of personal holding companies have been inadequate to prevent many high-bracket taxpayers from sheltering large amounts of passive investment income in corporations they own and control. By generating a relatively small amount of operating income, or through the use of rentals and royalties as a shield for dividend income, they have been able to avoid personal income taxes upon portfolio investments. I recommend that these provisions be tightened to end these escape routes which permit such passive investment income to be accumulated in closely held corporations at low rates of tax. Such action will increase annual tax revenue by $10 million.

### (C) REVISION OF CAPITAL GAINS TAXATION

The present tax treatment of capital gains and losses is both inequitable and a barrier to economic growth. With the exception of changes that have added various ordinary income items to the definition of statutory capital gains, there have been no significant changes in this area of the income tax since 1942. The tax on capital gains directly affects investment decisions, the mobility and flow of risk capital from static to more dynamic situations, the ease or difficulty experienced by new ventures in obtaining capital, and thereby the strength and potential for growth of the economy. The provisions for taxation of capital gains are in need of essential changes designed to facilitate the attainment of our economic objectives.

I, therefore, recommend the following changes, the nature of which requires their consideration as a unified package, coupling liberalization of treatment with more sensible and equitable limitations:

1. Percentage inclusion: Reduce the percentage of long-term capital gains included in individual income subject to tax from the present 50 percent of the gain to 30 percent. Combined with the proposed individual income tax rate schedule ranging from 14 to 65 percent, this will produce capital gains tax rates that will start at 4.2 percent—instead of the present 10 percent—and progress to a maximum of 19.5 percent—instead of the present 25 percent.

With the enactment of this recommendation, the same ratio will exist for all income groups between the tax rate payable on ordinary income and the tax rate payable on capital gains—which is not the case at the present time.

The present 25-percent alternative tax on the capital gains of corporations should be reduced to 22 percent as a part of the reduction of the corporate normal tax rate to 22 percent. This will greatly simplify tax accounting for the more than half a million small corporations subject only to the normal tax.

2. Holding period: Extend the minimum holding period for qualifying for long-term capital gains treatment from the present 6 months to 1 year.

Preferential capital gains treatment with respect to gains on assets held less than 1 year cannot be justified either in terms of longrun economic objectives or equity. Moreover, the present 6-month test makes it relatively easy to convert various types of what is actually ordinary income into capital gains. This proposal will provide far greater assurance that capital gains treatment is confined to bona fide investors rather than to short-term speculators. The new lower rates of ordinary income tax, which will apply to gains realized on holdings of less than 6 months as well as 6 months to 1 year, will mitigate the reduced rate of turnover of securities and other assets that might otherwise result.

3. Carryover of capital losses: Permit an indefinite carryover of capital losses incurred by an individual in any one year.

Under present law capital losses may be carried over for only 5 years. They may be charged against ordinary income in an amount of up to $1,000 in each of the 5 years and against capital gains. The 5-year limitation frequently works serious hardship on investors, particularly small investors, who incur substantial capital losses and do not within 5 years have the opportunity to realize gains sufficiently large to absorb them. More adequate capital loss offsets will improve the investment odds, encourage risk taking on the part of investors, and stimulate economic growth.

4. Tax treatment of gains accrued on capital assets at the time of gift or death: Impose a tax at capital gains rates on all net gains accrued on capital assets at the time of transfer at death or by gift.

Adoption of this proposal is an essential element of my program for the taxation of capital gains; certainly in its absence there would be no justification for any reduction of present capital gain rate schedules.

A number of exceptions would limit the applicability of this proposal to fewer than 3 percent of those who die each year. These exceptions would provide special rules for the transfer of household and personal effects, assets transferred to a surviving wife or husband, and a certain minimum amount of property in every case. Appreciation on property subject to the charitable contribution deduction would continue to be exempt both on gift and at death.

For those who would have a substantial amount of appreciation taxed upon transfer at death, a special averaging provision would prevent the application of higher rates than would have applied upon disposition over a period of years. In addition, it should be clearly understood that the tax upon transfer at death would reduce the size of the taxable estate, and thereby reduce the estate tax. The present provisions for extended payment of estate taxes would apply to the new taxes upon appreciated property transferred at death and would be liberalized.

My proposal, if enacted, would apply to gifts made after this date, but would be phased to apply fully to transfers at death only after 3 years. The Secretary of the Treasury will present a technical elaboration of this proposal and its relationship to the existing rules for the taxation of various kinds of assets transferred at death.

5. Definitional changes: The wartime increases in the income tax rate structure led to repeated efforts to obtain extension of capital gains treatment to a variety of sources of ordinary income. In some cases this treatment was related to the very high rates of tax on ordinary income. In such cases capital gains treatment is no longer appropriate. In some other cases the justification given for the special treatment was the desire to give a special subsidy to the industry concerned. In other situations, as mentioned earlier with respect to mineral properties, many taxpayers have been able to profit through

claiming deductions against ordinary income for expenses, interest, depreciation or depletion, which are later recovered on disposition of property at much lower capital gain rates.

The existing sprawling scope of this preferential treatment has led to serious economic distortions and has encouraged tax avoidance maneuvers sometimes characterized as the "capital gains route." This trend should now be reversed, particularly because of the benefits of the lower capital gains rates as well as lower personal tax rates which I am recommending. Wherever the case for a special subsidy is not compelling, the definitions should be changed to limit capital gains to those transactions which clearly merit such treatment. The details regarding specific proposals in this area will be presented by the Secretary of the Treasury. They will include, but not be limited to, the following:

a. Real estate tax shelters, which are giving rise to increasingly uneconomic investment practices and are threatening legitimate real estate developments; and

b. The tax treatment of restricted stock options. The difference between the price paid for optioned stock at the time of exercise of such an option and the option price represents compensation for services quite as much as do wages and salaries. Under present law, however, such gains are taxed under capital gains rules at very favorable rates and the tax liability may be postponed for many years.

Under present war-inspired high tax rates, compensation arrangements of this kind clearly have their attractions. But under the new, more reasonable rates I am recommending, the favored tax treatment of stock options can no longer be said to be either desirable or necessary; and larger salary payments will be more effective than at present as a means of attracting and holding corporate executives.

I, therefore, recommend that, with respect to stock options granted after this date, the spread between the option price and the value of the stock at the date the option is exercised be taxed at ordinary income tax rates at the time the option is exercised. The averaging provision referred to above which the Secretary of the Treasury will present will prevent a tax penalty due to bunching of income in 1 year. In addition, payment of tax attributable to exercise of the stock option would be permitted in installments over several years.

This change will remove a gross inequality in the application of the income tax, but it is not expected to yield appreciable amounts of revenue; for the gains to be taxed as compensation to the employee will, as in the case of compensation in other forms, be deductible from the income of the employer.

The overall effect of all these changes in the capital gain provisions affecting individuals and corporations will stimulate freer flow of investment funds and facilitate economic growth as well as provide more evenhanded treatment of taxpayers across the board. They have a direct positive revenue impact of about $100 million per year. The reduction in the tax rate on capital gains will be somewhat more than offset by the increased revenue from the change in holding period, the taxation of capital gains at death and the changes in definitions—including those affecting real estate shelters and sales of mineral properties.

However, the "lock-in" effect of the present law, due to the ability to avoid all capital gains taxes on assets held until death, will be eliminated. This will result in a sharp increase in transfers of capital assets as individuals feel free to shift to the most desirable investment. The increased volume of transactions under these new rules should, in an average year, yield approximately $700 million in additional revenue. Indeed, this figure will be substantially higher during the first few years after enactment as those who are presently "locked in" respond to the new situation.

### VII. SUMMARY AND CONCLUSION

The foregoing program of rate reduction and reform provides for a fair and comprehensive net reduction in tax liabilities at all levels of income. As shown in the attached table 3, the overall savings are proportionately highest at the lower end of the income scale, where for taxpayers with adjusted gross incomes of less than $3,000 the reduction is nearly 40 percent. As we move up the income scale, the percentage reduction in tax liabilities declines to slightly less than 10 percent for taxpayers with incomes in excess of $50,000. For all groups of taxpayers combined, the reduction is approximately 18 percent, but five out of six taxpayers—most of whom have incomes below $10,000—will enjoy a reduction of more than 20 percent.

In addition, the proposed reforms will go a long way toward simplifying the problem of filling out tax returns for the more than 60 million filers each year. Under these proposals more than 6 million people will no longer find necessary the recordkeeping and detailed accounting required by itemized deductions. Hundreds of thousands of older people and individuals and families with very low incomes will no longer be required to file any tax returns at all.

Special tax problems of small business, the aged, working mothers and low-income groups are effectively met. Special preferences—for capital gains, natural resources, excessive deductions and other areas outside the tax base—are curbed. Both the mobility and the formation of capital are encouraged. The lower corporate tax rates will encourage and stimulate business enterprise. The reduction of the top 91-percent rate will assist investment and risk taking. Above all, by expanding both consumer demand and investment, this program will raise production and income, provide jobs for the unemployed, and take up the slack in our economy.

Members of the Congress, there is general agreement among those in business and labor most concerned that this Nation requires major tax revision, involving both net tax reduction and base-broadening reform. There is also general agreement that this should be enacted as promptly as is consistent with orderly legislative process. Differences which may arise will be largely those of degree and emphasis. I hope that, having examined these differences, the Congress will enact this year a modification of our tax laws along the general lines I have proposed.

To repeat what I said in my message on the state of the Union—"Now is the time to act. We cannot afford to be timid or slow. For this is the most urgent task confronting the Congress in 1963."

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 24, 1963.*

TABLE 1.—*Comparison of tax rates under proposed program and present law for married persons filing jointly*

| Taxable income bracket | Under present law | Under proposed program | | |
|---|---|---|---|---|
| | | Calendar year 1963 | Calendar year 1964 | Calendar year 1965 |
| | *Percent* | *Percent* | *Percent* | *Percent* |
| 0 to $2,000 | 20.0 | 18.5 | 15.5 | 14.0 |
| $2,000 to $4,000 | 20.0 | 19.0 | 17.0 | 16.0 |
| $4,000 to $8,000 | 22.0 | 21.0 | 19.0 | 18.0 |
| $8,000 to $12,000 | 26.0 | 25.0 | 22.0 | 21.0 |
| $12,000 to $16,000 | 30.0 | 28.5 | 25.5 | 24.0 |
| $16,000 to $20,000 | 34.0 | 32.0 | 29.0 | 27.0 |
| $20,000 to $24,000 | 38.0 | 36.0 | 32.0 | 30.0 |
| $24,000 to $28,000 | 43.0 | 41.0 | 36.0 | 34.0 |
| $28,000 to $32,000 | 47.0 | 44.5 | 39.5 | 37.0 |
| $32,000 to $36,000 | 50.0 | 47.5 | 42.5 | 40.0 |
| $36,000 to $40,000 | 53.0 | 50.0 | 45.0 | 42.0 |
| $40,000 to $44,000 | 56.0 | 53.0 | 48.0 | 45.0 |
| $44,000 to $52,000 | 59.0 | 56.0 | 50.0 | 47.0 |
| $52,000 to $64,000 | 62.0 | 59.0 | 53.0 | 50.0 |
| $64,000 to $76,000 | 65.0 | 62.0 | 55.0 | 52.0 |
| $76,000 to $88,000 | 69.0 | 65.5 | 58.5 | 55.0 |
| $88,000 to $100,000 | 72.0 | 68.0 | 61.0 | 57.0 |
| $100,000 to $120,000 | 75.0 | 71.0 | 62.0 | 58.0 |
| $120,000 to $140,000 | 78.0 | 73.0 | 64.0 | 59.0 |
| $140,000 to $160,000 | 81.0 | 76.0 | 65.0 | 60.0 |
| $160,000 to $180,000 | 84.0 | 78.0 | 67.0 | 61.0 |
| $180,000 to $200,000 | 87.0 | 81.0 | 68.0 | 62.0 |
| $200,000 to $300,000 | 89.0 | 82.5 | 69.5 | 63.0 |
| $300,000 to $400,000 | 90.0 | 83.5 | 70.5 | 64.0 |
| $400,000 and over | 91.0 | 84.5 | 71.5 | 65.0 |

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Jan. 22, 1963.

TABLE 2.—*Comparison of tax rates under proposed program and present law for single persons*

| Taxable income bracket | Under present law | Under proposed program | | |
|---|---|---|---|---|
| | | Calendar year 1963 | Calendar year 1964 | Calendar year 1965 |
| | *Percent* | *Percent* | *Percent* | *Percent* |
| 0 to $1,000 | 20.0 | 18.5 | 15.5 | 14.0 |
| $1,000 to $2,000 | 20.0 | 19.0 | 17.0 | 16.0 |
| $2,000 to $4,000 | 22.0 | 21.0 | 19.0 | 18.0 |
| $4,000 to $6,000 | 26.0 | 25.0 | 22.0 | 21.0 |
| $6,000 to $8,000 | 30.0 | 28.5 | 25.5 | 24.0 |
| $8,000 to $10,000 | 34.0 | 32.0 | 29.0 | 27.0 |
| $10,000 to $12,000 | 38.0 | 36.0 | 32.0 | 30.0 |
| $12,000 to $14,000 | 43.0 | 41.0 | 36.0 | 34.0 |
| $14,000 to $16,000 | 47.0 | 44.5 | 39.5 | 37.0 |
| $16,000 to $18,000 | 50.0 | 47.5 | 42.5 | 40.0 |
| $18,000 to $20,000 | 53.0 | 50.0 | 45.0 | 42.0 |
| $20,000 to $22,000 | 56.0 | 53.0 | 48.0 | 45.0 |
| $22,000 to $26,000 | 59.0 | 56.0 | 50.0 | 47.0 |
| $26,000 to $32,000 | 62.0 | 59.0 | 53.0 | 50.0 |
| $32,000 to $38,000 | 65.0 | 62.0 | 55.0 | 52.0 |
| $38,000 to $44,000 | 69.0 | 65.5 | 58.5 | 55.0 |
| $44,000 to $50,000 | 72.0 | 68.0 | 61.0 | 57.0 |
| $50,000 to $60,000 | 75.0 | 71.0 | 62.0 | 58.0 |
| $60,000 to $70,000 | 78.0 | 73.0 | 64.0 | 59.0 |
| $70,000 to $80,000 | 81.0 | 76.0 | 65.0 | 60.0 |
| $80,000 to $90,000 | 84.0 | 78.0 | 67.0 | 61.0 |
| $90,000 to $100,000 | 87.0 | 81.0 | 68.0 | 62.0 |
| $100,000 to $150,000 | 89.0 | 82.5 | 69.5 | 63.0 |
| $150,000 to $200,000 | 90.0 | 83.5 | 70.5 | 64.0 |
| $200,000 and over | 91.0 | 84.5 | 71.5 | 65.0 |

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Jan. 22, 1963.

TABLE 3.—*Tax program for individuals*

DISTRIBUTION BY ADJUSTED GROSS INCOME CLASS OF THE FULL YEAR EFFECT OF ALL TAX CHANGES DIRECTLY AFFECTING INDIVIDUALS[1]

| Adjusted gross income class | Number of taxable returns | Tax liability under present law[2] | Proposed rate change | Estimated revisions | Estimated total |
|---|---|---|---|---|---|
| | *Millions* | *Millions* | *Millions* | *Millions* | *Millions* |
| 0 to $3,000 | 9.7 | $1,450 | −$410 | −$150 | −$560 |
| $3,000 to $5,000 | 10.5 | 4,030 | −1,090 | −40 | −1,130 |
| $5,000 to $10,000 | 22.9 | 18,300 | −4,520 | +730 | −3,790 |
| $10,000 to $20,000 | 6.7 | 12,710 | −2,690 | +770 | −1,920 |
| $20,000 to $50,000 | 1.0 | 6,760 | −1,410 | +590 | −820 |
| $50,000 and over | .2 | 4,170 | −920 | +540 | −380 |
| Total | 51.0 | 47,420 | −11,040 | +2,440 | −8,600 |
| PERCENT DISTRIBUTION BY INCOME CLASS | | | | | |
| 0 to $3,000 | 19.0 | 3.1 | 3.7 | −6.1 | 7 |
| $3,000 to $5,000 | 20.6 | 8.5 | 9.9 | −1.6 | 13 |
| $5,000 to $10,000 | 44.9 | 38.6 | 40.9 | 29.9 | 44 |
| $10,000 to $20,000 | 13.1 | 26.8 | 24.4 | 31.6 | 22 |
| $20,000 to $50,000 | 2.0 | 14.3 | 12.8 | 24.2 | 10 |
| $50,000 and over | .4 | 8.8 | 8.3 | 22.1 | 4 |
| Total | 100.0 | 100.0 | 100.0 | 100.0 | 100 |
| PERCENT OF TAX LIABILITY UNDER PRESENT LAW | | | | | |
| 0 to $3,000 | ---------- | 100.0 | −28.3 | −10.3 | −39 |
| $3,000 to $5,000 | ---------- | 100.0 | −27.0 | −1.0 | −28 |
| $5,000 to $10,000 | ---------- | 100.0 | −24.7 | +4.0 | −21 |
| $10,000 to $20,000 | ---------- | 100.0 | −21.2 | +6.1 | −15 |
| $20,000 to $50,000 | ---------- | 100.0 | −20.9 | +8.7 | −12 |
| $50,000 and over | ---------- | 100.0 | −22.1 | +12.9 | −9 |
| Total | ---------- | 100.0 | −23.3 | +5.1 | −18 |

[1] Excludes capital gains revisions. The net direct change is of minor revenue significance. The greater volume of transactions that can be expected will produce a revenue gain of $725,000,000.

[2] Excluding tax on capital gains at 25 percent alternative rate.

NOTE.—Figures are rounded and will not necessarily add to totals.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Jan. 22, 1963.

## PRESIDENT'S SPECIAL MESSAGE ON TAX REDUCTION AND TAX REFORM

**Mr. ALGER.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

**Mr. ALGER.** Mr. Speaker, the special message on tax reduction and reform conforms to the same concept of the role of government in our lives reflected in the earlier messages: state of the Union, budget, and Economic Report—the planned economy by the Federal Government. Government planners are to replace the millions of decisions by millions of citizens that we respectfully and appreciatively call the private market and free society.

Generalities mainly are all that can be said at this time in speaking of the tax message, until the rather general message is replaced by a specific tax bill submitted by the President. There are basic concepts that must be challenged and contradicted: First, that tax cuts need not be matched by expenditure cuts; second, that deficits lead to prosperity, that spending money we do not have will create wealth, not debt; third, that we need not fear inflation on the one hand, nor weaken the dollar again through further imbalance of payments.

Mr. Speaker, why must we forget lessons of experience? New Deal, Fair Deal, and New Frontier deficit financing and pump priming failed to solve the problems intended and left us with the debt as a remembrance of our fiscal stupidity. Why cannot we try the American way, private enterprise, individual initiative and hustle, less—not more—government, less tax, less spending?

If we will do this, balance the budget, build a surplus, pay down the debt, reduce Government's scope and operation, we will free money for reinvestment, free brains for economic growth instead of trying to outwit Government redtape and control which continually throttles economic growth.

The President, in his message, recognizes the sensible approach to tax reform in the Baker-Herlong formula, which I have been happy to cosponsor, but then he completely negates this positive approach to fiscal responsibility by trying to make us believe that such tax reform need not be related to the budget or to spending. Once again, in very broad terms because he has not spelled out any specifics for tax cuts and reform, he reflects the fuzzy thinking of his economic advisers who have demonstrated a lack of faith in the private enterprise system in spite of the fact that their theories have proven to be impractical and stultifying to economic growth. We need only to look at Western Germany which spurned the program now being presented to us when it was offered to them by Walter Heller, the President's chief economic spokesman and West Germany prospered under private enterprise. This did not discourage Mr. Heller who now, through the President, wants this Nation to sail the uncharted seas of economic theory and experimentation, and the President obviously is following his advice.

Mr. Speaker, just once, let Congress take a long step forward in returning to the sound, basic economics of private investment, private initiative, the free enterprise capitalist system under which we became the greatest, the wealthiest, the most powerful, the best fed, the best clothed, the best educated people on earth. We can do this by rejecting the fuzzy economic proposals of the President for spending ourselves rich and adopting in this session of Congress a fiscal program based on living within our means as a Government so that the people may keep more of their own money and unleash the tremendous power inherent in a free people motivated by the heights to which they may attain through their own talent, ability, and willingness to work and risk.

It will be in this spirit, I hope, that the Committee on Ways and Means will study the President's tax proposals so that Congress may encounter with a basically sound economic program developed on the same basic American principles which have given this Nation the highest standard of living in the history of man, offered greater opportunity to more people and given to every man the chance to be his own master, not bonded to a government through what amounts to total confiscation through high taxes made necessary by huge spending.

## ELECTION OF MEMBERS TO COMMITTEES

**Mr. HALLECK.** Mr. Speaker, I offer a resolution (H. Res. 163) and ask for its immediate consideration.

The Clerk read as follows:

That the following-named Members be, and they are hereby elected to the following standing committees of the House of Representatives:

Committee on Agriculture: Charles B. Hoeven, of Iowa; Paul B. Dague, of Pennsylvania; Page Belcher, of Oklahoma; Clifford G. McIntire, of Maine; Charles M. Teague, of California; Albert H. Quie, of Minnesota; Don L. Short, of North Dakota; Catherine May, of Washington; Delbert L. Latta, of Ohio; Ralph Harvey, of Indiana; Paul Findley, of Illinois; Robert Dole, of Kansas; Ralph F. Beermann, of Nebraska; Edward Hutchinson, of Michigan.

Committee on Appropriations: William H. Harrison, of Wyoming; Ben Reifel, of South Dakota; Louis C. Wyman, of New Hampshire.

Committee on Armed Services: Leslie C. Arends, of Illinois; Leon H. Gavin, of Pennsylvania; Walter Norblad, of Oregon; William H. Bates, of Massachusetts; Alvin E. O'Konski, of Wisconsin; William G. Bray, of Indiana; Bob Wilson, of California; Frank C. Osmers, Jr., of New Jersey; Charles S. Gubser, of California; Frank J. Becker, of New York; Charles E. Chamberlain, of Michigan; Alexander Pirnie, of New York; Durward G. Hall, of Missouri; Donald D. Clancy, of Ohio; Robert T. Stafford, of Vermont; Ed Foreman, of Texas.

Committee on Banking and Currency: Clarence E. Kilburn, of New York; William B. Widnall, of New Jersey; Eugene Siler, of Kentucky; Paul A. Fino, of New York; Florence P. Dwyer, of New Jersey; Seymour Halpern, of New York; James Harvey, of

Michigan; Oliver P. Bolton, of Ohio; William E. Brock, III, of Tennessee; Robert A. Taft, Jr., of Ohio; Joseph M. McDade, of Pennsylvania; Sherman P. Lloyd, of Utah; Burt L. Talcott, of California.

Committee on the District of Columbia: Joel T. Broyhill, of Virginia; James C. Auchincloss, of New Jersey; William L. Springer, of Illinois; Ancher Nelsen, of Minnesota; Alvin E. O'Konski, of Wisconsin; William H. Harsha, Jr., of Ohio; Charles McC. Mathias, Jr., of Maryland; Fred Schwengel, of Iowa.

Committee on Education and Labor: Peter Frelinghuysen, of New Jersey; William H. Ayres, of Ohio; Robert P. Griffin, of Michigan; Albert H. Quie, of Minnesota; Charles E. Goodell, of New York; Donald C. Bruce, of Indiana; John M. Ashbrook, of Ohio; Dave Martin, of Nebraska; Alphonzo Bell, of California; M. G. (Gene) Snyder, of Kentucky.

Committee on Foreign Affairs: Frances P. Bolton, of Ohio; E. Ross Adair, of Indiana; William S. Mailliard, of California; Peter Frelinghuysen, Jr., of New Jersey; William S. Broomfield, of Michigan; Robert R. Barry, of New York; J. Irving Whalley, of Pennsylvania; H. R. Gross, of Iowa; E. Y. Berry, of South Dakota; Edward J. Derwinski, of Illinois; F. Bradford Morse, of Massachusetts; James F. Battin, of Montana; Vernon W. Thomson, of Wisconsin.

Committee on Government Operations: R. Walter Riehlman, of New York; George Meader, of Michigan; Clarence J. Brown, of Ohio; Florence P. Dwyer, of New Jersey; Robert P. Griffin, of Michigan; George M. Wallhauser, of New Jersey; John B. Anderson, of Illinois; Richard S. Schweiker, of Pennsylvania; Ogden R. Reid, of New York; Frank J. Horton, of New York; K. William Stinson, of Washington; Robert McClory, of Illinois.

Committee on House Administration: Willard S. Curtin, of Pennsylvania; Joe Skubitz, of Kansas.

Committee on Interior and Insular Affairs: John P. Saylor, of Pennsylvania; J. Ernest Wharton, of New York; E. Y. Berry, of South Dakota; Jack Westland, of Washington; Craig Hosmer, of California; J. Edgar Chenoweth, of Colorado; John Kyl, of Iowa; Hjalmar Nygaard, of North Dakota; Homer E. Abele, of Ohio; Joe Skubitz, of Kansas; Charlotte T. Reid, of Illinois; Laurence J. Burton, of Utah; Rogers C. B. Morton, of Maryland.

Committee on Interstate and Foreign Commerce: John B. Bennett, of Michigan; William L. Springer, of Illinois; Paul F. Schenck, of Ohio; J. Arthur Younger, of California; Milton W. Glenn, of New Jersey; Samuel L. Devine, of Ohio; Ancher Nelsen, of Minnesota; Hastings Keith, of Massachusetts; Willard S. Curtin, of Pennsylvania; Abner W. Sibal, of Connecticut; Glenn Cunningham, of Nebraska; James T. Broyhill, of North Carolina; Donald G. Brotzman, of Colorado.

Committee on the Judiciary: William M. McCulloch, of Ohio; William E. Miller, of New York; Richard H. Poff, of Virginia; William C. Cramer, of Florida; Arch A. Moore, Jr., of West Virginia; George Meader, of Michigan; John V. Lindsay, of New York; William T. Cahill, of New Jersey; Garner E. Shriver, of Kansas; Clark MacGregor, of Minnesota; Charles McC. Mathias, Jr., of Maryland; James E. Bromwell, of Iowa; Carleton J. King, of New York; Pat Martin, of California.

Committee on Merchant Marine and Fisheries: Thor C. Tollefson, of Washington; William K. Van Pelt, of Wisconsin; William S. Mailliard, of California; Thomas M. Pelly, of Washington; Milton W. Glenn, of New Jersey; Robert F. Ellsworth, of Kansas; George A. Goodling, of Pennnsylvania; Stanley R. Tupper, of Maine; Charles A. Mosher, of Ohio; James R. Grover, Jr., of New York; Rogers C. B. Morton, of Maryland.

Committee on Post Office and Civil Service: Robert J. Corbett, of Pennsylvania; H. R. Gross, of Iowa; Joel T. Broyhill, of Virginia; August E. Johansen, of Michigan; Glenn Cunningham, of Nebraska; George M. Wallhauser, of New Jersey; Robert R. Barry, of New York; Katharine St. George, of New York; Edward J. Derwinski, of Illinois; Robert F. Ellsworth, of Kansas; Homer E. Abele, of Ohio.

Committee on Public Works: James C. Auchincloss, of New Jersey; William C. Cramer, of Florida; John F. Baldwin, Jr., of California; Fred Schwengel, of Iowa; Howard W. Robison, of New York; William H. Harsha, Jr., of Ohio; James Harvey, of Michigan; John C. Kunkel, of Pennsylvania; Robert T. McLoskey, of Illinois; James R. Grover, Jr., of New York; James H. Quillen, of Tennessee; Carl W. Rich, of Ohio; James C. Cleveland, of New Hampshire.

Committee on Science and Astronautics: Joseph W. Martin, Jr., of Massachusetts; James G. Fulton, of Pennsylvania; J. Edgar Chenoweth, of Colorado; William K. Van Pelt, of Wisconsin; R. Walter Riehlman, of New York; Charles A. Mosher, of Ohio; Richard L. Roudebush, of Indiana; Alphonzo Bell, of California; Thomas M. Pelly, of Washington; Donald Rumsfeld, of Illinois; James D. Weaver, of Pennsylvania; Edward J. Gurney, of Florida; John W. Wydler, of New York.

Committee on Un-American Activities: August E. Johansen, of Michigan; Donald C. Bruce, of Indiana; Henry C. Schadeberg, of Wisconsin; John M. Ashbrook, of Ohio.

Committee on Veterans' Affairs: William H. Ayres, of Ohio; E. Ross Adair, of Indiana; Paul A. Fino, of New York; John P. Saylor, of Pennsylvania; Charles M. Teague, of California; Seymour Halpern, of New York; Henry C. Schadeberg, of Wisconsin; Robert F. Ellsworth, of Kansas.

Committee on Ways and Means: Harold R. Collier, of Illinois.

Mr. HALLECK (interrupting reading of the resolution). Mr. Speaker, in view of the fact that this list of committee assignments on our side of the aisle has been made public and confirmed in conference this morning, so that all of our Members know about it, and the members of the press know about it, I ask unanimous consent that further reading of the committee assignments be dispensed with and that they be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

## ADJOURNMENT UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## MEMBERS OF JOINT COMMITTEE ON DEFENSE PRODUCTION

The SPEAKER laid before the House the following communication, which was read:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
*Washington, D.C., January 24, 1963.*

Hon. JOHN W. MCCORMACK,
*The Speaker, House of Representatives, Washington, D.C.*

DEAR MR. SPEAKER: Pursuant to section 712(a)(2) of the Defense Production Act of 1959 (title 50, Appendix, United States Code, sec. 2162(a)(2)), I have appointed the following members of the Committee on Banking and Currency to be members of the Joint Committee on Defense Production: Hon. Wright Patman, Hon. Albert Rains, Hon. Abraham J. Multer, Hon. William B. Widnall, and Hon. Paul A. Fino.

With best wishes and kindest regards, I am,

Sincerely,

WRIGHT PATMAN,
*Chairman.*

## THE TWO-PRICE COTTON SYSTEM

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 60 minutes.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, it is with considerable unhappiness that I again take to the well of the U.S. House of Representatives, where debate is formed, on the problems of the textile industry. After many years of wonder, doubt, frustration, and disappointment, along with others, I had such great visions and hopes because of the seven-point program announced by the Democratic administration. I have supported that administration and its textile program; I recognize that the hopes, the fortunes, and the future of my people are in the hands of this administration, and the actions and decisions which will be forthcoming will write the success or failure of the textile economy in America for the next three or four decades.

It is said, indeed, that the acknowledged problems of the textile industry have not been solved. It is sad, indeed, that as we progress in so many areas of national growth, we have not made significant progress in solving the textile import problems, progress that we should have had long since, the progress that I am sure the President of the United States wants, but progress to which some in the State Department of this country have never, neither in the past, nor in the present, nor, unless conditions change in the foreseeable future, ever intended, hoped for, or tried to promote. Some have said that I have been too quick to accuse; I only wish that others had been quick to accuse. I say this of no individual, and of no group, but the facts were present yesterday just as they are today in the textile industry. The workers, the people dependent on that industry are suffering, their future is not secure.

South Carolina is a textile State. In the wonderful economy which has brought such a great civilization to my people and those of contiguous areas of South Carolina, to be sure, we have a great farming program, tobacco, dairying, cotton, beef cattle, and production of wool. All of these are important, just as our shipping industry is important, our transportation industry is a necessary ingredient of our economy, and communications—I could go on and on—but the truth of the matter is that the economy of South Carolina is indelibly wedded to the fortunes of the textile industry of the Nation. When the textile market is soft in New York, the textile mills are not running in South Carolina. When we get some order for shipment of textile goods overseas, wherever that order is directed to a producer, we, in South Carolina, benefit from the demand, because our South Carolina textile industry is as dependent on the overall market just as any other segment of the textile industry, wherever located, is dependent.

Let me pause here to point out that I have no vanity in the remarks I make so frequently about the textile industry and its problems. I would quickly get on my knees to thank the Almighty for deliverance from this plaguing question, seek out the reporters to heap praise on any who would give assistance in our effort or to our ambition. I do not come to criticize, for criticism is futile, the energy wasted, unless some productivity is the end result. I have spoken of betrayals in the past, and my remarks have not, so far, been refuted, but today I would talk of a few facts and figures.

On May 2, 1961, President Kennedy announced his seven-point textile industry program, a program declared to be designed to cover the problems of all fibers, manmade and otherwise. In that program, the President included, as point 4, a direction that the Secretary of Agriculture make recommendations for the offsetting or the elimination of unfavorable differences existing between domestic and foreign prices for cotton. As all know now, this differential, the direct outgrowth of the U.S. Government's cotton policy, allows foreign purchasers to buy U.S. cotton at prices one-fourth less than our own taxpaying domestic mills, employing American labor, must pay for the same cotton. Since that declaration, the Secretary of Agriculture, under the direction of the President, made application to the Tariff Commission for relief, but the Tariff Commission, ignoring the needs of Americans, bought, confused, or brainwashed by some foreign powers or some unjust considerations, decided against the American position, turned down the meritorious plea of Americans that some equalization be effected by the Tariff Commission.

There are too many on the Government payroll who would subscribe to such a program calling for the demise of the textile industry. The decision of the Tariff Commission will ring the infamy with other disgusting betrayals that the history of English speaking people will recite in future years. As a result of this decision, the American textile industry was robbed of its right to fair play, equal consideration, was condemned to a continuation of unjust or greedy discrimination. While, in my opinion, the Tariff Commission sought to buy friendship, those whose pressures bought and brought on an inequitable decision, I am sure, have only contempt for the horrifying weakness of Government as exhibited by the Tariff Commission's betrayal. I appeared at the hearing before the Tariff Commission, but I knew better than to expect justice. For my part, I am in favor of abolition of the Tariff Commission of the United States as presently conceived.

I see here at this point, Mr. Speaker, my distinguished friend the gentleman from Lenoir, N.C. [Mr. Broyhill] and I would be happy to have him join us in the tremendous effort which we are making, and I shall yield to him at this time for such remarks as he cares to make.

Mr. BROYHILL of North Carolina. Mr. Speaker, I certainly commend my friend, the gentleman from South Carolina [Mr. Hemphill], on the preparation of these remarks, and I certainly would agree with him that we have not made progress in solving the textile import problem.

Mr. Speaker, I have certainly been impressed with the fact that the gentleman from South Carolina [Mr. Hemphill], has talked in facts and figures here today rather than in accusations, as the gentleman said. I certainly know that the people in our area were very disappointed and dismayed that the Tariff Commission did turn down the proposal to add an equalization fee on foreign textile imports.

Mr. Speaker, this is a very serious problem confronting our part of the country and confronting this Nation too, because this is certainly a great industry that is under distress. These textile imports which we see are flooding the markets, Mr. Speaker, and they have ominous consequences not only for the industry but for the workers who are employed in this industry and for the communities which receive their livelihood from this great industry.

Mr. Speaker, I certainly commend the gentleman from South Carolina [Mr. Hemphill], for his courageous stand on this vital problem.

Mr. HEMPHILL. Mr. Speaker, I want to thank the gentleman from North Carolina [Mr. Broyhill]. Recently he did me the tremendous courtesty of visiting my office. We talked over many problems which were mutual problems in our particular section of the country and the gentleman from North Carolina [Mr. Broyhill] evidenced a quick and early interest in the problems of the textile industry. I told the gentleman at the time, and I repeat again today, that I hope his service, which I am sure will be distinguished, will not be plagued by the fact that these problems have not been solved during his tenure here.

Mr. Speaker, this is not a partisan problem. It is the problem of all of us in America, although sometimes we think people in other sections do not seem to appreciate the fact that whatever affects the textile industry in one part of America affects American industry and the American economy everywhere.

Mr. Speaker, I thank the gentleman from North Carolina [Mr. Broyhill] for his bipartisan support.

Mr. Speaker, there are many who committed themselves to the conclusion that the only way to eliminate the two-price cotton system would be: First, reducing the domestic farm price to world level; and second, a subsidy for domestic consumption, similar to the manner in which exports are presently subsidized. Unfortunately for the ambitions of so many to correct the inequities, up until 1963, the majority in the Congress have exhibited neither inclination nor desire to adopt either alternative. We of the textile areas continue to fight our cause.

Recently, the distinguished and beloved chairman of the Committee on Agriculture of the U.S. House of Representatives, the gentleman from North Carolina, the Honorable Harold Cooley, introduced legislation aimed at correction of the two-price inequity. I have not seen the bill because it has not been printed. I commend the gentleman from North Carolina, Chairman Cooley, for his interest, for his effort, and I hope for him the success and achievement which his dedication deserves. I understand that this legislation is designed to promote a domestic subsidy. I am anxious to hear testimony which I hope the legislation will evoke before the Committee on Agriculture. I shall not comment on the merits or demerits at this time.

The American textile industry today is sitting in the seat of ambiguity because of this problem. In Lancaster, S.C., in my congressional district, is the largest textile plant under one roof in the world. This is the Lancaster plant of the Springs Cotton Mills.

Everybody has heard of "Springmaid." I hope they hear of it for decades to come. Certainly, this part of the textile industry deserves the recognition, the accommodation, the continuation that we would wish—a fine, lively progressive American industry. In the Lancaster (S.C.) News of January 17, 1963, I read an article which was entitled "Proposed Legislation Would Affect Area Textile Plants." I would like to place this article in the Congressional Record as a part of my remarks at this point. I call your attention to one significant statement:

> The price differential the two-price system causes has been a major factor in the flood of foreign-made cotton textiles entering the American marketplace.

I include the article at this point:

### Proposed Legislation Would Affect Area Textile Plants

Proposed legislation to end the inequity of the two-price cotton system, to be introduced early in the next session of Congress at the request of President Kennedy, will have a direct bearing on Lancaster County's textile industry.

The two-price cotton system forces American textile plants to pay 8½ cents a pound more for American-grown cotton than competing foreign textile manufacturers would pay for the same American cotton.

William H. Ruffin, president of the American Textile Manufacturers Institute, central trade association of the U.S. textile industry, said that the system caused South Carolina plants to pay $113 million more for the cotton they used during the past 12 months than their oversea competitors would have paid for the same cotton.

The effect of this artificial cost factor on Lancaster County's five textile plants, its more than 6,500 textile workers, and textile payroll should be obvious, Mr. Ruffin said. South Carolina's 338 textile plants weave and knit almost one-third and finish half of the cotton fabric produced in America, he said.

The price differential the two-price system causes has been a major factor in the flood of foreign-made cotton textiles entering the American marketplace, Mr. Ruffin said.

Imports of cotton products including apparel have increased from 64 million square yards in 1948 to an alltime high of more than a billion yards estimated for 1962. While these imports were increasing, American exports of cotton textiles have dropped from 1½ billion square yards to about one-third that amount, he said.

Such loss of markets, both domestic and foreign, is having an impact on South Carolina with its 122,028 hourly rated textile employees who earn $412,076,835 a year and its 29,315 apparel plant workers whose annual wage payments total $66,069,113. Those payroll figures do not include the 14,026 salaried employees of the industries in South Carolina.

Department of Agriculture officials are drawing up a cotton program designed to end the inequity for textile plants while protecting the income levels of cotton farmers, Mr. Ruffin said. This program is to be put before Congress early this session, according to administration sources.

Recently, Mr. Edward Goldberger, treasurer, M. Lowenstein & Sons, Inc., made a magnificent address before the Charlotte, N.C., Textile Club, December 10, 1962. I am sorry I was not present as I would have loved to have heard it. The Lowenstein group has a great and valuable plant in Rock Hill in my district, interests in Cherokee County and other parts of South Carolina. The title of Mr. Goldberger's address was "Some Problems of the Textile Industry—Who Is to Blame?" Significant is a particular statement from his remarks:

> You see, our Government, essentially our State Department, has used world trade as a global weapon, and the pawn in the game has been the textile industry.

I include this fine address in my remarks.

### Some Problems of the Textile Industry—Who Is to Blame?

The textile industry for quite some time has been making a number of complaints. Now, what are these complaints? Are they based on fact or groundless. What is wrong with the textile industry?

Recently a textile company reported record sales and sizable earnings. The press carried reports that certain departments of the Government were questioning whether the industry really needed protection after all, and there was also a report that the Commerce Department was going to make an investigation.

What caused all this furor? The company made a record; sales exceeded $1 billion. This was the first time that any textile company in history had done this. I think it ought to be pointed out that this fantastic showing of sales and the large amount of earnings, the company showed a return of 3.8 percent on sales. The company's annual report has not been published as yet so we are not able to calculate the return on investment.

Now, did this achievement require a congressional investigation? I think it might be pointed out here that, compared to this return on sales of 3.8 percent, U.S. industry as a whole in 1961 showed a return on sales of 5.6 percent, and on investment, U.S. industry, as a whole, showed a return of 8.7 percent. Bear in mind that U.S. industry figures really mean average for all industry. Maybe the Government thought these figures were out of line since the showing of the textile industry for the fiscal year 1961 was poorer.

The ATMI maintains an index of earnings of what it calls leading companies—six of them—Burlington Industries, Cone Mills, Dan River Mills, M. Lowenstein & Sons, Inc., Reeves Bros. and J. P. Stevens Co. If the figures for these six companies were combined for the year 1961, they would reflect a return of 2.1 percent on sales and 4.65 percent on investment. Bear in mind the figure of U.S. industry as a whole in 1961 showing 5.6 percent on sales and 8.7 percent on investment. The textile industry, accordingly, did only 37 percent as well as industry generally on sales, and 53 percent as well on investment.

Let us suppose we were to buy one share of each of these companies; the package would cost us, based upon recent market prices, approximately $100. The book value of these combined shares would be approximately $195. There would be net current assets—that is current assets less all liabilities, current and noncurrent, of approximately $77. Probably no other industry would reflect such large asset values.

Now, all of this in an industry which had 23,700,000 cotton spindles in 1939 and 16,500,000 in 1962. Maybe we shouldn't be so sad when we realize that Great Britain had 55,600,000 spindles in 1913 and now, half a century later, has only 9,700,000.

So, what is wrong with the textile industry? And when I speak of the textile industry I am referring to the cotton textile industry, the industry manufacturing broad woven cotton fabrics. May I be so bold as to suggest a few answers:

The first matter is Government policy. If you were to tell any knowledgeable person that a U.S. textile manufacturer has to pay 25 percent more for his cotton than any foreign purchaser, he will look at you in amazement. At first he may say it isn't so. When you show him that a foreign mill gets the benefit of a subsidy of 8½ cents per pound on American cotton, he may say, "Well, why not buy foreign cotton?" The answer is that we are not allowed to buy foreign cotton. There are rigid quotas set which limit the amount of foreign cotton which can enter the United States. The total which can be brought in, in any year, is equivalent to 1 day's operation of U.S. mills.

Our Government, in the interest of aiding the farmer, has set up support prices. These are called loans. The farmer can put his cotton into the loan on a nonrecourse basis and if the Government, so to speak, forecloses on the loan, the cotton cannot be sold until much later, and then only at a premium price. Now, this price which the Government sets as its support price is at present 8½ cents per pound over the world price. Of necessity, it is passed on to the consumer in the form of a higher price for the cloth or article made from the cloth. When I say it is passed on to the consumer, that may be an overliberalization. Based upon actual practice, it would seem that a good part of this excess cost is borne by the U.S. manufacturer since he is not able to pass this item along to the consumer and, at the same time, make a decent profit. But aside from this factor, there are other bad effects:

1. Competing fibers can undersell cotton with these artificial costs included.

2. The competition in the marketplace for the consumer's dollar in his choice of all products is made that much more difficult for cotton products.

I don't want to go into the history of agricultural price supports; they were designed to enable the farmer to exist at a time when cotton was selling at 5 cents a pound. Today the cotton economy of our country has changed. There are rigid limitations on the acreage which can be planted for cotton. The total amount of cotton produced on small farms is not great. Large planters would be content to operate without any Government subsidy or support if production controls were eliminated. The situation is political. Government fears the repercussions that would come from the elimination of marginal farms.

The industry has long complained of the inequitable situation that has resulted from this two-price system of cotton pricing. It has taken a long time to get the thought across to Washington. Now, finally, there is an awareness by the Government that the cotton textile industry has problems, and one of them is the unrealistically high domestic price of cotton. The President has stated that steps will be taken to bring cotton to the mills at the world price. Let us not accept this as an accomplished fact; there is still a long row to hoe, and whether this will come about, and if so, when, are questions about which I would not like to chance a guess. At least the Government is aware of the problem, and policy pronouncements have been made at the highest levels.

I will return to this subject of cotton after I touch upon another area—foreign imports. Until fairly recently the United States was a net exporter of cotton textiles. Following World War II almost every nation set out to have its own textile industry. I might add that they were aided and abetted by the U.S. Government. They were encouraged to build plants, given funds, loans, machinery, cotton and know-how. Countries which had no tradition of history of textile manufacture became textile manufacturers overnight. Places such as Taiwan, Korea, and even the miniscule territory of Hong Kong began to be manufacturers and exporters of textiles. Japan felt she had a proprietary right to a portion of the U.S. market and was the first to secure a fixed slice of our market, at the same time forbidding the import to its land of any U.S. textiles. You know the story—everyone jumped on the bandwagon; practically every country with a loom started shipping to the United States. It didn't matter whether their own people had enough textiles: the U.S. dollar was what they wanted.

In 1961 the U.S. per capita consumption of textiles was 35½ pounds. In 1959 the per capita consumption of textiles in India was 4½ pounds. But India became, and is, a large exporter of textiles to the United States: result—the United States is now a net importer of textiles.

A lot of things have happened in a few years, including the change in the U.S. position in the matter of balance of payments. Why has this situation of imports come about? These foreign countries were able to buy U.S. cotton at 25 percent below the cost of the U.S. maufacturer and ship their product here and undersell the American manufacturer.

In 1952–53 the fabric value of 20 cotton constructions was a little over 68 cents per pound. In August 1962, it was 61 cents. In other words, textile manufacturers received 10 percent less for the product in 1962 than they did 10 years before. The cost of cotton in 1952–53 was 36 cents a pound. In August 1962, it was practically unchanged. However, the mill margin—the difference between what the manufacturer pays for his cotton and gets for his cloth—went down from 32 to 25 cents, a difference of 20 percent.

Bear in mind that the foreign manufacturer has been able during this period to buy his cotton at approximately 25 percent less than the price paid by the American manufacturer. This has been a major cause in depressing prices of American textiles. Also bear in mind, in connection with the above figures and the drop in the mill margin, the increases which the manufacturer of textiles has had during this 10-year period—labor, supplies, to say nothing about additional depreciation charges due to increased costs of machinery.

Now, cotton is not the only reason why the competition from low-wage foreign countries is unfair competition. Even though U.S. fabric manufacturers could buy cotton at the world price, these foreign countries could undersell us. Their labor rates are only a fraction of ours. U.S. textile manufacturers cannot compete with products made in countries paying slave-labor rates. We are confronted with a battle that involves widely different standards of living. It is a great fallacy to think that American ingenuity can find a way to overcome matters so basic as the low wages paid by many foreign producers.

Imports are a threat not only to textiles; they are a threat to practically every field of endeavor in the country. Not so many years ago many industries took little interest in the problems of imports. They felt it applied only to someone else. One could run through a long list of industries which realize the menace of unregulated imports from low-wage countries, but our subject is cotton textiles. Foreign mills can buy U.S. cotton at a big discount off the price U.S. mills must pay. Foreign mills have a labor cost advantage which U.S. mills in no way equalize.

You see, our Government, essentially our State Department, has used world trade as a global weapon, and the pawn in the game has been the textile industry. We all recognize the international problems which our Government faces and we must all do our share, but we insist that the cost of our Government's global strategy is not to be borne exclusively by the American textile industry.

It has always seemed to me to be an anachronism that the United States, an industrial nation, should have a policy of excluding raw materials, such as cotton, while allowing unlimited entry of the products made from cotton. This has been precisely the policy up to the recent international limitation agreement.

After ceaseless cries by the industry the Government has finally given its ear. A temporary 1-year international agreement limiting imports and a 5-year limitation agreement have been signed. This has come about only after the industry has clamored long and loud for effective quotas on the importation of foreign textiles. For the year of the operation of the temporary agreement, imports have exceeded the agreed-upon quotas by 30 percent. The effectiveness of the restraints leaves much to be desired. But, at least some limitations have been set and we are hopeful that the future will see these limitations better controlled.

Thus you can see the need for quantity limitations on imports as well as the need for availability of cotton to U.S. mills at the same price at which foreign mills can buy it. I am hopeful that action will be taken on cotton price equalization. Had the Tariff Commission ruled favorably on the application for an equalization fee on imports with the cotton cost of imported fabrics equaling the cotton cost to U.S. mills, we would have had this phase largely solved, but the Commission ruled otherwise. Legislation seems to be the only answer now. I would point out that there is no move without a checkmate; the elimination of the differential at one fell swoop could result in great injury to the industry. The possible drop in inventory value could be great and the uncertainty of prices during the changeover period could be harmful to business generally. I feel that consideration should be given to reimbursement to all in the manufacturing and distributing and processing field for any adjustment in cotton support prices, in the event that Government policy puts into effect the elimination of support prices. In short, a refund on the floor stocks should be considered. A gradual shift in this 8½ cents differential—say over a 3-year period—might be wise.

The industry must return to a one-price system. It can never right itself under an artificial, unrealistic, and uneconomic method such as we have now.

I have blamed the Government and I have blamed unfair foreign competition. There is another group that must accept its proper share of blame for the plight of the industry, and that is the American cotton textile industry itself. The law of supply and demand applies to textiles just as it does to any other commodity. Is it intelligent to produce and produce and overproduce when the demand is not there? It is not a question of capacity. The industry does not have excess capacity as such unless one says that three shifts 6 days a week (and in some places more than 6 days) is "normal." Probably, with all the problems of foreign competition, the industry, operating at 5 days a week, would be hard put to meet demands but "no", we run hellbent for election as though the market was burning up.

Does any other industry operate with such imbalance? The steel industry doesn't feel embarrassed to operate at a percentage of capacity if the orders are not there. The automobile industry does the same. Texas does it for its oil industry. But it seems to be a badge of honor to run textile mills even if no orders exist.

The charts show this clearly. In periods when inventories are low and forward orders high, prices are up; and, conversely, when inventories are high and forward orders low, prices are depressed, but that seems to be the time to turn on the steam and produce a bit more. There are reasons, of course—the industry has widespread individual ownership and management. It is an industry which probably has more rugged individualists than any other. There is a mistaken notion of getting ahead of the depreciation by running overtime and paying time and a half. There is also a feeling of getting a little advantage over one's friendly competition by producing more and more. And, finally, there is a lack of knowledge and appreciation of the needs of the market and one's relation thereto.

Now, what can be done about it? Individual companies should recognize the need for industrial statesmanship and pursue a course of action consistent with some elementary economic principles. In short, they should regulate their production with demand. Maybe Congress will set up a bureau to give its blessing to an industry imposing self-limitation. This could carry with it a danger to the whole system of free enterprise. But, if antitrust laws forbid action in concert and individuals fail to see the need for intelligent individual action, we may have to look to government to save us from ourselves.

Gentlemen, we have a great industry. We must be wise enough to see our problems and bold enough to examine ourselves. Our industry has been mistreated. We hope redress will be made. There are indications that for the first time in a long time there is an understanding of the problem; a realization in high government of the need for action, and the determination that some tangible things be accomplished. Industry too must take its part in solving this difficult problem.

Let me pause here to salute the foresight of Mr. Goldberger, to tell him of the continuing gratitude of those of us who live in a textile area for his great textile group and others which give our people employment, who provide great and good impact on our economy.

We of the textile industry have tried to impress those in power with the necessity of a strong textile industry for purposes of defense. One of the causes of Napoleon's defeat in Russia was lack of clothing, as we have said before here. We fool ourselves today to think that we engage only in a cold war, but for the men who are risking their lives in the Strategic Air Command flights and other flights, emphasizing the readiness of the United States to fight—and some have died in the crashes—and as well as to those who are dying in the jungles and rice patties of Vietnam, the war is a hot war. I am not one of those who is so deluded by the Russian promise of peace as to believe that we could not have a hot war any minute. We need textiles for defense purposes, and I include here an article from the Clover (S.C.) Herald of January 17, 1963, which so ably expresses this truth:

### Clothing for Combat Requires Textile Aid

In recent years, imaginative textile people have pooled their knowledge and resources with those of military quartermaster personnel to produce an astonishing array of unusual military items.

These include such things as bulletproof fabric vests, lightweight but strong parachutes to bring space capsules back to earth, collapsible bulk storage tanks for oil and gas, high-speed ejection equipment for supersonic aircraft, and easily laundered uniforms for crew members on atomic submarines.

Now, the same sort of imagination and knowledge is hard at work on another urgently needed military clothing item: a single uniform which will provide a combined system of protection against both natural and enemy-imposed combat conditions.

The nature of modern military operations makes it impractical to issue different sets of clothing to protect individual soldiers against chemicals, biological agents, climate conditions, radiation, and other factors. All of these protective factors must be built into a single, all-purpose uniform, military clothing and equipment men believe.

According to the Chief of the Clothing and Organic Materials Division of the Quartermaster Research and Engineering Command, what is needed is a material which will include:

1. A fiber which will provide a maximum contribution in meeting functional needs.

2. A fabric structure which would be as light in weight and as durable as possible and, yet, would itself be an important part of protecting individual combat troops.

3. A textile finish to add still more functional and protective properties.

"We are currently searching for finishes which will provide positive protection against the heat effects of nuclear weapons and chemical warfare agents," the military scientists say. Already, experiments have been conducted with finishes which foam up instantly when high intensity thermal radiation strikes and thus provide thickness for shielding. Another of their experiments is with a foam which produces a shielding smoke.

Also under study are dyes which will provide protection against visual observation, infrared photography, and infrared viewing devices such as sniper scopes which permit a sniper to see a target in the dark.

The development of such things may seem like something straight out of the old "Buck Rogers" comic strip, but they are a serious part of the work being done every day by the modern, progressive American textile industry. They are another illustration of the part the industry plays in the security and military preparedness of the United States.

Recently I was privileged to join the Cotton Subcommittee of the Committee on Agriculture of the U.S. House of Representatives, on a trip to North and South Carolina. In the group were the gentleman from North Carolina, Chairman Harold Cooley, chairman of the Committee on Agriculture; Cotton Subcommittee chairman, the gentleman from Arkansas, E. C. Gathings; the gentleman from Alabama, Hon. George M. Grant; the gentleman from Missouri, Hon. Paul Jones; the gentleman from South Carolina, Hon. John L. McMillan; the gentleman from California, Hon. Harlan Hagan; the gentleman from Nebraska, Hon. Ralph Beermann; Hon. Harker T. Stanton, counsel of the committee; members of the committee's staff, and others. The gentlemen from North Carolina, Congressman ALTON LENNON and Congressman CHARLES JONAS, accompanied us at Kannapolis, N.C., and the gentleman from South Carolina, Congressman BRYAN DORN later joined us at Clemson, S.C. To each of these men who gave of his time and experience to this trip, I express my continuing gratitude and my sincere salutation. I have written to each of them to tell them how good it was to have these great men of the Congress come to our textile mills to talk with us about the problems of our two-price cotton system.

We left National Airport on the morning of January 10, 1963, and flew to Salisbury, N.C., where we boarded a bus and went to the Cannon Mills at Kannapolis, N.C. There we were greeted by Mr. C. A. Cannon, chairman of the board of Cannon Mills, a distinguished American, a beloved citizen and philanthropist, a brilliant advocate of the textile industry, its employees, and its dependent and related businesses. We toured the mills at Kannapolis where there are 12,000 employees, in a community of 37,000 people. Incidentally, I might advise here that Kannapolis is unincorporated and so there are no municipal taxes and so the industry there provides such services as police protection, fire protection, garbage disposal, and the like.

Every man, woman, and child in that community is dependent, as a U.S. citizen, on the prosperity and well-being of the textile industry.

This mill complex at Kannapolis uses about 65,000 bales of cotton a year. It could easily convert to rayon which would not only mean the loss of jobs but a dissipation of the cotton industry.

We first went to the opening room, separated from the mills because of the fire hazards, and there we had demonstrated the waste in the cotton because of bagging and ties and many other factors. When a mill buys cotton, it buys the waste along with the cotton. When a mill buys rayon, there is no waste because in rayon the purchase is of net rayon. There was some rayon exhibited to us in the opening rooms, but "Mr. Charlie," as he is affectionately known by his employees, made the statement that he would rather use cotton because he believed cotton is alive, it breathes, has moisture, works better, and in his desire to produce goods on a quality peculiar to his magnificent operation, he felt cotton was best.

Next we toured the cotton storage warehouses, with great sprinkling systems, and saw enough cotton here to last until September 1963.

Next we were taken to the picking room, card room, and spinning room. I was interested to know, in the spinning room, that each spinner has 14 to 16 frames. I was also intersted to hear Mr. Cannon and others point out that there were 5,000 employees in these departments, and, until the cotton reached the yarn stage, we were just putting application to it to make it usable. It was pointed out that yarn can be purchased in Portugal and Taiwan and other places and beamed and weaved if we want to buy back our own cotton with the 8½-percent differential given to foreign goods. But if the mills buy foreign yarn, Americans producing yarn lose jobs.

We went on through the cardroom where we saw carded cotton and carded manmade fibers, and there was a considerable comment on the waste factor. For our reasoning and information, it was pointed out that rayon and manmade fibers skip three processes, therefore, eliminating waste.

As we left the weave room we then went to the cloth room and other parts of the mill. I have been in a cotton mill many, many times, but I was impressed again.

We went through the bleachery and up to the sheet department and the towel hemming department. We saw hundreds of people happily engaged in the production of textiles in Kannapolis, N.C.—only about 60 miles from my own hometown—and I could not help but wonder whether we of the Government deserve the confidence they have in the future of America when we allow certain departments of our Government to betray the Government, the President, and the people of this Nation in declaring the textile industry to be expendable and resorting to trade tricks and other tricks to import foreign textiles.

We had lunch at this point before leaving for Clemson, S.C., and I would like to include here the material which was so well explained to us at the luncheon, consisting of certain charts [charts not printed in RECORD] and certain statements:

The excessive cost of U.S. combed cotton goods over Japanese goods amounts to about 40 cents for a broadcloth shirt to the U.S. consumer.

The excessive cost of U.S. combed cotton goods over Japanese goods amounts to about $1.10 for a double-bed size and $1.65 for the larger—king size—percale sheet to the U.S. consumer.

The yield per acre has increased from 270 pounds to 444 pounds or 53 percent.

The acreage harvested has decreased from 26.9 to 13.5 million and the production has remained about the same, although there has been an increase in population of about 40 million people. Thus the American farmer has been deprived of any benefit which he should have reaped on account of increased efficiency.

Foreign cotton production and consumption have gone up steadily while U.S. production and consumption have remained stationary in spite of a population increase of about 40 million.

The production of cotton in the United States has dropped from 39 percent of the world total to 30 percent and the U.S. consumption has dropped from 26 to 19 percent of the world total.

The charts and explanations speak for themselves. They show the advantage the Japanese get from our two-price cotton differential. Add this cost advantage to a 7-to-1 labor differential and there can be no longer any wonder why imports from Japan are so cheap.

The two-price cotton program must be replaced with some just system. If we are unwilling to raise tariff rates, would not some import fee, some tax, on our cotton, brought back to plague us, be just? Do not the American textile employees, from the man who sweeps and lays up roping, to the man who makes the major management decision, deserve help from us of the Congress? Do we think more of foreigners and their prosperity than we do of our own people? Of course we do not.

All of us enjoyed our visit to Kannapolis, and I am sure I speak the gratitude of the group to Messrs. Charles A. Cannon, chairman of the board, Mr. William C. Cannon, assistant chairman of the board and vice president, and Mr. Don S. Holt, president, and others, for their hospitality and provision.

Later on January 10, we flew to the new Greenville-Spartanburg Jet Airport, and went to Clemson, S.C. At a dinner at Clemson, we experienced the hospitality and provision of Dr. R. E. Edwards, president of Clemson College, and Mr. W. Gordon McCabe, Jr., vice president, J. P. Stevens & Co., Inc. At the dinner that night were gathered many figures important to the textile industry in South Carolina. I cannot name all of them. Suffice it to say that they were there because of the acknowledging dangers threatening the textile industry today. Dr. Edwards made a fine brief talk outlining the progress made by Clemson in textile education and leadership. The gentleman from North Carolina, Chairman COOLEY, the gentleman from Arkansas, Chairman GATHINGS, and others, commented on the two-price cotton practice.

On Friday, January 11, 1963, we visited the Utica-Mohawk, Clemson plant of J. P. Stevens & Co., Inc. There, under the direction of Messrs. Robert T. Stevens, president, James Harrell, vice president, W. Gordon McCabe, Jr., vice president, and Mr. W. H. Burton, general manager, we took a tour of the entire plant. Again, we saw happy Americans working the cotton, anxious to continue their jobs, confident that their Government recognizes the problem threatening the industry giving them employment. We had a magnificent visit, and I personally saw many old friends whom I had known in earlier days.

J. P. Stevens & Co., Inc., is celebrating its 150th anniversary this year. For more than one-half the life of this great Nation, this great company has been a part of the American scene, provided jobs, built plants, and paid taxes, bolstering the economy of communities all over the land. Again, I salute this great company for what it has done, what it wants to do, and for what we hope it will do if we, of the Congress, the administration, and we of the Nation, make possible the relief so necessary.

Included in our visit was a stop in which it was pointed out that this entire modern efficient plant could convert to rayon in less than 24 hours.

Later this group toured Deering-Milliken research and production facilities at Spartanburg, S.C. I was unable to continue because of a call from Chester, but the group reports that this visit was informative, hospitable, and educational.

At the same time, we were looking around for some relief to the two-price cotton problem, events all over the world were emphasizing the importations that our textile industry was being subjected to this very year. Some of these may be related, and I quote from a textile periodical:

Some $3 million has been authorized through the Export-Import Bank to purchase U.S. equipment for a $5.8 million Greek mill. Construction plans call for $2 million worth of carding, drawing, doubling, combing, and roving equipment and 108 spinning frames totaling 36,000 spindles to be built by Whitin Machine Works.

The U.S. Department of Agriculture has authorized Yugoslavia to purchase $13.5 million (about 100,000 bales) of American upland cotton. The USDA issued two food-for-peace dollar credit authorizations to Yugoslavia to finance purchase of the cotton and pea beans from U.S. suppliers.

Total U.S. consumption of cotton in November 1962 amounted to 667,192 bales compared with 875,443 bales in November 1961, and 823,270 bales in October 1962. Consumption of synthetic staple rose to 59,121,000 pounds from 56,659,000 in November 1961 but fell from the October level of 71,454,000 pounds. About 19,542,000 cotton spinning spindles were in place on December 1—16,395,000 spinning cotton, 2,335,000 spinning other than cotton, and the remainder inactive.

Despite increased sales, the textile mill products industry lost ground in terms of profits after taxes during the third quarter of 1962. Sales rose to $3.6 billion from $3.5 billion in the second quarter. But profits after taxes dropped to $86 million from $89 million. Apparel manufacturers' sales rose to $3.4 billion from $3.1 billion while profits increased to $65 million from $43 million, according to the Securities and Exchange Commission and the FTC.

Manmade fiber fabric imports rose to 5.1 million yards in October from 4 million yards a year earlier. But this was a decline from 7.4 million imported during September. Even so, imports in the first 10 months of 1962 rose to 54.8 million yards—81 percent more than the 30 million yards in the same 1961 period. Japan shipped in more than half the October total (4.3 million yards), increasing shipments to the United States by 1.6 million yards compared with October 1961.

A Commerce Department report from its Charleston, S.C., field office indicates official Washington considers textiles an ailing industry. After glowing accounts of increased bank deposits in several Southern States, bigger department store sales, increased home building and rising employment in the first 9 months of 1962, the report points out that "even the textile industry" reflected "some stability" as 6 percent more bales of cotton were consumed and a "slight gain" was reflected in the number of spindles in place.

New cotton legislation will get nowhere "unless the selfish pulling and hauling" of some producing sections is stopped, a southern Congressman warns. Representative **George Grant**, Democrat, of Alabama, third ranking member of the House Agriculture Committee, charges western growers are "seemingly intent upon using any new legislation as a vehicle to take cotton allotments from old Cotton-Belt space and move acreage into new areas."

To compensate the United Kingdom for higher tariffs on carpets and glass, the United States is cutting tariffs on 17 items—including textiles and yarns. New rates effective January 1 dropped the duty by 10 percent. Another 10 percent cut is scheduled in 1 year. The move decreased duties on lace window curtains, for example, from 50 to 36 percent on January 1. Next January, the duty will drop to 32 percent.

While imports of cotton fabrics doubled, U.S. exports in the first 10 months of 1962 dropped to 340.7 million yards from 390.9 million a year ealier. This was a 13 percent decline. On the other hand, imports soared to 400.2 million yards from 196.5 million in the January–October 1961, period—shifting the export-import balance of trade to a 60-million-yard deficit from a year-earlier surplus of 194 million.

Scoured wool and cotton cloth from Communist Yugoslavia arrives regularly at Charleston, S.C., for processing in South Carolina and Georgia mills. A Charleston broker—who declines to estimate what portion of the imports are made up by domestic mills for sale in the United States or how much is shipped out again as finished products—explain that Yugoslavian exports under the same customs tariffs applied to other Western European countries. For example, linen would be charged a 10-percent duty. But linen from Czechoslovakia (behind the Iron Curtain) would be charged 40 percent.

October output of spun sales yarn averaged $15.6 million pounds weekly compared with 16.6 million pounds in October 1961, Census Bureau figures show. Carded cotton sales yarn was down, to 7.3 million pounds; combed was down, to 4.2 million pounds; wool was up, to 2.5 million pounds; and synthetics were up, to 2.5 million pounds.

October exports of manmade fiber fabrics dropped to 10.4 million yards from 13.2 million yards a year ago. Value of shipments also was down from $6.9 million to $5.4 million. For the first 10 months of the year 1962, manmade shipments totaled 115 million yards compared with 113.9 million for the same 1961 period. Value of these exports rose to $63.2 million from $61.7 million the year before.

About 33 million yards of corduroy entered the United States last year in the form of apparel, some 60 percent more than in 1961. Despite the fact that Japan's exports to this country made up most of the total and represented an "excessive concentration" in particular textile items, thereby violating the bilateral agreement, negotiations begun in September failed to produce an agreement. Domestic producers fear this means continued heavy shipments under the 5-year international cottons agreement (of which Japan is a signatory) since 1962 figures are the base for future shipments.

Upland cotton producers have approved marketing quotas for the 1963 crop by a favorable vote estimated at 93.7 percent, the USDA says. Extra long staple cotton growers approved marketing quotas by an 81.8-percent favorable vote. This means quotas will continue in effect for 1963 crops and that price supports will be available to growers who don't exceed the acreage allotment. Those who do will be subject to penalties on excess production—50 percent of the cotton parity price as of June 15, 1963.

These are just the signs of the times, and I commend them to every American for study.

On November 15, 1962, the American Textile Manufacturers Institute prepared a memorandum at the request of, and presented it to, the Honorable Charles S. Murphy, the Under Secretary of Agriculture. This memorandum is significant, and I include it at this point in the **Record** in order that we may properly document, again, our problems and necessity for a quick and just solution.

### THE ESSENTIALITY OF A ONE-PRICE SYSTEM FOR COTTON

#### INTRODUCTION

A combination of legislative and administrative policies relating to cotton, including the inequity of the present two-price cotton system, has imposed upon the domestic textile industry an intolerable burden. To correct this inequity a clear-cut return to a one-price system, enabling domestic manufacturers to purchase American-grown cotton at the same price paid by foreign manufacturers, is required.

The desire of the domestic industry to have the Government abolish two-price cotton was expressed in a cotton policy resolution adopted by the American Textile Manufacturers Institute on October 12, 1962, the essence of which was:

"1. As early as possible, a return to a one-price system for American cotton whether sold at home or abroad.

"2. The exclusion of any form of processing tax on manufactured cotton products.

"3. Movement of cotton through normal trade channels rather than Government hands.

"4. A fair procedure in respect to the net income position of the cotton farmer.

"5. An increase in cotton acreage realistically geared to the increase in the demand for U.S. cotton that will result from a sound long-range cotton program."

#### PRESIDENTIAL MANDATE

Following a finding of the Tariff Commission to the effect that a cotton textile import fee equal to the raw cotton export subsidy not be imposed under section 22 of the Agricultural Adjustment Act of 1939, as amended, the President, on September 6, 1962, made public a statement of his position on the two-price cotton system. In it he stated:

"Thus, the inequity of the two-price system of cotton costs remains as a unique burden upon the American textile industry for which a solution must be found in the near future.

"I am therefore requesting the Department of Agriculture to give immediate attention to the formulation of a domestic program that would eliminate this inequity. I am also instructing all other departments and offices of the executive branch to cooperate fully to this end."

The President observed, in addition, that because the objective undoubtedly could be achieved only through legislative action, he would ask the next session of Congress to enact legislation "designed to remove the inequity created by the present two-price cotton system."

#### A FALLACY DISPOSED OF

Since the Tariff Commission decision and the President's statement, the Department of Agriculture and representatives of all segments of the raw cotton industry from farmers to manufacturers, have been exploring in detail how to achieve the President's objective.

Unfortunately, the idea has been advanced that the inequity can be eliminated by something less than a return to a clear-cut one-price system for cotton, under which the American-grown product would be available to domestic mills and for export at the same price. This idea is both irrelevant and erroneous.

**It is irrelevant because the President has directed that the two-price cotton system be abolished.**

**It is erroneous because the idea is apparently predicated on the belief that it costs foreign mills more to take cotton from the United States and send goods back than it costs domestic mills to bring cotton to the mill and ship goods to the consuming centers.**

The fallacy of this idea is rebutted in the attached exhibit A. It should be observed that in the illustration used in exhibit A, Japan was selected because of its distant geographical location and the fact that she imports all cotton used. Other countries which raise as well as spin cotton, enjoy a much greater advantage over the United States than does even Japan.

The differences in the cost of marketing and distribution of cotton and cotton textiles prior to 1956 are present today, and anything less than a complete return to the one-price system will perpetuate that portion of the inequity which is allowed to remain.

### THE REAL ISSUE

Among the most significant considerations involved in stating the issue and in providing a remedy are these:

1. The U.S. Government, upon three separate occasions has recognized the raw cotton export subsidy level as constituting a disparity, and has established its policy accordingly.

A. The inability to sell American cotton competitively in the world market prompted the enactment of section 203 of the Agricultural Adjustment Act in 1956. The present export subsidy of 8½ cents per pound on raw cotton is a clear-cut recognition by the United States that without this subsidy the requirements of section 203 would not be met and that U.S. cotton would not be competitive on the world market.

An equivalent payment, adjusted for manufacturing waste loss, is made on cotton textile exports; however, these exports of cotton textiles have trended downward, even with the payment of the full equalization fee.

B. In the letter to the Chairman of the Tariff Commission requesting the Commission to make an immediate investigation under section 22 of the Agricultural Adjustment Act, as amended, to determine whether an offset fee was necessary to prevent injury from cotton textile imports, President Kennedy directed the inquiry toward "a fee equivalent to the per pound export subsidy rate."

C. During the Tariff Commission's hearing in which the Department of Agriculture brilliantly pleaded for an offset import fee on cotton goods equal to the export subsidy on raw cotton, the Department's spokesman told the Tariff Commission that the export subsidy rate was recommended for the fee because "it is the most accurate measurement we have for the disparity between the domestic prices of cotton and the prices in the world market."

2. A clear-cut one-price cotton system, under which American mills can buy American cotton at the same price it is sold to foreign mills, will contribute to reversing the devastating import trend that is draining the vitality of the industry through which the cotton farmer's product must move to market.

The 1-year international cotton textile arrangement (October 1, 1961, to September 30, 1962) was designed to restrict cotton textile imports to the import level of fiscal year 1961. However, with the additional incentive created by the unfair two-price cotton system, imports of cotton textile products from all countries except Japan exceeded the 1961 fiscal year base by approximately one-third, establishing an all-time high level of imports. Japanese cotton textile exports to the United States are covered by a separate bilateral arrangement; however, these imports in 9 months have already exceeded the full 12 months bilateral arrangement total.

In the past 10 years U.S. imports of foreign-made cotton products from all countries have risen from the average cotton equivalent of 68,000 bales in 1952 to 225,000 bales in 1956, 234,000 bales in 1958, 526,000 bales in 1960 and an estimated 672,000 bales in 1962.

This upward import trend for the most part has occurred since 1956 when the raw cotton export subsidy program was initiated, creating the two-price system.

A careful examination of these imports reveals that among others sharp increases have occurred in imports of cotton yarns and cotton sheetings. Raw cotton is, of course, a major cost factor in the manufacture of these items.

Since the advent of two-price cotton, active cotton-system spindles have dropped 9.1 percent; active spindles on 100 percent cotton have fallen to an average of 88.7 percent of these active spindles during August–September 1962, while the remaining 11.3 percent of all active cotton-system spindles are now running on synthetic fibers.

Furthermore, textile employment has decreased by 176,000 workers; per-capita mill consumption of cotton has dropped by 3.7 pounds; and imports of cotton textiles continue their relentless upward surge.

Beyond question the import experience of the past few years demonstrates that the devastating impact of these imports cannot and will not be brought under reasonable control until American mills can buy American cotton at the same price foreign mills can purchase it.

The difficulties encountered in the administration of the 1-year international cotton textile arrangement because of the two-price cotton program are carried over into the 5-year international cotton textile arrangement (October 1, 1962, to September 20, 1967), and will continue unless corrected by the establishment of one-price cotton.

To allow these imports to continue at their present rate is to cause a further deterioration in the American textile industry, with its inevitable adverse impact on the entire cotton economy and the millions dependent upon it for livelihood.

3. U.S. mills must use only American-grown upland type cotton, purchased at the U.S. Government supported price, except for an amount equal to less than 1 day's supply. In the 1962–63 cotton season an estimated 34.7 million bales, produced outside the United States, will be available to foreign mills at whatever prices they can bargain for. The result is that the foreigners can buy and do buy an important portion of their requirements at prices even lower than the subsidized U.S. export price. This condition exists today. The price of foreign cotton is 1 to 1½ cents per pound less than the price of U.S. cotton in foreign markets. This is in spite of the requirement in section 203 of the Agricultural Act of 1956, that U.S. cotton be competitively priced abroad. Thus, the inequity for the American mill in many instances is not restricted to the current 8½-cent differential—it is in the neighborhood of 9½ to 10 cents per pound or something more. When adjustments are made for the manufacturing waste losses involved in the higher priced cotton, the inequity is even greater.

4. The United States is the world's largest and most efficient producer of cotton.

The domestic textile manufacturing industry is the largest and most dependable outlet for this production. Primarily through Government imposed cost inequities, the domestic industry is losing markets at home and abroad, with the number of cotton spindles constantly declining. The U.S. industry is failing to expand its use of cotton, while outside the United States cotton consumption is at record high levels.

A bale of cotton is virtually worthless until it is processed. Thus, except for an uncertain export market, the strength of our Nation's raw cotton economy cannot possibly be any greater than that of the industry through which the product moves to market.

A healthy expanding textile industry with maximum employment and increasing cotton consumption is important not only to millions of those engaged in producing and handling cotton, but it is also vital to the growth and strength of the U.S. economy.

Since the President and the administration have recognized the existence of the undesirability of the two-price cotton system and have resolved to abolish it, the sooner it is forthrightly and completely accomplished, the better it will be for all concerned.

5. In addition to requiring competitive pricing, section 203 requires that we regain and maintain our fair historical share of the world market for cotton. To do otherwise continues to relegate us to the position of residual suppliers.

Expanding cotton exports for dollars is important to cotton farmers and to the industry. It is also vital to the maintenance of a favorable international balance of payments and our gold reserves.

6. Cotton is losing markets here at home to a wide variety of competing fibers and other products. Highly detailed studies by the Department of Agriculture, the National Cotton Council and the textile industry itself demonstrate beyond question that current price levels are destroying markets.

For example, rayon staple fiber production, with an increasing price advantage, continues to advance in the United States. From 1955, when production of rayon staple fiber was 9.9 percent of U.S. cotton consumption, it had increased to 11.6 percent in 1961.

It is the considered judgment of textile manufacturers who consume millions of bales of cotton annually, and who are constantly exploring every conceivable market outlet, that a return to a one-price system for cotton would give cotton an opportunity to share equitably in market expansion and regain some of its losses.

Over and beyond the cold competitive impact involved, a forthright one-price policy would have a tremendous psychological effect on both users and competitors of cotton. To the users it would provide new hope and confidence, with consequent investment incentives, where a lack of confidence now exists; to the competitors it would serve as a warning not to develop or expand competitive products based entirely on an artificially high cotton cost.

7. The U.S. Government backed by a broad cross section of public opinion, apparently is committed to a policy of removing barriers and freeing trade throughout the world. Although the policy has not yet been applied to most major agricultural products, there is no guarantee that this situation is permanent.

Cotton enjoys (1) a supported price substantially above the world level, (2) a virtually complete embargo on competitive imports--therefore a monopoly on domestic consumption, and (3) a legislated provision that export sales must be subsidized to whatever extent is necessary to insure export sales abroad at historic levels.

Everything considered, raw cotton enjoys what is probably the most complete protection of any important American product, either agricultural or manufactured.

However, this preferred position is jeopardized so long as foreign mills can buy U.S.-produced cotton at a price below that which U.S. mills are required to pay.

Supporting statistical tables with additional data are attached as exhibit B.

### CONCLUSION

The need for a return to one-price cotton is clear. The President has recognized this need and directed that it be met by the cooperation of all relevant interests in the executive branch of Government. The cotton industry supports the decision of the President and is eager to assist in designing the most desirable method of correcting the situation.

Textile markets already reflect uncertainty and hesitation attendant the timetable of carrying out the President's decision to abolish two-price cotton. Delay in getting the job done will continue to paralyze the market. Cotton will continue to pile up in Government warehouses. Foreign competitors will continue to harvest unearned and unjustified profits.

The return to one-price cotton must be complete and must take effect at the earliest possible moment.

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### EXHIBIT A

### ANALYSIS OF HANDLING AND MARKETING COSTS OF COTTON AND COTTON TEXTILES

Presently, the Federal Government subsidizes the purchase of U.S. cotton by foreign buyers in the amount of 8½ cents per pound. This creates a two-price system for U.S. cotton. It is well known that a substantial quantity of upland-type raw cotton is exported under this subsidy plan and later shipped back into this country in a manufactured form to compete with the output of U.S. mills. In seeking relief from the disadvantage caused by payment of this subsidy, domestic cotton textile manufacturers have been told that extra transportation and handling charges borne by foreign users of U.S. cotton serve to counteract a part of the 8½-cent-per-pound subsidy enjoyed by the foreign mills.

The purpose of this exhibit is to show that this is not the case. To illustrate the point it will be shown that textile manufacturers in the Southeastern United States do not have a freight advantage over Japanese textile merchants buying U.S. cotton and shipping cotton cloth to major U.S. markets located in either the East, West, or South. Fresno, Calif., is used as the point of origin of the raw cotton for both the foreign mills and the domestic manufacturers. Eastern, western, and southern market points of New York, New Orleans, and San Francisco are used to compare the landed cost of cotton cloth. These examples will show the cost of taking raw cotton from the producing area to the manufacturing areas and the cost of returning cotton cloth to the U.S. markets.

In preparing this exhibit, costs for the freight, handling and other services for textiles were computed on a basis considered most representative of actual movement of goods to and from the areas named. Freight on raw cotton to the domestic mills was considered by rail carload. From Charlotte, N.C., freight on textiles was figured by motortruck to New York and New Orleans, since the eastern and southern markets require truck service for delivery of cotton fabrics. To San Francisco from Charlotte, N.C., freight is shown via freight forwarder or motortruck because these services are demanded and carry most of the tonnage. Also, the costs for movement of cotton to Japan and cotton cloth from Japan are based on quantities and conditions considered most common.

Various import charges are based on flat charge per entry. Therefore, a typical shipment of 24,000 pounds of cotton cloth was used to measure these entry costs. In computing ocean freight from Japan to the United States, nonconference steamship rate quotations were used, and while these rates may appear low, in many instances they are considerably higher than the rates actually paid by the Japanese shippers. It should be pointed out that various schemes are employed in making ocean freight charges on shipments to and from Japan—wherein part of the cost of transporting cotton is used to further reduce negotiated "tramp" rates on cotton cloth returned to the United States.

The conclusion reached by the following examples A, B, and C is: (1) that the foreign mills have a cost advantage in freight and handling to the San Francisco market of more than 3⅓ cents per pound; and (2) that the difference between foreign mill cost and domestic mill cost for freight and handling to New York is only two-tenths of a cent per pound and to New Orleans only one-tenth of a cent per pound.

EXAMPLE A.—*Comparison of costs for delivery of cotton cloth to the San Francisco market using as nearly as can be determined the typical conditions of transportation*

| | Amount (cents) | For detail see— | | Amount (cents) | For detail see— |
|---|---|---|---|---|---|
| To and from Japan: | | | To and from Charlotte, N.C.: | | |
| Cost of delivery of raw cotton Fresno to Japan (per pound of cotton). | 4.660 | Exhibit 1. | Cost of delivery of raw cotton from Fresno to Charlotte (per pound of cotton). | 4.040 | Exhibit 1. |
| Cost of delivery of cotton cloth from Japan to San Francisco (per pound of cloth). | 1.998 | Exhibit 2. | Cost of delivery of cotton cloth from Charlotte to San Francisco (per pound of cloth). | 5.990 | Exhibit 5. |
| Total to and from Japan (per pound) | 6.658 | | Total to and from Charlotte (per pound) | 10.030 | |
| | | | Excess cost to domestic mill for delivery to San Francisco market (per pound). | 3.372 | |

EXAMPLE B.—*Comparison of costs for delivery of cotton cloth to the New York market using as nearly as can be determined the typical conditions of transportation*

| | Amount (cents) | For detail see— | | Amount (cents) | For detail see— |
|---|---|---|---|---|---|
| To and from Japan: | | | To and from Charlotte, N.C.: | | |
| Cost of delivery of raw cotton Fresno to Japan (per pound of cotton). | 4.660 | Exhibit 1. | Cost of delivery of raw cotton from Fresno to Charlotte (per pound of cotton). | 4.040 | Exhibit 1. |
| Cost of delivery of cotton cloth from Japan to New York (per pound of cloth). | 1.859 | Exhibit 4. | Cost of delivery of cotton cloth from Charlotte to New York (per pound of cloth). | 2.270 | Exhibit 5. |
| Total to and from Japan (per pound) | 6.519 | | Total to and from Charlotte (per pound) | 6.310 | |
| | | | Excess cost to foreign mill for delivery to New York market (per pound) | 0.209 | |

EXAMPLE C.—*Comparison of costs for delivery of cotton cloth to the New Orleans market using as nearly as can be determined the typical conditions of transportation*

| | Amount (cents) | For detail see— | | Amount (cents) | For detail see— |
|---|---|---|---|---|---|
| To and from Japan: | | | To and from Charlotte, N.C.: | | |
| Cost of delivery of raw cotton Fresno to Japan (per pound of cotton). | 4.660 | Exhibit 1. | Cost of delivery of raw cotton from Fresno to Charlotte (per pound of cotton). | 4.040 | Exhibit 1. |
| Cost of delivery of cotton cloth from Japan to New Orleans (per pound of cloth). | 1.877 | Exhibit 3. | Cost of delivery of cotton cloth from Charlotte to New Orleans (per pound of cloth). | 2.390 | Exhibit 5. |
| Total to and from Japan (per pound) | 6.537 | | Total to and from Charlotte (per pound) | 6.430 | |
| | | | Excess cost to foreign mill for delivery to New Orleans market (per pound). | .107 | |

EXHIBIT 1.—*Comparison of analysis of cost of purchasing, assembling for shipment, and delivery of raw cotton from origin to Japan through San Francisco and from Fresno, Calif., to Charlotte, N.C.*

| | San Francisco to Japan | Fresno, Calif., to Charlotte |
|---|---|---|
| | *Points* | *Points* |
| Buying commission | 20 | 20 |
| Invoicing charge (seller) | 10 | 10 |
| California ad valorem tax | 3 | 3 |
| Interest (45 days at 5 percent) | 21 | 21 |
| Insurance (interior) | 2 | 2 |
| Receiving and 1 month's storage | 19 | 19 |
| Loading and/or marking | 10 | 10 |
| Interior compression | 38 | 34 |
| Freight to port or group 201 | 48 | 181 |
| Forwarding | 2 | |
| Wharfage | 4 | |
| Patches | 10 | |
| Unloading at port and dock handling | 7 | |
| Exchange | 3 | 4 |
| Overhead | 50 | 50 |
| Ocean freight | 171 | |
| Tare | (1) | (1) |
| Controller (foreign) | 5 | |
| Insurance (marine and war risk) | 11 | |
| Insurance (country damage) | (2) | |
| Selling agent's commission | 32 | 20 |
| Quality exactness as against claims system under export contracts | | 30 |
| Total charges | 466 | 404 |
| Cents per pound | 4.66 | 4.04 |

[1] No allowance is made for tare in order to equalize selling terms of export and domestic shipments.

[2] No allowance is made for country damage insurance as most sales now are made for delivery at shipside with country damage insurance eliminated.

EXHIBIT 2.—*Cost of delivering cotton cloth, printed, dyed, or colored, carded—to San Francisco from shipside, Japanese port.*[1]

| | Tariff charges in dollars per unit shown | Tariff charges converted to cents per pound of sheeting |
|---|---|---|
| A. Ocean freight (nonconference rate quoted Oct. 25, 1962). | $28.00 per 2,000-pound ton | 1.400 |
| B. Marine and war-risk insurance | $0.3375 per $100 valuation | .327 |
| C. Wharfage | $0.80 per 2,000-pound ton or 40 cubic feet. | .060 |
| D. Dock handling fee | $1.35 per 2,000-pound ton | .068 |
| E. Customs broker fee | $15.00 per entry | .063 |
| F. Forwarding agent's fee | $7.50 per entry | .031 |
| G. Surety bond | $0.50 per $1,000 | .049 |
| Total charges | | 1.998 |

[1] In order to convert tariff charges (which vary with size of shipment, valuation, and method of packaging) to cents per pound of cloth, an example is shown of a shipment of 24,000 pounds of sheeting valued at 97 cents per pound at shipside, Japanese port. The price of 97 cents used was taken from Department of Commerce FT. 110, July 1962, as the valuation of this type of cloth imported from Japan during July 1962.

EXHIBIT 3.—*Cost of delivering cotton cloth, printed, dyed, or colored, carded—to New Orleans from shipside, Japanese port*[1]

| | Tariff charges in dollars per unit shown | Tariff charges converted to cents per pound of sheeting |
|---|---|---|
| A. Ocean freight (nonconference rate quoted Oct. 23, 1962). | $28.00 per 2,000-pound ton | 1.400 |
| B. Marine and war-risk insurance | $0.3375 per $100 valuation | .327 |
| C. Wharfage | $0.15 per 2,000-pound ton | .008 |
| D. Customs broker fee | $14.00 per entry | .058 |
| E. Forwarding agent's fee | $8.50 per entry | .035 |
| F. Surety bond | $0.50 per $1,000 valuation | .049 |
| Total charges | | 1.877 |

[1] In order to convert tariff charges (which vary with size of shipment, valuation, and method of packaging) to cents per pound of cloth, an example is shown of a shipment of 24,000 pounds of sheeting valued at 97 cents per pound at shipside, Japanese port. The price of 97 cents used was taken from Department of Commerce FT. 110, July 1962, as the valuation of this type of cloth imported from Japan during July 1962.

EXHIBIT 4.—*Cost of delivering cotton cloth, printed, dyed, or colored, carded—to New York from shipside, Japanese port*[1]

| | Tariff charges in dollars per unit shown | Tariff charges converted to cents per pound of sheeting |
|---|---|---|
| A. Ocean freight (nonconference rate quoted Oct. 23, 1962). | $28.00 per 2,000-pound ton | 1.400 |
| B. Marine and war-risk insurance | $0.3375 per $100 valuation | .327 |
| C. Wharfage | None | |
| D. Customs broker fee | $20 per entry | .083 |
| E. Forwarding agent's fee | Included in customs charge | |
| F. Surety bond | $0.50 per $1,000 valuation | .049 |
| Total charges | | 1.859 |

[1] In order to convert tariff charges (which vary with size of shipment, valuation, and method of packing) to cents per pound of cloth, an example is shown of a shipment of 24,000 pounds of sheeting valued at 97 cents per pound at shipside, Japanese port. The price of 97 cents used was taken from Department of Commerce FT. 110, July 1962, as the valuation of this type of cloth imported from Japan during July 1962.

EXHIBIT 5.—*Freight rates on cotton cloth from Charlotte, N.C.*

| To: Destination | Freight rate per hundred-weight | Shipment via |
|---|---|---|
| New York | $2.27 | Motor truck.[1] |
| New Orleans | 2.39 | Motor truck.[2] |
| San Francisco | 5.99 | Freight forwarder[3] or motor truck.[4] |

[1] Southern Motor Carriers Rate Conference, Agent, Motor Freight Tariff No. 9-R, MF-I.C.C. 1186.

[2] Southern Motor Carriers Rate Conference, Agent, Motor Freight Tariff No. 514-H, MF-I.C.C. 1179.

[3] Freight Forwarders Tariff Bureau, Inc., Tariff No. 6-B, I.C.C.-F.F. No. 54.

[4] Rocky Mountain Motor Tariff Bureau, Tariff No. 25-B, MF-I.C.C. No. 133.

## EXHIBIT B

### SUPPORTING STATISTICAL TABLES

### *Exhibit B-1*

| U.S. cotton export programs | | | U.S. cotton textile imports | | | |
|---|---|---|---|---|---|---|
| Cotton seasons | Export arrangements | Export discounts (cents per pound) | Calendar years | Cotton manufactures (thousands of cotton bale equivalents) | Countable cotton cloth only (millions of square yards) | Cotton yarn (thousands of square yard equivalents)[1] |
| 1952-53 | None | -------- | 1952 | 67.5 | 36.3 | 1,141 |
| 1953-54 | do | -------- | 1953 | 92.8 | 60.3 | 901 |
| 1954-55 | do | -------- | 1954 | 101.0 | 73.5 | 1,086 |
| 1955-56 | Competitive bid (short staple only). | -------- | 1955 | 181.2 | 133.2 | 653 |
| 1956-57 | Competitive bid | -------- | 1956 | 225.0 | 188.2 | 865 |
| 1957-58 | do | -------- | 1957 | 199.1 | 122.4 | 741 |
| 1958-59 | Competitive bid | -------- | 1958 | 233.8 | 142.6 | 3,850 |
| | (payment in kind subsidy) | 6.5 | -------- | -------- | -------- | -------- |
| 1959-60 | Payment in kind subsidy | 8.0 | 1959 | 360.0 | 241.0 | 6.348 |
| 1960-61 | do | 6.0 | 1960 | 525.5 | 454.9 | 69,649 |
| 1961-62 | do | 8.5 | 1961 | 393.1 | 254.5 | 63,954 |
| 1962-63 | do | 8.5 | 1962 | [2] 671.6 | [2] 471.7 | [2] 102,184 |

[1] Converted from pounds to square yards by 4.6 square yards to the pound of yarn.

[2] Annual rate based on 8 months, data.

Source: Compiled from data of U.S. Department of Agriculture and U.S. Department of Commerce.

### EXHIBIT B-2.—*Cumulative monthly totals of the level of U.S. cotton textile imports, short-term Geneva arrangement*

[In millions of square yards]

| | Percent of base per month, cumulative | Fiscal year 1961 base, cumulative | Actual imports, cumulative | Under or over fiscal year 1961 base, cumulative | Percent actual imports to base |
|---|---|---|---|---|---|
| October | 8 | 45.4 | 41.7 | −3.7 | 7 |
| November | 17 | 96.4 | 83.5 | −12.9 | 15 |
| December | 25 | 141.8 | 141.2 | −0.6 | 25 |
| January | 33 | 187.1 | 213.3 | +26.2 | 38 |
| February | 42 | 238.1 | 285.7 | +47.6 | 50 |
| March | 50 | 283.5 | 363.7 | +80.2 | 64 |
| April | 58 | 328.9 | 448.6 | +119.7 | 79 |
| May | 67 | 380.0 | 514.0 | +134.0 | 91 |
| June | 75 | 425.3 | 572.4 | +147.1 | 101 |
| July | 83 | 470.6 | 626.0 | +155.4 | 110 |
| August | 92 | 521.6 | 689.7 | +168.1 | 122 |
| September | 100 | 566.9 | 753.7 | +186.8 | 133 |

### EXHIBIT B-3.—*U.S. cotton system spindle activity*

| Cotton crop year beginning Aug. 1 | Spindles[1] active (thousands) | Percent active— | |
|---|---|---|---|
| | | On 100 percent cotton | On other fibers |
| 1954-55 | 20,716 | 92.4 | 7.6 |
| 1955-56 | 20,557 | 92.5 | 7.5 |
| 1956-57 | 19,760 | 91.5 | 8.5 |
| 1957-58 | 19,241 | 91.0 | 9.0 |
| 1958-59 | 19,166 | 91.3 | 8.7 |
| 1959-60 | 19,228 | 91.2 | 8.8 |
| 1960-61 | 18,986 | 91.0 | 9.0 |
| 1961-62 | 18,761 | 90.2 | 9.8 |
| 1962 August | 18,798 | 89.0 | 11.0 |
| 1962 September | 18,689 | 88.5 | 11.5 |

[1] Annual spindles active on July 31 at the end of the cotton crop year.

Source: U.S. Department of Commerce.

### EXHIBIT B-4.—*U.S. manufacturing employment*

[In thousands]

| Year | (1) All manufacturing industries | (2) Textile mill products industry | Ratio of (2) to (1) |
|---|---|---|---|
| 1955 | 16,882 | 1,050 | 6.2 |
| 1956 | 17,243 | 1,032 | 6.0 |
| 1957 | 17,174 | 981 | 5.7 |
| 1958 | 15,945 | 919 | 5.8 |
| 1959 | 16,667 | 943 | 5.7 |
| 1960 | 16,762 | 915 | 5.5 |
| 1961 | 16,267 | 879 | 5.4 |
| 1961 (September) | 16,323 | 880 | 5.4 |
| 1962 (September) | 16,776 | 874 | 5.2 |

Source: U.S. Department of Labor.

### EXHIBIT B-5.—*U.S. per capita mill consumption of fibers*

| Year | Cotton (in pounds) | All fibers (in pounds) | Cotton (in percent of all fibers) |
|---|---|---|---|
| 1955 | 26.5 | 40.6 | 65.3 |
| 1956 | 25.9 | 39.0 | 66.4 |
| 1957 | 23.7 | 36.4 | 65.1 |
| 1958 | 22.2 | 34.3 | 64.7 |
| 1959 | 24.5 | 38.7 | 63.3 |
| 1960 | 23.2 | 35.9 | 64.6 |
| 1961 | 22.2 | 35.7 | 62.2 |
| 1962 (estimate)[1] | 22.8 | 37.5 | 60.8 |

[1] Preliminary estimate based on 9 months.

Source: U.S. Department of Agriculture.

EXHIBIT B-6.—*Cotton consumption: United States and world*

[In thousands of bales]

| Year beginning Aug. 1 | Total world consumption | U.S. consumption [1] | Ratio of United States to world | Total U.S. population [2] | |
|---|---|---|---|---|---|
| | | | | Year | Number |
| 1954–55 | 39,863 | 8,841 | 22.2 | 1955 | 165.3 |
| 1955–56 | 41,209 | 9,210 | 22.3 | 1956 | 168.2 |
| 1956–57 | 42,956 | 8,608 | 20.0 | 1957 | 171.2 |
| 1957–58 | 42,914 | 7,999 | 18.6 | 1958 | 174.1 |
| 1958–59 | 45,664 | 8,703 | 19.1 | 1959 | 177.1 |
| 1959–60 | 48,356 | 9,025 | 18.7 | 1960 | 180.7 |
| 1960–61 | 47,986 | 8,279 | 17.3 | 1961 | 183.7 |
| 1961–62 | 48,173 | 8,979 | 18.6 | 1962 | 186.3 |
| 1962–63 | [3] 48,200 | [3] 8,400 | 17.4 | | |

[1] Running bales.

[2] On July 1 of each year (in millions of persons).

[3] Estimate.

Sources: International Cotton Advisory Committee and U.S. Department of Commerce.

### THE TWO-PRICE COTTON SYSTEM

(Excerpts from an address by Robert C. Jackson, executive vice president, ATMI)

What is the two-price system? How did it originate? Can we now be certain that it will be changed? These are questions that are being asked many times every day. Without an expression of personal opinion, let's look at the facts.

The two-price cotton system results from Federal law. There are three principal Government policies which, in combination, are responsible:

1. Since the 1930's the U.S. Government has administered a farm program, under which the price for U.S. grown cotton is supported at an artificial level. The support at present is at least $42.50 per bale, or one-third higher than the price on the free world market.

2. The Government since 1939 has maintained rigid import quotas on raw cotton, limiting imports of upland types to less than 1 day's supply. Upland cotton accounts for about 98 percent of all cotton used by American mills. Consequently, since our mills are denied access to foreign-grown cotton, they must purchase American-grown cotton at the very substantially higher supported price. It is amazing how few people understand this fact.

3. Because U.S. cotton was priced above the free world price, export markets started declining. Also, the high price of our cotton encouraged other countries to build up their production. So in order to make cotton competitive overseas and discourage foreign production, Congress, in 1956, ordered that the United States should subsidize the price difference, making our cotton available on the world market at or near world prices. This subsidy currently amounts to 8½ cents per pound, or $42.50 a bale.

The effect of this combination of Government policy is to impose upon the domestic textile industry an intolerably unfair situation that is increasing imports by leaps and bounds, completely disrupting a broad cross section of the textile and apparel market, stimulating consumption of competing products, shrinking an industry that is vital to the economy and security of the Nation, and killing off jobs.

The effect of the imports goes further than the loss of American production and jobs—great as these are. They affect the price earnings and investment structure of our industry to a great degree. On the American mill and his selling agent falls the constant specter of foreign produced goods being offered at below-cost prices, underselling him not because the foreign mill is more modern or efficient, or because it produces a prettier, better styled, more serviceable or more durable product, but solely because the price is cheaper, and cheaper solely because the mill has access to cotton, including American cotton, at one-third less than the domestic mill must pay, and because the foreign mill pays a wage that could not be tolerated, legally or otherwise, in this country.

President Kennedy, in outlining his seven-point textile program last year, directed the Department of Agriculture "to explore and make recommendations to eliminate or offset the cost to U.S. mills of the adverse differential in raw cotton costs between domestic and foreign textile producers."

After long and careful thought the Department decided to try and offset the inequity, so far as imports are concerned, through the imposition of an import fee on the cotton content of imported textile products. You are completely familiar with the history of the section 22 case under which the attempt was made, and lost. We could talk at length about that case, its prosecution, and the factors responsible for the adverse decision. Suffice to say it was bitterly opposed within Government, although the Department of Agriculture performed outstandingly in supporting it.

In commenting on the decision on September 6, President Kennedy included these words:

"Thus, the inequity of the two-price system of cotton costs remains as a unique burden upon the American textile industry, for which a solution must be found in the near future.

"I am therefore requesting the Department of Agriculture to give immediate attention to the formulation of a domestic program that would eliminate this inequity. Such a program will undoubtedly require enabling legislation.

"Early in the next session of Congress I shall recommend legislation designed to remove the inequity created by the present two-price cotton system."

During the interval since the President made that statement, there has been intensive activity on the subject, both in and out of Government. ATMI has been, is, and undoubtedly will remain heavily involved.

There seems to be a widespread assumption, in some quarters at least, that the desired result is assured. I wish those of us who are so intimately involved with the situation could be that confident. Here are the facts:

Having failed in an effort to offset the adverse differential, the objective now will be to eliminate it. That would mean a return to a one-price system—to make cotton available to American mills at the same price foreign mills pay.

This objective can be achieved only through one of three ways, or perhaps through a combination of two of them:

1. Reduce the support price to the farmer by the difference between the United States and the world price for cotton. Based on current differences, this would mean a reduction of at least 8½ cents per pound, or 25 percent.

2. Repeal the law requiring the export of cotton at world prices, and eliminate the quota on imports of foreign grown cottons.

(I leave to your good judgment the possibilities of the administration supporting, or the Congress enacting, either of these approaches.)

3. The third alternative would involve some type of payment on the domestically consumed portion of the crop, presumably to a merchant or handler, just as such payments are now made on the export portion.

This last approach involves two separate legislative actions. In the first place, enabling legislation is required to permit the Department of Agriculture to make such payments. This legislation must move successfully through the Agriculture Committees of both Houses, and then be favorably approved by each House. In the next place, the required appropriations must move through the Appropriations Committees of the House and the Senate, and then the two Houses.

Historically, there has been strong opposition in these committees and in the Congress to any sort of payment program.

Those of you who have ever had experience in the passage of legislation by the National Congress will immediately recognize the magnitude of the problem involved.

This is not to say that there won't be a massive effort to get something done about this unbelievably unfair situation. But it is to say that anyone who thinks he can predict either the outcome or its timing is living in a completely isolated dream world.

In the meantime, here is all we really know for sure about the cotton cost situation:

1. The support level on the 1962 cotton crop now being harvested, and which will be consumed during the next year, has been fixed by law at exactly the same base level it was last year. Obviously, the farmer will either sell his cotton above the loan level, or put it in the loan.

2. If he puts his cotton in the loan, it remains there until repossessed for sale at a higher level, or until it becomes Government-owned cotton on August 1, 1963.

3. By law, the Government cannot sell cotton from the stockpile below 115 percent of the support price, with the purchaser paying accumulated storage and other charges.

Thus, if any of you can figure any way that a domestic mill can procure cotton, at a price below the limitations just described, between now and the availability of the 1963 crop in the fall of next year, I can take you this afternoon to some mill presidents who will pay you handsomely for the information.

I would have the hope that this would be the last time I would have to stand up here and talk about the textile industry. As an American citizen, I think it is high time that the textile industry has less promises and more assurances. I, again, thank the President for instituting a program after years and years of indifference.

I salute Secretary Hodges and those of the Inter-Agency Committee who have fought to implement this program. Along with others, I am ready, willing, and wanting to be of some help, for help we must have if we are to prosper, or if we are to survive.

I call attention of the Congress and of the citizens of this country that while we are trying to get the legislation to correct the two-price cotton inequities, and while we are trying to recover from an unjust blow rendered by the decisions of the Tariff Commission, the textile situation is deteriorating. Those whose friendship is apparently based on what they can get out of us, are flooding our markets, ballooning the size of their imports, and using every conceivable trick and loophole to ruin the American textile market.

The two-price cotton system must go, the textile industry must have the relief intended and promised, and I ask the cooperation of the Members of the U.S. House of Representatives and the Senate in our endeavors to this end.

**Mr. WHITENER.** Mr. Speaker, will the gentleman yield?

**Mr. HEMPHILL.** I am delighted to yield to the gentleman from North Carolina.

**Mr. WHITENER.** Mr. Speaker, I again commend my friend and neighbor, the gentleman from South Carolina [Mr. HEMPHILL], for bringing to the attention of the House the problem which is still confronting the great textile industry of this Nation.

Mr. Speaker, in recent days we have been encouraged by indications that the rest of the Nation has become awakened to the problems confronting textiles. I think this is proper, when we realize that the textile industry constitutes the second largest employer of people of any of the industries of America.

Mr. Speaker, as I have said so many times here on the floor of the House, I am privileged to represent the greatest concentration of textile industry to be found anywhere in the world. In my State of North Carolina over 225,000 people directly earn their livelihood in the textile plants.

In recent years some of the signs that we see have given us reason to believe that not only is the textile industry confronted with an emergency situation, but our agricultural economy is greatly threatened. This results from a continuing loss of a domestic cotton market as mills close or turn to synthetic fibers.

Mr. Speaker, we have had a difficult time getting some of our friends who say that they are primarily concerned with the interests of cotton producers to understand that this is a problem which is touching with equal force—and with equal peril—both the cotton farmer and the people who earn their livelihoods at the machines in the textile plants.

I am told by textile people in my district that by reason of the uncertainty as to what we will do here in the Congress the industry and the cotton economy is faced with a very delicate situation. The legislation which is now pending, and the realization that there may be some change of course in it, has resulted in textile mills not buying cotton any further ahead than is absolutely necessary. At the same time, the mills are faced with the problem that the purchasers of the yarn and cotton textile fabrics will not buy in advance because of the uncertainty of the times. This is something which is sweeping across the entire cotton agricultural and textile picture and unless something is done with real dispatch in the legislative area I am afraid that our Nation is going to experience some real economic losses.

In my own congressional district the people interested in textiles tell me that we are faced with another problem in connection with the present cotton program. They say that it is difficult today to get high quality domestically produced upland cotton. This is something to which I believe the Committee on Agriculture should give immediate thought because it appears that the quality of the cotton now being produced on the eastern side of the country, including the delta area, is not meeting the standards required for fine cotton yarns.

Because of this and the two-price cotton situation daily we learn that additional plants are shifting over to synthetic fibers. The record will show that each passing month the textile industry in America is consuming a lesser amount of cotton than was consumed in the preceding year, in great measure because of the shift to synthetic fibers. There is good reason for this. In the first place the price situation on synthetics is a fairly stable sort of thing. Quality is no problem. Supply is no problem. The same machinery, with minor adjustments, can be used to process the synthetic as is used to process the cotton fiber. And then, too, we see in the industry a greater amount of research and development in synthetics than is being done in cotton.

All of this should, I think, warn the cotton farmers that their economic future is in jeopardy.

The two-price cotton situation is, in my judgment, completely indefensible. It seems to me we have an obligation here in the Congress if we are to serve the economic welfare of our country, in agriculture as well as the textile manufacturing phases of our economy, to find an immediate solution to this problem. Unless we do, the domestic cotton market is going to continue to diminish.

Then, too, we are going to see an increase in the elimination of spindles, such as we have experienced during the past 10 years when over 818 textile plants have closed their doors in this country.

There are many, many other things which are going to happen, in my judgment, unless we find a quick solution of the problem. Recently, as a matter of fact on December 15, 1962, one of my very close friends, the then editor of the Shelby Daily Star, in my district, wrote an editorial as well as a feature story on his study of the two-price cotton situation. The young man who wrote this story was one of the bright young men in the newspaper field in the State of North Carolina. Unfortunately, last Monday morning this fine 37-year-young newspaper editor went to his reward very suddenly. But I believe that what he wrote on December 15 might, if put in the RECORD here today, give light and knowledge to many of our friends who are not familiar with the plight of the textile industry and the people who work in that industry.

So, Mr. Speaker, I ask unanimous consent that at this point in the RECORD I may include an editorial as well as a news story written by the late Richard L. Shelton, editor of the Shelby Daily Star, on December 15, 1962.

The **SPEAKER** pro tempore (Mr. GONZALEZ). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The editorial and article referred to follow:

### BURDEN OF TWO-PRICE COTTON UNFAIRLY BORNE BY INDUSTRY

The current issue of two-price cotton is vital to every citizen in this country and every citizen should become informed about this situation, even get excited about it.

On the one hand, we have our textile industries employing thousands of our friends and neighbors and adding millions of dollars each year to our local economy.

On the other hand, we have our cotton farmers who, while seeing the stature of their crop decline drastically over the past 14 years, still add over $3 million annually to the local economy.

The outcome of current discussions on the present price system as regards raw cotton for domestic and foreign consumption will affect both these vital elements and in turn every one of us.

The issue is simply this: For the past several years, the U.S. Government, with the objective of holding up the price and enlarging the market for American cotton has allowed foreign competitors to buy American cotton at the world price, but has required American industries to pay the inflated, supported price. (Currently the difference is 8½ cents per pound.)

Plainly, the result of this two-price structure has been a subsidy to foreign textile industrialists at the expense of the American taxpayer.

Also as a result of this two-price system, American manufacturers have had to turn increasingly to manmade fibers and to decrease where possible their use of cotton.

The objectives of the price supports and the discount to foreign purchasers have been at least in part defeated. The consumption of cotton is going to drop drastically as further inroads into the market are made by the synthetic fibers.

American textile industries continue to bear the burden of a raw cotton price about one-third higher than their foreign competitors.

This situation must be corrected. The President agrees with this view. The U.S. Department of Agriculture agrees with this view. The cotton farmers agree with this view.

The bugaboo is how.

American textile industrialists last year recommended that foreign goods imported into the United States be required to bear an equalization fee based upon the amount of cotton content in their finished goods. At current rates, this equalization fee would be about 8½ cents per pound.

This proposal, which had the support of President Kennedy, would have required foreign competitors of U.S. industries to pay the same raw material price as our domestic industries and at no cost to the American taxpayer.

In the fall, the U.S. Tariff Commission turned down this proposal.

Now, Under Secretary of Agriculture Charles Murphy has declared that his Department will probably support an action by Congress to eliminate the two-price system applied to raw cotton and to establish a plan whereby American industries can pay the unsupported world price for cotton.

In our view, this proposal has unfairly been termed a "subsidy to American textile manufacturers." Wherever such a subsidy might be applied, it would not be designed primarily to protect the textile industry, but rather to continue a support program on the price the American farmer receives for his cotton.

American textile manufacturers want the right to buy their raw materials at the free enterprise market price. Any Government action that prevents them from doing so is an unfair restraint of free trade and any Government action that removes such an inequity cannot be considered a subsidy to industry.

Unfortunately, this "subsidy" terminology is being given an undue importance. Farmers don't want it said that they will benefit from another Government handout. (But they will.) Original buyers of raw cotton hesitate to accept the subsidy label. (Why?) Many are jumping to accuse textile leaders of asking for a subsidy. (This is not true.)

Congress will resolve the issue and, frankly, it matters little to us where the Government subsidy is applied. We would prefer to see foreign manufacturers carry their proper burden, but if they cannot be required to do so then American industries should not be made to pay for what essentially is a foreign aid matter.

If the only solution is to pay someone the difference between the supported price and the world price, let Congress apply the technique with the least amount of paperwork and bureaucratic manipulation.

Let anyone call this procedure whatever they wish. Whatever it's called, it will be a burden spread equally over all the taxpayers where it belongs, rather than on the textile industry alone.

We shall depend upon our Senators and upon Representative BASIL L. WHITENER, who is thoroughly sympathetic with the textile industries, to help remove the inequity of two-price cotton early in the next session of Congress.

And we would hope that our readers would join with us in letting our officials know how they feel about this matter.

### Textilists See Cotton Price Issue as Key to Future of Southern Mills

(By Richard L. Shelton)

Caesar Cone fits his name. He sucks cigarettes since he decided to stop smoking. He speaks in earthy English, pulls no sophisticated veneer over his language, hides not his origin as a Jew and lets anyone close by know exactly where he stands.

Right now, this president of Cone Mills Corp. is mad as a hatter about the two-price system of cotton.

Robert T. Stevens looks the part of a polished, educated business executive. He talks the part, too, and he has considerable ability in parrying the probing question and in getting his point across with the smile of a public relations specialist.

Right now, this president of J. P. Stevens & Co., Inc., is pointing to the two-price system regarding cotton.

These two were the biggest wheels to face some 40 newsmen during a 2-day textile tour early this week sponsored by the American Textile Manufacturers Institute.

Purpose of the tour was twofold: (1) To give newsmen a look at modern-day cotton manufacturing plants and (2) to explain why American textile leaders are getting a raw (cotton) deal.

ATMI staffers Sadler Love, of Charlotte, and his associates, Jack Holland, of Greensboro, Harry Murphy, of Washington, D.C., and John Wiggington, of Clemson, S.C., hosted the tour and they cracked a gentle whip around the headquarters at Greensboro's newest and ritziest hostelry, the Towne House Motor Lodge.

The two-price system of cotton that Stevens comments upon and Cone screams about can be explained very simply. The United States Government sets the price that American manufacturers must pay for raw cotton and also establishes regulations that prevent American manufacturers from buying more than a tad of foreign-grown cotton.

At the same time, the United States Government permits foreign manufacturers to buy American cotton at the world price and makes up the difference by paying a subsidy (presently about 8½ cents a pound) to the exporters of raw cotton.

Thus, American manufacturers must pay about one-third more for U.S. cotton than do foreign mills.

Cone has a right to scream louder than Stevens. Almost all the production in his sprawling textile empire (including a plant at nearby Cliffside) is in cotton production, while the Stevens company leans heavily toward synthetics.

The dynamic Cone outlines the problem clearly. "Either we get some relief," he exclaims, "or we're gonna have to close some more mills."

He can illustrate his stand. Holding a child's suit out of a fancy print cloth, Cone noted that the pattern was "lifted" by a foreign competitor, reproduced on a better grade of cotton cloth and shipped back into the States at almost a dollar cheaper per garment than Americans can produce it.

"That's the kind of competition the U.S. Government is forcing down our throats," Cone says, "and if the American people realized it, they wouldn't stand for it."

Stevens says the same thing. He claims the American taxpayers are helping encourage "sweat labor" in foreign lands.

"Americans have always worked for higher living standards and better working conditions for all people," Stevens declared. "But they are supporting exactly the opposite with this ridiculous two-price cotton system."

And what is going to happen if the textilists don't get some relief?

Cone says that cotton mills will close and those who can't shift to production in syntheteics will simply go out of business.

"If that's going to help the American cotton farmer, I don't see how," Cone says.

And he brings up another interesting point. "American cotton farmers are not producing cotton for the mills, they're growing it for the Government loan," Cone says.

What he means is that farmers and ginners are not interested in anything but the staple length of the raw cotton and will process the raw cotton for length and appearance and then sit back for the highest Government loan. What kind of cotton results?

"Lousy," says Cone. "It doesn't spin well."

He also complains of the archaic grading system used by the Government. With all the scientific devices available for testing the true quality of raw cotton, Cone complains that the Government still grades it by eye and by hand.

"That's stupid," says Cone.

Stevens is more circumspect about the situation. "We cannot be wholly selfish in the matter," the former Army Secretary says. "We must consider the plight of the small farmer and cooperate in a program that will assure him a fair return for his cotton and still allow American manufacturers to buy the cotton at the same price their foreign competitors can."

What this plainly means is a government subsidy applied at some point between the plow and the production line. Cone and Stevens both object to the term "subsidy" being applied to the textile industry. All manufacturers want, they say, is the right to buy cotton at the same price as others can buy it.

Unless this happens, Stevens says, cotton will die as a major manufacturing yarn and will be supplanted by the synthetics. When this occurs, Stevens claims, the cotton farmer will then be growing his cotton only for government warehouses and there will be no more American cotton textile industry worthy of the name.

"And it's not far off," echoes Cone.

Hearings before a House Agriculture Subcommittee were held Thursday and Friday of this week on ways to correct the two-price system. Testimony followed the line described above.

All signs point to a final determination in Congress and local textilists who manufacture cotton will be vitally affected by the outcome.

So, apparently, will all who earn their wages at the cotton loom and cotton spindle.

It was a revelation to accompany the newsmen—many of them from northern papers—through the modern cotton textile plants of today.

At Cone's White Oak plant we saw what they said was the largest weave room under one roof in the world—all looms running cotton cloth. We saw the most modern machinery available as the cotton bales were broken open and prepared for the intricate journey from boll to bolt.

At Proximity Print Works, also a Cone plant, we saw cotton cloth receiving complicated and colorful patterns applied by skilled craftsmen, who are truly artists at their jobs. (The complexity of this printing job was truly appreciated by the newsmen, who know the bugs in a press and a deadline.)

Burlington Industries Research and Development Center showed the group how the textile industry spends a considerable sum of money and much time and effort in finding ways to do new jobs with cotton and better ways of doing old jobs, all with an eye to putting the farmers' production to an increased use.

Then, at Stevens' administrative office for its synthetic division, the group saw the most modern computer designed for textile use. It takes orders from a New York office and then channels them through some 18 plants for production, shipping dates, raw material orders, freight rates and final billing—all within a matter of seconds.

Newsmen didn't understand how it works, and we felt that only a handful of computer technicians with Stevens really understood the mechanical brain.

But Stevens executives understand that the computer system replaces tons of file equipment and does paperwork faster than hundreds of clerks.

On the final morning of the tour, we were guided through Dan River Mills in Danville, Va. We saw new machinery resulting from a continuing modernization program that saw $3 million spent last year.

Textile workers in this area would thrill to the modern slashing machines that apply sizing to yarn in an automatic process three times as fast as older machines.

In another room, we saw German-made quilling machines where only 28 operators supply the needs of over 2,000 looms.

The impact of the tour was plain to the newsmen. We saw literally thousands of southern textile employees, busy in clean, modern plants and all dependent upon the fate of the cotton textile business for their future.

When one translates the problem of cotton textile industrialists into the destinies of this many families, it becomes a very human thing.

That's the picture ATMI execs wanted America's press to have; and at least 40 of us got it.

Mr. WHITENER. May I again say to my friend from South Carolina that I appreciate his having an interest in this problem, which is a great one for his district, which adjoins the district I am privileged to represent, even though located in another State. I know that all of the people of his district and of my district and of the district of the gentleman from North Carolina [Mr. BROYHILL], who just spoke briefly, will appreciate what he is doing, along with other Members of Congress, in trying to sound a warning to America about this serious problem we are facing.

Let me close by saying this, that those of you who feel that your primary interest is in the agricultural economy might well reevaluate your position. I happen to have in my congressional district the second largest cotton-producing county in North Carolina. I have in my district the greatest textile-producing area in America. I am not saying anything here that I have not said to our farm people, but these people are going to have to realize that they have an interest in bringing about an elimination of this unfair two-price cotton program, if the two great segments—cotton agriculture and cotton industry—of our economy are going to survive. I hope we will find a way that will be satisfactory to a majority of the membership of the Congress and to the people who are so primarily concerned with this problem, as we move along in the coming days.

I thank the gentleman.

**Mr. HEMPHILL.** I want to thank the gentleman from North Carolina. He and I have been after this problem for many, many years on many occasions here. He has always been a champion of the people in his district who are dependent on the textile industry.

I might say to the gentleman that, as he pointed out in the remarks he made today, on a recent visit with the Cotton Subcommittee of the Committee on Agriculture of the U.S. House of Representatives down into North and South Carolina, we found mill after mill which could convert to rayon within 24 hours.

Now the people who are in the cotton producing States of this Nation regardless of section had best know now unless the two-price differential is corrected, because of the waste factors and other factors, that make rayon so much cheaper per pound in the initial stage of production and also at the usable stage of production in a textile mill that people are going to convert to rayon and they are not going to buy cotton. Then instead of having a 9 million bale surplus in August each year or thereabouts, they are going to have an 18 million bale surplus or a 12 million bale surplus, and we are going to put people out of work and people are going to say, "Why grow this stuff just to send it overseas?" This situation will have a terrific impact on this one part of the great agricultural economy of our country and that is the cotton producing effort.

Mr. Speaker, I am happy to yield at this time to the distinguished gentleman from the Second District of New Hampshire [Mr. CLEVELAND]. I am happy to welcome our new colleague to take part in this effort in behalf of the textile industry of this country, that we have been making here on the floor of the House of Representatives.

**Mr. CLEVELAND.** I thank my colleague very much.

Mr. Speaker, I would like to join with the gentleman from South Carolina [Mr. HEMPHILL] in his remarks concerning the impact of textile imports on our economy. As the gentleman has pointed out, and as the gentleman from North Carolina pointed out, this is a matter which is above party considerations. I want to remind you, sir, it is not a sectional matter either. It is a matter that concerns us in New Hampshire and in New England generally. This is one of the first matters that I have looked into since I have come to the Congress.

I would like to include the following to indicate the importance of this to New Hampshire:

Employment: 13,860.

Rank in manufacturing industries: second.

Percent of manufacturing employment: 16.

Number of establishments: 132.

Annual payroll: $48,844,000.

Value added by manufacture, annually: $75,303,000.

The largest segment of the New Hampshire textile industry is concentrated in the production of woolens and worsteds. Woolen and worsted mills in this State produce approximately 57 million square yards of wool cloth per year, equal to 12 percent of U.S. production of such goods and the fourth largest production of any State.

Approximately an equal number of workers are employed in servicing this region's industry with transportation, fuel, chemicals, and related products.

I would also like to include a letter from the National Association of Wool Manufacturers highlighting the crisis in the increase of wool-product imports:

JANUARY 9, 1963.

Hon. JAMES C. CLEVELAND,
*House Office Building,*
*Washington, D.C.*

DEAR CONGRESSMAN CLEVELAND: Proposals of some administration officials to attempt to solve the wool-product import problem through tariff adjustments rather than quantitative restrictions are profoundly disturbing. Thus, it is with a deep sense of urgency that I enclose a copy of a letter to Senator PASTORE and Congressman VINSON as leaders of the Senate and House groups vitally concerned with the problems of the U.S. fiber, textile and apparel industries and their effect on the general welfare. As stated in their letter, 16 industry and labor organizations firmly believe that tariff adjustments can neither solve the wool product import problem nor meet the objectives of the President's textile program.

The position of the 16 management and labor groups is solidly behind quantitative restrictions by countries and by categories. The need is urgent. If there ever was a situation in which time was of the essence, this is it because wool-product imports are at record levels with the 1962 volume 80 percent over 1961 and this growth continues.

On behalf of this association, representing wool textile manufacturers throughout the Nation, I urge your full cooperation with Senator PASTORE and Congressman VINSON in their efforts to obtain adequate import curbs.

Respectfully,

EDWIN WILKINSON.

This problem is substantiated by the following memorandum:

### WOOL TEXTILES

The rising level of wool textile imports in the postwar period increased in intensity during 1962 after a temporary letup in 1961. Imports in 1962 are 80 percent higher than 1961 and 34 percent higher than the record year of 1960.

Imports as a percent of domestic production, have risen from less than 1 percent in 1947 to over 25 percent in 1962. As a percent of domestic consumption, imports now exceed 20 percent. This compares with the 15 to 16 percent which existed earlier in 1962 when a group of Senators and House Members discussed this matter with the President.

The crisis in the industry has worsened progressively month by month in 1962 and will continue in 1963. Many mills are now on short time, and others have closed. The urgency of the present situation cannot be overemphasized.

Every segment of the industry is being seriously affected.

| | Millions of square yards equivalent | | Percent increase |
|---|---|---|---|
| | 1961 | 1962 (estimated) | |
| Tops | 6.4 | 11.5 | 80 |
| Yarns | 9.2 | 19.0 | 107 |
| Fabrics | 38.2 | 68.3 | 82 |
| Knit goods | 19.6 | 30.1 | 53 |
| Woven apparel | 8.7 | 21.6 | 148 |
| Other | 2.6 | 2.3 | (12) |
| Total | 84.8 | 153.0 | 80 |

These consequences were predicted by Senator PASTORE'S Subcommittee in 1959, 1960, and 1961. The danger was also recognized by the President. He instituted a Cabinet committee investigation early in 1961 and announced a textile program to restrain imports on May 2, 1961. Procedures were set up to implement the program. An Interagency Textile Administrative Committee, two Labor-Management Textile Advisory Committees—one for wool—were established, cotton arrangements were negotiated, and numerous other activities affecting wool as well as other textiles took place.

Nevertheless, nothing has been done to limit imports of wool manufactures in spite of the rising levels and domestic curtailment in 1962, and in spite of the repeated assurances of the President and other administration officials given to Members of Congress and the industry.

### COTTON TEXTILES

International quota arrangements have been negotiated for cotton textiles and apparel which last until 1967. Although imports of cotton goods exceeded the quota levels by 33 percent during the first year it is hoped that stricter administration and enforcement will hold imports at or slightly below the new levels which exceed a billion square yards in the form of cloth, yarn, apparel, and other cotton products.

Legislative efforts to eliminate the two-price cotton system, approved by the administration, will go a long way in improving the import situation if successful.

### MANMADE FIBER TEXTILES

No action has been taken to limit imports of manmade fiber textiles although imports in 1962 are running about 50 percent over 1961.

### THE ONLY CURE

The Senate investigations and the extensive experience of management and labor lead to a single unanimous conclusion; namely, quotas are essential to control imports of textiles and apparel. To be effective, quotas must be distributed by country and by category of goods. Tariffs, unless confiscatory, alone are not adequate.

The United Kingdom, Italy, and Japan supply 75 percent of the imports of wool goods to this country. The balance comes from numerous sources, including Hong Kong and other eastern countries.

An attempt to control imports by tariff adjustments is doomed to failure because it is impossible to equalize the selling prices of imported goods from varied sources by a single uniform tariff. Not only do costs of production differ widely between such countries as England and Japan, but numerous systems of export incentives and other devices vary between countries and from time to time.

Because of the tremendous spread between the costs of producing textile items and apparel in such diverse places as Hong Kong and Western Europe, a duty sufficient to control imports from Europe would have no effect on eastern sources. Conversely, a duty high enough to control, say, Hong Kong exports would shut off traditional sources such as England and France and would, therefore, be politically unrealistic. The inadequacy of tariffs alone was recognized in the Cotton Arrangements negotiated at Geneva.

Tariff adjustments would only frustrate the President's program and result in further deterioration of the industry.

### TRADE EXPANSION ACT AND THE TEXTILE PROGRAM

The textile program is a domestic program which predates the Trade Expansion Act. The direction and control of the textile program or any part of it should not be turned over to those who will administer the Trade Expansion Act (TEA). To do so would be contrary to representations made to industry and labor and Members of Congress.

Congressional and industry leaders were repeatedly told that, once the cotton arrangements were concluded, wool and manmade textiles import problems would be resolved. This has not been done although negotiations of the cotton textile arrangements were completed in February 1962.

The President established special procedures, including the Cabinet subcommittee, the Interagency Textile Advisory Committee, the Labor-Management Textile Advisory Committee, and the Labor-Managemnet Wool Advisory Committee in 1961 to deal with these matters. Intensive study and work has been performed by these groups and a background of knowledge and talent exists.

To abandon 2 years of work and to transfer the program to a new agency, just does not make sense. If the textile program were transferred to the Trade Expansion Agency it would be generally believed in the industry that the program had been scuttled and that the industry was again considered expendable. This unfortunate feeling already exists in many quarters and can only be corrected by promptly limiting the quantity of imports of wool and manmade fiber textiles by countries and by categories.

### CONCLUSION

We believe the textile program should be carried out promptly. This implementation should be under the immediate direction and control of the President who should continue to utilize the existing personnel and machinery and, under no circumstances, delegate it to the Trade Expansion Agency. Active consultation with and advice from the industry should be resumed as contemplated in the existing procedures.

An international agreement or combination of agreements, establishing import quotas by country and category on wool manufactures, should be negotiated and supplementary action to control imports from countries not parties to such agreements should be taken. In the event such agreements cannot be reached promptly, the United States should establish such quotas unilaterally.

Mr. HEMPHILL. I am happy to welcome the gentleman and appreciate very much his remarks. I am as near to him as his telephone, and if the gentleman wishes any information from my office, I am sure he can have it.

Mr. Speaker, I now yield to the distinguished gentleman from the 11th District of North Carolina, Hon. ROY A. TAYLOR.

Mr. TAYLOR. Mr. Speaker, I commend the gentlemen from South Carolina and North Carolina and New Hampshire for bringing this important matter to our attention. I think it affects the entire Nation. Much has been said about the two-price cotton system here in the last 2 years, but the situation is still with us. It is not right and it certainly ought to be corrected. President Kennedy referred to it as a unique burden that is being placed upon an industry. It is, indeed, a unique burden and I hope that this Congress during this session will do away with that inequity.

Mr. HEMPHILL. I thank the distinguished gentleman from North Carolina.

Mr. Speaker, I yield to our distinguished colleague from the Third District of North Carolina [Mr. HENDERSON] if he would like to make some remarks at this time, I am happy to yield to him for that purpose.

Mr. HENDERSON. Mr. Speaker, in the past 2 years it has been my pleasure to represent the Third District of the State of North Carolina. I have come to know the distinguished gentleman from South Carolina and he has not only been most interested in this problem but has exerted great energy to solve the problems that he has been presenting so forcefully to us on this occasion. While my district is primarily an agricultural district, we too have some textile manufacturing, but certainly as the remarks on the floor today have illustrated not only the great State of North Carolina but all of the States of the Nation are vitally affected by this import problem that has been presented to us. I think it is high time that the Members of the Congress on both sides of the aisle, as has been so ably demonstrated by our newest colleague from the State of North Carolina in his remarks set about to solve the problem of two-price cotton and the problem of imports as it affects the textile industry of this great Nation. I thank my colleague for yielding.

Mr. HEMPHILL. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I am happy to yield to my distinguished friend, the gentleman from Iowa.

Mr. GROSS. I would like to point out to the Members that figures published recently show that during the month of January alone, ship sailings and ship arrivals to this country from New Zealand and Australia will dump 30 million pounds plus, that is, in one 30-day period, of dressed beef, lamb and mutton on the markets of the United States. I sympathize up to a point with the textile industry of the South and the cotton farmers of the South, but I sympathize a great deal more with the farmers and the processors of the rest of the country who are going to pay through the nose for the passage of that infamous Trade Expansion Act a year or so ago.

Mr. HEMPHILL. I am happy to have the remarks of the gentleman. I might remind the gentleman from Iowa that I have fought against other type imports time after time, and so have the people from the textile areas. I have been proud to be among them. They have taken that into cognizance and tried to be available to all other areas of the country and aid the other industries which have been similarly afflicted. We would be happy to have any suggestion from the gentleman from Iowa.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. ASHBROOK. I certainly would like to join in the comments of the distinguished gentleman from South Carolina. I was particularly interested in his remarks as they related to the Tariff Commission. Those of us who represent areas having other industries, such as the glass industry, certainly sympathize with the gentleman's problem. I agree with the gentleman 100 percent. I think the gentleman has done a wonderful job. He has put his finger on the heart of the difficulty. Imports have very adversely affected the glass industry which has substantial employment in my State of Ohio, and there is still fresh in my mind the difficulties we have had with the Tariff Commission. Again I commend the gentleman.

Mr. HEMPHILL. My attitude toward the Tariff Commission is a very elementary one. I had always understood that the Tariff Commission was created for the purpose of giving relief to industries in this country adversely affected by imports. When we make such a detailed presentation as we did showing the effects of cotton imports on the cotton industry, I thought, and I am sure the gentleman thinks, that they would give relief, for that certainly was the purpose for which the Commission was created.

Many commissions have been created, primarily as an arm of the Congress to do work that the Congress does not have time to go into detail. But as soon as they are set up they declare themselves an independent agency, independent of the purposes of the Congress on some theory that there ought to be "one world," or something like that. And so it has continued through the years. I would not hesitate to call names. I would be glad to have the gentleman write me a letter if I am wrong, because they serve interests other than those of our country.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. WHITENER. I am pleased that the gentleman from South Carolina has pointed out that cotton is losing its domestic market to other fibers. According to information that has been gathered by the National Cotton Council, the Department of Agriculture, and by the textile industry, in 1959 rayon staple fiber then in production was about 9.9 percent of the cotton consumption in the United States. By 1961 this had increased to 11.6 percent of the cotton consumption.

Rayon is just one of the synthetics. We can see here what is happening to the cotton market. I remember as a boy working in the textile plants. One summer I worked in the first plant in our area to do any experimentation with synthetic fibers. I remember very well our opening the first celanese cartons.

We saw a package, something which appeared to be an egg crate. Then we tried to mix a little mohair with it. Textile people would walk through the area, and smelling the alcoholic content of the synthetic celanese said: "This will never work; this is a bunch of foolishness."

Yet today when you go through textile plants you will find they are running nylon and orlon, they are running a synthetic made out of buttermilk, they are running fibers which are made out of the bark of trees, and just about anything you can imagine. They are making yarn now out of nonrubber materials that will stretch like rubber.

All of these fantastic things have been developed in comparatively recent times. Yet some of our cotton people, I think, have been blind to the real threat which this offers to them.

Back in the early thirties a distinguished native of my home county left there to go down to Burlington, N.C., to open up a little textile plant, with the help of some people in Burlington. He started making rayon yarns and fabrics. He was the laughing stock in some parts of the textile industry.

Yet Spencer Love went on to build up the greatest textile organization in the world, Burlington Industries, from this start, primarily based on the development of a new synthetic fiber.

I say again that the gentleman has sounded a note of which our people interested in cotton and agriculture should take note. That is, that synthetic fibers are not referred to in the industry any more as "novelty" yarns. You do not hear that term used any more. When we started out with them in the early 1930's that is how they were denominated—novelty yarns. Today they refer to many of these fantastic new yarns and fabrics as decorative yarns and decorative fabric. This indicates that in the industry it is recognized these new synthetics are here to stay. They are practical and usable, they are not something that is just a creation of some fantastic mind.

So we must take note of this, and I hope the warning which the gentleman has sounded, along with these other splendid gentlemen who have spoken on the subject, will bring some of our agricultural folks to see that this is a broad and important problem.

**Mr. HEMPHILL.** I thank the gentleman.

**Mr. STEPHENS.** Mr. Speaker, will the gentleman yield?

**Mr. HEMPHILL.** I yield to the gentleman from Georgia.

**Mr. STEPHENS.** I thank the gentleman for yielding a moment to me.

I want to associate myself with the gentleman from South Carolina in the remarks he has made today and with the other Members who have spoken on the subject as to discrimination with respect to the price of cotton.

I would like to point out one of two members of the Tariff Commission who, I believe, understand the problem, is from the section of the country where cotton is a firsthand problem. I refer to Mr. Sutton. He is from my district. He knows and understands the problem he has ruled in a fashion to eliminate he has ruled in a fashion to eliminate discrimination between types of cotton.

When the opportunity arises for the Tariff Commission to reconsider, I would like very much to urge that they give a greater degree of attention to what the man who knows what he is talking about says on this problem.

I thank the gentleman for letting me associate myself with him.

**Mr. HEMPHILL.** I thank the gentleman.

I think that Commissioner Shreiber and Commissioner Sutton both decided in favor of the relief which the industry requested, and I salute both of them for that decision.

The reason I made the remarks I did, and I have no apology for them, it is high time in this Nation when people who have been given a great big fat Federal job on a commission shall do the job. I shall never get in the position of cleaning house, perhaps, but if I ever do that is going to be the first premise. A man is on a commission, and whether he is on a commission or sitting in one of these privileged seats here or in the other body, the Senate, or perhaps I should say the greater body, he is still a servant of the people. He is working in the Post Office, or he is on the Tariff Commission. I feel very strongly about it, because the idea of public service to me is such a privilege and such a responsibility that, in my opinion, it should be of a high order and of the highest recognition and of the highest sort of honor.

I now yield to the distinguished gentleman from North Carolina [Mr. KORNEGAY].

**Mr. KORNEGAY.** I thank the gentleman.

Mr. Speaker, I just rise on this occasion to congratulate the gentleman on bringing again very forcefully to the attention of the House the critical situation that exists in the textile field. I commend you, sir, for it and say that I would like to associate myself with your remarks and your call for action, and prompt action, in this matter.

**Mr. HEMPHILL.** I thank the gentleman for his continued support, and all of you who have participated in airing this problem.

## HYDROELECTRIC POWER PROJECTS

**Mr. SAYLOR.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

**Mr. SAYLOR.** Mr. Speaker, once a hydroelectric power project—private or public—is undertaken, markets for conventional fuels will be affected in proportion to the capacity of the water-powered plants. Through the years the coal industry has lost progressively more opportunities for increases in the demand for its product as hydroelectric capacity has risen.

In many cases private industry itself has constructed high-level dams for the purpose of using falling water to generate electricity. Since the TVA was established in 1933 vast volumes of electric power have been subsidized through U.S. Treasury funds. By the end of 1962, 80 percent of TVA's total assets of $2.4 billion were tied up in power facilities. Elsewhere in the country, particularly in the West, millions upon millions of tax dollars have been expended for the construction of hydro projects. Some of these powerplants have been incidental to necessary flood control and irrigation, and to neglect to construct and operate the powerplants would constitute inefficiency and a waste of natural resources. Other hydro stations have been built by the Federal Government without justification.

In any event, coal, oil, or gas loses market potentials when water is chosen as the power behind electric power. When coal is the victim, railroads and other allied industries must suffer along with miners and investors in coal companies. Understandably, then, the United Mine Workers of America and coal management stand shoulder to shoulder in opposing the use of Federal funds to subsidize competition for their industry. They have experienced a lagging market and heavy unemployment for too long to surrender without protest to the myriad of proposals by Congress and the executive department to create economic hardship through mounting Government appropriations.

American taxpayers have discovered that economic distress cannot necessarily be measured exclusively by the number of coal miners and other workers who are to be displaced when hydroelectric plants begin operation. In keeping with the philosophy of giving economic preference to foreign nations, the U.S. Government has for many years held to a policy of ignoring the needs of our own people in the purchase of equipment for Federal facilities. Two examples of this program are contained in announcements made during the congressional recess and should be made a part of the RECORD. In one case the Interior Department awarded a $612,659 contract to a Japanese firm for turbines for the Blue Mesa Dam in western Colorado. The other case involved a $1,138,900 contract to the Mitsubichi Heavy Industries Reorganized, Ltd., of Japan, for a hydraulic turbine at Yellowtail Dam in southeastern Montana. The announcements received little attention, but they are of extreme interest to the many unemployed men and women in communities equipped to manufacture this type of equipment.

What is happening, Mr. Speaker, is that our Federal policymakers become sponsors of a double-barreled attack on America's workers: first the mine workers and railroaders, then electric equipment personnel.

I want my colleagues to understand that my desire to inject a mite of sanity into Government purchasing policies should in no way be interpreted as an unfriendly gesture toward our friends in Japan.

I am confident that the Mitsubichi organization is capable of producing satisfactory turbines, just as other Japanese firms manufacture light bulbs, cigarette lighters, batteries, textile products, and the host of other commodities now flowing into the United States at the expense of our own working people. Nevertheless I somehow question the use of dollars collected from American taxpayers for the destruction of business opportunities in this country. Japan, having received more than $4 billion in American aid for the revival of its industrial capacity in the years following World War II, is no doubt grateful to be the beneficiary of our unique purchasing plan, although her recent decision on trade with Russia does not indicate that her gratitude extends beyond economic considerations. I refer to Foreign Minister Masayoshi Ohira's statement shortly before January 1, to the effect that his government cannot honor a NATO request to halt the export of oil pipes to the Soviet Union.

> I can well appreciate the feelings of the NATO countries—

The Foreign Minister said—

> But the Japanese Government has not legal power to stop private enterprise from exporting pipes to the Soviet Union. The problem is up to the independent judgment of private enterprise. It is not a legal problem.

The Russians imported more than $16 million worth of various kinds of pipe from Japan in 1961. This material will be used to construct networks of oil lines from Soviet producing fields to the Sea of Japan as well as to Western Europe. While I have no confirmation of the deal, it is understood that part of the Russian-Japanese agreement is that the pipes—or at least a good part of them—will be paid for with Red oil. Thus, by this handy arrangement, the U.S.S.R. will soon be able to utilize Soviet oil to wash American coal out of Japanese markets.

Interested parties should also take note of the fact that, while Russia is a big importer of Japan's pipe, the United States is the chief buyer of this product. Thus, while America's foreign trade policy permits steelworkers to be displaced by imports of pipe and an assortment of other products, the American Government helps the cause of economic chaos in our country by direct purchase of generating equipment from friends who will soon be able to use more and more Red oil to manufacture these commodities for us. If the 88th Congress wishes to make a quick contribution to economic recovery and in the interest of national security, there will forthwith be enacted an amendment to the Buy American Act that will no longer tolerate the use of tax funds to purchase unemployment.

As to the Russian pipeline buildup, this is a subject which merits individual attention and treatment. It is my intention to keep Congress notified of developments on the Red oil front. Unless the administration acts to prevent the development of an energy gap among the free nations, Congress should proceed with necessary legislation during the present session.

## THE 100TH ANNIVERSARY OF POLISH UPRISING AGAINST RUSSIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, yesterday, January 23, marked the 100th anniversary of the heroic, albeit ill-fated, uprising of the Polish people against Russian oppression.

It was 100 years ago yesterday that the heroic Poles with tremendous courage attacked a Russian garrison which had been set up illegally in the Polish kingdom.

This uprising, Mr. Speaker, is but another plateau in Poland's 1,000-year history of rebellion against those forces which would destroy the dignity and freedom of men.

The uprising of January 23, 1863, is one of the great chapters of Polish history and stands as a brilliant reminder that even though the Poles may be subjugated by foreign tyrants for long spells, the indomitable spirit of freedom sooner or later finds expression.

Just as 100 years ago the Poles captured the imagination of all of Europe with their heroic uprising against their Russian oppressors, so can we have hope today that sooner or later the Communist rulers of present-day Poland will fall from the weight of their own oppression.

The 1863 rebellion in Poland was sparked by Russia's determination to impose its own language, its own philosophy, and its own rule over the people of Poland. The Russians were determined to convert Poland into a Russian province called Privislanskii Krai or the Vistula River Province.

The Polish population and especially the population of Warsaw responded with protestations. The Russian authorities, in order to repress these protestations, committed violence, including firing at, and killing, some of the people. They also ordered the so-called branka; that is, they rounded up young Poles and unlawfully conscripted them into Russian regiments.

The underground organizations considered this unlawful conscription the signal for an uprising. During the night of January 22, 1863, units of the insurgent army attacked certain of the Russian garrisons, with some success. Such was the beginning of the fight against the occupying forces. On one side were the well-equipped regular army units; on the other, the insurgent army units, poorly equipped, and having insufficient supplies and inadequate training. Despite these handicaps, the insurgent army units achieved some successes over the Russian Army regiments.

When news of the uprising spread, some Western societies demanded that their governments support the Polish uprising. The Governments of Great Britain, Austria, and France protested to the German and Russian Governments and deprecated the military agreement which had been concluded between the two latter countries. However, Russia had competent agents in the West, then as now, and knew that these protests were not the expression of these governments' intentions but were registered to satisfy public opinion in their countries. Consequently the German and Russian Governments ignored these protests and the Russian Foreign Minister made a statement to the effect that the Polish problem was an internal matter for Russia. Diplomatic intervention was not pursued further.

The Russian Government ordered the so-called pacification. The leaders, including Romuald Traugutt, of the uprising—known as the national government—were hanged. Others were killed by firing squads, deported to Siberia, or submitted to confiscation of their property. A sense of real mourning enveloped the nation. As russification made further advances, the Polish language was banned from offices and schools, of which the administration frequently passed to Russians, and even the University of Warsaw was closed.

Europe was deaf to the cries of the persecuted nations and stood by while the occupying forces used Polish resources to build up their own positions and power. This power, achieved at Polish expense, was used decades later to push the world into the flames of World War I, causing the loss of millions of human lives and a legacy of suffering for the maimed, the orphaned, and the widowed. These were the bitter fruits of the policy of Western Europe at the time of the January 1863 uprising, an uprising which expressed heroic determination on the part of the Polish nation.

We can only pray that free people today can draw a valuable lesson from yesterday's mistakes. The great powers of Europe in 1863 failed to understand that a free Poland is the key to peace in Europe. Just as some policymakers today still naively believe that Poland can endure under communism and are willing to coexist with Poland's present Communist rulers. These misguided architects of foreign policy fail to understand that communism and freedom are incompatible, whether it is in Poland or any other nation of the world.

By paying tribute to the 100th anniversary of the Polish uprising of 1863, we are at once paying tribute to Poland's defenders of freedom for the past 1,000 years. We can indeed marvel at the fact that the same love of freedom which sparked the rebellion of 1863 continues to flourish in Poland today, even though that great nation has been under Communist domination since the end of World War II.

Someday, someway, Mr. Speaker, this spirit of freedom again will find expression in a free Poland.

## UKRAINIAN INDEPENDENCE DAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. DERWINSKI] is recognized for 60 minutes.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, it is my privilege this afternoon to lead the Members of the House in the commemoration of Ukrainian Independence Day. Due to the schedule of our sessions, we are conducting this observance 2 days later than the normal date, January 22.

Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FLOOD. Mr. Speaker, January 22, 1963, marks the 45th anniversary of the independence of Ukraine. As in previous years, in both the House and the Senate, the elected representatives of the American people take this memorable occasion to express the deep feeling of affinity and common purpose we hold for the captive nation of 45 million Ukrainians. We share with them the ideals of real democracy, national self-determination, and individual liberty and in many ways truly support their undying aspirations for freedom and national independence.

### OCCASION FOR HOUSE RESOLUTION 14

On this significant occasion of the 45th anniversary of Ukraine's independence, I deem it necessary to go beyond the realm of sincere expressions of thought and feelings by advancing a concrete proposal that would aid immensely in the eventual liberation of Ukraine—indeed, all other captive nations—from the imperiocolonialist heel of Moscow. I know that by offering the adoption of House Resolution 14, a measure to establish a desperately needed Special House Committee on the Captive Nations, my proposal for specific and concrete action bespeaks also the desires of numerous Members in this body, who in both the 87th Congress and this new one have joined in submitting similar resolutions. This congressional observance of Ukrainian independence affords us the first excellent opportunity in this 88th Congress to urge the necessary creation of this special committee.

Mr. Speaker, in a move which I believe touches the heart of every Ukrainian patriot—in fact, the hearts of all our captive allies in the Red totalitarian empire—I take this important occasion to urge the immediate adoption of House Resolution 14, which reads as follows:

> Whereas on the issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and
>
> Whereas two Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and
>
> Whereas the nationwide observances in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and
>
> Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the annual observances of Captive Nations Week, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and
>
> Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and
>
> Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and
>
> Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and other subjugated nations; and
>
> Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and
>
> Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and
>
> Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and
>
> Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "noninterference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and
>
> Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the four Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it
>
> *Resolved,* That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.
>
> SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.
>
> (b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.
>
> (c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.
>
> SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.
>
> (b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1964.
>
> SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.
>
> SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

### THIS 45TH ANNIVERSARY

Mr. Speaker, the national histories of east European peoples are full of miseries and misfortunes, and the history of the Ukrainian people is no exception. Since the signing of a compact between the Russian czar and the Ukrainian leaders in 1654, stouthearted and liberty-loving Ukrainians have not been allowed, except for periods in the 18th century and the brief 2-year period of 1918–20, to enjoy the benefits of free and independent life in their historic homeland. Through the turns and twists of fateful international events, 45 million Ukrainians have not been permitted to be masters of their fate. For too long a period they have been held down under the oppressing yoke of alien despots. They have endured hardships, privations and indescribable miseries. They have been ruthlessly persecuted for clinging to their national ideals, for dreaming and cherishing their independence and freedom. Yet no oppressive measure, no amount of severe persecution could compel them to abanbon their yearning for freedom. Instead, oppressions and persecutions have united the Ukrainians against their foes, held them together. Then toward the end of the First World War, when the decrepit czarist regime was overthrown, and Austria's hold over the western Ukraine was broken, the Ukrainians proclaimed their independence and established the Ukrainian National Republic.

This historic event took place on the memorable 22d of January 1918—45 years ago. That day has become a landmark in the history of Ukraine, and remains the brightest spot in their struggle for freedom and independence. Unfortunately the newborn republic was suffering under severe handicaps. It was surrounded by powerful foes, ready to pounce upon it and put an end to its existence. And that is what happened even before the joy and jubilation had ceased. Before the Ukrainian people had any time to recoup their losses, they were attacked by their inveterate foes, Moscow and its Red army. Early in 1920 enemy forces entered and occupied the eastern part of the country; soon the whole country was overrun and all Ukrainian opposition was ruthlessly crushed. Then in the fall of that year Ukraine became a satellite of Soviet Russia, and by 1933 it was forcibly incorporated into the Soviet Union.

Since those fateful days, for more than 40 years, Ukraine has been submerged in the Soviet Russian Empire, and the Ukrainian people have suffered grievously under Moscow's totalitarianism. For all practical purposes the country is sealed off from the free world. Neither the people of Ukraine are allowed in large numbers to travel abroad, nor are the people of the free world, except under carefully guided Communist supervision, to go to Ukraine. Thus the country has become a large prisonhouse for its people. Their most cherished possession is their spirit of freedom. Inhuman Kremlin agents have resorted to every device to deprive the Ukrainian people of this possession, but fortunately they have not succeeded in their task. Today, even under the most relentless of Soviet Russian totalitarian tyrannies, the sturdy and stouthearted Ukrainian clings steadfastly to his national ideals and still preserves his fervent love for freedom and independence.

The Ukrainian people, in and out of their homeland, have been a boon to the communities in which they lived. In this country they have been noted for their industry, ingenuity and tenacity for hard work in whatever vocation. They have never shunned heavy labor in preference to something less arduous. In this respect their tough and resilient physique, and their tenacious nature have served them well. Hundreds of thousands of loyal, patriotic, and hardworking Americans of Ukrainian origin have always given excellent account of themselves in this country. I can say this because I have known many of them in my congressional district, and have seen them at work. In certain parts of Pennsylvania they constitute the core of sturdy and stouthearted laborers who perform heavy but necessary tasks with distinction. These people of stolid character have contributed their full measure to the free and democratic way of life in this great Republic. They have been a positive force in the building of our democratic institutions, and they have always been ready to fight and die for the preservation of these institutions. Today on this solemn occasion, I am happy to join them in the celebration of the 45th anniversary of Ukrainian Independence Day. I wholeheartedly agree with the points recently raised by the president of the Ukrainian Congress Committee of America, which are put forth in the following communication:

JANUARY 11, 1963.

DEAR CONGRESSMAN FLOOD: Forty-five years ago this January 22 the Ukrainian people, constituting then and now the largest non-Russian nation in Eastern Europe, freely determined itself into an independent national state. By 1920 the Ukrainian National Republic became one of the first victims of Soviet Russian imperio-colonialism. Today, Ukraine is one of the oldest captive nations in Eurasia, but its long record of nationalism is second to none.

In terms of historical reality and its possibilities, had Western enlightenment and aid supported Ukraine's independence in 1918, the prison house of nations known as the Soviet Union could never have emerged; the mortal threat facing our own free Nation would have been nonexistent. The tragic mistake committed by our leaders then can today be somewhat redressed by our enlightened actions toward the imprisoned nations in the U.S.S.R.—and thus work toward real victories in the cold war.

What can we do? On this 45th anniversary of Ukraine's independence, here are a few constructive steps that can be taken: (1) Join in this nationwide observance by offering on the floor of Congress your stirring statement of principle and understanding directed at the 45 million Ukrainian nation; (2) enable the Voice of America to broadcast your message to Ukraine; (3) support the issuance in 1964 of a "champion of liberty" stamp in honor of Taras Shevchenko on the 150th anniversary of his birth (the 86th Congress provided for his monument in Washington, which will be completed next year); (4) call for a congressional inquiry into Moscow's widespread persecution of religious groups, its genocide of the Ukrainian Orthodox and Catholic Churches, and the 18-year imprisonment of the Ukrainian Catholic Archbishop Joseph Slipy, the "Mindzenty in the U.S.S.R."; and (5) establish a Special Committee on the Captive Nations—a congressional committee proportionate to the value and meaning of all the captive nations, truly our foremost nonmilitary weapon in the cold war—with concentration on Russian colonialism in the U.S.S.R.

Our continued neglect of Ukraine and the other captive non-Russian nations in the U.S.S.R. only perpetuates the errors of our past. We have a whole new horizon before us. I am certain you will assist in cultivating it for our own national interest.

Sincerely yours,

LEV E. DOBRIANSKY,
*President, Georgetown University.*

### SHEVCHENKO AND UKRAINIAN INDEPENDENCE

Mr. Speaker, concerning the contents of the above letter, I also lend my support to the issuance of a Shevchenko "champion of liberty" stamp in 1964, the 150th anniversary of the birth of Taras Shevchenko. The 86th Congress provided for the erection of a statue in honor of this Ukrainian patriot. Next year the statue will be unveiled here in Washington. It would be most fitting and proper at that time for the Postmaster General to issue a Shevchenko "champion of liberty" stamp. Shevchenko's works and art are a monument to the ideas of freedom and independence; and on this 45th anniversary of the Ukraine's independence it is most appropriate to summon congressional support for such a valuable stamp.

Last fall it was my privilege to be honored by the eighth triennial convention of the Ukrainian Congress Committee of America. It was my pleasure to receive the Shevchenko Freedom Award. At that convention I witnessed the importance of Shevchenko as a contemporary of Abraham Lincoln, both fighters for freedom, champions of liberty. The themes of the convention conveyed the central idea of Shevchenko's enduring spirit in the hearts and minds of the Ukrainian people, who are determined to obtain their freedom and independence. In a telegram to the convention, President Kennedy expressed well and eloquently the attitude of our Government toward the theme of Ukrainian independence.

It reads as follows:

### PRESIDENT KENNEDY GREETS UKRAINIAN CONGRESS COMMITTEE OF AMERICA—PROMISES U.S. SUPPORT TO ALL SEEKING INDEPENDENCE

NEW YORK, N.Y.—President Kennedy sent special greetings to the eighth triennial convention of the Ukrainian Congress Committee of America convening at the Commodore Hotel over the Columbus Day weekend, and said that the eventual fulfillment of just aspirations of all peoples to independence "will remain the basic goal of U.S. world policy."

In a telegram addressed to Dr. Lev E. Dobriansky, chairman of the Ukrainian Congress Committee of America, President Kennedy stated:

"The convocation of the eighth triennial convention of the Ukrainian Congress Committee of America is an inspiring reminder that a major source of our strength as a Nation, and a cornerstone of the American democratic system, is the diversified contribution to American life made possible by the heterogeneous nature of our national, ethnic, religious and racial origins. It is both natural and desirable that, while entering wholeheartedly into their responsibilities as members of the American community, those of our citizens who share a proud common heritage should voluntarily join together in free association to honor that heritage and to advance shared interests. It would be surprising and also contrary to American traditions if our citizens of Ukrainian descent failed to retain interest in their former homelands or to show concern for the fate and future of Ukrainians there. Similar evidences of a humanistic and solicitous approach to the problems of others in foreign countries are typical of the attitudes of those groups of our citizens who feel strong historical or spiritual bonds with particular areas of people abroad. In accord with such sentiments and expressing the will of the American people, the U.S. Government strongly supports just aspirations and rights of all peoples to national independence, governments of their own choosing and the enjoyments of fundamental rights and freedom.

The eventual fulfillment of these just aspirations and the achievement of these rights are and will remain a basic goal of U.S. world policy.

"Please accept my personal wishes for a successful convention. JOHN F. KENNEDY."

Mr. Speaker, when one reads some of the resolutions passed at the eighth triennial convention of the Ukrainian Congress Committee of America, he can readily appreciate the feeling and tone of the President's message to that spirited organization. On this 45th anniversary of Ukraine's independence, I request that the resolutions pertaining to the United States and enslaved Ukraine be printed at this point in the RECORD:

### Excerpt of Resolutions Adopted at the Eighth Triennial Convention of the Ukrainian Congress Committee of America, Held on October 12, 13 and 14, 1962, in New York City

### RESOLUTION III. THE UNITED STATES AND ENSLAVED UKRAINE

Whereas the Ukrainian Congress Committee of America, as spokesman for the American citizenry of Ukrainian descent, is seriously concerned with the U.S. foreign policy with respect to the U.S.S.R., a slave empire composed of the many captive non-Russian nations, among which Ukraine, the country of origin of 2 million Americans of Ukrainian descent, is the largest and the most recalcitrant nation in its resistance to Russian Communist imperialism and colonialism; and

Whereas the United States of America is the main hope and leader of the free world to which all the oppressed and captive nations behind the Iron Curtain look for guidance and leadership in their political struggle for the right of self-determination and national independence; and

Whereas the many peoples of the world have drawn inspiration and example from American democratic institutions and political equality as exemplified in our system of government, American constitutional liberties and the enjoyment of personal freedom by all citizens regardless of national origin, creed, religion or political belief; and

Whereas the U.S. Congress by a unanimous vote in July 1959, passed the Captive Nations Week resolution, whereby it recognized the right of 22 nations now held in Soviet Russian captivity to full freedom and national independence, a belief fully consistent with the U.S. Constitution and the Declaration of Independence, as well as with the pronouncements of President Woodrow Wilson on the national self-determination of peoples; and

Whereas, the Ukrainian Congress Committee of America has consistently and tirelessly pleaded with the U.S. Government and the U.S. Congress to extend all possible assistance to the enslaved Ukrainian nation and all other captive nations through an enlightened policy of liberation, a policy which if applied to the captive non-Russian nations of the U.S.S.R. would greatly impede the drive of Communist Russia for world conquest, and would strengthen and solidify the aspirations of the captive nations to freedom, self-determination and national independence; and

Whereas in August 1961, the Honorable Dean Rusk, Secretary of State, made a statement to the effect that Ukraine, Georgia, and Armenia are "traditional parts of the Soviet state," a statement which is contrary to the known facts of history and which offended and shocked 2 million Americans of Ukrainian descent; and

Whereas such a statement made by one of the highest officials of the U.S. Government in effect serves to strengthen totalitarian Russian communism which claims that all nations within the Soviet Union will eventually be merged into a Soviet (Russian) nation, which would obliterate all the non-Russian nations both within and without the U.S.S.R.; and

Whereas the Eighth Congress of Americans of Ukrainian descent fully realizes that the United States of America remains a strong bastion of freedom and the outstanding hope of captive and oppressed people everywhere and that such statements as that made by Secretary of State Dean Rusk tend to weaken and blur the ideological image of America: Now, we do hereby

*Resolve*:

1. To support fully and unswervingly the endeavors of the U.S. Government to preserve peace in the world at all costs, but not at the expense of immoral compromises or under the threats and intimidation of Khrushchev;

2. To appeal to the President of the United States and the U.S. Government to repudiate the Rusk letter, which is contrary to historical facts and has created grave damage to U.S. prestige as a freedom-loving nation and the leader of the free world;

3. To fully support the Flood resolution calling for establishment of a Special Committee on the Captive Nations in the House of Representatives, which would be charged with the gathering of unbiased and objective information on all the captive nations, information which would be subsequently utilized effectively by the U.S. Government, thereby preventing, as one salutary result, high U.S. officials from making such drastic blunders as that committed by Secretary of State Dean Rusk in the matter of captive Ukraine and other subjugated nations;

4. To appeal to the House Foreign Affairs Committee to reverse its ill-advised course of limiting its hearings to a few captive nations only, which is a practice dictated by mere political expediency rather than by the general interest of the United States and its worldwide prestige as the leader of freedom-loving mankind; reference being made here to the testimony of the Honorable M. A. FEIGHAN before the said committee recently, testimony fully endorsed by the UCCA;

5. To prevail upon the U.S. Government to press an inquiry in the United Nations on Russian Communist colonialism with a rational emphasis on the non-Russian nations, enslaved since the time of the original empire of Moscow; we fully endorse the statement of President Kennedy of last year when he said: "There is no ignoring the fact that the tide of self-determination has not yet reached the Communist empire, where a population far larger than that officially termed 'dependent' lies under government installed by foreign troops * * *. Let's debate colonialism in full and apply the principle of free choice and the practice of free plebiscite in every part of the globe * * *."

We. likewise, fully endorse the excellent memorandum of Ambassador Adlai Stevenson presented to the U.N. last November and which exposes fully the nakedness of Russian Communist colonialism and its oppressive domination of Ukraine and other non-Russian peoples.

6. We appeal to the U.S. Government to expose Russian Communist genocide perpetrated upon the Ukrainian people and the unbridled persecution of the Ukrainian Catholic and Ukrainian Orthodox Churches, and appeal to the U.S. Government to bring the case of the criminal persecution and imprisonment of Metropolitan Joseph Slipy before the U.N. and thus expose the relentless Soviet destruction of all religions behind the Iron Curtain;

7. We support the establishment of a Freedom Academy, as proposed by a group of farsighted legislators in Congress, which would be charged with training our psychological warfare experts to the end that they effectively meet the challenge of Russian Communist totalitarianism;

8. We further appeal to the U.S. Government to issue a Shevchenko "champion of liberty" stamp in recognition of his service to humanity and the ideal of freedom, and ideal shared by the American people; and by so doing we would effectively indicate to the enslaved Ukrainians and other peoples that we espouse their cause, inasmuch as behind the Iron Curtain Shevchenko is synonymous with liberty;

9. To prevail upon the U.S. Government to adopt strong and unequivocal measures with regard to Cuba, so that (a) the Monroe Doctrine remain alive and unviolated; and (b) Khrushchev and company be apprised of our firmness in the face of their warlike machinations 90 miles from our shores;

10. To urge the U.S. Government to vigorously espouse the cause of the enslaved nations behind the Iron Curtain, in like manner that Khrushchev takes up the cudgel of liberation with regard to the colonial people, except that America would undertake a program of support which is genuine, sincere and attuned to the deathless instinct for freedom in the breasts of the enslaved peoples, a craving which accounts for their restlessness, for their continuing struggle, and which stamps them as our spiritual and military allies now and in time to come.

### UKRAINIAN INDEPENDENCE—A POWERFUL WEAPON AGAINST SOVIET RUSSIAN IMPERIOCOLONIALISM

Mr. Speaker, this is also a fitting occasion for us to reemphasize and markedly underscore the fact that our support, both in word and deed, of the goal of Ukraine's independence constitutes a powerful weapon against Soviet Russian imperiocolonialism.

Regrettably, we have scarcely begun to use this and other weapons in attaining to victory in the cold war. As we reflect now on the won and later lost independence of Ukraine 45 years ago, I commend to my colleagues the article written by Dr. Lev E. Dobriansky of Georgetown University, on "Soviet Russian Weaknesses and Vulnerabilities."

I ask that this article be printed at this juncture of my remarks.

There being no objection, the article was ordered to be printed in the RECORD as follows:

### Soviet Russian Weaknesses and Vulnerabilities

(EDITOR'S NOTE.—Dr. Lev E. Dobriansky is a professor of economics at Georgetown University. He is the author of the Captive Nations Week resolution—Public Law 86–70—which was passed by Congress in 1959. This resolution provides that the third week of July be set aside each year to remind the world of the nations held in bondage by Russian imperialism. Dr. Dobriansky is also a member of the American Security Council's strategy staff.)

In analyzing Soviet Russia, it is necessary to distinguish at the outset between weakness and vulnerability. A weakness is a condition of defect and impairment which does not in itself constitute a vulnerability. For it to develop into this state, an external stimulus is required. There are many deep weaknesses in the totalitarian Soviet Russian empire, but so long as they remain untapped they are not, by definition, vulnerabilities. Policies of patched-up containment, evolution and wishful thinking on the coming breakup of the so-called Communist bloc serve only to guarantee that Soviet weaknesses shall not become vulnerabilities. The active external agent, the catalyst, is lacking.

The prodigious irony of the current situation is the fact that beneath the surface of most Soviet Russian accomplishments and points of strength rest their most profound weaknesses.

The real decision before this Nation today is not whether to push or not to push into space, to disarm or not to disarm, to negotiate or not to negotiate, to trade or not to trade with the Red empire. Instead, the basic and real decision is whether to meet or not to meet the full cold war challenge of colonial Moscow. If we should resolve to engage the enemy in the total context of the cold war, it wouldn't and couldn't be a matter of fighting this war only on our side of the 50-yard line. The best defense is the offense, and it should be obvious that the defense of freedom is being battered from Laos to Cuba because our mere defensive and reactive posture is not the best defense.

A cold war offensive would not permit Moscow's imperialism to nibble away at us, for such an offensive necessitates the conversion of well known weaknesses in the enemy's empire into vulnerabilities and the systematic exploitation of these vulnerabilities toward his eventual destruction.

There are five major areas for analysis: (1) The ideologico-propaganda; (2) the empire; (3) the so-called economic race; (4) the military-space field; and (5) the party apparatus.

1. We have still to appreciate the central importance of propaganda in the cold war. The Soviet Russians have developed this basic art to make a relatively backward state appear as the equal of the American giant, to make the worst empire of its kind appear as the great proponent of national liberation and independence, and to move the minds of millions throughout the world in the belief that all this is so.

However, the weaknesses of Moscow's ideologico-propaganda are deep and fundamental. After 20 years of indoctrination, millions of Ukrainians, Georgians, Russians, and others deserted colonial Moscow in World War II; after 10 years of heavy propaganda Hungarian students and workers staged the 1956 revolution. There are many similar examples to prove the utter bankruptcy of Communist ideology when it is put into practice.

Nevertheless, Moscow continues to capitalize on this massive deception, chiefly because of our failure to develop these weaknesses into critical vulnerabilities. This requires a realization of the central importance of propaganda. The Voice of America is but a pygmy compared to Moscow's media. There are many good opportunities for demolishing the image Moscow casts of its empire. For example, we could easily show the Russian perversion of theoretical Marxism, the emptiness of so-called Communist ideology, the emergence of the technocratic elite in the U.S.S.R., and the colonial exploitation of the captive non-Russian nations within the Soviet Union. These are only a few points to establish the Russian mythology of communism.

If we are to win the cold war, we must recognize and repeatedly stress the real threat which Soviet Russian mythology conceals. And this is the Soviet Russian imperio-colonial system of totalitarian rule.

2. The second general area of Moscow's obvious strength is its expanded empire. One of Moscow's paramount goals in the past 5 years has been to gain Western acquiescence to the permanence of its present empire, and our increasing indifference toward the captive nations has helped in this.

Those who today preach that the Soviet Russian Empire is showing signs of disintegration, that the future is with us, that all that is required is a military buildup and trade with this empire, are gravely misleading the citizens of this country. There is no substantial evidence of this. In fact, all the important and basic evidence of increasing empire strength points the other way. Of course, Moscow has its problems. Who doesn't? It had even greater problems at Stalin's death and during the Hungarian Revolution, but it, nonetheless, continued to build up its composite power.

Yet, beneath the surface of this imperial power and strength lies the most profound weakness of the Soviet Union and of the entire structure of Moscow's imperial rule and power. This weakness is the immense latent power of the genuine patriotic nationalism of the captive peoples both within and outside the Soviet Union. It is this patriotic nationalism which is our most formidable weapon against Soviet Russian imperio-colonialism, not the superficial disagreements between puppets and the prime power.

Khrushchev's sensitivity here is shown by his fury at the Captive Nations Week resolution, passed by Congress in 1959. Except for the U–2 incident, no event in the past 10 years has had as violent an impact on Moscow as this resolution. Khrushchev and his puppets know, if we do not, the disastrous effects that a methodic implementation of this resolution could have on their worldwide propaganda operations and on the nations within their empire.

3. In the economic area, it should be readily recognized that for cold war objectives the empire economy of the Soviet Union is strong, secure and increasingly threatening. Moscow has a long way to go to match our economy, but being a totalitarian and essentially a war economy, the U.S.S.R. poses an increasing threat as $12 to $20 billion of additional output becomes annually available to it for cold and hot war purposes.

Weaknesses in the economy are many, but most fundamental are the differences in status and real income between the ruling elite and the underlying population, and also the rampant economic colonialism to which the captive non-Russian peoples are subjected. This could be transformed into a vulnerability by focusing worldwide attention and opinion on these weaknesses. It would provide important political leverage to the liberal Russian and nationalist non-Russian forces within the U.S.S.R.

4. The U.S.S.R. devotes top priority allocation of resources to the military-space field. Over 20 percent of the gross product in the U.S.S.R. goes to military pursuits. Their further development poses great dangers, particularly in significant breakthroughs capable of magnifying their military power. Today, Khrushchev threatens us and the world with global missiles. He has been so effective in propagandizing the empire's military and space feats that in addition to naive and pacifist groups doing his work for him in the free nations, even our own leaders invoke from time to time the pangs of "nuclearitis" as an excuse for the absence of a well-defined and developed cold-war policy.

But the innovation of present military-space technology in no way alters the persistent weaknesses in the armed forces of the U.S.S.R. The ultimate weapon is still man and his morale, loyalties and will. Moscow is well aware that in all three major wars in this century, the motley and multinational forces of the Russian Empire, whether tsarist or Soviet, disintegrated early.

Capitalization of this vital weakness into a vulnerability rests obviously on a broader program directed at the captive non-Russian nations in the U.S.S.R. Along with this is the necessity for a full and superior development of all our arms, nuclear and conventional. The only sure and safe way to preserve the gray peace and to move forward to cold war victory is by attaining and maintaining unquestioned superiority along the entire spectrum of military technology and weaponry.

5. The final area for analysis is the party. The Communist Party of the Soviet Union is the cohesive agent of totalitarian Soviet Russian strength, and the vehicle for the subverting conspiracy beyond it.

However, it has weaknesses that could be developed into fatal vulnerabilities. The perennial problem of succession, intra-party feuding, the pressures of national parties in Ukraine, Georgia and elsewhere, and infiltration of party councils and machinery lend themselves to such a development. Here, as elsewhere, our offensive in the cold war would necessarily have to be organic, composite and totalistic. Pursuing one weakness as against others would be both foolish and wasteful. But involved in each of these major weaknesses is the basic problem of the captive non-Russian nations in the U.S.S.R.

It is painful to observe how, today, we continue to miss our opportunities for eventual cold war victory. However, I am positive that given an aroused citizenry, the dominant facts of international life and the predominant weaknesses of the Soviet Russian Empire will lead us to the pursuit of an inescapable policy of emancipation and a cold war strategy designed for decisive victory.

LEV E. DOBRIANSKY,
*Guest Editor.*

Mr. DERWINSKI. Mr. Speaker, this year, more than ever, the importance of Ukrainian Independence Day is related to the struggle of the Ukrainian people and other captive nations of communism to escape the Red yoke and restore freedom to their land. I place special emphasis on this 45th anniversary of Ukrainian Independence Day on the efforts of many Members of the House on both sides of the aisle in obtaining approval for a special House Committee on the Captive Nations. On the opening day of the Congress, in conjunction with the gentleman from Pennsylvania [Mr. FLOOD], I introduced H.R. 15, identical to his H.R. 14, calling for the creation of this special committee. It is our hope that we will be able to obtain favorable consideration by the Rules Committee in the not too distant future.

Certainly, it is not necessary for me to add extensive remarks to those that will be made by my colleagues, outlining the history of the Ukraine, and the constant struggle in its fight for freedom and rightful self-determination. It is an absolute fact that the spirit of nationalism still beats strongly in the hearts of the people of the Ukraine. This spirit is pro-Western and anti-Communist in its history, philosophy and tradition.

One of the truly great figures in Ukrainian national life was its famous poet, Taras Shevchenko. I wish to direct the attention of the Members of the House to House Joint Resolution 165, which I introduced on January 21, calling for the issuance of a Champion of Liberty postage stamp in honor of this great man on the occasion of the 150th anniversary of his birth. The resolution reads as follows:

Whereas the Eighty-sixth Congress of the United States honored Taras Shevchenko, Ukraine's poet laureate, by authorizing the erection of his monument on public grounds in Washington, District of Columbia; and

Whereas the same Congress provided for a documentary biography of Shevchenko in tribute to the everlasting spirit and works of this freedom fighter of Europe; and

Whereas the unremitting condemnations and attacks by imperialist Moscow and its colonial puppets against these far-seeing acts clearly prove the wisdom of the United States Government in properly claiming this contemporary of Lincoln as one of freedom's outstanding lights; and

Whereas in 1961 the President of the United States paid respects to the ideals and immortal teachings of this former serf, whose poetry, art, and philosophy have deeply inspired the forty-five million Ukrainian nation in its aspirations to freedom and independence; and

Whereas the profound humanism of this champion of liberty was courageously directed against the colonial subjugation of all the non-Russian nations in eastern Europe and central Asia, as well against the suppression of the Jews and the slavery of Negroes; and

Whereas in consonance with the policy of the United States, it is both proper and fitting to advance the aspirations for freedom and independence of all nations by honoring their historic advocates of human liberty, and thus forging indissoluble spiritual ties with the respective peoples; and

Whereas by all evidence the Champion of Liberty stamp series has become an important and essential vehicle of expression in the formation and strengthening of such ties; and

Whereas in 1964 friends of freedom everywhere will be observing the one hundred and fiftieth anniversary of Shevchenko's birth: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General is requested and authorized to issue a Champion of Liberty postage stamp in honor of Taras Shevchenko, fighter for freedom in eastern Europe. Such stamp shall be of such denomination and design and shall be issued for such period commencing with the one hundred and fiftieth Shevchenko anniversary as the Postmaster General shall determine.

Mr. Speaker, I am certainly inspired to see the great number of Members here on the floor participating in this observance of Ukrainian Independence Day. While the Soviet Union maintains the fiction of "independence" for the Ukraine and insists on its representation in the U.N. as a puppet state with voting participation, it is necessary for us to emphasize the fact that the Ukraine, like all the other captive nations of the Soviet empire, suffers under the persecution of communism. Its people are deprived of political and economic advances, and they continue to look to us, the leaders of the free world, to collaborate with them in the ultimate restoration of a government of their own choice.

Mr. Speaker, in view of the fact that so many Members have asked to participate in this observance, I will limit my remarks, and at this time I yield to the gentleman from New Hampshire [Mr. CLEVELAND], one of the outstanding freshman Members of the 88th Congress.

Mr. CLEVELAND. Mr. Speaker, I wish to thank the distinguished gentleman from Illinois for yielding to the newly elected Member from New Hampshire for the purpose of making a statement concerning Ukrainian independence.

Mr. Speaker, 44 years ago on January 22, 1918, the Ukrainian Republic proclaimed its independence. We salute the courageous aspirations of Ukrainians to free their native land from Communist tyranny. Although the Communists have suppressed the independence of the Ukrainians, we know they can never extinguish the light of freedom burning in the heart of every Ukrainian nationalist.

Anyone familiar with the efforts of the Ukrainian people must be inspired by their relentless struggle to remain free. If we reflect for a few moments on their history, we cannot fail to be encouraged in the global struggle against Communist imperialism.

Following the overthrow of the czarist government in Russia, the Ukrainian leaders saw an opportunity to free their country from foreign domination. These leaders organized a central council in Kiev, since called the first modern Ukrainian Government. Unfortunately, the Red government in Moscow rejected this Ukrainian desire for freedom. Lenin ordered the Red army to attack the Ukraine. Kiev was occupied in January of 1918 and there followed mass executions of Ukrainian leaders.

Since then, the Ukrainian people have suffered under Communist dictatorship. They have known hunger and poverty. They have seen their lands ravaged. They have felt the oppression of Communist dictatorship.

I think this is a proper occasion to remember other formerly independent nations of Eastern Europe. I refer to Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania. Through a tragedy of modern history, they share an oppressing, temporary fate with the people of the Ukraine.

East-Central Europe—half a million square miles and 100 million people strong—lies between the Soviet Union proper and free Western Europe. By every standard, this area should be recognized as one of strategic importance. Just beyond it lie prime strategic areas. To the west there is free Europe, a great concentration of skills and resources, which in Communist plans is a decisive way station in their drive for world conquest. To the east, there is the very heart of the Soviet Union. Within this area live historic nations hostile to foreign rule and an alien pattern of life foisted upon them. From the standpoint of manpower and production, East-Central Europe represents roughly 40 percent of the economic power of the Soviet orbit.

During these opening days of the 1st session of the 88th Congress, we can give hope to the people of Eastern Europe by establishing a Special Committee on Captive Nations within the House of Representatives. Such a committee would be a concrete method of collecting and publishing evidence of America's continuing concern for the plight of people subjugated by Communist imperialism. Moreover, such a committee would demonstrate to the new nations of the world that imperialism is an ingredient of Soviet and Communist Chinese foreign policy.

On this Ukrainian Independence Day we rededicate ourselves to the fight for freedom. We have as an inspiration the courage of the Ukrainian people who have for over a thousand years been seeking freedom.

Mr. DERWINSKI. I thank the gentleman.

I am especially pleased to yield to the distinguished gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I thank the gentleman from Illinois for giving me this opportunity to make these few remarks on Ukrainian Independence Day.

Mr. Speaker, I have today introduced a resolution to establish a Special Committee on the Captive Nations.

January 22 is a significant day in the history of man's freedom because it marks the anniversary of Ukrainian independence. On that day 45 years ago an independent Ukrainian state was proclaimed at Kiev and though it was short-lived, it has served as an inspiration to men of good will ever since.

The Ukraine today, of course, is imprisoned within the Soviet Union. That important fact should be recognized by all Americans, particularly those concerned with the conduct of our foreign affairs. The Ukraine is, in a very real sense, a captive nation—a victim of the world's most oppressive colonial system.

We must seize every possible opportunity to remind the world of the plight of the Ukraine. Through the Voice of America, Radio Free Europe, the forum of the United Nations, the Captive Nations Committee I have proposed, and other means, we must take the lead in exposing the hoax of Soviet imperialism. We must assure the noble people of the Ukraine that they are not forgotten and that we are working and praying for the day when they will once more walk in the sunlight of freedom.

My home community of Rochester, N.Y., has a special interest in this subject, because it has benefited so greatly from the talents and energies and unique attributes of people of Ukrainian extraction. At colorful events during the year, these fine people exhibit their fine cultural heritage of dance and music.

Because freedom is stifled today in the Ukraine it is appropriate for us to observe this anniversary and to speak up for those who are silenced by communism's tyranny. We who live in the free world must encourage the flame of liberty which still burns bright in the hearts of the Ukrainian people.

Let us resolve, on this 45th anniversary, that we will not rest until independence is restored to the Ukraine and that country once more takes its rightful place in the family of free nations.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. Mr. Speaker, I am delighted to yield to the distinguished gentleman from New York.

Mr. HALPERN. Mr. Speaker, I am delighted to participate in this significant tribute to a great people, and I wish to commend the gentleman from Illinois [Mr. DERWINSKI] for giving me this opportunity to share in the commemoration of this event.

The observance this week of the 45th anniversary of the proclamation of the independence of the Ukraine underscores the importance of the captive nations resolution which many of us in the House have joined in sponsoring.

Although the independence of the Ukrainian National Republic, proclaimed on January 22, 1918, lasted only 2 years, the spirit of freedom still burns in the hearts of Ukrainians. It is the duty of all of us who are dedicated to the cause of democracy to nurture that love of independence in the Ukraine and in every other captive nation that now is being ground under the savage boot of Soviet totalitarianism.

Passage of the captive nations resolution, which would establish a Special Committee on the Captive Nations, would offer dramatic proof to those under the Communist yoke that they have not been forgotten by us in the free world.

I join in saluting the freedom-loving people of the Ukraine. Their independence may have been short-lived, but the flaming spirit of independence cannot be forever kept in check by the forces of oppression. One day, and may it be soon, a new era of freedom will dawn for the people of the Ukraine.

Until that happy day arrives, let us, Mr. Speaker, do all in our power to keep the people of the Ukraine reminded of our interest, our concern, our support, and our sympathy for their noble cause.

**Mr. DERWINSKI.** I thank the gentleman from New York, and I would like to pay special recognition to the gentleman's efforts and to those of the gentleman from New York [Mr. Horton] and the gentleman from New Hampshire [Mr. Cleveland] for their active support of the Captive Nations Committee.

Mr. Speaker, I would like to mention at this time the spirit of bipartisanship that covers these occasions and the tremendous work and leadership provided by the gentleman from Pennsylvania [Mr. Flood] in this field.

**Mr. STRATTON.** Mr. Speaker, will the gentleman yield?

**Mr. DERWINSKI.** I am happy to yield to the gentleman from New York.

**Mr. STRATTON.** Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. STRATTON.** Mr. Speaker, once again it is my privilege to take part on this floor in helping to commemorate the anniversary of the independence of the Ukrainian National Republic, and to salute both the Ukrainian people and those Americans of Ukrainian descent whose deep love of freedom and deep commitment to American ideals has added so greatly to the progress of our great country.

And once again I want to reaffirm not only my hope but also my conviction that the people of the Ukraine, like the people of the other nations who are now slaves to Communist imperialism, the nations we refer to as captive nations, will soon be free again.

To speed that day, Mr. Speaker, I have reintroduced my resolution calling for the establishment of a Captive Nation's Committee of this House. We made some real progress in the 87th Congress in pressing for a separate committee to handle the special policy problems related to these captive nations like the Ukraine. I hope that in this new 88th Congress we will be able to realize our goal, and thereby make clear that our professions of hope about the eventual freedom of these captive nations are not mere words but are principles deeply underlying our whole policy.

Forty-five years have passed, Mr. Speaker, since that day on January 22, 1918, when the Ukrainian people issued a proclamation of independence and joined the nations of the world as a free and sovereign state. A short 2 years later their freedom was suppressed by the Soviets, but the same courage and hope that ignited their birth of freedom 45 years ago persists today.

The fact that this courage and hope has persisted throughout these four decades of suppression is cogent proof that tyranny and oppression can never erase the desire of spirited men and women for freedom.

For these reasons the Ukrainian people have been a tremendous inspiration to all of us who are working for a world of free and independent states. The American people, including those fine Americans of Ukrainian descent, look forward anxiously and impatiently to the day when the Ukrainian National Republic will again join the free world partnership of nations.

As leaders of the free world, we in America have the greatest responsibility for the development of a free world community. Adoption of our Captive Nations Committee resolution is a necessary step to reassure the people of the Ukraine and other captive nations of our determination to help them in their bid for freedom.

At this point, Mr. Speaker, I am pleased to include a statement on Ukrainian independence released on Tuesday, January 22, by the Ukrainian Congress Committee.

The statement follows:

> The entire world, including the enslaved Ukrainian people, is looking toward the United States of America as the true citadel of freedom and hope for oppressed people everywhere. Therefore, the 45th anniversary of Ukrainian independence provides an appropriate occasion for the American people to demonstrate their sympathy with and understanding of the aspirations of the Ukrainian nation to freedom and independence.
>
> On January 22, Ukrainians in the free world will solemnly observe the 45th anniversary of the proclamation of a free Ukrainian State and the 44th anniversary of the union of all Ukrainian lands into one free and sovereign republic of the Ukrainian people.
>
> For almost 4 years the young and democratic Ukrainian Republic waged a defensive war against the Russian Communist aggression. In 1920 the free Ukrainian State was destroyed and a puppet regime of the Ukrainian Soviet Socialist Republic was installed, which in 1923 became a member of the Soviet Union.
>
> Although Moscow claims that Ukraine and other non-Russian republics of the U.S.S.R. are "free and sovereign" states, and that Ukraine and Byelorussia are even charter members of the United Nations, the Ukraine is a colony of Communist Russia.
>
> Its human and economic resources are being exploited by the Kremlin for the purpose of spreading the communization of the world and subverting the once free nations, as in the case of Cuba, to which Khrushchev and his Communist chieftains had sent their missiles and other offensive weapons which they had manufactured from the economic resources of Ukraine and other captive non-Russian nations.
>
> We recall that during the 1960 and 1961 sessions of the United Nations a number of Western statesmen, including Prime Minister John G. Diefenbaker of Canada, and the U.S. Ambassador, Adlai E. Stevenson, and others, raised their voices in protest against the oppression and enslavement of the Ukrainian nation by Communist Russia.
>
> Also, the Soviet Government is sending special agents to kill Ukrainian leaders in the free world, as was the case of Stephen Bandera and Dr. Lev. R., Rebet, whose killer was recently sentenced by the German Supreme Court in Karlsruhe to 8 years at hard labor.
>
> Both the U.S. Congress and the President of the United States of America have recognized the plight of the Ukrainian people by respectively enacting and signing the Captive Nations Week resolution, which listed Ukraine as one of the captive nations held in enslavement and captivity by Moscow.

### GENERAL LEAVE TO EXTEND

**Mr. DERWINSKI.** Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on Ukrainian Independence Day.

The **SPEAKER** pro tempore (Mr. Gonzalez). Is there objection to the request of the gentleman from Illinois?

There was no objection.

**Mr. DERWINSKI.** Mr. Speaker, at this time I am extremely pleased to note the presence on the floor of the House of a gentleman who is an acknowledged expert among House Members on the subject of captive nations, who has provided tremendous spirit and persistence in developing an appreciation among our officials in the executive branch of the Government as to the value to the United States and the free world of the spirit that still beats in the hearts of the people behind the Iron Curtain. I am pleased to recognize at this time the gentleman from Ohio [Mr. Feighan].

**Mr. FEIGHAN.** Mr. Speaker, I appreciate the generous remarks of the gentleman from Illinois whose enlightened and vigorous advocacy of the cause of all the captive nations is well known to Members of the House. I congratulate him for that initiative which he has so ably demonstrated again today.

Mr. Speaker, this 45th anniversary of Ukrainian national independence is an object lesson for the newly independent nations of our times.

All of us know the Ukrainian nation is neither free nor independent today. It is the victim of the new colonialism, the new imperialism of Moscow. Ukraine is not the only victim of Russian imperial tyranny. As is well known, there are no less than a score of once free and independent nations forcibly incorporated into the modern day empire of the Russians. The 86th Congress took special recognition of this fact and the danger it poses to the cause of peace by enactment of Public Law 86-90, known as the Captive Nations Week law.

We observe this 45th anniversary of the Ukrainian national independence because we are dedicated to the principle of self-determination under which all people and nations have the right to be self-governing and independent. That principle is the foundation of our American political heritage. We cherish it and we share it with all like-minded people throughout the world, those who now enjoy its benefits as well as those who still struggle for its application to their national life. The people of Ukraine have never given up their struggle for the right of self-determination, and we mark this anniversary as a high point in that struggle. They won their fight in 1918, establishing an independent democratic republic, only to fall victim to Russian colonial aggression under the banner of communism a few years later. Today the struggle in Ukraine for national independence is very much alive, and the cause of human freedom is strengthened by that struggle against the forces of imperial Russian communism. This is an appropriate time to take note of some little known but important international considerations in connection with the Ukrainian struggle for national independence.

At the outset the Ukrainian nation made a great contribution to tumbling the ancient and despotic empire of the Russian czars. As a vital part of the national independence movement which swept through the Eurasian landmass during the period 1916 to 1920 the Ukrainian people were in the vanguard of this movement. Four great empires fell before this tidal wave of human and national aspirations—the Austro-Hungarian, German, Ottoman, and Russian czarist empires passed into history. They were replaced by a series of newly independent nations stretching from the Baltic Sea to the Caspian Sea. The old concert of empires which had long been the power factor of this vast area was replaced by popular forms of national government. But this created problems which the victorious Western Allies were ill prepared to handle, the greatest being the rise of a new imperial tyranny in Moscow—communism.

It is important to recall here that the founders of communism as a system of government, the Bolsheviks, first established their power in the Russian nation. In this connection we should never forget that the Russians alone among all the peoples of the broken empire of the czars, failed to produce a national independence movement and remained untouched by this great wave of human hopes and expectations. Contrariwise, the Russian educated class remained fixed to the concepts of empire, rejected by the non-Russian nations of the broken empire, and devoted their energies and resources to restoring the Russian empire. The Bolsheviks adopted the same objective soon after they established their power over the Russian nation. While there were ideological differences between the Russian Bolsheviks and the Russian monarchists, they pursued a common objective—restoration of the Russian empire. While they were enemies, their common enemy was the national independence movement and both waged war against the newly independent nations. It remains a close question today as to which, the Russian Bolsheviks or the Russian monarchists, contributed the most to the fall of independent government in Ukraine, Byelorussia, Georgia, Armenia, Azerbaijan, Turkestan, Idel-Ural, Cossackia, and the Republic of North Caucasus.

History reminds us that the Russian Bolsheviks were victorious in this three-way war. After several years of bloody warfare, terror, and treachery, the new Russian elite class — the Bolsheviks, seized control of Ukraine and other newly independent nations. But this control was uncertain because the mass of non-Russian people in Ukraine and the other nations mentioned continued to demand self-government and national independence. It was in these circumstances that the Russian Bolsheviks set up the Union of Soviet Socialist Republics in 1924, in an effort to stem the powerful tide of the national independence movement. Ukraine was proclaimed a Soviet Socialist Republic and forcibly incorporated into the U.S.S.R. But the new Russian elite class were forced to officially recognize the existence of a separate and distinct Ukrainian nation. This was a significant gain for the Ukrainian people because centuries of Russian czarist occupation had denied this recognition and some czars went so far as to issue a ukase proclaiming that "Ukraine no longer exists" as a distinct state. Other czars prohibited teaching and writing in the Ukrainian language in an effort to break the national spirit of that country.

In 1954 on the occasion of the 300th anniversary of the Treaty of Pereyaslav, an instrument through which the Russian czars first destroyed Ukrainian independence, a new tactic was used by the Russian ruling class in the U.S.S.R. In connection with that year-long observance, the ideological spokesmen for the Kremlin spent great efforts in claiming that the Ukrainian nation was free and independent. These spokesmen for the Kremlin sought to discredit growing charges in the free world that the Ukrainian nation was a captive nation, submerged by Russian imperialism, forcibly incorporated into the U.S.S.R. and having nothing more than the status of a highly exploited colony of Moscow. On that occasion the propaganda organs of Moscow directed that the Communist regime in all the so-called Republics of the U.S.S.R. prepare suitable festivities and ceremonies noting the national independence of Ukraine. These same propaganda organs officially honored Ukrainian literature, history, customs, and folklore, as evidence that the Ukrainian nation was free and independent. But in all things of Russian origin, there is always a joker and this occasion was no exception. A new definition of the meaning of national independence was announced by the new Russian elite class. That definition states that Ukrainian independence is "national in form and Socialist in substance."

This means that the people of Ukraine are allowed to have their own national flag, but with the hammer and sickle mounted on it, they are allowed to speak and write in their native language, they are allowed to observe some of their ancient customs and traditions, they are allowed to claim a history, but of course, it is the Russian version of Ukrainian history. But above all else, the term "Socialist in substance" means that the ideals, the hopes, and the aspirations of the Ukrainian people must always be subject to the imperial whims of Moscow. Nevertheless this Moscow interpretation of national independence made in 1954 indicates that the tide of self-determination runs strong in Ukraine and that the new Russian elite class has been forced to adopt new ways and means in an effort to sublimate it and head it off. I suggest that those who doubt there are strong aspirations for freedom and national independence in Ukraine today give careful thought to this analysis which I have given.

I have said that the many newly independent nations which emerged with the collapse of empires following World War I created problems which the victorious Western Allies were ill prepared to handle. Aside from the rise of imperial Russian communism, there was no United Nations forum such as we have today and through which newly independent nations of our day are afforded a degree of protection along with considerable assistance in making permanent their newly won national independence. It will be recalled that the League of Nations was not established until 1920 although the covenant for its establishment was made at the Paris Peace Conference of 1919. It was in the critical period of 1918–20 that the newly independent nations of the broken Russian czarist empire were struggling for national survival against the aggression of Russian bolshevism and the forces of Russian monarchy described in many history books as the "White Russians." Those newly independent nations had no established international forum to which they could turn for moral or collective support in firming up their hard-won independence. By a cruel turn of circumstance, they were left to the forces of imperialism and they finally fell victims to it. The newly independent nations of our time might well reflect with benefit on this harsh lesson of history. Doing so I would hope that they would demonstrate a keener appreciation of the plight of Ukraine and the other captive nations and would use their membership in the United Nations in support of the right of self-determination for all the captive nations. The Russian Communists are well aware of these facts just as they are aware of the powerful storm of nationalism that brews within their present empire. The signs of the time should urge the Russian Communists to pay immediate heed to these forces at work within their empire, which can lead to extremely dangerous consequences for them if they continue to thwart human aspirations for freedom and national independence.

President Kennedy, in his state of the Union message delivered but a few days ago, underscored the global trend of our times. He stated:

> The disarray of the Communist empire has been heightened by two other formidable forces. One is the historical force of nationalism—and the yearning of all men to be free. The other is other gross inefficiency

of their economies. For a closed society is not open to ideas of progress—and a police state finds that it cannot command the grain to grow.

I would only add that it is the historical force of nationalism which denies Communist imperialism the grain to survive, let alone grow.

One further point must be made as we examine the international significance of the Ukrainian national independence movement because it has a critical bearing on the overriding issues of war and peace. It is a fact, though not popularly known, that in the first 3 months of the German campaign on the eastern front during World War II close to 4 million Red army soldiers surrendered their arms voluntarily and refused to fight in support of the modern day Russian empire. These soldiers were not Russians. They were non-Russians, indentured into service in the Red army, from all the captive non-Russian nations of the last remaining empire in the world. All they asked was the opportunity to fight against the Russian Bolsheviks, to be organized as national units, and, with victory, the promise of freedom and national independence for their homelands. The Ukrainians were in the forefront of this movement to restore freedom and national independence to the nations imprisoned by Russian communism. The German field commanders recommended to Hitler that the wishes of these soldiers be honored because it would not only hasten the end of war on the eastern front, but would assure victory. Hitler, in consultation with Himmler and Goering, decided against the recommendation of the German field commanders on ideological grounds, declaring that those soldiers "were non-Aryans and as such unfit to spill their blood for the Reich." The consequences of that decision are now self-evident, particularly after we take note of the vast increase in the size of the Russian Communist empire since the close of World War II and the threat which it now poses to the cause of freedom and justice everywhere in the world.

We have seen the once independent nations of Estonia, Latvia, and Lithuania forcibly incorporated into the U.S.S.R. We have seen Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Yugoslavia, and Albania robbed of their independence and turned into Russian colonies by the Moscow regimes imposed upon them. We have seen Germany, Korea, and Vietnam partitioned by the agents of Russian Communist imperialism. Mainland China, Tibet, and Outer Mongolia have been forcibly linked to the Russian empire and its dreams of world conquest. Yes, we have witnessed the Russian Communist annexation of Cuba and the planting there of Communist seeds of war and aggression in the Western Hemisphere.

From this chapter of history there are several lessons we must learn in our present dealings with the problem of imperial Russian communism. Among those lessons are:

First. That the Russians will never be able to accomplish their ages-long goal of world conquest so long as the hopes of the people in the captive non-Russian nations for freedom and national independence remain strong. The fear of mass disaffection and desertion which would become a reality should a war occur haunts the men in the Kremlin. They remember the lessons of World War II on the eastern front and want no repeat of that episode which took their empire to the brink of total disaster.

Second. The more we support by political means and associate our destiny with the hopes and aspirations of the people in Ukraine and all the other captive nations, just that much do we reduce the prospects of a war launched by Moscow. We must never permit those human aspirations to weaken or atrophy because if we do, the prospects of war will be immeasurably increased. This truism stands whether we continue to hold a superiority over the Russians in nuclear striking force or fall back into a nuclear stalemate.

Third by strengthening the national independence movement in Ukraine and all the other captive nations, we enhance the cause of peace and speed the day when peace with justice will reign in the world. The desire of the common man behind the iron curtain for individual liberty, freedom, and the dignity of life which national independence can bring is the human force which moves the tide of self-determination which President Kennedy spoke about in his address before the General Assembly of the United Nations on September 25, 1961, and which he observed had not yet struck the Communist empire. We act in the highest American tradition when we support those aspirations and we shall be rewarded in their fulfillment by a world at peace.

I join with my American friends of Ukrainian origin and all other Americans in the common hope that we shall remain ever faithful to our American political heritage.

Mr. DERWINSKI. I thank the gentleman from Ohio for his forceful, forthright and timely remarks.

Mr. Speaker, I yield back the balance of my time.

Mr. CELLER. Mr. Speaker, January 22 is the 45th anniversary of the independence of the Ukraine. Though the Ukrainian nation, in the wake of the great cry for self-determination, achieved its goal in 1918, its tragic capture by aggressive communism robbed it of the independence it had heroically achieved.

Lest we forget, it is altogether just that we remember each of its anniversaries of its independence not only as a symbol of our own dedication to freedom, but as our deeper expression of the imperatives of universal freedom in the name of the dignity of man.

Mr. McCORMACK. Mr. Speaker, Ukrainian independence was attained early in 1918 upon the overthrow of the czarist regime in Russia. On January 22 of that year the Ukrainians proclaimed their national independence and established a Republic. That act was the culmination of a long struggle which had its beginning in the mid-17th century, when the Ukrainians were forcibly brought under the autocratic Russian regime. The freedom thus regained represented the happiest climax in the modern history of the Ukrainian people, it proved to be all too brief. The forces of destruction and death, in the form of the aggressive Red Army of Communist Russia, determined to put an end to the Ukrainian Republic, and unfortunately were able to carry out their evil designs. Late in 1920 the Ukraine was invaded by the Communist military forces, and the Ukrainians were brought under the tyrannical yoke of the Kremlin.

Since then the Ukrainians have been suffering under Communist totalitarianism, but even under the most oppressive of tyrannies, these stouthearted and downtrodden people have not ceased fighting their oppressors. They still carry on their struggle against forbidding odds in the hope that eventually their righteous cause will win out. On the 45th anniversary of their national holiday, the Ukrainian Independence Day, my hearty wishes go to these dauntless and courageous souls.

Mr. CONTE. Mr. Speaker, today, we of the free world mark the 45th anniversary of the independence of the Ukraine on behalf of the millions of Ukrainians who are not free to know the wonders of independence. The reign of self-determination in the Ukraine was short lived, but the spark which ignited the Ukrainian desire for freedom in 1918 still burns in the minds of men in every corner of the world. We cannot assume that it has died out in the hearts of Ukrainians just because the power of the Kremlin is dominant in this area.

Above all, though, we Americans want to assure the world that we have not forgotten the plight of those less politically fortunate than ourselves. Our Government is one of laws, not men, and therefore, we are guaranteed certain inalienable rights which cannot be taken away by the whims of leaders who want to perpetuate their own power. Men and the power they generate control the Ukraine today, and change cannot take place simply by the actions of a majority at the ballot box. There are no guarantees that the terrors of Stalinism will not return, though they might now seem forever buried in the history of another age.

On the occasion of the anniversary of the independence of one of the oldest victims of Moscow's imperialism, it is only proper that free men renew their efforts to prove to the world that the U.S.S.R. is a group of republics bound together not by common traits or mutual historic ideals, but simply by the strength of conquest. One of the best means to open the book of the captive nations is to establish a special committee in the House of Representatives to document the history of Russian conquest and the nature of this new imperialism of the 20th century. I want to take this opportunity to join with many of my colleagues in reintroducing to the 88th Congress a House resolution to create such a special committee of our Members.

Let the success of this resolution and the friendship of the American people indicate to the captive peoples all around the world that they are in our thoughts constantly and that we do no intend to take any action which would lengthen their subjugation at the hands of the leaders of godless international communism.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, we commemorate once again the short-lived Ukrainian Republic and the hopes and dreams of the Ukrainian people everywhere. It was 45 years ago today that the liberty-loving Ukrainians proclaimed their independence and established the Ukrainian National Republic. After more than 300 years of suffering under the oppressive yoke of alien despots, the Ukrainian people made the most of the opportunity presented by the downfall of the czarist regime in Russia and the ouster of Austria from the western Ukraine. January 22, 1918, became a landmark in the long Ukrainian struggle for freedom and independence. Unfortunately, the Ukrainian Republic was surrounded by powerful enemies from the moment of its birth, each of whom was ready to put an end to its existence. Almost before the jubilation had ceased, the country was overrun by the Soviet Union, and the Ukrainian National Republic was submerged in the Soviet empire.

Since 1920, therefore, the 40 million Ukrainians have not been able to enjoy the normal benefits of a free and independent life in their historic homeland. Once again they are persecuted for clinging to their national ideals, for dreaming of independence and freedom. But oppression and persecution has united the Ukrainians against their foes and held them together. On this 45th anniversary of Ukrainian independence, we solemnly commemorate the continuing struggle for freedom of a brave and noble people.

Mr. **SCHNEEBELI.** Mr. Speaker, today we celebrate the 45th anniversary of the independence of a people whose short-lived period of modern-day freedom has been wedged in between centuries of privation and domination by others. During its history, the Ukraine has been overrun and devastated by the Mongols, carved up and partitioned, harshly ruled by Russia's czardom, dominated by the Hapsburgs, and subjugated by the Red army. Throughout these ordeals the spirit of the Ukrainian people has never flagged, and those seeds of independence have been a constant source of nourishment and hope.

Today, the 45 million people of the Ukraine constitute the largest captive nation in Eastern Europe. They fare no better under the tyranny of the Kremlin than their forefathers did under foreign lords. As we celebrate with them the significance of this day, let us share in the confidence that their perseverance will be vindicated.

Mr. **MULTER.** Mr. Speaker, in 1918, just 45 years ago today, the flame of independence and democracy flickered briefly in war-torn Russia.

The Ukrainian People's Republic, centered in Kiev, proclaimed its independence from the Moscow revolutionary regime, already in the hands of the Bolsheviks.

But even then the Ukraine was in the throes of civil war because a minority within the central rada—council—a minority composed of Bolsheviks and other like-minded radicals, refused to abide by the majority decision for independence and set up a separate government.

The central council in Kiev had contained representatives from all walks of Ukrainian life, including Bolsheviks. Thus the natural democratic instincts of the Ukrainian leaders were exploited by the Bolsheviks in their drive for totalitarian control.

The practice of utilizing democracy, then destroying it, has been repeated over and over. As always, the issue was settled by the sword. Soviet troops swept aside the fragile republic before it could defend itself, and another portion of freedom was devoured.

But the Ukrainian's love of freedom and passion for independence cannot be extinguished by forceful subjugation. Therefore we commemorate this day to remind the Communists that the winds of change are blowing history in the direction of freedom for all men, and to remind ourselves to appreciate and guard the freedom that we now enjoy.

Mr. **WEAVER.** Mr. Speaker, in an age when European colonialism is in rapid decline in Asia and Africa, it is paradoxical that another type of colonialism, centered in Moscow, should find itself increasingly secure in its socialistic control over millions of non-Russian people both inside and outside the Soviet Union.

The 40 million Ukrainian people behind the Iron Curtain represent one of the largest nations ever to fall under the yoke of such colonialism, and it is understandable that the 2 million Americans of Ukrainian background including many from the 24th Pennsylvania District, are among the most fervent and unflinching groups in this country supporting the cause of liberation—of the Ukrainian nation in particular but of all the other captive nations as well.

The fact that Ukrainian independence was short lived does not affect the issue. The Ukrainian people have a long history of ethnic, cultural, and linguistic identity which, together with their centuries of habitation in one geographic area, gave them all the necessary attributes of nationhood. In recent centuries the Ukrainian people had been ruled by the Russian czars and by the Austro-Hungarian empire, but after the downfall of the last czar, a Ukrainian Parliament was formed and it proclaimed the establishment of a free and independent Ukrainian National Democratic Republic on January 22, 1918. Less than 3 years later this new nation was mercilessly crushed by Bolshevik military power, and physically absorbed into the Soviet Union.

The Ukrainian people in the Soviet Union since that time were the first to suffer enslavement at the hands of the Communists, thus preceding other people forced into the Communist camp. It is of particular interest that the present ruler of the Soviet Union, Nikita Khrushchev, had a direct hand in this oppression when during the 1930's he was Communist Party boss in the Ukraine, carrying out the tyrannical directives of Stalin.

In physical terms the Ukrainian nation has fallen victim to Soviet colonialism, but the spirit of Ukrainian nationalism and freedom survives in the Ukraine as well as in the hearts of Americans of Ukrainian descent. These Ukrainian-Americans have applied the best of their heredity to loyalty to the United States which has given all of us the blessings of liberty and security. At the same time their personal experiences worked not only for the cause of Ukrainian independence, but for enslaved people everywhere. For they rightly see an identity between the fundamental interests of America and those of the free world; namely, the expansion of freedom and the preservation of peace with justice.

We Americans must keep in mind that the expansion of freedom needs to be worked for through 20th century methods rather than the archaic method of war. Any direct military action for the liberation of the enslaved people would likely result in a global war, as the Red regime would do its utmost to prevent the breakup of its satellite empire, not to mention of the Soviet Union itself.

What can be done and what the free world needs to do is for us to outdo the Communist bloc in peaceful economic and political competition, to defeat the Communists in the struggle for the minds of men, so that the Communist bloc becomes increasingly isolated. At the same time that we shall be stymying Communist expansion internationally, the forces within the Soviet Union which have been pushing for liberalization of the regime are likely to grow apace, especially if the blessings and advantages of freedom are made increasingly evident by the free world.

Thus we collectively, all Americans descended from immigrants, can anticipate that Khrushchev's grandchildren as well as all the captive people in the Communist world will some day live in freedom. For the attainment of that noble objective, I add my most ardent hopes and expectations to yours on this 45th anniversary of Ukrainian independence.

Mr. **GILBERT.** Mr. Speaker, it is a privilege to join with my colleagues in observing the 45th anniversary of Ukrainian Independence Day. It is important that we pay tribute to the great people of the Ukraine and that we observe these ceremonies in the House of Representatives. The brave people of the Ukraine need this demonstration of our faith in those behind the Iron Curtain who wish to be free.

The history of the Ukrainian people during the past 1,000 years is one fraught with struggles for independence against awesome odds. In 1794, the major portion of the Ukrainian people came under Russian rule. With the collapse of the Russian Empire in 1917, the opportunity for freedom and independence was finally at hand. On January 22, 1918, the Ukrainian leaders proclaimed their country's independence. The joy of the people was short-lived, for in 1920 their country was attacked by the resurgent Red Army and overpowered, and the people were brought under Russian rule again—this time under the U.S.S.R. The captivity and enslavement of the 45-million Ukrainian nation are deplored by all freedom-loving people throughout the world.

The Ukrainian people have an enviable record of dedication to the principles of freedom and dignity of the individual. When we focus worldwide attention on the Ukraine, we help the cause of freedom and truth; when we in Congress give assurance to the world that we are not forgetting the sad plight of the millions now living in oppression behind the Iron Curtain, we dramatize and call attention to the treachery and the deceit of the Communist system. We know that the people of the Ukraine have not relinquished their desire for freedom; their hopes must be kept alive, and they deserve our encouragement in this tragic period in their history. We hope and pray that the day of liberation for them and all other captive nations will soon be a reality.

This is an appropriate occasion for me to urge the Congress to approve the formation of a Special House Committee on Captive Nations. Such a committee would vividly symbolize to all the world our determination never to forget the captive nations, their untold sacrifices in their struggle for liberation and independence, and freedom from the Soviet yoke of oppression.

I am happy to sponsor the resolution providing for the formation of such a Committee on Captive Nations which was introduced by our esteemed colleague the gentleman from Pennsylvania [Mr. FLOOD] and I have introduced an identical resolution to indicate my strong support.

Mr. BOW. Mr. Speaker, I wish to join in the comments of my colleagues on the 45th anniversary of Ukrainian independence.

I think it is important for us to recall each year, for all the world to know, that we do not recognize the right of the Soviet Union to turn free nations into Communist colonies, and we repudiate those Americans no matter how highly placed who feel that the Soviet Empire cannot be dismembered.

On this occasion, I wish to call attention to House Concurrent Resolution 8 and ask leave that the text of the resolution be included as part of my remarks:

> Whereas the United States of America is dedicated to the restoration of liberty and self-determination for eight hundred million people enslaved by Communist imperialism; and
>
> Whereas there exists in the hearts and minds of Americans a deep sympathy and understanding for the hopes and aspirations of the captive peoples; and
>
> Whereas it is appropriate for Americans to keep alive the traditions of liberty symbolized by the historic national holidays of the captive nations: Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress of the United States that the President of the United States proclaim the following historic dates as days of observance by the people of the United States in their spiritual union with the victims of Communist imperialism and colonialism: January 22 as Ukrainian Day; February 16 as Lithuanian Day; February 24 as Estonian Day; March 3 as Bulgarian Day; March 14 as Slovakian Day; March 15 as Hungarian Day; March 25 as White Ruthenian Day; May 3 as Polish Day; May 10 as Rumanian Day; May 26 as Georgian Day; May 28 as Armenian and Azerbaijan Day; June 17 as East German Day; August 15 as Korean Day; October 10 as Chinese Day; October 26 as Vietnamese Day; October 28 as Czech Day; November 18 as Latvian Day; November 28 as Albanian Day; December 13 as Turkestan Day.

Mr. FINO. Mr. Speaker, the two World Wars of this century were among the worst disasters in recorded history. While in both the forces of democracy and freedom emerged victorious over the forces of autocracy and tyranny, they left us with distinctly different results. At the conclusion of the first we witnessed the rebirth and regeneration of many new states in Europe alone, states in which peoples had lost their freedom and were suffering under alien regimes, while at the end of the last war all these peoples in central and Eastern Europe once more lost their freedom and were subjugated to Soviet tyranny.

The Ukrainian people had known the Russians as their overbearing and oppressive taskmasters for centuries, either as callous agents of autocratic czars or as the heartless minions of Communists in the Kremlin. Only for a brief 2-year period they were free and on their own in their homeland. That was the period in 1918–20 when they lived in their newly constituted but hopelessly weak Ukrainian Republic. During those 2 years they worked, fought, and prayed for its survival and success, but in the end its fate was doomed by an inveterate and treacherous enemy, the Red army of Communist Russia. For when the helpless Ukrainian Republic was attacked by that army none of Ukraine's sincere friends could give her the help survival would have required. Soon the whole country was overrun and made part of the Soviet Union.

Since then, for more than four decades, some 42 million Ukrainians have existed in their native land under the oppressive Communist totalitarianism imposed upon them by the Kremlin. But these sturdy and stouthearted souls also hope and pray for their deliverance from their oppressors. On this 45th anniversary we join them in their prayer for their freedom and independence.

Mr. MILLER of New York. Mr. Speaker, this month the Ukrainian people whose devotion to freedom has survived unspeakable adversities, celebrate the 45th anniversary of their independence.

The celebration is muted by sadness because that independence is only a cherished memory in today's world where, as the cause of freedom is extended, millions remain as captives behind the Iron Curtain.

But shining through this occasion is the eternal quest for liberation of the homeland in the hearts of all Ukrainians—those who are enslaved or scattered as fugitives from oppression. That this hope burns hot is an inspiration to all similarly victimized; that this hope is reiterated 45 years after it was realized so briefly is the highest tribute to the unfaltering courage and determination of the Ukrainian people.

For us who know better than most what it means to live under perpetual freedom—denied nothing that will enhance our individual aims and ambitions—compassion for the Ukrainian people is close to the surface of our emotions and we would remind them today of our warm admiration.

Through history, few people have suffered more; few people have waited so long for such a brief emergence from bondage. For centuries the Ukrainians planned, dreamed, and fought for an independent status. They found a real glimmer of hope toward the close of the Russian czarist regime. When it collapsed, they established on January 22, 1918, the first Ukrainian National Republic. In the next 2 years, as they fought to consolidate their independence, they were confronted by the overwhelming force of Russian Communist troops and, in 1920, the new nation was forcibly incorporated as part of the Union of Soviet Socialist Republics.

Mr. Speaker, I know that when the spark of revolt is ignited behind the Iron Curtain, these people who have never given up, never renounced their ways and their beliefs, will be in the front ranks of the movement. I am sure that day will come—as sure as I am that the aims of godless communism and doomed to defeat wherever freedom-loving people have the heart and courage to oppose them. So I join all Americans in saluting the Ukrainian people and the Ukrainian Congress Committee, one of the organizations that speaks for them in this country.

Mr. Speaker, I would add to this my hope that we will see the establishment in the Congress of a Special Committee on the Captive Nations which would symbolize America's concern for all captive peoples and by its very existence continue to keep Russia on notice of our opposition to ruthless Communist colonization.

Mr. DINGELL. Mr. Speaker, the Ukrainians, who are among the most gifted, courageous, and stouthearted peoples in the Eurasian Continent, are also among the most unfortunate ethnic groups in modern history. These hard-working, liberty-loving, and supremely devout Christians had lost their freedom more than three centuries ago, and for that length of time had been struggling against their oppressors, the autocratic czars of Russia. In 1918, when the forces that held them in chains were shattered, they proclaimed their independence and established the Ukrainian National Republic. That was done on January 22, 45 years ago. From its birth until its agonizing death at the hands of Communist Russians 2 years later, the newly founded state was faced with insurmountable difficulties. Early in 1920 the country was attacked and then overrun by the Red army; soon it was incorporated into the Soviet Union, and the independent Ukraine had ceased to exist.

Since then, some 40 million Ukrainians have for 45 years borne the heavy yoke of the Kremlin and have suffered in ways beyond description. They have been robbed of their worldly possessions, and they have been put to death by the millions. Millions were driven from their homes to the forbidding vastnesses of Siberian wasteland, and there in slave-labor camps they have been forced to work under most abominable conditions for their heartless taskmasters in the Kremlin. During all these years there has been very little change in the sad lot of the Ukrainian people in their homeland. On the 45th anniversary of their national independence they are not permitted to celebrate it there. Hundreds of thousands of Ukrainians domiciled in this hospitable republic, who have become its loyal citizens, here celebrate that historic event in due solemnity. I am glad to join them in this memorable celebration of Ukrainian Independence Day.

Mr. NELSEN. Mr. Speaker, 45 years ago men who loved liberty proclaimed the Ukraine independent. Within 2 years that independence had been crushed. Today, 45 million persons live in the Ukraine who are not free.

I wish to join with many of my colleagues in the House on this 45th anniversary observance of Ukrainian independence in asserting that this country, like so many others in Eastern Europe, need not remain shackled forever—for wherever freedom has been, there it will one day return. The forces of history stand opposed to tyranny, to the coercion of human beings and their God-given rights.

Taras Shevchenko was a great Ukrainian poet who stirred his countrymen to independence after 1,000 years of domination. He once wrote, in lamenting the absence of freedom in his country:

> Songs of mine, O songs of mine,
> You are all I have.
> Do not leave me now, I pray,
> In this dreadful time.

Here today, representatives of the American people go on record that this song is not forgotten, and shall not be so long as the people of the Ukraine, and others like them, remain in bondage.

Mr. McDADE. Mr. Speaker, we gathered here in the august Chamber of the House of Representatives at 12 o'clock. We have gathered here under the shadow of the Capitol dome at what might well be called the high noon of freedom. We have listened to the words of freemen, spoken to freemen, in a hall of free debate, and all of us shall vote freely on the acceptance or rejection of the message we heard today.

But freedom does not walk the whole of the earth.

It is not noon over the great nation of the Ukraine. As we walked into this Chamber, it was already 8 o'clock over that great people. Darkness had fallen over then 3 hours ago; the lights in all the villages and cities of the Ukraine had flickered on, to bring some cheer in the darkness of cold night.

But this is not the only darkness that lies over that land. Indeed, the darkness of night is a welcome respite from another darkness that covers that unhappy land, the darkness of slavery.

For the Ukraine today is the greatest in number of all the captive nations of Europe. Forty-five millions of souls are held captive in this land, and the slavery lies heavily upon them.

But there is something that can be done to lighten the load of their chains. In spite of all the works of evil men, in spite of walls, of iron curtains, of all the devilish machinations of men to keep truth from these people, somehow the truth seeps through, or creeps through, or flies through. And if we, today, send to these people the word that we have not forgotten them, that we stand for their freedom with all the vigor that only a free nation can muster, then, at least, we will have given them hope.

The cold hands of Khrushchev lie heavily upon the Ukraine, upon Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania. But all that I hear is rejoicing that the Soviets and Red China are in vast dispute. I would as soon rejoice at news that rioting had broken out on Alcatraz, and the prisoners were killing each other. I find little consolation at a quarrel between killers.

We have known Khrushchev for a long time now. First as the "butcher of the Ukraine," later as the "butcher of Budapest." Sir, we may have to deal with this butcher, but I hope that never will it be forgotten by any branch or department of this Government that what he is selling is meat—not truth. Nor should it be forgotten that the blood upon his apron is not the honest blood of cattle but is the blood of the bodies and souls of men—the men of the Ukraine, the men of Hungary, the men of East Berlin, the men of Katyn Forest—the millions of men who have been ground beneath the heels of the Soviet and the tanks of the Soviet.

Tomorrow night in St. Stephens Church here in the Nation's Capital, a mass will be celebrated in the Ukrainian rite. But if this is the only memorial to the peoples of the Ukraine, then something noble will have passed this city by. I do not propose that this shall be so.

It is worthy of note that the first meeting of the Ukrainian National Assembly was held on April 19, the anniversary of the Battle of Lexington. If the spirit of Lexington lives there, I hope it still lives here.

Mr. McCLORY. Mr. Speaker, in recognition of Ukrainian Independence Day, and on behalf of the large number of my constituents of Ukrainian birth who now reside mostly in Waukegan and North Chicago, Lake County, Ill., in the 12th Congressional District, I rise to pay tribute to this freedom-loving nation which remains under the yoke of communism.

Forty-five years ago, a band of brave Ukrainians unfurled the banner of freedom to proclaim Ukraine's independence. That event marked the realization of a long-cherished patriotic dream. As the result of the Russian revolution, czarist autocracy was shattered. It was only natural that non-Russian ethnic groups in Russia's loosely held empire should break away, resolved to set up their own governments. So, the Ukrainians created the Ukrainian Republic. Wartime events and unforeseen postwar international situations proved disastrous to the newly proclaimed Ukrainian state. Even before the war ended, it was attacked by a neighboring people and rendered too weak to withstand the deadly onslaught of the Red army. The unfortunate end came in 1920 when the country was invaded, conquered, and made a part of the Soviet Union. Thus ended a short—but proud—chapter in the 20th-century history of the Ukrainian people.

The Ukraine is the second largest unit in the Soviet Union, and its more than 42 million inhabitants make up more than a fifth of the U.S.S.R.'s population. Since 1920, these millions of stout-hearted patriots have had to accept the oppressive Soviet Government, without enjoying any of the elemental rights which the free societies of the West consider the birthright of all human beings. Appalling and harsh though it is, the sad and tragic truth is that for four decades Russian Communists have ruled the Ukrainians with an iron hand. They have turned the country into a large prison with no semblance of freedom. The masterminds of the Kremlin have seen to it that there are no such Western trappings as inalienable rights in the Ukraine.

Fortunately, neither the tyrants of Moscow nor their minions in the Ukraine have succeeded in extinguishing the spirit of freedom among the Ukrainians. Despite the darkness and the depression, the total misery and unending suffering, hope springs eternal in the hearts of these brave people. So long as that spirit of hope lives—so long as the ideal of national freedom is cherished by the Ukrainians and passed on from father to son and mother to daughter—no dictatorship or tyranny can deprive this nation of their real independence—the independence of their hearts and souls.

In this observance of the 45th anniversary of their independence day, it is our ardent prayer that they will regain their freedom and know peace in their historic fatherland.

Mr. RIEHLMAN. Mr. Speaker, January 22 marked the 45th anniversary of the independence of the Ukrainian National Republic.

It was in 1918, in the city of Kiev, that the proclamation was made, fulfilling the cherished desires of the Ukrainian people. But, freedom was not to be retained by these gallant people, for within 2 years it had been ruthlessly suppressed by the Communist forces of Russia.

The Ukrainian people have since endured the heavy burden of Communist tyranny, praying for their liberation day. Although freedom has been extinguished for them, we know that the spiritual and moral character of the Ukrainian people cannot be suppressed. Their desire for liberty is as strong as that of our own American colonists.

The Ukrainian nation numbers over 42 million people and is a most important ally of the free world in the struggle against communism. During the past decades of enslavement the Ukrainian people have continued to demonstrate their devotion to freedom and the ideals of independence by maintaining a relentless opposition to Communist rule.

It is with great sympathy and understanding for our Ukrainian friends everywhere, and with steadfast hope for the future, that I join my colleagues today in reaffirming the goal of eventual liberation for all enslaved peoples behind the Iron Curtain.

Mr. RYAN of Michigan. Mr. Speaker, on January 22, 1918, at the close of World War I, the Ukrainian people reached another milestone in their historic development when they established a united, democratic, and independent republic. The event was of epochal significance not only for the Ukrainians, but for the whole of Eastern Europe as well. After almost two centuries of foreign domination by Russia and Austria, Ukraine finally attained its full freedom and independence.

The young Republic, which was prompt to call an all-national parliament, the Ukrainian Central Rada, promulgated a series of liberal laws affecting the social and economic life of the population and assuring all minorities of equal rights as full-fledged citizens, but Ukraine could not enjoy for long the peace and prosperity in freedom.

Although the Red leaders, Lenin and Trotzky, recognized the independence and sovereignty of Ukraine, Bolshevik Russia unleashed its newly organized Red army and in a series of invasions and large-scale battles, succeeded in destroying the young independent state of Ukraine, and impose upon the Ukrainian people by force and terror the oppressive yoke of Russian communism. Even such a marked event as the union of all Ukrainian lands by an act of union of January 22, 1919, a year after the proclamation of independence, could not sustain the Ukrainian people in their effort to preserve their hardly won freedom in the face of the numerically superior forces of Communist Russia. By the end of 1920, the vast Ukrainian lands—with the exception of western Ukraine, Carpatho Ukraine, and Bukovina, and Bessarabia—were subjected to the totalitarian domination of Moscow.

The martyrdom of the Ukrainian people under the Bolshevik regime has been measured by countless crimes committed against them by Moscow. But neither mass executions of Ukrainian patriots and deportations of millions of Ukrainians to Siberia, nor forcible Russification and outright genocide could ever break the determination of the Ukrainian people to regain their freedom and independence.

During and after World War II, the vast Ukrainian underground forces, led by the Ukrainian insurgent army—UPA—challenged Moscow's domination by stubborn and systematic resistance to Russia. Even in the Soviet slave labor camps of Vorkuta, Norilska, Karaganda, Kingir, Mordovia, and Verkhnoye-Umbatskoye, the Ukrainian political prisoners have been bold and recalcitrant defenders of freedom and human decency, and have staged bloody strikes and rebellions that have shaken the entire system of Soviet slave labor camps in 1953, 1954, 1955, and 1956.

It is the spirit of independence that keeps the Ukrainian underground forces alive even today and the Ukrainian people united against the alien rule of Moscow. In May 1956, the Ukrainian partisans attacked several Soviet military supply trains in the Ukraine. During the Hungarian revolution in November 1956, Ukrainian freedom fighters blew up Soviet supply trains en route to Hungary at the railroad stations of Stanislaviv, Kolomeya, Nadvirna, and Vorokhta in western Ukraine and in Carpatho-Ukraine. At the critical hour in Hungary, many Ukrainians from the Soviet armies not only refused to fight against the Hungarians, but went over to the latter's side with tanks and ammunition and joined the Hungarians in their struggle against the Russians.

At this time, as the Ukrainians the world over commemorate the 45th anniversary of Ukrainian independence, the free world must take cognizance of the plight of the Ukrainian people under Russian tyranny. For all these long years, the Ukrainians were almost alone and unaided in their struggle against Moscow. Russian tyranny, as evidenced in Hungary in 1956, is by no means limited to Ukraine; it threatens to spread to Asia and in the Middle East, and, indeed, to the Western Hemisphere.

In the recent past months we were faced with Russian communism threats very close to our shores. Cuba was to have been the Communist foothold in the Western Hemisphere, and that threat is not yet over.

Admiration alone for freedom fighters in Ukraine and elsewhere behind the Iron Curtain will not help these people get rid of Russian domination. We must do more than that if we still believe in the principle that all nations, however great, however small, should be free and independent.

As a nation of over 40 million people—the largest non-Russian nation behind the European Iron Curtain—Ukraine stands as one of our most important and natural allies in the eventual defeat of Soviet imperialism. Its historic claim to national freedom and independence cannot be ignored. Its place as a sovereign and equal partner in the mutual construction of the free Europe of tomorrow must be assured, if the foundation of permanent peace among freedom-loving nations is to be invincible.

We are all fully aware of the importance of the Ukraine as an ally in the common struggle against Russian Communist imperialism. On this anniversary of the independence of the Ukraine, let us rededicate ourselves to the restoration of liberty and self-determination to all who now suffer behind the Iron Curtain of Red tyranny.

We must extend a hand of friendship to the Ukrainian people and our moral support of their aspirations. We must also join them in prayer that their just cause will soon be realized.

Mr. PUCINSKI. Mr. Speaker, on this 45th anniversary of the establishment of the Ukrainian National Republic we pause to honor the Ukrainian people around the world who have suffered so long under the yoke of alien tyrants.

When the czarist regime in Russia collapsed, the Ukrainian people realized the fulfillment of their centuries-old dream of freedom and independence within the framework of their ancient national traditions. Their new-found freedom, however, was crushed after only 2 short years as an independent state. The Red army invaded the country, and the free Republic, which was prepared to live in peace and harmony among the nations of the world, was overrun by the imperialistic Communist empire.

Their 2 brief years of freedom, however, have helped to sustain them in the long years since this invasion of their land.

Today the Ukraine is a captive of Communist Russia and its human and economic resources are being exploited by the Kremlin for the purpose of spreading communism around the world. Our public commemoration, here in the Congress of the United States, of their former days of freedom and our sincere sorrow at their present plight gives them renewed encouragement not to abandon their dream of independence.

It is because I feel so strongly that the free world must continue to sustain all the oppressed people behind the Iron Curtain in their aspirations for eventual deliverance that I have once again sponsored a resolution, House Resolution 62, to establish a Special Committee on Captive Nations in the House of Representatives. I join with Mr. FLOOD and my distinguished colleagues who have also supported this measure in their hope for favorable consideration during this session of Congress. In our secure and wealthy land which has become a bulwark against tyranny, we must preserve and perpetuate the common dream of all men who desire self-government and individual liberty. The world looks to us for leadership. By establishing this Special Committee on Captive Nations we serve notice on all dictators and Communist puppets that we are resolute in our determination to keep the goals of freedom alive throughout all the world.

We look forward to the day when 42 million Ukrainians, and their neighbor millions in other Communist-dominated countries, will once more be able to celebrate their own national holidays in freedom and independence.

Mr. PIRNIE. Mr. Speaker, today we commemorate the 45th anniversary of the establishment of the Ukraine as an independent national state. Recently, Prof. Lev E. Dobriansky, Georgetown University, who is chairman of the Ukrainian Congress Committee of America, Inc., sent me a letter which offers constructive suggestions of positive steps that we might take to dramatize Russian colonialism within the U.S.S.R. I commend to the serious consideration of the Congress the proposals as contained in his letter set forth below:

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
*New York, N.Y., January 11, 1963.*

Hon. ALEXANDER PIRNIE,
*House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN PIRNIE: Forty-five years ago this January 22 the Ukrainian people, constituting then and now the largest non-Russian nation in Eastern Europe, freely determined itself into an independent national state. By 1920 the Ukrainian National Republic became one of the first victims of Soviet Russian imperiocolonialism. Today, Ukraine is one of the oldest captive nations in Eurasia, but its long record of nationalism is second to none.

In terms of historical reality and its possibilities, had Western enlightenment and aid supported Ukraine's independence in 1918, the prison house of nations known as the Soviet Union could never have emerged; the mortal threat facing our own free Nation would have been nonexistent. The tragic mistake committed by our leaders then can today be somewhat redressed by our enlightened actions toward the imprisoned nations in the U.S.S.R.—and thus work toward real victories in the cold war.

What can we do? On this 45th anniversary of Ukraine's independence, here are a few constructive steps that can be taken: (1) Join in this nationwide observance by offering on the floor of Congress your stirring statement of principle and understanding directed at the 45 million Ukrainian nation; (2) enable Voice of America to broadcast your message to Ukraine; (3) support the issuance in 1964 of a "champion of liberty" stamp in honor of Taras Shevchenko on the 150th anniversary of his birth (the 86th Congress provided for his monument in Washington, which will be completed next year); (4) call for a congressional inquiry into Moscow's widespread persecution of religious groups, its genocide of the Ukrainian Orthodox and Catholic churches, and the 18-year imprisonment of the Ukrainian Catholic Archbishop Joseph Slipy, the "Mindzenty in the U.S.S.R."; and (5) establish a Special Committee on the Captive Nations—a congressional committee proportionate to the value and meaning of all the captive nations, truly our foremost nonmilitary weapon in the cold war—with concentration on Russian colonialism in the U.S.S.R.

Our continued neglect of Ukraine and the other captive non-Russian nations in the U.S.S.R. only perpetuates the errors of our past. We have a whole new horizon before us. I am certain you will assist in cultivating it for our own national interest.

Sincerely yours,

LEV E. DOBRIANSKY,
*Chairman, Georgetown University.*

Mr. **FRIEDEL**. Mr. Speaker, the Ukraine is the largest country in Eastern Europe, and the Ukrainians are by far the most numerous of all national groups in that region, numbering more than 42 million. In many ways the country is the most productive agricultural region in Eastern Europe, and has often been referred to as the breadbasket of the entire area. Its hard-working inhabitants, the solid core of the sturdy East European peasantry, have always tilled their fertile soil tirelessly and ceaselessly, not only for their own well-being but also for their neighbors, and in recent years for their heartless Soviet taskmasters. The very fact that the fair land of Ukraine is fertile and superbly rich in natural resources seems to have been a cause of the misery and misfortune of the Ukrainians. The wealth of the land has aroused the envy and anger of its powerful and greedy neighbors, and that has occasioned its conquest by alien tyrants.

For more than 300 years the Ukraine has been submerged in the huge Russian state, and during all that time both autocratic czars and Communist tyrants have done their worst to suppress and eradicate what we in the West regard as the best Ukrainian national traits: their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their readiness to sacrifice their all for the attainment of their national goals. Only once in the course of their long subjugation to alien rulers they had the chance of attaining their freedom and independence; that was in 1918. When the czar's autocracy in Russia was overthrown in 1917, and Austria no longer ruled over western Ukraine, Ukrainian leaders seized the occasion and proclaimed their national independence. That was done on January 22, 45 years ago, the day on which the Ukrainian National Republic came into existence, and a new day was ushered in for the Ukrainian people.

That day is a landmark in the recent and modern history of the Ukraine, and remains a significant date in the struggle of the Ukrainian people for their national independence. Unfortunately, however, they were able to enjoy their richly deserved and hard-won freedom only for a short time. The newly created and weak Ukrainian Republic has long ceased to exist. Being surrounded by enemies, its days seemed to have been numbered from the time of its birth. Early in 1920 Communist Russians treacherously attacked the country and overran it. Soon it was incorporated into the Soviet Union and the Ukrainian Republic became a mere memory.

The Ukraine remains a province of the Soviet empire, its people suffering under Soviet tyranny. For more than 42 years some 42 million helpless, oppressed, and liberty-loving Ukrainians have existed in a vast prison camp in their historic homeland, surrounded by Soviet secret agents and separated from the free world by the Iron Curtain. Needless to say, they can enjoy none of the freedoms which we in the West regard as our birthright. Under such trying and almost unbearable circumstances they are not allowed to celebrate their independence day. Fortunately there are many hundreds of thousands of Ukrainians in the free world, including a large number of Ukrainian-Americans, who solemnly observe the anniversary of that memorable day. I am glad to join all my Ukrainian-American friends in the celebration of the 45th anniversary of Ukrainian Independence Day.

Mr. **FOGARTY**. Mr. Speaker, I am pleased to add my words to those of my colleagues here in the House of Representatives today in commemorating the anniversary of Ukrainian independence.

The Ukrainian people have a long and honorable history of dedication to the principles of freedom and the dignity of the individual. Since the birth of the Ukrainian Republic 45 years ago, the people of the Ukraine have born an almost continuous yoke of oppression and suffering. The Ukrainian people are a people who believe as we do, that every man has the right to worship his God according to the dictates of his conscience. They will accept no domination in this sphere just as they will freely accept no domination in the sphere of the type of government which has been imposed on them. That they have been forced to accept this domination remains a source of sorrow to all free people.

The Ukrainian Republic is unable to celebrate its own independence today but we, as trustees of their cause, can do so for them and let the world know that they have not been forgotten nor their present plight accepted.

On this occasion let the Ukrainian people know that we will plead and fight for them and that their courage and hope will not be in vain. We assure the people of the Ukraine that we are with them in spirit and that we hope and pray that their freedom will be soon restored.

Mr. **GREEN** of Pennsylvania. Mr. Speaker, among the numerous nationalities residing in the city of Philadelphia and in the State of Pennsylvania are many thousands of Ukrainian birth or descendancy. While they go about their daily lives amidst the protections and blessings of a democracy, their hearts are heavy for their enslaved countrymen back in the Ukraine. They share with these oppressed peoples the hope that one day the godless and communistic masters will rue their atheist existence and feel the hand of divine vengeance for their crimes against humanity.

They live for the day when the Red horde will be turned back and cast aside. That day may not be too distant as the communistic masters have already started to quarrel among themselves, and as thieves dealing in human bondage, may eventually tear one another apart.

All peoples in central and eastern Europe have had their share of misery and misfortune in recent times, but perhaps none of them have been as unfortunate as the people of Ukraine. During the past 300-odd years they enjoyed freedom and independence only for a brief 2-year period, in 1918–20, while rest of the time they have been subjected to alien tyrannies.

At the end of the First World War, when the autocratic czarist rule over them was shattered, they proclaimed their independence and established their national government in the newly created Ukrainian Republic. Under indescribable handicaps they managed to maintain their freedom and preserve their rather weak state for about 2 years. And then the Republic was treacherously attacked by the Red army, was overrun, and all opposition in the country crushed. Independent Ukraine ceased to exist, and the country became part of the Soviet Union. Thenceforth Ukrainians became prisoners in their homeland under the unrelenting rule of the Kremlin. They have been robbed of all forms of freedom, except of their spiritual possession. There they still cling to their ideals of freedom and independence. In this seemingly unending misery and misfortune that appears to be the sole encouraging fact. On the 45th anniversary of their independence day we wish them fortitude and power in their struggle for their righteous cause, for their freedom and independence.

The Ukrainians are proud of this heritage, and rightfully so. Its roots are solidly planted within those living among us, and will ever remain until the day when the freedom torch will again burn bright over the fields of the Ukraine.

**Mr. RYAN of New York.** Mr. Speaker, January 22 marked the anniversary of the short-lived Ukrainian National Republic. On that date 45 years ago, the Ukrainian people expressed their desire to cast off the onerous Russian yoke which had bound them to the czarist empire for 300 years. In spite of Russian dominance, they had nurtured the Ukrainian language, culture, and separate historical tradition—the very ingredients that make a nation. This freedom-loving people desired the opportunity to rule themselves.

But the brave Ukrainians were not long to have their liberty. In 1920 Bolshevik arms and men overwhelmed the war-ravaged Ukraine. The Ukraine became a Soviet Socialist Republic without political or economic freedom in which to develop its own identity. Under the Communist oppressors, famines, purges, and misery swept the land in the thirties. But the Ukrainian spirit was not crushed. It rose again in World War II but could do little against the dual dictatorships of Hitler and Stalin.

As Americans, we can well sympathize with the courageous Ukrainians. At the very time that the Ukrainians were fighting for their survival, President Wilson was receiving the support of the world for his program of liberty and national self-determination as embodied in the 14 points. We have never wavered from these principles. We have always denounced the tyrannical imperialism of Communist governments or any other powers which seek to impose their order arbitrarily over others. We believe that every nation has the right to determine its destiny and to rule itself. The Ukrainians have demonstrated that they desire liberty, equality, and a genuine democratic form of government.

Mr. Speaker, we join Ukrainians everywhere in commemorating the 45th anniversary of the Ukrainian National Republic and the brave Ukrainians under Communist domination who continue to cherish the light of liberty.

**Mr. NEDZI.** Mr. Speaker, today we mark the 45th anniversary of the proclamation of independence of the Ukrainian National Republic. On January 22, 1918, the Ukrainian people gained their independence after a struggle which had lasted for 300 years. Regrettably, after 2 short years of freedom, their Republic was subverted by war and fractionalism and they began another period of occupation and oppression.

History records that despite hundreds of years of domination by the Russian and Austro-Hungarian empires, the Ukrainian people maintained their language, their culture, and their hunger for freedom. And they are doing so today in the face of the neocolonial oppression of Communist Russia.

In the year since we last marked this anniversary in the Halls of Congress, there has been a growing awareness throughout the world that the era of Western colonialism has passed, and that the Soviet Union is the last large remaining colonial empire on earth. Observances such as these help inform the world that there are many captive peoples suffering under Russian colonial oppression, people ruled by force rather than by persuasion, people who constitute by their vast numbers an Achilles heel in Russia's world posture. By their existence and attitudes today, they damage the Soviet bloc. By their will to prevail, they make it possible for us to look forward to the time when the Ukrainian people of Eastern Europe may join us as free people in celebrating their nation's freedom.

**Mrs. FRANCES P. BOLTON.** Mr. Speaker, January 22, 1963, marks the 45th anniversary of Ukrainian independence. There are well over 2 million Ukrainians and their descendants in the free countries of the world. Approximately 250,000 of these people are recent political refugees and their experiences with tyranny are fresh. Their common goal is the liberation of their native land.

The Ukrainian people are a proud, individualistic, separate ethnic group as distinct and loathsome of communistic oppression as are the other peoples enslaved by the Kremlin. Under the yoke of communism the resistance of the people has shifted from armed struggle to other levels: sabotage on collective farms and in factories, absenteeism, agitation for higher wages, and the like.

The most important ideal the free world can pursue is recognition of the fact that the Ukrainian National Republic exists, that this Republic has not been written off and absorbed into the Soviet Empire with the tacit approval of free people. The spirit of freedom and self-determination is most important in our time. It is a noble goal which cannot be proclaimed for Africa and denied to Eastern Eurpoe. It is universal. As the leader of the free world, America cannot advance the cause of freedom by remaining silent on this occasion.

Our heritage and power makes it fitting that we should salute these gallant people at this time and earnestly hope that our understanding and recognition will hasten the day when they regain their freedom.

**Mr. CAREY.** Mr. Speaker, more than 800 million people have been shut behind the Iron Curtain since the end of World War II. Despite heavy oppression, these peoples have been continuing their resistance against the Communist tyrants. The demonstrations by workers in East Germany in 1953, the uprising by the Polish people in 1956, the Hungarian revolution in October of the same year, the anti-Communist revolution by the Tibetan people in 1959, and the anti-Communist movements in various parts of the Chinese mainland—all these are indications of how the captive peoples feel about their rulers. It is imperative that the attention of the whole free world remain focused on Soviet imperialism. We must maintain a continuing American effort to remind the captive peoples that we have not forgotten them.

In this connection it is highly appropriate that we pause in our legislative duties today to commemorate the 45th anniversary of the independence of the Ukrainian people on January 22, 1918. We pay tribute on this occasion to the 40 million Ukrainians who have suffered under the alien yoke of czarist and Soviet despots. Only for 2 brief years between 1918 and 1920, following the breakdown of czarist and Austrian control of the Ukraine, have liberty-loving Ukrainians enjoyed what we would consider the normal privileges of freedom and independence. The Ukrainian National Republic was surrounded by powerful enemies who grasped the first opportunity to crush the independence of the young Republic; in the fall of 1920 the Ukraine was incorporated into the Soviet Union, and since that date the Ukrainian people have endured the hardships, privations and miseries of foreign rule, sealed off for 45 years from the free world. Throughout this period the Ukrainians have clung steadfastly to their national ideals and preserved their fervent love for freedom and independence.

As we pay tribute to Ukrainian independence, we express our solidarity at the same time with all those who live in police states behind the Iron Curtain. We think of Harry Seidel, who was sentenced to life imprisonment on December 29, 1962, in East Germany for the crime which is known as flight from the Republic—in other words, the desire to escape a Stalinist police state and help others reach the free world. Seidel's mother and other relatives have also been arrested and jailed. We think of 1,350 acts of violence committed by East German police and soldiers near the Berlin wall, and 14,000 East Germans who have successfully escaped to the West since the Berlin wall was built. We commemorate all those persons behind the Iron Curtain whose daily hardships continue regardless of the twists and turns of Soviet foreign policy. It is in this spirit that we salute the Ukrainian people and all other captive peoples, reiterating our solidarity with the cause of freedom everywhere.

**Mr. FALLON.** Mr. Speaker, the First World War, while causing death and destruction in all parts of Europe, also ushered in a new era to numerous oppressed ethnic groups who for centuries had been subjected to cruel alien regimes. The Ukrainians were among those peoples who regained their freedom at the end of that war.

For some 250 years Ukraine had been submerged in the Russian Empire, and during all that time autocratic czars had done all they could to suppress and choke off all national and traditional Ukrainian traits in the country. But the Russian attempts proved unsuccessful against the determination of the Ukrainians to cling to their national ideals and to work for the achievement of cherished objectives. In 1917 they saw the chance of soon attaining their freedom and on January 22 of the following year they proclaimed their independence. That memorable day is a great landmark in Ukrainian history, to be celebrated annually as a national holiday. Even though the Republic founded in 1918 did not last more than a couple of years, and since its collapse the unhappy Ukrainians have been suffering under Communist totalitarian tyranny imposed upon them by the Kremlin, yet that short period of freedom has left an unforgettable impression upon the people of the Ukraine. Ukrainians would like to observe that historic anniversary but not all are permitted to do so. To some 42 million freedom-seeking Ukrainians in their homeland that privilege is denied. But we in the free world gladly join in this celebration, Americans of Ukrainian origin, on this 45th anniversary of Ukrainian Independence Day.

Mr. **BUCKLEY**. Mr. Speaker, in the troubled age we live in today—at a time when each new advancement of science and technology brings mankind closer together—in an age when the promise of a great and peaceful era of economic well-being for mankind lies just over the horizon, it is a sad day indeed when I must rise on the floor of this House to say an all too few words about the valiant people of the Ukraine—the largest non-Russian nation in Eastern Europe. Under normal circumstances the Ukraine would today be celebrating the 45th anniversary of their establishment as an independent national state. I say this is a sad day today because these people rightfully belong alongside the free peoples of the world. It is a sad day but a proud one for the Ukranian people's never-ending struggle to reclaim their rightful place in the society of free nations. This is an inspiration to all of us.

Very shortly after the Ukraine was established as an independent nation it was overwhelmed by Soviet Russia's imperialism and today is one of the oldest captive nations in Europe. A little knowledge of the history of this brave nation clearly indicates that, despite the fact that it has been subjected by Red imperialism for 43 years, there still beats within the Ukraine homeland and the hearts of its people the never-ending desire to govern their own destinies.

I salute these people and I am certain as I can be that one day in the near future the Ukraine will reestablish itself in the free family of nations.

I hope my words will in some small way give some hope and encouragement to the 45 million Ukrainian people and that the Voice of America will carry not only my words but the words of all those who on this date give encouragement to the Ukraine in the dark days that may still lie ahead.

I support strongly the issuance of a "champion of liberty" stamp in honor of Taras Schevchenko on the 150th anniversary of his birth, and I ask for a Special Committee on the Captive Nations to be established to concentrate on the last great bulwark of colonialism that exists today—the brutal colonialism of the Soviet tyranny. I hope this committee will spotlight the hideous actions of the Soviet Union in this area and hold up to the entire conscience of the world the need for releasing of such Soviet control.

I salute the Ukraine and wish it and its people the freedom they so richly deserve.

Mr. **FARBSTEIN**. Mr. Speaker, this is the 45th anniversary of the Ukrainian proclamation of independence. It provides us with a poignant reminder that the threat to freedom of all peoples and independence of nations is a continuing one which requires strength and perseverance among the free as well as the oppressed.

The strong tide of national independence movements that began in 19th-century Europe and continues to this day throughout the world has been ruthlessly crushed within the Soviet Empire. The Ukrainian people were among the first to suffer the fate that has befallen millions of others. We must not forget the plight of the people under Communist rule, or take our own freedom for granted. If we keep the ideal of freedom a living reality in our part of the world, history will one day mark down the Soviet Empire as a temporary interlude in man's inexorable progress toward liberty.

Mr. **DULSKI**. Mr. Speaker, January 22 marks the anniversary of the proclamation of a free and sovereign Republic of the Ukraine.

Forty-five years ago the people of the Ukraine achieved their hopes and ambitions by declaring themselves liberated from foreign domination. Unfortunately, their joys were short lived; for the ruthless forces of the Soviet Union soon bore down upon the newly formed Republic and began their conquest with savageness and terror. The valiant resistance was no match for the Communist might. Forced to flee their native land, free Ukrainians established committees in foreign lands to keep alive the fires of freedom and hope. It is these people, the resistance leaders, as well as those who remained behind, whom we salute today.

It is the sincere wish of the people of America that self-determination and liberty, those rights which we in America hold so dear, may once more be enjoyed by Ukrainians throughout the world, that their constitution, proclaimed 45 years ago, will again become the governing force for a free and independent Ukraine.

I am introducing a resolution to provide for the issuance of a champion of liberty postage stamp in honor of Taras Shevchenko on the occasion of the 150th anniversary of his birth. Taras Shevchenko's poetry, art, and philosophy have deeply inspired the 45-million Ukrainian nation in its aspirations to freedom and independence.

Mr. **DELANEY**. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to join with those of Ukrainian descent and their friends in the celebration of Ukrainian Independence Day.

In today's distracted and divided world one sad human calamity overshadows all others: the tragic sad lot of hundreds of millions of innocent and helpless people suffering under Communist tyrannies. More than 200 million of these have been forced to endure the almost unbearable yoke of the Soviet regime for more than 45 years, and among these unfortunate souls are some 42 million Ukrainians.

One of the happy results of the First World War had been the emergence of the Ukrainian Republic. After suffering under autocratic czars for centuries, Ukrainian leaders proclaimed the independence of their country early in 1918 and founded the Ukrainian Republic. That was on January 22, 45 years ago. Unfortunately for the Ukrainians and for their friends everywhere, the newborn state could not live long without outside aid. Such aid was not forthcoming to save it from its treacherous foes. Early in 1920 it was attacked by the Red Army, the country was overrun, and the Ukrainian Republic was no more. Soon it was incorporated into the Soviet Union, and became part of that polyglot empire. Since then the people of the Ukraine live in their homeland as in a huge prison camp. As prisoners behind the veritable Iron Curtain and deprived of all forms of freedom, they cannot celebrate their national holiday, their independence day. But hundreds of thousands of Ukrainians who have found refuge in the free world, and especially in this great Republic, celebrate that historic event on its 45th anniversary. I am indeed happy to join Americans of Ukrainian descent in the celebration of that historic anniversary, the Ukrainian Independence Day.

Mr. **MORSE**. Mr. Speaker, the history of the Ukrainians is the sad story of a large group of gifted, industrious and brave people who have not been allowed to enjoy the fruits of their labor during most of modern times. The ironic twist of history and the cruel realities of geography have kept the Ukrainian people from being masters of their fate in their homeland for three centuries. Except for the 2-year period of 1918–20, national political independence has been denied to them. During those centuries they have endured all sorts of hardships, privation, and misery, and have suffered much, yet they have maintained their national ideals, their desire for freedom and independence. They had longed for an opportunity to regain their freedom, and they had that opportunity soon after the overthrow of the czarist regime in Russia. On January 22, 1918, they achieved their independence.

The proclamation of Ukrainian freedom and the founding of the Ukrainian Republic symbolized the realization of a centuries old dream. Its supreme significance was not and is not lost on the liberty-loving and liberty-seeking Ukrainians, and the annual celebration of that day as their national holiday testifies to that fact. It is true that the Ukrainian Republic founded 45 years ago has long ceased to exist, but the idea revived by that supreme act lives in the minds and hearts of all Ukrainians in and out of their beloved and historic homeland. Of course, those living in the Ukraine, under the tyrannical regime imposed upon them by the Kremlin, are not allowed and do not dare to celebrate their independence day. But we gladly do this in unison with all Americans of Ukrainian descent, thus echoing the genuine patriotic sentiments of the Ukrainian people sealed off from the free world behind the Iron Curtain.

Mr. **OSTERTAG**. Mr. Speaker, January 22 marked the 45th anniversary of the independence of the Ukraine and I wish to join with my colleagues here in the Congress in the observance of this significant anniversary. This special observance again calls attention of the peoples throughout the world that there are still 45 million Ukrainians literally being held captive in Eastern Europe.

On January 22, 1918, the Ukraine was established as a free and independent nation. However, the Ukrainians did not enjoy this precious freedom for very long, because their new Republic was overrun by Communist Russia in 1920 and brought under the tyranny and oppression of the totalitarian state.

Those of us who are charged with preserving and maintaining freedom in the world must continue to provide inspiration and hope for the oppressed peoples of the Ukraine and other subjugated lands. I am sure the American people remain steadfast in their dedication to gaining the right of self-determination for the people of the Ukraine and all other freedom-loving patriots who yearn for independence. We salute them and renew our pledge of support for their great cause.

**Mr. NYGAARD.** Mr. Speaker, modern history of many European peoples presents a series of misery and misfortune, with occasional happy but very brief interludes. Unfortunately that is the general pattern of the history of the Ukrainians during the last several centuries.

Since the middle of the 17th century, except for a brief 2-year period in 1918–20, unhappy Ukrainians have not known freedom in their fair and fertile homeland. Until the overthrow of the czarist regime in Russia in 1917, they were oppressed by the Russian autocracy. Then on January 22, in 1918, they felt free, proclaimed their national independence, established their Republic, and set to work for its preservation. Late in 1920, however, they sensed the impending menace to their independence. Their inveterate foes, the Russians, appearing now as Communist tyrants, sent their Red army into Ukraine. Helpless and outnumbered, the Ukrainians were no match for their ferocious foes. In the fall of 1920 the country was overrun and then made part of the Soviet Union.

Since then, for 45 years, Ukrainians have been suffering under the tyranny of Soviet dictatorship. But they have not given up their ideals and they still cherish their national goal—freedom and independence. On this 45th anniversary of their independence day let us hope that they achieve their historic aim in their historic homeland.

**Mr. SHORT.** Mr. Speaker:

> What we have in us of the image of God is the love of truth and justice.

Many years before the birth of Christ, a famous Greek orator—Demosthenes—spoke the words I have just quoted.

Many, many years later—in 1776—a band of patriots who had in them this love of truth and justice—struck their first real blow against untruth and injustice. Perhaps they did not fully realize the motivation behind their actions. But out of the ever-present hunger of the human heart they took this action. Out of this grew our beloved United States of America, which has remained since that time a symbol to the enslaved, the downtrodden, the hungry, and the homeless.

What we are commemorating today represents another nation of people—the Ukrainians—who first emerged as an independent nation 45 years ago today. By their yearly celebration of that event, they are keeping the torch high for their people who no longer are independent and free. We gladly join in this celebration with them because we realize the ever-present danger of the Communist menace which took away the freedom of the Ukrainians in 1920, and which—God forbid—could likewise take away the freedoms we enjoy and make us a colony to be exploited and a people to be enslaved.

It is difficult for us to fully realize the heartache and suffering of a captive people. It is even more difficult to realize the terrible emptiness which must fill the hearts of a nation which has been deprived of its religious freedom. The life which the Soviets have offered to the Ukrainians would substitute the love of state for the love of God. Those who have fought against this exchange have been persecuted in the most heartless manner. A cynical freedom which is not free is the gift of the Soviets to the Ukrainians.

The Ukraine, called the breadbasket of Europe, is far too rich in natural resources to have been overlooked by the U.S.S.R. in its ruthless drive for power and domination over the peoples of the world. But its human resources are of even greater importance to the free world. For out of the longing of the human heart for truth and justice this captive nation can one day fashion its freedom. And from this freedom can spring the inspiration for others to strive for their freedom from a pitiless Godless communism.

I have in my State of North Dakota many of Ukrainian descent. I know that their prayers and hopes are for those in the mother country who have been forced to live these past 42 years under the persecution and yoke of communism—and that they wait for a new day to dawn in which the Ukrainian people can once more breath the clean air of freedom, and move and live with the priceless spirit of independence glowing in their minds and hearts. These are the people who can truly express from full hearts the blessings of living in this country. And these are the people who can so eloquently warn us of the danger of the Communist supremacy if we will but listen. And these are the people who can help strengthen our resolve to remain a United States of America—a sovereign Nation—in which all that is good and fine in the human heart can best grow and develop because we have freedom of choice, freedom of worship, freedom to express our feelings without fear, and freedom from the kind of want which countless human beings in many parts of the world are forced to experience. But the greatest of all blessings which God bestowed upon this Nation from its very inception is a free spirit.

Mr. Speaker, I would like to include with my remarks today a letter written to me on January 17 by Dr. Anthony Zukowsky, president of the North Dakota branch of the Ukrainian Congress Committee of America, Inc. Dr. Zukowsky's remarks express far more eloquently than mine the feelings and aspirations of the Ukrainians everywhere:

Ukrainian Congress Committee
of America, Inc., State Branch
of North Dakota,
*Bismarck, N. Dak., January 17, 1963.*

Hon. Don L. Short,
*New House Office Building,*
*Washington, D.C.*

Dear Congressman Short: On January 22, 1963, 45 years will have elapsed since the historical date of the proclamation of the full independence of the Ukraine. This date is one of the greatest in the modern history of the Ukrainian people, as on that day the historical right of the Ukrainian people to their freedom and national independence was again reaffirmed by the democratically elected Ukrainian Parliament—Central Rada—in their official proclamation. A year later, on January 22, 1919 the Act of Union, was issued, uniting the Western Ukrainian National Republic and the Ukrainian National Republic, and establishing the united and sovereign State of the Ukraine.

The young and democratic Ukrainian National Republic was recognized by several European governments, including that of Soviet Russia. It endeavored to pursue its own course in harmony and peace with other nations, but Communist Russia, despite its solemn pledge not to interfere in internal affairs of the Ukraine, attacked the Ukrainian Republic and tried to impose the hateful Bolshevik regime upon the Ukrainian people. For almost 4 years the Ukrainian Nation struggled gallantly to preserve its independence but deprived of military, economic, and diplomatic support by the Western nations, it succumbed to the numerically superior military forces of Communist Russia. In 1920 the free Ukrainian State was destroyed and the puppet regime of the Ukrainian Socialist Republic was installed, which in 1923 became a member of the Soviet Union.

Although Moscow claims that Ukraine and other non-Russian Republics of the U.S.S.R. are free and sovereign states, and Ukraine and Byelorussia are even charter members of the United Nations, the fact is that the Ukraine is a colony of Communist Russia. Its human and economic resources are being exploited by the Kremlin for the purpose of spreading the communization of the world and subverting the once free nations, as is the case of Cuba, to which Khrushchev and his Communist chieftains had sent their missiles and other offensive weapons that had been manufactured from economic resources of the Ukraine and other captive non-Russian nations.

During the entire Soviet Russian rule in the Ukraine, Moscow has tried every way to destroy the spirit of the Ukrainian people by persecuting the Ukrainian churches, arresting their leaders and clergy, by forced collectivization, mass deportation, executions, inhuman and cruel genocide, and many other inhuman methods. However, all these efforts have failed dismally, for the Ukrainian people have never submitted to the alien rule of Moscow and continue to wage an incessant struggle for the recovery of their freedom and national independence. Also the Soviet Government sends special agents to kill Ukrainian leaders in the free world, as was the case of Stephan Bandera and Dr. Lev R. Rebet, whose killer was recently sentenced by the German Supreme Court in Karlsruhe to 8 years of hard labor.

Both the U.S. Congress and the President of the United States of America have recognized the plight of the Ukrainian people by respectively enacting and signing the Captive Nations Week resolution which listed the Ukraine as one of the captive nations held in enslavement and captivity by Moscow.

Americans of Ukrainian descent in our great State of North Dakota are planning to celebrate the forthcoming 45th anniversary of the Ukrainian independence on January 22, 1963, in a fitting and solemn manner. We firmly believe that you are fully aware of the importance of the Ukraine as an ally in the common struggle against Russian-Communist imperialism. Therefore, the U.S. Congress and U.S. Government can contribute greatly to keeping the spirits and hopes of the enslaved Ukrainian nation high, by approving Senate Concurrent Resolution 82 and House Resolution 718, by favoring action of persecuted Ukrainian Catholic and Orthodox Churches, by creating a Special House Committee on Captive Nations, and by issuing a special Shevchenko, champion of liberty, stamp in connection with the forthcoming Shevchenko memorial celebration in Washington, D.C., in 1964. A free and independent Ukraine is in the interests of the United States as well as the entire free world.

The entire world, including the enslaved Ukrainian people, is looking toward the United States of America as the true citadel of freedom and hope for the oppressed people everywhere. Therefore the 45th anniversary of Ukrainian independence provides an appropriate occasion for the American people and the U.S. Government to demonstrate their sympathy with an understanding of the aspirations of the Ukrainian nation to freedom and independence.

Respectfully yours,
Dr. Anthony Zukowsky,
*President, UCCA,*
*State Branch of North Dakota.*

Mr. CUNNINGHAM. Mr. Speaker, I take this opportunity to join the gentleman from Pennsylvania and our other colleagues in marking the 45th anniversary of Ukrainian independence. We salute the people of Ukrainia.

It is appropriate also that today many of us will introduce resolutions providing for the creation of a Special Committee on Captive Nations. Ukrainia is one of the several captive nations held under Soviet Russians control, and it is the oldest of the European captive nations.

Russian colonialism today has no parallel or equal in all of history. Never have so many nations remained so long under the control of a foreign power. In typical Communist fashion, the Russian Government occupied a number of these captive nations in the face of guarantees as to their sovereignty.

A Captive Nations Committee would be invaluable in the cold war in drawing attention to what has been described as our foremost nonmilitary weapon—the captive nations, Russia's colonial empire.

Mr. FORD. Mr. Speaker, on this occasion, the 45th anniversary of Ukrainian Independence, let us recall a promise made to the newly formed Ukrainian National Republic by Lenin on December 17, 1917:

> We, the Soviet of People's Commissars, recognize the Ukrainian National Republic and its right to separate from Russia or to make an agreement with the Russian Republic for federative or other similar mutual relations between them. Everything that touches national rights and the national independence of the Ukrainian people, we, the Soviet of People's Commissars, accept clearly without limitations and unreservedly.

At the same time, an ultimatum was delivered. The ultimatum put the Ukrainian Central Government on notice that the Ukrainian Central Rada by its failure to recognize the Soviets and the Soviet Government in Ukraine was acting in a bourgeois manner and could not be accepted as an "empowered representative of the laboring and exploited masses of Ukraine." This ultimatum then went on to demand that the Ukrainian Central Rada must bind itself not to allow any military units to go to the Don or Kuban regions without the permission of the Bolshevik commander, that it help the Bolsheviks in their war against the counterrevolutionary movement of Kaledin in the Don, that it stop all efforts to disarm Soviet regiments and the worker's Red Guard in Ukraine and return arms to those units that had been disarmed. The Soviets said that if this was not done within 48 hours, they would declare war upon the Ukrainian National Republic.

Fortunately the Ukrainians rejected this ultimatum and fought to free their country of the Bolshevist scourge. However the Ukrainian Army was driven back under the guns of the Bolshevists until the central rada decided that it would be necessary to make peace with the Central Powers in order to engage their support in the fight against the Bolshevists. Once the treaty was signed, the Ukrainians called upon the Germans and the Austrians for military assistance. With the help of the German and Austrian troops the rada was able to return to Kiev and continue the work of constructing a democratic state.

At this time when the Ukrainians were truly beginning to build their sovereign and independent nation, the German military authorities became dissatisfied with the amounts of grain that were being supplied to them in exchange for their military aid.

The rest of the story is well known to the world. After 2 years of struggle, the Ukrainian National Republic became a part of the Soviet Union. The Ukrainian people were betrayed more than once and as they celebrate this 45th anniversary today we still hope to find the opportunity to free the Ukrainian people once and for all from the yoke of Soviet tyranny.

Mr. ASHBROOK. Mr. Speaker, January 22 is very meaningful to all freedom-loving people. It is a day of hope to those of Ukrainian extraction throughout the world and those behind the Iron Curtain in the native land. It also is a reminder that there is no maturing in the Communist ideology as certain "wishy-washy" State Department bureaucrats would have us believe.

The Ukrainians are political prisoners at the hands of the most ruthless and cold-blooded captors known to history. No amount of oratory will change the unfortunate fact that these fine people are denied their God-given right by Russian Communist overlords.

The words of Mr. Khrushchev are meaningless to these fine people. Just a few days ago during their meeting in Germany, Mr. Khrushchev spoke of the Berlin wall and said the Germans should be thankful for it as they receive the benefits of communism even though the people might not at that time appreciate it. The Ukrainians do not appreciate their wall. The Germans do not appreciate their wall—in truth, Mr. Speaker, none of the people behind the Iron Curtains in a score of countries can like their situations because it defies human nature to live in a state of slavery.

The observations of this anniversary should be significant to us. It is a time for renewed dedication to the hopes and aspirations of these people. It also is a time to realize once more that the same cutthroat band of murderers, thieves and subjugators are in control of the Soviet Union not a benign friendly group of modern-day revolutionaries who are trying to bring about world peace and prevent the Chinese from precipitating war. No State Department propaganda can change these facts. The Ukrainian people are subjugated; their subjugators are Soviet Communists. I hope we can succeed in our efforts to establish a Captive Nations Committee and renew our work and free these wonderful people from Soviet imperialism.

Mr. DAGUE. Mr. Speaker, one of the greatest errors into which we seem to have fallen centers in our all-too-ready acceptance of the enslavement of a free people as a fait accompli. And an even greater error—and one to be roundly censured—is the attitude that nothing must be done to upset a nice diplomatic balance by even suggesting that the Communist enslavement of any nation should be adversely regarded by the United States who acquired its freedom the hard way.

The record will show that the Ukrainian National Republic lost its sovereignty in 1920 in the Communist drive to impose its own brand of colonialism on a weaker people. And certainly the Western democracies must always recall with shame their failure to support independence for the Ukraine in 1918 when a reasonable display of force—at a time when the Allied armies were at their peak—would have kept a free people out of the clutches of totalitarianism.

It is my firm conviction that the fate of the Ukrainians is bound up with the plight of all of the so-called captive nations and it seems imperative that this problem should have more than the lipservice the executive and congressional branches of our Government have been giving it of late. No one wants to unleash a nuclear war that would destroy more people than it would liberate, but it is certainly our responsibility to refrain from conveying—by avoiding the issue—the idea that we condone the suppression of the liberties of any nation or race.

Mr. HOLLAND. Mr. Speaker, more than 45 years ago peoples subjected to Russian autocracy joyfully cast aside the heavy yoke of that oppressive regime and proclaimed their independence. To these peoples the Russian revolution of 1917 seemed to usher in a new day; they all expected to find their freedom in the overthrow of the decrepit czarist regime. At first their most sanguine expectations appeared justified. By the end of the First World War nearly all ethnic groups in that sprawling continental empire had attained or proclaimed their national independence. The Ukrainians were the most numerous and also the most important of these nationality groups to regain their freedom.

Since mid-17th century the Ukraine had been part of the Russian empire, and during all that time the Russians had tried to eradicate Ukrainian nationalism and national ideals in the country. But their attempts were unsuccessful, and the stout-hearted Ukrainians clung firmly to their traditional national ideals. Finally on January 22, 1918, they proclaimed their independence and founded the Ukrainian Republic. Unfortunately the independent state thus established did not last long. For only 2 years the Ukrainians enjoyed their richly deserved freedom; then they were robbed of thir prize by their inveterate foes, the Russian Communists. Early in 1920 the country was overrun, and the Ukrainians could not by themselves alone hold off the overwhelmingly superior force of the enemy. Their independent existence came to an end, and their country was then annexed to the Soviet Union.

From then on, for more than four decades, some 42 million Ukrainians have been captives under the unrelenting rule of the Kremlin. On the 45th anniversary of their independence day it is fitting that we recall their sad fate. In observing their independence day, the peoples of the free world can do no less than to echo the genuine patriotic sentiment of freedom-loving Ukrainians in their homeland where they are not allowed to celebrate their national holiday, their independence day.

**Mr. O'HARA of Illinois.** Mr. Speaker, 45 years ago, on January 22, 1918, the Ukrainian National Republic was proclaimed an independent and sovereign power and the Ukrainian people were declared subject to no other authority. This is the glorious event which we in the Congress of the United States commemorate today. That this proclamation was followed by 4 years of bloody struggle which ended in the subjugation of the Ukrainian people by the Rus- thusiasm in paying tribute to Ukrainian independence nor dampen our hope that sian Bolsheviks must not deter our en- the Ukraine will be free.

The spirit of independence in the Ukraine is immortal. This was proved after 1709 when following the Battle of Poltava which ushered in Russian domination, all the devices by which czarist Russia endeavored to liquidate Ukrainian Independence failed.

Thousands of Ukrainians were sent north to Russia's "window into Europe," St. Petersburg. Ukrainian artists, educators, legislators, and engineers were expatriated to westernize Russia. Nevertheless, the spirit of nationalism and independence was kept alive in the Ukraine by the peasantry in their folksongs, in their villages, the town bazaars, at church and other social gatherings. Thus, the historical record was preserved and paved the way for the powerful literary and historical revival that took place in the Ukraine during the 19th century.

The Society of St. Cyril Methodius was founded at Kiev in 1847. Its membership demanded freedom of conscience, press, speech, and thought and the abolition of serfdom. Taras Shevchenko, the great Ukrainian poet and freedom fighter, asked:

> When will we receive our Washington with a new and righteous law?

This movement, which proved the immortality of the Ukrainian spirit of independence was repressed by czarist police. Its members were imprisoned and deported to Siberia. Even the name of the Ukraine was changed to "Little Russia." But the Ukrainian devotion to freedom and independence lived on.

The abdication of the Czar Nicholas II was hailed by the Ukrainians and other captive peoples as a step toward realization of their dream of independence. An all-Ukrainian National Congress expressed firm adherence to the principles of self-determination and insisted that Ukraine, as an independent nation, be admitted to peace negotiations. On July 29, 1917, the Ukrainian Constitution was drafted. On January 22, the Ukrainian National Republic was proclaimed.

However, the Bolshevik government like its czarist predecessor, had no intention of giving up this rich breadbasket and sugar bowl to the cause of national independence and freedom. After 4 years of bloody fighting, Communist rule, one of unrelenting severity and harshness accompanied by deportation, genocide, purges, was imposed. It decimated Ukrainian intelligence and leadership.

Thus the Ukraine, the largest of the captive countries, was the first to have the Iron Curtain lowered. Thus Communist Russia turned a fair land into a prison house.

The Ukraine, through the immigrants who have come to us, has made a large contribution to our strength, our intelligence, our culture. They have found in our land the freedom and independence denied them in their homeland. They are among the people ready to give the lie to Russian protests of sympathy for national independence and hypocritical protests against colonialism. Today our hearts beat as one with those of the brave people of the Ukraine and we join our prayers with theirs for the dawning of that happy day when freedom shall have come and again a proud and independent Ukraine will reign in righteousness and sovereign dignity.

**Mr. LESINSKI.** Mr. Speaker, on January 22, 1963, Ukrainians throughout the free world observed the 45th anniversary of the proclamation of a free Ukrainian State and the 44th anniversary of the union of all Ukrainian lands into one free and sovereign Republic of the Ukrainian people.

The life of the young Republic was short-lived, for within 2 years an invading Russian Army trampled freedom into the ground, subjugated the Ukrainian Nation and enslaved its people. Today it exists as a part of the colonial empire of the Russian Communists.

I am glad to join in this observance to demonstrate to the freedom-loving people of Ukraine that we in America hope, with them, that the day may soon come when they will have the opportunity to rid themselves of their enslavers and to live once again in peace and freedom under a government of their own choosing.

**Mr. QUIE.** Mr. Speaker, January 22, is a day of importance to all of us. On that day 45 years ago, an independent Ukrainian State was established at the ancient capital of Kiev. As has all too often been the case during the history of democracy, the Ukrainian people knew the joys of freedom for a tragically short time.

By November of 1921 the young nation had lost its independence. The reasons were twofold. The opposition of the Soviet Union, both overt and covert, had much to do with the demise of the Ukrainian State. These freedom loving people were to feel the heel of the Soviet armies.

The loss of Ukrainian independence had a second unfortunate cause. That was the actions of the Allied Powers after they had been victorious in World War I. We failed to act when our assistance was needed.

This date serves as a reminder to Americans and to freedom loving people throughout the world that the Soviet Union will pay lipservice to the principle of self-determination for all nations while it is actively working to weaken the fruits of self-determination and to further the interests of world communism. This was true of the Ukrainian Nation just as it has been true of numerous other nations since 1921.

January 22 also reminds us of our responsibility to the rest of the world. If we ever act to thwart the cause of freedom for any nation or even if we are apathetic to the desires of a people to be free of the burden of world communism, the cause of freedom and of the United States is weakened.

The spirit of freedom remains alive in the Ukrainian people. I know that all of us share the hopes and prayers of the descendants of the Ukraine that their brethren still behind the Iron Curtain will eventually enjoy the fruits of freedom.

**Mr. TOLL.** Mr. Speaker, exactly 45 years ago last Tuesday—January 22—the independent Ukrainian National Democratic Republic was established by a Ukrainian Parliament.

This was the culmination of centuries of Ukranian nationalist strivings, representing one of the greatest liberations of a people in modern times. For the Ukrainian people, numbering about 40 million, had been oppressively ruled by the Austro-Hungarian Empire and by the tsars of Russia for a long time. They had yearned and worked for their day of freedom, which finally arrived during the chaos attending the early days of bolshevism in Russia.

Unfortunately, less than 3 years later this young Republic was mercilessly crushed by Bolshevik military power, and physically absorbed into the Soviet Empire. The Ukrainian people in the Soviet Union since that time have suffered untold privations, brutalities, deliberately imposed starvation, exploitation, and cultural aggression at the hands of the Communists, in some ways sharing the oppressive experience of all other people in the Communist camp but in many ways suffering much worse.

But the spirit of Ukrainian nationalism survives in the Ukraine as well as in the hearts of Americans of Ukrainian descent. The 2 million Americans of Ukrainian ancestry, many of whom live in the bountiful State of Pensylvania, rightfully pray for the day when the Ukraine will once again be a free and independent nation.

In this they are joined by many millions of their fellow Americans, for, as President Kennedy said in his proclamation of Captive Nations Week a few months ago:

> The principle of self-government and human freedom are universal ideas and the common heritage of mankind.

**Mr. REUSS.** Mr. Speaker, it is essential that we in the United States, who breathe the air of freedom, remind ourselves that millions of our fellow human beings around the globe do not enjoy the same liberty that we cherish.

Therefore, on the 45th anniversary of the Ukrainian peoples' attempt to free themselves from oppression, it is especially appropriate that we offer a pledge that we will never forget any of man's efforts to build a peaceful world.

On January 22, 45 years ago, when the Ukrainian Parliament issued its Fourth Universal—the document that corresponds to the American Declaration of Independence—people the world over recognized another of man's significant attempts to win freedom and liberty.

On the anniversary of that great event all of us will benefit by rededicating ourselves to the cause of freedom. All of us join in saluting the heroic people of the Ukraine, then and now, who hold freedom to be man's most important goal.

**Mr. ROONEY.** Mr. Speaker, all peoples have their national goals, and they all work for the attainment of these goals, but not all of them are fortunate in their attainment. The Ukrainians seemed fortunate in doing this, in regaining their freedom in 1918, but it turned out to be a temporary, shortlived freedom.

For more than 250 years the Ukrainians had lived under the oppressive czarist regime of Russia, and during all that time they had tried to regain their freedom. The opportunity came toward the end of the First World War. On January 22, 1918, they proclaimed their independence and founded the Ukrainian Republic. They hardly had time to put their homes in order when the country was attacked and overrun by the Red army in 1920. With the country's incorporation into the Soviet Union, the Ukrainians lost their freedom and became the helpless subjects of Communist tyranny.

Since then some 42 million Ukrainians have been suffering under the Soviet totalitarian dictatorship. Neither their united efforts nor those of their friends have enabled them to better their unenviable lot. What the uncertain future has in store for them it is difficult to predict. The very least we could do on the 45th anniversary of their national holiday, Ukrainian Independence Day, is to wish them patience, fortitude and strength in their struggle for their freedom.

**Mr. DADDARIO.** Mr. Speaker, on January 22, 1963, the world marked the 45th anniversary of the proclamation by a national council at Kiev declaring the freedom and independence of the Ukrainian Republic. That historic act was the culmination of a long struggle which had its beginning in the mid-17th century when the Ukrainians were forcibly brought under the autocratic Russian regime. The proclamation also marked one of the happiest climaxes in the modern history of a nation fighting for its freedom, thus constituting the brightest page in the modern history of the Ukrainian people.

All peoples contain within themselves the noblest of all ideals, freedom and independence, and though not all attain these goals, they are willing to battle all forms of oppression if only to maintain their hope of eventual victory. No other country in our times has demonstrated this more faithfully or more tragically than the Ukraine. We can well imagine that the sweetness of their new-found freedom in 1918, after more than 200 years of tyranny, was all the greater after the torturous years of hoping and striving. And yet, a mere 2 years later, those 42 million people of the Ukraine were once again swallowed up in the Russian dominance of Eastern Europe and their fledgling Republic was incorporated into the Soviet Union. Late in 1920 the Red Army attacked and invaded the Ukraine, overran it, cruelly put an end to freedom there, and brought the Ukrainian people under the oppressive Communist totalitarian regime.

In the decades which have passed, Ukrainians have been held down by the heartless overlords in their historic homeland. All forms of oppression have been employed. Mass deportations and assassinations have been reported up to this very time. The Soviet leaders have guarded most vigorously against the continued pressure for freedom from the Ukrainian people.

All peoples subjected and brutally subdued by the Soviet Union's totalitarian tyranny have suffered for decades, but it is no exaggeration to say that no people, perhaps at any time in modern history, have suffered for so long and have sacrified so much in material wealth and in terms of human life, as have the Ukrainian people under the Communist totalitarianism of Moscow. The number of those who died because of the man-made, Stalin-engineered starvation campaigns, may be counted in the millions; and many more millions lost their lives in prison camps and in forced labor camps in forbidding, distant Siberia. Thus the price the Ukrainian people have paid for their survival, for their miserable existence, has been frightfully high.

Today, after suffering interminably under the unbearable yoke of the Kremlin, these people still have faith in their cause, and have not ceased fighting their oppressors. They still carry on their struggle with all the means at their disposal, in the hope that eventually their righteous cause, the cause of freedom and independence, will win out. On this 45th anniversary of their Independence Day, we wish more power to these dauntless and courageous Ukrainians.

**Mr. BOLAND.** Mr. Speaker, we celebrate this week the 45th anniversary of the founding of the independent Ukrainian Republic, for on January 22, 1918, the people of the Ukraine proclaimed themselves to be free and sovereign.

Their fight for freedom began in 1846 when a group of young Ukrainian patriots banded together into a secret society to foster Ukrainianism in their native land. The czarist government had subjugated the country in the 17th century and had begun an intensive program to eliminate Ukrainian culture, literature, and language. It was the hope of these 30 men to keep before the people everything that was native to the region.

This small seed, planted in 1846, grew during the years through drought and famine, oppression and terror, until it bloomed at last in 1918. The advent of World War I, coupled with the fall of the czar, gave the Ukraines the opportunity to free themselves from their tyrannical masters. The flower, though, so painfully nourished by the blood of patriots, was soon crushed by the might of the Bolsheviks, swarming from the north. Resistance was heroic but no match for the overwhelming number of Communist troops. Ukrainian nationalism persisted, though, carried by those men who left their homeland to live under the flag of freedom and liberty in other parts of the globe. Their impassioned writings have kept alive the spirit of their land and culture.

The opportunity for freedom appeared once more during the Second World War when German forces freed the Ukraine from the oppressive hand of Russian communism. The German liberators proved to be only conquerors, and as a result, Ukrainian national armies, which had sprung up to overthrow their Communist masters, found themselves waging war against the Germans as well. The war ended with the Ukraine once more under Russian control.

We in America remember these valiant struggles against tyranny. We remember the anniversary of the proclamation of Ukrainian freedom and sovereignty. We salute this proclamation with the hope that the aspirations for an independent Ukraine will again become a reality.

**Mr. GIAIMO.** Mr. Speaker, it is a privilege to join once again in the congressional commemoration of Ukrainian Independence Day. I believe occasions such as this demonstrate to the citizens of the United States and all freedom loving peoples throughout the world the devotion of the Congress to the principles of liberty and our determination to continue efforts to assure these blessings to all peoples. I would also like to commend our colleague, Mr. FLOOD, for his inspiring leadership in this field.

As one who has visited the Ukraine, I am especially conscious of the importance of this day and of the great

Ukrainian pride and spirit which is living under the dreadful yoke of Soviet imperialism. They have not given up hope of deliverance nor have we ceased to strive and pray for their freedom.

I would like to call to the attention of this House the following eloquent editorial which appeared in the Hartford, Conn., Courant of January 23, 1963. I believe that it clearly indicates the awareness of all Americans of the significance of this day and its indisputable place in the annals of the fight for liberty:

### The Ukraine Lives in Patriot Hearts

> The democratic Ukrainian Republic, that had hardly a year's existence, has been paying for that moment of liberty and national dignity with four decades of oppression now, and the test is not yet over. Yesterday Ukrainians around the free world observed the 45th anniversary of the proclamation of an independent Ukrainian Nation and the 44th anniversary of the union of all Ukrainian lands into one sovereign state.
>
> But the country, and the hopes and aims to which it was dedicated, now exist mainly in the hearts of the Ukrainian patriots. True, it can still be found on the map, and its name is on the United Nations roster. But in moral fact, the present Ukraine in the Soviet Union is but a pawn of that totalitarian government and a creation of communism.
>
> Indeed, within its borders there are still many who remember their proud independence, their democratic spirit as it was in the brief days before Russia shot and starved their nation into slavery. And around the world—particularly in the United States—many Ukrainian hearts burn to restore their country. But like all other countries everywhere that are vassals to communism, this can only be achieved by the united efforts of free nations. On the anniversary of Ukrainian independence, freedom-loving people can best advance this cause by making it an occasion for prayers for all oppressed peoples of the world, and by rededicating themselves to the ideals of individual liberty and self-government, and the will to fight for these and for lasting peace for all.

Mr. WIDNALL. It is my pleasure and privilege, Mr. Speaker, to join in the words of praise and hope for the Ukrainian people, who, on Tuesday of this week, celebrated the 45th anniversary of Ukrainian independence. Though the freedom of the country and her valiant people was crushed by the Communists only 2 years after its emergence on the world scene, the Ukraine is not forgotten when thoughts of freemen turn to those in bondage.

During this coming year, we will be considering the plight of the captive nations behind the Iron Curtain on many occasions. I hope, however, that we do not overlook, in our discussions of the satellite countries, those nations now fully incorporated into the Soviet Union. It is a fact, incomprehensible as it is, that for sometime now a supposedly Ukrainian delegation has been seated in the halls of the United Nations with a vote equal to our own in the General Assembly. No one now is fooled by this posing. The true Ukrainian nation lies in the hearts of the refugees from tyranny and their less fortunate brothers and sisters inside the Soviet colonial empire. One wonders if the new nations of Asia and Africa, as they vote against colonialism ever consider the hypocrisy of that puppet Ukrainian vote on their side. Can an India, that refused to accept the existence of a 400-year-old enclave of Goa on its subcontinent, totally ignore another colonial possession of a tenth as long duration on the grounds that it is an accomplished fact?

As we honor Ukrainian independence with words, may I urge my colleagues to take action as well. The resolution offered by my distinguished colleague from Illinois, the Honorable EDWARD J. DERWINSKI, which would create a Special House Committee on Captive Nations, seems to me to be a logical and necessary first step to concentrate our efforts and attention in the future.

In addition, may I add my compliments to the many expressed over the years to Radio Free Europe, a voice of freedom going behind the Iron Curtain. The efforts of this organization to provide the captive peoples of Eastern Europe with the truth during the height of the recent Cuban crisis are particularly commendable. Here again is an opportunity for free peoples to encourage and enlighten the men and women of the Ukraine. In this spirit of dedication may we then join together to honor the Ukrainian nation.

Mr. COLLIER. Mr. Speaker, 45 years ago, on January 22, 1918, the people of the Ukraine declared their independence and established the Ukrainian National Republic although the true Republic was short lived. After they had been proclaimed as a new nation, just 2 years later their country was overrun with bloodshed and strife by the Communists consolidating their rule of fear in Russia.

However, even the past 41 years of Communist suppression has not broken the spirit of the Ukrainian people, for they are still trying to maintain their firm belief in the right to national freedom. Together with the 2½ million Americans of Ukrainian ancestry, we shall look to the day when the now largest nation under Communist control in Eastern Europe, will once again be a truly free nation. The Ukrainian Congress Committee of America, which is dedicated in assisting the U.S. Government in combating communism is working diligently toward this goal.

On this then, the 45th anniversary of their independence day, I take this moment to commend and salute the people of the Ukraine.

Mr. RODINO. Mr. Speaker, 45 years ago last Tuesday the Ukrainian people won for themselves at last the freedom they had sought and struggled for. The valiant fight of the largest non-Russian group in Eastern Europe, a fight that had taken so many thousands of her brave citizens over many generations, was at last over. Freedom was theirs, they had their own nation, their own government.

Yet, their joy at independence was short lived, for within hardly more than 2 years, their nation was swallowed up by the monstrous Red government. The Ukraine thus became one of the very first of the captive nations of the Communist drive for world domination.

Yet, the date of January 22 remains sacred to the Ukrainian people who still live in their beloved homeland and to those descendants and relatives who live in and contribute to America. Oppressed, enslaved though this rich, peace-loving nation may be, her people—and all lovers of freedom everywhere—live in the hope, and with the prayer, that decency shall again prevail, that the nation will once more be ruled by her own government, duly elected by her own people.

The Ukraine stands as more than just a single nation for all the world to see. To be sure, it is a rich land, whose fertility and mineral wealth is responsible for a large percentage of the agricultural and industrial product of the Red government that rules the Ukraine. But more than just a rich land, populated by peace-loving and hard-working people, the Ukraine stands as an example of what communism is and does. Let those nations who are now free, but who would invite into their government the Communists, look to the tragedy of this noble and historic nation.

Before we began our business in this Chamber today, we were led in prayer by a distinguished member of the clergy of the Ukrainian Orthodox Church, the Very Reverend Walter Bukata, whose parish is from my hometown, Newark, N.J. I am sure that we all join with Father Bukata, his parishioners at the Church of the Holy Ascension, and all people with Ukrainian blood in their veins, here and throughout the world, in the prayer that the oppressive, murdering rule of the Reds will be overthrown, and the Ukraine will enjoy the blessing of freedom and independence for which her people have fought for all but 2 of the past 300 years. Let us so pray, and let our prayers be heard around the world.

Mr. ZABLOCKI. Mr. Speaker, I wish to commend my distinguished colleague and friend from Pennsylvania [Mr. FLOOD] for reserving time to address the House on the occasion of the 45th anniversary of Ukrainian independence.

I know that the gentleman from Pennsylvania, Congressman FLOOD, has been keenly interested in the plight of the Ukrainian people. Their tragic state, their aspirations for freedom and self-determination, deserve our utmost consideration.

Mr. Speaker, several weeks ago the news was received that a group of Ukrainian peasants and farmers forced their way into the U.S. Embassy in Moscow. They told a tale of denial of religious freedom and other civil liberties at the hands of the Communist government.

Their plight has evoked well-deserved sympathy from freedom-loving peoples of the world. More than that, we can applaud the courage of that little group of Ukrainians who dared defy the terror of their totalitarian police state.

Their example should be a reminder to us that the fire of freedom still burns bright in the hearts of the millions of men and women behind the Iron Curtain. History has demonstrated that the undaunted human spirit cannot be suppressed.

Let us remember this as we pay tribute to the brave people of the Ukraine who have amply demonstrated their determination to regain independent national status. Let us pledge ourselves anew to the task of working toward a better world where all peoples can find peace, freedom, and justice.

Mr. GALLAGHER. Mr. Speaker, during the last several centuries the long history of the Ukrainian people entered a period full of calamities and tragedies. Since the middle of the 17th century the Ukrainians have been subjected, except for a brief period from 1918 to 1920, to alien rulers in their homeland. After suffering under the autocratic czarist regime of Russia for some 250 years, they were freed from the chains of that regime by the Russian Revolution of 1917, and early in 1918 they proclaimed their national independence. Ukrainian leaders instituted a democratic form of government and proclaimed the Ukrainian Republic. During the next 2 years Ukrainians worked heroically to rebuild their war-torn country and to make it a safe haven for its people. Unfortunately they had neither the time nor the means to accomplish these difficult tasks because their foes were preparing to put an end to the new state. In 1920 the country was attacked, invaded, and overrun by the Red army which viciously put an end to the Ukrainian Republic. Soon the country was completely overrun and was made part of the Soviet Union, and so it remains to this day.

For nearly 43 years, the Ukrainians have suffered under Soviet totalitarianism. Some 42 million stout-hearted and patriotic Ukrainians have been unsuccessful in their continuing attempt to free themselves from Soviet tyranny because with their bare hands they have been facing the ferocious might of the entire Soviet Union. The freedom-loving people of Ukrainia have not, however, abandoned their struggle for independence. They have been carrying the fight for freedom on, and still carry on with all the means at their disposal, hoping and praying that their righteous cause will eventually win. On the 45th anniversary of their Independence Day I join millions of Americans in wishing the Ukrainian victims of Soviet treachery fortitude and power in their struggle against the forces of totalitarian tyranny.

Mrs. DWYER. Mr. Speaker, the 45th anniversary of the independence of Ukraine is an event that demands commemoration here in the House of Representatives, the oldest continuous free representative assembly on earth. So I consider it a privilege to join with our colleagues in paying tribute to the people of Ukraine, both here in the United States and in their captive homeland, and to their love of personal freedom and national independence which has survived centuries of persecution and oppression.

The people of Ukraine have a special claim to our understanding and support. Not only do they seek for themselves what we have found and firmly established here and what we proclaim to be an inalienable right of all peoples—that is, government by the consent of the governed—but we have also been the beneficiaries of the approximately 2 million people of Ukrainian ancestry who have brought to this country the spiritual qualities and the human values of an old and distinctive culture.

In the congressional district which I am privileged to represent, I have seen at first hand the importance of the contributions being made daily by our fellow citizens and neighbors of Ukrainian descent. Because of their friendship, I have obtained a closer, more personal appreciation of the dedication of Ukrainians everywhere to the goals of individual liberty and national self-determination.

At this point, Mr. Speaker, I should like to call the attention of those of our colleagues who were not present at the opening of our session this noon to the fact that the prayer today was offered by the Very Reverend Walter Bukata, pastor of the Ukrainian Orthodox Church of the Holy Ascension of my neighboring city of Newark. On my own behalf and that of my many constituents who know and admire Father Bukata, I am delighted to welcome him to the House of Representatives on this memorable occasion.

Mr. Speaker, Ukraine is the largest and one of the oldest of the captive nations of Eastern Europe. Yet, the period of her independence as a nation during the 20th century is the shortest, the 2 years between 1918 and 1920 during which Ukrainians fought for and won their freedom from Russian monarchists only to have it torn away by the Russian Communists. Thus it is that Ukrainians know, perhaps better than most, the evils of imperialist tyranny and despotism, whether of the tsarist variety or the godless brutality of communism. To have refused to succumb, to have kept alive the dream of freedom and the light of independence in the face of almost permanent persecution, is worthy of our deepest admiration and gratitude.

Unfortunately, Ukraine is sometimes omitted from the lists of the so-called captive nations of Eastern Europe, possibly because this brave nation was forcibly incorporated into the Union of Soviet Socialist Republics. Whatever the explanation, however, this must be considered one of the real ironies of modern history. For Ukrainians have not freely subordinated their consciousness of nationhood to the iron demands of the Soviet state. On the contrary, it was only because of their undeniable claim to nationality and their determination to fight for it that Soviet Russia was led to concede the Ukrainian people the status of a republic with the false hope of independence it implied. The hypocrisy, of course, was compounded when Soviet Russia obtained a seat in the United Nations for its puppet government of Ukraine.

But make no mistake about it, the 40 million Ukrainians now living in captivity and their countrymen everywhere know all too well that Ukraine is not free or independent. Nor have they given up the struggle for what is theirs in justice, despite the difficulties, the dangers, and the discouragements. We salute them for their courage.

On this occasion, however, we should do more than salute a people's courage, more than indicate our understanding of their problems, more than pledge our support in general terms. We owe them action, effective action, even though we recognize the limits of our own national power. We cannot arbitrarily or singlehandedly change the face of the map or even raise the iron curtain, but there are concrete and positive steps we can take to advance the cause of freedom.

Among them, Mr. Speaker, we can establish the proposed Select Committee on the Captive Nations here in the House and thereby help equip the Congress to deal with developments in Eastern Europe more expeditiously and effectively. The hearings held last year on the captive nations by the Subcommittee on Europe of the Committee on Foreign Affairs indicates the real usefulness of such a group whose full-time attention could be devoted to this critically important subject. Consequently, I have today introduced again legislation to create a Captive Nations Committee.

We can also act to strengthen the U.S. Information Agency and its Voice of America with regard to the quality, frequency, and scope of its programing behind the iron curtain.

We can broaden and increase exchange programs and other means of contact between the people of the captive nations and our own people.

We can do a better job of reminding the rest of the world as frequently as practicable that the United States, as a matter of fundamental principle, refuses to accept the status quo in Eastern Europe and continues to insist upon the right of every people to political liberty and national self-determination.

We can expose at every opportunity—especially in the forum of the United Nations—the ugly record of Soviet colonialism in Eastern Europe, a record of subjugation, discrimination, economic exploitation, and military domination, a record that deserves the official condemnation of that world body.

These and many other actions can be taken which would give to the Eastern European policy of our Government the emphasis this important area requires. In keeping with our own ideals and in justice to those who have suffered for freedom's sake, we can do no less.

Mr. PHILBIN. Mr. Speaker, the House has taken note of the fact that January 22, 1963, marked the 45th anniversary of the independence of the Ukraine.

It is most appropriate that the observance of this event should have been held in the House of Representatives where for several years now our membership has joined in commemorating this great event in history.

We are all aware of the very significant history of this great country of the Ukraine the long bitter struggle of its loyal, faithful people, their persistent, determined fight against oppression, and their unflagging determination to enjoy the blessing of free, representative government.

I am proud indeed to congratulate the entire Ukrainian people, and their loyal descendants and relatives in this country, upon the birthday of their great Nation. Although the shadows of tyranny and oppression surround them, they have demonstrated in the past that they will never lose heart and that they will never give up their aspirations and struggles to be free men and women.

Today they are the largest captive nation in Eastern Europe—45 million people who worship God and love freedom. Our great Nation will never forsake them and others like them who are suffering from cruel, Soviet bondage.

If we and the rest of the free world continue our efforts for peace and freedom, tomorrow may bring to the Ukraine and all other subject nations the blessings of freedom and governments of their own choice.

It is for us in the House to intensify our efforts for this great cause and never to lose an opportunity to indicate our support, encouragement and effective measures of assistance for the Ukrainian people and all other people who are suppressed by the great Red octopus that is endeavoring to strangle the free world.

This is an appropriate time to speak in behalf of the Special House Committee on Captive Nations which has been urged so eloquently and appropriately by our dear, most talented and distinguished friend, Hon. DANIEL J. FLOOD, the great American from Pennsylvania. A committee of this kind could render a great service to those behind the Iron Curtain, and to the sacred cause of freedom, and I hope that the day is not far distant when such a much needed Committee of the House will be authorized, and will commence to function effectively, in behalf of personal liberty, democracy, and freedom.

Who knows but that such a committee headed by that great statesman and patriot, DAN FLOOD, might be the final leverage required to swing the world pendulum of liberty over to the side of justice and humanity and usher in an era of liberation and individual freedom that would bring enduring peace, democracy and happiness for all mankind.

God save the Ukraine.

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## THE JOHN BIRCH SOCIETY

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Idaho [Mr. HARDING] is recognized for 10 minutes.

Mr. HARDING. Mr. Speaker, I ask unanimous consent that any Member desiring to extend his remarks on the subject I shall speak about may have permission to do so following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HARDING. Mr. Speaker, the Church of Jesus Christ of Latter-day Saints of which I am proud to be a member has contributed significantly to our American way of life. Throughout the years there have been many outstanding church members elected to public office from both political parties. It is well known that these officials have served with distinction and moderation while displaying their unquestionable loyalty to this great Nation of ours.

A good example of the bipartisanship of the church membership in the State where the church headquarters is located is the fact that Utah is represented by two Senators who are both active and devoted members of the Church of Jesus Christ of Latter-day Saints but who are stalwart members of opposite political parties.

Believing as I do in a complete separation of church and state, I welcome at this time this demonstration of the political independence which exists in Utah.

However, during the past few months many members of the church, including myself, have been concerned at the tactics of the John Birch Society in attempting to use the Church of Jesus Christ of Latter-day Saints to further their objectives.

This practice has been deplored by devoted members of the church of both political parties. For this reason I was delighted to read in the Deseret News, the official church newspaper, this statement by the first presidency on the Birch Society:

### FIRST PRESIDENCY STATEMENT—CHURCH SETS POLICY ON BIRCH SOCIETY

The First Presidency of the Church of Jesus Christ of Latter-day Saints Thursday issued a signed statement setting forth the stand of the church on "political questions in general and the John Birch Society in particular."

The statement is as follows:

"The following statement is made to correct the false statements and unwarranted assumptions regarding the position allegedly taken by the leaders of the church on political questions in general and the John Birch Society in particular.

"The church recognizes and protects the right of its members to express their personal political beliefs, but it reserves to itself the right to formulate and proclaim its own doctrine.

"We believe in a two-party system, and all our members are perfectly free to support the party of their choice.

"We deplore the presumption of some politicians, especially officers, coordinators, and members of the John Birch Society, who undertake to aline the church or its leadership with their partisan views.

"We encourage our members to exercise the right of citizenship, to vote according to their own convictions, but no one should seek or pretend to have our approval of their adherence to any extremist ideologies.

"We denounce communism as being anti-Christian, anti-American, and the enemy of freedom, but we think they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice.

"We again urge our bishops, State presidents and other officers of the church to refuse all applications for the use of our chapels, cultural halls, or other meeting places for political meetings, money-raising propaganda, or to promote any person's political ambitions."

DAVID O. MCKAY,
HENRY D. MOYLE,
HUGH B. BROWN,
*The First Presidency.*

Mr. Speaker, since the issuance of this courageous statement of the first presidency, I have received many compliments from my colleagues, constituents, and acquaintances on the wisdom demonstrated by the church leadership in setting the record straight on the Birch Society and in underscoring for all the church's encouragement of participation in either political party.

Typical of the reaction to the church's announcement is the following editorial from the Idaho State Journal in Pocatello, Idaho, entitled, "The Church Speaks Out":

### THE CHURCH SPEAKS OUT

The First Presidency of the Latter-day Saints Church showed good judgment this past week when it expressed disapproval of the John Birch Society and disavowed any connection with that extremist body. The three members of the first presidency, David O. McKay and Counselors Henry D. Moyle and Hugh B. Brown, were careful to point out that church members are entitled to hold any political belief they wish, but they were firm in their statement that the church does not and cannot support a group which uses questionable methods to fight communism.

Whether the pronouncement will discourage membership in the Birch Society is another matter, but it clearly puts the church on record against extremism, and that is commendable. It thus joins many other groups and individuals of many political persuasions who have seen the dangers of the Birch Society tactics and have denounced it. And it should halt once and for all any attempts to gain prestige for the Birch cause by associating it with the church.

The First Presidency made very clear their view of communism by denouncing it as "anti-Christian, anti-American and the enemy of freedom." But rightly and firmly they assailed Birch methods by asserting that "they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice."

Here, undoubtedly, they were referring, among other things, to the society's ridiculous charges that former President Eisenhower and the late John Foster Dulles had been taken in by the Communist conspiracy and were its unwitting tools. Such wild allegations, if widely spread and believed, can only create suspicion and mistrust at a time when calm and confidence are needed. The highest Latter-day Saints Church authorities obviously share this view with many of their countrymen and have spoken out accordingly.

It is encouraging to know that the Birch Society cannot now count the Latter-day Saints Church among its friends, if it ever could. The more friends the society loses, the better off the country will be.

Mr. Speaker, I wish to associate myself with this excellent statement by the first presidency of the church and with the outstanding editorial in the Idaho State Journal.

For the record I would like to state here that I am very much aware of the Communist menace as I believe most people in our country are. As a Member of the Congress, I have spent a great deal of time working on legislation aimed at defeating Communist purposes. And, only last month I attended a special course on Communist strategy at the State Department's Foreign Service Institute.

I, along with other Members of the House, am earnestly working to do my part in fighting communism, but I am convinced, as is our Latter-day Saints Church First Presidency, that the John Birch Society is a poor and undemocratic way to demonstrate our opposition.

Mr. UDALL. Mr. Speaker, in recent years in the Rocky Mountains States and elsewhere there has been an attempt to imply that the Latter-day Saints—Mormon—Church approves the extremist activities of the John Birch Society and its radical doctrines. As one who is proud both of his church—Latter-day Saints—and his party—Democratic—I have been disturbed by the efforts of some members of my faith to involve their church in political and temporal affairs. In this setting I think it was highly appropriate that the First Presidency of the Latter-day Saints Church set the record straight January 4, 1963, and I commend my colleague [Mr. HARDING] for calling this statement to the attention of the House.

The Arizona Daily Star of Tucson, Ariz., recently commented favorably on this statement in an editorial of January 19, 1963.

Under unanimous consent I ask that the editorial be printed at this point:

### MORMON LEADERS CLEAR THE AIR

As an example of forthright, needed action to counteract rumors, the statement of the highest leaders of the Mormon Church in Salt Lake City opposing any effort to link their church with extremist ideologies is superb.

There have been several efforts in the last two general elections to drag the Mormon Church, by implication, into campaigns. Unfortunately, in two Arizona races of a Mormon against a Mormon, there was an effort on the part of one of the candidates to make his own churchmen believe that the other candidate was not as patriotic as he should be. The effort failed.

Then came the incident when Ezra Taft Benson's son, Reed Benson, tried to coordinate the Utah activities of the John Birch Society. Ezra Taft Benson not only is a high Republican but an apostle of the Mormon Church. Thus some people might have assumed that the church hierarchy approved of Reed Benson's activities had it not been for the statement made by the church president, David O. McKay, and his two counselors, Henry D. Moyle and Hugh B. Brown. These three make up what the church terms its first presidency.

"We deplore the presumption of some politicians, especially officers, coordinators, and members of the John Birch Society, who undertake to aline the church or its leadership with their partisan views," the first presidency's statement said.

"We believe in a two-party system, and all our members are perfectly free to support the party of their choice."

That is considerably different from looking at one party as though its members wore halos and had wings, and the other as though its members' feet were cloven and horns sprouted from their heads.

The first presidency also said: "We denounce communism as being anti-Christian, anti-American, and the enemy of freedom; but we think they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice."

Amen.

## PROPOSED REDUCTIONS IN DOMICILIARY CARE AT BATH, N.Y., VETERANS CENTER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the people in western New York State, part of which I now have the honor to represent in this House as a result of last year's redistricting have been greatly disturbed in recent weeks by the information that the Veterans' Administration is projecting a drastic cut of some 300 beds this year in the domiciliary care facilities now being provided to our elderly and retired veterans at the Veterans' Administration Center at Bath, N.Y.

We are deeply disturbed by what this cut will do to the treatment which our aged veterans in western and central New York have a right to expect. The VA has suggested that these veterans be hospitalized instead in East Orange, N.J., at some new so-called restoration center.

But, Mr. Speaker, these veterans who seek domiciliary care at Bath are not, it seems to me, proper candidates for the only kinds of rehabilitation services which the New Jersey facility could reasonably be supposed to provide. They want, and deserve, a place where they can live out their lives with dignity and self-respect and in their own home area, not hundreds of miles away.

I oppose the projected VA move at Bath. I intend to oppose it in the Committee on Veterans' Affairs and on the floor of this House. I am glad to bring to the attention of my colleagues the following resolution adopted by the Board of Supervisors of Ontario County, which is in my new district, on January 3, 1963. I am proud to have the support of this great board in my efforts to oppose the action of the Veterans' Administration.

The resolution follows:

### RESOLUTION NO. 14—BATH VETERANS' ADMINISTRATION CENTER

Whereas the central offices of the Veterans' Administration in Washington, D.C., has announced a cutback on bed capacity of 500 beds at the Bath Veterans' Administration Center; and

Whereas there is a waiting list bearing the names of 212 veterans who have been refused admission as of November 19, 1962; and

Whereas the Bath Veterans' Administration Center is the only domiciliary in the entire northeastern United States. It serves a 10-State area with a total population of 45 million of which approximately 9 million are veterans. If the Federal Government fails to provide these much needed facilities, these veterans will become charges of their local communities; Therefore, be it

*Resolved,* That this board of supervisors petition our Congressman SAMUEL S. STRATTON, and urge him, in the best interest of veterans and our county, to exert his influence to prevent the reduction of this vital service; and, further

*Resolved,* That a copy of this resolution be forwarded to Congressman STRATTON, Representative of the 35th District.

## ADM. HYMAN G. RICKOVER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 10 minutes.

Mr. PRICE. Mr. Speaker, in every generation a few men emerge who profoundly affect the course of history. I believe that to future historians, Adm. Hyman G. Rickover will be remembered not only by the popular title of "Father of the Nuclear Navy," but also as the man who more than anyone in our generation has been responsible for the renaissance of our naval striking force. Admiral Rickover's dedication to strengthening the defense of our country, and indeed, the whole Western World through the development of the nuclear powered submarine, has brought to our country a great measure of national security. As a member of the Joint Committee on Atomic Energy, I have supported Admiral Rickover in his important work and have watched his zeal and dedication with admiration.

Last month in Troy, N.Y., Admiral Rickover received the Uncle Sam Sesquicentennial Medallion from the Troy Area Committee for Uncle Sam. This committee is comprised of representatives of Troy's service clubs, community associations, fraternal units, and religious, educational, financial, and industrial interests.

In this connection, I would like to place in the RECORD the citation that Admiral Rickover received from the Troy committee on December 21, 1962, as well as a news story and an editorial which appeared in the Troy Record on December 22, 1962, which carries in it some profound observations from Admiral Rickover's statements at the Knolls Atomic Power Laboratory, Niskayuna, N.Y., where he accepted the award.

I would before concluding my remarks make note of the fact that on Sunday, January 27, Admiral Rickover will observe his birthday. I am certain every Member of the House joins me in extending to him sincere good wishes on the occasion.

The citation, news story, and editorial are as follows:

### SESQUICENTENNIAL MEDALLION PRESENTED TO VICE ADM. H. G. RICKOVER, U.S. NAVY

Samuel Wilson, born in Menotomy, now Arlington, Mass., on September 13, 1766, and who died in Troy, N.Y., July 31, 1854, must have been your spiritual forebear. A patriot since boyhood, he fought in the War of the Revolution; his father and oldest brother responded as Minutemen to the call to arms by Paul Revere. The period of Sam Wilson's life, 1766 to 1854, witnessed the birth and progress of the United States. Sam Wilson and his family—like yourself, Admiral Rickover—in their lifetime personified those qualities that helped to found and to preserve this Nation.

Because you fought to protect and preserve the United States of America against her enemies by pioneering in the development of our nuclear Navy which now acts as a mighty deterrent force against the potential aggressor;

Because you became the father of the U.S. nuclear Navy through your work as head of the Naval Reactors Branch of the U.S. Atomic Energy Commission, and as head of the Nuclear Power Division of the U.S. Navy;

Because you have fought valiantly to establish better scholastic standards for students and teachers; to boost Federal aid to public schools, colleges, and universities; to do away with frills in our public schools that too often cut into academic subjects;

Because you have fought to give children of ability unlimited educational opportunities, so that America will be educationally competitive in a time of crisis;

Because your efforts in defending American freedom and in preserving the American way of life by fighting for better education for American youth, have reawakened America to her great national purpose as expressed in the Declaration of Independence and the Bill of Rights;

We present you the Uncle Sam Sesquicentennial Medallion.

THOMAS I. GERSON,
*Official Uncle Sam historian; Legislative Chairman; Director of Education; for the Executive Committee of the Troy Area Committee for Uncle Sam.*

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[From the Troy (N.Y.) Record, Dec. 22, 1962]

### NUCLEAR SUBMARINE HAILED AS DETERRENT TO ATOMIC WAR

"Our nuclear submarines are a deterrent force that speaks louder than words," Vice Adm. Hyman G. Rickover said last night when he received the Uncle Sam Medallion from the Troy Area Committee for Uncle Sam.

"What most people don't realize is the fact that a potential aggressor, before attacking the United States, will seek to knock out the submerged platforms of the Polaris submarines which can raze his country in a matter of minutes, before he even tries to hurl missiles at the mainland," according to Admiral Rickover.

The medallion presentation was made by the Troy Area Committee for Uncle Sam on behalf of the residents of the Tri-Cities. The ceremony took place at the Schenectady Naval Reactors Office of the Atomic Energy Commission, located at the Knolls Atomic Power Laboratory (KAPL) in Niskayuna. KAPL is operated by the General Electric Co. in cooperation with and under the technical direction of the Naval Reactors Branch of AEC, with the mission of designing and developing nuclear propulsion plants for Navy vessels.

#### PRESENTED BY GERSON

The medallion was presented to Admiral Rickover by Thomas I. Gerson, official Uncle Sam historian, in company with Representative Leo W. O'Brien, of Albany, Mayor Neil W. Kelleher, of Troy, Representative Samuel S. Stratton, of Schenectady, Mayor Malcolm Ellis, of Schenectady, Stanley W. Nitzman, manager of the Schenectady Naval Reactors Office; and Kenneth A. Kesselring, general manager of KAPL.

The citation accompanying the medallion, likened Admiral Rickover's leadership in developing the nuclear Navy and in campaigning for improvements in the education of American youth to the patriotism and dedication of Samuel Wilson, who, during the War of 1812, gave the symbol of Uncle Sam to America, representing a people who love freedom so much that they are determined to protect it, not only for themselves, but for free men everywhere.

#### CITATION IN PART

The citation read in part: "Because you, Admiral Rickover, fought to protect and preserve the United States of America against her enemies by pioneering in the development of our nuclear Navy, which now acts as a mighty deterrent force against the potential aggressor; because you became the father of the U.S. nuclear Navy through your work as head of the Naval Reactors Branch of the U.S. Atomic Energy Commission, and as head of the Nuclear Power Division of the U.S. Navy;

"And because you have fought valiantly to establish better scholastic standards for students and teachers; to boost Federal aid to public schools, colleges, and universities; to do away with frills in our public schools that have too often cut into academic subjects; because you have fought to give children of ability unlimited educational opportunities so that America will be educationally competitive in a time of crisis; because your efforts in defending American freedom and preserving the American way of life by fighting for better education for American youth have reawakened America to her great national purpose as expressed in the Declaration of Independence and the Bill of Rights, we present you the Uncle Sam Sesquicentennial Medallion."

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[From Troy (N.Y.) Record, Dec. 22, 1962]

### POLARIS SUBS MAKE LAND SAFER

Vice Adm. Hyman G. Rickover, U.S. Navy, father of our nuclear Navy, reaffirms the second strike strength of America's submerged nuclear weapon potential when he says that the Polaris submarines "make the land safer."

Speaking at ceremonies at the Knolls Atomic Power Laboratory in Niskayuna where he received the Uncle Sam Sesquicentennial Medallion from Congressmen, Tri-cities officials and the Troy Area Committee for Uncle Sam, Admiral Rickover said this Nation's Polaris submarine forces does two things: "It deters attack on us; also it forces an aggressor to throw his missiles on to the oceans and not on to the land, where our people are."

This second function is not generally understood by the American public, said the Navy's pioneer of submerged nuclear weaponry. "Nearly everyone knows," he said, "that our Polaris submarines constitute a deterrent to war—that an enemy attacking us knows that he will inevitably be destroyed. But there is still one other point. As long as this deterrent exists, the enemy must first find and attack these submarines. * * * Therefore, his attack must be launched on the oceans and not on the land. This very important fact is not understood by the American public."

There is no overstatement in Admiral Rickover's observation. Certainly an enemy attack against the continental United States would be useless unless there was a first attempt to sink this country's nuclear submarine fleet. It is this 100 percent second strike power of the Polaris submarine fleet that helps to give the United States superiority over the Russians.

The submerged Polaris submarines, each with 16 nuclear-tipped missiles, each within range of the enemy's targets, would raze such targets in a matter of minutes, before the enemy even tries to hurl missiles at the mainland. It is comforting to know that as long as our hidden Polaris platforms continue to increase, their whereabouts not known to a potential enemy, we have a deterrent force that speaks louder than words.

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## TAX-FREE POWER

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I recently read a very fine speech given by T. E. Roach, president of the Idaho Power Co., at a meeting of the Pocatello Chamber of Commerce at Pocatello, Idaho, on the 15th of August 1962. This speech aptly discloses why "Tax-Free Power Is Not the Answer."

Mr. Roach's speech concerns the proposed extension of the Bonneville Power marketing area to southern Idaho.

To spend $100 million of the taxpayers money to provide subsidized power to an area now fully supplied at reasonable rates is totally unwarranted. Under unanimous consent, I extend my remarks and include Mr. Roach's speech:

### TAX-FREE POWER IS NOT THE ANSWER

(Speech by T. E. Roach, president, Idaho Power Co., August 15, 1962)

I welcome the opportunity to speak to the Pocatello chamber membership about Idaho Power and about problems in Idaho that have a direct bearing upon the future of your various businesses as well as Idaho Power's. Pocatello comprises an important part of our service area and we have the same concern for its growth and expansion as each of you. This is evidenced by the fact that Idaho Power has been a member of the Pocatello Chamber of Commerce since its organization and has had an active part in all of its constructive efforts. We are represented in Pocatello by Milt Sargent, division manager, and his community interest is well known to you by reason of the fact that he is currently serving as vice president of the chamber. Before him, Larry Brainard, a director of Idaho Power, served as chamber president and helped spark special industrial interest. Before Larry's time, Don Brown and others have responded to all important civic calls. Beyond that, our industrial development department under Orland Mayer has been active over more years and spent more money in that field than any other organization in the State, including other chambers of commerce and even the State of Idaho.

This is tangible evidence of our continuing interest in and concern for the importance of constructively contributing to the economic development of the area.

We are proud of our almost 50-year record of never letting the area down in the assurance of ample, low-cost power supply, no matter the size of the demand. Because we have a substantial stake in the economic welfare of the State, we have an understandable concern over any misinformation that might adversely affect the area's economic reputation or that of our company.

Despite the fact that our service area has enjoyed an unbroken record of sound and expanding economic progress—as well as a phenomenal increase in power supply unmatched anywhere in the West—we hear with some regularity, but particularly in an election year, that our economy is decadent, and the only cure is Federal power. In glowing terms, a picture is painted of the great industrial development and prosperity that will accompany the introduction of a tax-free power supply.

This well-planned effort to decry and downgrade the economic status of the State for the purpose of creating a political strawman is a disservice to the area and gives to outsiders a wholly unwarranted impression which is detrimental to constructive efforts being put forth to attract new business to the State.

Are these pronouncements accurate? Is Government power the vital ingredient? The answer is clearly found in a direct comparison of those areas which have been served by Bonneville and those in Idaho, which have been supplied with power by taxpaying enterprise. Let us look for a few moments at some of the principal yardsticks which measure the economic status of Idaho with that of Oregon and Washington.

#### IDAHO COMPARES FAVORABLY

1. Unemployment is one of the very sensitive barometers of economic health and, on this point, it is enlightening to note that the U.S. Department of Labor lists 36 areas of substantial unemployment in the Northwest. Fourteen of these are in Oregon, including Portland; 16 are in Washington, including Spokane and Tacoma; and only 6 are in Idaho, these being in north Idaho.

Not a single area in southern Idaho is mentioned.

Significantly, all of these unemployment distress areas are within the Bonneville marketing area, and you who are familiar with the north Idaho economy are aware that being in the Bonneville marketing area has brought little economic comfort to it.

2. The same Department of Labor figures show that employment in nonagricultural establishments between 1950 and 1960 increased 19 percent in Idaho, 16½ percent in Oregon, and only 6½ percent in Washington.

Even in the category of "strictly manufacturing," this same Department of Labor source shows the gain in employment between 1950 and 1960 was 38 percent in Idaho, 25 percent in Washington, and 6 percent in Oregon.

Thus, from an employment standpoint, Idaho has definitely made greater progress than either of our two adjoining States to the west, where Bonneville dominates the electric power supply.

3. On the score of increased per capita personal income, Idaho led both Oregon and Washington for the decade 1950–60 with an increase of 43 percent as against 42 percent for Oregon and 40 percent for Washington. For the year 1961, Idaho was up 3.2 percent, compared to Washington's increase of 2.7 percent and Oregon's 1 percent. These figures are from the U.S. Department of Commerce.

4. That Idaho compares favorably with our sister States to the west in value added by manufacture is also disclosed in the U.S. Department of Commerce report for 1958 (the latest), which compares the 5-year period 1954–58. Here Idaho's percentage of increase was 35 percent, or double Oregon's 18 percent, and only slightly below Washington's 40 percent, which was greatly influenced by the volume of work at the Boeing plant in Seattle.

5. Another sound test of economic health is comparative debt and tax levels. Here again Idaho stands out with a State bonded debt per capita of only $9.88, compared with $151 for Washington and $188 for Oregon.

In terms of annual tax burden at the State level, Idaho again finds itself in better shape, with total 1961 taxes per capita of $102, compared with Oregon's $111 and Washington's $164.

6. In the 7-year period 1955–61 the new industries locating in southern Idaho and eastern Oregon totaled 116. They furnish employment to approximately 5,500 people.

We do not have comparable data for Oregon and Washington on a statewide basis, but we do have the industrial development record for Bonneville over the past 10 years. That record shows in 10 years Bonneville has added a net of exactly two industrial customers. They lost the Kaiser Aluminum plant at Tacoma and added the Harvey Aluminum Co. at The Dalles, the Hanna Nickel Co. at Riddle, and Anaconda Aluminum Co. at Columbia Falls, Mont. The Harvey and Hanna installations in Oregon were Government-sponsored projects, whose output goes into the already heavily overburdened Government stockpiling program.

Certainly, a comparative record of this kind provides no warrant for deprecating, downgrading, or holding up to scorn the economic and industrial growth of Idaho compared with Oregon and Washington; and more particularly, it does not demonstrate that tax-free, subsidized Federal power contains within itself any magical formula for industrial growth.

Probably the most accurate and positive comparison of economic progress is found in the area increase in use of electric power. Here again the answer is crystal clear that by this yardstick the area served by Idaho Power has made greater economic progress than either Oregon or Washington. In the 18-year period 1943 to 1961, Idaho Power's average load has increased 8½ times, while that of Bonneville has increased only 5 times. If we compare only the last 10 years, Idaho Power Co.'s growth has been 250 percent, while that of Bonneville in the same period has been only 190 percent.

This evidence would seem to demonstrate conclusively that so-called cheap Government power is not a guarantee of industrial and economic growth—but let us go one step further and see if rate per kilowatt-hour is the all-important consideration.

### INDUSTRIAL POWER RATES

Except in a very few manufacturing activities, the cost of power represents less than one-half of 1 percent of total production costs. The exceptions are found mostly in the fields of electrometal and electrochemical reduction, where cost of power is an appreciably greater percent of total cost. Certainly, taxes and labor costs are much more important and controlling in most industries, and particularly those furnishing substantial employment in relation to power needs.

Over 35 percent of Bonneville's output goes into the electrometal and electrochemical industry, and of this amount 83 percent goes into the production of aluminum. As I pointed out earlier, however, there has been no increase in this particular field except for the additions of Anaconda, Harvey Aluminum, and Hanna Nickel, the latter two being Government-subsidized undertakings. Moreover, all of the aluminum plants are now, and for some time have been, operating at less than full capacity. Additionally, these types of industries, requiring large blocks of power and employing comparatively few people, do not contribute purchasing power in proportion to their power requirements, as compared to a well-balanced group of average industries. It was this fact that caused a representative of the Governor of the State of Washington to comment, "an aluminum plant takes one million kilowatt-hours of power to keep one man busy cracking the crust in potlines." Why should such industries be singled out for special Government subsidy in the form of tax-free power?

Closer to home is a comparison in the electrochemical field. Over the past 10 years, the quantity of electrical energy supplied by Idaho Power to FMC has increased 4½ times. Victor Chemical Co. at Silver Bow, Mont., on the other hand, started elemental phosphorus operations with Bonneville power in 1952, and despite the availability of Bonneville's rates, has not increased its operation a single pound beyond its initial capacity. On the basis of this evidence, what justification is there for the loose and generalized statements that Government-subsidized power is any assurance of industrial growth or economic prosperity? Indeed, on the contrary, the evidence points to exactly the opposite conclusion.

On the subject of rates, I hope it will be of more than passing interest to this audience to know that the rates of Idaho Power for large industrial operations requiring relatively large quantities of power, such as in the production of elemental phosphorus, are substantially lower than that of any other taxpaying utility in the United States, and approximately the same as the rate of TVA for this type of service, despite the inclusion in our costs of a heavy tax load—a burden not carried by any public agency.

### GOVERNMENT POWER IS SUBSIDIZED

Bonneville's freedom from taxes and access to tax-free capital funds represents a direct rate advantage of 48 percent. If Idaho Power were relieved of that part of its costs, its large industrial rate would be less than that of Bonneville. To put it another way, relief from that tax burden, as is enjoyed by Bonneville, would permit Idaho Power to lower all of its rate schedules by 48 percent, or with that annual tax relief it could pay off all its outstanding bonded indebtedness in 8½ years, or all of its outstanding capital securities including stocks in 11⅓ years.

Tax exemption would be fine for Idaho Power, but what about all the various State and local functions of government and school operations dependent upon that tax money for support of these essential functions?

### TAX REVENUES ARE VITAL

Idaho Power is today the State's largest taxpayer, with its payments spread over 27 counties. Sixty percent of our property taxes go to the support of our public school system. As one editor expressed it recently, "many counties in Idaho could not maintain their services without the property taxes paid by Idaho Power."

Since World War II, Idaho Power has created over $300 million in new taxpaying property, which has increased its annual State and local taxes from $670,000 to over $5 million or eight times. If an industrial plant prospect came along, proposing to spend only one one-hundredth of that amount in a new plant, he would be greeted with open arms and a brass band by all levels of government, and certainly by the chambers of commerce in the area; yet an investment of a hundred times that amount by Idaho Power has created hardly a ripple in these same circles. Had Bonneville built these power facilities with taxpayers funds instead of Idaho Power, not one dime of additional taxable wealth would have been created. Local and State taxes, as well as Federal taxes, presently being paid by Idaho Power on these facilities would have been added to your tax bill instead.

For increased power facilities over the next 6 years, we expect to spend another $140 million of taxpaying capital, providing, of course, that our plans to create these new power facilities are not stymied by the recent proposal to bring Bonneville lines and power into the area to take away from Idaho Power the market it has served so well over a period of almost 50 years. The bringing of Bonneville power into the area would, of course, force the abandonment of much of this proposed expenditure and correspondingly destroy the future tax revenues it would have created.

### A COSTLY PROPOSAL

To bring Bonneville lines into this area would cost a minimum of $40 million—and, of course, to develop such tax-exempt power facilities would require tax money, the only purpose of which would be to eliminate the building of taxpaying electric units.

At a time when the overall burden of State taxes is so heavy, when Government spending is mounting at a rapid pace, when extreme measures are being proposed to insure every possible dollar of tax collection, and when the Pocatello Chamber itself is spearheading a drive for a sales tax to ease the burden of State property and income taxes—at such a time it is strange indeed to hear of proposals for spending millions upon millions of these hard-to-get tax dollars for the purpose of building a tax-destroying Federal power empire in southern Idaho.

Even more strange is it to see such a program being proposed for execution by Bonneville, which for the 4 years ending June 30, 1961, and without the burden of taxes, has lost $40 million in its operation. It is reliably reported to have lost another $18 million for the fiscal year just ended, or a total loss of almost $60 million in a 5-year period. Such a suggestion evidences a complete disregard for the economic realities of the Bonneville financial predicament and its inadequate power supply situation.

### IDAHO IRRIGATION WOULD LOSE

Not only would such an action do great and permanent damage to the present and future tax income of the State—while benefiting only a few public agencies and perhaps a high consumption industry or two by enabling them to become tax evaders—but it would do great and lasting harm to the State's irrigation resources and future expansion. This would inevitably follow from the substitution of Bonneville as the marketing agency for Bureau of Reclamation power at rates substantially below current Bureau rates, thus greatly decreasing the revenues available from Bureau power sales and earmarked for support of irrigation projects in the area. To answer that no concern need be felt on this score because Bonneville would assume that responsibility is small comfort in the face of the already enormous and mounting losses reported by Bonneville.

Irrigation benefits cannot be paid from admitted losses by Bonneville. Hard dollars are needed—and if not forthcoming from Bureau power sales, they must come either from increased payments by the irrigators themselves or from the taxpayers generally.

Attempts to attach irrigation projects to Bonneville power revenues will not be popular nor approved by our neighbors to the west. This is best evidenced by the refusal of Congress in just the past few weeks to saddle Bonneville revenues with the irrigation benefit responsibility of the Mann Creek project near Weiser, sponsored by Congresswoman Frost, and the Baker project in Oregon, sponsored by Congressman Ullman. On top of that, Oregon's leading daily newspaper—The Oregonian of July 29—carried an editorial entitled "Irrigation Albatross," reading in part as follows:

"The gimmick of attaching irrigation projects to Bonneville power revenues in order to make irrigation feasible cuts at the heart of the BPA rate structure. We don't know all about some of the other arguments in a minority report of the House Interior Committee opposing the Baker project bill and another project in Idaho, but we do know that saddling of these projects on Bonneville revenues threatens to harm the entire Northwest."

So you can be sure that Bonneville customers in Oregon and Washington have little interest in Idaho irrigation.

### PRESENT COORDINATION BEST

The Bureau of Reclamation power system, on the other hand, is designed to operate for the advantage of the irrigator, and the maximum irrigation benefit is realized through the integration of that system with Idaho Power's interconnected system. This coordinated operation has been in existence since 1923, and by reason of a recent contract arrangement has provided the Bureau with 30,000 kilowatts of added power capacity for the further benefit of the irrigation program. As a matter of fact, Idaho Power's coordinated and cooperative arrangement with the Bureau, and the guaranteed market we provide for the Bureau's surplus power in the summer months, is the key to the financial soundness and payout ability of many of our irrigation projects—all of which would be destroyed if Bonneville should replace the Bureau as the marketing agent.

At stake, therefore, is not only existing irrigation project feasibility but also that of all future irrigation projects dependent upon power revenues for financial aid.

### FEW GAIN—MANY LOSE

What argument or justification then can be advanced for urging Bonneville invasion of southern Idaho, other than the desire of a few to obtain preferential treatment in avoiding a fair share of the taxes that Idaho Power must include in its costs, and which the schools and other necessary local agencies of government must have in order to carry out the necessary functions essential to the welfare of our State and its people? And after all, can Bonneville power be developed and supplied at a cost less than that of an investor-owned company such as Idaho Power?

To be sure, Government power may be sold for less, but does it really cost less? The engineering design of a hydroplant requires a precise quantity of excavation, concrete, and man-hours of labor no matter who does the building and who owns it. Over a given distance of transmission the same miles of conductor, number of towers, and man-hours of labor are required, irrespective of the owner. When it comes to efficiency in building or operating, I think the record is clear that Government operation of anything has not been done as efficiently as it has in private business. Nor can Bonneville build and operate electric facilities as efficiently and economically as Idaho Power. Where then is it possible for Government costs to be less than those of private business operation? The only area, of course, is in the privilege it enjoys of avoiding, as part of cost, the legitimate and necessary taxes we must all pay as our share of supporting Government functions, and the taxes evaded by any one of us must be made up by the rest.

### BONNEVILLE HAS NO FIRM POWER

Not only is Bonneville unable to produce and deliver power at a cost level less than Idaho Power—except as it evades its legitimate tax obligation—but it has, by its own admission, no firm power for sale. In its most recent published advance program, it shows not only a shortage or deficit in firm power supply in its present marketing area of 200,000 kilowatts in 1965 but a continuing and growing deficit in each year thereafter, reaching an overall deficit of 1.3 million kilowatts in 1970. From what source, then, is it going to find power for distribution in southern Idaho that would justify spending 40 million tax dollars for transmission lines into this area? In a statement to the Bonneville Advisory Council last October, Bonneville Administrator Luce stated that "we are short on firm power to the extent that we cannot make offerings to new industries." By its own figures, and by the statements of its Administrator, Bonneville has no dependable power to offer southern Idaho.

Idaho Power, on the other hand, has never failed its service area in the adequacy of power for any need and any quantity, as witness the obligation it took on and met in supplying the rapidly increased requirements of FMC. To serve this load alone, Idaho Power has a total of $40 million of taxpaying capital committed.

Not only has Idaho Power met all power demands today, but it is preparing to continue to meet them in the future with $140 million worth of added taxpaying facilities in the 6 years ahead—that is, unless Bonneville's entrance into southern Idaho attempts to substitute tax-free dollars for Idaho Power's taxpaying dollars. Incidentally, the entire aluminum industry in Washington and Oregon, which consumes the lion's share of Bonneville's tax-free power, actually pays less State and local taxes than does Idaho Power alone. And, if you took the time to check the property tax records in Bannock and Power Counties, you would find that Idaho Power Co.'s property tax payments were over three times that of our largest consumer of electric energy.

What southern Idaho needs is not more tax-free property in the State, but more taxpaying businesses, such as that of Idaho Power, to help meet the ever-increasing revenue demands of our schools and local and State government units. And what we need at the national level, with our enormous Federal debt and ever-mounting cost of Federal Government, is a curtailment of unnecessary and wasteful spending.

You can be sure that the appropriation committees of Congress, when the facts are presented to them, will not look with much favor upon allocating $40 million of your tax money to Bonneville for a wholly unnecessary transmission line which can only add to the already large annual Bonneville operating loss.

## CABINET DEPARTMENT OF VETERANS' AFFAIRS IS VITALLY NEEDED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, in the early days of this 1st session of the 88th Congress I submitted a bill, H.R. 1798, which provides for the establishment of a Department of Veterans' Affairs, to be headed by a Secretary of full Cabinet rank.

To my mind, this legislation is so important and the need for it so great that I hope many of my colleagues will join with me in urging early hearings and action by the Committee on Government Operations, which now has the bill before it for consideration.

This bill, Mr. Speaker, would give to the new Department of Veterans' Affairs full jurisdiction over all present functions of the Veterans' Administration as well as over all other veterans' operations now handled by other departments and agencies.

H.R. 1798 would give appropriate recognition to the fact that veterans and their families now constitute almost half the population of the United States. It seems only reasonable that the Federal agency which perhaps more directly affects the lives of more of our people than any other should have equal standing in the executive branch with departments of much more limited scope and responsibility.

Veterans' Administration programs and operations are indirectly linked with the economy and welfare of the United States.

A Department of Veterans' Affairs, under a Secretary of full Cabinet rank, would put the operations of veterans' programs on a broader horizon and in closer touch with existing departments, which would unquestionably prove mutually advantageous to all concerned, especially to all those the Veterans' Administration serves, and, above all, to the American people.

The size and scope of VA are worth our attention as we consider this bill.

With 176,000 employees, the Veterans' Administration is exceeded in size only by the Department of Defense and the Post Office Department. It is the largest, by far, of the many independent agencies in the executive branch.

Consider these facts:

First. The VA's current budget of $5.4 billion annually is exceeded only by the budgets of the Defense, Agriculture, and Treasury Departments—and the Treasury Department is in the top three only because it makes the interest payments on the national debt.

Second. The VA provides services for 22,275,000 veterans and their families—a total of more than 81 million people, including 78.5 million veterans and members of their families and over 2.5 million survivors of deceased veterans.

Third. The agency's Department of Medicine and Surgery operates the largest single medical program in the world. Last year it gave 41,500,000 days of hospital care, costing $875 million, to 700,000 veterans. The daily average of patients receiving hospital care was 114,000.

Fourth. The VA's network of 169 hospitals is the largest in the world. VA research staffs are engaged in 6,800 separate medical research projects.

Fifth. Three of every seven men and women who win medical degrees in the United States receive training in VA hospitals, as well as 1 of every 10 professional nurses.

Sixth. The VA handles 6 million life insurance policies, with a face value of over $40 billion.

Seventh. Under the VA loan program, there have been 6 million home, farm, and business loans totaling more than $53 billion.

Eighth. The agency has paid disability and death compensation to more than 4,700,000 veterans and dependents.

Ninth. The VA operates the Nation's largest guardianship program, involving more than 511,000 children and incompetent beneficiaries.

These are only a cross section of the vast activities of the Veterans' Administration. The ubiquitous nature of the agency's role is not properly reflected in its present status as an independent agency.

The magnitude of the administrative functions, the scope of interest, as well as proper recognition of America's fighting men and their families more than justify the establishment of a Cabinet Department of Veterans' Affairs.

Mr. Speaker, I urge early, positive action on this bill.

## BOARD ON PRESIDENTIAL MEMORIALS IN THE NATION'S CAPITAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. Kyl] is recognized for 30 minutes.

Mr. KYL. Mr. Speaker, I have today introduced legislation providing for the establishment of a Board on Presidential Memorials in the Nation's Capital, which is the result of a recent request by Secretary of the Department of the Interior Stewart L. Udall.

This new Board which my joint resolution would establish would serve as a screening agency for proposals for statues, monuments, and other structures. Legislation for the same purpose was introduced in the last Congress by two leading Democrats, Senator Robert S. Kerr, of Oklahoma, and our colleague, the gentleman from Missouri [Mr. Jones].

In a recent letter to the Speaker of the House the Secretary of the Department of the Interior asked that this legislation be introduced in this Congress and explained the need for it in these terms:

> Memorializations place a constant demand on park land of the Nation's Capital. There are 96 memorials of the monument or statue type already existing on land in the National Capital Parks System. A number of others have been authorized but not yet constructed. In the 86th Congress alone seven public laws were enacted authorizing the construction of memorials. At least 17 bills were before the 86th Congress and 8 before the 87th Congress to authorize the construction of memorials on parklands in the Nation's Capital. It is evident that, if the concept of open space and dignity which contribute so much to the beauty of the Nation's Capital is to be preserved in the face of constant pressures to use the land for memorials, sound guidelines for the control of this use must be formulated, a comprehensive plan must be developed, each proposal must be carefully evaluated, and sound criteria must be steadfastly followed. In fact, such a plan offers the only assurance that sites will be available for future memorials that in all respects merit a location in the parks.
>
> We recommend the establishment of the Memorial Board as a means of meeting the critical situation which confronts the National Capital Parks System. The Board will provide an effective method for focusing attention on the problem, and will help all concerned to view the numerous proposals in proper perspective.

The debate over monuments and living memorials is not a new one, and the merits of living memorials as against memorials in bronze, marble, and granite have been urged for centuries. Long before Secretary Udall recommended the action I have today responded to, the philosophers were debating the issues involved.

Marcus Cato is reputed to have said:

> I would rather have men ask, after I am dead, why I have no monument, than why I have one.

Pliny the Younger considered monuments "superfluous" and said of them that:

> If our lives deserve it, our memories will endure.

Euripides held to the view that:

> The monuments of noble men are their virtues.

Actually, history proves that throughout most of recorded time monuments and living memorials have been about equally popular. The Taj Mahal and the pyramids, the fountains, and the monuments are visible proof of the popularity of monuments as are the 96 memorials of the monument or statute type which Secretary Udall has called our attention to.

On the other hand, the opera houses and theaters, the great cathedrals representing many faiths are among the more enduring and significant embodiments of the living memorial concept.

So it is clear that the issues which are central to the legislative proposal urged upon the Congress by Secretary Udall are important to our time, just as they have been considered important by every great nation in the world throughout recorded history.

The major newspapers in the Nation's Capital, as well as the New York Times and other newspapers, and magazines as well, have grown increasingly critical of the memorials proposed by Members of Congress for our past Presidents and other leaders, and the suggestion has been increasingly heard that living memorials for our past Presidents make a lot more sense than many of the plans for memorials currently being pushed.

Our colleague, the gentleman from Kentucky [Mr. Chelf], has pointed out that:

> Unless plans for a living memorial or memorials are vigorously pushed, the Nation's Capital will be overrun with statuary and resemble a graveyard.

At the same time he introduced legislation providing that the National Cultural Center shall, with its various facilities, such as auditoriums, libraries, and art galleries, be a living memorial to all past Presidents.

In the Washington, D.C., Daily News, January 10, 1961, Peter Edson, the widely syndicated columnist for the Newspaper Enterprise Association, wrote as follows:

> The proposal to combine the two Roosevelt memorials and possibly others into the Cultural Center was a somewhat natural development. It has met with a generally favorable response.
>
> "I think it is a marvelous idea," says Representative Frank Thompson, Democrat, of New Jersey, one of the principal sponsors of the Cultural Center authorization legislation. "I think it would provide much more appropriate memorials to these two great men."
>
> One other criticism frequently given to Washington's cemetery art is that the city is already too full of monuments to the past and what it needs is more recognition of the future.
>
> The answer to this offered by the new idea for the Cultural Center is that it is a concept big enough to honor a dozen Presidents—or all of them.

Miss Betty Beale, nationally syndicated columnist, wrote in the Washington, D.C., Evening Star of January 13, 1961, that:

> Apropos of the new interest in making the monument to F.D.R. a living memorial by incorporating it in the National Cultural Center, Mrs. Francis Biddle said that her husband originally had suggested making the memorial into a living one and had met with objections from some of the Congress.
>
> How anyone could object to making an auditorium in the National Cultural Center a memorial to a President of the United States, with his greatest words engraved, not on some outdoor stones for a comparative few to see, but on the walls within where hundreds would see them at one time is hard to understand.

The chairman of the Committee of One Hundred on the Federal City, Rear Adm. Neill Phillips, U.S. Navy, retired, some time ago urged that one of the units of the National Cultural Center be named in honor of one of our past Presidents.

Additional light on the subject of monuments versus living memorials may be found in a book by Camillo Sitte, a Viennese, who wrote a book called "The Art of Building Cities." It was translated from the German a number of years ago by Charles T. Stewart. Mr. Sitte pointed out that:

> The fundamental difference between the procedures of former times and those of today rests in the fact that we constantly seek the largest possible space for each little statue.

Mr. Sitte added that ancient cities were able to accommodate the many sculptured treasures that still testify to their achievements and glory because the early Greeks and Romans—

> erected their monuments by the sides of public places instead of in the center.

In addition to introducing the legislation requested by Secretary Udall I have added to it two amendments of my own which would provide living memorials to two great Democrats, President Woodrow Wilson, and President Franklin Delano Roosevelt.

Memorials to both President Wilson and President Roosevelt are under active consideration at this time by the Congress, as well as by Commissions created by the Congress. The Woodrow Wilson Memorial Commission was given a congressional directive in the authorizing legislation to consider both a monument or statue form of memorial, as well as a living memorial to President Wilson.

The Franklin Delano Roosevelt Memorial Commission recommended a monument-type memorial which was criticized heatedly throughout the country in such derisive terms as "instant Stonehenge," and "giant bookends," and finally was overwhelmingly rejected last fall by both Democratic and Republican Members of the House of Representatives. Leaders in the move to reject the "instant Stonehenge" memorial to President Franklin Delano Roosevelt were our distinguished colleagues, the gentleman from California [Mr. ROOSEVELT], the gentleman from Massachusetts [Mr. O'NEILL], and the gentleman from New Jersey [Mr. WIDNALL].

The joint resolution I have introduced, the text of which I shall include as part of my remarks, provides that one of the three auditoriums of the National Cultural Center, in which both President and Mrs. Kennedy are so deeply interested, would be built on the 27-acre tract of land reserved by the Congress for the F.D.R. Memorial. This tract of land lies between the Lincoln Memorial and the Jefferson Memorial and my joint resolution further provides that the auditorium built on the F.D.R. Memorial site would be known as the Franklin Delano Roosevelt Festival Hall of the Performing Arts in recognition of President Roosevelt's lifelong interest in the arts.

I make this proposal for the following reasons: The complex of roads which are now being built around the 10-acre site set aside by the Congress for the National Cultural Center will make access to it by foot extremely difficult and hazardous. Tunnels to the National Cultural Center may have to be provided to accommodate pedestrians, just as tunnels are already in the works to expedite and make safe pedestrian traffic to the Lincoln Memorial.

The great concentration of pedestrian traffic at certain hours when the National Cultural Center's three auditoriums are in full use in my opinion renders the use of the present site untenable as the location of the National Cultural Center.

Shifting the National Cultural Center south of the Lincoln Memorial from its present site north of the Lincoln Memorial would still keep it on the Potomac River, and has the added advantage that the F.D.R. Memorial site south of the Lincoln Memorial is not contemplated as a location of a bridge and road complex such as is certain to strangle the National Cultural Center if it remains in its present location.

Congress was not adequately advised, insofar as I have been able to discover, and I have gone over the hearings held by the Public Works Committees of the Senate and House, as well as the Senate and House debates, of the size and damaging effect which the complex of roads now being built around and under the National Cultural Center site would have on the National Cultural Center. Nor do the printed hearings and the House and Senate debates show that any thought or attention was given by the appropriate officials in 1958, when the legislation was under consideration by the Congress, of the impact which the maze of roads surrounding the National Cultural Center site would have in preventing the full and proper development of the National Cultural Center.

My joint resolution provides, in addition, that:

> The Congress shall determine whether additional auditoriums of the National Cultural Center shall be built (1) on the site set aside for the Franklin Delano Roosevelt Memorial, or (2) on lands adjacent to or near Pennsylvania Avenue in order to contribute to the redevelopment of Pennsylvania Avenue and the renewal of the downtown business district of the Nation's Capital where existing public transportation, restaurants, shops, and business firms in general can best serve the needs of those attending the art programs of the National Cultural Center, and the Congress shall take full recognition, in making such determination, of the long-established practice in other nations of locating their theaters, and opera, and music halls and auditoriums in the heart of the business districts of their major cities. The 10-acre site set aside by the Congress for the National Cultural Center shall, notwithstanding any other provision of law, be utilized for the Franklin Delano Roosevelt Memorial.

The new uses provided by this section of my joint resolution for the sites reserved by the Congress for the Franklin Delano Roosevelt Memorial, and the National Cultural Center, will make unnecessary the destruction of several independent small business firms, including the nationally famous Pennsylvania Dutch Watergate Inn; will render unnecessary the appropriation by the Congress of several millions of dollars to acquire additional lands to round out the present National Cultural Center site; and, furthermore, will be of material assistance in implementing the Congressional understanding, at the time the National Cultural Center's authorizing legislation passed the House and the Senate, that the National Capital Planning Commission would not spend more than $650,000 in acquiring the land for the National Cultural Center.

I would call the attention of the Members of this House to House Report No. 2623, 85th Congress, 2d session, which accompanied S. 3335, the National Cultural Center Act, and particularly to the following language from page 3 of such House report which was filed by the gentleman from Alabama [Mr. JONES] for the Committee on Public Works of the House of Representatives:

> The site selected is in an area of street and highway development, and adequate routes of ingress, egress, and parking areas can be developed as the plans proceed. The bill provides that the site be provided by the United States, which would be the only Federal expense involved. The National Capital Planning Commission estimates the cost of acquiring the additional private property in the proposed site not in Federal ownership as $650,000, and proposes to utilize funds appropriated under the Capper-Cramton Act for that purpose.

It is reported that the President will shortly submit legislative recommendations to amend the National Cultural Center Act in a number of respects, and that he will also include a budget request for $2 to $3 million to purchase the lands required to round out the National Cultural Center site. The Board of Trustees of the National Cultural Center have indicated to the Public Works Committees of the Congress that the lands which were estimated to cost $650,000 in 1958 will cost more than 3 times that sum on today's market. There have been estimates in the Washington, D.C., newspapers that it will cost the Federal Government $2 to $3 million to acquire the lands needed to complete the present site of the National Cultural Center in order to make it suitable for the National Cultural Center design of the architect Edward D. Stone, and inquiries have convinced me that the President's budget request will include between $2 and $3 million for this purpose.

What I am suggesting, in my legislation, is to swap or trade the uses which the Congress has provided for the F.D.R. Memorial site and the National Cultural Center site, thereby saving the $2 to $3 million in appropriated funds which the President will shortly ask the Congress to provide to round out the National Cultural Center site.

What is needed, I would suggest, is a bit of horse trading, for here a good trade could be made which would benefit every taxpayer in the country.

I am sure there are many farmers in Iowa and elsewhere who would be delighted to come to Washington at their own expense to show officials how to make such a swap or trade.

In the early days of our country, barter and trade was the commonly accepted way of doing business.

Our tradition and our history is replete with trades. There is, in fact, the historic trade of a number of items of nominal value for the island of Manhattan—certainly one of the more famous barter agreements in American history.

If our leaders find it impossible to make this trade, how can we count on them to work out our country's entry into the Common Market in competition with skilled European Economic Community traders?

There is another point I would like to make at this time, and that is that the National Cultural Center site is several times as large as the sites of the famous memorials to Presidents Washington, Jefferson, and Lincoln, and, in addition, it is well know that President Roosevelt himself, despite the well-meaning but misguided efforts of some of his friends, always wanted a simple memorial.

Certainly, the 10 acres reserved by the Congress in 1958 for the National Cultural Center would be more than ample for a simple memorial since it is, as I say, several times as large as the sites of the Washington Monument, and the Jefferson and Lincoln Memorials.

In my opinion the present site of the National Cultural Center has been very much oversold, for because of the road maze which is being built around it, it is the worst site in the Nation's Capital from almost every point of view for the purposes of a National Cultural Center.

It is definitely far inferior to the 27-acre site reserved by the Congress for the F.D.R. Memorial, for if located on the F.D.R. Memorial site the National Cultural Center would be in a parklike setting, and it would not be strangled by a maze of roads.

The present National Cultural Center site is definitely far inferior to the federally owned land near the U.S. Treasury Building on the south side of Pennsylvania Avenue between 14th Street and 15th Street which was the site of one of Washington's finest theaters for many years.

It is definitely inferior to the site, even, of the Capitol Theater at 1326 F Street NW., in the heart of the business district of the Nation's Capital and near the city's finest restaurants and shops.

Furthermore, it may cost as much as $3 million to complete the purchase of this definitely inferior site, whereas the Senate and House Public Works Committees stated that it would not cost more than $650,000 to acquire the lands needed to round out the National Cultural Center site.

With the present road complex being built around the National Cultural Center site—a road will even run directly under the National Cultural Center—this site would be a bad bargain if it did not cost 1 cent of appropriated funds.

The Congress should, therefore, examine this matter thoroughly when it receives the budget request of the President for acquiring additional lands to round out the National Cultural Center site.

The third major provision of my joint resolution would implement a proposal in which President Kennedy himself has been widely reported as interested in personally. Several of his top aids have, in fact, made speeches and written letters stating that the President strongly favors the establishment of a national music and art competition and prize, and has received pledges of enough private contributions to make it possible.

Accordingly, my joint resolution would provide for such a national music and art competition and prize, which would be known as the President Woodrow Wilson Music and Art Competitions and Prizes in recognition of President Wilson's well-known interest in music, particularly, and that there is no greater international language than the arts.

The finals of the President Woodrow Wilson Music and Art Competitions would be held in the Nation's Capital, be limited to young artists, and be open to young artists from other nations under such conditions as the President may establish.

Van Cliburn, a young Republican from Texas, achieved international recognition and fame as the result of winning a piano competition in Moscow at which time he was embraced and bussed by Premier Khrushchev.

Personally, I am sick and tired of waiting until young American artists are discovered by Europeans or Russians before they can obtain a hearing in the leading concert halls of the United States.

I think we are mature enough as a nation, and educated enough as a people, to know the difference between a good musician and poor one.

I do not think we need or should continue to rely entirely on the judgment of Europeans and the Russians as to what is good or mediocre in the arts.

We do not have to have "made in Europe" labels on our automobiles, house furnishings, furniture, and clothes, and I do not see why we have to have an "approved in Europe" or an "approved in the Soviet Union" label on our young American artists.

Iowa's college and university music and art departments are just as good, and often better, than any music or art conservatory in Europe.

Our symphony orchestras are certainly better than European symphony orchestras, and, with some encouragement and support at the national level, such as my joint resolution would provide, could make a major contribution to the encouragement and support of young performing artists, and composers.

American art museums and galleries could perform similar functions in the encouragement of young artists and the establishment of high artistic standards.

American libraries, on and off college and university campuses, could encourage young American writers.

That our symphony orchestras, art museums and galleries, libraries and our colleges and universities have done really so little in these areas of stimulation and support of young artists, composers, authors, architects and so on should be a cause of national concern.

However, the Congress itself, and the White House, have not done what they could or should in this matter, and you will recall the words of President Eisenhower in his 1955 message on the state of the Union:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities.

The National Collection of Fine Arts in 1938 was given a major program to encourage American artists, but has failed almost completely to carry out this national program which the Congress authorized at that time.

The National Cultural Center, likewise, was given broad statutory authority by the Congress in 1958 to encourage American artists in the field of the performing arts but has done nothing at all in this area.

The White House has become so alarmed by this failure that August Heckscher, a former editor of the editorial page of the New York Herald Tribune, and now Special Consultant to the President on the Arts in the White House Office, wrote to our distinguished colleague from New Jersey [Mr. WIDNALL]—see CONGRESSIONAL RECORD, January 10, 1963, page 121—in part as follows:

> Up until now, we have not had the personnel or the organization necessary to create such a festival as you have in mind. The National Cultural Center would seem a normal channel through which this could be done—perhaps working in cooperation with the President's Consultant on the Arts. I do hope that the National Cultural Center will begin activities of this sort even before its buildings are completed.

I think it is astounding that the richest nation in the world, the leader of the entire free world, and the present administration, which has received international acclaim for its deep and abiding concern with the arts on the society pages of every newspaper in the world, should lack the personnel and the organization necessary to arrange for and hold biennial competitions in the arts such as many relatively poor nations in Europe have carried on for decades.

It is because I have become convinced that it is high time that we established competitions in the United States to rival those in Europe and the Soviet Union in which a number of young Americans have won top prizes in recent years that I have provided in my joint resolution for the President Woodrow Wilson Music and Art Competitions and Prizes.

I include at this point in my remarks the text of my joint resolution and I invite all of my colleagues on both sides of the aisle who are interested in these matters to join me as cosponsors of this measure:

### H.J. Res. 181

Joint resolution providing for the establishment of the Board on Presidential Memorials in the Nation's Capital, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby created a Board on Presidential Memorials in the Nation's Capital (hereafter in this joint resolution referred to as the "Board"). The Board shall prepare and recommend to the Secretary of the Interior and to the Committees of the Congress broad criteria, guidelines, and policies for memorializing persons and events on Federal land of the National Capital Parks System through the media of monuments, memorials, and statutes. The Board shall examine each proposal for the use of said park land for memorialization purposes, including the importance of the person or event concerned, and shall make recommendations to the Secretary of the Interior with respect to the proposal.

SEC. 2. The Board shall be composed of—

(1) three members to be appointed by the President of the United States;

(2) the Chairman and ranking minority member of the Committee on Rules and Administration of the Senate;

(3) the Chairman and ranking minority member of the Committee on House Administration of the House of Representatives;

(4) the Chairman of the Commission of Fine Arts;

(5) the Chairman of the National Capital Planning Commission;

(6) the President of the Board of Commissioners of the District of Columbia; and

(7) the Director of the National Park Service.

The memberships filled by the President shall be as follows: one for a term of one year; one for a term of two years; and one for a term of three years. The President shall appoint successor members to hold office for three years, and shall designate a member of the Board to serve as its Chairman. The members of the Board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as members.

Sec. 3. Notwithstanding any other provision of law, at least one of the auditoriums of the National Cultural Center shall be built on the twenty-seven-acre site reserved by the Congress for the Franklin Delano Roosevelt Memorial, and shall be known as the "Franklin Delano Roosevelt Festival Hall of the Performing Arts", in recognition of the lifelong interest of President Roosevelt in the arts. The Congress shall determine whether additional auditoriums of the National Cultural Center shall be built (1) on the site set aside for the Franklin Delano Roosevelt Memorial or (2) on lands adjacent to or near Pennsylvania Avenue in order to contribute to the redevelopment of Pennsylvania Avenue and the renewal of the downtown business district of the Nation's Capital where existing public transportation, restaurants, shops, and business firms in general can best serve the needs of those attending the art programs of the National Cultural Center, and the Congress shall take full recognition, in making such determination, of the long-established practice in other nations of locating their theaters, and opera, and music halls and auditoriums in the heart of the business districts of their major cities. The ten-acre site set aside by the Congress for the National Cultural Center shall, notwithstanding any other provision of law, be utilized for the Franklin Delano Roosevelt Memorial.

Sec. 4. (a) The President, acting through the Special Consultant to the President on the Arts in the White House Office, in cooperation with the Director of the National Collection of Fine Arts and the Director of the National Cultural Center, shall arrange for competitions to be held at least every other year to be known as "The President Woodrow Wilson Music and Art Competitions" in each of the major fields of the fine arts. The competitions in the fields of the performing arts shall be held in cooperation with the National Cultural Center, and the competitions in the other major fields of the fine arts shall be held in cooperation with the National Collection of Fine Arts. The competitions shall (A) be limited to young artists, and (B) be open to artists from other nations under such conditions as the President may establish.

(b) The President, acting through the Special Consultant to the President on the Arts in the White House Office, shall establish national music and art prizes, to be known as the "The President Woodrow Wilson Music and Art Prizes" which shall be awarded with suitable ceremonies in connection with "The President Woodrow Wilson Music and Art Competitions," and which may include other benefits in addition to monetary awards to assist outstanding young artists in their chosen careers.

(c) The President shall create such interagency committee as in his judgment may be of assistance in carrying out the purpose of this section. The provisions of section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U.S.C., sec. 691), shall be applicable to any interagency committee created pursuant to this section.

(d) The Special Consultant to the President on the Arts shall be appointed by the President, and shall be on the staff of the White House Office. The compensation of the Special Consultant to the President on the Arts shall be at the rate of $21,000 per annum.

(e) The President, acting through the Special Consultant to the President on the Arts in the White House Office, shall enter into an agreement with the owner of the Capitol Theater, at 1326 F Street NW., in the District of Columbia, in order to assure that the Capitol Theater shall be available for a period of at least five years for use by the United States in carrying out the purposes of this section. This agreement includes an option on the part of the United States to renew for a like period of time or until the National Cultural Center is built and in operation.

## LARGEST DEMOCRATIC RALLY IN GEORGIA HISTORY

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Stephens] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STEPHENS. Mr. Speaker, on the evening of January 22, 1963, in Atlanta, 1 week after the inauguration of Georgia's young and vigorous Governor, Hon. Carl E. Sanders, Democrats were called to order by the Georgia Democratic Party chairman, J. B. Fuqua, at the largest and most successful rally since the gathering at the same Biltmore Hotel to launch the candidacy of our own Senator Richard B. Russell for President.

After the courts entered the political arena pursuant to the Tennessee reapportionment case, Georgia Democrats were required to hold numerous primaries and were faced with election costs deficits. They bailed themselves out handsomely in this response keynoted by a call for party unity and harmony by Governor Sanders.

This fine address, in honor of Democrats and on the occasion of the annual tribute to Thomas Jefferson and Andrew Jackson, should be entered on the records of the Congress.

I add a personal note to remind all Democrats in America that party unity, in order to be maintained, must be a matter of meeting each other halfway and not an expectation that Georgia Democrats abandon all their beliefs.

The address by Gov. Carl E. Sanders follows:

We meet here this evening in a spirit of dedication, and rededication. Dedication to the future. And rededication to the principles of our founders Thomas Jefferson and Andrew Jackson.

Last summer, as a Democratic candidate for the State's highest office, I promised you and the other Democrats of our State that I would work for a strong grassroots Democratic Party in Georgia stemming from the 159 county executive committees; a strong, continuing governing structure wtih permanent rules and regulations; a majority vote for State officers; an effective voice for all voters in the party councils; the right of every citizen to have his vote counted honestly and fairly, and not to be deprived of his franchise through any kind of trickery.

As the titular head of your Democratic Party at this great occasion, let us renew these pledges together.

We are Democrats. And, my friends, we are solvent Democrats.

I am happy to report to you tonight that our party, the party of the people of Georgia, is again debt free. Let us keep it that way.

We support the Democratic Party, its nominees, the principles of Jefferson and Jackson.

We pledge—you and I—to fight within the ranks of the party to provide leadership away from the radicals, reactionaries and rabble rousers who would divide and destroy our party.

This is a time for unity—and, never before have we been more united in what our founder, Thomas Jefferson, termed "common effort for the common good."

By your presence here tonight, we proclaim to the world that we are true to the principles of our founders and have been tried and proved in times of trial and tribulation.

As loyal Democrats, we will not support, we will oppose, we will fight vigorously, any third party movements, splinter candidates, keeping the nominees off the ballot.

Nor will we tolerate any other device, artifice or scheme to thwart the will of Georgia democracy.

The Democratic Party from time immemorial has been the party of the people in Georgia. And through our unified efforts and leadership, it will remain the party of the people in Georgia. We will not see our party split and dissolved. Instead, it is our purpose to make the Democratic Party of Georgia a continuing, vital, vibrant, responsive force in Georgia's future. The need today is for proper perspective and a realization of true values.

Crippling internal strife will wreck a State, it will destroy a nation.

We seek today in Georgia, as patriots have sought throughout the history of our Nation, a government dedicated to the true principles of a Republic, determined to be representative of our people, and democratic in its effects.

In every instance, your purpose and mine, is to place with the Georgia voters at home on the local level control over their destiny to determine for ourselves what governmental policies best suit our needs.

The Democratic platform for our administration during the next 4 years can be summed up in five words: "better government for all Georgians."

The new political day which has dawned in Georgia has brought into the light the informed citizen who thinks for himself. It is to this man and to this woman that we now must appeal for support. To win in the future we must sell ourselves and our platform. The time has passed when we could take victory for granted solely on the basis of offering ourselves as Democrats.

To insure our Democratic position of leadership, we must offer positive programs and qualified candidates. This is the only kind of an appeal which will gain the support of the people—one made to their reason, not to their passions.

There has never been a more eloquent summation of the governmental philosophy of our party than that stated by Jefferson in his first inaugural address.

It was therein that he called for: "Equal and exact justice to all men, peace, commerce, and honest friendship with all nations, support of the State governments in all their rights, preservation of the general government, freedom of religion, freedom of the press, freedom of person, and trial by juries."

Above all else, Jefferson possessed a vision of free government for a liberty-loving people and put together the combination of farmers and craftsmen who founded our Democratic Party.

It remained for Andrew Jackson, however, to mold this loose force into a disciplined political party, and he did so with all of the purpose and strength with which he had earned public acclaim and adoration as a colorful military hero.

It was Jefferson who established the basic Democratic philosophy of: "Equal rights for all and special privileges for none." But it was Jackson who gave voice to the party's continuing role as the protector of the little man and the champion of the underdog. "Old Hickory" was also the man who committed the Democratic Party at one and the same time to upholding State rights and preserving the Federal Union.

No Jefferson-Jackson Day observance would be complete without paying our respect to some of the Republican Party leaders.

Tonight, ladies and gentlemen, I cite to you our Nation's whole history in making a judgment on the unbroken performance of our party as contrasted with the failure of its competing party.

With but a few exceptions, the Republican king-makers have shown a consistent disposition toward patronizing special, selfish interests in making their nominations. The public interest, the public welfare has been relegated to the rear in their choices.

After the great war in 1918, it was Harding, Coolidge, and Hoover—a complete failure of leadership, stagnation and isolationism, trade slackened, unemployment rose, our defenses went to pot. Unbridled hysteria stalked the land, innocent people suffered. Stark depression and fear gripped our people. The American people paid, and paid dearly. We want no more of that. We want no more of the slogans which never came to pass.

Hungry children cannot eat slogans.

Our people can understand that it took successive Democratic administrations to recover from the unparalleled corruption of the Harding era, to recover from the "donothingness" of "Silent Cal," and to recover from the pathetic leadership vacancy of the Hoover depression days.

Leaders of the opposition party have shown their disposition time and again to offer nothing more than more of the same.

The American people in 1960—the Democrats of California in 1963—assigned that great television debater and good loser, Richard Milhous Nixon, to a secret political graveyard somewhere in Beverly Hills, Calif. They sent him to that mysterious Valhalla where all of the jumbo elephants of the GOP go after their defeat.

In this new day, the faces are different, but the ties to the same old special interests are the same.

Awaiting in the wings for their cues are three triple threats: the most eligible of them all, Gov. Nelson Rockefeller, the suave Barry Goldwater, and the automaker-turned-Governor, George Romney.

Every voter at the grassroots can understand this: None of the prospects has anything for Georgia, cares anything about the South, or has anything to offer the Nation as a whole. The patrons of special privilege who served up Harding, Coolidge, and Hoover are now dishing out Goldwater, Rockefeller, and Romney, "the Rambler." Nelson's making all the noise, Barry's captivating the college boys.

Yes, my friends, we have much to be thankful for. We are proud to be Georgians. In the future, Georgia will need—she must have—militant Democrats who value their citizenship and party membership, who work at both, who do not take either for granted, and who recognize and appreciate their responsibilities.

I challenge every loyal Democrat here tonight to stand up with me now in a unified pledge to do our best for our party, for our State, and for all our people.

## J. EDGAR HOOVER'S BOOK "A STUDY OF COMMUNISM"

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SCHENCK] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

*There was no objection.*

Mr. SCHENCK. Mr. Speaker, we citizens of these great United States are most fortunate in being able to go to bed at night and sleep with the full confidence that no agent of a foreign nation can disturb us and separate us from our family to be hauled up before some dictator's tribunal on some trumped-up charge.

This situation and our wholly justifiable confidence is due in very large measure to the unrelenting watchfulness and ability of the entire Federal Bureau of Investigation, 60 minutes of each and every hour of each and every day, year in and year out, under the very capable and completely dedicated direction of J. Edgar Hoover, Director of the FBI. Words at my disposal are entirely inadequate for me to express my own personal appreciation for the life and dedicated service of J. Edgar Hoover in behalf of all that is very precious to each of us as citizens of this great Nation. Not only has Mr. Hoover dedicated himself to all that is good and precious to each and every American citizen, but he has recruited and surrounded himself with the most able and unselfish men and women in our Nation who are not only unusually well trained and competent, but who are also deeply inspired by Mr. Hoover's personal example to maintain the same high standards of service to our Nation that he demands of himself.

And so, Mr. Speaker, I emphasize my own deep personal appreciation for the life and service of Mr. Hoover and all the personnel under his supervision in protecting and preserving all that is so precious to each of us as citizens of our great United States.

Mr. Hoover has not only demonstrated his ability and the ability of the personnel of the Federal Bureau of Investigation in countless ways, but he has also been willing to share with each of us his knowledge and the history of the ideologies which are constantly trying and seeking to undermine and destroy our American way of life. Mr. Hoover is the author of several books which should be "must reading" for every American, the most recent of which is titled "A Study of Communism." The forces of communism represent one of the greatest threats to our Nation and to our American way of life. We, as citizens of our great Nation, can combat these evil forces of cummunism only by being well informed as to how they work and by cooperating fully with the agencies of our own Government.

Mr. Hoover could add greatly to his own personal financial wealth through the profits and royalties on his books. But such a course would be completely foreign to the policies and patriotic standards of devotion Mr. Hoover has always set for himself. Consequently, any and all profits and royalties which would accrue to Mr. Hoover's personal wealth are given to various charities. Therefore, Mr. Hoover receives no monetary benefits from his books and receives only the deep personal satisfaction of making a further contribution to the life and best interest of our Nation.

My good friend and fellow citizen, H. K. (Bud) Crowl, president of Radio Station WAVI in Dayton, Ohio, and his editorial staff have not only brought Mr. Hoover's book "A Study of Communism," to the attention of their listening audience on numerous occasions but they have also been very instrumental in making nearly a thousand copies of this book available to the educational institutions in Dayton, Ohio, through some of our patriotic and public spirited citizens.

Mr. L. M. Berry, chairman of the board of the L. M. Berry Co., which produces and publishes the "yellow pages" in the telephone directories of many States and communities throughout the Nation, has furnished 500 copies of "A Study of Communism" to the University of Dayton. We are very fortunate to have four important divisions of the General Motors Corp. in Dayton Ohio, and each of these divisions is under the capable leadership of men who are not only dedicated to their own responsibilities but who are also dedicated to the best public service in behalf of our area and the entire Nation. These four important divisions of General Motors in Dayton—Frigidaire, Delco, Delco Moraine, and Inland—have purchased and furnished 400 copies of "A Study of Communism" to the Dayton Board of Education, and Radio Station WAVI, through its president, H. K. (Bud) Crowl, has provided an additional 50 copies of this very important and valuable book to the Dayton Board of Education for use in our Dayton schools.

It has seemed to me, Mr. Speaker, that the devoted service, work, and unselfish ability of J. Edgar Hoover and the FBI in behalf of the best interest of our Nation should be brought to the attention of all thinking citizens at every opportunity. Likewise the willingness of public spirited and patriotic citizens like Mr. L. M. Berry, all the personnel of the four divisions of General Motors in Dayton, and the owners and management of Radio Station WAVI in Dayton should be appropriately commended for making nearly a thousand copies of Mr. Hoover's book, "A Study of Communism," available to the educational community of our Dayton, Ohio, area. The reading and study of "A Study of Communism" by the youth of our Dayton area cannot help but have an important part in undergirding and strengthening the confidence, belief, and appreciation of our young people in all the sound principles and concepts which have made our United States the greatest Nation in the world.

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## NATIONAL PASSPORT POLICY

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, the American Government should, so far as possible, encourage our people to travel. Close and friendly relations with the other countries of the world and a deeper understanding of the world can be gained for this country by continuing and increasing the flow of American visitors traveling to all parts of the world. Such visitors are often called ambassadors of good will. This is not entirely correct, however, for while there may be certain parallels between the actions of our diplomats and our traveling American public, the people who venture to other countries on their own have a chance for the type of person-to-person contact which, by the nature of the official duties of the diplomat, are unmatched. Our visitors abroad have the chance to, and do, make the close personal contacts which, more than any treaty, can insure international friendship.

It should be the job, then, of our Government to facilitate in every way the flow of Americans to the other countries of the world where people are anxious to know more of us and to meet us. As a step in that direction, I have today introduced a bill to establish a national passport policy and to reorient the administrative functions of the Department of State in this area to the greater accomplishment of this policy. It calls for a recognition of the beneficial effects of travel upon our international relationships; it seeks a minimization of travel restrictions and impediments.

At the same time that it calls for an emphasis on travel and an elimination of the burdensome formalities that accompany international travel, this bill recognizes the clear and present danger which the international Communist conspiracy poses to this country and to the free world and it makes specific provision for limitations of the right to travel in cases in which this would work to the detriment of America or where such travel would be dangerous to the individual.

I believe that much can be done to encourage Americans to travel abroad and make the kind of contacts that help cement a free and harmonious world. This bill, to establish a national passport policy and to establish an administrative mechanism to support this policy, would help us achieve the goals which are possible through friendly international travel.

## AVERAGING TAXABLE INCOME

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, the vast majority of the taxpaying citizens of this country have an economic cycle which is closely related to the calendar year—they are paid a set number of times a year, bonuses which they receive are annual and, generally, the calendar year can be considered their economic year as easily. For this reason, and for administrative convenience, the functions of tax collection revolve around the calendar year.

Certain variations from this are allowed. Individual or corporate taxpayers may choose a different 12-month period for their tax year, for example. The chance for such variation is very small, however, for those whose economic cycle does not fit into a 12-month pattern. In many of the creative fields, one income-producing work may be the product of 5 weeks of labor or 5 years. Ideally, taxation should be based upon the actual economic cycle of each individual taxpayer. Practically, even though the vast majority of taxpayers do fit into the normal 12-month economic pattern, this would be an administrative impossibility.

There should, however, be some provision made by which recognition could be given the fact that a particular taxpayer's economic cycle does not fit the normal pattern. It is for this reason that I have today introduced a bill which provides for an expansion of the now very narrow provisions by which a taxpayer may average his taxable income. What this tax averaging mechanism does, briefly, is permit one who has a fluctuating income from year to year to even it off, for tax purposes, over a certain number of years. Thus, an individual might make only $2,000 a year for 4 years while engaged in an undertaking from which he eventually will realize $50,000 in the fifth year. He would be able to take the whole $58,000 he earned over the period in question and report for tax purposes an income better representing the return for each year's work.

The bill which I have proposed would do that. It would retain the idea of tax measured by yearly income, which is necessary for administrative purposes, but it would allow a certain amount of flexibility in spreading back peak income over the years in which it was earned and thus lessen the tax disadvantage which faces those whose income is subject to fluctuation. My bill is based on a 6-year period. If an individual's income in any 1 year is 150 percent of his average income over the 5 preceding years, he could take that amount over the 150 percent and spread it back over the preceding years. He would, in effect, reopen his returns for the earlier years to report an additional amount of income and compute how much further taxes he owes on the previous years' returns. This would allow him to pay at a much lower rate in our graduated income tax schedule. After exercising this option, he would then have a new annual basis for the computation of his average annual income and he could use this system for income averaging the next year if, once again, his income amounted to 150 percent of the average of his 5 immediately preceding years' income.

The necessity which we face of computing on some set period of time puts in the tax system an inequity which bears heavily on those whose economic lives do not correspond to 12-month periods. While perfect individualization of taxing is not possible for these taxpayers, permitting a system of averaging taxable income would be of real benefit in overcoming the inequity which they face.

## NEW PROCEDURE FOR CONGRESSIONAL CONTEMPTS

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the necessary powers of this, or any other, legislative body is to protect itself against acts designed to undermine and contravene its functions. The means by which the American Congress protects itself is through the invocation of the contempt procedure, a process which calls to the attention of the Congress the act which threatens it and provides for punishment of the offender either through the courts or before the bar of the House against which the contempt has been directed.

Most contempts today arise from actions of those called before committees of the Congress as witnesses. These actions range from refusal to cooperate to active obstruction of the committee's work. There is no need to call attention to the importance of our committee structure and the fact that the detailed legislative and investigative work which is done by the Congress is accomplished through committees. This is all clearly understood. The point to which I wish to address attention is the procedure by which contempts are brought to the attention of the parent body, the House or the Senate, by committees which have encountered such witnesses.

At present, it is the practice for the committee which has been the subject of the act of contempt to serve as first judge of the matter. It is the committee itself which reports the matter to the parent body, acting at once as victim and prosecutor. I question the soundness of this form of proceeding and I have introduced a bill to change this procedure. Basically, this bill provides a screening committee to which the complaint of contempt is brought and it is this screening committee, not the committee which has been subject to the action complained of, which would act as the agency reporting the matter to the parent body.

This new procedure commends itself because it places in the hands of an impartial body the investigation of the charge of contempt and does so in a manageable way. Surely the House or Senate could be considered impartial bodies to investigate the charge, but considerations of time prevent this and there is no practical way in which outside witnesses could be heard on the question of guilt if the entire House or Senate heard the matter. There is real question if the committee which complains of contempt can properly be charged with the responsibility of impartially weighing the evidence to determine if a contempt should be reported to the parent body.

This committee to investigate contempt charges would be named by the presiding officers of the House and Senate respectively and would serve as a special committee. The committee would have seven members and be divided four to three along party lines. The creation of this committee, and its operation in the important area of protecting the Congress and its proceedings from the interference of those wishing to undermine its effectiveness, would provide a strong safeguard of the rights of those charged with contempt and would make more meaningful this type of protection for the Congress.

## VISIT OF BETANCOURT TO THE UNITED STATES

**Mr. ASHBROOK.** Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Becker] may extend his remarks at this point in the Rerord and include extraneous matter.

**The SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. BECKER.** Mr. Speaker, following up my remarks made in the House on January 10, 1963, "Is Venezuela Changing?" I would again like to call attention to the scheduled visit of President Betancourt of Venezuela, February 19 or 20, 1963.

You can believe Betancourt is coming to the United States and will be received with great fanfare and ceremony. He will no doubt have his hand out for more money from the United States and more areas for doing business with our country.

I resent this visit and will certainly oppose, where I have a vote, the giving of any money or aid to Betancourt. I will do this just as long as he retains control of properties and investments of U.S. citizens and investors. I believe this is the time when President Betancourt should be informed in no uncertain terms, that any aid to Venezuela will be based upon the return of American-owned property, to the rightful American investor. If he does not wish to do this than he should be informed that proper compensation should be awarded to the investors of all this seized property.

I shall use whatever means at my command to call this to the attention of the House when any legislation comes to it and a vote is needed. I am also sending a copy of this statement to the President of the United States and hope that it may have some effect on him and the decision he will make.

## UNESCO GENERAL CONFERENCE

**Mr. ASHBROOK.** Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Barry] may extend his remarks at this point in the Record and include extraneous matter.

**The SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. BARRY.** Mr. Speaker, the 12th General Conference of the United Nations Educational, Scientific, and Cultural Organization in Paris, November 7 to December 12, 1962, produced a number of significant results from the standpoint of U.S. interests. Along with my distinguished colleagues, Congressman Harold D. Cooley, of North Carolina, and Congressman Chester E. Merrow, of New Hampshire, I had the pleasure of attending the Conference as a congressional adviser to the U.S. delegation, and I feel privileged to bring several observations to the attention of this House.

In my surveillance of the U.S. mission to UNESCO, I was deeply pleased with and inspired by the excellent leadership afforded the U.S. delegation by Chairman Lucius D. Battle, Assistant Secretary of State for Educational and Cultural Affairs, and Vice Chairman George V. Allen, Chairman of the U.S. National Commission for UNESCO. Their very effective team included Delegates Mildred McAfee Horton, Walter Kotschnig, John H. Morrow, and Alternate Delegates Herbert W. Hill, Eugene Jacobson, Robert A. Kevan, and Joseph B. Platt. The accomplishments of our UNESCO team are due to the hard and effective work of each member of the U.S. delegation.

Early in the Conference, Mr. Rene Maheu, of France, was elected Director General of UNESCO for a 6-year term.

### GENERAL OBSERVATIONS

I should first like to emphasize the highly constructive nature of this Conference from the standpoint of the United States. Despite the time-consuming procedure and long-drawn debates, which are characteristic of all large international meetings, there were several solid and very important achievements. Assistant Secretary Battle, in his firm and businesslike opening speech, made five significant points. He called for:

First. Reduction in the number and length of conferences and meetings called by UNESCO;

Second. Gradually curtailing subventions to nongovernmental organizations;

Third. Phasing out or terminating UNESCO support to major projects, institutions, centers, and other activities which UNESCO initiated with the intention of supporting for only a limited time;

Fourth. Eliminating competition with other U.N. specialized agencies and duplication of their efforts; and

Fifth. Abandoning activities such as tendentious publications, and those seminars, meetings, and other projects which lead to polemics rather than scholarly results.

In its major actions the Conference reduced a proposed budget which threatened to exceed the bounds of prudence. A highly dubious plan for financing a major new operation completely outside previously accepted priorities was dropped. The usual Communist efforts at political exploitation of the Organization's program and of the Conference itself were contained and largely defeated. Finally, positive steps were taken toward a much needed revision of the procedures of the Secretariat.

I regard as highly significant the initiative taken by the United States throughout the Conference. Our Government has not always given UNESCO and its program the priority of attention necessary to place us in a position to lead. On this occasion, however, the U.S. Government had planned for the meeting with great care and, in the preparation of U.S. positions, had drawn widely upon experts from many agencies and organizations, as well as the U.S. National Commission for UNESCO. The U.S. determination to bring this work to fruition produced results.

At the same time, it must be recognized that the progress achieved at this Conference is only partly secured. If the United States is to consolidate present gains, we must continue to give UNESCO affairs the attention they merit. Only thus will the constructive steps initiated at the 12th General Conference be followed by the necessary subsequent steps. And such perseverance is essential if we are to earn and maintain the complete respect and confidence of our world neighbors.

### MAJOR ISSUES AND OUTCOMES

Political issues: The Conference was complicated, as expected, by Soviet bloc attempts to gain political advantage from the proceedings. These attempts were outweighed by the efforts of free world delegations, including our own, which succeeded generally in defeating Soviet moves to turn program discussions into propaganda, and succeeded specifically in defeating Soviet bids to seat Communist China and to admit five Communist-front organizations as observers to the Conference. A Soviet draft amendment to have non-United Nations members admitted by a simple majority "on report of the Executive Board" was also voted down.

The Soviet bloc, in attempting to distort the 1963-64 program and budget, pursued the usual lines of emphasizing large youth conferences and festivals, pressing semantically and out of context the subject of disarmament—with its ready appeal to uncommitted and underdeveloped countries—reiterating cliches on colonialism—a subject which today, outside the Communist bloc, has little relevance.

An energetic Cuban effort to scrap the successful working agreement between UNESCO and the Organization of American States was soundly defeated.

The Executive Board was enlarged from 24 to 30 members, in recognition of the expanded UNESCO membership. In the election of the 18 new members to fill Board vacancies—12 of which were caused by expiring terms—the Soviet bloc was able to pick up only one new seat. This 30-member Board, which supervises the UNESCO program between sessions of the biennial general conference, now has three Soviet bloc countries represented—U.S.S.R., Poland, Rumania. The Cuban nominee for Board membership received the fewest votes of all the candidates.

PROGRAM ISSUES

The budget ceiling: A major issue of the General Conference, if not the major issue, was the challenge for the UNESCO program of the United Nations development decade. The General Assembly of the U.N., in designating the 1960's as the decade of development, called upon each member agency of the U.N. family for bold and imaginative thinking to bring about a reorientation of effort, wherever required, to meet the needs of economic and social development. In the case of UNESCO, there was much to be done in accomplishing this redirection. I am pleased to report that the overriding importance of educational development was recognized by the Conference, and that that recognition is reflected in the program for the coming biennium.

In addition to the need to reorient UNESCO's program, it had become apparent to the United States and to other countries that a number of marginal activities should be eliminated to provide a sounder basis for future growth in the most essential areas. Accordingly, the United States and the United Kingdom persuaded the executive board to recommend to the General Conference a $38 million budget ceiling for the biennium 1963–64, a 17-percent increase over the preceding biennium. This was in contrast to the Director General's $40.8 million budget recommendation, which was supported by most of the developing countries. The Conference, after considerable debate and deliberation, voted to adopt a $39 million budget, a compromise in which the United States concurred, recognizing the necessity of providing for certain unforeseen mandatory budget increases in the personnel field.

The Nubian Monuments campaign. Another major issue of the Conference arose over the means of financing the campaign to save the monuments of Nubia—in the United Arab Republic and the Sudan—threatened with inundation as a result of the construction of the Aswan High Dam. The United States vigorously opposed the proposal that UNESCO contribute some $30 million plus interest for the preservation of the temples of Abu Simbel with funds to be obtained by the Organization through bank loans and repaid by means of assessments against member states as part of future regular budgets.

The United States has supported the voluntary campaign through contributions of $2.5 million in Egyptian pounds for the preservation of lesser temples and the equivalent of $1.5 million for archeological expeditions to the areas. President Kennedy has also signified his willingness to request, at the proper time, congressional authorization to use the equivalent of $6 million in U.S.-owned Egyptian pounds for preservation of the cluster of monuments on the Island of Philae, where work cannot be begun until the new level of the Nile has been fixed.

The U.S. delegation took the position that a special project of such magnitude as the Abu Simbel undertaking should not become a part of the regular program of UNESCO, thus receiving priority over the program for educational development, as would automatically occur in resorting to a bank loan. The proposal for a mandatory program was rejected by the Conference, but it was agreed that renewed efforts should be made by UNESCO and member states to raise the necessary funds through voluntary contributions.

ADMINISTRATIVE ISSUES

In addition to reorienting its program to the challenge of the U.N. development decade, the United States recommended that UNESCO make a thorough review of its administrative and management capabilities. The review, to be conducted with the help of outside experts, would study UNESCO's organization, personnel practices, methods of operation, and management. This recommendation was adopted by the General Conference, and I feel that it is a major step toward increased operational efficiency and economy. The results of this study should insure that UNESCO is fully equipped for the tremendous tasks we want and expect it to assume for the remainder of the development decade.

The Conference also agreed to reconsider the respective responsibilities of the Secretariat, the executive board, and the General Conference. The present alinement of functions results in an excessively long General Conference session—5 weeks—each biennium, and the proceedings are complicated by a heavy traffic of member state proposals imperfectly screened under present provisions. Our delegation felt, rightly I believe, that a healthy climate of international give and take should be possible with less lost motion.

OTHER ACCOMPLISHMENTS

UNESCO has already made great progress in bringing together many countries for consideration of their educational needs. In line with educational priorities of the United Nations development decade, the Conference approved the establishment in Paris of an International Institute for Educational Planning, a stepped-up attack on illiteracy, and expanded experimental programs in educational techniques and school construction designed to cut costs without sacrificing quality.

The new International Institute for Educational Planning, which met with the unanimous and enthusiastic endorsement of the Conference, will help fulfill an urgent need when it comes into being July 1. Responding to the growing demand from developing countries, it will assist these countries in devising educational planning techniques and integrating them with national economic and social planning.

The initiative of U.S. scientists led to Conference approval of an effort to develop international cooperation in scientific hydrology leading to an International Hydrologic Decade beginning in 1965. An intergovernmental meeting in 1964 will adopt an international program in scientific hydrology. At the same time, UNESCO will offer fellowships and organize training courses so that a wide range of countries will be able to participate in this program once it is adopted.

With all that the United States has done and is doing for the cause of world peace, we know that it will take more than one nation or bloc of nations to attain this goal. It can be achieved only by the cooperative efforts of all nations. So, too, with the pressing problems of ignorance and poverty which still plague mankind. UNESCO has played and will continue to play a central role in solving these problems. Advances were made at this Conference toward eliminating marginal activities and refocusing the program to permit the attainment of maximum progress toward UNESCO's goal, but there is much more to be done. We, in the United States, can contribute to the worthy goals of UNESCO by recognizing the importance of this unique organization and giving it the full measure of support which it deserves.

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## BIPARTISAN GROUP OF 124 HOUSE MEMBERS SUPPORT ANTI-BACK-DOOR SPENDING RESOLUTION

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PELLY. Mr. Speaker, for the information of the Members of the House, on behalf of 123 Members and myself, representing both political parties, I have requested the chairman of the House Committee on Rules to hold a hearing on House Resolution 57 and other companion anti-back-door spending resolutions.

A copy of my letter requesting this hearing, together with the names of Members joining in support of such a hearing, follows.

Meanwhile, I want to emphasize that it certainly seems fair and proper when so many of its Members are requesting it that the House of Representatives should have an opportunity to consider this proposal. If so, I am confident that the majority sentiment is in favor of such a change in rules of the House so that no bills containing language authorizing loans or advance contractual obligations which ultimately becomes a charge on the Treasury would be in order unless reported by the committee having jurisdiction over appropriations.

Five House Members have indicated their support of this resolution since the letter was transmitted. The text of the letter reads as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 23, 1963.*

Hon. HOWARD W. SMITH,
*Chairman, Committee on Rules,*
*House of Representatives,*
*Washington, D.C.*

DEAR MR. CHAIRMAN: The purpose of this letter is to request a hearing on H. Res. 57

and other companion resolutions to change House Rule XXI of the Rules of the House so that any language in bills authorizing loans or advanced contractual obligations which ultimately become charges on the Treasury would not be in order for House consideration unless such bills were reported by the committee having jurisdiction over appropriations.

Such a resolution to change the House rules has the joint bipartisan support and sponsorship of 119 House Members. Of these 119 Members, 93 are introducing a similar resolution to House Resolution 57 and the balance of 26 Members have authorized me to list their names as supporting it. The complete list of these Members is appended.

Also there are 12 other Members who joined me in the 87th Congress in urging this change of rules and I am confident these Members will likewise want their names included as active supporters of this resolution.

When a total of 119 House Members of both political parties have taken affirmative action in support of a resolution it certainly would seem that the Rules Committee should feel some obligation to allow the House itself to consider this proposal.

Respectfully,

Thomas M. Pelly,
*Representative in Congress.*

### Members Joining in Support of House Resolution 57

Hon. Watkins M. Abbitt, Hon. Bruce Alger, Hon. John B. Anderson, Hon. Leslie C. Arends, Hon. John M. Ashbrook, Hon. James C. Auchincloss, Hon. William H. Avery, Hon. Walter S. Baring, Hon. William H. Bates, Hon. James F. Battin, Hon. Frank J. Becker, Hon. Page Belcher, Hon. Charles E. Bennett, Hon. E. Y. Berry, Hon. Jackson E. Betts, Hon. Frank T. Bow, Hon. W. E. Brock, Hon. James E. Bromwell, Hon. James T. Broyhill, Hon. Donald C. Bruce, Hon. John W. Byrnes, Hon. Elford A. Cederberg, Hon. J. Edgar Chenoweth, Hon. Harold R. Collier, Hon. William C. Cramer, Hon. Glenn Cunningham, Hon. Paul B. Dague, Hon. Steven B. Derounian, Hon. Edward J. Derwinski, Hon. Samuel L. Devine, Hon. Robert Dole, Hon. W. J. Bryan Dorn, Hon. John Dowdy, Hon. Thomas N. Downing, Hon. Robert F. Ellsworth, Hon. Paul Findley, Hon. O. C. Fisher, Hon. Gerald R. Ford, Jr., Hon. Ed Foreman, Hon. James G. Fulton.

Hon. J. Vaughan Gary, Hon. Milton W. Glenn, Hon. Charles E. Goodell, Hon. George A. Goodling, Hon. Robert P. Griffin, Hon. H. R. Gross, Hon. Charles S. Gubser, Hon. Edward J. Gurney, Hon. James A. Haley, Hon. Durward G. Hall, Hon. William Henry Harrison, Hon. James Harvey, Hon. Ralph Harvey, Hon. A. S. Herlong, Jr., Hon. Charles B. Hoeven, Hon. Walt Horan, Hon. Frank J. Horton, Hon. Craig Hosmer, Hon. Edward Hutchinson, Hon. Ben F. Jensen, Hon. August E. Johansen, Hon. Charles Raper Jonas, Hon. Clarence E. Kilburn, Hon. Carleton J. King, Hon. John C. Kunkel, Hon. John Kyl, Hon. Melvin R. Laird, Hon. Delbert L. Latta, Hon. Glenard P. Lipscomb, Hon. Robert McClory, Hon. William M. McCulloch, Hon. Clifford G. McIntire, Hon. Robert T. McLoskey, Hon. Clark MacGregor, Hon. William S. Mailliard, Hon. Dave Martin, Hon. Charles McC. Mathias, Jr., Hon. Catherine May, Hon. Robert H. Michel, Hon. William E. Miller, Hon. William E. Minshall, Hon. Arch A. Moore, Jr., Hon. Rogers C. B. Morton, Hon. Ancher Nelsen, Hon. Hjalmar C. Nygaard, Hon. Harold C. Ostertag, Hon. Otto E. Passman, Hon. Thomas M. Pelly, Hon. John R. Pillion, Hon. Alexander Pirnie, Hon. Richard H. Poff, Hon. Albert H. Quie.

Hon. Charlotte T. Reid, Hon. Ben Reifel, Hon. John J. Rhodes, Hon. R. Walter Riehlman, Hon. Howard W. Robison, Hon. Richard L. Roudebush, Hon. Katharine St. George, Hon. Henry C. Schadeberg, Hon. Herman T. Schneebeli, Hon. Harry R. Sheppard, Hon. Don L. Short, Hon. Garner E. Shriver, Hon. Eugene Siler, Hon. John M. Slack, Jr., Hon. H. Allen Smith, Hon. Howard W. Smith, Hon. M. G. (Gene) Snyder, Hon. K. W. (Bill) Stinson, Hon. Charles M. Teague, Hon. Vernon W. Thomson, Hon. Thor C. Tollefson, Hon. William M. Tuck, Hon. James B. Utt, Hon. William K. Van Pelt, Hon. Joe D. Waggonner, Jr., Hon. J. Ernest Wharton, Hon. William B. Widnall, Hon. John Bell Williams, Hon. Bob Wilson, Hon. Arthur Winstead, Hon. John Wydler, Hon. J. Arthur Younger.

## THE CONGO: A CASE STUDY IN INTERNATIONAL POLITICAL EXPEDIENCY

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WIDNALL. The recent history of the Congo situation, Mr. Speaker, can best be described as a sorry mess. I find little to rejoice in from this country's quiet resignation to the United Nations actions which are at variance with the principle of self-determination. Even less to our credit is the active support given, in contradiction to the American ideal of self-determination, to the subjugation of the state of Katanga.

Even the remarks of the outstanding scholar of our day in the world of African affairs, Dr. Albert Schweitzer, have fallen on deaf ears. The same people who have praised this distinguished American in the past, have now, when it suits their needs, ignored his pleas. The fact that they cannot bring themselves to answer directly and publicly the points made by Dr. Schweitzer is a lucid commentary on the bankruptcy of their actions.

Presumably the Katangan question is now settled by force of arms, and President Tshombe will be allowed to remain at the head of a provincial government. Considering the past episodes, I feel less than sure that this will be the case, now that the same self-serving champions of anticolonialism on the African Continent have begun to demand Mr. Tshombe's head. A case study in international political expediency appears to have been deliberately prepared for future historians, as the following editorial in the January 7, 1963, edition of Barron's National Business and Financial Weekly so vividly points out:

### Disgrace in the Congo—The United States Has Betrayed Both Its Interests and Its Principles

A good diplomat, so the old saying goes, is a man who is willing to lie for his country. By this definition, more ancient than honorable, the United Nations and those who speak in its name have displayed an unswerving devotion to duty. Despite eyewitness accounts, later confirmed by independent investigation, the U.N. stubbornly denies that its troops ever committed atrocities in the Congo. In a newly published book, "To Katanga and Back," Dr. Conor Cruise O'Brien, who led the U.N.'s abortive assault on Elisabethville in September 1961, debunks the official version of what happened as a "historical inaccuracy which puts the U.N. in every sense in a false position. False literally, first and worst of all." In the latest outbreak of fighting, the global organization has rallied to its customary standard of truth. Last week frontline correspondents for the Associated Press, United Press International and Reuters bitterly protested to Secretary General U Thant against U.N. "censorship and duplicity."

By word and deed alike, the U.N. thus has flouted what the Founding Fathers called "a decent respect for the opinion of mankind." The same contempt for Western values has spawned the naked aggression against Katanga, a lawless act to which the Government of the United States, to its enduring shame, has become an accomplice. The aim of the unholy alliance, the American people have been told, is to unite the Congo under a central government which, possessed of the wealth of Katanga, will be viable and friendly. The facts, however, suggest otherwise. First, to judge by even the censored communiques, sabotage has erupted throughout the breakaway province; if it persists, the hoped-for rewards of conquest may go up in smoke. More to the point, the Congolese regime, which no longer commands a majority in Parliament, happens to be not pro-Western but pro-Communist.

As a policy, then, the war on Katanga is ill advised. It is also wholly immoral. For while the State Department has a conveniently short memory, a few observers still recall that U.N. troops were stationed in Katanga only upon the conditional consent of the local authorities. Each of the three U.N. military moves thus was launched in clear-cut violation of a solemn pledge. Moreover, despite the best efforts of bland apologists to obscure the issue, nobody can seriously doubt that Katanga enjoys as great a right to independence and to the fruits of its labors as, let us say, Burundi or Upper Volta. On this score we have the testimony of a resident of Africa for nearly 50 years, a man named Albert Schweitzer. Wrote Dr. Schweitzer in an angry letter to the Premier of Belgium: "It is inconceivable that we find in our day a foreign nation at war with Katanga in an effort to force it to pay revenues to the rest of the Congo. Reason and justice demand that this foreign state (i.e., the United States) and the United Nations withdraw their troops from Katanga's territory and recognize and respect in future the independence of this country."

For over 2 years, to be sure, justice and reason have been in short supply in Léopoldville, Washington, and New York. In July 1960 when Belgian rule came to an untimely end, the newly created Republic of the Congo plunged into an orgy of rapine and destruction. In the circumstances President Moise Tshombe of Katanga, from his capital at Elisabethville, declared that he was seceding from chaos. He proceeded to set up a separate state of his own—one which, however, held the door open to a Congo confederation. Instead of grasping this offer, the United Nations, which sent troops to the Congo to restore law and order, determined to expand and pervert its original mission. Gradually it made its primary objective the ending of the so-called Katangan secession. In September and December of 1961, heavy fighting broke out in Elisabethville. To the end of his life, Dag Hammarskjold held that the action was purely defensive. We now know, from Conor Cruise O'Brien, that the code name for that offensive was Operation Smash.

Smash has remained the U.N. aim. Last August U Thant devised his famous plan for Congo unification. Under it Katanga was to turn over half of its mineral revenues and its military forces to the central government. In return, the Congo was to get a new federal constitution purporting to give Katanga some measure of autonomy. Instead of allowing peaceful negotiations to proceed, however, the U.N. threatened to employ economic sanctions or force if Tshombe failed to come to terms. Last month U.N. arms were further strengthened, and the first shot became only a matter of time. Now, citing provocations which recall those staged by Adolf Hitler, the U.N. has launched what one correspondent, with unconscious irony, has called a blitzkrieg, not only against Elisabethville, but also against Katanga's great mining installations at Jadotville and Kolwezi.

Equipped, thanks to U.S. generosity, with armored cars and rocket-firing jets, the U.N. troops may well gain their objectives. Victory, however, is likely to yield bitter fruit. For the defenders, as they have threatened, have begun to destroy the mining and smelting properties; powerlines have been sabotaged, bridges blown up, and other strategic facilities crippled. Last Friday, Union Miniere closed down all its installations in Katanga. Even if the mines escape complete destruction, their future in a Congo unified at gunpoint, under the authority of the discredited, Communist-leaning central government of Cyrille Adoula, seems dubious at best.

For whatever Washington may choose to pretend, both the Leopoldville government and the U.N. forces on the scene are actively hostile to Western interests. Ethiopian troops, Barron's has learned, have compelled residents of Elisabethville to hang on their walls pictures of the late Red-tainted rabble-rouser, Patrice Lumumba, and to join the Lumumbist party. U.N. correspondents disclose that Indonesian paratroopers who spearheaded last week's advance were accompanied by their Soviet instructors (does anyone recall the Russian technicans in Cuba?). As for the Adoula regime, it has allowed Communist embassies in Léopoldville, closed by its predecessor, to reopen. In recent months the Soviet diplomatic corps has increased from 10 men to 100, while the Russian ambassador, according to one U.S. diplomat, has been acting as if he was running the show. The war in Katanga, says the State Department, aims to keep communism out of the Congo. While the faceless men at State may be the last to learn the sorry truth, communism even now is flourishing in African soil.

The wisdom of U.S. policy thus is obscure. Its total lack of principle is all too plain. On this score Barron's rests its case with Albert Schweitzer. "The colonial empire of the Congo no longer exists. There are left two distinct branches of this empire composed of peoples and tribes who, from the time of colonialism forward, have opposed each other. Neither of these two parts of the Congo has rights vis-a-vis the other part; neither has obligations toward the other. They are * * * absolutely independent entities. It follows that no war waged by one of the above parties against the other for purpose of subjugation has the slightest justification in law. It also follows that no foreign state can pretend to have the right to subject one part of the Congo to the other part." By supporting the assault on Katanga, the Kennedy administration has jeopardized U.S. security and compromised U.S. traditions. One day it will be called to strict account.

## SLEEPING BEAR DUNES NATIONAL PARK

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, on Monday, January 21, I introduced a bill, H.R. 2400, proposing new guidelines for the establishment of a Sleeping Bear Dunes National Park in Benzie and Leelanau Counties, within Michigan's Ninth Congressional District, which I have the honor to represent.

I am as convinced and as determined as ever in my opposition to such legislation as S. 2153, and the revision thereof, S. 3528, which were bills introduced in the 87th Congress. Those bills proposed to create a Sleeping Bear Dunes National Lakeshore on a basis which would be far too broad and sweeping in scope, which would be unnecessarily expensive, and which would deprive and take from private owners important, vested property rights without just compensation.

For too long a time now, the threat of such sweeping, destructive legislation as S. 2153 and S. 3528 has been hanging like an ominous cloud over the Sleeping Bear region. This cloud has severely depressed the economies of Leelanau and Benzie Counties. It has brought serious hardship to a number of families.

Realizing the difficulties which confront many of my constituents, I believe it is imperative that this prolonged Sleeping Bear controversy be brought to a head and resolved in this session of Congress.

After much deliberation and study, and after may discussions with constituents, I believe that H.R. 2400 sets forth sound and reasonable guidelines for establishment of a national park in the Sleeping Bear area.

Even though legislative action on this subject will probably be considered first in the Senate, I believe that introduction of this particular bill at this time can, and should, serve two important, useful purposes:

First. By contrast, H.R. 2400 will sharply focus attention upon, and underscore again, the serious inequities and fundamental defects in the earlier legislation; and

Second. I earnestly believe and hope that this new bill will point the way to a speedy and sensible solution of this controversy on a sound basis that can bring the benefits of a national park to the many, with the least possible damage and disruption to the fewest people.

The principal and fundamental differences between my bill and the earlier legislation are as follows:

First. Acreage is reasonable. Under my bill, H.R. 2400, the park area would comprise about 37,000 acres, and would include North Manitou Island. Of the 77,000 acres designated in the earlier proposal, my bill would include about 23,000 acres.

The area of the park, as proposed in my bill, would conform more closely to the original recommendation submitted in 1959 by the Advisory Board on National Parks.

The size would also compare favorably with the Cape Cod National Seashore—26,666 acres—and with the Cape Hatteras National Seashore—28,500 acres.

Second. Confines park to undeveloped Lake Michigan shoreline area. My bill would include the Sleeping Bear Dunes, the D. H. Day State Park, and all the land and Lake Michigan shoreline to the south thereof which lies west of Highways M-109 and M-22, except Empire, down to and including the Benzie State Park. Accordingly, my bill would accomplish the purposes which have been proclaimed by the National Park Service, that is, to preserve for posterity the beautiful Sleeping Bear Dunes as well as a significant portion of the diminishing undeveloped Lake Michigan shoreline.

It is obvious that these lofty and worthwhile objectives can be accomplished without including expensive, highly developed inland lake areas.

My bill would include the North Manitou Island, which was excluded by the earlier legislation. That beautiful island—which is one of the Sleeping Bear's two cubs—is largely undeveloped and it could be acquired at a minimum of cost. Those who are genuinely concerned about future needs for camping and recreational opportunities should be interested in having this area set aside now, instead of waiting until it also becomes a highly developed, expensive, private resort area.

Under my proposal, approximately 50 miles of Lake Michigan shoreline would be preserved, whereas S. 2153 would preserve about 45 miles of Lake Michigan shoreline.

Third. A great saving for taxpayers. The acquisition cost to the taxpayers under my bill is estimated at $2 to $3 million, compared to an estimated acquisition cost of $12 to $16 million for S. 2153 and the revised version thereof. Of course, this tremendous saving is possible under my bill because the acreage is smaller and because the included land is largely undeveloped.

The earlier legislation met solid opposition because it threatened nearly 1,600 improved private properties, many of which are permanent, year-round homes.

My proposal would affect about 90 owners of improved or developed property. This is less than 6 percent of the number included in the earlier legislation.

Fourth. Developed property not subject to condemnation. Under my bill, the owners of improved or developed property would continue to own, occupy, and enjoy their property without threat of condemnation. The Federal Government could acquire from the owner, by paying just compensation therefor, only two limited interests in such improved property: First, a scenic easement requiring that the general character and condition of the property be maintained; and second, an option to purchase such property if and when the owner, or his heirs, should ever desire to sell it.

Fifth. Protection for owners of undeveloped property. Unimproved or undeveloped property within the park area would be subject to condemnation, requiring payment of fair market value. The Secretary of the Interior would be required, as soon as funds are available, to proceed expeditiously to acquire such property.

If the owner and the Park Service are unable to agree as to fair market value, then the owner would be able to request the Federal district court to appoint three qualified, independent appraisers. All costs of such appraisal would be borne by the Government.

Sixth. Payments in lieu of taxes. After acquiring title to any real estate within the park area, the Federal Government would be required to make payments in lieu of taxes to an affected school district or other local taxing authority so long as any prior bonded indebtedness remained outstanding.

When a school district floats a bond issue, and investors purchase the bonds, they do so relying upon the taxability of the real estate situated within the school district. When the Federal Government thereafter takes title to a portion of that real estate, and removes it from the tax rolls, I believe it is only fair and reasonable that the Government be required to make payments in lieu of the taxes which otherwise would be assessed until such time as the bonded indebtedness is paid.

Seventh. Hunting and fishing within the park area would be permitted under my bill in accordance with the laws of Michigan. Under H.R. 2400, any exceptions therefrom would require approval by the Michigan Department of Conservation. The earlier legislation required only that the Secretary consult with the Department before making exceptions.

Eighth. Advisory Commission. The earlier legislation would have provided for an Advisory Commission of 10 members appointed by the Secretary of the Interior. H.R. 2400 provides that the 10 members would be named as follows: Two by the Benzie County Board of Supervisors; two by the Leelanau County Board of Supervisors; and four by the Governor of Michigan, two of which would be members of the Michigan State Conservation Commission. The two remaining members would be appointed by the Secretary of the Interior. Instead of allowing the Secretary to designate a chairman, my bill would empower the commission to name its own chairman by majority vote.

Mr. Speaker, it is my fervent hope that the sponsors of the earlier legislation, as well as the Department of the Interior, will see fit to adopt the concepts and guidelines of my bill.

If they will do so, I pledge my wholehearted support and cooperation in an effort to estabilsh as quickly as possible a beautiful Sleeping Bear National Park which can be an important new asset for the region as well as the whole State.

While I would not claim perfection for the legislation, on the other hand, I wish to serve a clear and emphatic notice that the fundamental principles underlying my bill cannot be compromised.

Mr. Speaker, the full text of H.R. 2400 follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to preserve for the benefit, inspiration, and recreational use of the public a significant portion of the shoreline of Lake Michigan that remains undeveloped, the Secretary of the Interior (hereinafter referred to as "the Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Sleeping Bear Dunes National Park (hereinafter referred to as "the park").

Sec. 2. The Sleeping Bear Dunes National Park area shall include the Sleeping Bear Dunes, the D. H. Day State Park, the Benzie State Park, North Manitou Island, South Manitou Island, together with certain land and water lying between Lake Michigan and State Highways M–109 and M–22, which park area is more particularly described hereafter in section 11.

Sec. 3. (a) The Secretary shall not be authorized to acquire by condemnation any improved property (as hereinafter defined in section 4) except that the Secretary shall be authorized to acquire by condemnation, if necessary, with payment of just compensation, the following limited interests in improved property: (1) a scenic easement (in the nature of a covenant running with the land) which requires the owner thereof to maintain the character and condition of such property and to use such property only for the purposes for which it was being used on December 31, 1962; and (2) an option (in the nature of a covenant running with the land) providing that before the owner sells any right, title, or interest in or to any of such property to another purchaser, the United States shall have a prior right to purchase such right, title, or interest at a price equal to that offered in good faith by any other prospective purchaser.

(b) Except as otherwise provided in paragraph (a) of this section, the Secretary is authorized to acquire by purchase, gift, condemnation, transfer from another Federal agency, exchange, or otherwise, any real property or interest therein within the boundaries of the park area as described in section 11 of this Act.

(c) Any real property or interest therein owned by the State of Michigan or any political subdivision thereof may be acquired under this Act only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the Federal agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

Sec. 4. (a) As used in this Act, the term "improved property" means a detached building which is used as a dwelling, or is used for a commercial purpose that is compatible with, and does not impair the usefulness or attractiveness of, the park, construction of which building was begun before December 31, 1962; and such improved property shall include so much of the land on which such building is situated (such land being in the same ownership as the building) as the Secretary shall designate to be reasonably necessary for the continued use and enjoyment of such building, together with any structures accessory to the same which may be situated on the lands so designated. In every such case, the amount of land so designated shall be at least three acres in area, or all of such lesser acreage as may be held in the same ownership as such building. In making such designation the Secretary shall take into account the manner of use in which the building and land have customarily been enjoyed.

(b) Within ninety days after a written request therefor is made to the Secretary by the owner of any commercial property, the Secretary shall furnish to such owner a certificate indicating whether, and under what conditions, if any, such commercial property is deemed to be "improved property" within the meaning of this Act. If the owner is not satisfied with the Secretary's determination, as evidenced by such certificate, then the owner may institute a proceeding in the Federal district court, within whose jurisdiction the property is situated, for the purpose of amending or setting aside such certificate.

Sec. 5. (a) Any property, or interest therein, acquired by the Secretary under this Act (other than by gift, transfer, or exchange) shall be acquired at not less than its fair market value.

(b) With respect to any property, or interest therein, which the Secretary is authorized under this Act to acquire by condemnation, no condemnation proceeding shall be instituted unless the Secretary shall have notified the owner of such property of his intention to acquire such property by condemnation. If within sixty days from such notice the owner of the property shall so request, the United States district court, within whose jurisdiction such property is situated, shall appoint three qualified persons who shall make an independent appraisal to determine the fair market value of such property and report such amount to the parties concerned and to the court. All costs of such appraisal shall be borne by the United States. Thereafter, if the owner and the Secretary are unable to agree on a purchase price for such property, the Secretary may institute proceedings for its condemnation.

Sec. 6. (a) As soon as funds are available the Secretary shall proceed expeditiously to acquire all property, other than improved property, which he is authorized by this Act to acquire.

(b) If, and at such time, as the owner of improved property may offer such property for sale to the United States, the Secretary shall give immediate and careful consideration to such offer and the Secretary shall purchase such property if offered for a price which does not exceed its fair market value. In the event the owner and the Secretary cannot agree as to the fair market value, then, if the owner so requests, the United States district court, within whose jurisdiction such property is located, shall appoint three qualified persons who shall make an independent appraisal to determine the fair market value of such property and report such amount to the parties concerned and to the court. All costs of such appraisal shall be borne by the property owner.

Sec. 7. The United States shall make payments to local subdivisions of State government (including school districts) in lieu of real property taxes upon property which was subject to local taxation before acquisition under authority of this Act. Such payments shall be equal to the amount of taxes, and shall be paid at such times, as would be required if title to such real property were held by a private citizen. Such payments in lieu of taxes shall not exceed the amount of taxes payable for debt retirement purposes which would have been assessed if such property had remained in the same condition as when acquired by the Secretary. This section shall not authorize payment by the United States of any amount in lieu of taxes after any and all bonded indebtedness which may have been incurred by such local subdivision prior to the effective date of this Act shall have been paid in full.

Sec. 8. In administering the park the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the laws of the State of Michigan: *Provided, however,* That the Secretary, with the approval of the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. The Secretary may, after consultation with such department, issue such regulations, consistent with this section, as may be necessary to carry out the purposes of this Act.

SEC. 9. (a) There is hereby established a Sleeping Bear Dunes National Park Advisory Commission (hereinafter referred to as the "commission").

(b) The commission shall be composed of ten members, each appointed for a term of four years, as follows:

(1) Two members to be appointed by the Board of Supervisors of Benzie County and two members to be appointed by the Board of Supervisors of Leelanau County;

(2) Four members to be appointed by the Governor of the State of Michigan, at least two of whom shall be members of the Michigan State Conservation Commission; and

(3) Two members to be appointed by the Secretary.

(c) The commission by majority vote shall designate one member to be chairman. Any vacancy in the commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the commisison shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the commission in carrying out its responsibilities under this Act on vouchers signed by the chairman.

(e) The Secretary or his designee shall consult with the commission on all matters relating to the establishment, development, and operation of the park and the commission is authorized from time to time on its own initiative to submit to the Secretary such recommendations as it deems appropriate.

SEC. 10. (a) Except as otherwise provided in this Act, the property acquired by the Secretary under this Act shall be administered by the Secretary subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with laws of general application relating to the national park system as defined by the Act of August 8, 1953 (67 Stat. 496).

(b) In developing the park the Secretary shall locate public use areas in such places and in such manner so as not to diminish the value or enjoyment of privately owned improved property situated within the park area.

SEC. 11. The Sleeping Bear Dunes National Park shall comprise those certain parcels or tracts of land and water situated in the counties of Leelanau and Benzie, State of Michigan, which are more particularly described as follows:

(1) Beginning at the point of intersection with the shore of Lake Michigan of the east line of section 20, township 29 north, range 14 west, forming the northeast corner of the D. H. Day State Park:

thence south along the east border of said State park one-half mile, more or less, to the point of intersection with the north right-of-way of State Highway M–109; thence west along the north right-of-way of said State highway one-half mile, more or less, to the junction of said State highway with State Highway M–209; thence south along the west right-of-way of said State Highway M–109 1½ miles, more or less, to the point of intersection with the south line of lot 1, section 29, township 29 north, range 14 west;

thence west along the south line of said lot 1 to the northeast corner of lot 1, section 31, township 29 north, range 14 west; thence west long the north border of said lot 1 to the northwest corner of said lot 1; thence south along the west border of said lot 1 and the west borders of lots 2 and 3 of said section 31 to the southwest corner of said lot 3; thence east along the south border of said lot 3 to the point of intersection of the west right-of-way of State Highway M–109; thence southeast along the west right-of-way of said State Highway M–109 one-half mile, more or less, to the point of intersection with the north line of section 5, township 28 north, range 14 west;

thence south along the west right-of-way of said State Highway M–109 2 miles, more or less, to its junction with State Highway M–22; thence southwest along the west right-of-way of said State Highway M–22 one-half mile, more or less, to its point of intersection with the east-west quarter section line of section 17 of said township 28 north, range 14 west;

thence west along said east-west quarter section line of said section 17 and the east-west quarter section line of section 18, township 28 north, range 14 west, and the east-west quarter section line of section 13, township 28 north, range 15 west, to the shore of Lake Michigan;

thence northerly along the shore of Lake Michigan to the point of beginning; also

(2) Beginning at the point of intersection with the shore of Lake Michigan of the south line of lot 1 of section 25, township 28 north, range 15 west;

thence east along the south line of said lot 1 to its meeting point with the west line of section 30, township 28 north, range 14 west; thence north along the west line of said section 30 to the northwest corner of said section 30; thence east along the north line of said section 30 300 feet, more or less, to the point of intersection with the south right-of-way line of State Highway M–22; thence east along the south right-of-way of said State Highway M–22 1,500 feet, more or less, to the point at which State Highway M–22 turns southeast;

thence southeast along the west right-of-way of said State Highway M–22 three-fourths of a mile, more or less, at which point State Highway M–22 meets the west line of the northeast quarter of the southeast quarter of said section 30; thence southwest along the west right-of-way of said State Highway M–22 to the point at which State Highway M–22 meets the north-south quarter section line of said section 30; thence south along the west right-of-way of said State Highway M–22 500 feet, more or less, to the point of intersection with the south line of said section 30;

thence south along the west right-of-way of said State Highway M–22 as said State highway passes along the north-south quarter section line of section 31, township 28 north, range 14 west, to the south line of said section 31 at which point the said State Highway M–22 intersects the Leelanau-Benzie County line into Benzie County;

thence south along the west right-of-way of said State Highway M–22 as said highway passes along the north-south quarter section line of section 6, township 27 north, range 14 west, and along the north-south quarter section line of section 7, township 27 north, range 14 west, and along the north-south quarter section line of section 18, township 27 north, range 14 west, to the point of intersection of the said north-south quarter section line with the south line of said section 18;

thence west along the north right-of-way of said State Highway M–22, as said State highway passes along the south line of said section 18, 1,320 feet, more or less, to the point at which State Highway M–22 turns southeast; thence along the west right-of-way of said State Highway M–22 1 mile, more or less, to the south line of section 24, township 27 north, range 15 west; thence west along the north right-of-way of said State Highway M–22 to the point of intersection with the west line of said section 24;

thence west along the north right-of-way of said State Highway M–22 2 miles, more or less, to the west line of section 27, township 27 north, range 15 west; thence southwest along the west right-of-way to said State Highway M–22 to the point of intersection with the north-south quarter section line of section 33, township 27 north, range 15 west, thence west along the north right-of-way of said State Highway M–22 1½ miles more or less to the west line of section 32, township 27 north, range 15 west;

thence north along the west line of said section 32 to the southeast corner of section 30, township 27 north, range 15 west; thence west along the south line of said section 30 and the south line of section 25, township 27 north, range 16 west, to the southeast corner of said section 25; thence north along the west line of said section 25 one-half mile more or less to the point of intersection with the shore of Lake Michigan;

thence northeasterly along the shore of Lake Michigan to the point of beginning; also

(3) North Manitou Island; also

(4) South Manitou Island.

SEC. 12. As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area designated for inclusion in the park which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Sleeping Bear Dunes National Park by publication of notice thereof in the Federal Register.

SEC. 13. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

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## DID WE SELL OUT TO KHRUSHCHEV ON CUBA?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, we all recall that President Kennedy made a pledge to Khrushchev of "no invasion" of Cuba. Then Secretary Rusk stated that the "no invasion" pledge would not be honored. Now a very disturbing article by Robert S. Allen and Paul Scott, in the January 18 issue of the Long Island Daily Press, tells us that the President, himself, on New Year's Eve categorically stated that there would be no invasion of Cuba.

The American people have a right to know to what extent our interests have been sold down the river. Is this another Yalta?

The article follows:

### IT'S STILL A SECRET, BUT J.F.K.'S POLICY IS: NO CUBAN INVASION

(By Robert S. Allen and Paul Scott)

WASHINGTON. That "no invasion of Cuba" offer President Kennedy made to Premier Khrushchev is in full effect.

The Kennedy administration has no plans to drive Castro and his Soviet-supported Communist regime from Cuba, and is doing little if anything to help others develop effective resistance against them.

The President himself revealed this profoundly significant backstage policy in his widely discussed for-background-only press conference in Palm Beach, December 31. It was this lengthy question-and-answer discussion that precipitated an international flap when a London correspondent, a close friend of the President, was permitted to quote some of his remarks.

The full transcript of this press conference is still officially banned to U.S. newsmen.

But it can now be disclosed that the President repeatedly threw cold water on the use of force to eliminate Castro and his Communist rule. The overall impression rising from the President's comments is that he has no policy or consequential plans to rid Cuba of its Red masters.

"It is not our intention under present conditions to invade Cuba," the President said in response to an early question, "or to begin a war against Cuba, providing Cuba lives in peace with its neighbors, or providing that Cuba does not engage in aggressive acts."

This pronouncement by the President is directly counter to what Secretary Dean Rusk told the Senate Foreign Relations Committee at a closed-door meeting last week. In response to questions, the State Department head informed the Senators that the United States has not ruled out the possibility of invading Cuba.

In the President's 2-hour-long background talk with the newsmen, he amplified his no invasion views with the following:

"So I think that all we can set down now is a general attitude of the United States toward Castro, which I think we have indicated, our opposition to Castro and also an indication of our willingness to support any free choice that the Cuban people may make following Castro, to hold out a hope to the people of Cuba, in and out of the Government, that the United States would be sympathetic to a change within Cuba. We cannot, it seems to me, under present conditions, go further than that."

"Are we ready to provide any more help to those inside Cuba who may be anti-Castro?"

"As I say, the United States is not planning to support an invasion of Cuba," replied the President. "We have made that clear. There may be other things."

"Is this what you are trying to do," asked a reporter, "to let the Cuban people know that if they get something on their own, we are all for it?"

"I don't think," said the President, "that we want to be in the position of looking as if we are encouraging a—I think I would have to limit myself to saying that the United States is opposed to the regime, that it is not planning to invade Cuba, providing Cuba, itself, conducts its policy within the limitations which we have given.

"But we are also anxious that the Cuban people and those within and without the armed forces of Cuba and the government, who desire a Cuba which is not closely tied to the bloc, who may desire a Cuba which is different from the pre-Castro Cuba, that the United States is sympathetic to that.

"I can't tell what is going to happen in Cuba or in the Caribbean. This is all we can do, it seems to me, at the end of this year. Nobody can predict."

About half of the President's lengthy background talk with the 30-odd newsmen was devoted to Cuba. This subject dominated the discussion.

The President did not claim a U.S. victory. He admitted Castro is still in full control, that the island is a Communist ideological and military stronghold, that thousands of Russian combat troops are still there, and that powerful Soviet rockets abound there.

"The situation in Cuba is not satisfactory," the President conceded.

At the same time, he contended an important psychological victory was scored when Khrushchev agreed to withdraw his ballistic missiles and nuclear-armed IL–28 bombers.

Following is the way the President expressed this theory in the still-secret transcript of the press conference:

"As it was moving, it could have been perhaps not decisive, but a very, very great Communist victory if it had turned out the way they had hoped. Having missiles in Cuba, as I say, would have appeared to have been—well, I think it would have been comparable to the breakthroughs, like sputnik, which I think was a great Communist victory, with very great implications for the 1950's, and I think this would have been even more substantial in its psychological impact all over the world. I think it would have given the impression that the balance of power was really moving with the Communists.

"I am not sure that the Chinese might have held back as much as they did. I think a great many other things would have happened other places if they had been successful in Cuba. So I think it was a major strategic effort and could have had the most far-reaching strategic implications."

Other significant remarks made by the President in response to questions were:

"No force can carry out a successful invasion of Cuba if the United States is not involved in it. No other countries can engage in an invasion of Cuba because it would be a major military effort.

"I don't know whether the Russians were sent there as a support for the missile effort. These military units have not been withdrawn. Whether they are there to support the Communists as an internal police force or as support for any action we might take, I don't think anyone can say, and probably their purpose may be changing.

"We had that plane (U–2) lost on Saturday, and I think we were moving into a higher degree of escalation. If that had happened again on Sunday, then I—I don't know what the reason was for that, whether that was deliberate. But in any case, if there had been a further firing on our planes Sunday, I think we would have had a much more dangerous situation by Monday or Tuesday.

"No one can sit here today and say what is going to happen in Cuba. No one could say 6 months ago that what has happened in the last 6 months was going to happen. So I don't think we are able to lift the curtain on Cuba and say that this is going to happen month by month.

"I would say that I believe Cuba is going to be non-Communist sometime."

## UNDER SECRETARY BALL SHOULD BE CENSURED

**Mr. DEROUNIAN.** Mr. Speaker, last night at a dinner in New York, in honor of Mr. Jean Monnet, Under Secretary of State George Ball indirectly but intentionally insulted President de Gaulle by saying of the honoree:

> He has * * * never been tempted into the unhappy error—induced by a nostalgic longing for a world that never was—of seeking to recapture the past. He has not sought to unfurl ancient banners, reinstate old forms, revive the vanished symbols that beglamored the centuries gone by.

President Kennedy has been quite concerned about our relations with France; he should be more concerned about the big mouth of his Under Secretary of State.

Mr. Speaker, this is the same George Ball who kept from the Congress and the public secret recommendations he had made to the President for unlimited trade with Soviet Russia and the Communist bloc, giving them the same kind of consideration we would give friendly countries in our trade. This is the man who wanted our high-priced labor to compete with slave labor throughout the world.

I, too, am disturbed by the high tariff Common Market Community of which France is a moving factor, but my displeasure at these economic tactics of the President of France does not justify an affront to him by a State Department subordinate who always speaks so courteously when referring to Khrushchev.

Mr. Ball should be immediately censured by the President for his lack of manners.

## CONGRESSIONAL TRAVEL

**Mr. ASHBROOK.** Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

**The SPEAKER pro tempore.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mrs. DWYER.** Mr. Speaker, as many of our colleagues appreciate, it is all too rare to find a balanced view being expressed on the subject of congressional travel, or—as some prefer to call it—"junkets" overseas.

The elements of such a balanced view include, in my judgment, a recognition of the need for travel and personal contact by Members of Congress having special responsibilities for legislation in connection with which the travel is authorized.

It is equally important, however, to recognize the right of the public to specific information about the legislative purpose of such travel and about the expenditure of public funds, including counterpart funds, by those engaged in the travel.

In an editorial on January 16, the Daily Journal of Elizabeth, N.J., commented on the subject of congressional travel abroad and did so in a particularly evenhanded and constructive way. I am sure our colleagues will find it interesting and I ask that it be included, following my remarks, at this point in the RECORD.

In this regard, Mr. Speaker, I have introduced today a bill to require more detailed reporting of expenditures made by congressional committees, subcommittees, Members, and employees in the course of official travel outside the United States. The bill would make it necessary to identify individual expenditures of public funds rather than group such expenditures together under oftentimes misleading or unrevealing headings.

Unless Congress regulates itself more effectively, Mr. Speaker, we shall only invite the suspicion, cynicism, even the disrespect of the people we represent. As essential as it is to legislate on an informed basis, it is even more important to retain the respect of the people. So I suggest that the Daily Journal's concluding thought, that "freeloading can be eliminated without harming legitimate missions," should lead us to take corrective action.

The editorial follows:

### TIME TO MAKE JUNKETING RULES

Business resumed barely hours ago on Capitol Hill and hence every Senator and every Representative is anxious to be on the floor, in committee, or available at the office. This then is an especially good time for talk of a manner and means of supervising, if not curtailing, the expenditures of taxpayers' dollars on oversea junkets. Nobody will be going abroad right now, unless it is important and an excuse has been issued.

Junkets are presumed to be the special gravyboat of Members of the Congress. They go overseas on committee assignments, they go on counterpart funds, they go as observers. Critical taxpayers also suspect a few go on a vacation ingeniously devised, for expense account purposes, as national business.

All the rumors, insinuations, and timid charges about this type of conduct make expedient a better accounting system on Capitol Hill. Certainly a Senator or a Representative, a member of a committee dealing with matters which have an international aspect or defense or foreign aid, can have abundant legitimate reason for onsite examination of an installation or aid project.

Also, those who have that legitimacy of purpose should not be bashful about disclosing it and revealing the cost, even for wives and staff members. A reticence among those who have no genuine excuse is understandable, but an accounting still is in order.

Unless the Congress drafts a few reasonable rules and votes them into effect in these days when nobody has the urge to travel, nothing will be done, until the next long recess. Then stories about American Congressmen bobbing up here and there will be back in the dispatches.

The Congress need not be niggardly in the rules, and travel that will improve legislation or make foreign aid more effective should be encouraged. Freeloading can be eliminated without harming legitimate missions.

## "I AM PROUD OF THIS HOUSE"

The **SPEAKER** pro tempore (Mr. GONZALEZ). Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

**Mr. STAGGERS.** Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

**Mr. STAGGERS.** Mr. Speaker, one of my close and most cherished friends, Mr. John I. Burton, attended the opening session of the 88th Congress in the House of Representatives on January 9. After this historical occasion, he set forth his impressions on that day and I am very happy to bring them to your attention.

I believe Mr. Burton's comments are indeed timely and feel you—and each and every Member of the House—will be interested in reading them. May we forever be "proud of this House":

### "I AM PROUD OF THIS HOUSE"—SPEAKER McCORMACK

The star-dials hint of the noon. People, preponderantly men, mill around in the corridors outside the high doors leading to the House Chamber. There is an obvious gaiety abroad. Hands are clasped in no simulated friendship, and the greeting, "Happy New Year," is the universal password. Several young men—boys—stand around and offer a polite "Can I help you?" to anyone who seems uncertain about what to do. A solitary police officer strolls amiably about, and points out stairs and elevators to those who ask. The assembling men greet the doorkeepers and the officers as warmly as they do their colleagues. A few news photographers stand around, and occasionally a light bulb flashes. Surely one must have stumbled into the wrong place. This looks like a bunch of slightly overgrown college students coming back after the holidays, or perhaps it is the annual Elks convention.

No, it is really and truly the Members of the House of Representatives of the 88th Congress of the United States entering upon the legislative tasks which await them in this year of our Lord, 1963. But no fanfare, no formal attire, no dignified strut, no retinue of sycophantic attendants. These men look like any business, professional, or social group. As, indeed, they are. In them reposes power personified. But that fact is not revealed by their appearance or their behavior. This is a veritable and practicing democracy, let me remind you. It is also a successful one, and there is no need for pomp or circumstance to cover up an all-too-evident impotence.

So we move one floor above to the galleries. These are packed with humanity. The doormen strive vainly to squeeze in one more individual on the last square inch of space. Here women are in the majority; largely, perhaps, the mothers, wives and daughters of the men sitting in the curved tiers of seats below. They are experiencing the thrill of watching their menfolk assume the duties of high office. All gaze intently downward.

A few lazy raps of the gavel bring a reluctant pause to the chatter on the floor. The Clerk calls a certified roll to ascertain how many legally chosen Members are present. Four hundred and thirty-three answer their names; a quorum is present, and the first order of business is the election of a Presiding Officer. Again the long list of names is called. In answer, the Members call out "McCORMACK" or "HALLECK," depending on political affiliation. Then both the candidates are conducted to the Speaker's desk. "I am not surprised by the result of this election," says Mr. HALLECK. Then he goes on to speak of his opponent as a warm personal friend, and praises his conduct of the office of Speaker in the preceding Congress. Mr. McCORMACK is equally generous in response.

The Members rise to take the oath of office: "I do solemnly swear * * *." Several small children cling to the hands of their parents on the floor, and some of them apparently take the oath also. The presence of children on the floor while Congress is in session is nowhere authorized in the ritual. But somehow it is more symbolic of the stability of government than any other procedure either authorized or unauthorized. Some of these children may in their turn be elevated by their contemporaries to the office of Members. Until that day comes, they will be unlikely to appear on the floor again while the House meets. Nevertheless they will carry to their graves the proud memory of the fact that "I sat with my daddy as he was sworn into the 88th Congress."

This is the long and somewhat boring ceremony by which the 88th Congress was initiated. Immediately a flood of resolutions and bills was turned loose. No less than 582 numbered bills fell into the hopper before twilight fell. Only a few of these will ever emerge from the committees to which they were referred and appear again on the floor of the House for action. But each will be given consideration by somebody, as will the 20,000 to 30,000 others that will follow them during the life of this Congress. The opening of Congress is an inspiring event. But the task to which the Members commit themselves is laborious, long, and tiresome as the opening rollcalls. They will, in a sense, be on duty every hour of every day during the coming 2 years, barring the intervention of the "old man with the scythe" in particular cases.

Each Member of the House speaks for some 300,000 or more free and independent American citizens who are well aware of his responsibility to them. A few weeks ago he submitted himself and his qualifications to their judgments. That is the only road by which a man may enter the House of Representatives; there is no back door of appointment. The electorate had no inhibitions in examining every detail of his public and private life, his character, his principles of action, his plans for his country and his district. Probably he had an opponent vigorously condemning everything he stood for. A majority of those qualified to vote expressed their approval, and he has appeared for induction into office. Now he speaks for all of them, for those who approved him and equally for those who did not approve. It is his duty to interpret and promote their peculiar interests, as well as the interests of the whole Nation. Those interests involve matters of Government policy, of economic well-being, of social progress, perhaps of individual aspirations. He must weigh carefully every scrap of evidence he can find, reconcile conflicting desires and opinions, and make a decision. From his decision there is no appeal during the life of this Congress. Therein lies power.

That power extends beyond the borders of this farflung Nation to some 2 billion people inhabiting the whole world. What he does may affect the destinies of all of them. His vote may give rein to the four horsemen of the Apocalypse and spread ruin, desolation, and death over vast territories. Contrariwise, that vote may promote industry and science and enlightenment and justice and health among millions who have never enjoyed these benefits of human accomplishment.

Somebody has thought it important to check the religious affiliations of the Members of the House. A great variety of faiths is found to be represented, all in the Judaic-Christian tradition. No atheists are listed. Evidently the consciences of these individuals who speak for us in the House are in working contact with that Supreme Intelligence which prevades all nature. They will differ violently over plans and programs and details of execution. But the end toward which they drive is the same for all—a better world. And their link with the infinite assures us that the means by which they attempt to attain that end will be stamped with a universal morality.

It is the habit of Members of Congress to speak of one another as the "distinguished" member. Some may attempt to find a trace of irony in this appellation. But they are, in fact, "distinguished." They are a select body, chosen by a rigorous process of elimination. They have been subjected to every test for competence that can be devised, and they have survived the tests. Eminence in any field consists in being set apart from others by character or attainment or ability. In order to carry the title of Congressman, a man must meet this criterion.

Says the newly reelected Speaker of the House: "I am proud of this House." Mr. Speaker, the American people concur in your sentiments, with a fierce pride in our system of government and in its operation and maintenance. Nobody on earth has anything to equal it. It is true that during the coming months the Congress will be cursed and ridiculed more often than it will be commended. It will be too hasty or too dilatory for some of us, too spendthrift or too penurious, too much given to stupidity or too engrossed with supersophisticated solutions for simple problems, too much to the political right or the political left—or hopelessly in the middle of the road. Nevertheless, so long as this House exists in its present form, it is impossible that freedom shall ever perish from the face of the earth.

## SENATOR ESTES KEFAUVER SPOTLIGHTS DANGERS OF BANKING CONCENTRATION IN ADDRESS TO INDEPENDENT BANKERS ASSOCIATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it is with great pleasure that I call attention of the Members to the outstanding address given on Monday of this week by the Honorable Senator Estes Kefauver, Democrat, of Tennessee, before the Independent Bankers Association. In that speech, the able Senator, one of the Nation's outstanding students of the monopoly problem, points to the dangers inherent in growing concentration in the banking field.

I have great respect for the Senator, and great admiration for the fine work he has done as chairman of the Senate Antitrust Subcommittee in focusing attention on some of the many problems that monopoly is causing in America. I am most gratified that in his speech before the Independent Bankers Association he devoted considerable space to the chain banking study I issued a few weeks ago.

Of course, Senator Kefauver has been well aware of the dangers of banking concentration. I recall many years ago he was chairman of the Monopoly Subcommittee of our House Small Business Committee, and issued a report entitled "United States Versus Economic Concentration and Monopoly." That report, one of the best sellers of all time, pointed to many dangers of banker control. So it is quite in keeping for the Senator to remind the country once again of the dangers of growing concentration in our financial community.

Without objection I wish to insert at this point excerpts from Senator Kefauver's address:

### Excerpts From Remarks of Senator Estes Kefauver, Democrat, of Tennessee, Before the Independent Bankers Association, Wisconsin Division, Milwaukee, Wis.

You have asked me to talk to you today about some of the things that threaten the health of our banking system.

There are many signs that all is not well: We have fewer banks; the big banks have gotten bigger; some of the biggest evidently have become linked by stock and loan deals that appear to skirt Federal and State restraints on branch banking.

It all adds up to this: a gathering into the hands of a few, more and more of the private reins over the Nation's economic power.

Not only does it represent an affront to the basic philosophy of free, competitive enterprise; it also spells trouble for the independent banker, other small businessman and the consumer.

We used to have a lot of banks. Back in 1921, when our population was much less, we had 30,000 banks. Just about every town had at least one bank and, in many cases, several.

The banking system of those days drew its vitality from vigorous competition among a multitude of independent banks, locally organized, locally financed and locally managed.

Small businessmen had many sources of capital. They knew their bankers, and their bankers knew them. Between them, they formed a basis for healthy community economic development.

Today, the picture is very different. Instead of 30,000 banks, we have less than half that number. Hundreds of towns have become bankless. Many others are served by only one bank in place of the two or three which existed in the 1920's. In the larger cities, we have more bank branches but fewer trees.

The depression, of course, saw a lot of banks go under. Nearly 800 disappeared in 1931 alone through consolidations and absorptions. Between 1940 and the early 1950's, however, the rate of attrition by this route remained below 100 a year. Then it began going up again. Since 1950, the number of banks vanishing by way of merger and consolidation has been verging on 2,000. Indeed, 1955 saw the disappearance of 232—the greatest number in 35 years.

No change in this trend is in sight. The latest annual report of the Federal Deposit Insurance Corporation indicates that in 1961 mergers, consolidations and acquisitions absorbed 133 banks, operating 423 banking offices, with aggregate resources of nearly $6 billion.

Few of the banks swallowed up in the past decade have been weak and unsound—the kind needing rescue in the depression pattern. Most of them were strong, efficient, profitable—and competitive—plucked at the peak of their earning power.

A large percentage of these mergers involved one or more giant banks with assets of $100 million or more. Many others were in the $50 million class. These mergers have spread across the land.

Some have attracted more attention than others. In New York City, the Nation's banking mecca, the peak year of 1955 witnessed the three largest bank mergers in our history in terms of total deposits. None of the parties in these consolidations could hardly be classed as "struggling" or "weak."

Now comes other evidence of economic concentration in banking. It is contained in a report on chain banking just published by the Select Committee on Small Business of the House of Representatives.

The report is confined to the 200 largest member banks in the Federal Reserve System. Among these are three here in Milwaukee: First Wisconsin National, Marine National Exchange and Marshall & Ilsley.

The study on which this report is based was carried out under the distinguished chairmanship of Representative Wright Patman, of Texas. In this new Congress, Representative Patman has taken over command of the House Banking and Currency Committee which will, he tells me, undertake to correct any abuses which are apparent from this and subsequent reports.

In general, this report reveals two things: First, a network of links among the top stockholders of the larger member banks of the Federal Reserve System and, second, a large volume of bank loans secured by stock in other banks.

Links through common stockholders were found particularly in such financial centers as Hartford, Boston, New York, Philadelphia, Chicago, Detroit, and Cleveland.

Moreover, according to the report, certain of these links center in insurance companies, others in savings banks, and still others in nominee holdings of the large commercial banks.

While the report does not indicate any stockholder links involving the three Milwaukee banks, it does show that each of them is controlled almost exclusively by a holding company.

For example, more than 99 percent of the stock of First Wisconsin National is owned by First Wisconsin Bankshares Corp.; the Bank Stock Corp. owns 99 percent of the stock of Marshall & Ilsley. Ninety-eight percent of the stock of Marine National Exchange is owned by the Marine Corp.

But control by each of these Milwaukee holding companies extends far beyond Milwaukee.

In addition to First Wisconsin National, I am advised, the First Wisconsin Bankshares Corp. owns two other Milwaukee banks as well as banks in Eau Claire, Fond du Lac, Madison, Oshkosh and Wauwatosa.

Bank Stock Corp. owns two other Milwaukee banks besides Marshall & Ilsley. And in addition to Marine National Exchange, the Marine Corp. owns two other banks in Milwaukee, one in South Milwaukee and others in Cudahy, Green Bay, Neenah, Oak Creek and Peewaukee.

As we all know, Wisconsin prohibits branch banking but permits holding companies to own banks. It would appear from the Patman Report, however, that what is forbidden by the one is permitted by the other.

The next step after this Patman Report is a study to determine who controls the bank holding companies. I will be interested, as I know you will be, to see whether there are any links among those which own Wisconsin banks.

But it is already clear from this report that links of another kind exist among Wisconsin banks, and these raise other questions about concentration and control.

A major revelation of this study, as I have noted, is the vast number of loans, made by the largest Federal Reserve member banks, which were secured by at least 10 percent of the stock of another bank.

Of particular significance is the fact that most of this bank stock loan activity has occurred in States—including Wisconsin—where branch banking is prohibited. There is also extensive bank stock loan activity across State lines.

I note, for example, that First Wisconsin National has made 18 loans in which 10 percent or more of the stock in other Wisconsin banks was pledged. In one case, 70 percent of the bank's stock was put up.

The report shows that Marine National Exchange has made six such loans, and in one case 66 percent of a bank's stock was pledged as security.

But that's not all. The report cites 15 instances in which at least 10 percent of the stock of Wisconsin banks was used to secure loans from banks in other States—two in Minneapolis and two in Chicago.

A host of questions arises from all these findings. We may fairly ask, first of all, whether lending activity of this kind is contrary to congressional policy expressed in the Bank Holding Act of 1956.

Why do so many of these loans involve banks in areas where branch banking or bank holding companies are prohibited? Why have so many been made across State lines? Why have so many been for such large amounts—in the millions?

Is this the answer: To evade Federal and State laws restricting branch, holding company, and chain banking? If so, then we need to tighten up these laws.

As independent bankers, you need no reminding of the evils that these laws are intended to prevent. When banking becomes concentrated, when bank credit—the lifeblood of industry and commerce—falls under tighter control, the result is general economic concentration.

You know how this can work. The local independent banker is interested in promoting local enterprise, in bringing employment opportunities to his community. He does not have to clear with a home office in some remote metropolis.

But take away the independent local banker, and what happens to the small businessman? If he has to turn to the chain bank or one belonging to a holding company empire, he runs a big risk of being turned down as a competitive threat to the bank's more well established accounts. The result is a stifling of local enterprise.

We know that since World War II, our industrial economy has become significantly more concentrated in the hands of a few large corporations. This is borne out particularly by a report on manufacturing concentration recently issued by the Senate Antitrust and Monopoly Subcommittee, of which I am chairman.

Between 1947 and 1958, according to this report, the share of total industrial output held by the 200 largest companies, in terms of value added by manufacture, rose 27 percent. In 1947, their share was 30 percent; by 1958, it had risen to 38 percent.

It is quite clear that we need to bring all available weapons to bear against this trend toward concentration in our economy. Where the law is inadequate, it should be improved. Where it is adequate, it should be enforced. And where questions remain, they should be fully explored.

Some segments of the business world look on any increase in Government activity against monopoly or concentration as business of harassment. It represents nothing of the kind; rather, it is the American way of demonstrating that we intend to preserve our charters of economic freedom. Without these charters, the antitrust laws, we would not be the world's strongest economic nation.

The time for businessmen to worry is when our antitrust laws are allowed to wither, in the presence of a clear need to strengthen and enforce them. The people in the antitrust agencies are protecting our free enterprise system, and in this they deserve support, not condemnation.

I do not need to remind this audience that nothing like our antitrust laws exists in the nations of the Communist world; such laws simply are not needed where governmental fiat substitutes for the forces of the free market.

On the other hand, we must constantly keep in mind these two things: That our free enterprise system could not exist without the antitrust laws; and that to preserve this system requires vigorous enforcement as well as constant reexamination and strengthening of the antitrust laws.

Strong antitrust laws are the best friends that our economic system has. They are the businessman's best friends. I hope we all remember that.

Thank you.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MICHEL, to vacate his special order for today and reschedule it for January 31.

Mr. HARDING, for 10 minutes, today.

Mr. LINDSAY, for 1 hour on Thursday, January 31.

Mr. MATHIAS (at the request of Mr. LINDSAY), for 1 hour on Thursday, January 31.

Mr. TAFT (at the request of Mr. BOW), for 15 minutes on Tuesday, January 29, on the life and accomplishments of William McKinley.

Mr. PRICE, for 10 minutes today, to revise and extend his remarks, and to include extraneous matter.

Mr. STAGGERS (at the request of Mr. WELTNER), for 5 minutes today, to revise and extend his remarks and to include extraneous matter.

Mr. WHITENER (at the request of Mr. WELTNER), for 60 minutes on January 28.

Mr. HALPERN (at the request of Mr. ASHBROOK), for 10 minutes today.

Mr. KYL (at the request of Mr. ASHBROOK), for 30 minutes today.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MADDEN and to include a speech of Hon. CHET HOLIFIELD.

Mr. DANIELS.

Mr. JOELSON (at the request of Mr. DANIELS).

Mr. BAKER.

Mr. HOSMER and to include a table.

Mr. WYDLER.

Mr. MOSS.

(The following Members (at the request of Mr. ASHBROOK) and to include extraneous matter:)

Mr. MCLOSKEY.

Mr. HOEVEN.

Mr. MATHIAS.

Mr. BOB WILSON.

Mrs. FRANCES P. BOLTON.

(The following Members (at the request of Mr. WELTNER) and to include extraneous matter:)

Mr. WALTER in two instances.

Mr. POWELL.

Mr. BOLAND.

Mr. MORRISON.

## ADJOURNMENT

Mr. WELTNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, January 28, 1963, at 12 o'clock noon.

## COMMITTEE EMPLOYEES

JANUARY 15, 1963.

### COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| John J. Heimburger | Counsel | $9,073.35 |
| Francis M. LeMay | Staff consultant | 8,953.26 |
| Christine S. Gallagher | Clerk | 8,953.26 |
| Hyde H. Murray | Assistant clerk | 8,139.84 |
| Lydia Vacin | Staff assistant | 4,865.16 |
| Betty M. Prezioso | do | 4,865.16 |
| Peggy J. Lamm | do | 4,531.71 |
| Martha S. Hannah | do | 4,447.32 |
| Jane C. Wojcik | do | 3,959.96 |
| Robert C. Bruce | Assistant counsel (from Sept. 1, 1962). | 2,923.00 |
| George F. Misslbeck | Printing editor (from Sept. 9, 1962). | 3,264.01 |
| Lee Smith | Staff assistant (from July 23, 1962). | 2,248.54 |
| John H. Mercer | Staff assistant (through Aug. 31, 1962). | 702.66 |
| Adele Downey Maynard. | Staff assistant (through Aug. 31, 1962). | 631.28 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | [1] $75,000.00 |
| Amount of expenditures previously reported | 43,747.07 |
| Amount expended from June 30 to Dec. 31, 1962 | 8,658.62 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 52,405.69 |
| Balance unexpended as of Dec. 31, 1962 | 22,594.31 |

[1] An additional $25,000 was appropriated by H. Res 728, July 25, 1962, thereby making total appropriation $75,000.

HAROLD D. COOLEY,
*Chairman.*

### COMMITTEE ON APPROPRIATIONS

JANUARY 15, 1963.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Kenneth Sprankle | Clerk and staff director. | $9,082.14 |
| Paul M. Wilson | do | 9,082.14 |
| Carson W. Culp | Staff assistant | 9,009.81 |
| Samuel W. Crosby | do | 1,069.99 |
| Jay B. Howe | do | 8,828.90 |
| Ross P. Pope | do | 8,828.90 |
| Robert M. Moyer | do | 8,828.90 |
| Frank P. Sanders | do | 8,828.90 |
| Eugene B. Wilhelm | do | 8,828.90 |
| G. Homer Skarin | do | 8,828.90 |
| Robert L. Michaels | do | 8,710.75 |
| Robert P. Williams | Editor | 7,472.37 |
| George E. Evans | Staff assistant | 7,381.96 |
| Aubrey A. Gunnels | do | 7,110.64 |
| Francis G. Merrill | do | 6,257.90 |
| Earl C. Silsby | do | 6,257.90 |
| Samuel R. Preston | do | 5,554.91 |
| Keith F. Mainland | do | 5,052.76 |
| Lawrence G. Miller | Assistant editor | 4,740.11 |
| George A. Urian | Clerical assistant | 4,010.59 |
| James E. Moore | do | 4,010.59 |
| Stephen B. Miller | do | 4,010.59 |
| Austin G. Smith | do | 3,489.50 |
| Randolph Thomas | Messenger | 2,395.22 |
| Mabel E. Hammett | Clerk-stenographer | 3,489.50 |
| Grace W. Beirne | do | 4,010.59 |
| Viola W. Grubbs | do | 1,028.94 |
| Patrick M. Hayes | do | 4,010.59 |
| William J. Neary | do | 3,176.87 |
| Harry E. Reynolds | do | 4,010.59 |

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Mary L. Schwarzmann. | Clerk-stenographer | $4,010.59 |
| Mary M. Smallwood | do | 4,010.59 |
| Jeanne C. Smith | do | 4,010.59 |
| Suzanne S. Thomas | do | 3,176.87 |
| Phyllis N. Troy | do | 3,802.19 |
| Mary F. Wilson | do | 3,179.82 |
| George S. Green | Clerk to the minority. | 8,286.29 |
| James S. Bersie | Clerk-stenographer | 3,176.87 |
| William J. Baroody, Jr. | do | 4,010.59 |
| Alice Beach | do | 3,697.96 |
| Josephine Birdsall | do | 4,010.59 |
| Allah F. Dickson | do | 2,075.89 |
| Jessemine A. Falls | do | 3,665.96 |
| Catherine L. Kennett | do | 3,217.14 |
| William B. Gunger | do | 2,799.82 |
| Clara B. Posey | do | 4,010.59 |
| Paul D. Quinn | do | 3,176.87 |
| Virginia E. Stevens | do | 2,968.45 |
| Dorothy E. Sweeney | do | 4,010.59 |
| Silas Taber | do | 3,176.87 |
| Janice Newsom | do | 2,711.61 |

| | |
|---|---|
| Amount expended from July 1 to Dec. 31, 1962 | $254,587.09 |
| Total amount expended from July 1 to Dec. 31, 1962 | 254,587.09 |

CLARENCE CANNON,
*Chairman.*

JANUARY 15, 1963.

COMMITTEE ON APPROPRIATIONS
(INVESTIGATIONS STAFF)

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| William B. Soyars | Director, surveys and investigations staff. | $7,549.25 |
| Leonard M. Walters | Assistant director, surveys and investigations staff. | 7,228.31 |
| Rowland C. Halstead | do | 7,020.17 |
| Lillian M. Mackie | Stenographer | 3,541.61 |
| William T. Roy | Consultant | 3,000.00 |

REIMBURSEMENTS TO GOVERNMENT AGENCIES

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Agriculture, Department of: | | |
| Dorick, Stanley J | Investigator | $6,323.24 |
| Wride, Charles | Editorial assistant | 2,260.71 |
| Air Force, Department of the: | | |
| Brown, R. M | Investigator | 3,678.00 |
| Tuomey, J. C | do | 1,331.68 |
| Army Audit Agency, U.S.: | | |
| Lowcher, Anthony T. | do | 4,004.37 |
| O'Leary, Lawrence J. | do | 1,714.21 |
| Wagner, Kenneth G. | do | 3,187.66 |
| Atomic Energy Commission: | | |
| Burke, J. J | do | 5,626.37 |
| Bureau of the Budget: | | |
| Falick, Lawrence | do | 3,337.61 |
| Civil Service Commission: | | |
| Beecher, Richard S | do | 1,110.14 |
| Coltrin, M. J | do | 3,979.37 |
| Commerce, Department of: | | |
| Shearer, Ross A | do | 6,392.40 |
| Stiewig, Nathan | do | 2,807.50 |
| Corps of Engineers: | | |
| Crossman, C. C | Investigator | $2,594.79 |
| Federal Bureau of Investigation: | | |
| Bronstad, T. A | do | 5,986.72 |
| Carson, W. D | do | 5,124.48 |
| Conroy, L. E | do | 5,411.84 |
| Debuck, H. L | do | 140.16 |
| Franklin, R. M | do | 6,286.08 |
| Garrett, C. F | do | 5,002.24 |
| Geiermann, F. H | do | 4,026.16 |
| Grealy, F. P | do | 5,082.88 |
| Health benefits fund. | | 759.76 |
| Hutchison, L. S | Investigator | 5,885.28 |
| Kaack, M. R | do | 5,828.08 |
| Lanphear, R. L | do | 4,351.76 |
| Law, W. C | do | 6,286.08 |
| Leen, M. P | do | 4,765.44 |
| Life insurance fund | | 375.92 |
| Lipscomb, W. P | Investigator | 152.16 |
| Lueders, L. M | do | 4,594.88 |
| McDowell, L. L | do | 6,592.88 |
| McGahey, H. B | do | 5,846.80 |
| Magee, E. H | do | 3,602.88 |
| Murphy, P. J | do | 3,249.28 |
| Neafsey, E. J | do | 5,598.40 |
| Nold, C. S | do | 4,736.80 |
| O'Brien, A. R | do | 4,887.68 |
| Reproduction of staff exhibits. | | 107.78 |
| Retirement fund | | 7,728.49 |
| Roberts, R. R | Investigator | 5,715.92 |
| Smith, M. A | Stenographer | 2,716.32 |
| Turner, P. A | Investigator | 6,899.68 |
| Vahey, E. W | do | 5,927.44 |
| Watkins, H. D | do | 3,602.88 |
| Federal Communications Commission: | | |
| Evans, John | do | 5,364.89 |
| General Services Administration: | | |
| Donahue, L. F | do | 3,394.40 |
| Health, Education, and Welfare, Department of: | | |
| Cassidy, T. J | do | 1,680.00 |
| National Aeronautics and Space Administration: | | |
| Rachlin, H. H | do | 3,927.86 |
| National Bureau of Standards: | | |
| Gautier, W. K | do | 1,072.00 |
| Navy, Department of the: | | |
| Rosen, Emanuel | do | 2,962.32 |
| Wilkenloh, C. E | do | 2,078.19 |
| Post Office Department: | | |
| Larson, W. D | do | 4,006.92 |
| Small Business Administration: | | |
| Harvith, A. J | do | 2,640.91 |
| Tennessee Valley Authority: | | |
| Johnson, J. M | do | 3,958.85 |
| Kvavan, Sven | do | 5,993.84 |
| Veterans Administration: | | |
| Kosinski, A. L | do | 3,677.27 |
| Travel and miscellaneous expense. | | 72,038.96 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $600,000.00 |
| Total amount expended from July 1, 1962, to Dec. 31, 1962 | 326,756.95 |
| Balance unexpended as of Dec. 31, 1962 | 273,243.05 |

CLARENCE CANNON,
*Chairman.*

JANUARY 7, 1963.

COMMITTEE ON ARMED SERVICES

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Robert W. Smart | Chief counsel | $9,082.14 |
| John R. Blandford | Counsel | 9,055.02 |
| Philip W. Kelleher | do | 9,055.02 |
| Frank M. Slatinshek | do | 9,055.02 |
| Oneta L. Stockstill | Committee secretary. | 4,813.10 |
| Berniece Kalinowski | Secretary | 4,813.10 |
| L. Louise Ellis | do | 4,813.10 |
| Edna E. Johnson | do | 4,041.42 |
| James A. Deakins | Bill clerk | 3,651.03 |
| M. Jane Binger | Secretary (to Dec. 1) | 3,018.38 |

OFFICE OF SPECIAL COUNSEL OPERATING PURSUANT TO H. RES. 78 AND 79, 87TH CONG.

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| John J. Courtney | Special counsel | $9,082.14 |
| Sam A. Nunn, Jr | Assistant counsel | 3,842.63 |
| Dorothy Britton | Secretary | 4,531.71 |
| Jane Wheelahan | do | 3,615.02 |
| Adeline Tolerton | Clerk | 3,397.79 |
| James Josey | Messenger | 2,005.29 |
| Mildred Cox | Secretary (from Sept. 16). | 2,152.23 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures (H. Res. 79) | $150,000.00 |
| Amount of expenditures previously reported | 83,093.27 |
| Amount expended from July 1, 1962 to Jan. 1, 1963 | 30,261.04 |
| Total amount expended from Jan. 1, 1961 to Jan. 1, 1963 | 113,354.31 |
| Balance unexpended as of Jan. 1, 1963 | 36,645.69 |

CARL VINSON,
*Chairman.*

JANUARY 3, 1963.

COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| John E. Barriere | Majority staff member. | $9,082.14 |
| Orman S. Fink | Minority staff member. | 9,082.14 |
| Robert R. Poston | Counsel | 9,082.14 |
| Thomas Graham, Jr | do | 9,082.14 |
| Helen L. Rogers | Deputy clerk (resigned Nov. 15, 1962). | 3,963.83 |
| Mary W. Layton | Assistant clerk (secretary to minority Dec. 1, 1962). | 5,355.94 |
| Marguerite Bean | Secretary to chairman. | 6,206.26 |
| Mary Elizabeth Mehler. | Secretary to minority (resigned Oct. 15, 1962). | 2,394.32 |
| Clark Warburton | Economist (e.o.d., Sept. 24, 1962). | 5,012.95 |
| Roger J. Brown | Editor | 6,179.14 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $205,000.00 |
| Amount of expenditures previously reported | 120,212.44 |

| | |
|---|---|
| Amount expended from July 1 to Dec. 31, 1962 | $55,586.68 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 175,799.12 |
| Balance unexpended as of Dec. 31, 1962 | 29,200.88 |

**Brent Spence,**
*Chairman.*

EMPLOYEES PURSUANT TO H. RES. 504, SUBCOMMITTEE ON HOUSING

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Kenneth W. Burrows | Housing economist | $8,393.52 |
| Royal L. Coburn | Minority counsel | 8,398.05 |
| James F. Fitzpatrick | Clerk (July 16 through Aug. 31, 1962). | 450.24 |
| Eleanor N. Hamilton | Research assistant | 3,609.63 |
| John J. McEwan, Jr | Deputy staff director. | 8,979.18 |
| Helen B. O'Bannon | Research assistant (e.o.d., Oct. 1, 1962). | 1,864.71 |
| Grady Perry, Jr | Clerk | 5,957.07 |
| Margaret E. Tucker | Secretary | 4,382.40 |
| Frances M. Yeakle | do | 3,522.99 |

| | |
|---|---|
| Balance from 1961 | $20,564.10 |
| Funds authorized or appropriated for committee expenditures | 100,000.00 |
| Amount expended January through June 1962 | 40,225.94 |
| Balance as of June 30, 1962 | 80,338.16 |
| Amount expended July through December 1962 | 51,992.42 |
| Balance as of Dec. 31, 1962 | 28,345.74 |
| Outstanding bills (approximate) | 3,500.00 |
| Balance | 24,845.74 |

**Brent Spence,**
*Chairman.*

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JANUARY 1, 1963.

### COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from June 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| W. N. McLeod, Jr | Clerk | $9,009.79 |
| Hayden S. Garber | Counsel | 8,286.29 |
| Leonard O. Hilder | Investigator | 6,115.84 |
| Clayton D. Gasque | Assistant clerk | 5,554.91 |
| James T. Clark | Associate counsel | 7,721.08 |
| Ann L. Puryear | Assistant clerk | 4,635.90 |
| Ellen M. Coxeter | do | 4,120.03 |
| Patricia Ann Dempsey. | do | 3,088.30 |
| Richard J. Cardnay | File clerk | 507.09 |
| James M. Earnest, Jr. | Assistant clerk | 1,259.79 |

| | |
|---|---|
| Amount available under H. Res. 159 | $10,000.00 |
| Amount expended | 321.93 |
| Balance available | 9,678.07 |

**John L. McMillan,**
*Chairman.*

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JANUARY 15, 1963.

### COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Louise Maxienne Dargans. | Chief Clerk | $9,082.14 |
| Russell C. Derrickson | Staff Director | 9,082.14 |
| Deborah P. Wolfe | Education chief | 9,082.14 |
| Howard G. Gamser | Chief counsel for labor-management. | 9,082.14 |
| Livingston L. Wingate. | Associate counsel for labor-management (ending Dec. 16, 1962). | 8,401.72 |
| Marvin R. Fullmer | Chief, investigative task force. | 9,082.14 |
| Richard T. Burress | Minority clerk | 9,064.04 |
| Donald F. Berens | Administrative assistant to the chairman. | 4,375.36 |
| Louise M. Wright | Administrative assistant. | 4,375.36 |
| Cabell Waller Berge | do | 4,375.36 |

| | |
|---|---|
| Amount of expenditures previously reported | $219,709.32 |
| Amount expended from July 1, 1962, to Dec. 31, 1962 | 76,002.54 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 295,711.86 |

**Adam C. Powell,**
*Chairman.*

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JANUARY 15, 1963.

### COMMITTEE ON EDUCATION AND LABOR (INVESTIGATING STAFF)

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| | |
|---|---|
| General Subcommittee on Education (chairman, Representative CLEVELAND M. BAILEY): | |
| Robert E. McCord, subcommittee clerk | $7,721.08 |
| Ruth P. Ebersole, assistant subcommittee clerk | 3,088.30 |
| General Subcommittee on Labor (chairman, Representative CARL D. PERKINS): | |
| Hartwell D. Reed, Jr., counsel | 7,721.08 |
| Gertrude L. Moser, secretary | 3,088.30 |
| Special Subcommittee on Education (chairman, Representative EDITH GREEN): | |
| John F. Morse, director | 9,082.14 |
| Betty R. Pryor, subcommittee clerk | 5,921.40 |
| William T. O'Hara, counsel | 4,891.22 |
| Muriel Greenhill, assistant director (ending Sept. 15, 1962) | 2,083.62 |
| William F. Gaul, assistant director (effective Sept. 16, 1962) | 3,062.92 |
| Mary June Wall, administrative assistant | 4,120.03 |
| Joanne M. Clark, secretary | 2,885.07 |
| Special Subcommittee on Labor (chairman, Representative JAMES ROOSEVELT): | |
| Edmund D. Edelman, counsel | 7,721.08 |
| Adrienne Fields, secretary | 3,088.30 |
| Select Subcommittee on Labor (chairman, Representative HERBERT ZELENKO): | |
| Harvey B. Cohen, counsel | 5,146.55 |
| Mollie D. Cohen, administrative assistant | 5,146.55 |
| Loriece Hackney, staff assistant (Sept. 1 to 30, 1962) | 616.58 |
| Denis A. Weinstock, staff assistant (Aug. 1 to Sept. 30, 1962) | 1,069.44 |
| Select Subcommittee on Education (chairman, Representative FRANK THOMPSON): | |
| John D. Hawke, Jr., counsel (ending Dec. 15, 1962) | 5,875.08 |
| Mary E. Corbin, secretary | 3,604.17 |
| Susan Liela Gordon, assistant clerk (ending Oct. 15, 1962) | 904.23 |
| Carla Otten, assistant clerk (ending Aug. 31, 1962) | 646.08 |
| Full committee staff: | |
| Jeanne Thomson, administrative assistant | $4,427.48 |
| Corrine Annette Huff, receptionist | 2,577.63 |
| Tamara J. Wall, assistant counsel (ending Dec. 31, 1962) | 4,635.90 |
| H. Roy Partridge, Jr., assistant clerk (Aug. 6 to 31, 1962) | 180.95 |
| Johnnie L. Graves, administrative assistant (ending Nov. 25, 1962) | 3,079.27 |
| James J. Saxon, assistant clerk (ending July 31, 1962) | 217.14 |
| John M. Henshaw, assistant clerk | 220.35 |
| Investigative task force: | |
| Leon Abramson, chief counsel | 7,721.08 |
| Arnold F. Block, investigator | 2,008.97 |
| Manuel Casiano, investigator | 2,160.20 |
| Odell Clark, chief investigator | 6,432.38 |
| Olive M. Gibbons, secretary | 3,088.30 |
| E. Zelda McNeal, clerk | 3,085.02 |
| Charles L. Mitchell, special investigator (effective Aug. 1, 1962) | 3,359.65 |
| Ruben I. Ortz, investigator (effective Sept. 1, 1962) | 1,742.77 |
| Waldo E. Parrish, administrative assistant | 3,604.17 |
| Herbert Ratner, special investigator (Oct. 1 to 31, 1962) | 634.66 |
| Alfredo Vidal, investigator | 5,146.55 |
| Investigative task force: | |
| John M. Young, consultant (ending July 31, 1962) | 833.45 |
| David Hepburn, investigator (effective Dec. 1, 1962) | 615.50 |
| Stanley E. Michels, special counsel (Oct. 1 to 31, 1962) | 952.74 |
| Minority staff: | |
| Beverly Pearson, secretary | 4,120.03 |
| Travel and miscellaneous expenses | 16,182.28 |
| Funds authorized or appropriated for committee expenditures | 633,000.00 |
| Amount of expenditures previously reported | 465,353.04 |
| Amount expended from July 1 to Dec. 31, 1962 | 164,509.79 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 629,862.83 |
| Balance unexpended as of Dec. 31, 1962 | 3,137.17 |

**Adam C. Powell,**
*Chairman.*

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JANUARY 15, 1963.

### COMMITTEE ON FOREIGN AFFAIRS

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Boyd Crawford | Staff administrator | $9,082.14 |
| Roy J. Bullock | Senior staff consultant. | 8,978.15 |
| Albert C. F. Westphal. | Staff consultant | 8,978.15 |
| Franklin J. Schupp | do | 8,896.75 |
| Robert F. Brandt | Investigator consultant. | 8,752.07 |
| Harry C. Cromer | Staff consultant | 8,548.55 |
| Philip B. Billings | Special assistant | 7,381.96 |
| Marian A. Czarnecki | Staff consultant | 8,236.59 |
| June Nigh | Senior staff assistant. | 7,205.60 |
| Helen C. Mattas | Staff assistant | 6,179.14 |
| Helen L. Hashagen | do | 6,047.98 |
| Mary Louise O'Brien | do | 5,953.06 |
| Mary Medsger | do | 3,687.52 |
| Doris B. McCracken | do | 4,681.04 |
| Robert J. Bowen | Clerical assistant | 4,052.29 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $155,000.00 |
| Amount of expenditures previously reported | 92,802.35 |
| Amount expended from July 1, to Dec. 31, 1962 | 37,417.65 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 130,220.00 |
| Balance unexpended as of Dec. 31, 1962 | 24,780.00 |

**Thomas E. Morgan,**
*Chairman.*

JANUARY 15, 1963.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to January 3, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

| | |
|---|---|
| Expenses, July 1, 1962, to Jan. 3, 1963: | |
| Full committee (expenses) | $1,075.41 |
| Executive and Legislative Reorganization Subcommittee | 42,944.29 |
| Military Operations Subcommittee | 39,332.12 |
| Government Activities Subcommittee | 35,234.36 |
| Intergovernmental Relations Subcommittee | 46,255.57 |
| Foreign Operations and Monetary Affairs Subcommittee | 36,579.81 |
| Special Donable Property Subcommittee | 17,099.33 |
| Special Government Information Subcommittee | 33,008.86 |
| Special Subcommittee on Assigned Power and Land Problems | 13,682.52 |
| Special Subcommittee on the Home Loan Bank Board | 11,897.87 |
| Total | 277,110.14 |

| | |
|---|---|
| Salaries, full committee, July 1, 1962, to Dec. 31, 1962: | |
| Christine Ray Davis, staff director | 9,082.14 |
| James A. Lanigan, general counsel | 9,082.14 |
| Miles Q. Romney, associate general counsel | 7,305.09 |
| Earle J. Wade, staff member | 6,477.58 |
| Dolores Fel'Dotto, staff member | 4,738.76 |
| Ann E. McLachlan, staff member | 4,586.23 |
| Patricia Maheux, staff member | 4,372.75 |
| Charlotte C. Bickett, staff member | 3,854.97 |
| Helen M. Boyer, minority professional staff | 8,286.29 |
| J. P. Carlson, minority counsel | 7,617.05 |
| Expenses, July 1, 1962, to Jan. 3, 1963: | |
| Full committee—Travel, publications, telephone, stationery supplies, etc., total | 1,075.41 |
| Executive and Legislative Reorganization Subcommittee, Hon. WILLIAM L. DAWSON, chairman: | |
| Elmer W. Henderson, counsel | 8,692.10 |
| Arthur Perlman, investigator | 7,431.67 |
| Daniel A. Kavanaugh, legal research analyst | 4,590.50 |
| Veronica B. Johnson, clerk | 4,144.77 |
| Irene Manning, clerk-stenographer | 4,144.77 |
| Domingo E. Ulibarri, clerical staff (Nov. 1, 1962 to Jan. 3, 1963) | 674.46 |
| Henry Coopersmith, staff member (July 1 to Sept. 30, 1962) | 900.48 |
| Expenses | 12,365.54 |
| Total | 42,944.29 |

| | |
|---|---|
| Military Operations Subcommittee, Hon. CHET HOLIFIELD, chairman: | |
| Herbert Roback, staff administrator | 9,239.51 |
| John Paul Ridgely, investigator | 6,037.82 |
| Douglas G. Dahlin, staff attorney | 5,453.84 |
| Robert J. McElroy, investigator | 4,716.23 |
| Mollie Jo Hughes, clerk-stenographer | 4,186.12 |
| Catherine L. Koeberlein, clerk-stenographer | 4,186.12 |
| Expenses | 5,512.48 |
| Total | 39,332.12 |

| | |
|---|---|
| Government Activities Subcommittee, Hon. JACK BROOKS, chairman: | |
| Edward C. Brooks, staff administrator (July 1 to Dec. 16, 1962) | 7,283.75 |
| Phineas Indritz, counsel | 8,429.87 |
| Ernest Cornish Baynard, associate counsel | 6,302.51 |
| Daniel L. Power, investigator | 4,191.42 |
| Irma Reel, clerk | 3,979.39 |
| Tanner T. Hunt, Jr., investigator (July 1 to Oct. 16, 1962) | 1,768.30 |
| Expenses | 3,279.12 |
| Total | 35,234.36 |

| | |
|---|---|
| Intergovernmental Relations Subcommittee, Hon. L. H. FOUNTAIN, chairman: | |
| James R. Naughton, counsel | 8,107.87 |
| Delphis C. Goldberg, professional staff member | 8,107.87 |
| Herbert B. Warburton, minority counsel | 7,749.04 |
| George O. Serini, investigator (Aug. 20, 1962 to Jan. 3, 1963) | 4,651.78 |
| William Donald Gray, research analyst | 4,716.23 |
| Eileen M. Anderson, clerk-stenographer | 4,186.12 |
| Bebe B. Terry, clerk-stenographer | 3,974.07 |
| Joan C. Montgomery, clerk-stenographer (July 1 to Aug. 31, 1962) | 961.44 |
| Expenses | 3,801.15 |
| Total | 46,255.57 |

| | |
|---|---|
| Foreign Operations and Monetary Affairs Subcommittee, Hon. PORTER HARDY, JR., chairman: | |
| John T. M. Reddan, chief counsel | $7,800.00 |
| Walton Woods, investigator | 7,431.67 |
| M. Joseph Matan, counsel | 7,325.84 |
| Charles Rothenberg, investigator | 6,773.82 |
| Phyllis Seymour, clerk | 4,186.12 |
| Millicent Y. Myers, clerk-stenographer Aug. 20, 1962, to Jan. 3, 1963) | 2,391.62 |
| Expenses | 670.74 |
| Total | 36,579.81 |

| | |
|---|---|
| Special Donable Property Subcommittee, Hon. JOHN S. MONAGAN, chairman: | |
| Ray Ward, staff administrator | 8,890.81 |
| Margaret B. O'Connor, clerk-stenographer | 3,762.04 |
| Clara Katherine Armstrong, clerical staff | 3,777.94 |
| Expenses | 668.54 |
| Total | 17,099.33 |

| | |
|---|---|
| Special Government Information Subcommittee, Hon. JOHN E. MOSS, chairman: | |
| Samuel J. Archibald, staff administrator | 8,429.87 |
| Jack Howard, professional staff member (July 1, to Dec. 31, 1962) | 6,703.66 |
| Harry S. Weidberg, assistant counsel | 5,913.62 |
| Benny L. Kass, assistant counsel (Aug. 25, 1962, to Jan. 3, 1963) | 2,616.01 |
| Helen K. Beasley, stenographer | 4,186.12 |
| Catherine L. Hartke, stenographer | 4,186.12 |
| Expenses | 973.46 |
| Total | 33,008.86 |

| | |
|---|---|
| Special Subcommittee on Assigned Power and Land Problems, Hon. JOHN E. MOSS, chairman: | |
| Sidney McClellan, professional staff member | 7,174.04 |
| Francis J. Schwoerer, staff member | 5,235.73 |
| Expenses | 1,272.75 |
| Total | 13,682.52 |

| | |
|---|---|
| Special Subcommittee on the Home Loan Bank Board, Hon. JOHN E. MOSS, chairman: | |
| David Glick, counsel | 8,107.87 |
| Marguerite A. Gleason, stenographer | 3,549.97 |
| Expenses | 240.03 |
| Total | 11,897.87 |
| Funds authorized or appropriated for committee expenditure (H. Res. 70-592, 87th Cong.) | 1,040,000.00 |
| Amount of expenditures previously reported | 692,907.77 |
| Amount expended from July 1, 1962, to Jan. 3, 1963 | 277,110.14 |
| Total amount expended from Jan. 4, 1961, to Jan. 3, 1963 | 970,017.91 |
| Balance unexpended as of Jan. 3, 1963 | 69,982.09 |

WILLIAM L. DAWSON,
*Chairman,*
*Committee on Government Operations.*

JANUARY 15, 1963.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Julian P. Langston | Chief clerk | $9,082.14 |
| Marjorie Savage | Assistant clerk | 7,834.10 |
| Mary F. Stolle | do | 4,010.59 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $30,000.00 |
| Amount of expenditures previously reported | 16,984.11 |
| Amount expended from July 1 to Dec. 31, 1962 | 667.22 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 17,651.33 |
| Balance unexpended as of Dec. 31, 1962 | 12,348.67 |

OMAR BURLESON,
*Chairman.*

JANUARY 14, 1963.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Professional staff: | | |
| Sidney L. McFarland. | Professional staff director and engineering consultant. | $8,602.82 |
| T. Richard Witmer | Counsel | 8,286.29 |
| John L. Taylor | Consultant on territorial and Indian affairs. | 8,286.29 |
| Milton A. Pearl | Consultant on mining, minerals, and lands. | 8,286.29 |
| Clerical staff: | | |
| Nancy J. Arnold | Chief clerk | 7,381.96 |
| Dixie S. Duncan | Clerk | 4,114.82 |
| Penelope P. Harvison. | Clerk (resigned as of Dec. 31, 1962). | 4,114.82 |
| Virginia E. Bedsole | Clerk | 3,906.38 |
| Patricia B. Freeman. | do | 3,508.56 |
| Susan A. Whitener | do | 3,284.03 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $60,000.00 |
| Amount of expenditures previously reported | 39,531.77 |
| Amount expended from July 1 to Dec. 31, 1962 | 6,607.26 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 46,139.03 |
| Balance unexpended as of Dec. 31, 1962 | 13,860.97 |

WAYNE N. ASPINALL,
*Chairman.*

JANUARY 3, 1963.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Clerical staff: | | |
| W. E. Williamson | Clerk | $9,082.14 |
| Kenneth J. Painter | First assistant clerk | 7,535.67 |
| Marcella Fencl | Assistant clerk | 4,708.87 |
| Glenn L. Johnson | Printing editor | 6,387.12 |
| Joanne C. Neuland | Clerical assistant | 3,958.48 |
| Mildred H. Lang | do | 3,958.48 |
| Mary Ryan | do | 3,958.48 |
| Roy P. Wilkinson | Assistant clerk | 3,750.08 |
| Professional staff: | | |
| Andrew Stevenson | Expert | 9,082.14 |
| Kurt Borchardt | Legal counsel | 9,082.14 |
| Sam G. Spal | Research specialist | 9,082.14 |
| Martin W. Cunningham. | Aviation consultant | 9,082.14 |

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Additional temporary employees under H. Res. 108 and H. Res. 165: | | |
| Gladys Johnson | Clerical assistant | $4,280.00 |
| Margaret J. Robinson. | Staff assistant | 8,024.04 |
| Elsie M. Karpowich | Clerical assistant | 3,958.48 |
| Catherine C. McLees. | do | 3,958.48 |
| Thomas D. Conway | Special counsel (H. Res. 420 and H. Res. 439). | 9,027.85 |
| John W. Kreuzburg | Messenger (from Sept. 14, 1962). | 1,356.65 |
| Robert Hughes Crank. | Messenger (to July 15, 1962). | 181.29 |
| Walter E. Williamson, Jr. | Messenger (Aug. 16 to Sept. 10, 1962). | 302.15 |
| David Lee Cathey | Messenger (July 16 to Aug. 15, 1962). | 362.58 |
| Gordon M. McNulty, Jr. | Clerical assistant (July 2 to 31, 1962). | 350.49 |
| Patricia Ann Marsh | Clerical assistant (to Aug. 31, 1962). | 725.16 |
| Special Subcommittee on Regulatory Agencies: | | |
| Charles P. Howze, Jr. | Chief counsel | 9,027.85 |
| George W. Perry | Associate counsel | 7,381.96 |
| Herman Clay Beasley. | Subcommittee clerk | 7,434.04 |
| Stuart C. Ross | Consultant | 8,299.88 |
| Rex Sparger | Special assistant | 6,179.14 |
| Robert E. L. Richardson. | Staff attorney | 5,171.91 |
| Lurlene Wilbert | Clerical assistant (to Aug. 31, 1962). | 1,479.56 |
| Elizabeth G. Paola | Clerical assistant | 3,750.08 |
| Betty J. Lantrip | Stenographer-clerk | 3,645.85 |
| Louise B. Ferebee | do | 1,874.59 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $585,000.00 |
| Amount of expenditures previously reported | 232,975.19 |
| Amount expended from July 1 to Dec. 31, 1962 | 100,816.93 |
| Total amount expended from Jan. 1, 1961 to Dec. 31, 1962 | 333,792.12 |
| Balance unexpended as of Dec. 31, 1962 | 251,207.88 |

**Oren Harris,**
*Chairman.*

JANUARY 15, 1963.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Bess E. Dick | Staff director | $9,082.14 |
| William R. Foley | General counsel | 9,082.14 |
| Walter M. Besterman | Legislative assistant | 9,082.14 |
| Murray Drabkin | Counsel | 8,752.07 |
| Stuart H. Johnson, Jr. | do | 8,752.07 |
| Garner J. Cline | Assistant counsel | 6,568.03 |
| William H. Copenhaver. | Associate counsel | 5,664.33 |
| Carrie Lou Allen | Clerical staff | 4,114.82 |
| Anne J. Berger | do | 5,844.53 |
| Jane C. Caldwell | do | 4,219.05 |
| Frances F. Christy | do | 5,355.94 |
| Helen Goldsmith | do | 5,052.76 |
| Velma Smedley | do | 5,554.91 |

SALARIES PAID JULY 1, 1962, THROUGH DEC. 31, 1962, PURSUANT TO H. RES 56, H. RES. 68, H. RES. 500, 87TH CONG.

| Employee | Position | Salary |
|---|---|---|
| Appel, Leonard | Assistant counsel | $7,653.24 |
| Becker, Albert F | Clerical staff (to Aug. 18, 1962). | 496.60 |
| Beland, Lorraine W | Clerical staff | 3,334.68 |
| Burak, Gertrude C | do | 4,740.11 |
| Cors, Allan D | Deputy associate counsel. | 3,989.73 |
| Cuddy, Karen M | Clerical staff (as of Oct. 22, 1962). | 1,210.05 |
| Eisenberg, Roberta E | Clerical staff | 4,010.59 |
| Greenwald, Andrew E | Clerical staff (to Sept. 9, 1962). | 600.32 |
| Haardt, Alma B | Clerical staff | 3,072.68 |
| Hall, Patricia J | do | 3,192.48 |
| Hyman, Joseph | Counsel | 8,236.59 |
| Jett, R. Frederick | Assistant counsel | 7,201.06 |
| Kelemonick, Michael | Clerical staff | 3,697.96 |
| Levy, Joseph M | do | 5,146.55 |
| McCabe, Mary Wass | do | 3,192.48 |
| Marcus, Philip | Associate counsel | 8,137.10 |
| Meekins, Elizabeth G | Clerical staff | 4,010.59 |
| Roseninan, Louis | Associate counsel | 7,155.84 |
| Simms, Regina H | Clerical staff (to Dec. 16, 1962). | 3,187.17 |
| Sky, Theodore | Assistant counsel | 6,100.78 |
| Williams, Stephen L | Messenger | 2,551.56 |
| Zelenko, Benjamin L | Assistant counsel | 5,447.43 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $400,000.00 |
| Amount of expenditures previously reported | 253,315.98 |
| Amount expended from July 1 through Dec. 31, 1962 | 101.428.40 |
| Total amount expended from Jan. 4, 1961, through Dec. 31, 1962 | 354,744.38 |
| Balance unexpended as of Dec. 31, 1962 | 45,255.62 |

SPECIAL SUBCOMMITTEE ON STATE TAXATION OF INTERSTATE COMMERCE—SALARIES PAID JULY 1, 1962, THROUGH DEC. 31, 1962, PURSUANT TO H. RES. 204 AND H. RES. 663, 87TH CONG.

| Employee | Position | Salary |
|---|---|---|
| Ainsworth, Kenneth G. | Economist | $5,580.48 |
| Bankester, Claude E | Counsel (Aug. 1 to Sept. 16, 1962). | 1,375.95 |
| Breslow, Jerome W | Assistant counsel | 4,077.84 |
| Charles, Eric J | Clerical staff (July 2 to Sept. 2, 1962). | 412.26 |
| Gram, Astrid E | Clerical staff (as of Aug. 20, 1962). | 2,348.05 |
| Greess, Constance | Clerical staff | 3,593.73 |
| Guy, Daniel S | Assistant counsel (Aug. 1 to Nov. 3, 1962). | 2,588.97 |
| Hammond, Martha G. | Clerical staff | 3,406.47 |
| Lehman, Leland C | Economist | 5,921.40 |
| May, Julia M | Assistant counsel | 3,330.74 |
| Melville, Robert F | Senior economist | 7,205.60 |
| Partridge, Anthony | Counsel | 7,205.60 |
| Pharr, Norman M | Clerical staff (as of Sept. 4, 1962). | 1,835.12 |
| Sutherland, David A | Counsel | 7,122.12 |
| Waggoner, Anne | Clerical staff | 3,192.48 |
| Zeifman, Jerome M | Counsel | 5,664.33 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $250,000.00 |
| Amount of expenditures previously reported | 123,188.89 |
| Amount expended from July 1 through Dec. 31, 1962 | 76,482.13 |
| Total amount expended from Mar. 15, 1961, through Dec. 31, 1962 | 199,671.02 |
| Balance unexpended as of Dec. 31, 1962 | 50,328.98 |

FUNDS FOR PREPARATION OF UNITED STATES CODE, DISTRICT OF COLUMBIA CODE, AND REVISION OF THE LAWS

| | |
|---|---|
| A. Preparation of new edition of United States Code (no year): | |
| Unexpended balance June 30, 1962 | $99,076.49 |
| Expended July 1–Dec. 31, 1962 | 21,055.19 |
| Balance Dec. 31, 1962 | 78,021.30 |
| B. Preparation of new edition of District of Columbia Code: | |
| Unexpended balance June 30, 1962 | 45,898.64 |
| Expended July 1–Dec. 31, 1962 | 8,761.60 |
| Balance Dec. 31, 1962 | 37,137.04 |
| C. Revision of the laws, 1962: | |
| Unexpended balance June 30, 1962 | $217.17 |
| Expended July 1–Dec. 31, 1962 | 20.00 |
| Balance Dec. 31, 1962 | 197.17 |
| D. Revision of the laws, 1963: | |
| Legislative Appropriation Act, 1963 | 19,515.00 |
| Expended July 1–Dec. 31, 1962 | 9,098.29 |
| Balance Dec. 31, 1962 | 10,416.71 |

**Emanuel Celler,**
*Chairman.*

DECEMBER 31, 1962.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| John M. Drewry | Chief counsel | $9,082.14 |
| Bernard J. Zincke | Counsel | 8,467.17 |
| Ned P. Everett | Assistant counsel | 6,640.36 |
| W. B. Winfield | Chief clerk | 8,390.53 |
| Francis P. Still | Assistant clerk | 5,176.88 |
| Ruth A. Brookshire | do | 4,114.82 |
| Edith W. Gordon | Secretary | 4,114.82 |
| Vera A. Barker | do | 4,114.82 |
| E. M. Tollefson | Minority clerk | 4,948.53 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $75,000.00 |
| Amount of expenditures previously reported | 31,072.56 |
| Amount expended from June 30, to December 31, 1962 | 6,396.83 |
| Total amount expended from January 1, 1961 to December 31, 1962 | 37,469.39 |
| Balance unexpended as of December 31, 1962 | 37,530.61 |

**H. C. Bonner,**
*Chairman.*

JANUARY 10, 1963.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Charles E. Johnson | Staff director | $9,057.06 |
| George M. Moore | Counsel | 9,057.06 |
| B. Benton Bray | Professional staff member. | 8,376.76 |
| John H. Martiny | Associate counsel | 8,303.52 |
| William A. Irvine | Staff member | 7,951.64 |
| Lillian L. Hopkins | Assistant clerk | 5,392.27 |
| John B. Price | do | 4,635.90 |
| Lucy K. Daley | do | 4,635.90 |
| Elsie K. Thornton | Secretary | 4,396.69 |
| Blanche M. Simons | do | 4,026.92 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $125,000.00 |

| | |
|---|---|
| Amount of expenditures previously reported | $83,182.34 |
| Amount expended from July 1 to Dec. 31, 1962 | 24,010.93 |
| Total amount expended from Feb. 28, 1961, to Dec. 31, 1962 | 107,193.27 |
| Balance unexpended as of Dec. 31, 1962 | 17,806.73 |

TOM MURRAY,
*Chairman.*

JANUARY 14, 1963.

### COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Standing committee: | | |
| Margaret R. Beiter | Staff director | $9,082.14 |
| Richard J. Sullivan | Chief counsel | 9,082.14 |
| Clifton W. Enfield | Minority counsel | 8,752.07 |
| Joseph R. Brennan | Engineer-consultant | 9,082.14 |
| Stephen V. Feeley | Subcommittee clerk | 6,477.58 |
| Helen M. Dooley | Staff assistant | 7,381.96 |
| Helen A. Thompson | do | 6,025.39 |
| Dorothy A. Beam | do | 5,355.94 |
| S. Philip Cohen | do | 4,635.90 |
| Ester M. Saunders | Clerk-messenger | 3,145.61 |

#### SALARIES PAID, JULY 1 THROUGH DEC. 31, 1962, PURSUANT TO H. RES. 136, 87TH CONG.

| | | |
|---|---|---|
| Durward G. Evans | Subcommittee clerk | $5,052.76 |
| John A. O'Connor, Jr. | do | 5,052.76 |
| William B. Short, Jr. | do | 5,052.76 |
| Peter M. Gentilini | Subcommittee clerk (through Nov. 30, 1962). | 4,592.36 |
| Milton Weil | Staff assistant | 5,146.55 |
| Erla S. Youmans | Minority staff assistant. | 4,251.31 |
| Agnes M. GaNun | Staff assistant | 3,677.08 |
| Flavil Q. Van Dyke, Jr. | Minority clerical assistant. | 3,385.31 |
| Murray S. Pashkoff | Investigator | 2,577.63 |
| Sterlyn B. Carroll | Clerk-messenger (through July 31, 1962). | 509.41 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $178,000.00 |
| Amount of expenditures previously reported | 128,462.13 |
| Amount expended from July 1 to Dec. 31, 1962 | 43,336.35 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 171,798.48 |
| Balance unexpended as of Dec. 31, 1962 | 6,201.52 |

#### SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM—SALARIES PAID, JULY 1 THROUGH DEC. 31, 1962, PURSUANT TO H. RES. 136, 87TH CONG.

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Walter R. May | Chief counsel | $9,082.14 |
| John P. Constandy | Assistant chief counsel. | 8,390.30 |
| Robert L. May | Minority counsel | 8,430.99 |
| James J. Fitzpatrick | Associate counsel | 7,201.06 |
| Robert A. McElligott | do | 7,201.06 |
| Salvatore D'Amico | do | 6,658.44 |
| George M. Martin | Administrative assistant. | 7,662.31 |

#### SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM—SALARIES PAID, JULY 1 THROUGH DEC. 31, 1962, PURSUANT TO H. RES. 136, 87TH CONG.—continued

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| George M. Kopecky | Chief investigator | $7,987.86 |
| John N. Dinsmore | Investigator | 6,794.11 |
| James P. Kelly | do | 6,658.44 |
| Sherman S. Willse | do | 6,568.03 |
| George E. Burgess | do | 5,921.40 |
| John P. O'Hara | do | 5,921.40 |
| A. Courtney Hayden, Jr. | Investigator (through Aug. 17, 1962). | 1,299.03 |
| Carl J. Lorenz, Jr. | Investigator (as of Nov. 1, 1962). | 1,833.74 |
| Kathryn M. Keeney | Chief clerk | 4,224.24 |
| Harry A. Samberg | Research assistant | 4,120.03 |
| Mildred E. Rupert | Staff assistant | 3,708.38 |
| Jean H. Cameron | Staff assistant (through Aug. 31, 1962). | 1,163.96 |
| Dolores K. Dougherty | Staff assistant | 3,593.73 |
| Sara L. Vollett | do | 3,192.48 |
| Sylvia H. Reppert | Minority staff assistant. | 3,088.30 |
| Bruce B. MacIntyre | Research assistant (through Aug. 31, 1962). | 900.68 |
| Shirley R. Knighten | Staff assistant | 2,577.63 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $772,000.00 |
| Amount of expenditures previously reported | 442,089.11 |
| Amount expended from July 1 to Dec. 31, 1962 | 151,245.86 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 593,334.97 |
| Balance unexpended as of Dec. 31, 1962 | 178,665.03 |

#### SELECT SUBCOMMITTEE ON REAL PROPERTY ACQUISITION—SALARIES PAID, JULY 1 THROUGH DEC. 31, 1962, PURSUANT TO H. RES. 433, 87TH CONG.

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Ruth M. Heritage | Chief clerk (through Aug. 31, 1962). | $2,185.88 |
| Rosalyn P. Woodmansee. | Acting chief clerk (as of Sept. 1, 1962). | 4,169.53 |
| Henry H. Krevor | Chief counsel | 8,752.07 |
| Robert J. Bolger | Minority counsel (as of Oct. 1, 1962). | 4,334.97 |
| Joe W. Ingram | Associate counsel | 6,600.12 |
| Roy Markon | Associate counsel (as of Oct. 1, 1962). | 3,230.60 |
| Dorothy S. Martin | Secretary | 4,641.13 |
| Ruth Butterworth | Minority staff assistant. | 4,380.55 |
| Florence C. Waters | Research assistant | 4,120.03 |
| Meriam R. Buckley | Staff assistant | 3,281.08 |
| Sterlyn B. Carroll | Clerk-messenger | 2,636.20 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $150,000.00 |
| Amount of expenditures previously reported | 59,645.49 |
| Amount expended from July 1 to Dec. 31, 1962 | 51,017.13 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 110,662.62 |
| Balance unexpended as of Dec. 31, 1962 | 39,337.38 |

CHARLES A. BUCKLEY,
*Chairman.*

JANUARY 21, 1963.

### COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| T. M. Carruthers | Clerk, standing committee. | $6,929.76 |
| Mary S. Forrest | Assistant clerk | 5,052.56 |
| D. E. Lukens | Minority clerk | 4,740.11 |
| T. K. Leachman | Messenger (Aug. 1-Sept. 18, 1962). | 695.76 |

HOWARD W. SMITH,
*Chairman.*

JANUARY 14, 1963.

### COMMITTEE ON SCIENCE AND ASTRONAUTICS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Charles F. Ducander | Executive director and chief counsel. | $9,082.14 |
| John A. Carstarphen, Jr. | Chief clerk | 9,082.14 |
| Philip B. Yeager | Counsel | 9,082.14 |
| Frank R. Hammill, Jr. | do | 7,978.82 |
| Mary Ann Robert | Secretary | 3,765.70 |
| Jane J. Zetty | Secretary (July 1-Dec. 8, 1962). | 3,287.19 |
| Eva F. Lopez | Secretary | 3,765.70 |
| Emily Dodson | do | 3,765.70 |
| Carol F. Rodgers | do | 3,604.17 |
| Patricia B. Harford | Secretary (Dec. 3-31, 1962). | 350.33 |
| INVESTIGATIONS SUBCOMMITTEE | | |
| Raymond Wilcove | Staff consultant | $8,535.02 |
| Richard P. Hines | do | 7.978.82 |
| W. H. Boone | Technical consultant (Aug. 6-Dec. 31, 1962). | 6,458.11 |
| Katherine V. Flanigan | Assistant clerk | 4.740.11 |
| Joseph M. Felton | Publications clerk | 3,343.59 |
| Denis Quigley | Assistant publications clerk. | 1,957.35 |
| Mary Ann Temple | Secretary | 3,604.17 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $300,000.00 |
| Amount of expenditures previously reported | 148,603.01 |
| Amount expended from July 1 to Dec. 31, 1962 | 67.312.74 |
| Total amount expended from Feb. 28, 1961, to Dec. 31, 1962 | 215,915.75 |
| Balance unexpendeded as of Dec. 31, 1962 | 84,084.25 |

GEORGE P. MILLER,
*Chairman.*

JANUARY 15, 1963.

### COMMITTEE ON UN-AMERICAN ACTIVITIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved

**August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Standing committee: | | |
| Appell, Donald T | Investigator | $7,730.11 |
| Joray, Juliette P | Recording clerk | 5,844.53 |
| McNamara, Francis J. | Director | 8,261.70 |
| Nagel, Isabel B | Secretary to counsel | 4,010.59 |
| Purdy, Rosella A | Secretary to general counsel. | 4,823.48 |
| Tavenner, Frank S., Jr. | General counsel | 8,824.74 |
| Turner, Anne D | Chief of reference and files. | 5,889.72 |
| Veley, Lorraine N | Secretary to investigators. | 3,802.19 |
| Watts, Vera | Secretary | 3,531.17 |
| Wheeler, William A | Investigator | 7,291.51 |
| Investigating committee: | | |
| Alario, Robert J | Clerk-typist (resigned Aug. 31, 1962). | 750.48 |
| Arens, Margaret Ann. | Clerk-typist (resigned Sept. 10, 1962). | 700.37 |
| Armijo, Doris Joe | Clerk-typist (resigned Sept. 15, 1962). | 906.45 |
| Baldwin, Beatrice P | Clerk-typist | 2,759.98 |
| Benedict, John R | Research analyst | 4,635.90 |
| Brown, Frances Rosalyn. | Information analyst | 2,770.36 |
| Burke, Gerard F | Clerk-typist | 2,399.67 |
| Butler, Daniel | do | 2,551.56 |
| Carlson, Charlotte B. | Research analyst | 3,567.66 |
| Collins, Raymond T. | Investigator | 5,156.99 |
| Courie, Kathleen | Clerk-stenographer | 4 114.82 |
| Cullen, Theresa J | Clerk-typist | 2,238.93 |
| Cunningham, Anniel. | Information analyst | 3,828.20 |
| Curll, Jean W | Clerk-stenographer | 3,088.30 |
| Edinger, Elizabeth L. | Editor | 4 109.59 |
| Edmondson, Carol A. | Clerk-typist (appointed Sept. 4, 1962). | 1,360.14 |
| Ellsweig, Rochelle | Clerk-typist (appointed Sept. 17, 1962). | 1,154.33 |
| Fantozzi, Ettorina | Clerk-stenographer (appointed Sept. 1, 1962). | 1,444.77 |
| Francis, Emily R | Information analyst | 2,551.56 |
| Fritz, Kathleen | Clerk-typist (resigned Aug. 4, 1962). | 378.28 |
| Gittings, Helen M | Research analyst | 4,740.11 |
| Goldblatt, Herbert | Clerk-typist (resigned Aug. 31, 1962). | 600.32 |
| Gredecky, Betty A | Clerk-stenographer | 2,885.07 |
| Holton, Katherine R. | Research clerk | 2,771.39 |
| Huber, Walter B | Consultant | 7,381.96 |
| Kelly, Maura Patricia. | Research analyst | 3,051.80 |
| King, Olive M | Editor | 4,583.78 |
| Kocis, Evelyn M | Secretary to director | 3,140.40 |
| Lewis, Charlotte Ridgeley. | Legal research clerk (resigned Nov. 30, 1962). | 2,768.54 |
| Margetich, William | Investigator | 3,666.70 |
| Miller, Ashley M | Clerk-typist (resigned Aug. 31, 1962). | 600.32 |
| Moll, Brenda J | Clerk-stenographer (appointed July 9, 1962). | 2,710.62 |
| Muffley, David E., Jr. | Clerk-typist | 2,832.96 |
| Muller, Jane S | Information analyst | 3,072.68 |
| Nittle, Alfred M | Counsel | 7,205.60 |
| Pfaff, Alma T | Editor | 2,874.63 |
| Phillips, Katharine | Switchboard operator. | 2,629.75 |
| Josephine S. Randolph. | Research clerk | 2,968.45 |
| Russell, Louis J | Investigator | 6,025.39 |
| Salathe, Doris | Clerk-typist | 2,317.09 |
| Stiles, Lela Mae | Information analyst | 3,114.35 |
| Shaw, Doris P | do | 2,780.84 |
| Sturtevant, Albert D. | Clerk-typist (resigned Sept. 10, 1962). | 700.37 |
| Investigating—Con. | | |
| Sweany, Donald I | Research analyst (appointed July 16, 1962). | $4,260.53 |
| Tredway, Sarah Ellen. | Clerk-typist (resigned Sept. 1, 1962). | 480.26 |
| Valente, Mary Myers. | Secretary | 4,625.49 |
| Unangst, Geraldine M. | Clerk-typist (resigned Sept. 15, 1962). | 906.45 |
| Walsh, John C | Counsel (resigned Aug. 31, 1962). | 1,792.72 |
| Wetterman, Neil E | Investigator | 4,912,18 |
| Wheeler, Billie | Secretary | 2,042.13 |
| Yohe, John A | Staff member | 5,664.33 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $681,000.00 |
| Amount of expenditures previously reported | 493,419.10 |
| Amount expended from July 1, 1962 to Jan. 1, 1963 | 171,759.26 |
| Total amount expended from Jan. 4, 1961, to Jan. 1, 1963 | 665,178.36 |
| Balance unexpended as of Jan. 1, 1963 | 15,821.64 |

FRANCIS E. WALTER,
*Chairman.*

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JANUARY 14, 1963.

### COMMITTEE ON VETERANS' AFFAIRS

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Standing committee staff: | | |
| Oliver E. Meadows | Staff director (P) | $9,082.14 |
| Edwin B. Patterson | Counsel (P) | 9,082.14 |
| John R. Holden | Professional staff member. | 6,376.79 |
| Billy E. Kirby | Professional aid | 6,658.44 |
| George W. Fisher | Clerk | 9,082.14 |
| Jack Z. Anderson | Professional aid | 686.37 |
| Paul K. Jones | Assistant clerk | 6,477.58 |
| Helen A. Biondi | do | 5,311.18 |
| George J. Turner | do | 4,427.48 |
| Alice V. Matthews | Clerk-stenographer | 4,427.48 |
| Joanne Doyle | do | 3,802.19 |
| Investigative staff: | | |
| Adin M. Downer | Staff member | 6,916.18 |
| Michael J. Davis | Clerk-messenger | 1,087.74 |
| John D. Dunman | do | 398.84 |
| William F. Ikard | do | 362.58 |
| Wilma Jean Johnson | Clerk-stenographer | 3,802.19 |
| Audrey J. Lyle | Secretary | 1,130.20 |
| Ruth E. Wilcox | Clerk-stenographer | 2,065.17 |
| Kay N. Small | do | 2,864.21 |
| Mildred Blackwell | do | 1,395.39 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $150,000.00 |
| Amount of expenditures previously reported | 78,005.05 |
| Amount expended from July 1 to Dec. 31, 1962 | 31,513.36 |
| Total amount expended from Jan. 3, 1961, to Dec. 31, 1962 | 109,518.41 |
| Balance unexpended as of Dec. 31, 1962 | 40,481.59 |

OLIN E. TEAGUE,
*Chairman.*

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JANUARY 10, 1963.

### COMMITTEE ON WAYS AND MEANS

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Leo H. Irwin | Chief counsel (C) | $9,082.14 |
| William H. Quealy | Minority counsel (P). | 9,082.14 |
| John M. Martin, Jr | Assistant chief counsel (P). | 8,919.35 |
| Gerard M. Brannon | Professional assistant (P). | 8,919.35 |
| Raymond F. Conkling. | do | 8,544.05 |
| Alfred R. McCauley | do | 8,494.33 |
| Florence Burkett | Staff assistant (C) (from Sept. 1, 1962). | 2,524.90 |
| Virginia Butler | Staff assistant (C) | 4,839.10 |
| William Byrd | do | 2,473.09 |
| Frances E. Donovan | do | 4,734.92 |
| Ann Fadeley | do | 3,192.47 |
| William Goodrich | do | 5,146.55 |
| Olga Kay Greene | do | 4,114.82 |
| Grace Kagan | do | 4,839.10 |
| June Kendall | do | 5,201.74 |
| Elizabeth Ruth | do | 4,271.13 |
| Eileen Sonnett | do | 4,093.96 |
| Susan Taylor | do | 5,455.43 |
| Irene Wade | do | 4,510.82 |
| David West | do | 3,614.16 |
| Hughlon Greene | Document clerk (C) | 3,430.26 |
| Walter Little | Document clerk | 3,453.05 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $25,000.00 |
| Amount of expenditures previously reported | 5,506.20 |
| Amount expended from July 1 to Dec. 31, 1962 | 4,269.46 |
| Total amount expended from Jan. 1, 1961, to Dec. 31, 1962 | 9,775.66 |
| Balance unexpended as of Dec. 31, 1962 | 15,224.34 |

WILBUR D. MILLS,
*Chairman.*

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DECEMBER 31, 1962.

### SELECT COMMITTEE ON SMALL BUSINESS

To the CLERK OF THE HOUSE:

**The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:**

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Charles S. Beller | Counsel | $7,330.46 |
| Katherine C. Blackburn. | Research analyst | 4,239.14 |
| Herman J. Blubaugh | do | 620.57 |
| Jean H. Cameron | Secretary | 2,322.21 |
| Miriam M. DeHaas | Secretary-stenographer. | 1,000.26 |
| Jean W. Fender | Administrative assistant | 4,626.13 |
| Justinus Gould | Counsel | 7,969.85 |
| Helen C. Hitz | Secretary | 3,666.62 |

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Harrison F. Houghton. | Chief economist | $8,429.87 |
| Katharine F. Johnston. | Secretary | 1,849.15 |
| Gertrude Jonson | do | 3,406.85 |
| Sylvia U. Keel | do | 3,666.62 |
| William M. Kennedy | Research analyst | 1,755.70 |
| Barbara Wright McConnell. | Secretary | 4,292.16 |
| Richard L. Mitchell | Counsel | 4,191.42 |
| Harry Olsher | Consultant | 6,247.77 |
| Margaret Fallon Palmer. | Research analyst | 4,028.09 |
| Gregg R. Potvin | General counsel | 8,567.78 |
| Audrey Redwine | Secretary-stenographer. | 3,058.68 |
| J. Brooks A. Robertson. | Staff director | 9,165.93 |
| Joseph A. Seeley | Counsel | 7,330.46 |
| Baron I. Shacklette | Chief investigator | 8,155.28 |
| Audrey R. Smith | Research analyst | 4,239.14 |
| Marie M. Stewart | Clerk | 4,626.13 |
| Penelope Walcott | Secretary | 3,499.77 |
| Ned L. Wernet | Research analyst | 4,800.47 |
| Alva Wood | Stenographer | 36.15 |
| Carole M. Xander | Secretary-stenographer. | 1,794.31 |
| Total | | 124,916.97 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $580,000.00 |
| Amount of expenditures previously reported | 396,760.54 |
| Amount expended from July 1 to Dec. 31, 1962 | 147,802.64 |
| Total amount expended from Jan. 4, 1961 to Dec. 31, 1962 | 544,563.18 |
| Balance unexpended as of Dec. 31, 1962 | 35,436.82 |

**Wright Patman,**
*Chairman.*

December 31, 1962.

Select Committee on Export Control

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1962, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| Fred Hallford | Staff director | $7,150.00 |
| A. Courtney Hayden, Jr. | Consultant (Sept. 27–Oct. 11, 1962). | 500.00 |
| Blanche R. Plant | Stenographer-clerk | 3,802.19 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $50,000.00 |
| Amount of expenditures previously reported | 35,837.55 |
| Amount expended from July 1 to Dec. 31, 1962 | 11,706.33 |
| Total amount expended from Sept. 7, to Dec. 31, 1962 | 47,543.88 |
| Balance unexpended as of Dec. 31, 1962 | 2,456.12 |

**A. Paul Kitchin,**
*Chairman.*

January 10, 1963.

Special Committee To Investigate Campaign Expenditures, 1962

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 4-month period from September 1, 1962, to January 3, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

| Name of employee | Profession | Total gross salary during 6-month period |
|---|---|---|
| John Warren McGarry. | Chief counsel | $7,000.00 |
| Hal Gerber | Associate counsel | 7,000.00 |
| John J. McGovern | do | 3,000.00 |
| Paul R. S. Yates | Investigator | 3,177.13 |
| Ruth M. Heritage | Clerk (appointed Sept. 1, 1962). | 4,579.95 |
| Gillis W. Long | Consultant | 476.76 |
| Barbara Bourgeois | Secretary | 1,419.10 |

| | |
|---|---|
| Funds authorized or appropriated for committee expenditures | $35,000.00 |
| Total amount expended from Sept. 1, 1962, to Jan. 3, 1963 | 27,832.01 |
| Balance unexpended as of Jan. 3, 1963 (approximate only; all bills not yet received) | 7,167.99 |

**Clifford Davis,**
*Chairman.*

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

263. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Deposit Insurance Corporation for the year ended June 30, 1962 (H. Doc. No. 44); to the Committee on Government Operations and ordered to be printed.

264. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Savings and Loan Insurance Corporation for the year ended June 30, 1962 (H. Doc. No. 45); to the Committee on Government Operations and ordered to be printed.

265. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal home loan banks for the year ended June 30, 1962 (H. Doc. No. 46); to the Committee on Government Operations and ordered to be printed.

266. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Prison Industries, Inc., for the fiscal year ended June 30, 1962 (H. Doc. No. 47); to the Committee on Government Operations and ordered to be printed.

267. A letter from the Chief Justice of the United States, transmitting a report of the amendments to the Rules of Civil Procedure for the U.S. district courts, which have been adopted by the Supreme Court, pursuant to title 28, United States Code, section 2072. Accompanying these amendments is the report of the Judicial Conference of the United States, submitted to the Court for its consideration pursuant to title 28, United States Code, section 331 (H. Doc. No. 48); to the Committee on the Judiciary and ordered to be printed.

268. A letter from the director, the American Legion, transmitting the proceedings of the 44th Annual National Convention of the American Legion, held in Las Vegas, Nev., October 9–11, 1962, pursuant to Public Law 249, 77th Congress (H. Doc. No. 49); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

269. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480, agreements concluded during December 1962, pursuant to Public Law 85–128; to the Committee on Agriculture.

270. A letter from the General Counsel, Department of Defense, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to provide for participation by members of the Armed Forces in international sports activities"; to the Committee on Armed Services.

271. A letter from the Director, Selective Service System, transmitting the 12th Annual Report of the Director of Selective Service for the Fiscal Year Ending June 30, 1962, pursuant to section 10(g) of the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

272. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to repeal certain legislation relating to the purchase of silver, and for other purposes"; to the Committee on Banking and Currency.

273. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to amend title V of the Housing Act of 1949 and the Federal National Mortgage Association Charter Act, in order to provide for insuring rural housing loans and market assistance thereof, and for other purposes"; to the Committee on Banking and Currency.

274. A letter from the Secretary of Labor, transmitting the First Report of the Secretary of Labor relating to the Advisory Council on Employee Welfare and Pension Benefit Plans and the Department of Labor's Activities under the act for the preceding calendar year, pursuant to section 14(b) of the Welfare and Pension Plans Disclosure Act, as amended; to the Committee on Education and Labor.

275. A letter from the Comptroller General of the United States, transmitting a report on the review of the renovation of housekeeping quarters No. 23 at the Veterans' Administration Center, Los Angeles, Calif.; to the Committee on Government Operations.

276. A letter from the Administrator, Federal Aviation Agency, transmitting the 17th annual report of the Agency's operations for the fiscal year ending June 30, 1962, pursuant to Public Law 377, 79th Congress; to the Committee on Interstate and Foreign Commerce.

277. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to repeal the act of October 22, 1919 (41 Stat. 293; 43 U.S.C., secs. 351–355, 357–360)"; to the Committee on Interior and Insular Affairs.

278. A letter from the Assistant Secretary of the Air Force, transmitting a draft of a proposed bill entitled "A bill for the relief of Col. Frank D. Schwikert, U.S. Air Force"; to the Committee on the Judiciary.

279. A letter from the chairman, board of directors, Future Farmers of America, transmitting a report on the audit of the accounts of the Future Farmers of America for the fiscal year ended June 30, 1962, pursuant to Public Law 740, 81st Congress; to the Committee on the Judiciary.

280. A letter from the Administrative Assistant Attorney General, transmitting a report of the administrative tort claims paid by the Department of Justice during fiscal year 1962, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

281. A letter from the Comptroller General of the United States, transmitting a report concerning positions in the U.S. General Accounting Office in grades 16, 17, and 18 of

the general schedule of the Classification Act of 1949, as amended, pursuant to section 503 of the act of July 31, 1956, chapter 804, 70 Stat. 762; to the Committee on Post Office and Civil Service.

282. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to define the term 'child' for lump-sum-payment purposes under the Civil Service Retirement Act"; to the Committee on Post Office and Civil Service.

283. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act"; to the Committee on Post Office and Civil Service.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 2459. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.R. 2460. A bill to authorize a comprehensive program for the maintenance of a healthy mining industry in the United States and its possessions; to the Committee on Interior and Insular Affairs.

H.R. 2461. A bill to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada; to the Committee on Interior and Insular Affairs.

By Mr. BECKER:

H.R. 2462. A bill to amend section 601(a) of the Federal Aviation Act of 1958 to require the Administrator of the Federal Aviation Agency to issue certain regulations concerning air traffic at New York International (Idlewild) Airport in the State of New York; to the Committee on Interstate and Foreign Commerce.

H.R. 2463. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

H.R. 2464. A bill to amend section 307(c) of the Federal Aviation Act of 1958 so as to require flight restrictions with respect to aircraft operating from certain airports; to the Committee on Interstate and Foreign Commerce.

By Mr. BECKWORTH:

H.R. 2465. A bill to amend title II of the Social Security Act to provide that the unmarried child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 2466. A bill to give the former owners of certain property of the United States located in South Dakota the right to repurchase that property when it is no longer needed by the Department of the Air Force; to the Committee on Armed Services.

H.R. 2467. A bill to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. CASEY:

H.R. 2468. A bill to provide for the conveyance of a certain tract of land in Houston, Harris County, Tex., to the State of Texas; to the Committee on Armed Services.

By Mr. CHENOWETH:

H.R 2469. A bill to amend section 1(14)(a) of the Interstate Commerce Act, to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 2470. A bill to provide that certain subcontracts may be entered into only in accordance with rules and regulations prescribed by the Small Business Administration; to the Committee on Banking and Currency.

By Mr. CUNNINGHAM:

H.R. 2471. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIN:

H.R. 2472. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for each dependent who is a full-time undergraduate student at a college or university; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 2473. A bill to amend provisions relative to overtime compensation for substitute employees in the postal field service; to the Committee on Post Office and Civil Service.

H.R. 2474. A bill to amend provisions relative to compensatory time and overtime for certain postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 2475. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to retirement fund; to the Committee on Post Office and Civil Service.

H.R. 2476. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2477. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 2478. A bill to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases; to the Committee on Post Office and Civil Service.

By Mr. DEVINE:

H.R. 2479. A bill to amend the Agricultural Act of 1956, as amended, and the Agricultural Act of 1949, as amended, to prohibit the subsidized export of any agricultural commodity to Communist nations and to prohibit sales by the Commodity Credit Corporation of any agricultural commodities to such nations; to the Committee on Agriculture.

By Mr. DINGELL:

H.R. 2480. A bill to amend title I of the Social Security Act to provide a more liberal definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 2481. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

H.R. 2482. A bill to amend title II of the Social Security Act to provide that a woman who is otherwise qualified may become entitled to wife's insurance benefits or widow's insurance benefits without regard to her age if she is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 2483. A bill to amend title II of the Social Security Act to eliminate the age requirements for entitlement to wife's insurance benefits and widow's insurance benefits, and to eliminate the provisions which reduce benefits in certain cases where the recipient becomes entitled thereto before attaining age 65; to the Committee on Ways and Means.

H.R. 2484. A bill to amend title 13 of the United States Code to provide for the collection of certain information with respect to the medical profession; to the Committee on Post Office and Civil Service.

By Mr. DOWDY:

H.R. 2485. A bill to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases", approved August 11, 1939, as amended; to the Committee on the District of Columbia.

By Mr. DOWNING:

H.R 2486. A bill to provide for the control of mosquitoes and mosquito vectors of human disease through research, technical assistance, and grants-in-aid for control projects; to the Committee on Interstate and Foreign Commerce.

By Mrs. DWYER:

H.R. 2487. A bill to amend section 314 of the Public Health Service Act of 1944; to the Committee on Interstate and Foreign Commerce.

H.R. 2488. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2489. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 2490. A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2491. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

H.R. 2492. A bill to amend title 38 of the United States Code to provide a further period for presuming service connection in the case of war veterans suffering from chronic functional psychosis and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRIEDEL:

H.R. 2493. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. GARMATZ:

H.R. 2494. A bill to amend the Merchant Marine Act, 1936, to prevent detriment to American shipping by declaring as the policy of the United States that foreign vessels which trade with Cuba or certain other Communist countries may not participate in the carrying of cargoes under programs of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. GATHINGS:

H.R. 2495. A bill to make cotton available to domestic users at prices more competitive with prices foreign users pay for cotton, to authorize the Secretary to permit cotton-growers to plant additional acreage for the 1963 and succeeding crops of upland cotton, and for other purposes; to the Committee on Agriculture.

By Mr. GILBERT:

H.R. 2496. A bill to assist in the provision of housing for elderly persons, and for other purposes; to the Committee on Banking and Currency.

H.R. 2497. A bill to enforce constitutional rights, and for other purposes; to the Committee on the Judiciary.

By Mr. GLENN:

H.R. 2498. A bill to amend the Internal Revenue Code of 1954 to provide that special equipment for disabled individuals shall not be subject to the tax on automobile parts and accessories; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 2499. A bill to authorize the Secretary of the Interior to construct, operate and maintain the Auburn-Folsom South unit, American River Division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. HÉBERT:

H.R. 2500. A bill to equalize the treatment of Reserves and Regulars in the payment of per diem; to the Committee on Armed Services.

H.R. 2501. A bill to authorize the promotion of qualified Reserve officers of the Army and the Air Force to existing unit vacancies; to the Committee on Armed Services.

H.R. 2502. A bill to provide for the remission or cancellation of an indebtedness due the United States by enlisted members of the National Guard; to the Committee on Armed Services.

H.R. 2503. A bill to provide medicare for dependents of reservists who die in a training status; to the Committee on Armed Services.

H.R. 2504. A bill to amend titles 10 and 32, United States Code, with respect to technicians of the National Guard; to the Committee on Armed Services.

H.R. 2505. A bill to amend titles 10 and 32 of the United States Code to provide benefits for nonregular members of the Armed Forces and members of the National Guard disabled from disease, and for other purposes; to the Committee on Armed Services.

H.R. 2506. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

H.R. 2507. A bill to clarify the deferred or exempt status of persons who enlist in the reserve component of the Armed Forces; to the Committee on Armed Services.

H.R. 2508. A bill to amend titles 10 and 32, United States Code, to provide Federal support for defense forces established under section 109 (c) of title 32; to the Committee on Armed Services.

H.R. 2509. A bill to authorize Reserve officers to combine service in more than one reserve component in computing the 4 years of satisfactory Federal service necessary to qualify for the uniform maintenance allowance; to the Committee on Armed Services.

H.R. 2510. A bill to amend title 10, United States Code, to provide for the investigation by a military department of certain aircraft accidents and for the use of reports resulting from those investigations in actions for damages; to the Committee on Armed Services.

H.R. 2511. A bill to amend title 10, United States Code, to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard; to the Committee on Armed Services.

H.R. 2512. A bill to clarify the status of members of the National Guard while attending or instructing at National Guard schools established under the authority of the Secretary of the Army or Secretary of the Air Force, as the case may be, and for other purposes; to the Committee on Armed Services.

By Mr. HERLONG:

H.R. 2513. A bill to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 2514. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2515. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide that a fully insured individual may elect to have any employment or self-employment performed by him after attaining retirement age excluded (for both tax and benefit purposes) from coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 2516. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 2517. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 2518. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admissions to any live dramatic (including musical) performance; to the Committee on Ways and Means.

H.R. 2519. A bill relating to the tax treatment of transfers of rights to copyrights and literary, musical, and artistic compositions; to the Committee on Ways and Means.

H.R. 2520. A bill to amend the Internal Revenue Code of 1954 to provide for the averaging of income derived from literary, musical, and artistic compositions and copyrights by the individuals whose efforts created such property; to the Committee on Ways and Means.

H.R. 2521. A billl to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes; to the Committee on the Judiciary.

H.R. 2522. A bill to amend section 503 of the Federal Aviation Act to provide substantive Federal law relating to the validity of conveyances which affect title to or interests in civil aircraft of the United States and related equipment; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Maryland:

H.R. 2523. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McDOWELL:

H.R. 2524. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness), and to reduce corporate normal taxes as of January 1963 (instead of July 1963 as presently scheduled); to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 2525. A bill to vest in Congress the exclusive authority to set rates of postage for fourth-class mail; to the Committee on Post Office and Civil Service.

H.R. 2526. A bill to prevent the use of stopwatches, work measurement programs or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. MOSS:

H.R. 2527. A bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of Illinois:

H.R. 2528. A bill to prevent the use of stopwatches, work measurement programs or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 2529. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H.R. 2530. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN of Montana:

H.R. 2531. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 2532. A bill to amend the Standard Time Act of March 19, 1918, so as to provide that the standard time established thereunder shall be the measure of time for all purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. QUIE:

H.R. 2533. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

By Mrs. ST. GEORGE:

H.R. 2534. A bill to amend title II of the Social Security Act to provide maximum benefits for individuals who, although deaf and mute, have acquired insured status by continuing in covered employment or self-employment during their working years; to the Committee on Ways and Means.

H.R. 2535. A bill to repeal the retailers excise tax on handbags; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 2536. A bill to provide that owners of surface rights to certain real property, the subsurface mineral rights to which are owned by the United States, shall have the right to purchase such mineral rights; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Virginia:

H.R. 2537. A bill to permit State officers who are appointed by their Governors, subject to legislative approval, to participate in political activity without loss of Federal funds; to the Committee on House Administration.

By Mr. THOMAS:

H.R. 2538. A bill to amend section 124 of title 28 of the United States Code so as to transfer the counties of Austin, Fort Bend, and Wharton from the Galveston to the Houston division in the southern district of Texas; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 2539. A bill to amend the Civil Service Retirement Act to increase to 2½ per centum the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 2540. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 2541. A bill to amend the Railroad Retirement Act of 1937, so as to provide a spouse a full annuity regardless of age under certain conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 2542. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

H.R. 2543. A bill to repeal the provisions of the Railroad Retirement Act which reduce the annuities of the spouses of retired employees, and the survivors of deceased employees, by the amount of certain monthly benefits payable under the Social Security Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2544. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WALLHAUSER:

H.R. 2545. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 2546. A bill to amend the National Housing Act to provide that only lumber and other wood products which have been produced in the United States may be used in construction or rehabilitation covered by Federal Housing Administration insured mortgages; to the Committee on Banking and Currency.

By Mr. WINSTEAD:

H.R. 2547. A bill to amend title 18, United States Code, to proscribe travel in interstate or foreign commerce for purposes of inciting to riot or committing other unlawful acts; to the Committee on the Judiciary.

H.R. 2548. A bill to amend title V of the Veterans' Benefits Act of 1957 to provide that each veteran treated in a Veterans' Administration facility shall, upon request, be assigned to a ward in which all patients are of the same race as the veteran making the request; to the Committee on Veterans' Affairs.

H.R. 2549. A bill to amend chapter 71 of title 38, United States Code, to permit judicial review of decisions of the Board of Veterans' Appeals in compensation and pension claims; to the Committee on Veterans' Affairs.

By Mr. BAKER:

H.R. 2550. A bill to amend title 38, United States Code, to provide for the payment of pensions to Veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. BECKER:

H.R. 2551. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 2552. A bill to extend for 3 years the temporary provisions of Public Laws 815 and 874, 81st Congress, which relates to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Education and Labor.

H.R. 2553. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. BURKE:

H.R. 2554. A bill to extend for 3 years the temporary provisions of Public Laws 815 and 874, 81st Congress, which relates to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Education and Labor.

By Mr. CAREY:

H.R. 2555. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 2556. A bill to amend the Bankruptcy Act with respect to the tenure, salary, and retirement benefits of referees in bankruptcy; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2557. A bill to prohibit certain improper and undesirable practices relating to the Federal-aid program, and for other purposes designed to protect the public interest and investment therein, and to prohibit indirect financing of primaries and elections out of Federal funds appropriated for highways; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 2558. A bill to amend section 104 of the Revised Statutes, with respect to contempt citations in the case of witnesses before congressional committees, and for other purposes; to the Committee on the Judiciary.

H.R. 2559. A bill to establish a national policy relating to U.S. citizens' travel abroad; to establish a service within the Department of State which shall be responsible for the direction, administration, and execution of passport and travel documentation for American citizens and nationals in the United States and abroad; to prescribe procedures relating to the issuance of passports; to establish terms of validity of passports; to establish fees for passports; and for other purposes; to the Committee on Foreign Affairs.

H.R. 2560. A bill to provide for an averaging taxable income; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 2561. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. DELANEY:

H.R. 2562. A bill to amend title 18, United States Code, to prohibit the unauthorized use of the name, emblems, insignias, designs, and descriptive and designating marks of the New York World's Fair 1964–65 Corp., and to provide penalties and remedies therefor; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 2563. A bill to authorize the establishment of a youth camp recreation program to assist those organizations which have for their purpose the providing of healthful outdoor and camp training for indigent children and to inculcate the principles of Americanism and loyalty to the Republic in these children who are its citizens of the future; to the Committee on Education and Labor.

H.R. 2564. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2565. A bill to amend the Fair Labor Standards Act of 1938 to increase to 40 cents per hour the minimum wage applicable to blind workers and to provide for periodic increases beginning January 1, 1963; to the Committee on Education and Labor.

H.R. 2566. A bill to amend the Internal Revenue Code of 1954 so as to include a pro rata share of the income of foreign corporations in the gross income of taxpayers owning, directly or indirectly, 10 percent or more of the voting stock of such foreign corporations, to repeal the foreign tax credit, and for other purposes; to the Committee on Ways and Means.

H.R. 2567. A bill to amend the Public Health Service Act in order to provide a broadened program in the field of mental health and illness of grants for prevention, research, training, salaries, facilities, survey, and construction of facilities for treatment of the mentally ill and mentally retarded; to the Committee on Interstate and Foreign Commerce.

H.R. 2568. A bill to amend the act of July 5, 1946, so as to prohibit the sale in the United States of articles of foreign manufacture bearing certain trademarks, and for other purposes; to the Committee on the Judiciary.

H.R. 2569. A bill to amend title III of the act of March 3, 1933, with respect to the acquisition by the United States of articles, materials, and supplies for public use; to the Committee on Public Works.

H.R. 2570. A bill to authorize the establishment of a Youth Conservation Corps, to provide healthful outdoor training and employment for young men, and to advance the conservation, development, and management of national resources to timber, soil, and range, and of recreational areas; and to authorize pilot local public service programs; to the Committee on Education and Labor.

H.R. 2571. A bill to amend section 9(b)(3) of the National Labor Relations Act so as to eliminate the provision thereof prohibiting the certification as bargaining representative of persons employed as guards, of a labor organization which admits to membership, or is affiliated with an organization which admits to membership employees other than guards; to the Committee on Education and Labor.

H.R. 2572. A bill for the relief of the city of Arnold, Pa.; to the Committee on Public Works.

H.R. 2573. A bill to authorize modification of local participation in flood control projects; to the Committee on Public Works.

H.R. 2574. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

H.R. 2575. A bill to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2576. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 2577. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of his children through the

12th grade; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 2578. A bill to promote the conservation of wildlife through the issuance of a national wildlife refuge stamp as a requirement for use of national wildlife refuges; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. DWYER:

H.R. 2579. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected legislative assembly and non-voting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

H.R. 2580. A bill to amend the Mutual Security Act of 1954 relating to certain reports required of expenditures by committees, members, and employees of Congress and for other purposes; to the Committee on Foreign Affairs.

By Mr. FINO:

H.R. 2581. A bill to amend section 610 of title 38, United States Code, to authorize the furnishing of hospital care at Veterans' Administration facilities for Gold Star Mothers; to the Committee on Veterans' Affairs.

H.R. 2582. A bill to equalize all rates of wartime disability compensation and to provide for payment of additional compensation to veterans with dependents when rated less than 50 per centum in degree on the same basis as for those rated 50 per centum or more in degree; to the Committee on Veterans' Affairs.

By Mr. GILBERT:

H.R. 2583. A bill to provide for the desegregation of public schools, with all deliberate speed, including nationwide first-step compliance by 1964, and for other purposes; to the Committee on Education and Labor.

H.R. 2584. A bill to establish a Commission on the Organization of the Congress; to the Committee on Rules.

By Mr. GLENN:

H.R. 2585. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

By Mr. GONZALEZ:

H.R. 2586. A bill to amend the Library Services Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain college and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 2587. A bill to amend the Library Services Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain college and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

By Mr. HALLECK:

H.R. 2588. A bill to authorize the improvement for navigation of Burns Waterway Harbor, Ind., to the Committee on Public Works.

By Mr. HALPERN:

H.R. 2589. A bill to amend provisions relative to compensatory time in the Postal Field Service Compensation Act; to the Committee on Post Office and Civil Service.

H.R. 2590. A bill to amend the Civil Service Retirement Act with respect to the designation of individuals to receive survivor annuities under such act; to the Committee on Post Office and Civil Service.

H.R. 2591. A bill to extend the benefits of the Retired Federal Employees Health Benefits Act to certain retired employees entitled to deferred annuity; to the Committee on Post Office and Civil Service.

H.R. 2592. A bill to create a presumption that certain impairment of health caused by hypertension or heart disease of a Federal or District of Columbia employee is incurred in line of duty for purposes of certain retirement and disability compensation laws or systems; to the Committee on Post Office and Civil Service.

By Mrs. HANSEN:

H.R. 2593. A bill to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. HARRIS:

H.R. 2594. A bill to amend sections 204a and 406a of the Interstate Commerce Act in order to provide civil liability for violations of such act by common carriers by motor vehicle and freight forwarders; to the Committee on Interstate and Foreign Commerce.

H.R. 2595. A bill to amend the Interstate Commerce Act so as to authorize the Interstate Commerce Commission, under certain circumstances, to deny, revoke, or suspend operating authority granted under part II of the act, or to order divestiture of interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2596. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2597. A bill to amend section 204(a)(3) of the Interstate Commerce Act respecting motor carrier safety regulations applicable to private carriers of property; to the Committee on Interstate and Foreign Commerce.

H.R. 2598. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 2599. A bill to authorize the Secretary of Agriculture to exchange certain lands at the Southern Regional Research Laboratory with the city of New Orleans, La., and the New Orleans City Park Improvement Association, for certain other lands adjacent to such laboratory; to the Committee on Agriculture.

By Mr. HUDDLESTON:

H.R. 2600. A bill to regulate the foreign commerce of the United States by amending section 350 of the Tariff Act of 1930, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. JENNINGS:

H.R. 2601. A bill to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals; to the Committee on Education and Labor.

By Mr. JOELSON:

H.R. 2602. A bill to amend the Immigration and Nationality Act to permit the entry of certain members of religious orders as nonquota immigrants; to the Committee on the Judiciary.

By Mr. KILGORE:

H.R. 2603. A bill to provide disaster loans to fishing vessel owners and operators adversely affected by failure of the fishery resource, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LEGGETT:

H.R. 2604. A bill to extend for 1 additional year the temporary provisions of Public Laws 815 and 874, 81st Congress; to the Committee on Education and Labor.

By Mr. LONG of Maryland:

H.R. 2605. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. MATHIAS:

H.R. 2606. A bill to amend Public Laws 815 and 874 to extend their application to the District of Columbia; to the Committee on Education and Labor.

By Mr. NYGAARD:

H.R. 2607. A bill to designate the Grand Forks Air Force Base hospital as the Lerom Memorial Hospital; to the Committee on Armed Services.

By Mr. OLSEN of Montana:

H.R. 2608. A bill to increase the maximum travel allowance for postal transportation clerks, acting postal transportation clerks, and substitute postal transportation clerks; to the Committee on Post Office and Civil Service.

By Mr. OSTERTAG:

H.R. 2609. A bill to amend the Employment Act of 1946 to make stability of prices an explicit part of the economic policy of the Federal Government; to the Committee on Government Operations.

By Mr. PERKINS:

H.R. 2610. A bill to provide for a conservation program for the Appalachian Highlands area; to the Committee on Agriculture.

H.R. 2611. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia, Virginia, Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RAINS:

H.R. 2612. A bill to provide for the issuance of a special postage stamp in honor of Sequoyah, the famous Cherokee Indian; to the Committee on Post Office and Civil Service.

H.R. 2613. A bill to amend section 532 of title 38, United States Code, to liberalize the marriage date requirements applicable to the payment of pension to widows of Civil War veterans; to the Committee on Veterans' Affairs.

H.R. 2614. A bill granting pensions to veterans of World War I and their widows and dependent children equivalent to the pensions granted to veterans of the war with Spain and their widows and dependent children; to the Committee on Veterans' Affairs.

H.R. 2615. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Interstate and Foreign Commerce.

H.R. 2616. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2617. A bill proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.R. 2618. A bill to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such grants; to the Committee on Banking and Currency.

H.R. 2619. A bill to amend the Home Owners' Loan Act of 1933 to provide specific authority for the participation of Federal savings and loan associations in the national effort to provide adequate housing facilities for the aging; to the Committee on Banking and Currency.

H.R. 2620. A bill to amend the Home Owners' Loan Act of 1933 to broaden the investment powers of Federal savings and loan associations to include the specific power to invest in certificates of beneficial interest issued by urban renewal investment trusts;

to the Committee on Banking and Currency.

H.R. 2621. A bill to provide that the Secretary of the Treasury shall coin special 50-cent pieces to commemorate the life and perpetuate the ideals and principles of the Honorable Sam Rayburn; to the Committee on Banking and Currency.

H.R. 2622. A bill to relieve certain organizations from liability for the so-called cabaret tax which they incurred before July 1962; to the Committee on Ways and Means.

H.R. 2623. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 2624. A bill to amend the Internal Revenue Code to exempt from the manufacturers' excise tax certain automobiles furnished without charge to schools for use in driver training programs; to the Committee on Ways and Means.

H.R. 2625. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2626. A bill to provide an additional income tax exemption for a taxpayer supporting a child who is an invalid; to the Committee on Ways and Means.

H.R. 2627. A bill to amend the Defense Production Act of 1950 so as to require periodic reports to the Congress concerning action taken to carry out the policy of the Congress to encourage geographical dispersal of industrial facilities; to the Committee on Banking and Currency.

H.R. 2628. A bill to amend the National Housing Act to prohibit the use of foreign lumber and other wood products in any construction or rehabilitation covered by Federal Housing Administration-insured mortgages; to the Committee on Banking and Currency.

By Mr. RAINS (by request):

H.R. 2629. A bill to authorize the chartering of organizations to insure conventional mortgage loans, to authorize the creation of secondary market organizations for conventional and other mortgage loans, to authorize the issuance of debentures upon the security of insured or guaranteed mortgages, and to create a joint supervisory board to charter and examine such organizations, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.R. 2630. A bill to amend section 114 of the Federal-Aid Highway Act of 1956 to state the policy of Congress with respect to reimbursement for certain highways on the Interstate System; to the Committee on Public Works.

H.R. 2631. A bill to authorize each Member of the House of Representatives to employ annually, on a temporary basis, a student congressional intern; to the Committee on House Administration.

By Mr. SAYLOR:

H.R. 2632. A bill to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SECREST:

H.R. 2633. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. SHEPPARD:

H.R. 2634. A bill to provide for an expanded program of rabbit research; to the Committee on Agriculture.

H.R. 2635. A bill to amend the act of August 9, 1955, for the purpose of including Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations; to the Committee on Interior and Insular Affairs.

By Mr. SHIPLEY:

H.R. 2636. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 2637. A bill to amend title 38, United States Code, to provide education and training for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 2638. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of certain seriously disabled veterans; to the Committee on Veterans' Affairs.

H.R. 2639. A bill to amend title 38, United States Code, to provide that the death of a veteran suffering from certain severe service-connected disabilities shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 2640. A bill to amend section 314(r) of title 38, United States Code, to provide for the payment of an aid and attendance allowance to veterans suffering service-connected blindness in connection with deafness; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 2641. A bill to amend section 8(b) (4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 2642. A bill to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; to the Committee on Education and Labor.

H.R. 2643. A bill to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2644. A bill to amend Public Laws 815 and 874, 81st Congress, to extend for 2 years the provisions thereof which would otherwise expire; to the Committee on Education and Labor.

H.R. 2645. A bill to repeal the retailers excise tax on handbags; to the Committee on Ways and Means.

H.R. 2646. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for certain amounts set aside by a taxpayer for the higher education of prospective college students in his family, and a tax credit for certain amounts otherwise paid as educational expenses to institutions of higher education; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 2647. A bill to provide for payment on interest on overtime compensation owing to employees of the Alaska Railroad, and for other purposes; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H.R. 2648. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

H.R. 2649. A bill to authorize the construction, operation, and maintenance of the Canton project, Oklahoma, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS:

H.R. 2650. A bill to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BALDWIN:

H.R. 2651. A bill to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 2652. A bill to amend paragraph 1101 (b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacturing of polishing felts; to the Committee on Ways and Means.

By Mr. CANNON:

H.R. 2653. A bill to authorize expanded programs of research in marine natural history by the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

By Mr. DEROUNIAN:

H.R. 2654. A bill to amend the Internal Revenue Code of 1954 so as to provide for reform of personal and corporate income tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. DEVINE:

H.R. 2655. A bill to prohibit trade with Communist nations; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER:

H.R. 2656. A bill to establish a Domestic Peace Corps to provide opportunities for dedicated American citizens; to the Committee on Education and Labor.

By Mr. DEVINE:

H.R. 2657. A bill to prohibit the shipment in interstate or foreign commerce articles imported into the United States from Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 2658. A bill to amend title II of the Social Security Act to provide that the child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is attending school; to the Committee on Ways and Means.

H.R. 2659. A bill to amend title II of the Social Security Act to provide that the benefits payable thereunder shall be exempt from all taxation; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 2660. A bill to amend the Internal Revenue Code of 1954 to provide additional income tax exemptions for taxpayers, spouses, and dependents who are students at the high school or college level; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 2661. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 2662. A bill to establish an Office of Federal Administrative Practice and to provide for the appointment and administration of a corps of hearing commissioners, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2663. A bill to amend the Internal Revenue Code of 1954 to reduce from 65 to 62 the age at which the additional exemption on account of age becomes allowable in the case of a taxpayer or spouse who is a woman; to the Committee on Ways and Means.

H.R. 2664. A bill to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service; to the Committee on Armed Services.

By Mr. GILBERT:

H.R. 2665. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 2666. A bill to increase, in the case of children who are attending school, from 18 to 21 years the age until which child's insurance benefits may be received under title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 2667. A bill to provide that lease agreements for the construction of post-office buildings must require observance of the Davis-Bacon Act; to the Committee on Public Works.

By Mrs. GREEN of Oregon:

H.R. 2668. A bill to amend the Communications Act of 1934 to include the Virgin Islands as an eligible recipient of matching grants for the construction of educational television broadcasting facilities; to the Committee on Interstate and Foreign Commerce.

By Mrs. HANSEN:

H.R. 2669. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY of Michigan:

H.R. 2670. A bill to permit wheat grown in connection with vocational education in agriculture programs to be marketed without payment of penalty; to the Committee on Agriculture.

By Mr. HECHLER:

H.R. 2671. A bill authorizing construction of a bank protection project on the Guyandot River at Barboursville, W. Va.; to the Committee on Public Works.

By Mr. HOLLAND:

H.R. 2672. A bill for the relief of the borough of Port Vue (McKeesport), Pa.; to the Committee on Public Works.

By Mr. HUDDLESTON:

H.R. 2673. A bill to repeal Executive Order No. 11063, issued November 20, 1962, purportedly relating to equal opportunity in housing; to the Committee on Banking and Currency.

By Mr. JOHNSON of California:

H.R. 2674. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. KEOGH:

H.R. 2675. A bill to extend for 3 years the period during which certain tanning extracts, and extracts of hemlock or eucalyptus suitable for use for tanning, may be imported free of duty; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 2676. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain transportation expenses paid by him in connection with the education of himself, his spouse, or any of his dependents at an institution of higher education; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 2677. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 2678. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an Exemplary Rehabilitation Certificate; and for other purposes; to the Committee on Armed Services.

H.R. 2679. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. MacGREGOR:

H.R. 2680. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. MARTIN of Nebraska:

H.R. 2681. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mid-State reclamation project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MINISH:

H.R. 2682. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS:

H.R. 2683. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mr. PIRNIE:

H.R. 2684. A bill to amend section 3402 of title 38, United States Code, to provide for the recognition by the Administrator of Veterans' Affairs of the Italian American War Veterans of the United States for the prosecution of veterans' claims; to the Committee on Veterans' Affairs.

By Mr. RHODES of Pennsylvania:

H.R. 2685. A bill to amend title II of the Social Security Act so as to increase the minimum amount of the monthly insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. RIVERS of South Carolina:

H.R. 2686. A bill to amend title 10, United States Code, to bring the number of cadets at the U.S. Military Academy and the U.S. Air Force Academy up to full strength; to the Committee on Armed Services.

By Mr. RYAN of New York:

H.R. 2687. A bill to amend section 204 of the War Claims Act of 1948 to provide for payment of war claims of individuals who were citizens of the United States at the time of the enactment of the 1962 amendments to the War Claims Act of 1948; to the Committee on Interstate and Foreign Commerce.

By Mr. SIBAL:

H.R. 2688. A bill to amend paragraph 1101(b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacturing of polishing felts; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 2689. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 2690. A bill relating to the Italian American War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

H.R. 2691. A bill to allow credit or refund of gift tax erroneously paid by reason of treating nontaxable divisions of community property as gifts; to the Committee on Ways and Means.

H.R. 2692. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 2693. A bill to amend the Internal Revenue Code of 1954 to allow an individual a deduction from gross income for tuition paid by him for his own education or for the education of other individuals at institutions of higher education; to the Committee on Ways and Means.

H.R. 2694. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him for transportation to and from work; to the Committee on Ways and Means.

By Mr. WINSTEAD:

H.R. 2695. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DOWDY:

H.R. 2696. A bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia; to the Committee on the District of Columbia.

By Mr. PRICE:

H.R. 2697. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing for fair competitive acts, practices, and methods of competition and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIN:

H.J. Res. 171. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DENT:

H.J. Res. 172. Joint resolution to establish the Department of Rural and Suburban Government; to the Committee on Government Operations.

H.J. Res. 173. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DULSKI:

H.J. Res. 174. Joint resolution to provide for the issuance of a champion-of-liberty postage stamp in honor of Taras Shevchenko on the occasion of the 150th anniversary of his birth; to the Committee on Post Office and Civil Service.

By Mrs. DWYER:

H.J. Res. 175. Joint resolution to amend the Constitution to enable the Congress to function effectively in time of emergency or disaster; to the Committee on the Judiciary.

By Mr. ELLSWORTH (by request):

H.J. Res. 176. Joint resolution proposing an amendment to the Constitution of the United States relating to the dissolution of marriages contracted in the United States; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 177. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FUQUA:

H.J. Res. 178. Joint resolution proposing an amendment to the Constitution of the United States reserving to each State the exclusive power to apportion membership of its legislature; to the Committee on the Judiciary.

H.J. Res. 179. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.J. Res. 180. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project; to the Committee on Interior and Insular Affairs.

By Mr. KYL:

H.J. Res. 181. Joint resolution providing for the establishment of the Board on Presidential Memorials in the Nation's Capital, and for other purposes; to the Committee on House Administration.

By Mr. LONG of Maryland:

H.J. Res. 182. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.J. Res. 183. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MONTOYA:

H.J. Res. 184. Joint resolution designating May 15 of each year as National Teachers' Day; to the Committee on the Judiciary.

H.J. Res. 185. Joint resolution designating the third week in June of each year as National Amateur Radio Week; to the Committee on the Judiciary.

By Mr. PASSMAN:

H.J. Res. 186. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.J. Res. 187. Joint resolution amending the joint resolution of March 2, 1931, in order to provide for the printing of the proceedings of the national encampments of the Italian American War Veterans of the United States, Inc.; to the Committee on House Administration.

By Mr. RAINS:

H.J. Res. 188. Joint resolution designating the first Sunday in June of each year as "Shut-In's Day"; to the Committee on the Judiciary.

H.J. Res. 189. Joint resolution providing for the establishment of a National Children's Day; to the Committee on the Judiciary.

H.J. Res. 190. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.J. Res. 191. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years; to the Committee on Agriculture.

By Mr. WESTLAND:

H.J. Res. 193. Joint resolution to provide for the acquisition and operation of the Freedom Train II by the Archivist of the United States, and for the other purposes; to the Committee on Post Office and Civil Service.

H.J. Res. 194. Joint resolution to authorize the Secretary of Commerce to construct a modern stern ramp trawler to be used for research purposes and authorizing the appropriation of funds; to the Committee on Merchant Marine and Fisheries.

By Mr. WIDNALL:

H.J. Res. 195. Joint resolution to provide for three civilian Commissioners for the District of Columbia; to the Committee on the District of Columbia.

H.J. Res. 196. Joint resolution clarifying the responsibility of the Joint Committee on the Library with respect to historical exhibits and objects, and other antiquities located in the U.S. Capitol Building, and for other purposes; to the Committee on House Administration.

By Mr. WINSTEAD:

H.J. Res. 197. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of nonsectarian prayers or any other nonsectarian recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

By Mr. LINDSAY:

H. Con. Res. 50. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. MINSHALL:

H. Con. Res. 51. Concurrent resolution to create a special joint committee to investigate the Bay of Pigs invasion; to the Committee on Rules.

By Mr. MONTOYA:

H. Con. Res. 52. Concurrent resolution to favor the establishment of an international living museum of anthropology and ethnography; to the Committee on Foreign Affairs.

By Mr. RAINS:

H. Con. Res. 53. Concurrent resolution authorizing and requesting the President to set aside and proclaim an appropriate day as a National Day of Prayer for a cure for cancer; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. Con. Res. 54. Concurrent resolution expressing the sense of the Congress that the President should instruct the U.S. mission to the United Nations to bring the Baltic States question before that body with a view to the liberation of Lithuania, Latvia, and Estonia from Soviet occupation; to the Committee on Foreign Affairs.

By Mr. SIBAL:

H. Con. Res. 55. Concurrent resolution providing for free elections in the Communist satellite countries of Latvia, Estonia, and Lithuania, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SNYDER:

H. Con. Res. 56. Concurrent resolution to express the sense of Congress that the purpose of U.S. foreign policy is victory over communism; to the Committee on Foreign Affairs.

By Mr. WATTS:

H. Con. Res. 57. Concurrent resolution to designate "bourbon whisky" as a distinctive product of the United States; to the Committee on Ways and Means.

By Mr. BECKER:

H. Res. 164. Resolution establishing a Special Committee on Captive Nations; to the Committee on Rules.

By Mr. BURLESON:

H. Res. 165. Resolution providing funds for the Committee on House Administration; to the Committee on House Administration.

By Mr. CONTE:

H. Res. 166. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. CUNNINGHAM:

H. Res. 167. Resolution amending clause 2, subsection a, of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 168. Resolution to amend the Rules of the House of Representatives to increase the period for which printed committee hearings and reports on general appropriation bills must be available before such bills may be considered in the House; to the Committee on Rules.

H. Res. 169. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. DULSKI:

H. Res. 170. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mrs. DWYER:

H. Res. 171. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 172. Resolution favoring an international agreement for a suspension of nuclear weapons tests; to the Committee on Foreign Affairs.

By Mr. GREEN of Pennsylvania:

H. Res. 173. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. HORTON:

H. Res. 174. Resolution amending clause 2, subsection a, of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 175. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. McCLORY:

H. Res. 176. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MILLER of California:

H. Res. 177. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 143; to the Committee on House Administration.

By Mr. MILLER of New York:

H. Res. 178. Resolution amending clause 2(a) of rule XI and clause of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 179. Resolution authorizing the Committee on Banking and Currency to conduct full and complete investigations and studies of all matters within its jurisdiction under the Rules of the House or the laws of the United States; to the Committee on Rules.

By Mrs. REID of Illinois:

H. Res. 180. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. REUSS:

H. Res. 181. Resolution to amend rule XXIV of the Rules of the House of Representatives to establish a method for the consideration of bills providing for home rule in the District of Columbia; to the Committee on Rules.

By Mr. ROBISON:

H. Res. 182. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. ST GERMAIN:

H. Res. 183. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. SHORT:

H. Res. 184. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. SMITH of Virginia:

H. Res. 185. Resolution amending rule XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SNYDER:

H. Res. 186. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WALLHAUSER:

H. Res. 187. Establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. WILLIAMS:

H. Res. 188. Resolution amending clause 2, subsection a, of rule XI and clause 4 of rule

XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BOB WILSON:

H. Res. 189. Resolution amending clause 2, subsection a, of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 2698. A bill for the relief of Maj. Richard B. Beal; to the Committee on the Judiciary.

H.R. 2699. A bill for the relief of Victor L. Ashley; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 2700. A bill for the relief of Francis Janis and certain other Indians; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 2701. A bill for the relief of Irma Ceruti; to the Committee on the Judiciary.

H.R. 2702. A bill for the relief of Lourdes C. Villareal; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 2703. A bill for the relief of Miss Patricia Simy Benbaruk; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 2704. A bill for the relief of Sarantos Moundroukas; to the Committee on the Judiciary.

H.R. 2705. A bill for the relief of Terence Montague; to the Committee on the Judiciary.

H.R. 2706. A bill for the relief of Dr. and Mrs. Abel Gorfain; to the Committee on the Judiciary.

H.R. 2707. A bill for the relief of Efstratios Moundroukas; to the Committee on the Judiciary.

H.R. 2708. A bill for the relief of Vasiliki Moundroukas; to the Committee on the Judiciary.

H.R. 2709. A bill for the relief of Dr. Lionello Ferrari; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 2710. A bill for the relief of Naja Nessrallah, his wife, Samira Nessrallah, and their minor sons, Kozhaya Nessrallah and Mansur Nessrallah; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2711. A bill for the relief of Berta Drose; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 2712. A bill for the relief of Stephen and Simone Grignet; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 2713. A bill for the relief of Christopher Hing Kui Fung; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 2714. A bill for the relief of Grace and May Ning; to the Committee on the Judiciary.

H.R. 2715. A bill for the relief of Marie Attias Ezagui and Rahma Attias Ezagui; to the Committee on the Judiciary.

H.R. 2716. A bill for the relief of Graziella Pasquale; to the Committee on the Judiciary.

H.R. 2717. A bill for the relief of Michelangelo Granato; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 2718. A bill for the relief of Eleni Papapostolou; to the Committee on the Judiciary.

H.R. 2719. A bill for the relief of Anneliese Schlaak; to the Committee on the Judiciary.

H.R. 2720. A bill for the relief of Arturo Marciano; to the Committee on the Judiciary.

H.R. 2721. A bill for the relief of Matilda M. Schwarzmer and minor children; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 2722. A bill for the relief of Josiah Prema Das; to the Committee on the Judiciary.

H.R. 2723. A bill for the relief of Domenico Antonelli; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 2724. A bill for the relief of Davey Ellen Snider Siegel; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 2725. A bill for the relief of Luigi Mario DeSimone; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 2726. A bill for the relief of John F. Wood of Newport News, Va.; to the Committee on the Judiciary.

H.R. 2727. A bill for the relief of Lt. Col. Warren J. Green of Fort Monroe, Va.; to the Committee on the Judiciary.

H.R. 2728. A bill for the relief of Charles Waverly Watson, Jr.; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 2729. A bill for the relief of Mrs. Barbara Lambrecht; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2730. A bill for the relief of Santa Pisciotta; to the Committee on the Judiciary.

H.R. 2731. A bill for the relief of Domenico De Simio; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2732. A bill for the relief of Mrs. Gisela Fuchs; to the Committee on the Judiciary.

H.R. 2733. A bill for the relief of Mrs. Giovanna Iacobelli; to the Committee on the Judiciary.

H.R. 2734. A bill for the relief of Mrs. Michael Stone; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 2735. A bill for the relief of Ligia Paulina Jimenez; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 2736. A bill for the relief of William C. Jessup; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 2737. A bill for the relief of Pedro Aguinaldo; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 2738. A bill for the relief of Lim Ok Sook; to the Committee on the Judiciary.

H.R. 2739. A bill for the relief of Emma Hoffmann; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H.R. 2740. A bill for the relief of Dinka Maria Hraste; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 2741. A bill for the relief of Tom You Hong, Wai Kuen Wong (also known as Alice Tom), and Peter Tom; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 2742. A bill for the relief of Sarolta Hoffmann (Sarah Hoffmann nee Presser); to the Committee on the Judiciary.

H.R. 2743. A bill for the relief of Mrs. Mary E. O'Rourke; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 2744. A bill for the relief of Miss Rosa Torres-Alverez; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 2745. A bill for the relief of A. T. Leary; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 2746. A bill for the relief of Mrs. Despina Georgeton (nee Despina Dilioglou); to the Committee on the Judiciary.

H.R. 2747. A bill for the relief of the estate of J. W. Gwin, Sr.; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 2748. A bill for the relief of Cecil Graham; to the Committee on the Judiciary.

H.R. 2749. A bill for the relief of Genguiz Mohamed Nazim; to the Committee on the Judiciary.

H.R. 2750. A bill for the relief of Paciencia Ilagan; to the Committee on the Judiciary.

H.R. 2751. A bill for the relief of Mrs. Jesse Franklin White; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 2752. A bill for the relief of Staja Stojanovic and Milka Stojanovic, his wife; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 2753. A bill to authorize suits against the United States to quiet title of certain real property in Moduc County, Calif.; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 2754. A bill for the relief of Mercedes Robinson; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 2755. A bill for the relief of Heung Joo Kim (also known as Jim H. Kim); to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 2756. A bill for the relief of George R. Lore; to the Committee on the Judiciary.

H.R. 2757. A bill for the relief of Woo You Lyn (also known as Hom You Fong) and Lyn Fong Y. Hom; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 2758. A bill for the relief of Faustino M. Gayo, M.D.; to the Committee on the Judiciary.

H.R. 2759. A bill for the relief of Nawab Ali; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 2760. A bill for the relief of Josef Buchholz; to the Committee on the Judiciary.

H.R. 2761. A bill for the relief of Krsto Kolega and his wife, Bozica Kolega; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2762. A bill for the relief of Alajandro B. Catli; to the Committee on the Judiciary.

H.R. 2763. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claims of the Burnham Chemical Co. against the United States; to the Committee on the Judiciary.

H.R. 2764. A bill for the relief of Dr. Dionysius I. Macatiag; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 2765. A bill for the relief of Mirko Jaksic; to the Committee on the Judiciary.

By Mr. MARTIN of California:

H.R. 2766. A bill for the relief of Mrs. Lois Ella Levien Hammer; to the Committee on the Judiciary.

H.R. 2767. A bill for the relief of Esther Khoe; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 2768. A bill for the relief of Jose Luis da Silva; to the Committee on the Judiciary.

By Mr. MARTIN of Nebraska:

H.R. 2769. A bill for the relief of Yeng Burdick; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 2770. A bill for the relief of Mrs. Justine M. Dubendorf; to the Committee on the Judiciary.

By Mr. MONTOYA:

H.R. 2771. A bill for the relief of Gerda Christoffersen Hilliard; to the Committee on the Judiciary.

H.R. 2772. A bill for the relief of Mr. and Mrs. Harley Brewer; to the Committee on the Judiciary.

H.R. 2773. A bill for the relief of Mrs. Esther Hernando-Perez de Lucero; to the Committee on the Judiciary.

H.R. 2774. A bill for the relief of George Mah; to the Committee on the Judiciary.

H.R. 2775. A bill for the relief of Gee Foon Yin; to the Committee on the Judiciary.

H.R. 2776. A bill to authorize the disposal of surplus equipment, materials, books, and supplies under section 203(j) of the Federal Property and Administrative Services Act of 1949 to the New Mexico Boys' Ranch; to the Committee on Government Operations.

By Mr. MOORHEAD:

H.R. 2777. A bill for the relief of Mrs. Lena Conte; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 2778. A bill for the relief of Kyriakos G. Kyriakoulis; to the Committee on the Judiciary.

H.R. 2779. A bill for the relief of Eleanor Benedyk; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 2780. A bill for the relief of Ioannis Kalergis; to the Committee on the Judiciary.

H.R. 2781. A bill for the relief of Miltiades Troumpoucis; to the Committee on the Judiciary.

H.R. 2782. A bill for the relief of Panagiotis Basile Kladis; to the Committee on the Judiciary.

By Mr. O'NEILL (by request):

H.R. 2783. A bill for the relief of Eduardo Joaquim Fontes; to the Committee on the Judiciary.

By Mr. PILLION:

H.R. 2784. A bill for the relief of Angela D'Angelo; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 2785. A bill for the relief of Bruno Beer; to the Committee on the Judiciary.

H.R. 2786. A bill for the relief of Kazimerz Topor; to the Committee on the Judiciary.

H.R. 2787. A bill for the relief of Dr. Joak Han; to the Committee on the Judiciary.

H.R. 2788. A bill for the relief of Dr. Asu Ram Jha; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 2789. A bill for the relief of Wilhelmina Ginteburg Schleifer; to the Committee on the Judiciary.

H.R. 2790. A bill for the relief of Owen L. Green; to the Committee on the Judiciary.

By Mr. RAINS:

H.R. 2791. A bill for the relief of Santa Giammalva; to the Committee on the Judiciary.

H.R. 2792. A bill for the relief of Lt. Col. Theodore C. Marrs, U.S. Air Force; to the Committee on the Judiciary.

H.R. 2793. A bill for the relief Eiko Udaka; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 2794. A bill for the relief of Sale Kurg; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 2795. A bill for the relief of Dr. Enrique Balbastro Silla; to the Committee on the Judiciary.

H.R. 2796. A bill for the relief of Luisa Marotta; to the Committee on the Judiciary.

H.R. 2797. A bill for the relief of Mrs. Konstantina Papanelopoulou Petreanu; to the Committee on the Judiciary.

By Mr. SECREST:

H.R. 2798. A bill for the relief of Mrs. Helen Vaselenak; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 2799. A bill for the relief of Mrs. Margarita M. Respicio; to the Committee on the Judiciary.

H.R. 2800. A bill for the relief of Anna Virginia Young (also known as Anna Virginia Young Shuk Yin); to the Committee on the Judiciary.

H.R. 2801. A bill for the relief of Donald A. MacMasters; to the Committee on the Judiciary.

H.R. 2802. A bill for the relief of Alexei Bogdanoff; to the Committee on the Judiciary.

H.R. 2803. A bill for the relief of Lee Shee Hung; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H.R. 2804. A bill for the relief of Mrs. Jay McClean; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 2805. A bill for the relief of Mrs. Sumi Kato; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 2806. A bill for the relief of Miloye M. Sokitch; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 2807. A bill for the relief of Mrs. Mitsue Sugimoto; to the Committee on the Judiciary.

H.R. 2808. A bill for the relief of Yehuda Licht and his wife, Bella Licht, and their minor children Yizhak (Yitzhat) and Smadar (Snadar) Licht; to the Committee on the Judiciary.

H.R. 2809. A bill for the relief of Fortunato Di Piazza; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 2810. A bill, for the relief of Dr. Young Joe Ahn Han (nee Young Joe Ahn); to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 2811. A bill for the relief of Vernon E. Linth; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 2812. A bill for the relief of Anne Marie Gevas; to the Committee on the Judiciary.

H.R. 2813. A bill for the relief of Francis Quan and Janet Wong; to the Committee on the Judiciary.

H.R. 2814. A bill for the relief of Mirjana Tomas; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 2815. A bill for the relief of Sister Myriam (Marta Krzyzowska); to the Committee on the Judiciary.

H.R. 2816. A bill for the relief of Mrs. Agnes Geidl; to the Committee on the Judiciary.

H.R. 2817. A bill for the relief of Yaeko Kasahara; to the Committee on the Judiciary.

H.R. 2818. A bill for the relief of Elmer J. and Richard R. Payne; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2819. A bill to provide for a cash award in recognition of the scientific contributions in the field of electronic guidance and gyroscopic stabilization of aircraft and missiles made by Garnett J. Dye and offered to the U.S. Government; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 2820. A bill for the relief of Toufic Renno; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.J. Res. 198. Joint resolution declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

By Mr. DOWNING:

H. Con. Res. 58. Concurrent resolution tendering the thanks of Congress to Lt. Gen. Lewis B. Puller, U.S. Marine Corps (retired); to the Committee on Armed Services.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

22. By Mrs. ST. GEORGE: Petition of Augustus C. Wallace and others to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

23. By the SPEAKER: Petition of Jay Creswell, Orlando, Fla., relative to a redress of grievance relating to submitting a draft of the Universal Exchange of Good Works Act of 1963; to the Committee on Appropriations.

24. Also, petition of Frank F. Pascoe, Empire Typographical Conference, Poughkeepsie, N.Y., relative to supporting President Kennedy in his stand on the Communist build-up of weapons in Cuba; to the Committee on Foreign Affairs.

25. Also, petition of Henry Stoner, New York, N.Y., relative to requesting that legislation be initiated requiring that every increase in appropriations over the previous year's must be covered by taxation laws adequately paying for said increase in appropriations; to the Committee on Ways and Means.

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## EXTENSIONS OF REMARKS

### Tribute to Hon. Jose E. Benitez, Deputy High Commissioner, Pacific Trust Territory

EXTENSION OF REMARKS
OF
HON. GEORGE A. SMATHERS
OF FLORIDA
IN THE SENATE OF THE UNITED STATES
*Thursday, January 24, 1963*

Mr. SMATHERS. Mr. President, I was particularly pleased to note in a recent press release issued by the Office of Emergency Planning of the Executive Office of the President that a certificate of appreciation award was presented to the Honorable Jose A. Benitez, Deputy High Commissioner, Pacific Trust Territory, for the invaluable service rendered by him in connection with the rehabilitation of the Territory of Guam, following typhoon Karen of November 11, 1962.

This honor by the Government of the United States was conferred upon Mr. Benitez by Mr. Edward A. McDermott, Director of the Office of Emergency Planning.

Mr. Benitez, present during the storm which was one of the severest in the history of Guam, was commended by Mr. McDermott for "his on-the-spot actions and subsequent counsel and guidance which were invaluable to Federal officials working to restore and rehabilitate the territory" which comprises some 70,000 people.

Many of us will recall that there were many casualties as a result of this storm and over $100 million of property damage.

It is interesting to note that Mr. Benitez, who was appointed Deputy High Commissioner of the Trust Territory of the Pacific Islands in March 1961, was exceptionally well qualified to render such assistance in the Guam disaster because he has held important administrative posts in the executive and legislative branches of the Puerto Rican Commonwealth where he was confronted with numerous social and economic problems.

I have known Mr. Benitez for a number of years. He is a man of high character, integrity, and outstanding ability. I know that many of my colleagues here certainly join with me in congratulating him for the outstanding service he has rendered and are particularly pleased to note that this service was recognized by the award which was conferred upon him by the Government of the United States.

## Space Explorations

EXTENSION OF REMARKS

OF

## HON. MARGARET CHASE SMITH

OF MAINE

IN THE SENATE OF THE UNITED STATES

*Thursday, January 24, 1963*

Mrs. SMITH. Mr. President, last week I made a speech to the Columbian Women of George Washington University in which I discussed the subject of space. I did not anticipate that there would be any interest in my speech beyond the group to which I spoke.

Surprisingly, I have received several requests for copies of that speech—and with most of the requests coming from the Pentagon. It makes me somewhat curious as to what I said that so interested the people, particularly in the Office of the Secretary of Defense and in the Air Force.

I have received so many requests that I think the only practical thing to do is to place the speech in the RECORD. I, accordingly, request unanimous consent that the speech be placed in the CONGRESSIONAL RECORD so that it may be available to all interested parties.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### SPACE EXPLORATIONS

(By Senator MARGARET CHASE SMITH, of Maine)

It is a pleasure to be with you this morning. With George Washington University having honored me with an honorary doctor of laws degree and thus made me an honorary alumna of your fine institution, I feel somewhat as though I was a member of the family—a sort of an in-law.

The subject of my discussion is prompted by something that I read in the newspapers recently. To my way of thinking it was big news—but it was buried in the news. It was the statement of the Russian Astronaut Poppovich that the Russians would soon send a woman into space and would have the distinction of having the first woman astronaut.

Now I am not going to talk about women astronauts. I think time will take care of that. But I am going to talk about space. I don't profess to be an expert on the subject since I am not a scientist—but this month I became the highest ranking Republican on the Senate Space Committee—and through the years in rising to that position inescapably I have absorbed some information, knowledge, and sophistication about space.

The first difficulty one encounters in discussing space is to comprehend its dimensions. The distances involved are so enormous, so much greater than those we meet in everyday life, that they are practically meaningless. As speeds of aircraft have increased, so has our sense of distance altered.

In the same way our mental attitude in dealing with interplanetary distances must change, even if the mind can never really envisage the vastness of it all. Space extends in all directions and has no known limits or outward boundaries. But in this decade we are determined to explore this vast unknown.

Our prime goal in the 1960's is the moon, and while this is extremely ambitious, it is only the beginning. Our ultimate goal will be the stars and to quote the British astronomer, Sir James Jeans, "There may be as many stars in the universe as there are grains of sand on the beaches of the world."

Thus it is readily apparent that we are engaged in what can truthfully be described as the greatest of pioneering efforts. I would like to talk to you in some detail about the imminent goals we have set for ourselves in this decade and why this effort is necessary.

I am sure you recognize that the United States needs to lead in space for several reasons, each of which will contribute to the scientific, technological or economic advancement, or to the peace and security of the free world.

We must lead because of our basic responsibility for the broadening of our understanding of the universe and our obligation to make available to ourselves and our descendants the resources of the universe which our expanding knowledge will permit us to utilize.

Second, we need to lead because of our desire to realize the direct and immediate benefits from the application of satellites into operational use, and the technological advances and stimulus to our economy which will emerge from our space effort.

Finally, we need to lead because of the potentially hazardous consequences to ourselves, and free peoples everywhere, were a hostile power to surpass us in the race in space. These needs are the impetus for what will be the greatest technological achievement man has ever attempted, manned flight to the moon.

The moon is our first objective, mainly because it is our closest neighbor. It is only 240,000 miles away, or a 3-day trip in the Apollo spacecraft. Also, since it is so close to us—speaking in space terms—there is much we have already learned about the moon through the astronomers.

A day on the moon consists of 14 earth days and since there is no sky to reflect the sun's afterglow, night descends suddenly. The temperature variation goes from about 212° Fahrenheit, which is equivalent to about that of boiling water, to a night temperature of 200° below zero. This compares with the highest earth temperature ever recorded of 136° Fahrenheit and 125° below zero.

It is because of these extreme temperatures and the lack of an atmosphere that it is assumed there is no life on the moon. However, there are some astronomers who dispute this and believe that some lowly forms of plant life may have adapted themselves to the moon's environment.

In any event we cannot tell with any degree of certainty what the moon is composed of and how it was formed without detailed observation. It is to that end that our Ranger program is addressing itself. The Ranger program consists of nine flights which will, among other things obtain high resolution television pictures of the lunar surface and perform scientific investigations of the moon's surface.

The Ranger program will be followed up by the Surveyor program, which is designed to land a package of instruments on the moon's surface. These instruments will return information concerning physical, chemical, and biological properties of the lunar surface, the general environment as well as pictures of the local terrain.

Additional programs will call for the placing of a space platform to orbit around the moon containing instruments for monitoring radiation, determining the properties of the moon's gravitational field and finally to provide information concerning possible sites for the manned landing on the moon. All of this must be done before we can attempt to land a man on the moon with any degree of safety.

The lunar exploration phase of the manned program will be conducted, as part of Project Apollo, in a capsule carrying a crew of three. The Apollo program requires space techniques far in advance of those that were needed in the Mercury program. The Apollo spacecraft must be built for flights of 2 weeks duration. It must be capable of guidance toward the moon and a gentle landing on the moon.

For man to land and remain in this hostile environment the establishment of a manned lunar base will be required. Supporting a base on the moon compared with one at the North Pole is almost like comparing pears and potatoes. While both are edible the similarity thereafter is less evident.

While food, shelter, and fuel can be supplied with comparative ease to the North Pole or any place of the earth's surface the life supporting requirements for the moon present a problem of far greater magnitude.

For example, a specially designed space suit with built-in air pressure to offset the moon's airlessness and the streams of ultraviolet and X-rays spewed forth by the sun, must be worn by the astronaut. A two-way radio is also necessary to converse since without air, sound cannot travel.

There will be many other aids for his protection but those I have mentioned provide some idea of his support requirements. One compensating feature for the astronaut is that he will be able to move about freely with all this equipment for his weight will be only one-sixth of what it would be on earth.

Simultaneous with our preparation to explore the moon, programs are underway to venture out to Mars and Venus. Ever since astronomers first reported "canals" and polar snowcaps upon Mars it has been the subject of much speculation. Is it a dead planet? Is it strewn with the remnants of ancient civilization? Does life exist there?

As for Venus, what mysteries lie behind its swirling clouds? Does it hide a lush tropical climate as some believe, or is it a watery waste, or perhaps a desert swept by dust storms? Venus and Mars, though the nearest planets to earth, are 100 times further away than the moon.

One important factor in planning a trip to either Venus or Mars is proper timing. To go to either planet we should plan our departure from earth when those planets will be nearest to us. In the case of Mars that period would occur about every 2 years while Venus comes to within 26 million miles of the earth periodically.

The little we know today regarding these neighbors of ours is from the astronomers. More has been learned about Mars than any of the other planets, since the atmosphere on Mars is thin enough to make telescopic observation easy.

It is from these observations that some scientists have deduced that there could be some form of life on Mars. However, it is doubtful that life exists there that can be compared with that found on earth, because of the scarcity of oxygen.

Venus, though the nearest of our neighboring planets, is called the mystery planet. The Venus' atmosphere is so dense, our astronomers have not been able to see through it, as they have in the case of Mars. Here again we are relying on our Mariner program to penetrate some of the enigma that surrounds Venus.

From all of this space research and exploration will come knowledge—knowledge about the universe and its physical laws; knowledge about the earth on which we live, and knowledge about life itself.

The space program will stretch the abilities and minds of our people for years to come. It will provide a continuing, long-term stimulant to our economy. The magnitude of the task will test the resources and cooperative will of all major elements of our society. Still, space exploration, and manned space flight in particular, offer the United States the opportunity for unparalleled progress in the future.

Ultimately, within this century, the sum of all our efforts will give us the equipment, the knowledge and the skill to utilize space as we now utilize the seas and the air.

This then is our motive—our objective. To develop superior competence in space which will be available for any national purpose which may be required, whether it be for the peaceful use of space for the benefit of all mankind or to keep the peace.

Past experience has shown that the most important benefits of basic research are probably unforeseen. Yet there are many areas in which we can predict direct benefits. The results of materials research—ceramics, metals, and plastics, for example, will inevitably find their way into industry and to the consumers. The values of new fuels, new methods of power generation, and supersonic transportation are clear.

Weather satellites have already shown vividly what can be done to aid in weather surveillance and forecasting. The improved Nimbus satellite is being developed by the United States to succeed Tiros. This will provide the basis of an operational weather satellite system.

Eventually we will be in a position to predict weather anywhere on the globe with precision. The human and monetary values of being forewarned about approaching hurricanes and typhoons will prove invaluable. It has been estimated by authorities in this field that in 1 year alone we could be completely repaid for the initial outlay of the entire program.

Then there is the communications satellite. On July 10, 1962, the whole world knew of Telstar. The telephone company's ground station at Andover has been described as the granddaddy, the champion of them all.

Eventually, of course, there will be many more, some big and some small, depending upon requirements. But I would always hope that this Nation will have not only the grandfather ground station, but the biggest and the best.

What the Telstar can do is only the beginning of what we can expect in improved worldwide communications. Since one of the major problems in the struggle between ideologies is the problem of communication between peoples it is intriguing to contemplate the effect on international understanding and cooperation that could result from instantaneous radio and television presentations.

The communication satellite experts point out that a tremendous increase in global communication capabilities is in the offing. Hundreds of times the number of presently available oversea channels will be opened and service to points where present-day cable and microwave systems do not reach will become feasible.

Lower costs for oversea services should be realized, and such techniques as the use of closed circuit television conferences to obviate the need for some transatlantic travel should come into being. The satellite system will also open the possibility of establishing local communications networks centered on a satellite terminal in areas which now have little or no external communications services.

The technology we are developing in our space program is certain to have immense and growing effects on the national economy, the professions and on everyday life. Already industry is profiting from new techniques, alloys, plastics, fabrics, and compounds of many kinds, originally created to do space jobs.

We are merely at the beginning of an era of profound technological change, whose end no one can foresee. Today, far more than in the past, scientific progress determines the character of tomorrow's civilization.

There are many, many other benefits that will be realized from our space efforts, but basically it will be knowledge—knowledge that will put mankind in a position to develop applications to human progress and welfare, to make new consumer goods, and to build up our standard of living.

We are doing this for ourselves right now with the legacy of knowledge given to us by our forebears. Some of the knowledge that we are now gathering, we will ourselves use for our own gain. But more important than that, it will be our legacy to our children and grandchildren, for them to use in furthering their own welfare.

## House Agriculture Committee Republicans Urge Action on Common Market

EXTENSION OF REMARKS

OF

### HON. CHARLES B. HOEVEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. HOEVEN. Mr. Speaker, one of the most important problems facing American agriculture today is the threat to our export markets in Western Europe. It is in this regard that I joined with my 13 Republican colleagues of the House Committee on Agriculture in urging the chairman of our committee to take some immediate steps to promote U.S. farm exports and to offer our complete cooperation on the minority side of the aisle in a unified effort in behalf of the American farmer. I therefore under unanimous consent include at this point in the RECORD a copy of the letter which the minority members of the House Agriculture Committee sent to the gentleman from North Carolina [Mr. COOLEY] this week, as follows:

JANUARY 21, 1963.

Hon. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,*
*House of Representatives,*
*Washington, D.C.*

DEAR MR. CHAIRMAN: We, the undersigned members of your committee, would like to take this opportunity to express our concern about current economic trends in the European Common Market and the discrimination against American agricultural exports and to offer our full cooperation in a unified committee effort to meet this serious challenge to our agricultural economy.

As you know, the full impact of the loss of substantial dollar markets for farm commodities in Western European markets goes far beyond the interest of the agricultural community alone and presents a serious threat to the Nation's balance-of-payments problem.

As the President pointed out in one of his recent budget messages to Congress, "During recent years this country has paid more abroad (for imports, investments, military expenditures, and other Government programs) than it has received from abroad (for exports, earnings on its investments, and repayments of loans)."

If American agricultural exports for dollars are materially diminished the result will be not only an aggravation of our balance-of-payments situation, but also a direct and immediate loss to American farmers who now raise 1 acre out of 7 for export markets.

It has of course been generally acknowledged by administration spokesmen and been extensively reported by the press that the restrictive and protectionist variable import fee tariff plan of the Common Market is already costing American poultry farmers a $50 million annual market in addition to shutting the door of opportunity for the development of new Western European poultry markets. Serious and immediate threats also exist for American wheat, feed grains, and certain fruits and vegetables, and there exist many ominous implications for the long-term growth of European markets for cotton, soybeans, tobacco, and a host of other U.S. farm commodities.

We therefore recommend that in order for American agriculture to hold and expand its markets in the Common Market (which in 1961 took 23 percent of the total U.S. exports to all destinations and accounted for 31 percent of all U.S. agricultural exports sold for dollars) that the Committee on Agriculture take these immediate steps:

First. Give this serious situation immediate and intensive study, starting with a thorough review of the developments which have led up to the present conditions.

Second. Keep a continuing account of these developments and trends, particularly in regard to the economic trade posture of Great Britain.

Third. Emphasize by committee resolution the urgent need for vigorous and effective agricultural representation not only on the President's Committee To Review Foreign Aid, but also and more importantly at the highest levels of tariff negotiations conducted by representatives of the United States and the European Economic Community.

Looking forward to your cooperation in this effort, we remain,

Sincerely yours,

CHARLES B. HOEVEN, PAUL B. DAGUE, PAGE BELCHER, CLIFFORD G. MCINTIRE, CHARLES M. TEAGUE, ALBERT H. QUIE, DON L. SHORT, CATHERINE MAY, DELBERT L. LATTA, RALPH HARVEY, PAUL FINDLEY, BOB DOLE, RALPH F. BEERMANN, BEN REIFEL.

## Deterioration of U.S. Position in Nuclear Test Ban Conferences

EXTENSION OF REMARKS

OF

### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. HOSMER. Mr. Speaker, in the body of today's RECORD will be found my discussion of the steadily deteriorating position of the United States in the nuclear test ban conferences. Printed herewith is a summary table of the burden of this discussion comparing circumstances and our positions when the conferences began in 1958 with what they now are, in 1963. It is emphasized that the subject of a test ban treaty was placed in a frame of reference by former President Eisenhower when negotiations began as aiming at a treaty, self enforced by adequate machinery to detect violations and inspection machinery to confirm their occurrence or nonoccurrence. Today the discussions proceed on a basis which would provide neither adequate detection machinery nor adequate inspection procedures. As a consequence, any treaty arrived at on this basis will not be cheatproof. Thus, it cannot be expected to forward the national security interests of the United States, rather it could imperil them.

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Table Illustrating Deterioration of Circumstances and U.S. Positions During Nuclear Test-Ban Negotiations Between the Years 1958–63

| 1958 | 1963 |
|---|---|
| (1) United States began negotiations: | (1) United States carries on negotiations: |
| (a) After completion of adequate series of nuclear weapons tests. | (a) After series of U.S. tests in which several planned events had to be canceled. |
| (b) After sufficient time to analyze preceding Soviet test series for possible nuclear weapons breakthroughs. | (b) Unlikely sufficient time has elapsed to discover any breakthroughs in the Soviet test series which lasted until late December 1962. |
| (2) Area of Soviet Union demanding adequate detection machinery and adequate inspection procedures spans 2 continents, encompasses 8½ million square miles, and comprises one-sixth of the world's land area. | (2) No change. |
| (3) Detection machinery: | (3) Detection machinery: |
| (a) Network of 180 internationally manned and controlled seismic detection stations. | (a) International network replaced by scheme in which cheaters are relied upon to submit seismic evidence of their own crimes. |
| (b) Nineteen of the one hundred eighty internationally manned and controlled seismic stations to be built at necessary locations within the Soviet Union. | (b) Three unmanned, tamper-prone "black box" seismic devices (as yet undeveloped) for entire Soviet land mass—to be shuttled to and fro by Soviet airplanes and installed by Soviet personnel. |
| (4) Onsite inspections: | (4) Onsite inspections: |
| (a) 20 inspections annually on Soviet territory. | (a) Khrushchev's low of 2 annually, Kennedy's high of 10 annually, or something in between. |
| (b) Mandatory inspections on independent initiative of International Control Commission. | (b) Inspection only upon "invitation" of the U.S.S.R. |
| (c) No limitation on size or composition of inspection teams. | (c) Size and composition of teams subject to availability of Soviet-furnished transportation and logistics. Soviets may screen windows of transporting vehicle and impose "prohibitions to carrying photocameras, etc." |
| (d) Inspection methods to include aerial photography, physical above and under the ground surveillance, radiation monitoring equipment and the like. | (d) Again, dependence on Soviet-furnished transportation can limit, delay or "misplace" equipment needed by inspection teams. |
| (e) Any part of Soviet Union subject to inspection on detection of a suspicious event. | (e) Inspection teams subject to restrictions on or complete denial of entry into an area of suspicion on grounds of "danger to the security interests" of the U.S.S.R. |
| (5) Objective of negotiations to pose such serious risk to cheaters of getting caught that cheating will be deterred. | (5) Reference frame of current negotiations will encourage cheating by posing only nominal risks of getting caught. |
| (6) Possibility of France and Red China becoming subject to test ban. | (6) France and Red China have declared unwillingness to forego nuclear testing in any environment. |
| (7) Negotiations proceed from "safe" basis for U.S. national security. | (7) Negotiations proceed from "unsafe" basis for U.S. national security. |
| (8) Communist dogma decrees destruction of all that is non-Communist and Communist worldwide domination. | (8) No change. |

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## James Patrick McGrannery

EXTENSION OF REMARKS

OF

### HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. WALTER. Mr. Speaker, the recent death of the Honorable James Patrick McGrannery has removed from the Washington scene one of the finest gentlemen that ever served his God and country.

Judge McGrannery was a personal friend with whom I had the great privilege of serving in this distinguished body, the House of Representatives, as well as on our State Democratic Committee of Pennsylvania.

Judge McGrannery was a humble man, always interested in helping others, regardless of his or her social standing in a community.

Much of his time had been spent in the service of his church. Repeatedly he was recognized by the hierarchy of the Roman Catholic Church including two pontiffs, Pope John XXIII and Pope Pius XII.

After he served in the House of Representatives, from the 75th through to the 78th Congresses, Judge McGrannery became an Assistant Attorney General of the United States. He later served as a Federal district judge and still later as the Attorney General of the United States during President Truman's administration. For the past 8 years, until the time of his death, Judge McGrannery maintained a general practice of law here in the District of Columbia.

Mr. Speaker, here was a great man, James Patrick McGrannery, who served his fellow man and served him until his death. I join other Members in heartfelt condolences to his family and pray that God will comfort his wife and children in their loss as only He can do.

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## Address of Welcome Honoring New Members of the 88th Congress

EXTENSION OF REMARKS

OF

### HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

*Thursday, January 24, 1963*

Mr. BIBLE. Mr. President, the local governmental housekeeping problems of Washington, D.C., have beset the National Capital City since the cornerstone of this building in which we are assembled was laid in 1793. From the day Pope's mansion on this site was torn down 169 years ago to make way for the Capitol Building, the problems and plight of local government here have not been easy in this federally owned city.

One week ago the President of the United States sent a special message to the Congress urging legislative and budgetary steps to place the District's local government on what I believe would be a sound, businesslike fiscal basis for the first time in many years.

Since each Member of Congress is a city councilman for Washington, D.C., may I urge that the membership of the Senate and the other body read a most interesting thumbnail history of Washington, D.C., given by the Honorable Charles E. Phillips, president of the Metropolitan Washington Board of Trade, before a dinner tendered by that organization on January 16 at the Sheraton-Park Hotel honoring new Members of the 88th Congress. The historical tidbits of Washingtonia are both fascinating and thought provoking.

Mr. Phillips, a native Washingtonian and an outstanding civic leader for many years, points up the growth problems of the past. All of us may anticipate those of the future as this metropolitan area continues its growth to an estimated 3½ million residents in less than 20 years and 5 million residents within 40 years. If the larger growth problems of tomorrow are to be less gigantic for this unique central city in this second, fastest growing metropolitan area of the country, one important growth problem of today—fiscal responsibility—should be faced squarely by Congress with the realistic approach suggested by the President as a guide.

Mr. President, I ask unanimous consent that Mr. Phillips' address be printed in the Congressional Record together with a statement I issued as chairman of the Senate Committee on the District of Columbia in connection with the

President's District of Columbia special budget message.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF WELCOME BY CHARLES E. PHILLIPS, PRESIDENT, METROPOLITAN WASHINGTON BOARD OF TRADE, AT THE SHERATON PARK HOTEL, WASHINGTON, D.C., JANUARY 16, 1963

Honored guests, ladies and gentlemen, it is a rare privilege, a real pleasure and a great honor to have this opportunity of welcoming recently elected Members of the Congress to Washington. The several hundred residents who are your hosts this evening express warm greetings not only from the 7,000 members of the Metropolitan Washington Board of Trade but also from the more than 2 million people who live and work and take delight in this great National Capital community. On their behalf, let me also say "Welcome home" to our old friends from the District of Columbia committees whose fine work in the Congress has merited the faith and continued support of the voters at home.

There was a time—not too long ago—when many new Members of the Congress got their first glimpse of this unusual city when they came to claim their seats. In such circumstances, old-time Washingtonians endeavored to show them the sights and explain to them the mores and the facts of life in Washington, D.C.

Happily, this is no longer true. I would be surprised if there is a single new Member who has not visited Washington before. In fact, there are many who have made frequent trips, and quite a few who have been residents—some for years—before being elected to the Congress.

All of you know where the White House, the Lincoln Memorial, and the Smithsonian Institution are, and what is done in them. You have visited our principal hotels and are well acquainted with Washington's many fine restaurants and stores and, perhaps, even its limited night life.

You know that Washington has been first in war and first in peace and often last in the American League.

Perhaps you may come to feel, as one new Congressman did during the Arthur administration, when he said, "On my first day in the House I looked around on that magnificent body of men, and wondered how in the dickens I got there. But after I had been here a few months I looked around again. Then I wondered how in the dickens those other fellows got there."

In these circumstances, it seems advisable to abandon the posture of the native welcoming strangers to their new and unknown home this evening and to devote instead a few moments to some observations concerning the past and future of this community which are unknown or little known to most of you. I have, therefore, assembled some comments from my background as a native and have done a little reading of Washington's history.

A wit once remarked that stealing from one person is plagiarism but stealing from many is research. The material in this brief talk was collected by light-fingered research from guidebooks, histories, newspapers, and the like.

Early records show that Capitol Hill was probably always an important site. Before 1700 the mighty Algonquin Indians selected it for their tribal council house.

One of our earliest settlers, Francis Pope, built a mansion where the Capitol Building now stands. He named it "Rome," and the hill, "Capitoline Hill." The stream at its foot, which is still there but covered over, he named the Tiber.

The eighth section of article I of the Constitution states, "Congress shall have power to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding 10 miles square) as may, by cession of the particular States, and the acceptance of Congress, become the seat of the Government of the United States."

In pursuance of this provision, President Washington on July 16, 1790, signed the bill establishing the National Capital on the banks of the Potomac. Commissioners were appointed to proceed with the task and, after some delays, signed an agreement with the 19 proprietors of the land for the original city of Washington. It provided that the United States would receive one-half the lots laid out and would retain public squares and streets. The agreement stated, "For the streets the proprietors shall receive no compensation but for the squares or lands in any form which shall be taken for public buildings or any kind of improvements or uses the proprietors whose land shall be taken shall receive at the rate of 25 pounds per acre to be paid by the public."

George Washington selected Pierre Charles L'Enfant to plan the city. L'Enfant, his associates and his successors—who soon supplanted this eccentric Frenchman—were men of bold imagination who stood among the swamps and briar patches at the head of navigation of the Potomac and visualized a city of half a million people.

They laid the foundation stones, not of a small town, but of a world capital, and they suffered the fate common to genius—of being laughed at while they lived and derided for many years after they had gone to their graves.

They have now come into their own. A full century was required for this great city to prove itself equal to its destiny. For a long time—really until after the Civil War—there was uncertainty as to whether the Capital would stay here.

L'Enfant first selected sites for the White House and the Capitol Building. Since the latter is where you now work, let us quickly note a few interesting facts about it.

The cornerstone of the Capitol was laid September 18, 1793. The original Senate wing, until a few years ago the Supreme Court Chamber—was completed in 1800. The House wing—now the Hall of Statuary—was not completed until 1811; and then soon after, during the War of 1812, the British invaded Washington and set a torch to it. After this humiliating incident, the two wings were rebuilt, and the central segment joining them was completed in 1825. The present House Chamber was finished in 1857 and the Senate Chamber 2 years later. Then, toward the end of the Civil War, the cast iron dome supporting the Statue of Freedom was dedicated. Since then, the only major addition to the Capitol was the extended east front completed just before the last inauguration.

Commenting on Washington in 1800, Oliver Wolcott described conditions like this: "one good tavern 40 rods from the Capitol, and several other houses * * * building * * * but I do not perceive how the Members of Congress can possibly secure lodgings unless they will consent to live like scholars in a college or monks in a monastery, crowded 10 or 20 to a house and utterly secluded from society."

Then, in 1838, a visitor, Captain Marryat, wrote, "Everybody knows that Washington has a Capitol, but the misfortune is that the Capitol wants a city. There it stands, reminding you of a general without an army."

Over the years, many interesting anecdotes and bits of history were recorded. Members wore their hats in the Chambers, and female visitors sat on the Senate floor until about 1838.

Senator Sam Houston was a whittler. Page boys filled his desk with white pine sticks every morning so that he could whittle souvenirs and send them up to the ladies in the galleries.

Styles changed too. It is recorded that in 1853 not more than four Senators wore mustaches; but, in January 1861, there were only four men who didn't have mustaches or beards.

In early days, Congress sat for only a few months each year, and when it adjourned, the city literally came to a standstill. In 1811, Washington Irving wrote, "You cannot imagine how forlorn this desert city appears to me, now that the great tide of casual population has rolled away."

The city of Washington was developed very slowly too, and for years was the butt of jokes both at home and abroad. It was known as the City of Magnificent Distances or the City of Miserable Morasses.

Tom Moore, a visiting Irish poet, composed these satirical lines:

"This embryo Capital, where fancy sees
Squares in morasses, obelisks in trees,
Where second-sighted seers, e'en now adorn
With shrines unbuilt and heroes yet unborn,
Though naught but woods and Jefferson they see
Where streets should run and sages ought to be."

But all were not critical, as evidenced by the words of Lafayette during a visit in 1824: "The city of Washington, the central star of the constellation which lights the world".

Charles Dickens was not impressed. In 1842 he said, "It has spacious avenues that begin in nothing and lead nowhere; streets a mile long that only want houses, roads and inhabitants; public buildings that need but a public to be complete; and ornaments of great thoroughfares which only need great thoroughfares to ornament".

And soon after Andrew Jackson took his place in Lafayette Square, Thackeray commented that "the hero is sitting in an impossible attitude on an impossible horse with an impossible tail".

But, as has previously been noted, this unique planned city was planned well. Alexander Shepherd paved the streets, built bridges and public works rapidly after the Civil War; and, a consequence, the District was impoverished and unable to pay its debts. Then the Congress, through the Organic Act of 1878, provided for Federal financial help and established the commission form of government, which has been effective ever since. At the same time, the Congress assumed the legislative and budget-making functions which it still exercises and which many of us wish will continue in the future.

After the Civil War, more Senators and Congressmen began moving their families to Washington. They became more familiar with local needs and problems, and in 1901 Senator McMillan and his commission unfolded their plan which revived the original L'Enfant concept and has guided the development of the District of Columbia ever since. We are proud of the part local citizens played in this important activity, for it was the Washington Board of Trade which encouraged Senator McMillan to undertake this effort.

From the period of the McMillan report, Washington has continued to grow in beauty and activity. No longer does the city fold when the Congress adjourns. World War II changed the pace forever. As the capital city of a great nation and center of the free world, Washington has become a dynamic metropolitan community of more than 2 million people. It is the seat of institutions—governmental and nongovernmental—which significantly influence the affairs of men throughout our Nation and throughout the world.

But Washington, the city of all the people, has continued to be criticized by many of them. Two highly critical commentaries of the Nation's Capital have just been published by the American Institute of Architects and by the Architectural Forum. It almost appears that these were timed to coincide with your arrival in the Congress.

While we do not subscribe to many of their observations and conclusions, we recommend them to you for early and careful reading. Just as it is fair game and standard procedure for those from afar to criticize and be vitriolic about the city—particularly those who do not understand it—it is standard practice to criticize Members of the Congress for what they do or might not do. These publications I have mentioned do not neglect you.

The Architectural Forum refers to Washington as a "company town" and the American public as stockholders in the company, and then suggests that the stockholders should correct the undesirable conditions. Perhaps you will be hearing from some of them from home.

Every major city in America has its problems. In fact, I know of some of them which deserve a more vigorous raking over hotter coals than this one does. But this is the only one which is the Capital of the United States of America, which was planned, designed and built from the start for that purpose. This is the only one which the Congress rules in accordance with the terms of the Constitution. Truly it is a "company town" and must concern you. Moreover, history has shown, and logic will support our conclusion, that you cannot successfully divest yourselves of the responsibility for this great and glamorous headquarters establishment and showcase of American democracy.

The United States is, was, and presumably always will be Washington's principal employer. But, it is by no means the majority employer. More than twice as many people in Metropolitan Washington work for others. The ratio of Federal to other employment has been decreasing and our forecasters predict a continuation of this trend.

We are a great and growing retail market. The number of visitors to the Nation's Capital is increasing year by year and totaled about eight million last year. The $380 million we estimate they spent is a powerful economic force, second only in importance to the Federal payroll.

National organizations—patriotic, fraternal—labor, business, and scientific—account for a large payroll and are an important part of the economy.

During the last few years we have also become one of the world's great scientific centers. Some 200 private research and development companies, which have opened here in recent years, importantly supplement the well-known Government scientific agencies which have been on the local scene for many years.

Metropolitan Washington will continue to be one of the fastest growing major urban areas in America. By 1980 we confidently anticipate a population of about 3½ million, and by the year 2000 about 5 million. Most of this growth will be outside the District of Columbia. Its impact may be more readily pictured if I say that it will require urbanization of 100 square miles of rural land in nearby Maryland and Virginia to provide housing and workplaces for the 1½ million more people expected in 1980.

As it has been since 1800, Washington will continue to be a fascinating, dynamic, rapidly changing community. Perhaps you will criticize it, but you will love its excitement, its tempo, its sights, and its people. In the pattern of your predecessors most of you will never return to your homes permanently. While you will maintain close ties, most of you will spend more time in Washington in the years ahead than you will at home. It behooves you, therefore, to give more than passing consideration to its affairs.

We earnestly hope that you will.

One of the reasons you will enjoy the Federal city is the fine people you will meet and get to know here, those who will be your friends and neighbors. Many of them have been here for generations, most of them came from some other place—your home city—your State—Europe, or even Timbuctoo. They will respect you because of your position, but I think you will enjoy most their cordiality and neighborly concern for your welfare.

Certainly we of the board of trade, which includes a large number of the community's business, professional, and civic leaders, want to extend a cordial, helping hand to you and your families. We earnestly hope we have made that clear, and urge you to call on some of those you have met this evening if there is something we can do to make you feel more comfortable in and enjoy your new home.

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STATEMENT BY SENATOR ALAN BIBLE, CHAIRMAN, SENATE COMMITTEE ON THE DISTRICT OF COLUMBIA, ON THE PRESIDENT'S DISTRICT OF COLUMBIA BUDGET MESSAGE

President Kennedy's budget presents a dynamic and realistic approach to the perennial fiscal problems confronting the Congress. The President's proposals offer a real and challenging hope for Congress to help the District's taxpaying citizens get the Nation's Capital City on a sound, businesslike fiscal basis.

I have long advocated a Federal payment formula of some type and have been a strong supporter of increased borrowing authority for badly needed capital construction. It is most heartening for those of us who have labored for the District to have the President lend his strong support and prestige in this effort.

His proposals will have my complete support. Details can be worked out in congressional committees. I believe a growing awareness throughout the country of keeping Washington, D.C., not only in words but in fact, the greatest Capital City in the world, will bring strong congressional acceptance.

The President's program would afford the greatest breakthrough in more than 40 years in meeting the money problems unique to this federally controlled and congressionally operated city.

The budget envisions substantial tax increases for District residents at the same time the Federal Government is asked to boost its share. This cooperative effort would seem an equitable step toward curing some of the Capital's known ills which tragically make themselves felt too often.

Washington, D.C., is every American's Capital. We must keep it no less.

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## Robert S. Kerr

EXTENSION OF REMARKS

OF

### HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. WALTER. Mr. Speaker, the sudden death of the distinguished Senator from Oklahoma, the Honorable Robert S. Kerr, has left a deep mark on all of us.

This past session of the 87th Congress, all of us marveled at the stamina and skill of this great Senator as he directed the fate of the most important pieces of legislation to come to the floor of the other body.

There is no question that Bob Kerr was a self-made man, a go-getter. At times his foes sharply criticized his actions, but Bob Kerr feared no man. He was, as one newsman wrote, "beyond doubt, the most powerful single Senator—and by himself more powerful than most of them in groups."

It did not take one long to know where Bob Kerr stood on a certain piece of legislation. All he needed was an explanation of the legislation and he would form his own opinion on its merits, and immediately would become its champion if he thought the bill was worthwhile.

This was brought home repeatedly in my own personal dealings with Bob Kerr. In the 1st session of the 87th Congress, Senator Bob Kerr, as chairman of the Public Works Committee, became one of the strongest advocates for the Delaware River Basin compact and helped lead the fight for its enactment by that body when it was threatened by a battle over public versus private power.

Outside of the Halls of Congress, Bob Kerr was a personable, knowledgeable individual who commanded the respect of a multitude of friends.

His every action was made in behalf of his constituents in that great State of Oklahoma, where he was born in a log cabin. His unique talents brought him widespread acclaim and his climb politically was compared with that of President Lincoln.

All of us, and the people of Oklahoma, will greatly miss this distinguished Senator. I join my colleagues in extending heartfelt condolences to Senator Kerr's devoted wife, Grayce Breene, and his daughter and three sons. Their grief is shared by all of us who had the good fortune and privilege to serve with this outstanding American.

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## Ukrainians and Their Struggle for Freedom

EXTENSION OF REMARKS

OF

### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. DANIELS. Mr. Speaker, January 22, 1963, marked the 45th anniversary of the independence of Ukraine. The history of the Ukrainian people in modern times is the story of a large group of gifted, gallant and industrious people ceaselessly struggling for their inalienable birthright, their freedom and independence. These hard-working and tenacious folk of the fertile steppe land in Eastern Europe tilled their bountiful farmlands for centuries, and enjoyed the fruits of their labor in full freedom when they were masters of their destiny.

After enduring the czarist autocracy for some 2½ centuries, they witnessed the birth of the independent Ukrainian National Republic early in 1918. January 22 of that year, the birthday of that Republic, was just as momentous in the history of the Ukrainian people as was the 21st of November of 1920, when the Red army overran the country and ruthlessly put an end to the Ukrainian National Republic.

The last tragic event took place 42 years ago, and since then these devotees of freedom and liberty, these dauntless and daring fighters for their national independence, these tough and tenacious toilers of their fair and fertile homeland have not known freedom. They have been fated since then to suffer under Communist totalitarian tyranny. Misery and misfortune, oppression and endless suffering have been the lot of these helpless and innocent Ukrainians for centuries. Long before the rise of czarist Russia, they had suffered under Asiatic invaders, and their country was ravaged by these hordes, but when the wave of these invaders receded late in the Middle Ages, the Ukrainians had managed to recoup some of their losses, had succeeded in rebuilding their ravaged homeland, had real hope of enjoying some peace.

In 1918, after attaining their national goal, when they were about to embark upon the task of creating anew a free and independent life in their homeland, their hopes and their dreams were shattered by the aggressive and oppressive policy of the Soviet Union. Today these people, living in one of the most fertile parts in Eastern Europe, are denied their most cherished birthright, the freedom to live according to their wishes and to work for their own welfare in their historic homeland.

It is paradoxical and tragic that some 45 million Ukrainians, brave and courageous fighters as they are, have been forced to submit to the ruthless regime of ungodly Communists for so long in their homeland. But in this age of paradoxes, full as it is with human tragedy, the unhappy Ukrainians, unarmed, helpless, and living in constant terror of the agents of the Kremlin, are unable to cope effectively with the massive might of the Soviet Union Government. That is a sad legacy of our age.

In observing the 45th anniversary of the independence of Ukrainians, this event will also serve as an excellent occasion to urge the formation of a desperately needed Special House Committee on Captive Nations in the 88th Congress. Such a committee—in stature and purpose appropriate to the scope and value of all the captive nations—would strongly symbolize to the world the determination of the American people never to forget the captive nations and their struggle for liberation and independence.

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## Analysis of H.R. 265 and H.R. 348, Providing for Basic Reform of Federal Tax Rates

EXTENSION OF REMARKS

OF

### HON. HOWARD H. BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. BAKER. Mr. Speaker, on January 9, 1963, my distinguished friend and fellow member of the Committee on Ways and Means, A. S. HERLONG, JR., and I introduced H.R. 265 and H.R. 348. These bills are the reintroduction of measures originally submitted in the 87th Congress which call for basic reform of Federal tax rates over a 5-year period.

These bills strike at the graduated rates of personal income tax, particularly in the middle and upper income ranges, and the high corporate tax rates which restrict the development and use of capital and thereby restrict economic growth to a rate far below that which is actually possible. Tax rates for individual and corporate taxes would be reduced over a 5-year period, unless budget imbalance and current fiscal year domestic and foreign economic assistance spending in excess of the previous fiscal year required postponement of scheduled rate reductions which could prolong the period of reduction over an 8-year maximum span.

The mounting interest in the reform of tax rates as embodied in our legislation has prompted my cosponsor and I to prepare an analysis of each section of the bills.

SECTION 1. REDUCED RATES OF TAX ON INDIVIDUALS

Annual reductions in individual tax rates applicable to the years beginning January 1, 1963, through January 1, 1967, are contained in this section. Over this period the minimum rate would be reduced from 20 to 15 percent, top rates would be reduced from 91 to 42 percent and all other rates would be reduced correspondingly, subject only to the postponement features covered in section 5. The individual tax rate reductions are shown in the table below:

*Reform of individual tax rates*

| Taxable income bracket (thousands) [1] | Present rates | Original rates, Jan. 1, 1963 | Amended actual rates, Jan. 1, 1963 | Jan. 1, 1964 | Jan. 1, 1965 | Jan. 1, 1966 | Jan. 1, 1967 |
|---|---|---|---|---|---|---|---|
| 0 to $2 | 20 | 19.0 | 19.5 | 18.0 | 17.0 | 16.0 | 15 |
| $2 to $4 | 22 | 20.5 | 21.25 | 19.5 | 18.5 | 17.5 | 16 |
| $4 to $6 | 26 | 24.5 | 25.25 | 23.0 | 21.5 | 20.0 | 17 |
| $6 to $8 | 30 | 28.0 | 29 | 26.0 | 24.0 | 21.0 | 18 |
| $8 to $10 | 34 | 31.0 | 32.5 | 28.0 | 25.0 | 22.0 | 19 |
| $10 to $12 | 38 | 35.0 | 36.5 | 32.0 | 28.0 | 24.0 | 20 |
| $12 to $14 | 43 | 39.0 | 41 | 35.0 | 31.0 | 26.0 | 21 |
| $14 to $16 | 47 | 42.0 | 44.5 | 37.0 | 32.0 | 27.0 | 22 |
| $16 to $18 | 50 | 45.0 | 47.5 | 40.0 | 35.0 | 29.0 | 23 |
| $18 to $20 | 53 | 48.0 | 50.5 | 42.0 | 36.0 | 30.0 | 24 |
| $20 to $22 | 56 | 50.0 | 53 | 44.0 | 38.0 | 32.0 | 25 |
| $22 to $26 | 59 | 53.0 | 56 | 47.0 | 40.0 | 33.0 | 26 |
| $26 to $32 | 62 | 55.0 | 58.5 | 48.0 | 41.0 | 34.0 | 27 |
| $32 to $38 | 65 | 58.0 | 61.5 | 51.0 | 43.0 | 36.0 | 28 |
| $38 to $44 | 69 | 61.0 | 65 | 53.0 | 45.0 | 37.0 | 29 |
| $44 to $50 | 72 | 64.0 | 68 | 56.0 | 47.0 | 38.0 | 30 |
| $50 to $60 | 75 | 66.0 | 70.5 | 57.0 | 48.0 | 39.0 | 31 |
| $60 to $70 | 78 | 69.0 | 73.5 | 60.0 | 51.0 | 40.0 | 32 |
| $70 to $80 | 81 | 71.0 | 76 | 62.0 | 52.0 | 41.0 | 33 |
| $80 to $90 | 84 | 74.0 | 79 | 64.0 | 54.0 | 44.0 | 34 |
| $90 to $100 | 87 | 76.0 | 82 | 66.0 | 56.0 | 46.0 | 36 |
| $100 to $150 | 89 | 78.0 | 83.5 | 68.0 | 58.0 | 48.0 | 38 |
| $150 to $200 | 90 | 80.0 | 85 | 70.0 | 60.0 | 50.0 | 40 |
| $200 and over | 91 | 82.0 | 86.5 | 72.0 | 62.0 | 52.0 | 42 |

[1] After deductions and exemptions. Applies to single persons, married persons filing separate returns, and "split income" of husbands and wives filing joint returns.

The bills are drawn up in contemplation of enactment after January 1, 1963, but in time to make the first reduction in the withholding rate effective July 1, 1963. Since taxpayer returns are on a calendar year basis, the actual 1963 tax rate cuts apply to the entire year but with a reduction in the withholding rate applying for only the last one-half of the year. The practical effect of the first year cuts is to provide a new scale of rates ranging from 19 percent in the first bracket of taxable income to 82 percent in the over $200,000 taxable income bracket during the last 6 months of the calendar year in place of the present rates ranging from 20 to 91 percent. However, because all individual tax rates resulting from reduction are levied against the incomes of individuals for a full year, the rates applying to the entire year 1963 must actually be one-half of those which, in practical effect and due to withholding, apply from July 1 on. The rates of individual tax, effective January 1, 1963, therefore, range from 19.5 percent at the first bracket of taxable income to 86.5 percent at the top bracket. All other rates are reduced in a consistent manner.

The scheduled second year personal tax rate reductions would remain unchanged from the original version of our bills introduced on July 20, 1962, that is, the range of rates would be from 18 to 72 percent. However, the difference between the personal tax rates effective January 1, 1963, and January 1, 1964, appears as a combination of the half a year's cut carried over from 1963 with the full reduction otherwise scheduled for 1964 or a year and a half reduction compressed into a 1-year period.

On a calendar year basis this is the case but viewing the rates as applied through withholding during the last 6 months of 1963, that is, a tax rate range of from 19 to 82 percent, the net effect is one of lowering the rates from 1963 to 1964 on a basis identical to that contained in the original series of scheduled reductions as contained in the table above.

SECTION 2. REDUCED INDIVIDUAL RATES APPLICABLE TO HEADS OF HOUSEHOLDS

This section sets forth the reduced rates which apply to heads of households during each year of the period in which scheduled reductions would take place. Rates are comparable to those set forth in section 1.

SECTION 3. REDUCED RATE TABLES FOR OPTIONAL INCOME TAX

Taxpayers with adjusted gross income of less than $5,000 would adhere to the rates shown on this section from the period beginning January 1, 1963, to January 1, 1967, and beyond. Rates follow those stated in section 1.

### SECTION 4. REDUCED RATES OF TAX ON CORPORATIONS

This section would amend section 11 of the Internal Revenue Code which currently provides for a normal tax rate on corporations of 30 percent and a surtax of 22 percent on taxable income in excess of $25,000. Five annual reductions applicable to the years beginning January 1, 1963, through January 1, 1967, would be spread between normal and surtax rates.

Due to the halving of the personal income tax rate reductions in 1963, the originally scheduled corporate tax rate reductions of 2 percentage points in the first year also have been halved. Therefore, the corporate tax rate applicable for the full 1963 year is 1 percentage in the normal tax rate, reducing it from 30 to 29 percent. To keep the corporate tax rate reductions for the second year consistent with the original 5-year schedule, that is, reduction in the normal corporate rate to 26 percent, the 1964 corporate reductions would merge the additional 1 percentage point of reduction unapplied in 1963 with the regularly scheduled 2 percentage point cut scheduled for the second year thereby bringing the total corporate tax rate reduction in the normal tax down by 3 full percentage points. The normal corporate tax rate would be further reduced by 2 percentage points during the third year and 1 additional percentage point in each of the last 2 years of the plan. The surtax rate also would be lowered by 1 percentage point in each of the last 2 years of the 5-year schedule or a combined normal and surtax rate reduction of 2 percentage points in each of the calendar years 1966 and 1967. At the end of the 5-year period the normal tax rate would be lowered from its present rate of 30 to 22 percent and the surtax rate would be reduced from 22 to 20 percent or a total reduction of 10 percentage points from the present 52 percent combined corporate tax rates. The following summary illustrates the corporate tax reductions:

| | *Percent* |
|---|---|
| Jan. 1, 1963: | |
| Normal tax | 29 |
| Surtax | 22 |
| Combined | 51 |
| Jan. 1, 1964: | |
| Normal tax | 26 |
| Surtax | 22 |
| Combined | 48 |
| Jan. 1, 1965: | |
| Normal tax | 24 |
| Surtax | 22 |
| Combined | 46 |
| Jan. 1, 1966: | |
| Normal tax | 23 |
| Surtax | 21 |
| Combined | 44 |
| Jan. 1, 1967: | |
| Normal tax | 22 |
| Surtax | 20 |
| Combined | 42 |

### SECTION 5. POSTPONEMENT OF SCHEDULED TAX REDUCTIONS

The language of this section is appended hereto. It incorporates two changes from our earlier bills.

The first change is to make postponement effective only as to rate cuts scheduled for the third and later years, as contrasted to the second and later cuts as originally provided.

The second change is to add to the original postponement test of budget unbalance a new test in regard to expenditure control. Postponement would be applied only if the budget is out of balance and if what are described as "subordinate expenditures" are higher in the current fiscal year than in the preceding year. "Subordinate expenditures" are defined to include all expenditures of the Federal Government except those related to military preparedness, space research and technology, and interest on the public debt. As a general positive description, "subordinate expenditures" cover those generally known as domestic spending programs plus foreign economic assistance.

The postponement procedure sets up a series of decisions and acts which if carried through to the final step would result in postponement of the affected cuts for 1 year, moving forward by 1 year all subsequent cuts.

The first step takes place as of November 15. No later than that date, the President is obligated to determine whether a state of budget unbalance would exist for the current fiscal year if the cuts scheduled for January 1 next go into effect and, if his finding in this respect is "yes," then he makes the further finding of whether "subordinate Federal expenditures" for the current fiscal year are in excess of those of the previous fiscal year. If the findings in both respects are "yes," then he has no alternative but to postpone the January 1 cuts for 6 months.

The second step takes place when the President submits his annual budget message to Congress in the following January, in which he is required to recommend to the Congress whether the cuts postponed to July 1 shall take effect on that date or should be further postponed for an additional 6-month period.

The third step is permissive as regards Congress. It may, by joint resolution enacted into law prior to May 15, put the cuts back into effect as of July 1 or postpone them to the following January 1.

The fourth step is dependent upon whether the Congress takes action. If the Congress does not, then the President is obligated to make the further postponement of 6 months.

Regardless of whether the final 6 months' postponement takes place by congressional resolution, or Presidential action, the effect as indicated above is to move forward for 1 year all subsequent proposals. The statute provides however that one set of cuts can be postponed for only 1 year. Hence, the last three scheduled cuts under the bills could be spread over a maximum of 6 instead of 3 years, without substantive change in the legislation.

The budget balance test remains an important benchmark of the postponement objective. It was originated when inflationary pressures were great and when the budget was in balance, as contrasted to the present situation in which most prices have been relatively stable for several years but the budget is substantially out of balance. If tax rate reform is to be accomplished, it has to be done within the realities of the present prospective budget situation, which is the reason for adding the new expenditure test. However, should an easing of world tensions permit a significant cutback in military spending, there would be no reason why the budget should not be quickly brought into balance. If the budget were balanced, the postponement test would be met in this respect, even though there were some increase in domestic expenditures. In short, the two tests together assure that there will be effective control over domestic and foreign aid spending at the minimum, and budget balance at the optimum, while the last three steps of rate reform are being put into effect.

### SECTION 6. REDUCTION OF WITHHOLDING TAX

This section would amend present withholding provisions of the Revenue Code to permit reductions in the amounts withheld in accordance with the individual income tax rate reductions scheduled over the 5-year period commencing on July 1, 1963.

REDUCTION OF WITHHOLDING RATES

| | *Percent* |
|---|---|
| Current withholding rate | 18.0 |
| Withholding rate after— | |
| June 30, 1963 | 17.1 |
| Dec. 31, 1963 | 16.2 |
| Dec. 31, 1964 | 15.3 |
| Dec. 31, 1965 | 14.4 |
| Dec. 31, 1966 | 13.5 |

### SECTION 7. DECLARATION OF ESTIMATED TAX BY INDIVIDUALS

This provision makes it clear that declarations of estimated tax filed by individuals can be based on the tax rates in effect on the last day for filing such estimate.

### SECTION 8. DECLARATION OF ESTIMATED TAX BY CORPORATIONS

This section extends the same right to corporations as is provided for individuals in the immediately preceding section.

### POSTPONEMENT PROVISION—(SEC. 5) OF H.R. 265 AND H.R. 348

Section 5, part III of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by the addition of a new section 22 to read as follows:

"SEC. 22. POSTPONEMENT OF TAX REDUCTIONS.

"(a) SIX-MONTH POSTPONEMENT OF REDUCTION OF RATES.—The President by November 15 shall determine, if the reductions in taxes under sections 1, 3, and 3402 (relating to income taxes on individuals) and section 11 (relating to income taxes on corporations) scheduled for January 1, 1965, and subsequent dates take effect, whether an imbalance in the budget of the Federal Government for the current fiscal year would exist and, if so whether the subordinate Federal expenditures for the current fiscal year as defined in subsection (f)(2), will exceed the subordinate Federal expenditures of the previous fiscal year. If the President determines that an imbalance in the budget would so exist and that the subordinate Federal expenditures for the current fiscal year exceeds that of the previous fiscal year, he shall, stating his reasons therefor in an Executive order, postpone until July 1 the date upon which such reductions of taxes are otherwise scheduled to take effect. In the next annual budget message to the Congress the President shall recommend whether any reduction in a rate of tax postponed under this subsection should become effective on July 1 or whether such reductions should be further postponed until the following January 1.

"(b) Congressional Action on Rate Reductions Postponed Under Subsection (a).—Congress may by means of a joint resolution which has become law before May 15 act—

"(1) to make effective upon July 1 next the rate reductions scheduled under sections 1, 3, and 3402 which have been previously postponed under subsection (a) or to postpone further such rate reduction dates until January 1 and/or

"(2) to make effective upon July 1 next the rate reduction scheduled under section 11 which has been previously postponed under subsection (a) or to postpone further such rate reduction date until January 1.

"(c) Further Presidential Action on Rate Reductions Postponed Under Subsection (a).—With respect to any rate reduction postponed under subsection (a) as to which Congress has not acted under subsection (b) by means of a joint resolution which has become law before May 15, the President shall, by May 15, further postpone until January 1—

"(1) any rate reduction scheduled under section 11 which has been postponed previously under paragraphs (a) (1) or (2), or

"(2) any rate reductions scheduled under sections 1, 3, and 3402 and section 11 and which have been postponed previously under paragraph (a) (2).

"(d) Total Postponement Not To Exceed One Year.—Under this section the date upon which a rate reduction is scheduled to take effect under section 1, 3, 11, or 3402 cannot be postponed under subsections (a) and (b) or (c), for more than one year.

"(e) Effect of Postponement on Subsequent Reduction Dates.—When a rate reduction date otherwise scheduled to take effect under section 1, 3, 11, or 3402 has been postponed under subsection (b) or (c) until January 1, then as to the tax whose rate reduction date has been so postponed, the rate reduction dates not affected by such further postponement shall be deferred for one year upon the occurrence of each such further postponement.

"(f) Definitions.—When used in this section:

"(1) 'Imbalance in the budget' means the existence of a situation where 'budget expenditures' exceed 'budget receipts' as those terms are used in the 'Annual Budget Message of the President' as submitted to Congress.

"(2) 'Federal subordinate expenditures' means budget expenditures as classified in 'The Budget of the United States Government for 1963' except expenditures for the following functions:

"i. Military functions.—Military expenditures by the Department of Defense including foreign military assistance but excluding expenditures for civil defense; expenditures for atomic energy activities directly devoted to military purposes; and expenditures by other Federal agencies for specific defense activities.

"ii. Space research and technology functions.—All expenditures by the National Aeronautics and Space Administration, and expenditures by the Atomic Energy Commission directly devoted to space efforts.

"iii. Interest.—Expenditures for interest on the public debt, interest on refunds of receipts, and interest on uninvested funds.

"Additions or deductions for interfund transactions shall be taken into account in arriving at the total amount of the subordinate expenditure level.

"(3) 'Rate reduction date' means the date upon which would become effective a reduction in the rate of a tax imposed by sections 1, 3, 11, or 3402.

"(4) 'Current fiscal year' means the fiscal year used for Federal Government accounting purposes during which a postponement provided by this section is or can be made.

"(5) 'Previous fiscal year' means the fiscal year used for Federal Government accounting purposes immediately preceding the current fiscal year against which the Federal subordinate expenditure level is compared for purposes of determining postponement.

"(6) 'Following fiscal year' means the fiscal year used for Federal Government accounting purposes which immediately follows the fiscal year during which a postponement provided by this section is made."

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## Time for Sober Reflection

EXTENSION OF REMARKS

OF

### HON. ROBERT T. McLOSKEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. McLOSKEY. Mr. Speaker, irrespective of our economic status, whether we are a lowly wage earner or whether we are shareholders of a large corporation, I feel all of us should soberly reflect on the three messages which have been sent to Congress in the past 2 weeks.

First, the President's state of the Union address, then his budget message, and finally Monday of this week his message on the economy of this great country.

As a newcomer to this illustrious body I must admit I have become somewhat befuddled. Likewise, I am sure, the senior Members of this 88th Congress must share with me some deep concern as well as considerable confusion.

We were led to believe in the state of the Union message that while the seas are not completely calm, by and large, we are on a safe course, and we shall be guided safely into port.

In his budget—incidentally, the largest ever proposed in time of peace, reaching the astronomical figure of $98.8 billion—his excellency proclaimed a vigorous Federal job economy program. Then, upon careful perusal I find a request for 36,500 more Government jobs. This, added to the 200,000 increase in Federal workers since the New Frontiersmen came into power, gives considerable cause for alarm.

The question may well be asked, has not the President proposed any cuts in Government jobs? In all honesty I must answer this question in the affirmative. He is asking an overall reduction of 30 jobs out of the Army's present 345,284 civilian employees. Big deal—instead of 345,284 employees there would be 345,254. Then I find the Agency for International Development is going to eliminate 48 jobs from 16,588—down to 16,540.

I merely point out these examples to call attention to the inconsistency of this administration's fiscal policy.

Most certainly the proposal for tax cuts is a noble purpose and I am sure all of us would like to see substantial cuts in our income tax. It is, however, difficult to reconcile a $13 billion tax reduction and at the same time increase our deficit by $12 billion.

It is my honest feeling that this program should be approached with honesty and candor, and if we propose substantial tax cuts, then like reductions should be made in Government expenditures.

I am afraid that under the program proposed by the President what we make on the popcorn we shall lose on the peanuts.

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## Joseph William Briggs: Our First Postman

EXTENSION OF REMARKS

OF

### HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mrs. FRANCES P. BOLTON. Mr. Speaker, millions of Americans would appreciate what Joseph W. Briggs has done for them but they may never have heard of him. Forgotten, except for a handful of relatives is the Clevelander who conceived the free postal delivery service for cities, served as the first mailman and designed the first free delivery letterbox.

Mr. Briggs, who died in 1872 and is buried in Woodland Cemetery in Cleveland, had nine children. His closest living descendants are two grandchildren: Mrs. Victor P. Minier, 12479 Cedar Road, Cleveland Heights and Mrs. Irene B. Allen, Thompson, Ohio. Their grandfather had reached his early fifties in the Civil War period. Cleveland got its regular mail route in 1803 and its first post office in 1805, located on Public Square on the site of the present Federal Building. During the Civil War, Mr. Briggs was stationed there as a clerk and assistant to the postmaster. At that time everyone had to go to the post office for his mail, which was either placed in special boxes or delivered at the windows.

During the winter of 1862–63 Mr. Briggs noticed that the women who stood in line in the cold suffered unnecessary hardships. They were so anxious to get letters from their husbands and sweethearts who were away at the fighting fronts that some of them used to stand exposed to the cold for hours before they could reach the delivery window. So Mr. Briggs suggested the idea of sorting the mail and taking it to the various grocery stores in different parts of the city where it could be distributed to the people who lived in the immediate vicinity thus saving them a long trip downtown and waiting in line. The idea was adopted and it worked out so successfully that Briggs went a step further. He suggested that uniformed post office employees should deliver the mail at the homes of the people to whom it was addressed. At first the idea met with every kind of opposition, but it was finally put into effect and Mr. Briggs designed the first uniform worn by the post office employees who became our first letter carriers.

On March 3, 1863, Congress passed the bill authorizing city free delivery. The Postmaster General in Lincoln's Cabinet, Montgomery Blair, then made Mr. Briggs a special agent of the Post Office Department for the supervision of the free delivery system. In that capacity, he organized the system of free delivery of mail matter in 52 cities from Bangor, Maine, to San Francisco, Calif.

I do not suppose any man ever contributed as much good to as many people as Joseph W. Briggs, who died in 1872, unhonored and unsung. Today, some of our most beloved public servants are the postmen who bring our mail to our homes daily. However, if it had not been for the foresight of Joseph W. Briggs, we might still be going to the central post office and standing in line to get our mail.

## Polish Insurrection Against the Russians

EXTENSION OF REMARKS

OF

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. BOLAND. Mr. Speaker, this week marks the centenary of a glorious event in the modern history of the Polish people. One hundred years ago the Poles openly defied the oppressive and autocratic Russian regime in their homeland in the fond hope of regaining their independence. Under the firm leadership of their national committee in Warsaw the movement spread to all parts of the country like a forest fire. In every hamlet and town, in all Polish communities under Russian rule, there were instantaneous uprisings. Irrespective of the sacrifices involved and the sufferings to be endured, the people seemed to have vowed to fight or die for their freedom. At first czarist officials in the country were bewildered by this sudden explosion and for a while they seemed unable to cope with the situation. Most unfortunately for the Poles, however, time was on the Russian side. In due time, in a matter of months, they were able to bring Russia's ferocious might against these ill-armed, ill-organized but gallant Poles and crush this national uprising.

But even in their failure to attain their goals Polish leaders and their united followers showed greatness and gallantry, they also showed nobility in spirit and purity in purpose. In their proclamation they urged the Poles to fight for the emancipation and the complete enfranchisement of every person in the Polish realm without regard to race, religion, or previous condition of bondage. By the display of such broadmindedness Polish leaders were hoping to unite non-Polish elements in the country behind their cause. But they had also counted on outside intervention by certain governments; they were almost sure of French and British aid in their fight against their oppressors. Unfortunately they were sadly mistaken and misled in this calculation, for even if the governments of these countries wanted to intervene effectively they were ill prepared to come to Poland's rescue. So in the end carrying their fight against huge Russian armies for more than a year, their glorious uprising was cruelly crushed by the defeat, capture, and public hanging of their youthful leader, General Traugutt, on August 5, 1864. On the centenary of this most heroic armed uprising in Poland's modern history we pay tribute to the gallantry of Poland's patriotic leaders.

## Congress Should Have Authority To Fix Postage Rates for Fourth-Class Mail the Same as Congress Fixes Rates for First-, Second-, and Third-Class Mail

EXTENSION OF REMARKS

OF

### HON. JAMES H. MORRISON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. MORRISON. Mr. Speaker, I have introduced, for appropriate reference, a bill to return to the Congress the authority to fix rates of postage in fourth-class mail which includes the parcel post system.

I have discussed the grave problems confronting the parcel post with several Members of Congress, including the distinguished chairman of the Senate Post Office and Civil Service Committee and we are in agreement that immediate action by the Congress is necessary in the interest of protecting the parcel post system.

As Members know, Congress a number of years ago relinquished its authority to fix rates in parcel post and gave concurrent responsibility in this matter to the Postmaster General and to the Interstate Commerce Commission.

This arrangement, although workable at the time that this authority was granted the Postmaster General and the ICC, has proven to be unsatisfactory and, as a matter of fact, now poses grave financial threats to the very existence of an efficient and well-operated parcel post system.

Within the last 2 years a proceeding was instigated by the Postmaster General at the Interstate Commerce Commission regarding fourth-class rates. This proceeding has been drawn out for a year and a half and finally was brought to a halt with no action taken.

The present statutes require that whenever the parcel post system is more than 4 percent out of balance as between costs and revenues, the Postmaster General is required to petition the ICC for its permission to place into effect rates which the Postmaster General determines are needed to place parcel post within 4 percent of cost.

The Interstate Commerce Commission in numerous proceedings under this statute has determined that it has no independent authority to make investigations of figures presented by the Postmaster General, and has no authority to make any change at all in the petition of the Postmaster General.

In addition to this problem, several recent proceedings of this type in fourth class have demonstrated that this arrangement gives rise to many costly and time-consuming adversary proceedings which delay and hamper the arrival at decisions in the public interest involving parcel post rates.

The Congress has complete authority to set postage rates in all other classes of mail, including the fixing of zones and the assignment of priorities of delivery. The Congress met this responsibility last year in proper fashion as all of us know.

It is my sincere belief that the fixing of rates for parcel post can no longer be separated in any administrative proceeding from the fixing of rates in all other classes of mail. We have but one Post Office Departemnt with one overall operating budget. This Department has four classes of mail and the problems of all of these classes are interrelated. If the Post Office Department is to serve the public, it must be considered as a whole, and its services must be considered collectively.

I am informed that the Senate Post Office and Civil Service Committee intends, at an early date, to begin an exhaustive study of the parcel distribution systems in the United States. I am informed further that on the basis of the information elicited in this study that the chairman of the Senate Post Office and Civil Service Committee desires to take action in this Congress in the matter of establishing rates in fourth class. I believe that this is a correct course of procedure and that we can all benefit from such a study.

In view of the grave threats to the parcel post system and its ability to serve the public, I hope that the appropriate agencies of Government who are presently concerned with parcel post rates will take note of the interest of those of us in the Congress who intend to take action to rectify the situation with which we are confronted. The problems of price, volume and service to the public in our parcel post system are extremely important to all and I feel confident that all agencies will want to cooperate with the Congress in solving these problems. I hope further that we may proceed without delay to hearings on my bill and action in the House.

## Ukrainian Independence Day

EXTENSION OF REMARKS

OF

### HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. WYDLER. Mr. Speaker, the celebration of Ukrainian Independence Day is a tribute not only to that occasion in history which marked a triumph of the centuries for the Ukrainian people, great as that occasion was. It is also a tribute to the force and steadfastness of ideas that persist despite all the adversities of the flesh that have beset mankind. For the Ukrainian people have, in the course of their long history, known more suffering, more physical violence, more of the tribulations attendant upon wars and invasion than most of the people on earth. Yet they have, throughout centuries of ills inflicted by those who sought to conquer them, maintained their identity, their independence of spirit, and the pride and determination necessary to preserve the dream of an independent Ukraine.

This dream which became a reality on January 22, 1918, was age-old. Despite the long history of subjection the Ukrainian people had never willingly submitted to the indignities of political domination. Superior in their heritage, their civilization, their resources, to the Russians whose force had overcome them, they retained their separate culture and that spirit of independence which has marked them wherever they are. The celebration of Ukrainian Independence Day is a reminder that the freedom of the mind cannot be conquered.

## Grants To Aid Construction of Various Health Professions Training Schools

EXTENSION OF REMARKS

OF

### HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. MOSS. Mr. Speaker, I have introduced a bill, to provide Federal grants to aid construction of various health professions training schools, and also schools for training public health personnel.

My bill is similar to one introduced in the 87th Congress and which was reported favorably by the House Committee on Interstate and Foreign Commerce. It had widespread support.

This bill is in keeping with President Kennedy's request in the fiscal year 1964 budget. The President asks $34,352,000. My bill would provide $60 million a year for 10 years for constructing facilities to train dentists, physicians, optometrists, pharmacists, osteopaths, podiatrists, nurses, and professional public health personnel.

This legislation will have a great effect on the future of every American. Presently, there are 141 physicians for each 100,000 population. Ten years ago, there were 143. By 1970, the figure can drop to 138 and by 1975, to 135.

By taking action in this session, the Congress can contribute to the means of educating the people who will serve the Nation's health needs.

The health professions schools have been turning out more graduates, but not in proportion to the Nation's growing population. We face a critical shortage in 10 years.

Coupled with the expanding population is a change in the demand for medical services. The greatest users of medical services are those under 15 and over 65. Both age groups are expected to grow in disproportionate ratio to the balance of the population.

Three factors contribute to the shortage of medical personnel: limited enrollment capacity of schools, mounting costs of professional education, and the diminishing supply of qualified applicants.

Just to maintain the present proportion of doctors and dentists, we will need 20 new medical and 20 new dental schools by 1970.

Present sources of school financing must increase their contributions. But these sources—State legislatures, alumni, business, and industry, foundations and private donors and voluntary societies—cannot meet all additional needs. Federal funds are the only source able to meet the need in time to avoid a real crippling of medical manpower.

In the last session, the committee heard considerable support of the legislation, from those in Government, education, and medicine and including the American Medical Association.

I intend to support this measure vigorously because I believe it is vitally important to the Nation's health and therefore a most appropriate area for Federal Government participation.

## Ukrainian Independence Day

EXTENSION OF REMARKS

OF

### HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. JOELSON. Mr. Speaker, before World War I, tens of millions of people in Europe found their homelands under foreign control, among them the Ukrainians who for some 250 years suffered under the autocratic regime of czarist Russia. Then in the course of the Russian Revolution in 1917 the czarist regime was overthrown and the chains holding its subject peoples in check shattered. The Ukrainians broke free, proclaimed their national independence on January 22, 1918, and founded the Ukrainian Republic. But oppressed and helpless Ukrainians were ill-prepared and unable to fend off all their powerful foes to safeguard their new state. In 1920 the Republic was destroyed by the Red army and the Ukrainians robbed of their freedom.

Since the destruction by the Red army of that short-lived Republic 45 years ago, the people of the Ukraine have suffered even more than their ancestors had under the cruel agents of the czars. They have been dispossessed of their worldly goods and reduced once again to the status of serfs. They have been denied all forms of freedom, and have been sealed off from the free world. And they are being driven to work for the benefit of their alien overlords.

In the midst of all this misery and misfortune, however, the Ukrainians have kept faith with their tradition. They still fervently cling to their ideals and cherish freedom in their homeland. In the sad history of the Ukrainian people during the last several decades this is the one encouraging fact. On the 45th anniversary of their independence day we in the free world wish them fortitude and power in their struggle for their righteous cause, for their freedom and independence.

## Independence Day of Chad

EXTENSION OF REMARKS

OF

### HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. POWELL. Mr. Speaker, on January 11, the Republic of Chad celebrated her second anniversary of their independence, and we take this opportunity to send warm felicitations to His Excellency, the President of the Republic, Francois Tombalbaye; and His Excellency, the Chad Ambassador to the United States, Adam Malick Sow, on this memorable occasion.

This month the people of the Republic of Chad are celebrating the second anniversary of their independence. Although proclaimed free and sovereign on August 11, 1960, and admitted to the United Nations the following month, formal independence celebrations were deferred until January 11, 1961.

Chad is a republic, one and indivisible, secular, democratic, and social. It has seen a period of gradual and peaceful transition from colonial rule to independent status. This Republic became a separate colony in 1917, distinctive from the other colonies in France's African empire. Chad attained the status of an oversea territory of the French Union in 1946, becoming in 1958 an autonomous republic of the French community. The final step was full independence in 1960. This peaceful and gradual transition has instilled in the people a feeling of responsibility to adhere strictly to democratic processes. In the preamble to the Constitution of Chad, the defense of the rights of man, the separation of powers, and civil liberties are laid down as the fundamental principles of the nation.

Chad is a land of many terrains and a great diversity of people. There are settled farmers in the south, raising cotton on lush riverlands. There are ranchers in the center of the nation raising cattle and sheep on the expansive savannas. And finally, there are nomads in the north, living off the desert, guiding their caravans into the interior. The country's landlocked position and relative inaccessibility are the major deterrents to development. Since the economy is dependent on cotton and cattle, it is necessary to have sufficient transportation facilities to enable these products to reach foreign markets, and in turn, to be able to receive much-needed produce from the outside. That is why immediate development plans for the future call for railroads, paved roads, and expanded air service. In the near future, development projects also outline plans for greater diversity in industy and the exploitation of minerals and other raw materials.

When the President of the United States recognized the independence of Chad, he stated that the United States looked forward to close and friendly relations with Chad's government and people. On this second anniversary, I extend the wishes of the people of the United States for continued progress and success.

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## Text of a Speech by U.S. Senator Barry Goldwater, Republican, of Arizona, Before the Air War College, Maxwell Air Force Base, Montgomery, Ala., January 17, 1963

EXTENSION OF REMARKS
OF
**HON. CHARLES McC. MATHIAS, JR.**
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 24, 1963*

Mr. MATHIAS. Mr. Speaker, every Member of the legislative branch of Government has a responsibility to maintain the prerogatives and the obligations of the Congress. To fail in this duty is to upset the balance of power in our constitutional system. The distinguished gentleman from Arizona, a Member of the other body, Senator BARRY GOLDWATER, has spoken forcefully on this subject in words that merit the attention of the Congress and the country:

Once, when the architect, Frank Lloyd Wright, was asked to give an address to a distinguished audience, he rose, said his address was Paradise Valley, Phoenix, Ariz., and sat down. I could, just as accurately, say that my view of national security policy today is that it tends to be wrong, and sit down. This, however, would give you an overabundance of leisure and would undoubtedly result in a traffic jam at the library as you rushed to fill the time constructively.

It would also leave us where, unfortunately, many supposedly important national debates leave us—understanding fully who says yea and who says nay but still totally unaware of the process by which the disagreement was reached. It is the process about which I should like to speak today. I will not be able to avoid, because of a personality quirk perhaps, some discussion of specific disagreements, but I will begin, at least, with the broader topic.

My address to you today is supposed to increase an understanding on your part of the role performed by the American party system in developing, supporting, approving, and evaluating national policies. I wish that I could do this, but unfortunately, the American party system no longer plays a major role in these activities affecting national policies.

During the past 30 years of this century, both parties have seemed to recede from positions of principle and have taken attitudes closer to each other to the point that in the last elections, we saw an almost wholesale disregard for the party label and a voting for the man. The party historically in this country is a vehicle by which the citizen has been able to participate in the formation of national policy.

To a great extent, the policies of both parties as enunciated in their platforms have grown so close to each other, that it is difficult for the citizen to distinguish between them.

I suggest then, the proper question for Americans today is not so much what can America's policies do for the citizen, but what in the world can the citizen do for the policies. There was a time when the answer, very simply, would be: he can participate in the formulation of those policies.

As a matter of fact, we fought a Revolution to provide access for him to do just that. We brought representative government to its fullest flower for that purpose.

But, we did it in such a way that government always would be representative—of all the people—and not just of simple majorities. Only thus does representative government remain representative and not become repressive.

Basic in the equation is the balance of power between the three major branches of the Federal Government: The legislative to make laws; the executive to administer them; the judiciary to test them against the great legal framework of the Nation.

Now patience and principle are tested by new demands on this old balance. Congresses are criticized when they resist executive programs, not so much on the basis of why they resist but simply because they resist. The judiciary is caught in a boiling debate about whether it should judge the constitutionality of laws or whether it should also interpret them for maximum social benefit. States are criticized for their differences in approach or standards or wealth whereas they once were felt to be inviolate basically to preserve the opportunity for regional and cultural differences. Big cities, emerging as city states rather than as state units, look past the State capitol to the National Capitol for solution of their problems.

Federal regulation of trade practices has moved from the protective—which prohibits malpractices—toward the coercive—which demands conformance with practices decided upon administratively.

We are larger and more populous, it is said, than when the Federal system was developed. Old ways are not adequate. Old balances are not meaningful. Does this mean that there is a population limit on liberty? That when 100 million persons live together they can maintain free markets and free and balanced institutions but that when 200 million persons live together they must delegate their local institutions to central authority? There is, at the root of it, no other explanation advanced for the movement today away from the Federal system of balanced powers toward an executive system of concentrated powers.

Now, is it proper for you, as members of the executive branch of government to consider these matters? As a member of the legislative branch, I think so. I think so, among other reasons, because of the essence of our civil-military relationship in this country, the essence of civilian control, directly through the civilian Commander-in-Chief but, as importantly, through the legislative branch which funds the military, makes laws broadly governing it, and to which the military must account when called upon to do so.

It follows that, to the degree that the legislative branch of government loses its weight as part of the balance it also stands to lose its power in relation to the military services. We do not want that to happen. Nor, despite the annoyances sometimes occasioned, do most military men.

Let me elaborate just a bit, lest anyone get the notion that I am urging some sort of political activity on the part of the military. I am doing quite the opposite. I am discussing a system which should make it possible for the military to devote itself fully to its professional mission. And I am discussing developments which threaten to introduce political disruptions into that professional role.

But first let me round out the basis of my argument—that a serious shift is, in fact, taking place in the way in which policy is made and in the way that the Federal system is brought to bear upon the policymaking process.

Some years ago, in his book, "Why England Slept," the then student, now President Kennedy, wrote at some length about the difficulties of preserving free institutions in times of stress and strain. He concluded, however, that despite the obvious advantages of efficiency enjoyed by a totalitarian government, the free institutions work best in the long run and must be preserved even though they might have to be sharpened or refocused in time of crisis.

Last month, speaking to a nationwide television audience, however, the President shifted his position basically. Commenting on the efforts to change the makeup of the House Rules Committee, he said that a failure to do this would "emasculate" the administration's program. This, by clear inference, was the reason that he was giving to change this particular legislative procedure.

There are certain technical reservations I would take to his statement—the House Rules Committee cannot, as so often said by those unfamiliar with the situation or trying to make a special case, the Committee cannot absolutely block legislation by preventing it from getting to the floor. There are no less than four established ways of bypassing the Committee. All are practical, all are available.

My major difference is with the President's reason. And, again, it is a difference based upon my membership in and regard for the legislative branch of government and my deep belief that it is this branch which most constantly, most closely makes a reality of representative government and provides proper access to the formulation of policy.

It is a blow at the very concept of representative government to say that a procedure of the Congress should be revised in order to permit untroubled development of the program of any administration.

In the first place, the elected chief executive of the United States supposedly is representative of the entire Nation, not just the citizens who cast ballots for him. To say otherwise is to suggest, in this particular time, a disenfranchisement of almost exactly half of the population of the United States.

If the programs and policies of any administration are opposed by the legislative branch it is just a sharp reminder of that fact—of the fact that this is a representative government and that the direct representatives of the entire electorate are expected to do their work regardless of which party or person is in power.

Interestingly enough, spokesmen for a particular administration program had gone just as far in another direction a few months earlier. After the Senate defeated the administration's social security medicare program, a medicare proponent figured out, and the President echoed in a press conference, that the Senators who voted against the bill did not represent a majority of the citizens of the United States; that is, the States they represented did not contain a majority of the electorate.

Again we have a colorful new view of representative government. The Senate was never designed to represent equal numbers of people. Two Senators are elected from every State despite population. They represent the State. They represent, also, a basic part of the Federal system's great balance of powers. To discuss the Senate on a numerical basis cannot be the result of simple ignorance of the Constitution. It must be on the basis of a simple disagreement with or misunderstanding of the Federal system itself.

On the other hand there are evidences that some supporters of the administration do not hold at all with majority representation—when a majority might interfere with a policy. The now famous memorandum on anti-Communist educational efforts issued by Senator FULBRIGHT, contained the frank statement that there could be too much public involvement with policy. It cited foreign aid, saying that if the program were submitted to direct ballot by all the people, it would probably fail. But this sensitivity to a representative government that makes it possible to balance policies between majority and minority measures—and still accomplish wonders—does not seem to be generally applied.

We have another indicative situation, which bears directly on policy formulation, in the Senate and in the House of Representatives today. It is the matter of staffs for the committees of Congress. Let me first describe why they are important.

Just as generals must, so must Senators and Representatives depend upon staffs to do the real digging and much of the work of putting together the background on which a policy decision can be made. What witnesses will a committee hear, what precedents should be reviewed, what is the status of similar legislation, what are the needs for proposed legislation, and so on and on—all this is the work of the committee staff.

Today, of course, the majority party, which is the Democratic Party, expects a substantial share of the staff to be working for them and to be appointed by them. Republicans would feel the same way.

On committee after committee, however, the minority party has not been able to appoint any staff member at all. On most there is at least a disparity of staff appointments that is far beyond the disparity in party representation. And this disparity, to raise this beyond a mere quibble between the in-party and the out-party is several times more pronounced than under the previous situation of a Republican majority.

Again, the point is simply that less attention than ever before is being paid to the essential role of the legislative as a forum for the views of all the people and as the great molder of policy on their behalf.

Insufficient minority staffing makes the legislative more dependent than ever upon the statistics, the witnesses, the proposals of the administration as transmitted through the majority. I would make this point as emphatically, I assure you, if the situation were to deny proper committee staffing to the Democrats.

The need is for proper policies, properly arrived at, properly researched and understood above and beyond the desires of the particular administration running the executive branch.

But what of defense policies in particular? Part of my assignment today was to discuss the role of the two parties in forming these policies. I want to disobey the assignment simply because that role is nowhere near as significant today as is the role of the executive branch operating with virtual autonomy, particularly through the Department of Defense.

It should come as no surprise to you gentlemen to be asked to consider, for instance, the policy implications of the existence of counterpart civilian research or consultative groups for virtually every operational function of the Armed Forces. This shadow Department of Defense is a fact of your everyday military life. It is a reflection, I think, of the new direction in policymaking, the direction away from the proceses of representative government and toward government by expert, specialist, technician, or even computer.

Policies evolved by these outside research groups can have the most profound and direct impact upon our national defense policies. Often, their policies are our national policies. And this is not to debate the point of whether the policies are right or wrong. It is to state, however, that from my position as a member of the legislative branch, responsible to an electorate, the process of forming those policies is wrong, dead wrong.

Policy formation should never be far removed from policy responsibility. By creating this shadow Department of Defense, however, authority and responsibility are widely separated. You might call it a responsibility gap in our policy structure.

Most serious, however, is the possible politicalization of the military services themselves. Let me cite an example. One of the branches of the shadow DOD, a research and analysis group, has been going quite deeply into the question of disarmament. This suggests a possible effort to stress, in our defense policies, actions that will enhance the purely political efforts toward disarmament. This, I hold, is improper. It is not the function of the Armed Forces to beat their swords into plowshares—no matter how devoutly they may cherish the notion. Nor is it the function of defense policies to become an adjunct of particular partisan political policies—such as a particular administration's proposal for disarmament. The implications are obvious and shocking.

Political decisions, of course, must guide the use of the Armed Forces. They should not guide the purely internal and professional decisions and composition of the Armed Forces. For instance, the decision to scrap any particular weapons system should be made on the basis of technology and strategy. It should not be made on the basis of partisan political plans.

Yet, today, the scrapping of Skybolt and the offer to place Polaris missiles at NATO's disposal is essentially the politicalization of what should have been a professional military decision.

As far as I have been able to ascertain in the short time that I have been in Washington since the opening of this Congress, not one member of the Senate Armed Services Committee was apprised of the decision to scrap Skybolt and to offer the Polaris missiles to NATO. Yet, the Senate Armed Services Committee and the Subcommittee of the Appropriations Committee, which handles military appropriations, have an interest in these decisions and how they are arrived at, because of their overriding interest in what is good for the Republic. From the exercise of this interest comes the decisions of the committees, and secondly of the Congress, that enable the Department of Defense to build their weapons systems. I might inject at this point that the present disarmament proposal offered at Geneva by the United States, which contains in my opinion the mechanics of unilateral disarmament, was not discussed with the Foreign Policy Committee of either House or with leaders of the Senate who would have a natural interest in any such proposal.

Again we see the emphasis on centralization that characterizes our own domestic situation.

News emanating from the Department of Defense is another familiar example of the way in which policy support is attempted by executive management rather than by representative persuasion.

Suppression of news, I would admit, is a conceivable necessity of a national emergency. But when a spokesman for the Department of Defense argues, publicly, that it is the inherent right of government also to lie in its own defense, then I say that we have moved another giant step away from representative and toward repressive government.

How ironic it is that many of our citizens today are worried by such hyperthyroid considerations of a military coup d'etat as that contained in the book, "Seven Days in May."

How much more to the point would it be to worry about the tiny coups d'etat which take place everyday so that the federal system is being reshaped into a lopsided monster that is virtually all executive in the way it walks, thinks, talks, and cannibalizes the other two branches.

Americans of all political hues were particularly sensitive to a single manifestation of this when another administration attempted to pack the Supreme Court with justices favorable to a point of view rather than dedicated to points of law.

The situation today is far more striking and far more obvious. Our 7 days in May, in truth, are ticking off not in the duty rooms of military stations but in the paneled cloisters of executive offices.

I believe it to be common knowledge across this country that the membership of the 87th Congress almost unanimously supported additional appropriations for the B–70 program and that the Department of Defense has consistently refused to recognize the will of the people as expressed through the votes of the Congress. It is true that a rather piddling sum has been applied to this project, but it is also true that the uninformed civilian researchers in the Pentagon resist this program and are determined to see it fail. This, I suggest, is a very obvious example of the growing determination of the executive to ignore the wishes of the legislative. I stress this balance and point to a lack of it as a principal reason why I could not direct my remarks as suggested by the school toward the methods of solutions of problems by the two-party system.

Policy formulation, in a representative form of government, is like a man. It works less well if its limbs are lopped off. It needs a mind and it also needs heart. It needs eyes and it needs ears. It needs muscles and bone structure linked, balanced, and functioning. Starve the sinews and it collapses. Close the eyes and ears and it risks collision.

And we do starve the sinews and close the eyes and ears when we deny representation and rely overly on administration.

Actually, the situation I have been describing is a direct comment also on the question of how political parties form, support, and press policy positions. They do it less and less as parties and more and more as reflections of particular administrations. The administrations, in turn, do it less and less as representative bodies and more and more as the reflections of their particular sets of policy specialists.

And why? Basically because the keystone of the great arch of representative government, the legislative, is subordinated in policy considerations and more and more asked only to approve what the executive technicians have developed. In the case even of the opposition there is less and less opportunity to speak out for a new formulation of policy. Opportunity usually is left only to oppose.

A domestic example would lie in the medicare proposal to which I referred previously. The Congress already has passed legislation establishing certain means of obtaining medical attention for elderly persons, the Kerr-Mills bill. In short, it has said that there is another way to reach the goal of medical care. But, because this representative expression does not please this executive branch, its operating agency in the field, the Department of Health, Education, and Welfare, is deliberately using its powers to stultify the Kerr-Mills procedures and thus pave the way for a new attempt to obtain congressional surrender to an executive proposal. It is not enough for representative government to agree on the goal and then work out a consensus on how to reach it. Executive emphasis in government, says, instead, that the legislative must also agree to, accede to, the exact wording, the punctuation, and the procedures of the Executive plan.

In international policies it is even more pronounced. Time and again, the legislative branch has sought to hammer out a broad base of policy that could guide us as a Nation. Time and again, the executive branch in this and in previous administrations has moved ahead unilaterally to positions that may solve a momentary problem but beg the whole broad issues of national objective.

There is no doubt, for instance, that the consensus of the Congress is opposed not just to missiles in Cuba but to the toleration of a Communist base there at all. Executive policy, operating behind a nearly total blackout of information regarding even the invasion prisoner negotiations, takes a different tack, offering no-invasion pledges, pinning policy to offensive weapons and not to offensive doctrine, and so forth.

Skybolt and the RS–70, the whole elimination of the manned bomber program is one of executive engineering and too little congressional debate—and information.

The pause theory, the no-cities theory of nuclear attack are executive decisions. They have not passed any of the tests that should be applied to major decisions in representative government. They have passed the review only of the executive's technicians. And these technicians, supposedly representative of the Nation as a whole, are in obvious fact representative only of a faction of a fraction.

There may be, in all of this, instances of bipartisanship. But it is a bipartisanship only of convenience and of detail.

Half of this Nation has been, in effect, disenfranchised. The half that seems to believe, by its voting record, in policies of lessened centralization of government at home and in a strategy of initiative rather than reinforcement of the status quo abroad, are disenfranchised by an executive branch that is out of sympathy with their position and all too sensitive to and resentful of efforts to redress the balance in the legislature which is the only ameliorating body available.

True bipartisanship would, at least, find the executive appreciative of and not laying siege to legislative prerogative.

Properly this is the only way to focus the policies of the two parties upon the debates from which the single policy of national statement should emerge.

Your interest in the actions of the two parties must be counted partially academic. Until the balance between executive and legislative and judicial is fully restored, policy will remain essentially a possession—not of a party or people, but of an Executive. Only when the balance is restored can it again become a process and a participation.

What has been taking place in America is a revolution directed at the piecemeal changing of our concept of government. One might say that the revolution was based upon the concept expressed in our Declaration of Independence, "all men are created equal," for the proponents of the revolution intend to see that man is not only born equal, which is the true meaning of the words in the Declaration, but that he remains equal in material things all through his life. This material equality would be maintained by taking from the ambitious their property to be distributed among the lazy. To do this—to either take property without the due process of the law—or to change the laws through Executive edict to ignore that prohibition of the fifth amendment—would require a thoroughly controlled centralized government. The revolution, of course, has been a bloodless one. We have had no fighting in the streets, no bombings, no assassinations, but no one can successfully argue today that the revolutionists have not been successful. Actually, when we discuss conservatives and liberals today we are discussing the opponents in this revolution. The liberals believe that the power of a central government can best regulate the lives of men regardless of what it does to their freedom. The conservative believes that the closer government remains to the people, the more the people have to say about policies of their government, the more can be gotten for all of the people, including that most important point, the preservation of freedom.

Had I felt it possible to discuss this broad problem within the confines of a two-party system, it would have been an easy assignment and I could have accomplished it in length of this paper. It is not an easy assignment, however, because as I said at the outset, we in effect have drifted away from the two-party concept, and while we still do not have a one-party mechanism which might be called the alternative, we do find a terrific growth of power in one branch of our government, which, if allowed to continue, will successfully stamp out both parties. And I am afraid also that the legislative and then the judicial branch of government will fade further leaving only the executive. This process of deterioration, I might remind you gentlemen, has been experienced by nearly every government in the history of the world and the experience has caused their ultimate undoing.

I look forward, therefore, to the question period so that we might develop in a more specific way questions that I might have placed in your minds.

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## Hon. Chet Holifield on Quality Stabilization

EXTENSION OF REMARKS

OF

### HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 24, 1963*

Mr. MADDEN. Mr. Speaker, our distinguished colleague from California, the Honorable Chet Holifield, recently was keynote speaker to the annual convention of the National Appliance & Radio-TV Dealers Association in Chicago.

Congressman Holifield, speaking as the owner-operator of Chet Holifield's store for men in Norwalk, Calif., as well as a 20-year veteran of Congress, addressed his audience of more than 1,000 merchants on, "The Essence of Competition." He directly linked this straightforward talk with the quality stabilization bill.

This legislation was sponsored in the last session by a number of House and Senate Members. It was favorably reported by the House Committee on Interstate and Foreign Commerce and also acted upon favorably by the Rules Committee of the House. Owing to the impending adjournment of the House and to the congested legislative program in the Senate previous to adjournment, it was decided by the sponsors to postpone legislative action until this session of Congress.

With minor changes, this legislation will be reintroduced by the original and also additional sponsors.

Under unanimous consent I include the speech in the Record, as follows:

In previous talks with businessmen, I have asked my audience to look on me as the owner-operator of Chet Holifield's store for men in Norwalk, Calif., rather than as Congressman Chet Holifield. However, this evening, since I have a specific legislative challenge in mind, I'm going to ask you to consider me both as a dealer in men's wear and as a Member of the House of Representatives.

These two roles represent an essential need if our country is to win a desperately needed victory. That need is understanding, communication and teamwork between the business community and Congress because at stake is the health of our distributive economy—a vital part of our free competitive enterprise system.

We must remember that this country has really been built on the foundation that the Government doesn't do everything; that the neighbor helps the neighbor; and together, the neighbors help the Government. We must, in this country, be awake to the dangers of blindly relying entirely upon government. But we must be alert to the principle that government justifies itself only on the basis that it shall be the servant of the people, and not the master of the people.

When George Washington took his oath of office in 1789, Congress was elected from only 13 States and it "looked after" the national welfare of only 4 million people. Today, 173 years later, there are 50 States and over 185 million people.

Washington's time was an era of rugged individualism. A man's home State was more important than his National Government. His battle to succeed was more with nature, than with man or science.

Today we live in an unusual universe. Man is increasingly separated from all nature. As a result he himself becomes somewhat artificial. An electricity failure today is as painful for man as lack of bread. A disorder in our enconomy is the failure of his crop. Man's independence, opportunity and reward today depend on his ability to cope with manmade adversities more than nature's. Laws governing his freedom must be made, in consonance with our Constitution, to help him solve new economic and social problems as they arise. Though life today is different, the aims, ambitions and loyalties should remain the same.

The strength of any society rests, as it did in Washington's time, upon the ability and initiative of its people. If ever there was a time when the Government needs responsible people and the people need responsible government, this is the time.

Yes, I wear two hats—the businessman's and the Congressman's. I hope that I wear them well. We face ideological, economic and military challenges to our way of life. The best way I know to preserve the American system is to remain militarily strong and economically strong. To keep our economy strong, we must correct the abuses in our distributive system and make it work on stable principles. If we meet the ideological challenge of communism with resolution, we need have no fear of the future.

This Nation's greatness was built on a foundation of small business. From that base the capability of continually producing and distributing more and better goods at competitive prices has developed. The small businessman has been the backbone of America since colonial days. Even with our modern giant industrial corporation, he still comprises in number about 85 percent of the Nation's business firms. The tragedy we now face is the accelerated decline of those small businesses which have formed the backbone of our free enterprise system.

It seems to me, while we agonizingly face the uncertainties of this nuclear age, we must diligently protect the basic sources of our strength. Otherwise chaos is certain, not from nuclear destruction but from our own moral breakdown. And a primarily source of our inherent strength is our free competitive enterprise system.

Everywhere we turn we find evidence that, as we move into the atomic age, the competitive price is being singled out as the dominant element in today's free competitive enterprise system.

In fact, in an increasing majority of business circles, "to be competitive" has come to mean only that one sells at the lowest price in the particular trading area. Unless quality and service is tied to price, then price becomes deceptive.

And is it any wonder when our own Federal Trade Commission in a recent case involving the Snap-On Tools Corp. said; and I quote, "'Playing off' one dealer against another 'in the hope of obtaining a lower price' is the essence of competition."

The Honorable Paul Rand Dixon, Chairman of the Federal Trade Commission, last May used the platform of the National Electric Manufacturers Association to give added publicity to the above quotation.

Now I do not know whether or not the manufacturers in your industry have left the above quotation unchallenged, but I am delighted to use the platform of the National Appliance and Radio-TV Dealers Association to challenge the quotation. If we have reached the point that the "playing off" of one dealer against another in hope of obtaining a lower price is in fact the essence of competition, then we have pushed into the background all of the wonderful constructive marketing practices that have played such an important part in the growth of the most prosperous country on the face of this earth.

ESSENCE OF COMPETITION IS PROFIT INCENTIVE

To be blunt, in my opinion as a businessman, in my opinion as a Member of Congress, the Federal Trade Commission has not selected, as the essence of competition, the necessary element that must prevail in order to preserve our free democratic form of government. The essence of competition is unequivocally the incentive. I'm speaking of the incentive that causes us to do all the constructive things that we do to bring to market the splendid products of industry. I'm speaking of the fair reward for those constructive efforts.

In this way the essence of competition is tied to the right to earn a profit, with emphasis on the word "earn."

In exercising your right to earn a profit, you put forth a true competitive effort when you do those things that have built your business into a vital force in your community and have helped build your industry and your country.

As you engage in your right to earn a profit, you have certain prerogatives. Perhaps your organization doesn't exercise all of them. Some you may abandon to manufacturers who confront you with an attractive proposition; perhaps it is necessary to do so to stay in business. Some you plan to undertake tomorrow. Some are an immediate burden but a long-range necessity. By prerogatives we mean the things that you are doing, or that are possible for you to do, to earn a profit:

1. There's your investing in fixed assets.

2. There's the building of an effective personnel organization.

3. There's your investing in merchandise. You abandon your prerogatives in this area when, in order to keep up with competition, you accept floor plans, and special sales and display franchises.

4. There's the physical act of bringing merchandise to your trading area.

5. You advertise this merchandise. Guard this prerogative carefully as you accept cooperative advertising money because you are actually yielding control and authority to your resources.

6. You display.

7. You sell. Here's where the demand-creating function should be at its best.

8. You offer credit, and do so in a responsible manner.

9. You deliver.

10. You install, or take complete responsibility for the installation.

11. You clarify for your customer the warranty or guarantee involved.

12. You service for the most part what you sell.

13. Finally there is the prerogative of spending, saving or reinvesting the resulting profit.

How many of these 13 prerogatives did you exercise?

How many of them did you abandon to others?

You can measure the degree of independence you have—yes, the degree of control you have over your business by checking this list.

There is undoubtedly a trend toward eliminating the retail link in the chain of distribution. To the extent that you answer in the negative when you check these 13 points, I believe you are helping that trend. Of course it is your prerogative to commit business suicide. You can do it by gradual abandonment of the basic practices and responsibilities which justify your link in the chain of distribution. Or you can call a halt in this trend by improving your ability as a free advertiser, as an aggressive merchandiser, a real credit sales manager, a service manager directly interested in customer satisfaction and last but not least the business manager of your own business.

SUPPORT URGED FOR QUALITY STABILIZATION

On the other hand, to what extent is your disappointment with your profit directly attributed to accepting the proposition that price is the dominant element in today's competitive free enterprise system? It's at this point that I recommend that you should exercise the 14th principle, another prerogative. I recommend that you support legislation before this Congress that will restore the competitive price factor to its proper perspective; legislation that will take a big step toward helping you do all those things that you are anxious to do to earn a profit. I refer to a legislative proposal known as the quality stabilization bill.

It's not the Federal Trade Commission, nor the courts, nor the predators in the marketplace that make our laws. It is the U.S. Congress expressing the will of the people that has the power to make the laws in this area.

Congress is the only constitutional arbiter with respect to conflicting views of national economic policy. By enacting the quality stabilization bill, Congress will express its intent, that orderly marketing practices may have an opportunity to prevail, thereby countering the all out price and gimmick trend.

And, in careful study of it, I have noted that virtually every national trade organization representing consumer products, including this impressive association, has endorsed this measure which I feel, for the safeguarding of our basic business pattern, must be enacted quickly in this session of Congress.

No governmental administrative agency or bureau is involved in any way with the quality stabilization bill.

Salesmanship consists of transferring a conviction by a seller to a buyer. You are the seller. Congress is the buyer. There are 535 customers. If the sale of quality stabilization is not made this year, blame no one but yourself. I said 535 customers, but a considerable number of Congressmen are already sold on the bill.

I am sold. I am sold because I am a veteran Congressman of 20 years, who believes my solemn duty is to my constituents.

I am sold because for 35 years I have been a retail clothier in a small town, and have had personal experience in seeing small businessmen — my constituents — destroyed by unfair sabotage of trademarks and brand name merchandise.

I am sold because that which is hurting my business, is hurting every other merchant dedicated to selling brand name merchandise, and is hurting so badly that it is threatening traditional business procedures.

I am sold because I believe freedom under this legislation, would be reserved for the man who lives by his own work, and directs his own business, to protect that business from those who would destroy it.

I am sold because I proudly say I like my life in this country and I want to keep it that way for my constituents as well as my own children and grandchildren. I know it can be so maintained, only by continually defending sound business principles and by constant willingness to do more than sometimes seems necessary.

I am sold on the quality stabilization bill because this bill, studied without prejudice, is basic, simple truth, spelling out a precise remedy for a recognized malady.

I built my retail business on lines of nationally known brand merchandise. If the predators continue to acquire such brand merchandise and slash normal retail prices, I am threatened with destruction to my traditional way of doing business. Much more important than my personal business fate, is the fate of millions of producers and retailers of brand name merchandise.

TRIBUTE PAID TO JOHN W. ANDERSON

I want to take just a minute here to pay tribute to an American businessman. This country is more in need of guided leaders than guided missiles and there would be no quality stabilization bill were it not for the principles and dogged determination of one such leader. He is a man of infinite patience.

His fight for his rights as a manufacturer of high quality brand name automotive parts and for integrity in the distribution of those products has been in essence a fight for you as well. All of us, whether in manufacturing, wholesaling or retailing, or in the Congress, owe John W. Anderson, founder-president of the Anderson Co., of Gary, Ind., a great vote of thanks. He is the mainspring of the Quality Brands Associates movement.

The case for quality stabilization has been well established. The need is now. Victory is in sight. It will take work by you and the only substitute for work is a miracle. Your business cannot await a miracle.

If support comes to each Congressman from his voting constituents, Congress will express its intent for business to have the right to develop a quality product and protect that quality against the cannibalism of price debasement.

In this way, Congress will affirm that the true essence of competition, is the profit incentive. In so doing, Congress will be helping you to preserve your right to earn a profit.

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## The Future of Antisubmarine Warfare

EXTENSION OF REMARKS
OF

## HON. BOB WILSON

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, January 24, 1963*

Mr. **BOB WILSON**. Mr. Speaker, through the past years the Congress has been genuinely concerned with respect to the antisubmarine warfare capability of our country. One of the most persuasive advocates for increased concentration in this field has been our distinguished colleague from Wisconsin [Melvin R. Laird].

Those of us in San Diego have a unique opportunity to see and hear at firsthand the work being done in antisubmarine warfare and also we are very much aware of some of the shortcomings that we have in this very vital segment of our defense.

A very penetrating article has been written by Melvin Laird entitled "The Future of Antisubmarine Warfare." I respectfully submit that this is must reading for all of our colleagues.

Under unanimous consent, I include Mr. Laird's article that appeared in the December 1962 issue of Data, the magazine of research and development management, herewith in my remarks:

### The Future of Antisubmarine Warfare

(Note.—Biographical sketch of Melvin R. Laird, Republican Congressman from Wisconsin: A veteran of 10 years in the U.S. House of Representatives, 40-year-old Congressman Melvin R. Laird, of Wisconsin's Seventh District, is considered an outstanding young national leader by Republicans and Democrats alike. As a member of the Appropriations Committee, the Defense Appropriations Subcommittee, and as a Navy veteran, Congressman Laird is well qualified to air his viewpoint in this undersea warfare edition of Data.

(It was Laird's amendment 4 years ago that increased funding for the Polaris submarine program over and above the recommendations of the Department of Defense. Without Laird's Polaris amendment we would currently have only two Polaris submarines instead of the eight which are on station today. But not one to favor only one service, Laird introduced a similar amendment for more funding for the Air Force's Dyna-Soar program during the 1962 session of Congress in order to make possible the first orbital flight of this Air Force manned military space vehicle early in 1965.)

(By Hon. Melvin R. Laird, of Wisconsin)

The Congress, for many years, has stressed the need for an improved and accelerated antisubmarine warfare (ASW) effort. Unfortunately, the general public is unaware of the immense potential, as well as actual, threat the Soviet submarine poses to the United States. Nor, I am afraid, is the public cognizant of the inadequacy of our response.

Outer space today is the center of public and official attention.

Inner space, though not neglected, has not been adequately funded or explored.

In fiscal year 1963 we will spend $5.5 billion for all of the various space agencies.

Our expenditures for ASW and oceanographic research, however, will be less than a half billion dollars. (See table 1.)

It is not my intent in this article to advocate abandonment of our space effort. Rather, I am suggesting that we take a closer look at inner space from a very pertinent perspective; the long-range security and defense of the United States.

We may reach the moon and control it, but in so doing we may lose control of the seas. And as B. D. Thomas, president of the Battelle Memorial Institute, so aptly phrased it, "* * * the power that control the oceans can control the power that governs the moon."

The reasoning that gave rise to Mr. Thomas' above-quoted remark is worth repeating if only to stimulate discussion in an otherwise little-pursued direction:

"It is a sad commentary on our national support of science that much of it derives from a superficial response to Russian prodding. The Russians launch a satellite, and we rocket into a headlong race into space. It is a fair question to ask: Can this be a ruse? I am not suggesting that our space program should be whittled down; I am merely asking that we consider for a moment the hypothesis that the next war will be won not in outer space but on the bottom of the sea. The Russians boast about their missiles and their 100 megaton bombs; they are very quiet about their submarines. They make a lot of noise about their men in space; they are very modest about an effort in oceanography several times as large as ours. What a brilliant military exploit it would be to send us off to the moon, while they seize the ocean. By some logic I have never been able to understand, it has been asserted that the power that controls the moon can conquer the earth. We might add * * * that the power that controls the oceans can control the power that governs' the moon."

How pertinent or prophetic this may be must be left to future historians, but we cannot afford to deny its seeming logic today.

Our Polaris submarine has already demonstrated its potential as the almost invulnerable weapon of the present.

Almost invulnerable because we can neutralize this weapon—but only by destroying the submarine that carries it.

Thus, the very compelling reason for a vigorous ASW program.

#### PROBLEMS IN ASW

The problems confronted are admittedly numerous, complex, and in many cases, almost defy solution. But then, so is space complex. The phenomenal advances we have made in the space environment in so short a time however, demonstrate that if there is a solution in ASW, given proper leadership, incentive and funds—the solution can be obtained.

First however, the urgency in developing adequate ASW techniques must be demonstrated.

The tendency today is to give the ICBM first place in the litany of deadly weapons. Secretary of Defense Robert S. McNamara told our committee in 1961 that "* * * only a year or so ago the principal general war threat to our security was a surprise attack by large numbers of nuclear-armed manned bombers. A year or two from now our principal concern will be a surprise attack by large number of nuclear-armed ICBM's."

I would agree with the Secretary that we face a dire threat from ICBM's but I would not call this the principal general war threat for the immediate years ahead.

The reason is that the nuclear submarine—the so-called absolute submersible—wedded as it is to a ballistic missile that can be launched from almost any position or any direction in the 70.8 percent of the world's surface that is ocean, is harder to detect, defies surveillance, and is highly mobile.

Further, it must be assumed that—

1. The Soviets have our hardened missile sites pinpointed and under constant surveillance.

2. The Soviets can track such a missile when launched, and either now or soon bring it down.

3. The Soviets have inaugurated a crash program in the U.S.S.R. to improve the quantity and quality of their Polaris-type nuclear submarines.

Ladislas Farago, in his recently published "The Tenth Fleet" (Ivan Obolensky, Inc., New York, 1962) tells us that "* * * the most significant new development in the Soviet Navy, that began in 1958, was a shift of emphasis from the quantitative buildup to a qualitive improvement."

Today, although we have the edge because of our Polaris submarines, it is quite conceivable that we will lose this edge.

In my new book, "A House Divided: America's Strategy Gap" (Regnery, Chicago, 1962), I pointed out that the cries of "missile gap" in the 1958–60 period were without foundation, but that a gap could develop if the Soviets got a breakthrough in their missile and missile defense development programs before we did.

This also holds true for any antisubmarine warfare gap. There is little likelihood that the Soviets will overtake us in offensive submarine warfare in the immediate future. But on the defensive side, the picture is not so reassuring.

In our committee report for 1961 we stated: "It is obvious that in this field, as in others, offensive capabilities have far outstripped the known defensive measures."

In that same report of our Defense Appropriations Subcommittee, we quoted what Adm. John T. Hayward, Deputy Chief of Naval Operations (Development), told us in his testimony that by 1970 "every submarine, not only special submarines such as the Polaris, will be able to carry a missile and thus pose a substantial threat to our homeland against which defense methods must be developed."

If this is true, and there is little reason to doubt it, the present Soviet fleet of some 497 submarines (see table 2) will pose an almost intolerable threat, if by then we have not developed adequate ASW measures. This is particularly noteworthy when one realizes that our submarine force, by the end of 1962, will number just over a hundred not counting the Polaris and Regulus.

As I pointed out earlier, a submarine-launched ballistic missile poses a more complex, and therefore greater threat to our defenses than the ICBM. Without knowing the precise location of the launch point, the mathematical computation of the trajectory becomes extremely hard to determine. In fact, it cannot be solved within the short time a submarine-launched missile will be in the air.

#### R.D.T. & E. TO COUNTER THE ASW THREAT

How then do we counter such a threat? Obviously, by increased efforts in ASW, especially in the area of research and development. We cannot rely solely on developing an effective antimissile missile in time to defend against the coming Soviet proficiency either in ICBM's or in submarine-launched Polaris type missiles.

The first major problem—one in which my committee has long been interested—is proper management of a coordinated ASW program. I was, and still am, convinced that the best solution would be to have a single manager similar to that provided for the Polaris system. According to the Navy, however, this could not practically be implemented. Instead the Navy came up with a compromise in the establishment of the Office of the Diretcor for ASW research and development programs within the Office of the Chief of Naval Operations. The highly qualified Rear Adm. William H. Groverman was assigned to this position to act as czar fo the R.D.T. & E. aspects. I am sure our committee will give Admiral Groverman its full support.

Procurement too is a major problem. Modern ASW equipment is costly to procure and difficult to operate. Even with expanding defense budgets, we cannot afford all of the funds required to equip fully all of the ASW forces needed to combat the submarine threat. But substantial increases should be in order.

In fiscal year 1962, the total ASW budget in R.D.T. & E. and procurement amounted to $236 million and $1,734 million respectively. In fiscal year 1963 they both increased to $293 million and $1,924 million.

By themselves, these are substantial amounts. And the fact that we have added funds in this area in recent years shows that we are not complacent; but at the same time, the total amounts allotted have not sufficiently demonstrated the urgent concern such a threat should give rise to.

Alongside the space effort, ASW figures pale in comparison. For fiscal years 1960 to 1963 inclusive, we will have spent approximately $12 billion for space research, development, and procurement as opposed to just under $1 billion for our ASW efforts.

Surely, if what was pointed out earlier about the submarine threat is true, we can afford to devote more than one-twelfth (8.3 percent) the amount given to space for an adequate defense against the great threat from the sea, especially when we allude to the fact that $4 billion of the $5.5 billion in our space budget is devoted to the nonmilitary aspects of space. This fact should give rise to a searching dialogue on priorities within the total defense picture.

To date, however, even operating under the handicaps imposed both by a lack of sufficient R.D.T. & E. funds and the diversified efforts in the Naval Establishment, now partially corrected, our advances in ASW have been impressive and gratifying.

### PROMISING WEAPONRY

A year ago, Representative GLENARD P. LIPSCOMB, of California, and myself took part in Operation Slamex, which was the first full-scale testing of our newest ASW equipment. We were extremely pleased with the development we witnessed, but the fact remains that this new equipment will do our ASW efforts little good if they are not introduced into the fleet at a fast enough rate.

One of the problems that costs time is testing new equipment. The instrumented test ranges being constructed, such as AUTEC, will do much to improve and expedite our evaluation techniques, and hopefully will speed up introduction into the fleet.

The primary purpose of ASW is to detect, classify, locate and destroy enemy submarines. Destruction is the easiest part. In the field of weapons development we are making excellent progress. New propulsion techniques combined with new sensors for acquiring and following a target enable us to destroy submarines at ranges compatible with the new increased sonar ranges we have developed. Our new weapons will include Asroc, Subroc, Dash, MK–46 torpedo, and a complete variety of ASW mines.

I have been highly interested in the MK 46 torpedo because of its versatility. It is a lightweight torpedo, still under development, that will provide both our ships and air ASW forces with a weapon payload designed to cope more effectively with the predicted threat of potential enemy submarines. Our committee added $7 million to the funds requested for the MK–46 to insure successful completion on schedule.

As to the Asroc and Subroc programs, I was fortunate enough to take part in the first firings and evaluations of these systems against nuclear submarines. The antisubmarine rocket system (Asroc) has already reached completion and is being installed in our surface ASW ships. With this system, they can attack and destroy submerged enemy submarines many miles away as soon as they are detected and identified. Its payload can be either a nuclear depth charge or a lightweight homing torpedo.

One other weapon, especially current today, is the Drone antisubmarine helicopter (Dash). It will be introduced into the fleet this month. Dash can be launched within seconds from a specially constructed platform on the deck of a destroyer. It can then be swiftly and accurately guided to the immediate vicinity of the enemy submarine, drop a homing weapon and then return to the controlling ship. Though it has been likened to a guided missile, it has the unique feature of being recoverable with its weapon load intact. This simply means that the tactical commander has a degree of flexibility unavailable in any other system. He can react instantly without being committed to attack. With this capability of destroying an enemy submarine before it is within torpedo range of our ships, Dash provides the fleet with a revolutionary ASW weapon.

However, no matter how sophisticated our ASW weapons, no matter how accurate, they are without utility if our detection, classification and localization systems are deficient or inadequate. Even in this obstacle-ridden area, we have made significant progress. The sonars being developed, as I mentioned above, have a tenfold increase in range over those now in the fleet. Helicopter-towed sonars, as well as fixed and mobile installations are being developed which will tremendously improve our present capabilities. Unfortunately however, when we go for longer ranges, environment becomes a controlling factor. For example, an increase in power will give an increased range but only up to the point of cavitation. Beyond this there is no gain to be achieved by using increased power. Another crucial point in this regard is that oceanic conditions such as changes in salinity or temperature between the attack ship and the target will bend the sound ray by presently unknown amounts. We must therefore continue to improve our support of an increased oceanographic effort so we can learn just what effects the oceans will have on our future systems.

### MORE TIME AND MONEY NEEDED

What can be done to improve our ASW capabilities? The two most important ingredients are time and money. Our Nation has the resources and our Navy has the technical competence to develop, evaluate and procure the systems necessary for an adequate ASW defense. To date, however, we have not been giving the ASW program proper support.

A long-range plan is an absolute must to develop and procure the weapons and associated equipments required for future ASW. Such a plan should delineate in great detail our present capabilities and our future fleet requirements. Once these are known a program should be developed which will meet the fleet's requirements and at the same time be capable of implementation within our available technical and manpower resources.

Too often in our planning do we let available funds determine the actual program. This results in a hodgepodge of unrelated projects that are designed to meet a certain budget. In my opinion, once a program is established, the only thing that will change it are new developments which modify the state of the art or new requirements to meet a different type threat. Funding limitations control only the rate at which the program is to be accomplished, or in other words, the schedule. If a job can be completed in 1 year with $1 million but R.D.T. & E. only get $500,000 for that year, then it will obviously take 2 years to complete the project. In such a case, the program is not changed, only the schedule.

But in the area of ASW, if a project that will add to our ASW capabilities can be accomplished in a certain period of time, fund limitations should not be allowed to interfere with the most accelerated schedule possible. For in this area we are not dealing with desirable items, but with necessities for our very survival.

In my book I advocated the establishment of a priorities review board for defense matters. A realistic priorities system that cuts across all of our defense efforts is the only meaningful way to get the necessary job of defense done. Many programs in the Defense Establishment get top priority rating. ASW, the Navy assures me, is one of these. And yet, in last year's hearings, Adm. George Anderson, Chief of Naval Operations, told our committee that "* * * we see no major breakthrough on the horizon for antisubmarine warfare, no panacea to solve our problem."

We were also told by Admiral Anderson earlier in last year's hearings that "the particular threat which we recognize as increasing—and I would not minimize in any degree the fact that this threat is increasing—comes from the Russian submarine." He then said that in his opinion this means that "we have a limited period of time in which we can greatly increase our own antisubmarine capabilities, particularly as they pertain to coping with this threat of the missile launching submarines."

Clearly then, accelerated, improved, and inspired efforts in the areas of ASW are needed now. The Navy has done an outstanding job as far as they have gone, but they have had neither sufficient funds nor the proper official and public support to give to their efforts the inspiration and urgency so vitally needed to produce the miracle of an adequate antisubmarine capability.

A reorientation of our thinking in this area is long overdue.

TABLE 1.—*Space appropriations contrasted with oceanographic appropriations*

SPACE APPROPRIATIONS

| | 1960 | 1961 | 1962 | 1963 |
|---|---|---|---|---|
| NASA | $523,575,000 | $964,000,000 | $1,671,750,000 | $3,787,276,000 |
| Supplemental | ---------- | ---------- | 156,000,000 | ---------- |
| AEC | (1) | 63,200,000 | 120,100,000 | 192,900,000 |
| DOD | 560,900,000 | 793,800,000 | 1,147,200,000 | 1,517,700,000 |
| Total | 11,698,401,000 | | | |
| Total (1963) | 5,497,876,000 | | | |

[1] Not available.

TOTAL OCEANOGRAPHIC EFFORT

NAVY

| | 1960 | 1961 | 1962 | 1963 |
|---|---|---|---|---|
| R.D.T. & E. | $13,900,000 | $16,900,000 | $22,000,000 | $31,500,000 |
| SCN | 8,600,000 | 4,300,000 | 13,600,000 | 17,600,000 |
| O. & M. | 21,000,000 | 23,000,000 | 23,700,000 | 25,200,000 |
| Other Navy procurement | ---------- | ---------- | 100,000 | 2,500,000 |

OCEANOGRAPHIC EFFORT BY AGENCIES OTHER THAN NAVY

| | 1960 | 1961 | 1962 | 1963 |
|---|---|---|---|---|
| National oceanographic effort | $23,494,000 | $30,997,000 | $59,000,000 | $68,000,000 |
| Total | 66,994,000 | 75,197,000 | 118,400,000 | 144,800,000 |
| Navy ASW budget request | 174,692,000 | 180,459,000 | 235,810,000 | 286,000,000 |
| Congressional action | 45,000,000 | 50,000,000 | None | 7,000,000 |
| Total | 219,692,000 | 230,459,000 | 235,810,000 | 293,000,000 |
| Total 1963 | 437,800,000 | | | |

TABLE 2.—*Soviet submarines* [1]

| Class | Number of class | Propulsion | Displacement | Length | Radius | Complement | Submerged speed | Armament |
|---|---|---|---|---|---|---|---|---|
| | | | *(Tons)* | *(Feet)* | *(Miles)* | | *(Knots)* | |
| Atomic powered | 3 | Nuclear reactor | 3,000 | 328 | Unlimited | | 25 | |
| "Z" type | 50 | Diesel electric | 1,850 | 310 | 26,000 | 70 | 16 | 40 mires or 20 torpedoes. |
| "W" | 120 | do | 1,050 | 245 | 16,000 | 60 | 16 | Do. |
| Research | 1 | do | 1,050 | 245 | 16,000 | 60 | 16 | None. |
| "Q" | 50 | Diesel | 650 | 180 | 7,000 | 40 | 16 | 6 torpedo tubes. |
| "K" | 13 | do | 1,457 | 282 | 10,000 | 62 | 10 | 20 torpedoes. |
| Ex-German type XXI | 4 | do | 1,280 | 252 | 11,000 | 57 | 17 | 29 torpedoes. |
| Type VII | 4 | do | 595 | 220 | 6,500 | 45 | 7 | 19 torpedoes. |
| Type XXIII | 1 | do | 233 | 114 | 1,350 | 13 | 12 | 4 torpedoes. |
| SHCH | 69 | do | 620 | 190 | 4,000 | 40 | 8 | 10 torpedoes. |
| "S" | 32 | do | 780 | 256 | 9,800 | 50 | 8 | 6 tubes. |
| M-V | 63 | do | 350 | 167 | 4,000 | 24 | 5 | 2 tubes. |
| M-IV | 87 | do | 205 | 147 | 3,400 | 20 | 3 | Do. |

[1] The Russian submarine effort as delineated in "Jane's Fighting Ships, 1959-60," shows the Soviets to have the vessels shown above totaling 497 submarines of which over half are capable of extended operations at great distances from their home ports. Approximately 50 submarines are now under construction, all of which will be equipped with schnorkel and include the following classes: (1) Large long-range nuclear powered; (2) large high speed with guided missiles; (3) long-range patrol type (antishipping); (4) high-speed mine layers; (5) long-range, killer type subs (antisub HUK-type).

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# SENATE

## FRIDAY, JANUARY 25, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, who art the fountain of all grace, in whose keeping are the destinies of men and nations, we sorely need the strength of Thy presence and the confidence of Thy guidance, for in the labyrinth of days like these we can so easily lose our way.

If we look only at the confusion of this rapidly changing world about us, we are filled with the uncertainty of it all. Its ominous threats drive us to Thee, our God, for apart from Thee our anxieties blot out our assurance, our faith is subdued by doubt, and courage gives way to fear.

As to those in whose unworthy hands have been placed the crying needs of stricken humanity, may the thoughts of our minds, the sympathies of our hearts, the words of our lips, and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our redeemer. Amen.

## THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 24, 1963, was dispensed with.

## MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

## TRANSACTION OF ROUTINE BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there may be a morning hour for the introduction of bills and the transaction of routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

## COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Internal Security Subcommittee of the Judiciary Committee was authorized to meet during the session of the Senate today.

## NOMINATIONS ON THE EXECUTIVE CALENDAR

Mr. DIRKSEN. Mr. President, I had understood that there would be an executive session today, but in view of the pending consideration of the proposed changes in the rules of the Senate, I believe it to be inappropriate to consider the Executive Calendar at this time.

Second, I point out that committee assignments have not been made, and I thought, therefore, that any action on any calendar ought to be withheld until the committee rolls have been completed.

Mr. HUMPHREY. Mr. President, I wish to thank the Senator. I fully concur in that judgment. I appreciate the notice the minority leader gave to me this morning. We shall respect that suggestion.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### REPORT ON CONSTRUCTION OF AN ADMINISTRATION AND SERVICE BUILDING AT THE U.S. NAVAL AMMUNITION AND NET DEPOT, SEAL BEACH, CALIF.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of an administration and service building at the Government-owned contractor-operated S-II stage final assembly facility, U.S. Naval Ammunition and Net Depot, Seal Beach, Calif.; to the Committee on Aeronautical and Space Sciences.

### UNIFORMED SERVICES PAY ACT OF 1963

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes (with accompanying papers); to the Committee on Armed Services.

### REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for November 1962 (with an accompanying report); to the Committee on Banking and Currency.

### PUBLICATION ENTITLED "STEAM ELECTRIC PLANT CONSTRUCTION COST AND ANNUAL PRODUCTION EXPENSES, 1961"

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a publication entitled "Steam Electric Plant Construction Cost and Annual Production Expenses, 1961" (with an accompanying document); to the Committee on Commerce.

### AMENDMENT OF SECTION 704, TITLE 38, UNITED STATES CODE, TO PERMIT THE CONVERSION OR EXCHANGE OF POLICIES OF NATIONAL SERVICE LIFE INSURANCE

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan (with an accompanying paper); to the Committee on Finance.

### REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

A letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated January 1963 (with an accompanying report); to the Committee on Foreign Relations.

### PROVISION OF A JURY COMMISSION FOR EACH U.S. DISTRICT COURT

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

### SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Andres

Porras-Grajeda from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on February 15, 1962 (with an accompanying paper); to the Committee on the Judiciary.

## RESOLUTION OF MISSOURI HOUSE OF REPRESENTATIVES

The VICE PRESIDENT laid before the Senate a resolution of the Missouri House of Representatives, which was referred to the Committee on Armed Services, as follows:

House Resolution 42

Resolution memorializing Congress and the U.S. Department of Defense to relocate the battleship U.S.S. *Missouri* in the State of Missouri

Whereas the U.S. Navy battleship, known as the U.S.S. *Missouri*, has been removed from active naval service by the Department of Defense and has been placed in the "mothball fleet"; and

Whereas the battleship *Missouri* is of special interest to and has especial importance for all Missourians; and

Whereas the battleship *Missouri* has unusual historical significance, particularly for Missourians, because it was the site of the Japanese surrender at the conclusion of World War II, during the administration of President Harry S. Truman, the only Missourian to hold that high office; and

Whereas the location of the battleship *Missouri* here in the middle of the great plains area would make it easily accessible to millions of people from many States: Now, therefore, be it

*Resolved by the house of representatives,* That the Congress of the United States and the United States Department of Defense be respectfully memorialized and requested to cause the battleship *Missouri* to be relocated in the State of Missouri; and be it further

*Resolved,* That copies of this resolution be forwarded to the leaders of each House of the Congress of the United States, to each Representative and Senator in the Congress of the United States from the State of Missouri, to the Secretary of Defense and former President Harry S. Truman.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE (for himself, Mr. Humphrey, and Mr. Nelson):

S. 530. A bill to provide for an investigation and study of means of making the Great Lakes and the Saint Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself and Mr. Bartlett):

S. 531. A bill to amend the Internal Revenue Code of 1954 with respect to the estate and gift tax treatment of employees' survivors annuities under State and local retirement systems; to the Committee on Finance.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 532. A bill for the relief of Emil Milan Preseren; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mrs. Neuberger):

S. 533. A bill to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. BARTLETT:

S. 534. A bill to authorize the admittance of the vessel *City of New Orleans* to American registry and to permit the use of such vessel in the coastwise trade between the State of Alaska and the State of Washington; to the Committee on Commerce.

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 535. A bill to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK:

S. 536. A bill to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately $275^{74}/_{100}$ acres of federally owned land; to the Committee on Interior and Insular Affairs.

By Mr. McCLELLAN (for himself and Senators Allott, Anderson, Bartlett, Bayh, Beall, Bennett, Bible, Boggs, Brewster, Burdick, Byrd of Virginia, Cannon, Carlson, Case, Cooper, Cotton, Curtis, Dirksen, Dodd, Dominick, Eastland, Engle, Ervin, Fong, Fulbright, Goldwater, Gruening, Hartke, Hickenlooper, Holland, Hruska, Humphrey, Inouye, Jackson, Javits, Johnston, Jordan of Idaho, Keating, Kefauver, Kuchel, Lausche, Magnuson, McGee, McGovern, McIntyre, Mechem, Metcalf, Miller, Monroney, Morse, Morton, Mundt, Muskie, Nelson, Neuberger, Pastore, Pearson, Pell, Prouty, Proxmire, Randolph, Ribicoff, Robertson, Scott, Smathers, Sparkman, Stennis, Symington, Talmadge, Thurmond, Tower, Williams of Delaware, Yarborough, Young of North Dakota, and Young of Ohio):

S. 537. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 538. A bill for the relief of Henry Bang Williams; and

S. 539. A bill for the relief of Wong Shing Chong; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 540. A bill to amend the Internal Revenue Code of 1954 to exempt nonprofit hospitals from certain excise taxes; to the Committee on Finance.

## RESOLUTION

## CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. HUMPHREY (for himself and Mr. McCarthy) submitted a resolution (S. Res. 69) to create a Standing Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Humphrey, which appears under a separate heading.)

## STUDY OF MEANS OF MAKING GREAT LAKES AND ST. LAWRENCE SEAWAY AVAILABLE FOR NAVIGATION THE ENTIRE YEAR

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year.

This bill could be the first step in opening the ice-blocked Great Lakes and St. Lawrence to year-round shipping traffic.

The bill would authorize a study on whether a deicing system for the Great Lakes and the Seaway is feasible.

Especially during this extremely bitter winter, we are feeling the effects of our ice-clogged harbors and lake routes. Any significant extension of the present shipping season would amply justify a deicing system, because great economic gains would flow from it.

The bill would authorize the Corps of Engineers to, first, investigate all problems involved in the development of deicing systems; second, review data, information, reports, and surveys relative to the establishment of deicing systems; and, third, apply findings to the Great Lakes and Seaway region, and estimate costs.

The completed study would be made available to the President with recommendations for legislative and Executive action.

Mr. President, I suggest that, initially, deicing might be applicable only to fringe areas.

The ice blockade on our lakes is one of the most serious economic problems we face. Certain problems of national defense also are posed by the ice. I believe we now possess the technical means to overcome the icy conditions on the Great Lakes and the Seaway, and I intend to press for the enactment during this session of the Congress of legislation to conduct a feasibility study.

Mr. HUMPHREY. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am delighted to yield.

Mr. HUMPHREY. I wish to commend the Senator from Wisconsin for his initiative, to assure him of my keen interest in what he has proposed, and to associate myself—as a Senator from one of the Great Lakes States—with his effort.

I hope the proposed feasibility study will be undertaken because it can mean a great deal to the entire Midwest and also to the entire Nation. In fact, I am confident that something of this sort can be done because it has been done in other countries.

Mr. President, I shall be happy to join in sponsoring the bill if the Senator from Wisconsin will permit me to do so.

Mr. PROXMIRE. Yes, indeed. Mr. President, I ask unanimous consent that the name of the Senator from Minnesota [Mr. Humphrey] be added as one of the sponsors of this bill.

The VICE PRESIDENT. Without objection, that will be done.

The bill will be received and appropriately referred.

The bill (S. 530) to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year introduced by Mr. Proxmire (for himself, Mr. Humphrey, and Mr. Nelson), was received, read twice by its title, and referred to the Committee on Public Works.

## EQUAL TREATMENT FOR PUBLIC EMPLOYEES' SURVIVOR ANNUITIES UNDER THE STATE AND GIFT TAX

Mr. YARBOROUGH. Mr. President, I introduce, for myself and the Senator from Alaska [Mr. Bartlett], for appropriate reference, a bill to amend the Internal Revenue Code to provide equal treatment for public employees' survivor annuities under the estate and gift tax as the treatment now afforded similar annuities of employees of corporations, charitable organizations, and the Federal Government. For some reason, as the law now stands, public employee pension plans set up by the State and local governments, although given comparable treatment under the income tax law with other pension plans, are given somewhat less favorable treatment under the estate and gift tax laws. The bill I am introducing today would correct this inequity, treating all these comparable pension plans alike.

I feel this matter is of considerable importance to the many fine State and local employees covered by pension plans. My own State of Texas now has 250,000 public employees under such plans. Under every principle of comity we should extend at least as favorable tax treatment to these employees as to those in other categories.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 531) to amend the Internal Revenue Code of 1954 with respect to the estate and gift tax treatment of employees' survivors annuities under State and local retirement systems, introduced by Mr. Yarborough (for himself and Mr. Bartlett), was received, read twice by its title, and referred to the Committee on Finance.

## COMMITTEE ON VETERANS' AFFAIRS

Mr. HUMPHREY. Mr. President, I submit a resolution to amend Senate rule XXV, to provide for a Committee on Veterans' Affairs. I am joined by my colleague, the Senator from Minnesota [Mr. McCarthy] in sponsoring this resolution.

There are a number of sound reasons to support the establishment of a separate committee to consider the many proposals concerning veterans' affairs that come before the Congress each year, not to mention the task of overseeing the existing veterans' programs of the Federal Government. For example, the Federal budget for the fiscal year 1964 carries $5.5 billion for veterans' affairs in the administrative budget, and $6 billion in trust funds. By any man's standards, the business of administering programs calling for over $6 billion constitutes a major responsibility of the Federal Government.

I believe that a full committee staff is required to oversee activities of such dimensions. As my colleagues know, the House of Representatives has for a number of years had a Veterans' Committee. To my mind, it is equally desirable that there be a similar committee in the Senate.

Let me cite other relevant statistics: Nearly 6 million veterans hold GI insurance policies, with a face value of $40 billion. World War II and Korean veterans have borrowed more than $52 billion for homes; and more than half of that amount has been guaranteed by the Veterans' Administration.

More than 700,000 veterans are admitted each year to the 170 hospitals operated by the VA. In addition, the Veterans' Administration also operates 18 domiciliaries and 93 outpatient clinics for the benefit of veterans. Approximately 2 million veterans are receiving disability compensation for service-incurred disabilities. More than 1 million surviving widows, children, and dependent parents of veterans are receiving death compensation or pensions. More than 1 million disabled veterans are receiving pensions for non-service-connected disabilities.

To administer these programs, the Veterans' Administration has a staff of approximately 175,000 employees, making it one of the largest departments of the Federal Government.

Considering the scope and size of these various activities, I believe it is most appropriate to assign to a single committee the task of legislative oversight. At present, the Finance Committee handles compensation, pension, and insurance matters; and the Labor and Public Welfare Committee handles veteran education and training, vocational rehabilitation, and GI loans.

While both of these committees have done excellent jobs with their respective responsibilities concerning veterans' business, I believe they should be relieved of the additional burden of these duties. A single Veterans' Committee would function in such a capacity.

A separate committee was recently established to deal with the rapidly expanding field of aeronautics and space. I see similar need for a single committee to handle the extensive business relating to this Nation's veterans.

Mr. President, I ask unanimous consent that the full text of this resolution be printed in the Record at this point.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 69) to create a Standing Committee on Veterans' Affairs, was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

Sec. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs."

Sec. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

Sec. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

## PROPOSED AMENDMENT TO THE CONSTITUTION, PROVIDING FOR THE ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of January 23, 1963, the names of Senators Dodd, Kuchel, Randolph, Saltonstall, and Sparkman were added as additional cosponsors of the joint resolution (S.J. Res. 27) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by Mr. Kefauver on January 23, 1963.

## WISE TAX POLICIES CAN STIMULATE THE ECONOMY, CREATE JOBS, AND BENEFIT THE CONSUMER

Mr. MORTON. Mr. President, an example of how wise tax policies can stimulate the economy, create jobs, and benefit the consumer, was given to the Nation recently by the American Electric Power System, an investor-owned utility which includes six operating subsidiaries.

On January 8, the company inserted a full-page advertisement in the Washington Post. Reproduced in the ad was a telegram sent by President Donald C. Cook to five of the six operating companies, instructing them to file immediately for a reduction in electric rates.

I ask unanimous consent that the text of Mr. Cook's telegram be printed in the Record at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

In October H.R. 10650 providing 3 percent tax credit for electric utility company investment in certain new facilities became law and made it possible for us immediately to authorize construction of additional facilities costing $9 million not previously budgeted. This expenditure to achieve even greater operating efficiency will help us to continue to render unsurpassed service at exceptionally low rates to our 1,430,000 customers, and to strengthen economy of both area we serve and Nation as a whole. The tax reduction also will enable us to reduce our rates still further. Therefore, please file application January 8 with your State public service commission to reduce rates for all electric living. Bottom step of rate is to be reduced from present 1.5 cents (1.4 cents in Ohio) to 1.2 cents per kilowatt-hour or 20 percent. This action is in line with our long established policy of furnishing customers with the largest amount of electricity at the lowest possible cost. The reduced rates have been made possible by the reduced Federal income taxes. These lower rates will serve to increase our sales of electric power, lead to construction of additional facilities to meet increased demand for power and thus stimulate business expansion in area served by AEP system and entire country.

Mr. MORTON. Mr. President, companies affected are the Indiana & Michigan Electric Co., the Appalachian Power Co., the Kentucky Power Co., the Ohio Power Co., and the Wheeling Electric Co.

The American Electric Power System in this advertisement makes four general economic statements with which all can agree:

First. Lower taxes reduce operating costs and make possible lower rates. Lower taxes also make economically feasible the construction of additional highly efficient generation, transmission, and distribution facilities utilizing the newest and most advanced technology.

Second. The consumer benefits by getting the best possible service at the lowest possible cost.

Third. The investor benefits through his company's growth from greater sales stimulated by the lower prices.

Fourth. The Nation benefits from an expanding economy with higher levels of employment and greater national income.

As a representative in the Senate of a major coal-producing State, I am, of course, pleased at this further indication of the growth and expansion of the electric power industry. Coal is the fuel used to generate about 67 percent of all electric power produced in the United States. Present indications are that for the foreseeable future the electric power industry will continue to depend primarily upon coal for a low cost, secure supply of fuel.

It is interesting to note, Mr. President, that during the past 10 years the cost of coal used by electric utilities has decreased 5.5 percent in price. In fact, coal is the only fuel which has maintained price stability in this period of inflation.

The fact that coal prices could be reduced, while the price of other fuel is advancing, is a tribute to both management and labor. Coal is one of the most modern, efficient, and dynamic industries in the Nation. There has been a greater increase in productivity during the past 10 years in coal than in any other major domestic industry.

Yet, despite this unparalleled record of progress, the coal industry is sorely beset by unfair competition from imported residual fuel oil and the marketing of natural gas for industrial purposes under special, low-cost contracts. These competing fuels, sold under predatory marketing practices, are making heavy inroads into coal markets.

If the progress made by the great American coal industry is to be sustained, action must be taken to solve these two problems. A thriving, expanding coal industry is essential to the Nation's continuing economic growth and to its security.

## THE PORTSMOUTH, N.H., NAVAL SHIPYARD

Mr. McINTYRE. Mr. President, Portsmouth, an old and honored New Hampshire city, bears a proud tradition in the building of warships. John Paul Jones' ship *Ranger*, the first man-of-war to fly the flag of this country, was built at the port city. Down through the years the tradition has been carried on by the dedicated men and women of the Portsmouth Naval Shipyard. In World War II, many of the American submarines that went on to glory were constructed at the Portsmouth yard.

Today, Mr. President, I should like to call attention to the continuing contribution of the Portsmouth Naval Shipyard to the security of the United States and all the free world. Earlier this month, the *John Adams* was launched at Portsmouth. It was the yard's 129th submarine, and the second Polaris type to be built there.

I ask unanimous consent that an article, from the Portsmouth Periscope of January 11, 1963, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### THE 129TH PORTSMOUTH LAUNCHING

When the SSB(N)*602* hit the water on Saturday, January 12, the ship became the 129th submarine launched at Portsmouth and this shipyard's 2d Polaris-firing submarine.

Once again, steel on dry land was transformed into one of the most advanced submarines in the world by the skilled craftsmen employed at Portsmouth. Each member of the shipyard team should be proud of the contribution he made in building this modern ship.

It is particularly significant that one of its two commanding officers will be Comdr. Lando W. Zech, who possesses an unusual knowledge of Portsmouth-built submarines. In addition to having been commander U.S.S. *Nautilus* (SS(N)*571*), first nuclear powered submarine to be built, he has also been the commanding officer of three other Portsmouth-built submarines, U.S.S. *Albacore* (AGSS*569*), U.S.S. *Sea Robin* (SS *407*), and U.S.S. *Irex* (SS *482*). We extend best wishes to the commanding officer of the blue crew of the *620*. Good sailing, Lando.

## PROGRESS IN NEW HAMPSHIRE

Mr. McINTYRE. Mr. President, I would like attention focused on the strides forward that have been made in New Hampshire in the past decade.

Over the last 10 years, the State of New Hampshire has climbed from ninth to second place in the Nation in the percentage of its work force engaged in industrial employment. This rise reflects a cooperative spirit among our industrial firms, our labor, local communities, and our State planning agencies.

This is but one way in which the industrial community in New Hampshire is determined to move forward in the years ahead.

I ask unanimous consent that a recent supplement to the New England Telephone & Telegraph Co.'s Business Conditions be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### INDUSTRIAL DEVELOPMENT IN NEW HAMPSHIRE

Rapid industrialization, with its attendant demands for increased communications services, has been vital to the expansion of business in New Hampshire in recent years.

Like its sister States in our region, the Granite State has a much higher ratio of business-originated telephone revenue to business accounts than is the case in a similar comparison of residence service. In the instance of New Hampshire, slightly over 13 percent of the accounts are classified as business. The accounts, in turn, are the source of over 35 percent of the State's revenue.

Several facts stand out in illustrating the excellent expansion experienced in this north-central State of our territory. Of all the States served by our company, New Hampshire, at 12.7 percent, enjoyed the highest increase percentagewise in population over the decade of the 1950's. Her closest rival, Massachusetts, had a 9.1-percent gain.

Perhaps the most surprising revelation about New Hampshire's industrial growth is that on the basis of percentage of population employed in manufacturing, she stands as the second most industrialized State in the United States. In the early 1950's, she ranked ninth among the then 48 States.

Equally impressive is that in this day and age of so-called chronic unemployment (ranging nationally from 5.3 percent to 6.8 percent over the past year), New Hampshire's rate of 2.6 percent in August of this year was the lowest it has experienced since World War II. Other statistics, charted at the top of the next column, add further illumination to the fast rate of development of the Granite State's economy.

It should be noted that not only does New Hampshire lead her sister States collectively in each of the pictured categories, she also leads each State individually in each comparison. In the case of manufacturing employment, she was the only State of the five to post again for the decade through 1960.

Another indication of surging strength in the State's economy is its trend toward diversification of industry. Whereas 66 percent of those employed in manufacturing in 1952 were in nondurable goods production, the balance has now been reduced to 58 percent.

Leather is the dominant industrial employer, but electrical products (including electronics), a durable goods industry, recently supplanted textiles in the second spot. Electrical goods have been the largest contributor to manufacturing employment gains over the 10-year period.

The story of how the Granite State has accomplished this record of development is a story more of thought than deed. It is a story of early realization of the need for an industrial development program, the initiation of thorough analysis and planning of the program, and its materialization into a frank, businesslike approach to the problems involved.

In 1935, the State's planning and development commission (P. & D.) was created. A part of the new agency was its industrial division, at that time only one employee.

A sharp decrease in employment after World War II inspired the appointment of the eight-man first industrial development committee in 1949 by then Gov. Sherman Adams. This committee, working as an organizer and also later as the coordinator of the State's activities, is generally recognized as the original spearhead of the present-day industrial development program in the Granite State.

Among recommendations soon adopted by the State government was the institution and permanent recognition of the founding committee as the industrial advisory committee. It was composed of the same public-spirited citizens who continued to serve without compensation.

The P. & D. industrial division, enlarged and guided by committee recommendations, has helped form many organizations which have administered the mechanics of New Hampshire's industrial growth. The initial purpose of this division, however, and, indeed, its initial success was the fostering and the development of a favorable business climate.

Several elements of this climate, on which New Hampshire bases both its past accomplishments and its future potential in this field, are first, a traditional industriousness and consequent high motivation and productivity rate of the labor force, second, excellent labor-management relationships predominantly local in nature where neighbors bargain with neighbors, and third, a simple, uncomplicated, frugal, and well-managed governmental structure.

Adequate financial assistance is also available to the incoming or expanding entrepreneur. The banking community has joined in the growth of the Granite State development program.

The New Hampshire Business Development Corp. is a private agency authorized by the State legislature in 1951 acting upon the recommendation of the industrial advisory committee. It is an organization established to provide loans in coordination with the institution granting the first mortgages. The loans are usually second mortgages to qualified incoming and/or expanding firms to complete their financial requirements over and above the amounts granted them by first mortgage institutions. This is one means of 100 percent financing available in the State.

Funds used by the New Hampshire Business Development Corp. for loans are provided by those institutions of the State banking community who are members of the corporation. They can loan up to 2½ percent of their combined capital and surplus to the New Hampshire Business Development Corp. and have provided a loan pool of about $1.7 million. Practically all of the State-chartered banks are participants.

Legislation passed in 1961 granted the corporation the right to guarantee all parts of loans made by primary lenders over and above that which may be desirable or legal to lend on an unguaranteed basis. This, in effect, provides a second means of 100 percent financing although it ties up corporation funds to back up the guarantee. To date, the New Hampshire Business Development Corp. guarantee option has not been exercised.

Since its inception, the corporation has granted close to 90 loans totaling nearly $2½ million involving 5,000 new jobs worth $18 million a year in pay.

Mortgage guarantees similar to those authorized by the New Hampshire Business Development Corp. are also among the several functions of the industrial park authority, a 7-year-old statewide industrial development organization and the only one of its type in the country. Although a State agency—also recommended by the industrial development committee—the authority is run on a strict business basis and is able to guarantee up to $5 million in loans to industry.

The guarantee system is a third alternative for 100 percent financing and works essentially the same way as other mortgage guarantee arrangements, the authority being empowered to guarantee up to half of a first mortgage.

With the financial complex so well mobilized, the major problem facing those interested in building the State's industry is one of providing adequate sites and facilities. It is in this area that the authority, with a $4 million revolving fund borrowed from the State treasury on 3-year demand notes, is most deeply involved.

In addition to lending money, it engages in both speculative building and construction to the specifications of a business committed to occupancy. Buildings are sold or leased to the resettling firms. Where leases are concerned, the structures are sold to banks to keep the authority fund liquid. All sales are at cost, the State agency being self-sustaining but, of course, nonprofit.

With public funds involved, authority projects must be determined to be in the public interest prior to their undertaking. This generally means that the project must add to employment and to business activity among other requirements. Such determinations are made in public hearing before the Governor and council.

To date, 10 buildings have been constructed with the authority's assistance. Four were sold to the new occupants, and four were leased. The two most recent, in Claremont and Berlin, are still vacant. In addition, industrial parks in Hookset and Dover have had land and site developments financed through the authority. A loan of $300,000 for a 38,000 square foot speculative building in Keene has been approved and is awaiting action by its local sponsors.

Local industrial corporations are active in New Hampshire as they are elsewhere in our territory. They vary in their degree of activity as the need fluctuates. Most were born of crisis—many have diminished as the demand for their services has declined.

When the vast Amoskeag textile mills in Manchester closed in 1935, a business which had employed 11,000 people left the queen city. Amoskeag Industries, Inc., was formed in 1936. It bought the mill property after raising funds through local stock sales, selling power rights, and taking a 45-percent mortgage.

In 1 year, nearly half the vacated space was refilled and close to half of the lost jobs were recovered. The corporation then started several subsidiary businesses and had over 12,000 employed in 1949, all debts having been paid by 1942. Money invested as a sacrifice for the good of the community in 1936 has paid handsome dividends since then, and subsequent crises have been met with this readymade, profitmaking development corporation.

The new Grenier Field Industrial Park, near the city's airport, attracted two major electronics firms in 1961 under the sponship of the Manchester Regional Industrial Foundation, a second development group in the city. Other cities enjoying new diversification into durable manufacturing in 1961 were Laconia (ball bearings, needles) and Plymouth (electronics).

Similar corporations have been working all over the State, going back as far as the Keene Development Co., founded in 1912. Towns as small as Newmarket, Lisbon, Hillsborough, and Raymond (all with populations around 2,000) have development corporations. The New Hampshire Business Development Corp. has made 37 loans to corporations such as these over the years.

In all of these small towns, available plant space, at one time abandoned, is now fully occupied. Several areas, namely, Manchester, Keene, Claremont, and Franklin, have had two foundations working in their behalf.

Industrial parks, at present probably the most utilized means of new industrial development, are fast becoming common to the New Hampshire scene. In 1961, 5 new parks sprang into existence, bringing the Granite State total to 13 such complexes.

Most of the speculative buildings in which the State industrial park authority has had a part have been sited in these parks. Three of the five new parks of 1961 were initiated as strict private enterprises, adding a new dimension to the industrial development picture.

Extra added attractions feature some of the parks. Laconia and Nashua have included housing developments to fill another of the facilities shortages which have to be considered when new industry is being sought. Perhaps the most unique of all is the Grenier Field Park in Manchester. Its tract not only includes land around the airfield, but it also encompasses the triangular plot inside of its three runways. Under this arrangement, a new firm can have fly-in delivery and pickup, being completely surrounded by runways.

Early in this analysis, the premise was taken that New Hampshire's industrial development success was mainly one of thought more than deed. Its agency development and financial assistance facilities are not unique nor are its problems of satisfying the physical plant and trained manpower requirements for new and/or growing enterprises.

The key to its success seems to lie in its concentration on and steadfast devotion to the mutual satisfaction of both the business and the community concerned and its absolute refusal to accommodate one without the other. In promoting industrial development, all Granite State agencies concentrate on serving as consultants to a prospect in preference to any hard-sell approach.

In a study, "Developing the Little Economies," Donald R. Gilmore, regional economist of the Federal Reserve Bank of Boston, singles out the Concord Regional Development Corp. as outstanding in this light among all such organizations in the Nation. He praises the superior quality of the corporation's economic research and planning for the city. These activities determined what industries were best suited to the area and what facilities were required to make the area more desirable. Detailed reports, provided both the community and the enterprise on these and other subjects, were emphasized as outstanding in Concord by the Gilmore analysis.

The office of industrial development of the State's new department of resources and economic development (the new name for the industrial division of the P. & D. commission, following a recent reorganization) also typifies the attitude of those promoting industrial development there. The agency and the prospect consult together and set to work cooperatively to determine whether the latter's relocating to or expanding in New Hampshire will provide for the economic betterment of all concerned.

Many areas have labor force problems. Where employment is already high, an area may not have the number of employable people or skills the firm wants. In some places, Nashua for example, new industry can draw on some of the high unemployment areas of northeastern Massachusetts. Thus, the local labor force shortages there would not be so serious. In other places, such a problem might be insurmountable. These considerations of individual conditions are always taken in preliminary consultations.

Also, the industrial development office will not consider a new business that cannot contribute to the economy on a longrun basis. A business that may depend on an erratic market subject to wide short-term fluctuations or one that could well end up in quick shutdowns is among the least desirable.

Hopefully, a new or expanding business will not compete for an already tight labor force. More preferably, it will absorb elements of the labor force not in short supply. In an eastern city, for example, a number of older firms using semiskilled labor are being squeezed out of employees by newer precision industries requiring higher paid skilled labor. New Hampshire is seeking the relocation of these older businesses to the Granite State to employ some of its semiskilled labor in areas where jobs of this type are scarce and in high demand.

This desire to utilize the training and background of those needing jobs is the main reason that expansion from within among industries already oriented to New Hampshire's labor force receives emphasis in development circles equal to the attraction of new industry not so well adapted to existing work force conditions.

To date, this highly analytical and businesslike approach by all agencies concerned has coped with the crises that have beset the Granite State and has given the enviable record of growth illustrated throughout this discussion. Further contributions to this expansion in New Hampshire seem assured as the needs of the populace are further enlarged and efforts in the industrial development field achieve further successes.

## THE SENATE AS AN ANCHOR

Mr. SPARKMAN. Mr. President, on January 16, 1963, there appeared in the Birmingham News an editorial entitled "The Senate as an Anchor." It is a very fine editorial which deals with the present situation prevailing in the Senate. I ask unanimous consent that the editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### THE SENATE AS AN ANCHOR

Senator HUMPHREY has introduced a bill as expected to allow Senators to limit debate if 51 of 100 so vote. Senator ANDERSON, of New Mexico, also a Democrat, has offered a compromise measure to allow three-fifths of Senators voting to limit debate. Present Senate rules require two-thirds.

The South's Senators will carry the major burden of defense of present rules. They will be joined by some Republicans and a few Democrats from nonurban States, generally western.

Antidebate, or antifilibuster, Senators, generally quite liberal, will again call southern opposition a move to save ground for fighting against civil rights bills. In part this will be true.

But southerners such as Senator RUSSELL, of Georgia, are correct in stating that the issue involves more. Civil rights bills were passed over southern opposition in 1957 and 1960. They didn't go as far as some wanted; but one enables the Federal Government to designate referees to say who could register to vote in States. That was a major civil rights action. Two-thirds rule didn't stop passage.

Proper defense of the two-thirds rule lies in its value to a continuing Senate as envisaged by the Founding Fathers. Times change; fundamentals need not.

Hamilton or Madison (it's uncertain which) wrote in 1787 or 1788 of a Senate that, "the objects of government may be divided into two general classes: The one depending on measures which have simply an immediate and sensible operation; the other depending on a success of well-chosen and well-connected measures."

In this Federalist essay, it was recognized that "there are particular movements in public affairs when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful representations of interested men, may call for measures which they themselves will afterward be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens * * * until reason, justice, and truth can regain their authority * * *."

There was, this argument continued, no long-lived republic without a Senate, and a Senate was intended as a body to prevent the indelible reproach of decreeing to the same citizens the hemlock on one day and statutes on the next.

A Senate is supposed to be a center of maximum discussion. Admittedly filibustering may abuse. But balance should go, in a Senate, with the opposite of any appearance of ease of legislative enactment.

A Senate was called an anchor against popular fluctuations.

This is an historic essay. It is known to the U.S. Senate today, as to Senates past. The filibuster has been abused in the past, not only in judgment of critics of southern stands, but by Senators of other areas. Only lately it was used by the very liberals themselves in attack on a communications satellite bill.

Never in our time has the filibuster, or unlimited debate, been abused to such an extent that the nature of the U.S. Senate seriously should be altered. Senator ANDERSON's bill would seriously change the body; Senator HUMPHREY's measure would provide excellent basis for decreeing the hemlock.

This is an old issue. The estimate is the Senate rule will not be changed this session. It never should be on the sketchy basis thus far provided.

## NEW FARM LIBRARY NEAR THE SITE OF THE AGRICULTURAL HALL OF FAME

Mr. CARLSON. Mr. President, President Kennedy in his budget message to Congress recommended an appropriation of $450,000 for preparation of plans for a new Farm Library.

As I understand it, the library would be maintained by the Department of Agriculture as an aid to scientists in the United States and elsewhere.

I would like to suggest that the new library be built near the site of the Agricultural Hall of Fame, which is located west of Kansas City.

The board of governors of the Agricultural Hall of Fame and National Center are developing a great National Agricultural Center in that area. They own 275 acres of ground which is now undergoing improvement.

On October 15 the beautiful 350-acre Wyandotte County Bonner Springs Park was dedicated and officially opened to the public. This park, adjoining the Hall of Fame site, has been fully completed. It includes landscaping, beautiful drives, and is being fully maintained. The total costs of the park are $511,000.

Contracts have been let to start work on a new Wyandotte County Historical Museum to be built approximately 200 yards east of the location of the main building of the Agricultural Hall of Fame.

The State of Kansas has purchased 70 acres adjoining the Agricultural Hall of Fame site and connecting with the Kansas Turnpike.

The above-mentioned projects constitute an area of 695 acres, which will be for use by the Agricultural Hall of Fame and visiting public.

This would insure an ample area for the U.S. Department of Agriculture Library.

I ask unanimous consent that a recent editorial which appeared in the January 22 issue of the Kansas City Times be made a part of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### HALL OF FAME SITE LOGICAL FOR FARM LIBRARY

In his proposed budget, President Kennedy recommended an appropriation of $450,000 for preparation of plans for a new Farm Library. It would be maintained by the Department of Agriculture as an aid to scientists in the United States and elsewhere. We suggest that the Library should be built on the site of the Agricultural Hall of Fame west of Kansas City, Kans.

The Department's present library houses only about half of the 1.2 million volumes currently in the collection. As agricultural research continues, more books will be added. Also, publications are regularly acquired from more than 50 other countries. Agricultural scientists from throughout the world use the specialized information available in the library. The size of the library is indicated by its staff of 1,000 employees.

The site of the Agricultural Hall of Fame has been purchased. From the outset, a plan for a Farm Library has been included.

Certainly the Midwest site would be more accessible to scientists in the colleges of all the States than would Washington. Visitors from foreign lands, intent on agricultural research, would find themselves in the heart of America's greatest food production area.

We hope that Hall of Fame officials will move quickly to impress upon the Department and Congress the logic of the Hall of Fame site for the new Library. They can make a very strong case.

## JIMMIE BOGGESS—25TH ANNIVERSARY MARCH OF DIMES BOY FOR 1963

Mr. McCLELLAN. Mr. President, we in Arkansas are honored that 5-year-old Jimmie Boggess, of Coy, Ark., was named the 25th Anniversary March of Dimes Boy for 1963. It is the first time that the State of Arkansas has been so honored.

On several occasions I have met young Jimmie, in Little Rock and in Washington. He is a typical American youth. He is a bright, intelligent, and promising young boy of whom any parent would be justly proud. He is a fine young man.

Through the efforts over the past years of the March of Dimes program, little Jimmie's future is much brighter than it otherwise might have been had he been compelled to go through life, with a congenital handicap that he had, without the treatment and care that the March of Dimes program has made possible for him to receive.

Only this week Jimmie visited with the President of the United States. He is currently on a nationwide tour to celebrate the 25th anniversary of the National Foundation.

I am sure all Senators join with me in wishing Jimmie happiness as he makes his nationwide tour. I am sure that his visitations to the many cities and communities throughout the Nation will stimulate and inspire many to support this great humanitarian program.

We also wish a most successful year to the wonderful organization which conducts this program.

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## PRIORITIES FOR SBA LOANS

**Mr. PROXMIRE.** Mr. President, earlier this week, I had printed in the Record a very fine article by Dickson Preston, who is a Scripps-Howard staff writer, on the Small Business Administration. On Wednesday and Thursday of this week two additional articles completed a series which Mr. Preston has been writing, analyzing the SBA. He is doing a very thoughtful and perceptive job of showing that SBA loans have been going in many cases to concerns which are not engaged in essential work and, in many cases, also to firms which provide very little employment. I realize that administering a Government agency is difficult. John E. Horne is one of the finest administrators we have in Government. Nevertheless, the kind of criticism made in the article deserves wide attention. The analysis is thoughtful, balanced, and responsible.

I ask unanimous consent that the two articles to which I have referred be printed at this point in the Record.

**The PRESIDING OFFICER** (Mr. Lausche in the chair). Is there objection?

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Daily News, Jan. 23, 1963]

### Proxmire Would Set Up Priorities for SBA Loans—He'd Leave Disbursal to Agency

(By Dickson Preston)

In 1954, its first full year of operation, the Small Business Administration (SBA) had a $55 million revolving fund from which to make loans.

It had 601 employees, 13 field offices, and an operating budget of $3,775,000.

Today SBA's revolving fund has grown to nearly $1.3 billion. Its operating budget this year—money to pay office costs and salaries—is $26,458,000. It has 3,000 employees and 60 field offices.

This phenomenal growth in less than 10 years is something of a record even for Washington. But at least one congressional critic fears the agency is just beginning to scratch the surface.

Senator William Proxmire, Democrat, of Wisconsin, pointed out in a Senate Banking Committee report last year that under SBA's official definition, 95 percent of all firms in the United States can be classed as "small business."

"If this program expanded to cover even 3 percent of all small businesses in the United States, instead of one-half of 1 percent, additional billions of dollars of new appropriations would be needed," he warned.

#### PRIORITIES

Senator Proxmire wants Congress to set up priorities for SBA loans instead of "simply appropriating more and more funds each year" and leaving the disbursal of them up to the agency.

But most Congressmen seem interested in only two things about small business—voting SBA all the money it wants (and sometimes more than the administration asks); and helping their constituents get SBA loans.

"Small business in this country is sacred, like home and mother," said one Capitol Hill veteran. "No Congressman is going to do anything against it."

Such an attitude undoubtedly has contributed to SBA's growth and to the optimism of its staff about the security of their bureaucratic future. By 1967, they estimate, they'll triple their outstanding loans to a total of $2.5 billion. And at that rate, it won't be long before SBA will be the world's biggest bank—and one of its biggest businesses.

#### TWO REASONS

Despite all this volume, SBA loses money. Officials give two reasons:

The agency performs many services besides loanmaking for small businesses. These include management counseling, guidance in getting Government contracts, information on foreign trade and new products, plus scores of publications and pamphlets.

Limits set by Congress on interest rates make it difficult if not impossible for SBA to pay its own way. Disaster loans must be made at 3 percent and loans to firms in economically depressed areas at 4 percent.

SBA pays the U.S. Treasury interest on money it receives for its revolving fund at a rate equal to what the Treasury must pay to borrow it on the open market. Currently this is 3¾ percent—which means that a 3- to 4-percent loan is sure to be a losing proposition.

SBA collects 5½ percent on most loans other than those for disasters or depressed areas. That is less than present-day bank rates, which range above 6 percent.

The agency's rules on what constitutes a small business are very relaxed.

Any business with fewer than 250 employees is automatically small, any with more than 1,000 automatically big. Between the two figures, it is a matter of judgment by the agency official handling the loan application.

#### RULES

Equally relaxed are its rules on what an applicant must do to prove he is unable to borrow money from private banks.

Theoretically, no one is eligible for an SBA loan unless he has been turned down elsewhere. In practice, however, SBA requires the applicant to try at only one bank in communities under 200,000 population and at two banks in larger cities.

"We think that's enough," explained SBA Loan Processing Director Logan P. Hendricks. "If we chased him down the street to another bank, they'd probably just say: 'Why won't your regular banker do business with you?' "

Senator Proxmire and other critics have charged the turndowns by private bankers often are matters of convenience designed to help a good customer get SBA's longest terms and lower interest rates. The Wisconsin Senator has called them a "standing joke" with many bankers.

SBA denies this. And at least some private bankers agree the criticism is unjustified.

"If we turn down a loan it's because we don't think it is a sound proposition," one banker said. "Why should we turn away business?"

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[From the Washington Daily News, Jan. 24, 1963]

### There Are Many Cases in Point—Even SBA Officials Balk at Times on Loan Requests

(By Dickson Preston)

Sometimes even Small Business Administration officials themselves balk at SBA's policy of doling out public funds to finance such things as ski lifts, golf courses, bowling alleys, and doctors' offices.

Take the case, for instance, of what we'll call Mortgage Manor Golf Club, an 18-hole course in a Midwestern State.

The case is a real one, from official SBA files. Actual name and location are camouflaged to prevent revealing.

The proprietors of Mortgage Manor came to SBA last year after trying in vain to sell enough stock and bonds locally to make a going concern of their community project.

They presented a glowing prospectus, complete with pictures and enthusiastic letters from prominent citizens, and they forecast a bright future for the club if only SBA would put up enough money to get it out of hock.

#### SENDS REPORT

The SBA regional director, after studying their sales pitch, sent a report to Washington recommending strongly against it. He said:

"Even though it is repeatedly said the loan, if granted, will give the community a shot in the arm, I do not believe it proper with our limited funds at this time to approve a loan for the creation of pleasure for a community.

"Better the funds be used for creating jobs for people who are unemployed."

The regional director turned out to be a minority of one. He was overruled by officials here. SBA granted the backers a $125,000 loan for 10 years at 4 percent interest—even though the area is one of substantial, long-term unemployment and the club's own sponsors admitted their project would employ only 19 people at most.

Why was the loan granted?

One reason, in this case, may be that Mortgage Manor is in the district of a Congressman who sits on the House Appropriations Subcommittee dealing with SBA funds.

He is a Republican well known for his speeches about "economy in Government." But he let SBA know of his "interest" in the prospect of a federally financed golf course for his constituents.

#### ROLL IN DAILY

Such so-called expressions of interest roll into SBA headquarters daily from Capitol Hill. They vary from simple inquiries to strong arguments in favor of particular loans. And although SBA denies they constitute undue influence, nobody denies they have an effect.

"We give consideration to congressional interest, of course," says SBA Loan Processing Director Logan B. Hendricks. "But we call the loans as we see them. We really have no complaint about undue congressional pressure."

Another contributing factor is that SBA usually seems to have more money than it knows what to do with.

"I don't know of a single case in the history of the agency," says SBA Administrator John E. Horne, "in which the use of funds for a recreational facility has resulted in a lack of funds for retailers and manufacturers.

"If I had to make a choice between a golf course and a manufacturer, I'd go for the manufacturer. But we've always had enough money for both."

(SBA, it should be noted, got an increase of $300 million from Congress last year. It now has a revolving fund of $1.26 billion from which to make loans.)

Whatever the reason, it is difficult to see how granting of Mortgage Manor's bail-out operation can be attributed to the "hard-headed bankers' approach" on which SBA's directors pride themselves.

### DEEPLY IN RED

Sponsors of the golf course admitted they were deeply in the red. They proposed, in fact, to use almost the entire $125,000 to pay off debts. No profits are in sight until 1964 at the earliest. And despite the "community project" tag, only about 500 of the country's 76,000 inhabitants had invested in the public sale of stock.

SBA field investigators noted there would be an "unfavorable relation of the debt to net worth" if the loan were granted. A local banker, although he wrote SBA he was "very enthusiastic," was only enthusiastic enough to put up 15 percent of the $125,000 in bank funds—even at 6 percent.

Yet the loan went through—one more among more than 50,000 in which SBA invested $2 billion of public funds in its 10 years of life.

Whether it is a typical loan is a matter of question (although the case was chosen at random from recent files). But the fact remains that SBA makes such loans by the hundreds—and almost nobody, except the agency and the beneficiaries, even bothers to take a look.

## GOVERNMENT WASTE

**Mr. PROXMIRE.** Mr. President, in the January 20 issue of the Eugene Register Guard, Eugene, Oreg., Mr. William Abrogast, of the Associated Press, published an article analyzing Government waste. It was an unusual analysis because it did not take the usual course of condemning all Government activity. In a careful and discriminating way, Mr. Abrogast points to certain areas in which waste is undeniable. He writes that it adds up to at least $1 billion annually.

The article is an unusually thoughtful one, based upon GAO documentation. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### GOVERNMENT WASTE ESTIMATES REACH TO $1 BILLION ANNUALLY

(EDITOR'S NOTE.—A statistician estimates that the Government is wasting more than a billion dollars annually. The big question is, Is it? Well, it does seem strange to spend $4,000 repairing cars replaceable for $1,800 and for the Air Force to spend millions for items it already had.)

(By William Abrogast)

WASHINGTON, D.C.—In a $90 billion a year business with 2,500,000 employees you can expect some waste and inefficiency.

And in the Federal Government, which is that kind of a business, it apparently exists in abundance.

Just how much of the taxpayers' money is unwisely spent or downright wasted every year can't be pinned down accurately, but official audits and examinations indicate that it runs into the hundreds of millions.

A House Appropriations Committee statistician figures it at "probably well over a billion" but adds that "there's no way in the world to nail it down because the Government is such a big operation and the audits are selective and only scratch the surface."

Just what constitutes waste of money is a subject of sharp disagreement.

Many Members of Congress claim the entire foreign-aid program, on which billions are spent annually, is money wasted. This year, 144 House Members voted against giving the aid program any money at all.

A large number of city Congressmen believe it's a waste of money to spend over $300 million a year to store surplus farm products as part of the Federal farm program. Rural members counter that it's wasteful to finance big urban housing and redevelopment programs.

You can get a hot argument over whether it was necessary for Congress to spend more than $100 million in recent years for new swank offices for its Members and for a facelifting for the Capitol.

The chairman of the House Appropriations Committee, Representative CLARENCE CANNON, Democrat, of Missouri, has argued for years that it is a waste of money to build big aircraft carriers.

That there definitely is some waste in Government has been pointed out in black and white by the General Accounting Office, which annually makes hundreds of reports to Congress and agency heads. The GAO is an independent auditing agency created by and responsible to Congress. Its job is to keep a wary eye on spending.

Last year the GAO claimed credit for the return to the Treasury of almost $38 million that otherwise would have been wasted. This figure, added to economies effected as a result of GAO prodding, may run as high as $100 million.

GAO auditors dart into and out of Government offices and the offices of contractors. They appear to have a knack for knowing where the financial bodies are hidden.

The auditing office's head, Joseph Campbell, says his men can't do as much probing as they'd like to because there are just too many activities and contracts involved.

Examples of findings in recent GAO reports include these:

Millions of dollars worth of Air Force supply items were needlessly purchased because the Air Force didn't know the items already were available in the Air Force supply system.

Purchases by one branch of the Armed Forces of items in long supply in the stocks of other services. The GAO said such purchases amounted to $81 million in 2 years.

Clothing and other textile items costing about $10 million bought by the military services at a time when there were sufficient supplies of acceptable items on hand to meet demands from 4 to 10 years.

A New York contractor had the interest-free use for 3 years of $2.6 million in defense funds received provisionally under a Navy contract. During 11 months of the 3 years, the company invested $2 million in U.S. Treasury bonds on which it received $47,000 in interest payments. The Government's estimated interest payments on $2.6 million of borrowed money during the 3 years was $242,000.

At Andrews Air Force Base near Washington, a 1959 station wagon which could have been replaced for $1,800 was repaired at a cost of about $4,000 in a little more than 1 year. At another base, in California, $4,023 was spent on repairs on a 1956 station wagon that cost $1,545 new.

As much as $65 million in excess and surplus Defense Department property should have been utilized in 1 year because the services were "buying and selling the same items."

In 1 year, the Defense Department spent $13 million to carry passengers and baggage on commercial planes while military planes making the same runs had empty space.

A review of 85 post office facilities leased or to be leased for 20–30 year periods from private builders showed that the total lease costs to the Government "substantially exceeded" estimated construction costs, including land, but the Government gets no equity in the property.

In a national forest area, two claimants obtained mining rights on 285 acres of forest land for about $172, did no mining work, and sold timber off the land for $138,000.

The GAO has no jurisdiction over financial operations of Congress, although it has, at the request of Congress, made some audits on Capitol Hill.

A classic example of Capitol Hill "goofing" was provided recently when it was discovered that four fancy motor-driven cars purchased for use in a Capitol subway couldn't be used without replacing the wheels at an estimated cost of $20,000.

## WHY JOHNNY CAN'T GET A JOB

**Mr. PROXMIRE.** Mr. President, recently Mr. Lester Velie, a staff writer of the Reader's Digest, wrote an article entitled "Why Johnny Can't Get a Job." He emphasized that one of the real difficulties is that in many cases our society does not provide the technical and vocational training which we urgently need. In the analysis by Mr. Velie he pointed out that in New York City the need for people in jobs that seem simple—jobs such as cooks, butchers, and so forth—is at present very great. The salaries and wages paid to people filling such jobs are very high because people with required training cannot be obtained.

In the course of the article Mr. Velie points to Milwaukee, Wis., as an example of how a community can do a fine job for the Nation and for itself in providing the kind of vocational training that is necessary.

I should like to read briefly from that article. Mr. Velie states:

> In Milwaukee, under a State law passed a half-century ago, vocational education has been raised to first-class citizenship by being taken out of the hands of regular school administrators and given to independent vocational-education boards with tax powers to raise their own funds. Milwaukee's independent board consists of two industrialists and two labor leaders. The city's school superintendent sits in as an ex officio member, and has a vote. The results can be seen in Milwaukee's Central Vocational School—the biggest institution of its kind in the country and a worldwide showpiece as well. Last year, some 180 teams of observers, 70 from abroad, came to study the school.
>
> In contrast with Philadelphia, say, which spends but $280,000 of vocational training yearly, Milwaukee—with one-third the population of Philadelphia—spends 17 times as much: $4,800,000. With this kind of financial support, Milwaukee's Central Vocational School gave job training last year to 18,000 high school students, apprentices and adults. A close working arrangement with industry keeps the school abreast of the city's job needs and of changes in technology.
>
> Thanks to the skilled workers supplied by its vocational system, Milwaukee has become the "Machine Shop of America." And there is an additional dividend: when a nonacademic-minded student gets job training that he can relate to his earning needs later, he remains in school. In contrast with the country's high school dropout rate of 40 percent, Milwaukee's dropout rate is only 5.5 percent, the lowest of any big city.

Later I intend to submit a resolution calling for the school dropout age to be raised to 17 years. Of course, a Senate resolution would not have the power—and the Federal Government should not have such power—to impose such a condition.

I think that the kind of example which is given by our great city in Wisconsin, Milwaukee, of emphasizing relevant vocational training is an example we can use to constructively solve the unemployment problem without relying on enormous deficits which are a necessary consequence of drastic tax cutting at a time when we already have big deficits.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

The PRESIDING OFFICER (Mr. CASE in the chair). Is there objection to the request by the Senator from Wisconsin?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### WHY JOHNNY CAN'T GET A JOB

(By Lester Velie)

One out of every five boys between the ages of 16 and 19 who looks for work fails to find it. Yet thousands of highly paid jobs are going begging.

There is an answer to the problem.

As a world capital, New York City needs an army of butchers and bakers and cheese-blintze makers to keep its hotels, restaurants and ocean liners going. And so, when the agitated ship-line man broached the case of the vanishing garde-manger, I reached for my notebook.

"He's the cook who prepares hors d'oeuvres and buffet tables. We pay him $10,000 a year—plus all he can eat. But try and hire one. And try and hire a $7,500-a-year saucier, or any other skilled kitchen or dining-room help."

Curious as to what other high-priced jobs might be going begging in New York City, I checked further. A meat wholesaler produced a payroll swollen with overtime due to labor scarcity. One of his butchers was earning $11,000 a year, others $10,000. One 21-year-old youth, just 3 years out of high school, was already earning $8,400 yearly.

Nor is the dearth of skilled men limited to the food trades. Furniture manufacturers, short of cabinetmakers, are importing them from Europe. New York State Employment Service executives report that jobs go unfilled in 61 skilled trades—from glassblowers to printers, from cheesemakers and boilermakers to TV repairmen.

In Chicago, an auto-mechanics union official said to me, "An autobody man can earn up to $10,000 a year—but my local can't supply the need." Detroit badly needs tailors and machinists. Philadelphia needs sheet-metal workers, electricians and sewing-machine operators. Many cities lack shoe repairmen, sales clerks, typists, turret lathe operators—not to mention such specialists as dietitians, pharmacists, medical-laboratory technicians.

Here is a curious national problem. So acute are shortages of skilled workers today that businesses are threatened. (For lack of that garde-manger and other kitchen mechanics, U.S. ocean-passenger business may well be lost to foreign lines.) At the same time, unemployment—particularly among the young—keeps rising implacably.

Why? Consider some of the new forces at work.

Last year, approximately a million teenagers ended their schooling and looked for work. Not long ago, these youths could be absorbed in industry or on the farm. But galloping automation has wiped out 2 million blue-collar jobs in the last 5 years. (In farming alone, 800,000 jobs have vanished since 1957.) True, automation has created 3,500,000 new jobs in service industries—in stores, garages, banks, real-estate offices. But these jobs require training. And so many of our young people lack the needed training that 1 boy out of every 5 between 16 and 19 fails to land a job. Automation, then, like a huge searchlight, makes painfully visible a giant flaw in our educational system: our schools are flunking the job of preparing our young for the workaday world.

The reporter who looks for the reason promptly bumps into an Alice-in-Wonderland situation.

Only 15 of every 100 children who start school go on to win a college diploma. Yet virtually all teaching aims at the academic needs of this minority. The job needs of the majority who will drop out or won't go beyond high school are largely neglected. Only 4 percent of all public-school funds are spent on vocational training—less than 1 percent in some cities, such as Philadelphia and Kansas City, Mo. So gloomy are the findings of the President's Panel of Consultants on Vocational Education that its staff director, Dr. Chester Swanson, describes the need for reform as "the biggest problem facing American education today."

Look at the way New York City meets its urgent need for butchers and bakers. "You must go see our Food Trades High School to believe it," a meat wholesaler urged.

I found this institution housed in a 90-year-old abandoned elementary school in mid-Manhattan. Inside, some 100 pupils were learning to bake bread and pastry, to slice up a side of beef and to cook a short-order meal. A bakery instructor described teaching conditions: "We have some 40 boys to a baking class, but only four knives for shaping dough."

Were the knives expensive?

"No, they cost only $5 apiece, but there isn't any money in the appropriation," the teacher said.

There were other problems in the ancient school. The ovens, long obsolete, had no precise temperature control. Students had to bake bread without the steam needed to keep it moist, since the school lacked steam boilers. So the future bakers would not know how to bake under industry conditions until they went into the trade. For lack of space, ovens were crowded in corners and against walls, where it was both inconvenient and dangerous to use them. The cafeteria, where the boys learned food handling, had no steam tables. Since there was no space for academic classes, students trekked daily to another building some 2 miles away.

Naturally, the school had trouble attracting bright students—and about 40 percent of those who entered dropped out before graduation. Only 72 apprentice bakers, butchers and cooks were graduated last June.

The Food Trades School is not an exceptional case. Most of New York City's vocational schools are so dilapidated that it would take, I was told, 10 or 15 years of construction to replace them. Other big cities provide similar examples of vocational education's low estate. Of Chicago's eight vocational schools, only one was built for the purpose. The others are converted old elementary schools. The city's Commercial High School is jammed into a 96-year-old structure. In Kansas City, Mo., the lone, 1890-vintage vocational school is located in the town's worst slum, and so repels students that enrollment has dropped 60 percent in recent years.

Vocational education also has trouble attracting qualified teachers. For years, local teachers' associations refused to accept vocational instructors as members. Teaching a boy to repair a car or to work with sheet metal did not fit the academic concept of the calling.

And there is the pay. An educator who has headed three school systems points out, "If you want to hire a bricklaying teacher, you have to compete with a contractor." This educator has never been able to hire a bricklaying teacher.

Chicago could use several hundred more vocational instructors. A full-time recruiter scours industry for them—but he might as well be recruiting for Casey Stengel's Mets.

Attracting capable and motivated students is just as difficult. Status-minded parents steer many students elsewhere. Too often the vocational school is regarded as a kind of educational purgatory where school system failures and problem children are sent to do penance.

Even when vocational high school principals win the right to screen applicants for admission, the choice among candidates is so narrow that performance is frequently unimpressive. At New York's new Aviation High School, for example, 44 percent of the students leave before graduation, and of the remainder so few master the aviation mechanic's trade that only 1 of every 7 is recommended for the Federal Civil Areonautics Board licensing examination.

It is time to ask ourselves: What is public education for? Dr. James Conant, the educator-statesman, urges this answer: The educational experience of youth must be tailored to fit his need for his life's work. "There should be a smooth transition from full-time schooling to a full-time job, whether that transition be after grade 10, or after graduation from high school or college," says Dr. Conant.

Significantly, those relatively few communities which have faced up to the educational needs of the majority who will not go beyond high school have followed the line of Dr. Conant's answer. In Milwaukee, under a State law passed a half century ago, vocational education has been raised to first-class citizenship by being taken out of the hands of regular school administrators and given to independent vocational education boards with tax powers to raise their own funds. Milwaukee's independent board consists of two industrialists and two labor leaders. The city's school superintendent sits in as an ex officio member, and has a vote. The results can be seen in Milwaukee's central vocational school—the biggest institution of its kind in the country and a world showpiece as well. Last year, some 180 teams of observers, 70 from abroad, came to study at the school.

In contrast with Philadelphia, say, which spends but $280,000 on vocational training yearly, Milwaukee—with one-third the population of Philadelphia—spends 17 times as much: $4,800,000. With this kind of financial support, Milwaukee's Central Vocational School gave job training last year to 18,000 high school students, apprentices, and adults. A close working arrangement with industry keeps the school abreast of the city's job needs and changes in technology.

Thanks to the skilled workers supplied by its vocational system, Milwaukee has become the "machine shop of America." And there is an additional dividend: when a non-academic-minded student gets job training that he can relate to his earning needs later, he remains in school. In contrast with the country's high school dropout rate of 40 percent, Milwaukee's dropout rate is only 5.5 percent, the lowest of any big city.

Allentown, Pa., another bellwether town in vocational education, goes a step further than Milwaukee. It ties schoolwork to on-the-job training in industry.

To begin with, Allentown's school administrators find out if a high school student intends to go on to college. If not, a guidance counselor discusses a vocation with the boy and his parents. On choosing 1 of 13 trades that range from cabinetmaking and auto engine work to TV repair and plumbing, the boy submits to aptitude tests. If the results are encouraging, he takes 2 years of shopwork in his trade plus regular academic work. In his senior year, high school counselors—cooperating closely with industry—place the boy in a part-time job in a garage or factory or with a building contractor. He then divides his time between class and job: 3 weeks in one, 3 in the other.

Allentown's work-study program solves key vocational education problems. The student learns to work with modern tools and equipment that his school might not be able to afford. He learns how to get along with adults. He works for pay with a skilled supervisor. Most important, he has something to work for: The job that will await him on graduation.

Allentown's work-study concept is gaining acceptance elsewhere, particularly in the South. But it will need help from educators, industry, and unions to take hold. For one thing, many school administrators frown on programs that take students outside the school. For another, most big corporate employers arbitrarily bar jobs to those under 21. In Allentown, school officials have had to place their work-study students mostly with small manufacturers, with garages, and with nonunion building contractors. (Most building-trade unions feel that work-study programs undermine their control and restriction of apprentice training.)

If our communities are to meet the job-training challenge, an overhaul of Federal Government practice is needed, too. The Federal Government is providing (in fiscal 1963) $56,650,000 in allotments to States for use in public school vocational education. As a rule, the States more or less match the Federal contribution. Since the Federal law is 45 years old, the way the aid is apportioned is geared to the needs of Woodrow Wilson's day.

Under the law, Federal money is doled out in seven categories in specified proportions. For example, more money is spent to teach girls to cook and sew than to teach boys how to work in industry. Also, about one-third of all available vocational education funds (Federal, State, and local) goes to training farmers, although farmers now constitute but 6 percent of the labor force. Meanwhile, less than 5 percent goes to training young people for saleswork—where many job opportunities exist.

Significantly, those communities that lead the way in vocational education disregard the Federal pattern and rely on their own resources. The most important task the President's Panel on Vocational Education could achieve would be to convince Congress to cut the restrictive strings on its vocational aid to States and let all communities spend the money as job needs dictate.

The Presidential Panel could also urge Congress to broaden Federal assistance to the new area vocational-technical school which cuts across school-district boundaries and so permits funds to go further. National defense education funds for such schools have already spurred Georgia, for example, to build 6 new area vocational-technical schools and to schedule another 20 for early construction. Connecticut has built 14 new area vocational-technical schools, and other States are making similar plans.

The lopsided picture of jobs begging for men while men beg for jobs suggests that something must be done to bring the two together. That something must be a new kind of schooling for today's needs.

Mr. PROXMIRE. Mr. President, I wrote to Mr. Wilbur Cohen, who is a real expert in the Department of Health, Education, and Welfare, one of the best informed men in Government in this field, to find out if this article is accurate. He said that it was, that it was prepared in cooperation with the Department of Health, Education, and Welfare authorities. He said it was a fine article and that we could rely upon it.

I ask unanimous consent that the letter from Mr. Cohen also be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
*Washington, D.C., January 23, 1963.*

Hon. WILLIAM PROXMIRE,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR PROXMIRE: Mr. Lester Velie's January Reader's Digest article on the needs in vocational education is a fair and accurate report on the situation mentioned in your recent letter.

Staff of our Vocational Education Division provided assistance and information in preparation of the material.

In recommending legislation to modernize and expand the Federal Vocational Education program, the administration is giving careful attention to the recommendations of the advisory panel on vocational education.

Thank you for your interest in this important program.

Sincerely,

WILBUR J. COHEN,
*Assistant Secretary.*

## NEED FOR A NEW GROUP OF ECONOMIC ADVISERS

Mr. LAUSCHE. Mr. President, the President is in need of a new group of economic advisers. He is now surrounded by a group of men advising the adoption of a program that might lead to disaster.

The deception is that the more we spend and the less we tax, regardless of the deficit operations, the better off the United States will be.

These advisers advocate that every citizen should spend not reasonably nor liberally but extravagantly, and thus keep the economy moving. Neither in the fiscal policies of the Federal Government nor in the private life of the average family do these advisers ever mention that thrift is an indispensable virtue to success in life.

Never have these advisers said that our Government might be better off fiscally by cutting down expenses and thus being able to cut down taxes. On the contrary, they advise us to increase expenses and decrease taxes. A course that is a fraud and a deception of unpardonable flagrancy.

Never have they made the statement that savings can be achieved by thrift without increased income. Regardless of how rich we may be if we are unduly extravagant we can only fall into a most painful pit. On the other hand, with limited richness but with care in the expenditure of the individual's and the family's and the Government's money, positions of stability and strength can be reached.

The philosophy of these advisers who surround the President is that the citizen should spend everything he earns in the justified conviction that regardless of what he does to sustain himself the Government will provide for him from cradle to grave.

Thus we have before us this fantastic and unbelievable proposition that the more we spend and the less we tax the better off we will be.

About two and a half decades ago the principle was spend and spend, and tax and tax, to insure the improvement of the welfare of the people. That was a bad type of philosophy to follow. Now we have the advice that the more and the more we spend, and the less and the less we tax, and the more and the more extravagant we are, and the less and the less thrift—the better off we will be. I cannot subscribe to that policy.

It is now essential, more so than in any previous period in our history, that Congress get the Federal Government out of orbit and back down to earth. The budget that has been proposed is a challenge to the prudence and frugality not only of the Congress but also of everyone who believes that citizenship entails responsibility.

## JOHN PETER ZENGER AWARD TO JOHN H. COLBURN, MANAGING EDITOR, RICHMOND, VA., TIMES-DISPATCH

Mr. GOLDWATER. Mr. President, considering the way in which news is being managed today, not merely from the Pentagon but also from other reaches of the New Frontier, it is very refreshing to learn of a newspaperman who will speak out against this in very clear and understandable words.

Recently, at the University of Arizona, the John Peter Zenger Award was made. It was given this year to John H. Colburn, managing editor of the Richmond, Va., Times-Dispatch.

Mr. President, since this is one of the most lucid arguments I have ever read against the practice with which we are confronted today, I ask unanimous consent that there may be printed in the body of the RECORD, so that my colleagues may have the opportunity to read about and to understand the dilemma in which newspapermen find themselves today, with the control of news that has been exercised by members of the New Frontier, the address by Mr. Colburn at the award ceremony.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN H. COLBURN, MANAGING EDITOR, RICHMOND, VA., TIMES-DISPATCH, TO ARIZONA NEWSPAPERS ASSOCIATION, UNIVERSITY OF ARIZONA, JOHN PETER ZENGER AWARD CEREMONY, TUCSON, ARIZ.

Today, as never before, the American people's guaranteed right to full and accurate information on the conduct of public affairs is in serious jeopardy.

The peril is more serious because most people are ignorant of their stake in the critical scrutiny of government by a responsible, informed press. The ignorance of the public largely is the result of a press that too often has been complacent about its responsibility to zealously seek out the truth. The press today could do much more to inform the public about the open and the insidious efforts to keep the truth from the people.

The Arizona Newspapers Association and the University of Arizona are to be congratulated for their foresight in focusing attention on this problem by the establishment of the John Peter Zenger award. It is a privilege to join the distinguished men who have been honored previously, and in accepting the 1962 award I want to pay tribute to the editors and reporters who have been so helpful to me in this field during the past 12 years.

My correspondence and my conversations with the late Harold Cross I will long cherish, because it was he who put the problem in the sharpest possible perspective—as a problem that was rooted in constitutional principles for the protection of the people, and not one that was a mere occupational hazard of journalism.

The recipient of the 1961 award, Clark R. Mollenhoff, is a shining example of what persistence can do to open channels of information. His book, "Washington Coverup" should be must reading for every newspaperman and journalism student. I carried it in a series of articles in the Richmond Times-Dispatch because I felt that the people should know more about what they have not been getting from Washington.

Today, as the result of the furor over news manipulation during the Cuban crisis last October, thoughtful people are more concerned about truth in news. Their right to truthful news is in jeopardy because the news manipulators have grown more confident as the result of their recent successes.

Let us make sure, in discussing the people's and the press' right to truthful information, that everyone understands that we are not discussing information that would imperil the security of this country by disclosing military information to a potential enemy.

The press has a big job in making this point to the people. The manipulators of news merely have to imply—they don't even have to state openly, just simply imply—that it is in the national interest to control news and they will receive widespread support from an unskeptical, unsuspecting and far too often naive public. Much of the press has gone along with this official security policy line without examining carefully its pitfalls and booby traps.

One of the most damning recent indictments of news control came not from the press, but from a Supreme Court Justice, William O. Douglas. It also is an indictment of some poor reporting and editing.

Justice Douglas in a Bill of Rights Day booklet said the "commonsense or informed judgment of people, which we trust in theory," has been undermined by censorship, secrecy and promotion. He mentioned specifically the Defense Department and the Central Intelligence Agency, and asked: "Why should CIA efforts to influence elections abroad be a secret to the American people when they are notorious in the foreign nation?"

Since World War II the press, says Justice Douglas, has had a tendency to skip the controversial, has sought the lowest common denominator, has been a victim of Government handouts, and too often has accepted them as gospel.

"The result," he said, "is a voice of conformity on foreign affairs when nonconformity at times would be the greatest public service."

But nonconformity is not what is wanted by the present administration in Washington.

President Kennedy, reviewing the handling of the Cuban crisis at his November 20 press conference, said that during the period October 22-28 "we attempted to have the Government speak with one voice." He made it clear that the "one voice" concept would be followed in any future period of crisis, and that the Government would make no apologies for withholding information that could not only affect security, but also the diplomatic relations with our allies.

Congressional support for this concept came during the Cuban crisis in a little-noticed report from a special preparedness subcommittee of the Senate Committee on Armed Services. The report said in part:

"If foreign policy is to have force and weight with our friends and our enemies our responsible officials must speak in unison.

"Adherence to established national and foreign policy can be assured only by a system of prior policy review, since even well-intentioned officials can inadvertently or unknowingly make a public statement which might result in substantial harm."

This committee was headed by Senator JOHN STENNIS and the only dissenter was Senator STROM THURMOND, who said: "The right decision is not likely to spring from the American people unless they are informed—fully and accurately informed * * * indeed, it appears that the State Department has made a concerted effort, to the limit of its power, to keep the facts from both the Congress and the people."

There is an interesting background to the Stennis report and the way the sections of the press quite often lose their perspective when they become emotionally involved over an issue in their editorial columns. Senator THURMOND had maintained that Pentagon censorship policies were being used to implement what he termed a "no win" policy in the speeches of high level military officers.

In the atmosphere of Washington conformity mentioned by Justice Douglas, the attitude of Senator THURMOND wasn't popular. So when Defense Secretary McNamara got the backing of President Kennedy to exercise the doctrine of executive privilege and refused to permit censors to testify and answer THURMOND'S questions the McNamara stand was commended in many editorial columns. The same thing happened in the McCarthy hearings when executive privilege was exercised by the Eisenhower administration.

In both cases, Congress abdicated its right to gain access to all testimony so that it could learn the full truth of the controversial issues. In both cases, newspapers which should be dedicated to seeking the full truth—not merely aspects of it which tally with preconceived opinions—applauded the Executive edicts which suppressed full testimony.

In both cases, men who held unpopular and nonconformist views in the atmosphere of that period were denied their full day in court—a tactic that was tried but failed in the case of John Peter Zenger.

The colonial people of Zenger's time knew what it meant to be without truthful news. Remember, when Zenger was arrested in 1734 this was 42 years before the American Revolution, and 42 years before Virginia laid the foundation for the free press provision of our Bill of Rights by adopting a declaration of rights which said: "Freedom of the press is one of the great bulwarks of liberty and can never be restrained but by despotic governments."

The hot blood of freedom and liberty inflamed the nonconformist people of those days with a spirit that resulted in our independence. Today's conformist society is being managed from cradle to grave by Federal regulations; it is being lulled into a sense of security and affluence by a rocking-chair philosopher who is an expert at using modern communications to promote personal diplomacy and political policies.

Arthur Sylvester, the ex-newspaperman who is Under Secretary of Defense for Information, now has admitted that he spoke out of turn when he said that "in the kind of world we live in, the generation of news by actions taken by the Government becomes one weapon in a strained situation." He doesn't deny that this is being done or that he does not still believe the results of such news weaponry justify the methods. He simply realizes he was much too frank in his statements.

He is deserving of some kind of an award, though, for his candid approach to a problem that has existed in Washington for years. Sylvester, while trying to justify his position, went even further in a talk to Sigma Delta Chi in New York on December 6. In response to a question about a policy of news deception through half-truths, Sylvester made this startling comment: "It would seem to me basic, all through history, that it's an inherent Government right, if necessary, to lie to save itself when it's going up into a nuclear war. This seems to me basic."

That was Arthur Sylvester, a man who dictates the flow of news from the Pentagon. He qualified the right to lie by explaining that by government he meant the people, "since in our country, in my judgment, the people have the right to express and do express every 2 and every 4 years what government they want." But he failed to say how a people can intelligently express that right at the polling places if they are not truthfully informed about the affairs of government.

How often have you heard the expression—sometimes used facetiously—"You can't believe what you see in the newspapers"? Well, it is not hard to see that if a news deception policy or a policy of lying in the national interest catches on that there will be real substance for such a view.

To Louis Lyons, curator of the Nieman Foundation at Harvard, the news philosophy voiced by Sylvester sounded like a pitchman using hidden persuaders to sell deodorants.

"This is the philosophy of totalitarianism," said Lyons. He went on to add that "it is self-defeating, it forfeits public confidence. If the press did not resist and denounce it, our free press would be meaningless. It would not be believed."

Unless this policy is changed, getting the news will become the kind of game it is now with our Soviet experts—to try to read between the lines of the Soviet press—to interpret a poem as expressing policy—to seek hidden implications in a speech that is talking about something else.

My own investigation of Federal news-management control during the Cuban crisis disclosed that increasing efforts have been made by Federal officials since 1950 to manage and manipulate news of foreign policy, military affairs, and politics for propaganda as well as security reasons.

Newsmen who have the ability to dig will always be able to get the news, but the press as a whole must be more resourceful, more skeptical, more suspicious of press conferences, background briefings, and handouts, and more vigilant in informing the people when news barriers have been erected.

Incidentally, Washington news manipulators have no monopoly on deception. Conor Cruise O'Brien, former United Nations director in Katanga, accused the United Nations of deliberately falsifying the purpose of its first military action against the Government of Katanga in September 1962. Much still remains to be said about the recent United Nations offensive against Katanga, but already the story of the United Nations action in the Congo is a sorry record of official factual distortions and outright lies.

All evidence indicates that the policies of news control and manipulation—deception if necessary in times of crisis—will mushroom further unless the public, through Congress, demands a halt to such practices.

The House Subcommittee on Government Information, headed by Representative JOHN MOSS, plans to investigate all aspects of the situation. If a formal inquiry is undertaken the committee should receive the backing and full support of every newspaper, large and small. This will be a real opportunity to document the extent to which the public is being denied information essential to its understanding of government in our modern world.

Already the Moss subcommittee staff has learned that the handling of Government information has been directed from the White House and that the President himself has made the basic decisions. These covered not only hour-to-hour monitoring of news management details, as was done in the Cuban crisis, but newsmaking events ranging from the Pacific nuclear bomb tests to backstage greetings of Russia's Bolshoi Ballet.

The bomb tests are an example of press lethargy toward news control. No real effort or hue or cry to gain public support for press coverage were put up by editors when the White House refused to permit coverage last fall. This failure to protest may well have encouraged the administration in its news manipulation efforts for the Cuban crisis.

Sylvester said that he didn't want open reporting for reasons of national security. But he also told me that propaganda control was a basic reason. This is what he said when I asked why he could not clear pictures of the tests which were made available to the Oakland Tribune: "In a propaganda war," said Sylvester, "when the United States finds itself under constant Communist attack, the President and his advisers have attempted not to give the Communist forces any opportunity for exploitation. It is the belief that widespread use of pictures * * * offers propaganda opportunities to the Soviet Union."

This explanation by Sylvester ignored the known fact that there were Soviet ships in the vicinity of the Pacific test sites and observers on those ships undoubtedly got their own pictures of the tests.

In other words, the information gathered by instrument loaded Russian ships near Johnston and Christmas Islands gave officials in the Kremlin a much better idea concerning the success or lack of success of the tests than Washington gave the American people.

The Moss subcommittee also found that under both the Eisenhower and Kennedy administrations the public has been deprived of full information on our missile and satellite programs. Moss told the California Press Association November 30 that the American people have no reliable source of information to match against Russian claims of space achievements because our information is released to fit national policy.

"This is the kind of news management," Moss said, "that causes grave concern, because it is such an easy step—if that step is taken in secret—from managing news about Russian successes and failures to managing news about our own space achievements."

What concerns me—and should concern everyone—is that if Washington officials can cover up Russian failures they can cover up our own. If the American people are deluded by Government control of news—or by outright deception—this becomes a dangerous threat to our free society.

But the fight to eliminate news controls and manipulation is not going to be won in a committee hearing. It must be launched at the grassroots in the tradition of John Peter Zenger, and it can be fought only by hard-hitting reporting in the public interest.

The public must be educated as to its stake in the program so that it can demand proper action from its duly elected officials—whether they be at the courthouse level or in Congress. Much of the secrecy that sprouts in Washington has deep roots which go back to counties and cities in all of our communities.

Editors of papers in the smaller cities often comment privately that they don't want to upset things because in a small community they must live and work with the public officials. These editors make no protest concerning closed meetings or executive sessions where decisions of public interest are made in secret in order not to upset the status quo.

Remember that John Peter Zenger did not represent a big organization when he bucked the colonial governor. Nor did he stop editing when they pitched him into jail. He kept right on until he was brought to trial 9 months later and acquitted in a case that established the principle of press freedom consistent with public rights.

Today we need more hard-nosed reporters of the Mollenhoff type who can dig for news and who take the handouts for what they are worth—propaganda to promote some cause, some program, or some individual.

There is too much tendency by reporters to work in packs and to depend on press conferences which have largely benefited the television and radio newsmen.

Young men and women coming from our journalism schools today often aspire to become political pundits rather than searchers for the truth. They are not being fired up during their educational years to aspire to do an exhaustive job of penetrative reporting to separate fact from propaganda. Perhaps the reason is that those who run the journalism schools do not see enough of this type of reporting in the newspapers.

Thoughtful people have been aroused by the evidence of conformity in news handling—by the evidence of news control and deception—the evidence of lazy reporting caused by "handoutitis."

Are we to be deprived, by insidiously managed controls and regulations, by our own poor performance, of this heritage of press freedom established by the Zenger case before there is a popular protest? By far the simplest and easiest way to report and edit a newspaper is for someone else to tell us what to print and when to print it. This is the pattern of so-called press freedom in totalitarian countries.

That was the pattern on the 4th of August, 1735, when Andrew Hamilton, 80 years old and physically infirm, but with a razor-sharp mind that had earned him the reputation of being the best lawyer in the British provinces of North America, stood in a jammed courtroom and pleaded Zenger's case before a seven-man jury of Dutch ancestry. These were British subjects, but descendants of proud people whose colony of New Amsterdam had been forcibly taken from them by the Duke of York in 1664.

In his summary, Hamilton put the issue squarely in these words: "The question before the court is not the cause of a poor printer, No. It may in its consequence affect every free man that lives * * *. It is the cause of liberty—the liberty both of exposing and opposing arbitrary power by speaking and writing the truth."

Zenger has gone down in history as the hero, but it was Hamilton who received the acclaim of liberty-loving patriots of that day. He was given a gold box containing the seal of the "freedom of the corporation" voted by the New York Common Council, and when he sailed past lower Manhattan on his way back to Philadelphia he was saluted by salvos fired from guns on several vessels.

The Zenger trial and verdict have been described as the "germ of American freedom." It gave the people a firm grasp on the most powerful of all weapons in the struggle against despotic power—the truth.

In this perilous nuclear era, the security of the Nation must be paramount. But our security can best be maintained by the full reporting of all the factual truth that is not harmful to the national military interest. During times of crisis, the press in all history has never wavered in its patriotism.

Since World War II we have been called upon to report unprecedented changes in our way of life—changes that we are still learning how to report. Developments in our social and scientific revolutions have erupted on our front pages day after day. It is little wonder that they have blinded many to the steady erosion of basic fundamentals of press freedom.

Of course, all of these new developments—especially the necessity for recognizing the intelligently reporting change—require new reporting and editing techniques. But there should be no sacrifice to the fundamental necessity of reporting the full basic truth.

Once this Nation establishes use of news as a weapon of national policy—a policy to lie if necessary—we have undermined the bedrock of our free society. Instead of deceiving an enemy, who will naturally be skeptical and suspicious of any move or statement we make, we will have destroyed the confidence of our own people in our national institutions.

The history of free government is a history of escape from the evils of suppressing or controlling or manipulating news.

If our press is to remain a powerful force for public good, how can we ignore this history? Will we just sit back and witness more of the people's rights chipped away? How long will we be content with news spoon fed by powerful bureaucratic and other propaganda organizations? How long, in short, will it be before we start to report, to dig for the whole truth—to exercise our editing rights by spiking the stories with misleading half-truths until we can uncover the whole truth for our readers?

Much remains to be done to inflame all newsmen and the people with the spirit of Zenger and Hamilton for freedom and independence. Unless we do this job we will forfeit our basic concept of press freedom to the news manipulators and the hidden persuaders.

In accepting the 1962 John Peter Zenger Award, I feel greatly honored—and most humble—and in conclusion I want to sound this warning: Only an enlightened public can guide its own destiny. This enlightenment can come only from a press that must be eternally vigilant to protect freedom of expression and freedom to pursue the whole truth as cherished, constitutional rights of the people.

Thank you.

## OUR HERITAGE OF BOLDNESS

Mr. **GOLDWATER.** Mr. President, there appeared in the December 24, 1962, issue of Sports Illustrated a wonderfully written article entitled "Our Heritage of Boldness," written by Catherine Drinker Bowen. It is an article which I think everyone in the Congress should read, if he has not already done so, and I ask unanimous consent that it may be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Our Heritage of Boldness

They were bold from the first. Bold in dreaming, bold in persistence. It is no mere boast, because they made their dreams come true. A man stood on the shores of Portugal and looked westward, nearly five centuries ago. From the way the winds blew, from the seasonal steadiness of them and the direction, the man conjectured there might be land behind these winds. A mariner might sail, and by dead reckoning—by the log, by the compass—he might find this land.

A wild thought, a bold dream, yet it came true; the land was found. Spain, all Europe, England heard of it. "The breath of hope," said Francis Bacon, "which blows on us from that new continent * * *," adding that Columbus had made hope reasonable. In these beginnings is something symbolic, something the American mind leaps to meet. The ships embarked, captained by freemen, adventurers. At the end of voyage, at the end of hazard, struggle, endurance and high gamble, our country was found. On a perilous horizon America took shape and was realized.

The years passed, and the generations. Not Columbus now but America herself made hope reasonable. Put it in terms of government—1787: "We, the people of the United States, in order to form a more perfect Union * * * do ordain and establish this Constitution for the United States of America." Europe laughed. "We, the people." What kind of a phrase was that? Nowhere had so big a federation been attempted, nowhere so bold a vision entertained. In high good spirits and in deadly earnest, John Adams of Massachusetts wrote to the Virginians: "When, before the present epocha, had 3 millions of people full power and a fair opportunity to form and establish the wisest and happiest Government that human wisdom can contrive?"

Europe watched and waited. A government had been erected on the proposition that all men are by nature equally free and independent. Preposterous statement, subverting the established order. Nor did the Americans pause to argue their statement or bolster it decently with citation of ancient authority, after the fashion of the times. They simply declared certain "truths" to be "self-evident." Novus Ordo Seclorum, they wrote on the great seal of the United States: A new order for the ages.

Was ever a country, young or old, so brash? How serious, asked Europe, were these Americans? More importantly, how powerful were they and how long could they sustain this impudent program, which by its mere existence threatened ruling classes everywhere? Europe laid traps, offered bribes, threats, inducements, hoping to divide these United States and bring them low. A federation so large, embracing such diversified regions and interests, would surely fail, disintegrate, slip and slide of its own weight in one quarter or another. In the Old World only an occasional statesman saw into the future, as Edmund Burke in the House of Commons. "America," he said, "which at this day serves for little more than to amuse you with stories of savages and uncouth manners, yet shall, before you taste of death, show itself equal to the whole of that [British] commerce which now attracts the envy of the world."

It is a story often told, yet to Americans it does not grow stale. Threats from without only helped to solidify the Union. It was from within the real danger came. Ours was a country founded in a religious era by men of fierce fighting piety and dogma. Religion could have divided us; we had seen the religious wars of Europe and we were forewarned. From the first, Americans made a separation of church and state that was to remain profoundly significant, giving citizens a scope and a hope which nowhere else was entertained. "There is no argument," announced the Presbytery of Hanover, Va. (1776), "in favor of establishing the Christian religion, but what may be pleaded with equal propriety, for establishing the tenets of Mohammed by those who believe the Alcoran."

A bland statement, satisfied with merely setting forth. Thomas Jefferson, writing the Virginia Statute of Religious Liberty, said it more urgently—but this was a man who could not put pen to paper without leaving a trace of fire down the page: "Whereas Almighty God hath created the mind free our civil rights have no dependence on our religious opinions, any more than our opinions in physics and geometry."

What did these statements, these documents and declarations do for Americans individually, and how were men, singly, motivated thereby? Nowhere had these documents mentioned "the individual" or addressed themselves to him. Yet by this government and this system the American individual was freed exactly as if fetters had been struck from him. In Europe since time immemorial men had been divided into classes, "some to toil and earn, others to seize and enjoy." The U.S. Constitution provided for neither class nor privilege. All was mobile, a man could move up or he could slip down. It was a wholly unprecedented departure, and to Americans both immigrant and native born, it gave extraordinary scope. Neither the Declaration of Independence nor the Constitution claimed to make timid men courageous, lazy men active, or stupid men bright. But these documents allowed bold men to be bold; they unlocked doors, let Americans walk through, each one to his destiny.

Take it in terms of those men who opened up our western territory. In 1804 President Jefferson dispatched the Captains Lewis and Clark westward to map out a land route to the Pacific. For some 16 months the two traveled the wilderness, rode turbulent river waters, broke trail—careful always to draw their maps, record their meticulous pictured reports of birds, fishes, wild animals. On a rainy November morning of 1805 Clark looked westward from his mountain camp above the Columbia River and wrote, in his own phonetic spelling, "Ocian in view. O the joy."

Trappers, fur traders, the long hunters and the mountain men. * * * The Mormons carried fiddles across the Plains, and there was dancing within the circle of wagons below the dry western mountains. Bold men and women; scared, hungry, sick yet surmounting. * * * Daniel Boone with his yellow eyebrows and sharp blue eyes ran the forest trails in Kentucky, fast as an Indian. A quiet man, serene and easy, who ended up with an appalling series of debts paid, 50 cents left over and a reputation for rifle shooting that would inspire American boys for a century.

These were Americans, the American type. And they developed not alone because the frontier stretched before them, limitless and inviting. Other countries possessed virgin lands, timber, rivers, mines, rich plains. Yet could Daniel Boone be imagined anywhere but in America? "All power is vested in, and consequently derived from, the people." The impact of such ideas, entered upon unitedly, set down on paper, signed and sealed, can send a man on a very far journey.

But political ideals, like law, are of no use unless implemented. It was union which gave us power; it was the federal idea which gave us scope. Nevertheless, even in America the doubters still spoke out. National federation on such a scale was impossible, they said; it was impractical altogether. The country had grown too big for union. In 1828, an election year, Harvard College had a debate: "How can one man be President of the United States when it is eventually settled from Atlantic to Pacific?" The noes were victorious. The Nation would have to be cut up into republics, each with its separate president. Andrew Jackson could be president of Tennessee, John Quincy Adams of New England.

Thirteen States became 20, became 34. Through the terrible years, 1861–65, the Union held. When Richmond fell and the Civil War was over, citizens celebrated. In Boston, New York, Philadelphia, men stood on soapboxes, stood in pulpits to orate. But it was not the word victory that stirred them. "The United States," they said, like a refrain. At the word united, the crowds went crazy. Tears poured down men's faces. "Yes, sir," they shouted. "Yes, sir, you bet. The United States of America."

"I have often inquired of myself," said Lincoln, "what great principle or idea it was that kept this [federation] so long together. It was that which gave promise that in due time the weights would be lifted from the shoulders of all men, and that all would have an equal chance." To Americans an equal chance means a chance to excel, get ahead, win the race, beat the other fellow to the prize. Consider the year 1865, and a transcontinental railway to be laid. The scheme had been authorized by Congress. Two companies contracted for the work: Central Pacific, Union Pacific, the one to start laying track at Omaha, the other in California, and the tracks to meet eventually at Promontory Point, Utah. (A federation needs, above all, communication, interchange of commerce.) The railway has been called a work of giants; it was sparked and spurred by giants: Leland Stanford, Collis P. Huntington, Mark Hopkins, Charles Crocker, the engineer.

In whatever spirit the project had been conceived, before 2 years were out it had become a race and a competition, unequaled for magnitude in sporting circles or business circles before or since. It was a game, an epic, an American legend:

"At the head of great Echo,
The railway's begun.
The Mormons are cutting
And grading like fun."

Thousands of Chinese laborers from the West, Irish laborers from the East, competed under their bosses as to which gang could lay the most track, matched skill and endurance, or even fought it out on occasion with charges of dynamite and killed each other in the doing. Snow in the Sierras, higher than a man's head. Night storms in the hot Nebraska plains, the water foul to drink. By May 1869 the two companies were within a dozen miles of meeting. The whole country watched, getting the news by telegraph where it could. On May 10 the tracks came together, the last spike was hammered. In the cities cannon boomed, firebells rang, citizens paraded. Nobody remembered who had won, they only knew the goal was reached.

There was a joyousness about it, a shouting, lusty braggadocio. Competition. The great, reckless, expensive American game had begun. Followed now the captains of industry: steel kings, oil kings, railroad manipulators. In their day they were called promoters, and the word did not bear a pretty connotation. A rich land lay ready to their hand and they took it over: Astors, Vanderbilts, Rockefellers, men who founded dynasties that are powerful today. Choose the names as you will: Gould, Jay Cooke, Carnegie, Schwab, E. H. Harriman, J. J. Hill, J. P. Morgan. Bold men who, for the most part, came from plain beginnings, men whose imagination was limitless, who worked the country for what it was worth, using and discarding human material as they chose, and who built America into the greatest industrial productive system the world has ever seen. Pause for a moment on only one of them: Cornelius Vanderbilt of the New York Central and Hudson Railroads, who made himself an empire. Observe him at 73, still powerful, erect, pink-cheeked, with an opulent spread of whiskers, and boasting a young southern bride and a stable of fine trotting horses. "Law?" said Commodore Vanderbilt. "What do I care about law? Hain't I got the power?"

These men seized opportunity and used it; such a chance would never recur. Over against them rose the labor leaders, Americans made bold in their turn by desperation. Uriah S. Stephens and Terence V. Powderly of the Knights of Labor, Samuel Gompers and, much later, the towering, scowling, well-nigh symbolic figure of John L. Lewis. Pushing along with them on the road came the bold men and women of moral protestation, fighting corruption in business and politics, fighting the evils of a too rapidly expanding industrialization. Ida Minerva Tarbell attacked the princes of Standard Oil, drove her lance against giants and lost the fight, but made her voice heard. Governor Altgeld, of Illinois, dared to pardon the anarchists after the Chicago Haymarket riots. Henry George, the visionary, promoted his single tax, ran for mayor of New York and polled more votes than Theodore Roosevelt. Jane Addams, Jacob Riis fought the city slums. The suffragettes and the temperance ladies marched with their banners: Susan B. Anthony, Lucy Stone, Anna Howard Shaw, Frances Willard, Carrie C. Catt, and Carry Nation.

Saints or crackpots, America had room for them all. In so vast a country, so polyglot a population there is always a powder keg somewhere, in our own time the grave problem of racism. James Meredith in 1962 walks in to the University of Mississippi through a hostile mob. (Can anybody say young Meredith lacks the essential quality of an American, and the essential boldness?) "If Governor Barnett keeps this up," says Meredith, "I may not vote for him." A beautiful understatement, wry, hard as Vemont granite. Wrote Walt Whitman:

> "I swear I begin to see the meaning of these things.
> It is not the earth, it is not America, who is so great,
> It is I who am great, or to be great—it is you up there; or any one;
> It is to walk rapidly through civilizations, governments, theories,
> Through poem, pageants, shows, to form great individuals."

The quiet men, the thinkers, writers, philosophers who knew how to express the American spirit—these also proved bold in their time. Emerson, Thoreau, Mark Twain; William James, John Dewey; * * * Hemingway, Faulkner, Robert Frost; each name conveys an American era. Consider also the builders, the innovators who altered the face of our cities: Louis Henry Sullivan, father of the skyscraper. We see him as a youth step from an eastern train to the open shed of the Chicago station after the great fire of 1871. He looks toward the city, ruined and in ashes. He raises a hand, stamps his foot among the crowd and cries out aloud, "This is the place for me." We remember, too, the Roeblings, father and son, engineers for the Brooklyn Bridge. Washington Augustus Roebling, the son, at 35 was carried out unconscious from the caissons beneath the East River, suffering from the bends. He did not recover and suffered constant pain. Yet for 10 years he directed work from his room overlooking the river, struggling not only against illness but against the corruption of contractors and city politicians who sought to defeat him and the bridge. Roebling saw his work completed, saw the cables swing from tower to tower and fireworks zoom across the sky on the night the bridge was opened.

Since the first American beginnings, bold men have been allowed to build, to invent, to roam the country at will. No passport, no redtape halts them from State to State. Through two world wars the system has held; the Union has held, and the vision. Under it our country has grown so great that we find ourselves embarrassed, apologetic. We stoop our head like a man too tall for a doorway; we talk ourselves down and experience twinges of guilt at our own size and power. We are materialistic, we say further, and look embarrassed. We want to be comfortable, live well—and not only the rich want it and claim it, but everybody. And is that then evil, is that a betrayal of trust, the final American irony? Impossible to believe it. True, we have betrayed the fathers more than once. In fear, in greed or mere human cussedness we betray them every day. But still we know the dream is there, the vision and the opportunity. We would fight for it, die for it.

And what a springboard to rise from, this notion of government by consent of the governed. It is like a trampoline. Jump, and you are in the air. A distinguished American physicist, director of a radiation laboratory in California, lately expressed it in his own way, succinctly, as becomes a scientist. "There are very few things in this country that really can't be figured out," said Dr. John Stuart Foster, Jr. "You can excel. You just can."

America's role is global, now. The United States has won to a sophistication the world finds surprising; we are a little surprised by it ourselves. Not Paris, not London or Rome or Berlin or Madrid is today the center of the world's art and music—but New York. When astronauts compete they compete not with Californians or Nevadans but with the world. The great steel companies look over their shoulders not to see if Pittsburgh or Bethlehem is overtaking them but if Japan or Germany is catching up. Thirteen States have become fifty. At each new domestic crisis we ask ourselves in momentary panic if among these diverse sovereign interests our Union can hold, and if our constitutional democracy is equal to such a strain. Yet we know that it is equal and will hold.

America's role is global. Yet we have not lost our good provinciality, the qualities which make our strength and which define the genius of our independence. The bold men still go their way. Europe knows it. Even while expressing contempt (or is it envy?) of our material welfare, from time to time Europe perforce acknowledges the American quality. In 1958–60 the United States sent an exhibition of paintings to Europe. "The New American Painting," the show was called; it went to eight countries. Comments ranged from Berlin to Barcelona to London. And the critics might have been writing not of painting but of skyscrapers or of Charles Lindbergh or Henry Ford I or the launching of space rockets. "Americans are world travelers and conquerors. They possess an enormous daring. * * * The quality of adventure is here, a pioneering sense of independence and vitality. * * * The exhibition offers that climate of unconstraint which never fails to strike anyone traveling to the United States for the first time. * * * These," said a final critic, "are other myths, other gods, other ideas, different from those prevailing in Europe."

Long ago, Americans found these gods, these myths and made them their own. Surely it is these myths and these gods which still propel us, still inspire and send us on our journeys? Commander Schirra in his space capsule; Scott Carpenter, the onetime hot rodder, problem boy from Colorado who was given his American chance and grew to heroism—these are bold men indeed. Yet without the climate of unconstraint that Europe speaks of, they might never have found their opportunity. Two hundred years ago this climate was deliberately created and confirmed by men brave enough to launch a revolutionary government, men wise enough to create a Constitution expedient, workable, elastic—a government under which the bold American still finds scope.

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## ADDRESS BY LeROY COLLINS, PRESIDENT, THE NATIONAL ASSOCIATION OF BROADCASTERS, LINCOLN, NEBR.

Mr. HRUSKA. Mr. President, Gov. LeRoy Collins, president of the National Association of Broadcasters, Wednesday night delivered an interesting address to a legislative dinner of the Nebraska Association of Broadcasters in Lincoln, Nebr.

The speech was remarkable among other good reasons because Governor Collins is perhaps best known by millions of televiewers as the man who presided at the Democratic National Convention in Los Angeles 2½ years ago. It would be reasonable to expect that he would be a stanch supporter of the New Frontier.

But in this speech Governor Collins speaks in stirring defense of the old frontier and aims his critical fire at the Federal Communications Commission's New Frontier-type activities in connection with hearings on local programing by the three Omaha television stations.

He stated that to have an orderly means of employing the channels and frequencies for television and radio, there must be an orderly allocation procedure. This only the Government can do. The Government also must exercise the judgment, highly subjective at times, of who, based upon qualifications and service proposals, should be granted broadcast licenses. Furthermore, the Government has a range of lawful power to revoke or renew such licenses as the public interest may require. But at this point, Governor Collins in his speech stated:

> This procedure does not contemplate, however, that the Government will thus be empowered to exercise any control over program content. On the contrary, the Communications Act establishing our broadcast system specifically and wisely denies to the Government any right of censorship. This great power is reserved to the people, themselves. And, believe me, they can and do become quite articulate in expressing their feelings. This is as it should be.

The basic grievance Governor Collins expressed against the Federal Communications Commission was in regard to the hearing scheduled in a few days on local programing in Omaha. He flatly said the hearing is not in the best interests of broadcasting, is not in the best interest of the public, and is not good government. He gave reasons—sound ones, some of which are stated thusly:

> In the fine city of Omaha there are three licensed television broadcasters. The FCC has found them to be fully qualified to enjoy this privilege. There have been filed with the FCC no complaints about the service of any of them—not from any Congressman, not from any citizen, not even from any Federal inspector, that anyone knows about.
>
> As a matter of fact, just 6 months ago the Commission granted these same stations renewals of their licenses for another 3 years, and it must be presumed that the Commission, at that time, fulfilled its statutory obligation of ascertaining that the public interest would be served thereby.
>
> The fact is that these stations do not require a government-sponsored hearing to tell them what the people of Omaha want or need. As all responsible broadcasters, they are constantly reviewing and seeking to improve their programing. They are committed to serving Omaha and its environs as their best judgment dictates based upon an intimate, direct, personal knowledge of its life and character.

Without any stated grievance, without any charges of any kind made, with no bill of particulars specified, the stations are summoned to a public hearing. The effect? Here is what Governor Collins stated in his speech:

> The effect, of course, has been to suggest failure where there has been success, to impugn the motives and efficiency of the management of these stations where there has been full confidence, to create doubt where there has been faith, to divert the personnel and resources of these stations from their broadcast duties to the development of defense against unknown charges and implied wrongs.

Governor Collins calls this irresponsible government and meddling government. He says it is "government poaching on lands properly devoted to free enterprise, hoping to flush some unknown bird it can shoot down, but feeling that whether it finds any bird or not, it can reap public favor just by openly hunting for one."

Mr. President, this kind of "poaching" has been going on for some time in this administration and I applaud Governor Collins for his courage in defying his political associates in speaking the truth about the activities of some of them in communications industry.

The feelings of Nebraskans generally is well indicated by a resolution approved by a 38-to-0 vote in Nebraska's unicameral legislature. The resolution was introduced by Senator William Moulton, of Douglas County. In it the unicameral expressed and registered "its strong opposition to the scheduling of this public hearing by the Federal Communications Commission without just cause or reason, believing this action constitutes an unwarranted intrusion by the Federal Government into the freedom of broadcasting, and the affairs of this sovereign State."

I ask unanimous consent that the full text of Governor Collins' remarks may be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

### Remarks by LeRoy Collins, President, National Association of Broadcasters, Before a Legislative Dinner of the Nebraska Association of Broadcasters, the University Club, Lincoln, Nebr., Wednesday, January 23, 1963

A few weeks ago, I saw reported in the press a speech made by a distinguished American, Chief Justice Earl Warren, of the U.S. Supreme Court. The main thrust of his remarks was, first, the need of American business for a stronger dedication to ethical and moral standards and, second, the need for a new breed of professional men to sell this kind of advice and counsel to the troubled businessman.

With the first proposition—the need of stronger devotion to ethical standards—I heartily agree, but I am not ready to admit that American businessmen need to have explained to them, by people with specialized training, the difference between right and wrong—between truth and deception, between a course of honor and one of dishonor. If this kind of competence cannot be developed at the hearthstone, in the Sunday school and otherwise, as a part of man's basic equipment, then we are indeed in a sad condition as a people.

But the Chief Justice is dead right in his contention that the whole future of American business is dependent upon the ethical standards of American businessmen and their ability and willingness to discipline themselves. (Nor is this need limited to the business community. It is basic to all human endeavor.)

Without this capacity and will, we would revert to the instincts of the jungle, and in a moral wilderness we would soon find ourselves groping for a strong-arm government to save us from chaos and destruction. And there are those who will argue, with substantial documentation to support their claims, that in this good land of ours we are now making a steady approach to precisely that state of affairs.

Many centuries ago the Greeks developed a civilization supported by a system of self-government that flourished for many years. It provided a high degree of personal freedom, but little order—and in time it failed. The Romans came along later—and they, too, were highly successful. They developed a high degree of order, but with little freedom—and that system failed, also. From these two civilizations, we have derived much of the culture that has come to be known as Western democracy. We learned the virtue of freedom from the Greeks, the necessity for order from the Romans. The manner in which we have been able thus far to blend these interdependent factors—freedom and order—accounts for the stability of our society.

In American business we are confronted with the constant struggle to keep free of government control, but at the same time voluntarily to impose upon ourselves the measure of self-discipline which is essential to the public welfare in a changing society. Only thus can we avoid the vacuum of unmet needs into which a democratic government by its very nature would surely become drawn.

To accomplish this requires the genius, and challenges, the character, of American competitive enterprise. The effort is made the more difficult because the forces of freedom are divided and often are warring with each other. Those who want to achieve a status of responsible freedom are frequently opposed not only by those who look to the Government to remedy every ill, but also by those who are determined upon a course of freedom without responsibility. The ghosts of both the Romans and the Greeks combine to force us to continued effort to avoid their frustration and ultimate doom.

It is the clear purpose of the National Association of Broadcasters and its leadership to encourage constantly the improvement of the service of broadcasting to the people. We can beseech the Government to keep its hands off, but deserve little sympathy if we are unwilling to maintain order and progress in our own house.

This is the reason that the association has placed so much emphasis in recent years upon the development and practical application of self-promulgated codes of good practice in both radio and television—codes that are working, believe me, in upgrading programing and advertising practices.

Here is a conscientious, dedicated effort on the part of a great industry voluntarily to improve its product and control its actions in a responsible manner. Our code programs are not yet developed as they should be. They are not yet supported by all the broadcasters who should be behind them. But, even so, they now represent the most significant force for self-regulation in American competitive enterprise. They are, indeed, the best example in the world today of free businessmen voluntarily subordinating immediate individual profit for their collective professional advancement and for the service of the public welfare in a free society.

As we in NAB support with vigor our program of self-regulation and self-improvement, we oppose with all our might the unwarranted advance of Government which seems to be determined to make inroads into areas in which it has no sound right to operate.

In broadcasting, the newest and by all odds the most dynamic means of mass communication, the technological reasons for licensing by Government are acknowledged. If we are to have an orderly means of employing the channels and frequencies for television and radio, we must have an orderly procedure for allocating them. This only the Government can do.

The Government also must exercise the judgment, highly subjective at times, of who, based upon qualifications and service proposals, should be granted broadcast licenses. Further, the Government has a range of lawful power to revoke or renew these licenses as the public interest may require.

This procedure does not contemplate, however, that the Government will thus be empowered to exercise any control over program content. On the contrary, the Communications Act establishing our broadcast system specifically and wisely denies to the Government any right of censorship.

This great power is reserved to the people, themselves. And, believe me, they can and do become quite articulate in expressing their feelings. This is as it should be.

I have a very basic grievance I wish to express tonight against the Federal Communications Commission.

First, I wish to repeat that the hearing on local programing soon to be commenced in Omaha is not in the best interests of broadcasting, is not in the best interests of the public, is not good government.

In the fine city of Omaha there are three licensed television broadcasters. The FCC has found them to be fully qualified to enjoy this privilege. There have been filed with the FCC no complaints about the service of any of them—not from any Congressman, not from any citizen, not even from any Federal inspector, that anyone knows about.

As a matter of fact, just 6 months ago the Commission granted these same stations renewals of their licenses for another 3 years, and it must be presumed that the Commission, at that time, fulfilled its statutory obligation of ascertaining that the public interest would be served thereby.

The fact is that these stations do not require a government-sponsored hearing to tell them what the people of Omaha want or need. As all responsible broadcasters, they are constantly reviewing and seeking to improve their programing. They are committed to serving Omaha and its environs as their best judgment dictates based upon an intimate, direct, personal knowledge of its life and character.

Notwithstanding these circumstances, and with no importuning from any known source in Omaha, the FCC decided to put these stations on the mat by holding this hearing to which anyone with a grievance was urged to come and publicly air it. The effect, of course, has been to suggest failure where there has been success, to impugn the motives and efficiency of the management of these stations where there has been full confidence, to create doubt where there has been faith, to divert the personnel and resources of these stations from their broadcast duties to the development of defenses against unknown charges and implied wrongs.

This is irresponsible government. It is meddling government. It is government poaching on lands properly devoted to free enterprise, hoping to flush some unknown bird it can shoot down, but feeling that whether it finds any bird or not, it can reap public favor just by openly hunting for one.

I am told that the FCC really had no special reason for picking on Omaha, that it could just as well have been some other city and that it well might be next year, that they were just looking for a city of Omaha's approximate size and general broadcast service; and by chance Omaha just turned out to be the one.

What is this, government by roulette?

As a representative of broadcasters, I emphasize again that we are determined to keep broadcasting free not just for the benefit of broadcasting and broadcasters, but because we well know that broadcasting is the guardian of the freedom of all.

This does not mean that we insist upon a right to squander the privilege of broadcasting or that anyone should be allowed to stay in this business who is not meeting the obligations imposed upon him for serving the public interest.

Nor does it mean that a public hearing cannot be very properly held in a local community when the right of a broadcaster to serve that community is at issue in an appropriate proceeding.

But it does mean that we in broadcasting demand that the FCC cease its efforts to govern by harassment, by needling, by nibbling, directed indiscriminately against all broadcasters.

We demand that the FCC, if it has just cause to question the capability of any broadcaster, or his good faith in serving the public interest, place that license squarely on the line in a proper renewal or revocation hearing, and to stop impugning and embarrassing, and handicapping the mass of good broadcasters for what may be the sins of a very few.

The oriental philosopher, Lao-Tze, once said: "Govern a great nation as you would cook a small fish; don't overdo it."

Broadcasters believe this is sound philosophy. It is a very old frontier, but the kind we must always keep new.

My concern over the forthcoming FCC expedition to Omaha goes much deeper than the inconvenience and trouble such will cause the broadcasters there. In fact, I confidently predict that when this hearing is concluded the record will reflect great credit to these broadcasters. I am far more concerned about the indirect consequences—the effect on freedom of communications which is so vital to our national well-being, and perhaps to our survival. It is this concern which has prompted me to dwell upon Omaha at such length this evening, and before this distinguished audience.

Those of us in broadcasting, and you who serve in Government, have much in common; we both seek the approval of our constituents, we both must be responsive to public need, we both must be free to exercise our own judgment, and we both have a basic obligation to serve the public interest. We have a stake in the freedom of each other, and the public has a stake in both.

We are living at a difficult and perilous time in history. The great Western civilization, which has borrowed so wisely from the Greeks and the Romans, now faces its own test of endurance—and the threat which hangs heavy over us is not merely the failure of Western civilization, but the extinction of all civilization. Never before has the world faced so ominous and final a verdict.

Our system of modern electronic communication has a vital role to play in the outcome of this world struggle. Man now has the power, through broadcasting, to reach, to inform, to influence, and to enlighten his fellow man on a scale heretofore unheard of. Never before has this been so desperately important, for knowledge and truth are our best hopes to build a nation and save a world. But this power of communication may be used, or it may be misused. The totalitarian state thrives on its misuse. The free state thrives on its full use.

Let us not be satisfied with the present state of broadcasting in this country, but at the same time let us recognize that no other system in the world can match it.

Let us not hesitate to criticize its failures, but at the same time let us be willing to acknowledge its marvelous successes.

Let us not tolerate its misuse or its lack of use, but let us do nothing to blot out the climate of freedom which is necessary to its continued growth and ever-expanding service.

Let us apply to broadcasting the principles which we have inherited from the past—the virtue of freedom and the necessity for order vitalized by a full commitment to action and progress befitting the new opportunities of our day in a free society.

## FEDERAL POWER COMMISSIONER MORGAN SPURNS SECOND TERM

Mr. PROXMIRE. Mr. President, in a column published this morning in the Washington Post, written by Mr. Drew Pearson, it was reported that Howard Morgan of the Federal Power Commission has written a letter to President Kennedy declining reappointment as Commissioner. This is a most unusual action.

As Mr. Pearson points out, being a member of the Federal Power Commission means being in a very honorable and important position, a position of great power, and Mr. Morgan apparently was enthusiastic about the position at the time he was appointed. However, Mr. Morgan, according to Mr. Pearson, said that he was resigning because he "did not come to Washington to be kept busy writing dissents." He finds himself in the position of being a lone Commissioner in one dissent after another, apparently, on matters which, in his judgment, affect the public interest and which, in my judgment, affect the public interest adversely.

In other words, the oil gang and the gas gang and the people who should be regulated are winning one fight after another on the Federal Power Commission.

This does not surprise me at all, in view of the recent appointments of two Commissioners. One was Mr. Harold Woodward and the other was Mr. Lawrence J. O'Connor, of Texas. I vehemently opposed both nominations. In the case of Mr. O'Connor, I held the floor for 34 hours and spoke for 26 hours against confirmation of the nomination.

Only a few Senators voted against this nomination. I think it is necessary, though, when we receive reports concerning outstanding public interest appointees to the Power Commission, who find they cannot remain on it because they are losing one fight after another, Senators, who believe strongly in the public interest, should raise their voices in the Senate in connection with future appointments. We should let it be known that we intend to make even tougher fights than we have made in the past, do all we can and use all our influence as Senators to urge the President to make appointments of persons who have the public interest at heart and who fight hard for the consumer. Heaven knows, he is the forgotten man in our economy.

I ask unanimous consent to have printed at this point in the RECORD the article by Drew Pearson entitled "FPC Commissioner Spurns Second Term," which was published in the Washington Post of today, January 25, 1963; and two press releases, one on the O'Connor nomination, which I issued at the time I opposed the appointment and which is dated July 26, 1961, and one on the Woodward nomination, which I issued at the time I opposed his appointment, dated March 28, 1962.

There being no objection, the article and news releases were ordered to be printed in the RECORD, as follows:

### FPC COMMISSIONER SPURNS SECOND TERM

(By Drew Pearson)

Seldom has a commissioner of a powerful regulatory body told the President he will no longer serve on a commission which regulates the gas, oil and electrical industry of the Nation.

However, Howard Morgan of the Federal Power Commission has just written such a letter to President Kennedy. He has declined reappointment as a commissioner and has said flatly that the President has not lived up to his promise to appoint men who have the interests of the American consumer at heart.

The Federal Power Commission is the only regulatory agency to which Kennedy has appointed five new members. With every other Commission he has had Republican holdovers. But, owing to death and resignations, he has appointed every man to the agency which regulates the gas pipelines and the big power companies.

However, Commissioner Morgan has made it clear in talks with western Senators that the Commission is stacked in favor of the oil, gas and power companies.

"I did not come to Washington to be kept busy writing dissents," he has told western Senators.

Commissioner Morgan expressed his regret over this fact and recalled that men like Senators George Norris, of Nebraska; Hiram Johnson, of California; and Gifford Pinchot, the Bull Moose Governor of Pennsylvania, had crusaded and sacrificed to write a great law protecting the American public only to have it sabotaged by the appointment of personnel who did not believe in enforcing the law.

#### ELECTION PLEDGE

During the presidential campaign Mr. Kennedy was highly critical of the Eisenhower policy of appointing industry-minded men to the regulatory commissions. And at Wittenberg University, Springfield, Ohio, on October 17, 1960, he made a ringing pledge that his appointees to the regulatory agencies would represent the public.

"No Federal appointee to any public regulatory agency shall represent any view other than the public interest," pledged the future President. "Appointments to such agencies shall be made with the advice of those knowledgeable in the field, but shall not be dictated by those with vested interest in the appointment."

However, Commissioner Morgan, who formerly served as the Public Service Commissioner of Oregon, has turned out to be the only Kennedy appointee to the FPC who has consistently bucked the utilities.

For, once Mr. Kennedy was elected, he appointed Lawrence J. O'Connor, a Texas oilman, to the Commission; also Harold Woodward, a Chicago utilities lawyer who had represented public utility cases while serving as Assistant Commissioner of the Illinois Commerce Commission (under Federal practice this would be a conflict of interest).

Joseph Swidler, former member of the Tennessee Valley Authority, whom Mr. Kennedy appointed as FPC Chairman, has reversed his previous public power position and has voted consistently with the power, gas and oil interests.

When the Commission voted to require the giant El Paso Natural Gas Co. to refund rate increases which El Paso had put into effect without official approval, Chairman Swidler held up the final opinion 3 months trying to make up his mind. He wanted to vote a refund of only $44 million. Commissioner Morgan held out for a $68 million refund, got the support of Commissioner Charles R.

Ross, the Vermont Republican, and after 3 months' delay, Chairman Swidler finally came around to their figure.

But in case after case involving electric power companies the decisions have been 4 to 1 with Commissioner Morgan dissenting.

That's why Morgan has written his letter to the President declining to accept reappointment for another term.

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### Proxmire Opposes Nomination of Lawrence O'Connor to the Federal Power Commission

Senator William Proxmire, Democrat, of Wisconsin, July 26, appeared before the Senate Commerce Committee to fight the appointment of Texas Oilman Lawrence O'Connor to the Federal Power Commission.

The Wisconsin Senator told the committee: "I oppose O'Connor's confirmation because he is obviously an industry man. Even before he is appointed, O'Connor is of, by, and for the industry he is appointed to regulate.

"During the past 2 years, three gas rate increases put into effect by the company O'Connor worked for until 1958 have gone unchallenged by FPC. The oil association of which he was a longtime member seeks actively to get the Federal Power Commission out of natural gas regulation.

"Until he entered the Interior Department 2 years ago, O'Connor was a consultant to gas and oil companies. It is a shocking fact that the new FPC Commissioner's principal employment has been as vice president of a Texas oil and gas company.

"Appointing O'Connor to the FPC is like appointing Mickey Mantle to umpire Yankee baseball games. It is about as fair as a fourth strike. It is about as ethical as brass knuckles.

"Men with oil industry backgrounds are already serving as Navy Secretary and Assistant Secretary of the Interior. Oil has become the tragic Achilles heel in an otherwise splendid public interest administration.

"The FPC itself has refused to obey Supreme Court directives to regulate natural gas at the wellhead. Gas companies have socked the consumer with never-ending rate increases, because the FPC can't bring itself to act in holding rates to the reasonable levels required by law. Twenty-seven million American gas-consuming families are suffering exploitation because the FPC has gone on a sit-down strike against the consumer.

"Last week was Captive Nations Week—well, this is Captive Regulatory Commissions Week—starring the Federal Power Commission in the grasp of the natural gas industry.

"During the past 12 years, the cost of natural gas for home heating purposes has risen an appalling 44½ percent. (Natural gas companies have been charging all that the market will bear, and then some.)

"But, strangely, the FPC has taken no action in pruning increases. Homeowners who bought stoves and furnaces when gas was cheap are now paying heavily for the inaction of the Federal Power Commission.

"A year ago, four Federal Power Commissioners out of five wanted to get the FPC out of the gas regulation entirely. The FPC has been, and continues to be, the most infamous example of a regulatory agency falling captive to the industry itself.

"The consuming public hasn't had a chance because the gas industry has had the best legal, statistical, technical brains money can buy, lobbying the Commission from the outside.

"With O'Connor's appointment they will have their boy on the inside. The public must have commissioners dedicated to fight for the public right above any private-special interest—men who will stand up to terrific gas industry pressure. Is anyone so naive as to argue that O'Connor is this kind of man?"

### Statement by Senator William Proxmire, Democrat, of Wisconsin, on the Nomination of Harold C. Woodward to the Federal Power Commission

The Woodward appointment to the Federal Power Commission in effect repudiates the President's March 15 message on protecting the consumer interest.

In that message the President said:

"Consumers are the only important group in the economy who are not effectively organized, whose views are often not heard. The Federal Government—by nature the highest spokesman for all the people—has a special obligation to be alert to the consumer's needs and to advance the consumer's interests."

These noble phrases have a hollow ring in the light of the nomination before the Senate today. It is a matter of record that the most flagrant trampling on the consumer's interests in recent years has been in the area of gas, power, and utility prices.

I am opposed to the Woodward nomination for three reasons:

The nominee lacks qualifications, his record shows no evidence of devotion to the public and consumer interest in utility rate regulation, and he has shown a conspicuous lack of sensitivity regarding conflicts of interest.

1. In the hearing Woodward was asked if he was familiar with the Phillips Petroleum case, the most important Supreme Court decision on the regulation of gas rates. He replied, "No; I am not."

This is like an umpire of a baseball game saying he doesn't know how many strikes make an out.

Instead of being unfamiliar with the Phillips case, a new Federal Power Commissioner should be an outstanding authority on this landmark decision. At the very least, Woodward's ignorance about the Phillips case is an alarming symptom of lack of qualifications for membership on the FPC.

2. At the hearing Mr. Woodward indicated that he handled hundreds of cases for the Illinois Commerce Commission having to do with rate increases, and that in most instances—not in all cases but pretty close to it—he approved the increases.

Standing by itself this statement would not be conclusive. But in the absence of any indication that Mr. Woodward has ever shown any regard or concern for the consumer interest, the statement raises a serious doubt.

3. The record shows that Mr. Woodward held common stock in a company regulated by the Illinois Commerce Commission, while he was a hearing examiner for many years.

The statutes of Illinois clearly and specifically prohibit such conflict of interest, be it direct or indirect. Mr. Woodward's lack of judgment and sensitivity to what the laws of his State require raise a third serious doubt about his fitness to be a Federal Power Commissioner.

Above all this nomination is cruelly disappointing because the administration failed to appoint an outstanding authority on Federal power regulation, someone who knew his way through the thicket of complex argumentation which surrounds gas and power regulation. Such a man should have the skill to cope with the lavishly financed top legal brains hired by the private companies, who are often opposed only by the underpaid, understaffed corporation counsel of a consuming city.

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## ELECTORAL COLLEGE REFORM

Mr. SALTONSTALL. Mr. President, I have joined with the Senator from Tennessee [Mr. Kefauver], and several of my colleagues again this year in sponsoring legislation to reform our present electoral college system of electing the President and Vice President of the United States. This legislation proposes a proportional representation plan as the method for correcting the seriously defective unit-rule system under which the electoral college now operates. It would more accurately measure the nature of the popular vote in presidential elections.

A proportional representation proposal was passed by the Senate in 1950 by a strong bipartisan vote of 63–28. The Constitutional Amendments Subcommittee of the Senate Judiciary Committee held hearings last year on this and other proposals for electoral college reform. The joint resolution which I cosponsored last year and am sponsoring again this year incorporates the provisions of the previously approved legislation and adds certain new provisions which evolved from the study conducted by the Judiciary Subcommittee.

The current system distorts the popular will in presidential elections by crediting all of a State's electoral votes to the plurality candidate regardless of the size of that plurality. The proportional plan would count the electoral vote in proportion to the popular vote. It would largely eliminate the tremendous premium we have placed on capturing a plurality in a few large States to the general neglect of some of the smaller States and less populated areas where returns will be of little or doubtful value. I believe it would stimulate both of our major political parties to campaign actively in all the States and to try more forcefully to reach all the voters.

I am sure we are all aware of the need for reform in this area. I hope that the proportional representation legislation will be given early and favorable consideration by the Senate Judiciary Committee and will be approved by the Congress before our next presidential election in 1964.

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## CALIFORNIA MARKS A FIRST IN LABOR-MANAGEMENT RELATIONS

Mr. ENGLE. Mr. President, an agreement signed on January 12, 1963, between the United Steelworkers of America and the Kaiser Steel Corp., at Fontana, Calif., is being called a first in labor-management relations. This agreement establishes a method of distributing the benefits derived from improved production techniques among the company, its stockholders, employees, and consumers.

I congratulate the United Steelworkers and the Kaiser Steel Corp. at Fontana for taking this significant new step in the labor-management field.

I commend to the attention of my colleagues the remarks made by David J. McDonald, president of the United Steelworkers, when the agreement was signed. I ask unanimous consent that they be printed in the Record at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### REMARKS BY DAVID J. MCDONALD, PRESIDENT OF THE UNITED STEELWORKERS OF AMERICA, JANUARY 12, 1963

We believe that our membership at the Kaiser Steel Corp. plant at Fontana has demonstrated good judgment in ratifying a plan designed solely for their future well-being through its provisions of sharing of economic gains and job protection against the ever-increasing impact of automation.

This is a new idea, bold in its concept and potentially far reaching in its consequences. We are supremely confident that this plan will stand the test of time.

Naturally, none of us expects that the new plan will operate smoothly and without a hitch from the very hour it becomes effective.

Some time will be required before all the wrinkles are ironed out and the plan operates in the manner our union desires and will insist upon. We feel certain, however, that the major problems were overcome before the plan was recommended to the membership. There is none remaining which cannot be resolved by a continued demonstration of the mutual good faith and responsibility shown by all parties during the 3 years required to draft the plan.

We are proud, as I am sure that the Kaiser workers will be, that we have joined the development of a new idea which conceivably can open the way to elimination of industrial strife without sacrifice of free collective bargaining prerogatives.

It is significant also that this pioneering venture has been accomplished without Government pressures of any kind. We think that this offers incontrovertible evidence that no punitive laws or restrictive controls are required to resolve the common problems of labor and management in the best interests of the principals, the public, and the Nation.

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## TRIBUTE TO ROY A. ROBERTS

Mr. LONG of Missouri. Mr. President, Mr. Roy A. Roberts, president and general manager of the Kansas City Star Co. of Kansas City, Mo., has announced his retirement. Henceforth his role will be management as chairman of the board.

His 54-year career with the Star has encompassed so much that I am sure it would take more than several editions of the CONGRESSIONAL RECORD to make but the briefest outline of it.

He has devoted his working lifetime to serving his community, his State, his readers and the Nation, thereby earning permanency in both history and memory.

Among the untold numbers of tributes that have been paid to Roy Roberts over the last half century, probably none is more distinctive than that from his fellow Star workers, who as the sole owners of the Star Co. have 17 times chosen him to lead the business they own and guide their professional production.

Mr. President, I am certain that our colleagues and all the readers of the CONGRESSIONAL RECORD would like to know more of Mr. Roberts—his life and his work. For that reason, I ask unanimous consent to incorporate as part of my remarks an excellent feature story about his retirement from the January 20 St. Louis Post-Dispatch.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### MR. KANSAS CITY STEPS ASIDE—VETERAN ROY ROBERTS IS RETIRING TO ADVISORY CAPACITY AT KANSAS CITY STAR

(By Sam B. Armstrong)

KANSAS CITY, January 19.—Make no mistake about it, the Kansas City Star is losing its star reporter. Also, it is losing its president and chief executive officer. All happen to be the same person.

Roy Allison Roberts, who has been called half newspaperman and half politician, announced last week that he will retire to an advisory capacity as board chairman, take a long trip to the South Sea isles with his wife, the former Mrs. Charles G. Ross, of St. Louis, and return in the hope of doing a bit of writing before final retirement in a year or so.

He is perhaps the last important figure of his type. There have been many newspaper editors who have used their papers to further their own political ambitions. There have been professional politicians who have tried to operate newspapers. Roberts never sought public office for himself. But he has greatly fancied the role of kingmaker.

When Herbert Hoover turned the White House over to Franklin D. Roosevelt in 1933 and headed homeward, he stopped in Kansas City for a visit with the Roberts family.

In 1936 Roberts was the prime mover in obtaining the Republican nomination for Alf Landon, budget-balancing Governor of Kansas.

Later on, in his own words, he was "one of the insiders on Wendell L. Willkie and Thomas E. Dewey," adding, "I was in the infield but not doing the pitching."

In 1948, he sat up until 5 a.m. with Dwight D. Eisenhower "talking things over," and was able accurately to report that the general was a "good Kansas Republican" but that he would not accept the presidential nomination then. Roberts said that Eisenhower wouldn't run because he knew nothing about economics, and it was too soon after the war.

But before 1952 Roberts was among the first aboard the Eisenhower bandwagon importuning him to become a candidate, writing stories that served as trial balloons to sound public sentiment, and at last cheering the war hero's decision to run "because he feared the Republican Party was going isolationist." The editor was a frequent visitor at the White House and often was consulted.

Roberts has a broad acquaintance in Democratic circles also. He refers to Vice President LYNDON JOHNSON and Senator STUART SYMINGTON as "among my best friends on Capitol Hill."

"When Truman was President," Roberts once remarked, "I was off and on. I was either an S.O.B. or 'Dear Roy'." Both men have mellowed and now find themselves on easy terms.

Congressman RICHARD BOLLING, of Kansas City, a Democrat, was enthusiastically supported by the Star for reelection in 1958.

Roberts, who in his youth had drunk many a glass of beer discussing politics with Tom Pendergast, had a hand in the downfall of the late boss in 1939. The Star uncovered extensive vote frauds by the Pendergast machine.

The son of a Congregational minister, Roberts was born November 25, 1887, at Muscotah, Kans., 50 miles northwest of Kansas City. After attending the University of Kansas from 1905 to 1908, he became city editor of the Lawrence (Kans.) World, and in 1909 joined the staff of the Kansas City Star.

The Star had been founded September 18, 1880, by William Rockhill Nelson, an Indiana contractor who had started for Denver but stopped in Kansas City. A robust, thick-necked man whose appearance prompted his nickname, "Bull" Nelson had done much for the civic advancement of Kansas City and exerted great influence throughout the Republican State of Kansas.

When Roberts joined the Kansas City Star there were many who remembered such atrocities as the burning of Osceola, Mo., by Kansas "Redlegs" under Jim Lane in 1861 and the retaliatory sack of Lawrence by William Quantrill and his Missouri "Bushwhackers" in 1863. And, so deep was the feeling, subsequent generations perpetuated the mutual hatred in their choice of political parties. In short, Missouri, especially in the circulation area of the Star, was Democratic; Kansas was uniformly Republican.

Nelson had won election as Republican National Committeeman for Missouri.

"I had to go out and organize Missouri for him," Roberts recalled. It was a tough job and Roberts, an avowed Republican always, has been working at politics on and off since with varying success.

Beginning with the 1909 session of the Missouri Legislature, Roberts was there to report its proceedings and to advance the interests of Kansas City and the Star until 1915, when he was sent to Washington to establish a news bureau. His horizons broadened, his news sources and contacts multiplied, his influence and importance expanded. He became known as the man who could read the weathervane marking the political winds that swept across the Prairie States of the Midwest. In 1928 he served as president of the Gridiron Club, highest of honors for Washington correspondents.

It was also in 1928 that he was called back to Kansas City to become managing editor of the Star. Nelson had died in 1915. In 1926, following the death of his last heir, ownership of the Star was taken over by 73 Star employees who paid the estate $11 million for the newspaper.

Roberts is said to own a larger amount of the stock than any other of the present 400 stockholders. Upon an employee's retirement or death, the company buys his stock and it is made available to newer members of the organization.

Making the most of his Washington experience and reputation, Roberts tightened the Star's grip on Kansas. His suite in the Kansas City Club, where openhanded hospitality was dispensed to visitors 7 days a week, became known as the "capitol of Kansas," a seat of influence greater than that of the State's capitol at Topeka, 50 miles away.

John Gunther, in his book "Inside U.S.A." said: "Not only is Kansas a colony of Kansas City, Mo., but it is the colony of a newspaper."

In 1947, Roberts was made president and general manager of the Star, but he remained the newsgatherer, proud, among other things, of the fact that he has covered every national convention of both political parties since 1912 as a working reporter.

Shortly after 9 o'clock each morning, his chauffeur-driven convertible pulls up before the three-story buff brick Star Building at 18th Street and Grand Avenue. Making his way to the southeast corner of the large open newsroom on the third floor, he stops at his cluttered walnut desk long enough to remove his coat, roll up his sleeves, and light his second Corona-Corona before starting a tour that has become almost a ritual.

"Anything big?" he asks the news editor, more often than not giving him a resounding whack on the back. Next come the other editors, more back slapping and then a stroll among the yellow oak desks of reporters, pausing at each, offering his hand, and asking even the youngest members of the staff: "How are you, young man?" * * * "And you, young lady?"

The visiting then continues on the floor below in the business office, where the

Roberts ability also has been evident, although unnoticed by many because of his identification with news and editorial policy.

Back in the newsroom, where Roberts is referred to as R.A.R., he often will make another call on the sports editor to discuss the fortunes of the Kansas City Athletics. He talks to the copy boys, too. One copy boy, according to newsroom report, on getting married received a $200 gift from R.A.R.

Other special interests of the editor include the William Rockhill Nelson Art Gallery, into which went the estates of the Star's founder and that of his daughter; the University of Kansas City, the University of Kansas and its medical school in Kansas City, and numerous civic projects.

Always urging municipal improvements, Roberts explains, "It's our job to be the hair shirt of the community."

But not all civic questions reach the pages of the Star. Some are disposed of without a ripple in the even surface of community relations. Good authority has it that at one time there was a report of opposition brewing in official quarters against racial integration at the University of Kansas City. Roberts is said to have quietly gotten word to the segregationist element that the Star was prepared to fight. Opposition to desegregation promptly was abandoned as futile.

Lunch with Star directors or a visiting friend, numerous telephone conversations with news sources throughout the country, more visits with the staff, and perhaps dictation of a news story or editorial fill what for most men would be a busy day.

But about 8 p.m. the telephone of the night managing editor rings, and R.A.R. is told what is going into the first edition of the morning paper, the Times. Proofs of important or controversial stories are at hand for reading to him, and he has frequent suggestions on content and treatment.

The Star had acquired the Times in 1901. In 1942 the Kansas City Journal, formerly the Journal-Post, sole remaining competitor of the Star, went out of business. The Star later was charged with monopolizing the dissemination of news and advertising in the Kansas City area. One complaint was that the Star forced subscribers to take the afternoon Star, the morning Times, and the combined Sunday Star and made advertisers buy space in both or stay out.

Roberts and the advertising director were indicted along with the newspaper, but the charges against Roberts were dismissed 3 days before the case went to trial in 1955.

The Star was fined $5,000 and its advertising manager, $2,500, for attempted monopolization. The U.S. Supreme Court refused to hear the case after an appellate court upheld the verdict. In a civil case growing out of the prosecution under the Sherman Antitrust Act, the Star signed a consent decree divesting itself of its television and radio properties in 1957.

The Star's attorney, Charles Whittaker, was appointed to the U.S. Supreme Court by President Eisenhower in 1954.

The appearance of the Star today, with its staid makeup, small headline type and absence of liquor and beer advertising, does not differ greatly from the Star of Nelson's day. While the isolationist viewpoint has been greatly modified, local news retains priority. Kansas, Missouri, and Midwest news comes next, while national and world news seldom monopolize space on page 1.

"While we have got to take care of home base," Roberts wrote in a page 1 statement announcing the changes at the Star, "we are aware of our responsibility to bring global news and interpretation to your front door."

Referring to the "new team" and his vacation trip, he said "I don't want to be breathing down their necks" during the period of transition.

Then, to make it clear that he was still in the newspaper business, the veteran of 54 years on the Star said: "My moving up to chairman of the board was not a perfunctory swap of hats or titles. It means definitely my major role in Star management, in the time left to me, will be more in an advisory capacity. I nourish the hope also that perhaps I will get opportunity to do more writing, always my first love.

"In no sense is this a farewell speech. When I retire altogether from management—which I hope will be in a year but at most 2 years—I will not sing, but probably roar a swan song of advice to paper and community. That's always been our weakness—giving advice."

And when R.A.R.'s swan song is roared, it will be well worth hearing. Make no mistake about that.

## CALL OF THE ROLL

The **PRESIDING OFFICER**. Is there further morning business?

Mr. **PROXMIRE**. Mr. President, I suggest the absence of a quorum.

Mr. **RUSSELL**. Mr. President, I intended to suggest it. I think there should be a "live" quorum.

The **PRESIDING OFFICER** (Mr. Kennedy in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 7 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Lausche
Long. Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Mundt
Nelson
Pastore
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. **HUMPHREY**. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Edmondson], the Senator from Tennessee [Mr. Gore], the Senator from Wyoming [Mr. McGee], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], the Senator from Florida [Mr. Smathers], the Senator from South Carolina [Mr. Thurmond], and the Senator from Michigan [Mr. Hart] are absent on official business.

I further announce that the Senator from North Carolina [Mr. Jordan] and the Senator from West Virginia [Mr. Randolph] are necessarily absent.

Mr. **DIRKSEN**. I announce that the Senator from Colorado [Mr. Allott], the Senator from California [Mr. Kuchel], the Senator from New Mexico [Mr. Mechem], the Senator from Kansas [Mr. Pearson], the Senator from Texas [Mr. Tower], and the Senator from Delaware [Mr. Williams] are necessarily absent.

The Senator from New York [Mr. Javits] is absent on official business.

The **PRESIDING OFFICER**. A quorum is present.

Is there further morning business? If not, morning business is closed.

The Chair recognizes the Senator from Alaska [Mr. Gruening].

Mr. **HUMPHREY**. Mr. President, will the Senator from Alaska yield, to permit me to propound a parliamentary inquiry?

Mr. **GRUENING**. I yield for that purpose.

## AMENDMENT OF RULE XXII—CLOTURE

Mr. **HUMPHREY**. Mr. President, what is the pending question?

The **PRESIDING OFFICER**. The pending question is on agreeing to the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

### LET US USE THE TOOLS WE HAVE

Mr. **GRUENING**. Mr. President, a great deal has been said about Senate rule XXII. Weighty and well-documented arguments have been and will be advanced as to why Senate rule XXII should be changed or maintained. Proponents and opponents are equally sincere.

I have listened to much of the debate to date, and I have read all of it as it appeared in the Congressional Record. I made an equally thorough study of the pros and cons 4 years ago. It was my privilege in 1959 as a new Senator from a new State—Alaska—to hear the debate which culminated in the adoption of the then Senate Majority Leader Lyndon Johnson's compromise language, which in essense returned the Senate rules on cloture to the original 1917 rule. I voted for that compromise.

The debate in which we are involved during these opening days of the 88th Congress goes to the very heart of our legislative system.

The U.S. Senate gives to each of the 50 States, regardless of size or population, an open forum; and within this forum it is possible for a Senator to explain the needs or the position of his State. The framers of our Constitution carefully established this forum so that all States regardless of size would be equal and have equal opportunity.

Through the Federalist we have access to the contemporary interpretation of the Constitution by men who were active and present when our Constitution came into being.

Letter 54 of the Federalist, by John Jay, contains this observation:

> As all the States are equally represented in the Senate, and by men the most able

and the most willing to promote the interests of their constituents, they will all have an equal degree of influence in that body, especially while they continue to be careful in appointing proper persons, and to insist on their punctual attendance. In proportion as the United States assumes a national form and a national character, so will the good of the whole be more and more an object of attention, and the government must be a weak one indeed, if it should forget that the good of the whole can only be promoted by advancing the good of each of the parts or members which compose the whole.

Letter 54 was written nearly 175 years ago. The prescience it embodied is a clear and positive message to all men that the framers of our Constitution considered not only present but future times.

Thus, in 1963, the Senate of the United States continues as the bulwark of the States, small in population, which do not have large delegations in the House of Representatives. I represent, in part, one of those States.

When we examine the size of House delegations, we find that 23 of the 50 States have 5 or fewer Representatives per State for a total of 58 Members. Five States have but a single U.S. Representative. Alaska has the dubious honor of being one of those five. The others are Delaware, Nevada, Vermont, and Wyoming.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a listing of States and the number of Representatives from each.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

*Number of States' Representatives*

| | |
|---|---|
| Alabama | 8 |
| Alaska [1] [2] | 1 |
| Arizona [2] | 3 |
| Arkansas [2] | 4 |
| California | 38 |
| Colorado [2] | 4 |
| Connecticut | 6 |
| Delaware [1] [2] | 1 |
| Florida | 12 |
| Georgia | 10 |
| Hawaii [2] | 2 |
| Idaho [2] | 2 |
| Illinois | 24 |
| Indiana | 11 |
| Iowa | 7 |
| Kansas [2] | 5 |
| Kentucky | 7 |
| Louisiana | 8 |
| Maine [2] | 2 |
| Maryland | 8 |
| Massachusetts | 12 |
| Michigan | 19 |
| Minnesota | 8 |
| Mississippi [2] | 5 |
| Missouri | 10 |
| Montana [2] | 2 |
| Nebraska [2] | 3 |
| Nevada [1] [2] | 1 |
| New Hampshire [2] | 2 |
| New Jersey | 15 |
| New Mexico [2] | 2 |
| New York | 41 |
| North Carolina | 11 |
| North Dakota [2] | 2 |
| Ohio | 24 |
| Oklahoma | 6 |
| Oregon [2] | 4 |
| Pennsylvania | 27 |
| Rhode Island [2] | 2 |
| South Carolina | 6 |
| South Dakota [2] | 2 |
| Tennessee | 9 |
| Texas | 23 |
| Utah [2] | 2 |
| Vermont [1] [2] | 1 |
| Virginia | 10 |
| Washington | 7 |
| West Virginia [2] | 5 |
| Wisconsin | 10 |
| Wyoming [1] [2] | 1 |

[1] 5 States with 1 Representative.

[2] States with 5 or fewer Representatives, 23.

[1] 5 States with 1 Representative.

[2] States with 5 or fewer Representatives, 23.

Mr. GRUENING. Mr. President, let us look at this disparity in State delegations in the House of Representatives and see what it means in terms of the legislative process.

In the other body, 10 States—California, Illinois, New York, Pennsylvania, New Jersey, Michigan, Ohio, Massachusetts, Indiana, and Maryland—command 219 votes, enough to pass or block any legislation deemed disadvantageous to their States' best interests. No special significance should be attached to my singling these particular States out for special mention. Other combinations of States are possible with substantially the same effect.

In the Senate, on the other hand, under existing rules, it would take the Senators from 17 States—not 10, as at the other end of the Capitol—to block legislation, and it would require the Senators from 26 States—not 10, as in the House, to enact legislation.

This has long been the deliberately conceived and established delicate balance between the interests of the States and the various population segments of the United States. This system of checks and balances, which lies at the very core of our system of government, and permeates every phase of it, cannot be disturbed without far-reaching consequences, consequences the very nature of which no one can foretell.

Not all matters upon which we act in Congress have equal effect throughout the country. Certain matters affect the rights and privileges of States as States. Thus States large in size but small in population—such as my own State of Alaska have on certain issues much in common with other large and underpopulated States. On other issues we would have interests in common with large, densely populated States.

The Constitution was framed to take into account these differences. One body was to represent the interests of the States; the other the interests of the people. The present Senate rules have been framed accordingly.

The roster of Senators who have been outstanding champions of unlimited debate is impressive. It includes our esteemed and only recently departed colleague, Joseph C. O'Mahoney, of Wyoming; James Couzens, of Michigan; George Norris, of Nebraska; Robert La Follette, of Wisconsin; Charles L. McNary, of Oregon; Dennis Chavez, of New Mexico; William Langer, of North Dakota, to name only a few, men of both parties, who have been classed as liberals.

Another was the great William E. Borah, of Idaho. Senator Borah once wrote:

> I am opposed to cloture in any form.

Senator Borah was an outstanding champion of every aspect of freedom. He had more to say about cloture, namely:

> I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate.
>
> There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington.

Senator Couzens, of Michigan, a Republican and a great liberal, wrote:

> When the importance of the occasion seems to demand it, all that has to be done is: 16 Senators making such a motion, same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required; otherwise the majority might ride roughshod over the minority at any time.

The late, magnificent champion of the rights of the people, Senator Joseph C. O'Mahoney, of Wyoming, a national figure, commented vigorously on the question of limitation of debate during the 1959 discussion on rules. His remarks about the opportunity to vote on rules is pertinent today. Senator O'Mahoney said:

> I have heard some of my colleagues say to the newly elected Senators that they never have had an opportunity to vote upon the Senate rules. Neither have they ever had an opportunity to vote on "Roberts' Rules of Order."

Senator O'Mahoney also was concerned about the possibility of sacrificing the constitutional principle that, in the Senate of the United States, the States shall be equal.

He sought to preserve the true meaning of free speech.

According to article V of the Constitution of the United States:

> No State without its consent shall be deprived of its equal suffrage in the Senate.

Today, the principle of equal suffrage exists and is at issue in the current debate. We should remember, as has been pointed out, that today's majority can be tomorrow's minority.

Many definitions of the word "liberal" have been written. One of my favorites is the Webster three-word explanation—"independent in opinion." We are in perilous days, indeed, if this should become an archaic definition, for the end of independence of opinion is the end of thought, and ultimately the end of progress. The end of independence of opinion is the first step toward mediocrity and torpid conformity.

Our Nation was born of independence of opinion, and that has continued to be one of its distinguishing marks and one of its most priceless assets.

So I am glad to take part in this historic debate and to express my independent opinion, which, I am not unaware, will not coincide with the opinions of some of my friends in the Senate and some of my friends outside of it.

But as Alexis deTocqueville, that perspicacious observer of, and commentator upon, the American scene, wrote:

> If ever the free institutions of America are destroyed, that event may be attributed to the unlimited authority of the majority.

During the 1959 debate, the late, intrepid Senator William Langer, of North Dakota, offered these thoughts on cloture:

> Mr. President, on March 11, 1949, I stated my position on rule 22 and again today (January 12) I reiterate the stand that I took 10 years ago. I was then and I am now unalterably opposed to any limitation of debate in the U.S. Senate, the only legislative body left in the world where a legislator can freely debate the merits of all issues.

Throughout the history of this Nation, there have arisen occasions when the need to "freely debate the merits and demerits of all issues" has arisen.

In his Pulitzer prize-winning book, "Profiles in Courage," President Kennedy described the filibuster by Senator George Norris against President Woodrow Wilson's proposed armed ship bill, in 1917.

Senator Norris and Senator Robert La Follette, Sr., used the filibuster technique to prevent armed neutrality.

> Senator Norris was fearful—

Wrote President Kennedy—

> of the bill's broad grant of authority, and he was resentful of the manner in which it was being steamrollered through the Congress.

The House had approved the armed ship bill by a vote of 403 to 13.

Senator Norris held up passage of the bill until the 64th Congress expired on March 4, following 2 days of filibuster, because he wanted the proposed legislation to receive careful consideration. As history recounts, the armed ship bill was passed shortly after the 65th Congress convened, and Senator Norris joined to vote in favor of the 1917 Senate cloture rule.

Senator Norris had used that technique to focus attention on a bill he felt had been insufficiently considered in the legislative chamber designed for free and open debate on all subjects.

Many Members of this body have supported free debate. Senator Langer on March 11, 1949, recalled that Senator Charles L. McNary, when minority leader of the Senate, told him that "in his judgment one of the greatest safeguards of democracy was the fact that the right of unlimited debate exists in this Chamber."

Senator Langer also noted that he had received from Senator La Follette identical advice not to sign the cloture petition

I have previously cited Senator Norris' use of the filibuster against the armed ship bill which failed. Later, he was to use extended debate to prevent the U.S. Government from selling Muscle Shoals. Without Senator Norris, the great Tennessee Valley Authority might not have come into being.

This same deliberative filibuster procedure enabled the Senate to keep President Harry Truman from having the striking railway workers drafted into the Army. The House had rushed that hastily and unwisely conceived proposal to passage by an overwhelming vote of 306 to 13, following less than 3 hours of debate. The Senate killed the draft provision.

During the 1959 debate, Alaska's good friend, our recently departed colleague, Senator Dennis Chavez, of New Mexico, said:

> I personally do not think I would be here in the Senate and I do not believe that my colleagues from the State of Arizona would be in the Senate, if the Senate were as limited in debate as the House is. The big States would have blocked us. When the Senate was created, the Founding Fathers had the idea that, irrespective of how much population any State, the State of Illinois, might have, for example, each State should have equal representation in the Senate, now and forever.

George Washington correctly compared the Senate to the saucer which cools the hot coffee of the other body.

Mr. President, I deplore the fact that this fight to change the cloture rule has been oversimplified into a fight "for" or "against" civil rights.

During my period as editor, as Governor of the Territory of Alaska, and as a Member of the U.S. Senate, my record as a champion of individual rights, freedoms, and civil rights through the years speaks for itself. I admit freely that freedom of debate and the difficulty of applying cloture have been used in the past to block the passage of legislation deemed by many essential to insure the full exercise by all citizens of their constitutional rights, without regard to race, creed, or color.

But I remind my colleagues that the passage of civil rights legislation in 1957 was accomplished without applying cloture, and that cloture was applied last year on an issue involving economic rights.

Cloture has been applied in the past, and I have no reason to doubt it will be applied in the future.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a list of Senate votes on applying cloture, which has been prepared by the Legislative Reference Section of the Library of Congress.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

*Senate votes on cloture*[1]

| Congress | Session | Date | Subject | Senator offering motion | Yeas | Nays | CONGRESSIONAL RECORD | | Cloture |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Vol. | Page | |
| 66 | 1 | Nov. 15, 1919 | Treaty of Versailles | Lodge | 76 | 16 | 58 | 8555–56 | Yes. |
| 66 | 3 | Feb. 2, 1921 | Emergency tariff | Penrose | 36 | 35 | 60 | 2432 | No. |
| 67 | 2 | July 7, 1922 | Fordney-McCumber tariff | McCumber | 45 | 35 | 62 | 10040 | No. |
| 69 | 1 | Jan. 25, 1926 | World Court | Lenroot | 68 | 26 | 67 | 2678–79 | Yes. |
| | | June 1, 1926 | Migratory-bird refuges | Norbeck | 46 | 33 | 67 | 10392 | No. |
| 69 | 2 | Feb. 15, 1927 | Branch banking | Pepper | 65 | 18 | 68 | 3824 | Yes. |
| | | Feb. 26, 1927 | Retirement of disabled emergency officers of the World War | Tyson | 51 | 36 | 68 | 4901 | No. |
| | | Feb. 26, 1927 | Colorado River development | Johnson | 32 | 59 | 68 | 4900 | No. |
| | | Feb. 28, 1927 | Public buildings in the District of Columbia | Lenroot | 52 | 31 | 68 | 4985 | No. |
| | | Feb. 28, 1927 | Creation of Bureau of Customs and Bureau of Prohibition | Jones (Washington) | 55 | 27 | 68 | 4986 | Yes. |
| 72 | 2 | Jan. 19, 1933 | Banking Act | Robinson | 58 | 30 | 76 | 2077 | No. |
| 75 | 3 | Jan. 27, 1938 | Antilynching | Neely | 37 | 51 | 83 | 1166 | No. |
| | | Feb. 16, 1938 | do | Wagner | 42 | 46 | 83 | 2007 | No. |
| 77 | 2 | Nov. 23, 1942 | Antipoll tax | Barkley | 37 | 41 | 88 | 9065 | No. |
| 78 | 2 | May 15, 1944 | do | do | 36 | 44 | 90 | 2550–51 | No. |
| 79 | 2 | Feb. 9, 1946 | FEPC | do | 48 | 36 | 92 | 1219 | No. |
| | | May 7, 1946 | British loan | Ball | 41 | 41 | 92 | 4539 | No. |
| | | May 25, 1946 | Labor disputes | Knowland | 3 | 77 | 92 | 5714 | No. |
| | | July 31, 1946 | Antipoll tax | Barkley | 39 | 33 | 92 | 10512 | No. |
| 81 | 2 | May 19, 1950 | FEPC | Lucas | 52 | 32 | 96 | 7300 | No. |
| | | July 12, 1950 | do | do | 55 | 33 | 96 | 9982 | No. |
| 83 | 2 | July 26, 1954 | Atomic Energy Act | Knowland | 44 | 42 | 100 | 11942 | No. |
| 86 | 2 | Mar. 10, 1960 | Civil rights | Douglas and Javits | 42 | 53 | 106 | [2] 4763 | No. |
| 87 | 1 | Sept. 19, 1961 | Amend rule XXII | Mansfield and Dirksen | 37 | 43 | 107 | 20147 | No. |
| 87 | 2 | May 9, 1962 | Literacy test for voting | do | 43 | 53 | 108 | [2] 7444 | No. |
| | | May 14, 1962 | do | do | 42 | 52 | 108 | [2] 7659 | No. |
| | | Aug. 14, 1962 | Communications Satellite Act | do | 63 | 27 | 108 | [2] 15409 | Yes. |

Mr. GRUENING. Mr. President, prior to 1917, the Senate had no rule regarding cloture. This did not appear to impede permanently the progress of legislation desired by the majority. According to a Library of Congress analysis, of 35 filibustered bills before the Senate from 1865 through 1946, 21 later passed. Congress has a way of passing proposed legislation which comes before it more often than not.

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[1] Many cloture petitions have also been withdrawn or held out of order since 1917.

[2] Daily.

Mr. President, I ask unanimous consent that the Legislative Reference table detailing the history of the 35 bills previously referred to be reprinted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Later action on 35 filibustered bills*

| Bills | Filibustered | Passed | Not passed (10) |
|---|---|---|---|
| Reconstruction of Louisiana | 1865 | 1868 | |
| Election laws | 1879 | 1909 (repealed) | |
| Force bill | 1890-91 | | X |
| River and harbor bills (3) | 1901, 1903, 1914 | At intervals | |
| Tristate bill | 1903 | 1907, 1912 | |
| Colombian treaty | 1903 | 1903 [1] | |
| Ship subsidy bills (2) | 1907, 1922-23 | 1936 | |
| Canadian reciprocity bill | 1911 | 1911 [1] | |
| Arizona-New Mexico statehood | 1911 | 1912 (admitted) | |
| Ship purchase bill | 1915 | 1916 | |
| Armed ship bill | 1917 | | X |
| Mineral lands leasing bill | 1919 | 1920 | |
| Antilynch bills (3) | 1922, 1935, 1937 | | X |
| Migratory bird conservation bill | 1926 | 1929 | |
| Campaign investigation resolution | 1927 | 1927 [1] | |
| Colorado River bills (2) | 1927, 1928 | 1928 [1] | |
| Emergency officers retirement bill | 1927 | 1928 | |
| Washington public buildings bill | 1927 | 1928 | |
| Resolution to postpone national-origins provisions of immigration laws | 1929 | 1929 | |
| Oil industry investigation | 1931 | 1935 | |
| Supplemental deficiency bill | 1935 | 1936 | |
| Prevailing wage amendment to work relief bill | 1935 | 1936 | |
| Flood control bill | 1935 | 1936 | |
| Coal conservation bill | 1936 | 1937 | |
| Anti-poll-tax bills (4) | 1942, 1944, 1946 1948 | | X |
| FEPC bill | 1946 | | X |

[1] In special or subsequent sessions.

NOTE.—Numerous appropriation bills—at intervals—passed in special or later sessions.

Source: "Limitation on Debate in the Senate." Hearings before the Committee on Rules and Administration, U.S. Senate, 81st Cong., 1st sess., on resolutions relative to amending Senate rule XXII relating to cloture, January and February 1949, p. 42.

Mr. GRUENING. Mr. President, members of our great political parties have utilized the filibuster privilege for what they deemed important. I have not agreed, and in the future undoubtedly will not agree, as to the importance of all matters. At other times I may be on the other side of the filibuster question.

The Senate has the tools with which to work. Let us use the tools we have, and move ahead.

To sum up, Mr. President, 4 years ago this month, at the beginning of the 86th Congress and at the start of my senatorial service, the issue of changing rule XXII was before us. The alternatives then presented were: First, keeping the existing requirement of two-thirds of the total membership in order to apply cloture; second, changing it to two-thirds of those present and voting; third, changing it to three-fifths of those present; and fourth, changing it to a straight majority.

I was willing then to modify the existing procedure of cloture by two-thirds of the total membership to two-thirds of those present and voting, because I could not see the logic or justice of counting the votes of those absent.

But, Mr. President, beyond the change to invoke cloture by two-thirds of those present, I would not go. And my colleagues will recall that this amendment was adopted by a vote of 72 to 22. The current efforts are to reduce it, by the Anderson amendment, to three-fifths of the Senators present and voting, or, by the Humphrey amendment, to reduce it to a straight majority.

Then, as now, the reasoning for the further reduction had been largely premised on the need for civil rights legislation. Well, we had enacted civil rights legislation both before and after this change of 4 years ago—in the 85th Congress, when the requirement for cloture called for two-thirds of the total membership, and thereafter in the 86th Congress, when the requirement had been modified to require two-thirds of those present and voting. And while these two civil rights bills did not go as far as I would have liked, they were enacted after full debate and represented the reasoned and fully aired sentiments of the majority of the Senate.

I felt then and do now that issues other than civil rights are involved. A wave of hysteria, a recrudescence of McCarthyism, a sudden wave of national alarm, might sweep across the country, might panic the easily panicked, might stampede the doubting, and, as in the past, on previous occasions in the other body, cause the enactment of hasty and ill-considered legislation.

The Senate, under existing rules, will remain a safeguard and bulwark against such a calamity, although not an absolutely certain one, as I feel was demonstrated in the debate in the last session on the communications satellite legislation. My views have not changed in these 4 years. Indeed, they have been reinforced by what happened in the 2d session of the 87th Congress. Let me review that event briefly.

We had before us the first venture into the tremendous, vast and almost unexplored and unknown realm of space. It was the satellite communications bill. It came to Congress from the White House and carried the impressive authority of originating with the Nation's Chief Executive, the President of the United States. The bill had been passed by the House by the overwhelming majority of 354 to 9, after a discussion for only a part of 2 days.

It was by a similarly overwhelming vote, 306 to 13, some years earlier that the House had rushed through a measure, likewise originating with the President of the United States, which contained a section which would conscript striking railway workers and put them into the Army, where they would be subject to court-martial and similar military discipline. But on that occasion, as I pointed out earlier in my remarks, the Senate, after prolonged debate, was able to defeat this section of the bill—section (e)—effecting a decision which few today, including the Members of the House who voted for it, could now question.

The railroad workers' conscripting bill, in the judgment of the Senate, constituted a fundamental attack on freedom. It was an attack on the right of workingmen to strike. It was defeated because of the freedom to debate at length in the Senate. That freedom of virtually unlimited speech in the Senate defeated the move to destroy the freedom of freemen to exercise their rights under our Constitution and proceed against what they considered unjust working conditions.

Mr. ERVIN. Mr. President, would it interrupt the Senator's train of thought if I should ask him a question?

Mr. GRUENING. I am happy to yield to my friend the Senator from North Carolina.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be permitted to make an observation on a subject which the able Senator from Alaska has been discussing without his losing the privilege of the floor or being prejudiced in any way by my observation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. I was a Member of the House of Representatives at the time a bill was proposed to draft railroad workers into the Army. There had been a strike in the coal mines for 5, 6, or 7 weeks. As a result, a great deal of hysteria had been promoted in our country. The railroad brotherhoods had voted to go out on strike on a certain day. The President of the United States came to Congress and delivered an address to a joint session urging the enactment of a bill, which was immediately thereafter introduced in the House and forthwith considered.

Under the rules of the House of Representatives the discussion was limited to a comparatively few minutes. The House passed the bill by an overwhelming majority vote. Ever since, I have regretted that in the hysteria of the moment I voted for that bill. My vote for that bill represents the very worst vote I have ever cast as a member of a legislative body.

Shortly after the bill had passed and I had about 5 minutes to think about it, I realized that in voting for that bill, I had voted to impose involuntary servitude upon men who were entitled to be freemen, and who should not have been compelled to work if they felt their surrounding working conditions were not appropriate.

As the Senator from Alaska has so well stated, under the Senate rules one Senator could interpose an objection to the immediate consideration of that bill. When the request was made in the Senate to consider that bill for immediate passage, a Senator objected. As a consequence of that objection, there could be no immediate action on the bill. After Senators really had an opportunity to analyze the bill, they were against it, and it failed of passage.

I appreciate the fact that the Senator has put his finger squarely on the danger of a great wave of popular sentiment which sweeps legislators off their feet, as it does all other human beings at times, so that they do not think correctly.

With reference to the communications satellite bill passed by the Senate last year, although I favored that bill, I voted against silencing Senators who were opposed to it because I knew they were sincere. For that reason I felt they ought to be permitted to present their cause as they saw it to the Senate until they felt that they had had an adequate opportunity at least to educate those of us who were inclined to vote for the bill.

The Senator has presented a magnificent example of the danger of hasty cloture in both of his illustrations.

Mr. GRUENING. I thank my friend from North Carolina. His repentance for his unwise vote in the House has been suitably rewarded by his promotion to the Senate, where he can again exercise his restraining vote when such hasty legislation should come over.

Mr. ERVIN. Mr. President, will the Senator yield further under the same conditions?

Mr. GRUENING. I yield.

Mr. ERVIN. During my service in the House I wished to speak on what I thought was the most important bill that came before the House during the brief time I was there. That bill related to the importance of keeping the armed services strong at the end of World War II, when Stalin was virtual dictator of Russia. In order to express my views, which were out of harmony with those of the majority of the House, I had to apply to both parties to get time to speak. As the Senator knows, in the House a Member can ordinarily get only 5 minutes at best, to speak. I was able to get 4½ minutes to speak on the most crucial question that came before the House during that time by borrowing 2½ minutes from the Democratic majority and 2 minutes from the Republican minority. That was the only speech I could make on an issue which I thought was essential to the very preservation of our country.

Mr. GRUENING. The Senator has adduced further convincing evidence of the superiority of our system of operating in this body as contrasted with the hasty, controlled, and limited opportunities to speak which exist in the other body.

In the satellite communications case, the bill, as passed by the House with no significant amendments—although a number were offered—turned over the entire field of space communication to one company. In the name of free enterprise it established a monopoly. It established a monopoly in an area far larger than the planet on which we live whose potential man had barely begun to explore. It gave this one company—A.T. & T.—virtually unrestricted and unlimited authority. It gave the company the power to negotiate with sovereign nations concerning their potential space communication program—a prerogative that should have been vested in the Government of the United States. It provided, in the judgment of those of us who wanted to examine the legislation painstakingly, no adequate regulation as to the future character or cost of the service to be rendered.

It provided, in our judgment, no adequate protection for the taxpayers who had already invested hundreds of millions of dollars in a Government program preliminary to this enterprise, such as the launching of the satellite. It provided no adequate protection, either, as to future expenditures. We felt that the people of the United States were entitled to a number of safeguards and these were proposed in the form of amendments which attempted to provide such protection.

We had no objection to having the chosen instrument of this legislation operate the satellite. But we questioned, as I am confident we all still do—and as I know many House Members who voted for the bill now do—the wisdom of giving this company a blank check on the U.S. Treasury and on international negotiations.

We objected to the exclusion for all time, of possible competition—competition or regulation being traditionally hailed as one of the built-in essentials of our free enterprise system. We felt, in the absence of such competition, adequate provisions for regulation should be included and various other such safeguards. The evidence was for us conclusive that the FCC would not regulate adequately. Thus neither competition nor regulation existed as safeguards against monopolistic abuses.

What happened? Cloture was moved and voted in great haste under the prevailing rule—that of two-thirds of those present and voting. And, under this gag rule, every vital amendment proposed by colleagues, who I think we will agree are responsible Members of our body, was voted down.

Let me recall, for the record, the names of those who wanted further debate, consideration and amendment, and were not satisfied with the bill:

Senators Bartlett, of Alaska; Burdick, of North Dakota; Carroll, of Colorado; Church, of Idaho; Clark, of Pennsylvania; Douglas, of Illinois; Gore, of Tennessee; Gruening, of Alaska; Kefauver, of Tennessee; Long, of Louisiana; McNamara, of Michigan; Morse, of Oregon; Moss, of Utah; Neuberger, of Oregon; Yarborough, of Texas. They represented every section of our country.

Under the cloture gag, there was not adequate time to discuss many of these amendments, and so this legislation, of such tremendous import—unchanged and unmodified—was steamrollered through.

One of our Senate leaders in the present proceedings to change the rules and make cloture easier—one for whom I have the greatest respect, admiration, and affection, although I disagreed emphatically with his procedure on the satellite communications bill—said, in the course of the current debate on changing the Senate rules last Wednesday:

> Let's get back to the principle of free speech. Nobody is talking about curbing free speech. No one is talking about denying the right to debate every question at length.

Well, less than a year ago, on this very important measure, free speech was curbed in the Senate. Fifteen of us were denied the right to debate every question at length.

Mr. President, I shall vote against any measure to diminish the right of extended debate. I shall again support the reform that was proposed by Vice President LYNDON JOHNSON, then majority leader, and adopted 4 years ago by a vote of 72 to 22, by which debate can be brought to a close by a vote of two-thirds of those present and voting. We need it to protect the public interest, and as has been demonstrated, even this procedure does not protect it fully, as it did not last year in the 87th Congress.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to my colleague.

Mr. RUSSELL. Mr. President, I am proud to have this opportunity to express my profound admiration for the courage and statesmanship of the Senator from Alaska for the position he has taken and for the very able speech he has delivered.

I know something about the political pressures that are brought to bear in this country. I know something about the views of the Senator from Alaska on many political issue. His political philosophy is often in harmony with the positions taken by those who oppose us in this effort to bring about gag rule in the Senate.

This has not been an easy speech for the Senator from Alaska to make, and it is not an easy position for him to take. He is entitled to great credit for the courage and statesmanship that he displays.

There have been many instances when the Senator from Alaska and I have disagreed on legislative matters. But we are certainly in complete accord in the position that the issue now before the Senate transcends in importance any single specific bill or proposed legislation in any specific field that could come before this body.

It so happened that I differed with the Senator from Alaska on the so-called communications satellite bill, but I voted to give—and stated that I favored giving—those who opposed that bill the fullest opportunity to present their views to the country.

When one is in a position of opposing a bill of that kind, it takes a long time to get his views to the country. I say, with all respect to the press, that when a bill of that kind is being pressured and the cry of "filibuster" has gone out, the press seldom carrys to the people substantial coverage of the views of honest and sincere Senators who stand on the floor and oppose the bill. Unless those Senators have a long time to speak, and to speak often, they cannot possibly get their views across. They must depend either upon the CONGRESSIONAL RECORD or upon mail-outs of speeches to the country, to inform the people of their position.

I differed with the Senator on that particular bill, but I voted against suppressing his right to speech by imposing the gag rule of cloture. Time may well prove that the distinguished Senator and the little minority who stood with him against that bill were correct and those of us who supported it were wrong.

There has been instance after instance in the proud history of this body—this once untrammeled Senate, before there were so many pressure groups in the country to pressure Senators on their views—when the minority has made a fight which history proved to be correct even though they lost when the vote was taken. That could well be true in regard to the satellite bill.

The Senator referred to the quick vote amendments after cloture was imposed. I believe the Senator served in the House of Representatives as the Delegate from Alaska before Alaska achieved statehood.

**Mr. GRUENING.** No, I was a Tennessee plan senator before I was duly elected to the Senate.

**Mr. RUSSELL.** The Tennessee plan has now been vindicated.

In the other body, even in cases of vital importance, under the terms of certain rules, a Member of the other body cannot even offer an amendment, much less have an opportunity to speak. I was astounded the other day to hear one of the eminent movers of the proposal to gag the Senate use the House of Representatives and its rules as an illustration of rules we should follow in our proceedings here. Do Senators wish to adopt a course that could deny to them the right even to offer an amendment to a bill? Do Senators wish to follow a course which will lead to the requirement of Senators being forced to beg for 2 or 3 minutes time to speak on a bill which is regarded as being of vital importance to the country, as was illustrated by the Senator from North Carolina?

If Senators wish those things to occur, they can keep on following these pressure groups that push them to vote for rules changes of the kind proposed.

There has been an unfortunate tendency to equate this fight with the views which individual Senators may hold on certain specific pieces of proposed legislation. There could not be anything more damaging to the country, anything to threaten us more surely with disaster, than for the Senate to undertake to frame rules that would enable us to hurriedly pass some one specific piece of proposed legislation.

Doubt it not, my colleagues. If ever that is adopted, the day will come when the Senators responsible for the change will be on the receiving end and will curse the day they were enticed into taking a position that the Senate of the United States should ever be subjected to gag rule.

The Senate was not designed to be gagged. It was designed to protect the States, both small and large. I have suffered through long debates with which I did not agree. Sometimes the Senate brings us many frustrations in that respect, but it is better to endure those long speeches with which we disagree than to destroy the last place in Government where minorities and States—particularly the small States—can make themselves heard.

At times legislation may be rushed through the House of Representatives under the pressure of a popular President, or a powerful President, or a ruthless political party organization. There may be times when those in high positions in the executive branch of Government may be corrupted. But so long as there is free debate on this floor there is hope for the perpetuity of our institutions and morality and honesty in administration. In the matter of time we have moved far from the tyranny which gave birth to our wonderful system of free government, perhaps so far that people do not really appreciate what tyranny can mean and the suffering and sorrow that this loss of individual rights and liberties can bring. We are prone to take them as much for granted as the water we drink or the air we breathe. But every one of those rights was earned by the blood and sacrifice of generations who have gone before. Now it is proposed that future generations should not have the same means to defend those rights on the floor of the Senate that we have heretofore enjoyed.

Mr. President, the day could well come when this floor will be the last place in this Government that tyranny can be opposed, and corruption exposed.

I hope the Senate will never yield to this demand for a violent change in its rules and procedures in the cause of specific legislation, and close the door to the one place where men of sincerity and conviction can rise to their feet and appeal to the American people not to follow the demagogue, not to follow those who paint the mirage of something for nothing. Let us defend the Senate as a place of last resort for the defense of rights of minorities against a ruthless majority. This floor is the one place where that right exists today. It is the only place where it can be preserved. It is in our keeping.

I salute again the courage and the statesmanship of the Senator from Alaska for making this splendid presentation of the importance of maintaining this Senate as a place where Senators may discuss with their equals, without gags or fetters, the merits or demerits of vital issues.

**Mr. GRUENING.** I am very grateful to my colleague the senior Senator from Georgia. I deeply appreciate the pertinence, eloquence, and validity of what he has said.

**Mr. HILL.** Mr. President, will the Senator yield?

**Mr. GRUENING.** It is a pleasure to yield to the distinguished Senator from Alabama.

**Mr. HILL.** Let me commend and congratulate the Senator for the very fine, courageous, and inspiring speech he has made here today to protect free debate in the Senate and to preserve the rights of the States and the liberties of the people back home in the States. I certainly strongly congratulate and commend him.

**Mr. GRUENING.** Well, I think the discussion that has taken place this year, and that which took place 4 years ago, at least in my judgment, would lead inevitably to the conclusion that there was far more involved than the civil rights issue with which the cloture fight has been so much identified. I am partisan in my desire to want full civil rights granted. I have not been satisfied with the civil rights which have been afforded by existing civil rights legislation, but I think this issue of ample debate and cloture transcends the civil rights issue. It is far more important. As the distinguished Senator from Georgia [Mr. RUSSELL] has said, it is the most important single issue that can come before this body—the right to maintain the freedom of unlimited debate, and to act as a safeguard against hasty, ill-considered, panicky, unwise, unjust, and oppressive legislation, which we have seen happen, and on which occasions the Senate has served as a safeguard, as a shield, and as a bulwark to prevent it from being finally enacted into law.

Mr. President, I yield the floor.

**Mr. EASTLAND** rose.

**Mr. HILL.** Mr. President, I suggest the absence of a quorum.

**The PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

**Mr. HUMPHREY.** Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. EASTLAND.** Mr. President, I certainly desire to join with the senior Senator from Georgia and the senior Senator from Alabama in the statements they have made about the speech of the distinguished Senator from Alaska. It was one of the ablest speeches ever made in this body on this subject. It was convincing and I think has made a real contribution to the question.

Mr. President, when I concluded my remarks Thursday, a week ago, in opposition to the motion to take Senate Resolution 9 off the calendar for consideration of the Senate, I was in the process of reviewing historical material demonstrating that the Senate had been a continuing body since its inception. I quoted from the report of the U.S. Constitution Sesquicentennial Commission, entitled "History and Formation of the Union Under the Constitution," wherein it was described that the act of the first convocation of the U.S. Senate was the election of a President of the Senate; then the tabulation of the electoral vote for a President and Vice President of the United States, and after inauguration of a Vice President, this Congress organized the Supreme Court and the necessary inferior courts. This history then goes on to describe what the Senate then did, in this language:

> It adopted complete rules for the government of the Senate. These rules remained substantially unchanged. There we find the rule providing for unlimited debate which has made of the Senate the greatest deliberative body on earth.

## ORDER FOR RECESS UNTIL 10 A.M. ON MONDAY NEXT

**Mr. MANSFIELD.** Mr. President, will the Senator yield briefly, without losing his right to the floor?

**Mr. EASTLAND.** I am glad to yield, with that understanding and also with the understanding that if I speak again on the pending question my remarks will not be counted as a second speech.

**The PRESIDING OFFICER** (Mr. KENNEDY in the chair). Is there objection? The Chair hears none, and it is so ordered.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that when the Senate recesses today, it recess to meet at 10 o'clock, a.m., on Monday next.

**The PRESIDING OFFICER.** Without objection it is so ordered.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

**Mr. EASTLAND.** Mr. President, I know of no single document that more effectively controverts the position taken by the proponents of Senate Resolution 9 and the substitute that has been proposed thereto than does this simple statement by these scholars who compiled the "History of the Formation of the Union Under the Constitution." The universal practice of the Senate from the day that the complete rules for its government were adopted until the present demonstrate both the continuing nature of the rules and the right of unlimited debate which existed up until the time the limitation was placed into the rules of the Senate by a majority vote on March 8, 1917.

I would like now to develop further the continuity of the discussion that I was engaged in in my previous speech.

Any time the circumstances require a discussion of the nature and character of the Senate as a continuing body, I am compelled to repeat the eloquent statement made by our late and beloved colleague, Senator George, in the debate on the Wherry resolution in 1949. He said:

> In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.
>
> Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government. They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.
>
> Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two—from each State, wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent—not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.

Mr. President, the nature and character of the Senate as a continuing body has never been more succinctly and comprehensively described than it has in these words of Senator George.

Lindsay Rogers in his book, "The American Senate," describes its peculiar characteristics in the language of Senator Henry Cabot Lodge. He says:

> Furthermore, since the 6th day of April 1789, the upper Chamber, as Senator Lodge pointed out, "has never been, legally speaking, reorganized. It has been in continuous, and organized existence for 132 years, because two-thirds of the Senate being always in office, there never has been such a thing as the Senate requiring reorganization as is the case with each newly elected House. There may be no House of Representatives, but merely an unorganized body of Members elect; there may be no President duly installed in office. But there is always the organized Senate of the United States." It has had in full measure what Bryce called collective self-esteem; it has also shown, he might have added, individual self-esteem.

**Mr. ERVIN.** Mr. President, will the Senator yield for a question?

**Mr. EASTLAND.** I yield.

**Mr. ERVIN.** I am very much impressed by the Senator's reference to the constitutional provision which states that no State can be deprived of equal representation in the Senate. I should like to ask the Senator a question.

**Mr. EASTLAND.** Cannot be deprived, short of a revolution.

**Mr. ERVIN.** Yes. While the Constitution itself declares that each State shall be represented in the Senate by two Senators and that no State can be deprived without its consent of equal representation in the Senate, cannot the Senate itself render the right of a State to be represented in the Senate by two Senators an absolutely worthless right if it adopts a cloture rule by which other Senators can silence those two Senators?

**Mr. EASTLAND.** The distinguished Senator from North Carolina is correct. In that way a State can be deprived of its representation in the U.S. Senate.

**Mr. ERVIN.** Is it not true that the Senate could not only deny a State the right to have its two Senators represent it, but could also deny small States under the present House Rules the right to be represented for any practical purposes in the House of Representatives? Is this not true because Representatives can not ordinarily get an opportunity to speak in the House, for more than 5 minutes? These things being true, if the Senators of the small States were deprived of the right to speak in the Senate, then such States for all practical purposes would be deprived of representation in Congress. Is that not true?

**Mr. EASTLAND.** That is correct. Representation does not mean the right to sit here and look. That is not representation. It is the right to speak and to protect the rights of the people and to protect the sovereignty of the States. That is what is meant. That is what the Founding Fathers meant when the Constitution was adopted.

**Mr. ERVIN.** I should like to ask the Senator if it is not true that a State has no real representation in the Senate if its two Senators can be run over by a steamroller and silenced, or merely permitted to sit here or linger here after the steamroller has run over them?

**Mr. EASTLAND.** The Senator is correct. That certainly violates the Constitution of the United States.

Riddick in his book, "The United States Congress Organization and Procedure," states:

> The Senate is a continuing body as contrasted with that of the House. Legally, two-thirds of the Senators of the old Congress return to the subsequent new one without having to be reelected, but all Representatives must stand for reelection every 2 years. Thus the manner and extent of organizing each new Senate have not been established under the influence of definite breaks between each Congress as has been the experience of the House, nor have the parliamentary rules of the Senate been equally subjected to alterations. The Representatives readopt their old rules of procedure at the inception of each Congress, sometimes with slight modification, while the Senators have not given a general reaffirmation to their rules since 1789. The identical rules adopted by the Senate in the first Congresses have remained in force continuously with the exceptions of particular additions or abolishments from time to time. Any such changes are made by amending the rules to meet new needs of that august and esoteric group. Changes have not been frequent as seen by the fact that a codification of the accumulated alterations has occurred on only five different occasions.

Haynes in his work on the U.S. Senate says:

> The Senate, on the other hand, is a continuing body. It first effected its organization April 6, 1789, and there never since has been a time when the Senate as an organized body has not been available, at the President's summons or in accordance with the terms of its own adjournment, for the transaction of public business. The first

> rules, adopted only 10 days after the Senate came into being, have continued in force without reaffirmation until amended or abolished by the Senate. In contrast with notable revisions of the House rules, the few Senate revisions have been significant of no urgent spirit of revolt or reform; they have been authorized when the accumulation of changes through a long series of years made a new codification desirable.

Mr. President, we have stated time and time again in these debates that rule XXII of the Senate has no direct relation to so-called civil rights legislation, but that it is equally applicable and subject for use by any Senator in any area or field where he feels that proposed legislation is inimical to the interests of his State or to the people of the country. The late Senator Taft best stated the warning inherent in this character of thinking that a vote on rule XXII is a vote for or against civil rights when he stated during the rules debate in 1949:

> If we ever admit that Senators, in voting on rules, should permit their opinion on proposed legislation to determine their vote instead of the meaning of the rules, there would be no rules in the Senate, and we would be subject to the arbitrary wishes of a Presiding Officer and a majority of those present.

The issue as to the Senate being a continuing body is not legislation. It is a revolutionary plan to change the fundamental and basic character of the Senate as a legislative body.

While I see no reason why the Senate should be called upon to debate a self-evident fact based on the Constitution and its interpretation throughout the entire history of this country, I do feel deeply and sincerely that if the issue were put to a vote that the Members of this body would overwhelmingly declare that in their judgment the Senate is and always has been a continuing body.

Mr. President, another facet of the remarks that I previously made opposing any form of gag rule involved the discrimination that has been inherent in our Government since the formation of the Union wherein the power and influence of the larger States in the Union outweigh, overbear, and discriminate against the power and influence that is exercised by the smaller States in the Union. It is impossible to place too much emphasis on this gross discrimination that is demonstrated in the political history of this country by the overbalance of elected officials and appointees in the executive and judicial branches of the Federal Government from the larger States in the Union, as opposed to the elected officials and executive and judicial nominees who have resided in the smaller States of the Union. I have stated time and time again the self-evident fact that the Senate is the last political entity in the United States where the smaller States can effectively achieve and fight for their fair share of power and influence in directing the course that this Nation shall follow.

I have further pointed out that as more power is centered in Washington and as the influence of the Federal Establishment becomes greater and greater, it becomes more and more important for the smaller States to hold and cherish the prerogatives that give them both the right and the power to speak as coequals with all other States. Freedom from gag rule in the U.S. Senate is the greatest weapon that can exist and protect the smaller States and the people thereof from being completely swallowed up into the maw of federalization. Some of the old charts that I have previously prepared and which I mentioned in passing Thursday a week ago, demonstrating the extent of control by the larger States in the affairs of the Nation as opposed to the control and influence of the smaller States, have been recast in different terms and forms, and I am confident that this new information, although some of it is repetitious, will be of great interest to the Senate, and it should be of particular interest to the States which have been so completely lacking in representation in the executive and judicial branches of our Government.

Twenty-one citizens of the 5 largest States have been elected to 34 terms as President of the United States, while only 9 citizens of all the remaining States were elected to 10 terms. Two of the Presidents from smaller States, President Coolidge and President Truman, were elected to the Presidency after succeeding to the office from the Vice-Presidency.

As the population shifted, so did the Presidency. These 21 Presidents for 34 terms were supplied by 7 States when these States were among the top 5 in population. Only 13 States have seen their citizens elected President while the inhabitants of 37 States have been relegated to second-class citizenship. Three States alone—New York, Ohio, and Virginia—furnished 15 Presidents—counting Grover Cleveland once, not twice—for 25 terms.

Virginia, while one of the 5 largest States, monopolized the Presidency for 32 of the first 36 years of our Nation, but has not elected a President since it ceased to be one of the 5 largest States in the Union. New York elected 5 Presidents for 10 terms and Ohio elected 6 Presidents for 7 terms.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table showing that the five largest States have, through the history of our Nation, dominated the election of the President of the United States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

5 LARGEST STATES (AT THE TIME OF EACH PRESIDENTIAL ELECTION)

| State | Presidents | | Terms elected |
|---|---|---|---|
| | Number | Name | |
| Virginia | 4 | Washington, Jefferson, Madison, Monroe | 8 |
| Massachusetts | 1 | John Adams | 1 |
| Tennessee | 2 | Jackson, Polk | 3 |
| New York | 5 | Van Buren, Cleveland, Theodore Roosevelt, Franklin D. Roosevelt, Eisenhower. | 10 |
| Pennsylvania | 1 | Buchanan | 1 |
| Illinois | 2 | Lincoln, Grant | 4 |
| Total | 21 | | 34 |

REMAINING STATES

| State | Number | Name | Terms elected |
|---|---|---|---|
| Massachusetts | 3 | John Quincy Adams, Coolidge, Kennedy | 3 |
| Louisiana | 1 | Taylor | 1 |
| New Hampshire | 1 | Pierce | 1 |
| Indiana | 1 | Benjamin Harrison | 1 |
| New Jersey | 1 | Wilson | 2 |
| California | 1 | Hoover | 1 |
| Missouri | 1 | Truman | 1 |
| Total | 9 | | 10 |

Mr. EASTLAND. Mr. President, domination by the larger States does not stop at the Presidency, but also overshadows appointments to the Supreme Court and lower echelons of government and has done so since the first days of our Government. In 175 years 4 of our oldest States, ratifiers of our Constitution, have been honored with nothing more than the following Supreme Court and Cabinet appointments:

Delaware: The first State to ratify our Constitution; no Supreme Court appointments and five Cabinet appointments.

New Hampshire: One Supreme Court appointment and three Cabinet appointments.

Rhode Island: No Supreme Court appointments and only one Cabinet appointment.

Vermont: No Supreme Court appointments and three Cabinet appointments.

Almost half of the Supreme Court appointments went to the five largest States. Forty-nine citizens of the 5 largest States were appointed to the Supreme Court, while 54 appointments were doled out to the remaining States. Two hundred Cabinet appointments were awarded the 5 largest States while 216 were divided among the other 45 States. Included in these 216 appointments are the posts of Secretary of Agriculture and Secretary of the Interior, which are traditionally filled from rural areas only.

Thirty-seven States have been ignored in the election of Presidents.

Twenty-one States have never been represented on the U.S. Supreme Court. They are Alaska, Arizona, Arkansas, Delaware, Florida, Hawaii, Idaho, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Vermont, Washington, West Virginia, and Wisconsin.

Ten States have never received a Cabinet appointment. These States are Alaska, Arizona, Florida, Hawaii, Idaho, Montana, Nevada, North Dakota, South Dakota, and Wyoming. Nine of these ten States—all except Wyoming—have registered zero in each category—no Presidents, no Supreme Court appointments, and no Cabinet appointments.

For example, Idaho, a State for 72 years, has never been entrusted with executive or judicial authority in the affairs of our Nation. What a contrast with the State of New York, with 5 Presidents for 10 terms, 13 Supreme Court appointments, and 63 Cabinet appointments; or with Virginia, with 4 Presidents for 8 terms, 5 Supreme Court appointments, and 26 Cabinet appointments; or with Ohio, with 6 Presidents for 7 terms, 9 Supreme Court appointments, and 26 Cabinet appointments; or with Massachusetts, with 4 Presidents for 4 terms, 8 Supreme Court appointments, and 33 Cabinet appointments.

States that which once were large, but since have faltered in the population race, can anticipate the same treatment in the future as that received in the past by Idaho, Arizona, Florida, Montana, Nevada, North Dakota, and South Dakota.

I do not pretend to argue that the Senate alone can effectively achieve a rebalance of distribution in nominations and appointments to the executive and judicial branches of our Government. That result must be achieved by a more fundamental change in our consitutional processes. I do, however, state without fear of contradiction that the present U.S. Senate, because of its character and organization, is the only place where the people who reside in the smaller States can receive the character of representation and speak with the voice and exercise the power that the Constitution was designed to provide for them. The Senate as now constituted gives to the small States a lever whereby they can negotiate with the Federal Government from a position of strength, rather than one of weakness. A further limitation on free debate in the Senate would erode that position of strength, and would tend to make the voice of the smaller States weaker and weaker in the operation of the affairs of the Federal Government in the executive and judicial departments, as well as in that of the legislative branch of our federal system.

Mr. President, with further reference to the U.S. Senate as a continuing body, I should like to refer to the literal language of the Constitution, to point out the provisions which unquestionably define and delineate the nature and character of the Senate and demonstrate how widely the Senate differs in organization and nature from the House of Representatives:

> ARTICLE I, SECTION 3
>
> The Senate of the United States shall be composed of two Senators from each State, * * *.
>
> Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the Second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year. * * *
>
> The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.
>
> * * * * *
>
> The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate, which has the power to ratify treaties negotiated by the President, and to confirm Presidential nominations for executive offices is always at the beck and call of the President.

Prior to the enactment of the 20th amendment, when Congress expired on March 4, and a President took office on that day, there was no organized legislative body to do business, nor would there have been until the first Monday in December next. It was the practice of the outgoing President to call a special session of the Senate for March 4, so it would be in readiness to confirm the appointments of the new President to the Cabinet and to other posts.

Both the original Constitution and the 17th amendment provide that a State executive can make a temporary appointment to fill any vacancy in the representation of any State in the Senate. The same power of executive appointment does not extend to a Member of the House of Representatives, who can be designated only by a special election.

The following sections of the Constitution require affirmative votes by more than a bare majority of the Members of the Senate:

Article I, section 5, provides that a Member of the Senate can be expelled only with the concurrence of two-thirds.

Article II, section 2, gives the President the power to make treaties, with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

Article V provides no State without its consent shall be deprived of equal suffrage in the Senate. Article V also provides that a two-thirds vote of both Houses is required to propose amendments to the Constitution, or that, on the application of the legislatures of two-thirds of the several States, Congress shall call a convention for proposing amendments. For ratification, a majority of three-fourths of the legislatures of the several States is required or, if by convention, three-fourths thereof. No President, Vice President, or civil officer of the United States can be removed from office following impeachment without the concurrence of two-thirds of the Senate sitting in trial.

It is the continuing nature of the Senate that in a very definite sense carries with it the corollary that in the world's greatest deliberative body there should be full, free, and untrammeled debate on any public issue. These provisions of the Constitution make a Senator an ambassador of a sovereign State, and give to him the free right to place before the Senate and people of the Nation the problems which involve the life and welfare of the people he represents. They make the Senate a court of States, as was originally designed in the Constitution. The Senate is the ultimate shield against the tyranny of transient majorities. Majorities at any given moment are more often wrong than right. Every government which protects freemen must guarantee certain basic rights without which no man can be free. Each man has the right of freedom of speech, freedom of the press, liberty, and the pursuit of happiness. To these fundamental guarantees, the right of unlimited debate is a great safeguard. To adopt majority cloture would be to change the character of our basic government itself. The unalienable rights proclaimed by Jefferson in the Declaration of Independence were rights which were inherent in the individual citizen. They cannot be nationalized. They start at the bottom, not at the top. Free debate safeguards these rights.

The principle of free debate in the Senate has been endorsed by many of our great leaders in the past, among them Thomas Jefferson, Henry Clay, James Buchanan, Abraham Lincoln, Woodrow Wilson, and many of our modern leaders. Thomas Jefferson stated his view on limited debate and the majority rule in this language:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.
>
> All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to the rightful, must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.

Woodrow Wilson, one of our greatest students of constitutional government and the political system under which this Government operates, had this to say in his book "Congressional Government," page 22:

> An attempt was once made to bring the previous question into the practices of the Senate, but it failed of success, and so that imperative form of cutting off all further discussion has fortunately never found a place there.

On page 485 of "Congressional Government" President Wilson again says:

> The Senate can afford to do without any cloture or previous question.

On page 219 of "Congressional Government" President Wilson explained the reason for his belief in unlimited debate:

> Still, though not much heeded, the debates of the Senate are of great value in scrutinizing and sifting matters which come up from the House. The Senate's opportunities for open and unrestricted discussion and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revision.

Regardless of what later views President Wilson might have adopted, as a scholar and a historian he recognized and stated in most powerful terms the inherent value and safeguard that was lodged in the U.S. Senate when it was given complete and unlimited freedom for Senators—debate without a gag rule. The vast consolidation of our Federal Establishment, its enormous increase in control and direction of the rights of the citizens of the country, makes it more important today than at any other time in our history. Let this principle be maintained. In the original debate on rule XXII in 1917 Senator La Follette made a penetrating observation which is as valid today as it was then.

Senator La Follette was the greatest progressive of all time. He was often called a radical. But he saw the danger to human liberty should the rule of the Senate which we are discussing be changed. He said:

> I realize how the hysteria of the moment may be driving Senators to acquiesce here in a procedure which at another time they would resist with all their force. But so far as I am concerned I will never by my voice or vote consent to a rule which will put an end to freedom of debate in the Senate. The adoption of this rule marks a decline in the influence of the Senate in the Government. I know that the majority are determined. I believe that a majority of that majority are in this matter yielding their judgments, and that the time will come when the men who are now clamoring for this change and who by their votes are imposing cloture upon the Senate will see that rule invoked to deprive them and their States of what they deem their rights. I cannot prevent the adoption of this rule, so I am content at this time to protest and vote against it.

I would also like to repeat the splendid remarks made by Senator Sherman, a Republican, of Illinois, during the course of this same debate:

> Why do both Republican and Democratic Senators hesitate to close the only open forum in the United States? Now they will close it only when fearing war. It is generally understood that near the close of a session the freedom of the discussion, without limitation as to time or subject, may be successfully employed to kill a bill. Seldom has history proved that few, if any, meritorious measures have ever been so defeated. If a well-defined public opinion has favored any pending bill, the members of no political party care to take the responsibility of "talking a bill to death." It is only when a measure is fairly questionable and no popular verdict has been had that unlimited debate is destructively employed. If a bill is seasonably urged, it cannot be so beaten.

Since I have been in the U.S. Senate, in every discussion of cloture the proponents of more stringent gag rule have attempted to equate limitation of debate with the passage of civil rights legislation. Regardless of how much I may personally be opposed to the enactment of any civil rights proposals, the history of the Senate and the legislation now on the statute books proves beyond peradventure that when a sufficient number of Senators want civil rights legislation enacted it can be passed through this body and votes can be reached on practically any single proposal of any nature and character that a Senator urges for adoption. At a later point in this discussion I will present to the Senate a record which will disclose the number of votes that have been taken on civil rights issues and the results thereof. In addition to the actual provisions of the Civil Rights Act of 1957 and the Civil Rights Act of 1960, proposals of every conceivable nature and character have been put to the Senate and defeated. The Senate is designed to protect all the people of the United States as they are divided into separate States. It protects them on every conceivable issue which affects their most vital interests and welfare. I venture that with the passage of time there will inevitably come a change of interest from one section of the country to the other. Where those today press most for a change in rule XX they will be forced to move on the other side of the aisle and become the most vigorous opponents of any limitation of debate in the U.S. Senate.

Mr. President, in several previous debates on the subject of further gag rule in the U.S. Senate, I had reached back into history to draw the parallels and make the comparisons as to what happened in the days long gone by as far removed as the Roman Senate and the British Parliament in 1882. As long as it is required that we continue to debate the issue of free speech in the U.S. Senate we must go back again and again to the review of facts and circumstances far removed from our day and time. They are always pertinent and they always point up the fundamental truth that the U.S. Senate, unique in all history as the world's greatest deliberative body, achieves this distinction only because it permits a freer form of discussion and debate than has ever been known in any legislative body in all of history. Let me turn for a moment to a review of Roman history.

It was a combination of forces intent on destroying the freedom of the Roman Republic that first attacked the right of unlimited debate in the Roman Senate. Julius Caesar in his ambition to manipulate the Roman mob to further his own acquisition of power achieved the design by further whittling down the power of the Roman Senate. The three most influential and ambitious men in Rome at this time were Julius Caesar, the idol of the multitude and a skillful propagandist; Pompey, a brilliant soldier who had just won great victories in Asia rivaling those of Caesar in Gaul; and Crassus, one of the leading lawyers of Rome and a man of enormous wealth. All three of these men yearned for supreme power but temporarily laid aside their mutual jealousies to form the first triumvirate. By arrangement, Caesar was elected to the consulate along with Bibulus, who furnished the funds for a great election drive, so corrupt had Roman elections become at this time. Soon after his inauguration as consul which was the highest office in ancient Rome, Caesar in order to advance his popularity with a large floating population of Rome, proposed the Campanian lands which were owned by some of the older families of the senate and which were farmed out at a rent fixed by Roman law should be divided among 20,000 poor citizens. The Roman Senate was opposed to this proposal by Julius Caesar, but Caesar would not be balked in his purpose and with the aid of his lieutenants he quietly gathered a large armed mob which cleared the Roman forum of all who opposed Caesar's move and even hunted three of the Roman Tribunes who opposed Caesar's demands. Frightened for their lives the Roman Senate hastily enacted Caesar's proposition into law, and at Caesar's insistence every member of the senate took an oath to observe the provisions of the law giving the title to the Campanian lands to those adherents of Caesar.

Mr. President, the turning points of history are not always on the battlefield. Here was a great turning point of Roman history when Caesar broke the back of the Roman Senate, and though the Senate existed in name for another 500 years until it was dissolved and its members pensioned off by Odoacer, the King of the Gods, from this time on it was always more or less of a rubberstamp for the Emperor of Rome.

Mr. President, one of the major lessons of history is the difficulty with which mankind maintains a government based on principles of freedom. To the superficial observer it might seem as if concentrating all power into the hands of the majority of the people would be the best guarantee of a continuance of a regime of freedom but this is not the lesson of history. Indeed, I should be inclined to call the result of such action the No. 1 lesson of history, since so much of human grief has been the result of tyranny and so much of human happiness has been the result of liberty. Almost the No. 1 lesson of history is that unless the rights of minorities are protected from the tyranny of the majority, the majority, skillfully propagandized and manipulated by unscrupulous men consumed with personal ambition, will surrender their power to leaders who thereupon become tyrants over the people. Thus has Rome become more and more Democratic with an ever-enlarging franchise and fewer and fewer safeguards for traditional liberty and minority rights. Rome made the tragic transition from liberty to tyranny under Julius Caesar. The people of France in the 1790's forgot their enthusiastic espousal of liberty, equality, fraternity, and presently found themselves under the iron rule of Napoleon. Russia in 1918 under Kerensky had a socialized democracy which survived less than a year before the people found themselves under the bloody dictatorship of Lenin and Trotsky. The dictatorship of the majority of the people or of the proletariat—call it what we will—when minority rights are trampled underfoot it invariably becomes a dictatorship over the people.

Mr. President, the adoption of a cloture rule in the British House of Commons in 1882 was a shameful event in English history. It was a ruthless effort to gag and overcome the Irish minority in the Parliament who were determined to exert the right of Irish home rule. But laying aside for a moment the circumstances of why the cloture rule was adopted in the British Parliament, it cannot be cited as a parallel for justifying cloture in the

Senate of the United States because of the difference of the character in constituency of the House of Commons as compared to the U.S. Senate. The House of Commons must roughly be made comparable to the House of Representatives in the U.S. Congress, and while even today we have only 435 Members of our House of Representatives and under the House rules there is no unlimited debate, the House of Commons has a membership of 630, and at one time there were as many as 717 Members of that parliamentary body. The House of Commons was designed for an entirely different purpose from that of the U.S. Senate, and it has never operated in the manner in which the U.S. Senate operates. That cloture did not exist for so long a period of time in the House of Commons is within itself a remarkable circumstance. But since the previous question has also been injected as an issue in the general debate over free speech in the U.S. Senate it is most pertinent to review once more what happened in the House of Commons in 1882.

There was a great famine in Ireland in the year 1879. English landlords could not collect the rents and convictions were wholesale. Charles Parnell founded the Irish National Land League, an organization designed to obtain a fair rent, a rent that the tenant could reasonably pay according to the times. The league was bent on preventing delinquent tenants from being dispossessed. As a consequence, friction, tension, and animosity developed between the English landlords and the Irish tenants.

Parnell visited the United States in 1880 to raise a relief fund for the tenants and for promotion work of the Irish National Land League. When he returned to England and continued his speaking tour in Ireland, he was arrested and indicted for seditious conspiracy. The trial opened in Dublin, January 5, 1881, and lasted for 20 days. It was obvious to the Government that no conviction could be obtained.

Because of the famine, the inability of tenants to pay rents, the refusal of tenants under some circumstances to be evicted from the land, it was necessary for the Government in England to devise some means to cope with this situation for the benefit of the English landlords. The last thing the Government was concerned about was the welfare of the people of Ireland.

To solve the Irish question, the Government introduced in the House of Commons a coercion bill. Two of the most hideous features of this bill provided, first, that arrests could be made on mere suspicion and the suspect incarcerated in jail without trial for a long period of time; and, second, denial of the right of habeas corpus to imprisoned tenants.

Parnell returned to his seat in Parliament, and on the day the coercion bill was presented to the House, arose on the floor and introduced an amendment providing "that peace and tranquillity cannot be promoted in Ireland by suspending any of the constitutional rights of the Irish people."

Approximately 20 of the homerulers were present in Parliament to participate with Mr. Parnell when he attempted to educate the English Parliament on the implications of the coercion bill. What happened is graphically described in the words of one of the Irish Members, John McCarthy:

> We were then about 20 strong, all told; and the House of Commons contains some 650 Members. With the exception of some half a dozen stout English radicals who were always on our side, the whole House was against us. Every man's hand was against us, but I am bound to admit that our hand was against every man. We made a great many speeches in those days. The House of Commons did not always listen to us, but we made our speeches all the same. We kept the House sitting through long and weary nights; we kept the House sitting once from 4 o'clock on the Monday afternoon until 6 o'clock on the following Wednesday evening, no intermission of debate all that time. We went in for open and avowed obstruction; we declared that, so long as we could, we would resist the coercion bill. Then they tried to amend their procedure, and made all sort of new rules to introduce a closure meant, of course, only for the Irish Members—I mean those who called themselves emphatically the Irish Members. Once or twice the Speaker accomplished a very coup d'etat, and brought a long debate to a sudden close. We were each of us suspended from the service of the House. We were all of us expelled from the House in a body on one memorable evening; each of us refusing to leave the House until the Sergeant at Arms had gone through the formula of using force to carry out the mandate of the majority. Of course, we came back again the next day, or on whatever day the sentence of suspension expired; and we went on with our work of obstruction as if nothing had happened. We were doing just what we wanted to do; we were arousing the attention of England and Scotland and the civilized world. Our cause was gaining every day in Ireland, and among the Irish in America and Australia.

Mr. President, this scene describes one of the brightest chapters in the long struggle of the Irish people for freedom and independence. It further illustrates that, regardless of what is done to a determined minority in the way of gag rule, if the minority supports a principle that is founded in truth and justice, tenacious adherence to the principle will prevail. The principle of free and unlimited debate in the U.S. Senate is one that deserves the utmost support from transient majorities and transient minorities alike. We should never permit this body to fall into the trap into which the House of Commons fell in 1882. This greatest deliberative body on earth is one of the brightest and most shining jewels on the crown of man's struggle for the ultimate degree of human freedom and liberty. People and nations come and go. The world moves at a faster and faster pace, but it is an incontrovertible fact that these United States are a result of the political design that was written by our forefathers into the Constitution of the United States. As long as that Constitution remains steadfast to the design, the United States is safe from all assaults of subversion from without and power grasp from within. Mr. President, if you destroy the structure of the sovereign States, you weaken the ability of this country to resist pressures from without and pressures from within. History stands in judgment that the course we have pursued and should continue to pursue is the best course for people who love their rights, privileges, and freedoms under law more than life itself.

I respectfully submit that Senate Resolution 9 and the substitute offered thereto should be rejected by the overwhelming vote of this body.

Mr. President, I have previously mentioned that our Government is republican in form, and not a democracy. In this regard I want to hark once more to the founders of our Government and a very important distinction that they made between a democracy and a republic. It is interesting to know that the word "democracy" was never once used in either the Declaration of Independence or in the Constitution, and a perusal of the Journal of the Constitutional Convention kept by James Madison indicates clearly the distinction in the minds of the founders between the democracy which they wished to avoid and the republic which they wished to set up. This distinction has a very significant bearing upon the question of unlimited debate because unlimited debate is unheard of in a democracy but essential to the successful functioning of a republic. A republic differs from a democracy in the devices provided for the protection of minorities from the tyranny by the majority. Features in our Constitution providing such protection to minorities are:

First. The separation of powers into legislative, executive, judicial—the so-called system of checks and balances.

Second. The election of Senators on a basis of State sovereignty instead of on a population basis. If New York had Senators on a population basis, it would have about 150 times as many Senators as Nevada. Our founders rightly saw fit to avoid this and give the thinly populated States of mountain and plain and of small area the protection of equal representation in the Senate. If the so-called small States of 1787 had not been given equality in one House they would never have accepted the Constitution.

Third. The first 10 amendments—the so-called Bill of Rights for Minorities.

Fourth. The provision whereby only one-third of the Senate is up for election at any one time.

Fifth. Division of authority between States and Federal Government so that neither should become all powerful and that local issues should be solved by the States themselves.

Unlimited debate is a concept harmonious to the spirit of a republic designed to protect minorities. Gag rule goes against the spirit, if not the letter, of the Constitution of our Republic. An article in Plain Talk magazine of November 1948, entitled "Democracy and the Republic," by Edna Lonigan, is most pertinent, and well worth rereading today. I read from this article:

> The framers of our Constitution gave us the most skillful and ingenious design for a Republic which had ever been devised.
>
> They were determined that the new Nation should not suffer the fate of the republics of Greece, Rome, and Italy. They looked for the source of the weakness in free society and found it just where Aristotle had found it: in a country governed by the

> people, ambitious demagogs always try to climb to power in time of crisis by playing on the fears of the citizens, and turning them into frightened mobs who follow the would-be leaders for a slogan or the promise of bread.
>
> To prevent that clear danger, the leaders of the Convention devised a simple remedy—the dispersion of power. They divided governmental power into many smaller pieces and set up barriers so that no one could get hold of more than a single piece. The first barrier is that the States were made independent sovereign entities, equal to the central Government. The Federal Government was primus inter pares, first among equals. It was given power to manage specific things, mostly connected with national defense; all other powers were reserved to the States forever.
>
> The founders not only divided governmental power so that it flowed in separate Federal, State, and local channels, but they further divided the Federal power by setting barriers between legislative, executive, and judicial arms. Power over the flow of taxes and spending was given wholly to the Congress, the body which was closest to the people who paid the taxes, and which could gain no power for itself by spending other people's money.

Mr. President, I ask unanimous consent that my remarks today be not counted as a speech against the motion or resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. I continue to quote:

> The work of the courts was also made completely independent of the executive power.
>
> This system of checks and balances meant that the new Central Government was strong in dealing with foreign nations, but could not turn its power against its own people. The executive had the army and the police power, but it could not use them to interfere with the citizens, the Congress or the courts, because Congress could withhold the executive's money, and the courts could protect the citizen from seizure.
>
> It is not correct to say American democracy means "government of the people" or "majority rule" unless those phrases are carefully qualified. Much confusion arises from the fact that the word "government" applies to two quite different meanings. It may refer to the whole political organization of the people of a nation, or merely to the executive apparatus (the state). We in America have a political system which is free, because we have a governmental apparatus which is limited, so that even the majority cannot use it to control the rest.
>
> The correct statement is that in the American Republic the majority elects the officials but the officers do not rule. They administer duties carefully defined in the Constitution. We can change our officials, because they cannot get power enough, if they obey the Constitution, to control us.
>
> We teach government courses to our young people as if these checks and balances were verbal abstractions. But the American colonists did not think of power as an abstraction. They thought of it, as those who try to escape from Soviet Russia think of it, as the power to seize and to destroy. Brooks Adams has told how colonial officials hanged men and women, whipped them or cut off their ears because they were Baptists or Quakers. The royal governors used power to wipe out the colonial legislatures and make the courts subservient.
>
> The colonists knew power seekers firsthand and they were thoroughly sick of them. They decided that no one needed power over other men, or was wise enough to use it well.
>
> The design sense of the Greeks culminated in the Parthenon. The design sense of the Middle Ages culminated in the cathedrals. Eighteenth-century Americans built with intangibles. Their design sense left us the exquisitely balanced structure for the control of the police power, which we call the American Constitution. No one can destroy our Republic so long as our citizens understand that design and insist that public officials live and work within it.
>
> What then does democracy mean in America, why does it stand for something warm and vital, if it does not mean literal majority rule?
>
> The answer is best given by a story. A prominent American official was speaking. "My grandfather came from England," he said. "He was a farmer. One day when his wheat was ripe for cutting, the squire came riding by to hounds and started across the fields with his party. My grandfather rushed out to protest but the squire paid no attention. When grandfather ran up to ask him to stop, the squire struck him across the face with a riding crop.
>
> "Grandfather kept quiet with the greatest effort, and said to himself, 'I mustn't say anything, I must go to Ameriky. I musn't say anything, I must go to Ameriky.' He took all his money and came over, and then sent for his family."
>
> Millions have made the long journey from Europe to America to get away from just such conditions. The story is an epitome of the centuries of feudal restraint from which they sought to escape.
>
> The philosophy invented by the growing classes to help them in their struggle was the philosophy of individualism. When Jefferson said that all men were created equal, he did not mean that they were of the same height, or had the same abilities. He meant that they ought to start equal, without any hereditary privileges or disabilities, such as had grown out of the feudal division of labor. They were neither lords nor serfs, but persons. Burns put it, "the rank is but the guinea's stamp. A man's a man for a' that."
>
> American democracy has then a very real meaning. It meant and still means the absence of privilege, especially privilege for the few, obtained through law or government. Success won by personal ability or effort is good under our democracy, but any step by which individual advantages are converted into hereditary privileges or legal rights for a few is a violation of our democratic faith.
>
> The founders knew that attempts would be made again and again to set up new privileged classes. They refused to create a nobility or a large army, or even a social organization of officers of the Revolutionary Army, like the Cincinnati, because they were mortally afraid of the rise of privileged groups.
>
> They believed that governments should be changed every few years, and the "ins" turned out, because if any one group practiced the arts of government for any length of time, they would make a closed corporation of it. It was a matter of honor for army officers and civil servants to return promptly to civil life, like Cincinnatus. No American needed or wanted rank or title, office or authority. Citizenship was the highest honor.
>
> Democracy in America comes from our rebellion against every form of privilege based on fixed or inherited rights, or rights derived from membership in a class, instead of on performance. That is our idea of equality. The republic of limited powers comes from our rebellion against the strong governmental apparatus of the kings. There is no conflict between our idea of democracy and our Republic. On the contrary, strong resistance to the rise of privileged groups is the best protection against those who would destroy the Republic.

Mr. ERVIN. I wonder if the Senator will yield to me for several questions?

Mr. EASTLAND. I yield.

Mr. ERVIN. I should like to state as a preamble to my question that I am very much impressed by what the Senator says about the Senate being a body in which the smallest State has equal representation with the largest State, and where a Senator from the smallest State has the same voice in debate that a Senator from the largest State has. The Senator was acquainted with the great Judge Learned Hand, who died recently, was he not?

Mr. EASTLAND. Yes.

Mr. ERVIN. The Senator recalls, does he not, that on one occasion Judge Learned Hand made a very wonderful speech on what he called "The Spirit of Liberty"?

Mr. EASTLAND. Yes, I remember it.

Mr. ERVIN. Does the Senator recall that in the course of that speech Judge Learned Hand said:

> The spirit of liberty is the spirit that is not too sure that it is right.

Mr. EASTLAND. Certainly.

Mr. ERVIN. He also said:

> The spirit of liberty seeks to understand the minds of other men and women.

Mr. EASTLAND. Yes.

Mr. ERVIN. Does not the Senator think that that is a proper reflection of what the Senate ought to be; that a Senator should proceed upon the theory that, being a human being, he cannot be absolutely certain of the complete rectitude of his view and the unsoundness of the views of those who oppose him, and for that reason he ought to be willing to seek to understand what the other man's views are?

Does he not think that the Senate is a very good place to think of the spirit of liberty?

Mr. EASTLAND. Certainly it is. That is the basis on which our country was founded.

Mr. ERVIN. Does not the Senator recall that in the closing part of the speech Judge Learned Hand said that the spirit of liberty believes there ought to be a place where the least can be heard alongside the greatest?

Mr. EASTLAND. That is correct; I remember that statement.

Mr. ERVIN. Does not the Senator think that we can understand from that expression in the speech of Learned Hand on the Spirit of Liberty, that if there is any place in this Nation or in the world where the spirit of liberty abides in the sense that the least should be heard alongside the greatest that place is the Senate of the United States?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not the Senator agree that it will remain there so long, and only so long, as the Senate retains some rule such as rule XXII, which affords to the least as well as to the greatest the right of every Senator to represent his people and speak his mind freely?

Mr. EASTLAND. That is correct.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that Mr. Walter Reuther, one of the great labor leaders in America, is perhaps the principal protagonist behind the effort to change the rules of the Senate?

Mr. EASTLAND. I have heard that said.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that Mr. Reuther is a major campaign contributor?

Mr. EASTLAND. I think he stands for legislation which would go far, far to the left in this country. He wants to change the rules so that such legislation can be passed.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that Mr. Reuther is one of the main contributors to the campaign funds of some Senators and Representatives?

Mr. EASTLAND. I would not know about that. I would not mention a rumor on the Senate floor. That might very well be true; I do not know. I do not know of anyone who is a contributor. I have heard, of course, that unions put up money in great sums in politics. I have never received a contribution from a union; so I would not know how to answer the Senator's question.

Mr. LONG of Louisiana. The Senator knows, does he not, that even though the law forbids a labor union to contribute, the individual members can raise money and contribute?

Mr. EASTLAND. It is the same thing. The union machinery, of course, raises money from the individual members. Yes; I have read about it and heard about it. Yet I could not actually say that anyone ever got a contribution that was raised through the machinery of a union.

Mr. LONG of Louisiana. I thank the Senator. Assuming that Mr. Reuther might have an interest in this subject matter, and that he might have helped to elect some Senators, is not the Senator from Mississippi familiar with the fact that Mr. Reuther thought that the space satellite bill of last year was a very bad bill, just as some Members of the Senate did?

Mr. EASTLAND. I would think he thought that, yes.

Mr. LONG of Louisiana. Does not the Senator from Mississippi recognize the fact that had it not been for the 1959 change in the rules, the communications satellite bill would never have been passed, because of a lack of 67 Senators to vote for cloture?

Mr. EASTLAND. That is correct. Whenever people seek to have the rules changed, the chickens come home to roost.

Vice President Dawes advocated the repeal of rule XXII the day he became Vice President in 1925. He was slapped down in the Senate and was ridiculed by the American Federation of Labor, because the American Federation of Labor said that rule XXII afforded the greatest protection to the workingman.

Mr. LONG of Louisiana. Has it not been true that in many instances rule XXII has been used to protect the rank and file of the people from abuses which could have resulted from the wealthy and powerful interests which were seeking to pass legislation to favor their own particular situations?

Mr. EASTLAND. Yes. In 1917, Senator La Follette, Senior, opposed any change in rule XXII for that very reason. He believed that the special interests and powerful groups would overrun the laboring man, the little man, the people without power or influence in this country, if it were not for rule XXII.

Mr. LONG of Louisiana. Is it not also true that George Norris, one of the great Senators of all time, repeatedly used the right of free debate in the Senate to oppose the giving away of national resources to special interests?

Mr. EASTLAND. Certainly; that is correct.

But now the shoe is on the other foot. At that time the laboring groups in this country supported rule XXII. The liberals supported it. The Progressives supported rule XXII. Eastern industry was in the saddle. Rule XXII protected the interests of the laboring people, the farmers, the little people of the country.

Now industry has lost its great power, control, and interest in the Government which it once had. Now the unions have them. When industry wanted to change rule XXII, industry was opposed by the unions. Now the change in the rule is advocated by the unions, because they have proposals which they want to have passed. They have things which they want to have done. This shows that there has been a change from one foot to the other.

Such activity shows the soundness of maintaining the right of free debate and free speech in the Senate, regardless of whose shoe pinches, regardless of who gets hurt. Rule XXII is a sound proposition, one which protects this country. It should be preserved.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield for a further question?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Would not the Senator agree that it would be extremely shortsighted for any labor leader to advocate a situation which would permit any group to have its cause subject to the violence and the roughshod tactics which can occur in the heat of passion, particularly in view of the fact that a time may come when, in the midst of a nationwide strike, someone will propose the curbing of the rights of a labor union?

Mr. EASTLAND. I am sure the distinguished Senator from Louisiana remembers that rule XXII prevented the destruction of the railroad brotherhoods at the time of a railroad strike. President Truman had sent a special message to Congress in, I believe, 1948.

Mr. ERVIN. It was in 1946.

Mr. EASTLAND. I thank the Senator. The measure would have absolutely destroyed the railroad brotherhood. By the use of rule XXII, Senator Robert Taft prevented the passage of that bill.

Mr. LONG of Louisiana. Is it not true that on that particular occasion a bill which would have drafted the striking railroad workers into the Army passed the House within a day or two after it was introduced?

Mr. EASTLAND. It was passed on the same day. As I recall, the House passed the bill on the same day the message came to Congress. The bill then came to the Senate. It would have passed the Senate by an overwhelming vote that day if the previous question could have been moved. But the passage of the bill was stopped by Senator Taft and other Senators. Now their wisdom is apparent to everyone.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that labor leadership has oftentimes been criticized as being shortsighted and unreasoning in its approach to some of labor's problems?

Mr. EASTLAND. I think all people who assume great power become shortsighted in many ways.

Mr. LONG of Louisiana. Would not the Senator agree that it is as much to the interest of labor and the interest of any minority, or any other group which might someday find itself the victim of abuse by legislation sought by a misguided or shortsighted people, that there be free debate in this body, as the only forum on earth where people can have their case heard without having someone shut it off by some sort of arbitrary rule?

Mr. EASTLAND. I agree with my friend, the Senator from Louisiana.

Let me say that if we tamper with the rule of unlimited debate, the unions and the laboring men will be the first in this country who will be drastically hurt and curbed by such a change.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further?

The PRESIDING OFFICER (Mr. McGovern in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Will the Senator from Mississippi inform me of any particular bill which, to his knowledge, someone cares to have passed under gag rule in this Congress? In other words, have we had pointed out to us the necessity for the passage of a particular piece of proposed legislation which those who wish to have this change made in the Senate rule would like to cram down the throats of an unwilling minority?

Mr. EASTLAND. No, I know of no proposed legislation of that sort, and I have heard of none.

Mr. LONG of Louisiana. Then in this situation somewhat like buying a pig in a poke; or, if some of my urban constituents do not know what that means, is not the present situation somewhat like buying a sack without looking inside of it to see what it contains—in other words, the attempt to have such a change made in the Senate's rule XXII, in order to make it possible to coerce the minority to forgo its right to be heard, although those who favor such a change do not even point out the bill they are trying to have passed?

Mr. EASTLAND. The Senator from Louisiana is entirely correct. In fact, I think history shows that every bill which has been defeated by the rule of unlimited debate in the Senate should have been defeated, and a few months later there was universal recognition that it should have been defeated.

Mr. LONG of Louisiana. The Senator from Mississippi knows that for many years attempts were made to have an FEPC bill passed, but such efforts were frustrated by a number of facts. One was that, in large measure, those who supported such a bill did not in good conscience believe it was a good one.

Mr. EASTLAND. And if a secret vote had been taken in the Senate, I think there would not have been 10 votes in favor of an FEPC bill.

Mr. LONG of Louisiana. Yes. There are many attempts to have Congress tell employers how they must run their businesses. One group, the so-called FEPC group, wants to have the Congress tell employers that they cannot hire on the basis of selecting their employees from any particular race or group or creed, but that they must employ them without regard to race, color, creed, or belief.

Similarly, another group wishes to have the Government require an employer who wishes to hire a man to employ a woman, if she happens to apply before any man applies—or vice versa; or that if an employer wishes to hire a white man, he must hire a colored man, instead, if a colored man happens to apply first for the job.

Then there is the "equal pay and equal rights for women" group; and undoubtedly there will be a group which will take the position that if someone wishes to hire a Protestant preacher, he must, instead, hire a Catholic missionary.

Then there is the "equal pay" group, which takes the position that an employer who wishes to employ a man at a salary of $15,000 must employ anyone who applies for the job, regardless of whether he is worth that large a salary.

Mr. EASTLAND. Is the Senator from Louisiana asking me a question?

Mr. LONG of Louisiana. Yes. So, when all is said and done, if such bills to tell employers how to run their businesses were to be enacted, the employers might just as well go out of business; does not the Senator from Mississippi agree?

Mr. EASTLAND. Yes.

Let me say that today we have the Constitution of the United States solely because of rule XXII in the Senate. The Senator from Louisiana has seen pressure groups appear and public sentiment clamor for things that were not right, and shortly afterward they were generally recognized as not right. So rule XXII has protected our Constitution and our Government.

Mr. LONG of Louisiana. Does the Senator from Mississippi recognize that there is great irritation and considerable dissatisfaction with a pressure group which has a majority of people sign on the dotted line in favor of some proposal, although when the case for it and the arguments for it are fully heard, it becomes evident that the proposal will not stand the light of free debate?

Mr. EASTLAND. That is correct.

In short, I know of no reason to change rule XXII—and certainly not on the basis that it has prevented the passage of desirable legislation. Does the Senator from Louisiana agree?

Mr. LONG of Louisiana. Yes.

Is it not true that, but for rule XXII, the railroad workers could have been drafted into the Armed Forces?

Mr. EASTLAND. That is correct.

Mr. LONG of Louisiana. Is it not also true that, but for rule XXII, the Supreme Court would have been packed, with the result that the President could have had his decisions written into the opinions of that Court?

Mr. EASTLAND. Yes. But of course today the Court is packed.

Mr. LONG of Louisiana. Is it not also true that, but for rule XXII, in 1890 the right of local self-government would have been taken from the States and the local communities?

Mr. EASTLAND. Certainly that is true.

But for rule XXII, we would not have the Constitution, or self-government as our people know it, and our people would not today have the rights and liberties they now enjoy. Rule XXII has been the greatest protector of the people and of our system of government.

Mr. LONG of Louisiana. Mr. President, I wish to thank the Senator from Mississippi, and to congratulate him for the diligent efforts he has made toward preserving the freedoms which the people of our great country enjoy. I wish him complete success in his efforts.

Mr. EASTLAND. I thank the Senator from Louisiana.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. By means of some questions, I should like to elaborate briefly on some of the points which have been made.

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. In reference to the House bill to which the Senator from Louisiana referred a moment ago, does the Senator from Mississippi recall that in the spring of 1946 there was a strike by the United Mine Workers in the coal mines, and that the strike continued for some 5 or 6 weeks, and that, as a result, the supplies of coal in the country ran very low, and the general public was very much exasperated by the continuation of the strike?

Mr. EASTLAND. Yes, I recall that.

Mr. ERVIN. Does not the Senator from Mississippi also recall that at a time when the public passions were somewhat inflamed because of the protracted strike in the coal mines, some of the railroad brotherhoods voted to go on a nationwide strike on a certain day, on account of their disagreement with the railroad operators in regard to certain working conditions?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not the Senator from Mississippi also recall that at that time President Truman addresed a joint session of Congress, and asked Congress to pass a bill, which speedily thereafter was introduced in the House——

Mr. EASTLAND. Yes; and it was speedily passed by the House—on the same day.

Mr. ERVIN. Does not the Senator from Mississippi also recall that that bill was passed by the House by an overwhelming vote, with only about half a dozen dissenting votes among the 435 votes in the House?

Mr. EASTLAND. I do not remember the exact vote; but I know the bill was passed overwhelmingly in the House, and I know it was messaged immediately to the Senate. The bill was not enrolled or engrossed; it was messaged immediately to the Senate, and the skids were greased for the bill to be speedily passed by the Senate on the same day.

Mr. ERVIN. Does not the Senator from Mississippi also recall that after that bill was introduced in the House, and after it was passed by an overwhelming majority of the votes in the House—as the Senator has said—after only a few minutes of debate, then it was immediately messaged to the Senate?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not the Senator from Mississippi also recall that the bill provided that the railroad workers were to be drafted into the Army and were to be required to obey the orders given them as personnel of the Army, regardless of their wishes?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Did not that bill, in effect, attempt to impose involuntary servitude upon the railroad workers?

Mr. EASTLAND. That is correct. Although at that time our country was at peace, officially it was still at war with Germany; and, as I recall, that attempt was based on the President's constitutional war powers.

Mr. ERVIN. Did not that bill constitute a clear violation of the 13th amendment to the Constitution——

Mr. EASTLAND. Yes.

Mr. ERVIN. In that the bill attempted to impose involuntary servitude, although no crime had been committed or no trial had?

Mr. EASTLAND. There is no question about that; certainly that is what would have happened. Yes, that bill would have resulted in a form of slavery.

Mr. ERVIN. In light of the events I have enumerated, which occurred in the Capitol, can the Senator imagine why any labor leader would be so unintelligent or so forgetful of the past——

Mr. EASTLAND. And so greedy for power.

Mr. ERVIN. As to advocate the adoption of a rule under which men could be silenced when they sought to rise to protest against such an unconstitutional measure?

Mr. EASTLAND. The Senator is exactly correct. The bill to which he refers was stopped, Senator Taft and others using rule XXII to stop the bill in the Senate. It was not enacted into law. It was recognized soon afterward that it was wrong. Public sentiment in our country was infuriated at the union. If we were to remove the right of unlimited debate in the Senate, or adopt the proposed three-fifths rule, the unions would be the first to be crucified.

Mr. ERVIN. Is not the claim often made by those who advocate gagging Senators that it is necessary to gag Senators in order to obtain consideration by the Senate of so-called civil rights bills?

Mr. EASTLAND. The civil rights bill is a pretext.

Mr. ERVIN. Does the Senator recall that in 1957 the Senate began consideration of so-called civil rights bills about the 14th of June and continued discussion and consideration of such bills from that time until the 29th of August 1957?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Does the Senator recall that time and time again the Senate voted on various so-called civil rights bills?

Mr. EASTLAND. Yes.

Mr. ERVIN. Including such proposed language as title 3?

Mr. EASTLAND. Yes.

Mr. ERVIN. Does the Senator recall that on the 24th day of February 1960, the then majority leader and the then minority leader stood on the floor of the Senate and told every Member of this body that the Stella School District bill would be called up, and that any Senator who had any so-called civil rights amendments he wished to offer could offer them to that bill?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Does the Senator recall that amendment after amendment was offered, and that the Senate devoted its entire attention to a discussion of so-called civil rights proposals from the 24th day of February of 1960 until the 9th day of April of 1960?

Mr. EASTLAND. Yes, I recall.

Mr. ERVIN. Does the Senator recall that during that period of time there were 45 yea-and-nay votes on questions of that kind, plus unrecorded votes on approximately 25 or 30 other so-called civil rights amendments?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. I ask the Senator if he does not agree with me that since June 1957 the Senate, when in session, has spent more time debating and voting on so-called civil rights bills than it has given to the consideration of measures to insure the survival of our Nation or to provide a stable economy for our Nation or any other one subject?

Mr. EASTLAND. Of course, the Senator is correct.

Mr. ERVIN. In the light of our discussion, does not the Senator agree with me that when a Senator stands on the floor of the Senate, and says that it is necessary to change the cloture rule in order to obtain consideration by the Senate of a civil rights bill, he is either fooling himself or trying to fool someone else?

Mr. EASTLAND. Yes. I believe he is trying to fool someone else. Some fool themselves, of course.

Mr. President, I continue to quote:

> Nothing in American democracy says that citizens have a right to govern anybody but themselves, or that a majority has the right to tell a minority what to do.
>
> The idea that "democracy" means the control of some citizens by others, whenever the majority wishes, came out of the French Revolution. Lafayette tried to guide the French Revolution in the direction of liberty, like the American, but he failed, and the French devised a new concept of the Republic, one in which the people wielded a central apparatus as strong as that of Louis XVI. With that apparatus, the majority could impose religious, political, economic, and educational restrains on the minority.

In our country it is fundamental that people have rights that are guaranteed under the Constitution. They are individual rights. The people cannot be deprived of their rights by a majority in this country. Those who created the Constitution of the United States were zealous to provide protection of the rights of the people and the States from transient majorities. That is the great overriding question in the present debate. In my judgment the motion should certainly be tabled.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROPOSED JOINT COMMITTEE ON THE BUDGET

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may introduce some bills out of order and discuss them without being charged with a speech on the pending issue.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and it is so ordered.

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill, for myself, and cosponsored by 75 other Members of this body.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 537) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, introduced by Mr. McCLELLAN (for himself and Senators ALLOTT, ANDERSON, BARTLETT, BAYH, BEALL, BENNETT, BIBLE, BOGGS, BREWSTER, BURDICK, BYRD of Virginia, CANNON, CARLSON, CASE, COOPER, COTTON, CURTIS, DIRKSEN, DODD, DOMINICK, EASTLAND, ENGLE, ERVIN, FONG, FULBRIGHT, GOLDWATER, GRUENING, HARTKE, HICKENLOOPER, HOLLAND, HRUSKA, HUMPHREY, INOUYE, JACKSON, JAVITS, JOHNSTON, JORDAN of Idaho, KEATING, KEFAUVER, KUCHEL, LAUSCHE, MAGNUSON, McGEE, McGOVERN, McINTYRE, MECHEM, METCALF, MILLER, MONRONEY, MORSE, MORTON, MUNDT, MUSKIE, NELSON, NEUBERGER, PASTORE, PEARSON, PELL, PROUTY, PROXMIRE, RANDOLPH, RIBICOFF, ROBERTSON, SCOTT, SMATHERS, SPARKMAN, STENNIS, SYMINGTON, TALMADGE, THURMOND, TOWER, WILLIAMS of Delaware, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. McCLELLAN. Mr. President, there are 76 sponsors of this measure, more than three-fourths of the Members of the Senate having endorsed it. The cosponsors join with me in its introduction and in asking for its enactment.

The bill would create a Joint Committee on the Budget. This is not something new or strange to this body, nor is it strange to the country. The bill has been introduced before. It has been passed by the Senate of the United States.

The Committee on Government Operations has reported favorably, and the Senate has approved, in the 82d, 83d, 84th, 85th, and 87th Congresses, bills proposing the creation of a Joint Committee on the Budget.

The 76 Senators who now sponsor the bill represent the largest number who have ever cosponsored it. In the 85th Congress, when there were only 96 Members of the Senate, 71 Senators cosponsored the bill.

I submit, Mr. President, that the conditions which prompted the initial introduction of this measure and its initial passage by the Senate of the United States have in no way diminished. Instead, they have increased in intensity. There is greater need for this measure today than there was previously, and that need grows with each budget message we receive from the President of the United States and with each session of the Congress, as the cost of Government increases and as expenditures rise and as the tax burden is felt more keenly by the American people.

The need is greatly increased. We had presented to us only a few days ago a budget message from the President, which was the annual budget message, in which the President requested that we make appropriations this year in the amount of more than $98 billion, which is the largest peacetime budget ever submitted in the history of the Congress. It is larger than any total expenditure ever made in any fiscal year by this Government, even in time of war.

I am not at this moment criticizing the amount of the budget, except to emphasize the need for eliminating from the budget, as the need existed to eliminate from previous budgets—and as I am sure the need will continue for elimination from future budgets—of any expenditure for which it may call which is in the category of waste or extravagance or excessive spending; and, also, to go further and to eliminate from any budget any item or items of expense or any amount of expense that we can possibly eliminate or cut from the budget without doing injury to the necessary functioning of the Government.

I think we can all agree with that, if we believe in responsible government; if we believe in sound fiscal policy; if we believe there is any virtue, any merit, any wisdom whatsoever in operating our Government on a balanced budget basis.

Now, there are those who believe in operating the Government at a deficit as a permanent and firm policy of the Government, to spend more continuously in each year than the revenues taken in. Those who believe in that philosophy should not support this bill, whether they are Members of this body or Members of another body. Mr. President, I would say they should violently oppose the bill, because it is contrary to that purpose, and if the bill is enacted and the joint committee functions as it is expected to function, and as I am confident it will, though we may not eliminate all deficit spending we shall substantially reduce the amount of it, I am sure. The prospects will be brighter then for bringing expenditures within the revenues received than the prospects are now or will continue to be if we do not do something about this problem.

To give another illustration, without in any sense attempting to criticize, and without meaning it in any critical sense, to show there is a need for a joint committee on the budget within the Congress, the budget which was presented to us for the fiscal year in which we are now operating—the figures which were submitted to us last year at this time of the session for the present fiscal year—indicated and represented that the expenditures of our Government would be $92.5 billion. That same budget predicted that revenues the Government would receive would be $93 billion, and that thus there would be a surplus of $500 million in the Treasury in June by reason of the fact that revenues would exceed expenditures.

Of course, no one can absolutely know or be accurate as to what the figures will actually be on next June 30, but it is already conceded that, instead of our having a surplus of $500 million when the 30th of next June rolls around, the prospects are we will have a deficit of at least $8,800 million.

In other words, the budget makers in the administrative branch of the Government appear to be not very accurate. I am sure they have done the best they can, but again an error of $9,300 million, or an error of 10 percent in the total expenditures of the Government, clearly indicates the need for further checking, evaluation, examination, and a better "look-see," if one can be made, to give guidance to the Congress with respect to the fiscal affairs of our Government.

If there were no other reason—and there are many others that I shall mention, but if there were no other reason at all—except that of the Congress being confronted from year to year with budget estimates that repeatedly prove to be inaccurate and erroneous and unreliable, that reason alone would be sufficient to warrant the enactment of the bill that 76 Senators have today introduced.

This proposed legislation, which has been developed and perfected by the Committee on Government Operations during the past 12 years, is designed to remedy serious deficiencies in the appropriation procedures and to improve—and it will greatly improve—the surveillance over the expenditure of public funds. It constitutes a positive approach to the elimination of extravagance, waste, and needless or excessive appropriations. The swollen cost of operating the Federal Government, to which I have already referred, with annual budgets now approaching $100 billion, dictates the compelling necessity of reducing the cost of Government, where it is prudent to do so, in order to restore sound fiscal policies.

Mr. President, when I referred to the budget situation a few moments ago, I did not mention the recent development of the proposed tax cut over the next 2 or 3 years, which would reduce revenues, not increase them, to meet the obligations we are expected to incur and will have to meet, but a tax cut which would reduce revenues by $13.6 billion, with a recommendation for certain tax revisions, a broadening of the tax base in some areas, which would restore some $3.4 billion of that cut or of the revenues which would be lost if the tax cut recommendations were to be accepted and adopted by the Congress.

Mr. President, assuming that program is carried out, assuming the Congress enacts, to the extent of every letter, the crossing of every "t," the dotting of every "i," the recommendations pending before us, such action will further increase the gap between the revenues the Government will receive and the expenditures that will be made—again emphasizing the need for the Congress to meet its responsibility to do everything in its power, and to take every action it can possibly take, to bring about more efficient and more intelligent appropriations and expenditures of public revenues.

Mr. President, as a Member of the Senate, I am deeply concerned about the breakdown of legislative procedures in the processing of appropriation bills through the Congress. As we all know, the fiscal program has been rapidly deteriorating since the annual Federal budgets have reached such astronomical figures, and which approached a critical state, we recall, last year. It is incumbent upon the 88th Congress to take appropriate steps early in the present session to devise a solution to these problems.

I am persuaded that the bill, if enacted into law, and if the joint committee is created, will be conducive to better cooperation and a spirit of working together in harmony between the two powerful Appropriations Committee of Congress. If we can have them working together, each getting the same information, each having access to the tools with which to work, it will enable them to get better information with which to evaluate intelligently many requests. If we can get them to do that—and the bill, in my judgment will move in that direction—we will be going a long way toward removing a situation which today actually reflects to a degree, at least, upon the integrity of the two bodies, the House of Representatives and the Senate.

We are prone, and with justification many times, to criticize agencies of the executive branch of the Government for their inefficiency and lack of diligence in bringing about efficient operations of their responsibility.

Yet one of the most glaring evidences of lack of efficiency actually exists right here in Congress on this issue, in this particular category, when we have the House of Representatives taking a position that it does not need the help or cooperation of the Senate; and vice versa, with the Senate taking the position, "Well, we will hold separate hearings. We will do everything separately." The result is that there is an unnecessary clash.

Congress has wisely created a Joint Committee on Internal Revenue Taxation. That committee has been in operation a number of years. Just think of how much more smoothly and how much more efficiently and how much more cooperatively the two Houses work together in that field. It has been remarkable. They have some disagreements, of course, but they work together in that field harmoniously, cooperatively, with a view to eliminating a great deal of lost motion, with a view to getting some pertinent information and with a view of evaluating it, and with the objective of bringing about harmonious and efficient consideration of tax legislation.

Why should not the same thing be done with respect to expenditures? If the Joint Committee on Internal Revenue Taxation has proven its worth and has been of great benefit in the functioning of the two bodies of Congress—and no one will deny that fact—likewise it has demonstrated the wisdom of creating a comparable joint committee with respect to the budget for the evaluation and supervision of expenditures of the many billions of dollars that we are now asked to appropriate each year.

Although the Legislative Reorganization Act of 1946 made provision for the creation of a joint committee, composed of members of the appropriations and revenue committees, to expedite consideration of appropriation measures, the large membership proved to be far too cumbersome and the joint committee never provided the necessary facilities to carry out the functions it was supposed to perform.

The idea and the general approach to this matter was taken into account and actually given sanction and endorsement by the Legislative Reorganization Act of 1946. At that time we were spending about half or less than half of what we are spending now. However, a mistake was made in that act. The mistake was in making the committee so large. It was to be composed of the membership of the Ways and Means Committee of the House and the Finance Committee of the Senate and of both Appropriations Committees. Although I have not checked, the number of the members would have run more than 100, thereby composing a committee which would be too cumbersome for it to function properly. Therefore, it did not prove successful; in fact, it has never been put into effect.

Since these attempts in the 80th Congress to set up the necessary organizational structure to process appropriation bills in an orderly and expeditious manner and to bring expenditures into proper relationship to revenues proved abortive the problem still remains to be resolved.

No final constructive action has been taken since.

This situation still plagues us. However, I believe it should be said to the credit of Congress that during the past 2 fiscal years Congress was able to reduce expenditures; that is, Congress appropriated for the past 2 fiscal years approximately $8 billion less than the budget requested. Congress is entitled to credit for that fact. I have said publicly that that is not enough, that we still need to find ways in which we can do better. Our proposal today is an approach toward one of the ways in which we can do better.

Appropriations bills introduced in the 87th Congress, providing funds for many of the operating agencies, were not, in some instances, approved by the Congress until approximately 4 months after the beginning of the 1963 fiscal year.

With that sort of efficiency, or rather lack of efficiency, on the part of Congress, that sort of inefficiency in the legislative branch of the Government, when it could, if it would, correct that situation, it hardly behooves us as Members of Congress, particularly those who do nothing about this problem, or who seek to do nothing about it, to criticize the executive branch. In other words, it seems to me we act with poor grace when we criticize the executive branch of the Government, or agencies in the executive branch of the Government, for inefficiency or wasteful practices and a lack of economy.

I think Congress ought to set its own house in order. I think the time is long overdue for us to do so. Certainly if we were to take this situation in hand, and thus bring about a better working together, cooperation, efficiency, and some economy in the making of appropriations, we would then be in a better position to speak, and we could speak, I think, with a little more influence when we undertook to criticize agencies in the executive branch of the Government, or when we complained about their inefficiency or lack of economy. Yes; we could do so with better grace and with more influence if we would set our own house in order.

Some of the administrative agencies were without funds with which to carry on their normal operations during much of the 4 months last year when Congress delayed making appropriations after the previous fiscal year had expired and the new fiscal year had begun. The fiscal procedures of the last Congress reached such an exasperating state of disorder that I think it is now quite urgent that the present Congress take further and immediate steps to correct effectively its own fiscal procedures. The lack of action for so long a period last year was exasperating and detracted from the stature of Congress.

Such legislative deficiency should not be permitted to continue. It does not reflect credit upon nor will it enhance the stature of either the House or the Senate. The longer it is permitted to continue, the greater will be the adverse effect upon and detriment to the public interest.

(At this point Mr. McClellan yielded to other Senators, whose remarks appear elsewhere under the appropriate headings.)

**Mr. McCLELLAN.** Mr. President, I assume that I may resume my remarks now under the same unanimous-consent agreement previously entered.

The **PRESIDING OFFICER.** The Senator is correct.

Mr. McCLELLAN. I have always thought, Mr. President, that the two Appropriations Committees could and should work together more closely and cooperatively, and thus insure expeditious consideration of money bills and demonstrate by example the real meaning of economy and efficiency in Government.

The Committee on Government Operations has been fully aware of the deficiencies in the fiscal procedures of the Congress. For more than 12 years it has proposed remedial action pursuant to the authority vested in it to consider and recommend legislation relating to budget and accounting measures other than appropriations. It has, pursuant to this directive, submitted and recommended action on legislation with the objective of solving some of the fiscal problems with which the Congress is now confronted. During this period, the Senate has taken the lead in evolving a solution to these problems through the approach of constructive and appropriate legislation in a sincere effort to bring that about. The record will affirmatively and conclusively support the position taken repeatedly by the Senate since early in 1950 in attempting to remedy this situation.

If the Senate recommendations for constructive action had been taken, if they had been acquiesced in and acted upon and approved and the legislation recommended had been passed, instead of the 87th Congress being forced into a tug of war—and not a very pleasant one, I may say—over procedures and bogged down in a quagmire of fiscal irresponsibility, the Committees on Appropriations could have worked together harmoniously.

Because we did not have this legislation, discord arose, and we have been drifting further and further apart all the time. Instead of being cooperative, they have been going in divergent directions. The committees have moved further apart rather than closer together. Certainly there is no more impelling duty, in the sense of public responsibility, upon one than there is on the other. The only difference in their authority and jurisdiction is that under the Constitution appropriation bills must originate in the House of Representatives, according to some interpretations which have been placed on the clause in the Constitution with respect to revenue measures. Without arguing that point and without debating it—and that makes little difference for this purpose—the ultimate goal and the ultimate responsibility of Congress and of the Appropriations Committees should be to appropriate that which is adequate and necessary, and under conditions which prevail today, it means that which is absolutely necessary in my judgment for the proper operation of the functions of the Government.

Any waste, any extravagance, any unnecessary expenditure today, is doing something of which I think we of this generation, we of this Congress, we who now have the responsibility, cannot be proud. Mr. President, do you know what this Government is doing? Do you know what Congress is doing? We are responsible for it. I say that Congress is more responsible than the President. The President can recommend laws and request appropriations. But the Government cannot spend any money unless Congress appropriates it. I say the greater responsibility, possibly, rests upon Congress.

But what are we doing today? We are refusing to pay our bills. We are going into debt. We are refusing to live within our income. It is said that we have some extraordinary expenses. Certainly we have. We have the extraordinary expenses of defense—of a defense adequate to meet the world crisis and the world dangers of our time. But the fact that we have that burden makes it more necessary that we be careful about incurring new obligations and more obligations each year. We are not paying for all of them. What are we doing? We are encumbering the heritage of our children, if they are young children, and of our grandchildren.

What are we saying? We are saying, "Oh, well, let us live it up and pass the expense on to our children and grandchildren." Do you think, Mr. President, that that is meeting the responsibility of our time? Do you think that that conforms to the statement in the President's inaugural address 2 years ago, when he said:

> Ask not what your country can do for you: Ask what you can do for your country.

Are we doing that? No. What we are saying today is: We are going to have it if we want it. If we need it, we are going to have it whether we can afford it or not, whether we are willing to pay for it or not.

The fact is that these young boys, these pages, who are seated before me this afternoon, will reap the heritage of a burden which we are placing upon them because we of this generation, of this hour, do not have the fortitude and courage to make the sacrifices which are necessary to operate this Government on a balanced budget and free of a cumulating debt.

It is said that we have a managed currency, a managed debt, a managed deficit. Yes; we can manage a deficit as individuals. A deficit can be managed for a time, for a season. But a time will come, if we persist in it, when the debt will become unmanageable. I am most apprehensive that that is what we are doing to the next generation. We are passing on to them something that is growing, that is becoming less manageable all the time. The amount of the deficit for this year will be almost $9 billion. What are we creating? We are creating not only the debt itself; the very fact that we will go into debt $9 billion this year will create a recurring and continuing obligation of $300 million for interest each year. Are we great statesmen of our time when we manage the

Government of the United States in such fashion? Will history so record us?

Mr. President, I am happy to yield to the distinguished Senator from North Carolina for a question, provided I do not lose the floor.

Mr. ERVIN. Mr. President, first I shall ask the Senator from Arkansas a question in lighter vein, before I ask him some serious questions. I should like to lay down a premise.

A few days ago, I read an article by a theoretical economist of modern vintage. He said that if the Government spends more than it receives in revenue, the Government has an active deficit which is likely to spur the economy into action. But if the Government receives in revenue less than it spends, the Government has passive deficit which indicates a sluggish condition of the economy.

I think it would require a person who can "unscrew the unscrutable" to explain the difference between spending more than one receives and receiving less than one spends. But if there is any Senator who can "unscrew the unscrutable," it is my good friend, the distinguished Senator from Arkansas [Mr. McClellan]. I should like to ask him if he can explain to me the precise difference between spending more than one receives and receiving less than one spends.

Mr. McCLELLAN. I cannot "unscrew the unscrutable." I am reminded by this process of reasoning of an explanation given by the great Huey Long, in his day and in his time, when he told about a patent medicine salesman who came through the countryside. The salesman had two remedies which would cure anything. What one would not cure, the other would.

One remedy was named High Cockalorum; the other was called Low Cockahirum. There was only one difference between them. Both were brewed from the same bark, and from the same tree. The difference was that to make High Cockalorum, the bark was skinned from the top down. To make Low Cockahirum, the bark was skinned from the bottom up.

So the proposition stated by the Senator from North Carolina makes just about as much sense. That kind of medicine has just about as much virtue in its qualities or difference in its qualities as the remedies brewed from the bark having been peeled from the bottom up or the bark having been peeled from the top down.

Mr. ERVIN. If I may tell a story as a basis for a question, down in North Carolina there was a fellow named George. George said to his friend Bill, "My wife is the most extravagant woman. She always wants 50 cents for this, 50 cents for that, and 50 cents for the other thing."

Bill said, "What does she do with all that money?"

George said, "She don't get it."

Does not the Senator from Arkansas believe that we need somebody like George to have a little authority to handle some of the requests which Congress receives—from one agency of the Federal Government for so many hundreds of millions or billions of dollars, and from another agency for so many hundreds of millions or billions of dollars—so that he can say, "No"?

Mr. McCLELLAN. If we would grant only what is actually needed for the efficient operation of the Government, I do not think anyone would question that more billions of dollars could be saved than we have been saving. At least, we could come nearer to a balancing of the budget. But our trouble is—and this is what the bill seeks to remedy—that we do not have the necessary tools available to us with which to get the adequate information upon which Congress can make a proper evaluation of the needs of the agencies.

That is what this bill will do. It will provide us with the tools with which to obtain that information, so we can determine what is actually needed, and can determine what parts of the request can be dispensed with, and thus can come nearer to operating with economy and efficiency.

Mr. ERVIN. I should like to ask the Senator from Arkansas if it is true that the most important question confronting the country is the question of Government finances. That is true; is it not?

Mr. McCLELLAN. Yes. Just this week, I addressed an audience in South Carolina and pointed out that the greatest task confronting this Congress is, not the task of reducing taxes, but—and it is the first and the greatest task, and is the higher duty of the Congress—the task of reducing expenditures, so that the revenues received either from the present rate of taxes or from a reduced rate of taxes will narrow the present gap between revenues and expenditures, and thus will result in a smaller deficit. So in my opinion the higher duty of Congress is to do that, rather than merely to reduce taxes.

Mr. ERVIN. Is it not true that Congress has created a joint committee to study the problem of how best to raise revenue, and that the joint committee keeps that matter under constant study, with the aid of an able and experienced staff, so that any Member of either House of Congress who is interested in such matters can call on it for help and information?

Mr. McCLELLAN. That is correct. Earlier in my remarks I made reference to that. By reason of that joint committee, as it is constituted, more harmony has been developed in the relationships between the Ways and Means Committee of the House—the tax committee of the House—and the Senate Finance Committee; and, thus, today those committees are not having the tug of war or the friction—a situation which reflects upon the Congress—which occurred between the Appropriations Committees of the Congress. Instead, these committees are acting effectively.

Mr. ERVIN. This bill, which is cosponsored by some 70 Members of the Senate——

Mr. McCLELLAN. In fact, the bill is sponsored by 76 Senators—more than three-fourths of the Members of this body.

Mr. ERVIN. It is designed to set up a comparable joint committee, which will study budgetary questions—in other words, questions relating to expenditures or the outgo of the Federal funds. If the proposed joint committee is established, there will then be one joint committee to study revenue questions and another joint committee to ascertain the facts in connection with expenditures and proposed expenditures; is that correct?

Mr. McCLELLAN. Yes. We already have one joint committee to help us with questions in regard to the raising of funds in the most efficient, most effective, fairest, and most equitable ways. Now we are asking for the establishment of a comparable joint committee, to help us conserve the revenues after they come into the Treasury and to help us avoid spending those funds uselessly, wastefully, extravagantly, or inefficiently.

Mr. ERVIN. Is not the Senator from Arkansas convinced that such a joint committee would save the Government many times the cost of setting up the committee and compensating its personnel, in the course of each year?

Mr. McCLELLAN. Yes. I may say that I have had a little experience with the operation of committees with investigative authority; and my distinguished friend, the Senator from North Carolina, has had comparable experience. He serves with me on one of these committees, which has at its disposal approximately $400,000 or $500,000 a year, for the purpose of investigating certain activities related to the Government. I would say, just roughly, at this time, that a committee to do this work possibly would begin with a budget of approximately $300,000 or $400,000. Its budget might very well run to $500,000, or even to $600,000, as the committee got organized and began to function. But I would say there would be a good prospect that the committee would develop information which would guide the Appropriations Committees in such a way that they could avoid making appropriations in many areas, and the result would be a saving of probably anywhere from $100 to $500 for every dollar it cost to operate the joint committee; and I think I make an ultraconservative statement when I say that.

Mr. ERVIN. Mr. President, for some time the Senator from Arkansas has been fighting for the establishment of a Joint Committee on the Budget, and on a number of occasions he has piloted the bill successfully through the Senate. I share his opinion that in view of the fact that Congress has been requested to make provisions for a budget of practically $99 billion, the appointment of such a joint committee has never before been so greatly justified as it is today. At the present time there is no source to which the Members of Congress can turn for disinterested information on this subject, in view of the fact that at present our only source is the budget, rather than a committee which has great concern with protecting the interests of the taxpayers.

So I think the Senator from Arkansas deserves our commendation for the untiring fight he has made in favor of the proposal set forth in this bill.

Mr. McCLELLAN. I thank the distinguished Senator from North Carolina, who has wholeheartedly supported this proposal from its inception. Each time, he has joined me in sponsoring the bill. I am sure that by reason of his experience on the permanent Subcommittee on Investigations, of the Senate Committee on Government Operations, where we have worked cooperatively and, I think, effectively, in many respects, he knows and can testify to the merits of this proposal and the very beneficial results which will be achieved by the enactment of this measure into law and by the operations of such a joint committee to provide this service. The Appropriations Committees and the Congress itself need this service, in order to be able to do their duty and to operate properly in this field.

Mr. President, if this proposal had been enacted into law when it was made at prior sessions of Congress, the Appropriations Committees and all the Members of Congress would have been equipped with adequate organization and staff, and with the necessary tools that are essential to the efficient consideration of and for expeditious action on appropriations covering the annual expenditures of the Government. Prompt and efficient action through these mediums would have resulted in very substantial savings and economy in governmental operations.

As far back as the 81st Congress, I introduced a bill, along with many cosponsors, proposing the creation of a Joint Committee on the Budget, to act as a service committee to the two Appropriations Committees. Such a joint committee would have been provided with an adequate staff of trained fiscal experts to serve the Committees on Appropriations and the Members of both the House and Senate. This joint committee and its staff would be, in the appropriation field, comparable to what the Joint Committee on Internal Revenue Taxation and its staff are, in the field of taxation, to the House Committee on Ways and Means and the Senate Committee on Finance. The Joint Committee on Internal Revenue Taxation has, for more than a quarter of a century, proved its great worth and service in the revenue field. A like joint committee and service is sorely needed in the field of Federal expenditures.

As perfected by the Committee on Government Operations, this bill is not the result of consideration in only one session of Congress, but reflects the culmination of more than 13 years of study by that committee. As a result of hearings which have been held in previous Congresses, careful consideration has been given to the views of Members of Congress, the public, and others interested in improving fiscal control over congressional appropriations.

This bill proposes to amend the Legislative Reorganization Act of 1946. The joint committee would be composed of seven members of the House Committee on Appropriations and seven members of the Senate Committee on Appropriations, and would be authorized to elect, from among its members, a chairman and vice chairman, at the first regular meeting of each session. It proposes also that in even-numbered years the chairman would be designated from among members of the House Committee on Appropriations, and the vice chairman from among members of the Senate committee. In odd-numbered years the reverse would be done. The joint committee would be authorized to adopt its own rules, except that provision is made that no measure or recommendation should be reported unless approved by a majority of the committee.

Unfortunately, members of the Appropriations Committees are so heavily burdened by other legislative duties and responsibilities that they are unable personally to give the necessary attention to each budget item. Equally important, however, is the fact that they do not have adequate facilities for obtaining the information necessary to enable them to pass accurate judgment on the necessity for the budget requests. Thus, for the most part, they are forced to rely upon the representations made by the respective initiating agencies of the executive branch, whose representatives appear before these committees, in an ex parte type of proceeding for the sole purpose of justifying their requests for funds. As a result, the Congress is often unable to obtain impartial information and facts to enable it to effect needed economies in the operations of the Government. Because the Congress is not adequately equipped to carry out its fiscal responsibilities, many millions of dollars have been appropriated in excess of the actual requirements of the Federal Government. These excesses have, in turn, added to the large recurring deficits which must be passed on to already overburdened taxpayers.

The ever-increasing cost of operating the Federal Government, with annual cash budgets now exceeding $100 billion—an increase of $56 billion over total budget expenditures for fiscal year 1951, when this committee first recommended this legislation—and continued annual deficits of billions of dollars that pyramid the already astronomical national debt, dictates the compelling necessity of reducing the cost of government, where it is prudent to do so, in order to restore sound fiscal policies.

Important as are the services rendered by the Joint Committee on Internal Revenue Taxation in the revenue field, the proposed Joint Committee on the Budget would be in a position to render far greater service to the Congress in a field that is much broader in nature and scope. Its functions would include analyses and reports on the details of program operations, a review of the actual administration of authorized functions, and the compilation of data on agency activities and program conformity with legislative authority, for the information of the Appropriations Committees and other committees, and to make such data available to individual Members of the Congress. With this information before them, the Appropriations Committees will be in a position to exercise informed judgment in supplying only such funds as are necessary. The importance of providing this type of service for the committees dealing with the appropriation of public funds is emphasized by the scope of the problems involved and the magnitude of Federal appropriations and expenditures.

Failure to provide adequate facilities for the procurement of factual information that is needed and indispensable to enable the Congress and its committees to make sound and judicious determinations with respect to appropriations requested in the budget, has resulted in a demand on the part of the public for remedial action. The Committee on Government Operations in its reports to the Senate has repeatedly stressed the belief that a Joint Committee on the Budget would meet and would satisfy that demand, and that it would provide to the Congress essential services similar to those performed for the President by the Bureau of the Budget.

A complete legislative history of the proposed legislation is included in Senate Document No. 11, 87th Congress, on "Financial Management in the Federal Government," filed in the Senate by the Committee on Government Operations on February 13, 1961.

To Members of the House of Representatives who seek to maintain the coequal status of the two Houses of Congress, I give assurance that this measure in no way impinges on that basic constitutional concept.

To Members of the House who carry the workload in other areas of legislative interest and must necessarily rely heavily on the judgment of their colleagues on the Appropriation Committee, I give assurance that this measure will provide a means of obtaining more information by individual Members of Congress. It will permit them to arrive at more informed judgments, and will thus bring about economy in Government, through better control over the expenditure of Federal funds.

To those who decry the increasing burden of legislative office, I give assurance that this measure is designed to lighten that load and, at the same time, improve the appropriation procedures of the Congress.

To Members who are seeking better tools and procedures with which to meet legislative burdens, I give assurance that this measure was conceived for that purpose.

To those who are really concerned with the staggering fiscal responsibilities of the Congress, I give assurance that the creation of a Joint Committee on the Budget would at least be a partial solution toward alleviating that concern.

Finally, I urge to Members of the Senate who have cooperated with me in supporting this proposal in the past six Congresses, to join with me again in this effort to revitalize the legislative fiscal process. I hope they will join with me in again passing a bill to create a Joint Committee on the Budget, and in sounding the call to our colleagues in the House of Representatives to examine the "imaginary horribles" leading to the present impasse. Then we can hope they will join us in our conviction that such fears have no substance, and that they can be struck down by adopting the realistic procedures provided for in the bill to create a Joint Committee on the Budget.

Mr. President, editorials published in the Washington Post of August 24, September 3, and October 12, 1962, have stressed the need for a Joint Committee on the Budget. These editorials are in agreement with the findings of the Committee on Government Operations that the creation of such a joint committee, which would serve both Houses, could better equip all the Members to carry out the job that lies at the heart of the legislative function. Such a joint committee could also lead to other more effective controls over Federal expenditures, and could provide an efficient means of critically judging an executive budget that gets larger every year.

Mr. President, I ask that the editorials be printed in the RECORD, as part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 24, 1962]

### MODERNIZING CONGRESS—V

Sixteen years have passed since the enactment of the La Follette-Monroney Legislative Reorganization Act, and the time has come again for a concerted attempt to pare away the lichen and moss that have gathered on the procedures of Congress. A good example is the appropriations process, which is so cumbersome that Congress is unable to perform efficiently its vital functions as keeper of the purse. Certainly this is a problem that warrants the sharpest scrutiny with an eye to reform.

Five times in the past the Senate has endorsed proposals for joint budgeting procedures, and five times the House has rejected the idea as an affront to its dignity since the Constitution specifies that money bills must originate in the more representative Chamber. As a result, each Chamber goes through the same rituals without benefiting from the advantages that would arise from a sensible pooling of resources.

It is perhaps unrealistic to expect Congress to hold joint appropriations hearings. It would be equally vain to hope for the elimination of the duplication process whereby money is first authorized and then appropriated, requiring administration witnesses to appear at four sets of hearings. The process touches deep springs of tradition, constitutional law and bicameral feeling, and a simplification of the overall procedure must probably remain an ultimate goal rather than an immediate objective.

But surely, even within the limitations of the present system, Congress could deploy its resources more effectively by combining committee staffs. Congress now has a dozen joint committees, including two of major importance: the Joint Committee on Atomic Energy and the Joint Committee on Internal Revenue Taxation. Since the House has been willing to accept the principle of pooling for taxation, is it unreasonable to propose the same treatment for appropriations?

As it stands, the staff of both appropriation committees is inadequate to the task that should be performed on analyzing a budget of appalling complexity. The creation of a joint committee that would serve both Houses could better equip all the Members to carry out the job that lies at the heart of the legislative function. It could also lead to other more efficient ways of critically judging an executive budget that gets larger every year.

[From the Washington Post, Sept. 3, 1962]

### LIMPING AGENCIES

Congress has left itself in a very poor position to criticize bureaucratic inefficiency. Its own bumbling in regard to the appropriations bills has imposed a specialized kind of faltering on the Government. Jerry Kluttz of this newspaper pointed out in detail the other day the grave handicap that has fallen on many Federal departments and agencies because of the failure of Congress to approve 1963 budgets. Two months have passed since the closing of the old fiscal year, and many agencies are still operating on merely continuing authority—that is the authority to go on spending as they did last year. Obviously this makes no provision for new programs or changes in old ones. The Government is partly crippled for want of appropriations made before the year in which they are to be spent.

The situation is worse this year than previously because of the intemperate feud between the House and Senate Appropriations Committees. But it is a chronic weakness that Congress has done little to correct. It is time to attack the problem on Capitol Hill where the weakness lies. If there were a Joint Committee on the Budget comparable to the Joint Committee on Internal Revenue Taxation much of the appropriations spadework could be done by expert staff members and the process could be substantially speeded. In any event, Congress ought to be laying plans for a different approach next year. The Nation simply cannot afford to have its executive agencies limping along through one-sixth to one-quarter of the year because of the failure of Congress to give them a meaningful budget.

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[From the Washington Post, Oct. 12, 1962]

### FEUD ON THE HILL

The country has reason for concern about the House-Senate feud over appropriations procedures despite the last-minute compromise on the multibillion-dollar farm bill. The fight over the farm bill, which has delayed adjournment and raised the question of whether quorums of Senators and Representatives could be kept in Washington, is merely one phase of a much broader feud between the House and Senate Committees on Appropriations. The struggle is likely to break out in even more flagrant fashion next year unless remedial measures are undertaken.

As leading Senators see it, the issue is whether the House will recognize the Senate as a coordinate branch of Congress so far as appropriations are concerned. As the House sees it, the question is whether the Senate shall be allowed to encroach upon the constitutional right of the House to originate appropriations bills. Doubtless both are partly at fault. The restoration of good working relations will depend upon a willingness on each side to respect the rights of the other, and this is likely to require the laying down of some definite rules to which both will adhere.

We have previously expressed the view that the Senate was unwise in challenging the right of the House to originate appropriations bills. It is true that the special privilege granted to the House by the Constitution runs only to revenue bills, but spending and taxing were authorized in the same bills in the early days, and in any event the tradition that appropriations bills start in the House could not be broken without a grave upset in the relations between the two Houses. In our opinion, the Senate ought to stop talking about equal rights to introduce appropriations bills.

The larger fault, however, seems to lie on the House side. In some instances its spokesmen have arrogantly resisted the right of the Senate to amend appropriations bills once they have been passed by the House. The quarrel over the agricultural bill centered in the House's unwillingness to talk about an item of $28 million which the Senate had added for farm research projects. Of course, the House has no obligation to accept Senate amendments, but it does have an obligation to consider them in good faith and to seek agreement through compromise when necessary. It is utterly unreasonable for the House conferees to refuse to discuss Senate amendments, which are germane to the bill, on the ground that they did not originate in the House.

Well, here are two ground rules that could start the ball rolling toward agreement between the two committees. Let the Senate recognize the right of the House to originate money bills and the House recognize the unlimited right of the Senate to pass germane amendments. Another major aid to understanding would be to create a standing joint committee staffed by experts to serve both groups of legislators.

No doubt the first step should be the creation of a special House-Senate subcommittee representing top leadership on both sides to work out a new understanding. Otherwise the next Congress will be in grave danger of bedevilment even worse than that which has afflicted the expiring session.

Mr. McCLELLAN. Mr. President, I request that an editorial which appeared in the New Orleans Times-Picayune on October 22, 1962, also be included in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### A WAY TO STOP WASTE—SOLON SAYS CONGRESS NEEDS OWN BUDGET UNIT

(By James McCarthney)

WASHINGTON.—Senator JOHN MCCLELLAN, Democrat, of Arkansas, the top investigator in Congress, believes he knows how to save many billions of dollars for the Nation's taxpayers.

He believes Congress should have a staff of experts to spend full time studying the Federal budget and making spot checks on budgetary requests by the administration.

The result, MCCLELLAN believes, would be to cut billions in "fat" from the budget.

"There have been billions of dollars of waste, extravagance, and unnecessary spending in areas which show no gains or benefits to the Nation," he says.

MCCLELLAN has spent much of his time in recent years investigating Government waste and mismanagement as chairman of the Senate's Permanent Investigations Subcommittee, better known as the Rackets Committee.

But he doesn't think the Rackets Committee has the powers or the staff to do a thorough job on matters involving the budget.

He proposes a new Joint Committee on the Budget, representing both the Senate and the House.

It should have "facilities and a technical staff to do the kind of job necessary to prevent and eliminate some of the practices that have led to crimes against the national interest," MCCLELLAN says.

"The committee and its professional staff would be continually studying the President's budget and the many appropriations bills that come before the Congress, with a view to eliminating waste and duplication and other improper expenditures."

Senator MCCLELLAN points out that when administration officials request specific sums of money or numbers of employees for a department, Congress has no way to judge what is really needed.

"When they say they need 25 employees, who is there to say they don't need 25 employees?" he asks.

His special budgetary committee would be staffed with accountants and investigators to help Congress come to judgments of its own.

The Senate has passed bills proposing establishing of a Joint Committee on the Budget several times in recent years, but the project has always been killed in the House.

McClellan currently is attempting to revive interest in the proposal.

Mr. McCLELLAN. Mr. President, I also request that excerpts from an article regarding this proposed legislation, which was printed in the November 1962 issue of the Nation's Business, be inserted in the Record at this point.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The prolonged feud in the past session between the Senate and House Appropriations Committees lends added weight to a proposal which would bolster the strength of Congress in its fiscal dealings with the executive branch.

The Senate has passed six times a bill by Senator McClellan which would establish a Joint Senate-House Committee on the Budget. Opposition by members of the House Appropriations Committee, who jealously guard the House's prerogatives in initiating money bills, has prevented consideration by the House.

Such a committee is "absolutely imperative with the big government we have now," Senator McClellan says.

"The Congress has for many years labored under a tremendous disadvantage in connection with processing budget requests and making appropriations," he adds.

"Budget requests are usually accompanied by elaborate justifications, based upon extensive agency programs and backed up by a mass of statistical data and testimony of technical experts who have devoted many years in the specialized fields in which they operate. Their main objective is to continue and frequently to expand existing programs, which they undoubtedly feel are in the public interest, also, to secure appropriations for new agencies, programs, and functions.

"Testimony from the public, except from witnesses appearing in behalf of public works projects, is rarely received. In a vast majority of instances, the only manner in which the public interest can be considered and protected, with respect to the purpose for which the funds are sought, their need and adequacy, is through careful scrutiny of requests and justifications by members of the Appropriations Committees. It is impossible for their relatively small staffs to examine and evaluate the annual budget with its thousands of items, running to approximately 1,200 pages of telephone book size each year, within the very limited time available."

One of the important features of the proposed Joint Committee would be the establishment of a permanent, full-time, nonpolitical staff of experts which would help balance the huge crops of experts in the Bureau of the Budget and the executive departments.

At present Congress handles its appropriations in piecemeal fashion, with little knowledge of how the total will add up or what will be the long-range financial impact of Federal programs.

The proposed Joint Committee would investigate all aspects of the Federal budget. The information which it developed would be helpful to the Appropriations Committees and other committees in eliminating wasteful practices, recommending cutbacks in programs where possible, and developing a carefully considered fiscal program aimed at holding expenditures to a minimum in relation to anticipated revenues.

Senator McClellan terms it "a positive approach to the elimination of extravagance, waste, and needless or excessive appropriations."

Mr. McCLELLAN. Mr. President, I conclude by expressing the hope that the other body will immediately give consideration to a similar bill, if one is introduced there; and I anticipate that that will occur.

I am hopeful that wisdom and prudence will prevail, that such influence will dominate the decision of this body and also the other body of the Congress as it considers the proposal, and that when it does prevail, the bill will be enacted into law. In my judgment, it is a great step in the direction of bringing about some restoration of sanity in the fiscal affairs of our Government. Every citizen of our country knows that some reformation in the field is needed. It is needed now, and that need is growing with every passing hour and with every budget message that comes to this body. It cannot be delayed much longer if we are going to bring under control and proper management the spending of the taxpayers' money of our country.

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## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

During the delivery of Mr. McClellan's speech,

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield to the distinguished Senator from California if I may do so without losing the floor. I yield to him for a question or for any other purpose, without losing the floor.

Mr. ENGLE. Mr. President, I ask unanimous consent that the distinguished Senator from Arkansas be permitted to yield to me for the purpose of making a brief statement, without his losing the floor, and with the further understanding that my statement will appear after the remarks which are the subject of his present comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENGLE. Mr. President, the discussion we have been engaged in for a number of days has generated a great deal of interest around Washington. Whether it has also generated a clear comprehension of what is involved here is another matter.

For those who understandably are bewildered by all the parliamentary pyrotechnics, I would like to call attention to the remarks on the Senate floor on January 21 by the Senator from Minnesota [Mr. Humphrey]. They contain an articulate explanation of what the excitement is all about, and I believe the following excerpts from those remarks are well worth repeating:

We believe that the right of the Senate today is the same as the right of the first Senate of the Congress of the United States, and that the first Senate adopted its rules by majority votes. It did not permit one-third of the Senators present and voting, plus one, to negate or paralyze the action of a majority of the Senators. The fundamental issue before the Senate is a constitutional one, namely, Does the membership of the Senate of the 88th Congress have power, undiluted by actions of the previous Senates, to determine the rules under which it will operate?

The Senate of the 87th Congress had rules under which it operated. Those rules are carried over either by acquiescence or by overt acceptance. Those rules may be modified as they are adopted, namely, by majority vote; and this has been stated by none other than the chief contender on the opposite side of this issue. For example, I quote from the Record of January 14, 1963, the statement by the distinguished Senator from Georgia [Mr. Russell]:

"Mr. President, there is no question that a majority of the Senate can change the rules of the Senate; none of us contends otherwise. We are merely contending that the rules can be changed only in the manner prescribed in the rules."

It is that latter phrase with which we disagree, because we say that the rules can be changed by a majority vote at the inception or at the beginning of a new Senate, if the Senate so wills it. But we also maintain the Senate has a right to reach the parliamentary situation where a majority can decide. If the Senate accepts the rules of a previous Congress, that is an overt act by itself, even if it comes through acquiescence.

The changing of the rules in the manner prescribed in the rules is the point where the will of a majority of the Members of the Senate is frustrated. Since under the rules adopted in previous Senates a majority must surmount the hurdle, the stopping or closing of debate, by first obtaining the vote of two-thirds of the membership under rule XXII, it is easy to see that the statement that the rules can be changed by majority vote, as was said by the distinguished Senator from Georgia, is not an accurate statement in fact, if a majority can never have an opportunity to vote because of Senate rules adopted by another majority of Senators in another Congress. We claim a constitutional right to put the question to a majority of Senators in the 88th Congress.

It is an absurdity to argue that rules adopted years or even generations ago can bind new Senators who are elected to particular programs which the old rules make impossible.

In 1917, when Senator Tom Walsh, of Montana, challenged the binding effect of the rules of the earlier Senate upon the new body, he had this to say:

> A majority may adopt the rules in the first place. It is preposterous to assert that they deny to future majorities the right to change them.

It is this constitutional right that is the heart of the discussion here today—and around that issue revolves the motion offered by the Senator from New Mexico [Mr. Anderson] to take up and consider his Senate Resolution 9, which calls for a revision of Senate rule XXII.

It is the contention of those of us who support this motion that when a new Congress convenes, a majority of the Members of the Senate has the right under the Constitution to close debate for the purpose of adopting new rules. Only at the start of a new Congress can we proceed under general principles of parliamentary law and adopt by majority vote any rules of procedure we deem proper.

We are, in short, trying to exercise the constitutional right of the majority of the membership of the Senate, after reasonable discussion, to adopt its rules unfettered by rules molded in previous Congresses.

We are seeking the opportunity to vote on the pending motion so that we can proceed to go into the substantive question of what rules shall govern the closing of debate in the Senate of the 88th Congress.

I have joined the Senator from Minnesota [Mr. HUMPHREY] and a number of other Senators in Senate Resolution 10, which would amend rule XXII to permit the closing of debate by a constitutional majority of Senators after reasonable time has been allowed for a full and free discussion of the issue.

This is the fifth attempt in the past decade to strengthen our antifilibuster rule. In 1959 we succeeded in making a minor change in the rule when it was amended to permit cloture by a two-thirds of the Senators present and voting—replacing the requirement of two-thirds of the whole Senate.

The failure of the present Senate rules to permit a majority decision on rules themselves, and on civil rights legislation, should serve as a clear and unmistakable warning that reform is urgent in the Senate if it is to be a truly responsible and representative body.

The authors of our Constitution made it clear that Congress shall operate by majority rule unless otherwise instructed by the terms of the Constitution. It clearly spelled out the areas of exception where a two-thirds majority of the Members of Congress shall be required—namely, in the ratification of treaties, in the power to override a Presidential veto, in the impeachment power, in the expulsion of Members of Congress, and in the initiation of amendments to the Constitution.

If the majority of the Senate is not allowed to act, we cannot hope to make any significant advance in the protection of civil rights for all citizens. If our antifilibuster rule is not strong and effective, we cannot hope to enact strong and effective civil rights legislation.

The opposition may remind me that in 1957 and again in 1960 Congress did in fact pass civil rights bills. And I will remind the opposition of the watered-down condition of those bills as they finally got on our statute books, and that it was the ominous threat of the filibuster that was responsible for this.

The history of the Senate has made it abundantly clear that we cannot get a two-thirds cloture on a civil rights bill of any importance. The history of the Senate has made it abundantly clear that a two-thirds cloture simply cannot be obtained in those areas where cloture is needed. In all of the 11 cases of attempted cloture on a civil rights bill in the Senate, it has never been possible to secure two-thirds vote of those present—although in several cases a heavy majority wanted to proceed to a vote.

As we all know, our present rule XXII has been most often directed against legislation to assure civil rights for all citizens. We also know that it has been used as the threat under which other important legislation has been compromised to meet the views of the minority.

It is a dubious argument to defend the filibuster on the ground that it protects the minority—when its principal use, actual or potential, is to deny fundamental democratic rights to certain minorities. I do not need to remind my colleagues that most of the really undemocratic conditions in our country today exist because of the threat or use of the filibuster.

It is undemocratic and unfair to retain a rule which allows a relentless minority to frustrate the efforts of an elected majority.

I urge the adoption of Senate Resolution 10. It will put an end to filibusters by which bills can be talked to death. But it will not put an end to full and free discussion and a thorough exploration of the issue.

The objective of the Humphrey resolution—Senate Resolution 10—is simply to permit democracy to work through majority rule. Its objective is simply to prevent a minority from blocking measures desired by the majority. Minorities are entitled to a voice, but they are not entitled to rule unless they can convert the majority to their point of view.

It is time for the Senate of the United States to get control over itself, and the way to do it is to establish majority rule in its proceedings.

## THE DOCKWORKERS STRIKE

During the delivery of Mr. MCCLELLAN's speech,

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Oregon without losing my right to the floor. I understand that he wishes to make a statement for the RECORD. If I may retain the floor, with the understanding that his remarks may follow my remarks in the RECORD, I am happy to yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I express deep appreciation to the Senator from Arkansas, who always cooperates with me in such matters as this, as do I with the Senator from Arkansas.

I wish to make a brief progress report—I hope we may call it progress—in connection with the return to work on the docks of America encompassed in the east coast, Southern States, and gulf longshoremen's strike.

There is no question that in the ports in which a vote has been held by the workers, the vote has been overwhelmingly in support of the return-to-work program under the proposed settlement offered to both parties by the President's Special Mediation Board. However, the ships are not yet moving, and the controlling reason for their not moving rests upon the shoulders of the union leaders in a few locals in the Central, Southern, and Gulf States.

It is not for me, certainly at this time, to do more than to call the attention of the parties to the dispute to this fact, and to call the attention of the American people to it, as my Board has already called it to the attention of the administration. I can well understand how in a dispute such as this, local difficulties between port employers and the local union in a local port, such as Galveston, or Mobile, or Miami, or Baltimore, might enlarge themselves in proportion of importance to the people on the local scene so that they come to believe that a solution of that local's concerns to its complete satisfaction is the all-important thing.

But throughout the work of my Board on this case, we have said to the parties, over and over again, that in an hour of great crisis—and this is an hour of great crisis—the authorized officials negotiating for the employers and for the unions have the duty of being responsive to responsibility.

By and large, my Board has received magnificent cooperation from employer and union representatives in respect to the fulfillment of their obligations called for under that code of conduct.

But I regret to report to the country that at this moment there are some local union officials in some ports who have not raised their vision high enough to recognize fully the importance of their living up to that responsibility and obligation. To them, from the floor of the Senate today, I say that if they assume the responsibility of preventing a return to work, and thereby a scuttling of the very fair proposal for settlement that the President's Board has offered them they will, in my judgment, bring down on the heads of responsible union leaders in this country the blame for a failure to fulfill a great public trust that both employers and unions owe the American people at this time; although it would not be fair to put it on the heads of responsible union leaders, nevertheless it is a blame they will have to take.

The ports in which the difficulty exists at the present moment are mostly ports over which the Presidential Board had no jurisdiction, and, over which it does not now have jurisdiction. The jurisdiction of the President's Board was over the ports encompassed by the North Atlantic Pact of the longshore industry, stretching from the top of the New England States to Hampton Roads, Va. The latest report I have had indicates that within that jurisdiction there is an overwhelming vote for acceptance of the recommendations of the President's Board.

But in the southern ports and the gulf ports, where the workers are not parties to the negotiation, there are a few locals—principally in Mobile, Galveston, and Miami—which are willing to accept the recommendations of the President's Board, and have voted to accept them, but have attached conditions to their acceptance. Those conditions are that, in addition to the recommendations of the President's Board, the employers must negotiate with them agreements on certain local issues which have plagued those ports from the beginning of the strike.

Mr. President, I can understand why they wish to get those local issues settled. I can also understand why five local unions in Greater New York appeared last Sunday morning before the President's Board in a series of conferences, and sought to have us enter into, at the 11th hour, a modification of the proposal for the settlement which we were about to make to the parties.

I shall give an example of what I mean: One of those unions was the Checkers' Union, a very large union in New York Harbor. It falls under this so-called master contract, but it has always negotiated with the shipowners separate understandings in regard to problems of work and working conditions incident to the checker division of the industry. It had a series of proposals which it wished to make—for example, it believed that certain checking, which at present it claims is done by sea personnel rather than dock personnel, is really checker work, and should be assigned by the Board to the checkers. It had many other claims of that sort. There was a little bit of humor in connection with it, because in all those discussions the representatives of that union said, "These are noneconomic claims." Then Mr. Ted Kheel, one of my very able associates, said, "They are all noneconomic claims that money could settle." And so they were, for they did not make a single claim which, after all, if it had been considered and if such an adjustment had been made, would not have cost the shipowners a considerable amount of money in addition to the package settlement the Board was offering.

Likewise, the maintenance workers, who maintain all the machinery on the docks, had a series of claims. For example, they wanted to receive pay for a 15-minute cleanup period at the close of the day. Mr. President, no one should think for a moment that such an arrangement is uncommon in American industry, for there are many factories in which the workers are allowed 10 or 15 minutes, on pay, to wash up and clean up, so that when they leave the factory they will be presentable as they ride in the streetcars or subways or as they commingle again with the general public. The representatives of the maintenance workers wanted that issue negotiated by our Board.

Mr. President, one of the toughest little problems was whether they should have three uniforms supplied them each week or only two. It was pointed out that they work with acids and grease and dirt, and that at present they are allowed two clean uniforms, of the overall or coverall type. They wanted three. Thus I could go down the list.

The representatives of five of the local unions who met with us last Sunday morning said to us, "We have not had a minute of negotiation with the employers on this whole long list of claims; and we think we should have a settlement of these claims before you put in any final proposal."

I said to them, "You knew when we began that we had 4 days in which to work with the parties and 1 day in which to prepare our report to the President; and you are asking us to enter into a package which, as we count up its parts, would total over 60 issues of difference between the strikers in New York Harbor and the shipowners. We were very polite, but I said this to them—"just look at this from the standpoint of the Board. Do you know what your proposals amount to? They amount to a torpedo aimed at the very body of the unanimous settlement."

My Board was very frank to say to them, "All those proposals are out of the window and you will have to follow the practice that has been followed in the past in similar situations—namely, that if you have not negotiated a settlement up until the 11th hour in free collective bargaining, you should recognize that no board can do the job for you. Certainly if we were going to undertake a mediation of your differences with the employers, you are outlining here a 30-day job; and at the present time the strike is costing a minimum loss of $25 million a day. You should face up to the fact that the final arbiter of any labor dispute, if you push it into that court of settlement, is American public opinion; and we respectfully call your attention to the belief of this Board that you are now in the courtroom of American public opinion. This calls for an immediate settlement of this dispute, and the stoppage of this loss of $25 million a day, and a getting together with the employers, so that these ships will begin to move again as rapidly as possible."

Mr. President, I go into this detail because I want these local unions in the southern ports and the gulf ports to know that five local unions falling within the North Atlantic Pact agreement, and directly affected by the proposal the Board made, recognized that it was too late to settle a long list of grievances which they had with the employers. They have, with but few exceptions, gone along with the Board.

I wish very quickly to point out, in fairness to the employers, that we put the employers in the same position. They also had a long list of grievances that they would like to have had us, at the last minute, rule upon in respect to their complaints against the union. What the Board said in the North Atlantic Pact, what the strikers have been voting on during the last 2 days, and what the employers agreed to accept was that they would take the proposed settlement recommended by the President's Board and apply it to the old contract, and then renew it for another 2 years.

In the past, that is what the southern and gulf ports have done. Some agreements have been voluntarily entered into in the past between the employers and local unions. Down in Mobile I understand that the great bone of contention this afternoon is over what pay they shall receive, or whether they shall receive pay on rainy days. The men are called out to work. A storm breaks. They either cannot work for a few hours or they will not be able to work for the rest of the day. They are then sent home. I have been informed that the union is insisting on pay for rainy days.

In Galveston there is a controversy over gang size. In all the ports in the South and the gulf area there is a controversy over the wage differential. In the southern and gulf ports the longshoremen receive 6 cents an hour less. Under the proposal of the President's Board they would get the wage increase offered by the Board, but they would not get 6 cents on top of it.

The Board has no jurisdiction to deal with the wage differential in the South and the Gulf. That is subject to collective bargaining between the parties. Yet I understand that in one or two of the ports a part of the deadlock and the danger threatening the application of the proposed settlement is that it is desired either to eliminate or narrow the differential. We have no jurisdiction over them. But I speak for a unanimous Board when I now give to the local unions in those ports the following advice: "It is the opinion of the Board that you owe it to the International Longshoremen's Association and you owe it to the trade union movement in this country to accept the President's Mediation Board's proposed settlement, and apply that settlement to your preexisting contract, and, in effect, renew that contract with these additions to it for the next 2 years."

There is one other very important issue involved in the refusal of these local unions, up to the present hour at least, to accept the proposal. I wish to make very clear to the employers and to the unions that there is nothing in the proposal of the President's Board that prevents them from voluntarily entering into an agreement in regard to certain issues, to change the working rules and conditions for their local port on the basis of a subsidiary or supplemental collective bargaining agreement that they may wish to enter into. They have the right to do that under any circumstances at any time. But I want to make clear to the union that it is the opinion of the Board that they have no right to use the settlement proposed by the President's Mediation Board as a club to force local employers to enter into such subsidiary and supplemental agreements.

I now move to the last point I wish to make. It is probably the most delicate subject matter that a mediator can discuss in a situation as tense as the present one. But my Board does not duck the delicate ones either.

I wish to say to Mr. Teddy Gleason, the chairman of the ILA's negotiating committee, and to Captain Bradley, the international president of the Longshore Union, "I think the hour has come when, as responsible union leaders, you must demonstrate that you are ready to be responsive to your obligations of responsibility to your country."

I fully recognize that in American unionism there is almost a sacred doctrine of "one for all and all for one." But when an individual, or a small group, jeopardizes the best interests of all, and proposes a course of action that would jeopardize and do irreparable damage to the national interest, union responsibility calls upon the leaders of the union to say to local union leaders, "Do not put us in a position in which we will have to seem to be leaving you to fight your battle alone. The hour has come in which we as international officers must put the national interest first."

I have spoken very carefully on that point. I know the complete meaning of my words in every union hall in America. But let the international leaders in this union or any other correctly understand the senior Senator from Oregon. Whenever we reach the point at which the national interest would be jeopardized by union leaders continuing to give support to recalcitrant local union leaders if they have their way, those international union leaders have the responsibility of protecting the national interest, as any other American in a time of crisis has the same responsibility.

Therefore, I shall not look with favor upon the position taken by any international officers of this union that they cannot start the ships moving in New York, Boston, Philadelphia, Baltimore, or any other port until some little local grievance in Galveston, Miami, or Mobile is settled.

Adequate time has been given. Great patience has been manifested on the part of the officials of our Government and on the part of parties to the dispute, employers and union leaders alike, who have come to accept the Mediation Board's recommendation.

Mr. President, these ships must be moved. I say, most respectfully, without even an undertone, to say nothing about an overtone, of a threat, these ships will be moved. I should like to see them moved under a free collective bargaining agreement which these parties will have if they will unanimously put the President's Board's recommendations into operation by modifying their old agreement to carry out the President's Board's proposal, and agree to continue it for 2 years.

To the people in these ports who are recalcitrant let me say, "That does not prevent you from seeking to negotiate a settlement with regard to these local 'beefs' or issues, but it does mean that if you accept that agreement as modified, you are obliged to end the strike and move the ships and do your negotiating after you have gone back to work."

There is no justification for not getting these ships moving this weekend. There is no moral justification—there is no economic justification—there is no legal justification for a continuation of this strike.

I hope that this is the last word that will have to be said on this subject prior to making our final report to the President of the United States. I want the parties to understand that the President continued this Board not to mediate further with the parties but to continue to try to advise the parties, as we have been doing in telegram after telegram after telegram, as to what is necessary for them to do with local contracts to carry out the Board's recommendation. The President also continued the Board so that we would be in a position to make a final report to him, including whatever recommendations we deem necessary, depending on what course of conduct is followed by the parties.

I plead with the parties to cooperate with this Board by putting it in a position whereby, within a few hours, it can report to the President: "The strike has really ended. The men are back at work. The ships are moving. American commerce is doing all that it can so far as it can to recover from the colossal losses it has suffered from almost a month's strike in one of the most vital industries in this country: the maritime industry."

Mr. President, word has reached me from the Senate cloakroom that a wire service story reports that the ILA has withdrawn its pickets and ordered all members to report for work at 8 a.m. tomorrow. The story declares that President Bradley of the ILA has asked members in southern and gulf ports to do the same, whether they have a contract or not, and to continue bargaining after they return to work if they do not yet have an agreement.

That is surely welcome news. I extend to President Bradley and to Mr. Gleason of the negotiating committee my sincere commendation of their example of economic statesmanship. I hope and trust that all members of the union will respond to this appeal without delay.

Mr. President, I ask unanimous consent to have printed at this point in the Record an article published in the Wall Street Journal this morning entitled "Dock Strike Appears Near End in North, but Union in South Seeking More Money." It covers with remarkable accuracy some of the points I have made in this speech as to the causes of the failure in some of the southern and gulf ports, as to why the local unions in those ports have not gone back to work.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Dock Strike Appears Near End in North, but Union in South Seeking More Money

The strike that has paralyzed Atlantic and gulf coast ports for 34 days appears to be entering its final hours.

Although leaders of some southern locals of the International Longshoremen's Association still are holding out for more money, northern ports and the biggest port in the South have come to terms.

And union leaders abandoned their stand that all local issues must be settled before any port would be reopened, clearing the way for opening most ports except a few in the South.

An official of the International Longshoremen's Association said "it looks very good for getting the men back by Saturday for the Atlantic coast district." That district comprises ports from Searsport, Maine, to Norfolk.

The ILA membership voted Wednesday and yesterday on the master contract proposed by a special Presidential Board. Union leaders were confident the rank and file would approve the pact, which calls for wage and benefit increases totaling 37½ cents an hour over 2 years.

ILA officials in the North and the New York Shipping Association, which represents shipping concerns along the North Atlantic, accepted the proposal earlier this week. And late yesterday longshoremen and shippers came to terms in New Orleans, the South's biggest port. The New Orleans settlement follows the lines of the master contract.

#### PHILADELPHIA ISSUES SETTLED

The main stumbling block to a settlement in the North was removed yesterday when Philadelphia shipowners and union leaders settled local issues there. The dispute had threatened to block opening of all North Atlantic ports. After an all-night bargaining session the union agreed to the appointment of a full-time arbitrator at the time the Philadelphia contract is signed, rather than afterward, and the employers agreed to start immediately to choose a site for a new central hiring point set up last May, arguing it was too far from the main dock area.

In Baltimore, James Guthrie, president of the Steamship Trade Association of Baltimore, said the association has accepted the terms of the Morse pact. He said he "doesn't anticipate trouble in getting an early settlement" with the union.

There were also no apparent problems blocking a quick contract settlement at Portland, Boston, or Norfolk. The ILA and shipowners already have reached an agreement at the port of New York and New Orleans.

#### NO ACCORD IN GALVESTON

In Galveston, Tex., however, both sides were still far apart up to last night. Assistant Secretary of Labor James Reynolds, who had directed part of the contract negotiations in New York, was scheduled to arrive last night to lead further talks.

Galveston talks ended Wednesday with the ILA and the shipowners far apart. The ILA has made 11 demands over and above the Morse money package, and an employers' spokesman said the demands would add 27 cents an hour to the 37½-cent package offered by the shippers. J. Ross Dunn, an official of West Gulf Coast Maritime Industries, negotiating group of shippers at ports from Lake Charles, La., to Brownsville, Tex., said, "We have complied with the recommendations the Morse board handed down, and we're not going any further."

Ralph A. Massey, president of the gulf and South Atlantic district of the ILA, said the ILA was seeking wages and benefits totaling 16 cents an hour above the Morse recommendations to cover inequities between contracts on the gulf coast and contracts in northeastern U.S. ports. James O. Hubbard of the Federal Mediation Service said the union also was seeking a clause setting a minimum size for labor gangs. There is now no contractual provision on minimum gangs in the west gulf area, and the employers are "opposing very strenuously" the union demand, Mr. Hubbard said. Size of work gangs had been a major point of dispute in the North but both sides agreed to submit the issue to a Department of Labor study.

Shipowners and union officials also have failed to reach agreement at two southeastern points.

In Miami shipowners representing ports from North Carolina through Florida have rejected union demands for retroactive pay increases and a union voice on the size of dock crews.

In Mobile the Mobile Steamship Association and ILA Local 1410 were said to be apart on how much pay dockworkers should get when idled by rain.

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## U.S. RELATIONSHIPS WITH NATO AND FRANCE

Mr. MORSE. Mr. President, with the same understanding I had with the Senator from Arkansas before, I shall continue with two or three other items.

Mr. President, a week ago Wednesday I made what I termed at the time was my major speech on foreign policy, probably, in this session of Congress. It concerned U.S. relationships with NATO, with special reference to problems which have arisen between the United States and Mr. de Gaulle.

I have been very much interested in developments which have occurred in recent days, and very much pleased with the responses my speech elicited.

The President in his press conference yesterday, in my judgment, made a magnificent statement in regard to some of the facets of the problems which exist viz-a-viz the United States and NATO, and particularly France.

Yesterday afternoon the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT] made a brilliant speech on the same general subject matter.

I only propose at this time to insert some materials into the RECORD as they bear upon this problem, for in my judgment it is a problem which cannot be swept under America's foreign policy rug; to the contrary, it is a problem which will require us either to put the vacuum cleaner to it or possibly some cleansing fluid, because it must be removed in a satisfactory manner if we are to have a sound fabric of American foreign policy.

I think I might introduce what comments I wish to make on it this afternoon with these words.

Lafayette was a captain of dragoons in France when in 1776 he heard of the American Declaration of Independence. He later wrote in his memoirs:

> At the first news of this quarrel my heart was enrolled in it.

Through an American agent then in Paris, Silas Deane, he arranged to enter the American service as a major general. He arrived in the United States in 1777 and was so commissioned. He was 19 then. His first battle was at Brandywine, September 17, 1777, where he was wounded. Other battles in which he took part were at Barren Hill and at Monmouth. For the latter he received from Congress a formal recognition of his services. During a 6-month return visit to France in the winter of 1779–80, Lafayette was instrumental in persuading Louis XVI to send to the United States an expeditionary force of 6,000 men under General Rochambeau and a fleet under Admiral de Grasse, both of which played an important role in the events leading up to the battle of Yorktown in 1780. The battle of Yorktown terminated his services, and he returned to France, where he played a distinguished role in the beginnings of the French Revolution.

On July 4, 1917, during an Independence Day celebration in Paris, at which American troops were being reviewed, Col. C. E. Stanton, referring to Lafayette's services to America, said, "Lafayette, we are here."

And that great statement by the American colonel, as we know, has become emblazoned forever in the glorious history of both the United States and the French Republic.

I do not speak in terms of whether debts were repaid, because the matter of standing for and dying for freedom never can be cataloged in terms of an inventory of debts. But there can be no question that the United States has come to the rescue of France as Lafayette and the French expeditionary force came to the rescue of this young Republic in our Revolutionary days. Therefore it grieves us and pains us to take note of the course of action in France which is developing under the leadership of De Gaulle.

Mr. James Reston, in the western edition of the New York Times for Monday, January 21, 1963, had a brilliant column discussing De Gaulle and Adenauer and interpreting, as he sees the situation, some of their motivations, or possible motivations, or reasons for the course of action they are following. The topic of the article is, "What People Do They Think We Are? Adenauer Is Urged To Base His Policy on Suspicion of United States."

I ask unanimous consent that the entire Reston article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### WHAT PEOPLE DO THEY THINK WE ARE?—ADENAUER IS URGED TO BASE HIS POLICY ON SUSPICION OF UNITED STATES

(By James Reston)

WASHINGTON, January 19.—This is a solemn moment in the relations between the United States and Germany. For President de Gaulle is asking Chancellor Adenauer of Germany to base his future European policy on suspicion of the United States—even on an assumption of bad faith by the United States—and the Chancellor's answer to this will be watched here with the greatest attention.

Behind General de Gaulle's opposition to British entry into the European Economic Community and his opposition to President Kennedy's proposal for a multinational common nuclear defense of Europe lie two propositions:

First, that the United States is really trying to get Britain into the Common Market so that the Anglo-Saxons can control the new European community.

And second, that while the United States has stated specifically that it would treat an attack on its allies as an attack on itself, the United States does not really mean it and might stand aside and allow Western Europe to be destroyed by Soviet rockets if, by so doing, America can avoid a nuclear attack on her own territory.

Listen to De Gaulle:

"Who can say what tomorrow will bring? Who can say that if in the future, the political background having changed completely—that is, something that has happened on earth—the two powers (the United States and the Soviet Union) having the nuclear monopoly will not agree to divide the world?

"Who can say that if the occasion arises the two, while each deciding not to launch its missiles at the main enemy so that it should itself be spared, will not crush the others? It is possible to imagine that, on some awful day, Western Europe should be wiped out from Moscow and Central Europe from Washington. And who can even say that the two rivals, after I know not what political and social upheaval, will not unite?"

From this apocalyptic vision, De Gaulle draws the conclusion that France must have its own national nuclear force, that it cannot count on the honor and power of the United States—that it won't even leave anything to the Lord to decide—and that it must build a European community apart from those insular maritime peoples, the Anglo-Saxons.

Well, we are used to this in Washington and rather admire the swing of the rhetoric, but Adenauer is now being asked to act upon De Gaulle's vision, to rely on French atomic power when France will not rely on American, and to reject British membership in the community on the theory that Britain would be a kind of Trojan horse in Europe for the United States.

#### PREPOSTEROUS IDEA

This amounts to the preposterous suggestion that the U.S. Government would not only abandon its allies in Europe after a Soviet attack but would abandon its own armies standing closer to the Red army in Germany than does France. If there were a Soviet attack on Western Europe, it would be the American GI who would be hit first, not the French foot soldier. Kennedy has committed the best troops we have to Adenauer; De Gaulle has withheld his best troops from the NATO command in Germany. Yet Adenauer is being asked to create a Europe without Britain and a defense of Europe independent of the United States.

No doubt this has some political appeal in France and maybe even (at least in the economic field) for Adenauer. De Gaulle is the Walter Mitty of Europe, fighting and winning in his dreams of glory, the second Battle of Waterloo. But we have feelings and politicians too, and if these two men agree on the conspiratorial view of Britain and the United States, all the Kennedys in Christendom will not be able to pacify the Congress of the United States.

#### ADENAUER MUST CHOOSE

Adenauer, therefore, must choose. He and De Gaulle are the lame ducks but not yet the dead ducks of European politics and they have the power to veto Britain's entrance into Europe. But in politics, as in physics, every force creates a counterforce, and that counterforce will develop on the Potomac just as surely as the Rhine flows to the sea.

Many things have been accomplished by the limited partnership of the Old World and the New. For a generation now, Americans of both parties have moved step by step toward the goal of a common defense of the civilization we inherited from Europe, but this ideal can be broken, especially by assumptions of dishonorable American and British intent.

If De Gaulle and Adenauer are asking us to understand their longings for Franco-German reconciliation, they will get America's support prayers.

But if they are asking us to defend a Europe which questions American good faith; to cooperate in the spread of national nuclear weapons first to France and inevitably, on De Gaulle's thesis, to Germany; if they expect that we will cooperate with a Gaullist Europe that rejects and humiliates Britain and is contemptuous of all maritime powers; if they believe we will cooperate with a protectionist, inward-looking Europe which puts the continent before the Atlantic—then they are asking and expecting things that have never been and never will be. For the choice before Adenauer is not merely between France and Britain, but in the end, between France and the United States.

**Mr. MORSE.** Mr. President, I call attention to the last paragraph:

> If De Gaulle and Adenauer are asking us to understand their longing for Franco-German reconciliation, they will get America's support prayers.
>
> But if they are asking us to defend a Europe which questions American good faith; to cooperate in the spread of national nuclear weapons first to France and inevitably, on De Gaulle's thesis, to Germany; if they expect that we will cooperate with a Gaullist Europe that rejects and humiliates Britain and is contemptuous of all "maritime powers"; if they believe we will cooperate with a protectionist, inward-looking Europe which puts the Continent before the Atlantic—then they are asking and expecting things that have never been and never will be. For the choice before Adenauer is not

merely between France and Britain, but in the end, between France and the United States.

It is a keen analysis written by Reston of the situation that is arising between France and the United States; and, if Germany does not watch out, between the United States and West Germany.

Mr. President, in today's Wall Street Journal there is another penetrating article that I ask unanimous consent to have printed in the Congressional Record, written by Philip Geyelin, under the heading, "Washington To Press Unity Moves Despite French Intransigence—United States Tries Several Tactics To Prod Common Market Nations To Admit Britain."

There being no objection, the article was ordered to be printed in the Record, as follows:

### Washington To Press Unity Moves Despite French Intransigence—United States Tries Several Tactics To Prod Common Market Nations To Admit Britain—Much at Stake for America

(By Philip Geyelin)

Washington—"Getting angry at De Gaulle is like getting angry at a hurricane. He is one of the natural forces."

This teeth-clenched tribute from a top New Frontiersman points up the frustration confronting U.S. strategists seeking to counter the French President's latest effort to shatter President Kennedy's plans for Atlantic partnership. Signs of anger, frustration and concern all were evident in Mr. Kennedy's press-conference appeal yesterday for European unity and his none-too-indirect criticism of General de Gaulle's go-it-alone approach.

American anger, or even reasoned argument, it's conceded here, won't sway the general. In fact, any U.S. effort to intervene deeply and directly in France's quarrels with Britain and some of its Common Market partners would almost certainly backfire.

"For the record, this has to be treated as a problem for the Europeans to work out," says one administration policy maker. "If we jump in too openly, that would only strengthen De Gaulle's argument that we want to run the show."

#### U.S. INTERESTS THREATENED

Yet the President and his advisers are equally convinced this country can't stand idly by. Vital U.S. economic and military interests are menaced by President De Gaulle's plain intent to stall, if not stop, Britain's Common Market membership bid and scuttle the U.S. scheme for a multi-nation nuclear force within the North Atlantic Treaty Organization. Should General De Gaulle prevail, American officials foresee a splintering of the West into hostile trading blocs. France's cold shoulder to nuclear collaboration threatens serious, perhaps fatal, NATO strains. Entwined in all this is the fate of President Kennedy's cherished grand design for long-term remolding of Atlantic relationships.

What then can the United States do?

"A lot of things—indirectly," answers one Kennedy adviser. By mixing public gestures with private diplomacy and some specific inducements aimed at Europeans already hostile to the idea of a French-dominated Continent, administration men believe they can concoct potent antidotes to the De Gaulle plans.

The precise formula, of course, hinges heavily on the outcome of current Common Market maneuvering. Though General de Gaulle continued to insist in a French Cabinet meeting yesterday that direct negotiations with Britain about Common Market entry be broken off, he has accepted a German idea that Britain's membership qualifications be submitted to the Common Market's executive commission for further study. This compromise will be considered at a Common Market meeting in Brussels Monday, and if accepted would keep British hopes officially alive. But some Britons fear it would mean only that their nation's entry bid would meet a lingering rather than a quick death.

#### ELEMENTS IN U.S. STRATEGY

With the situation thus uncertain, officials here are making no firm predications of U.S. policy. But it is possible to discern these key elements of the U.S. approach to its most antagonistic ally:

1. Try to ignore him. Example: The United States is busily pushing its multination nuclear force plan with France's European partners. Last night the President announced his choice of retired career diplomat Livingston Merchants, an expert on European affairs, to head the U.S. team of nuclear-force negotiators. Italy, West Germany, and Belgium already have reacted favorably to the proposal, U.S. officials note. They add that other NATO nations are being sounded out on their willingness to help man and pay for U.S.-supplied Polaris missile-firing submarines which would operate under NATO command, though subject to ultimate U.S. control. "If only a few countries sign up, we can get started on a NATO nuclear force without the French," declares one U.S. planner.

2. Outflank him. The idea is to continue whipping up support for a broad transatlantic alliance and to stir anxiety over a tight, exclusive Continental European grouping dominated by De Gaulle. Example: The President's top trade adviser, former Secretary of State Christian Herter, has been stressing the dangers of trade protectionism growing out of a divided Europe in trade discussions with Common Market officials and others in Europe this week.

#### IMPACT ON TRADE

A key U.S. argument is that one important tariff-cutting provision of last year's trade bill will be all but inoperative if Britain is shut out. This is the authority for the President to cut duties to zero on items in which the United States and the Common Market account for 80 percent of world trade. With Britain in the trade grouping, U.S. experts say, this could provide leeway for big tariff slashes on a goodly chunk of trade in industrial goods. Without Britain, the list shrinks to aircraft and some perfume items.

3. Isolate him. Some U.S. officials contend this process is already underway without U.S. assistance, as witness the loud outcries from all five of France's Common Market partners (West Germany, Italy, Belgium, the Netherlands, and Luxembourg) over the general's rough rejection of Britain's membership qualifications. But the United States is quite prepared to give the process a diplomatic shove.

Example: President Kennedy's spur-of-the-moment decision last week to return Italian Premier Fanfani's visit by a trek to Rome some time this year, encouraged by Mr. Fanfani's firm embrace of U.S. Alliance concepts. The quick announcement was a conscious effort to encourage Italian resistance to the French Common Market policy at this critical juncture.

Similarly, the decision to add Bonn to Mr. Kennedy's itinerary and the speed of the announcement were dictated in part by the fact that Chancellor Adenauer was about to head for a Paris rendezvous with General de Gaulle. A likely followup: An invitation for Belgian Foreign Minister Paul Henri Spaak, a stout adherent of the "big Europe" concept, to visit Washington.

4. Outwait him. If nuclear policy were the only thing dividing General de Gaulle and the United States, some American strategists would favor this solution. France's cooperation isn't needed for a multination NATO nuclear force. And the Nassau pact proposal for the U.S. sale of Polaris missiles to Britain and France, with those countries responsible for producing the atom warheads and missile-bearing subs, was never expected to be operational much before 1970. By then it is by no means certain the 72-year-old general will still be France's President. So General de Gaulle's turndown of the Nassau offer may not be France's last word.

The rapid pace of Europe's economic integration, however, threatens such a waiting policy. U.S. officials fear that if Britain's entry is barred for long, it might be barred for good. The economic integration of the "Six" might go so far that fitting in Britain's economy might prove too difficult, they believe.

#### FRENCH PRESSURE ON DE GAULLE?

For this reason, though officials won't say so out loud, the United States is likely to give at least tacit approval to any moves by other Common Market members to slow the integration process for as long as Britain's application hangs fire. "This might well disturb a lot of people inside France, bankers and industrialists with some influence, who have geared their future planning to the Common Market coming off on schedule," says one U.S. official. He believes such pressure, from within France as well as from without, might persuade General de Gaulle to bow to British membership in time.

"A holding operation may be our best bet," concludes one administration man. "The important thing is to keep things on the right track, even if we have to accept some delay."

A holding operation could go awry, however. Though Britain's allies in the Common Market now seem bent on keeping the door open for ultimate British entry, one U.S. official notes: "This is a poker game and the last card hasn't been played." It's possible that if finally confronted with a Common Market whose development might be indefinitely stunted, the Five might capitulate to the French president and push on without Britain.

Some U.S. officials believe that's what the general has been angling for all along. When he first hinted last May that he opposed British entry, they think, he hoped to encourage political turmoil in Britain and force the British to break off the talks. When this failed, the reasoning goes, he decided to be blunt. "Now he's waiting to see what effect this has on Britain and the other Five," judges one U.S. analyst.

If he is right, the crucial test of General de Gaulle's policy may be its effect on the Common Market bureaucracy itself. The nine-man Common Market executive commission, which apparently will now be asked to pass on Britain's qualifications for membership, is composed of dedicated believers in one Europe. Though British sources believe this body up to now has been much in favor of British membership, it may ultimately decide that a functioning Common Market without Britain is better than one rent by continuing dissent between France and its partners.

If this happens, and if France's partners decide to forgive her and forget, U.S. officials concede not only that British membership might be ruled out forever, but that General de Gaulle might achieve his aim of forging a six-nation political unit as well. The result could then conceivably be a tight, French-dominated bloc split permanently from the rest of Europe. Such an arrangement would inflame Franco-British relations, make NATO collaboration difficult or impossible and deal Mr. Kennedy's grand design a body blow.

### DE GAULLE'S INFLUENCE DECLINING?

U.S. experts admit they would then be caught without meaningful contingency plans. "You couldn't plan against such a possibility without the most elaborate discussions with European countries, and any such talk would cut the ground out from under our real objectives," says one Kennedy aid.

More important, however, administration planners are convinced that the chances of this happening are exceedingly slim. For all General de Gaulle's intransigence, most U.S. analysts depict him as a man whose influence in Europe is probably on the wane.

Unless West Germany's Adenauer somehow finds a way around his promise to step down in September, the French President will lose his most influential continental ally this year. Almost any Adenauer replacement seems certain to resist the French little-Europe concept and to favor inclusion of Britain in the Common Market as well as close transatlantic ties.

U.S. authorities cite other European pressures they think will sooner or later work against De Gaulle and in favor of the Kennedy grand design.

Within the Common Market there's little hankering for a grouping dominated by France, or by the special Bonn-Paris partnership cemented this week by Messrs. Adenauer and De Gaulle. U.S. officials doubt Franco-German reconciliation will have much appeal as the basis for a tight, Common Market-wide political agreement. "The rest of the Six will go for that about the way De Gaulle went for the Anglo-Saxon Nassau pact," says one U.S. diplomat.

Free trade has powerful backing in Europe; France is rated suspect on this count in countries such as Belgium, the Netherlands, and, above all, West Germany, which currently trades more with Britain and the so-called Outer Seven (embracing Austria, Switzerland, and Scandinavian countries) than it does within the Common Market.

General De Gaulle may wish to exclude the United States from Europe, and a good many Europeans may desire a bigger voice in alliance affairs, but few informed Europeans apart from General De Gaulle have any illusions about the importance of the United States to their defense. "When you are maintaining highly expensive forces in Europe and control 95 percent of the West's nuclear power, you may not be loved, but you have a little leverage," says one American strategist dryly.

Mr. MORSE. Mr. President, I would have the leaders of France and the people of France recall, in this hour of growing difference between these two great Republics, the statement of Colonel Stanton on July 4, 1917, "Lafayette, we are here." I think it would be a most unfortunate historic development if it should happen that, in our time, another representative of the American people, standing in Paris, might find it necessary to announce to the French people and the world, "De Gaulle, here we go"; for, as I said a week ago Wednesday in my speech on NATO, involving a discussion of United States-French relationships, if France wants to follow a course of action which leaves us but one choice, and that is to leave France to her own defenses, then it will be necessary for a spokesman of the United States to say, "De Gaulle, here we go."

## DER SPIEGEL ARTICLE ON GERMANY'S MILITARY DEFENSES

Mr. MORSE. Mr. President, last fall there appeared in a West German newsmagazine, Der Spiegel, an article about that nation's military defenses which caused panic among many of its civilian leaders. As we know, a political scandal erupted there that is still reechoing in West Germany.

But the uproar over publication of the article has unfortunately obscured most of what it said, insofar as Americans are concerned. The article described the results of a NATO exercise last September called Fallex 62, and I now ask unanimous consent that a translation of it appear in full at the conclusion of these remarks.

This article should be read by every American who is interested in the capabilities of NATO in case of all-out atomic attack upon both Western Europe and the United States by Russia, which was the situation posed by Fallex 62.

In brief, the article reports that only American forces are always combat ready; that West German forces received the lowest rating for military readiness; that the Russians would probably have moved to the Rhine River in 7 days; that the defense of West Germany at its eastern border is rendered ineffective not only by inadequacies in existing NATO forces, but by the failure of France to turn over to NATO the troops that are supposed to fill the southern end of the NATO line.

To quote from the article:

> Although the war in Algeria is over, France's President, General de Gaulle, has refused to make the divisions which have been released from the Algerian struggle available to NATO Headquarters.
>
> DeGaulle is holding three-fourths of the French Army under French national jurisdiction; included in these forces is the Army Corps of Parachute General Massu which are the garrison forces in Alsace-Lorraine. De Gaulle considers this corps west of the Rhine as his own personal operational force and as shock troops of the line. He wants to use them for his own purposes in case of a Soviet breakthrough toward the Atlantic.
>
> The NATO Command for central Europe in the meantime urgently needs Massu's corps for assignment nearer the front. The section of the front, including Munich, which the French are to cover in southern Germany, is weakly manned so that neither Munich, Hamburg, or Hannover can be defended.

One wonders at De Gaulle's plan for a Franco-German leadership of Europe which bases its military defense on the abandonment of Germany and the protection of France.

However, the main result of this exercise, according to Der Spiegel, is that the NATO Command in central Europe could not defend Germany successfully at the present time, even with the use of tactical atomic weapons. The severity of the attack on this article by the German Defense Minister indicates that it must be considered to be reasonably authentic.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Conditionally Fit for Defense

"One can influence American policy only by making it together with the Americans, and not by making policy against the Americans." (Federal Defense Minister Franz-Josef Strauss, March 20, 1958, in the German Bundestag.)

The Chancellor left his capitol, Bonn. As the Fuehrer had done at the beginning of the Western campaign in the early morning of May 10, 1940, he moved into a command bunker in the Eifel Mountain.

The Chancellor was accompanied by members of the Federal Defense Council and officers of the Bundeswehr.

The highest danger of war existed. The Fallex 62 (fall exercise of 1962), a NATO staff war game, was moving from the tension stage into the defense stage. The European NATO commander, General Norstad, had issued a general alarm after Western outposts had been attacked.

On this 21st of September Conrad Adenauer was playing a game of boccia in Candenabbia. The Chancellor's place in the war game had been taken over by Minister Heinrich Krone, Conrad Adenauer's closest political confidante. Franz-Josef Strauss was in his Riviera retreat, taking care of his nerves, which had been frayed by the Fibag affair and the fighting over the Bavarian Minister Presidency. To the astonishment of his coworkers, he stayed away from this important exercise, whereas U.S. Secretary of Defense MacNamara actually came to West Germany for 48 hours in order to observe the development of Fallex 62. The Defense Minister's part in the game was attended to by Ministerialdirektor Karl Gumbel, Bundeswehr personnel chief.

In the meantime, the Bundeswehr was led by Generalmajor Graf Kielmansogg, normally commander of the 10th Armored Infantry Division in Sigmaringen. But the Bundeswehr's Inspector General, Four-Star General Friedrich Foertsch, unlike his Chancellor and his Minister, was not on vacation; in war game headquarters he observed, move by move, the exercises which provided him, the highest German soldier, with ample illustration of the Federal Republic's military readiness and of the combat readiness of its fighting forces.

Fallex 62 was the first NATO exercise conducted on the basis of the assumption that the third world war would begin with a general attack on Europe.

The third world war began on that Friday in the early morning hours almost 3 weeks ago. The exercise headquarters had an atomic bomb of medium power explode over a Bundeswehr airbase. Further atomic attacks were assumed against NATO airfields and missile positions in the Federal Republic, England, Italy, and Turkey.

The Soviets did not succeed, however, in knocking out the retaliatory weapons of the Atlantic Pact nations with this first atomic assault.

About two-thirds of the Western atomic weapons carriers remained intact. The 14-day tension phase preceding the Russian paper attack had been utilized by NATO for camouflaging its missiles; a major portion of its aircraft were being kept constantly in the air, or had been stationed in previously prepared dispersal areas.

But even the immediate counterblow by these NATO units could not nip Red aggression in the bud. The East retained enough divisions and atomic bombs to press its attack forward.

After a few days major parts of England and the Federal Republic had been completely destroyed. Ten to fifteen million dead were assumed in both countries. Losses were even greater in the United States which, in the meantime, had been hit with several Soviet hydrogen bombs.

The chaos was unimaginable—even taking into consideration that the exercise headquarters, for the sake of testing remedial measures, assumed the explosion of more atomic projectiles than the Soviets could—or would be expected to—use in actuality.

This chaos impeded the advance of the Communist divisions which had also been severely hit. In spite of this, they could book major territorial gains in the northwestern part of the Federal Republic, including Schleswig-Holstein, since the NATO forces were short on manpower. Hamburg was not defended—a concession which even before the exercise had been advocated by Interior Senator Helmut Schmidt, as it had at one time, under similar circumstances, been counseled by Hamburg's governor, Karl Kaufmann. The military command, also, was not interested in murderous street fighting.

The purpose of Fallex 62 was the testing of NATO's military readiness and the functioning of the command staffs, and, above all, the checking of emergency plans for the population. For this reason numerous civilian authorities—the Interior Ministries of the Federal Republic and its member states, provincial and district officials and representatives of the Ministries of Postal Affairs and Communications—participated in the exercise.

It became apparent that the Federal Government's preparations are completely inadequate for defense purposes. Lack of emergency legislation was only one of many ills.

The medical setup was the first to break down. Doctors, auxiliary hospitals and medicines were lacking. Provisions for good supplies and the preservation of vital industries and traffic routes did not fare any better. Air defense proved to be completely inadequate. It was impossible to keep the refugee flow under control. The telegraph system also was out of commission in a very short time.

The officials and observers participating in the games, among them Bonn Historian Walther Hubtsch and representatives of the Federal Industrial Association, were shaken by the progress of the exercise. Interior Minister Hermann Hoecherl came to the conclusion that only prior preparation would be of help in a catastrophe like this. His comment on the lack of preparations: "Under present circumstances almost no one has a chance."

Even during the tension phase, meaning before the start of the attack, the deficiencies of the Bundeswehr had become evident.

The American military units in Western Europe had 85 percent of their manpower ready for combat within 2 hours. The Bundeswehr's nine mobile divisions, however, which are already subject to NATO command, were not up to personnel strength and, in addition, lacked weapons and equipment. Only one-quarter of the doctors' T/O in the units was filled. For the hundreds of thousands of Bundeswehr reservists who had completed their tours and who were assumed, for game purposes, to have reported to military assembly points, there were no commissioned or noncommissioned officer cadres, and certainly no weapons.

The territorial defense units with their few heavy engineer units were hardly up to their assignments. For action against tanks which had broken through, no territorial defense units were available at all.

The NATO high command has divided the allied fighting forces into four groups:

(a) Fully fit for attack.
(b) Conditionally fit for attack.
(c) Fully fit for defense.
(d) Conditionally fit for defense.

Today, after almost 7 years of German rearmament and 6 years of direction by its commander in chief, Strauss, the Bundeswehr has still the lowest NATO rating: Conditionally fit for defense.

Such substrength defense forces are even in normal times opposed on the central European battlefields by a compact initial assault force from the East; 10 armored and 10 mechanized Soviet divisions with 6,000 assault guns and tanks, most of them the medium T54 type, and including 1,000 heavy tanks of the Joseph Stalin type, all on East German territory; 2 Soviet divisions in Poland; and 4 in Hungary.

The Soviet core is supplemented by 6 East German Army divisions, 6 East German border guard divisions, and 3 East German border brigades, as well at 13 Polish and 14 Czech divisions.

The Czechs have modern equipment but little combat value. The Poles lack equivalent weapons as well as fighting spirit. The East German National Peoples Army, whose 2,500 tanks are mostly of the older (T34/84) type, was during last year's Warsaw Pact maneuvers deployed in the very front lines, even though its combat value is not regarded as high either. The Soviet divisions in central (East) Germany are among the elite of the Soviet forces.

The combined Red forces could presumably beat back an attack by NATO units designed to relieve a blockaded West Berlin—with the Bundeswehr as a vanguard, as U.S. President Kennedy, in talking with Bonn's Ambassador Grewe, found at least worthy of discussion. In the opinion of high staff officers in NATO headquarters in Paris, however, these Red forces would have insufficient power to destroy basic Western positions, even if the assault is supported with atomic weapons.

An offensive by the Eastern armies against the West would need a systematic deployment of frontal assault units and strong reserves in order to feed the continuing assault with staggered waves from the rear. During the preparations for the construction of the Berlin wall on the 13th of August of last year, the Soviet forces in East Germany had providently established several skeleton staffs for Red armies which were to be used as relief forces in case there was a crisis.

By bringing up such forces by road and rail the Soviets could within 10 days add about 50 divisions from the western U.S.S.R. to the combined forces in East Germany.

The array of Soviet forces is completed with two airborne divisions, among them a parachute division, to be brought in by Red air force transports. All frontline units of the East are fully equipped and mobile even in peacetime. Their advance during the tension phase is a question of transportation.

NATO, on the other hand, in order to come up with appropriate defense forces, must first bring the active divisions up to strength and mobilize the reserves. Of course, the frontline strength of a Soviet division is 10,000 men plus independent artillery and rocket units and is therefore smaller than the average NATO division which has a planned wartime strength of 20,000 men and its own heavy artillery. In addition to that the attacker needs an overall superiority of 3 to 1. In order to deter him from such an operation or to be able to resist him, NATO needs at least 40 divisions for defense between the Alps and the Baltic against the approximately 120 Red assault divisions.

Actually, the planned NATO strength for this area is so far exactly 33 divisions. As of now the actual combat strength comes to 23 divisions:

(a) Five U.S. divisions, plus three regimental combat units equipped with Davy Crocketts.

(b) Three British divisions, including a Canadian brigade.

(c) Two Belgian and two Dutch divisions and a Danish division.

(d) Nine Bundeswehr divisions (5 armored infantry, 2 armored, 1 airborne, and 1 mountain division—a 10th division is about to be ready—with about 2,000 tanks, 4,000 infantry tanks, and 700 self-propelled mounts).

In addition, materiel for two U.S. divisions is stored in the Federal Republic. The soldiers can be brought in by air within 1 week, as was shown in the air transport exercise Long Thrust last year.

The American divisions are always combat ready. The English divisions are up to 60 percent in strength; within the framework of Fallex 62, therefore, British reservists were flown to Germany. The Dutch and Belgian units are also under strength. In the Bundeswehr divisions, among which the mountain and airborne divisions do not yet have three full brigades, the actual strength, after introduction of the 18-month tour of service, hovers between 80 and 90 percent.

Beyond that NATO lacks combat flyers in support of combat troops, and conventional rocket launchers of the Soviet Stalin organ type.

In view of this Western inferiority, the NATO high command assumes that in a conflict the East would launch a full-scale attack with three massive wedges as follows:

(a) North of the Elbe River against Schleswig/Holstein, combined with air landing operations on the Jutland, in order to take over the Baltic exits and to keep them open for the Red naval forces, especially submarine flotillas.

(b) On both sides of the Helmstedt/Cologne autobahn past the Ruhr area across the Rhine.

(c) From Thuringia to Frankfurt/Main and, for flank protection, toward Nuremberg and Munich in the south.

Outflanked NATO units would be tied down by attacks from Bohemia through the Fichtel and Marz Mountains.

This broad offensive—target: North Sea and Atlantic—can be pressed by the East entirely with conventional firepower, owing to Western manpower deficiencies. For this purpose 7 artillery brigades and 6 to 8 rocket launcher brigades have been added to the 20 Soviet divisions in East Germany alone. Added to this is a strong combat air complement which supports the raid of the tank wedges with conventional bombs and other projectiles.

Of course, the Soviet divisions do lack tactical atomic weapons. The caliber of such weapons exceeds that of equipment which a division can use purposefully in battle; there is a lack of reconnaissance and direction equipment for a range finding.

For this reason the Soviets have tactical atomic weapons only on army level, assembled in special units. Purely conventional warfare is therefore left to the divisions.

Even if the Soviets attack only conventionally, however, the still outnumbered NATO divisions have no choice other than to make up for the superiority of the attacker by using tactical atomic weapons. While such weapons in an air operation favor the attacker who delivers the first blow against enemy missile, air and radar bases, in the opening phase of ground combat they help the defender.

Both sides, attacker and defender, are forced through the mere existence of tactical atomic weapons to pull their troop units apart; the assembly areas are more thinly occupied. In the staff of NATO's Central

European Command one therefore calculates that the East will extend its attack position beyond the southern border of East Germany into Czechoslovakia and will violate Austrian neutrality in order to take over the Danube Basin.

In order to break through the attacker must nevertheless mass his forces at focal points, and he will thereby provide attractive targets for the defender's tactical atomic weapons.

Besides the defender, by using tactical atomic weapons, can lastingly interrupt the lines of communication through which the attacker supplies and strengthens his forward units. Full motorization and weapons with appreciably higher firepower are making the supply problem more complicated in any case than it was during the Second World War.

To quote U.S. General Lemnitzer, former American Chief of Staff and future Supreme NATO Commander in Europe: "The supply lines of the Soviet Army are fatally vulnerable."

However, if a breakthrough by the attacker succeeds and the front is moving, then the employment of atomic weapons by the defender will be very difficult. Friendly troops and the civilian population will then be endangered to a serious degree; the determination of the targets will be made difficult.

The West did not need to worry so much when, in 1949, after Stalin's Berlin blockade and the putsch of the Czechoslovak Communists, they drew up the North Atlantic Defense Agreement. At that time the Americans had a monopoly on atomic weapons. Their atomic mastery did not suffer any great losses because of the production of Soviet atomic bombs in the first years of the 1950's, because the superiority of the United States in the field of delivering these weapons remained.

But in spite of atomic superiority, the picture of a future war which the NATO strategists developed was not at all satisfying against an attack by Soviet mass armies on West Europe, the bomb could not accomplish anything during the first phase of the war, and the West, which had been demobilized since 1945, did not have sufficient defensive forces. Thus the NATO Council in Lisbon in 1952 came up with the proposal—which since then has been only legendary for a long time—of 85 divisions by June 1954 for the front from the North Cape to Turkey.

With this force, which did not include the 12 German divisions which were already planned, the NATO leaders believed that they would be able to proceed in accordance with the dreamlike operational concepts of Forward Strategy: The 85 NATO divisions, plus reserves, would intercept a Soviet attack against Western Europe and would liberate the people of Eastern Europe and the Soviet Union by means of Operation Pursuit.

The Lisbon plan and the Forward Strategy remained a plan on paper. The European NATO nations were afraid of the cost of large armies; instead, they put their trust in massive retaliation, in the heavy atomic bludgeon with which the Americans threatened to repay an attack by the Soviets.

The advantage which the American production of atomic and hydrogen weapons and of aircraft to deliver them kept over the Soviet armament technology even after the first Soviet nuclear tests seemed to justify this defense doctrine for a moment. The armies of NATO atrophied.

The NATO planners, however, had to recognize that their retaliation fire-magic, which would flame up in the Soviet Union, would starve out the Soviet attacking divisions only after considerable time has passed by destroying their base of supply. After the Lisbon plans collapsed, this realization gave rise to the idea of stopping the Soviet attackers first of all at the Rhine with the defense forces farthest forward.

This sacrificing of the Federal Republic which was planned in this fallback put a burden on West German rearmament. Theodor Blank, Bonn's first defense minister, first raised the demand, as early as 1952, at the first negotiations concerning West Germany's contribution to defense, to alter the defense strategy of the West at the latest at a time when the mass of the German armed forces contingent of 12 divisions was ready from fallback to forward defense—not forward strategy—the farthest forward defense line would be in the vicinity of the border.

General Collins, who was the Chief of the General Staff of the American Army at that time, assured the rearmers of Bonn that the defense plans would be revised in accordance with Blank's wishes as soon as the German armed forces had fulfilled all the necessary preliminary conditions. That was in July 1953 on the occasion of Blank's first trip to America at a discussion of the situation in the situation room of the U.S. Chief of Staff.

From this time on, Blank—now the Federal Labor Minister—fussed around with a rearmament calendar, according to which 500,000 German soldiers were to be recruited within 4 years.

With this hasty recruitment project which was intended to satisfy the NATO conditions for forward defense, 3 stages of the Federal armed forces strength were finally fixed upon: 1956, 96,000 men; 1957, 270,000 men; 1959, 500,000 men.

However, Blank and his two chief advisers, Generals Heusinger and Speidel, had miscalculated. After German rearmament began on November 10, 1955, their planned figures could not be reached. Everything was lacking—officers, noncommissioned officers, weapons, barracks, training areas.

Bonn's NATO partners were distrustful. Franz-Josef Strauss, who since 1953 had first been Special Minister and then Atomic Minister in Adenauer's second Cabinet, saw his chance. He tried to get Blank's job.

In the Hamburg weekly Die Zeit he informed his fellow Cabinet member Blank: "One should not marshal forces which do not conform to modern requirements just for the sake of achieving a certain number." Against Blank's drafting-of-soldiers cure, Strauss set up his own visionary trademark: "army of quality."

Six years later, after the NATO Council Conference last May, at which the Americans agitated for stronger conventional forces for NATO and vindicated Blank's concept after the facts, Strauss desired to erase all traces of that apparent dialectic at the time of his graceless competitive struggle with Blank. In a "Comment of the Defense Minister" at the conference at Athens intended for the Federal armed forces, he said: "In the past, at the time when the SPD (Social Democrats) labeled the mustering of 500,000 conventional troops as 'nonsense which ought to be in a museum,' we always took the stand that we in Europe need a strong force of conventional forces."

In May 1956, however, Strauss attacked his superior Blank with the slogan of atomic arms for the Federal Armed Forces, to which Blank replied with his usual statement that conventional weapons are more important. But finally Blank was tired: "The leadership of the defense policy means more to me than becoming a martyr."

On October 16, 1956, Strauss took over military power. He at once set about establishing his army of quality, and he did it by a trick. He deliberately differentiated (which the NATO plan had not provided for) between the wartime and peacetime strengths of the Federal Armed Forces. The wartime planned strength of 500,000 men was reduced by him to the peacetime planned strength of 350,000 men, and he also extended the date for the formation of the individual units.

In doing this, Strauss was smart enough not to simply strike out the final strength of 500,000 men which had been planned. Instead: "Once we have some reserves we can fill up the table of organization" from peacetime strength back to wartime strength.

Strauss was lucky. His manipulations coincided with the armament tendency in the Pentagon, which at that time designated the military policy of the Eisenhower government as the Radford plan (Admiral Radford served as the American Chief of General Staff of the Armed Forces from 1953 to 1957). The U.S. Army, which had been reduced in strength again, was only a trip-wire anymore and if it was touched by an aggressor anywhere in the world the global atomic war would be set off.

The Soviets, who were overwhelmingly superior to the West in number of Army units, alined themselves against this in accordance with the maxim of their tank marshal Rotmistrov: "It is absolutely clear, that atomic and nuclear weapons alone, that is, without decisive operations of modern-equipped land forces, cannot determine the outcome of a war." Soviet General Krassilnikov amplified this maxim: "Atomic war demands not the reduction of troop strength but rather its increase, because the danger that entire divisions will be knocked out is increasing and to replace these troops large reserves will be necessary."

At the same time the Soviets continued to stock up atomic and nuclear weapons more and more. Their sputnik rockets turned out to be carriers with transcontinental range.

NATO reacted to this with the MC-70 program, an armament and command directive of the North Atlantic Military Committee in Washington. It recommended for the period beginning with early 1958 to the end of 1963 the following goals: 30 divisions alone in the European central NATO section and tactical atomic weapons for all of these divisions as well as for the NATO air forces.

Experience shows that both goals will not be fulfilled during the period of MC-70, that is, by the end of next year. Today the number of central European divisions are seven short of the plan.

The equipping of the divisions and air forces with tactical atomic weapons has likewise not been achieved completely.

(The tactical atomic weapons of NATO forces include the following short-range rockets: Lacrosse-range (32 kilometer); Honest John (40 kilometer); Sergeant (150 kilometer); Corporal (140 kilometer); and Redstone (400); the multipurpose 17.5 centimeter cannon (50 kilometer); and the 20.3 centimeter howitzer (23 kilometer); the Matador missile (750 kilometer), and the Maco (1,200 kilometer); the antiaircraft rockets Nike-Hercules (50 kilometer altitude) and the atomic rocket launcher Davy Crockett (10 kilometer).)

The Federal German Army, according to MC 70, is assigned per division one Honest John battalion, per corps one to two Sergeant battalions. The Honest John battalions have not been completely set up, the Sergeant battalions are just being built up.

The Federal Air Force at present has only two combat-ready Nike antiaircraft battalions. And only a small part of the five fighter-bomber squadrons of the air force have been equipped for atomic warfare.

(In addition to the 5 fighter-bomber squadrons, with 50 aircraft each, the air force also has 2 fighter squadrons, 1 reconnaissance and 1 transport squadron. The air force has a total of 600 aircraft.)

The air force's 24 Matador missiles, which have in the meantime become obsolete, are being replaced by three to five Pershing rocket battalions. (The Pershing rocket has a 600-kilometer range.) The training of German Pershing crews has begun in the United States of America. The charges for the American atomic warheads assigned to allies according to MC 70 remain until the time for their use under lock and key in the special ammunition sites. These depots guarded by NATO soldiers from all nations in the Turnus Mountains are lying hidden in the ready rooms for immediate use by the troops. American officers, always on the alert, have the control authority.

Before the first atomic shot can be fired from these arsenals the Supreme Commander of NATO in Europe must get permission from the President of the United States. Only then may the Supreme Commander release warheads in the lower kiloton range to commanding generals of corps, specifically according to firing plans for different situations with various detonation values.

(The Hiroshima bomb of the Americans dropped in the summer of 1945 was equivalent to 20,000 tons of TNT. This is considered today as being in the lower range.) The corps can issue the fire order themselves or pass it on to the divisions. Commanding generals or division commanders give the fire order to the artillery commander. The order specifies the target, the time of the firing, and the necessary effect. The superior commanding authorities and the air force will be notified about these details. The commanding officer of the artillery gives the order to fire directly to the weapon crew.

The dropping of tactical atomic bombs by the NATO air forces follows a similar command structure. About two-thirds of the atomic capability present in Europe is stored in air force depots. These warheads are in the medium kiloton range.

Along with the American medium-range rockets of the submarine as well as those emplaced in England, Italy, and Turkey, the atomic fire power of the air forces is considered today as the sharpest sword of NATO.

In addition, units of the strategic bomber command of the U.S. Air Force have been assigned to the defense of Europe. However, the bomber units are threatened with the danger of being shot down: the U-2 losses over the Soviet Union and Communist China have demonstrated that antiaircraft rockets can operate successfully at high operational altitudes.

The confidence of the NATO staffs continues to be based on the advance of American atomic weapons production over the Soviet Union. The United States has processed, according to a statement made by U.S. Secretary of Defense McNamara at the Athens NATO Conference in May, four times more nuclear material into warheads than the Soviets.

America alone is in possession of 97 percent of all atomic combat means in the West, a force which is calculated to be enough to cover two and three times 90 percent of all military targets in the East. The remaining 10 percent of the targets in the East have not been located or are so mobile that they could not be covered even with a higher atomic capacity of the West. A NATO war game 2 years ago revealed the atomic saturation degree of the West: On one and the same Baltic port three atomic bombs were dropped at the same time. The reason is that NATO strategists are certain that the Soviet Army, because of its vulnerable land connections with some of its supply lines, will turn to sea transport; there is talk in the Navy of the Baltic runway.

Thus three NATO warriors from three different command posts drop one atom bomb each on the Baltic port. In order to bring some order into the atomic ammunition stockpile and to secure firing discipline the Pentagon has set up a Joint Command of American Armed Forces which coordinate firing plans. A liaison staff of the Central Command is located with the NATO Supreme Commander, Europe, in Paris.

This target distribution, of course, does not answer the basic question of whether, when, and which atomic weapons may be used. The answer to this is aggravated by the following factors: (1) The stalemate pattern between the strategic nuclear weapons of both sides, in which the attacker may also be destroyed by the subsequent retaliatory blow of the attacked; (2) the equipment of Soviet front armies with tactical atomic weapons; (3) the resulting growing danger according to U.S. judgment, of local, conventional, or limited atomic conflicts in Europe, caused for example through the Berlin crisis.

In this stalemate situation America could be tempted to accept local successes of the Soviet Army in Europe fighting the numerically weaker NATO units, in order to avoid the deathly exchange of strategic nuclear weapons. The Soviets, on the other hand, could be misled through the atom strategic death balance to attempt such limited advances and to occupy territory. For this reason, the former Chief of Staff of the United States Army, General Taylor, demanded as early as the beginning of 1959 an increase of the conventional arms plan of MC 70. However, the Republican Eisenhower administration was not inclined to spend money on conventional arms. Similarly, Europeans avoided higher military budgets.

The Eisenhower government thought a way out through which, tactical atomic weapons having already been pushed forward into the European front, strategic nuclear rockets were now to be brought under the command authority of NATO. The Americans intended to balance thereby their shortage of intercontinental missiles.

Thus they offered around the end of 1960 more than 100 medium-range missiles of the Polaris type, with a range of 2,000 kilometers (today 3,000 kilometers) to the European Allies. This was contained in the first drafts of the plan directive MC-96 which will supersede MC-70 by the end of 1963.

The Polaris missiles were not only to be ready for firing from submarines but they were also to get firing positions on the West European continent. The Federal armed forces was also to receive an allotment of missiles.

Bonn's Defense Minister Strauss welcomed the offer of missiles enthusiastically, while all the other NATO partners have remained skeptical and aloof until now. Strauss believed that he had reached the goal he desired of sharing in American atomic power and thus catching a piece of atomic sovereignty. Furthermore, he believed that the Polaris project would wrest the French hegemonial instrument in Europe from their hands—the atomic force de frappe (power of intimidation).

But the sober-thinking general staff members in the European NATO High Command in Paris did not gloss over the promise of the Polaris because between the hopes of intimidation and the means of intimidating on the lowest level of the defense system, now the same as before, there was discrepancy.

Through map exercises in the Paris NATO Headquarters, it was learned that the NATO lines of resistance were weakly manned and there were no reserves, so that the defending units, even in case of small advances from the East, would have to shuttle back and forth from sector to sector as long as they did not defend with atomic firepower. But that kind of sideways movement would lead to dangerous exposures of wide sectors of the front.

However, atomic defensive fire by NATO against the Soviet attacker, who likewise would bring along atomic weapons, would threaten to set off the so-called atomic spiral (escalation): the one who is losing in the atomic firefight reaches for the next higher caliber.

In NATO Headquarters they decided, as a result of the war exercises, that the ground forces units must be completed and that in this way the atomic threshold must be raised in the system of graduated intimidation; the time at which the only atomic weapons would be of use anymore against a Soviet onslaught must be deferred.

Among the high-ranking officers on the highest level of the Atlantic military hierarchy who set up such war exercises in 1959, directed them and evaluated them, was West German Armed Forces Gen. Friedrich Foertsch, who since January 1 of that year has been the Deputy Chief of Staff Plans and Policy in the NATO top command for Europe. Foertsch later gave the following résumé of his accomplishments in the Atlantic high command: "I brought my comrades to the point where they were no longer always just shooting atomic weapons around."

The reform efforts in the NATO European headquarters which have been urgently advocated since the beginning of 1960 by the new Democratic Kennedy administration were matured last fall in the form of plan recommendations to the NATO government. The European ground forces units are not only to be brought up to strength but their strength is to be increased and they are to be brought so close to the demarcation line that local border violations without atomic firing can be cleared up by counterattacks. Intimidation in dealing with encroachments by conventional forces by Eastern ground forces is intended to gain in persuasiveness by this means.

Nevertheless, the tactical atomic weapons will remain in the NATO European divisions because the Soviets also have these tactical weapons, not in the divisions but within their armies. United States General Lemnitzer, speaking on American theories, according to which the tactical nuclear weapons should be removed from the frontline units and stationed in the rear, said, "That would be crazy; if the weapons were used, they wouldn't get back up to the front." However, the question as to whether it would not be better to assign the tactical atomic weapons to a special command, as in the Soviet Army, remains open.

However, the offer of Polaris missiles from the first draft of MC 96 was deferred in favor of strengthening conventional forces. U.S. President Kennedy outlined his lack of interest in such a NATO atomic power politely when he advised the Europeans first to get together on joint control of this weapon.

Kennedy had American NATO Ambassador Finletter state in the Atlantic Council that the ground force units had priority, and that equipment with Polaris missiles, if it should come to pass some day, must in any case be paid for in cash with dollars by America's allies.

America's Secretary of Defense McNamara expressed it more clearly: "Within 4 or 6 years we want to be far enough along so that Europe can also be defended against a large attack with conventional weapons by conventional weapons."

The Bonn Government instructed its NATO Ambassador von Walther in January of this year to accept the new planning demands of the NATO staff—as a basis for planning, as Ambassador von Walther qualified his statement—there would still have to be discussions concerning details, he warned cautiously.

The truth is that Bonn's Defense Minister Strauss rejected the innovations right from the beginning. He suspected the Americans; they would hesitate too long about making use of the atomic weapons if war broke out, in order to protect their country from the strategic nuclear weapons of the Soviets.

Strauss said: "Today one cannot accept war by conventional means as the lesser evil, thinking that one can avoid the suffering of an atomic war by that means. Atomic weapons cannot be eliminated by such an acrobatic act of self-deception."

The minister declared that atomic intimidation would lose in credibility if NATO prepared itself for conventional warfare.

However, the Berlin crisis which has been smoldering spoke against Strauss' theories; the danger of local clashes had become evident to everybody. It forced the West to plan military operations, the implementation of which would only be possible with the use of conventional forces, if the West did not want to begin an atomic battle.

Thus, for example, the NATO strategists considered blocking off the Baltic Sea exits as soon as the Soviet blockaded West Berlin. But a sanction of this type requires conventional defensive preparations for the event that the Soviets wished to break the Baltic Sea blockade.

Franz-Josef Strauss, on the other hand, although he is sometimes admired and sometimes disparaged because of his rhetorical athleticism, does not wish to shore up the Western Berlin policy militarily. During the critical days after August 13, 1961, in internal discussions, he opposed any energetic action and accused Mayor Brandt of playing with fire.

When the new planning requirements of NATO reached Bonn, Strauss ordered the staff of Inspector General Foertsch, headed by Major General Scnez, to make a strategic analysis with the thoroughness of a Moltke, the young war gods of the Ermekeilkaserne at Bonn drew up several war studies. In them the initial situation of the Fallex 62 staff exercise was already anticipated: The Soviets begin a large-scale attack on Europe with a devastating atomic strike against the missile bases, landing fields, and communications centers of NATO, as well as against the ground-force units in the defense area near the border.

However, the West German General Staff officers could not agree on the conclusions to be drawn for the strategy of the Atlantic Powers. Strauss' Press Col. Cord Scmueckle alluded to their differences of opinion in a newspaper article: "There are generals who obstinately maintain that a war in Europe would not last longer than 48 hours. Others speak of 48 months. The difference between the two figures reflects the distance which divides the Air Force and Army experts from each other in general as soon as the nature of war in these days becomes the subject of discussion."

A group of General Staff officers, supported by German officers of the NATO staffs, argued as follows: Only a stronger German Army can increase the intimidation factor and prevent the Soviets from making an attack at that time. Also, only an increase in the number of German troops would guarantee the forward defense on the zonal border. In a memorandum to Insp. Gen. Friedrich Foertsch, the German members of the NATO High Command also indicated that more West German soldiers would increase the political importance of the Federal Republic in the Atlantic alliance, while, on the other hand, Bonn's aspirations for medium-range missiles would only arouse distrust.

However, other officers of the directing staff of the Federal Armed Forces felt that NATO could best counter a first atomic attack by the East by accepting the idea of a preemptive strike which was already discussed years ago in the United States, which would anticipate the Soviet atomic strike, hitting right at the moment when the Soviet intention to attack is clearly perceived.

Their demand was that NATO needed an independent—independent from the United States—atomic force, if necessary at the expense of conventional armament.

Air Force General Kammhuber, who was until the end of September inspector of the Federal Air Force, expressed similar thoughts as early as 1955, during the NATO air exercise Carte Blanche when a similar war opening phase was enacted. Even then Kammhuber supported the idea that the Federal Army needed a weapon, effective to the Ural Mountains. Otherwise we are only satellites.

Strauss and Kammhuber laid the foundation for the miracle weapon with the Starfighter program: Fighter-bombers capable of carrying atomic warheads which were to be replaced later by missiles.

The fighter-bombers are predestined to be used for the preventive blow because they are greatly endangered on the kilometer-long concrete runway through missile fire or bombing of the initial enemy blow. The question is whether they would find undamaged landing places on their return from the first front flight.

While alternate landing places have been set up and dispersed and while concrete bunkers to park aircraft are now reportedly being built and temporary landing facilities are being built on the superhighways, an atomic warhead detonated in the vicinity of a runway would destroy the radar instruments without which a Starfighter could only be brought down with extreme difficulty.

The Strauss colonels preferred their war studies, even though the American Government had continuously rejected the idea of a preventive strike. It contradicts the defensive character of the Atlantic alliance. In the Western capitals there is belief in a stabilizing effect on the world political situation resulting from the idea that the West would never be the first to attack and that the Soviet Union knows this.

The orders for the NATO air forces are therefore based on the immediate countermove after beginning of the attack. They are aimed at the missile bases, airports, and above all at the most sensitive points of the Russian attacker: the long supply lines. The battlefield Europe is to be cut off at the Vistula.

At the same time it is the job of the NATO army units to stop the attacking enemy coming from the staging area between the Vistula and zonal border.

Up to 1958 the Rhine River was considered the main line of defense. The weak NATO divisions could only have delayed a massive attack between the zonal border and the Rhine. In doing so, they were to hold several resistance lines based on natural obstacles, for certain periods in each instance, in order to secure for the fighter-bombers and missiles installed west of that line the required radio (remote control) fire.

NATO planners had calculated that an atomic counterblow on the supply lines of the East would not be felt by their attacking army for several days. However, no later than on reaching the Rhine, according to NATO calculation, the Soviet Army would be forced to regroup its units.

Gen. Friedrich Foertsch in the European NATO Supreme Command, his predecessor Federal Army Inspector General Gen. Adolf Heusinger, and Gen. Hans Speidel, army commander in the NATO Command Europe Center, succeeded in time in having the NATO main line of defense moved farther eastward from the Rhine.

Following August 13, 1961, the American Supreme Commander of NATO, Norstad, in view of the possible skirmishes along the zonal border, ordered that the border area be defended also. Intruding People's Army or Soviet units are to be repulsed across the border.

A Dutch brigade moved to Baergen Hohne in the Lueneburger Heath on orders of Norstad to secure the border area.

What was now completed on the drawing board was what the first German Minister of Defense, Theodor Blank, had attempted to achieve as early as the end of the 1950's: the advanced defense.

As Fallex 62 has shown, the forces with which NATO Headquarters needs to put this operational concept into force have so far been lacking.

Although the war in Algeria is over, France's President, General de Gaulle has refused to make the divisions which have been released from the Algerian struggle available to NATO Headquarters. De Gaulle is holding three-fourths of the French Army under French national jurisdiction; included in these forces is the Army Corps of Parachute General Massu which are the garrison forces in Alsace-Lorraine.

De Gaulle considers this corps west of the Rhine as his own personal operational force and as shock troops of the line. He wants to use them for his own purposes in case of a Soviet breakthrough toward the Atlantic.

The NATO Command for central Europe in the meantime urgently needs Massu's corps for assignments nearer the front. The section of the front, including Munich, which the French are to cover in southern Germany, is weakly manned so that neither Munich, Hamburg, or Hannover can be defended.

The army high commander of the central European NATO sector, General Speidel, is concerned over the notorious anti-NATO attitude of the French: "If something happens, will Massu help?"

But even if Massu helps, and Speidel includes the French corps in Alsace-Lorraine in his central European forces, and even if by the end of next year all 12 planned German divisions are at his disposal, NATO General Speidel will still not have enough divisions under his command. According to Speidel, and the NATO Headquarters in Paris, he needs at least 35 divisions for his sector in central Europe in order to defend the Federal Republic at the border with the Soviet zone, and not just at some point between the Rhine and Weser Rivers.

The Bundeswehr's new command directive, which is the field directive for 1962, prescribes a front sector of 25 kilometers to be defended by every division without atomic weapons. On the other hand, General Speidel, with the forces now available to him, must assign a front sector of 30 kilometers to an individual division in the area of central Europe to be defended.

Under these conditions, a single breakthrough by the aggressors can lay the whole front in central Europe wide open. The Soviet General Staff considers it possible, as its war games show, to reach the Rhine in 7 days.

The new NATO concept of forward defense is supposed to counter this calculation. In addition to the plan divisions yet be brought to full strength, mobile cover brigades are watching the border sections in the especially threatened north German plain. Their tactical mission includes repulsing smaller advances and providing enough time for deployment in case of attacks by operational (major) units.

The gain in time is necessary if only because the mobile NATO divisions in the Federal Republic which lack sufficient casernes and are so dispersed in the narrow territory of West Germany must deploy themselves on the front by risky side-to-side movements.

Mine fields are to block the naturally stronger border sections such as the U.S. regimental combat groups are free to maneuver.

Together with such advance guards and border forces, the NATO divisions are also supposed to halt, without atomic weapons, a heavier attack which the Russians make by conventional means and force the enemy to pause. This pause, during which the diplomats are to negotiate can, in an extreme case, be brought about by a one-time atomic strike, tailored to the force of the attack.

Only if this selective strike does not have the desired effect, then the hour of retribution will take place.

The new NATO requirements for this forward defense which is covered by atomic weapons in the rear can be read in the fourth annex of the MC–96 plan directive. Their period of effectiveness is from 1964 to 1970, and the Atlantic Council will decide the active composition of this plan in December for the first 3 years of this period.

The new directive which requires more money and soldiers from all NATO governments for the increase of conventional forces places the following demands on the organizational structure and strength of the West Germany Army:

(a) Four mechanized "cover brigades" with strengthened reconnaissance and sapper battalions in addition to the 12 planned divisions.

(b) Expansion of the paratroop division (up to now only two weak brigades) so that they could be used as an armored infantry division.

(c) Actual strength of all mobile units to be over 100 percent so that it can be combat ready in a few hours, even without those away on orders, leave, or sick.

Only after Minister of Defense Strauss had approved this program, even though with some reservations did he have the detailed positions calculated. The leading staffs of the Federal Army went to work with slide rules and strength indicator tables.

The result: The actual strength of the Federal Army—today numbering 375,000 men—would have to be increased from the originally planned and not yet achieved 500,000 men to 750,000 men if all NATO demands and all national aims for partial armed forces, including a personnel reserve for the medium-range rockets which Strauss wants so much, are to be fulfilled. This would be more soldiers than prior to the mobilization in 1939. The Defense Minister used this tremendous figure when he attacked the Americans publicly for their planning, even though no such high demands were made by Washington or by NATO.

NATO knows that the Federal Republic cannot put up such a fighting force in the foreseeable future. There is a shortage of soldiers. There is a shortage of money.

The personnel situation critical from the very beginning, provides most of the headaches for the Federal Army organizers as is. The cadre for the officer and noncommissioned officer corps is insufficient. The planned positions in some companies are only half filled, particularly since officers and NCO's have to take one training course after another.

An overlapping calculation of the financial experts of the Defense and Finance Ministries showed also that a 750,000-man Federal Army together with Strauss' special missile wishes would swallow 30 billion marks annually, of which 3 to 4 billion alone would have to go for the German contribution to a European atomic power.

Federal Finance Minister Starke, however, made available to the Minister of Defense for the complete Federal Army of the future a maximum of 20 billion marks per year (1962, 15 billion; 1963, 18 billion).

The leading staffs of the army components thereafter submitted two more realistic calculation results:

A Federal Army of 580,000 men; financial costs, including missiles, would be 23 billion marks; without missiles, 20 billion marks.

A Federal Army of 500,000 men; financial costs, including missiles, would be 20 billion marks.

The first solution was especially supported by the leading staff of the army. With 580,000 men, including a personnel reserve of 20,000 for possible missile troops, the Federal Republic could meet NATO financial demands if superfluous items such as expensive Starfighters and destroyers were reduced.

Strauss discarded this suggestion by noting that: An atomic bomb is worth as much as a brigade and costs much less. We cannot allow ourselves a lowering of our standards of living and export. Nor do we wish to do without our right for rockets.

In his opinion to the Athens NATO Conference of May of this year, Strauss wrote: "I did not warn in vain in Athens against overestimation of German capabilities in this (conventional) area. We have made our conventional contribution. If conventional weapons must be strengthened, it cannot be done by us."

The Bonn Minister of Defense prefers to spend his budget funds on atomic weapons, rather than conventional brigades, even though within the framework of the 500,000 men the most urgent desires of NATO leaders for mobilization day units cannot be fulfilled.

Mobilization day units are units which can be combat ready in minutes (air force, missile troops, radar units) or hours (land and naval forces) without personnel or material complementation. Fallex 62 shows that the number of M–Day units must be large, because reserve units cannot be built up in time.

The German Minister of Defense thought he could meet NATO with a slight offhand trick. He wanted to balance the shortage of soldiers with a small atomic combat weapon—with the atomic grenade launcher Davy Crockett. Strauss did not let himself be disturbed in this by reports from his officers from Washington. To the question whether Davy Crockett might replace conventional artillery, the American Army General Staff replied laconically "by no means."

Nevertheless, Strauss ordered his staff to consider a new organization of troops. If each infantry battalion were to be assigned an atomic grenade launcher, could the division artillery be discarded and could the battalions be numerically reduced? In this way, it would be possible to meet the demands of the Atlantic Supreme Command for a higher readiness strength.

Strauss himself described the advantages of being equipped with a Davy Crockett grenade launcher: "There exists an American atomic combat field weapon with a very short range and of limited effect. A single shot of such a weapon is equivalent to 40 or 50 salvos of an entire division of artillery."

Washington promptly rejected Bonn's rearmament ideas. The German divisions would completely lose their ability to fight conventionally if the ideas were put to effect. The Minister's reorganization plans met resistance even in the Bundeswehr. Only in the staff of Inspector General Foertsch and his own personal staff did Strauss find supporters. Military Journalist Adelbert Weinstein, always carefully briefed officially, revealed the following in the Frankfurter Allgemeine Zeitung: "A successor (to Minister Strauss) would by no means find only modern officers in the Federal Armed Forces. Besides General Heusinger and Inspector General Foertsch only a few support the military policy of Strauss unreservedly."

The front line at Bonn, which Strauss-expert Weinstein outlined, runs roughly between the members of the directing staff of the Federal Armed Forces on the one hand and those of the Army on the other. The conflict bears the features of the historical dispute between the high command of the Armed Forces (OKW) and the high command of the army (OKH) in Hitler's time.

In those days, the OKW, catered to and favored by Hitler, took more and more power away from the OKH. Today the Federal Armed Forces staff, in the wake of the similarly vacillating Defense Minister, unreservedly accepts his military policy and defends it with Strauss-like verve.

The Minister's robust press Colonel Schmueckle went to bat in the Stuttgart week "Christ und Welt" against the American theoreticians of the new NATO strategy: "With their secret craving for war, these authors become the victims of the strangest fancies. They render the new picture of war in Europe innocuous and cover it over with the counterfeit varnish of conventional warfare."

Schmueckle sent the following remarks to the address of the comrades in the West German Army: "The [American] philosophers are supported by military men who, with all their power, still cannot grasp the mission of the Army in the atomic age and whose immovable memories are continually occupied with the fighting tank and encirclement battles in the style of World War II. Oh, the mighty dreams of these men of the old laurels."

For nights on end they argued in the casinos of the military schools and the field battalions. Lt. Col. Count Bernstorff, teacher of tactics at the army officers' school in Hamburg, asked Army Inspector Zerbel to reply to Schmueckle, but Strauss' press colonel is untouchable. And Count Bernstorff resigned from the service.

Colonel Karst, specialist in training in the Ermekeilkaserne at Bonn, sent the newspaper Christ und Welt a rejoinder to Schmueckel's pamphlet; the principal point made in the criticism was that Schmueckle's tone was unseemly. The editorial office refused to accept it.

Karst turned over his article to the inspectors of the army, air force, and navy, and also to Inspector General Foertsch, who, during his period of service with NATO, had opposed giving preference to atomic weapons.

However, Federal Armed Forces Inspector General Foertsch had altered his beliefs. In the NATO high command, Foertsch, while doing precise general staff work, had recognized that forward defense based on conventional ideas of warfare gives more security than the untrustworthy terror of atomic weapons, and for West Germany before a good many others.

Friedrich Foertsch, having been Inspector General of the Federal Armed Forces since April 1 of last year, could not resist the vehement glibness of his supreme commander for very long any more. Unwearied, Franz-Josef Strauss attempted to persuade American Secretary of Defense McNamara to be satisfied with 500,000 German soldiers when they talked in early June of this year in Washington. But the American had long ago discovered that the Germans would not come up to the number of divisions and brigades at full war strength demanded by NATO with that number of troops.

The American was vexed. As a substitute, Strauss offered some other elements, specifically border-security units, which consist of an active cadre and would be brought up to strength by reservists in case of war. McNamara, on the other hand, considered such units only makeshift.

Six weeks later U.S. President Kennedy appointed his military adviser to the position of Chief of the Joint Chiefs of Staff and announced the retirement of General Norstad. General Taylor had resigned in 1959 from his position as Chief of Staff of the U.S. Army (an action unimaginable in the Hitler army as well as in the West German Federal Army) because he could not force through his "strategy of flexible reaction" against the official doctrine of massive (atomic) reprisal of the Republican Eisenhower era. And just at that time the American NATO Commander in Chief Norstad had shown an understanding for the desire of the Europeans for an autonomous NATO atomic power. The new Democratic U.S. President Kennedy has reproved Norstad: "Remember that you are an American."

When Kennedy proposed the relief of Norstad from the NATO Supreme Command simultaneously with his appointment of Taylor as Chief of the Joint Chiefs of Staff, Bonn's Defense Minister sounded the alarm. The change in personnel was for him a welcome opportunity to protest against the new NATO demands that had been levied 9 months earlier and to have his veto confirmed by German public opinion.

Disregarding the warnings by West German Foreign Minister Schroeder, by Foreign Minister State Secretary Carstens, and even by Carstens' friend Schnez, Chief of Staff of the West German Army who until then had been a faithful supporter of the Minister, that he should not strain the relationship with Washington, the Minister (Strauss) began a campaign against the military policies of the Kennedy administration.

In an interview with Weinstein, Strauss declared that the Western divisions could only be strengthened through the assignment of tactical atomic weapons of the Davy Crockett type. With the modern weapons, deterrence would begin at the most advanced line. In contrast to this, U.S. Secretary of Defense McNamara stated: "We must be able to meet situations in which an atomic counter-attack is either unsuitable or simply incredible."

In addition, Strauss opposed the American concept that even the smallest atomic weapon on the Western defense line along the Iron Curtain could unleash the great world war. He hinted that he regretted not to be able to act as De Gaulle did, who "in practice simply ignores American concepts."

McNamara had said that in certain situations conventional divisions by themselves could prevent war. Strauss found this judgment to be open to challenge—particularly since not 30, but 60 to 100, divisions would be required for this, which no one could afford.

According to McNamara, large atomic weapons are used in a great war preferably against military targets. According to Strauss, this contradicts "the essence of the atomic bomb which is a political weapon used to increase the fear of the population of a bombardment."

Strauss' demagogy exasperated the Americans; it shocked the Germany Army generals. The declaration by the West German Defense Minister that 60 to 100 divisions would be required in West Europe for deterrence was not accepted by the military. General Heusinger and General Speidel as well as Maj. Gen. Mueller-Hillebrandt, Foertsch's successor, agreed that 40 divisions are sufficient if these units are kept in a state of combat readiness. Money is available for this if Europe, including West Germany, is willing to renounce the expensive rocket rattling.

In order to make this renunciation plausible and to allay the fear of the Europeans of Soviet rockets, McNamara had declared: "The United States is just as concerned about that part of the Soviet atomic striking power that can reach Western Europe as about the part that can also reach the United States. We have placed the atomic defense of NATO on a global basis." The American Secretary is a proponent of a division of labor within the Western Alliance which is to save money.

Nonetheless, Strauss insists upon his rockets and decided, contrary to NATO requirements, that 500,000 men were sufficient.

On July 17, accompanied by Inspector General Friedrich Foertsch, Franz-Josef Strauss reported to Chancellor Conrad Adenauer in the Schaumburg Palace. Strauss obtained Adenauer's approval of these new plan figures.

The games with numbers played by the Defense Minister, above all his offer to spare the Federal budget, persuaded the Chancellor. General Foertsch supported the Minister with strategic technical expertise. Adenauer showed his appreciation with the suggestion of simply replacing the missing brigades by "pins on the map." It did not seem so important that these brigades would not be ready until 1966 or 1967. But one ought to keep up one's appearances vis-a-vis NATO.

Commander in Chief Strauss and his Inspector General marched off satisfied. The results of Fallex 62 were not yet available. The latter makes it clear that a forward defense by the West German Army is impossible with rockets in the place of brigades and with atomic grenade launchers in place of soldiers, and effective deterrence remains questionable.

## FPC COMMISSIONER SPURNS SECOND TERM

Mr. MORSE. Again I wish to say to my good friend from Arkansas that I am deeply appreciative of his courtesy in yielding to me.

Mr. President, turning to the last matter, there appeared in the Washington Post of this morning, in Drew Pearson's column, under the heading "FPC Commissioner Spurns Second Term," an account of the forthcoming resignation of Mr. Howard Morgan, one of the Commissioners on the Federal Power Commission, which I ask unanimous consent to have printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Jan. 25, 1963]

### FPC Commissioner Spurns Second Term

(By Drew Pearson)

Seldom has a Commissioner of a powerful regulatory body told the President he will no longer serve on a Commission which regulates the gas, oil, and electrical industry of the Nation.

However, Howard Morgan of the Federal Power Commission has just written such a letter to President Kennedy. He has declined reappointment as a Commissioner and has said flatly that the President has not lived up to his promise to appoint men who have the interest of the American consumer at heart.

The Federal Power Commission is the only regulatory agency to which Kennedy has appointed five new members. With every other Commission he has had Republican holdovers. But, owing to death and resignations, he has appointed every man to the agency which regulates the gas pipelines and the big power companies.

However, Commissioner Morgan has made it clear in talks with Western Senators that the Commission is stacked in favor of the oil, gas, and power companies.

"I did not come to Washington to be kept busy writing dissents," he has told western Senators.

Commissioner Morgan expressed his regret over this fact and recalled that men like Senator George Norris, of Nebraska; Hiram Johnson, of California; and Gifford Pinchot, the Bull-Moose Governor of Pennsylvania, had crusaded and sacrificed to write a great law protecting the American public only to have it sabotaged by the appointment of personnel who did not believe in enforcing the law.

#### ELECTION PLEDGE

During the presidential campaign, Mr. Kennedy was highly critical of the Eisenhower policy of appointing industry-minded men to the regulatory commissions. And at Wittenberg University, Springfield, Ohio, on October 17, 1960, he made a ringing pledge that his appointees to the regulatory agencies would represent the public.

"No Federal appointee to any public regulatory agency shall represent any view other than the public interest," pledged the future President. "Appointments to such agencies shall be made with the advice of those knowledgable in the field, but shall not be dictated by those with vested interest in the appointment."

However, Commissioner Morgan, who formerly served as the Public Service Commissioner of Oregon, has turned out to be the only Kennedy appointee to the FPC who has consistently bucked the utilities.

For, once Mr. Kennedy was elected, he appointed Lawrence J. O'Connor, a Texas oilman, to the Commission; also Harold Woodward, a Chicago utilities lawyer who had represented public utility cases while serving as assistant commissioner of the Illinois Commerce Commission (under Federal practice this would be a conflict of interest).

Joseph Swidler, former member of the Tennessee Valley Authority, whom Mr. Kennedy appointed as FPC Chairman, has reversed his previous public power position and has voted consistently with the power, gas, and oil interests.

When the Commission voted to require the giant El Paso Natural Gas Co. to refund rate increases which El Paso had put into effect without official approval, Chairman Swidler held up the final opinion 3 months trying to make up his mind. He wanted to vote a refund of only $44 million. Commissioner Morgan held out for a $68 million refund, got the support of Commissioner Charles R. Ross, the Vermont Republican, and after 3 months' delay, Chairman Swidler finally came around to their figure.

But in case after case involving electric power companies the decisions have been 4 to 1 with Commissioner Morgan dissenting.

That's why Morgan has written his letter to the President declining to accept reappointment for another term.

Mr. MORSE. The story states that the Commissioner consulted with Western Senators. I am satisfied that is true. I do not know what took place in the consultation with other Senators, but in his consultation with me I gave no advice, pro or con, as to what course of action he should follow, because he asked for no advice. He is a man of such great ability that it would have been gratuitous for me to offer advice not asked for. But, after reading Drew Pearson's account about this matter in the paper this morning, I would have to say it is an accurate account.

Speaking for myself, I also wish to say that I am keenly disappointed in the trends in the Federal Power Commission that have developed under Chairman Swidler, for I do not think there is the conception to the degree there ought to be that the rivers of America do not belong to the private utilities; they belong to the American people.

The great multiple damsites should be used to locate on them great multiple-purpose dams belonging to the people. I would have Mr. Swidler and his colleagues on the Federal Power Commission, also understand, that great transmission lines taking the power away from these people's dams should belong to the people and should not be sold out—and I care not what the legerdemain may be in the rationalization—to the private utilities of the country. It does not mean that the senior Senator from Oregon, under any set of facts, does not recognize the contracts with private utilities might be in the best interest of both the people and the utilities. However, I repeat what I have been heard to say so many times in the last 18 years that when it comes to low-head damsites, I am for the dams as such sites being built by the private utilities; but that when it comes to multipurpose damsites, as my late colleague, Senator Richard Neuberger, so descriptively put it, I do not believe in the taxpayers buying the cow and letting the private utilities milk her.

As I have followed the trends within the Federal Power Commission under its present Chairman, I am not surprised that this great citizen of my State, who made a brilliant record as our Public Utilities Commissioner, is announcing that he is not going to accept reappointment to the Federal Power Commission.

I hope that this will not lead to the beginning of a great controversy within this administration in connection with the development of the power resources of this country, but it is only fair for the senior Senator from Oregon to point out here and now that if it does, and the policy of the administration is not to protect the people's interest and the people's property, the senior Senator from Oregon will be with the people and not with the administration.

Undoubtedly, from time to time, in the future it may be necessary for me to spell out in greater detail all of the implications of the remarks just made, and all concerned will find me ready to do it, if it becomes necessary.

## ORDER OF BUSINESS

**Mr. SYMINGTON.** Mr. President, will the Senator yield to me for a unanimous-consent request?

**Mr. McCLELLAN.** Mr. President, I shall be most happy to yield to my distinguished colleague from Missouri if I may do so without losing my right to the floor and without impinging upon the unanimous consent which has permitted me to proceed as I have proceeded up to this point.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. SYMINGTON.** I thank the Senator from Arkansas, and I thank the distinguished Senator from Oregon for his courtesy.

## COMMITTEE MEETING DURING SENATE SESSIONS NEXT WEEK

**Mr. SYMINGTON.** Mr. President, I ask unanimous consent that the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Committee on Armed Services be permitted to meet next week during the sessions of the Senate.

**The PRESIDING OFFICER.** Is there objection to the request by the Senator from Missouri? The Chair hears none, and it is so ordered.

## RECESS UNTIL 10 O'CLOCK ON MONDAY

**Mr. McCLELLAN.** Mr. President, if no other Senator desires to transact business this evening—and I pause a moment—no one has so indicated—in accordance with the previous order, I move that the Senate stand in recess until 10 o'clock on Monday.

The motion was agreed to; and (at 5 o'clock and 14 minutes p.m.), under the order previously entered, the Senate took a recess until Monday, January 28, 1963, at 10 o'clock a.m.

## NOMINATIONS

Executive nominations received by the Senate January 25 (legislative day of January 15), 1963:

### IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

*To be lieutenant colonels*

Aaron, Harold R., O26207.
Abernathy, William C., O37308.
Adams, Harold D., O37281.
Adie, John R., O47634.
Agers, Robert D., O40905.
Albright, Charles R., O36502.
Aleveras, James A., O25835.
Alexander, George L., O26021.
Alfano, Charles F., O25640.
Ancker, Jack P., O37217.
Anders, Charles T., O36679.
Anderson, Edward G., Jr., O36391.
Anderson, Gordon V., O47345.
Anderson, John V., O36984.
Anderson, Jonathan W., Jr., O25820.
Anderson, Ralph W., O36305.
Antonioli, Virginio L., O25663.
Aquilina, Raymond F., O36782.
Archer, Theodore W., O48383.
Ardery, Edward R., O25503.
Armentrout, George C., O47412.
Arms, Thomas S., Jr., O24996.
Armstrong, John W., O25686.
Arnold, William E., Jr., O36388.
Arthur, Robert E., O40968.
Askey, Robert F., O47707.
Atkinson, Quintus C., O26317.
Austin, George A., Jr., O25420.
Baatz, David C., O41048.
Baden, Robert E., O25671.
Baen, Spencer R., O27005.
Baldwin, Clarke T., Jr., O26037.
Baltes, Paul A., O39285.
Bammer, Wyndham H., O36903.
Barber, Henry A., 3d, O25568.
Barber, Robert K., O36728.
Barkovich, Anthony, O54530.
Barner, John H., O36700.
Barnett, William W., Jr., O46540.
Barnhart, Frank H., Jr., O36516.
Barrett, Laurence O., O36652.
Barrios, Willie W. J., O36748.
Bass, Roy H., Jr., O39311.
Bates, James M., O36565.
Batson, Richard T., O25434.
Baughman, Claude G., O37173.
Beem, Samuel M., O54685.
Beightler, Robert S., Jr., O25642.
Bell, Benjamin C., O48708.
Bell, John C., O25937.
Bellino, Joe O., Jr., O41047.
Bennett, Edward E., O25463.
Benson, Charles E., O26263.
Benson, Joseph W., O25601.
Berenzweig, Marvin J., O25811.
Berger, Casper, O41052.
Berte, Samuel C., O48711.
Betts, George, O26204.
Betts, James A., O25891.
Bibby, William L., O26276.
Bielecki, Edward J., O25465.
Black, Garland C., Jr., O26106.
Black, Joseph E., O39268.
Blackburn, William W., O34244.
Blackwell, John L., O36378.
Blake, Robert T., O25837.
Blakely, Larry A., O36426.
Blanchett, Leo M., Jr., O25585.
Blatt, Raymond C., O26186.
Bliss, Arthur McC., O36852.
Bloecker, Victor, Jr., O41058.
Blount, LeVerne E., O25939.
Blum, Charles K., O36898.
Blume, Robert F., O37024.
Boatner, Mark M., 3d, O26248.
Bockoven, Frederic T., O37354.
Bogan, Lucian D., Jr., O25810.
Boller, Quellen D., O26050.
Bolling, Alexander R., Jr., O26066.
Bond, John B., O26077.
Botts, Luther B., O36752.
Bowden, Henry C., Jr., O47536.
Boyd, William H., O37205.
Boyea, Gerald E., O37258.
Boyer, Richard J., O37202.
Boyle, Harry F., O39258.
Boyle, Joseph F., O26347.
Brabson, William H., Jr., O26069.
Brady, John S., O26064.
Brandt, Roland A., O25901.
Branson, Roy E., O37149.
Breitenbach, Frank P., O26365.
Bressler, Howard E., O40967.
Brier, John K., O26185.
Bright, Charles W., O37159.
Brill, Heber C., O26162.
Brinson, Arthur, O47740.
Briscoe, William T., O54688.
Britt, Robert C., O54425.
Brookreson, Wade Y., O35588.
Brooks, Waldo W., Jr., O54679.
Brown, Luther E., O27054.
Brown, Stephen O., O26105.
Bruce, Oliver H., O46926.
Bryant, Robert E., O54484.
Buchanan, Earl W., O36352.
Buchanan, Russell B., Jr., O37291.
Buell, Kenneth E., O25772.
Buelow, Wallace R., O36319.
Bugg, George G., O26175.
Burdett, Allen M., Jr., O26048.
Burlin, Robert B., O25484.
Burr, Charles H., Jr., O25758.
Burr, Edward, 2d, O26009.
Burrows, Robert E., Jr., O25918.
Burt, William A., O36940.
Buth, William H., O54312.
Butler, James W., O54157.
Butler, John L., O40980.
Butterfield, John L., O26194.
Buzalski, Ernest A., O25906.
Byrne, Robert G., O36854.
Byrnes, Laurence G., O54163.
Bzdek, Beverly M., O39269.
Cabassa, Jaime L., O48569.
Cain, James W., O26208.
Calnan, William M., O26120.
Calvert, Ross H., Jr., O47933.
Camp, Eugene C., O37072.
Campbell, George T., Jr., O26084.
Canning, Austin J., Jr., O26277.
Cantlay, George G., Jr., O25979.
Caple, Dayton F., O49054.
Carey, Robert E., O47519.
Carroll, Benjamin L., O37321.
Carter, Hamlet R., Jr., O26134.
Carter, William C., O54761.
Carter, William C., O37290.
Cawthra, James H., O36981.
Challen, Henry G., O40902.
Chance, Francis A., Jr., O36784.
Chapin, Neil McK., O55006.
Chase, David M., O26212.
Chase, James E., O47642.
Chaufty, Joseph V., O25969.
Chessnoe, Michael, O48968.
Chmar, Paul, O37640.
Christy, James V., 25909.

Churchwell, Alvin McL., O41055.
Clark, Howard L., O40928.
Clark, Lyman H., O37019.
Clark, William K., O41001.
Cleary, Edward R., O26304.
Cline, Charles L., O36543.
Coady, Gerald G., O54223.
Cobb, James J., O25629.
Cobb, John H., Jr., O26233.
Cobey, Earl J., O54909.
Cochran, Collins L., O40964.
Cochran, John H., Jr., O54787.
Cochran, John H., Jr., O26115.
Coffman, Howard B., Jr., O25941.
Cole, Caleb A., O26171.
Cole, Charles B., Jr., O39304.
Collins, John W. 3d., O26079.
Conard, David B., O25885.
Conarty, Roger L., O26067.
Conmy, Joseph B., Jr., O25645.
Connolly, George I., Jr., O36666.
Conway, Lewis W., O37021.
Cook, Robert M., O25690.
Cool, William C., O54108.
Cosgrove, Gerard V., O25683.
Cover, William W., O26287.
Cox, Charles T., O36699.
Creighton, James R., O36498.
Croonquist, Arvid P., Jr., O25639.
Crowe, Robert E., O47805.
Cullinane, Daniel B., Jr., O26145.
Cumbie, Walter P., O54718.
Cunningham, Hubert S., O39303.
Cunningham, Robert K., O37120.
Curry, James A., Jr., O54865.
Curtin, Paul J., O26361.
Curtis, Elbert R., O36547.
Curtis, Wesley J., O25792.
Dabinett, John T., O47114.
Dadisman, Chester E., O36497.
Daley, Edward J., O36418.
Dalrymple, Robert C., O39100.
Danforth, Robert D., O26081.
Darden, James R., O26142.
Davenport, Robert J., O26089.
Davidson, Shirley, O37122.
Davis, Eldon R., O36771.
Davis, Paul A., Jr., O36887.
Davis, Paul W., O36375.
DeBrocke, William P., O25986.
DeCamp, John T., Jr., O26040.
Deadwyler, William H., Jr., O36298.
Deaver, John Q., O54765.
Dehner, Vernon E., O37147.
Dennison, Robert C., Jr., O49010.
Des Jarlais, Robert W., O47377.
Dettmar, Henry G., O37117.
Dickenson, Robert L., O53199.
Dickinson, Charles W., O26033.
Dickson, Jean H., O36606.
Dirkes, Francis J., O25887.
Doerfler, Eugene A., O37211.
Dollard, Edmund J., O47369.
Donahue, Franklyn W., O41071.
Donahue, Patrick H., O34885.
Donaldson, Thomas Q., 4th, O25480.
Donnelly, Ross I., O36533.
Doran, Edward A., O25782.
Dornacker, Charles H., O36370.
Doyle, Pierce A., Jr., O24891.
Dozier, William T., O48008.
Dryer, Charles W., O86087.
Dudley, Robert L., O33746.
Duffy, Jack W., O37349.
Duke, Robert C., O36697.
Duke, Thomas A., Jr., O37062.
Dunn, James E., O36137.
Dunstan, Henry V., O40953.
Dunwoody, Harold H., O26197.
Durbon, Roy C., O37219.
Duvall, Clifford P., O39270.
Dwan, Robert D., O26052.
Dworak, John L., O25757.
Dysinger, William C., O54976.
Eager, George, Jr., O36766.
Earnest, Clyde T., O25923.
Eddy, George G., Jr., O54991.
Edrington, Bethell, Jr., O26329.
Eisler, Walter J., Jr., O36919.
Ellingsworth, James B., O47793.
Elliott, Howard D., O25445.
Elliott, Mayo J., O26179.
Erdman, George W., O37350.
Ernst, Russell W., O37256.
Evans, Edward J., O37374.
Ewald, William, O36949.
Falck, William D., O25893.
Farley, Clare F., O25915.
Farnsworth, Frank A., O37216.
Faust, Edmond L., Jr., O25450.
Field, Kenneth S., O36932.
Files, Vernon, O37086.
Finlayson, Harold C., O41028.
Finney, Perry S., Jr., O48263.
Fischgrund, Harold S., O37183.
Fishback, Jesse LeR., O25858.
Fiss, Romert E., O25511.
Flanagan, John J., O47734.
Flatley, Thomas W., O25638.
Flint, Robert P., O40921.
Fox, Ogden R., 047943.
Fraleigh, Charles S., Jr., O36862.
Francisco, Louis S., O26280.
Frank, Fred J., O54078.
Fraser, Bruce H., O37276.
Frauenheim, Walter G., Jr., O48978.
Frazier, Frank W., O37085.
Fredericks, Edgar J., O26302.
Freer, Arthur L., O25451.
French, Jack S. O48380.
Fritz, William H., O25620.
Fromme, Robert J., O39246.
Fry, Ernest M., O48666.
Fuller, Ellis L., O37366.
Fuller, Hiram G., O25936.
Fulmer, John M., O47846.
Gardner, Ralph V., O39236.
Garten, Melvin, O48990.
Gean, Kirby A., O25588.
Geaney, Edward J., Jr., O26328.
Geelan, William R., O40963.
Gehring, Frederick R., O36462.
Gibson, James McK., O48730.
Giffin, Stewart S., Jr., O26342.
Gilbert, Harold N., Jr., O37307.
Gilbert, Stanley K., O47926.
Giles, Warren A., O37874.
Gingrich, Harold W., O26076.
Glasgow, William M., Jr., O25905.
Glendening, James K., O26176.
Glick, John R., O48877.
Glickson, Solomon P., O54079.
Glisson, Roy, Jr., O37078.
Glotzbach, Edgar N., O27011.
Goggans, Robert, O49051.
Gohmert, Roland L., Jr., O35402.
Goldenthal, Mitchel, O25482.
Goodlett, John G., Jr., O54600.
Goodman, Glenn W., O54171.
Goodman, Jess L., O47795.
Goodwin, James W., Jr., O53694.
Gorman, Vincent J., O41019.
Gordy, Stephen E., O26125.
Gossett, Henry M., O36941.
Grace, Arthur B., Jr., O25498.
Grady, Ronan C., Jr., O25985.
Gray, Thomas E., O47851.
Green, George E., O40983.
Greene, James F., Jr., O25900.
Greenlief, Dale R., O36476.
Greenwalt, William J., O25998.
Grice, Thorpe C., O26326.
Griess, Thomas E., O25533.
Griffin, Bobbie A., O25908.
Grimm, Henry F., Jr., O25519.
Groom, Kenneth G., O54786.
Grunzweig, Nicholas J., O47845.
Hahn, William R., O25566.
Hakala, Robert W., O48852.
Haley, Norman R., O36911.
Hall, Alphus W., O54490.
Hall, Chester A., Jr., O48018.
Hall, Claude H., O47794.
Hall, Frederick W., O47574.
Hallock, Richard R., O37367.
Hamblen, Archelaus L., Jr., O26187.
Hand, Robert, O36415.
Handley, George E., Jr., O37294.
Hanifen, Thomas J., O40926.
Harding, Leslie B., O25512.
Hardy, Leslie B., O26003.
Harrigan, William F., O36438.
Harris, Elva, O36714.
Harth, John F., O36997.
Hash, William A., O36625.
Hastie, William L., O54089.
Hatch, Robert F., O54234.
Hawkins, Walace E., O40969.
Hawthorne, Frank, O54194.
Hayes, Leo V., O26218.
Head, Harold S., O26272.
Hecker, Warren R., O26292.
Helms, Kenneth R., O37023.
Helsley, Llewellyn S., O36900.
Heltzel, Charles L., O25746.
Henderson, Chester T., O39274.
Henderson, Tony S., O39279.
Henry, Gregg, O25574.
Hensel, William E., O25531.
Herold, John W., O36548.
Herres, Fred W., Jr., O25996.
Hershey, Charles G., Jr., O37364.
Hiatt, Charles R., O37099.
Higgins, James L., O36306.
Higgins, Joseph P., O48665.
Hill, Ralph J., O26127.
Hochella, Michael F., O36480.
Hoffman, Ralph W., O36786.
Hofmann, Ralph M., O25495.
Holder, Leonard D., O37267.
Holland, William E., Jr., O48873.
Holman, Jefferson T., O36987.
Holmes, Robert M., O26110.
Holt, John B., Jr., O48996.
Hood, Burton F., Jr., O25729.
Hoplin, Herman P., O36975.
Howell, Samuel W., Jr., O24989.
Huck, Terence W., O36513.
Huddleston, James MacL., O25554.
Hughes, Algin J., O25630.
Hughes, Clyde E., O48881.
Humphrey, Charles VonB., O40945.
Hunnicutt, John O., Jr., O36380.
Hunt, Herman T., Jr., O26053.
Hunter, William L., O49016.
Hutchin, Walter J., O25916.
Hyde, John F., O36905.
Hyle, Archie R., O37271.
Ingle. Paul T., O37329.
Ingwersen, Glenn P., O25993.
Inman, Lloyd J., O36274.
Ippolito, Charles J., O37208.
Ireland, Thornton E., O37325.
Isaacs, Alvin C., O48816.
Ivan, Gabriel A., O25865.
Jackson, Joseph J., O39265.
Jackson, Kenneth E., O36349.
Jalbert, Donald J., O26309.
James, Lee B., O25619.
Jeffries, John H., O36427.
Jemmott, Arthur H., O37043.
Johnson, Earle A., Jr., O26211.
Johnston, William R., O47363.
Jones, Alan W., Jr., O25868.
Jones, Charles M., Jr., O25890.
Jones, Dearl F., O48423.
Jones, Harry L., Jr., O48397.
Jones, Ralph K., O26123.
Jones, Russell G., O37213.
Jones, William M., O37209.
Kadel, Edgar R., Jr., O35801.
Kajencki, Francis C., O25582.
Kapp, Ronald A., O37070.
Karnes, Howard L., O36515.
Karrick, Samuel N., Jr., O25446.
Kasserman, Harold W., O48070.
Katz, Sidney, O26327.
Kauffman, Eldeen H., O39257.
Kaufmann, Paul R., O36377.
Keating, William J., O36503.
Keene, Leonard L., O36529.
Kellogg, Dimitri A., O25433.
Kelly, John J., Jr., O25869.
Kelly, Randall, O47876.
Kemp, Herbert E., O25742.
Kendall, Maurice W., O27003.
Kengle, Lansford F., Jr., O25975.

Kennedy, Arthur H., O39300.
Kennedy, Richard T., O48390.
Kennedy, Stanley Y., Jr., 037179.
Kennedy, William M., O36640.
Keown, James L., O36528.
Kerr, Gerald L., Jr., O41033.
Kidd, William T., O48216.
Kidder, James D., O26227.
Kinnes, Ralph, O36800.
Kirchner, Alfred W., O36559.
Kissam, Richard V., Jr., O36339.
Kittrell, William S., O49082.
Klekas, Louis J., O54888.
Klie, Harry K., O47792.
Koch, Bruce C., O25947.
Koenig, William A., Jr., O40906.
Kolb, James T., O47708.
Kolesar, Armand M., O36783.
Kranc, Robert T., O36667.
Kreml, Edward A., O26283.
Krieger, Mervin, O49000.
Kruger, Richard O., O36575.
Kuffner, John E., O25602.
La Chaussee, Charles E., O37164.
La Patka, Thomas M., O36646.
Lacouture, Arthur J., Jr., O26240.
Ladner, Gerard J., O37143.
Lanen, William J., O36907.
Langland, Lawrence Q., O39238.
Langley, Warren G., O55029.
Langstaff, James D., O26314.
Langston, Alex T., Jr., O55069.
Larned, Royce P., O55108.
Laughlin, Virgil V., O41059.
LeFebvre, Henry E., O36358.
Leach, James H., O48718.
Leach, Ross E., O54970.
Lee, Oscar W., Jr., O36670.
Lewis, Herbert S., O25734.
Lewis, Norman F., O48701.
Light, Morgan C., O36773.
Lindsey, Morris L., O40935.
Lingan, William J., O48851.
Linton, William C., Jr., O26140.
Lochrie, Wilmer R., O36936.
Lorck, Horace C., O36359.
Lothrop, James N., Jr., O26057.
Loughran, Joseph P., O37167.
Lovell, Herbert R., O39253.
Lowe, Horace A., Jr., O36857.
Lowe, Orville T., O36111.
Lucas, John P., Jr., O26159.
Lueck, William J., Jr., 036716.
Lundberg, George B., O25679.
Lundelius, Maurice W., O54864.
Lutz, Edwin M., O36755.
Lutz, George A., O37296.
Lutz, William D., O26018.
Magathan, Wallace C., Jr., O25861.
Maguire, Robert F., O37528.
Mahan, James J., O48988.
Mallory, Barton J., O25764.
Malone, William F., O26044.
Marks, Sidney M., O36977.
Marrero, John, O54297.
Martak, Clyde J., O54719.
Martin, L. D. Kirkwood, O37177.
Martin, Lawrence E., O47622.
Masenga, Robert C., O54101.
Mathe, Robert E., O25878.
Mattox, Robert H., Jr., O26316.
May, Marion H., O25576.
McArtor, William S., O47849.
McBane, Robert B., O48890.
McBride, Robert B., 3d, O37277.
McCabe, Edward F., O25926.
McCabe, John T., O37126.
McCanna, Robert L., O26047.
McCauley, Robert H., O36756.
McClain, Ralph E., O36661.
McCoy, Richard L., O36950.
McCoy, Robert G., O41003.
McCrory, Raymond J., Jr., O37146.
McDermott, William J., Jr., O48180.
McDowell, Charles T., O37309.
McDowell, Robert B., O25980.
McElwee, Frank D., O25409.
McGee, Dale F., Jr., O26253.
McGinnis, Morris D., O37232.
McGowan, John D., O25759.
McGuigan, William J., O36993.
McGurk, Donald J., O48078.
McKenzie, William H., 3d, O25929.
McLaughlin, Charles M., Jr., O37128.
McLendon, George P., O37133.
McLeod, Charles A., O27047.
McLeod, William E., O36374.
McMahan, Jack E., O37300.
McManus, Vincent J., O36334.
McMillan, William C., O54971.
McNary, Quentin L., O37212.
Merrick, Thomas L., O37132.
Metts, Albert C., Jr., O26091.
Myer, Richard H., O25872.
Michaelson, Franklyn J., O48532.
Milburn, Earl B., O48727.
Miley, William M., Jr., O37077.
Miller, James C., Jr., O25961.
Miller, Robert E., O54264.
Miller, Robert E., O37356.
Millhouse, Felix G., O36609.
Milligan, Jack A., O54586.
Milliken, William S., O41017.
Milmore, Charles W., O26045.
Milton, Ronald A., O54957.
Minckler, Rex D., O25581.
Mitchell, Arthur F., O36489.
Mitchell, John R., O25665.
Mitchell, Joseph A., Jr., O48753.
Mitro, Michael P., O54862.
Moe, George R., O26022.
Moneyhun, Joseph A., O48065.
Moore, Clayton H., Jr., O48625.
Moore, Robert D., O36329.
Moore, Roy, Jr., O37063.
Morgan, Henry G., Jr., O26305.
Morris, John W., O25992.
Moses, James R., O41035.
Moses, John G., Jr., 025528.
Moses, John W., O26170.
Mozingo, Roule C., O26274.
Mulligan, Tracy E., Jr., O54309.
Murphy, John T., O36776.
Murray, Charles P., Jr., O41057.
Murray, Edward H., O25730.
Murray, Paul Jr., O36982.
Myers, Frederick W., Jr., O54959.
Nash, James H., O26153.
Neafus, Holady C., Jr., O54544.
Neale, William D., O25755.
Nealson, William R., O34407.
Neill, Harold A., O26271.
Nelson, Oliver W., O37084.
Nethery, Donald M., O54988.
Nett, Robert B., O41070.
Newberry, Robert H., O39232.
Newbold, William M., O37538.
Newman, George E., O26015.
Nixon, Victor M., O47617.
Nobles, Lloyd E., O36865.
Nolte, Marvin C. O., O36763.
Norris, John J., O25713.
O'Connor, Joseph F., O36411.
O'Connor, William S., O54316.
O'Donnell, James J., O47982.
O'Halloran, John T., O55106.
Oppenhimer, John S., O36490.
Orphan, Richard C., O26039.
O'Sullivan, Michael N., O37162.
Ott, Edward S., Jr., O25860.
Page, Cecil W., Jr., O25723.
Pardue, Wallace D, O36413.
Parfitt, Harold R., O25914.
Parham, Douglas F., O26226.
Parker, Nicholson, O26193.
Pasta, Melvin J., O36713.
Patterson, James A., O36549.
Paul, Richard I., O36814.
Pavick, Pete D., O25699.
Payne, Otho C., O54764.
Peak, William O., 3d, O26025.
Peeples, Russell C., Jr., O36558.
Pehrson, Norman E., O25912.
Peixotto, James M., O47628.
Penuel, Victor B., Jr., O48015.
Perkins, Del S., O26016.
Perry, Benjamin E., Jr., O37328.
Peters, Emanuel P., O41006.
Peterson, Peter R., Jr., O47806.
Petrie, Glen E., O36827.
Peyer, Gustave A., Jr., O37207.
Pezdirtz, Joseph W., O36779.
Phillips, Henry G., O36383.
Phillips, James W., O26236.
Phillips, Steve F., Jr., O36624.
Pigg, Milton K., O26004.
Pinnell, Samuel W., O25880.
Plett, Robert E., O25924.
Plunkett, Hubbard T., Jr., O36991.
Powell, Donald F., O25762.
Prince, Altus E., O25714.
Pritchett, Harry H., Jr., O25705.
Proctor, Fred B., O25990.
Pruett, George J., O37054.
Pruett, Lloyd O., O39309.
Prugh, George S., Jr., O54092.
Raaen, John C., Jr., O25486.
Rader, Robert J., O25676.
Rasper, Arthur H., Jr., O26121.
Ray, Roger, O26035.
Ray, William J., O26139.
Reberry, Gerald V., O37359.
Reed, Charles S., Jr., O25944.
Reeder, Harry L., Jr., O26214.
Rhea, Frank W., O25876.
Rhoads, Edwin M., O25956.
Riccio, Joseph A., O25737.
Richardson, Donald H., O37160.
Richardson, Howard B., O36934.
Riffe, James L., O54861.
Roach, Harold K., O25626.
Robinson, Reaford L., O36774.
Rockwood, Charles A., O37293.
Rogers, Bernard W., O25867.
Rogers, Warren, O25913.
Romanek, Henry, O25911.
Romstedt, Gerhart O., O55056.
Roop, William B., O54199.
Roos, William F., O25982.
Roquemore, Frank U., Jr., O36712.
Ross, James T., Jr., O36931.
Rothbard, Leonard, O54051.
Rowan, John V., Jr., O47374.
Rudziak, Nicholas D., O47988.
Rumpf, Edward J., O26180.
Runte, Walter G., O36525.
Rush, Roger S., O47718.
Ruyffelaere, Raymond F., O25814.
Sadler Robert E., O36522.
Salter, Max D., O37037.
Sanders, Roy A., O25612.
Sandlin, William B., Jr., O36406.
Sawyer, Kenneth T., O25957.
Schatz, John P., O26224.
Schnebli, George A., O36639.
Schnelker, Gerald C., O36785.
Schott, John L., Jr., O40901.
Schraeder, Gordon A., O25896.
Schroeder, Henry J., Jr., O26028.
Schwalje, John M., O36430.
Scott, James M., O37201.
Seaman, Harold D., O36616.
Sebesta, Arthur J., O25644.
Seifert, Albert E., O24993.
Sells, Clarence K., O53600.
Sembach, Leon, O26007.
Sestito, Joseph B., O45893.
Sexton, William E., O48110.
Shadle, William J., Jr., O37262.
Shanahan, James G., O36322.
Sharp, Hunter L., O36523.
Sharp, Sam H., O54968.
Shaw, Charles R., O47789.
Shaw, Franklin P., Jr., O25492.
Shenk, Frank L., O37193.
Shields, Harry H., Jr., O54994.
Shipstead, Alton M., O26345.
Shirley, Joseph A., O25065.
Shoemaker, John O., O54351.
Short, David S., O36603.
Short, James H., O26242.
Shortall, John L., Jr., O25544.
Shultz, John J., Jr., O25550.
Sickler, Robert L., O37231.
Sieber, Harry F., Jr., O54161.
Smith, Chester M., O40993.
Smith, Dale L., O54616.
Smith, Daugherty M., O25717.
Smith, Ellsworth W., O48540.
Smith, Frank B., O25888.
Smith, James F., O37046.
Smith, Vincent P., O36499.
Soler, Eduardo M., O26020.

Sonstelie, Robert D., O26141.
Spahr, William J., O26177.
Spalding, Basil D., Jr., O26341.
Spann, Frederick C., O25561.
Spiece, Donald C., O25989.
Spiker, Robert C., O35972.
Sprigg, William H., O36318.
St. John, Adrian, 2d, O25583.
Stabler, Joseph P., O25647.
Stanford, Leslie E., O54587.
Steinbach, Alois L., O48109.
Stevens, Milton E., O25471.
Stevens, Wilmer B., O37079.
Stiles, Robert B., O27000.
Stockton, John B., O26152.
Stoeckert, George I., O36757.
Stroede, Roger A., O49045.
Strong, LeRoy, O48417.
Sullivan, Alden P., O41069.
Summerall, Robert E., O39314.
Sumner, Robert S., O36867.
Surkamp, Arthur T., O25935.
Surum, Henry, O36478.
Synnott, Donald A., O48542.
Taber, Eugene D., O47959.
Talbot, Max V., Jr., O26322.
Tallerday, Jack, O36346.
Tansey, Hubert E., O26031.
Tauber, Bernard L., O36715.
Taylor, Dale W., O36935.
Taylor, Noble E., O40924.
Taylor, Richard I., O36676.
Taylor, Warren L., O26068.
Teague, Jack, O26354.
Tenney, Duane P., O26000.
Therrell, John W., O40899.
Thomas, Jesse R., O36320.
Thompson, Howard M., O47399.
Thomsen, Frank L., O54615.
Thomson, Arington C., Jr., O54322.
Tillery, George G., O39267.
Tomlinson, William H., O26333.
Torgersen, Maxwell S., O37083.
Townsend, Delbert L., O41062.
Townsend, James M., O36089.
Townsend, Robert T., O48913.
Tucker, William O., Jr., O48880.
Tufts, Henry H., O54270.
Turrou, Edward A., O48222.
Umlauf, Louis B., Jr., O26338.
VanAuken, Wendell G., Jr., O26269.
Vaughn, Clarke S., O48868.
Veach, Fletcher R., Jr., O26301.
Venzke, Edgar L., O40979.
Vigen, Oscar C., O48256.
Vincent, Donato N., O36674.
Vognild, Alden E., O37080.
Vogt, Blaine O., O54699.
Volk, Karl W., Jr., O54596.
Vordermark, Jonathan S., O25917.
Voso, Edward J., O54117.
Wade, Arthur P., O25666.
Waid, Lewis C., O54314.
Waldie, James R., O36347.
Walker, Charles S., O48299.
Walker, Mansell A., O54889.
Walker, William J., O36551.
Wallschleger, William L., O48250.
Wardell, Patrick G., O25628.
Washcoe, Wilfred C., O36554.
Waters, Fred B., Jr., O25449.
Watson, Thomas R., O25718.
Watts, James H., O36348.
Webb, Travis E., O36509.
Wechsler, Ben L., O54528.
Weems, Miner L., O40999.
Wehrle, Howard F., O25454.
Weller, Irwin V., O36764.
Wells, Jack D., O48257.
Wells, Sidney L., O36810.
Welsh, William J., Jr., O26339.
Wesson, Thomas E., O37280.
Westbrook, Robert L., O37049.
Westmoreland, Raymond M., O36607.
Weyrick, Joseph W., O26294.
Wheeler, John P., Jr., O25824.
White, Arthur B., O54886.
White, John F., O25507.
Whitfield, Harold N., O41032.
Whitworth, Mancil R., O36563.
Wickert, Howard T., O26312.
Wiggins, Edward G., O36457.
Wikan, Walter W., O36512.
Wiley, Harlon R., O37082.
Wilhelm, Leland F., O48723.
Wilhelmy, John F., Jr., O37233.
Wilke, Robert G., O47408.
Wilkinson, Reading, Jr., O26257.
Williams, Albert S., Jr., O25374.
Williams, Harry O., O37184.
Williams, James E., O48104.
Williams, Louis A., O36161.
Williams, Paul R., O36707.
Wilson, Charles A., Jr., O25907.
Wilson, Gerald R., O36338.
Wilson, John M., O25556.
Wilson, Roy R., O25827.
Wilson, William M., O47616.
Wimert, Paul M., Jr., O48914.
Windsor, Thomas B., O25670.
Winfield, Richard M., Jr., O26117.
Wolf, Karl E., O26202.
Womer, Richard E., O36623.
Wood, Franklin, O26104.
Wood, John S., Jr., O25655.
Wright, David B., O54276.
Wright, Elam W., Jr., O37214.
Wright, Lucius F., Jr., O25966.
Wright, Raymond J., O36780.
Yoder, Quentin E., O48994.
Young, Crawford, O25984.
Young, Curtis F., O37305.
Young, James R., O37365.
Young, Maurice L., O36794.
Young, Ralph E., O26331.
Younger, Douglas G., O36945.
Yount, Harold W., O54875.
Zellefrow, Albert E., O40982.
Zuckerbrot, Irving, O36901.

*To be lieutenant colonels, Chaplain*

Fiser, James H., O89057.
Hunt, Frederick O., Jr., O76792.
Hutchins, Gordon, Jr., O31291.
O'Connor, William V., O78631.
Waldie, Thomas E., O80354.

*To be lieutenant colonels, Women's Army Corps*

Bradley, Sue T., L188.
Brecht, Helen F., L507.
Grant, Patricia E., L181.
Gray, Dorothy, L159.
Harris, Kathleen B., L145.
Hoisington, Elizabeth P., L164.
Janikula, Muriel J., L107.
McCormack, Betty T., L149.
McDonald, Mary G., L102.
Metzger, Hope, L174.

*To be lieutenant colonels, Medical Corps*

Bach, Sven A., O31319.
Bisaccia, Leonard J., O43238.
Blunt, James W., Jr., O96738.
Browning, Louis E., O56875.
Highsmith, Roy A., O70097.
Levens, Arthur J., O31283.
Lineberger, Ernest C., O31297.
Palmer, Eddy D., O43224.
Peczenik, Alois, O61181.
Pillsbury, Robert D., O52054.
Rumer, George F., O43234.
Severance, Robert L., O43235.
VanHoorn, Jacob Z., O88985.

*To be lieutenant colonels, Dental Corps*

Emory, Louis, O31274.
Frost, John R., O56870.
Monahan, James L., O74020.
Shumaker, Marsh E., O56878.

*To be lieutenant colonels, Veterinary Corps*

Chadwick, Ralph D., O31280.
Failing, Frank W., O31298.
Gleiser, Chester A., O31289.
Klett, Wilbert M., O52047.
Vacura, Gordon W., O31309.

*To be lieutenant colonels, Medical Service Corps*

Adams, Edward S., O56230.
Bates, Elvis E., O37577.
Blakeslee, Theodore, O56970.
Chitwood, Douglas C., O56248.
Clark, Jack K., O37524.
Crosby, Leonard A., Jr., O49967.
Devine, Joseph R., O37520.
DuMond, Paul A., O37607.
Evans, Robert D., O37568.
Fink, James L., O37604.
Gottry, Samuel M., O37544.
Graham, Harrold E., O37531.
Gwin, Jack W., O37598.
Hazelrigs, James A., O39345.
Holloman, Chester C., O41159.
Holt, John H., O37814.
Hoover, Thomas H., O37565.
Hrdlicka, Otto G., O37512.
Hughes, Robert L., Jr., O37591.
Julian, Russell E., O37590.
Kadrovach, Dan G., O37613.
Keating, Edward J., O37611.
Kerwin, Bernard F., O37567.
Kistler, Grover C., O49958.
Klodniski, Stanley F., O56946.
Knoblock, Edward C., O41158.
Kropp, Arthur J., O37561.
Lapiana, Joseph A., O56952.
Leary, John J., O56235.
Luehrs, William C., O37521.
Mathis, John E., O56251.
Munson, Jack W., O39349.
Normington, Joseph M., O41157.
Peters, George M., O37533.
Piercy, Clarence H., Jr., O37603.
Rajecki, Felix G., O37574.
Reich, Norman, O37516.
Rivas, Ernest G., O37543.
Ryan, Francis J., O56957.
Schmahmann, Lionel H., O37583.
Snelling, James H., O49927.
Snider, Albert H., O37493.
Specht, Murval F., O37558.
Spika, Howard J., O37593.
Stacey, Richard M., O41153.
Stock, William E., Jr., O37595.
Strobel, Edward M., O37584.
Thompson, Elmer L., O37513.
Valentine, Robert G., O37585.
Walsh, Glen M., O41156.
Waters, John F., 2d, O37605.
Wells, Floyd B., O37575.
Whitaker, Harry T., O37539.
White, William F., O37597.
Wisser, Nathan R., O37522.
Wood, Norman E., Jr., O37596.
Wrigley, John H., O41161.

*To be lieutenant colonels, Army Nurse Corps*

Best, Bonnie J., N489.
Caylor, Jennie L., N1290.
Donovan, Mary E., N301.
Jamula, Cecilia P., N485.
Johnson, Gladys E., N2201.
Kraftschenk, Dorothy E., N287.
LaPlante, Theresa S., N1917.
McNeil, Esther J., N2473.
Morse, Mary F., N860.
Newell, Nelly, N885.
Paulson, Isabel S., N1376.
Rourke, Rita V., N677.
Shadewaldt, Ruth F., N673.
Travers, Sadye T., N2478.
Williford, Sarah L., N1310.

*To be lieutenant colonels, Army Medical Specialist Corps*

Arduser, Helen M., M10097.
Binning, Marcel, M10011.
Parker, Doris L., R10018.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

*To be first lieutenants*

Abel, Donald B., Jr., 089655.
Ackerman, Rene J., O92105.
Adams, James C., O92157.
Adams, Wilson R., O89403.
Agee, John M., O90103.
Allen, Cullen S., O89830.
Alling, James E., O89668.
Archer, C. A., O89686.
Ball, James W., O90099.

Banks, Thurston E., O89411.
Benca, John P., O96668.
Benedict, Louis J., O89718.
Bennett, Hugh C., Jr., O89720.
Bennett, Larry R., O95174.
Benson, Charles D., O89742.
Berthiaume, Paul D., O92622.
Billings, Barry B., O89728.
Bilyeu, Ronald E., O89729.
Bonner, John E., O94848.
Brennan, Patrick M., O96722.
Brent, John J., Jr., O89421.
Brown, Willie C., O89772.
Burgin, Charles McR., O96746.
Burley, Edward B., O94278.
Butler, Billy C., O89786.
Caraway, Lynn I., O91177.
Carr, Milton B., O89804.
Cassada, Thomas W., O94416.
Ciccarelli, John E., O91188.
Cooke, Charles B., O94063.
Cooper, Kenneth D., O95173.
Crinan, James R., O89856.
Curry, Emmitt L., O89865.
Curry, Weldon K., O89986.
Darby, Robert W., O90458.
Davis, Wayne G., O89460.
Dean, George A., O89461.
Dee, David D., O89462.
Demarest, Louis J., O89890.
Downing, David A., O88051.
Dubberly, Larry C., O89908.
Dupree, Gerald D., O89914.
Emmert, David C., O89475.
Erickson, Richard A., O89931.
Erlemeier, Lester A., O89933.
Fields, Clinton A., O91230.
Frerking, Joe A., O89971.
Gallup, Walter A., O95323.
Garland, Franklin P., O92492.
Gilliam, Taft R., O91247.
Graham, Richard A., O95325.
Green, Jimmy W., O90003.
Green, Norris B., Jr., O90004.
Grimmett, Norman D., O90007.
Hamilton, William L., O90025.
Harrington, William B., O95691.
Harrison, Robert B., O90038.
Hart, George W., O90041.
Hebert, Frederick J., O90049.
Henry, John F., 3d., O90059.
Heuver, Robert G., O91333.
Holbert, Billy W., O90078.
Hosford, Larry D., O93341.
Hubbard, Jerry A., O91279.
Jackson, Donald B., O90120.
Jeffords, James P., O96685.
Johnson, Ronald D., O90128.
Jones, Arthur M., O90132.
Jones, Dean C., O95563.
Jones, Joel D., O89518.
Kamerling, Richard H., O89974.
Kanouse, James W., O95344.
Keegan, Ambrose J., O92208.
Keller, John T., O90145.
Kimes, Harold G., O90152.
Kish, Francis B., O90156.
Kryzak, Raymond O., O89531.
Kutac, William D., O90175.
Lahde, Frank U., O91623.
Lanzotti, Robert E., O94101.
Laposata, Joseph S., O90183.
Lawson, Billy R., O90188.
Lemoine, Jarod J., O95657.
Leonard, Theodore J., O90196.
Linn, David L., O89540.
Lombardo, Roy S., Jr., O90209.
Love, Heilbron B., Jr., O89541.
Lozier, Gary O., O95066.
Luberacki, Robert J., O92469.
Luck, Gary E., O89543.
Marvin, Charles G., O95357.
Mashburn, Richard, Jr., O90241.
McBennett, John P., Jr., O90251.
McCown, John E., O90263.
McDade, Richard R., O90265.
McDonald, Philip R., O91328.
McDowell, James I., O90269.
McIlhaney, Richard G., O95297.
McKenzie, Horace, O90277.
McLeod, Ingram B., Jr., O91642.
McWilliams, Gerald V., O90283.
Mercurio, Joseph A., O90291.
Middleton, Robert D., O90300.
Morris, Jimmy R., O90317.
Mulvihill, William M., O92998.
Myers, Charles T., 3d, O92229.
Niblack, John F., O90342.
Nichols, Lester D., O90344.
Ohlendorf, George W., O90354.
O'Kane, Michael L., O90355.
Ostien, Douglas B., O90360.
Patten, Jerry W., O90370.
Payne, Larry C., O90374.
Pursel, Terry C., O90396.
Quickel, Jacob C., O89578.
Ralphs, William J., O92515.
Ramirez, Arnoldo R., O91489.
Rapp, Edward G., O90407.
Redd, Fred E., 3d, O90411.
Redden, Forrest R., Jr., O90412.
Regan, Patrick L., O90418.
Reiber, Carl F., Jr., O92758.
Riley, James M., O95381.
Roeder, Helmut A. G., O89843.
Roban, William P., O90440.
Schneider, David J., O90462.
Schollett, Frank A., O90463.
Schumpert, Gilbert H., Jr., O90472.
Schwarzenbach, Malcolm P., Jr., O90475.
Smathers, Sam T., O90495.
Smith, Curtis S., O89717.
Sodano, Guy R., O96720.
Sowell, James L., O90506.
Spitzer, Joel S., O96721.
Stocker, William L. R., O87393.
Stone, Byron C., O91522.
Sturek, Walter B., O90529.
Szabo, Richard M., O92812.
Teates, Bryan W., Jr., O92570.
Thompson, Richard A., O91527.
Washington, Charles C., O90584.
Weaver, James H., O90588.
Weir, David E., O89638.
Wells, Herbert D., O90595.
Weyland, Anthony D., O90597.
White, Jerry A., O95176.
White, Jerry D., O90600.
Wilbanks, Thomas J., O90607.
Williams, Samuel D., O90611.
Woodman, Lawrence L., Jr., O90625.
Worlund, Shyron L., O91543.
Wynn, Edward R., O90627.
York, Dennis J., O89651.
York, Donald, O90631.
Zaborowski, Lawrence P., O90633.

*To be first lieutenant, Women's Army Corps*

Albright, Barbara L., L611.

*To be first lieutenants, Medical Service Corps*

Barnes, Walter, Jr., O90167.
Brown, Wallace J., O94916.
Burn, Joseph J., Jr., O94572.
Greene, Frederick L., O90005.
Houston, William E., O91701.
Lanham, Richard H., Jr., O94313.
Lanier, Jack O., O94605.
Lassiter, Charles S., O89556.
Marine, Wayne E., O95248.
McLaughlin, Wayne M., O90279.
Mendell, James M., O90290.
Powell, Larry G., O90391.
Summary, James J., O92128.
Taylor, Horace G., O90542.
Thomas, Donald W., O90054.
Vallandingham, James W., O89630.

*To be first lieutenants, Army Nurse Corps*

Borrero, Carmen R., N3084.
Goodwin, Nancy C., N3085.
Marsh, Carolyn J., N3093.

*To be first lieutenant, Army Medical Specialist Corps*

Mitani, Norma, J98.

The following-named person for appointment in the Regular Army by transfer in the grade specified, under the provisions of title 10, U.S. Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

*To be first lieutenant*

Tucker, Tracy W. (MSC), O86874.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

*To be majors*

Lund, John B., O2288462.
McGarity, Wiley, O2204129.

*To be captains*

Austin, Richard S., O4046525.
Fry, Llayll A., O4057679.
Greene, DeReef A., O2265989.
Greinmann, Theodore E., O969899.
Keaton, Charles T., O1935652.
Kuhl, George C., O827680.
Laychak, Robert, O4010415.
Lott, Robert P., O2028510.
Mosselem, John J., Jr., O4031343.
Murphy, William H., O2041562.
Ozment, Fred N., Jr., O1914548.
Petersen, Gerald L., O4029697.
Price, Theodore W., O4059460.
Pye, William T., O1881815.
Ray, James R., O4031423.
Robinson, Richard T., O4026449.
Shikata, Edward K., O4040133.
Skaer, Kenneth L., O4005367.
Steves, Roy R., O4048689.
Stratis, Stratis J., O2289927.
Swenson, Louis S., O2293423.
Varljen, Frank E., O2266295.
Weathers, Edgar W., Jr., O4010605.
Williams, John F., Jr., O4009682.
Wilson, Frank R., O1924889.

*To be first lieutenants*

Boyd, Leo S., O5700452.
Boyd, Robert C., O2309496.
Brothwell, Richard W., O5002255.
Burke, James A., O5401654.
Davis, Bruce H., O5702002.
Evans, Wallace M., O4084244.
Malmberg, James E., O5703956.
Millar, Roger M., O5205104.
Milton, Maurice D., O5206369.
Mitts, Edwin S., Jr., O5309726.
Neale, Charles F., Jr., O5701764.
Owens, William B., O5401934.
Parsons, William W., O5403959.
Strickler, John C., Jr., O5001948.
Vansant, Keith F., O5204221.

*To be second lieutenants*

Albertson, Tom L., O5213263.
Bouton, Peter H., O5312248.
Corder, Joseph W., Jr., O5405877.
DePrie, Michael C., O5705092.
Gatlin, Jerry D., O5705307.
Girouard, Richard J., O5511263.
Grecco, John F., O5009805.
Joosse, Stanley B., O5513292.
Linden, Laurence E., O5213543.
Miyamasu, Paul K., O5800221.
Moorhead, Bernerd A., O5011244.
Muller, Michael G., O5314616.
Mullett, John A., O5309587.
Quinn, Larry G., O5310027.
Scott, Peter F., O5007478.
Seery, Joseph P., O5312476.
Sindy, Ronald L., O5212917.
Taylor, Benjamin D., O5311940.
Webb, Gary A., O5705654.
Wright, Kenneth E., O5212039.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, and 3311:

*To be major, Medical Service Corps*

Cummings, Will J., O2206052.

*To be major, Chaplain*

Plocki, Robert J., O961981.

*To be captains, Army Nurse Corps*

Pennell, Mildred H., N805790.
Wilson, Essie M., N901659.

*To be captains, Chaplains*

Anderson, Alister C., O2287377.
Blustein, Allan M., O2295193.
Laubscher, Walter R., O4077183.

*To be captains, Dental Corps*

Freeny, Robert M., O2296156.
Hallekamp, Josef C., O5703715.
Lundeberg, Paul M., O5501242.
Miller, Ronald K., O5500530.
Volin, Ronald A., O5206868.

*To be captains, Medical Corps*

Jaques, Darrell A., O2283886.
Pollock, Stanford F., O5703233.
Sterghos, Stratton N., O4044952.
Ward, Chester L., O4027908.

*To be captains, Medical Service Corps*

Caras, George, O995295.
Cooksley, Boyd E., O995310.
McBride, Dan J., O4057530.

*To be captains, Veterinary Corps*

Anderson, Ronald D., O4016118.
Dean, Richard F., O4073756.
Galbreaith, John D., O1941781.

*To be first lieutenants, Army Nurse Corps*

Levitt, Phyllis, N5216687.
Nagelhout, Anna J., N2309056.

*To be first lieutenants, Chaplains*

Bowers, Curtis R., Jr., O5206906.
Dinkel, Emil L., O2296532.
Grothe, Richard E., O3010513.

*To be first lieutenants, Judge Advocate General's Corps*

Coker, James R., O5511101.
Davison, Robert P., Jr., O5005585.
Jay, Gary M., O2305809.

*To be first lieutenants, Medical Service Corps*

Lingle, Kenneth C., O2298286.
McDowell, Frank, Jr., O5301891.
Soles, Elmer M., O2285043.

*To be first lieutenant, Veterinary Corps*

Bixby, Howard R., O2305492.

*To be second lieutenant, Army Medical Specialist Corps*

Sager, Jane F., R2304781.

*To be second lieutenant, Army Nurse Corps*

Scott, Isabel E., N2308964.

*To be second lieutenants, Medical Service Corps*

Blakemore, Vaughan A., Jr., O5208376.
Burrell, Charles F., O5317002.
Campbell, Austin B., O5218506.
Casey, Thomas D., O2306579.
Elliott, Robert F., O2309572.
Halstead, Herbert L., O5413590.
Heyen, George E., O5409482.
Oppeneer, Keith D., O2309726.
Ramos, Andy A., O5850064.
Timberlake, John S., III, O2308667.
Valle, James J., O2309655.

*To be second lieutenant, Women's Army Corps*

Barham, Marilynn A., L5302043.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Copeland, Keith E.
Crowley, Patrick F.
Danielski, Linn J.
Dorogi, Louis T.
Dorrell, Kenneth M.
Estey, Melvyn A., Jr.
Fischer, John C.
Fleming, Jerry M.
Gatens, Paul D.
Hawkins, James W., Jr.
Mackie, Norman R.
McElwee, Vernon D.
Miketinac, Bruce T.
Modderman, Melvin E.
Nelson, Brian A.
Papierski, Joseph E.
Pauley, Richard E.
Smith, James P.
Stone, William L.
Zalkalns, Gundars

The following named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

Adams, Donald L., Jr.
Adams, Edward D., Jr.
Adams, John A.
Adams, Neal M.
Adkins, Steven M.
Allen, Glenn R.
Alvarez, David
Anderson, Don W.
Andrews, James H.
Angle, Thomas L.
Aronson, Stephen M.
Barber, Duane D.
Barnett, James T., Jr.
Barnett, William A.
Bartels, Dwayne A.
Bartow, Neil G.
Beatty, Phillip M.
Becker, James W.
Beckett, George T., III
Beitz, James E.
Bell, Robert J.
Benkowitz, Stephen J.
Bentivegna, Peter I., Jr.
Benware, Marshall G.
Bergstrom, Charles A.
Bianco, Carl A.
Bird, Lawrence M., Jr.
Bisio, Carl A.
Black, Gorham L., III
Blickenstaff, Robert A.
Bluemer, Chris E.
Bly, Elihu A., Jr.
Bodinson, John H.
Boehner, Robert B.
Boesch, Carl R.
Boick, John S.
Bonar, Rodney L.
Bonnell, Bruce J.
Borden, Donald F.
Boyles, Calvin E.
Bozenski, Richard C.
Bray, Waymond D.
Brett, Thomas H.
Brierley, Alan A.
Briggs, Joseph
Brobeil, Francis G., Jr.
Brodie, Craig E.
Brown, Jack L.
Brown, Nolan H.
Brown, Robert E.
Brown, Russell D.
Brown, William A.
Brust, John V. B.
Buck, John M.
Budd, Wayne A.
Bugielski, Dennis E.
Burke, Francis L.
Burke, Richard C.
Butts, Melvin A.
Cademartori, James A. F.
Campana, Kenneth A.
Campbell, Walter J., Jr.
Cannaliato, Vincent, Jr.
Capelli, Andrew J.
Carlson, James K.
Carlson, Robert L.
Carmack, Ronnie G.
Carr, John T.
Carr, Peter H.
Carroll, Leo
Carter, Richard G.
Cartland, John C., Jr.
Caylor, Eugene H.
Cesca, Raymond M.
Chaffee, Frederic H., Jr.
Chase, Michael T.
Chavey, Robert G.
Chester, James T., Jr.
Chinen, Paul Y.
Christiansen, John E.
Christol, John G.
Cianfrocca, Gerald M.
Cidrass, Joseph M.
Clarke, Warren E.
Clement, James F.
Cluett, Walter S.
Coleman, Robert P.
Conner, Vernon L.
Cook, Robert L.
Cormier, Charles R.
Cote, Joel S.
Courtney, William V., Jr.
Cowan, Ronald L.
Crean, Thomas M.
Crews, Walton N., Jr.
Crocker, David L.
Crysler, John D.
Cullum, Kenneth H.
Cumming, James L.
Cunis, Charles L.
Dales, Bertram B., III
Dallow, Richard S.
Danner, John J., Jr.
Dattore, Eugene F.
Davidson, Harold A., Jr.
Davis, Denis C.
Davis, Larry L.
Davis, Doyne L.
Davis, Lawrence E.
Dean, Lloyd E.
De Gennaro, Joseph
De Lucia, Gilbert L., III
Deputy, Thomas M.
Desfor, Barry D.
Des Reis, Richard W.
De Vivo, Ronald G.
Dixon, James E.
Doherty, John C.
Donnelly, David E.
Doss, Allan W.
Dougherty, Hugh F., III
Doyle, Peter
Drees, Donald B.
Duncan, Louis L.
Dupre, Edgar R., Jr.
Dwyer, Allen R.
Edwards, Dennis L.
Edwards, Larry S.
Elson, Barry R.
Elvin, Richard E.
Engels, Richard C.
English, Edward B.
Fancher, Robert L., Jr.
Farmer, Robert C.
Featherstun, Glen A.
Fernald, Stephen A.
Fernandes, Vincent, II
Fields, James E.
Finnigan, Oliver D., III
Flaherty, Robert T.
Flynn, Edward T.
Flynn, James T.
Foerster, Bernhard
Foley, Francis J., III
Foley, Patrick J., Jr.
Ford, Thomas J., Jr.
Forster, Michael R.
Fowler, Donald B.
Fox, Alexander J.
Franks, Gregory J.
French, Stephen H.
Fritz, Allan J.
Fry, Ronald A.
Fulton, Larry B.
Furlow, Jewel L., Jr.
Gallagher, John R., Jr.
Ganino, Joseph
Garber, Allen
Garfinkel, Stephen M.
Gasca, Joseph S.
Gates, Richard S.
Gehring, Carl H.
Geraci, Frederick V., Jr.
Gianoukos, Peter C.
Girouard, Robert H.
Glesner, Richard C.
Globerson, Lee J.
Godfray, Thomas L.
Goldenberg, Frank G.
Goodman, George D.
Gordon, Stephen L.
Goss, Warren J.
Governo, Gerald
Green, Fred K.
Greenough, William E., Jr.
Greetham, Jerry M.
Griffith, Edward W.
Guidry, Ronald J.
Gwin, Samuel L., Jr.
Haight, Jonathan D.
Hale, Bruce E.
Halloran, William D., II
Hamelryck, Jacques L.
Hamilton, Woodbury R.
Hanlon, John B.
Hardy, Lee F., Jr.
Harrington, Paul M.
Harris, Howard L.
Harrison, Thomas C.
Haskins, Lewis F.
Hasse, Leonard, Jr.
Hazen, Joseph C., III
Heerdt, David D.
Hein, Clark D.
Hess, Walter A.
Highlander, Richard W.
Hills, Albert C.
Hirte, Douglas J.
Hoekstra, Neal L., Jr.
Hogrefe, Robert E.
Holdsworth, John W.
Holland, Major L.
Holman, Glenn P., Jr.
Holowka, Thomas J.
Horvath, LeRoy L.
Houghton, Richard R.
Houston, Jerry B.
Howard, Robert B.
Hufland, Robert F.
Humphrey, Clyde L.
Hurt, John C.
Idzik, Martin F.
Jackson, Daniel J., Jr.
Jacobs, Ronald R.
Janelle, Gerald F.
January, Michael O. C.
Jenkins, Charles A.
Jennings, William G., Jr.
Jensen, Helmer N., Jr.
Johnson, Charles F., Jr.
Johnson, Dennis M.
Johnson, Peter C.
Johnson, Stephen F.
Johnston, Hiram D.
Jones, James B.
Jones, William P.
Jordan, Dewie D.
Jordan, Robert F.
Kaplowitz, Daniel D.
Kausel, Theodore C., Jr.
Kearney, Leonard W.
Kekish, Borys
Kelley, Murl E.
Kern, James C.
Killebrew, James E.
King, Howard L.
Kloos, Clifford R.
Klus, Richard P.
Kochaniewicz, Thomas J.
Koestring, Alvin L.
Kokendoffer, George E.
Kolosseus, Michael T.
Kopf, James C.
Korkin, Robert A.
Kullberg, Gary W.
Kurtz, Richard G.
Lacey, William J., Jr.
LaFond, Michel A.
Lamm, Carol L.
Lang, Charles V.
Lapointe, Claude J.
LaRochelle, Russell A.
Laskoski, Richard D.
Lavery, William D., Jr.
Lawless, William F.
Learned, Howard M.
Lehman, Nelson S., Jr.
Lehr, Robert F., Jr.
Lennon, Richard E.
Levy, Burton H.
Linck, Keith R.
Lindahl, Edward J.
Lintner, Michael A.
Littnan, Charles L.
Lockwood, Robert L.
Lombardi, Paul J.
Love, Vincent J.
Lindquist, David C.
Lyons, Graham M.
MacManus, Colin D.
Mallard, Richard L.
Mamos, Matthew G.
Mandeville, Craig H.
Manuel, Roger A.
Marshall, Gail W.
Martin, James W.
Martin, Montez C., Jr.
Martinack, Robert P.
Marty, Fred F.
Massey, Ronald F.
Matson, Walter W., Jr.
McCurry, William K.
McLellan, Charles G.
McMillian, John W.
McNamara, Paul K.
McNear, Harry T.
McQuaid, John J.
Menger, Jay D.
Menz, William P.
Meoni, Neil W.
Mercer, Stephen R.
Merrick, Andrew D.
Merrill, John M.
Miles, Milton E.
Miller, John E.
Miller, William H.
Mills, Clarence R., Jr.
Mitchell, Richard S.
Mollmann, Herman H.
Montgomery, David J.
Moore, Alan L., Jr.
Moore, Basil T., Jr.
Moore, Robert L.
Morris, Dennis K.
Morris, John F.
Morris, Mark R.
Mouris, Paul C.
Murphree, John D.

Murphy, Donald G.
Murphy, Errol L.
Murphy, Robert J.
Murray, David W.
Murray, Thomas S., Jr.
Naski, Paul S.
Nelson, Alan S.
Neubert, Gunter H.
Newman, Lawrence J., Jr.
Newsky, Lewis W.
Nixon, Joseph O.
Nordheim, Bobby W.
Nussbaum, Seymour
O'Connell, Robert F.
O'Connor, Denis
O'Leary, James A., Jr.
Ollier, James L.
Olson, Richard V.
Oppenheim, James P.
Orringer, Oscar
Owen, John F.
Palaszewski, Daniel F.
Parrish, Feegeebee III
Parrish, John C.
Paterson, Theodore B.
Payne, Leslie
Pearce, Ronnie L.
Peffer, William D., Jr.
Perrin, Frank M.
Pfarr, John S., Jr.
Phelan, John Jr.
Philbrook, Scott D.
Pierce, D. Gregory
Pilmaier, Joseph M.
Power, John R., Jr.
Pritchett, Charles H.
Purcell, Robert M.
Quinsey, John R.
Radford, Charles W.
Radloff, Fredric T.
Rawlins, John W., Jr.
Read, Philip J.
Redmond, Robert C.
Reece, Charles R.
Reeves, Lucius V.
Reusch, Franklin A., Jr
Reynolds, James E.
Rhodes, Curtis A.
Rich, Martin E.
Rielage, Martin J.
Riggs, William C.
Ritz, Henry R.
Rivera, Jesus B.
Roche, Robert
Rockmore, Kenneth B.
Rodgers, Richard L.
Rodriguez, Arturo
Rohs, Thomas J.
Russell, David E.
Russell, Terry E.
Rydwansky, Frank C., Jr.
Sakrison, James M.
Sanborn, Robert L.
Scharf, Paul A.
Schenk, Steven T.
Schmit, James N.
Schnakenberg, David D.
Schofield, Peter L.
Schwarzhoff, Dale L.
Schweitzer, Drew J.
Scribner, Jeffrey L.
Scussel, James T.
Seaman, Gerald A.
Segal, Herbert E.
Sepanski, Stephen J.
Seremeth, Andrew J., Jr.
Severson, Richard M.
Shanahan, Michael G.
Shaw, Ray A.
Shelton, Gerald F.
Shepherd, James G.
Sheppard, Hugh P.
Sherman, Gary J.
Sherwood, Donald L.
Sielinski, Peter E.
Sitter, William P.
Sivacek, Paul M.
Slakie, Ronald J.
Slover, Donald J.
Smith, Allen C.
Smith, Converse B., Jr.
Smith, Kenneth V.
Smith, Michael J.
Smith, Richard M.
Smith, Russell H.
Snider, Thomas H.
Sorrentini, Hector E.
Spiesschaert, Darrel F.
Stevens, William L.
Stewart, Michael M.
Stiglich, Gerald F.
Stoesser, Joel W.
Stratton, John W.
Stuart, Raymond W.
Stutz, Darvel C.
Stumpf, James J.
Suddick, Robert A.
Sullivan, Gerard A.
Sullivan, John E.
Sullivan, John P., Jr.
Sullivan, Terrence E.
Surgent, Joseph R.
Sutcliffe, Edwin H.
Swenson, William E.
Swift, Joe B., Jr.
Symons, Edward L., Jr.
Szarmach, Paul E.
Taylor, Archie B., Jr.
Templeton, Patrick A.
Theriault, Alfred J., Jr.
Thomas, James M.
Thomas, Ronald W.
Thompson, Ronald E.
Thorpe, Edward E.
Tierney, William J., Jr.
Timpf, Richard H.
Tomlin, James E.
Trahan, Armand A.
Travis, James O.
Trettel, Steven J.
Trotter, Claude R., Jr.
Trudeau, Raymond L.
Tuttle, Stuart K., Jr.
Tymon, Leo F., Jr.
Vallese, Carmine J.
Vandermosten, John E., Jr.
VanWagtendonk, Jan W.
Vecchiarello, Robert N.
Vogt, Herman J.
Wall, Lewis W.
Walsh, John P.
Walsh, Robert E.
Walter, Bruce J.
Ward, Houston E., Jr.
Ward, James A., Jr.
Ward, Joel H.
Waring, Kurt E.
Watson, Raymon L.
Weber, Ervin J.
Weber, Richard L.
Welch, Kennard R.
Wenners, Edward B.
Wertz, Donald E.
Weymouth, Terry E.
Wheeler, Charles L.
White, David E.
White, Robert A.
Whiteman, James T., Jr.
Whiteside, Leonard J.
Whitman, Gordon L.
Whitmer, Dennis K.
Williams, George M.
Wilman, James F.
Wilson, William P.
Wind, Richard W.
Windsor, Thomas C.
Wing, Raymond A.
Wise, Jon R.
Wishart, Francis E., Jr.
Xenakis, John J.
Yamashita, Gary A.
Zafonte, Leonard
Zielinski, Stanley J.
Zins, Linus P.
Zyko, Eddi Z.

# HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 28, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 16: 14: *Let all that you do be done in love.*

Almighty God, we thank Thee for this new day, affording us many opportunities to dedicate and devote our capacities of mind and heart to the glorious enterprise of building a nobler civilization.

Grant that we may be eager to share in the task of creating among the members of the human family the spirit of mutual respect and confidence.

May we be charitable in our attitude toward the convictions of others and possess the grace of living together in the bonds of friendship and fraternity.

We pray that in all our plans and labors we may be sustained by a clear and radiant vision of peace on earth and good will among men.

Hear us in the name of the Prince of Peace. Amen.

## THE JOURNAL

The Journal of the proceedings of Thursday, January 24, 1963, was read and approved.

## MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

## HON. DONALD H. CLAUSEN

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. DONALD H. CLAUSEN, be permitted to take the oath of office today. The certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CLAUSEN appeared at the bar of the House and took the oath of office.

## SPECIAL ORDER GRANTED

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 hour today, following the legislative business and any other special orders heretofore entered, to advise the Speaker and the House of the demise of a former Member, and to give those Members who wish to do so an opportunity to address the House on that subject, and to give Members 5 legislative days in which to insert remarks in the RECORD on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

## LEGISLATIVE BUSINESS WEEK OF FEBRUARY 11

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of making an inquiry of the acting majority leader.

Mr. Speaker, as has been the custom in the past, many of us on our side of the aisle would like to go home for the dinners that are held in memory of Abraham Lincoln. Many of us would like to do that this year. I am wondering if the majority leader could tell us of any arrangements that might have been made that would permit us to be away that week.

Mr. BOGGS. Mr. Speaker, I am glad the minority leader propounded the question. I am very happy to inform him that we have discussed the matter and are glad to be able to tell him and the other Members of the House this far in advance that there will be no legislative program that week, which I think begins on February 11.

Mr. HALLECK. Mr. Speaker, I thank the leadership for their consideration in this matter; we certainly appreciate it.

## THE LATE J. STANLEY WEBSTER

Mr. HORAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, it is with sincere sadness that I inform my colleagues of the passing of the Honorable John Stanley Webster, a former Member of this body. Judge Webster represented the Fifth District of the State of Washington, which congressional district I have the privilege of now representing in the U.S. House of Representatives, in the 66th, 67th, and 68th Congresses. He resigned in 1923 to accept a U.S. district judgeship. He was a senior U.S. district judge for eastern Washington since his retirement over 20 years ago. While in the House, Judge Webster served on the Interstate and Foreign Commerce Committee. Judge Webster was the first Republican to serve the Fifth District of Washington since its formation in 1912. Judge Webster was a good citizen and was revered and loved by all in the Spokane area where both he and his brother occupied the bench at one time. He was active in many constructive and worthwhile pursuits all during his life.

The legal and judicial fraternities in Spokane plan a memorial service for

Judge Webster in Spokane on February 21, 1963.

The following biography is from the Congressional Directory of 1923, 68th Congress:

> Webster, John Stanley, a Representative from Washington; born in Cynthiana, Harrison County, Ky., February 22, 1877; attended the public schools and Smith's Classical School for Boys; studied law at the University of Michigan at Ann Arbor 1897–99; was admitted to the bar in 1899 and commenced practice in Cynthiana, Ky.; prosecuting attorney of Harrison County, Ky., 1902–6; moved to Spokane, Wash., in May 1906; chief assistant prosecuting attorney for Spokane County 1907–9; judge of the superior court of Spokane County 1909–16; lecturer on criminal and elementary law in Gonzaga University, Spokane, Wash.; associate justice of the State Supreme court 1916–18; elected as a Republican to the 66th, 67th, and 68th Congresses and served from March 4, 1919, to May 8, 1923, when he resigned to become U.S. district judge for the eastern district of Washington, in which capacity he served until August 31, 1939, when he retired due to ill health; is a resident of Spokane, Wash.

## HON. WILLIAM H. SEXTON

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, 65 years ago, William H. Sexton, then a young man of 22, entered the service of the city of Chicago as an assistant corporation counsel. This was a year before the commencement of the war with Spain. It was a year after the historic presidential campaign in which William McKinley was pitted against William Jennings Bryan, a sophomore Member of this body, whose oratory had won for him the Democratic nomination at the age of 35. Chicago then was a city of about a million in population, the district that now I have the honor to represent far removed in those horse-and-buggy years, much of it prairie land.

Four years later William H. Sexton, at 26, became the first assistant corporation counsel. At 39 he became corporation counsel. From 1911 to 1914, and again from 1931 to 1935, he was the head of Chicago's law department, and meanwhile Chicago was growing, growing, growing. But there were many baffling problems blocking the city's marvelous expansion, and the greatest of these was that of traction.

Local transportation, grounded in corruption and surrounded by a climate of legislative and municipal scandals, long had plagued Chicago in common with other American cities. From this era the large and rapidly expanding city of Chicago had emerged with a bankrupt local transportation system, unable to meet the curtailed cost of operation, completely helpless, utterly hopeless, even to begin the rebuilding of a modern system that changes, scientific advances, and a metropolis overbusting with population demanded.

In 1935, when William H. Sexton left the corporation counsel's post to become the city's special traction attorney, the future of Chicago, in a very true sense, was in his hands. Great as had been the growth of Chicago, tremendous as were its possibilities and the drive of its leaders and its people, slow death by stagnation and suffocation was certain unless the vast areas within its corporate limits could be tied together by rapid local transportation; modernized to take advantage of every improvement in the endless march of progress, with fares within the reasonable means of all users of the system and with equitable treatment of Chicagoans near to industrial and shopping centers and Chicagoans who resided in areas at great distance away.

This was the problem placed in the lap of William H. Sexton in 1935. He served as special traction attorney from 1935 to his retirement in June of 1959, due to ill health, in the administrations of Mayors Edward Kelly, Martin Kinnally, and Richard Daley. When he started, Chicago had a bankrupt, broken down local transportation system, and Chicago was at the terminus of a dead-end street. When he had completed his task, and ill health had called an end, Chicago had a modern subway, a modern local transportation system, and the outstanding system of superhighways of any large city in the world—all conceived, built and brought from the realm of dreams to the status of realities without one breath of scandal.

Mr. Speaker, William H. Sexton never sought elective office. He never courted the headlines. He served under four of the great forward-looking mayors of Chicago, Carter Harrison, Jr., once prominently mentioned as a democratic presidential nominee; Edward Kelly, Martin Kinnally, and Richard Daley. He never sought to advance himself by minimizing the importance of those in whose confidence and by whose appointment he served. Mr. Speaker, it is my well-considered opinion that no man in all the history of the world ever served his native city for as long a period, over six decades, and with such dedicated, self-effacing devotion and effectiveness as William H. Sexton, who today is being buried in the city of his birth and of his love, Chicago.

William H. Sexton, who is being buried today, was one of the truly great Americans of his times. He was corporation counsel of the city of Chicago when I was the boy lieutenant governor of Illinois. Much later we were associated, warmly and affectionately together, for 10 enriching and rewarding years in the period when Chicago was reorganizing its traction setup, going through endless months of litigation in the Federal courts, followed by the legislative struggle in the general assembly of Illinois for legislation creating the Chicago Transit Authority, and then the building of subways and the superhighways, all without one breath of scandal despite the tremendous total of condemnations necessitated by the march of progress.

I can never forget the day after the death of his wife, who all the years had been his sweetheart, Bill Sexton, despite the load of grief he bore, insisted on appearing on the Federal district court to argue a phase in the pending traction litigation that he thought all important. Nor the day he insisted on walking several blocks to the postoffice personally to mail Mayor Kelley's letter of appointment of the Chicago members of the traction authority. He never left anything to be done by someone else when there was a personal responsibility on him. I never knew a harder worker. I shall never forget the endless hours we were together, from very early in the morning until very late at night, because there was no detail, however trivial, that Bill Sexton thought we should pass without the fullest scrutinty.

Chicago can never repay its debt to the memory of the honor, the integrity, the industry and the dedicated life service of Bill Sexton, one of her greatest sons, who today is being buried. To his son, Andrew, and his daughter, who were the prides of his life, and his solace after the death of his beloved wife some 20 years ago, I extend my deepest sympathy. Bill Sexton had four predominant interests—his family, his profession which he served as president of the Chicago Bar Association, his church which bestowed upon him the exalted rank of Knight of St. Gregory, and his native city of Chicago to which he gave more than six decades of devoted and dedicated service.

Mr. Speaker, I ask unanimous consent that my colleague from Illinois [Mr. MURPHY] may extend his remarks at this point, and that any other of my colleagues who desire to do so may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURPHY. Mr. Speaker, it was with profound sorrow that I learned of the passing of a great Chicagoan, William H. Sexton, and I want to join my distinguished colleague, the Honorable BARRATT O'HARA, in paying tribute to him.

Mr. Sexton passed away on Thursday, January 24, 1963, in Washington, D.C., following a long illness. It was my privilege to be closely associated with him for almost 24 years when I was a member of the Chicago city council.

Mr. Sexton was a former corporation counsel for the city of Chicago, and in later years he represented the city in all traction matters including the purchasing of the Chicago Surface Lines and the organizing of the Chicago Transit Authority. He also served as special counsel for the city of Chicago in all matters pertaining to subway and superhighway transactions, and it was in this capacity that I became familiar with his great legal talent, his patience, and his astuteness.

He was one of the foremost members of not only the Chicago Bar and Illinois State Bar, but also the American Bar. He was dedicated to the city of Chicago and active in many civic affairs.

Mr. Sexton was a deeply religious man and exceptionally devoted to his family.

His zeal and interest in the spiritual was such that the late Pope Pius XII bestowed the honor of the Order of the Knight of St. Gregory upon him.

Mrs. Murphy joins me in extending our deepest sympathy to his daughter, Mrs. William Kavanaugh, and his son, Andrew Sexton, in the loss of their father.

Mr. LIBONATI. Mr. Speaker, the death of William H. Sexton ends the career of one of the most astute lawyers in Illinois. Throughout his public career he enjoyed the heavy responsibilities of serving in high appointive legalistic capacities in which he performed.

His passing brings back many pleasing memories to those of us in the congressional delegation who served in the Illinois Legislature or its city governments.

William Sexton was a true gentleman of high Christian principles. His knowledge of the law gained for him a natural reputation as an attorney in the specialized fields that he followed.

As corporation counsel of the city of Chicago—1911–14; 1931–35—and as traction counsel from 1935 to 1959, he reflected the painstaking preparation of the true advocate whose analytical approach revealed the factual conclusion of many controversial questions in the law.

His high moral standards and straight thinking won for him many admirers in public life. He was a fearless and devoted man to these principles, and inspired lawmakers to accept his undeniable legal conclusions.

This kind, gentle, and understanding legal giant left a lasting legacy to his profession—"The honest course to determine legal values must follow the fundamental basic rules of the law founded on fact."

I enjoyed his friendship for many years and admired him for his ability and dedication to his public trust. Millions of Chicagoans owe him a debt of gratitude for his public service.

Mrs. Libonati joins me in offering my sincere condolences to his daughter, Mrs. William D. Kavanaugh, and his son, Attorney Andrew W. Sexton, both of Washington, D.C.

The following article appeared in the Chicago Tribune, Friday, January 25, 1963. It reflects the high esteem in which he was held by the community for his long years of public service:

W. H. SEXTON, FORMER CITY COUNSEL, DIES—SERVICES TO BE HELD HERE, WASHINGTON

Services for William H. Sexton, 87, who twice served as Chicago's corporation counsel and for many years was the city's traction attorney, will be held at 10 a.m. tomorrow in St. Anne's Catholic Church, Washington.

Mr. Sexton died Wednesday in Washington, where he had lived in recent years.

Brief services also will be held at 11 a.m. Monday in the chapel at 25 East Erie Street, with visitation there after 3 p.m. Sunday. Burial in Calvary Cemetery, Evanston, will be private.

GRADUATED IN 1895

Mr. Sexton was graduated from Lake Forest University Law School in 1895. He was an assistant city corporation counsel from 1897 to 1902, and first assistant from 1902 to 1905, when he returned to private law practice for 6 years.

He was the city's corporation counsel from 1911 to 1914, and again from 1931 to 1935. He was special traction counsel from 1935 until he retired June 30, 1959, because of ill health. In that capacity he worked on unification of Chicago transit companies and on legislation which cleared the way for formation of the Chicago Transit Authority.

Mr. Sexton, a former Chicago bar president, held the title of special traction counsel also from 1914 to 1915, and from 1921 to 1925.

He long was a leader in Catholic Church affairs and received a designation as a Knight of St. Gregory.

MEMBER OF IPAC

At one time he was a member of the Illinois Public Aid Commission and its predecessor, the Illinois Emergency Relief Commission. In World War I he was captain in the Judge Advocate General's office.

Surviving are a son, Andrew W., a State Department attorney in Washington, and a daughter, Mrs. William D. Kavanaugh, also of Washington.

Mr. Sexton's wife, Alice, died in 1945.

Mr. McCLORY. Mr. Speaker, I join in the remarks of the gentleman from Illinois [Mr. O'HARA] in paying tribute to the late William H. Sexton on the occasion of his demise following a long and distinguished life of public service. My personal acquaintance with Mr. Sexton dates back many years during my active practice of law in the city of Chicago and my frequent meetings with Mr. Sexton at the roundtable of the Chicago Bar Association.

Mr. Sexton's life was dedicated to the improvement of the administration of justice, to the enhancement of the legal profession, and to the welfare of his fellow man. I express the sentiments of many thousands of our Illinois citizens in paying respect to the memory of a great public figure and a great man, William H. Sexton.

## A CHANNEL FOR RADIOASTRONOMY

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, we have made great progress in our Nation's radioastronomy in the last few years. Radioastronomers in the use of radio telescopes to probe outer space have made particular use of channel 37 of the ultra-high-frequency television spectrum. In fact, channel 37 is a band that can be used to receive signals that cannot be heard on other frequencies.

Since the enactment of legislation during the last Congress requiring manufacturers to equip their sets up to channel 82, there is increased commercial interest in all these higher channels. In fact, the Federal Communications Commission already has received applications for commercial use of channel 37.

Radioastronomers are very much interested that this channel be reserved for radioastronomy. I believe the investment we have made in installations such as the National Radio Astronomy Laboratory at Green Bank, W. Va., and the national interest indicate that we should reserve channel 37 for radioastronomy. I have already talked with officials of the National Science Foundation and the Federal Communications Commission about this issue, and I hope that early action will be taken to protect the use of channel 37 for radioastronomy.

I am including in my remarks an article from today's Washington Post dealing with this subject:

RADIOASTRONOMERS FIGHTING FOR CHANNEL 37

(By Howard Simons)

U.S. radioastronomers are battling to save a critical part of their science from certain extinction at the hands of commercial television.

If the astronomers lose their battle, they are telling Federal Communications Commission Chairman Newton N. Minow, it could very well mean that American science will lose the wherewithal to understand what is happening in the universe.

This is the story as pieced together from talks with radio astronomers and informed Government officials:

At issue is a specific channel on the ultra-high-frequency television spectrum. This is channel 37, which ranges from 608 to 614 megacycles.

Until last year channel 37 was essentially unwanted as a television channel even though it had been assigned to several American cities as part of the FCC's national television allocation plan.

FOUND IDEAL

So long as commercial television did not use channel 37, radio astronomers found it an ideal band to use for mapping certain areas of the heavens inaccessible on other radio frequencies.

Two factors helped the radioastronomers: the protection of an interested FCC, which juggled requests for channel 37 to keep it free for science; and the fact that European telecommunication officials had tacitly agreed to keep a comparable frequency free for their radioastronomers.

Last year the picture in the United States changed. The Congress enacted a multichannel television bill requiring that all television sets shipped in interstate commerce be equipped to receive channels 2 through 82. Until then, most American television sets were, and most still are, equipped to receive channels 2 through 13 only.

INTEREST RENEWED

Now, there is renewed interest in channel 37. Indeed, the radioastronomers face the immediate dilemma of battling against four companies in Paterson, N.J., that have applied to the FCC for a license to operate channel 37 in that city.

If the request is granted by the FCC, which in the words of one official, "has run out of juggling room on channel 37," one immediate result would be to interfere drastically with radio telescope studies being carried out at the University of Illinois and at the National Astronomical Observatory at Green Bank, W. Va.

This is so because the sensitive radio telescopes operating on the channel 37 frequency would probably pick up commercial television along with radiation from stars in the universe. In the case of the University of Illinois radio telescope, built at a cost of three-quarters of a million dollars, the telescope could become useless as it now is.

AIR EQUAL WORRY

But radio astronomers are equally worried about the longer range effects of losing channel 37. These essentially are two.

The first is that radio astronomers will be frozen out of the ultrahigh frequency television spectrum altogether, because there is no alternate channel available in this spectrum. Hence, as they are telling Minow, this would constitute a waste of an invaluable national resource.

The other reason for anxiety is that channel 37, already set aside for all intents and purposes in Europe and in Asia is the last hope for international agreement on a single such band for radio astronomers.

Just how American radio astronomers, who are speaking with one voice on the issue of channel 37 will fare cannot be predicted.

### THREE ALTERNATIVES

Informed sources suggest that there are three alternatives open to the FCC, which in this particular case, has the power to decide the issue. These alternatives are:

The FCC can assign channel 337 to commercial television throughout the Nation and put radio astronomy out of business in this critical bandwidth.

The FCC can take channel 37 away from commercial television and save it for radio astronomy which essentially means allocating three instead of four UHF–TV channels to about 10 cities.

The FCC can compromise by saving channel 37 from commercial interests in one or two areas giving radio astronomers partial observation in these areas.

## FIFTEENTH ANNIVERSARY OF USIA AUTHORIZATION

**Mr. O'HARA of Illinois.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

**The SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

**Mr. O'HARA of Illinois.** Mr. Speaker, on this 15th anniversary of the passage of Public Law 402 which granted the U.S. foreign information program legislative authority, I am happy to join with my colleagues in congratulations and good wishes to the U.S. Information Agency, to its dynamic director, Ed Murrow, and to all his coworkers. USIA is doing a tremendous job in building the image of the United States in foreign lands and especially among the peoples in the less developed lands.

Some years ago I had the honor to suggest for a group of distinguished Chicagoans the adoption by USIA of our project which became known as the Classics of Democracy series. This was based upon the thought that the classics of democracy that inspired our forefathers, if translated into native languages, could give similar inspiration to the peoples in developing countries reaching out, as did our forefathers, for guidance in their quest for the structure of democratic and representative government.

At the time that I made that suggestion to the House there was but one translation of The Federalist, and this was out of print. Today The Federalist is printed and distributed in many foreign countries, and the influence of that immortal work has been a factor in the fight for the minds and hearts of people that is far greater than that of any other factor. In similar manner other classics of democracy that inspired our forefathers have been translated and distributed in inexpensive editions throughout the world.

Secretary of State Rusk, Ambassador Adlai E. Stevenson, and Director Ed Murrow all in public statements have emphasized the outstanding contribution that the Classics of Democracy program has made in winning the hearts and the minds of peoples everywhere. My humble contribution in presenting this program to the Congress and to USIA. I regard it as among the most lasting achievements of my congressional service.

The Classics of Democracy project illustrates how outside advisory committees can be productive and fruitful. I remember that the gentleman from Ohio, Congressman FEIGHAN, and I attended a meeting of the Advisory Committee on Cultural Information, which at that time was under the able chairmanship of Dr. Mark A. May who was also Chairman of the U.S. Advisory Commission on Information.

Subsequent to our presentation the Committee was instrumental, especially its subcommittee on books and libraries, in assisting the USIA in the development of this most successful program. This entire experience demonstrates that public and private enterprise, working hand in hand, can produce important projects which help further the interests of the United States in this field where competition with the massive outpourings of Communist propaganda is keen and difficult. It is also an example whereby public initiative channeled through legislative representatives can influence the U.S. Government to act positively and in response to good ideas which spring up from our people throughout the country.

## PROGRAM FOR BALANCE OF WEEK

**Mr. HALLECK.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

**The SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

**Mr. HALLECK.** Mr. Speaker, I have asked for this time in order to ask the distinguished acting majority leader if he can tell us something about the sessions that will be held for the balance of the week. We would appreciate the information because a number of Members are interested in such matters as special orders and other arrangements, of course.

**Mr. BOGGS.** I might inform the distinguished minority leader, as he knows, that there is no legislative program for this week. But, the House will meet tomorrow, Tuesday, to receive a message from the President on education. The House will not be in session on Wednesday, but it is anticipated that we will be in session on Thursday when we will receive a message from the President and then we will probably adjourn over.

**Mr. HALLECK.** In other words, it is likely that the House will adjourn over from Thursday to Monday next?

**Mr. BOGGS.** The gentlemen is correct.

**Mr. HALLECK.** I thank the gentleman.

## MASS TRANSIT—RELIEF FROM THE HARDENING OF OUR TRANSPORTATION ARTERIES

**Mr. MOORHEAD.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

**The SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

**Mr. MOORHEAD.** Mr. Speaker, on September 19, 1962, I made a statement on the floor of the House that—in regard to the mass transit bill—seldom have we in the Congress had an opportunity to accomplish so much with so little.

Today, January 28, 1963, I am introducing a bill similar—with one exception—to the one last year on which we, in the Committee on Banking and Currency, conducted extensive hearings. This bill became one of the logjam casualties of the 87th Congress even though both House and Senate legislative committees reported it favorably.

Since time and procedural delays were the only causes for the inconclusive results in 1962, there is real hope that an early start will achieve the comprehensive approach which is so necessary to the continued growth and prosperity to cities like Pittsburgh. I join my colleagues from similar areas who hope for the relief from the hardening of the transportation arteries from which so many American cities and towns are suffering.

### WHAT THE BILL DOES

The legislation is designed to encourage additional investment by local and State governments, as well as private investors, in improving facilities for moving people by mass transportation means — whether railroad commuter, rapid transit or motor buses—in order to relieve mounting traffic congestion which is strangling urban areas. We have provided well for highway needs—$20 billion for urban highway construction alone. For certain problems, however, another alternative must be presented which hithertofore has not. As a result, we are paying a high bill for roads.

This measure provides authorization for a 3-year program of matching grants to States and local public bodies on the same basis as the urban renewal program, with two-thirds Federal grants and one-third local matching funds, $100 million authorized the first year and $200 million each of the succeeding years.

Although the funds would go to public bodies such public bodies would not have to operate the transit facilities and equipment themselves. They could acquire the equipment and lease it to a private operator. In fact, the bill makes clear that its intent is to encourage private operation and contains safeguards against unfair competition by public bodies or unfair acquisition.

Grants will be made on a net project cost, which means that estimated revenues from the system will first be set aside, bonds will be floated, and of the remainder, two-thirds Federal and one-third local contribution will be applied to costs which cannot be met out of the fare box.

Eligible facilities and equipment would include terminal facilities, rights-of-way, buses and other rolling stock. No grants funds would be used for the payment of ordinary governmental expenses.

The bill also renews the $50-million loan fund approved in last year's legislation, but provides that loans cannot be used where grants are used, or vice versa. It also sets up a fund for research to improve mass transportation methods.

Other features include emergency programing, demonstration projects, and relocation requirements. Perhaps the Westinghouse elevated guide rail system would be a feasible proposal for a demonstration project in Pittsburgh.

### SUPPORT FOR SUCH A BILL

Last Congress both Houses reviewed this legislation thoroughly. I know, for I spent countless hours hearing testimony and offering suggestions. By introducing it so early this time, there should be enough elbow room to maneuver for a vote. Of the 66 witnesses we heard only 2 opposed the bill. Those supporting it were groups such as: American Municipal Association, representing more than 13,500 municipalities; U.S. Conference of Mayors, representing cities over 30,000 population; National Association of County Officials, representing over 3,000 counties in 44 States; National Housing Conference; National Association of Mutual Savings Banks; Association of American Railroads; Railway Labor Executives Association, representing all railway labor brotherhoods; National Association of Housing and Redevelopment Officials; AFL-CIO.

Such support was partially induced by the existence of a temporary Federal transit program, administered by the Housing and Home Finance Agency. More than 200 communities had inquired at the HHFA last year.

### OTHER SIGNS OF RECEPTIVITY

There are other signs, too, of increased receptivity to mass transportation. New York, New Jersey, and Connecticut are working together on regional transportation plans through the tristate transportation committee. New Jersey has established, through its highway department, a program of assistance and planning to help commuter railroads. In the Washington, D.C., area, planners have indicated that transit needs are among the major consideration in the year 2000 plan. Philadelphia continues to plan for broadened service, and Los Angeles officials have clearly indicated that their reliance upon the freeway is inadequate.

One of the most significant of the recent events was the approval last November by the San Francisco area voters of $792 million for a regional transit system. Bay area residents have chosen to tie their transit program into plans for over 11 regional developments, and apparently this approach will pay dividends. The exception I have put in the bill would cover the San Francisco plan retroactively since it should not be penalized by its initiative and foresight.

In the city of Pittsburgh, we have solved many of the problems which appeared to doom our city. After the devastating flood of 1936, we saw that our first problem was flood control. After solution of this problem was in sight, we saw that our next problem was air pollution and smoke control. The next problem was urban blight and slums. Urban renewal and public housing are helping us to solve this problem. Now we find that even if we can solve the other problems the city will strangle to death on automobile congestion if we cannot solve the problem of mass transportation.

## AFFORDING RELIEF TO PURCHASERS OF SERIES E SAVINGS BONDS

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, I have today introduced a bill to protect individual investors in series E Government bonds from paying taxes where inflation since date of purchase has exceeded the amount of interest earned.

The bill is as follows:

A Bill To Protect Funds Invested in Series E United States Savings Bonds From Inflation and To Encourage Persons To Provide for Their Own Security

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 121 as section 122 and by inserting immediately before such section the following new section:

"Sec. 121. Interest on Series E Bonds Where Purchasing Power of Redemption Proceeds Is Less Than Purchasing Power of Original Cost.

"Gross income does not include the interest received on the redemption of any series E United States savings bond where the purchasing power of the aggregate of such interest and the price paid for such bond is less than the purchasing power of the price paid for such bond."

(b) The table of sections for such part III is amended by striking out the last item thereof and inserting in lieu thereof the following:

"Sec. 121. Interest on series E bonds where purchasing power of redemption proceeds is less than purchasing power of original cost.

"Sec. 122. Cross references to other Acts."

(c) The amendments made by this Act shall apply to redemptions of series E United States savings bonds made after the date of the enactment of this Act in taxable years ending after such date.

Mr. Speaker, I believe that by all means the Ways and Means and Finance Committees should include this provision in any tax measure which is reported.

Hundreds of thousands of American citizens have bought series E bonds on the Government's plea to help. Now, 20 years later, their investment plus interest is worth less than they paid for such bonds 20 years ago. Congress should act to at least relieve people from paying income taxes on interest which does not equal the loss of purchasing power of their original investment; but even further, the fact that such a bill is necessary should be evidence that a continuing policy of spending more than we take in can only be done at the expense of series E bonds, insurance, social security and other fixed income as well.

Tax relief is desired by all, but if it is to come at the cost of each person's insurance, retirement funds, or investments, it is open to serious question as to whether it is sound. I am willing to be shown, but it will take some showing.

## HEARINGS ON PRESIDENT'S ECONOMIC REPORT

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Joint Economic Committee began its hearings this morning on the President's Economic Report. These hearings will go on for the next 2 weeks. The President has already presented to the Nation and to the Congress his basic economic theory which lies behind various proposals he makes to the Congress, particularly tax cutting. There has been no equal opportunity, of course, for those who disagree with this theory and the basic theory in his budget message, the basic theory in his economic report, the basic theory in his message on the state of the Union or in his presidential message on tax reform to express our point of view.

Accordingly, to start this debate going I have asked permission to put in the body of the Record today my own remarks in which I comment primarily on the President's Economic Report.

I also obtained permission to address the House for 1 hour on Thursday, so that any who might wish to take exception to or to comment further on what I have put in the Record today will have that opportunity. On Thursday, I intend to discuss in more detail the points I make in my remarks appearing in the Record today on the economic condition of our country.

## FRAUDULENT USE OF CREDIT CARDS

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I am introducing a bill today, to be substituted for H.R. 1033 which I introduced on January 9, 1963, to amend title 18 of the United States Code to prohibit the fraudulent or unlawful use of credit cards that have been lost, stolen, and so forth.

Credit card frauds have increased at a phenomenal rate in recent years. From 1955 through 1961, it is estimated that they have increased 1,100 percent. These crimes affect many millions of people in this country to whom credit cards have been issued as they are liable for the use of such cards prior to notifying the issuing companies in the event they are lost or stolen. Federal legislation should help to act as a deterrent to the fraudulent use of such credit cards.

A number of State legislatures, including that of Ohio, have recognized the need for legislation to cover the fraudulent use of credit cards. However, because, for example, oil company credit cards and telephone credit cards are honored nationwide and used by a mobile population, the matter is appropriately a Federal interstate one. In the period of a month a person committing credit card frauds can travel through many States prior to the time that the person to whom the card has been issued may be aware that the card is being misused. Because of the mobility of the person committing the fraud, he is often beyond the reach of the State where it was committed.

The greater reach of, and respect for, a Federal criminal statute is needed as a deterrent to such interstate wrongful conduct, and to protect the millions of innocent credit card holders who may be victimized by it.

It is my hope that the Committee on the Judiciary will act on this legislation in the near future.

## ANNUAL REPORT OF THE NATIONAL ASTRONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 52)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed:

*To the Congress of the United States:*

In accordance with section 206(b) of the National Aeronautics and Space Act of 1958, as amended, I transmit herewith a report for the calendar year 1962, on this Nation's aeronautics and space activities.

The year 1962 was a period of acceleration, accomplishment, and relative progress for the United States in its space leadership drive. In both numbers and complexity of space projects, the past year was the most successful in our brief but active space history.

The benefits of our peaceful space program, in both its civilian and military aspects, are becoming increasingly evident. Not only have the horizons of scientific knowledge been lifted, but the resulting international cooperation and worldwide dissemination of knowledge and understanding have strengthened the world image of this country as a force for peace and freedom. The economic benefits of our national space program are also revealing themselves at an increasing rate.

These growing space successes have required the support of increasing budgets. Thus, the recommended budget which I submitted to the Congress earlier this month contains requests for funds for the fiscal year 1964 space program in the total amount of $7.6 billion. This is an increase of $2.1 billion over fiscal year 1963, $4.3 billion over fiscal year 1962, and $5.8 billion over fiscal year 1961.

In summary form, the accompanying report depicts the contributions of the various departments and agencies of the Government to the national space program during 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## SIXTH ANNUAL REPORT OF THE OPERATION OF THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 51)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on Ways and Means and ordered to be printed with illustrations:

*To the Congress of the United States:*

I hereby transmit the sixth annual report on the operation of the trade agreements program. This report was originally prepared pursuant to section 350(e)(1) of the Tariff Act of 1930, as amended, which has now been superseded by section 402(a) of the Trade Expansion Act of 1962.

This report demonstrates that we have made good progress toward accomplishment of our goals in the international trade field during the course of the past year. For example, world trade again reached a new high level. U.S. exports also rose and maintained a significant margin over imports, with consequent improvement of our balance-of-payments position.

In the summer of 1962 we completed tariff negotiations, which lasted almost 2 years, under the aegis of the General Agreement on Tariffs and Trade. While we were hampered in these negotiations by the severe limitations of the Trade Agreements Extension Act of 1958, some real progress was made in clearing the way for a greater flow of profitable international trade.

Now, however, we face the challenge of the tremendous growth of the European Common Market, an economy which can soon be expected nearly to equal our own. The passage of the pace-setting Trade Expansion Act of 1962 provides us with the tools necessary to meet this challenge, maintain our own economic growth, and, together with the Common Market, continue our efforts to promote the strength and unity of the free world.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## FIRST ANNUAL REPORT OF THE OFFICE OF CIVIL DEFENSE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 50)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Armed Services and ordered to be printed with illustrations:

*To the Congress of the United States:*

I am transmitting herewith for the information of the Congress, the First Annual Report of the Office of Civil Defense as submitted by the Secretary of Defense. This report covers the civil defense functions assigned to the Secretary of Defense by Executive Order 10952, which are the preponderance of the functions under the Federal Civil Defense Act of 1950 (Public Law 920, 81st Congress).

This report is submitted in accordance with section 406 of that act, and covers fiscal year 1962.

Information pertaining to civil defense activities of other agencies, and in particular those assigned to the Director of the Office of Emergency Planning, the Secretary of Agriculture, and the Secretary of Health, Education, and Welfare, under Executive Orders Nos. 10952, 10958, and 11051, is contained in the published 12th Annual Report of the Activities of the Joint Committee on Defense Production.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## ELEVENTH REPORT OF OPERATIONS UNDER THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** laid before the House the following message from the President of the United States, which was read, and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

In accordance with the provisions of section 108 of Public Law 87-256, I transmit herewith for the information of the Congress the 11th report of operations under the Mutual Educational and Cultural Exchange Act of 1961 during the period July 1, 1961, to June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## THE NEED FOR A DELEGATE FROM THE DISTRICT OF COLUMBIA

The **SPEAKER**. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 60 minutes.

**Mr. MATHIAS**. Mr. Speaker, I have today introduced a bill to establish, in and as a part of the House of Representatives, the office of Delegate from the District of Columbia, and to provide for the election of that Delegate by the residents of the Nation's Capital.

Each Member of the House spends a substantial amount of time on services to the constituents whom he represents. These services are an inherent part of our duties as Members, and we welcome the opportunity to perform them. Those of us who serve on the House Committee for the District of Columbia have an added burden of constituent service work, because of the requirements not only of our own congressional districts, but also of the citizens of the District of Columbia. Although they have not elected us, Washingtonians must turn to us for advice and help because they have no official in the Congress whom they have elected and to whom they can turn. Under the bill which I have introduced today, the Delegate from the District of Columbia would be able to perform much of this work on behalf of the District residents who elected him, which would be a very substantial help to those Members like myself who serve on the District Committee.

The Delegate to the House would serve another important purpose both to the citizens of the District and to the Congress, because he would provide a voice on Capitol Hill for the several hundred thousand citizens who live here and who cannot vote in any State. While the Delegate constitutionally could have no power to vote, he would have the right of debate. There is a long line of precedents, stretching back through the history of the many delegates which have served in this House from the territories, that he would also have the right to introduce legislation. These territorial delegates, as well as Resident Commissioners such as our colleague from Puerto Rico, have long served a useful purpose on behalf of the House of Representatives itself, the constituents who elected them, and the Nation as a whole. The lessons learned from these helpful relationships can, I feel sure, be successfully applied over the years in the development of the office of the Delegate from the District of Columbia.

Finally, I am satisfied, that there is strong local support here in the District for this delegate bill, as one very concrete way of giving the residents of this city an opportunity over the years to help themselves to develop continuously an improved sense of responsibility and maturity among the permanent residents of the Nation's Capital.

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## TWO-PRICE COTTON

The SPEAKER. Under previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 60 minutes.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

North Carolina?

The SPEAKER. Is there objection to the request of the gentleman from

There was no objection.

Mr. WHITENER. Mr. Speaker, I have asked for time today in order that I may again bring to the attention of my colleagues the situation concerning our domestic textile industry by reason of the unfair two-price cotton situation now existing.

This is a matter of grave concern to the entire Nation and should command the immediate attention of all who are charged with the responsibility of legislating in behalf of the American people. The preservation of a strong textile industry in America is vital to our economic welfare, as well as to our defense posture. On many occasions during the past three Congresses it has been my privilege to discuss with my colleagues, publicly and privately, the importance of the industry in each of these areas.

In the State of North Carolina we have a particular interest in maintaining a strong and healthy textile industry. There are more than 1,000 textile mills located in 76 of the 100 counties in the Tar Heel State. This industry is the largest that we have in our State. It employs approximately 50 percent of the people engaged in manufacturing in North Carolina. It pays annual wages of between $800 and $900 million per year. This constitutes four times the combined payrolls of the State's tobacco and furniture industries.

The North Carolina State government is in a large measure dependent upon a healthy textile industry since approximately one-third of the State's individual and corporate income tax and sales tax collections come from this source.

One thousand North Carolina textile plants produce annually approximately $3 billion worth of yarn, fabric, and apparel, which is approximately three times the dollar value realized from the operation of farms in North Carolina, notwithstanding that we have the second largest number of farms to be found in any State in the Union.

While the North Carolina textile plants are engaged in both cotton and synthetic textile production, our cotton textiles represent the largest portion of the textile production in the State. We produce more than one-half of the cotton yarns produced in America and approximately one-fourth of the Nation's broad cotton goods. These facts immediately point out to any observer the reason and necessity for a keen interest on the part of all our citizens in North Carolina in preserving an aggressive and vibrant textile industry.

During recent years the acceleration of textile production in many other nations of the world and their subsequent exporting to the United States has been presenting a monstrous problem to all of us. There is no doubt in my mind that all Members of the Congress are by now thoroughly aware of this import problem and its devastating effect upon the American economy.

On Wednesday of this week the Cotton Subcommittee of the Committee on Agriculture of the House of Representatives will conduct hearings on legislation which has been introduced with the desire of eliminating one of the great problems confronting those who earn their livelihoods in the textile plants of America. I refer, of course, to the elimination of the two price cotton situation which constitutes such an unfair competitive advantage in favor of foreign manufacturers.

Many of our textile people tell me that if we can eliminate the 8½ cents per pound, or $42.50 per bale, price advantage which the foreign manufacturers enjoy we can compete with these foreign competitors. It seems to me that the American people should at least be given this even chance of competing, particularly when we consider that a foreign manufacturer is able to purchase American-grown cotton which has been in part subsidized by our own textile industry at a price below that paid by our own American industry.

This two-price system results from the price support program which the Congress created in behalf of the domestic cotton producer. By reason of this price support program our American cotton is not competitive in the world market, and hence the 8½-cent reduction which we must make in order to keep our cotton flowing in world trade. Whatever our thought may be as to the wisdom of the price support program, I think that we must all agree that it is not in the public interest to continue to burden the American people who are dependent upon the textile industry with the cross of two-price cotton.

I believe that it must also be agreed that it is a shortsighted policy in the long pull to continue this unfair situation insofar as the American cotton farmer is concerned. After all, the principal market has been, and probably will always be, the American textile manufacturing industry insofar as domestically produced cotton is concerned. Unless this market is preserved the subsidies and price supports to the farmers will soon vanish from our statute books along with the cotton farmer as a member of our economic family. When this has happened we will all be the losers as a result of a shortsighted policy of two-price cotton.

I would also call to the attention of those who would be friends of our cotton producers that there is presently a great upsurge in conversion from cotton textiles to synthetic textiles and that this also threatens the domestic market for the cotton producers in a way which should cause great alarm in our agricultural economy circles.

Let me review briefly some of the recent experiences of the American textile people.

In 1947 American mills exported approximately 1.5 billion square yards of cotton cloth. By 1961 our exports had dropped to approximately 500 million yards. This loss of 1 billion square yards per year in our cotton textile cloth exports has been a great blow to the American industry and to the economic life or our Nation. We not only have lost a good portion of our export market, but during the same period foreign mills have greatly increased the sale of their cotton textiles in the United States. This resulted because of the great price advantage which foreign manufacturers have enjoyed due to lower labor costs and the 8½ cents per pound price advantage that the foreign manufacturers had in the cotton which they were running.

Prior to World War II our Nation exported vastly greater amounts of textiles than were imported into this country. Following World War II we saw the trend changing and by 1961 textile exports were exceeded by imports to the extent of 27 percent. While figures are not available for 1962, it has been reliably estimated that the difference between imports and exports would probably amount to 30 percent or more.

In 1955 imports of cotton textiles represented the equivalent of approximately 181,000 bales of cotton. By 1956 these imports represented 225,000 bales of raw cotton. By 1958 it was 234,000 bales equivalent. In 1960 this had risen to 526,000 bales equivalent, and in 1962 imported textiles amounted to the equivalent of 672,000 bales of raw cotton.

Since 1956 the greatest growth in foreign imports has been in yarns and coarse goods, in which the cost of cotton is the largest single factor. In 1952 we imported 250,000 pounds of carded, combed cotton yarns; by 1962 these imports had grown to 29.9 million pounds, an increase of 11,860 percent.

So, we can see that since World War II, and more particularly in the past 10 years, the American cotton manufacturing industry has been losing a foreign market of approximately 1 billion square yards a year and at the same time was losing another billion yards a year in sales on the domestic market.

It was during this period synthetic fibers began to claim growing portions of the domestic textile market. This, in part, has been brought about by the artificial pricing system which we now experience and which we refer to as the two price cotton system. The American textile man has not been able to reduce his price to the level of his foreign competitor because of the artificial pricing system that has developed in the cotton trade. Some observers have estimated that synthetic fibers, paper, and plastics displaced cotton textiles to the tune of 875,000 bales in 1962 alone. How long can the agricultural economy stand this loss of market even if it were possible for the domestic textile industry to combat the many problems that have been created for it? Happily, some of our agricultural leaders have come to the conclusion that the time has arrived to take positive steps to eliminate this ogre from the domestic textile scene. One of these was the Secretary of Agriculture, Hon. Orville Freeman, who on November 13, 1961, recommended to the President that he request the U.S. Tariff Commission to make an immediate investigation under section 22 of the Agricultural Adjustment Act with the view of eliminating the two-price cotton system.

At that time the Secretary stated that he had reason to believe that articles and materials made of cotton were being imported into the United States in such quantities as to render ineffective, or materially interfere with, the program and operations of our Government with respect to cotton, or to reduce substantially the amount of products processed in the United States from cotton. The Secretary pointed out that the programs and operations for upland and long staple cotton which were being threatened by the two-price system included our price-support programs, acreage allotment, marketing quota programs, and the export subsidy program for cotton and cotton products.

He pointed out that 525,500 bales of cotton were used to manufacture cotton textiles imported into the United States in 1960 and that this represented a record high at that time. He further pointed out that over the 5 years ending in 1960 imports of cotton textiles increased at an average annual rate equivalent to about 69,000 bales.

Secretary Freeman in his letter to the Chief Executive stated that since World War II aggregate mill consumption of cotton has tended to decline and that this decline in consumption per capita in the United States was from an annual average of about 29.3 pounds per person in the 1946–55 period to about 23.9 pounds per person in 1956–60. He further stated that the increase in cotton textile imports had importantly contributed to the decline in mill consumption of cotton and that on a per capita basis, imports of cotton textiles increased from about the equivalent of 0.5 pound per person in the United States in 1955 to approximately 1.4 pounds per person in 1960. Significantly, Mr. Freeman stated that "the sharp rise in the per capita rate of imports of cotton textiles occurred during the period when export subsidies and export differentials were relatively large and were consistently paid."

Mr. Freeman concluded that it was evident that imports of articles and materials wholly or in part of cotton, will render or tend to render ineffective, or materialy interfere with, the Department's programs for cotton and products thereof, or will reduce substantially the amount of products processed in the United States from cotton.

Mr. Speaker, those of us who have been close to this problem through the years were greatly encouraged by the positive action taken by the Department of Agriculture at that time. We were further encouraged when on November 21, 1961, the President in a letter to the Tariff Commission directed that an investigation be made as requested by the Secretary of Agriculture and that the report be "completed as soon as practicable."

This feeling that progress was being made had a very short life, however. Those of us who appeared before the Tariff Commission during the taking of testimony could readily detect that a majority of the members of the Tariff Commission were hostile in their attitude toward granting the relief which was so sorely needed by the American people. This attitude was apparent, notwithstanding the brilliant presentation made by representatives of the Department of Agriculture and by representatives of the textile industry and labor. Those of us who followed the case with avid interest felt that the evidence presented fully warranted the allegations made by the Secretary of Agriculture in his request that the President refer the matter to the Tariff Commission for investigation. We felt that it was inescapable that a favorable decision would be rendered, notwithstanding the unnecessary delay that seemed to be the attitude of the Tariff Commission. Finally, on September 6, 1962, in a 3-to-2 decision the Tariff Commission denied to the American people the relief to which we felt they were entitled on the evidence presented in the case.

At this point, Mr. Speaker, I would like to pay tribute to Commissioners Walter R. Schreiber and Glenn W. Sutton for their dissents, which, in my judgment, were fully supported by the evidence and represented the decision which would best serve the American people. These two Commissioners recommended that there be imposed on dutiable articles wholly or in chief value of cotton, a fee of 8.5 cents per pound, but not less than 20 percent ad valorem, so long as the total fee imposed did not exceed more than 50 percent ad valorem. These two gentlemen significantly pointed out that the Commission was a creature of statute and was not vested with legislative discretion or authority and that it was not the proper function of the Commission to take issue with the legislative policy involved. They further stated:

> Under our system of government, any Commissioner who has any scruples or reservations about carrying out the will of the Congress should perforce disqualify himself from accepting or holding office. We, therefore, wish to state unequivocally that our findings represent our best effort to respond to the mandate of the Congress, and are in nowise to be construed as registering any personal predilections either of us may have as to what the law should or should not be.

I am sure that this quotation from the dissenting opinion requires no amplification in order for any of us to understand what must have gone on in the consideration of the evidence and the report to be submitted by the Tariff Commission as the Commissioners met in their private conferences. I think that the admonition of these two distinguished dissenting Commissioners is one which should be repeated over and over again to so many of the Government agency people who seem to have such a bent for thwarting the will of the Congress.

In further support of their view that the section 22 relief should be granted, Commissioners Schreiber and Sutton on page 22 of the report to the President on "Investigation No. 22–25"—TC publication 6 had this to say in section (5):

> (5) The majority attempts to justify their position by minimizing the quantity and impact of imports by broad comparisons with total domestic consumption of cotton, and by setting up competition with rayon and other manmade fibers as the primary interference experienced by the cotton programs. Neither of these factors can withstand the burden of the majority's position.
>
> A graphic measure of the extent of imports can be gained from the following statistics. The cotton content of imported cotton articles during 1962 is expected to be in excess of 700,000 bales. The quantity will be even greater than the 1960 peak of 525,500 bales and more than 23 times the import quota on Upland type cotton, under 1⅛ inches in staple length. It will exceed the quantity of cotton produced in 1961 in each of the States of North Carolina, South Carolina,

Georgia, Tennessee, Alabama, Missouri, Louisiana, Oklahoma, and New Mexico. The acreage required to produce this quantity of cotton is larger than the 1961–62 acreage allotments in each of the States of Arizona, Louisiana, Missouri, New Mexico, North Carolina, and Tennessee, and about equal to that of South Carolina.

In addition, 700,000 bales is equivalent to four times the raw cotton consumption of one specific U.S. textile mill which is considered to be the largest single unit textile concern in the world. This particular mill has nearly 450,000 cotton spindles and 9,000 looms and employs some 11,000 persons. Indeed, it would take the entire cotton textile industry in the United States approximately a month to consume this quantity of cotton at present levels of textile production.

In years of extremely favorable exports of U.S. cotton, it would take about a month to ship this much cotton from U.S. ports. As a matter of fact, very few of the leading exporting firms ever export as much raw cotton in a single marketing year as the cotton contained in the anticipated import level in 1962. During the 1960–61 season (a good year for exports) only three countries took more than 500,000 bales of our total exports.

The domestic competition from manmade fibers is not new, and whatever its intensity may be, it is not an appropriate factor for consideration in this investigation. This investigation is directed toward imports of cotton products, and if such imports are in fact materially interfering with the programs, it is irrelevant that other unrelated factors are also causing problems. Insofar as the Commission's functions in this investigation are concerned, it is of no consequence that speculative guesswork leads to the possible conclusion that, in the event effective import restrictions should be imposed on cotton products, the void occasioned by the absence of imported cotton products might be filled in part by domestic manmade fiber products. This line of argument is obviously circuitous, hypothetical, and self-defeating. Some of the void created (and, in our opinion, the greater part thereof) would inevitably be filled with domestic cotton products.

Mr. Speaker, I have given this history of the section 22 Tariff Commission action in order to give to my colleagues a brief picture of the background factors which now must be considered as we approach a legislative decision on this vital matter. On Wednesday of this week as the Cotton Subcommittee of the House Committee on Agriculture hears the testimony of those of us who are so vitally interested in this matter, we all should have a feeling of regret that it is necessary to seek legislative relief from a problem which could have been and should have been solved by a proper decision and recommendation by the Tariff Commission.

There is no legislative decision, available, it now appears, which will not cast an additional burden upon the taxpayers of this country. This is a burden which should not have been placed upon our already overburdened taxpayers. The imposition of an offset fee on imported cotton textiles at the rate of 8½ cents per pound for the cotton equivalent of those imports would have placed the burden upon foreign industry as such burden should be placed. This, however, was not done, and we must now seek some other means of protecting a vital segment of our industrial and agricultural economy at the further expense of the taxpayers of America.

Mr. Speaker, it seems to be the unanimous opinion of the textile manufacturers with whom I have discussed this matter that they do not desire any direct subsidy paid into their hands. I believe that they would almost unanimously express regret that any action must be taken which would further burden the American people. The burden, however, with which our domestic textile industry is faced is an artificial one created entirely by programs by our Government and forced upon those who earn their livelihoods in the textile plants of this country. Government policy has threatened the jobs of more than 200,000 North Carolinians who are directly employed in the textile industry and millions of others in other parts of the Nation who directly and indirectly derive their livelihood from the textile industry. Our Nation's defense posture has been placed in jeopardy by Government policy which, if uncorrected, may render inestimable damage to our national security.

I, therefore, urge that all of our colleagues from all sections of this Nation give serious and earnest consideration to the problems confronting the domestic textile industry and the employees in that industry, as well as in the allied trades who derive their income from this great manufacturing segment of our economy. We must find an answer to this problem which was created here in Washington.

In conclusion, Mr. Speaker, I express the hope that the Committee on Agriculture of the House of Representatives in its deliberations will be able to produce legislation which will be acceptable to the Members of this body and to the Members of the other body on the other side of the Capitol. This legislative solution should be one which will relieve the domestic textile industry of the unfair competitive advantage now enjoyed by foreign manufacturing concerns with a minimum burden to the American taxpayer.

The legislation introduced by my distinguished colleague, the gentleman from North Carolina [Mr. Cooley], is a step in the right direction, and I have every confidence that when the Congress of the United States has worked its will upon this bill that we will have strengthened our Nation and served the interests of all of the people as we bring about a strengthening of the competitive position of the American textile industry.

Mr. Speaker, since the introduction of H.R. 2000 by the gentleman from North Carolina, Congressman Cooley, I have mailed an explanatory statement with reference to this legislation to many of our textile people in my congressional district. Many of them have replied giving their views, and I wish to insert at this point in the Record these replies without the use of the names of the individuals who wrote.

Re Congressman Cooley's cotton bill, H.R. 2000.

January 22, 1963.

Hon. Basil L. Whitener,
*House Office Building,*
*Washington, D.C.*

Dear Basil: Needless to say, we are wholeheartedly in favor of this bill. We hope very much you will be strongly behind it and imagine you will feel that way. As Harold Cooley has said, other needed legislation as to cotton can be worked out later on after this urgently needed enactment takes place.

With best wishes.

Sincerely yours,

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January 23, 1963.

Hon. Basil L. Whitener,
*House of Representatives,*
*Washington, D.C.*

Dear Basil: Thank you for sending me a copy of the statement issued by Congressman Cooley on the introduction of his bill, H.R. 2000. I am heartily in favor of the enactment of the amendment which he proposes.

It is good to know that you are doing all you can to eliminate the two-price cotton program now in effect and I certainly hope your efforts along this line will be effective.

With all good wishes to you, I am,

Sincerely yours,

——— ———.

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January 23, 1963.

Hon. Basil L. Whitener,
*Member of Congress,*
*House of Representatives,*
*Washington, D.C.*

Dear Mr. Whitener: I was really much interested in your statement regarding the situation on the so-called two-price cotton program. I think it would be to our mutual advantage if you would do all possible to get this eliminated as I am sure you are familiar with this area and it is hurting us to no end.

Also, I and many other people in your area would appreciate your doing all possible in the present spending of taxpayers money on the foreign aid bill to see if something can't be done to cut this down and try to hold our budget far below what is being asked.

It was certainly nice seeing you in Spindale at the Rotary basketball tournament, and I personally appreciate your attendance and hope that you will stop by to see us at any time you are in this vicinity.

With kindest personal regards, I am,

Sincerely yours,

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January 23, 1963.

Congressman Basil L. Whitener,
*Congress of the United States,*
*House of Representatives,*
*Washington, D.C.*

Dear Congressman Whitener: Thank you for your letter of January 21 and the copy of the statement issued by Congressman Cooley on the introduction of his bill to relieve the domestic textile industry of the present inequity in the so-called two-price cotton program.

I in particular, and I am sure a great majority of your constituents, appreciate your stand on this and other legislation that is so vital to the economy of our area. I know that you will vigorously support it, and I will appreciate your advising me of any way that I can add further emphasis.

Sincerely,

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January 23, 1963.

Re your letter of January 21.

Hon. Basil L. Whitener,
*Washington, D.C.*

Dear Sir: We must keep trying until this two-price cotton is eliminated.

Due to the standards of living in the United States we cannot continue in small business, unless there is a change.

We cannot compete with the foreign countries, due to their low labor cost, and low-priced goods shipped to us for sale.

I would suggest the rise in price to foreign countries to 8½ cents per pound rather than

than lowering the price in the United States to their standard.

Sincerely yours,

——— ———.

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JANUARY 23, 1963.

Hon. BASIL L. WHITENER,
*Congress of the United States, House of Representatives, Washington, D.C.*

DEAR BASIL: The writer has received your letter of January 21 requesting my views with respect to the legislation introduced by Congressman COOLEY on equating the price of American cotton, both to the spinning mills of our country as compared with the spinning mills of foreign nations.

I am fully in agreement with the idea of this equating on the raw cotton prices, but the writer has rather mixed emotions as to what this will accomplish from the standpoint of competition.

We cannot possibly conceive that the American textile industry, with this subsidy on raw cotton, can compete with textile plants making similar products abroad.

We have never been in favor of subsidies at the expense of the taxpayer, and historically, legislation of this kind when put into effect usually remains in effect for an indeterminate length of time.

It would be interesting to observe the effects on the ultimate consumer, the American public, of the finished product and to what extent this subsidy in the form of raw cotton would be reflected as a savings to the American consumer.

What, in my opinion, would be much more interesting to explore would be a complete analysis of the American public's consumption of textile goods, either in the form of cloth or garments, or a combination of both, and an allocation based on this analysis be made to those foreign countries whom we feel are friends of the United States, and whose textile industry needs some support from us in the way of free trade.

We still feel that some restraint on imports from abroad in the form of yarn, cloth, and/or garments would help the American textile industry immeasurably more than equating the two-price cotton program now in effect.

I have always admired your strong support of anything that will help our textile industry, and know that if this legislation is put into effect, you will be a strong contributing force to the enactment of this bill.

If you have any information which would tend to clarify my thinking on the allocations given to the foreign countries on goods imported to the United States, I would appreciate your views on same.

May I take this opportunity of wishing you and your dear family everything good for this year of 1963, and will look forward to hearing from you personally on your next trip to our good hometown.

With warmest personal regards, I remain,

Sincerely,

——— ———.

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JANUARY 25, 1963.

Hon. BASIL L. WHITENER,
*House Office Building,*
*Washington, D.C.*

DEAR CONGRESSMAN WHITENER: In reference to your letter of January 21, I will gladly give you my views on the two-price cotton program about to come before Congress.

I am very much opposed to subsidizing foreign purchases, but at the same time, I oppose subsidizing American industry as well as any Government subsidies for any person.

It looks like the Federal Government is going to make another mistake to help cover up an original mistake in trying to get into the cotton business in subsidies to the farmer years ago.

With imports and Government policy, we are driving cotton textile mills out of the cotton business. For your information, one of the biggest cotton consumers in the Southeast will shortly announce that they are putting one of their large plants on blends of synthetics and cotton. The mill is Springs Cotton Mills, with which you are familiar. I am sure that this will be followed by other cotton mills, because I happen to know quite a few who have been quietly experimenting with synthetic fibers as a cotton replacement. Within a few years, I believe the cottongrowers will find themselves in a similar position to the coal industry after World War II if the textile industry as a whole can survive all the imports it must face.

Congress should do whatever it plans to do as soon as possible, because the cotton industry is in a dilemma and will remain so until the Government acts on this whole cotton program.

Sincerely yours,

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JANUARY 23, 1963.

BASIL L. WHITENER,
*Congress of the United States,*
*House of Representatives,*
*Washington, D.C.*

SIR: In reply to your communication of January 21, regarding two-price cotton, I personally see no reasoning behind the idea of an added subsidy for cotton in the United States.

I believe we should take off the 8½ cents per pound allowed foreign purchasers and make them pay the same amount as the American market; let the cotton farmer paddle his own canoe if he overproduces, or let him sell his surplus to foreign countries at less money if he chooses to overproduce.

Very truly yours,

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JANUARY 26, 1963.

Mr. BASIL L. WHITENER,
*Member of Congress,*
*House of Representatives,*
*Washington, D.C.*

DEAR MR WHITENER: Thank you for your letter of January 21, in which you solicited my reaction to Congressman HAROLD D. COOLEY's cotton bill. I am in full agreement with the proposal of this bill H.R. 2000. While some of these foreign nations were in distress as a result of World War II, it was in order to assist them in every possible way to improve their economy.

However, today when the "poor have become rich" and endanger our own economy, I feel it is time to change rules and regulations.

I believe it is the Congress primary duty to look out for the welfare of its own Nation. European and Asiatic nations already have the advantages of considerable lower wages, and since we do not have adequate tariff protection it is hard to understand why we should further jeopardize our textile industry by giving an 8½ cents cut per pound price concession on export cotton. Nobody minds to face competition as long as the basic principles are sound. That is the life (or spice) of business. But with two strikes against every batter, it is hard to win a game.

I know that in order to maintain a reasonable export volume, foreign countries must earn American dollars to sustain their purchasing power for some of our products. But this should not be accomplished through the threat of sacrificing one of our own industries.

As you know, textile employment has decreased very substantially. This was due to increased economics in our plants in order to meet foreign competition. In some cases mills liquidated as they could not operate profitably.

I know that overproduction is bad, very bad; but why do we then encourage overproduction of cotton goods by selling staple at a lower price to foreign countries who in turn flood our market? Would it not be more advantageous to build mills with American money in foreign countries and then export the goods to the United States? And increase unemployment here.

Did I write much and say little? If so, I'm sorry.

Respectfully yours,

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JANUARY 24, 1963.

Hon. BASIL L. WHITENER,
*House of Representatives,*
*Washington, D.C.*

DEAR BASIL: In reply to your letter of January 21, I wish to advise that I am strongly in favor of H.R. 2000 which was introduced by Congressman COOLEY on January 17, 1963. I do not think that it is ideal by any means, but, certainly, it provides definite relief to the domestic textile industry which, we all admit, is badly needed.

Those who have made a much more comprehensive study than I have regarding the two-price cotton program are in general agreement that H.R. 2000 is a good bill and are hopeful that it will be enacted into law.

Sincerely yours,

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JANUARY 23, 1963.

Congressman BASIL L. WHITENER,
*Congress of the United States,*
*House of Representatives,*
*Washington, D.C.*

DEAR BASIL: We received in the mail today from your office, information on the Cooley cotton bill, and I certainly would like to see some sort of legislation enacted that will equalize the domestic price of cotton as against the foreign cotton cost.

This import business is certainly having its impression on the textile trade in the United States, and it is certainly up to you fellows in the Congress to help do something about this.

We know you will put forth every effort to bring about a more comparable bases on the cost of cotton.

Sincerely,

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JANUARY 23, 1963.

Hon. BASIL L. WHITENER,
*House Office Building,*
*Washington, D.C.*

DEAR SIR: There is no question but what something needs to be done to relieve the domestic textile industry of the burden imposed by the present two-price cotton program. Possibly Congressman COOLEY's bill H.R. 2000 is a step in the right direction but certainly will not solve the problem. We are presently supporting the cotton producers with a fictitious price. How long could we support an entire industry on this same basis? Cotton subsidies need to be done away with so that our cotton can compete in the world market. I realize this cannot be done in one fell swoop but feel that over a period of a few years this cotton subsidy could be entirely eliminated. In the meantime, the domestic cotton users could be subsidized in the same manner as the cotton producers.

Very truly yours,

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JANUARY 25, 1963.

Hon. BASIL L. WHITENER,
*House of Representatives,*
*Washington, D.C.*

MY DEAR MR. WHITENER: Your letter of January 21 enclosing copy of the cotton bill introduced by Representative HAROLD D. COOLEY, chairman of the House Committee on Agriculture, has been received and read with interest.

A reduction in the price of cotton to manufacturers in an amount equal to the price that foreign purchasers pay for American cotton will be of considerable help, but it must not be overlooked that a great many of the cotton mills carry large stocks of finished goods and equally large stocks of goods in process, on which they would undoubtedly sustain a very substantial loss.

Many manufacturers of cotton goods have been hurt so badly that they have introduced synthetic fibers into their mix, resulting in a satisfactory product at a lower cost. Even with a decrease of 8½ cents in the price of cotton, there is doubt if the use of synthetics will materially decrease.

The use of cotton in American mills is likely to continue to decline and the steps proposed in the Cooley bill have come much too late. Cotton has been a political football for so long, it has gotten into a very sorry state.

Yours very truly,

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JANUARY 25, 1963.

Hon. BASIL L. WHITENER,
*Congress of the United States,*
*House of Representatives,*
*Washington, D.C.*

DEAR BASIL: I have your letter of January 21 with regard to bill H.R. 2000 introduced by Congressman HAROLD D. COOLEY with regard to the present inequity existing in the two price cotton program.

Immediately upon hearing of this bill, I wired Congressman COOLEY as follows:

"My associates and myself are very much pleased and gratified by the introduction of your bill H.R. 2000. We are particularly pleased that a Congresman from our State has taken this initiative. I am sure that all of our employees both here in Gaston County and in your district of Davidson County are proud of the action you have taken."

I am well aware of the efforts you had made in the past on this matter and I am quite sure that the domestic textile industry, particularly those operations within the confines of our district, are expressing their gratitude to you and to others who know our predicament for speedy enactment of this bill which will be a tremendous boost for us all.

With best regards.

Sincerely,

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JANUARY 24, 1963.

Hon. BASIL L. WHITENER,
*Congress of the United States,*
*House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN WHITENER: With regard to your letter concerning the "two price" cotton system. Certainly, I favor Representative COOLEY's proposal over the system which now exists which I believe anyone would have to admit is absolutely unfair to this country's textile industry. I suppose I must admit I would rather have two wrongs rather than one when I believe the last wrong will benefit myself. What I really don't understand is why we have a subsidy to the cotton farmer anyway. Why create two subsidies when the problem could be solved by having no subsidies? I believe the total expense for both these subsidies is estimated around $600,000 to $700,000 per year. Is it easier for our representatives to legislate this money away rather than to drop these farm subsidies at the risk of losing some votes? Here, I believe is the crux of the matter. However, I doubt if there will be many Congressmen with the courage to stand up and seek this solution which seems to me to be the logical, if not the political, termination to the problem. I hope you will be one of the few.

Regards,

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JANUARY 23, 1963.

Hon. BASIL L. WHITENER,
*U.S. House of Representatives,*
*House Office Building,*
*Washington, D.C.*

DEAR MR. WHITENER: We would like to have your support of bill H.R. 2000, which was introduced by Hon. HAROLD D. COOLEY. If passed it will do away with the two-price system for cotton marketing.

This system was the most unfair, and un-American handicap any domestic industry has ever had to contend with since this country won its independence. It makes it tough for the all-cotton mills to compete with rayon. It makes it practically impossible to compete with the foreign mills that get their cotton 8½ cents per pound less than ours. The foreign mills labor cost is considerably more than 8½ cents per pound less than ours. The only thing that keeps us in business is the quota system.

The two-price system should be eliminated and quotas fixed where they are.

Yours sincerely,

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JANUARY 25, 1963.

Congressman BASIL L. WHITENER,
*Congress of the United States,*
*House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN WHITENER: In reply to your letter pertaining to H.R. 2000 introduced by Congressman HAROLD D. COOLEY, I would like to tell you how I have been confronted with a problem also along the same lines.

We at Carolina Mills, plant No. 4, in Newton, N.C., have a commission finishing plant for cotton tubular knot goods and process for many customers in the Eastern States. Each knitter has a ticket on each roll of cloth and on this ticket they give the name of the yarn mill which the yarn comes from. The reason for this is that all yarns will not dye or bleach the same, and we keep them separate in batches. My employees read these tickets and not knowing too much about geography, but a lot about working and finishing cloth, were always asking, "Where is this Portugal mill or this mill in Spain or the Formosa plant and the Israel mill?" Not having time to go into this with each employee, we had a meeting of all employees and I explained it to them this way:

The mills were actually in foreign countries and that the reason our customers were buying yarn from them rather than from our U.S. mills was in my opinion just a slight mistake. I explained that at the present time these foreign mills were buying cotton 8½ cents on the pound cheaper than our mills from our country could buy cotton and they could sell yarn back to our customers cheaper than we could make yarn. I told them not to try to figure all this out because I felt it was just a temporary mistake by the men in Washington whom we elect to represent us and to make our laws and that these people were very busy. I told them that I really feel that they meant for the law to read 8½ cents more for foreign countries than for our mills but got the law worded wrong, as they did not have time to read very carefully what they voted on and being very busy did as well as could be expected. I assured my employees that very shortly one of the men in Washington would find this mistake in the wording of this law and would see that it was changed to read correctly. One employee asked how our mills could stay in business paying 8½ cents more for cotton than our competitors in foreign countries and I explained that this was quite a problem to pay our wages and taxes and still compete, but not to get the wrong opinion of our men in Washington because they are fitted for their jobs just as our employees and that they are not too good on figuring but very good on talking and that is why they are sent to represent us and make our laws. The people who are good at figuring had to stay home and try to keep the textile plants running so that our people could have jobs to buy food and clothing and pay taxes. In this way everyone could get along better—the taxes would help pay the men that make the laws. I explained that you could tell the difference between running a government and a textile plant by the way things come out. When the Government needs money they raise taxes and yet every year they spend more money than they take in. In a textile business you can't spend more money than you get because if you do the company will go broke and no one will have a job—that is why they have to have a different-type man in the Government than you do in running textile plants. Things just don't come out the same way and one man would not understand how to run the other job and it would cause an awful mess.

Getting back to the matter of cotton prices, when the wording mistake in the present law is changed and the foreign mills begin having to pay 8½ cents more for cotton than our mills, this would help the world situation. The people in the foreign countries will be so busy trying to figure out how to make yarn as cheap as our mills out of cotton costing 8½ cents more per pound than it cost our mills. Now while they are doing this they will not have the time to make airplanes, bombs, and guns and by the time they find a way to make yarn cheaper than us from higher priced cotton, we could have enough guns ourselves to shoot them all.

Now, all you men in Washington can do your jobs and not worry about votes because after I finished explaining all of this to my people you will get all our votes from now on. It is really hard for me to see how some people get as mixed up as some of my employees about so simple a thing as the price of cotton and where yarn comes from.

Seriously, Congressman WHITENER, I and my people would like to commend Congressman COOLEY and yourself and all your associates who understand the problems of the textile people and who are making an earnest effort to eliminate the burden placed on our industry by the two-price cotton setup.

Thank you and good luck in your efforts.

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Hon. BASIL L. WHITENER,
*House of Representatives,*
*Washington, D.C.*

DEAR SIR: I appreciate your letter of January 21 concerning the inequity existing in the present two-price cotton program.

This is indeed a very serious problem that confronts the textile industry, but I am not sure that making payments, in cash or in kind, to persons other than the producers of such cotton, is the answer. It has been proven over and over that subsidies do not solve problems, but merely create more. Why doesn't the Government just lower the price of cotton 8½ cents per pound to all purchasers?

Very truly yours,

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Hon. BASIL L. WHITENER,
*House of Representatives,*
*Washington, D.C.*

DEAR BASIL: I have your letter of January 21, along with Congressman HAROLD COOLEY's cotton bill, covered by H.R. 2000.

While I feel very strongly that the two-price cotton program needs to be eliminated, I am not familiar enough with all of the ramifications involved to know just how this should be accomplished. According to Congressman COOLEY's bill, the Commodity Credit Corporation is to equalize the cotton price differential by making payments of a subsidy to persons other than the producers of the cotton. I have reached the point of feeling that Government subsidies to any segments of our economy is wrong, and for this reason, I would hate to see the cotton price differential equalized by subsidy payments, and certainly if the subsidy was to be paid to the manufacturer.

As mentioned above, I do not know what to suggest, and since the details of just how the Commodity Credit Corporation would handle the matter have not been specified, I do not know just what the full effect of this bill would be. I do trust that the existing inequity involved can be eliminated in some way.

With kindest personal regards, I am,

Sincerely yours,

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January 25, 1963.

Hon. Basil L. Whitener,
*Member of Congress,*
*Washington, D.C.*

Dear Mr. Whitener: I very much appreciate your letter of January 21, 1963, regarding the bill introduced by Congressman Harold D. Cooley to eliminate the two-price cotton program now in effect in this country.

I very definitely feel that something should be done to change this situation so that the American manufacturer can purchase cotton on the same basis as foreign purchasers.

As for Congressman Cooley's bill, I would prefer to leave it to your good judgment as to whether this is the best bill that might be had. If you should decide that this is the best bill that could be had I would like to see you support it. On the other hand, if a better bill is offered I would certainly suggest your supporting it.

I trust this rather inconclusive opinion will be of some help to you.

Yours very truly,

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January 26, 1963.

Hon. Basil L. Whitener,
*House Office Building,*
*Washington, D.C.*

Dear Congressman Whitener: Thank you very much for your letter of January 21 enclosing a copy of the bill introduced by Congressman Cooley to reduce the price of cotton to domestic spinners.

I feel it is most important that the domestic spinners be given some price relief so they can compete with the foreign yarns pouring into this country so freely. This bill will serve the purpose of equalizing the price of cotton and is most commendable. We would like to see its enactment.

Yours very truly,

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January 24, 1963.

Hon. Basil L. Whitener,
*House of Representatives,*
*Washington, D.C.*

Dear Mr. Whitener: Thank you for your letter of January 21, enclosing a copy of Mr. Cooley's bill and asking for my comments. These I shall give you, not officially as representing Shuford Mills, but personally, as a citizen.

1. I am in favor of Mr. Cooley's bill, but only because it prevents discrimination against domestic users of cotton.

2. It is purely a temporary and very expensive expedient because it obviously is intended to prolong a policy of "high priced" cotton to protect the "little farmer." If there really are many of these left, surely the sensible thing is to protect only them and let cotton find a more realistic and competitive price level.

3. Although good, as a temporary expedient, the proposed bill, plus the high export and domestic subsidies, and the high loan for cotton will cost the Federal Government tremendous sums. If this bill could be geared to lower loan prices and lower export and domestic subsidies, starting now and possibly graduated downward year by year, we would really have begun a sensible solution. Cotton is losing ground to synthetics at a greatly accelerated rate and the "end is not yet." Surely in the long run cotton must stand on its merits. Where will the "little farmer" be then?

4. I believe we simply must cut Government expenditures and that the Congress is the only hope of our country and of our children and grandchildren. I believe we are about to start racing toward socialism, pure and simple, unless the awful cost of Government is reduced. Taxes are too high, yes, but Government spending is the cause. The end result is inflation and we shall all become "wards of the state," losing our freedom in the process. No wonder Russia has "quieted down"—she sees so clearly what we are doing to ourselves.

Sincerely yours,

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January 24, 1963.

Hon. Basil L. Whitener,
*House Office Building,*
*Washington, D.C.*

Dear Basil: In reply to your letter of January 21, I was pleased to know of your interest in Congressman Harold D. Cooley's bill H.R. 2000, dealing with the two-price cotton system. As you know, we in the textile business have been straddled with this two-price cotton situation for some time, and we are very anxious to get some relief from it. If I had my preference, however, I would prefer lower price supports and larger acreage; but it seems to me at this time that this is out of the question, and I believe that Congressman Cooley's bill will do a great deal toward solving the two-price cotton system. Therefore I would urge you to support this bill and do everything you can to get it passed as quickly as possible.

Sincerely,

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January 24, 1963.

Hon. Basil L. Whitener,
*U.S. House of Representatives,*
*Washington, D.C.*

Dear Basil: I am not very much in favor of Representative Cooley's cotton bill, although it looks like about the best we can hope for. If it does pass I hope there will be provision made for allowance on cotton owned already by mills, and on stock in process.

It would seem best to me to cut out the foreign subsidy rather than double it for the taxpayers.

From our own personal viewpoint, we are mostly on rayon; and are fearful that if the cotton price per pound goes way down we will lose some of our synthetic business.

I am appalled at President Kennedy's budget request; although I haven't had a chance to study it, I am sure we could do with a few less billion, as is the case every year.

I would like to see a tax cut, if we have a budget cut.

With best regards, I am,

Yours very truly,

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January 24, 1963.

Hon. Basil L. Whitener,
*Member of Congress,*
*House of Representatives,*
*Washington, D.C.*

Dear Basil: In regards to Congressman Cooley's H.R. 2000, I think that it is better than nothing in that it spreads the cost of the cotton program to all taxpayers instead of leaving the burden on the cotton textile manufacturers. I do think that as a long-run proposition it would be much better for the Government to get out of the cotton growing and cotton-not-growing business and let the price seek world market levels. That of course, is tied in with the entire farm program and not likely to happen.

For the above reason, I believe that the Cooley bill would remove the inequities insofar as the American textile industry is concerned, and should be passed, if possible, and the other problems be tackled in due time.

Had a cup of coffee with Lester a few minutes ago and we are fairly well in agreement in regards to our thoughts on the above matter.

We appreciate your letter. Come to see us when you are in town.

Sincerely,

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January 25, 1963.

Congressman Basil L. Whitener,
*House of Representatives,*
*Washington, D.C.*

Dear Mr. Whitener: In reference to your letter of January 21, 1963, regarding H.R. 2000, a bill introduced by Congressman Harold D. Cooley.

It is my conviction that if legislation is not passed promptly to equalize the price of cotton for American mills with that of foreign mills we will see unemployment rise sharply in textiles.

The above bill is a must if we are to compete in the cotton yarn market.

You have been supporting the idea of abolishing the two-price cotton system for which the industry is grateful. I concur that this is the type legislation we need for protection from cheaper foreign suppliers.

Thanks for your effort and with best regards, I am,

Sincerely,

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January 23, 1963.

Hon. Basil L. Whitener,
*Member of Congress,*
*Washington, D.C.*

Dear Basil: Your letter of the 21st and the copy of the statement of Congressman Harold D. Cooley with H.R. 2000 is appreciated. I know and appreciate the fact that you want to and have been doing everything that you can to improve the cotton spinning conditions. Some of the larger textile organizations may exist profitably under present conditions operating on other fibers and even much of the low priced imported cotton yarns but there is just no hope for the small carded yarn mills such as this one unless there is a quick change made.

Under the circumstances it would be best to push this bill through quickly without amendments. However there is much to be desired that this does not adjust.

1. The support prices on cotton should be lowered for the crop of 1963 so that this program shall cost less.

2. Gradually the production and marketing of American cotton should be made free so that it may sell at the world price. Producers should be given their assistance in other ways connected with land conservation and nonuse in crops in overproduction commodities.

3. Cotton needs to be available at low competitive prices with competitive man-made fibers. The high support prices have already overencouraged the production of these fibers and their use permanently losing much use of cotton. Only with low priced cotton can spinning mills such as ours continue operating and giving employment.

Cordially yours,

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January 24, 1963.

Mr. Basil Whitener,
*House of Representatives,*
*Washington, D.C.*

Dear Basil: I have your letter of January 21 pertaining to the two-price cotton program, Cooley's proposed bill.

We here at Cleveland Mills are very interested in eliminating this discrimination.

In this equalizing process to whom would the rebate be paid?

Sincerely,

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JANUARY 24, 1963.

Hon. BASIL L. WHITENER,
*House Office Building,*
*Washington, D.C.*

DEAR BASIL: Thank you for your letter of the 21st enclosing copy of Representative HAROLD D. COOLEY's remarks and the text of the bill which he offered in the House, both of which I have read very carefully.

I don't know what is going to be done in the matter of equalizing the cotton costs of the domestic textile industry with that of our foreign competitors, but I want to say most emphatically that some measure should be provided to put the domestic industry on an equal basis with the foreign manufacturer.

I don't think this should be done by a subsidy or a handout of any kind from our Government, but, in my humble opinion, an equalization fee in the form of a tariff should be placed on foreign goods. If this were done, it would relieve our taxpayers and our farmers of shouldering the burden.

The foreign competitor, who benefits, should pay the bill, as, heaven knows, this country is now doing enough for foreign nations. Our foreign competitors already have a big advantage in labor costs, and are today shipping in, at present tariff rates, an ever-increasing supply of cotton goods, which are sold at 10 to 20 percent under our cost of production.

While I can only speak for myself, I am satisfied that other producers of cotton goods would not be in favor of a subsidy if the situation can be remedied by a tariff. The textile industry only wants fair treatment in the purchase of its raw materials, and must have it if the industry is to survive.

With highest respects, I am,

Sincerely,

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JANUARY 23, 1963.

Hon. BASIL L. WHITENER,
*Congress of the United States,*
*Washington, D.C.*

DEAR BASIL: In reply to the Cooley cotton bill. I do not know if this bill is the answer to two-price cotton. If it is, do all you can to see it passed. If it is not, try to get the proper bill through.

The textile industry must have some relief now.

For the past 15 years we have run full 5 days, three shifts, with only a few days curtailing in 1954. We have been running 3 and 4 days for the past 4 months because of foreign imports and manmade fibers.

If we had cheaper cotton I think we would be competitive and the cotton business would be good.

The coarse counts have not been hit as hard as the fine counts.

The ATMI and other organizations have the best answers and I know you will work closely with them to see that proper legislations are passed.

It is always good to hear from you.

Yours very truly,

———— ————.

Mr. DOWNING. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. DOWNING. I want to compliment the gentleman on an outstanding statement. I think it shows to the Congress the economic inequity which is now present. I would like to say this also, that perhaps it is time for the Congress to take a good hard look at this whole international trade situation, for recently the Common Market countries imposed a prohibitive import tax on poultry. This has resulted in the cutting off completely of exports of poultry to those countries.

Again I want to compliment the gentleman and I certainly shall support his legislation.

Mr. WHITENER. I thank the gentleman from Virginia. I certainly did not, in what I said today, mean to imply that the only beleaguered industry in America is the textile industry. There are many other industries, including the poultry industry, which are experiencing unfair and sometimes disastrous competition from these low-wage foreign imports that are coming in, as well as from trade barriers which are being erected against American products.

I thank the gentleman from Virginia for his remarks.

Mr. BROYHILL of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. The gentleman from North Carolina [Mr. WHITENER] has made some very interesting observations concerning this very vital problem. From my information, I understand that the textile industry is the second largest employer of workers in America; is that right?

Mr. WHITENER. That is my information, yes.

Mr. BROYHILL of North Carolina. We have been told today, and we have been told on many previous occasions, about the conflicting policies of our Government which work to the detriment of the textile industry, which is the second largest employer of workers in America.

I have an observation to make. In looking at this situation we have to face the facts. We are not talking about a commodity, we are not talking about cotton, we are not talking about factory buildings. In the end result we are talking about these workers and the workers' families and the fact that these conflicting policies will and are having a detrimental effect on these people. I feel, without a doubt, that this great industry is facing in the future the danger of the loss of domestic markets and increasing recession.

What happens, then, if this has a carryover effect into other industries? Hundreds of other communities and their industries could be vitally affected. The gentleman from Virginia and gentlemen from other States have mentioned similar problems in industries in their particular areas. These same conflicting problems seem to be in existence in many areas.

Mr. WHITENER. May I say that some 4 years ago I had a study made of the impact of the textile industry upon other industries. As I remember now—I cannot be positive about the accuracy of my memory—the textile industry is the biggest industrial petroleum customer in America; the textile industry is a tremendous customer of the chemical industry, the rubber industry, the steel industry, and others. This is not just a little narrow segment of our economy that is involved. As the gentleman has so well pointed out, it cuts across the board practically to all industrial production in the country, because this industry we are talking about, the textile industry, is a great customer of these other industries.

Mr. BROYHILL of North Carolina. As the gentleman from North Carolina has so well pointed out, this does cut across the entire economic picture of our country. The problem is interrelated with that of other industry and thousands of other communities in the country, thousands of communities in every congressional district represented here in this great House of Representatives.

I also represent a district which has many textile plants. We have many mills in the district. I have talked to thousands of people who work for and manage these great mills, and I feel they are not asking for any special favor, they just want a full and fair hearing. That is what they are asking for and what I certainly hope—that we see that fair legislation is enacted.

Mr. WHITENER. I am sure the gentleman will agree with me, from his knowledge of the textile plants in our section of North Carolina—and I am sure this is true all over the Nation—that since World War II there has been a very dramatic modernization program carried on in the industry. It is the only industry that today is producing 60 percent more per man-hour than it was producing at the end of World War II. It is the only industry I know of in America that is producing a product which is selling for less today than it was sold for at the end of World War II. Yet these problems, as I have tried to point out earlier in my remarks, in great measure were created for the industry right here in Washington.

Mr. BROYHILL of North Carolina. That is true, and I agree with the gentleman. It is unfortunate this had to come to the Congress for legislation when it could have been settled by a ruling of the Tariff Commission to add an equalization fee on imports. It is unfortunate that was not done at that time.

Mr. WHITENER. I thank the gentleman from North Carolina for joining with us today in this discussion. I may say to him and to the gentleman from Virginia [Mr. DOWNING], I hope that we and all of our colleagues here can work together in bringing about a partial solution at least to these many problems that have been created and which do exist in the field of foreign trade.

Mr. Speaker, if we do that, we will have certainly rendered a service which will be a blessing to the Americans of today and the Americans of the future.

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## THE UKRAINE AND YOU

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, a few days ago Members of Congress took part in an observance of the 45th anniversary of Ukrainian National Independence. On Sunday, January 27, 1963, a very illuminating article appeared in the Washington Star, written by Dr. Frederick Brown Harris, Chaplain of the U.S.

Senate, in his interesting column, Spires of the Spirit.

The title of Dr. Harris' article is—"The Ukraine and You." It reflects in an unusual manner, the spirit which has moved the Ukrainian people over the centuries and moves them today in an unending struggle to regain their national independence. I compliment Dr. Harris for his deep comprehension of one of the great issues of our time and commend his article to all who are interested in the future of freedom:

### THE UKRAINE AND YOU

(By Dr. Frederick Brown Harris, chaplain of the U.S. Senate)

The independence of the Ukraine, now a non-Russian captive nation, was proclaimed on January 22, 1918. On the 45th anniversary of that light which failed until truth crushed to earth shall rise again, the cause of that dauntless people, yearning to breathe free, was lifted up to the God of justice in the prayer, offered by a representative of the Ukrainian Church, which opened the U.S. Senate. To the petitions there offered for fetters to be broken there echoed the fervent "amen" of over 2 million Americans of Ukrainian ancestry.

To a recently held congress of these fine citizens of this free land came felicitations from 33 State Governors, 40 U.S. Senators, and 140 Members of the House, where a vital bill for a permanent Captive Nations Committee is now pending. In this convention the voice of the Governor of New York was also heard as he cried out, "We protest with you against the Soviet persecution of millions for their Jewish faith. We deplore the Red oppression of the Ukrainian Catholic and Ukrainian Orthodox Churches. This convention is a sobering reminder to all the world that the cold war at many times and places is not cold at all—it cost the lives of men like Lev Rebet and Stepan Bandera, two Soviet-murdered Ukrainian underground leaders." To this council there was added a ringing salute from President Kennedy, declaring that the just aspirations and rights of all people to choose their own rulers "is and will remain a basic goal of U.S. world policy."

Now what is the truth regarding the Ukraine—a territory a little larger than Texas? This fair land, with its face always toward the West, richly endowed with natural resources, with a favorable climate conducive to the raising of various crops, has long been called the granary of Europe. It is now the breadbasket and the sugar bowl of the U.S.S.R. But the salient historic fact is that the Ukrainian people are not Russian and their country has never belonged to Russia except by physical force. A thousand years ago their culture and commerce were at high levels but always these fiercely independent-minded people had to fight predatory neighbors. In 1709 Czar Peter I, by his military might, annexed the Ukraine as a conquered province. The long years that followed are valiant with the struggle to gain freedom. When at long last the 1917 Bolshevik Revolution pulverized the sovereignty of the czar, a new day of glorious emancipation seemed to gild the long-darkened sky. In the ancient city of Kiev, as bells of freedom rang out, the independent national republic was proclaimed.

But, that proved to be but a fleeting dream. The rapacious arms of Soviet aggression, using their familiar upside-down jargon, called the Kremlin manipulated regime they imposed "The Ukraine Soviet Socialist Republic." It was the anniversary of the Ukrainian vow to be free which was observed in the Senate of the United States. The two score years plus five which have passed since that January 22 are written in crimson letters of heartless cruelty. The blood of a martyred host cries from the ravaged ground. It is a record of imposed famine, genocide, deportation, torture, and liquidation. In spite of these fiery trials the population of the Ukraine is presently over 40 million.

Religious leaders have suffered persecution matching that of the early church. Thousands of Christian churches and chapels have been desecrated. Over 200 literary Ukrainian men and women have paid with their lives because they scorned to dip their pen in the venom of the Communist line.

To this day a saintly Archbishop, Metropolitan Slipy, languishes in barren, cold Siberian dungeons sentenced to degrading servitude. He has spent 17 of his 71 years in that blasphemous captivity because he has refused to bow the knee to a pagan Baal in the image of a subservient church hierarchy in his homeland.

The voice of a Ukrainian poet of a hundred years ago, who died during Lincoln's first year in the White House, yet speaketh. His name, Taras Shevchenko. His message is about to be amplified to all Americans, as well as loyal Ukrainians, and we might add, to the Russians too. To honor him the American Congress has authorized the erection of a statue which will be a perpetual prayer in stone. That sculptured form is now being fashioned and will be erected near the Capitol in Washington. Listen to the prophetic song of Shevchenko ringing clear across a hundred years:

> "It makes a great difference to me
> That evil folk and wicked men
> Attack our Ukraine once so free
> And rob and plunder it at will.
> That makes a great difference to me."

In 1963 that is still the sad story of the Ukraine—and, it makes a great difference to this sweet land of liberty.

In the pathos of Shevchenko's lines is mirrored the plight of all the other captive nations, including Latvia, Lithuania, Hungary, Rumania—and now Cuba—and all the rest, held in the grip of Soviet colonialism. That makes a difference, a great difference, to the United States of America.

There is a silence that is not golden but craven concerning captive nations. In a world that cannot permanently remain half slave and half free, calloused indifference as the policy of any so-called democracy not only dooms the captives now in foreign fetters but also passes the sentence of ultimate death upon its own freedom. Yes, it makes a great difference to you and the Ukraine—and to the whole world of tomorrow.

## THE LATE HONORABLE JOHN J. BELL

The **SPEAKER** pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. YOUNG] is recognized for 60 minutes.

Mr. **YOUNG**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and that all Members may have 5 legislative days in which to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. YOUNG. Mr. Speaker, it is my sad responsibility to advise you and the House of Representatives officially of the death of a distinguished former Member, my predecessor, the Honorable John J. Bell, of Cuero, of the 14th Congressional District of Texas. I am informed Mr. Bell suffered a heart attack at his home in Cuero Thursday night, last, from which he did not recover. Funeral services were in St. Michael's Catholic Church in Cuero last Saturday morning and burial was at Cuero.

Mr. Bell represented the 14th Congressional District of Texas in the 84th Congress, following an exceptionally distinguished career in the Texas State Legislature—as a State senator—1947–54—and prior to that as a Member of the House of Representatives—1937–47. His brillance in leadership and accomplishment in the halls of State government was recognized throughout the length and breadth of our Lone Star State. The constructive, progressive State programs that bore his handiwork and seal of approval seemed a fitting and natural consequence of the creative talents theretofore displayed brilliantly by him in the academic atmosphere of the University of Texas. The honored positions to which he attained at the university and the school of law were fitting compliment to the pioneer Texas parentage of which he was born May 15, 1910, in Cuero, De Witt County, Tex. Proud indeed must have been John Y. and Gertrude Grunder Bell of their son, John, whose advancement from infancy through primary education in the schools of Cuero was to lead to a procession of progress which would include the presidency of the student body of the University of Texas, the crowning academic honor of being Phi Beta Kappa and achieving grades of the highest in the school of law; and the pattern of success having been established, it was natural that he would assume a position of leadership in our State from which flow a rich legacy of projects and programs of inestimable value to countless thousands of Texans. His selection for membership in this great body was a natural reaction and formality on the part of the constituency of our 14th Congressional District.

He married Mable Claire Breeden of Cuero December 29, 1948, and his deep devotion to this beautiful and charming young lady was a source of edification which extended far beyond the considerable circle of their many friends.

The Honorable John Bell was a member of a prominent south Texas family. The city of Yorktown, Tex., was named for Capt. John York, father of Bell's great grandmother. James Madison Bell, his great-grandfather, fought with the Texas Army in the battle of San Jacinto in 1836.

My personal acquaintance with John Bell, Mr. Speaker, extended over a substantial period of years. I knew him as advocate as well as adversary—positions which afforded particularly diversified opportunities of balanced appraisal. I always found him to be a gentleman of rare talents who displayed a decided dedication to the established rules of the game. And although occasion found us in sharp opposition, it in no way diminished my personal regard for John Bell, nor detracted from my recognition of his great ability as a legislator. This I want to set down in permanent record.

The vicissitudes of public life spare few, Mr. Speaker, and in this John Bell was not excepted. But there are few who can, in the span of the 53 years allotted John Bell, point to a more impressive record of accomplishment in public life, where, in a system of balancing the pluses and minuses which mark us all, the accounting recapitulates a life of dedicated public service in which the minuses, in retrospect, are lost in insignificance when weighed in the light of solid achievement.

John Bell's family and friends will long mourn his loss, but undoubtedly will find solace in the durable tenure his mark will find in the constructive legacy shaped by his public-spirited hand.

Mr. THORNBERRY. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I yield to the gentleman from Texas.

Mr. THORNBERRY. Mr. Speaker, when the gentleman from Texas, the Honorable JOHN YOUNG, called me last week and told me of the passing of John Bell I was greatly saddened. I had known John Bell since the days we were students at the University of Texas together, and as the gentleman from Texas has stated, he had a brilliant career on the campus of the University of Texas. He was elected president of the student body. He was elected to Phi Beta Kappa and then graduated from law school of the University of Texas with high grades.

He and I were classmates in the university law school and received our law degrees and were admitted to the State bar of Texas at the same time.

Mr. Speaker, the same year in which we graduated from the law school at the University of Texas, both of us were candidates for and were elected to the Texas House of Representatives.

In one term we were deskmates. Later on, of course, as the gentleman from Texas has stated, John Bell was elected to the Congress, the 84th Congress, where we again served together. He and I were close personal friends over those years. I feel a personal loss in his passing.

Mrs. Thornberry joins me in extending deepest sympathy to his lovely wife, Mabel Claire.

Mr. Speaker, I thank the gentleman.

Mr. YOUNG. Mr. Speaker, I thank the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, I join with the gentleman in mourning the passing of our distinguished colleague, John Bell. America has lost a great citizen, and Texas has lost an illustrious son.

Early in life John Bell seemed marked for leadership. As a scholar and a prominent campus figure at the University of Texas, John Bell early made his mark.

When I went to the Texas Legislature immediately following the war in 1947 John Bell, though a young man, was already a leader, a man among men. He was chairman of the powerful appropriations committee of the Texas House of Representatives. Major legislation already had borne the stamp of his authorship. Shortly thereafter he was elected a member of the Senate of the State of Texas, and it was perhaps there that he made his most brilliant and most lasting mark.

In every company in which fate had thrown him, John Bell seemed to stand out as a towering figure of strength, of wisdom, and of ability.

In 1955 John Bell and I came to Congress together. He was a valued member of the Texas delegation. It was here that I came to know John Bell and his charming wife best and to appreciate their many outstanding qualities of friendship, of understanding, and the capacity of their great hearts.

Mr. Speaker, words seem such fragile instruments to convey to his loved ones the sorrow that we feel at his passing. Perhaps it will serve to comfort his devoted wife, Mabel Claire, to know that all of us share her suffering and share her sorrow.

John Bell left footprints in the sands of time. I know it is great comfort and solace to his wife to know of the reward in eternity to which he now goes, as well as the emptiness in the hearts of many of us who served with him and came to know him so well and to respect him.

Mr. YOUNG. Mr. Speaker, I thank the gentleman.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Speaker, I rise to add my voice by way of a small tribute to the memory of John Bell. John Bell preceded me in the Texas State Senate and, of course, he preceded me here in the Congress. John Bell was a descendant of an illustrious Texas pioneer family whose efforts helped in every single line of activity—social, cultural, and economic—in the very area that I represent and in which I was born, Bexar County. The Bell name is associated with the history and development of Bexar County. He represented the senatorial district and the congressional district, portions of which are adjacent to and surround Bexar County. As a result those of us living in Bexar County were aware of his contributions, his activities and his efforts exerted both on the State as well as the congressional legislative level.

He contributed, for example, in the State Senate, some pieces of legislation that were intricate, difficult. He was a member of the most important and powerful committees of the Texas State Senate. When I emerged into this body some Members of the Senate in leadership positions still recalled vividly the contributions that John Bell had made.

So it is with a sincere feeling of sorrow and regret that I learn of the passing of John Bell at such a premature age. He was comparatively young at the time of his death.

I for one wish to thank our colleague from Texas [Mr. YOUNG] for having made the necessary arrangements to set aside this time for us to speak in memory of John Bell.

Mr. YOUNG. I thank the gentleman.

Mr. KILGORE. Mr. Speaker, death, whenever it comes, is a shock to the living. The death of John J. Bell on Friday—January 25, 1963—was, to me, a profound shock. He died suddenly, seemingly in the midst of health, due to a heart attack. He died while in the practice of his chosen profession of law, his life constantly involved with the lives of his fellow men. He was in the prime of his career with his 53d birthday still months away.

Words and platitudes are no comfort to those who loved him. They cannot ease the pain of his gallant wife, Mabel Claire.

As for me, the greatest—the only—tribute I can pay this man and his memory is to say exactly what I feel about him.

We came from Texas together as newly elected Members of the 84th Congress in 1955. But prior to that time we had served in the Texas Legislature.

It was one of the grand gestures of Providence that we should be near to each other. John Bell's piercing mind, tempered with the gay laughter of his gentle humor gave me understanding and pleasure at one and the same time. I shall miss him.

I have lost a friend.

Heaven has gained a friendly soul.

Mr. POOL. Mr. Speaker, each of us who knew John J. Bell had for him a sincere affection and respect. Each of us, I suppose, knew him in a different way. In my 32 years of acquaintanceship, I came to know him as a dedicated man—always willing to share with me his time and help me in any way he could. As a fraternity brother, as a fellow legislator in Texas and as a Congressman, he was always willing to help me and the people of my great State. I found him a vigorous and successful advocate of those things in which he believed. Each of us will remember John Bell for many things, but I will remember him more as my friend. His loss to the State and the Nation is great. It is great to each of us who shared his friendship. My family joins in extending love and deepest sympathy to Mrs. Bell in her great sorrow.

Mr. DOWDY. Mr. Speaker, when we learned of the untimely passing of our former colleague, the Honorable John Bell, Mrs. Dowdy and I were shocked and deeply grieved. The death of this great Texan will be felt severely by our State.

Mr. Bell was an exemplary person, always accepted in any group, whether among those of high or low station in life; always kindly and considerate, he was courteous, interested and attentive to the problems of others.

As a Texan and a friend of John Bell, I am indeed aware of the great loss to our State. His first love was the magnificent State of Texas, and service to our people his foremost thought. Mrs. Dowdy joins me in extending our heartfelt sympathy to his dear wife, Mabel Claire, in this hour of sorrow and great loss.

Mr. FISHER. Mr. Speaker, I fully share the admiration that has been expressed concerning the late and lamented John Bell, of Texas. He was elected to this body following a most distinguished career in Government and private business. In addition, he served as a private in World War II, and there gave a very good account of himself.

During the time John Bell served here he made many friends. Every Member seemed to respect him, and all admired his courage and his statesmanship. He always put the welfare of the country ahead of all other considerations, and never faltered in his sincere effort to serve his district and his country well. By doing so he soon earned and commanded the admiration and respect of the membership.

John Bell was a man of high moral principle. He was honest and he was capable. It is most unfortunate that such men should be stricken down so early in life.

To his charming and devoted wife, and to all of his family, I extend my deepest sympathy in their bereavement.

Mr. MAHON. Mr. Speaker, I have learned with much regret of the passing of former Representative John J. Bell, of Cuero, Tex. It was an honor and privilege to serve in Congress with Mr. Bell and to become acquainted with him and his lovely wife.

Mr. Bell did not serve in Congress for a long period, but during his term of office he undertook to serve well the people of his district. I join my colleagues in mourning the passing of John Bell and in expressing sympathy to his wife and family.

Mr. POAGE. Mr. Speaker, It was a great shock to know of the passing of our former colleague, Hon. John Bell of Cuero last Friday. Earlier that afternoon I had been discussing the outstanding men with whom I had served and had listed John Bell among those who were still active.

It was my privilege to serve with Mr. Bell and to include him and Mrs. Bell among our friends. He represented a large and growing district. He devoted himself to the interests of his district and evidenced real ability in trying to reconcile the inevitable conflicts which must arise in an area undergoing the rapid changes which were taking place in the 14th district of Texas. His colleagues appreciated his attractive personality and his sound judgment.

After the termination of his service here he devoted himself almost exclusively to his business and profession, but he did maintain contacts with his friends. I am happy to have been one of those who corresponded, even though very infrequently, with Mr. Bell, and I join with a host of friends and admirers in a feeling that we have all suffered a loss in his passing. I want to join in extending sympathy to his wife and family.

Mr. THOMPSON of Texas. Mr. Speaker, news of the untimely and sudden passing of our former colleague, the Honorable John J. Bell, of Cuero, Tex., was particularly distressing to me. The day before, I had written to him in response to a request of his, a request not for anything in his own behalf but something to help a constituent of mine who was particularly well known to him.

John, even after he left Congress, continued to be a natural-born public servant and one who was always ready to be of assistance to anyone who needed it.

I was especially close to him because when he was a State senator, a portion of the Ninth Congressional District was also a part of his senatorial responsibility. We worked together on many projects in complete harmony and mutual regard. Our friendly relationship continued after he returned to private practice of law, and I relied on him frequently for advice.

I shall miss him, and I know how much more his loss will be felt by his devoted wife, Mabel Claire. She and all the members of the Bell family have my deepest sympathy.

Mr. BURLESON. Mr. Speaker, the death of our former colleague, John Bell, brings with it a sadness which occurs with the passing of one with whom we had an association and for whom a strong friendship was developed.

John Bell was a real friend to those who wanted a friend. He was quiet and unassuming, but his influence was felt wherever he was.

I join with my other colleagues from Texas in expressions of sorrow and extend deep sympathy to his lovely wife, Mable Claire, who also made many friends while they were in Washington.

Mr. ROBERTS of Texas. Mr. Speaker, the passing of a former Member of the House, the Honorable John J. Bell, of Texas, has been a great loss not only to the State of Texas, but to the entire Nation.

John Bell was one of those rare men whose great ability led him to success in every field he entered. It was a great privilege for me to have been a fellow student with John in the University of Texas Law School. John Bell's brilliant career on the campus, both in student politics and scholastics, left little doubt as to his future success.

In the following years I watched his climb to the top in business and politics. In the Texas Legislature, in the Second World War, and ultimately in the Congress of the United States he served with honor and distinction.

That a man of John Bell's stature should pass on so early in life is a great misfortune. To his devoted wife and family, I extend my deepest and heartfelt sympathy.

Mr. CASEY. Mr. Speaker, I join with my colleagues from Texas in paying tribute to the late Honorable John J. Bell, a man who served his State and his Nation ably and well.

I knew John Bell when he served in the Texas Legislature, where I had the privilege to serve. I knew him personally and by the distinguished reputation he left as a Member of the House of Representatives and a member of the Texas Senate, prior to his service in this body.

John Bell's untimely death saddens me, as I know it does all his friends. At a time like this, words are of little consolation to the family of such a great man. But the thought that we share this deep loss with them, may perhaps help ease the burden of sorrow they carry.

My deepest sympathy goes to this great American's devoted wife, and to the people of Texas, who lost a valued and proven public servant.

## THE MACHINATIONS OF THE WINSTON-SALEM JOURNAL AND ALLIED TAX-EXEMPT FOUNDATIONS

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, on January 6, 1963, I released to the press my report to the House Small Business Committee bearing the title "Tax-Exempt Foundations and Charitable Trusts: Their Impact on Our Economy." A few days ago, on January 24, a Winston-Salem Journal story, concerning that report was inserted in the daily CONGRESSIONAL RECORD under the heading "Patman Report Disputed," page A234. The Journal's story not only constitutes a slanderous attack on me personally but it teems with outright falsehoods, misrepresentations, fiction, and deliberate distortions. For example, one column of figures in my report carries the heading "Total receipts including contributions, gifts, grants, and so forth received." Yet, the newspaper states that I presented those figures as "earnings" and "income" presumably from investments. This is a deliberate distortion since even a schoolboy could understand the headings on the tables. The exact language of the headings, as shown on schedule 1 of my report are: Gross sales or receipts from business activities; gross profit from business activities; interest received; dividends received; rents and royalties received; total gain—or loss—from sale of assets; other income; total gross income excluding contributions, gifts, grants, and so forth, received; total contributions, gifts, grants, and so forth, received; and total receipts including contributions, gifts, grants, and so forth, received.

Other statements of the Journal are equally as untrue. The newspaper states that, in the case of the Mary Reynolds Babcock Foundation, I had included, among the foundation's receipts, the appreciation in value of a $12 million gift over an 8-year period. This is totally false. No "appreciation in value" of gifts received appears in the tables showing this foundation's receipts or any other foundation's receipts.

In like manner, the Journal has misrepresented the Babcock Foundation's net income over a 4-year period. The newspaper's table on the Babcock Foundation shows net income of $721,509.16, $771,700.62, $872,782.99 and $1,264,179.55 for the years ending August 31, 1958, August 31, 1959, August 31, 1960, and August 31, 1961, respectively. Yet the foundation's tax returns show the following:

| | |
|---|---|
| Year ending: | |
| Aug. 31, 1958: | |
| Gross income | $791,832.05 |
| Expenses | 41,605.39 |
| Total | 750,226.66 |
| Aug. 31, 1959: | |
| Gross income | 2,163,352.46 |
| Expenses | 58,598.43 |
| Total | 2,104,754.03 |

| | |
|---|---|
| Year ending: | |
| Aug. 31, 1960: | |
| Gross income | $1,639,205.70 |
| Expenses | 92,142.85 |
| Total | 1,547,062.85 |
| Aug. 31, 1961: | |
| Gross income | 3,957,498.58 |
| Expenses | 104,207.22 |
| Total | 3,853,291.36 |

According to the method of accounting being promoted by the Winston-Salem Journal, a foundation's charitable disbursements should be publicized but the gifts, and so forth, received by the foundation—in the form of cash, securities, real estate, and so forth—should be well buried. The type of accounting being advanced by the newspaper is precisely the same type of public accounting that has been peddled by certain foundation press agents, who are paid fancy fees—out of public funds—to mislead our citizens. It has been common practice for many foundations to publicize their charitable disbursements while keeping their income and other receipts well hidden.

The Winston-Salem Journal also states that "as of August 31, 1961, the corpus of the Babcock Foundation was valued at $20,561,619." The newspaper, of course, omits the somewhat vital fact that the $20 million figure is based on the foundation's carrying value. A more accurate appraisal would be over $34 million, including $29,451,249 of securities at market value.

The following are among the disbursements shown on the Babcock Foundation's tax returns under the heading of expenses:

| | |
|---|---|
| Year ending: | |
| Aug. 31, 1955: Annuity premium on secretary's life | $2,000.00 |
| Aug. 31, 1956: Annuity premiums on secretary and bookkeeper | 3,000.00 |
| Aug. 31, 1957: Annuity premiums on secretary and bookkeeper | 3,000.00 |
| Aug. 31, 1958: Annuity premiums on secretary and bookkeeper | 3,000.00 |
| Aug. 31, 1959: Annuity premium on secretary | 2.000.00 |
| Aug. 31, 1960: Office, travel, annuity premium | 3,295.47 |
| Aug. 31, 1961: Office, travel, annuity premium and consultant fee | 9,692.97 |

Since the tax-exempt foundation—like all others—is subsidized by the taxpayers, and assuming that the secretary referred to above is Mr. Leon L. Rice, Jr., I find it difficult to justify the use of public funds for payment of $2,000 annually on an annuity premium for Mr. Rice, a successful Winston-Salem attorney.

With respect to the John W. Hanes & Anna Hodgin Hanes Foundation, the newspaper states that "in the period 1947, when the Hanes Foundation was established, through 1960 the total earnings of the foundation came to $483,077.15." Yet, the foundation's tax returns show that for a 10-year period only—1951 through 1960—this foundation's total gross income was $642,866, or $159,789 more than the newspaper's figure for a 14-year period—1947 through 1960.

As for the Z. Smith Reynolds Foundation, the newspaper states that "when you add these long-range obligations to the actual grant you find, again, a picture of a foundation which is spending its income right up to the hilt and even a little bit more." This is, of course, another distortion since appropriations should not be tied-in with actual grants. Foundations, at times, cut appropriations as well as grants, and even receive refunds. Moreover, it is impossible to reconcile spending "income right up to the hilt and even a little bit more" with the fact that the tax returns of the Z. Smith Reynolds Foundation show an accumulation of income—meaning unspent income—of $2,939,548 on December 31, 1961, and $2,500,548 on December 31, 1960.

The law requires tax exempt foundations to make a report of their operations on a tax return known as form 990–A, parts of which are open to public inspection, or on form 1041–A—for certain trusts and estates—all of which is open to the public. Most of the returns submitted to us are form 990–A. This is composed of four pages. It gives information concerning income from investments, other receipts, disbursements, accumulations, and balance sheet items. Penalties for failure to furnish such information are also provided by law, including fines up to $10,000 and jail terms.

According to our records, the tax reporting of certain of the Winston-Salem foundations abounds which callous disregard of Treasury regulations. For example, the following are among the details required by Treasury regulations on form 990–A, with respect to assets sold: First, date of acquisition and manner of acquisition; second, gross sales price; and, third, cost or other basis—value at time of acquisition, if donated. Nevertheless—based on the tax returns submitted to us—the Mary R. Babcock Foundation omitted such details for the years ending August 31, 1957, and August 31, 1958; the John Wesley Hanes & Anna Hodgin Hanes Foundation omitted such details for the years 1951, 1952, 1955, 1956, 1957, 1958, 1959, and 1960; and the Z. Smith Reynolds Foundation failed to report such details for the years 1954, 1955, 1956, 1957, 1958, 1960, and 1961.

Instruction 3, page 4 of form 990–A requires that, where a foundation receives money or property from a donor in the amount of $100 or more, it must attach an itemized schedule showing the amount received and the name and address of the donor. From the tax returns submitted to us, it would appear that the John Wesley Hanes & Anna Hodgin Hanes Foundation considers itself exempt from this regulation. This foundation failed to provide such detail for the years 1951, 1952, 1953, 1958, 1959, and 1960.

As for the Zachary Smith Reynolds Trust, this foundation had not filed a proper tax return for at least 10 years. It had filed a form 1041 instead of a form 990–A, the former being closed to public inspection. The trust filed its first form 990–A in 1962. Yet Congress has, by law, provided for public inspection of foundation tax returns. The Mercantile-Safe Deposit & Trust Co. of Baltimore, the trustee, says its failure to file form 990–A was due to the fact that the Internal Revenue Service had never asked for it. In my view, since poor people who have not been fortunate enough to acquire an education are expected to know the law, the Internal Revenue Service should expect the same from a well paid bank trustee. During the year 1961, the trustee, the Mercantile-Safe Deposit & Trust Co., collected commissions from this trust amounting to $20,640.93.

Nor has the Internal Revenue Service performed a field audit on any one of the six Winston-Salem foundations for at least 10 years.

I have suggested to the Winston-Salem Journal that it give us a forthright, straight news story as to what penalties, if any, were imposed on the Zachary Smith Reynolds Trust for its failure to file form 990–A for at least 10 years, as well as what penalties, if any, were imposed on the other three foundations for their violations of Treasury regulations over a number of years. However, I shall not be surprised if the newspaper holds the view that such matters are only newsworthy when they involve the overburdened taxpayers who subsidize the foundations.

Another fabrication equally as deliberate as the others concocted by the Journal relates to a letter, dated November 10, 1961, which was written to me by the Honorable W. A. Johnson, Commissioner, Department of Revenue, State of North Carolina. The newspaper states that "On its face Johnson's letter appeared to be a strong endorsement of PATMAN's investigation and of the broadcast charges he levelled against North Carolina trusts and foundations." Yet, nowhere in my report is there any indication that Commissioner Johnson's letter endorsed the report. My report is dated December 31, 1962, more than one year after the date of his letter to me.

The following comment by me appears on pages 16 and 17 of the report:

> There is little adequate State or Federal regulation or supervision for the creation and administration of such organizations. In some States, foundations operate in secret since they do not register as nonprofit organizations under the provisions of applicable nonprofit codes. On the one hand, State authorities rely on the Internal Revenue Service to determine who is entitled to tax-exempt status. On the other hand, when an organization receives a nonprofit charter from the State, it carries considerable weight with the Internal Revenue Service. As a result, foundations are seldom properly scrutinized by any public authority.

The Winston-Salem Journal—unwittingly, I am sure—proves my point when it makes the following observation:

> As a matter of fact, this State has no effective control over tax-exempt foundations and trusts. When these operations are granted tax-exempt status by the Federal Government they automatically receive the same concession from the State.

The Journal then quotes Commissioner W. A. Johnson to the effect that—

> these trusts and foundations make no reports to us [the State]. From year to year we have no way of knowing whether their tax-exempt status continues to be justified.

The machinations of the Winston-Salem Journal and the six closely allied foundations of that city illustrate the lengths to which certain foundations will go in order to maintain their tax privileged status. This is fraught with mischief to this country as an increasing number of our channels of communication come under the domination of vested interests.

In Winston-Salem, a web of interlock dominates the community. The inner group consists of the six tax-exempt foundations, their trustees or directors, the R. J. Reynolds Tobacco Co., with huge advertising appropriations to dispense, the Piedmont Publishing Co., and the Wachovia Bank & Trust Co. This does not necessarily mean that any single member of the inner group hold a 51-percent stock interest in the Piedmont Publishing Co. or in the Wachovia Bank & Trust Co. Such a degree of absolute domination is not necessary because cooperation is made possible through a community of interest and family representation in the institutions that hold the resources. Whenever the incentive for cooperation is at hand, the machinery is ready.

The Winston-Salem Journal is owned by the Piedmont Publishing Co. Mr. Gordon Gray, brother of Bowman Gray, chairman of R. J. Reynolds Tobacco Co., is president of the Piedmont Publishing Co. According to our records, the Mary Reynolds Babcock Foundation, the John W. & Anna Hodgin Hanes Foundation, and the W. N. Reynolds Trust have been stockholders of the Piedmont Publishing Co. for some years.

The Wachovia Bank & Trust Co., is the corporate trustee for the Hanes Foundation, the Kate B. Reynolds Charitable Trust, and the W. N. Reynolds Trust. Both the Hanes Foundation and Mr. Gordon Gray are among the 20 largest stockholders of the Wachovia Bank & Trust Co.

Five of the six Winston-Salem foundations have held as much as $76 million in stock of R. J. Reynolds Tobacco Co., as follows:

| Foundation | Shares | Market value | Last valuation date submitted by foundation |
|---|---|---|---|
| Mary Reynolds Babcock Foundation | [1] 310,000 | $14,337,500 | Aug. 31, 1962 |
| | [2] 3,000 | 264,000 | Do. |
| J. W. & Anna H. Hanes Foundation | [1] 11,800 | 1,101,825 | Dec. 31, 1960 |
| Kate B. Reynolds Charitable Trust | [1] 220,918 | 17,645,825 | Aug. 31, 1960 |
| W. N. Reynolds Trust | [1] 250,000 | 27,187,500 | Feb. 28, 1961 |
| Zachary Smith Reynolds Trust | [1] 200,000 | 15,950,000 | Dec. 29, 1961 |
| Total | ------------ | 76,486,650 | |

[1] Common.

[2] 3.6 percent preferred.

Moreover, Messrs. John C. Whitaker, formerly chairman of the R. J. Reynolds Tobacco Co., and William R. Lybrook, vice president and secretary of the R. J. Reynolds Tobacco Co., have been trustees of the Kate B. Reynolds Charitable Trust and Z. Smith Reynolds Foundation respectively for a number of years.

The Mercantile-Safe Deposit Trust Co., of Baltimore, is the trustee of the Zachery Smith Reynolds Trust. Mr. Thomas B. Butler, president of the bank, is a director of the Mary Reynolds Babcock Foundation and a trustee of the Z. Smith Reynolds Foundation. The Babcock Foundation has been a stockholder in the bank for some years.

Shown below are first, the letter, dated January 22, 1963, which I addressed to Mr. James B. L. Rush, executive news editor of the Winston-Salem Journal; and, second, schedules 1, 3A, 5, and 6 of my report showing receipts, expenses, and other disbursements, assets, liabilities, net worth, and accumulation of income for the six Winston-Salem foundations during the period of 1951 through 1960. I have asked the Journal to print the North Carolina tables, my letter and the newspaper's answers to the questions raised therein, so that the readers may judge for themselves whether the Journal's news columns are influenced by the personal interests of its owners and allied vested interests. To date, the newspaper has merely acknowledged receipt of my letter.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 22, 1963.*

MR. JAMES B. L. RUSH,
*Executive News Editor, Winston-Salem Journal, Winston-Salem, N.C.*

DEAR MR. RUSH: Your newspaper's front page distortion of January 16, bearing the heading "Patman Report Disputed," is at hand, and I hasten to enclose the following items for your enlightenment:

1. Copy of the report to which your story refers. Tables showing the receipts of the North Carolina foundations appear on pages 31 and 32; tables showing the expenses and other disbursements of the North Carolina foundations appear on page 65; tables showing the assets of the North Carolina foundations appear on pages 102, 103, 104, and 105; tables showing the liabilities, net worth, and accumulation of income of the North Carolina foundations appear on pages 123 and 124.

2. Copy of tax return form 990–A.

The object of our study is to determine whether legislation is needed in order to provide effective supervisory controls over tax-exempt foundations and protect the public interest. This is obviously the opposite of your newspaper's interest.

In my experience, availability of information for study usually clears up any misunderstanding that may arise from a lack of facts or misrepresentation of the facts. Thus the public interest would be served if you will kindly place the following on your front page so that your readers may judge whether the Winston-Salem Journal merits the public's confidence: (1) The enclosed tables relating to North Carolina foundations, (2) the contents of this letter, and (3) your answers to the questions raised herein.

The foundations' tax returns are the source on the figures shown in the enclosed report. Such data was recorded by certified public accountants, and was tabulated by the General Accounting Office.

If you will have a look at the table showing receipts of the foundations, it may dawn on you that column 10 is composed of the figures in columns 1 through 7 plus 9. Column 10 is plainly identified as "Total receipts including contributions, gifts, grants, etc., received." Column 8 is the total of the figures in columns 1 through 7. Column 8 carries the heading "Total gross income excluding contributions, gifts, grants, etc., received."

A number of questions, facts, and observations come to mind with respect to your reporter's statements:

1. Did you or your reporter read the full text of the enclosed report, prior to January 16, 1963?

2. Which of your stockholders, directors, or officers are stockholders, directors, trustees, or officers of the following: (1) Wachovia Bank & Trust Co., (2) R. J. Reynolds Tobacco Co., (3) Reynolds & Co., (4) Mary Reynolds Babcock Foundation, (5) John Wesley Hanes & Anna Hodgin Hanes Foundation, (6) Kate B. Reynolds Charitable Trust, (7) Z. Smith Reynolds Foundation, (8) Zachary Smith Reynolds Trust, and (9) W. N. Reynolds Trust?

3. Which of the above-mentioned six foundations owns stock in the Piedmont Publishing Co. or the Wachovia Bank & Trust Co.? Please indicate the number of shares of each class of stock owned by each foundation, as well as each foundation's equity in the net assets of the Piedmont Publishing Co. and the Wachovia Bank & Trust Co.

4. The following are quotes from your reporter's story of January 16:

"And PATMAN reports are customarily so misleading they require a careful second look."

Question: Will you please identify the specific reports that your reporter has in mind?

"Representative PATMAN, of Texas, indicated that many philanthropic foundations, including five from Wiston-Salem, were using only a small part of their income for philanthropic purposes."

"PATMAN announced that 534 foundations, including 11 in North Carolina, gave less than half of their earnings to philanthropic good works."

The reporter makes no less than six similar references to income in other parts of his story.

Question: Where do I refer to these foundations disbursing half, less than half, or a small part of their "earnings" or "income"? What is the source of your reporter's statements? The enclosed report? A five-line newspaper clipping? Or perhaps an out-of-date Information Please Almanac? The last two would appear to be standard source material for your organization.

5. The law requires tax-exempt foundations to make a report of their operations on a tax return known as form 990–A (enclosed herewith). This return is composed of 4 pages. It gives information concerning income from investments, other receipts, disbursements, accumulations, and balance sheet items. Penalties for failure to furnish such information are also provided by law, including fines up to $10,000 and jail terms.

The following are among the details required by Treasury regulations on form 990–A, with respect to assets sold: (a) date of acquisition and manner of acquisition, (b) gross sales price, and (c) cost or other basis (value at time of acquisition, if donated). Nevertheless—based on the tax returns submitted to us—the Mary R. Babcock Foundation omitted such details for the years ending August 31, 1957, and August 31, 1958; the John Wesley Hanes & Anna Hodgin Hanes Foundation omitted such details for the years 1951, 1952, 1955, 1956, 1957, 1958, 1959 and 1960; and the Z. Smith Reynolds Foundation failed to report such details for the years 1954, 1955, 1956, 1957, 1958, 1960, and 1961.

6. Instruction 3, page 4 of form 990–A requires that, where a foundation receives money or property from a donor in the amount of $100 or more, it must attach an itemized schedule showing the amount received and the name and address of the donor. From the tax returns submitted to us, it would appear that the John Wesley Hanes & Anna Hodgin Hanes Foundation considers itself exempt from this regulation. This foundation failed to provide such detail for the years 1951, 1952, 1953, 1958, 1959 and 1960.

Question: What penalties were imposed on the Babcock Foundation, the Hanes Foundation, and the Z. Smith Reynolds Foundation for violations of Treasury regulations over a period of years? Why not give us a forthright, straight news story as to what penalties, if any, were imposed on these foundations, or is it your view that such matters are only newsworthy when they involve taxpayers?

7. Re the Babcock Foundation, your reporter states that it "was created in September 1953. At that time $12 million was placed in the foundation under the will of Mrs. Babcock." This is equally as erroneous as other parts of the story. The fact is that the foundation received $7,080,135 during the year ending August 31, 1954, and $4,919,865 during the year ending August 31, 1955. The $12 million—which was left to the foundation—of course escaped estate taxes. So this was financed by our taxpayers' dollars.

Your reporter further says that "under the loose head 'receipts'" I have included "the appreciation in value of that gift over the 8-year period."

Question: What is the meaning of "loose head receipts"? What part of our receipts table shows "the appreciation in value of that gift over an 8-year period"?

Additionally, your reporter's table on the Babcock Foundation shows net income (which means gross income less expenses) of $721,509.16, $771,700.62, $872,782.99, and $1,264,179.55 for the years ending August 31, 1958, August 31, 1959, August 31, 1960, and August 31, 1961 respectively. Yet the foundation's tax returns show the following:

| | |
|---|---|
| Year ending: | |
| Aug. 31, 1958: | |
| Gross income | $791, 832. 05 |
| Expenses | 41, 605. 39 |
| Total | 750, 226. 66 |
| Aug. 31, 1959: | |
| Gross income | 2, 163, 352. 46 |
| Expenses | 58, 598. 43 |
| Total | 2, 104, 754. 03 |
| Aug. 31, 1960: | |
| Gross income | 1, 639, 205. 70 |
| Expenses | 92, 142. 85 |
| Total | 1, 547, 062. 85 |
| Year ending: | |
| Aug. 31, 1961: | |
| Gross income | $3, 957, 498. 58 |
| Expenses | 104, 207. 22 |
| Total | 3, 853, 291. 36 |

Your reporter also states that "as of August 31, 1961, the corpus of the Babcock Foundation was valued at $20,561,619." He, of course, omits a somewhat vital fact and that is that the $20 million figure is based on the foundation's carrying value. A more realistic appraisal, including $29,541,249 of securities (market value), would be $34,580,639.

8. With respect to the Hanes Foundation, your reporter states that "in the period 1947, when the Haines Foundation was established, through 1960 the total earnings of the foundation came to $483,077.15." But, the tax returns show that the foundation's total gross income was $642,866 for the period of 1951 through 1960.

9. With respect to the E. Smith Reynolds Foundation, your reporter states that "when you add these long-range obligations to the actual grants you find, again, a picture of a foundation which is spending its income right up to the hilt and even a little bit more." This is, of course, another distortion since appropriations should not be tied in with actual grants. Foundations at times cut appropriations as well as grants, and even receive refunds. Moreover, how do you reconcile spending "income right up to the hilt and even a little bit more" with the fact that the tax returns of the Z. Smith Reynolds Foundation show an accumulation of income (meaning unspent income) of $2,939,548 on December 31, 1961 and $2,500,538 on December 31, 1960?

10. As for the Zachary Smith Reynolds Trust, this foundation had not filed a proper tax return for at least 10 years. It had filed a form 1041 instead of a form 990–A, the former being closed to public inspection. The trust filed its first form 990–A in 1962. Yet Congress has, by law, provided for public inspection of foundation tax returns. The Mercantile-Safe Deposit and Trust Co. of Baltimore, the trustees, says its failure to file form 990–A was due to the fact that Internal Revenue Service had never asked for it.

Question: Since uneducated sharecroppers are expected to know the law, would you say that the same could be expected of a well-paid bank trustee? During the year 1961, the trustee's commissions were $20,640.93. What penalties were imposed on the Zachary Smith Reynolds Trust for failure to file form 990–A?

11. The Babcock Foundation shows the following disbursements under expenses:

| | |
|---|---|
| Year ending: | |
| Aug. 31, 1955: Annuity premium on secretary's life | $2, 000. 00 |
| Aug. 31, 1956: Annuity premiums on secretary and bookkeeper | 3, 000. 00 |
| Aug. 31, 1957: Annuity premiums on secretary and bookkeeper | 3, 000. 00 |
| Aug. 31, 1958: Annuity premiums on Secretary and bookkeeper | 3, 000. 00 |
| Aug. 31, 1959: Annuity premium on secretary | 2, 000. 00 |
| Aug. 31, 1960: Office, travel, annuity premium | 3, 295. 47 |
| Aug. 31, 1961: Office, travel, annuity premium and consultant fee | 9, 692. 97 |

Question: Since the Babcock Foundation is subsidized by the taxpayers, and assuming that the Secretary referred to above is Mr. Leon L. Rice, Jr., how do you justify the use of public funds for payment of $2,000 annually on an annuity premium for Mr. Rice, a prosperous Winston-Salem attorney?

12. Nor has the Internal Revenue Service performed a field audit on any one of the six Winston-Salem foundations for at least 10 years.

13. By what logic should congressional studies of tax-exempt foundations record the disbursements of foundations but omit money, securities, real estate and other property received by them?

For example, during the year ending August 31, 1956, Mr. C. H. Babcock donated $275,000 cash to the Mary Reynolds Babcock Foundation. Mr. Babcock no doubt took his full income tax deduction for this donation. Such deductions are permitted by law in the hope that the donee will spend the funds for charitable or other exempt purposes. Assuming that the $275,000 was ultimately spent for the exempt purposes, should we have omitted the $275,000 from the receipts but included it in the disbursements?

Moreover, during the years ending August 31, 1954 and August 31, 1955, the Babcock Foundation received 125,000 shares of R. J. Reynolds Tobacco Co. common "B" stock valued on the Foundation's tax returns at $5,043,750. These shares—by being donated to the foundation—escaped estate taxes. Subsequently, during the year ending August 31, 1958, the Babcock Foundation donated to Wake Forest College 3,000 shares of the R. J. Reynolds Tobacco Co. common "B" stock valued on the Foundation's tax returns at $201,000.

Since cash, real estate, securities, etc., are considered to be items of some value which can be sold, bequeathed, or transferred, the Treasury Department requires foundations to report the receipt of such gifts on line 25, page 1 of form 990–A.

Under the method of accounting being promoted by your newspaper, we would have reported to the public that the Babcock Foundation paid out $201,000 but we would have ignored the receipt of the securities by the foundation. Hence the public could simply assume that the donation to Wake Forest sprung from under a magic rock or some such thing. In other words, by your newspaper's standards, we would omit such property when it constitutes receipts but record it when it constitutes charitable disbursements. Such a method of accounting would be precisely the same type of public accounting that has been peddled by foundation press agents, being paid fancy fees—out of public funds—to mislead our people.

It has been common practice for certain foundations to publicize their charitable disbursements while keeping their income and other receipts well hidden.

14. Referring to Commissioner William A. Johnson's letter to me, your reporter says that "on its face Johnson's letter appeared to be a strong endorsement of both PATMAN's investigation and of the broadcast charges he leveled against North Carolina trusts and foundations." The following is my exact reference to Commissioner Johnson (p. VI of the enclosed report):

"On a State level, officials are becoming increasingly aware of the problems created by tax-exempt foundations and charitable trusts. Mr. W. A. Johnson, commissioner, North Carolina Department of Revenue, has written me as follows:

"'The increasing tendency to attempt to use tax-exempt foundations and charitable trusts to carry on many business activities heretofore conducted by private, taxpaying individuals and organizations is a matter of considerable concern to us. This trend narrows our overall tax base and, to the extent

**that the competition has an adverse effect on private, taxpaying businesses, reduces our revenue from such taxpayers. I very definitely feel that this area needs careful study and I am delighted that your committee is giving it serious consideration'."**

**Commissioner Johnson's letter to me was dated November 10, 1961. My report is dated December 31, 1962.**

**Question: In view of those dates, how was it possible for Commissioner Johnson to endorse any part of my report? And where does Commissioner Johnson's endorsement of the report appear?**

**15. In your newspaper's view—**

**(a) Should a tax-exempt foundation be permitted to exist in perpetuity? Does your newspaper favor limitless tax exemptions that permit pyramiding of tax-free funds in perpetuity?**

**(b) Should tax-exempt foundations be subjected to the same kind of detailed financial reporting as is required of taxpayers?**

**(c) Should tax-exempt foundations be obliged to render a public accounting of their operations?**

**(d) Is it necessary to close loopholes in the existing tax exemption provisions?**

**(e) Should tax-exempt foundations be permitted to engage in business to secure income? Should they be permitted to enter into the conduct of business enterprises—for example, manufacturing or merchandising?**

**(f) Should a tax-exempt foundation be used as a reservoir of capital for a business? Should a tax-exempt foundation be permitted to loan money to its founder's business, to invest in the securities of the founder's business or to purchase assets of the founder's business?**

**(g) Should a tax-exempt foundation be permitted to borrow funds for purposes of speculation?**

**(h) Should a foundation's tax exemption be revoked for violations of law or Treasury regulations, for questionable accumulation of foundation funds, mismanagement and inefficient operation, or the use of the foundation as a screen for tax dodging?**

**(i) Should trustees of a tax-exempt foundation be removed for certain forms of mismanagement such as: violations of law or Treasury regulations, charging excessive fees, misapplication of funds, inactivity of trustees, vested interests of trustees, and speculative investments by trustees?**

**16. Your newspaper shows a total disregard of the impact of spiraling tax exemptions of our economy and the serious problems that tax exemptions create for tax policy. How do you reconcile your support of huge concentrations of tax-privileged economic power with other of your pronouncements for strengthening our democracy and free enterprise system?**

**Please check the facts and then consider whether some rigorous self-examination is not in order for both you and your reporter.**

**I should be very pleased to have copies of your editorials over the past 5 years on the following subjects: the need for responsibility on the part of the press, lack of a free flow of news, the need of more Government information for the public, plugging tax loopholes, inequities in our tax structure, and sound fiscal policies.**

**Sincerely yours,**

**WRIGHT PATMAN.**

SCHEDULE 1.—*Gross receipts*

[Source: Documents submitted to the Select Committee on Small Business by the foundations]

| Foundation | (1) Gross sales or receipts from business activities | (2) Gross profit from business activities | (3) Interest received | (4) Dividends received | (5) Rents and royalties received | (6) Total gain (or loss) from sale of assets |
|---|---|---|---|---|---|---|
| NORTH CAROLINA | | | | | | |
| Babcock, Mary Reynolds, Foundation, Inc.<br>Post Office Box 199, Reynolds Station, Winston-Salem, N.C. | ----- | ----- | $697,235 | $3,566,288 | $114,044 | $2,042,270 |
| Burlington Industries Foundation<br>301 North Eugene St., Greensboro, N.C. | ----- | ----- | 315,472 | 1,966,290 | 271,885 | 237,188 |
| Cannon Foundation, Inc<br>Post Office Box 1192, Concord, N.C. | ----- | ----- | 1,424,543 | 3,761,560 | 1,556,229 | 374,342 |
| Cannon, Martin, Family Foundation, Inc<br>220 West 4th St., Charlotte, N.C. | ----- | ----- | 11,399 | 164,568 | ----- | 343,161 |
| Hanes, John Wesley and Anna Hodgin, Foundation<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.Y. | ----- | ----- | 15,512 | 463,282 | ----- | 159,790 |
| Morehead, John Motley Foundation.<br>Post Office Box 1027, Charlotte, N.C. (See New York City listing for data.) | | | | | | |
| Reynolds, Kate B., Charitable Trust<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | ----- | ----- | 263,202 | 3,044,922 | 834 | 94 |
| Reynolds, Z. Smith, Foundation, Inc<br>1206 Reynolds Bldg., Winston-Salem, N.C. | ----- | ----- | 301,513 | ----- | ----- | 36,788 |
| Reynolds, Zachary Smith, Trust<br>Winston-Salem, N.C. | ----- | ----- | 2,075,349 | 5,992,408 | ----- | ----- |
| Reynolds, W. N., Trust<br>Care of Wachovia Bank & Trust Co., Winston-Salem, N.C. | ----- | $31,846 | 1,122,106 | 5,246,670 | 681,092 | 728,786 |
| Richardson Foundation, Inc.<br>Greensboro, N.C. (See New York City listing for data.) | | | | | | |

| Foundation | (7) Other income | (8) Total gross income excluding contributions, gifts, grants, etc., received | (9) Total contributions, gifts, grants, etc., received | (10) Total receipts including contributions, gifts, grants, etc., received | (11) Period |
|---|---|---|---|---|---|
| NORTH CAROLINA | | | | | |
| Babcock, Mary Reynolds, Foundation, Inc<br>Post Office Box 199, Reynolds Station, Winston-Salem, N.C. | $884 | $6,420,721 | $14,241,126 | $20,661,847 | 1954 through 1960 |
| Burlington Industries Foundation<br>301 North Eugene St., Greensboro, N.C. | 233,548 | 3,024,383 | 3,899,205 | 6,923,588 | 1951 through 1960 |
| Cannon Foundation, Inc<br>Post Office Box 1192, Concord, N.C. | 66,471 | 7,183,145 | 7,025,373 | 14,208,518 | 1951 through 1960 |
| Cannon, Martin, Family Foundation, Inc<br>220 West 4th St., Charlotte, N.C. | (22,088) | 497,040 | 677,466 | 1,174,506 | 1951 through 1960 |
| Hanes, John Wesley and Anna Hodgin, Foundation<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | 4,282 | 642,866 | 2,182,767 | 2,825,633 | 1951 through 1960 |
| Morehead, John Motley Foundation<br>Post Office Box 1027, Charlotte, N.C. (See New York City listing for data.) | ----- | ----- | ----- | ----- | |
| Reynolds, Kate B., Charitable Trust<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | ----- | 3,309,052 | ----- | 3,309,052 | 1951 through 1960 |
| Reynolds, Z. Smith, Foundation, Inc<br>1206 Reynolds Bldg., Winston-Salem, N.C. | 13,175,039 | 13,513,340 | ----- | 13,513,340 | 1951 through 1960 |
| Reynolds, Zachary Smith, Trust<br>Winston-Salem, N.C. | ----- | 8,067,757 | ----- | 8,067,757 | 1951 through 1960 |
| Reynolds, W. N., Trust<br>Care of Wachovia Bank & Trust Co., Winston-Salem, N.C. | 1,228,529 | 9,039,029 | ----- | 9,039,029 | 1951 through 1960 |
| Richardson Foundation, Inc<br>Greensboro, N.C. (See New York City listing for data.) | ----- | ----- | ----- | ----- | |

### SCHEDULE 3A.—*Expenses and disbursements*

[Source: Documents submitted to the Select Committee on Small Business by the foundations]

| Foundation | (1) Expenses attributable to gross income (Form 990-A, p. 1, line 17) | (2) Administrative and operating expenses paid out of current or accumulated income for purposes for which exempt (Form 990-A, p. 1, line 18) | (3) Contributions, gifts, grants, scholarships, etc., paid out of current or accumulated income for purposes for which exempt (Form 990-A, p. 1, line 19) | (4) Administrative and operating expenses paid out of principal for purposes for which exempt (Form 990-A, p. 1, line 23) | (5) Contributions, gifts, grants, scholarships, etc., paid out of principal for purposes for which exempt (Form 990-A, p. 1, line 24(b)) | (6) Expenses attributable to gross income + administrative and operating expenses paid out of current or accumulated income and principal for purposes for which exempt (Form 990-A, p. 1, lines 17+18+23) | (7) Contributions, gifts, grants, scholarships, etc., paid out of current or accumulated income and principal for purposes for which exempt (Form 990-A, p. 1, lines 19+24(b)) | (8) Total receipts including contributions, gifts, grants, etc., received | (9) Period |
|---|---|---|---|---|---|---|---|---|---|
| NORTH CAROLINA | | | | | | | | | |
| Babcock, Mary Reynolds, Foundation, Inc.<br>Post Office Box 199, Reynolds Station, Winston-Salem, N.C. | $254,772 | ------ | $4,104,150 | $6,049 | $576,237 | $260,821 | $4,680,387 | $20,661,847 | 1954 through 1960 |
| Burlington Industries Foundation<br>301 North Eugene St., Greensboro, N.C. | 222,899 | ------ | 4,750,320 | ------ | ------ | 222,899 | 4,750,320 | 6,923,588 | 1951 through 1960 |
| Cannon Foundation, Inc.<br>Post Office Box 1192, Concord, N.C. | 863,916 | $6,823 | 4,929,851 | ------ | ------ | 870,739 | 4,929,851 | 14,208,518 | 1951 through 1960 |
| Cannon, Martin, Family Foundation, Inc.<br>220 West 4th St., Charlotte, N.C. | 32,799 | ------ | 464,252 | ------ | 216,770 | 32,779 | 681,022 | 1,174,506 | 1951 through 1960 |
| Hanes, John Wesley & Anna Hodgin, Foundation.<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | 20,080 | ------ | 246,633 | 62 | 164,800 | 20,142 | 411,433 | 2,825,633 | 1951 through 1960 |
| Morehead, John Motley, Foundation<br>Post Office Box 1027, Charlotte, N.C. (See New York City listing for data.) | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | |
| Reynolds, Kate B., Charitable Trust<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | 158,103 | ------ | 2,749,647 | ------ | ------ | 158,103 | 2,749,647 | 3,309,052 | 1951 through 1960 |
| Reynolds, Z. Smith, Foundation, Inc.<br>1206 Reynolds Bldg., Winston-Salem, N.C. | ------ | 40,909 | 12,841,545 | ------ | ------ | 40,909 | 12,841,545 | 13,513,340 | 1951 through 1960 |
| Reynolds, Zachary Smith, Trust<br>Winston-Salem, N.C. | 178,084 | ------ | ------ | ------ | ------ | 178,084 | ------ | 8,067,757 | 1951 through 1960 |
| Reynolds, W. N., Trust<br>Care of Wachovia Bank & Trust Co., Winston-Salem 1, N.C. | 614,152 | ------ | 6,206,661 | ------ | ------ | 614,152 | 6,206,661 | 9,039,029 | 1951 through 1960 |
| Richardson Foundation, Inc.<br>Greensboro, N.C. (See New York City listing for data.) | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | |

### SCHEDULE 5.—*Assets*

NOTE.—The 1960 figures are as of the end of the fiscal or calendar year and the 1951 figures are as of the beginning of the fiscal or calendar year, unless other years are indicated.

[Source: Documents submitted to the Select Committee on Small Business by the foundations]

| Foundation | (1) Cash | (2) Notes and accounts receivable less reserve for bad debts | (3) Inventories | (4) Investments in Government obligations [1] | (5) Investments in non-Government bonds, etc.[1] | (6) Book values of investments in corporate stocks | (7) Market values of investments in corporate stocks |
|---|---|---|---|---|---|---|---|
| NORTH CAROLINA | | | | | | | |
| | *1960* | *1960* | *1960* | *1960* | *1960* | *1960* | *1960* |
| Babcock, Mary Reynolds, Foundation, Inc.<br>Post Office Box 199, Reynolds Station, Winston-Salem, N.C. | $203,509 | $10,094 | ------ | $902,044 | $3,123,673 | $9,254,385 | $21,493,602 |
| Burlington Industries Foundation<br>301 North Eugene St., Greensboro, N.C. | 50,458 | ------ | ------ | 353,185 | 351,560 | 4,179,489 | 5,036,055 |
| Cannon Foundation, Inc.<br>Post Office Box 1192, Concord, N.C. | 125,926 | 450 | ------ | 3,095,011 | 2,376,000 | 10,837,038 | 11,765,012 |
| Cannon, Martin, Family Foundation, Inc.<br>220 West 4th St., Charlotte, N.C. | 4,805 | 230 | ------ | ------ | ------ | 559,904 | 989,131 |
| Hanes, John Wesley & Anna Hodgin, Foundation<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | 21,077 | 224 | ------ | 97,985 | 269,362 | 2,210,357 | 3,416,577 |
| Morehead, John Motley, Foundation<br>Post Office Box 1027, Charlotte, N.C. (See New York City listing for data.) | ------ | ------ | ------ | ------ | ------ | ------ | ------ |
| Reynolds, Kate B., Charitable Trust<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | 6,235 | 101 | ------ | 1,174,842 | ------ | 4,203,635 | 17,670,826 |
| Reynolds, Z. Smith, Foundation, Inc.<br>1206 Reynolds Bldg., Winston-Salem, N.C. | 165,936 | ------ | ------ | 2,334,601 | ------ | ------ | ------ |
| Reynolds, Zachary Smith, Trust<br>Winston-Salem, N.C. | 285,496<br>(Feb. 28, 1961) | ------ | ------ | 94,250<br>(Feb. 28, 1961) | 5,009,920<br>(Feb. 28, 1961) | 7,910,443<br>(Feb. 28, 1961) | 37,344,258<br>(Feb. 28, 1961) |
| Reynolds, W. N. Trust<br>Care of Wachovia Bank & Trust Co., Winston-Salen 1, N.C. | 135,306 | 64,462 | ------ | 1,046,777 | 4,863,727 | 7,985,239 | 46,846,921<br>(Aug. 31, 1961) |
| Richardson Foundation, Inc.<br>Greensboro, N.C. (See New York City listing for data.) | ------ | ------ | ------ | ------ | ------ | ------ | ------ |

See footnotes at the end of schedule 6.

### SCHEDULE 5.—*Assets*—Continued

**NOTE.—The 1960 figures are as of the end of the fiscal or calendar year and the 1951 figures are as of the beginning of the fiscal or calendar year, unless other years are indicated.**

**[Source: Documents submitted to the Select Committee on Small Business by the foundations]**

| Foundation | (8) Other investments [2] | (9) Capital assets: Depreciable (and depletable) assets less reserve for depreciation (and depletion) | (10) Capital assets: Land | (11) Other assets | (12) Total assets, with market values of securities being used wherever available [*] [3] | (13) Total assets based on book values only | (14) |
|---|---|---|---|---|---|---|---|
| NORTH CAROLINA | *1960* | *1960* | *1960* | *1960* | *1960* | *1960* | *1951* |
| Babcock, Mary Reynolds, Foundation, Inc.<br>Post Office Box 199, Reynolds Station, Winston-Salem, N.C. | | $12,181 | $2,299,216 | $2,502,984 | $30,547,303 | $17,506,808 | (Jan. 1, 1954) |
| Burlington Industries Foundation<br>301 North Eugene St., Greensboro, N.C. | | 149,641 | | | 5,940,899 | 5,136,626 | $3,186,267 |
| Cannon Foundation, Inc.<br>Post Office Box 1192, Concord, N.C. | $41,351 | 540,791 | 655,334 | 123,162 | 18,723,037 | 17,897,607 | 9,235,864 |
| Cannon, Martin, Family Foundation, Inc.<br>220 West 4th St., Charlotte, N.C. | 27,764 | | | | 1,021,930 | 592,704 | 107,995 |
| Hanes, John Wesley & Anna Hodgin Foundation<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | | | | | 3,805,225 | 2,593,780 | 203,811 |
| Morehead, John Motley, Foundation<br>Post Office Box 1027, Charlotte, N.C. (See New York City listing for data.) | | | | | | | |
| Reynolds, Kate B., Charitable Trust<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | | | | | 18,852,004 | 5,384,815 | 5,008,668 |
| Reynolds, Z. Smith, Foundation, Inc.<br>1206 Reynolds Bldg., Winston-Salem, N.C. | | | | | 2,500,537 | 2,500,538 | 1,324,127 |
| Reynolds, Zachary Smith, Trust<br>Winston-Salem, N.C. | 1,096,070<br>(Feb. 28, 1961) | | | | 43,829,994<br>(Feb. 28, 1961) | 14,377,152<br>(Feb. 28, 1961) | 13,803,828 |
| Reynolds, W. N., Trust<br>Care of Wachovia Bank & Trust Co., Winston-Salem 1, N.C. | | 420,639 | 509,639 | 55,003 | 53,942,474 | 14,563,440 | 1,052,935 |
| Richardson Foundation, Inc.<br>Greensboro, N.C. (See New York City listing for data.) | | | | | | | |

See footnotes at the end of schedule 6.

### SCHEDULE 6.—*Liabilities, net worth, and accumulation of income*

NOTE.—The 1960 figures are as of the end of the fiscal or calendar year and the 1951 figures are as of the beginning of the fiscal or calendar year, unless other years are indicated.

[Source: Documents submitted to the Select Committee on Small Business by the foundations]

| Foundation | (15) Total liabilities [4] | (16) | (17) Total net worth based on using assets with market values of securities wherever available (col. 12) 1960 | (18) Total net worth based on using assets with book values only (cols. 13 and 14) [4] | (19) | (20) Accumulation of income | (21) | (22) Increase (decrease) in net worth, 1951 through 1960 based on using assets with book values only (cols. 18 and 19) [4] |
|---|---|---|---|---|---|---|---|---|
| | 1960 | 1951 | | 1960 | 1951 | 1960 | From date of organization to 1951 | |
| NORTH CAROLINA | | | | | | | | |
| Babcock, Mary Reynolds, Foundation, Inc.<br>Post Office Box 199, Reynolds Station, Winston-Salem, N.C. | $1,782 | (Jan. 1, 1954) | $30,545,521 | $17,505,026 | (Jan. 1, 1954) | $19,696 | (Jan. 1, 1954) | $17,505,026 |
| Burlington Industries Foundation<br>301 North Eugene St., Greensboro, N.C. | | | 5,940,899 | 5,136,626 | $3,186,267 | 2,707,039 | ($758,193) | 1,950,359 |
| Cannon Foundation, Inc.<br>Post Office Box 1192, Concord, N.C. | 648,256 | 14,266 | 18,074,781 | 17,249,351 | 9,221,598 | 1,607,067 | 604,688 | 8,027,753 |
| Cannon, Martin, Family Foundation, Inc.<br>220 West 4th St., Charlotte, N.C. | | 7,000 | 1,021,930 | 592,704 | 100,995 | | | 491,709 |
| Hanes, John Wesley & Anna Hodgin, Foundation<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | | | 3,805,225 | 2,593,780 | 203,811 | 366,603 | (9,549) | 2,389,969 |
| Morehead, John Motley, Foundation<br>Post Office Box 1027, Charlotte, N.C. (See New York City listing for data.) | | | | | | | | |
| Reynolds, Kate B., Charitable Trust<br>Care of Wachovia Bank & Trust Co., Post Office Box 3099, Winston-Salem, N.C. | | | 18,852,004 | 5,384,815 | 5,008,668 | | | 376,147 |
| Reynolds, Z. Smith, Foundation, Inc.<br>1206 Reynolds Bldg., Winston-Salem, N.C. | | 1,303,223 | 2,500,537 | 2,500,538 | 20,904 | 2,500,538 | 20,903 | 2,479,634 |
| Reynolds, Zachary Smith, Trust Winston-Salem, N.C. | | | 43,829,994 | 14,377,152 | 13,803,828 | | | 573,324 |
| Reynolds, W. N., Trust<br>Care of Wachovia Bank & Trust Co., Winston-Salem 1, N.C. | | | 53,942,474 | 14,563,440 | 1,052,935 | | | 13,510,505 |
| Richardson Foundation, Inc.<br>Greensboro, N.C. (See New York City listing for data.) | | | | | | | | |

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[1] These securities are shown at market wherever such data was submitted by the foundations, and the valuation dates are as shown in columns 4 and 5.

[2] The foundations' assets consist of a variety of investments other than securities. Land, real estate, inventories, equipment, patents, insurance policies, works of art, etc., are examples of assets owned by the foundations, and their market valuation may be considerably greater than the book values indicated by the foundations and used herein.

[3] Wherever market values were submitted, the valuations are as of the dates shown in columns 4, 5, and 7. *The market valuation of investments generally is as of the same date as the foundation's accounting year end. In cases where these dates are not identical, the market valuation made available by the foundation at a date closest to their accounting year end is used and the date identified.*

[4] Some of the foundations submitted balance sheets which do not clearly show any demarcation between liabilities and net worth. Sometimes the various categories are summarized as "Total Liabilities" and this total equals the foundation's total assets. In most such instances, the Committee has not attempted to reclassify items which appear to be of "Net Worth" nature but which have been classified as a liability by the foundation.

## ADDRESS BY VICE PRESIDENT LYNDON B. JOHNSON

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, on Saturday, January 26, at the Cleveland-Sheraton Hotel in Cleveland, Ohio, before almost 2,000 members and guests of the Urban League of Cleveland, Vice President LYNDON B. JOHNSON delivered a vital message on the progress of the Nation's struggle toward equal employment opportunities. The entire Cleveland community is grateful to the Vice President for his inspiring message, which follows:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, CLEVELAND URBAN LEAGUE, CLEVELAND, OHIO, JANUARY 26, 1963

Before coming here today, my good friend, Secretary Celebrezze, cautioned me that even in a progressive city like Cleveland I would be likely to find those citizens who have a strong preference for lower taxes—and strong feelings against a national deficit. As you are well aware, the administration which both your former mayor and I serve is now offering both of those attractions. However, my purpose today is to talk with you of the cause and cure of a national deficit which far exceeds that anticipated in the Federal budget for fiscal 1964.

I refer to the dollars-and-cents cost which our country pays every year as the exorbitant price for discrimination.

The Council of Economic Advisers calculates that elimination of discrimination in our economy and our society would add $15 billion to our gross national product each year. That is one and one-half times more than the budget for Secretary Celebrezze's Department of Health, Education, and Welfare, five times greater than military and economic assistance to other nations, and equal to nearly one-third the cost of our national defense.

In other words, we've got too many trained men and women working in jobs that require none of their skills, and all because of skin coloration.

I have emphasized these figures for a reason. We are observing this year the 100th anniversary of the signing of the Emancipation Proclamation. That proclamation stands as one of the noble documents of our history. When we talk about it, there is an understandable temptation to indulge in rhetoric and rolling phrases because it does inspire a justified eloquence.

At this time and place in our history, however, it is far more appropriate that we take a both-feet-on-the-ground view of the work which remains to be done in the spirit of that proclamation. Abraham Lincoln faced the issue of men in the bondage of chains. A century later, we who live today face the issue of men in bondage to the color of their skins. The Emancipation Proclamation freed the slaves, but it did not free America of the burdens or the costs of discrimination.

We are today confronted with the challenge of those costs and of overcoming them. President Lincoln recognized that "a house divided against itself cannot stand." Our challenge is to recognize that a people discriminating against themselves can neither prosper to the fullest of their potential nor enjoy together the full fruits of domestic tranquillity and freedom.

As Vice President of the United States, it is my privilege to serve as Chairman of two presidential committees—the President's Committee on Equal Employment Opportunity and the National Aeronautics and Space Council. These two positions serve constantly to impress upon me both the magnitude of the challenge America faces in regard to discrimination and the opportunity which this present period in our national affairs presents for solution of that challenge.

Our national space effort today is great; and it is growing. We face many problems of technology. But the greatest problem which hangs over this national effort is the question of where we get the quantity and quality of manpower America will need throughout the remaining years of this century.

When the 20th century began, American industry had 200 factory workers for each engineer. Today, the national average is about 50 to 1. In some industries, it is 10 to 1.

The demands of the space age are accelerating the shift in this ratio at an incredible rate. This is illustrated by Project Mercury which has sent three Americans in orbit around the earth. Project Mercury is less than 5 years old. In that short period, however, it has already created tens of thousands of new jobs in our economy, and it is estimated that more than 400,000 workers have made contributions to that project.

While Project Mercury is still operating, Projects Gemini and Apollo are developing with the objective of landing a man on the moon. Hundreds of thousands of additional trained and skilled craftsmen in many fields will be needed to make these projects successful.

This will be the pattern throughout the future. But the question remains: Where do we get the quantity and quality of manpower we need?

By 1970—only 7 years away—we will be needing 7,500 Ph. D.'s in engineering, mathematics, and physical sciences. In 1960, only 3,000 Ph. D.'s were awarded. By 1970, we shall need 30,000 graduate students in those same fields. Last year we had only 10,000 such graduate students enrolled.

Ninety percent of all the scientists who have ever lived in the history of the world are living today. In less than 10 years, 75 percent of the persons working in the industry of America will be producing products that have not yet been invented or discovered. We are racing against time in the effort to maintain the quality of manpower supply we shall need. For example, practically every student who could obtain a Ph. D. by 1970 has already entered college.

While these are our needs, we are faced with the fact that in our public education system about 1 million students are quitting high school each year without graduating. Many of these wouldn't go on to college but many of them could do better by staying in school and learning to run a lathe or a card-punch machine.

The fact is obvious that if we are to meet our needs, a large part of the answer must come and will come from eliminating the discrimination which deprives us of the full use of the talents of young nonwhite Americans.

Our strength as a nation—and our success as a world leader in the cause of freedom—depends upon the responsibility, the diligence and the speed with which we attack the problems of unequal opportunity in the practices of our economy and our society.

I am pleased by the fact that so many of the Nation's large employers—including many firms with plants in the Cleveland area—are voluntarily facing this problem and undertaking to do something about it. Most of the leading industrial corporations in the United States have adopted plans for progress, pledging to take affirmative steps above and beyond requirements in eliminating discrimination in hiring, training, advancement and promotion. I would like especially to mention a distinguished Ohio businessman who has made a valuable contribution as a member of the presidential committee—Mr. Fred Lazurus, Jr., of Cincinnati, chairman of the board of Federated Department Stores.

American industry is taking an intelligent and responsible view of the problem and of its own responsibilities. The unions of America, likewise, are accepting their share of responsibility. I am glad to say that the agencies of the Federal Government are making very substantial progress.

This is good—this is encouraging. But the demands of the next decade are pressing down upon us today. We shall not be able to meet those demands unless we can succeed at motivating young nonwhite Americans to pursue the studies, continue the classroom work, and otherwise prepare for the opportunities which will be open to them tomorrow.

The average Negro in America has had 3 years less schooling than the average white American. The long-standing pattern of job discrimination has discouraged Negroes from seeking to enter the main stream of American industry and commerce. Too often in the past, Negroes with college degrees have been denied the opportunity to fulfill their capabilities and have been faced with the choice of continuing to work in the Negro community or accepting menial work in white-owned businesses.

When the work of the Committee on Equal Employment Opportunity began, the major task was that of persuading employers to utilize the talents of the well-trained Negro. Today, it is our new task—for our Committee and for your organization—to convince the Negro himself that skills and training and education are worth acquiring.

We can compliment ourselves on the progress which has been made by organizations such as the Urban League and the Greater Cleveland Youth Service Planning Commission and others, without, at the same time, becoming falsely content with such accomplishments. These next 100 years of our national experience demand of us that we resolve the problems left unresolved when the Emancipation Proclamation freed the slaves. It is important for us to remember that we are working against time and that our efforts today must move forward with new determination, new dispatch, and new diligence if we are to succeed in giving America the full strength of all its people.

Let us continue the fight for equal opportunity, not as members of any race, but as Americans devoted to the goal of "one nation under God, indivisible, with liberty and justice for all."

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## WOODROW WILSON HIGH SCHOOL, PORTSMOUTH, VA., CONFERS OUTSTANDING HONOR ON CAPT. MILES P. DuVAL, JR.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, as a student of Isthmian history and interoceanic canal problems, I long ago noted how responsible positions in the construction of the Panama Canal or in its subsequent maintenance, operation, and protection have occasionally served to open new opportunities for those who made worthwhile contributions during their years in the Canal Zone. This aspect of Isthmian service is well exemplified by the career of Capt. Miles P. DuVal, Jr. U.S. Navy, retired.

During the crucial period, 1941–44, while he was captain of the port, Balboa, in charge of marine operations in the Pacific Division of the Panama Canal, a combination of factors enabled him to perform services for the enterprise that are historic. Eventually, this background of experience led to his special assignment in 1946-49, under orders of the Secretary of the Navy, James Forrestal, as head of the Navy Department studies for canal modernization.

A native of Portsmouth, Va., and a graduate of the Portsmouth—later Woodrow Wilson—High School, Captain DuVal was signally honored by this institution as a distinguished alumnus at a student assembly on the morning of October 26, 1962, when a bust of him was unveiled.

The sculptor and donor of the bust, yet living, is Ross R. Williams, of Colebrook, Conn., who while on duty with the Navy in the Canal Zone, had executed it during January-March 1944.

The bust is permanently placed in the Mildred Johnson Memorial Library of the Woodrow Wilson High School and bears the following inscription: "Capt. Miles P. DuVal, Jr., U.S. Navy, distinguished naval officer, historian of the Panama Canal, authority on interoceanic canal problems, Portsmouth—later Woodrow Wilson—High School, class of 1914—Sculptor, Ross R. Williams, Balboa, C.Z., 1944."

The occasion, indeed, was notable. Attended by leaders of Portsmouth and Norfolk County, headed by Mayor R. Irvine Smith, of Portsmouth, the special guests included members of the high school class of 1914 and three surviving teachers of the period of Captain DuVal's studentship in the public schools of that city. They were Miss Lelia Deans, Mrs. Olive Brooks Dorin, and former Superintendent of Schools Harry A. Hunt.

Called to order by the president of the student body, Julia Dorsey Reed, following a series of impressive music selections by the high school band, under the direction of H. Richard Dill, the assembly program was conducted with a precision that reflected great credit on all who participated.

An interesting feature of the proceedings was the reading by Dr. Robert W. Allen, principal of the high school, of a message received by him the same morning from the Honorable Maurice H. Thatcher, of Washington, D.C., sole surviving member—1910 to 1913—of the Isthmian Canal Commission that was charged by act of Congress with responsibility for construction of the Panama Canal. The message follows:

> In bestowing honor upon Captain DuVal the Woodrow Wilson High School honors itself. His invaluable histories of the Panama Canal enterprise, and his efforts to serve it and his country in peace and war, have been notable, and are measurably due to his high school studentship. While yet we live let us honor those yet living.

A moving tribute on the program was Captain DuVal's thoughtful recognition of his three teachers whom he called by name and requested to stand.

By special request of Dr. Allen, Captain DuVal spoke on the subject of the Panama Canal and illustrated his address with slides. He was introduced by the principal; and the bust was unveiled by the president of the student body, Miss Reed, acting on behalf of Sculptor Williams, who could not attend for reasons beyond his control.

The main parts of the program follow:

### REMARKS OF DR. ROBERT W. ALLEN, INTRODUCING CAPTAIN DUVAL

Members of the faculty, special guests, and students of Woodrow Wilson High School, during the years when the Panama Canal was under peak construction, this school was located on Washington Street. The student body there followed closely the progress of the great project, which was then a major topic of discussion among its members. One of those students is our speaker today.

Graduating in the class of 1914, which was the same year in which the Panama Canal was opened to traffic, he had already decided upon a career in the Navy. Appointed to the Naval Academy in 1915 by Congressman A. J. Montague, of Richmond, Va., he was a member of the class of 1919 but was graduated from the Academy a year early in 1918, because of the urgent need for young officers for World War I.

What is it in his subsequent career that especially qualifies him to speak to us about the Panama Canal?

Afloat, he has served on various types of vessels on the three coasts of the United States and in the Caribbean, in Central and South America, in Europe, and, during World War II, in the Far East and the Southwest Pacific, thus gaining an extensive background of naval experience in both peace and war. This included the command of three vessels, with participation in the 1933 naval demonstration off Cuba, the Okinawa campaign, and the occupation of the Japanese Empire and the coastal areas of China, as well as numerous visits in major ports on four continents and many transits on large vessels through the Panama Canal.

Ashore, he has had post graduate training at the Naval War College, the Naval Post Graduate School, and Georgetown University, at which last institution he was awarded the degree of master of science in foreign service (M.F.S.). In the light of later events, it is noteworthy that during 1936-38, he was secretary of the Navy Department Shore Station Development Board, which duty afforded him a deep insight into the problems of fundamental development planning.

Ordered to the Canal Zone in February 1941 with an assignment in charge of marine operations in the Pacific sector of the Panama Canal during the most crucial period of its history, he had the combination of experience and scholarship that enabled him to make constructive contributions to the great enterprise. These included the preparation and formal submission of the first comprehensive plan for the operational improvement of the Canal, which has been described in technical publications and lay literature and has attracted worldwide attention.

After returning from the Pacific in early 1946, he was designated by the late Secretary of the Navy, James Forrestal, as the Navy Department liaison officer and head of the naval studies for the modernization of the Panama Canal, an assignment held by him until his voluntary retirement in 1949 following 34 years of naval service.

An author of two important books on Panama Canal history and of various articles on interoceanic canal problems in professional magazines and reference works, he has importantly contributed to canal literature and is now engaged in preparing the third volume of a trilogy.

Thus, in our speaker we have one whose broad naval experience and intensive studies of Panama Canal history and problems combine to qualify him eminently to address this gathering. In so doing, he wishes to stress that the opinions and assertions which he will make are his personal ones and are not to be construed as official or as necessarily reflecting the views of the Navy Department or any other agency.

He of whom I speak has never forgotten his studentship in Portsmouth. His interest in this school has continued with unabated force and vigor. In addition to copies of his books and pamphlets previously given, he recently presented to our school a 1962 edition of the Encyclopaedia Britannica, in which he is the author af the article on the Panama Canal; also a pair of U.S. flags that have been flown over the Capitol in Washington. One of them is now flying at our flagmast in front of the school and the other adorns this platform.

Ladies and gentlemen, it is my honor and privilege to present Capt. Miles P. DuVal, Jr., who will address us on the subject: "Panama Canal: Four Century Dream Realized."

### PANAMA CANAL: FOUR CENTURY DREAM REALIZED

(Address before the faculty and student body, Woodrow Wilson High School, Portsmouth, Va., with memorial tribute to Theodore Roosevelt, by Capt. Miles P. DuVal, Jr., U.S. Navy (retired), October 26, 1962)

Dr. Allen, members of the faculty, honored guests, and fellow students, it is an honor and a privilege to address this gathering in the high school which gave me my start in life. Since that time, when in various parts of the world and in crucial situations, hardly a day has passed that I did not recall or apply some of the lessons learned in the schools of my native city.

For this reason, I dedicate this address to the memory of my teachers and my classmates.

Also I should like to have it considered as a memorial tribute to that great American whose courageous action initiated the construction of the Panama Canal and whose 104th birthday occurs tomorrow, President Theodore Roosevelt.

#### START OF AN IDEA

In the fall of 1936, the members of an advanced class in American history in the Foreign Service School of Georgetown University met for their first session under another teacher, William Franklin Sands. Born in a family long prominent in the Navy and trained for a diplomatic career, he had deep roots in American tradition and wished to know something about the background of his students. After slowly scrutinizing the class, he questioned each member as to his name, home State, and how long he and his family had lived in the United States.

The replies were most revealing. Some had names difficult to pronounce. Many were recent arrivals from Europe. Most of them lacked real American roots.

Long before he reached me, the purposes of his critical examination were clear. My prompt reply to his query was: "My name is DuVal. I come from Virginia, and have been living there since 1701."

Again he questioned the class concerning the subject to be chosen by each student, for special study. To this I answered: "I wish something in line with my profession. The Panama Canal is the strategic center of the Americas and I have long been interested in it. I would like to study the Panama Revolution of 1903."

"Fine" he remarked. "That is an important subject with a direct bearing on the Navy. It is a good choice."

Early in the term, it became clear that the story of this revolution and its implications was so vast that it simply could not be covered properly in one term. To my request for an extension of time, the professor answered instantly: "That's a good idea. Work on the paper throughout the year.

That will give you an opportunity to prepare a better one."

In the light of subsequent events, that action was most fortunate. Most professors would have required submission of some form of paper, however mediocre.

### TERM PAPER RIPENS INTO A BOOK

Meanwhile, as understanding of the subject increased the scope of the paper broadened. Instead of a description of a small revolution, it became the story of a great movement for a waterway across the American Isthmus, in which the creation of the Republic of Panama and acquisition of the Canal Zone by the United States were historic consequences.

At the end of the year in 1937, the work was submitted. Bound in impressive black covers, it looked more like the manuscript for a sizable book than a mere term paper.

Thumbing through the pages and obviously pleased, the professor stated: "This is not a term paper but a Ph. D. thesis. I shall speak to the regent of the school (Dr. Edmund A. Walsh, S.J.) about it."

A few days later, Dr. Walsh, an eminent authority on the Russian revolution, sent for me and stated: "Commander DuVal, you have prepared a very fine paper but it is not good enough for a Ph. D. thesis. We have in our archives the unexplored papers of Tomás Herrán, the Colombian diplomat in Washington at the time of the 1903 Panama Revolution. You now know the field. If you will go through his papers and fit them into your thesis where they belong and preface it with the necessary historical background, you will have something really worthwhile."

That helpful suggestion was a second key event in what was to follow. The required research and revision took about a year.

In June 1938, I turned in the completed thesis under the title of "Cadiz to Cathay," which was the story of the long diplomatic struggle for the Panama Canal, and departed for sea duty in the Pacific Fleet.

As the result of being on the west coast, the manuscript was published by Stanford University Press in California in 1940—a period when war clouds were forming all around the political horizon. This timely appearance of the book attracted wide attention and eventually led to my assignment in February 1941 to the Panama Canal for my next duty, only 10 months before Pearl Harbor.

### CANAL ZONE ASSIGNMENT

Before sailing for the isthmus, I spent an evening with my former professor, then in retirement at his home in Washington. Gratified by my report as to what had grown out of a paper in his class at Georgetown, he said:

"You are going to the isthmus at a crucial time in history. Great opportunities will unfold, and I know that you will make the most of them. Why not undertake another worthwhile book while you are on the scene? The real genius in building the Panama Canal was John F. Stevens but the story of his work has never been written. Why don't you write it?"

Thrilled by his clear suggestion, I left him determined to explore its possibilities. A few days later, February 26, 1941, I landed at Cristobal at a time when the Canal Zone was a scene of tremendous activity, in preparation for its defense.

Assigned to a position in charge of marine operations in the Pacific sector of the Panama Canal, I soon found that this area included key elements in the operation of the canal, to be mentioned later. Thus, it afforded a unique opportunity to study the problems of operations, to observe the scenes of highest activity during construction, and thereby to gain the understanding essential for writing an objective history of its buildings and the planning for a future canal.

### ISTHMIAN TOPOGRAPHY

What is the nature of the Isthmus of Panama that made it the most favored for an interoceanic canal?

As one of the two portions of the American Isthmus where the mountains are lowest, it is located in an area of heavy tropical rainfall, and covered with jungle penetrated by river valleys. Running almost east and west, the Continental Divide parallels the Pacific coast about 9 statute miles away, and forms the dominant part of the landscape.

North of the divide is the large valley of the Chagres River, with a watershed of 1,320 square miles, which drains into the Atlantic Ocean through a terrain favorable for the creation of an artificial lake. South of the divide is the smaller valley of the Rio Grande with a drainage area of 37 square miles, also favorable for forming a lake.

The Chagres River Valley is subject to great floods, at times equaling the volume of the Niagara Falls; the Rio Grande Valley to smaller ones. The geological formation is one of the most treacherous with which engineers have ever had to deal, and subject to landslides.

For many years the combination of these factors conspired to make the task of building any canal at Panama seem insuperable.

### CREATOR OF THE PANAMA CANAL

The first person to understand the topography of the isthmus and see the solution that would minimize the volume of excavation and enable control of torrential rivers, changing them from being "lions in the path" of any canal into the means for creating and operating it, all at least cost, was a French engineer, Adophe Godin de Lépinay de Brusly.

In 1879, Ferdinand de Lesseps, the hero of Suez, which was a simple sea-level canal through sandy desert, called a congress in Paris of 135 distinguished men to decide the questions of the best site and type of canal on the American Isthmus—a wholly different problem from that of Suez. Lending the full force of his prestige and genius toward securing approval for a sea-level undertaking at Panama, he dominated the congress.

De Lépinay, the only member of that congress who had adequately studied the geography of the isthmus and could interpret its elements in the light of both engineering requirements and navigational needs, rose in strong protest.

Then, with the vision and simplicity of genius, he proposed a practical plan, here summarized: "Build a dam at Gatun and another at Miraflores, or as close to the seas as the configuration of the land permits. Let the waters rise to form two lakes about 80 feet high, join the lakes thus formed by a channel cut through the Continental Divide, and connect the lakes with the oceans by locks. This is not only the best plan for engineering but also best for navigation."

This plan, so obvious, simple, and relatively inexpensive, and the only one which at that time could have had any chance for success, was not understood. His great idea was ignored and the Panama project was treated as if it were another Suez. De Lépinay's conception of the plan, however, and its dramatic presentation in 1879, establish him as an architectural and engineering genius—the originator of the basic plan by which the Panama Canal was eventually built.

The French company, despite De Lépinay's timely warning and brilliant solution, launched upon their ill-fated undertaking according to a proposal that made defeat inevitable. Ten years later, in 1889, the great French effort collapsed and the isthmus returned to the jungle. Nevertheless, De Lépinay's vision places him in history as the creator of the Panama Canal.

### PANAMA CANAL ZONE

The first major step of the United States toward construction of an interoceanic canal was securing a strip of land on the isthmus in which to build it.

After an extraordinary diplomatic struggle and scorching debate known as the battle of the routes, the Congress, by the Spooner Act of June 28, 1902, authorized acquisition by the United States of a canal zone in what was then a part of Colombia, the purchase of the French holdings, and construction of a canal at Panama. The act also provided for constructing a canal at Nicaragua as an alternate project, in event suitable arrangements could not be made for one at Panama.

The agreement negotiated with Colombia for this purpose, though ratified by the U.S. Senate, became politically involved at Bogotá, and the Colombian Senate, on August 12, 1903, and against the urgent pleadings of our minister there, rejected this treaty.

Panamanian leaders, fearing that after all Panama might still lose the canal to its ancient rival, Nicaragua, set out to preclude that possibility. In the United States, President Theodore Roosevelt, determined to start construction of the Panama Canal, prepared for eventualities. Fortunately, the crisis came at a time when he could act unhampered.

Under the leadership of Dr. Manuel Amador and other Panamanian patriots, the State of Panama seceded from Colombia on November 3, 1903, and declared its independence, which was promptly recognized and guaranteed by the United States. Then followed a new canal treaty, signed November 18, 1903, with Panama instead of Colombia.

In this treaty, the Republic of Panama granted to the United States in perpetuity the use, occupation, and control of the Canal Zone for the construction, maintenance, operation, sanitation, and protection of the Panama Canal as if the United States were sovereign of that territory and, most significantly, to the entire exclusion of Panamanian sovereignty. The ratification of this treaty sealed the choice of the Panama route. Its terms were of indispensable character and constituted the justification for our country's assumption of the grave responsibilities involved in the construction of the great isthmian waterway.

### BUILDING THE CANAL

Under the influence of public clamor to make the dirt fly, construction with outmoded French equipment started prematurely in 1904, with increasing uncertainty as to the type of canal to be constructed—a high-level lake and lock type, as contemplated in the final French plans, or one at sea level.

Fortunately, when the time approached for decision in 1905, President Theodore Roosevelt selected the great railroad builder, explorer, and business executive, the late John F. Stevens, as Chief Engineer of the Isthmian Canal Commission.

The qualifications of Stevens were unique. He had read everything available on the proposed canal since the time of Philip II, built railroads in the Rocky Mountains, and supervised open mining excavations in Minnesota. Thus, he knew Isthmian history and understood the delicate balances of nature and the hazards involved in excavating a ship channel through mountainous area subject to landslides.

Arriving on the isthmus on July 25, 1905, at the height of the hysteria caused by a combination of a yellow fever epidemic and the unexpected resignation of the previous Chief Engineer, he brought conditions under control immediately. Experienced in large undertakings in undeveloped country, he promptly provided housing and commissaries for employees, encouraged sanitation, renovated the Panama Railroad, planned the transportation for the removal of excavation spoil from Culebra Cut, ordered a major part of the construction equipment, and formed the basic engineering organization for building the canal.

Indeed, so rapid was his progress that he felt himself hampered by having to wait for a decision as to the type of canal.

In another memorable struggle in the Congress, known as the battle of the levels, Stevens was instrumental, with the strong support of President Roosevelt, Secretary of War Taft, and the Isthmian Canal Commission, in bringing about the adoption, by act of the Congress, approved June 29, 1906, of the high-level lake and lock plan. That was the great decision in building the Panama Canal, which has brought him lasting fame as its basic architect.

In 1907, after having guided the project to a point where its success was a certainty, Stevens relinquished his positions as Chief Engineer and Chairman of the Isthmian Canal Commission, to which combined offices he had been appointed by President Roosevelt in recognition of his important services.

He was succeeded by Col. George W. Goethals under whose direction, as the second and last Chairman and Chief Engineer of the Isthmian Canal Commission, the project was completed essentially in accordance with the plan and organization developed by Stevens. It was officially opened to traffic on August 15, 1914, soon after the start of World War I.

### THE COMPLETED CANAL

The Panama Canal does not cross the isthmus from east to west, as generally supposed, but from northwest to southeast, with the Atlantic entrance about 33 miles north and 22 miles west of the Pacific entrance.

If any of you visit the isthmus you will be able to see the sun rise in the Pacific and set in the Atlantic.

The major part of the Canal is an artificial elevated shipway, 87 feet above sea level, formed by impounding the waters of the Chagres River valley by means of a great earth dam on the Atlantic side at Gatun and a smaller dam at Pedro Miguel on the Pacific side.

From north to south the main parts of the waterway are:

(a) Atlantic sea level section from deep water to Gatun locks, about 7.4 miles in length and having a tidal range of 2 feet.

(b) Gatun locks in three steps of 29 feet each from Atlantic sea level to Gatun Lake.

(c) Gatun Lake, 87 feet above sea level, with an area 163.4 square miles and channel length of 24 miles.

(d) Culebra, renamed as Gaillard Cut, which is an extension of Gatun Lake from Gamboa across the continental divide to the Pacific locks, about 8 miles long.

(e) Pedro Miguel locks in a single step of 33 feet at the south end of the cut, where it forms a dangerous traffic bottleneck.

(f) Miraflores Lake, 54 feet above sea level and 1 mile long.

(g) Miraflores locks in two steps to Pacific sea level.

(h) Pacific sea level dredged channel from Miraflores locks to deep water, about 8.5 miles long and having a maximum tidal range of 22 feet.

The length of the Panama Canal from deep water to deep water is about 50 miles; from shore line to shore line, about 40 miles; and at the summit level, Gatun Lake and Culebra Cut, about 32 miles.

All locks are of twin or dual construction to permit transits of vessels in opposite directions. All have usable dimensions of 1,000 feet length and 110 feet width, with depth to accommodate vessels drawing 40 feet in salt water. The minimum channel width is 500 feet except in Culebra Cut, which is 300 feet.

For reasons too complicated for recital here, the Pacific end differs radically from the Atlantic end. All locks at the Atlantic end are consolidated structures at Gatun, with commodious anchorages in Limon Bay and Gatun Lake, convenient for use by vessels in transit.

At the Pacific end, the locks are in two sets separated by the small Miraflores Lake, an arrangement causing major operational problems and constituting what was really the fundamental—but not fatal—error in the original design of the Panama Canal.

Notwithstanding this deficiency, the Panama Canal is still recognized as one of the greatest engineering feats of history, reflecting distinction on all who contributed to its success.

The story of its building, 1904–14, is a great American saga and worthy for portrayal by a modern Homer. While on the scene in the Canal Zone under inspiring conditions, I undertook to write it in a second volume, "And the Mountains Will Move," published by the Stanford Press in 1947. Though many have inquired how writing this volume had been accomplished in addition to normal responsibilities, the explanation is simple. The increased knowledge gained by the research actually served to make my official duties easier.

### WAR EXPERIENCE FOCUSES ATTENTION ON CANAL PLANNING

Prior to Pearl Harbor, a series of marine accidents led to extensive operational studies, which I was privileged to undertake. Out of them developed the first comprehensive proposal for the major operational improvement of the Panama Canal, known as the Terminal Lake-third locks plan.

The main features of this solution are (1) removal of the Pedro Miguel locks, (2) consolidation of all Pacific locks at Aguadulce near Miraflores, to match the lock arrangement at Gatun, (3) elevation of the Miraflores Lake level to that of Gatun Lake, (4) raising the entire summit water level from 87 feet to 92 feet, (5) enlargement of Culebra Cut, (6) and construction of a parallel set of larger locks for transit of larger vessels, utilizing as far as possible the partial work on the suspended third locks project.

This plan will remove the traffic bottleneck at Pedro Miguel, correct problems caused by the present operational dissymmetry, increase channel depth, conserve lockage water, and increase capacity. It will supply the best operational canal practicable of achievement at least cost, and will not require a new canal treaty with Panama.

Publicly presented by me on May 20, 1943, in an address before high officials of the Panama Canal and the Armed Forces at the Canal Zone Junior College, it was later submitted by the affected authorities to the Congress and the President, and was a major factor in bringing the vital canal question into focus.

### IN PERSPECTIVE

What has the opening of the Panama Canal meant? It has greatly shortened sailing distances, caused the formation of new trade routes, reduced transportation costs, and served the cause of freedom in three great wars. Thus, it has benefited the peoples of all countries served by vessels that transit it, and, as required by treaty, on terms of entire equality.

The people of our great Nation have every right to feel proud of their part in building the Panama Canal and in its subsequent operation and defense. But they should never forget that the dream of it traces back to the age of discovery.

Cortés, under instructions in 1523 from Charles V, of Spain, to find a passage from Cadiz to Cathay, started explorations. The first plan for the Panama Canal was prepared in 1529 by Alvara Saavedra and, by 1530, opinion was well crystallized on the four major route areas—Panama, Nicaragua, Darien, and Tehuantepec. All of this was more than four centuries ago.

Long before the North American Revolution and the wars of liberation in Latin America, the idea of an isthmian canal had become an ancient historical conception, familiar to many leaders of the Western Hemisphere. No better expression of its significance can be found than that of Simón Bolivar, who, in 1815, declared: "That magnificent portion (of America), situated between the two oceans, will in time become the emporium of the universe. Its canals will shorten the distances of the world, and will strengthen the commercial ties of Europe, America, and Asia."

### VALEDICTORY

Finally, fellow students, many of you here today are looking forward to the time of your graduation and pondering whether the future will offer you challenging opportunities. I say to you that there is no limit to such opportunities, but they will come only to those who are prepared to seize them and are willing to accept the inevitable responsibilities involved.

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## REMARKS OF JULIA DORSEY REED ON UNVEILING OF BUST OF CAPTAIN DUVAL

Members of the faculty, special guests, and students of Woodrow Wilson High School, in the original arrangements for today's student assembly, it was planned for Ross R. Williams, of Winsted, Conn., the sculptor and donor of the bust of our speaker, to address us and to unveil his own creation. Unfortunately, serious illness in his family has prevented him from leaving his home and he has requested me to act for him.

Who is Mr. Williams? A native of Philadelphia, Pa., with southern ancestral lines, he is a graduate of the Wharton School of Finance, University of Pennsylvania. Entering the Navy during World War II as a young officer, he was eventually assigned to the Canal Zone at Balboa and worked closely with our speaker during the time the latter was making some of his important researches on the operational problems of the Panama Canal.

Highly gifted in sculpture, Mr. Williams found the head and face of our speaker as offering a challenge for portrayal. Starting on his task in his spare time early January 1944, he completed the bust in March, almost at the same time that Captain DuVal was finishing his basic canal studies. These facts make the bust a unique gift with historical significance for which, on behalf of the Woodrow Wilson High School, I express our fullest appreciation.

Leaving the service after the war, Mr. Williams entered business in New York and founded the R. R. Williams Co. of which he was president, and later relocated in Connecticut. He has been widely hailed as a worthy subject for a modern Horatio Alger.

On behalf of the sculptor, Ross R. Williams, of Connecticut, I now unveil the bust of our distinguished alumnus.

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## CUBA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Hampshire [Mr. WYMAN] is recognized for 10 minutes.

Mr. WYMAN. Mr. Speaker, I address myself, briefly, to a matter that seems to me at this hour to be of genuine urgency. This is the security of this hemisphere.

No matter what the President may have said, or his brother for that matter, it requires no Senate or House investigation to realize that without inspection we do not know what missiles have been removed from Cuba. Nor, for that matter, do we know what has been brought to the island since the so-called blockade was lifted. Nor, while I am on the subject, did we actually board and search any Communist vessels while conditions of quarantine were imposed.

Mr. Speaker, in my opinion the existing situation in Cuba is intolerable from any American point of view. Until we take a look—and keep looking—on the ground and underground in Cuba, not merely by aerial surveillance, we cannot and do not know the actual potential to harm our people that exists in Cuba.

I have long urged that our foreign policy should once again invoke the Monroe Doctrine with teeth in it. Atomic destruction can be launched from MIG's, not alone from guided missiles. Even were we to assume that the Communist ego-maniac who now professes to head Cuba were never to launch an atomic weapon, the existence in Cuba of enemy air forces and Soviet submarine technicians constitutes aggression in this hemisphere. The island is so close to our shores that detection of even low-flying aircraft carrying horribly destructive weapons would lack those precious minutes needed to scramble our own Air Force to the air.

Mr. Speaker, we have just got to take a look in Cuba—and keep looking. Not the United Nations, but the United States and the United States unilaterally if need be.

Our very survival may depend upon this—not to mention the respect of the rest of the free world.

I do not understand what manner of influence within the executive branch of our Government, be its source the Department of State or otherwise, has caused this Nation to allow a Communist squatter tyrant to bulldoze the United States, to imprison our citizens, to kill and enslave innocent peoples, to establish a military potential against our country on our soft underside, astride the Panama Canal, and all as open agent of an enemy power that seeks to destroy the United States.

Can it be that some who have the President's ear continue to tell him that if we are nice to Communists they will be nice to us? What nonsense is this? What sheer folly for America.

Yet we know that at a time when the President knew full well that we were moving toward decisive action in Cuba he went to Indiana and in a political speech attacked Senator Homer Capehart for urging the very same thing. Is there no limit to political chicanery? Mr. Speaker, this is a tremendously serious matter. Security does not lend itself to partisan politics.

We must not allow the U.S.S.R. to further exploit the military advantage of Cuba's geographical location. Firmness is sorely needed now—for ourselves and for our children to follow us.

In the name of honor, of principle, of commonsense, of national security, of territorial integrity, Mr. Speaker, let us be on with what we know has to be done in Cuba. Let us demand immediate and continuing ground inspection by the United States. If refused, let us achieve this necessary protection by force if need must be.

Above all, let there be an end to this administration's practice of playing politics with America's survival.

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### U.S. PORTS SHOULD BE CLOSED TO ALLIED SHIPPERS TRADING WITH CUBA

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 10 minutes.

Mr. ROGERS of Florida. Mr. Speaker, during the closing days of the 87th Congress we were all alarmed at the intensified Soviet buildup which was underway in Cuba. On September 20, 1962, I urged that the United States take affirmative action in dealing with those allies shipping to Cuba by closing U.S. ports to them. Shortly after the date of my request, I was gratified to see the State Department announcement that plans were underway to close U.S. ports to free world shipping interests engaged in Cuban haulage, and that my recommendation prohibiting American goods such as Public Law 480 surplus foods would not be allowed as cargo on these vessels. It was understood at the time the announcement was made that the port ban would go into effect in a matter of weeks. Then Congress adjourned. Now, some 3 months later, the State Department advises me that action on this plan has not yet been taken.

The events which followed during the missile crisis this past fall gave proof that the United States was determined to hold a firm policy on Cuba. These same events also created serious hazards for any shipping in Cuban waters, and this traffic diminished.

However, recent reports are that there may be another Soviet buildup in Cuba. Since November 20, the date of the U.S. naval blockade was lifted, more than 30 Communist-bloc ships have arrived in Cuba to unload cargo. Furthermore, I am advised that some 20 ships from outside the Communist bloc also delivered cargo to Cuba during the period from November 20 to December 15. Mr. Speaker, this represents a period of not quite 4 weeks in which the number of Allied vessels trading in Cuba equals 40 percent of the total.

During the last weeks of the Congress an investigation into the general problem of free world shipping to Cuba was held by the House Select Committee on Export Control. That investigation yielded a direct relation between Allied shipping to Cuba and the transformation of that island into a military base by the Soviet Union. The Communist merchant fleet is limited in size. By chartering Allied hulls for nonmilitary shipments, the Soviets were thus able to assume the total burden of militarization themselves. This same principle applies now.

The crisis which the President thrust before the world on October 22, 1962, when he moved to protect the security of this hemisphere served not only to impress the Soviets with the seriousness of U.S. intentions, but impressed the rest of the world as well. Almost overnight those Latin American nations who were our true allies came quickly to support this Nation. They realized that the presence of Soviet equipment in this hemisphere posed a serious threat to their security as well as ours. Now that our Latin American neighbors have seen the treachery of the Communists, I am hopeful that measures will be taken in the Organization of American States to further isolate Castro with economic boycott and other forms of separation from our community of nations.

I further hope that those nations in other parts of the world will support the United States in its efforts to isolate Castro. Hopefully, there will be no repetition of last year, when our friends tainted our friendship for cargo fees which amounted to not more than 1 percent of the total world's shipping.

Mr. Speaker, the United States should act now to close its ports to any shipping engaged in traffic with Cuba. Not only would such action serve to remind the world that the United States has not altered its previous position, but denying these ports would further prohibit American cargoes from financing part of the voyage.

In addition, barring U.S. ports to Cuban trade vessels would deny them Public Law 480 cargoes. There is no justification for U.S. taxpayers supporting any vessel which traffics with Cuba. Each year the United States generates exports of millions of dollars worth of subsidized surplus foods. In fiscal year 1962 the U.S. Government exported $1.5 billion worth of these foodstuffs. The total amount of Public Law 480 exports equals $9.1 billion since the program was started some 8 years ago. Mr. Speaker, as you can see, these exports represent a sizable amount of business for the world's shipping interests.

I am informed that the plan for closing U.S. ports has been completed, and is at this moment awaiting Presidential approval before being put into action. I urge that this approval be given as soon as possible in order that this long overdue ban may finally be imposed.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I am glad to yield to my colleague.

Mr. HALEY. I have just listened with a great deal of interest to the remarks of the gentleman who just spoke about the situation in Cuba. The situation is bad in Cuba. I think this Congress or some committee of the Congress should thoroughly go into the situation down there because I think there still are missile bases in Cuba. Mr. Speaker, the time to have taken drastic action and firm action in Cuba was in 1958 when certain people in our country were bringing and the news media of this country were bringing Castro to power.

They had ample warning at that time as to what the situation was. So I say, Mr. Speaker, the time to have taken action in Cuba was in 1958, 1959 or 1960 or 1961 before great powers became involved in the Cuba situation. We gave Cuba her freedom. Therefore, she in a way is our child, and we are more or less responsible for that child. So we should have taken action at that particular time. If we had done so, we would not be having this deplorable situation that we have today. I thank my colleague for yielding.

Mr. ROGERS of Florida. I thank the gentleman.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Speaker, the gentleman's suggestion that the time to have acted was in 1958 and 1959 undoubtedly was intended to leave the impression that responsibility for the situation in Cuba should be placed on another administration than the one presently in power. This subject of national security should be bipartisan, but the hour is late. We all know that although when we had cancer of a toe we might have stopped its further spread by excision, but did not. Were it then to spread to the ankle, and then threaten our knee—if before that time we know that life can be saved only by a drastic operation at the hip—we know what has to be done. We must operate.

The situation down in Cuba has degenerated to the point where we are all deeply concerned as to the nature of the operation that is needed to cure it. We cannot afford to ignore it or turn the other cheek. The Armed Forces are deeply concerned. So are our people and they would be more so if they were fully informed. We must inspect.

Mr. HALEY. Mr. Speaker, if the gentleman will yield, let me say to my distinguished friend from New Hampshire that the delegation from Florida in 1958 tried to warn this House of what was happening. We did likewise in 1959, in 1960, and again in 1961. I do not lay this on anybody's doorstep; I say that the American Congress and the American President who has the facilities to gather information should have known what was going on and should have alerted the American people and us. All one had to do was to see who that bearded deliquent down there had around him to know what the eventual outcome of the situation would be in Cuba. Despite our warnings and efforts no action was taken by the Congress or the President. I again say that we ought to take action before more powers are involved.

Today the gentleman is well aware of the fact a move by this country into Cuba could well bring on world war III. Is that what the gentleman is advocating now?

Mr. WYMAN. Mr. Speaker, I do not know what the gentleman from Florida suggests in the way of a present course of action, but it is certain that the very security and future of this country is imperiled unless we can inspect the island of Cuba and keep it under continuing inspection. If we do not inspect the island of Cuba and maintain such a careful continuing inspection, our future is imperiled. It is something which is absolutely essential for our own survival. If we do not do this now we mortgage the future of all of our plans and operations. I suggest that the course of action which I have today recommended is sound. It is constructive. It is not territorial acquisition but merely continuing physical onsite inspection. The hour is late. It is no answer to say that certain great powers or certain great risks are involved. We must insist upon inspection now—facing as we are, a rapidly deteriorating situation in Cuba. Such firmness will not mean war—but continued American weakness surely will.

Mr. ROGERS of Florida. I may say we must take steps that can bring positive results. We would all like to do certain things. Of course risk is involved. But I do think closing American ports can bring positive action, something we can do and bring about some real results immediately.

## TALKING BOOKS PROGRAM EXTENDED TO QUADRIPLEGICS AND THE NEAR BLIND

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Cunningham] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, one of the finest programs of the Federal Government in cooperation with our State governments is the talking books program. Under this program, blind persons are able to be entertained, informed, and educated. For the Federal Government, this program is administered by the Library of Congress Division for the Blind.

Last year I introduced a bill to extend this service to persons who have lost the use of or lost all four limbs. This would afford such persons, who must be immobile in many cases, the advantages of keeping up to date on our literature, of learning more about current events, and of being entertained by books new and old. The Library of Congress, in reporting to the House Administration Committee, was generally favorable to my bill, although there was a recommendation from the Division for the Blind that it might also include persons who are not totally blind but who are unable to see well enough to read.

This suggestion has much merit, but there is also the difficulty of determining just where to draw the line for purposes of legislation. Through its chairman, the gentleman from Texas [Mr. Burleson], the House Administration Committee has asked the National Institutes of Health to draw up such guidelines as necessary. Work is going forward in this regard.

Interest in extending the talking book program has also been shown in the other body, especially by the Senator from Texas [Mr. Tower]. In the last Congress, he introduced legislation to extend this program to persons who have lost the use of both arms.

I am today introducing a new bill to extend the talking books program to include both persons who have lost the use of all four limbs or have lost all four limbs—quadriplegics—and to persons who have sight defects and are unable to see well enough to read. A precise definition and guidelines in the latter group will have to await a completion of studies by the National Institutes of Health.

I have been most encouraged by the interest shown by the chairman of the House Administration Committee and by members of the committee. I am hopeful that a meeting of minds will be possible and that the talking books program may be extended to other persons who have a real need for it.

Under the talking books program, the Federal Government provides record players for the homes of the blind. Blind persons then periodically select books which they want to "read" and records are sent to them containing recordings of someone reading the books aloud. The distribution is carried out by State and private nonprofit groups. Under this program, the blind are able to "read" new books and old favorites, and relatives and friends are relieved of the duty of reading aloud.

## POST OFFICE DEPARTMENT

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Snyder] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. SNYDER. Mr. Speaker, under leave heretofor granted to extend my remarks, I wish today to address myself to a matter which is of much concern to me.

Since my election on November 6, 1962, I have found the various agencies and departments of the U.S. Government to be most cooperative and helpful to me in my endeavor to understand the great problems that confront the world today and in my effort to be of service to my constituents in the Third Congressional District of Kentucky. There has been only one exception to this that I consider to be of sufficient concern to merit the attention of this body. And in this connection let me say that this is not an endeavor on my part to change the decision of the department involved, but merely an endeavor to get the facts upon which that decision was based so that I might report to my people. This is not a matter of national security. There is absolutely no reason why the facts upon which the decision was based should not be given to the duly elected U.S. Representative of the area involved.

Mr. Speaker, on November 21, 1962, I wrote to the Post Office Department in Cincinnati asking that they furnish me with a résumé of the facts in regard to the location of a branch post office known as the Iroquois station in south Louisville. That letter was answered on November 27 but no résumé of the facts was given and I was advised by that letter signed by Mr. R. D. Dyson that no decision had been made in regard to the location of that branch. Thereafter I received a good many phone calls and was advised by letter of the action of the Beechmont Civic Club wherein they went on record as opposing the removal of the Iroquois branch post office from its present location to another area. I do not know whether the post office should be moved or not, and even with the facts, will not be able to say because I am not an expert in this field.

As a result, on November 29, I again wrote Mr. Dyson in Cincinnati and requested that I be permitted to examine the file on this matter either in Washington or Louisville and gave him my schedule at both places. On December 6, I received a letter from Mr. Dyson's secretary advising me that Mr. Dyson was out of town and would return on December 10, at which time my letter would be referred to him. That letter remained unanswered and on or about December 21, I was advised by the people in the area of the Iroquois post office branch that a decision had been made to move the post office. On December 21, I wrote again to Mr. Dyson, pointing out that my letter of November 29 remained unanswered; that he had not extended to me the courtesy of advising me that they had reached a decision in this matter and that I still desired the facts so that I could report back to the Beechmont Civic Club and the other people involved. On January 2, I received a letter from Mr. J. P. Nolan, Regional Director of the Post Office Department in Cincinnati, indicating that he was advising his assistant that I desired to talk to him about this matter. I still have not heard from the assistant despite the fact that on January 7, 1963, I wrote to Mr. Nolan with a copy of that letter to Mr. Fred Belen, the Assistant Postmaster General, wherein I reiterated the fact that I was not trying to influence anyone's decision, but only wanted the facts so that I could respond to the people of my district and furnish them with the Post Office Department's alleged justification for the move.

Mr. Speaker, it has now been 21 days since my January 7 letter and it has been a month and a half since the Post Office Department's decision, and I still do not have any information to furnish to the people of my district, nor has Mr. Nolan or Mr. Belen replied to my letter of January 7. I wish to state here and now that if the Members of Congress are to be of service to their constituents, then the Post Office Department will have to be as cooperative as the rest of the departments of the Government are. I would suggest, Mr. Speaker, that the Post Office Department might consider the fact that they, like we, of this House, are employees of the people and are servants of the taxpayers and that this hoax called civil service does not render them immune from the duty to respond to the inquiries of taxpayers and their duly elected Representatives.

## THE PRESIDENT'S FISCAL 1964 BUDGET MESSAGE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, President Kennedy has called his estimated fiscal 1964 budget deficit of $11.9 billion a "temporary deficit" and an "investment in the future." A look at the recent past gives us little confidence that under this administration our deficits will be either temporary or serve as a useful investment in the future.

The history of the Kennedy administration is a history of persistent and ever-increasing Federal expenditures and budget deficits. From fiscal 1962 through the estimates for fiscal 1964, deficits will total about $27 billion, or about $5 billion over the total net deficit of the 8 fiscal years of the Eisenhower administration.

In spite of the theories about the beneficial effects of budget deficits, experience shows that this kind of investment has failed to bring about the Kennedy administration's goal of a faster rate of economic growth.

Based upon the pattern of recent years, it would be surprising if the $11.9 billion estimated deficit were not considerably higher by the end of the fiscal year. The President's estimated deficit is based upon highly favorable and "iffy" assumptions, both as to the stimulative effects of the tax cut and to new legislation, particularly in agriculture, which the administration intends to request.

The administration's excuse for its rising expenditure level—which next year will exceed spending at the peak of World War II—is that a large part of the increased spending has been devoted to our defense and space efforts. This raises the question whether we can build a sound defense and meet our other obligations as a great power on the basis of a policy of dangerous fiscal irresponsibility. Defense and space should not become sacred cows. The very rapidly rising level of expenditures in these areas should be subjected to the closest examination in order to insure that we get the most from our defense and space dollars. Unless this is done, programs may expand too fast and result in waste, which in the final analysis may slow our progress in space and impair our national security.

The President's claim that civilian expenditures next year will be below this year's level is somewhat misleading. Agricultural expenditures are shown dropping by about $1 billion next year, a hoped-for decrease which will permit increases in almost all other civilian programs. Although spending on agriculture is supposed to decline, the administration will be asking for a sharp jump of $1.4 billion in new obligational authority for agricultural programs—or slightly more than new obligational authority being asked for the Department of Defense. Health, Education, and Welfare is asking $1.7 billion in new obligational authority. This is the real test of the Kennedy administration's budget, since new obligational authority is an indication of what future expenditures will be. The fact is that the administration is not holding the line on civilian expenditures, but is steadily increasing them, even while asking for a tax cut which will reduce Federal revenues.

Under unanimous consent, I include an article from the Wall Street Journal of Monday, January 21, discussing the trends in spending as indicated in the 1964 budget, in the RECORD at the conclusion of my remarks:

### SMALL INITIAL OUTLAYS PROMISE STEEP RISE IN FEDERAL GOVERNMENT'S FUTURE SPENDING

(By Lindley H. Clark)

WASHINGTON.—Once the economy really gets rolling, the administration believes, it will generate big increases in revenue, even at reduced tax rates. And, the argument continues, spending won't be allowed to rise as fast as revenue, so at some point—perhaps as early as fiscal 1966—the deficit will be eliminated.

But if this is to happen, according to many people here, the tax take will have to climb sharply if it is ever to overtake the spending envisioned by the administration.

The evidence of this comes in part from comments of officials who've had a hand in preparing the budget for fiscal 1964. In putting together that bulky document, says Budget Director Kermit Gordon, a large number of worthwhile projects were canceled or deferred, so that the spending requests of the various agencies were scaled down by $7 or $8 billion. But past history suggests that the deferred projects will be back on the tracks before long.

#### COSTS ARE CLIMBING

The bulk of the evidence is in the budget figures themselves. Consider first some of the projects that have been around for a while. Whatever the worth of many of these programs, there's no doubt that costs are climbing fast.

Outlays for the activities of the National Aeronautics and Space Administration for fiscal 1964, for instance, are estimated at $4.2 billion, more than triple the figure for the year ended last June 30, and no slowdown is even remotely in sight. For the year beginning next July the administration wants congressional permission to commit the Government for $5.7 billion of future outlays.

Some of this new obligational authority—NOA in Federal lingo—will be used in fiscal 1964, but a lot of it is for spending beyond that year. In some cases, the NOA figures point to trends quite different from those shown by spending estimates.

Foreign aid is one example. Actual outlays under this program, which has been coming under increasing congressional fire, are estimated at $3.7 billion for fiscal 1964, down $100 million from the year ending next June 30. But the NOA figure heads upward. For next fiscal year it comes to $4.9 billion, up more than $1 billion from the amount for the 12-month period.

The statistics on Federal spending on agriculture paint a similar picture. Outlays in the fiscal year just ahead are estimated at $5.7 billion, surely a sharp drop from the anticipated total of $6.7 billion for the current year.

Although the saving may be illusory—the Government hopes to sell off next year a lot of cotton it expects to take into the price support shelter this year—economy advocates may still find some comfort in the bare figures. At least there may be a bit less money going out. But the NOA figure tells a quite different story: For fiscal 1964 it's $7.2 billion, up more than $1.5 billion from the current year.

### TOTAL REQUESTS RISE

Nor are these activities the exceptions. Throughout the Government, agencies are seeking Congressional go-aheads for sharply increased amounts of spending. Total new obligational authority sought for fiscal 1964 adds up to $107.9 billion, $4.7 billion above the current year and around $15 billion over the figure for the year ended last June 30.

Another good gage of future spending trends is the figure for new commitments under Government credit programs. These commitments result when the Government either agrees to make direct loans or to insure or guarantee repayment of loans advanced by private lenders. The budget document declares that "new commitments are the best single measure of the trends in most Federal credit programs."

With that in mind, perhaps we shouldn't pay much attention to the fact that actual budget outlays under Federal credit programs are expected to drop to $1.2 billion next year, down from $2.7 billion in the current year. For one thing, that drop would result partly from the Commodity Credit Corporation's hoped-for sell off of cotton. For another, it would stem to some extent from expected sales to private lenders of loans now held by the Export-Import Bank, the Federal National Mortgage Association and some other agencies. Nobody in Government seems to worry for a moment that the private lenders may not be eager to buy.

Most important, however, is that figure on new commitments. For fiscal 1964 it's expected to be $27.5 billion, up $1.4 billion from the year ending June 30. And lest anyone console himself with the thought that the Government may not have to make good on loan insurance and guarantees, it is perhaps worth noting that well over half of the projected increase is in direct loans.

Moving on from current programs into those that exist now only on paper, the portents are equally clear.

It may be, as President Kennedy says, that all the proposals for new programs have been culled carefully to set aside all but those which "represent a necessary payment on future progress and should not be postponed." But it is clear that all of the things which wound up in this select category will be expensive.

They will not be so expensive in fiscal 1964, of course; Government programs have a way of starting slowly, however big they eventually may turn out to be. But both the broad scope of these programs and, in some cases, the spending authority already being requested show that bigger outlays are expected.

Perhaps the most striking example is Mr. Kennedy's projected new program in education for which he says, "The Federal Government can provide only a small part of the funds."

As Government figures go, it's true that the proposed 1964 outlays for the new education program look fairly small—only $144 million. But for the same fiscal year the administration is seeking new obligational authority totaling $1.2 billion.

### A BROAD PROGRAM

And though the details of the program remain to be spelled out in a forthcoming special message, there's nothing small or temporary-sounding about the general aims outlined in the budget. The program, the budget says, will seek "the (a) buttressing of research in education and improvement of course content, (b) expansion and improvement of teacher training programs, (c) improvement of community library services for people of all ages, (d) and strengthening of public elementary and secondary education. Very little, it would seem, is being overlooked.

The President is also proposing again a program to "revitalize" urban mass transportation. The projected outlay for fiscal 1964 looks modest: A scant $10 million. But the administration also is asking the right to spend $500 million on the program over the ensuing 3 years.

Though the figures on public housing spending already show a steady rise, the budget suggests more may be coming. It talks of studies under way and studies yet to come on how to "improve" Federal housing programs. Whatever "improve" may mean to anybody else, to a Government man it's likely to mean more money.

The list could be stretched onward a great deal further. Proposed legislation for hospital construction calls for 1964 outlays of only $5 million but new obligational authority of $35 million. A proposal for medical education assistance lists 1964 spending at $9 million but asks for a go-ahead on a total of $34 million. The pattern elsewhere is much the same.

What the pattern shows is not necessarily that we won't ever achieve a balanced budget. Someday we perhaps will. But few readers of Mr. Kennedy's new budget would see it as a guidebook on how to get there.

## QUESTIONS ARE GOING TO BE ASKED

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, one way or another, questions are going to be asked—sharp, prying, relentless, embarrassing questions. They are going to be asked in this session of Congress, by Democrats and Republicans alike, about Cuba, about the incredible blunders under both administrations, about where we now stand, and about the dangers ahead.

These questions may be asked in House or Senate hearings specifically authorized for that purpose. They may be asked of top, key officials during routine appearances before committees of Congress. They may be asked in House or Senate floor debate. But they are going to be asked. And they had better be answered—frankly, fully, truthfully. The American people are entitled to those answers if for no other reason than the fact that they have been greatly imposed upon.

They were misled and lulled into accepting Castro as non-Communist.

They were shamed by the Bay of Pigs blunder and by the ransom methods used to redeem the captives and relieve some guilty consciences.

They are disgusted by the hypocrisy of the Attorney General who recently praised the President for taking the responsibility for the failure and, in the next breath alibied, "The President inherited people with major reputations and he accepted their advice."

They are disillusioned, after the momentary October 22 posture of courage and boldness, by the willingness to offer a no-invasion pledge and the failure to hold out for on-site inspection.

They know the President has abandoned the Monroe Doctrine.

A vengeful, righteous, public wrath would be sufficient reason why there should be questions—and answers.

But there is an infinitely more important reason. The overriding necessity for a thorough investigation relates, not to past blunders, but to present and prospective perils, and our will and capacity and plans to deal with those perils.

I have been told that the Nation was only 12 days from disaster at the time of the October nuclear buildup. How did we come that close to catastrophe? What lessons have we learned and are we applying to assure that this—or worse—does not happen again?

The Attorney General has acknowledged that Cuba "poses a great danger" as a base for subversion and sabotage throughout the hemisphere. What plans or programs have we for eliminating that activity and that base?

Currently there are reports of a new military buildup in Cuba, with the admitted continued presence there of Soviet troops. Or perhaps those troops have now reverted to the status of "technicians." Are congressional efforts to get the facts about these reports going to receive the same bureaucratic brushoff similar inquiries received prior to October 22?

The answers to these and other equally urgent questions will, of necessity, involve a post mortem on past blunders and the whole sordid story which began with the hasty recognition of Castro's regime.

But not just for the sake of conducting a post mortem.

If we persist in blundering along in this life-and-death struggle, we can come to the ultimate blunder and the ultimate defeat. If that occurs there will be no one to conduct the final post mortem except the victorious enemy—and he will have no need for it.

## THE KAISER STEEL CORPORATION AND THE UNITED STEELWORKERS OF AMERICA

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SHEPPARD] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I bring to the attention of my colleagues an event that took place in my district in California that may well open a new era in labor-management relations in this country.

I refer to the action taken by Kaiser Steel Corp., and the United Steelworkers of America in recommending a long-range sharing plan to the employees of Kaiser Steel. The plan is designed to do away with the threat of strikes every 2 or 3 years on economic issues of wages or benefits. It is also designed to protect employees against job loss or income loss because of automation. I am able to report that the plan was voted on by employees on January 11 and accepted by a three to one majority. The plan will go into effect March 1, 1963.

If I may say so, acceptance of such a plan by the employees, the company, and the union is encouraging in a land too often turbulent with industrial uncertainties, disruption of production, and economic harm to families and companies throughout the Nation. It should encourage us to keep searching for similar solutions to industrial unrest, whether arising on the waterfront, in the factory or business house, and particularly in defense or defense-related programs.

My interest in Kaiser Steel and its steelworker employees goes back to the early days of World War II when I was privileged to help Henry J. Kaiser locate his steel plant at Fontana, Calif. It was wartime and the West needed steel for ships. Mr. Kaiser had started building ships on San Francisco Bay, first because the British were losing ships faster than they could get them, and then because the United States got into the war.

The Government said any new defense plant must be located at least 60 miles inland, and I knew that Fontana had much to offer. It was rural. There was room. There were three railroads—Southern Pacific, Santa Fe, and Union Pacific. There were people. Even with the surrounding towns, though, there were not enough people. Kaiser Steel hired everybody who could do anything. Kaiser Steel went back east to Pittsburgh and other steel centers and hired others with know-how who wanted to try mixing orange groves and steelmaking. What this huge facility has done for the Fontana area can be indicated by a few figures. The gross payroll paid to employees in some 15 surrounding communities came to $60 million in 1962. Approximately 8,000 workers at Fontana share in this payroll.

By war's end, the plant had produced over half a million tons of plate for vitally needed ships, steel for artillery shells, and steel for our allies. Postwar, the plant expanded rapidly. The initial $50 million war facility grew into today's half-billion-dollar enterprise, now serving the needs of the growing West from its 3-million-ton-ingot capacity.

The sharing plan I call to your attention today is another testimony to the vigorous approach of the Kaiser organization in solving problems wherever they occur—whether in production or in the vital area of industrial relations.

After the disastrous 1959 steel strike, Edgar F. Kaiser, chairman of the board of Kaiser Steel Corp., and David J. McDonald, president of the United Steelworkers of America, determined to find a solution to this ever recurring problem. As Mr. Kaiser said then:

> The necessity of revising the present system of adjusting individual income under union contracts is obvious. All parties are injured economically by strikes. Relations between labor and industry are strained during the periods of negotiations. The interests of the public, labor, and the companies are the same. The answer is neither obvious nor easy. It is our common duty to find one.

Agreement was reached by the two leaders and the employees of Kaiser Steel returned to work under terms of a contract that contained a revolutionary idea in the area of modern labor-management relations. Representatives of the public were invited to form a tripartite committee made up of three company, three union, and three public members. Purpose of this committee was to establish a long-range plan for equitable sharing of the company's progress among stockholders, the employees, and the public. The plan was to eliminate drawn-out negotiations and the threat of strike deadlines over wages and benefits that plagued the industry in the past. The plan was also to provide protection to employees against loss of employment or income because of automation or new technologies.

The committee is chairmaned by Dr. George W. Taylor, professor at the University of Pennsylvania. He is assisted by public members David L. Cole and Dr. John T. Dunlop. All three of these eminent citizens are well known to Congress for their many years of service on Presidential committees.

Assisting Mr. McDonald was Arthur J. Goldberg, now a member of the Supreme Court, whose place is now taken by Marvin J. Miller, special assistant to Mr. McDonald, and Charles J. Smith, director of the west coast area for the United Steelworkers. Assisting Mr. Kaiser are E. E. Trefethen, Jr., vice chairman of the board, and C. F. Borden, executive vice president for Kaiser Steel Corp.

First, let me relate the practical benefits provided employees, the company, and the public as envisioned under the plan.

The employees have been put on a "get paid as you earn" basis, similar to the Government's "pay as you go" tax plan. Employees do not have to wait 2 or 3 years for productivity or other determinations to be made before receiving wage or benefit increases, always with the ever-impending threat of strike or lockout. Under the plan, productivity and any other efforts of employees to reduce manufacturing costs are measured monthly. Employees are paid 32.5 percent of such savings in the form of extra pay each month.

Also, employee jobs and employee income are protected by establishment of an employment reserve or pool where employees displaced by automation are engaged until assigned to another appropriate job.

Both of these radical changes are being made without destroying seniority or other rights bargained for under the existing contract.

As to benefits for the public—the public is freed from the effects of strikes or lockouts suffered in breakdowns of previous negotiations. It gets the benefits, direct and indirect, that will result from the efforts of the employees and the company to reduce costs and keep steel prices competitive with those of both domestic and foreign competitors. The public also benefits from increased taxes made possible by such internal savings generated in reducing costs.

The company and stockholders, of course, directly benefit from the cooperative efforts of all to reduce costs and maintain a better position competitively; from the company's ability to install with the cooperation of employees and the union the best of technological improvements and automation; and from the company's ability to plan ahead for customers and community alike without concern for strikes or lockouts. These are the general benefits envisioned by the plan.

More importantly to the broad picture, the plan has purposes that go beyond the equitable sharing of economic progress made by the company, and such important matters as employment and income security for employees. It also concerns itself over the matter of survival of the bargaining rights of employees, of the survival of the bargaining freedom of companies and union organizations under the free enterprise system as we know it now.

In this regard, the invitation to have public members join the long-range committee in developing this plan was one of the most positive steps taken by industry and labor in recent years to help stop the growing tide of Government regulation that could well restrict employee freedoms, as well as the freedom of companies and unions to bargain. This tide was created more by the unawareness of industry, unions, and other associations of the increasing need to regulate themselves in the public interest than by any desire of the Government to do more regulating. In fact, the Government itself, as well as many other industries today, has formed committees represented by members of industry, labor, and the public in order to be sure the public interest is being carefully considered and served before final decisions are made in labor negotiations—with a view to avoiding Government regulations.

The long-term objective of the committee in designing this sharing plan was to put into parallel the three forces of company interest, labor interest and the public interest for achieving industrial peace, a goal essential to domestic progress and more essential than ever before for strengthening the Nation's position in the world economy.

In speaking of the successful outcome of employee voting for this plan, David J. McDonald said:

> It is significant also that this pioneering venture has been accomplished without government pressures of any kind. We think that this offers incontrovertible evidence that no punitive laws or restrictive controls are required to resolve the common problems of labor and management in the best interest of the principals, the public, and the Nation.

I may add here that the plan calls for a continuance of such a long-range committee with its public members to stand by to advise, recommend or arbitrate as called for under terms of the agreement.

For those of you who wish more detailed information on the plan, I am offering a summary of the plan for inclusion in the RECORD. My purpose here today is to bring to the attention of my colleagues this event that took place in California between the Kaiser Steel Corp. and the United Steelworkers of America, involving acceptance of a plan by employees that promises well to become a source of encouragement for all in industry to search new ways to industrial peace that will work for their particular enterprise and will be of benefit to this Nation and the free world.

The summary follows:

### LONG-RANGE SHARING PLAN

(Announcement by members of the long-range committee, Kaiser Steel Corp. and the United Steelworkers of America, AFL–CIO, December 17, 1962)

The long-range committee of Kaiser Steel Corp. and the United Steelworkers of America, AFL–CIO, today announced their recommendation of a plan for equitable sharing of economic progress by employees, the company, and the public.

The plan has been accepted by officials of Kaiser Steel and the international union. It will become effective only with approval of employees represented by the union at the Kaiser Steel plant in Fontana.

Announcement was made at a public meeting by Dr. George W. Taylor, chairman of the committee, by David J. McDonald, president of the United Steelworkers of America, AFL–CIO, and Edgar F. Kaiser, chairman of the board of Kaiser Steel Corp. The meeting was held at Swing Auditorium on the Orange Show Grounds, San Bernardino, Calif., and was attended by several thousand employees and their wives and husbands.

### COVERAGE OF USWA EMPLOYEES

The plan will cover all Steelworkers Union employees at the plant, including some 6,500 members of the Production and Maintenance Local No. 2869 and 500 members of Clerical and Technical Local No. 3677, employed at the Fontana steel plant.

### PROTECTION AGAINST AUTOMATION

The plan provides protection against the loss of employment because of any technological advance (automation) or new or improved work methods, and also against the loss of income that an employee might otherwise suffer because of such changes. Appropriate protection is provided against loss of opportunity for employment for all reasons except a decrease in the production or demand for finished steel products, a change in products, and the like. Protection against unemployment for such reasons is already provided by the supplemental unemployment benefits plan and other provisions in the existing collective bargaining agreement.

### MONTHLY SHARING OF SAVINGS

The plan provides for a monthly sharing with employees of all savings in the use of materials and supplies, and from increased productivity of labor. The sharing takes place whether the increased productivity comes about by direct effort of employees, by the use of better equipment, newer processes, better materials, or through improved yields. Formula for sharing provides that about one-third of any dollar gains made under the plan will be shared by employees. The balance is shared by the company and by the public through taxes. The plan is not a profit-sharing plan—the amount of sharing is not dependent in any way on the level of company profits.

### MINIMUM GUARANTEE

The plan guarantees that the employees will receive, as a minimum, any economic improvements which may be negotiated in the future in the basic steel industry. This provision is essential in order to encourage full employee participation and to obtain the maximum benefits from the use of technological improvements, including automation. The parties are confident, however, that this minimum guarantee always will be exceeded because the employees' share of economic gains generated by the plan will be greater than the gains that might result from periodic negotiations between the union and the industry generally.

### INDUSTRIAL PEACE

The plan will do away with contract deadlines with respect to economic issues and will contribute greatly to the objective of industrial peace. Normal collective bargaining procedures are retained with respect to all other matters.

### RESULTS OF 3 YEARS OF STUDY AND RESEARCH

The plan was developed during nearly 3 years of joint study by long-range committee members and staffs of the United Steelworkers and Kaiser Steel. In addition to committee members named above, also participating in the development of the program were David L. Cole, arbitrator and former Director of the Federal Mediation and Conciliation Service, and Dr. John T. Dunlop, professor, Harvard University, as public members; Marvin J. Miller, assistant to the president, and Charles J. Smith, director of district 38 (west coast area), for the United Steelworkers of America; and E. E. Trefethen, Jr., vice chairman of the board, and C. F. Borden, executive vice president, for Kaiser Steel.

### BASED ON CONTRACT OBJECTIVE

The committee dates back to October 26, 1959, when Kaiser Steel and the Steelworkers ended a 3½-month strike. At that time the company and union entered an agreement to establish a joint nine-man committee representing the public, the company, and the union, to develop a long-range plan for the equitable sharing of economic progress. It was agreed in the contract, "The formula shall give appropriate consideration to safeguarding the employees against increases in cost of living, to promoting stability of employment, to reasonable sharing of increased productivity, labor-cost savings, to providing for necessary expansion and for assuring the company's and employees' progress."

### TECHNOLOGICAL PROGRESS AND PROTECTION OF WORK PRACTICES

The plan recognizes that, in a free enterprise system, economic progress can only be achieved by practical utilization of equipment and materials in order to provide good service and a consistently high quality product. It also recognizes that human values must be conserved in the production process and that the best method of achieving efficiency is by joint effort—not by unilateral change. The plan, therefore, makes no change in existing contractual protections of work practices. It provides, instead, a framework which is designed to lead to increased productivity. This framework consists of the provision for the sharing of gains of increased productivity and the guarantee, which the plan provides, against unemployment due to technological change or such changes in work practices as may mutually be agreed.

### PLAN BASED ON EXISTING COSTS

Four steps were taken by the committee in order to meet the requirements for the plan. First step was to establish the present level of costs (not prices) of products that are sold at the steel plant in Fontana in terms of labor costs and material and supply costs for each ton of finished steel produced. This was done in such a manner as to recognize the differences in operating levels as well as in the amount of processing required in producing the various products made by Kaiser Steel. These factors provide the base point or standard against which future improvements in productivity will be measured.

### RECOGNIZES INDUSTRY AND NATIONAL ECONOMIC FACTORS

The second step was to provide for changes in the price level of purchased materials, for safeguarding employees against cost-of-living increases, and comprehending the company's practical ability to pay. The committee chose as the most desirable method of measuring these basic factors two broad economic indexes, which include these considerations. It was agreed that the wholesale price index of industry steel prices and the Consumer Price Index issued by the Bureau of Labor Statistics would fulfill this requirement. Movements of these indexes will be reflected in the standards.

### 32.5 PERCENT OF GAINS SHARED BY EMPLOYEES

The third step taken by the committee was the development of a formula for sharing the improvements. The formula is simple and equitable. The employees' share of the total net dollar gains generated under this plan is 32.5 percent. This sharing relationship is consistent with the past ratio of labor costs to total manufacturing costs at Kaiser Steel.

### MONTHLY SHARING BY EMPLOYEES

Finally, the plan provides distribution of the employees' net share in the gains on a monthly basis. The plan thus offers employees potential new sources of income by sharing savings as they occur during the actual course of production. It also permits the parties to agree on the use of a portion of the gains produced by the plan for making improvements or adding to insurance, retirement, vacation, holiday and other benefits not provided generally in the industry. The remaining net gains will be distributed in paychecks directly to the employees each month as an addition to their regular pay.

### ALL MAY SHARE

The plan provides that, even after the sharing plan is installed, incentive coverage will continue for employees now working on incentive. Employees not now covered by incentives (about 60 percent of total employment) will participate in cost savings, in addition to their regular pay, through the receipt of payments under the long-range sharing plan.

### SHARING BY INCENTIVE EMPLOYEES

Employees now on incentives may transfer to the long-range sharing plan in a variety of ways.

1. The employees on any incentive plan may decide, by majority vote, to cancel the existing incentive and transfer to the long-range sharing plan.

2. When the company so offers, the employees on an incentive plan may decide, by majority vote, to accept a lump sum payment roughly equivalent to 2½ years incentive earnings and to participate in the long-range sharing plan. If the employees reject the lump sum payment, present incumbents will continue to receive the same incentive earnings as in the past, through conversion of such incentives to plans paying no more than 35 percent and differential payments to equal prior earnings. Any savings made by the company as a result of the acceptance of lump sum payments, or as a result of the elimination of incentive earnings for new employees, will be added to the overall employees' share under the plan.

3. Incentive employees who are not offered a lump sum payment, and who do not elect to transfer to the long-range sharing plan because their incentive earnings exceed the shares payable under the plan, will continue on incentive and, after 2 years, will also participate, on an adjusted basis, in the long-range sharing plan.

### IN KEEPING WITH BASIC AGREEMENT

The committee said this long-range sharing plan is in harmony with the spirit and intent of the basic labor agreement. It provides a motivation for insuring the future economic progress of the company and its employees, and at the same time, preserves the normal union and company roles.

### MEMBERS TO VOTE ON PLAN

The plan is in the process of being printed and will be distributed to the membership as soon as practicable. In the meantime, the company and the union have arranged to conduct briefing sessions for both union members and management personnel on details of application of the plan. Voting on the plan by union members will take place after these sessions.

The plan would be effective for a 4-year period, subject to review and revision by the company and the union annually. The plan can be terminated by either party on 4 months' notice, following the fourth anniversary date of the plan.

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. YOUNGER. Mr. Speaker, I am pleased that our colleague, the gentleman from California [Mr. SHEPPARD], has so well described the new labor relations agreement between Kaiser Steel Corp. and the United Steelworkers of America.

It is one of the first, if not the first, labor contract which takes into consideration the public interest by recognizing a public board. Recently, Dr. Clark Kerr, president of the University of California, in speaking before the San Francisco Rotary Club said:

> In the period, 1963–93, I urge and see more trilateral agreements and I advise that in order to achieve industrial peace and resultant economic growth of our Nation, that we exercise our initiative in developing means and procedures for dispute settlements which will further the interests of labor, management, and the public and will not be those suggested or imposed by National Government.

Dr. Kerr has a long and successful record in the labor-management field as Board member and as arbitrator, and it is interesting to find this new Kaiser agreement follows the findings of Dr. Kerr.

## ADDRESS BY HIS EXCELLENCY, THE MOST REVEREND ROBERT E. LUCEY, ARCHBISHOP OF SAN ANTONIO

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I recently had the privilege of reading an address by His Excellency, the Most Reverend Robert E. Lucey, Archbishop of San Antonio, which he gave in response to his receipt of the first annual Max Nathan Award of the Houston chapter of the American Jewish Committee. Archbishop Lucey spoke of the intolerable and inexcusable exploitation of migrant laborers and called for the enactment of protective legislation to correct this situation. I thoroughly agree with His Excellency's remarks and trust that my colleagues in this House will also. I believe that this address contains valuable insights for all of us in this House:

### ADDRESS OF HIS EXCELLENCY, THE MOST REVEREND ROBERT E. LUCEY

To be the first recipient of the Max Nathan Award of the Houston chapter of the American Jewish Committee is indeed a distinct honor. I am deeply grateful to the Houston chapter for this favor and to all of you for your presence here this evening. The conferring of this award gives citizens of Texas an opportunity to break bread together in a friendly, cordial atmosphere of good will even though our religious loyalties are not identical; we are Jews and Protestants and Catholics. But we are all Americans and we are dedicated under God to the principle that all men are equal and every citizen has a right to justice and freedom.

For too long we Americans have been quarreling about religion. It seems to me that there is no legitimate place in America for that sort of controversy. This does not mean that religion should be ignored or that discussion of human destiny and eternal truth is out of place. It does mean that as intelligent citizens we ought to be able to conduct religious dialog on a high level of friendship, commonsense and consideration for the rights of others. The bestowal of this award is therefore an occasion of unity, solidarity and good will among citizens of south Texas.

In this period of history we Americans should be united. These are serious times; unnecessary controversy among ourselves is a luxury we can ill afford. Our beloved country is the last bulwark of civilization, of justice, of freedom. In the world community there are two powerful nations which deny the dignity of man and human rights. They are bent on world conquest; they despise the American way of life; they will crush us if they can because we block their path to total, ruthless tyranny. Since these Communist governments do not believe in God they cannot believe in man because the creature has dignity only when he stands in the reflected grandeur of his Creator.

These two countries of the East have placed in jeopardy our survival as a nation. They plan to preside at our funeral; they have in mind to bury us. Our job today is to prove to ourselves and to the family of nations that we are worthy of survival. Lipservice to human rights no longer has value. The 20th century has caught up with those unworthy stewards who publicly proclaim liberty and justice for all: but privately try to massacre both liberty and justice for minority groups.

The Max Nathan Award dramatizes the problem of migrant labor in American agriculture. It points an accusing finger at the iniquities of that program; at the injustices which are a blot on our escutcheon; at a situation which I have described publicly as our badge of infamy, a ghastly international racket.

Migrants may be nationals of Mexico and they are known as braceros or they may be Texans and they are known as citizen migrants. In either case the exploitation of the migrant is almost inevitable. In the first place his position is weak. He stands before his employer defenseless and alone. He needs food and the necessities of life. He has little or no bargaining power. He must work to eat. His children need food. Until this year the employer could hire this man for 50 cents an hour and make him work 12 hours a day, 7 days a week picking cotton. When payday came the grower could reduce the wage to 30 cents an hour and if the worker didn't like it that was too bad for him. If he happened to be a Mexican national he could be sent home as a troublemaker. Prudence dictated that he be docile, silent, and robbed.

Another reason why the exploitation of migrant workers is almost inevitable is the absence of protective legislation. Much helpful social legislation has been enacted in our country but farm labor has been specifically exempted from most of it. Agriculture is a sacred cow. Certain farm organizations have made it so. Most of the attempts to better the condition of farm labor have been beaten down. Even child labor has been encouraged.

I think it's about time for reactionary growers to join the human race, show signs of being civilized, and begin to behave like decent Americans. There is nothing particularly sacred about agriculture. The growers are not spacemen from another planet exempt from all laws of honesty and decency; they are not little Caesars possessed of special exemptions and immunities; their business is not a segment of our economy separate and distinct from the stream of American life. American agriculture is not a sick industry; it is very strong.

It is only certain growers who are overstuffed with pride and power. They can pay good wages and make a fair profit if they want to.

By the same token farmworkers are not second-class citizens nor are they less than human. We owe it to them to give them a chance to lead their lives in decent and frugal comfort. There is no reason in logic or morality why the good name of our country should be dragged in the gutter of disrepute to satisfy the greed and rapacity of evil men. We ought to protect the migrant by legislation until he is strong enough to protect himself.

The U.S. Senate has passed several pieces of legislation favorable to migrants; now it is time for the House to do something about an intolerable situation.

Let me express one more thought. The exploitation of migrant labor in American agriculture may seem utterly foreign to us. Most of us are not farmworkers; we live in cities; we know that American industry is powerful. Both labor and management are organized; we are a mighty Nation. Wandering farmworkers seem far away.

But, we must not forget that freedom is indivisible; human rights belong to all. If one large segment of our economy practices tyranny, America is weakened. If we permit human rights to be denied anywhere, they are in jeopardy everywhere. When the rights of minorities are violated, the very idea of freedom and justice is damaged. The atrocities perpetrated against migrants have been the responsibility and the tragedy of all of us.

Our treatment of the migrants in recent years has been unworthy of us as a free people; it has been a national disgrace. Not all farmers are to be blamed; not all growers are dishonest; but the system itself has been wrong. All too often braceros and citizen migrants have been treated shamefully. Now, at long last, public opinion rises up to condemn these iniquities which have hurt our good name around the world, particularly in Latin America.

Historically the American people have proclaimed and defended human rights and fundamental freedoms. That is why American citizenship has always been a prized possession. The world needs America for justice and freedom and liberty. You and I and all of us must serve this Nation that her greatness may endure. Without America the world would be in chaos.

The Founding Fathers recognized that our country had a mission, a vocation, to lead the world to new concepts of national sovereignty and individual liberty; a new understanding of the dignity of man and the freedom of the human spirit.

On July 4, 1776, the Congress of the Thirteen Colonies proclaimed immortal principles of human liberty for all the world to read and today our mission, our vocation, in the providence of God, is to save mankind from slavery. I am very happy to be an American.

### SUPREME COURT RENDERS LANDMARK DECISION FAVORING SMALL BUSINESS

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. EVINS. Mr. Speaker, some time ago the Sun Oil Co. found itself engaged in a gasoline price war in the State of Florida. During the course of this price war, the Sun Oil Co. granted some special reduced prices to one of its lessee dealers but refused or failed to grant similar price concessions to any of its other lessee dealers competing in the same market. The oil company argued that it reduced the price to this particular customer in order to help the customer meet the lower price of the customer's competition; that the meeting-competition doctrine should be expanded and broadened to permit such a pricing practice.

The Federal Trade Commission moved into the situation and found that the oil company should not have given special prices to just one of its dealers and that in so doing it had violated the Robinson-Patman Act. The matter was appealed to the courts, but the Supreme Court, just a couple of weeks ago, sustained the Commission's ruling.

Justice Goldberg wrote the opinion for the Court, and there were no dissents. He commented at length regarding the purpose and philosophy of the Robinson-Patman Act and its importance to small business. The decision immediately became a leading case in the field of antitrust law and has served to prevent and set at rest any thought that the language of the Robinson-Patman Act could be twisted or turned or interpreted so as to provide any new or additional opportunities for discriminatory pricing practices. Justice Goldberg's opinion makes it clear that the loophole, which the Sun Oil Co. thought it had discovered, simply did not exist. The troublesome and controversial "meeting competition" proviso of the Robinson-Patman Act, in effect says Justice Goldberg, is not to be enlarged upon or given any interpretation other than that which Congress clearly intended.

For the past several years, our esteemed colleague, the gentleman from California, Representative James Roosevelt, as chairman of Subcommittee No. 5 of the House Small Business Committee, has held a number of hearings and developed comprehensive information regarding the competitive problems confronting the small business independent service station operation. The reports of Representative Roosevelt's subcommittee constitute a prime source of authoritative data regarding the merchandising and distribution practices applied by the members of this industry.

In deciding the Sun Oil case, Justice Goldberg found the reports of the House Small Business Committee authoritative and helpful. Justice Harlan, who also expressed his views about the case, referred interested parties to Representative Roosevelt's subcommittee reports for certain additional detailed facts about the industry.

Upon reading this informative decision, it seemed to me that it should be brought to the attention to the Members of the Congress. I thought also that the Members should know about the recognition accorded the House Small Business Committee by our Nation's highest Court.

### FEDERAL CLEANUP OF THE ANDROSCOGGIN RIVER IN NEW HAMPSHIRE AND MAINE

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DINGELL. Mr. Speaker, I am distressed and surprised to note a furor has arisen with regard to the projected Federal cleanup of the Androscoggin River in New Hampshire and Maine. Some years ago I inserted into the daily Congressional Record an editorial pointing out the sad condition of this river and indicating the dire need for a cleanup. The fact that entrenched local interest would go so far as they have in this area to delay and prevent cleanup of water pollution is something which gives the Congress reason to consider enactment of still stronger water pollution abatement legislation.

The bringing of a Federal enforcement action to abate the interstate pollution of the Androscoggin River in New Hampshire and Maine has elicited yelps of outraged astonishment on the part of the State agencies respectively responsible for water pollution control. The enforcement conference at which Federal and State representatives are to inquire into the pollution situation is set by the Secretary of Health, Education, and Welfare to take place at Portland, Maine, on February 5, 1963.

These State agencies are presently voicing the contention that the Federal officials should be obliged to bring such pollution situations to their attention and allow them, the State agencies, opportunity to act before Federal enforcement authority is invoked. In New Hampshire they have succeeded in having their legislature adopt a resolution to this effect.

One wonders how much notice the State agencies need. On July 1, 1959, I inserted in the daily Congressional Record, at page A5705, an editorial from the Maine Outdoorsman and Conservationist for July 1959, which clearly cited the pollution situation obtaining on the Androscoggin River. It would seem that more than reasonably ample notice, both of sight and smell, has long existed and was fully publicized in the local press.

It is to the great credit of the voters of New Hampshire that their newly elected Governor, John W. King, has expressed his firm support of the Federal action to coordinate Federal-State efforts. The officials of the State water pollution control agencies might well profit in the future by a careful reading of their newspapers.

### JOHN F. STEVENS: "THE PANAMA CANAL IS HIS GREATEST MONUMENT"

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLOOD. Mr. Speaker, the just fame of great creative leaders and thinkers has often been temporarily obscured by situations over which they had no control. Nevertheless, with the passage of time, their works become viewed with better perspective and tend to assume their due stature. Of such cases in our history, the great contributions of the late John F. Stevens—1853–1943—in the design and building of the Panama Canal is a notable example.

Though the significance of the accomplishments of Stevens was fully recognized, while he was on the Isthmus, by informed persons, such as President Theodore Roosevelt and perceptive engineers in the Canal Zone, general recognition was not won, no doubt because of his resignation and separation in 1907 from canal service.

The first major tribute in the Nation's Capital to Stevens for his canal work occurred on May 12, 1956, at the annual meeting of the Panama Canal Society of Washington, D.C.

On this occasion, I had the honor and privilege of eulogizing him as the "Basic Architect of the Panama Canal"—see Congressional Record, volume 102, part 7, page 9285.

Since 1956, his fame has been in the ascendant. The more prominent figures in the history of the Panama Canal enterprise are seen more objectively. This history includes the story of the long diplomatic struggle for the acquisition of the Canal Zone and of the construction of the canal.

It was, Mr. Speaker, historically fitting to a unique degree that our Government on October 13, 1962, the day following the dedication of the Thatcher Ferry Bridge across the Panama Canal at Balboa, honored the memory of John F. Stevens at the scene of one of the greatest chapters in his career of constructive achievement. This was done by the designation of Balboa's principal traffic circle as the "Stevens Circle" and the unveiling in its center of the Stevens monument. The latter bears the following inscription:

John F. Stevens, 1853–1943
Isthmian Canal Commission
Chairman, 1907
Chief Engineer 1905–1907
"The Canal Is His Monument"—Goethals

Located at the end of the Prado closest to the canal, this memorial forms a natural counterpoint to that for George W. Goethals, chairman and chief engineer, 1907–14, at the other end of the Prado near the base of the Canal Zone Administration Building.

It was singularly appropriate that the main speaker at this memorable scene was one who, as a youth, had the rare privilege of knowing Mr. Stevens and learning the true story of the planning of the Panama Canal from the basic architect himself—Under Secretary of the Army Stephen Ailes. Emphasizing that "in all truth, the canal is his monument," Secretary Ailes, with the exception of General Goethals, became the first high official of the executive branch of our Government since President Theodore Roosevelt in 1906, to give due credit to Stevens.

From what I have learned of the character of Stevens as gleaned from many sources, including members of his family and others who knew him, I think I know how he would have reacted had he been present at the dedication of the Stevens Memorial. He would have accepted it graciously, but in the name of all who contributed to his success.

The admirable address of Secretary Ailes follows:

Governor Fleming, Ambassador Farland, distinguished guests, ladies and gentlemen, it is a source of unusual personal satisfaction to me to be present and participating on this occasion when the good works of John F. Stevens are to be honored by the unveiling of this monument and the designation of this circle as Stevens Circle.

Mr. Stevens' contribution to the successful completion of the Panama Canal project is common knowledge in technical and professional circles and was well-known here by those who participated with him in his efforts and by those, such as General Goethals, who followed him. However, his contribution is not generally known in the United States and I suspect is not well recognized in Panama today. Accordingly, it is more than fitting and appropriate that we take the steps we are taking today in recognition of his efforts and in perpetuation of his name.

Mr. Stevens was born in West Gardner, Maine, on April 25, 1853. He came of old New England stock. His father was a tanner and the operator of a small farm. Mr. Stevens attended what he called the country common schools and spent 2 years at a normal school—the standard designation until recent years of the educational institutions where public school teachers are trained. In 1874, at the age of 21, he followed the advice of Horace Greeley and went west to seek his fortune.

For 2 years he worked in the engineering department of the city of Minneapolis, then went to Texas where he secured employment on a railroad survey gang. Thereafter he became an assistant engineer with the Denver and Rio Grande and his railroad engineering career was well on its way; 1882 found him serving as contracting engineer in charge of the construction of 1,000 miles of railroad for the Canadian Pacific from Winnepeg to Vancouver through the Canadian Rockies. In 1889 he began a 14-year career with the Great Northern.

One of the most dramatic stories of Mr. Stevens' career dates from this period—one which I have heard him recount many times. In 1889 the Great Northern Railroad faced the problem of crossing the Rockies in its efforts to reach Seattle, Wash. The only two known passes through the Rockies were over 150 miles south of the line which the railroad wished to follow. There was, however, a legend among local Indian tribes that a gap existed in the mountains at one of the heads of the Marias River. Mr. Stevens was assigned the job of finding out if this legend was true. Here is an account of this undertaking as given by Ralph Budd, the president of the Great Northern Railroad in 1925:

"On the last lap of the exploration of Marias Pass, he was accompanied only by an Indian, as no one else would venture into the mountains so late in the year. Carrying their packs on their backs, they had reached a point about 5 miles from the actual summit when his companion became exhausted and had to be left at camp, if an open fire on ground cleared of 2 feet of snow can be called a camp. From there he went alone through the pass and far enough to make sure he was in Pacific drainage. Alone that night at the summit, he tramped to and fro to keep from freezing, and in the morning came back to his Indian only to find the fire out and the fellow half frozen. But he got his man back to a settlement in the east foothills of the Rockies, after which he came over 100 miles to the railroad, and thence to St. Paul with his amazing report. At one stroke the discovery of Marias Pass shortened the proposed line to the coast by over 100 miles, afforded far better alinement, much easier grades, and much less rise and fall. In grateful recognition of this service, the Great Northern Railway has caused an heroic bronze statue of Mr. Stevens, as he then appeared, to be executed by the sculptor Cecere. It will stand permanently where he spent that memorable night in December, 1889." This 12-foot statue, dedicated July 21, 1925, stands in Marias Pass where the Great Northern crosses the Rockies today.

Mr. Stevens' prowess was not limited to walking on the snow in the night. He planned and supervised the construction of the Great Northern all the way to the west coast, including the construction of a 3-mile tunnel through the Cascade Range. These achievements acquired for him an outstanding reputation in the industry. It was summed up by the great railroad builder, James J. Hill, with whom he was associated on the Great Northern, as follows:

"He is the most capable engineer on railroad construction I have ever known. He is always in the right place at the right time and does the right thing without asking questions about it."

In 1905, when President Roosevelt wanted to send to Panama a chief engineer who could get the job done, it was not surprising that he turned to the railroad industry where most of the experience and know-how with respect to moving great masses of dirt was centered, and having turned to that industry, it is not surprising that he settled upon Mr. Stevens for the job.

Mr. Stevens spent 2 years in Panama and then returned to the railroads. In 1917 President Woodrow Wilson prevailed upon him to go to Russia as Chairman of the Russian Railway Commission where he operated the Soviet railroads for the allied government during World War I and the reconstruction period thereafter. He returned to the United States in 1923 and became a consulting engineer for the B. & O. Railroad and a director of the company, in which capacity he served until his retirement in 1940 at the age of 86. He died in 1943.

It was during his B. & O. period that I knew Mr. Stevens. My grandfather was the general counsel of the railroad and Mr. Stevens was a frequent weekend visitor at my grandfather's home in West Virginia, where I regularly spent the summer. When I count my blessings, I place high on the list those hours I spent listening to the reminiscences of those two fine men.

Mr. Stevens' career was a distinguished one by any standard, characterized by a willingness to undertake the hardest and most difficult tasks and an unbelievable ability to accomplish them. Here, today, we are interested in what he was able to achieve with respect to the construction of the Panama Canal.

When Mr. Stevens arrived on the isthmus on July 26, 1905, he found an extremely depressing situation. The French under the great DeLesseps had failed in their attempts to dig a canal and would, no doubt, have been defeated by yellow fever even if their plans, finances, work force, and equipment had proved adequate to the task at hand. We had made little progress since the trying of our efforts in 1903. The crest where Culebra Cut now is was 280 feet above sea level and the French had reduced it by 120 feet. The hard work remained, however, which we had undertaken after our operations commenced in the year 1903.

In 1905 on his arrival, Mr. Stevens discovered:

1. No firm plan for the canal itself was in existence; no firm decision had been made.

2. No detailed plan for the removal and disposition of the spoil which Culebra Cut would yield had been prepared.

3. The Panama Railroad was in frightful condition with rolling stock obsolete by 20 years, with the line in serious need of maintenance, and with warehouses piled with freight, some of which had been there for over a year.

4. The difficult problem of controlling the Chagres River, the flow of which varied annually between 600 cubic feet per second and 110,000 cubic feet per second had not been solved;

5. Panama City and Colon were without adequate water or sewerage disposal systems, and were extremely unhealthy places in which to live.

6. Health and living conditions were so bad and the death rate was so high that recruitment of outside labor and executive personnel was actually impossible.

7. The governmental organization running the project—from Washington—was intolerable. The members of the Walker Commission, which was in charge of the project, were, in Mr. Stevens' words: "Apparently unable to agree with each other or with anybody else" and yet endeavored "to decide and act upon the most trivial matters at a distance of 2,000 miles."

He described the conditions he found as follows: "I found no organization worthy of the name; no answerable head who could delegate authority and execute responsibility; no cooperation existing between what might charitably be called the Departments—quite the contrary—and a disposition (not shared by the engineers) to believe that the construction of a successful canal at Panama was a very dubious project."

With inadequate equipment, no plan worthy of the name, no organization, an ineffective labor force and a defeatist attitude, the men in charge were striving to "make the dirt fly" in response to strong political pressure from Washington for evidences of concrete results.

Mr. Stevens promptly undertook the formation of an organization, "capable of expansion as work increased in volume and variety and flexible enough to provide for contingencies." He immediately ceased work on the canal itself and put all hands to the task of creating conditions under which the main job could be accomplished successfully and in an orderly fashion. He gave full support to Colonel Gorgas in his efforts to improve health conditions. The cities were cleaned up, paved and supplied with water and sewerage systems. He conceived of a plan for a lock type canal which solved the Chagres River problem by employing Gatun Lake as a flood control system, which saved some $150,000,000 and untold years of time when compared with the then proposed sea-level canal, and he succeeded in securing presidential support and congressional approval of this plan. (In this connection, when testifying before Congress, one Congressman asked him whether he really thought an earthen dam 100 feet wide at the top built at Gatun would hold a lake 27 miles long. Mr. Stevens characteristically replied: "Sir, much smaller dams than that, called dikes, built in Eastern Holland, hold up the whole Atlantic Ocean.")

Mr. Stevens prepared a complete plan for providing an adequate amount of transportation to haul away the material dug from Culebra cut to predesignated areas where it could be unloaded. This involved an intricate system of tracks so that freight cars could be spotted at every shovel. These sidings hooked into the Panama Railroad. The plan included the disposition of all of the spoil to be removed from the cut.

Mr. Stevens, as an old railroader, saw to it that the Panama Railroad was completely restored to sound operating condition, double tracked in some areas, supplied with new equipment and improved management. The railroad played a highly important role in the efficient operations that followed.

Mr. Stevens recruited a labor force from the Caribbean Islands and even from Spain which produced 6,000 workers for the project. Housing was built, a commissary and messing facilities were provided, and the reputation of the Isthmus as an unsafe or undesirable place to work was for all time put to rest.

The smoothly functioning organization which he created designed much of the equipment in the way of shovels, locomotives and the like, which were used in the construction job.

All of these steps were taken prior to January 1, 1907, at which time the actual digging of the canal recommenced. What a difference. An effective labor force, properly equipped and backed by excellent management, was working on a schedule pursuant to a fully prepared and detailed plan. Morale soared, the dirt did fly, the success of the project was assured. The terminal date and the cost could be and were accurately predicted.

This was Mr. Stevens' achievement.

A word is in order about Mr. Stevens' manner of going about his business. An article in the June 2, 1906 Outlook magazine about him reads as follows:

"A tall, broad-shouldered man of 52, with gray eyes steady in an open, swarthy, mustached face, he looks squarely at you while he talks with a boy's frankness. He is deliberate, forcible, intense, yet, except upon a reminiscent evening, speaking little. There is in him something of the canny Maine Yankee, something of the pushing pioneer of the Plains. His day's work is so promptly dispatched that he is never a single letter of it in arrears. He is never in a hurry, and can give an hour almost any time to a man with legitimate business; yet of his 12 daily working hours he can never spare 5 minutes for a trivial thing. Ever since the winter when he was tamping ties in Texas at $1.10 a day, he has made his own way, and he has done it by prodigiously hard work and in infallibility of commonsense that amounts to genius. * * *

"What they saw in the new 'Chief' they liked from the first. There was no condescension, no airs of authority about him. He never used a special train; the ordinary local or freight suited his convenience, and the brains car was suddenly a thing of the past. He brought no cronies down to fat jobs. The man he personally selected for positions had a way of proving their ability; and every man he discharged, by nearly common consent, deserved dismissal.

"He was a hard taskmaster, but he worked himself, and he worked with a vengeance. There was no part of the line that he did not cover repeatedly on foot. 'Take a spy-glass,' runs one of the jokes of the Isthmus, 'and up or down the road you'll see Stevens striding over the ties.' He went into the kitchens unannounced—'not his way to hunt ducks with a brass band,' said a fireman to me—and saw that the same dinner was served him that the men were eating. If anything was wrong, the manager heard of it."

A division engineer at Bas Obispo Cut was asked this question: "How is it that Mr. Stevens has this marvelous hold on all you men here?"

He replied: "Well, it is this way: Mr. Stevens comes around to my division once each week or 10 days. I have learned the 'old man's' ways pretty well; so I let him look around by himself for a little while; then when I see out of the corner of my eye that it is the right time for me to draw up alongside, I do so. He will want to know why I put that steam shovel over there, and why I have this drilling gang over here, and the reason for everything. Finally he will say, 'What are your plans for next week?' I tell him. He will ask me why, and after I have explained, perhaps say, 'Now, if I were in your place, I would do it this way,' and picking up a spike he will sketch out a plan of operation on the side of a shack; but when he goes away he always says, 'Hartigan, you are the boss here, and I am going to let you do just as you think best, and in a week I will be around again, and perhaps we can then see whether your way or my way is best.' When a man treats you that way, haven't you just got to do the very best you can?"

In April of 1907, Mr. Stevens resigned. There was considerable speculation at the time as to the reasons for this resignation. He always insisted that they were purely personal and that he had enjoyed nothing but the finest relationships with and cooperation from President Roosevelt and Secretary of War Taft. Whatever were his reasons, the job of planning and organizing the Panama Canal project was done. Throughout his career, Mr. Stevens moved on in search of new problems—when the passes were discovered, the plans made, the hard nuts cracked, the difficulties overcome—and left the more humdrum task of operating to others.

Perhaps the man best entitled to appraise Mr. Stevens' performance was colonel—later General Goethals. The New York Evening World of January 24, 1928, contained an article upon the death of General Goethals which included the following:

"General Goethals never boasted of his great accomplishments, and when the canal was mentioned in his presence he always insisted that two men, Theodore Roosevelt and John F. Stevens, had far more to do with the successful building of the canal than he. He had followed Stevens as chief of the work of construction, and his admiration for his predecessor was evident at all times.

"Stevens, he would say in his quiet way, was one of the greatest engineers that ever lived, and the Panama Canal is his greatest monument. He was a wonderful organizer and a remarkable judge of men. He had unerring insight in the selection of his assistants, and I found when I went to Panama that his organization was about as perfect as any one could make it. The result was that more than one-half of the work was done for me in advance."

Mr. Stevens conceived the design for the canal, conceived the plan for digging it and for building the locks and the dams. He devised the organization and created the forces which did the job. In all truth, the canal is his monument.

My own review of the history of these affairs for this occasion has brought back memories of conversations and reminiscences which I was privileged to listen to long ago. I am deeply grateful for the opportunity to participate in this affair. Thank you very much.

## RATHER THAN LAMENT THE COMMON MARKET, LET US WORK TOWARD A FREE WORLD COMMUNITY

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. REUSS. Mr. Speaker, Britain's application to enter the Common Market, if not dead, appears shelved for a long time to come. The tendency for many Americans is to lash out at De Gaulle for his undoubted wrecking of the proposal for British entry.

Rather than curse De Gaulle, we should be taking a look at our whole foreign policy, and inquiring whether its direction does not need to be changed.

The end and aim of our foreign policy was and is a good one. It is nothing less than the formation of a free world community of both the industrialized and the developing countries. In this community, the industrialized nations of the free world could join their efforts to bring about full employment and adequate economic growth in each one of them; to progressively lower the barriers to trade between themselves and with the underdeveloped world; to create a mechanism of international exchange and payments which will avoid crises and permit each country to pursue full employment policies.

In this community, the developing countries would also be partners. The aim of the above measures in domestic economic policy, in trade, and in payments, is by no means simply to benefit the industrialized countries. At least equally it is to help the developing countries grow by providing them markets for their goods, and a dynamic source of private and public capital.

Such a free world community has been our proclaimed goal. In recent years, we have selected as the step to that goal certain interim means.

The principal means was the formation of the European Common Market of the Six, which we vigorously espoused. The valid purpose of the Common Market of the Six was to give each of its members a mass domestic market, to give its industries the spur of competition, and to end strife between France and Germany. Each of these three objectives has been abundantly accomplished.

We have lately added a gloss to our Common Market policy: the United

Kingdom must be brought into it at all costs. The theory was that such an enlarged Big Europe would be an equal and interdependent partner of the United States, and thus advantage the West in its confrontation of the East.

We were so taken by this particular interim step—Britain's joining the Common Market—that we twisted our foreign policy to meet it. The Trade Expansion Act, signed into law on October 11, 1962, has as its central section the power to bargain down to zero on groups of commodities 80 percent of the world trade in which is carried on by the United States and the Common Market. The hitch is that unless and until the United Kingdom and others join the Common Market, there simply are no such commodities—except jet aircraft and margarine—and the whole dominant supplier section is therefore all sound and fury, signifying nothing. Only when and if the United Kingdom and some other European countries join the Common Market does the 80-percent clause cover a meaningful list of commodities. The details of this have been set forth many times, most recently on October 4, 1962—see CONGRESSIONAL RECORD, volume 108, part 16, pages 22288–22290.

What the United States is saying to Great Britain by this section is this: "If you do not join the Common Market, we are going to penalize ourselves by making it impossible to bargain effectively for the entry of American goods into foreign markets."

Nor is this all. The Trade Expansion Act would permit the administration to be in a position to negotiate with the Common Market and the rest of the trading world 6 months from the date of the signing of the bill last October. Six months is necessary because under the act the Tariff Commission may take that long to hold hearings and make findings on the proposed tariff bargain submitted to it by the President. But the United States could have been ready to bargain by mid-1963—or can still, for that matter. The State Department, however, has let it be known that this vitally necessary bargaining will be delayed at least until "late in 1964." The reason, again, is that nothing must be done while Britain's entry is still being debated.

To recapitulate, our end—a most worthy one—is a free world community. The means chosen is a European Common Market, with Britain a member. But this particular means is not working. De Gaulle has said "No." And the Common Market is raising its trade barriers in disregard of the interests of the free world.

Marshall Foch is alleged to have said: "My center is collapsing, my flanks are crumbling. I shall attack." This approach has meaning for us.

What we ought to do is to go imperturbably on with our task of organizing the industrialized countries of the free world—the six of the Common Market, Britain and the other EFTA and unattached West European countries, the United States, Canada, Australia, New Zealand, Japan, and perhaps some others—into a community that keeps itself busy working toward full employment, freer trade, and secure payments arrangements, for its own benefit and for the benefit of the developing world.

Let the United Kingdom join the Common Market in God's good time if it wishes. But meanwhile, let us get on toward our end. Let us not delay while we mourn the failure of what was at best only one of several alternative means toward that end.

Thus, I have today introduced H.R. 2912, an amendment to the Trade Expansion Act which will allow the United States to use the 80-percent-down-to-zero bargaining power on a whole wide range of leading commodities. This amendment is to the same effect as that pressed by the Senator from Illinois [Mr. DOUGLAS] and myself in the last Congress. It was adopted by the Senate, but was then omitted in conference.

I hope that the administration will adopt and press this amendment, and that Congress will promptly pass it. I would then hope that the administration would markedly update its timetable for negotiating under the Trade Expansion Act, and aim to start negotiations as soon as possible instead of as late as possible.

Vigorous and prompt most-favored-nation bargaining by the United States would be good for almost everyone:

First. The United States would be particularly helped by vigorous bargaining down of tariffs and other barriers by the Common Market and the EFTA countries. Only thus can we prevent serious losses in our present exports of agricultural products. Only thus do we have any hope of increasing our exports in commodities like coal, consumer durable goods, machinery, and paper. Expanded exports for the United States could tend to reduce unemployment in our most efficient industries, and to boost our lagging growth rate. Lower European tariffs would help our deficit in international payments directly, by increasing our export surplus; indirectly, by removing the artificial lure which a protectionist Europe holds out toward excessive U.S. capital investment in Europe.

Second. The United Kingdom and the other EFTA countries, seriously damaged by the Common Market's protectionism, would welcome such a shift in U.S. policy.

Third. The five countries of the Common Market other than France—West Germany, Italy, Belgium, Luxembourg, and the Netherlands—are embarrassed by increasing French protectionism and isolationism, and would welcome a new tack in free world policies.

Fourth. The developing nations, particularly Latin America, and the countries of Asia and Africa not affiliated with the Common Market, would welcome leadership by the United States and other industrialized countries to expand outlets within the industrialized world for both their emerging manufactured goods and their raw materials.

This shift in U.S. trade policy from its Common Market fixation to a free worldwide orientation should be accompanied by other measures.

The United States is already committed to a faster rate of economic growth. Tax reduction is to be the prime mover. But this needs to be supplemented by the vigorous trade policy just described, both to make U.S. industry more competitive and to give us some new markets. Additionally, in order to free the United States from the supposed necessity of a restrictive monetary policy which will itself retard growth and produce stagnation, we need a more durable system of international payments.

As the report of the Joint Economic Committee's Subcommittee on International Exchange and Payments of December 1962 pointed out, the present policies of the Treasury and the Federal Reserve System to protect the dollar against capital outflows are inadequate: the best proof of this is that present policies have not freed us from the supposed constraints of the balance of payments. Accordingly, as the report recommended, the countries of Europe should promptly be asked to do for us what we helped them to do for each other in 1950's: form a payments agreement under which normal capital flows between the industrial countries are matched by compensating credits, and are hence not a depressing effect on anyone's domestic economy.

In addition to these initiatives in domestic full employment and growth, in trade, and in payments, the good start made by the OECD in coordinating the foreign aid efforts of the industrialized countries should be vigorously pursued. Incidentally, full employment in the industrialized countries, freer trade, and an adequate system of international payments are of inestimably greater value to the developing countries than any amount of direct aid.

Such a new initiative in American foreign policy is not anti-French. De Gaulle should be taken at his word when he proclaims that a Little Europe of nation-states is his notion of the proper configuration for Europe now and in the near future. But this surely should not prevent France from assuming her rightful place with the other industrialized nations of the free world in the larger community. A summit conference of the heads of the free world's industrialized nations might well serve to get us all moving toward the goal of a free world community, and away from interim means toward that end that have failed.

Incidentally, the end of a free world community, if it were reinvigorated along these lines, is one that would be understood by the American people. Then we could bring to bear the broadest possible support for methods designed to end our economic lag and bring full employment at home.

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### THE PRESIDENT'S ECONOMIC REPORT

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Joint Economic Committee today starts hearings on the President's Economic Report for 1963.

The Joint Economic Committee is, of course, under the control and direction of the President's own party. The first week of public hearings will be taken up with administration witnesses, beginning with the President's Council of Economic Advisers today, the Director of the Bureau of the Budget tomorrow morning, the Secretary of Agriculture tomorrow afternoon, the Secretary of Labor Wednesday morning, the Secretary of Commerce Wednesday afternoon, the Secretary of Treasury Thursday morning and the Chairman of the Federal Reserve System, with two other officials of the Federal Reserve System, Friday morning.

Four sessions have tentatively been scheduled for the following week, where possible critics of the President's Economic Report are to be heard, as follows: Monday, February 4, morning and afternoon; Tuesday, February 5, morning; and Wednesday, February 6, morning.

I think the imbalance of the Joint Economic Committee hearings on the President's Economic Report in respect to supporters and critics is obvious. I trust that in spite of this we of the loyal opposition will be able to provide meaningful criticism, spelling out the areas where we are in agreement and those where we are in disagreement in our written report to the Congress, which will be part of the Joint Economic Committee Report to the Congress, as required by the Employment Act of 1946.

Pending this written report and before the Committee begins its interrogation of the witnesses who will testify on the President's Report, I think it will serve a good purpose to have a preliminary criticism of the President's Economic Report, which was transmitted to the Congress on January 21.

This I shall now undertake to do. However, I believe a good technique to employ is to insert these remarks in the RECORD instead of taking the floor to deliver them. I shall then take a special order of one hour this Thursday at which time those who would like to have further exposition or who would like to rebut certain points will have an opportunity to do so.

### A PRELIMINARY CRITICISM OF THE PRESIDENT'S ECONOMIC REPORT, 1963

In an economic report, it is important to try to separate economic dates from political dates, otherwise the report becomes a political report. It is always appropriate to discuss the bearing political actions have upon economic events, indeed that is one of the basic purposes of the Economic Reports of the President to the Congress. However, this can be done and should be done in a manner which preserves the economic character of the report. Regrettably, President Kennedy again has chosen to corrupt his Economic Report by mingling economic and political dates.

The 1960–61 recession bottomed out in February 1961, within 10 days after President Kennedy assumed the Presidency. Obviously no political or economic action of his had any bearing on this economic phenomenon. I emphasize this point not to belittle the President's efforts but for the purpose of a better understanding of economic forces and economic laws and to prevent our being deceived about the efficacy of political actions taken after the fact.

The President's first point under the heading 'The 1961–62 Record' is misleading—page X of the report.

> 1. Early in 1961 vigorous antirecession measures helped get recovery off to a fast start.

As a matter of fact, the pace of the recovery of 1961–62 was below the pace of recoveries from other recessions where different political actions and inactions occurred. It would be of value to compare the other recoveries with respect to political actions taken or not taken. Such a study would probably reveal that the Federal Government, powerful and important as it is, was not a major force in these economic cycles. The Federal Government's main function and where it might act for good might well be maintaining neutrality, signaling its action or inaction so that the private sector could make proper adjustments.

The President makes many claims, usually in assumptive clauses, which do not jibe with the facts.

On page IX he states:

> When in spite of a sizable drop in the employment rate [seasonally adjusted] from 6.7 percent as 1961 began to 5.6 percent as 1962 ended.

This was not a sizable drop, comparing this recovery period with other recovery periods. Furthermore, the unusual factor in the unemployment figures for 1961–62 was the rather steady drop from 6.7 to 5.5 percent in March 1962 and the erratic action thereafter. The unemployment rate remained for 2 months at 5.5 percent, March and April, then it went down to 5.4 in May, then back up to 5.5 percent, then down to 5.3 percent, only to take the unusual jump back to 5.8 percent in August and September, down to 5.5 percent in October, back to 5.8 percent in November, and then to the 5.6 percent in December.

Something most unusual went on in the first half of 1962. For the first time, except in war years, the Bureau of Labor Statistics showed that the civilian labor force was not growing. Civilian labor force is merely the sum of two components, employment and unemployment. Perhaps the lower unemployment rates in these months resulted from errors in compiling the employment and unemployment statistics. Perhaps when these errors were rectified after attention had been directed to the unusual phenomenon of the failure of the labor force to grow, the unemployment rate jumped five-tenths of 1 percent in 1 month from the low of 5.3 to 5.8 percent.

Public confidence in our employment and unemployment statistics has not been helped by the confession of the Secretary of Labor in December that he had misrepresented the unemployment picture by releasing unadjusted figures in order to give the statistics a more favorable appearance just before the November election. This matter needs full clarification. I am placing in the RECORD at the conclusion of my remarks an article appearing in the Washington Post on December 13, 1962, reporting this incident.

Again, on page IX, the President uses a misleading assumptive clause. His report reads:

> When, in spite of a gratifying recovery which raised gross national product from an annual rate of $501 billion as 1961 began to $562 billion as 1962 ended.

This was not a gratifying recovery, if one compares it with other recoveries. It has proven to be the weakest recovery from any post-World War II recession. Furthermore, the President engages in the practice of using unadjusted figures to make his point more emphatic. The $501 billion figure, if seasonally adjusted and stated in 1962 prices, becomes $509 billion—see table C–2, page 172, of report. The $562 billion figure becomes $559.1 billion, a net reduction of $11 billion in the spread, or a real increase of $50 billion in gross national product. In the figures the President uses we have a $61 billion increase.

The President continues his practice of using unadjusted figures and relating unlike periods of economic cycles, that is, recession periods with recovery, periods, troughs with peaks, and so forth, to try to make political points. I pointed out the impropriety of these techniques in some detail last Congress, CONGRESSIONAL RECORD, volume 108, part 12, pages 16522–16527—after the President's televised economic address to the Nation. The President has asked for forthright public debate on economic issues. To do so, we must agree on some ground rules. The first rule to agree upon is to ban the use of juggled economic statistics.

On page X, the President continues his use of assumptions which do not jibe with the facts.

> When in spite of a recovery growth rate of 3.6 percent yearly from 1960 to 1962, our realized growth trend since 1955 has averaged only 2.7 percent annually against European growth rates of 4, 5, and 6 percent, and our own earlier postwar growth rate of 4½ percent.

Comment: 1955 is not economically comparable to 1960; 1954 was a year of recession, 1955 was a year in which the recovery was in full bloom; 1960, on the other hand, saw a peak reached in May and a downturn thereafter. We must measure economic growth from troughs to troughs or from peaks to peaks, in other words from comparable points in economic cycles. The President's figures are obtained by juggling economic periods. Actually our growth measured by gross national product from 1952 to 1960 was 2.8 percent a year. But this is a political period—not an economic period. Nineteen hundred and fifty-two was the height of the Korean war and, therefore, was peaked at an unusually high level; the middle of 1960, as I noted, contained the beginning of a recession. A 3.6-percent growth rate for a period of recovery from a recession, like 1961–62, is nothing to boast about. It is notable that the President fails to give us the dates of the "earlier postwar growth rate of 4½ percent." One really has to juggle economic periods and figures to arrive at this 4½ percent figure. By similar juggling, one can show that there was a minus growth rate beginning with the peace year of 1947 and ending with 1949, before the Korean war started.

The comparison with Western European growth rates is a real case of apples and oranges. Even the general public is becoming aware of the chicanery that has been employed by those indulging in the dangerous game of growthmanship.

The President's report goes on to say:

> When in spite of achieving record corporate profits before taxes of $51 billion in 1962 against a previous high of $47 billion in 1959.

I will not quarrel with this point too much except to point out that corporate profits should be related to corporate investment if we are to get a meaningful picture. Corporate investment has increased considerably over the years and profits in relation to dollars invested is not a very gratifying picture either in 1959 or 1962, in spite of the high absolute figures.

The report continues:

> When, in spite of a rise of $28 billion in wages and salaries since the trough of the recession in 1961 with next to no erosion by rising prices.

This is a false statement, when coupled with this statement—page XIX:

> Rising prices from the end of the war until 1958 led the American people to expect an almost irreversible upward trend of prices.

In this context, a consumer price rise of 1.1 percent a year, which marks the years 1961–62, is not "next-to-no erosion." Here are the facts. The big postwar inflation was stopped by the Federal Reserve-Treasury Accord of 1951. From 1952 to 1956 we had a 4-year period when the rise was only slightly more than 0.5 percent a year. The total period from 1951 to 1958, the date chosen for the President's statement, shows an average price rise of 1.4 percent a year, not much different from the 1.1 percent "next-to-no erosion" figure or from the 1.2-percent rise from 1958 to 1960. To obtain the proper perspective, let's look at the massive post-World War II price rise which ended in April 1951. From 1945 until the Federal Reserve-Treasury Accord of 1951, a 6-year period, the rise was 4.6 percent a year.

The primary issue that we must grapple with in the President's Economic Report is his assumption that we are in "a period of sluggishness dating back to 1957." The date 1957 is really unimportant, except that it is a switch from the date first used by those who began to advance the "sluggish, tired-blood" economic theory. It used to be 1953. It is intriguing to guess why the date has been changed from 1953 to 1957. Is the period 1953 to 1957 no longer to be tagged "tired and sluggish?"

The tired-blood theory states that the economy is "still falling substantially short of its economic potential." The economic potential is computed from an economic model using as full employment the labor force estimate with 4 percent unemployment and with an assumed "full" plant utilization, whatever that might be. Then the going productivity rate and the growth in the labor force is superimposed upon the actual performance of the economy, utilizing whatever percentage of the labor force and plant it did use, as measured in gross national product.

To measure the "gap," what our economy should have done under "full employment" in relation to what it did do, the theorists originally took an economic period when unemployment was 4 percent as a base and then projected it forward to see what the gross national product would be if 4 percent unemployment had prevailed; 4 percent unemployment is deemed to be "full employment" under this theory. Dr. Arthur Burns pointed out the basic errors in this economic model by demonstrating that if one took other periods when 4 percent unemployment prevailed different "gaps" would show up—see daily CONGRESSIONAL RECORD, April 27, 1961, page A2885. Dr. Burns took a second look at the theory in an article August 1961 which I am placing in the RECORD, following these remarks. Nonetheless, the promoters of this theory have simply moved out of the field of economics into the field of politics where they continue to try to sell it. President Kennedy has bought this theory and is basing his economic policy upon it. It is, therefore, no longer an academic question, but one of stark reality with important policy implications.

Throughout the President's report reference is constantly made to unused manpower and unused plant. The assumption of the gap theory is that the manpower and the plant could and would be used immediately if consumer demand increased. The theory says consumer demand would increase if consumer purchasing power were increased. Using these assumptions, the President's solutions to increase consumer purchasing power is the use of governmental machinery (a) to keep Government expenditures up (b) to reduce taxes. His advisers would add, in accordance with their theory, deliberately created big Federal deficits to accomplish this. Of course (a) and (b) are bound to result in huge deficits. But the President shies away from this admission.

It is my thesis that our economy, far from suffering from tired blood and sluggishness or from having gaps, is actually experiencing acute growing pains. Our technological growth has been so rapid that the incidence of plant obsolescence and skill obsolescence has increased rapidly. Idle plant is essentially obsolete plant; idle manpower is manpower with obsolete skills. This phenomenon is so apparent to everyone that we have coined a term to describe it, automation. By failing to identify the problems that this kind of rapid technological growth creates, we have been applying remedies for tired blood. But this aggravates rather than solves the problem. The remedies applied and the further remedies the President recommends may, indeed, eliminate the growing pains by eliminating the growth.

To determine whether the President's theory of a tired-blood economy is correct, let us look at the assumptions upon which it is based, unutilized manpower and plant capacity.

Let us take a look at the agricultural sector. Here we find a very high incidence of both technological growth and unemployment. Here we find vast idle "plant capacity," with the Government spending vast sums of money to take even more of the plant capacity out of production, not to increase the percentage of plant capacity usage where the Government policy is designed to make farming skills obsolete and those possessing them unemployed. Will increased consumer purchasing power put the displaced farmer back to work in agriculture or slow down the rate of displacement of farmers? Will increased purchasing power put more farmlands back in production? I think the answer is quite obvious; it will not do anything of the sort. Our doctors are telling us to eat less, not more. So what is a farmer who has an obsolete skill to do? Farm? What are the owners of the excess plant capacity to do with that plant capacity? Grind out more salt to make our gross national product figure look bigger and close the economic "gap"? We can go to Russia to get a solution. Have the Government take over the planning. This would stop economic growth in this area and eliminate the growing pains. We could then end up having 50 percent of our population again employed in agriculture, instead of about 7 percent. We could also get the economic laws based upon scarcity back into play because farm production would be diminished and increasing consumer purchasing power would automatically be translated into consumer spending for the limited agricultural produce available.

Fortunately, however, our economy is growing, even in agriculture.

There is a need for a further increase of plant capacity, for further capital investment, for more research and development, and for more manpower and training to increase productivity for efficiency's sake. This will bring new and different products to the market—more meat and less potatoes; it will provide more processing and preparation of the product to save the housewife time and provide the household tastier meals; it will provide better packaging and preservation, and so forth; and it will reduce the price of all these items, if we will permit the marketplace to operate.

Let us look at another large area of economic endeavor, the steel industry. Steel is frequently pointed to as a prime example of idle plant capacity. It has been operating at less than 60 percent of capacity, and with a high level of unemployment, if we base employment figures on the men who used to be employed in this endeavor.

The gap theory says that if our steel industry operated at 90 percent, instead of 60 percent of capacity, then the gross national product would increase and more people would be employed. But the question is, capacity to produce what kind of steel? Steel is of all kinds and qualities. What kind of steel does this rapidly growing dynamic economy of ours want? The steel which our present plant can produce, if operating at 90 percent? Hardly so. Steel companies operating at 60 percent of this so-called capacity spent a billion dollars last year to increase capacity. This capacity does not duplicate the plant capabilities which constitutes the unused capacity. The new capacity is to produce a thin sheet steel to compete with plastics, aluminum, and other materials which in this rapidly advancing and growing economy have been pushing steel out of some of its old markets.

What will increased consumer purchasing power do for the steel mills operating in a period of one of the highest automobile years ever, a continued high rate of construction of all kinds, highways, industrial plant, housing, schools, and other municipal buildings, and military?

What about the coal miners and the so-called depressed areas? Will increased consumer purchasing power put coal miners back to work? Hardly, not with the gas and electric industries expanding to provide what the consumer wants. If we leave frictional unemployment unattended by failing to retrain those with obsolete skills—skills no longer in demand—in a timely way, we will get structural unemployment. We have left the frictional unemployment in the coal mining industry unattended for too long a time.

If we treat unemployment in the aggregate, as if it were cyclical, instead of breaking it into its frictional components, we certainly will help to freeze it into structural unemployment as we have done time and again. That is one of the penalties we pay for a faulty diagnosis, identifying a condition of rapid economic growth as one of tired blood.

The President said:

> As I took office 24 months ago the Nation was in the grip of its third recession in 7 years; the average employment rate was nearing 7 percent; $50 billion of potential output was running to waste in idle manpower and machinery.

The truth was that when he took office the recession had bottomed out and that the idle manpower and machinery were essentially unusable manpower and machinery because the manpower was not trained for and the machinery was not designed for the rapidly changing demands of the marketplace. The potential lay in training the idle manpower in skills that were in demand.

It has been estimated that about 30 percent of the goods and services available to the consumer today were unknown 5 years ago. It is these new and improved goods and services which are in demand, and in short supply, not the outmoded goods and services which the idle plant capacity is capable of producing. It is in producing these new goods and services where the jobs are going begging.

During the past recessions consumer purchasing power continued to rise; in the recession years of 1960 and 1961 disposable personal income rose from $337 billion in 1959 to $349 billion in 1960 to $363.6 billion in 1961 to $382.7 billion in 1962, an average yearly increase of better than $15 billion, compared to the average yearly increase from 1945 to 1962 of $13.6 billion. The rate of personal saving since 1950 averages out to about 7.2 percent. No case for inadequate consumer purchasing power can be made out of these figures. This should be compared to a savings rate of less than 3 percent—2.9 percent—for 11 years from 1930 to 1940, which provides some basis for claiming that a lack of consumer purchasing power and hence a lack of consumer demand lay behind the New Deal depression.

The President argues that increasing consumer purchasing power will not create inflationary pressures in a period when there is idle manpower and idle machinery.

Again, it becomes important to determine whether there is truly idle plant and human skills. Is the idle manpower trained to produce the goods and services in demand? Or is it trained in obsolete and undeveloped skills? Are the idle machinery and plants designed to produce the goods and services in demand or to produce buggies and buggy whips? In the areas where there is real consumer demand, which are the areas of new products and new services, the result of traditional inflationary pressures show up in the Consumer Price Index in increased prices. And they show up in the employment sector in a growing level of employment.

Throughout the postwar period, through recessions and recoveries, the cost of services continued to rise steadily in the Consumer Price Index. Similarly, we see a constant increase in employment, even during recessions, in the service sector. We see a great demand for workers going unfilled in the fields of health, welfare, education, and in research and development. In the help wanted sections of the Sunday newspapers, thousands of jobs are going begging; employers are spending money trying to get workers to fill jobs. Many employers did not even trouble to advertise; the new skills are not to be had; they just train the people themselves. One company alone, IBM, is spending $50 million a year in training and retraining workers in the skills needed by our rapidly growing economy.

The truth is that automation creates more jobs than it displaces. The difficulty lies in the fact that the new jobs are frequently hundreds of miles from the area where the jobs rendered obsolete were located and are almost invariably in a different field of endeavor.

Now what is massive Federal governmental spending or tax cutting, which is predicated upon the theory that this will increase consumer demand by increased purchasing power, going to do to alleviate these growing pains? Obviously these proposals will be scattershot. We need rifles. Scattershot of this nature will damage the work that is being done in the private sector to meet the real needs.

The President says in an unusually candid outburst:

> It is frustrating indeed to see unemployment rate stand still even though the output of goods and services rises.

It would not be frustrating if an analysis were made specifically where the output of goods and services was rising and where it was not. I believe the primary difficulty of the Kennedy administration, as exemplified in the President's Economic Report, lies in its failure to break down the aggregate economic statistics of employment, unemployment, plant capacity, and so forth into their component parts to see what is really going on.

The President's report goes on to say—p. XII:

> Yet past experience tells us that only sustained major increases in production can reemploy the jobless members of today's labor force, create job opportunities for the 2 million men and women entering the labor market each year, and produce new jobs as fast as technological change destroys old ones.

Past experience will surely mislead us in interpreting what is going on in our dynamic economy today because what we are experiencing is new. This appeal of the New Frontier to the past is strange, yet it really marks where its mind lies in spite of its bold semantics. Today we will not "reemploy the jobless" coal miners or the displaced farmer unless we go backwards. On the other hand, the jobless coal miner, the displaced farmer, and other people with obsolete skills are actually our greatest resources to fill the jobs going begging. It is not the increases in "production," but the increases in services and white collar work, which are creating the new job opportunities for the young men and women entering the labor force. Furthermore, automation is doing a great deal more than "producing new jobs as fast as technological change destroys old ones;" it is creating so many more jobs than it destroys that we are having difficulty in training people to fill them. The result is that we have more jobs going begging than there are unemployed to fill them.

Far from having a labor surplus in the United States, we have the same labor shortage that has been traditional since our Nation began. Also, in accordance with tradition, we are filling many of the new jobs, many requiring high skills, with immigrants.

The President in his economic message says nothing about some of the things the Federal Government most needs to do. These things do not cost much money, it must be admitted, and therefore will not help much in creating Government deficits to create purchasing power for the people. For example, the updating of the Labor Department's dictionary of skills and the establishment by the Bureau of Labor Statistics of a new statistical series showing the number of unfilled jobs to match alongside of the number of the unemployed. The report says nothing about the work which the Department of HEW should do to update the Federal vocational education programs and which the Department of Labor should do to update apprentice training. Nor does it suggest that the two departments coordinate these tasks in order to get these programs out of the rut of training people in skills already obsolete. They should be training for skills which have come and are coming into demand.

Different agencies of the Department of HEW talk about the shortage of teachers, of nurses, of welfare workers, of technicians and research people while the Department heads at the top wring their hands over the number of unemployed.

The President, in speaking of the remedies he suggests to cure our "tired blood," states—page XVII:

> Fourth, apart from direct measures to encourage investment, the tax program will go to the heart of the main deterrent to investment today; namely, inadequate markets.

Inadequate markets are by no means a deterrent to investment today. The only deterrent is to further investment in obsolete production, production of products which consumers no longer care about because something better has taken its place. This is as it should be. With the amount of money being spent in research and development in the United States today, with the continued increase in the number and variety of the new goods and services available to the public, with the continued high number of new businesses starting out, it is quite obvious that the markets are there. They are adequate if the businessman looks for them; and the statistics show he is looking for them.

The administration in its backwardness has sought to curb the flow of investment to the greatest new markets which have been developed recently, those markets abroad. By tightening the tax laws on U.S. foreign investment in the name of balance of payments, the administration is stunting the growth of healthy foreign investment in those new markets. One of the healthiest items in our balance of payments is the return we receive from our foreign investment portfolio. The administration action in the 1962 Tax Act is a classical example of cashing in long-term benefits in order to take care of a short-term problem. It is bound to damage the economic growth both of the United States and of the countries abroad.

The administration talks about increasing our foreign exports, as if this can be done without increasing our foreign capital investment. Trade cannot be separated from investment. The shallow manner in which the administration has sought to separate the two can only bring about deleterious results. Furthermore, nothing is so deadening to developing markets, foreign or domestic, than governmental competition. In this area alone, the effects of Federal spending have been devastating to growth.

The President's report boasts of an improvement in our balance of payments because we have moved from annual deficits of over $3.5 billion, beginning in 1958, to $2.5 billion in 1961 and around $2 billion in 1962. No mention is made of the part advance debt repayments by foreign nations, which are nonrecurring items, played in this decline. Our balance-of-payments deficits should be related in some degree to the deficit financing policy followed by the Federal Government since World War II, climaxed as it was by the $12.4 budget deficit in 1959. President Kennedy refers to this Eisenhower deficit with considerable frequency when discussing other matters. This deficit was incurred under a Democratic-controlled Congress, I may add, to provide some balance. Why should its impact on our balance-of-payments problem, which began the year before, not be discussed?

Furthermore, it strikes me that the failure of the $12.4 billion deficit in 1959 to stimulate the economy to greater heights, according to the Kennedy formula of greater heights, should have a sobering effect on those who now seek another $12 billion deficit in the hope that this time it will produce such a result. What it will do to our balance-of-payments problem is, of course, completely ignored.

The impropriety of the out-of-context relation in the report of the increase of the Federal debt and Federal spending to the increase in local and State debt and spending must be pointed out. The President uses as his takeoff point for comparing these respective increases 1946, the year after the heavy Federal spending and deficit financing of World War II. To say that this is hardly a proper base of reference is mild. We should look at the ratio of local and State government spending and debt to Federal spending and debt during the 1920's and 1930's and the 1900's, before World War I. We are just beginning to readjust from the impact of World War II back to the normal relationship of Federal expenditures to State and local expenditures.

Total adjusted Government debt in 1960 was $301 billion—$241 billion was Federal and $60 billion was State and local, 79.7 percent Federal and 20.3 percent State and local. Before World War II, similar to tax receipts, the ratios were almost reversed. In 1912 the total Government debt was $5.7 billion, of which 1.2 was Federal and 4.5 State and local, 21 percent Federal and 79 percent State and local. World War I reversed these percentages. In 1922 the Federal debt was 69 percent and State and local debt 31 percent, although the total debt had risen to $33.2 billion. By 1932 the ratio had shifted still further back to State and local debt, that is, Federal 50 percent, State and local 50 percent. World War II brought the ratio to a height of 94 percent Federal to only 6 percent State and local from which it has been declining to the present ratio of about 75 to 25 percent.

Again, within the State and local sector, the shift was rather continuous away from local to State. In 1912 State debt was only 7 percent of the total while local was 72 percent. From this 1-to-10 ratio it moved to 1 to 6 in 1922, and declined to 1 to 3½ in 1960, $5.4 to $18.8 billion. Since 1950 however, the ratio has moved in the other direction, and today it is approximating the 1-to-6 ratio after World War I.

We see that all that is happening is a reversion to the norm after the very abnormal situation created by World War II.

Finally, I wish to point up a similar impropriety in using the year 1946 as a base for comparing the ratio of Federal public debt to the gross national product. Cannot the Kennedy administration distinguish between an economy and a society based upon peace and one based upon war? The constant disregard of war periods, both World War II and the Korean war, in making base comparisons leads one to conclude that the distinction is quite hazy in their minds.

It is no cause for joy to point out that the Federal debt is a smaller percentage of gross national product than it was immediately after World War II. It certainly should be less particularly as so much of the ratio reduction can be attributed to the massive inflation of 1945–51, surely nothing to boast about as far as employment and economic growth and the welfare of the people is concerned. The question is, How much less should it be? Have we done well in reducing it since 1946? The answer is rather clearly that we have done a very poor job. Today we do not have the resiliency we formerly had to move heavily into deficit financing if a major war should require it. In 1941 at the beginning of World War II the ratio was then a high 51 percent after the relatively heavy deficits incurred during the New Deal depression days.

For the sake of the record I am setting forth a chart showing the Federal debt, the gross national product, and the ratio for certain select years.

| Year | Debt | GNP (current) | Ratio (percent) |
|---|---|---|---|
| 1929 | $16.3 | $104.4 | 15.6 |
| 1941 | 64.3 | 125.8 | 51.1 |
| 1945 | 278.7 | 213.6 | 130.5 |
| 1946 | 259.5 | 210.7 | 123.2 |
| 1962 | 304.0 | 553.6 | 54.9 |

Before the Ways and Means Committee studies the tax situation it will have to consider the Federal debt ceiling, which is temporarily at $308 billion. On April 1, 1963, it goes back to $305 billion; on June 25, 1963, it goes back to $300 billion and after June 30, 1963, it goes back to the permanent ceiling of $285 billion. Accordingly the President in his budget message to the Congress said:

> I therefore urge prompt extension of the temporary $308 billion debt limit through the remainder of this fiscal year (June 30, 1963).

However, the President is presenting to the Congress a budget for fiscal year 1964 which is $11.9 billion out of balance. His own budget, based upon the rate he says he will spend the money which Congress has given to him and the additional money which he hopes Congress will give him, is $10.3 billion out of balance.

He goes on to say in his budget message:

> The deficit foreseen for fiscal year 1964 will add to this increase. The debt subject to limit as of June 30, 1964, is estimated at about $316 billion. To meet our financial requirements and to provide a margin of flexibility, I will request a further increase in the debt limit for fiscal 1964 [to] be determined later this year when a more reliable estimate can be made of the requirements.

Probably $320 billion, if he has his way.

I am hopeful that the Ways and Means Committee and the Congress will make a thorough study of Federal expenditure policy when we consider the President's requests to increase the debt limitation.

### THE FRIVOLOUS BORROWER VERSUS THE PRUDENT BORROWER

The President seeks to bolster his plea for deficit financing in this manner—quoting again from his Economic Report, page XIV:

> So until we restore full prosperity and the budget balancing revenues it generates, our practical choice is not between deficit and surplus but between two kinds of deficit; between deficits born of waste and weakness and deficits incurred as we build our future strength. If an individual spends frivolously beyond his means today and borrows beyond his prospects for earning tomorrow, this is a sign of weakness. But if he borrows prudently to invest in a machine that boosts his business profits, or to pay for education and training that boost his earning power, this can be a source of strength, a deficit through which he builds a better future for himself and his family, a deficit justified by his increased potential.

This oversimplifies the case and leaves out the question of ability to borrow. Nonetheless, I would be willing to accept this standard to test our Federal expenditure policies.

Are the Federal expenditure policies presented in the President's budget those of a frivolous borrower or those of a prudent borrower? The President merely wants us to assume that his policies are those of the prudent borrower. Let him support his case with fair facts and argument and not shy away from having a congressional review of his expenditure policies.

I believe the United States has become a frivolous borrower. I want to see this national issue, which is so important to our present and future welfare, forthrightly debated in the public forum established for this purpose, the U.S. Congress.

Until this debate has taken place and until the issue has been resolved, it is foolhardy to talk of cutting Federal income at a time when we are borrowing more to meet increasing, not decreasing, Federal expenditures.

[From the Morgan Guaranty Survey, Aug. 1961]

### A SECOND LOOK AT THE COUNCIL'S ECONOMIC THEORY

(By Arthur F. Burns)

In my Chicago address of April 21, which was largely devoted to a report by the Council of Economic Advisers released on March 6, I expressed concern about the economic theory that underlies the major policies of the new administration. The Council has now issued a reply to my critique. It is a serious and closely reasoned reply, as was to be expected. But while it clarifies some issues, it beclouds others, and it has left my concern undiminished.

#### THE CHICAGO ADDRESS

It will contribute to clarity, I think, if I summarize at the outset the main points of the Chicago address:

1. The economic policies espoused by the Council are based on the theory that there is "chronic slack" in our economy, that there is a "growing gap between what we can produce and what we do produce," and that this gap has shown "especially since 1955 a distressing upward trend." Hence, in the Council's judgment, "economic recovery in 1961 is far more than a cyclical problem"; that is, our Nation has to cope not only with a recession and its aftermath, but also with a problem of secular stagnation.

2. Before accepting this theory, it is desirable to examine the evidence cited by the Council in its support; namely, the duration of successive upswings of the business cycle, the level of unemployment at successive cyclical peaks, and the magnitude of the gap between what we can and what we do produce. When this evidence is analyzed, it turns out that the Council's theory rests fundamentally on the fact that the business-cycle expansion of 1958–60 was exceptionally short and incomplete. Although this is a disturbing fact, it provides a slender basis for a theory of secular stagnation.

3. Not only that, but there is a better explanation of what happened between 1958 and 1960 than is offered by the neostagnation theory. Although many factors contributed to the unsatisfactory character of this expansion, three developments were decisive: first, a violent shift in Federal finances after the first quarter of 1959; second, a sharp tightening of credit conditions; third, the protracted steel strike.

4. We have, then, two very different interpretations of recent economic developments. According to the theory just sketched, the early onset of recession was due to special factors that need not be repeated. According to the Council, on the other hand, the early onset of the recession provides one more symptom of the chronic weakness of our economy.

5. The two theories have different policy implications. On the basis of the Council's theory, we face a stubborn problem of chronic slack, and the road to full recovery is a long one. On the basis of my interpretation, the current problem of recovery is not very different from the problem we had to face in 1949, in 1954, and again in 1958.

The rest of the Chicago address dealt with policy issues explicitly. Before returning to this subject, it is desirable to stop and see whether, or in what degree, the basic issues of fact and interpretation have been resolved by the exchange of views.

#### THE COUNCIL'S REPLY

One way of reading the Council's reply is as follows: Since the Council agrees with the interpretation of the incomplete expansion of 1958–60, which I had presented as an alternative to its theory of a growing gap between what our Nation can produce and what it does produce; since the Council no longer speaks of a distressing upward trend in the gap, nor of chronic slack in the economy; since the Council's defense of the evidence originally presented to support its theory is confined to the statistical procedures of estimating the gap; since even this defense emphasizes the size of the gap in the fourth quarter of 1960, when the existence of a gap of some size is not in dispute; since the Council no longer claims that the problem of recovery in 1961 is far more than a cyclical problem; since the Council also agrees that the problem of speeding recovery is not very different from that faced in earlier recessions of the postwar period, but merely urges that we try to benefit from past mistakes; since the desirability of achieving a higher rate of economic growth or of meeting urgent national requirements, such as a stronger defense, is not at issue; in view of all this, it would be possible to conclude that the Council and I have now reached substantial accord in our diagnosis of the State and needs of the American economy.

Regrettably, this is not the only way of reading the record. All things considered, it is better to take the Council at its word on what is chiefly at issue than to speculate on the precise meaning of its pronouncements or reticences on subsidiary issues. The Council states plainly, and without any qualification, that it considers its earlier analysis to be "sound" and my criticism "mistaken." Not only that, but the Council defends stoutly its gap estimates and even refers, in the course of discussing a technical point, to "the growing gap." Since it is clear that the Council believes its own gap estimates, it must still believe that, quite apart from the recession, there is chronic slack in our economy. It must still believe that the gap between what we can produce and do produce has been growing, that economic recovery is therefore far more than a cyclical problem—in short, that unless the Nation attends to the Council's warning, our economy faces a problem of secular stagnation. The Council's theory has not lost its true character—nor its capacity for good or evil—by appearing in a more technical dress.

#### INTERPRETATION OF THE POSTWAR PERIOD

In the Chicago address I attempted to test the soundness of the Council's theory by examining the individual blocks out of which the theory is built. I doubt whether much enlightenment can be gained by discussing in detail the individual points of the Council's reply. It will be more useful, I think, to take another look at the general architecture of the Council's theory, and to test it by examining its implications for events about which we have some definite knowledge. If the Council's theory is sound, it should provide a reasonable interpretation of the American economy in the postwar period. Let us see whether it does this well enough to serve as a guide to current policy.

According to the Council, the potential output of our economy has grown at an annual rate of 3.5 percent since the first quarter of 1953. The Council's report of March 6 shows these estimates in graphic form, quarter by quarter, through 1961. In earlier years, that is, between 1947 and 1953, the growth of potential output is said to have been more rapid, proceeding at an annual rate of 4.3 percent. Although the Council has not presented estimates of potential output for the earlier period, this can easily be done by splicing the 4.3 percent growth curve to the 3.5 percent growth curve in the first quarter of 1953.[1] With these records at hand, we can see how the actual output of our economy differed from what the Council tells us was its potential output, quarter by quarter, since 1947.

This comparison leads to the following results: From the beginning of 1947 through the first quarter of 1951, actual output was below the potential output. From the fourth quarter of 1953 through the second quarter of 1955, a gap again emerged. Finally, starting with the first quarter of 1956, a gap appears in every quarter up to the present time. The Council has summarized the record since 1953 by reporting that, "especially since 1955, the gap has shown a distressing upward trend." The Council has not commented on the gaps of the earlier period. But it is clear that, if the Council is right, the gap has persisted even longer than it has reported. Indeed, it appears that our Nation has suffered from insufficient spending—let us keep in mind that the Council attributes the gap to a deficiency in total demand—throughout the postwar period, except for the interlude of the Korean war and a few months in 1955. Or to put this conclusion in another way: with one very minor exception, the American economy of our generation has succeeded in escaping from its chronic, persistent slack only during wartime.

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[1] The Council reports that, between the first quarter of 1947 and the fourth quarter of 1953, real output grew at an annual rate of "nearly 4.5 percent" and that "this is a reasonable approximation to the rate of growth of potential during the early postwar years." Since the Council's appendix shows that "nearly 4.5 percent" means 4.3 percent, I have used the latter figure. I have spliced the 4.3 percent curve to the 3.5 percent curve in the first instead of the last quarter of 1953, because the Council's explicit estimates of potential output are already based on the 3.5 percent curve back to the first quarter.

This picture of the American economy as being characterized by chronic slack, caused by a chronic deficiency of demand, strikes me as a caricature. I may, of course, be mistaken. But I simply do not know how to reconcile this picture with the growth of our gross national expenditure, which more than doubled between 1947 and 1960; or with the increase of indebtedness, counting both the private and public sectors, from about $400 billion at the start to almost $900 billion at the end of this period; or with the rise of the consumer price level by nearly 40 percent, of which only about a third occurred during the Korean war; or with the growth of real output of about 60 percent; or with the growth of employment of nearly 10 million; or even with an average unemployment rate of 4.96 percent—an average which omits the protracted Korean episode, but includes all the recessions of the postwar period, and is based throughout on the current definition of unemployment, rather than the more restrictive definition which ruled until the end of 1956.

These doubts are not relieved when I contemplate the remedy, required by the Council's theory, for the allegedly chronic deficiency of demand. This remedy takes no account of the specific causes of the deficiency. It calls merely for the application of "standard fiscal and monetary measures"—in other words, lower interest rates, a more rapid increase of the money supply, larger Federal expenditures, possibly also lower tax rates, in one combination or another. Surely, expansionary fiscal and monetary measures were not neglected during the postwar period. But if the Council's theory is right, they were applied on an insufficient scale or less steadily than the proposed governor of policy—that is, the gap in demand—required. Even in years of boom, such as 1947 or 1956, it appears that the Government would have needed to augment the Nation's aggregate demand.

But if such policies had been followed, would not the pace of inflation have been faster, perhaps very much faster? I have no doubt that, in these circumstances, the rate of unemployment would now and then have been materially reduced. Yet I find it difficult to believe that the average rate of unemployment over the entire period would have been any lower, or that the average rate of economic growth would have been any higher, or that the distribution of our national income would have been more conducive to general welfare, or that the deficit in our balance of payments would have been any smaller, or that the dollar—which has come to serve as an international reserve currency—would still command much respect.

The test of experience to which I have subjected the Council's theory is not very reassuring. If it be thought that the test is severe, I can only say that a theory designed to guide the Nation's economic destiny deserves nothing less. However, the implications that I have drawn from the Council's theory must not be confused with the Council's own thoughts about this or that year or years. I should expect that, when faced with an actual situation, the Council would neither take its computations as literally as I have, nor carry out the logic of its theory as remorselessly. However that may be, it appears from my test that the Council's method of diagnosing the state of the economy and its prescription for filling arithmetically contrived gaps in demand can lead to serious errors of policy.

### POLICIES FOR ECONOMIC RECOVERY

Equipped with a theory of chronic slack in the economy, lacking faith in the capacity of private enterprise to generate full employment, anticipating a slow recovery, the Council has—quite logically—been urging a rapid expansion of Federal spending. My differences with the Council on the budgetary issue run deeper than the Council has indicated.

Let us note what is happening to Federal expenditures. Each official estimate of recent months has been a notch above the preceding one. The latest increase came on July 25, when the President announced that an additional appropriation of $3.5 billion would be requested of the Congress. Before this announcement, Federal cash payments to the public during the fiscal year 1962 were expected to be $7.8 billion higher than in fiscal 1961, when they in turn were $5 billion higher than in fiscal 1960. Again, just before July 25, the Federal cash deficit was expected to reach $4.8 billion this fiscal year. Allowing for upward revision of revenues, the deficit may now be estimated at $6.5 billion.

It may well be that the deficit will turn out to be still larger. Reversals of expenditure policy frequently result in overshooting the mark set by fiscal authorities. The present Congress seems reluctant to grant all the additional revenue the administration has requested. More serious still, as the international situation leads to new and perhaps much larger spending on national defense, it is by no means clear that governmental outlays on objects of lesser utility will be curbed. The Council has stated that "all governmental programs must meet the severe test of social priority relative to other public and private uses of the Nation's economic resources." It does not appear that this test is proving very severe. Just one day after the President made his momentous address on July 25, the House Labor Committee voted for a Youth Conservation Corps along the lines of the Civilian Conservation Corps of the depressed 1930's. The climate for larger governmental spending is now good, and the Council has helped to provide a theoretical justification for it.

Whether or not my speculations turn out to be valid, it is clear that Federal finances—as was to be expected on account of the recession—have recently deteriorated. Allowing for seasonal factors, the Federal cash budget registered a surplus at an annual rate of about $5 billion in the third quarter of 1960. From January through May of this year, however, a deficit at an annual rate of nearly $7 billion has emerged. A sharp turnaround in Federal finances has therefore already occurred. And the deficit is not only growing, but for some months must continue to grow.

Meanwhile, the economy at large has been experiencing a revival since February. The recovery is widespread and is proceeding at a rather brisk rate. Total production already exceeds the prerecession peak, and the total employment is not far behind. It appears, therefore, that the bulk of the new spending commitments by the Federal Government will come to fruition, not in a time of recession for which many of them were intended, but when recovery is well advanced and the economy is expanding of its own momentum—perhaps when it is already booming. New or additional governmental programs characteristically require only a modest expenditure at the start, then grow rapidly as the organization of the new activity is worked out. The full fiscal consequences of the new spending ventures lie, therefore, very much in the future.

But if governmental spending programs have a typical life history, so also has the business cycle. One of the normal features of business cycles is that the general price level tends to rise during expansions. Perhaps the present upswing will prove an exception, but as yet I know of no evidence to support this supposition. With the private economy recovering, with Federal spending already rising swiftly, with expectations of inflation beginning to spread once again, I see a greater likelihood of an upward spurt in the price level during the coming year or two than does the Council. Under ordinary conditions, having become accustomed to creeping inflation, we might not worry about another limited rise of the price level. But the state of our international balance of payments has complicated matters. In view of its precarious conditions, even a modest renewal of inflation could now prove very troublesome. If our export surplus should decline appreciably, while the Government continued a policy of steadily filling calculated gaps in demand, insistent pressures may arise for fact-finding boards to review planned increases of wages and prices—which would, of course, be a step toward reshaping our economy along lines of authoritarian control. Few people want such a change, certainly not the President or his Council of Economic Advisers, but economic and political forces released by our fiscal policies could move our Nation in this direction.

It is true, as the Council has pointed out, that the Federal deficit in sight for fiscal 1962 is considerably smaller than it was in fiscal 1959. But what concerns me is that, in spite of the deterioration of our international financial position since 1958, the governmental approach to recession in 1960-61 has been so similar to the mistaken approach of 1957-58.

Now as before, a quick reduction of taxes was talked about but never made. Now as before, the main emphasis of governmental policy has been on raising expenditures. Now as before, the spending stimulated by recession will outlast it. Now as before, programs to accelerate expenditures have proliferated—with more not only for defense, but also for public works, housing, education, research, unemployment compensation, and so on. Now as before, decisions to increase spending have not been taken all at once. Now as before, they have come in a long series, spread out over months, with few items of impressive magnitude taken by themselves. But when all the scheduled expenditures were finally added up in late 1958, they came to a much larger total than had been planned or advocated by our fiscal authorities. There is still hope that this will not happen when the accounts are struck late this year; but I cannot overlook the unexpected spurt of expenditures toward the end of fiscal 1961, or the fact that official estimates for fiscal 1962 have already had to be revised upward several times.

I have recalled the recession of 1957-58 because governmental policies for dealing with it have had consequences from which, in my judgment, our Nation is still suffering. In late 1958 the European financial community, discovering that our money supply was rising sharply and the Federal deficit piling up at a time when our export surplus was dwindling and gold flowing out, first began to whisper serious doubts about the future of the dollar. The need to quiet this concern and prevent a possible gold crisis was largely responsible for the highly restrictive fiscal and monetary policies put into effect in 1959. These policies inevitably involved a risk of slowing down our economic expansion to a point that could lead to recession. As events turned out, they, together with the steel strike, did in fact lead to a mild and brief recession. The Council and I agree on this point. However, the Council also believes, if I have understod its thinking correctly, that the expansion could have continued to roll on during 1960 if only the Government had undertaken larger spending in 1959, instead of curbing outlays.

But would not such a policy have hastened the economic and political disaster that the Government sought to avert and in fact did avert? The heart of the problem of economic policy in early 1959 was that in the eyes of investors, particularly foreigners who do not need to continue holding billions of dollars here, our Government was already spending too much. It was the very fact that governmental spending kept climbing long after the recession had ended, with the cash deficit soaring to an annual rate of over $15 billion in the first quarter of 1959, which caused fears of inflation and of possible devaluation of the dollar to spread, thereby forcing an abrupt shift of policy. I fail to see how the Government could responsibly have followed any other course in 1959, although I do think that the shift need not have been so abrupt. It was not in 1959 that the fundamental mistake was made, but rather in 1958 when new governmental programs were piled up with little regard to their cost or future consequences.

The lessons of this recent episode should not be lost on us. It is precisely because the ways in which we fight recession have longer-run consequences that we must not permit even compassion for the unemployed to lead us into actions which, while immediately beneficial, may seriously injure the entire population a little later. At a time such as this, when the possibility of a devaluation of the dollar is widely discussed in business and financial circles, I do not think it is prudent to continue enlarging Federal spending programs. Since defense outlays must go up, other programs should be cut. Since our economy is recovering and employment is again rising, we can with good conscience subdue our impatience for economic improvement. Past experience is a very imperfect guide to the future, but I think that it can serve us better than the Council's bleak forecast based in its projections of potential output.

If the current expansion follows anything like the rule of postwar recoveries, and this assumption seems no less reasonable today than it did 3 months ago, our economy should come close to having full employment toward the end of next year.

### PROBLEM OF ECONOMIC GROWTH

The time has come to stop fighting the recession, to say nothing of fighting it on the theory that it is superimposed on a chronic deficiency of demand. Let us concentrate economic thought instead on a real problem, that of increasing the average rate of our economic growth. The Council has rightly been devoting a good deal of attention to this longer-range problem. Its call for a "high-investment economy, a high-research economy, a high-education economy" makes good sense to me, although I am not entirely happy with the apparent implication that the only path to greater future efficiency is to spend more public or private money currently.

The prosperity of a nation depends basically on the energy and skill with which people apply themselves to production—in other words, on the amount of work that is done and the efficiency with which it is done. The Government can sometimes influence the outcome favorably by doing more and spending more, but it can sometimes also do so by spending less. The success of governmental policies to spur our economic growth will depend primarily on how effective they are in increasing confidence in the economic future, thereby stimulating people to use their brains, energy, money, and credit in building today for a better tomorrow.

To achieve a higher rate of economic growth, we need to give no less attention to the reduction of governmental obstacles to growth than we give to the devising of new governmental stimuli to growth. Whatever the defects of our public expenditure programs may be, whether on the quantitative or qualitative side, the Executive and the Congress at least go through the process of reexamining most of them every year. As far as the tax structure goes, there is much greater reluctance to rock the boat. Except for occasional and marginal adjustments, we have continued year after year a tax structure that practically every student knows is seriously defective. It is high time to carry out a thorough-going tax reform—a reform that, among other things, will serve to improve the economic climate for enterprise and investment at large, instead of on a curiously selective basis, as in the administration's recent proposal.

Of the many reforms that are needed, I think two are especially important. First, the tax rules governing depreciation need to be amended, so that they will take realistic account both of our technological revolution and of inflation. Second, the tax rates on personal income, which for some brackets of income are nearly confiscatory, need to be generally and gradually reduced, so that personal incentives to great effort will be strengthened and the energy now expended on tax avoidance schemes may be turned back into productive channels. It should be possible to carry out such reforms without impairing tax revenues beyond the initial year. But if this cannot be done, a low but broadly based excise tax will produce substantial revenue without blunting the incentive to enterprise.

I agree with the Council that we need to enlarge the national effort devoted to scientific research and basic education, but I feel that we need also to become far more efficient than we have been in conducting our educational enterprises. We need to hasten adaptation to changing technology by undertaking extensive training programs for unskilled workers in our individual communities, as well as retraining programs for industrial workers whose skills have become obsolete. It also would be constructive to stimulate the smaller firms, which are counted in the millions, to practice greater efficiency. With proper organization, our colleges of business administration should be able to render much the same kind of assistance to small businesses that our agricultural colleges have over many years rendered to farmers.

We need to become less tolerant of the wasteful practices that we have allowed to develop all around us. I am referring not only to restraints on efficiency imposed by trade unions in railroading, construction work, and other industries, but also to the featherbedding not infrequently practiced by business executives, and to the roadblocks to efficiency that have been put up by our Government, of which the farm program is only the most notorious example.

Since economic growth is bound to proceed unevenly, we must try to stiffen the resistance of our economy to occasional setbacks. In 1958 and again this year the Congress extended the duration of unemployment benefits, although it did so through tardy improvisations. Before the next recession strikes, as in time it probably will, our country should at least be armed with an unemployment insurance system that covers practically all wage earners and automatically provides for extended benefits during periods of abnormally large unemployment. The President has wisely recommended legislation that would move our Nation in this direction.

Under present conditions of world competition, a reasonably stable price level would also help to promote the long-term growth of our economy. It would therefore be desirable to amend the Employment Act by specifying that it is the continuing policy of the Federal Government to promote reasonable stability of the consumer price level as well as maximum production and employment. Such a declaration of moral purpose would help to assure everyone, both in our country and abroad, that our Government has a proper concern for the future as well as the present.

These are some of the things that need to be done to enlarge and sustain prosperity. But as we work for a better future, let us not exaggerate the shortcomings of our economy or belittle the achievements of the past. In the postwar period our economy has extended, if not improved on, its historic rate of growth. It has demonstrated its great resilience by speedily filling the gap left by declining Federal expenditures when World War II ended and, a few years later, when the Korean hostilities came to a close.

Perhaps the greatest economic triumph of our generation, although we too often show little appreciation of it, is the reduction of the swings of the business cycle and the blunting of their impact on the lives and fortunes of individuals. We should strive to do still better in the future, and I am hopeful that our efforts will be rewarded by success. But if it turns out that we fail to achieve all the improvements we seek during the 1960's, yet do no worse than in the 1950's, our accomplishment will still be very substantial and require neither remorse nor apology.

### APPENDIX

I am appending the following notes for readers whose interest may center on technical points. They deal primarily with the gap estimates and with alternative methods of estimating when full employment may be reached. I have also added a few remarks on the theory of secular stagnation and recovery policies.

### THE GAP ESTIMATES

The Council's gap estimates, starting in the first quarter of 1953, were derived by equating potential output to the actual output in mid-1955, then allowing the curve of potential output to ascend at an annual rate of 3.5 percent, and handling the period back of mid-1955 in similar fashion. The gap is simply the difference between actual and potential output.

In the appendix to its report of March 6, the Council spoke of its estimates of potential output, including the historical estimates, as being based on calculations that "are at best hazardous and uncertain." The text of the Council's report, however, did not heed the warning of the appendix, thus making my and other criticism inevitable. Now the Council makes a larger claim for its estimates of potential output; namely, that they are "reasonable," that they are "derived from careful quantitative studies," and that it therefore has "confidence in its trend projection."

On what quantitative studies, it is pertinent to inquire, did the Council base its estimate of an annual rate of growth of 3.5 percent in potential output? The Council gave a sketchy answer to this question in its original report and no information has been added by its reply. What, then, is the visible basis for the confidence which the Council now expresses in its historical estimates of potential output? The answer to this question consists of two parts.

First, the Council reports that these estimates imply "gaps which bear a close and reasonable relation to observed rates of unemployment in 1960 and previous years." This claim is excessive. According to the Council, an unemployment rate of 4 percent marks a period as having full employment. In mid-1955, when the unemployment rate was about 4 percent, the Council's estimate of potential output shows virtual equality with actual output, as it should. But when we move on, we find that the estimates of potential output soar above the figures of actual output throughout 1956 and throughout the first half of 1957, despite the fact that the seasonally adjusted unemployment rate in 11 of these 18 months was as low as, or lower than in mid-1955 (when it was 4.1 percent). These oddities suggest that 3.5 percent overstates the annual growth of potential output, or that a exponential curve is a poor representative of potential output, or else that the concept of potential output itself requires modification. Even the Council's own equation, relating the unemployment rate to the gap, suggests that something is wrong. According to this equation, the gap vanishes at an unemployment rate of 3.7 percent, not—as it should by the Council's logic—at 4 percent.

The Council's report that its estimates imply "gaps which bear a close and reasonable relation to observed rates of unemployment" evidently means merely that the configuration of its gap estimates through time bears a general resemblance to the configuration of unemployment rates. But if this is what the Council means, no uniqueness attaches to its estimates; that is to say, several or many sets of historical estimates will meet this loose criterion equally well. For example, a curve of potential output ascending at an annual rate of only 3 percent, similarly pivoted in mid-1955, will certainly do so. I might add, for whatever it may be worth, that this 3-percent growth curve implies a gap of 5.3 percent in the fourth quarter of 1960, in contrast to the Council's reported gap of 8 percent.

Let us turn to the second part of the Council's visible evidence in support of its historical estimates of the gap. This consists of the finding that the several illustrative trends, which had figured in my criticism, yield gaps that do not bear a close and reasonable relation to rates of unemployment. The Council concludes that "this evidence strongly confirms" that its "choice of a trend line for potential output was not capricious." However, quite apart from the fact that none of my illustrative trends was suggested as a proper measure of potential output, a finding—whether well grounded or not—that these trends are faulty can tell us nothing at all about the statistical virtue of the Council's trend line for potential output.

The Council's own judgment in the appendix of its report of March 6 appears to be correct; namely, that its estimates of potential output "are at best hazardous and uncertain." It is difficult to see how estimates of this type could be anything but hazardous. Potential output, according to the Council, is "the output which could be achieved at reasonably full employment." Taken literally, this must mean that the potential output of a given period is the sum of (a) the actual output, (b) the additional output that could be achieved if the unemployment rate were 4 percent instead of, say, 6 percent, and (c) the further addition to output that could be achieved through greater efficiency of both labor and capital—apart from that which might be induced by (b). In this full sense, potential output is indefinitely larger than the sum of (a) and (b), this sum being what the Council has in mind by potential output. But even the latter quantity raises formidable difficulties. As far as (a) is concerned, we presumably know what it is. But how can we tell the magnitude of (b)? Not only is no answer given in official statistical publications, but no single true answer to this question is possible.

After all, the structure of a nation's output keeps changing. This is a particularly important feature of a free economy where people's demand may shift from automobiles to clothing to travel or whatnot. If the extra demand, which is implied by assuming that the unemployment rate comes down to 4 percent, were supplied by high-productivity industries, (b) would be one quantity. If the extra demand were concentrated on services supplied by low-productivity industries, (b) would be another and perhaps much smaller quantity. Nor is this the only theoretical difficulty. The magnitude of (a) in any specific period must depend, among other things, on the relations among the prices of both final products and productive services during this and earlier periods. But once we assume that (b) emerges, the price relations that played their part in determining (a) will no longer be what they were. Hence, (a) itself cannot be treated as a datum. In short, unless we specify the precise assumptions concerning the economic processes involved in making total output something other than what it was or is, the magnitude of potential output is strictly indeterminate. And once we set out the assumptions of a working economic order, although a unique result becomes possible, it would still be necessary to assess the significance and relevance of the assumptions.

I have no illusions about the difficulties surrounding a theoretically valid approach to the problem of estimating potential output—even in the Council's restricted sense. I recognize that if the task of measurement is actually undertaken, some vigorous short cuts such as the Council used are unavoidable. I do not rule out the possibility of getting dependable results by this approach. However, I have reason to believe that even an improvement on the Council's method—that is, a multiple correlation of output, time, and the unemployment rate—will yield gap estimates that have an uncomfortably large dispersion. This is certainly the case with the Council's method, as chart 5 of its report of March 6 indicates. If all this is true of descriptions of the past, it should be still more true of projections for the future. At any rate, the enormous differences in the estimates of potential output obtained by students who have concerned themselves with this problem shout warnings about the pitfalls that surround this field of measurement. I do not believe that the art of estimating potential output has reached a point that justifies the rewriting of the economic history of the postwar period, to say nothing of using such estimates as a basis for current policymaking.

As a matter of fact, in studying changes in economic conditions, it is necessary for experts to keep in mind the margins of error that attach even to measures of actual output—that is, the familiar statistics on the gross national product. Economists, no less than laymen, have gotten into the habit of assuming that there is only a single set of official estimates of the gross national product. In fact there are two estimates for every quarter, one arrived at from the expenditure side, the other from the income side. Since our statistics are imperfect, the two figures nearly always differ, sometimes by a disturbing margin. As far as expert knowledge exists on this subject, the figures derived from income data are neither better nor worse than the figures derived from expenditure data. Earlier publication and sheer convention, not science, have accorded the latter figures their practically exclusive sway.

The Council's reply calls attention to the fact that its estimate of an 8-percent gap in the fourth quarter of 1960 was reached by more than one method. But no elaborate calculations are needed to show that this estimate may well be too high. For, even if the Council's figure of potential output for that quarter is taken as it comes, the mere substitution of the less-familiar gross national product figure for the conventional one (as these annual rates are given in the June 1961 issue of Economic Indicators) would suffice to lower the estimate of the gap by $4.1 billion, or from 7.7 to 6.9 percent.

### WHEN FULL EMPLOYMENT MAY BE REACHED

The Council observes that "the distance to full employment is the true measure of the magnitude of the recovery problem" and that "the percentage gap at the trough of the 1960–61 recession was greater than at the 1954 trough but about the same as at the 1958 trough." However, "the distance to full employment" is indicated better by the unemployment figures than by the gap estimates—which are, at best, cloudy images of the unemployment figures. The highest quarterly figure of unemployment associated with the recession of 1960–61 was 6.9 percent, with the previous recession 7.4 percent, with the one before that 5.9 percent, and with the 1948–49 recession, which the Council ignores, 7.1 percent.

The Council states that "current evidence suggests that it is highly improbable" that full employment will be reached by the last quarter of 1962. Apparently, the Council reached this judgment by projecting its curve of potential output to the last quarter of 1962, then comparing the estimate so made with an estimate of actual output in the second quarter of this year. The result obtained can be no better than the Council's 3.5-percent growth curve of potential output. A projection of this curve yields a gross national product of $580.9 billion (annual rate, 1960 prices) for the last quarter of 1962. A projection of a similarly pivoted 3-percent curve, which meets every reasonable test as well as—if not better than—the 3.5-percent curve, yields a figure that is $20.4 billion lower.

I believe that earlier business-cycle expansions provide a better basis than conjectures concerning potential output for judging when, if the current recovery continues to flourish, unemployment may reach a 4-percent rate. The trough in the gross national product during the 1948–49 recession was reached in the second quarter of 1949. In the third quarter of 1949, the seasonally adjusted unemployment rate averaged 6.6 percent. A year later; that is, in the third quarter of 1950, it was lower by 1.9 points. The drop in the unemployment rate over a corresponding interval of the business expansions starting in 1954 and 1958 was 1.8 points and 2.2 points, respectively. If, therefore, the current recovery follows approximately the course of the three preceding recoveries, the unemployment rate should be about 4.9 percent in the second quarter of 1962. Beyond this date, the three earlier expansions no longer give a useful clue. The first fails because of the outbreak of the Korean war, the second because full employment was already virtually reached, the third because of the outbreak of the steel strike. However, commonsense suggests, as does the behavior of unemployment rates during prewar expansions, that if the recovery continues with any vigor beyond the second quarter of 1962, unemployment may well reach or come close to 4 percent toward the end of 1962.

I have now set out the reasoning on which I based the statement concerning the prospects for full employment in the Chicago address. I should, however, add a word about structural unemployment. I have been inclined to agree with the Council's position that, as aggregate demand increases, what may now appear to be "an unyielding core of structural unemployment" will largely disappear.

I still believe this to be true. Yet, some tabulations I have recently seen on the concentration of unskilled and semiskilled workers in the long-term unemployed group have made me wonder whether the Council and I may not be underestimating the difficulties posed by structural unemployment. I, for one, have not studied this question sufficiently.

### THEORY OF SECULAR STAGNATION

The Council observes (a) that its economic views cannot be justly described as a secular stagnation theory; (b) that it has attributed the gap to deficiencies in total demand rather than to the deficiencies I had noted; (c) that it does not hold the view that the gap is "endemic" to the American economy; and (d) that one of its members had in fact informed the Joint Economic Committee that the Council "would not accept the idea that we have a chronic or growing long-run problem of unemployment but, rather, that we have a problem of unemployment that we can defeat."

As for (a), it may suffice to point out that theories of secular stagnation are distinguished by the fact that they characteristically posit a chronic failure of the economy (in contrast to a merely sporadic or cyclical failure) to produce all that it is capable of producing. That is precisely the way in which the Council repeatedly described our economy in its report of March 6.

As for (b), there is no sensible difference between my description of the Council's views (namely, that the basic reason for the alleged "growing gap" is the insufficiency, first, of investment in business plant and equipment, second, of public "investment"—that is, spending on education, health, research, and development of natural resources) and its own formulation, unless the Council believes that a deficiency of consumer spending is the basic reason for the gap.

There is no need to comment on (c), since the question whether the gap is "endemic" to the American economy is not involved in the present discussion.

I take it that the statement quoted in (d) refers to the future rather than to the past or present; for on any other interpretation the Council would be contradicting its own position.

I need hardly add that what is in question is the validity of the Council's theory that our economy has been suffering for years from a persistent, chronic, increasing slack—not whether such a condition, if it exists, can be corrected.

#### POLICIES FOR ECONOMIC RECOVERY

(a) The Council dissents from the view, which it attributes to me, that a particular increase of $724 million in Federal expenditures, recommended for fiscal 1962, would court inflation and a gold crisis. This view has nothing to do with what I have said or implied. What has concerned me is the extension of definite commitments for substantially larger expenditures, taken in the aggregate, not this or that recommendation, appropriation, or outlay.

(b) The Council notes that I have ignored the "latent surplus"—which, I take it, means the surplus that would emerge under conditions of full employment if both tax rates and expenditures remained unchanged. The truth is that, in view of the upsurge of Federal spending, I have taken it for granted that the "latent" or "implicit" surplus will rapidly dwindle, if not vanish. That seems to be the way in which things are working out. If present expenditure trends continue, whether or not my expectation that full employment will be approximated by the end of 1962 is borne out, it will prove very difficult to balance the budget in fiscal 1963.

(c) The Council appears to argue that, in the event it becomes clear that further stimulation of the economy would lead to inflation, monetary and fiscal brakes can be applied to prevent this from happening. I wish economic policies could be timed and executed with such nice precision. If experience is any guide, Federal expenditures are rarely reversible; they are apt to move sluggishly when they do happen to be reversed; and there is often a substantial lag between the time when monetary brakes are applied and the time they take hold. In the meantime, the economy may be damaged by inflation.

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[From the Washington (D.C.) Post, Dec. 13, 1962]

### WIRTZ' JOB STATISTICS "INVALID," HE ADMITS

(By James McCartney)

Secretary of Labor W. Willard Wirtz has acknowledged to me that a rosy statement on unemployment he issued on the eve of the November 6 elections contained "invalid" statistical comparisons.

The effect of the comparisons was to paint a rosier view of the accomplishments of the Kennedy administration—just 6 days before the elections—than truly valid comparisons would have justified.

For example, Wirtz's preelection statement said that "over 4,500,000 more Americans have jobs than when this administration took office in January of 1961."

The 4.5-million figure, Wirtz acknowledges, was not seasonally adjusted to take into account normal differences in employment between the months of January and October.

The valid figure—seasonally adjusted—was 1,224,000.

Wirtz's statement, in effect, exaggerated by 3,276,000 the number of jobs the Kennedy administration could reasonably take credit for creating.

The Labor Department usually makes this seasonal adjustment in announcing employment figures.

That, however, was only one part of Wirtz's statement.

In another part of the same statement he said that unemployment was "over 2 million less than in January of 1961."

This figure also was not adjusted to take seasonal changes into account.

According to official Labor Department statistics, the valid, seasonally adjusted figure for the decrease in number of unemployed was 784,000.

Thus Wirtz's statement, in effect, exaggerated by 1,216,000 the Kennedy administration's achievements in reducing the number of unemployed.

Wirtz did not hedge in acknowledging that the statistical comparisons were "invalid"—in fact "invalid" was his own word choice.

"It isn't fair to compare January figures with October figures without making seasonal adjustments," he said.

However, he added that the statement was not issued with the November elections in mind.

He also explained that it is not always possible for the Secretary of Labor to double-check all statistics that come before him, suggesting that the invalid comparisons simply slipped past.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter, tables and charts.

Mr. VANIK, for 5 minutes, today, and to revise and extend his remarks.

Mr. THOMPSON of Texas, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. ROGERS of Florida, for 10 minutes, today.

Mr. WYMAN, for 10 minutes, today, and to revise and extend his remarks.

Mr. CURTIS, for 1 hour, on Thursday.

Mr. MINSHALL (at the request of Mr. BATTIN), for 30 minutes, on Thursday, January 31.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ALGER and include extraneous matter.

Mr. SHORT.

(The following Members (at the request of Mr. BATTIN) and to include extraneous matter:)

Mr. BYRNES of Wisconsin.

Mr. SAYLOR.

(The following Members (at the request of Mr. STEPHENS) and to include extraneous matter:)

Mr. ROSENTHAL.

Mr. TOLL.

Mrs. SULLIVAN.

Mr. KIRWAN.

## ADJOURNMENT

Mr. STEPHENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 34 minutes p.m.) the House adjourned until tomorrow, January 29, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

284. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to funds relating to the civil service retirement and disability fund, pursuant to Public Law 87-141; to the Committee on Appropriations.

285. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes"; to the Committee on Armed Services.

286. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the November 1962 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

287. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to amend section 7 of the Administrative Expenses Act of 1946, as amended"; to the Committee on Government Operations.

288. A letter from the Governor of the Canal Zone, President, Panama Canal Company transmitting a report on the disposal of foreign excess property by the Panama Canal Company, and Canal Zone Government for the year ended December 31, 1962, pursuant to 63 Stat. 398; to the Committee on Government Operations.

289. A letter from the Public Printer, U.S. Government Printing Office, transmitting the Annual Report of the Government Printing Office for the fiscal year ended June 30, 1962, pursuant to the act of January 12, 1895 (sec. 19, ch. 23, 28 Stat. 603); to the Committee on House Administration.

290. A letter from the Sergeant at Arms, U.S. House of Representatives, transmitting a statement in writing exhibiting the several sums drawn by him pursuant to sections 78 and 80 of title 2, United States Code, the application and disbursement of the sums, and balances, if any, remaining in his hands, pursuant to the provisions of title 2, United States Code, section 84; to the Committee on House Administration.

291. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication "Steam Electric Plant Construction Cost and Annual Production Expenses, 1961"; to the Committee on Interstate and Foreign Commerce.

292. A letter from the Assistant Director, Bureau of Land Management, Department of the Interior, transmitting a report of all compensatory royalty agreements affecting oil and gas deposits in unleased Government lands which were entered into during calendar year 1962 in accordance with 30 U.S.C. 226(g), pursuant to the requirements of rule III, clause 2, of the Rules of the House of Representatives; to the Committee on Interior and Insular Affairs.

293. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes"; to the Committee on the Judiciary.

294. A letter from the Vice Chairman, Federal Maritime Commission, transmitting the First Annual Report of the Federal Maritime Commission for the fiscal year ended June 30, 1962; to the Committee on Merchant Marine and Fisheries.

295. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

296. A letter from the Deputy Administrator, Veterans' Administration, transmitting a draft of a proposed bill entitled "A bill to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan"; to the Committee on Veterans' Affairs.

297. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting additional information relating to the case of Andres Porras-Grajeda, A-4329804, involving suspension of deportation, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of this Service, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

298. A letter from the Chairman, U.S. Advisory Commission on Information, transmitting the 18th Report of the U.S. Advisory Commission on Information, dated January 1963, pursuant to Public Law 402, 80th Congress (H. Doc. No. 53); to the Committee on Foreign Affairs and ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 2821. A bill to authorize modification of the repayment contract with the Grand Valley Water Users' Association; to the Committee on Interior and Insular Affairs.

By Mr. BAKER:

H.R. 2822. A bill to provide flood control on the Big South Fork, Cumberland River Basin; to the Committee on Public Works.

By Mr. BARING:

H.R. 2823. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. BASS:

H.R. 2824. A bill to provide a more definitive tariff classification description for lightweight bicycles; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 2825. A bill to define and declare exempt income of Indians and to permit Indians who are holders of beneficial interests of tribal lands or under patents of allocated and restricted lands, whether by original allotment, by inheritance, or as lessee of tribal or allocated and restricted Indian lands, to secure refunds of income taxes paid to the United States, on income from such lands which are exempt from Federal income tax; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 2826. A bill to amend the Internal Revenue Code of 1954 with respect to the taxation of dispositions of property (other than stock) pursuant to orders enforcing the antitrust laws; to the Committee on Ways and Means.

H.R. 2827. A bill to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory; to the Committee on Ways and Means.

By Mrs. FRANCES P. BOLTON:

H.R. 2828. A bill to amend title 18 of the United States Code to prohibit the transportation or use in interstate or foreign commerce, with unlawful or fraudulent intent, of counterfeit, fictitious, altered, lost, stolen, wrongfully appropriated, unauthorized, revoked, or canceled credit cards; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 2829. A bill to improve the old-age, survivors, and disability insurance program by providing minimum benefits for certain individuals who have attained age 72 and by liberalizing the retirement test through increasing the amount of earnings permitted without full deductions from benefits; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 2830. A bill to amend the Internal Revenue Code of 1954 to increase the amount allowed as a child-care deduction, and to eliminate the income ceiling on eligibility for such deduction; to the Committee on Ways and Means.

H.R. 2831. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 2832. A bill to withdraw from the district courts jurisdiction of suits brought by fiduciaries who have been appointed for the purpose of creating diversity of citizenship between the parties; to the Committee on the Judiciary.

H.R. 2833. A bill to amend subdivision d of section 60 of the Bankruptcy Act (11 U.S.C. 96d) so as to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding; to the Committee on the Judiciary.

H.R. 2834. A bill to amend chapter 35 of title 18, United States Code, with respect to the escape or attempted escape of juvenile delinquents; to the Committee on the Judiciary.

H.R. 2835. A bill to clarify the status of circuit and district judges retired from regular active service; to the Committee on the Judiciary.

H.R. 2836. A bill to require the establishment, on the basis of the 19th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

H.R. 2837. A bill to amend further section 11 of the Federal Register Act (44 U.S.C. 311); to the Committee on the Judiciary.

H.R. 2838. A bill to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts; to the Committee on the Judiciary.

H.R. 2839. A bill to increase the fees of jury commissioners in the U.S. district courts; to the Committee on the Judiciary.

H.R. 2840. A bill to amend section 1391 of title 28 of the United States Code relating to venue; to the Committee on the Judiciary.

H.R. 2841. A bill to amend section 332 of title 28, United States Code, to provide for the inclusion of a district judge or judges on the judicial council of each circuit; to the Committee on the Judiciary.

H.R. 2842. A bill to amend section 3238 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 2843. A bill to repeal subsection (d) of section 2388 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 2844. A bill to provide the same life tenure and retirement rights for judges hereafter appointed to the U.S. District Court for the District of Puerto Rico as the judges of all other U.S. district courts now have; to the Committee on the Judiciary.

H.R. 2845. A bill to provide that the district courts shall be always open for certain purposes, to abolish terms of court and to regulate the sessions of the courts for transacting judicial business; to the Committee on the Judiciary.

H.R. 2846. A bill to amend section 376 of title 28, United States Code; to the Committee on the Judiciary.

H.R.2847. A bill to amend section 633 of title 28, United States Code, prescribing fees of U.S. commissioners; to the Committee on the Judiciary.

H.R. 2848. A bill to amend subsection b of section 60—Preferred creditors; subsection e of section 67—Liens and fraudulent transfers; and subsection e of section 70—Title to property; of the Bankruptcy Act (11 U.S.C. 96b, 107e, and 110e); to the Committee on the Judiciary.

H.R. 2849. A bill to amend section 47 of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2850. A bill to provide increased retired pay for certain members of the uniformed services retired before June 1, 1958; to the Committee on Armed Services.

H.R. 2851. A bill to extend the benefits of the Retired Federal Employees Health Benefits Act to certain retired employees entitled to deferred annuity; to the Committee on Post Office and Civil Service.

H.R. 2852. A bill to amend chapter 73 of title 18, United States Code, with respect to obstruction of investigations and inquiries of certain criminal activities in or affecting interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 2853. A bill to amend the act providing books for the adult blind so as to make books also available to quadriplegics and the near blind; to the Committee on House Administration.

By Mr. DENT:

H.R. 2854. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 2855. A bill relating to the application of the manufacturers excise tax on electric light bulbs in the case of sets or strings of such bulbs; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 2856. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

H.R. 2857. A bill to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; to the Committee on Merchant Marine and Fisheries.

By Mr. FINO:

H.R. 2858. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of his children; to the Committee on Ways and Means.

By Mr. FORRESTER:

H.R. 2859. A bill to provide for the promulgation of rules of practice and procedure under the Bankruptcy Act, and for other purposes; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 2860. A bill to amend section 13(c) of the Fair Labor Standards Act of 1938 with respect to the exemption of agricultural employees from the child labor provisions of such act; to the Committee on Education and Labor.

H.R. 2861. A bill to provide for the establishment of a Permanent Commission on Governmental Operations; to the Committee on Government Operations.

H.R. 2862. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to increase from 6½ to 6¾ percent the deduction from the employees basic salary for retirement; and to set 60 as the mandatory retirement age for certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 2863. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2864. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to retirement fund; to the Committee on Post Office and Civil Service.

H.R. 2865. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 2866. A bill to amend section 402 of the Federal Employees Uniform Allowance Act, approved September 1, 1954 (title IV, Public Law 763, 83d Cong.), as amended; to the Committee on Post Office and Civil Service.

H.R. 2867. A bill to amend section 532 of title 38, United States Code, to liberalize the marriage date requirements applicable to the payment of pension to widows of Civil War veterans; to the Committee on Veterans' Affairs.

H.R. 2868. A bill to exempt from compulsory coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs; to the Committee on Ways and Means.

H.R. 2869. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

H.R. 2870. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 2871. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 2872. A bill to amend the Internal Revenue Code of 1954 to provide that annuities under the Civil Service Retirement Act shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 2873. A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills through grants to States for pilot projects, improvement of State services, and programs of instruction, and through grants to institutions of higher learning for development of materials and methods of instruction and for training of teaching and supervisory personnel; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 2874. A bill to amend the Tariff Act of 1930 to provide that imported electron microscopes shall be subject to the regular customs duty regardless of the nature of the institution or organization importing them; to the Committee on Ways and Means.

H.R. 2875. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 2876. A bill to repeal the Inland Waterways Corporation Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2877. A bill to amend the Federal Aviation Act of 1958 with respect to the retirement of employees engaged in air traffic control work; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 2878. A bill to amend the Internal Revenue Code of 1954 to increase the limitation on the amount of allowable charitable contributions which may be made by individuals to certain organizations for the benefit of churches, educational organizations, hospitals and certain medical research organizations which are organized and operated for the benefit of certain colleges or universities; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 2879. A bill to amend the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. HOSMER:

H.R. 2880. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2881. A bill to provide for the garnishment, execution, or trustee process of wage and salaries of civil officers and employees of the United States; to the Committee on the Judiciary.

H.R. 2882. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of California:

H.R. 2883. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. KARSTEN:

H.R. 2884. A bill to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 2885. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KILGORE:

H.R. 2886. A bill to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported carrots; to the Committee on Agriculture.

By Mr. LANKFORD:

H.R. 2887. A bill to authorize the Administrator of General Services to convey certain land in Prince Georges County, Md., to the American National Red Cross; to the Committee on Government Operations.

H.R. 2888. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

H.R. 2889. A bill for the relief of the Prince Georges County School Board, Maryland; to the Committee on the Judiciary.

By Mr. LATTA:

H.R. 2890. A bill to repeal the 1964 multiple price wheat program; to reinstate for the 1964 crop provisions of law applicable to wheat prior to the enactment of the 1962 and 1963 emergency wheat programs; to allow all wheat farmers to vote in the national wheat marketing quota referendum; and to authorize the Secretary of Agriculture to increase or suspend acreage allotments and marketing quotas on certain classes of wheat; to the Committee on Agriculture.

By McINTIRE:

H.R. 2891. A bill to amend Public Laws 815 and 874, 81st Congress, to extend for 2 years the provisions thereof which would otherwise expire; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 2892. A bill to amend section 25 of the act of October 30, 1951, to provide for refunds of certain amounts withheld from annuities payable under the Railroad Retirement Acts on account of joint and survivor annuity elections which were revoked; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 2893. A bill to establish, in the House of Representatives, the office of Delegate from the District of Columbia; to provide for the election of the Delegate, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLER of California:

H.R. 2894. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2895. A bill to aid in the administration of the Tule Lake, Lower Klamath, and Upper Klamath National Wildlife Refuges in Orgeon and California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2896. A bill to amend section 212A(4) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

By Mr. MILLIKEN:

H.R. 2897. A bill to incorporate the Navy Mothers' Clubs of America; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 2998 A bill to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America; to the Committee on Armed Services.

By Mr. MINISH:

H.R. 2899. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. MOORHEAD:

H.R. 2900. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORRISON:

H.R. 2901. A bill to amend the Civil Service Retirement Act to equalize additional annuities in return for contributions of annuitants during service in excess of the amount necessary to provide the maximum annuity under such act at the time of their retirement; to the Committee on Post Office and Civil Service.

H.R. 2902. A bill to amend the Federal Employees Health Benefits Act of 1959 so as to eliminate any discrimination against married female employees; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 2903. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NYGAARD:

H.R. 2904. A bill to amend the Watershed Protection and Flood Prevention Act so as to eliminate the exclusion of structures having an excess of 5,000 acre-feet of floodwater capacity; to the Committee on Agriculture.

H.R. 2905. A bill to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275.74 acres of federally owned land; to the Committee on Interior and Insular Affairs.

H.R. 2906. A bill to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any motor vehicle in interstate or foreign commerce by towing; to the Committee on Interstate and Foreign Commerce.

H.R. 2907. A bill for the relief of the Kensal School District, North Dakota; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 2908. A bill to provide for a national cemetery in every State; to the Committee on Interior and Insular Affairs.

H.R. 2909. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 2910. A bill to direct the Secretary of the Interior to establish a research program in order to determine means of improving the conservation of game fish in dam reservoirs; to the Committee on Merchant Marine and Fisheries.

H.R. 2911. A bill to amend chapter 71 of title 38, United States Code, to provide that the right of a veteran to appeal to the U.S. District Court from the decisions of the Board of Veterans' Appeals in compensation and pension claims shall not be abrogated; to the Committee on Veterans' Affairs.

By Mr. REUSS:

H.R. 2912. A bill to amend the Trade Expansion Act of 1962 to extend the provisions applicable in respect of the European Economic Community to the European Free Trade Association, and to require that each category of articles designated under section 211 of such act be identifiable by not less than four digits; to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 2913. A bill to amend section 4233 of the Internal Revenue Code of 1954 to exempt from the admissions tax admissions to world fairs; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 2914. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and women and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 2915. A bill relating to the distribution of wall calendars for the House of Representatives; to the Committee on House Administration.

By Mr. TEAGUE of Texas (by request):

H.R. 2916. A bill to amend chapter 15 of title 38, United States Code, to revise the pension program for World War I, World War II, and Korean conflict veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 2917. A bill to provide additional punishment for corporate officers violating the antitrust laws, and to provide that such officers may be barred for not more than 1 year from serving in such corporate capacity; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H.R. 2918. A bill authorizing the establishment of the Wolf House National Historic Site, in the State of Arkansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.R. 2919. A bill to dissolve the Virgin Islands Corporation, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2920. A bill to provide for the conservation of anadromous fish and spawning areas in the Salmon River, Idaho; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITTEN:

H.R. 2921. A bill to protect funds invested in series E U.S. savings bonds from inflation and to encourage persons to provide for their own security; to the Committee on Ways and Means.

By Mr. BERRY:

H.J. Res. 199. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 200. Joint resolution amending the Public Health Service Act to provide for an institute on gerontology which shall, among other things, carry out research and training with respect to chronic disease and to accident prevention among our senior citizens, and shall be located on the grounds of the Bay Pines Veterans' Administration Center, St. Petersburg, Fla.; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.J. Res. 201. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriation bills; to the Committee on the Judiciary.

H.J. Res. 202. Joint resolution designating the second Sunday in October of each year as National Grandmothers' Day; to the Committee on the Judiciary.

By Mr. MILLS:

H.J. Res. 203. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MULTER:

H.J. Res. 204. Joint resolution to enable the District of Columbia government to aid the arts in ways similar to those in which the arts are aided financially by other cities of the United States by providing funds for special concerts for children and others, by aiding in the establishment of a permanent children's theater, and by providing a municipal theater for competitions to discover and encourage young Americans in the pursuit of excellence, and to acquaint them with the best of our national cultural heritage, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROGERS of Texas:

H.J. Res. 205. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. SNYDER:

H.J. Res. 206. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H.J. Res. 207. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. Con. Res. 59. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H. Con. Res. 60. Concurrent resolution establishing a joint committee to conduct an investigation and study of the Department of State and the Central Intelligence Agency; to the Committee on Rules.

By Mr. KYL:

H. Con. Res. 61. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of Illinois:

H. Con. Res. 62. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. ROONEY:

H. Con. Res. 63 Concurrent resolution requesting the President to initiate action leading to the adoption of a United Nations' resolution calling for the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave-labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

By Mr. ASHBROOK:

H. Res. 190. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BARING:

H. Res. 191. Resolution creating a select committee to conduct an investigation and study of the problems involved in the fluoridation of potable water; to the Committee on Rules.

H. Res. 192. Resolution to provide funds for the expenses of the investigation and study authorized by H. Res. 191; to the Committee on House Administration.

H. Res. 193. Resolution expressing the sense of the House of Representatives with respect to the administration of certain laws of the United States under the jurisdiction of the Secretary of Health, Education, and Welfare; to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCE:

H. Res. 194. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CRAMER:

H. Res. 195. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DINGELL:

H. Res. 196. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. FULTON of Pennsylvania:

H. Res. 197. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 198. Resolution to amend the Rules of the House to require the yeas and nays in the case of final action on appropriation bills; to the Committee on Rules.

H. Res. 199. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. HARVEY of Indiana:

H. Res. 200. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MACGREGOR:

H. Res. 201. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. McMILLAN:

H. Res. 202. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 142; to the Committee on House Administration.

By Mr. PEPPER:

H. Res. 203. Resolution expressing the sense of the House regarding the possible establishment of an Atlantic Community Common Market; to the Committee on Foreign Affairs.

By Mr. RAINS:

H. Res. 204. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 153; to the Committee on House Administration.

By Mr. ROSENTHAL:

H. Res. 205. Resolution to conduct an investigation and study of arms control and disarmament; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. CANNON: Memorial of the House of Representatives of the State of Missouri memoralizing Congress and the U.S. Department of Defense to relocate the battleship U.S.S. *Missouri* in the State of Missouri; to the Committee on Armed Services.

By the SPEAKER: Memorial of the Legislature of the State of Idaho, memoralizing the President and the Congress of the United States, relative to requesting the formulation of a national minerals policy that will assure the preservation of a sound and stable domestic mining industry by reserving to domestic producers a fair and equitable share of domestic metal markets; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States, relative to requesting that the battleship *Missouri* be relocated in the State of Missouri; to the Committee on Armed Services.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 2922. A bill for the relief of Anna Maria Rifilato; to the Committee on the Judiciary.

By Mr. ADDABBO (by request):

H.R. 2923. A bill for the relief of Teresina Fara; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.R. 2924. A bill for the relief of Abdelmessih Halim Abdelmessih and his wife Soheir Takla Meleika; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2925. A bill for the relief of the estate of Bart Briscoe Edgar, deceased; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 2926. A bill for the relief of Maria Lonardo; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 2927. A bill for the relief of George Alexakis; to the Committee on the Judiciary.

H.R. 2928. A bill for the relief of Marika N. Vatakis; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 2929. A bill for the relief of Dilys Evans; to the Committee on the Judiciary.

H.R. 2930. A bill for the relief of Amnon and Ruth Kaminer; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 2931. A bill for the relief of Konstantinos Tigkos; to the Committee on the Judiciary.

H.R. 2932. A bill for the relief of Konstantinos Binteris; to the Committee on the Judiciary.

H.R. 2933. A bill for the relief of Dr. Frances E. Haines; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2934. A bill for the relief of Dr. Themistocles J. Chryssochoos; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 2935. A bill for the relief of Daniel M. Small, Jr.; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 2936 A bill for the relief of Karolina Rado; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 2937. A bill for the relief of Ely Sabidales; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 2938. A bill for the relief of Basim Salim George; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 2939. A bill for the relief of Bienvenido Yikyekan Borromeo; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R 2940. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on the Armed Services.

By Mr. HOSMER:

H.R. 2941. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

By Mr. HUDDLESTON:

H.R. 2942. A bill to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of California:

H.R. 2943. A bill for the relief of James F. Seger; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 2944. A bill for the relief of Hurley Construction Co.; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 2945. A bill for the relief of Munston Electronics Manufacturing Corp.; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 2946. A bill authorizing the payment of retired pay to Albert E. Waterstradt; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 2947. A bill for the relief of Stefan Papp (also known as Istvan Papp), his wife, Therese Papp, and their son, Gabriel Papp; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2948. A bill for the relief of Mrs. Leung Chi King; to the Committee on the Judiciary.

H.R. 2949. A bill for the relief of Jew Bing Shew; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 2950. A bill for the relief of Norman McLeod Riach; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 2951. A bill for the relief of Mrs. Marie Meneshian; to the Committee on the Judiciary.

H.R. 2952. A bill for the relief of Loreto Testa; to the Committee on the Judiciary.

H.R. 2953. A bill for the relief of Mrs. Maria Cecere Grande; to the Committee on the Judiciary.

H.R. 2954. A bill for the relief of Martha B. Gumbs; to the Committee on the Judiciary.

H.R. 2955. A bill for the relief of Italia Passarelli; to the Committee on the Judiciary.

H.R. 2956. A bill for the relief of Apostolos Christou Picas; to the Committee on the Judiciary.

H.R. 2957. A bill for the relief of Chin Dhul Yon; to the Committee on the Judiciary.

H.R. 2958. A bill for the relief of Maria Stella Pezzo Calafato; to the Committee on the Judiciary.

H.R. 2959. A bill for the relief of Ester Antoniolli; to the Committee on the Judiciary.

H.R. 2960. A bill for the relief of Venanzo Falzetti; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 2961. A bill for the relief of Miss Torkouste (Tula) Konstandinidou; to the Committee on the Judiciary.

H.R. 2962. A bill for the relief of Panagis Razatos; to the Committee on the Judiciary.

By Mr. ROONEY:

H.R. 2963. A bill for the relief of Andrzej Gitter; to the Committee on the Judiciary.

H.R. 2964. A bill for the relief of Lily Isabell Watkis; to the Committee on the Judiciary.

H.R. 2965. A bill for the relief of Mrs. Hesna Akkoc; to the Committee on the Judiciary.

H.R. 2966. A bill for the relief of Mrs. Demetria Messana Barone; to the Committee on the Judiciary.

H.R. 2967. A bill for the relief of Chaim Jaskolka; to the Committee on the Judiciary.

H.R. 2968. A bill for the relief of Stanislaw and Zdzislaw Kurmas; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 2969. A bill for the relief of Mrs. Argiro (Argyro) S. Stamoulis; to the Committee on the Judiciary.

H.R. 2970. A bill for the relief of Arie Adler, Miriam Adler, Chawa Adler, and Noomi Adler; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 2971. A bill for the relief of Carmela Cusimano; to the Committee on the Judiciary.

H.R. 2972. A bill for the relief of Antonia Hernandez Rico; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 2973. A bill for the relief of Esperanza Usana Bernabe; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 2974. A bill for the relief of Itrat-Husain Zuberi, his wife, Saida Zuberi, and their children, Mobina Zuberi, Jawai Zuberi and Nayab Zuberi; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 2975. A bill for the relief of Juanita Cereguine de Burgh; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 2976. A bill for the relief of Thomas Manfred Hoffman; to the Committee on the Judiciary.

By Mr. MORRIS:

H.J. Res. 208. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

26. By Mr. TEAGUE of California: Petition of certain citizens of the 13th Congressional District of California to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

27. By the SPEAKER: Petition of the President, NATO Parliamentarians' Conference, Paris, France, relative to a copy of the reports and recommendations adopted by the NATO Parliamentarians' Conference at its 8th annual session; to the Committee on Foreign Affairs.

28. Also petition of the city clerk, Honolulu, Hawaii, relative to income tax regulations on allowance for travel expenses of people traveling to resort areas in Hawaii; to the Committee on Ways and Means.

# SENATE

## MONDAY, JANUARY 28, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God and Father of mankind, in the awareness of whose presence our hearts are gladdened and our jaded spirits renewed: For all the ventures and endeavors in which we are called to be colaborers with Thee, we bless Thy holy name. We would greet this day and the waiting days of this new week with reverence for the challenges they contain. Prepare us to approach its tasks with quiet and clean minds.

Along this week's busy ways may we meet our comrades with laughter on our lips and understanding in our hearts, being gentle, kind, and courteous even when we are weary, to come to the eventide with the joy that comes from work well done. Direct us all the day long of this earthly life till the shadows lengthen and the evening falls and our toil is over. Then in Thy mercy grant us safe lodging, a holy rest, and peace at the last. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 25, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## REPORT ON U.S. AERONAUTICS AND SPACE ACTIVITIES, 1962—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 52)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

*To the Congress of the United States:*

In accordance with section 206(b) of the National Aeronautics and Space Act of 1958, as amended, I transmit herewith a report for the calendar year 1962, on this Nation's aeronautics and space activities.

The year 1962 was a period of acceleration, accomplishment, and relative progress for the United States in its space leadership drive. In both numbers and complexity of space projects, the past year was the most successful in our brief but active space history.

The benefits of our peaceful space program, in both its civilian and military aspects, are becoming increasingly evident. Not only have the horizons of scientific knowledge been lifted, but the resulting international cooperation and worldwide dissemination of knowledge and understanding have strengthened the world image of this country as a force for peace and freedom. The economic benefits of our national space program are also revealing themselves at an increasing rate.

These growing space successes have required the support of increasing budgets. Thus, the recommended budget which I submitted to the Congress earlier this month contains requests for funds for the fiscal year 1964 space program in the total amount of $7.6 billion. This is an increase of $2.1 billion over fiscal year 1963, $4.3 billion over fiscal year 1962, and $5.8 billion over fiscal year 1961.

In summary form, the accompanying report depicts the contributions of the various departments and agencies of the Government to the national space program during 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## REPORT OF OFFICE OF CIVIL DEFENSE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 50)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Armed Services:

*To the Congress of the United States:*

I am transmitting herewith for the information of the Congress, the First Annual Report of the Office of Civil Defense as submitted by the Secretary of Defense. This report covers the civil defense functions assigned to the Secretary of Defense by Executive Order 10952, which are the preponderance of the functions under the Federal Civil Defense Act of 1950 (Public Law 920, 81st Cong.).

This report is submitted in accordance with section 406 of that act, and covers fiscal year 1962.

Information pertaining to civil defense activities of other agencies, and in particular those assigned to the Director of the Office of Emergency Planning, the Secretary of Agriculture, and the Secretary of Health, Education, and Welfare, under Executive Orders 10952, 10958, and 11051, is contained in the published 12th Annual Report of the Activities of the Joint Committee on Defense Production.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 51)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

*To the Congress of the United States:*

I hereby transmit the sixth annual report on the operation of the trade agreements program. This report was originally prepared pursuant to section 350(e)(1) of the Tariff Act of 1930, as amended, which has now been superseded by section 402(a) of the Trade Expansion Act of 1962.

This report demonstrates that we have made good progress toward accomplishment of our goals in the international trade field during the course of the past year. For example, world trade again reached a new high level. U.S. exports also rose and maintained a significant margin over imports, with consequent improvement of our balance-of-payments position.

In the summer of 1962 we completed tariff negotiations which lasted almost 2 years, under the aegis of the General Agreement on Tariffs and Trade. While we were hampered in these negotiations by the severe limitations of the Trade Agreements Extension Act of 1958, some real progress was made in clearing the way for a greater flow of profitable international trade.

Now, however, we face the challenge of the tremendous growth of the European Common Market, an economy which can soon be expected nearly to equal our own. The passage of the pace-setting Trade Expansion Act of 1962 provides us with the tools necessary to meet this challenge, maintain our own economic growth, and, together with the Common Market, continue our efforts to promote the strength and unity of the free world.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 28, 1963.*

## REPORT ON SPECIAL INTERNATIONAL PROGRAM—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the

President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

In accordance with the provisions of section 108 of Public Law 87-256, I transmit herewith for the information of the Congress the 11th report of operations under the Mutual Educational and Cultural Exchange Act of 1961, during the period July 1, 1961, to June 30, 1962.

John F. Kennedy.

The White House, *January 28, 1963.*

## EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary to Ethiopia, which was referred to the Committee on Foreign Relations.

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

## CALL OF THE ROLL

Mr. PROXMIRE. Mr. President——

Mr. MANSFIELD. Mr. President, before I suggest the absence of a quorum, I ask that the attachés on both sides of the aisle notify all Senators that this will be a live quorum.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 8 Leg.]

Aiken
Bartlett
Bennett
Bible
Case
Dominick
Douglas
Edmondson
Ellender
Ervin
Hart
Hayden
Hill
Hruska
Inouye
Jackson
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Mansfield
McGee
McIntyre
Metcalf
Morton
Pell
Proxmire
Robertson
Russell
Saltonstall
Simpson
Smith
Sparkman
Stennis
Talmadge
Young, N. Dak.

Mr. HUMPHREY. I announce that the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Arkansas [Mr. McClellan] the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from New Jersey [Mr. Williams], the Senator from Louisiana [Mr. Long], and the Senator from Maine [Mr. Muskie] are absent on official business.

I further announce that the Senator from North Carolina [Mr. Jordan] is necessarily absent.

Mr. KUCHEL. I announce that the Senators from Kansas [Mr. Carlson and Mr. Pearson] and the Senator from New York [Mr. Javits] are absent on official business.

The Senator from Illinois [Mr. Dirksen], the Senator from New Mexico [Mr. Mechem], and the Senator from Texas [Mr. Tower] are necessarily absent.

The VICE PRESIDENT. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the presence of the absent Senators.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. Allott, Mr. Anderson, Mr. Bayh, Mr. Beall, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dodd, Mr. Eastland, Mr. Engle, Mr. Fong, Mr. Fulbright, Mr. Goldwater, Mr. Gruening, Mr. Hartke, Mr. Hickenlooper, Mr. Holland, Mr. Humphrey, Mr. Johnston, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGovern, Mr. McNamara, Mr. Miller, Mr. Mundt, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mr. Symington, Mr. Thurmond, Mr. Williams of Delaware, Mr. Yarborough, and Mr. Young of Ohio entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### Amendment of Section 7 of Administrative Expenses Act of 1946

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 7 of the Administrative Expenses Act of 1946, as amended (with accompanying papers); to the Committee on Government Operations.

### Audit Report of Reserve Officers Association of the United States

A letter from the executive director, Reserve Officers Association of the United States, Washington, D.C., transmitting, pursuant to law, an audit report of that association, dated March 31, 1962 (with an accompanying report); to the Committee on the Judiciary.

## PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented, and referred as indicated:

Two joint resolutions of the Legislature of the State of Idaho; to the Committee on Interior and Insular Affairs:

"Senate Joint Memorial 3

*"To the Honorable Senate and House of Representatives of the United States, in Congress assembled:*

"We, your memorialists, the Members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that:

"Whereas what is known as the Lower Teton project, situated in the county of Fremont, State of Idaho, and included in the recent comprehensive study of the Snake River by the U.S. Bureau of Reclamation and the Corps of Army Engineers is highly essential to the uninterrupted growth and stability of Idaho agriculture; the economic benefits thereby accumulating to this great State particularly and the United States generally being many times greater than the cost of this project; and

"Whereas the waters of the Teton River constitute a significant portion of the irrigation supplies available to eastern Idaho and, indeed, all of the Snake River area and are therefore an important part of the water resource which is the foundation of our economic and industrial strength; and

"Whereas if the irrigated farms of Idaho are to be maintained as secure units and survive in this technological age of specialized agriculture and its associated high operating costs, it is imperative that our present storage reservoirs be supplemented with new facilities to store the high water near its source, thereby further eliminating the danger of drought and its attendant hardships in all of the irrigated areas of the Snake River; and

"Whereas each succeeding board of county commissioners has, since the creation of Madison and Fremont Counties, been confronted with the serious annual problem of the wild, ravaging Teton River, all of which conditions would be eliminated through the construction of said project; and

"Whereas even in years of mild snowfall in the watershed, the Teton River can be depended upon to provide at least several weeks of round-the-clock effort to protect private and public property from the flood water of the Teton. Madison County maintains 11 bridges across the Teton, 2 with steel spans, 3 reinforced concrete and 6 lumber bridges. Many times, serious damage to these structures has resulted from the uncontrollable destructive force of the flooding Teton. The bridges blocked by ice jams and the normal debris of high water become dams—forcing the flood waters out onto surrounding farming lands destroying its productive capacity for 1, 2, or 3 years. The Idaho State Highway Department maintains four bridges across the Teton within the boundaries of Fremont and Madison Counties and the Union Pacific Railroad System has three. Each of these bridges has, in the past, been the source of serious trouble and great maintenance expense because of the uncontrolled flooding Teton; and

"Whereas each year, almost without exception, many square miles south and west of Teton City lie under water as a result of the Teton flooding, and frequently private homes and storage facilities are jeopardized. Because of the slow and meandering course of the Teton it is impossible to predict where it will strike next; and

"Whereas eastern Idaho counties maintain hundreds of miles of oil road—not including State or Federal highways—the foundations become sponge-like under the saturation of flood waters so that even light loads break the mat into thousands of pieces making complete resurfacing necessary; and

"Whereas the benefits of flood control, irrigation and associated economic expansion has justified consideration by the Bureau of Reclamation and Corps of Army Engineers and our recommendation for construction of the Lower Teton Reservoir without delay: Now, therefore, be it

"*Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the senate and the house of representatives concurring)*, That the Congress and President of the United States be respectfully petitioned to give early consideration to and construction of the Lower Teton Reservoir with the least possible delay; and be it further

"*Resolved*, That the secretary of State of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, the Department of the Interior, the U.S. Bureau of Reclamation, the Corps of Army Engineers and to the Senators and Representatives representing this State in the United States.

"Adopted by the senate on the 18th day of January 1963.

"W. E. DREVLOW,
"*President of the Senate.*

"Adopted by the house of representatives on the 21st day of January 1963.

"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*

"Attest:

"ARTHUR WILSON,
"*Secretary of the Senate.*

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"HOUSE JOINT MEMORIAL 2

"*To the honorable Senate and House of Representatives of the United States in Congress assembled:*

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas the development and utilization of Idaho's abundant mineral resources has always been and must continue to be one of the major components of the State's economic structure, providing not only a source of employment and income, but also a sound base for tax revenues and a substantial market outlet for agricultural and manufactured products in mining areas; and

"Whereas this basic and essential mining industry has for many years been struggling under adverse economic conditions so severe that many major metal mining enterprises in the State, involving the production of antimony, tungsten, cobalt, mercury, and other strategic metals, as well as most of our small lead and zinc producers have been forced out of business, and even our large, nationally important lead and zinc mines have been reduced to the status of marginal operations; and

"Whereas this serious predicament of our mining industry is directly attributable to policies of the Federal Government which encourage and stimulate the development and exploitation of foreign mineral resources and through tariff concessions permit the resultant low-cost foreign production relatively free access to U.S. markets; and

"Whereas these policies if continued will not only threaten the economic survival of Idaho's metal mining industry, but will also impose a serious handicap on our Nation's capacity to provide from domestic sources the basic requirements for national defense; and

"Whereas the executive department of the Federal Government and both major political parties, as well as the Conference of Western Governors, has officially recognized the necessity for maintaining a domestic mining industry that is sufficiently vigorous and proficient to assure a minerals mobilization base adequate to national preparedness and security; and

"Whereas past efforts by the Federal Government to alleviate the depressed conditions which prevail in various segments of the domestic mining industry by means of short-range programs and temporary expedients, such as stockpiling, subsidies and quota limitations, have not only proven ineffective and inadequate but have also resulted in the accumulation of substantial Government stockpiling of some metals, including lead and zinc; and

"Whereas some of these stockpiles, including lead and zinc, now loom as an additional market threat to producers, because, under revised Government stockpile objectives, they have been declared to be excessive and it is the intent and purpose of the responsible executive officials to dispose of the surpluses through market channels if adequate congressional authority can be obtained: Now, therefore, be it

"*Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and the House of Representatives concurring)*, That we respectfully urge the Congress of the United States and the executive department of the Federal Government to formulate and put into effect with all deliberate haste a national minerals policy that will assure the preservation of a sound and stable domestic mining industry by reserving to domestic producers a fair and equitable share of domestic metal markets.

"We recommend that the implementation of this policy include as a minimum:

"1. Retention of congressional control over national stockpiles so as to minimize, if not completely avoid, the adverse market impact of surplus disposal.

"2. Imposition of adequate duties on metal and mineral imports, with variable rates which have maximum application only when the prices of the metals fall below the peril point level that is required to maintain a strong and healthy domestic mining industry.

"3. More effective enforcement of the antidumping laws; and be it further

"*Resolved*, That the secretary of state of the State of Idaho be, and he thereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States."

"Passed the house on the 17th day of January 1963.

"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*

"Passed the senate on the 18th day of January 1963.

"W. E. DREVLOW,
"*President of the Senate.*

"Attest:

"ROBERT K. REMAKLUS,
"*Chief Clerk of the House of Representatives.*"

Two concurrent resolutions of the Legislature of the State of Oklahoma; to the Committee on the Judiciary:

"ENROLLED SENATE CONCURRENT RESOLUTION 2

"Concurrent resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof

"*Resolved by the Senate of the 29th Legislature of the State of Oklahoma (the House of Representatives concurring therein)*,

"SECTION 1. That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. Article V of the Constitution of the United States is hereby amended to read as follows:

" ' "The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate."

" 'SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission.'

"SEC. 2. That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

"SEC. 3. That a duly attested copy of this resolution be immediately transmitted by the Secretary of the Oklahoma State Senate to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Adopted by the senate the 15th day of January 1963.

"ROY C. BOECHER,
"*President of the Senate.*

"Adopted by the house of representatives the 21st day of January 1963.

"J. D. MCCARTY,
"*Speaker of the House of Representatives.*

"Attest:

"[SEAL] FRANK RENEAU,
"*Secretary of the Senate.*"

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"ENROLLED SENATE CONCURRENT RESOLUTION 3

"Concurrent resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"*Resolved by the Senate of the 29th session of the Oklahoma Legislature (the house of representatives concurring therein)*:

"SEC. 1. That the Congress of the United States is respectfully petitioned by the Oklahoma State Legislature to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE—

" 'SEC. 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

" 'SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission.'

"SEC. 2. That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

"SEC. 3. That a duly attested copy of this resolution be immediately transmitted by the secretary of the Oklahoma State Senate to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from Oklahoma.

"Adopted by the Senate the 15th day of January, 1963.

ROY C. BOECHER,
*"President of the Senate.*

"Adopted by the house of representatives the 21st day of January 1963.

[SEAL] "J. D. MCCARTY,
*"Speaker of the House of Representatives.*

"Attest:

"FRANK RENEAU,
*"Secretary of the Senate."*

A resolution adopted by the City Council of the City of Honolulu, Hawaii, relating to income tax regulations on allowance for travel expenses of people traveling to resort areas; to the Committee on Finance.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOUGLAS:

S. 541. A bill to amend the Trade Expansion Act of 1962 to extend the provisions applicable in respect of the European Economic Community to the European Free Trade Association, and to require that each category of articles designated under section 211 of such act be identifiable by not less than four digits; to the Committee on Finance.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 542. A bill to provide for the distribution of motor-vehicle tires, and for other purposes; to the Committee on Commerce.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 543. A bill to provide for the expansion of the Custer Battlefield National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. KEATING:

S. 544. A bill for the relief of Humbert A. Lie; and

S. 545. A bill for the relief of Sister Laura Saraniti; to the Committee on the Judiciary.

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 546. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

By Mr. INOUYE:

S. 547. A bill for the relief of Billy Hing-Tsung Shim;

S. 548. A bill for the relief of Gervacio V. Aranca;

S. 549. A bill for the relief of Carl H. Carson;

S. 550. A bill for the relief of Teresa Isidro Raneses; and

S. 551. A bill for the relief of Luisa G. Valdez, to the Committee on the Judiciary.

By Mr. INOUYE (for himself and Mr. FONG):

S. 552. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Finance.

By Mr. DODD (for himself, Mr. KEFAUVER, Mr. RIBICOFF, Mr. LAUSCHE, Mr. YARBOROUGH, Mr. MECHEM, Mr. KEATING, and Mr. HRUSKA):

S. 553. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to regulate the manufacture, compounding, processing, distribution, and possession of habit-forming barbiturate drugs, and of amphetamine and other habit-forming central nervous system stimulant drugs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 554. A bill for the relief of Yvonne Helton; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 555. A bill to unify apportionment of liability in cases of collision between vessels, and in other maritime casualties; and

S. 556. A bill to limit the liability of shipowners, and for other purposes; to the Committee on Commerce.

By Mr. SIMPSON:

S. 557. A bill to amend the Tariff Act of 1930 to impose additional duties on cattle, beef, and veal imported each year in excess of annual quotas; to the Committee on Finance.

(See the remarks of Mr. SIMPSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 558. A bill to establish an interdepartmental committee to promote economy and efficiency in the conduct of educational and cultural exchange programs; to the Committee on Government Operations.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

Mr. LONG of Missouri (for himself, Mr. KEATING, Mr. BARTLETT, Mr. CLARK, Mr. COOPER, Mr. HUMPHREY, Mr. INOUYE, Mr. KUCHEL, Mr. MCINTYRE, Mr. MORSE, Mr. MOSS, Mr. MUSKIE, Mr. PROXMIRE, and Mr. RANDOLPH):

S. 559. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. LONG of Louisiana):

S. 560. A bill for the relief of John T. Knight; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 561. A bill for the relief of Karolina Rado; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. HOLLAND, Mr. DOUGLAS, Mr. LAUSCHE, Mr. HUMPHREY, Mrs. NEUBERGER, Mr. PROXMIRE, Mr. INOUYE, Mr. COOPER, Mr. CHURCH, Mr. METCALF, Mr. SPARKMAN, Mr. PELL, Mr. BYRD of West Virginia, Mr. BURDICK, Mr. MCGOVERN, Mr. NELSON, Mr. BREWSTER, and Mr. BAYH):

S. 562. A bill to establish a National Advisory Commission on Interstate Crime; to the Committee on the Judiciary.

By Mr. CASE (for himself and Mr. RANDOLPH):

S. 563. A bill to amend the Davis-Bacon Act to require compliance with the provisions thereof in the performance of certain agreements, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. MUNDT:

S.J. Res. 30. Joint resolution to advance peaceful relations between the United States and other nations by strengthening and expanding the Mutual Education and Cultural Exchange Act of 1961; to establish biennial art competitions similar to those in European countries which give the arts a status equal to that provided athletics by the international Olympic games; to coordinate cultural exchange programs with the Organization of American States and the Pan American Union; and to provide at colleges and universities centers for technical and cultural interchange similar to that at the University of Hawaii; to the Committee on Foreign Relations.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JACKSON:

S.J. Res. 31. Joint resolution authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Republic of Vietnam; to the Committee on Armed Services.

## CONCURRENT RESOLUTION

### IDENTITY AND MARKING OF THE LEWIS-CLARK TRAIL FROM ST. LOUIS TO THE PACIFIC NORTHWEST

Mr. MILLER submitted the following concurrent resolution (S. Con. Res. 13) to identify and mark the Lewis-Clark Trail from St. Louis to the Pacific Northwest, which was referred to the Committee on Interior and Insular Affairs:

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress that the route traversed by Captains Meriwether Lewis and William Clark on their expedition of 1804–1806 from St. Louis, Missouri, to the Pacific Northwest should, to the greatest extent feasible, be identified, marked and kept available for the inspiration and enjoyment of the American people and that, to this end, (a) all agenices of the United States which administer lands along the route of the expedition, including particularly the Departments of the Interior, Agriculture, and the Army, should act in concert to preserve and mark in an appropriate fashion the route wherever it crosses lands which they administer and to assure public access of the lands so crossed, and (b) that all States, counties, municipalities, and private parties who own land along the route or are otherwise interested in the success of this project should be invited, and they are hereby invited, to join in preserving, marking, and assuring public access to the route of the expedition.

## RESOLUTIONS

### ENACTMENT BY STATES OF COMPULSORY SCHOOL ATTENDANCE LAWS

Mr. PROXMIRE submitted a resolution (S. Res. 70) favoring enactment by States of compulsory school attendance laws, which was referred to the Committee on Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. PROXMIRE, which appears under a separate heading.)

### FUNDS FOR ADDITIONAL STAFF FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL submitted the following resolution (S. Res. 71) to provide funds for additional staff for the Committee on Labor and Public Welfare, which was referred to the Committee on Labor and Public Welfare:

*Resolved,* That the Committee on Labor and Public Welfare is authorized from February 1, 1963, through January 31, 1964, to employ one additional assistant chief clerk, six additional professional staff members, and eight additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

## TO PRINT AS A SENATE DOCUMENT *A REPORT ON COLORADO RIVER* STORAGE PROJECT AND PARTICIPATING PROJECTS, ETC.

Mr. ANDERSON submitted a resolution (S. Res. 72) to print as a Senate document a report on Colorado River storage projects and participating projects, etc., which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. ANDERSON, which appears under a separate heading.)

## EXPENDITURES BY AND TEMPORARY PERSONNEL FOR COMMITTEE ON RULES AND ADMINISTRATION

Mr. CANNON submitted the following resolution (S. Res. 73) authorizing the Committee on Rules and Administration to make expenditures and to employ temporary personnel, which was referred to the Committee on Rules and Administration:

*Resolved,* That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the elevation of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections generally; and

(6) Presidential succession.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $65,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## STUDY OF MATTERS PERTAINING TO AERONAUTICAL AND SPACE ACTIVITIES OF FEDERAL DEPARTMENTS AND AGENCIES

Mr. RUSSELL (for himself and Mr. ANDERSON) submitted the following resolution (S. Res. 74) authorizing the Committee on Aeronautical and Space Sciences to make a study of matters pertaining to aeronautical and space activities of Federal departments and agencies, which was referred to the Committee on Aeronautical and Space Sciences:

*Resolved,* That the Committee on Aeronautical and Space Sciences, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the aeronautical and space activities of departments and agencies of the United States, including such activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. (a) For the purposes of this resolution the committee is authorized, from , 1963, through January 31, 1964, inclusive, to (1) make such expenditures as it deems advisable, (2) employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants, and (3) with the prior consent of the head of the department or agency of the Government concerned and the Committee on Rules and Administration, utilize the reimbursable services, information, facilities, and personnel of any department or agency of the Government.

(b) The minority is authorized to select one person for appointment as an assistant or consultant, and the person so selected shall be appointed. No assistant or consultant may receive compensation at an annual gross rate which exceeds by more than $1,600 the annual gross rate of compensation of any person so selected by the minority.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## AMENDMENT OF TRADE EXPANSION ACT OF 1962—80-PERCENT CLAUSE

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a bill to amend the Trade Expansion Act of 1962. This amendment is virtually the same amendment that I got into the trade bill during Senate Finance Committee and floor consideration last year, but which was lost in conference.

Under the dominant supplier clause of the Trade Expansion Act, where the United States and nations of the Common Market have 80 percent of the world's trade in a particular commodity or series of commodities, there is authority to bargain the tariffs on these commodities down to zero.

However, the provision was written under the assumption that Great Britain would be a member of the Common Market. Unless Great Britain becomes a member of the Common Market, only jet aircraft and margarine would be covered by the clause.

Thus, the real purpose of this bill, which is an amendment to the Trade Act, is to make the dominant supplier clause meaningful. Without this amendment, it is almost meaningless. The present formula would not permit special down-to-zero bargaining in such vital categories of U.S. exports as automobiles, trucks, and buses; metalworking machinery; mining construction and other industrial machinery; agricultural machinery, including tractors; organic chemicals; other chemicals, including plastics and insecticides; office machinery; power-generating machinery; other electrical machinery; paper and paper products; and rubber manufacturers to name a number of them.

There are at least another 15 commodity groups which are now excluded from the down-to-zero bargaining authority which would be included if the amendment to the act were passed.

It appears that chapter 2 will, in fact, not be usable over a broad range of product categories until and unless the United Kingdom and some other European countries formally join the Common Market. A widely distributed list, prepared by the Department of Commerce, shows that 26 major categories of trade would be eligible under chapter 2—but only if the United Kingdom, Denmark, Greece, Ireland, and Norway all succeed in joining the EEC.

This amendment would allow the dominant supplier clause of the act to apply to the United States and the Common Market and any nation of the European Free Trade Association so designated by the President.

This amendment would again give the dominant supplier clause real meaning and allow us to bargain down the European tariffs to zero on a wide range of commodities.

Thus, in effect, the amendment allows the dominant supplier clause to be applied not only to the European Six, but also to Great Britain and to any of the other countries of EFTA which are designated by the President.

This is really what was largely intended when the Trade Expansion Act was drafted. However, it was drafted under the very rosy assumption that Great Britain would automatically become a member. As we know, this is not now the case, and it may never be the case if General de Gaulle and France remain as obstinate about British membership as they are now.

Thus, this amendment is absolutely essential if this part of the act is to have any real meaning.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 541) to amend the Trade Expansion Act of 1962 to extend the provisions applicable in respect of the European Economic Community to the European Free Trade Association, and to require that each category of articles designated under section 211 of such act be identifiable by not less than four digits, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on Finance.

## REGULATION OF MANUFACTURE AND DISTRIBUTION OF CERTAIN DRUGS

Mr. DODD. Mr. President, in behalf of myself and Mr. KEFAUVER, Mr. RIBICOFF, Mr. LAUSCHE, Mr. YARBOROUGH, Mr. MECHEM, Mr. KEATING, and Mr. HRUSKA, I introduce, for appropriate reference, a bill to regulate the manufacture, compounding, processing, distribution, and possession of habit-forming barbiturate drugs, and of amphetamine and other habit-forming central nervous system stimulant drugs.

Mr. President, on October 8, 1962, here on the floor of the Senate, I outlined my attempts over a 16-month period of the 87th Congress to obtain the passage of a piece of legislation which I consider vital to the welfare of our young people. I outlined the need for stronger Federal controls of the dangerous drugs by documenting the staggering increases in juvenile addiction to these so-called pep pills and goof balls.

I proposed a bill that would make a series of the stimulant drugs subject to the provisions of the Federal Food, Drug, and Cosmetic Act. The barbiturate drugs were also included in this bill, as they are used illegally by juveniles in great quantities for purposes of chemically altering the nervous system. These drugs, the barbiturates, produce a habitation that is as severe and as self-destructive as the narcotic drugs.

While the solution to this problem is not easy, I felt that a giant stride toward a solution could be made by amending the law to make possible realistic law enforcement. The sale of these drugs without a prescription is already illegal, but no effective and organized attack on these illegal sales can be made unless law enforcement officials know exactly where and in what quantities these drugs are being produced and to whom they are being shipped for resale.

The provisions in my bill met this need by providing:

First. That manufacturers, compounders, and processors of barbiturates and amphetamines be required to register their names and addresses with the Department of Health, Education, and Welfare.

Second. That manufacturers and others engaged in receiving or disposing of such drugs be required to keep records of the quantities of such drugs they handle and make these records available to food and drug inspectors.

Third. That adequate authority be given to drug inspectors to inspect establishments, inventory stocks, vehicles, and other facilities relevant to the proper investigation of the disposal of drugs.

In emphasizing the seriousness of the offense, I raised the penalties from the present $1,000 fine and 1 year in jail to $2,000 fine and 2 years in jail. In addition, I called for more severe penalties for repeaters and those found selling to children and teenagers.

In my October statement to the Senate, I presented the results of our hearings which were held in our two major population centers, Los Angeles and New York City, in which witness after witness in monotonous repetition told of the availability and abuse of these drugs in all sections of these cities, among all classes of people, and among all types of youth. In spite of my efforts as chairman of the Juvenile Delinquency Subcommittee, however, no action was taken on the proposed legislation in the 87th Congress.

I further stated that with the new Congress I hoped to get a quick start toward the ultimate goal of final passage of this legislation without which this country will sacrifice thousands of our citizens to the living death of addiction. Thousands of others will die from overdoses or at the hands of crazed pep pill addicts.

There is one new provision in the bill I am introducing today as compared to the version I introduced in the 87th Congress. After further careful study of the barbiturate and amphetamine traffic as it exists throughout the country, the subcommittee took under advisement a provision to make possession of these drugs illegal. A recommendation to this effect was made to the committee by the Department of Health, Education, and Welfare, but the provision was not included in previous versions because I felt that a blanket possession provision might create an injustice to those who, daily, legitimately use these drugs. However, in the interim, we have developed new terminology which is designed to get at the illicit trafficker who has large quantities in his possession, while allowing the legitimate possessor of the barbiturate and amphetamine drugs to remain free from any possible difficulties with the law. I have, therefore, added a new section which will make possession of these drugs illegal, except if the drugs are for one's own use, for the use of a member of his family, or for administration to pets and other animals.

As I pointed out in a previous plea for the passage of this drug-control bill, the illegal use of the billions of these pills which have flooded this country, has reached epidemic proportions. During the 4 months of adjournment, this epidemic has apparently continued to spread throughout the country. The subcommittee in an effort to keep abreast of the spread of this infection communicated with the police chiefs of 128 of our major cities. Their replies to the subcommittee have more than substantiated what I have contended for the last 2 years:

The use of these drugs is increasing at a fantastic rate.

The use of these drugs has a direct causal relationship to increased crimes of violence.

The use of these drugs is replacing, in many cases, the use of the "hard" narcotics, such as opium, heroin, and cocaine.

The use of these drugs is more and more prevalent among the so-called white-collar youths who have never had prior delinquency records.

And something new has been added:

The use of these drugs is increasingly identified as causes of heinous sexual crimes and perversions.

The illegal traffic in these drugs has created a sense of urgency on the part of responsible law enforcement officers, the great majority of whom urged the passage of the legislation which I introduce today.

To show each and every Member of the Senate that his own home State, its large cities, and its children are the victims of this illegal traffic in deadly drugs, I would like to refer to the responses of some police officials who communicated with the Juvenile Delinquency Subcommittee.

In identifying the types of crime that flow from the use of these drugs, the police chief of Boston, Mass., listed:

> Homosexuality, automobile violations, prostitution, promiscuous sex behavior.

The police chief of Dallas, Tex., replied:

> There has been a definite relationship between dangerous drugs and many arrests made for crimes of violence and sex perversion. The majority of known criminal offenders not using narcotic drugs or marijuana use some form of dangerous drugs.

The police chief of Salt Lake City, Utah, replied:

> Individuals who have been arrested for a violation such as drunk driving, disturbing the peace, obscene conduct, or in some instances felonious assaults, we find later that their action was caused by the use of these drugs.

The police chief of Oakland, Calif., replied:

> Automobile accidents; fighting; resisting arrest; wild parties; armed robberies; shootings; knifings; running berserk; hallucinations, and general effects seen in alcoholism.

And, finally, I would like to refer to the police chief of St. Louis, Mo., who told the subcommittee:

> In the past 2 years we have noticed an increase in crimes, such as rapes and robberies in which the victim has been brutally beaten, cut, or shot, wherein the assailant was using or under the influence of the amphetamine drug.

I need not go on. I feel this documentation from areas representing widely different parts of this country are adequate testimony to the danger inherent in the abuse of these drugs.

We also learned from our correspondents the extent of the increases in the dangerous drug traffic, as evidenced by the yearly increases in arrests from 1958 to 1962. The information they provided gives further evidence of the surging nature of this illegal traffic. Before quoting these figures, I would like to remind my colleagues that competent police witnesses who testified before our subcommittee estimated that only 1 and certainly no more than 10 percent of the dangerous drug violations ever come to the attention of the police. If this is so, the figures I am about to recite assume menacing connotations.

We were told that in Seattle, Wash., from 1961 to 1962, there was a 30-percent increase in dangerous drug arrests.

In Dallas, Tex., over the same period, there was an 18-percent increase. Dallas, I might add, has more arrests for this offense than any of the responding cities. Since 1958 this community has experienced a 72-percent increase in dangerous drug arrests.

San Francisco, Calif., recorded a 76-percent increase in arrests between 1961 and 1962.

Between 1958 and 1962, Oklahoma City recorded a 59-percent increase.

Other areas, inexperienced with this new plague, while not recording high arrest rates, did experience dramatic increases in the numbers of police contacts relating to the dangerous-drug traffic. For example, the police chief of the city of Detroit told the subcommittee:

> Since 1958 the narcotic bureau has processed hundreds of prisoners arrested for violation of the dangerous-drug law, but were unable to prosecute due to a questionable arrest or youthfulness of the defendant.

As far as the legislation I am proposing is concerned, I would like to point out that the deadly heroin, the preferred drug of addicts until recently, is outlawed from its inception. It has no value except to the underworld and it is there that its creation and distribution is planned and executed.

However, the amphetamines and barbiturates are legitimate drugs. From testimony taken at previous hearings, we on the subcommittee were convinced that the primary source of dangerous drugs that eventually ended up in the illegal market were siphoned off from legitimate channels. The traffic, in effect, was due to a breakdown in controls between legitimate producers, wholesalers, retailers, and physicians. The replies to our recent inquiry confirmed this testimony.

There were indications of other more ominous trends in the dangerous-drug traffic over the past several months.

As with the historical development of the traditional narcotics addict such as the heroin user, the use and abuse of these drugs is being adopted to a great degree by the criminal element in our large cities. I contend that this development will cause even greater increases in crimes of violence, aggression, assault, homicide, and rape.

From the police chief of Portland, Oreg., we learned that:

> Traffic and use by underworld characters has vastly increased in this area in the past few months. Such usage is now largely confined to the old narcotic users, and underworld characters; however, we already have indications that such usage of dangerous drugs is spreading to other groups including college students and juveniles.

From this statement, I think it is apparent that, as with heroin, the criminal element is looking, and finding, juveniles and youths who will support the adult criminal's habit and, indeed, make him a profit.

As with the hard narcotics, we can look forward to a whole new underworld in dangerous drugs rising if corrective measures are not taken quickly. The techniques used by the heroin pusher of proselytizing new users and creating a larger and larger market will be used with equal vigor by the dangerous drug peddler.

That this is a problem of direct and increasing effect on our youth population was confirmed by the police chief of Seattle, Wash., who told the subcommittee:

> It is my opinion that there is a decided upsurge in the traffic in dangerous drugs. These violations create a whole new set of circumstances of which our present laws to curtail violations are inadequate. I believe this problem to be here to stay and it is closely correlated to the narcotic problem. It creates new addicts of the worst sort, primarily among the younger set, and a large majority of them will be hardened addicts in the future. Penalties have to be stiffened in some way to curtail the dealers in their lucrative venture.

My colleagues from the State of Florida will be interested to hear that the police chief of Miami, in endorsing the need for remedial legislation, told the committee:

> We feel that these drugs are so dangerous that the sale and manufacture of them should be controlled in the same manner as are narcotics. Our biggest problem is the control and check from the manufacturer to wholesaler to retailer. Many times there are no invoices to show how many capsules or pills were purchased at these levels.

I think the point has been made by these professional people in the field of crime and delinquency control: The dangerous drug problem is with us; it is growing, and it is acute.

Mr. President, I sincerely hope that the inaction that so persistently dogged my efforts to obtain passage of this legislation in the last Congress will not manifest itself in the 88th Congress. As I pointed out in October 1962, everyone from the President to the law enforcement officer on the sidewalk, from the large drug companies to the representatives of every segment of the field of pharmacy, has supported this legislation.

On November 20, 1962, the new Secretary of the Department of Health, Education, and Welfare, Anthony J. Celebrezze, said that two areas of legislation would receive top priority attention from his Department, one of which is the development of stronger controls over the distribution and sale of the amphetamine and barbiturate drugs. I know that Secretary Celebrezze will back the legislation which I am introducing today as it was a cooperative effort between his people and our subcommittee that resulted in the bill I am proposing.

With this tremendous and obvious need, with the overwhelming backing for this legislation, and with the support of the 88th Congress, I feel that there is no reason why we cannot obtain swift passage of the amendment which I and my colleagues are proposing. I, therefore, commend this new bill, the Barbiturant and Stimulant Drug Control Amendment of 1963, to the attention of the Senate, and I pray that it will be given the immediate and urgent attention which the problem demands.

**The VICE PRESIDENT.** The bill will be received and appropriately referred.

The bill (S. 553) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to regulate the manufacture, compounding, processing, distribution, and possession of habit-forming barbiturate drugs, and of amphetamine and other habit-forming central nervous system stimulant drugs, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. HRUSKA. Mr. President, under the leadership of the distinguished Senator from Connecticut [Mr. DODD], the Subcommittee To Investigate Juvenile Delinquency of the Committee on the Judiciary has brought to the attention of the American people and Congress the critical problem surrounding the widespread illicit traffic in barbiturates, amphetamines, and other habit-forming drugs. Certainly all those who worked on this endeavor are deserving of our praise and commendation.

This Nation has no greater resource than its young people. Yet, because of juvenile delinquency, we are losing some of the energy and creative talents that they have to give. Moreover, rather than receding or abating, the problem is increasing.

In many instances the use of habit-forming drugs has been directly involved in acts of delinquency. What a human tragedy that the lives and fortunes of our young people should be jeopardized by goof balls and pep pills. The use of such drugs is, in some cases, a prelude to that greatest of all human misfortunes, narcotic addiction.

The Barbiturate and Stimulant Control Amendment of 1963 is an effort to avert further lawlessness, and I am proud to join in cosponsorship. This bill is not based on a system of Federal licensing. Rather, it calls for the keeping of certain records and accounts so that a proper surveillance of these drugs can be maintained. In this way it is hoped that their illicit use can be suppressed.

The bill recognizes that there are a number of legitimate uses for stimulant drugs, and it contains nothing which would discourage or impair such uses. The reference of the measure to the Labor and Public Welfare Committee is entirely appropriate. However, I want to congratulate Senator DODD for his leadership in this field.

All in all, this is constructive legislation. It is worthy of widespread support and early enactment.

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## IMPOSITION OF ADDITIONAL DUTIES ON CERTAIN CATTLE, BEEF, AND VEAL

Mr. SIMPSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Tariff Act of 1930 to impose additional duties on cattle, beef, and veal imported each year in excess of annual quotas.

I ask unanimous consent that the bill may lie on the desk for 5 days so that any other Senator who cares to do so may join as a cosponsor.

**The VICE PRESIDENT.** The bill will be received and appropriately referred;

and, without objection, the bill will lie on the desk as requested by the Senator from Wyoming.

The bill (S. 557) to amend the Tariff Act of 1930 to impose additional duties on cattle, beef, and veal imported each year in excess of annual quotas, introduced by Mr. Simpson, was received, read twice by its title, and referred to the Committee on Finance.

## REVISION OF FEDERAL ELECTION LAWS

Mr. LONG of Missouri. Mr. President, this past fall the voters of the United States again went to the polls without all the information they should have had for deciding how to vote. Because of the minimal reporting requirements of the Federal Corrupt Practices Act, voters had very limited information concerning campaign finances. Also, the candidates had to finance their campaigns within limits set in 1925. It is my hope and I know the hope of many others that the inadequacies of our present law will be corrected before the election in 1964.

Today, I am introducing a bill which I believe would give real meaning to our Federal elections laws. Joining with me in the introduction of this bill are Senator Keating, Senator Bartlett, Senator Clark, Senator Cooper, Senator Humphrey, Senator Inouye, Senator Kuchel, Senator McIntyre, Senator Morse, Senator Moss, Senator Muskie, Senator Proxmire, and Senator Randolph.

It is gratifying to have Members of both political parties join with me in this effort for sound election laws are a matter of concern to all Americans.

The present law is based on the concepts that the amount spent in a campaign should be limited and that the candidates and political committees should disclose their receipts and expenditures. These principles are sound but unfortunately the present law is ineffective. It covers only general and special elections despite the fact that the nominating process is an integral part of an election. The bill I introduce would extend coverage to primary elections, caucuses, and conventions.

Under present law only political committees operating in two or more States must report. It is a well-known fact that a substantial part of the funds spent in the election of congressional candidates is handled by committees that operate in only one State. The bill, therefore, brings within its reporting provisions all political committees that receive or expend more than $2,500 to influence Federal elections.

Under present law, a person can contribute $5,000 to as many candidates and committees as he likes. No one should be able to exert unlimited financial influence on Federal elections. Therefore, the bill would place a $10,000 overall annual limit on political contributions by one person.

In addition to filing reports in Washington as now required, under the bill candidates and committees would have to file reports in the State.

As I said earlier, the expenditure limits of present law were set many years ago. They have become unrealistic. Not only have costs increased since their enactment, but we now make extensive use of a completely new media, television. Therefore, the bill would raise expenditure limits to a realistic level. The bill also would establish limits on expenditures by candidates for the Office of President and Vice President. There are no limits on such candidates at this time.

Finally, the bill contains a provision which has promise of meeting one of the most difficult problems facing many candidates, the raising of sufficient funds to run the campaign. The bill would allow a taxpayer to claim a credit against his income tax of 50 percent of his political contributions up to $20. That is, the maximum credit allowed would be $10.

In my opinion, the enactment of the above provisions would give our Nation an effective election law of which all Americans could be proud. It would remove the aura of suspicion which must necessarily accompany elections today because of the inadequate limits and reporting requirements of present law.

The St. Louis Post-Dispatch recently published an editorial which expresses well the feeling of many with respect to election legislation. While I am relatively a newcomer to the Senate, I am quite familiar with the efforts of my predecessor, the late Senator Tom Hennings, to enact sound election legislation. The realization that a bill similar to the one here proposed has been introduced in every Congress for a decade without final congressional action does give one a feeling of hopelessness, a sense of participating in an opening rite of Congress. However, there is reason to hope that action may be taken during this Congress. President Kennedy, recognizing the shortcomings of present election laws, established in the fall of 1961 a Commission on Campaign Costs. This distinguished bipartisan Commission, under the able leadership of Alexander Heard, after careful study submitted to the President a number of recommendations for changes in the law. The President in turn sent a number of recommendations to the Congress. While the recommendations apply only to presidential campaigns, the Commission and the President indicated the recommendations would have a desirable effect on all political fund raising. The recommendations include many of the ideas found in the bill I introduce. They call for the inclusion of the nominating process. They call for reporting by all political committees receiving or expending over $2,500 and they call for a tax incentive with respect to political contributions.

One of the reasons I believe Congress has failed to act in the past on election bills is the feeling among many Members that they have been able to campaign successfully under present law and that outside of a few advocates, no one is really concerned over the need for a change. A few Members of Congress have continually urged and worked for reform. A few newspapers have from time to time editorially advocated change, and one or two citizens committees have expressed interest. However, there has never been an organized and concentrated effort to focus public attention on the need for action. The work of the President's Commission could be a good start in filling this void.

In 1960, the Senate approved a sound bill almost identical to the measure I introduce except it did not include the tax incentive provision. The House failed to act. Again in 1961, the Senate approved a bill; however, this time it did not contain a number of the important provisions found in the 1960 bill. During the 1961 debate in the Senate, the junior Senator from New York and I joined together in offering three amendments which we believed necessary to adequate legislation: inclusion of primaries, reports by intrastate committees and an overall limit on contributions. Because the junior Senator from New York and I have worked so closely on this proposal, I have listed him as the first cosponsor. I am deeply indebted to him and a number of my other colleagues for their good counsel and able support in this continuing effort.

It is my hope that extensive hearings will be held on this bill, bills recommended by the President and other bills which have and will be introduced to improve our election laws. The Congress must recognize and accept its responsibility to the American people in this area. Our democracy can be no stronger than our election process.

Mr. President, I ask unanimous consent that the St. Louis Post-Dispatch editorial I referred to earlier be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### In the Hopper Once Again

What seems on the way to becoming another of the opening rites of Congress—like debates on the rules—has been performed with suitable decorum. Senator Cannon, of Nevada, has introduced a bill to reform campaign spending regulations. To feel slightly hopeless about this is not to be cynical, but merely somewhat discouraged by experience.

The late Senator Hennings, of Missouri, brought in such a bill time and again. The Senate occasionally gave its approval. It passed Senator Cannon's bill last year. But there seems to be a standard last line. The bill died in the House.

More or less like earlier bills, the latest would raise the unrealistic $3 million limit on the committees to about $14 million for a presidential election. Even that seems inadequate unless campaigns are to become shorter and more modest. Higher ceilings are proposed also for congressional campaigns.

Most elected officials must feel ill at ease under the implications of campaigns obviously conducted at a cost far in excess of what the present rules suggest. They know that by now the public knows that most campaign money is raised without official or unofficial publicity. The existing rules do not require anything like adequate reporting of political contributions, and they make it necessary to accept money under the table, regardless of motive. They favor those seekers of favors or privileges who prefer to remain in the dark.

> American politics and politicians are not as graft-ridden as once they were. Yet there is persisting reluctance to change rules which reflect the old unsavory approach to the game.

Mr. LONG of Missouri. Mr. President, I introduce on behalf of myself and a number of my colleagues for appropriate reference a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 559) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. LONG of Missouri (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. KEATING. Mr. President, I have today again joined with Senator LONG of Missouri and others in proposing legislation to prevent corrupt practices in Federal elections.

The costs of campaigning for Federal office have skyrocketed. The money behind a candidate can become a decisive factor in determining whether he will win or lose the election. There is an ever-present danger of fraud and undue influence if this condition is not sensibly regulated. The situation which now exists threatens not only the integrity of the Government, but its representative character. It cannot continue to be neglected by Congress.

There are laws dealing with corrupt practices in Federal elections but they are grievously inadequate. In a few respects they are too restrictive and thereby encourage wholesale schemes of evasion which escape any control. The major problem, however, is that the existing laws contain wide gaps which leave many aspects of campaign financing wholly unregulated.

The bill we have introduced would completely revise the present laws. It would discourage the improper use of funds to influence elections by requiring a full disclosure of the sources and transfer of campaign contributions. It would prevent undue influence on a candidate by limiting the overall campaign contributions of any one contributor. It would broaden the base of financial support for all parties by allowing a $10 income tax credit for political contributions. It would place realistic limits on the total campaign expenditures for congressional elections and for the first time limit the expenditures for presidential campaigns. Finally, it would apply to primaries as well as general elections so as not to exclude from its impact States in which the primary campaign is the only meaningful step in the electoral process.

We boast of the right to vote as one of the great heritages of the Republic. This boast has sometimes blinded us to the glaring defects in the present electoral system. Millions of Americans are deprived of their right to fully participate in the electoral process each year by a combination of corruption, unfair residence laws and discriminatory practices. The bill we are introducing today is directed at only one of these problems, but I intend in the near future to introduce other measures to both protect and expand the right of the franchise.

Congress cannot continue to refuse to come to grips with these problems. There is no more important subject in a free society than the process by which the representatives of the people are chosen. Our present practices leave much to be desired, and we must resolve to do better if we are to preserve our freedom and be faithful to our constitutional heritage.

## ENACTMENT BY STATES OF COMPULSORY SCHOOL ATTENDANCE LAWS

Mr. PROXMIRE. Mr. President, I submit a sense of the Senate resolution calling on State school authorities to raise compulsory school attendance to the 17th birthday.

High school dropouts are seriously aggravating our number one economic problem: unemployment.

The most recent Bureau of Labor Statistics show 1 million young people aged 14 to 19 who are in the labor force but out of work. If present trends continue, by 1970 the number will be 1.5 million. As they are now, so they will be then: the largest single age group of unemployed workers in America.

The serious human tragedy is that many of these young people will be out of work most of their lives because of their lack of the skills and training industry needs now and will need even more in the future.

The right kind of increased education is a key to reducing this unemployment. It is the best way to develop the competence and skills that our young people need in order to fill the thousands of skilled jobs opening up every week, as technology races ahead.

As a national goal, States and communities should be encouraged to provide useful education and training opportunities for young people until their 17th birthday.

Achievement of this goal would not only reduce unemployment, it would strengthen America in the most fundamental possible way: by increasing the skills and abilities of our people. In this technological age, this increase in American skill is the number one source of our power.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 70) was referred to the Committee on Labor and Public Welfare, as follows:

> Whereas education and training enable young people to develop useful skills and talents; and
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> Whereas young people with limited education have difficulty finding and keeping satisfactory employment; and
>
> Whereas there exists a seriously high level of unemployment among our Nation's young people, especially those with low educational attainment; and
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> Whereas a large percentage of all the unemployed in our Nation are young people; and
>
> Whereas the several States and communities of our Nation have full responsibility and authority over education policies and standards: Now, therefore, be it
>
> *Resolved*, That it is the sense of the Senate (1) that it should be a national goal that all States have compulsory school attendance laws requiring school attendance until the seventeenth birthday or completion of the twelfth grade if prior to such birthday, and (2) that all States and communities should be encouraged to provide adequate education and training opportunities for young people while in such required attendance.

## TO PRINT AS A SENATE DOCUMENT THE "SIXTH ANNUAL REPORT ON THE STATUS OF THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS" AND "GENERAL PRINCIPLES TO GOVERN, AND OPERATING CRITERIA FOR, GLEN CANYON RESERVOIR, LAKE POWELL, AND LAKE MEAD DURING THE LAKE POWELL FILLING PERIOD"

Mr. ANDERSON. Mr. President, under date of December 28, 1962, the Assistant Secretary of the Interior, Hon. Kenneth Holum, transmitted to the President of the Senate the sixth annual report of the Department on the status of the Colorado River storage project and participating projects as required by section 6 of the authorizing act of April 11, 1956—70 Stat. 105.

The report calls attention to three significant events in the development of the project: First, the substantial completion of the Paonia participating project in western Colorado; second, the receipt of the first operating revenues from the sale of water on the Navajo storage unit in New Mexico; and third, the authorization on June 13, 1962, of the Navajo Indian Irrigation and San Juan-Chama projects.

Annually this report has been printed as a Senate document, and, in conformity with this precedent, I send forward a resolution authorizing that this report be printed.

In addition, Mr. President, the Glen Canyon Dam, which one of the key units of the project is nearing completion and filling of its mighty reservoir, Lake Powell, is about to start. Because of the great importance of this unit to the development of the entire Colorado River system, I am presenting a statement of the criteria and principles governing the filling and operation of the Glen Canyon Dam and Reservoir to be printed as an appendix to the sixth annual report.

Mr. President, I am certain that every Member of the Congress is aware of how vital to the West and to the Nation is the full development of the Colorado River and its resources. As the Dean of the Senate, the distinguished Senator from Arizona, CARL HAYDEN, so picturesquely expresses it:

> The Colorado River is the West's last waterhole.

One of the great forward steps the Congress has taken toward maximum development of this cornerstone of so much of the West's and the Nation's, prosperity was the enactment in 1956 of the Colorado River Storage Project Act, which is Public Law 485, 84th Congress. Among the participating projects authorized by this monumental legislation, which I had the honor to sponsor, was construction of the Glen Canyon Dam and Reservoir.

As construction of Glen Canyon Dam progressed, the Secretary of the Interior Stewart Udall initiated studies, in consultation with all of the diverse interests of the Colorado River Basin, to determine how Lake Powell could be filled with the least possible disruption of the many activities now dependent upon the flow of the river. The Secretary was faced with difficult decisions in formulating the filling criteria finally adopted. These decisions, made, as I have pointed out, only after the most searching study and exhaustive consultation with the varied Colorado River Basin interests, reflect impartial judgment based on expert advice, and are in the best interests of the Colorado Basin as a whole, I am confident.

Fortunately, the favorable runoff of the Colorado River during 1962 will result in almost ideal conditions for the initiation of storage in Lake Powell. With average or near average flows for the next few years the Upper Basin reservoirs can be filled with a minimum of effect on downstream interests.

The filling of Lake Powell, which will rival Hoover Dam and Lake Mead in size and capacity, together with the other Upper Basin storage reservoirs, will be another long step forward in unlocking the door to full development of the Upper Basin's water resources. In this respect the Upper Basin structures will serve, in effect, the same purposes that Hoover, Parker, and Davis Dams do for the Lower Basin. Together, these Upper and Lower Basin reservoirs will approach full control of the once-rampaging Colorado River.

In reaching this objective I sincerely hope that Secretary Udall may have the full cooperation of all basin interests and that the remaining development of the Colorado River Basin can proceed at full speed and in harmony and equity.

I am convinced that the printing, as a Senate document, of the sixth annual report on the status of the Colorado River Storage project and participating projects and the statement of the principles and criteria arrived at by the Secretary and his expert advisers for the filling of Glen Canyon Reservoir will be of value to the Congress and the Nation.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 72) was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That there shall be printed as a Senate document the "Sixth Annual Report on the Status of the Colorado River Storage Project and Participating Projects," and "General Principles to Govern, and Operating Criteria for, Glen Canyon Reservoir (Lake Powell) and Lake Mead during the Lake Powell Filling Period," prepared by the Department of the Interior, with an introductory statement.

## AMENDMENT OF RULE RELATING TO CLOTURE—AMENDMENT

Mr. PROUTY submitted an amendment, intended to be proposed by him, to the resolution (S. Res. 9) to amend the cloture rule of the Senate, which was ordered to lie on the table and to be printed.

## ADDITIONAL COSPONSORS OF BILLS

Mr. ANDERSON. Mr. President, I ask unanimous consent to include among the cosponsors of S. 4, the wilderness bill, the junior Senator from Connecticut [Mr. RIBICOFF], and the inclusion of his name on the next printing of the bill.

I ask unanimous consent for inclusion of the name of the junior Senator from California [Mr. ENGLE] as a cosponsor of S. 20, the Bureau of Outdoor Recreation bill, on any reprint of that measure.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the name of our colleague from Wisconsin [Mr. NELSON] may be added as a cosponsor of the bill (S. 11) to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity, on the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 16, 1963:

S. 287. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes: Mr. TOWER.

S. 288. A bill to prohibit strikes by employees employed in certain strategic defense facilities: Mr. THURMOND.

Authority of January 21, 1963:

S. 397. A bill to repeal the tax on transfer of silver bullion, and for other purposes: Mr. ALLOTT and Mr. GOLDWATER.

Authority of January 23, 1963:

S. 450. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes: Mr. BARTLETT, Mr. GRUENING, Mr. WILLIAMS of New Jersey, Mr. METCALF, and Mr. INOUYE.

Authority of January 24, 1963:

S. 502. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam: Mr. CANNON.

## AMENDMENT OF PUBLIC LAWS 815 AND 874, 81ST CONGRESS—EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. GRUENING. Mr. President, in the absence of my colleague, the distinguished Senator from Utah [Mr. MOSS], and at his request, I ask unanimous consent that the bill (S. 415) to amend Public Laws 815 and 874, 81st Congress, in order to extend for 1 year certain expiring provisions thereof, and for other purposes, introduced by him on January 22, 1963, be permitted to lie at the desk for an additional week through Monday, February 4, so as to permit those Senators who wish to do so to join with him in sponsoring this measure.

The VICE PRESIDENT. Without objection, it is so ordered.

## NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary to Ethiopia.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

## NOTICE OF HEARING ON NOMINATION OF MANUEL F. L. GUERRERO TO BE GOVERNOR OF GUAM

Mr. ANDERSON. Mr. President, for the information of the Senate, I would like to announce that the Senate Committee on Interior and Insular Affairs has tentatively scheduled an open hearing on February 6 to consider the nomination of Manuel F. L. Guerrero to be Governor of Guam.

Any Member of Congress or other interested person wishing to testify at the hearing on this nomination is certainly welcome to do so.

The hearing will be held in room 3110 of the New Senate Office Building, beginning at 10 a.m.

I recognize that there are possibilities which might preclude the holding of the hearing. Nevertheless I make the announcement at this time.

## NOTICE OF HEARING ON SENATE BILL 20, TO PROMOTE DEVELOPMENT OF EFFECTIVE PROGRAMS RELATING TO OUTDOOR RECREATION

Mr. ANDERSON. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Committee on Interior and Insular Affairs has scheduled a hearing on S. 20, a bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, at 10 a.m. on February 5, in room 3110 of the New Senate Office Building.

Any Senator or other person wishing to testify at the hearing should notify the committee in order that he might be scheduled as a witness.

Again, I recognize that there may be objection by the majority leader to the holding of the hearing at that time. This announcement is made on the basis that the hearing may be held then.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

**By Mr. KEFAUVER:**

Address by Senator Claiborne Pell of Rhode Island, delivered at Old St. John's, Georgetown, January 13, 1963.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I should like to make a statement, but before I do, I would like to yield to the Senator from Wisconsin [Mr. Proxmire], and the Senator from Wisconsin only, because earlier he allowed me to ask for a quorum call.

Mr. PROXMIRE. Mr. President, I thank the Senator.

The VICE PRESIDENT. The Senate will be in order. The Senator from Montana asks consent to yield to the Senator from Wisconsin without losing the floor. Is there objection? Without objection, it is so ordered.

## EXTRAVAGANT AIRLINE SUBSIDY

Mr. PROXMIRE. Mr. President, recently I pointed out on the floor of the Senate that the subsidy to commercial aviation has increased since 1957 from $219 million to a fantastic $885 million. A few days ago a Milwaukee Journal article discussed this huge subsidy.

I ask unanimous consent that the editorial from the Milwaukee Journal be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Airline Subsidy Too High

Local service airlines such as North Central and Ozark, which serve Wisconsin points, have been getting more and more Federal subsidy. And this despite increasing business.

A January report from the Civil Aeronautics Board (CAB) shows subsidies of $65.7 million to the 13 local service airlines for the fiscal year ending last June 30. Estimated payments for this fiscal year will be $69.1 million, or more than twice what they were 5 years before. (The domestic trunk airlines such as Northwest and United get no direct subsidies.)

An estimated 7.8 million passengers were carried on local service lines last year. That was 21 percent more than in the year before.

The number of passenger-miles (one passenger carried 1 mile) showed an increase almost as large. But even if more than 25 percent of the subsidy is considered as going for the mail, freight, and express carried, the Government was paying around 3 cents a mile for every passenger, in addition to the fare collected.

During the development period some subsidy has been justified. For extremely remote points, where there is a sufficient need and use, there may still be justification to give subsidized service. Certainly the time has come for substantial and steady reduction of total payments, however.

The CAB thinks that it will come. It expects the downward trend to commence next year.

The forecast is based in part on anticipated curtailment or suspension of service at weaker traffic generating points. And it believes that establishment of regional airports, to serve several medium sized to small cities that would otherwise have or want service at their own separate airports, holds promise for economy. Both moves could affect service at some Wisconsin points.

If political pressure on behalf of a few inconvenienced communities isn't too great, this subsidy can at least be cut to a fraction of what it is now. It should be. With extension of high speed I roads, the need for local air service with frequent stops is much reduced.

The airlines must be helped and urged to wean themselves from Federal subsidy as rapidly as possible. And communities must be convinced that there is no obligation to provide them with uneconomical air service.

## FULBRIGHT'S ELOQUENT PLEA FOR IMPROVED EDUCATION

Mr. PROXMIRE. Mr. President, at a recent seminar in New York our distinguished chairman of the Senate Foreign Relations Committee, the Senator from Arkansas [Mr. Fulbright], commented on the importance of education to freedom and the national security. In what I think was a remarkably succinct, and eloquent statement, the Senator from Arkansas asked for a reconsideration of priorities in our American society to recognize the central importance of education.

I ask unanimous consent that the very short statement be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Whether in fact a people's capacity for self-government can be realized depends on the character and quality of education. It seems to me an astonishing distortion of priorities that the American people and their government gladly spend billions of dollars for space exploration while denying desperately needed funds to their public schools. The demonstrated superiority of democracy over dictatorship derives precisely from its refusal to let ruling elites make the basic moral decisions and value judgments of society.

The core of classical democratic thought is the concept of free individuality as the ultimate moral value of human society. Stripped of its excessive optimism about human nature, the core of classical liberalism remains valid and intact. The philosopher and the psychoanalyst agree that * * * man's basic aspiration is for fulfillment as a free individual. * * *

As Americans with our deeply rooted and fundamentally healthy distrust of government power, we might reexamine certain long held convictions. * * * A political leader is chosen because of his supposed qualifications for his job. If he is qualified, he should be allowed to carry it out according to his own best judgment. If his judgment is found defective by his electors, he can and should be removed. His constituents, however, must recognize that he has a duty to his office as well as to them and that their duty is to fill the office, not to run it.

## SENATE NEEDS MORE, NOT LESS DEBATE

Mr. PROXMIRE. Mr. President, in this morning's Washington Post, Max Freedman comments on the current discussion in the Senate. He talks about something that I think many of us have overlooked in decrying long speeches in this body. He contends that the Senate needs, not less debate, but more debate. He stresses the fact that he is not talking about reading prepared manuscripts, and refusing to yield but actual discussion and debate of controversial ideas.

Last June at Yale University the President of the United States called for a debate on economic policy. Since then this great body has had very little debate of the big economic questions, although the developments in economic policy have been moving very fast indeed, view points are contradictory, debate and discussion could serve a valuable national purpose.

I ask unanimous consent that the article written by Max Freedman be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Unlimited Debate

(By Max Freedman)

For some days the Senate has been engaged in a desultory symposium on its own rules of debate. At issue are many great public causes, and the leaders on both sides are deeply in earnest. But no one can judge the importance of this controversy by the appearance of the Senate. The debate has drifted into the shoals of lethargy, with tedious arguments being repeated to an empty Chamber. Interest will quicken in the next few days as the final vote approaches but this debate will never belong to the classic memories of parliamentary discussion.

The filibuster has often been the weapon of Northern liberals. It may be so again. But we merely trifle with reality if we deny that the filibuster has become the cherished weapon in the Southern armory especially when civil rights are on the agenda. Without passing any judgment on the merits of the current disputes, it is important to understand why the Southern Senators cling to the right of extended debate with such stubborn tenacity. Their public reasons may be persuasive but their unavowed convictions are still more significant.

By the steady march of events, and in response to no theory of government, Congress has become the last citadel of Southern power in national affairs. Since the civil war Southern leaders have frequently found the path to the White House closed to them. Today the South can hardly be expected to regard the Supreme Court as the guardian of its traditions. By necessity the South has come to look upon its strength in Congress, expressed in control of committees and skill in debate, as its ultimate resource against measures which it opposes.

This helps to explain some of the differences, for example, between Senator Russell of Georgia, and Senator Douglas, of Illinois. They certainly cannot agree on what should be a fair limit on debate. But the source of their disagreement comes from their failure to agree on the purposes which should be served by that debate.

Those who support Senator Douglas complain that a determined minority can abuse the antiquated rules of debate to block a decision by the majority after ample opportunity has been given to every group to state its case effectively. The supporters of Senator Russell argue that any change in the rule which would make it easier to break a filibuster would in effect mean that the majority could use its power to coerce the minority in a manner repugnant to the whole tradition of American government. The Senate is listening to this debate not with its ears but with its prejudices. Most Senators knew how they would vote before the first speaker took the floor.

The Senate should know that its worst problem arises not from unlimited debate but from its failure, all too often, to debate at all. It is a standing perplexity to friends of the Senate to find these men, masters of repartee, the prisoners of a manuscript whose clouded prose takes refuge in a calculated obscurity. How long is it since the Senate last had a true debate? Perhaps not since the controversy over the resolution on Quemoy and Matsu. No one who heard that debate can easily forget the way the sentiment of the Senate changed as various speakers, using few notes, drove home their case. The closing speech by Senator George, then chairman of the Foreign Relations Committee, was a masterpiece of terse advocacy that altered the opinions of many Members.

Incidentally, that debate made nonsense of the familiar complaint the Senators must give reporters advance copies of their speeches or else the papers will never notice what they say. That is a grotesque and undeserved criticism of the press gallery. There will never be a shortage of reporters when a real debate is taking place. Why should they waste their time listening to a mechanical repetition of stale arguments written out in advance of the debate? Instead of praising itself as the world's greatest deliberative body, the Senate might usefully spend more time remembering that it once was also the home of genuine debate and trying to recover that lost art.

## SENATE PROCEDURE

Mr. MANSFIELD. Mr. President, debate on the pending motion began on January 15, 13 days ago. Since that time, a number of Senators have delivered well-prepared speeches on the necessity of maintaining extended debate in the Senate, and there have been some speeches on the other side. In keeping with those positions, neither side has shown an inclination to vote on the question at an early date—although what is before the Senate is only the preliminary question of deciding whether or not to take up the Anderson resolution amending the rules. The country may be under the impression that we are debating a change in our cloture rule, whereas we are merely trying to decide whether we will debate a change in our cloture rule. I recognize that there are mysteries of Senate procedure that may not be readily apparent to those outside this Chamber.

I said last year, Mr. President, that experience had convinced me that the Senate could make progress, and satisfy its legislative responsibilities, only by accommodation between its Members. There is no peculiar power lodged in any single Member, least of all the majority and minority leaders, to compel the Senate to act; all Members must be willing to permit it to act. There are, perhaps, certain actions which may hasten the day when issues are resolved, but ultimately it is comity, and not compulsion or drastic alternatives, that brings a decisive vote. My hope is that this spirit of comity will prevail, in the best interests of the Senate and the country.

For we have work to do. A significant number of new Senators have just taken their seats in this body. They are as yet without committee assignments. Their constituents have sent them here to be legislators, to participate in committee deliberations, to vote on questions of public policy in committee and on the Senate floor. I for one want them to have that opportunity at the earliest possible moment. But until the rules question is decided, the substantive business of the Senate cannot occupy our full attention.

In order to assist the Senate in reaching an early decision on the rules matter, I serve notice that vacancies on the Democratic policy and steering committees will not be filled, nor assignments to the standing committees made, until we have resolved the rules controversy. Further, I shall object to any committees meeting during sessions of the Senate, because it seems to me quite unfair to transact business, whether legislative or executive, in committees to which no new Member has been assigned.

Let us get on with this rules matter, Mr. President. Let it be debated fully, and with the serious attention it deserves. But let it not delay ad infinitum the passage of substantive legislation by the Senate.

Mr. KEATING. Mr. President, I rise to applaud the distinguished majority leader for the action which he has stated he will take in order to bring to a head the debate on the motion to take up for consideration the subject we have been discussing.

Under paragraph 2 of rule XX of the Standing Rules of the Senate, it is provided:

> The Presiding Officer may submit any question of order for the decision of the Senate.

The distinguished Vice President has stated that it would be his intention to submit to the Senate any point of order which raised a constitutional question.

In an effort to try to clarify this matter, do I understand it to be the view of the Chair that the procedures with regard to debate on a point of order submitted to the Senate for decision under rule XX are the same as with regard to debate on appeals to the Senate under rule XX?

The VICE PRESIDENT. The Parliamentarian informs the Chair that when a matter is submitted to the Senate for its decision, it becomes debatable, unless, of course, the rules provide to the contrary, as in the case when a motion to adjourn is submitted to the Senate, or as in the case when a motion to table is submitted.

However, when the rules are silent on closing off debate, any decision submitted to the Senate would be debatable.

Mr. KEATING. My point was whether the rules for debate under such submission would be the same as the rules for debate on an appeal from the decision of the Chair?

The VICE PRESIDENT. Any matter submitted to the Senate for decision would be debatable in the absence of contrary rules.

Mr. KEATING. Would be debatable?

The VICE PRESIDENT. Yes.

Mr. KEATING. Do I understand correctly that the rules governing such debate would be the same as on an appeal?

The VICE PRESIDENT. The Chair has not explored all the rules governing appeals. The Chair does not have complete information before him. There is no point at issue that is involved with reference to any appeal at this moment, and therefore the Chair is not prepared to say whether the situations are identical and exactly in point.

Mr. KEATING. I am conscious of the fact that the Chair is reluctant to make anything which might be called an advisory ruling. I believe it would be helpful to have the guidance of the Chair, but the Chair can decline to rule, if he sees fit.

If during the debate on a point of order which had been submitted to the Senate for decision under rule XX it appeared to the Chair that dilatory tactics were being employed to prevent the Senate from reaching a decision, is it the opinion of the Chair that he would have the power to rescind the submission of the question to the Senate and to render a decision himself on that point?

The VICE PRESIDENT. The Chair will pass upon that question under whatever circumstances appear to make it necessary for him to make his statement to the Senate at the appropriate time.

Mr. ANDERSON. Mr. President, I did not hear the Chair's statement.

The VICE PRESIDENT. The Chair stated that if such a situation developed, the Chair would make his statement to the Senate at the appropriate time.

Mr. CLARK subsequently said: Mr. President, since the morning hour is about to be closed, and neither the majority leader nor the majority whip, who are leaders in the effort to change the rules, is in the Chamber, I should like to take exception to one statement made by the able majority leader in the course of his otherwise, as it seemed to me, very sound statement a few minutes ago.

He said—I think I quote him correctly—that both sides have shown no inclination to bring the matter to a vote. I am confident that this is not the case. Senators who are supporting the Anderson motion have stated, time after time, on the floor of the Senate, their willingness to vote. We are willing to vote now. We shall be willing to vote tomorrow or at any other time the matter can be brought to a head. I think the RECORD should be corrected in that regard.

Mr. LAUSCHE. Mr. President, in yesterday's Sunday Star there appears the weekly article written by our Chaplain, Dr. Frederick Brown Harris, "Spires of the Spirit." Yesterday's article is entitled "The Ukraine and You." I ask unanimous consent to have the article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### SPIRES OF THE SPIRIT—THE UKRAINE AND YOU

(By Dr. Frederick Brown Harris, Chaplain of the U.S. Senate)

The independence of the Ukraine, now a non-Russian captive nation, was proclaimed on January 22, 1918. On the 45th anniversary of that light which failed until truth crushed to earth shall rise again, the cause of that dauntless people, yearning to breathe free, was lifted up to the God of justice in the prayer, offered by a representative of the Ukrainian Church, which opened the U.S. Senate. To the petitions there offered for fetters to be broken there echoed the fervent "amen" of over 2 million Americans of Ukrainian ancestry.

To a recently held congress of these fine citizens of this free land came felicitations from 33 State Governors, 40 U.S. Senators, and 140 Members of the House. where a vital bill for a permanent Captive Nations Committee is now pending. In this convention the voice of the Governor of New York was also heard as he cried out, "We protest with you against the Soviet persecution of millions for their Jewish faith. We deplore the Red oppression of the Ukrainian Catholic and Ukrainian Orthodox Churches. This convention is a sobering reminder to all the world that the cold war at many times and places is not cold at all—it cost the lives of men like Lev Rebet and Stepan Bandera, two Soviet murdered Ukrainian underground leaders." To this council there was added a ringing salute from President Kennedy, declaring that the just aspirations and rights of all people to choose their own rulers "is and will remain a basic goal of U.S. world policy."

Now what is the truth regarding the Ukraine—a territory a little larger than Texas? This fair land, with its face always toward the West, richly endowed with natural resources, with a favorable climate conducive to the raising of various crops, has long been called the granary of Europe. It is now the breadbasket and the sugar bowl of the U.S.S.R. But the salient historic fact is that the Ukrainian people are not Russian and their country has never belonged to Russia except by physical force. A thousand years ago their culture and commerce were at high levels but always these fiercely independent-minded people had to fight predatory neighbors. In 1709 Czar Peter I, by his military might, annexed the Ukraine as a conquered province. The long years that followed are valiant with the struggle to gain freedom. When at long last the 1917 Bolshevik Revolution pulverized the sovereignty of the Czar, a new day of glorious emancipation seemed to gild the long darkened sky. In the ancient city of Kiev, as bells of freedom rang out, the Independent National Republic was proclaimed.

But, that proved to be but a fleeting dream. The rapacious arms of Soviet aggression, using their familiar upside-down jargon, called the Kremlin manipulated regime they imposed the Ukraine Soviet Socialist Republic. It was the anniversary of the Ukrainian vow to be free which was observed in the Senate of the United States. The two score years plus five which have passed since that January 22d are written in crimson letters of heartless cruelty. The blood of a martyred host cries from the ravaged ground. It is a record of imposed famine, genocide, deportation, torture, and liquidation. In spite of these fiery trials the population of the Ukraine is presently over 40 million.

Religious leaders have suffered persecution matching that of the early church. Thousands of Christian churches and chapels have been desecrated Over 200 literary Ukrainian men and women have paid with their lives because they scorned to dip their pen in the venom of the Communist line.

To this day a saintly archbishop, Metropolitan Slipy, languishes in barren, cold Siberian dungeons sentenced to degrading servitude. He has spent 17 of his 71 years in that blasphemous captivity because he has refused to bow the knee to a pagan Baal in the image of a subservient church hierarchy in his homeland.

The voice of a Ukrainian poet of a hundred years ago, who died during Lincoln's first year in the White House, yet speaketh. His name, Taras Shevchenko. His message is about to be amplified to all Americans, as well as loyal Ukrainians, and we might add, to the Russians too. To honor him the American Congress has authorized the erection of a statue which will be a perpetual prayer in stone. That sculptured form is now being fashioned and will be erected near the Capitol in Washington. Listen to the prophetic song of Shevchenko ringing clear across a hundred years:

> "It makes a great difference to me
> That evil folk and wicked men
> Attack our Ukraine once so free
> And rob and plunder it at will.
> That makes a great difference to me."

In 1963 that is still the sad story of the Ukraine—and, it makes a great difference to this sweet land of liberty.

In the pathos of Shevchenko's lines is mirrored the plight of all the other captive nations, including Latvia, Lithuania, Hungary, Romania, and now Cuba, and all the rest, held in the grip of Soviet colonialism. That makes a difference, a great difference, to the United States of America.

There is a silence that is not golden but craven concerning captive nations. In a world that cannot permanently remain half slave and half free, calloused indifference as the policy of any so-called democracy not only dooms the captives now in foreign fetters but also passes the sentence of ultimate death upon its own freedom. Yes, it makes a great difference to you and the Ukraine—and to the whole world of tomorrow.

**Mr. LAUSCHE.** The article accurately depicts the character of the Ukrainian people. It devotes its attention to the attainment of independence by the Ukrainians at the end of World War I. They held independence for several years and then were taken over by Communist Russia. There are 40 million Ukrainians; they are distinct from the Russian people. Their thoughts have always been turned to the West. They have been predominantly separated from the East. Anyone who reads Ukrainian poetry or literature soon discovers that the yearnings of these people have always been for a free and sovereign and independent Ukrainia. However, it has not been their lot to enjoy that position among the nations of the world.

While they have been dominated by the imperialist Communists, they have suffered martyrdom, "russification," and the destruction of their poets and literary men. The course of Communist Russia has been one of genocide, perpetrated upon this noble and heroic people.

When we speak of imperialism in the world, the action of one nation in exploiting the people of another and drinking of their blood and their nourishment, we have no more vivid example in all the world than what Communist Russia is perpetrating on the Ukrainians today.

The Ukraine is the breadbasket of central Europe. Ukrainian products of the farm are sustaining the Communists in their efforts to subdue the world.

I commend our Chaplain, Dr. Frederick Brown Harris, for his excellent article on Ukraine, and I recommend, at least to Ohioans, that they read it, to gain a true perspective of a noble and heroic people.

About a year ago Congress authorized the construction of a monument in honor of the revered poet of the Ukrainians, Shevchenko. Dr. Harris quotes a few lines written by this poet, as follows:

> It makes a great difference to me
> That evil folk and wicked men
> Attack our Ukraine once so free
> And rob and plunder it at will.
> That makes a great difference to me.

It makes a great difference to an American today to see any people robbed and plundered by a mighty force such as communism. All I can say is that the sins of the Communists, as practiced upon subjugated people are crying for vengeance. They will have atonement. They will have retribution. The wicked, tyrannical Communists will pay the price in a measure far greater than they understand.

**Mr. SCOTT.** Mr. President, I commend the distinguished senior Senator from Ohio for his remarks with regard to the Ukrainian independence anniversary. It is an independence which was very short lived. I also commend him for what he has said about the great Ukrainian poet Shevchenko, for whom some recognition, although perhaps inadequate, is being accorded in the form of a permanent memorial in the District of Columbia.

I was greatly pleased that the distinguished Senator from Ohio referred to and inserted in the RECORD the article written by our Chaplain, Dr. Frederick Brown Harris, on this subject. I suggest that it be read, and I am sure it will be received with interest by all those who believe in the aspirations and the urge toward freedom of the captive peoples of the world. We should never forget that there are millions of persons living in captivity under the Soviet hegemony. We should not, with them, ever give up hope of ultimate liberation.

### FAILURE OF SENATE BELLS TO RING

**Mr. COTTON.** Mr. President, I hesitate to inject a mere matter of housekeeping into this serious discussion, but attendance on the business of the Senate and attendance when a live quorum is called has always meant much to the senior Senator from New Hampshire, and he has always tried to be present and has rarely failed to be present at such time.

I have complained to the proper authority, but I suppose the only way to get protection is to place this statement in the RECORD.

We are living in a wonderful mechanical and scientific age. I understand that beautiful stars are to be installed in our offices, stars which will light up to let us know what is taking place in the Senate. But in the meantime, the bells are not sounding in some of the offices, and unfortunately mine is one of those offices. Once last week I failed to respond to a live quorum call and today I had a narrow escape. I did not even know that the Sergeant at Arms was rounding up Senators for attendance, because I was working in my office. One has to continue his work throughout these annual and semiannual feasting times, when the King of France marches 10,000 men up the hill and then marches them down again. We must perform our ordinary duties. Nevertheless, some of us feel that we want to respond when the rules require us to do so.

I sincerely hope that if the policy of demanding live quorums continues—I have not yet ascertained why they are necessary, but that is certainly within the province of Senators who demand them—I think the least that might be done is to make certain that Senators have a reasonable opportunity to know that quorums are being called. If the new and improved bell system will not do it, I hope the majority and minority staff members will see to it that Senators are notified by telephone, so that we may have an opportunity to let our constituents know that we are present and are endeavoring to attend to our public duties.

## PUBLIC HOUSING EXPENDITURES

Mr. ROBERTSON. Mr. President, last week the Richmond Times Dispatch in a lead editorial criticized the demand for $5 billion for public housing. We all know that not long ago the President decreed the desegregation of all public housing units. I felt at the time that the figure mentioned in the editorial was lower than the actual facts would show it to be; I, therefore, obtained a report on the commitments of the Federal Government for spending on public housing.

The amount actually spent by the United States to date for rental housing is $1,047,294,982. We are obligated to spend in the future on units now in operation $4,486,950,424.

We have obligated the sum of $1,840,273,336 to be spent on units on which commitments have been made to January 28, 1963, but which would not be constructed or completed by this date.

The total amount expected to be appropriated by the United States on completed units and for commitments to January 28, 1963, is $6,327,223,760.

## CITRUS FREEZE ILLUSTRATES IMPORTANCE OF FARM PROGRAMS

Mr. YARBOROUGH. Mr. President, an article printed in the Arkansas Gazette and reprinted in the Tulia, Tex., Herald on Thursday, January 17, 1963, points up the plight of the American farmer and the weather hazards he must face in producing our food. In this case, the Florida orange crop is subject.

The same story could be applied to most of the other farm commodities in all farm States at one time or another.

The article correctly points out that regardless of how cheap the price of any commodity goes, only so much of it can and will be consumed. It further points out that the farm programs have made it possible to carry reserve food supplies in storage for insurance for the consumer, on both price and supply.

The Government farm programs, though far from perfect, have served and continue to serve the best interests of the farmers and the consumers of this country. These farm programs are not anticonsumer; they protect the consumer.

This article, illustrating what has happened to the prices to farmers and to consumers with respect to the Florida orange crop; the effect of the carryover on the Government program; and how beneficial such programs have been to farmers, as well as to consumers, is most illuminating.

Mr. President, I ask unanimous consent that the article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### HISTORY OF AGRICULTURE DEMONSTRATES NECESSITY FOR GOVERNMENT ASSISTANCE

The Florida freeze that shriveled half the State's orange crop demonstrated all over again that a reduction in volume of a given commodity can—under certain supply demand situations—increase the gross value and create a net return where the owners were in line to absorb a major loss.

The Florida orange situation reads like an Arkansas broiler report. Before the freeze hit, the State had about 42 million trees, one-third more than 5 years ago. This year the harvest was expected to reach 120 million boxes. To make matters worse, the huge volume would have to be dumped on top of the remains of the 1961-62 crop of 113 million boxes. In the previous 9 years no crop had exceeded 95 million boxes.

In the last 10 years, the demand for oranges—and particularly for frozen orange juice—climbed sharply but the growers demonstrated that they could increase their production even faster. The frozen juice concentrate was the end product of an extensive research project that helped expand the demand for oranges by spreading the season throughout the year. Like similar developments in other fields, it opened new markets but it provided only a partial solution to the marketing problem. Growers still were able to harvest more fruit than the consumers would buy, and surpluses were being accumulated.

The inventory of frozen orange juice at the beginning of the harvest season was estimated at 43 million gallons, which was more than twice the volume on hand a year earlier.

Under these conditions, the juice processors could not be expected to bid vigorously for a crop of 120 million boxes. After all, they are in business for profit and they didn't really need too many oranges. Consequently, the bid price for the fruit in this section of the market was 75 cents a box and some processors were offering only 50 cents.

Then the freeze came.

Processors immediately marked up the price of their frozen juice from $1.25 to $2 a dozen cans (6 ounces). Many processors have tagged on another 30 cents to the price, but the first increase added about $44 million to the value of the warehouse stocks.

A similar development hit the fruit market. The bid price for oranges jumped from 75 cents to $3 as buyers scrambled for the short supplies.

The economic significance is clear.

With a crop of 120 million boxes in prospect, the growers could expect a gross return of $110 million, since the oranges sold for the fresh-fruit market brought slightly more than those that went into the processing plants. With at least half the crop destroyed, the remainder is worth $150 million, despite the fact that the inventory of 43 million gallons of frozen juice helps hold down prices.

Some idea of just how important the carryover is in determining prices can be found in comparisons with a recent crop when supply and demand were in relatively favorable balance. The 1960-61 crop of about 87 million boxes sold for about $250 million but prices were not as high as they will be before the current crop is harvested. If the reserves of frozen juice had not been on hand, the orange price this year would have zoomed to unreasonable levels.

The orange story, with variations, has happened in most commodity groups.

When the peach crop is adequate, but not excessive, Arkansas' orchardists sell their fruit at prices that give them a profit but when conditions are more favorable and production increases a few percentage points the market collapses.

Even cotton, which is not perishable, is subject to the same law. Before the introduction of production controls and price supports, a small crop would command a favorable price but when the harvest exceeded demand and normal carryover even by a small margin the market sagged so low that even the best growers suffered severe losses.

Since the capacity of American agriculture is well above the potential demand (Florida probably could produce 200 million boxes of oranges if the growers were convinced the market would absorb this volume), there is a constant need for restraint in most commodity groups.

This statement should not be interpreted as an argument in favor of deliberate shortages. If the citrus industry had not held a large reserve of frozen orange juice, the 60 million boxes of fruit that will be harvested in Florida this year would have been priced so high that a family in the low income group could not have touched the fruit. Ideally, the volume of a given commodity should be at a level that will maintain a market that is fair to both the grower and the consumer.

The history of agriculture has demonstrated that.

Justification for this assistance cannot be based on the interest or welfare of the individual farmer, since the Government must concern itself with the whole economy. Its programs must be designed to create and maintain an atmosphere that is as favorable as possible for all groups. The farm programs of the Government cannot be designed simply to protect agriculture; in a larger sense, they must bring benefits to the entire economy.

The United States has demonstrated repeatedly that its economy could not remain strong when agriculture was in trouble, and the farmer has led most of the parades into recessions and depressions.

The Florida orange story also demonstrated one other important fact. Extremely low prices, within themselves, do not open unlimited markets.

One theory currently popular in the United States is that reducing price automatically would increase volume to a point that would absorb unlimited supplies. The processors of orange juice knew this was not true. Their price for the frozen concentrate was low at $1.25 but simple business intelligence dictated that they could not hope to sell unlimited quantities simply by reducing the tags. They maintained a margin between the actual cost—of cheap fruit and processing—and the price at which they were willing to sell. They offered less for the oranges—as low as 50 cents a box—but they were not so unrealistic as to sell their juice at 50 cents a pack.

At this unreasonably low level, consumption of orange juice would have climbed rapidly for a time but the processors would have been plunged into bankruptcy and the whole economy would have suffered.

Despite the fact that everyone understands this phase of the situation, some still argue that the free market and low prices should be applied to the farmer. They should understand that the result, in both cases, would be the same and the entire economy would suffer.

## VISIT TO HAWAII BY SENATOR HRUSKA—ADDRESS BY SENATOR FONG TO HAWAII EMPLOYERS COUNCIL

Mr. HRUSKA. Mr. President, recently it was my good fortune to visit the State of Hawaii. It was my first visit, but if I have any choice, it shall not be my only one, by any means.

I have already submitted to the chairman of our Senate Appropriations Committee a detailed and extended report on the chief objective of my trip there, dealing principally with public works projects, but also with other facets of activities with which the committee is especially concerned.

In these remarks, however, I should like to comment briefly upon the 50th State and one of its most popular and outstanding personalities.

The natural setting of Hawaii, its beauties and uniqueness are all subjects of wonder and of continuing fascination. They play a large part in the constantly increasing tourist parade, and the ever-increasing number of folks who come for a visit, but stay to live. It is a State of great growth and bright potential. It has many economic advantages and natural resources.

But perhaps the most shining and precious jewels of all are its people. They are so genuinely sincere and friendly. They are blessed with a good leadership, a sense of responsibility and of loyalty. Though they get things done, they seem to still have time to live graciously, to sing, to think of their neighbors and of their community. It has been written that "a nation is its people." If our individual States are governed by the same observation, then Hawaii is indeed a mighty, a loyal, and a most promising star in the Republic's flag.

Mr. President, it does not take a long stay in the 50th State to learn that among its many respected and outstanding leaders there stands in high and firm position the name of HIRAM FONG whom the citizens selected to serve as their senior U.S. Senator. This was very apparent wherever in that large State we traveled. People everywhere showed they liked him and respected him.

This is not to be wondered at—in fact, it is a consequence which comes naturally—when one considers his career as a lawyer—Harvard College of Law, no less—businessman, soldier, civic leader, and public official. This native son has long been recognized by his State as a responsible, competent, and reliable thinker and man of action.

Folks out there recall his 14 years in the Legislature in the Territory of Hawaii, 6 of them as its speaker; his election to three Republican National Conventions as delegate; his election as a member and his service as vice president of the territorial constitutional convention; and many other important assignments which gravitate to one who has demonstrated his sound action and independent judgment as he discharges the important responsibilities thrust upon him.

That he is a diligent student can be attested by any of our colleagues who have worked with him either here in the Senate Chamber or in committee. The Senator from Nebraska has done both and would like to say that in the Committee on the Judiciary where we both serve, the senior Senator from Hawaii pulls more than his share of the load. His counsel is increasingly sought there on those topics which he has made the subject of his careful scrutiny.

Hence, it is easy for me to have observed and understood the attentive ear which Senator FONG commanded in his home city of Honolulu during my stay there, on the occasion when he addressed the Hawaii Employers Council.

Mr. President, it was an inspiring and heartening address on the bright outlook for the American economy on the mainland and in Hawaii both in the immediate future and the coming decades.

It is a forecast simultaneously optimistic yet realistic. It is a forecast of special significance coming from a successful businessman trained in analyzing the economic picture.

On the basis of his studies, Senator FONG contends America faces a future that "is greater and more exciting than anything we have ever known."

He points out that:

> Progress today is being recorded not with a special "P" but with all capital letters. Opportunities for business abound. Indeed opportunities are virtually unlimited for those who are ready when opportunity knocks, for those who are shrewd and visionary, for those who are confident and unafraid. As a nation and as a state, we have come so much further than most of us in our fondest fancy would have dreamed possible 30 or 20 or even 10 years ago that we need not fear for the future.

For, Senator FONG concludes:

> Fundamentally in America our economy is sound. Our economic system is valid, the best man has yet devised. None other has produced so much for so many and distributed it so well. All this, and freedom, too.

Mr. President, so that others may read and be encouraged by this most commendable contribution to our economic perspective, I ask unanimous consent that the entire text of his fine address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### BRIGHT OUTLOOK FOR U.S. ECONOMY

(Address by U.S. Senator HIRAM L. FONG, Republican, of Hawaii, before Hawaii Employers Council, Royal Hawaiian Hotel, Honolulu, Hawaii, December 7, 1962)

Mr. Chairman, distinguished guests, members of the Hawaii Employers Council, ladies and gentlemen, as I reflected on what I might appropriately say to so distinguished a group of Hawaii's leaders as the Hawaii Employers Council, the words of an old, endearing melody began to run through my mind. Slowly its familiar verse probed into the depths of memory, sentimentally, nostalgically, hauntingly:

"How dear to my heart are the scenes of my childhood,
When fond recollections present them to view.
The orchard, the meadow, the deep-tangled wildwood,
And every loved spot my infancy knew.

"The wide-spreading pond and the mill that stood by it,
The bridge and the rock where the cataract fell,
The cot of my father and the dairyhouse nigh it,
And even the rude oaken bucket that stood by the well.

"The old oaken bucket,
The iron-bound bucket,
The moss-covered bucket,
That hung in the well."

And then the years rolled back, and image tumbled upon image, evoked from the rich treasure trove of childhood's memory.

Suddenly I was in the Kapalama area, in the vicinity just west of Auld Lane, and I saw once more the sugarcane growing on both sides of King Street.

Then it was harvest time and I was by the railroad tracks in Kalihi with my playmates, patiently awaiting the railroad cars from which we would pull a few stalks of partially burned sugarcane for chewing.

And because memories like dreams are abstract and timeless, and one can stand back and look upon them analytically and from the present, I found myself overwhelmed with the impact of what had occurred over these years in this place among these people of our land. What faith, what vision, what courage, what bold risks we had taken. For that barren plain on Leeward Oahu, with its lantana shrubs and algarroba trees, had been transformed so serenely into flowing green, irrigated fields of tasseled sugarcane, symbolizing work for 13,500 of our people and a gross income of $150 million each year for Hawaii.

Jim Dole flashed to mind: his dream, his early beginnings, his tireless toil, and the good fruit of his labors—23,000 workers and numerous stockholders reaping an annual golden harvest of $125 million in pineapple.

With the magic moods of memory, the scene changed abruptly. Now I was riding a Honolulu Rapid Transit streetcar through the picturesque duckponds of Waikiki—and now I was rattling along in a model T Ford on Kapiolani Boulevard, built over coral-filled lands to connect downtown Honolulu with Waikiki

I remember well the "For Sale" signs that dotted property on both sides of the street—and I wince with the memory—for land was being sold for 30 cents a square foot. Some of my contemporaries were blessed with vision or with luck—they bought the land. Others sat back and wryly repeated those words which I suspect were first spoken when mankind began and will be heard as long as man is around: "Why, son, I remember when I could have bought that property for half that price."

Now I was watching a pink structure begin to take shape near the ocean, a landmark that was to become known to people all over the world. It was Matson's Royal Hawaiian Hotel, getting ready to vie for the growing tourist trade with its sister hotel, the Moana, and the Seaside Cottages owned by my late friend Attorney Anthony Seto.

Now it is a time when land prices are skyrocketing along the business area of Kalakaua Avenue and many are fuming and fussing at the outrageous rise in the cost of land and vowing to wait for Waikiki property prices to depress. For after all, for what had sold for 15 cents a square foot just a few years before, speculators were now asking and getting a fantastic 35 cents a square foot.

Later, when a young man name Jerry Zucker paid $65,000 for the old Niumalu Hotel, many people commented, "That sure was a handsome price to pay for a rundown cottage hotel."

A few years later, that same property was sold to Industrialist Henry Kaiser for a reported $565,000—giving the seller a neat half-million-dollar profit. Honolulu was aghast. A crazy deal, some said. What could Kaiser do with a group of termite-ridden cottages, they asked. But Mr. Kaiser had a glimpse of tomorrow and where the cottage shambles stood, he saw a great cluster of modern hotel buildings housing a portion of the 300,000 visitors who this year will have spent about 135 million in Hawaii.

And the latest link in this particular chain of progress and growth in Hawaii took place when Mr. Kaiser sold the property to the Hilton Hotels. Newspapers reported that the price was $26½ million, of which $5 million was profit.

I suspect that a curious silence overcomes many of us when we find ourselves tempted to say, "Son, I could have bought that same land for 35 cents a square foot." For I suspect that our children and grandchildren would have a quick rejoinder to that.

It has been said that all things are in a state of "becoming." Nothing is static. Life itself is movement and change—as within the microscopic core of the atom, molecules whirl and change with incredible speed in miniature solar systems.

Yes, how dear to all our hearts are the scenes of our childhood. But the world demands that we move on—change grow. Memories are to be enshrined in the heart, to be taken out at times and remembered and relived. But the stuff of life is fiery steel to be forged, shaped, created, in ever-new forms—a journey whose destination is never reached; a challenge so ceaseless that the moment we achieve one goal, another looms before us.

So it is in Hawaii. Hawaii of today is not the nostalgic Hawaii of yesteryear. And Hawaii of tomorrow will be more vastly different than anything we can now envision.

Where sugarcane stood in Kapalama there are now great structures: industrial, business, residential. On Kapiolani Boulevard the 30-cent-a-square-foot land now costs $20 a square foot, and Kalakaua Avenue beach front property commands $75 a square foot.

These are the dramatic and outward signs of change. They are merely symptomatic of a great movement forward and upward that has been and is taking place in our island land. And if we sometimes mourn the passing of the 30-cent land, the open sweep of country, and all the things that were dear to our childhood, let us realistically remember that if that land still cost 30 cents, if those open sweeps of land remained, if nothing had changed since our childhood, then it would indeed be a static Hawaii.

What has taken place here is a reflection of what is happening all over America, greater in some places and lesser in others, but all part of a great regeneration of the skill, imagination, and toil that built our Nation. What happens in the mainland United States will not be much different from what will happen here, for, as a sovereign State in the sisterhood of States, we are an integral part of the fabric of America: economically, culturally, physically. Together, I am certain that we face a future that is greater and more exciting than anything we have ever known. Let us remember the past with kindness; let us live in the present with courage; and let us look to the future with eagerness.

To predict the economic future of America is a hazardous occupation, but look ahead we must to the best of our ability so as to chart our Nation's course and our business future. As I appraise our Nation's economic outlook, short-range as well as long-range, I am strongly optimistic.

We all know the present-day American economy is not a hothouse plant existing in some sheltered sanctuary insulated against the ravages of natural forces or against the ferocious competition from other economies seeking their place in the sun or against the violence of political, military, and social revolutions exploding around the globe.

Our American economy exists in an ever more interdependent and shrinking world and it is against this total environment that we must assess where we are today and where we are going tomorrow.

The first and foremost global fact of life we must face is the continuing prospect of war and the threat of war persisting into the 21st century. Like molten lava bubbling under the earth's crust, conflict between nations and races simmers invisibly, boils to the surface, and every now and then erupts with volcanic fury into riots, border incidents, revolutions, and wars.

Exactly 21 years ago today, December 7, 1941, America itself was plunged into a terrible war with the infamous sneak attack on Pearl Harbor. We paid a heavy price for our lack of vigilance and unpreparedness. Within the past few months we came perilously close to another sneak attack, this time from Cuba just 90 miles off our Florida coast.

Hard on the heels of this episode came another telling reminder that military weakness and unpreparedness invite attack: the invasion of India by Red China, a sorry incident which proved once again that a peaceful posture is no shield against invasion. A nation must have the arms and the armament and the trained troops to deter would-be conquerors. And India must once and for all shed the delusion of a nonexistent neutrality in this time of Armageddon.

To forestall nuclear war, America must maintain strong nuclear deterrent forces. To cope with the more likely conventional wars, America must have diversified air, ground, and sea forces well equipped and in a high state of readiness. For, even today, though we are not officially at war, American fighting men and equipment are committed and serving in farflung areas of the globe, and the casualty lists record the toll in human sacrifices in this struggle against the common enemy.

So it is clear, that for decades, America faces continued immense outlays for our national defense, probably requiring even more money, even more manpower, even more materiel than the staggering commitments of today. Certainly there is nothing foreseeable to indicate any significant cutback in defense. Disarmament talks will drone on but get nowhere.

In the Asian theater, Red China's attacks on India and Communist attacks on South Vietnam underscore the imperative need for mighty U.S. forces in that area. Hawaii is destined to continue its keystone role as America's Pacific defense outpost and the hub of our military organization in this strategic area. I do not foresee any sharp cutback in defense spending in Hawaii in the coming 3 to 5 years.

With defense spending of $50 billion and up and with Federal civilian programs on an upward curve, too, Federal budgets will soon reach alltime record peaks for peace or war. The national debt will break all records, as will the interest on the national debt and the legal ceiling on that debt. In the years to come, Federal budget deficits will be the rule rather than the exception. Latest official predictions of a $7.8 billion deficit by next June 30 could be greatly exceeded if defense spending jumps without cuts elsewhere in the budget, if income taxes were reduced, or if there is a recession which would mean less Government revenue.

State and local government spending is likewise expected to climb ever upward, offering little hope for reductions in State and local taxes. As a Nation, we work nearly 3½ months each year just to support our Federal, State, and local governments, giving up a total of $134 billion in taxes. Such is the tax burden today, that there is general agreement that high taxes are impeding America's needed economic growth.

The 7-percent tax credit on business investments enacted by Congress this year and the new depreciation schedule for business looking toward modernization of business equipment and machinery, increased efficiency, expanding production, and more jobs, will be of some help to improve the economy. But, it is doubtful that this will be sufficient to bring the economic growth expected.

Some economists already forecast a downturn or recession in early 1963, but recent encouraging developments give new hope. Employment is remaining fairly stable, at around 68 million. Personal incomes were high in October, running $22 billion ahead of that month in the previous year. Both individuals and business are highly liquid, with personal cash savings impressive, and with cash for business readily at hand. Steel which has been depressed since April, is picking up strength, the astounding automobile sales sparking the improvement.

Construction continues at a high level. Housing starts on farm and nonfarm dwellings are running ahead of last year. It is too early to tell whether the President's Executive order on housing discrimination will cause homebuilding to fall off. Consumer purchases of durable goods are strong and rising and may lead to further investment in those basic fields. Recordbreaking Christmas retail sales are predicted. The corporate profit-margin squeeze shows signs of easing ever so slightly. Spending for new plant and equipment is estimated to reach a yearly rate of $38 billion this quarter, about $3 billion higher than the rate in the first quarter of 1962.

But all is not on the plus side. Total output of goods and services in the third quarter was at an annual rate of $555.3 billion, up only $3.3 billion from the second quarter which had shown a $7 billion rise over the first quarter. Unemployment rose to a seasonally adjusted rate of 5.8 percent in November and it has averaged 5.59 percent for the first 11 months of this year. Consumer prices rose to alltime highs this year. U.S. exports fell in the third quarter from the alltime peak reached in the second quarter, and the deficit in U.S. balance of international payments rose by $2 billion in the third quarter.

Nevertheless, while the immediate outlook is mixed, I am encouraged by the overall prognosis. No sharp change in either direction appears likely, and by the end of 1963 we may see a small advance. There is growing pressure for a $10 billion individual and corporate income tax cut to give the economy a real shot in the arm.

But in view of the massive Federal budget deficits ahead, rising defense and space spending, and the Nation's fiscal dilemma, it is by no means certain that Congress will enact tax reductions next year. So far the chairman of the House and Senate tax-writing committees have been cool to tax cuts without corresponding or concurrent Federal spending reductions, something that just does not appear to be in the offing.

Simple prudence cautions us as individuals and businessmen not to count on anticipated or proposed tax chickens until they are hatched.

With this general sketch of America's economy as a whole in the near future, what about Hawaii?

Barring unforeseen complications, it looks as if Hawaii will do better than the mainland.

Both Dr. Thomas Hitch and Dr. James Shoemaker contend our economic growth will exceed the national average in the next few years.

I agree with our local economists and businessmen that Hawaii's prospects are bright, though not so spectacular as the 1955–61 boom in the islands. I am confident Hawaii will meet its rendezvous with destiny to become the economic, cultural, social, and intellectual as well as the physical center of the Pacific. We will continue as the regional headquarters for all U.S. activity in the Pacific, and we have a fine opportunity to become a transshipping center for much of the Pacific Ocean shipping.

I was greatly intrigued with an article by the editor of the Honolulu Advertiser on November 1, which pointed out: "The development of new relationships with foreign areas throughout the Pacific is initiating a new era in the development of the islands. This will bring fundamental changes to Hawaii's economy. The countries that border the Pacific are now entering a period of dynamic growth."

The article continued: "Hawaii, as the only central Pacific economy, can benefit from this in terms of:

"1. An increase in trade;

"2. As a meeting place for Pacific area business, professional, and technical groups;

"3. As a center for technical and other contractual services;

"4. In the field of finance and investment;

"5. As a center for technical training; and

"6. As a central Pacific port (including a rising volume of business in the servicing of ships and planes)."

These are some of the special factors favoring Hawaii's outlook. They come on top of such good prospects as a stable sugar and pineapple industry, greater diversification of agricultural exports, high level construction activity, increasing tourism, expanding education, growing manufacturing, and better-than-average population growth to produce the work force we will need.

Long-range prospects both for the mainland and for Hawaii seem to be very favorable, indeed exciting. We are in the vanguard of fantastic scientific and technological advances whose total impact no one can fully predict. From sails to steamboats, from oxcarts to motor vehicles, embraced thousands of years. In the first six decades of this century, changes have been greater than in all the preceding years of mankind's history. The automobile not only gave us mobility, but is largely responsible for development of alloy steels, new fuels, synthetic rubber, and quick drying finishes. The air age produced great supplies of aluminum, the basis for building lightweight structure, not only for airplanes but also for trains, buses, ships, and buildings.

The nuclear age has brought applications of isotopes in medicine and in the inspection of materials. Remote manipulators of equipment and sealed pumps for hazardous liquids and gases are outgrowths of atomic developments. The space age, young as it is, has already given us high temperature ceramics, data-handling computers, communications, and weather satellites.

Though we cannot conceive of all the miracles to come, we know that scientific and technological advances will be a key factor in our Nation's economic development. I believe we can look to a national policy which will continue and accelerate scientific and technological efforts on all fronts. The quickening industrial revolution will have a decided impact on our economic environment in 1970, 1975, and 1980, though the particulars are not known to us now.

In looking to the America of that time period, however, we do have some statistical projections which are startling and provocative economic indicators. By 1970, we will be a Nation of 214 million people with a labor force of about 85.7 million. These millions of workers, men and women, will be earning more and buying more. More people will require the building of millions more dwellings, thousands of miles of roads, many bridges, dams, flood control and irrigation projects.

We will need some 77,000 more doctors, 34,000 more dentists, and a third of a million more nurses than we have today.

To educate 15 million more children, we will need 600,000 new schoolrooms in public schools alone and 500,000 additional teachers. We will have to triple the capacity of our present colleges and universities.

We will need greater output of foodstuffs and consumer goods, nearly three times our present production of electric power, and double the supply of our fresh water.

The trend toward a shorter workweek and more leisure time indicates greater emphasis on recreation and sports in the decades ahead.

Future America will be increasingly a country of metropolitan areas. Today three out of four persons live in a metropolitan area. By 1980, it is estimated the figure will be 9 out of 10.

We will become more and more a society of knowledge workers rather than manual workers. Right now the teachers, accountants, engineers, scientists, doctors, investment managers, and other technical, professional, clerical, and managerial workers outnumber industrial workers. In 20 years, this knowledge group will constitute half the total work force, it is estimated. Education of the young and of adults may consequently become an outstanding growth industry in America.

Automation in manufacturing industries will increase and technology will bring swift changes. New industries will be born. Atomic power will come into wider use.

In the 1970's, nuclear power will be competitive throughout most of the country and by the turn of the century nuclear power will be producing about half of all the electricity in the United States. Atomic power could play an important part in the seventies or eighties here in Hawaii where we are deficient in cheap, natural fuel.

Government officials said last week Americans will be touring space in atomic powered vehicles by the 1970's and eventually we will put nuclear power stations on other planets.

Transportation improvements will bring the continents even closer. The British and French are jointly working on a supersonic commercial aircraft in the 1,450-miles-per-hour class to be ready by 1970. A 2,000-mile-per hour U.S. plane is also anticipated by 1970.

Satellites during this same time span will provide faster, more dependable means of global communication.

As far as Hawaii is concerned, transportation and communication progress over the next 5 to 10 years will go far to offset the disadvantages of our mid-Pacific island geography. We will be able to reach the new and expanding marketplaces of the world more easily. Our businessmen will become more cosmopolitan, as much at home in the Tokyo and Hong Kong markets as in the Chicago market.

As a nation, America has had such vast consumer markets within our borders that we have only begun to tap the markets of the world, especially in emerging Africa, in industrializing Asia, in awakening Latin America. Other nations like West Germany, Japan, Britain, and the Common Market are cultivating these markets, too, and we can expect stiff competition. The European Common Market already is a formidable competitor and America will have to find new ways to meet this challenge.

The trade law enacted by Congress this year gives the administration power to cope with the Common Market, but, make no mistake, there will be some American businesses hurt in the process. Peril point features, enacted years ago to protect domestic industries against unfair foreign competition were eliminated. Tariff cuts of as much as 50 percent, and in some cases to zero, authorized in the new law, could spell the ruination of some American businesses. For such contingency, assistance to business and workers is provided. Only time will tell whether these remedies are adequate.

Viewing the Common Market another way, it will strengthen the West European industrial complex. This means stronger allies for the United States against the Communist bloc. It also portends significant improvement in the standard of living of millions of people living in Western Europe. This in turn means bigger markets for consumer goods. If American businessmen are on top of the situation, they should share in this growing market.

In the Pacific trade basin, I think American businessmen can look to closer ties with the free nations of Asia and the Pacific and perhaps eventually to a kind of Pacific Common Market to serve the people of this area, more than half the world's population. To be realistic, however, we must concede that Communist warfare against the free people of Asia is a decided obstacle to higher standards of living for them. Defense for survival is draining off far too much of their meager substance, and even the large-scale assistance of the United States falls short of the economic need. Peace in Asia is an indispensable ingredient of economic progress and a better life for millions of people now in want and poverty. Elsewhere in the Pacific the standard of living is rising and it is our fervent hope that this favorable trend will continue.

The trend to rising incomes and a higher standard of living at home and in many places abroad will certainly bring substantial new markets and tantalizing opportunities, including a few headaches for American business and Government. But whatever problems may arise, I am confident they are not insurmountable. A people that has energetically triumphed over the problems of hunger and want, that plagued mankind for centuries, can successfully meet the problems of a changing era of plenty. A people that unlocked the secret of the atom and who are now exploring the vast reaches of space, can lick the problems of automation, unemployment, changing markets, and competition.

The substantial growth potential of the U.S. economy as a whole and the bright prospects for Hawaii over the next few decades are cause for plenty of hope and optimism. Undoubtedly there will be the inevitable downs as well as ups, but when all is said and done, the economy of our Nation and of our State will grow and expand to improve the lot of our people and also, we hope, to enable us to improve that of our fellow man as well.

Inscribed on the National Archives Building in Washington, D.C., are these words: "What is past is prologue." Local wits say this means "You ain't seen nothing yet." As I view America's truly astounding progress in the last two decades and Hawaii's progress in the past few years and as I look at the future, I am persuaded we just "ain't seen nothing yet."

Progress today is being recorded not just with a capital "P" but with all capital letters. Opportunities for business abound. Indeed opportunities are virtually unlimited for those who are ready when opportunity knocks, for those who are shrewd and visionary, for those who are confident and unafraid.

As a nation and as a State we have come so much farther than most of us in our fondest fancy would have dreamed possible 30 or 20 or even 10 years ago that we need not fear for the future.

Fundamentally in America, and in Hawaii as well, our economy is sound. Our economic system is valid, the best man has yet devised. None other has produced so much for so many and distributed it so well. All this, and freedom, too.

That is why I say I am truly convinced that with enlightened government, with enlightened labor, and with enlightened management such as that symbolized by the Hawaii Employers Council, all working and cooperating to build for the common good, America's bright economic future is assured.

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## DANGER IN RESTRICTION OF OIL IMPORTS

Mrs. SMITH. Mr. President, on January 22, 1963, I made a statement in the

Senate with respect to the action of the President restricting oil imports—and the possible, if not probable, damage of this action to the people of Maine.

Typical of the response in Maine to my Senate statement is a letter dated January 23, 1963 from a housewife in Tenants Harbor, Maine. That letter stated:

> We like the way you look out for the interests of us ordinary folks back home in Maine—whether because of letters like this or because of extraordinary awareness of the great difference between the seemingly privileged (?) life of the average Congressman with his martinis and jowls and the average State-of-Mainer trying to figure how to pay both the dentist and the oil dealer and still have something left over for rolled oats and a bag of flour.
>
> Especially do we like your speaking out about the oil tariff and how it effects our fuel bill in Maine, with colder weather and more resultant furnace roaring than most of the Nation. Comes a spell of below zeroness and zip, up goes the cents per gallon another 0.5 of a penny. With so many wage earners handicapped by the season (my mate is a lobster fisherman) it really hurts * * * maybe the administration can see its way clear to accommodate some of us nonmillionaires.
>
> As we see it, we have two choices: to switch back to the old wood-burning furnace or to write to our MARGARET CHASE and hope.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9 to amend the cloture rule of the Senate.

Mr. ROBERTSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Virginia yield briefly to me?

Mr. ROBERTSON. Yes, if I may do so without losing the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. I wish to state—reenforcing what I said earlier today—that I shall object to having any committees meet today.

Mr. ROBERTSON. Mr. President, the distinguished Senator from Pennsylvania [Mr. CLARK] said he wishes to keep the record straight; he states that his side—which denies the fact that the Senate is a continuing body—is ready to vote at any time. But to vote on what? To keep the record straight, it is to vote to deny the clear meaning of the Constitution, and to repeal the continuous record of the Senate since 1789, which confirms that the Senate is a continuing body.

Mr. ANDERSON. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. Yes; I will first make the observation, however, that last Saturday the distinguished Senator from New Mexico recognized by implication that the Senate is a continuing body. He called a meeting of a committee of the Senate. Of course, if the Senate were not a continuing body, the distinguished Senator would not have done that; he would not have violated the rules. I yield to him with pleasure.

Mr. ANDERSON. Mr. President, I only say to the Senator from Virginia that he would be highly informed if he asked the Presiding Officer what the pending question is.

The pending question is not in any way predicated on the theory that the Senate is a continuing body. The pending question is on agreeing to my motion to have the Senate consider Senate Resolution 9.

If the Senator from Virginia wishes to do so, he should look at the RECORD of 4 years ago. I shall be happy to read it to him, because it is always instructive to refer to such things. So I refer to the CONGRESSIONAL RECORD, volume 105, part 1, page 103. On that occasion, the Vice President was referring to the Senator from Texas and to something the Senator from Texas said. I read now from the first column on page 103:

> Mr. JOHNSON of Texas. Then, Mr. President, I move that the Senate proceed to the consideration of Senate Resolution No. 5.

That is all he said then. I shall be happy to have the Senator from Virginia examine it.

The Senator from Texas said:

> Then, Mr. President, I move that the Senate proceed to the consideration of Senate Resolution No. 5.

And the Vice President said:

> The question is on agreeing to the motion of the Senator from Texas. [Putting the question.]
>
> The motion was agreed to.

Not one Senator rose on the floor of the Senate to state that that was tearing down the Constitution or was denying the rights of all Senators. All agreed to it; it was adopted without a dissenting vote. If the Senator from Virginia was then on the floor, he could then have said about the motion of the Senator from Texas the things he says now about my motion.

Mr. ROBERTSON. I was on the floor, participating in that important business. I have been serving in Congress for 30 years and, in all that time, I have not missed 1 day per year except for illness.

Mr. ANDERSON. I have complimented the Senator from Virginia on it many times.

But when that motion was made, no Senator said that would tear the Senate to bits.

However, at this session, Senators have spoken for 2 weeks after I made my motion.

Mr. ROBERTSON. The two situations are not at all analogous.

Mr. ANDERSON. Why not?

Mr. ROBERTSON. Because the Senator from New Mexico has put us on notice that he is going to raise the constitutional issue that this debate can be closed, under the Constitution. And to do that, the Senator from New Mexico must deny that the Senate is a continuing body. So the motion to have the Senate take up his resolution is nothing more than what a French writer called poudre dans les yeux; that is, "throwing dust in your eyes."

Mr. ANDERSON. If the Senator from Virginia has dust in his eyes, that is not my fault.

Mr. ROBERTSON. But the Senator from New Mexico is trying to get the Senate to go on record as agreeing that the Senate is not a continuing body.

Mr. ERVIN. Mr. President, will the Senator from Virginia yield for a question?

Mr. ROBERTSON. I yield for a question.

Mr. ERVIN. I suggest that the Senator from Virginia propound an interrogatory to the able and distinguished Senator from New Mexico, in order to ask him whether the resolution mentioned by the then Senator from Texas, to which the Senator from New Mexico has now referred, was the resolution which in effect declared that the Senate is a continuing body and that the rules of the Senate continue from one session to another unless they are changed as provided by the rules.

Mr. ROBERTSON. Yes, I propound that interrogatory; and if the Senator from New Mexico does not answer it correctly, I shall yield again to the Senator from North Carolina, so that he may have the opportunity to correct him.

Mr. ANDERSON. I shall have to be careful to take care of myself.

My point is that the resolution of the Senator from Texas was to amend subsection 2 of rule XXII; and my motion is that the Senate proceed to consider Senate Resolution 9, which deals with subsection 2 of rule XXII. So the two situations are practically identical. There is one difference: The Senator from Texas wanted to have the rule changed from two-thirds of the duly elected Senators to two-thirds of the Senators present and voting. My resolution simply seeks to change the two-thirds to three-fifths. But the two resolutions deal with exactly the same section, and they are in almost the same words.

When the Senator from Texas made his motion that the Senate proceed to consider that resolution, there was no objection to having the Senate consider it. Many Senators did not want to have it brought up and adopted; but they recognized the right to bring it up, and recognized that the able majority leader was well within his rights, and was fair at all times about it. No Senator tried to take advantage of him. Senators could have debated that motion for 3 solid weeks, but no Senator did so.

Mr. ROBERTSON. Mr. President, this happened 4 years ago, and I do not remember every detail of the resolution. I am sure, however, that the Senator from Georgia [Mr. RUSSELL], does. Therefore, I yield to him for a question, if I may do so without losing the floor.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. RUSSELL. Mr. President, I think there is a very material difference between the situation this year and the situation in 1959, when Senate Resolution 5 was offered.

As has been stated by the Senator from North Carolina, Senate Resolution 5 contained, as a material part of it, the second section, which reads as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Mr. President, I should like to point out that that resolution was adopted by a vote of 72 to 22. Yet we now find honorable Senators who are saying that the resolution was unconstitutional and is not binding on the Senate.

Mr. President, I do not undertake to prescribe any code of ethics for any Senator other than myself. I am not critical of the position which any Senator takes at any time. But under my code of ethics, I cannot regard my vote, under my oath of office to uphold and defend the Constitution, as consistent with voting for a proposition which I know to be unconstitutional. Yet a number of Senators, who supported that rule, and voted for it now take the position that it is unconstitutional and is not binding on the Senate.

I refer to the vote which was had then: Among those who voted for that resolution, on January 12, 1959, I find the Senator from Vermont [Mr. AIKEN], the Senator from Colorado [Mr. ALLOTT], and the Senator from New Mexico [Mr. ANDERSON], who already has served notice that he will submit a proposed rule which is entirely in conflict with that position—some new rule that is not known to the present rules of the Senate.

Mr. ANDERSON. Mr. President, will the Senator from Georgia assist me by pointing out the place in the RECORD at which I made that announcement?

Mr. RUSSELL. I may have misunderstood the Senator, but I believe he said last week that he intended to make a motion today to bring the question to a vote.

Mr. ANDERSON. That is correct. I hope to do so strictly under the provisions of the Constitution. Does the Senator object to that?

Mr. RUSSELL. The rules of the Senate were adopted under the Constitution. In 1959 the Senator from New Mexico voted that the rules of the Senate shall continue from one Congress to the next Congress until they are changed as provided in the rules.

Mr. ANDERSON. Certainly. We tried hard to establish a precedent that, on the opening day of the Congress, the Senate could adopt any rules it wished to adopt.

Mr. RUSSELL. The Senator from New Mexico tried so hard, when he had an opportunity to vote, that he voted against changing the rules.

Mr. ANDERSON. We tried to make a change.

Mr. RUSSELL. When the Senator voted for the resolution, he voted against the philosophy which he now propounds.

Mr. ANDERSON. We did. The able Senator from New Jersey [Mr. CASE] tried to strike a section out, and I voted with him. Another Senator—I believe the Senator from New York [Mr. JAVITS]—made a motion to strike out some more of the rule. We tried to have it stricken out. We did not get enough votes on the rollcall. I know how I voted. I believe I know how the Senator from Georgia voted.

Mr. RUSSELL. I voted entirely different from the way in which the Senator from New Mexico voted.

Mr. ANDERSON. The Senator is correct. Having done the best we could, we accepted the situation as it was then, because the rules were improved somewhat. If we had not taken that action, the Senator from Georgia and others would not have been able to get cloture on the communications satellite bill.

Mr. RUSSELL. I voted against cloture on the communications satellite bill.

Mr. ANDERSON. I am quite sure the Senator did. I have been trying to check the votes about which the Senator from Florida [Mr. HOLLAND] spoke. He said that we never would have obtained cloture except for the votes of southern Senators. I do not believe that the yea-and-nay vote on the communications satellite bill would demonstrate that.

At the time of which the Senator has spoken, at least we made a little headway. But we did not change the constitutional question, because two Vice Presidents in succession have held that the Senate has the right to adopt rules. It is a constitutional function, and some Senators think it would be a good idea to try to follow the Constitution.

Mr. RUSSELL. No Senator has said, to my knowledge, that we are not trying to follow the Constitution. I have never heard such a charge. The rule was adopted after Vice President Nixon handed down his advisory opinion. He made it clear in his advisory opinion that if the Senate accepted the proposal, it would waive any constitutional right it had. In 1959 it was waived. Of course, the Senator from New Jersey [Mr. CASE] moved to strike that part from the rules. He lost the attempt. If it was unconstitutional, he proceeded to vote for an unconstitutional measure because he voted for adoption of the resolution on the rule. The Senator from New Mexico did the same thing.

Mr. ANDERSON. We could not obtain a division of the question. We had to vote in the manner in which we did in order to improve the rule a little. When the question arose, if we had voted to change the rule in the way in which the Senator from Georgia wished to change it, the Senate could have been tied up in an even longer filibuster. We were perfectly willing to bring the measure to a vote. That is not the situation now. The Senator does not wish to vote for a while. We are ready to vote today—this afternoon, tonight—or tomorrow. We are ready to vote whenever the Senator wishes. But, no. No Senator can vote because there might be some change made because of a certain thing being constitutional or unconstitutional. I say only that we do not propose rules to try to strike the Senate down but to improve its conduct.

Mr. RUSSELL. I shall answer to my own conscience. Every Senator who is alive and still has feeling can answer to his own conscience.

Speaking for myself, if I had taken the position that one-half of the rule was unconstitutional, and I had made a fight on the floor of the Senate to strike it out and had lost that fight, I could not have voted for the rule, because if I did so, I would have been voting for what I considered to be an unconstitutional provision.

For my part—and I speak only for myself—I would not vote for a proposal to be impressed in the rules that I knew to be unconstitutional, and would continue to be unconstitutional.

Mr. ANDERSON. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. ANDERSON. Whether that section was in the rule or not, the constitutional bar was in the law all the time. The Vice President at that time gave an advisory opinion that it was improper for one Senator to tie the hands of another Senator. That point was not changed by the provision.

Mr. RUSSELL. I am surprised that the Senator from New Mexico would support an improper proposal that he now contends has the effect of tying the hands of all future Senators. It has always been my contention that section 2 of rule XXXII, asserting that the Senate is a continuing body, is implicit in the constitution and that the statement in the rule is redundant. However, the Senator voted for the statement that the Senate was a continuing body after making an unsuccessful effort to amend the resolution and strike out the provision.

Mr. ANDERSON. After the vote was unsuccessful.

Mr. RUSSELL. Yes. After making an unsuccessful effort to strike what he now calls an unconstitutional provision, the Senator proceeded to vote for it. I am not criticizing the Senator. I am asserting that, under my construction of my responsibilities under my oath of office, I could not vote for a resolution containing a provision that I had challenged on the floor of the Senate as unconstitutional.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. CASE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Virginia.

Mr. ROBERTSON. Does the RECORD show that I voted against the proposal?

Mr. RUSSELL. The RECORD shows that the Senator from Virginia voted against it.

Mr. ROBERTSON. I know I did not vote for it.

Mr. RUSSELL. The Senator is correct.

Mr. President, the RECORD is quite clear. This question was before the Senate in 1959.

The then majority leader—now the distinguished Vice President of the United States—offered Resolution No. 5 under the rules that pertained at that time. There was a long series of advisory opinions, some speeches, and other statements about the rules being unconstitutional in the Senate and the

Senate not being a continuing body. But the Senate settled the question when it voted 72 to 22 that the rules of the Senate carry over from one Congress to another. How a Senator can now declare that the situation is otherwise, I cannot understand.

The Senator from New Mexico has said, "The provision was unconstitutional then, but I voted for it. The vote does not mean anything now, and so I am not going to follow it. I will follow all the other rules of the Senate, but I am not going to follow that one, even though I voted for it only 4 years ago."

That is the position from which our opponents are leading this stampede to gag the Senate.

Senators voting in the affirmative were as follows:

Mr. Aiken, Mr. Allott, Mr. Anderson, Mr. Bartlett, Mr. Beall—he is here, the author of one of the resolutions, Mr. Bennett, Mr. Bible, Mr. Bush, Mr. Butler, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Capehart, Mr. Carlson, Mr. Carroll, Mr. Case of New Jersey, Mr. Case of South Dakota, Mr. Chavez, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dodd, Mr. Dworshak, Mr. Engle, Mr. Ervin, Mr. Frear, Mr. Goldwater, Mr. Gore, Mr. Green, Mr. Gruening, Mr. Hartke, Mr. Hayden, Mr. Hennings, Mr. Hickenlooper, Mr. Holland, Mr. Hruska, Mr. Humphrey—the distinguished author of one of the proposals and now a strong advocate of the unconstitutionality of a rule for which he voted in 1959—Mr. Jackson, Mr. Johnson, Mr. Jordan, Mr. Keating——

**Mr. KEATING.** Mr. President, will the Senator yield?

**Mr. RUSSELL.** I yield, provided I do not lose my right to the floor, and the Senator from Virginia [Mr. ROBERTSON] retains his privilege also.

**Mr. ROBERTSON.** Mr. President, I yield with the same understanding.

**The VICE PRESIDENT.** Is there objection? The Chair hears none, and it is so ordered.

**Mr. KEATING.** Mr. President, the distinguished Senator from Georgia will remember that many of us, including the Senator from New Mexico, stated at the time that we considered the second section of the rule completely null and void and of no effect.

**Mr. RUSSELL.** Yes. I remember that at one time a President of the United States by the name of Franklin D. Roosevelt proposed certain legislation. Its constitutionality was being discussed. President Roosevelt said:

> It is not for you to determine the constitutionality of the measure. That is not your function. Let the Court pass on that question. You vote for it and pass it.

I did not vote for the bill. I never heard such a furor as arose on the other side of the aisle when the suggestion was made that we vote for something that we knew was void and unconstitutional, or even had reason to suspect was null, and void and unconstitutional.

When the other ox is gored it is all right. What is a little matter of the Constitution between friends?

It is said, "The rule was null and void, but I voted for it, though it was unconstitutional. Now I am not bound by it." That is the position that is being taken here now.

We hear proclaimed, "I voted for the rule but I am not bound by it."

If we are talking about anarchy, chaos, or reverting to the law of the jungle, how can we do it more completely than to say, "I voted for a rule, but I am not bound by it"? It is like saying, "I voted for a law, but I am not bound by it." Or like saying, "It is a law of the State, but I am not bound by it."

That is a process of reasoning which the Senator from Georgia simply cannot understand, or follow.

**Mr. KEATING.** Mr. President, will the Senator yield for another question?

**Mr. RUSSELL.** I am glad to yield to the Senator from New York.

**Mr. KEATING.** The junior Senator from New York appreciates, as I am sure all of us do, the reluctance of the distinguished Senator from Georgia to attack the motives of any Senators who voted as they did.

**Mr. RUSSELL.** I stated at the outset that I could not understand the process of reasoning; that I was not undertaking to prescribe a code of ethics for any other Senator.

**Mr. KEATING.** I think many might feel that those who voted in that way were not seeking to establish a law of of the jungle in this body.

**Mr. RUSSELL.** I did not say they would do that when they voted for that. I said they make the argument, "I voted for it, but I disregard it. I am not bound by it." That is the law of the jungle.

**Mr. KEATING.** Mr. President, I call attention to the fact that the distinguished Senator from Georgia is now seeking to rely upon a vote on a rule which he voted against. In other words, the Senator now says that this rule is desirable and a great thing, but I call the attention of the Senate to the fact that he voted against this provision for continuing the rules from one session to another.

**Mr. RUSSELL.** I certainly did.

**Mr. KEATING.** So there might be as much inconsistency in the one position as there is in the other, although I would share the view of the distinguished Senator from Georgia that none of us should attack the motives of any other Senator.

**Mr. RUSSELL.** I thank the Senator for that.

I may say, Mr. President, I have voted against a number of laws which have passed, and I voted against them in good faith. After the majority voted for and passed the laws, I did not rush out on the street to violate them. I did not say, "I am not bound by this law because I voted against it."

I do not think such conduct is consistent with my ideas of the proper ethics of Senators under their oaths of office. I do not think Senators should say, "I voted against it, but the majority carried it; and I am not bound by it." I still say that is the law of the jungle.

**Mr. CASE.** Mr. President, will the Senator yield?

**Mr. RUSSELL.** I yield to the Senator from New Jersey.

**The VICE PRESIDENT.** Is there objection to the Senator from Virginia yielding to the Senator from New Jersey with the understanding that he will not lose his right to the floor? The Chair hears none.

**Mr. CASE.** The Senator mentioned my name earlier.

The Senator quite properly raised the question of the effect of the vote in 1959. As the Senator from New Mexico pointed out, of course, a number of us at that time made the point that the portion of the amended rule on which the Senator now relies was unconstitutional, and that its inclusion was a nullity. We did our best to improve the rule by what was largely a matter of including in a larger whole this provision, which we contended—not only contend now but also urged then—was null and void. We still so contend.

Our position then was and now is, that that portion of the rule, being unconstitutional, could have no binding effect. I think that this is very clear.

A number of us who voted to strike the provision—as I did upon my motion, and upon another motion having the same purpose made by the Senator from New York—but unfortunately failing in that, we did vote for the final whole; not for this as a separate matter but for the final whole in which this inartistically was included, but as a nullity, because it could be nothing else under the Constitution.

There is no analogy, it seems to the Senator from New Jersey, between voting for a law which is unconstitutional, which would purport to bind people who perhaps could not test the constitutional position, to which the Senator really referred before, and voting for something as a part of something in terms of it being unenforceable, which a Senator sought to strike out but could not. It seems to me there is no possible analogy. I am sure a man of the fine sensitivity and sharp intellect of the Senator is quite aware that the argument that he is attempting to make by analogy really has no bearing at this time.

If we had attempted to lull the Senate to sleep by voting for something which was included as a part only of the larger whole at that time, perhaps there would be some justification for claiming our position to be inconsistent, for claiming that we had taken unfair advantage, but we did not. We made our position clear then and again repeat the same position.

I thank the Senator for yielding.

**Mr. RUSSELL.** Mr. President, I appreciate the kind remarks the Senator has made about me. I am very grateful for them.

I still cannot agree with the Senator's position. It all boils down to the fact that if a Senator opposed the rule and then voted for it, he is not bound by it. That is simply not in my concept of the rules. I think that these rules—every one of them—are binding on every Member of this Senate, whether he voted for them or not.

This is a strange position. There might be four parts of a bill. A Senator might offer an amendment to strike one part of the bill. The Senator would say, "I do not believe this section is constitutional." The Senate might vote down the amendment, and the bill be placed before the Senate for passage, and the bill be passed. Then could a Member of the Senate, merely because he said it was unconstitutional, violate that law with impunity?

I must say again I cannot understand the process of reasoning of those who say they voted for this proposition, even if they did so after they were defeated in an effort to strike it out, and that they are not bound by it because they offered an amendment to strike it out.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I will yield to the Senator with the same understanding.

The VICE PRESIDENT. Is there objection to the Senator from Virginia yielding to the Senator from Massachusetts with the understanding that he will not lose his right to the floor? The Chair hears none.

Mr. SALTONSTALL. Mr. President, the Senator from Georgia has stated unequivocally what he believes is unconstitutional. My question of the Senator is: What does the Senator consider to be constitutional? It is my understanding that it is his position that the rules of the Senate continue, as the Senate is a continuing body.

Mr. RUSSELL. That is correct.

Mr. SALTONSTALL. And that under the rules there is a proper method for amending the rules, which was adopted in 1959.

The Senator has emphasized what he believes is unconstitutional. To make it clear in this brief discussion, what is constitutional, in the Senator's opinion?

Mr. RUSSELL. Mr. President, I have contended that part 2 of rule XXXII is entirely consonant with the Constitution. Setting forth in the rules that all of the rules carry over from one Congress to the other is an assertion of an obvious constitutional fact, which has been recognized in the Senate of the United States from 1789 to this good hour.

But some Senators did not agree that the Senate was a continuing body and we had considerable discussion on the floor and some advisory opinions from a former Vice President that the Senate was not a continuing body. I have not contended that any proceeding on the resolution to date was unconstitutional.

Mr. SALTONSTALL. I did not mean that.

Mr. RUSSELL. I consider as unconstitutional any effort to bring in what amounts to a new rule and a new procedure that is inconsistent with the established rules of the Senate and which are in the very teeth of this provision for which 72 Senators voted in 1959.

I have said that the proceedings on the original resolution, up to now, were irregular and inconsistent with ordinary procedure, but I have not contended that it was unconstitutional.

Mr. SALTONSTALL. I did not mean that. What I was trying to point out was that the Senator has said what he believes to be unconstitutional. To clarify the argument, the Senator has not said what he believes to be constitutional. I tried to say what I believed the Senator believes is constitutional—which is to follow that provision in the rule, because the rules continue, as the Senate continues as a body.

Mr. RUSSELL. Undoubtedly, until the rule is changed in the method prescribed in the rule, that is true.

Mr. SALTONSTALL. And that is the Senator's position.

Mr. RUSSELL. That is my position. I thank the Senator for clarifying it.

Mr. SCOTT. Mr. President, will the Senator from Virginia permit the Senator from Georgia to answer a question?

Mr. ROBERTSON. Mr. President, I am willing to yield with the same understanding.

The VICE PRESIDENT. Without objection, the Senator from Virginia yields to the Senator from Pennsylvania with the understanding that the Senator from Virginia will not lose his right to the floor.

Mr. SCOTT. I address the question to the Senator from Georgia.

What is so difficult for me to understand is neither the constitutional question involved nor the motives of any Senator, which I think ought not be subject to any question. I agree with the distinguished Senator from Georgia when he states that.

What I think is here involved and what the country wants to know is: If the Senator from Georgia is so certain of his views and so positive that the views he holds are those which any right-minded Senator should be expected to hold, and if he is cognizant of his obligations under the Constitution, why, then, does not the Senator from Georgia wish to permit the Senate to vote upon this question?

Mr. RUSSELL. Mr. President, the Senate will vote on the question in due season.

I say to the distinguished Senator from Pennsylvania that there are other Senators who, I am sure, are almost as patriotic as he is.

Mr. SCOTT. It is not a question of being patriotic.

Mr. RUSSELL. I do not think they are as patriotic as he is, but they are almost as patriotic as he thinks he is. There are other Senators who think they have rights on this floor under the rules and who think they know something about—almost as much about—their rights as Senators as does the Senator from Pennsylvania, as a Member of this body.

There are some of us here who think we are almost as independent in our approach to this question and as unaffected by pressure groups in this country as is the Senator from Pennsylvania. We have some rights under the rules. We think we have some rights, having been sworn as Senators of the United States. For my part I intend to assert these rights whether it pleases the Senator from Pennsylvania or not.

Mr. SCOTT. Will the Senator yield further, since the Senator has launched into some mild indications that what I said had anything to do with the patriotism of anybody? I assume we are all equally concerned about what is right and what is wrong; but I will from time to time rise and raise the same question: Why is it that the Senate, of which we are all so proud, is unable to proceed to the conduct of the public's business because Senators who have undoubtedly every right to be heard and to discuss this matter are, it seems to some of us, so reluctant to face the possible decision of a majority of the Senate? I say this without attempting to be in any degree more right or more patriotic or more concerned than the Senator from Georgia, who ignores, I am sure, the pressure groups from his State, who, I am sure, knows the opinion of his State, and who, I am sure, is bound by his own views, as he is, quite properly, entitled to be so bound.

Mr. RUSSELL. The Senator has asked when we will vote. We will vote when we have made a record in this case that we think justifies the importance of the issue before the people, before the Senate, and before the country. We are just now moving into the second phase of the question, which has to do with the second part of rule XXXII.

I believe I had gotten to the Senator from Tennessee [Mr. Kefauver].

The list continues, beginning with Mr. Kennedy.

I notice that the present President of the United States voted in 1959 for the proposition that the rules should continue and that the Senate was a continuing body—

I continue reading the list: Kerr, Magnuson, Mansfield, Martin, McCarthy, McGee, Monroney, Morton, Moss, Murray, Muskie, O'Mahoney, Pastore, Prouty, Proxmire, Randolph, Saltonstall, Schoeppel, Scott, Smathers, Smith, Symington, Wiley, Williams of New Jersey, Williams of Delaware, Yarborough, and Young of Ohio.

Four years ago 72 Senators voted that the Senate rules should be carried over from one session to the next until they were changed as prescribed therein.

The Senator from Virginia asked me to please answer that question. I have done it. I refer any person who may be interested to the Congressional Record of January 12, 1959.

Mr. McNAMARA subsequently said: Mr. President, earlier today the distinguished Senator from Georgia placed in the Record the yea-and-nay votes of Senators who voted in favor of a change in the rules in 1959. I ask unanimous consent that the names of the 22 Senators who voted against the change of the rules at that time be printed immediately after the first publication.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Florida will state it.

Mr. HOLLAND. Did not the unanimous consent request cover the publication of the votes of both for and against? That was my understanding.

The VICE PRESIDENT. The Parliamentarian advises the Chair that that is his understanding.

Mr. McNAMARA. If that was the request, it was not made clear to me, one way or the other. If such a request was not made, I now make the request.

Mr. HOLLAND. Mr. President, if the list of Senators who voted against a change in the rules was not included, I join with the Senator from Michigan in requesting that that list be printed. But I am sure that it was included.

Furthermore, both lists were included in a statement I made on Wednesday of last week on the same subject.

The VICE PRESIDENT. Without objection, the request of the Senator from Michigan and the Senator from Florida is granted. If there would be a duplication, I understand that the Senator from Michigan does not desire the list to be printed again.

Mr. McNAMARA. That is correct, if the list of Senators who voted against the change in the rules was included in the list of Senators who voted for the motion, as requested by the Senator from Georgia.

The PRESIDING OFFICER. Without objection, the request of the Senator from Michigan is agreed to.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

> Nays, 22: Byrd of Virginia, Douglas, Eastland, Ellender, Fulbright, Hart, Hill, Javits, Johnston of South Carolina, Kuchel, Langer, Lausche, Long, McClellan, McNamara, Morse, Robertson, Russell, Sparkman, Stennis, Talmadge, Thurmond.

Mr. ROBERTSON. The Senator from Georgia is the foremost parliamentarian in this body. He is justly recognized as the leader of the group that wishes to preserve what, on the 100th anniversary of George Washington's Birthday, Daniel Webster described as American constitutional liberty. I underscore and endorse all that the Senator has said about the Senate's being a continuing body. It would be unconstitutional for a simple majority to change the rules of the Senate at the opening of each session when, as we reaffirmed in 1959, the Senate is a continuing body.

We had established this previously in the Reorganization Act of 1946. Before that, opinions of the Supreme Court had stated that the Senate is a continuing body. Never, from the first day of the First Senate in 1789 down to the present time, has the Senate ever voted to destroy the rights of Senators.

I wish more Senators could have heard the Senator from Mississippi [Mr. EASTLAND] last Friday, when he told of how the imperialist Julius Caesar had broken free debate in the Roman Senate, of which he was a member. He held the highest office he could have, that of Roman Consul, but he was not satisfied with that. So he introduced a bill that would take land from some of the landed aristocrats who had voted against Caesar and give it to 20,000 poor citizens. The debate started. It was argued, "We have private ownership in Rome and in the Roman Empire. You cannot pass a law to take land from one man and give it to another."

After the debate had lasted a while and Caesar found the decision was going to be against him, what did the great Caesar do? He gathered a gang of hoodlums, who went on the floor and beat up everybody who was speaking against Caesar's bill. He said:

> If there are any more in opposition to the bill, let them rise and they will get the same.

And the bill was passed.

Then Caesar's political enemies, seeing he was getting too much power, had a meeting, and they took in Brutus, telling him that Caesar was undermining the democracy of Rome. So Brutus made the unkindest cut of all—he helped kill Caesar.

What happened? Seven years after the death of Caesar, in the year 44 B.C., the democracy of Rome ended, because the Senate had been destroyed as a deliberative body and had fallen to such a low ebb that the Emperor Caligula, to show his complete contempt for the Roman Senate, named a horse a Roman Consul. Back in 1825, Senator John Randolph of Virginia, who did not like the operations of one of the bureaucrats of his day, said:

> His mind is like the Susquehanna Flats, naturally poor, and made less fertile by cultivation. Never has ability so far below mediocrity been so richly rewarded, not since Caligula's horse was named consul.

And why do men stand on the floor of the Senate, the greatest deliberative body in the world, and seek to destroy the real essence of our power, which is the right of free debate?

Mr. ERVIN. Mr. President, will the Senator yield for several questions along the line he is now pointing out?

Mr. ROBERTSON. I yield with the understanding that I do not lose the floor.

Mr. ERVIN. I call the Senator's attention to the CONGRESSIONAL RECORD, volume 105, part 1, page 493, when the then Senator from Texas, the present Vice President of the United States, said, speaking of his resolution:

> Finally, the third provision of this resolution would write into the rules a simple statement affirming what seems no longer to be at issue. Namely, that the rules of the Senate shall continue in force, at all times, except as amended by the Senate.

Does not the Senator from Virginia believe that that statement of the then Senator from Texas, who is now the Vice President of the United States, meant that this was to settle forever the question as to whether or not the Senate was a continuing body with rules which continue from one session to the next until the rules are changed as provided in the third part of his resolution?

Mr. ROBERTSON. That is certainly the clear implication. I must say that the distinguished Senator from Texas, now our great Vice President, had never challenged the fundamental fact that the Senate is a continuing body. He never did.

Mr. ERVIN. I should like to read to the Senator a portion of subsection 2 of section 5 of the first article of the Constitution, which states in precise language that the Senate "may determine the rules of its proceedings." Does not the Senator admit that the resolution which the then Senator from Texas, who is now the Vice President of the United States, advocated in 1959 is in complete harmony with that provision of the Constitution?

Mr. ROBERTSON. That and all the other rules are. When the Senate organized back in 1789, it adopted rules. That Senate has never died. We have changed the rules from time to time, and we can change them whenever we please by majority vote, but proposals to change them must, like all resolutions and all bills, go to the appropriate committee, to give witnesses an opportunity to be heard and to give Members of the Senate in the quiet of the committee room an opportunity to discuss what the committee recommendations shall be to the Senate. That is the issue.

However, our friends on the other side of this issue are impatient. They know we are operating under rules. They accept all the rules except which rule? They do not accept rule XXII.

They say that rule does not exist. How inconsistent can anyone be?

Mr. ERVIN. I should like to ask the Senator a question based upon this further statement made by the then Senator from Texas in 1959 in connection with the resolution which he then advocated. He said:

> It precludes the involvement of the Senate in the obstruction that would occur—or could occur—if, at the beginning of each Congress, a minority might attempt to force protracted debate on the adoption of each Senate rule individually.

Does not the Senator from Virginia interpret that statement of the then Senator from Texas to be at least the expression of a pious hope that that change in the Senate rule and the recognition of the Senate as a continuing body with continuing rules would put to an end the effort at the beginning of every Congress to alter rule XXII of the Senate?

Mr. ROBERTSON. My distinguished friend from North Carolina is one of the best constitutional lawyers in the Senate, if not the best. He is a former distinguished member of the Supreme Court of his native State. He, of course, knows the meaning of the old common law maxim "res ipsa loquitur: The thing speaks for itself."

Mr. ERVIN. I should like to ask the Senator this question: Although the Senator from Virginia and the Senator from Georgia and other Senators voted against the resolution offered by the then Senator from Texas in 1959, does not the Senator from Virginia concede that that resolution was in full conformity with the constitutional power of the Senate to make its rules, and that it was desirable to the extent that it recognized that the Senate was a continuing body, with continuing rules?

Mr. ROBERTSON. It recognized two things; first, that the Senate was a continuing body, and, second, that under the Constitution it had a right to make its rules.

Mr. ERVIN. Does not the Senator agree with the Senator from North Carolina that the attempted interpretation placed upon the constitutional power of the Senate to determine the rules of its own proceedings, namely, that the Senate has the constitutional power to do something at the beginning of a session which it does not have at any other time, in an effort, on the part of the persons making that statement, to amend the Constitution?

Mr. ROBERTSON. That would be the effect of it as I have been trying to say. Remove the smokescreen, and what do we find? We are asked to say unconstitutionally that the Senate is not a continuing body.

Mr. ERVIN. Can the Senator from Virginia find in the Constitution of the United States a single sentence or a single syllable which indicates that the constitutional power of the Senate varies from day to day during a session of the Congress?

Mr. ROBERTSON. On the contrary, all who had any part in framing this unique form of Government felt otherwise.

When the Constitutional Convention at Philadelphia was about to be wrecked, Benjamin Franklin urged that the delegates pray for divine guidance in the quest for a system of government which would satisfy both the large and the small States.

He said:

> In this emergency, when we are groping in the dark, as we discover that we are scarce able to perceive a political truth when presented to us, why should we not ask the Father of Light to illuminate our understanding?

Then he mentioned the years of hardship in the Revolutionary War. He told of how Washington had knelt on the snow at Valley Forge and prayed for God's help, and how richly he had been rewarded with ultimate victory at Yorktown. He concluded by saying, "The longer I live, sir, the more convincing proof I see of the fact that God governs in the affairs of men. And if it be true that not a sparrow can fall to the ground without His notice, how can we hope, sir, to see a new empire rise without His aid?"

Then he proposed that each State should have representation in the Senate, and that it be made a continuing body, with only one-third to be elected at one time. The terms of office were staggered with respect to the first membership of the Senate. Clearly, the Senate's existence as a continuing body has a constitutional background.

Mr. ERVIN. I should like to ask the Senator from Virginia if the resolution of our good friend, the able and distinguished Senator from New Mexico, which negates the proposition that all the rules of the Senate continue, and the resolution proposed in 1959 by the then Senator from Texas, who is now Vice President, which recognized that the Senate is a continuing body, and that its rules continue from session to session, are quite different resolutions, and are subject to a wide distinction?

Mr. ROBERTSON. I pointed that out when the Senator from New Mexico asked me the original question. I said it was not an analogous situation at all.

Mr. ERVIN. I ask the Senator if he does not agree with the Senator from North Carolina that the difference and distinction between the two resolutions is as wide as the gulf that yawns between Lazarus in Abraham's bosom and Dives in hell.

Mr. ROBERTSON. The Senator from North Carolina and I, who come from the Bible Belt, have always thought that from hell to heaven is a long, long way. I do not know what the modernists think, or even if they believe there are such things as heaven and hell.

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## FIFTEENTH ANNIVERSARY OF SMITH-MUNDT ACT

During the delivery of Mr. ROBERTSON's speech:

Mr. ROBERTSON. Mr. President, the distinguished senior Senator from South Dakota wishes to have me yield to enable him to make a statement for the RECORD. With the understanding that I do not lose the floor, I yield to the Senator from South Dakota.

Mr. MUNDT. I thank the Senator from Virginia. I desire to speak for about 15 minutes on an unrelated subject, if I may do so without the Senator from Virginia losing the floor.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair.) Is there objection? The Chair hears none, and it is so ordered.

Mr. MUNDT. Mr. President, January 27, yesterday, marked the 15th anniversary of the final approval of legislation enacted by Congress, a law which has contributed much toward gaining friends for our country and creating good will among the citizens of foreign nations. The law is Public Law 402 of the 80th Congress, which was approved on January 27, 1948. It has come to be known generally as the Smith-Mundt Act, in view of the fact that I had the honor to introduce the bill in the House of Representatives, and it was sponsored in the Senate by a great and good Senator from New Jersey of that time, Hon. H. Alexander Smith.

It was only about a year ago that Senator Smith and I were invited to the Princeton University campus to take part in a conference, or a panel discussion, on the relationships of the United States to the other countries of the world, and the techniques and tactics which we might employ to win friends and influence people overseas. Senator Smith made an outstanding contribution to that panel discussion. I rejoice in the fact that he continues his interest in public affairs. He was with us this year to listen to the President's message on the state of the Union. One of the great thrills I have had in Congress has been that of being associated with Senator Smith in the passage of Public Law 402 of the 80th Congress.

The legislation had three basic purposes for establishing new uses for appropriated dollars in bettering international relations, as it was first approved by a subcommittee of the House, which I headed, and finally by both Houses of Congress and the President. Those three purposes were as follows:

First, to provide a general educational and exchange program for persons, knowledge, and skills; second, to provide an oversea information program which is now operating the Voice of America; our oversea libraries; the low-cost book programs; and numerous other information activities under the direction of the U.S. Information Service; third, to provide for rendering technical and other services to friendly nations overseas. Actually, titles III and IV of Public Law 402 of the 80th Congress contained the initial authority and set the pattern for the vastly expanded so-called point IV program later advocated by President Harry Truman.

I am happy to report to the Senate that the exchanges made possible under this act have, during the past 15 years, brought a measure of freedom to a great many foreign nationals who have visited our country, and have provided a large number of Americans with the opportunity to serve as peaceful missionaries for freedom and sustained peace in other lands. The total number of Smith-Mundt grants to Americans under this act since 1948 has reached 21,412. From the standpoint of the reverse action, the total number of Smith-Mundt grants to foreign nationals who have visited this country since 1948, through 1962, is 52,773.

In view of our gratifying experiences with the Smith-Mundt program during the last decade and a half, it is difficult, without reading the debates on this proposal on the House floor, to envision the opposition and the skepticism which questioned the desirability of this program when it was first proposed in 1947 and in 1948. The same 80th Congress which passed the Smith-Mundt Act also enacted the Taft-Hartley labor law. Controversial and significant though it was, the House of Representatives actually spent more time and devoted more pages of heated debate in the passage of the Smith-Mundt Act than it did to its approval of the Taft-Hartley labor law. Happily, the opposition to this program and to similar programs which have since been established has now largely diminished, and the continued efficient and effective utilization of these "tools for peace" will, in my opinion, justify their substantial expansion in the future.

Looking back through the records, I find that our present majority leader, the able Senator from Montana [Mr. MANSFIELD], was a member of the House Committee on Foreign Affairs at the time Public Law 402 of the 80th Congress was enacted. Senator MANSFIELD was also a member of the subcommittee which held the hearings and wrote the final language of the bill. Also, he was a member of the joint House-Senate committee which traveled overseas to gather information concerning the potentialities of the program we were advocating and to develop arguments we could use in convincing the Congress that this legislation should be enacted.

Our committee visited 22 foreign countries and held many conferences overseas. The facts obtained ultimately resulted in our being able to convince our colleagues in the House and Senate of the desirability of the type of legislation encompassed in the bill before the Congress at that time.

I am sure that the Senator from Montana, as does the Senator from South Dakota, looking back over our records of service in Congress, finds few, if any, activities from which we have derived more general satisfaction than our early efforts in connection with the passage of this legislation.

Mr. MANSFIELD. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I am happy to yield.

Mr. MANSFIELD. I recall very clearly the genesis of what occurred 15 years ago, when the distinguished senior Senator from South Dakota, who is now holding the floor, and the Senator from Montana, who is now speaking, served together on the House Committee on Foreign Affairs when the Senator from South Dakota [Mr. MUNDT] brought about the inauguration of what has since been known as the Smith-Mundt Act. I recall also that we visited a large number of countries in Europe shortly after the war, under the chairmanship of the distinguished Representative from South Dakota [Mr. MUNDT] and the distinguished former Senator from New Jersey, Mr. Smith. It was a trip which gave us an opportunity to see exactly what the situation was in war-torn Europe. We were provided with an opportunity at firsthand to investigate and determine possibilities for help in the reconstruction and rehabilitation of that war-ravaged continent.

I am happy today to join with the Senator from South Dakota, who did so much to bring this program into operation. I most certainly agree with him that the program, bearing his name and the name of the former Senator from New Jersey, Mr. Smith, has been of inestimable importance and has made a great contribution to better relationships among the countries, and certainly is an enduring monument to the Senator from South Dakota and our former colleague, Senator Smith of New Jersey.

I am proud to pay this tribute to the effectiveness of the Smith-Mundt Act on this anniversary, and I congratulate those who have administered the program with such dispatch, efficiency, understanding, and tolerance down through the years.

Mr. MUNDT. Mr. President, I deeply thank my valued friend and distinguished associate for his words of commendation.

I wish to emphasize his personal, important contributions to the evolvement of that act. I recall the long hours of labor we spent together on the trip overseas with our associates from both the House and the Senate.

Incidentally, Mr. President, yesterday I listened to a television program during which the Senator from Rhode Island [Mr. PELL] was interviewed by Mark Evans, on what I consider to be one of the outstanding television programs available here in the Capital City. The Senator from Rhode Island recounted a trip he made overseas last fall, I believe, with our distinguished majority leader. I listened to his recounting of that trip with full knowledge of the validity of his comment when he said that if that was a junket, certainly they were not limited to an 8-hour day, because under the able leadership and the determined zeal of our distinguished majority leader, they had to pop out of bed at 6 or 7 o'clock in the mornings, and enplane at about 8 o'clock, to fly from community to community, and that they brought back some very wholesome and heartening recommendations for the executive agencies and the Congress.

As one who was privileged on that earlier occasion to travel overseas for 8 weeks with the distinguished majority leader [Mr. MANSFIELD], I know that whenever a Senator has an opportunity at any time to make a trip overseas with the Senator from Montana, such Senator should put aside all other business and should take advantage of that opportunity, because the majority leader has a magnificant background of information on foreign affairs, and he travels overseas with a desire to produce results; and he never fails, because he sets an excellent example, which his colleagues are happy to follow, by looking for the facts, and by getting them, and by bringing them back and making them available where they will do the greatest amount of good.

So I congratulate the Senator from Montana on his recent trip—which I was able to enjoy vicariously with him for a few minutes on yesterday, when the Senator from Rhode Island [Mr. PELL] referred to some of the incidents of the trip.

Mr. President, Members of the House of Representatives, still in service, who served on the House Foreign Affairs Committee at the time when this program was originally approved include Representative Frances Bolton, of Ohio; Representative James G. Fulton, of Pennsylvania; Jacob K. Javits, of New York, now a Member of the Senate; Representative Thomas E. Morgan, of Pennsylvania, now chairman of the House Committee on Foreign Affairs; and Representative William M. Colmer, of Mississippi. Representative Chester E. Merrow, of New Hampshire; Representative Walter H. Judd, of Minnesota; and Representative Robert B. Chiperfield, of Illinois, who retired at the beginning of this Congress, also were members of the House Foreign Affairs Committee at that time, when Representative Charles A. Eaton, of New Jersey, was chairman of the committee. Mr. Boyd Crawford was then, and is now, the clerk of the committee.

Mr. President, I have watched and I have supported these programs over the years, and I have been proud that my name was attached to the legislation which initially made them possible from appropriated funds. Certain persons who have been attached to the program have not always contributed wisely or well to the aims and objectives of the Government, and portions of the program which have been tried have not been highly successful—and, in some instances, have been injurious.

However, I am happy to state that, over the long pull, the broad goals have been kept in mind, and the great numbers of people who have been working in the areas provided through this legislation have been dedicated, imaginative, hard working, and inspired. So, Mr. President, I join the Senator from Montana [Mr. MANSFIELD] in the commendation he expressed a few minutes ago in saluting those in the executive agencies who, working long hours, with imagination, vision, and dedication have contributed so much to implementing this program and to achieving the success it has had during the past 15 years.

As we moved as pioneers into some of the areas of international relations which involve exchanges of scholars, leaders, entertainers, information, books, radio programs, and all the other facets of cultural and informational interchange, we were probably lucky that more errors of a serious nature were not made.

I recall that when we held hearings on this legislation, it was repeated over and over, by one witness after another, that we were "trying to win the hearts and minds" of people abroad. Those were noble objectives then, and they continue to be the basis for our programs in this field today.

I suppose that Senator Smith, of New Jersey, and I—because both of us had been teachers in high schools and colleges—had an inclination to stress particularly the importance of having student exchanges, teacher exchanges, and other exchanges related to the academic area. While these have been important, and continue to make important contributions to the overall program, we have found many other categories on which we can draw for exchange programs which are mutually helpful to the cause of world understanding, peace, and to the general improvement of the internal political and economic welfare of the nations participating in these exchanges of persons.

For one thing, I believe that, with the present changing world situation, we are giving more thought—as we should—to the practical, immediate problems of some newly emerging countries.

It may be worth while for us to think more and more of short-term exchanges of Government officials, local leaders in both agriculture and labor, opinion leaders, leaders in the fields of education and religion, communications experts, and the like. Programs of these types can be made more flexible, allowing us to change emphasis from one area to another in order to meet certain challenges. Even when these short-term exchanges are expanded, it still takes some time to find the right persons who can come to the United States or who are willing to undertake such a trip. The reverse side of the coin—the selection of American nationals to go abroad in an emergency—is also true. So a certain amount of administrative leeway is needed, in order to make our contacts early and to place the appointments where they can be most effective.

H. G. Wells observed, at one time, that "civilization is a race between education and catastrophe." I believe that is the opinion of those who have sought to develop a peaceful and progressive world through the exchange of persons, ideas, and information.

During the past year I have been assisting in one special project in this area; and the experiences which have resulted have given me an appreciation of many of the problems surrounding the interchange of people and information. South Dakota State College, in Brookings, S. Dak., was host to an international seminar on soil and water conservation. Fifty-two foreign nationals from 26 countries participated in the seminar. To say that it was successful would be an understatement. It was an experiment in bringing together experts in the field who exchanged ideas and information which each could utilize at home in trying to meet the problems of inadequate food production and in handling soil and water problems. That was not merely another meeting where U.S. experts demonstrated our methods, but it was a true seminar in which each contributed what he could and each shared in what he needed.

Out of this experience we have learned some of the greater needs in the exchange-of-persons programs and in the technological information interchange. I introduced a joint resolution in the last Congress, and I am reintroducing it today, in order to have evaluations made on the cultural and information programs and to explore new methods of making cultural and information exchange more profitable to us and to those who participate from foreign countries.

This proposed legislation is not introduced as a means of finding fault, or of criticizing past performance; but it is introduced, mainly, for the purpose of improving, expanding, and making more efficient use of, the authority in the field of person-to-person programs.

Mr. President, it occurred to me that this anniversary occasion was a good day to make plans ahead for improvement and expansion of these programs. I believe we can find ways to make this important program fit modern-day problems more effectively. We can educate; we can avoid catastrophe; and we can win the peace.

But, as I have said, there are some problems. We found, for instance, that in holding international seminars, there is considerable expense to the institution hosting the event. This makes it difficult for the smaller colleges and universities to participate as they should and as they desire to participate in these important international programs. I hope we can find means of utilizing Government funds, through the Agency for International Development, or through some other agency, in such a way as to encourage participation by smaller colleges and universities, such as South Dakota State College and similar institutions, which are of outstanding importance in the interior areas of our country.

I believe this has a salubrious effect. It gives them opportunities to visit communities which are far removed from the seacoast, where foreign nationals otherwise have a tendency to congregate. It gets the foreign nationals into smaller American communities, where they have a better opportunity to see the average American, and where it is possible for them to visit in homes and with individuals. This is highly important; it is, perhaps, the most important part of the exchange-of-persons concept.

We observed that the off-schedule time of the participants, and of the wives who accompanied them, was a little difficult to handle. I commend the faculty—and especially the faculty wives—at South Dakota State College for voluntarily contributing to the planning and work of finding recreation for these visitors, for arranging for visits to homes, for getting them invited to service clubs, and, in general, for seeing to it that no one got lonesome while at State College. We had an able and experienced director and coordinator; but there were many varied problems for him to handle, and I believe he could have used help.

I believe that another innovation might well be to have a State or local director, appointed and paid by the Government, to do the planning for such events, and to act as the counselor to the participants, to serve as the agent to mediate between the foreigner, the U.S. Government, and the host institution. This person could well be a faculty wife or a retired professor who could handle a part-time job of this nature. It seems to me that someone with this official status could help iron out problems, see to it that foreign nationals meet local families, schedule recreation, and keep records and maintain contacts. I hope the Department of State will give some consideration to setting up an arrangement of that type.

It appears to me, also, that another thing we lack in our present arrangement is for a reception center for visitors from other lands. I have spoken before on the Senate floor about the poor quarters in which the Training Division of the Foreign Agriculture Service is housed. I can imagine the thoughts of a visitor whose first meeting in a Government-owned building is in some office such as those in the temporary World War II buildings in which FSA offices were located.

It seems to me that such a center could have many uses. It could make up a special "kit" of information which is given to each visitor. It could provide for uniform orientation. It could register each participant, arrange routing and schedules. It could maintain continuous contacts and make sure that the visiting person attends related functions in the areas where he is traveling. For example, during the seminar in South Dakota, we found that South American agriculture experts were traveling through our State without any knowledge that a seminar on soil and water conservation was going on. I believe more guidance and coordination of the activities of the visitors, plus a central shop to maintain information and records, could assist in dovetailing of activities for a more lasting benefit to all parties concerned at a lesser expenditure of public funds.

Such a center could make long-range plans, coordinate activities of all Government agencies, keep records of who comes to the United States and who goes abroad, maintain friendly contacts with the departed guests, record the achievements and status of such guests when they reach their homelands, and analyze what benefits may have accrued to our Nation as a result of the visit.

These are some of the unmet challenges, but I am confident that the people working on these programs are thinking about them, and I sincerely hope that in this Congress we can conduct studies which will help find the answers.

The entire gamut of cultural exchange is constantly undergoing study and new suggestions are being made. One such plan has been put forward by Honorable WILLIAM WIDNALL, of New Jersey, in a bill, House Joint Resolution 68, to provide for international interchange of artists and art works. I am happy today to introduce a companion bill in the Senate so that further exploration may be made on this important subject. As in all things, the emphasis in these programs is changing and I find that some suggestions that I might not have been enthusiastic about in prior years I now view in a different perspective. So I am encouraged whenever we do have an opportunity to talk about these suggestions and ideas.

These projects and others which are related to our cold war efforts need constant review. In the event we have committee hearings on the legislation which I have introduced today, I expect to suggest to Government officials that a study be made on the possibility of reorganizing all the cold war functions into a single central office.

While both the educational and cultural exchange programs and the U.S. Information Service are provided for in the same Smith-Mundt law, we find that they are now separated, the first remaining in the State Department and the second in a separate agency.

The USIS has been doing a uniformly good job. Some of us felt, when the new agency was set up, that this might weaken our programs, or permit them to operate at variance with the State Department policy. I am happy that the fears which we expressed were not borne out. I believe that is due, in most part, to the splendid, dedicated people we have had in the agency and I would say, in particular, that it was due to the directors of the agency. These men have been forward looking, industrious, and original in their thinking. Each has left his special mark on the agency. None has allowed partisanship to influence his efforts. I salute them all.

I also salute the vast majority of our ambassadors overseas who, at the working level in the field, have been able to bring about a coordination of the oversea information programs and the exchange and cultural programs so that they move in the same direction, and are aimed at the same target, with a minimum of confusion and contradiction. Because of the team attitude being manifested so well in the vast majority of our foreign embassies, pessimistic predictions which were made at the time the measure was proposed that would divide and separate the two branches of the service provided by the Smith-Mundt Act have not materialized. I congratulate our field forces in the diplomatic service and the leadership of those ambassadors, who, in the vast majority, have been able to maintain a harmonious and coordinated approach to the whole business of influencing people overseas.

In this effort of sending information overseas, the agency is often faced with critical and emergency situations. I believe that it is now geared to do these jobs effectively.

With the changing picture in world affairs, the agency must redesign its functions from time to time to reach new audiences with a variety of communications efforts.

I am happy to note that special efforts are being made to reach the African nations, newly formed, so as to preserve their friendship for us and for the goals of the free world. This is a most difficult assignment because of the semiprimitive areas in which our people must sometimes work.

Likewise, more and more emphasis is being put on our Latin American operations, where we have many problems and where there is much work to be done.

In both these areas we will have to have more and more effort in both the cultural exchange and our information programs. The countries on these continents are the largest stakes placed on the international gaming tables. We must win the struggle for allegiance and alliance to preserve freedom for the people in these countries and to assure the safety of the world.

All in all, on this 15th birthday of the Smith-Mundt Act, we can safely conclude that the provisions of the law provide the means of protecting our own interests as well as the interests of other freedom-loving people. It offers means of aiding those nations which are in need of technical, political, and economic assistance, so they may be able to solve their own problems and to work out their own destinies under the banners of freedom.

Fifteen years from now, we may be saying about the same thing in regard to this program, because I am sure the world will still have many unsolved problems. I am confident that the United States will maintain its role as leader of the free countries. I presume that there will be countries which will need to share knowledge with us, and there will be people who will want to come here to try to find answers for their problems. We will have many Americans who will want to go abroad as students, as teachers, as technical advisers, and in many capacities, so they can learn about other nations and have people of other countries learn about us.

I have never talked with an international diplomat from the United States who has not proclaimed these programs as being the most helpful in our international relations. This makes me immensely proud. It is my fervent wish that the ideas and ideals initiated and put in action by the Smith-Mundt Act will continue to serve the cause of freedom and knowledge for many years to come.

During the last Congress we moved in the direction of better coordinating our various Government programs in these areas of mutual exchanges by consolidating some of them together in activities spelled out in provisions of the Mutual Educational and Cultural Exchange Act of 1961. Not much new of importance was added but improved coordination of such specific programs as those established by the Fulbright Act, the Smith-Mundt Act, the foreign aid and assistance programs and others was attempted. There remains room and need for further coordination in this field of activity if it is to achieve the full attainments conceived for it by those who early set it in motion. And, in the oversea information areas of Public Law 402 of the 80th Congress, outside of the purview of legislation passed in the last Congress there is also room to improve the technics and tactics from lessons we have learned during these intervening 15 years.

We have barely scratched the surface in the vital matter of utilizing television for example in presenting the message of truth and the challenge of freedom to those living outside the communism slave camps of the world.

In introducing the two measures I am sending to the desk today, I do so in the hope that we will not rest on our oars in this all-important challenge of winning the hearts and minds of others to a realization of the full dividends which flow from a free way of life. We have made great progress but there remains much more to be made. I hope this Congress will make further progress in lessening the likelihood of war and in developing a lasting peace through strengthening the methods which we now employ and by adding others capable of still more rewarding attainments.

Mr. President, I introduce for appropriate reference, the two measures to which I have alluded in this anniversary address.

The PRESIDING OFFICER (Mr. Kennedy in the chair). The bill and joint resolution will be received and appropriately referred.

The bill (S. 558) to establish an interdepartmental committee to promote economy and efficiency in the conduct of educational and cultural exchange programs, introduced by Mr. Mundt, was received, read twice by its title, and referred to the Committee on Government Operations.

The joint resolution (S.J. Res. 30) to advance peaceful relations between the United States and other nations by strengthening and expanding the Mutual Educational and Cultural Exchange Act of 1961; to establish biennial art competitions similar to those in European countries which give the arts a status equal to that provided athletics by the international Olympic games; to coordinate cultural exchange programs with the Organization of American States and the Pan American Union; and to provide at colleges and universities centers for technical and cultural interchange similar to that at the University of Hawaii, introduced by Mr. Mundt, was received, read twice by its title, and referred to the Committee on Foreign Relations.

## ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, will the Senator from Virginia yield to me with the understanding that he will not lose his right to the floor or in any way prejudice his situation?

Mr. ROBERTSON. For what purpose?

Mr. HUMPHREY. For the purpose of an insertion in the Record.

Mr. ROBERTSON. Only an insertion in the Record?

Mr. HUMPHREY. With a few comments.

Mr. ROBERTSON. The Senator will not submit a resolution?

Mr. HUMPHREY. Not at this stage, but I shall later.

Mr. ROBERTSON. That is what I understood.

Mr. President, I will yield with that understanding.

The PRESIDING OFFICER. Without objection, the Senator from Virginia yields to the Senator from Minnesota.

Mr. HUMPHREY. I thank my good friend from Virginia.

## ADDRESS BY DAVID E. BELL, ADMINISTRATOR, AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. HUMPHREY. Mr. President, on Monday, January 14, 1963, at Las Vegas, Nev., the new Administrator of the Agency for International Development, Mr. David E. Bell, addressed the National Rural Electric Cooperative Association 21st annual meeting—the Administrator's first major address since his appointment.

Mr. Bell's statement is strong and clear. He stressed three major points—that we are providing aid to other countries because it is in our own vital national interest; that we can work effectively only with countries that are prepared to help themselves; that our objective is to assist countries to reach a level at which they can sustain further progress by their own efforts.

I was pleased to note that the Administrator chose the National Association of Rural Electric Cooperatives meeting as the forum for his first major address. I was pleased also, Mr. President, to note the stress which Mr. Bell laid upon the necessity to stimulate the development of cooperatives and other voluntary associations in the countries we are attempting to help.

> One of the great contributions people of the United States through their foreign assistance program have to offer to the peoples of the less developed countries—

Mr. Bell said—

> is our pragmatic, down-to-earth, practical experience in self-government, civic responsibility, and voluntary association. The growth of cooperatives, and particularly the growth of rural electric cooperatives, is an impressive demonstration of those qualities.

Mr. President, I was particularly pleased by Mr. Bell's comments in this regard, because in the Foreign Aid Act of 1961 I offered an amendment to direct the Foreign Aid Administration to aid and assist in the development of producer, distribution, and rural electric cooperatives particularly in our Alliance for Progress program. It has been the view of this Senator that to achieve improvement in land production, land reform, and sustained growth and expansion of agricultural production in the underdeveloped countries will require a good deal of work in the building of cooperatives which belong to the farmers themselves and which aid them in their economic growth.

Mr. President, I commend Mr. Bell's address to my colleagues, and I ask unanimous consent that the address by David E. Bell, Administrator of the Agency for International Development, on January 14, 1963, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### ADDRESS BY THE HONORABLE DAVID E. BELL, ADMINISTRATOR, AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE, TO THE ANNUAL MEETING OF THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, LAS VEGAS, NEV., JANUARY 14, 1963

Mr. Chairman, members of the NRECA, ladies, and gentlemen, I am grateful for the invitation to appear before you today. Your organization has recently joined with the Agency for International Development in a combined effort to help raise living standards in other countries. And I am an even more recent recruit to the Agency. It should be useful for us to compare notes as we commence our joint work.

#### I

Let me first state three assumptions underlying U.S. foreign aid efforts which I take it are common ground between us.

First, I assume there is no misunderstanding here as to the fundamental reason why the U.S. Government is providing large sums each year for military and economic assistance to the less-developed countries of the world. We do so because our own security is involved. Our own vital interests require us to do what we can to assist the growing strength of other independent countries—for only in a world community of free and self-sustaining nations can our own Nation not only survive, but flourish and prosper.

What we do in the field of economic and military assistance, therefore—how much money we provide, for what purposes, and to what countries—must be judged by the hardheaded test of whether it will strengthen the security of the United States and the free world sufficiently to be worth what it costs.

Second, I take it we are also in agreement that the development of independent strength in any country is essentially the responsibility of the government and people of that country, not of the United States. The principal effort to develop a country's economic, political, and military strength must be made by the people of that country themselves. Only when there is local leadership and a program of action for bringing about changes can outside aid be effective. We can help only those who want to help themselves. If the people of a country and their leaders are willing to discipline themselves, to make the sacrifices necessary for economic development and military security—only then can American aid have any appreciable effect. In those countries or areas where such leadership is not present, we can engage at best in only stopgap or emergency assistance.

Third, I assume we agree that the purpose of our efforts is to help other countries get on their own feet, and achieve a position in which they can sustain economic growth and political stability without extraordinary help from us or from anyone else. Neither they nor we would be served by a continuing condition of dependence on outside help. What is required to achieve a self-sustaining position is different in each case—Korea is different from Nigeria, Thailand is different from Chile. In some cases the problem can be solved in relatively short order. In others it promises to require quite a few years. But the purpose must be clear from the outset. Both the efforts of the countries receiving aid and of the United States aid programs must be aimed at achieving a condition in which each country's defense and development can be sustained by its own efforts.

These, then, are my three assumptions: We provide military and economic aid to other countries because it is in our own vital national interest; we can work effectively only with countries that are prepared to help themselves; and our objective must be to assist those countries to achieve a condition in which they can sustain further progress by their own efforts—our aid programs, that is, must be intended to be self-terminating.

#### II

If we can agree on these assumptions, let us turn to ways and means. How do we accomplish these purposes? The essential pattern can be stated simply, I believe, although its application in individual cases can be highly complex.

The key to the solution is for us to assist each country to mobilize, to increase, and to apply its own resources in strengthening its economy, and where necessary, its military defenses—and for us to supply additional resources where they can be effectively used and are essential to achieve stability and economic growth. Our resources may be in the form of trained experts giving advice, of capital equipment and materials, of surplus agricultural commodities, of military equipment, or other forms. But whatever the form of our resources, they must, to be effective, be related to the efforts of the country we are helping.

Let me illustrate. Ten days ago I visited an area in Vietnam, some 250 miles northeast of Saigon. This was a flat valley of ricefields, dotted with villages, between steep jungle-covered hills. A year ago those ricefields were controlled by the Communist guerrillas, the Vietcong, whose camps were in the hills and who effectively terrorized the villagers. At that time the chief government official in the area could not venture a mile outside the small town that is his capital unless he was accompanied by a large body of army troops.

Today the situation is reversed.

Today the ricefields are controlled by the Government, and the people of the villages are beginning to be able to think about increasing their rice yields and sending their children to school. The Vietcong are still in the hills—we could see the smoke from their campfires as we flew by helicopter from one part of the valley to another—but they come down only at night, to shout propaganda into the now protected villages, and they have not made an armed attack on a village for 3 months—their last one having been a disastrous defeat for them.

What has brought about this change?

First, the Vietnamese Army, advised by American officers, conducted vigorous offensive operations against several of the Vietcong jungle camps, destroying much of their foodstocks and other supplies.

Second, the villages of the plain, one by one, have been organized into what are called there strategic hamlets. Simple defense fences—bamboo stakes or barbed wire—were established around each village. Young men of the village were given arms and rudimentary military training, to serve as village guards by day and by night. A radio was placed in each village, so that army troops could be called in the event of a Vietcong attack. The people of the village stay inside their fences when night falls, and military patrols protect the ricefields at harvest time.

The strategic hamlet system is proving very effective. Vietcong attacks on the defended villages in the valley where I was have been beaten off by the villagers themselves with the help of army units. And without access to the villages the Vietcong have lost their sources of food, supplies, and recruits.

Aid from the United States and other countries has provided the barbed wire, the weapons, and the radios. The villagers have provided the manpower, the organization, the energy, and, above all, the will to defend themselves.

For the means for defense are plainly only part of the story. The third elements in the reversal of control in that green valley has been the indispensable desire on the part of the villagers to oppose the Vietcong and to support the National Government. This was not to be taken for granted. These villagers had known little but war for 20 years—first the Japanese invasion during World War II, then the struggles for independence from the French, then the Vietcong guerrillas. One might well have expected them to remain passive while the Government troops and the guerrillas fought over the ricefields.

But this has not been the case. The villagers have been willing to fight when they had the means to defend themselves. The reason no doubt is partly their anger at Vietcong terrorism. But in addition they have the hope in the Government's village uplift program of achieving a better life. The Government, in a recent reversal of old traditions, has encouraged the villagers to elect their own local officials. And partly in response to the villagers' own expressed wishes, Government programs for improving agricultural output, health, and education are going into effect. And here, too, American aid is involved. We are providing fertilizer to demonstrate its value in raising rice yields—next year the farmers are expected to buy their own. We are providing cement for pigsties, and surplus corn to start a cycle of larger pig production. And two young Americans are in the area we visited, advising the local government officers on the village uplift program and working directly with the villagers.

This, then, is one illustration of U.S. military and economic aid in action. The strategic hamlet program in Vietnam is going well. It is far too soon to claim decisive results. But the combination of aggressive army attacks on the Vietcong, protected village defense against Vietcong attack, and a strong village uplift program to give the villagers an increasing stake in the progress and independence of their country, looks like a winning combination. There is no doubt that it is pushing the Vietcong back. If the Vietnamese Government continues to work strongly in this direction—and if the United States and other countries continue their strong military and economic assistance programs to Vietnam—it seems possible to hope that over the next few years the Vietcong will be reduced to a relatively minor problem, and Vietnam, which 2 years ago seemed to be ripe for plucking by the Communists, will be on the way to becoming a securely free nation, with early prospects for achieving economic independence.

I would not wish to exaggerate the rate of progress that is possible in Vietnam. It is going to be a long, tough struggle. When I asked one of those young Americans, a Bostonian named Bob Burns, how long he expected to be working there in the valley among his villages, he answered without a moment's hestitation, "6 years." But he was confident that if we stick to it, the battle against communism can be won in Vietnam. And I believe he is right.

#### III

I have given you one illustration of how the aid program works in the interest of the safety and progress of an underdeveloped country—and in our own interest. I could give you dozens of other illustrations. Most of them fortunately would be cases in which actual fighting is not in progress. In most parts of Asia, Africa, and Latin America, we have the opportunity to forestall Communist infiltration and subversion—if we are wise and active enough to do so.

The situations are endlessly complex and each is different. We must work in several dozen countries, under widely varying conditions of terrain, climate and historical and cultural backgrounds. Typically, however, what we are seeking to do is to provide a wide range of resources and talents to assist underdeveloped countries to achieve economic and social progress through free institutions. For the United States to provide such resources and talents cannot be the task of a single Government agency. No single Government agency could possibly have the expertise, the business acumen and the technical skills that are necessary to create the capital plant, organize the human and material resources, supply the monetary investment and share the administrative knowledge for a modern economy. In a sense, the task of the Agency for International Development is to mobilize these private resources that already exist in our industries, farms, labor unions, cooperatives and State and local governments.

An outstanding example of these private resources is your own National Rural Electric Cooperative Association. In November 1962, 2 months ago, AID and NRECA under the leadership of your president, Mr. R. A. Yarbrough, and your general manager, Mr. Clyde Ellis, entered into an agreement to make available to the nations of Latin America the technical services, counsel and support of NRECA in the "development of rural electrification, rural industries and community facilities in those cooperating countries." Within 3 weeks after the signing of that agreement two of your experts, Mr. Louis Strong, of Blackwell, Okla., and Mr. Leo Forrest, of Hereford, Tex., were in Colombia looking into the establishment of rural electric cooperatives and studying the feasibility of further rural electrification in that country. They will soon be joined by Mr. Max Rhodes, of Youngsville, Pa.; and Mr. Lyle Robinson, of Tulia, Tex. Last week Mr. Charles Stewart, one of your members from Bowling Green, Ky., left for Ecuador on a similar mission. Mr. William Wenner, of Cambridge Springs, Pa., will soon be working in Brazil, and early next month, Clyde Ellis will also go to Brazil to lend his formidable organizing talents to the effort there.

I need not tell you ladies and gentlemen of the potential impact that rural electrification and the experience of cooperatives can have on a people desiring a better life in a free society. Perhaps the most significant contribution your organization and other cooperatives can make in this effort to strengthen the security of the free world is to demonstrate the vitality of cooperative democracy, to stimulate the pride of individual ownership, and to encourage the economic growth of rural areas. One of the great contributions the people of the United States through their foreign assistance program have to offer to the peoples of the less-developed countries is our pragmatic, down-to-earth, practical experience in self-government, civic responsibility and voluntary association. The growth of cooperatives, and particularly the growth of rural electric cooperatives, is an impressive demonstration of those qualities.

Moreover, we know the practical effect of this experience in self-help. In my own time, if I may be permitted a personal observation, I know that when I left North Dakota as a boy, less than 2 percent of all the farms had electricity. Today, 96 percent of all the farms in North Dakota have electric service. It may be worth pointing out for comparison that after nearly 30 years of communism, the annual per capita consumption for rural dwellers in the U.S.S.R. is about 127 kilowatts. It is over 1,400 in the United States. The rural electric cooperative movement in the United States has been the single most responsible factor in this improvement in the life of our rural people.

The cooperation of AID and NRECA is but one example of what I hope will be, in the months ahead, a growing involvement of organizations and groups from all aspects of American life in the great task that has been set for us by our history.

IV

For make no mistake about it, we are engaged in a tremendous struggle, on a worldwide scale, that will require sustained effort over many years to win. The powerful outreach of Communist aggression, working by subversion, by infiltration, by insurgency—by whatever means an implacable will can devise—is moving in southeast Asia, standing on the borders of India and Pakistan, hovering over Africa, seeking to expand its foothold in the Western Hemisphere.

We must be equally determined, equally enduring, equally ingenious. We must be prepared to stick to this job for as long as our national interests are threatened, as long as our security is challenged.

We must learn as we go to be more efficient in our operations. We must concentrate our efforts where they will do the most good, and eliminate marginal activities. We must obtain increased contributions to the common cause from the other developed nations of the world.

In these and other ways we must work unceasingly to get maximum returns at minimum cost. We must be prudent and frugal in our management of foreign aid funds—as in every other program involving the use of public funds.

But we must never lose sight of the fundamental fact that what we are doing through our programs of military and economic aid to underdeveloped countries, is helping to wage the epic battle of our time—the battle between freedom and communism. We can win that struggle—if we are prepared to sustain a wholehearted effort throughout the years of the Communist challenge.

I welcome the National Rural Electric Cooperative Association to direct participation in this cause. I look forward to our alliance in this effort.

Mr. HUMPHREY. Mr. President, will the Senator permit another insertion in the RECORD?

Mr. ROBERTSON. I yield for that purpose.

## ISRAEL'S TECHNICAL ASSISTANCE PROGRAMS

Mr. HUMPHREY. Mr. President, last week I spoke to the Senate about the assistance which the State of Israel is giving to the Latin American countries, particularly technical assistance for agricultural production.

I was pleased to note in this morning's Washington Post and Times Herald an editorial entitled "Assist From Israel."

Mr. President, foreign aid is a heavy but necessary burden which must be carried by any nation hoping to see more opportunity for the people of underdeveloped nations and a greater prospect for the spread of freedom throughout the world.

Many of our own national leaders—including the President—have stressed in recent months the need for a sharing of this burden among the advanced and industrialized nations of the West. The United States is willing to continue its programs of foreign aid; but it is also eager to see other nations join in a common effort to banish poverty, hunger, and illiteracy in the zone of misery which circles the globe and takes in vast areas of Asia, Africa, and Latin America.

Today I want to commend the work of Israel in this effort. Israel has had recent and valuable experience in buildin a thriving, progressive, and free nation from the bare earth. The skills and the dedication of its people are still sharply tuned to the needs which are common in so many underdeveloped regions of the earth.

Israel has responded, with tremendously effective technical assistance programs in many nations of Africa and Asia. And now, Israel is beginning to share the skills of its people in technical assistance and training programs in Latin America. For this I wish to express our thanks.

I invite the attention of my colleagues in the Senate to the report by the group of Senators, headed by the Senator from Montana [Mr. MANSFIELD], who made a recent globe-circling tour and study of many trouble spots in the world. That report, as revealed in the morning press, stresses once again the absolute necessity for the more industrialized and more advanced nations, particularly those in Western Europe, to share the burden of foreign aid and to provide economic and technical assistance to the less privileged and underdeveloped areas of the world.

I am pleased to see that the efforts of Israel are being recognized in this country. The most recent salute came in the editorial in the Washington Post which praised Israel's technical assistance programs as commendable, "successful, and popular."

Mr. President, I ask unanimous consent that this brief editorial, titled "Assist From Israel," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### ASSIST FROM ISRAEL

Israel is increasingly playing a unique role as a workshop for developing countries. Although pressed for funds for its own development, Israel has nevertheless undertaken technical assistance programs in a host of Afro-Asian countries. Doubtless there is a political incentive, but Israel's way of extending her influence is commendable, successful, and popular. It is welcome news that Israel is now expanding its technical assistance program in this hemisphere and plans to train about 200 Latin-American students in agricultural techniques.

The special value of Israel's initiative is that the country is small and its problems akin to those in developing nations. What is especially important is that few can ascribe imperialistic designs to its aid programs. An increasing exchange between Israel and Latin America can be an effective supplement to the Alliance for Progress; it is good that it has already begun.

## DEFINITION OF A FARMER

Mr. HUMPHREY. Mr. President, the Farmers Union Grain Terminal Association in St. Paul, Minn., produces a radio broadcast Monday through Friday, which is heard on 19 stations in the States of Minnesota, North Dakota, South Dakota, and Montana. The excellence of these programs has resulted in a wide audience in these four States.

On January 23, the broadcast consisted of defining a farmer, as originally done over radio station KMA in Shenandoah, Iowa. I like this definition, and commend it to the attention of my colleagues.

Mr. President, I note that many of my colleagues now in the Chamber come from areas in which agriculture is a predominant part of the total economy.

Mr. President, I ask unanimous consent that a reprint of this broadcast, which was prepared by the public relations staff of the Farmers Union Grain Terminal Association, be printed at this point in my remarks.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

### GTA DAILY RADIO ROUNDUP

The problems and burdens of the world are heavy on the shoulders of some people, while others carry their loads lightly. Farmers, being people, are like that, too. Some are worried and burdened, others happy and carefree.

Trying to define a farmer is no easier than defining a family farm. But there's always somebody ready to make the try. Latest of these offerings on "What Is A Farmer?" was boomed out over radio station KMA in Shenandoah, Iowa, recently. We are indebted to our alert watchdog on news, J. K. Stern, president of the American Institute of Cooperation, for calling it to our attention.

Let's see how it jibes with your picture of the farmer.

"A farmer is a paradox. He is an overall executive with his home his office; a scientist using fertilizer attachments; a purchasing agent in an old straw hat; a personnel director with grease under his fingernails; a dietitian with a passion for alfalfa, aminos, and antibiotics; a production expert with a surplus, and a manager battling a price-cost squeeze.

"He manages more capital than most of the businessmen in town.

"He likes sunshine, good food, State fairs, dinner at noon, auctions, his neighbors, his shirt collar unbuttoned and, above all, a good soaking rain in August.

"He is not much for droughts, ditches, throughways, experts, weeds, the 8-hour day, grasshoppers or helping with housework.

"Farmers are found in fields—plowing up, seeding down, rotating from, planting to, fertilizing with, spraying for, and harvesting. Wives help them, little boys follow them, the Agriculture Department confuses them, city relatives visit them, salesmen detain them and wait for them, weather can delay them, but it takes Heaven to stop them.

"A farmer is both faith and fatalist—he must have faith to continually meet the challenges of his capacities amid an ever-present possibility that an act of God (a late spring, an early frost, tornado, flood, drought) can bring his business to a standstill. You can reduce his acreage but you can't restrain his ambition.

"Might as well put up with him. He is your friend, your competitor, your customer, your source of food, fiber, and self-reliant young citizens to help replenish your cities. He is your countryman—a denim-dressed, businesswise, fast-growing statesman of stature. And when he comes in at noon, having spent the energy of his hopes and dreams, he can be recharged anew with the magic words: 'The market's up.'"

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ROBERTSON. Mr. President, in what may have appeared to some persons as tedious detail, I quoted, on January 15, from the debates of the Constitutional Convention of 1787, and from the ratifying conventions in Virginia and New York, to show the very definite intention of those who framed and ratified the Constitution to create a Central Government of delegated powers, with all other powers retained by the sovereign States, or the people thereof.

Today I feel that I can emphasize what I have previously said concerning the nature of the new Union by discussing the Virginia Declaration of Rights, written primarily by George Mason, of Gunston Hall. This remarkable document antedated the Declaration of Independence by some 3 weeks. It influenced Jefferson in his preparation of that declaration and influenced also the actions of Madison and others in the Philadelphia Constitutional Convention.

*Before doing so*, however, I wish to commend the speech of the senior Senator from South Dakota [Mr. MUNDT]; in his able discussion of rule XXII last week, he said:

> The precedent of giving power to a majority today to require a two-thirds majority to shut off debate after due and adequate debate in the next session could with equal ease in the next Senate change the rule to shut off debate with a simple majority of the Senate with substantially less intervening debate or with no debate at all. * * *
>
> In my 10 years in the House I saw this happen many times. Anyone who is seriously interested in learning why the Senate needs some rules to protect the minority position, if it is going to maintain a different character from the House of Representatives, need only read some of the past debates in the CONGRESSIONAL RECORD, at times when one party or the other had a predominant majority in the House of Representatives.
>
> Time after time in those 10 years I was among those who had minority viewpoints, who desired to express them and who sought to get the precious 5 minutes, which is the maximum time allowable, usually, during debate on important issues in the House of Representatives. * * *
>
> I did not have a chance to be heard. I am not egotistical enough to think that I would have changed any votes. However, I might have reenforced my own vote and reassured myself; and perhaps I might even have paved the way for some Senator reading the debate later to be influenced in part by the proposals which I had made.

I am reminded by that statement of my own experience in the House. During my service in that body a resolution was introduced to draft the railroad workers. It was not sent to any committee. Members of the House had no opportunity to study what was involved. They were told that the welfare and security of our Nation were at stake and that if they did not promptly break the railroad strike by drafting the strikers into the Army and letting the Army operate the trains of the Nation, we might lose the war.

With little debate, with virtually no opposition, the bill passed and was sent to the Senate. On the Senate side, Senators took time to look into what was concerned. They found that the type of emergency which had been described did not exist; that there was no necessity for such drastic action; and, furthermore, that such dictatorial action was not constitutional. The Senate killed the bill, and very properly so.

As some of my colleagues may remember, I served for 10 years on the House Ways and Means Committee. During that time I undertook to be a leader in the committee for the reciprocal trade program of Cordell Hull of Tennessee.

In Cordell Hull the State of Tennessee gave us not only a great Senator, but one of the greatest Secretaries of State this country had during my 30 years of service in the Congress. So I became interested in tariffs and started to look back into tariff history. The Cordell Hull policy was tied to lowering the prohibitive rates of the Hawley-Smoot Act.

Some Senators do not know that the Hawley-Smoot Tariff Act is still the law of the land. I am sure that still fewer of them know how it was written. The Hawley-Smoot Tariff Act was drafted by a small group of industrialists from Pennsylvania who came to Washington and went into executive session with the Republican Members of the House. Those sessions were continued for 3 months, and no Democrat was admitted to them. A bill was framed, introduced, and reported. The 10 Democratic members of the 25-member committee were told, "You can read it, and you can vote any way you please, but that is going to be the bill. You cannot change it."

They were right. When that drastic bill was presented on the floor of the House, only 2 hours of general debate were allowed. Pro forma amendments could be offered, with 5 minutes of debate. Only two sections of that tariff bill, which had dozens of important sections in it, were even discussed. That is why, under a gag rule, the most disastrous tariff that we have ever had, was put through the House.

Some people wonder at the present bitterness against us in the trading nations of Europe. I would not be surprised if the Common Market—which is now used to exclude our poultry, our wheat, and other farm products—were not used eventually to exclude us from practically all trade in Western Europe.

I refer to my own experiences, however, to say in commendation of the statement of the Senator from South Dakota [Mr. MUNDT], that here are striking examples of what a gag rule can do to a legislative body.

The Senator from South Dakota made some other fine observations about the importance of retaining the right to full and free debate on the Senate floor.

With regard to civil rights, the distinguished Senator has the following to say:

> I do not believe that civil rights is an issue at all in this debate. If my memory serves me correctly, in the 24 years I have been a Member of the U.S. Congress, I have voted, without exception, for all the protective civil rights measures which have come up for a

> vote. That does not mean, however, that I will now vote to destroy the protective rules of the Senate in order to achieve some new and unnamed protective legislation for minorities; which, if it is good, is wise, and is prudent, can be enacted under the present rules, as we have demonstrated time after time in the Senate.
>
> No; something far deeper, more important, and more fundamental than any civil rights proposal is involved in this debate. It is the citizenship rights of all Americans. It is the right of all minorities, not merely a racial minority or a religious minority or a geographical minority. It is the right of all minorities in America to be protected and to be heard.

The fallacy of the argument in opposition to the Senate's continuity was thus summarized by Senator MUNDT:

> Mr. President, either we are a continuing body with continuing rules or we are not; it is not possible to have the best of both worlds. Based on my own study it seems to me that the vast body of authoritative commentary supports the view that the Senate is a continuing body. The very fact that the Constitution provides for the tripartite division of the Senate for election purpose seems to admit to only one conclusion on this point—that the Senate was conceived as a continuing body. Certainly the commentaries of Madison, Hamilton, and Jay in the Federalist Papers strongly support this position.
>
> Those seeking to convince us that rule XXII has no force or effect at the beginning of a new Congress unless it has been affirmatively approved by a majority of the duly constituted membership have placed great stress on the language in article I of the Constitution providing that a majority shall constitute a quorum for the purpose of transacting business. However, after having made the flat assertion that a majority of the membership shall constitute a quorum, which to my knowledge no one disagrees with, they have provided precious little in the way of cogent argument to support their plea that rule XXII is not presently operative. They argue that the Senate has no continuity.
>
> If we accept * * * the view today that the existing provisions of rule XXII have no force and effect in this debate to amend that rule, then what protections does a minority have to fully air its views if at the beginning of the 89th, the 90th, or some future Congress a willful majority should decide to further restrict the rights of minority expression in the Senate?
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> * * * * * *
>
> Once we destroy our rule book, Mr. President, we shall have shot the policeman protecting the rights of the minority. No one can promise on the floor of the Senate today what a Senate 2 years from now will do. None of us knows who will be here in 2 years. If we are to fulfill the promise, none of us can be sure he can sway a sufficiently large number of his colleagues to make performance of the promise a reality of 2 years or 4 years hence.

The distinguished Senator from South Dakota quickly disposes of the argument that our retention of rule XXII would place new Members in a disadvantageous position. He argues as follows:

> As a matter of fact, new Members will have a better opportunity to be heard on the rules under the present provisions of rule XXII than they would under either the Anderson or the Humphrey plans, for the simple reason that the oldtimers, who will always comprise nearly two-thirds of the Senate's membership, will have a more difficult time denying them the right to fully speak their piece. Under existing rules and procedures, new Members at least have the opportunity to appear before the Rules Committee to express their views and to argue, if they choose, on the floor of the Senate in favor of such viewpoints.

My colleague points out that it is the minorities, not the majorities, who need protection. He continues:

> Once we establish the precedent that a simple majority, at the opening of a new Congress, can rewrite the rules—I repeat—every single protective device for protecting a minority viewpoint or a minority party in the Senate—sometimes Republicans, sometimes Democrats, sometimes a farm group, sometimes a city group, sometimes those from big States, sometimes those from small States—will be gone forever, because it will then be admitted that one vote more than half of those voting, on the opening day, can destroy all the guardians of the past and rewrite whatever the majority of the moment deems to be expeditious for its own particular partisan purpose.

Senator MUNDT notes that the Constitution has several provisions which—in order to protect the minority—deny a simple majority the right to rule. The distinguished Senator states that:

> Our constitutional forefathers recognized that in some matters it was not wise and proper to permit a simple majority to prevail on every issue and to decide every public question or procedural process. The Constitution or the amendments thereto provide in at least eight different cases for a two-thirds majority.
>
> Impeachment convictions require the concurrence of two-thirds of the Members present.
>
> Expulsion of a Member requires the concurrence of a two-thirds majority.
>
> Overriding a veto requires approval by two-thirds of the Members.
>
> There are other instances in which a two-thirds vote is required by constitutional provision.
>
> For example, a two-thirds vote of Senators is provided on certain other orders and resolutions.
>
> Amendments to the Constitution may be presented by two-thirds of both Houses, when they deem it necessary.

After noting that the ratification of treaties requires a two-thirds majority of Senators voting and present, the distinguished Senator from South Dakota concludes his summary:

> In the instance when the election of the Vice President should fall to the Senate, again the Constitution provides for a two-thirds vote.
>
> On the removal of a disability for membership in the Congress, when it is caused by a Member having been involved in an insurrection, a two-thirds vote is required.

Mr. President, I commend the remarks of the senior Senator from South Dakota to the Members of this body for careful consideration. Those who today are members of a particular majority could well find themselves tomorrow in the minority. I dare say there is no Senator present who has not voted against a proposal which the Senate has eventually approved. We have all at one time or another been members of a minority.

I have chosen today to discuss some of the underlying principles on which our system of government is founded.

I now wish to turn to Virginia's contribution to what might be called the birth of a nation.

The Declaration of Rights as adopted by the Virginia Convention on June 12, 1776, is divided into 16 sections. Fourteen of these were written by Mason himself and received but few alterations before final convention approval. According to Edmund Randolph, the youngest delegate, the Declaration of Rights proposed by George Mason, "swallowed up all the rest, by fixing the grounds and plan, which after great discussion and correction, were finally ratified."

No one can say with complete accuracy just what factors motivated George Mason in each and every expression that he made. It is certain, however, that he was a profound and well educated man, although he had received no formal university training. His knowledge of the law motivated his associates to call on him frequently for advice and to respect his opinions and his political sagacity. As a young man, he studied in the library of John Mercer, an attorney, who compiled the "Abridgements of the Laws of Virginia." Mercer's library was one of the largest in law, philosophy, and the classics in the Virginia colony.

Accordingly, we may say that Mason was mindful of Biblical morality, of the writing of classicists such as Pericles and Cicero, of the provisions of the Magna Carta signed in 1215, of the Petition of Rights of 1628 inspired by Sir Edward Coke, of the Bill of Rights of 1689 written by the great Lord Somers, and of the philosophies of John Locke and Jean-Jacques Rousseau. Equally important, Mason knew how to mold these principles into a form of government compatible with the freedom-loving spirit of the colonists.

It is proper at this time that we carefully analyze those principles—as embodied in Mason's declaration—which serve as the foundations of American constitutional government.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HILL. Is it not true that the Virginia declaration, about which the Senator has been speaking, was adopted by the representatives of the people of Virginia prior to the Declaration of Independence?

Mr. ROBERTSON. Yes; 3 weeks before. Jefferson drew liberally on it.

Although I am a great admirer of Jefferson, I must admit that, in drafting the Declaration of Independence, he paraphrased the language in the Virginia resolution to please the Revolutionists in France. In doing so, it looked as though he said and meant that all men are born equal. That was not in the Virginia declaration. The distinguished Presiding Officer (Mr. KENNEDY in the chair) may recall that the wife of John Adams, Abigail, wrote him:

> John, how could you sign a statement which declares that all men are born equal, when you know that is not true?

He wrote back to Abigail:

> You did not understand what we meant. All that we meant was that all men were born men and not that some were born men and some were born whales.

Jefferson paraphrased those words as I said. I will show what they mean.

Section 1 of the Virginia Declaration of Rights reads as follows:

> That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

As I have said, the Virginia Declaration of Rights was adopted 3 weeks before the Declaration of Independence. The newspapers carrying it had reached Philadelphia. Jefferson was a great man, but he paraphrased that wording, and in doing so he laid the foundation for some neoliberals to claim that everyone is equal. Everyone knows that cannot be true.

All it can possibly mean is that when a person enters into a state of society, he acquires certain rights of which his posterity cannot be divested. Since the abolition of slavery, all men can now enter into that society. When they do that, they are accorded equal protection under the law. That is all there is to it.

The origin of this doctrine can be traced to the early Greek Stoics, who believed that by natural law all men are born free and that all men are equal in natural rights.

The Roman jurists accepted these principles. Although they did not recognize a right of revolution, the Romans believed that the protection of the rights of the individual was the main purpose for which the State existed. The law of nature and the principle of justice were common to all men. Asserting his belief in the equality of man, Cicero in his "Origin of Laws" maintains that men do not differ in kind, though they may vary in degree, because nature has given reason to all men. He argues that:

> In fact, there is no human being of any race who, if he finds a guide, cannot attain to virtue.

Paradoxically, the unlimited personal authority of the emperor was founded upon a purely democratic basis. Ulpian expresses the paradox in the following manner:

> The will of the emperor has the force of law, because by the passage of the lex regia the people transfer to him and vest in him all of its own power and authority.

That is, the emperor's will is law but only because the people choose to have it so.

When the study of Roman law was revived toward the close of the Middle Ages, the Roman dictum that the will of the emperor is the source of law was separated from the Roman idea that the emperor was the agent of the people. Stripped of its original meaning, the doctrine was used as the basis for the theory of the sovereignty of the national king. In contrast, the opponents of royal authority relied upon the stoic doctrines in constructing the theories of social contract and natural rights which were to serve as the stimuli for revolution and democracy.

Among the exponents of freedom and equality, none had a greater influence upon Mason than the eminent English philosopher, John Locke.

Locke was the political theorist of the Protestant Reformation. He strongly objected to the doctrine of royal prerogatives based upon divine right.

Instead Locke expounded the belief that individuals, by means of a social compact, formed a body politic, giving up their personal right to interpret and administer the law of nature in return for a guarantee that their natural rights of life, liberty, and property would be preserved. When injustices become obvious, the people might resist the civil authority. There was need of rebellion, Locke stated, whenever the government endeavored to invade the property of the subject and to make itself the "arbitrary disposer of the lives, liberties, or fortunes of the people." This right of revolution was qualified in only two ways. Force was not to be used except in the most serious cases. And only the majority could overthrow the government.

The influence which Locke's philosophy had upon Mason is evident not only in the first section of the Declaration of Rights but also in the second and third sections. They are as follows:

> II
>
> That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.
>
> III
>
> That government is, or ought to be, instituted for the common benefit, protection, and security, of the people, nation, or community; of all the various modes and forms of government that is best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and that, whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right, to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

Later in this discourse I shall have occasion to refer to the phrase "common benefit," which was written into the Articles of Confederation during the Revolutionary War as "general welfare." I shall show beyond any question of doubt that there was never any intention on the part of the Virginia delegation and—in particular, James Madison—to demand, either in the Constitutional Convention in Philadelphia, or anywhere else, a government of unrestricted powers.

Although the writings of Locke and of other noteworthy men greatly influenced Mason, the Declaration of Rights was, by no means, a mere repetition of another's ideas. Admittedly, Mason was not a discoverer in a wholly unexplored field. However, according to Hon. R. Walton Moore, of Fairfax County, Va.:

> No one will deny that he exhibited astonishing originality in what cannot be regarded as other than a great creative achievement.

For example, Mason was familiar with the English Bill of Rights of 1689. However, that instrument was largely retrospective. The English Bill of Rights contained little or no thought of popular government, for it left the prerogatives of the Crown unimpaired and the authority of Parliament beyond any great control by the people.

The work of Mason applied the principles of freedom, equality, and the social compact to local politics and gave them a new meaning in the American application.

Mason states in section 4:

> That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which, not being descendible, neither ought the offices of magistrate, legislator, or judge, to be hereditary.

Such thinking derives its origin from Pericles who, in his famous "Funeral Oration," stated this principle as follows:

> If we look to the laws, they afford equal justice to all in their private differences; if to social standing, advancement in public life falls to reputation for capacity, class considerations not being allowed to interfer with merit; nor again does poverty bar the way, if a man is able to serve the state, he is not hindered by the obscurity of his condition.

Mason, like our other forefathers, had seen the numerous abuses which resulted from hereditary political offices, notably the succession of kings. For these early Americans the elevation of anyone to a position of authority must depend not on ancestry but rather on merit. And who should be the judge of merit but the people themselves?

The precautions which Mason insisted upon were later incorporated in article I, section 9 of the Constitution:

> No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 5 deals with the separation of the legislative, executive, and judicial powers within government; and with the need for frequent, certain and regular elections. This section requires:

> The legislative and executive powers of the state should be separate and distinct from the judicative; and, that the members of the two first may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections, in which all, or any part of the former members, to be again eligible, or ineligible, as the laws shall direct.

Hugh Blair Grigsby, who wrote the story of the 1788 Virginia Constitutional Debates, states:

> It is to the wisdom of Mason we owe the great American principle, that the legislature, the most dangerous of all, should be bound by a rule as stringent as the executive and the judicial. Even in a republic the legislature might still have been supreme. It is therefor the peculiar honor of Mason that he not only drafted the first regular plan of government of a sovereign state, but circumscribed the different departments by limits which they may not transcend.

Indeed, Mason objected to the new Constitution partly because it made the Vice President of the United States the Presiding Officer of the Senate, in Mason's words, "thereby dangerously blending the executive and legislative powers."

In section 6 Mason prescribes the following requirements for free elections, the right of suffrage, and due process of law:

> That elections of members to serve as representatives of the people, in assembly, ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the public good.

Mason's study of the English Bill of Rights gave him much background for this section. The Bill of Rights of 1689 provided in part that no revenue shall be levied without the consent of Parliament and that Parliament, regardless of the King's prerogative, would have the right to meet frequently.

The origins of due process of law can be traced even further to the Magna Carta of 1215 in which the mass of the population called "villeins" or "rustics" were given the guarantee that they would not be deprived by fine of their carts, ploughs, and other implements of husbandry.

As any student of American history will remember, the cry of: "Taxation without representation," served as one of the major indictments of British policy and helped to precipitate the Revolution itself. Mason sought to insure that no government on the American Continent could tax citizens or deprive them of their property without their own consent or that of their elected representatives.

Section 7 states:

> That all power of suspending laws, or the execution of laws, by any authority with consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

This section can be traced to the English Bill of Rights of 1689 which provides in part that the King shall have no power to suspend the operation of any law. Formerly English Kings had been able to circumvent the power of Parliament and, consequently, of the people, by suspending laws in a general or in a limited field.

To prevent the will of the people, that is, of Parliament or of Congress, from being circumvented, Somers in the English Bill of Rights and Mason in the Virginia Declaration of Rights made it emphatically clear that no longer would such methods on the part of the executive be tolerated.

Sections 8, 9, 10, and 11 attempt to secure the benefits of justice to the citizen, at home and in court. These sections are as follows:

> VIII
>
> That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land, or the judgment of his peers.

Recently, Mr. President, a determined effort was made on the floor of the Senate—and it was defeated by only a small majority—to deprive those involved in certain types of criminal cases of the constitutional right to trial by jury. It was only after a determined fight that we were able to preserve that important freedom.

I now read section IX:

> IX
>
> That excessive bail ought not to be required, nor excessive fines imposed; nor cruel and unusual punishments inflicted.

This was written into the Bill of Rights of the Constitution.

Now I read sections X and XI:

> X
>
> That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.
>
> XI
>
> That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

The antecedents of the principles espoused in sections 8, 9, 10, and 11 are many. For instance, the right to trial by jury can be traced to the Athenian state.

The courts of Athens differed from ours, in that they were democratic in organization and spirit. For example, the judge was a collective entity, selected from a jury panel of 6,000. Often this judge-jury would consist of 400 or 500 citizens. The theory behind such large numbers was that the courts were the people. These juries had power to reach decisions in both civil and criminal cases and to impose penalties from which there was no appeal.

Mr. President, I pause to state that in the fall of 1949, the Senator from Mississippi [Mr. STENNIS] and I accompanied several Members of the Senate to Europe in order to see how the Marshall plan was working.

While we were abroad, in Greece, examining the handling of the program there, we took the opportunity to visit the old Acropolis. Across from it were some stone caves which had been used as prisons. In one of them, Socrates, one of the greatest of all philosophers, had been imprisoned, and had been forced to drink a poisoned cup of hemlock.

The point which I wish to make is that Socrates did not have the benefit of a sworn jury such as our system provides. Instead, he was a victim of mob action, in effect, because approximately 500 persons sat on the jury that condemned him to death.

The mob-jury charged him with perverting the youth of Athens through his teaching of fundamental rights and ethics which some of the leaders wished to repudiate. His trial was a mockery, because he was subjected to what amounted to mob action. Under their system, 500 persons, or sometimes 1,000, served on the so-called jury.

Our forefathers in Virginia knew about all that, and did not want us to have such a system. So they gave us something better; and, as I have said, we in the Senate have been making a determined effort to preserve it.

The origin of the English jury system developed first as an inquiry by duly appointed men to determine, for instance, the proper boundaries of a neighbor's land. These men arrived at their verdict on the basis of facts known to them, and to which they gave oath. By the middle of the 15th century the jury system had become crystallized into the form with which we are familiar today.

Throughout the Magna Carta we find expressions of the basic principles embodied in these four sections of the Virginia declaration. The Magna Carta states:

> No bailiff, for the future, shall put any man to his law, upon his own simple affirmation, without credible witnesses produced for that purpose.

Also:

> No freeman shall be seized, or imprisoned, or dispossessed, or outlawed, or in any way destroyed; nor will we condemn him, nor will we commit him to prison, excepting by the legal judgment of his peers, or by the laws of the land.

And finally:

> To none will we sell, to none will we deny, to none will we delay right or justice.

Although section 10 forbidding the use of general warrants was not proposed by Mason himself, it is reasonable to assume that he was by no means unsympathetic to this section's content. As early as 1761, James Otis, of Massachusetts, had protested the use of general warrants in America. Otis called them, "the worst instrument of arbitrary power," placing "the liberty of every man in the hands of every petty officer."

Mason clearly saw the need for protecting the citizen from the abuse and injustice of which unscrupulous officials were capable. The guarantees embodied in sections 8 through 11 of the Virginia Declaration and the corresponding assurances in the American Bill of Rights were designed to accomplish this aim.

In section 12 of Mason's Declaration, the author contends:

> That the freedom of the press is one of the greatest bulwarks of liberty, and can never be restrained but by despotic governments.

Mr. HILL. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. HILL. Is it not true that Woodrow Wilson said he would rather have been the author of the Virginia Bill of Rights than to have been the author of any other document ever penned by the hand of man?

Mr. ROBERTSON. That is correct. Certainly in the last 100 years Woodrow Wilson was the most scholarly President our country has had; and I think he was the closest approach, as a political philosopher, to the model, Thomas Jefferson.

I must say, however, that I do not think George Mason has ever received the credit to which he was entitled. It sc happened that his wife died when he was rather young. Mason had a large family which he loved; and, therefore, he would not serve in public office. So after he laid the foundation for our greatness, he retired from the scene. As a result, he was never elected to the Senate, nor was he ever elected President of the United States. But he made one of the outstanding contributions of his day and time—a contribution which, as I have said, was reflected not only in the Declaration of Independence, but also in the United States Constitution itself.

Mr. HILL. Is it not also true that he gave us the chart and compass for our great representative, democratic, American government, which we have had since the days of the Founding Fathers?

Mr. ROBERTSON. Absolutely so; and I am referring to these matters of history, first in order to point out the principles of government which our Founding Fathers intended that we should have, and, second to establish that the Senate's existence as a continuing body was one of these principles.

To continue, there is a very close relationship between freedom of speech and freedom of the press. Under the English Bill of Rights, immunity was granted for speeches delivered in Parliament. Long before this, however, Pericles had maintained in his funeral oration that—

> Instead of looking on discussion as a stumbling block in the way of action, we Athenians think it is a desirable preliminary to any wise action at all.

John Milton in his "Areopagitica" described the value of this freedom as follows:

> And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse, in a free and open encounter. Her confuting is the best and surest suppressing.

Today, we accept freedom of the press as a matter of course. This is a freedom, however, which did not come easily. Many great world figures—among them Socrates, Thomas à Becket, Joan of Arc—have lost their lives for expressing their convictions. Behind the Iron Curtain today the press is controlled by the state. We, however, believe that the expression of opinions and attitudes, however harmful they may appear at the time, will, in the long run, do a nation more good than harm. As Mason realized, a free and informed press is one of the greatest assets which any society can have.

Section 13 of the Virginia Declaration of Rights provides:

> That a well regulated Militia, composed of the Body of the People, trained to Arms, is the proper, natural, and safe Defense of a free State; that standing Armies, in Time of Peace, should be avoided, as dangerous to Liberty; and that, in all Cases, the Military should be under strict Subordination to, and governed by, the civil Power.

In England, as well as in America, the right to bear arms was the means of assuring self-government against the tyranny of the King. The English Bill of Rights of 1689 provided that—

> Subjects which are Protestants may have arms for their defense, suitable to their conditions, and as allowed by law.

This provision also prevented the extension of the King's authority through the quartering of troops in time of peace.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HILL. Is it not true that one of the great motivations on the part of the Founding Fathers to make the Senate a continuing body was that this body might always be here to preserve the great fundamental rights of which the Senator has been speaking?

Mr. ROBERTSON. What the Senator has said is absolutely correct.

Continuing from my text, in America John Adams had held that the local militia was one of the four cornerstones of New England. Adams maintained that in populating the wilderness, the right to bear arms and maintain militia was absolutely necessary.

Mason and the other Virginia Convention delegates, however, had far more in mind than merely protecting Virginia from the Indians. For them a militia was a necessary element in discouraging Britain from violating what these delegates considered to be their rights as free men.

For this purpose Mason had previously submitted a plan to the Fairfax County Committee for the organization of a group known as "The Fairfax Independent Company of Volunteers." After its organization and while the company was under Washington's captaincy, Mason made an address to this body emphasizing freedom, equality, the social compact, natural rights, and the fact that power is derived ultimately from the people. These principles, of course, were to be later incorporated into the Declaration of Rights.

The 14th section of the Declaration of Rights is not the work of Mason but was added by the Virginia Convention. It reads:

> That the People have a Right to uniform Government; and therefore, that no Government separate from, or independent of, the government of Virginia, ought to be erected or established within the Limits thereof.

Apparently this section resulted from the efforts of those delegates who were concerned over the situation in Virginia's western territory.

It is interesting to note the relationship between section 14 and the thinking of those delegates in the Virginia Constitutional Convention of 1788 who objected to the Constitution on the ground that the Federal Government thereby created would engulf the States with a tyranny not dissimilar to that of George III. The foresight and determination of men like Mason established our Central Government as one of limited powers and emphatically affirmed this position with the 10th amendment, which provides that:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

And as I said in my previous speech last week the rules of the Senate were adopted with a view to preserving that form of government.

In section 15 Mason contends:

> That no free Government, or the Blessing of Liberty, can be preserved to any People but by a firm Adherence to Justice, Moderation, Temperance, Frugality, and Virtue, and by frequent Recurrence to fundamental Principles.

Here, perhaps, we find the strongest emphasis upon the principles of morality which are expressed in the Bible. The requirement that before justice can be rendered, there must be equality before the law came into being with Mosaic Law. When Moses established the courts, he charged the Judges:

> Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment, but ye shall hear the small as well as the great; ye shall not be afraid of the face of man.

Indeed, what is the Ninth Commandment—"Thou shalt not bear false witness against thy neighbor"—if it is not a requirement that justice be done?

Nor is the Ninth Commandment, by any means, the only Biblical antecedent to the Virginia Declaration of Rights. When we say, "Thou shalt not kill, commit adultery, or steal," we are saying that man has certain inalienable moral rights. They are life, integrity, and property.

Man is the creation of God. This confirms his right to live and his right to be free, uncorrupted. But it is hardly enough for man to be alive and free; he needs things to help him keep alive and to protect and assimilate his freedom. The influence of commandments six, seven, and eight is readily apparent in Mason's Declaration. Nor is it unlikely that Mason had the Bible in mind when he called for a "frequent recurrence of fundamental principles."

Finally, 16th section declared:

> That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity, toward each other.

Mason's original wording had provided for religious toleration. And we owe it to the efforts of James Madison, who, at but 25 years of age, suggested that Mason's wording in the original draft should be broadened into a statement asserting freedom of conscience.

George Mason's Declaration of Rights was adopted by the delegates of the Virginia Convention on June 12, 1776. This influential document represents a well-phrased collection of beliefs which had been maturing in Mason's mind for a number of years. We find the trend of Mason's thinking in his address to the Fairfax Independent Co., which I have discussed previously, and in "The Fairfax Resolves." These resolutions were adopted on July 18, 1774, at a county meeting held under Washington's chairmanship and constitute perhaps the most important pre-Revolutionary document prepared in Virginia.

George Mason's Declaration of Rights is particularly significant because its principles, in large measure, serve as the basis for the Declaration of Independence, the Constitution, and the Bill of Rights.

For instance, section 1 of the Declaration of Rights closely corresponds to Thomas Jefferson's ringing words.

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain Unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

Furthermore, the Constitution divides our Federal Government into separate legislative, executive, and judicial branches, an organizational form which Mason recommends in section 5 of the Virginia Declaration.

And who can deny the similarity between the Virginia Declaration of Rights and the Bill of Rights which, under James Madison's leadership, was appended to our Constitution in the form of its first 10 amendments?

It was with a view to preserving that constitution's heritage that the Senate was created as a continuing body, with rules to safeguard and protect the rights of minorities.

In adopting our form of government, George Washington, to whom we are more indebted than to any other one man for our constitutional liberty, felt that we were setting an example for other nations. In his Farewell Address, he expressed the hope:

> That the free Constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

George Washington had great respect and warm affection for his brilliant staff officer, Col. Alexander Hamilton, but stoutly resisted Hamilton's effort at the Constitutional Convention of 1787 to draft the constitution of a limited monarchy of which George Washington was to be the first king. Washington, with great understanding of human nature, and foresight of what would best promote the happiness and prosperity of the 13 struggling colonies, insisted that the new government be a republic with a written constitution; a government of laws and not of men. Washington, a deeply religious man, wanted that government to be based upon the teachings of the Bible which recognizes the dignity of the individual; a government that would be the servant and not the master of the people.

The first governmental document of our Nation, the Declaration of Independence, proclaimed the principle of individual importance, and unalienable rights. It is presented again by Thomas Jefferson in his first inaugural address. This address looks not only to the rights of man but to the means of attainment. "The will of the people," said Jefferson, "is the only legitimate foundation of any government."

In the 10 commandments the right to own and enjoy private property is clearly taught. All will recall the prophesied destruction of King Ahab for his illegal taking of Naboth's vineyard. From the Bible we get our free enterprise system which is embedded in our Constitution and is the foundation of our unparalleled material progress.

These three things, constitutional government, the Biblical traditions, and the free enterprise system, have in common this principle, that the state is made for man and not the man for the state. It is the individual who is important.

Constitutional government is not solely a matter of draftsmanship. England has had constitutional government for centuries, without a written constitution.

The fine phrases concerning freedom in the Russian Constitution did not save the millions who were liquidated to insure the continuation of dictatorial power. Other countries have drawn up and adopted what would appear on the surface to be very satisfactory written constitutions, but they have not been able to make them live as working instruments reflecting the realities of the nation for which they were drawn, to make them live in the hearts of the people.

Constitutional government is based upon the recognition that the governors of a nation are not themselves supreme and cannot act arbitrarily; they are trustees for the people and they are bound by the general rules laid down by the people. And this must be recognized both by the governors and by the governed. Constitutional government must be so devised as to enable the people to give effect to their needs and desires, and it must provide for doing this in an orderly fashion, without permitting passing fancies to upset the foundations of the government, and without unduly restricting changing demands arising from changing circumstances.

The Constitution of the United States exemplifies the principles of constitutionalism which I have mentioned. In the Constitution, the people of the United States, acting through their State representatives in the Constitutional Convention and the ratifying conventions, created a unique system of government embodying two basic constitutional principles designed to insure that the Government created would be in fact a government of laws and not of men and would in fact be the servant and not the master of the individual.

The first of these great principles is the principle of federalism. The States which sent representatives to the Constitutional Convention and which ratified the Constitution, continued as sovereign States of the United States and became integral and essential parts of the new United States, as such.

The second of these great principles embodied in the Constitution of the United States is the separation of powers between the legislative, executive, and judicial branches of the Government, each coordinate with and equal to each of the others but not entirely independent of the others.

James Madison in No. 51 of the Federalist, speaking particularly of the division of the Central Government into three departments, used language applicable to the separation of powers between the States and the Central Government, as well as to the separation of powers within the Central Government.

> "The great security against a gradual concentration of the several powers in the same department," he said, "consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.'"

**Mr. ERVIN.** Mr. President, will the Senator yield for a question which is relevant to the matter he is now discussing?

**Mr. ROBERTSON.** I yield for a question, yes.

**Mr. ERVIN.** I am very much impressed by the point which the Senator is now making. Is not the Senator stating, in substance, that the best test of any law or of any rule of the Senate is not what good men can do with that law or with that rule but what could possibly be done under it by bad men?

**Mr. ROBERTSON.** Undoubtedly. The Senator is absolutely correct.

**Mr. ERVIN.** Is it not true that a majority always has it within its power to protect itself?

**Mr. ROBERTSON.** That is a fundamental principle. The majority does not need protection. It is the minority, always, which needs protection. The majority must exercise self-restraint.

**Mr. ERVIN.** Was not the main purpose or one of the main purposes of the Constitution of our country to place a restraint on precipitate action on the part of the majority?

Mr. ROBERTSON. Jefferson expressed the fear that a temporary small majority might act in a reckless manner, so he said:

> In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

One of the chains of the Constitution which Jefferson intended—and which Madison, Mason, Washington, and Franklin intended—was that there would be a Senate as a continuing body with freedom of debate in which a minority could hold the majority in check until important issues could be aired and until the people of the Nation could become alerted and aroused.

Mr. ERVIN. Is it not true that if a body wishes to protect a minority it must put a restraint on the majority to restrain the majority at times, especially in times of stress, from hasty and precipitate action on its part?

Mr. ROBERTSON. There is no doubt about that.

Mr. ERVIN. Is that not the genius of rule XXII of the Senate as it is now phrased?

Mr. ROBERTSON. I previously mentioned our visit several years ago to Athens and to the prison in which Socrates was imprisoned. A majority put Socrates to death, but if there had been an organized minority, with freedom of debate, the rest of the people would have become aroused and would never have permitted him to be put to death in that way. It was majority action, yes, but the majority can be wrong.

Mr. ERVIN. The Senator is making the point—very eloquently, I think, as I consider his remarks—that Socrates was compelled to drink hemlock and Jesus was nailed to the rood by the majority.

Mr. ROBERTSON. That is true. The Senator gives a very striking illustration of what a majority can do. A spineless Governor asked, "Whom shall we free, Jesus or Barabbas?" What did the majority yell? "Give us Barabbas. Crucify Jesus. Crucify Him."

Mr. ERVIN. In other words, when Pontius Pilate told the majority it could choose between freeing Barabbas, the murderer and robber and Jesus, the majority shouted that they wanted to free Barabbas, the robber and murderer, rather than the Savior of mankind. Is that correct?

Mr. ROBERTSON. That is true.

I return to what the Founding Fathers said about our form of government.

Mr. Justice Brandeis, in 1926, adopted Madison's interpretation of the separation of power doctrine when he said:

> The doctrine of the separation of powers was adopted * * * not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was, not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.

The separation of powers between the Federal Government and the sovereign States, in order to provide an automatic check upon oppression and arbitrary Government, did not come into being in its constitutional form until after it had been considered again and again at the Constitutional Convention.

Before the Convention, James Madison considered giving the Federal Government—

> a negative in all cases whatsoever on the legislative acts of the States, as heretofore exercised by the Kingly prerogative.

The Committee of Detail, at one point in the Convention's deliberations, recommended that the Constitution should authorize the Congress to provide for the management and security of the general interests and welfare of the United States, with only the general limitation that such power should not interfere with "the government of individual States, in matters which respect only their internal police, or for which their individual authority may be competent."

These proposals do not appear in the Constitution. Instead of such broad and general powers, the Constitutional Convention decided to give the Federal Government only the limited powers specifically enumerated in the Constitution.

The 9th and 10th amendments were added to the Constitution, as parts of the Bill of Rights, in order to make it abundantly clear that the Constitution was a limited document, delegating to the Federal Government only those powers enumerated in the Constitution and reserving to the States or to the people all remaining powers.

In 1819, in the famous case of McCulloch against Maryland, Chief Justice Marshall declared that, while the 10th amendment did not take away from the Federal Government those powers which the Constitution delegated to it, it was an express and explicit reiteration of the principle that the Constitution was a grant of enumerated powers, not an unlimited delegation. That was overruled in 1937 by the Supreme Court in Helvering against Davis.

There are, of course, a number of powers granted to the Federal Government in fairly explicit terms. Much of the expansion of these powers since 1789 has been incident to the changes in our civilization. Jefferson once wrote of a trip from Charlottesville to Washington, during which his fastest speed was 3 miles per hour. He would be fascinated by an airplane trip today in 40 minutes. I am sure he would agree that the power in the Constitution to regulate commerce among the several States and with foreign nations extends to railroads, automobiles, airplanes, radio, and television, even though these were unknown to the framers of the Constitution.

Much of the expansion of the power of the Federal Government has resulted from enlargement in the construction of certain clauses of the Constitution, some of which were originally intended only as limitations upon the power of the Federal Government.

The Bill of Rights, adopted at the beginning of our national history, contains the guarantee that no person shall be deprived of life, liberty, or property without due process of law.

In his great treatise on the Constitution, Justice Story considered this phrase as a requirement of orderly procedure, in other words, a procedural limitation rather than a grant of substantive power to the Federal Government. The phrase was given no real substantive content until after its adoption in the 14th amendment providing that no State shall deprive any person of life, liberty or property without due process of law. The opportunities for interpretation of these four words, "due process of law," are tremendous. Under judicial interpretation the words have developed from a requirement of fair procedure to the status of a broad veto power over both State and Federal action. Perhaps as good a statement as any of the power assumed by the Supreme Court under the due process clause of the 14th amendment is that the Court can set aside any State action which it considers too bad. As Mr. Justice Douglas said in a recent dissent:

> Due process under the prevailing doctrine is what the judges say it is; and it differs from judge to judge, from court to court.

One clause of the Constitution which has been expanded greatly is the power of Congress to spend money in aid of the general welfare. The Supreme Court has adopted Hamilton's view of the meaning of the power "to lay and collect taxes, to pay the debts and provide for the common defense and general welfare of the United States," and has stated, in effect, that it would impose virtually no restriction on expenditures which might be made by the Federal Government.

I cannot emphasize too strongly that the general welfare clause was not intended to constitute in itself a grant of power to the Federal Government. Otherwise, the Constitution would never have been ratified. In voting to ratify the Constitution, New York first and then Virginia and two other States adopted qualifying resolutions to the effect that the State was voting to join a Union of strictly delegated powers, and should the new Federal Government ever exceed those delegated powers, to the detriment of the ratifying State, it reserved the right to secede. In fact all 13 States felt the same way and believed that they had made secure, for all time, the doctrine of limited Federal powers, through the prompt and unanimous ratification of the 10th amendment.

Article I, section 8 of the Constitution reads as follows:

> The Congress shall have Power To Lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

History clearly indicates the meaning which our Founding Fathers intended this section to convey.

In the Articles of Confederation the term "general welfare" is used in both article III and article VIII.

Article III:

> The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the secu-

> rity of their liberties, and their mutual and general welfare. * * *

Article VIII:

> All charges of war and all other expenses that shall be incurred for the common defense or general welfare and allowed by the United States in Congress assembled shall be defrayed out of a common treasury.

An examination of these articles and the way in which they were interpreted indicates that no broad independent power to provide for the general welfare was ever intended.

Students of American history agree that the weakness of the Articles of Confederation imperiled the Revolutionary movement. If the Continental Congress had possessed authority to legislate for the general welfare, there is no question but that in such an emergency they would have laid the taxes required to finance a successful fight for freedom.

Madison in the 41st issue of the Federalist had the following to say:

> But what would have been thought of that assembly (Congress of the Confederation) if, attaching themselves to those general expressions and disregarding the specifications which ascertain and limit their import, they had exercised an unlimited power of providing for the common defense and general welfare? I appeal to the objectors themselves, whether they would in that case have employed the same reasoning in justification of Congress as they now make use of against the Convention. How difficult it is for error to escape its own condemnation.

Obviously article VIII of the Articles of Confederation gave the Continental Congress no authority to legislate for the general welfare. Events of history bear this out. The Continental Congress could and did exercise only those powers which had been expressly granted, that is, the powers to declare war, make treaties, establish post offices, etc.

Was this limited interpretation of the power to provide for the general welfare given a broader meaning by the Constitutional Convention of 1787? Certainly not.

On August 6, 1787, the Rutledge committee, which had been appointed "for the purpose of reporting the Constitution," submitted the following article for the Convention's consideration:

> ARTICLE VII
>
> SECTION 1. The Legislature of the United States shall have—
>
> 1. The power to lay and collect taxes, duties, imposts, and excises;
> 2. To regulate commerce with foreign nations and among the several States;
> 3. To establish a uniform rule of naturalization throughout the United States;
> 4. To coin money; etc.

This article, as reported, was taken verbatim from Mr. Charles Pinckney's original draft, the purpose of which was to give the new Federal Government limited powers. It is to be noted especially that in submitting its report, the committee rejected the so-called Bedford amendment, which, borrowing the philosophy of Hamilton as expressed at the Convention, would have given Congress the power "to legislate in all cases for the general welfare of the Union."

I pause here, in connection with the Bedford amendment, to refer again to the fact that the distinguished Senator from Illinois [Mr. DOUGLAS] insisted, when I spoke on January 15, that Madison had supported, in the plan known as the Virginia plan or the Randolph plan, since it was presented by Governor Randolph, a provision that the Federal Government should have unlimited powers under the general welfare clause.

I denied that Madison had ever proposed such a thing.

I said it would have been utterly inconsistent with the position he had taken in the Philadelphia Convention, the Virginia Ratifying Convention, and as President of the United States.

Nevertheless, I was disturbed by the fact that reference was made in the Virginia plan to the general welfare. So I asked one of my friends, Mr. Clinton M. Hester, whom I regard as one of the best authorities on James Madison, to assist me in doing some research regarding Madison's views on the general welfare.

In addition, I also asked one of the best lawyers in Virginia to assist me in determining whether the great historian Brant, who has published the most comprehensive biography of Madison, had anywhere maintained that Madison accepted Hamilton's interpretation of its general welfare clause.

We found nothing in the Brant life of Madison which indicates that at anytime he advocated the insertion in the Constitution of a general welfare clause which would give the Federal Government unlimited power to take unlimited action in any field.

General welfare was intended to be a restriction upon the use of the powers specifically granted. In other words it was said, "We grant you these powers, but you must use them, not for individual benefit, not for the benefit of some small community, but for the general welfare."

Mr. Hester has sent me a book from his library entitled "James Madison: Philosopher of the Constitution" by Edward Mc. Nall Burns. He calls my attention to the expression of Madison's views at pages 48, 49, 50, 104, 110, 111, 112, 113, 114, and 116. These expressions set forth his views on the general welfare, with which I am in full harmony. They substantiate beyond doubt, that Madison advocated a Federal Government of strictly limited powers.

I ask unamimous consent to have inserted in the RECORD at this point these excerpts from the book to which I have referred.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

### EXCERPTS FROM "JAMES MADISON: PHILOSOPHER OF THE CONSTITUTION"

In other words, his vision was that of a government whose functions are largely negative, that regards its subjects solely as individuals with independent rights to get as much out of life as their industry, talent, and good luck will permit. It is the duty of the government to protect its subjects in the exercise of these rights, to provide a favorable environment for the development of individual faculties, especially the faculty of acquiring property, and to educate the young for the same blessings. Beyond this point the obligations of the government cease.

Generally speaking, Madison adhered in theory to the laissez faire principles defined in the foregoing message, although with numerous modifications. He had only a limited conception of the state as a positive agency for promoting the public welfare. He did not believe in the omnicompetence of government to effect the prosperity or misery of its subjects. It is rather, he maintained, the mission of government to provide a milieu in which every citizen can garner the rewards of his industry, economy, and talent. The supreme desiderata for such a society are confidence, justice, and security. These it is the exalted object of government to provide. No country in the world can do without them. They are the supreme inducements to labor, to the creation of wealth; and the chief aids to debtors, for they raise the value of property and furnish relief to the insolvent. It is the function of government also to prohibit monopolies, exemptions, and all other special privileges which interfere with equality of economic opportunity.

Madison did not consider it desirable that government should intervene directly in the interest of the less fortunate members of society. Compassion is due them, he graciously conceded, but not direct beneficence. Moreover, even if such intervention were desirable, the results would not be successful. In the main he envisaged the condition of the lower classes in Malthusian and Ricardian terms, anticipating some of the famous theories of the two great English exponents of the "dismal science." He was apprehensive that a certain degree of poverty would always be inseparable from congestion of population. No matter how wisely property may be distributed, there will inevitably develop a surplus of inhabitants who can no longer be occupied in ministering to the essential needs of each other. He was skeptical of all plans to improve the condition of the masses because of this persistent tendency to increase their own numbers with every amelioration of their economic status. The increase in numbers can lead only to a more intense competition for employment, with the result that wages will again be forced down to the same old subsistence level.

Like most advocates of laissez-faire Madison did not maintain a perfect consistency in regard to all phases of that theory. For example, he believed that in a well-ordered republic the government should construct canals, turnpikes, and other internal improvements. In the Constitutional Convention he had recommended that Congress be vested with a general power to incorporate for those objects. As President he called the attention of Congress on two occasions to the signal advantages to be derived from a general system of internal communication and conveyance. One of his last official acts as Chief Executive was to veto a bill for internal improvements; not, however, for reasons of general policy, but on constitutional grounds. He reiterated his conviction of the desirability of such improvements, but he insisted that a constitutional amendment would be necessary to give Congress power to provide for them. Nor did he alter his conviction on this subject after his retirement from the Presidency. In 1831, in a letter to Reynolds Chapman, he wrote, "Railroads, canals, and turnpikes are at once the criteria of a wise policy and the causes of national prosperity. The want of them will be a reproach to our republican system."

It may be pertinent to add that Madison's views on this matter were not in conflict with those of his famous predecessor in the Presidential office. Visions of a surplus in the National Treasury had inspired Jefferson to ask: "Shall it lie unproductive in the public vaults? Shall the revenue be reduced? Or shall it rather be appropriated to the improvement of canals, rivers, education, and other great foundations of prosperity and union?"

* * * * *

Madison's conception of the foundation of the Constitution virtually necessitated a theory of strict construction of that instrument. He believed that in adopting the constitutional compact the people in the States divided the sovereignty that they possessed. Since sovereignty in its entirety has no precise limits, this division could have been made in only one of two ways. Either the people in the States must have allotted to themselves a few specific powers, leaving the undefined remainder to the General Government; or else they must have made the General Government a government of enumerated powers with all the rest of the sovereignty reserved to the States. That the division was not made in the former mode, he maintained, is perfectly obvious from the Constitution itself, for the powers granted to Congress are specificially enumerated. It follows that the General Government can exercise only those powers that are actually granted to it, and such others as may be absolutely necessary to carry them into execution. This was the theory which Madison adhered to throughout his life as we shall see from a discussion of his doctrines of inherent powers, the necessary and proper clause, the general welfare clause, and the power to enact protective tariffs. Although he allowed to the General Government several prerogatives which other strict constructionists like John Taylor would never have tolerated, he always insisted that he was not doing violence to his theory, that these powers were really conferred upon Congress either directly or by necessary implication.

* * * * *

Madison would not even admit that the necessary and proper clause could be made to justify Federal expenditures for internal improvements—unless we can find an exception in certain of his statements in the Federalist. In No. 42 of that series he wrote: "The power of establishing post roads must in every view be a harmless power, and may perhaps by judicious management become productive of great public conveniency. Nothing which tends to facilitate the intercourse between the States can be deemed unworthy of the public care." But if he intended to imply by these assertions anything more than a Federal power to provide for the transmission of the mails, he changed his mind later on; for as President he denied that Congress had any authority to appropriate money for roads and canals save those having a bona fide postal or military object. Ardently as he desired a national network of communications, he insisted that only a constitutional amendment, or some adequate substitute therefor, could give Congress the power to provide for them. It is rather difficult, though, to see why he could not have found about as much constitutional warrant for internal improvements as for the seizure of west Florida, which appeared not to trouble his political conscience in the slightest.

If Madison refused to countenance a loose construction of the necessary and proper clause, even less did he approve of a liberal interpretation of the general welfare clause. The insertion of the words "common defense and general welfare" in article I, section 8, of the Constitution, so as to provide that "The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States" was the result, he maintained, of a kind of freak of history. The taxing power clause as it originally stood expressed simply a power "to lay taxes, duties, imposts, and excises" without indicating any objects, and of course intended that the revenues derived should be applicable to the other specified powers of Congress.

A solicitude to prevent any possible danger to the validity of the debts contracted by the Confederation led the Convention to add the phrase, "to pay the debts of the United States." Then, inasmuch as this might be taken to limit the taxing power to a single object, a familiar phrase of the Articles of Confederation, "to provide for the common defense and the general welfare," was annexed, but without any purpose of giving additional power to Congress. In the new instrument as in the old this phrase was intended merely as a general and introductory statement to be qualified by the specific grants of power contained elsewhere.

Furthermore, according to Madison, not a single reference was ever made in the Convention to the general welfare clause as a grant of power, unless a proposal offered on the 25th of August should be considered as such. An amendment was introduced on that day to give Congress power to provide for payment of the public debts, "and for defraying the expenses that shall be incurred for the common defense and general welfare." The amendment was rejected, only one State voting for it. It is impossible to believe, Madison insisted, that the jealous defenders of States rights in the Convention and the advocates of a strict limitation of Federal powers should have silently permitted the introduction of a phrase nullifying the very restrictions they demanded. The only explanation that is in any degree plausible, he maintained, is that the words "common defense and general welfare" were taken for granted as harmless since they were being used in precisely the same way as in the Articles of Confederation.

Madison pointed out also that when the Constitution was submitted for ratification, a majority of the States proposed amendments to safeguard their own rights and the liberties of their people. Thirty-three were demanded by New York, twenty-six by North Carolina, twenty by Virginia, and smaller numbers by the others—all of them designed to circumscribe the powers of the Federal Government by restrictions, explanations, and prohibitions. Yet not a single one of these amendments referred to the words general welfare, which, if understood to convey a substantive power, would have been more dangerous than all of the other powers objected to combined. That the terms with any such meaning attached to them could have passed unnoticed by the State conventions, characterized as they were by strong suspicions against the whole project of a national government, was more than Madison could believe, and he did not see how anyone else could believe it.

In view of these facts of history Madison argued that only one conclusion was possible, namely, that the general welfare clause was never intended to be a grant of power. Its meaning, he insisted, must be sought in the succeeding enumeration of powers, or else the general government of this country is a government without any limits whatever. If Congress as the supreme and sole judge of that subject can apply money to the general welfare, then it may assume control over religion or education or any other object of State legislation down to the most trivial police measure. The only correct interpretation is to permit taxation for some particular purpose embraced within one of the enumerated powers and conducive to the general welfare.

If a proposal for collecting and expending Federal revenues meets these qualifications, it is constitutional; otherwise it is not. Acceptance of the opposite interpretation would destroy the import and effect of the enumeration of powers. For, he declared, it must be patent to anyone who chooses to think on the subject that there is not a single power which may not be considered as related to the common defense or the general welfare; nor a power of any consequence which does not involve, or make possible, an expenditure of money. A government, therefore, which enjoyed the right to exercise power in either one or both of these premises would not be the limited government contemplated by the fathers of the Constitution, but a consolidated government of absolute power.

When he came to the subject of protective tariffs Madison seemed to waver a bit as a strict constructionist. To be sure he always maintained that the tariff power was a necessary derivative of the authority to regulate foreign commerce, but he came perilously close at times to asserting an inherent power of the Federal Government to foster and protect the economic interests of the country. For example, he argued that the right to protect its manufacturing, commercial, and agricultural interests against discriminating policies of other countries belongs to every nation. Previous to the adoption of the Constitution this right existed in the governments of the individual States. The want of such an authority in the Central Government was deeply felt and deplored, and to supply that want was one of the chief purposes of the establishment of the new system.

If the power was not transferred, then it no longer exists anywhere; for obviously it could not now be exercised by the States. He contended that sovereign powers in the United States, although divided between the States in their united capacity and in their individual capacities, must nevertheless be equal to all the objects of government, except those prohibited for special reasons, such as duties on exports, and those inconsistent with the principles of republicanism. Why this doctrine could not also have been applied to other powers, for example the power to construct internal improvements beyond the capacity or jurisdiction of the States, is certainly not readily apparent.

On various occasions Madison submitted other arguments to justify the constitutionality of protective duties. He maintained that power over foreign commerce had been generally understood at the time the Constitution was adopted to embrace a protective authority, that it had been so applied for many years by Great Britain, "whose commercial vocabulary is the parent of ours." He alleged that as a result of this understanding of the subject, the States, many of which had already provided encouragement for manufactures, clearly intended that Congress should have authority to impose protective tariffs when they relinquished control over foreign commerce. He cited the fact that in the First Congress not a doubt was raised as to the constitutionality of protectionism although a number of protective measures were actually introduced: several by Members from Virginia in favor of coal, hemp, and beef, and one by a Member from South Carolina in favor of hemp. None of them had revenue for its primary object, and one of them would have excluded revenue altogether since it prohibited imports of the commodity named. Besides, the preamble to the tariff bill as a whole contained the express avowal that protection was an object. If any doubt on the point of constitutionality had existed, these declarations could not have failed to evoke it, Madison argued. He seemed to attach considerable importance also to the fact that the constitutionality of protectionism "had been agreed to, or at least acquiesced in," by all branches of the Government, by the States, and by the people at large, "with a few exceptions," for a period of 40 years.

Mr. ERVIN. Mr. President, will the Senator yield for several questions on this point?

Mr. ROBERTSON. I yield.

Mr. ERVIN. I ask the Senator from Virginia if the only places where the term "general welfare" appears in the Constitution are not the preamble to the Constitution and section 8 of article I?

Mr. ROBERTSON. That is correct.

Mr. ERVIN. I ask the Senator from Virginia if the preamble to the Constitution does not state in the plainest and simplest kind of English what was referred to there; namely, that the people of the United States were establishing the Constitution to promote the general welfare of the country, and not for the purpose of conferring any legislative power on the Congress?

Mr. ROBERTSON. That is what apparently everyone thought until 1937, when the Supreme Court decided the case of Helvering against Davis. The Court swept history under the rug and declared that the general welfare clause gives Congress the right to spend for anything it pleases. With this decision the Court began its campaign to cut the ground from under the 10th amendment to the Constitution.

Mr. ERVIN. After that the court made a ruling to the effect that no citizen had sufficient interest by reason of his payment of taxes to contest, in a proceeding, the constitutionality of any tax levied by the Government. They decided that in Mellon against Massachusetts. Is that correct ?

Mr. ROBERTSON. In Massachusetts against Mellon the Court locked the door on the public by denying taxpayers the right to dispute the expenditure of public funds.

Mr. ERVIN. Will the Senator from Virginia tell me how anyone can reconcile the statement of the specific legislative powers vested in Congress by section 8 of article I of the Constitution with the theory that the vague term "general welfare" used in the preamble to the Constitution and in subsection 1 of section 8 of article I vested broad and indefinite powers in the Congress?

Mr. ROBERTSON. Madison clearly said:

> How absurd of us, if we intended to have a government of limited powers, and enumerated those powers, then to insert a clause that the Government could do anything it pleased provided it was for the general welfare.

Mr. ERVIN. Most of the men who drew the Constitution were men who believed in economy, were they not?

Mr. ROBERTSON. That is correct.

Mr. ERVIN. They would not have wasted all of the ink necessary to write 18 clauses if they had given Congress all the power that Congress might want to exercise by using the vague term "general welfare."

Mr. ROBERTSON. The Senator is absolutely right. We could quote at length from the proceedings of the Constitutional Convention and ratifying conventions.

The Supreme Court accepted the facts of history until President Roosevelt threatened to pack the Court. We have had a different Supreme Court ever since then, and United States against Butler, a 1936 case, is the last decision which the Supreme Court has made upholding the 10th amendment.

I return to my text.

On the 18th of August, 20 other proposals giving additional powers to Congress were referred to the Rutledge committee. Some of these were afterward adopted and became parts of the Constitution. This indicates, of course, that no substantive power to legislate for the general welfare was ever intended.

The proponents of a more centralized form of government, however, were not yet ready to yield, even though the Convention at this point had adopted the philosophy of Pinkney's original draft. On the 25th of August an attempt was made to undo what had already been agreed upon. The first clause of article VII, section 1, then read:

> The Legislature of the United States shall have the power to lay and collect taxes, duties, imposts, and excises—

The advocates of centralization urged adding to this clause the following words—

> for the payment of said debts and for the defraying of expenses that shall be incurred for the common defense and general welfare.

This proposed amendment was rejected, Connecticut alone voting for it and 10 States against it.

On the 12th of September the Rutledge committee reported the Constitution as revised and arranged. Article I, section 8, of this draft reads in part:

> The Congress may by joint ballot appoint a Treasurer. They shall have power to lay and collect taxes, duties, imposts, and excises;
>
> To pay the debts and provide for the common defense and general welfare of the United States;
>
> To borrow money—

And so forth, through the 18 powers. If this wording of article I, section 8, had prevailed, there would indeed be a general-welfare clause. But it was rejected, thanks primarily to the efforts of Gouverneur Morris and James Madison. Article I, section 8, finally emerged from the Convention on September 15, as follows:

> The Congress shall have Power—To Lay and collect Taxes, Duties, Imposts, And Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States;
>
> To borrow money on the credit of the United States;
>
> To regulate Commerce—

And so forth. The words "to pay the debts and provide for the common defense and general welfare of the United States," constituting the third clause as reported in the Constitution by the Rutledge committee on September 12, were moved up into the second clause. Moreover, after the words "United States" the phrase "but all duties, imposts, and excises shall be uniform throughout the United States" was added. Article I, section 8, as finally revised, robbed the words "to pay the debts and provide for the common defense and general welfare of the United States" of any independent grant of power and made them merely descriptive of the powers subsequently enumerated.

Furthermore, there is a presumption against the grant of a general power where particular powers follow which would be included in the preceding general power.

Madison states the proposition as follows:

> For what purpose could the enumeration of particular powers be inserted if these and all others were meant to be included in the preceding general power? Nothing is more natural and common than first to use a general phrase and then to explain and qualify it by a recital of particulars. But the idea of an enumeration of particulars which neither explain nor qualify the general meaning and can have no other effect than to confound and mislead is an absurdity which, (if) we are reduced to the dilemma of charging either on the authors of the objection or on the authors of the Constitution, we must take the liberty of supposing had not its origin with the latter.

The 10th amendment to the Constitution should have removed any doubt as to whether the Federal Government was one of limited or general powers. Under the 10th amendment if a specific power to do a particular thing is not delegated to the United States by the Constitution, then it is reserved to the States.

The intention of our Founding Fathers is crystal clear. Unfortunately that intention has been distorted in the recent past by a Supreme Court whose decisions on occasion go beyond interpreting our Constitution in the light of those age-old guideposts: intention of the authors, literal meaning, and precedent.

On January 6, 1936, in *U.S.* v. *Butler* (297 U.S. 1, 1936), the Supreme Court declared unconstitutional the Agricultural Adjustment Act of 1933 on the ground that the power of taxation may not be used to effectuate an end which is not within the scope of the Constitution.

Mr. Justice Roberts, speaking for the majority, noted, at page 68:

> The act invades the reserved rights of the States. It is a statutory plan to regulate and control agricultural production, a matter beyond the powers delegated to the Federal Government. The tax, the appropriation of the funds raised, and the direction for their disbursement are but parts of the plan. They are but means to an unconstitutional end.
>
> From the accepted doctrine that the United States is a government of delegated powers, it follows that those not expressly granted, or reasonably to be implied from such as are conferred, are reserved to the States or to the people. To forestall any suggestion to the contrary, the 10th amendment was adopted. The same proposition, otherwise stated, is that powers not granted are prohibited. None to regulate agricultural production is given, and therefore legislation by Congress for that purpose is forbidden.

Although the Court made unfortunate comments regarding the meaning of the general welfare clause, U.S. against Butler represents the last decision in which the Supreme Court, after 147 years of service to our Nation, refused to be swayed by political pressures in its interpretation of the Constitution.

It is common knowledge that shortly after this decision, President Roosevelt made known his intention to ask the Congress for authority to pack the Supreme Court. It is to the eternal credit of the Senate that its membership voted by the overwhelming majority of 70 yeas to 20 nays to recommit the President's proposal to the Committee on the Judiciary from which it had been adversely reported.

It is apparent today that States can no longer look to the Supreme Court for the protection of their rights under the 10th amendment. Consequently, it is doubly vital that the Senate protect these rights by preserving free and full debate on the Senate floor.

Commenting on the right of the Federal Government to tax and spend in the exercise not only of its specified powers but also of its so-called power to provide for the general welfare, the Supreme Court had the following to say in *Helvering* v. *Davis* (301 U.S. 619, 1937):

> Congress may spend money in aid of the general welfare (Constitution, art. I, sec. 8). * * * There have been great statesmen in our history who have stood for other views. We will not resurrect the contest. It is now settled by decision (that is, *United States* v. *Butler*). The conception of the spending power advocated by Hamilton and strongly reinforced by Story has prevailed over that of Madison, which has not been lacking in adherents.

The power of the Federal Government has also been increased by what Justice Story called the doctrine of resulting powers. This is that vague but inclusive power which is said to result from the very fact of the creation of the Federal Government.

Thus, both in the extension of national power by interpretation of express grants such as the extension of the commerce clause to include intrastate business and in converting limitations on Federal powers into grants of Federal judicial power over State action, there has been a manifest shift in our constitutional structure not foreseen by the framers.

The tremendous expansion and development of our Nation in the past 170 years emphasizes the necessity for a division of powers between the Federal Government and the States. The United States today includes a tremendous area and a very wide variety of soils, climates, and physical resources. This diversity was increased greatly by the admission of Alaska and Hawaii to statehood. The United States contains people of widely differing interests and abilities. Some of these variations have been diminished by improvements in transportation, communications, and education, but there are still wide differences in the characteristics of our geography, economy, and our people, not least by reason of their differing abilities and interests. In No. 10 of the Federalist, Madison gave particular emphasis to this as the source of differing interests and parties or factions as he called them. He said:

> As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results, and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

Even though the population of the United States in 1787, at the time of the Constitutional Convention, was no greater than that of Virginia today, both being approximately 3,800,000, the framers of the Constitution thought it wise to preserve a division of the Nation into 13 States of varying area and population. Nearly 4 million people could best be governed under a decentralized Federal system, instead of a single centralized authority.

A single unified government for the entire United States would not have given proper scope to the wide differences among the people and their State governments and would have been all too likely to have resulted in oppressive dictatorship. Madison, in No. 10 of the Federalist, from which I have quoted, pointed to two elements of the Federal Government which would minimize the undesirable effects of factions. These two elements were first, the Federal nature of the government, with a limited Federal Government and many powers reserved to the States and the people, and second, the representative nature of the Federal Government itself.

The representative nature of the Federal Government, finally agreed upon, gave additional protection to the variety of interests within the Nation.

In the Congress, Senators, being chosen by States, were to be primarily responsive to their States. Until the adoption of the 17th amendment in 1913, they were actually chosen by the legislatures of the States, and, therefore, represented the people of those States only indirectly. Representatives were to be chosen from the districts within States and to speak for the interests of their particular districts.

The President was to be elected by the electoral college under a system, which, as it has developed, gives particular importance to the large States. A candidate who carries New York by one vote receives a huge block of electoral votes which outweigh overwhelming losses in a number of smaller States. This system, and the developments which have occurred in party machinery in the national political conventions, have given the large States a particularly strong voice in the selection of the President.

Thus, we see that representative government in the United States is the product of forces and influences which, while they do not necessarily always conflict, do arise from basically different systems of representation.

Of course, all these Representatives should cooperate and work together, and under our two-party system, they do so in the vast majority of matters. But not in all matters. When the interests of a particular State represented by a Senator, or the interests of a particular district represented by a Member of the House, do not coincide with the views of the President or the majority of the Senators or the Representative's party, then the Senator or the Representative must carry out his responsibility to represent the interests of his State or district, in contrast to the other views presented. It is to his own system of representation that he owes his allegiance when these conflicts occur.

In this way the manifold interests of the country, or factions, are reasonably assured of an opportunity for a hearing for their point of view, an opportunity to make their views known, before legislation is enacted.

To summarize, constitutional government in the United States was framed so as to provide an effective government and at the same time to prevent this effective government from becoming so overwhelming, so oppressive, that the liberty of the individual, and his initiative and enterprise, would be obliterated. These devices include the separation of the powers of the Federal Government into the three great departments, the division of governmental powers between the Federal Government and the several State governments, and the reservation of powers to the States and to the people preserved by a continuing Senate with free debate. These devices, which are basic to our constitutional government, pose many problems, problems which may appear to be completely insoluble in theory. But the framers of the Constitution, as my quotation from James Madison shows, rose above the theories of political science and organization charts. Instead, they concerned themselves with human nature, with all its potentialities of good and evil. And the successful result of their efforts is a tribute to their wisdom and foresight.

The problems caused by the division of powers—the division between Federal and State Governments and the division between the three departments of the Federal Government—obviously raises questions which are difficult and even irreconcilable in theory. How can both the Federal Government and the State governments be sovereign? How can the executive branch, the legislative branch, and the judicial branch each be supreme and yet each be subject to the control of the others? The answers to these questions do not lie in neat and precise organization charts. The answers to these questions lie rather in the good judgment, discretion, and restraint of the officials who make the Government work and who have made the Government work.

Mr. Justice Holmes, in 1908, expressed the basic problem posed by these divisions of power, when he said:

> All rights tend to declare themselves absolute to their logical extreme. Yet all in fact are limited by the neighborhood of principles of policy which are other than those on which the particular right is founded, and which become strong enough to hold their own when a certain point is reached. The limits set to property by other public interests present themselves as a branch of what is called the police power of the State. The boundary at which the conflicting interests balance cannot be determined by any for-

> mula in advance, but points in the line, or helping to establish it, are fixed by decisions that this or that concrete case falls on the nearer or farther side.

These kinds of distinctions, these kinds of practical adjustments, cannot be drawn arbitrarily. They must be drawn on the basis of specific cases, and at times on the basis of trial and error. For this reason the Founding Fathers were wise to limit the authority of the Federal judiciary to cases and controversies. We can understand principles better when they are applied to the specific facts of a specific case.

Legislators, just as much as courts and the executive branch, must bear in mind the need for mutual toleration and discretion and self-restraint. The Federal Government must also bear this need in mind with respect to State powers, and the State governments with respect to Federal powers.

Let me illustrate this need for toleration, discretion, and self-restraint by reference to two broad powers of the Federal Government. These are the money power and the war power. I have already referred to Mr. Justice Cardozo's statement regarding the virtually unlimited power to spend money in aid of the general welfare. Also involved in the money power is that which was expressly granted to the Congress in the Constitution, to coin money and regulate the value thereof. In the gold clause cases decided by the Supreme Court in 1935, and in subsequent cases in 1937 and 1939, the Supreme Court has made it entirely clear that the money powers are for all practical purposes limitless.

The war power, that virtually endless power under which all materials and facilities may be allocated in the interests of national defense, prices may be fixed and rents may be controlled, and men, materials, and land may be drafted, requisitioned, or condemned, is subject to little or no judicial review. Even in the case of President Truman's seizure of the steel mills in 1952, the action of the President was invalidated by the Supreme Court, not on the grounds that Congress could not have granted this power, but on the basis that the President was acting contrary to the decision of Congress.

Mr. Justice Jackson has expressed vividly the dangers to the Nation which arise from these great powers:

> Two of the greatest powers possessed by the political branches, which seem to me the disaster potentials in our system, are utterly beyond judicial reach. These are the war power and the money, taxing, and spending power, which is the power of inflation. The improvident use of these powers can destroy the conditions for the existence of liberty, because either can set up great currents of strife within the population which might carry constitutional forms and limitations before them. * * *
>
> No protection against these catastrophic courses can be expected from the judiciary. The people must guard against these dangers at the polls.

I deplore recent trends in the Congress to promote what is claimed to be liberalism at the expense of constitutional government. Conservatives share the aims and ambitions of liberals to promote the welfare of the individual but differ as to methods. The liberals of the 18th century have become the conservatives of the 20th century, endorsing the principle of constitutional government expressed by Thomas Jefferson when he said:

> I consider the foundation of the Constitution as laid on this ground: That "all powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people."

Referring to the 10th amendment then pending before the States. Jefferson went on:

> To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.

It seems that Jefferson felt that any broader interpretation would reduce the instrument to a single phase, that of instituting a Congress with a power to do whatever would be good for the United States; but as the Congress would be the sole judges of the good or evil, it would be a power to do whatever evil they please.

Let us, therefore, constantly keep in mind the principles on which our constitutional government has been based—the division of powers between State and Federal Governments, with final power reserved to the people and to the States, the division of powers between the three great departments of the Federal Government, and the basic principle underlying these constitutional arrangements—the conviction that the State is created by the people in order to serve the people's needs and in order to enable the people to achieve their maximum potential. If we keep these principles clearly in mind and judge all proposed policies and legislation in the light of them, acting with discretion and restraint, our constitutional government will continue to make possible in the future, as it has in the past, the greatest freedom and the greatest possibility for development, of the individual for whose benefit constitutional government is created.

We are disturbed by the threat to our freedom of the military power of the Soviet Union. We should be no less concerned by the threat to our cherished institutions by the growing number at home who believe progress will be promoted by the substitution of the welfare state for constitutional government. May our Nation never forget that in the same Bible, from which our Founding Fathers drew inspiration for the drafting of "the most wonderful work ever struck off at a given time by the brain and purpose of man," it is written:

> Remove not the ancient landmark, which thy fathers have set.
>
> The spirit of liberty—

Said one of America's greatest Senators, Daniel Webster—

> should be bold and fearless, but it should also be cautious, sagacious, discriminating, farsighted. It should be jealous of encroachment, jealous of power, jealous of man. It should demand checks; it should seek for guards; it should insist on securities. It should fortify itself with all possible care against the assaults of ambition and passion. It should not trust the amiable weaknesses of human nature and thereby permit power to overstep its prescribed limits, even though benevolence, good intent, and patriotic purpose come along with it. It should look before and after and building on the experience of ages which are past, should labor diligently for the benefit of ages to come.

I therefore urge Members of the Senate to stand firm in opposition to any and all measures which would limit or deny our existing right to full and free debate on the Senate floor.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

Mr. GOLDWATER. Mr. President before the Senator from Virginia suggests the absence of a quorum, will he yield to me?

Mr. ROBERTSON. Mr. President, I yield the floor; and the Senator from Arizona can be recognized in his own right.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The Senator from Arizona is recognized.

Mr. ANDERSON. Mr. President, will the Senator from Arizona yield briefly to me?

Mr. GOLDWATER. I am glad to yield.

Mr. ANDERSON. There has been some question as to when the motion will be made this afternoon. We shall be glad to have a quorum call after the Senator from Arizona concludes his remarks. I hope that then I may be recognized, in order to make the motion.

Mr. GOLDWATER. I thank the Senator from New Mexico.

Mr. President, during the debate which has occurred during this first part of the session, I have not found any new arguments presented in connection with the pending subject. I have wished to make some remarks of my own on this matter.

First, I point out that a few minutes ago I found in the Washington Daily News, which is an excellent newspaper, an editorial which inspires the use of words we often hear spoken—"I wish I had said that myself." The editorial states, probably far more succinctly than I can, what I have in mind. Therefore, at the outset of my remarks I should like to read the editorial:

### THE REMAKING OF CONGRESS

> As has been customary every so often for more than 150 years, there is another movement in Congress to modernize this branch of the Government.
>
> "The public is losing confidence in Congress," according to Senator CLIFFORD CASE, of New Jersey.
>
> Mostly, the would-be reformers blame this on the rules of procedure, which Senator JOSEPH CLARK, of Pennsylvania, says "still reflect the political science of the 19th century."
>
> Scarcely any impartial outsider would view the present procedure as conducive to efficient or streamlined operations. Filibusters can be frustrating and ridiculous. Seniority does not always land the best man in the important places.
>
> Congress, at times, is a mess, by almost any reasonable measure.
>
> But at other times, from some views at least, it is the very model of commonsense. Those who would reform it frequently are those who simply have been unable to work their will on it.
>
> Congress can change its rules any time a majority makes up its mind to change them.

> Lining up such a majority has been traditionally difficult—because every Congressman one day hopes to take advantage of the rules as they are. If he can hang around long enough, seniority will make an important man of him, too.
>
> And if there is, indeed, a loss of public confidence in Congress, it is not so much because of archaic rules. It is because of the behavior of some Congressmen—those who go on junkets and hide the expense accounts, those who put relatives on the payroll, those who patently let their own private interests influence their legislative policies.
>
> Congress is made up of politicians, and politicians—with some rare exceptions—normally put politics and their personal ambitions above nearly everything else. No amount of rules could change that—any more than it would change the executive branch of the Government, which is normally possessed of the same partisan traits.
>
> Politicians are people and the man or group who finds a way to reform people generally should be the first to try out his system on Congress. And that will be the day.

Mr. President, I should like to say a few words about the present attempt to change rule XXII. I consider rule XXII to be one of the essential underpinnings of the Republic, as well as a necessary instrument for the defense of minority rights and a vital safeguard against the tyranny of an arrogant majority. At the outset, let me say that I am unalterably opposed to the current efforts to change this rule. I do not believe any change is either desirable or necessary. I do not believe this is any time to tamper with the fundamental concepts upon which our legislative process was based by the Founding Fathers. And I certainly do not believe the proponents of the movement for change have made a case worthy of consideration.

Mr. President, we are talking here about a rule deeply embedded in the process which has brought representative government in this world to its fullest flower of effectiveness and performance. We are talking here about a rule which enables the Congress to be representative of all the people—not just of simple majorities. We are talking about something fundamental to our way of life and to the assurance that our way will not be changed by a simple majority of legislators bowing to the wishes of a willful Executive. This is not something that wears out with the passage of time, like an old car or an outmoded coat. This is a rule governing the actions of men; and it is as applicable now as it was in the very beginning. Indeed, its application in a republic is as durable as the unchanging nature of man itself.

Mr. President, basic in the equation of representative government is the balance of power between the three major branches of the Federal Government: the legislative, to make laws; the executive, to administer them; and the judiciary, to test them against the great framework of the Nation.

Now patience and principle are being tested by new demands on this balance. Congresses are criticized when they resist Executive programs, not so much on the basis of why they resist but simply because they resist. The judiciary is caught in a boiling debate about whether it should judge the constitutionality of laws or whether it should also interpret them for maximum social benefit. States are criticized for their differences in approach or standards or wealth whereas they once were felt to be inviolate basically to preserve the opportunity for regional and cultural differences. Big cities, emerging as city States rather than as State units, look past the State capitol to the National Capitol for the solution of their problems. Federal regulations of trade practices has moved from the protective—which prohibits malpractices—toward the coercive—which demands conformance with practices decided administratively.

Mr. President, we are told that the United States is larger and more populous than when the Federal system of representative government was developed. We are told that old ways are not adequate and that old balances are not meaningful. Now does this mean that there is a population limit on liberty? Does it mean that when 100 million people live together they can maintain free markets and free and balanced institutions but that when 200 million people live together they must delegate their local institutions to central authority? At the root of it, there is no other explanation advanced for the movement today away from the Federal system of balanced powers toward an executive system of concentrated powers.

And the effort here going on to change rule XXII of the U.S. Senate is part and parcel of this movement away from balanced powers.

Mr. President, I know not how others might feel, but I, for one, am sick and tired and disgusted at all this nonsense we hear today about the Congress, and particularly the Senate, being out-moded and archaic and uncreative.

In a national magazine now on the newsstands, my esteemed colleague the Senator from Pennsylvania [Mr. CLARK] is quoted as saying that—

> The present rules and operation of the Senate and the House are stacked against the people of the United States.

How are they stacked against the people of the United States? Because they require a two-thirds vote in the Senate to cut off debate? Because they require a two-thirds vote of either House to override a presidential veto? Because they require a two-thirds vote of the Senate to convict in cases of impeachment? When has there been a time, Mr. President, when the weight of public opinion or the worth of a piece of legislation was unable to gain approval in the U.S. Senate, which has often and with good cause been called the world's greatest deliberative body?

Mr. President, we are asked to believe that the Senate is antiquated and creaky and unequal to the challenge of the 1960's because it will not venerate a practice of rule by simple majority. If we were a mass-action democracy instead of a Republic there might be some validity in the whole argument of majority rule as a way of government. But the Founding Fathers wisely guarded against the abuses of rule by a simple majority when vast areas of the country and the interests of millions of people are at stake. A simple majority, particularly in these days of constant reaching for more and more and more power for the Executive, can become a very dangerous device. And this whole idea was not lost on the Founding Fathers. They knew the dangers of government power, and they guarded against it.

And that is what the two-thirds requirements scattered through the Constitution of the United States are all about. They are checks against power. And that is what rule XXII is today. Contrary to some belief, rule XXII is not a device designed to thwart; it is a device designed to protect against the power and tyranny of a rampant and arrogant majority.

We are told that the world is changing and, therefore, we must change the rules under which the Republic has functioned. For example, on television a couple of weeks ago, Prof. James MacGregor Burns, the President's biographer, told a panel of reporters:

> The basic thing wrong with our political system is that our Government was set up to be a divided government with internal checks at a time when we did not need a strong national government. Today it is imperative that we have a strong national government, but we still have our old constitutional checks. This is the basic problem. But it is greatly intensified by the fact that Congress and especially the House of Representatives has become the least representative agency of our National Government.

As the discussion went on, it developed that Professor Burns' major complaint was the fact that Congress has stood in the way of some of the legislation proposed by President Kennedy. Jack Bell of the Associated Press—one of the panelists—summed it up when he said:

> Professor, what you really want to do is abandon the system of checks and balances and have Congress subservient to the President.

Mr. President, all the change we hear about today in reference to congressional rules is strangely attuned to change that would permit the Executive to have his way on legislation. Some years ago, in a book entitled, "Why England Slept," the then student, now President, John F. Kennedy, wrote at some length about the difficulties of preserving free institutions in times of stress and strain. He concluded that despite the obvious advantages of efficiency enjoyed by a totalitarian government, the free institutions work best in the long run and must be preserved even though they might have to be sharpened or refocused in times of crisis.

Last month, speaking to a nationwide television audience, however, the President shifted his position basically. Commenting on efforts to change the makeup of the House Rules Committee, he said that a failure to do this would emasculate the administration's program. This, by clear inference, was the reason that he was giving for wanting a change in this particular legislative procedure.

While there are certain technical reservations I would take to his statement about the Rules Committee my major difference is with the President's reason.

And, again, it is a difference based upon my membership in and regard for the legislative branch of Government and my deep belief that it is this branch which most constantly, most closely makes a reality of representative Government and provides proper access to the formulation of policy. Professorial pronouncements that Congress is the least representative agency of our National Government do nothing to lessen my belief, although they do strain my understanding of how anyone whose job is the teaching of political science can reach such an obviously ridiculous conclusion.

Returning to the President's television remarks, let me say that it is a blow at the very concept of representative Government to say that a procedure of Congress should be revised in order to permit untroubled development of the program of any administration, be it Republican or Democratic. In the first place, the elected Chief Executive of the United States supposedly is representative of the entire Nation, not just the citizens who cast ballots for him on election day. To say otherwise is to suggest, in this particular instance, a disenfranchisement of almost exactly half of the population of the United States.

If the program and policies of any administration are opposed by the legislative branch it is just a sharp reminder of the fact that this is a representative government and that the direct representatives of the entire electorate are expected to do their work regardless of which party or person is in power.

Interestingly enough, spokesmen for one of the administration's programs went just as far in another direction last year. After the Senate defeated the President's social security medicare program, one of the proponents figured out—and the President echoed it at a news conference—that the Senators who voted against the bill did not represent a majority of the citizens of the United States; that is, the States they represented did not contain a majority of the electorate.

Again we have a colorful new view of representative government tailored to an administration objective. The Senate was never designated to represent equal numbers of people. Two Senators are elected from every State, despite the population. They represent the State. They represent, also, a basic part of the Federal system's great balance of powers. To discuss the Senate on a numerical basis cannot be the result of simple ignorance of the Constitution. It must be the result of a simple disagreement with or misunderstanding of the Federal system itself.

On the other hand, Mr. President, there is evidence that supporters of the administration do not hold at all with majority representation—at least not when a majority might interfere with a policy. The now-famous memorandum on anti-Communist educational efforts contained the frank statement that there could be too much public involvement with policy.

The memorandum cited foreign aid, saying that if the program were submitted to direct vote by all the people, it would probably fail. But this sensitivity to a representative government that makes it possible to balance policies between majority and minority pressures—and still accomplish wonders—does not seem to be generally applied.

Mr. President, this move to give a majority the right to cut off debate in the Senate has far-ranging implications. In its effect, it would remove one of the checks this body still enjoys against Executive domination of the Nation's policy. And this is no time to give in further to such domination. More and more today we find the legislative branch is subordinated in policy considerations and asked only to approve what executive technicians have developed. In the Congress today there is less and less opportunity to speak out for a new formulation of policy. Opportunity usually is left only to oppose.

A domestic example lies in the medicare proposal to which I referred previously. The Congress already has passed legislation establishing certain means of obtaining medical attention for elderly persons, the Kerr-Mills Act. In short, the Congress has said there is another way to reach the goal of medical care. But, because this representative expression does not please the executive branch, the Department of Health, Education, and Welfare is deliberately using its powers to stultify the Kerr-Mills procedures and thus pave the way for a new attempt to obtain congressional surrender to an executive proposal. It is not enough for representative government to agree on the goal and then work out a consensus on how to reach it. Executive emphasis in government says, instead, that the legislative branch must also agree to, accede to, the exact wording, punctuation, and the procedures of the executive plan.

In international policies it is even more pronounced. Time and again the legislative branch has sought to hammer out a broad base of policy that could guide us as a nation. Time and again, the executive branch in this and in previous administrations has moved ahead unilaterally to positions that may solve a momentary problem but beg the whole broad issue of national objective.

There is no doubt, for instance, that the consensus of the Congress is opposed not just to Soviet missiles in Cuba but also to the toleration of a Communist base there at all. Executive policy, operating behind a nearly total blackout of information regarding even the invasion prisoner negotiations, takes a different tack—offering noninvasion pledges, pinning policy to offensive weapons and not to offensive doctrine, and so forth.

Skybolt and the RS–70, the whole elimination of the manned bomber program, is one of executive engineering and too little congressional debate—and information.

The pause theory, the no-cities theory of nuclear attack are Executive decisions. They have not passed any of the tests that should be applied to major decisions in representative government. They have passed on the review only of the Executive's technicians. And these technicians, supposedly representative of the Nation as a whole, are in obvious fact representative only of a fraction of a fraction.

Mr. President, when we hear loud demands today for streamlining the procedures of Congress, for the elimination of traditional safeguards, for doing away with checks and balances which were devised some years ago—when we hear these arguments, we are hearing arguments for further enhancement of Executive power. We are hearing the voices of those who believe an all-powerful central government is the beginning and end of an all-efficient government in, as the saying goes, "these changing times." Mr. President, these are changing times. We have been living in changing times ever since the Republic was founded. We are always living in changing times. And I am not against change. I believe there is always a need to search out better methods and new devices—in Government as well as in our private lives and our private economy. But I am against changing the tried and proven process of representative government merely to gratify somebody's desire to change for the mere sake of change. And I am against throwing away a safeguard against the power of a simple majority merely to make it easier for a particular administration to jam through the Congress programs that are not in the best interest of the American people. And above all, Mr. President, I am against changing anything merely because a powerful Executive and his followers raise a false claim that the Congress of the United States is negative or smug or uncreative.

If I ever doubted it, the mere reading of the administration's spending program for 1964 would convince me beyond any question of a doubt of the great and lasting value of a negative approach to some things offered by the Executive to the legislative branch.

Mr. President, times change and Executives come and go, but this Senate and this Congress have nothing to apologize for. There has never been a time when an emergency demanded fast action that either body of Congress failed to comply. There has never been a great public demand for any piece of legislation—whether it came from the Executive or from another source—that failed to move the Congress in the direction sought. And, finally, there has never been a good and valid reason for altering the rights of the minority as protected by rule XXII—and there is not today.

I yield the floor.

## ORDER OF BUSINESS

Several Senators addressed the Chair.

The **VICE PRESIDENT**. The Senator from New Mexico [Mr. ANDERSON] is recognized.

**Mr. MANSFIELD**. Mr. President, will the Senator yield, with the understanding that he will not lose his right to the floor, so that I may suggest the absence of a quorum?

**Mr. KEFAUVER**. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield; and, if so, to whom?

Mr. ANDERSON. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested; and the clerk will call the roll.

Mr. KEFAUVER. Mr. President, will the Senator withhold his suggestion?

Mr. MANSFIELD. If it is satisfactory to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I ask unanimous consent that I may yield to the Senator from Tennessee, so that the Senator may make insertions in the RECORD, without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

## THE HOUSE-SENATE APPROPRIATIONS DISPUTE IN THE 87TH CONGRESS

Mr. KEFAUVER. Mr. President, the December 1962 issue of the American Bar Association Journal carried an article entitled "The House-Senate Appropriations Dispute in the 87th Congress" in its legislation section of which Dean Charles B. Nutting, of George Washington University Law Center, is editor in charge. This particular article was written by James C. Kirby, Jr., who, during the 87th Congress served as chief counsel to the Subcommittee on Constitutional Amendments, of which I am chairman. Mr. Kirby is now returning to Vanderbilt University in Nashville, Tenn., where he is associate professor of law.

Although I hope the appropriations controversy is over and will not return to mar the work of the 88th Congress, this was a matter which received a great deal of attention and continues to be of interest to those who are close observers of the legislative process. Mr. Kirby's article takes no position on the merits of the matter and only sets forth a narrative chronology of the events which occurred, the underlying issues involved, and the positions taken by both sides. I believe that it is fair and impartial. It should be of interest to readers of the CONGRESSIONAL RECORD, and I ask unanimous consent that it may be printed at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE HOUSE-SENATE APPROPRIATIONS DISPUTE IN THE 87TH CONGRESS

(By James C. Kirby, Jr., chief counsel, Senate Judiciary Subcommittee on Constitutional Amendments)

The prolonged 2d session of the 87th Congress was marked by bitter procedural and jurisdictional disagreements between the Appropriations Committees of the Senate and the House of Representatives. Although called by some the battle of the octogenarians because it centered around the persons of the two committee chairmen, 84-year-old Senator CARL HAYDEN, Democrat, of Arizona, and 83-year-old Representative CLARENCE CANNON, Democrat, of Missouri, the controversy actually went much deeper and put in issue the constitutional prerogatives of the two Houses. The purpose of this article is only to set forth a chronology of the dispute and the positions taken by each side, not to evaluate its merits.

The first clause of section 7 of article I of the U.S. Constitution is the basis of the House of Representatives' power over the purse. It directs that "all bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills." Although the language specifically includes only the raising of revenue, not its subsequent appropriation for Government use, both tax legislation for raising revenue and general appropriations bills authorizing expenditure of public funds have always originated in the House of Representatives in its Ways and Means Committee and Appropriations Committee, respectively.

Major appropriations bills are invariably amended by the Senate and unless the House accepts all of the Senate amendments, which is indeed rare, joint conference committees must then meet to compromise and adjust the differences of the two Houses. When a conference committee reaches agreement, its recommendations are usually accepted by both Houses as a matter of course and final passage of the bill follows. In the past, conferences on appropriations bills have traditionally met in the Senate wing of the Capitol and the ranking Senate conferee has acted as chairman. The conference chairman is usually the chairman of the particular Senate Appropriations Subcommittee which considered the bill, because of the Senate's uniform practice of appointing appropriations conferees from the subcommittee which handled the bill.

The current dispute began early in 1962 when Chairman CANNON advised Chairman HAYDEN that the House Appropriations Committee desired that conferences alternate between the House and Senate sides of the Capitol. On February 9, 1962, the Senate Appropriations Committee unanimously instructed Chairman HAYDEN to advise the House committee that it was agreeable to alternating conference locations, if the House Committee would in turn agree to half of all appropriations bills originating in the Senate. This would allow conferences to meet on the House side on bills originating in the Senate and on the Senate side on bills originating in the House. The Senate proposal also contemplated that origination of each major appropriations bill would alternate between the House and Senate from year to year.

Here the matter rested until April 10, 1962, when a conference committee on the Treasury and Post Office appropriations bill met in the rooms of the Senate Appropriations Committee in the Senate wing of the Capitol, which had been the customary meeting place for such conferences. At the conclusion of the first meeting, the House conferees insisted that the next meeting be held in the House committee's chambers on its side of the Capitol. The Senate conferees refused to depart from past practice in this respect and the conference was stalemated at this point. Senator A. WILLIS ROBERTSON, Democrat, of Virginia, who was presiding over the conference, told the Senate later that it was anticipated that the House conferees would also insist that one of their number act as chairman of the next conference meeting, but at this point no such formal demand was made by the House.

In support of their position on meeting locations, Senators pointed not only to the tradition of more than 180 years but to practical considerations which they claimed justified meeting near the Senate floor. Representatives were said to know in advance when rollcalls would be held on the floor of the House while Senators have no such foreknowledge. It was also claimed that the fact that there are four times as many House Members as Senators makes House rollcalls four times as lengthy and thus gives Representatives a correspondingly longer period of time to reach the House floor and register their vote or answer a quorum call. However, the Senate group did offer to meet in the Old Supreme Court chamber, a relatively neutral location.

The next development was on April 16 when the Senate passed H.R. 11038, the second supplemental appropriations bill, providing supplementary funds to enable various Government departments and agencies to finish the fiscal year ending June 30, 1962. The House bill, passed April 4, had provided $447,514,000 for 25 agencies and departments. The Senate amended the bill to provide $560,008,344 for 28 agencies and departments. The Senate requested a conference with the House and renewed its previous offer to alternate conference locations if it could originate half the appropriations bills. The House refused.

The deadlock continued through May and into June with no conference meetings being held and each side holding stubbornly to its position. By mid-June, no bill appropriating funds for the 1963 fiscal year had reached final passage, although several had been acted upon by both bodies. H.R. 11038, the second supplemental appropriations bill, still had not been acted upon in conference and several Government agencies had almost exhausted their funds. The Small Business Administration, which had expected to receive $85 to $90 million from this bill, disclosed that it had ceased making loans on March 9 in order to maintain a sufficient revolving fund to meet emergency requirements. State Department travel funds were being held up. On June 16, the Chief of the Secret Service asked its personnel to volunteer to work without pay in the hope, but with no legal guarantee, that they would later be reimbursed.

To meet this emergency, the House passed a special stopgap resolution (H.J. Res. 745) on June 14, containing $133 million in items from H.R. 11038, the omnibus second supplemental bill. When this resolution was received by the Senate Appropriations Committee, Chairman HAYDEN wrote to CANNON that it was the unanimous decision of the Senate committee that House Joint Resolution 745 was "inadequate to meet the pressing demands before the close of this fiscal year in the public interest." HAYDEN also pointed out that all matters included in House Joint Resolution 745 were included in the larger bill, H.R. 11038, and therefore invited the House to confer on it in the Old Supreme Court chamber. The neutral location appeared to satisfy the House demand as to conference sites, but CANNON now advanced a demand that the chairmanship of the conferences be rotated between House and Senate conferees. The Senate committee replied that it would share the chairmanship only if it could initiate half the appropriation bills. At the suggestion of House Majority Leader JOHN W. MCCORMACK, Democrat, of Massachusetts, seven Representatives of each committee met on June 18 in the Old Supreme Court chamber but were unable to resolve their differences.

CANNON had been indicating in statements to the press that one reason for the feud was economy. He was quoted as saying that the importance of presiding at conferences was that "the chairman frequently decides what the compromise will be and that puts us at a great disadvantage." He attributed the House demand to a desire to reduce appropriations. CANNON added: "Every bill we have passed for years has been increased by the Senate. They put in everything they can think of just because some Senator wants it for his State. * * * If we could preside at conferences half of the time, maybe we could cut out half of these increases." By a letter to HAYDEN on June 22, CANNON formalized this position. He pointed out that House appropriation figures had been increased by the Senate by a total of $32 billion during the past 10 years and stated that sharing chairmanships of conferences was asked by the House committee "in the hope of remedying the situation."

The fiscal year neared a close with no appropriations bill approved and the committees still deadlocked. On June 28 the House and Senate both passed House Joint Resolution 769, a stopgap resolution providing minimal funds to continue existing activities to July 31, 1962. It permitted Government agencies to continue projects and activities carried on in the expiring fiscal year at a level of expenditure corresponding to the lowest level set by (1) the fiscal 1962 appropriation, (2) the budget request, if the fiscal 1963 bill had not been passed by the House, or (3) the more restrictive figure set by the House or Senate in passing a fiscal 1963 bill. This left in abeyance many projects which had been authorized for the new fiscal year.

Both committees then appointed teams of negotiators to confer on the overall controversy. In naming its team on July 6, 1962, the Senate Appropriations Committee adopted a resolution stating that it was "unwilling to accept unilateral alterations in the procedures which have always existed in considering appropriations bills" and that the Federal Government "should not be endangered by unreasonable demands for the surrender of the Senate to the will of the other body." At the same time, the Senate committee adopted a resolution expressing its confidence in Chairman HAYDEN and its unanimous support of the position which he had taken. (CANNON was later quoted as saying that there had never been any personal feud between himself and HAYDEN, that neither of them had anything to do with the initiation of the controversy, and that the initial demand by his committee for rotation of conference chairmanships had taken him by surprise.)

On July 9 the House Appropriations Committee named its negotiators and adopted a resolution stating that "the inequitable practice of conducting all conferences under the chairmanship of a Senator gives the Senate a disproportionate advantage, as evidenced by the fact that in the past 10 years the Senate conferees have been able to retain $22 billion out of the $32 billion in increases which the Senate added to House appropriations—a 2-to-1 ratio in favor of the body consistently advocating larger appropriations, increased spending and corresponding deficits."

This House resolution immediately produced an explosive reaction on the floor of the Senate. Senator ROBERTSON called it "the most insulting document that one body has ever sent to another" and emphatically denied the implication that the Senate was less responsible than the House in fiscal matters. He disagreed with the total increases in appropriations attributed to the Senate, and pointed out that the Senate not only considers supplemental estimates submitted by department agencies after the House has acted, but that the Senate often had requests from Members of the House (mentioning specifically the late Sam Rayburn) to add items which the House committee had rejected. He also charged that the House operated under a gag-rule procedure by which all 50 members of the Appropriations Committee agreed to resist amendments on the House floor, and that this increased the demands upon the Senate for often worthwhile amendments to appropriations bills.

ROBERTSON also defended the constitutional authority of the Senate to initiate appropriations bills and pointed out that if the two Houses shared this role equally they could be moving concurrently early in each session in the consideration of appropriations rather than requiring the Senate to await House action in every instance. He said this would result in speedier yet more careful action and avoid the accumulation of appropriations bills near the end of the fiscal year. ROBERTSON pointed out that in 1961, of the 17 appropriations bills passed, only 4 had come from the House by the end of April, and that 2 came to the Senate in May, 6 in June, 2 in July, and 3 in September.

In support of the constitutional authority of the Senate, Senator ROBERTSON relied upon an 1880 report of the House Judiciary Committee in which the majority concluded that the Senate had constitutional power to originate appropriations.

As a result of four meetings of the two teams of negotiators headed by Senator RICHARD B. RUSSELL, Democrat, of Georgia, and Representative ALBERT THOMAS, Democrat, of Texas, the two committees agreed on July 18 to a temporary solution under which to operate for the balance of the session. Under its terms, the chairmen of joint conferences would be appointed jointly by the chairmen of the respective House and Senate subcommittees handling each bill, thereby giving House Members a chance to preside over conferences. The previous agreement to meet in the Old Supreme Court chamber was not disturbed. It was also agreed that a joint subcommittee would be established to study all the issues and make recommendations by January 1963, in time for the beginning of the next Congress.

Pursuant to the truce agreement, on July 20 House and Senate conferees met in the Old Supreme Court chamber on H.R. 11038, the second supplemental appropriations bill for fiscal 1963. Representative THOMAS became the first House Member in history to preside at an appropriations conference. This resulted from the toss of a coin by agreement with Senator SPESSARD HOLLAND, Democrat, of Florida, THOMAS' counterpart as chairman of the Senate subcommittee involved.

HOLLAND was to preside at the next conference on a supplemental appropriation. The conference came to agreement after a 1-hour meeting.

In the final days of the session, conference disputes over the Department of Agriculture appropriation bill brought a new flareup over the question of the Senate's right to initiate appropriations bills and threatened to introduce a new element into the dispute. The Senate had added $28 million for farm research projects which the House had not considered. After several conference meetings failed to produce a compromise acceptable to both Houses, Senator RUSSELL reported to the Senate on October 8 that "the issue is whether the Senate has a right to amend an appropriation bill in any and every respect." He said that the House conferees had flatly refused to discuss any Senate amendment providing funds for construction of agricultural research facilities on the grounds that no such item had been included in the House bill. RUSSELL asserted the right of the Senate not only to amend, but to originate, appropriations bills and contended that if the Senate had initiated only four or five appropriations bills and begun hearings on them in January, Congress could have adjourned by August 15. RUSSELL charged that the Senate was being asked to surrender its "equal and coordinate" status with the House and said finally: "If the Senate has one ounce of self-respect, it will stay in session until Christmas * * * to establish our position as a coequal body in every respect."

In the meantime, the Senate had adopted on October 4 and sent to the House a resolution continuing Agriculture Department spending for the next year at present levels, the effect of which was to abandon hope of a new bill during the current session. In the House, this was viewed as an unconstitutional attempt by the Senate to originate an appropriations bill, and on October 10 the House resolved by a vote of 245 to 1 that the Senate's action was an "infringement on the privileges of this House" and returned the resolution without further action. Chairman CANNON and Representative JOHN TABER, Republican, of New York, led the brief debate in the House, with CANNON asserting that "the priority of the House in initiating appropriation bills is buttressed by the strongest and most impelling of rules, the rule of immemorial usage." TABER quoted passages from the Federalist referring to the exclusive power of the House to originate money bills and cited authorities to the effect that the framers of the Constitution had in mind the early practice by which bills to levy taxes and appropriate the proceeds were combined into one budget bill, and thus intended the House to originate both sorts of action.

This action caused Senator RUSSELL to accuse the House of fantastic interpretations of the Constitution and to threaten a prolonged debate if necessary to educate the other body to the clear language of the Constitution. Senator WAYNE MORSE, Democrat, of Oregon, offered to assist RUSSELL in such a constitutional debate and charged the House with attempting to turn the Senate into an American House of Lords. But on the next day, the conference deadlock over the principal Agriculture appropriation bill was broken when the House agreed to a portion of the farm research items. The Senate's original resolution became a moot item in a Congress trying desperately to complete its business and adjourn.

Nonetheless, as one of its last acts before adjourning on October 13, the Senate adopted by voice vote a resolution declaring that the Senate's past acquiescence in permitting the House first to consider appropriation bills "cannot change the clear language of the Constitution nor affect the Senate's co-equal power to originate any bill not expressly raising revenue." The resolution, introduced by Senator RUSSELL, also suggested that the controversy between the Chambers be submitted to outside review, either for declaratory judgment by a Federal appellate court or to a commission of educators specializing in the English language.

The bitterness of the final proceedings indicates that the basic differences between the House and Senate are far from resolved and that the dispute goes much deeper than the personalities of the principal participants. The January 1963 report of the Joint Committee which is studying the problem should be awaited with considerable interest.

## RUTH BROOKS

Mr. KEFAUVER. Mr. President, in the past December, while the Congress was adjourned, Kingsport, Tenn., lost one of its finest citizens and best public servants, Ruth Brooks, wife of Harvey C. Brooks.

I ask unanimous consent that an editorial from the Kingsport Times in tribute to Mrs. Brooks be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### A QUIET PUBLIC SERVANT

In every town there are people who devote a great deal of time to public service.

Some work in the forefront of public projects. Others work more or less behind the scenes, not wanting public recognition. Kingsport has had a generous quota of such people.

Such a person was Ruth Brooks, wife of Harvey C. Brooks. She died Tuesday.

Mrs. Brooks and her husband were among the early builders of Kingsport. But while her husband was helping to build the economic life of the city, Mrs. Brooks joined a group of women who early set out to see to it that the cultural life of the city kept pace with its economic growth.

Today one of Kingsport's proudest boasts is its public library. But how few people know the early struggle of a small group of women to lay the foundation stones for that library?

Mrs. Brooks was one of the leaders in that movement. She spent many hours and much of her energy in this work, raising funds and interesting others in the importance of this work. Today the library stands not only as a monument to J. Fred Johnson. It is also a monument to the public spirit of a small group of women, of whom Ruth Brooks was one.

Another public service which claimed her attention was the association formed to preserve historical landmarks and antiques. The work of this organization has done a great deal to save historic sites from being obliterated. The rich history of our section has been preserved.

We could name other activities in which Mrs. Brooks engaged.

She was one who loved Kingsport and loved doing things to help the city grow in a healthy way. She enjoyed doing it. She was not one to be self-consciously doing public service. With her it was a labor of love. Everything she put her hand to, she also put her heart into. The result was of great benefit to the city and its people.

How fortunate it is for all of us that there are people like Ruth Brooks in this world. How fortunate that there are people to whom unselfish public service comes natural. They leave their little corner of the world a better place for their having lived in it.

Kingsport owes more than most know to Ruth Brooks.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON], to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. MANSFIELD. Mr. President, I renew my suggestion of the absence of a quorum, with the understanding that the Senator from New Mexico [Mr. ANDERSON], will not lose his right to the floor thereby.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 9 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Morton
Mundt
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams Del.
Yarborough
Young, N. Dak.
Young, Ohio

The VICE PRESIDENT. A quorum is present.

Mr. ANDERSON. Mr. President, I send a motion to the desk in writing.

The VICE PRESIDENT. The clerk will report the motion.

The legislative clerk read the motion, as follows:

> I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote.

The VICE PRESIDENT. This motion raises explicitly a constitutional question. There have been 36 previous occupants of this chair, and the Parliamentarian informs me that all of the decisions have been uniform, that the Presiding Officer does not have the authority to rule on a constitutional matter. The Chair is in full agreement with those precedents, because the Vice President cannot make a decision for 100 Senators, unless he has previously been granted the authority to make that decision.

Our Constitution leaves the rulemaking authority in the Senate itself, not in its Presiding Officer. Therefore, it would be improper for the Vice President to arrogate this authority to himself.

The proposition that has been placed before us is that under the Constitution the Senate has the right to decide the very issue contained in the motion itself.

The Chair acts under the direction of the Senate. In this instance there is no direction from the Senate until the question of constitutionality has been decided. Therefore, the Chair now submits this issue to the Senate for its decision, and will carry out the directives of the Senate as expressed by a majority vote of the Senate.

Article I, section 5, of the Constitution states:

> Each House may determine the rules of its proceedings.

This the Senate can do by a majority vote. Therefore, the Chair submits the question:

Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. I should like to ask the Chair whether the Senate has, in fact, adopted rules for its proceedings.

The VICE PRESIDENT. The Parliamentarian informs the Chair that the Senate has never adopted rules for a single session except at the beginning of the First Congress, and that there have been six general revisions of the rules during the period during which the Senate has been operating.

Mr. HICKENLOOPER. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. Has the Senate been operating consistently since the first session under the rules adopted by the Senate, with such modifications as have been made from time to time under the existing rules of the Senate?

The VICE PRESIDENT. The Parliamentarian informs the Chair that that is a correct statement.

Mr. HICKENLOOPER. I have another parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HICKENLOOPER. Is the Senate operating under any rules now; and, if so, will the Chair state under what rules the Senate is operating?

The VICE PRESIDENT. The Parliamentarian informs the Chair that the Senate is now operating under the rules as shown in the Senate Manual.

Mr. HICKENLOOPER. I have a further parliamentary question, and I hope that this is the final question.

The VICE PRESIDENT. The Senator from Iowa will state the parliamentary inquiry.

Mr. HICKENLOOPER. Under the rules as shown in the Senate Manual, is it correct to say that to change the rules of the Senate requires a two-thirds vote of the Senators present and voting?

The VICE PRESIDENT. No; only a majority vote is required to change a rule.

Mr. ANDERSON. Mr. President, this is the same story that many of us have been engaged in for a long time. We do not question in any way the right of the Senate to adopt rules. We do not question the propriety by which the Presiding Officer submits this question to the Senate for decision.

We take some comfort from the fact that many times we have been faced with this decision. It may be true, as the Senator from Iowa [Mr. HICKENLOOPER] suggested a moment ago, that there was a general revision of the rules in 1917. But there is no person who has studied the history of what happened in 1917 who fails to understand what took place.

Senator Walsh was outraged by the filibuster in the 64th Congress. He demanded at the beginning of the next session that the Senate draw rules under which it could operate. He proceeded to submit a resolution to change completely the rules of the Senate. Caucuses of both parties were held, at which it was agreed that it was not necessary to take such a drastic step. It was said that the question could be settled easily by simply changing rule XXII, which was what Senator Walsh wanted changed, and there would be no difficulty.

So an agreement was reached that rule XXII would be modified exactly in the way in which Senator Walsh wanted it to be modified.

It is very well to say that there has not been any revision of the rules; but there would have been if the Senate had allowed that question to be put to the membership. Senators were ready to vote for a change. It was only when Senators gave in and said that Senator Walsh could have that change in rule XXII that the difficulty was settled.

The question arises: Under what rule is the Senate operating? I am pleased to hear the parliamentary ruling that the Senate is operating under the Standing Rules of the Senate, as found in the manual. This ruling differs from some of the previous rulings. A previous Vice President, Alben Barkley, of Kentucky who had had a reasonable amount of experience in the Senate, was asked that specific question in 1953, when the Senator from New Mexico first submitted a resolution to provide for the adoption of rules.

The question then arose as to what rules the Senate was operating under. The Vice President then said that the organization of the Senate is an inherent right of the Senate, as it is of any sovereign body, and that all that took place up to that day was under that inherent right.

Much was said about Vice President Barkley's theory of inherent rights. But the Senate recognized that all that he said was essentially true. A part of the process of organization is the process of selecting officers and of adopting rules. I think there was a right to proceed at that time.

All of us recognize what took place in 1959. There was another long session. There was one in 1957, too. It was a rather long session, in which there were many examples of what could take place in connection with changing the rules of the Senate. There was no opportunity for Alben Barkley to rule, because some Senators very wisely decided that that question had better be referred somewhere else. So a motion to table was made. That motion carried.

I do not think anyone doubts how Vice President Barkley would have ruled. But we know how another former Vice President ruled. We know that Vice President Nixon said, time after time, in advisory opinions, what he believed.

Let me see if I can elaborate a bit. I do not believe the able Senator from California [Mr. KUCHEL], who has just been returned to office by a majority of more than 700,000, when the Republican candidate for Governor in his State was losing by 300,000, would have been returned to the Senate by the people of California if they had believed that he was a man who wanted to destroy the Senate. I think the people of California returned the senior Senator from California to the Senate because he wants to preserve and defend the democratic processes of government.

I know also that the able senior Senator from New York [Mr. JAVITS] strongly supports this proposal. He has just submitted his case to the people of his State, and those people returned him to the Senate of the United States by a majority of approximately 1 million.

I have cited the example of two great States—California and New York. Who are we to say that the Senators from those States must have no part in the making of the rules as they are contained in the Senate Manual? They have just as much right to make the rules as did the Senators who first wrote the Senate Manual. They have just as much right to decide upon the rules under which they want to live as did Henry Clay and other Senators who have been referred to in this debate.

I have been joined in submitting the resolution by the able junior Senator from Kentucky [Mr. MORTON]. I read a great many preliminary opinions as to how the recent election would result in Kentucky. Many people thought that Senator MORTON was in deep trouble. But it was found when the election was over that he was returned to the Senate by a substantial majority. Shall he hereafter be prohibited from speaking on the floor of the Senate for things he believes are right, merely because some Senators say that Henry Clay thought differently, even though both men came from the same State? I think not.

I think we must recognize that the battle goes on and on, and every year that the rules question comes up, it comes closer to accomplishment. The last time the proposal was sent to committee in 1961, it was defeated by a vote of 51 to 49, if we count Senators who announced their positions. So the vote is becoming extremely close, and will become more and more so if this debate has to continue, because this is a problem which cannot be settled by reference to some other right.

The proceedings which have taken place today have some precedent. I trust that as we go along we will try to recall what the situation in the Senate was on the 7th day of January 1959, on the occasion of the well-remembered amendment of Senate rules at that time.

I hope it will be strictly remembered that what we are doing now—this talk, talk, talk, into a full-blown filibuster on the motion to consider a resolution—is not the pattern of what happened in 1959. We do not want some Senator to rise and say that this resolution should be referred to the Committee on Rules and Administration, because that would be assumed to be established practice. We have no established practice. We have worked one way at one time, and another way at another time; and I am happy to take the most recent practice—the most clearly adopted precedent—the practice by which a majority of the Senators now serving in this body have participated in adopting a fitting and proper recognition of the right of the Senate of the United States to determine and adopt the rules of its proceedings. That was what was done in 1959. No one can successfully challenge it. The Senate was permitted to write its rules. Why was the Senate at that time much wiser than this one? Why can we not trust the Senate in 1963 to write its rules?

What did the Senate do on January 7, 1959, and in the days that followed? The Senate permitted the oath of office to be administered to groups of recently elected Senators.

When that was finished, the Vice President recognized the majority leader, who proposed a unanimous-consent request with respect to adjournment, which was agreed to.

The list of Senators by States was then printed in the RECORD, and there was a drawing for terms of office of the two new Senators from Alaska. Then there were the customary resolutions to notify the President and the House; and the resolution that the Senate meet at 12 o'clock.

Then the majority leader, on behalf of himself and the Senator from Arizona [Mr. HAYDEN], the Senator from Illinois [Mr. DIRKSEN], the Senator from Montana [Mr. MANSFIELD], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Hampshire [Mr. BRIDGES], submitted a resolution.

That was an interesting resolution. It resolved that subsection 2 of rule XXII of the Standing Rules of the Senate be amended in several ways, and I mention two: First, by striking out "except subsection 3 of rule XXII"; and second, by striking out "two-thirds of the Senators duly chosen and sworn" and inserting in lieu thereof "two-thirds of the Senators present and voting."

The resolution contained other provisions. One item was, in my opinion, completely unconstitutional. But the point I wish to make now and have no one overlook, ignore, or forget is that the first order of business after the proper organization of the Senate was a motion to amend the Senate rules, and particularly subsection 2 of rule XXII.

Is not that the situation this year? In this Congress? At this time? At this hour?

To be sure, the Senate had met originally on an earlier day and had sworn in its Members, but there had been an understanding that it would await the address by the President of the United States and not prejudice the position of any Senator by so doing. Hence, on Monday, January 14, after the joint session, the Senate returned to its Chamber, and the first order of business was the recognition of the senior Senator from New Mexico for the purpose of submitting a resolution to change subsection 2 of rule XXII.

Mr. President, it is not my contention that the change was identical with the type of change submitted by the majority leader in 1959. His change involved the question whether cloture might be established by two-thirds of the Senators duly elected to the Senate or by two-thirds of the Senators present and voting. My amendment, identical as to the subsection it sought to reach, proposed to change the two-thirds of Senators present and voting to three-fifths of the Senators present and voting. I can see no basis on which any Senator can contend that a complete, total, and sweeping precedent has not been established by virtue of the fact that my amendment would deal with the same subsection of the same rule and almost with the very words which were involved in the resolution submitted by the majority leader in 1959.

But I call attention to this difference. In that instance, as appears in the CONGRESSIONAL RECORD, volume 105, part 1, page 103, the then majority leader, after some discussion with the then Vice President concerning what was proper and what was not proper, said:

> Mr. JOHNSON of Texas. Then, Mr. President, I move that the Senate proceed to the consideration of Senate Resolution No. 5.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas. [Putting the question.]

The motion was agreed to.

Has there been any difference this year? Oh, yes. This year certain Senators have decided that the Senate cannot even vote on that question.

Some Senators opposed the motion of the Senator from Texas, but recognized his right to have it considered by the Senate.

Here we are now, weeks after this session convened; yet we have not even gotten close to having a vote taken on this matter or to having the Senate proceed to consider it.

The other day the Senator from Minnesota pointed out that he was ready to vote. I assured him that I was ready to vote, too. The Senator from West Virginia [Mr. RANDOLPH] said that he, too, was ready to vote. I found that a great many other Senators were ready to vote. But they could not vote. Why not? Because the minority chooses to take the position that the majority shall not vote. That must be the situation, for if the Senators who wish to prevent a vote were in the majority, they would have long since submitted the question to a vote. But they do not want a vote to be taken on it now.

All Senators remember the way the Senate acted 4 years ago. But today we see the attempt to establish such opposition and delay as a practice. What would such a practice lead to? It would lead to a situation in which, whenever the majority leader moved that the Senate take up any bill—whether an appropriation bill or one of the rivers and harbors bills, bills which are so dear to the hearts of many Senators—there would be 3 weeks of debate; and 3 weeks after the motion was made, we would still be delayed by remarks of Senators about what Jefferson, Madison, Washington, and others thought. Such speeches would be made day after day. If that happens, Mr. President, how long will the Senate stand as a great institution? The other day it was said, in a speech made by one Senator, that those of us who favor this resolution want to tear down the Senate. But, Mr. President, I submit that those who want to tear down the Senate are those who wish to prevent the Senate from voting.

Constant efforts are made to allow all the people in certain States to vote. But, Mr. President, how long is the Senate to be prevented from voting on this matter? I am ready to vote; the Senator from Minnesota [Mr. HUMPHREY] is ready to vote; the Senator from West Virginia [Mr. RANDOLPH] is ready to vote; the Senator from New York [Mr. JAVITS] is ready to vote; the Senator from California [Mr. KUCHEL] is ready to vote. So why does not the Senate vote? It does not vote because some Senators take the position that they are not sure what the votes of Senators will be; so they wish to have the Senate wait a few days in the hope that some Senators will get tired out.

Mr. President, I could read on and on. However, I should like to take the time to read the advisory opinions of the Vice President in 1959. They are extremely interesting. Not all Senators agreed with them or with what was proposed; but the Vice President continued to point out that whenever there was a rule which constantly denied the right to vote, at the beginning of a session, on the rules of the Senate, he thought that was unconstitutional, and that it should be submitted to the Senate.

Mr. President, has the situation been changed any? A debate in connection with this matter occurred in 1961. Some Senators said, "This question was settled in 1959; so Senators cannot raise the question now, because the change which was made in the rule included a provision that 'The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.'"

Because of the inclusion of that section of the rule, some Senators now allege that it is improper for any Senator who voted in favor of that change in the rule to urge now that it is unconstitutional. However, Mr. President, many Senators then had strong objections to it and to its constitutionality. But it was submitted to Vice President Nixon and he gave certain advisory rulings. He said:

> The Chair has indicated his opinion that at the beginning of each new Congress a majority of the Members of the Senate have the constitutional right to determine the rules under which the Senate will be guided. Once that decision is made, or once the Senate proceeds to conduct business under rules adopted in previous Congresses, those rules will then be in effect.

That is the entire story. Once the decision is made, once the rules actually are changed at the beginning of a Congress, then at that time they can contain a provision which requires a two-thirds vote. But that provision cannot stand at the beginning of a session if it prevents the Senate from adopting an altered rule.

That is why I hope there will be submitted to the Senate, and that the Senate will vote on, the question of whether it believes in the Constitution, or whether it believes in some procedure of the Senate which happens to be unconstitutional.

It is perfectly proper for a Senator to say, "I believe in unconstitutional things; and I do not want the Constitution to apply, and I do not want new Senators to have the right to express themselves on these matters." A Senator can ask, "What right does the Senator from Indiana [Mr. BAYH] have to express an opinion on the rules? He is just a new Member of the Senate. What right does he have to speak on this question?"

I think he has a right to say a great deal about it, just as all other new Senators have such a right, in my opinion. Therefore, I think they should have an opportunity to say what they believe, and I believe they should be given a chance to pass upon this rule.

I do not enjoy taking on this burden time after time and year after year. I would much rather sit back and say, "Let the Senate adopt any rules which Senators want the Senate to adopt; we shall get along somehow."

But I believe that at the last session, the business of the Senate was dragged late into the fall because the Senate did not have a rule which adequately took care of the situations here on the floor. I believe that results in delay and delay, again and again and again; and I believe that unless the Senate takes action in this field, its standing and its reputation will be reduced.

I think the Senate is the greatest deliberative body in the world. I want it to continue as such. I do not want the Senate to continue to spend the first weeks of each session in arguing about some question of this sort and in having Senators discuss what Madison or Jefferson or Washington said. After all, the best studies I have been able to find do not show that Washington ever had in mind anything similar to the situation which now confronts us. After all, what would he care about a cloture petition or a cloture rule, because at that time it was only necessary to move the previous question.

Mr. President, the only real question here is whether Senators wish to have the rule changed in such a way that a majority or three-fifths can work its will, and whether Senators want rules under which the Senate will have a right to adopt its own rules.

As long ago as 1953, my resolution on this subject was submitted. Some Senators said, "It is no good to consider it now. It should be sent to the Rules Committee, and then great things will happen."

We know what happened. Senator Jenner, of Indiana, said he was pledged to report a resolution which he believed to be better, and he did report one. I believe he was not in the majority; I believe a majority overruled him. But I am not sure as to that.

But then it came to the floor. Every Senator knows what happened at that time. It never was taken up, because Senators said, "If it is brought up, there will be a filibuster; and we do not have time for that, because there is much important work to be done."

In 1955 there was the same story. We were told, "Just send it to the committee, and then see what will happen."

In 1959 we got a small change in the rule; but that was the first ray of sunshine we had because it established—as an absolute precedent, I think—that the Senate has a right to change its rules at the beginning of a session, whether some Senators like them or not. That was done, and it did create a precedent. It amended the very rule I seek to amend. Therefore, everything that happened then is germane now.

But in 1961 it came up again; and in went a proposal to change the rule. What happened? We found that our two very able leaders—and both of them are fine, high-type men and fine citizens and great Senators—said, "Let this go to the Rules Committee. We can guarantee you certain things, if it goes there."

It went to the Rules Committee. But was action ever taken on it? It went to the deep freeze—and so will every rule that is sent there.

Mr. President, there is no use fooling ourselves about this matter. Only one vote will be meaningful, and it will be the vote on the question of whether Senators want to change the rules at the beginning of the session. Anything else that is done will be merely whitewashing. The only vote that will count will be the vote on this resolution, if it is taken now, not weeks from now.

I hope Senators will recognize that the responsibility is now on them to decide whether they want the Senate to adopt a rule that will be meaningful, or whether they want the Senate to continue under a rule which is such that when an effort is made to bring up a bill in the Senate, if there is objection, it can touch off a filibuster.

There should be a rule which will make it possible for the voice of the Senate to be spoken fearlessly on any question before it.

Mr. SALTONSTALL. Mr. President, will the Senator from New Mexico yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Massachusetts.

Mr. ANDERSON. Mr. President, I shall not yield very much; but I am happy to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I appreciate the courtesy of the Senator from New Mexico in yielding to me. As I understand the position of the Senator from New Mexico, it is that any Senate rule can be amended at the start of a new session without such rule being referred to a committee, even though all the remaining Senate rules continue in effect. But if such proposal is delayed beyond the first day of the session, any proposed amendment to the rules must be referred to the Committee on Rules and Administration and be reported back and then acted upon.

Mr. ANDERSON. I do not say that the proposed amendment must be referred to the committee. It ought to go to the committee. What I say is what the Senator from Massachusetts has also said; namely, that if the Senate acts at the beginning of a session, the proposed change does not have to be referred to a committee.

Why do I make that statement? In 1959, by the great majority that has been discussed, 77 to 22, a change in rule II was effected. At that time no Senator even suggested that the proposal be referred to the Committee on Rules and Administration.

Ask some of the great defenders of other procedures what was done in 1959 about referring the proposed amendment to the Committee on Rules and Administration. I shall not go into the particular questions involved at that time. Everyone knows that we love the Presiding Officer. We were very happy to work along with him. He has always been a trusted and true servant. We have no question about him. I say only that when the proposal was made, even though it involved a change in rule XXII, and even though the change related to subsection 2 of rule XXII, the proposed change was allowed to come before the Senate by unanimous consent.

Not a Senator that I know of—and I have read the RECORD again—rose and said, "I move that the proposed amendment be referred to the Committee on Rules and Administration." Senators were well satisfied to dispose of the question in the Senate. It was only at a later date that we got into trouble over the question.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. SALTONSTALL. As I see it, the Senate acts through committee procedures, and after careful thought, consideration, and hearings before committees. In this instance, and only in this instance, the Senate would act, if the proposal of the Senator from New Mexico were sustained, without going to a committee, but in the first instance on the floor of the Senate.

Mr. ANDERSON. Yes. Four years ago the Senator from Massachusetts voted in exactly the same way on a proposed rules change. At that time there was no reference to a committee.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. KEATING. First, I wish to congratulate and commend the distinguished senior Senator from New Mexico on the fine presentation he has made, and the excellent leadership which he has afforded in the effort to bring this issue to a vote. I am very happy to be enlisted under his banner in that effort.

In the light of the fact that the Vice President has now submitted the motion of the Senator from New Mexico to the Senate, I should like to renew a part of the parliamentary inquiries which I addressed to the Chair earlier today.

Mr. ANDERSON. Mr. President, I yield the floor.

The VICE PRESIDENT. The Senator from New Mexico yields the floor.

Mr. KEATING. Mr. President, it is now apparent that these questions are not academic or hypothetical since the issue has been submitted to the Senate. I take it that it is the opinion of the Chair that the submission is debatable in the Senate.

The VICE PRESIDENT. That should be apparent to all Senators. The Senator from New Mexico has already discussed the question. The Senator from New York is now discussing it.

Mr. KEATING. I am discussing a parliamentary inquiry.

The VICE PRESIDENT. Obviously the question is debatable or the Chair would not have recognized the Senator.

Mr. KEATING. I assume that is so. That is preliminary to my next question. If during the debate on the motion it were to appear to the Chair that dilatory tactics are being employed to prevent the Senate from reaching a decision, would the Chair have the power to rescind the submission and render a ruling on the motion?

The VICE PRESIDENT. Will the distinguished Senator from New York indicate to the Chair what rule the Senator has in mind under which the Chair might have such a power

Mr. KEATING. Perhaps I should address a parliamentary inquiry ahead of that one. I recognize that the Chair, under the precedents, has submitted the question to the Senate. Would the Chair have the power, as opposed to practice, to rule on the question without submitting it to the Senate but subject of course to an appeal to the Senate?

The VICE PRESIDENT. Does the Senator have any particular rule in mind that might confer such authority on the Chair?

Mr. KEATING. The rules which prescribe the powers of the Presiding Officer.

The VICE PRESIDENT. If the Senator will cite the rule, the Chair will be glad to consider it and follow the Senator very closely on the point he is attempting to make. If there is a rule that gives the Presiding Officer authority to stop Senators from debating for any reason, the Chair——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KEATING. Mr. President, I shall be happy to yield in a moment. Does the Presiding Officer feel that under the Constitution, under which the motion is made, the Chair would have the power, if convinced that an effort were being made to prevent the Senate from acting, to rule on the motion in the first instance?

The VICE PRESIDENT. Then the Senator relies on the Constitution to give the Chair the authority to stop Senators from debating? Is that the point of the Senator from New York?

Mr. KEATING. The Senator's point is that while the Senator from New York has no quarrel with the decision to submit this motion to the Senate under the precedents which have been cited by the Chair, I am interested in learning whether there is any way to bring the motion to a vote.

The VICE PRESIDENT. As the Chair understood the Senator, he felt that under the Constitution the Chair had certain authority that would permit him to exercise authority to stop debate. If the Chair obtained that authority from the Constitution, and a constitutional question were raised, the Chair would be required to do what the Chair has done. The Chair has submitted the question to the Senate. Since 1803 every Presiding Officer of the Senate has held that constitutional questions must be submitted to the Senate. If the Senator is relying on a rule conferring power upon the Presiding Officer to stop debate except in a case in which cloture has been voted, a motion to table, to recess, or to adjourn is agreed to, or in an instance in which a Senator violates a rule, the Chair has the authority conferred by rule. If there is some provision of the rule that the Chair does not have in mind that the Senator has in mind, the Chair would like to have the Senator cite it. If a motion is made not under the rule, but under the Constitution, the Chair points out that the Chair has already ruled that he must submit the question to the Senate to decide what the Constitution means.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

**Mr. MANSFIELD.** Mr. President, it appears to me that what the distinguished Senator from New York is seeking to do is to get an affirmative reply to the question which he has raised. If the reply were in the affirmative, it would in effect mean that the Vice President, who is a member of the executive branch of the Government, could at his discretion become a dictator over the Senate. I certainly hope that the answer will be in the negative, because there is a sharp and distinct line which ought to be adhered to.

**The VICE PRESIDENT.** The Chair would like to pursue the question a little further. The Senator from New York is relying on the Constitution. The Chair would like to have him give a citation, if he can, of any language in the Constitution that the Chair could rely upon to support a decision that could stop debate.

**Mr. KEATING.** Mr. President, no one is more concerned about encroachments by the executive upon the province of the legislative branch than the junior Senator from New York. The effect of the ruling which the junior Senator from New York is now seeking would in no respect have such a result as has been indicated by our distinguished majority leader.

**Mr. MANSFIELD.** Mr. President, will the Senator yield, to clear up the question?

**Mr. KEATING.** I yield.

**Mr. MANSFIELD.** As I understand the situation, the Senator asked the Vice President, who is now presiding, the question: If the use of dilatory tactics took place, could the Vice President, in effect, terminate the debate and make a decision on that basis? I think that would be clearly infringing the rights of the Senate, and I think that the Vice President—I repeat, a member of the executive branch, primarily—does not, should not, and must not have that authority.

**Mr. KEATING.** Mr. President, the Vice President is the Presiding Officer in the Senate. One of his important functions, one which he has frequently exercised, is to give guidance by way of parliamentary advice to the Members of this body.

Mr. President, it seems obvious to me we have reached the point in these proceedings when this body needs advice as to how it can terminate this long drawn-out controversy as to whether we are going to debate the merits of an issue.

Perhaps I have not phrased the inquiry clearly. I am simply asking the Vice President whether he knows of any way whereby the debate on this submission can be terminated so long as there are any Senators who wish to speak on this subject?

**The VICE PRESIDENT.** Yes. The Vice President will say, first, it could be terminated by a majority vote; second, it could be terminated by a motion to table; third, it could be terminated by an agreement among the Senators; fourth, it could be terminated in accordance with the cloture rule, rule XXII.

**Mr. KEATING.** If the Presiding Officer feels it could be terminated by a majority of the Senators, I should like to address the inquiry to the Presiding Officer as to how the majority of the Senators can get one vote on the subject? Is there any guidance the Vice President can give us on this?

**The VICE PRESIDENT.** The Parliamentarian informs the Chair that that is a matter which the 100 Senators have within their control, and which is not within the control of the Chair. The Chair does not determine the rules of the proceedings of the Senate.

**Mr. HART.** Mr. President, we cannot hear the Presiding Officer.

**The VICE PRESIDENT.** The Parliamentarian informs the Chair that what the Senators do to get a decision is a matter for the Senators to determine. The Vice President cannot tell even one Senator how to make up his mind or when to make it up or what decision he should reach. That is a matter for each Senator. If the Vice President cannot do it for one Senator, he cannot do it collectively.

**Mr. KEATING.** Mr. President, to date the 100 Senators have not been singularly successful in bringing this issue to a vote. My purpose in rising at this time was to address an inquiry to the Presiding Officer as to a method whereby these 100 Senators could bring this matter to a vote.

**The VICE PRESIDENT.** As anxious as is the Vice President to be helpful, he cannot make a rule for the Senate that the Senate has not made for itself. The Constitution very clearly lodges the rulemaking power in the Senate itself, not in the Vice President.

**Mr. KEATING.** Is it the ruling of the Presiding Officer that there is no inherent power vested in the Vice President as Presiding Officer under the Constitution or under the rules under which dilatory tactics can be curbed?

**The VICE PRESIDENT.** The Vice President has certain powers described in the rules of the Senate and prescribed by the precedents of the Senate, and functions of his office are prescribed by the Constitution; but the Vice President is not familiar with any rule of the Senate or any provision of the Constitution which gives him power to determine when he thinks the Senate has talked long enough, or when any Senator has talked long enough. That is a matter which is determined by the Senators themselves.

**Mr. KEATING.** I thank the Presiding Officer. I would only add this, in pursuance of what the distinguished Senator from New Mexico has said; it is my earnest hope that this matter can be put to a vote promptly and that this submission will bring the matter to a head.

A Congress which can be paralyzed by dilatory tactics cannot claim to be a reliable instrument for determining national policies.

A Congress which can be stymied by the verbal onslaughts of an organized minority cannot assert the initiative for creative solutions to the vital problems affecting the welfare and security of the United States.

A Congress which requires more than a week's discussion to decide whether it will take up a subject will have precious little time left for intelligent debate on the merits of the major issues which must be considered during every legislative session.

Grave apprehension has been expressed in the past about alleged space gaps, deterrence, gaps, and bomber gaps. It is time more of us spoke out against a legislative gap which threatens to completely undermine the faith and confidence of the American people in one of the most vital institutions of their Government—I am referring to the gap between the epochal challenges facing Congress and the creaking legislative machinery for meeting them.

The existence of a legislative gap is apparent and I believe that its causes can be pinpointed.

It is the result of many decades of acquiescence in rules and practices which defy every principle of representative government.

It is the result of a fiction which treats filibusters as a species of debate. Filibusters are a repudiation of debate, a form of vocal violence which is resorted to when the process of debate is abandoned. It demeans the whole function and purpose of debate to confuse it with the antics of a filibuster.

The legislative gap is the result of a distortion of the meaning of minority rights. The minority has rights, many of which are immutably preserved in the equal representation of the States in the Senate, the guarantees of the Bill of Rights, and in other provisions of the fundamental law. The rights of some minorities have been enlarged by the sectional dominance of the committees of Congress and the inordinate power of particular Representatives and Senators. At the same time, the rights of other minorities have been abridged by the failure of Congress to implement the Constitutional promise of equal protection. But no minority can claim the right to rule or ruin. A majority may sometimes be wrong, but so may a minority and under the Constitution it is the majority which is given the power to legislate, to declare war, to confirm nominations and—in the context of this debate—to determine the rules of the Senate.

**The VICE PRESIDENT.** The Chair would like to complete the record by saying, in direct response to what the Senator has said, that the Senator has cited no authority in either the Senate rules or the Constitution; and, so far as the Chair and the Parliamentarians are aware, there is no inherent power to make Senate rules; that is a matter for the Senators themselves.

The Chair might further add that he is not in disagreement in any way with the statement made by the late Vice President Barkley, who was a Senator from Kentucky, quoted earlier today. That statement was made by the Vice President not in response to an inquiry. Vice President Barkley said:

> The organization of the Senate is an inherent right of the Senate, as it is of any sovereign body, and all that has taken place up to date has been under that inherent right.

The Chair agrees with that. The Parliamentarians agree with it. There is no difference.

The question now is that the Senator from New Mexico has made a constitutional point. Since 1803, when a question of constitutionality has been raised in the Senate the Senate itself has had to decide what the Constitution says. The question is on the motion of the Senator from New Mexico that a majority of the Senate has a right to terminate debate at the beginning of a session and to proceed to an immediate vote on a rule change, notwithstanding the provision of the Senate rule; and that is a question for the Senate itself to decide. How it decides it, when it decides it, or what it decides, is entirely a matter for the Senate and not the Presiding Officer.

Mr. RUSSELL rose.

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, the other day, when this matter was under discussion, I took occasion to observe that this was the most unusual and remarkable procedure I had ever seen.

Mr. President, I ask that the motion filed at the desk by the Senator from New Mexico now be read.

The VICE PRESIDENT. Without objection, the clerk will state the motion of the Senator from New Mexico.

The Chief Clerk read the motion, as follows:

> Mr. President, I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote.

Mr. RUSSELL. Mr. President, here we have a motion that is filed, demanding that the Chair, without further debate, submit a resolution to the Senate, and then the author of the resolution, himself, proceeds to deliver a rather lengthy homily as to the merits of the resolution. He is succeeded by another proponent of this gag rule, the Senator from New York. So while the resolution says, "I move it be decided without debate," the proponents take occasion to make two speeches after it is submitted.

That shows what trouble we get into here when we go to fooling around with the rules and trying to take shortcuts wherein a majority is not willing to accord any rights to the minority.

Mr. President, the rules in this body are not written for the majority. A majority does not need rules in any parliamentary body. They have the naked power to impose their will on a minority. The rules of parliamentary bodies, particularly the rules of the U.S. Senate, are written to protect the minority, even though it may be a minority of one Senator when he undertakes to defend the rights of his people.

This procedure is typical of what we have encountered since the matter was first introduced:

> "We want to conclude it without further debate. Then I will make a speech in behalf of my resolution." "We want to vote now." "I want to vote."

The Senator from New York wants to vote. The Senator from Minnesota observed the other day that he was ready to vote. All this would be done without the other Members of the Senate having the same privilege to express their views, under this remarkable, backhanded, previous-question motion that the author now makes.

I can see why the Senator did not undertake to apply the previous question rule of the House, because he could not have made a speech on it. I do not know that it would have been any more violative of the rules to say, "Mr. President, I move the previous question. Now I demand that I be recognized to speak to the previous question." It would have been just as logical as to proceed to say, "I want to vote here."

Those who cry, "Vote, vote, vote," speak at length on the matter which would deny the minority here—and I am not too sure it is a minority when the full Senate is present—the same right that they arrogate to themselves in making statements with regard to this very vital question.

Mr. President, I repeat, a majority needs no rules. It is the minority whom the rules of the Senate were written to protect.

It is bad enough to make suggestions that a majority of the Senate, 51 Senators, can gag the other 49 and in effect deny them their rights as Senators to speak, but the most remarkable suggestion which has been made in my time here was the implication of the distinguished Senator from New York that the Vice President, the Presiding Officer of the Senate, had some omnipotent, dictatorlike power to tell Senators to "Sit down; we are going to vote now. I am tired of hearing all this debate. Clerk, call the roll. Senators, you will now vote."

I have never heard of a procedure so violative of every facet of a democracy, of free institutions, of our free government, as to imply that the Vice President of the United States has any right or power to tell Senators when debate shall end and a vote taken.

Mr. President, the Speaker of the House of Representatives is chosen from among the Members of that body. He is not brought to that body on a national ticket. But the Speaker has no such power as is suggested here. Even with the previous question rule in the House, one has to move the previous question and the House has to vote on it. We now have the inferrence that the Vice President of the United States ought to have some inherent power to muzzle the whole Senate, all 100 Senators, because if he can muzzle 6 or 10 Senators, he certainly has the inherent power to muzzle 100.

Mr. President, there is something in me that just rebels when people go around talking about vast inherent powers in this day and time in this land of ours.

Make no mistake about it, when the great civilization that we enjoy shall finally crumble and fall—and God forbid that it ever shall, but if it does—one of the contributing factors will be the extension further and further of what is called inherent power. I care not whether it be the President of the United States or the Vice President of the United States or any other public official—when we go to talking about inherent power, every theory of our government is being negated. Ours is supposed to be a government of laws, not of men. No one man can stand up, whether he is in the White House, or on the podium in the Senate, under law or in a rightful manner, and deny the people's representatives, or the people themselves, any of the rights that are theirs.

You had better beware of inherent power, my colleagues, in this instance, or in any instance. This is supposed to be a government of law. When we shirk our responsibilities, when we flee from our duty, and say there is inherent power vested in the Vice President of the United States, in the Secretary of the Treasury, in the Secretary of Defense, in the Attorney General, or any other individual, we are digging the grave of our system of government.

With all due deference to my distinguished opponents who have here so derided such men as Washington, Jefferson, and others, as being outmoded and belonging to another era; and to those who say we do not need any Congress, that it is worn out, that it is threadbare, I must say the Senator from Georgia, as a Jefferson Democrat, still believes in the saying of Thomas Jefferson that:

> In questions of power, let no more be said of confidence in man, but bind him down from mischief by the chains of the Constitution.

I always shudder when I hear men say we are going to make revolutionary changes in our form of government, and the only basis for it is inherent power—not an act of the Congress, not a law that has been passed and duly signed, but this nebulous, imaginary, elusive thing that they call inherent power.

I have such a high regard for the Senator from New York. He is one of the last men I would have ever thought would have come into this Chamber and thought there was inherent power in the Vice President to silence the Senate. It is not there, any more than the Senator can find any justification for it in the Constitution of the United States. The Constitution of the United States, when it talks about the rules, does not say anything about the majority putting a halter upon a minority and gagging them. How can one say that, under the Constitution, without further debate, we will proceed to a vote? I defy anyone to show me anything in the Constitution on that subject. There is just one line in the Constitution applying to this matter; namely, that each House may determine the rules of its procedures.

Who would have ever thought it would be suggested that the Vice President has the power to tell Senators to sit down and tell them they cannot speak on any resolution of this kind? That is in complete derogation of our rules.

There are many ways in which the Senate can bring this question to a vote. However, our opponents do not want to utilize any of those methods. Someone was caught by the fancy of this shortcut earlier in the session, and this question has been raised.

Vice President Nixon did write a long advisory opinion, which he read. It was an able advisory opinion. It showed a knowledge of parliamentary law that Vice President Nixon did not demonstrate on all other occasions. It was a well-written, long advisory opinion. He did say that in his opinion the rules could be changed at the first of the session. He did not say exactly how. I know he did not claim any right himself to silence the Senate. I do not believe that he asserted that any motion of this kind could be submitted, which in effect stated that the Senate could, under the Constitution, without further debate, vote on this question.

No, Mr. President, we cannot distort the mantle of the Constitution in any such fashion as that. The Constitution is not written for the majority of this country. Anyone who has the slightest knowledge of our Government knows that is true. The majority did not need a Constitution at that time. The Constitution was written to protect the rights of the minority and the individual citizen, not of any majority. Yet here our opponents come and say that under the guise of the Constitution, under the guise of protecting the minority and the individual citizen, we will perpetrate this rape of the Senate rules, and have a majority gag the rest of the Senate.

I say to the Senate that there could not be any greater illustration of what will befall Senators here who are in the minority if this tendency is followed. They have seen what has occurred. There is no fairer picture that could be drawn for them of what will happen in the future if they accept any such philosophy as has been advanced that anyone who finds himself in the minority can be gagged. This can happen to them if they are ever in the minority. They will be gagged, if they are not also hanged and quartered at the same time, if they express an opinion which is contrary to what happens to be the opinion held by a transient majority of the Senate.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ERVIN. I should like to ask the able and distinguished Senator from Georgia if he knows of any provision in the Constitution which speaks about speech except this provision in the first amendment:

> Congress shall make no law * * * abridging the freedom of speech.

Mr. RUSSELL. That is correct. That refers to the speech of someone in the minority who wants to speak, not to those of the majority who are going to oppose him, according to the construction of the rules of the Senate by those who are seeking this transformation of the rules.

I ask my colleagues in the Senate to bear in mind that someday they will be in the minority on some issue. They will not always ride along all the way with the administration on every bill, any more than they will oppose the administration on every bill. At one time or another they will be in a minority. That will happen on some occasion. On such an occasion they will wish that they had a right to express their opinions and explain their positions. Then someone in the Senate will undoubtedly rise and say, "I am ready to vote. I see that the Senator from Minnesota says he is ready to vote. I see that the Senator from New York is ready to vote. Why can't we vote? That is what we are sent to the Senate to do, to vote, even if it involves lynching the rights of 49 other Senators. String them up. Hang them. We must vote. Let's vote now."

That is what they will encounter. That is what will come from following this phantom. That is the situation in which they will find themselves if they heed any such suggestion as has been made here, even if it should be supported by some great political pressures.

The Senator from New Mexico, in the course of his speech, after he had submitted the resolution to be voted on without further debate, spoke at some length about what transpired when the present cloture rule was adopted. He said Senator Walsh had terrified the leadership of both parties, and they immediately rushed that rule through. That just does not happen to jibe with the facts. I served for some time with Senator Walsh. He was one of the great and outstanding Senators of all the history of this body. Senator Walsh had been through the so-called ship arming filibuster, which had taken place the year before. The President of the United States, President Wilson, who had theretofore been a strong believer in free speech, had spoken in indignant terms about the leadership, and the leadership of the Democratic Party was in favor of some form of drastic change in spite of a small and determined minority. However, they did not do that on the floor of the Senate. I have not had reference to the records in 15 or 20 years, but I did read them at one time, and I am certain that they appointed a special committee to consider the question. That committee, after consideration, brought back cloture rule XXII. It was adopted by the Senate with very few dissenting votes, largely because we were engaged in war at that time, and because everyone realized the importance of the Senate being able to function in time of war.

Reference was made here to the six general revisions of the rule. I should like to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. Were not all six of the general revisions of the rule the product of committe work and committee study and committee report to the Senate? I do not know whether that is a proper parliamentary inquiry.

The VICE PRESIDENT. The Parliamentarian, who has served in the Senate for 58 years, states that to the best of his knowledge, in each and every instance a committee was appointed to study, investigate, and make a report.

Mr. RUSSELL. That confirms my recollection. I have not had occasion to look into this matter for some 15 or 20 years. I do know that I went into it, and I do remember that every time a general revision was made a committee had been appointed to consider it. That is something that we are being denied in this case.

Why are the opponents afraid of the committees of the Senate? The Committee on Rules and Administration of the Senate is presided over by the distinguished majority leader. No fairer, braver, more courageous man has ever sat in the Senate. I regretted to read that he has spoken kindly of the three-fifths suggestion. That does not in any way minimize my esteem for him.

He rose to true heights of greatness a few moments ago when he rose on the floor of the Senate and said that he protested against any idea that the Vice President of the United States, even though of his party and his friend, should have the power to silence his voice and to gavel him into his seat under any idea of the Vice President's inherent power. It gives me new hope that America will be able to escape the thing that has wrecked all of the great civilizations of the past, and that is the concentration of so much power in one hand that it leads to a dictatorship. As long as we have a Mansfield making that kind of statement we will be able to avoid any dictatorship in this land of ours.

Mr. President, I do not desire to labor the question. I merely say that this motion finds absolutely no basis in the rules or the precedents of the Senate; that it flies in the face and in the teeth of every rule and every precedent of the Senate. No one knows that better than do some of the Senators who are present.

I am very much interested in the Senators who have just become Members of the Senate and have taken the oath of office this year. I have not met all of them; but I have not yet seen one who I thought needed a guardian. Most of them defeated very strong opposition at home. Yet it seems that some Senators believe it is necessary to appoint guardians for them. It is said that the new Senators, as they are called—the most recent additions to our body—have had no opportunity to pass upon the rules. The Senate has 40 rules. What is proposed? It is proposed to make a slight change in 2 of them. So the proponents of a rules change would permit the most recent additions to the Senate to vote on a fraction of 2 of 40 rules, although every new Senator possesses, in his own right, as a Senator chosen and sworn, every right that belongs to every other Member of this body. I believe that most of the new Senators have the capacity to protect themselves; I do not think they need guardians. If it is contended that the new Senators have been denied the right to vote on the rules, then let an entirely new rule book be brought in and allow the new Senators to vote on all the rules. The truth is that since the first Senate met, the rules have never been changed in any such summary fashion as is proposed.

The Senate may seem at times to move along in a limping fashion. At times, we all get weary of speeches, particularly those with which we disagree. But this body has met the challenge of the changing times. This body has, through the use of unanimous consent, enabled itself to legislate more rapidly at times, even, than the other body, where a Member often cannot get time to speak and sometimes cannot even offer an amendment.

I am proud of the Senate of the United States. It has adapted itself to the changing times without surrendering its proper function as an instrumentality of government. It has not been pointed out how the Senate has failed under the present rules. Have the proponents of a rules change been able to show, in bill after bill, how a wilfull minority has endangered the welfare of the United States? There has not been a single such illustration brought forward that I recall.

Of course, there will be some bills in which some Senators are particularly interested that will be defeated. There may be some bills in which some Senators are especially interested which, for some reason, will not be voted upon. But the vital interests of the United States have never suffered as a result of the rules of the Senate.

Over the same period of time, the Senate has preserved some of the rights of the States and a great many of the individual rights and liberties of the individual American citizen. The Senate rules have been a bulwark against hasty action and ill-considered legislation. The rules have, even within recent years, done much more good than harm. There is nothing in the record of the Senate which justifies this precipitate assault on the rules by a motion which provides that, without further debate, the Vice President ought to gavel down Senators and tell the clerk to call the roll. I hope we will not come to that point, Mr. President. I do not know just exactly how such a rule would be enforced. I do not know exactly how a Vice President who had such an inclination might enforce it.

I am not a powerful man in a physical sense; but before I would let any such procedure as that put me in my seat, when I was speaking in behalf of the people who honored me by sending me to this body, I would resist forcibly to the last objection. I would have to be dragged out of the Chamber, under any such procedure as that.

All of us recall what has transpired, unfortunately, at times in the parliamentary bodies of our Latin American friends and what has occurred in the parliamentary bodies of other lands. At the point where we talk about proroguing a parliament, at that point we are not talking about a free representative government.

**Mr. CLARK.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I yield.

**Mr. CLARK.** Does the Senator from Georgia intend to use his best efforts to prevent the Senate of the United States from coming to a vote on the Anderson motion?

**Mr. RUSSELL.** No; I do not. I hope we may be able to vote on it. I hope we may be able to vote on it after a fair and reasonable debate; and what is a fair and reasonable debate will not be judged by any one Senator, so far as I am concerned, whether he is for or against the motion.

**Mr. CLARK.** Mr. President, will the Senator further yield?

**Mr. RUSSELL.** I yield.

**Mr. CLARK.** Will the Senator give his colleagues some general indication as to how much further debate he thinks there will be?

**Mr. RUSSELL.** No; I will not. I might recall to the Senate the words of the old song:

> While the light holds out to burn,
> The vilest sinner may return.

I hope we may be able to reach the Senator from Pennsylvania in our efforts to protect the rights of the Members of this body.

**Mr. SALTONSTALL.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I yield.

**Mr. SALTONSTALL.** Will not the motion of the Senator from New Mexico, which we are now debating, have the same effect, in substance, if adopted, as stating that the rules of the Senate are not continuing, even though the Senate is a continuing body? And a further question on that subject: Can the Senate be a continuing body if it has no rules?

**Mr. RUSSELL.** The questions answer themselves. It would be a declaration that the Senate is not a continuing body. If such power could be used in this instance, it could be used with respect to a piece of proposed legislation. It would be as much justified under the rules of the Senate to bring to a close debate on a bill as it would be debate on the rules.

The Senate is a continuing body. All of the skillfully drawn resolutions to vote without debate cannot change that fact. The Senate has been a continuing body since the first Senate met in 1790. I pray to God that it may be a continuing body centuries from now and that those who will follow us here will have the same freedom of speech in the Senate that we have enjoyed; that the descendants of our constituents will be afforded the same measure of protection that has been voted our constituents in our day; and that we will not whittle away the powers and prerogatives of the Senate of the United States. The Senate is the keystone in the arch of our Government. If we strike it down and pull it out, the whole structure will be sure to fall.

**Mr. SALTONSTALL.** What the Senator from Georgia is saying, in substance, is that the Senate is a continuing body and must have rules.

**Mr. RUSSELL.** Of course it must; and there are several instances which show, not only by rules, but by acts of Congress, signed by the President, that the Senate is a continuing body.

The Reorganization Act provides that committees shall be carried over with all their powers and with the same personnel into the next Congress. Treaties remaining before the Senate at the expiration of one Congress are carried over into the next Congress. Those measures which are not carried over to a succeeding Congress are those which die by virtue of our own rules.

**Mr. SALTONSTALL.** Already in this Congress at least two committees of the Senate have been holding hearings and taking action.

**Mr. RUSSELL.** At least two that I know of. I see nothing wrong in that, because of the provision of the rule.

**Mr. SALTONSTALL.** The Committee on Foreign Relations has reported some nominations.

**Mr. RUSSELL.** I refer to rule XXV. No one will challenge that this law was passed before it was signed by the President. It reads, in part:

> Each standing committee shall continue and have the power to act until their successors are appointed.

Every committee of the Senate. That is on page 37 of the manual; and it was an act of Congress, approved by the President of the United States—the Reorganization Act. So there is no question about the Senate's being a continuing body.

**Mr. ERVIN.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I yield.

**Mr. ERVIN.** I should like to ask whether the Senator from Georgia agrees with me in the conviction that the constitutional powers are identically the same throughout a session, and that there is no difference in the constitutional powers at the beginning of a session or later in the session.

**Mr. RUSSELL.** Yes; there could not possibly be. The constitutional powers are the same at the beginning of a session as they are when the Senate adjourns sine die with the concurrence of the House of Representatives.

**Mr. FULBRIGHT.** Mr. President, will the Senator from Georgia yield?

**Mr. RUSSELL.** I yield.

**Mr. FULBRIGHT.** In regard to that matter, let me say that at this session our Committee on Foreign Relations has met, and has reported to the Senate certain nominations. No Senator raised a question that we had no authority to meet at that time and to take action on the nominations—as we have always done.

A moment ago the Senator from New York complained about the delay in taking action here. I wish to make clear that it is not my fault that there is this delay. I should like to have the delay terminated—by the obvious method of having the motion withdrawn.

I wish to make clear that the responsibility for the delay does not rest on me. Instead, it rests on the proponents of the motion. I think this point is not always appreciated or understood by the public or by the press. In other words, the delay does not originate with those of us who object to this procedure.

**Mr. RUSSELL.** Of course it does not. The other day I stated that those of us who are opposing this unusual procedure are not responsible for it and do not bear the responsibility for the position in which the Senate finds itself. Instead, that is the fault of those who have made this motion. They claim the right to say, "I move that, under the Constitution, without further debate the Chair submit the pending question to a vote"—something absolutely unknown under any procedure in the Senate; and I defy any Senator to show that any such procedure has ever occurred in the 180 years of the Senate's existence.

Mr. FULBRIGHT. The other day the majority leader said he would object to any request to have any committee meet until this matter is disposed of. I do not know when it will be possible to dispose of it; that must be determined by the proponents of the motion. But very important matters are scheduled for hearing before my committee, and some hearings have been scheduled for next week. So a continuation of this procedure will delay some very important legislation.

Later, there will be the foreign-aid bill, which is very controversial. We have already had some hearings; but we shall begin the open hearings next week, with representatives of the administration appearing.

So this situation is very serious, and those who are responsible for it should consider very seriously whether they wish to prolong a procedure of this kind.

Mr. RUSSELL. Mr. President, I appreciate the questions asked by the Senator from Arkansas; and I express the fervent hope that he will not abandon his fight to obtain consent to have committee hearings held, because in my opinion no question of more vital importance to the future of the country and of the world will come before the Senate at this session. I realize the importance of the measures the Senator from Arkansas handles; and I have seen him guide the administration's proposals through at times when I was voting against them and was endeavoring to have them defeated. I realize how dedicated he is in his work. But I assure him that there is no higher responsibility on his part or on the part of any other Senator than to stay here to defend the rights of his State and the rights of Senators.

Mr. FULBRIGHT. I do not think the Senator from Georgia is warranted in reaching any such conclusion——

Mr. RUSSELL. I only stated that I hope and pray——

Mr. FULBRIGHT. The Senator from Georgia does not need to do that.

Mr. RUSSELL. The Senator from Arkansas has been a valiant defender of the rights of Senators and of the constitutional rights of the States; and he has been consistent in defending them ever since he came here.

Mr. FULBRIGHT. Yes.

I wish to make clear that I did not start this procedure, and I did not bring this motion to the floor. Furthermore, there is a very obvious way to take it from the floor.

I wish to say that there is no attempt on our part to have the Senate proceed except under the rules. I also wish to state that I am not responsible for the existing situation.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. A few minutes ago the Senator answered in the affirmative my two questions about the continuity of the Senate and the continuity of its rules.

Now I should like to put a question in the negative: If the motion of the Senator from New Mexico [Mr. ANDERSON] to have the Senate take up the resolution proposing an amendment of the rule is adopted, and if it is taken up, and if that amendment of the rule is adopted, then will it not be clear that the Senate is not a continuing body—because it could not be a continuing body without rules?

Mr. RUSSELL. Yes, this entire procedure—whatever its proponents may say—is predicated on the theory that the Senate is not a continuing body and has no rules to continue.

Mr. SALTONSTALL. Then, following what the Senator from Arkansas has said, if the Senate is not a continuing body, the action taken by the Foreign Relations Committee in reporting the nominations to the Senate was definitely not in order, was it?

Mr. RUSSELL. Yes; if the Senate were not a continuing body. However, for a period of 180 years it was consistently held that the Senate is a continuing body; and that was never challenged until a short time ago, when someone thought up this attempted shortcut of endeavoring to prove that the Senate is not a continuing body.

Mr. SPARKMAN and Mr. STENNIS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I yield first to the Senator from Alabama.

The VICE PRESIDENT. Does the Senator from Georgia yield for a question?

Mr. RUSSELL. Yes.

Mr. SPARKMAN. Mr. President, I wish to ask the Senator from Georgia a question. Under the proposal that no committees shall meet during this period of time—although I do not know whether that is based on the theory that the Senate is a continuing body—I should like to ask about the Joint Economic Committee, the chairman of which is the Senator from Illinois [Mr. DOUGLAS]. That committee is charged by law with consideration of the President's economic report and with reporting to Congress by a certain date—a deadline. Every year, the committee has trouble in meeting that deadline. The committee began hearings today, and has been very busy today with its work on that report.

If the Senate is not a continuing body, is the committee meeting illegally? If so, where does the committee stand as regards the charge which is given to it, by law, to hold these hearings and to report by a certain deadline date?

Mr. RUSSELL. Mr. President, the Senator's question answers itself. The Senate is a continuing body, and always has been considered to be a continuing body; and that was never even challenged or questioned until some 10 years ago.

Mr. STENNIS. Mr. President, will the Senator from Georgia yield for a question?

Mr. RUSSELL. I yield for a question.

Mr. STENNIS. A moment ago the Senator from Georgia very properly said the Constitution is the same today, tomorrow, and every day. With that as a beginning, let me ask this question: If a Senator can make a motion to change one of the rules, and if that is a proper motion today, and if it is then proper for a Senator to move that debate on that question be closed, would not it be equally proper on the 30th of June or on any other day when such a motion might be made? Would not its constitutionality be the same, regardless of the day on which such a motion was made, following the making of a motion that the rule be changed?

Mr. RUSSELL. Oh, yes—a motion to bring the proposal to a vote.

Mr. STENNIS. Or a motion to cut off debate on a pending measure.

Mr. RUSSELL. Yes; in that respect there is no difference between a resolution and a bill. If this motion in regard to a resolution is good, a similar motion is good if it is made in an attempt to force the taking of a vote on a bill.

Mr. STENNIS. And if that is a constitutional right, it applies every day the Senate is in session, does it not? Is not that the Senator's interpretation?

Mr. RUSSELL. Of course it is. It could not be applied to one piece of business before the Senate, without being applicable to all.

Mr. STENNIS. I thank the Senator from Georgia.

The VICE PRESIDENT. The Chair recognizes the Senator from Michigan.

Mr. HART. Mr. President, I will be brief. I rise only because of the suggestion that the pressure of business which is building up behind us is the responsibility of those of us who propose a change in the rules. Speaking only for myself, I am perfectly willing to assume full responsibility for such delay, because I think in the order of priorities in the Senate, the thing we seek to accomplish overrides any other business before us.

Our proposal does not constitute a revolutionary change in our system of government. We stand here at the opening of the Senate and say, "Let us apply a basic principle of government. Let us get on to the business of permitting a majority of the Senate to decide the rules. I doubt very much if anyone could suggest to me a more compelling piece of business.

Mr. HOLLAND. Mr. President, I wish to address myself briefly to two of the statements that have been made by my good friend the learned Senator from New Mexico [Mr. ANDERSON], which I think are misconceptions of the argument in the pending debate.

The first of those statements was that since two Senators—the distinguished Senator from California [Mr. KUCHEL] and the distinguished Senator from New York [Mr. JAVITS]—had been reelected by huge majorities in their respective States, and since their position had been against the adoption of the present rule, therefore it ought to be clear that the Nation favors the change of the present rule as suggested here.

The unsoundness of that argument is readily apparent.

I wish to remind Senators that some of the large number of Senators who supported the present rule and who now stand against its emasculation and its weakening were elected by greater majorities than even our two distinguished friends from New York and California happened to receive.

Looking around the Senate Chamber I have jotted down the names of five such Senators. One is the distinguished Senator from New Hampshire [Mr. COTTON], who, in the same general area of the Nation as the Senator from New York [Mr. JAVITS], and belonging to the same party, received, I understand, a larger percentage of the total vote cast in his State than was received by the Senator from New York [Mr. JAVITS].

While this has little to do with the matter before us, the fact is that the Senator from New Hampshire took exactly the opposite position on the question from the Senator from New York. If one were to argue from such slender facts as that, one could come to almost any conclusion he wished to reach.

I repeat that the Senator from New Hampshire [Mr. COTTON], from the same general area and the same political party as the Senator from New York [Mr. JAVITS], received in the election of last November a greater percentage of the votes of his State than was received by the Senator from New York, notwithstanding the fact that his position on the pending question was exactly opposite to that of the Senator from New York.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield.

Mr. RUSSELL. Does the Senator believe that the opinion of the Senator from New Hampshire [Mr. COTTON], who comes from a small State, should be given as much weight as the opinion of a Senator from the State of New York, a great State with teeming millions of people?

Mr. HOLLAND. I thank my distinguished friend——

Mr. RUSSELL. Perhaps it is not a State which our distinguished opponents think worthy of recognition.

Mr. HOLLAND. That is one of the foundation facts in the entire debate.

I am glad that my distinguished friend from Georgia called attention to that fact. The same observation might be made in somewhat the same measure in relation to my other illustrations and observations. Having only looked around the Senate Chamber at the time of the reference, I noted that in two States adjoining California—namely, Nevada and Arizona—our distinguished friends, the senior Senator from Nevada [Mr. BIBLE] and our distinguished friend the senior Senator from Arizona [Mr. HAYDEN], both of whom took diametrically opposite positions to that taken by the distinguished Senator from California [Mr. KUCHEL], were reelected by huge majorities. I am not able to say how their majorities compare, but I think the record will show that they fared as well as or better in their States than did our distinguished friend from California [Mr. KUCHEL].

Mr. President, I note the presence in the Chamber of two of my friends from a part of the country which is more or less a minority part. The Senator from South Carolina [Mr. JOHNSTON], who won by a 2-to-1 vote, and the Senator from Georgia [Mr. TALMADGE], who won by 87 percent of the total in his primary, certainly oppose strenuously the position taken by the Senator from New York and the Senator from California.

My friend from Georgia has already pointed out that those two Senators are from comparatively small States, as compared with the States of New York and California. That is true, but I wish to point out they also are from very sound States, more conservative States and States in which the people have shown by their votes that they approve the conduct of their Senators, whom they have sent back to the Senate by heavy majorities.

As to what part the decisions of Senators on this particular question played in the approval they received from the voters, I do not know. And I do not know what the conclusion would be with reference to the Senators from New York and California. But such an approach, and such an appeal for the elimination of a standing rule of the Senate in the manner proposed, without reference to committee, without any opportunity for the public to be heard, but merely because two great States had reelected Senators who were not in favor of the present rule, is, in my judgment, not much of an argument. At any rate, it is completely unsound.

Mr. President, the second of the statements my distinguished friend, the Senator from New Mexico, made which I thought would not bear up under scrutiny was his statement that he did not want the Senate to spend the first weeks of every session discussing the subject of amending the rules. My good friend from New Mexico could not have stated my own position any more clearly. I do not want each Congress as it meets to find the Senate debating proposed changes in its rules to the exclusion of other business, but that is exactly what we are likely to do if the ill-advised predicate and premise laid down is approved.

I invite the attention of Senators to the fact that it is not merely rule XXII which from time time may be displeasing to some Senators. Presidents change, majority parties change, and it is a recognized fact that the parties have certain programs that they wish to put into effect. By attempting to make certain changes in the Senate's rules or in the committees at the very beginning of the session, they hope to accomplish the objectives which they have in mind. In order to make their desired changes, they can be counted on to bring up in the Senate such proposals at the beginning of the first session of each Congress as recent history shows.

I do not believe there is any surer way to make certain that we will have numerous instances in which the plaguing question of amending the Senate rules will come up in the first days of the Senate to annoy us, to discredit us, and to prevent us from dealing with important public business than to approve the proposed approach, namely, that by majority rule at the first session of every Congress, the Senate has the right to consider proposed changes in any or all of its rules which, at that particular time, any sizable or highly vocal group thinks should be amended.

There is no surer way of accomplishing the very thing which the Senator from New Mexico has said he does not want to accomplish than to lay down such a predicate as we are requested to lay down and to establish a precedent whereby a majority of the Senate can change the rules, any rule or all the rules, at will, at its own discretion—or without discretion—at the beginning of every session.

Mr. President, I have another comment. This comment is with reference to the Senate's being a continuing body.

I appreciate the fact that my distinguished friend from Massachusetts [Mr. SALTONSTALL], by his colloquy with the distinguished Senator from Georgia [Mr. RUSSELL], made it very clear that the Senate is a continuing body and that, being a continuing body, it must have continuing rules, and that if the Senate did not have continuing rules, the very substance of its continuation as a body would be seriously affected, if not destroyed.

In closing I wish to call attention to the fact that in rule XXV, section 2, it is provided that—

> Each standing committee shall continue and have the power to act until their successors are appointed.

We find, by the note at the bottom of the page, that that is not merely a rule made by the Senate; that is also a part of the Reorganization Act, Public Law 601, 79th Congress, 1946, in section 102(3).

Mr. President, the fact is that not only the Senate but also the Congress—in an act approved by the President in office at the time—has laid down the rule that the Senate is a continuing body, and has laid that down in rule XXV, the section which I have read. The Senate has also laid it down by its own act, in rule XXXII, section 2, which makes it very clear that the Senate is a continuing body. I read a portion of rule XXXII:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That was done in 1959. The earlier action was in 1946. Both times the Senate gave its most serious consideration to the matter. Both times the Senate was soberly stating what it thought was its conviction on the matter.

Mr. President, to adopt such a precedent as this proposed would destroy much of value that has come from all the years of history of the Senate, and, as expressed in the two particular incidents referred to and in others, would make us subject to the bringing before the Senate at the beginning of each Congress a veritable host of measures to change, or modify, or cancel long-established rules which have stood the test of time, because we would have established a precedent that a majority, indeed, a transient majority, because all majorities are transient in the long run, has the authority to do that very thing.

I close with that thought. Not only would we establish the precedent that we can change rule XXII, but also, if the argument pertaining to the change in that rule is correct, that we could change any rule at the beginning of any Congress by a majority vote. That, indeed, would be a tempting plum to any new majority in the Senate.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. ERVIN. I should like to ask the Senator from Florida if he does not agree with the Senator from North Carolina that if the Senate sustained the motion, and thereby established the precedent for the Senate, the Senate would thereby destroy the capacity of the Senate any longer to function as a deliberative legislative body.

Mr. HOLLAND. Mr. President, we would certainly strike a blow in that direction, because we would invite the Senate at the first of every session of Congress to attempt to make any change thought desirable not only in this rule but also in any other rule, and we would also lay ourselves subject to considerable doubt as to whether that same procedure could be followed by the Senate at a later time during the session.

I recall that up to now that the Vice Presidents have ruled on this matter, as I understand it, that if the Senate goes beyond the first few days or weeks, of its first session—it is not made clear exactly how much time must go by—the Senate will be held by implication to have adopted or continued its rules.

I do not know whether that interpretation will continue to be in effect. Whether or not, it would still be subject to attack. It would be subject to having the Vice President make exactly the same ruling that he has made today. A question could be raised, "Mr. President, on constitutional grounds I—" that is, the Senator offering it might say—"feel that the Senate has the right, now, at this time in the session"—whether it was the first day or the last day—"to change its rules, notwithstanding the existence of committees and notwithstanding the fact that no committee has taken jurisdiction, so I move that under the Constitution the Senate does have that authority to adopt a rule now."

I say to my learned friend that, as I understand the ruling of the present Vice President and of former Vice Presidents, the constitutional question then raised would be referred to the Senate. Again we would come back to the question of what a majority of one of the Senate would then feel it had the right to do to carry out the objective which that particular majority had in mind at that particular time.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. ERVIN. I should like to ask my friend from Florida if he does not agree with the Senator from North Carolina that the constitutional powers of the Senate are not like the moon, they do not wax and wane; in other words, whatever power the Senate has under the Constitution at the first of a session exists throughout the remainder of the session, and the Senate is not a strong instrument at the first of the session and a puny instrument throughout the remainder of the session?

Mr. HOLLAND. I certainly agree. I am inclined to apply as a figure of speech applicable to this matter the answer made by Chief Justice Marshall at one time when Mr. Justice Story was remonstrating that the Court could not proceed to send for the wine right then, because the sun was not shining at that time, and the Chief Justice is said to have stated, "Why, Story, you know that can't be true. As large as this great country is, the sun is bound to be shining on it at every moment somewhere or other."

The Constitution is like that. It spreads its effulgence over this Nation at all times. Certainly there is no question at all that Senators could raise the point I mentioned a while ago as well late in the session as it has been raised at the first of the session, and it would then become a constitutional issue. The Vice President would have to submit it to the Senate. The question then would be put to the Senate for a vote by a majority, and a majority as slender as one would decide, "Shall this constitutional point be sustained, or shall it be rejected?"

Mr. President, I do not think the Senate is going to set any such precedent as this, which would sow the seeds for discord, dissatisfaction, and confusion probably every time that a new Congress convened, and possibly at any time thereafter throughout the whole 2 years of each Congress after it convened. It is a monstrous and mischievous thing that is suggested; that we should set aside all the precedents of 179 or 180 years, set aside the things the Senate and the House together in their wisdom have done in conjunction with the Presidential signature approving it, and say that all these things shall be of no force from now on. It seems to me that we could do nothing better calculated to bring about the exact confusion which the Senator from New Mexico has said he wishes to avoid.

I am confident the Senate will not take any such impulsive, irresponsible action.

Mr. HUMPHREY. Mr. President, I am glad I waited as long as I did to reply, because I think we now have really heard what is the crux of the issue. It has been stated with the candor and the frankness and the clearness that we would expect from the distinguished Senator from Florida. He is indeed a candid, frank, honest man, and extremely able. I pay him all respect and commendation.

The Senator has stated, quite frankly, that the issue is, Shall a majority of the Senate be able to write the rules? and shall a majority of the Senate be able to write the rules at the beginning of the Senate session?

Prior to today, the distinguished and able Senator from Mississippi [Mr. STENNIS], for whom Senators have the highest regard, asked, "Is it not true that one can motion up bills, resolutions, and other proposed legislation at any time during the Senate year, if the Senate should act favorably upon the Anderson resolution?"

I ask my fellow Senators, What is really being discussed? What is the issue today? The issue is, Shall a majority govern, or a minority? It was once said by Theodore Roosevelt, "There are only two forms of government in the world—a government by the majority and a government by the minority." It can be a minority of one a la Hitler or Khrushchev, or it can be a minority of 49.9999 percent. Or it can be a majority of 99.99 percent, or a majority of 50.00001 percent.

I am not opposed to majority rule. The distinguished Vice President was elected over his Republican opponent by a small majority of the vote cast for the two major candidates. The Senator from South Dakota was elected to the Senate by a small majority. But they are here with full power and trust. I could mention others. Some Members of this body lost by one vote, but they lost.

In the State of Minnesota we are still trying to determine, out of a total vote of 1,300,000 votes cast in an election, who is the Governor. Today the vote is within 100 for either candidate. We are going to decide the governorship of that State by a majority of one or two.

What is so revolutionary in America about majority votes? What I think is really unusual is that certain persons are saying that the minority vote should count—not only count, but rule. I am for the rights of the minority. I have spent a good deal of my life defending minority rights, and will continue to do so, but I do not defend the right of a minority to stand unqualifiedly, for an indeterminate period of time, against the expressed will of a duly constituted majority under the law.

I ask my colleagues to think through the issue that has been presented to the Senate. The outcome of the question before the Senate is really not so important in terms of immediate, detailed language, as is the principle on the basis of which we carry on the struggle.

The rights of minorities in the Senate have been protected in the Constitution. It provides there shall be two Senators from each State. I agree with it, support it, and approve it. In fact, it was a mark of genius when it was first proposed and accepted. It was called the Federal principle, so that Nevada or Minnesota has a large a vote in the Senate, in terms of numbers, as has California, New York, Texas, or Illinois. The minority has been given constitutional protection, from sheer arithmetical proportions, and this is a protection which is indeed significant.

So the issue is before the Senate. The Senator from Florida said, "Mind you, a majority as slender as one in this body could determine the rules." I agree with the Senator. He is correct, according to the proposal that has been made. But I say to the Senator from Florida that a majority as slender as one can declare war. A difference as small as one vote almost lost the Draft Act in 1940. A majority as slender as one can tax the people. It can appropriate billions of dollars. Yet today there are Senators who would have the public, the American people, believe that when we amend a rule in the Senate so as to permit three-fifths of the Senators present and voting to bring debate to a close, a majority as slender as one would do injury to the Constitution. Poppycock. Nonsense. Of course, under our system, a majority of one can amend the rules of the Senate.

I say that important legislation in this body, in the field of foreign aid, in the field of labor legislation, has been passed by a majority as slender as one, or defeated by one vote.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. HOLLAND. Has any of such legislation been passed without reference to and report from a committee?

Mr. HUMPHREY. That is a precedent or procedure of Congress that may or may not be used. There are rules, for which the Senator himself voted, that permit a resolution to be brought up in this body and placed on the calendar, as Senate Resolution 9 was, without a violation of any rule. I will come to that point in a moment.

There is a rule—and it is a completely accepted parliamentary practice—that any Senator or any Member of the House of Representatives may rise at any time and offer a motion to take up a bill, to take it from the calendar, or move its immediate adoption. He does not always succeed, but no one can deny him the right to do it.

Let us get back to where we were. What is this struggle about? I appeal to the intellectual fairness of my colleagues. We are merely arguing whether or not the Senate can take up for consideration Senate Resolution 9, which is on the Calendar of the Senate. According to what I see on the calendar, it states, "January 15. Ordered placed on calendar." By whom? By the Senate. By the order of the Vice President of the United States, the Presiding Officer of the Senate, and of the Senate. And we are not to be given the opportunity to bring it up.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. For a question.

Mr. HOLLAND. Is the Senator saying that other Senators are not entitled to debate the question?

Mr. HUMPHREY. I am not saying that at all. Senators are entitled to debate it, but, in equal candor, we are entitled to vote on it.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HUMPHREY. For a question.

Mr. HOLLAND. By the same candor the Senator is talking about, and by the rules, are we not entitled to talk about it as long as Senators wish to debate it?

Mr. HUMPHREY. So far as I am concerned, I am perfectly willing to have the debate continue for a long time.

But after due deliberation, I think it is our duty to proceed. I shall refer to the Constitution, Jefferson's "Manual," and other historical and respected documents, and shall not rely merely on my opinion.

The Constitution provides that a majority shall constitute a quorum for the purpose of doing business. I emphasize the last two words "doing business." Article I, section 5 is a rather interesting portion of our Constitution. It not only states that a majority shall constitute a quorum for the purpose of doing business, but it provides that each House may determine the rules of its proceedings. Then it provides that it may punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member. The only reference to a two-thirds vote in that provision is for the purpose of expelling a Member. The Senate can discipline and punish a Member. It can punish and humiliate him by a slender majority of one. Yet we are being told that by a slender majority of one, which is the fundamental premise of majority rule, we should not be able to change the rules of the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. HOLLAND. Is it not correct to say that the precedents of the Senate, going back almost to the beginning, have required a two-thirds vote to suspend any rule?

Mr. HUMPHREY. To suspend the rules of the Senate. There is a rule for the suspension of the rules of the Senate, and there is also a unanimous-consent rule. That is not in the Constitution. We can change that rule. We are not wedded to the past. There was a time when Senators were elected by legislatures. That was changed.

Mr. HOLLAND. It was changed by a constitutional change.

Mr. HUMPHREY. It was changed by the people.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. There was a time when there were property qualifications in certain States. That requirement was changed.

Mr. HOLLAND. Was that not changed by a constitutional change?

Mr. HUMPHREY. That change was made by the people.

Mr. HOLLAND. Does the Senator say that it was not made by a change in the Constitution?

Mr. HUMPHREY. It was made by the people, who amended the Constitution. Each House may determine the rules of its proceedings, as I have said.

I shall not engage in nit-picking, or an effort to see whether a little spot on the end of a needle is there or not. I shall discuss the principles of the important document called the Constitution.

Section 5, article I, of the Constitution, provides:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members, in such manner and under such penalties as each House may provide.
>
> Each House may determine the rules of its proceedings.

That is what we are trying to do. In reply we hear statements implying that what we suggest is revolutionary, and that by what we suggest we are trying to tear down the very foundations of the Republic. We have arrived at the point where we are asked the question, Shall a minority be permitted to obstruct the Senate to a point where it can paralyze legislative action?

Mr. HART. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. HART. Is there any doubt in the mind of the distinguished majority whip, the Senator from Minnesota, that it is infinitely better that this body remain in session and, if need be, further debate the issue in order ultimately to vote on the question of whether a majority can work its will, rather than being asked to withdraw our effort to permit a majority to work its will?

Mr. HUMPHREY. I am about to quote a worthy authority, a southern gentleman, born in Virginia, the author of the Declaration of Independence and the father of the Bill of Rights, Mr. Thomas Jefferson. I shall read from Jefferson's Manual. It will be quite interesting to read what Jefferson's Manual has to say about methods of disposing of this kind of question. One of them is not withdrawal.

Mr. HART. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Does the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. HART. Does not the Senator agree that this is the basic issue involved when any suggestion is made on the floor that the pressure of business requires those of us who seek to permit a majority to speak to withdraw our effort?

Mr. HUMPHREY. I have been in Washington long enough to enable me to speak with as much candor and frankness as almost anyone else in Washington.

I notice that some Democrats who go to the national conventions and stand behind the platform and support the national candidate, and stand by him, are looked down upon when they get to Washington, with people saying, "What is wrong with them? What kind of Democrats are they?"

In other words, those who do not support the platform, those who take an opposite view to that of the candidate, are looked upon as if they were pillars of the Democratic Party. Of course the Democratic Party has room for plenty of differences, but I should suppose that the majority that supports the platform and supports the candidate would be looked upon as being at least reasonably good Democrats.

Mr. HART. Mr. President, will the Senator yield further?

Mr. HUMPHREY. I will yield in just a moment.

We now come to the question of who is holding up the work of the Senate. What is the current work of the Senate? The work of the Senate is not what some Senator may want to say in the middle of the afternoon. I have before me the Senate Calendar. This is our work schedule. It is not what some Senator may think of saying on his way to the Chamber. I hold in my hand the calendar of business. It is dated Monday, January 28. This is the only business. What does it show? It shows Senate Resolution 9, one item, Order No. 1. This is the business of the Senate. The business of the Senate was the order placed on the calendar on January 15. This debate started on January 15. The business of the Senate is to act upon this proposal, either yea or nay, to accept or reject it, or to postpone it indefinitely, to lay it on the table, or to send it to committee; but the business of the Senate is to act on Senate Resolution 9.

I have heard Senators say on the floor, "Senators who submit this resolution are obstructing the business of the Senate."

Unless I have been misinformed, unless this Calendar of the Senate is a subversive document, which I find hardly likely, such a statement does not make sense. I send the calendar to the desk and ask the clerk to read what it shows.

The PRESIDING OFFICER. Without objection the clerk will read the calendar.

The Chief Clerk read as follows:

> Pending business: Motion to proceed to the consideration of Senate Resolution 9, a resolution to amend the cloture rule of the Senate. (January 15, 1963.)

Mr. HUMPHREY. I thank the Chair. I wanted to be sure that I was reading the calendar as accurately as the clerk has read it.

Mr. HART. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. HART. I wish to make a parliamentary inquiry. I know what the ruling should be, but I do so to heighten the point. Will the Chair advise the Senate whether Senate Resolution 9 and Senate Resolution 10 reflect the position of the Democratic Party officially adopted as a part of its platform at the convention in Los Angeles?

The PRESIDING OFFICER. That is not a parliamentary inquiry.

Mr. HUMPHREY. I will help the Senator.

Mr. HART. The Senator's recollection confirms my own, that that is precisely what we pledged.

Mr. HUMPHREY. The Senator is correct. I recognize that each Senator makes his own decision as to whether or not he is going to support the platform. However, let it be clearly understood that the platform adopted at the convention in Los Angeles was adopted unanimously without objection.

Mr. ERVIN. Oh, no.

Mr. HOLLAND. Oh, no.

Mr. HUMPHREY. I will withdraw that last statement. As I recall now, there may have been some objection. Senators can address the Senate on that point in their own time.

Mr. HART. I can speak for the Senator from North Carolina because he and I shared the platform in connection with the consideration of that section. However, it was overwhelmingly adopted.

Mr. HUMPHREY. In my State if one is unanimously or overwhelmingly elected, it means that one is elected; and when something is overwhelmingly adopted, it is adopted. I apologize to Senators for saying that it was unanimously adopted. It was not unanimously adopted; it was overwhelmingly adopted. This was the overwhelming majority view at the convention. That is the platform on which we went to the country during the campaign. Today we are only trying to carry out the majority view of our party, and, I might add, the view of the Republican Party as well. That is what we said we would do as a majority, if we were elected to the Senate. Now we are told that we are obstructing the business of the Senate.

The other day, when I called up certain nominations, I was told by the distinguished minority leader that this could not be done because the committees were not functioning.

This goes back to Senate rule XXV. I have heard it said repeatedly in this body the Senate rule XXV provides that committees shall continue from one Congress to the next. I suggest that Senators read all of the Senate rule XXV, as I did the other day. However, Senate rule XXIV relates to the appointment of committees. Senate rule XXV relates to standing committees. It was adopted June 10, 1946, as part of the Legislative Reorganization Act, to be effective January 2, 1947. The rule begins:

> The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise.

It is a fact that certain committees carry over by special rule in statutory law; but it is equally the fact that each committee must be established at the commencement of each Congress. Very shortly we hope to offer a motion to the Senate which will have the effect of law, a motion to establish the standing committees and their members.

I observe in the Chamber the distinguished junior Senator from South Dakota [Mr. McGOVERN]. It has been said that he has privileges and rights equal to those of every other Senator. But he is not a member of any committee. He has not been appointed to any committee, standing or running, permanent or indefinite. But he is a Senator; and the reason why he has not been appointed to any committee is that the Senate has had before it other business, and we have had before us, under our constitutional right, the opportunity to amend the rules at the beginning of each Congress, and we have not yet acted upon the establishment of the standing committees.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield for a question.

Mr. HOLLAND. I heard the Senator say that certain committees continued. Is it not true that the language of the Reorganization Act and the rule is as follows?

> Each standing committee shall continue and have the power to act until their successors are appointed.

Mr. HUMPHREY. That is correct. That is what I said.

Mr. HOLLAND. I thank the Senator.

Mr. HUMPHREY. I further said that this was a special provision to take care of situations in which the Senate gets into a long ordeal, such as we are enduring now, to permit such committees to continue in existence. But before those committees can be constituted as the official standing committees of this body, rule XXV, which is nothing more or less than a portion of the Reorganization Act of 1946, must be followed. Section 1 of rule XXV provides:

> The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise.

No Senator, whatever may be the purposes of his argument, can argue with those words. The word "shall" is inclusive, exclusive, and mandatory.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. HOLLAND. Does the Senator mean by his statement that recommendations for the confirmation of the nominations of certain very important officials in our foreign affairs, which have already been reported by the Committee on Foreign Relations, of which the distinguished Senator from Minnesota is a member, do not represent the action of that standing committee?

Mr. HUMPHREY. I do not contend that. I simply contend that that standing committee has not its full membership. It has not been constituted at the commencement of this Congress as set forth by the Legislative Reorganization Act. I will take the words of the minority leader, who said that those recommendations could not be acted upon because the committee had not been constituted.

Mr. HOLLAND. Mr. President, will the Senator yield for a further question?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. Then, is the Senator admitting that the confirmations of nominations recommended by the present standing Committee on Foreign Relations have been recommended by the standing Committee on Foreign Relations?

Mr. HUMPHREY. Of course; the Senator from Minnesota understands that.

Mr. HOLLAND. That is true, notwithstanding the fact that certain additional appointments to the committee have not yet been made?

Mr. HUMPHREY. That is correct. The Senator from Minnesota, since he is a law-abiding man, and took an oath to uphold the Constitution and laws of the United States, one of those laws being the Legislative Reorganization Act of 1946, also recognizes that at the commencement of each Congress standing committees shall be appointed, but they have not been appointed. Therefore, because those who were the framers of that law had good judgment, they provided for continuity until such time, as the law requires, as such committees shall be appointed.

Now I wish to mention a few more points that we have heard in the argument. We hear this kind of phrase. By the way, I wish to compliment the opponents of Senate Resolution 9. As a matter of fact, I really believe that this body has untold talent for propaganda. I am of the opinion that the United States Information Agency has been missing a bet. When I think of how poor, at times, we do in our overseas propaganda, and then realize what great talent is in the Senate, I wonder why there is not a closer relationship between the executive and the legislative branches.

Imagine such phrases as this. "Senate Resolution 9 is a bizarre proposition." What is bizarre about it? Senate Resolution 9 merely provides that we may want to try to amend the rules of the Senate. But "bizarre proposition" makes a much more rhythmic, euphonious kind of impression upon the listener than simply to say "Senate Resolution 9 proposes to substitute three-fifths for two-thirds of Senators present and voting to apply cloture." What is bizarre about that? One may disagree with the proposition, but if that is bizarre, then the chalk, which is bland, must taste like chocolate fudge. There is nothing bizarre about it at all. It is a normal, orthodox, regular proposition.

What else do we hear?

Mr. ERVIN. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield for a question.

Mr. ERVIN. Am I correct in assuming that the Senator is discussing or speaking in the interest of the motion made by the able and distinguished Senator from New Mexico?

Mr. HUMPHREY. I am, indeed.

Mr. ERVIN. If the Senator will permit me to do so, I should like to read from the motion as a basis for my question. The motion reads:

> I move, under the Constitution, that without further debate the Chair submit the pending question for vote.

Does not the Senator believe that that is a rather peculiar kind of motion, since it has never been made from the time the morning star sang its glory until a few moments ago?

Mr. HUMPHREY. No. I do not think it is peculiar at all. The same old arguments that have been used against the new Anderson motion were used against the old one. It is like a broken record. It has just about as much application to the substance of the argument, and much the same force, as the "bizarre" business we have heard about. "Bizarre proposition" is a phrase which is found practically every day in the CONGRESSIONAL RECORD.

It is like the gagging of the Senate. Gagging? The Senate has been debating for 15 days. What gag is that? It makes Niagara Falls look like a water faucet.

Today, the motion of the Senator from New Mexico is "bizarre." When he previously offered a similar motion, it, too, was "bizarre." Before he started, it was "bizarre."

Mr. President, the Anderson motion is nothing more or less than an effort to get a vote. I have written down what has taken place. First, the late beloved Vice President of the United States, Alben Barkley, made it clear that there was an inherent right in the Senate to organize. Alben Barkley was as careful a student of the rules, precedents, and traditions of this body as any Senator who ever served here.

Furthermore, the Constitution itself provides that a majority shall constitute a quorum to do business. The Constitution provides that each House may make rules to govern its proceedings.

The Constitution is predicated on majority rule, under article I, section 5, for every purpose except those exclusively noted to the contrary. Some of the rest of us in this body, besides those who are opposed to the Anderson resolution, have a little knowledge of the Constitution. I submit to Senators that the basic assumption of article I of the Constitution, the legislative article, is that a majority shall constitute a quorum for the doing of business, and all business, listed therein, except in instances where another figure is provided, such as two-thirds or three-fifths, or whatever figure may be listed in the Constitution.

So there is nothing very unusual about what has been presented by the Senator from New Mexico. The 1959 precedent, where, without ever going to committee, without ever going to committee at all, a resolution was brought up in the Senate and passed; and, as I recall, several Senators who are now opposing it did not find it too distasteful. I do not say they voted for it, but they did not filibuster it. They did not talk 2 weeks. There was nothing bizarre about that. What happened? The provision for two-thirds of the total membership was changed to two-thirds of the Senators present and voting. We consummated a change in the rules of the Senate; but that proposal was not referred to the committee. It was done in exactly the way we are proceeding now. In other words, it was received, and was placed on the calendar, without being referred to a committee. Subsequently it was called up, on a motion to consider. The motion to consider was agreed to; and it was debated, and was adopted.

That is all we are requesting now; we are requesting the opportunity to vote, the opportunity to decide.

It is most interesting to find that in 1963, when some of us say, "Let us vote," we are almost regarded as if, somehow or other, we want to ride roughshod over all other Senators—after 2 weeks of debate on "the great, fundamental question, of historical significance, of agreeing to a motion to take up Senate Resolution No. 9."

Mr. President, a motion to take up or to proceed to consider is perhaps of very little more significance than a decision to go to a bank and ask for a book of blank checks. When we come to act on the rule itself, that will be of some significance. But at this point the question is a procedural one; and to oppose it is to engage in dilatory tactics.

I know why some Senators oppose the attempt to have this motion voted on. They oppose this attempt because they do not have sufficient votes in support of their position.

I say to them, "Tell us a day certain when you will be willing to have the vote taken—1 week from now, 2 weeks from now, a month from now. Let the Senate have some idea of when it will be able to vote."

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. I listened with some interest when I heard the Senator from Minnesota say that unless the Constitution provides otherwise, majority rule shall prevail in the Senate.

I wonder how the Senate got its longstanding requirement that one of the rules can be suspended only by a two-thirds vote.

Mr. HUMPHREY. The Senate arrived at that requirement by means of a majority vote. A majority of the Senate can agree that a nine-tenths vote shall be required in order to take certain action. I hope no Senator really believes that this body cannot legislate by majority vote.

I recall that the Senator from Georgia [Mr. RUSSELL], who certainly is one of the most astute parliamentarians ever to serve in either this body or any other body, said that a majority of the Senate can take action, and that no one holds to the contrary. Yet the trick involved in this situation is that under the old rules a small minority can debate indefinitely a motion to have the Senate proceed to consider a proposed change in the rule or a new rule; and that is accompanied by the claim by some Senators that if the Senate proceeds with its business at the beginning of a session, the old rules will apply, and will apply for the entire session, unless some Senator makes a motion to the contrary at the beginning of the session.

In short, the rules become a mockery, because we find that a minority of 34 Senators can stop the functioning of the normal process. Furthermore, if 34 Senators can prevent the taking of action, why cannot 1 Senator prevent it?

Mr. President, this body needs some rule which will enable it to come to grips with the issue, so that the Senate can govern its own conduct.

Mr. CLARK. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I shall be glad to yield in a moment.

Mr. President, I realize the situation we face. I attempt to be a realist; and I realize the difficulty involved in these struggles. I realize that it may not be possible to succeed in the present attempt. But, in line with the statement made by the Senator from Georgia, I wish to say that I believe so much in majority rule that I will not yield to any kind of expediency. The Senator from Georgia said he believes so sincerely in what he has stated that he will not be diverted from it by any means or in any way. He is a sincere fighter for what he believes in, and he is able and intelligent. But, Mr. President, if I know anything about what this country stands for, I say it stands for representative government, and for the right of the majority to express its will, and also for the rights of the minority. How is that protection provided? That is done through due process of law in the courts; and through the provision that each State shall be represented in the Senate by two Senators, regardless of the size or the population of the State; and, more importantly, it is done through commonsense and decency and fairplay.

I appreciate the situation which the Vice President faced today; and I respect the words of my leader, the Senator from Montana [Mr. MANSFIELD]—and I am not here to press that point—that the Vice President should decide for us, each and every decision. However, it was not all black or all white, as might have appeared in the earlier debate.

I have Jefferson's Manual before me. One good thing about these debates is that they compel us to read the great documents which constitute the basis of the procedure in our Congress and in our Government. No doubt Thomas Jefferson loved his country as much as any man who ever lived. Surely Thomas Jefferson had a great deal to do with the formation of our Government. If ever there was a man who believed in liberty, it was Thomas Jefferson. If ever there was a man who believed in religious freedom, it was Thomas Jefferson. If ever there was a man who believed in political freedom and every other kind of freedom, it was Thomas Jefferson.

Thomas Jefferson wrote as follows in the preface to his manual, Jefferson's Manual of Parliamentary Practice:

> JEFFERSON'S MANUAL[1] OF PARLIAMENTARY PRACTICE, WITH REFERENCES TO ANALOGOUS SENATE RULES
>
> PREFACE
>
> The Constitution of the United States, establishing a legislature for the Union under certain forms, authorizes each branch of it "to determine the rules of its own proceedings." The Senate has accordingly formed some rules of its own government; but these going only to few cases, it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none. This places under the discretion of the President a very extensive field of decision, and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. The President must feel, weightily and seriously, this confidence in his discretion, and the necessity of recurring, for its government, to some known system of rules, that he may neither leave himself free to indulge caprice or passion nor open to the imputation of them. But to what system of rules is he to recur, as supplementary to those of the Senate? To this there can be but one answer. To the system of regulations adopted for the government of some one of the parliamentary bodies within these States, or of that which has served as a prototype to most of them. This last is the model which we have all studied, while we are little acquainted with the modifications of it in our several States. It is deposited, too, in publications possessed by many and open to all. Its rules are probably as wisely constructed for governing the debates of a deliberative body, and obtaining its true sense, as any which can become known to us; and the acquiescence of the Senate, hitherto, under the references to them, has given them the sanction of its approbation.
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> Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the parliamentary with the Senatorial rules, both where they agree and where they vary. I have done this as well to have them at hand for my own government as to deposit with the Senate the standard by which I judge and am willing to be judged. I could not doubt the necessity of quoting the sources of my information, among which Mr. Hatsel's most valuable book is preeminent; but as he has only treated some general heads, I have been obliged to recur to other authorities in support of a number of common rules of practice to which his plan did not descend. Sometimes each authority cited supports the whole passage. Sometimes it rests on all taken together. Sometimes the authority goes only to a part of the text, the residue being inferred from known rules and principles. For some of the most familiar forms no written authority is or can be quoted; no writer having supposed it necessary to repeat what all were presumed to know. The statement of these must rest on their notoriety.
>
> I am aware that authorities can often be produced in opposition to the rules which I lay down as parliamentary. An attention to dates will generally remove their weight. The proceedings of Parliament in ancient times, and for a long while, were crude, multiform, and embarrassing. They have been, however, constantly advancing toward uniformity and accuracy, and have now attained a degree of aptitude to their object beyond which little is to be desired or expected.
>
> Yet I am far from the presumption of believing that I may not have mistaken the parliamentary practice in some cases, and especially in those minor forms, which, being practiced daily, are supposed known to everybody, and therefore have not been committed to writing. Our resources in this quarter of the globe for obtaining information on that part of the subject are not perfect. But I have begun a sketch, which those who come after me will successively correct and fill up till a code of rules shall be formed for the use of the Senate, the effects of which may be accuracy in business, economy of time, order, uniformity, and impartiality.

Mr. President, since those words were written, many new rules have been adopted and many new precedents have been established. So that there may be no misunderstanding, such decisions must be made by those of us who are elected to serve in this body.

The VICE PRESIDENT. The Chair appreciates the Senator's comment. He has followed the Senator's statement very carefully and his quotation from Jefferson's Manual. The present occupant of the chair does not disagree with that statement, nor does he disagree with the statements made by Vice President Barkley and other former Vice Presidents. Constitutional questions must be submitted to the Senate for decision.

Mr. HUMPHREY. I thank the President of the Senate.

The only reason the Senator from Minnesota read what he did is that as the debates proceed, one might think that somehow, according to the opponents of our position, we were indulging ourselves in some capricious or momentary observation without any basis in history or in fact.

There is as much history on the side of those of us who believe that the Senate has a right to adopt its rules at the opening of the session as there is on the side of those who feel to the contrary. There is only one way to settle the question. There is only one way to reach a parliamentary conclusion. No body could pass enough rules to save itself from being made to appear ridiculous. Anarchy in this body could not be prevented if any one Senator wish to be sufficiently stubborn and obstreperous as to stand on his feet and to mobilize some of his colleagues to resist normal orderly procedure.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I shall be glad to yield in a moment.

My appeal to Senators—and I gather the Senator from Georgia may have had this point in mind—is that some indication be given of how long it will require to debate the various points in relation to the parliamentary and constitutional questions. I wish to come to that point, because it is a very significant question. Then we will be able to give some guidance to Senators and to the people of our country as to what day and what time we are going to vote on the question. I trust that no one will say that we are going to use the mere physical power of body and voice to wear down the Senate so that Senators will not have the privilege of using their minds and judgment on these questions.

Debate, yes; the right to free speech, yes. But the right to free speech not only confers rights but also imposes responsibilities and obligations. The right to debate, yes. But the right to debate for what purpose? To come to a decision.

What did Thomas Jefferson have to say about that question? I ask my friend the Senator from Pennsylvania to bear with me for a moment, and then I shall yield to him for a question. I ask Senators to listen to what Mr. Jefferson had to say. Mr. Jefferson was a wise man and a patriot. Mr. Jefferson has been referred to repeatedly during the debates. Mr. Jefferson in his manual wrote how a parliamentary body should reach a decision on a question. On page 399 of Jefferson's Manual—the Senate Manual which each Senator has on his desk—Mr. Jefferson said:

> It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them.

Jefferson said that every parliamentary body must have a way to dispose of every proposal submitted to it. He then lists them:

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[1] Compiled by Thomas Jefferson during the time he served as Vice President of the United States and President of the Senate, 1797 to 1801.

> 1. The previous question.
> 2. To postpone indefinitely.
> 3. To adjourn a question to a definite day.
> 4. To lie on the table.
> 5. To commit.
> 6. To amend.
>
> The proper occasion for each of these questions should be understood.

Then in his great wisdom and great knowledge of parliamentary problems, Mr. Jefferson pointed out how each of those respective methods of disposing of a proposal might be used.

But Senators will note that Mr. Jefferson did not include among those questions: "To give up; to recall; to call back."

Mr. Jefferson was not that kind of an American.

Mr. Jefferson did not run away. He did not stop when he offered his Declaration of Independence with the great Richard Lee, of Virginia. He did not say, "It is going to cause a controversy, so let us recall it."

I point out to Senators that there were no filibusterers in the Constitutional Convention. The delegates to the Convention came to a vote on the most difficult questions of the day. They were questions of life, death, and freedom. But questions related to the Constitution of the United States were settled without a filibuster, and it did not take the delegates forever to finish the task, either. Observe the actions of George Washington, Benjamin Franklin, Alexander Hamilton, and James Madison. I ask Senators to read the notes of James Madison. The Senator from Minnesota has read and taught them. There was parliamentary procedure in the Constitutional Convention, and no one engaged in a filibuster. Parliamentary questions arose on such important questions as the representation of the large States and the small States, the power to tax, the duties and responsibilities of the President of the United States, and on such an important question as the power of the judiciary.

Those were fundamental questions. Those questions were resolved in the Constitutional Convention by a majority vote. And they were resolved without a filibuster. If such great questions of constitutional doctrine can be settled in such fashion, why cannot the U.S. Senate, a creature of the Constitutional Convention, do likewise?

I return to my source of inspiration. As a young man I was privileged to have a father who read to me from Thomas Jefferson's writings. In addition to my father, there were two other great men in my life. They were Thomas Jefferson and Woodrow Wilson. The writings of Woodrow Wilson are extremely important on parliamentary questions. His writings on congressional government are possibly the most important writings on congressional government in our history. No man believed more in the rights of a minority than did Thomas Jefferson. No man believed more in human liberty or in parliamentary institutions than did Thomas Jefferson. There is not one word in Jefferson's Manual to the effect that one can obstruct the processes of parliamentary government by dilatory tactics. To the contrary, the whole burden of Jefferson's Manual is to the effect that dilatory tactics should be prohibited and stopped.

If my interpretation of the manual is incorrect, I shall stand corrected before my fellow Senators. But I note that Thomas Jefferson said—and I again recall his words:

> It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them.

Jefferson was a good man. Jefferson was a wise man. Jefferson was a parliamentarian. Jefferson was one of the greatest of all Americans. I believe that his writings at least support majority rule with respect for the rights of the minority.

Mr. President, as Senators know, the Senator from New Mexico offered his motion today because some of us are concerned in regard to what we conceive to be an undue delay in procedures to bring the question to a vote.

I urge Senators to help us to bring it to a vote. It is important to me, of course, that the position I take on the question be settled as I see it. All of us like to win. But one of the things we have learned in this body is that if a Senator's motion, proposal, or idea does not win, the decision of the majority is accepted. That is the basis for the survival, not only of the Senate, but of our entire constitutional structure.

A Senator may return at a later date, to be sure. Why not? There are elections every 2 years. What is the purpose of elections? Is the purpose of an election merely to continue the status quo? I have heard Senators say, "Every time there is an election, Senators want to change things."

Perhaps I am a little out of step with the times. But I was of the impression that one of the reasons for elections was so that, if need be, we could change things. That includes even changing the rules of the Senate. Elections have changed the labor laws of our country. Elections have changed tax laws. Elections have changed the whole course of American foreign policy. Senators have had much to do with that. Why is it said that election should not have some application to the rules of the Senate? Cannot Senators trust one another? Is there some feeling that those who were in the Senate 50 years ago knew better how the Senate ought to conduct itself than those who are here now?

Of course we will look to the precedents. Of course we will be respectful of those who merit respect. I am respectful of Jefferson. I am willing to follow Jefferson's Manual now. I respect the words of the patriot because he earned respect, because his life merits respect. No Senator who is worthy of being in this body would ignore the history of his country or would ignore the Constitution, or Jefferson's Manual, or the rules of the Senate.

The present rules of the Senate did not come about by accident. They have been amended before, and they will be changed again. We are arguing now not about whether we should change the rules, but when. What we are really arguing about is whether a majority has the right to change the rules without being stymied by a cloture rule which permits a minority to block a change in the rules.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield for a question.

Mr. CLARK. I should like to have the help of the Senator from Minnesota in narrowing the issue. I should like to propound a question after stating the basis for it.

The Vice President ruled today that constitutional questions must be submitted to the Senate for decision without a preliminary ruling on his part, and with this I agree. Does the Senator from Minnesota agree?

Mr. HUMPHREY. Yes.

Mr. CLARK. The Vice President ruled today, and even the Senator from Georgia agreed, that the Senate could change its rules by majority vote. Does the Senator from Minnesota agree?

Mr. HUMPHREY. I agree; if we can ever reach a vote.

Mr. CLARK. That leads me to the key question which I think narrows all the debate. The Senator from Minnesota and I know that there are perhaps 18 Members of this body who, in words of one of the most lovable of them, are adamantly opposed to having the present cloture rule changed.

Mr. HUMPHREY. Yes.

Mr. CLARK. Those 18 Senators are eloquent. They are energetic. They are tireless. Does not the Senator from Minnesota agree with me that, under the ruling of the Vice President, if those 18 men wish to talk until the end of 1963, they can thus effectively prevent the Senate from exercising the right on which the Senator from Georgia and the Vice President agree—and the Senator from Minnesota and I also agree—from ever coming into effect? I refer to the unquestioned right of the majority of the Senate to change its rules by majority vote.

That is the issue which confronts us. Is this not at some point an unconstitutional action on the part of the 18, or perhaps a few more or perhaps a few less Senators? When it becomes clearly unconstitutional by reason of the debate, which has no further meaning in logic or reason, is it not then the unquestioned right of the Members of the Senate—either through the method suggested by Jefferson of moving the previous question or by calling again on the Vice President to invoke the constitutional right of a majority to change the Senate rules—to bring the matter to an end?

Mr. HUMPHREY. I would say to my colleague, with whom I work in what I consider to be this very important debate and struggle, that we may reach a time when we shall again have to ask the Vice President for his opinion on these matters.

Let me say in all candor that I was impressed today by the debate. I sat and listened. I believe that the majority leader and others made a point.

Much as I should like to have the Vice President rule in my favor, I believe they made a point.

I do not believe I have discussed this question with any of my colleagues, but the Senator asked me an honest question and I will give him an honest answer. I am not sure I want to give the Vice President of the United States the power to choke off debate. I should like to have the Senate itself face the responsibility.

Jefferson's Manual was written in 1797, as I recall, or at about that time, in the early days of our constitutional life and parliamentary life; and there were times when these questions had to be referred to the Presiding Officer and it was necessary to rely upon him to make a ruling.

As I have said, I think this language gives us plenty of precedent, and it gives the Senator from Pennsylvania a good deal of precedent. Jefferson said:

> The Senate has accordingly formed some rules for its own government; but these going only to few cases, it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none.

On the basis of Jefferson's Manual, a sound and solemn case can be made for insisting that the Vice President hand down a ruling. But I must say, in all candor, that I may wish to reexamine the question.

I preserve for myself the right to learn as I go along. I will never be so bullheaded that, once having taken a position, I never change it. If the facts show me to be wrong later, I will change my position. I do not believe there is anything noble in being consistent, if one is consistently wrong. I think we should be alert, alive, and enlightened. If the facts reveal that there should be a changed point of view, let us change.

Jefferson's Manual was written between 1797 and 1801. While I am sure it should be accepted as a reasonable document of reference, since the manual was written there have been many rulings and precedents. If we can bring this issue to a head, I prefer that we do it ourselves in this body.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. HUMPHREY. I yield.

Mr. CLARK. I am not asking or suggesting that the Vice President should make any ruling, advisory or otherwise.

All I am saying is that in every civilized body in the world except the U.S. Senate—including the Legislature of Florida, the Legislature of Georgia, and the Legislature of Mississippi—there are civilized ways of terminating debate in order to prevent legislative chaos and the denial of the will of the majority. Some such method must exist inherently in the authority and the right of the U.S. Senate to do what the Vice President, the Senator from Georgia, the Senator from Minnesota, and the Senator from Pennsylvania say should be done.

Mr. HUMPHREY. That is correct.

Mr. CLARK. Which means that at some point we can eliminate chaos, return to the rule of reason, and permit the majority to work its will. It may be that we should resurrect the motion of the previous question. It may be that some other parliamentary procedure should be made available. But we cannot deny the right of a civilized body of legislative people, hallowed in the traditions of the U.S. Senate. We cannot deny the majority of that body the right to exercise its unquestioned constitutional privilege of adopting its own rules by a majority vote merely because 18 Senators—pretty soon we may start calling them a small group of willful men—are determined to prevent a proposal from coming to a vote because they do not think they have enough votes to stop it.

Mr. HUMPHREY. I think the Senator makes a very strong case. I was trying to point out awhile ago that when we really get down to brass tacks, all parliamentary procedure depends upon the willingness of the members in the parliament to accept the decision of the majority. This is the only answer. It requires that we understand that a limited number of Members of this body can put the Senate into pandemonium, into literally anarchy.

The references to Jefferson's Manual are surely worthy of our attention. I quoted from Jefferson's Manual because I heard statements made from some of my colleagues that, somehow, we were doing something that was outrageous. What we are doing is something that is legal, honorable, and in the American tradition.

But Wilson, to whom I also referred, took a little different view about the Presiding Officer. I believe, in these debates, we can make better headway if we are fair with each other. I am not arguing for the love of arguing. I would rather be debating some substantive legislation. I would rather be debating the President's tax bill, or Federal housing legislation, or medicare. I want to get at the substance of American life. I am not much of a man for procedural arguments, but I know that procedure is important. Therefore, I am willing to take my stand. But it is no secret in this body as to where the Senator from Minnesota stands as between procedural argument and argument on legislation.

I feel strongly about it. I make no apology for it. And I make no apology for the fact that I find myself in the middle of a controversial matter. In fact, I hope I am controversial. I am tired of hearing people say that I may not be controversial. I think the whole subject of procedure needs a good "looksee."

Before I quote from Woodrow Wilson, I want to quote from a contemporary writer Max Freedan, who has written an excellent article published in this morning's Washington Post in the column entitled "In Perspective." He argues the question of unlimited debate. I present this article for the attention of my colleagues, either by putting it into the Record by unanimous consent, or by reading it. I know my colleagues will accommodate me. I ask unanimous consent to have it printed in the body of the Record.

The PRESIDING OFFICER. The Parliamentarian calls attention to the fact that it was placed in the Record earlier today. Without objection, it may be inserted in the Record. If it is a duplicate——

Mr. HUMPHREY. Instead let me quote one or two paragraphs:

> The Senate should know that its worst problem arises not from unlimited debate but from its failure, all too often, to debate at all. It is a standing perplexity to friends of the Senate to find these men, masters of repartee, the prisoners of a manuscript whose clouded prose takes refuge in a calculated obscurity.

What a beautiful line that is. It is a beautiful line about obscurity, but it gets to the point.

> How long is it since the Senate last had a true debate? Perhaps not since the controversy over the resolution on Quemoy and Matsu. No one who heard that debate can easily forget the way the sentiment of the Senate changed as various speakers, using few notes, drove home their case. The closing speech by Senator George, then chairman of the Foreign Relations Committee, was a masterpiece of terse advocacy that altered the opinion of many Members.
>
> Incidentally, that debate made nonsense of the familiar complaint that Senators must give reporters advance copies of their speeches or else the papers will never notice what they say.

The reference to former Senator George is a very appropriate one. While I disagreed with that illustrious Senator on the question of the rules—and if he were here I know he would take my hide off, as he was very capable of doing, being one of the masterful debaters of this body—nevertheless he was an extremely effective Senator and a great public servant. I heard that debate. What a privilege it was to be in this body. I appeal to my colleagues to enter into a debate on substance. I learned a great deal from Senator George. I know that now the senior Senator from Georgia [Mr. Russell] and the Senator from Florida [Mr. Holland] and my other friends prefer to get into debate on the substance of issues, and I hope we will soon be at it.

But getting back here to the Vice President's policy, the Vice President is my friend. I have tried many times to convince him on certain issues, without too much effect.

Mr. HOLLAND. Mr. President, before the Senator leaves that point, will he yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. The Senator has quoted from Jefferson's Manual, which was prepared by Thomas Jefferson when he sat in the seat now occupied by our distinguished friend from Texas, Vice President Johnson.

I invite the attention of the Senator to a fact which I think he overlooked in the statement from which he read, which states that the matters referred to the Vice President, "without debate and without appeal, were all questions of order arising either under its own rules or where it has provided none."

Mr. HUMPHREY. That is correct.

Mr. HOLLAND. The matter now submitted does not come from its own rules, because the Senate has certainly not provided a rule on this subject, nor does it deal with a field in which the Senate has provided none, but comes from an additional field, the question whether the Senate rule is what is claimed by one side or the other. Jefferson's statement makes no reference at all to that. Am I correct?

**Mr. HUMPHREY.** I will read from Jefferson's statement. I always feel that he has such a clarity of expression that it requires no contemporary interpretation.

**Mr. HOLLAND.** I am sure of that, and I am quite willing to stand on what he said.

**Mr. HUMPHREY.** It reads:

> The Senate has accordingly formed some rules for its own government; but these going only to few cases, it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none.

We are of the opinion that one of the rules which the Senator from Florida would have us believe are the effective rules is unconstitutional. We are also of the opinion that there is an inherent right in the Senate and in each Senator to adopt rules at the beginning of each session.

**Mr. HOLLAND.** Does that claimed right arise under the Constitution?

**Mr. HUMPHREY.** It arises from the Constitution; and the objection arises from the existing rules of the Senate.

**Mr. HOLLAND.** Then the question does arise from an interpretation of the Constitution and it does refer to a matter not covered by Jefferson's statement. Is that correct?

**Mr. HUMPHREY.** It could be. I quoted Jefferson's Manual not as conclusive proof, but because I had the feeling that our viewpoint was held up as having no claim to respect. I thought we were going to be snowed under from the avalanche of arguments of the opponents of rules change. "Cannon to the right, cannon to the left, stormed at with shot and shell, boldly we rode and fell."

I wanted to get some recognition of a statement by an undoubted patriot before the idea was accepted that there was no respectable evidence on our side.

**Mr. HOLLAND.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I yield.

**Mr. HOLLAND.** So far as the Senator from Florida is concerned, I am quite content to concede that the Senator from Minnesota is quite respectable, not absurd; and further, the Senator from Florida feels that the Senator from Minnesota should not feel too bad about the comment made by the distinguished columnist this morning, because the Senator from Florida feels the Senator from Minnesota has been debating, and debating in the finest traditions in the Senate. He does not want his friend to go home tonight feeling that his remarks have deserved such a classification as referred to by the columnist.

**Mr. HUMPHREY.** I thank the Senator.

**Mr. HOLLAND.** Furthermore, the Senator from Florida wants his friend to know he has accomplished what he has stated was his wish; namely, to be in a controversial field. He certainly has been in a controversial field, and has been taking part in a controversial field in the best tradition of the Senate.

**Mr. HUMPHREY.** I thank the Senator. The words of the Senator from Florida give me comfort and faith and strength, when he reassures me, because they are words from a champion. At least in my psychological position, I feel better. Today will be a much happier one.

May I say perfectly frankly that the article by Mr. Freedman was a very good article. I think he got to the point of the importance of debate and concerning its unlimited use.

I say to the Vice President that Woodrow Wilson had a view on the Vice President's power which is worthy at least of reference.

I hope the Vice President will not take exception to this statement. I wish to have our friendship continue and remain firm and unsullied in the future as it has been in the past. With that explanation, I should like to read what Woodrow Wilson had to say about the office of Vice President. He was not speaking of the particular Vice President who now presides over the Senate. Woodrow Wilson said:

> The Vice President is simply a judicial officer set to moderate the proceedings of an assembly whose rules he has had no voice in framing and can have no voice in changing.

I do not believe that Mr. Wilson, great man though he undoubtedly was, knew or could possibly know of the great qualities, the genius, the great ability, and the unsurpassed public record of the current Vice President.

**Mr. HOLLAND.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I will yield in a moment. I must get this statement in the RECORD about the Vice President.

**Mr. HOLLAND.** I think so much of that statement that I would like to have the Senator repeat those words about the Vice President having nothing whatever to do with the framing of the rules and nothing to do with changing them.

**Mr. HUMPHREY.** Even Woodrow Wilson could make mistakes. If anyone in my memory ever had something to do with the framing of the rules of the Senate, it has been the Vice President who now sits in the President Officer's chair.

**Mr. HOLLAND.** Not as Vice President, though.

**Mr. HUMPHREY.** He is a great man. He is from Texas. He was a distinguished majority leader, one whom we will remember through the pages of American history. He was one of the most able, astute, competent, and dedicated majority leaders and public servants that this country ever had or will ever have.

Of course, when Woodrow Wilson made his statement, he did not know that that great man from Texas, the distinguished Vice President, would be in the position he now occupies. Listen to what Woodrow Wilson said about the Vice President:

> He is simply a judicial officer set to moderate the proceedings of an assembly—

Up to that point his statement is not very complimentary—

> whose rules he has had no voice in framing and can have no voice in changing.

**Mr. HOLLAND.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** Not even the Senator from Florida can convince me that our Vice President did not have anything to do with the framing of our rules.

**Mr. HOLLAND.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I yield.

**Mr. HOLLAND.** The Senator from Minnesota is not of the feeling, is he, that because the distinguished Vice President, as a former Member of the Senate and as its majority leader, was the leader in framing the present rule, he now should take a side which would lead to changing and emasculating and altering a rule which he himself helped to create?

**Mr. HUMPHREY.** I knew that if I got this far my good friend from Florida would help me clarify this point. He is a serious, sincere, and intelligent man. The Vice President of the United States, when he was the majority leader of the Senate, was a public figure in a very important position. Today he is Vice President, and, in his capacity as the Presiding Officer of this body, he is a judicial officer. I make the point very clearly that he does not make the rules. He did not write the rules of the Senate as Vice President. He sits today as the Presiding Officer of the Senate under the Constitution.

He will help us resolve this problem. How he will do it, only that ingenious mind of his can tell, but he will help us. I will not stand on the floor and put a great many questions to him as to how he will help us. However, I know that the Vice President wants the Senate to be a responsible, respectable, and responsive body, and he is going to help us preserve it.

**Mr. HOLLAND.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I yield.

**Mr. HOLLAND.** Does not the Senator know that the same Constitution now prevails which prevailed when the distinguished Vice President served as majority leader of the Senate, and that his sincerity as majority leader in following the Constitution will be the same sincerity in his interpretation of the Constitution?

**Mr. HUMPHREY.** There is no doubt about that. I cannot be outdone in complimenting the Vice President. So let us stop right there. I do not expect to come in second best on that point. I may sometimes lose on some issues, but not when it comes to complimenting the Vice President. He deserves every compliment we give him.

The Senator from Minnesota has taken a great deal of time of the Senate. I know that the Senate will be debating this question for some time. There seems to be an indication in that direction.

**Mr. HART.** Mr. President, will the Senator yield?

**Mr. HUMPHREY.** I yield.

**Mr. HART.** I know that the Senator from Minnesota is seeking to recess the

Senate on a note of less high tension than prevailed a few hours ago.

However, I wish to inject a serious note, which I believe will not cause nervous twitches in any of us.

We were discussing Woodrow Wilson. This does not have anything to do with the role of the Vice President. I believe it was about in 1910 that Woodrow Wilson expressed a very grave concern about the atrophying of the legislative branch of our Government. In a very learned series of papers he emphasized the increasing action role which the executive was playing. This was before he became the Chief Executive. He pointed to a series of events which was causing him to worry, lest the legislative branch fall into virtual disrepair and serve as nothing more than an anchor.

Behind our effort at the opening of this session of the Senate, to establish the right of the majority not alone to talk about the rules we should have but also to obtain rules that the majority seeks, there is the concern that many of us share to the effect that in the passage of 50-odd years from that expression of Woodrow Wilson—and our concern should be heightened in this respect—there have been many signs which clearly show that the legislative branch of this Government is falling further and further behind in the exercise of its role as contributing a balance wheel and not just acting as a drag.

Therefore, we are deeply sincere in our request of our colleagues that we be permitted to resolve here what the majority shall do. I, too, hope that the Vice President, with his matchless ability in parliamentary technique, will assist us in permitting this body to resolve this question, not by exhaustion, but by reason.

Mr. HUMPHREY. I thank the able Senator from Michigan. He has the ability to reach the heart of a question very quickly and concisely. I commend him.

This is the situation in which we find ourselves: The distinguished Senator from New Mexico [Mr. ANDERSON] originally tried to bring up Senate Resolution 9. It is on the calendar. It was in order that that resolution be brought up for consideration by the Senate. Therefore, he moved to proceed to the consideration of Calendar Order No. 1, Senate Resolution 9. That has been debated for many days, since January 15.

Today the Senator from New Mexico, in an effort to try to polarize the issue, to bring it to a head, and to get a vote on it, posed the constitutional question. The Senator from New Mexico moved that under the Constitution, without further debate, the Chair submit the pending question to the Senate. He said:

> I hope Senators will recognize that the responsibility is now on them to decide whether they want the Senate to adopt a rule that will be meaningful, or whether they want the Senate to continue under a rule which is such that when an effort is made to bring up a bill in the Senate, if there is objection, it can touch off a filibuster.
>
> There should be a rule which will make it possible for the voice of the Senate to be spoken fearlessly on any question before it.

I have quoted what the Senator from New Mexico said today.

The VICE PRESIDENT. Will the Senator from Minnesota permit an observation?

Mr. HUMPHREY. Certainly.

The VICE PRESIDENT. The Chair asks the Senator to read that first sentence again. The Senator is reading a paragraph from the statement of the able author of the pending question.

Mr. HUMPHREY. I shall read it again:

> I hope Senators will recognize that the responsibility is now on them to decide whether they want the Senate to adopt a rule that will be meaningful.

I understand the Vice President has made his position quite clear. The Senator from New Mexico, on this question, makes his position clear, without too much subtlety, but just enough to make it interesting.

The VICE PRESIDENT. That was not the Vice President speaking; it was the author of the motion.

Mr. HOLLAND. Mr. President, will the Senator yield for a clarifying question?

Mr. HUMPHREY. I yield to the Senator from Florida.

Mr. HOLLAND. I think the RECORD should show, if it be the fact, as I understand it is the fact, that 18 Members of the Senate do not have the power to prevent bringing debate to an end.

Mr. HUMPHREY. I hope the Senator from Florida is correct.

Mr. HOLLAND. My understanding is that with all Senators present 34 Senators are required to prevent bringing debate to an end. Am I correct or not?

Mr. HUMPHREY. It requires two-thirds of the Senators present and voting to apply cloture under present rule XXII. It would require one-third of the Senators present and voting, plus one, to block the closing of debate.

Mr. HOLLAND. It would require 34 Senators.

Mr. HUMPHREY. If they were all present and voting. Most likely they would be present.

Mr. HOLLAND. I could not understand the repeated reference to 18 Senators, because 18 have not now, never have had, and I hope never will have the power to foreclose debate.

Mr. HUMPHREY. I thank the Senator from Florida, because now he has made an admission which I think is wonderful. He is not arguing whether the number should be 18 or 34. He recognizes that the issue is not so much the numbers as the setting the rules themselves by the Senate, because he said he hoped the number would never be 18.

What figure does the Senator really believe would be a good figure, a safe figure, to protect the rights of a minority? Apparently it is 34. Some Senators feel that perhaps that figure may be a little too high. But the Senator from Florida is making it clear that he believes 18 is too low, and that 34 is too high. Some of us say that perhaps a figure in between would possibly be a little more accurate.

Mr. HOLLAND. Is it not a fact that the Senator from Minnesota has offered an amendment which is before the Senate as a proposed amendment to Senate Resolution 9, an amendment which would give power to 51 Senators to close debate?

Mr. HUMPHREY. The Senator from Florida is correct. I believe that after 15 days of debate, and before a cloture petition is effective, and within 100 hours of debate after the cloture petition, almost anything can be explained, even to slow learners.

Mr. HOLLAND. The Senator from Florida thinks that 34 is a good figure between the 51 and the 18 which have been mentioned, and will stand upon that figure.

Mr. HUMPHREY. I thank the Senator from Florida.

This is where we find ourselves:

The Senator from New Mexico filed a constitutional motion. As I recall, the Vice President responded to the effect that the issue before the Senate is:

> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session to proceed to an immediate vote on a rules change notwithstanding the provisions of existing Senate rules?

We now find ourselves in the unbelievable position of arguing over the closing of debate. Our case can be rather simply put. We seek a majority vote in the Senate for the adoption of rules at the commencement or the beginning of a Senate session, so that each Senator, no matter how long he may have been here, or whatever his position on a committee or in this body may be, will have an equal right to cast his vote on existing Senate rules.

However, we find ourselves in a situation in which we can debate a motion to end debate and can kill a motion to end debate with debate.

This is most unusual. We are debating a motion to end debate. A motion to end debate can be killed with more debate or by dilatory tactics.

According to some Senators, the Senate cannot act except under the existing rule XXII; and if the argument of the opposition is to be continued and to be believed, the Senate today does not have the power of the Senate of the First Congress to adopt rules by the will of a majority.

Senators who are seeking a change, Senators supporting the Senator from New Mexico [Mr. ANDERSON] are confident that the Senate will perform its constitutional obligations and duties. We are confident that the Senate has as much authority and as much right to write the rules for the opening of the 88th Congress as did the Senators at the opening of the 1st Congress. We do not think that history dilutes the responsibility, the authority, or the obligation of Senators under the Constitution.

I heard the argument today—and it was an argument in criticism of our position—that we are seeking to terminate debate by majority vote. I say: Amen; yes, indeed; because majority vote in this body is an honorable principle and an honorable practice.

But we find ourselves in the ironical position, the paradoxical position, in which a majority vote—and I believe there is a majority in this body who want to change the rules—which is acknowledged as being responsible and acceptable by all Members of this body, is being denied and obviated because of the obstruction of a minority. Therefore, terminating debate by majority vote will really not take place at all. That is, a decision by majority vote in this body will not be determined by a majority. This decision relies on the decision of a minority to permit the Senate to vote.

I make my appeal once again. I appeal to Senators who oppose us, as well as to Senators who are with us, to give us the right to vote, to give us the opportunity to vote.

If there are Senators who believe that the Anderson motion is out of order, let them raise a point of order. If there are Senators who believe the Anderson motion is unconstitutional, let them move to table it. If there are Senators who believe the Anderson motion really affects the security of this country or really affects the life of the Senate adversely, let them argue that case and permit us to vote on it.

Is there any Member of this body who thinks he has such omnipotent wisdom that he can stand in the way of the majority will, after deliberate debate, as expressed by the votes of Senators? I hope not. I call upon Senators to use their good sense, their sense of fairness, their sense of good judgment, to give us a way, to give the Senate an opportunity to vote on the issue before it. A great constitutional question is before the Senate. I cannot believe that Senators who criticize the Supreme Court, Senators who have constitutional views on every piece of proposed legislation and have no hesitancy in expressing them, will deny themselves the opportunity to cast a vote on a constitutional question. I appeal to Senators to be constitutional. The Constitution provides that a majority shall constitute a quorum for the purpose of doing business.

The VICE PRESIDENT. The Chair would like to submit the first precedent found in the annals of Congress: It is in volume 13, page 81, for November 23, 1803, and is the basis for the first precedent, which was followed by many others, but was the basis for the decision rendered earlier today.

Mr. HUMPHREY. Will the Chair read that precedent, or does he prefer only to refer to it?

The VICE PRESIDENT. The Chair will read it. In the Annals of Congress, volume 13, page 81, November 23, 1803, the following appears:

> The Senate resumed the consideration of the report of the committee to whom was referred the motion for an amendment to the Constitution in the mode of electing the President and the Vice President of the United States; where upon, the President pro tempore [Mr. Brown] submitted to the consideration of the Senate the following question of order:
>
> "When an amendment to be proposed to the Constitution is under consideration, shall the concurrence of two-thirds of the Members present be requisite to decide any question for amendments, or extending to the merits, being short of the final question?"
>
> Continued discussion noted by the reporter makes it certain that debate continued after submission of the question to the Senate and a vote was not taken until some time later.

Mr. HUMPHREY. Then I understand that the Chair is noting that the situation which prevails today on the Anderson motion falls within the precedent the Chair now quotes.

The VICE PRESIDENT. It is directly in point. So far as the Parliamentarians have been able to determine, that is where the Senate decided, for the first time, that the Senate itself would determine what the Constitution said. The Anderson motion is directly in point.

There are many times when the Senate decides whether in its opinion a bill or an amendment may be constitutional. But this decision and the decision on the Anderson motion are directly in point.

Mr. HOLLAND. Mr. President, do I correctly understand that the 1803 decision is simply the first of a long line of decisions which come down to the decision made today by the able Vice President?

The VICE PRESIDENT. That is correct.

The Chair would like to observe that the language read by the Senator from Minnesota [Mr. HUMPHREY] from Jefferson's Manual is incorporated in Senate rule XX, in paragraph 1. Jefferson's Manual is not a part of the rules of the Senate, and has no bearing; but the part read by the Senator from Minnesota from Jefferson's Manual—

> A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate—

Is the first sentence of the first paragraph of rule XX.

The second paragraph reads as follows:

> The Presiding Officer may submit any question of order for the decision of the Senate.

The Parliamentarian has informed the Chair that that paragraph does not apply to constitutional questions, because the President of the Senate must submit them, and universally they have been so submitted, without question; and the other Vice Presidents who have given opinions on the matter have said they would submit them if the question of constitutionality were raised—as it was today.

Mr. HUMPHREY. Mr. President, I wish to say to the President of the Senate, that my position was taken in light of what I believed to be the very serious nature of the decision at which we shall finally arrive on this constitutional question and on the ruling of the Presiding Officer on these constitutional questions.

I wish to make quite clear—although sometimes it is much to my embarrassment, I endeavor to be very frank about these things—that I was thinking out loud with the Vice President and with my colleagues; and I hope we can debate fully all relevant questions, and that after we have debated the question adequately, we shall find a way in which, with or without the decision of the Presiding Officer, we can resolve this question.

I have not reached any hard and fast conclusion on the question. However, it is my view that the Constitution did not contemplate having either House of Congress find itself in a position where turmoil or complete paralysis would prevail, but that we must come to a decision. Therefore we have to utilize our good judgment and our commonsense as Members in arriving at a decision. We may have to call upon the Vice President or the Presiding Officer to give us rulings which will aid us in settling the question.

I recognize that there is a difference between a constitutional question which relates to the powers of the Senate itself and a question in regard to matters which relate to a bill or a legislative proposal. I think that is a fine line which needs to be differentiated.

I shall attempt to be helpful. I have no desire to be obstinate or prejudiced.

The VICE PRESIDENT. However, the Chair pointed out that under rule XX the Presiding Officer may submit any question of order—whether constitutional or otherwise—to the Senate; and the Chair will probably follow that procedure.

The question submitted to the Senate is, Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change, notwithstanding the provisions of the existing Senate rules?

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum is suggested; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

## BANK EXPANSION AND ECONOMIC GROWTH

Mr. FULBRIGHT. Mr. President, as a former chairman of the Senate Banking and Currency Committee, I was interested in reading an address by the Comptroller of the Currency, Mr. James J. Saxon, before the National Credit Conference of the American Bankers Association on January 22, 1963.

Whether one agrees with all Mr. Saxon's proposals or not, it is clear that he is stimulating much new thinking in the banking industry. His basic premise that banking must respond to the challenge of our economic growth cannot be denied. Too often, in the past, bankers have not responded to this challenge and, increasingly, we have found the gaps in our credit structure filled by other, more aggressive financial institutions, or government, ultimately to the detriment of banking.

As Mr. Saxon says:

> If the banking system is to foster economic growth in the fullest degree, the concept of bank solvency and liquidity must be broadened to include safeguards against inertia.

This, of course, does not mean unlimited competition, but neither does it mean contentment with the status quo.

**I ask unanimous consent that this address be printed in the Record.**

**There being no objection, the address was ordered to be printed in the Record, as follows:**

## Bank Expansion and Economic Growth: A New Perspective

Next month will mark the 100th anniversary of the formation of the national banking system. At the time the Congress provided for the chartering of national banks, one prime need was for an effective payments medium to supplant the unsatisfactory system of notes issued by State-chartered banks. In the intervening years, the national banks lost their note-issuing power, and primary attention in bank regulation shifted to the protection of depositors with all that this implies in the way of continuous supervision. Throughout the course of evolution of the national banking system, changes of policy have taken place chiefly in response to banking crises which generated demands for more rigorous limitations over banking operations. This crisis orientation has survived to the present day.

The basic need for bank regulation and supervision is as essential today as it was at the time the national banking system was founded. We now have a clearer conception, however, of the essential role of banks in the economy. What is lacking is the full application of these concepts to the structure of public control in the field of banking.

As our economy has grown, it has become increasingly evident that the commercial banking system occupies a central role in its progress. It is upon the commercial banking system that we significantly rely for the marshaling and disposition of our capital resources, and the provision of our payments mechanism. A deficiency in that financial mechanism will critically affect the rate of our economic growth.

It is often pointed out that the growth of our commercial banking system has lagged behind the pace of our economic advance. Nonbank financial institutions have come into being and prospered, to fill in some degree the gaps left by these deficiencies. Commercial banks, however, offer a wider variety of services than any one of these other financial institutions, and have a greater potential for adaptation to the growing range of new requirements. It is essential in the national interest that this key financial instrumentality should not be needlessly constricted.

There are two broad areas in which basic reforms are required if our commercial banking system is to perform with fullest efficiency its essential role in the growth of our economy. One relates to the powers which banks are allowed to exercise in the conduct of their operations. The other relates to the authority of banks to extend the area of their operations in a spatial sense.

### BANKING POWERS

The present limitations over banking powers were intensively examined in the recent report of our advisory committee. That report is the subject of a panel discussion here this afternoon, and I shall describe it only briefly, and indicate the steps which we have taken to carry out the committee's recommendations.

Every significant phase of the operating policies, practices, and procedures of the Comptroller's Office and of national banks was critically reappraised in the advisory committee report. A wide range of recommendations was proposed with respect to the lending and investment powers of national banks, their trust powers, their borrowing powers, the alternatives open to them to provide needed capital, and the various details of their corporate procedures. The report also appraised the relationship of national banks to the Federal Reserve System, and the heavy penalties and burdens of mandatory membership; and surveyed the constructions imposed on the foreign operations of national banks.

Since that report was completed, these recommendations have been subjected to intensive examination within our office, and a number of steps have been taken to promulgate new policies and procedures to bring them into effect.

New regulations have been issued allowing the use of preferred stock and capital debentures as normal means of raising capital; and permitting the use of authorized but unissued stock, provision for employee stock option plans, and the appointment of a limited number of directors between annual meetings. Commencing February 1, national banks will be required to submit annual financial reports and proxy statements to their shareholders. Moreover, we are now at the final stages of developing revised regulations and procedures relating to the trust and investment powers of national banks; and the revision of the entire body of interpretations and policies set forth in our digest of opinions is substantially completed. We are also well along in the revision of the trust and commercial examination forms, and the respective related instructions to examiners. When these new instructions are completed, they will be made available to the national banks.

A broad consensus prevails in the banking community concerning the need for modification of the powers, regulations, and procedures affecting banking operations, and we have encountered little controversy in working out measures to meet these needs. There is little disagreement with the view that commercial banks require greater latitude in operations if they are to meet current and future needs for banking services.

### BANK EXPANSION

The same understanding does not prevail with respect to the principles which should govern the expansion of banking facilities. While most bankers agree that added powers and broader discretion in the exercise of these powers are needed, they do not view policy toward bank expansion with the same degree of unanimity.

The cause of this difference is not difficult to understand. While some bankers with a vision of the future, and the initiative to explore new opportunities, favor liberalization of the limitations which now constrict their expansion—many others regard such a policy as a threat to their survival, or at least to their comfort. Evidence that these limitations have hampered the needed growth of banking facilities, and provided favorable opportunities for nonbank financial institutions, have not always been persuasive in the face of the hope that this need or threat would not touch them.

In resolving these issues, we must search for considerations which transcend the private interests of individual banks. These are to be found, fundamentally, in the public purposes which underlie the regulation of bank entry and the control of bank expansion.

While these limitations and controls are essentially negative in their operation, they are founded on positive objectives of public policy. Were it not for the fact that it is considered necessary to preserve the solvency and liquidity of banks, freedom of entry could be allowed in the field of banking. Reliance could then be placed solely on the antitrust laws to maintain competition and regulate competitive practices in serving the public's needs for banking services and facilities. The fact that entry restrictions are needed in order to maintain bank solvency and liquidity will not, however, justify such restrictions beyond the requirements for this purpose. Indeed, if the banking system is to foster economic growth in the fullest degree, the concept of bank solvency and liquidity must be broadened to include safeguards against inertia.

While almost every form of bank expansion has come under criticism by those who fear adverse competitive effects, much of the opposition is centered upon certain of the particular techniques employed. Viewed in proper perspective, however, it is clear that the principal concern should be to insure the adequacy of banking facilities. The need to employ particular techniques should be judged solely according to their suitability for this purpose.

### NEW CHARTERS

In most circumstances, some degree of permissible entry by newly formed institutions is essential in order to provide constant access by succeeding generations of fresh talent, and so as to broaden the sources of capital and initiative through which the demands for banking services may be developed and served. Because of the vital role that banks play in the growth of our economy, it is of critical necessity to insure that new opportunities do not fail of development because of inertia in the banking system. Progress in the industrial and commercial sectors of the economy could be impaired or hampered if the financial mechanism were deficient.

Some argue that entry restrictions should be entirely removed in the field of banking, on the ground that depositor protection could be achieved without them while the public would gain the advantages of greater competition. If this were done, however, it would also be necessary to abandon direct control of bank expansion through branching and merger, and to rely upon antitrust enforcement to prevent harmful concentration of power and to regulate competitive practices. There could be no justifiable basis for allowing newly formed institutions free access to the industry of banking, while the expansion of existing institutions is directly restricted. Complete reliance upon competitive forces to determine bank entry and bank expansion, however, would greatly complicate the task of bank supervision, and weaken the safeguards provided through this form of public control. It is an indispensable part of such supervision to regulate the rate and form of bank entry as well as bank expansion.

There is, however, under present circumstances, a special reason for the chartering of new banking institutions. In many areas of the country, it has become increasingly evident that the expansion of banking facilities through the growth of existing institutions has been insufficient to meet public needs. The branching laws of many States have hampered internal growth through the formation of new branches. Nonbank financial institutions not subject to such limitations have in some degree filled this gap. But these needs have also given rise to initiative to charter new banks.

During the past year we experienced a strong upsurge of interest by new sources of capital and enterprise desirous of entering the field of banking. Well-capitalized, competent groups have been formed in many parts of the country to seek new bank charters. Chiefly, the new applications have come from the States which impose severe restrictions over bank expansion.

Of the 149 applications for new national bank charters received last year, 98 were from 13 of the States which prohibit branch banking. Thirty-five of the applications were from Florida, twenty-six from Texas, nine from Colorado, five from Illinois, and four from Wisconsin—all no-branch States. The present breadth of interest in the field of banking is indicated by the fact that 37 States were represented in last year's list of new national bank charter applications. These applications in 1962 were nearly triple the average annual applications for the preceding decade, and approximately double the highest year during that period. For the preceding decade, applications for new national bank charters were as low as 39 in 1952, and ranged between 71 and 75 in the years 1955, 1959, 1960, and 1961.

In many instances, the initial authorized capital of the newly chartered banks has been substantially oversubscribed, indicating that in the judgments of those who possess free capital, banking is an industry that offers opportunities for the profitable commitment of new funds. According to this fundamental economic test, it can thus be said that the rational use of capital in our economy calls for a greater commitment of resources to the field of banking. While this test is not sufficient to determine the proper degree of entry in a regulated industry, it does represent a significant factor in determining the need for provision of additional banking facilities.

### DE NOVO BRANCHES

While present branching limitations have caused the pressures for new banking facilities to find outlets in applications for new charters, it is obvious that reliance should not be placed primarily on new charters to meet these growing needs in an industry in which competent management is not abundant. Unreasonable limitations over branching imprison established banks, and deprive the public of the skills, experience, and resources of proven institutions.

Many of the critics of more liberal branching powers equate this form of bank expansion with diminished competition. Broadened branching powers will not, however, have this effect if they are properly administered. It is not the number of banks which determines the degree of competition, but the number of points at which effective rivalry actually takes place. A series of unit banks enjoying monopoly positions in their individual communities, for example, could actually produce less effective competition than would prevail if bank expansion took place through branching by a number of institutions, each bringing to the individual community the full force of its competitive efficiency.

In determining the proper role of branching as a means of providing the banking facilities essential for our economic growth, it is also important to take account of the economies of larger scale operations. Modern technology has invaded the field of banking, as it has other sectors of the economy, and provided opportunities for more efficient operation. These technologies can be efficiently employed, however, only through larger scale ventures. Comparable opportunities also exist for the utilization of specialized personnel in the ever-increasing range of services which banks are able to perform. The task of public control is to allow opportunities for these forces of efficiency to be expressed, within the limits which must be imposed in order to preserve a balanced banking structure.

The required balance in the structure of our banking system must include provision for a variety of financial services to meet the public need. To permit the forces of efficiency to be expressed does not mean that concentration of control should be unrestricted, nor that only the large should be allowed to survive. There is a wide spectrum of public requirements for banking services, and a diversified size-structure of banks is needed to meet these requirements on an assured basis.

### MERGERS AND HOLDING COMPANIES

Bank expansion may take place not only through internal growth, but also through the merger of existing institutions, and the formation of holding companies. Perhaps the most common criticism of our banking structure by foreign observers relates to the emphasis we place on the maintenance of unit banks. Those critics argue that bank expansion through new charters and new branches is often more costly than expansion through mergers or holding companies, and results in a waste of resources. These criticisms usually come from countries in which there is no tradition to maintain competition. Nevertheless, even within our own competitive traditions, there are many circumstances in which bank expansion through mergers or holding companies will be socially preferable to new charters or the establishment of de novo branches.

### THE BASIC TASK

The task we face in shaping the structure of our banking system is to provide the necessary latitude for enterprise and initiative in this industry. While banking differs from other industries with respect to the degree of reliance we place on private initiative, it is alike in the need to preserve a spirit of dynamism and enterprise. Only in this way will banks be able to perform with the highest effectiveness the urgent responsibilities which lie ahead to serve and promote the growth of our economy.

The particular techniques of bank expansion most appropriate for this purpose will vary with circumstances. Unreasonable limitations over the use of individual techniques needlessly narrow the range of choices open to the regulatory authorities and to the banking community, and thus distort and weaken the banking structure. Our attention should be centered, not on these techniques, but on the public's needs for banking services. The pressures to fill these needs will not be alleviated by limitations relating to means—they will merely be diverted into channels where less effective means are available. It is pointless to devote our energies to a struggle over techniques, when our primary task is to find the best means of meeting the needs of the future.

### FEDERAL AUTHORITY AND THE DUAL BANKING SYSTEM

It is necessary, in discussing the issue of bank expansion and economic growth, to consider the impact on the traditional dual structure of our banking system. Over the past months, there have been heightened fears that enlarged branching powers for national banks would pose a threat to that system. It should be clearly understood, however, that such enlarged authority could be utilized only to allow greater scope for the exercise of private initiative. This does not constitute an intrusion of Federal power, but only a relaxation of the limitations which now prevail over the operation of privately owned banks. Steps which allow banks to adapt more sensitively to the Nation's requirements will not weaken, but will strengthen, our banking system.

Extended branching powers for national banks, some fear, would bring defections from the State to the national banking system. This could occur, however, only if banks were able to operate more efficiently and to compete more effectively under national charters. It is within the power of the State authorities to provide scope for the most efficient and effective operation of the banks which they charter. Only if all commercial banks are fully empowered to meet their responsibilities, can we realize completely the opportunities for the growth of our industry and commerce.

## NEW YORK DEFENSE PROCUREMENT

Mr. KEATING. Mr. President, there are disturbing indications, straws in the wind, one might call them, of a move to cut down the procurement facilities that the Defense Department now maintains in New York State. In the last 2 weeks I have received information, generally not from the Defense Department—sometimes they prefer to spring these cutbacks when it is too late even to object—but from employees who may be involved, that several procurement facilities may be closed down.

Reports have come to my attention that the New York City office of the U.S. Army Chemical Procurement District might be moved down to Maryland and that the Rochester regional office for Ordnance procurement might be closed altogether. These two moves, combined with the continual war of attrition that is being waged against the procurement activities at Griffiss Air Force Base in Rome and the particularly heavy layoffs at the New York Naval Shipyard, do not add up to a very cheerful picture. All these moves are billed as consolidations to cut down unnecessary defense costs—which no one is opposed to.

But it is beginning to look a little peculiar that all these so-called consolidations seem to take place at the expense of New York. New York facilities are being consolidated out of New York, or out of existence altogether. Try as I may, I cannot think of any of these recent consolidations by the Defense Department that have brought more personnel or more jobs into New York, even though total Defense Department personnel has increased by nearly a quarter of a million over the last 2 years.

In general, the closing of procurement offices works a particular hardship on small business. The latest figures released by the Defense Department on small business contracts indicate that in the first 5 months of fiscal 1963, small firms received 30.4 percent of defense subcontracts and 15.5 percent of prime contracts as compared to 33.1 percent and 17.2 percent respectively in the previous year. New York has many more small businesses than other States and there is no doubt that many are having a hard time.

The big outfits can always put a man on a plane to go down to Washington, or out to Texas or California—where they often have regional offices anyway—to find out exactly what contracts are brewing and how to get in on the ground floor. But the small businesses have to get what they can by mail. If there is not a regional procurement office within a hundred miles or so, they often simply lose out.

Yet it is proposed to move the chemical procurement facility from the metropolitan area of New York down to Edgewood, Md., an inaccessible spot on the edge of Chesapeake Bay, where I am willing to wager there are no chemical manufacturing firms for miles. There is a slight possibility that it might move in with another procurement office in New York City, which I have urged, and which in my judgment would be a lot more reasonable and convenient for all potential suppliers.

It has also been proposed that the Rochester Army ordnance procurement office be closed down altogether. This would mean the only New York ordnance office would be in New York City. This would be a serious hardship for suppliers in the entire upstate and western area of the State.

Griffiss Air Force Base has long been the home of Roama, the Rome air material area which procures ground-based electronics equipment. It is a vital installation—vital to the Air Force, which requires this equipment—and vital for the economy of central New York. Yet every few months I hear about another little group that has been consolidated to California. No threat to the major mission of the base, I am always informed. But still the little chipping continues. Nothing is ever added, but bit by bit this mission seems to be purged of associated functions until I am afraid the day will come when there is nothing left and the whole air material area will be consolidated somewhere else.

It is possible that the Brooklyn Navy Yard is beginning to face the same danger. This year the Navy is making cuts amounting to an average of 2.29 percent of employment at all continental Navy yards in the United States. Yet the cuts at the Brooklyn Navy Yard will be about 2.81 percent. Percentagewise, it is the third largest cut among the 9 Navy yards involved, and numerically the cut of 350 men is the largest. This will also include the transfer of the entire battery section of the material laboratory to California—another chip at New York's facilities for doing defense work and getting defense contracts.

I am certainly not opposed to greater economy through consolidation of defense facilities, but as far as New York State is concerned, it seems to be all loss and no gain. It is, of course, up to New York firms to bid and win defense contracts. Much as I might like to, I cannot do that for them. But all of these shifts by the Federal Government make it just a little bit harder for New York firms to know what is going on before it is too late and for New York firms to get the jobs that I know they have done in the past and can continue to do.

I have called each one of these moves individually to the attention of the Defense Department and asked for full reports and information. Each move can perhaps individually be justified by one reason or another. But the sum total looks more and more like a trend on the part of the Federal Government that will make it increasingly hard for New York to keep its share of defense work and for New York firms, especially small firms, to compete. I certainly join with those who have called on New Yorkers to pursue this work more aggressively, but at the same time I call on the Federal Government to stop these chipping-away, eroding moves that in the long run can have a very damaging effect on some of the industries in our State. New York will do its part if Washington does not cut the ground out from under New York firms.

## RECESS UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, I move that the Senate stand in recess until tomorrow, at 10 a.m.

The motion was agreed to; and (at 6 o'clock and 7 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, January 29, 1963, at 10 o'clock a.m.

## NOMINATION

Executive nomination received by the Senate January 28 (legislative day of January 15), 1963:

### DIPLOMATIC AND FOREIGN SERVICE

Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ethiopia, vice Arthur L. Richards.

# EXTENSIONS OF REMARKS

## The Need To Encourage Our System of Government-Free Education

EXTENSION OF REMARKS

OF

### HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mr. BYRNES of Wisconsin. Mr. Speaker, on January 9, 1963, I introduced a bill, H.R. 49, to provide a tax credit for amounts paid on account of tuition, fees and similar educational expenses at a level above the 12th grade. I first introduced this bill in the 87th Congress—H.R. 12771, 87th Congress, 2d session. I am reintroducing it in the belief that its enactment is vital to the continuance and further expansion of our present educational system.

Under the bill a taxpayer would be permitted to reduce his taxes equal to 20 percent of the cost of such educational expenses for the taxpayer or his dependents.

A tax credit of 20 percent has the same effect as the deduction in full of educational expenses for a taxpayer being taxed at the rate of 20 percent. This is equivalent to allowing the full deduction of educational expenses for a taxpayer in the first tax bracket.

An outright deduction for educational expenses would be of no benefit to more than 37 million taxpayers, who elect either to use the tax tables or to take the statutory standard deduction instead of itemizing their deductions. By the use of a credit, however, such taxpayers will be in a position to avail themselves of the benefit of the educational tax credit in their returns and also use the tax tables or standard deduction in the computation of their tax liability.

Many of my colleagues in this body have likewise recognized the need to encourage further growth of our educational system through tax incentives to the individual. In the last Congress alone, there were approximately 100 bills introduced which would have provided some form of tax relief for educational expenses.

Our educational system, free from Government control, is one of our greatest national assets. It is essential to encourage the expansion of that system, and to make its benefits available to the greatest number of people. This bill will aid in the attainment of that objective.

## Loans for Students

EXTENSION OF REMARKS

OF

### HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mr. TOLL. Mr. Speaker, I have introduced a new bill in the 88th Congress—H.R. 1978—to increase the funds which the colleges and universities can get for loans to students. The bill will double the amount which the institutions of higher learning will have available for loans to needy students. In the 87th Congress, Representative Bailey, of West Virginia, had a similar bill which did not reach the floor.

I hope that the Committee on Education and Labor will give immediate consideration to my bill or to any similar bill which may have been introduced. The universities and colleges are unable to meet the requests for loans which are made by needy students. The National Defense Education Act program, involving loans to needy students, is acceptable to and supported by all groups interested in higher education. It provides for the return of the public funds loaned, with interest. It contains special benefits for loans to students who are preparing to be teachers so that the teacher shortage can be overcome. The programs for education are vital to the welfare of our country. Many States and cities are cooperating in a splendid manner with education grants, but these sources cannot begin to adequately solve the problem. This Congress can be a tremendous help if the loan program can be doubled at once so that needy students can be helped immediately.

## The Power of Belief

EXTENSION OF REMARKS

OF

### HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

*Monday, January 28, 1963*

Mr. KEFAUVER. Mr. President, several of us in the Senate were privileged to hear a most inspirational address by our colleague, Senator CLAIBORNE PELL, delivered at the Old St. John's Church, Georgetown, on January 13, 1963.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TALK DELIVERED AT OLD ST. JOHN'S CHURCH, GEORGETOWN, ON SUNDAY, JANUARY 13, 1963, BY SENATOR CLAIBORNE PELL, OF RHODE ISLAND

From the time I was confirmed until I graduated from college, I occasionally contemplated entering the clergy. I used to think, and still think, that the pulpit can be a most wonderful podium from which to change the course of events for the better. But I am afraid I had neither sufficient determination, nor virtue, to follow through with this interest.

So, following a rather indirect route, I became a politician. However, I believe that a politician can also be a force for good, because a good politician—and remember a politician is never a statesman until he is dead—a good politician is also driven by the desire to help and to lead. If we weren't, we'd be doing something else, and usually something a lot more profitable. And, so I am very, very glad indeed to be standing here talking with you now.

Today, when we hear so much about the balance of power, yes, the balance of terror, I would like to discuss the tremendous weapon that we of the West have and the Communists do not have.

To my mind, it is a weapon that can more than hold its own with nuclear missiles over the long haul. Although it must be confessed, the decisiveness of the nuclear missile over the short haul would be pretty decisive.

This weapon is religion. It is a universal weapon, too, because when I say religion, I am not just thinking of a particular faith, nor am I thinking of Christianity with all its rich intermixture of faiths, but I am thinking of religion in general and the common belief of certain origins and certain values.

I wonder how many of us have stopped to think that it can be said that Jesus Christ, Mohammed, and Moses are all descendants of Abraham. I believe one could actually trace out a genealogical cousinship, a consanguinity, between these three. It is quite interesting, incidentally, to see with what pride the Moslems consider themselves of the same general religious family as do the Jews and the Christians. I guess this all goes to show that Senator Austin's plea at the Security Council to the Israelis and the Arabs to settle their problems in a truly Christian spirit, may not have been such an unattainable idea after all.

Then, on a more universal scale still, many comparative religions not only show the same misty origins of the world starting with the Great Flood, but will also show a surprising similarity in values, values that oppose the Communist ones: the importance of loving, the importance of generosity, and, perhaps, the greatest difference with the Communist bloc, belief in the afterlife.

Let us see now, the role of religion in the uncommitted, undeveloped areas of the world such as Africa—particularly sub-Sahara Africa and southeast Asia. Here we have a very specific debt to the missionaries.

Until I made a trip to Tanganyika some time ago, I had always given a very long look at the activities of missionaries since I was under the impression that they were often disliked by the people of the emerging nations and regarded by them with great suspicion.

However, my trip to Africa deeply impressed me with the great educational and medical contribution made by missionaries there. In Tanganyika alone, I found that there were 400 American Christian missionaries, or 20 times the number of American Government personnel in that country. In fact, in tropical Africa, as a whole, there are close to 10,000 American missionaries. This is a number more than a thousand percent higher than the 778 American Government personnel there.

Another way of looking at it, and an even more impressive figure, is the realization that there are 23,000 missionaries of all nationalities, including Americans, in tropical Africa, approximately 6,440 Catholic and 15,970 Protestant.

These dedicated men and women may handle very high caliber education, as is the case with the Anglican St. Andrew's School outside Dar-es-Salaam, Tanganyika, where the graduates are able to compete on an equal basis with youngsters finishing the best English school at home. Or, as is the case with the majority of missionary schools, the education may be more simple and elementary, giving the students a basic knowledge of reading and writing. But, no matter what may be the particular level of missionary education in Africa, without it, that continent would be undergoing far greater turmoil and internal strife than is now the case.

In this connection, it is interesting to notice that 16 heads of state and prime ministers of the newly emergent nations of tropical Africa received their education in full or in part in missionary schools. In fact, with only a single exception, every African head of state or prime minister in tropical Africa who is not a Moslem was educated to some degree in a Christian missionary school.

Moreover, in those countries not yet independent, we find the leaders equally owe their education to missionaries.

Altogether, a total of 35 men are included. Of these 35, Christian missionaries educated 25. Catholic missionaries educated 17, and Protestant missionaries educated 8.

In the remote vastness of the mountain lands in the periphery of Communist China, there are many American missionaries, including incidentally, a goodly number from my own State.

In general, in the area of missionaries, our Protestant Episcopal Church is not seen as much in the Far East as others.

Now, let's examine the situation of religion behind the Iron Curtain. Here, I would like to cite two differing views on religion.

The first you are familiar with—Karl Marx's dictum that "religion is the opiate of the masses." But, I believe more in the words of Bela Udvarnoki, who, in an article in Christianity Today last July said, "Man is incurably religious."

The fact, I think, that man is incurably religious is our great secret weapon against the Communists. It is secret only because we are not sufficiently aware of it and do not recognize its importance and strength.

There is another interesting set of circumstances behind the Iron Curtain and that is that in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, Yugoslavia, appropriations of one sort or another are actually granted by the atheistic governments for church or parochial schools.

Religion, too, is a means of expressing their feelings toward communism by the unhappy people behind the Iron Curtain.

Having lived and traveled in Czechoslovakia, Poland, and Hungary since these countries have fallen behind the Iron Curtain, I am always struck by the intensity and fervor with which religion is practiced there today. I can remember, in the churches before World War II, the people attended but they did not attend and pray in the same numbers and with the same intensity.

Yet, I recall that shortly after the Communist coup in Czechoslovakia, the church parades on Saints' Days and Sundays suddenly became two or three times as long as they had been before. Why? Because this was a way for the people to show how much they opposed communism.

In Poland, President Gomulka and the Communist regime have had to accept the church and the practice of religion by the vast majority of Poles.

Cardinal Mindszenty, still in our Budapest Legation, remains a symbol to many of the Hungarians, and the churches there, too, are crowded on a Sunday.

Even in the Soviet Union, religion is reemerging a bit more than we realize. The atheism that for two score years has been forced upon the young scientists and the intelligentsia of the Soviet Union does not give the logical answers as to what caused human life: in essence, why are we, and to the question of the afterlife.

The best description of the beliefs of the younger Soviet scientists was offered by V. Tenoryakov when he said, "I do not imagine God as he is depicted on icons. To me, God is a sort of spiritual principle, the stimulus to the evergreen of the galaxies, the stars, the planets, and of everything which lives and reproduces on these planets, from the most elementary cells up to man."

Now, how exactly is religion doing in the Soviet Union? I was there a few years ago and took the opportunity to go through two of the five religious seminaries and two academies that are there. I found that almost 80 percent of the new babies in Leningrad were being baptized. Though, I must confess that in general, I don't believe the babies were being baptized because of their parents being true believers as much as an insurance policy being taken out by the parents in case there was an afterlife.

Just as Khrushchev has followed policies that differ from Stalin's, so the Russian Orthodox Church has tended to become more ecumenical under the direction of Archbishop Nicodemus who succeeded Metropolitan Nicolai.

A rough estimate in the Soviet Union today is that there are some 50 million believers out of a population of 215 million and some 20,000 churches.

The atheistic pressure of the Soviet Government is directed more against the Baptists, and other fundamentalists, than the Russian Orthodox Church, and this was underscored by the sad plight of 32 Evangelical Christians who sought sanctuary in the American Embassy the other day. There is even more pressure being brought against such faiths as Jehovah's Witnesses and the Seventh Day Adventists.

Religion then is one of the principal reasons why it is that communism has the seeds of its own disintegration and destruction within itself. Man is innately religious, and communism goes against his innate human nature in this, as in every way. Under communism, he can't talk freely, work freely, travel freely, collect property freely and, most important, his religious freedom is violated.

So, I believe that it is religion, particularly Christianity, that will play a principal role in the eventual erosion of communism.

Now, for a final moment, let us look inwardly at ourselves. Religion in the United States is presently at a record high. Statistics published in October 1961 showed U.S. church membership at a record high of 114,449,217, or 63.6 percent of the total population of about 180 million.

The breakdown was 63,668,835, Protestants; 42,104,900, Catholics; 2,698,663, Eastern Orthodox, 5,367,000, Jews; 589,819, Old Catholic, Polish National Catholic, and Armenian Apostolic; 20,000 Buddhists.

Yet, in their annual statement in November the U.S. Catholic bishops warned of a "widespread moral apathy" in America touching virtually every group. They said this makes it vitally necessary for Americans to "make open profession of religious beliefs and moral convictions."

In conclusion, then, as well as weapons in our nuclear arsenal, we can each help forge the principal and most permanent weapon we have—religion—and especially, Christianity.

Let us remember, too, the thought expressed on a plaque in a church in my neighboring town of New Bedford, "Church is a hospital for sinners; not a haven for saints."

We sometimes tend to become a bit too smug. We preach a good life, but practice it too little. We listen to fine words on the Sabbath, but do not always practice them in the remaining 6 days of the week. For instance, there are far too few applicants for the Peace Corps. We, as parents and leaders in our community, could do a lot to see that more applied.

So, I guess the only thought I would like to leave is the hope that throughout the week we may try to believe in our hearts and practice in our lives the words which we have heard with our ears and said with our lips on the Sabbath.

## Resolution To Create a Select Committee on Arms Control and Disarmament

EXTENSION OF REMARKS

OF

### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mr. ROSENTHAL. Mr. Speaker, I am today reintroducing a resolution to create a Select Committee on Arms Control and Disarmament in the House of Representatives. I had originally proposed the creation of such a committee during the last session of Congress, and hope that it will be possible to obtain prompt consideration of the legislation during the current Congress.

This resolution provides that the committee would be composed of 13 Members of the House of Representatives chosen for their special knowledge of foreign affairs, armed services, atomic energy, science, and astronautics. The committee would be authorized to conduct a full and complete investigation and study of proposals for arms control and disarmament including, but not limited to, first, efforts made by the United Nations in seeking the control and reduction of military forces and armament of all types; second, disarmament proposals developed by the United States and other governments as well as by private groups and individuals; third, methods by which the attitudes of the American people and their Government on the subject of disarmament and world peace may be communicated abroad; fourth, the relationship of armaments to the state of the world economy; fifth, the relationship of underlying international tension to the problems of disarmament; sixth, the dangers implicit in unilateral reduction of armaments; and, seventh, methods of assuring that plans for reduction of armaments shall not endanger the security of the United States.

I realize that any proposal to create another standing committee would probably meet with some difficulty and with much reluctance on the part of many Members of the House. Therefore I ask that a select committee be set up to stimulate discussion and consideration of one of the most pressing issues of the day—that of arms control and disarmament.

Creation of such a committee would be a desirable and necessary first step to reduce the grave possibility of nuclear war, because it would emphasize the efforts being made by the United States in its current negotiations with the Soviet Union to end nuclear weapons tests. I think we have all been heartened by the recent exchanges between President Kennedy and Soviet Premier Khrushchev, and by the temporary halt in U.S. underground atomic tests, announced by the President the other day, which is another step in the direction of world peace. I fervently hope that the further discussions which are due to take place in New York this week will bring us even closer to an agreement on a nuclear test-ban treaty at the Geneva meetings next month. Establishment of such a committee would have a tremendous impact on world opinion, and would demonstrate for all to see that the Congress of the United States is completely in accord with the efforts of the President to reduce the possibility of thermonuclear war, which could destroy us all.

I certainly hope that this resolution will warrant the consideration and support of each and every Member of the House.

## Remarks of Vice President Lyndon B. Johnson at the Democratic National Committee Luncheon, January 19, 1963, Sheraton-Park Hotel, Washington, D.C.

EXTENSION OF REMARKS

OF

### HON. MICHAEL J. KIRWAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mr. KIRWAN. Mr. Speaker, it was my pleasure to attend a recent luncheon of the Democratic National Committee and hear our distinguished Vice President make a stirring speech on the philosophy and role of the Democratic Party over the years. I urge my colleagues to read this wonderful expression of the belief and guidelines of politics as enunciated by a man who adopted them as his way of life. It follows:

> I have never ceased to be amazed by the dedication of the loyal Democratic Party workers who give so freely of their time and their energies to a cause. To me, this is one of the true strengths of a free people.
>
> You have put aside your affairs and traveled hundreds, and even thousands, of miles to strengthen the party. And you have done so only because you believe in goals which are over and beyond your own, individual interests.
>
> A democratic form of government can exist in the modern world only if people organize themselves to make a point of view effective. Without that organization, government becomes the exclusive province of a small group of officials who have succeeded by one means or another in capturing power. And government that is exclusive is exclusive of the people.
>
> There is a cynical view which holds that politics is the art of organizing to seize power. In our country, I believe, it is the art of organizing to achieve goals that will serve the people.
>
> You and I have chosen the Democratic Party, because we have faith in its dreams and aspirations. And, as we close out the books on the first 2 years of a Democratic administration, I feel we can conclude that our faith has been justified under the leadership of John F. Kennedy.
>
> President Kennedy likes to trace our party's beginning back to 1791, when Thomas Jefferson and James Monroe went from Virginia to New England on what they called a botanizing excursion. The seeds they planted on that trip blossomed almost immediately, and the plant still bears fresh fruit every year in the form of new leaders, new ideas, new accomplishments, and new victories.
>
> We are here as members of the world's third oldest party, and we were a going concern when the English Whigs and Tories were merely the political arm of a few established families.
>
> I never tire of telling people why I think we have remained in good shape for so many years. There is a lesson in this great political success story, and the better we remember it the more effective we will be when we leave Washington and return to our homes and the voters, the real source of our party's strength.
>
> Franklin Roosevelt once said that the Democratic Party would be the majority party as long as it belonged to the people. He went on to describe our party as one that believes "in the wisdom and efficacy of the great majority of the people, as distinguished from the judgment of a small minority."
>
> Our party, Roosevelt said, also "believes that, as new conditions arise beyond the power of men and women to meet as individuals, it becomes the duty of the Government itself to find new remedies with which to meet them."
>
> These are principles of constant change—as man's needs are constantly changing. But they are firmly rooted in stable and fruitful soil.
>
> To begin with, we Democrats are not an exclusive party. If this country was founded as a haven where all who believe in liberty could come, live together in harmony, and try to make their lives better, then it follows that a party which hopes to lead the country must believe in these things, too.
>
> So we Democrats have always been the one great national political party, made up of people from all sections, all classes, all races, all religions. From the outset, we have been the party that has met the immigrant at the dock and helped him to become a citizen—just as it reached out a helping hand to the sharecropper, the working man, the student, and the businessman.
>
> But we knew that this was not enough. Jefferson said that the only healthy republic was one of educated citizens, each with a stake in his country's welfare. So we believe in educating each American to the utmost of his capacity. So we believe in the right of every American to have an equal chance to contribute his talent to our country.
>
> Our foreign policy has been equally uncomplicated down through the years. We Democrats, of course, believe that in a world of aggressors our country can only remain free by remaining brave, by remaining strong. But we do not arm for conquest. We arm to maintain freedom and preserve peace.
>
> But we also believe that "the best way to have a good neighbor is to be one." This is

the basis our historic reciprocal trade policy, which encourages commerce among all the nations of the globe. It is the basis of our support of the United Nations in its painful quest for world order, and of our support of programs which help others to help themselves.

These principles, as you can see, are neither numerous nor hard to understand. But they have lasted, and our party has lasted with them.

When I entered politics, some 30-odd years ago, I found my natural home in the Democratic Party. It wasn't hard for me to join—I was born one.

I found it easy to remain in the Democratic Party because my deepest personal political principles were at home there.

I believe that it is the politician's first duty to hold his country together, to appeal to the forces that unite us, and to channel the forces that divide us into paths where a democratic solution is possible. It is our obligation to resolve issues—not to create them.

None of us will ever live to see our country perfect, just as we will never live to see ourselves perfect. But we can try—and if we leave the world a little better than we found it and if we die with a little more understanding than we had when we were born, we are doing all right. I have found that being a Democrat has helped me to try to do both.

Our work is made easier because during the past 2 years, we have had a man in the White House who has dedicated his life to advancing the cause of freedom and social justice in every corner of our land and in every corner of the globe.

John F. Kennedy has taken the principles of the Democratic Party and has applied them to solving the world's problems.

Because our administration believes in strength, freedom is stronger everywhere in the world. We have pulled the fangs of the Cuban rattlesnake—and made it clear there were no limits to our determination to defend our security.

By calling the bluff in Cuba, we made freedom in Berlin and southeast Asia that much surer. And, where a few short years ago the Communist world was solid and united, its major preoccupation today is a bitter internal quarrel between its two most powerful leaders.

Because we believe in collective security and in being a good neighbor, we have supported intelligent trade, the Alliance for Progress, the Peace Corps, and the United Nations.

Because we believe in solving problems, we are seeking to bring our economy to full capacity, so that every American capable of holding a job or a place in college attains those goals; so that the senior citizens among us need no longer feel the crippling financial effects of lingering illness, and so that our great metropolitan areas are made livable for the overwhelming majority of Americans who reside in them.

The Democratic Party has grown in recent years because the people know it is the best vehicle for carrying out their hopes for a better world. We have gained this confidence for three reasons.

First is our history, our principles, and our present program.

Second is our willingness to work long and hard for what we believe in. We know that human needs change, and we must plan for the future. But also we know that current needs must be solved. We are trusted because we have the eyes to see what must be done and the courage to do it.

Third is the kind of people our party attracts. I mean more than the tens of millions of voters—a vast majority, by the way—who consider themselves Democrats. I mean the kind of people—the hundreds in this room and the millions of people to whom we will carry the message when we leave here—who hold our party together.

So I would like to thank you again, in behalf of the President and myself, for what you did for us in 1960; for what you did last year; and for what you will do next year to help elect the Democratic candidates for President and Vice President—whoever they might be.

We will meet again next year to choose those candidates. If the Democratic Party holds true to the country, and if we hold true to our party, we will have doubly earned the victory that will be ours.

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## Washington Report

EXTENSION OF REMARKS

OF

## HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following newsletter of January 26, 1963:

WASHINGTON REPORT

(By Congressman BRUCE ALGER)

### THE PRESIDENTIAL MESSAGES

The economic report and tax messages of this week, as well as the earlier state of the Union and budget messages are sick documents, as I see it. Realizing this, I have offered my own general analyses in the CONGRESSIONAL RECORD following each message, respectively.

*Economic report*

"Governmentitis" is the sickness. Keynesianism, that is, modern socialism, is described in detail. The deficit specified as $11.9 billion likely will run up to $20 billion or more. The President's four reports to Congress under the Employment Act of 1946 were: (1) Economic conditions; (2) foreseeable; (3) economic expansion; and (4) program for carrying out policy. Both the original act and the President's report carry all the language necessary for total control of the U.S. economy by the Federal Government.

Items from the report:

(1) Unemployment is still too high. Unmentioned are these factors: (a) Everyone over 14 years of age having requested work but unemployed are carried on the roles; (b) in a free society of 185 million there will always be several million unemployed.

(2) Gross national product and growth should be greater. Implicit in such statements is the assumption of our President that there are certain mandatory growth amounts in a free society, that he knows them, and that the Government can and will change them by Federal mandate. Unmentioned and/or unrecognized is the stultifying effect of Government redtape, control, and burden now on our private economy. The President confuses Government's role with the voluntary actions of millions of citizens and the Chief Executive's role with that of the Almighty.

3. The 1961–62 historical analysis is inaccurate. He characterizes the social security program as antirecession legislation which it is not; public works pumppriming as healthy economic growth; public housing and urban renewal as aids to recovery which, with Federal aid and deficits, they are not. The bugetary policy shift is explained, into deficits, and we are told to disregard as fallacious current fears over inflation on the one hand and gold outflow on the other, both endangering the value of our currency. Deficits are defended as prelude to wealth.

The President defended again: (1) the need for Executive quickie tax cuts at his pleasure and, (2) quick and massive public works expenditures (the second Congress passed last year—but not the first) and outlined for all to see a blueprint for dictatorial power.

So I presented then and now, a constructive program, quite revolutionary to some, of: (1) Balanced budget; (2) surplus accumulation; (3) debt reduction; (4) tax reform as part of my legislative cures for our economic sickness.

*Tax message*

The tax message carried further earlier references in other statements concerning tax reform and reductions, but still dealt in generalities instead of being in legislative form: $13.6 billion total tax cut, $11 billion individual and $2.6 billion corporate, with $3.4 billion recovered by increased taxes in various areas.

These are some of the suggested areas: (1) Reduce current 20 to 91 percent bracket percentages to 18½ and 84½ this year—next year down to 14 to 65 percent, respectively; (2) reduce 52 percent corporate to 50 percent first year and further to 47 percent; (3) change capital gains both in time property held and percent rate resulting in slightly lower rates; (4) repeal $50 exclusion and 4 percent tax credit on stock dividends over $50; (5) tighter tax rules surrounding oil and mineral depletion; (6) speed up quarterly payments of corporations; (7) eliminate individual deductions under 5 percent of income not permitted (instead of present 10 percent or $1,000).

The tax message has been referred to the Ways and Means Committee. Hearings open to the public for several weeks will be held starting February 6 followed by executive sessions by the committee.

### FUNDAMENTAL FACTORS

Basic factors to be remembered: (1) Tax cuts should be matched at least by Government spending cuts and not divorced; (2) deficits lead to debt, not the wealth as the President foresees; (3) contrary to the President's avowed belief, inflation and gold outflow are twin dangers we must not disregard. Currency devaluation is inherent and would sabotage our economy.

Specific tax factors to remember: (1) Corporate taxes are passed on in higher prices to consumers; (2) corporate taxes drop automatically this year to 47 percent—Congress is being asked to keep them up in order to cut them starting next January; (3) speedup in tax payment—stricter law, more regulations—are not incentives to investment as heralded; (4) 1 million are being taken off the tax roll; (5) individual deductions elimination will increase taxes for everyone by that amount; (6) medical expense and drugs less deductible is Federal coercion of people to support the President's medicare program; (7) less charitable deduction is more Federal coercion for Federal aid to replace charitable help, while foundations' tax-free operations are overlooked; (8) double taxation is increased by removal of stock dividend and credit.

### FLAT PERCENTAGE TAX

Tax reform as I see it, to be fair must move to the flat percentage tax, paid equally by all people. That is my proposal. Meanwhile, our hodge-podge is further scrambled, not fair, not equitable, not an incentive, while the monstrous sabotage of private enterprise—Federal deficit planning and control of our people—is perpetrated. In the President's language "Tax reform * * * will stimulate growth and steer income or investment into areas which better serve the national purpose." By whose judgment I now ask? I believe individuals are entitled to what they earn, not to have Federal planners take it in taxes and replan individual lives in a society conforming to the planners' ideas and concepts of what's best for people.

#### CURRENT EVENTS

Current events, via Presidential action and statement: (1) Bay of Pigs fiasco. What really happened? Lesson learned: Tragedy of managed and manipulated and censored news by White House mandate; (2) surveillance of Cuba by U-2 proudly acknowledged by our President is same Communist surveillance for which Democrat leaders denounced President Eisenhower; (3) President wants to extend trade with Poland and Yugoslavia, saying "Trade really is better in this case than aid," never thinking apparently that both are wrong, and that both must be terminated.

Elsewhere this week the United States is displaying brinkmanship on the edge of danger in encouraging: (1) Nuclear test ban without adequate inspection; (2) capitulation to labor demands in the dock strike via Federal mediation; (3) seeking of more Socialist advice (beyond Walter Heller, the President's chief economic adviser), by soliciting Socialist Gunnar Myrdal's counsel, who admits big Government's spending leads to inflation and therefore we need price and investment control.

#### PREDICTIONS

Predictions department: Present United States course will lead to: (1) Devaluation of currency through inflation and reduction of gold backing; (2) price control; (3) increased wage control, more than at present; (4) full managed economy.

How does all this tie in and is it affected by the statement of Arthur Sylvester, Assistant Secretary of Defense: "That it's inherent in that Government's right, if necessary, to lie to save itself when it's going up into a nuclear war. This seems to me basic—basic."

Let's hope our country wakes up in time.

Once again the Dallas Federal Building is in the news with the usual misunderstanding or misinterpretation of what happened. The Democratic leadership has admitted that the building has been held up for political reasons. The record proves I have done everything that is ethical and possible to have this project included in the budget.

House committee appointments: The appointment of ED FOREMAN to the powerful Armed Services Committee in his first term shows recognition by the Republicans of the importance of the South and is a real tribute to ED's qualifications as a Member of Congress.

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## Let's Keep the Record Straight—A Selected Chronology on Cuba and Castro

EXTENSION OF REMARKS
OF
**HON. DON L. SHORT**
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
*Monday, January 28, 1963*

Mr. SHORT. Mr. Speaker, year before last, on May 23, 1961, I placed in the CONGRESSIONAL RECORD an article entitled, "A Selected Chronology on Cuba and Castro." The Library of Congress had prepared this for me, at my request, in order for me to keep the events taking place in Cuba in their proper sequence.

Since that time the Library of Congress has continued to keep this chronology up to date and I now wish to follow up my original action by placing the later continued story in the CONGRESSIONAL RECORD on 5 consecutive days, beginning today.

I am doing this because of the renewed controversy over who did what and who did not do what they should have with regard to our U.S. policy toward Cuba. Our Attorney General, Robert Kennedy, has made it a point to come up with some fairly myopic remarks during the course of an interview by the U.S. News & World Report on January 28, 1963, published under the title of "Robert Kennedy Speaks His Mind."

I used the word "myopic" because I feel his viewpoint is rather nearsighted, to say the least, as far as the Cuban issue is concerned. Let me quote a portion of his remarks to indicate why I feel this way:

> Question. Do you feel that the latest Cuban crisis was a lesson to the Russians?
>
> Answer. I think it makes a great difference because that's the first time that the power position and determination and energy of the American people and their Government—all of this had been brought to bear.

Now I suppose we cannot really blame Robert Kennedy for wanting his brother's administration to stand out as the one which singlehandedly solved the Cuban issue. However, a review of the chronology I previously inserted will prove that former President Eisenhower took, and attempted to take, some steps which would have shown the power position and determination and energy of the American people and their Government. Attempts have repeatedly been made by many of those around the President to blame the Cuban problems on the Eisenhower administration. I feel the American people are entitled to something more than that sort of demagoguery. Space will not permit my quoting some of the actions taken by President Eisenhower, but again I commend the former chronology on Cuba to the Members and the public's attention.

While a candidate for the Presidency, then Senator Kennedy called the October 19, 1960, embargo on all exports to Cuba, with exception of medical supplies and various food products—placed by President Eisenhower—"a dramatic but almost empty gesture—a gesture which will have so little impact on Castro as to be almost meaningless." Yet President Kennedy on February 3, 1962, proclaimed an embargo on almost all U.S. trade with Cuba, with the exception "on humanitarian grounds" of the export to Cuba of certain foods and medicines. His feelings as President seem to be greatly different than his feelings as Candidate Kennedy.

Again, Candidate Kennedy on October 6, 1960, made a speech at a Democratic dinner in Cincinnati, Ohio. Exhibiting a detailed knowledge of Castro's attempts to carry his revolution through South America, Mr. Kennedy stated:

> The American people want to know how this was permitted to happen—how the Iron Curtain could have advanced almost to our front yard. They want to know the truth—and I believe that they are entitled to the truth.

The American public for some time now has longed to know the truth about the failure of the Cuban invasion and our part in it. Statements made by Bobby Kennedy, and backed by the President cover only the small issue of whether we promised air cover or not. But a statement by Manuel Penabaz, a veteran of the Cuban invasion, does not back up this supposed "official report."

Former President Eisenhower, by no means a man who could ever be called a demagog, stated on December 22, 1962, that he believed the truth is a far better weapon in the cold war against communism than managed news. He stated further that he has no reason to think the American people have not been told the truth on the Cuban situation, but he noted that he doesn't know all the facts. He stated further that he sees no reason why the administration should not now release a full and official version of what happened in the disastrous attempt to invade Cuba in April 1961. The Bay of Pigs invasion is now history, he said, and the official story should have been told long ago.

On April 24, 1961, Presidential Press Secretary Pierre Salinger declared in a statement to the press that President Kennedy "assumes sole responsibility for the U.S. role in the action against Cuba."

Yet on May 24, 1961, President Kennedy, in discussing the tractors-for-prisoners ransom demand of Castro, in which he declared the U.S. Government would not negotiate with Cuba to ransom the prisoners, stated:

> These men were trained and armed for this invasion by the Eisenhower administration. The signal to let them go and the means to get them there were given by the Kennedy administration. The United States still has a responsibility for those lives.

Now, former President Eisenhower, on January 24, 1963, says no plan was drawn up during his administration for a U.S. air cover for a refugee invasion of Cuba. He added however that he had "no kick with the plan" for air cover for the invaders. "If that had been done," he added, "that might have made the difference, because once these forces were ashore, ready to take care of themselves, it might have been easy to get more reinforcements through from the island itself and, finally, to recognize a government there."

Is it any wonder that Members of Congress, the public, and the press would like a truly official report of what happened? The Congress, you will remember, took some pretty strong actions itself in passing resolutions and legislation aimed at solving the Cuban crisis. They took these actions because they were close to the American grassroots opinion. They knew the American public wanted something done, that it was tired of speeches and soothing words, promising action but taking none. Those who trouble to read the original chronology on Cuba and Castro and follow through my continued chronology will refresh their memory on some of the events, as reported, on the Cuban situation. And perhaps the congressional investigations suggested and promised will make the official actions clear to the American public.

I believe we can depend upon the commonsense and good judgment of the American people to know and recognize partisan politics when they see it played. And if the administration truly desires a bipartisan foreign policy and the continued support and encouragement of the American public and the Republican Party, it should remember that we do not intend that former President Eisenhower should be labeled directly or indirectly as a weakling by any member of the Cabinet, regardless of relationship to the President. This man, whose name has always been synonymous with honor, bravery, and love of his country, does not hesitate to call for support of the President's foreign policy. And he is not afraid of the truth or an "official version" of what took place on the Cuban issue.

Let me say that neither the Kennedy administration nor the minority party nor the majority party are doing themselves, or the public, justice if this matter is allowed to fall and rest in the area of purely partisan politics. The public, who gave the President complete, enthusiastic, and unequivocal support at the time he announced the "quarantine" of Cuba could well lose its enthusiasm for further support of this administration if they are denied the truth, or given half-truths or distortions.

And that is why I am including, Mr. Speaker, with my remarks today, a second portion, covering the period between May 20, 1961, through September 13, 1961, of the "Selected Chronology on Cuba and Castro," and every day hereafter a continuation of the chronology for a total of 5 consecutive days.

We want to keep the record straight.

### A SELECTED CHRONOLOGY ON CUBA AND CASTRO [1]

May 20, 1961: A committee of U.S. citizens, headed by Mrs. Franklin D. Roosevelt, Walter Reuther (president of the United Auto Workers), and Dr. Milton Eisenhower, is formed to raise the funds to provide the 500 tractors. "President Kennedy was reliably * * * reported to have personally asked three prominent private citizens * * * to organize the 'tractors-for-prisoners' exchange with Premier Fidel Castro of Cuba" (New York Times, May 24, 1961).

May 24, 1961: President Kennedy urges all Americans to contribute to the purchase of the 500 tractors.

June 2, 1961: Tractors for Freedom Committee informs Premier Castro that it is ready to send the 500 tractors in exchange for the 1,214 prisoners. The committee gives him until noon June 7 to accept the offer.

June 6, 1961: Premier Castro suggests that his prisoners be exchanged for "political prisoners" allegedly held in jail in the United States, Puerto Rico, Guatemala, Nicaragua, and Spain. He also demands that Mrs. Roosevelt or Dr. Eisenhower, two of the leaders of the Tractors for Freedom Committee, come to Havana for further negotiations.

June 7, 1961: Cuban Government nationalized education.

June 8, 1961: Tractors for Freedom Committee offers to send six agricultural experts to Havana to discuss details of the types of tractors to be sent in exchange for the prisoners. The committee also announces that it is prepared to send the first consignment of 100 tractors to Cuba by June 22. Premier Castro accepts the offer the next day.

June 14, 1961: Experts confer with Premier Castro. He now demands tractors valued at $28 million, the equivalent of 1,000 farm-type tractors or 500 heavy-duty construction tractors, and will exchange them for 1,167 prisoners instead of the 1,214 he had originally offered to trade. He explains that the difference is due to some fatalities, special trials he plans, and other reasons.

June 19, 1961: Tractors for Freedom Committee in Detroit cables reply to Premier Castro. They give him until noon June 23 to decide whether he will accept 500 farm-type light tractors in exchange for the 1,214 prisoners he originally offered to trade. If he refuses, the committee will return the funds it has collected to the contributors.

June 26, 1961: Adlai E. Stevenson, President Kennedy's special envoy to Latin America and U.S. Ambassador to the U.N., declares at the National Press Club in Washington that during his recent trip to Latin America, Cuban agents preceded or followed him for propaganda purposes.

June 28, 1961: Florida court orders seizure of 29 carloads of lard going to Cuba. "The seizure order was obtained by a Miami advertising firm to help satisfy a judgment of $429,000 against the Cuban Government tourist agency" (New York Herald Tribune, July 6, 1961).

July 4, 1961: U.S. authorities in Florida seize three Cuban planes which have landed in the United States after being stolen from Cuba by refugees. The planes are seized on court orders to satisfy claims against the Cuban Government.

July 21, 1961: U.S. Government announces that it will finance the passage of 20,000 refugees from Cuba to the United States, because the refugees cannot obtain dollars.

July 23, 1961: Cuban Government orders Pan American World Airways—the company chartered by the U.S. Government for the airlift—to limit its flights from Miami to Havana to two round trips a day.

July 24, 1961: U.S. commercial airliner—worth $3.5 million—en route from Miami to Tampa, Fla., is forced by an armed passenger to fly to Havana. The other passengers and the crew are returned to the United States the following day, but the plane is kept by the Cuban authorities.

July 26, 1961: Premier Castro, in a speech made at the 26th of July celebrations, declares that he will return the airliner if the United States returns "the 10 Cuban planes which it has stolen."

During a speech made at the celebration of the 8th anniversary of the 26th of July movement, Premier Castro announces that all Cuban political parties are eventually to be merged into the United Party of the Socialist Revolution. The celebrations are attended by Soviet Astronaut Maj. Yuri Gagarin.

July 27, 1961: U.S. Secretary of State Dean Rusk declares in Washington that the United States will not agree to the exchange. He declares that final authority for the return of Cuban planes to Cuba rests with the courts, and not with the U.S. Government, and that if it is entitled to do so, the Cuban Government may apply for "sovereign immunity" for the planes. Rusk points out that since mid-1959, 25 Cuban planes have been held in the United States. Some of these have been sold in pursuance of court orders.

July 29, 1961: Cuban note to the U.N. accuses the United States of preparing an "imminent military aggression" against Cuba, and of using the plane incident as an excuse for its plans. Foreign Minister Raul Roa announces that the Cuban Government has placed the U.S. plane under the jurisdiction of the U.N. Security Council. The U.S. State Department declares that the Cuban move in the U.N. is a "transparent tactic to divert attention from the actions of the Castro government in detaining" the plane.

August 2, 1961: Government announces the reorganizing of the country's labor unions under direct Government control. Henceforth, there will be only one union for each industry, and all unions will be grouped under a Workers' Confederation.

August 3, 1961: Two U.S. citizens—a former convict and his son—fail in a plot to take a Boeing 707 jet airliner to Cuba from El Paso, Tex.

August 4, 1961: Cuban Government again protests to the U.N. Security Council that the U.S. Government is preparing military aggression against Cuba, and is using plane incidents as an excuse.

August 5, 1961: Cuban Government declares that it will release the airliner if the United States releases a Cuban patrol boat brought to Florida by defectors a week ago.

Cuban Government orders the immediate replacement of all Cuban currency. All bills now in circulation must be traded in for new ones. No more than 200 new pesos will be given any one household. Any amount over this will be deposited in a "special account" and may be drawn upon in a week's time. Bank holdings are not affected. There is no revaluation involved in the move. Cuban borders are closed to all ships and planes through August 7, to prevent any Cuban money being brought in from abroad.

August 8, 1961: Premier Castro declares that Cubans will be allowed to draw up to 1,000 pesos in cash from their special accounts. Thereafter, they will be allowed to withdraw at the rate of 100 pesos a month. Total deposits of 10,000 pesos will be allowed, but any amount over 5,000 will be placed into savings accounts. Castro also declares that any amount over 10,000 pesos will be confiscated.

Minister of Industry Ernesto Guevara (during a 2-hour speech, at the Inter-American Economic Conference in Punta del Este, Uruguay) accuses the United States of attempting the assassination of Armed Forces Minister Raul Castro on July 26, and of attempting the invasion of Cuba on the same day. He also implies that the United States was implicated in the assassination of President Trujillo of the Dominican Republic, on May 30. Guevara ridicules President Kennedy's Alliance for Progress, and declares: "While Cuba is there, the United States is ready to give." He suggests that with a little push, Latin America will get the $30 billion in U.S. aid which Castro called for 2 years ago. Guevara declares that Cuba expects $450,000 in loans from Communist countries over the next 4 years. Cuba, he says, "pledges a guarantee that it will not export revolution" to other Latin American countries. Guevara also produces two U.S. "secret" documents, allegedly State Department reports. The first characterizes Venezuelan officials as "inept and indifferent"; the second indicates the South American countries which can be counted upon for anti-Cuban measures.

August 9, 1961: U.S. Pan American jet airliner, en route from Mexico City to Guatemala, is forced by an armed passenger—a French Algerian, reportedly a psychopath—to fly to Havana. The other passengers, the crew, and the plane are allowed to leave for Miami the same day. The Cuban Government declares that it is releasing the plane out of deference to the Colombian Foreign Minister, Julio Cesar Turbay Ayala, one of the passengers, and because Cuba is opposed to air piracy. In Washington, before it is known that the plane is returning to the United States on the same day, the news of the incident causes various U.S. Congressmen to advocate the use of force to retrieve the plane.

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[1] Based chiefly on excerpts from Deadline Data; reproduced with the permission of Deadline Data on World Affairs.

On the same day, Cuba requests the U.N. to place on the agenda of its 1961 General Assembly—due to open in September—an item on "threats to peace and security" by U.S. "aggression" against Cuba.

August 10, 1961: President Kennedy declares in a news conference that the anger aroused by the hijacking of planes must not be allowed to overshadow the importance of the Inter-American Economic Conference meeting in Uruguay which he calls "perhaps one of the most significant meetings in the history of the Western Hemisphere."

August 14, 1961: The 5,805-ton *Bahia de Nipe*, a Cuban merchant ship carrying sugar and tobacco to a Soviet Baltic port, was seized by the captain and 10 crew members and diverted to Norfolk, Va.

August 15, 1961: A patrol boat, valued at $50,000, which was brought to the United States on July 29 by Cuban defectors was returned to the Castro regime.

At the same time the Eastern Air Lines Electra hijacked on July 24 was returned to the United States by the Cuban Government.

August 21, 1961: President Kennedy declined to use the Cuban ship, *Bahia de Nipe*, as ransom for the families of the Cuban seamen who brought the ship here and have sought political asylum.

Earlier the Cuban Government formally asked for the return of the vessel and U.S. Secretary of State Dean Rusk asked a Federal court to release the ship.

August 24, 1961: In a special session of the U.N. General Assembly called to discuss the Bizerte dispute between France and Tunisia, the Cuban delegate challenged the validity of the treaty under which the United States maintains the Guantanamo Bay Naval Base.

U.S. Ambassador Stevenson called Cuba's charge "international lawlessness."

August 29, 1961: Premier Castro called on the Brazilian people to "take arms * * * and take to the mountains and jungles" to fight the military leaders who are trying to keep Joao Goulart from becoming president of Brazil after the resignation of President Janio Quadros.

August 31, 1961: The Senate Foreign Relations Subcommittee on Latin America said it was satisfied that an encounter in Montevideo, Uruguay, between Maj. Ernesto "Che" Guevara and Richard Goodwin, President Kennedy's Special Assistant on Latin American Affairs, was a casual and unimportant meeting at a cocktail party.

The subcommittee met with Mr. Goodwin after Argentina's Foreign Minister Adolfo Mugica declared on August 22 that the conversation had been politically vital and had touched on a possible resumption of United States-Cuban relations.

September 7, 1961: A spokesman for the Democratic Revolutionary Front, a Cuban exile group, announced that the front will shortly merge with the Revolutionary Council. The new group will be called the Cuban Revolutionary Council and will be headed by Miro Cardona with Antonio de Varona as second in command.

The U.S. Fourth Circuit Court of Appeals freed the hijacked freighter *Bahia de Nipe* for return to Cuba but stayed its order for 5 days to permit an appeal to the U.S. Supreme Court.

September 9, 1961: Five of the prisoners captured after the unsuccessful invasion attempt last April were executed on charges of murder and torture committed before they left Cuba. Nine others were given 30-year jail sentences on similar charges.

September 10, 1961: Four thousand Cubans shouted antigovernment slogans in downtown Havana until they were dispersed by machinegun bullets. Seven were injured. The demonstration was touched off by cancellation of a Roman Catholic procession in honor of the Virgin of Charity, the patroness of Cuba.

September 13, 1961: A third request for an order blocking the immediate return of the freight *Bahia de Nipe* to Cuba was submitted to U.S. Supreme Court Chief Justice Earl Warren by the United Fruit Co. which has claims against the freighter's cargo of sugar.

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## Bonneville Power Administration Must Increase Its Rates

EXTENSION OF REMARKS

OF

### HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mr. SAYLOR. Mr. Speaker, on Thursday, January 17, the Congress received the President's proposed budget for fiscal 1964. Even though many of us anticipated that it would be larger than his requests for 1963, I don't think we were quite prepared for the fantastic figure of over $107 billion requested in new appropriations in this document. It is almost inconceivable that Congress could be asked to consider a budget of this magnitude, while at the same time being asked to consider rather sizable decreases in Federal taxes.

I, for one, firmly believe the level of personal and corporate income taxes is seriously hampering this Nation's rate of economical growth. The excessively steep progression of tax rates to a point approaching an almost confiscatory level very often has the effect of stifling initiative and inventiveness of our citizens.

However, I do feel that if a tax cut is forthcoming it must be accompanied with a concomitant serious reduction in the level of governmental expenditures or a conscientious effort on the part of Members of Congress to find additional ways to increase Federal revenues.

In my humble judgment, one outstanding and immediately obvious way to reduce Federal expenditures, while at the same time increasing Federal revenues, would be to establish a realistically increased electric power rate for the Bonneville Power Administration.

Mr. Speaker, the audit report by the Comptroller General of the United States on the financial statements of the Columbia River Power System and related activities for fiscal 1962, which was transmitted to Congress on December 11, 1962, clearly points out that that power system sustained a net loss—and I repeat, a net loss—of about $13.1 million in fiscal 1962. This is the fifth straight year Bonneville has sustained losses from the sale of power because of its unrealistically low rates. In 1961, the loss was $14.2 million; in 1960, it was $10.9 million; $6.6 million in 1959; and $2.9 million in 1958—for a total of about $47.5 million in 5 short years.

The Comptroller General also reported to Congress that the Bonneville Power Administration failed to meet its scheduled repayment of the capital investment in commercial power facilities by about $17.6 million in 1962. This compares with a failure to meet its scheduled repayment of $15.3 million in 1961, $11.6 million in 1960, $9.7 million in 1959—for a total of $54.2 million in 4 short years.

Mr. Speaker, in these trying times when the demands of our Federal commitments at home and abroad create ever-increasing pressures for greater spending, and the poor taxpayer is almost stumbling from his burden of excessive taxation, to allow Bonneville to continue this folly is intolerable. It is made even more intolerable because it does not have to be.

Mr. Charles Luce stated in the 1961 annual report of the Bonneville Power Administration that "future deficits are predicted for the next 4 or 5 years." It will be remembered by many of us who were in this House during the 2d session of the 87th Congress that this same Mr. Luce promised us that if the Hanford project resulted in additional losses that Bonneville's rates would also have to be increased.

In my opinion, fiscal responsibility and sound public financing will not permit further procrastination in our need to face up to the realities of the Bonneville rate structure.

Mr. Speaker, many of us have also heard spokesmen for the Bonneville Power Administration say that its rates cannot be reviewed and adjusted except at 5-year intervals, and the next review would not be until December 1964. However, the organic Bonneville Project Act states only that contracts shall contain provisions for equitable adjustments of rates at "appropriate intervals not less frequently than once in every 5 years." Let me remind my colleagues, that Mr. William A. Pearl, then Bonneville Power Administrator, told the House Committee on Appropriations in May 1957—and let me quote him:

> Periodically, in accordance with the Bonneville Act, we are to review our rate structure—that is, no less often than once every 5 years. Actually, we review it every year.

He said also:

> About 2 weeks ago we announced there would not be an increase in rates for the year beginning December 1957.

When Mr. Pearl was telling the House Appropriations Committee this, the next so-called 5-year review would not have been until December 1959.

In other words, even though the review required under existing contracts was still almost 2½ years in the future, the Administrator announced there would be no increase in the year beginning December 1957. This announcement would seem to indicate—at least by inference—that if he had felt it necessary to increase rates before 1959, he could have done so.

The Bonneville Act further states very clearly that rates may be modified "from time to time by the Administrator" subject to the confirmation and approval of the Federal Power Commission and subject to the terms of existing contracts. Furthermore, the act specifically requires that rates charged by Bonneville must be sufficient to cover the cost of producing and transmitting the electric energy, including the amortization of the capital investment in power facilities, over a reasonable period of years.

However, even assuming, for the sake of discussion, that the Bonneville Power Administration cannot increase rates under existing contracts until December 1964, I can find nothing in the Bonneville Act which would prohibit the Administrator from increasing rates under new contracts or under mutually agreed revisions of existing contracts which would be adequate to recover at least a portion of the losses and to repay a part of the investment until such time as a general rate increase might be applicable to all contracts. The act merely states that rate schedules may—and I emphasize may—provide for uniform rates but does not state that the rates must necessarily be uniform.

Mr. Speaker, because of the seriousness of allowing Bonneville to continue operating at such large deficits, I have sent a letter to Bonneville Administrator Charles Luce sincerely suggesting that he and his staff begin immediately to prepare for a realistic increase in Bonneville's power rates. Even though the overall increase may not be applicable to most of its customers until late next year, I think it is only fair to forewarn them at the earliest possible moment of the necessity for a forthcoming rate increase.

Under unanimous consent I insert a copy of my letter to Mr. Luce in the Record at this point in my remarks:

Congress of the United States,
House of Representatives,
*Washington, D.C., January 28, 1963.*

Hon. Charles F. Luce,
*Administrator, Bonneville Power Administration, Portland, Oreg.*

Dear Mr. Luce: I have recently read the audit report of the Comptroller General of the Columbia River Power System submitted to Congress in December. The report, as expected, shows the Bonneville Power Administration lost another $13.1 million in 1962 and failed to meet its scheduled repayment of the capital investment in commercial power by $17.6 million. As a member of the House Committee on Interior and Insular Affairs and a taxpayer, I am deeply concerned about these losses.

This is the fifth straight year BPA has sustained losses from its sale of power: $14.2 million in 1961, $10.7 million in 1960, $6.6 million in 1959, and $2.9 million in 1958, for a total over the 5 years of $47.5 million.

Also, for the past 4 years, including 1962, BPA has failed to meet its scheduled repayment of the capital investment in commercial power to the extent of $54.2 million. To the 1962 deficiency, there must be added deficiencies of $15.3 million in 1961, $11.6 million in 1960, and $9.7 million in 1959.

Furthermore, it was brought out in the House Public Works Appropriations hearings for 1962, that these stated losses are not a true reflection of the real losses to the U.S. Government.

The information you supplied for the record clearly showed that if Bonneville were paying interest at the more realistic rate of 4 percent instead of 2.5 percent, the losses for 1960, 1961, and 1962 would have been more than double the amount shown as losses in your reports.

In BPA's 1961 annual report you state, "future deficits are predicted for the next 4 or 5 years." You also observe that it will be most difficult to avoid a rate increase, if this trend is not reversed.

You have consistently stated or implied that BPA rates cannot be reviewed less than each 5 years, and the next review date would be toward the end of 1964. However, the Bonneville Project Act provides that contracts shall contain provisions for equitable adjustment of rates at "appropriate intervals not less frequently than once in every 5 years." The act further provides that rates may be modified "from time to time by the Administrator" subject to confirmation and approval by the Federal Power Commission. Finally, may I remind you, the act also specifically requires that the rates be sufficient to cover the cost of producing and transmitting the electric energy, including the amortization of the capital investment, over a reasonable period of time.

As I read this act, you cannot by contract preclude the Bonneville Power Administration from reviewing the rates charged thereunder at least every 5 years. This does not prohibit the Bonneville Power Administration from making more frequent rate reviews and, if necessary, rate adjustments as would be in accord with existing contracts.

In order to at least minimize the impact of losses temporarily, it seems to me that BPA should immediately review its rate schedule with a view to assuring that any future new contracts contain rates adequate to enable BPA to comply with the law. In the interest of fiscal responsibility by the Government—in the face of increasing Federal budget requests and the expressed desire by the administration to reduce taxes—I think it is urgently necessary to insure that any new customer taken on by BPA apparently is committed in existing contracts.

I can find nothing in the act to prohibit you from treating any new contracts under new rate schedules which would be adequate to recover losses and repay investments. The act states that rate schedules "may provide for uniform rates." It does not state that the rates must be uniform.

Mr. Luce, for these reasons, I sincerely suggest that you and your staff immediately begin to prepare evaluations of the BPA rate structure which will lead to appropriate increases necessary to comply with the law and today's economic facts of life. Remembering that your customers must also have sufficient leadtime to plan future needs, I would further suggest that they should be forewarned as soon as possible that a rate increase will have to be forthcoming in the not too distant future.

Sincerely,

John P. Saylor,
*Member of Congress.*

Mr. Speaker, as a longtime member of the House Interior and Insular Affairs Committee, I realize full well the consequences and implications of a rate increase for the Bonneville Power Administration. However, as I said in my opening remarks, it is intolerable that Bonneville should be allowed to continue to operate at a serious deficit. The Government can and must strive to find every possible means of meeting its financial requirements while at the same time reducing the burdensome load on the average taxpayer.

In closing, I would like to compliment the Comptroller General and the Government Accounting Office for the quality of their audit report on the financial statements of the Bonneville Power Administration for fiscal 1962. I have been reading these GAO audit reports for several years now and I think that in general they are outstanding. I have been somewhat concerned, however, that they seem to have received so little attention here in Congress. We should all remember that the Government Accounting Office is an arm of the Congress—not the executive—and, therefore, is deserving of more consideration.

The suggestions from the Comptroller General and his staff for improving Government and very often for saving money are usually well founded and excellent. I sincerely hope that in the future every Member of Congress will pay more attention to these reports and suggestions.

## Consumer Reports Calls for Safe Cosmetics Law

EXTENSION OF REMARKS

OF

### HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 1963*

Mrs. SULLIVAN. Mr. Speaker, the February issue of the magazine, Consumer Reports, published by Consumers Union, contains a very worthwhile discussion on the need for tighter laws to protect the public in the purchase and use of cosmetics. This is an objective which I have been pursuing ever since coming to Congress in 1953. I have introduced safe cosmetics bills in every Congress since then, and I am delighted that this magazine which is held in such high esteem by so many consumers has also been championing the same cause over the years.

The article, which I am placing in the Congressional Record as part of my remarks, is entitled "Cosmetics Versus the Consumer," and is based on an address given by CU's medical adviser, Dr. Harold Aaron, as part of a symposium of the American Medical Association's Committee on Cosmetics at the annual meeting of the American Academy of Dermatology in Chicago last December.

There is one oversight or inaccuracy in the article which I feel I should mention, in placing it in the Record. After discussing gaps in the law which often prevent the Food and Drug Administration from moving effectively against an unsafe cosmetic item until a great deal of harm has already been done to consumers, the article states:

> When injuries do occur, especially allergic reactions, the problem is compounded for the victim and his doctor by the lack of a requirement that ingredients be revealed. The law proposed to the last Congress did not take cognizance of this problem. CU believes that cosmetics makers, like food processors and drug manufacturers, should be required to list ingredients on their labels.

#### H.R. 1235 CONTAINED REQUIREMENTS FOR IDENTIFICATION OF INGREDIENTS OF COSMETICS

Mr. Speaker, the omnibus bill which I introduced on January 3, 1961, to rewrite the Food, Drug, and Cosmetic Act of 1938 and to require, among many other things, the pretesting for safety of all cosmetics, contained exactly the sort of cosmetic ingredient identification requirement Consumer Reports mentions. Hence, the bill the article refers to when it says: "the law proposed to the last Congress did not take cognizance of this problem" would not have been H.R. 1235.

Subsection (f) of section 9 of H.R. 1235 in the last Congress—it is now renumbered as section 8 in the new H.R. 1235 introduced January 9, 1963, in this Congress—would add a new subsection (3) to section 602 of the Food, Drug, and Cosmetic Act dealing with misbranding of cosmetics, to read as follows:

(e) Unless its labeling bears (1) the common or usual name of the cosmetic chemicals, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient: *Provided,* That to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable, or results in deception or unfair competition, or is not in the best interest of the consumer, exemptions shall be established by regulations promulgated by the Secretary.

Mr. Speaker, with that one exception or oversight clarified, I think the article in Consumer Reports on the need for better laws to protect users of cosmetics represents an excellent outline of the problem. I am happy that H.R. 1235 covers all of the major points raised in this article, plus some additional ones not mentioned by Consumer Reports such as the exemption in the present law for soap, an exemption which H.R. 1235 would repeal.

The article referred to is as follows:

### HEALTH AND MEDICINE—COSMETICS VERSUS THE CONSUMER—CU HOPES IT WON'T TAKE A THALIDOMIDE TRAGEDY TO TIGHTEN COSMETICS SAFETY LAWS

Although there have been no great cosmetics scares in recent years, an addition to consumer protection legislation to require that cosmetics be tested for safety before they are marketed is sorely needed. Legislation to require protection was introduced in the last Congress, but no action was taken; it will undoubtedly be reintroduced this year.

Americans now spend more than $2 billion a year on cosmetics, a 300-percent increase from 1940. And despite the prominence of the word in the Federal Food, Drug, and Cosmetic Act, the protection afforded consumers of cosmetics under present Federal law is minimal.

#### PROVISIONS AND DEFICIENCIES OF THE LAW

The cosmetics sections of the law as it now stands do little more than require sanitary production, honest weights and measures, and disclosure of the manufacturer, packer, or distributor of the product. The buyer of an unfamiliar cosmetic has no assurance of its safety in normal use. The FDA has authority to act on a hazardous cosmetic before it actually does harm to a buyer only in the not very likely event that a manufacturer incorporates a known hazardous ingredient in his formula. New ingredients or elaborate new concoctions of ingredients may be placed on the market without previous testing, and, if the products turn out to be harmful, the FDA may step in only after enough people have been hurt—and have reported the fact—to demonstrate that the product is harmful. With TenDay Press-on Nail Color a few years ago (Consumer Reports, May 1958), 700 women had reported damaged fingernails before the FDA could get the product off the market.

When injuries do occur, especially allergic reactions, the problem is compounded for the victim and his doctor by the lack of a requirement that ingredients be revealed. The law proposed to the last Congress did not take cognizance of this problem. CU believes that cosmetics makers, like food processors and drug manufacturers, should be required to list ingredients on their labels.

That a cosmetics tragedy of thalidomide proportions has not brought a precipitous correction of deficiencies in the law, CU's medical consultants believe, can be credited only to good fortune plus the instinct for self-preservation, if not social reponsibility, on the part of the large cosmetics manufacturers. While there have been no recent serious outbreaks of injury comparable to the cases of blindness caused by hair dyes in the 1930's, it is almost impossible to obtain a reasonable estimate of the safety record of today's cosmetics. There is no systematic reporting program, and even if there were a great many of the less spectacular injuries, especially allergic reactions, would never be counted.

CU recently received a letter from a professor at Yale University telling of some inquiries he made after a bubble bath product had caused severe irritation of the vulva in his 3-year-old daughter. From talking to local physicians and friends he learned of eight similar cases in young girls. Although this seeming epidemic in one area is not likely to be an isolated instance, the FDA has not had a notable number of complaints on this product. Unless a severe complication sets in, an injured person apparently just crosses the product off her shopping list and lets the incident drop.

The regular channels for exchange of medical information show little interest in cosmetics injuries. Except where a novel and interesting kind of toxicity is involved, very few cases are given space in the clinical literature. Medical societies, State and local regulatory agencies, better business bureaus, consumer groups, and other such organizations receive reports of cosmetics injury sporadically, but they are often lax about passing the word on. If all these sources funneled to the FDA the information they receive, the protection of other people might be speeded. Consumers, too, could do a real service by taking the time to notify the FDA of any unhappy experiences they may have with cosmetics, giving the name of the product and details of their trouble with it (see "Government Aids to Consumers" in the current buying guide issue, p. 93).

#### LIMITATIONS OF TESTING

Pretesting, important as it is, cannot fully avert the possibility of cosmetics injury. There are inherent limitations in the testing procedures. The manufacturers which now test products before marketing them generally engage commercial laboratories which chiefly use animals. Such testing screens out highly toxic products. It is in the shift to human subjects, particularly in the search for allergic reactions that problems arise. Often a cosmetics company carries out the first tests of a new product in significant numbers of human beings simply by selling it in a limited area. If there are no complaints, marketing is expanded.

While a law could bring this practice within better scientific and ethical control, the final verdict on the safety of a product might still have to await use more widespread than desirable from the point of view of maximum safety. Researchers know that in allergy investigations a test population as large as 30,000 may fail to reveal a reaction rate of 1 in 10,000, enough to bring complaints with a popular cosmetic. Premarketing tests for safety are unlikely ever to reach that scale.

Even large-scale testing might fail to uncover unusual hazards. Would it, for example, have revealed a potentially lethal effect of the powdered hair-coloring agent with which teenage girls put a streak in their hair: A 7-year-old boy in California recently had to have a tracheotomy to open breathing passages irritated by the powder inhaled as he watched a 12-year-old girl use it.

A good reporting network of consumer experience with cosmetics, then, will continue to be important whatever changes are made in the law.

#### THE NEED FOR CAUTIONARY LABELING

Even the best possible consumer protection would still leave open another source of injury, those products which are known to have some degree of potential hazard but are permitted on the market anyway, because their usefulness is judged to outweigh the hazard. A great many products fall in this class. Most cosmetics, for example, may be irritating when they get into the eyes. A commercial testing laboratory has found that nearly all of a group of 140 cosmetic products for use on the head, including various antidandruff products, shampoos, and hair sprays, would have to be labeled as eye irritants if they were subject to the Federal Hazardous Substances Labeling Act. Perfumes, which are most commonly the ingredients that cause allergic reactions, are added to almost every cosmetic product. And there are some products, depilatories, for example, which have to be potentially injurious to accomplish their purpose. Few cosmetics now bear any cautionary labeling.

What is needed, then, to assure a minimum of injury from the growing use of cosmetics is a combination of better laws, continued vigilance, and intelligent consuming.

#### COSMETICS ADVERTISING

It is not so easy to suggest an approach to another aspect of consumer difficulties with the cosmetic industry, the modus operandi of cosmetics promoters.

The world of cosmetics advertising is a strange one. A girl can spend her holiday on the deck of a sailboat beating into a 10-knot breeze, one would judge by the slant of the deck, without disturbing a hair of her well-sprayed head. A previously lonesome male suddenly has to fight off the feminine pursuers after he slicks down his unruly hair with a magic cream. In the commercials for another product the cream, in turn, becomes "that greasy kid stuff" in the he-man atmosphere of the locker room. In this remarkable world, you are invited to lubricate the skin with a product whose prime action removes fats and oils—Dove detergent bar. You can be tranquilized by a simple antiperspirant ("Ice Blue" Secret). And you can cure dishpan hands by washing dishes (Ivory Liquid).

All these exaggerations are embellishments attributed for promotional purposes to products of basically limited usefulness. Commonsense says the products cannot possibly do all that is claimed for them. Why, then, does not the Federal Trade Commission step in?

The answer is simple if the remedy is not. The FTC must prove an advertising claim to be false before banning it. With cosmetics claims this raises a multitude of problems. For one thing, most cosmetics claims are not susceptible to proof, either true or false; what researcher would care to find proof, for example, of the claim that a cosmetic can make your body "a scented column of silken smoothness and your presence a sheer delight"?

Another group of claims difficult for the FTC to attack are those based on data which are scientifically weak but still can be dressed up to impress lay judges and juries; toothpaste claims often fall in this category.

Still other questionable claims rest on physiological notions which are extremely difficult if not impossible to disprove with today's knowledge and technology; the claims for products which cater to dry skin are cases in point. Virtually all these products are emollients of one sort or another; yet it has been shown that dryness of the skin is caused by escape of water from the tissues, not by the removal of fats or oils. The best that an emollient can hope to do is to give the dry skin a smooth feel and inhibit further evaporation of moisture. Moreover, there is no objective measurement for skin dryness.

SKIN ILLS MADE TO ORDER

Cosmetics promotion, both through advertising—especially on TV—and through the hidden persuasion of the women's magazines, is having a profound effect. Good Housekeeping, in surveying the purposes for which women apply substances to their skin, found a remarkable growth in skin problems between 1957 and 1961: dryness up from 35 to 41 percent; chapping, 10 to 18 percent; flaking, 14 to 21 percent. Such a marked increase in dryness, if real, could only have been produced by a meterological upheaval resulting in unprecedented changes in the mean relative humidity or by a nationwide metabolic disturbance. But the survey also showed oily skin increasing, as well as freckles, large pores, and blemishes.

The commercial philosophy of this Nation invites anyone with initiative to enter the marketplace and sell whatever he can, short of harming his customers, and it need not be a better mousetrap. If it can be artfully enough promoted, it need not work at all. Considering the limited range of physical effects that cosmetics can have, one may argue that the purposes of cosmetics are mainly psychological; that if the buyer can be convinced she is benefited by using the product, full value is received. While this reasoning may contain some truth in respect to cosmetics, it is also a justification for any kind of deception, so long as the victim is unaware of it and makes no complaint.

CU has no ready answer to the ethical questions posed by the general acceptance of gross deception in cosmetics promotion. But there is perhaps some comfort in the thought that a mind well supplied with reliable information is less likely to be gullible. CU intends to continue contributing to its readers' fund of reliable information.

(The article above was prepared from material gathered for an address given by Harold Aaron, M.D., CU's medical adviser, as part of a symposium of the American Medical Association's Committee on Cosmetics at the annual meeting of the American Academy of Dermatology in Chicago last December.)

FULL TEXT OF COSMETIC PROVISIONS OF H.R. 1235

Mr. Speaker, the section dealing with cosmetics is only one of many sections in H.R. 1235 to rewrite our nearly 25-year-old Food, Drug, and Cosmetic Act of 1938. Other provisions of H.R. 1235 would tighten the labeling requirements for all foods and drugs, as well as cosmetics, to prevent deceptive packaging and other consumer frauds; attack the sale of fake cures for cancer; require new therapeutic devices to be proved both safe and efficacious before they can be sold; provide more adequate controls over the distribution of habit-forming barbiturates and amphetamines—the sleeping pills and "pep" pills; strengthen the factory inspection laws for all products covered by the Food, Drug, and Cosmetic Act, and make other important and long-overdue changes in our basic consumer statute.

Relevant to the article from Consumer Reports which appears above, however, would be only section 8 of the bill as it now stands, applying entirely to cosmetics.

I, therefore, submit for inclusion at this point in the RECORD, section 8 of H.R. 1235, as follows:

PRETESTING COSMETICS

SEC. 8. (a) The following new section is added at the end of chapter VI of such Act:

"PRETESTING COSMETICS

"SEC. 604. (a) No person shall introduce or deliver for introduction into interstate commerce any cosmetic—

"(1) the composition of which is such that such cosmetic is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of cosmetics, as having been adequately shown to be safe for its intended use and other uses reasonably to be anticipated, or

"(2) the composition of which is such that such cosmetic, as a result of investigations to determine its safety for such a use, has become so recognized, but which has not, otherwise than in such investigations, been so used to a material extent or for a material time, unless an application filed pursuant to subsection (b) is effective with respect to such cosmetic.

"(b) Any person may file with the Secretary an application with respect to any cosmetic subject to the provisions of subsection (a). Such persons shall submit to the Secretary as a part of the application (1) full reports of investigations which have been made to show whether or not such cosmetic is safe for use; (2) a full list of the articles used as components of such cosmetic; (3) a full statement of the composition of such cosmetic; (4) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such cosmetic; (5) such samples of such cosmetic and of the articles used as components thereof as the Secretary may require; and (6) specimens of the labeling proposed to be used for such cosmetic.

"(c) The Secretary, within ninety days after the filing of an application under this subsection, shall notify the applicant that the application is effective or shall give the applicant notice of opportunity for a hearing on the question whether to permit the application to become effective, except that prior to the ninetieth day after such filing the Secretary may notify the applicant in writing that the time for action by him has been extended to such time (not more than one hundred and eighty days after the date of filing the application) as the Secretary deems necessary to enable him to study and investigate the application.

"(d)(1) If the Secretary finds, after due notice to the applicant and giving him an opportunity for a hearing, that (A) the investigations, reports of which are required to be submitted to the Secretary pursuant to subsection (b), do not include adequate tests by all methods reasonably applicable to show whether or not such cosmetic is safe for its intended use and other uses reasonably to be anticipated; (B) the results of such tests show that such cosmetic is unsafe for any such use or do not show that such cosmetic is safe for such uses; (C) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such cosmetic are inadequate to preserve its identity, strength, quality, and purity; or (D) upon the basis of the information submitted to him as part of the application, or upon the basis of any other information before him with respect to such cosmetic, he has insufficient information to determine whether such cosmetic is safe for its intended use and other uses reasonably to be anticipated, he shall, prior to the effective date of the application, issue an order refusing to permit the application to become effective.

"(2) A cosmetic shall be deemed unsafe and an application with respect to it may not become effective—

"(A) if its intended use or any use which can reasonably be anticipated will or may result in ingestion of all or part of such cosmetic and (i) the cosmetic is found by the Secretary to induce cancer when ingested by man or animal or (ii) it is found by the Secretary, after tests which are appropriate for the evaluation of safety of cosmetics, to induce cancer in man or animal, or

"(B) if its intended use or any use which can reasonably be anticipated will not result in ingestion of any part of such cosmetic and, after tests which are appropriate for the evaluation of the safety of the cosmetics for any such use, or after other relevant exposure of man or animal to such cosmetic, it is found by the Secretary to induce cancer in man or animal.

"(3) An application with respect to a cosmetic may not become effective if the data before the Secretary show that its intended use or any use which can reasonably be anticipated would promote deception of the consumer in violation of this Act or would otherwise result in misbranding or adulteration within the meaning of this Act.

"(e) The effectiveness of an application with respect to any cosmetic shall, after due notice and opportunity for hearing to the applicant, by order of the Secretary be suspended if the Secretary finds that (1) for reasons set forth by him, there is reasonable doubt as to the safety of the cosmetic for its intended use or any other use reasonably to be anticipated, or (2) the application contains any untrue statement of a material fact.

"(f) An order refusing to permit an application with respect to any cosmetic to become effective shall be revoked whenever the Secretary finds that the facts so require.

"(g)(1) An order of the Secretary after a hearing under this section shall be based upon a fair evaluation of the entire record at the hearing and shall include a statement setting forth in detail the findings and conclusions on which it is based.

"(2) Orders of the Secretary under this section shall be served (A) in person by any officer or employee of the Department designated by the Secretary or (B) by mailing the order by registered mail or certified mail addressed to the applicant or respondent at his last known address in the records of the Secretary.

"(h) In case of denial or withdrawal of approval of an application under this section, the applicant may file in the United States court of appeals for the circuit in which such applicant resides or has his principal place of business, within sixty days after serving of notice of such order, a written petition praying that the order of the Secretary be set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court a transcript of the record of the proceedings on which he based his order, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have jurisdiction, which upon the filing of the record with it shall be exclusive, to affirm or set aside the order. The finding of the Secretary as to the facts shall be sustained if based upon a fair evaluation of the entire record at the hearing. If any person shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence to be taken before the Secretary and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts and order by reason of the additional evidence so taken, and he shall file with the court such modified findings and order. The court, on judicial review, shall not sustain the order of the Secretary if he failed to comply with any requirement imposed on him by subsection (g)(1). The judgment and decree of the court affirming or setting aside any order under this section shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless specifically ordered by the court to the contrary, operate as a stay of the Secretary's order.

"(i) The Secretary shall promulgate regulations for exempting from the operation of this section cosmetics intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety of cosmetics."

"(j)(1) Every person engaged in manufacturing, compounding, or processing any cosmetic with respect to which an application, filed pursuant to this section, is in effect shall establish and maintain such records, and make such reports to the Secretary, of data relating to experience and other data or information, received or otherwise obtained by such person with respect to such cosmetic, as the Secretary may by general regulation, or by order with respect to such application, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to determine, or to facilitate a determination, whether there is or may be ground for invoking subsection (e) of this section.

"(2) Every person required under this section to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records."

(b) Section 201(i)(2) of such Act is amended by changing the semicolon to a period and deleting the words "except that such term shall not include soap."

(c) Section 301 of such Act is further amended—

(1) by striking out in paragraph (d) thereof "or 512" and inserting in lieu thereof "512 or 604".

(2) by inserting before the period at the end of paragraph (e) thereof a semicolon and the following: "or the failure to establish or maintain any record, or make any report, required under section 604 (i) or (j), or the refusal to permit access to or verification or copying of any such record."

(3) by inserting "604," in paragraph (j) after "507,".

(4) by adding at the end thereof the following new paragraph:

"(q) The using, on the labeling of any cosmetic or in any advertising relating to such cosmetic, of any representation or suggestion that an application with respect to such cosmetic is effective under section 604, or that such cosmetic complies with the provisions of such section."

(d) Section 304 of such Act is further amended—

(1) by striking out in subsection (a) thereof "or 512" and inserting in lieu thereof "512 or 604".

(2) by striking out in subsection (d) thereof "404 or 505" and inserting in lieu thereof "404, 505, or 604".

(e) Section 601 of such Act is amended—

(1) by changing the semicolon after the word "usual" in subsection (a) to a period, and deleting the remainder of the subsection.

(2) by changing subsection (e) to read as follows:

"(e) If it is, or it bears or contains, a color additive which is unsafe within the meaning of section 706(a)".

(3) by adding at the end thereof the following new subsection:

"(f) If it is a cosmetic to which the provisions of section 604 apply but with respect to which an application is not effective under such section."

(f) Section 602 of such Act is amended by adding the following subsection:

"(e) Unless its labeling bears (1) the common or usual name of the cosmetic chemicals, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient: *Provided*, That to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable, or results in deception or unfair competition, or is not in the best interest of the consumer, exemptions shall be established by regulations promulgated by the Secretary".

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# HOUSE OF REPRESENTATIVES

### TUESDAY, JANUARY 29, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, DD., offered the following prayer:

The words concerning Moses: Hebrews 11: 27: *He endured, as seeing Him who is invisible."*

Almighty God, our Heavenly Father, in all the hours of this day, may we eagerly seek and willingly accept Thy divine companionship and counsel.

We penitently confess that we so frequently allow the windows of our souls to become opaque and our vision of life's higher values to become distorted and obscured.

Inspire and sustain us with the conviction that there are no crises which we cannot face and no hardships which we cannot endure when our minds and hearts are stayed on Thee.

Hear us in Christ's name. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

## COMMITTEE ON PUBLIC WORKS

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution (H. Res. 206) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That DONALD H. CLAUSEN, of California, be, and he is hereby, elected a member of the Standing Committee of the House of Representatives on Public Works.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

Mr. BURLESON. Mr. Speaker, I offer a privileged resolution (H. Res. 207) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That the Committee on the Disposition of Executive Papers, provided for by section 5 of Public Law 115, 78th Congress, shall consist of two members of the Committee on House Administration, to be appointed by the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## MEMBERS OF COMMITTEES ON PRINTING AND ON THE LIBRARY

Mr. BURLESON. Mr. Speaker, I offer a privileged resolution (H. Res. 208) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. BURLESON, of Texas; Mr. HAYS, of Ohio; Mr. SCHENCK, of Ohio.

Joint Committee of Congress on the Library: Mr. BURLESON, of Texas; Mr. JONES, of Missouri; Mr. THOMPSON, of New Jersey; Mr. SCHENCK, of Ohio; Mr. CORBETT, of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE ON RULES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Wednesday to file certain sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

## ANNOUNCEMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this time, and I shall not take but a minute, to announce to the House that, in connection with the announcement that I made on yesterday, on Thursday next it is the intention of the leadership to call up sundry resolutions for the Committee on Rules dealing with the continuation of existing select and special committees and the rules under which they operate.

## ADJOURNMENT TO THURSDAY, JANUARY 31, 1963

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

## APPLICANTS FOR U.S. CITIZENSHIP

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I have today introduced a bill which would waive the requirement that applicants for U.S. citizenship must be able to read and write English in cases where the applicant is a parent of a young man or woman who lost his life while in the armed services of the United States.

Recently, an elderly woman of Greek descent came to see me at my home office. Through an interpreter, she told me that her son was killed in battle while serving in the U.S. Army in World War II. She further told me of her strong desire to become a citizen, and that naturalization had been denied her because she cannot read and write English.

I contacted the district office of the Immigration and Naturalization Service in her behalf, but was informed that there is no discretionary authority under which the language requirement can be waived.

Mr. Speaker, this bill may appear to involve a small matter, but I believe that the test of the greatness of a Government often lies in whether or not it is willing to pay attention to these so-called small matters of humble people.

The least we can do for these noncitizen parents is to express our gratitude to them by welcoming them to the ranks of our democracy without unnecessary delay and redtape. I hope that the Judiciary Committee will act promptly on this measure.

## MILITARY AIR TRANSPORT SERVICE

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, today I have introduced a bill to redesignate the Military Air Transport Service as the Military Airlift Command—a specified command under the Joint Chiefs of Staff. The bill is aimed at consolidating the national critical airlift into a single command. Different from last year's proposals, the bill specifies that all airlift becomes the responsibility of the Military Airlift Command. The bill does not differentiate between strategic and tactical airlift, because modern equipment and know-how have proved this an artificial division.

I have found in my study of airlift resources that fragmentation continues, and economy in this critical resource continues to be violated. The bill would centralize the authority for the airlift function under the Joint Chiefs of Staff as a specified command and will insure more positive control and improved responsiveness to our national airlift requirements.

There is no reason why purchase, training, and maintenance cannot be unified, even though from time to time operational control must be vested in different commands and/or theaters of operation.

I have submitted this bill because Defense has not evidenced concern, either over airlift resources or adequacy of control, of a resource which continues to be critical. The function of military airlift must react as a total weapons system capable of fulfilling its general and limited war mission as well as to operate effectively and economically in peacetime. Medical air evacuation, an important aspect of the Military Airlift Command, must receive equal attention.

I am also concerned over the need for follow-on aircraft for the C–133, the largest of the U.S. Air Force's outsized cargo equipment. In my opinion, this equipment is as critical as the accelerated buy of the C–130E or additional numbers of the C–135E. The current critical world situation with simultaneous conflagrations seemingly imminent in the Caribbean, Berlin, Korea, Formosa, southeast Asia—indeed along the entire border of the free world—dictates the requirement for a centralized responsive airlift force to include air evacuation capability.

## EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 54)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

*To the Congress of the United States:*

Education is the keystone in the arch of freedom and progress. Nothing has contributed more to the enlargement of this Nation's strength and opportunities than our traditional system of free, universal elementary and secondary education, coupled with widespread availability of college education.

For the individual, the doors to the schoolhouse, to the library, and to the college lead to the richest treasures of our open society: to the power of knowledge—to the training and skills necessary for productive employment—to the wisdom, the ideals, and the culture which enrich life and to the creative, self-disciplined understanding of society needed for good citizenship in today's changing and challenging world.

For the Nation, increasing the quality and availability of education is vital to both our national security and our domestic well-being. A free nation can rise no higher than the standard of excellence set in its schools and colleges. Ignorance and illiteracy, unskilled workers and school dropouts—these and other failures of our educational system breed failures in our social and economic system: delinquency, unemployment, chronic dependence, a waste of human resources, a loss of productive power and purchasing power, and an increase in tax-supported benefits. The loss of only 1 year's income due to unemployment is more than the total cost of 12 years of education through high school. Failure to improve educational performance is thus not only poor social policy, it is poor economics.

At the turn of the century, only 10 percent of our adults had a high school or college education. Today such an education has become a requirement for an increasing number of jobs. Yet nearly 40 percent of our youths are dropping out before graduating from high school; only 43 percent of our adults have completed high school; only 8 percent of our adults have completed college; and only 16 percent of our young people are presently completing college. As my Science Advisory Committee has reported, one of our most serious manpower shortages is the lack of Ph. D.'s in engineering, science, and mathematics; only about one-half of 1 percent of our school age generation is achieving Ph. D. degrees in all fields.

This Nation is committed to greater investment in economic growth and recent research has shown that one of the most beneficial of all such investments is education, accounting for some 40 percent of the Nation's growth and productivity in recent years. It is an investment which yields a substantial return in the higher wages and purchasing power of trained workers, in the new products and techniques which come from skilled minds and in the constant expansion of this Nation's storehouse of useful knowledge.

In the new age of science and space, improved education is essential to give new meaning to our national purpose and power. In the last 20 years, mankind has acquired more scientific information than in all of previous history. Ninety percent of all the scientists that ever lived are alive and working today. Vast stretches of the unknown are being explored every day for military, medical, commercial, and other reasons. And finally, the twisting course of the cold war requires a citizenry that understands our principles and problems. It requires skilled manpower and brainpower to match the power of totalitarian discipline. It requires a scientific effort which demonstrates the superiority of freedom. And it requires an electorate in every State with sufficiently broad horizons and sufficient maturity of judgment to guide this Nation safely through whatever lies ahead.

In short, from every point of view, education is of paramount concern to the national interest as well as to each individual. Today we need a new standard of excellence in education, matched by the fullest possible access to educational opportunities, enabling each citizen to develop his talents to the maximum possible extent.

Our concern as a nation for the future of our children—and the growing demands of modern education which Federal financing is better able to assist—make it necessary to expand Federal aid to education beyond the existing limited number of special programs. We can no longer afford the luxury of endless debate over all the complicated and sensitive questions raised by each new proposal on Federal participation in education. To be sure, these are all hard problems—but this Nation has not come to its present position of leadership by avoiding hard problems. We are at a point in history when we must face and resolve these problems.

State and local governments and private institutions, responsive to individual and local circumstances, have admirably served larger national purposes as well. They have written a remarkable record of freedom of thought and independence of judgment; and they have, in recent years, devoted sharply increased resources to education. Total national outlays for education nearly trebled during the 1940's and more than doubled during the 1950's, reaching a level of nearly $25 billion in 1960. As a proportion of national income, this represented a rise from little more than 4 percent in 1940 to nearly 6 percent in 1960, an increase of over 40 percent in total effort.

But all this has not been enough. And the Federal Government—despite increasing recognition of education as a nationwide challenge, and despite the increased financial difficulties encountered by States, communities, and private institutions in carrying this burden—has clearly not met its responsibilities in education. It has not offered sufficient help to our present educational system to meet its inadequacies and overcome its obstacles.

I do not say that the Federal Government should take over responsibility for education. That is neither desirable nor feasible. Instead its participation should be selective, stimulative, and, where possible, transitional.

A century of experience with land-grant colleges has demonstrated that Federal financial participation can assist educational progress and growth without Federal control. In the last decade, experience with the National Science Foundation, with the National Defense Education Act, and with programs for assisting federally affected school districts has demonstrated that Federal support can benefit education without leading to Federal control. The proper Federal role is to identify national education goals and to help local, State, and private authorities build the necessary roads to reach those goals. Federal aid will enable our schools, colleges, and universities to be more stable financially and therefore more independent.

These goals include the following:

First, we must improve the quality of instruction provided in all of our schools and colleges. We must stimulate interest in learning in order to reduce the alarming number of students who now drop out of school or who do not continue into higher levels of education. This requires more and better teachers—teachers who can be attracted to and retained in schools and colleges only if pay levels reflect more adequately the value of the services they render. It also requires that our teachers and instructors be equipped with the best possible teaching materials and curriculums. They must have at their command methods of instruction proven by thorough scientific research into the learning process and by careful experimentation.

Second, our educational system faces a major problem of quantity—of coping with the needs of our expanding population and of the rising educational expectations for our children which all of us share as parents. Nearly 50 million people were enrolled in our schools and colleges in 1962—an increase of more than 50 percent since 1950. By 1970 college enrollment will nearly double, and secondary schools will increase enrollment by 50 percent—categories in which the cost of education, including facilities, is several times higher than in elementary schools.

Third, we must give special attention to increasing the opportunities and incentives for all Americans to develop their talents to the utmost—to complete their education and to continue their self-development throughout life. This means preventing school dropouts, improving and expanding special educational services, and providing better education in slum, distressed and rural areas where the educational attainment of students is far below par. It means increased opportunities for those students both willing and intellectually able to advance their education at the college and graduate levels. It means increased attention to vocational and technical education, which have long been underdeveloped in both effectiveness and scope, to the detriment of our workers and our technological progress.

In support of these three basic goals, I am proposing today a comprehensive, balanced program to enlarge the Federal Government's investment in the education of its citizens—a program aimed at increasing the educational opportunities of potentially every American citizen, regardless of age, race, religion, income and educational achievement.

This program has been shaped to meet our goals on the basis of three fundamental guidelines:

A. An appraisal of the entire range of educational problems, viewing educational opportunity as a continuous lifelong process, starting with preschool training and extending through elementary and secondary schools, college, graduate education, vocational education, job training and retraining adult education, and such general community educational resources as the public library;

B. A selective application of Federal aid—aimed at strengthening, not weakening, the independence of existing school systems and aimed at meeting our most urgent education problems and objectives, including quality improvement; teacher training; special problems of slum, depressed, and rural areas; needy students; manpower shortage areas, such as science and engineering; and shortages of educational facilities; and

C. More effective implementation of existing laws, as reflected in my recent budget recommendations.

To enable the full range of educational needs to be considered as a whole, I am transmitting to the Congress with this message a single, comprehensive education bill—the National Education Improvement Act of 1963. For education cannot easily or wisely be divided into separate parts. Each part is linked to the other. The colleges depend on the work of the schools; the schools depend on the colleges for teachers; vocational and technical education is not separate from general education. This bill recalls the posture of Jefferson:

> Nobody can doubt my zeal for the general instruction of the people. I never have proposed a sacrifice of the primary to the ultimate grade of instruction. Let us keep our eye steadily on the whole system.

In order that its full relation to economic growth, to the new age of science, to the national security, and to human and institutional freedom may be analyzed in proper perspective, this bill should be considered as a whole, as a combination of elements designed to solve problems that have no single solution.

This is not a partisan measure—and it neither includes nor rejects all of the features which have long been sought by the various educational groups and organizations. It is instead an attempt to launch a prudent and balanced program drawing upon the efforts of many past Congresses and the proposals of many Members of both Houses and both political parties. It is solely an educational program, without trying to solve all other difficult domestic problems. It is clearly realistic in terms of its cost—and it is clearly essential to the growth and security of this country.

### I. THE EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

Our present American educational system was founded on the principle that opportunity for education in this country should be available to all—not merely to those who have the ability to pay. In the past, this has meant free public elementary and secondary schools in every community—thereafter, land grant, State, and municipal colleges, and vocational education—and more recently, job retraining and specialized teachers for students with special educational problems.

Now a veritable tidal wave of students is advancing inexorably on our institutions of higher education, where the annual costs per student are several times as high as the cost of a high school education, and where these costs must be borne in large part by the student or his parents. Five years ago the graduating class of the secondary schools was 1.5 million; 5 years from now it will be 2.5 million. The future of these young people and the Nation rests in large part on their access to college and graduate education. For this country reserves its highest honors for only one kind of aristocracy, that which the Founding Fathers called "an aristocracy of achievement arising out of a democracy of opportunity."

Well over half of all parents with school-age children expect them to attend college, but only one-third do so. Some 40 percent of those who enter college do not graduate, and only a small number continue into graduate and professional study. The lack of adequate aid to students plays a large part in this disturbing record.

Federal aid to college students is not new. More than 3 million World War II and Korean conflict veterans have received $6 billion in Federal funds since 1944 to assist them to attend college.

Additionally, the National Defense Education Act college student loan program has aided more than 300,000 students in more than 1,500 institutions who have borrowed nearly $220 million. In 4 years of operations, defaults have totaled only $700 while repayment rates are more than twice that required by law.

But as effective as this program has been, it has not fulfilled its original objective of assuring that "no student of ability will be denied an opportunity for higher education because of financial need." The institutional ceiling of $250,000 per year on the Federal contribution limits loan funds in at least 98 of the presently participating institutions. The annual statutory ceiling of $90 million on Federal appropriations restricts the size of the program. As a result, only about 5 percent of the students enrolled in participating colleges are assisted. Additionally, the forgiveness feature for teachers is rendered less attractive as well as less meaningful by excluding those who go on to teach in colleges, private schools, or on oversea military posts. This proven program must be enlarged and strengthened.

Other types of assistance are needed. For students who cannot meet the financial criteria under the National Defense Education Act loan program, a loan insurance program—drawing on techniques well established by the FHA and other Federal programs—would encourage banks and other institutions to loan more money for educational purposes.

Moreover, many students from families with limited incomes cannot and should not carry a heavy burden of debt. They must rely largely on income from employment while in college. For these students, the Federal Government should—as it did in the days of the National Youth Administration—help colleges provide additional student work opportunities of an educational character.

A serious barrier to increased graduate study is the lack of adequate financial aid for graduate students. Only 1,500 fellowships are permitted annually under the National Defense Education Act program, upon which we are dependent for urgently needed increases in the number of college teachers and the number of graduate students pursuing other courses essential to the Nation's advancement and security. The National Science Foundation has broad authority for fellowships and training grants, but its program, too, has been restricted by limited appropriations. The President's Science Advisory Committee has predicted that the dramatically increasing demand for engineers, mathematicians, and physical scientists, will require that the output of Ph. D.'s in these fields alone be increased 2½ times, to a total of 7,500 annually by 1970, and that the number of masters degrees awarded annually be substantially increased. In all fields the need exceeds the supply of doctoral recipients. The shortage is particularly acute in college teaching, where at present rates the Nation will lack 90,000 doctoral degree holders by 1970. It is clearly contrary to the national interest to have the number of graduate students limited by the financial ability of those able and interested in pursuing advanced degrees. Fellowship programs can ease much of the financial burden and, most importantly, encourage and stimulate a fuller realization and utilization of our human resources.

The welfare and security of the Nation require that we increase our investment in financial assistance for college students both at undergraduate and graduate levels. In keeping with present needs and our traditions of maximum self-help, I recommend that the Congress enact legislation to:

1. Extend the National Defense Education Act student loan program, liberalize the repayment forgiveness for teachers, raise the ceiling on total appropriations and eliminate the limitation on amounts available to individual institutions.

2. Authorize a supplementary new program of Federal insurance for commercial loans made by banks and other institutions to college students for educational purposes.

3. Establish a new work-study program for needy college students unable to carry too heavy a loan burden, providing up to half the pay for students employed by the colleges in work of an educational character—as, for example, laboratory, library or research assistants.

4. Increase the number of National Defense Education Act fellowships to be awarded by the Office of Education from 1,500 to 12,000, including summer session awards.

5. Authorize a thorough survey and evaluation of the need for scholarships or additional financial assistance to undergraduate students so that any further action needed in this area can be considered by the next Congress.

6. In addition, as part of this program to increase financial assistance to students, the 1964 budget recommendations for the National Science Foundation, which are already before the Congress, include a proposed increase of $35 million to expand the number of fellowships and new teaching grants for graduate study from 2,800 in 1963 to 8,700 in fiscal 1964.

### II. EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

Aid to college students will be to no avail if there are insufficient college classrooms. The long-predicted crisis in higher education facilities is now at hand. For the next 15 years, even without additional student aid, enrollment increases in colleges will average 340,000 each year. If we are to accommodate the projected enrollment of more than 7 million college students by 1970—a doubling during the decade—$23 billion of new facilities will be needed, more than 3 times the quantity built during the preceding decade. This means that, unless we are to deny higher education opportunities to our youth, American colleges and universities must expand their academic facilities at a rate much faster than their present resources will permit.

In many colleges, students with adequate modern dormitories and living quarters—thanks to the College Housing Act—are crammed in outmoded, overcrowded classrooms, laboratories, and libraries. Even now it is too late to provide these facilities to meet the sharp increases in college enrollment expected during the next 2 years. Further delay will aggravate an already critical situation.

I recommend, therefore, the prompt enactment of a program to provide loans to public and nonprofit private institutions of higher education for construction of urgently needed academic facilities.

The opportunity for a college education is severely limited for hundreds of thousands of young people because there is no college in their own community. Studies indicate that the likelihood of going to college on the part of a high school graduate who lives within 20 to 25 miles of a college is 50 percent greater than it is for the student who lives beyond commuting distance. This absence of college facilities in many communities causes an unfortunate waste of some of our most promising youthful talent. A demonstrated method of meeting this particular problem effectively is the creation of 2-year community colleges—a program that should be undertaken without delay and which will require Federal assistance for the construction of adequate facilities.

I recommend, therefore, a program of grants to States for construction of public community junior colleges.

There is an especially urgent need for college-level training of technicians to assist scientists, engineers, and doctors. Although ideally one scientist or engineer should have the backing of two or three technicians, our institutions today are not producing even one technician for each three science and engineering graduates. This shortage results in an inefficient use of professional manpower—the occupation of critically needed time and talent to perform tasks which could be performed by others—an extravagance which cannot be tolerated when the Nation's demand for scientists, engineers, and doctors continues to grow. Failure to give attention to this matter will impede the objectives of the graduate and postgraduate training programs mentioned below.

I recommend, therefore, a program of grants to aid public and private nonprofit institutions in the training of scientific, engineering, and medical technicians in 2-year college-level programs, covering up to 50 percent of the cost of constructing and equipping as well as operating the necessary academic facilities.

Special urgency exists for expanding the capacity for the graduate training of engineers, scientists, and mathematicians. The President's Science Advisory Committee has recently reported that an unprecedented acceleration in the production of advanced degrees is immediately necessary to increase our national capability in these fields. Added facilities, larger faculties, and new institutions are needed. I have recommended, therefore, in the proposed 1964 budget already before the Congress, a strengthening of the National Science Foundation matching grant program for institutions of higher education to expand and improve graduate and undergraduate science facilities.

Because today's trend in colleges and universities is toward less lecturing and more independent study, the college and university library becomes even more essential in the life of our students. Today, as reported by the American Library Association, nearly all college libraries are urgently in need of additional books, periodicals, scientific reports, and similar materials to accommodate the growing number of students and faculty. Additionally, they need buildings, equipment, and publications to serve their academic communities, whether public or private.

I recommend the authorization of Federal grants to institutions of higher education for library materials and construction, on a broad geographic basis, with priority to those most urgently requiring expansion and improvement.

Expansion of high quality graduate education and research in all fields is essential to national security and economic growth. Means of increasing our supply of highly trained professional personnel to match the rapidly growing demands of teaching, industry, government, and research warrants our interest and support.

We need many more graduate centers, and they should be better distributed geographically. Three-quarters of all doctoral degrees are granted by a handful of universities located in 12 States. The remaining States with half our population produce only one-fourth of the Ph. D.'s.

New industries increasingly gravitate to or are innovated by strong centers of learning and research. The distressed area of the future may well be one which lacks centers of graduate education and research. It is in the national interest to encourage establishment of these critically needed centers of advanced learning, especially in parts of the Nation now lacking them.

I recommend enactment of a Federal grant program administered by the Department of Health, Education, and Welfare for the development and expansion of new graduate centers. I also urge appropriation of the increased funds requested in my 1964 budget for expansion of the National Science Foundation program of science development grants, which will also contribute to strengthening of graduate education.

Our experience under the National Defense Education Act with respect to modern language and area centers has demonstrated that Federal aid can spur development of intellectual talent. They deserve our continuing support, with assurance that resources will be available for orderly expansion in keeping with availability of teaching talent.

I recommend that the current modern foreign language program aiding public and private institutions of higher learning be extended and expanded.

### III. IMPROVEMENT OF EDUCATIONAL QUALITY

A basic source of knowledge is research. Industry has long realized this truth. Health and agriculture have established the worth of systematic research and development. But research in education has been astonishingly meager and frequently ignored. A fraction of 1 percent of this Nation's total expenditures for education is now devoted to such research. It is appalling that so little is known about the level of performance, comparative value of alternative investments, and specialized problems of our educational system—and that it lags behind, sometimes by as much as 20 or even 50 years, in utilizing the results of research and keeping abreast of man's knowledge in all fields, including education itself.

Highest priority must be given to strengthening our educational research efforts, including a substantial expansion of the course content improvement programs which the Government has supported, particularly through the National Science Foundation. Two interrelated actions are necessary:

1. I have recommended appropriations in the 1964 budget for substantially expanding the National Science Foundation science and mathematics course materials program and the Office of Education educational research program.

2. I recommend legislation to broaden the Cooperative Research Act to authorize support of centers for multipurpose educational research, and for development and demonstration programs; and to broaden the types of educational agencies eligible to conduct research.

The second step to improvement of educational quality is teacher training. The quality of education is determined primarily by the quality of the teacher. Yet one out of every five teachers in the United States has either not been certified by his State as qualified to teach or failed to complete 4 years of college study. In the field of English, between 40 and 60 percent of the secondary school teachers lack even the minimum requirement of a college major in that subject. Thus, it is not surprising that, largely because of unsatisfactory elementary and secondary school instruction, our colleges and universities are now required to spend over $10 million annually on remedial English courses.

The lack of teacher quality and preparation in other fields is equally disturbing. More than two-thirds of our 1.6 million teachers completed their degree work more than 5 years ago. Yet, within the past 5 years, major advances have been made—not only in the physical, biological, engineering and mathematical sciences, but also in specialized branches of the social sciences, the arts and humanities, and in the art of teaching itself.

In addition, we lack sufficient trained teachers for 6 million handicapped children and youth, including 1.5 million mentally retarded and another 1.5 million with very serious social and emotional problems. Only through special classes, taught by specially trained teachers, can these children prepare for rehabilitation, employment and community participation. Yet less than one-fourth of these children now have access to the special education they require, primarily because of the lack of qualified special teachers, college instructors, research personnel, and supervisors. It is estimated that 75,000 special teachers—55,000 more than presently available—are needed for the mentally retarded alone.

The teacher training support programs of the National Science Foundation and the Office of Education have demonstrated their value.

I recommend, therefore:

That the National Science Foundation program for training institutes for teachers in the natural sciences, mathematics, engineering and social sciences be expanded to provide for upgrading the knowledge and skills of 46,000 teachers, as provided in my 1964 budget recommendations;

That new legislation be enacted to (a) broaden authority for teacher institutes financed by the Office of Education, now restricted to school guidance counselors and language teachers, to other academic fields; (b) authorize a program of project grants to help colleges and universities improve their teacher preparation programs by upgrading academic courses and staff, by encouraging the selection and retention of their most talented prospective teachers, and by attracting and training teachers from new sources such as retired military personnel or women whose family responsibilities permit them to teach; and (c) authorize training grants through colleges and universities for teachers and other education personnel requiring specialized training, with particular emphasis on the training of teachers of the mentally retarded and other handicapped children, teachers of gifted or culturally deprived children, teachers of adult literacy, librarians, and educational researchers.

### IV. STRENGTHENING PUBLIC ELEMENTARY AND SECONDARY EDUCATION

Improved research and teacher training are not enough, if good teachers do not choose to teach. Yet present salary schedules in some cases are too low at the start to compete against other positions available to college graduates. In almost all cases, they are too low at the top to retain our ablest young teachers. Without sufficient incentive to make teaching a lifetime career, teachers with valuable training and experience but heavy family responsibilities too often become frustrated and drop out of the profession. Their children may never try to enter. Although teachers' salaries have generally improved in the Nation in recent years, there are still districts which have starting salaries below $3,000.

Good teachers, moreover, need good schools. Last year, over 1,500,000 children were in overcrowded classrooms and an estimated 2 million others were studying amid grossly substandard health and safety conditions. In many areas school dropouts, or the education of the economically disadvantaged, the culturally deprived, the physically or mentally handicapped, and the gifted require specially designed programs which simply are not available.

I am not the first, but I hope to be the last, President to be compelled to call these needless shortcomings to the Nation's attention. These are national problems crossing State boundaries, and deserving of national attention. In our mobile population—where every year 1 out of 5 families moves, sometimes across the street, but often across State lines—every family has reason to make teaching in every State a more rewarding and productive profession, and to help every State strengthen its public elementary and secondary education, particularly in those school districts that are financially unable to keep up.

Yet let us face the fact that the Federal Government cannot provide all the financial assistance needed to solve all of the problems mentioned. Instead of a general aid approach that could at best create a small wave in a huge ocean, our efforts should be selective and stimulative, encouraging the States to redouble their efforts under a plan that would phase out Federal aid over a 4-year period.

I recommend, therefore, a 4-year program to provide $1.5 billion to assist States in undertaking under their own State plans selective and urgent improvements in public elementary and secondary education including: (1) increasing starting and maximum teacher salaries, and increasing average teacher salaries in economically disadvantaged areas; (2) constructing classrooms in areas of critical and dangerous shortage; and (3) initiating pilot, experimental, or demonstration projects to meet special educational problems, particularly in slums and depressed rural and urban areas.

I also recommend extension of the National Defense Education Act programs which contribute to improving the quality of elementary and secondary education. Grants for testing, guidance, and counseling programs should be expanded and continued beyond the 1964 expiration date. This program has great relevance for the detection of incipient problems which inhibit learning and for development of the talents of our youth. National Defense Education Act assistance for science, mathematics, and foreign language laboratory equipment—which is essential for adequate educational programs using newly developed teaching methods—should also be continued beyond 1964.

Finally, in regard to elementary and secondary schools, I recommend a 4-year continuation of those portions of the federally affected area laws which expire June 30, 1963. These statutes now assist some 4,000 school districts located in every State, which together enroll one-third of all public elementary and secondary school pupils in the Nation. Almost 60,000 critically needed classrooms have been constructed at a cost of $1.15 billion to house more than 1,700,000 pupils; and school operating budgets have been supplemented by more than $1.7 billion. For fiscal 1964 the present provisions would be extended. Limited modifications of the existing provisions, which would take effect beginning in 1965, would overcome certain inequities demonstrated by past experience. Also, the District of Columbia should be added to the jurisdictions eligible to participate.

### V. VOCATIONAL AND SPECIAL EDUCATION

Since the wartime administration of President Woodrow Wilson, Congress has recognized the national necessity of widespread vocational education. Although revised and extended frequently since 1917, the national vocational education acts are no longer adequate. Many once-familiar occupations have declined or disappeared and wholly new industries and jobs have emerged from economic growth and change. The complexities of modern science and technology require training at a higher level than ever before.

For this reason, 2 years ago I requested the Secretary of Health, Education, and Welfare to convene an expert and representative committee to review and evaluate the present vocational education laws and to make recommendations for their modernization. The report of that committee shows the need for providing new training opportunities—in occupations which have relevance to contemporary America—to 21 million youth now in grade school who will enter the labor market without a college degree during the 1960's. These youth—representing more than 80 percent of the population between the ages of 16 and 21—will be entering the labor market at a time when the need for unskilled labor is sharply diminishing. It is equally necessary to provide training or retraining for the millions of workers who need to learn new skills or whose skills and technical knowledge must be updated.

Both budgetary action and enactment of new legislation is called for. In my 1964 budget I have recommended funds which would permit doubling the number of workers to be trained by the Manpower Development and Training Act programs. These programs have, in their brief existence, already enrolled more than 18,000 men, women, and out-of-school youths who are being trained in occupations where jobs are available.

In addition, I recommend legislation to:

(a) Expand the scope and level of vocational education programs supported through the Office of Education by replacing the Vocational Education Act of 1946 with new grant-in-aid legislation aimed at meeting the needs of individuals in all age groups for vocational training in occupations where they can find employment in today's diverse labor markets, and

(b) Provide employment and training opportunities for unemployed youth in conservation and local public service projects. The details of this latter proposal are contained in a separate bill—the Youth Employment Opportunities Act—and will be discussed in a later message to be sent to the Congress.

### VI. CONTINUING EDUCATION

Education need not and should not end upon graduation at any level. An increasing number of Americans recognize the need and the value of continuing education. The accountant, the salesman, the merchant, the skilled and semiskilled workers, all interested in self-improvement, should all be afforded the opportunity of securing up-to-date knowledge and skills. Only 1 American in 8 has even taken as much as one college course. Yet the State universities and land-grant colleges which offer the majority of extension or part-time courses enroll less than a half million people. Due to inadequate finances and facilities, these colleges can offer only a very limited adult education program. I recommend legislation authorizing Federal grants to States for expanding university extension courses in land-grant colleges and State universities. Despite our high level of educational opportunity and attainment, nearly 23 million adult Americans lack an eighth grade education. They represent a staggering economic and cultural loss to their families and the Nation. I recommend again, as part of this comprehensive bill, a program to assist all States in offering literacy and basic education courses to adults.

The public library is also an important resource for continuing education. But 18 million people in this Nation still have no access to any local public library service and over 110 million more have only inadequate service.

Advanced age, lack of space, and lack of modern equipment characterize American public library buildings in 1963. Their rate of replacement is barely noticeable: 2 percent in a decade. There are now no Carnegie funds available for libraries—nor have there been for 40 years.

The public library building is usually one of the oldest governmental structures in use in any community. In one prosperous midwestern State, for example, 30 percent of all public library buildings were built before the year 1910, and 85 percent were erected before 1920. Many other States are in a similar situation.

I recommend enactment of legislation to amend the Library Services Act by authorizing a 3-year program of grants for urban as well as rural libraries and for construction as well as operation.

### VII. CONCLUSION

In all the years of our national life, the American people—in partnership with their governments—have continued to insist that "the means of education shall forever be encouraged," as the Continental Congress affirmed in the Northwest Ordinance. Fundamentally, education is and must always be a local responsibility, for it thrives best when nurtured at the grassroots of our democracy. But in our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient. These efforts must be reinforced by national support, if American education is to yield a maximum of individual development and national well-being.

The necessity of this program does not rest on the course of the cold war. Improvement in education is essential to our Nation's development without respect to what others are doing. Nevertheless, it is worthwhile noting that the Soviet Union recognizes that educational effort in the 1960's will have a major effect on a nation's power, progress, and status in the 1970's and 1980's. According to a recent report prepared for the National Science Foundation, Soviet institutions of higher education are graduating three times as many engineers and four times as many physicians as the United States. While trailing behind this country in aggregate annual numbers of higher education graduates, the Soviets are maintaining an annual flow of scientific and technical professional manpower more than twice as large as our own. At the same time, they have virtually eliminated illiteracy, with a 23-fold increase since the turn of the century in the proportion of persons with an education beyond the seventh grade. This Nation's devotion to education is surely sufficient to excel the achievements of any other nation or system.

The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control. It provides for economic growth, manpower development, and progress toward our educational and humanitarian objectives. It encourages the increase of the knowledge, skills, attitudes, and critical intelligence necessary for the preservation of our society. It will help keep America strong and safe and free. I strongly recommend it to the Congress for high priority action.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 29, 1963.*

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## COMMITTEE ON UN-AMERICAN ACTIVITIES

**Mr. ROOSEVELT.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

**Mr. ROOSEVELT.** Mr. Speaker, a fair, and very moderate, article on 10 reasons why the continued existence of the House Committee on Un-American Activities is detrimental to the Nation's health is contained in the January 9, 1963, issue of the Christian Century. Written by the editor, Harold E. Fey, the article is particularly relevant at this time:

### WHY THE HOUSE UN-AMERICAN ACTIVITIES COMMITTEE SHOULD GO—10 REASONS WHY THE CONTINUED EXISTENCE OF THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES IS DETRIMENTAL TO THE NATION'S HEALTH

(By Harold E. Fey)

The House of Representatives should relieve of further responsibility its standing Committee on Un-American Activities. In practice, although not by specific mandate from the House, the principal activity of the Committee on Un-American Activities is to oppose communism and in particular Communist subversion. This purpose is a useful one and deserves to be carried out effectively. The House committee, however, is performing this function so ineptly that it weakens and confuses the forces in our Government and in our society which strengthen democracy. It should therefore be retired and its object pursued by more appropriate means.

The patriotism and sincerity of the members of the House committee are not in question. Neither should doubt be cast on the right of Congress to investigate by means of its committees any matter which has a bearing on the constitutional function of Congress, which is to enact legislation. Since the nature and methods of the Communist conspiracy against the free world constitute such a matter, it is highy important that the Government and people of the United States be accurately informed about it. But the members of the House Committee on Un-American Activities, operating under a mandate which Congress has a right to convey, are ineffective and maladroit in their efforts. In the committee's long history its members have developed a pattern which provides little ground for hope that their ideas or methods will improve. They should therefore make way for instrumentalities which make better use of the taxpayers' money.

There can be no doubt that a major element in the instability of the international situation stems from the efforts, both threatened and actual, of the Communist powers to spread their doctrine and their political domination by force or subversion. Against these efforts the United States and other free nations are obliged to maintain a balance of military power. But ideas, even bad ideas, cannot finally be defeated by force. In the words of Richard S. Leghorn, chairman of the National Planning Association's committee on security, the Communist threat can be reduced most effectively "through measures which tend to promote the evolution of Communist countries toward societies compatible with our basic national political goal."

Dictatorships flourish by frightening their people with stories of external threats. We as a nation can encourage freedom by reducing threats to the minimum necessary to keep power balanced, by working for disarmament with inspection, by making it reasonable for Communist powers to distribute to their people more of the products of their work, by encouraging exchanges of persons and goods, by stepping up the volume and quality of information concerning the nature of American life and the scope of our national purposes. When Communist nations become have nations they become less revolutionary and imperialistic, less inclined to destroy or subvert, more open to "enforced, competitive peace under law and justice," as Mr. Leghorn says.

Our main reliance for security from domestic subversion lies in the willing, informed and participating loyalty of American citizens. Loyalty is many-faceted, but at its core it is voluntary personal identification with other persons in a living community whose traditions are understood and believed, whose present purposes are shared and promoted and whose objectives inspire the cooperation of all. Loyalty cannot be coerced. It is a faith which is drawn out by the faith of others, an aspiration which shares in the common hope, an affection which blooms only in an atmosphere of trust and unity.

This is the first point at which the House Committee on Un-American Activities fails. Since "exposure and punishment is the aim of this committee and the reason for its existence," as Justice Black said in his dissent in the Barenblatt case, it cannot and does not create loyalty. A policy which seeks to curb subversion and encourage loyalty by such acts of coercion as exposure to public shame, pursuit resulting in loss of employment, punishment without due process of law, is subject to serious question on grounds of morality as well as intelligence.

The last Congress abandoned the effort to create loyalty among students by economic coercion as exercised through student loans. The present Congress should abandon the effort to create loyalty among citizens by the coercive tactics followed by the House Un-American Activities Committee. Loyalty is a good thing. We shall have more of it if we stop trying to create by coercion that which is by nature voluntary.

If Congress abolished the House Un-American Activities Committee as a standing committee, the House Judiciary Committee would still be responsible for checking on enforcement of laws and Congress would still be free to authorize congressional investigations when and where needed. Indeed, the House should debate the advisability of such investigations and should publicly authorize them if they are to be held. Its handing over to the House Un-American Activities Committee majority vote—five members of a committee of nine—all the decisions as to the subjects of investigation and the timing of such probes is an unwise delegation of House responsibility.

If there were reason to believe, for example, that communism had infiltrated the churches, the House debate preliminary to a decision whether to enter into an investigation would itself inform the public as well as the House concerning the reality and the seriousness of the threat. If the entire House were to be involved in making such decisions, there would be less politically motivated timing of investigations and less jockeying for position on ad hoc committees, for there would be less opportunity for self-promotion at public expense than obtains with regard to a standing committee. Finally, there would be less likelihood that the quest for truth would become twisted by the vested institutional interests which collect around standing committees. The personal ambition and organizational imperialism, the bureaucratic inflexibility and self-perpetuation that frequently characterize such committees would be discouraged if investigations were made the special responsibility of the Congress which authorizes them.

### I

A second reason why the House of Representatives should abolish its Committee on Un-American Activities is that the House has never been able to define what it wants the committee to do. Its terms of reference are so ambiguously stated that it is impossible to define the requirements that testimony be pertinent. The committee now has virtually unlimited authority. As Chief Justice Warren said of the authorizing resolution of the House Un-American Activities

Committee (in his decision in the 1957 Watkins case): "It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of 'un-American'? What is that single, solitary 'principle of the form of government as guaranteed by our Constitution'? * * * No one could reasonably deduce from the charter the kind of investigation that the committee was directed to make. * * * Unless the subject matter has been made to appear with undisputable clarity, it is the duty of the investigative body, upon objection of the witness on grounds of pertinency, to state for the record the subject under inquiry at that time and the manner in which the propounded questions are pertinent thereto."

If it is objected that too narrow a definition of purpose would handicap the committee, the answer is that the present lack of precision constitutes a greater handicap. Has it never occurred to the committee that one reason many witnesses who appear before it give ambiguous and evasive answers is that they do not know why they have been summoned or what their rights are in the situation? Irving Ferman, in his contribution to the procommittee book "The Committee and Its Critics," writes: "Because of the extremely broad language of the mandate to investigate un-American propaganda given by Congress to the House Un-American Activities Committee, a witness appearing before it may not be able to decide clearly whether the committee has the power to ask a particular question, much as he may doubt the point. Persistence in refusing to answer a question may subject him to citation for contempt by Congress, in the absence of any line of legal reasoning which would lead to a test of the relevancy of the disputed question to the mandated function of the committee. He must answer at his peril" (p. 250).

The witness is equally jeopardized by silence.

The House should abolish the Committee on Un-American Activities because it is impossible to redefine its mandate in such a way as to avoid transgression of the proper functions of the Judiciary Committee. Redefinition would necessarily reduce the functions and scope of the committee, and thereby increase the importance of the question as to whether this standing committee is needed. Abolishing a committee which has never had a clear mandate but which has built a tradition and a staff on an assumption of unlimited competence and authority would be easier than continuing the committee on its present basis or trying to define and limit its operation.

II

A third reason for Congress to retrieve the authority it has allotted the House Un-American Activities Committee is that by so doing the House could move toward development of better methods of acquiring information necessary for writing legislation—or for forming fair judgments on the efficacy of Government departments charged with responsibility for enforcement of laws, particularly those against subversion.

The characteristic method by which the House committee has worked is through detailed inventory of particular cases. Its policy of exposing individuals indicates that it believes it should examine Communists one at a time in order to decide what sort of legislation against subversion is needed. The logic of this method serves to perpetuate the committee that uses it, since it can never get all the facts until it has examined all Communists who can be found, then reexamined those who may have changed their minds. Congress does not proceed in this manner in dealing with legislation concerning offenders of any other sort. By following such a policy the committee gives the impression that everybody who appears before it must be a Communist, a Communist sympathizer, a former Communist, or a Communist dupe. Careers have been undermined by nothing more than a summons to appear before the House Un-American Activities Committee.

Special investigating committees appointed by the House when need arises would not be bound to follow the procedures which are characteristic of this standing committee. So that the legislative judgment might be informed, these committees would welcome expert advice—advice that would generally be freely available to such committees without resort to compulsion. British royal commissions obtain cooperation in investigating the most difficult issues. Like many congressional committees, these royal commissions call witnesses and receive their opinions and recommendations without impugning their loyalty or jeopardizing their status or employment. Persons who come before them are not held up to suspicion, disrespect, or harassment; on the contrary, their rights are respected and protected.

III

A fourth reason why the House should recover the authority it has delegated to the House Un-American Activities Committee is that by doing so it would strengthen the faith of Americans in themselves, in their laws and government, and in particular in the Congress as a free and representative legislative body. To justify its existence as a standing committee the House Un-American Activities Committee has contributed, whether intentionally or unintentionally, to an atmosphere of fear. Partly through its influence, many Americans believe that communism is winning the cold war, that our young people are easy "dupes" for Communist "machinations," that the entertainment field and the teaching profession are teeming with traitors, that labor unions and college professorships offer hideouts for treasonous activity, that the Protestant ministry harbors Communists or Communist sympathizers. One result is that extremist organizations flourish as never before in our history. Fear and suspicion are sufficiently prevalent so that the way is prepared for demagogs who pursue personal ends by fomenting panic.

We need to listen again to the voice, now regrettably stilled, of the late Judge Learned Hand: "I believe that that community is already in process of dissolution where each man begins to eye his neighbor as a possible enemy, where nonconformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence, where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our conviction in the open lists to win or lose. Such fears as these are a solvent which can eat out the cement that binds the stones together; they may in the end subject us to a despotism as evil as any that we dread; and they can be allayed only insofar as we refuse to proceed on suspicion, and trust one another until we have tangible ground for misgiving."

Congress can and should give the country an example of how to proceed on trust by refusing to initiate probes until it establishes the need for them in public debate and by decision of the whole body. It should also deny the House Un-American Activities Committee permission to proceed in this divisive field on the basis of a mere majority of five in a committee of nine.

The way in which a committee can, without intending to do so, contribute to widespread fear and panic in the country is illustrated by the House Un-American Activities Committee-sponsored film "Operation Abolition." Intended in the first instance as a report to the House in substantiation of the committee's claim for new appropriations, this controversial film has reportedly been seen by 15 to 20 million people. Irrespective of the authenticity of particular statements or the order of its episodes, the film's general effect has been to stir up dissension in hundreds of communities, to arouse resentment and disappointment among students and young people, to deepen dismay among teachers and others who seek to foster intelligent participation in civic life. Granting that the House Un-American Committee did not necessarily intend all the disruptive effects of this film, such an acknowledgment does not diminish the judgment that spreading dissension and dread at a time when the country needs confidence and unity is a blunder of first magnitude and a further proof that Congress should confine its activities to gathering information concerning needed legislation and passing such legislation.

IV

A fifth reason why the House of Representatives should terminate the House Un-American Activities Committee's mandate is that the type of loyalty probe conducted by the committee no longer serves the national interest. The administrative agencies of the Federal Government have, under prodding from the House Un-American Activities Committee, worked out their own battery of loyalty tests for Government employees. They have set up safeguards which make what is regarded as the necessary compromise between individual rights and national security. In the opinion of former U.S. Attorney General Francis Biddle, "Loyalty probes create confusion, suffering and the disunity of suspicion." Be that as it may, we have regularized this form of civic agony, and loyalty procedures have been established at great cost as a factor in Government service.

It would be wrong and mistaken for Congress to ask the executive or judicial arms of Government to extend loyalty tests to the entire population. It would be even more tragically wrong and mistaken for the legislative branch of the Government to extend through the House Un-American Activities Committee a role for which it is not equipped by law, temperament, or function. Yet, if the House Un-American Activities Committee does not contemplate proposing legislation to make loyalty tests universal, why does it continue its preposterous procedure of probing the loyalty of individual citizens?

The objection to generalized loyalty tests is that they tend to bring into question the basis of loyalty which is freedom of choice. Says Alan Barth in "The Loyalty of Free Men": "The loyalty of freemen must be freely given, which is to say, that those who give it must be genuinely free to withhold it. Nothing is more fundamental to freedom than that this choice be a real one." The presumption of loyalty is a valid and precious element in our free society. Loyalty probes by Government agencies bring this presumption into question and introduce elements of doubt, suspicion, fear, and coercion. They also give rise to resentment over injustice when such probes are conducted without adequate safeguards for individual rights. Free-ranging probes of citizen loyalty, conducted by a committee whose original mandate is uncertainly defined and whose procedures are difficult to predict with accuracy, do more harm than good and should be terminated. Wrote Telford Taylor in "Grand Inquest" (1952): "Loyalty committees have become a sort of irregular and irresponsible security police force, operating on a mounting scale which is rapidly approaching an overt and acknowledged inquisition. They exert the power of office and the pressure of publicity to inflict severe punishment, outside the due and regular processes of criminal law, and increasingly resemble the special peoples courts established by the Nazis to execute the 'healthy feeling of the people' and in Communist countries to enforce Party standards of individual behavior and attitude. Perhaps the most sinister feature of these events and circumstances is that they are inducing a serious decline, even in Government circles, of respect for law and the processes of justice" (p. 280).

Sixth, the House Un-American Activities Committee should be discharged as a standing committee because it has become a divisive force at a time when American life needs to experience the full unity inherent in an order dependent upon "the consent of the governed." Although it has not so intended, the House committee has exaggerated and deepened divisions between segregationists and integrationists, between labor and management, between parents and educators, between students and law officers, between people and Congress. The tensions and disturbances which are increasingly related to House Un-American Activities Committee hearings are not a good sign. If the only objection to the hearings is that they offer Communists an opportunity to show their dislike for the committee, and the committee members an opportunity to show their dislike for Communists, they would not be a serious matter. But others than Communists become involved. Some of these others probably are dupes, as the committee charges. But still others are driven to protest because they do not like to see Government officers engaging in procedures of doubtful legality, serving as dividers and troublemakers in the community, giving opportunities to apostles of discord to raise rows, encouraging extremists of the right as well as the left to engage in public brawls and disruptions, diverting attention from the great issues of domestic and foreign affairs by exaggerating out of all reasonable proportion the threat of a small Communist minority.

Some may counter that the House Un-American Activities Committee enjoys wide public support and that such support is not consistent with the charge that the committee has developed into a symbol of division. There can be little doubt that the committee does have wide support, but some of the reasons for that support should give Congress pause. The House Un-American Activities Committee has such support because it has convinced multitudes of Americans (1) that subversion is widespread in our Government and in our Nation; (2) that subversives cannot be dealt with by existing law, democracy being essentially a vulnerable form of government; and (3) that only the House Un-American Activities Committee has the power and the will to dig out, to expose, to pursue, and otherwise punish Communists or other subversives. In other words, the public has been misinformed concerning the loyalty of our citizens, the nature of the national danger, and the strength our democratic remedy, and the peril to the Nation involved in the legislative arm's violation of the principle of separation of powers.

Seventh, the House of Representatives should withdraw the mandate it has given the House Un-American Activities Committee in that doing so would be a step toward strengthening freedom of speech and association in the United States. These basic freedoms, established in the first amendment, stand in serious danger because of the extremity to which anticommunism is being pushed. There is no doubt that Communists would deny freedom of speech, assembly, and the press in this country if they had a chance. They have done so elsewhere. But they do not have that power in this country, and please God will never have it. On the other hand, we their opponents have the power, and if we are not careful we do harm to freedom by the means we use to protect it. At least four Justices of the Supreme Court now believe that the Un-American Activities Committee's operations violate the first amendment. Justice Black, in his dissent in the Wilkinson and Braden cases, said: "The result of all this is that from now on anyone who takes a public position contrary to that being urged by the House Un-American Activities Committee should realize that he runs the risk of being subpenaed to appear at a hearing in some far-off place, of being questioned with regard to every minute detail of his past life, of being asked to repeat all the gossip he may have heard about any of his friends and acquaintances, of being accused by the committee of membership in the Communist Party, of being held up to the public as a subversive and a traitor, of being jailed for contempt if he refuses to cooperate with the committee in its probe of his mind and associations, and of being branded by his neighbors, employer, and erstwhile friends as a menace to society regardless of the outcome of that hearing. With such a powerful weapon in its hands, it seems quite likely that the committee will weather all criticism, even though justifiable, that may be directed toward it. For there are not many people in our society who will have the courage to speak out against such a formidable opponent. If the present trend continues, this already small number will necessarily dwindle as their ranks are thinned by the jails. Government by consent will disappear to be replaced by government by intimidation because some people are afraid that this country cannot survive unless Congress has the power to set aside the freedoms of the first amendment at will."

An illustration of the House Un-American Committee's divisive effect is to be found in its relation to the protestant churches. Here the committee has been identified with and used by extreme fundamentalists against persons and organizations of mainline churches. This development first became apparent in the public hearing given Methodist Bishop G. Bromley Oxnam. Sections of the front rows in that hearing were occupied by men identified with the American Council of Christian Churches, a small organization of fundamentalist congregations and splinter denominations. Again, at the San Francisco hearings which resulted in the "Operation Abolition" film, among the passholders invited by representatives of the committee were seven or eight ministers of extremist views. The latter have faithfully repaid their obligation by issuing statements supporting the committee's version of what went on and endorsing the film report of the event.

Moreover, the committee has often referred in terms of hostility to the National Council of Churches. A particular instance is the committee's 1961 publication "The Truth About the Film 'Operation Abolition'," which, without quoting in its entirety at the outset a statement carefully drawn up by the General Board of the National Council on February 22, 1961, declared that it is "a statement which, without any justification whatsoever, makes vicious insinuations against the committee" (pt. II, p. 50).

### V

Eighth, the mandate of the House Un-American Activities Committee as a standing committee should be withdrawn because the impression is widespread, whether justified or not, that the committee manifests a dangerous tendency to use State power for the purpose of silencing its critics. Two of the dissenting judges in the Wilkinson case, Douglas and Black, argued "that this case involves nothing more nor less than an attempt by the Un-American Activities Committee to use the contempt power of the House of Representatives as a weapon against those who dare to criticize it." Yet Wilkinson went to prison. It is a major point of criticism of the committee that it attempts to treat its critics as subversives. Its reaction to the San Francisco students who protested against its hearings is a case in point. In the film "Operation Abolition" the whole country has been given an opportunity to observe that the committee believes that all those who would criticize its work are Communist inspired.

But the principal opposition to the committee is not Communist led or Communist inspired, and an attempt to identify this opposition with communism simply proves the point. The American Civil Liberties Union is not now and has never been on the Attorney General's list of subversive organizations, yet its 1960 biennial conference approved a resolution, which its board of directors later adopted, making elimination of House Un-American Affairs Committee "a prime order of business." In testimony before the Democratic and Republican platform committees in 1960 the American Civil Liberties Union maintained that the committee had sapped the strength of the first amendment by engaging in trial-by-publicity rather than allowing security questions to be raised where they belong—in court rooms where in a full trial a judicial judgment could prevail. The New York Times, the Washington Post, the St. Louis Post-Dispatch and the San Francisco Chronicle—to name only four newspapers which have called for withdrawal by Congress of the House Un-American Affairs Committee mandate—are not Communist publications.

As to religious leaders, anyone who would call the following men Communist reveals his own ignorance or animus, although each has publicly called for the abolition of House Un-American Activities Committee: Reinhold Niebuhr, Paul Tillich, John A. Mackay, Howard Schomer, Walter Russell Bowie, John C. Bennett, James Luther Adams, Sumner F. Walters, Edgar A. Love, Malcolm E. Peabody, Clarence E. Pickett, John Nevin Sayre, Walter G. Muelder, Harry Emerson Fosdick, John Haynes Holmes, Henry P. Van Dusen, Walter M. Horton, and Galen R. Weaver. The list could be extended. It is no answer to say that since Communists also seek the recall of the House Un-American Activities Committee as a standing committee, these men are dupes. These men are not influenced by Communists except negatively. On the question of abolishing House Un-American Activities Committee they have made up their minds independently, on sound religious and democratic grounds. The fact they have publicly stated their position, knowing they would be exposed to charges of guilt by association, is proof of their high sense of civic devotion.

The ninth reason why standing committee status should be ended for House Un-American Activities Committee can be stated briefly. In a general sense the committee has served to miseducate the public about the norms of dignity, self-limitation and restraint which it has a right to expect an agency of Government to follow when dealing with individuals. House Un-American Activities Committee has convinced many loyal citizens that they had better stay out of the reach of any congressional committee. It has made others think they can use House Un-American Activities Committee to grind their private or organizational, their sectarian or ideological, axes to harass their opponents. Neither of these views is commensurate with the high purpose and the dignity which a committee of the U.S. Congress should cultivate, or the respect it should command.

Finally, the committee should be terminated as a standing committee because it operates at the fringes of constitutional power. Its legality is marginal and so is debatable, as evidenced by the 7 to 5 vote of the 12 appellate judges who participated in the decision in the Barenblatt case, as well as by 5 to 4 decisions in the Supreme

Court. It would appear that since the committee continues to stand just inside legality, it should exercise forbearance and not seek to push its legal power to the utmost. What is barely legal is not necessarily wise, even in pursuing Communists. The trouble the House Un-American Activities Committee has caused the courts seems not to impress the committee's members; it should impress the House of Representatives.

To summarize: The House Committee on Un-American Activities has contributed to the understanding by the American people of the character and purposes of international communism, but this task is now being taken over by other agencies and is being done in a more orderly and responsible way.

The committee has stirred into action the law enforcement agencies concerned with domestic communism but has often antagonized the Justice Department in so doing. It should retire from attempts at enforcement and leave the field to those to whom enforcement is entrusted by law.

The credit due the committee for passage of the Internal Security Acts of 1950 and 1954 is being assessed in the courts. Until it is fully tested, nothing further is to be gained by enactment of additional laws of similar character. Also, until the courts speak it is premature to render judgment on whether the House Un-American Activities Committee has served this country well or ill by promoting such laws.

House Un-American Activities Committee practices—personalizing its attacks; considering persons who are identified as communists, no matter by whom, to be guilty until proved innocent; referring to such persons thereafter as "identified Communists"; prejudicing the standing of people so that a fair trial is difficult or impossible; usurping grand jury functions by indicting people publicly—all such practices should be abandoned.

In Government the committee has helped downgrade Federal service by encouraging the normal bureaucratic tendency to mediocrity, by discouraging initiative, courage and imagination. It has hindered recruitment of scientists and capable leaders, has discouraged persons interested in the teaching profession and Government service by making these fields special objects of suspicion.

VI

The House Un-American Activities Committee preoccupation with fighting communism in its myopic way has deflected attention from our main task, which is to eliminate communism by changing the social and economic soil in which it grows. The committee encourages those men whom John Nuveen, a Chicago banker and former ambassador, calls "the well meaning Americans who panic at the idea of one Communist book in a library, who think that one Communist teacher in a university can infect the whole institution, who unconsciously ascribe to communism a potency which it does not deserve and at the same time deprecate the strength and virtue of democracy."

Thomas Jefferson gave advice which sounds strangely radical today but which is still worth considering: "If there be any among us who wish to dissolve this union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it." If today we dread to allow dissenters to stand undisturbed, it is partly because the Committee on Un-American Activities has come so near to putting out the light of reason, has curbed and hampered the operation of intelligence by the promulgation of excessive and unreasonable fears. The House of Representatives should withdraw the mandate of this committee.

## ANALYSIS OF EDUCATION BILL BY SECRETARY OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I am extremely pleased that the President in his education message of today has recognized the great need for bolstering educational efforts in many areas of school activities. In the elementary, secondary, the college, and the vocational and technical stages of education, the evidence which has been presented to the committees of the Congress during the past several sessions clearly substantiates the President's concern that we are not affording young people with the educational opportunities in many school districts in our country that they must have if they are to make valuable contributions to the Nation's productive needs, its economic growth, and its role of world leadership. I am very pleased to introduce today legislation to implement the President's recommendations. It shall be my purpose as a member of the Committee on Education and Labor to extend every effort to see that hearings on these proposals are initiated promptly to the end that the full membership of the House will have the benefit to express its voice on the program:

### NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

A comprehensive program of Federal aid to meet selected and urgent needs of American education on all levels from elementary school through graduate education; to promote educational quality, expand opportunity for education, and to increase the capacity of our educational institutions; to provide for the Nation's needs in skilled manpower, national growth, and national security.

### TITLE I.—EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

Part A—Student loans (title II of NDEA): To remove the $90 million ceiling in the present law and replace with $135 million for fiscal year 1964, and necessary sums for 2 succeeding years. Extends forgiveness of up to 50 percent of loan to all teachers—elementary, secondary, college and university. Provides for a national study of why able students fail to attend or complete college. Students in public and private nonprofit higher education institutions eligible.

Part B—Insurance of student loans: Federal guarantee of student loans by banks and colleges and universities. Maximum aggregate loans insured during 3-year period, $150 million. Students in public and private nonprofit higher education institutions eligible.

Part C—Student work-study: Authorizes $22.5 million for fiscal year 1964, and necessary sums for 2 additional years to pay 50 percent of wages to needy students for campus employment of an educational character, up to 15 hours per week. Students in public and private nonprofit higher education institutions eligible.

Part D—Graduate fellowships (title IV of NDEA): Increase graduate fellowship program from 1,500 to 10,000 annually for fiscal year 1964 and for 2 succeeding years, plus 2,000 additional summer session fellowships. Students in public and private nonprofit higher education institutions eligible.

### TITLE II.—EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

Part A—Construction loans for institutions of higher education: Authorizes $1 billion aggregate over 3 years for Federal loans to institutions of higher education, or higher education building agencies for construction of academic facilities. Public and private nonprofit institutions eligible.

Part B—Public junior colleges: Authorizes $50 million in fiscal year 1964 and such sums as are necessary for 2 succeeding years for grants to States to construct public community junior colleges.

Part C—College-level technical education: Authorizes $20 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for project grants to institutions of higher education for 2-year college level programs to train semiprofessional technicians in engineering, science, and health occupations. Includes construction and equipment of academic facilities. Up to 50 percent of construction or program costs can be supported with a Federal grant. Both public and private nonprofit institutions eligible.

Part D—College libraries: Authorizes $40 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for grants to colleges and universities for acquisition of library books and other materials and for construction of library facilities. Up to 25 percent of fiscal year 1963 expenditures for library books and materials and 50 percent of construction costs can be supported by Federal grants. Both public and private nonprofit institutions eligible.

Part E—Graduate schools: Authorizes project grants to institutions of higher education for expansion of graduate schools including construction, equipment, expansion of faculty, not to exceed 50 percent of construction or program costs of the graduate school expansion program. Authorizes $40 million for fiscal year 1964 and necessary sums for the next 2 years. Both public and private nonprofit institutions eligible.

Part F—Modern foreign languages (amendments to title VI of NDEA): Extends for 2 years the language and area centers and studies program in institutions of higher education and authorizes an increase in appropriations from present $8 million annually to $13 million for fiscal year 1964; and such sums as are necessary for the 2 succeeding years. Public and private nonprofit institutions are eligible.

### TITLE III.—IMPROVEMENT OF EDUCATIONAL QUALITY

Part A—Teacher institutes: Expand the institute program in the National Defense Education Act (now limited to teachers of foreign languages and guidance and counseling personnel), to teachers of English, humanities, social sciences, and library personnel. Elementary and secondary school teachers, college language teachers, and library personnel, public and private nonprofit, eligible to receive stipends. Appropriations authorized are increased from present $14.5 to $37.5 million for fiscal year 1964, and necessary sums for next 2 years.

Part B—Teacher preparation programs: Project grants to colleges and universities to strengthen departments and programs which prepare elementary and secondary school teachers. Emphasis will be on subject matter courses. Seven and one-half million dollars for fiscal year 1964 and necessary sums for next 2 years. Public and private nonprofit educational institutions eligible.

Part C—Teachers and related personnel requiring specialized training: Project grants to colleges and universities to strengthen special training of teachers of gifted children and teachers of adult illiterates, culturally deprived children; training of librarians, and other specialized personnel. Public and private nonprofit higher education institutions eligible. Seven and a half million dollars for fiscal year 1964 and necessary sums for next 2 years.

Part D—Strengthening educational research and demonstrations (amendments to Cooperative Research Act and to title VII of NDEA (new media)): Authorizes Office of Education, under cooperative research program, to support educational research centers involving colleges and State and local education agencies. Both public and nonprofit private higher education and research institutions eligible. Extends title VII, NDEA, new educational media research and demonstration, for 2 more years.

Part E—Educational statistics: Extends, for 2 years, grants to State education agencies ranging up to a maximum of $125,000 to finance collection of statistics about the character, quality and quantity of educational programs in the State. Public education agencies only.

### TITLE IV—STRENGTHENING ELEMENTARY AND SECONDARY EDUCATION

Part A—Selective and urgent improvement of public elementary and secondary education: Four-year $1.5 billion program of Federal grants to States for teacher salary improvements; i.e. increasing maximum salaries, raising low starting salaries, raising low average salaries in economically disadvantaged districts; support for critical classroom construction needs such as overcrowding, fire and health hazards; support for special projects to improve educational quality particularly in disadvantaged rural and urban areas. Appropriation would be authorized so as to phase out Federal support by the end of program. Public schools only.

Part B—Acquisition of science, mathematics, and modern foreign language instruction equipment (amendments to title III of NDEA): Extends for 2 years title III of NDEA for purchase of equipment needed in science, math, and modern foreign language instruction in elementary and secondary schools. Grants to public schools—loans to private nonprofit schools as in present law.

Part C—Guidance, counseling and testing (amendments to title V of NDEA): Extends counseling and guidance title of NDEA for 2 years and increases authorization from $15 million to $17.5 million for fiscal year 1964 and succeeding years. Authorizes testing program for all 7th and 8th grade students. Public schools only, except for testing in private nonprofit schools.

Part D—Federally affected areas (amendments to Public Law 815 and Public Law 874): Extends all expiring provisions for 4 years; no modifications in payment formulas for first year, with some reduction in the formulas beginning the second year and standardization of the eligibility conditions at 5 percent in the third year; and inclusion of the District of Columbia. Public schools only as in present law.

### TITLE V—EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION AND SPECIAL EDUCATION

Part A—Vocational education (amendments to Vocational Education Acts, including title VIII of NDEA): Authorizes an increase in Federal expenditure for vocational education from present $50 million to $73 million for fiscal year 1964, and necessary sums for each of the succeeding 4 years. Allotments to the States will be based on various age groups needing vocational education and per capita income. State plans may continue to follow previous vocational education statutes for transitional period of 2 years but must conform to new plan requirements by fiscal year 1966. Grants under Smith-Hughes Act of 1917 will continue. Public school systems only are eligible as under present law.

Part B—Education of handicapped children: Authorizes grants to State education agencies and project grants to institutions of higher education to provide special training of teachers of handicapped children, i.e., deaf and blind, mentally retarded, emotionally disturbed, crippled, etc. Authorizes grants to institutions of higher education for scholarships to teachers of deaf children. Authorizes grants for research and demonstration projects in education of handicapped children. Both public and private nonprofit institutions eligible. Increase $2.5 million now authorized for mentally retarded or deaf children to $15 million for fiscal year 1964, and such sums as are necessary for the next 2 years.

### TITLE VI—EXPANSION OF CONTINUING EDUCATION

Part A—General university extension education: Authorizes grants to States for expansion of university extension courses in land-grant colleges and State universities—$9,040,000 a year for each of 3 years is authorized.

Part B—Adult basic education: Authorizes $5 million for fiscal year 1964 and such sums as may be necessary for each of the 2 succeeding years in grants to States for basic education of adults up to eighth grade. Public schools only.

Part C—Public libraries (amendments to Library Services Act): Grants to States for library services are expanded from rural areas to include all areas of the State and to include construction of public library facilities. Appropriations authorized are increased from present ceiling of $7.5 million to $45 million in fiscal year 1964, and such sums as may be necessary for each of the 2 succeeding years.

### TITLE VII—GENERAL PROVISIONS

Defines educational institutions and agencies referred to in the bill; provides for interchange of personnel between Office of Education and State educational agencies. Authorizes the Commissioner of Education to establish Advisory Councils to advise and consult with him.

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## A BILL TO CUT STATE INCOME TAXES

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I am proud to call to the attention of my colleagues a news item that appeared on the front page of the Washington Post last week.

It is an Associated Press dispatch, dateline Denver, dated January 22. It is brief, only a few lines, but in its brevity it tells a story more of us should hear.

I quote it directly:

> The Republican-dominated Colorado Legislature completed passage today of a bill cutting State income taxes by 15 percent on money earned in 1962.
>
> The rate before the cut ranged from 3 percent on the first $1,000 of taxable income up to 9 percent on earnings over $10,000.
>
> The measure goes to Republican Gov. John A. Love for signature. The tax cut was one of the campaign pledges of Love, whose party ended Democratic statehouse control in the November election.
>
> The bill expected to reduce State revenues about $8 million.

Mr. Speaker, it took no clairvoyance to recognize how the people of Colorado felt last fall concerning a reduction in State income taxes. John Love, as a candidate for Governor, stated in language clear and distinct his advocacy of an immediate income tax reduction. Many Republican candidates for the State legislature in the various areas of Colorado stood hand in hand on the same platform.

In Colorado, the Republican Party spoke and the people listened—and the people heard. In the coming 2 months, when State income taxes are figured, the people of my State will speak words of gratitude for the leadership of Governor Love and the Republican members of the Colorado General Assembly. They were true to their word.

It is most significant, Mr. Speaker, that this reduction in income taxes is part and parcel of a fiscally sound, financially responsible program. The Governor and the legislature achieved the income tax cut by carefully curtailing expenditures, by examining analytically the requests of the various department heads, by applying the criteria of need, not want. In short, they turned a deaf ear to the siren song of spend and spend without regard to expense or debt.

Mr. Speaker, I readily admit that as a freshman in this illustrious body, I have much to learn. I finally have learned the path to follow in walking from the Old House Office Building to the Capitol without the help of a page.

But I have not learned as yet the path to follow in examining and assessing the various messages that have come to us from the White House.

I listened carefully to the state of the Union message as it was delivered in these impressive surroundings. I read it equally carefully when I returned to my office. The impression was clear. There were some trouble spots on the waters of our economy, but in proper perspective, the sun was out, the seas were calm, the ship of state was sturdy.

Before I had time to enjoy myself as a member of the crew of such a trustworthy vessel, the storm warnings were raised and a financial hurricane became apparent on the horizon. In rapid order we received two more messages.

The first was a "Diamond Jim Brady" budget, almost $12 billion in the red, and gambling the financial stability of this country on the guess that tax reductions will spur the economy to new heights.

Before the shock of the budget message wore off, the second one came—the tax message. This program is like the old carnival shell game: "Now you see it, now you don't." One provision will grant tax relief and the next provision takes it away.

In short, Mr. Speaker, combining these messages with yet another, the economic message, it would appear that the state of the Union is so good, if it gets any better we will be bankrupt.

Mr. Speaker, with all due deference to this great legislative body, I would suggest we might follow the lead of Colorado. We are curtailing expenditures, we cut taxes, and we are building a State financial structure on the granite of fiscal responsibility.

## NEWSPAPER BLACKOUT IN NEW YORK INDEFENSIBLE

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the newspaper blackout in New York has become indefensible. I do not say that either the publishers or the printers and other unions are right. I do say that firm action on the part of the Secretary of Labor could bring about a settlement. It is high time we had such action.

On January 11, a board of public accountability, appointed by the Secretary of Labor, Governor of New York, and the mayor of the city of New York, issued a report which is deserving of full notice. Some will disagree with parts of the report or with parts of the supplemental report; but in any event, it ought to be read. With the consent of the House, I am inserting the report in full in the Record:

### Report of Judge Harold R. Medina, Judge Joseph E. O'Grady, and Judge David W. Peck, Constituting the Board of Public Accountability, Appointed by Secretary of Labor W. Willard Wirtz, Gov. Nelson A. Rockefeller, and Mayor Robert F. Wagner, Dated January 11, 1963

The undersigned members of the board of public accountability, appointed by Secretary of Labor W. Willard Wirtz, Gov. Nelson A. Rockefeller, and Mayor Robert F. Wagner, to inquire into the shutdown of New York City newspapers and to investigate the facts of the dispute, the positions of the parties, the roadblocks to settlement and all matters relating to the question of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations, report as follows:

The board conducted hearings on January 7, 8, and 9, 1963. Representatives of the publishers of all seven of the major New York City newspapers and representatives of all of the unions involved in the dispute, except New York Typographical Union No. 6 (the printers union), the mailers union (like the printers a subordinate of the International Typographical Union) and the electricians union, whose contract does not expire until spring, attended and participated in the hearings and were fully cooperative in adducing the facts.

The president of the printers union did not respond to the invitation of the board to attend the hearings, nor did he communicate with the board on the subject. We were advised, however, by his public pronouncement, that he would not attend any hearings or cooperate with the board until so authorized by the membership of the union. He stated that the membership could not be called for a meeting prior to Sunday, January 13, which would be 2 days after the date on which the board was required by the terms of its appointment to make its report. Some question was raised at the hearings as to whether a meeting of the membership of the union could not have been called at an earlier date, but the board did not undertake to seek an answer to that question or to determine the fact. We think it is appropriate to state, however, that we can see no reason why approval by the membership of the union of the president's attending the hearings was required, or why the president of the union should think that it was required. By the explicit terms of the board's creation and assignment, the board was not to propose terms of settlement or undertake mediation efforts unless agreeable to the parties concerned, but was only to make a public report on the facts. Thus, by attending the hearings and cooperating in the board's inquiry the union could not have been brought into any bargaining or mediating frame against its will, and its president would have participated only in an inquiry into and determination of the facts relating to the dispute and the conduct of the negotiations by the parties. We think it is evident that in not attending the hearings the union president failed in his public responsibility.

Through testimony given by representatives of the publishers, representatives of the unions and Mr. Stephen I. Schlossberg, the representative of the U.S. Mediation Service who has served as mediator in the dispute, there was a full development of the facts at the hearings before the board.

The unions involved in the dispute are the following: Newspaper and Mail Deliverers' Union of New York and Vicinity; local union No. 3, International Brotherhood of Electrical Workers; International Association of Machinists, District No. 15; New York Mailers' Union No. 6; Paper Handlers' and Straighteners' Union No. 1; New York Photoengravers' Union No. 1; New York Newspaper Printing Pressmen's Union No. 2; New York Stereotypers' Union No. 1; New York Typographical Union No. 6; and Newspaper Guild of New York, local No. 3.

The newspapers involved in the dispute are the following: Daily News, New York Mirror, New York Herald Tribune, the New York Times, Long Island Daily Press, Long Island Star-Journal, New York Journal-American, New York Post and New York World-Telegram, and the Sun.

The essential facts, which are undisputed, can be rather briefly stated:

For a period of 10 years the newspaper publishers have bargained jointly with the several unions separately, except that the publishers have bargained individually with the Newspaper Guild. The date of the contracts, made in even years for 2-year periods, has for many years been December 8 for all of the unions except the Guild, whose contracts have been dated November 1. An incident of the dates has been that contract negotiations have been conducted and concluded with the Guild prior to the negotiation and settlement of contract terms with the other unions. Customarily, therefore, the wage pattern and principal terms of the contracts with all the unions have been set by the contracts negotiated with the Guild. This fact has been a source of irritation and even of frustration upon the part of the other unions, who finally made it clear at the time of the settlement of the terms of the contracts in 1960 that when it came to a negotiation of the contracts in 1962 the unions would insist upon a negotiation of all the contracts at one time and any contract negotiated with the Guild alone would not be recognized as a pattern which the other unions could be expected to accept.

With due regard to this prospective change in the negotiating procedures for the contracts of November and December 1962, the parties undertook conversations relating to their contract arrangements as early as April 1962, several months in advance of the time when they were accustomed to meet to inaugurate contract conversations. The early meetings brought all the publishers (who have proceeded by unanimous agreement among themselves) and all the unions together for conversations at one time. This was a promising procedure which was fruitful to a considerable extent in the collective consideration of matters which were of common interest to all the unions. There was no agreement, however, that negotiations would be carried on to completion with the unions jointly, and it became the conclusion of the parties, after further joint meetings in May and August of 1962, that it was not feasible that year to conduct the negotiations fully on a joint basis, although it was understood that the unions would maintain close contact among themselves in the negotiations through a unity committee of the heads of the several unions.

Despite the promise in the early joint conversations, serious bargaining was not undertaken until October 1962, and that was primarily in respect to the Guild contract, which would expire on October 31. A contract with the Guild after a 1-week strike of the Daily News by that union was made by all the papers as of November 1, 1962. The improved benefits of the new contract to Guild members came to a dollar value or cost to the publishers of $8.50 a man a week.

Negotiations were then undertaken by the publishers with the other unions, to whom the publishers offered benefits of the same value as those attained by the Guild. In accordance with the declarations made 2 years before, the unions took the position that the Guild settlement could not be regarded as binding upon them and they stated that it was not acceptable to them. Consequently, negotiations with respect to other possible benefits to the members of the other unions were undertaken, with the expectation that the benefits agreed upon with any union would correspondingly be made available to all, including the Guild.

Negotiations proceeded in normal manner with all the unions respecting the many incidental terms of the contracts of some interest but not major importance. There were also questions of labor and cost saving raised by the publishers and regarded by them as being important which were the subject of discussion, and the question of importance to the unions of whether all the contracts, including the guild contract, would be given a common expiration date was discussed. The publishers were not resistant in principle to the idea of a common expiration date for all the contracts, but they wanted agreement on a framework of workable machinery to be used in consummating a single unitary negotiation and desired that the expiration date of all contracts be December 7, while the unions desired an October 31 date, which was the date of expiration of the guild contract.

Without minimizing the importance of any of the matters under discussion and unresolved at the time of the breakoff of negotiations, we think it is fair to state that none of them would have become a major obstacle in reaching contract terms and that they would have been resolved in connection with negotiations and an agreement on the money terms and benefits which would determine the total increased benefits and costs under the new contracts.

Unfortunately, despite all the early undertaking of preliminary negotiations and the progressive developments in the negotiations, the eve of contract expiration was reached before the parties settled down to offers and negotiations respecting the major benefits and costs in the terms of dollars.

Prior to this time there was an indication, probably not too seriously regarded by the publishers at the time, that a strike was likely and may have been the intention of at least the president of the printers union. He stated to the members of that union that "only a long strike * * * will swing the pendulum so that we might obtain those things that belong to us" and "short strikes have not materially changed the publishers' position * * * the union's members should be prepared for the possibility of a long struggle." Two weeks before the strike the president of this union spoke to newspaper reporters of the certainty that the strike would be of extremely long duration and that "the demise of one or more New York City newspapers" was possible. At the time of this last statement the president of the printers union was in a position to carry out his strike threat as a strike vote had been taken by the union which authorized the president to call a strike without a further reference of proposed strike action back to the membership. This authority differed from past practice under which negotiations at times extended beyond the contract termination date and a strike vote was taken only after the publishers' best offer was transmitted to the membership.

Agreement had been reached on many terms during negotiating sessions on December 6 and 7 (subject to final agreement), but it was not until 6:40 of the evening of December 7 that the publishers made a complete offer to the printers. That offer totaled in increased benefits and costs $9.20 per man per week. The printers, whose contract deadline was 2 o'clock in the coming morning, stated that it would be several hours before they could duly consider the matter and respond. They did not respond until 1:45 a.m., 15 minutes before their deadline.

In the meantime negotiations were conducted between the publishers and other unions, including the deliverers union, whose contract would expire at midnight. Terms acceptable to the executive committee of the negotiating committee of the deliverers, involving increased benefits which would cost the publishers slightly more than $10 per man per week, were negotiated with the understanding that the executive committee would report to the full negotiating committee and that, pending the determination of the negotiating committee, there would be no strike by the delivers union at the midnight expiration of their contract. Negotiations of contract terms thought to be acceptable to another union were also negotiated during that evening.

When the printers' representatives returned to conference with the publishers at 1:45 they stated their demands, declared to be negotiable, which came to an amount estimated by the publishers to cost $36 per man per week. This was a demand so shocking, both to the mediator and to the publishers, that the mediator, knowing that negotiations could not possibly be brought to a successful conclusion within the few minutes remaining before the 2 o'clock deadline, asked the printers to stop the clock in order that negotiations might continue without a strike. The printers representatives refused this request and before more could be said the report came in that the printers had gone on strike and negotiations were ended.

All during the evening of December 7, while negotiations with the several unions were in progress, the unity committee of union heads remained in session, receiving, considering, and conferring about reports respecting the various negotiations. The unity committee had reached two agreements among themselves. One was that no union would agree upon a contract, the basic terms and total benefits of which were not acceptable to a majority of the unity committee. The other was that if any union in the circumstances should go on strike all the other unions would support the strike and suspend further negotiations.

The unity committee received the report of the executive committee of the negotiating committee of the deliverers union respecting the offer of increased benefits amounting to something over $10 per week to the members of that union. The majority of the unity committee found the terms unacceptable, and the executive committee of the deliverers were thereby required to report to their full negotiating committee that the terms which otherwise would have been recommended could not be accepted because a majority of the unity committee did not agree. This rejection by a majority of the unity committee of the terms offered to and presumably acceptable to the deliverers came only shortly before the printers would resume their last-minute conversations with the publishers.

The printers' representatives returned to their meeting with the publishers without any discussion with the unity committee of an amount which would be sought or would be regarded as acceptable to the members of the unity committee, other than a determination that only slightly more than $10 would not be acceptable, and without any knowledge or discussion on the part of the members of the unity committee of the position which the printers' representatives would take or the procedure they would follow in conducting their negotiation with the publishers. Armed with the power, accorded them by the agreement of the members of the unity committee to support this printers' strike, of shutting down the newspapers by failing to reach an agreement with the publishers in a matter of minutes, the printers' representatives met with the publishers only for the few minutes remaining before their strike deadline and proposed terms which could not have been considered a basis for negotiation and which, with their refusal to stop the clock and conduct negotiations without a strike, inevitably meant that the papers would be shut down.

The consequence was that all the papers were shut down on December 8, and all contract negotiations were suspended.

In the 5 weeks following the strike, 15 negotiating sessions have been held between the printers and the publishers under the auspices of the Federal mediator, who has earnestly striven to bring the parties into negotiating range. All of those meetings can be summed up with the statement that neither party moved.

The publishers have stated that they were willing to make one more move but that there was no point in even intimating what that move might be until the printers had moved drastically and realistically down from a proposal which the publishers stated could not be taken seriously or regarded as a basis for negotiation. The Director of the Mediation Service, then presiding at the negotiating session, agreed with the publishers that the first move in further negotiations should be a move by the union into a realistic bargaining range. The printers' representatives have taken the position that they were not required and would not be well advised to make the first move and that the first move should be made by the publishers.

The facts which have been stated are the undisputed facts as disclosed by the testimony given by all the witnesses—publishers' representatives, union representatives and the mediator alike. It remains only to draw certain conclusions which are equally clear.

First, the printers' strike which occasioned the shutdown of all the newspapers was not a move of last resort to which the printers were driven after a full exploration of the possibility of settlement. It was a deliberate design formed by the printers' representatives as the opening gambit in negotiations. Undoubtedly the aim was to secure contract benefits markedly better than the benefits which could be expected in the normal course of bargaining and the course adopted was born of the conviction that negotiations to the desired end could not be effective and would not be worth undertaking until after a strike of long duration, which would probably put some papers out of business and bring the rest to their knees. The union demand for the new contract was in an amount which exceeded the total benefits gained under all the contracts for the past 10 years. The amount requested could not have been advanced with any thought that it would invite negotiation. Coming as it did at the last minute, with no time allowed for serious negotiation, it bespeaks an intention to shut down the papers and to postpone any negotiation until a time when the publishers would be forced to surrender under the economic pressure of threatened extinction.

This intention can now be found as having been clearly expressed by the union president in his statements prior to the strike to the effect that a long strike could be expected and might have the effect of bringing about the demise of one or more of the city's newspapers.

Under present-day conditions labor and management function together in areas of activity close to the nerve center of society. If there is a prolonged and complete paralysis in one or more of these areas the effect upon all the people is serious, and the damage to our institutions and to our way of life increases in geometric proportion as the number of simultaneous stoppages in critical areas of activity increases. The publishing of newspapers in the city of New York is one of these critical areas of activity. The harmful effect upon employment, not only in the newspaper industry but throughout our economy, the stores, large and small, the schools and churches, the theatres and other places of entertainment, the social and cultural life of the city, and upon practically every phase of life, as well as upon the dissemination of thought, the crystallizing of public opinion on matters of national as well as local interest, and the development of ideas, is truly incalculable. Freedom of the press is guaranteed to all by constitutional mandate in the Bill of Rights. Therefore, we think it self-evident that both labor and management owe to the public a duty to use every reasonable means to avoid a shutdown, and, should one occur, to bring it to an end as speedily as circumstances will permit. Deliberately to plan such a prolonged shutdown and to resort to the maneuvers appropriate for the consummation of such a plan, we hold to be a clear breach of this duty to the public, and a matter of grave consequence.

The second conclusion which must be reached is that the unity committee did not function in any way of developing a unified approach to the problem of bargaining or dealing with the publishers, or even of forming a judgment on the desirable or available terms or means of obtaining them. Wittingly or unwittingly, the unity committee was left in the position of giving the printers' representatives a blank check—the power to take strike action which would compel like action by all the other unions upon a refusal of the publishers to meet last-minute demands made by the printers, of which the other unions had no knowledge or indication.

Third, there has been a complete failure of the bargaining process in this matter from the moment that the printers stated their terms until the present time. Indeed, it must be said that there has been no real bargaining. A strike was called as a preliminary to bargaining; bargaining was intended to be postponed for a long period until the strike had taken its toll, and bargaining has not been resumed at any time up to the start of the hearings before the board.

We abstain from any comments upon the subject of what might be appropriate contract terms. There was no attempt at the hearings to develop the facts respecting the many considerations necessarily bearing upon questions of appropriate contract terms. We are satisfied, however, from all the facts adduced and the tentative agreements reached with some of the unions involved, that realistic and good faith bargaining could and would quickly result in contracts on terms within an area clearly indicated.

Whether the bargaining is with the unions jointly or separately, it should be conducted simultaneously in a coordinated manner with the participation of each union, toward reaching the common goal of fair contracts for all concerned. We would recommend, therefore, that the public officials to whom we now report undertake forthwith, through their agents, to bring the parties together within this bargaining frame and all the parties should respond in true good faith, bring the newspaper shutdown to an immediate end, concluding contracts which are sensible and equitable and which will restore the papers to the public and health to the newspaper industry.

Respectfully submitted.

Judge Harold R. Medina.
Judge Joseph E. O'Grady.
Judge David W. Peck.

(See the following supplemental separate report by Judge Joseph E. O'Grady.)

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### Supplemental Separate Report of Judge Joseph E. O'Grady

Because the normal collective bargaining and mediation techniques failed to bring the month-long strike in the vital New York City newspaper industry to a termination, Secretary of Labor Wirtz, Governor Rockefeller, and Mayor Wagner appointed on January 6, 1963, a three-man board of public responsibility to make the fullest possible investigation of (a) the facts of the dispute, (b) the positions of the parties, (c) the roadblocks to settlement, and (d) all matters relating to the question of whether the parties are discharging their responsibilities to the public in their conduct of the negotiations.

The establishment of a board of citizens in the midst of a strike which had attracted wide public interest for the purpose of passing judgment upon whether or not the parties had discharged their moral responsibilities to the public was a novel technique.

While boards of public accountability have been recently discussed and to some degree advocated, as far as I know they have never before been used as part of labor-management dynamics in the settlement of a pending strike.

Undoubtedly the use of such a board in this situation was prompted by the frustration of all other attempts to bring to a peaceful conclusion an exasperating and serious strike affecting so many facets of our social and economic life in the Metropolitan New York City area as well as having a serious impact on State and national affairs.

One may justifiably speculate whether such a board would have been apppointed if all the parties involved would have found it consistent with their labor-management policies to agree to either arbitration or factfinding with recommendations (even though not binding) as a terminal point to the strike. This seems to be borne out by the statement appointing this board, in which it is stated, apparently in deference to the position of the parties, that "the board will not propose terms of settlement or undertake mediation efforts, unless this is agreeable to the parties concerned."

Still, it is clear to me that the appointing authorities were deeply concerned and, one might justifiably conclude, primarily concerned with bringing about a quick settlement, for immediately following the above-quoted excerpt the appointing statement almost prayerfully states:

"The board may, however, suggest whatever procedures might appear to be appropriate for working toward a settlement."

The welfare of the employees and employers affected by the strike, as well as a deep concern for the public interest, must have been major considerations prompting the Secretary of Labor, the Governor, and the mayor to take this bold step.

Thus, I do not believe that the appointing authorities are looking for any scapegoat.

In any event, I do not feel that, industrious as we may have been in the relatively short period allotted to us to inquire into this complex matter prior to reporting, that I have anything like a sufficient record before me upon which to formulate a sound and responsible judgment on the profound question of what is the moral obligation or responsibility of an employer, employee or union leader engaged in a labor dispute or strike toward the public that might be affected thereby. Certainly none of the parties violated any legal responsibilities to the public.

However, this does not mean that parties to a labor dispute such as this should not take the public's interest into consideration before deciding upon a course of action which might have a serious impact upon the public. Nor does it mean that parties to such a dispute do not have moral obligations to the public.

But it does not necessarily follow that these obligations, whatever they may be, always outweigh in the mind of a union leader his obligations in a given situation to his members. The same applies to an employer's obligations to himself or his stockholders.

Furthermore, after listening and talking to the parties for 3 days I do not believe that blaming one or both parties for the strike contributes toward its settlement.

I do, however, wish to make some observations which I feel are pertinent to this matter.

This board was formed late Sunday (January 6) afternoon. It met early the next morning, Monday, and immediately sent requests to all parties to appear before it Tuesday morning. The printers union president, Bertram Powers, without even waiting to receive the formal request to appear, called a press conference and issued a statement stating in effect that he would not appear before the board unless his union membership authorized him to do so and that he couldn't call a meeting for that purpost until January 13, 2 days after the board was to file its report. To this day, he has not paid this board the courtesy of appearing before it, even specially, to explain why he felt he could not participate in its hearings. It is hard to believe that he did not have at least that much authority.

It is true that this board has no legal status and that therefore he could legally ignore it. But where the Governor of the State of New York, the mayor of the city of New York, and the Secretary of Labor of the United States of America, all dedicated public servants, acting in the public interest, create such a board in the fervent hope that it will aid in bringing about an early conclusion to an unfortunate strike affecting the public interest, as well as adversely affecting the parties themselves, the least one who could only be helped by such action could do would be to appear before it. Mr. Powers' failure to appear even for a limited purpose is inexcusable.

Another point which received considerable attention during the hearing was the statement attributed to Mr. Powers concerning the possible duration of any strike the union members might approve and the possible fatal effect it might have on one or more of the newpapers involved.

I am satisfied from the record that he so advised his members. Actually the record shows that he made similar statements in September 1961, shortly after they approved by a very close vote the settlement of the 1960–62 contract. The record indicates that he repeated this warning again in September 1962. Actually he was telling his members who had been expressing dissatisfaction with the prior pattern of settlements that if they wished to change the pattern they would have to be prepared for a long and costly strike. It was his duty to do this.

It has been suggested that these statements indicate Mr. Powers had no intention of arriving at a renewal agreement on December 8, but, on the contrary, was planning a long strike.

I find it difficult to believe that Mr. Powers would not have accepted a contract on December 8 if it contained substantial improvements over and above the $8.50 a week received by the Guild. And I am not referring to the outlandish figure of about $36 a week which he put on the official bargaining table and which we are told is still his official asking price, for we all know of the off-the-record asking price of substantially less than even half that amount.

This leads to some observations about the collective bargaining positions of the parties. Simply stated, the newspaper publishers sought to maintain the pattern of bargaining carried on for some years and which had proven reasonably acceptable and successful to them.

Mr. Powers was determined to break that pattern because his members had become dissatisfied with the results of that pattern of bargaining.

I do not believe that I can find fault with either position and I have not even attemped a moral judgment of which one had the equities on its side.

It was inevitable that two such diametrical opposite positions, each supported by a strong protagonist, would result in a strike. To have prevented such a result, one side would have had to abandon its fundamental position. Neither did, and the result was a strike. How long the parties will continue to test their strength and positions, I do not know. However, I believe that both forces will have to give some ground before a settlement will be reached. I do not think that either is in the position of bringing the other to his knees.

It is as certain as death and taxes that this dispute will be settled without either side eating crow. This should be done now, the sooner the better.

Respectfully submitted.

Judge Joseph E. O'Grady.

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## COMMENTS ON THE FOREIGN AID PROGRAM BY WILLIAM S. PALEY

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I should like to bring to the attention of my colleagues a speech presented by William S. Paley, chairman, Columbia Broadcasting System, before the National Foreign Trade Council in New York City, on October 30, 1962.

Mr. Paley is acutely aware of the genuine concern voiced by some Americans who view our foreign aid program as ineffective or inadequate. He attempts to ascertain the origins of this discontent in a succinct review of the U.S. postwar experience in the dissemination of foreign aid. His purpose is to identify the weaknesses of present and past programs which have provoked dissatisfaction and to suggest realistic remedies for our aid program which will invoke durable support in the future.

Mr. Paley is convinced that we must rebuild public confidence in our foreign aid program which in the long run promises to progress the development of many nations, to protect our own national interest, and to promote a world of peace and prosperity.

The text of Mr. Paley's speech follows:

NATIONAL FOREIGN TRADE COUNCIL
SECOND GENERAL SESSION

(Remarks by William S. Paley, chairman, Columbia Broadcasting System, Inc., New York, N.Y.)

The events of the past week have demonstrated to all of us the constant need we have for the readiness of nations in our own hemisphere and around the world to declare themselves on our side in times of crisis. Certainly it is in our interest to promote vigorously the economic strength of such countries. The promptness with which many nations, particularly those in the Organization of American States, lined up behind us gives a most dramatic relevance to your meetings this year. I am happy to have the opportunity to attend them, although I am afraid I can bring no expert knowledge to your discussions. In an age of specialists, there are few more general generalists than broadcasters. We in the world of communications are necessarily preoccupied with the total scene and not often with just one segment of it. But sometimes this gives us the advantage of an overall perspective.

From this perspective I want to reflect with you briefly on foreign aid, both in retrospect and in prospect. But first I must express my belief that the problems and the opportunities of foreign aid cannot be separated from the problems and opportunities of world trade. Aid programs, essential as they are in bringing impoverished nations to the point of effective and profitable participation in world trade, are means to an end. The goal must be self-support through growing production and trade, each nation making the best use possible of its own resources.

In 1952, we said in the report of the President's Materials Policy Commission: "We began as an underdeveloped Nation, with rich resources but a shortage of manpower and capital, and little industry. It made good sense for us then, as it does for many underdeveloped countries today, to concentrate on the export of raw materials and agricultural products as the best means of acquiring purchasing power abroad with which to buy foreign manufactured goods to support better living standards and economic growth."

What was said then stands up pretty well today. Less developed nations with raw materials needed by the rest of the world should regard their export as a first forward step in their economic growth. Countries without such raw materials may have to develop agricultural economies as a first step. All of them should avoid attempting to speed up too fast a change to intricate industrial societies. Attempts to accelerate the processes of history are usually disappointing and sometimes boomerang.

Trade is ultimately necessary to the fullest development of the emerging nations, and to any permanent solution of the problems of their growth and prosperity. But in the interim—perhaps a long interim—there are need and justification for foreign economic assistance.

Just a month ago, there took place the annual struggle in Congress to settle the fate of the foreign aid program. The Senate, after deep and damaging cuts by the House, helped retrieve the situation, and the final outcome seems satisfactory. It is noteworthy, however, that the cuts were by a large majority in the House, while the votes in the Senate to restore were very close. This is cause for disquiet. It is important to examine the underlying reasons.

It is too simple to place the blame on "that man from Louisiana." Likewise, it is too simple to blame election-year politics or pennypinching by the Congress—particularly a Congress that in this session passed the boldest and broadest trade bill in our national history.

Nor is it adequate to put the blame on public apathy or ignorance. Taxpayers by nature dislike foreign spending, but the American public has steadily given its support to foreign aid throughout the period since World War II. This does not testify to either apathy or ignorance.

It appears to me that congressional discontent this time was wide and deep. Behind that discontent seems to be a rather general public unease. Underlying both congressional and public feeling is, I suspect, a valid concern about the results so far achieved by our considerable overseas expenditures.

In plain words, something appears to be wrong with the aid program. The sooner we can identify the faults and become realistic about the difficulties, the sooner we can rebuild durable support for the aid program.

I stress the word durable, because I believe in the logic of foreign aid; and I believe that we will have to treat with it as part of our foreign policy for many years to come.

Several months will pass between now and the next appropriations time. It is unrealistic to think any dramatic, rapid, tangible achievements can be made in this brief period. But it is not too much to expect that some changes of concept and policy be introduced which will reassure the many troubled supporters of foreign aid and which will give promise of greater positive results over the long run.

Unless this is done, the present difficulties are very apt to get worse. Congressional support and public confidence may further weaken. The next time around we may face a major reversal in our aid program.

This, therefore, may be a very good time to cast an eye backward over our foreign aid experience.

One useful way to highlight the lessons of the past 15 years is to group the recipient countries into three broad categories. These I will call the Marshall plan countries, the strategic countries, and the transitional countries.

Of all the great and unselfish acts of American foreign policy, the Marshall plan was probably the greatest and the most successful. What it did was the most convincing demonstration possible of the power of the economic arm of our foreign policy in serving our long-term national interest.

However, in comparison to our present dilemma the Marshall plan represented a simple problem. Europe needed only an infusion of resources and of hope to get its great engines turning again. Europe had a wealth of trained workers and experienced managers as well as imaginative entrepreneurs. It was a situation, therefore, in which if we could give them the tools, they could do the job.

Development did not have to start with building school systems, rebuilding governments, creating new social and economic structures, and overhauling deep-seated attitudes of millions of people. Yet, these are the very things which must be done as a basis for economic progress in many of the underdeveloped countries. We can and should take satisfaction from the Marshall plan, but it does not, unfortunately, give us a usable pattern for the radically different circumstances of the less developed areas.

Coming to the strategic countries, I classify them as those to whom we are giving aid in large part because of the presence of U.S. bases on their soil or because of their heavy military burdens in resisting pressure from the Communist sphere. In them, our economic aid functions within a context colored by strategic and military necessities and urgencies.

These countries are essentially seven—Korea, Formosa, Vietnam, Laos, Pakistan, Turkey, and Spain. In the 10 years since the end of the Marshall plan, we have given economic aid to no less than 98 countries; of a total of $33.2 billion appropriated, roughly 30 percent has gone to these 7 countries, quite apart from heavy military aid, while the other 70 percent has been shared by the remaining 91 countries.

In these seven countries, on the whole, our help has purchased very little development. In these same countries the principal examples of waste and corruption have occurred. It is, I believe, primarily as a result of events in these particular countries that some of the deepest congressional and public misgivings about foreign aid have derived.

Let me be very clear: I am not directly or by implication taking exception to the vital need for American support—economic and military—to countries directly under Communist pressure or important to the strength of the free world.

But in appraising and improving our aid programs, we must understand the special complexity of the problem in areas where economic and military considerations are intertwined. In the strategic countries we are in effect attempting to pursue a double objective: economic development and military security. In them occasions can arise, and frequently do, when projects of great importance from a strictly economic point of view have to be put aside in favor of projects which will help meet some urgent requirement growing out of the military situation.

Nevertheless, we need to ask ourselves whether we have sometimes given up on our economic objectives in these situations too easily. Has it really been necessary to wash out economic considerations to the extent we sometimes have in order to cope with military requirements?

Third, there is the numerically large and somewhat diverse group of transitional countries. Some of these, as in Latin America, have been independent for generations. They have in many cases developed extremes of wealth and poverty, jealously guarded social patterns, and powerful entrenched groups resistant to any and all change. Others, particularly in Asia and Africa, are newly independent. They are beset by poverty, disease, ignorance, social and economic backwardness, and this explosive thing called the revolution of rising expectations.

Our aid program in the future will increasingly operate in these troubled and transitional societies. Many of them are characterized to one extent or another by emotionally charged nationalism, resentments of varying degree against the United States, visions of overnight industrialization, and vast impatience with the slow processes of economic growth. Some of them, particularly in Asia and Africa, lack the institutional structure, the experience, the personnel, and even the state of mind necessary to cope with the functions of a modern economy, society, and state.

Throughout all the less-developed areas, the Sino-Soviet bloc—alert to every possibility for generating frictions, compounding misunderstanding and disrupting constructive effort—is conducting growing programs of subversion, economic warfare, propaganda, and intimidation.

In a few of these countries, serious efforts of self-help are underway. In such countries, three is hope of economic progress. But in many, the obstacles are so great that progress is bound to be painfully slow.

There exists in some quarters a general illusion that in the less-developed countries, as a result of external aid and internal efforts, rapid economic progress is already being made. The grim fact is that the gap between the rich and the poor nations continues to widen, not narrow. Equally grim is the fact that population growth in many of them is largely consuming the modest economic gains so far made.

In other words, if things go on as they are, it will be generations before any sizable inroad is made on the problems of poverty in the less developed countries. Thus, as of today, the argument for continuing and persisting in economic assistance rests essentially on faith and hope over the long haul, not demonstrated achievement in the short run. We can hope—as I earnestly do—that progress will come. But, to be realistic, we must look upon aid as a gamble—an intelligent gamble in our national interest, I am convinced—but still a gamble.

Some would argue that the thing to do is to sharply increase the volume of foreign assistance, that the lack of progress to date is essentially the result of the inadequacy of external help. The evidence does not seem conclusive on that point.

In the first place, many of the underdeveloped countries have not done what they can and should to help themselves. They have been most reluctant to buckle down to the distasteful job of collecting taxes, introducing reforms and fully utilizing their own resources.

In the second place, the economic problems faced by many transitional countries are beyond solution in solely economic terms. Before economic growth can be put into motion, there are massive problems of education, of health, of tribalism and traditionalism to be solved. Until there is a better understanding of these multiple problems and how to deal with them, I can not see the wisdom of trusting solely to an increase in the sheer volume of assistance.

Looking back over our aid efforts to date, I can, however, see specific possibilities for our future guidance that deserve consideration.

First, it seems to me that in rebuilding public confidence in the aid programs, we must purge the atmosphere of a good many false illusions. The recipients are not going to imitate in detail the American way of life. The brutal fact is that foreign aid is going to be necessary for a long, long time, and positive results will be slow in arriving. Arousing false or unrealistic hopes might well produce dangerously negative reactions.

In recognizing such realities, I am not fearful that we may discourage and cut away support for aid. Although the eventual outcome of foreign aid is a gamble, there is no better instrument available to us for the advancement of America's long-term economic interests and security. I have full confidence that the American people have the commonsense to support the aid program on that unsweetened basis.

Second, in the strategic countries, I recognize the severe difficulty of reconciling military and economic development objectives. But certainly stronger and more skillful negotiations by our representatives can prevent in some degree the massive inefficiency of our aid in generating economic development. It seems to me, therefore, that a careful reappraisal of our aid efforts in these countries, and of the balance and priority between economic and military considerations, is in order.

Third, in the transitional countries, we must insist upon serious standards of self-help, prudent policy, and internal reforms, and we must be prepared to cut off countries that do not do their part.

One of the reasons for our lack of firmness in the past has been fear of the consequences of firmness, particularly fear of the possibility of Communist penetration. None of us views with relish the prospect of Communist advance anywhere in the world. But we must not permit indiscriminate fear of communism to lead us to the scatteration of our aid and the abandonment of standards of self-help by the recipients. If we do, our aid will be wasted, and Communist penetration in the wake of disorder may come anyhow.

In dealing with the realities of the international situation, we cannot be coldly bankerish. But we must begin to be more businesslike. We must concentrate our efforts, and we must be selective. If we do so, a good many of the less developed countries will come to realize that these principles are in their best interest also. For much of the aid of the past, with its lack of results, has been of benefit neither to our objectives nor to theirs. Already there begins to appear in some countries that were recently strongly attached by the Soviets a disenchantment with propaganda and passionate politics, a shift in the direction of commonsense and practicality.

Fourth, an obvious weakness of our aid program is the continuing failure to harness American private enterprise effectively to the development task. Each year language stressing this need is piously included in the aid legislation. But year after year the matter remains deadlocked; government on the one side skeptical of giving private interests special advantages; and private business on the other side unprepared to use stockholders' money without greater guarantees or inducements than are now offered.

What is needed is a formula, or mechanism, or set of ground rules, which will harness the colossal power, imagination, and experience of American business and finance to the foreign development task. For several years leaders from various branches of American life have stressed this need and have proposed plans—for new credit devices, new kinds of guarantees, new forms of contracts, new patterns of business-government collaboration. But few of the ideas that have been put forward have been translated into action.

There are times and situations when a high-level public commission can provide the authority, direction, and emphasis necessary to break through such an impasse. This is such a situation. I hope that consideration will be given to the creation of such a body to develop and recommend a formula which will open the way to the active participation of all segments of American industry in the struggle for world development.

I speak to you today as a partisan of foreign aid and a believer. I speak therefore not in a spirit of finding fault but out of the deepest concern about the general failure of these programs to generate progress in the impoverished parts of the world. This is a time when government, business, and our best experts and thinkers must draw together in joint efforts—when the combined talents of our best and most experienced minds must be assembled to improve our foreign aid program—a task of the greatest importance to the development of a truly worldwide trade.

## ROBERT FROST

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, the entire Nation weeps today over the untimely death of Robert Frost. I say "untimely," because time can never erase his great contribution to the literary heritage of this country. And time, as the distinguished poet Mark Van Doren said yesterday, "will keep on working at this figure, as truth will keep on echoing this voice."

For 50 years—

Van Doren says—

the great poet has been a familiar figure among his own people: loved, respected, and even a little feared.

For a good many of these 50 years, Mr. Speaker, Robert Frost lived, wrote, and taught in the beautiful community of Amherst, Mass. The good people there, as in every corner of the globe, today pause in memory of a great man, one of the truly great individuals of this or any century.

With your permission, Mr. Speaker, I include the full text of Mark Van Doren's brilliant statement in the CONGRESSIONAL RECORD:

Robert Frost cannot be replaced. The hole he leaves is not only wide but deep.

He was a philosophical poet, which meant in his case that to a profound and delicate heart was joined an intellect which never ceased to search for the ultimate meanings of life.

If life has a single meaning, he would have given everything to find it. But probably there are several; or so he seemed to say, in a voice that was both utterly serious and utterly humorous.

The humor of Robert Frost was the unmistakable sign of his seriousness; of his stubborn and lovable devotion to truth as it variously states itself. He listened intently to the contradictions of existence, and rendered them in verse that we must keep on reading before we can be sure we have exhausted its testimony. It is perfectly lucid, as life is, but like life, it is ambiguous too.

When asked what any of his poems meant, he preferred to reply that it meant what it said. Yet he knew better than anybody that truth takes pleasure in hiding itself, and in speaking softly.

"Something there is that doesn't love a wall." Does this mean that walls should never be? No, it means what it says; that something doesn't like them. Something else may, and certainly does. Regrettable as they are, a world without them would be unthinkable; worse yet, it would be unrecognizable. The poetry of Frost was in its recognitions.

He was more than a poet of New England, or a poet of country life. Of both these things his understanding was uncanny, but it only began there, as poetry must always begin somewhere rather than everywhere. His wisdom is finally the wisdom of any man who looks as far out over the sea and as deep into it as he can.

This, as he said in one of his poems, may not be very far or very deep, but that does not keep us from looking. Robert Frost never abandoned his watch. If he claimed he saw little, he still can make us wonder how much we have missed. He is said to have been a master of understatement, but this does not mean that he stated nothing.

Truth speaks in his poems with a powerful voice which he seems to insist is not his own; it is somewhere in the background, thrusting itself at us, sometimes with a mischievous strength, between the lines.

In his lyrics, in his narratives, and in his metaphysical dramas of Job and Jonah, Robert Frost produced over something like 70 years a body of poetry which has no equivalent in the literature of the United States or of the world.

For 50 years he has been a familiar figure among his own people: loved, respected, and even a little feared. Time, the sculptor, will keep on working at this figure, as truth will keep on echoing this voice.

## THE 15TH ANNIVERSARY OF USIA

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, Sunday, January 27, 1963, marked the 15th anniversary of the U.S. Information Agency. During this week civic organizations and public-minded citizens are commemorating the anniversary by calling attention to the accomplishments of that Agency. No doubt there is always room for improvement and at this time careful consideration is underway to set guidelines for further progress.

The most recent report to Congress of the U.S. Advisory Commission on Information has pointed out that the recent crisis in Cuba has opened a new phase in the cold war and that USIA must be prepared to play its full part.

Since its inception in 1948 with the passage of Public Law 402, the U.S. foreign information program has attempted to "play its full part" as we went through one phase after another of a fluctuating cold war. USIA has played an important role in disseminating accurate information to the world during the Korean war, Suez, the Hungarian revolution, the de-Stalinization campaign of Khrushchev, Berlin, and many other critical events which have confronted the United States during the past 15 years.

The U.S. Information Agency has demonstrated its ability to communicate U.S. foreign policies and the American message to people of the world rapidly, accurately, and authoritatively. The United States today has a worldwide communications apparatus capable of relaying information instantaneously. The recent dramatic development of Telstar provides us with another channel for transcontinental distribution of television programs.

On this 15th anniversary of the passage of Public Law 402, I am pleased not only to congratulate the Congress for its foresight in this important area of our foreign relations but extend my commendation to the directors and personnel of the Agency who over the years contributed to its progress and improvement. I also congratulate the present Director of USIA, Mr. Edward R. Murrow, on his tireless efforts to improve further the USIA in order that in the words of the Commission, USIA may "be prepared to play its full part." The people of the United States are fortunate in having a man of Mr. Murrow's stature in the radio and television industry to direct its foreign information program. His national and international reputation is a distinct asset to this Nation.

The release of the 18th report to Congress of the U.S. Advisory Commission on Information which coincides with the date of the 15th anniversary of the enactment of Public Law 402, is another example of the constructive work of this patriotic Commission. I have said before and repeat it again that even if no Member of the Congress reads the Commission's reports, the existence of an outside, independent group which serves without compensation and which constantly appraises the work of our foreign information program is a good thing. It is a good thing because its criticisms, recommendations, and advice are read by the officers of the Agency who know that in addition to the Congress there is a Commission, whose members are experienced professionals in the art of communication and persuasion, that is charged with the responsibility of appraisal. I am pleased to acknowledge their efforts today.

## WILLIAM McKINLEY

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. TAFT] is recognized for 15 minutes.

### GENERAL LEAVE TO EXTEND

Mr. TAFT. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks in the RECORD on the life and accomplishment of William McKinley.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TAFT. Mr. Speaker, all Ohioans, all Americans should most deeply appreciate this opportunity, which I understand has been afforded for some years, to mark the birth date of William McKinley on the calendar of this House and in the consideration of its Members. I particularly appreciate the honor done me by my Ohio colleagues in permitting me to speak for them of him on this my first address to this great body, a body where Mr. McKinley served Ohio and the Nation so long and with such distinction.

I cannot be unmindful, as I speak, however, of the disservice which sometimes has been done to the times and role of President McKinley by hasty and uninformed men sometimes caught in the passion of their time and the pleadings of their special causes. We honor McKinley today but yesterday and perhaps tomorrow we will hear that his time was so archaic that it should have no meaning today, that his role was so dated that it should remain a museum piece.

Truly to honor him this day we must go beyond the catchwords and the slogans and sense the real significance of the career and role of this great American.

The inauguration of William McKinley as President of the United States, in 1897, marked the beginning of America's role as a world power. It is a date, a time, a dedication to the future that should live in the pride of our people and their purposes.

McKinley, coming from the heartland of the Nation, strode with the Nation to the heartland of history, to the center of the vast unsettled stage of world powers. From his time forward all nations would turn toward this land, listen to its case, heed its causes.

McKinley was faced with crisis in Cuba. He moved, and from chaos brought order and ultimately freedom. The Philippines, the open-door policy in China—these were other landmarks of the new and important role America would play in world affairs.

McKinley was not an agent of status quo nor was his time a reflection of it. Rather it was a time of testing and of proof, of the man and of the people. Together they met the test, not with slogans, but with actions; not with tumult, but with convictions. For McKinley's time also was the beginning of unified government in this Nation, unified in spirit—not alone by labels—unified to bring to all Americans the benefits of our growing strength and prosperity.

The entry of the United States into the ranks of the major powers of the world would not have been possible without dynamic leadership on the part of its Chief Executive. This quality McKinley had in great abundance. Let us examine briefly what accounted for his greatness as a leader.

In the first place, McKinley was immensely popular. He had a captivating personality, characterized by a warmth and sincerity that was quickly detectable. His following was devoted. It swept him into office in the election of 1896, sustained him through the many challenges confronting him, and mourned his death by an assassin's gun, with one of the greatest outpourings of grief that America has ever seen.

Second, and particularly appropriate for this occasion today, William McKinley had a unique relationship with the Congress. His previous political experience uniquely qualified him to deal effectively with the Congress in a way that served the mutual benefit of the White House, the Capitol, and the Nation. He had been a distinguished and hardworking Member of this House for seven terms, serving his district longer than any other from that district, save only the present distinguished incumbent. Entering this honorable body in 1877, he quickly demonstrated his great legislative talents and abilities and, as a result, after only 3 years as a Member, he became chairman of the Committee on Ways and Means, a feat which, even under very different canons and traditions of that day, any freshman Congressman must view with awe and amazement. As chairman of that important committee, McKinley mastered the intricate details of tariff legislation. The McKinley bill, as the tariff legislation enacted in 1890 was known, showed his expert command of his subject and his abilities as a lawmaker, and, for his time and for this Nation, the law was wise and needed.

The future President of the United States was able to view the executive-legislative relation from another side as ex-Governor of Ohio. Thus, he was uniquely equipped also to work with, and not against, the sovereign States after entering the White House.

McKinley's sympathetic understanding of the viewpoints of Members of the Congress account in large part for his ability to win their assent to his programs and policies. He was, as Professor Wilfred E. Binkley has noted, "the gentle but undoubted leader of Congress." Senator Shelby M. Cullom observed:

> We never had a President who had more influence with Congress than McKinley. I have never heard of even the slightest friction between him and the party leaders in Senate and House.

That, surely, is a precedent we today can on occasion view with wonderment.

We can give thanks that William McKinley was endowed with the attributes of leadership for, without them at that crucial time, America's entry onto the world scene as a great power might have been delayed for a number of years and might have been considerably less successful. A generation after his death, an historian summed up the greatness of McKinley's character:

> A statesman singularly gifted to unite the discordant forces of government and mold the diverse purposes of men toward progressive and salutary action.

These are things which recitation of dates or titles may miss. Such recitation is the punctuation of history, not reflective of its broad meaning.

Thus, though I speak briefly today, I have tried to speak of long and lasting virtues which, embodied by William McKinley, inspired our future.

His was leadership without coercion, consensus without manipulation. In statehouse, Capitol, and White House, he knew the balances and uses of power; he rejected its abuses.

He knew this House well; he knew the house of our Nation, too. We from Ohio are proud to be Ohioans, as he was proud, and to be Members of this House, as he was. But more, we are proud to be, as all Americans are, bearers of the national greatness which he so enhanced. To be worthy of it is why each of us is here.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I should like to congratulate the gentleman from Ohio for the address he has made on the life and accomplishments of William McKinley. Those of us from the 16th Congressional District of Ohio are naturally very proud of our native son who served so well as prosecuting attorney of Stark County, as a Member of Congress from our district, as Governor of the State of Ohio, and as President of the United States.

I had the pleasure last Saturday night of making the McKinley Day address in his hometown of Canton. In trying to determine what to bring to the people there that might be something a little different, I read the inaugural addresses of William McKinley. I would say to my colleagues it would do everyone's heart good to read those two great inaugural addresses of William McKinley.

We can do no better than to heed his words in the crisis of today and carry on in the traditions that made America great.

Here, in part, are McKinley's words at his first inaugural, March 4, 1897:

> In obedience to the will of the people, and in their presence, by the authority vested in me by this oath, I assume the arduous and responsible duties of President of the United States, relying upon the support of my countrymen and invoking the guidance of Almighty God.
>
> Our faith teaches that there is no safer reliance than upon the God of our fathers, who has so singularly favored the American people in every national trial, and who will not forsake us so long as we obey His Commandments and walk humbly in His footsteps.
>
> The responsibilities of the high trust to which I have been called—always of grave importance—are augmented by the prevailing business conditions entailing idleness upon willing labor and loss to useful enterprises. The country is suffering from industrial disturbances from which speedy relief must be had. Our financial system needs some revision; our money is all good now, but its value must not further be threatened. It should all be put upon an enduring basis, not subject to easy attack, nor its stability to doubt or dispute.
>
> Most of our financial laws are the outgrowth of experience and trial, and should not be amended without investigation and demonstration of the wisdom of the proposed changes. We must be both sure we are right and make haste slowly.
>
> Economy is demanded in every branch of the Government at all times, but especially in periods, like the present, of depression in business and distress among the people.
>
> The severest economy must be observed in all public expenditures, and extravagance stopped whenever it is found, and prevented wherever in the future it may be developed. If the revenues are to remain as now, the only relief that can come must be from decreased expenditures. But the present must not become the permanent condition of the Government.
>
> It has been our uniform practice to retire, not increase our outstanding obligations, and this policy must again be resumed and vigorously enforced. Our revenues should always be large enough to meet with ease and promptness not only our current needs and the principal and interest of the public debt, but to make proper and liberal provision for the welfare of the American people.
>
> The Government should not be permitted to run behind or increase its debt in times like the present. Suitably to provide against this is the mandate of duty—the certain and easy remedy for most of our financial difficulties. A deficiency is inevitable so long as the expenditures of the Government exceed its receipts. It can only be met by loans or an increased revenue.
>
> While a large annual surplus of revenue may invite waste and extravagance, inadequate revenue creates distrust and undermines public and private credit. Neither should be encouraged. Between more loans and more revenue there ought to be but one opinion. We should have more revenue, and that without delay, hindrance, or postponement. A surplus in the Treasury created by loans is not a permanent or safe reliance.
>
> It will suffice while it lasts, but it cannot last long while the outlays of the Government are greater than its receipts, as has been the case during the past 2 years. Nor must it be forgotten that however much such loans may temporarily relieve the situation, the Government is still indebted for the amount of the surplus thus accrued, which it must ultimately pay, while its ability to pay is not strengthened, but weakened by a continued deficit.
>
> Loans are imperative in great emergencies to preserve the Government or its credit, but a failure to supply needed revenue in time of peace for the maintenance of either has no justification.
>
> The best way for the Government to maintain its credit is to pay as it goes—not by resorting to loans, but by keeping out of debt—through an adequate income secured by a system of taxation, external or internal, or both.
>
> The depression of the past 4 years has fallen with especial severity upon the great body of toilers of the country, and upon none more than the holders of small farms. Agriculture has languished and labor suffered. The revival of manufacturing will be a relief to both. No portion of our population is more devoted to the institution of free government nor more loyal in their support, while none bears more cheerfully or fully its proper share in the maintenance of the Government or is better entitled to its wise and liberal care and protection.
>
> Legislation helpful to producers is beneficial to all. The depressed condition of industry on the farm and in the mine and factory has lessened the ability of the people to meet the demands upon them, and they rightfully expect that not only a system of revenue shall be established that will secure the largest income with the least burden, but that every means will be taken to decrease, rather than increase, our public expenditures.
>
> Business conditions are not the most promising. It will take time to restore the prosperity of former years. If we cannot promptly attain it, we can resolutely turn our faces in that direction and aid its return by friendly legislation.
>
> However troublesome the situation may appear, Congress will not, I am sure, be found lacking in disposition or ability to relieve it as far as legislation can do so. The restoration of confidence and the revival of business, which men of all parties so much desire, depend more largely upon the prompt, energetic, and intelligent action of Congress than upon any other single agency affecting the situation.
>
> It is inspiring, too, to remember that no great emergency in the 108 years of our eventful national life has ever arisen that has not been met with wisdom and courage by the American people, with fidelity to their best interests and highest destiny, and to the honor of the American name. These years of glorious history have exalted mankind and advanced the cause of freedom throughout the world, and immeasurably strengthened the precious free institutions which we enjoy. The people love and will sustain these institutions.
>
> The great essential to our happiness and prosperity is that we adhere to the principles upon which the Government was established and insist upon their faithful observance. Equality of rights must prevail, and our laws be always and everywhere respected and obeyed. We may have failed in the discharge of our full duty as citizens of the great Republic, but it is consoling and encouraging to realize that free speech, a free press, free thought, free schools, the free and unmolested right of religious liberty and worship, and free and fair elections are dearer and more universally enjoyed today than ever before.
>
> These guarantees must be sacredly preserved and wisely strengthened. The constituted authorities must be cheerfully and vigorously upheld. The preservation of public order, the right of discussion, the integrity of courts, and the orderly administration of justice must continue forever the rock of safety upon which our Government securely rests.
>
> It has been the policy of the United States since the foundation of the Government to cultivate relations of peace and amity with all the nations of the world, and this accords with my conception of our duty now.
>
> We have cherished the policy of noninterference with affairs of foreign governments wisely inaugurated by Washington, keeping ourselves free from entanglement, either as allies or foes, content to leave undisturbed with them the settlement of their own domestic concerns. It will be our aim to pursue a firm and dignified foreign policy, which

> shall be just, impartial, ever watchful of our national honor, and always insisting upon the enforcement of the lawful rights of American citizens everywhere. Our diplomacy should seek nothing more and accept nothing less than is due us.

This was the situation in America as McKinley saw it on the threshold of his first term as President.

No clever phrases, no slick expressions in his speech. Rather, a careful analysis of the Nation's problem, and a plan to put the country back on the path of progress and prosperity.

And these were not idle campaign promises or windy theories McKinley delivered. Four years later, in his second inaugural, he spoke to the country under circumstances greatly improved. Let me quote briefly from this speech:

> My fellow citizens, when we assembled here on the 4th of March 1897, there was great anxiety with regard to our currency and credit. None exists now. Then our Treasury receipts were inadequate to meet the current obligations of the Government. Now they are sufficient for all public needs, and we have a surplus instead of a deficit. Then I felt constrained to convene the Congress in extraordinary session to devise revenues to pay the ordinary expenses of the Government. Now I have the satisfaction to announce that the Congress just closed has reduced taxation in the sum of $41 million.
>
> Then there was deep solicitude because of the long depression in our manufacturing, mining, agricultural, and mercantile industries and the consequent distress of our laboring population. Now every avenue of production is crowded with activity, labor is well employed, and American products find good markets at home and abroad.
>
> Our diversified productions, however, are increasing in such unprecedented volume as to admonish us of the necessity of still further enlarging our foreign markets by broader commercial relations.
>
> For this purpose reciprocal trade arrangements with other nations should in liberal spirit be carefully cultivated and promoted.
>
> Intrusted by the people for a second time with the Office of President, I enter upon its administration appreciating the great responsibilities which attach to this renewed honor and commission, promising unreserved devotion on my part to their faithful discharge and reverently invoking for my guidance the direction and favor of Almighty God.
>
> I should shrink from the duties this day assumed if I did not feel that in their performance I should have the cooperation of the wise and patriotic men of all parties. It encourages me for the great task which I now undertake to believe that those who voluntarily committed to me the trust imposed upon the Chief Executive of the Republic will give to me generous support in my duties to preserve, protect, and defend the Constitution of the United States and to care that the laws be faithfully executed.
>
> The national purpose is indicated through a national election. It is the constitutional method of ascertaining the public will. When once it is registered it is a law to us all, and faithful observance should follow its decrees.
>
> Strong hearts and helpful hands are needed and, fortunately, we have them in every part of our beloved country.
>
> Existing problems demand the thought and quicken the conscience of the country, and the responsibility for their presence, as well as for their righteous settlement, rests upon us all—no more upon me than upon you. There are some national questions in the solution of which patriotism should exclude partisanship. Magnifying their difficulties will not take them off our hands nor facilitate their adjustment, distrust of the capacity, integrity, and high purposes of the American people will not be an inspiring theme for future political contests. Dark pictures and gloomy forebodings are worse than useless. These only becloud, they do not help to point the way of safety and honor. "Hope maketh not ashamed."
>
> The prophets of evil were not the builders of the Republic, nor in its crises since have they saved or served it. The faith of our fathers was a mighty force in its creation, and the faith of their descendants has wrought its progress and furnished its defenders. They are obstructionists who despair, and who would destroy confidence in the ability of our people to solve wisely and for civilization the mighty problems resting upon them.
>
> The American people, intrenched in freedom at home, take their love for it with them wherever they go, and they reject as mistaken and unworthy the doctrine that we lose our own liberties by securing the enduring foundations of liberty to others.
>
> As heretofore, so hereafter will the Nation demonstrate its fitness to administer any new estate which events devolve upon it, and in the fear of God will "take occasion by the hand and make the bounds of freedom wider yet." If there are those among us who would make our way more difficult, we must not be disheartened, but the more earnestly dedicate ourselves to the task upon which we have rightly entered.
>
> The path of progress is seldom smooth. New things are often found hard to do. Our fathers found them so. We find them so. They are inconvenient. They cost us something. But are we not made better for the effort and sacrifice, and are not those we serve lifted up and blessed?
>
> We face at this moment a most important question—that of the future relations of the United States and Cuba.
>
> The peace which we are pledged to leave to the Cuban people must carry with it the guarantees of permanence. We became sponsors for the pacification of the island, and we remain accountable to the Cubans, no less than to our own country and people, for the reconstruction of Cuba as a free commonwealth on abiding foundations of right, justice, liberty, and assured order.
>
> Our enfranchisement of the people will not be completed until free Cuba shall be a reality, not a name; a perfect entity, not a hasty experiment bearing within itself the elements of failure.

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I have asked the gentleman from Ohio [Mr. TAFT] to yield in order that I may, as the chairman of the Ohio Republican delegation in the House, express to him, the grandson of a great President from the State of Ohio, the sincere appreciation of our entire delegation for the remarkable and beautiful tribute that he paid another great Ohio President, a man we all honor and revere, and whose memory will live as long as the State of Ohio lives, William McKinley. You are to be congratulated, sir.

Mr. TAFT. I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

## U.S. INTELLIGENCE REVISIONS NEEDED

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 5 minutes.

Mr. ROGERS of Florida. Mr. Speaker, the cold war has been underway for some time, and we are now in a position to objectively view several of its aspects. One outstanding fact is obvious to the Nation—the cold war must be waged with weapons of accurate, efficient intelligence methods.

Events of the past point up this fact. The use of the U-2 aerial reconnaissance program gave this Nation a great advantage in determining how to utilize its long-range bombers and missiles. The ill-fated Cuban invasion of 1961 raised some questions of the organization of our intelligence system. Certainly the events of the last half of 1962, when the Soviets launched their wholesale arms buildup in Cuba, has demonstrated that such inequities as time lags in disseminating vital information can seriously impair the security of this Nation.

It has become clear that a review of U.S. intelligence operations is in order for the security of the American people. Such a review should be conducted by the Congress, where constitutional authority for regulating and maintaining the Armed Forces is spelled out in explicit terms. These forces are vital to our Nation's defenses, and in this age of nuclear terror and a precarious balance of power, prompt and accurate intelligence information is just as vital.

For these reasons, I am today introducing legislation to establish a Joint Committee on Foreign Information and Intelligence. This committee, established in the Congress as a permanent and standing committee, would have jurisdiction over the intelligence activities of the Central Intelligence Agency, the State Department, and the Departments of the Army, Navy, and Air Force. Its records and proceedings would be highly classified in the interests of national security in order that complete freedom of review could be maintained, and its committee staff would be cleared for such sensitive exposure.

Such a committee was recommended by the Hoover Commission in its report on the study of reorganization of the Government.

Mr. Speaker, when this Nation was formulating the atomic bomb during the closing days of World War II, it was felt that congressional knowledge of this highly classified project was advisable. For this reason, a top secret briefing on the atomic project was held on February 18, 1944, and seven congressional leaders of both Houses were advised of U.S. efforts in the nuclear field. Two of those distinguished Members are still serving this Nation as Members of this House.

One year later, on February of 1945, those associated with the atomic project briefed five more congressional leaders on the development of this weapon. I know of no better kept secret.

Mr. Speaker, the Congress is justified and well qualified to review this Nation's intelligence efforts. I urge enactment of my proposal to allow this review. The security of America demands it.

## COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution (H. Res. 209) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That FRANK J. HORTON, of New York, be, and he is hereby elected a member of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## THE PASSING OF ROBERT FROST

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. STAFFORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. STAFFORD. Mr. Speaker, the people of Vermont particularly regret the passing of Robert Frost. We feel him to be one of our own. He has spent much time in the Green Mountains of our State. He has been a most distinguished American. We shall miss him. We shall revere his memory.

## TAX REFORM

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. SNYDER. Mr. Speaker, under a new and clever smokescreen of apparently soaking the rich, the administration now desires to impose greater tax hardships on its middle and lower income taxpayers than at any time in history. It is time for genuine tax reform all right, but one that will restore some balance and fiscal sanity to a situation that is on the verge of getting out of hand.

Based on the Treasury's running balance sheet as of December, every taxpayer would have to shell out $5,066 to meet his share of the public debt—$188 more than last year—the Washington World of January 11, 1963.

If every taxpayer had to pay an equal share of taxes to cover New Frontier expenditures for the fiscal year to date, it would amount to $943 each—or $77 more than last year.

And this mythical average taxpayer is not as mythical as he might seem. American industrial workers as a rule now fall in the $4,000 to $6,000 bracket, with many being above that.

Those who pretend that taxes are aimed only or mostly at the other fellow had better take a hard look at the facts, namely, 91.6 percent of all taxable income falls below the $6,000 income level.

Unless the line is drawn and a halt is called, it is obvious where the present tax system will lead us. It is already pinching the low and middle income groups, but a tax reduction that increases the debt will not aid the situation. It will compound the felony.

The advocacy of greater and greater deficits aggravates the crime being perpetrated on the people. To advocate a tax reduction with an increased deficit is like giving a worker a weekly pay increase of a few dollars while at the same time increasing his debt at the department store by many times the amount of the weekly increase in pay.

Despite the high graduation that is already applied at upper income levels, taxpayers in the brackets below $10,000 pay about 60 percent of the personal income tax revenues presently being collected. This is pointed out on page 15 of an AFL–CIO handbook on Federal taxes, dated September 1960. Supporting figures were drawn from Treasury Department documents.

Our tax system soaks the rich, all right, but it soaks the little man, too. The wage earner on the assembly line in factories can add and subtract. It is becoming increasingly evident to him that the New Frontier group can only multiply.

The average wage earner has to work 2 hours and 19 minutes out of his normal 8-hour workday to pay the taxes imposed by his Federal, State, and local governments, according to a recent report by the Tax Foundation, Inc. By far the biggest hunk goes to Washington.

Until very recently, politicians have been able to sell the idea that their tax packages were always meant for the other fellow. The withholding device has helped to conceal the impact of tax deductions somewhat, but the growing portion of the wage earner's pay that is being siphoned off each year to be spent by bureaucrats—some even to be passed on to the enemies of America—has now become evident to practically everybody.

The myth that the other fellow is going to foot the bill no longer makes much sense to people who know they are already paying a substantial part of their income. If 100 percent of the upper bracket earnings of the Nation were confiscated they would produce enough to run the Federal Government only a few weeks at the most. The rest comes from middle and lower income groups—the only place left. People now realize this.

They also know that expenditures grow automatically if more money is provided. There is no disposition on the part of bureaucrats to pay off past obligations. They tend to feel they are falling down on the job in spending your money if they fail to spend more than they take in.

The admistration talks about various kinds of deficits such as "deficits of weakness" and "deficits of strength" and "transitional deficits." I take the latter to be that momentary transitional period between insolvency and bankruptcy.

Whenever additional revenue is made available by any growth of the American economy, the New Frontiersmen have plans for spending it by the time the ink dries on the new estimates. Obviously it is time for a tax cut, but also it is time for a spending cut.

The impact of such free-wheeling irresponsibility by the Government on the wage earner is tremendous. All fair-minded Americans recognize that the rates are even more oppressive in the brackets where all-important capital formation must occur. This does not have any emotional impact on the wage earner, but he knows that somebody must build the plant he works in or finance the business that provides his job.

The American economy—historically the most competitive and most dynamic in the world—has now been stifled into a slow rate of growth. Not so slow as to create hysteria, but slow enough for businessmen and wage earners alike to be concerned. It is so evident that even the New Frontiersmen are beginning to see what has been obvious to many people all along.

Here we are in an era of change, with the dynamic conservatives of the Nation advocating changed policies to meet the challenge. The group which claims the halo of progressiveness for itself would have us continue wallowing in debt and interest which is not comprehensible by me or most taxpayers.

The wage earners of America have a direct stake in the Nation's business and industrial fertility. Its success and its growth determine whether jobs will exist for people or whether the welfare rolls will be jammed to an even greater extent than they already are.

With America the high cost producer of many of the world's goods, and with other industrial nations making inroads into many of our traditional markets, we have a real challenge confronting us.

It will take more than glib phrases, more than swimming parties, more than leaked statements to the friendly segment of the press to meet this challenge successfully. In short, it will take more than high-sounding conversation to bring it about. If phrasemaking followed by retreat would do it, we would be in good shape right now.

Discerning Democrats and Republicans alike have come to know this and proclaim it. One of the real encouraging signs of our time is the willingness of people to study the issues and vote on the principles rather than put attachment to some party, some bloc, some pressure group ahead of what is right for America to the best of their knowledge and belief. More of this sentiment is needed—but I think we are trending in the right direction.

In the face of such growing awareness, even the New Frontier has been forced to face up to the fact that its grand claims of 1960 about "getting the country moving" have been followed by movement, in the wrong direction.

The question has been asked: "Does the American public want to sail or to anchor down?" About the only thing established by this question is the clear fact that America is clearly at sea.

Two of the biggest factors in this drifting are the Nation's tax policy and its spending policy. The President has finally recognized this to some extent insofar as taxes are concerned, but instead of coming out for real, genuine, far-reaching, comprehensive reforms of the type that can meet a mid-20th century challenge, we have seen proposed a huge deficit for a system already cringing beneath a load far too heavy for it to bear.

This failure to come to grips with the basic tax structure and needed rate reforms together with reduced spending has not gone unnoticed by members of both parties in Congress. Several bills with bipartisan sponsorship have been introduced which clearly head in this direction.

The approach which seems to make the most sense and draw the most interest is a program of gradual tax reduction over a 5-year period that will provide needed relief in all brackets, letting national growth offset each year's reduction coupled with a spending reduction and thereby preserving a balanced budget.

The plans that I endorse will guarantee a reduction of at least 25 percent to every personal taxpayer. This would be evident in the lower brackets by gradually stepping down the lowest bracket from 20 to 15 percent. The rates at all levels would be substantially lower. But 89.4 percent of the total dollar savings would go to middle and lower income people and only 10.5 percent to those with incomes of $14,000 and over. Here is how it would break down:

Saving to taxpayers in the 0 to $2,000 level: $6,754 million, which represents 49.6 percent of the total.

Saving to taxpayers in the $2,000 to $14,000 level: $5,412 million, which represents 39.8 percent of the total.

Saving to taxpayers in the $14,000 level and above: $1,443 million, which represents 10.6 percent of the total.

In addition to giving a break to lower income people, this plan will compress the steeply graduated rates of the tax—confiscatory rates that choke off investment capital at its source, rates which suppress initiative and limit the creation of new jobs. It takes an average of $18,000 of investment now to create one industrial job.

Much concern is evidenced these days when America's growth rates are compared with other industrial nations of the world. It has been reported by our own governmental agencies that 30 percent of Russia's gross national product goes into capital formation—another name for job creation. In 1959, comparable rates in Western Europe were: Germany 23 percent, Austria 23 percent, Italy 21 percent, France 18 percent, and Belgium 17 percent. Our own rate was only 15 percent.

I can state frankly that I do not believe that any government is entitled to take half of the earnings of any man. To accept such an idea is in direct conflict with the universal principle of just compensation for extra effort and achievement. The top rates under proposals already before the Congress would stop at 42 percent.

For America to continue as a growing nation its right to grow and the right of its citizens and its business establishments to grow must be preserved. This cannot be done with the present tax system which mitigates against it.

I also favor lower rates for business income taxes, and I agree with those who move the top rate downward 2 percent each year, from the present 52-percent rate to 42 percent.

Based on the Nation's productivity and income, achieving each phase of this tax reduction program in gradual steps over a 5-year period would involve about $3.7 billion per year. Of this amount, $2.7 billion would result from reduction in the individual taxes and $1 billion from reductions in the corporate tax.

The logical question then arises as to where the new money would come from, assuming continuation of the present level of expenditures.

The growth created by release of additional funds for people to save and spend for business establishments to invest in expansion would generate enough new revenue to offset it.

It has been calculated that for each 1 percent annual increase in gross national product Federal revenues are increased by $1 billion. Thus an average national growth rate of 4 percent would reimburse the Treasury for the revenue effects of the rate changes. With a present growth rate of almost 3 percent, it seems logical to me—and to tax students who have studied the question much longer than I—that sweeping revision of this type would produce more than a modest 1 per cent impetus to the Nation's economy.

It would be of specific financial help to the wage earner. It would be of significant help to his employer. It would be an encouragement to the investor. It would help everyone; it is punitive against no one.

I contend that it will help usher in a much-needed era of confidence. And I believe it will be a much sounder, more orderly approach to the Nation's tax problem than the proposals advanced by the administration, which specifically set forth the administration's desire to put our Nation further in debt.

Such proposals have been made, in various forms, at each session of the Congress—now it is time for enactment.

I welcome the opportunity to work in a constructive direction on this grave problem of concern to every American, and I join with those who are taking constructive action in a constructive direction not merely to respond to the frantic call for increased spending leading us toward an outmoded socialistic system that takes us further in debt.

It is not only time to ask what we can do for our Nation but also time to ask what America, by right decisions, can do for itself. I urge all citizens of good will and intelligence in both parties to back a sensible tax reduction, and to see that it is tied to a balanced budget.

## INVESTIGATION OF THE DEPARTMENT OF STATE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ALGER. Mr. Speaker, I am today introducing a House resolution calling for an investigation by the Committee on Foreign Affairs of the personnel, and policymaking practices, procedures and methods of the Department of State. Mr. Speaker, I believe such a thorough and complete investigation is necessary and is in the best interest of this Nation. For many years there has been severe criticism, within and without the Congress, of many of the policies of the Department of State and I believe we should once and for all determine just who makes policy decisions in the State Department, just what motivates these policymakers and why so many of these decisions have apparently been wrong or, at the very least, have not resulted in gaining advantage for the United States.

We could recite a long and worried history of State Department decisions beginning with our failure in China, which resulted in turning the Chinese mainland over to the Communists, to the latest confused and vacillating policy in the Western Hemisphere which has allowed the Communists to secure a beachhead only 90 miles from the United States, which brought us dangerously close to full-scale war and then saw us back away to give the Soviet Union the propaganda opportunity to claim a Red victory. Congress must know, and the American people are entitled to know just who is responsible for these actions over a period of many years.

I hope the House, in its wisdom, will approve my resolution and that such an investigation will result in a clear and firm foreign policy so necessary to victory in the cold war against the Communist conspiracy and the preservation of the freedom of our Nation and all mankind.

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## PRESIDENT'S MESSAGE ON EDUCATION

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. GOODELL. Mr. Speaker, I am saddened and angered by the President's message on education received by the Congress today. It is a fantastic message, incredible in its proportions. Very disappointing. It deals a heavy blow to bipartisan support of priority measures that this country needs. It offers loans for construction of higher education facilities, without grants. This is an old, tired construction proposal that will not begin to meet the needs.

One of the few bright spots in the message is the President's recognition for the first time of a program for training technicians as recommended last year by a bipartisan congressional study group. Unfortunately, he buries this program amidst a mass of indefensible requests.

This message raises the questions once again: "Is the President incapable of bipartisanship in this field? Is the President incapable of setting any priorities in education?"

As a small example of the waste and lavishness in this program, the President requests that we shovel twice as much money immediately into the manpower retraining program, when administrators have not yet demonstrated their capability of handling present funds.

I cannot imagine a message more calculated to throw a damper on the possibility of meeting this year the priority needs of our country in education.

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. QUIE. Mr. Speaker, the President's message on education delivered to the Congress this morning shows little profile in courage and almost no leadership in an area which he admits is of vital importance to our Nation.

The message included a number of worthy proposals. However, Mr. Kennedy refuses to set priorities for education. Instead, he is transmitting to Congress a single, comprehensive bill which will tie up Congress with lengthy hearing and debates.

Congress should act on those areas which basic agreement can be made. The higher education bill for the construction of libraries, laboratories, and classrooms needed for increases in enrollment should be enacted as soon as possible, but the Congress will instead have to consider the administration's omnibus bill. Action on the entire package could well be delayed until next year.

The result would be that another valuable year would be lost in our efforts to help higher education because of the refusal of the President to supply adequate leadership.

As the President said:

> Aid to college students will be of no avail if there are insufficient college classrooms. The long-predicted crisis in higher education facilities is now at hand.

The President pointed out that college enrollments are expected to increase from a present 4.2 to 7 million in 1970. Yet the program of loans only for private and public institutions of higher education for general construction will not meet the need. Statutory and constitutional prohibitions in 45 out of the 50 States prevent public institutions from using Federal loans.

I am happy to see that Mr. Kennedy gives particular emphasis to community junior colleges and agrees with my proposal of grants to aid public and private nonprofit institutions in the training of engineering, scientific, and medical technicians in 2-year college level.

His proposals to expand the National Science Foundation for funds for grants for science facilities is noteworthy. However, the time has come when inadvertent Federal control over higher education is executed by constantly emphasizing one area of discipline by the use of categorical grants.

## LOWER NIGHTTIME LONG-DISTANCE TELEPHONE RATES

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HARRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HARRIS. Mr. Speaker, the Federal Communications Commission announced today that the Bell Telephone Cos. will submit tariffs, designed to become effective about April 1, 1963, providing for the lowest nighttime long distance station-to-station telephone rates in the history of the United States. After the new rate schedule becomes effective it will be possible between the hours of 9 p.m. and 4:30 a.m. to make calls between any two points within the continental United States for $1 or less. For example, during these hours a call from Washington, D.C., to any west coast city will cost $1.

It is gratifying that the Bell Telephone Cos. propose to pass on to the American consumers the benefits derived from lower costs resulting from advancements in telephone technology. The proposed lower rates may bring about increased utilization of long-distance lines during nighttime hours. This, in turn, may result later on in lower rates at other hours of the day as well.

The announcement made today by the Federal Communications Commission is as follows:

> FCC Announces Plan for Reduced Nighttime Interstate Telephone Rates of $1 or Less to Any Point Within Continental United States
>
> The FCC announced today that the Bell Telephone Cos. will submit tariffs designed to become effective about April 1, 1963, proposing a major change in interstate station-to-station telephone rates. Under the new rate schedule, a 3-minute station-to-station interstate call within the time period from 9 p.m. to 4:30 a.m. can be made between any two points within the continental United States for $1 or less. For example, an after 9 p.m. call from Washington to the west coast will cost $1. The lowest rate now for such a call is $1.75 after 6 p.m. The "after 9" reduced rates are designed to encourage telephone users to take advantage of the technological improvements in telephone plant introduced by the Bell System in recent years, much of which is engineered for peak daytime usage.
>
> At the same time the "after 9" reductions become effective, changes designed to adjust rate structures involving small increases of 5 or 10 cents in person-to-person calls up to 800 miles will be placed into effect. Person-to-person calls at these shorter distances have not borne their proportionate share of the cost of furnishing such services, and these minor increases will help to correct this inequity as well as the disparity where it exists between interstate and intrastate rates. Based upon 1962 traffic volumes, it is estimated that the proposed new rates would have resulted in a reduction of approximately $55 million in revenues from the introduction of the new after-9 p.m. station-to-station rates, and an increase of $25 million in revenue from the small increases in person-to-person rates, giving a net annual savings to the public of about $30 million.
>
> The changes in rate structures are being submitted in connection with the current analysis of the Bell System's construction plans and financial requirements under the Commission's continuing surveillance of the company's operation. During this recent review, the Commission received the views of a number of outstanding authorities in economics and finance as well as consultants in the regulatory field in addition to the views of company officials. In connection with this review, the Commission requested that a study be made looking toward the possible adoption of an after-9 plan.
>
> The Bell System is undertaking an expanded construction program of $3.2 billion for 1963. It also plans extensive research activities designed to further improve its service to the public. These activities will contribute importantly to our Nation's economic growth. It is recognized that in order to do this, the company's earnings must be maintained at adequate levels. The Commission is of the view that the overall effect of the changes announced today will result in substantial savings to the public in telephone rates while permitting the company to maintain a level of earnings on investment within the range realized by it since the last rate reduction in 1959.
>
> The public has shared promptly in the benefits flowing from advancements in telephone technology under the Commission's continuing surveillance method of ratemaking. In 1940, a station-to-station call from the east coast to the west coast after 9 p.m. cost $4.25, as compared to the new rate of $1. Overall, interstate telephone rates today are 19 percent below the levels of 1940.
>
> Action by the Commission over the past 4 years has resulted in substantial savings to the public in telephone rates while at the same time permitting the company to maintain adequate earnings. In 1959, interstate telephone rates were reduced by $50 million. Again in 1962, through the adoption of new separations procedures, an equivalent reduction of interstate revenues of $46 million was effected enabling 41 States to reduce intrastate rates by $40 million, and during 1961 and 1962, the prices of Western Electric products sold to Bell System companies were reduced by $70 million on an annual basis.

## LOWER TETON PROJECT

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. HARDING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HARDING. Mr. Speaker, in late February of last year word reached the Idaho congressional delegation in Washington that floodwaters were sweeping across the southeastern part of the State.

These raging currents brought with them disaster for our homeowners, small businessmen, and farmers. The flood damage was so extensive President Kennedy promptly responded to our requests that it be declared a disaster area so that Federal assistance could be forthcoming. Southeastern Idaho is still not fully recovered from the effects of this calamity.

Floods are not new to this part of our State. This area has continually been forced to deal with problems resulting from inadequate water control facilities. In the winter and spring it is flood. In the summer and fall it is drought.

An important step in harnessing Idaho rivers for the benefit of mankind can be accomplished by the construction of a dam and reservoir on the Teton River. For this reason last session as well as during this session of the Congress I have introduced legislation to provide for the construction of this much needed multiple-purpose project.

Indicative of the wide support for this project in Idaho is the fact that both houses of the State legislature passed a memorial endorsing this project by a unanimous vote.

Mr. Speaker, the memorial adopted by the Idaho State Legislature follows:

### Senate Joint Memorial 3

*To the Honorable Senate and House of Representatives of the United States, in Congress Assembled:*

We, your memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that—

Whereas what is known as the lower Teton project, situated in the county of Fremont, State of Idaho, and included in the recent comprehensive study of the Snake River by the U.S. Bureau of Reclamation and the Corps of Army Engineers is highly essential to the uninterrupted growth and stability of Idaho agriculture; the economic benefits thereby accumulating to this great State particularly and the United States generally being many times greater than the cost of this project; and

Whereas the waters of the Teton River constitute a significant portion of the irrigation supplies available to eastern Idaho and, indeed, all of the Snake River area and are therefore an important part of the water resource which is the foundation of our economic and industrial strength; and

Whereas if the irrigated farms of Idaho are to be maintained as secure units and survive in this technological age of specialized agriculture and its associated high operating costs, it is imperative that our present storage reservoirs be supplemented with new facilities to store the high water near its source, thereby further eliminating the danger of drought and its attendant hardships in all of the irrigated areas of the Snake River; and

Whereas each succeeding board of county commissioners has, since the creation of Madison and Fremont Counties, been confronted with the serious annual problem of the wild, ravaging Teton River, all of which conditions would be eliminated through the construction of said project; and

Whereas, even in years of mild snowfall in the watershed, the Teton River can be depended upon to provide at least several weeks of round-the-clock effort to protect private and public property from the floodwater of the Teton. Madison County maintains 11 bridges across the Teton, 2 with steel spans, 3 reinforced concrete, and 6 lumber bridges. Many times, serious damage to these structures has resulted from the uncontrollable destructive force of the flooding Teton. The bridges blocked by ice jams and the normal debris of high water become dams—forcing the floodwaters out onto surrounding farming lands destroying its productive capacity for 1, 2 or 3 years. The Idaho State Highway Department maintains four bridges across the Teton within the boundaries of Fremont and Madison Counties and the Union Pacific Railroad system has three. Each of these bridges has, in the past, been the source of serious trouble and great maintenance expense because of the uncontrolled flooding Teton; and

Whereas, each year, almost without exception, many square miles south and west of Teton City lie under water as a result of the Teton flooding, and frequently private homes and storage facilities are jeopardized. Because of the slow and meandering course of the Teton it is impossible to predict where it will strike next; and

Whereas, eastern Idaho counties maintain hundreds of miles of oil road—not including State or Federal highways—the foundations become spongelike under the saturation of floodwaters so that even light loads break the mat into thousands of pieces making complete resurfacing necessary; and

Whereas the benefits of flood control, irrigation, and associated economic expansion has justified consideration by the Bureau of Reclamation and Corps of Army Engineers and our recommendation for construction of the Lower Teton Reservoir without delay: Now, therefore, be it

*Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and the House of Representatives concurring)*, That the Congress and President of the United States be respectfully petitioned to give early consideration to the construction of the Lower Teton Reservoir with the least possible delay; and be it further

*Resolved*, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, the Department of the Interior, the U.S. Bureau of Reclamation, the Corps of Army Engineers, and to the Senators and Representatives representing this State in the United States.

## EDUCATION—LOCAL RESPONSIBILITY

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. Watson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WATSON. Mr. Speaker, although the general theme and objectives of the President's message on education are laudable, the suggested procedures and recommendations for further projection of the Federal Government into the field of education are against the intended desire and purpose of all—better educational opportunities for every citizen.

Education is, indeed, a local matter and a local responsibility. We, in South Carolina, are proud of what we have done in meeting that responsibility over the past years. We are proud of what we have been able to do toward giving increasingly improved educational opportunities to all our citizens, regardless of their individual economic circumstances. Admittedly, much remains to be done; but it is not the Federal prerogative to step into the picture for that reason. Federal intervention can lead only to a corresponding decrease in local interest and support.

Though one of the poorer States financially, South Carolina is striving desperately to give our citizens the highest educational advantages possible. Witness our being No. 1 State in the pioneering of educational television. They do hope that Federal expenditures will be reduced so that more money may be kept at home. We feel, and we think wisely so, that we can get more dollar value from local funds collected at home than from funds collected at home and returned to us by way of Washington. When funds reach us by this route, we find them not only diminished in value but usually diminished in usefulness because of stipulations and conditions. And these restrictions are often designed more for political purposes than for the promotion of the best interests of our people.

We, in South Carolina, as in other States, recognize that education is one of the basic cornerstones upon which is built the intellectual and economic strength of a nation. Much remains to be done in improved salaries and facilities, but our people are facing up to their educational challenge and responsibility. We are not pleading to the powers that be in Washington for financial assistance. Most of us feel that the current philosophy of running to Washington for everything must be halted. I submit, Mr. Speaker, this is a good place to begin.

## COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

The SPEAKER. Pursuant to House Resolution 207 the Chair appoints as members of the Committee on the Disposition of Executive Papers the gentleman from New Jersey [Mr. Thompson] and the gentleman from Iowa [Mr. Kyl].

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. St. Onge (at the request of Mr. Vanik), for 45 minutes, Thursday, January 31, 1963.

Mr. Rogers of Florida, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Roosevelt in two instances and to include extraneous matter.

Mr. Toll and to include extraneous matter.

Mr. Vanik and to include extraneous matter.

Mr. Boland and to include extraneous matter.

Mr. Dent.

Mr. Gilbert.

Mr. Horton.

(The following Members (at the request of Mr. Battin) and to include extraneous matter:)

Mr. Alger.

Mr. Short.

(The following Members (at the request of Mr. Long of Louisiana) and to include extraneous matter:)

Mr. Morgan.

Mr. Multer.

Mr. Celler.

Mr. Long of Louisiana in two instances.

## ADJOURNMENT

Mr. LONG of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Thursday, January 31, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

299. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmilitary use"; to the Committee on Interior and Insular Affairs.

300. A letter from the Director, Federal Bureau of Investigation, U.S. Department of Justice, transmitting a report relating to positions in the Federal Bureau of Investigation in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to section 503(a) of title V of Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

301. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report on the positions which the National Aeronautics and Space Administration had established as of June 30, 1962, pursuant to the authority provided in subsection (2) of section 203(b) of the National Aeronautics and Space Act of 1958 (72 Stat. 426, 429), pursuant to section 206(b) of the act of October 4, 1961 (75 Stat. 785, 791); to the Committee on Post Office and Civil Service.

302. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to provide for a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act"; to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 199. A bill to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears; without amendment (Rept. No. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 212. A bill to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; without amendment (Rept. No. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 214. A bill to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia; without amendment (Rept. No. 3). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H.R. 2439. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes; without amendment (Rept. No. 4). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 2977. A bill to authorize the sale of certain lands of the Cheyenne River Sioux Tribe; to the Committee on Interior and Insular Affairs.

By Mr. CASEY:

H.R. 2978. A bill to amend title 28 of the United States Code to establish certain qualifications for persons to be appointed to the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 2979. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 2980. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. DOWDY (by request):

H.R. 2981. A bill to amend the Career Compensation Act of 1949 to provide the maximum retired pay for certain retired enlisted men for the period from June 1, 1942, through June 30, 1946; to the Committee on Armed Services.

By Mr. EVERETT:

H.R. 2982. A bill to impose an additional duty on strawberries and strawberry products; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 2983. A bill to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian; to the Committee on Armed Services.

By Mr. GARY:

H.R. 2984. A bill to authorize the enlargement of the Arlington National Cemetery and to provide that certain land heretofore reserved for other purposes shall be made a part of the Arlington National Cemetery and shall be administered by the Secretary of the Army as a part of the Arlington National Cemetery, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2985. A bill to amend section 1391 of title 28 of the United States Code, relating to venue generally; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 2986. A bill to amend title 10, United States Code, to provide for the identification of a military airlift command as a specified command, to provide for its military mission, and to eliminate unnecessary duplication in airlift; to the Committee on Armed Services.

By Mr. HARDY:

H.R. 2987. A bill to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale; to the Committee on Armed Services.

By Mr. HÉBERT:

H.R. 2988. A bill to amend title 10, United States Code, to provide for participation by members of the Armed Forces in international sports activities; to the Committee on Armed Services.

H.R. 2989. A bill to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes; to the Committee on Armed Services.

By Mr. JOELSON:

H.R. 2990. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the literacy requirements thereof in connection with their naturalization; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 2991. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

H.R. 2992. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 2993. A bill to provide for the emergency rehabilitation of Clear Creek Dam and Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. MORTON:

H.R. 2994. A bill to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; to the Committee on Public Works.

By Mr. O'HARA of Illinois:

H.R. 2995. A bill to amend title 39, United States Code, to reclassify the position of order filler from level 2 to level 3 of the postal field service schedule; to the Committee on Post Office and Civil Service.

By Mr. OLSEN of Montana:

H.R. 2996. A bill to amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources; to the Committee on Public Works.

H.R. 2997. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. PHILBIN:

H.R. 2998. A bill to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll; to the Committee on Armed Services.

By Mr. POWELL:

H.R. 2999. A bill to prohibit discrimination in employment in certain cases because of race, religion, color, national origin, ancestry, or age; to the Committee on Education and Labor.

H.R. 3000. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. PERKINS:

H.R. 3001. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mrs. GREEN of Oregon (by request):

H.R. 3002. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 3003. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. SICKLES:

H.R. 3004. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. PRICE:

H.R. 3005. A bill to amend sections 510 and 591 of title 10, United States Code, to remove the requirement that an alien must make a declaration of intention to become a citizen of the United States before he may be enlisted or appointed in a Reserve component; to the Committee on Armed Services.

By Mr. RIVERS of South Carolina:

H.R. 3006. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes; to the Committee on Armed Services.

H.R. 3007. A bill to amend title 10, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 3008. A bill to amend section 144 of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 3009. A bill to prohibit the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SHELLEY:

H.R. 3010. A bill to provide that those persons entitled to retired pay or retainer pay under the Career Compensation Act of 1949 who were prohibited from computing their retired pay or retainer pay under the rates provided by the act of May 20, 1958, shall be entitled to have their retired pay or retainer pay recomputed on the rates of basic pay provided by the act of May 20, 1958; to the Committee on Armed Services.

H.R. 3011. A bill to amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 3012. A bill to provide that the unmarried children of certain former members of the Armed Forces of the United States or of the Philippine Scouts may be admitted to the United States as nonquota immigrants, during a 2-year period, without regard to their age; to the Committee on the Judiciary.

H.R. 3013. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 3014. A bill to extend pension benefits to persons who served on certain vessels operated by the Army during the war with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Veterans' Affairs.

By Mr. UDALL:

H.R. 3015. A bill to provide annuities payable from the civil service retirement and disability fund in additional cases for certain widows and widowers by eliminating the required period of marriage; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 3016. A bill to aid in the administration of the Tule Lake, Lower Klamath, and Upper Klamath National Wildlife Refuges in Oregon and California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.R. 3017. A bill to amend the Civil Service Retirement Act to provide for the resumption of surviving widows annuities upon termination of subsequent remarriages; to the Committee on Post Office and Civil Service.

By Mr. WINSTEAD:

H.R. 3018. A bill to amend the National Industrial Reserve Act of 1948; to the Committee on Armed Services.

By Mr. JOELSON:

H.J. Res. 209. Joint resolution to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. ROBISON:

H.J. Res. 210. Joint resolution proposing an amendment to the Constitution of the United States relating to Presidential inability; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 211. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. SHELLEY:

H.J. Res. 212. Joint resolution relating to reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. BEERMANN:

H. Con. Res. 64. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. NYGAARD:

H. Con. Res. 65. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. RHODES of Arizona:

H. Con. Res. 66. Concurrent resolution expressing the sense of the Congress with respect to action by the United Nations concerning the Soviet rule over the Baltic States; to the Committee on Foreign Affairs.

By Mr. SHORT:

H. Con. Res. 67. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. ALGER:

H. Res. 210. Resolution authorizing the Committee on Foreign Affairs to conduct an investigation of the personnel and policymaking practices of the Department of State; to the Committee on Rules.

By Mr. GRAY:

H. Res. 211. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mrs. MAY:

H. Res. 212. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MULTER:

H. Res. 213. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. SHELLEY:

H. Res. 214. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 3019. A bill to provide for the free entry of a microcalorimeter for the use of the University of Colorado, office of research services, Boulder, Colo.; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 3020. A bill for the relief of Rebecca K. C. Wang; to the Committee on the Judiciary.

H.R. 3021. A bill for the relief of Maria Chadinha; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 3022. A bill for the relief of Gene H. King; to the Committee on the Judiciary.

By Mr. DOYLE:

H.R. 3023. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

By Mr. GARY:

H.R. 3024. A bill to provide for the presentation of medals to the officers and men of the Byrd Arctic Expedition of 1926; to the Committee on Armed Services.

H.R. 3025. A bill for the relief of Jacob J. Gubbay; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3026. A bill for the relief of Anastasia Polychronopoulos; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3027. A bill for the relief of Vittoria Rolli; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 3028. A bill for the relief of Barbara (Konik) Wojtusiak; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 3029. A bill for the relief of Maj. Arnold M. Anderson; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 3030. A bill for the relief of Ethel Lauretta Mason; to the Committee on the Judiciary.

H.R. 3031. A bill for the relief of Monica Wang; to the Committee on the Judiciary.

H.R. 3032. A bill for the relief of Gaetano Bracco; to the Committee on the Judiciary.

H.R. 3033. A bill for the relief of Luigi and Maria Oppimitti; to the Committee on the Judiciary.

H.R. 3034. A bill for the relief of Thelma E. Gow; to the Committee on the Judiciary.

H.R. 3035. A bill for the relief of Kiriakoula Hristoforatou; to the Committee on the Judiciary.

H.R. 3036. A bill for the relief of Rukmin Bachan; to the Committee on the Judiciary.

H.R. 3037. A bill for the relief of Graziella Cannavo; to the Committee on the Judiciary.

H.R. 3038. A bill for the relief of Kathleen Mervis Dench; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 3039. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

By Mr. SMITH of Iowa:

H.R. 3040. A bill for the relief of Giuseppe Michele Amodeo; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 3041. A bill for the relief of Marcus Breger; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 3042. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

29. Mr. REUSS presented a petition of the Committee of One Hundred of Milwaukee, James M. Barrett for the coordinators, appealing to the House of Representatives to abolish, restrict the powers of, or transfer the functions of the Committee on Un-American Activities of the House of Representatives, which was referred to the Committee on Rules.

# SENATE

### Tuesday, January 29, 1963

*(Legislative day of Tuesday, January 15, 1963)*

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who dost speak in the quietness to listening hearts, cleanse the thoughts that color our outlook on all life, for we know that only to the pure dost Thou grant the vision of Thy face. Even in these troublous times, may our hearts be untroubled as we stay our minds on Thee.

In all our preparation to defend our liberty, beyond the strategy of our material weapons may we see clearly the spiritual depth and scope of the historic drama in which we are called to play our part, and may that vision splendid turn its colossal cost into final glory for all mankind.

In our private lives and in our public service, help us this and every day to live more nearly as we pray.

We ask it in the dear Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 28, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

## CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 10 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], and the Senator from Oklahoma [Mr. Monroney] are absent on official business.

I further announce that the Senator from North Carolina [Mr. Jordan] is necessarily absent.

Mr. KUCHEL. I announce that the Senators from Kansas [Mr. Carlson and Mr. Pearson] are absent on official business.

The Senator from Kentucky [Mr. Cooper] and the Senator from Colorado [Mr. Dominick] are necessarily absent.

The VICE PRESIDENT. A quorum is present. Morning business is in order.

## MERGER OF CERTAIN COAST GUARD APPROPRIATIONS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the merger of certain Coast Guard appropriations for operating expenses, reserve training, and retired pay, which, with the accompanying paper, was referred to the Committee on Appropriations.

## CONCURRENT RESOLUTION OF NEW HAMPSHIRE LEGISLATURE

Mr. COTTON. Mr. President, I ask unanimous consent to have inserted in the Record a concurrent resolution adopted on January 23, 1963, by the Senate and House of Representatives of the New Hampshire General Court.

This concurrent resolution invites attention to a serious problem which has developed with regard to application of Federal authority under the Federal Water Pollution Control Act in contravention of jurisdiction asserted by the State of New Hampshire.

While I do not propose to comment at length at this time, I do feel that this problem addresses itself to a basic question of Federal intervention in an area of State sovereignty and I consider it necessary and proper that the views of the New Hampshire Legislature be invited to the attention of the Senate.

There being no objection, the concurrent resolution was referred to the Committee on Public Works, and, under the rule, ordered to be printed in the Record, as follows:

### Concurrent Resolution Relative to the Androscoggin River Watershed

Whereas the Department of Health, Education, and Welfare has announced its intention to proceed with enforcement action under the Federal Water Pollution Control Act in the Androscoggin River watershed, an interstate stream between the States of New Hampshire and Maine; and

Whereas the paper industry in particular has invested heavily for pollution control measures in this watershed under a series of court decrees by the supreme judicial court of equity for Androscoggin County which has resulted in substantial improvement in stream quality and the industry is continuing to expend money for said purposes as rapidly as financial capacity allows; and

Whereas the legislatures of the two adjoining States by statute have reserved the right to adopt systems of stream classifications which provide the legal framework for enforcement action as well as the basis for determining the lawful uses for said waters; and

Whereas the respective water pollution control agencies of the two affected States are fully competent, prepared and have a coordinated plan for the conduct of such additional investigations, studies, and surveys as are required in order that both State legislatures may simultaneously adopt appropriate stream classifications for the Androscoggin River watershed; and

Whereas the States of New Hampshire and Maine, along with the other New England States and the State of New York, are joined in the New England Interstate Water Pollution Control Compact (approved by Congress in 1947), under which all of the States are pledged to abate pollution of interstate waters within the compact area; and

Whereas the declared policy of the Federal Water Pollution Control Act is to recognize, preserve, and protect the primary responsibilities and rights of State and interstate agencies to prevent and control water pollution: Now, therefore, be it

*Resolved by the senate (the house of representatives concurring)*, That the General Court of the State of New Hampshire having due regard for the protection of the present and future economic welfare of the area, is convinced that the objective of an overall comprehensive pollution control program for the Androscoggin River Valley can be best achieved by local, State, and interstate authorities free from Federal intervention; and be it further

*Resolved*, That the General Court of the State of New Hampshire strongly urges that the Secretary of Health, Education and Welfare in the operation of the Federal program, adhere to the express intent of the Federal Water Pollution Control Act; namely, that the primary responsibility for the establishment of adequate water pollution control programs remain with the duly authorized State and interstate agencies; and further, whenever in his judgment satisfactory progress toward pollution control is not being made, to give notice thereof to the State and interstate agencies involved before undertaking any action whatever under the Federal Water Pollution Control Act; and be it further

*Resolved*, That the members of the New Hampshire delegation in the Congress of the United States, be requested to assist in every way possible in the State of New Hampshire's effort to retain jurisdiction over the pollution control program for its portion of the Androscoggin River watershed; and be it further

*Resolved*, That the secretary of state be instructed to transmit a copy of this resolution to the Secretary of Health, Education, and Welfare and to each member of the New Hampshire delegation in the Congress of the United States.

[SEAL] STEWART LAMPREY,
*Speaker of the House of Representatives.*
PHILIP S. DUNLAP,
*President of the Senate.*

Passed January 23, 1963.

Attest:

ROBERT L. STARK,
*Secretary of State.*

## RESOLUTION OF BOARD OF ALDERMEN OF THE CITY OF CONCORD, N.H.

**Mr. COTTON.** Mr. President, I ask unanimous consent to have inserted in the RECORD a resolution adopted by the Board of Aldermen of the City of Concord, N.H., on January 14, 1963.

I concur fully with the sense of this resolution, which is that the Administrator of the General Services Administration be urged to consider the use of granite as an exterior building material in the construction of the proposed new Federal building in Concord. The use of granite in this building would be entirely consistent with the architectural heritage of my State as well as a recognition of one of New Hampshire's finest products. I am proud to say that New Hampshire granite has been used extensively in the construction of Federal buildings, particularly right here in our Nation's Capitol.

Mr. President, the able Administrator of the General Services Administration, Bernard L. Boutin, is a distinguished resident of New Hampshire. He is familiar, as am I, with the superior qualities of this great New Hampshire product, and I am very pleased to add my voice to that of the city of Concord in support of this resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

### RESOLUTION RELATIVE TO THE USE OF GRANITE IN THE CONSTRUCTION OF THE NEW POST OFFICE-COURT HOUSE

Whereas the city of Concord is the capital of New Hampshire, justly famous as the Granite State; and

Whereas Concord enjoys a long tradition as the State's granite manufacturing center, an industrial pursuit which continues to make a significant contribution to the city's economic welfare; and

Whereas many public and semipublic buildings in this city, including the existing post office-court house, are constructed of granite; and

Whereas granite has long been recognized as a most suitable and practical material in the construction of important public buildings: Therefore be it

*Resolved*, That the General Services Administration be requested to give urgent consideration to the use of granite as an exterior building material in the construction of the new post office-court house in Concord; and be it further

*Resolved*, That a copy of this resolution be forwarded to Bernard L. Boutin, Administrator of the General Services Administration.

Passed by the board of aldermen, January 14, 1963.

ANTHONY E. ROBY,
*City Clerk.*

## RESOLUTIONS OF THE CITIZENS ACTION COMMITTEE OF NASSAU AND SUFFOLK COUNTIES, N.Y.

**Mr. KEATING.** Mr. President, I have just received two resolutions submitted by the Citizens Action Committee of Nassau and Suffolk Counties and passed at the convention of the Long Island Federation of Women's Clubs, January 18, 1963. The first of these resolutions concerns the question of nonsectarian prayers in public schools; the second concerns the increase in the spread of pornographic and obscene material.

Mr. President, I ask unanimous consent to include these two resolutions in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

### RESOLUTION ON NONSECTARIAN PRAYERS IN PUBLIC SCHOOLS

Whereas the greatest single threat to our political and religious freedom is posed by nations who deny the existence of God; and

Whereas we proclam that we are one nation under God and are desirous of passing on to generations yet unborn that rich heritage; and

Whereas Article I of the Bill of Rights of the Constitution of the United States says: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof"; and

Whereas the nondenominational prayer said in the schools of New York did not purport to establish a religion but simply acknowledged the existence of God and dependence upon Him; and

Whereas the U.S. Supreme Court in effect, by its ruling, is prohibiting the free exercise of the right of our children and educators to pray in a public place; and

Whereas the right to pray is an integral part of our American heritage: Therefore be it

*Resolved*, That the Long Island Federation of Women's Clubs Inc., in convention assembled this 18th day of January 1963, does hereby urge its representatives in Washington to prepare, submit, and pass the necessary legislation or amendment to invalidate this current ruling of the U.S. Supreme Court and that copies of this resolution be sent to Hon. John F. Kennedy, President, Washington, D.C.; Hon. James Eastland, chairman, Senate Judiciary Committee, Washington, D.C.; Hon. Kenneth Keating, Senate Office Building, Washington, D.C.; Hon. Jacob Javits, Senate Office Building, Washington, D.C.; Hon. Emanuel Celler, chairman, House Judiciary Committee, Washington, D.C.; Hon. Frank Becker, House Office Building, Washington, D.C.; Hon. Steven Derounian, House Office Building, Washington, D.C.; Hon. Otis Pike, House Office Building, Washington, D.C.

Mrs. JOSEPH MOOSBRUGGER,
*Chairman.*

### RESOLUTION ON PORNOGRAPHIC AND OBSCENE MATERIAL

Whereas the flood of obscene and pornographic pictures and reading material with which our children, and especially teenagers, are being deluged, has reached such proportions that it constitutes a conspiracy to corrupt the youth of the Nation and destroy the moral fiber of its citizens; and

Whereas the rising tide of juvenile delinquency and of sex crimes indicates that this conspiracy is to a considerable extent successful, and if not stopped will do irreparable harm to our national and social well-being; and

Whereas these obscene and sadistic magazines and paperbacked books are reaching our children on the newsstands locally and nationally and are invading our homes through the mailbox: Therefore be it

*Resolved*, That the Long Island Federation of Woman's Clubs, Inc., in convention assembled this 18th day of January 1963, urges all law enforcement agencies of the Nation—at the Federal, State, and local levels—to do their utmost to destroy this organized dissemination of filth and smut and urges all citizens, both individually and as members of any civic, religious, social or service groups to which they belong, to cooperate to the fullest possible extent with their legislative representatives and law enforcement officers, including particularly the Post Office Department, to make the entire American public aware of this danger to corrupt the Nation and to produce evidence that will identify these smut peddlers and conspirators against our youth and bring them to justice; and be it further

*Resolved*, That the Long Island Federation of Women's Clubs urges the New York State Joint Legislative Committee Studying the Publication and Dissemination of Offensive and Obscene Material to enact legislation to effectively combat this evil.

Copies of this resolution to be sent to Postmaster General Edward Day, Washington, D.C.; Assemblyman Luigi R. Marano, Capitol Building, Albany, N.Y.; Hon. Frank Becker, House Office Building, Washington, D.C.; Hon. Steven Derounian, House Office Building, Washington, D.C.; Hon. Kenneth Keating, Senate Office Building, Washington, D.C.; Hon. Jacob Javits, Senate Office Building, Washington, D.C.; Hon. Otis Pike, House Office Building, Washington, D.C.

Mrs. JOSEPH MOOSBRUGGER,
*Chairman.*

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BOGGS:

S. 564. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailing applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. McGEE:

S. 565. A bill for the relief of Gregorio Martin Domingo, Demetria Dizon Domingo, Marion Dizon Domingo, and Ray Dizon Domingo; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 566. A bill to amend the Watershed Protection and Flood Prevention Act so as not to exclude from the benefits provided by such act areas which include structures of 12,500 or less acre-feet of floodwater detention capacity; to the Committee on Agriculture and Forestry.

S. 567. A bill for the relief of Aloysius Ming-Che Han; and

S. 568. A bill for the relief of Denis Ryan; to the Committee on the Judiciary.

By Mr. PROUTY (for himself and Mr. Keating):

S. 569. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON:

S. 570. A bill authorizing the Secretary of Health, Education, and Welfare to carry out a research and testing program to determine the effectiveness of a certain mung bean product in the treatment of burns, sunburns, poison ivy, and poison oak dermatitis; to the Committee on Labor and Public Welfare.

By Mr. KEATING (for himself and Mr. Prouty):

S. 571. A bill to amend the National Defense Education Act of 1958 in order to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. Bartlett, Mr. Bennett, Mr. Burdick, Mr. Clark, Mr. Cooper, Mr. Douglas, Mr. Metcalf, Mr. Moss, Mr. Randolph, Mr. Scott, and Mr. Sparkman):

S. 572. A bill to amend section 201(a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481(a)(3)), and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 573. A bill for the relief of Elmer Royal Fay, Sr.; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 574. A bill for the relief of Antonio Gutierrez Fernandez;

S. 575. A bill for the relief of Man-Pan Hui; and

S. 576. A bill to amend title 28, United States Code, to provide means of redress for the unlawful seizure of American property by foreign governments; to the Committee on the Judiciary.

By Mr. LONG of Missouri:

S. 577. A bill for the relief of Zoe P. (Bithos) Gavrilis; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 578. A bill for the relief of Lew Deen Nging; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 579. A bill for the relief of Cilka Elizabeth Ingrova; to the Committee on the Judiciary.

By Mr. MORSE (for himself, Mr. McNamara, Mr. Yarborough, Mr. Clark, Mr. Randolph, Mr. Williams of New Jersey, Mr. Burdick, Mr. Pell, Mr. Mansfield, and Mr. Humphrey):

S. 580. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 581. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments; and

S. 582. A bill to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

By Mr. MAGNUSON (by request):

S. 583. A bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 584. A bill for the relief of Yih-Ho Pao and his wife, Joanne T. Pao; and

S. 585. A bill for the relief of Agaram K. Sreekanth; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 586. A bill to amend the Virgin Islands Corporation Act by repealing the authority of the Board of Directors of the Virgin Islands Corporation to dispose of the assets of the Corporation; to the Committee on Interior and Insular Affairs.

By Mr. FONG:

S. 587. A bill for the relief of Felomina C. Blanco;

S. 588. A bill to amend the Immigration and Nationality Act to provide that the Ryukyu Islands shall be treated as a separate quota area;

S. 589. A bill to amend the Immigration and Nationality Act to provide that the Tonga Islands shall be treated as a separate quota area;

S. 590. A bill for the relief of Dora Thelma Andree; and

S. 591. A bill for the relief of Mrs. Tom Pon Shee (also known as Tom Pon Ma Cheung); to the Committee on the Judiciary.

By Mr. McGEE:

S.J. Res. 32. Joint resolution to authorize the city of Rawlins, Wyo., or an appropriate association or organization of the citizens thereof, to remove to Rawlins, Wyo., the statue of Gen. John A. Rawlins located at Rawlins Park, Washington, District of Columbia; to the Committee on Rules and Administration.

(See the remarks of Mr. McGee when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ANDERSON:

S.J. Res. 33. Joint resolution consenting to an extension and renewal of the Interstate Compact To Conserve Oil and Gas; to the Committee on Interior and Insular Affairs.

## RESOLUTIONS

### INVESTIGATION OF CERTAIN MATTERS RELATING TO NATIONAL DEFENSE BY COMMITTEE ON ARMED SERVICES

Mr. STENNIS submitted the following resolution (S. Res. 75); which was referred to the Committee on Armed Services:

*Resolved*, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the War Department and the Military Establishment generally;

(3) the Navy Department and the Naval Establishment generally;

(4) soldiers' and sailors' homes;

(5) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(6) selective service;

(7) size and composition of the Army and Navy;

(8) forts, arsenals, military reservations, and navy yards;

(9) ammunition depots;

(10) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(11) conservation, development, and use of naval petroleum and oil shale reserves;

(12) strategic and critical materials necessary for the common defense;

(13) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

Sec. 2. For the purpose of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The expenses of the committee under this resolution, which shall not exceed $190,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

### JOHN T. KNIGHT—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. ELLENDER (for himself and Mr. Long of Louisiana) submitted the following resolution (S. Res. 76); which was referred to the Committee on the Judiciary:

*Resolved*, That the bill (S. 560) entitled "A bill for the relief of John T. Knight", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

## EXPRESSION OF SENSE OF THE SENATE ON ACTION TAKEN BY BOARD OF DIRECTORS OF THE VIRGIN ISLANDS CORPORATION IN DISPOSING OF A PARCEL OF LAND

Mr. ANDERSON submitted the following resolution (S. Res. 77); which was referred to the Committee on Interior and Insular Affairs:

*Resolved*, That it is the sense of the Senate that no further action should be taken by the Board of Directors of the Virgin Islands Corporation (a corporation wholly owned by the United States and created by the Virgin Islands Corporation Act) to dispose of that parcel of land with respect to which sealed bids were solicited pursuant to Invitation and Bid Numbered PT-109, containing approximately seventeen hundred acres and situated on the Island of Saint Croix, Virgin Islands, United States, until such time as the Senate Committee on Interior and Insular Affairs has had an opportunity to consider certain pending legislation relating to the authority of such Corporation to dispose of its assets.

## EXTENSION OF PROVISIONS OF TITLE II, NATIONAL DEFENSE EDUCATION ACT OF 1958, RELATING TO CANCELLATION OF CERTAIN LOANS

Mr. PROUTY. Mr. President, on behalf of the distinguished junior Senator from New York [Mr. KEATING], and myself, I introduce a bill relating to the cancellation of certain educational loans, and ask that it be referred to the appropriate committee.

This proposal would extend the forgiveness features of the National Defense Education Act to private school teachers and to those who enter teaching at the college level.

Today, college students who borrow Federal money to pay for their education can get 50 percent of their debt canceled if they spend 5 years teaching in a public school. Those who become college teachers or private school teachers must pay back the Federal loan in full.

I believe that this extension would be in keeping with the philosophy of the National Defense Education Act. This statute was designed originally to aid State, local, and private endeavors to develop the brainpower of this country for defense by encouraging students, teachers, and school authorities to greater achievements in the fields of learning. Priority is given under the loan program to such critical fields as science, mathematics, modern foreign languages and teaching. The selection of recipients is made without discrimination against an individual's right to select his or her own occupation after graduation. Is it not inconsistent then for the law to show preference to a certain category of teachers when the overall shortage has grown into a recognized national problem?

Mr. President, the educational system of this country, unlike that of totalitarian nations, allows parents and students to decide whether they will attend public or nonpublic elementary and secondary schools. If this right is to carry with it any meaning, the Federal Government must not discourage or hamper its free exercise.

When the Government or private industry today needs a scientist or a mathematician, it is more concerned with what the mathematician or scientist knows rather than where he went to school.

It should be noted also that many private school leaders and college authorities claim that denial of the loan forgiveness feature has cost them teachers.

If we are to develop to the fullest extent the intellectual resources of all our young people, we must not legislate, we must not discriminate, against those qualified borrowers who choose teaching positions in the nonpublic schools and in our colleges and universities.

Last year the administration did support extension of the loan forgiveness features to teachers in both public and private colleges but it made no effort to extend the same fair protection to teachers in private elementary and secondary schools. It is my hope that the support of the Prouty-Keating bill received in the Senate last year has persuaded the administration that an inequity exists which ought to be removed promptly.

The time has come for Congress and the American people to make a maximum effort to aid in the drive for more and better teachers at all levels of education, public and private. They can make a real beginning in this direction by supporting my bill to amend the national defense student loan program by extending the loan forgiveness clause beyond its present limits.

This is not my first attempt to end the discrimination against private school teachers and those who enter college teaching. Last year I introduced S. 3326 which passed the Senate late in the session and was not acted upon by the House of Representatives.

The bill I am introducing today is identical to the one which received the approval of this body last year and it is my earnest hope that the Senate Labor and Public Welfare Committee will report it in the near future so that the Senate and House will have plenty of opportunity to consider it.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 569) to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education, introduced by Mr. PROUTY (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. KEATING. Mr. President, I am very pleased to join with the junior Senator from Vermont [Mr. PROUTY] in offering an amendment to the National Defense Education Act, relating to the cancellation of certain educational loans.

In an effort to encourage more of our young people to become teachers, the law presently provides that up to 50 percent of a National Defense Education Act education loan will be forgiven if the recipient teaches in a public elementary school for 5 years. No provision is made for forgiving loans made to persons who will teach in private schools or in higher education. This restriction is basically inequitable for the same reasons as the stipend discrimination to be eliminated in my bill. For this reason, I express the earnest hope that prompt action will be taken on this measure.

## EQUAL TREATMENT FOR TEACHERS

Mr. KEATING. Mr. President, on behalf of the junior Senator from Vermont [Mr. PROUTY] and myself, I introduce, for appropriate reference, a bill which has been recommended by the Association of American Colleges, the American Council on Education, the Association for Higher Education, the National Education Association, and the Department of Health, Education, and Welfare.

This bill is designed to insure that private and public school personnel receive equal treatment in attending summer counseling and guidance institutes and language institutes.

Under the provisions of the National Defense Education Act, public school teachers are eligible to receive stipends from the Federal Government while attending summer institutes in guidance and language training. Private school teachers are ineligible for these grants. These are areas vital to the programs in our elementary and secondary schools, and, of course, it is in the national interest that studies in these fields continue. The distinction between public and private school teachers in this context is artificial. Fully 5½ million American children attend private elementary and secondary schools, and their needs cannot be overlooked.

The stipend which is granted to public school teachers who attend summer sessions is $75 a week, with an additional payment of $15 a week for each dependent. This grant has made it financially possible for many teachers to attend. Since the inception of the program in the summer of 1959, approximately 21,000 teachers have taken advantage of it. The need for the amendment which I propose is emphasized when one considers that less than 5 percent of this number is made up of teachers from private schools, who are, in effect, prevented from taking the courses unless they are completely self-supporting during the period of study. In the vital area of guidance, for example, 9,225 public school teachers attended the institutes while only 240 private school teachers could afford to do so. This wasteful and useless ignoring of potential talent is harmful, not only to these teachers and their 5½ million students, but eventually, the entire Nation is the loser, and the basic purposes of the National Defense Education Act, to insure that in the national interest every young person has the opportunity to develop his gifts to the fullest extent, will be thwarted.

I earnestly hope that prompt action will be taken on this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 571) to amend the National Defense Education Act of 1958 in order to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools, introduced by Mr. KEATING (for himself and Mr. PROUTY), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## COMPETITIVE BIDDING REQUIRES EQUAL TREATMENT

Mr. GRUENING. Mr. President, our free enterprise system has made and can keep the United States of America strong. To do this the system must be fair and equitable. It must not be based on discriminations written into law.

Thus, the producers of all fuels—natural gas, coal, and oil—used by any executive agency of the Federal Government in the production of utilities should be governed by the same rules. Restrictions which apply to the producers of one fuel should in fairness apply to the producers of the other fuels.

Mr. President, on behalf of myself and the senior Senator from Alaska [Mr. BARTLETT], the senior Senator from Utah [Mr. BENNETT], the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from Kentucky [Mr. COOPER], the senior Senator from Illinois [Mr. DOUGLAS], the junior Senator from Montana [Mr. METCALF], the junior Senator from Utah [Mr. MOSS], the junior Senator from North Dakota [Mr. BURDICK], the senior Senator from West Virginia [Mr. RANDOPH], the junior Senator from Pennsylvania [Mr. SCOTT], and the junior Senator from Alabama [Mr. SPARKMAN], I introduce for appropriate reference, a bill to amend the Federal property and Administrative Services Act of 1949 to provide equality for all fuels—natural gas, coal, and oil—used by any executive agency of the Federal Government in the production of utilities.

Necessity prompts our action. The need for this amendment arises because of the interpretation of a provision in the Federal Property and Administrative Services Act which permits natural gas suppliers to enter into 10-year contracts to supply Government agencies with natural gas for the production of utilities but denies the same privilege to coal and oil producers.

The present provision states clearly:

> *Provided*, That contracts for public utility services may be made for periods not exceeding 10 years.

The intent of the law has been spelled out and all three fuels should be treated alike and should be permitted to compete equally.

Alaska, Mr. President, is fortunately blessed not only with an abundance of fuel but also with a variety of fuels. It has oil, natural gas, and coal in goodly amount and the greatest hydroelectric potential under the flag. Less than one-quarter of 1 percent of it has been developed. I am pressing for early completion of projects to utilize this great resource at Rampart on the Yukon, at Snettisham in southeastern Alaska, and at Lake Bradley in the Kenai Peninsula. Others will follow.

We in Alaska welcome the discovery and development of new sources of fuel, be they oil fields, gas fields, or coal mines. All are needed and, in the true spirit of free enterprise, should compete, without let or hindrance, for their sale.

However, the provision of the Federal act to which I have referred, places coal and oil under a competitive handicap in bidding for Government contracts and gives to natural gas a competitive advantage.

That should not be.

An oil producer, a natural gas producer, a coal producer faces long term expenditures and investments if he is to operate properly. Producers of one fuel should not have an advantage denied to their competitors.

To achieve and insure equality, the enactment of my amendment is necessary.

Mr. President, I ask unanimous consent that the full text of my bill be printed at the end of my remarks and that the bill itself lie on the desk until the close of business on February 7, 1963, in order to give those of my colleagues who desire to join me in cosponsoring this bill an opportunity to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Alaska.

The bill (S. 572) to amend section 201 (a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481 (a)(3)), and for other purposes, introduced by Mr. GRUENING (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, section 201(a)(3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(a)(3)), is amended by changing the proviso at the end thereof to read, as follows: "*Provided*, That contracts for public utility services, and for the purchase of natural gas, coal, or oil for the production of such utilities directly or indirectly by any executive agency, may be made for periods not exceeding ten years; and".

## RELATIONSHIP OF COAST AND GEODETIC SURVEY TO THE AIR FORCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill relating to the relationship of the Coast and Geodetic Survey to the Air Force. I ask unanimous consent that a letter from the Assistant Secretary of the Air Force requesting the proposed legislation be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 583) to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

DEPARTMENT OF THE AIR FORCE,
*Washington, D.C., January 8, 1963.*

Hon. LYNDON B. JOHNSON,
*President of the Senate.*

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force."

This proposal is a part of the Department of Defense legislative program for the 88th Congress. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

### PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to amend certain provisions of various existing laws concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force. The Air Force considers the legislation desirable since facilities and personnel of the Coast and Geodetic Survey have been utilized in past emergencies through informal arrangements.

Section 1 of the bill extends the authority of the President, under section 16 of the act of May 22, 1917, chapter 20, as amended (33 U.S.C. 855), to order transfers of vessels, equipment, stations, and personnel of the Coast and Geodetic Survey to the Departments of the Army and Navy in time of national emergency, so as to permit him to order similar transfers to the Department of the Air Force. The section would also amend the act of May 22, 1917 (33 U.S.C. 858) to provide for joint regulations prescribed by the Secretary of Defense (instead of the Secretary of the Army and Secretary of the Navy) with the Secretary of Commerce, thereby placing the responsibility on an executive department level. These joint regulations are to cover the duties to be performed by the Coast and Geodetic Survey in time of war, and provide for the cooperation of that service with the military departments in time of peace in preparation for those wartime duties.

Section 2 amends section 10 of the act of January 19, 1942, chapter 6 (33 U.S.C. 868a), to permit commissioned officers, ships' officers, and members of the crews of vessels of the Coast and Geodetic Survey to purchase available commissary and quartermaster supplies from the Air Force at the prices charged officers and enlisted men of the Air Force. Under present law these officers and members of the Coast and Geodetic Survey may purchase commissary and quartermaster supplies from the Army, Navy, or Marine Corps, but not from the Air Force.

Section 3 amends section 1 of the act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a–1), which provides for the temporary promotion of certain personnel of the Coast and Geodetic Survey in time of war or national emergency. Specifically, the proposed amendment would confer on the Department of the Air Force the same authority now possessed by the Departments of the Army and Navy to promote, temporarily, commissioned officers of the Coast and Geodetic Survey who are under its jurisdiction. It would also permit temporary promotions of commissioned officers in the service of the Coast and Geodetic Survey to fill vacancies in rank and grades caused by transfer of commissioned officers to the jurisdiction of the Department of the Air Force. This provision parallels that now pertaining to the filling of vacancies caused by transfer of such commissioned officers to the Departments of the Army or Navy.

In addition, regularly appointed deck officers and junior engineers of the Coast and Geodetic Survey may be temporarily appointed to ensign, but the total of such temporary appointments may not exceed the number of officers transferred to the military departments (instead of to the Departments of the Army and Navy, as at present).

COST AND BUDGET DATA

The enactment of this proposal will cause no increase in budgetary requirements within the Department of Defense.

Sincerely,

Joseph S. Imirie,
*Assistant Secretary of the Air Force.*

## TRANSFER OF STATUE OF GEN. JOHN A. RAWLINS FROM CITY OF WASHINGTON TO THE CITY OF RAWLINS, WYO.

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the transfer of the statue of Gen. John A. Rawlins from Rawlins Park at 18th and E Streets NW., Washington, D.C., to the city of Rawlins, Wyo. The move would do much to honor a man who served his nation well and would revive and restore his reputation for devotion to duty in the crucial years of crisis during the Civil War. In a city the size of Washington with its multiplicity of memorials to the great men of history a statue of a man who performed admirably in a supporting role is all but ignored.

John A. Rawlins was a country lawyer from Galena, Ill., who served throughout the Civil War as aide-de-camp, adviser, and confidant to Gen. Ulysses S. Grant. At the end of the war he was a major general and chief of staff, a position of great responsibility which he filled with enthusiasm and efficiency. At the time of his death in 1869 he was Secretary of War in the Grant Cabinet. Shortly before entering the Cabinet he made a trip westward to Salt Lake City. On that trip he passed through what is now Rawlins, Wyo., the name being conferred on the settlement in his honor by General Dodge, chief engineer for the Union Pacific Railroad.

Mr. President, the people of Rawlins, Wyo., are proud of the origin of the city name and they are proud of the devotion to country exhibited by General Rawlins. They propose to pay any and all costs incurred in the movement of this statue and to give it a place of honor in a prominent location.

In this location this statue would serve as a continual reminder of the service of this great man—a pleasant contrast to its present state of almost total anonymity here in Washington.

Mr. President, this joint resolution would detract nothing from a city already overcrowded with statues and memorials, would add a note of civic pride to a thriving city in the West and—most important—would bring new and deserved attention to the service and record of one of our Nation's great men.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 32) to authorize the city of Rawlins, Wyo., or an appropriate association or organization of the citizens thereof, to remove to Rawlins, Wyo., the statue of Gen. John A. Rawlins located at Rawlins Park, Washington, D.C., introduced by Mr. McGee, was received, read twice by its title, and referred to the Committee on Rules and Administration.

## DESIGNATION OF COLUMBUS DAY AS A NATIONAL HOLIDAY—ADDITIONAL COSPONSORS OF BILL

Mr. BOGGS. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 108) to designate Columbus Day a national holiday, the names of the Senator from Hawaii [Mr. Fong] and the Senator from Minnesota [Mr. McCarthy] be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

## ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the orders of the Senate of January 15 and 22, 1963, the names of Senators Randolph, McCarthy, Carlson, Miller, Bartlett, Fong, Mundt, Metcalf, Long of Louisiana, Gruening, Nelson, McGovern, Kuchel, Allott, Magnuson, Kefauver, McGee, Morse, Humphrey, Inouye, Case, Hickenlooper, Burdick, Smathers, Williams of New Jersey, and Javits were added as additional cosponsors of the resolution (S. Res. 30) granting legislative authority to the Select Committee on Small Business, submitted by Mr. Prouty (for himself and other Senators) on January 15, 1963.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. YOUNG of Ohio:

Address delivered by the Honorable Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, before the National Federation of Business and Professional Women's Clubs.

## ROBERT FROST

Mr. AIKEN. Mr. President, Robert Frost left us this morning, and the world will mourn him.

The question is whether we should mourn that he will no longer be with us or whether we should rejoice that for so many long years of his life he was able to impart to the world his understanding of people, his admiration for their virtues, and his tolerance for their weaknesses.

Robert Frost was born in California, but lived and worked in many States before becoming a citizen of Vermont 43 years ago.

Wherever he happened to be, he left the imprint of his character.

His home in Vermont would not be considered a good farm as farms go.

It was simply a good home to which he could always return from the many places near and far which made demands on his time and profited from his homespun wisdom.

On July 5, 1961, through a joint resolution of the Vermont Legislature, he was chosen poet laureate of the State of Vermont.

At the ceremony, where he was presented with a copy of the resolution, he read a simple poem:

ON BEING CHOSEN POET OF VERMONT

Breathes there a bard who isn't moved
When he finds his verse is understood
And not entirely disapproved
By his country and his neighborhood?

In this little poem lies the secret of Robert Frost's greatness and influence.

He was understood by his neighbors and he understood them.

Otherwise his poems could not have contained so much of the simplicity and goodness which characterized the author.

Now that he has gone away there is only his work to live on, but that work will continue the influence for good and understanding which he promoted during the time he was with us.

Mr. President, I ask unanimous consent to have printed in the Record the joint resolution enacted by the Legislature of Vermont declaring Robert Lee Frost to be the poet laureate of the State of Vermont; and also the Joint Resolution R. 33 of the Vermont Legislature, expressing felicitations to Robert Frost on his 87th birthday.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

JOINT RESOLUTION R–59

Joint resolution declaring Robert Lee Frost to be the poet laureate of the State of Vermont (J.R.H. 54)

Whereas the fame of the poet Robert Frost is worldwide and unsurpassed; and

Whereas at the inauguration of the President of the United States he performed the duty, without the name of a poet laureate, and

Whereas he has for many of his years chosen to live in Vermont: Now, therefore, be it

*Resolved by the senate and house of representatives,* That Robert Lee Frost be declared the poet laureate of the State of Vermont; and be it further

*Resolved,* That His Excellency the Governor be requested to present to him on some fitting occasion, a copy of this resolution.

Approved: July 5, 1961.

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Joint Resolution R–33

Joint resolution expressing appreciation to Robert Frost (J.R.H. 28)

Whereas Robert Frost, the distinguished poet who makes his home at Breadloaf in the town of Ripton and State of Vermont, has been recently honored by participating in the inauguration ceremonies of the President of the United States; and

Whereas Robert Frost has been awarded many degrees, and prizes and a special Congressional Gold Medal for his poetry; and

Whereas Robert Frost has been further honored by being appointed as Consultant in Poetry to the Library of Congress for the years 1958–59; and

Whereas Robert Frost has contributed to the education in America in many schools and colleges and especially in this State by his participation in the Breadloaf English School of Middlebury College and the Breadloaf Writers' Conference; and

Whereas Robert Frost has brought great honor and recognition to his community and the State of Vermont by his contributions to literature and particularly the literature of New England, expressing the spirit of the American people and the native Vermonter; and

Whereas Robert Frost is greatly beloved and held in high esteem by his neighbors in Ripton, his students, his friends in Vermont, and many people throughout the Nation and world; and

Whereas Robert Frost will reach his 87th birthday on March 26, 1961: Now, therefore, be it

*Resolved by the senate and house of representatives,* That the senate and house of representatives of the State of Vermont do hereby express the pride of the people of the State of Vermont in having Mr. Frost live here, extend to him their deep appreciation for the great honor, distinction, and recognition which he has brought to the State by his presence and his achievements, and wish him many more fruitful and happy years; and be it further

*Resolved,* That the secretary of state be directed to send a certified copy of this joint resolution to Robert Frost.

Approved: March 14, 1961.

Mr. PROUTY. Mr. President, I am sure we are all saddened by the news of the passing of Robert Frost.

In a world of complicity and complexity, he tried to turn our eyes toward the fundamental truths and the virtues of the simple and honest life.

Robert Frost was the soul of Vermont and mankind and it will be a long time before we find another who can communicate his universal message to mankind.

Like Socrates, Frost was a gadfly. Once when surrounded by admiring Senators, he spoke not for himself but for all the poets of the earth when he quoted the old lines:

Ten cities claimed the poet Homer dead
Through which the living Homer begged
for bread.

This was Frost speaking for every poet known and unknown—asking that they be allowed a place in a topsy-turvy world.

Mr. JAVITS. Mr. President, I wish to add a word in memoriam of Robert Frost, and to join other Senators who have spoken on this subject.

It is said, quite properly, that he who sings a nation's songs can make a nation's history.

Robert Frost bespoke the heart and spirit of our Nation in a modern day, even as Walt Whitman did in another day.

I join with millions of Americans in mourning this loss and, even more important, in drawing attention to the significance of Robert Frost's life, and the beauty which it created, its significance in our national life, and the fact that we shall have the inestimable privilege of drawing sustenance and encouragement from Robert Frost's works through days immemorial.

Mr. PASTORE. Mr. President, four score and eight years lay gently on the heart of Robert Frost as the poet turned the last page of his poem of life—and America is sad for his passing.

This Capital can be proud—for it gave to millions and millions the background from which they heard and saw this rugged poet of the New Hampshire hills give voice and verse to memorable praise and prayer upon the inauguration of a new President.

The Capital can be sad—for America can ill afford to lose a single voice that speaks with the lasting sweetness of one who can preach philosophy in rolling stanzas—and touch mirth with the melody of his lines.

All America can claim this son of San Francisco and foster son of New England—its schools where he studied and he taught. So his loss is the loss of all America—his poems are the lovely profit of us all. They are the promise of the poet—a promise kept as Robert Frost himself might express it—and did—in these words:

The woods are lovely, dark and deep
But I have promises to keep
And miles to go before I sleep.

May Robert Frost sleep now in peace—and in his country's pride.

Mr. SALTONSTALL. Mr. President, early this morning, at the Peter Bent Brigham Hospital in Boston, Robert Frost died at the age of 88.

All of us who knew personally America's poet laureate, all across the world who have read and will continue to read his poems, all those who have once climbed a birch or walked a mountain pasture, mourn his passing. He is one of those few people in a generation or a society who simply will never be replaced. Being an artist of spirit and clarity, this awesome thought is transcended by the sturdy fact that the truth and music of his words will be treasured and passed on by generation after generation, shared faithfully and happily by teachers and thinkers and artists to come, always alive.

Robert Frost was a New England poet, and therefore specially beloved and perhaps specially understood by New Englanders. He wanted to be known more as an American poet, and was. But he transcended both regionalism and nationalism, because the spirit he imparted by writing of New England things and New England people is universal, cleanly understood by people in other contexts and climes. We in the Senate, joined by the Members of the House of Representatives, were honored last year, through the President of the United States, to award Robert Frost a gold medal in commemoration of his poetry and the profound contribution it had made to the enrichment of mankind.

This poet once wrote, in a poem called "The Death of the Hired Man," of one who, nearing death, had "nothing to look backward on with pride and nothing to look forward to with hope." We look back for him upon his life's work with the most profound kind of pride even as we ponder on the hope for the future which his poetry gives to us. Robert Frost knew tragedy, but knew beauty better—a strong and a kind man who ennobled those about him. His personality meant much to us in New England. We mourn his loss.

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## CONTRIBUTION BY SMALL BUSINESSES IN AIR TRANSPORTATION TO NATIONAL DEFENSE DURING CUBAN CRISIS

Mr. SPARKMAN. Mr. President, the dramatic story of how our Nation's civilian and military resources were mobilized to meet the Cuban crisis continues to unfold.

Recently I have learned of the valuable contribution made by the small businesses in air transportation to our national defense during the Cuban crisis. I have been furnished a copy of a letter from Maj. Gen. I. Sewell Morris, commander of the defense traffic management service, to the Independent Airlines Association, national trade organization representing these small airlines, in which official recognition is given to the important role played by these air carriers.

The text of General Morris' letter is:

During the Cuban crisis, this command called upon the carriers you represent to meet heavily increased requirements for movement of military personnel, frequently on short notice.

I want to express to these carriers, through you, my appreciation for the timely, effective response demonstrated by those carriers during the crisis.

Mr. President, once again the Nation's supplemental airlines, by filling the military airlift gap during the Cuban crisis, have demonstrated their value to national defense. These carriers have performed with extraordinary merit in every national emergency since their inception shortly after the end of World War II.

I know I do not speak for myself alone when I say "well done" once again to the Nation's supplemental air carriers.

## THE BUDGET

Mr. McGEE. Mr. President, I should like to invite the attention of the Members of this body to the very thoughtful column written by the distinguished writer and newspaperman, Mr. Walter Lippmann. Mr. Lippmann addresses his comments this morning to the question of the budget. The title of his analysis is, "Is It a Crazy Budget?" What the writer attempts to do in this very excellently turned piece is to bring us down to some of the hard facts in the budget problem which face this Government, and particularly this Congress, right now. For example, as we examine the proposed deficit that we are asked to face up to, he raises this question, If we cut taxes, how can we cut expenditures at the same time in a sufficient quantity to meet the deficit that is envisaged?

Putting it in realistic terms, Mr. Lippmann points up the amounts required for our national security and military appropriations. He adds to that the totals required for the manned space program, the benefits to veterans of past wars, and finally the amounts that are demanded in interest payments on the current debt.

This leaves, out of the nearly $100 billion in the budget request, approximately $20 billion to run all the rest of the Government of the United States in times like these. He asks, in all seriousness, where there can be found places to cut the $11.9 billion deficit envisaged out of the remaining $20 billion in the total Federal budget that remains? In realistic terms, what this article says is that there is a lot of talk about the President's proposal with respect to facing up to our fiscal problems for the year and 2 years ahead.

When we really boil the problem down, in the words of Walter Lippmann, what we have to do first, before we balance the budget, is balance the economy of the Nation. We would throw the economy more out of balance if we cut out Federal programs already squeezed into the $20 billion that are left after payments for defense and interest costs. This would develop as more of a hardship in terms of the economic lifeblood of our Nation, when we recall that if we cut those programs out of the $20 billion we would be threatened with a worse deficit than happened in 1959 under former President Eisenhower, and we might be thrown into the throes of a very serious depression.

I ask unanimous consent that Mr. Lippmann's assessment of the budget effect and the tax measure be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Is It a Crazy Budget?

(By Walter Lippmann)

It is not going to be easy to prove the case for the new budget which superimposes a planned deficit of nearly $3 billion on top of an involuntary deficit of some $7 or $8 billion. It is easier to argue the case—which is novel and highly debatable—when it is done with the modesty and learning of the economic message than when it is done with the dogmatic assertiveness of the tax message. For nothing can be so certain as the tax message says it is and no tax bill can be so unqualifiedly wonderful.

The basic question which will have to be debated for some months to come is whether the budget for fiscal 1964 is likely to do what it is designed to do. Will it, that is to say, cause business to expand, thereby reducing unemployment and using to something nearer full capacity the industrial plant?

The principle of the 1964 budget is a new one. Why should there be need of a new budget principle? Because the country is confronted with an economic problem which first made its appearance toward the end of 1957. The problem arises from the fact that there is a condition of chronic economic sluggishness: the average rate of unemployment has moved up to a new level—from 4 percent for the years from 1947 to 1957 to 6 percent ever since.

The American economy has been sluggish because total demand has been sluggish and capital investment consequently inadequate. This sluggishness is a heavy burden on the Nation. We are not producing each year about $30 billion of wealth that we have the labor and resources to produce. As a result of this nonproduction tax revenues have fallen, and the chronic sluggishness has produced chronic budget deficits.

The problem of economic sluggishness appeared under Eisenhower and has persisted under Kennedy. It cannot be blamed on either party or on either President. There is something wrong for which we have no generally accepted remedy. As we cannot afford to nonproduce 30 billions annually while we are bearing the great burden of military defense and trying to take care of our expanding population, we must make a bold attempt to overcome the sluggishness. We must take measures to produce the lost 30 billions.

That is what the new budget is designed to do. Actually it is a new experiment for the United States to have a planned budgetary deficit. But it is not a new experiment in the rest of the modern world where all of the advanced nations, if they used our system of accounting, would be showing planned deficits.

The difficulty in adapting the new budget principle to the American situation is that there are so many serious and respectable and successful people who think it is crazy, who think it is ridiculous, and who think it is not far from being a swindle. They are outraged at the idea of the Government going further into debt to make the country richer.

This is not the first time that a true theory looked absurd. The earth, for example, seems flat and is round and it is not so easy to remember how to explain why it is round. The new theory is that the total demand for goods and services should be approximately large enough to pay for approximately all that labor, plant, and capital resources are capable of producing efficiently.

Those of us who accept this fundamental theory agree that the chronic sluggishness since 1957 has been due to insufficient total demand. We agree, therefore, that demand should be increased, and while this could be done by massive government spending, it is easier and quicker and has less of what the doctors call side effects to do this by reducing taxes. Experience has shown that consumers spend 93 percent of their disposable income, which means the total demand will rise quickly after a tax reduction.

There are not many who now oppose a reduction of taxes. But there are many who believe that the principle on which the administration is acting is crazy and immoral. They are saying that while taxes should be reduced, the budget should be balanced at the same time by reduction of government expenditures.

Have they, one wonders, looked at the figures, and if they have, can they really mean what they are saying? The deficit in the new administrative budget (1964) is estimated at 11.9 billion after tax reduction and tax reform. That is over 10 percent of the total administrative budget which is estimated at 98.8 billion. Where do they think they can find the nearly 12 billion to cut? Presumably they will not wish to cut national defense which takes 55 billion. Nor will they cut space research which takes 4.2 billion. Nor the veterans which takes 5.5 billion. Nor interest on the debt which takes 10 billion. Nor, if they are politically candid, will they cut very seriously the 5.7 billion taken by agriculture.

That leaves 20 billion for everything else. Practically everyone who talks about the wild spending in Washington is talking about those 20 billion. Does anyone think those 20 billion can be cut in half? The truth is that those who mean seriously to cut government expenditures to an amount equal to the deficit must cut defense, or give up the hope of balancing the budget and cutting taxes.

The fact of the matter is, however, that if by some kind of major amputation they did cut expenditures by 10 billion, the result would not be a balanced budget. The withdrawal from the economy of that much demand for goods and services would be a heavy blow at business, and it would cause such a loss of revenue that the budget at the end would be more unbalanced than ever. In all likelihood we would have a serious recession.

There is no getting away from this. There is only one way to balance the budget and that is first to balance the economy.

The VICE PRESIDENT. Is there further morning business?

## BALANCED BUDGETS

Mr. SCOTT. Mr. President, I may be a bit old fashioned, I adhere to the old-time religion—I still believe a balanced budget is better than an unbalanced budget. There has been the emergence of a new theory that an unbalanced budget is not important, because what we must balance is not the budget, but the economy. In my own mind, this is nothing more than a shibboleth, a political phrase designed to confuse people, to be heard on the hustings throughout this country as spokesmen for this fallacious theory proceed to expound and expand it.

I think the people of the United States still yearn and long for the day when we can balance the budget, because I think it is the only way, in the long run, to keep the economy sound.

Frankly, I do not know what it means when I hear people get up and say:

> It is important to balance the economy—it is not important to balance the budget.

I do not believe that a balanced budget alone is the answer to all our problems, but I am sure an unbalanced budget is the open road to inflation; an unbalanced budget unbalances the economy and I hope we can nail this misleading superintellectual, scramble-egg-headed, nonsensical theory in the head before it becomes a part of the philosophy of those who cannot find a way to balance the budget. They plan, instead, to balance their political fortunes by the exposition of a specious theory based not on logic but on an intent to confuse.

## SENATE PROCEDURE

Mr. JAVITS. Mr. President, I was necessarily absent on yesterday, in order to make a speech in Mexico City, but I have read with the greatest interest and attention the proceedings in which the Chair referred to the entire body of the Senate the constitutional question as to whether there could be brought to a close the long, drawn-out discussion upon the issue of whether to take up a rules change.

I deeply feel that the Senate is facing a grave constitutional crisis, and I hope that Senators will consult their consciences in the greatest seriousness, as, in my view, this is as grave a constitutional crisis as we are likely to face in a long time. For the Chair ruled, on the one hand, that a majority of the Senate must determine whether the Constitution applies with regard to that determination. The Vice President said, as appears on page 1214 of yesterday's Record, in respect to article I, section 5, "this the Senate can do by a majority vote." The Chair then answered a parliamentary inquiry of the Senator from Iowa [Mr. Hickenlooper] again, and the Vice President said "only a majority vote is required to change a rule."

This is characteristic of the entire discussion and response to the parliamentary inquiries by my colleague from New York [Mr. Keating] and other Members of the Senate.

If the Senate can change the rules, or stop debate, or decide its constitutional issues, by majority vote, and if a few Members—it would not even take a third—continue to talk so that a majority vote cannot be attained and there is no form of discipline which can direct that it shall be attained, the only discipline left is self-discipline.

The country must clearly understand this, because some kind of discipline must be exercised. For instance, it has been said that the Senate could sit on its hands and grant no appropriations, and bring the machinery of Government to a grinding halt, and subject our whole system of Government to being destroyed. It could do that. So here too a number of Senators, not even a third, could continue to talk and throw the Senate into complete anarchy, so that it could not act at all, and there would be no authority to make it act.

I only state the issue now. I shall discuss it further. I think it is necessary to bring the issue of a rules change to the country and to the Senate to see if there is a way out of the dilemma of this crisis. The only question is, Shall the Senate be thrown into anarchy, or shall it be a deliberative and acting body under the Constitution?

## FRAUD IN LAND SALES TO AGED

Mr. JAVITS. Mr. President, I wish to call attention to the many land frauds which involve the sale of lots in areas of our country where the climate is milder than in other parts.

This practice has been exposed in a very interesting series of articles in Newsday, a newspaper published on Long Island, N.Y., and recently was revealed in considerable detail in hearings held by the Special Committee on the Aging. I ask unanimous consent that the series of articles by Robert A. Caro be printed in the Record as a part of my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Newsday, Jan. 7, 1963]

### Misery Acres—The Ads Pushing a Sensational New Land Boom Paint Glowing Pictures of New Homesites in the Sun Country, Beckoning the Weary to a Life of Communal Luxury—But Reality Is Sometimes Harsh

(By Bob Caro)

Mohave County, Ariz.—When explorers came to Mohave County in 1858, they found a desert so dry that they had to import camels to cross it.

For a century thereafter, the desert remained largely unchanged. A searing sun baked it in summer. Sandstorms whipped it in winter. Only yucca plants and an occasional mesa broke its endless expanses of gray-brown sand. Recently, however, there was an addition to the landscape—a large sign. "This," the sign says, "is Paradise Acres."

Not that the desert itself has changed. It hasn't. Its millions of parched acres are still all but empty of human habitation. Attempts to discover adequate sources of water have failed. Says a Mohave County official: "There are places out there that a lizard couldn't live in."

But Mohave has become the physical hub of a revolutionary new development in the history of American real estate, the sale of tremendous tracts of raw, often undeveloped acreage, through the mail on low-cost installment plans. This development began in Florida about 1953. Today, no less than 350 separate Florida real estate promotions are being advertised outside that State's borders. Two years ago, the development suddenly burst out on the plains of the Southwest on a scale that dwarfed that of the Florida boom. Hard-selling promoters bought up vast chunks of desert and grazing land in New Mexico, Texas, California, and Arizona at bargain-basement prices, hacked the land up into lots, launched multimillion-dollar advertising campaigns and sold the lots sight unseen at many times the price they had paid, usually on terms of $10 down and $10 a month. No one knows the exact dimensions of the boom but estimates of sales for 1962 alone run to $700 million.

#### SHOW SOME RESULTS

Some of the promotions spawned by the boom have already produced spectacular results. Florida promoters have created complete new cities, designed mainly for retired persons, on what had been for centuries nothing but desolate wetlands. Carol City, for example, which is not yet on any map, already has 10,000 residents. In Arizona, subdivisions have caused the deserts near Phoenix to blossom with luxurious ranch homes.

Some of the promotions are still highly speculative—holdings on which thousands of lots have been sold are still desolate wetlands or desert—but at least the owners have some sort of plans for an eventual conversion and there is a reasonable chance that it will someday take place.

Some of these promotions, however, seem blatantly worthless. In Florida, they include tracts of land in the Everglades and similar swamps in which there are no roads, and building lots are covered by water much of the year. In Arizona, promoters who include many of the same men behind unpromising Florida ventures have purchased chunks of open desert. Without making—or realistically planning—any improvements at all, they have peddled this land through the mail on a scale so vast that the National Association of Better Business Bureaus has termed the boom "the greatest land scandal in American history" and officials in statehouses across the country are working feverishly to develop laws capable of holding the worst promoters in check.

Mohave County has become the hub of the Arizona boom. The reason is simple. The basis of the boom is land, and if Mohave has anything to spare, it is land. With 13,260 square miles, in fact, Mohave is the fifth largest county in the United States, and since its 1960 population was only 7,736 persons (6,000 of whom live in Kingman, the county seat), there are obviously plenty of square miles open for development.

#### SOUNDS LIKE PARADISE

Advertisements flooding media in the North make this land seem like the Garden of Eden. "Ten dollars reserves 1¼ acres of Arizona land—$795 buys it," they trumpet "Health and wealth for you in the wonderful world of the West. Blue skies nearly every single day, pure air * * * the land of play and outdoor living the year round." The expanses of desert around Kingman, which grow nothing green, have suddenly blossomed out with bright signs advertising "Paradise Acres"—and "Sunward Ho! Ranchos," "Desert Rose Rancheros" and "Shangri-La Estates."

Is it, perhaps, a bit warm for Shangri-La? In some parts of the Arizona desert the temperature can reach 140 degrees and the Automobile Association of America warns tourists not to leave their cars for a stroll lest they be sunstruck.

Is it a little short on the amenities of civilization? Kingman's most famous son is Andy Devine and a main street of the city is named Andy Devine Avenue, but after you've looked at the street sign for a while your choice of entertainment is narrowed down to the movie at Kingman's one theater or bingo. When night falls over the desert, blotting out the gaudy "Paradise Acres" signs, there is nothing to be seen but miles of blackness, unrelieved by a single light. You can drive for 50 miles without passing another car.

But the disillusionment is most apparent when you compare one glowing advertisement closely to the reality behind it.

Says an ad for Lake Mead Rancheros: "The rancheros are livable now. Not raw, undeveloped and inaccessible land * * * laid out, waiting for people * * * water available, roads, electricity, phones * * * wide-open living * * * located in the famous Lake Mead Recreation Area, where 3½ million vacation annually."

Wide-open living, it turns out, is an understatement. After reaching Lake Mead Rancheros (by turning off Route 66 19 miles out of Kingman and bumping 6 miles over an unpaved road), the visitor finds that living there would be 18 miles wide, in fact—as well as 30 miles long. That's the size of the rancheros' site and there's certainly nothing on it to fence you in. Not a house, not a street, not a telephone pole or powerline would keep you from enjoying the full sweep of that pure air. There is nothing on the vast site but a huge sign advertising the rancheros and a few sticks representing street signs. The desert stretches away endlessly. Standing there, broiling in the hot sun, you feel like an ant on a huge tan rug.

Water is available, too. It's available from a pipe that sticks out of the ground. The pipe, which is a comfortable 14 miles from some ranchero units, is attached to a meter. Anyone who wants to come live on his lot can simply bring a water tank to the pipe and fill it—at 50 cents per 100 gallons. In addition, a ranchero representative back in Kingman says, a water company will be only too glad to bring in water to anyone who wants it—on 24 hours' notice and at a similar rate.

Roads? Certainly, there are roads. Or anyway, paths—little tracks scraped in the topsoil. And, the salesman says, electricity and power will be installed just as soon as "enough people build out there to make it feasible." Exactly how people are going to build there without any chance of getting mortgage money is not explained. ("Mortgage money to build out there?" says a Kingman banker. "Are you kidding?") And Lake Mead? Well, with good eyes, you can see it—from the top of a mountain 30 miles away.

But the most staggering single fact about Lake Mead Rancheros is that 3,000 persons somewhere off in the North have been lured by that ad into purchasing homesites there. Owner Dory Auerbach, whose Miami-based firm is also peddling speculative acreage in nine separate Florida promotions, says that if a large number of these purchasers move onto the property, he can simply tie in with the waterlines that supply the city of Kingman. But Robert L. Peart, chairman of the Mohave County Board of Supervisors, says that Kingman's water supply is so low that the city itself is hunting for new water sources and won't allow the rancheros to tie in. Asked if he felt that use of the word "homesite" misrepresented the property, Auerbach said: "I don't buy that. I don't buy that because the word 'homesite' means this: Can you build a home at the property and live on it? The answer is 'Yes.' I say you can build on every ranchero."

If some desert subdivisions are characterized by a lack of development, there are others in which Mohave County officials feel development has been both rapid and dramatic. One of these is Lake Mohave Ranchos.

The owners of Lake Mohave Ranchos also bought up a vast hunk of raw desert at rockbottom prices. But, 35-year-old William H. Parker, a San Bernardino, Calif., real estate broker and a Harvard graduate, combed the desert with his partners until, in 1959, they found a really suitable site. It was an 86,000-acre cattle ranch, one of the few with adequate water from underground springs and a paved county road running through it. And it really is near Lake Mohave. Even more important, the site has sufficient elevation (3,500 to 7,000 feet) so that the unpleasant heat of the desert floor below is eliminated. Says Deputy Arizona Real Estate Commissioner Bert Jagerson: "Most of these developers just took whatever land they could get. There are good places to live out here, places in which the desert is lovely. But you've got to find them. Parker did."

### MONEY, TIME SPENT

The young real estate broker and his partners spent $55,000 on roadbuilding equipment and paid $20 an hour to surveying teams—for 3 years. They hired an operational manager, a smiling, raw-boned Texan named Tom White, and put him to work on the site. They gave him a crew of six men to maintain and to help out the first families who moved in.

"We had to baby them," White recalls. "They were mostly elderly retired people and we had to make them happy. We repaired their washing machines, we helped them put up the TV aerials, we hauled people in to the doctor."

White also fought for the community. He argued with the county and with skeptical utility companies for water mains, telephones, school bus service and powerlines. When utilities demanded money for powerline laying, Parker put it up. Today, driving toward the Ranchos, a visitor sees at first only more of the empty, barren desert. Then, as he tops a rise, there appears before him a restaurant, a motel, a neatly kept trailer park (in which 100 families are living while waiting for their homes to be finished) and 90 pretty, well-kept ranch houses. And there is a country club, social center for the residents, complete with clubhouse, tennis, croquet and badminton courts, children's playgrounds, social hall and swimming pool. In the middle of the Arizona desert, once so dry that ranchers staged blood feuds over water rights, is a carefully lettered sign: "No eating on the pool deck."

Lake Mohave Ranchos is, oldtime Mohave County residents say, a good example of what can be done by a developer willing to do more with his property than just sell it off as fast as he can. With America's over-65 population soaring (by the year 2000, it is expected to reach 10 percent of the county's total population), more such developments are needed if even a small fraction of these people are to be given the chance to enjoy the life in the sun they want at reasonable cost.

Unfortunately, such developments are all too few. In Mohave County, there are 335 separate subdivisions. In one of these alone, no less than 68,000 lots have been sold. But the vast desert is still populated mainly by the subdividers' large signs.

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[From Newsday, Jan. 8, 1963]

### MISERY ACRES—ALONE ON THE DESERT, HER DREAM FADES

(By Robert A. Caro)

KINGMAN, ARIZ.—One way to look at the great real estate boom of the 1960's is in terms of subdivisions in the hundreds and advertising spending in the millions. Another is to focus on a single, solitary figure trudging along a desert road.

The figure is that of an elderly woman, Mrs. Millie Sanderson, 74, a widow who has lived in Tennessee, New York City, and Massapequa, Long Island, but who now lives at the intersection of Diamond and Silver Streets in a promotion called Sacramento Ranchos. Like tens of thousands of other Americans nearing retirement and anxious for a place in the sun, Mrs. Sanderson bought an acre of Arizona land on the installment plan. Mrs. Sanderson, however, took a step that few such purchasers have yet attempted. She tried to live on her land.

It is impossible not to find Mrs. Sanderson. Sacramento Ranchos covers 4,000 acres in a corner of a vast desert valley southwest of Kingman, the county seat of Mohave County. About 1,600 families have already purchased ranchos but just four families live there now. When a reporter drove over a rise and came upon the ranchos, Mrs. Sanderson was the only moving thing in the whole valley.

Mrs. Sanderson was carrying two large pails filled with water. She had, in fact, been carrying them for a mile and a half; that was how far it was to the nearest source, a little spring. By the time the reporter drove up, she was standing in front of her home, a tiny shack crudely made of boards. As she talked, she kept glancing toward a powerline that runs alongside the highway about 250 yards away.

"I moved here 3 months ago," she said. "It sounded nice. I was widowed in 1955 and I had no people and I could afford $10 a month. I came to the Sacramento Ranchos office in Kingman and they brought me down here and showed me this place. I asked then, about the water and they said they were definitely going to get water down here. I talked to them about electricity, and they said they were going to put it in. I thought it wouldn't be too long because there are the powerlines right over there.

"But once they take the downpayment, they won't do a thing for you. The electric company won't extend the lines over here unless the land company puts up the money and they won't. I have no radio or TV. They won't play without electricity. My light is a kerosene lamp. And they don't say anything at all about the water any more. So I said, 'Why can't you give me a place closer to the spring? But they said they couldn't do anything about it. My car broke down, and until it's fixed I have to carry water in pails a mile and a half.

### NO MORE MONEY

"I built this house myself. I hauled the lumber from the garbage dump. And a man from the filling station gave me some boards. Things went hard when my husband died, but this is worse than I've ever known in my life. And the downpayment took all my money. I have to stay here now."

The implications of Mrs. Sanderson's story are, many observers believe, the most disturbing factor in the real estate boom. Since Mrs. Sanderson is almost penniless, she is on relief and dependent on undeveloped, underpopulated Mohave County not only for welfare checks, but for hospital care and other services. As yet, only a few of the families now paying off desert or swamp lots have attempted to move onto them. But, observers ask, what will happen when more and more of these people actually do retire and try to move to their lots? Since most will have no outside source of income, a substantial number may go on relief and many will need and expect the free services generally provided by local authorities in the settled areas from which they come. But the areas into which they will move won't be able to provide those services.

Mohave County Tax Assessor Don McCraley says: "The county is already hurting. At least once a day, one of these new people will come in and ask either for welfare or for hospital services and we just can't give them the services they need." Even the thin trickle of new residents drawn by the $10 down ads has so taxed the county's resources that the county treasury is empty, and officials are now being paid by warrant, a kind of promissory note that they can cash at the local grocery store.

Such municipal poverty may be almost unimaginable to the people in the industrialized North who are buying those lots. With 13,260 square miles, Mohave is the fifth largest county in the United States, bigger than Connecticut, Rhode Island, and Delaware combined. But its total assessed valuation is only $39 million. (On Long Island, the city of Glen Cove alone has an assessed valuation of $54 million.) In the entire county, there are only three industries, the largest of which, a recently opened copper mine, may one day employ 500 men.

County officials are convinced that most of the $10 down buyers will take one look at their land, learn that the cost of drilling for water is prohibitive—assuming water can be found under their land—and go home. As one official puts it: "You'd have to be 25 years old and a pioneer to live on some of those places." In part, at least, that is undoubtedly true. Says a waitress in a Kingman cafe: "I see lots of them in here. They come in the morning for breakfast. They say they're down here on vacation and are going out to see what they've bought. They come back in the evening. Some are happy. Some are pretty blue. One woman I remember put her head down on her arms and cried. A lot of them I don't expect to see again."

Others, however, will almost be forced to stay. One couple from New York City sold most of their belongings to make a full payment on a $495 lot. They loaded the rest into their old car and drove to Mohave County. Robert L. Peart, chairman of the Mohave Board of Supervisors, recalls: "We finally found their property on a map. I had to tell them they'd need a tractor to get out to their lot. But they couldn't go back. They had to stay."

Couples like this one—and eventually there may be thousands more—pose a problem for which all the rosy advertisements in the world offer no solutions at all.

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[From Newsday, Jan. 9, 1963]

### Misery Acres—In Florida, the Pitch Is High and Hard

(By Robert A. Caro)

Naples, Fla.—The Florida version of the mail-order real estate boom is a case study in the hard sell.

Almost 400 separate subdivisions of Florida land are now being sold to American sunshine seekers, and the sales take place under a beach umbrella of advertising that ranges from spreads in national magazines to booths in busy northern railroad terminals.

Some of the developments now being touted as future Edens would make an alligator sneer. But miracles have been worked with Florida swamps before, and neat, attractive homes now stand where sodden tree stumps once held sway. Port Charlotte, carved out of a 92,000-acre tract on Florida's west coast, now has 3,000 families living in low-cost, high-style houses whose lawns slope down to mooring bulkheads—just as the ads said they would one day.

The scope of the promotional effort for the new boom is huge. One large corporation is known to have laid out $2,500,000 in a single year to sell lots in a single development.

The results match the investment. One developer got 17,000 inquiries from a single quarter-page ad in a national magazine. Last year, Florida recorded $250 million in sales of improved and unimproved land through installment credit purchases.

Promoters start putting the personal touch on potential customers as far away from Florida as Grand Central and Pennsylvania Stations in New York, where their agents set up booths. But the firm pitch really becomes the hard sell when a prospect gets within surf-casting distance of the site for sale.

A reporter, posing as a typical tourist in Miami for a winter vacation, called the sales headquarters of Golden Gate Estates, a 50-square-mile development near Naples owned by the Gulf American Land Corp. "Be our guest," said the voice on the other end of the wire. "A free drive to Naples, a free lunch, a free plane ride, really a day's vacation * * *." The reporter had a hard time interrupting the sales pitch long enough to say, "I'll go."

At 7:30 the next morning, a car and a salesman were waiting in front of the hotel. Every minute of the 110-mile drive to Naples was crammed with sales talk about the estates and probing questions designed to bring out the prospect's financial status ("Boy, this car runs nice. What kind of car you got?"), his family's financial status and his knowledge of the west coast of Florida. There were acres of talk about "getting in on the ground floor" and caustic comments about "wise guys * * * guys who don't buy when they're out there." Anything wrong with that? "They say they've got to go back and get advice. What's that mean? Land is land, right?" How about roads? "Sure, there are plenty of roads there."

At Naples, the prospect was rushed to an airport. There, no fewer than seven 4-seat planes were taking other prospects on an air tour of the estates. The salesman piloting the plane pointed out the luxurious homes of Naples' plush "gold coast" and the balmy waters of the Gulf Stream—and even flew over one corner of a pale green, soggy-looking expanse of land that he designated as the estates. "See that cleared portion over there?" the salesman shouted over the engine's roar, banking the plane in the other direction. "That's the site that's already been prepared for the city of North Golden Gate."

After lunch—in Naples' best restaurant—the prospect was taken to Golden Gate Estates sales headquarters. Inside was a lobby crammed with salesmen and prospective customers. ("On a busy day," the salesman confided, "we'll have 700 out here.") The reporter was led into one of 33 final sales alcoves to talk with a "final salesman." The introductory portion of the talk, which quoted Benjamin Franklin and Andrew Carnegie on the benefits of real estate in general, and a host of unnamed authorities on the great potential of the Naples area, lasted 57 minutes.

Then the sales talk got down to business. In walked a final sales manager. ("I talk to people frankly," the sales manager said. "That's why I called you in, sir," the salesman said.) "Choice waterfront lots" were available. The land in question was about 8 miles from the waterfront, but it would eventually be on a proposed canal, which would be "guaranteed navigable" to the gulf. "When can I live there?" the reporter asked. The sales manager chuckled in comradely fashion. "Three to five years—and I'm being conservative," he said. "You're always conservative, sir," the salesman said, turning to his prospect. "D-Day is February 1. We're breaking ground for the city. In a year, you can live there."

At only one point was the reporter balked. That was when he asked to see the available property at close range. Every time he asked—and he asked many times—the talk was switched to something else.

The reason became clear only when the reporter finally did get one salesman to drive him out to the property. It was inaccessible. The nearest road ended 3 miles away. As soon as the reporter stepped off the road, he sank into a steadily deepening bog. Although it was the dry season, about 2 feet of water covered the property. On some maps, Golden Gate Estates is known more prosaically as Big Cypress Swamp.

There were a few other points that further investigation seemed to render less certain than the salesman had indicated. For one thing, says Collier County Engineer W. Harmon Turner, no land in the area of North Golden Gate has been cleared. For another, Turner says, none of the estates will be navigable to the gulf. And the only roads in the vast tract are two State roads that have been there for years. County officials, moreover, are a lot less certain than the glib sales manager about the inevitability of rapid development of the area, which is now an estate only for alligators and mosquitoes. Says A. C. Hancock, chairman of the Collier County Board of Supervisors: "Some of it I feel will never be good for homesites; it would just cost too much money to drain it properly."

Many of the projects on land just as unlikely looking as Golden Gate Estates have shown amazing development. Port Charlotte has more than 3,000 families—including a hefty Long Island contingent.

But even the most advanced of those developments have some king-sized question marks hanging over them. Probably the biggest question concerns the reluctance of industry to move into the new cities. Retired Long Islanders who moved to Port Charlotte said that most aspects of their new life pleased them, but that they wished there were some kind of job, even part-time work, to supplement their limited retirement income. Younger families are frankly worried about what their children will do when it comes time for them to go to work.

Another factor that some experts believe spells trouble is the lopsided ratio of lots sold to homes built. In Port Charlotte, there are now 3,000 homes, but surrounding them are more than 70,000 sold but vacant lots, which now cost about $1,000 each. If there were to be a recession and a large number of lot owners suddenly tried to sell their lots, they might find the value considerably less on the open market. University of Miami Economist Reinhold Wolff says: "There has to be a relationship between completed lots and houses sold. If we continue to complete many times more lots than houses, this can eventually lead only to a land crash."

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[From Newsday, Jan. 10, 1963]

### Misery Acres—Laws Vague on Sharpies, So Look First

(By Robert A. Caro)

The experts agree that there is only one foolproof method by which the average investor can avoid getting gypped when he's buying land: go and look at the land.

"You should never buy land sight unseen," says John R. Hoffman, vice president of the National Better Business Bureau. A spokesman for the Miami-Dade County, Fla., Chamber of Commerce puts it more graphically if less elegantly: "If you buy unseen, you have rocks in your head. Only fly-by-nights object to your * * * wading in their swamps."

If you had ignored such advice and merely had written to the Mojave County, Ariz., Chamber of Commerce about land being sold by Lake Mead Rancheros, you would have received a letter saying: "The land * * * has great potential as a recreational area. The climate is lovely * * *." (The description might startle some Arizona officials who regard Lake Mead Rancheros as one of the most unpromising of all the desert subdivisions in the county.)

The letter, which was mailed in response to a recent inquiry, was signed by Miss Betty Windle of Kingman, the secretary of the chamber of commerce. Miss Windle is also listed as the resident agent of the developer in a form filed by them with the Better Business Bureau of Southern Nevada. Miss Windle says: "I never was their resident agent." She says that she merely handled mail for the firm and was paid for doing it.

#### FRAUD STATUTES LIMITED

Anyone who looks to the law for protection from land fraud will find that he'd be better off looking at the land instead. Federal mail fraud laws weren't devised to deal with the subtle lie-by-omission that characterizes much of the land-boom promotion. And State statutes are often myopic, dealing with part of the problem but not with enough of it to protect the buyer.

Federal statutes covering advertising and mail-order contracts deal mainly with outright fraud. Herbert E. Wenig, chief of the Investment Frauds Unit of California, says: "Often it is contended that under such statutes, there must be a showing of affirmative misrepresentation of a fact." Wenig notes that it is not what is said in real estate advertising that deceives the reader, but what is left unsaid. One man from Wausau, Wis., paid $300 of an $1,800 total price on four 2-acre lots in Florida. A sales letter described the lots as "just a 35-minute drive from Everglades City." The trouble, as the Wausau man found out, was that there was no road. But there was also no outright fraud.

Some State officials believe that the only solution is a broadening of Federal statutes. But the Justice Department disagrees. Deputy U.S. Attorney General Tully Kossach concedes that "the problem is very real" and that it involves "an awful lot of money." He feels, however, that passing new laws "is a State problem."

The picture as far as State laws are concerned is blurred. Some State laws deal strictly with the problem; others hardly touch it; no two coincide. Attempts to get uniformity among the laws of various States have foundered on two basic difficulties. One is that these States, the Southern and Southwestern States in which the land involved is situated, are anxious for development and tend to look more favorably on speculative promotions than do the investor States, where the people who buy the land live. The other difficulty is that no single State is able to get an overall picture of the problem. New York, for example, sees the ads of Arizona developers, but all too often doesn't see the land that has been advertised. Arizona sees the land—but not the ads.

In addition, many States do not believe that there is a pressing need for more stringent legislation because they have not yet received a large number of complaints from disenchanted residents. Marshall Mayer, deputy California attorney general, says: "This thing is like a time bomb. It won't go off until the buyers either see the land themselves or try to live there." Since most of the land buying is on installment plans running 8 or 9 years, and since many people are buying in anticipation of retirement still in the future, the time bomb may not go off for years.

California is one State that has moved quickly against the phony promoters. It now has before its legislature a bill that many observers feel is the cure for phony real estate advertising. That bill would make it a felony to sell to a California resident lots in any development—in any State—that have not been inspected and given a permit by California. The bill would empower the State to arrest a representative in California of any firm selling unapproved property. Since most mail-order firms need local salesmen to wrap up the sales, Mayer believes that such a law would curb misleading advertising.

New York's laws seem a lot better in theory than in practice. They provide that developers who want to advertise in this State must first register with the State. The ads cannot be published until a State inspector looks at the land and certifies that it conforms to the descriptions in the ad.

But the laws have been ignored with impunity. One developer touting Everglades swamp acreage without the required approval was ordered on September 20, 1961, to stop the advertising. The order was ignored. A year later, the State attorney general's office sent the firm another letter citing the order. The firm was still advertising last month. And, presumably, the ads were still bringing in the suckers—people with dreams of retirement packaged in the bright colors of a huckster's illusion.

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## "WHY CAN'T A WOMAN BE PAID LIKE A MAN?"

Mr. PROUTY. Mr. President, in the November issue of Good Housekeeping Magazine, there appeared a very thought-provoking article entitled "Why Can't a Woman Be Paid Like a Man?"

The article, by Arthur S. Flemming, former Secretary of Health, Education, and Welfare under President Eisenhower, contends that many women are denied opportunities for good pay and advancement because of discriminatory practices.

Frequently, the author says, women perform the same duties as men, equally well or better, and receive 10 to 30 percent less in their pay envelope.

Since Congress will consider during this session legislation requiring equal pay for equal work, I believe the Flemming article is most timely, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Good Housekeeping magazine, November 1962]

### WHY CAN'T A WOMAN BE PAID LIKE A MAN?

(By Arthur S. Flemming, contributing editor, formerly Secretary of Health, Education, and Welfare)

Equal pay for equal work is simple justice, it's also essential if we are to maintain and improve our standards of living.

Let's face it. Many of the Nation's women are victims of discrimination and exploitation. They perform the same duties as men. Their performance is equal or superior to that of men. And yet they are paid 10 to 30 percent less.

Consider the case of Mrs. A, a note teller in a bank in Milwaukee, as revealed by the most recent census study. She, like 4.5 million other workingwomen, is the head of a family, and, like 9 million others, is over 45. Together with other women tellers in Milwaukee with less than 5 years' experience, during the May–July 1960 period studied, Mrs. A received an average weekly salary of $63.50. Men note tellers with less than 5 years' experience received $94.50. If she had been working in Denver, Mrs. A's compensation for the same period would have averaged $63, while men were getting $91.

Here are some other examples:

Physical therapist: In mid-1960 the average weekly earnings of women in the private hospitals of Minneapolis-St. Paul were $95.50; men averaged $120.50. In Chicago, women averaged $81; men, $98.50.

Nursing aids: In Cleveland, the average weekly earnings of women in private hospitals during mid-1960 were $45.50; men averaged $54.50. In Baltimore, women averaged $37.50; men, $44.50.

Hotel room clerks: During the March–July 1960 period, the average hourly earnings for women in Chicago were $1.37; men averaged $1.76. In Kansas City, women averaged 92 cents; men, $1.30.

Sewing machine operators: In New York City in May 1961, women making shirts for men and boys averaged $1.51 an hour; men, $1.98. Women making sport shirts averaged $1.52; men, $2.06.

Professional workers: In 1960 the median annual income of women was $4,384 as compared with $6,848 for men. There are undoubtedly many reasons for this disparity, but among them is the frequent failure of employers to provide equal pay for equal work. For example, a February 1962 survey by the Wall Street Journal covering 30 college placement officials and 50 corporation personnel executives showed that the starting salaries for women graduating from college in June 1962 would lag $100 to $500 a month behind those offered to men graduates for equivalent jobs. In testimony before the Select Committee on Labor of the House of Representatives Committee on Education and Labor, a placement official of the University of Wisconsin declared, "The double-wage standard still holds, except in mathematics and sciences."

An analysis in 1961 of job orders placed with State employment service offices indicated that many employers have every intention of continuing to pay women less than men for the same kind of work. Here are just a few illustrations of the pay differentials specified:

City A: Bookkeeper in a laundry: Woman, $60 to $70 a week; man, $75.

City B: Hotel auditor: Woman, $90 a week; man. $100.

City C: Grocery checkers: Women, $56.88 a week; men, $62.90.

City D: Traffic clerk in a wholesale trade concern: Woman, $270 a month; man, $300.

City E: Assembler in an electrical manufacturing plant: Woman, $1.40 an hour; man, $1.55.

But discrimination against women workers is not confined to lower pay. It includes denial of equal opportunities for advancement.

The pay laws of the Federal Government are based on the principle of equal pay for equal work. However, during the 9 years I served on the U.S. Civil Service Commission, I noted the unwillingness of male administrators to set aside their prejudices and give women equal consideration for advancement to higher positions.

A 1954 salary study by the Civil Service Commission revealed that at that time 60 percent of all civilian employees of the Federal Government receiving salaries ranging from $2,500 to about $4,200 were women. But only 13 percent of those receiving from about $4,200 to just under $7,000 were women; less than 3 percent of those receiving from about $7,000 to just under $12,000 were women; and only 1 percent of those receiving from $12,000 to just under $15,000 were women.

Undoubtedly it is facts such as these that led President Kennedy on July 24 of this year to direct the heads of all departments and agencies in the executive branch of the Federal Government to take immediate steps so that hereafter appointments or promotions shall be made without regard to sex, except in unusual situations where such action has been found justified by the Civil Service Commission on the basis of objective nondiscriminatory standards.

The Federal Government is not the only employer that would have to plead guilty to a charge of refusing to give women workers equal opportunities for advancement. Such practices exist in many businesses and educational institutions.

This double standard for pay and advancement must be eliminated. It is in conflict with our concept of justice and fairplay. It is rooted in prejudice. Moreover, it constitutes a roadblock to progress. If we are to maintain and improve our standards of living for an expanding population, we must increase the production of goods and services about 5 percent by 1970. We can do it only if we use all our manpower resources without regard to race, creed, nationality, physical handicap, or sex.

This means that the number of workingwomen must be increased from the present level of between 24 and 25 million to 30 million in 1970.

We will not achieve this increase unless employers who are exploiting women workers change their present policies. A woman worker who knows she is being treated justly makes a far greater contribution to increasing production than one who knows she is being exploited. Furthermore, she will remain at work over a longer period of years. Finally, she will, on the basis of her own experiences, encourage other women to contribute to the production of goods and services.

What can be done to eliminate the exploitation of women?

We can pass a law requiring equal pay for equal work.

Twenty-two States have such laws. They vary widely in effectiveness.

Now, after years of discussion, the Federal House of Representatives has passed the Equal Pay Act of 1962. As we go to press, it has yet to be considered by the Senate.

This Federal bill requires all employers in interstate commerce or those producing goods for interstate commerce, who employ 25 or more persons, to pay equal wages to men and women doing equal work in the same plant or establishment.

If a woman worker believes that her employer is violating the law, she can submit to the Secretary of Labor a sworn statement that she is being discriminated against because of her sex. The Secretary will then submit a copy of the charge to the employer and launch an investigation. If his investigation establishes the validity of the charges, he will attempt to eliminate the discriminatory practice by informal methods of conciliation. If this fails, the Secretary may then bring a civil action in a Federal court. The court may enjoin the employer from further discrimination and may order him to pay wages due the complainant, plus an amount up to the value of the back wages.

This law would help. It would not, however, solve the problem.

Women are going to have to continue to fight for their rights—through their husbands, as employers or workers, through labor unions, chambers of commerce, women's groups, manufacturing, farm, and other organizations. Through all these means they must continue to crusade for militant programs that will insure justice in the employment of women.

Those who participate in such programs can have the satisfaction of knowing they are helping to make available to the Nation human resources that will be desperately needed in the challenging years ahead.

## THE DISORDERS AT THE DISTRICT OF COLUMBIA HIGH SCHOOL CHAMPIONSHIP FOOTBALL GAME

**Mr. PROUTY.** Mr. President, a special committee was appointed to investigate the incidents and disorders which arose out of the District of Columbia *high school championship football* game on Thanksgiving Day, 1962.

Naturally, as a member of the Senate Committee on the District of Columbia I am deeply interested in the contents of the report submitted by Dr. Shane MacCarthy, chairman of the special committee, and since I feel that it clears up many misunderstandings that have developed, I wish to call it to the attention of my colleagues.

In order that all Senators will have an opportunity to read it I ask unanimous consent that the MacCarthy report be inserted at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

### Report to the Superintendent, Public Schools of the District of Columbia, From Special Committee on Group Activities, Dr. Shane MacCarthy, Chairman, Washington, D.C., January 1963

### SPECIAL COMMITTEE ON GROUP ACTIVITIES OF THE DISTRICT OF COLUMBIA

Chairman: Dr. Shane MacCarthy, director of community programs, National Lumber Manufacturers Association.

Special consultant: Judge Stephen S. Jackson, Deputy Assistant Secretary of Defense.

Committee members: Simeon S. Booker, Jr., chief, Washington Bureau, Johnson Publishing Co., Inc.; Mrs. Henry Grattan Doyle, past president, Board of Education; Arnold Fine, director of public relations, the Hecht Co.; Philip Larner Gore, president, Security Storage Co.; Lt. Gen. Lewis B. Hershey, Director of Selective Service; Col. John V. Hinkel, vice president, Kelly-Sanders-Hinkel, Inc., public relations; Mrs. Jehu L. Hunter, second vice president, League of Women Voters of the District of Columbia; Dr. E. Franklin Jackson, minister, John Wesley A.M.E. Zion Church; Alphonse "Tuffy" Leemans, past president, Touchdown Club; Sterling Tucker, executive director, Washington Urban League.

### SPECIAL COMMITTEE ON GROUP ACTIVITIES OF THE DISTRICT OF COLUMBIA

#### *Subcommittees*

Citizen responsibilities: Chairman, Simeon S. Booker, Jr.; members, Philip Larner Gore, Lt. Gen. Lewis B. Hershey, Dr. E. Franklin Jackson.

School responsibilities for sports: Chairman, Mrs. Henry Grattan Doyle; members, Arnold Fine, Mrs. Jehu L. Hunter.

Interschool competitions: Chairman, Sterling Tucker; members, Col. John V. Hinkel, Alphonse "Tuffy" Leemans.

Drafting of report: Chairman, Simeon S. Booker, Jr.; members, Mrs. Henry Grattan Doyle, Sterling Tucker.

Special Committee on Group Activities of the District of Columbia,
*Washington, D.C., January 8, 1963.*

Dr. Carl F. Hansen,
*Superintendent of Schools, Public Schools of the District of Columbia, Franklin Administration Building, Washington, D.C.*

Dear Dr. Hansen: Attached is the report of the Special Committee on Group Activities established by you to investigate thoroughly the incidents and disorders which arose out of the city championship football game on Thanksgiving Day, 1962.

While Thanksgiving 1962 will be remembered long as a dismal day for many, those most grievously affected plead—not for revenge—but for action, so that an affair of this kind will not occur again. In essence this is the challenge you have placed before this committee, and I assure you that every member has worked assiduously to face up to it.

In responding to your invitation to be chairman of this committee, I had little appreciation of the depth and enormity of the problems involved.

Since you had confidence in selecting me as chairman of this committee and in allowing me the liberty to choose the members of the committee, I feel you should receive from me the frank statement of my own views which are contained in this transmittal letter. Clearly do I recall your mandate to me personally to "lay it on the line."

To consider the Thanksgiving Day disorders as beginning and ending with the referee's whistles would be to ignore the pleading of the injured and to minimize the fundamental factor that behavior at one sports contest—in this instance a football game—follows the pattern of conduct at other similar events and in the daily surroundings of the schools.

Thus the tragic happenings at District of Columbia Stadium may beget good and lasting results if they awaken the public mind and shock responsible persons into assessing the discipline of students in our public schools. This serious theme—the urgent need for both group and self-discipline—runs throughout the report. The brutal display of irresponsibility and lack of self-discipline must be examined in the context of normal living among average law-abiding citizens. Not a single teacher to whom I have spoken in the past few weeks was surprised that the outbreak took place. Uniformly came the response, "Why should we be? We live with this brand of conduct every day in the schools."

Your written invitation, Mr. Superintendent, to all teachers to speak with me directly, buttressed by a meeting of principals in your office, brought little response. This is attributable to two reasons: (a) Lack of followthrough by many principals; and (b) fear on the part of the teachers lest frankness would jeopardize their positions.

Some very conscientious teachers did accept our invitation to come before the committee. Many talked to me alone—not wishing to disclose themselves further. What they said in vivid detail corroborated the information the committee already received about the discipline problems in the public schools at all levels, elementary, junior high, and high, and the inability of teachers to teach under such conditions. With a tolerated policy to keep youngsters off the streets and in the schools, many teachers too often become mass babysitters for the young and wardens for the older groups. It is virtually impossible for an instructor to put over a subject when some students talk, walk around the room, curse, throw objects, remain in the halls for inordinately long periods, resent any mandate, and at times even ridicule and threaten the teacher. The lack of respect for the teacher is causing many dedicated persons to either bide their time to retirement or seek occupation in other fields. Teacher frustration under such difficult circumstances is an all too common disease.

Teachers find it difficult to live with their consciences when too many pupils are passed upward from grade to grade, not because they have the academic ability, but only because they are getting older. Teachers are heartbroken under these conditions.

In all my discussions with persons in the schools there was reflected the dedication of heart, mind, and physical effort in the interest of all of the children of all of the people. The eagerness of school personnel to succeed in this overwhelming task deserves and requires the help of the entire Washington community.

It is only in this full context that the District of Columbia Stadium conduct of students, school dropouts, and neighborhood hoodlums can be understood and analyzed for corrective action. The format becomes apparent when we realize how little educational and behavior benefit some pupils are capable of accepting in the classroom. Nevertheless these children go to higher grades until they attain the compulsory attendance age of 16 and then go out to face the world. Many among them cannot read and write and are unable to get jobs. Crime, with its ever-ready appeal of ease, too often supplies an answer to joblessness, frustration, and boredom. Unfortunately, examples of criminal conduct crop up too often within some schools, jeopardizing pupil safety and influencing other students. Not unusual are organized extortion rings where older boys take lunch money from younger boys and girls; stealing of clothes, radios, books and balls; molesting of students in corridors and threats of violence. Much of this happens without public notice because those affected are coerced by threats not to tell, and many school officials choose to live with what they have come to regard as inevitable rather than notify the police. Too often when the police are brought in and the culprit remanded to justice, he returns to school within a few days, having been told by court authorities to be "a better boy."

It is no wonder that widespread rumors persisted in the public schools before the Thanksgiving Day game that there would be trouble if St. John's won. Because of this, hundreds of boys and girls in the public schools did not go to the football game and do not go to the basketball games at the present time.

Many of the behavior problems occur in the basic groups at the high schools because those pupils have little interest or desire to advance. They can be easily led or misled. Irresponsibility and lack of self-discipline are all too prevalent in this section of the schooling process. But the roots of this problem go back to the early grades of elementary school where the fundamental skills of the three R's have not been acquired by these pupils. Lecturing to these unfortunate children about the correlation between rights and responsibilities or the necessity of respect for persons and property means nothing. They simply are unprepared to accept abstract ideas of this kind. Their behavior patterns in and around the schools reflect this ignorance and indifference. If irresponsibility is their daily norm, the charged atmosphere of stadium tension is a natural environment for irresponsible explosion.

Since 1954, the date of integration, many students, both white and colored, have found the training of our District of Columbia public schools an adequate and often exemplary base for immediate positions in the business world or for advanced education. However, the rapid growth in numbers of Negro pupils, many with low mental rating, coupled with increasing crowding of facilities, neutralized the academic standards of the education system in the District of Columbia.

Placing the Negro children with the white 8 years ago was desegregation, not integration. Only too prevalent was the pattern of the Negroes and the whites continuing to segregate themselves within the same school. In undertaking any process, there are two methods: the easy and the hard; usually the first is the less effective. So it appears to have been with the laudable step to blend the races in our American schools.

Integration is a most complicated undertaking. It is not accomplished simply by opening classroom doors. It is not brought about by a paper decision to recognize the rights of fellow citizens. It is not achieved by an emotional urge that follows the prodding of the heart rather than the leadership of the head. We do a grave disservice to boys and girls of both races when we direct them to integrate and thrust them into indiscriminate mingling without the thorough preparation which is a mandate for success in any undertaking. The unique difficulties which many teachers face today and which too often rock their morale in teaching basic students and in controlling classroom discipline, illustrate the need for prior training and preparation essential to achieve good results. We must now acknowledge the existence of current school disciplinary problems resulting in large measure from the lack of such teacher preparation and resolve to take drastic measures to cope with existing conditions.

For the colored as well as the white, it must be acknowledged that lawbreaking anywhere—at school, in the street, or in a stadium—is not the result of being underprivileged. Breaking the law results from a fundamental lack of self-discipline. Social background unquestionably affords some of the reasons for malcontent, but persons, if they are to be contributive citizens, must learn to rise above their environment. While inequities of citizenship can never be condoned, it must be recognized that sometimes it takes years and years to remove them. In the meantime, those so affected must learn to control themselves. Our American society at every stage of its development has been marked by the patience and perseverance of individuals and ethnic groups. Our own Negro leaders of today, typified by those on this committee, are splendid examples of men and women who have coped with difficult social circumstances in their own youth and have risen above them.

Racial hatred of fellow Americans is intolerable whether it be white against Negro or Negro against white. We are all American citizens. As our Negro citizens develop social maturity they must differentiate between those who would exploit their condition for proximate or ultimate political purposes and the white citizens who want them to enjoy the full and unhampered benefits of American citizenship. Negroes must have confidence in the latter. With this approach, Negro achievements will be notable and lasting. Without this, suspicion and bitterness inevitably continue.

Mutual confidence of this kind between the races was exhibited in all our committee discussions. In fact, our common labors to assess the meaning of "what happened" and "why" clearly show how much better conditions at District of Columbia Stadium on Thanksgiving Day 1962 would have been if planning such as this had taken place ahead of time.

The committee members join me in thanking you for the honor you have done us in requesting that we serve you on this difficult assignment. From the beginning of our deliberations until the end, you have carefully refrained from interfering in the slightest degree. Through you we received a great quantity of pertinent written information from all the public schools, and your immediate staff attended to all our housekeeping needs.

We earnestly trust the report, when acted upon, will help those who need assistance most—the boys and girls of our public schools in the National Capital. The attributes that have made our country great—truth, courage, determination, and moral integrity—must combine to foster a behavior pattern among all our young people of such essential worth that another Thanksgiving riot cannot happen. With the current stress on the physical aspect of fitness, let's always remember that true fitness involves even more important factors—the muscles of the mind and the fibers of the will.

With the submittal of this report, the Special Committee on Group Activities is disbanded.

Respectfully submitted.

Dr. SHANE MACCARTHY,
*Chairman, Special Committee on Group Activities.*

OPENING STATEMENT OF DR. SHANE MACCARTHY, CHAIRMAN, TO THE SPECIAL COMMITTEE ON GROUP ACTIVITIES

The concept of champions is an ancient one. Champions were chosen to represent kingdoms and states as exemplars of the finest virtues of the people they represented. The philosophy of championship contests has survived. It is regretful, indeed, that such a contest was the setting for a grim spectacle on Thanksgiving Day.

An American sports event, played in an American stdium, on an American holiday, in the National Capital, come to a close with a grandstand performance of ill will and irresponsibility with too many of those in attendance playing the leading roles. The show that ensued blasted loud and vengeful in and around the District of Columbia Stadium. It was real, and it was painful. The riotous conduct was the part of the afternoon that won immediate and lasting wide attention.

Few Americans can recount the score of that game—many can probably not even identify the winning team. But the shame of the fighting and the bloodshed is remembered well, to the detriment of our city, our District citizens, and indeed to our Nation.

The savagery at District of Columbia Stadium was participated in and witnessed by more than 48,000 Americans; reports of it were simultaneously broadcast to countless other thousands; it has occupied pages of newspaper and magazine space in far distant places as well as at home; and numerous commentaries have been made, with and without the facts. The eyes of the Nation and of the world are watching to see how the citizens of the Capital City of the world's most respected Nation undertake to restore the dignity of that Capital and its people.

The Special Committee on Group Activities has the important duty of analyzing this grave and critical situation. It is necessary before proceeding with the study to make sure that all members of the committee think alike about the seriousness and significance of the circumstances. To appreciate the full intent of the project at hand, each member of the committee will need to become thoroughly informed. Reports from responsible persons in the school system, police reports, press accounts of the violence, individual and group feeling as expressed in letters to the committee and to the editors of the newspapers, TV, radio reports, films, and personal interviews with those who saw, or were a part of, the actual violence are the principal sources being used in acquiring this information. The committee will be looking at facts, not hearsay; finding ways to correct the situation, not giving excuses; bringing to light reasons for the breakdown in personal responsibility; not seeking a scapegoat.

The primary purpose of the committee, then, will be to investigate these sources to find out just exactly what did happen at the District of Columbia Stadium on Thanksgiving Day, to find out why it happened, and to formulate recommendations to help prevent a recurrence of mob violence at a high school athletic contest.

Ever cognizant of the variety of factors that contribute to violent outbreaks of uncontrolled behavior—for example, housing conditions, economic, social, and religious differences—the Special Committee on Group Activities will be able to consider at this time only those facts pertinent to the stadium altercations. Should facts come to light that indicate a need for further study and more intensive investigation, such tasks will not be the responsibility of this committee. In these instances the committee will be a direction indicator.

Therefore, in approaching our task let us each withhold decisions until we have examined the facts thoroughly. Orbiting in generalities or attempting to use this committee as a platform to espouse causes or to deny problems will not help us achieve our purpose. So with objectivity and impartiality let us avoid the useless process of manufacturing excuses and strive instead to find the reasons and the answers.

I have confidence in the ability of this group to attack the grave problem before us with thoroughness, efficiency, and understanding and to move with steady pace to the completion of a report within 3 weeks.

In this endeavor we pray God's help.

Dr. SHANE MACCARTHY,
*Chairman, Special Committee on Group Activities.*

DECEMBER 5, 1962.

### INTRODUCTION

On Thanksgiving Day, 1962, an estimated 50,000 persons viewed the annual schoolboy competition at the District of Columbia Stadium featuring the public school champions, Eastern, and the Catholic league winners, St. John's. One of the largest crowds ever to see an athletic contest in the stadium witnessed a thriller but also saw a disgraceful climax of lawlessness, rioting, and mass misbehavior on the part of a small percentage of spectators. What started out as the football season finale, the highlight of an athletic character building program, degenerated into a shameful exhibition of poor sportsmanship and misconduct which was widely publicized. The reputation of the Capital City of the world's greatest democracy was tarnished and its citizens were shocked and chagrined.

What happened? Why did it happen? What flaws in planning the contest set the stage for the riots? What are the basic causes of incidents such as the stadium outbreaks? What are the preventatives, particularly in definition of the school's responsibilities?

To assume the heavy responsibility of analyzing the causes of the Thanksgiving Day lawlessness and suggesting ways to prevent a recurrence of such incidents in the city, the Superintendent of the District of Columbia Public Schools, Dr. Carl F. Hansen, established a Special Committee on Group Activities and named as chairman, Dr. Shane MacCarthy, a formed White House aid (under President Eisenhower) who directed the President's Council on Youth Fitness. The chairman set up a 10-person committee with outside impartiality—none of whom were from any part of the school system nor from the school board, nor from any segment of the government of the District of Columbia.

Dr. Hansen's command was specific: "Our wish is to have from you a frank and unrestricted evaluation of what happened at the stadium, why it happened, and what should be done to prevent anything like this happening again. Let us know what our failures were and what we need to do as a school system to do a better job."

For almost 5 weeks the committee members examined available data, materials, letters from school officials and students, letters from families and individuals who attended or who had relatives who attended the game, police reports, injury lists supplied by the Catholic and public schools, regulations, and reports of various public officials. In closed hearings, the group discussed with school officials and citizens various aspects of the Thanksgiving Day game. The committee herewith records its appreciation to those persons who cooperated fully with the committee. Carefully assessing and interpreting the information supplied by guest speakers, the collected materials, the committee to the best of its abilities concluded with this report:

### THE GAME: WHAT HAPPENED?

The 1961 City Schoolboy Championship game, in which Eastern toppled St. John's by a 34–14 margin, attracted 49,690 spectators, the largest sports crowd ever assembled in the Nation's Capital. In 1962 the schoolboy classic was sold out days before the game and the attendance figure threatened to pass the old record as the result of promotion. In fact, a newspaper created a stir by printing an article which inferred the stadium was oversold. School officials later denied the story.

Police reported[1] the gates opened at 9 a.m. and the majority of the early arrivals were youngsters between 9 and 18 years of age, most of whom were unaccompanied by any adult. As the crowd gathered nearer the 11 a.m. game time, several persons reported young adults "scalping" tickets on the outside of the stadium. Several appeared to have an ample supply of the ducats.

Just before the start of the game, when the national anthem was played, hundreds of young adults were seen retaining hats on their heads or sitting in their seats. Reports indicated that as the first half of the game progressed many aisles were filled by restless spectators who moved to and fro and there were a few complaints of roving ganga attacking individual fans.

At half time, when many adults left their seats in the lower level nearest the playing field, police report youngsters in the upper levels moved down into their seats, causing confusion. There were reports of several fights in the stands and some altercations in rest rooms, as well as the bootleg sale of liquor. A police officer reported the presence of known thugs in unruly groups. It was also near this time, the attendance was announced—50,033, a new record.

Most of the observers, including game officials considered the game clean, hard fought and well played up until the last quarter. However, the Eastern coach mentioned that he tried to complain about illegal blocking on the part of some St. John's players, but during the halftime break he did not take the opportunity to register an official protest.

The turning point of the action on the field took place in the final quarter. A review of the film clips showed hard blocking on the part of both teams. On one such play the elbow of a St. John's player, Jay Calabrese, caught Harris on the right side of his face. When Harris drew back to throw a punch, an official saw him and ejected him from the game. The official did not see illegal use of hands by Calabrese. An Eastern player, Calvin Harris, was ejected from the game for attacking a St. John's player, Jay Calabrese, following a play a few yards from the Eastern bench. Seconds afterward, the Eastern coach entered the playing area, according to him, "to see what was the matter." While on the playing field, he gestured defiantly at the officials and registered a sense of disgust which was noticeable to many fans. While the Eastern coach was on the field, an action which was not sanctioned by officials, Harris raced back onto the field and began attacking St. John's players. Players from the Eastern bench then ran onto the field, apparently to restrain Harris but in the mixup, new fights broke out between members of the two teams. During the melee, police on the sidelines were forced to hold back scores of spectators on the Eastern side of the field, while at the same time, the St. John's coach restrained his team members from crossing the field and becoming engaged in the disorder.

When order was restored, Harris restrained by his own teammates, was strapped to a stretcher and carried from the field. There was no announcement concerning his condition nor an explanation via the microphone of the activity on the field.

In explaining the gridiron action, veteran referee Raymond J. Wrenn wrote, in part, this statement to the committee:

"The game had been going along without any problems for more than three quarters. The boys did not present any problems and there were no remarks between players. As an example, no official had to penalize a player until late in the third quarter and this foul was a simple holding one.

"With about 6 minutes left in the game, there were still no problems and it was a good game until it was necessary to put an Eastern player out of the game for hitting a St. John's player. At this time there was an injured Eastern player on the field. The coach, Mr. Richard Mentzer, instead of attending to the injured player took this opportunity to complain to the officials about the rough and unsportsmanlike fouls being committed by the St. John's players. He made gestures of the type of fouls and directed his remarks to the St. John's players. After I marched off a 15 yard penalty against Eastern making it first down and 25 yards to go, we were ready to run off another play. I saw an Eastern player run off the bench and go up behind the St. John's middle linebacker and hit him behind the head with his fist. This same player was the one ejected from the game. Many of the Eastern players on the bench charged on the field and a fight took place. The 11 St. John's players had to fight off the attack and were in danger of serious injury.

"I believe that if the Eastern coach and his assistants had restrained their reserve players instead of coming on the field with the players from the bench the one Eastern player could have been restrained by the four officials. This would be a routine game procedure.

"Again Mr. Mentzer, and Mr. Bristor, assistant coach, made remarks about the St. John's players playing illegally and not being penalized. Again gestures were made by Mr. Mentzer about the type of illegal fouls being committed.

"Because of the unsportsmanlike foul relating to the player who came back onto the field, it was necessary to add another 15 yard penalty. I asked him to please leave the field.

"The game was continued and it was necessary to remove another Eastern player for hitting with an elbow. There were several more fouls but all of them on routine plays associated with the game of football.

"The gestures made about illegal play and the threatening to make the game movies available to point out the officials' mistakes was not in keeping with coaching ethics. It is a known fact that problems on the field reflect themselves in the stands."

From the outbreak of fighting on the field, tensions rose, a factor which many spectators seemed to notice. Many admitted that they bundled children and began leaving the stadium apprehensive of trouble to come. The police summed up the situation in this way:

"Several of the persons interviewed expressed a feeling of rising tensions in the crowd as the game progressed. To what extent the events on the field had in creating tension or adding to that which existed, if any, is not known. Some persons expressed the view that these occurrences were a factor in the trouble that developed."

Another segment of the police report states: "After the melee on the field the spectators in the Eastern High School section became restless and noisy, and tension appeared to increase. Fights in the stands increased and police officers had to restrain some persons from going onto the field."

Officers stationed at the Eastern stands reported that a few seconds before the game ended, the fans started a "countdown" and there were cries of "Let's fight" and "Let's get them."

Continuing with the police report, an evaluation of summaries submitted by 242 police officials, it states:

Immediately after the game was over there was a rush of several thousands of persons from the Eastern stands toward the St. John's stands. Officers reported it was physically impossible to stem the rush. Police officers were ordered to escort the St. John's team and band off the field. Other officers proceeded to exits and ramps where numerous attacks were taking place.

Many officers reported attacks on white persons by Negroes in and out of the stadium and seeing a number of white persons injured. They stated, in a number of cases, that they went to the assistance of the injured persons. They repeatedly stressed the difficulty of identifying the assailants and the fact that one assault after another occurred with the assailants disappearing into the crowd. The officers concentrated on assisting the injured and dispersing the crowds.

They reported the extreme difficulty encountered in efforts to control the crowd.

Bottles and debris were thrown at the St. John's Band and at several police officers.

Officers reported that a large number of persons exited at gate E on the north side of the stadium. The crowd was yelling, cursing, and generally in wild disorder. Three priests, as yet unidentified, were assaulted by a group of Negroes. One priest was bleeding about the face or head. There were reports of unprovoked attacks on white persons by Negroes. The attacks in this area extended to parking lot 7 located north of the stadium.

It was estimated that approximately 3,000 persons were involved in the incidents at gate E. Police officers reported the impossibility of making arrests because of the size and temper of the crowd and the numerous assaults taking place simultaneously.

There was some trouble at gate D and on the southeast side of the stadium but most of the trouble occurred at gate E, parking lot 7, and on the streets north and northwest of the stadium.

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[1] Full police report is exhibit A in addendum.

Many thousands of persons left by the main entrance. These persons were orderly and no trouble was encountered except for heavy pedestrian and vehicular traffic.

The disorder and assaults spread northward. The worst of these were at 18th and D Streets NE., and 21st and Benning Road NE. Several arrests were made at these locations. There was also trouble at 21st and E Streets NE. There were hundreds of persons at these locations. There were fights in the groups and numerous reports of rocks being thrown.

It was reported that Negro residents of the neighborhood viewed the occurrences as disgraceful. Some of these Negro families opened their homes to white persons to protect them from the mob.

Inside the stadium one officer reported he was assisted by two Negro male adults in breaking up a group of Negroes who had attacked a white girl.

One officer reported his motorcycle was overturned by a group of Negroes. He was calling for assistance and just managed to get off the motorcycle before it was overturned.

At gate E and at 21st and E Streets NE., dogs were used to bring the crowd under control. At 21st and Benning Road NE. a police dog was kicked by a Negro male who also struck at the officer. When the officer attempted an arrest he was jumped on by others and struck on the head and kicked. Rocks and bottles were thrown at the officer.

At Oklahoma Avenue and Benning Road NE. a police dog was kicked by a Negro male. At 21st and Benning Road NE. an officer was pursuing a Negro male who had a rock in his hand. He was pushed down a hill and his police dog was kicked. The dog was snapping back but the officer does not know if anyone was bitten.

At all of the locations mentioned there were reports of large crowds fighting, cursing, and throwing rocks and bottles.

One officer was spit upon. Four were struck by thrown bottles. One was struck on the head by some object.

In another section of the police report, a study was conducted of residents in an adjoining neighborhood of the stadium. It is printed in full:

"The general area north of District of Columbia Stadium was the scene of many fights and assaults. To obtain information residents in the 400 block of 21st Street NE., 500 block of 21st Street NE., 2000 block of E Street NE., 600 block of 20th Street NE., and the 600 block of 20th Street NE., were interviewed. This was apparently the area in which the worst of the rioting took place. These residents are Negroes.

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|---|---|
| "Total residences visited | 106 |
| Number of families interviewed | 83 |
| Not at home during canvass or during trouble | 30 |
| Did not see anything—just normal football crowd | 27 |

"A number of persons interviewed could furnish no useful information but many expressed the view that the occurrences that took place were disgraceful.

"Practically all of the persons interviewed saw the large groups of persons. Ten persons stated they saw Negroes attacking white persons. Eleven stated they saw Negroes, mostly juveniles, jumping on automobiles and running up on porches. A number saw fights taking place.

"Several of the residents had attended the game. One stated he saw an Eastern player striking St. John's players and another Eastern player kicking a St. John's player. They stated they left the game early because they felt trouble coming. One saw sporadic fighting among Negroes during the game. Another stated he saw juveniles drinking from whisky bottles in the men's restroom.

"Two persons stated a Negro neighbor opened her home to several injured white boys. Another Negro stated he told several white boys to come up on his porch but they ran away and he saw them attacked by Negroes. Another Negro resident permitted white boys to stay on her porch. One stated she went to the assistance of a white boy who had been assaulted by Negroes.

"One Negro resident stated a Negro youth brought a white youth to her door. Both had been beaten. At the same time four other white youths ran up and she took all six into her home. They too had been beaten. They remained there until the police arrived. Another Negro neighbor went to the assistance of this resident and both of them went into the street to assist white persons.

"None of the persons interviewed could identify any of the attackers. From the residents in this neighborhood, however, the following views were expressed:

"1. The assaults were unprovoked and committed by one segment of Negroes on white persons and on other Negroes who came to their aid.

"2. There appeared to be considerable drinking.

"3. Many were angry because Eastern lost the game.

"4. A group of Spingarn students attempted to stop the assaults and aid the victims.

"5. The majority of the disorderly crowd were not students.

"6. The residents deplored this behavior and will discuss the matter with their civic associations.

"7. They were complimentary of the action taken by police officers. Additional information on the rioting compiled by police included:

"Statements were obtained from two bus drivers which described the disorder created on the buses by large numbers of Negro teenagers and the damage inflicted on the buses.

"Also one report of an assault which occurred on parking lot 7 in which a white female was attacked by 15 to 20 Negro females. She received only home treatment for minor injuries."

Eleven reports were received from members of the U.S. Park Police.

Three U.S. Park Police officers were detailed to the parking lots at District of Columbia Stadium. One of these officers reported a large group of possibly 1,500 teenagers on lots 7–A and 7–F with several groups fighting in the center of the crowd. He witnessed six or seven Negroes beating up two white boys and went to their assistance. He tried to break up several other fights and was encompassed by the crowd. The crowd pushed the assailants away and prevented apprehension. He stated the crowd surged on and numerous fights continued.

Another saw fighting on the parking lot. He saw one Negro male bleeding from the nose. The officer was struck in the chest by a thrown rock. He also saw a white male bleeding. He tried to disperse the crowd. He also investigated the complaint of a Negro female that she injured her hand when struck by an automobile occupied by several white females. The Assistant Corporation Counsel refused to issue papers in this case.

Another officer who was assigned to parking lot 8 responded to parking lot 7. The heavy traffic delayed his arrival and when he did arrive he saw a large group of persons, mostly Negro, running up the parking lot bank. He saw no fighting at that time.

One officer saw no fighting on arrival but took custody of two lost children.

Another went to 21st and D Streets NE. and assisted the Metropolitan Police in taking three white males and two white females to their cars because they had been threatened by Negroes. He also assisted the Metropolitan Police at 21st and Benning Road NE. in dispersing large groups.

One officer went to the East Capitol Street Bridge where large groups of teenagers were running down the middle of the roadway blocking traffic. He restored traffic movement and then assisted in dispersing large groups on lot 7.

Five U.S. Park Police officers responded, with special equipment, from their headquarters. They arrived at lot 7 and found no disturbances. Also responded to lot 6 and found no trouble. They patrolled the area but the gathering of groups had subsided.

*Eyewitness accounts from letters*

A father wrote: "I attended the game with my whole family, i.e., wife and four children, ages 9–14, and sat in the upper stands, near the goal line. I observed the following incidents:

"1. During the half, in the men's room, a white boy, about 6 feet, 16 years of age, was slugged about the head, by about 8 colored youths, about 15–17. A police officer appeared about 2 minutes thereafter, but all parties had disbursed.

"2. After the game, coming down the upper ramp and looking directly down about two ramps, a white youth, about 15–16, was struck to the ground, and while lying doubled up, he was kicked many times in the back, by a group of colored youths also descending for the exits. The boy was crying all the while, and kicking stopped only when some white people reached that place. The boy had a red St. John's jacket on.

"3. A totally unwarranted attack. A 6-foot St. John's boy, about 160 pounds, wearing a grayish St. John's jacket, was waiting inside a car in the parking lot area (7, I believe). The St. John's boy was getting ready to open the car door and was looking down at the handle of the door. I had two of my children by the hands, and my wife had the other two, and was about 20 yards from the happening. Suddenly, a group of about 10–12 colored youths, about 15 to 20 years of age, apparently spotted this St. John's boy and ran around the particular car and struck the boy in the face. The third or fourth blow struck the boy's jaw on the left side of the boy's face and almost knocked his head off. Many other raining blows followed in quick succession. The boy somehow retained his feet, and then escaped to the area of another car about another 20 yards away, all the time holding his jaw. The group of colored youths, then took off, like a pack of wolves, and seeking more prey. The initial approach of this same group of colored youths was also like running a pack of wolves. The boy apparently did not even see the gang approaching. Police were directing street traffic about 100 yards away.

"I personally saw each of the above.

"4. In addition, another white parent I know, was sitting in the lower stands by the St. John's band, when the Eastern fans swarmed across the field immediately after the game, was struck in the face and his glasses knocked from his face and broken, although his son successfully ducked another intended blow."

From a lawyer:

"In the lower stand section (St. John's side) individual fights took place before and during the early part of the game. At the end of the game, an assistant manager trailing behind the unmolested St. John's football squad was beaten to the ground and cuffed. My party on leaving the stadium, although deliberately pushed and shoved, walked with eyes straight ahead to avoid the obvious reaction sought by Eastern wolfpack supporters (in the age group of 15 to 25). On boarding one of the chartered St. John's buses, most of the middle-aged women were in tears to the point of hysteria. Within the stadium vicinity stones and debris were thrown at our bus by Eastern supporters. Upon safe return to the St. John's grounds, there was no feeling of elation or victory.

The large group of men and women, boys and girls, shared a mixed feeling—bewilderment, humiliation, shame and sadness. The football players were subdued and quiet. Some shared the obvious sadness clearly shown in the faces of Jim Francis and Rick Malcolm." (Editor's note: Francis and Malcolm are colored boys on St. John's team).

From a parent:

"This is the story of what happened to our family on Thanksgiving afternoon at District of Columbia Stadium. We were sitting in the row back of the crosswalk (lower deck). In baseball this is the first row of unreserved grandstand seats. We chose these seats deliberately so the little boys could see better. It was during the fourth quarter after play had been resumed on the field. I had been watching the field intently when suddenly I realized that a Negro man was beating my husband who was sitting to my left. Before I could move, a tall light-skinned Negro struck me a blow on my right temple with his knuckles, and knocked my glasses to the ground.

"There were about 10 Negroes each of which turned and attacked the occupant of the seat opposite them. Our row (all white) consisted (approximate ages) of a 9-year-old boy and his 14-year-old brother; a 9-year-old daughter; a 30-year-old man, his 4- and 5-year-old sons; a 15-year-old boy and his mother.

"The technique employed by this group of 18- to 22-year-old Negroes was to suddenly hit without warning their assigned victims on the temple. The last Negro in the row (these men are walking or standing, of course) would start hitting the occupant of the seat opposite him; the person sitting to the right of the one attacked would turn to see what was the commotion and he would be hit (by a different person, of course) and so up the row.

"I screamed for the police but the cheering at the play on the field masked my screams; then several of the Negroes turned and began hitting my husband again for he too was yelling, 'Police.' The Negroes then turned and disappeared down the walk. My husband went for a policeman. Several Negroes (not the ones who attacked us) crowded the policeman and he was powerless to do anything. They disappeared into what was then a mass of people. The policeman took my name (he had lost his notebook and pen in the hassle) after I gave him pencil and paper.

"Our little boys had seen the attackers and jumped back in their seats so their blows missed the boys. The people in the row in back of us pulled them into their row for safety.

"The hotdog vendor had put his stand down in front of our daughter and that protected her.

"My husband had turned toward me (at the time of the attack) and the blow, intended for his temple, got him over the eyebrow. He had a bump and soreness.

"My doctor insisted that I have skull X-rays since I was hit in the temple. Fortunately, there is no permanent damage although the lump is still there and that side is generally sore to the touch.

"The last youngster on the row had an enormous swelling on his temple almost immediately.

"About a minute before the game was over, the policeman returned and said, 'You'd better go, I'm afraid there is going to be trouble that we can't control.' At this announcement, I could only fear for my children's safety. Luckily we were able to clear the stadium by the east entrance and dodge the mob, but as we drove out there was fighting in every direction."

From a spectator:

"From that point (Harris on stretcher in field), tension began to grow. You could feel it. The crowd became restive. A police official had a conference with 20 to 25 officers back of the St. John's bench. What word was passed around I do not know but later events showed that this particular group was only effective in shunting away the mob from the immediate area of the St. John's band. Toward the close of the game no word came over the loudspeaker pleading for order or sportsmanship.

"Then at the final gun the mob started out on the field and charged across it. The police made little or no effort to stop them. I could hardly believe my eyes; was this mob, practically unhindered, rushing across the field to the St. John's section with assault in mind or were they just seeking the nearest exit to the parking lot? I knew when I saw the pushing and punching and kicking. There was no fighting in the area I was in but coming down the ramp one could see the mobs outside going back and forth looking for trouble."

From a father:

"The facts are that a large number of young Negroes (estimated at 3,000 by the press) charged across the field and into the stands on the St. John's side of the field. During the latter part of the game packs of young Negroes charged through the stands causing minor trouble and incidents in the process. Admittedly there were a number of adult Negroes involved, i.e., in the early twenties, but in my opinion over 70 percent of those Negroes were teenage boys with a sprinkling of teenage girls. Disgraceful and brutal beatings of whites without regard to age or sex were administered by these Negroes. Any quid pro quo was strictly in an effort at self defense. The vandalism in the parking lots was again the work of the same unruly Negroes."

From another correspondent:

"Another reason that mass hysteria, fear, and tension swept through the stands immediately after the battle among the players was that when the fight started on the gridiron, the announcer over the loud-speaker system stopped in midsentence and complete silence prevailed for about 8 minutes it seemed. During this period while the injured player was being treated and carried off the field in a stretcher not only was the loud-speaker system silent but so were two bands. This complete stoppage of all activity caused great excitement and anger to sweep the stands where we were seated. Had the announcer kept some patter going and the bands kept playing, as theatrical people do when a crisis is pending, the crowd would have been kept in a more jovial mood."

### SCOPE OF INJURIES

From disturbances which took place at and following the game for a period of several hours, a reported 554 cases of personal or property damage are known. Police estimate there are many others. In letters to the committee, more instances of violence and attack are described, making the toll of victims of the Thanksgiving Day game a nightmare to decent citizens. Officials of St. John's told the committee that their students are covered by insurance. However, there will be others, parents and young adults, who are not.

### *Police*

Police reported a total of 42 persons officially recorded as having been injured. Investigation disclosed two additional injuries, the police brought out, emphasizing that "There is no doubt that there were many assaults which were not reported to the police."

Here is a section of the police report dealing with the injured:

Investigators questioned 36 of those persons reported injured. From these persons and the reports on those not interviewed, injuries were sustained in the following manner:

| | |
|---|---|
| Struck by fists or kicked | 28 |
| Struck by umbrella | 2 |
| Thrown object | 3 |
| Cut—sharp instrument | 4 |
| Unknown | 3 |
| Choked | 1 |
| Struck by chain | 1 |

One person stated he saw a chain—another saw a knife. There was one report of a tree branch 4 feet long and 1 inch wide being used.

Of the 36 persons interviewed, 6 were injured during the game. The others were injured after the game was over: 3 in stands, 6 at the exits or on the ramps, 11 on the street leaving the stadium, 10 on parking lots.

Of the seven Negroes injured, one was struck by a Negro on the street after the game. He stated this was caused by his being with a girl and had no connection with the game. Two were injured by objects during the game which were thrown by unknown persons; two were cut on the buttocks while leaving the stadium, one thought the assailant was a Negro male but the other stated the assailant was unknown. One was struck by a Negro male during the game and the other injury was sustained during an altercation with a group of Negroes during the game.

Of the 35 white persons injured, 32 of them stated they were attacked by Negroes, mostly in groups. Three were unable to specify the color of their attackers nor give any description.

### *Catholic school survey*

In a survey of injured students, and relatives, and listing of property damage suffered by them, Msgr. John S. Spence, director of education, archdiocese of Washington, reported a grand total of 485 cases. The survey is exhibit B in the addendum.

### *Public schools*

A public school survey of injured students listed 27 from 9 schools. The listing is exhibit C in the addendum.

In a followup to the public school report, police interviewed 25 of the students, most of whom were Negro, and found instances of whites attacking Negroes, at the stadium.

The following is a brief summary of the statements made as to how these injuries were received:

1. Seven Negroes, male and female, were pushed or knocked down by the rush of the crowd and did not know who was responsible.

2. One Negro male was accidentally kicked by an unknown person.

3. One Negro female was struck by a bottle thrown by a white boy.

4. One Negro male was slapped by an unknown person.

5. One white male had an argument with a Negro male and they squared off. Before any blows were struck the white male was struck in the face by an unknown Negro male.

6. One Negro male had his fingers burned by two Negro males while on a parking lot.

7. One Negro male was struck in the face by a white male.

8. Four Negroes, male and female, were struck by thrown objects such as stones, bottles, or beer cans—did not know who threw same.

9. One Negro male was tripped and had hand stepped on by unknown persons.

10. One Negro male was accosted by two white males and then struck by them. This occurred at a refreshment stand.

11. One Negro female was struck by a rock which had been thrown at a police officer by a Negro male.

12. One Negro female was pushed by a Negro adult and then threatened with a

knife. The knife was not used but she was injured when pushed.

13. One Negro male was accosted on a ramp by six white males wearing St. John's jackets. One hit him on the back of the neck and then the others pushed him.

14. One Negro female states she was struck by a white police officer's blackjack when he was attempting to break up a fight between Negro youths. She stated it was accidental and the officer was just trying to do his job.

### *Enforcement*

In the official report, Deputy Chief of Police George R. Wallrodt, detailed the game preparations:

"On Thursday, November 22, I was working 8 a.m. to 5 p.m. as acting chief of police. I responded to the District of Columbia Stadium just before the opening of the gates at 9 a.m. to check the details and observe conditions. A total of 104 policemen (6 plainclothesmen from juvenile squad) were assigned to police the inside, gates, and walks immediately adjacent to the stadium under the command of Capt. John J. Kinney. A total of 92 police officers were detailed outside the immediate vicinity of the stadium for traffic control under the command of Inspector Louis B. Peters. These traffic control officers were directed to report inside the stadium after the game started to supplement the men inside the stadium. They returned to their traffic assignments at the end of the third quarter of the football game.

"Inspector Peters and Captain Kinney submitted their details and plans to me for approval several days before the game. After a briefing by these two officials and a careful study of the overall picture, I concurred in their arrangements, which under ordinary circumstances would have proved more than adequate. Prior to leaving headquarters on the morning of November 22, I directed the acting captain of the communications and records bureau that in the event of any disturbance, to bring into immediate proximity of the stadium all mobile units in the 5th, 9th, 11th, and 14th precincts. This was done as evidenced by the transcript of radio calls submitted in the report of Captain Kinney."

Later, in the police report, Deputy Chief John E. Winters, youth aid division, wrote:

"In preparation for the 1962 contest several meetings were held by the committee handling all of the details. Police officials having a direct responsibility for providing police service for the game were in constant touch with this committee. A realistic evaluation had to be made on the basis of the racial makeup of the two schools involved. Eastern High School has a predominantly Negro enrollment and St. John's is predominantly white. One fact that was considered was the Eastern victory in 1961 and the absence of incidents following that game in which the same two schools participated. Eventualities that might occur from a St. John's victory in this game were considered. From the opinions expressed by a number of persons interviewed during this investigation, this factor had a bearing on the events that happened after the game as will be shown later on in this report.

"The police detail inside the stadium was accordingly increased by 20 officers over that detailed in 1961. There were 81 officers detailed inside the stadium, 19 were stationed outside at entrances and walkways. Four additional officers were brought in from the foot patrol of the fifth precinct. In addition there were 92 police officers assigned to traffic control.

"Several points of information are inserted here: for example, capacity crowds at the Redskins games, 71 police officers are detailed inside; at the public high school championship game on November 12, attended by 22,000 persons, 33 police officers were detailed inside and there were no major incidents reported; at one point during the disorder at District of Columbia Stadium, on November 22, approximately two-thirds of the entire police force on duty was on the scene."

### *Arrests*

Police reported 14 adult arrests made in connection with the game and its aftermath. Six of these arrests were made during the game, three for intoxication and three for disorderly conduct. Seven persons were arrested on the street after the game. One juvenile was arrested for throwing stones at automobiles. He stated he did so because he was angry over Eastern losing the game. All of the persons arrested, except one, were Negroes.

### CAUSES OF THE VIOLENCE

In examining what it considered a chain of events which triggered such a frightful uprising, the committee found no incident which could singly be blamed for touching off the riot. If there were one that seemed to fit the requirement, it probably was the disgraceful conduct of the Eastern coach and his ousted player. To charge this pair with sole guilt for touching off such an awesome climax, would perhaps, take out of context their unfortunate role and make them the scapegoats for a shocking laxity of the sponsors, the Washington Post, the Touchdown Club, and those school officials in both public and Catholic leagues who served as members of the championship game committee. These parties showed an amazing lack of awareness of the inflammable potential as illustrated by the uncivilized behavior.

This insensitiveness was unfortunate because for the past several years misconduct has plagued athletic events of the public schools—and even the schoolboy classic as far back as 1956. During the intervening years, school officials have done little to curb this type of violence at school athletic contests. Unable to cope with the misconduct problem at smaller games, school officials nonetheless approved a citywide game drawing more than 50,000 spectators, unpicked and unknown, and under outside auspices. Several guests mentioned that a committee should have been named several years ago to probe violence and misconduct at school athletic events.

As recent as the 1961 Thanksgiving Day game, the first high school game at the stadium, police reported difficulties of an alarming degree. Almost 50,000 attended the game between St. John's and Eastern. According to police, one student was beaten on a parking lot after the game and there was considerable vandalism to the stadium during the game. At the close of the annual Turkey Day game in 1959, spectators rushed onto the field, according to police. A player was stabbed. Another person was struck by a chain. Seventeen other incidents were reported to police.

Despite this experience, sponsors and school officials with knowledge of the police department promoted the 1962 gridiron battle without formulating a system of sound safeguards and prevention. Here are some of the important factors the committee believes produced the charged atmosphere and tension which set the stage for violence:

1. Overcommercialization: For the past decade, the game has grown into an unwieldy institution with a sportsmanship theme but of necessity a commercial promotion. In urging the public to purchase tickets, promoters used the gimmick of "a grudge battle" which created a climate, according to many students and officials, of an intense and passionate desire for victory. There were reports that principals were required to sell at their school buildings certain amounts of tickets to the game—even to outsiders who entered their buildings and interfered with normal school programing. One public high school principal claimed he was "exhorted" to sell 5,000 tickets by superiors. Even with many of the principals opposing the game as contrary to the best educational standards, they distributed and sold tickets in any desired amounts to all takers, regardless of their reputation. The low-cost admission and the indiscreet ticket sales attracted the most undesirable elements and made it possible for an unruly element to destroy all evidence of a character building program. There is much doubt, however, in the minds of some committee members how much character building there is in the school athletic program. At the present time, the public school athletic program does not enforce standards of eligibility ironclad enough to prevent undesirables from participating in the sports program. This probably is due to the overemphasis of interscholastic athletics to the detriment of developing a strong and widespread intramural sports programing.

2. Inadequate planning: With thousands of students, many without parents or adults, teenagers and a hanging-on following of numerous dropouts, delinquents, and gang members on hand to watch a game which easily could excite a basic emotion, there were these inadequacies:

(a) Complete confusion in the stands: There was no usher system, except where least needed within the very limited reserve seat section where dignitaries sat, or a pattern of each school delegation sitting together under the supervision of a teacher (as called for in the official school regulation on athletic events). There were no assigned seats which could have put an orderliness into the picture. When some left their seats to go to the restrooms or refreshment stands others moved into them. There was, according to many observers, a continual clogging of aisles, a restlessness, and frequent standing, all evidences of mass confusion which contribute to wide disorder in time of trouble.

(b) Disorganization in arrangement: At the time of crisis, no one occupied a position of authority to put into operation a fast moving prevention plan. As it happened, when fighting broke out on the field, the announcer fell silent, the bands were not instructed to play, and there was no program to sidetrack growing tensions. Even the police were caught short.

(c) Lack of goodwill theme: For a predominantly Negro gathering, the sponsors and school officials showed little concern for developing a wholesome racial climate. As police report, the matter of a predominantly white team versus a predominantly Negro team was discussed in prior meetings. But there was no sign of a constructive step in that direction. There was no plan to invite as a sponsoring group the Pigskin Club, a predominantly Negro sports organization of some 600 professional men interested in character building in the Nation's Capital. There was no attempt to invite headline Negro sports stars or performers. Utilization of Negroes in preparation for the game possibly could have produced more constructive results than using them after the game to find out what went wrong.

(d) Element of racism: There was evidence of racial prejudice among attackers during the stadium riot. Remarks, profanity, and utterances heard by some spectators carried the bitterness of racial hatred. Despite the several references, the committee found no link with the uprising to the Black Muslim movement. In a statement issued shortly after the riot, leaders who represent the great majority of Negroes, condemned the "unsportsmanship conduct and rowdyism," contending that it can "neither be excused nor tolerated." The leaders pointed to "a release of pent-up emotions built around the championship game" and mentioned "that aspect of the fracas reflects ominous overtones and mirrors the challenge of much of America's unfinished businessful participation in all aspects of community life and the exercising of total responsibility in community affairs." Whether there is a gulf of hatred between whites and Negroes in the Nation's Capital certainly cannot be judged on the basis of the riot. The hoodlums who went on rampage at the stadium would have attacked supporters of any victorious team, including a predominantly Negro one, as they have in the past without interference. Yet fostered by the hoodlums, a very small minority of the city's Negro population, the stadium fracas loomed as a serious racial conflict, pitting angry Negroes against whites, and it impaired the city's community relations. Violence is no answer to any problem and offenders should be dealt with severely.

(e) Atmosphere of lawlessness: Testimony before the full committee developed an awareness of administrative lack of control over hoodlum elements in the school system and a deteriorating condition in mass audience events outside of the school buildings. Violence, assaults, disrespect of teachers are acts of an undesirable element of students. An atmosphere of permissiveness has discouraged the personnel of many schools and caused a citywide lessening of discipline standards. Fear rages through many school buildings which have become tramping grounds for outside influences, including thugs, hoodlums, and persons of the lowest character. The school administration has difficulty in coping with this situation. The morale of many teachers has suffered and the percentage of resignations and transfers has increased. Nevertheless school officials fail to cooperate with police and report violations of the law, nor do they maintain a citywide reporting system of incidents of misconduct. With such a climate in the school system, students receive little discipline, little guidance, and little incentive to develop strong citizenship qualities in far too many cases and the result has been a steadily worsening misconduct problem in the public schools. Conduct at athletic games—including the recent stadium contest—is symptomatic of the school conditions the committee discovered as it probed into the causes of one of the city's worst racial flareups in many years. Alarming were the reports that many public school children and officials decided not to attend the game because of the fear of violence. Staggering was the testimony of various individuals and police as to the stockpiling of weaponry—umbrellas with sharp points, broken bottles, rocks, knives, and chains—which are used in public schools and in some instances were displayed at the stadium. There was wide belief that the stadium violence was preplanned and organized in some quarters, but the committee found no basis for this. The committee did find that many students and teachers considered Eastern supporters "poor losers" and many of its adherents being persons of undesirable qualities. That such a disciplinary problem would reach such proportions in our school system should be a matter of great concern to all citizens. Even more so, the situation should shock all leadership both Negro and white into immediate action to insist on better training and better standards for all schoolchildren and wage a relentless campaign to improve their conduct. Negro leadership faces a particularly important challenge in this regard, because of its greater ability to identify with, and gain the confidence of, a large segment of the public school population.

(f) Inadequate policing.

Special note: In discussing this area, it must be disclosed that although the police department furnished the committee its stadium report, the police turned down an invitation to appear before the committee to explain the report and answer pertinent questions. The police department failed to wholeheartedly cooperate with the committee. For a major city, such a sign of disunity is distressing and points up the need for greater cooperation between various agencies and departments in the Nation's Capital. Refusing to discuss the stadium developments, police sent representatives to elaborate on juvenile misconduct conditions. But there was always the suspicion why they refused to discuss the stadium patrolling, especially in view of the committee's objective desire to probe deeply into the situation.

Throughout the testimony and in many letters were words of praise for individual policemen who performed with a courage and devotion during a trying experience. Certainly no one can blame the police performing any way but their best under difficult circumstances but there were many areas in which it can be advanced that the department needed to be much more concerned. Here are the areas the committee wanted much to probe:

Human relations: During the committee's first meeting, a police officer, on a tour of the stadium, told the group that he noted no rise in tensions at the game. Another officer while talking to the committee chairman reported he spotted known hoodlums in the crowd. An expert in mass behavior wondered why a police officer specializing in riot control didn't give leadership in the crisis. There were comments that the police youth aid division with officers familiar with the schools' problem children and young adults wasn't used more extensively at the game.

Enforcement: During the game, many spectators complained of open drinking, gambling, scalping of tickets and bootleg sale of liquor in restrooms. All of these were illegal. There were few arrests for these offenses. One police officer said most of the offenders were escorted from the stadium. This allowed the buildup on the outside, a nucleus of a discontented grouping.

In high school games in other years and only a few weeks before the Thanksgiving Day contest, student crowds rushed onto the playing field. The procedure has become routine. At the Thanksgiving game, the onrush onto the field provoked disorders. A police officer said his men had no orders to stop the crowd after the game as they did when fighting broke out during the game. In the police report, it is mentioned that the crowds were too big to halt. The committee was left without a clear picture. Certainly, there is a need for enforcement of a policy barring onfield rushes after a game, even with penalties.

Another confusing situation developed when it was brought out that the large number of police who circled the field at the end of the game were inactive while fighting broke outside of the stadium. Because of the lack of mobile equipment, there was no communication between the full police staffing. The committee could not probe into this situation.

Also, in his report, Deputy Chief of Police George R. Wallrodt reported that "During the entire game I kept a close surveillance on the entire crowd and did not observe any roving group or gang which I felt was agitating trouble." Later, he wrote, "Neither did I personally observe any person with any instrument which could be classified as a weapon." This was not in keeping with reports the committee received from spectators but the police officer would not discuss the matter.

Officers of the juvenile division of the police department reported that there exists a strained relationship with school officials growing out of some principals failing to report juvenile crimes. There are few meetings or conferences between the top officials to discuss the matter. Police officers of the juvenile division who appeared before the committee deplored the situation and are anxious to help clean it up, but they claim they cannot get the full cooperation of school officials.

No city or community can peacefully exist without law and order, and respect for law and order. The citizens of the Nation's Capital have a responsibility to develop a working relationship among all departments and agencies and certainly the police department will be a key agent in any all-out effort to end lawlessness and violence. The department deserves the help, support and cooperation of every citizen.

### RECOMMENDATIONS

#### *The championship game*

While in its initial effort, of central concern to the committee were questions related to:

1. Whether or not the city championship game should be played; and
2. If so, under what circumstances and auspices.

As the investigation progressed, it was clear that the questions, issues and problems related were much more broad and more deep than suggested by these questions. It became clear that the first question did not readily lend itself to a "yes" or "no" type answer. The answer to such question, in view of the information examined by this committee, must necessarily be punctuated with qualifiers such as "if," "when," and "unless."

With reference to the game itself, this committee believes that both the public and Catholic school systems should first take a close, hard look at the activity to determine whether or not it has educational value. This, we believe, is a reasonable yardstick by which a school function might be measured. There was considerable testimony on both sides of this question and this committee believes that the answer to this issue must come from those persons charged with the administration of school systems. If it is concluded by the educators that the answer is "No," then this committee believes that the game should be discontinued.

On the other hand, if it is decided that there is educational value in this athletic contest, then we recommend that the game be continued when it has been established that:

1. High powered promotional and commercial aspects of the game have been eliminated.
2. Broader representation of school personnel and the general public is present on the planning committee.
3. Ticket sales are under rigid control and supervision.
4. Only students may purchase tickets in the schools with a limit of two or three tickets per student upon presentation of identification card and signature.
5. Continuation of the game receives the support of the association of principals.
6. Adequate police and auxiliary services will be provided.
7. All seats in the stadium will be assigned. Student bodies will be seated together with teacher personnel assigned to sections with their students and identified by school name and school colors.
8. Uniformed ushers (whether paid or volunteer) are assigned throughout the stadium.
9. No team will be permitted to participate in two consecutive years in the championship game—patterned after the Big Ten Rose Bowl rule.
10. Head coaches will be rotated between public schools on an equitable and systematic basis so that dynasty building will be discouraged.
11. Eligibility rules will require an average of grade C in order to participate in interhigh school athletics for the reporting period prior to the championship game.

12. Fans should be barred from entering the playing field and this policy should be announced and enforced.

13. Loud speakers at the game should be manned by announcers qualified to handle crowd emergencies.

14. The use of alcoholic beverages be absolutely prohibited with violators being arrested on the spot.

But these proposals deal only with the game, and what happened on Thanksgiving Day was but a serious symptom of a larger problem. A riot, shameful as it was and frustrating to thousands of ambitious school children, jarred Washingtonians to the frightful conditions that abound in our city, not really our city but the Capital of a nation which is operated "absentee fashion" by Congress. Much can be written about the need for home rule. Much can be written about the need for funds to enlarge and expand the services in our community. Much can be written about the discrimination pattern in employment and apprenticeship training which limits the future of many graduates of our school system. The committee recognizes the vastness of the problems faced by the city fathers and the officials of the school system. That is an area of special concern.

Realizing the predicament, our committee was interested in finding out whether school officials used to best advantage the tools, the funds and the know-how which they now possess. In a school system which President Eisenhower once said that he wanted to become the model of integration in education, the committee found areas in which improvements can be made:

1. A failure of the school administration to establish a system of developing well disciplined students, who hold respect for a code of conduct and sportsmanship. Because of the fear of criticism, educators too long have "covered up" serious deficiencies in conduct and failed to seek the help of the police department to insure an enforced atmosphere of peace and harmony. The District of Columbia school system needs an Amidon code of conduct, as one authority suggested, to allow teachers to return again to the field of teaching instead of fulfilling the role of policemen. This wave of lawlessness does not spring from the schools, but the schools are caught in the web, and must halt the invasion onto their properties. The increase of vandalism and nonrespect for the law needs serious attention, too.

2. In the last few years the system's basic track system has become the dumping ground for hundreds of Negro youth, who are consigned to inferior instruction, far too large classes, and a complete lack of training to fit them to become employable citizens of tomorrow. Some of these youngsters graduate from high school without acquiring the ability to read and write and later meet rejection when they apply for jobs. Many others, discouraged at being tossed into a scrap heap, lose interest in schooling and become dropouts, the members of a large grouping who form the "social dynamite" to haunt our community in the months to come. A workable system has not been developed to train, equip, and inspire every student, no matter his skill or brainpower, to perform a role in society. This ignoring of a problem has done much to build a climate of despair and helplessness—but yet school officials are caught in a vise—they have no money to do the things they know need doing.

3. With the steady accumulation of unfavorable conditions, teachers have become martyrs in a sometimes hopeless struggle. Many have given up, but others, more courageous, remain to valiantly carry on. To this group Washingtonians should feel proud and give them every assistance. Citizens should work to make their job of teaching the most important in the months to come. The same feeling should apply to administrators. Harsh as it is, criticism should be constructive. Willing to face up to his responsibilities and seek the answers, School Superintendent Hansen asked for honest opinions. He is to be commended and certainly our committee shares with him the concern to develop an adequate school system. Problems are staggering but not too staggering for citizens of Washington, Negro and white, to work shoulder to shoulder to eliminate. Our city is the most important city in America to demonstrate that Negro and white can work together, live together and play together as a symbol of democracy to nations throughout the world. We can do this even though there are some in Congress who believe the highlighting of our weaknesses is an admission that integration of public schools cannot work. School integration can work but it requires the help of responsible leaders, parents, citizens, and children.

Here are our major recommendations:

1. The District Commissioners, Superintendent of Schools, and Chief of Police should issue immediately a strong and unequivocal statement making it unmistakably clear that any students or hangers-on engaging in delinquent or other forms of unlawful activity will be subject to disciplinary action.

In addition to others, this policy position should cover such activity as loitering on and near school buildings, attacks on teachers and other school personnel, rowdyism, and gang actions.

2. Any problem which might be interpreted as a law violation should be reported immediately to the Youth Aid Division of the Police Department.

This committee has been informed that where lawless activity in and around schools has been reported immediately, the problem is quickly brought under control and patterns of lawlessness are broken. Strict adherence to such procedure by school personnel will relieve teachers and administrators of police duties, permitting more time for teaching—their primary responsibility.

3. The Superintendent of Schools and the Board of Education should revise the current policy governing disciplinary measures which may be taken by teachers. This committee believes that teachers should be given more authority and protection in their efforts to maintain standards of deportment in our public schools.

While the rights of students must surely be protected, the welfare and responsibility of teachers must also be considered.

4. The Superintendent of Schools should take immediate steps to insure proper conduct on the field of play citing the behavior of Calvin Harris as the type which cannot and will not be condoned.

Richard Mentzer, the Eastern coach, should be severely disciplined by the school authorities. His example in front of his players and before nearly 50,000 spectators, most of whom were charged with tension, was deplorable and inexcusable.

Those who are varsity players and their coach are expected to exemplify all of the best qualities of behavior and sportsmanship. To have these serious offenses go unpunished lends gall to the undisciplined and encouragement for wrongdoing to the indifferent.

5. Regulations governing participation in the high school cadet program of the public schools should be enforced rigidly and uniformly.

In years gone by, the cadet program was an area of activity which provided opportunity for building and strengthening codes of discipline and standards of conduct. In recent years, administration of the program has been relaxed to the extent that it has become easy for students to gain excuse or exemption from this activity.

6. There must be more strict police enforcement of laws relative to drinking in public places, such as the stadium.

7. There should be established in the police department a race relations detail as exists in other metropolitan centers. This highly trained unit would discover and remain alert to tension areas so as to be prepared to offer quick and positive actions to prevent violence.

8. A captain's advisory council of citizens in each police precinct should be implemented, as recommended by the Commissioners' crime council.

Effective functioning of such groups can be useful in building community-police relations, thus serving to reduce antipolice feelings now present in the District—particularly among a large segment of the Negro population.

9. A citywide citizenship program should be organized by the Commissioners' council on human relations with active cooperation from all media of communication. This program would emphasize such things as proper attitudes and actions in public places under different kinds of circumstances.

This citizenship program might:

(a) Develop a series of open forums of community groups to develop communication and understanding.

(b) Urge greater exchange programs among religious, civic, and business groups.

(c) Urge planning of an annual citizenship day event observance with high schoolers taking over the duties of municipal and Federal officers for a day.

(d) Urge greater contribution of finances and personnel to existing organizations engaged in character building and job opportunity programs.

It might serve well to follow the lead of the advertising industry and constantly focus attention on our desired product—good citizenship.

10. A close, hard look should be given the track plan of the public schools and its effectiveness—particularly as related to the basic track.

Even though this program is designed to find a place in the curriculum for every child at a level of his ability to learn and perform, the dropouts remain high and threaten to continue upward unless some specific steps are taken to curtail this trend.

While students in the basic track often need special attention, most teachers, particularly the more experienced, feel demoted when assigned to such classes. In such instances both the children and the teacher suffer.

We believe that many of these children are basic only in description—not in potential, and this potential will go undeveloped except that a proper atmosphere of instruction and learning is provided this group.

11. A full-time administrative position on human relations should be established in the public school system for coordinating and developing human relations activities in the schools. This staff person would carry the additional responsibility for school-community relations in matters of human relations, and would coordinate his efforts with other agencies of government and the community.

12. The District of Columbia Congress of Parents and Teachers should reemphasize their programs of parent attitudes on school matters.

The home must be tied closely into the school if cooperation and followthrough are to be achieved.

13. Personnel of all public agencies who provide field services to underprivileged homes should be given special training in human relations.

This can serve to build a better understanding of the people they serve which, in turn, can help reduce hostilities toward the service by those directly benefiting from it.

14. All schools should keep records of discipline problems including their nature and disposition. Such records should be forwarded to the superintendent on a regular basis.

15. The rules and regulations on athletic activities should be reviewed annually and rigidly enforced. Violations should not be treated lightly or casually. If administrators of such programs act in disregard to regulations, what then, can be expected of the youth they lead?

16. Lines of authority should be clearly spelled out and observed. Our investigation reveals that patterns of authority have been built up in the athletic programs which do not conform to lines of authority as charted administratively. This, we believe, makes for confusion, misplaces responsibility, and throttles communication.

17. The athletic, health, and physical education program of the District of Columbia public schools should receive an immediate, thorough examination and evaluation.

These areas in education can have a marked impact on the discipline and behavior pattern of the indifferent and resentful student with consequent benefits to other areas of education.

18. A youth conservation corps or some similar program should be established for the District of Columbia. The program should give priority consideration to applications of dropouts. The activity should also be geared to providing training and experiences which will improve employment prospects and facilitate adjustment of the recruits upon their return to civilian life.

19. The District Commissioners and superintendent of schools should use every possible means available to them in seeking to open the doors of apprenticeship and other on-the-job training programs to Negro youth. Negro students are heavily enrolled in the vocational schools but find little opportunity of finding employment in the field of their training under existing practices of some labor unions—particularly the building trades. This represents a serious problem for the District since the construction industry here is second only to the Federal Government in the number of persons it employs.

The District government, including the public schools, should not participate in any programs which are not open on an equal basis to all qualified applicants.

20. More remedial work should be given a sizable group of our public school children. Teachers should be specially trained to teach that group of students who suffer culturally, academically, and economically.

Wholesale exodus of white students from public schools leaves an unbalanced rather than normal-type school population. Teacher selection and training should take this into account.

21. More counselors and social workers are badly needed throughout the public school system. Here, again, such personnel should have a special understanding of the problems of the students with whom they work. These people ought to be well trained to give counsel and aid which will guide youth toward attainable goals.

22. While many hours have been devoted to investigation of the stadium fracas and school problems by this committee, we have been severely limited by time and expertise in our attention to some of the broader considerations of this matter.

The indication is clear that more assistance should be given school officials in the problems they face in providing the best educational atmosphere possible for the children they serve.

The committee requests the superintendent of schools to present this report to the Board of Education with the committee's strong recommendation that the Board take immediate action to implement those suggestions that are within its jurisdiction.

ADDENDUM

EXHIBIT A: POLICE REPORT ON INVESTIGATION OF THE INCIDENTS AND DISORDER THAT OCCURRED AT THE DISTRICT OF COLUMBIA STADIUM ON THURSDAY, NOVEMBER, 22, 1962

THE DISTRICT OF COLUMBIA,
*Washington, December 26, 1962.*

DR. SHANE MACCARTHY,
*Washington, D.C.*

DEAR DR. MACCARTHY: I enclose herewith copies of the last police report on the stadium incident. I assume that it will be made part of the report of your committee, otherwise the Commissioners would feel compelled to release it themselves.

Sincerely yours,
WALTER N. TOBRINER,
*President, Board of Commissioners, District of Columbia.*

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SPECIAL COMMITTEE ON
GROUP ACTIVITIES OF
THE DISTRICT OF COLUMBIA,
*Washington, D.C., December 26, 1962.*

Hon. WALTER N. TOBRINER,
*President, Board of Commissioners, District of Columbia, Washington, D.C.*

DEAR MR. COMMISSIONER: I've received from you today a copy of the last police report on the stadium incident.

Your assumption is correct. We will make it a part of the factual section of our report. As such it will not be released to the public until the report of this special committee is completed and submitted to the superintendent of schools.

By copy of this letter the members of this special committee are being notified of this official position. I give you their assurance of complying with every syllable of your wishes.

Thank you for your cooperation.

Respectfully and cordially,
DR. SHANE MACCARTHY,
*Chairman.*

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GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
*December 11, 1962.*

To: The chief of police.
Through: The executive officer.
Subject: Report on assignments and conditions at District of Columbia Stadium, Thursday, November 22, 1962, for the inter-high-school football game.

On Thursday, November 22, 1962 (Thanksgiving Day), I was working 8 a.m. to 5 p.m. as acting chief of police. I responded to the District of Columbia Stadium just before the opening of the gates at 9 a.m. to check the details and observe conditions. A total of 104 policemen (6 plainclothesmen from juvenile squad) were assigned to police the inside, gates, and walks immediately adjacent to the stadium under the command of Capt. John J. Kinney. A total of 92 police officers were detailed outside the immediate vicinity of the stadium for traffic control under the command of Inspector Louis B. Peters. These traffic control officers were directed to report inside the stadium after the game started to supplement the men inside the stadium. They returned to their traffic assignments at the end of the third quarter of the football game.

Inspector Peters and Captain Kinney submitted their details and plans to me for approval several days before the game. After a briefing by these two officials and a careful study of the overall picture, I concurred in their arrangements, which under ordinary circumstances would have proved more than adequate. Prior to leaving headquarters on the morning of November 22, 1962, I directed the acting captain of the communications and records bureau that in the event of any disturbance, to bring into immediate proximity of the stadium all mobile units in the 5th, 9th, 11th, and 14th precincts. This was done as evidenced by the transcript of radio calls submitted in the report of Captain Kinney.

The stadium gates opened promptly at 9 a.m. The majority of the early arrivals were youngsters between 9 and 18 years of age, most of whom were unaccompanied by any adult. Their tickets entitled them to any seat in the stadium with the exception of certain enclosed boxes on the second level. They naturally went to the seats on the lower level nearest the playing field. At half time when many adult people left their seats in the lower level to visit refreshment stands and restrooms, the youngsters in the upper levels moved down into their seats.

The stadium was filled in orderly fashion by game time at 11 a.m. The first half of the game progressed without any serious incident. At half time there was the usual milling about of persons visiting the refreshment stands and restrooms. The third quarter was finished without any noticeable trouble. Up until this time the crowd, which was posted on the board as 50,033, was enthusiastic but orderly. In the middle of the fourth quarter a fight started between the players on the field. One Eastern player was ejected from the game. The Eastern coach then went on the field and made a vigorous protest. The ejected player then returned to the field and struck a St. Johns player. Further fighting ensued between the players and the ejected Eastern player was removed on a stretcher. Order was restored and the game continued.

This flareup between the players and the action of the Eastern coach seemed to inflame the hundreds of male and female Negro youngsters seated in the lower stands in the south and west sections of the stadium.

Immediately upon conclusion of the game an estimated 2,000 of these youngsters, ranging in age from 9 to 18 years, swarmed over the rail onto the playing field and headed for the north stands which were then being vacated by St. Johns rooters and made their exit through the ramps leading from these stands. While this group of youngsters was racing across the playing field, they seemed to have lost all sense of reasoning and fighting and I observed Negroes striking and fighting other Negroes but I did not personally see any white person assaulted within the stadium. When the police were escorting the St. John's band from the stadium to their bus parked on the south side of the stadium, several young Negroes from 9 to 12 years of age threw debris from the stands and mudballs from the field at the band and the police.

During the entire game I kept a close surveillance on the entire crowd and did not observe any roving group or gang which I felt were agitating trouble. At all such games many people and groups move about in their visits to refreshment stands and rest rooms. Neither did I personally observe any person with any instrument which could be classified as a weapon.

I did not personally observe any of the assaults which occurred outside the stadium. This information is contained in the report of Deputy Chief John E. Winters.

GEORGE R. WALLRODT,
*Deputy Chief of Police.*

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METROPOLITAN POLICE DEPARTMENT,
YOUTH AID DIVISION,
*December 12, 1962.*

To: The chief of police
Through: The executive officer.
Subject: Report on the investigation of the incidents and disorder that occurred at the District of Columbia Stadium on Thursday, November 22, 1962.

On Thursday, November 22, 1962, the football game for the city high school championship was played at the District of Columbia Stadium between Eastern High School, representing the public high schools, and St. Johns High School, representing the Catholic high schools. The game started at 11 a.m., before a crowd reported at over 50,000 persons. Stadium officials, however, stated the attendance was 48,500, of which 40,000 to 42,000 were Negroes.

This investigation had the purpose of attempting to obtain factual information concerning relevant events that happened during the game and the disorder that developed after the game. The comments to be made at the conclusion of this report are based on those phases of the disorder which are supported by a preponderance of evidence.

To attain the objective thought, a number of interviews were held with persons reported injured, students, and others who attended the game. Reports were submitted by police officers who were detailed thereto and those who responded. There is no doubt that many hundreds of observations, comments, and opinions could have been obtained, but as the investigation progressed, it became apparent that many of these would have been repetitious and would have served no useful purpose.

It was considered pertinent to include in this report a brief history of prior games.

In 1956 a game was played for the public high school championship at Griffith Stadium between Cardozo and Anacostia high schools. Approximately 9,500 persons attended. During the game there was considerable moving about by the spectators and several fights were reported. Immediately following the game spectators rushed onto the field but no incidents were noted. The crowd moved out of the main entrance and when the police made an arrest for an assault in the 2000 block of Georgia Avenue NW. several persons in the crowd attempted to effect the release of the prisoner. This triggered an eruption of general disorder throughout the crowd. Fights broke out, objects were thrown at police officers, streetcars and buses were damaged. Fights and damage to private property were reported several blocks removed from the stadium.

A week or 10 days after this game, St. Johns High School and Anacostia High School played at Griffith Stadium for the city high school championship. There were no incidents.

In 1957 St. Johns High School played Anacostia High School for the city high school championship and in 1958 St. Johns High School played Eastern High School for the same championship. There were no significant incidents at either of these games. Both were played at Griffith Stadium.

In 1959 the game was played at 8 p.m. at Griffith Stadium between Eastern High School and Gonzaga High School. Approximately 18,000 persons attended. At the close of the game spectators rushed onto the field. A Gonzaga player was stabbed. Another person was struck by a chain. Seventeen other incidents were reported. These incidents were responsible for changing the game back to daytime.

In 1960 the game was held at 11 a.m. at Griffith Stadium between John Carroll and Eastern High Schools. A crowd of 24,000 attended. Only a few incidents were reported on this occasion.

In 1961 the game was moved to District of Columbia Stadium and again held at 11 a.m. Almost 50,000 persons attended this game between St. Johns and Eastern High Schools. One student was reported beaten on a parking lot after the game and there was considerable vandalism to the stadium during the game. There were no other significant incidents reported.

In preparation for the 1962 contest several meetings were held by the committee handling all of the details. Police officials having a direct responsibility for providing police service for the game were in constant touch with this committee. A realistic evaluation had to be made on the basis of the racial makeup of the two schools involved. Eastern High School has a predominantly Negro enrollment and St. Johns is predominantly white. One fact that was considered was the Eastern victory in 1961 and the absence of incidents following that game in which the same two schools participated. Eventualities that might occur from a St. Johns victory in this game were considered. From the opinions expressed by a number of persons interviewed during this investigation, this factor had a bearing on the events that happened after the game as will be shown later on in this report.

The police detail inside the stadium was accordingly increased by 20 officers over that detailed in 1961. There were 81 officers detailed inside the stadium, 19 were stationed outside at entrances and walkways. Four additional officers were brought in from the foot patrol of the fifth precinct. In addition there were 92 police officers assigned to traffic control.

Several points of information are inserted here: for expected capacity crowds at the Redskin games, 71 police officers are detailed inside; at the public high school championship game on November 12, 1962, attended by 22,000 persons, 33 police officers were detailed inside and there were no major incidents reported; at one point during the disorder at District of Columbia Stadium, on November 22, 1962, approximately two-thirds of the entire police force on duty was on the scene.

It is recognized that disputes on the field during football games and occasional brawls among the players are accepted as part of the game as they are in any contact sport. In the view of a number of persons, however, the events that did occur during this game had some bearing on the incidents that followed. For that reason they are included herein.

The game itself, according to game officials, and many others, was clean, hard fought, and well played during the first half. The second half also progressed normally until a few minutes before the end of the game. At that point an Eastern player was ejected by a game official. There was also an injured Eastern player on the field. The Eastern coach came on the field and, according to the referee and others, made remarks and gestures toward the officials and St. Johns players. His manner, actions, and gesticulations were clearly discernible throughout the stadium. As the teams prepared for the next play, the ejected Eastern player ran back onto the field and struck a St. Johns player. Many of the Eastern reserve players rushed onto the field and a melee ensued. It was stated that the St. Johns reserve players remained on their bench. After the game officials and the police restored order, the game continued to its end without further trouble. It is worthy of note to state that films of the game showed some Eastern players attempting to restrain their teammates.

Several of the persons interviewed expressed a feeling of rising tension in the crowd as the game progressed. To what extent the events on the field had in creating tension or adding to that which existed, if any, is not known. Some persons expressed the view that these occurrences were a factor in the trouble that developed.

Immediately after the game was over there was a surge of several thousands of people onto the field from the west and southwest sections of the stadium. These sections had been occupied by Eastern High School students and their supporters. They went to the northeast lower stands which were being vacated by St. Johns supporters. Most of this crowd were of high school age according to the majority of the persons interviewed.

In an attempt to gain as factual a picture as possible as to what then occurred, persons reported injured were questioned. A total of 40 persons were officially recorded as having been injured. Investigation disclosed two additional injuries. Of the 42 persons so reported, 35 were white and 7 were Negro. There is no doubt that there were many assaults which were not reported to the police.

Investigators questioned 36 of those persons reported injured. From these persons and the reports on those not interviewed, injuries were sustained in the following manner:

| | |
|---|---|
| Struck by fists or kicked | 28 |
| Struck by umbrella | 2 |
| Thrown object | 3 |
| Cut—sharp instrument | 4 |
| Unknown | 3 |
| Choked | 1 |
| Struck by chain | 1 |

One person stated he saw a chain—another saw a knife. There was one report of a tree branch 4 feet long and 1 inch wide being used.

Of the 36 persons interviewed, 6 were injured during the game. The others were injured after the game was over: 3 in the stands; 6 at the exits or on the ramps; 11 on the street leaving the stadium; 10 on parking lots.

Of the 7 Negroes injured, one was struck by a Negro on the street after the game. He stated this was caused by his being with a girl and had no connection with the game. Two were injured by objects during the game which were thrown by unknown persons; two were cut on the buttocks while leaving the stadium, one thought the assailant was a Negro male but the other stated the assailant was unknown. One was struck by a Negro male during the game and the other injury was sustained during an altercation with a group of Negroes during the game.

Of the 35 white persons injured, 32 of them stated they were attacked by Negroes, mostly in groups; 3 were unable to specify the color of their attackers nor give any description.

During the interviews some of these persons made the following statements:

1. Several observed the drinking of alcoholic beverages during the game.

2. Four stated they had a feeling of impending trouble.

3. Many observed fights in the stands during the game.

4. Fourteen stated they believed the loss of the game by Eastern was a factor.

5. One blamed the fight that occurred on the field; one was critical of the Eastern coach; two stated the trouble was racial and one believed there would have been trouble regardless of which team won the game.

As a part of this investigation it was deemed pertinent to obtain the observations, comments, and points of view of students who attended the game as well as others associated with the schools.

At Eastern High School interviews were held with eight students in the presence of the principal. Various opinions were expressed as to the cause of these disorders including the presence of school dropouts; lack of proper supervision; inadequate police protection; the sale of tickets to adults, etc. Several of the students stated they did not believe more than a few of the Eastern students were involved. Two students stated they had heard several days before the game was played that a fight would occur.

At St. Johns School, Brother Bernardine, the director, stated the game had grown into a contest white versus Negro. He said his school would not participate in future games and the disorder was racial in character. The coach, Joseph Gallagher, stated it was a good football game except for the conduct of the Eastern High School coach and his lack of control over his players. Five of the students interviewed stated they believed the disorder was the result of Eastern's loss of the game. One student blamed the Eastern coach and the loss of the game.

Students at Carter Woodson Junior High School stated the loss of the game by Eastern was the main factor. One student stated he heard a rumor of trouble before the game was played.

Students at Sousa Junior High School stated they believed the loss of the game by Eastern, the desire to support the Eastern team, and the fight on the field were factors. One student felt there would have been trouble regardless of the victor. The president of the student council blamed older boys.

At St. Cecelia's Girls High School the majority of the students interviewed stated the loss of the game was the major factor. One girl stated she was warned by a friend not to attend the game because there were rumors of trouble beforehand.

Anacostia High School students also attributed the loss of the game as being the principal factor. One student stated Eastern supporters became angry because Eastern was losing the game. Other students were critical of Eastern students.

Two students at Notre Dame Academy were the victims of assaults. One was attacked by three Negro females, one of whom had an umbrella, on a parking lot, and the other was struck by a female Negro, also on a parking lot. Both believed the loss of the game was the principal factor.

All of the students interviewed at Gonzaga High School placed the blame for the disorder on the loss of the game by Eastern High School. They described some of the attacks:

1. One student was struck, by an unknown object, during the game. He was assisting a St. Johns student who was being assaulted by several Negroes.

2. One student was struck by a brick thrown from a group of Negroes while on his way to a parking lot.

3. One girl with them was struck by a Negro female.

4. Two other students were attacked by several Negroes while on the way to a parking lot.

5. One student said he saw assaults with umbrellas and that the boy with him was attacked by a Negro.

Several other students told of attacks upon white boys by Negroes. One student stated he saw a gun protruding out of the pocket of a Negro male who appeared to be 18 to 20 years of age.

A number of the students stated they saw the drinking of alcoholic beverages in the stands during the game.

Two naval officers, a vice admiral and a captain, who accompanied children to the game, made the following comments:

1. The vice admiral had a feeling of impending trouble during the game. A boy who was with him was attacked by a group of Negroes. He saw white persons being attacked by Negro groups. He was critical of the conduct of the Eastern coach on the field.

2. The captain saw roving groups of Negroes during the game. A girl with him was slapped by a female Negro and kicked by another. He saw Negro groups attacking white persons on a parking lot. He also had a feeling of rising tension during the game. He was also critical of the Eastern coach.

Police investigators read 22 letters received by the chairman of the committee appointed by the Superintendent of Schools. Five of these letters were from out of town and two had no address. Writers of five letters were interviewed. Three of them had nothing further to add to the information contained in their letters. One stated it was a black and white affair. The other person, who had a comment, blamed the Eastern coach.

There were 14 adult arrests made in connection with the game and its aftermath. Six of these arrests were made during the game, three for intoxication and three for disorderly conduct. Seven persons were arrested on the street after the game. One person was arrested for intoxication after the game. One juvenile was arrested for throwing stones at automobiles. He stated he did so because he was angry over Eastern losing the game. All of the persons arrested, except one, were Negroes.

Written reports were obtained from 242 police officials and officers who were either detailed to District of Columbia Stadium on November 22, 1962, or responded thereto as a result of being summoned. Each of these reports has been read and carefully evaluated. The following is a summary of these reports:

1. There were a number of fights in the stands during the game which were broken up by police officers.

2. After the melee on the field the spectators in the Eastern High School section became restless and noisy, and tension appeared to increase. Fights in the stands increased and police officers had to restrain some persons from going onto the field.

3. Officers stationed at the Eastern stands reported that a few seconds before the game ended, the fans started a countdown, and there were cries of "Let's fight" and "Let's get them."

4. Immediately after the game was over there was a rush of several thousands of persons from the Eastern stands toward the St. Johns stands. Officers reported it was physically impossible to stem this rush. Police officers were ordered to escort the St. Johns team and band off the field. Other officers proceeded to exits and ramps where numerous attacks were taking place.

5. Many officers reported attacks on white persons by Negroes in and out of the stadium and of seeing a number of white persons injured. They stated, in a number of cases, that they went to the assistance of the injured persons. They repeatedly stressed the difficulty of identifying the assailants and the fact that one assault after another occurred with the assailants disappearing into the crowd. The officers concentrated on assisting the injured and dispersing the crowds. They reported the extreme difficulty encountered in efforts to control the crowd.

6. Bottles and debris were thrown at the St. Johns Band and at several police officers.

7. Officers reported that a large number of persons exited at gate E on the north side of the stadium. The crowd was yelling, cursing, and generally in wild disorder. Three priests, as yet unidentified, were assaulted by a group of Negroes. One priest was bleeding about the face or head. There were reports of unprovoked attacks on white persons by Negroes. The attacks in this area extended to parking lot No. 7 located north of the stadium.

8. It was estimated that approximately 3,000 persons were involved in the incidents at gate E. Police officers reported the impossibility of making arrests because of the size and temper of the crowd and the numerous assaults taking place simultaneously.

9. There was some trouble at gate D and on the southeast side of the stadium but most of the trouble occurred at gate E, parking lot No. 7, and on the streets north of the stadium.

10. Many thousands of persons left by the main entrance. These persons were orderly and no trouble was encountered except for heavy pedestrian and vehicular traffic.

11. The disorder and assaults spread northward. The worst of these were at 18th and D Streets NE. and 21st Street and Benning Road NE. Several arrests were made at these locations. There was also trouble at 21st and E Streets NE. There were hundreds of persons at these locations. There were fights in the groups and numerous reports of rocks being thrown.

12. It was reported that Negro residents of the neighborhood viewed the occurrences as disgraceful. Some of these Negro families opened their homes to white persons to protect them from the mob.

13. Inside the stadium one officer reported he was assisted by two Negro male adults in breaking up a group of Negroes who had attacked a white girl.

14. One officer reported his motorcycle was overturned by a group of Negroes. He was calling for assistance and just managed to get off the motorcycle before it was overturned.

15. At gate E and at 21st and E Streets NE. dogs were used to bring the crowd under control. At 21st and Benning Road NE., a police dog was kicked by a Negro male who also struck at the officer. When the officer attempted an arrest he was jumped on by others and struck on the head and kicked. Rocks and bottles were thrown at the officer.

16. At Oklahoma Avenue and Benning Road, NE. a police dog was kicked by a Negro male. At 21st and Benning Road NE. an officer was pursuing a Negro male who had a rock in his hand. He was pushed down a hill and his police dog was kicked. The dog was snapping back but the officer does not know if anyone was bitten.

17. At all of the locations mentioned there were reports of large crowds fighting, cursing, and throwing rocks and bottles.

18. One officer was spit upon. Four were struck by thrown bottles. One was struck on the head by some object.

### CONCLUSIONS

These conclusions are based on reports received and interviews with witnesses where there is sufficient evidence to substantiate the conclusion.

1. There were roving groups in the stands and numerous fights during the game.

2. There appeared to be considerable drinking of alcoholic beverages.

3. The fight on the field among the players and the actions of the Eastern coach appeared to cause a rise in tension and seemed to have an emotional effect on Eastern supporters.

4. There was a surge of humanity across the field from the Eastern stands to the St. Johns stands.

5. There were some preliminary indications of trouble.

6. Most of these persons and those engaged in the assaults were of high school age.

7. There were a number of unprovoked attacks on white persons, in and out of the stadium, by individual Negroes and groups of Negroes.

8. Hundreds of shouting, cursing, and riotous persons continued fighting, assaulting, and throwing rocks and bottles in areas north of the stadium. Several police officers were attacked.

9. It was the opinion of many that the loss of the game by Eastern High School triggered the trouble that followed.

10. Although there were reports and rumors of numerous weapons being brought into the stadium, this could not be substantiated either by witnesses or by the way most of the injuries were inflicted. There were some weapons used.

11. Seven Negroes were reported injured. Two were attacked by Negroes. Four could not state who the assailants were. One received an injury not connected with the game.

12. Thirty-five white persons were reported injured. Thirty-two stated they received their injuries as a result of attacks by Negroes. Three did not know who the attackers were.

13. From the reports received of the numerous fights and assaults, there is no doubt that there were many others who were attacked or injured to some degree but did not report the attack or injury.

### COMMENT

In reading and evaluating the reports received from the police officers and in conversations with persons who attended the game, I was impressed with the herculean task with which these officers were confronted and the way they met that responsibility. The physical odds, the temper of the crowd, the widespread and simultaneous fights and assaults that occurred would have been a severe test for a force much larger than that available. The fact that most of the injuries were minor in nature speaks well of the police efforts to protect victims of assaults in this trying situation.

### RECOMMENDATION

It is recommended that this report be made available to the Special Committee on Group Activities of the District of Columbia headed by Dr. Shane MacCarthy.

JOHN E. WINTERS,
*Deputy Chief, Youth Aid Division.*

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METROPOLITAN POLICE DEPARTMENT,
YOUTH AID DIVISION,
*December 20, 1962.*

To the chief of police.
Through the executive officer.
Subject: Supplemental report of the incidents and disorder at the Distrct of Columbia Stadium on November 22, 1962.

In the original report submitted on December 12, 1962, a total of 42 persons were listed as being officially reported injured as a result of the disorder at the District of Columbia Stadium on November 22, 1962. It was stated at that time that there was no doubt that many more were assaulted and that injuries of varying degrees were not reported to the police.

Subsequent to the original report, a survey was conducted by school officials at both public and Catholic schools. This survey has been made available to the police department.

Monsignor John Spence, director of the Catholic schools, reported the results of the survey of those schools. He did not identify individuals, submitting only total statistics. He stated to investigators that he does have the names of those persons responding to the questionnaire but that he does not wish to divulge those names.

The following is the result of this survey:

| | |
|---|---|
| St. Johns students: | |
| Struck with stick | 5 |
| Struck with rocks | 26 |
| Struck with umbrella | 2 |
| Struck with bottle | 6 |
| Struck with pipe | 2 |
| Struck in face (no weapon) | 52 |
| Thrown and kicked | 15 |
| Cut—sharp instrument | 8 |
| Broken nose (how injured not stated) | 2 |
| Broken jaw (how injured not stated) | 1 |
| Total | 119 |
| Friends of St. Johns students: | |
| Struck by rocks and bottles | 7 |
| Struck with sticks | 7 |
| Struck with pipe | 2 |
| Struck with umbrella | 23 |
| Cut—sharp instrument | 8 |
| Thrown and kicked | 11 |
| Broken nose (how injured not stated) | 11 |
| Struck in face (no weapon) | 21 |
| Teeth knocked out (how not stated) | 4 |
| Black eyes (how not stated) | 19 |
| Total | 113 |
| Relatives of St. Johns students: | |
| Struck with rocks and sticks | 6 |
| Struck with bottles | 5 |
| Thrown to ground and kicked | 3 |
| Struck in face (no weapon) | 4 |
| Black eye (how not stated) | 1 |
| Struck with umbrella | 2 |
| Cut eyes (how not stated) | 4 |
| Total | 25 |

According to this report the totals are as follows:

| | |
|---|---|
| Struck with sticks, bottles, and rocks | 62 |
| Struck with umbrella | 27 |
| Struck with pipe | 4 |
| Struck in face (no weapon mentioned) | 77 |
| Thrown down and kicked | 29 |
| Cut—sharp instrument | 16 |

The following injuries were reported but it was not stated how they were received:

| | |
|---|---|
| Broken nose | 13 |
| Broken jaw | 1 |
| Teeth knocked out | 4 |
| Black eyes | 20 |
| Cut eyes | 4 |

This makes a total of 257 injuries reported as far as St. Johns students, friends, and relatives are concerned. Due to the fact that the identity of these persons is not known, there is a possibility that some of the injuries are included in the original 42 reported.

In addition to these reports, the following information was also included. These are all Catholic schools:

*School—Information supplied*

John Carroll, two boys jumped.
Notre Dame, one girl struck on head.
Gonzaga, four boys struck, three parents struck.
Immaculata, two girls hurt.
Immaculate Conception, one girl knocked down.
St. Anselm, two struck, one jostled.
St. Anthony, one girl slapped.
St. Patrick, four struck, one girl struck with umbrella, one scratched.
De Matha, one broken jaw.

In the miscellaneous category from all these schools, there were 145 reports of being jostled, pushed around, shoved, and slapped.

The following property damage was also reported:

| | |
|---|---|
| Torn clothing | 6 |
| Car damage | 66 |
| Purses snatched | 5 |
| Band instruments dented | 4 |
| Bus windows smashed | 2 |
| Raincoat stolen | 1 |
| Blanket stolen | 1 |
| Air filter stolen from car | 1 |
| License plates removed | 1 |

A report was received from the public schools which listed 27 additional injuries to students of those schools. Two of these had been previously reported and interviews had been held. Two of these students were not available. Twenty-three were interviewed at the following schools: Browne Junior High School, Carter Woodson, Western High School, Langley Junior High School, Banneker Junior High School, Eastern High School.

The following is a brief summary of the statements made as to how these injuries were received:

1. Seven Negroes, male and female, were pushed or knocked down by the rush of the crowd and did not know who was responsible.

2. One Negro male was accidentally kicked by an unknown person.

3. One Negro female was struck by a bottle thrown by a white boy.

4. One Negro male was slapped by an unknown person.

5. One white male had an argument with a Negro male and they squared off. Before any blows were struck the white male was struck in the face by an unknown Negro male.

6. One Negro male had his fingers burned by two Negro males while on a parking lot.

7. One Negro male was struck in the face by a white male.

8. Four Negroes, male and female, were struck by thrown objects such as stones, bottles, or beer cans—did not know who threw same.

9. One Negro male was tripped and had hand stepped on by unknown persons.

10. One Negro male was accosted by two white males and then struck by them. This occurred at a refreshment stand.

11. One Negro female was struck by a rock which had been thrown at a police officer by a Negro male.

12. One Negro female was pushed by a Negro adult and then threatened with a knife. The knife was not used but she was injured when pushed.

13. One Negro male was accosted on a ramp by six white males wearing St. Johns jackets. One hit him on the back of the neck and then others pushed him.

14. One Negro female states she was struck by a white police officer's blackjack when he was attempting to break up a fight between Negro youths. She stated it was accidental and the officer was just trying to do his job.

The first reports of whites attacking Negroes were developed in these latter interviews. There were three such reports.

Most of these students blamed the trouble on the loss of the game by Eastern.

Several stated there was talk of trouble before the game was played, corroborating several such reports on previous interviews.

The general area north of District of Columbia Stadium was the scene of many fights and assaults. To obtain further information, residents in the 400 block of 21st Street NE., 400 block of 20th Street NE., 500 block of 21st Street NE., 2000 block E. Street NE., 600 block 20th Street NE., and the 600 block of 21st Street NE. were interviewed. This was apparently the area in which the worst of the rioting took place. These residents are Negroes.

| | |
|---|---|
| Total residences visited | 106 |
| Number of families interviewed | 83 |
| Not at home during canvass or during trouble | 30 |
| Did not see anything—just normal football crowd | 27 |

A number of the persons interviewed could furnish no useful information but many expressed the view that the occurrences that took place were disgraceful.

Practically all of the persons interviewed saw the large groups of persons. Ten persons stated they saw Negroes attacking white persons. Eleven stated they saw Negroes, mostly juveniles, jumping on automobiles and running up on porches. A number saw fights taking place.

Several of the residents had attended the game. One stated he saw an Eastern player striking St. Johns players and another Eastern player kicking a St. Johns player. Three stated they left the game early because they felt trouble coming. One saw sporadic fighting among Negroes during the game. Another stated he saw juveniles drinking from whisky bottles in the men's restroom.

Two persons stated a Negro neighbor opened her home to several injured white boys. Another Negro stated he told several white boys to come up on his porch but they ran away and he saw them attacked by Negroes. Another Negro resident permitted white boys to stay on her porch. One stated she went to the assistance of a white boy who had been assaulted by Negroes.

One Negro resident stated a Negro youth brought a white youth to her door. Both had been beaten. At the same time four other white youths ran up and she took all six into her home. They too had been beaten. They remained there until the police arrived. Another Negro neighbor went to the assistance of this resident and both of them went into the street to assist white persons.

None of the persons interviewed could identify any of the attackers. From the residents in this neighborhood, however, the following views were expressed:

1. The assaults were unprovoked and committed by one segment of Negroes on white persons and on other Negroes who came to their aid.
2. There appeared to be considerable drinking.
3. Many were angry because Eastern lost the game.
4. A group of Spingarn students attempted to stop the assaults and aid the victims.
5. The majority of the disorderly crowd were not students.
6. The residents deplored this behavior and will discuss the matter with their civic associations.
7. They were complimentary of the action taken by the police officers.

In addition to the foregoing, statements were obtained from two bus drivers which described the disorder created on the buses by large numbers of Negro teenagers and the damage inflicted on the buses.

Eleven reports were received from members of the U.S. Park Police. Also one report of an assault which occurred on parking lot No. 7 in which a white female was attacked by 15 to 20 Negro females. She received only home treatment for minor injuries.

Three U.S. Park Police officers were detailed to the parking lots at District of Columbia Stadium.

One of these officers reported a large group of possibly 1,500 teenagers on lots No. 7-A and No. 7-F with several groups fighting in the center of the crowd. He witnessed six or seven Negroes beating two white boys and went to their assistance. He tried to break up several other fights and was encompassed by the crowd. The crowd pushed the assailants away and prevented apprehension. He stated the crowd surged on and numerous fights continued.

Another saw fighting on the parking lots. He saw one Negro male bleeding from the nose. The officer was struck in the chest by a thrown rock. He also saw a white male bleeding. He tried to disperse the crowd. He also investigated the complaint of a Negro female that she injured her hand when struck by an automobile occupied by several white females. The assistant corporation counsel refused to issue papers in this case.

Another officer who was assigned to parking lot No. 8 responded to parking lot No. 7. The heavy traffic delayed his arrival and when he did arrive he saw a large group of persons, mostly Negro, running up the parking lot bank. He saw no fighting at that time.

All other U.S. Park Police officers who submitted reports were dispatched to the scene by radio, some of them from considerable distances.

One officer saw no fighting on arrival but took custody of two lost children.

Another went to 21st and D Streets NE. and assisted the Metropolitan Police in taking three white males and two white females to their cars because they had been threatened by Negroes. He also assisted the Metropolitan Police at 21st and Benning Road NE. in dispersing large groups.

One officer went to the East Capitol Street Bridge where large groups of teenagers were running down the middle of the roadway blocking traffic. He restored traffic movement and then assisted in dispersing large groups on lot No. 7.

Five U.S. Park Police officers responded, with special equipment, from their headquarters. They arrived at lot No. 7 and found no disturbances. Also responded to lot No. 6 and found no trouble. They patroled the area but the gathering of groups had subsided.

One officer went to lot No. 7 and saw large groups running toward 21st and C Streets NE. and Oklahoma Avenue and Benning Road NE. He then responded to an accident scene.

Three other officers responded but the disorders had ceased upon arrival.

JOHN E. WINTERS,
*Deputy Chief, Youth Aid Division.*

### EXHIBIT B: THE CATHOLIC SCHOOLS REPORT OF INJURIES SUSTAINED AT DISTRICT OF COLUMBIA STADIUM THANKSGIVING DAY FOOTBALL GAME

#### SURVEY RESULTS

*Personal injury or personal damage of property to St. Johns students*

| | |
|---|---|
| Personal injury: | |
| Head, struck with stick | 5 |
| Head, struck with rocks | 26 |
| Head, struck by umbrella | 2 |
| Head, struck with bottle | 6 |
| Head, struck with pipe | 2 |
| Struck in face | 52 |
| Thrown on the ground and kicked | 15 |
| Cut with a knife | 8 |
| Broken nose, facial cuts | 2 |
| Broken jaw | 1 |
| Total | 119 |
| Personal property damage: | |
| Band instruments dented | 4 |
| Buses, windows smashed | 2 |
| Fenders dented | 7 |
| Car windows smashed | 10 |
| Trenchcoats ripped | 2 |
| Trousers ripped | 1 |
| Pair glasses broken | 1 |
| Raincoat and blanket stolen | 1 |
| Air filter removed from car | 1 |
| Set license tags removed | 1 |
| Set car tires slashed | 1 |

Students almost universally reported being pushed or shoved out of the way.

The following listed injuries to members of the students' families and friends were obtained from selected questionnaires:

| | |
|---|---|
| Injured friends of St. Johns High School students: | |
| Hit in head with rocks and bottles | 7 |
| Hit with sticks | 7 |
| Hit with pieces of pipe | 2 |
| Hit with umbrellas | 23 |
| Cut with knives or razors | 8 |
| Thrown to ground and kicked | 11 |
| Broken nose | 11 |
| Struck in face | 21 |
| Teeth knocked out | 4 |
| Black eyes | 19 |
| Torn clothing | 3 |
| Car damage | 44 |
| Miscellaneous: jostled, pushed around, shoved, slapped, etc | 132 |
| Purses snatched | 3 |
| Total | 295 |
| Injured relatives of St. Johns High School students: | |
| Hit in head with rocks and sticks | 6 |
| Hit with bottles | 5 |
| Thrown to ground and kicked | 3 |
| Struck in face | 4 |
| Car damage | 4 |
| Black eye | 1 |
| Hit with umbrellas | 2 |
| Purses snatched | 2 |
| Cut eyes | 4 |
| Miscellaneous: jostled, punched, pushed around, slapped, etc | 13 |
| Total | 44 |
| Overall total injuries: | |
| St. Johns students | 119 |
| Friends | 295 |
| Relatives | 44 |
| Total | 458 |
| Other miscellaneous injuries: | |
| Carroll, boys jumped | 2 |
| Notre Dame, girl hit on head | 1 |
| Gonzaga, 4 boys struck; 3 parents struck | 7 |
| Other miscellaneous injuries: | |
| Immaculata, girls hurt | 2 |
| Immaculate Conception, girl knocked down | 1 |
| Mackin, boy jumped by boys | 1 |
| St. Anselm, 1 hit in mouth; 1 jostled; 1 punched | 3 |
| St. Anthony, 1 girl slapped; 1 boy and his mother pushed and shoved | 3 |
| St. Patrick, girl hit with umbrella; another scratched on chin; 4 punched | 6 |
| De Matha, boy, broken jaw | 1 |
| Total | 27 |
| Grand total | 485 |

### EXHIBIT C: THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS REPORT OF STUDENTS INJURED AT DISTRICT OF COLUMBIA STADIUM, THANKSGIVING DAY FOOTBALL GAME

#### BROWNE

1. Boy, ankle injured.
2. Boy, knee injured.
3. Boy, leg injured.
4. Boy, leg injured.

#### EASTERN

1. Boy, leg skinned and scabbed.
2. Boy, left leg skinned.
3. Boy struck and knocked down.
4. Boy struck and knocked down.
5. Boy trampled on by crowd causing pains in back.
6. Boy struck in back with brick.
7. Girl bruised on head, on neck, hurt back and threatened with knife.
8. Girl, policeman attempting to hit boy with club hit girl because boy ducked.

#### WOODSON

1. Girl slapped on previously burned face.

#### LANGLEY

1. Girl, leg injured, treated at District of Columbia General Hospital.

#### WILSON

1. Boy knocked unconscious, teeth loosened, nose and back of head injured.

#### WESTERN

1. Boy hit between jaw and ear.

#### BANNEKER

1. Boy hit in mouth.
2. Boy, swollen hand.
3. Girl hit by beer bottle.
4. Boy hit with bottle on back.
5. Boy hit by rock.
6. Boy struck by whisky bottle.
7. Boy hit by splattering glass splinters.
8. Boy struck by beer can.

#### DOUGLASS

1. Boy, burnt fingers and cut on thumb by glass.
2. Boy knocked down and hit nose on rail of seat.

#### DEAL

1. Boy, dislocated jaw.

## TRIBUTE TO MAJ. GEN. WARREN C. WOOD

**Mr. HRUSKA.** Mr. President, more than 200 military and Government leaders gathered in Omaha on January 12 to pay tribute to one of Nebraska's most distinguished citizen soldiers.

He is Maj. Gen. Warren C. Wood of Gering, Nebr., who retired as commanding general of the 34th Infantry Division, Iowa-Nebraska National Guard.

At the dinner, Gov. Frank Morrison paid tribute to General Wood, not only as a guardsman but as a civic leader. He pointed out the many contributions by the general to the development of western Nebraska and the State as a whole. The Governor observed that General Wood's retirement was not the end of a book but the opening of a new chapter which will be as productive and illustrious as the previous ones.

Maj. Gen. Lyle Welch, adjutant general of Nebraska, spoke of the brilliant military record of General Wood, but placed almost equal stress on his talents as an author, newspaperman, artist, musician, father, and grandfather.

Maj. Gen. Douglass P. Quandt, commanding general, XVI Army Corps, presented General Wood with a retirement certificate in the name of Lt. Gen. John K. Waters, commanding general, Fifth U.S. Army.

The Assistant Chief of the Army National Guard Bureau, Brig. Gen. Francis Greenlief, who has long been associated with General Wood, drew on a wealth of personal experiences, many of them in combat.

Those of us who have known and admired Warren Wood for many years as the editor and publisher of the Gering Courier salute him for his success as a soldier, journalist, and community leader. His literally thousands of friends join in the sentiment expressed in the editorial of the Nebraska Press Association organ entitled "We Are Proud of General Wood."

Mr. President, I ask unanimous consent to have printed in the Record the editorial from the Nebraska Newspaper and the text of General Greenlief's remarks on that occasion.

There being no objection, the editorial and speech were ordered to be printed in the Record, as follows:

[From the Nebraska Newspaper, January 1963]

### We Are Proud of General Wood

Several weeks ago the wire services carried an announcement that Governor Morrison had approved the application for retirement of Maj. Gen. Warren Wood, of Gering, commanding general for many years of the 34th Infantry Division, Iowa-Nebraska National Guard.

An editorial commending Warren for his service to his professions—newspapering and soldiering—is quite unnecessary. Anyone who was interested enough through many years, to keep up with the news, knows of Warren's accomplishments.

All of us who served our country in wartime and had a little tough go of it know that we had a gravy train compared with Commanding Officer Warren Wood who went through hell day in and day out, for weeks at a time, including the roughest of all—the Battle of the Bulge. Those who didn't have the privilege of serving in service wouldn't quite understand what he did for our country, nor what he went through.

Soldiering was one of his professions. The other was newspapering. He started early at that, too, by coming to press conventions as a boy with his late father. Both he and his father served as presidents of NPA.

We're proud of you, Warren; and we're thankful that there are men like you who have given so much to the two things that all of us hold so near and dear to our hearts.

### Remarks of Brig. Gen. Francis S. Greenlief at Retirement Dinner Honoring Maj. Gen. Warren C. Wood, Omaha, Nebr., January 12, 1963

This is truly an occasion of mixed emotions for me. While I take great pride in being able to offer a tribute to my friend, Maj. Gen. Warren C. Wood, there is more than a little sadness connected with this occasion for me. At the time of his retirement, General Wood had completed nearly 39 years of service. He was the senior National Guard division commander and yet was among our younger division commanders.

General Wood enlisted as a private in the Howitzer Company, 134th Infantry, in March of 1924. In 4 years he had worked his way up to sergeant as a section leader, and then became first sergeant in March of 1928. After nearly 4 years as first sergeant, he was commissioned a second lieutenant on the 8th of February 1932, and was mobilized as a first lieutenant, platoon leader of Company F, 134th Infantry, on December 23, 1940.

He became the commanding officer of the newly organized antitank company of the regiment and was subsequently promoted to captain in July of 1943.

I recall that the general officer board which examined General Wood for promotion from colonel to brigadier general raised the question of General Wood's youth and of his rapid promotion. In reply, General Wood observed that he had made rapid progress in recent years but that he had gained a lot of experience in his over 11 years as a lieutenant.

Captain Wood organized and trained one of the truly outstanding companies of the regiment. I can also well recall the day that antitank company received the then new 37 millimeter antitank guns. With all of the button bursting that occurred in the antitank company and particularly on the part of its commander, you would have thought that they had just received a 100-megaton atomic weapon.

In July of 1943 Captain Wood was assigned as the division headquarters commandant but he returned to the regiment in time to be serving as the executive officer of First Battalion, 134th Infantry, when the battalion settled in their new headquarters in Penzance, England. Major Wood's next headquarters of note was in a tomb in the cemetery at St. Lo. Here, notwithstanding the ghoulish atmosphere, he ran the staff with dispatch and relative good humor.

Having fought its way out of the hedgerows, the 134th Infantry mounted trucks and sped down the road to rejoin Patton's Second Army, but was shunted off the route and thrown into a counterattack to stop the German drive toward Avranches. This fight at Mortain turned out to be a nightmare in which German tanks attacked the rear of the First Battalion, captured the motor park and the aid station, and nearly captured the battalion command post. In fact, the battalion was saved when Major Wood grabbed clerks and headquarters personnel, shoved bazookas and antitank grenade launchers into their hands to fight off the attack from the rear. Finally, after literally stealing some tank destroyers from another mission, Major Wood led the tank destroyers in a direct attack on the tanks, fought them off and removed the threat. For this action Major Wood received his first Silver Star.

Lt. Col. Wood joined the Third Battalion as commanding officer in September 1944. Finding the battalion badly shot up and with morale at a rather low ebb, his outstanding leadership provided a spark that fired up the battalion and led them in the bitter fighting of the fall-winter campaigns.

I am certain that I could talk all evening about the courage and leadership of General Wood. Courage and leadership for which he is known and has been decorated many times. I'll mention only a few incidents.

One of my most vivid recollections involved my own company, Company L, in a defensive action in the Foret de Gremecy. The Germans attacked our overextended position at about 4 a.m. on this particular day. By about 8 o'clock, the center of my line was occupied by Germans and my command post was surrounded on three sides. For a period of an hour or so I pleaded on the telephone with General Wood, then Colonel Wood, at battalion headquarters, asking that he commit the battalion reserves, which was I Company, as I recall. For about an hour I got a steady stream of reassurance from Colonel Wood. Essentially, the conversation was, "Take it easy, Fluff, it's not as bad as you think, everything will work out all right."

Of course I recognized that commitment of a reserve prematurely would be a serious tactical error but I was more concerned with survival than tactics. After the battalion reserve was committed, and L Company mounted a counterattack of its own, we were able to drive the Germans out of the position. Colonel Wood, being the leader that he was, accompanied the reserve company as it counterattacked into our area. A couple of hours later found him in my foxhole with myself and my first sergeant. The Germans counterattacked again, overran the reserve company and L Company, and we were again surrounded on three sides. I don't believe I will ever forget the look on Colonel Wood's face when my first sergeant refused to hand over his rifle so that Colonel Wood could help defend the command post. However, I hasten to add that the colonel did a beautiful job with his .45 caliber pistol.

The funny part of this story occurred in Colonel Wood's conversation with the regimental commander over the commitment of the regimental reserve. Colonel Wood got the same line of conversation from Colonel Miltonberger that I had earlier received from Colonel Wood. It may be of interest to note that it took an entire combat command of the 4th Armored Division to drive the Germans from the L Company position. On Sugar Loaf Hill, outside Nancy, Colonel Wood called upon his earlier training as an antitank company commander by withdrawing the transport from the battalion antitank section to insure that they stayed in place against the terrific counterattacks we withstood.

At about this time, we were running short of 81-millimeter mortar ammunition and Jay Ruby, being the scrounger that he is, latched on to a lot of German 80-millimeter ammunition. While defending Sugar Loaf, Jay was teaching his mortar crews to shoot with the German ammunition. On one of the trips in his jeep, down the back side of Sugar Loaf Hill, Colonel Wood had the unfortunate and unpleasant experience of driving through the impact area being used by Jay for the training of his mortar crews. I might say it was quite a sight to sit up on Sugar Loaf Hill and watch the battalion commander dodging his way through a barrage of German mortar shells fired by his own heavy weapons company commander. Jay and I have had many laughs over this; in recent years General Wood has been known to manage a smile over the incident.

During the Battle of the Bulge, Colonel Wood returned to his battalion command post in a dense woods near Lutrebois. I might add he was returning from the hospital where he had been recuperating from a very serious wound. He returned to find that his battalion command post was surrounded, not on three sides, as he had been in my command post, but on all four sides. Again Colonel Wood helped save the day by accurate use of his .45. I think the incident that General Wood recalls most about this particular affair was the action of his Chinese cook, a boy by the name of Eng Hahn, who hurriedly dumped all the pancake batter out the window rather than let the Germans get it. Althought Colonel Wood lost his breakfast that morning, his presence provided the stabilizing influence the battalion needed. The battalion held and survived to continue the attack.

After leading the battalion through the final phase of the war, the clearing of the Ruhr pocket in April of 1945, General Wood had returned home shortly before the regiment and the division returned. The occasion of his return was an emergency leave due to the death of his father.

Following World War II he organized the 134th Infantry and was promoted to full colonel in October of 1946. He then became the assistant division commander in March of 1948 and was promoted to brigadier general. He assumed command of the division in December of 1954 and was promoted to major general. During his 8 years of command of the 134th Infantry Division, and as a member of the general staff committee on Army National Guard and Army Reserve policy for 4 years, he became known and respected by senior guardsmen and regulars throughout the Nation. General Wood has now been promoted from the position of the senior division commander of the National Guard to the position of the junior elder statesman of the Guard. All of us will continue to welcome and respect his judgment and recommendations.

I have left so many things, so many tributes, unsaid that I hardly know how to close, except to say that if I had my career to do over again I could choose no better commander than Warren C. Wood.

## TRIBUTE TO FRED K. NIELSEN

Mr. HRUSKA. Mr. President, a prominent Nebraskan, sportsman, diplomat, educator, and authority on international law died here in Washington a few days ago and I wish to take this opportunity to say a word of tribute.

Fred K. Nielsen was a professor of international law at Georgetown Law School from 1924 to 1953 and represented his country in several international conferences.

He played and coached football at the University of Nebraska and was coach of the Georgetown football team in 1910 and 1911.

In 1946 Mr. Nielsen was named special consultant on international law at the Japanese war crimes trials in Tokyo.

As a U.S. representative at the Paris Peace Conference in 1919, Mr. Nielsen was in charge of matters relating to treaties, claims against enemy governments, and protection of property in enemy countries.

During 1921 and 1922 he attended the Washington Conference on Limitation of Naval Armaments. In 1933 he was legal adviser to the U.S. delegation to the London Economic Conference.

Among his State Department assignments was the job of solicitor, or chief law officer, in 1921 to 1922. During the same period he was a member of the board of examiners for entrance to the diplomatic service.

At an early age Mr. Nielsen was brought to Iowa by his parents from his birthplace, Slagelse, Denmark. In 1902 he received an A.B. degree from the University of Nebraska where he also took a bachelor of laws degree in 1904.

Among his survivors is a niece, Miss Margaret Nielsen, of Omaha, to whom Mrs. Hruska and I extend our deepest sympathy.

Mr. President, I ask unanimous consent that there be inserted in the RECORD two news accounts in this regard.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Jan 14, 1963]

### FRED NIELSEN, 83, DIES; WORLD LAW AUTHORITY

Fred Keneim Nielsen, 83, an attorney who served as a diplomat and became an authority on international law, died Saturday at his apartment in the Chastleton, 1701 16th Street NW., after suffering a stroke.

Mr. Nielsen was a professor of international law at Georgetown Law School from 1924 to 1953. He took several leaves of absence to represent the United States in international arbitrations.

In 1946, he was named a special consultant on international law at the trials of Japanese war criminals in Tokyo.

As a U.S. representative at the Paris Peace Conference in 1919, Mr. Nielsen was in charge of matters relating to treaties, claims against enemy governments and protection of property in enemy countries.

During 1921 and 1922, he attended the Washington Conference of Limitation of Naval Armaments. In 1933 he was legal adviser to the U.S. Delegation to the London Economic Conference.

Among his State Department assignments was the job of solicitor, or chief law officer, in 1921-22. During the same period, he was a member of the board of examiners for entrance to the diplomatic service.

At the age of 1, Mr. Nielsen was brought to Iowa by his parents from his birthplace, Slagelse, Denmark. In 1902, he received an AB degree from the University of Nebraska, where he also took a bachelor of laws degree in 1904.

He played and coached football at Nebraska and served as coach of Georgetown University's football team in 1910 and 1911. He earned a master's degree in law at Georgetown and was made an honorary doctor of law.

Mr. Nielsen was admitted to the District Bar and to practice before the Supreme Court in 1908. He served as a major in the Army in France during World War I.

A member of the executive council of the American Society of International Law, Mr. Nielsen belonged to the American, District and Federal Bar Associations, Order of the Coif, Columbia Historical Society and American Legion.

He belonged to the Chevy Chase, Lawyers, University and National Press Clubs here. Mr. Nielsen never married.

Services will be at 10:30 a.m. Wednesday at Gawler's, Wisconsin Avenue and Harrison Street NW. Burial will be in Arlington Cemetery.

He leaves three nieces, Miss Alice Nielsen of Minneapolis, Miss Margaret Nielsen of Omaha, Nebr., and Mrs. R. A. MacHaffie of Corvallis, Oreg., and two nephews, Ralph N. of State College, Pa., and Herluf P., of Long Beach, Calif.

[From the Washington Post, Jan. 14, 1963]

### FRED K. NIELSEN, 83, U.S. DIPLOMAT

Fred K. Nielsen, 83, retired diplomat and authority on international law, died Saturday at the Chastleton, 1701 16th Street NW., after suffering a stroke.

A professor of international law at Georgetown Law School from 1924 to 1953, Mr. Nielsen represented the United States in several international arbitrations.

He served as counsel and U.S. delegate in the arbitration of claims involving Great Britain, the Netherlands, Mexico, Egypt, and Turkey, and was a special consultant to the international military tribunal which tried Japanese war criminals after World War II.

Mr. Nielsen was a delegate at the Paris Peace Conference in 1919, the Washington Conference on Limitation of Naval Armaments in 1921 and 1922, and the London Economic and Financial Conference of 1933.

Born in Slagelse, Denmark, Mr. Nielsen was brought to America by his parents when he was a year old. The family settled in Iowa, and Mr. Nielsen attended the University of Nebraska where he received an A.B. degree in 1902, and a bachelor of laws degree in 1904.

Mr. Nielsen played and coached football at Nebraska and coached Georgetown's football team for several years after coming to Washington. He was admitted to the District of Columbia bar and to practice before the Supreme Court in 1908.

After service as a major in the Army in France during World War I, Mr. Nielsen supervised matters relating to treaties, claims against enemy governments and protection of property in enemy countries at the peace conference.

He was Solicitor of the State Department from 1920 to 1922.

Mr. Nielsen served on the executive council of the American Society of International Law and belonged to the American Bar Association, Columbia Historical Society, and the District of Columbia and Federal Bar Associations. He was a member of the Chevy Chase, the Lawyers, and University Clubs.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF RULE XXII—CLOTURE

The VICE PRESIDENT. The Chair lays before the Senate the question: Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

The Senate proceeded to consider the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. TALMADGE. Mr. President, I rise once again to defend a freedom so fundamental, so dear to all of us, that seemingly it would need no defense. Yet in recent years attacks on this freedom have become so commonplace as to seriously threaten our republican form of government, which has been nurtured for so long as a way of life of all Americans. Indeed, the very foundations of the Government of the United States are severely shaken by these repeated assaults. However, these foundations have been nurtured and have withstood the travails of history before. Thomas Jefferson knew the kind of government he had helped forge when he addressed the people of the Nation at his first inaugural in 1801. He said:

> I believe this is the strongest government on earth.

It was and is the strongest Government on earth, and it will not lose its strength and the security it holds in a position of world leadership so long as we keep an abiding faith in the wisdom of our forefathers.

But, Mr. President, all of the repeated assaults on our constitutional systems of government and on the Senate as a deliberative body, and the various attacks from time to time on the rules of the Senate, pale into insignificance when we see the action that was taken yesterday, and the pending motion which is now before the Senate.

I turn to article I of the Constitution of the United States, and I read a portion of section 5 of article I:

> Each House may determine the rules of its proceedings.

That constitutional authority is apparently being used by those who strike at the Senate as an institution and our republican form of government, to take precipitate, violent, and unconstitutional action.

Let us examine that language again:

> Each House may determine the rules of its proceedings.

Mr. President, what does the phrase "each House" mean? It means the two Houses of the legislative branch of the Government. They are as follows: first, the Senate; second, the House of Representatives. They are the only Houses of the legislative branch of the Government. The word "House" or the word "Houses" does not refer to the 1st Congress or the 2d Congress or the 88th Congress. The words refer to the Senate and to the House of Representatives. That language is the authority that the Senate of the United States has, in the Constitution, to form its rules of procedure. Under the Constitution—the language I have read—any rules that the Senate may see fit to make regarding its procedure would be constitutional, because the clear language of the Constitution itself delegates to the Senate—this body—the power, the right, the duty, the responsibility, and, yes, the privilege, to make its own rules.

The Senate has made its own rules. As a matter of fact, the distinguished Vice President of the United States, the President of the Senate, answered that question yesterday. I refer to the Congressional Record of yesterday's debate, at page 1214. The distinguished senior Senator from Iowa [Mr. HICKENLOOPER] asked this question:

> Is the Senate operating under any rules now; and, if so, will the Chair state under what rules the Senate is operating?

Here is the response by the distinguished Vice President:

> The Parliamentarian informs the Chair that the Senate is now operating under the rules as shown in the Senate Manual.

I hold in my hand the Senate Manual. There has been a Senate Manual since the Senate first met in 1789 and adopted its rules. The rules of the Senate have been in continuous and constant existence since that time, subject only to the amendment of the Senate rules themselves. Of course, the Senate has amended its rules from time to time. The Senate can amend its rules at any time it so desires. But the only question at issue now is, Shall the Senate rules be amended in accordance with the Senate rules? That is the issue which confronts the Senate at the present time.

The distinguished senior Senator from New Mexico [Mr. ANDERSON] yesterday submitted a motion. The text of that motion is the question pending before the Senate. It is as follows:

> I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote.

The Senate has now been in existence for 174 years. At no time in the history of this body has any such motion ever been submitted to the Senate. The Nation has had many political parties. Those political parties have varied from time to time. Sometimes one party has been in the majority; sometimes another. Sometimes political parties have died, and new parties have risen in their stead. But in all the 174 years of history of this Republic, nothing like the pending motion has ever been submitted to the Senate before. Why? Because this is the first time any motion which has provided for instant cloture has been submitted to this body.

Throughout the years, many cloture resolutions have been submitted to the Senate. As the distinguished Vice President knows, beginning in 1789 and lasting through 1917, there was no cloture rule of any kind in the U.S. Senate. The reason for that was obvious. The Senate is a forum of the States of the Union. The Senate was created as a compromise. The Senate is the last reservoir of the sovereignty of the States. The Senate is the only body in our country where each State, large or small, rich or poor, has two Senators to sit as a forum of the States, to resolve their differences.

Mr. President, the Senate has rendered outstanding results in that regard. We have seen our country grow to the point where it is now comprised of 50 States. Alaska reaches almost to the North Pole. Florida reaches almost to the Equator. One of our States, Hawaii, lies almost halfway across the Pacific Ocean. We have other territories that lie far beyond the seas. Notwithstanding the differences of opinion which exist among the States; notwithstanding the different ideas of the people; notwithstanding their different economic interests; notwithstanding their frequently different customs; the Senate of the United States has been the one forum, during all the years of the history of our Republic, that has resolved our differences, with the exception of one unfortunate occurrence that lasted from 1861 to 1865. The reason why the Senate has resolved those differences is that Senators, representing the various States, and having different, varying, and sometimes conflicting ideas, could meet in this forum, in this body, and temper and resolve the issues which sometimes have sought to tear our very Nation asunder.

But, Mr. President, the pending business before the Senate would go in the very teeth of the history of our Republic. It is in total and complete conflict with the rules of the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the Record section 2 of Senate Rule XXII, which provides for the closing of debate.

There being no objection, the section was ordered to be printed in the Record, as follows:

> 2.[1] Notwithstanding the provisions of rule II or rule VI or any other rule of the Senate,[2] at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:
>
> "Is it the sense of the Senate that the debate shall be brought to a close?"
>
> And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting,[2] then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.
>
> Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. TALMADGE. Mr. President, that section provides the procedure for closing debate in the Senate. It is the procedure that Senators themselves have determined to be the proper, lawful, legal, and correct way of terminating debate in the Senate.

Now let us compare section 2 of Senate rule XXII with the motion that was submitted yesterday. Again I quote the language of the motion of the Senator from New Mexico:

> I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote.

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[1] As amended, Senate Journal, 17, 81-1, Mar. 17, 1949.

[2] As amended, Senate Journal, 37, 86-1, Jan. 12, 1959.

That is a "previous question" rule, or even worse than that. It provides that Senators themselves can immediately terminate debate with a simple majority of the Senators present and voting. A quorum in the U.S. Senate is 51 Members. A majority of a quorum would be 26 Senators. Mr. President, that motion could be adopted by an affirmative vote of 26 Senators, and it would deny 74 Senators the right to come to the Senate floor and raise their voices to resist legislation they might consider to be unconstitutional, harsh, intemperate, arrogant, or wrong for any reason whatsoever. I do not believe there is a single Member of the U.S. Senate who, in his heart and in his conscience, would vote for so preposterous a proposition.

Mr. President, the pages of history are littered with republican forms of government which have died and have become dictatorships. The overwhelming majority of them have become dictatorships because the parliamentary bodies of those countries have died and have surrendered their power to arrogant men, willful men, or desperate men, who then have assumed the responsibilities of their government under a dictatorship.

Mr. President, in the history of our Republic there have been many times when great and powerful men who were popular with the people have sought legislation which has been struck down by free debate in the U.S. Senate.

Let us see what purpose free speech in the Senate has served in our own Republic. Perhaps the greatest bulwark that protects the liberties of our people is the constitutional right of habeas corpus. When anyone is placed in jail illegally or unlawfully and is detained there, he can go into any one of our courts and secure a writ of habeas corpus; and then he must be released, or else charges must be preferred against him and he must be given a trial. But in the days of the unfortunate War Between the States, in 1861 it was decided that the writ of habeas corpus was handicapping those who were pursuing the War Between the States; so they sought to have that right suspended. But, Mr. President, in the U.S. Senate in 1863, free speech prevented the right to obtain a writ of habeas corpus from being suspended.

What else? In the lifetime of every Member of the Senate, in 1937, a powerful, popular, influential President of the United States sought to pack the Supreme Court of the United States. He did not like the idea that the Supreme Court was holding unconstitutional some of the bills he favored. So his answer to that situation was to attempt to pack the Supreme Court with members who would do his bidding, members who thought as he did; and he submitted a bill to pack the Supreme Court, and the bill was reported by the Judiciary Committee. But free debate in the U.S. Senate alerted and awakened the American people, and the bill was killed.

Even more recently than that, Mr. President, in 1946, when there had been an unfortunate series of strikes in this country, and when an infuriated and inflamed public opinion had developed, there was a repetition of such a precipitous attempt to obtain legislation. President Truman was then President of the United States; and he became infuriated with the members of the railway labor unions who were striking. So he sent to Congress proposed legislation which would have authorized the President of the United States within 24 hours to draft into the Army of the United States the members of the railway labor unions.

What happened? The bill went to the House of Representatives, which has a previous question rule. So, on the same day the bill was introduced in the House of Representatives, it was overwhelmingly passed, with only 13 dissenting votes in the entire Membership of the House of Representatives. The bill then came to the floor of the U.S. Senate. The Senate was prepared to vote immediately, even without having a committee hearing held. At that time Bob Taft, Sr., was a Member of the U.S. Senate from the State of Ohio; and he held up the bill. Free speech was exercised in the Senate; and when people had an opportunity to examine the proposed legislation, the portion of the bill which authorized the drafting into the U.S. Army of the railway union members was stricken out.

Mr. President, those are only three illustrations of what has happened in our country because of the free speech provision which operates to protect the liberties and the rights of our people under our constitutional system of government.

Mr. President, I can cite an example even more far-reaching than that: A year ago I had the privilege and the pleasure of reading William L. Shirer's book "The Rise and Fall of the Third Reich." I commend it to the attention of every Senator and of every person in the United States. From my reading of the book, I was forcefully and vividly impressed with the recitation therein of the power of dictatorship which developed in Germany. Adolf Hitler was appointed Chancellor of Germany by von Hindenburg, who was the President of Germany. The appointment was made in a perfectly legal and lawful manner; von Hindenburg had the power to appoint the Chancellor, and did appoint him. But after Hitler became Chancellor of Germany, he sent to the Reichstag a bill which was called the Enabling Act. It was alleged to be a welfare bill. But, Mr. President, note the powers which that Enabling Act granted to Hitler: First, it gave to Hitler the power to amend the German constitution as he saw fit; second, it gave to Hitler the power to make treaties with foreign countries as he saw fit; third, it gave to Hitler the power to raise the taxes and to expend the money in any way that he saw fit. Mr. President, unfortunately the German Reichstag did not have a rule of free speech. So a vote on that bill was called in very short order. The result was that approximately 400 members of the German Reichstag voted "yea," and about 100 members voted "nay."

But, Mr. President, if there had been free speech in the German Reichstag, the legislative body of Germany, it is entirely possible that if the members who then constituted the minority of that legislative body had been men and women of courage, they could have alerted and awakened the people of Germany to the danger which faced them, and it is possible that in that event the enabling act would not have been passed. If that enabling act had not been passed, all power in Germany would not have passed to Adolf Hitler, who set the stage for the bloodiest war in all history.

Mr. STENNIS. Mr. President, at this point will the Senator from Georgia yield?

Mr. TALMADGE. I am delighted to yield to the Senator from Mississippi.

Mr. STENNIS. The Senator from Georgia has given a vivid illustration, from contemporary history; he has pointed out how the lack of free speech in the German Reichstag led to the bloodiest war in all history.

Will the Senator from Georgia compare that situation in the German Reichstag with the situation under our own form of government, in which we have maintained the right of free speech, and particularly the right of freedom of the press? Cannot the Senator from Georgia conceive that it is entirely possible, and even probable, that if these safeguards were to be removed, a majority could, acting on impulse, pass a bill which would make great inroads on the freedom of the press; and, once that precedent were established, could not another inroad be made, with the result that freedom of the press and freedom of speech could, by that process, be destroyed?

Mr. TALMADGE. The Senator from Mississippi is entirely correct. When there is in our country a great and powerful person, he could take immediate advantage of the mass communication media, and could say, "I want so and so passed; it must be done in the public interest"; and no doubt it would be possible for him to obtain the support of an overwhelming majority of the people. In that event, because of the tremendous pressures which could be brought to bear upon the Members of the Congress, action on the bill could be obtained in the House on the very day when the bill was introduced there. Similarly, in such a situation, the resolution submitted by the senior Senator from New Mexico [Mr. ANDERSON] could be acted on immediately in the Senate. That could be stopped only because of the fact that the Senate is the one legislative body in which Senators of courage and conviction can cause delay until the American people can look at the proposal and consider it and determine whether it is in the national interest.

Mr. STENNIS. Mr. President, the Senator from Georgia has answered very well, indeed.

Even though there is in the Constitution the guarantee of freedom of the press, has there not been a trend, for at least a few decades, to make inroads, bit by bit, upon the plain language of the Constitution?

Mr. TALMADGE. There certainly has been.

Mr. STENNIS. And in that way, bit by bit, there has been erosion of the Constitution or evolution of the so-called "new thought"; and in that way the plain provisions of the Constitution could be, and would be, stricken down, unless the effort were exposed.

Mr. TALMADGE. The Senator from Mississippi is entirely correct.

Mr. STENNIS. And there is already a trend in the direction of whittling away the plain provisions and guarantees of the Constitution.

Mr. TALMADGE. My friend is entirely correct.

Mr. STENNIS. Part of that trend is the renewal of rule XXII, which is a roadblock.

Mr. TALMADGE. The Senator is correct.

Mr. STENNIS. The rule does to a degree prevent those things from happening. If we should remove that obstacle, what would be left?

Mr. TALMADGE. There would be none.

In the final analysis, the only way in which the Constitution of the United States can be protected is by the Senate, where there is free debate. Hundreds of other constitutions have been swept away before. How? By some powerful popular figure who came forth with a program that the people thought was in their national interest. The people were inflamed. Sometimes they demanded immediate action. The legislative body acted, and the liberties of the people were lost. It was too late.

The Senate is the one body that prevents something like that happening in America.

The question before the Senate now is whether or not 51 Senators—or even 26 Senators—can gag 74 Senators who may happen to be absent. When one stops to think of it, it is ridiculous. It is completely contrary to all our history, all of our precedents, all of our constitutional system of government and, I hope, to the best judgment of the overwhelming majority of Senators.

(At this point Mr. HART took the chair as Presiding Officer.)

Mr. STENNIS. I thank the Senator for yielding to me. Will the Senator yield for one more question?

Mr. TALMADGE. I am delighted to yield to my friend.

Mr. STENNIS. Even though rule XXII as it now exists is a safeguard and an obstacle against hasty legislation, nevertheless, is it not true that when there is a real need, a real emergency, an urgency, or the Nation is imperiled, it has always been possible under rule XXII to enact the necessary legislation? Has that not been true since 1927, a period which includes the great depression, the prelude to World War II, the fighting of World War II, the post-World War II adjustment, the Korean war, and the years that have intervened since? Is that not a real test, and has it not proved its worth?

Mr. TALMADGE. The Senator is entirely correct. In the history of America free speech has never condemned a good bill and it never will.

Some of the advocates of the proposed immediate, instant gag rule like to say, "we cannot pass a civil rights bill unless we can gag the Senate." The able Senator from Mississippi knows, as well as I do, that in the short period of time that I have been a Member of this body—only 6 years—two civil rights bills have passed, one in 1957 and another in 1959. When those bills were pending before the Senate there were 35 or 40 yea-and-nay votes on every conceivable scheme that any civil rights advocate could possibly think of.

An attempt was made to delegate to the Attorney General the power to become guardian over 10 percent of the American people. Every scheme that could be thought of by anyone who likes to think of civil rights bills as being a means to delegate more power to the Federal Government, to give one group of our citizens an advantage over another group was presented.

Mr. STENNIS. Will the Senator yield for one further question?

Mr. TALMADGE. I yield.

Mr. STENNIS. What the Senator has said about the record of voting on the bills is true. Every proposal had its day in court. Every idea was voted upon. On the other hand, only last year a so-called civil rights bill was introduced and debated in the Senate, and another effort to impose cloture was made. Is it not true that the effort to obtain cloture failed by a majority of the membership of this body, which shows conclusively the fault and the failure was due to the fault of the bill and not rule XXII?

Mr. TALMADGE. The Senator is entirely correct. As the able Senator knows, it was in complete derogation of the Constitution of the United States.

Mr. STENNIS. Those who opposed the measure convinced the majority of Senators, under adverse conditions, that it was true. Is that correct?

Mr. TALMADGE. The Senator is correct.

Mr. STENNIS. And they voted accordingly.

Mr. TALMADGE. That is entirely true.

Mr. STENNIS. When the bill was introduced there was a good prospect of its passage without delay.

Mr. TALMADGE. I think it would have passed overwhelmingly if Senators had not had an opportunity to examine the measure leisurely and see that it conflicted with the Constitution of the United States in two separate places.

Mr. STENNIS. Senators had an opportunity really to go beneath the surface and examine the measure for themselves, as well as listen to Senators who opposed it.

Mr. TALMADGE. The Senator is entirely correct.

Mr. STENNIS. I thank the Senator.

Mr. TALMADGE. I thank the Senator for his able contribution.

Mr. President, it is particularly distressing to me that this unpleasant battle be waged on the floor of the U.S. Senate, in these Halls where for 174 years this great body has striven to serve the Nation as the preservator of individual liberty—not as its suppressor.

To all of us who refuse to turn our backs on history and tradition, who will not deny our time-tested heritages, who stand resolutely for constitutional government as entrusted to us by our Founding Fathers, who steadfastly refuse to see the Senate of the United States stripped of its constitutional role as protector of our republican form of government, it is truly saddening to contemplate these biennial ravages on a liberty which above all we have been exhorted for generations to always preserve.

I speak, Mr. President, of freedom of speech, of the right to unlimited dissent and expression of opinion, especially in the Senate. Here, I think, is the last bulwark of constitutional government and State sovereignty.

If fight we must to protect this freedom—to keep it inviolate for future generations, then fight we will, with every resource at our command.

To this we are dutybound. There is too much at stake for us to do otherwise—much, much more than a political objective, here today and gone tomorrow.

The future of the Senate of the United States depends on the preservation of this liberty.

The well-being of the Nation, with its intricate system of checks and balances of government, depends on the preservation of this liberty.

Indeed, Mr. President, the individual liberties of every citizen of this Nation depend on the preservation of this liberty.

We have been warned before, in terms so meaningful and forceful that I cannot understand how they could go unheeded—how anyone could challenge them. So ominous have been these warnings that to ignore them is to flirt with the ultimate and inevitable destruction of the government which has made this Nation great.

Once the Senate of the United States surrenders its freedom of speech—laying it like a sacrificial lamb on the altar of political expediency—it will be lost forever.

The consequences, frightening to free men everywhere, would reach far beyond the confines of this great deliberative body. They would touch every region of the country, every state, and every individual.

The day we give up freedom of debate in the Senate would surely be a dark one, but rest assured that more fearful ones would follow.

With freedom of debate would go a cornerstone of our Government. And who can say how long it would be before the rest, crippled beyond repair, comes tumbling down?

This great edifice, this Institution, would be wrecked, Mr. President. Those who tamper with such destruction, do so in the iniquitous name of "majority rule." Or, to use the words of some of those who would stifle debate in the Senate, "So that a majority can work its will."

Mr. President, I submit that all of us here and those who follow us would sorely regret the day when an arrogant majority could work its will in this Senate, crushing all opposition in its path.

Try to envision the day when an unrestrained majority could "work its will" in this Senate, without regard for the rights and interests of the minority.

Chaos would reign in a government or society where the potential tyranny of the majority is not strongly circumscribed. Alexander Hamilton tells us that a state of anarchy exists, even in a state of nature, where the weaker is not secure against the stronger.

Such security was intended by our Founding Fathers. They were well aware as we should be, that the excesses of democracy can be as offensive as totalitarianism.

They also were well aware that the strong are not always strong, the weak not always weak—that majorities and minorities shift, that tables can be turned.

It was John W. Scoville who said:

> Those who invoke the law to curb the liberties of others forge weapons which at a later time may be turned against them. If I use the law to destroy the freedom of my neighbor, I have no defense when my neighbor uses the law to destroy my freedom.

Anyone unwise enough to rush pell mell to tear down an institution which has proven itself worthy, should heed these words of Edmund Burke, an English statesman who believed that people who do not look backward cannot look forward to posterity.

Writing in 1790, Burke said:

> It is with infinite caution that any man ought to venture upon pulling down an edifice, which has answered in any tolerable degree for ages the common purposes of society, or on building it up again, without having models and patterns of approved utility before his eyes.

This is sound advice, for all times—whatever the age or whatever the circumstances.

Mr. President, the distinguished Senator from Illinois told us last August that when the first session of the 88th Congress convened, there would be a renewal of the efforts to limit debate in the Senate.

The Senator from Illinois took issue with the rights of the minority. He contended that these rights stand in the way of the will of the majority and prevent action in this Senate.

The Senator from Illinois said he believes in majority rule. In the closing days of the last session of Congress, he said:

> We shall be back next January, and then we hope to get a yea-and-nay vote; and when the roll is called, we will find who are the real friends of majority rule in the Senate and who are its opponents.

With all respect for the opinion and the comments of the Senator from Illinois, I submit, Mr. President, that he has missed his target, that his aim falls wide of the real issue involved here.

It is not, as the Senator from Illinois would have it, a question of who are the friends of majority rule in the Senate, and who are its enemies.

It is, however, a question of who are the friends of our republican form of government.

It is a question of who are the friends and protectors of the responsibilities of the Senate as endowed it by the Constitution.

It is a question of who would undermine this great body by installing gag rule, thereby rendering the Senate helpless against an onslaught of extremism, intolerance, and power politics.

It is a question of who would upset the checks and balances system of our government, which was delicately contrived by our forefathers to insure this Nation a lasting government, a stable and strong government, one which is close to and responsive to the will of the people.

It is a question of who would reduce this Senate to an ineffective arm of the House of Representatives.

It is a question of who would give a majority of one the power to trample mercilessly over the minority.

The position of the junior Senator from Georgia is clear. It is unwavering.

I am not a friend of unrestrained majority rule in the Senate of the United States. I never will be—not when it means the stifling of debate and the smothering of all dissent in the Senate; not when it means that minority rights will stand naked and defenseless, the whipping boy for tyrannical abuse by a majority of one; not when it causes disunity and strife between large sections of this country and divides large segments of the population.

To my mind, Mr. President, justification for rule by the bare majority in the Senate can never be found—certainly not in so transient an objective as force legislation in the field of human relations.

We must cast aside doctrinaire toying with the eternal principles of individual liberties which are embodied in our republican form of government.

Opponents of freedom of debate in the Senate would give full and easy sway to the majority because, they say, a minority can paralyze legislative action.

They would knock down, with one swift blow, the right of the minority to be heard, to vigorously dissent from that which it deems to be wrong. At the same time, Mr. President, they try to tell us they believe in "full and free discussion."

Last August, the Senator from Illinois said:

> We who believe in the ultimate power of the majority to act also believe in full and free discussion.

Mr. President, standing rule XXII of the Senate, as it now exists, makes this possible. Rule XXII, as now written, providing for a two-thirds vote to cut off debate, undeniably permits a true majority to act.

Just as important, it also protects the minority from the persecution of an unchecked, misguided majority and guarantees to the people of this Nation a full airing of a vital issue before the Congress, and before the Nation.

The aim of our Founding Fathers was to serve both the true will of the majority and the rights of the minority, and both will be served so long as there is a free play of ideas in our Government and in our society.

Thomas Jefferson, writing in his Manual of Parliamentary Procedure, said:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

Mr. President, I submit that if rule XXII is weakened further and if all restraints on the majority are removed, "full freedom of debate" in the Senate would be abolished.

The warning of the late Honorable Eugene D. Millikan, the able and eloquent Senator from Colorado, bears repeating. He told the Senate in 1946:

> If my country were confronted with the possible choice of surrendering all of the individual rights of its citizens under our Constitution save one to be selected by it, I would unhesitatingly counsel the preservation of the right of free speech, for so long as this right remains unimpaired all other rights, if lost, may be regained.
>
> History confirms this. Every dictator knows it well and selects free speech as the first victim of his aggression. Is the right abused? Of course, it is abused. It is abused everywhere it exists—it is abused at times in the Senate.
>
> But there are reasonably adequate measures against abuse which do not destroy or seriously violate the right. It is manifest that if a majority of one could end free speech in the Senate, it would not be long until there would not be any free speech.

What of the rights of the minority, Mr. President, when they collide with the wishes of the majority? Which shall prevail, is not the real question.

I hold, Mr. President, that of overriding importance is that truth and that which is just shall always prevail.

The late Senator from Colorado went straight to the heart of the matter when he said:

> It should never be forgotten, I respectfully suggest, that the rules of a legislative body in a country which understands, appreciates, and desires to conserve the principles of human freedom are adopted not to enhance or render unshakable the power of the majority of its members, but rather to protect those in the minority. The rights of the minority have not been imposed by a minority; they have been freely granted by majorities which realize the fact that majorities are not always right, that there is an inherent tendency in majorities to oppress minorities.

Mr. President, the thinking of John Stuart Mill, one of the greatest minds of all time, is especially enlightening on this matter, and I think we would do well to consider his ideas today. Mill, in his timeless essay, "On Liberty," defended the give and take of free discussion, believing that in such an atmosphere, thinking is stimulated and truth, or falsity, is clarified.

By what right does anyone be so bold as to stifle the dissent of a minority? Mill asks. Who is so infallible that he knows he is above having his ideas challenged in open debate?

Mill was wise enough to know that history shows that in many, many instances, the minority view of yesterday becomes the generally accepted truth of today. Thus, he cautioned against denying anyone the right to be heard, fully and freely.

Mill said:

> If all mankind, minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.

Oppression in this fashion robs posterity as well as the existing generation, for it is never known when the opportunity for exchanging truth for error has been lost, or when a livelier impression of truth may be had through its collision with error.

Mr. President, no majority can assume such infallibility as to silence the expression of a dissenting opinion. As Mill put it:

> We can never be sure that the opinion we are endeavoring to stifle is a false opinion; and if we were sure, stifling it would be an evil still. * * *

Mill continues:

> All silencing of discussion is an assumption of infallibility. Ages are no more infallible than individuals; every age having held many opinions which subsequent ages have deemed not only false but absurd; and it is as certain that many opinions, now general, will be rejected by future ages, as it is that many, once general, are rejected by the present. It is the duty of governments, and of individuals, to form the truest opinions they can; to form them carefully, and never impose them upon others unless they are quite sure of being right.
>
> The only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion, and studying all modes in which it can be looked at by every character of mind.

Mr. President, we have heard that rule XXII and freedom of debate in the Senate stand in the way of the enactment of force legislation in the area of so-called civil rights. This is the principal reason advanced for seeking to deprive this Senate of its safeguard against the tyranny of a majority.

In view of this, Mr. President, I find these words of Mill particularly appropriate. It may seem to some that Mill wrote them yesterday:

> Strange it is, that men should admit the validity of the arguments for free discussion, but object to their being "pushed to an extreme"; not seeing that unless the reasons are good for an extreme case, they are not good for any case.
>
> Strange that they should imagine they are not assuming infallibility when they acknowledge that there should be free discussion on all subjects which can possibly be doubtful, but think that some particular principle or doctrine should be forbidden to be questioned because it is so certain, that is, because they are certain it is certain.

Mr. President, although the issue here is of far more importance than the enactment of certain so-called civil rights laws, let us briefly pursue and put to rest the argument that rule XXII makes it impossible for such force legislation to pass this Senate.

That contention is wholly without validity, Mr. President, and every Member of this Senate knows full well that it will not stand close examination. We need only to look back 6 years, to 1957.

Since that year, two such force bills have passed the Senate, one of them under a cloture rule far more stringent than the one presently in effect.

Mr. President, we also are told that a small minority in the Senate can by filibustering absolutely prevent action, presumably meaning any action at all, though a majority wants to act.

Do those who would prohibit unlimited debate in the Senate really believe this? Do they really believe the Senate to be an impotent body, incapable of action? Do they really believe that a minority can truly hamstring a majority determined to enact legislation in the best interests of the Nation?

The junior Senator from Georgia does not believe these things. He has faith in the strength, the courage, and the integrity of every man and woman who sits in this Senate.

When the Senate wants to act, it will act. This has been proven time and time again in the past. It was proven most forcefully in the last session of Congress.

And, Mr. President, it is ironical that a number of the usual opponents of rule XXII were the ones who were principally instrumental in clearly demonstrating that no change in the rule is needed.

It was indisputably shown that when a true majority sincerely and conscientiously wants to act, the rule does not stand in its way.

It was proven that—to the undoing of zealous arguments for weakening rule XXII—that the present cloture provisions in no way paralyzes the legislative functions of this Senate.

It confirmed long-standing beliefs by those of us who favor free speech in the Senate that cloture can be obtained to insure the passage of good legislation.

It proved, Mr. President, that a good bill will not be killed by a filibuster, though many bad ones have fallen under the assault of free and open discussion.

I refer, Mr. President, to the abortive liberal filibuster against the administration's communications satellite bill, which, by a vote of 63 to 27, was cut off in order that the Senate might act on the measure.

Was the Senate impotent then in the face of a so-called filibuster? Was the Senate paralyzed by the minority group which opposed the satellite bill?

No, Mr. President. Here is an outstanding example of a determined majority in the Senate desiring to act, and moving undeterred to take such steps necessary to act.

This was accomplished, Mr. President, under rule XXII as it now exists.

Following the Senate's action invoking cloture, editorial comment flowed from the Nation's press, which has long recognized the wisdom of retaining freedom of debate in the Senate.

The distinguished William S. White, noted authority on the function and responsibilities of the Senate and author of "The Citadel," a penetrating and erudite study of this body, quickly grasped the meaning of the situation.

Mr. White concluded that the action of the satellite bill filibuster sounded the death knell for dreaded gag rule. It was Mr. White, you will recall, who wrote in his book:

> It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments, the ideal is not for the majority of all but actually for the minority of one.
>
> The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts, to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.

This eloquent defender of free debate in the Senate correctly summed up the meaning of the cloture vote on the satellite bill. His succinct appraisal is worthy of consideration here today. He wrote:

> It means that the professional liberals have at last overreached themselves. And, ironically, it also means that the one constant goal of the professional liberal—a change in the rules to make the gag more easily applicable to people the liberals do not like—has been gravely, if not fatally, hurt. In taking up the weapon they have so long denounced, they have only proved what has always been the simple truth, which is that there is no need to change the rule.
>
> When any bill is a good bill and has heavy support it can always prevail, filibuster or no filibuster and rule or no rule.
>
> It is not impossible to apply the gag; it is only difficult. And it is not even difficult when a true majority of the Senate truly wants something done.

Mr. President, while I in no way would impugn the motives or convictions of my opponents in this issue, and would not criticize them for any acting as they so believe, I found the following words of Mr. White particularly appropriate:

> What has long thwarted liberal designs is not that the rules are wrong, but rather that liberal bills are usually wrong—wrong because they are extremist and intolerant. It is not bad rules which is their trouble. It is a bad case. And this the liberals have now managed to prove out of their own mouths.

Let us also heed the words of the distinguished Walter Lippmann, long an able and respected observer of the American political scene. Mr. Lippmann, writing recently on the controversial hue and cry for so-called reform in both Houses of Congress, concluded that some reform may be needed in the House of Representatives.

But, he sternly warned against turning the Senate over to a majority. Said he:

> I would not reopen now the question of the limitation of debate in the Senate. There is a strong case to be made for continuing the tradition which makes it necessary that legislation which is highly controversial must demand a consensus in the Senate which is much bigger than one more than one half. I believe that in the long run the preservation of this principle in one of the Houses of Congress is a protection of our liberties.

Mr. President, again with all respect for the opinions and actions of my opponents, I must—to do the cause justice—follow the dictates of my conscience and present the issue as I see it.

The advocates of a weaker rule XXII who would destroy free and open debate in the Senate, seem to me to be grinding political axes, honing in the heat of a political passion a double-edged blade which poses a dangerous threat to the very tap roots of our republican form of government.

I submit, Mr. President, that attempts are being made to alter our Government—to institute rule and oppression by the bare majority, thereby flouting the designs of our Founding Fathers.

The American people are not to be governed by majority rule; nor were they ever meant to be.

Nor must we ever lose sight of the fact, Mr. President, that majorities are temporary entities, subject to change in shifts of the political winds. Today's minorities may tomorrow be the majority.

An unchecked majority, like a runaway steamroller, is a dangerous thing, regardless who for the time may sit in the driver's seat and regardless of which way it is headed.

Under the resolution which is pending, if it were adopted and became a precedent, the minority party of the Senate could not even stand on the floor of the Senate and speak. If the majority had a bill which they thought was in the public interest, all they would have to do would be to have a resolution sent to the desk along the lines of the resolution which has been presented by the Senator from New Mexico, and to have the question put; and then not one Senator from the Republican Party could rise and raise his voice if he found anything inequitable in it.

Similarly, the time may come when the majority party might become the minority party. I hope the time will never come in the Senate when Members on this side of the aisle will be gagged by the opposition party and not even be able to raise their voice to protest a bill that they may believe to be unwise or unconstitutional or inequitable.

Majority domination in the Senate, Mr. President, would put into motion a legislative juggernaut to run amuck over the civil liberties of the people of this country and over the rights of the Nation's minority.

As Jefferson proudly stated, ours is the strongest government on earth. Our task is to be forever vigilant and insure its preservation for posterity.

Our forefathers put their faith in the Senate of the United States as the protector of the Republic, as the guardian of a government which finds its strength in the free consent of all the people.

Some contend that, under existing rule XXII, a minority controls the Senate, and that we fight to preserve the rule because it is our purpose to thwart the will of the majority.

This contention is so patently untrue, that it hardly bears rebuttal, Mr. President. Our intention is not to thwart the will of the majority, but rather to protect the interest of the minority, as guaranteed by the founders of this Nation.

Our aim is to hold onto the government they gave us, one based on a minimum of coercion and a maximum of consent.

Jefferson said it in words I could never equal. He told those assembled for his first inaugural:

> Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression.

Mr. President, we come again to the question of how can the protection of minorities—whose opinions may be right and therefore should never be silenced—be reconciled with the will of the majority, which history shows to have been wrong as often as it has been correct?

This question is of everlasting importance to any people who hold freedom dear. Its answer is to be found in our republican form of government, and in this Senate, and the rules under which it functions.

In a true majority, which our Government certainly is not, there are no effective protections against the impassioned will of the majority.

However, in a Federal Union, a Republic as created by our Constitution, the possible tyranny of the majority is held in check. The principal safeguard against this tyranny is the Senate's tenacious adherence to its time-honored tradition of unlimited debate.

All around us, Mr. President, there are oratorical explosions advocating majority rule on the grounds that it is the democratic thing to have, that democracy is frustrated by minority obstruction.

Those who hold to this view either forget, or choose to ignore, the fact that this country was never intended to be governed by mere majority rule.

Nowhere in the Constitution is the word "democracy" to be found. Our best authorities, including the authors of the Federalist Papers, indicate that the omission was deliberate.

But the surest authority is the Constitution itself, which states in article IV:

> The United States shall guarantee to every State in this Union a republican form of government.

The composition of the Senate of representatives of the States, each on equal footing with the other, is carefully designed to maintain this form of government.

The Senate institution was expressly created as one of our checks and balances, which, through its principle of free debate, cautiously studies all measures affecting the lives, fortunes, and sacred honor of the American people.

The intent of the framers of the Constitution in establishing our Government is clearly defined in the Federalist Papers.

Throughout there is found a wariness of majority rule. Federalist letter No. 51 tells us:

> A dependence on the people is, no doubt, the primary control on the Government, but experience has taught mankind the necessity of auxiliary precautions.

Mr. President, without an auxiliary precaution such as freedom of debate in the Senate, a majority would have carte blanche powers to run roughshod over the minority.

I submit that rather than risk the misjudgment of an abusive majority, it is often better not to act at all. Errors may result when prolonged discussion prevents action, but they may be remedied.

However, calamitous blunders may come from acting hastily without proper consideration in advance. These are all too often irreparable.

Mr. President, we must be extremely careful not to confound a republic with a democracy. Let us remember that our Founding Fathers who met at the Constitutional Convention were steadfastly opposed to the principle of unlimited democracy.

As plans for forming the new Government made headway, Alexander Hamilton wrote:

> We are now forming a republican government. Real liberty is neither found in despotism, nor in the extreme of democracy, but in moderate government.

Are we now to destroy our constitutional system of government in order that this dangerous thing called the majority can put its heavy hand on all the affairs of the Nation?

Are we to scorn the bequeath of our forefathers of a republican government?

Are we to be tantalized by high-sounding claims that majority rule is democratic? Is this what we want?

James Madison stressed that there are two distinct points of difference between a democracy and a republic.

Democracy is the direct government of all the people all the time, and it is practicable only in a very small community, and probably not even there.

Permit me here to interpolate the view taken by Lord Macauley in 1857. The 19th century British historian took a dim view of the American Government, and predicted its doom. Said he:

> Institutions purely democratic must, sooner or later, destroy liberty or civilization, or both.

Although Lord Macauley underestimated the power of our Republic to sustain itself against attacks from within and without, he nonetheless correctly recognized the inherent perils in a pure democracy.

To attempt to introduce the purely democratic idea into this ordered system of representative government is to subject the Republic to chaotic confusion.

James Madison put it this way:

> Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the right of property; and have in general been as short in their lives as they have been violent in their deaths.

I am reminded of the story of the lady who stopped Benjamin Franklin as the weary delegates left the Convention Hall of 1787, their drafting of a more perfect form of government at last complete. "Well, Doctor," asked the lady, "What have we got—a republic or a monarchy?" "A republic," the doctor replied, "if you can keep it."

Ours, Mr. President, is not a pure democracy. Nor is it purely republican.

It is a representative government based on the consent of the governed.

It is a republic with a check-and-balance system unmatched at any time anywhere else in the world.

It is a republic under which freemen have prospered and remained secure as at no other time in history.

It is in this republican government that the Senate has been assigned a key constitutional role.

Gladstone called the Senate the most remarkable of all the inventions of modern politics. It has remained remarkable because of the personal integrity of the men who served in it and because of wise and just application of its rules.

Lindsay Rogers, in his scholarly study of the U.S. Senate, termed it the only legislative body in the world made up of representatives from the commonwealths no one of which, without its consent, can be deprived of its equal representation, and whose rights, even though steadfastly dwindling, still remain substantial.

I submit, Mr. President, that it is absurd to try to apply to the Senate the principle of majority rule or democracy as it usually is understood.

It is erroneous to say that every legislature should be able to act if a majority of its Members desire action, and this is particularly true of the Senate. Besides the fact that the Senate is composed of 100 Members, representing 50 States, each of which is entitled to an equal vote on any issue, the Constitution and the history of the United States shows that the Senate is no mere legislative body.

In truth, Mr. President, the Senate is a continuing council of States sitting as an integral part of the Federal Establishment.

William S. White correctly described the Senate when he wrote:

> The Senate, though the Senate of the United States, is in fact the Senate of the States, so that never here will the cloud of uniformism roll over the sum of the individual and the minority.

The Senate is a protective repository on the national level for the sovereignty of the individual States.

It affords order, continuity, and stability to the Federal Establishment.

It seeks to keep the Government close to the people, to prevent unnecessary and unwarranted centralization of Federal authority.

Our far-sighted Founding Fathers were well aware of these responsibilities and the trust they conferred upon the Senate.

They realized that the House of Representatives would be too large and impermanent to see to these duties. They knew that free debate was impractical in the House and that the important bills would sweep through that Chamber without sufficient deliberation.

The President, with the cooperation of the leaders of the majority party can sometimes push legislation through the House so rapidly that minority party Members and sometimes Members of the majority as well cannot understand what is being done.

This is impossible in the Senate where freedom of debate acts to check party autocracy and potential dictatorship of the Executive.

Let us now consider the origin of our constitutional government and the place of the Senate in it. For here Mr. President we find irrefutable proof that so-called majority rule and its cohort, cloture, and utopian unlimited democracy are alien to the unique concept of this body.

We must carefully examine the Articles of Confederation, the Constitutional Convention, and the Constitution itself. Each must be considered in relation to the other, as well as the thinking and intent of the men involved in the great venture of founding a new nation.

The Articles of Confederation, under which our Government functioned from 1781 to 1798, established a "firm league of friendship" between the 13 States.

A principal feature of the articles was the recognition of complete and unchallenged sovereignty of the States. Article II provided:

> Each State retains its sovereignty, freedom and independence and every other power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

Regardless of population or wealth, each State was given one vote in the Continental Congress, and on most important measures, a vote of 9 of the 13 States, or three-fourths, was required for passage.

The articles, however, proved to be insufficient to the needs of the new Nation and hampered to a large degree the operation of a Central Government.

The Founding Fathers suggested that delegates from the States meet in 1787 at a Constitutional Convention for the purpose of revising the Articles of Confederation, and to seek a stronger government in the interest of the social, economic, and national security.

Delegates to the Convention, though they saw the need for a new Constitution to replace the defective articles, were nonetheless doggedly determined not to surrender their newly won sovereign powers and equality of the States.

The delegates insisted that the new Constitution must continue to provide for equal representation in the Congress of all the States. James Madison's clear and reliable notes on the convention indicate that the motivating spirit of the Convention was to make the new Nation safe from unlimited democracy.

As could be expected as the Convention progressed, large, populous States disagreed with the smaller States on the important matter of representation in the Congress.

Smaller States rightfully feared that they would be overrun by the sheer numerical force of the large States, and they were loathe to relinquish the protection afforded by State equality. Moreover, they desired to protect themselves against the creation of a Central, National Government, with dominating power.

Out of the Convention emerged two major plans, the Virginia or large State plan, and the New Jersey or small State plan.

The delegates were deadlocked and when it appeared that the Convention might be hopelessly dissolved, there came the great compromise.

Mr. President, it is in this compromise that the origin of the U.S. Senate can be found.

Dr. William Samuel Johnson, of Connecticut, played a key role in eliminating the impasse. After the delegates had voted that representation in one House of Congress be based on population, Dr. Johnson proposed that suffrage in the second Chamber be the same that was provided for in the Articles of Confederation.

During the heated debate that followed, Dr. Johnson laid the foundations for the organization and powers of the Senate:

> It appears to me that the Jersey plan has for its principal object, the preservation of State governments. I could have wished that the supporters of the Jersey system could have satisfied themselves with the principles of the Virginia plan; and that the individuality of the States could be supported. It is agreed that on all hands, that a portion of the Government is to be left to the States. How can this be done? It can be done by joining the States in their legislative capacity with the right of appointing the second branch of the legislature to represent the States individually.

Thus is developed that out of trial and error, turmoil and effective compromise, the Constitution of the United States evolved; and with it the Senate, the greatest legislative forum in the world.

The Federalist letters did more to explain the Constitution than any thing else written at the time or since then. They are recognized as the most authoritative source available for determining the true intent of the framers of the new instrument, which Gladstone said was "the most wonderful work ever struck off at a given time by the brain and purpose of man."

Alexander Hamilton wrote in letter IX of the Federalist that the Constitution made State governments constituent parts of the national sovereignty, by allowing them direct representation in the Senate.

This view was later shared by James Madison, writing in letter No. 45, as follows:

> The State governments may be regarded as constituent and essential parts of the Federal Government; whilst the latter is nowise essential to the operation or organization of the former.

Madison emphasized that the Constitution by strict interpretation is neither national nor Federal, but a composition of both. He explained the checks and balances deliberately provided in order to protect the people's rights and the States as sovereign entities.

Discussing the two Houses of Congress, Madison wrote:

> The House of Representatives will derive its powers from the people of America, and the people will be represented in the same proportion, and on the same principle as they are in any legislature of a particular State.
>
> The Senate, on the other hand, will derive its powers from the States, as political and coequal societies; and these will be represented on the principle of equality in the Senate.

Thus we see, Mr. President, that the Senate resulted from a great compromise, that its role in our Government is clear cut, that the Senate has been assigned a place in the Government quite unlike that of the more democratic

House, and that it is this fundamental representative difference between the House and Senate that forms the basis for an important aspect of our principle of checks and balances.

Thus it is clear, Mr. President, that the Senate is not just an "upper House" of the Congress.

The Senate performs a quasi-executive function in connection with treaty-making.

Members of the Senate sit as judges in impeachment proceedings.

Appointments of the Executive require the advice and consent of the Senate.

Thus, in the origin of the Senate and the intent of our forefathers in creating it, we can understand why whimsical tampering with this body and its rules threatens to change the character of the American Government.

Thus we know that rule by the majority was never intended for the Senate.

Recent history indicates that they are pointing their weapons in this direction. And, Mr. President, I am dismayed that this could very well lead to the opening of a new front, an assault on our revered committee and seniority system.

However, advocates of majority and gag rule know that the prospect is repugnant to many Members of this body who think as I do, so they are indicating a willingness to stealthily move toward their goal a step at a time.

There now is talk of a "compromise" three-fifths cloture rule to be substituted for the present two-thirds rule.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. TALMADGE. I am delighted to yield to my able friend from Louisiana.

Mr. LONG of Louisiana. Is not this step-by-step program somewhat analogous to the Communist proposal for peaceful coexistence; that is, is it not the attitude that the Communists are willing to wait some time to destroy and overthrow what remains of our form of government, provided they are assured that that result will take place?

Mr. TALMADGE. The Senator from Louisiana is eminently correct. That is the type of approach that is being used. Of course the pending question, as the Senator knows, is the instant cloture motion of the Senator from New Mexico. However, if the proponents fail in that, they will come in with a three-fifths proposition, and then in the next Congress, in the 89th Congress, they will come in with a majority proposition. Ultimately they want to get it down to a majority of those present and voting, which would allow 26 Senators to gag 74 Senators.

Mr. LONG of Louisiana. I thank the Senator. I should like to ask him whether it is not pretty much a program of seeking the result whereby eventually even a minority could gag the Senate of the United States.

Mr. TALMADGE. Indeed so. As a matter of fact, this has been proposed by some of the more extreme voices in the Senate, namely, that a majority of those present and voting be able to gag the other 74 Senators.

Mr. LONG of Louisiana. Can the Senator point out the particular bills which those who would like to destroy free debate in the Senate feel they must put through as a part of their program to justify their activities in this regard?

Mr. TALMADGE. Of course, they often raise the clamor that they cannot pass a civil rights bill with free debate in the Senate. But the Senator knows and I know that that is not true, because in the last 6 years two civil rights bills have been passed, and we had yea-and-nay votes approximately 100 times on civil rights bills during that period of time.

Mr. LONG of Louisiana. Is it not true that most of these misnamed civil rights bills have actually come to a vote in the Senate?

Mr. TALMADGE. Indeed they have.

Mr. LONG of Louisiana. Most of them have been defeated by a majority vote, have they not?

Mr. TALMADGE. By overwhelming majorities, I might add, as the Senator knows.

Mr. LONG of Louisiana. Is it not a case of the measures which proponents claim must be the instance of the gag rule in the Senate being actually for the most part a bunch of old bones that have been in the Senate for consideration before and which have been thrown out by a majority vote?

Mr. TALMADGE. The able Senator is entirely correct.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield.

Mr. LONG of Louisiana. Does not the Senator recognize the fact that it is a part of the nature of the Senate, and that it has been organized in such a fashion, which makes it somewhat difficult for these minority pressure groups, bent on their own special advantage, rather than on the advantage of the public interest in general, to deliver the votes which they have managed to commit at one time or another?

Mr. TALMADGE. The Senator is entirely correct. As I pointed out earlier in my remarks, before the Senator from Louisiana came on the floor, free speech in the Senate has preserved the right of habeas corpus, it kept the Supreme Court from being packed in 1937, and it kept members of the railroad labor unions from being drafted into the Army in 1946.

I believe that result was wise. I believe it would have been unwise for any of these three measures to have been passed.

However, what the proponents want is to make the Senate immediately amenable to any pressure group anywhere in the country at any time, to the point where any small group of people can say "scat" and the Senate will have to scat. The Senate was not designed to be amenable to pressure groups immediately.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield to my friend from Louisiana.

Mr. LONG of Louisiana. Did not the Senator serve as Governor of Georgia for two terms prior to the time that he came to the Senate?

Mr. TALMADGE. I served for an unexpired term and one full term, for a total of 6 years and 2 months.

Mr. LONG of Louisiana. During the period when the Senator from Georgia served as Governor, and during the period of his service in the U.S. Senate, has he not had the experience of being told by Members of this body that they regretted that they had been committed on some particular piece of proposed legislation before they had heard all the merits discussed?

Mr. TALMADGE. I have had half a dozen Senators approach me and say, "You are exactly correct on this issue. I want to get rid of it. It would be catastrophic if any change should be made in the rule. I regret that I have committed myself. How can I get out of it?"

Mr. LONG of Louisiana. Has not the Senator from Georgia had the same sort of experience that has occurred to others among us; namely, that we would actually have to approach Senators on occasion and ask them not to commit themselves because only one side of the case had been presented, well knowing that we who might find ourselves in the minority at the beginning of the debate would have to rely upon the facts being presented in order to defeat a bad piece of proposed legislation, for which a nationwide propaganda effort had been made?

Mr. TALMADGE. The Senator is entirely correct.

Mr. LONG of Louisiana. Is it not true that time and again in this body, during the service of the Senator from Georgia, some of the measures that have come before the Senate hurriedly with all sorts of favorable propaganda by well-paid, so-called grassroots elements, have been overwhelmingly defeated after having been debated at length in this body?

Mr. TALMADGE. The Senator is exactly correct.

Mr. LONG of Louisiana. That has been my experience with regard to a number of measures which had nothing to do with civil rights, but related to economic affairs and taxation. Does the Senator recall some of the lobbying that has taken place with regard to the so-called equal-rights-for-women proposal?

Mr. TALMADGE. I am aware of it.

Mr. LONG of Louisiana. Is it not true that whenever that proposal comes before the Senate, always a large number of Senators who have been lobbied concerning it seek its passage without understanding all of the problems which such a measure would create?

Mr. TALMADGE. The Senator from Louisiana knows that there are many pieces of proposed legislation which cannot stand examination in the light of day, leisurely, unhurriedly, and carefully. Some of the advocates of proposals to limit debate in the Senate evidently seek to pass legislation that cannot stand the light of day.

Mr. LONG of Louisiana. The Senator realizes, does he not, that States which have community property laws, particularly some of the ancient provisions which protect the wife with respect to her property or her ownership of her share of a home from being sold out from under her, or mortgaged, could be jeopardized by a fair interpretation of the so-called equal-rights-for-women proposal; and that that has caused a number of Senators to feel that we would have to vote for amendments to the proposal, even though we felt we could approve the general tenor of the proposal?

Mr. TALMADGE. I am certainly aware of that.

Mr. LONG of Louisiana. Has not the Senator recognized that every time an equal-rights-for-women measure has come before this body, the so-called Hayden amendment has always been adopted, even though Senators have been pressured, world without end, not to vote for it? They simply could not find any logical reason not to vote for it, notwithstanding the pressures brought to bear upon them. Is not the right of free debate in the Senate the one thing that relieves this body and the country of premature and sometimes unwise commitments that are squeezed from Senators under pressure of a campaign, when they have not had an opportunity to hear both sides of an argument?

Mr. TALMADGE. The Senator is entirely correct.

Mr. LONG of Louisiana. I thank the Senator from Georgia. I congratulate him on the outstanding speech he is making.

Mr. TALMADGE. I thank my able friend from Louisiana for the contributions he has made to the debate, not only today, but in many previous able speeches he has made.

Mr. President, there is no more justification for a vote of three-fifths of the Members of the Senate to halt debate than there is for majority rule.

The three-fifths proposal is purely and simply another attempt to abuse the rights of the minority with ironhanded, brute force of numbers.

It is nothing more or less than another attempt to destroy the constitutional balance between Federal and State power and to deal a deathblow to State sovereignty.

The right of all the States, large and small, to equal representation in the Senate will be diminished in direct proportion to the weakening of rule XXII and the subsequent stifling of freedom of debate.

No reasonable basis for instituting a three-fifths cloture rule can be found, Mr. President, not in the Constitution, nor anywhere else.

A three-fifths rule is no more palatable than domination by a majority of one, even though it may be somewhat sugar coated.

Let us deal now, Mr. President, with the allegation that the Senate is not a continuing body, that it may adopt new rules at the beginning of each Congress.

It was thought that the Senate buried this contention once and for all when it voted 4 years ago—72 to 22—to affirm the continuity of Senate rules.

By action of its Members, the Senate added the following language to rule XXXII:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Senators who were Members of this body at that time—January 12, 1959—cannot say they did not understand the significance and meaning of this addition to the rules of the Senate.

It was meant to end these biennial agitations to change the rules. Our distinguished Vice President, and President of the Senate, then serving here as majority leader, made that point absolutely clear in discussing the rule change.

Mr. LONG of Louisiana. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I am delighted to yield.

Mr. LONG of Louisiana. Does the Senator recall that this body had before it the situation involving the alleged misconduct of a former Senator from Wisconsin, Mr. McCarthy?

Mr. TALMADGE. I recall that.

Mr. LONG of Louisiana. Does the Senator recall that on that occasion the Senate voted, with every Democrat and half of the Republicans voting, to censure that Senator for misconduct which occurred in a previous Congress? I ask the Senator: Did not every Member of this body stultify himself if he contended that the Senate is not a continuing body, but voted to censure a Senator for alleged misconduct which occurred in a previous Congress?

Mr. TALMADGE. That, of course, would certainly follow. I was not a Member of Congress at the time of the situation to which the Senator has referred, but I remember reading about it in the press. I remember that the situation was as stated by the Senator. Of course, Senators would have stultified themselves by charging a Senator with a violation of Senate rules if the rules did not exist at the time.

Mr. LONG of Louisiana. I ask the Senator if he knew that the very committee report recommending the censure of that Member of this body, in spelling out the so-called bill of indictment, carefully explained that the Senate is a continuing body.

Mr. TALMADGE. I am well aware of the fact that the Senate has been a continuing body from 1789 to date, and that every Senate committee has at all times specifically stated that it is, but a vague theory has arisen recently which holds that the Senate can continue for some purposes, while for other purposes it cannot.

Mr. LONG of Louisiana. Would it not be true that one who contends that the Senate is not a continuing body, but who votes to censure another Senator, has actually voted to censure himself by voting to condemn a person for an action for which his Congress had no responsibility whatever?

Mr. TALMADGE. The Senator from Louisiana is eminently correct. To add to what he has said, let me state that he knows that only one-third of the Members of the Senate were elected last year, in 1962. If any Senator who was not elected to the Senate in 1962 feels that the Senate is not a continuing body, he should resign and should let the Governor of his State appoint someone else to his place in the Senate, because under such a belief such Senator would not be entitled to hold the office of Senator, if the Senate is not a continuing body.

Mr. LONG of Louisiana. Is it not also true that a Senator who contends that the Senate is not a continuing body would be much like a person who signed a contract, but later did not want to accept all the burdens of the contract?

Mr. TALMADGE. That is correct. I would not wish to reflect on one who did that; but I would say that if some Senators had that view when they took the oath of office, they would have had their fingers crossed when they took that oath.

Mr. LONG of Louisiana. Is it not also true that if Senators took that view and that position, they would then be in violation of the oath they took to uphold the Constitution of the United States?

Mr. TALMADGE. I think that is entirely correct.

Mr. LONG of Louisiana. I thank the Senator from Georgia.

Mr. TALMADGE. I thank my friend, the Senator from Louisiana.

Mr. President, I refer the Senate to the following portion of the Vice President's statement as found on page 493 of volume 105, part 1, of the permanent CONGRESSIONAL RECORD. Said he:

> Finally, the third provision of this resolution would write into the rules a simple statement affirming what seems no longer to be at issue; namely, that the rules of the Senate shall continue in force, at all times, except as amended by the Senate.
>
> This preserves, indisputably, the character of the Senate as one continuing body in our policymaking process.
>
> It precludes the involvement of the Senate in the obstruction that would occur—or could occur—if, at the beginning of each Congress, a minority might attempt to force protracted debate on the adoption of each Senate rule individually.

Mr. President, I submit that if legislative history means anything—that if the rules of the Senate mean what they say and are enforcible—then any proposal to adopt or change rules properly should come before the Senate on report from the Committee on Rules and Administration.

Certainly such a course is clearly indicated when rule XXXII is considered in the light of rule XXV which reads in subsection (o) as follows:

> (o)(1) Committee on Rules and Administration, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
>
> (E) Matters relating to parliamentary rules; floor and gallery rules—

Of course, it goes without saying, Mr. President, that a majority of the Senate can change any rule at any time. Under rule XL motions to amend the rules are declared to be in order "on 1 day's notice in writing, specifying precisely the rule or part proposed to be amended, and the purpose thereof."

But I would point out and emphasize, Mr. President, that the proper and orderly procedure is that of rule XXV which contemplates committee deliberation and recommendation as prerequisites to Senate consideration of proposed changes in its rules.

Any other procedure not only would fly directly in the face of logic but worse would serve to render meaningless the committee system upon which the American legislative process is based.

Mr. President, we find in the Federalist extensive testimony describing the Senate as a continuing body with continuing rules.

Hamilton, writing in letter No. 17, distinguished between the senatorial trust and membership in the House of Representatives. He wrote:

> The mutability in the public councils, arising from a rapid succession of new Members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the Government.
>
> The internal effects of a mutable policy are calamitous. It poisons the blessings of liberty itself. The want of confidence in the public councils, damps every useful undertaking; the success and profit of which may depend on a continuance of existing arrangements. No government, any more than any individual, will long be respected, without being truly respectable, without possessing a portion of order and stability.

Commenting further on this legislative branch of our Government, Hamilton urged that there be a legislative department with sufficient permanence to handle such matters as require continued attention.

The Senate, as viewed by Hamilton, is a body which must possess "great firmness." It should "hold its authority by a tenure of considerable duration." In order that the Government be made safe from "the impulse of sudden and violent passions" and the seduction "of factious leaders into intemperate and pernicious resolution."

This then, Mr. President, is the mission of the Senate of the United States. It has been so since its organization April 6, 1789, and never since then has there been a time when the Senate as an organized body has not been available to the President's call or in accordance with the terms of its adjournment, for the transaction of public business.

We have a ruling by the U.S. Supreme Court in support of this fact. In 1926, in the case of *McGrain* v. *Daugherty* (273 U.S. 135), the Court held:

> The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Mr. President, session after session of the Congress, there are attempts to put the Senate in a straitjacket of gag rule, to forever banish free and open debate from these halls.

I suggest that we are confronted with more than just the mere modification of the rules of the Senate.

This, Mr. President, goes to the very heart of our Government.

This is an attempt to repudiate the Senate's assigned Constitutional role in the checks and balances system of our Government.

This is an effort to take away the constitutional guarantee that each State be equally represented in the Federal Congress.

It would make a mockery of State sovereignty.

The rights of the minority would be a thing of the past.

It would destroy the best aspects of the Federal-national system and substitute therefor the worst aspects of a national system, making big government bigger and less responsive to the will of the people.

This, Mr. President, is not a constructive evolution of our governmental processes.

It is nothing less than revolution.

I would refer the Senate once more to James Madison, writing in Federalist Letter No. 51:

> Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign, as in a state of nature where the weaker individual is not secured against the violence of the stronger.

Mr. President, I beg this Senate not to repudiate the continuity of its rules or to move another step toward majority cloture.

I beg the Senate to respect its historical heritage, not to forsake traditions which for so long have made this country great, this body the only free forum in the world.

Mr. President, when the day comes that a "gag rule" majority can work its will in the Senate, it will make the beginning of the end of our republican form of government.

That will be the day the Senate of the United States surrendered its integrity, its constitutional responsibilities.

That will be the day when the Senate abdicated its duty as the preservator of individual liberty.

During the delivery of Mr. TALMADGE's speech,

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from Oregon [Mr. MORSE] and the Senator from Minnesota [Mr. HUMPHREY] without losing my right to the floor, and with the understanding that their remarks will follow my remarks.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection? The Chair hears none, and it is so ordered.

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## VISIT TO MEXICO BY SENATOR MORSE

Mr. MORSE. Mr. President, yesterday, January 28, I had the privilege and the honor of representing the Committee on Foreign Relations of the Senate at the dedication of the beautiful archway that has been built between Brownsville, Tex., and Matamoras, Tamps., Mexico. The great President of Mexico, Hon. Lopez Mateos, attended the dedication.

I had the privilege of flying with President Lopez Mateos to Mexico City yesterday afternoon. Following the dedication I discussed with President Lopez Mateos some of the problems which are arising from United States-Mexican relations in connection with the Alliance for Progress program and other matters. I should like to take this moment to thank the President of Mexico for his courtesy, and also for his kind participation in and understanding of the problems of the Alliance for Progress vis-a-vis Mexico and the United States. I consider the President of Mexico to be one of the great democratic leaders of all Latin America. One could not confer with him, as I did yesterday, and not appreciate fully that we have in him a great friend of freedom in Latin America and an understanding ally in the great purposes of the Alliance for Progress program.

The major speech at the dedication was delivered by another great Mexican, Senator Antonio J. Bermudez, who, under appointment by the President of Mexico, is Director General of the Mexican National Border program. Before I finish these comments, I shall ask unanimous consent to have the speech by Senator Bermudez printed in the RECORD. It sets forth in detail and with great clarity the purposes and objectives of the inspiring Mexican National Border project.

Mr. President, not only is this program one which seeks to build a series of bridges and archways connecting the United States and Mexico; it is also a program which seeks to help to industrialize the cities on the Mexican side of the border. In many respects, it is an urban renewal program. It seeks to eliminate some of the troublesome and unfortunate slum areas which exist in those Mexican cities. They are areas which create many of the social and economic problems which always arise when human beings have to live in a below-standard condition. It is a program that seeks to improve the housing conditions of many of the people of low income in those Mexican border cities, who are living under the present slum environment conditions.

Senator Bermudez is one of the finest humanitarians I have ever known anywhere in the world. Although he is a man of some wealth, at least so I understand, his greatest wealth is his understanding and personal dedication to the spiritual teaching that we are our brother's keeper. He knows that each one of us has the moral obligation to face up to the human misery that many of our fellow men live in. He believes that society as a whole must assume a societal responsibility for the substandard living conditions of the victims of slums.

Senator Bermudez does not ignore the fact that communism breeds in slums and feeds upon the hopelessness of hunger, disease, and discouragement. The housing needs of the border cities of Mexico make the Mexican border program a noble endeavor if it contained none of its many other fine objectives and inspiring ideals and visions.

The problem of housing in Mexico—and, for that matter, in all of Latin America—is not only one of the most vital problems facing millions of Latin American people, but, in my judgment, it is one of the great problems facing the United States in connection with the implementation of the Alliance for Progress program. We all recognize, that if there is family farm ownership in the country and private home ownership in the cities, it is not necessary to worry about communism in such a society. If I were to be asked, as chairman of the Subcommittee on American Republics Affairs, the greatest economic service we could help to perform, not only for Mexico, but also for all of Latin America, I would say: Let us place emphasis upon family-farm ownership in the country and private home ownership in the cities. If we give emphasis to that economic problem, we will strike a body blow into the heart of communism.

The border project on which Mexico plans to spend a good many millions of dollars for development is one of the greatest hopes for the improvement of the standard of living of a great many Mexicans who at the present time live under very substandard conditions.

But we, in the United States too, have a responsibility in connection with this border project. As Mexico improves her cities along the American border, numerous benefits will result to the U.S. economy. My subcommittee has received a series of telegrams and resolutions from one chamber of commerce after another along the entire United States-Mexican border, urging that the United States give favorable consideration to assisting Mexico in the development of this project. I think we ought to study the problem very carefully. In fact the Subcommittee on American Republics Affairs proposes to study it very carefully. We wish to make it very clear that we should give no approval at the present time, not even tentatively, other than to say that the project merits careful attention and cooperation on the part of the United States.

It was reported to me yesterday in my conference with Mexican officials that some American representatives of the Alliance for Progress program seem to be frowning on the national border program because it might help industrialize the Mexican border cities. Apparently they argue that more jobs for Mexicans in Mexico would result in Mexico selling more to the United States and buying less from the United States. Mr. President, what a silly non sequitur argument. As we build up the purchasing power of Mexicans through industrialization we increase their purchasing power to the benefit of both Mexican and United States business firms.

There is one project involved in this study about which I spoke with the President of Mexico yesterday afternoon, because it was raised by Senator Bermudez in his speech at the dedication yesterday. It is a very delicate problem. It has plagued United States-Mexican relations for about half a century. I think that all who have dealt with it realize that the time has come when this controversy between the United States and Mexico must be settled. It is imperative to settle it if we are to have good will and mutual understanding between these two great democracies in the Western Hemisphere. I refer, of course, to the Chamizal land. It is that very small area of not so many acres which has been a great bone of contention between Mexico and the United States for 50 years. The controversy is with respect to which country owns that little piece of land. In my judgment, the symbolism of this controversy has ballooned all out of proportion to its importance.

In his speech yesterday, Senator Bermudez presented a suggestion in regard to this controversy which I think deserves the very careful and, I hope, favorable attention of our State Department and our Government. It is a suggestion, as will be seen when I read that part of the speech, which has the complete approval of the Mexican Government. I discussed the problem with the President of Mexico yesterday. In his speech, Senator Bermudez said:

> Along the entire Mexican-United States border and for more than five decades only one obstacle has existed, to which I should like to refer at this point. To be able to construct the Great Gateway to Mexico between the two border cities that are the most important from a demographic and economic standpoint—Ciudad Juárez, Chihuahua, and El Paso, Tex.—the case of the Chamizal lands must be solved; and there is no legitimate reason for lack of settlement. Every Mexican resolutely supports the patriotic efforts of President López Mateos aimed at recovering this small but symbolic piece of Mexican land and applauds all his actions on behalf of such recovery, an endeavor without precedent in recent years.
>
> We know that the President of the United States, Mexico's friend, also earnestly seeks a settlement, which will bring great benefit to both countries—a benefit that of a surety is not of an economic or material nature. Although we Mexicans rely on the fulfillment of President Kennedy's promise regarding the restitution of the Chamizal, I am permitting myself the liberty of taking advantage of the presence of distinguished U.S. officials with whose attendance we are honored on this occasion, and of the gentlemen of the press from our neighboring country, to bring once again to the Government and the people of the United States a message to express our trust that the voice of our President will be heard, demanding that the Chamizal problem be solved, and at an early date.

Then he made a specific suggestion for its solution, as follows:

> However, in keeping with projects mapped out in principle by the President of the Republic, Adolfo López Mateos, we will go even further.
>
> On that plot of recovered ground, we propose to construct yet another symbol of the friendship and union between peoples; but a living and creative symbol: the Continental University, to be attended by young people from all the countries of America, without distinction as to race, ideology, creed, or social or economic group. There, within the broad outlines of freedom of instruction and investigation, and removed from all religious and political doctrines or intellectual limitations of any type, an awareness of international solidarity will be fostered, founded on the democratic ideals of fraternity and juridical equality of all men everywhere.
>
> Mexico will have the high honor of converting a land area that has been the object of dispute between two friendly nations into the seat of an organization dedicated to peace and union among men.

Mr. President, the area called the Chamizal lands is of small acreage. It could be used in its entirety by the campus of a great continental university. That would be in keeping with a great tenet of Jeffersonian democracy—namely, that a democracy can be no stronger than the enlightenment of its people. Yesterday afternoon I suggested that if such a university were built, it would be very appropriate to have somewhere on the campus a statue of the great Jefferson, because he also symbolizes education as one of the most effective forms of enlightening the people of a democracy. I think the suggestion being made by the leaders of Mexico is a very constructive one. Certainly it is based on a great ideal which I believe we should cooperate in putting into action. I sincerely hope the leaders of our Government will give very favorable and serious consideration to the suggestion which a spokesman for the Mexican Government made yesterday at the dedication of the great archway at Matamoras. I hope our Government also will appreciate what such a settlement could do as a great symbol of friendship in the Western Hemisphere. Our agreeing to this Mexican proposal would show that we are willing to join in erecting a great continental university of the Western Hemisphere, to which the young people from all the Latin-American countries and from the United States could go for the intellectual commingling which is so important if we are to develop the continental understanding which is essential in the years ahead in order to maintain the peace and prosperity which must be maintained if we are to have in the Western Hemisphere not only a perpetuation but a strengthening of freedom.

To the President of Mexico and to Senator Bermudez, I extend from my desk in the Senate today my compliments for the foresight, the insight, and the idealism expressed yesterday at the dedication, in speeches such as the main speech given by Senator Bermudez. I believe we should give them, in return, the assurance that we intend to embrace them in the common cause of strengthening freedom in the Western Hemisphere.

I ask unanimous consent that the speech delivered by Senator Bermudez be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### ADDRESS DELIVERED BY MR. ANTONIO J. BERMUDEZ, DIRECTOR GENERAL OF THE NATIONAL BORDER PROGRAM, AT THE DEDICATION, BY PRESIDENT ADOLFO LOPEZ MATEOS, OF THE "GREAT GATEWAY TO MEXICO" IN MATAMORAS, TAMAULIPAS, JANUARY 28, 1963

Mr. President of Mexico, Mr. Governor of the State, guests of honor, ladies and gentlemen, the presence of our Chief Executive enhances the high significance of the solemn ceremony in which we offer to the nation the Great Gateway to Mexico, in this heroic city of Matamoras. His presence also gives us cause for gratitude, for it constitutes a singular stimulus toward continuing with greater dedication the endeavor of which he is the author: the transformation and ennobling of our border areas.

We are grateful also for the high honor bestowed on us by the presence of distinguished officials and other outstanding personages from Mexico and the United States.

The first impression the traveler receives on entering into Mexico through the Great Gateway is furnished by the Plaza of the Flags, conceived as a monument to the unity existing between the nations of this continent, bulwark of peace, liberty, and democracy. When we watch the flags of our sister republics to the south proudly flying, we will always be reminded of the highly significant fact that this spot at which we are gathered today marks the real beginning of the Latin American frontier.

Not too many years ago certain well-known Mexican politicians coined phrases describing the sad situation prevailing traditionally in Mexican-United States relations. We recall the famed complaint that "we are so far from God and so close to the United States," seconded by another motto: "Between Mexico and the United States—the desert."

Today, however, we have the right of regarding the future from another perspective. Inexorable international realities demand that the old patterns of policy between countries be discarded; moreover, the Mexican Revolution, by giving us a new and sounder sense of our standing as Mexicans, has definitely erased from our minds any feeling of inferiority or fear—a circumstance which has constituted the real and true basis of the increasing and local understanding at which we have arrived with our neighbors.

For this reason, facing the majestic Plaza of the Flags we have placed our tricolored insignia and our national coat of arms, symbols of our sovereignty and "Mexicanness." They stand for the thorough conviction we Mexicans have of our historic destiny, within which dealings with the other peoples of the world are governed by equality, mutual understanding and respect.

Only in this way is true friendship between nations possible, a friendship which we Mexicans hold in especial esteem. We believe that friendship, as a noble and generous sentiment filled with understanding and devoid of selfish interest, is the most powerful instrument for problem solving, whether between individuals or communities, for it always succeeds, even where diplomacy and politics fail.

It is for this reason that we have firmly resolved that this great gateway to Mexico—and here I particularly address our U.S. guests—shall be a constant invitation to friendship, and an important and valuable element of cooperation in the good neighbor policy.

Mexico's great gateway is a standing invitation for our friends to get to know us better. They will find that life in Mexico has an outline and contents that are unmistakably those of a people with a natural vocation for peace. Peace to us is a permanent ideal within our historic development, for in peace we see the fruit of liberty and social justice. We advocate peace with the moral authority and irrefutable testimony of a people that lives in peace, and for peace. And world peace, may we emphatically affirm, has in Mexico one of its most loyal and steadfast subjects; and in the person of her President, one of its most dedicated and intrepid leaders.

The great gateway to Mexico is hence also a symbol of peace, for it bears witness to the world how two nations, so different from each other, should be, and can be, neighbors and friends.

We are convinced that the national border program constitutes a very Mexican answer to the fact—materially quite important—that year in and year out 70 million people cross our border. This, in the first place, has stirred our traditional sense of hospitality. For the sake of courtesy and friendship, it is our duty to see to it that our guests find the cleanliness, order, facilities, and comfort that they deserve. With that aim in view, we have included within the complex forming the great gateway to Mexico certain buildings devoted to customs, immigration, health, and tourism services. These units have been designed in such way as to provide the habitual Mexican courtesy with an appropriate setting where it can be manifested in speed, efficiency, and cleanliness in our dealings with those who visit us. The basic intent is for our friends from the United States to confirm the fact that hospitality is one of the most typical Mexican characteristics.

We are aware, however, that most of our visitors do not go beyond the border areas. Of the $770 million they spend in our country, only $170 million are spent in the interior of the Republic. This is to be regretted, for we Mexicans know of natural beauties in our country that defy description but go unvisited; of regions filled with color and folklore; of impressive monuments, the heritage of our centuries' old culture; of cities that are so different from each other, and so interesting. Proud of our native land because of its natural features as well as the trail left by the millenia of human habitation and tradition, we sincerely want Mexico to be known in its entirety. For that reason, the great gateway to Mexico should also serve by way of introduction, however brief, to what we are. We believe that the impressive incoming tide of U.S. citizens can and should be the carrier of a dual and positive message: First, letting us become acquainted, by contact with the individual visitors, with what the United States is really like; and second, by enabling those visitors to take back with them a fairer and more realistic concept of what we are.

To round out the meaning for us Mexicans of Mexico's great gateway, may I quote the words of the President of Mexico, Adolfo López Mateos:

"Our boundary lines do not mark the end, but the beginning of our country. The frontier areas, because of their geographic characteristics and social conditions prevailing there, have been the subject of special attention on the part of the Government of the Republic." Referring on another occasion to our border regions, our Chief Executive also affirmed: "Just as they are a window to the outside, they must also be a showcase of the social progress of the Mexican people who, fully cognizant of their destiny, work for their own well-being and occupy a worthy and respected place in the concert of nations."

These two presidential statements express the essence of the work undertaken by the national border program. From the very moment of birth we Mexicans feel a complete devotion to our native land. Upon reaching individual maturity, this devotion is transformed into a true mystique, that ineffable mystique of Mexicanness that everyone who visits us experiences, as though inexplicably bewitched. And this mystique has today invaded the will and earnest endeavor of the men of the frontier, urging them to transform and exalt it, for the first firm step toward the betterment of our homeland lies in our conviction that it is within our power and up to us to do so.

Supplying authority and resources, President López Mateos' administration has, for the first time in our history, initiated the task of raising the standard of living of our border inhabitants by linking their economic, social, and cultural life with that of the rest of the country.

Every Mexican without exception should participate in this endeavor. However, this applies most particularly to those who by virtue of their work, intelligence, and willpower have managed to accumulate resources suitable for investment in this great task. Many of these persons should repatriate their savings or capital held abroad, in the United States or Switzerland, and make such funds available to the prodigious creative effort the country demands.

The border market represents 25 percent of that comprising the nation as a whole and has the highest economic potential in the country: Per capita income amounts to 656 U.S. Cy. per year, or 135 percent higher than the national average. Mexico needs markets to consume the output of her industries, and to capture and expand the border market constitutes a challenge to our intelligence, our ability, and our patriotism.

This conquest should favorably influence the solution of other national problems, among them, that of creating a greater number of job opportunities. (By the end of the next 6-year presidential term, we will have had to find jobs for no less than 4 million additional young Mexicans who will have joined the productive ranks.) With an eye to this problem, it is our earnest desire that the total transformation of the strip of territory constituting this frontier region will contribute to the creation of new sources of employment, and to the effective employment of our manpower, including the braceros (Mexican laborers who work in the United States).

Bracerismo, which came into being in May 1943 as a wartime contribution by Mexico in response to an express petition by President Roosevelt, addressed to Mexico's unforgettable President Avila Camacho, has with the passage of time become a matter of embarrassment and grave concern, for instead of commodities, we are exporting men. The strong arms of the Mexican braceros should contribute to a greater Mexico, and to her agricultural and industrial development.

National border program activities likewise qualify as an eloquent expression of the harmony that does and must exist between government effort and that of private enterprise.

Here in Matamoras we are certain that Mexican private enterprise, however modest, will join in the endeavor underway, since the Government cannot, should not, do everything. In modern Mexico there is no time to lose nor is there room for defeatism, inferiority complexes or pessimistic attitudes. We must not regard any problem as insuperable; there is but one motto, one conviction, and one insignia for all: the betterment of our country. For we have fought throughout our history to aggrandize Mexico and thereby make it more our own; we have learned from our elders that the first requisite for a better country is always that it be our country. It is in that spirit that we must understand the obligations inherent in frontier living.

Today we have completed this gateway to Mexico as the first stage in the projects planned for this city. Next we will construct a commercial center and a tourist zone. As fast as the availability of resources will permit, we will continue working in order to conduct the same program in all the cities along our northern and southern borders, bringing to them the excellent features of our historic and cultural values so that they may be the true and authentic reflection of our national essence. We expect to be able very soon—in the course of the present year—to repeat this invitation in order to have the pleasure of your company at other gateways to Mexico, and at the dedication of various other projects.

On this occasion the President of the Republic, Adolfo López Mateos, has honored us by delivering the master regulatory plans that will govern the development of five major cities within this border zone. Consequently, the projects conducted by the program will not be in the form of building groups isolated from the other population centers. These are to expand in harmonious fashion, in keeping with the most precise technical indications, and each city is to become in its entirety a worthy gateway to Mexico, the object of admiration of outsiders and a cause for satisfaction on our part.

Along the entire Mexican-United States border and for more than five decades only one obstacle has existed, to which I should like to refer at this point. To be able to construct the great gateway to Mexico between the two border cities that are the most important from a demographic and economic standpoint—Ciudad Juárez, Chihuahua, and El Paso, Tex.—the case of the Chamizal lands must be solved; and there is no legitimate reason for lack of settlement. Every Mexican resolutely supports the patriotic effort of President López Mateos aimed at recovering this small but symbolic piece of Mexican land and applauds all his actions on behalf of such recovery, an endeavor without precedent in recent years.

We know that the President of the United States, Mexico's friend, also earnestly seeks a settlement, which will bring great benefit to both countries—a benefit that of a surety is not of an economic or material nature. Although we Mexicans rely on the fulfillment of President Kennedy's promise regarding the restitution of the Chamizal, I am permitting myself the liberty of taking advantage of the presence of distinguished U.S. officials with whose attendance we are honored on this occasion, and of the gentlemen of the press from our neighboring country, to bring once again to the Government and the people of the United States a message to express our trust that the voice of our President will be heard, demanding that the Chamizal problem be solved, and at an early date.

Once the new and legitimate boundary line is established, we plan to construct in Ciudad Juárez, as in other border towns, the great gateway to Mexico that will communicate with us the progressive and friendly city of El Paso, Tex.

However, in keeping with projects mapped out in principle by the President of the Republic, Adolfo López Mateos, we will go even further.

On that plot of recovered ground, we propose to construct yet another symbol of the friendship and union between peoples; but a living and creative symbol: the Continental University, to be attended by young people from all the countries of America, without distinction as to race, ideology, creed, or social or economic group.

There, within the broad outlines of freedom of instruction and investigation, and removed from all religious and political doctrines or intellectual limitations of any type, an awareness of international solidarity will be fostered, founded on the democratic ideals of fraternity and juridical equality of all men everywhere.

Mexico will have the high honor of converting a land area that has been the object of dispute between two friendly nations into the seat of an organization dedicated to peace and union among men.

In closing, I should like to refer once again to the spirit which inspires the National Border program, in keeping with the directives issued by the President of the Republic, Adolfo López Mateos—to raise our standard of living and point up our "Mexican-ness." These two objectives, when achieved, will not only strengthen Mexican unity, but will facilitate genuine friendship between two great neighboring nations, for such friendship will be founded on reciprocal treatment characterized by respect, equality, and understanding.

## THE U.S. ECONOMY AND CONVERSION TO PEACE

**Mr. HUMPHREY.** Mr. President, in Sunday's Washington Post there appeared a significant article by the distinguished economist, Prof. Paul A. Samuelson. The article discusses a problem of overriding importance, and Professor Samuelson's conclusions deserve careful attention.

The gist of the article is the argument that the United States cannot repose blind faith in the ability of the American economy, if left entirely to its own resources, to adjust smoothly to disarmament and at the same time to satisfy neglected demand in the private and public sectors.

Professor Samuelson, like many other forward-looking economists and international relations experts, is urging us to plan for the outbreak of peace. This is a wise doctrine which, as I have repeatedly urged, should be carried out by Government and industry—either singly or together or both. As Professor Samuelson notes, we cannot accept some people's bland assurances that American business is so flexible, or that private and public demands are so insatiable, that special efforts are not needed to guarantee that the funds released from the military sector will be absorbed automatically for the full benefit of the Nation. After Korea, he points out:

> Only part of our swords went into plowshares; part went into unemployment and a deceleration of economic growth.
>
> No one familiar with the American scene can bet that a $30 billion cut in military expenditure would be soon matched by an equivalent increase in spending on urban renewal, foreign aid and other projects. At best I would judge that a third of this amount might, after a struggle and as a result of economic distress, be voted into being.

Indeed. In other words, a large portion of the responsibility for efficient conversion to peace rests with us here in the Congress. It is up to us to identify the needs of the whole Nation, not merely the needs of special groups, and to pass appropriate legislation. We have not yet entered the happy state known as the absence of cold war. International disputes will not be removed overnight; and not for many years, if ever, will the Senate be asked to ratify a comprehensive world disarmament treaty.

Nevertheless, the President's proposals for a tax cut this year, accompanied by tax reform, are part and parcel of the kind of forward planning which must take place now. There is no greater task than to modernize our economy for whatever challenges may lie ahead, be they peace or continued international tension. Indeed, in our response to these problems lies the key to the survival of our Nation and our position of world leadership.

Professor Samuelson notes that a United Nations report, signed last year by 10 economic experts on both sides of the Iron Curtain, concluded unanimously that:

> All the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures. There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions.

I have previously had occasion to refer to this report. I now ask unanimous consent to have the full text of the U.N. report, entitled "Economic and Social Consequences of Disarmament," printed in the RECORD at the conclusion of my remarks.

The significant aspect of the report is that it was concurred in and signed by two Soviet bloc experts: Mr. V. Y. Aboltin, of the Soviet Union; and Dr. Oskar Lange, of Poland. Their adherence represents a significant retreat from Marxist-Leninist-Stalinist doctrine—a retreat that ranks with the previous withdrawals from the theories of "capitalist encirclement" and the inevitability of war between the so-called imperialist and Socialist camps. The new line does not say that capitalism will necessarily take full advantage of disarmament; it merely concedes that the capitalist system has more to gain from disarmament than from continuation of the arms race. On December 17, 1962, the first secretary of the Soviet Embassy told the International Arms Control Symposium that recent studies published in the United States prove that general and complete disarmament is feasible from the point of view of the American economy. This is a big advance, if only verbally. I am especially pleased that "The Economic Impact of Arms Control Agreements," a study prepared at my request for the Senate Subcommittee on Disarmament, was one of the hopeful studies which the first secretary had in mind.

It cannot be stressed too often that with the proper allocation of economic resources the American people could be among the chief beneficiaries of disarmament. With another $30 billion, what could not be done to solve a whole catalogue of domestic problems which drain our national strength like leeches on the body of an otherwise healthy man? We all know these problems: chronic unemployment; a dearth of opportunities for unskilled, undereducated youth; shortcomings in educational facilities and the quality of instruction; underdevelopment and overexploitation of priceless national resources; the shame of our cities; the tangled mess of transport; and many others. Throughout the United Nations report there are references to the unmet requirements of the American people, as well as to the needs of the Soviet Union and all other major areas of the world.

Let us keep these problems in mind every time that we vote record appropriations for defense. I have no quarrel with these appropriations. The defense program is essential; and no necessary expense or effort should be spared to strengthen national security. What is highly objectionable, however, is the attitude that every proposal outside the sphere of military expenditure is "excess fat" to be trimmed from the budget.

On the contrary, as President Kennedy said in his state of the Union message:

> We cannot lead for long the cause of peace and freedom if we ever cease to set the pace at home.

So, Mr. President, I ask unanimous consent that the report be printed in the RECORD, and that the article to which I have referred also be printed in the RECORD.

There being no objection, the report and the article were ordered to be printed in the RECORD, as follows:

[From the Department of Economic and Social Affairs, United Nations, New York, 1962]

### ECONOMIC AND SOCIAL CONSEQUENCES OF DISARMAMENT

(Report of the Secretary General transmitting the study of his consultative group)

### ACTING SECRETARY-GENERAL'S PREFACE

This report was prepared by a group of experts appointed by the late Secretary-General, Mr. Dag Hammarskjold, under General Assembly resolution 1516 (XV) to assist him in conducting a study of the economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development.

The members of the group acted in their personal capacities and their observations and recommendations were put forward to me on their own responsibility. I am convinced that their report represents a major step forward in the consideration of the economic and social consequences of disarmament and I am pleased to endorse their general findings. It is now my privilege to submit the report to the Economic and Social Council for its consideration and transmittal, along with its comments, to the General Assembly.

The members of the group were: V. Y. Aboltin, Deputy Director, Institute of World Economics and International Relations, Academy of Sciences of the Union of Soviet Socialist Republics; Mamoun Beheiry, Governor, Bank of Sudan; Arthur J. Brown, Head, Department of Economics, University of Leeds, England; B. N. Ganguli, Head, The Delhi School of Economics, India; Aftab Ahmad Khan, Chief Economist, Planning Commission, Government of Pakistan; Oskar Lange, Chairman, Economic Council, Council of Ministers of the Government of the People's Republic of Poland; W. W. Leontief, Professor of Economics, Harvard University, United States; José Antonio Mayobre, Ambassador of Venezuela to the United States; Alfred Sauvy, Director, National Institute of Demographic Studies, Government of France; and Ludek Urban, Economic Institute, Czechoslovakian Academy of Sciences. Mr. Sauvy was represented at the meetings of the second session of the group by Paul Paillat, also of the National Institute of Demographic Studies. Mr. Jacob L. Mosak, Director of the Division of General Economic Research and Policies of the United Nations Secretariat, served as Chairman.

In preparing the report the experts had available replies of Governments to a note verbale of the Secretary-General on the economic and social consequences of disarmament, which was sent in accordance with the unanimous recommendation of the group. Communications on the subject were also received from a number of the specialized agencies of the United Nations. The replies of Government, together with the relevant information from the specialized agencies, are reproduced in part II of the report.

The group was assisted in its work by members of the Secretariat from the Department of Economic and Social Affairs at United Nations Headquarters and from the Economic Commission for Europe, collaborating in accordance with that Commission's Resolution 1 (XVI).

It is everywhere recognized that the problems of disarmament considered in the present report are among the most vital before the United Nations today. In dealing with its economic and social consequences the experts have adopted the assumption that disarmament, once agreed upon, would proceed rapidly and would be general and complete. They have reviewed the resources devoted to military purposes and the peaceful uses to which these resources might be put when released. They have examined the conversion problems that might arise and the impact of disarmament on international economic relations and on aid for economic development, and they have called attention to some social consequences of disarmament.

It is a source of profound gratification to me, as I am sure it will be to all Governments, that, on a subject that has until recently been so beset by ideological differences, it has now proved possible for a group of experts drawn from countries with different economic systems and at different stages of economic development to reach unanimous agreement. It is particularly encouraging that the Consultative Group should have reached the unanimous conclusion that "all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures," and that "there should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions."

On behalf of the United Nations, I wish to thank the members of the group for their valuable contribution and to express my appreciation to the institutions with which the experts are associated for their willingness to release them from their normal duties so that they might undertake this extremely important task.

U THANT,
*Acting Secretary-General.*

### LETTER OF TRANSMITTAL TO THE ACTING SECRETARY GENERAL

We have the honour to submit herewith the study, "Report on the Economic and Social Consequences of Disarmament," which we were invited to prepare in pursuance of General Assembly Resolution 1516 (XV).

An outline of the report was prepared during meeings held in Geneva between August 7 and 18, 1961, and the report was drafted during meetings held at the Headquarters of the United Nations between January 23 and February 16, 1962. Mr. Jacob L. Mosak, Director of the Division of General Economic Research and Policies of the United Nations Secretariat, served as Chairman at both sessions.

We are happy to be able to present, for your consideration, a unanimous report surveying the nature and magnitude of the economic and social benefits and the problems of conversion arising from disarmament, together with the general lines on which the main problems can be solved.

In preparing this report we have drawn, among other sources, upon the replies provided by governments to a note verbale which was sent by the Secretary General in accordance with a recommendation of the group. We should like to express our appreciation for these replies: in view of their authoritative nature, they are a valuable source of information and we have included them in part II of our report.

The members of the consultative group wish to express their very profound gratitude for the valuable assistance which they received from the members of the Secretariat, without which their task could not have been completed.

Respectfully yours,

______ ______.

UNITED NATIONS, N.Y., *February 16, 1962.*

### INTRODUCTION

1. Realization that the disarmament issue is important—as important as the survival of humanity itself—is worldwide. This is exemplified by a resolution adopted in 1959 by the General Assembly in which the question is called "the most important one facing the world today," and in which hope is expressed that "measures leading toward the goal of general and complete disarmament under effective international control will be worked out in detail and agreed upon in the shortest possible time." This sense of urgency springs mainly from the existence of a threat to mankind that has grown into one of mass destruction. But in part, also, it comes from the consciousness that the resources that make this threat possible, and many more resources devoted to less spectacularly destructive military uses, are being diverted from the tasks of lightening the burdens and enriching the lives of individuals and of society.

2. At the same time, it is seen that disarmament would affect individuals, countries, and the entire world economy in many different ways. A substantial part of the world's labor force now earns its living, directly or indirectly, in meeting military demands. To redeploy this force for nonmilitary purposes is an operation large enough to give rise to important problems of economic and social adjustment. Careful advance study is required for full advantage to be taken of the potential benefits disarmament could make possible. The following chapters attempt a survey of the magnitude of both the benefits it would bring and the difficulties that would have to be overcome in the economic and social fields.

3. In many respects the available data fall short of what is needed for a comprehensive and quantitative analysis. Nevertheless, the broad nature and magnitude of the economic and social benefits and the problems of conversion arising from disarmament, and the general lines on which the main problems can be solved, emerge sufficiently clearly from what is already known.

4. This consultative group on the economic and social consequences of disarmament has dealt with the subject on the assumption that disarmament, once agreed upon, would be general and complete and also rapid. It has done so in the belief that this was the intention of the General Assembly resolution under which it was appointed, and also because this interpretation gives the clearest form to both the benefits and the difficulties, thereby minimizing the risk that the latter will be underestimated.

5. The report represents the unanimous findings of the consultative group. It deals with the volume of resources devoted to military purposes and the peaceful uses to which these resources might be put when released, and with the transitional or conversion problems that would arise, both at the aggregate level of national production and employment and in particular sectors of the economy. The impact of disarmament on international economic relations is studied as well as the effects of disarmament on the volume and framework of aid for economic development. Finally, some social consequences of disarmament are considered.

### CHAPTER 1—RESOURCES DEVOTED TO MILITARY PURPOSES

6. The most fundamental way in which disarmament affects economic life is through the liberation of the resources devoted to military use and their reemployment for

peaceful purposes. This shift in the composition of the aggregate demand for goods and services is simply a large-scale manifestation of a phenomenon that is constantly taking place in all economies as the demand for certain goods and services shrinks while the demand for other goods and services expands; thus disarmament in its economic aspects should not be considered as a unique phenomenon. Short-term shifts in demand on an even larger scale than that which would accompany any agreed disarmament programme have occurred when economies have been converted to war production, or when they have undergone conversion to peacetime patterns of production at the end of the war.

7. It is important, however, that countries, in preparing to disarm, should take stock of the various resources that disarmament would release for peaceful uses. Such a survey would facilitate economic planning and adjustment at all levels, public and private, national and international.

8. To assess the transitional problems that may arise and to determine the peaceful uses to which the resources released may be put, it is necessary to ascertain in some detail the volume and composition of resources so released. An approximation to the volume of resources that would be liberated by disarmament is provided by the published official estimates of military expenditure.[1] On the basis of available data there appears to be general agreement that the world is spending roughly $120 billion annually on military account at the present time. This figure is equivalent to about 8 to 9 percent of the world's annual output of all goods and services; it is at least two-thirds of—and according to some estimates may be of the same order of magnitude as—the entire national income of all the underdeveloped countries. It is close to the value of the world's annual exports of all commodities and it corresponds to about one-half of the total resources set aside each year for gross capital formation throughout the world.

9. The world's armed forces now number about 20 million persons. This figure does not include all those currently employed in supplying military goods or services directly to the armed forces or in producing the raw materials, equipment, and other goods that are needed indirectly in the production of military supplies and services. The total of all persons in the armed forces and in all productive activities resulting from military expenditure may amount to well over 50 million.

10. These figures demonstrate that the total volume of manpower and of other productive resources devoted to military use at the present time is very large indeed. The available data do not, however, make it possible to assess with the desired degree of accuracy the volume of resources that disarmament would actually release. For one thing, the existing estimates may not be comprehensive: some categories of military expenditure may be excluded. Further, there may be considerable inconsistency in the pricing of military output compared with the pricing of other production, as also in the relationship between the pay of the armed forces and civilian wages and salaries. For these and other reasons it would be wrong to interpret the share of military expenditure in total output as a precise measure of the real share of national resources allocated to military purposes, unless appropriate adjustments could be made for coverage, price differentials, and other elements of incomparability.

11. Although the data provide an inadequate basis for precise comparisons of the military burdens among countries, it can be safely asserted that within most countries military expenditure accounts for a very significant proportion of total output. In many countries the estimates of military expenditure range between 1 and 5 percent of gross domestic product, while in others, particularly in some of the larger countries, the corresponding ratio ranges between 5 and 10 percent.

12. While the burden of armaments is widespread, the great bulk of the world's military expenditure is highly concentrated in a handful of countries. Available indications are that about 85 percent of the world's military outlays is accounted for by seven countries—Canada, the Federal Republic of Germany, France, the People's Republic of China, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Total military expenditure in all the underdeveloped countries amounts to about one-tenth of that of the industrial private enterprise economies. This means that although many underdeveloped countries devote significant proportions of their resources to military purposes, the great bulk of the resources released by disarmament would be concentrated in a very few countries.[2]

13. It should be noted that an agreed disarmament program would involve alternate security arrangements. Thus, the recent joint statement of the United States and the Soviet Union on agreed principles for disarmament negotiations provided that "during and after the implementation of the program of general and complete disarmament there should be taken, in accordance with the principles of the United Nations Charter, the necessary measures to maintain international peace and security, including the obligation of states to place at the disposal of the United Nations agreed manpower necessary for an international peace force to be equipped with agreed types of armaments."[3] While these arrangements would necessitate the continued allocation of funds and resources to military purposes, it may be assumed that these would be small in relation to current expenditure.

14. In order to formulate economic and social policies so as to take full advantage of the opportunities afforded by disarmament, it is necessary for the countries concerned to know in detail the possible alternative uses for the resources released. In general it can be said that the ease and effectiveness with which the various resources liberated by disarmament might be employed for peaceful purposes would depend on the extent to which the composition of the demand for additional civilian uses approximated that of the resources now devoted to armaments. Because of the relative immobility of some resources in the short run, systematic advance study is needed so as to minimize wastage in the transitional stage, though in the long run any country's industrial capacity can be adapted to meet the changing pattern of demand.

15. To prepare a list of the resources absorbed by armaments, it is desirable that each country should, at the appropriate time, determine the composition of military expenditure and estimate the productive resources that it absorbs. The latter calculation is straightforward with respect to certain components of military expenditure. The members of the Armed Forces, for example, constitute a labor supply that would otherwise be available for peaceful purposes. Similarly, those research facilities employed for military purposes which are adaptable to civilian research are readily identified. Other productive resources, however, are devoted to military use only in an indirect manner which may not be apparent at first glance. While it is clear, for example, that the labor and capacity in ordnance production are employed solely for military purposes, it is impossible to state, without careful analysis, what proportion of the manpower and other resources devoted to, say, coal mining are so employed. If ordnance factories use any coal, some portion of the productive resources of the coal mining industry are engaged, indirectly, in the production of armaments. But to take into account all the interindustry relationships in a national economy in order to provide a complete picture of the resources absorbed for military purposes requires considerable statistical information and a thorough economic analysis of an economy's productive structure. The degree of elaboration with which statistics should be compiled and economic analysis performed for this purpose varies from country to country according to the complexity and size of the national economy. Analogous considerations apply to the determination of the amount of resources required directly and indirectly to satisfy alternative peacetime needs.

16. Data made available by a number of countries show that military production is highly concentrated in a few industry groups, notably munitions, electrical machinery, instruments and related products, and transportation equipment, including airplanes and missiles. There is a similar concentration in the same industries of the employment resulting from military expenditure.[4] In most other industries military outlays account for a relatively small proportion of total demand. Industries dependent on military expenditure also have a high degree of concentration in certain regions and cities. While this pattern of concentration of output and employment is not necessarily characteristic of all countries, it appears to apply generally to the major military powers.

17. The situation is rather different in those countries that rely upon imports for their supplies of military goods or in which the major part of military expenditure is for the pay and subsistence of the armed forces, rather than for their equipment. In such cases, the resources devoted to military purposes consist essentially of manpower and foreign exchange. This is especially true of the underdeveloped countries. While disarmament would require all countries to make significant adjustments, the realization of the great potential gains from disarmament in underdeveloped countries would depend on a major intensification of efforts to promote economic development. Such efforts would be facilitated insofar as military spending were channeled to development expenditure and as scarce foreign exchange resources hitherto directly or indirectly utilized for military objectives were freed for development purposes; and still more to the extent that aid were forthcoming from the industrially advanced countries in the form of both capital equipment and technical assistance.

### CHAPTER 2. THE PEACEFUL USE OF RELEASED RESOURCES

18. There are so many competing claims for usefully employing the resources released by disarmament that the real problem is to establish a scale of priorities. The most urgent of these claims would undoubtedly already have been largely satisfied were it not for the armaments race.

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[1] Available data on military expenditures in the national budgets of countries are given in annex 2, tables 2-1, 2-2, and 2-3.

[2] This is less true of manpower than of other resources, since the underdeveloped countries rely much more on numbers of men than on advanced and expensive armaments and equipment.

[3] See General Assembly Document No. A/4879, "Joint Statement on Agreed Principles for Disarmament Negotiations," submitted by the Soviet Union and the United States.

[4] See, for example, the reply of the Government of the United States of America.

19. The resources liberated by disarmament within any country could be employed in part to promote economic and social progress at home in part to expand foreign aid. The question of aid to underdeveloped countries is sufficiently important to warrant treatment in a separate chapter (chapter 6). The main civilian purposes for which the freed resources, whether domestic or foreign in origin, could be applied, may be classified as follows:

Raising standards of personal consumption of goods and services;

Expanding or modernizing productive capacity through investment in new plant and equipment;

Promoting housing construction, urban renewal, including slum clearance, and rural development; and

Improving and expanding facilities for education, health, welfare, social security, cultural development, scientific research, etc.

Part of the gain from disarmament could also take the form of an increase in leisure as, for example, through a reduction in average working hours without a corresponding reduction in real income, or through an increase in paid vacations.

20. The various claims upon resources listed above are, of course, closely interlinked. A rise in personal consumption may necessitate new investment in industry or agriculture or both. Enlarged aid from the industrial to the underdeveloped countries may involve expanding capacity for the production of the goods that the latter countries need, notably capital equipment. As regards the underdeveloped countries themselves, if additional aid is to bring the greatest benefits, a larger volume of investment out of domestic resources is likely to be required; this would be facilitated by the release of internal resources through disarmament.

21. Since it can be assumed that the economy as a whole is highly flexible in the long run, the resources freed by disarmament could ultimately be used for any one or more of the purposes listed above, and in any combination. Labor can be retrained and, where necessary, can move to other areas. As old equipment becomes obsolete it can be replaced by new equipment oriented to new patterns of demand. In the long run, there should be little difficulty in adapting resources to needs.

22. In the very short run, by contrast, the range of choice may be somewhat more limited. It takes time to turn swords into ploughshares or to make an office clerk or factory worker out of a soldier. Studies in some industrial countries have shown that the productive capacities released from military use would be much more immediately adaptable to the increased output of consumer durables and industrial equipment than to the production of houses, food, clothing or educational facilities. Thus, in the transition period, countries may wish to take into account not merely the unsatisfied needs for higher consumption, investment and foreign aid, but also the extent to which alternative patterns of new expenditure would take full advantage of the particular resources that disarmament would make available. It should, however, be borne in mind that some of the major military powers now have fairly comfortable margins of productive capacity available to them. In these cases it is unlikely that disarmament would generate many new demands that could not fairly readily be satisfied from available resources.[5]

23. In the centrally planned economies, even though they have generally been operating approximately at capacity, the transfer of industrial capacity and labour force to the production of goods for peaceful uses could be achieved in a relatively short time. This transfer could be readily achieved by measures formulated within the framework of the general economic plans which can ensure a desirable balance between demand and resources.

24. In the underdeveloped countries the principal resource released, apart from the purely financial, would be manpower, both skilled and unskilled. In some cases a significant proportion of industrial and transport capacity would also become available for other uses. In many there would also be considerable savings in foreign exchange. The effective utilization of released resources would depend upon the soundness and vigor of development programs and the volume and character of aid received.

### *Personal consumption and productive investment*

25. Among the alternative uses of resources released by disarmament, increased personal consumption might well absorb a large share. It is fair to suppose that even in the developed countries there would be strong pressure on Governments to raise the level of living. Disarmament would, in particular, offer an important opportunity to raise incomes of low-income sections of the population and to facilitate equalizing the rates of pay for men and women.

26. In most countries, however, not all the resources freed by disarmament would be allocated directly to consumption, no matter what the level of income might be. In the first place, a substantial portion of the released resources would be used for expansion of productive capacities because only such expansion can provide a firm basis for further increases in consumption. Ministers representing the countries of Western Europe and North America recently set as a collective target the attainment during the decade from 1960 to 1970 of a growth in real gross national product of 50 percent for all the countries taken together.[6] In the Soviet Union, according to existing plans for economic development, industrial production should reach, in the course of the present decade, a level 2½ times the present volume. A more rapid rate of growth would also enable countries with a higher degree of industrialization to contribute more effectively—through greater financial and technical assistance and through the widening of markets for exports—to the development of countries that are less advanced industrially.

27. Recent experience in both private enterprise and socialist economies provides a rough guide in judging how much additional investment a specific growth target requires. Among the industrialized private enterprise economies, it appears that during the 1950's a country experiencing a 4-percent annual rate of growth needed, on the average, to devote about 2 percent more of gross national product to investment than did a country having a 3 percent rate of growth.[7] In most of these countries, 2 percent would constitute a very significant proportion of the resources disarmament would release. In the less developed countries which have low levels of income and saving, the utilization of released resources for capital formations must be considered vitally important.

### *Social investment*

28. Social investment is an important alternative both to private consumption and to industrial and agricultural investment. Its claims rest partly upon the clear urgency of the direct need for improved social amenities, and partly upon the fact that growth of industrial and agricultural productivity is dependent upon developments in education, housing, health, and other fields. Since social investment has had to compete with military claims for State funds, it (like aid to underdeveloped countries) has probably been particularly affected by the armaments race. Recognition of the necessity to remedy the resulting deficiencies in the stock of social capital is widespread among countries at different stages of economic development and with different economic systems. There is no common measure of need according to which it is possible to add up, or to compare, the deficiencies in different fields of social investment of different countries. Nevertheless, the importance of the subject warrants an attempt to set out the main relevant pieces of evidence.

29. In the United States the National Planning Association estimated at the end of 1959 the cumulative exenditure requirements for selected Government programs over the next 5 years.[8] These estimates were not intended to be precise but simply represented a summary of the existing programs of development and improvement in various fields over the next 5 years. The significance of these estimates, which imply annual average expenditures of $66 billion, may be judged from the fact that the present spending of the Federal, State and local governments on all these programs amounts to about $30 billion per year. It is therefore apparent that these programs could absorb much or most of any resources released by disarmament.

30. In the Soviet Union the task has been set of achieving a sharp improvement in living standards within the next 20 years by raising the income of the population and also by expanding social benefits (education, health protection, social insurance, housing construction, etc.). As stated in an official document, "general and complete disarmament on the basis of an appropriate agreement between States would make it considerably easier to overfulfill the planned improvement in the living standards of the working people."[9]

31. It will be noted that the highest single figure among the programs for the United States mentioned above is that for urban renewal and development, including slum

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[5] See, for example, W. Leontief and M. Hoffenberg, "The Economics of Disarmament," Scientific American (New York), vol. 204, No. 4, April 1961, pp. 47-55. An unpublished study made at the Department of Applied Economics, Cambridge, England, suggests that, if military expenditure in the United Kingdom ceases and were replaced in equal parts by increased private consumption, increased domestic fixed capital formation, and increased foreign aid, output would be reduced in only 2 out of 19 sectors of the economy (military services and ship, aircraft and railway vehicle construction) and would be required to expand in most others by between 3 and 6 percent—the main exceptions being textiles (9-percent increase) and and motor vehicles (14-percent increase).

[6] Organization for Economic Cooperation and Development, Press Communiqué, OECD/PRESS/A(61)10 (Paris) Nov. 17, 1961.

[7] For further details, see United Nations, "World Economic Survey, 1959" (sales No.: 60.II.C.1), ch. 1.

[8] National Planning Association, Looking Ahead, March 1960. The estimates covering the next 5 years were as follows:

| | Billion |
|---|---|
| Education | $30 |
| Classroom construction | 16 |
| Current operation | 14 |
| Highways and skyways | 75 |
| Urban renewal (slum clearance, low-cost housing and community redevelopment) | 100 |
| Water supply and conservation | 60 |
| Health and hospitals | 35 |
| Other programs (air pollution, research and development, etc.) | 30 |
| Total | 330 |

[9] Program of the Communist Party, adopted at the 22d party Congress.

clearance, low-cost housing and community redevelopment. The problem of urban renewal is worldwide. In 1950 about 80 percent of the world's population was still living in rural areas. Between 50 and 60 million people are being added to the world's total population every year, mainly to its urban areas. In Asia as many as 500 million persons may be added between 1950 and 1975 to the population of cities with over 20,000 inhabitants. In Latin America, 62 cities with over 100,000 people accounted in 1960 for some 40 perecnt of the region's total. In Africa a considerably higher rate of growth is taking place in urban areas than in rural areas. Rapid urbanization is characteristic of Europe and North America.

32. The rural and urban environments in many countries are both deteriorating, mainly under the impact of this rapid growth. The social and physical symptoms of this deterioration are bad housing, poor community services and delinquency, the paralysis of city traffic, and in many of the less developed countries an absence of sanitation accompanied by a high incidence of communicable disease. In many metropolitan cities of such less developed countries "squatters' settlements" already contain a considerable part of the population.

33. The magnitude of the resources required for dealing with the problem of urbanization is very large. In India alone, for example, approximately $1 billion a year will be required to house the new inhabitants of cities with over 100,000 people. The provision of citywide services, utilities and transportation would at least double the needed investment. In Latin America it was estimated by the Organization of American States in 1954 that an annual investment of $1.4 billion was required over a period of 30 years to wipe out the housing backlog, to replace obsolescent dwellings and to provide homes for new households. According to rough estimates by the United Nations Bureau of Social Affairs, as many as 150 million families in the less developed countries are in need of adequate homes. These immense requirements are contributing in many underdeveloped countries to the maintenance of a level of spending on housing and urban development such that the pressing claims of directly productive sectors have to be curtailed.

34. In the Soviet Union a housing shortage still exists despite the building of dwellings for nearly 50 million people in the last 5 years. "The housing problem remains acute. The growth of the urban population in the Soviet Union during the past few years is considerably in excess of the estimates."[10] In order to overcome the shortage and house every family in "a separate, comfortable apartment," an increase in 20 years of about 200 percent would be required in the existing housing facilities. To reach this goal it is required that average annual housing construction be raised from the target of 135 million square meters in 1961–65 to 400 million square meters in 1976–80.[11]

35. Another field in which the supply of social capital is deficient in many countries is road and air transportation.[12] The rapid increase in the stock of automobiles and the lag in road facilities in these countries during the postwar years have been accompanied by extraordinary congestion and numbers of accidents. Airports and other air facilities are also deficient in many underdeveloped areas as well as in some more advanced economies, and investment in civil aviation will claim a share of the resources freed by disarmament.

36. The development and conservation of natural resources provides another important field for increased outlays in the event of disarmament. In the United States it has been estimated that Federal expenditure requirements up to 1980 in the field of water resource development alone total almost $55 billion, while $173 billion will be needed for non-Federal programs.[13] The Soviet Union could advance the preparation and implementation of a number of important nature-transforming projects in various parts of the country in order to improve living and working conditions for the people. There is, for example, a plan to divert part of the waters of the Pechora, Vychegda, and Ob Rivers into the basins of the Volga and the Caspian and Aral Seas. This would bring about a considerable change in the climate and in living conditions in central Asia and in the southern European part of the Soviet Union. In underdeveloped countries there are also many important multipurpose schemes for the conservation and the utilization of water resources.

37. The world's demand for water is growing much more rapidly than the supply, and a continuation of present trends implies a growing deterioration in the balance of demand and supply. Increasing supplies of water are needed not merely in order to keep pace with the rapid rise in population, but also in order to meet the still faster growing needs for irrigation and industry. In many countries most of the cheapest sources of supply for water have already been tapped, so that further expansion of supplies necessitates increasingly heavy investment in obtaining access to other sources, including the purification of sea water.

38. Other urgent requirements for natural resource development and conservation exist in the fields of forestry, soil and watershed conservation, rangeland conservation, park and recreational development, and fish and wildlife conservation. In the United States the total Federal cost of proposed programs in these areas over a period of 10 years implies an annual rate of almost $4 billion, or almost twice the current rate of expenditure. In addition, scientific research and investigation in the field of natural resources will have to be expanded at considerable cost. In Western Pakistan a master plan has been prepared for soil reclamation and conservation in order to combat the twin menaces of waterlogging and salinity. The cost during the next 10 years is estimated at $1.2 billion.

### *Investment in health, education, and social services*

39. Another major use of the resources released from disarmament is investment to raise standards of health, education, and social services. There is an urgent need for improvement in health services throughout the world. In many countries the ratio of doctors, dentists, and other medical personnel to the population is inadequate and even falling, and there are also great deficiencies in the supply of hospitals and hospital beds as well as of other basic health facilities. The backlog that many countries have to make up in order to attain the best current levels of hospital facilities is very large. In some of the poorer countries of Europe, for example, the medical facilities available to each doctor have been estimated to be as little as one-fiftieth of those prevailing in the better equipped countries. Yet even in the richest countries there is great need to improve standards of medical services. In Canada and the United States, for instance, the deficit in hospital beds has been estimated at from a quarter to a half of the existing number.[14] In underdeveloped countries the need for improved medical care is obviously greater. This is indicated, for example, by infant mortality rates in excess of 100 per 1,000 in many of these countries as opposed to rates of 20 to 30 per 1,000 in economically advanced countries.

40. An indication of the magnitude of investment requirements for medical care may be gained from projections for the United States. The present rate of construction, plus a limited program of renovation, modernization and increase in rehabilitation facilities, would require at least $15 billion over the next decade instead of the $9 billion that would be needed if such changes were not carried out.[15] In the Soviet Union it has been officially suggested that hospital accommodation might be increased by 40 percent (that is, by several hundred thousand beds) at low cost by converting into hospitals part of the buildings now in military use.[16]

41. In most developed countries educational needs are rising and are bound to expand even more rapidly; with the ever wider spread of technical progress there will be a rising premium on a higher educational background, on better scientific and technological skills and on a broader range of knowledge. At the same time greater efforts will be directed toward reducing the dropout rate of the less talented and toward insuring that an increasing proportion of the highly talented reach upper levels. The realization of all these purposes would imply the devising of new kinds of education and provision of adequate means so that people keep abreast of the latest developments in knowledge.

42. In the United States, existing standards currently require an expenditure level of $20 billion for school enrollments in kindergarten through 12th grade, and of $6.7 billion for institutions of higher education. Projections on this basis alone indicate for 1970 a rise of 50 percent in the first case and of more than 250 percent in the second case. In a disarmed economy it would also be easier to meet the demands for better standards of education.

43. According to recent estimates, Western Europe's expenditure on education may rise from $9 billion in 1958 (including both current and capital outlays) to over $18 billion, on a high estimate, in 1970—an increase of over 100 percent.[17] As a result, outlays for education may rise from 3.2 percent of gross national product to 4.0 percent. Western Europe would also face important problems at the university level if a target were set for raising the European enrollment in the 20–24 year age group from 5 percent as at present to the U.S. ratio of over 20 percent.[18]

44. In the Soviet Union general polytechnical secondary (11-year course) education for all children of schoolgoing age is to be introduced in the next 10 years. It

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[10] N. Khrushchev, "Report to the 22d Congress of the Communist Party" (Cross Currents Press, New York, 1961), p. 118.

[11] "Report on the Program of the Communist Party," delivered to the 22d Party Congress; Soviet booklet, No. 81 (London, 1961), p. 47.

[12] Even countries as industrially advanced as the United States may have such a deficiency. For example, the second largest figure in the National Planning Association estimates cited in the footnote to paragraph 29 is for highways and skyways.

[13] See the reply of the Government of the United States of America.

[14] Royal Commission on Canada's Economic Prospects, Housing and Social Capital (Ottawa, 1957, and annual reports of the U.S. Department of Health, Education, and Welfare (Washington, D.C.).

[15] See the reply of the Government of the United States of America.

[16] Embassy of the Union of Soviet Socialist Republics, Washington, D.C., Press Department release No. 66, Feb. 2, 1960.

[17] Organization for European Economic Cooperation, "Targets for Education in Europe," by Svennilson, Edding, and Elvin, p. 105.

[18] Dewhurst, Coppock, Yates, and Associates, "Europe's Needs and Resources" (New York, 1961), p. 343.

is planned that the number of students resident in boarding schools and extended day-care schools should increase from 1.5 million at present to 2.5 million in 1965. The shortage of space in schools has led to using the building facilities in shifts; but teaching on a shift basis is expected to stop completely in the near future. Besides the extension of secondary school facilities, it is estimated that the present enrollment of 2.6 million students in higher educational establishments will triple by 1980.[19] All these developments will require construction of many more schools and training of a large body of teachers, both of which would be facilitated by disarmament.

45. In the underdeveloped countries, the magnitude of the educational problem may be seen from the fact that most of them still have illiteracy rates of well over 50 percent of the population aged 15 years and over. The cost of educational requirements in underdeveloped countries for education is exemplified by a recently adopted African program.[20] On the basis of inventories of educational needs of the countries covered by the African plan [21] the total cost of the program is expected to increase from $590 million in the first year to $1,150 million in 1965, $1,880 million in 1970, and $2,600 million in 1980. It is assumed that the share of national income devoted to education will rise from 3 to 4 percent between 1961 and 1965, and thereafter will increase further, reaching 6 percent of national income by 1980. This means that the difference, amounting in the same years to $140 million, $450 million, $1,010 million and $400 million, respectively, would need to be covered by foreign aid.

46. Apart from needs in the fields of health and education, there are urgent requirements for expansion in social services. Even in the most advanced countries, there are pronounced shortcomings in the provision of child welfare services, vocational rehabilitation agencies, community centers, and other special services.

47. It is thus clear that, so far as social investment is concerned, there is already a heavy backlog of urgent need, and the recent acceleration of population growth and of technical change make it certain that the need, and the demand, will grow. Social investment therefore is likely to claim an increasing volume of resources, to which disarmament would make a welcome contribution.

### *Scientific research for peaceful purposes*

48. The release of scientific and technical manpower would be one of the important consequences of disarmament. Among the major powers a significant part of the national research and development effort currently serves military purposes. The total elimination of military spending would bring about a sizable release of resources for civilian research and development. With disarmament it would thus become possible to encourage programs of basic scientific research in fields which have hitherto been neglected, and to mobilize great scientific potential for the solution of some of the world's greatest problems in such areas as medicine, urban development, and reorganization, and the technical problems associated with the economic development of underdeveloped countries. If human ingenuity, in the space of a very few years, has so vastly increased man's powers for destruction, it should be able to make an equally massive contribution to peaceful and constructive achievement.

49. Not all of the needs described above can be satisfied by single nations acting alone. In some instances their satisfaction will require international cooperation.[22] Serious gaps exist in the permanent worldwide network of meteorological observing stations and in the corresponding telecommunication facilities, and a marked increase is required in the funds available for basic research on improving meteorological services. Furthermore, the funds currently available for assisting meteorological development in the less-developed countries are far less than needed to satisfy current demands, not to mention prospective demands. Telecommunications are important to developing economies and there is need to pursue a number of objectives in this field, including the development of networks. There is also considerable scope for international cooperation in developing the world's air transport facilities.

50. Disarmament would also open up possibilities for joint international ventures of an even more ambitious kind, including the utilization of atomic energy for peaceful purposes, space research, the exploration of the Arctic and Antarctic for the benefit of mankind and projects to change the climates of large areas of the world. Joint research into the earth's interior may lead to discoveries that would be of real value to the whole world. In addition, joint projects to assist the development of underdeveloped countries as well as programs of cooperation in the social and economic field could be undertaken. These international projects could have a major impact on world living standards and civilization.

51. It is evident from the foregoing illustrative discussion of the magnitude of current and impending needs that the resources freed by disarmament would not be large enough for the many claims upon them. Though it would take active decisions by Governments in the light of national and international needs to set in motion the necessary programs for employing the released resources, it seems abundantly clear that no country need fear a lack of useful employment opportunities for the resources that would become available to it through disarmament.

## CHAPTER 3. THE IMPACT OF DISARMAMENT ON NATIONAL PRODUCTION AND EMPLOYMENT

52. Disarmament would raise both general problems of maintaining the overall level of economic activity and employment and specific problems insofar as manpower or productive capacity might require adaptation to nonmilitary needs. Structural problems of conversion of the latter type will be discussed in chapter 4. Successful maintenance of the level of aggregate demand, production, and employment would facilitate the solution of specific structural or frictional problems. Conversely, economic policies which dealt smoothly and effectively with the structural or frictional problems would help to promote the solution of the general problems. In both cases, careful preparation would be required to insure that the various stages of the disarmament process were accompanied by as little disturbance of economic life as possible.

53. In the economic life of all countries, shifts in the pattern of demand and in the allocation of productive resources are continually occurring in response to changes in technology, foreign trade, consumer tastes, per capita income, the age distribution of the population, migration, and many other factors. Some industries grow more rapidly than others, while the output of certain industries may even decline in absolute terms. Such shifts involve a transfer of manpower and capital between occupations, industries and regions. The reallocation of productive resources which would accompany disarmament is in many respects merely a special case of the phenomenon of economic growth.

54. There are, however, some aspects of the process of disarmament which would raise problems significantly different from those that have been experienced in the usual process of economic growth. While many of the continuous changes in the composition of demand work themselves out only over a long period of time, it seems reasonable to assume that disarmament, once decided upon, would occur more rapidly—over a period of only a few years. For some components of military demand, the whole of the shift might occur within a very short period of time such as a single year. The reallocation of resources attendant upon disarmament would therefore pose some special problems. The more rapid the rate of growth of an economy, however, the easier it would be to bring about the economic changes disarmament might require.

55. The conversion of resources that would be required as a result of disarmament at the present time would be far smaller, in the aggregate, than that which took place at the end of the Second World War. Thus an examination of the early postwar conversion may help to give perspective to the present problem. The experience of the smaller-scale conversion that followed the end of the hostilities in Korea also deserves consideration.

### *The postwar conversion*

56. The postwar conversion was a much larger one and involved a more rapid transfer of resources than total disarmament would require at present. During the last years of the war, the world devoted about one-half of its resources to destruction. The real military expenditure and the number of people in uniform were about four times as high as today. The extent of devastation in the areas overrun by armies or bombed from the air was immense. The usual network of trade both within and between countries was thoroughly disrupted. Despite these difficulties, huge armies were quickly demobilized without a significant rise in unemployment in most countries, and the pace of recovery, particularly of industrial output, was impressively rapid.

57. During the postwar conversion, the major concern of economic policy was to restrain, rather than to maintain, overall demand. This period was characterized by intense pressure of excess demand for both consumption and investment. Most commodities were in short supply. Their distribution was carried out nearly everywhere with the aid of rationing or at least under a system of price controls. The wartime accumulation of liquid savings in the hands of the population guaranteed a high level of continued effective demand. As plant and equipment were released from war production and repaired or replaced, they were immediately turned to producing goods for which demand had remained unsatisfied or deferred in some countries during nearly 15 years of the great depression and the war. Most of the demobilized manpower found employment in civilian occupations, while the total labor force declined, reflecting a voluntary withdrawal of some women, minors, and veterans from the labor market. As supply conditions improved, price and distribution controls were progressively eased.

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[19] Based on information in "Report on the Program," op. cit. p. 66, and N. Khrushchev's "Report," op. cit., p. 122.

[20] United Nations Economic Commission for Africa and United Nations Educational, Scientific and Cultural Organization, "Outline of a Plan for African Educational Development" (UNESCO/ED/180); and final report (UNESCO/ED/181).

[21] The plan covers only 35 States and territories of Africa. Is excludes in particular, the countries bordering on the Mediterranean and the Union of South Africa.

[22] For communications received from specialized agencies of the United Nations on matters discussed in these paragraphs, see vol. II of this report (E/3593/Rev.1/Add.1).

58. There were large arrears not only of consumption but also of investment. The capital stock had in many countries been run down by destruction, obsolescence and lack of maintenance. Technological progress had continued and in fact sharply accelerated in some fields during the war years. But much of it had remained unincorporated in plant and equipment—during the depression because of lack of effective demand, and during the war because of diversion of resources to wartime needs. Residential construction had undergone successive postponement in some countries. These factors led to an upsurge in business and residential investment after the war, financed in part by the accumulated liquid resources of corporations and of consumers and in part by various forms of public assistance.

59. In the United States, by the end of the Second World War, the military budget had accounted for over 40 percent of the gross national product. Between 1945 and 1946, expenditure on national security was reduced by 80 percent. The decline in military expenditure was equal to one-third of the gross national product and nearly two-thirds of personal consumption in 1944. By way of comparison it may be said that the military budget in the United States in recent years has been somewhat less than 10 percent of the gross national product and about 15 percent of personal consumption.

60. The decline in total real demand was less than half the drop in military spending because of the advance in all other sectors of demand. The small decline in national output was perhaps no more than could have been expected as a result of voluntary withdrawals from the labor force and from the shortening of working hours.

61. The sharpest increase took place in gross private domestic investment which rose from $21 billion to $51 billion—or from less than 6 percent of gross national product to about 15 percent. The rise in consumption also contributed in absolute terms nearly as much as investment, although its relative contribution was not so large. There were also increases in public expenditure for civilian purposes and in net foreign investment. Assistance through UNRRA, other grants and credits to various countries for relief and rehabilitation helped toward a substantial expansion of U.S. exports. Thus the economy showed a high degree of flexibility even in the relatively short run.

62. Between August 1945 and June 1946, the size of the U.S. Armed Forces was reduced by over 9 million men. There was a small reduction in the labor forces as women and minors returned to home and school, and veterans continued their interrupted education. As a result of this, and of the cutting back of overtime, unemployment in 1946 remained below 4 percent of the labor force, despite the very extensive and rapid demobilization.

63. While the large backlog of demand of private business and consumers was responsible for much of the ease with which the postwar adjustment was made, effective Government policies also helped. Taxes were reduced. There was a very great increase in transfer payments, principally veterans' cash benefits and payments related to the veterans' training and education program. As a result, despite the massive decline in military spending, disposable income fell hardly at all. As regards investment, a large veterans' loan program helped to finance the purchase of homes and farms, quick settlements were made to business on termination of war contracts, and an easy credit policy was maintained. The Government of the United States of America notes that:

"Tried measures such as there would be under active consideration again in the event of the acceptance of a disarmament program."[23]

64. In Western Europe the conversion process took somewhat longer than in the United States because of the damage or destruction to productive facilities and the fact that the total output had in many cases fallen below prewar levels. Inflationary pressures were severe. Confidence in currencies was shaken. Many key products, notably coal, steel, certain imported materials, and foodstuffs were in short supply.

65. Despite these difficulties the conversion was relatively rapid. Eighteen months after the cessation of hostilities, industrial output had recovered its prewar level nearly everywhere except in the Federal Republic of Germany and in Italy. The demobilized armed forces were rather quickly absorbed in employment in civilian occupations. Except in the two countries just mentioned, unemployment declined well below prewar levels. The recovery of Western Europe was assisted by a considerable amount of external aid.

66. In the United Kingdom, it is estimated that at the end of the war, 9 million persons, or 42 percent of the total working population, were either in the armed forces or engaged in the manufacture of equipment and supplies for them. Sixteen months later, the total number in these two categories had fallen by almost 7 million. Of this total about 1.2 million corresponded to a voluntary decline in the labor force, while involuntary unemployment rose by about 0.7 million. Thus over 5 million people were absorbed into civilian employment in the short space of 16 months, whereas the corresponding number that would have to be absorbed in the event of disarmament now is just over 1 million. It is noteworthy that the number unemployed at any one time never greatly exceeded 6 or 7 weeks' release at the maximum rate reached, and that it stood at this level only so long as releases continued at a substantial rate. Even so, unemployment remained below 4 percent of the labor force.

67. In some of the underdeveloped countries, the postwar recovery presented special problems. This was partly because agriculture, which formed a much larger proportion of the output of the underdeveloped than of the developed countries, was generally slower to recover than was industry. The long years of war had led in many cases to heavy exhaustion of farms and livestock and to disturbance of trading patterns. There was a world shortage of fertilizers, and recovery was also delayed in many cases because initially inadequate industrial, transport and mining equipment had been strained beyond its rated capacity during the war. For some time after the war, too, delivery of equipment was delayed by conversion and reequipment needs in the industrial countries.

68. There is, however, no reason to believe that any future disarmament would be attended, in the underdeveloped countries, by the same types of problem as prevailed after the Second World War. As indicated previously, the main question in these countries would be whether development programs could be enlarged and stepped up significantly—and in sufficiently good time—to permit the absorption of the demobilized armed forces and other resources into productive employment.

69. In the Soviet Union, experience of conversion immediately following the Second World War was significantly different from that in other countries, because of the much greater destruction and devastation which had taken place during the war. Much equipment had been damaged or was in a bad state of repair. Plant and equipment constructed during the war had been designed entirely for military purposes, and was therefore somewhat less convertible than facilities constructed in peacetime. Superimposed on all this was the problem of transferring workers in the eastern territories—who had been evacuated from areas occupied by the Germans—back to their home districts in the western part of the country. For all these reasons there was a decline in industrial production from 1945 to 1946, concentrated in the producer goods sector. Since some manpower had to be employed in tasks for which it was untrained there was a decline in output per man. These developments, however, were the result of the devastation and dislocation referred to above. The subsequent recovery was very rapid and by 1948 industrial production was already nearly one-fifth above the 1940 level. The circumstances of any future disarmament would be much more favorable to a smooth conversion process than those at the end of the Second World War.

70. In other Eastern European countries the conversion process had also to overcome heavy human and material losses caused by the Second World War. In Poland alone, over 6 million people perished during the war and Nazi occupation. The respective governments had to face the great damage caused to productive capacity, transport and housing, apart from dislocation of populations, monetary disturbances and other difficulties. Recovery was facilitated by the planned direction of the process of reconstruction and readjustment which was made possible by the gradual nationalization of banking, of most industry and of transportation. The recovery proceeded relatively quickly, so that in 1948 in most countries the prewar level of production was surpassed.

### *Conversion after the Korean war*

71. In the United States at the end of the Korean hostilities many of the special features associated with demobilization after the Second World War were no longer present. Military spending fell from $62 billion (in 1960 prices) in 1953 to $51 billion in 1954. This was accompanied by a liquidation of inventories that in part was associated directly with the fall in military expenditure itself, and in part reflected some business uncertainty regarding the immediate outlook for demand. The total decline in the national product, however, was less than half the reduction in military spending, largely because of increases in consumption and domestic investment. The latter, in turn, were made possible by a reduction in taxes and a policy of monetary ease which was particularly important in stimulating expenditure on housing. Unemployment, after rising to 5.6 percent of the labor force in 1954, declined to less than 4.4 percent in 1955 in the face of further cutbacks in military spending.

72. Characterizing the effectiveness of policies during this period, the Government of the United States of America observes that:

"Despite the mildness of the 1954 recession it now is clear that fiscal and monetary policies might have been applied with more vigor. The reason they were not is that the decline in defense spending following the Korean war was not treated by the policymakers as a major demobilization requiring strong compensatory action. For this reason the 1953–54 period does not provide a significant guide to the behavior of the American economy in a disarmament program during the 1960's."[24]

73. In other countries, for which information is available, the degree of involvement in the Korean war was not such that

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[23] See the reply of the Government of the United States of America.

[24] Ibid.

its end provided experience of comparable relevance for the purpose of this study. With the cessation of hostilities in Korea, however, there was a diminution of international tensions which brought about reductions in military expenditure and releases from armed forces in various countries. No significant problems of reabsorption of the demobilized personnel arose in these countries.

### *Experience in the centrally planned economies*

74. The experience of the centrally planned economies in reducing the armed forces is also of interest. In the Soviet Union, the armed forces were reduced from 5.8 million men in 1955 to 3.6 million men in 1958.[25] There were also reductions in military forces in other centrally planned economies during that period. No significant problems were created by the demobilization in these countries since the demand for labor was continually increasing. Discharged officers were absorbed in administrative posts in industry or agriculture and were provided with opportunities for retraining at government expense. In a number of countries in eastern Europe, expansion in output of durable consumer goods was greatly facilitated after 1954 by utilizing the equipment which had earlier been devoted to producing armaments.

### *Impact on national production and employment*

75. National experience with general economic policies during previous conversion periods will unquestionably be valuable for policymakers in the future. In adopting a program of general and complete disarmament, governments would certainly wish to assess very carefully the probable impact of disarmament on national production and employment, and to examine their economic policies to insure that these were as well thought out as possible. It would be important to maintain a high general level of domestic demand for goods and services and thereby to support satisfactory levels of output and employment. This is already a well-established objective of national policy, but it would have additional urgency both during the conversion period and also in the long run, after general and complete disarmament had been achieved.

76. The economic measures needed to maintain overall effective demand are different in the private enterprise economies from those in the centrally planned economies. In the latter, economic decisionmaking is centralized. Most of the productive capacity is government owned. The national economic plans are directed toward the achievement of a set rate of growth and higher levels of living. In the private enterprise economies, on the other hand, where the private sectors are much larger than the government sectors, the power to make economic decisions is diffused. Governments must therefore rely heavily, in influencing economic decisionmaking in the private consumption and investment sectors, on relatively indirect means such as fiscal and monetary policies. In general, the governments of underdeveloped countries cannot count as readily as those of the more developed countries on an expansion of private investment. Greater attention needs therefore to be given to undertaking whatever volume of expenditure may prove necessary in the government-owned sector in the underdeveloped countries.

77. Much attention has already been given in the industrialized private enterprise economies to the methods by which total effective demand can be maintained. Member countries are pledged under the United Nations Charter to maintain full employment. A number of governments have further undertaken in national statements of policy to adopt measures toward that objective. The instruments available for the prevention of any substantial shortfall of demand are well known. Their relative merits, however, vary widely from one country to another and from one time to another because of differences in institutions and attitudes.

78. The nature and magnitude of the task of maintaining total demand at an adequate level to assure the fullest possible employment would depend to some extent upon the purpose to which the resources released from military use were applied. In some cases, it might be decided to use the released resources by reducing taxes on income, particularly of lower income groups. In others, it might be decided to reduce the burden of indirect taxes on mass consumption goods borne mainly by the lower income groups in the community. It might, also, be seen fit to adopt fiscal measures designed to stimulate investment expenditure. In yet other cases importance might be attached to reduction of the public debt. Alternatively, a decision might also be taken to replace military expenditure by other kinds of government expenditure. These different policies would have different impacts upon the level of effective demand. In practice, different combinations of them would be likely to be used in different countries.

79. Disarmament would lead to an immediate reduction of effective demand only insofar as total expenditure of the government-owned sector were reduced. It might seem at first sight that this result would be avoided if tax revenue were reduced by the same amount as government expenditure, but this is not, in general, the case, since some of the increased disposable income would be saved rather than spent. The effect on consumption would depend on which type of tax were reduced, whether direct or indirect, and on which income group were affected. Generally, reduction in taxes diminishing the burdens of low-income groups are the most effective. Even so, however, some fall in income would result under these assumptions. A setback of this kind, unless counteracted by other measures, might also discourage private investment and thus lead to a further fall in income.

80. It should, perhaps, be observed that insofar as it is desired to raise private consumption, the appropriate means cannot lie exclusively in reductions in direct taxation because those benefited by such a measure do not include the poorest sectors of the population whose incomes are too low to be taxed. Supplementary measures of various types would be required to insure that all parts of the community benefited to some extent from the higher consumption levels made possible by disarmament.

81. The effect of using the money saved by a reduction of military expenditure for repaying public debt would be twofold. On the one hand Government expenditure on goods and services would be lower, since debt repayment does not in itself constitute a direct offset to the reduction in military spending. On the other hand, by substituting holdings of money for holdings of public debt some private spending on goods and services would probably be stimulated. The extent of this stimulation is difficult to assess, and would vary with the kind of debt redeemed, but it would be unlikely to offset the deflationary impact of the original reduction in Government expenditure.

82. Monetary and fiscal policy could be used to offset the effect of a shortfall in total demand that might result from a decline in Government expenditure. Monetary policy, whether operated mainly through interest rates or mainly through a more direct control of credit, gives some scope for the encouragement of both capital formation by business and purchases of durable goods by consumers. Changes in taxation, or transfers, in addition to their immediate effects on purchasing power, to which some reference has already been made, may also be expected to exert some influence on the formation of business capital; tax concessions may be designed to encourage private investment in general or to give special encouragement to investment in particular industries or localities where it will most effectively employ resources formerly in military use. Moreover, although in some countries there are severe limits to the extent to which it is practicable to use unbalanced budgets as a means of adjusting the level of effective demand, such measures, where they are acceptable, are powerful instruments for this purpose. Tax revenue might be deliberately reduced by more than the net reduction in Government expenditure brought about by disarmament. In some countries, the changes that have already taken place in the net budget balance of the government sector within small numbers of years appear to have been of the same order of magnitude as those that might be required to offset a shortfall of demand consequent upon disarmament.

83. If a shortfall of effective demand cannot be fully dealt with by the foregoing methods, there always remains the possibility of an increase in civilian government expenditure designed at least in part to help in solving this problem. Expenditure on goods and services is, in general, likely to be more effective for this purpose than transfer expenditure—the increase of grants and subsidies to various sections of the community—but in the not unlikely event of the recipients being disposed to spend nearly all the cash benefits they receive, the difference would be small.

84. The instruments of adjustment referred to above are more highly developed, easier to bring into operation, and may be expected to work more effectively in some countries than in others. Bearing in mind, however, that a substantial part of military expenditure would probably be replaced by other government expenditure in most countries, it may be concluded from the foregoing paragraphs that the maintenance of effective demand in the face of disarmament should not prove difficult. Indeed, it should be practicable not merely to maintain the level of demand during the transition period, but to move forward to the more rapid growth in total real income that a transfer of resources from military use to productive investment would render physically possible.

85. It has been argued that insofar as disarmament might lead to a reduction in the relative size of the government sector, the stabilizing effect that the existence of a substantial public sector exercises upon the general level of activity might be diminished. Military expenditure, however, has itself been notoriously subject to variations which, being unconnected with the requirements of stabilization policy, have disturbed the level of activity in the economies in question and in the world as a whole. Disarmament need not therefore increase the difficulty of economic stabilization, even if it should lead to a fall in the relative size of the government sector.

86. For many underdeveloped countries, the effect of disarmament upon the industrial countries' demands for primary products, and thus on the export earnings of the primary producing countries, would be of great importance. So would the methods of dealing with the liquidation of strategic stockpiles. These problems are discussed in chapter 5. It is necessary to add here that

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[25] There was a government decision for a further reduction to 2.4 million men in 1960. Statement by Prime Minister Khrushchev reported in Pravda, Jan. 15, 1960.

the industrial countries' success in maintaining effective demand during the immediate period of disarmament would be of great concern to all primary producing countries. The significance of disarmament for an expansion of aid to underdeveloped countries is dealt with in chapter 6.

87. The effects of disarmament within the underdeveloped countries themselves would vary from one to another. In some cases, the ratio of the military budget to the gross domestic product is of the same order of magnitude as in the major military powers (4 to 10 percent). In the majority of cases (including most of the larger underdeveloped countries), it is less than 4 percent. So far as growth rates are concerned, however, the effects of the release for nonmilitary purposes of these proportions of the national resources, whether high or low, might be greater than the figures would by themselves suggest. Both total capital formation and government expenditure are generally smaller in relation to gross domestic product in the underdeveloped countries than in the richer ones. The ratio of military expenditure to gross domestic capital formation in the majority of underdeveloped countries for which the data exist lies in the same range (10 percent and upward) as in the majority of other countries. Thus the contribution of disarmament to their economic growth would be very substantial.

88. Underdeveloped countries usually obtain their supplies of munitions from abroad either as direct purchases or as grants under military agreements or both. To the extent that these imports are received without payment, their cessation would have little economic impact on underdeveloped countries. On the other hand, to the extent that these imports have required the expenditure of foreign exchange, disarmament would make it possible to reallocate foreign exchange to imports of capital goods and of other equipment needed for economic growth. There are, however, a few countries which have been receiving considerable foreign exchange from foreign military aid and military expenditure including the outlays of foreign personnel. In consequence, it is important that any disarmament program should include measures to relieve the strain on the external balances of such countries.

89. Reductions in the military budgets of most underdeveloped countries would have their main effects through the reduction of manpower in the armed forces and the associated decrease in local expenditure on the products used by the armed forces. The release of unskilled military personnel would to some extent aggravate the already difficult problems of unemployment and underemployment. On the other hand, the members of the armed forces in the underdeveloped countries are frequently better provided with potentially useful skills than the rest of the population. The more skilled men should be easier to absorb into productive employment and their absorption should contribute substantially to the development of the economy.

90. As was pointed out above with respect to the industrialized private enterprise economies, the maintenance of the level of effective demand may require sustaining the level of government expenditure. This consideration appears to apply with greater force to the underdeveloped countries, where tax reduction may be less effective in stimulating private expenditure than it is in the more developed economies. The need to plan alternative government expenditure would therefore be particularly great.

91. In the centrally planned economies, the maintenance of effective demand while reducing military expenditure would be simply a matter of efficiency of planning techniques. Since decisions concerning the production of military output as well as of investment and consumer goods are coordinated through the national economic plan, the substitution of one type of expenditure for another does not raise any basic problems for the maintenance of effective demand. The reply from the Government of the Czechoslovak Socialist Republic indicates that this can be accomplished by certain adjustments in the current economic plans without necessitating the establishment of any special economic institutions. The effect of the decline in armaments expenditure could be largely offset by corresponding increases in investment in plant and equipment and for other purposes such as housing as well as by increases in personal consumption. A rise in personal consumption could be brought about by a reduction in taxation corresponding in magnitude to that part of armament expenditure which was not replaced by investment.

92. In consequence, effective demand could be readily maintained, and the principal problems of conversion would concern the physical adaptation of plants producing armaments to the production of goods for civilian use. The problems of reallocation of resources are discussed in some detail in the reply from the Government of the Polish People's Republic.[38] It is indicated that the period of short-term transition may be divided into three major stages. In the first stage, the main concern would be to utilize the existing military fixed assets and skilled manpower for facilitating and increase in the output of civilian goods and services. The role of new investment and development of additional supplies of raw materials would be relatively minor. It is suggested that the warehouses, transport and communications equipment, repair shops and other capital equipment and raw materials used for military purposes would be converted as far as technically possible to the production of civilian goods. Military personnel with specialized higher education would be transferred to civilian functions in the departments of health, education, and social services.

93. The second stage involves an expansion of plant and equipment, in which there is relatively limited or no excess capacity at present, for the absorption of the manpower released from military use. Particular attention would have to be paid to overcoming the shortages of raw materials that might develop. For this purpose, an increase in the domestic output of these commodities as well as in exports to pay for imports would be called for. With an adequate expansion of productive capacities and of the raw materials base, it would then be possible in the third stage to reap the full benefits of conversion—in the form of a higher rate of growth of the economy and of levels of living than is currently envisaged.

## CHAPTER 4. STRUCTURAL PROBLEMS OF CONVERSION

94. Even with the successful maintenance of total effective demand during a period of disarmament, significant problems of adjustment would remain in specific sectors and areas of the economy. Part of the personnel released by the armed forces and the armaments industry would have to be trained or retrained so as to permit absorption into peacetime occupations. Some plant and equipment would have to be converted. Productive capacity might contract in some industries, and might have to be expanded in others. Where the manufacture of armaments has been concentrated in particular regions, it would be necessary either to shift resources out of those regions to other areas of growing demand, or alternatively to undertake schemes of redevelopment. The necessary steps would have to be taken to modify the direction of research and of technological development.

95. It has already been suggested that the broad problem of readaptation of industry and manpower resulting from disarmament is not basically dissimilar from that experienced in the normal process of economic growth. For example, a decline in demand for coal in Western Europe and North America has created special problems in the coal mining communities. The position in some of the textile towns is similar. In the centrally planned economies, problems of this type can be handled by planning. In private enterprise economies, where adjustments may be delayed because of such circumstances as immobility of some labor or capital and rigidity of prices, they can be dealt with by special government measures.

96. The higher the rate of growth of the economy, the easier the process of adaptation. In the longer run, disarmament would allow each country to raise the rate of investment and to adapt productive capacity more adequately to the needs of the population and to the requirements of economic growth, both in the private enterprise and the centrally planned economies.

97. In the shorter run, the smoothness of the transition would largely depend on the ability of governments to anticipate the types of problem that might arise, and on the adequacy of preparations. This calls for an adequate assessment of the direct and indirect demands of military expenditure on each industrial sector and region, and of the extent to which a replacement of military by other expenditure would involve a modification of the structure of demand. Such a confrontation of military demands and of civilian alternatives can be carried out in detail only by national governments. The present discussion sets out only some of the more important considerations involved.

98. The resources now supplying military requirements could be adapted to peacetime needs partly by shifts within industries and plants, and partly by shifts between industries.

(a) Shifts within industries and plants: In a large number of cases, it may be possible for a given plant to shift the nature of the end product from military equipment to durable consumer goods and investment goods while using the same productive equipment and manpower. For instance, there might be a shift from tanks or tractors, from military to civilian aircraft, from naval vessels to merchant ships, or from electronic equipment for military purposes to television sets. This might be a relatively easy procedure, in many cases involving little more than changes in designs, retooling, and minor adaptations of skills, particularly in plants and enterprises which already produce both military and civilian goods.

(b) Shifts between industries: Other cases, however, might call for a more complex form of conversion requiring the output of some industries to be completely stopped or sharply curtailed and that of others to be correspondingly expanded. Many ordnance factories might cease to produce altogether. In some countries, the total output of aircraft, ships and boats would have to be reduced since civilian demand for such products would not fully offset the fall in military demand. On the other hand, a considerable expansion of output in the cement, brick, glass, and building industries might be required should there be a shift in expenditure in favor of civilian construction. Shifts of this type cannot be accommodated within the same plant but require instead a movement of resources from one industry to another.

99. Shifts between industries would necessitate acquisition of different types of skill by the working force as well as new investment in plant and equipment. They would

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[38] See the reply of the Government of the Polish People's Republic.

take a somewhat longer time to accomplish than shifts within industries, the length of time depending on how major or far-removed were the shifts. If the two industries were to have a similar resource content—as do the aircraft industry and the general engineering industry, for instance—the adaptation would be easier and would take a shorter time than if the two industries were to differ significantly in resource content—as do the aircraft industry and the building materials industry, for example. The extent to which the conversion would involve shifts within industries and plants as opposed to shifts between industries can be judged from studies made in a number of countries.

### *The problem of interindustry shifts*

100. In the United States, owing to the concentration of military expenditure in a limited number of industries, only a few industries would be affected sharply by reductions in military demand. Professor Leontief has prepared a hypothetical study of the interindustrial ramifications of conversion in the United States on the assumption that military expenditure is replaced wholly by increases in expenditure on other kinds of goods and services in proportion to their shares in total demand in 1958.[27] Such a reallocation of military expenditure would release 1,320,000 employees from the contracting industries for employment elsewhere. Over four-fifths of the decline in employment would be in four industries—aircraft and parts (which includes missiles), radio, ordnance, and ships and boats (see annex 3, table 3-1). Employment would be totally eliminated in the ordnance industry and would fall by more than 90 percent in the aircraft and parts industry; expansion of demand for civilian aircraft would have only a minor influence on output in the latter industry.

101. In addition to the 1,320,000 employees released from contracting industries, the 2,530,000 members of the armed forces and about 790,000 civilian employees of military agencies would become available for alternative employment. Thus, about 4.5 million persons—some 6 or 7 percent of the total labor force in employment in 1958—would, on these assumptions, have to change their employment from one industry group to another or find civilian instead of military employment.

102. Professor Leontief estimates the number absorbed into expanding sectors to be some 600,000 less than that released from the military establishment and the contracting industries. This difference, taken literally, would imply that an increase of about 1 percent in total government and private expenditure, spread over the duration of the disarmament process, would be required to preserve the general level of employment. It is, however, a residual figure which should be treated with reserve, since it is less than the margin of error of this hypothetical calculation.

103. A similar calculation, though with less narrowly defined industry groups, has been made for the United Kingdom by Prof. J. R. N. Stone and his colleagues of the University of Cambridge, Department of Applied Economics. The assumption in this case is that military expenditure is replaced as to one-third by increased private consumption expenditure, one-third by fixed capital formation at home, and one-third by increased foreign aid. The only industrial group in which output (and hence employment) is estimated to decline is that including the manufacture of ships and aircraft, in which the fall is about 20 percent (see annex 3, table 3-2). Including the members of the armed forces themselves, and civilian employees of the military establishment, the number of persons required to change their industry group would be about 900,000, or between 3½ and 4 percent of the labor force.

104. In both cases, these calculations indicate the numbers who would have to move from one industry to another (or out of direct military employment) in the event of very rapid disarmament. If the operation were to extend over a number of years, the change per annum would be only a fraction of the total. Moreover, a substantial proportion of the shrinkage in the Armed Forces and in the contracting industries might take place through the normal process of turnover, thereby diminishing the number of persons actually required to move from one kind of employment to another.

105. The replies received from a number of other countries of Western Europe indicate that the problem of shifts from one industry to another would be a relatively small one.[28] According to these replies, the rate of economic growth is now limited by labor shortages and it could be accelerated if manpower were released from military uses.

106. Underdeveloped countries generally have been meeting their requirements for military goods and services by imports, so that their disarmament would release foreign exchange rather than industrial workers. As indicated in chapter 3, it would also free members of the forces with many useful skills and training. Some of these would be absorbed by the growing labor market; others could be usefully employed in the development of social capital by construction of minor irrigation works, feeder roads and other community development projects, which would help to mitigate the already acute problem of underdevelopment.

107. In some of the semi-industrialized countries, however, the newly started basic industries which manufacture, for example, chemical fertilizers, heavy machine tools, heavy vehicles, aircraft and electronic equipment, have been serving both military and civilian needs. In the event of disarmament these industries could concentrate, without any transitional difficulty, on the manufacture of capital goods so urgently needed for both consumer goods industries and capital goods industries. Transport capacity, particularly vehicles, released from military uses, would supplement the inadequate transport facilities available in the present stage of their development.

108. In the centrally planned economies, as indicated previously, productive capacity is usually fully utilized. Thus it would be necessary to convert plants producing military equipment to production of durable consumer goods and of such investment goods as can be produced in them with only minor retooling. Such conversion could be achieved rapidly. Many plants producing military equipment produce also certain goods for civilian purposes. In Poland, for instance, plants which manufacture military equipment also account for about 50 percent of the national output of motorcycles and scooters, 80 percent of the sewing machines, 70 percent of the washing machines, and 30 percent of the refrigerators produced in the country.[29] The reply of the Government of the Czechoslovak Socialist Republic mentions experience with conversion of a number of plants from military production to production of medium-sized trucks, tractors, and television sets, in all of which no more than 3 to 4 percent of the productive equipment was found to be unutilizable after conversion.[30]

109. In the longer run, disarmament would make possible substantial increases of investment, so that the more adequate adaptation of productive capacity to the needs of the population and to the requirements of economic growth could proceed fairly rapidly. In Poland, for instance, it is estimated that total disarmament would allow the total amount of capital investment to rise by over 9 percent as compared with the level of 1962.[31] In Bulgaria an increase of investment by 10 to 12 percent would be possible in consequence of disarmament.[32] A considerable increase in investment would also take place in Hungary.[33]

110. The replies of the governments of the centrally planned economies state that there will be no difficulty in absorbing released manpower. In countries such as Czechoslovakia, the German Democratic Republic, and Hungary, the supply of labor in recent years has not kept pace with growing labor requirements. In Poland it is estimated that in the next few years the increase of the industrial labor force will be drawn mainly from the natural increase of the urban population with relatively little influx of workers from agriculture to industry. In these circumstances it would appear that demobilization of manpower might slow down the transfer of labor from agriculture to industry. But the increase of investment following disarmament would raise considerably the requirement of labor for industry and construction. The final effect, therefore, would be to stimulate rather than to slow down the transfer of labor from agriculture to industry. In the Soviet Union the absorption of demobilized personnel would be greatly facilitated by the growing demand for manpower in the rapidly expanding eastern territories. The construction of new industrial centers and the expansion of cultivation of land in the less populated Asian parts of the Soviet Union, particularly in Siberia, has generated a demand for labor which cannot be fully met by local resources. Migration to these territories is being encouraged and disarmament would provide a welcome source for addition to the manpower required.

### Special problems

111. The preceding analysis of the changes resulting from the process of reallocation of military expenditure to other purposes suggests that the net shifts in employment and output would be relatively small. As already indicated, however, special problems would arise from a concentration of the military effort in certain industries or areas. These problems may be broadly classified as follows:

(i) Adaptation of skills to peacetime requirements.

(ii) Problems of assistance to particular enterprises, industries, and localities, heavily oriented to military use.

(iii) Reorientation of research and technological development.

### (i) Adaptation of Skills

112. In some instances, the skills that are essential for service in the armed forces or in some of the major industries producing military goods may not be readily adaptable to the requirements of civilian employment. Consequently, there would arise a necessity to retrain part of the skilled manpower and to train some of the unskilled.

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[27] W. Leontief and M. Hoffenberg, "The Economic Effects of Disarmament," Scientific American (New York), vol. 204, No. 4, April 1961, pp. 47-55.

[28] See vol. II of this report (E/3593/Rev. 1/Add.1).

[29] See the reply of the Government of the Polish People's Republic.

[30] See the reply of the Government of the Czechoslovak Socialist Republic.

[31] See the reply of the Government of the Polish People's Republic, Addendum.

[32] See the reply of the People's Republic of Bulgaria.

[33] According to the reply of the Government of the Hungarian People's Republic, military expenditure in 1959 was 2.5 thousand million forints while total investment was 19.5 thousand million forints. If only half of the military expenditure were turned to investment, the latter would increase by about 6.5 percent.

113. (a) Armed personnel and employees in the Ministry of Defense: Most of the officers in modern armed forces have received training that would fit them easily for technical, engineering, medical, and similar posts in civilian life. As the reply of the Government of the United States of America indicates, 85 percent of the commissioned officers in that country have completed some form of college training. However, some of the senior officers in the armed forces have been trained for purposes significantly different from those that are needed in civilian life. A special effort would have to be made to find suitable employment for them. Some of them might be called on to serve in various capacities in the international organs to be set up for control of disarmament. Some would find useful occupations in civilian activities where their organizational abilities may be a special requirement. Since the number of officers is usually not very large, it should not be hard to absorb them into civilian life.

114. The demobilization of the nonprofessional members of the armed forces would involve a much larger number of persons. But most of these men have been drawn from civilian life where they were previously engaged in nonmilitary occupations. They are usually young and relatively mobile. Military service has often interrupted their education. In many cases, however, they have acquired new technical skills while in military service. In most of the underdeveloped countries, the regular armed forces possess a much higher level of industrial and technical skills than the civilian population; this would tend to give them a relatively greater chance of being absorbed into civilian employment, particularly in an expanding economy.

115. The release of the armed forces, over some years, would imply only that the number of new entrants for that period would be augmented by this special factor. In some countries, particularly in Europe, which are faced with shortages of manpower, the availability of a larger labor force could indeed contribute to an acceleration of the rate of economic growth. Moreover, the financial resources released by disarmament should make it possible to arrange for termination pay and special allowances for various types of training. For instance, the Government of the United States carried out, after the Second World War, a large program for education, training and job placement for demobilized army personnel. Nearly 8 million veterans took advantage of the training program. Similarly, 2 million, or one-third of the eligible veterans of the Korean war have benefited from such training facilities.[34]

116. The reply of the Government of the Polish People's Republic indicates the magnitudes involved in re-employing the nonprofessional members of the armed forces. It is anticipated that a majority of the draftees from rural areas would return to the countryside to help in the projected intensification of agriculture. Some 20 to 30 percent are expected to be employed in plants which now produce military equipment but could immediately be converted to produce investment goods, export commodities and raw materials. This would further facilitate the productive employment of the remainder.

117. (b) Industries producing military goods. As pointed out above, the problem of conversion in the industrial countries[35] is likely to be a short-term one for most industries. In industries, depending heavily on military orders, many of the employees possess a level of skill that should find gainful employment in other branches of production,[36] so long as overall effective demand is rising. Moreover, where some form of retraining or additional training would be needed for employment, it could be acquired through the facilities for apprenticeship and on-the-job training often provided by individual firms or plants for their new labor force. Even so, there might be some special cases which would require special assistance to encourage the adaptation of skills to new jobs. Such help could be provided through opportunities for vocational training financed by such means as termination pay or other special measures.

118. In this age of automation the demand for highly skilled labor is rising faster than the demand for semi-skilled and unskilled. Therefore a significant number of those who would be released in the latter categories might be faced with difficult problems, particularly if they were of an advanced age. While the experience of a much more extensive demobilization and conversion at the end of the Second World War suggests that the problems thus arising are by no means insuperable, governments should stand ready to assist the reabsorption of such workers into productive employment.

(ii) Particular Enterprises and Localities

119. Owing to the concentration of military output in a few industries, termination of military contracts would bear specially upon the activities of particular enterprises. These would have a choice of three courses of action: complete shutdown, the adaptation of existing plant and equipment to the production of other goods through major retooling, and investment in entirely new plants. Similar problems on a much larger scale were faced at the end of the last war and tackled with a considerable degree of success.

120. The geographical distribution of the activity based on military expenditure is very uneven in many countries. The readjustments necessitated by disarmament would therefore impinge particularly heavily on certain areas and localities. Various forms of public and other assistance would thus prove necessary to facilitate readjustment. Measures of three types would be required. First, attempts should be made to diversify the structure of employment by developing new industries where possible. Secondly, adequate relocation allowances should be provided to facilitate the movement of those who are mobile to areas where the labor market is expanding. Thirdly, adequate relief should be granted to those whose attachment to the locality is too deep or whose age is too advanced to contemplate moving to other areas. The costs of the necessary measures would be very small in relation to the resources that disarmament would release.

(iii) Reorientation of Research and Technological Development

121. In the centrally planned economies, governments have always played a major role in promoting research and development. In the private enterprise economies also, this role has expanded everywhere in recent years, particularly through the growth of research for military purposes. In the United Kingdom, direct military expenditure is responsible for nearly two-fifths of the total spent on research and development. Approximately half of the research and development effort in the United States is financed out of the military budget; this part of research is highly concentrated in a few industries.

122. The magnitude of the task of shifting scientific and technical personnel to nonmilitary fields of research would differ from country to country, but the estimates that have been made for the United States may have some relevance elsewhere. In that country, expenditure on research and development is six to seven times higher per dollar of military demand than per dollar of final civilian demand.[37] Therefore, on the hypothetical assumption of an unchanged proportional allocation of funds to science by the civilian sector, the reply of the Government of the United States of America estimates that a reallocation of total military expenditure to civilian purposes would lead to a reduction of about 40 percent in spending for research and development. The corresponding decline in the employment of scientific personnel would amount to only half the decline in research and development spending, or about 20 percent.[38]

123. No reduction in the actual employment of scientific and technical personnel need be feared, however, because the demand for civilian research would increase rapidly. Indeed, one of the main reasons why scientific research is still far from adequately applied in many civilian fields is the fact that highly qualified personnel have been scarce, and have been preempted by military demands. A more adequate supply of specialists would make it possible to open up new fields of inquiry, hitherto virtually neglected, as well as to devote larger resources to existing lines of scientific investigation in both the developed and underdeveloped countries. The scope for peaceful research in the physical, chemical, biological, and human sciences is unlimited, and the potential benefits to the whole of humanity incalculable.

### CHAPTER 5. THE IMPACT OF DISARMAMENT ON INTERNATIONAL ECONOMIC RELATIONS

124. Disarmament would be bound to have favorable effects on the development of international economic relations. The political détente that would accompany an international disarmament program would in itself imply that nations were willing to reconsider their economic relations with one another. The consequent relaxation of international tensions would provide a sound basis for reduction of trade barriers and for modification of existing trade agreements and trading practices. In the long run this would encourage an expansion of international trade, a more rational international division of labor and a more effective use of the world's resources. In the short term it might help conversion by generating new demand for exports from existing sources of supply that could be satisfied fairly easily from existing capacities.

125. The relaxation of international tension would benefit trade through the elimination of the concern with national defense as a factor affecting national trade policies. The needs of national defense have long been accepted as a legitimate reason for the pursuit of discriminatory and protectionist

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[34] See the reply of the Government of the United States of America.

[35] Owing to virtual absence of major military goods industries in the underdeveloped countries, this question has relatively limited relevance for them.

[36] Of the 2.5 million persons employed directly or indirectly in producing military goods and services in the private sector in the United States in 1960, nearly 1.5 million, or 60 percent of the total, possessed various types of skills such as professional, technical, managerial, clerical or skilled craftsmanship. See the reply of the Government of the United States of America.

[37] See the reply of the Government of the United States of America.

[38] The smaller decline in employment is due in part to the fact that the materials and equipment content of research expenditures is much higher for military than for civilian research and in part to the fact that more scientists and engineers are required in posts not directly connected with research and development in the nonmilitary industries than in the military.

policies.[39] Among the justifications advanced for the protection of agriculture and mining in many industrial countries has been the need to guarantee an adequate national supply of food and raw materials. In many instances, the domestic production of manufactured goods, as well, has been promoted on security grounds, to the detriment of international trade. Security is not the only consideration in such cases, and may not even be the decisive one; nevertheless, it carries considerable weight with governments at the present time. After disarmament, however, its force would be lost; and an opportunity would be afforded to reexamine and improve the framework of world trade.

126. An important aspect of this matter is trade between the centrally planned economies and the rest of the world. Although this trade has been rising in relation to world trade in recent years, its share is still low in comparison with the levels prevailing before the Second World War and, especially, in comparison with the share of these economies in world output and with the levels that could be achieved under favorable conditions in the future. The centrally planned economies are expanding rapidly and form a growing market, particularly for durable producers' goods and raw materials. At the same time, they are capable of serving as a source of supply to the rest of the world for certain primary products and manufactures. The obstacles that stand in the way of closer economic relations between state trading and private enterprise economies are not basically of a technical character. To a considerable extent they reflect mutual lack of confidence. A lessening of international tensions and a rebuilding of confidence would help to remove them.

127. Disarmament would bring about a change in the composition and rate of growth of output and thus affect the structure and rate of expansion of world trade. While the composition of the nonmilitary production that would replace military output cannot be precisely foreseen, it appears to be a safe assumption that all the main categories of civilian output would increase their share in national product. Insofar as increased investment and greater economic aid would accelerate the rate of economic growth in developed and underdeveloped countries, a more rapid expansion of world trade could be anticipated. However, there are more immediate effects that might follow the shift in demand; these hinge on the difference between the import content of military expenditure and the import content of the increments to consumption, investment and foreign aid that disarmament would facilitate.

128. It is possible in principle to estimate the import content of any country's military expenditure, as well as of the civilian expenditure that would replace it, by means of an analysis of an economy's interindustry structure. Such an analysis would indicate whether a shift from military expenditure to, say, housing construction would result in a net increase or a net decrease in the demand for imports both in the aggregate and for specific commodities.

129. Some exports of primary products, such as petroleum, rubber and most metallic ores depend significantly at present on direct and indirect demand generated by military purchases. An estimate of this dependence with respect to the U.S. economy is summarized in annex 3, table 3-3. These figures show, for instance, that the direct and indirect demand for copper generated by U.S. military expenditure in 1958 amounted to 7.8 percent of that year's total world supply and to 7.4 percent of the supply in 1959. On the assumption that the demand generated by the combined military outlays of all industrialized countries may be about twice as large as that computed for the United States alone, the table indicates that some 15 to 16 percent of world copper output has served, directly and indirectly, military purposes (see columns 3 and 4). For tin, nickel, lead and zinc the corresponding figure is over 9 percent; for petroleum, between 8 and 9 percent. In view of the well-known sensitivity of the prices of these products to changes in demand, the elimination of all armament expenditure, if there were no offsetting rise in civilian demand, could have a seriously adverse effect on the income of those underdeveloped countries whose exports consist largely of such raw materials.

130. Table 3-4 (in annex 3) shows, however, that the demand of the United States and of the world for these raw materials would be reduced only fractionally—by less than 2 percent—if the elimination of military expenditure were accompanied by a corresponding increase in private and public nonmilitary expenditure. These hypothetical estimates, it should be noted, are based on the assumption that private consumption, investment, nonmilitary government purchases and other categories of nonmilitary demand would all increase in the same proportion. However, since the content of these raw materials in military production does not differ significantly from that of the most important categories of nonmilitary production, the impact on overall demand for the items listed in the table would appear to be only marginal for any likely change in the composition of civilian demand.

131. Since the importance of military expenditure for most other primary commodities is smaller than for those discussed above, its cessation, even if not offset by an equal increase in nonmilitary expenditure, would produce a smaller percentage of reduction in demand for them. The reallocation of military expenditure to nonmilitary purposes would probably bring about a net increase in this demand. The hypothetical calculations made for the United States and the United Kingdom, for instance, suggest that this reallocation would increase the demand for both food and clothing and thus for foodstuffs and textile materials in general.

132. Since disarmament may be expected to result in an acceleration of economic growth, it should stimulate the growth of demand for primary production in general. Coupled with the fact that disarmament should be associated with a tendency for the advanced countries to open their markets more widely to foodstuffs, for instance, this would make for a substantial growth of primary commodity trade. Accelerated economic growth would be still more powerful in increasing total demand for manufactures. In the past, an increased world demand for manufactures has normally been associated with increased international trade in them. The tendency to reduce trade barriers should be particularly important in enabling developing countries to increase their exports of manufactures to the more highly developed.

133. The overall impact of disarmament on the trade of underdeveloped countries is likely to be favorable, not only because of the acceleration of economic growth but also because of the greatly expanded aid to be expected from the more advanced countries. Both private enterprise and centrally planned economies should also be prepared to open their markets more widely to underdeveloped countries once the trade restrictions imposed for security reasons are lifted. There might, however, be instances in which declines in demand for particular commodities would cause appreciable difficulties. In these cases consideration should be given to special aid for the countries concerned, in the same way as for particular industries or areas within the principal disarming countries.

134. The immediate impact of disarmament on international economic relations during the conversion period is a matter that needs to be given careful study along with the other conversion problems already discussed in chapters 3 and 4. Changes in the level of aggregate economic activity associated with disarmament in the major industrial countries would be a major determinant of the level of international trade during the conversion period. In the international field, as in the domestic, nations need to be prepared to take whatever measures may prove appropriate to facilitate the reallocation of resources and to ensure that any temporary dislocations of economic life that might occur are minimized. The degree to which special policies might be called for would depend partly on the speed of the disarmament process.

135. If appropriate steps are taken it should be possible even in the short run to avoid any significant reductions in the general level of primary product prices, but it needs nevertheless to be realized that any failure to achieve this goal could have serious consequences. For many of the countries mainly dependent on the export of primary commodities, a percentage decline in their export earnings which might appear small arithmetically could cause grave damage. For example, a 6-percent drop in their average export prices, were it to take place, would imply for the underdeveloped countries a decline in their foreign exchange earnings equivalent to something like one-half of all official economic grants and loans currently received from abroad in a year.[40] Recessions in activity in the industrial countries have caused declines of this order of magnitude in the recent past. Concerted international action would, therefore, be required to prevent any such decline in the prices and incomes of primary producing countries as a result of disarmament.

136. Even with favorable prospects for total trade, however, special problems might arise during the conversion period for particular countries or for trade in particular commodities. One such problem stems from the fact that a few countries have been receiving considerable foreign exchange from military aid and military expenditure, including the outlays of foreign personnel. In these cases, special attention should be given to the possibility of arranging future programs of developmental assistance, and especially their timing, so as to avoid adverse effects on their balances of payments.

137. A more widespread problem relates to particular countries that are largely dependent on the export of those commodities for which world demand might suffer a temporary decline. In conjunction with the formulation of any disarmament program, therefore, it is highly desirable that a detailed study be undertaken on the changes in demand for the various primary commodities which would result from disarmament. The

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[39] It is true that at certain times national security considerations have led to higher trade flows in particular directions than might otherwise have taken place; strategic stockpiling, for example, has stimulated purchases of some commodities. However, this stimulus has not been an unmixed blessing, and in any case stockpiling is no longer significant in world trade.

[40] In 1956–59 the sum of net official donations and official net long-term lending to underdeveloped countries averaged $3.2 billion annually, or about 12.6 percent of the $25.2 billion annual average value of these countries' exports during the same period. (See, respectively, United Nations, "International Flow of Long-term Capital and Official Donations, 1951–59" (Sales No. 62.II.D.1), table 3 and United Nations, Monthly Bulletin of Statistics, February 1962, table 43. The two sets of statistics differ somewhat in country coverage.)

reduction of strategic stockpiles of primary commodities should be planned in such a way as to cause a minimum of disturbance to international markets, and consideration should be given to the adequacy of already existing compensatory measures and the possibility that additional measures might be required during the conversion period. Regardless of the technique employed, no country should be allowed to suffer a disruption to its economic life, even temporarily, as a result of disarmament.

### CHAPTER 6. THE EFFECTS OF DISARMAMENT ON THE VOLUME AND FRAMEWORK OF AID FOR ECONOMIC DEVELOPMENT

138. The promotion of economic and social development in underdeveloped countries is one of the most important ways in which the resources released by disarmament could be put to use. Two-thirds of the world's population lives in countries that obtain only a modest part of the benefits which modern technology and science are capable of providing. The peoples of the underdeveloped areas are determined to raise their levels of living, and the peoples of the more industrialized countries have undertaken to help them do so. Progress has been made since the Second World War in raising real incomes per capita in many underdeveloped countries. The planning of economic and social development has been intensified in some and initiated in others, and the mobilization of domestic resources for national development has become a major policy objective. In many instances, domestic resources have been supplemented by foreign loans, grants, private capital flows and technical assistance.

139. National efforts and international cooperation in the development of the underdeveloped countries have so far not brought about the desired acceleration of economic growth. The average rate of growth in per capita income over the past decade was still less than 2 percent per annum, and possibly as little as 1 percent.[41] The absolute gap between per capita incomes of rich and poor countries has been progressively widening.[42] Even if future growth in the developed areas is left out of account and the present levels of income in the developed areas are taken as a target, the recent experience of underdeveloped areas still appears disappointing. In underdeveloped areas the average level of real income per capita is now less than one-sixth—and in many of them less than one-tenth—of that enjoyed in such countries as Belgium, Denmark, Norway, and the United Kingdom. Consequently, a future growth rate no higher than 2 percent per annum could be expected to raise the level of living in poor countries to that now prevailing in the countries just mentioned only after a very long time.

140. An acceleration of the rate of growth of underdeveloped countries depends upon many factors, including the adoption of appropriate national development programs and, in many cases, social and institutional reforms. Among these programs an important role must be assigned to encouragement of productive investment both from domestic and foreign resources. To this end world disarmament could make a major contribution. Despite the inadequacies of the available statistics, it appears the world's military expenditures far exceed the combined gross investment expenditures of the less developed areas; they are probably at least five times as large and may be much greater. A much larger volume of resources could thus be allocated to investment for productive development in these countries even if only a fraction of the resources currently devoted to military purposes were used in this way.

141. Assuming that the necessary national development programs and social and institutional reforms were effectively realized, underdeveloped countries would be able to absorb a considerably larger flow of productive investment. The consequent effect upon the rate of growth may be illustrated by a hypothetical example in which it is assumed that these countries devoted half of the resources liberated by disarmament to investment in productive capacity and that at the same time the rate of total capital flow from more advanced countries (both private enterprise and centrally planned) rose to around $15 billion annually, or somewhat more than 1 percent of their aggregate national product. This is a modest increase in view of the 8 or 9 percent they now devote to military purposes. Under these conditions, the less advanced countries might be expected to increase their annual rate of growth of national product from, say, 3 to 5 percent. Assuming an annual rate of population growth of around 2 percent, this could mean a trebling of the rate of increase in per capita income from 1 to 3 percent.

142. The hypothetical example just given is based on certain assumptions concerning income and investment and their interrelationship in underdeveloped areas. Although different sets of assumptions would inevitably lead to somewhat different estimates of acceleration in the rate of growth in underdeveloped areas, there clearly emerges the general conclusion that disarmament could bring about a marked increase in the rate of growth of real income in the poorer parts of the world.

143. These conclusions are reinforced by a comparison of the volume of resources now being devoted to military use with the various estimates made in recent years of the external financial needs of the underdeveloped countries. Four relatively comprehensive estimates of global aid requirements are available,[43] apart from a number of estimates of aid needed for specific purposes. In these calculations, the total amount of foreign capital required by the underdeveloped areas, over and above their domestic resources devoted to investment, is estimated to range from $6 to $10 billion annually. These figures are based on conservative assumptions: the target rates of growth of per capita real income are about 2 percent, and the computations are based on assumed ratios between increments to real income and, on the one hand, increments to employment, or, on the other hand, increments to the stock of capital, which past experience suggests are reasonable but which could conceivably turn out to have underestimated the capital needs should conditions prove to be less favorable than anticipated. After allowing for the present flow of foreign capital through existing institutions and arrangements, the authors cited believe that there is a deficiency of about $3 billion a year that needs to be made good in order to achieve the modest annual rate of growth in income of 2 percent per capita.[44]

144. Two further questions arise. First, would disarmament release in sufficient quantity particular resources required for economic development? Secondly, is the present institutional framework of aid to underdeveloped countries likely to be affected by disarmament?

145. In the longer run, productive capacities can be adapted to any changed patterns of demand, and provided that the needs of underdeveloped countries are known in sufficient detail, no serious problems should arise in matching resources to uses. Even in the short run, however, it seems probable that a significantly large proportion of the resources absorbed for military use would indeed prove to be of a type useful for investment in underdeveloped countries. An important proportion of military expenditure absorbs the output of heavy industry and of the engineering and construction industries. The output of these industrial sectors could undoubtedly make a valuable contribution to the industrialization of the less developed areas and to their accumulation of social capital. Transportation and communication equipment, for example, is an important component of military expenditure and is urgently required by underdeveloped countries. When a disarmament program is adopted it would be desirable for governments to estimate what resources would become available for peaceful purposes in the various stages of the program. In the light of these data and detailed information concerning the resources which underdeveloped countries could usefully employ in their developmental programs, it would be possible for governments to assess the share of the released resources to be allocated to the investment needs of the less industrialized parts of the world.

146. Disarmament would also release personnel, such as scientific research workers and engineers, who could be utilized for other purposes. In the event of disarmament, it should prove possible for the industrialized countries to provide greater technical assistance and thereby help remove one of the serious limitations to development efforts in these countries. Furthermore, disarmament would free from military service in both the more advanced and the less developed countries large groups of young people. Past experience in utilizing their good will and enthusiasm in a number of countries indicates that when completely freed from military preoccupations, many of them could make an important contribution to economic and social development in underdeveloped areas.

147. With respect to the impact of disarmament on the framework and structure of aid to underdeveloped countries several points need to be made. If we leave out of account—as seems proper in the present context—short-term finance of all kinds, private grants, and military and defense-support aid, the principal international flows of

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[41] Owing to the margin of error in the population estimates of many underdeveloped countries (especially the intercensal estimates), estimates of real income in these areas, which are rather crude in any case, are subject to an even wider margin of error when expressed in per capita terms.

[42] To narrow the gap, underdeveloped areas must experience a substantially higher growth rate than the more advanced areas, since in the higher income areas a given rate of growth implies much larger absolute increments to income.

[43] These estimates of financial needs are based on fragmentary data. They have been compared in a United Nations document prepared for the committee on a United Nations Capital Development Fund: "The Capital Development Needs of the Less Developed Countries" (A/AC. 102/5). The earliest estimate is contained in a report prepared for the United Nations: "Measures for the Economic Development of Underdeveloped Countries" (Sales No.: 51.II.B.2). Its estimates concerned the 1950's, and were based on data for 1949 and earlier years. The second estimate is contained in Max F. Millikan and W. W. Rostow, "A Proposal, Key to an Effective Foreign Policy" (New York, 1956). It is based on data for 1953 and earlier years. The third estimate, contained in Paul G. Hoffman, "One Hundred Countries, One and One Quarter Billion People" (Washington, 1960), is based on information available in 1959, and concerns the decade of the 1960's. The fourth is contained in P. N. Rosenstein-Rodan, "International Aid for Underdeveloped Countries," Review of Economics and Statistics (Cambridge, Mass.) XLIII (May, 1961) and covers the years 1962–76.

[44] Ibid.

capital to underdeveloped countries consist of (1) official grants, (2) official loans and credits on noncommercial terms, (3) long-term loans and credits on commercial terms made by national governments and by international authorities, and (4) private long-term loans or direct investment. Unlike capital flows of the last three types, official grants do not, of course, burden the recipient country's balance of payments. Official loans and credits on noncommercial terms are less burdensome than public or private lending on commercial terms; hence the distinction between the second and third categories.

148. Comprehensive statistics of loans and grants to underdeveloped countries are not available according to the fourfold classification just mentioned. However, an impression of the overall magnitude and composition of loans and grants to underdeveloped countries can be obtained from various sources.[45] During the past few years the total net flow of capital, as just defined, from private enterprise developed countries to underdeveloped countries averaged between $3.5 billion and $4 billion annually. About half represented official grants. The remainder consisted mostly of private lending.

149. In the 15 years from 1945 to 1960 the sum total of credits granted by the centrally planned countries to underdeveloped countries and of mutual assistance among the centrally planned countries themselves amounted to about 52 billion old rubles. In the earlier years the greater part of the credits was granted to other centrally planned economies; in more recent years the emphasis has shifted to credits to underdeveloped countries.

150. The increased international flow of capital to underdeveloped countries that is certain to result from disarmament could take any one or more of the forms referred to above. Their relative importance would be likely to change, however, since each of them would be affected somewhat differently by the implementation of a disarmament program.

151. As regards the flow of private capital, it may be assumed that this would continue to respond to commercial considerations. Diminished world tension resulting from disarmament, coupled with additional means of encouraging private foreign investment in underdeveloped countries, might be expected to lead to a greater movement of private capital into these countries.

152. At the present time, nine-tenths or more of official grants and loans are given under bilateral programs. Bilateral and multilateral programs of aid each have their own particular advantages and disadvantages, and many of the considerations which now prompt governments to favor bilateral rather than multilateral aid might continue to hold good even in a disarmed world. On the other hand, insofar as political circumstances have had any weight in determining the direction and form of aid, effective disarmament and the related lessening of international tensions should improve the prospects for more cooperative international action.

153. The discussions that have been held in the Economic and Social Council and the General Assembly during the past 8 years concerning the need for an increased flow of aid through an international fund within the framework of the United Nations have frequently emphasized the importance of the savings to be derived from general disarmament. The basic position of the General Assembly on this matter remains Resolution 724 (VIII), adopted unanimously in 1953. Under this resolution the General Assembly made the following declaration:

"We, the governments of the states members of the United Nations, in order to promote higher standards of living and conditions of economic and social progress and development, stand ready to ask our peoples, when sufficient progress has been made in internationally supervised worldwide disarmament, to devote a portion of the savings achieved through such disarmament to an international fund, within the framework of the United Nations, to assist development and reconstruction in underdeveloped countries."

154. It should be realized that the repayment of loans granted on commercial terms may impose heavy burdens on the balances of payments of these countries. Concern has already been expressed in recent years regarding the heavy accumulated indebtedness of a number of countries and the growing difficulties they have been experiencing in servicing outstanding loans. It seems urgent that as large a proportion of economic aid as possible should take the form of grants or soft loans. Disarmament would likely facilitate the increased flow of such aid. This is so because the savings afforded by disarmament would provide the aid-giving countries with a favorable opportunity to increase their assistance without imposing an additional burden on civilian expenditure. This should also lead to a desirable broadening of the existing basis of aid to include types of projects not adequately covered under existing policies, and should therefore facilitate a balanced execution of development plans. Increased aid in the fields of social investment should also become possible, as it is now generally recognized that substantial investment in health facilities and particularly in education is a prerequisite for obtaining the maximum benefits from other development efforts.

155. Because the competing claims in developed countries are also urgent, there is a serious possibility that the financial resources released by disarmament might be rapidly absorbed by purely national aims. It is therefore desirable that an appropriate proportion of these resources should be allocated to international aid in its various forms simultaneously with their use for domestic purposes.

156. It must be emphasized that foreign aid can play only a supplementary role in the development of these countries and that the responsibility for initiation and intensification of development efforts would continue to lie entirely with the governments and peoples concerned. There are many countries in which foreign exchange resources are by no means the only nor even the main limitation on the rate of economic growth. Such countries are not likely to be in a position to utilize larger amounts of aid effectively unless they take the domestic measures necessary to encourage such growth. There is reason to look to the major powers to be generous in allocating resources freed by disarmament to the development of underdeveloped countries. But there is also every reason to look to the underdeveloped countries themselves to create the conditions favorable to their economic growth. In this as in other fields discussed in this report, advance planning and preparations are likely to enhance greatly the favorable impact of general disarmament.

### CHAPTER 7. SOME SOCIAL CONSEQUENCES OF DISARMAMENT

157. The economic and social consequences of disarmament are inextricably intertwined. As already discussed, it would be possible to bring about a significant improvement in many aspects of social life, provided that some of the resources released by disarmament were earmarked for fields such as education and scientific research, health, housing and urban development. An idea of the magnitude of the needs in these fields has been given in chapter 2. There are, however, some aspects of social life which elude measurement, but which none the less greatly affect individual and family life and on which smoother human relations within and between nations largely depend.

158. In a disarmed world, a general improvement could be expected in the level of living and in the conditions of underprivileged and low-income groups such as the old and retired people whose share in the social well-being is often meager, even in the more developed countries. With the end of the armaments race, governments would accord these social objectives a higher priority than in the past. The implementation of measures discussed in chapter 2 would lead to a cumulative diffusion of social benefits.

159. The more rapid rate of economic growth and the increase in productivity that may be expected to result from disarmament might well permit a reduction in working hours, an improvement in the conditions of work and a lengthening of paid vacations. To take full advantage of the resultant longer leisure and the higher level of living, wider cultural facilities would be required. In this context, education acquires special significance as a means for disseminating culture.

160. In the domain of personal and family life, disarmament and recession of the threat of war would decrease tensions which often bring about psychosomatic illnesses. Human life would acquire a new meaning, once war and preparations for war were eliminated. The whole prospect of life would be brightened, especially for young people about to enter a profession or found a family. There would no longer be any separation from the family for compulsory military service, so that the psychological, moral and material evils which this creates would be avoided. A greater stability in the family nucleus would be likely to exert a favorable influence on morality.

161. The very fact of disarmament would lead to a diminution of tensions between nations and races. The tendency to divert individual and national frustrations into national and racial hatreds would be lessened significantly.

162. In a disarmed world, the danger that security considerations and armed forces might play an excessive role in forming the values of the community would be eliminated. It is important to note, however, that attention would need to be paid to constructive outlets for individual and collective aspirations.

163. If confidence is one of the necessary conditions for concluding a disarmament agreement, an increase of confidence would also be one of its happiest consequences. A decrease in tensions and in the influence of groups interested in armaments would bring about a profound change in the form and content of international relations. Political and economic conflict between nations, with its attendant risk of war, would more rapidly be replaced by constructive emulation. Scientific cooperation between nations would advance more rapidly, and the peaceful utilization of science and technology would be accelerated. The arts, too, would greatly benefit from an extension of international exchanges. All the great civilizations in the past have gained from such cultural contacts and have exerted their influence beyond their own frontiers. Disarmament would remove the main barriers to the far greater exchanges that are now technically possible. Humanity would thus be able to carry out cooperatively the projects which lie beyond the resources of a single country or a group of countries.

164. In short, disarmament would release resources from uses in which they are not only wasted but also in many ways make the remainder of mankind's wealth less effective

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[45] See "International Flow of Long-term Capital and Official Donations, 1951–59" (Sales No.: 62.II.D.1) ch. 1, and "World Economic Survey, 1960" (Sales No.: 61.II.C.1), pp. 119–121.

in promoting welfare than it would otherwise be. In reckoning the gains from it, one must take into account a general easing of tension and frustration and an enhanced possibility of cooperation that would reinforce the direct economic contribution of the resources released.

165. In view of this, as well as the conclusions reached in previous chapters, there should be no doubt that the diversion to peaceful purposes of the resources now devoted to military expenditure could and should be of benefit to all countries and would lead to improvement of world social conditions.

### CHAPTER 8. SUMMARY AND CONCLUSIONS

166. The present level of military expenditure not only represents a grave political danger but also imposes a heavy economic and social burden on most countries. It absorbs a large volume of human and material resources of all kinds, which could be used to increase economic and social welfare throughout the world—both in the highly industrialized countries, which at the present time incur the bulk of the world's military expenditures, and in the less developed areas.

#### *Resources devoted to military purposes*

167. There appears to be general agreement that the world is spending roughly $120 billion annually on military account at the present time. This corresponds to about one-half of the total gross capital formation throughout the world. It is at least two-thirds of—and according to some estimates, of the same order of magnitude as—the entire national income of all the underdeveloped countries.

168. It is important that countries, in preparing to disarm, should take stock of the various resources that disarmament would release for peaceful uses. In the major military powers, military production is highly concentrated in a few industry groups. In those countries that rely upon imports for their supplies of military goods or in which the major part of military expenditure is for the pay and subsistence of the Armed Forces, rather than for their equipment, the resources devoted to military purposes consist essentially of manpower and foreign exchange.

#### *The peaceful use of released resources*

169. There are so many competing claims for usefully employing the resources released by disarmament that the real problem is to establish a scale of priorities. The most urgent of these claims would undoubtedly already have been largely satisfied were it not for the armaments race.

170. Increased personal consumption might well absorb a large share of the released resources. A substantial portion of them, however, would be used for expansion of productive capacities because only such expansion can provide a firm basis for further increases in consumption. In the less developed countries, the utilization of released resources for capital formation must be considered vitally important.

171. Social investment is an important alternative both to private consumption and to industrial and agricultural investment. Its claims rest partly upon the clear urgency of the direct need for improved social amenities, and partly upon the fact that growth of industrial and agricultural productivity is dependent upon developments in education, housing, health, and other fields.

172. The release of scientific and technical manpower would make it possible to encourage programs of basic scientific research in fields which have hitherto been neglected. Disarmament would also open up possibilities for joint international ventures of an ambitious kind, such as the utilization of atomic energy for peaceful purposes, space research, the exploration of the Arctic and Antarctic for the benefit of mankind and projects to change the climates of large areas of the world.

173. Thus, though it would take active decisions by governments in the light of national and international needs to set in motion the necessary programs for employing the released resources, it seems abundantly clear that no country need fear a lack of useful employment opportunities for the resources that would become available to it through disarmament.

#### *Impact on national production and employment*

174. Disarmament would raise both general problems of maintaining the overall level of economic activity and employment and specific problems insofar as manpower or productive capacity might require adaptation to nonmilitary needs. In the economic life of all countries, shifts in the pattern of demand and in the allocation of productive resources are continually occurring. The reallocation of productive resources which would accompany disarmament is in many respects merely a special case of phenomenon of economic growth.

175. The postwar conversion was a much larger one and involved a more rapid transfer of resources than total disarmament would require at present. Nevertheless, huge armies were quickly demobilized without a significant rise in unemployment in most countries. The pace of recovery, particularly of industrial output, was impressively rapid. During the postwar conversion, however, the major concern of economic policy was to restrain, rather than to maintain, overall demand.

176. Much attention has already been given in the industrialized private enterprise economies to the methods by which total effective demand can be maintained. Monetary and fiscal policy could be used to offset the effect of a shortfall in total demand that might result from a decline in military expenditure to the extent that it were not offset by a rise in civil government expenditure. Bearing in mind that a substantial part of military expenditure would probably be replaced by other government expenditure in most countries, it may be concluded that the maintenance of effective demand in the face of disarmament should not prove difficult.

177. For many underdeveloped countries, the effect of disarmament upon the industrial countries' demands for primary products, and thus on the export earnings of the primary producing countries, would be of great importance. So would the methods of dealing with the liquidation of strategic stockpiles.

178. In the centrally planned economies, the maintenance of effective demand while reducing military expenditure would be simply a matter of the efficiency of planning techniques. In consequence, effective demand could be readily maintained, and the principal problems of conversion would concern the physical adaptation of plants producing armaments to the production of goods for civilian use.

#### *Structural problems of conversion*

179. Even with the successful maintenance of total effective demand during a period of disarmament, significant problems of adjustment would remain in specific sectors and areas of the economy. The resources now supplying military requirements could be adapted to peacetime needs partly by shifts within industries and plants. This might be a relatively easy procedure, in many cases involving little more than changes in designs, retooling, and minor adaptations of skills, particularly in plants and enterprises which already produce both military and civilian goods. Shifts between industries would necessitate new investment and acquisition of different types of skill by the working force. In the longer run disarmament would allow each country to raise the rate of investment and to adapt productive capacity more adequately to the needs of the population and to the requirements of economic growth, both in the private enterprise and the centrally planned economies.

180. Hypothetical studies on the assumption that military expenditure is replaced wholly by increases in expenditure on other kinds of goods and services suggest that in the event of very rapid disarmament some 6 or 7 percent (including the Armed Forces) of the total labor force in the United States and 3½ to 4 percent in the United Kingdom would have to find civilian instead of military employment or change their employment from one industry group to another. These shifts would be small if spread out over a number of years and would be greatly facilitated by the normal process of turnover. The higher the rate of growth of the economy, the easier the process of adaptation.

181. Underdeveloped countries generally have been meeting their requirements for military goods and services by imports, so that their disarmament would release foreign exchange rather than industrial workers. It would also free members of the forces, many with useful skills and training. Some of these could be usefully employed in the development of social capital. In some of the semi-industrialized countries, newly started basic industries could concentrate, without any transitional difficulty, on the manufacture of capital goods.

182. In the centrally planned economies, where productive capacity is usually fully utilized, it would be necessary to convert plants producing military equipment to production of durable consumer goods and of such investment goods as can be produced in them with only minor retooling. This could be done rapidly.

183. Some special problems would arise with regard to reemployment and training of manpower and reorientation of scientific research. While most members of the Armed Forces have received training that would fit them easily for civilian life, a special effort would have to be made to find suitable employment for the rest. The demobilization of the nonprofessional members of the Armed Forces would imply only that the number of new entrants for that period would be augmented by this special factor.

184. In industries depending heavily on military orders, many of the employees possess a level of skill that should find gainful employment in other branches of production, so long as overall effective demand is rising. Even so, there might be some special cases which would require special assistance to encourage the adaptation of skills to new jobs. The uneven geographical distribution of the activity based on military expenditure would give rise to a need for various forms of public and other assistance to facilitate readjustment.

185. The task of shifting scientific and technical personnel to nonmilitary fields of research in some countries would be considerable. No reduction in the actual employment of scientific and technical personnel need be feared, however, because the demand for civilian research would increase rapidly.

#### *Impact on international economic relations*

186. Disarmament would be bound to have favorable effects on the development of international relations. The political détente that would accompany an international disarmament program would in itself imply that nations were willing to reconsider their economic relations with one another. The relaxation of international tensions would provide a sound basis for reduction of trade barriers and for modification of existing trade agreements and trading practices. An important consequence of this would be a substantial increase in trade between the

centrally planned economies and the rest of the world.

187. Since disarmament may be expected to result in an acceleration of economic growth, it should stimulate the growth of demand for primary production in general. Accelerated economic growth would be still more powerful in increasing total demand for manufactures. The overall impact of disarmament on the trade of underdeveloped countries is likely to be favorable, not only because of the acceleration of economic growth but also because of the greatly expanded aid to be expected from the more advanced countries.

188. Some exports of primary products, such as petroleum, rubber and most metallic ores, depend significantly at present on direct and indirect demand generated by military purchases: Provided, however, that military expenditure were fully replaced by public and private nonmilitary spending, the impact on overall demand for these commodities would be only minor. There might, however, be instances in which declines in demand for particular commodities would cause appreciable difficulties. In these cases consideration should be given to special aid for the countries concerned, in the same way as for particular industries or areas within the principal disarming countries. For most other primary commodities, the reallocation of military expenditure to civilian use would probably bring about a net increase in demand.

189. During the conversion period changes in the level of aggregate economic activity associated with disarmament in the major industrial countries would be a major determinant of the level of international trade. It is believed that significant fluctuations in the general level of international trade could be avoided, but it should nevertheless be realized that any failure to achieve this goal could have serious consequences. Regardless of the technique employed, no country should be allowed to suffer a disruption to its economic life, even temporarily, as a result of disarmament.

### *Effects on the volume and framework of aid for economic development*

190. National efforts and international cooperation in the development of the underdeveloped countries have so far not brought about the desired acceleration of economic growth. A much larger volume of resources could be allocated to investment for productive development in these countries even if only a fraction of the resources currently devoted to military purposes were used in this way. Disarmament could thus bring about a marked increase in the rate of growth of real income in the poorer parts of the world.

191. Bilateral and multilateral programs of aid each have their own particular advantages and disadvantages, but insofar as political circumstances have had any weight in determining the direction and form of aid, effective disarmament and the related lessening of international tensions should improve the prospects for more cooperative international action. Since repayment of loans granted on commercial terms may impose heavy burdens on the balances of payments of the underdeveloped countries, as large a proportion of economic aid as possible should take the form of grants or soft loans.

192. Because the competing claims in developed countries are also urgent there is a serious possibility that the financial resources released by disarmament might be rapidly absorbed by purely national aims. It is therefore desirable that an appropriate proportion of these resources should be allocated to international aid in its various forms simultaneously with their use for domestic purposes.

193. Foreign aid, however, can play only a supplementary role in the development of these countries and the responsibility for initiation and intensification of development efforts would continue to lie entirely with the governments and peoples concerned.

### *Some social consequences*

194. In a disarmed world, a general improvement could be expected in the level of living, including an increase in leisure. With the end of the armaments race, governments would accord social objectives a higher priority. The psychological, moral, and material evils of compulsory military service and of stationing troops away from their homes would be avoided; so would the danger that security considerations and the armed forces might play an extensive role in forming the values of the community. Scientific cooperation and the arts would benefit from an extension of international exchanges.

### *Conclusion*

195. The consultative group is unanimously of the opinion that all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures. There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions. The achievement of general and complete disarmament would be an unqualified blessing to all mankind.

### ANNEX 1. TERMS OF REFERENCE

*Resolution 1516 (XV), adopted by the General Assembly on economic and social consequences of disarmament*

The General Assembly,

Recalling its resolution 1378 (XIV) of November 20, 1959,

Conscious that the impact of disarmament is likely to set in motion great changes in the domestic economies of states and in international economic relations, as a result of the progressive diversion of human and material resources from military to peaceful purposes,

Recognizing that effective action at the national and international levels will need to be taken to make use of material and human resources becoming available as a consequence of disarmament, in order to promote social progress and better standards of living in the world,

Bearing in mind the importance of comprehensive and systematic studies in this field to enable member states, especially those which are underdeveloped, to make the necessary economic and social adjustments in the event of disarmament,

Convinced that it is both timely and desirable to undertake such studies,

1. Requests the Secretary General to examine:

(a) The national economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development, including, in particular, the problems of replacing military expenditures with alternative private and public civil expenditures so as to maintain effective demand and to absorb the human and material resources released from military uses;

(b) The possible development of structural imbalances in national economies as a result of the cessation of capital investment in armaments industries, and the adoption of possible corrective measures to prevent such imbalances, including expanded capital assistance to the underdeveloped countries;

(c) The impact of disarmament on international economic relations, including its effect on world trade and especially on the trade of underdeveloped countries;

(d) The utilization of resources released by disarmament for the purpose of economic and social development, in particular of the underdeveloped countries;

2. Recommends that the Secretary General should conduct the proposed examination with the assistance of expert consultants to be appointed by him with due regard to their qualifications and to the need of geographical representation and intimate knowledge of countries with different economic systems and at different stages of economic development;

3. Appeals to governments of member states to give full cooperation to the Secretary General in the fulfillment of the task entrusted to him;

4. Requests the Secretary General to submit a preliminary report on the results of the examination to the Economic and Social Council at its 33d session;[46]

5. Requests the Economic and Social Council to transmit the report with its views to the General Assembly at its 17th session.

The 948th plenary meeting, December 15, 1960.

### ANNEX 2. OFFICIAL MILITARY EXPENDITURE STATISTICS

1. Information concerning military expenditure is contained in the official public accounts of central governments and the national accounts dealing with gross national or material product and related data. Countries differ, however, in their definitions of military expenditure, and information concerning their methods of classification is commonly not available. It is therefore impossible in many instances to determine the content of the official statistics from an economic and social point of view. Some expenditures that would be considered as military from this viewpoint may be excluded from the official data, while others that would be considered as nonmilitary may be included. In addition, there are commonly differences within countries in the basis of pricing of military output as compared with that of the output of the rest of the economy. These differences alone, even if the coverage of the expenditure statistics were appropriate, would make it impossible to indicate with any precision the proportion of resources devoted to military purposes. Furthermore, different countries have different economic structures and patterns of prices, so that in comparing countries one would obtain different ratios of military expenditure to national product and its components merely from using the different price patterns. For all these reasons, official statistics of military expenditure have only limited value as a basis for measuring the economic burden imposed by the armaments race.

2. The following tables include the most readily available official statistics on military expenditure and compare these with domestic product and fixed capital formation. These three tables cover industrial private enterprise, underdeveloped and centrally planned countries respectively. In accordance with usual statistical practice, the concept of domestic product in the first two tables is different from that in the third table. In tables 2-1 and 2-2, domestic product includes output originating in both material production and services. In table 2-3, domestic product includes output originating in material production only. A further difference is that domestic product in tables 2-1 and 2-2 is gross, depreciation not having been deducted from gross investment or income, while domestic product in table 2-3 is net of depreciation. Accordingly, military expenditure is compared with a more broadly defined measure of product in tables 2-1 and 2-2 than in table 2-3.

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[46] In response to a suggestion by the group of experts, made at their first session, the Economic and Social Council agreed to defer consideration of this item to its 34th session.

TABLE 2-1.—*Industrial private enterprise countries: Military expenditure as stated in budget accounts, compared with other statistics, 1957–59*[1]

| Country, period, and currency unit | Military budget expenditure | Gross domestic product[1] | Gross domestic fixed capital formation | Military budget expenditure as percentage of | |
|---|---|---|---|---|---|
| | | | | Gross domestic product | Gross domestic fixed capital formation |
| AMERICA, NORTH | | | | | |
| Canada (million dollars): | | | | | |
| 1957 | [2] 1,668.5 | 32,347.0 | 8,590.0 | | |
| 1958 | [2] 1,424.7 | 33,186.0 | 8,292.0 | | |
| 1959 | [2] 1,506.1 | 35,110.0 | 8,456.0 | | |
| Average 1957–59 | [2] 1.533.1 | 33,548.0 | 8,446.0 | 4.6 | 18.4 |
| United States (million dollars): | | | | | |
| 1957 | [3] 43,270.0 | 441,764.0 | [4] 76,981.0 | | |
| 1958 | [3] 44,142.0 | 443,869.0 | [4] 72,270.0 | | |
| 1959 | [3] 46,426.0 | 481,253.0 | [4] 80,374.0 | | |
| Average 1957–59 | [3] 44,613.0 | 455,628.0 | [4] 76,542.0 | 9.8 | 58.3 |
| ASIA | | | | | |
| Japan (billion yen): | | | | | |
| 1957 | 176.0 | 10,135.8 | [5] 2,727.0 | | |
| 1958 | 178.0 | 10,414.8 | [5] 2,772.8 | | |
| 1959 | 189.0 | 12,561.4 | [5] 3,509.6 | | |
| Average 1957–59 | 181.0 | 11,037.3 | [5] 3,003.1 | 1.6 | [5] 6.0 |
| EUROPE | | | | | |
| Austria (million schillings): | | | | | |
| 1957 | 1,714.0 | [6] 121,800.0 | 27,000.0 | | |
| 1958 | 1,986.0 | [6] 126,700.0 | 28,400.0 | | |
| 1959 | 1,989.0 | [6] 134,600.0 | 30,700.0 | | |
| Average 1957–59 | 1,896.0 | [6] 127,700.0 | 28,700.0 | [6] 1.5 | 6.6 |
| Belgium (million francs): | | | | | |
| 1957 | 16,638.0 | 550,100.0 | 95,900.0 | | |
| 1958 | 16,433.0 | 547,600.0 | 91,600.0 | | |
| 1959 | 18,047.0 | 565,700.0 | 95,400.0 | | |
| Average 1957–59 | 17,039.0 | 554,467.0 | 94,300.0 | 3.1 | 18.1 |
| Denmark (million kronor): | | | | | |
| 1957 | [2] 941.0 | 32,939.0 | 5,705.0 | | |
| 1958 | [2] 973.0 | 34,374.0 | 6,020.0 | | |
| 1959 | [2] 1,015.0 | 38,100.0 | 7,025.0 | | |
| Average 1957–59 | [2] 976.0 | 35,138.0 | 6,250.0 | 2.8 | 15.6 |
| Finland (billion markkaa): | | | | | |
| 1957 | 18.4 | 1,112.0 | 294.5 | | |
| 1958 | 20.6 | 1,186.3 | 303.0 | | |
| 1959 | 22.4 | 1,259.6 | 331.2 | | |
| Average 1957–59 | 20.5 | 1,186.0 | 309.6 | 1.7 | 6.6 |
| France (million new francs): | | | | | |
| 1957 | 14,120.0 | 211,200.0 | 39,100.0 | | |
| 1958 | 14,190.0 | 239,100.0 | 43,100.0 | | |
| 1959 | 15,830.0 | 258,400.0 | 45,100.0 | | |
| Average 1957–59 | 14,713.0 | 236,200.0 | 42,433.0 | 6.2 | 34.7 |
| Germany (Federal Republic) (million Deutchemark): | | | | | |
| 1957 | [2] 7,547.0 | 214,200.0 | 46,650.0 | | |
| 1958 | [2] 8,824.0 | 228,510.0 | 50,350.0 | | |
| EUROPE—continued | | | | | |
| Germany, etc.—Continued | | | | | |
| 1959 | [3] 9,403.0 | 247,520.0 | 57,200.0 | | |
| Average 1957–59 | [2] 8,591.0 | 230,077.0 | 51,400.0 | 3.7 | 16.7 |
| Ireland (million pounds): | | | | | |
| 1957 | [3] 8.1 | 545.0 | 77.2 | 1.5 | 10.5 |
| Italy (billion lire): | | | | | |
| 1957 | [3] 496.1 | 15,638.0 | 3,434.0 | | |
| 1958 | [3] 543.6 | 16,656.0 | 3,481.0 | | |
| 1959 | [3] 548.9 | 17,656.0 | 3,730.0 | | |
| Average 1957–59 | [3] 529.5 | 16,650.0 | 3,548.0 | 3.2 | 14.9 |
| Netherlands (million guilders): | | | | | |
| 1957 | 1,725.0 | 35,120.0 | 9,044.0 | | |
| 1958 | 1,546.0 | 35,830.0 | 8,210.0 | | |
| 1959 | 1,438.0 | 38,170.0 | 9,120.0 | | |
| Average 1957–59 | 1,570.0 | 36,373.0 | 8,791.0 | 4.3 | 17.9 |
| Norway (million kroner): | | | | | |
| 1957 | [3] 986.6 | 28,826.0 | 8,187.0 | | |
| 1958 | [3] 967.8 | 28,645.0 | 9,067.0 | | |
| 1959 | [3] 1,058.7 | 30,294.0 | 8,799.0 | | |
| Average 1957–59 | [3] 1,004.4 | 29,255.0 | 8,684.0 | 3.4 | 11.6 |
| Sweden (million kronor): | | | | | |
| 1957 | [3] 2,450.0 | 52,558.0 | 10,605.0 | | |
| 1958 | [3] 2,663.0 | 54,825.0 | 11,615.0 | | |
| 1959 | [3] 2,748.0 | 58,386.0 | 12,926.0 | | |
| Average 1957–59 | [3] 2,620.0 | 55,256.0 | 11,715.0 | 4.7 | 22.4 |
| Switzerland (million francs): | | | | | |
| 1957 | 930.1 | 30,800.0 | [7] 7,700.0 | | |
| 1958 | 1,019.1 | 32,000.0 | [7] 7,300.0 | | |
| 1959 | 972.4 | 33,400.0 | [7] 8,000.0 | | |
| Average 1957–59 | 973.9 | 32,067.0 | [7] 7,667.0 | 3.0 | [7] 12.7 |
| United Kingdom (million pounds): | | | | | |
| 1957 | [2] 1,429.7 | 21,719.0 | 3,340.0 | | |
| 1958 | [2] 1,467.7 | 22,623.0 | 3,476.0 | | |
| 1959 | [2] 1,504.0 | 23,741.0 | 3,631.0 | | |
| Average 1957–59 | [2] 1,467.1 | 22,694.0 | 3,482.0 | 6.5 | 42.1 |
| OCEANIA | | | | | |
| Australia[2] (million pounds): | | | | | |
| 1957 | 183.4 | 5,751.0 | [8] 1,408.0 | | |
| 1958 | 172.0 | 5,829.0 | [8] 1,522.0 | | |
| 1959 | 181.9 | 6,250.0 | [8] 1,613.0 | | |
| Average 1957–59 | 179.1 | 5,943.0 | [8] 1,514.0 | 3.0 | [8] 11.8 |
| New Zealand[2] (million pounds): | | | | | |
| 1957 | 24.2 | 1,096.0 | 245.0 | | |
| 1958 | 25.5 | 1,154.0 | 242.0 | | |
| 1959 | 27.3 | 1,247.0 | 251.0 | | |
| Average 1957–59 | 25.7 | 1,166.0 | 246.0 | 2.2 | 10.4 |

[1] For differences between the concept of domestic product used in tables 2-1 and 2-2, as compared with table 2-3, see par. 2 of this annex.

[2] Fiscal years beginning Apr. 1.

[3] Fiscal year ending June 30.

[4] Excluding government expenditure on equipment.

[5] Including increase in stocks of local government enterprises.

[6] Gross national product.

[7] Including increase in stocks.

[8] Including expenditure on maintenance of roads and expenditure on motor vehicles for personal use.

Source: United Nations, Statistical Yearbook and Yearbook of National Accounts Statistics, various issues.

TABLE 2-2.—*Underdeveloped private enterprise countries: Military expenditure, as stated in budget accounts, compared with other statistics, 1957–59*[1]

| Country, period and currency unit | Military budget expenditure | Gross domestic product[1] | Gross domestic fixed capital formation | Military budget expenditure as percentage of | |
|---|---|---|---|---|---|
| | | | | Gross domestic product | Gross domestic fixed capital formation |
| AFRICA | | | | | |
| Sudan[2] (million pounds): | | | | | |
| 1957 | 3.4 | ---------- | 26.2 | -------- | -------- |
| 1958 | 4.9 | ---------- | 42.8 | -------- | -------- |
| 1959 | 5.0 | ---------- | 38.2 | -------- | -------- |
| Average 1957–59 | 4.4 | ---------- | 35.7 | -------- | 12.3 |
| Union of South Africa (million pounds): | | | | | |
| 1957 | [3] 18.1 | 2,345.0 | 485.0 | -------- | -------- |
| 1958 | [3] 19.6 | 2,411.0 | 544.0 | -------- | -------- |
| 1959 | [3] 21.8 | 2,518.0 | 525.0 | -------- | -------- |
| Average 1957–59 | [3] 19.8 | 2,425.0 | 518.0 | 0.8 | 3.8 |
| AMERICA, LATIN | | | | | |
| Argentina (million pesos): | | | | | |
| 1958 | [4] 6,924.8 | 318,400.0 | 65,610.0 | -------- | -------- |
| 1959 | [4] 15,589.4 | 604,547.0 | 107,985.0 | -------- | -------- |
| Average 1958–59 | [4] 11,257.1 | 461,474.0 | 86,798.0 | 2.4 | 13.0 |
| Brazil (billion cruzeiros): | | | | | |
| 1957 | 34.6 | 1,063.1 | 124.5 | -------- | -------- |
| 1958 | 40.8 | 1,299.3 | 165.6 | -------- | -------- |
| 1959 | 41.1 | 1,837.4 | 228.5 | -------- | -------- |
| Average 1957–59 | 38.8 | 1,399.9 | 172.9 | 2.8 | 22.4 |

[1] For differences between the concept of domestic product used in tables 2-1 and 2-2, as compared with table 2-3, see par. 2 of this annex.

[2] Fiscal year ending June 30.

[3] Fiscal year beginning April 1.

[4] Fiscal year ending Oct. 31.

TABLE 2-2.—*Underdeveloped private enterprise countries: Military expenditure, as stated in budget accounts, compared with other statistics, 1957–59* [1]—Continued

| Country, period and currency unit | Military budget expenditure | Gross domestic product [1] | Gross domestic fixed capital formation | Military budget expenditure as percentage of | |
|---|---|---|---|---|---|
| | | | | Gross domestic product | Gross domestic fixed capital formation |
| AMERICA, LATIN—Continued | | | | | |
| Chile (million escudos): | | | | | |
| 1957 | 73.1 | [5] 2,252.7 | 247.0 | -------- | -------- |
| 1958 | 82.2 | [5] 2,971.8 | 309.9 | -------- | -------- |
| 1959 | 91.1 | [5] 4,163.0 | 405.0 | -------- | -------- |
| Average 1957–59 | 82.1 | [5] 3,129.2 | 320.6 | [5] 2.6 | 25.6 |
| Colombia (million pesos): | | | | | |
| 1957 | 288.6 | 17,651.0 | 2,630.0 | -------- | -------- |
| 1958 | 306.4 | 20,477.0 | 3,350.0 | -------- | -------- |
| 1959 | 274.7 | 22,995.0 | 3,919.0 | -------- | -------- |
| Average 1957–59 | 289.9 | 20,374.0 | 3,300.0 | 1.4 | 8.8 |
| Costa Rica (million colones): | | | | | |
| 1957 | 13.4 | [6] 2,302.7 | 434.8 | -------- | -------- |
| 1958 | 12.8 | [6] 2,465.0 | 404.0 | -------- | -------- |
| 1959 | 13.1 | [6] 2,529.8 | 451.4 | -------- | -------- |
| Average 1957–59 | 13.1 | [6] 2,432.5 | 430.1 | [6] .5 | 3.0 |
| Ecuador (million sucres): | | | | | |
| 1957 | 289.0 | 12,007.0 | 1,561.0 | -------- | -------- |
| 1958 | 282.0 | 12,355.0 | 1,586.0 | -------- | -------- |
| 1959 | 273.0 | 12,424.0 | 1,553.0 | 2.2 | 17.6 |
| El Salvador (million colones): | | | | | |
| 1957 | 19.2 | [7] 1,218.2 | -------- | -------- | -------- |
| 1958 | 19.0 | [7] 1,249.9 | -------- | -------- | -------- |
| 1959 | 17.0 | [7] 1,226.7 | -------- | -------- | -------- |
| Average 1957–59 | 18.4 | [7] 1,231.6 | -------- | [7] 1.5 | -------- |
| Guatemala (million quetzales): | | | | | |
| 1957 | [2] 8.9 | 652.5 | [8] 97.5 | -------- | -------- |
| 1958 | [2] 9.7 | 647.0 | [8] 97.4 | -------- | -------- |
| 1959 | [2] 9.9 | 659.1 | [8] 84.1 | -------- | -------- |
| Average 1957–59 | [2] 9.5 | 652.9 | [8] 93.0 | 1.5 | [8] 10.2 |
| Honduras (million lempiras): | | | | | |
| 1957 | 8.9 | 688.3 | 94.1 | 1.3 | 9.5 |
| Mexico (million pesos): | | | | | |
| 1957 | 791.7 | [9] 103,000.0 | 15,544.0 | -------- | -------- |
| 1958 | 861.5 | [9] 114,000.0 | 16,282.0 | -------- | -------- |
| 1959 | 971.0 | [9] 122,000.0 | 18,066.0 | -------- | -------- |
| Average, 1957–59 | 874.7 | [9] 113,000.0 | 16,631.0 | [9] .8 | 5.3 |
| Peru (million soles): | | | | | |
| 1957 | 1,083.8 | [5] 34,342.0 | 9,149.0 | -------- | -------- |
| 1958 | 1,265.4 | [5] 37,691.0 | 8,643.0 | -------- | -------- |
| Average, 1957–58 | 1,174.6 | [5] 36,016.0 | 8,896.0 | [5] 3.3 | 13.2 |
| Venezuela (million bolivares): | | | | | |
| 1957 | [2] 419.3 | 23,847.0 | [10] 5,950.0 | -------- | -------- |
| 1958 | [2] 572.0 | 24,585.0 | [10] 5,964.0 | -------- | -------- |
| 1959 | [2] 630.2 | .24,904.0 | [10] 6,721.0 | -------- | -------- |
| Average 1957–59 | [2] 540.5 | 24,445.0 | [10] 6,212.0 | 2.2 | [10] 8.7 |
| ASIA | | | | | |
| Burma [11] (million kyats): | | | | | |
| 1957 | 368.5 | 5,429.0 | 1,018.0 | -------- | -------- |
| 1958 | 407.6 | 5,299.0 | 1,135.0. | -------- | -------- |
| 1959 | 403.3 | 5,493.0 | 1,015.0 | -------- | -------- |
| Average 1957–59 | 393.1 | 5,407.0 | 1,056.0 | 7.3 | 37.2 |
| Cambodia: | | | | | |
| 1957 | -------- | -------- | -------- | 4.0 | -------- |
| Ceylon (million rupees): | | | | | |
| 1957 | [11] 39.9 | 5,382.0 | 660.6 | -------- | -------- |
| 1958 | [11] 64.1 | 5,662.6 | 682.6 | -------- | -------- |
| 1959 | [11] 72.4 | 6,032.9 | 805.5 | -------- | -------- |
| Average 1957–59 | [11] 58.8 | 5,692.5 | 716.2 | 1.0 | 8.2 |
| China (Taiwan): | | | | | |
| Average 1957–59 | -------- | -------- | -------- | [12] 10.8 | -------- |
| ASIA—continued | | | | | |
| Federation of Malaya (million dollars): | | | | | |
| 1957 | 160.6 | 5,310.0 | 610.0 | 3.0 | 26.3 |
| India [3] (million rupees): | | | | | |
| 1957 | 2,828.0 | [13] 114,100.0 | -------- | -------- | -------- |
| 1958 | 2,787.0 | [13] 124,800.0 | -------- | -------- | -------- |
| Average 1957–58 | 2,808.0 | [13] 119,450.0 | -------- | [13] 2.4 | -------- |
| Indonesia (million rupiah): | | | | | |
| 1957 | 6,052.0 | [14] 171,000.0 | 7,600.0 | -------- | -------- |
| 1958 | 11,085.0 | [14] 180,200.0 | 8,299.0 | -------- | -------- |
| 1959 | 8,788.0 | [14] 210,000.0 | 8,895.0 | -------- | -------- |
| Average 1957–59 | 8,642.0 | [14] 187,100.0 | 8,265.0 | [14] 4.6 | 104.6 |
| Israel (million pounds): | | | | | |
| 1957 | [3] 197.1 | [15] 3,054.0 | [10] 829.0 | -------- | -------- |
| 1958 | [3] 217.1 | [15] 3,501.0 | [10] 897.0 | -------- | -------- |
| 1959 | [3] 251.1 | [15] 4,022.0 | [10] 961.0 | -------- | -------- |
| Average 1957–59 | [3] 221.8 | [15] 3,526.0 | [10] 896.0 | [15] 6.3 | [10] 24.8 |
| Korea (Republic of) (billion hwan): | | | | | |
| 1957 | 112.9 | 1,615.7 | 200.9 | -------- | -------- |
| 1958 | 127.8 | 1,706.8 | 219.4 | -------- | -------- |
| 1959 | 141.1 | 1,840.0 | 265.0 | -------- | -------- |
| Average 1957–59 | 127.3 | 1,720.8 | 228.4 | 7.4 | 57.8 |
| Lebanon (million pounds): | | | | | |
| 1957 | 39.1 | [13] 1,503.0 | -------- | -------- | -------- |
| 1958 | 45.6 | [13] 1,325.0 | -------- | -------- | -------- |
| Average 1957–58 | 42.4 | [13] 1,414.0 | -------- | [13] 3.0 | -------- |
| Pakistan: | | | | | |
| Average 1957–58 | -------- | -------- | -------- | [12] 3.0 | -------- |
| Philippines (million pesos): | | | | | |
| 1957 | [2] 157.0 | 10,119.0 | 890.0 | -------- | -------- |
| 1958 | [2] 181.1 | 10,666.0 | 851.0 | -------- | -------- |
| 1959 | [2] 183.6 | 11,161.0 | 901.0 | -------- | -------- |
| Average 1957–59 | [2] 173.9 | 10,649.0 | 881.0 | 1.6 | 19.7 |
| Syrian Arab Republic (million pounds): | | | | | |
| 1957 | 140.0 | [16] 2,514.0 | 266.0 | 5.6 | 52.6 |
| Thailand (million baht): | | | | | |
| 1957 | 1,566.7 | 44,670.0 | 6,434.0 | 3.8 | 24.4 |
| 1958 | 1,389.7 | 45,458.0 | 6,669.0 | -------- | -------- |
| 1959 | 1,439.0 | 49,010.0 | 7,334.0 | -------- | -------- |
| Average 1957–59 | 1,465.1 | 46,379.0 | 6,812.0 | 3.2 | 21.5 |
| Turkey (million lires): | | | | | |
| 1957 | [17] 959.1 | 30,668.0 | 4,033.0 | -------- | -------- |
| 1958 | [17] 956.2 | 38,652.0 | 5,278.0 | -------- | -------- |
| 1959 | [17] 1,146.1 | 46,640.0 | 7,463.0 | -------- | -------- |
| Average 1957–59 | [17] 1,020.5 | 38,653.0 | 5,591.0 | 2.6 | 18.3 |
| EUROPE | | | | | |
| Greece (million drachmas): | | | | | |
| 1957 | 4,500.0 | 80,772.0 | 12,531.0 | -------- | -------- |
| 1958 | 4,560.0 | 85,750.0 | 15,320.0 | -------- | -------- |
| 1959 | 4,590.0 | 88,515.0 | 18,470.0 | -------- | -------- |
| Average 1957–59 | 4,550.0 | 85,012.0 | 15,440.0 | 5.4 | 29.5 |
| Portugal (million escudos): | | | | | |
| 1957 | 1,754.0 | 57,396.0 | 8,808.0 | -------- | -------- |
| 1958 | 1,845.6 | 59,017.0 | 9,625.0 | -------- | -------- |
| Average 1957–58 | 1,799.8 | 58,206.0 | 9,216.0 | 3.1 | 19.5 |
| Spain (million pesetas): | | | | | |
| 1957 | 10,881.0 | [9] 437,200.0 | -------- | [9] 2.5 | -------- |

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[5] Including a statistical discrepancy.
[6] Including current international transfers.
[7] At market prices of 1950.
[8] Including increase in stocks.
[9] Gross national product.
[10] Including change in stock of livestock held on farms.
[11] Fiscal year ending Sept. 30.
[12] Ratio to net national product.
[13] Net domestic product at factor cost.
[14] Gross domestic product at factor cost.
[15] Including interest on public debt.
[16] Net domestic product at factor cost of 1956.
[17] Year beginning Mar. 1.

Source: United Nations, "Statistical Yearbook and Yearbook of National Accounts Statistics," various issues, except for Cambodia, China (Taiwan), and Pakistan, the source for which is United Nations, Economic Survey of Asia and the Far East, 1960 (Sales No. 61.II.F.1), table 32, p. 83.

TABLE 2-3.—*Centrally planned countries: Military expenditure as stated in budget accounts, compared with other statistics, 1957–59* [1]

| Country, period, and currency unit | Military budget expenditure | Net domestic product [1] | Gross fixed investment [3] | Military budget expenditure as percentage of | |
|---|---|---|---|---|---|
| | | | | Net domestic product | Gross fixed investment |
| Bulgaria (million leva): | | | | | |
| 1957 | 1,540 | 32,089 | 5,172 | -------- | -------- |
| 1958 | 1,729 | 34,863 | 6,321 | -------- | -------- |
| 1959 | 1,628 | 42,198 | 10,103 | -------- | -------- |
| Average 1957–59 | 1,632 | 36,383 | 7,199 | 4.5 | 22.7 |
| China (mainland) (million yuan): | | | | | |
| 1957 | 5,510 | [3] 93,500 | [3] 12,400 | -------- | -------- |
| 1958 | 5,000 | [3] 125,400 | [3] 21,400 | -------- | -------- |
| 1959 | 5,800 | [3] 152,500 | [3] 24,800 | -------- | -------- |
| Average 1957–59 | 5,437 | [3] 123,800 | [3] 19,533 | [3] 4.4 | [4] 27.8 |
| Czechoslovakia (million koruna): | | | | | |
| 1957 | 9,319 | -------- | 29,090 | -------- | -------- |
| 1958 | 8,933 | -------- | 31,470 | -------- | -------- |
| 1959 | 8,789 | -------- | 36,094 | -------- | -------- |
| Average 1957–59 | 9,014 | -------- | 32,218 | -------- | 28.0 |
| Eastern Germany (million marks): | | | | | |
| 1958 | 1,650 | 64,899 | 9,798 | 2.5 | 16.8 |
| Hungary (million forints): | | | | | |
| 1957 | 1,912 | 107,310 | 11,100 | -------- | -------- |
| 1959 | 2,500 | 126,500 | 30,500 | -------- | -------- |
| Average 1957 and 1959 | 2,206 | 116,905 | 20,800 | 1.9 | 10.6 |

See footnotes at end of table.

**TABLE 2-3.**—*Centrally planned countries: Military expenditure as stated in budget accounts, compared with other statistics, 1957–59* [1]—Continued

| Country, period, and currency unit | Military budget expenditure | Net domestic product [1] | Gross fixed investment [2] | Military budget expenditure as percentage of | |
|---|---|---|---|---|---|
| | | | | Net domestic product | Gross fixed investment |
| Poland (million zloty): | | | | | |
| 1957 | 10,136 | 301,400 | 47,356 | ------- | ------- |
| 1958 | 11,220 | 321,300 | 52,106 | ------- | ------- |
| 1959 | 14,259 | 345,800 | 61,653 | ------- | ------- |
| Average 1957–59 | 11,872 | 322,833 | 53,705 | 3.7 | 22.1 |
| Rumania (million lei): | | | | | |
| 1957 | 3,817 | ---------- | [5] 13,966 | ------- | ------- |
| 1958 | 3,507 | ---------- | [5] 15,234 | ------- | ------- |
| 1959 | 3,446 | ---------- | [5] 17,803 | ------- | ------- |
| Average 1957–59 | 3,620 | ---------- | [5] 15,668 | ------- | [5] 23.1 |
| Soviet Union (million rubles): | | | | | |
| 1957 | 95,000 | [6] 1,258,000 | 237,800 | ------- | ------- |
| 1958 | 93,600 | [6] 1,357,000 | 273,580 | ------- | ------- |
| 1959 | 93,700 | [6] 1,466,000 | 309,330 | ------- | ------- |
| Average 1957–59 | 94,100 | [6] 1,360,333 | 273,570 | [6] 6.9 | 34.4 |
| Yugoslavia (million dinar): | | | | | |
| 1957 | 158,300 | 1,829,400 | 550,000 | ------- | ------- |
| 1958 | 178,500 | 1,833,600 | 587,000 | ------- | ------- |
| 1959 | 195,600 | 2,269,000 | 750,000 | ------- | ------- |
| Average 1957–59 | 177,500 | 1,977,300 | 639,000 | 9.0 | 27.8 |

[1] For differences between the concept of domestic product used in tables 2-1 and 2-2, as compared with table 2-3, see par. 2 of this annex.

[2] In state and cooperative sector, excluding capital repairs. Figures for China (mainland) pertain only to budgetary fixed investment; figures for Eastern Germany exclude cooperative investment from own resources.

[3] Product and investment in 1952 prices.

[4] Before exchange of 1961.

[5] Investment in 1959 prices.

[6] Product in 1960 prices.

Source: Division of General Economic Research and Policies of the United Nations Secretariat, based on official sources.

## ANNEX 3. ANALYTICAL TABLES ILLUSTRATING CERTAIN HYPOTHETICAL ECONOMIC CHANGES DURING DISARMAMENT

### *Tables for chapter 4 and 5*

**Table 3-1. Changes in employment in the United States following a reallocation of military expenditure, 1958 (pars. 100–102).**

**Table 3-2. Influence of complete disarmament on various industrial sectors in the United Kingdom, 1959 (par. 103).**

**Table 3-3. Direct and indirect military demand for selected raw materials (par. 129).**

**Table 3-4. Change in world demand for selected raw materials after proportional reallocation of military purchases to other demand categories (par. 130).**

**TABLE 3-1.**—*Changes in employment in the United States following a reallocation* [1] *of military expenditure, 1958*

| Production sectors | Change in employment in man-years (thousands) | As percentage of employment in the production sector |
|---|---|---|
| (a) Showing decline: | | |
| Armed Forces | −2,532 | 100.0 |
| Civilian employment of military agencies | −791 | 100.0 |
| Aircraft and parts | −705 | 93.1 |
| Radio | −172 | 31.6 |
| Ordnance | −142 | 100.0 |
| Ships and boats | −137 | 57.1 |
| Instruments | −31 | 12.6 |
| All others | −133 | ---------- |
| Total decline | −4,642 | ---------- |
| (b) Showing increase: | | |
| Nonmilitary Government service and domestic service | 1,196 | ---------- |
| Trade | 752 | 7.9 |
| Professional and service | 565 | 7.6 |
| Restaurants, hotels, amusements | 244 | 9.4 |
| Banking, finance | 204 | 8.6 |
| Business services | 136 | 5.2 |
| Railroads, trucking | 64 | 3.5 |
| Automobile and other repairs | 28 | 7.9 |
| Other transportation | 16 | 3.1 |
| Construction | 188 | 7.1 |
| Food products | 77 | 8.0 |
| Textile mill | 58 | 6.4 |
| Lumber, wood products | 50 | 5.1 |
| Motor vehicles | 34 | 5.3 |
| Livestock, poultry | 31 | 7.3 |
| Nonmetallic minerals | 27 | 4.2 |
| All others | 344 | ---------- |
| Total increase | 4,014 | ---------- |

[1] The estimates relate to reallocation of total military purchases to each demand category proportionally to its 1958 share.

Source: Based on data in W. Leontief and M. Hoffenberg, "The Economic Effects of Disarmament," Scientific American, April 1961.

**TABLE 3-2.**—*Influence of disarmament* [1] *on various industrial sectors in the United Kingdom, 1959*

| Industrial sector | Changes in net output | | |
|---|---|---|---|
| | Million pounds, 1959 | As percentage of— | |
| | | Gross national product | Net output of sector |
| I. Showing declines: | | | |
| Military services | −547 | −2.7 | −100.0 |
| Ships, aircraft, etc | −124 | −.6 | −19.8 |
| Total | −671 | --------- | --------- |
| II. Showing expansion: | | | |
| Distribution | 126 | .3 | 4.9 |
| Transport | 42 | .2 | 2.6 |
| Other services | 24 | .3 | .5 |
| Engineering | 96 | .5 | 4.6 |
| Building | 84 | .4 | 7.1 |
| Motors | 59 | .3 | 13.9 |
| Textiles | 47 | .3 | 8.7 |
| Metals | 43 | .2 | 6.4 |
| Coal, etc | 38 | .2 | 4.1 |
| Chemicals | 33 | .1 | 5.2 |
| Food | 33 | .2 | 4.0 |
| Agriculture | 30 | .2 | 3.5 |
| Other manufactures | 27 | .2 | 3.5 |
| Clothing | 20 | .1 | 6.0 |
| Gas, water, electricity | 19 | .1 | 3.5 |
| Wood | 11 | .1 | 5.6 |
| Total | 732 | --------- | --------- |

[1] Assuming that armament expenditure is distributed equally among personal consumption, capital formation, and foreign aid.

Source: Unpublished study by the University of Cambridge, Department of Applied Economics.

**TABLE 3-3.**—*Direct and indirect military demand for selected raw materials (as percentage of their total world supply 1958 and 1959)*

| | 1958 U.S. military demand [1] | | Estimated aggregate military demand of industrial countries [2] | |
|---|---|---|---|---|
| | 1958 (col. 1) | 1959 (col. 2) | 1958 (col. 3) | 1959 (col. 4) |
| Crude petroleum | 4.5 | 4.1 | 8.9 | 8.3 |
| Natural rubber (crude) | 1.5 | 1.4 | 3.0 | 2.9 |
| Metallic ores: | | | | |
| Copper | 7.8 | 7.4 | 15.7 | 14.7 |
| Nickel | 6.0 | 4.8 | 12.0 | 9.5 |
| Tin | 4.9 | 4.7 | 9.8 | 9.3 |
| Lead and zinc | 4.7 | 4.7 | 9.4 | 9.4 |
| Molybdenum | 4.2 | 3.4 | 8.3 | 6.8 |
| Bauxite | 3.5 | 3.3 | 7.1 | 6.6 |

**See footnotes at end of table.**

**TABLE 3-3.**—*Direct and indirect military demand for selected raw materials (as percentage of their total world supply 1958 and 1959)*—Continued

| | 1958 U.S. military demand [1] | | Estimated aggregate military demand of industrial countries [2] | |
|---|---|---|---|---|
| | 1958 (col. 1) | 1959 (col. 2) | 1958 (col. 3) | 1959 (col. 4) |
| Metallic ores—Con. | | | | |
| Iron ore | 2.6 | 2.5 | 5.3 | 4.9 |
| Manganese | 1.3 | 1.3 | 2.7 | 2.6 |
| Chromite | 1.1 | 1.1 | 2.3 | 2.2 |

[1] Generated by $41,585,000,000 of goods and services purchased under the U.S. military budget of 1958.

[2] As a rough approximation, assumed to be equal to twice the U.S. military expenditure.

Sources and methods: Direct and indirect military demand for raw material was computed from the worksheets for "The Economic Effects of Disarmament" (by W. W. Leontief and Marvin Hoffenberg, Scientific American, April 1961) obtained from the Harvard Economics research project. World supplies of natural rubber are from Rubber Statistical Bulletin, 16:2 (November 1961), p. 2. World supplies of mineral are from U.S. Department of the Interior, Minerals Yearbook, 1959, vol. I, pp. 124, 125.

**TABLE 3-4.**—*Change in world demand for selected raw materials after proportional reallocation of military purchases to other demand categories (as percentage of world supply, 1958 and 1959)*

| Item | After reallocating 1958 U.S. military purchases [1] | | After reallocating 1958 military purchases of industrial countries [2] | |
|---|---|---|---|---|
| | 1958 | 1959 | 1958 | 1959 |
| Crude petroleum | −0.09 | −0.08 | −0.18 | −0.16 |
| Natural rubber (crude) | .05 | .05 | .10 | .09 |
| Metallic ores: | | | | |
| Copper | −.96 | −.90 | −1.92 | −1.81 |
| Nickel | −.76 | −.60 | −1.51 | −1.21 |
| Tin | −.33 | −.32 | −.67 | −.63 |
| Lead and zinc | −.32 | −.32 | −.64 | −.64 |
| Molybdenum | −.06 | −.05 | −.11 | −.09 |
| Bauxite | −.52 | −.48 | −1.04 | −.96 |
| Iron ore | −.04 | −.03 | −.07 | −.07 |
| Manganese | −.02 | −.02 | −.04 | −.04 |
| Chromite | −.02 | −.02 | −.03 | −.03 |

[1] Equal to $41,585,000,000.

[2] Assumed equal to twice the U.S. military expenditure.

Source: See table 3-3. The figures in this table were derived by multiplying the appropriate entries in table 3-3 by those in col. 2 of W. Leontief and M. Hoffenberg, op. cit., table 8.

[From the Washington Post, Jan. 27, 1963]

### IT CAN'T HAPPEN BY ITSELF—PEACE ECONOMY NEEDS A HAND

(By Paul A. Samuelson)

Does American prosperity depend on armament expenditure? Would a massive cut in defense and security spending usher in a serious recession of some years duration, involving chronic unemployment, low profits, and stagnant growth?

A strong no is being given by a strange source. Premier Khrushchev and Soviet economists now say peace will benefit the capitalistic system.

This is in contrast to the doctrines of Marx, Lenin, and Rosa Luxembourg which hold that advanced capitalism must lack the purchasing power needed for prosperity unless it can squander money on armaments or find colonial peoples to provide outlets for investment.

The optimistic view was reinforced last year by a United Nations report, Economic and Social Consequences of Disarmament. Ten economic experts from both sides of the Iron Curtain, including Harvard's Leontief and Poland's Lange, studied the problem in detail and reported:

"Conclusions: We are unanimously of the opinion that all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures.

"There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions. The achievement of general and complete disarmament would be an unqualified blessing to all mankind."

I do not relish playing the role of the fabled child who blurted out that the emperor had no clothes. But scientific integrity requires someone to let the cat out of the bag and insist that it still is questionable whether the American people have the will to do what has to be done if the breaking out of peace is to be an economic blessing rather than a nightmare.

The coming year will provide something of a laboratory experiment to shed light on how likely we are to be able to handle the conversion to peace.

Specifically, consider the effect upon the U.S. economy of a cut in defense expenditures of $30 billion. I have no concern over the initial reconversion problem. If industries could look forward confidently to strong dollar demands in the future, they and the Government could plan to make the transition an orderly one.

But does the evidence suggest that businesses need not worry about an intermediate period involving years of recession or sluggishness? Two quite different answers can be given, both optimistic.

1. Rely on the spontaneous resilience and flexibility of American capitalism. This answer was given by many who doubted the popular prediction by economists of mass unemployment after World War II. Events proved these optimists right.

2. Recognize the insatiability of private and public needs here and abroad. Release of resources from military uses could permit a vast expansion of public expenditure. And it could give people income to spend on unsatisfied private wants. Finally, resources not needed for war could be used to erase poverty and insure growth for the low-income nations.

Though superficially optimistic, neither answer is reassuring when examined coolly. Employment remained high after 1945 because the war's end left people and businesses with literally hundreds of billions of dollars that they had not been able to spend.

Consider, for example, what happened after the end of the Korean war released a smaller amount of resources. Only part of our swords went into plowshares; part went into unemployment and a deceleration of economic growth. Certainly there was no necessity for this sluggishness. What was not needed for war could have been used for other domestic and foreign governmental programs; or it could have resulted in a massive rise in private disposable income for the people to spend on private goods.

It is important to stress the word "could" both here and in the quotation from the U.N. report. Every scientist and bookmaker knows that "could do" is not the same as "will do."

No one familiar with the American scene can bet that a $30 billion cut in military expenditure would be soon matched by an equivalent increase in spending on urban renewal, foreign aid and other projects. At best I would judge that a third of this amount might, after a struggle and as a result of economic distress, be voted into being.

Of course, an increase in private investment on inventories, plant and equipment would be a help. And sizable reductions in taxes ought to go some of the way toward bringing this about.

We would still need, however, a large increase in disposable incomes if the rest of the $30 billion is to be offset by expanded private consumption. To accomplish this, we would have to legislate a large enough reduction in taxes to create a really substantial deficit.

If full employment with high Government expenditure entails a moderate deficit, economic analysis and experience tell us that tax cuts must be bigger than spending cuts if unemployment is to be prevented.

I foresee no depression as the aftermath of drastic cuts in military expenditure. What does give me apprehension is the prospect that we may do politically only part of what needs to be done.

In summary, as an economist I must state in tones loud enough for Moscow and Washington to hear: Our mixed system is capable of converting peace into an economic blessing. But it cannot happen by itself. And it will not happen if we constrain ourselves by the ideology of 1900 or 1929.

That is why the fate of President Kennedy's tax proposals this year will teach economists much about what to expect should peace break out.

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## AGRICULTURE AND THE COMMON MARKET

Mr. HUMPHREY. Mr. President, recently the Secretary of Agriculture, Mr. Freeman, delivered an excellent address at Paris, France, on the subject of the Common Market and its impact upon American agriculture. I shall later ask unanimous consent that the address be printed in the body of the RECORD. As we know, trade in agricultural commodities is extremely important to our country. I am sure that the Presiding Officer [Mr. BAYH], who comes from the great State of Indiana, recognizes with me, the great importance to the American economy of a continuing flow of agricultural exports, and, indeed, their expansion.

So, Mr. President, I should like to call attention to two important developments which will have far-reaching implications in our trading relations with the Common Market and in international trade in agricultural commodities. These developments are the evolving implementation of the agricultural policies of the European Economic Community and the British bid for membership in the Common Market.

Trade in agricultural commodities is extremely important for the United States. The United States is the world's largest exporter of agricultural products and is second only to Great Britain in the value of its agricultural imports.

Currently, we are exporting $5 billion of agricultural commodities each year and importing about $4 billion of such commodities. U.S. agricultural exports to the European Economic Community are particularly important and are valued at a level close to $1.1 billion. Should Great Britain be successful in her request to join the Community, the combined European Economic Community-United Kingdom market for our agricultural products would be $1.6 billion. This is without a doubt the single most important export market for U.S. agricultural commodities and, as such, its importance for the well-being of our country cannot be overexaggerated.

Thus, the future decisions to be made by the Community in the implementation of its common agricultural policy will be decisive, not only for our agricultural exports, but also for our future trading relations with the Common Market. For the negotiations to be conducted with the Common Market under the authority granted to the President by the Trade Expansion Act cannot and will not be concerned with trade liberalization for industrial products alone. The United States fully intends to use the provisions of the new act to promote liberal trade policy for both industrial and agricultural products. It would be inconceivable for the United States to further liberalize trade in industrial goods while acquiescing in a narrow, protectionist approach to trade in agricultural commodities.

It is no surprise, then, that we view the impending decisions to be taken by the European Economic Community in establishing its common agricultural policy with such interest and concern. The Community has already commenced to establish a system of minimum and maximum target prices for wheat. The nature of the system will be extremely important for our exporters of wheat and feed grains. If the target price is set at a high enough level, expanded Community production is likely to displace third-country imports almost completely. Also, the establishment of a system of minimum import gate prices and a uniform sluice gate differential levy has adversely affected U.S. poultry exports. We can only hope that the variable levy and minimum import system by which the European Economic Community regulates its imports will be applied in a way to promote liberal trading policies and not to exclude third-country imports.

One of the most forceful statements underlying U.S. concern in this matter was made by Secretary of Agriculture Freeman at a ministerial meeting of the Agricultural Committee of the OECD November 19, 1962, in Paris. Secretary Freeman expressed U.S. concern lest the agricultural policy of the European Economic Community hinder the realization of expanding international trade in industrial and agricultural products. He stressed the fact that decisions taken by the Community in respect to the common agricultural policy will be the single most important factor in influencing the future developments of international trade in agricultural commodities.

Mr. President, the future development of the common agricultural policy and, indeed, the evolving nature of the Community—whether it will be a narrow, autarchic, protectionist group of states or whether it will be the nucleus for an expanding Atlantic community—will depend in no small measure upon the success or failure of the United Kingdom to join the Common Market. That decision is now hanging in the balance, and, indeed, at the moment it looks rather discouraging.

The French position, as enunciated by President de Gaulle at a press conference 2 weeks ago, all but dashed hopes for a successful outcome of that bid. This week negotiators from the six members of the Community are meeting to determine whether the British application for membership will be rejected out of hand or studied further. Although the possibility of a successful outcome is uncertain, we can only hope that the interests of an expanding and outward-looking Atlantic community will be served by the decision in Bussels. U.S. representatives in Brussels are watching developments closely and will, to the extent possible, attempt to safeguard the concept of an enlarged Western European community.

I can think of no subject that is of greater importance to the welfare of the American people right now than the decisions that are being made in Brussels, Belgium, relating to the scope, the extent, the attitude and purpose of the European Economic Community. It surely is important to the welfare of the West—the free nations of the world—that there be closer economic integration between us and that, indeed, the United Kingdom, which is one of the great consuming nations as well as one of the great producing nations, be brought within this sphere or the orbit of the Common Market area of Western Europe. If this can take place, it appears to me that we might look forward to an expanding prosperity not only in Western Europe and in the free countries of the world, but also in particular to an expanding prosperity and growth here in the United States.

It has always been my contention that the prospect of new markets is not only at home, with an expanding economy here, but also abroad, with the development of many new nations, the economic growth in those new nations, and in particular in the economic growth and prosperity of Western Europe.

I ask unanimous consent that the remarkable address to which I have referred—and it is a forceful address—by the Secretary of Agriculture be printed at this point in the Record so that it may be studied by Senators and, I hope, by the civic leaders of thought in our Nation, because we are in for some trouble in the days ahead unless our Government maintains a firm and resolute position on the question of insisting that our exports, particularly in agricultural commodities, be given fair treatment in the Western European markets.

There being no objection, the address was ordered to be printed in the Record, as follows:

### Statement by Secretary of Agriculture Orville L. Freeman at Ministerial Meeting of the Agricultural Committee of the Organization for Economic Cooperation and Development, Paris, November 19, 1962

It is a pleasure and a privilege to be meeting with you again here in Paris.

Our Committee can and will be an increasingly important forum for reviewing problems of mutual concern to the nations of the Atlantic Community.

At our first meeting a year ago we discussed three important topics of mutual concern to the nations of the Atlantic Community—international agricultural trade, a harmonization of national agricultural policies, and food aid to developing countries. The importance of these topics has grown rather than diminished since that time. Also, we have continued to gain useful new experience which we can apply to our mutual endeavors.

Efforts and programs directed toward each of these goals are of great significance to the nations in the OECD because of their impact on domestic economies and because of their effect on the strength and security of the free world. I should therefore like to present for your consideration, first, some observations on the role of food aid in economic development, and, second, the concern of the United States for the expansion of international agricultural trade, including need for national agricultural programs that support this objective.

In our meeting last year we discussed the task of sharing our agricultural abundance with emerging nations that are experiencing food shortages while they are striving for economic development. I am happy that this interest helped to crystallize support for the launching of the experimental world food program of the FAO and the United Nations. We have thus given expression to our recognition of the critical need for food in many countries, and of the principal that, in worldwide terms, there is no real surplus of food as long as people are hungry.

This recognition is nothing new for the United States. For 9 years we have conducted, bilaterally, a program of assistance in which we have exported over $11 billion worth of food and fiber. In the last fiscal year alone, we have exported more than $1.6 billion worth of agricultural products for this purpose. These programs, unprecedented in scope and magnitude, have taught us much about both the potential gains and the very great difficulties involved. They have taught us valuable lessons that we willingly share—lessons that can help us materially to judge the value of multilateral food assistance programs by which I hope we can add a new dimension to the use of food aid to further economic development.

We are trying continually to improve our own bilaterial programs, and in this respect in the last year we have stepped up and broadened our efforts to use food to help finance both labor and capital in projects for economic growth. This approach has stimulated such works projects as cropland restoration, irrigation and drainage facilities, and new schools and roads. In the last year, new programs of this kind have been initiated in Bolivia, Brazil, India, Ecuador, Taiwan, Hong Kong, and others.

We have learned how assistance in the form of food for school lunch programs can support health and stimulate education. Currently, 35 million children in 90 countries are being served by our programs, an increase of about 50 percent over 2 years ago.

We have gained experience in making low interest, long-term dollar credit sales of commodities to assist economic growth. We have completed agreements with 11 countries, 10 of these new during the past year.

We have learned how sales for foreign currency and other concessional programs can be of material assistance in preventing inflation and encouraging economic growth in developing countries. We have learned about the potential that lies in the use of voluntary nongovernmental agencies, such as religious organizations and groups like CARE, to which we donate food for use in their programs in participating countries. We are developing programs of business-to-business relationships in implementing an effective use of food aid. We have in some instances learned how assistance programs translate themselves into mutually advantageous commercial trade when a country that has received such assistance learns to stand on its own feet.

And we have learned that, to achieve this goal, we must do more than give of our food. Just as we respond to the appeal of a starving man by first giving him food to build his strength, and then helping him find a job, so we must provide to developing countries the kind of technical assistance that will help them to gain in strength and grow toward economic maturity and self-support.

On the other hand, we have learned much of the difficulties and the complexities, the hazards and the costs, the very real limitations of such programs. Precautions must be taken to prevent a disruption of normal commerce or a deterrent effect on local agricultural development. Costs of effective distribution can be higher than the cost of food itself. Many countries lack both the physical facilities and the administrative experience to receive, handle, and distribute food aid.

In other words, we have learned of both the opportunities and the limitations of a food assistance program.

We have learned enough of the opportunities so that we continue to enhance and improve our own bilateral programs, and so that we urge further development and participation in multilateral programs.

We have learned enough of the limitations so that we recognize that food assistance cannot—and must not—be either regarded or relied upon as a surplus disposal program. We have learned enough of its difficulties to recognize that, even with the greatest foreseeable success, food assistance programs are not in themselves an answer to the problems that arise from the Atlantic Community.

We have learned, too—and the Committee on Agriculture is to be commended for its work in this field—that assistance through food aid is no long-term substitute for the more efficient use of economic resources, in both giving and receiving nations.

We have learned that the fundamental answer to this problem must lie in sound and effective programs to manage our abundance, to direct our efficient agricultural productivity into amounts and kinds that we can use, and to channel resources used for inefficient agricultural production into other areas offering better economic use of the land, labor, and capital involved. All of the nations in the OECD are now facing, or will face in the years ahead, this problem.

This means that we must of necessity be concerned with each other's agricultural policies and programs. There must be a broad sharing of views and experiences. OECD is the appropriate forum for the pooling of our experiences under the various bilateral programs so that we can help each other make our food aid programs more effective. The report which the staff already has prepared on this subject is extremely useful.

I would like to turn now to my second topic of discussion—the expansion of international agricultural trade. In this highly essential area, I think that a frank and candid exchange of views will be most helpful.

I well recall that during the years when I was Governor of the State of Minnesota, I often saw statements by international leaders giving us advice on ways to manage our agricultural abundance in the interest of international harmony. Upon coming to Washington as Secretary of Agriculture, I found our National Government to be very sensitive to such advice. I found that any time I proposed a major action, its consequences had to be weighed in the balance of world opinion. I found this to be true throughout the U.S. Government. As a nation, we operate before an open window.

I do not think we are unique in this respect. All of us, as members of the Community of Free Nations, must respect the rights and needs of our neighbors. My remarks are offered in the spirit that all of us here must rightfully expect both to review and to be reviewed.

I have frequently encountered misinformation and confusion about the U.S. position regarding agricultural trade. I should like to make clear the U.S. position on this matter.

The United States is committed to a liberal trade policy, and we have tried to apply this policy to agricultural products. Like most industrial countries, the United States has found it necessary to use government program to protect the income of farmers. Virtually every industrial country has experienced a growing disparity between the incomes of farm and nonfarm people, and has had to undertake corrective measures. We have tried, however, in our efforts to improve farm income to give due regard to our position both as an exporter and importer of agricultural commodities.

The United States is the world's largest exporter of food and agricultural products. What is sometimes not realized is that we are also one of the world's largest importers of food and agricultural products, ranking second after the United Kingdom in this respect. In 5 of the past 10 years, the value of our agricultural imports actually has exceeded the value of our agricultural exports. Currently, we are exporting agricultural products at a rate somewhat in excess of $5 billion a year, and we are importing agricultural products at a rate approaching $4 billion a year. Of the $5 billion worth that we export, we sell about $3½ billion as commercial exports and the remainder we make available on generous terms to the less developed countries.

With respect to imports, I think it is not generally understood either at home or abroad how liberal our trade policy has been.

Many of our agricultural imports are, of course, such products as coffee and rubber, which are noncompetitive with U.S. agricultural production. More than half our agricultural imports, however, are competitive products. These include fresh and frozen beef and lamb, pork, a large variety of canned meat products, vegetable oils, fruits and vegetables, tobacco, and even feed grains. The Netherlands alone exports to the United States annually about $30 million worth of canned hams. Only our imports of sugar, peanuts, cotton, wheat, and certain dairy products are subject to import limitations—and on these products, except dairy, we also limit our domestic production and marketing. All other agricultural imports of the United States, including those listed earlier, are permitted unrestricted entry and are subject to only moderate tariffs.

Most of our commercial agricultural exports take place without benefit of special Government payments. There are, of course, export payments on such commodities as wheat and cotton for which domestic prices are maintained above world levels. Here again, however, we have sought to act responsibly. Export payments have been used only to maintain our fair share of world trade. We have not tried to use them to take markets away from traditional suppliers, and I think the record shows we have met this test. Generally speaking, the U.S. portion of commercial world markets has not been increased beyond its traditional share.

As a second test, export prices of commodities for which special payments have been made have been fairly stable in recent years. For example—wheat. This is in contrast to the wide fluctuations which have occurred in world prices of many primary materials.

As a third test, our policies have led to the accumulation in the United States of large stocks of several staple commodities that conceivably could have been dumped onto world markets. We believe our policy of withholding supplies and regulating the flow of our commodities to world markets has been a stabilizing influence of considerable benefit both to exporting and to importing nations.

Supply management constitutes an essential element of U.S. domestic agricultural progress. Essentially this means that in exchange for price and income assurance, farmers must accept limits on their efforts to produce and to market. I use the words "supply management" rather than "production control" deliberately because it more accurately reflects the basic objective of U.S. domestic agricultural programs. Supply management implies the adjustment of production to amounts that can be used, and this is actually what we try to do. Thus, our position as a major importer and exporter of agricultural commodities figures heavily in the development of our domestic programs.

The increasing interdependence within the free world community of nations, we believe, imposes on every member country—whether an importer or exporter—the obligation to develop domestic agricultural programs within an international context. It would be difficult, for example, to convince our farmers in the United States that they should accept limits on their productive efforts if at the same time farmers in other major producing countries were expanding their production of identical or similar products with Government encouragement.

It is for these reasons that we take a keen interest in the developing agricultural policies of the European Economic Community. The six countries which presently comprise the European Economic Community account for a significant fraction of the world's imports of agricultural commodities. Whatever policies are followed by these six will profoundly influence the directions to be taken by others.

The United Kingdom is now negotiating with the Common Market for membership. She is the world's largest importer of agricultural products on a relatively unrestricted basis. With the United Kingdom in the European Economic Community, her agricultural industry and her trade with third countries will be subject to the rules and regulations of the European Economic Community. The policies of an expanded European Economic Community that included the United Kingdom would, therefore, have even more significance for third country exporters of agricultural products.

The eyes of the whole agricultural world are on this great new Community. The actions the Community is now taking are going to be the largest single factor in determining whether the agricultural systems of the world are mindful of the need for international harmony or whether agriculture retreats into a shell of nationalism.

On the decisions of the European Economic Community depend largely the course not only of agricultural trade but international trade generally. We have been sharply troubled by the mounting evidence such as the recent action on poultry which suggests that the European Economic Community, instead of moving toward a liberal trade policy for agriculture, actually is moving backward with regressive policies that could impair existing trading arrangements. We cannot be internationally minded in the industrial areas of our respective economies and nationally minded and protectionist in the agricultural sectors. Either the two great sectors move forward together under the banner of liberal trade or both will succumb to protectionism.

My country has recently conducted a searching examination of international trade policy. From this examination emerged the Trade Expansion Act of 1962. This act will provide the framework within which U.S. participation in trade negotiations must take place. In the debate which preceded the enactment of this law and in the provisions which were included in the final version, it was made crystal clear that as far as the United States is concerned agricultural trade policies cannot be separated from trade policies applied to industrial products.

In the past negotiations, we have included tariff bindings on both agricultural and industrial products in the package of concessions negotiated with other countries. The Congress and the American public find it difficult to understand why the United States should maintain liberal access for a wide range of competitive imports if our own agricultural exports are restricted in foreign markets. There is considerable feeling that in past negotiations we have not done well in providing export opportunities for U.S. agricultural products, while at the same time granting concessions that expose our domestic market to increased competition from imports.

Do you think that we could maintain these arrangements if our major agricultural export market in an expanded European Economic Community were impaired?

Do you think we could continue to apply the rules and principles of GATT to our own agricultural imports while other major importers followed a different and more restrictive set of rules?

It is essential that U.S. negotiators obtain at future trade conferences adequate assurances that access to export markets for our agricultural products is maintained. This is the mandate we have in the new trade act.

The recognition of the initial importance of this matter on the part of the American public and the American Congress is typified by section 252 of the act, which was inserted by the Congress on its own initiative. This section takes note of the many nontariff measures which unjustifiably and unreasonably restrict trade in agricultural products.

It directs the President to take all appropriate and feasible steps to eliminate unjustifiable import restrictions on agricultural products maintained by any country against U.S. agricultural products. Such steps may include retaliatory action, if necessary, against imports from the country in question, and the withholding of concessions and most favored nation treatment from that country.

It is against this background that I should like to outline to you some of my own Government's views on trade problems and policies, and to suggest procedures for arriving at decisions that assure the maintenance of a high level of international trade in food and agricultural commodities.

First, as provided for in the OECD convention, trading arrangements should be global and nondiscriminatory in character. Existing preferences should be phased out over a reasonable period of time.

Second, we should like to see trade in the widest possible range of agricultural commodities and foodstuffs regulated by moderate fixed tariffs. Moderate duties constitute the simplest nondiscriminatory method of regulating trade.

As a third principle, I should like to emphasize the need for nations and economic groupings to act responsibly in developing agricultural income support policies to the end that such policies do not interfere with normal patterns of trade.

The need to find solutions to these problems has been made particularly acute by the emergence of the European Economic Community's agricultural policies with their emphasis on variable levies and minimum import prices rather than fixed tariffs.

These nontariff devices tend to insulate producers within the European Economic Community from the effects of outside competition. This system could be used to exclude imports completely—or it could be used to promote liberal trading practices. In this connection, much will depend on the decision taken by the European Economic Community member states with respect to their internal price levels. It is fair to say that the United States and other agricultural exporters await these decisions with concern but also with the hope that economic reason will prevail. Some limits on the use and application of nontariff controls are required so they will not constitute a major interference with international trade.

The purpose of these devices is, of course, to equalize the cost of imports with the predetermined level of internal prices. We are in complete sympathy with measures to protect income and economic well-being of the farm segment of the economy. Our own efforts in this field are well known. We don't believe it necessary, however, to sacrifice international trade in the process of providing farmers with income assurances.

The system established by the common agricultural policy, if utilized to maintain high internal target prices, could provide a powerful stimulus to uneconomic production. Such a practice would entail tremendous economic and social costs to the nonagricultural sectors of the Common Market economy.

My Government, of course, is aware that one way to deal with some of the troublesome agricultural trade problems would be through the negotiation of international commodity arrangements.

We have observed with very real interest the reference to commodity arrangements included in the Declaration of Commonwealth Ministers last September. We have also noted the reports out of Brussels regarding the interest of the European Economic Community in negotiating commodity arrangements for temperate zone agricultural products, and Mr. Pisani's stimulating remarks on the same subject.

For our part, we believe that international commodity arrangements merit consideration. We would be willing at the proper time to seek to negotiate such arrangements.

We think that a pragmatic approach is best, one which undertakes to examine, commodity by commodity, beginning with grains, the possibility of using commodity arrangements as a means of maintaining trade.

The variable levies imposed on grain imports by the European Economic Community, and the decisions which the European Economic Community must make soon with respect to grain prices, lend a sense of urgency to this task. As you know, a special GATT group has been set up to study the problem of grains. It has held one meeting but adjourned without really coming to grips with the issues involved. We would like to see this group reconvened as early in 1963 as possible.

The principal objective of commodity arrangements, as we see it, would be to develop measures for maintaining trade in those commodities which do not lend themselves to regulation by fixed bound tariffs. Within this context, exporters would expect to obtain meaningful assurances of access to traditional markets. The elements which we believe should be considered in such agreements include international prices, producer prices, supply management including supply control, import quotas, export shares, stocking, and contributions in the form of food aid to less developed countries. Obligations with respect to any of these elements included in the agreement should apply equally to importing countries as well as to exporting countries. If it is not possible to agree on fixing producer prices in importing countries, then specific assurances as to the maintenance of established levels of imports would be required.

I cannot emphasize too strongly the need to include in any commodity arrangement effective measures of supply management. The productive capabilities of our agricultural industries simply exceed possible outlets for the foreseeable future.

We are fully aware of the difficulties that would be encountered in negotiating agreements that include elements which I have just indicated. It is for this reason that the list of commodities for which commodity arrangements are considered should be limited. This problem needs to be studied carefully.

International commodity arrangements of the complex nature I have described do not offer the only possible solution to trade problems arising from the use of variable levies. Other possible solutions are available.

I have in mind such measures as establishing a maximum on the variable levy, the negotiation of the level of internal prices, or provisions which would give reasonable assurances that imports would be maintained at some specified level, possibly on a basis that allowed exporters to retain a percentage share of a market.

Negotiation of commodity arrangements is likely in any event to be a time-consuming process. In the meantime, trade in a number of commodities is threatened by European Economic Community regulations. Where the possibility exists that trade will be impaired by these regulations, we believe that interim measures should be adopted which assure the maintenance of trade pending the negotiation of permanent arrangements. These interim arrangements might take the form of appropriate adjustments in European Economic Community regulations affecting external trade so as to assure the maintenance of a specified volume of imports.

There are other features of the common agricultural policy which cause us great concern. One of these is the system of minimum import gate prices which is being applied to some products. We think this device should be used only to prevent dumping. As we understand this feature, however, the consequences are much broader than protection against dumping.

The gate prices already announced for poultry serve to illustrate my point. U.S. poultry is offered on world markets at reasonable prices because of the efficiency achieved by American producers, and our poultry is exported by the private trade without any subsidy. But a minimum import price higher than the U.S. export price for poultry subjects our exports to an additional duty and denies consumers in the European Economic Community part of the benefits of the efficient low cost American production.

We have just learned that the European Economic Community Commission has recently authorized a uniform sluice gate differential levy (i.e., an additional uniform entry fee) on U.S. poultry. This will constitute an additional penalty against our export trade, and steps have been taken to urge reconsideration of this action. We are most seriously regarding the need for limitations on the variable levy and the gate price with respect to poultry. The consequences of overprotectionism in this area would be most damaging.

The United States is fully prepared to play its part in carrying forward negotiations aimed at maintaining international trade at satisfactory levels. The new Trade Expansion Act recently passed by the Congress and signed by the President provides us with additional tools for doing this.

The new trade act gives the President broad authortty to negotiate reductions in duties up to 100 percent. There are special provisions which will facilitate negotiating tariff reductions with the European Economic Community in broad categories of products, agricultural as well as industrial. The reductions negotiated under this authority will continue to be applied in a nondiscriminatory basis and will thus benefit all members of the GATT.

We intend to utilize the provisions of the new act fully in promoting more liberal trade policies for agricultural commodities. We expect the broad concessions we are authorized to negotiate by the Trade Expansion Act will enable the negotiation of a great interlocking system of more liberal and expanded trade. This system of concessions must necessarily include satisfactory arrangements for our agricultural trade as well as for our industrial products.

We have noted and are concerned over the attitudes and disposition of several important trading communities at recent tariff negotiations to exclude from the negotiations in major part, if not altogether, trade in agricultural products. There is currently a strong inclination, especially among industrial countries, to separate negotiations on agricultural trade from the trade in industrial goods. We do not approve of this practice. It is obvious that in order for the many countries which are principally exporters of agricultural goods to participate in tariff and trade negotiations for the reduction of trade barriers, they must have some assurance that they can negotiate meaningful terms of access to foreign markets for their products. This can best be accomplished by including trade in agriculture in the traditional tariff negotiating procedures of the GATT.

Greater attention must also be paid, both in the short and long term, to the effect on agricultural trade of nontariff obstacles: import restrictions, quotas, subsidies, dumping, export aids, and various other nontariff devices in use by member countries, including my own. Not enough progress has been made in reducing obstacles, despite the relative degree of prosperity we have together obtained since World War II. We now have in the Agricultural Committee of the OECD and particularly in the joint working party it has formed with the Trade Committee, the mechanism for dealing with these problems. We intend to confront other members on restrictions applied against U.S. exports; we hope for redress of unfair practices. We expect other members to confront us on difficulties they may be experiencing in the U.S. market. In these confrontations there are good chances for progress toward more liberal trade policies.

I assure you that my Government will be willing to discuss any aspect of our agricultural trade policies, and will be as forthcoming as any other member in its efforts to find equitable solutions to these specific trade problems.

The trade problems confronting us in agriculture are so serious that the time is overdue for frank, plain talk. That is exactly what I am doing today, and I am very hopeful that we can use the OECD effectively to develop a better understanding of trade problems and possible solutions.

The United States would have difficulty in concluding a general round of negotiations if trade problems on major items of agricultural trade were left unresolved.

In conclusion, let me assure you that by no means would we want to exempt American agriculture from making its own contribution to the solution of the international trade problems that face us. We would not ask others to adopt rules that we would not apply to ourselves. Naturally, in urging the European Economic Community to maintain moderate internal price levels and liberal trading practices, we recognize that the United States must also undertake comparable obligations. We are prepared to consider constructively your suggestions for modifications of our practices, including export aids and import restrictions maintained under section 22 of the Agricultural Adjustment Act, as part of more satisfactory global arrangements for agricultural trade. I should remind you, however, that the U.S. Congress will not agree to any major alteration of U.S. agricultural policies unless other nations are prepared to take similar steps.

The European Economic Community, in turn, has a great moral and practical responsibility in the maintenance of international trade just because its weight in that trade is going to be so important. We have no doubt of EEC's awareness of this responsibility. Hence, we look with hope and confidence to future cooperation in the free world to solve satisfactorily the twin problem of agricultural protectionism and trade.

Each of us here recognizes the difficulty of the problem. Equally, we must recognize the necessity of finding solutions. Not only maintenance of trade but the continued unity and strength of the Western World is at stake.

Mr. HUMPHREY. We helped to rebuild markets in those countries, and we can at least expect, and should expect, that we will be treated as a friend and not as an outsider. We should be treated as a partner, and not as a competitive enemy.

I am pleased to note that the response from most of the countries in Western Europe is favorable and friendly, but that the agriculture decisions have not as yet been fully consummated. We still have some time to press our case. Our case is stated succinctly and, I think, brilliantly and forcefully by the Secretary of Agriculture, who speaks not merely for himself, on these questions, but also for the Government of the United States. He is supported by the President of the United States, the Secretary of State, and our other important officials.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article appearing in the Washington Post of recent date describing the situation in Brussels on the eve of today's momentous discussions.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### MARKET BATTLE REOPENS TODAY

(By Tom Streithorst)

BRUSSELS, January 27.—The struggle of de Gaulle versus the United Kingdom returns to Brussels Monday as another round opens here in the 15-month-old battle over British entry into the European Common Market.

The struggle, however, will be fought without British presence at the opening session. The dispute now lies within the actual membership of the European Economic Community (EEC), as the Common Market is called.

The key question for the negotiators from six-member states is do they or do they not want to continue trying to find a way of bringing Britain into the Community? France has announced its determination to end the talks; the others want to continue.

Present in the negotiations will be delegations from France, Italy, West Germany, and the Benelux nations, plus the nonvoting representatives of the European Economic Community's executive, the Common Market Commission.

As the six-nation talks go on on the seventh floor of the new Belgian Foreign Ministry building, the British delegation, under Lord Privy Seal Edward Heath, will be a few doors away on the same floor awaiting the results.

The West German delegation under Foreign Minister Gerhard Schroeder—a stanch supporter of British membership—is expected to propose that the Common Market Commission's president, Walter Hallstein, draw up a report outlining progress to date and problems remaining in the now faltering negotiations and proposing solutions.

Much depends on how strong a mandate the German proposal gives Hallstein and his Commission. The French would like to see the Commission limited to the role of bookkeeper, drafting a simple balance sheet of successes and failures to date. If this approach were adopted, the Commission's report would amount to little more than an epitaph to the British bid to join Europe.

It is doubtful that Hallstein, who sees the supranational Commission's role as an ever-expanding one, would agree to undertake a report bound to failure from the start. He and the other five delegations favor a Commission report which suggests solutions to outstanding problems and amounts to a virtual mediator's role for the Commission.

The problem for the German Foreign Office has been to frame a proposal that can be effective in keeping the talks alive, but one getting Britain into the Common Market that would not be so strongly worded that France would not accept it. While the proposal is believed to have been completed its terms remain unpublished.

In an apparent effort to provide maximum backing for British entry, West Germany's Minister of Economy, Ludwig Erhard, another British entry supporter, will be among the members of the West German delegation. Erhard dines tonight with Chief British Negotiator Heath and it is likely that Heath will have an advance look at the German proposal.

Before meeting Erhard, Heath conferred with Christian A. Herter, former U.S. Secretary of State who is here as a special American representative on trade matters. Heath also called on Belgian Foreign Minister Paul-Henri Spaak, an outspoken advocate of British entry.

Spaak earlier had suggested in a radio interview that the five Common Market proponents of British membership consider continuing the negotiations alone if France persists in her efforts to exclude the United Kingdom.

All observers here agree that West Germany's role is the fundamental one. Italy and the Benelux countries are outspokenly on the side of the British entry. The nonvoting but influential Commission, with its role of safeguarding the interests of the Community—seems to have swung to the view that the British should be inside—if only to prevent the Community from tearing itself apart by internal disputes.

Germany, in the opinion of experienced observers here, must remain solidly with the pro-British entry forces if there is to be any chance of turning French President de Gaulle from his anti-British course.

## THE COMING DEBATE ON TAXES

Mr. HUMPHREY. Mr. President, during the debate on the proposed changes in the Senate rules, the Senator from Minnesota remarked that he preferred to deal in substantive issues rather than procedural ones. He urged that the opponents of the proposed rules changes take positive action that would bring the issue to a point of decision.

The Senator from Minnesota regrets that this has not happened. We have a number of substantive issues already before the Senate and I believe it is not too early to begin careful analysis and study of the more important ones.

In terms of total impact on the Nation, I know of no more importance issues than those raised in the President's tax message delivered to the Congress last week. It does not require deep prophetic wisdom to realize that tax reduction and reform will be the principal issues before us this session.

As my colleagues know, I called for a substantial tax reduction last spring. I maintain that maximum economic impact would have been achieved if my recommendations had been implemented. Nevertheless, as I said in a policy statement in December, significant results—both of a short and a long term nature—could be achieved if the 88th Congress acted promptly in response to President Kennedy's request for a comprehensive program of tax reduction and reform.

I wish to compliment President Kennedy and his staff of economic advisers, particularly Dr. Walter Heller, Chairman of the Council of Economic Advisers, for submitting the tax proposals early in the session. I know that much study, analysis, and debate will take place before Congress will complete its work. But there are few issues more demanding of the concern of every Member of Congress.

I also wish to compliment the President for explicitly urging upon the Congress the adoption of a Federal fiscal policy designed to expand dramatically the utilization of productive resources of this country, both human and industrial.

For the first time in history, the President of the United States has laid the economic chips on the table. He has acknowledged that our actual rate of economic expansion is lagging behind the potential growth rate. He has attributed this undeniable fact—at least in part—to the Federal Government's irrational fiscal policy. He has admitted that drastic steps are necessary if the practices of the Federal Government are to follow the most basic economic guidelines that have been developed over the past decades. He has proposed a comprehensive tax program that seeks to establish a rational Federal tax policy.

In taking this bold and historic step, the President also has attacked the No. 1 economic heresy that has bedeviled the body politic for the past 15 years, namely that a balanced Federal budget—regardless of other related consequences—is the highest possible economic achievement open to mortal man.

Without engaging in an extended debate on this subject at this time, I only wish to indicate that President Eisenhower's much-heralded attempts to balance the Federal budget in 1957 proved to be the fundamental underlying cause of the 1958 recession, which then produced a totally unexpected and unplanned record peacetime deficit of $12.4 billion. A more rational and informed understanding of the impact of Federal fiscal policy on the entire economy of the country would have avoided such an unfortunate result.

The goal of a rational fiscal policy is achievement of the full utilization of available manpower, plants, and machines while avoiding the dangers of inflationary shortages. The Federal Government should continue to add to the demand for goods and services until the economy approaches full employment. Our existing tax policies are incapable of achieving this goal.

As we begin this great debate on taxes, I believe it is essential for every American to have a clear understanding of what is involved in establishing a rational Federal tax policy. I would like to recommend to all economic laymen like myself an article entitled, "The Positive Role of Fiscal Policy," that appeared in the January issue of the American Federationist, the official monthly magazine of the AFL–CIO. This article presents an easily understood, comprehensive summary of the components of a rational fiscal policy and indicates how such a policy would be a major ingredient to revitalizing the economy of the United States.

Mr. President, I ask unanimous consent that the full text of this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE POSITIVE ROLE OF FISCAL POLICY

#### THE KEY BUDGET CONCEPTS

Administrative budget: This is the Federal budget usually discussed in the newspapers and over radio and television. It includes the expenditures for which yearly appropriations by Congress are needed and the tax receipts that are paid into the Government's general fund. The administrative budget deals with the general operations of the Government. It includes Federal expenditures for national defense, the operation of Government agencies, veterans and farm programs, housing and natural resources programs and interest payments on the Federal debt. Federal receipts, under this budget, essentially come from individual income and corporate profit taxes, excise taxes and customs duties.

This budget, however, does not include operations of the Federal Government's various trust funds—neither the specially earmarked payroll taxes for the social security trust fund nor expenditures to those who receive old-age, survivors' and disability insurance payments; neither the special gasoline taxes for the highway trust fund nor expenditures for the Federal highway program.

The administrative budget includes the bulk of the Government's financial operations but not all of them. Since the trust funds are excluded from this budget, it is an incomplete presentation of the Government's fiscal operations.

Cash budget: This is the budget that shows the flow of Federal receipts from the public and payments to the public. It includes the operation of the various trust funds—tax receipts and expenditures of the social security and highway trust funds, deposits and withdrawals by States for the unemployment insurance system, payments into and out of the veterans' life insurance program.

The difference between the administrative budget and the cash budget can be seen this way: In the fiscal year that ended June 30, 1962, the administrative budget showed receipts of $81.4 billion and expenditures of $87.7 billion. With the addition of trust fund operations, the cash budget's receipts from the public were $101.9 billion and payments to the public were $107.6 billion.

The cash budget measures all Federal Government cash transactions with the public.

National income accounts budget: This budget measures the impact of Federal taxing and spending on the economy—on the flow of the Nation's income and production. It includes the operation of the trust funds and records Federal receipts and expenditures that directly affect the income and production of the Nation.

The national income accounts budget records taxes and spending on an accrual basis at the time they affect economic activities rather than when taxes are actually paid or Government checks are issued. Corporations, for example, set aside funds for tax payments about 6 months before they are actually paid; the economic impact occurs when the funds are put aside for future tax payments. Expenditures are recorded in the national income accounts budget when goods are delivered or services performed rather than when the Federal Government's check is issued.

In the fiscal year ending June 30, 1962, the national income accounts budget indicates that receipts were $104.8 billion while expenditures were $105.7 billion—thus the Federal Government placed $900 million more funds into the economy's spending stream than it took out.

Capital budget: This form of budget has been proposed for the Federal Government but has not yet been adopted. It is used by private business corporations, many States and scores of municipalities as well as many foreign nations. It has been recommended by President Franklin Roosevelt, the Hoover Commission, and the 1960 Democratic Party platform.

A capital budget would present a separate accounting and financing of Federal expenditures of an investment nature—separate from current transactions such as salary payments to employees of a Government agency in Washington. Among Federal investment outlays are such programs as loans for housing, agriculture, and maritime that are repaid to the Government with interest; capital investments for highways, hospitals, airports, and public buildings, the development of public lands. In general, the Government's capital investments include self-liquidating loans and expenditures which provide services over a period of years.

Under a capital budget, such investment outlays would be listed separately in the Government's books and in a businesslike manner, as corporations account for their investments in plants, machines, and loans separately from expenditures for raw materials. At present, however, the Federal Government's investment outlays are simply lumped together with all other forms of spending. Current expenditures for such items as office supplies for Government agencies, for example, are combined with outlays for reimbursable loans and the construction of hospitals. A capital budget would separate out expenditures for investments from other Government outlays.

Federal budget policy can be a powerful tool for achieving and maintaining full employment and maximum use of plants and machines. It must become such a tool if the American economy is to regain a vigorous forward momentum.

Other countries use their fiscal policies—the combined effects of government taxing and spending—as a means of maintaining rapid economic growth. Unfortunately, fiscal policy in the United States has not been used in a rational and flexible manner as a key element in the Nation's economic policies.

Indeed, the Federal budget's actual operations have become a braking force on the economy's forward progress. Emphasis on trying to achieve balanced budgets, under almost any kind of condition, has resulted in budget deficits. It has slowed down needed increases in Government investment for the improved public services required by a rapidly growing, urban population. And it has dampened down necessary increases in sales, production and employment while the economy's ability to produce more goods and services has continued to grow rapidly.

Too many Americans still think of Federal taxing and spending in terms of the America of the 1800's. That America was a much simpler society of farms and small towns in which most of the workforce were self-employed farmers, storekeepers, and artisans; a country with a much smaller population, much smaller defense needs, and much smaller Government expenditures. That America, which required a minimum of Federal action, has disappeared along with the buffalo.

Most Americans now live in large metropolitan areas and work for companies that sell their products in nationwide markets. World War II and the cold war have made large defense expenditures a continuing necessity and have placed the United States in the forefront of the free world. From a small factor that accounted for less than one-twentieth of total national production, Federal taxing and spending now account for about one-fifth of national output.

If America is to meet its needs and responsibilities, then Federal budget policy must be modernized.

Why have Federal spending and taxation become an important factor in the American economy?

After World War I, Federal expenditures were at a yearly average of $3.2 billion in the 1922–29 period. Defense spending was only about $745 million a year and the bulk of Federal outlays—78 percent—was for civilian purposes. Federal taxes accounted for approximately 4 percent of total national output and almost the same share of national production was put back into the spending stream through Federal expenditures.

In the 1930's, Federal programs to halt the havoc of the great depression caused increases in Government outlays. Farm programs, public works efforts, and relief programs for the unemployed brought increases in the Federal Government's administrative budget expenditures. Creation of the unemployment insurance and social security systems meant the establishment of specially earmarked Federal trust funds—separate accounts of special payroll taxes that are paid out only for the specific purposes of social security and unemployment insurance benefits.

By 1938, the last New Deal year before Europe moved to the brink of war, administrative budget expenditures for defense and general operations of Government were $6.8 billion or 7.7 percent of the depression-level total national production. Including the operations of the trust funds, which were in their early beginnings, all Federal cash payments to the public were $7.2 billion or 8.2 percent of the depressed level of national output.

New Deal programs did not increase the size of Federal fiscal operations very sharply. Expenditures soared, however, during World

War II. By 1944, the peak of the war effort, Federal expenditures reached $95 billion—45 percent of the Nation's rapidly growing total production—with defense outlays of $80.4 billion.[1]

Federal spending was slashed in the years after World War II despite the increased expenditures for veterans programs and the payment of interest on the war-induced national debt. In 1949, national defense spending fell to $19 billion while the costs of war's aftermath—veterans programs and interest on the debt—were $12.2 billion.

In 1949, administrative budget expenditures for defense and the general operations of Government were $39.5 billion, 15.1 percent of total national production. Spending for defense and the aftermath of the war were almost 80 percent of administrative budget expenditures. With the inclusion of the operations of the specially earmarked trust funds, total Federal cash payments were $40.6 billion or 15.5 percent of national output.

World conditions changed in 1950 with the outbreak of the Korean war and the clear realization that the Soviet Union and Communist China would persist in their conflict against the free world. In 1953, national defense expenditures were up to $52.7 billion while the cost of the war's aftermath was an additional $10.9 billion—the cost of past and current defense efforts was 86 percent of administrative budget outlays. The administrative budget expenditures of $74.1 billion were 20.6 percent of national output while total cash payments to the public, including the operations of the trust funds, were $76.8 billion or 21.4 percent of national production.

The continuing cold war meant large Federal outlays for national defense, even after the end of the Korean war. In the fiscal year ending June 30, 1962, national defense expenditures were $55 billion while veterans programs and interest payments on the war-induced debt were an additional $14.6 billion. Past and present defense spending were almost 80 percent of administrative budget expenditures of $87.7 billion, which accounted for 16.3 percent of total national production. After adding the expenditures of the social security, unemployment insurance, highway, and other trust funds, Federal cash payments to the public totaled $107.6 billion or 19.9 percent of national output.

While the compelling requirements for national defense in a period of cold war have been essentially fulfilled, the pressing needs of a rapidly growing urban population, neglected during the war, have been only partly met in the postwar period. The great bulk of Federal expenditures in recent years has gone for national defense purposes. All civilian, nondefense related expenditures under the administrative budget came to only 3.3 percent of total national production in fiscal year 1962—merely about $97 per man, woman, and child in the population.

Persistence of the cold war and America's international obligations in the future will require continuing large outlays for national defense. The pressing needs of a growing, urban population for direct Federal programs as well as Federal grants-in-aid to the States and local governments—for such programs as education, health, housing, urban redevelopment, and improved transportation facilities in metropolitan areas—require additional Federal expenditures for civilian purposes. The outlook, therefore, is for continuation of large Federal expenditures to meet the Nation's defense and civilian needs in the second half of the 20th century.

A significant part of these Federal outlays, of course, is for investment purposes—such as reimbursable loans and investments in public buildings, the conservation and development of natural resources. In this sense, many Federal expenditures are similar to business investments in new plants and machines rather than outlays that are immediately consumed or that go up in smoke.

There is no doubt the required levels of expenditures and investments can be met by the great productive and wealth-creating ability of the American economy. They will be more easily met by a rapidly growing economy, expanding personal incomes and business profits than by the slow economic growth of recent years.

Outlays of $100 billion are 20 percent of $500 billion national production, but 20 percent of a $600 billion total national output would mean $120 billion. A concentrated effort is needed to increase the economy's rate of economic growth and its ability to more easily absorb the required costs of meeting America's needs.

### WHAT ABOUT THE FEDERAL DEBT?

Opponents of a rational fiscal policy usually focus their attention on the Federal debt. What does the record show about the debt of the Federal Government?

In 1938, before the outbreak of World War II, the Federal debt was $37.2 billion or 42.3 percent of the depression level of total national output. Under the impact of wartime expenditures, the debt jumped to $269.4 billion by mid-1946; at that point, the debt was 132.8 percent of the Nation's expanding total production. This sharp rise of the Federal debt clearly was due to World War II.

During the early postwar years, prosperous conditions and rapid economic growth produced substantial tax revenues despite a reduction of wartime tax rates—sufficient revenues to create surpluses in Federal fiscal operations after wartime expenditures were cut. In 1949, the Federal debt was down to $252.8 billion. The moderate decline of the debt in those years was accompanied by a rapid rise of sales and production so that, by mid-1949, the Federal debt was down to 96.6 percent of the Nation's growing national output.

After 1949, however, Federal expenditures increased substantially, mainly due to the Korean war and the continuation of the cold war. Although tax rates were raised at the outbreak of the Korean war, increased defense expenditures brought the debt up to $271.3 billion in mid-1954, after the end of the war. National production, however, increased much faster than the debt in the early 1950's. As a share of total national output, the Federal debt was 74.9 percent in the fiscal year ending June 30, 1954.

Surpluses in the Government's fiscal operations were achieved in the fiscal years ending June 30, 1956 and 1957, reflecting the high and rising personal increases in business profits of the period.

But in most years since 1954, tax revenues were less than expected. Recurring recessions in 1954, 1958, and 1961, accompanied by rising unemployment and short workweeks, meant lower Federal revenues from lower personal incomes and business profits. The deficits in Federal cash operations were $13.1 billion in fiscal 1959 and $5.1 billion in fiscal 1962—mainly due to the recessions and relatively depressed personal incomes and business profits of 1958 and 1961.

In the fiscal year ending June 30, 1962, the Federal debt was $298.2 billion. Overwhelmingly, this debt was the result of World War II, the Korean war, and continuation of the cold war.

Although the Federal debt has tended to move upward since the World War II years its burden of weight on the national economy has been reduced considerably by increases in national production. Between 1946 and 1962, the Federal debt increased from $269.4 billion to $298.2 billion. But total national output rose much faster. Therefore, while the debt was 132.8 percent of national production in 1946—nearly 33 percent greater than the Nation's total production—it was down to 55 percent or about half of the much greater gross national product in 1962.

The Nation was in a much stronger position to carry its increased debt in 1962 than it was in 1946, when the debt was smaller. A country's ability to carry a debt is best measured by its total national production. Rising total national output can continue to reduce the burden of the Federal debt in the future.

The cost of the Federal debt, of course, is the interest payment to those who own the debt—the people and businesses that hold Government bonds and other Government securities. In 1962, interest payments were $8.9 billion, which accounted for only 1.6 percent of the Nation's total output. These interest payments in 1962 were greater than the $4.7 billion interest payments of 1946. But they accounted for a much smaller portion of the greater national production—1.6 percent in 1962, in contrast with 2.3 percent of the Nation's total output in 1946.

Rising national production in the postwar years lightened the burden of both the Federal debt itself and the interest payments on the debt. Concentration on the increased debt and interest payments alone gives a partial and distorted view of the Nation's economic power.

It must be remembered that the Federal debt is quite different from a family debt. A family's debt is owned by people or businesses outside the family and payments on the debt go to others. Almost all of the Federal debt is owned by Americans. Interest payments on the Federal debt are made to Americans and these payments add to the Nation's consumer spending and business investments. Interest payments on the Federal debt, therefore, remain within the United States.

### GENERAL IDEA OF RATIONAL FISCAL POLICY

The level of national production and the state of affairs in the economy have a direct bearing, as we have seen, on whether Federal spending and taxing are a heavy or light burden.

But it works the other way around as well. Federal fiscal policies have a direct impact on national production and the direction in which economic activities are moving.

The aim of a rational and modern fiscal policy should be much more than merely the bookkeeping records of Federal tax revenues and expenditures. The proper and necessary goal of fiscal policy in industrial economies of the second half of the 20th century should be to sustain maximum and balanced growth of the economic system.

When taxes and expenditures account for 1 percent, 2 percent, or 5 percent of total national production, as in earlier days, the impact on the national economy is small. But when the Government's fiscal policies have a direct bearing on about 20 percent of total national output, the impact on economic activities becomes substantial.

The Federal Government adds to increases in sales, production and employment when it injects more funds into the economy's spending stream through expenditures than it takes out of the spending stream in the form of taxes. Deficits in the Federal Government's fiscal operations have an expansionary impact on the economy—they add to sales, production and employment.

When the Federal Government takes more money out of the spending stream through taxes than it puts in through expenditures, however, it dampens down further increases in economic activities. Surpluses in Federal fiscal operations have a braking effect on additional increases in sales, production and employment—they restrain further expansion in the demand for goods, services and manpower.

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[1] References to fiscal operations in specific years are for the Government's fiscal years, which end June 30. Reference to 1944, for example, is to the fiscal year that ended June 30, 1944.

Under a rational fiscal policy, the Federal Government's taxing and spending, in combination, would continue to add to the demand for goods and services until the economy approaches full employment. Expansionary deficits in Federal fiscal operations—with the Government putting more funds into the spending stream than it is taking out—would be deliberately sought and planned so long as unemployment remains high and there are considerable amounts of idle plants and machines.

Surpluses of tax receipts over expenditures would be sought, under a rational fiscal policy, when the economy is operating at full employment and maximum use of plants and machines. Under such conditions, Federal fiscal operations should properly restrain additional increases in sales, production and employment in order to curb the danger of inflationary shortages.

The amount of deficit or surplus in Federal fiscal operations should vary with the needs of the economy. When unemployment is high, the deficit should be great enough to add to sales, production, and jobs as rapidly as possible in order to achieve maximum use of manpower, plants, and machines. When the economy is operating at full blast and shortages threaten, the surplus should be great enough to restrain effective demand and reduce the danger of shortages without throwing the economy into a recession.

A rational fiscal policy, therefore, would require concentrated attention on the state of affairs in the national economy rather than focusing solely on whether or not the books are in balance. The needs of the economy for maximum and balanced growth would come first.

The goal of such a fiscal policy would be to maintain full use of available manpower, plants, and machines while avoiding the danger of inflationary shortages. Such a rapidly growing, full-employment economy would produce budget balances and surpluses from high and rising personal incomes and business profits.

The record shows that shortsighted emphasis on trying to balance the budget under almost all conditions tends to be self-defeating. President Eisenhower, for example, sincerely tried to achieve budget balances and surpluses under almost all conditions. But this policy in 1957 was an underlying cause of the 1958 recession, which produced a record peacetime deficit of $13.1 billion in the Government's cash operations in the fiscal year ending June 30, 1959. Greater attention to the economy's needs in 1957 would have resulted in a more prosperous economy and in a smaller deficit in fiscal year 1959 or, possibly no deficit at all.

Sometimes people say they can go along with the idea of a rational fiscal policy * * * but. They then usually pose the danger of inflation that supposedly will arise from deficits in Federal fiscal operations.

This concern over the danger of inflation arising from a rational and flexible fiscal policy is needless. Deficits in Federal fiscal operations would be sought only when there is slack in the economy. The goal of such a deficit—the Government putting more funds into the spending stream than it is taking out—would be to eliminate the economy's slack. When the economy is operating at full blast and there are dangers of inflationary shortages, a rational fiscal policy would seek budget surpluses to restrain increases in effective demand.

Furthermore, the record shows that deficits in the Government's fiscal operations are not inflationary in themselves. It depends on the state of affairs in the national economy. Deficits during World War II or the Korean war, when the economy was at full blast operations, were obviously inflationary. Under such conditions, a rational fiscal policy would seek restraining budget surpluses—as were achieved in 1951 and 1952—to the extent such surpluses are possible. But the $13.1 billion peacetime record deficit in fiscal year 1959 was not inflationary at all—both wholesale and retail prices remained at about the same level while the deficit was building up. The deficit of fiscal 1959 prevented unemployment from rising even more than the 7.5-percent rate of mid-1958 and took up some of the large amount of slack in the economy.

### SIZE OF THE PRESENT PROBLEM

A rational and flexible fiscal policy is a necessity for the American economy in the 1960's—to provide a major part of the needed foundation to sustain rapid and balanced economic growth.

What would a rational fiscal policy for 1963 look like? Before one can outline the shape of a rational fiscal policy for the period ahead, it is necessary to examine the state of affairs in the nationl economy.

Ever since 1953, the pace of the economy's forward momentum has slowed down. The real volume of total national production has increased at a yearly rate of only about 2.7 percent in the 9 years, 1953–62, in contrast to a rate of approximately 4.8 percent in the earlier postwar years, 1947–53.

This slowdown has not been due to a lack of sufficient manpower, plants and machines. The economy's growing labor force and increasing productive efficiency since 1953 have made it possible for the real volume of total national production to advance at a yearly rate of at least 4 percent. Indeed, the more rapid growth of the labor force and the continuing spread of automation in the 1960's mean the economy's ability to produce in the period ahead will advance about 5 percent a year.

The slow growth of the economy in these past 9 years—with frequently recurring recessions—has resulted in idle manpower, plants and machines. Rising unemployment and considerable amounts of idle plant and equipment are a measure of the economy's failure to operate at maximum use of its capabilities.

The major deficiency in the American economy, in these past 9 years, has been a lack of enough demand for the goods and services that can be produced. In the second half of 1962, it would have required approximately $65 billion (yearly rate) of additional total national production to bring the economy to maximum use of manpower, plants and machines.

A substantial boost in sales—at a yearly rate of about $65 billion—was needed in the second half of 1962. But by that time Federal fiscal operations almost ceased adding to the rise of sales, production and employment.

In the second quarter of 1962, when 5.5 percent of the labor force were unemployed and only about 85 percent of industrial capacity were in operation, Federal receipts and expenditures, on a national income and product account basis, were almost in balance. The deficit in Federal fiscal operations was only $600 million. Federal budget operations, therefore, almost stopped adding to the demand for goods and services when the economy was still far short of maximum use of its capabilities. This economic lack of balance was generally true of the third quarter of 1962 as well, although the Government's figures are not yet available.

These events of 1962 are merely the most recent examples of the illogical operations of the Federal Government's fiscal policies. Should these trends continue, they can set the foundation for another recession in 1963, just as similar developments contributed to the recessions of 1958 and 1961.

The conservative economist, Dr. Arthur F. Burns, Chairman of the Council of Economic Advertisers during the the Eisenhower administration, points out the upturn from the 1958 recession was cut short by a sharp swing of Federal fiscal operations, from deficit to surplus, before full employment was reached. Among the major causes of the 1961 recession, according to Dr. Burns, was the Federal Government's financial operations. He declares:

"We had a violent shift in Federal finances. Between the first quarter of 1959 and the third quarter of 1959, the Federal cash deficit, allowing for seasonal factors, fell from an annual rate of $17 to $2 billion. By the second quarter of 1960, we were already operating with a surplus at an annual rate of $7 billion. Thus in a period of little more than a year, we had a turnaround in Federal finances of about $24 billion. This was undoubtedly one of the very sharpest shifts of Federal finances in our Nation's history."

In 1959 and 1960, according to Dr. Burns, Federal fiscal operations contributed to cutting short the pickup from the 1958 recession—like slamming on the brakes of a fast-moving car. By mid-1962, Federal fiscal operations once again failed to advance the economy's momentum toward maximum use of manpower, plants and machines. Federal fiscal operations were not a braking force on the economy in 1962 as they had been in 1960. But the economy's continued need for accelerator assistance from Federal fiscal operations were not met. Although unemployment was high, the economy was permitted to merely coast along slowly.

The economy's needs in 1962 were for a substantial and continuing rise in effective demand to achieve maximum use of the economy's capabilities. Federal fiscal policy, however, failed to meet these needs. The economy's needs for a rapid rise in effective demand for goods and services should be met in 1963 by a decisive change in fiscal policy.

### A RATIONAL FISCAL POLICY FOR 1963

How can the Federal Government's fiscal operations in 1963 contribute to the economy's forward advance toward full employment? What changes in fiscal policy are needed to provide the basis for a continuing balance between effective demand and the economy's increasing ability to produce a growing volume of goods and services?

Possible alternative answers to these questions are:

1. A substantial tax cut, with no change in the level of Federal expenditures.
2. A substantial rise of Federal expenditures while the level of Federal tax revenues remains the same.
3. A combination of tax cut and rising Federal expenditures.

The best practical approach—although not necessarily the ideal approach—is a combination of a tax cut and rising Government expenditures to reduce the slack in the economy as rapidly as possible.

A tax cut, combined with reduced Federal expenditures, as implied by former President Eisenhower and Gov. Nelson Rockefeller, would not meet the economy's need for a rapid rise in sales, production and employment. Such a combination would mean that part of the expansionary impact of a tax cut would be offset by reduced Federal spending. Needed Federal programs for improved public services probably would be cut and the overall economic impact of such a combination would prove too small to significantly boost economic activities.

A substantial tax cut, with no change in the level of Federal expenditures, could meet the economy's needs only if there were no pressing requirements for improvements in national defense, education, health, urban redevelopment and a host of other public services. But to rely only on increased Government expenditures to boost economic activities in 1963 would be impractical since

Federal outlays would not be raised sufficiently and rapidly enough.

The practical alternative, therefore, is a substantial and immediate tax cut of about $10 billion while Federal expenditures continue to increase. This view was adopted by the majority of the President's Advisory Committee on Labor-Management Policy, which includes leading business executives and public officials as well as trade union leaders.

The Labor-Management Committee pointed out, in its statement of November 19, 1962, that such a tax cut will boost economic activities and "over the longer run, it may well generate increased tax revenues." The Committee declared, however, that "in the near future, the significant tax reduction we recommend is likely to mean appreciable deficits in the Federal administrative budget."

An immediate $10-billion tax cut while Federal expenditures increase can provide the basis for a rational fiscal policy in 1963. A tax reduction of that size could add as much as $20 billion to $25 billion to national production as the increased funds spread through the economy. It could create over 1 million jobs. But the kind of tax cut also is important—in terms of economic impact as well as fair tax treatment of all groups in the population.

A $10 billion tax cut, with most of the benefits concentrated among low and middle income taxpayers, would have a quick and decisive impact on the economy. Low and middle income families spend all or almost all their incomes. They spend additional incomes rapidly. There would be a fast and substantial boost of consumer sales from such a tax cut. As the increases in sales spread through the economy, they would be accompanied by rising business profits and investments as well. Over the course of the year, the increases in employment, personal incomes and business profits would begin to generate additional tax revenues.

Compared to such a direct and substantial impact on economic activities, tax cuts for wealthy families and corporations would have much smaller and much slower results. Business is holding back from a considerable increase in outlays for new plants and machines not because of a lack of funds but due to the considerable amount of idle productive capacity that already exists. The primary need at present is for a rise in sales and production to increase the utilization of existing plant and equipment. Furthermore, business taxes were cut about $2.5 billion in 1962. A tax cut in 1963 which concentrates its benefits on business incomes would be unfair and there would be little, if any, early impact on economic activities.

Similarly the economic benefits, in 1963, of a substantial reduction of taxes for upper income families would be minimal. A significant part of additional incomes for such families would be saved rather than spent. The effect of such a tax reduction on sales, production and employment would be small.

The greatest and quickest lift to economic activities would come from a substantial reduction in taxes for low and middle income families, who have the most need for tax relief. The major benefits of a $10 billion tax cut, early in 1963, should go to low and middle income taxpayers—through a substantial reduction of taxes on the first $2,000 of taxable income.

Such an immediate tax cut should be followed, during 1963, by a reform of the tax structure accompanied by an across-the-board reduction of tax rates. Loopholes of special tax privileges should be closed—such as the special tax treatment of dividend income, the special treatment of profits from the sale of property and excessive depletion allowances for oil and natural gas. Additional revenues from the closing of such loopholes should be offset by general reductions of tax rates, including cuts in tax rates on the incomes of corporations and upper-income families. In that way, the entire structure of Federal taxing would be made more efficient and equitable—so that needed Federal revenues could be obtained fairly and effectively.

These steps toward a rational fiscal policy in 1963—an immediate and substantial tax cut quickly followed by reform of the tax structure—would greatly strengthen the basic fabric of the American economy. They would provide a foundation for sustaining maximum use of manpower, plants and machines and balanced growth of the economy in the 1960's.

During the course of the next several years, a further step should be taken to modernize the Federal Government's fiscal operations—adoption of a capital budget that would place the Federal budget on a firm, businesslike basis.

First things, however, should come first. The urgent need in 1963 is for a substantial tax cut to lift economic activities and a reform of the tax structure to establish a fair and efficient means of obtaining needed Federal revenues.

## ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that when the Senate recesses today, it recess to meet at 11 o'clock tomorrow morning.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

**Mr. MANSFIELD.** In explanation, I make the request because, as I understand, there is to be a meeting of Democratic Senators tomorrow with the President at the White House. In order to be in agreement with that situation, I have asked that the Senate convene at 11 o'clock tomorrow.

## IMPROVEMENT OF EDUCATIONAL QUALITY AND OPPORTUNITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 54)

**Mr. MANSFIELD.** Mr. President, the message of the President of the United States on education, transmitted to the Congress today, has been read in the House. Therefore, I ask unanimous consent that reading of the message in the Senate be waived and that it, with the accompanying document, be referred to the Committee on Labor and Public Welfare.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

(For President's message, see House proceedings of today, pp. 1247–1252.

**Mr. TALMADGE.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 11 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The **PRESIDING OFFICER.** A quorum is present.

**Mr. SPARKMAN.** Mr. President——

The **PRESIDING OFFICER.** The Chair recognizes the Senator from Alabama.

## REREFERENCE OF A BILL—ORDER OF BUSINESS

**Mr. MAGNUSON.** Mr. President, will the Senator from Alabama yield, with the provision by unanimous consent that he will not lose his right to the floor?

**Mr. SPARKMAN.** Yes, I yield with that understanding.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. MAGNUSON.** Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of the bill (S. 451), which is a bill to prohibit the destruction of wild birds, animals, and so on, in Yellowstone National Park, with reference to controlling their number. The bill should be referred, and I ask unanimous consent that it be referred to the Committee on Interior and Insular Affairs, which has jurisdiction over that subject.

**Mr. DIRKSEN.** Mr. President, reserving the right to object, is the Senator from Washington asking unanimous consent?

**Mr. MAGNUSON.** Yes.

**Mr. DIRKSEN.** The majority leader made it abundantly clear yesterday—and I reexamined his statement this morning—that there was to be no business whatsoever. An order of reference obviously is business, under the Senate rules. In order to protect the majority leader's position, I shall have to object.

**Mr. MAGNUSON.** I was not familiar with that agreement, but we wanted to get this bill rereferred, and I knew there would be no objection to reference of the bill. But I withdraw my request, and shall bring it up at another time.

**Mr. ANDERSON.** Mr. President, if the Senator will yield, will the Senator from Illinois go so far as to say that an obvious error should not be corrected? The obvious error was made in the reference of the bill to the wrong committee.

**Mr. DIRKSEN.** I must submit to the Senator from New Mexico that this request is business under the Senate rules. It is a request for an order of rereference.

**Mr. ANDERSON.** Did we have the reading of the Journal this morning?

Mr. DIRKSEN. The majority leader is now here. I will submit the matter to him.

I call to the attention of the majority leader that there is pending a request for rereference of a bill, and, under the statement of the majority leader of yesterday, I interpret such a request to be business, and the majority leader wanted no business to be transacted.

Mr. MANSFIELD. Mr. President, the Senator is correct. I object.

The PRESIDING OFFICER. Objection is heard.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. Anderson], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. SPARKMAN. Mr. President, I rise to speak on the pending motion, which, after all, is a continuation of the fight that we have been making for some time.

In my earlier talk, I was speaking on the question of the proposal to change rule XXII. My purpose in that earlier debate was more or less to outline to the Senate my plans for further debate when I had the opportunity to speak. I am back today to expand my remarks and to make a sincere attempt to insure that that bastion of democracy, rule XXII, will be maintained in its present form.

In my talk so far in this debate, I have touched lightly on a number of topics.

First of all, I reviewed briefly the history of extended debate in the Senate.

Second, I reviewed for Senators events leading to cloture on the Treaty of Versailles. I pointed to the hesitancy of the Senators of that day to invoke cloture because of the possibility that cloture would backfire on them.

Third, I quoted statements of prominent persons, past and present, who realized the value to democracy of free and unlimited debate.

Fourth, I reviewed the 1957 Talmadge subcommittee hearings at which three-fourths of the witnesses, from all parts of the country, testified they favored no change in rule XXII.

Fifth, I dwelt at some length on the individual report of the Senator from Georgia [Mr. Talmadge] on the hearings and urged Senators to go back and read that classical document.

I would urge again that Senators read the individual report made by the Senator from Georgia [Mr. Talmadge] as a result of those hearings.

Finally, I pointed out that State legislatures have ways of insuring full discussion of proposed legislation.

A few days ago the Senator from Mississippi [Mr. Stennis] and I discussed briefly the Senate as a continuing body. My purpose in being here today is to enlarge upon the subject in order that the Senate may know and understand how important the continuing body concept is in our system of checks and balances.

I especially urge the many young, new Senators in this body to pay close attention to my remarks. Furthermore, I invite them to submit questions to me at any time during my speech in order that I may answer for them any question they may have about the Senate as a continuing body.

May I say, also, Mr. President, that I shall be glad to sit down off the floor and discuss this with any Senator who is genuinely interested in maintaining the system of checks and balances that has been so much a part of moving our Nation into the forefront as a world leader.

### THE SENATE AS A CONTINUING BODY

It seems that all too frequently in recent years we hear utterances made on the floor of the Senate that we should rely entirely on majority rule and forget the rules of this historic body formulated in the past by the great weight of experience. We have heard utterances already in this the 88th Congress to the effect that there is something rather magic in nature surrounding the opening of the Senate which empowers this body to adopt rules at the beginning of a session of Congress which would not otherwise exist after we had proceeded with the session and had adopted at least by implication the Standing Rules of the Senate.

This argument is by no means a new argument because at various times in the history of the Senate, a relatively small number of Senators have emphasized the power of the Senate to adopt rules at the beginning of each term of Congress as though this body in essence is similar to the House of Representatives elected de novo every 2 years. Fortunately, we have not taken action to this effect and in my opinion we would violate the spirit of the Constitution as well as the traditions of the Senate were we to take such a course of action.

I believe firmly that the Senate is a continuing body in law and in fact. It is surprising to me that the question has been debated many times in the history of the Senate. As a matter of fact, Mr. President, I thought that we had settled this question for all intents and purposes when, on January 12, 1959, in the 86th Congress, the Senate adopted Senate Resolution 5 as offered by the then majority leader who is now our distinguished Vice President. While that resolution on the one hand reduced the cloture rule—rule XXII—from a constitutional two-thirds to two-thirds of those present and voting, it also added on the other hand a provision to Senate rule XXXII as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

To my mind this expression of the continuing nature of the rules was unnecessary, but nevertheless the Senate adopted the resolution and the vote was 72 to 22. The language added to rule XXXII in reality was merely a recognition in writing of the customs and traditions of the Senate.

Parenthetically, I might add that most of the Senators, if not all, who are today advocating these changes in rule XXII voted for that particular provision in 1959, less than 4 years ago.

Nevertheless, we hear insurgent arguments by those who would foist rank majority rule arbitrarily on the rights of minorities and who would usurp the few remaining rights of the smaller States in the Senate, that the continuing nature of the Senate should be relegated to a secondary role, if not forgotten altogether, so that a rule of the past may not prevent quick or even hasty action at any given present time.

Such is not my concept of the U.S. Senate. It is not the Senate as conceived by our Founding Fathers. It is not the Senate under the Constitution of the United States when that document is viewed in its entirety as it should be so viewed. We hear arguments repeatedly that article 1, section 5, of the Constitution provides that "each House may determine the rules of its proceedings" and that, therefore, the Senate may and should do whatever it pleases whenever it pleases without being guided by the hand of the past. We are told also that proposed legislation dies with each Congress—that as a legislative body one Congress cannot bind another.

I have read and have listened to these arguments without being deeply impressed by them, realizing that they are motivated for the most part by a feeling against the principle of unlimited debate. I have felt also that some of these arguments have been uttered under the erroneous banner of promoting civil rights. Frankly I have wondered how some of the advocates of this theory would feel if and when they wished to use the privilege of unlimited debate to protect a minority to which they belonged from the hasty action of quick majority rule. I wonder also how they would feel if they wished to protect their State or the Nation from disastrous legislation until full debate could reveal its entire consequences.

The most fundamental objection that I have to these arguments, however, is that they ignore the fact that the Senate is a continuing body inherently as well as by custom simply because the Constitution itself requires it.

James Bryce, in his book "The American Commonwealth," at page 101, explained one of these constitutional requirements most appropriately, as follows:

> The Senate does not change all at once, as do bodies created by a single popular election but undergoes an increasing process of gradual change, and renewal, like a lake into which streams bring fresh water to replace that which the issuing river carries out. This provision was designed to give the Senate that permanency of composition which might qualify it to conduct or control the foreign policy of the Nation.

What Mr. Bryce refers to, of course, is article I, section 3, of the Constitution which provides a 6-year term of office for Senators and divides them as equally as may be into three classes so that only one-third stand for election or reelection every 2 years.

The reasoning of our Founding Fathers in providing this system must have been to give the Senate continuing stability. How could it have been otherwise? Had they intended for the whole of Congress to be a spontaneous type of body immediately reflecting the demands of constituents, they would have established the Senate in a manner not too unlike the House of Representatives—a body that finishes the work of one Congress and then faces a popular election to return with the fresh mandates of the populace to begin de novo the work of a new Congress.

The advocates of changing the rules of the Senate seem to place the Senate in this general category despite the absolutely contrary requirements of the Constitution. This is not only straining a false and forced interpretation of the meaning of the Constitution, but it is ignoring plainly written law as well.

The debates at the Constitutional Convention as well as the writings of our Founding Fathers clearly indicate that their purpose in so establishing the Senate was to provide an "upper" or second Chamber more representative of balance between large and small States and stability as well as continuity in its deliberations and processes.

James Madison or Alexander Hamilton—historians do not definitely agree on which of these men wrote No. 62—in the Federalist No. 62 wrote:

> The mutability in the public councils, arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the Government.

Language most clear in its import to this effect and indicating an intent to make the Senate a continuing body is also found in the Federalist Nos. 59, 63, and 64, depicting the thoughts of Messrs. Hamilton, Madison, and Jay.

The great compromise, as some historians call it, was to offset the direct popular representation and short term of the House of Representatives with a smaller and continuing body more given to deliberation, more able to protect the rights of minorities, and in which each Senator stands on an equal footing regardless of whether he comes from a large or a small State. Attempts to "gag" the Senate or impose more rigid rules on limiting debate go directly against the letter and spirit of this great pillar in our form of government. As a matter of fact, they are nothing more or less than attempts to pull out a vital cornerstone of our form of government.

By the stronger reasoning it appears practically ridiculous to argue that the Constitution forbids the Senate from adopting or enforcing a rule that extends over from one Congress to the next unless that rule is changed as provided in the rules of the Senate. Yet we have heard this argument, this threat of unconstitutionality of the more than a century and a half of our customs and traditions as well as of the action that we took in this body on Senate Resolution 5 in 1959, made already in this debate. Should the parliamentary situation be such that constitutionality becomes an issue—and that is the issue that is now before the Senate, on the motion that was made yesterday by the distinguished Senator from New Mexico [Mr. ANDERSON]—I believe that there is but one course to take, and that is in favor of the rules that we now have; in favor of the overall mandate of the Constitution clearly indicating to all that the Senate is a continuing body.

I could place the instant RECORD full of eloquent words of able Senators of the past who have hailed the Senate as a continuing body. I shall refer to a few of them briefly.

The previous question rule was abolished by the Senate in 1806 after having been used only infrequently and then in the main as a means of avoiding a vote on an undesirable issue. Henry Clay, although he believed in the continuity of the Senate, attempted to reinstate the previous question rule for a special occasion, but the great John C. Calhoun triumphantly defeated his attempt. Calhoun thunderously defended the continuing nature of the Senate and scoffed at the previous question rule as being completely out of place in the dignity and structure of the Senate.

On March 8, 1841, Senator—later President—Buchanan agreed with the views expressed a few days earlier by Senator Allen, of Ohio, his remarks being summarized in the Congressional Globe of that date as follows:

> There could be no new Senate. This was the very same body constitutionally and in point of law which had assembled on the first day of its meeting in 1789. It has existed without any intermission from that day until the present moment and would continue to exist as long as the Government should endure. It was emphatically a permanent body. Its rules were permanent and were not adopted from Congress to Congress like those of the House of Representatives.

On January 10, 1876, Senator Hamlin, from the Committee on Rules, in reporting a resolution on rules, stated:

> The Senate has its rules. The Senate is an existing body and its rules exist with the body. The House of Representatives is a body which expires once in 2 years and its rules expire of course with each expiring Congress (CONGRESSIONAL RECORD, vol. 4, p. 309).

Senator Elihu Root, of New York, on February 15, 1915, stated:

> The Senate is a continuous body and its rules once adopted continue until they are changed. Does anybody dispute that? Does anybody dispute that the Senate is a continuing body?
>
> The purpose of rules is to establish a course of conduct which shall be a protection to the minority and preserve them in the performance of their duties against arbitrary repression on the part of the majority.

The late Senator Taft, of Ohio, when he was the majority leader in the 83d Congress, strongly opposed a motion by the Senator from New Mexico [Mr. ANDERSON], in 1953, to consider the adoption of new rules. Senator Taft stated at that time:

> It is vitally important to the Nation that the Senate be a continuing body. Let us consider the situation which will arise on the 20th of January when new Cabinet officers are to take office. We must have Cabinet officers appointed as quickly as possible.
>
> We must have officials to operate the Government.

It would be an easy matter to present a law brief on court holdings to the effect that the Senate is a continuing body or on matters relating to the functions of the Senate that are within its continuing functions.

The Supreme Court stated directly that the Senate was a continuing body in *McGrain* v. *Dougherty*, 273 U.S. 135, and its doctrine in this case was reiterated in *Sinclair* v. *U.S.*, 279 U.S. 263 (1928). These two cases have been cited in numerous other cases in the lower Federal courts and in State courts.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HILL. Is it not true that there is no authority whatever, really, on the other side?

Mr. SPARKMAN. I think the Senator is correct; except for arguments, which I do not think are well based, that have been made here in the Senate. I think the Senator is correct.

Mr. HILL. Rather, the prevailing view has been, whether in the Senate, in Congress, or wherever else, for some 173 or 174 years, to recognize the Senate as a continuing body; and the actions of the Senate during all that long period of time, through all those years, have been based on the proposition that the Senate is a continuing body. Is that not true?

Mr. SPARKMAN. The Senator is absolutely correct. I think we can certainly feel reinforced by the quotations to which I have referred, from the persons who themselves helped to write the Constitution and helped to get it adopted.

The great function that was performed by the Federalist letters was to convince the States that they ought to adopt the Constitution. I quoted from four different Federalist letters, if I recall correctly, in which the Senate was referred to as a continuous or a continuing body.

There is something else, too. Senator Taft verged upon it in his statement about the necessity for appointing Cabinet officers. There are certain things under the Constitution that the Senate is directed to do, or functions that are directed to be performed, without any break in the Senate. For instance, my colleague from Alabama will recall that if the President of the United States sends a treaty to the Senate to be approved under a constitutional provision—and that constitutional provision requires, by the way, a two-thirds vote—and if Congress adjourns without taking action, that treaty does not go back to the White House or to the archives of the State Department; it remains right here in the Senate of the United States, and stays here from Congress to Congress, from session to session. A treaty could lie in the Senate of the United States over a period of years. Would that be possible if there were a break in the Senate during that time, if an old

Senate went out and a new Senate came in?

Furthermore, would our forefathers ever have conceived of the idea of having one-third of the Senators go out of office every 2 years, and have the other two-thirds retain office, if it had been intended that there be a break in the Senate?

Of course, the House of Representatives adopts rules anew every 2 years. Likewise, all the Members of the House of Representatives are sworn in every 2 years, and the officers of the House of Representatives are elected every 2 years. The Speaker of the House must be elected or reelected at the beginning of each Congress, and at that time he takes the oath of office along with all the other Members of the House of Representatives.

But that is not true of the Senate. When the Senate meets at the beginning of a new session, two-thirds of its Members are already Senators, and are not required to take the oath of office again. But in the House of Representatives, the entire membership stands at once and is sworn in at the beginning of each session.

**Mr. HILL.** Mr. President, will my colleague yield?

**Mr. SPARKMAN.** I yield.

**Mr. HILL.** Until the Members of the House of Representatives are sworn in, there is no House of Representatives.

**Mr. SPARKMAN.** That is correct; until all of them are sworn in, there is no House of Representatives.

**Mr. HILL.** Under the Constitution, the old House of Representatives, together with the term of each of its Members, dies and ends at that time.

**Mr. SPARKMAN.** Yes, at noon on that day; and the new one then has to organize, just as any brandnew organization must organize.

But that is not the case with the Senate. Two-thirds of the Senators walk into this Chamber at the beginning of a new session and take their seats at their regular desks, which previously have been marked with their names; and those Senators do not have to be sworn in again. Only the newly elected one-third of the Members of the Senate have to be sworn in at that time. When they are sworn in, they are ready to participate in the work and the business of the Senate. So in the Senate there is no such organization as is required in the House of Representatives at the beginning of a new session.

I cannot understand how anyone can advocate a proposal of the sort which has been made, although I know it will impress different Senators in different ways. But I should like to state the impression which this attempted approach makes upon me. I suppose that at some time every Senator has been a member of a new group at the time of its organization—perhaps a group in school or in college. When the group organizes, the organization ordinarily occurs under Robert's Rules of Order. At that time, one of the first things done is the preparation of a constitution and the preparation of bylaws. Those bylaws are the rules of the organization, and it lives under them. I never saw a set of bylaws of an organization that did not contain a rule or statement in regard to how the rules could be amended. That is true of the Constitution of the United States, which is written as the rules for our Government, generally speaking; and one of the provisions of the Constitution states how it can be amended. If it were constitutional for a Member of the Senate to propose a new rule in the Senate or a new order of procedure in the Senate, and then to request that an immediate vote be taken on it, and if he were then able to have it voted on, and if his proposal were carried by a majority—and let us remember that if a bare quorum were present, only 51 Senators would be present, and a majority of those would be 26; furthermore, if no Senator questioned the absence of a quorum, a quorum would not even have to be present at that time—it seems to me that would create a chaotic situation, because it could prevail at all times—not only at the beginning of a session, but at any time during a session.

I cannot understand how an organization could be conducted without having a set or rules which would state how the business of the organization would be conducted and how the rules themselves could be amended. Furthermore, in order to amend the rules, it is nearly always required that certain specific procedures be followed, rather than merely to make a motion which could be adopted by the affirmative votes of a simple majority.

Mr. President, how would the Senate be able to operate if, when a piece of proposed legislation was before it, some Member could suddenly move that the bill be passed and could have his motion voted on at once? One of the rules of the Senate provides that legislation cannot be proposed to an appropriation bill unless notice is given one day in advance; I believe that is the rule. My colleague the Senator from Alabama [Mr. Hill] is a member of the Appropriations Committee, and can correct me if I am in error about this. But I believe the requirement is that one day's notice must be given; and if that is done, a motion to suspend the rule can be agreed to only if there is a two-thirds vote in its favor. Does any Senator maintain that is contrary to the Constitution?

It was generally recognized that the inclusion of legislation in an appropriation bill should be made more difficult than the ordinary procedure; therefore that provision was included. The rules of almost every organization contain a similar provision.

Mr. President, if the motion of the Senator from New Mexico [Mr. Anderson] were agreed to, it would strike out or remove any more difficult or added requirement in connection with the adoption of a motion to amend the rules. Certainly no organization of citizens, set up for purposes of business, pleasure, culture, or otherwise, would ever adopt a set of rules on such a basis.

I cannot conceive that the Senate—which for all these years has proceeded on the assumption that it is a continuing body—could now undertake to change its rules and to get into such a chaotic condition.

The Senate has unquestioned continuing powers relating to committees. Frequently, as has been done down through the years, Senate committees hold public hearings between sessions of Congress.

Officers of the Senate are elected generally until their successors are elected. The recent election of our distinguished President pro tempore was occasioned only because his 6-year term in the Senate expired, thereby creating a vacancy in the office of President pro tempore; and he was reelected to office.

The Senate has empowered to ratify treaties by a two-thirds vote. This is an important and continuing power.

Mr. President, as I pointed out a few minutes ago, if a treaty is presented to the Senate, and if action on the treaty is not taken during that session, the treaty does not die or lapse with that session of Congress, but it remains a live matter and is pending in the next Congress.

The Senate also has continuing functions in other fields—for example, as an executive body in giving or withholding "advice and consent" to certain Presidential appointments. The Senate may sit in special sessions, as distinguished from special sessions of Congress. Most of the special sessions of the Senate have been for executive, rather than legislative, purposes. Of this, President Wilson wrote in his book entitled "Constitutional Government in the United States," at page 127:

> The continuity of the Government lies in the keeping of the Senate more than in the keeping of the Executive even in respect of matters which are the especial prerogative of the Presidential office.

To my mind, the issue of whether the Senate is a continuing body is so obvious that I hesitate to call it an issue. Nevertheless, because the constitutional theory on which the doctrine of continuity rests appears to be questioned by some, at least by implication, I have proceeded to place in the Record a brief statement of my views on this matter.

Turning now more specifically to the issues of first, why we should not close debate on a motion based on the so-called constitutional right of majority rule; second, why we should not adopt a three-fifths cloture rule; and third, why we should not adopt a majority cloture rule, I shall discuss them in the order mentioned.

It is a peculiar interpretation of the Constitution to advocate that a motion is in order for the majority to close debate merely because the Constitution authorizes each body of Congress to make its own rules. A motion of this nature instead of being a constitutional right strikes at the very core of the constitutional right of the Senate to make its own rules. It is a motion to declare the action of the Senate of January 12, 1959, amending rule XXXII unconstitutional. If adopted that would be its effect because rule XXXII states that the rules of the Senate continue from one Congress to another "unless they are changed as provided in these rules." Rule XXII requires two-thirds of those present and voting to invoke cloture. Hence the opposition advocates that we can ignore rule XXII because it is not in effect. We are told also to ignore rule XXXII or to hold in substance that it is unconstitutional. This appears to me to be circuitous argument to gain the precarious position that the present requirements for cloture can be circumvented. I cannot accept this argument. I believe firmly that the rules of the Senate are now in effect and that the opening of the session does not strengthen or weaken the right of a majority of the Senate to change these rules in accordance with the rules. There is no difference in cloture in debate on the rules and in cloture in debate on other subjects. Cloture is cloture and it should be dealt with only after serious consideration and in the most urgent of circumstances as we were told by Thomas Jefferson and a host of great minds who have commented on this subject in the past.

Moreover, I believe that the Senate purposely and wisely used the word "shall" in the rules. "Shall" means that it is mandatory—not permissive. The word "shall" is used in three Standing Rules of the Senate applicable here.

Rule XXV states:

> Each standing committee shall continue and have the power to act until their successors are appointed.

This rule in itself shows the continuing nature of the Senate and conforms to the manner in which the Senate was designed to act under the Constitution. Moreover, this continuity of standing committees is not only a rule—it is law. It was embraced in the Reorganization Act of 1946, duly passed and signed by the President. Would our opponents say that this action too is unconstitutional?

Rule XXXII states that Senate rules "shall continue from one Congress to the next unless they are changed as provided in these rules." It does not state that they may continue. It states that they "shall" continue until another system has been adopted and this has not been done.

Rule XXXVII states that when treaties have been transmitted to the Senate by the President for ratification, proceedings thereon continue through each session of the Congress at which they were transmitted, but all proceedings on treaties shall terminate with the Congress and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon. I call attention to the words "shall be resumed at the commencement of the next Congress." This language is mandatory. Moreover, it shows clearly the continuing nature of the Senate in line with the constitutional prerogative of ratifying treaties.

Would the proponents of ignoring rules XXII and XXXII have us ignore or declare this part of rule XXXVII unconstitutional and thereby attempt to require the President to resubmit a treaty to the Senate after he had once submitted it for ratification? This would appear to be wrong and out of keeping with accepted constitutional procedures. Yet the instant threat to rules XXII and XXXII are just as grave and just as important.

This word "shall" is used in all of the aforementioned rules and if it is ignored in one it may be ignored in all of them. If we start casting aside the rules of the Senate and acting arbitrarily about one of our rules, then the whole structure of the Senate—the great bulwark that constitutes the last vestige of individual and States rights and is the shield that protects minorities—is in danger of being victimized by impulsive, hasty action.

What magic is there in the beginning of a session that authorizes a motion to close debate by majority rule? I see none whatsoever. If the right to change the rules exists at the beginning of a session, it exists at the end of the session or anytime during the session. This would amount to functioning not by rules but merely by majority rule. Our opponents are saying that under the Constitution we can move to close debate without any consideration of a committee of the Senate and without abiding by the standing rules. This type of procedure could result in chaos.

I trust that the Senate never has the burden of attempting to operate under such a procedure. In essence the drastic change we are asked to make if we recognize a so-called constitutional motion to close debate by majority vote, is more of a change than would be implied in a request to cast aside the traditions of the Senate and have it function under procedures identical to the House of Representatives. While this in itself would be unwarranted as extreme action, at least we would follow a procedure under rules. The instant proposal of a "constitutional right" ignores rules. In my opinion it has no place in the Senate. It fosters a concept of sudden, radical parliamentary procedure as against the accepted procedure of rules governing the conduct of proceedings in the Senate.

I should like to speak further about rule XXV because the constitutional concept it represents and its specific language have led to a body of case law in which the judicial branch of the Government has declared the Senate to be a continuing body.

Under rule XXV standing committees of the Senate continue until their successors are appointed. This is also law, as I have previously stated and as the senior Senator from Georgia has most ably advised the Senate, because it is embodied in the Reorganization Act of 1946.

That was a statutory enactment; not merely a Senate resolution. It was signed by the President of the United States, and it became a part of our statutory law.

The Senate by custom as well as legal authority orders investigations, interim reports, recommendations and final reports, without reference to the ending of one Congress or the beginning of another. The composition of committee membership does not affect this procedure, at least from the point of view of legal authority.

Many a time a committee has been appointed to investigate, with a term going beyond the particular term of Congress which was in session. There might even be a changeover in the party in control of the Senate, but the committee would merely change its membership to conform to the proper division according to the membership of the Senate and the party in power in the Senate. The work of the committee would continue as if there had been no election or as if nothing had happened at all.

I have already mentioned the Supreme Court case of *McGrain* v. *Daugherty* (273 U.S. 135 (1926)). Some of the language of the opinion is most appropriate here. The question before the Court in that case was whether the brother of the Attorney General who had been subpenaed to appear before a Senate investigating committee, could refuse to appear. I quote from the unanimous decision of the Court in that case—pages 180 to 182:

> We conclude that the investigation was ordered for a legitimate object; that the witness wrongfully refused to appear and testify before the committee and was lawfully attached; that the Senate is entitled to have him give testimony pertinent to the inquiry, either at its bar or before the committee; and that the district court erred in discharging him from custody under the attachment.
>
> Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered and the committee appointed during the 68th Congress. That Congress expired March 4, 1925. The resolution ordering the investigation in terms limited the committee's authority to the period of the 68th Congress; but this apparently was changed by a later and amendatory resolution authorizing the committee to sit at such times and places as it might deem advisable or necessary. (CONGRESSIONAL RECORD, 68th Cong., 1st sess., p. 4126). It is said in Jefferson's Manual (Senate Rules and Manual, 1925, p. 303): "Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose." But the context shows that the reference is to the two Houses of Parliament when adjourned by prorogation or dissolution by the King. The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

I think that is a material point which was made in a case before the Supreme Court as recently as 1926 in a unanimous decision. The question whether the Senate was a continuing body was directly involved because the case concerned an investigating committee which had moved from one Congress into another without any additional authorization from the subsequent Congress. The Supreme Court held that it was acting within its bounds of jurisdiction because the Senate, unlike the House, is a continuing body.

I think it is most material to keep those words in mind and to remember that decision of the U.S. Supreme Court, not back in the misty past, but not too many years ago.

The Senator from Mississippi [Mr. Stennis], I am sure, recalls that only a few minutes ago I remarked that this decision is one which many of us remember. The decision involved Daugherty in 1926. It was an outgrowth of, more or less, or at least correlated with, the Teapot Dome investigation.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. Ribicoff in the chair). Does the Senator yield?

Mr. SPARKMAN. I yield.

Mr. STENNIS. Mr. President, I think the Senator from Alabama is making a very strong point in a clear and emphatic manner, citing a recent case. If I may, I should like to refer the Senator to another recent case in another forum; not the Supreme Court but this forum, the U.S. Senate.

The Senator from Alabama will remember that in 1954 there were proceedings in the Senate concerning one of the Members of the Senate. A special committee was appointed to take testimony and make recommendations to the Senate. In the course of the hearings points involved came up which had happened in a preceding Congress. In other words, the Congress was moving in its work when these incidents happened, and that Congress expired and a new Congress came into being. The point was particularly raised before the select committee and before this body that the things which happened in a previous Congress had transpired and were dead, having gone out with that Congress, and therefore the Senate could not reach back and hold a Member to an accounting. As I say, that was in the nature of a plea in bar. The select committee which made the report took up that point, which had been made before the committee, and disposed of it in the following brief words:

> The fact that the Senate is a continuing body should require little discussion. This has been uniformly recognized by history, precedent, and authority. While the rule with reference to the House, whose Members are elected all for the period of a single Congress may be different, the Senate is a continuing body, whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only become vacant at the end of each Congress. (S. Doc. No. 99, 83d Cong., 2d sess., "Congressional Power of Investigation," p. 7.)
>
> Senate rule XXV(2) provides that each standing committee shall continue and have the power to act until their successors are appointed. That rule was followed in the case of the committee in question. The testimony taken in the hearings of the select committee shows that Senator Hayden, chairman of the Committee on Rules and Administration in the 82d Congress, certified the payroll for that committee for the 1st month of the 83d Congress.

That was a matter of having money provided.

> The continuity of the Senate was questioned at the beginning of the 83d Congress, and the issue was decided in favor of the precedents.

In other words, the issue in the debate was similar to the one now before the Senate. I do not think it is necessary to read further, but one of the cases cited is the one the Senator referred to, *McGrain* v. *Daugherty*, 273 U.S. 135, 182, where the Court said:

> This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense.

Here are two forums, the Supreme Court and the Senate, joining hands, locked in embrace, so to speak, bottomed on the authority that there can be no question about the Senate's being a continuing body.

Mr. SPARKMAN. Yes; I agree.

Mr. STENNIS. If I may point out one further fact, the Senate acted on that rule and actually voted for the resolution of censure with reference to one of its Members. That is a real test. It was recognized not only academically and in debate; it was not merely a theory any more; the Senate did it, just as the Supreme Court had applied that rule in a case before it. We act on these rules. They are not merely cold letters in a book. The Senate has acted on them even when a Member of this body was concerned—as the Senator from Alabama has said, not 100 years ago, but yesterday, or within this decade. I think the Senator brought out a very important point.

Mr. SPARKMAN. I thank the Senator for calling the Senate's attention to that incident. I remember it quite well.

By the way, the Senator from Mississippi, who has had a distinguished career as a judge in presiding over a court of justice in his State, was a member of that subcommittee. I believe the chairman of the subcommittee was former Senator Watkins, of Utah. For the moment I do not recall who the other Senators were. I wonder if the Senator would remind me.

Mr. STENNIS. Senator Watkins, of Utah; Senator Ervin, of North Carolina; the late Senator Case, of South Dakota.

Mr. SPARKMAN. And the Senator from North Carolina [Mr. Ervin] is a past supreme court justice.

Mr. STENNIS. That is correct.

Mr. SPARKMAN. If I remember correctly, Senator Watkins was a judge in his State of Utah.

There were two more.

Mr. STENNIS. Senator Case of South Dakota was a member of the subcommittee.

Mr. SPARKMAN. Yes; a very meticulous and thorough Senator.

Mr. STENNIS. The Senator from Kansas [Mr. Carlson] was a member of the subcommittee.

Mr. SPARKMAN. Yes; a very able Member of this body.

Mr. STENNIS. And former Senator Johnson, of Colorado.

Mr. SPARKMAN. That is correct. The Senator has not mentioned it, but I presume the report was unanimous.

Mr. STENNIS. That is correct.

Mr. SPARKMAN. The report was unanimous and the vote in the Senate was an overwhelming one. I think a few Senators voted against it, but I think they were very few in number. So that action stands completely in line with the 1926 Supreme Court case, which was decided by a unanimous Court.

Earlier I cited that case, and cited a subsequent case which was decided 2 years later, United States against Sinclair, which, it may be recognized by the names, were companion cases. Consistently, the Court has held the Senate to be a continuing body.

The Senator from Mississippi had to leave the Chamber for a few moments, and while he was out I quoted from the founders of the Constitution, the writers of the Constitution. I suppose that the few gentlemen who were responsible for the Federalist letters performed the greatest—I do not know; I was about to say they performed the greatest function of anyone with reference to the Constitution. I will not make that statement, because those who wrote it likewise performed a similar function; but so far as relates to their getting it adopted is concerned, they certainly did perform an outstanding service.

Mr. STENNIS. I agree with the Senator.

Mr. SPARKMAN. I quoted three or four different letters written by Madison, Hamilton, or John Jay, three of the great minds of that time. All of them were in agreement with reference to the makeup of the Senate—that it was to be a continuing body. Their views were completely in line with the views expressed by the Supreme Court and by a special committee of the Senate of just a few years ago.

Mr. STENNIS. Mr. President, will the Senator yield so that I may ask him one more question?

Mr. SPARKMAN. Yes.

Mr. STENNIS. Since the Senator has so well established, from so many sources of authority, as well as practice, that the Senate is a continuing body, how can it be said, with any force of logic, that it is not a continuing body for the purpose of adopting a resolution to change the rules, without its also being said that at any time in the session a Senator can rise and in effect move the previous question? It is not called the previous question; it is called a motion in the nature of the previous question. The effect is the same as that of the previous question. Why could not a Senator rise and move the previous question with respect to any question or motion for the passage of a bill?

Mr. SPARKMAN. Or anything any Senator might bring up.

Mr. STENNIS. Or any step a Senator might wish to take.

Mr. SPARKMAN. The Senator is correct. While the Senator from Mississippi was out of the Chamber, I brought out the fact that, if it can be done at the opening of Congress, it can be done in June or in October or at any time when the Senate is in session. Senators could rise on the floor and, by a simple motion, move to do anything they wanted to, and insist that they had a right to have such a motion agreed to as the constitutional right of a majority. I brought out that point. Of course, a majority would be 51 Members of the Senate. I said a majority, assuming a quorum to be present. The number could be 26. I said it would not have to be 26, because a quorum is presumed to be present unless a Senator questions it. Therefore, merely a small number of Senators could agree to such a motion.

I remember one time we had a distinguished Senator who rose in his place, looked around, saw there was not a single Republican present here, and said, "Mr. President, I ask unanimous consent to abolish the Republican Party." Of course, he was doing it facetiously, but I suppose a Senator could make a motion that one not be allowed to speak any more during a certain period, or perhaps for a week.

Of course, I realize that I am citing a ridiculous situation, but a chaotic condition could be created.

Let me repeat something I said a while ago. I am sure the Senator from Mississippi has, at different times in his life, been a member of a group which got together to organize for some purpose. It may have been to establish a fishing lodge, or to build a country club, or perhaps to establish a debating society, or whatever it might have been. What is the first thing a group does? It organizes. It adopts a constitution and bylaws. The bylaws are the rules of the organization. In other words, it is recognized that there must be standing rules in order for it to be an organization that can do anything. By the way, usually, at the end of the bylaws is a special bylaw which provides how the bylaws can be amended. Usually, the provision is much stricter than anything that can be found in the Senate rules. It is so provided on purpose. So it is with the rules of the Senate.

The Senator is correct in the suggestion that a so-called constitutional right could be proposed at any time the Senate is in session. The result would be a chaotic condition. A group or organization cannot operate or carry on business unless it has rules to go by. As a matter of fact, that requirement is generally recognized. They either write their own constitution and bylaws, or they provide that Robert's Rules of Order shall apply.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. STENNIS. It proves the logic and necessity for having such procedures, and the same rule of common sense applies.

Mr. SPARKMAN. Yes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question.

Mr. JAVITS. I should like to ask the Senator whether it is not a fact that the proponents of the rule change contend for no such proposition as the Senator from Alabama wishes on them, but that the proponents of the rule change contend that the one time that they can change the rules—otherwise we would have accepted them tacitly—is when Congress opens; and the only relevance of the constitutional provision, they contend—and that includes me—is that it prescribes that the Senate may adopt rules, and that we, therefore, believe that the time for the adoption comes before we tacitly accept them by proceeding under them, at the beginning of a new Congress? In short, is it not a fact that we do not contend for any such broad-scale proposition as the Senator from Alabama, having postulated, argues is ridiculous?

Mr. SPARKMAN. I would merely say, in answer to the Senator's question, regardless of what someone may have in mind as to what they would like, I am saying that the effect would be to do what I have said. I say that because if the constitutional right lies today, it lies tomorrow and next week and next month and any other time that a Member wishes to assert the right. I cannot see any escape from that conclusion. That is my version of it.

Regarding the statement the Senator from New York has made, that the Constitution gives the right to each House to make its own rules, it does that, and I believe it very wisely and properly does so; however, it does not say that it shall be done at the beginning of each session of Congress; but it says that each House shall make its own rules.

The Senate has made its rules. It started off with a set of rules in 1789. I imagine when it started off it started off very much like any other group starts off, perhaps as a debating society, for instance, would start off.

Down through the years the Senate amended its rules. The rules have been amended from time to time.

Originally there was a provision for the previous question, but in 1806 the Senate dropped that provision by amending the rules and eliminating the previous question. As a matter of fact, that provision had been infrequently used up to that time.

From 1806 to 1917 the Senate legislated without any provision for cutting off debate. So many people believe that rule XXII is a rule which allows unlimited debate. It is just the opposite. It is a rule that provides a means for cutting off unlimited debate.

Prior to 1917 there was no way of cutting off debate. It is interesting to go back and read the arguments of the Senators who advocated those rule changes. By the way, a man from my State, a distinguished former majority leader in the House of Representatives, and former chairman of the Ways and Means Committee in the House, which rescued the tariff—Oscar W. Underwood, of Alabama—was one of the leading advocates of the change in the rule and the adoption of rule XXII, so as to provide for cloture in debate.

Many southern Senators helped write that rule. The rule remained practically the same without material change until 1949, when a rule change was made. I remember that debate. I remember the debate that preceded the change of the rule in 1949.

Up to that time, cloture was not allowed except on a pending measure. There was no limitation on debate on a motion to take up, and no limitation on debate on any other matter, except on a matter that was pending already before the Senate.

A great many people held that that was unreasonable, and I believe most of the Senate agreed. Finally an agreement was worked out, in the course of that debate, whereby it was changed to include motions to take up. The other side agreed, on their part, instead of providing for a simple two-thirds majority, it would be a constitutional two-thirds majority.

That rule was agreed to and it remained that way until 1959, when again we had an extended debate. An agreement was worked out, or at least a compromise was proposed which further amended the rule, under which the Senate dropped back to a simple two-thirds majority. That was a point on which one side gave in. The other side gave in on section 2 of rule XXXII, which provided in so many words that the rules of the Senate will continue from one Congress to another. That was done by a vote of the Senate. I believe the vote was 72 to 22. It was done in 1959. It was voluntarily done. It was a part of a compromise.

The makeup of the Senate itself is really a part of a compromise. It is a part of the great compromise whereby States were given representation. It was a part of the system of checks and balances, one of the greatest plans that was ever worked out, a system of checks and balances which obtains throughout the Federal Government.

Here was the House of Representatives, in which every State was guaranteed one Representative and as many more as the population formula would entitle the State to have.

However, the Senate was made a different body—a coordinate body, but a different body. It was made a body in which every State, regardless of size, was given exactly the same representation, and the Senators were made representatives of the States, rather than of the people. I believe it was one of the wisest decisions ever made. The Senate was given certain powers which were not given to the House of Representatives. The House was given some powers that the Senate was not given. For instance, the House was given the absolute right to originate revenue measures.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question.

Mr. LONG of Louisiana. Does it not follow from the fact that the House had the right to deny the Senate an opportunity to act on revenue measures?

Mr. SPARKMAN. Yes; it does. There is a reason for it. If we go back into English history, back to Runnymede, when the barons wrested powers from King John, we find that the people were getting hold of the power, and they soon learned that the real power lay in the power of the purse.

This relates back to that time. The House really has represented, down through the pages of history, the people who wrested powers from King John at Runnymede. The House represents the population. But the Senate was made to represent, not the people, but the States. We know—at least, within my memory, although perhaps not within the memory of the Senator from Louisiana—that Senators were formerly elected by the State legislatures. Then the law was changed so as to provide for the election of Senators by popular vote. Still, the Senate is the body that gives the States representation at the national level.

The Senator from Louisiana will remember, in connection with the Senate's being a continuing body, that treaties are entrusted to the Senate for consideration and ratification. One of the rules of the Senate provides—and this rule is sustained by the Constitution itself, if not in these exact words, then certainly by implication—that a treaty sent to the Senate for ratification does not die at the expiration of a Congress. It is not called back to the White House, to the State Department, or anywhere else. A treaty does not have to be resubmitted to the next Congress. It stays in the Senate, and the Senate can act upon it at its pleasure. The treaty may remain here for years.

The Senate has certain powers. I quoted from a Supreme Court decision while the Senator from Louisiana was absent from the Chamber. I am certain the Senator will remember, from his reading of the law, the Daugherty and Sinclair cases, which followed the investigation into the Teapot Dome scandal. In those cases, the Supreme Court, by unanimous votes, sustained, in so many words, the contention that the Senate is a continuing body. In those cases, the question was whether the Senate was a continuing body having power to investigate from one Congress to another.

The question arose because it had been contended that such an investigation could not be continued from one Congress to another, but the Supreme Court held that that was not a correct interpretation; that the Senate was a continuing body and continued from one Congress to the next.

Decisions down through history and the practice of the U.S. Senate itself have sustained the viewpoint that the Senate, unlike the House, is a continuing body. The House comes to an end at noon on January 3 of every odd-numbered year. But the Senate does not. Two-thirds of the Senators retain their membership, without having to do a single thing except to walk into the Chamber and take their seats at their desks; whereas in the House every Member has to stand for election in the preceding November, and those who are elected come to the House, stand as a group, and hold up their right hands to be sworn into office.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Is it not true that when the Senate met on the first day of the present session, two-thirds of the Senators remained in their seats, or else escorted other Senators, while one-third of the Senators took the oath? Is that not at complete variance with the situation in the House, where every Member is required to take the oath of office at the beginning of a Congress?

Mr. SPARKMAN. The Senator is correct. By the way, yesterday I raised the constitutional question as to whether the Senate is a constitutional body and is actually proceeding as such. Under the law, the President must submit to Congress every year—and he submits it about the 20th of January—his report on the economic conditions of the Nation, together with his recommendations to Congress. Then the Joint Economic Committee meets to consider the report. I refer to this because I am a member of that committee and have been ever since it was organized in 1947. I was made a member of it then and have served on it ever since. It is a very interesting committee, one which has very little glamour, if any, attached to it, one which entails much hard work. However, it is a most interesting committee, because it enables one who is a member of it to keep up with what is taking place in the economics of the Government and of the country.

That committee is directed by law, as soon as the President has delivered his message on the economic conditions of the country, to hold hearings on the report. At least, the committee is required to study the report, and we hold hearings as a part of our study. We are given until a certain date to report to both Houses of Congress on the Economic Report.

The Joint Economic Committee is now holding hearings. They are taking place right now. I am sorry I cannot be in attendance now. We held hearings all day yesterday. We spent yesterday with the Council of Economic Advisers to the President. This morning the Director of the Budget and his associates appeared before the committee. This afternoon the committee has the Secretary of Agriculture before it. Tomorrow it will have the Secretary of the Treasury before it.

The big center pole, we might say, of this year's economic study and recommendations will be the tax bill which the Senator from Louisiana will have much to do with just a little later. But the committee is studying the Economic Report now. Most of the hearings center around it.

A law enacted by Congress and signed by the President directs the Joint Economic Committee to conduct that study. How could we do it if we did not hold hearings? And if the Senate were not a continuing body, how could we hold the hearings? Even the majority leader's request to prevent committees from holding hearings does not apply to the Joint Economic Committee. We are acting under a law in holding those hearings. That law extends to the Senate because the Senate is a continuing body.

The Senator from Louisiana is exactly correct when he says that two-thirds of the Senate do not have to be elected every 2 years; that only one-third must be elected; that the other two-thirds are Members of the Senate and continue to hold membership in this body and constitute a body. That has been so held by the Supreme Court.

The Senator from Mississippi [Mr. STENNIS] called my attention to a very interesting fact that I had overlooked. The Senator from Louisiana will remember that in 1954 the Senate had before it the unpleasant task of considering a motion to censure a Member of this body. A special committee was created, composed of some of the ablest minds in the Senate. A majority of that committee were able jurists. The Senator may remember that the chairman of the committee was the former Senator from Utah, Mr. Watkins, who was a former judge in his State. The Senator from North Carolina [Mr. ERVIN], a former justice of the supreme court of his State, was a member. The Senator from Mississippi [Mr. STENNIS], a former judge in his State, was a member of the committee. Our late departed colleague, Francis Case, of South Dakota, one of the most studious and hard working Senators, was a member of the committee. For the moment, I cannot name the other members of the committee. Anyhow, that is a good cross section to show the makeup of that committee.

The committee specifically held in a unanimous report that the Senate is a continuing body. A question arose in the committee about investigating something which had occurred in a previous Congress.

The committee ruled that they were eligible to investigate it because the Senate is a continuing body. That was the unanimous report.

The Senator from Louisiana will recall that the report of the committee was accepted by the Senate by an overwhelming vote. I do not remember what the vote was, but it was an overwhelming vote to censure. So two of the three branches of the Government have specifically declared that the Senate is a continuing body.

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield again to me?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Is it not true that the report spelled out the fact that in order to have the charge of censure proposed at that time lie against the Senator involved, it would have to be predicated on the existence of the Senate as a continuing body?

Mr. SPARKMAN. Yes. I am not sure that was the only charge, but certainly it was one of the material charges. The Senator from Mississippi was a member of the committee, and he will recall whether other charges were included. But certainly one of the material charges involved the question of the Senate's being a continuing body.

Mr. LONG of Louisiana. Is it not correct that two charges were being proposed by the committee after it had studied the conduct of the Senator? Is it not true that one of them involved an incident which occurred in the examination of a member of the armed services during the Congress in question, and that that charge was not voted; and is it not also true that the other charge was one of contemptuous conduct toward a Senate committee which had been required to investigate the conduct of that very Senator, and that that charge involved events which occurred in the previous Congress; and is it not also true that the entire basis or gravamen of the charges in that case involved activity in a preceding Congress?

Mr. SPARKMAN. That is correct; and certainly that charge could not have been sustained if the Senate had taken the position that it was not a continuing body.

I stress the fact that the Senate found that unanimously, for the Senate overwhelmingly adopted the report, and, in other words, overwhelmingly approved that finding.

Mr. LONG of Louisiana. Is it not correct that on that occasion all Senators on this side of the aisle—in other words, all Democratic Senators—voted in favor of finding that charge well taken, when they voted in favor of having that Senator censured?

Mr. SPARKMAN. I believe that is correct, although, of course, the RECORD will speak for itself.

Mr. LONG of Louisiana. If the Senator from Alabama has any doubt of that, may I suggest that I do not need to look up the RECORD, because it is my impression that I was the last Democratic Senator to decide to vote in favor of adoption of the censure resolution.

Is it not correct that every Democratic Senator, plus half of the Republican Senators, voted that the resolution of censure should be adopted? Furthermore, would not the Senate have, in effect, censured itself if it had taken the position that the statute had run with the expiration of the previous Congress, and nevertheless voted the censure?

Mr. SPARKMAN. I believe that is correct.

In the Daugherty case, in 1926, the Supreme Court of the United States by unanimous vote held, in so many words, that the Senate is a continuing body. The Court actually used the words, "The Senate is a continuing body."

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield again to me?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Could anyone ask for a clearer statement of the law, the facts, and the equity in a matter than a vote by the Senate itself that it is a continuing body and a statement by the Supreme Court of the United States that the Senate is a continuing body?

Mr. SPARKMAN. Certainly not. As I have said, two of the three branches of Government—the only two really concerned with this matter—have reached that decision.

Of course, the Senator from Louisiana recalls that only 4 years ago the Senate itself again voted that it is a continuing body, and then said, in so many words, that its rules are carried over from one Congress to the next, as set forth in section 2 of rule XXXII. Again, that was adopted by an overwhelming vote. As I recall, the vote was 72 yeas to 22 nays; and that vote was taken only 4 years ago.

Some Senators may say, "Oh, well, we really did not believe in that; we were doing it just to get along." But the Senator from Louisiana will recall that at that time there was quite prolonged debate; and finally the Senate entered into a compromise by which one side agreed to change the two-thirds constitutional majority rule to a simple two-thirds majority rule, and the other side agreed to let that rule be written in.

Certainly I thought—and I believe most other Senators thought so, too—that ended the dispute as to whether the Senate was a continuing body, because section 2 of rule XXXII provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Mr. President, I appreciate very much the very penetrating questions the Senator from Louisiana has asked.

Mr. LONG of Louisiana. I thank the Senator.

Will he yield further?

Mr. SPARKMAN. I am glad to yield.

Mr. LONG of Louisiana. Does the Senator from Alabama recall that 14 years ago it was more or less agreed by a very substantial number of Democratic Senators—not including the southern Senators—and was also agreed to by what appeared to be a majority of the Republican Senators, that that rule should be changed, so as to provide that a two-thirds majority of the Senate present and voting should be able to bring debate to a close? Was not that the so-called Hayden-Wherry proposal which was submitted at that time?

Mr. SPARKMAN. Mr. President, let us not confuse the rule change of 1949 with that of 1959.

In 1949, the rule was changed. Let us remember that until 1949 the Senate had a rule to the effect that a simple two-thirds majority of Senators could end debate in the Senate. But the catch was that ever since the adoption of the cloture rule, in 1917—in other words, ever since the adoption of a rule making it possible to close debate—many persons thought rule XXII permitted a filibuster. However, just the opposite is true. Rule XXII provides a means by which debate can be stopped; but from the time when rule XXII was adopted—in other words, from 1917—until 1949, it applied only to matters which were under consideration by the Senate; and it had been ruled that that meant that the bill, resolution, or other matter involved had to be before the Senate at that time. In other words, cloture could not be applied to a motion to take up or to a motion to consider, or to similar motions, or to anything except a bill or a resolution already under consideration. But in 1949—14 years ago—the Senate changed that rule, so as to allow cloture to be voted on anything. Again, that was a compromise. One side gave in to the extent of permitting motions or anything else to be included and covered by that rule; and the other side said, "Then we will change the rule from a simple two-thirds majority to a constitutional two-thirds."

The change made in 1959 was from a constitutional two-thirds to a simple two-thirds; and the latter is now the rule. The other side allowed section 2 of rule XXXII to be included. I thought that ended the contention that the rules of the Senate could be changed at the opening of a Congress, by means of a motion, or, as I have said, in effect, by allowing a Senator to move at any time during a session that the rules be changed. If that were allowed, a chaotic situation would develop, and we would have no rules.

Mr. LONG of Louisiana. I should like to make this point with the Senator—and in doing so, I ask whether he recalls that the proposal originally proposed by the Committee on Rules and Administration in 1949 was not the one which was agreed to later in 1949, inasmuch as a compromise offered by the Senator from Oklahoma and certain other Senators was the final action taken by the Senate on that occasion?

Mr. SPARKMAN. That is correct.

Mr. LONG of Louisiana. Referring back to the committee proposal which was being debated at that time, I ask the Senator if he recalls that the proposal was that a two-thirds majority of Senators present and voting should be able to terminate debate on any question.

Mr. SPARKMAN. On all questions.

Mr. LONG of Louisiana. The proposals covered a reading of the Journal and a motion to proceed to consider a question, no matter what the measure might be.

Mr. SPARKMAN. A motion to take up an issue, no matter what it might be. I think the Senator is correct on that point. A compromise was arrived at which was two sided. It was a balanced compromise.

Mr. LONG of Louisiana. I ask the Senator if he can recall that after all the controversy about whether we should provide for two-thirds of the Senators present and voting or a simple constitutional two-thirds to shut off debate, the only vote we have had which would have made any difference in this body in the 14 years was on the motion to close debate on the so-called communications satellite bill. In that instance, I believe, cloture was voted by a two-thirds majority of the Senators present, but not two-thirds of those elected.

Mr. SPARKMAN. A constitutional two-thirds.

Mr. LONG of Louisiana. Yes; a so-called constitutional two-thirds. As a practical matter, even in that case I believe the Senator would recognize that it would have been possible for those who were supporting that measure to have brought a few more absentees to the Chamber, or eventually to have persuaded another Senator or two to vote to terminate debate.

Mr. SPARKMAN. I assume that would be true. The question of extended debate has not had the disastrous effect on American legislation that a great many people would have us believe that it would.

I believe William S. White, in a recent column, described that situation as well as anyone could.

That column has been quoted before. In a speech I made on the subject a week ago yesterday, I believe, I quoted from Mr. White's column. In effect he said that it was not good legislation that was killed. If good legislation—and by "good" legislation he meant legislation that was popularly accepted by the country—was brought up, it would be passed. If not, then cloture would work.

Mr. LONG of Louisiana. When the Senator from Louisiana came to this body, one of the civil rights bills of the time which had been kicking around for 20 years was the proposal to make the crime of lynching a Federal offense.

Mr. SPARKMAN. Yes; the Senator refers to the anti-lynching bill.

Mr. LONG of Louisiana. I ask my friend whether he is familiar with any recent lynchings that have taken place.

Mr. SPARKMAN. None at all. Tuskegee Institute is one of the great schools of our Nation. It is a school of which my State is very proud, and one which my State helps to support. It is a privately endowed school, but for many years my State has made annual appropriations to it. I assume it still does. Every year for many, many years, Tuskegee Institute made a report on lynchings. Many years have now passed since the institute has reported a lynching. If I recall correctly, a year or two ago the institute announced that it would not make any more reports because lynching had disappeared.

Mr. LONG of Louisiana. Does that fact not indicate that there is no real need for such a measure?

Mr. SPARKMAN. Certainly. We used to point out that lynching was virtually a thing of the past. Goodness knows, anywhere a mad crowd could get out of control. In some of the big cities of the North there have been occurrences in many respects comparable to lynchings. Yet the proposed legislation was always drawn so that the effect of such legislation would not touch those places but would hit a county, a city, or a State in which some mob had taken out some person and lynched him.

Mr. LONG of Louisiana. Does the Senator recall how extreme some of those anti-lynching proposals were toward proceeding against the whole people of a community, whether they had anything to do with it or not?

Mr. SPARKMAN. Yes. A fine without a hearing would have been authorized to be levied.

Mr. LONG of Louisiana. Did not some proposals even go so far as to suggest that the Federal Government should seize the courthouse of the community involved, or proceed against the sheriff of that community, whether he had any knowledge of the crime or not?

Mr. SPARKMAN. While I do not recall the exact provisions, I would not for one moment question what the Senator has said. Some of the proposals were ridiculous and absurd. Even the proponents of such measures would today wonder why they ever made such proposals.

Mr. LONG of Louisiana. Does the Senator recall some of the FEPC proposals that have been advanced through the years?

Mr. SPARKMAN. I certainly do.

Mr. LONG of Louisiana. I ask my friend from Alabama if some of those proposals were not far more extreme than anything the people of our country would be willing to consider today.

Mr. SPARKMAN. Yes. Some of them would have taken away from employers the right to employ their own help. They would take control completely out of the hands of the employer. I do not think there is any question about it.

Mr. LONG of Louisiana. Does the Senator agree that some of the title III proposals were so broad that even their authors could not support all that such measures would do.

Mr. SPARKMAN. The Senator is correct. As I recall, one of the proposals was withdrawn by unanimous consent, or there was a unanimous vote against striking it out. I do not remember which. That occurred only 3 or 4 years ago. I believe that happened in 1957.

By the way, if I recall correctly, cloture has been invoked five times during the time the cloture rule has been in effect, and not a single time has it been applied in connection with civil rights measures.

Each of the columnists, William S. White, Walter Lippmann, and Arthur Krock, all of whom have been quoted at length, called attention to the fact that cloture had never been applied against civil rights measures because they were not measures that had the popular approval of the people of our country. If they had been good legislative proposals, the country would have demanded them and they would have been passed.

Mr. LONG of Louisiana. I thank the Senator.

Mr. SPARKMAN. I thank the Senator from Louisiana. He has made a valuable contribution. He has been dealing with things in which he has taken a part of during the time he has been in the Senate. He has been one of our great and able Senators, and I pay my respects to him.

Mr. LONG of Louisiana. I should like to ask the Senator one further question. Should not Senators who wish to change the rules to give themselves some advantage that they do not now have under the rules at least have the forthrightness to show us the bill on which they believe they would be able to get a 60-percent vote, but upon which they think they would not be able to get a two-thirds majority to close debate?

Mr. SPARKMAN. Of course. An impression has been created over the country that the question that is involved primarily is civil rights. I say that is not true. The change in rules is sought to obtain passage of proposed legislation for which the proponents of the rules change know they cannot muster sufficient strength to go through the regular procedures under the Senate rules, and to set up instead a system whereby they can rise at their desks any day of the year that the Senate is in session and try to ram a measure through.

Mr. LONG of Louisiana. Did the Senator hear what the President had to say in his state of the Union message on the subject of civil rights?

Mr. SPARKMAN. Yes, I heard it. It was quite brief, as I recall.

Mr. LONG of Louisiana. Does not the Senator recall that the only thing the President recommended was that something be done to further implement the voting rights of minority groups, having Negroes in mind?

Mr. SPARKMAN. That is correct. The reference was to voting rights.

Mr. LONG of Louisiana. The Congress took action on two occasions; I believe in 1957 and again in 1959.

Mr. SPARKMAN. Either 1959 or 1960.

Mr. LONG of Louisiana. On at least two occasions in that general period the Senate passed civil rights legislation.

Mr. SPARKMAN. Yes.

Mr. LONG of Louisiana. To improve and to implement the voting rights of colored citizens who might feel that they were denied their rights by some procedures.

Mr. SPARKMAN. The law referred to all citizens.

Mr. LONG of Louisiana. It was to protect the rights of all citizens, actually, but was it not true that particularly in mind were the rights of colored citizens?

Mr. SPARKMAN. That was the driving force at the time, but the law applied to all citizens. Any citizen who felt he was aggrieved could follow the procedure set out.

Mr. LONG of Louisiana. Therefore, on at least two occasions, without gag rule——

Mr. SPARKMAN. Yes; without gag rule.

Mr. LONG of Louisiana. These matters have been permitted to come to a vote and have been passed.

Mr. SPARKMAN. Yes. As I said, gag rule has never been imposed in the case of civil rights measures. We might use a more dignified term of cloture or closure, whichever is preferred; but cloture has never been applied on a civil rights measure during the 46 years the procedure has been in effect.

Cloture has been applied five different times.

Two civil rights measures have been enacted into law without cloture being applied, or even extended debate. I think I am correct in saying that those were the only civil rights measures enacted into law since the Civil War. I am not sure that is correct; but it seems to me that someone made that statement at one time.

Mr. LONG of Louisiana. Mr. President, can the Senator see any reason why in good conscience any group should ask for a special advantage to try to pass proposed legislation, particularly with respect to the problems not of their own State but to the problems of some other State?

Mr. SPARKMAN. I am now serving in my 17th year in the Senate. The Senator from Louisiana is starting his 15th year of service in the Senate.

I have offered a great deal of legislation from time to time which I urgently wished to see passed, and the Senator knows about it, because many times I have talked with him about it. The Senator has sought to have proposed legislation passed, and he has fought tenaciously for it. As a matter of fact, one of the things I admire about the Senator from Louisiana is his tenacity. When he wants something, when he believes in something and believes it is right, he holds on to his convictions and he fights for it.

I have presented bills to the Senate. To use an example, the Senator will remember the bill which the Select Committee on Small Business favored, of which committee both he and I are members. The committee recommended the bill beginning in 1951. It was proposed that there be set up some kind of financial scheme to make it possible for small businesses to obtain equity capital, because they were practically shut out from the money markets of the country.

I introduced a bill, as the Senator will remember, about that time. I tried to get it passed, but I could not. I introduced the bill in the next Congress and tried to get it passed, but I could not. I introduced the bill in the following Congress and tried to get it passed, but I could not even then. And I introduced it in the Congress following that, and in that Congress the bill was made into law.

Today we have the Small Business Investment Company Act. There are some 600 or 700 small business investment companies operating throughout the country, with a vast network, making loans available for equity capital purposes for small businesses.

I learned a long time ago that having proposed legislation passed was a long and hard job requiring tenacious effort.

I have been very well satisfied with the things I have been able to accomplish from a legislative standpoint, but I have done so under the rules of the Senate. I have found them to be workable.

I said something a while ago about the Senator having a responsibility in respect to the tax bill. I might do a little lobbying now with him, but I feel I will not have to lobby with the Senator from Louisiana.

The Senator will recall that our committee several years ago recommended a change in the corporate tax structure. Of course, one of the things we recommended was a variable income tax for corporations; but we also recommended a reversing of the percent of the corporation tax, so that, instead of having the 30 percent apply at the base level, the 22 percent would apply at the base and the 30 percent would be applied as a surtax. That would have been of tremendous benefit to small business.

We worked on that recommendation for several years, yet we were never able to get it passed.

While the tax bill was under consideration, I wrote a letter to the President, urging that proposal again. I was delighted, when the tax bill came out, to see that the principle had been encompassed in it.

The tax bill did not include all I asked for. I asked that the exempted base be raised from $25,000 to $50,000, and that was not included, but the reversing of the 22 percent and the 30 percent was included. I am delighted that was done.

I certainly hope that, when the time comes for the Senator from Louisiana to consider that bill, he will consider that proposal favorably. If he does, and if it is enacted into law, that will be something else which has been brought about by long and tenacious work, but which has been done under the rules of the Senate. Nobody has been hurt by observing them.

Mr. LONG of Louisiana. Mr. President, I might suggest to the Senator that is one of the things on which I believe I joined him as a cosponsor, on occasion.

Mr. SPARKMAN. It is in the bill this time.

Mr. LONG of Louisiana. Many of us find that to be one of the more attractive things in that proposed legislation.

Mr. SPARKMAN. Yes. The President's chief economic adviser, who testified before the Joint Economic Committee yesterday, pointed to that as one of the most desirable features of the bill. He said it would be of inestimable value to small businesses throughout the country.

Mr. LONG of Louisiana. I ask the Senator if it is not correct that many of the prolonged studies of legislative matters, lasting over a period of two or more Congresses, result in the final product being a more reasonable bill?

Mr. SPARKMAN. Yes.

Mr. LONG of Louisiana. And a better bill, all considered, that the original proposal which was introduced?

Mr. SPARKMAN. The Senator is correct. As an example, I cite the Small Business Investment Company Act. I think the finished act was a great improvement over my original proposal.

One of the last things we did was to have the Banking and Currency Committee ask the Federal Reserve Board and either the Securities and Exchange Commission or the Treasury Department to make a study of the problem and to come up with recommendations by a certain date—March 15, 1958, if I remember correctly.

Well, they had it there, and it was largely on the basis of their recommendations and the staff work of the Banking and Currency Committee and the staff downtown that the final version was worked out. Yes, I think there was a vast improvement. Again, it was done under the rules of the Senate. I do not believe that any legislator chafed at having to proceed under the rules laid down in the Senate. I certainly have not done so.

I am proud of some of the legislative achievements for which I have been largely responsible. Some of the housing programs that were enacted into law failed one year, perhaps failed the next year, and failed in other years, but they were finally enacted into law, under the rules of the Senate.

We have accomplished a great deal in the small business field, in which the Senator from Louisiana has worked with me. Very good legislation for small business has been enacted, all of it having been done under the rules of the Senate. No one complains about having had to operate under those rules. If we did not get favorable action under the rules one year, we said we would come back the next year. That is the only way to operate, in my judgment.

Mr. LONG of Louisiana. Is it not true that, under the procedures we have been discussing, and the bases or reasons why we should change the rules, measures have been allowed to come to a vote in the Senate on which the House should have voted?

Mr. SPARKMAN. Yes. I thank the Senator for his fine and worthwhile contribution. I would have expected nothing less from him. By the way, in my statement I mentioned the five times in which cloture had been applied. When I spoke last Monday, I think it was, I gave those five occasions and told something of the circumstances surrounding them. I have the list in front of me, and I will read those occasions off.

In the consideration of the Treaty of Versailles, cloture was applied on the 15th day of November 1919.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Would the Senator not say that the Treaty of Versailles had some very serious and doubtful provisions in it? As a matter of fact, have not many historians felt that that treaty actually sowed the seeds of World War II?

Mr. SPARKMAN. There has been much controversy over the Treaty of Versailles. By the way, the Senator might find it interesting to read the comments I made on it in my talk a week ago yesterday, in which I told something of some of the reservations. By the time it got to a vote, the Senate was pretty well tied up, and it was not too clear as to what it was voting on and what the effect would be. Most of the Senators felt it had reached the point of futility. Of course, it was not the treaty President Wilson had proposed. It was not the treaty he had recommended to the American people and to the world. A great many persons have attributed to that treaty the seeds of World War II.

Mr. LONG of Louisiana. Is it not true that in voting on any measure under a gag rule we find ourselves in the type of procedure that took place last year, when many of those who voted to impose the gag rule on this body had something of a gentlemen's agreement among themselves that no amendments would be agreed to, so that no matter how wrong the bill might be or how strong the arguments a Senator might make that an amendment should be agreed to in an attempt to perfect a very controversial bill, the leadership simply moved to table the amendment and he had the votes to go along with that type of procedure?

Mr. SPARKMAN. Of course, a Senator virtually loses his right to try to have considered properly an amendment to a pending measure, whatever it may be, when cloture is applied. We are not legislating under normal conditions in such a situation. The Senator from Louisiana is absolutely right. The conditions are abnormal, and it is no way to legislate.

Mr. LONG of Louisiana. Is it not a fact that the right to debate freely in this body gives a Senator offering an amendment an opportunity to make his case and to convince the Senate to go along with him unless opponents can point out the fallacies of his position?

Mr. SPARKMAN. I do not know that I would go that far. He has an opportunity to make his argument and state the logic in favor of it. Then the opposition has an opportunity to answer that argument. Then it is given to the Senate as a whole to vote upon it. But it is true that, after cloture is applied, there is not the time or leisure that is normally available in trying to legislate.

Mr. LONG of Louisiana. May I put the thought to the Senator in this way: When there is not in effect a tacit understanding among Senators that no amendments will be accepted, does not the offerer of an amendment have a much better chance to have the amendment agreed to?

Mr. SPARKMAN. I just never have thought of the question in that light. I would rather make this statement, and I wish to leave it in this way: That legislating under cloture conditions is abnormal and certainly one cannot hope to get the best results when legislating in other than normal conditions. I think that is about the same thing the Senator from Louisiana is saying, but perhaps it is not quite as specific.

I was naming the five instances in which cloture was applied. The first was in the discussion of the Treaty of Versailles, on November 15, 1919.

Then came the debate on adherence to the World Court, on January 25, 1926.

Then the question of branch banking. That was on the 15th of February 1927.

Next came the creation of the Bureau of Customs and the Bureau of Prohibition. Cloture was imposed on the 28th day of February 1927. Two clotures were imposed within less than 2 weeks, on two different subjects.

There was not another imposition of cloture until last June 14, 1962, when the Senate had before it the communications satellite bill.

Those were the only five impositions of cloture since the cloture rule has been in existence.

I see before me reference to the Antilynching Act. I refer now to some of the occasions when imposition of cloture was refused. One was in 1928. There was another one in 1928.

The antipoll tax in 1942.

The antipoll tax in 1944.

The FEPC in 1946.

The antipoll tax in 1946.

The FEPC in 1950.

The Civil Rights Act on March 10, 1960.

Amending rule XXII, September 19, 1961.

Literacy test for voting, April 9, 1962.

Literacy test for voting, April 14, 1962.

In all of those so-called civil rights issues, the Senate has declined to grant cloture during the arguments.

The impression which gets around over the country that what is now under consideration is a matter involving civil rights is simply not a correct impression. It does not operate that way. As I stated earlier in the day, cloture has been tried 21 different times, and has been successful 5 times, not one of those 5 occasions being on a civil rights measure.

I believe civil rights measures have been involved in just half of the number in which an attempt has been made to impose cloture.

It has not been so true in the last few years, but I can remember back in the days when I first came to the Congress, in the House of Representatives, and even after I came to the Senate, in every election year we got a civil rights bill, almost regularly. If Senators will notice, when I was calling off the list of the years when cloture was attempted, they will see that it was in even years, when elections would be held.

I became early impressed with the fact that unfortunately the whole question of civil rights was being made a political football; and it is largely true in the present case, insofar as the impression in the country is concerned, that this pertains to civil rights matters.

At the time I left my manuscript, I was talking about the Supreme Court decision in McGrain against Daugherty. I wish to pick up that quotation, because I had not finished it. This is a case in which the committee had been carried over from one Congress to another and in which Mr. Daugherty was being charged with contempt of Congress. The Supreme Court went on to say:

Mr. Hinds in his collection of precedents says—

I ask Senators to listen to this quotation, because I was speaking about the Supreme Court having unanimously held that the Senate was a continuing body. Then the Senator from Mississippi in a very timely fashion reminded me of the report of a committee right here in the Senate, which was adopted by the Senate. This is the quotation from the Supreme Court decision:

> Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress" (vol. 4, sec. 4544) and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress" (vol. 4, sec. 4545). So far as we are advised the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or revived now by motion to that effect, and, if continued or revived, will have all its original powers (Hines' Precedents, vol. 4, secs. 4396, 4400, 4404, 4405).

The following is quoted from *Robertson* v. *State* (109 Indiana 79, 10 N. E. 582 (1887)):

> In response to much that has been said upon the subject in argument, I feel quite assured that the senate of this State is not, like the Senate of the United States, a continuous body. In the Senate of the United States a majority constitutes a quorum and as there is always more than a quorum of qualified Senators holding seats in that body, its organized existence is necessarily continuous. But in the senate of this State two-thirds of its members are necessary to make a quorum. As one-half of its members go out of office at the end of each legislative term of 2 years—that is to say, on the day after each general and biennial election—it becomes, at the end of each such legislative term a disorganized body; and, as the officers of the senate comprise an essential part of its organization, it necessarily results that the terms of such officers expire when the body becomes disorganized for want of a quorum (see also, *State* v. *Rogers*, 56 N.J. Law 480, 622 (1894)).

It would seem from the foregoing quotations that our courts, both Federal and State, have recognized that the Senate is a continuing body. It is my view that we should not here attempt to ignore this judicial finding or concept and change our entire structure merely to augment a temporary or immediate feeling on any particular legislation or class of legislation.

I may say to the Senator from Louisiana and the Senator from Mississippi, both of whom engaged with me in a little colloquy a short time ago, that earlier I called attention to the fact that there were three different rules in the Senate in which the word "shall" is used—mandatory—and that one of them was with respect to treaties, the fact being that treaties continue. For the moment I do not recall what the others are. However, I wish to refer to the use of the word "shall" in rule XXXVII.

Turning now to rule XXXVII where the word "shall" is used in stating that treaties submitted to the Senate for ratification hold over from Congress to Congress unless otherwise disposed of, I call attention to the fact that the present argument that there is something magic in the Senate about the beginning of a new Congress is also an attack in a collateral way on this rule. The existence of this rule stems largely from the fact that the Constitution itself empowers the Senate to consider and ratify treaties by a two-thirds vote. Inasmuch as treaties are a part of the supreme law of the land and are indeed vital in our increasingly important international affairs, anything that takes place here on the floor of the Senate that is related even remotely to our system respecting treaties is of special interest to me as it should be to all Senators.

Under the present rule XXXVII, if a treaty was submitted to the Senate by the President in the 87th Congress and no final action was taken on it, then all proceedings on the treaty in the Senate terminated with the 87th Congress, but they may be resumed at the beginning of the 88th Congress as if no proceedings had previously been had thereon.

If that is not continuity, I do not know what it is. A treaty stays right here, and it is stated in the rules of the Senate that this shall be the case.

If the concept of those who would change the rules is correct, namely, that the Senate like the House of Representatives starts out again in a de novo sense at the beginning of a Congress, then it would follow that the President should withdraw the treaty from the Senate and resubmit it at the new Congress. That this should be done is so far from my concept of customary and constitutional proceedings that I could hardly imagine it happening. It only goes to show in a rather effective way the consequences that might follow if we in the Senate construe this body as a new body at the beginning of each Congress and start to adopt motions not in accord with our standing rules and our normal functions under the Constitution.

I am opposed to both proposals to change the cloture rule—rule XXII. That is to say, I am opposed to reducing the required vote from two-thirds to three-fifths of those Senators present and voting.

By the stronger reasoning I am opposed to the proposal to allow a majority of Senators to close debate regardless of the time specified in the proposal.

As I stated in my remarks on January 21, 1963, there is a great body of history in the Senate which warns us against adopting rules that make it easy to close debate. I referred to the warning of Thomas Jefferson in his "Manual of Parliamentary Procedure," when he stated:

> The rules of the Senate which allow full freedom of debate are designed for protection of the minority and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right we should assure ourselves that what is lost will not be greater than what is gained.

I think that is one of the strongest and most sensible definitions that we could possibly have on this subject. Certainly it was from a man who had one of the clearest minds and was from one of the best thinkers that this country has ever produced.

I repeat that statement by the great "sage of Monticello" as he has been called in some quarters, because I construe it as a warning by one of our great Founding Fathers against doing just what is proposed here. He puts in very eloquent words what we have been debating. Freedom of debate in the Senate is a part of the "warp and woof of our Constitution." We cannot remove free and full freedom of debate without "damaging the whole fabric." Let us remember these words of Jefferson and take heed of them.

I have noticed in some of the remarks heretofore made in the instant debate on rule 22 that proponents of changing the rule have reminded us that the previous question was allowed in Jefferson's Manual, the implication being that Jefferson would therefore sanction the use of the previous question in Senate debate to close debate.

Inasmuch as I quoted Jefferson previously and quote him now as an advocate of full freedom of debate in the Senate, I wish to state that references to the previous question rule as used in Jefferson's Manual only serve to cloud the present issue unless they are explained in the light of parliamentary and Senate history. The previous question rule as it existed in 1789 had purposes different from those for which it has been used in the House of Representatives since 1811 as a vehicle to close debate.

Prof. Joseph Cooper, of Harvard University, has clarified this matter in his exhaustive dissertation entitled "The Previous Question—Its Standing as a Precedent for Cloture in the U.S. Senate," which the senior Senator from Georgia presented and which was made Document No. 104 of the 87th Congress, 2d session.

Dr. Cooper took each use of the previous question in the period 1789 to 1806 and analyzed it. He then concluded:

> We may conclude that the Haynes-Stidham-Russell position is the correct one. The fact that a previous question mechanism existed and was used in the early Senate furnishes no precedent for the imposition of majority cloture in the Senate today. As we have shown in part I, the previous question was not understood functionally as a cloture mechanism. As we have shown in part II, it was not designed to operate as a cloture mechanism. As we have shown in part III, it was not in practice used as a cloture mechanism. Indeed, it is even improbable that the Senate could have used the previous question for cloture, given the obstacles which existed and the lack of any evidence to show that these obstacles could in fact be overcome.

I think that is a clear, succinct statement.

I had the privilege to serve in the House for 10 years. There we had the previous question. The House has a rule whereby a Member may speak for 5 minutes; that is all; unless he can get unanimous consent to proceed for a longer time. The previous question as used in the House is a cloture mechanism. It closes debate. It is almost necessary there because of the numerous membership.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. STENNIS. The Senator has given us the reason for the nonuses of the previous question up to about 1806. Did the Senator cover what the positive uses of the rule, as it was then, were?

Mr. SPARKMAN. No.

Mr. STENNIS. I think it would be helpful and pertinent to have that point developed.

Mr. SPARKMAN. I am not sure that I have seen that point discussed, although in the document to which I have referred, Senate Document No. 104, 87th Congress, 2d session, entitled "The Previous Question," I believe an explanation will be found. I do not have it in mind just now. At any rate, Professor Cooper cites three instances: First, the previous question was not understood, meant, or intended to function as a cloture mechanism. Second, it was not designed to operate in that way. Third, it was not in practice used as a cloture mechanism.

I am rather of the opinion—although, let me say, I would not stand on this view—that the previous question was used somewhat in the same way as unanimous consent was used. As a matter of fact, there was a period in the history of the country, probably during the Civil War, when there was a kind of unanimous-consent arrangement, and a great deal of legislation was handled in that way, but it was done under special conditions. Again, it was done by unanimous consent.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. SPARKMAN. I yield.

Mr. LONG of Louisiana. Is it not correct that Robert's Rules of Order requires a two-third vote to move the previous question?

Mr. SPARKMAN. I believe that is correct.

Mr. LONG of Louisiana. That is, to sustain a motion for the previous question?

Mr. SPARKMAN. Yes, I believe the Senator is correct.

Let me read an excerpt from Senate Document No. 104, 87th Congress, 2d session, entitled "The Previous Question." It may throw some light on this question:

> On January 12, 1792, consideration of the nomination of William Short to be Minister resident at The Hague was resumed. After a committee had reported certain information concerning Short's fitness to be appointed a resolution was moved which stated that no Minister should at that time be sent to The Hague. The previous question was then moved in its negative form, i.e., "That the main question be not now put," despite the fact that the rules provided only for the positive form of the mechanism. At this point, however, the Senate decided that "the nomination last mentioned, and the subsequent motion thereon, be postponed to Monday next." On that day, January 16, 1792, the Senate resumed its consideration of the nomination and the resolution moved on the nomination. The previous question was put in negative form and carried with the help of a tie-breaking vote by the Vice President. This removed the resolution which would have prohibited sending a resident Minister to The Hague. The Senate then proceeded to the Short nomination and approved it.
>
> Here again Brant and Douglas concede that the previous question was not used for the purpose of cloture, i.e., for the purpose of closing debate in order to force a vote. Instead, they recognize that it was used to avoid or suppress an undesired decision and they also argue that it was used to suppress a discussion of certain conditions at The Hague which might have jeopardized Short's appointment.

I realize that that is a somewhat roundabout way of getting the point, and the negative is involved; but certainly I think it helps to bear out Jefferson's contention that the previous question was not intended for cloture.

The previous question was abolished in the Senate in 1806; and as Dr. Cooper has concluded, its use prior thereto is no argument in favor of cloture. We have a cloture rule at present, and, as we saw in the last session of Congress, it is a workable rule.

We certainly should go no further with the rule. We should not have a rule making it any easier to close debate. We should keep in mind that the closer we come to straight majority rule on this question, the closer we come to damaging the whole fabric of our Constitution, as Thomas Jefferson warned. The difference between two-thirds and three-fifths may not appear to be very great; but the danger involved in one step, large or small, away from the right of free and full debate in the Senate is great. That would be a step away from equal representation by the States in the Senate. It would be a step away from protecting the rights of minorities. It would be, indeed, a step away from the concepts of balance in our Government, the protection of individual rights, and the guarding against hasty or impassioned action, which have made and preserved us as a great nation.

So, Mr. President, I hope that no step of that sort will ever be taken.

Mr. STENNIS. Mr. President, will the Senator from Alabama yield?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. SPARKMAN. I yield.

Mr. STENNIS. The Senator from Alabama certainly has presented in most able fashion some very fine points and logic and reason. I wish to ask a question. Much has been said about majority rule, and much has also been said about the fact that in many instances the Constitution requires a different rule. However, I do not recall that there has been mention of the fact that a jury trial is another forum under our system of government. Is it not true that in all the States it is required that if an accused is to be convicted of a serious crime called a felony, there must be a unanimous verdict of the jury, in other words, a vote of 12 to 0?

Mr. SPARKMAN. I am not prepared to say that is true in every State; but so far as I know, it is true. Certainly it is true in the Federal courts. In those courts there must be a unanimous verdict.

Mr. STENNIS. Yes. That is the gage and standard by which justice is measured in connection with serious criminal trials, is it not?

Mr. SPARKMAN. Yes. I believe it was Lord Coke who said it would be better that 99 go free, rather than that 1 innocent person be punished. That is the purpose of requiring unanimity of the verdicts in criminal cases.

Mr. STENNIS. Is it not also true that in civil trials in practically all civil forums, from the justices of the peace on up to the higher courts, in both State and Federal jurisdictions, either 8 or 9 out of the 12 must agree—and usually 9 are required—on the verdict, before there can be a conviction?

Mr. SPARKMAN. Yes; and in many cases the verdict must be a unanimous one. I practiced law in both the Federal courts and the State and local courts, and I believe that in every court in which I practiced there was a requirement of unanimity in connection with both civil matters and criminal matters, although I believe that in some States there is a requirement for a three-fourths majority.

Mr. STENNIS. I believe it is true that in quite a few jurisdictions, three-fourths of the entire jury must agree on the verdict in connection with civil matters.

Mr. SPARKMAN. That is correct.

Mr. STENNIS. At any rate, even in civil trials of cases involving only two or three persons, it is not sufficient for only a majority of the jury to agree on a verdict. So there is all the more reason why, when we are passing legislation which will bind 185 million Americans, there must be some safeguard above and beyond a majority vote.

Mr. SPARKMAN. Certainly that is true.

Mr. STENNIS. Such a requirement is necessary in order to keep the rush or the passions of the moment, and so forth, from overwhelming a bare minority.

Mr. SPARKMAN. I certainly agree. I cannot forget the very wise statement of Thomas Jefferson, which I have already quoted, when he warned against cutting down on debate in the Senate. He said a single step away from it would endanger the whole fabric of the Constitution.

Mr. STENNIS. I thank the Senator from Alabama.

Mr. LONG of Louisiana. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield for a question.

Mr. LONG of Louisiana. Is it not true that every Member of this body, without exception, would refrain from engaging in extended debate, in order to defeat a piece of proposed legislation by more or less talking it to death, unless he really felt it was an extremely bad measure and should not be permitted to pass?

Mr. SPARKMAN. I believe that is true. I certainly attribute to every Member of the Senate sincerity; and I am sure Senators would not speak at length against a measure unless they really believed they should oppose it.

Mr. LONG of Louisiana. Has not the Senate passed many very important and crucial measures which in the first instance commanded a majority of only one, two, or three votes?

Mr. SPARKMAN. That is true.

Mr. LONG of Louisiana. Is it not also true that the Senate passed in that fashion the bill extending social security to disabled persons?

Mr. SPARKMAN. I believe that is correct. The Senator from Louisiana was very active in that connection, and undoubtedly he remembers the circumstances more clearly than I do. But I recall that the vote on that measure was a very close one.

Mr. LONG of Louisiana. Was not that issue decided by a two-vote majority; and would not a change of one vote have resulted in a tie, in which case the Vice President could have voted, and thus could have broken the tie?

Mr. SPARKMAN. Is the Senator from Louisiana referring to the measure extending social security, or is he referring to the medicare bill?

Mr. LONG of Louisiana. I am referring to the bill which was actually passed by the Senate some years ago.

Mr. SPARKMAN. Is the Senator from Louisiana referring to the bill which extended social security to persons suffering from disability?

Mr. LONG of Louisiana. Yes. The vote was 49 to 47.

Mr. SPARKMAN. Yes.

Mr. LONG of Louisiana. Is it not true that as to that measure, the medical profession could dream up hobgoblins and could imagine that the bill was fraught with peril; but is it not true that the Senate was willing to abide by majority vote in that case—which is also true in the great majority of cases?

Mr. SPARKMAN. Yes.

## THE 15TH ANNIVERSARY OF THE VOICE OF AMERICA

Mr. MORSE. Mr. President, on January 27, 1948, 15 years ago, the President of the United States signed Public Law 402, which was labeled "The U.S. Information and Educational Exchange Act of 1948." Its purpose was "to promote a better understanding of the United States among the peoples of the world and to strengthen cooperative international relations."

During the past 15 years the U.S. Government has endeavored to create and perfect methods of disseminating information designed to inform the peoples of the world about the life, aspirations, and intentions of the people of the United States. Although the Voice of America is probably the best known public channel to the outside world, impressive developments have taken place in related fields.

For example, libraries, information centers, and binational centers have been established in every part of the free world by the USIA. These libraries and centers are stocked with representative selections of American books, in English and in foreign languages, which depict the major aspects of American life. Visits to these libraries have demonstrated that they are well attended. Many others have become well-recognized institutions in foreign countries. "Meet me at the USIS library" has become a familiar phrase in many lands. In these centers the people of foreign countries can read American books and publications; they can see American movies; they can hear the Voice of America; they can obtain answers to their questions about the United States; they can see exhibits of every kind; they can listen to American music; they can learn English; they can participate in seminars and discussion groups; and they can listen to lectures. These centers are educational centers in the best sense.

In addition to these centers and to the Voice of America, we have seen the slow but steady construction of a worldwide communications mechanism which enables the U.S. Government to disseminate accurate official information almost instantaneously to the far corners of the world by radioteletype.

With the recent construction of new radio transmitter facilities at Greenville, N.C., the U.S. Government now has one of the most powerful stations in the world. The radio signal is now strong and competitive; and, with the new construction of transmitters in Liberia, the important areas of Africa and the Near East will receive better coverage.

The USIA has also produced motion pictures and television programs which present the American story visually and vividly. These media are especially effective in areas where illiteracy is high.

Thus, the past 15 years have seen an increasingly effective use of the mass media, as facilities have become modernized and as the personnel have become better trained and experienced and more professionalized.

Public Law 402 also called for the creation of a bipartisan Advisory Commission on Information, which has had the responsibility of advising the Director of the USIA on the formulation of policies and programs. The Commission has also counseled on the Agency's personnel, organization, and operations.

In its reports to Congress—the 18th has just been released—this Commission has served as an important friendly critic of the information program. It has commended and encouraged the program. At times, it has prodded it; and at times it has severely criticized it. Its numerous recommendations, many of which have been accepted and incorporated into the information program, have helped strengthen the USIA and its policies and programs. Its reports have contained advice and counsel from private American citizens who have served without compensation.

It is my hope that as we move further into the sixties, the USIA, together with the U.S. Advisory Commission on Information, will continue to move forward. In particular, I hope this Agency will strengthen its contacts and its programs with farm, labor, and youth groups, in order to help strengthen these groups, and thus strengthen the sinews of freedom throughout the world.

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## ADDRESS BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE ANTHONY J. CELEBREZZE

Mr. MORSE. Mr. President, on Friday, December 14, 1962, the distinguished new Secretary of Health, Education, and Welfare, Mr. Anthony J. Celebrezze, addressed the autumn quarter commencement at Ohio State University, in Columbus, Ohio.

In his moving speech, Secretary Celebrezze discusses the need for more and improved education for our country's youth in the years to come. In his discussion of the present conditions of our young people in the field of education, Mr. Celebrezze said:

> Out of every 10 youngsters now in grade schools, only 2 will graduate from college; 2 more out of that 10 will enter college but never finish; 3 out of 10 will not complete high school.

The Secretary goes on to point out that one of the major reasons for this failure of our youngsters to achieve a higher education is the prohibitive cost of higher education today.

It was most appropriate in this age of the explosion of scientific technological knowledge that the Secretary closed his inspirational address with a metaphor devised from Cape Canaveral. After having pictured the magnificent opportunities the present offers to achieve boldly and creatively a new world at peace shaped by justice he said:

> May the countdown for tomorrow signal the release of a glorious burst of human energy and an increase in the power of the human will and intellect, guided by moral and spiritual values, which will carry mankind to its true destiny.
>
> That destiny is not the darkness of oblivion.
>
> I am convinced that we shall not, in the words of Maxwell Anderson, "shut out the light, close our minds, and be like a million cities of the past that came up out of mud, worshipped darkness a little while, and went back, forgotten, into darkness."
>
> May we be a Nation drenched with lasting light. May our destiny be achieved in the enternal light of truth, wisdom, and goodness. May we realize that human destiny is the sum of our individual destinies which we shape through our personal goals.

Mr. President, each of us here in the Senate can surely share in the hope the Secretary has so well expressed. May his words enable us to surmount our transient difficulties in order that we may legislate effectively to bring into being this splendid affirmative of the ideal.

I congratulate Secretary Celebrezze on his address and in view of the fact that the Senate will be considering educational legislation in the 88th Congress, and that the address contains much information which is pertinent to the future legislation to come before us, I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### ADDRESS BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

I am very pleased to have this opportunity to visit Ohio State University—one of the Nation's great intellectual communities—an outstanding symbol of the unique partnership through which the State and Federal governments have, over a long period and in varying ways and degrees, worked together in the establishment and support of education.

It is a unique partnership, because, although direct Federal participation in higher education began with the Morrill Land Grant Act a century ago and has in the past two decades been intensified, there has been no Federal control of education. The principle of State responsibility for education, established under the 10th amendment of the Constitution, has been preserved, and this great university exemplifies the successful discharge of that responsibility.

I welcomed your gracious invitation to me, as Secretary of Health, Education, and Welfare, to address this commencement audience, not only because of the pleasant associations which are renewed by a visit here but because I consider this a most appropriate time and place for reviewing our present educational position as a nation and for looking to the future.

President Kennedy gave expression to a recognition of the present and future crucial role of education when he said last year in his message to the Congress, "Our progress as a nation can be no swifter than our progress in education. Our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this, all require the maximum development of every young American's capacity."

We have in recent years come to recognize more clearly the vital role of education as one of the basic solutions to a wide range of problems and challenges.

Education, in one form or another, inevitably assumes a prominent place, not only in plans for space exploration but in plans for solving the problems of dependency, unemployment, juvenile delinquency, mental illness and mental retardation, and a wide variety of other social, economic, and cultural challenges.

We have come to realize that we must educate oncoming generations, not only for space age vocations and professions but also for space age citizenship in the broadest sense.

There has come to us a realization that education—once considered primarily a personal interest—has, in this space age, become a crucial matter of the national interest.

H. G. Wells observed, more prophetically than he perhaps knew, shortly after World War I, that "history becomes more and more a race between education and catastrophe." Much has happened since then to underline the literal truth of the observation.

How are we faring in this fateful race?

How adequate a job are we doing in preparing our young people to make their necessary vocational or professional contribution in the new atomic age which was born under the stadium stands of a great university such as this just 20 years ago?

How well are we preparing our young people, not only as productive individuals but as citizens and leaders of the future?

How effectively are we giving them an awareness of their place in the family of man drawn close in a now small world?

How well are they being prepared to preserve and carry forward our own culture and tradition toward the ultimate destiny of our democratic society?

These are sober questions which in recent years have come to trouble the conscience of responsible citizens throughout the land.

These are questions which you young people, at this significant point in your personal growth, need to ask—about yourselves and about the other millions of your generation who will soon inherit the responsibilities that all Americans share for the continued vitality and safekeeping of this democracy.

Here, in the company of some 25,000 fellow students, led by a distinguished faculty of more than 2,000 teachers and scholars, surrounded by laboratories and libraries, it is sometimes difficult to realize just how small an oasis of knowledge this campus actually is—how relatively few of your generation have enjoyed the splendid opportunities offered by this and some 2,000 other institutions of higher learning to nurture their talents and to bring them to full fruition.

Under present conditions, out of every 10 youngsters now in grade schools, only 2 will graduate from college; 2 more out of that 10 will enter college but never finish; 3 out of 10 will not complete high school.

Some of the reasons for this rather bleak forecast are readily apparent. I scarcely need tell this audience that a major barrier to higher education for thousands of able students is simply its high cost. The cost of a medical education has become almost prohibitive for the majority of young people. Even in our great public institutions, general tuition charges during the last 10 years have risen by about 80 percent. In private colleges they have more than doubled.

This economic pinch has led to a major shift in the traditional enrollment ratio between public and private institutions. Tax-supported institutions, with their lower tuition costs, today are accommodating more than 60 percent of our college students, while 10 years ago they were serving about half the college population.

But your president, Dr. Fawcett, as well as the head of any private institution, will be quick to tell you that these sizable fees fall far short of covering the actual cost of the instruction you have received and the facilities essential for giving it. These costs are met by public and private funds—by State and local taxes, private gifts, and in some specific areas—principally in agriculture and the sciences—by grants from the Federal Government.

We are faced with a triple need: The need for expanding educational opportunity on the basis of our present population, the need to accommodate an increasing population, and the need to provide for an increasing proportion of high school seniors who want to continue their formal education beyond high school graduation.

The Ohio State Department of Education has estimated that the number of high school graduates in Ohio in 1964 will be twice what it was in 1954. Furthermore, enrollment in Ohio colleges is estimated to double by 1970. The U.S. Office of Education has predicted an approximate doubling of college enrollment for the Nation during the sixties, with the largest increases in the next 3 academic years—that is, 1963-64, 1964-65, and 1965-66.

Even today, without considering these additional needs, we are short nearly 130,000 classrooms. As a result, some one-half million students are attending school in double shifts. Nearly 2 million children in elementary and secondary schools are overcrowding our classrooms, a condition that affects the education of all the students who share these classrooms—about 10 million students in all.

I have been talking about some of the quantitative dimensions of education's needs—the physical capacity of our schools and colleges to absorb the impact of our population increase. But education is not all brick and mortar and plate glass. It is the dissemination of knowledge to questioning minds, and its essential component is good teaching.

One of the most durable possessions of a college graduate is the recollection of an outstanding teacher and the exciting experience of having one's mind stretched until it fully grasps a new idea and is able to reach out toward other new ideas.

The potential influence of a teacher is virtually limitless. As Henry Adams observed, "A teacher affects eternity; he can never tell where his influence stops."

From my own experience I can recall certain teachers who profoundly influenced my life and my thought. Each of you here must have had a similar experience.

In spite of this recognition of the value of good teaching, we Americans have consistently failed to accord the teaching profession the support it deserves—and needs—in order to meet the demands placed upon it.

I am inclined to feel that education—its teachers and administrators—have on occasion been unjustly criticized in recent years for the shortsightedness of others in failing to provide them the means to achieve excellence in the schools.

The educational process itself—the "how" of learning—has not been given adequate attention, although we are investing billions in research and development of new processes which depend ultimately for their success on equal advances in education.

All this has been the subject of intensive public soul searching as our concern with the problems of education has increased.

I think there is little doubt left in anyone's mind about the importance of education to economic growth, to the national defense, and to the maintenance of our position of leadership in the free world.

There is little disagreement among us about what is needed for education:

An increase in our physical establishment—more buildings, more classrooms.

Expansion of educational opportunities so that every citizen is able to make the most of his talents.

An upgrading of the quality of education—bringing the curriculum and teaching techniques up to date with modern times.

These basic goals for education are clear to all of us now. The next question is how we shall reach them.

If the States and local communities, which bear primary responsibility for education, could meet these needs fully with their own resources, there would be no massive problems for education today.

The disparity of educational opportunities and educational facilities among the various States is evidence that much more needs to be done in many places. Actually, many of the poorer States are making a far larger proportional contribution of their income to education than some States which are better off. For these States, however, a maximum effort for education does not necessarily result in excellent schools.

The great and growing mobility of the American people creates another complicating factor. With families increasingly on the move, the educational deficiencies of one State as compared with another cease to be a matter of purely local concern. For it is the education they received back home which determines whether the newcomers become productive members of their new communities or a financial and social burden on them.

The whole national effort to stimulate our economy, to achieve growth, to strengthen our defenses, to establish a society where it is possible for every individual to build for himself and his family a good life—all these are dependent to one degree or another on our progress in education.

The Federal Government has a stake in these matters. With its vast resources for cooperative action and its equally vast responsibilities for the well-being of the Nation, it cannot in good faith sit idly by while the States struggle along unaided. Such a course would lead to catastrophe, for education will lose the race if we do not come to its support.

We have not and do not propose to usurp the rights and responsibilities of the States.

We have not and do not propose to violate either the spirit or the word of the Constitution which reserves these rights to the States.

We have no intention of exercising "Federal control" over the separate State educational establishments. Under our democratic system of government, with its built-in checks and balances, the possibility of such Federal interference is remote, indeed.

Basic proposals for Federal assistance to American education were defeated in the last Congress. This legislative program is being reassessed and efforts to secure approval of a Federal aid to education program will be renewed when the 88th Congress convenes next month.

I am hopeful that the proposals presented will be studied and debated with objectivity and considered on their merits alone. It would be a great disservice to our young people—and to the well-being of our society—if progress in education is again thwarted by controversy over racial and religious differences among our people. Failure to meet our educational needs will deepen these cleavages and make the ultimate resolution of these differences all the more difficult.

I have been talking about the need for making educational opportunity available. There is another important factor, beyond the need for classrooms and teachers.

That factor is the personal commitment of the student. This only you and those young people who will follow you can provide. Opportunity for an education can be made available to an individual, but this is only the beginning. From that point on it is a personal matter.

Ralph Waldo Emerson, a little more than a century ago, wrote in his journal, "The days come and go like muffled and veiled figures sent from a distant friendly party, but they say nothing, and if we do not use the gifts they bring, they carry them as silently away."

Our days bring gifts far beyond anything of which Emerson could have dreamed. They come to us bearing the keys to the secrets of the universe. They place in our hands the means to provide a better life for all mankind. They offer each of us, individually, opportunity for personal growth and achievement beyond anything dreamed of in times past.

If we do not use these gifts, the days will silently carry them away.

The diploma you are receiving this morning attests to your good use of the gifts of days past. Because of this, the days to come will be even more bountiful. Continue to use the gifts each new day will bring to you.

The months and years ahead will require more than mere competence, more than mere decency, more than mere acquiescence in the principles of freedom and enjoyment of their benefits.

You will be called upon to use all the power of imagination with which of all living creatures only human beings have been endowed.

This is the creative power—the power that enables us to see a better world.

You will be called upon for the personal commitment needed to create the better world your imagination visualizes.

We have the greatest opportunity history has ever afforded the human race—the opportunity to do something bold and creative in shaping a new world, a peaceful world, in which justice shall reign and spiritual and physical well-being prevail for all mankind.

If we are to achieve such a world, we must continue to face the large issues of complex international relationships, of nuclear weapons, and of war and peace with courage and with confidence in the knowledge that these issues are manageable and that we are neither the captives nor the pawns of history.

We are in period of great change. It is, in a sense, a period of countdown for the launching of a new era.

May the countdown for tomorrow signal the release of a glorious burst of human energy and an increase in the power of the human will and intellect, guided by moral and spiritual values, which will carry mankind to its true destiny.

That destiny is not the darkness of oblivion.

I am convinced that we shall not, in the words of Maxwell Anderson, "shut out the light, close our minds and be like a million cities of the past that came up out of mud, worshipped darkness a little while, and went back, forgotten, into darkness."

May we be a nation drenched with lasting light. May our destiny be achieved in the eternal light of truth, wisdom, and goodness. May we realize that human destiny is the sum of our individual destinies which we shape through our personal goals.

As you leave this university may you remember always why you were here, and may the enthusiasm and determination that has brought you this far not diminish but grow with the years.

Mr. MORSE. Mr. President, I offer the speech of the Secretary of Health, Education, and Welfare because I think it really is a fitting introduction to the task which it is now my privilege to perform in behalf of the administration.

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## NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

Mr. MORSE. Mr. President, I proceed now to introduce the administration's bill, thoroughly backed and supported by President Kennedy, for a comprehensive Federal aid to education program for this session of the Congress. I send to the desk a bill introduced by myself and cosponsored by Senators MCNAMARA, YARBOROUGH, CLARK, RANDOLPH, WILLIAMS of New Jersey, BURDICK, PELL, MANSFIELD, and HUMPHREY.

Mr. President, I shall have a few remarks to make shortly in regard to certain reservations that are made by some of the cosponsors of the bill, particularly by the Senator from Rhode Island [Mr. PELL] and the Senator from North Dakota [Mr. BURDICK], although similar reservations really are held by all of us. We think it is important that a comprehensive bill be introduced, and that there be the earliest possible hearings on the bill. For the benefit of the press, some members of which have asked me this afternoon on several occasions what my plans are for hearings on the bill, I repeat now in the Senate what I have said to them. As soon as the Senate organizes itself for business, committee vacancies are filled, and committees are in a position to proceed with their work, or within a few days thereafter, I intend to start the first hearings on the comprehensive education bill which the administration is offering today, and which I have the honor and the privilege to introduce.

I send to the desk a bill to strengthen and improve education quality and educational opportunities in the Nation, and I ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 580) to strengthen and improve educational quality and educational opportunities in the Nation, introduced by Mr. MORSE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. MORSE. Mr. President, earlier today the Senate received from the President of the United States a message on education, which, in my judgment, will rank among his great state papers.

It is a long message, because it is a comprehensive message; yet it is also an eloquent message. The President has set forth a comprehensive statement of the need for legislation affecting the entire educational spectrum from the first grade through the graduate school. He has pointed out to us that our Nation's strength is based upon "our traditional system of free, universal elementary and secondary education, coupled with widespread availability of college education." His message is factually based upon the evidence presented to him by his Science Advisory Committee. He has cited the economic research which has demonstrated that one of the most beneficial of all investments is education which accounts for some 40 percent of the Nation's growth and productivity in recent years.

I wholeheartedly believe that there is widespread agreement with his view that—

> Education is of paramount concern to the national interest as well as to each individual. Today we need a new standard of excellence in education, matched by the fullest possible access to educational opportunities, enabling each citizen to develop his talents to the maximum possible extent.
>
> Our concern as a nation for the future of our children—and the growing demands of modern education which Federal financing is better able to assist—make it necessary to expand Federal aid to education beyond the existing limited number of special programs. We can no longer afford the luxury of endless debate over all the complicated and sensitive questions raised by each new proposal on Federal participation in education. To be sure, these are all hard problems—but this Nation has not come to its present position of leadership by avoiding hard problems. We are at a point in history when we must face and resolve these problems.

There is widespread agreement, in my judgment, with his statement that—

> I do not say that the Federal Government should take over responsibility for education. That is neither desirable nor feasible. Instead its participation should be selective, stimulative, and, where possible, transitional.

These goals include the following:

> First, we must improve the quality of instruction provided in all of our schools and colleges. We must stimulate interest in learning in order to reduce the alarming number of students who now drop out of school or who do not continue into higher levels of education. This requires more and better teachers—teachers who can be attracted to and retained in schools and colleges only if pay levels reflect more adequately the value of the services they render. It also requires that our teachers and instructors be equipped with the best possible teaching materials and curricula. They must have at their command methods of instruction proven by thorough scientific research into the learning process and by careful experimentation.
>
> Second, our educational system faces a major problem of quantity—of coping with the needs of our expanding population and of the rising educational expectations for our children which all of us share as parents. Nearly 50 million people were enrolled in our schools and colleges in 1962—an increase of more than 50 percent since 1950. By 1970, college enrollment will nearly double, and secondary schools will increase enrollment by 50 percent—categories in which the cost of education, including facilities, is several times higher than in elementary schools.
>
> Third, we must give special attention to increasing the opportunities and incentives for all Americans to develop their talents to the utmost—to complete their education and to continue their self-development throughout life. This means preventing school dropouts, improving and expanding special educational services, and providing better education in slum, distressed, and rural areas where the educational attainment of students is far below par. It means increased opportunities for those students both willing and intellectually able to advance their education at the college and graduate levels. It means increased attention to vocational and technical education, which have long been underdeveloped in both effectiveness and scope, to the detriment of our workers and our technological progress.
>
> In support of these three basic goals, I am proposing today a comprehensive, balanced program to enlarge the Federal Government's investment in the education of its citizens—a program aimed at increasing the educational opportunities of potentially every American citizen, regardless of age, race, religion, income, and educational achievement.

Certainly, it is my view that in this magnificent message the President has outlined the three great goals which we must meet in the field of education: Improvement of the quality of instruction, coping with the sheer quantity of instruction needed, and the special attention which should be given to increasing the opportunities and incentives for all Americans to develop their talents to the utmost.

In order to realize these goals, the President has brought together into one comprehensive bill a large number of proposals on the basis of three fundamental guidelines. They are:

> A. An appraisal of the entire range of educational problems, viewing educational opportunity as a continuous life-long process, starting with preschool training and extending through elementary and secondary schools, college, graduate education, vocational education, job training and retraining, adult education, and such general community educational resources as the public library;
>
> B. A selective application of Federal aid—aimed at strengthening, not weakening, the independence of existing school systems and aimed at meeting our most urgent education problems and objectives, including quality improvement; teacher training; special problems of slum, depressed, and rural areas; needy students; manpower shortage areas such as science and engineering; and shortages of educational facilities; and
>
> C. More effective implementation of existing laws, as reflected in my recent Budget recommendations.

I invite particular attention to the concluding paragraph of the message which, in capsule form, presents the major arguments for enactment of this comprehensive legislation in this session of the Congress. The President states:

> The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control. It provides for economic growth, manpower development and progress toward our educational and humanitarian objectives. It encourages the increase of the knowledge, skills, attitudes, and critical intelligence necessary for the preservation of our society. It will help keep America strong and safe and free. I strongly recommend it to the Congress for high priority action.

It has been with great pleasure that on my own behalf and on behalf of Senators MCNAMARA, YARBOROUGH, CLARK, RANDOLPH, WILLIAMS, of New Jersey, BURDICK, PELL, MANSFIELD, and HUMPHREY I have sent to the desk for appropriate reference, the National Education Improvement Act of 1963.

The Senator from Rhode Island [Mr. PELL], who, as a Democratic member of the Labor and Public Welfare Committee, has cosponsored this bill as a whole, has expressed strong reservations concerning the formula being used for the allocation of Federal funds and his belief in the particular importance of the fullest possible continuation of the impacted area school programs and that proper recognition must be given to those States where many of the children are being educated in the private schools.

It is hoped that the Senator's reservations will be fully resolved within the committee.

I can assure the Senator that these are matters which will receive serious consideration by the committee during the hearing process and in executive sessions. I am confident that all of us believe that it is imperative that educational legislation be passed by this Congress and that the way to do that is to bring before the committee at the earliest possible date for hearings this major and comprehensive proposal of the President of the United States.

Likewise, Mr. President, I wish to say, in behalf of the Senator from North Dakota [Mr. BURDICK], the Senator from New Jersey [Mr. WILLIAMS], and the other cosponsors of the bill, each and every one of us reserves the privilege and the right to support any amendments to the bill, as hearings may show that amendments are needed.

Mr. President, we all feel that the President of the United States has performed such a great and statesmanlike service in bringing forth this very comprehensive bill that we want the country to know we stand behind the President in the emphasis he is giving to the need for the passage of some Federal legislation in the field of Federal aid to education at this session of Congress.

I shall not dwell on the matter further, Mr. President. I only wish to say as I introduce the bill this year, that I am deeply appreciative of the wonderful cooperation I received from the Democrats and Republicans alike on the Senate Committee on Labor and Public Welfare and the wonderful cooperation I received from the Senate last year as we passed through the Senate the administration's program. I am confident that the same cooperation will be extended this year.

I am pleased to say that in my opinion we are offering an educational legislative program which deserves the support of the Senate and the House of Representatives. I hope that by the end of this session of Congress we shall have given to the school children of America, to the college students of America, and to those great dedicated public servants—the faculties of all schools at every level—the support the Congress owes to them.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks sundry explanatory tables and memorandums prepared by the Department of Health, Education, and Welfare containing analyses of the measure.

I do not ask that the President's message on education be printed again in the RECORD, since it will appear as it was read in the House.

There being no objection, the memorandums were ordered to be printed in the RECORD, as follows:

### SHORT REVIEW OF THE PRINCIPAL PROVISIONS OF THE NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

A comprehensive program of Federal aid to meet selected and urgent needs of American education on all levels from elementary school through graduate education; to promote educational quality, expand opportunity for education, and to increase the capacity of our educational institutions; to provide for the Nation's needs in skilled manpower, national growth, and national security.

#### TITLE I—EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

Part A—Student loans (title II of National Defense Education Act): To remove the $90 million ceiling in the present law and replace it with $135 million for fiscal year 1964 and necessary sums for 2 succeeding years. Extends forgiveness of up to 50 percent of loan to all teachers—elementary, secondary, college, and university. Provides for a national study of why able students fail to attend or complete college. Students in public and private nonprofit higher education institutions eligible.

Part B—Insurance of student loans: Federal guarantee of student loans by banks and colleges and universities. Maximum aggregate loans insured during 3-year period, $150 million. Students in public and private nonprofit higher education institutions eligible.

Part C—Student work-study: Authorizes $22.5 million for fiscal year 1964, and necessary sums for 2 additional years to pay 50 percent of wages to needy students for campus employment of an educational character, up to 15 hours per week. Students in public and private nonprofit higher education institutions eligible.

Part D—Graduate fellowships (title IV of National Defense Education Act): Increase graduate fellowship program from 1,500 to 10,000 annually for fiscal year 1964 and for 2 succeeding years, plus 2,000 additional summer session fellowships. Students in public and private nonprofit higher education institutions eligible.

#### TITLE II—EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

Part A—Construction loans for institutions of higher education: Authorizes $1 billion aggregate over 3 years for Federal loans to institutions of higher education, or higher education building agencies for construction of academic facilities. Public and private nonprofit institutions eligible.

Part B—Public junior colleges: Authorizes $50 million in fiscal year 1964 and such sums as are necessary for 2 succeeding years for grants to States to construct public community junior colleges.

Part C—College-level technical education: Authorizes $20 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for project grants to institutions of higher education for 2-year college level programs to train semiprofessional technicians in engineering, science, and health occupations. Includes construction and equipment of academic facilities. Up to 50 percent of construction or program costs can be supported with a Federal grant. Both public and private nonprofit institutions eligible.

Part D—College libraries: Authorizes $40 million for fiscal year 1964 and such sums as are necessary for each of next 2 years for grants to colleges and universities for acquisition of library books and other materials and for construction of library facilities. Up to 25 percent of fiscal year 1963 expenditures for library books and materials and 50 percent of construction costs can be supported by Federal grants. Both public and private nonprofit institutions eligible.

Part E—Graduate schools: Authorizes project grants to institutions of higher education for expansion of graduate schools including construction, equipment, expansion of faculty, not to exceed 50 percent of construction or program costs of the graduate school expansion program. Authorizes $40 million for fiscal year 1964 and necessary sums for the next 2 years. Both public and private nonprofit institutions eligible.

Part F—Modern foreign languages (amendments to title VI of National Defense Education Act): Extends for 2 years the language and area centers and studies program in institutions of higher education and authorizes an increase in appropriations from present $8 million annually to $13 million for fiscal year 1964; and such sums as are necessary for the 2 succeeding years. Public and private nonprofit institutions are eligible.

#### TITLE III—IMPROVEMENT OF EDUCATIONAL QUALITY

Part A—Teacher institutes: Expand the institute program in the National Defense Education Act (now limited to teachers of foreign languages and guidance and counseling personnel), to teachers of English, humanities, social sciences, and library personnel. Elementary and secondary school teachers, college language teachers, and library personnel, public and private nonprofit, eligible to receive stipends. Appropriations authorized are increased from present $14.5 to $37.5 million for fiscal year 1964, and necessary sums for next 2 years.

Part B—Teacher preparation programs: Project grants to colleges and universities to strengthen departments and programs which prepare elementary and secondary school teachers. Emphasis will be on subject matter courses. $7.5 million for fiscal year 1964 and necessary sums for next 2 years. Public and private nonprofit education institutions eligible.

Part C—Teachers and related personnel requiring specialized training: Project grants to colleges and universities to strengthen special training of teachers of gifted children and teachers of adult illiterates, culturally deprived children; training of librarians, and other specialized personnel. Public and private nonprofit higher education institutions eligible. $7.5 million for fiscal year 1964 and necessary sums for next 2 years.

Part D—Strengthening educational research and demonstrations (amendments to Cooperative Research Act and to title VII of National Defense Education Act (new media)): Authorizes Office of Education, under cooperative research program, to support educational research centers involving colleges and State and local education agencies. Both public and nonprofit private higher education and research institutions eligible. Extends title VII, National Defense Education Act, new educational media research and demonstration, for 2 more years.

Part E—Educational statistics: Extends, for 2 years, grants to State education agencies ranging up to a maximum of $125,000 to finance collection of statistics about the character, quality, and quantity of educational programs in the State. Public education agencies only.

#### TITLE IV—STRENGTHENING ELEMENTARY AND SECONDARY EDUCATION

Part A—Selective and urgent improvement of public elementary and secondary education: Four-year $1.5 billion program of Federal grants to States for teacher salary improvement; i.e., increasing maximum salaries, raising low starting salaries, raising low average salaries in economically disadvantaged districts; support for critical classroom construction needs such as overcrowding, fire and health hazards; support for special projects to improve educational quality particularly in disadvantaged rural and urban areas. Appropriation would be authorized so as to phase out Federal support by the end of program. Public schools only.

Part B—Acquisition of science, mathematics, and modern foreign language instruction equipment (amendments to title III of National Defense Education Act): Extends for 2 years title III of National Defense Education Act for purchase of equipment needed in science, math, and modern foreign language instruction in elementary and secondary schools. Grants to public schools—loans to private nonprofit schools as in present law.

Part C—Guidance, counseling and testing (amendments to title V of National Defense Education Act): Extends counseling and guidance title of National Defense Education Act for 2 years and increases authorization from $15 milion to $17.5 million for fiscal year 1964 and succeeding years. Authorizes testing program for all seventh and eighth grade students. Public schools only, except for testing in private nonprofit schools.

Part D—Federally affected areas (amendments to Public Laws 815 and 874): Extends all expiring provisions for 4 years; no modifications in payment formulas for first year, with some reduction in the formulas beginning the second year and standardization of the eligibility conditions at 5 percent in the third year; and inclusion of the District of Columbia. Public schools only as in present law.

### TITLE V—EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION AND SPECIAL EDUCATION

Part A—Vocational education (amendments to Vocational Education Acts, including title VIII of National Defense Education Act): Authorizes an increase in Federal expenditure for vocational education from present $50 million to $73 million for fiscal year 1964, and necessary sums for each of the succeeding 4 years. Allotments to the States will be based on various age groups needing vocational education and per capita income. State plans may continue to follow previous vocational education statutes for transitional period of 2 years but must conform to new plan requirements by fiscal year 1966. Grants under Smith-Hughes Act of 1917 may continue. Public school systems only are eligible as under present law.

Part B—Education of handicapped children: Authorizes grants to State education agencies and project grants to institutions of higher education to provide special training of teachers of handicapped children, i.e., deaf and blind, mentally retarded, emotionally disturbed, crippled, etc. Authorizes grants to institutions of higher education for scholarships to teachers of deaf children. Authorizes grants for research and demonstration projects in education of handicapped children. Both public and private nonprofit institutions eligible. Increases $2.5 million now authorized for mentally retarded or deaf children to $15 million for fiscal year 1964, and such sums as are necessary for the next 2 years.

### TITLE VI—EXPANSION OF CONTINUING EDUCATION

Part A—General university extension education: Authorizes grants to States for expansion of university extension courses in land-grant colleges and State universities—$9,040,000 a year for each of 3 years is authorized.

Part B—Adult basic education: Authorizes $5 million for fiscal year 1964 and such sums as may be necessary for each of the 2 succeeding years in grants to States for basic education of adults up to eighth grade. Public schools only.

Part C—Public libraries (amendments to Library Services Act): Grants to States for library services are expanded from rural areas to include all areas of the State and to include construction of public library facilities. Appropriations authorized are increased from present ceiling of $7.5 to $45 million in fiscal year 1964, and such sums as may be necessary for each of the 2 succeeding years.

### TITLE VII—GENERAL PROVISIONS

Defines educational institutions and agencies referred to in the bill; provides for interchange of personnel between Office of Education and State educational agencies. Authorizes the Commissioner of Education to establish advisory councils to advise and consult with him.

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## SUMMARY EXPLANATION OF THE NATIONAL EDUCATION IMPROVEMENT ACT OF 1963

### TITLE I—EXPANSION OF OPPORTUNITIES FOR INDIVIDUALS IN HIGHER EDUCATION

### *Part A—Student loans*

The bill would extend the present student loan program under title II of the National Defense Education Act of 1958 for an additional 2 years. (Existing authority to make new loans expires on June 30, 1964). Authorized appropriations would be increased from $90 million to $135 million for fiscal 1964, and there would be no dollar limitation on appropriations for subsequent years.

The present limits on loans to any student of $1,000 (annually) and $5,000 (in the aggregate) would be retained for undergraduates, but for graduate and professional students the bill would increase those limits to $2,500 (annually) and $10,000 (in the aggregate—including loans received as an undergraduate).

The "forgiveness feature," under which up to one-half of a student loan is canceled for service as a public elementary or secondary school teacher at the rate of 10 percent for each year of such service, would be extended to service as teachers in federally operated and nonprofit private elementary and secondary schools, and in institutions of higher education. In addition, the provision would be broadened to provide forgiveness of one-half of the loan at the rate of 25 percent (instead of 10 percent) for each year of such service in the case of borrowers who served as teachers in such schools or institutions prior to returning to study at an institution of higher education.

Other changes which the bill would make in the program include the following: The present $250,000 ceiling on the amount of the annual Federal capital contributions toward the student loan fund of a college would be removed. College loan fund agreements would be modified to provide for preference to students desiring to teach in institutions of higher education, as well as in elementary or secondary schools (as provided in existing law). And the provision for deferral of interest and postponement of payments on the loan would be extended to cover periods during which the borrower attends an approved institution of higher education outside the States (now limited to attendance at an institution within this country). The bill would also direct the Commissioner of Education to conduct a study of the reasons why able young persons fail to attend or complete college and the need for a program of Federal scholarships. The Commissioner's report on the study would be transmitted to Congress (through the Secretary of Health, Education, and Welfare) within 2 years.

### *Part B—Student loan insurance*

This part of the bill would amend title II of the National Defense Education Act of 1958 to establish a program of Federal insurance of loans to students attending institutions of higher education, if made by such institutions or by recognized lending institutions in accordance with the requirements of the program. Insurance would not be available for initial loans to new borrowers beyond the third year of the program, i.e., June 30, 1966, but loans could be insured after fiscal year 1966 (and before fiscal year 1971) if made to assist students, who previously obtained insured loans, to continue or complete their educational program. There would be a limit of $25 million on the aggregate insured amount of new loans made in the first year of the program, i.e., fiscal 1964, $50 million on new loans in the second year, and $75 million in the third year.

Repayment of principal by the student borrower, unless accelerated at his option, would be in installments beginning not earlier than 1 year after his completion (or termination) of the full-time study program for which he was enrolled at the time of the loan and ending, generally, 11 years after such completion (or termination). Interest on the principal would accrue currently from the date of the loan, but the parties could agree to defer the payment of interest until repayment of principal begins. The Commissioner of Education would set a maximum interest rate by regulation.

The program would insure 90 percent of each student loan, up to $2,000 in any academic year, and $10,000 in the aggregate, for any student. A revolving fund would be established, to consist of all insurance premiums and other receipts under the program and to defray all expenditures. A one-fourth percent premium authorized to be charged by the Commissioner, plus interest on investment of the fund and any collections on defaulted loans, would be used to support the program, including administrative expenses (as limited in appropriation acts). To establish the revolving fund initially, advances to the fund could, as needed, be made from an initial appropriation ($500,000) to be authorized and would be repayable to the Treasury with interest, and additional appropriations would be authorized in the event that the fund proves insufficient to pay losses or other program expenses. In the event of insufficiency of the fund to meet its obligations, the Commissioner of Education would also be authorized, pending appropriations, to borrow at interest from the Treasury; this is essential to assure lending institutions utilizing the loan insurance that there will be prompt payment by the United States in the event of loss.

### *Part C—Student work-study programs*

This part of the bill would amend title II of the National Defense Education Act of 1958 to add a 3-year program for Federal payment of one-half of the pay of students employed by institutions of higher education under work-study programs approved by the Commissioner of Education in accordance with agreements between the Commissioner and the institutions.

An appropriation of $22.5 million will be authorized for fiscal year 1964, and such sums as Congress may determine for the next 2 fiscal years. Sums appropriated would be allotted among the States in proportion to the number of full-time students enrolled at institutions of higher education.

To participate in the program, an institution would enter into an agreement with the Commissioner whereby it would establish or maintain a work-study program for the employment of students in work of substantial educational character or content. Employment, which would be limited to 15 hours for any student in any 1 week in which classes were in session, would be afforded only to a student in need of the earnings to pursue his studies, and capable, in the institution's judgment, of maintaining good standing. The annual Federal share of the student's pay would be limited to $500 for an undergraduate and $1,000 for a graduate or professional student.

The institution would be required to maintain, from funds other than Federal funds paid under this bill, an expenditure for the employment of students, over the period of the agreement, that is not less than its average expenditure for such employment during 3 fiscal years preceding the agreement.

### *Part D—Graduate fellowships*

This part of the bill extends the national defense fellowship program under title IV of the National Defense Education Act of 1958 for 2 additional years (existing authority expires June 30, 1964) and increases the number of fellowships, beginning in fiscal 1964, from 1,500 to 10,000. Not less than 1,500 would still be awarded to students in the approved new or expanded programs for training of college-level teachers (fellowships under the existing program are limited to these), with the rest awarded on such bases as the Commissioner of Education may determine. Preference would be given to persons intending to be college or university teachers (as under the existing program) or pursuing their doctorates. The refilling of vacated fellowships would also be authorized.

The bill would also establish a program of summer session fellowships, authorizing 2,000 annually during fiscal years 1964 through 1966. Such fellowships would be available only to students who were college or university teachers during the preceding year and to students engaging in full-time graduate study during the preceding or succeeding academic year (but who were without a fellowship under the National Defense

Education Act of 1958 or any other Federal program).

Under the bill, the Commissioner would by regulation prescribe the amounts of the fellowship stipends; he would also by regulation prescribe cost-of-education allowances for the institutions of higher education, which would be uniform as between institutions, after considering the average cost of education for various categories of fellows.

### TITLE II—EXPANSION AND IMPROVEMENT OF HIGHER EDUCATION

#### *Part A—Higher education facilities*

This part of the bill would establish a 3-year $1 billion program of long-term, low interest (nonsubsidy) construction loans by the Commissioner of Education to public and other nonprofit institutions of higher education (or to higher education building agencies), for academic facilities.

The program would apply to institutions in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. Not more than 12½ percent of the aggregate amount of loans could be made available to institutions in any one State or other jurisdiction to which the bill applies.

Loans would be available to finance up to three-fourths of the cost of (a) providing—through new construction, expansion, acquisition, replacement, or other methods—needed classrooms and other academic facilities and initial equipment therefor, or (b) improving existing academic facilities through rehabilitation, alteration, or conversion, or through modernization or replacement of built-in equipment, or the like. Facilities intended primarily for events for which admission is to be charged to the general public would not be eligible under this program. (Likewise excluded, in view of the availability of loans for nonpublic institutions, would be any facility to be used for sectarian instruction or as a place of religious worship, and any facility which is to be used primarily in connection with any part of the program of a school or department of divinity.)

Except as above stated, the provisions of the bill as to the terms and conditions under which loans would be available to institutions, and other features of the bill relating to academic facilities, would be the same as or similar to provisions of the college housing program as contained in the Housing Act of 1950 as amended.

#### *Part B—Public community college academic facilities*

This part of the bill would establish a 3-year program of grants to States (and to the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa) for the construction of classrooms, administration, and related facilities of public community (junior) colleges which provides the first 2 years of baccalaureate credit level courses.

Appropriations of $50 million would be authorized for the first fiscal year (1964), and such sums as Congress may determine for the second and third fiscal years of the program. Appropriations would be allotted to the States and the other eligible jurisdictions on the basis of their relative numbers of high school graduates weighted by per capita income, with special provisions for Puerto Rico and the island possessions and with an adjustment for any State (i.e., Alaska) with specially high construction costs. Funds not needed by States to which they were allotted could be reallotted to other States that need them.

States desiring to participate in the grant program would have to submit for approval a State plan providing for the establishment of standards for locating, planning, and constructing public community college facilities, specifying a uniform Federal share for each project or specifying criteria for determining the Federal share for any given project. In order for a State or other jurisdiction to obtain its full allotment under this formula, the allotment would have to be matched by it or by local funds, or both, on a 50–50 basis, but this does not necessarily require that the proportion of Federal funds going into a project be the same for each project in a State; so long as the overall matching requirement is observed for the State considered as a whole, the State could vary the Federal share of the cost of construction of particular projects.

#### *Part C—College level technical education*

This part would authorize Federal grants, including grants for construction and equipment of facilities, to establish, expand, or improve 2-year programs of technical education in engineering technology, mathematics, or the physical or biological sciences which are designed to prepare the student for immediate employment at the semiprofessional level in engineering, scientific, or other technological fields in which critical manpower shortages are impeding national security and national growth.

Grants would be made to public or nonprofit private institutions which offer or propose to offer programs meeting standards prescribed by the Commissioner with the advice of an advisory committee consisting of representatives of Federal departments and agencies principally concerned with technical education and of nongovernmental members selected from among leading authorities in the field of technological education, from business and industry, and from labor.

Appropriations of $20 million for fiscal 1964 and such sums as the Congress determines for each of the next 2 years would be authorized, Federal grants could be used for the establishment of new programs, or the expansion or improvement of existing programs, of technical education, including strengthening of faculty, acquisition of instructional equipment, and construction of academic facilities.

#### *Part D—College and university libraries*

This part would authorize grants to public or nonprofit private institutions of higher education to assist them in the acquisition for library purposes of books (not including textbooks), periodicals, documents and related library materials, and in the construction and equipment of library facilities.

The annual authorization of appropriations for library materials would be $15 million for fiscal 1964, and such sums as Congress determines for each of the 2 succeeding years. The Commissioner would make grants to an institution of higher education upon application therefor, in amounts not exceeding 25 percent of the institution's expenditures for library materials during fiscal 1963, nor less than $1,000 for 2-year institutions, $2,500 for bachelor degree granting institutions, and $5,000 for bachelor and advanced degree granting institutions. Recipient institutions would be required to increase their expenditures from their own funds for all library purposes over their fiscal 1963 expenditures by an amount at least equal to the Federal grant, one-half of the increases to be in expenditures for library materials.

The annual authorization for appropriations for construction and equipment of library facilities would be $25 million for fiscal 1964 and such sums as Congress determines for each of the next succeeding 2 years. The Commissioner would make grants in accordance with priority regulations which give preference to institutions whose lack of adequate facilities is seriously impeding needed improvement in educational quality, and to institutions which require more facilities to service recent or contemplated expanded enrollments. A grant could not exceed 50 percent of the cost of construction of any project; and grants for construction projects in any one State in any year could not exceed 12½ percent of that year's appropriation.

If, within 10 years after completion of a facility receiving a construction grant the facility is no longer owned by a public or nonprofit institution, or is no longer used for the purposes for which constructed, the United States would be entitled to recover such part of the then value of the facility as the amount of the grant bore to the total cost of construction.

Grants would not be permitted for books or other materials, or for facilities, to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of a divinity school or of any other program to prepare students to become ministers of religion or to enter upon some other religious vocation.

#### *Part E—Graduate schools*

This part of the bill would add a new part to title IV of the National Defense Education Act of 1958, authorizing grants to institutions of higher education to assist them in improving existing or establishing new graduate schools of high quality (including necessary construction and equipment). Forty million dollars would be authorized for the fiscal year 1964, and such sums as the Congress may determine would be authorized for the fiscal years 1965 and 1966; additionally, there would be authorized to be appropriated for the 4 years following fiscal year 1966, sums necessary to continue initial support (for a total of not more than 5 years) of the schools for which a grant was approved in any of the first 3 years of the program.

Grants would be used to pay up to 50 percent of the cost of construction and up to 50 percent of other costs of graduate schools meeting the standards of scope and quality established by the Commissioner with the advice of an advisory committee.

In making grants, consideration would be given to the extent to which a project would contribute to achieving the objectives of this part (to promote the national security and growth by increasing the supply of highly skilled personnel critically needed by industry, government, research and teaching) and the extent it would provide wide geographical distribution of high quality graduate schools. Grants could not be used for any sectarian instruction or religious worship, or for any school or department of divinity, or for any facility to be used for such programs.

#### *Part F—Modern foreign language training and research*

This part of the bill would extend for 2 additional years the duration of part A of title VI of the National Defense Education Act of 1958, which authorizes arrangements for modern foreign language centers (scheduled to expire June 30, 1964) and for research and studies in modern foreign languages. The annual appropriation authorization would be increased from $8 million to $13 million for fiscal 1964; for the next 2 years such sums as the Congress may determine would be authorized.

### TITLE III—IMPROVEMENT OF EDUCATIONAL QUALITY

#### *Part A—Institutes for advanced study for teachers*

This part of the bill would authorize $37.5 million for fiscal year 1964 and such sums as Congress may determine for the next 2 fiscal years to enable the Commissioner of Education to arrange, through grants or contracts, for colleges and universities to operate institutes for advanced study for teachers of gifted children as well as other teachers, guidance and counseling personnel, library personnel, and other personnel whose activities in the educational process in elementary or secondary schools have a significant impact on the quality of that process, or supervisors of such teachers or personnel. In determining the areas of study for which institutes should be established, preference would be given to those subject matter areas where there is a widespread need for improvement in the quality of instruction.

Teachers in any public or nonprofit private elementary or secondary school would be eligible to attend these institutes. In the case of institutes providing advanced study in modern foreign languages or for library personnel, college modern foreign language teachers and college or community librarians would also be eligible. Stipends (including allowances for dependents and for travel) would be payable to any eligible person while he is attending such an institute.

The bill would also terminate, as of the end of this fiscal year, the authorization of appropriations for counseling and guidance training institutes (part B of title V of the National Defense Education Act of 1958) and for modern foreign language institutes (part B of title VI thereof) since the authority contained in this part of the bill would include authority for such institutes (as well as others).

### *Part B—Teacher preparation programs*

This part of the bill would authorize $7,500,000 for fiscal year 1964, and such sums as Congress may determine for the next 2 fiscal years for grants to colleges and universities, which have programs for the preparation of individuals to teach in elementary or secondary schools, to pay part of the cost of special projects to strengthen such programs through (1) expansion or improvement of course content and curriculums (including improvements in library resources needed for such programs), (2) augmentation of the faculty regularly assigned to such programs by increased use of other college or school teaching personnel (on an exchange, part-time, or full-time basis), (3) improvement of student teaching activities, (4) improvement of standards for selection of candidates for such programs and standards for continuation in and graduation from such programs, or (5) establishment or improvement of full-time postbaccalaureate programs or special programs designed to train, for teaching as their second careers, retired military personnel and other professionally trained persons, and women with prior college training whose family responsibilities will now permit them to engage in teaching.

The advice of experts in the field in which a project is requested would be secured before the Commissioner of Education made a grant for the project.

### *Part C—Specialized training for teachers and related educational personnel*

This part of the bill would authorize $7,500,000 for fiscal 1964, and such sums as Congress may determine for the next 2 years for grants to and contracts with colleges and universities for training (including traineeships) of persons preparing to teach gifted children or to teach adults who cannot read or write English or have less than an eighth grade education, persons preparing to engage in counseling and guidance or school library work in elementary or secondary schools or to be college or community librarians, persons preparing to engage in educational research, and other personnel requiring specialized training for teaching or other activities related to education in particular subject-matter areas or to education for pupils needing specialized education.

Grants and contracts under this part of the bill would cover the cost of courses of study or traineeships, or both; and the traineeships would carry stipends (including allowances for dependents and for travel to attend the courses) set by regulations of the Commissioner of Education.

### *Part D—Educational research and experimentation*

This part of the bill would amend the cooperative research legislation (1958), which authorizes the making of contracts or jointly financed cooperative arrangements with colleges, universities and State educational agencies for the conduct of research, demonstrations, and surveys in education, to authorize also the making of grants for such purposes; and the eligible recipients would be broadened to include other nonprofit private research or professional training organizations. The amendment would also authorize grants to such universities, colleges, and other organizations for part of the costs of operation (in cooperation with State and local educational agencies, when appropriate) of centers for the conduct of programs of research, development, evaluation, and demonstration of improved instructional practices and materials in elementary and secondary schools.

Title VII of the National Defense Education Act of 1958, authorizing annual appropriations of $5 million of research and experimentation in the more effective utilization of various educational media would be extended to June 30, 1966.

### *Part E—State statistical services*

This part of the bill would extend for 2 additional years section 1009 of the National Defense Education Act of 1958 (scheduled to expire June 30, 1964) which authorizes grants to assist the States to improve the adequacy of their educational statistics, and the methods for collecting, processing, and disseminating educational data.

A new subsection would allot appropriated funds on a formula which would insure that each State would receive $25,000, plus a sum, not in excess of the smaller of $125,000 or 10 cents multiplied by the school-age population of the State, that would be in proportion to such population. Provisions would be included for reallotment of unneeded funds and funds not allotted because of the abovementioned limitations.

The requirement in the existing law that the Federal payments be limited to new or expanded programs would be eliminated.

The existing law would also be amended to require the States to provide assurances that they will cooperate with the Commissioner to enable him to carry out the data collecting and disseminating functions vested in him by law.

## TITLE IV—STRENGTHENING ELEMENTARY AND SECONDARY EDUCATION

### *Part A—Public elementary and secondary education*

This part of the bill would authorize appropriations of $400 million, $500 million, $400 million, and $200 million in fiscal years 1964, 1965, 1966, and 1967, respectively, for grants to States to make certain salary increases needed to improve their ability to recruit and retain qualified career elementary and secondary public school teachers; to construct urgently needed public school facilities to relieve or prevent double shifts, serious overcrowding, or school housing conditions which are unsafe or otherwise seriously harmful to health; and to undertake special projects or programs directed toward improving educational quality and opportunity in their public schools, particularly for educationally deprived children in slums or other economically depressed urban or rural areas. The sums appropriated each year would be allotted to the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, and Guam on a basis which takes into account the population and per capita income in each State, the States with the lowest per capita incomes receiving proportionately larger allotments. Each year's allotment would be available to the State for 2 years.

Each State would be free to use its annual allotment of Federal funds for one or more of the several purposes set forth in the bill, and in such amounts as they chose, except that not less than 10 percent of each annual allotment could be used only for special projects or programs directed toward the special education needs of educationally deprived children in slums or similarly depressed urban or rural areas having a particularly high incidence of school dropouts and having serious problems of youth delinquency and unemployment. Up to 20 percent of any allotment could be used for the above and other types of special projects or programs described in the bill, such as those designed to meet special educational needs of handicapped children, children of migrant agricultural workers, or gifted children, projects to improve the quality of teaching and the effective use of school facilities, and projects to improve school organization and financing.

The bill sets forth three types of teacher salary increases which may be aided with Federal funds. The first, designed to increase the ability of school districts to retain qualified career personnel, would be an increase in the salaries of teachers having 10 or more years of creditable service with the school district. The second type of salary increase would be for teachers whose salaries are substantially below the average entrance salary for teachers in the State. The third would embrace increases in the salaries of any or all teachers in a school district in which the average teacher's salary is substantially below the average salary paid by other school districts in the State, and which have less than average ability to finance teacher salary increases.

To qualify for Federal aid a teacher salary increase would have to be substantial (at least 10 percent in the first situation), would apply only to services performed after approval of the State's plan, and would be limited to full-time, certified, classroom teachers, and, in the case of increases in entrance salaries, would be limited to teachers who have a bachelor's degree from an accredited institution. The salary increases need not be uniform for all qualified teachers or apply to all; thus, each district could establish or continue salary policies which provide incentives for teachers to improve their proficiency through further education and training, or which recognize exceptional proficiency in teaching.

Federal funds could be used to pay 75 percent of the first-year cost of an increase in teachers' salaries, 50 percent of the second-year cost of the same increase, and 25 percent of the third-year cost. In the case of school construction, the Federal funds could be used to pay up to 50 percent of the cost of each construction project.

To participate in the program a State would submit through its State educational agency a State plan which, among other things, would set forth policies and procedures to be followed by the State in allocating its allotment among the various purposes set forth in the bill, for approving applications of local educational agencies, and, in case the funds made available for one or more of the three types of salary increases or for school construction were insufficient to meet in full the amounts requested by all school districts which qualify under the State plan, for approving applications according to a priority system based on the relative need of each applicant for a salary increase or construction project, as the case may be, and its relative ability to finance the cost thereof.

The State plan would also set forth policies and procedures to safeguard against mere replacement of State or local funds by Federal funds, and to encourage, to the extent practicable, increases in State or local expenditures. The State plan would also provide for publication of a preliminary plan, at least 3 months in advance of submittal of the final State plan to the Commissioner, so that all interested persons and organizations would be given an opportunity to suggest improvements and have their suggestions considered by the State agency.

If the Commissioner should disapprove a State plan in the first instance for failure to meet the provisions of the bill, or should later withhold Federal funds on grounds that the State plan or its administration no longer met such provisions, the State agency would be given an opportunity for an administrative hearing and, if still dissatisfied, could seek judicial review on the record in the appropriate U.S. court of appeals.

### *Part B—Science, mathematics, and modern foreign language instruction equipment*

This part of the bill would extend for 2 additional years the present authorizations, in title III of the National Defense Education Act of 1958 (scheduled to expire June 30, 1964), for (1) appropriations for making payments to State educational agencies and loans to nonprofit private schools for acquisition of science, mathematics, and modern foreign language instruction equipment, and (2) appropriations for expansion or improvement of supervisory or related services in the public schools in the fields of science, mathematics, and modern foreign languages. Provision would be made for reallotment to other States of any unneeded State allotments from any of the above appropriations.

### *Part C—Guidance, counseling, and testing*

This part of the bill would extend for 2 additional years part A of title V of the National Defense Education Act of 1958 (scheduled to expire June 30, 1964) which authorizes grants to States for guidance and counseling programs in public secondary schools and testing programs in public or nonprofit private secondary schools, and would increase the annual authorization for fiscal years 1964 through 1966 from $15 million to $17.5 million. The minimum State allotment would also be increased from $20,000 to $50,000, and unneeded State allotments could be reallotted to other States. Another change would extend the program to include seventh and eighth grades in all States (now included where these grades are part of secondary education). In addition, the bill would make clear that costs of State supervisory services and administration of the State plan are eligible for Federal matching.

### *Part D—Federally affected areas*

This part would amend Public Laws 815 and 874, which laws authorize Federal payments to assist in the construction and maintenance and operation of public schools in federally affected areas, by extending for 4 years the temporary provisions of both laws which would otherwise expire on June 30, 1963. For the fiscal year 1964, the provisions now in effect would be continued without amendment except for one technical amendment to facilitate administration of section 6 of Public Law 874. This amendment would permit teachers employed for the purpose of providing education in federally operated schools to be employed on terms entirely comparable to the terms under which teachers in comparable school districts are employed.

Beginning in fiscal 1965, the extended provisions would be amended to remove some inequities and to bring both laws more nearly in line with their underlying justification—the responsibility of the Federal Government to compensate districts for revenue losses and enrollment burdens occasioned by Federal property tax exemptions and Federal activities.

Thus, effective July 1, 1964, the Federal payment under Public Law 874 for a child residing with a parent working on Federal property but not living on such property, would be reduced from the present 50 percent of the school district's local contribution rate to 45 percent, and for fiscal 1966 and 1967, to 40 percent. There would be a corresponding reduction, effective at the same times, in Federal payments under Public Law 815.

Public Law 874 would also be amended, effective July 1, 1964, to require that a school district, in order to be eligible for Federal payments on account of children whose parents either reside on Federal property or are employed on Federal property (but do not both reside and work on Federal property) must have in its schools a number of such children equal to at least 4 percent of total average daily attendance in its schools (instead of 3 percent as at present). In the school year 1965–66 and thereafter the required minimum percentage would rise to 5 percent. The provision in Public Law 874 which specifies that Federal payments to a school district which is eligible in any year will continue for the 2 subsequent years even though the school district fails in the subsequent years to meet the eligibility requirements of the act would be repealed. Finally, the eligibility requirement for cities having average daily attendances exceeding 35,000 would be reduced from 6 percent to 5 percent for fiscal 1965, and become inoperative on July 1, 1965, so as to make the new 5 percent eligibility condition uniformly applicable to all school districts, regardless of their size.

The provisions in Public Law 874 authorizing one-half of the national average cost per child as an alternative local contribution rate would be eliminated, and a new method of computation based on statewide grouping of generally comparable school districts would be substituted for the alternative computation method based on comparable districts.

Public Law 815 would be amended, effective July 1, 1964, to permit the Federal Government to provide school facilities for children of Federal employees in Puerto Rico, Wake Island, Guam, or the Virgin Islands who cannot otherwise receive suitable free public education.

Both laws would be amended, effective July 1, 1964, to include the District of Columbia.

## TITLE V—EXPANSION AND IMPROVEMENT OF VOCATIONAL AND SPECIAL EDUCATION

### *Part A—Vocational education*

This part would broaden the scope of the present Federal-State vocational education programs, increase the authorizations for Federal appropriations in support of these programs, and give new emphasis to encouraging and assisting the States more effectively to meet the modern-day needs of youths and adults in all communities for vocational training and retraining for occupations for which they are suited and in which they can be productively employed.

The proposed new Vocational Education Act of 1963 would replace the present Vocational Education Act of 1946 (including the George-Barden Act, the practical nurse training program, and the area vocational education program). The new act would, however, assure minimum annual allotments to each State of amounts at least equal to amounts they are now getting under the 1946 act, would permit any State, if it so chose, to operate under the 1946 Act during fiscal 1964 and fiscal 1965, and would permit it during these two years to use its minimum allotment in accordance with the provisions of the 1946 act. The original vocational education act—the Smith-Hughes Act—would be left intact except for an amendment to permit the State program under this act to be administered at the State level through the State educational agency, if the State wishes to do so, in like manner as the new act could be so administered.

The bill would authorize appropriations of $73 million for the fiscal year 1964, and for the next 4 years such sums as Congress determines. Fifty percent of each year's appropriations would be allotted to the States on the basis of their relative populations aged 15 to 19, inclusive, and their per capita incomes, 20 percent on the basis of their populations aged 20 to 24, inclusive, and their per capita incomes, 15 percent on the basis of their populations aged 25 to 65, inclusive, and their per capita incomes, and 10 percent on the basis of the relative amounts received pursuant to the foregoing formulas. However, as indicated above, each State would be assured, notwithstanding the results of the above allotment formulas, a minimum allotment equal to the amount of Federal funds received under the Vocational Education Act of 1946 for the fiscal year ending June 30, 1963.

Five percent of each annual appropriation would be reserved for project grants to State or local vocational education agencies, or other public or nonprofit private agencies or institutions, for experimental or pilot programs designed to meet the special vocational training needs of persons who have handicaps that prevent them from succeeding in regular vocational education programs.

A State's allotment could be used in accordance with an approved State plan for the provision of vocational education to youths attending high school, to youths who have completed or left high school and who are available for full-time study in preparation for entering the labor market, to persons (other than those receiving training allowances under the Manpower Development and Training Act of 1962) who have already entered the labor market and who need vocational training or retraining to learn new jobs or to advance in their present job, and to persons who need special attention because of inability to succeed in regular vocational education programs. Federal funds could also be used for the construction of area vocational education school facilities, and for various ancillary services and activities, such as teacher training and supervision, program evaluation, experimental programs, and State administration and leadership.

Each State would be the judge as to how to divide its allotment among these various uses except that not less than 25 percent of each annual allotment must be used either for vocational education of youths who have left high school and who are preparing for entry into the labor market, or for construction of area vocational education schools, or for both, and 3 percent must be used for ancillary services and activities; in either case, however, the Commissioner would permit the State to use a smaller percentage for each of these purposes if the State so requested and he found that a lesser amount would adequately meet the State's needs for such purposes. Finally, as previously pointed out, for the first 2 years of the program any State which so desired could use a portion of its allotment equal to the Federal funds received in fiscal 1963 under the Vocational Education Act of 1946, for the purposes and in the amounts permitted under that act and the State plan approved thereunder.

To qualify for Federal funds under the proposed Vocational Educational Act of 1963, a State would submit, and have approved, a State plan providing for its administration either through the State board of vocational education designated or created pursuant to the Smith-Hughes Act, or through the State educational agency, and for an advisory committee which includes persons familiar with the vocational education interests and objectives of labor and management. State plans would also provide minimum qualifications for teachers and other vocational education personnel, set forth polices and procedures for allocating funds among the various uses referred to above, and provide for utilization of public employment services, including their guidance and counseling services, and occupational information supplied by them in determining whether there is a reasonable expectation of employment in the occupations for which persons are to be trained. The Commissioner could not disapprove a State plan or withhold Federal funds from a State after its plan is approved, without first affording the State agency an opportunity for a hearing; a State agency could seek judicial review in the U.S. court of appeals of an adverse decision of the Commissioner.

During the first year under the bill, States would have to expend from State and local sources an amount at least equal to the amount they expended during fiscal 1963 under their State plans approved pursuant to the 1946 act; for the second and subsequent years, Federal funds would have to be matched on a 50–50 basis.

### *Part B—Education of handicapped children*

This part of the bill would amend the act of September 6, 1958 (Public Law 85-926) which authorizes grants to institutions of higher learning for training personnel who can, in turn, train teachers of mentally retarded children, and grants to State educational agencies to assist them in providing training of teachers of mentally retarded children and supervisors of such teachers.

Under the amendments the act would be extended to all handicapped children. The grants to the institutions would be expanded to include grants for training teachers of all handicapped children and supervisors of such teachers, and for training speech correctionists, and other specialists and research personnel for work in this area.

The present limitation of $1 million per year for payments under the law would be replaced by an authorization of appropriations of $11.5 million for fiscal 1964 and such sums as Congress may determine for the next 2 fiscal years.

These amendments would not be applicable during fiscal 1964 to deaf children. Instead, the provisions of the act of September 22, 1961 (Public Law 87-276) would be extended for another year (to June 30, 1964). This act now provides $1.5 million per year for training of teachers of the deaf, including scholarships for persons undergoing such training. After June 30, 1964, however, the amendments proposed to be made by the bill to the act of September 6, 1958 (which would then relate to all handicapped children), would include authorization of scholarships for persons preparing for employment as teachers of the deaf.

This part of the bill also authorizes $2 million annually for fiscal 1964 and the next 2 years for grants to States, State or local educational agencies, institutions of higher learning, and other public or nonprofit private educational or research organizations for research and demonstration projects relating to education of handicapped children. Grants under this authority would be made after securing the advice of panels of experts.

The Commissioner would also be authorized to appoint special technical or advisory committees in particular fields of education of handicapped children.

## TITLE VI—EXPANSION OF CONTINUING EDUCATION

### *Part A—General university extension education*

This part would authorize the appropriation of $9,040,000 annually for fiscal 1964, and the next 2 years, for grants to land-grant colleges or State universities to stimulate the establishment or expansion of publicly supported programs of general extension education. Extension programs aided under the bill would be those comparable in substantive academic content and merit to those the colleges or universities offer their regular full-time students through their regular faculties.

Of the funds appropriated for each year, $20,000 would be allotted to each State, the District of Columbia, and the Commonwealth of Puerto Rico, and the remainder would be allotted on the basis of State populations. Each State (the Commissioners in the case of the District of Columbia) would designate one or more land-grant colleges or State universities, or both, which are located in the State, as certified institutions to submit State plans, which meet specified requirements, for carrying out a general university extension education program.

Funds allotted to a State would be available for paying one-half the cost of carrying out its plan, except that no payments would be made to any State unless it made available from State or other non-Federal sources at least the amount expended for general university extension programs during fiscal 1963.

### *Part B—Adult basic education*

This part of the bill would authorize $5 million for fiscal 1964, and such sums as the Congress may determine for the next 2 fiscal years for grants to States for carrying out, under approved State plans, local educational agency programs for instruction of adults who cannot read or write English or who have less than an eighth-grade education, for State agency technical and supervisory services relating to these programs, and for local agency pilot projects in this area. Allotments of Federal funds to the States would be based on relative numbers of adults described above, but with a minimum of $50,000 for any State ($25,000 in the case of the Virgin Islands, Guam, and American Samoa). Unneeded State allotments would be reallotted.

A State's allotment would be available for paying the cost of carrying out the State plan during fiscal years 1964 and 1965 and one-half of such cost during fiscal year 1966. However, a State would not be eligible for its allotment for a year unless it would spend during the year the same amount from State sources for adult basic education as it spent for such purposes during the preceding year.

Provision is also included for administrative hearings and judicial review of administrative action in refusing approval of a State plan or in withholding funds from a State because of failure to comply with required State plan provisions.

### *Part C—Public community libraries*

The bill would amend the Library Services Act to expand its coverage to nonrural areas (including removing from the eligibility and allotment formula provisions the present rural area limitations) and to include provisions for construction of public libraries.

The authorization of appropriations for library services would be increased from $7.5 million to $25 million for fiscal year 1964, and would be such sums as Congress may determine for the next 2 years. Minimum State allotments for services and minimum expenditure requirements to insure maintenance of State and local effort would each be increased from $40,000 to $100,000, and the base year for determining maintenance of effort would be changed from fiscal year 1956 to fiscal year 1963. The State plan requirement relating to the policies and methods of using funds under the plan would be amended to require that particular consideration be given to satisfying the needs of students of all ages for useful and readily accessible library services and materials.

The amendments would also authorize appropriations of $20 million for fiscal year 1964, and such sums as Congress may determine for the next 2 years for grants to States for public library construction. Minimum State allotments for construction for each fiscal year would be $80,000, and the remainder of the sums appropriated for the fiscal year would be allotted on the basis of population, as is the case for allotments for services. Allotments for fiscal year 1964 would be available for obligation for 2 years.

In order to qualify for grants, States would submit and have approved State plans containing provisions comparable to most of those in the plan for library services, as well as provisions for a fair hearing to unsuccessful applicants for projects, and criteria for approval of projects which assure priority for projects on the basis of need for facilities, with particular consideration being given to facilities which will help to satisfy the needs of students of all ages for useful and readily accessible library services and materials. The Federal share of expenditures for construction under the State plan would be determined on the same basis as for services (varying among the States on the basis of relative State per capita income, but with a maximum of 66 percent and a minimum of 33 percent). Funds appropriated for library services would be authorized to be used also for payment of the Federal share (determined on the same basis) of the cost of administering the State plan for library construction.

## TITLE VII—GENERAL PROVISIONS

This title of the bill contains a number of general or miscellaneous provisions.

A number of terms used in various parts of the bill are defined. These include, Office, Commissioner, State, State educational agency, construct, constructing and construction, equipment, cost of construction, high school, institution of higher education, and nonprofit institution.

The Commissioner of Education would be authorized to delegate his functions (except promulgation of regulations) under this or any other law to any employees of the Office of Education.

Use of other Federal and other public or nonprofit agencies and organizations in administering the bill would be authorized.

The existing National Defense Education Act of 1958 provisions on Federal agency consultations on policies and procedures relating to use of institutions of higher education under various Federal programs would be extended to apply to other schools and school systems. The Commissioner would also be directed to consider activities of the National Science Foundation and other Federal agencies in administering the various programs of the Office of Education.

The keeping of necessary records and affording access thereto necessary for verifying reports submitted to the Commissioner under State plans under several titles of the National Defense Education Act of 1958 would be added to the present State plan requirements of that act.

The interchange of personnel between the Office of Education and State or local agencies engaging in educational activities, for not in excess of 2 years, would be authorized under provisions designed to provide protection to the personnel involved against loss of perquisites and rights under their regular employment.

Acceptance of gifts by the Commissioner of Education would be authorized for carrying out any of the functions of the Office of Education.

Under another provision in this part of the bill, appointment of advisory committees or councils would be authorized to advise in carrying out any functions of the Office of Education.

Several definitions in the National Defense Education Act of 1958 would be amended including the definition of "State" to include American Samoa and the definition of "public" to include Federally operated schools (but no such school could receive any payment under that act).

Compliance with labor standards relating to prevailing wage rates and overtime compensation in employment of laborers and mechanics on projects aided under the bill would be required. Also, all recipients of any aid under the bill would be required to make necessary reports to the Commissioner, keep necessary records, and afford him access thereto necessary to verify the reports.

Federal direction, supervision, or control under the bill over the curriculum, program of instruction, administration, and personnel of any educational institution or school system would be prohibited.

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## Fact Sheets on the 24 Major Provisions of the National Education Improvement Act of 1963

### FACT SHEET NO. 1, TITLE I, PART A

*Student loans*

### Background

Under title II of the National Defense Education Act, the Federal Government provides capital for college and university student loan funds with an annual authorization of $90 million. Institutions must add $1 to each $9 received. No institution may receive more than $250,000 a year. Students may borrow as much as $1,000 annually from this fund at moderate interest rates up to a maximum of $5,000 during their entire college career. Repayment need not start until 1 year after the student leaves school and may be spread over 10 years, and interest does not begin until a year after college. Up to half the loan is forgiven at the rate of 10 percent per year for each year in which the borrower is a full-time public schoolteacher.

Since 1958 more than 350,000 students in 1,450 institutions have received National Defense Education Act loans exceeding $230 million. This year an estimated 220,000 will borrow $110 million—an average of $500 each. Yet the demand for loan funds is not being met. More than 100 institutions have requested greater Federal contributions than the maximum authorized.

Sixty-seven percent of the loans go to students with superior academic background in science, mathematics, and modern foreign languages and to those preparing for elementary or secondary school teaching. Loans are being repaid twice as fast as required, and students have defaulted on only $700 of loan money. Some 16,800 borrowers, now public schoolteachers, have applied for partial forgiveness of their loans. Many National Defense Education Act student borrowers who enter teaching after graduation cannot qualify for loan forgiveness, because they teach in colleges or private schools.

### Proposal

A 2-year extension of the student loan program is proposed, with amendments that would—

(a) Raise the total appropriation ceiling from the present $90 to $135 million for fiscal year 1964 and to whatever amount may be necessary thereafter.

(b) Remove the annual ceiling of $250,000 per institution. Allotment of appropriation among States in proportion to number of full-time students enrolled at institutions of higher education would be continued.

(c) Increase the individual loan limit for graduate students from the present $1,000 to $2,500 annually with a maximum aggregate of $10,000 per individual for undergraduate plus graduate years. The individual loan limit for undergraduate students would remain at $1,000 annually with a maximum aggregate of $5,000.

(d) Extend loan forgiveness to teachers in nonprofit private elementary and secondary schools, college teachers, and teachers in schools for dependents of Armed Forces personnel overseas, and provide accelerated loan forgiveness for full-time teachers who return to college for additional professional studies.

(e) Permit deferral of interest and postponement of repayment while borrowers attend approved institutions of higher education abroad.

(f) Provide for a national study to determine why students do not attend or finish college in order to secure information concerning the need for a program of Federal scholarships.

### FACT SHEET NO. 2, TITLE I, PART B

*Student loan insurance*

### Background

Many students come from families whose incomes are such that they are unable to obtain loans under the present national defense student loan program. However, for the 6 million families in the middle-upper income category, the spiraling costs of college education present a heavy financial burden, especially severe if the family is large.

A typical case is the family, earning between $9,000 and $10,000 a year and with prospects for increased earning capacity in the future. There are three children, each 2 years apart in age. When the oldest child is ready for college the parents must prepare for continuing educational expenses for the following 8 years with double expenses for 4 of those years. The average total student cost today is estimated at $1,480 per year in public institutions and $2,240 in private institutions. By 1970 it is expected to reach $1,840 in public institutions and $2,780 in private institutions.

To help meet these heavy expenses, families in the middle-income brackets need easier access to loans which would spread payment for college costs over a longer period of time.

### Proposal

The bill proposes a 3-year, self-sustaining program of federally insured, commercial interest-rate loans available to full-time students enrolled in an institution of higher education. The maximum individual loan for 1 year would be $2,000 with an aggregate limit of $10,000. Repayment could be spread over a 10-year period beginning 1 year after the student leaves school.

Using the loan insurance concept practiced by the Federal Housing Administration, the Federal Government would insure up to $150 million of outstanding loan principal through the establishment of a Federal insurance fund.

### FACT SHEET NO. 3, TITLE I, PART C

*Student work-study programs*

### Background

More students help finance their college education from their part-time earnings than from any other source of outside aid, such as scholarships and loans. In 1962 the cost of attending college was distributed, on the average, among the following sources:

| Sources | Public institutions | Private institutions |
|---|---|---|
| Total | $1,480 | $2,240 |
| Student's family | 888 | 1,344 |
| Student earnings | 370 | 560 |
| Scholarships | 104 | 157 |
| Loans | 74 | 112 |
| Miscellaneous | 44 | 67 |

Although many students find jobs off the campus, most of the earnings are from work-assistance programs administered by and, for the most part, financed by the colleges and universities. College-paid undergraduate employment now totals about $100 million a year and provides average earnings of about $285 for 350,000 students.

When the work is directly related to education—that is, when the student earns money by tutoring, working in the library, or serving as laboratory or research assistant—the benefits are twofold: It would enable more students to help finance their education through their own efforts and would help them get more out of the time they spend in college.

### Proposal

The bill would establish a 3-year program for Federal payment of one-half the pay of students employed in approved, education-related work-assistance programs operated by institutions of higher education.

It would require students (undergraduate or graduate) to be in need of earnings and to be capable of maintaining good scholastic standing. Work under the program would be limited to 15 hours per week while classes are in session. The Federal share of earnings per student per year would be limited to $500 for undergraduate students and $1,000 for graduate students.

The institution would be required to maintain its present general level of expenditure for student employment.

The program calls for an appropriation of $22.5 million for fiscal year 1964 and such sums as may be necessary for each of the following 2 years. Appropriations would be allotted among the States in proportion to the number of full-time students enrolled in institutions of higher education.

### FACT SHEET NO. 4, TITLE I, PART D

*Graduate fellowships*

### Background

Since the enactment of the National Defense Education Act of 1958, the U.S. Commissioner of Education has been authorized to award 1,500 graduate fellowships each year, except fiscal year 1958 when the figure was 1,000. Designed primarily to meet the ever-growing need for college teachers, these fellowships normally are allotted for 3 years, as a stipend of $2,000 for the first year, $2,200 for the second year, and $2,400 for the third, together with an allowance of $400 a year for each dependent. In addition, the college receives each year a cost-of-education allowance of up to $2,500 for each fellow.

To increase the graduate facilities available in the Nation, the act requires that the programs of study undertaken by the fellows be either new or expanded. The course must also contribute to another important need: distributing graduate training facilities more widely over the country so that potential students in every section may find graduate courses fairly close at hand.

The need for additional men and women with doctorates to serve as college teachers remains extremely acute. College enrollments are expected to increase well into the next decade and perhaps longer. It is estimated that the colleges will need 406,000 new teachers during the next 10 years. But unless present programs are expanded, probably only 141,000 doctorates will be earned during this period. Of this number, only 32,000 would be expected to enter college teaching.

Industry, business, and government, as well as education, need more and more persons with advanced educational training. This need is particularly acute in technical and scientific fields.

In the face of the demand, however, annual attrition rates remain high. Under the present graduate fellowship program, approximately 8 percent of the graduate fellows drop out each year. Altogether, only about 70 percent of the graduate fellows eventually will earn their doctorates. The picture is even more discouraging outside the graduate fellowship program. On an overall basis only about 60 percent of all candidates for doctorates finally obtain them.

The high cost of obtaining a graduate education is the primary cause of this attrition. Of the total number of graduate students currently enrolled, only about 40 percent are full-time students. The others are part-time students because of the need to earn money to support themselves and their families. The long years necessary before part-time students can earn doctorates aggravate this problem. Only in the natural science fields, where fellowships and assistantships are relatively abundant, can students earn their doctorates in 4 or 5 years. In the social sciences and the humanities, the average time required is over 8 years.

Under the present law, fellowships can be earned only in new and expanded programs. This has tended to prevent full utilization of graduate education facilities.

### Proposal

The bill would increase the number of fellowships from 1,500 to 10,000 each year for 3 years. Of this number, at least 1,500 each year would be for study in new or expanded programs for training of college-level teachers. The Commissioner of Education would be authorized to grant fellowships for new or expanded programs for teacher training from the 8,500 remaining. He could refill fellowships vacated by resignation or death. The objective would be to increase the number of college and graduate students, with preference to Ph. D. candidates and, as now, to those intending to teach. The Commissioner would have the authority to increase the stipends beyond levels set in present legislation and to set cost-of-education allowances, on a uniform basis, for various categories of students in the light of average school costs. These cost-of-education allowances would be in lieu of tuition and fees and would be increased proportionately if the fellow continued full-time attendance during the summer session.

In addition, the bill would authorize 2,000 summer-school fellowships for students working for their doctorates who were full-time graduate students in the previous academic year or would be so in the following semester or who are already college teachers but have not received a graduate fellowship already and do not expect to receive a graduate fellowship in the next semester. The Commissioner would set the stipend and the cost-of-education allowance.

### FACT SHEET NO. 5, TITLE II, PART A

### *Higher education facilities*

### Background

College enrollments in 1970 are expected to be double those of 1960. Approximately 7 million full-time students will be in attendance by 1970, with the greatest increases coming in the next 3 years. Additional physical facilities, therefore, are urgently required. To provide for additional students, replace obsolete structures, and modernize usable buildings, institutions of higher education should invest an average of $2.3 billion annually. Expenditures currently fall short of this by $1 billion.

General instructional facilities are especially difficult to finance. The college housing loan program, now authorized at $300 million annually, enables institutions to construct only such income-producing facilities as dormitories, dining halls, and student centers. Needs for academic facilities are even more acute.

### Proposal

The proposed program would authorize Federal loans to public or nonprofit private institutions of higher education, including junior colleges, to help make up the $1 billion construction deficit. It would require interest rates at least equal to the Government's cost of borrowing and repayment in 50 years or less. It also would require that at least one-fourth of construction costs come from non-Federal sources.

The bill would authorize aggregate appropriations of $1 billion for the 3 years 1964, 1965, and 1966.

### FACT SHEET NO. 6, TITLE II, PART B

### *Public community college academic facilities*

### Background

There are 452 public 2-year community or junior colleges in 42 States, enrolling one-fourth of all college students. In the next 10 years, 25–30 new junior colleges will be added annually. Several States plan, by 1975, to have three-fourths of their college freshmen and sophomores attending junior colleges; California and Florida are already close to this ratio.

Community colleges often start by using local high school facilities in afternoon and evening hours. Others begin in unsuitable temporary buildings. Another expedient is to extend the schoolday to 12–14 hours. To serve 4 to 5 times their present enrollment, junior colleges must construct new and larger physical plants. Typically, they are financed by State aid, student payments, and the help of local school districts. Endowment income is virtually nonexistent among community colleges.

### Proposal

The bill would provide grants to States, pursuant to a State plan approved by the Commissioner of Education, for construction of academic facilities for public community colleges.

It would authorize appropriations of $50 million for fiscal year 1964 and such sums as may be necessary for 1965 and 1966. Funds would be allotted among States in proportion to per capita income and relative number of high school graduates.

### FACT SHEET NO. 7, TITLE II, PART C

### *College level technical education*

### Background

In order to make the best use of their talents and training, engineers and scientists need the assistance of technicians. But there is a shortage of technicians, and therefore many scientists and engineers are themselves serving in these less demanding positions. The satisfactory ratio is considered to be two or three technicians to one professional engineer, with variations in certain fields of technology. But studies have shown that the present ratio ranges from 7 to 11.5 technicians for every 10 engineers.

Nor is there any indication that the situation is righting itself. The Nation's institutions of higher education are turning out approximately two technicians for every five engineers. They are graduating 15,000 a year against an estimated need of 80,000 a year.

To produce a larger number of engineering and semiprofessional technicians requires funds for college buildings, equipment, and laboratory facilities available to both public and private institutions.

Additional institutions should be encouraged to develop accredited programs for the education of the technicians needed in the Nation's rapidly expanding technological economy. Only in this way can engineers and scientists be freed to function at their highest capacities. At present about one-half of the students enrolled in technical education programs are enrolled in institutions with accredited curriculums, but these institutions represent only about one-tenth the total number of institutions with college-level technical education programs.

Valuable contributions to technical education have been made under title VIII of the National Defense Education Act of 1958. Several 2-year postsecondary school curriculum guides have been developed and are serving most effectively to promote technical education on a nationwide basis. Extension courses under title VIII also are providing upgrading and refresher education for technicians.

In 1961 extension-course enrollments totaled 83,728, of which more than half were in junior colleges, technical institutes, or 4-year colleges.

### Proposal

This section of the bill would provide Federal project grants for construction and to establish, expand, or improve programs of technical education in engineering, mathematics, or the physical or biological sciences which require not less than 2 years of full-time college-level study, or its equivalent. These grants would finance the preparation of students for immediate employment at the semiprofessional level in occupations which report manpower shortages or which affect national security or national economic growth.

Funds would be used to strengthen faculty, acquire equipment, establish new courses, or expand existing ones. They would also provide for minor remodeling and renovation and for construction or acquisition of buildings. Matching would be up to 50 percent of any project.

The total authorization would be $20 million for fiscal year 1964 and such sums as may be appropriated for the next 2 succeeding years.

Eligible institutions would be any public or nonprofit institution which offers or will offer a program of technical education as defined above. Included would be junior colleges, technical institutes, and 4-year colleges offering such programs. Also included could be programs under supervision of State boards for vocational education, if otherwise qualified.

### FACT SHEET NO. 8, TITLE II, PART D

### *College and university libraries*

### Background

Though every college course and study depends upon the library, few college or university libraries can serve them fully. American Library Association standards call for campus libraries to seat about one-third of the student body, yet only 5 percent can seat more than one-sixth of their potential users. More campus library facilities are also needed to serve rising enrollments. For every three college students today, there will be five in 1970.

Moreover, the library collections at half the 4-year institutions are currently considered substandard. The shelves must be better stocked to improve academic quality, permit greater emphasis on independent study, facilitate research, and keep pace with rapidly expanding knowledge.

The share of the college construction dollar used to build libraries (about 5 cents) is small and diminishing. The portion of the college library dollar spent for books, journals, scientific reports, documents, and other materials (now 30 cents) should be increased at least by half, in the best professional judgment.

Expansion and improvement of higher education in every field is impeded by this lagging investment in college library construction and materials. Larger library expenditures can thus have a multiplying effect on the capacity and quality of higher education generally.

### Proposal

The program would provide grants to public and nonprofit private institutions of higher education for construction and equipment of library facilities. Grants also would be provided for purchase of books, periodicals, documents, and related library materials.

The program would give priority to institutions requiring library improvement in order to increase academic excellence or serve expanding enrollments.

The program would authorize an appropriation of $25 million for construction of library facilities in fiscal year 1964 and such sums as may be appropriated in the next 2 years. Not more than 12.5 percent of the funds for construction could go to any one State in any one year.

It would authorize appropriations for library materials of $15 million in fiscal year 1964 and annually in each of the following years.

It would limit Federal construction grants to half or less of the project cost and would limit annual library material grants to one-fourth or less of an institution's current expenditures for this purpose, except that it would allow at least $1,000 for 2-year institutions, $2,500 for institutions granting the bachelor's degree, and $5,000 for those conferring bachelor's and advanced degrees.

Finally, it would require institutions to increase their library expenditures by at least as much as the Federal grant, with at least half the increase to be for acquisition of materials.

### FACT SHEET NO. 9, TITLE II, PART E

### *Graduate schools*

#### Background

The total number of graduate centers for higher education in the United States is inadequate to meet the pressing needs of today and the years ahead. Currently, 20 universities produce two-thirds of the doctorates. These 20 universities are located in 12 States, an unsatisfactory geographical distribution. The remaining 38 States, with half the Nation's population, produce only one-fourth of the Ph. D.'s. Universities granting fewer than 150 doctorates a year tend to be strongly undergraduate oriented, with graduate education taking second place.

Approximately 100 doctorates annually per 1 million population are estimated to be needed. Graduate education in only two States has been reaching that figure. To achieve the output of highly trained manpower essential to economic growth, cultural advance, and national security, the addition of at least 50 quality graduate education centers is considered imperative. This would mean an increase in the annual output of doctorates from approximately 11,000 (not including first professional degrees) to about 15,000.

It is important that the new graduate centers be more widely dispersed geographically. They could be built either upon a cluster of existing institutions, public or private, or by strengthening a single college or university as the needs of the area may dictate.

In the fiscal year 1961, 25 institutions received 68 percent of all Federal research payments to colleges and universities.

#### Proposal

Project grants would be authorized to assist institutions of higher education to improve existing graduate schools or establish new ones. Not more than half the costs of operation of new or expanded graduate schools for up to 5 years would be financed by grants.

Priority would be given to graduate schools so located and operated as to provide a wider distribution of such schools and an increased supply of highly skilled manpower and research competence, thereby promoting economic growth of the areas serviced by these schools.

Grants could be used for faculty salaries, construction, equipment, library materials, etc.

The grants would be administered by the Commissioner of Education with advice and assistance of an advisory committee composed of persons representing higher education, industry and labor, and of representatives of the President's Science Adviser, the National Science Foundation, and the Departments of Commerce and Labor. The committee would make recommendations on standards of scope and quality of the graduate education to be supported.

Funds authorized for the first fiscal year would be $40 million, with such sums as Congress may determine for the next 2 years, plus sums necessary for continuation payments for the next 4 years.

### FACT SHEET NO. 10, TITLE II, PART F

### *Modern foreign language training and research*

#### Background

Under title VI of the National Defense Education Act, 53 language and area centers at higher education institutions have been established. The institutions where these centers have been established have more than matched the amounts of Federal support. The 53 area centers are in 33 universities and offer instruction in 66 critical languages and related area studies involving 450 college specialists and over 1,600 supported graduate students. Additional expansion is urgent because competent personnel are needed in keeping with demands of our foreign policy and national security.

The universities have stated that they now require some assurance of further support and that they cannot afford further expansion entirely from their own resources. Legislation is needed to provide this assurance and the support required for an orderly expansion consistent with available teaching talent.

The present $8 million ceiling hampers numerous vital programs. Of 1,006 fellowships awarded in 1962, 417 were renewals. Many excellent applicants had to be turned away. Less than half of the work has been completed on the development of instructional materials for 125 languages not often taught in the United States. While the National Defense Education Act permits Federal support of area centers of up to 50 percent of operating costs, many receive as little as 20 percent.

#### Proposal

The National Defense Education Act (title VI–A) university programs for area centers, language research, and stipends for the study of critical languages and areas would be extended for a 2-year period.

Funds authorized for the fiscal year 1964 would be $13 million, and such sums as Congress may determine for the next 2 fiscal years.

### FACT SHEET NO. 11, TITLE III, PART A

### *Institutes for advanced study for teachers*

#### Background

Since the counseling and guidance training institutes program was begun in 1959 under title V–B of the National Defense Education Act, the Office of Education has supported 275 summer institutes and 65 academic year institutes. To date, 11,524 secondary school counselors and secondary school teachers preparing to become counselors have received or are receiving specialized training under the program.

The program, however, has fallen far short of meeting the demand for training in this crucial field. For example, in 1961 enrollment in these institutes totaled 3,126, whereas applications numbered 11,867. In 1962 the ratio was 2,567 enrollments to 10,560 applications.

The situation is roughly similar with respect to the National Defense Education Act language institutes. From fiscal year 1959 through fiscal year 1962, 10,321 teachers received special training at 218 language institutes to strengthen and expand instruction in foreign languages in public and private elementary and secondary schools. Of this total, 1,308 were elementary school teachers and 9,013 secondary school teachers. They were trained in the newest instructional methods and received intensive training in learning to speak and understand the language that they teach.

Again, however, demand for training far exceeded the capacity of the institutes. In 1961, applications numbered 19,527 and enrollments 3,756. In 1962, there were 20,086 applications and 4,418 enrollments.

Moreover, the present program makes no provision for training in other fields of instruction—such as English, history, and geography—in which there are severe shortages of teachers with adequate subject-matter training.

#### Proposal

The proposal would provide grants or contracts to colleges and universities for operating institutes for advanced study. These would include the language, and guidance and counseling institutes now authorized under National Defense Education Act and would provide for establishment of institutes for advanced study to improve the qualifications of elementary or secondary school teachers of gifted children or other children. It also would add categories of educational personnel, such as librarians and others whose activities have a significant impact on the quality of education. College and community librarians and college modern foreign language teachers would be eligible to attend institutes on their subjects. All persons attending the institutes would be eligible for stipends.

In determining the subject-matter areas in which advanced studies would be provided, the U.S. Commissioner of Education would be empowered to give preference to those areas in which he finds there is a widespread need for improvement in the quality of instruction.

The above program would authorize funds totaling $37.5 million for fiscal year 1964 and necessary sums for the next 2 years.

### FACT SHEET NO. 12, TITLE III, PART B

### *Teacher preparation programs*

#### Background

About 83,000 full-time teachers in the fall of 1962 failed to meet full State certification standards, according to the ninth annual survey by the U.S. Office of Education. They represent about 5.5 percent of the total teaching staff. In the fall of 1961 the figure was 6.3 percent.

With regard to the academic background of experienced science teachers, surveys indicate that 4,000, or 2.7 percent, of the high school science teachers in 1960 were not college graduates. Only 41 percent of the mathematics teachers and 60 percent of the high school science teachers had training equivalent to an undergraduate major in the field in which they were teaching.

In liberal arts, the situation is somewhat similar. For example, in 1960 our colleges produced 12 percent fewer graduates prepared to teach high school English than they did in 1950. Forty-six percent of the high school English courses are taught by persons lacking the minimum requirements of a major in English. Colleges are forced to spend over $10 million annually on remedial English courses to bring students, inadequately prepared in high school, to levels of English necessary for the proper pursuit of their college studies.

Less than one-third of our colleges require prospective teachers to complete a major other than education. For example, only 5.3 percent of our colleges require future teachers to complete a course on the English language.

#### Proposal

The bill would authorize Federal grants to institutions of higher education to strengthen programs for the preparation of elementary and secondary school teachers.

The grants would pay part of the cost of expanding and improving the regular curriculum and establishing or expanding full-time graduate programs for teachers. They would support projects designed to improve student teaching activities, and raise standards for the selection and retention of students preparing to teach. The program also would help pay the cost of special programs to train retired military personnel, college-trained women whose family responsibilities will permit, and other professionally trained persons for a second career in teaching.

The bill would authorize appropriations of $7.5 million for fiscal year 1964 and such sums as may be necessary for each of the following 2 years.

### FACT SHEET NO. 13, TITLE III, PART C

*Specialized training for teachers and related educational personnel*

#### Background

The lack of trained personnel to meet education's specialized needs has hampered the development of well-rounded, balanced programs at all levels of education.

The shortage of school, college, and community librarians and auxiliary library personnel, for example, has severely limited the effectiveness of this essential component of the total educational program at all levels. Only 60,000 professional librarians are available today to serve the needs of libraries throughout the Nation. According to standards established by the American Library Association, an estimated 152,000 librarians are needed to provide the minimum services needed.

In other specialized educational fields such as adult basic education, education research, and the teaching of both gifted and handicapped children, shortages of trained personnel have hampered efforts to establish needed programs.

#### Proposal

The bill would authorize a 3-year program of grants to and contracts with institutions of higher education for the training of persons requiring specialized preparation to engage in teaching and related activities in particular subject-matter areas or in teaching students needing specialized education. This program, including traineeships, would be open to public school personnel, nonprofit private school personnel, college and community librarians, and educational research people.

The bill would authorize $7.5 million for fiscal year 1964 and such sums as Congress considers necessary for the next 2 years.

### FACT SHEET NO. 14, TITLE III, PART D

*Educational research and demonstration*

#### Background

In 1954 Congress authorized the Commissioner of Education to enter into contracts or jointly financed cooperative arrangements with colleges, universities, and State educational agencies for the conduct of research, surveys, and demonstrations in the field of education. The purpose of the program is twofold: (1) To develop new knowledge about education, and (2) to develop new ways to apply existing knowledge.

Important progress has been made in both areas. For example, blind children are being taught to read at four times the previous rate. Under the Braille system, the average sixth grade blind child is able to read at the rate of 60 words a minute. A new technique, which uses an accelerated rate of words on tape, enables the child to comprehend oral instruction at the rate of about 240 words a minute or, in some instances, as many as 400 words a minute.

In another research project, children formerly assumed to be mentally retarded are being identified realistically as products of inferior environment. As a direct result of this research, programs to develop the wasted abilities of these children are being devised.

Special educational programs for culturally deprived groups such as migrant laborers, American Indians, and the underprivileged of large cities are being developed.

A project jointly undertaken with the Department of Labor is evaluating vocational education programs for unemployed adults.

As of December 31, 1962, the cooperative research program had initiated 508 major research and demonstration projects covering a wide spectrum of educational problems throughout the United States.

Since the beginning of Project English in fiscal year 1962, six curriculum study centers, each of about 5 years' duration, have been started. In this program, scholars in the field of English are teaming up with educational experts and classroom teachers to develop improved English curriculums for the able, the average, and the culturally deprived.

Last fall, the Office of Education announced that cooperative research funds were available for the development of improved curriculums in the social studies. Within 3 months more than 700 requests for information were received from scholars in history, economics, political science, sociology, anthropology, and geography, as well as from public school teachers and administrators at all levels.

In other research fields, 31 projects have been initiated to combat speech, hearing, and language-development handicaps. Eight research projects have been started on problems of the visually handicapped. To date, 20 contracts have been made for projects designed to increase knowledge about the problem of juvenile delinquency and the role which the school can play in alleviating the problem. And the program is supporting three projects on problems of the aging.

Appropriations for the program have increased from $1.1 million the first year to $6.9 million this year, with a 1964 budget request to increase this to $17 million.

Title VII of the National Defense Education Act relates to "research and experimentation in more effective utilization of television, radio, motion pictures, and related media for educational purposes."

Since its inception in 1958, this program will have obligated $19.2 million by the end of fiscal year 1963 for research and dissemination of information on the educational uses of communication media. Of this amount, approximately $12.4 million will have been obligated for over 200 research projects under part A (acquiring facts in this field). Another $6.8 million will have been obligated for approximately 142 dissemination activities under part B (assisting schools and colleges to make wider and better use of new communications media).

Despite progress under the cooperative research program and in research under the National Defense Education Act, still only one one-thousandth of total U.S. educational expenditure of $29 billion is devoted to educational research. The Federal Government's $25 million educational research budget is only one five-hundredth of its total $11.5 billion investment for research and development. Yet, research is the key to new breakthroughs in knowledge, to efficiency and economy in the learning process, to a general upgrading and improvement of American education.

The research-project approach has resulted in findings which, though important, have not always been integrated into educational practice. The 50-year lag between research and practice in education continues to exist. To reduce this lag requires a broader, more flexible program.

#### Proposal

The proposal would extend title VII of the National Defense Education Act for 2 years and would expand authority under the Cooperative Research Act to include grants as well as contracts and to make these available to noncollegiate research organizations. The bill also provides for grants to operate centers for the conduct of research, development, and demonstration programs to improve education.

### FACT SHEET NO. 15, TITLE III, PART E

*State statistical services*

#### Background

In its report of July 1957, the President's Committee on Education Beyond the High School stated:

"We have been struck above all else by the astounding lack of accurate, consistent, and up-to-date facts, and by how little this Nation knows about its enormously vital and expensive educational enterprise in contrast to how much it knows, in great detail, about agriculture, industry, labor, banking, and other areas. We speak not of those difficult facts about education which can only be dug out by painstaking research but of those which are as susceptible to prompt and regularized reporting as steel output in Pittsburgh, potato prices in Maine, bricklayers' wages in Houston, hogs slaughtered in Chicago, and bank loans in San Francisco, all of which are reliably reported every month or every week by various Federal agencies. Until the gross deficiencies in educational reporting are remedied, all advisory work, all research, all educational planning throughout the country and all efforts by individual States, communities and institutions to devise effective actions will be severely handicapped."

Under the National Defense Education Act of 1958 considerable progress has been made in speeding up the collection and processing of data needed by State and local education agencies in planning their educational programs.

By the end of fiscal year 1963, over $5 million in National Defense Education Act funds will have been obligated for this purpose. Forty-eight State educational agencies are now participating in the program. Nearly every State and Territory is now using automatic equipment to accelerate the processing of educational data.

#### Proposal

The bill would extend section 1009 of the National Defense Education Act for another 2 years to provide continuing grants to States which assist the Office of Education in gathering statistical information. The grants would be used by State educational agencies to strengthen their school statistical services. Each State would be eligible for allotments, with a maximum of $150,000.

### FACT SHEET NO. 16, TITLE IV, PART A

*Public elementary and secondary education*

#### Background

The problems and limitations of the public schools differ from community to community and State to State. In some districts, starting salaries are too low to attract good teachers or maximum salaries are not sufficient to retain them. In some districts, children are housed in school buildings that are fire and health hazards. Parts of every State face special problems in educating children from slums or low-income rural areas and actual or potential dropouts and delinquents, as well as gifted children whose education also requires special attention.

The States, however, vary considerably in their ability to support education. The State with the highest per capita income has four times as much income per public school pupil as the State at the bottom of the income scale. The lowest income State on the other hand, has almost 50 percent more children per 1,000 population as the highest income State.

National defense, population mobility, and our interdependent economy make these disparities cause for national concern. Because of educational deficiencies, the youth of some States are considerably less likely to meet their military obligations than the youth of other States. Their opportunities for higher education are considerably diminished. Yet residents of high-income States with better-than-average school systems often must move and enroll their children in less-than-average schools in low-income States. And children from impoverished schools, moving to other communities, carry their educational handicaps with them.

Because the public schools are the foundation of education in our society, their weaknesses are reflected throughout the structure of education and are felt by the entire Nation as deterrents to broad economic and social progress. The success of national efforts to bolster the quality of higher education, to expand educational opportunities, and to meet special national needs depends upon the continued strength of public elementary and secondary education in every part of the Nation.

### Proposal

The bill is designed to help the States improve elementary and secondary education by increasing maximum and beginning teachers' salaries, assisting with emergency school construction, and helping with the improvement of educational quality and opportunity, particularly in slums and other depressed areas. Grants for teachers' salaries in any school district would be phased out over a period of 4 years.

The bill would authorize appropriations of $400 million in the first year, $500 million in the second, $400 million in the third, and $200 million in the fourth.

Appropriations would be allotted each year to the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, on the basis of population and per capita income, the States with the lowest per capita incomes receiving proportionately larger allotments. Each year's allotment would be available to the State for 2 years.

Each State would be free to use its annual allotment as it chose for one or more of the purposes set forth in the bill, with these two exceptions: (1) Not more than 20 percent could be used for special projects, and (2) 10 percent of each State's allotment could be used only for special projects addressed to the school dropout and other special educational problems of low-income areas.

This bill sets forth three types of teacher salary increases which may be aided with Federal funds. The first, designed to increase the ability of school districts to retain qualified career personnel, would be an increase in the salaries of some or all teachers having 10 or more years of service creditable toward salary increases. The second would be for some or all teachers whose salaries are substantially below the average entrance salary by districts for teachers in the State. The third would provide increases in the salaries of some or all teachers in a school district in which the average teacher's salary is substantially below the average salary paid by the school districts in the State, and which has less than average ability to finance teacher salary increases.

Federal funds could be used to pay up to 75 percent of the first-year cost of an increase in teachers' salaries, 50 percent of the second-year cost, and 25 percent of the third-year cost. In the case of school construction, the Federal funds could be used to pay up to 50 percent of the cost of each construction project.

In this way, each State would have an opportunity to apply Federal funds to areas of most urgent need and would have sufficient time to stabilize its own resources for school support so that it could carry on independently after the phasing out of Federal support.

### FACT SHEET NO. 17, TITLE IV, PART B

### *Science, mathematics, and modern foreign language instruction equipment*

### Background

Under title III of the National Defense Education Act, the Federal Government provides loans to private schools and matching grants to the States for the purchase of equipment for teaching science, mathematics, and modern foreign languages. Grants to the States also support the salaries of supervisory personnel who are responsible for curriculum modernization, inservice teacher training, and the use of improved teaching methods in the States public schools.

Fifty-two States and territories now participate in the program. They employ 250 full-time supervisors in the 3 subject fields, contrasted with 33 before the National Defense Education Act. Schools are offering more courses, starting them at lower grades, and providing longer sequences of study. Heightened student interest in these subjects is reflected by current enrollments which are rising faster proportionately than general enrollments.

The need for continued aid, however, still remains acute. In spite of exceptional progress in recent years, States report large percentages of inadequately equipped science laboratories and classrooms. And while the number of high school language laboratories has increased from a pre-National Defense Education Act total of 46 to at least 5,000, an additional 10,000 laboratories are needed during the next 2 fiscal years. The expected increase in the school population and the large numbers of new laboratories and classrooms yet to be built are factors which must be added to present unmet needs.

### Proposal

The bill would extend title III of the National Defense Education Act for an additional 2 years at its present annual authorization of $75 million. The only change would be a provision to allow reallotment of unneeded State grant and loan allotments.

### FACT SHEET NO. 18, TITLE IV, PART C

### *Guidance, counseling, and testing*

### Background

Although every American citizen is free to determine his future and choose his career, the early identification of talent and encouragement of able students can do much to help an individual achieve his full potential and prevent the loss of much-needed talent.

The establishment of effective guidance, counseling, and testing services in the Nation's schools to meet this need was one of the major goals of the National Defense Education Act. Stimulated by the National Defense Education Act, the number of full-time guidance and counseling personnel in public high schools has more than doubled since 1958. At the same time, enrollment has increased by 20 percent.

Today about 20 percent of all public high school students still lack organized guidance services. The ratio of counselors to pupils today is 1 to 550—still far from the goal of 1 counselor to each 300 students. To reach this goal by 1965, the schools would require an additional 16,500 full-time counselors.

### Proposal

The bill would extend for 2 years the present program in part A of title V, National Defense Education Act, for grants to States for testing, guidance, and counseling programs in public secondary schools (and for testing in private schools). It would expand the program to include the seventh and eighth grades in all States.

The bill would authorize $17.5 million for fiscal year 1964.

### FACT SHEET NO. 19, TITLE IV, PART D

### *Federally affected areas*

### Background

Under current legislation, the Federal Government pays school districts in areas vitally affected by Federal operations for maintenance and operation of existing schools (Public Law 874) and assists financially in the construction of new schools (Public Law 815). Financial requirements for the current fiscal year, 1963, have been estimated at $282.3 million for the first program and $63.6 million for the second.

The number of school districts and the amount to which they are entitled under Public Law 874 have increased for 12 consecutive years. Of the 11 million pupils in these affected districts, more than 1.75 million are listed as federally connected—four-fifths of them as a result of military activities.

Appropriations under Public Law 815 are based upon requests for construction submitted by the school districts. They have continued at between $61 million and $63 million a year for the past several years.

Under Public Law 815, almost 60,000 classrooms have been constructed at a cost of $1.15 billion. Under Public Law 874, local school operating budgets have been supplemented by more than $1.7 billion.

### Proposal

The bill would extend both laws for 4 years and, beginning in the second year, would include the District of Columbia as a federally affected area for the first time. Full entitlement under the present payment formulas would be authorized for fiscal year 1964 with some reduction in the formulas beginning the second year and standardization of the eligibility conditions at 5 percent in the third year.

### FACT SHEET NO. 20, TITLE V, PART A

### *Vocational education*

### Background

Since 1917 the local-State-Federal vocational education program has provided millions of young people and adults with necessary training for work in the trades, in industry, in business, on the farm, and in the home. President Kennedy, in 1961, reported to the Congress that the basic purpose of our vocational education effort is sound and sufficiently broad to provide a basis for meeting future needs, but he said the technological changes which have occurred in all occupations call for a review and reevaluation of the vocational education acts, with a view toward their modernization. For this purpose he requested the Secretary of Health, Education, and Welfare to convene an advisory body drawn from the educational profession, labor, industry, and agriculture, as well as the lay public, together with representation from the Departments of Agriculture and Labor.

This advisory panel of consultants recently reported to the President on its review and reevaluation of the vocational education program and offered recommendations to strengthen the program in line with today's technology, scientific advancement, and economic progress.

Findings and recommendations of the panel of consultants are the basis of the present proposal. Among its findings are these: By 1970, 87 million persons will be working full time. Fifty-eight million of these, now employed, will need training to keep pace with new methods, new materials, new opportunities. Some 26 million young workers will enter the labor force by 1970. Their aptitudes, skills, and education must match the needs of a changing economy. Approximately 3 million women will switch from housework to jobs by 1970. They will need marketable skills requiring training.

Today's vocational education programs benefit 4 million young people and adults in about two-thirds of the Nation's high schools and in many colleges. Local communities invest $117 million, States $89 million, and the Federal Government $57 million. Each State has a vocational education board to set policy.

But the numbers to be trained must be increased to meet the Nation's trained manpower needs today and in the years ahead.

At least 80,000 highly skilled technicians must be trained each year to meet employment needs. We are graduating only 15,000 at present. About 5 million additional skilled craftsmen will need to be trained by 1970 for work in industry. Old jobs are disappearing. New jobs require special skills. Training and retraining are constantly needed to keep workers abreast of change.

More than half of the Nation's privately employed workers are in service industries—largely sales and marketing—but only a small percentage of high schools offer training in these fields through distributive education. Over 10 million of those employed today are in office occupations, but no Federal funds are provided under the vocational education acts to aid office occupations training. For the one-third of all American women of working age employed and the growing number of young married women, there is an urgent need for training, not now provided, in the dual responsibilities of homemaking and wage earning. Only 1 in every 35 employed workers is receiving training to upgrade his skills through evening extension programs.

Another great obstacle to increase vocational education is the shortage of area-vocational-technical schools and classes, with adequate equipment for training purposes. Vocational education enrolls fewer than one-fifth of the high school students in our largest cities, yet millions of students do not complete high school or do not go on to college and must consider their high school studies as their prime key to a future career.

### Proposal

The act would modernize and expand the present permanent program of Federal grants to the States for vocational education, in an effort to encourage and assist the States in providing needed vocational training and retraining young people and adults for productive employment. After a 2-year transitional period, the proposed grants would replace existing vocational education grants, except that the grant program under the Smith-Hughes Act of 1917 would be continued independently of the proposed new program. The purpose is to give the States more latitude in vocational training to meet the demands of our times for trained manpower in industry, business, government, and the Nation's arms of defense, in line with the country's exploding population, its increasing army of workers, and its rapid pace of scientific and technological advancement.

Training would be focused upon needs of high school students, persons who have completed or discontinued their formal education and are preparing to enter the labor market, adults now employed but in need of upgrading in their skills or needing to learn new skills, and young men and women with special educational handicaps.

Also proposed are construction and equipping of required area vocational education school facilities and services to improve the quality of vocational education programs, including teacher training and supervision, research, program evaluation, demonstration, development of instructional materials, and administration. Federal expenditures would be increased from their present $50 million under the Vocational Education Act of 1946 to $73 million for fiscal year 1964.

State plans would have to conform to new plan requirements by fiscal year 1966. Included in the program are American Samoa, Guam, Puerto Rico, and Virgin Islands.

## FACT SHEET NO. 21, TITLE V, PART B

### *Education of handicapped children*

### Background

An estimated 6 million American school-age children need special education. They include children who are blind or partly blind, the deaf and hard of hearing, those with spech impairments, the crippled, the emotionally disturbed or socially maladjusted, the mentally retarded, and children who have special health problems. For these children, about 200,000 special teachers are needed, but only 50,000 to 60,000 are now available. Only 2,000 degrees in special education were granted during 1959–60. By 1968, only about one-third of the Nation's handicapped children will have access to needed special educational training opportunities.

A chief obstacle to the development of adequate special education programs is the shortage of college and university teachers and specialists in these fields to direct and supervise educational programs. Under present legislation, progress is being made to train teachers of the deaf and of the mentally retarded, but these programs need to be expanded and extended to other areas.

State educational agencies and many institutions of higher education have reported widespread interest in these fields of education, but lack of funds and a shortage of qualified persons to conduct programs of professional preparation are hampering their efforts to move ahead.

### Proposal

The bill would provide a 3-year program of grants to States and institutions of higher education for the cost of courses and fellowships and traineeships for training teachers of handicapped children and other specialists in this field. It would support research and demonstration projects related to the special educational needs of handicapped children and would continue the present scholarship program for training teachers of the deaf.

It would authorize an appropriation of $15 million for fiscal year 1964 and such sums as the Congress may determine for the next 2 years.

## FACT SHEET NO 22, TITLE VI, PART A

### *General university extension education*

### Background

Our increasingly complex society demands a continuous process of lifelong learning and relearning. An insistent need and demand from the general public has caused many of our State universities and colleges to offer certain courses or kinds of instruction in extension. These offerings have of necessity been limited in number and in scope. The educational opportunities of great numbers of people who are above the usual school age have been limited. Many of these people, because of remoteness from a university campus, cannot attend regular courses or programs. Increasingly, extension courses are becoming an important means for technical workers in an ever-widening range of occupations to upgrade their skills and keep abreast of new developments. Such educational opportunities will obviously have a far-reaching effect on industrial efficiency and the national economy. The fact that it has been necessary for these broad extension programs in general to be self-supporting has seriously limited the extent as well as the adequacy of their service.

The efficiency of American agriculture, which is often simply taken for granted, was largely produced through the Agricultural Experiment Stations and the Agricultural Extension Service as a part of the land-grant college system, with the support of Federal funds.

The present need is for legislation providing Federal support to meet the emerging and continuously broader educational needs of all people in the Nation—needs that cannot be met within the usual patterns of time periods of higher education. Exploding knowledge and revolutionary techniques require that the campus be brought into the home or that, through access to on-campus adult education courses, people will be able to upgrade their skills and deepen their general education.

### Proposal

Federal grants would be made available to State universities and land-grant colleges to stimulate the establishment or expansion of publicly supported programs of general extension education at the college level or above.

The proposed enactment would require that Federal funds be matched on a 50–50 basis. A State would be required to make available each year, from State or other non-Federal sources, at least the amount expended for general university extension programs during the fiscal year 1963. Beginning with the third year (fiscal year 1966), funds received from fees or other charges to persons taking courses may not be counted for matching or effort purposes.

Each State would designate land-grant colleges and other public colleges or universities which may participate in the program. An approved State plan for a general university extension program also would be required.

Funds authorized for the fiscal year 1964 would be $9,040,000. The same sum would be authorized for each of the 2 succeeding fiscal years.

## FACT SHEET NO. 23, TITLE VI, PART B

### *Adult basic education*

### Background

More than 8 million Americans 25 years of age and older have less than 5 years of schooling; more than 22 million have less than an eighth-grade education. Without a foundation in basic education—without the ability to read, write, and do simple arithmetic—these millions of Americans are committed to a future of minimum earnings, recurrent joblessness, dependency, and personal deprivation.

The cost to the Nation of this lack of basic education among so large a group is staggering. Here is the hard core of unemployed, supported by public welfare funds and unable to benefit from major vocational training programs because of the lack of basic education skills.

The problem of limited educational attainment is not limited to any particular area or population group. It is nationwide. In New York State the number of adults with less than 5 years of schooling is nearly 800,000; in Illinois it is 365,000; in California 505,000. In Kentucky, Michigan, New Jersey, and Ohio the number exceeds 200,000. It ranges from 100,000 to 200,000 in Indiana, Maryland, Massachusetts, Missouri, Oklahoma, West Virginia, and Wisconsin.

The first essential step toward economic independence and productivity for this large percentage of the population is the provision of opportunities to acquire the foundation skills of education.

### Proposal

The bill would establish a 3-year program of grants to the States for adult basic education projects carried out by local public education agencies. It would authorize an appropriation of $5 million for fiscal year 1964 and such sums as may be necessary for the following 2 years. Fifty-fifty matching of Federal funds would be required after the first 2 years. Funds would be allotted to the States on the basis of the number of adults unable to read and write English or with less than an eighth-grade education, with a minimum allotment of $50,000 per year for each State.

## FACT SHEET NO. 24, TITLE VI, PART C

### *Public community libraries*

### Background

A total of 18 million Americans at present have no library services. Some 110 million persons have inadequate library services, and 60 million of these live in urban areas. It is estimated that a minimum of $3 per capita per year from all sources is needed to provide an adequate level of public library service for the Nation. Total public library expenditures are now approximately $360 million per year or $2 per capita. Thus, total public library expenditures are at least $180 million below minimum standards.

The Library Services Act, originally passed in 1956 and extended for 5 years in 1960, is at present limited to assisting States in developing public library service in rural areas (under 10,000 population) at the maximum authorization of $7.5 million per year.

A major problem in the development of adequate public library service in many areas is the lack of adequate public library buildings. Most public library buildings are old, lack sufficient space for users and materials, and are inefficiently arranged for modern service and poorly located because of population shifts. Many areas have no readily accessible public libraries.

Existing libraries are often our oldest public buildings, with a replacement rate of only 2 percent per decade. Many of the existing library buildings were built through the gift of the late Andrew W. Carnegie. But there have been no Carnegie funds available for libraries for 40 years. It is estimated that $80 million annually is needed for library construction during the next 5 years.

Proposal

The Library Services Act would be expanded to include nonrural areas (title I) and also would provide for construction grants for public libraries (title II).

Particular consideration would be given to the needs of students of all ages for useful library services, materials, and facilities.

The act also would provide for grants to be paid to the States for the purpose of constructing public library buildings. It would also provide that each State be allotted annually for construction $80,000 plus additional sums based on their relative population.

Funds authorized under title I would be increased from the present $7.5 million to $25 million for fiscal year 1964.

Funds authorized under title II for construction would be $20 million for fiscal year 1964.

In both cases, such sums as the Congress may determine would be authorized for the following 2 years.

*National Education Improvement Act of 1963 (estimated authorizations to States proposed for fiscal year ending June 30, 1964, and includes only those programs with specific State allotment formulas)*

| State | Total | I Expansion of opportunities for individuals in higher education | | II | III | IV Strengthening elementary and secondary education | | | V | VI Expansion of continuing education | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Student loans (proposed amendment to title II, NDEA) | Student work-study program | Expansion and improvement of higher education—Public community college academic facilities | Improvement of educational quality—State statistical services (proposed amendment to title X, NDEA) | Public elementary and secondary education | Science, mathematics, and modern foreign language instruction equipment (proposed amendment to title III, NDEA) | Guidance, counseling, and testing (proposed amendment to title V, NDEA) | Expansion and improvement of vocational education—Vocational education (amendment) | General university extension education | Adult basic education | Public community libraries (amendment) |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| Aggregate, United States | $831, 390, 000 | $135, 000, 000 | $22, 500, 000 | $50, 000, 000 | $3, 000, 000 | $400, 000, 000 | $75, 000, 000 | $17, 500, 000 | $69, 350, 000 | $9, 040, 000 | $5, 000, 000 | $45, 000, 000 |
| 50 States and District of Columbia | 815, 207, 821 | 134, 087, 273 | 22, 347, 880 | 49, 420, 654 | 2, 952, 000 | 389, 971, 366 | 73, 702, 201 | 17, 220, 000 | 67, 633, 740 | 8, 916, 537 | 4, 805, 821 | 44, 150, 349 |
| Alabama | 19, 445, 688 | 2, 124, 093 | 354, 016 | 1, 178, 102 | 60, 140 | 10, 697, 648 | 1, 828, 093 | 351, 370 | 1, 754, 396 | 163, 852 | 116, 922 | 817, 056 |
| Alaska | 1, 410, 081 | 36, 917 | 6, 152 | 30, 660 | 27, 137 | 612, 501 | 80, 446 | 50, 000 | 253, 204 | 29, 959 | 50, 000 | 224, 105 |
| Arizona | 6, 833, 809 | 1, 150, 166 | 191, 695 | 331, 611 | 38, 690 | 3, 209, 087 | 672, 496 | 136, 644 | 542, 141 | 77, 341 | 50, 000 | 433, 938 |
| Arkansas | 10, 996, 304 | 1, 175, 608 | 195, 934 | 715, 851 | 43, 530 | 6, 082, 702 | 956, 046 | 185, 055 | 954, 381 | 98, 659 | 60, 191 | 528, 347 |
| California | 55, 691, 104 | 13, 328, 738 | 2, 221, 457 | 3, 333, 866 | 150, 000 | 22, 286, 945 | 4, 379, 988 | 1, 446, 082 | 4, 350, 613 | 712, 110 | 236, 246 | 3, 245, 059 |
| Colorado | 8, 480, 640 | 1, 882, 364 | 313, 727 | 445, 561 | 42, 188 | 3, 578, 638 | 751, 157 | 171, 781 | 625, 946 | 97, 235 | 50, 000 | 522, 043 |
| Connecticut | 8, 563, 411 | 1, 788, 594 | 298, 099 | 531, 143 | 47, 743 | 3, 432, 917 | 758, 904 | 227, 219 | 622, 748 | 131, 640 | 50, 000 | 674, 404 |
| Delaware | 1, 755, 536 | 223, 589 | 37, 264 | 73, 745 | 29, 204 | 604, 317 | 147, 160 | 50, 000 | 233, 571 | 39, 653 | 50, 000 | 267, 033 |
| Florida | 22, 698, 849 | 2, 702, 653 | 450, 442 | 1, 173, 196 | 69, 537 | 12, 551, 438 | 1, 879, 028 | 445, 069 | 1, 925, 694 | 238, 043 | 118, 130 | 1, 145, 619 |
| Georgia | 21, 891, 448 | 2, 292, 451 | 382, 075 | 1, 206, 042 | 66, 454 | 12, 062, 570 | 2, 144, 256 | 414, 226 | 2, 033, 325 | 193, 636 | 147, 455 | 948, 958 |
| Hawaii | 3, 024, 738 | 410, 144 | 68, 357 | 203, 584 | 31, 639 | 1, 311, 290 | 268, 637 | 66, 370 | 263, 454 | 47, 864 | 50, 000 | 303, 399 |
| Idaho | 3, 968, 852 | 532, 718 | 88, 787 | 266, 984 | 32, 254 | 1, 863, 599 | 369, 028 | 72, 616 | 333, 375 | 49, 380 | 50, 000 | 310, 111 |
| Illinois | 35, 761, 277 | 6, 722, 729 | 1, 120, 455 | 2, 235, 162 | 115, 182 | 15, 774, 792 | 3, 229, 758 | 901, 459 | 2, 861, 366 | 463, 926 | 190, 491 | 2, 145, 957 |
| Indiana | 21, 794, 486 | 3, 794, 981 | 632, 497 | 1, 367, 769 | 70, 171 | 10, 417, 131 | 1, 924, 983 | 451, 315 | 1, 742, 404 | 225, 314 | 78, 673 | 1, 089, 248 |
| Iowa | 14, 605, 787 | 2, 660, 115 | 443, 353 | 969, 932 | 51, 564 | 6, 685, 243 | 1, 293, 725 | 265, 480 | 1, 327, 191 | 141, 429 | 50, 000 | 717, 755 |
| Kansas | 11, 269, 989 | 2, 240, 292 | 373, 382 | 660, 716 | 45, 524 | 5, 206, 198 | 929, 298 | 204, 966 | 838, 819 | 115, 936 | 50, 000 | 604, 858 |
| Kentucky | 17, 358, 658 | 1, 892, 622 | 315, 437 | 982, 996 | 56, 158 | 9, 513, 025 | 1, 707, 334 | 311, 548 | 1, 556, 091 | 153, 786 | 97, 181 | 772, 480 |
| Louisiana | 19, 020, 202 | 2, 561, 476 | 426, 913 | 1, 038, 451 | 59, 868 | 9, 928, 426 | 1, 960, 819 | 348, 637 | 1, 592, 082 | 163, 424 | 124, 944 | 815, 162 |
| Maine | 5, 158, 452 | 584, 414 | 97, 403 | 330, 651 | 34, 390 | 2, 639, 110 | 472, 927 | 93, 699 | 424, 156 | 62, 682 | 50, 000 | 369, 020 |
| Maryland | 12, 339, 852 | 1, 800, 474 | 300, 079 | 677, 566 | 55, 060 | 5, 871, 314 | 1, 271, 445 | 300, 617 | 1, 038, 399 | 156, 540 | 83, 684 | 784, 674 |
| Massachusetts | 21, 983, 172 | 5, 452, 945 | 908, 824 | 1, 404, 241 | 70, 326 | 8, 895, 769 | 1, 700, 123 | 452, 877 | 1, 572, 359 | 246, 718 | 94, 950 | 1, 184, 040 |
| Michigan | 34, 395, 332 | 5, 941, 444 | 990, 240 | 2, 283, 418 | 102, 716 | 16, 203, 451 | 3, 189, 161 | 776, 918 | 2, 703, 631 | 364, 496 | 134, 233 | 1, 705, 624 |
| Minnesota | 17, 679, 624 | 3, 293, 964 | 548, 994 | 1, 241, 129 | 58, 881 | 8, 132, 179 | 1, 688, 905 | 338, 486 | 1, 311, 008 | 170, 330 | 50, 000 | 845, 748 |
| Mississippi | 14, 407, 373 | 1, 668, 338 | 278, 056 | 790, 182 | 49, 463 | 8, 015, 251 | 1, 266, 348 | 244, 397 | 1, 301, 417 | 115, 915 | 73, 240 | 604, 766 |
| Missouri | 19, 547, 599 | 3, 385, 822 | 564, 304 | 1, 167, 277 | 63, 802 | 9, 424, 539 | 1, 678, 775 | 387, 678 | 1, 545, 589 | 210, 224 | 97, 169 | 1, 022, 420 |
| Montana | 3, 767, 653 | 616, 173 | 102, 695 | 230, 405 | 31, 926 | 1, 685, 580 | 322, 462 | 69, 103 | 298, 006 | 49, 714 | 50, 000 | 311, 589 |
| Nebraska | 7, 316, 021 | 1, 298, 356 | 216, 392 | 455, 319 | 38, 269 | 3, 297, 725 | 648, 992 | 132, 740 | 640, 853 | 82, 148 | 50, 000 | 455, 227 |
| Nevada | 1, 302, 600 | 135, 498 | 22, 583 | 46, 710 | 27, 597 | 386, 293 | 89, 541 | 50, 000 | 226, 183 | 32, 562 | 50, 000 | 235, 633 |
| New Hampshire | 3, 283, 582 | 561, 174 | 93, 529 | 188, 014 | 30, 636 | 1, 445, 089 | 281, 692 | 56, 219 | 232, 146 | 46, 726 | 50, 000 | 298, 357 |
| New Jersey | 19, 329, 888 | 2, 482, 310 | 413, 718 | 1, 343, 187 | 78, 434 | 9, 217, 152 | 1, 841, 613 | 534, 082 | 1, 634, 787 | 287, 152 | 134, 352 | 1, 363, 101 |
| New Mexico | 5, 247, 993 | 605, 393 | 100, 899 | 278, 502 | 35, 666 | 2, 622, 920 | 578, 092 | 106, 582 | 442, 599 | 61, 879 | 50, 000 | 365, 461 |
| New York | 53, 929, 449 | 10, 730, 404 | 1, 788, 401 | 3, 283, 104 | 150, 000 | 22, 724, 650 | 5, 018, 299 | 1, 423, 049 | 4, 241, 995 | 759, 012 | 357, 767 | 3, 452, 768 |
| North Carolina | 26, 650, 242 | 3, 303, 468 | 550, 578 | 1, 587, 936 | 73, 753 | 14, 204, 466 | 2, 495, 202 | 487, 233 | 2, 484, 817 | 220, 631 | 173, 649 | 1, 068, 509 |
| North Dakota | 4, 271, 384 | 665, 550 | 110, 925 | 276, 476 | 31, 722 | 1, 916, 246 | 369, 918 | 67, 151 | 432, 210 | 47, 850 | 50, 000 | 303, 336 |
| Ohio | 40, 323, 412 | 6, 422, 177 | 1, 070, 363 | 2, 641, 744 | 117, 524 | 19, 578, 224 | 3, 616, 056 | 924, 884 | 3, 258, 837 | 447, 423 | 173, 307 | 2, 072, 873 |
| Oklahoma | 13, 388, 310 | 2, 567, 619 | 427, 937 | 849, 850 | 47, 358 | 6, 339, 431 | 1, 077, 082 | 223, 315 | 1, 043, 871 | 122, 527 | 55, 274 | 634, 046 |
| Oregon | 8, 590, 277 | 1, 706, 472 | 284, 412 | 567, 509 | 42, 389 | 3, 782, 108 | 735, 171 | 173, 733 | 625, 681 | 97, 885 | 50, 000 | 524, 917 |
| Pennsylvania | 48, 964, 581 | 7, 349, 972 | 1, 224, 995 | 3, 516, 921 | 127, 617 | 24, 125, 287 | 4, 493, 247 | 1, 025, 610 | 3, 936, 031 | 518, 450 | 259, 028 | 2, 387, 423 |
| Rhode Island | 4, 186, 261 | 737, 530 | 122, 922 | 222, 834 | 32, 483 | 1, 887, 246 | 330, 993 | 74, 959 | 321, 835 | 57, 848 | 50, 000 | 347, 611 |
| South Carolina | 14, 700, 789 | 1, 498, 763 | 249, 794 | 844, 091 | 52, 248 | 8, 082, 360 | 1, 405, 926 | 272, 507 | 1, 435, 933 | 124, 918 | 89, 612 | 644, 637 |
| South Dakota | 4, 326, 767 | 680, 676 | 113, 446 | 261, 919 | 31, 993 | 1, 940, 993 | 380, 580 | 69, 884 | 434, 600 | 49, 967 | 50, 000 | 312, 709 |
| Tennessee | 20, 846, 841 | 2, 764, 835 | 445, 806 | 1, 203, 803 | 60, 959 | 11, 209, 785 | 1, 875, 318 | 359, 569 | 1, 842, 961 | 177, 078 | 121, 099 | 875, 628 |
| Texas | 48, 409, 855 | 7, 620, 851 | 1, 270, 142 | 2, 417, 524 | 121, 741 | 24, 552, 809 | 4, 576, 205 | 967, 048 | 4, 118, 325 | 441, 843 | 275, 206 | 2, 048, 161 |
| Utah | 5, 935, 723 | 1, 519, 627 | 253, 271 | 349, 261 | 34, 995 | 2, 309, 699 | 500, 038 | 99, 945 | 405, 984 | 59, 219 | 50, 000 | 353, 684 |
| Vermont | 2, 630, 455 | 500, 380 | 83, 397 | 139, 544 | 28, 845 | 1, 047, 839 | 211, 067 | 50, 000 | 226, 183 | 37, 168 | 50, 000 | 256, 032 |
| Virginia | 19, 933, 327 | 2, 298, 420 | 383, 070 | 1, 021, 494 | 64, 312 | 10, 708, 784 | 1, 911, 222 | 392, 754 | 1, 867, 637 | 194, 686 | 137, 342 | 953, 606 |
| Washington | 12, 955, 996 | 2, 593, 930 | 432, 321 | 810, 605 | 52, 799 | 5, 762, 787 | 1, 101, 938 | 277, 973 | 991, 587 | 145, 642 | 50, 000 | 736, 414 |
| West Virginia | 10, 625, 561 | 1, 256, 919 | 209, 487 | 756, 749 | 44, 767 | 5, 532, 089 | 1, 026, 527 | 197, 548 | 901, 372 | 101, 924 | 55, 373 | 542, 806 |
| Wisconsin | 18, 902, 605 | 3, 180, 720 | 530, 120 | 1, 297, 917 | 63, 421 | 8, 884, 866 | 1, 916, 847 | 384, 165 | 1, 429, 581 | 194, 017 | 70, 303 | 950, 648 |
| Wyoming | 1, 895, 696 | 267, 692 | 44, 616 | 99, 926 | 28. 396 | 692, 397 | 157, 583 | 50, 000 | 226, 183 | 34, 535 | 50, 000 | 244, 358 |
| District of Columbia | 3, 410, 290 | 1, 164, 713 | 194, 119 | 89, 475 | 30, 529 | 1, 034, 461 | 182, 750 | 55, 438 | 226, 183 | 53, 641 | 50, 000 | 328, 981 |
| Outlying parts of the United States | 16, 182, 179 | 912, 727 | 152, 120 | 579, 346 | 48, 000 | 10, 028, 634 | 1, 297, 799 | 280, 000 | 1, 716, 260 | 123, 463 | 194, 179 | 849, 651 |

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER (Mr. CLARK in the chair). The Chair was about to put the question. The Senator from Florida is recognized.

Mr. HOLLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection? Without objection, it is so ordered.

Mr. LONG of Louisiana obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield to me with the understanding that he does not lose his right to the floor?

Mr. LONG of Louisiana. I ask that I may yield under those conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to make my position clear on the question before the Senate.

First of all, I favor an amendment to the present cloture rule that would permit three-fifths of the Senate to close debate. It appears to me that this figure represents a fair compromise between the present rule, which has obstructed or disarmed a number of meritorious proposals, and a rule that would permit a simple majority to shut off the discussion of issues in which a large minority holds powerful convictions and have interest.

Cloture should be more readily available to the Senate. On some issues, the threat of protracted debate, and the difficulty of securing the affirmative vote of 67 Senators on a cloture motion, are enough to stifle any action at all, or to require the majority to trim its proposal to the point of futility.

I recognize the value of full debate, and I would not under any circumstances support the intrusion of House rules on the Senate; but full debate is not an idol to be worshipped for its own sake in a legislative assembly. While we are, to paraphrase Washington, meant to "cool the coffee," we are not required to make it tepid. The Senate was not designed to be a debating society; it was meant to be an instrument of government—originating, debating, amending, and ultimately acting on questions of public interest. There should be no artifical exclusions among those questions; nothing in the Constitution or laws of the United States denies the Senate the power to act on questions of civil rights.

So, in order that action might be made more certain after full debate, I would support a rule that would permit 60 Senators, instead of 67, to bring about a vote on any question.

But at the same time I firmly believe that the Senate cannot perform its function, as it was intended to be performed by the creators of our governmental system, if it adopts a provision for majority cloture. I think it makes sense to require that a more substantial number of Senators support the termination of debate, where the issue is profoundly divisive, and profoundly important. I think free debate also contributes to better representation of all the States, of all the manifold interests and desires of our people. It is not necessary to dwell on the days when the Senate's check on rash action has proved valuable to the country.

Having said this, I must express my opposition to the procedural approach adopted by the Senator from New Mexico. It does not comport with the rules of the Senate, and in my opinion it is not required by the Constitution. The constitutional provision on which the motion is based, article I, section 5, provides simply that each House may determine the rules of its own proceedings. In pursuance of that, we have made rules for the Senate; one of them is a cloture rule. I oppose the two-thirds requirement in that cloture rule, and would vote to amend it, but I do not deny the existence or the authority of that rule over our attempt to change it. To do so logically requires a denial that the Senate is a continuing body; it certainly requires a rejection of rule 32, which the Senate amended by an overwhelming vote only 4 years ago. I recognize the frustrations attendant on an effort to change the rules, having experienced them myself. But they do not constitute grounds for abolishing the means by which we have traditionally amended the rules. Believing that the Senate is a continuing body, and believing that its rules do continue until they are changed by methods prescribed in the rules, I am unable to support the Anderson motion, and I must answer the Chair's question now before us in the negative.

Consequently, Mr. President, I shall oppose the Anderson motion.

I honor those who have made this fight, and respect their purpose, if not their procedure.

I have sent to the desk a proposed unanimous-consent agreement, and ask that it be stated.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read the proposed unanimous-consent agreement, as follows:

*Ordered*, That on Thursday, January 31, 1963, at the conclusion of routine morning business, the Senate resume consideration of the following question submitted on yesterday by the Vice President to the Senate for its decision; namely, "Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?"

And that after debate of 3 hours, to be equally divided and controlled, respectively, by Mr. HUMPHREY and Mr. RUSSELL, the Senate proceed to vote on the said question.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object, I would be forced to object unless we can have a quorum call to bring other Senators to the floor. I ask unanimous consent that the Senator from Louisiana may yield to me for the purpose of suggesting the absence of a quorum, without his losing his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Before that action is taken——

Mr. HOLLAND. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HOLLAND. I withhold my objection.

The PRESIDING OFFICER. The objection is retracted.

The Senator from Florida has the floor. To whom does he yield?

Mr. HOLLAND. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, with respect to what the majority leader has just said about the procedural question involved, which is before the Senate, I fully and unequivocally concur with him, and I am unequivocally opposed to the Anderson proposal which is now before the Senate. I earnestly hope that yet today or tomorrow the majority leader and I may have a discussion of this subject, in the hope that we can devise a measure, an approach, or a procedure to get action upon the matter pending before the Senate, so that the Senate can resume its business, fill the committee complements, and then undertake to meet some legislative responsibilities.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. Reserving the right to object further, I wish to say that I, too, am in complete accord with that part of the statement made by the Senator from Montana, to the effect that the now pending procedural measure proposed by the Senator from New Mexico is wholly in derogation of the rules of the Senate, out of step with them, and should be defeated. But I do not feel that unanimous consent should be given at this time to the request of the distinguished majority leader—a request in which, I understand, the distinguished minority leader has concurred—without an opportunity being afforded for more Senators to be present. I hope that the majority leader either will withdraw his present request at this time or will, at least, allow us to have a quorum call, so that other Senators may come to the Chamber, because if neither of those courses is followed, I shall be forced to object.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. In response to the statements made by the distinguished minority leader, I shall, as always, be most happy to discuss this situation with him, to see if it will not be possible to submit a unanimous-consent request, either tonight or tomorrow—my guess is that it would probably be tomorrow—which would be agreeable to all concerned, to the end that the Senate may get on with its business and bring the pending question to a head, one way or the other.

My position in this matter is well known. I have not become involved with either side because I felt that I might better serve the Senate as a whole if I were available for comment or suggestions from either side, and thereby could help to bring to a satisfactory conclusion, or at least to a conclusion, the question now before the Senate.

If my memory serves me correctly, this is the 14th day—perhaps the 15th day—of debate on this subject. We have not even discussed the substantive issue which many Members seek to bring before the Senate for consideration. A certain amount of time can legitimately be given to a question of this nature at the beginning of a session; but, by the same token, a time comes when Senators must stand up and endeavor to grasp the nettle, to the end that this question, or at least questions attendant upon it may be settled one way or the other, and the rest of the business of the Senate may be brought to the attention of the committees and the Senate, where that business belongs.

In view of that situation, and in view of the fact that there is not a quorum on the floor of the Senate at the present time, I withdraw my motion.

Mr. HOLLAND. I express my appreciation for the courtesy of the majority leader and make the further statement that I am not at all in disagreement with everything he has asked for. On the contrary, I am in complete agreement with his analysis of the position taken by the Senator from New Mexico [Mr. Anderson].

Mr. President, I yield the floor.

Several Senators addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the majority leader, without prejudicing my right to the floor, in order that he may answer questions which Senators desire to propound to him.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I yield first to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I was on special duty and stepped outside the Chamber. The Senator from Florida was speaking for the Senator from Mississippi. However, will the majority leader again state the unanimous-consent request?

Mr. MANSFIELD. I withdrew it; but if the clerk would read it again, I would appreciate it.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent request which has been withdrawn.

The legislative clerk read as follows:

*Ordered*, That on Thursday, January 31, 1963, at the conclusion of routine morning business, the Senate resume consideration of the following question submitted on yesterday by the Vice President to the Senate for its decision; namely, "Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?"

And that after debate of 2 hours, to be equally divided and controlled, respectively, by Mr. Humphrey and Mr. Russell, the Senate proceed to vote on the said question.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the majority leader for the same purpose, and with the understanding previously stated.

The PRESIDING OFFICER. The Chair understands that the Senator from Louisiana yields to the majority leader with the consent of the Senator from Louisiana that the majority leader may yield to other Senators.

Mr. MANSFIELD. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I wish to address a query to the distinguished majority leader. There is a notation on the teletype that Senators who favor the amendment of the rules by action of the majority still hope for a White House boost for their cause. I should like to make it clear that I am one of those who favor action by the majority. But if it should eventuate that we do not get it, I would favor action by three-fifths, as the distinguished majority leader has stated, because it would be the best we could get.

Nevertheless, I believe that if there could be some expression of opinion or some way of ascertaining whether the White House has indicated, or is prepared to indicate, support either for the change by majority vote decision or change by the three-fifths decision, or whether the White House is opposed to any change in rule XXII at all, I should like to inquire whether the majority leader was speaking for himself in his individual capacity as a Senator, or as the majority leader, or as a spokesman for the Executive.

Mr. MANSFIELD. I spoke as a Senator from the State of Montana. So far as the White House is concerned, whatever action we take on this question is the business of the Senate and not the business of the President of the United States. I say that on the same basis as I did with respect to the question which was raised yesterday; namely, that so far as the Vice President, who is also a member of the executive branch, having anything to say about the termination of debate in this body is concerned, I would oppose it with every bit of vigor, ability, and determination that I have. There is a line beyond which I think the President and the Vice President should not step. If the Senate is incapable of attending to its own business, in its own way, I think it is up to the Senate to accept that responsibility, and it should not be shoved onto the White House, no matter who happens to be the occupant of the chair of the Presidency at any given time.

Mr. SCOTT. My concern is for the operation of the Senate as a viable body engaging in the pursuit of its business, a very substantial part of which consists in the consideration of and action upon programs submitted by the executive department. Therefore, the delay in meeting this question, or the manner in which it is met, can only have a definite impact on the legislative desires of the executive branch. I was merely asking the Senator from Montana whether the executive branch, in his judgment, is prepared to express an opinion. I gather from him that the executive branch will let us stew in our own juice and will not express any opinion on any of the three proposals. Is that correct?

Mr. MANSFIELD. I should hope that the executive branch would allow us—to use the words of the Senator from Pennsylvania—to stew in our own juice, because this is our own responsibility, and our responsibility only.

So far as the business of the executive branch is concerned, messages and legislative proposals have been sent to the Senate and have been referred to committees. But, by and large, no action has been taken in the committees, and will not be taken until and unless the Senate disposes of the question before it in one way or another.

I believe the Senate is big enough and old enough to look after its own business; and so long as I happen to be a Senator from the State of Montana, that will be my position, because I do not intend to go crying to some other branch of the Government for support on occasions when matters which we, ourselves, should consider, and should settle, are before us.

I have noticed that, on occasion, Members on the other side of the aisle have brought up the question that the President ought to intervene. I say most respectfully to my colleagues that this is our business, and ours alone.

Mr. SCOTT. Mr. President, if the Senator from Montana will yield briefly further, I wish to make clear that I did not indicate whether this Senator from Pennsylvania thought the President should intervene or not. I was seeking to ascertain whether support would be given to any of the three points of view.

So far as shedding tears is concerned, I shed them only because of the futility, and at times the fatuity, of this distinguished body because of its failure to "get off the dime."

Mr. MANSFIELD. In that respect I agree with the Senator.

Mr. SCOTT. And I am prepared to vote at any time.

Mr. MANSFIELD. So am I, and I have been prepared to do so from the very first day.

But it seems to me that Senators on the other side of this question are not too keen to have the vote taken, and hope the other fellow will pick up the faggot and will light it.

Let me say that the fact that the proposed unanimous-consent agreement was withdrawn this afternoon does not indicate that it will not be proposed again—perhaps not this afternoon, but I hope it will be tomorrow; and I hope that tomorrow, with the cooperation of the distinguished minority leader and other Senators, we can arrive at an agreement, so that the membership of the Senate as a whole will be aware of the day and the time when the vote will be taken, and so that in that way we shall dispose of one of the propositions before us.

Mr. SCOTT. Mr. President, I applaud the desire of the Senator from Montana to have a vote taken, and I join him in that hope.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. May we have assurance that advance notice will be given that the proposed unanimous-consent agreement, which the Senator from Montana has so wisely proposed and offered, will subsequently be offered at a definite time, so that all Senators will be able to be here?

Mr. MANSFIELD. Absolutely, and I shall see that that is done. I am sorry I did not think of that earlier this afternoon.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Montana yield to the Senator from California?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I thank the Senator from Montana for yielding.

I believe the time has come when Senators should be able to vote either up or down the basic issue—as both the distinguished majority leader and the distinguished minority leader have indicated.

In the last comment he made, the Senator from Montana answered the point I had in mind, namely, that the Senator from Florida was within his rights when, with a great deal of logic, he suggested that a quorum be had first.

I wonder whether it may be possible for the distinguished majority leader, with our own leader participating, to announce when we shall have an opportunity either to accept the proposed unanimous-consent agreement which the majority leader withdrew a moment ago, so that all of us can be here, and so that, after an appropriate quorum call, we could then determine whether the Senate is prepared to vote.

Mr. MANSFIELD. That is a fair request. I should like to say that, with the cooperation of my distinguished colleague, the minority leader, sometime tomorrow afternoon we shall again offer a proposal of this nature, or a similar one; and before it is called up, we shall do our best to obtain the presence of a "live" quorum.

Mr. KUCHEL. I thank the Senator from Montana.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I shall do everything within my power to further an opportunity to obtain, sometime during the day, tomorrow, a unanimous-consent agreement of the substance suggested today by the distinguished majority leader, and in which I understand he is joined by the distinguished minority leader.

Mr. MANSFIELD. I appreciate that statement.

A considerable number of Senators were consulted in regard to this proposal; and although we did not "touch all bases," we very nearly did. We thought we would make the attempt this afternoon, and that if it were successful, that would at least lay the groundwork for the proceedings tomorrow.

Mr. STENNIS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. The request to be made tomorrow will contemplate the passage of sufficient time to permit Senators who may be away to return, will it not? Otherwise, there is certain to be objection.

Mr. MANSFIELD. I do not think any Senator is more than 24 hours away; and since this notice is being given tonight, I hope it will be possible sometime on Thursday afternoon—all Senators being agreeable—for us to arrive at agreement on a time certain when the vote on a particular resolution will be taken. It need not necessarily be 2 hours after the morning hour; it could be at 4 p.m. or 5 p.m.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I understand that two Senators are now absent for physical reasons. Those reasons may make it impossible for them to appear in time to participate in the vote, if it is held as early as has been suggested. Due to that fact, I hope consideration will be given to allowing them to obtain live pairs, because I believe this subject is so important to every Senator that his vote on it should be taken, either by his being present and participating in the vote or by his being allowed to obtain a live pair.

Mr. MANSFIELD. I think that is a reasonable suggestion; and, speaking for the Democratic side, I assure the Senator from Florida that every effort will be made if possible to provide a Senator who is absent because of illness—but only a Senator who is absent because of illness—with a live pair.

I thank the able Senator from Florida.

Mr. LONG of Louisiana. Mr. President——

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield without prejudice to my rights to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STENNIS. Mr. President, as one who was working today with the Senator from Louisiana, but had no knowledge of the previous unanimous-consent request, I wish to say that I do not wish to be left in the attitude—and I do not think any other Senator does—of agreeing that there is any implication that we will agree to such a request if it is made tomorrow after a quorum call. I want that to be stated clearly on the record, so that no one will be misled.

Mr. LONG of Louisiana. I thank the Senator from Mississippi.

I am happy that the Senator from Florida made objection to the request. If he had not, I would have felt compelled to object, because I am left with the impression that some Senators favored the unanimous-consent request in hopes that Senators who have been opposing this proposal—which I believe to be completely erroneous, improper, and ill-advised; in fact, I could even call it outrageous—to undertake to deny by majority vote the right of free debate in the Senate, in violation of the Senate rules, would, so I fear, by agreeing to that request, have permitted that matter to have been decided prematurely by a bare majority vote.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. I wish to express my gratitude for the courtesy of the Senator from Louisiana in yielding to me, so that I could take that position, which I am sure—and I was sure of then—represented fully the attitude of the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it seems to me that this entire matter should be referred to the Committee on Rules and Administration, which has jurisdiction of matters of this sort, and that the committee should do what it does with any other proposal which comes before it; namely, study it, ascertain whether it has merit, and conduct hearings on it; and, if it appears that there is no merit to it—which is what I believe the committee would find—then forget about the whole thing.

But if in the judgment of the committee it appeared that some change should be made in the rules, in my opinion the committee should do what it did when I was a member of the committee 14 years ago; namely, recommend to the Senate whatever change in the rules the committee might propose.

I would favor many changes in the rules; there are many things about the Senate that I should like to see changed.

I would have no objection to having the committee study anything I would recommend; and I would imagine it could improve on anything I would recommend.

But we have here a proposal which is advanced by Senators who contend that the rules of the Senate must be changed in order to make possible the passage of bills of certain types. I have in mind the kind of bills they have in mind having the Senate pass. I challenge them to present the bills which they believe could not be voted upon by the Senate if it continued to have the benefit of free debate.

Our third President, one of the greatest Presidents of our country and one of the greatest Presiding Officers of the Senate, said in the opening paragraphs of Jefferson's Manual what the Senator from Louisiana believes to be the very basis of the Senate rules, and the reason why we have such rules. In the first section of Jefferson's rules he said:

> That nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power.

That is exactly what we are talking about. There is the original practice and procedure of the Senate as spelled out by Thomas Jefferson, our second Vice President, the third President of the United States, at a time when he was the Presiding Officer of this body.

He continued:

> So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.
>
> And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

There we have the advice of the author of the Declaration of Independence that we should insist upon rules, and that we should insist upon the observance of rules as the only protection of a minority in making its case in this body. The voice of one of the creators of the American Union—perhaps one of the greatest creators and the greatest philosopher of this Government at the time—well points out what we in the minority at this moment should be thinking, and that is that the rules of this body were intended to afford us a protection from "the wantonness of power" of a majority, and to protect those institutions which we believe to be very important to our Government. Certainly the rules of the Senate are important to our Government.

I believe I can guess the sort of measures that those who are seeking to change the Senate rule would like to propose. They would like to propose almost anything that the mind of man could conceive to bring about some forcible amalgamation of the white, colored, and other minority races in this great land of ours. We have debated some of those measures. Some of those we debated in years gone by have been dropped because they had no basic merit. Such proposals as the antilynching bills, which would have completely violated the whole concept of American Government, have been discarded down through the years. Today we see no one rising to support them because they have no basic merit. But those who supported them in that day would have rammed them through, and they been able to do so, and would have done so but for the right of free debate in the Senate.

We would have had the FEPC proposals seeking to tell a man that he could not hire a person who appeared to be best qualified to him, or the person he wanted to hire, based upon the various considerations by which he would like to judge an employee. In many instances extreme proposals along that line were defeated and dropped by the wayside because their supporters did not have a genuine belief in the merits of the proposed legislation and, I am sure, in some measure because of the right of free debate in this body.

Last year we had occasion to see what the gag rule could do in the Senate. It was the judgment of the Senator from Louisiana—and I respect the right of others to disagree—that that was the worst piece of economic legislation he had ever seen. By that measure we undertook to turn our Nation's multibillion-dollar investment in outer space—about a $25 billion investment of the taxpayers' money—or that portion of the taxpayers' funds that had been invested in space communication, over to the largest monopoly in the history of all mankind. Some of us who felt that that was a true monopoly problem and violated all the concepts for which American patriots have fought down through the years to preserve competition and free enterprise undertook to oppose that measure to the very best of our ability.

After a period of debate we were confronted with a cloture petition and a gag rule was voted upon this body. I believe that those on both sides of the aisle today know what the facts were. There was a case in which those favoring the proposed legislation agreed among themselves that about the only way they could obtain cloture in this body would be to agree that no amendments in any respect would be considered. In other words, there was a gentleman's understanding by a great number of Senators that no amendments would be considered, and that the leadership for the bill would move to table every amendment. The majority would agree to vote to table all amendments, without considering the nature of such amendments.

Some of those amendments were extremely meritorious. Any person would have had great difficulty in undertaking to explain why an amendment should not be voted upon and why it should not be agreed to. Yet we saw that under the pressure of those who had been persuaded in one way or the other to agree to support the bill, we were denied the right to make our case and denied the right to be of service to our country in insisting upon the adoption of amendments which we thought to be wise. Many of those amendments, I believe, certainly would have been adopted had the Senate voted on them dispassionately and in the orderly legislative manner without cloture having been imposed upon this body.

When the Senate does that sort of thing, it sets a precedent for the future. It sets a precedent so that in the future, when some Senator wishes to cut off debate because he is irritated by the fact that those opposing the bill seem to be making some headway with their arguments, he has a precedent toward which he can look and say, "The Senate did it on that occasion, and so the Senate should do it on future occasions."

There is no doubt in the mind of the junior Senator from Louisiana that if the Senate voted the proposed rule change and adopted a so-called 60-percent cloture rule, Senators who had that view would use that very rule to undertake to destroy the right of the 40 percent to hold the floor of the Senate and be heard.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Mississippi.

Mr. STENNIS. I wish to refer to the excellent point that the Senator from Louisiana has made. If we change the rule to provide for 60-percent cloture, under the theory of the proponents they could come right back—the next day perhaps, or certainly at the beginning of the next session—and propose additional changes. Is that what the Senator sees in the present picture?

Mr. LONG of Louisiana. The Senator is correct. Most of the incentives that would appeal to those who wish to change the rules, and particularly those interested in political innovations, would appeal as well a year from now or 2 years from now, and they would seek again to change the rule. One could say, "It would be popular with this minority group. It would be popular with the National Association for the Advancement of the Colored People. It would be popular with Mr. Walter Reuther. It would be popular with most of the leaders, or many of the powerful leaders of the American Federation of Labor and the CIO." So we would be told that it would be a popular political thing to do. It would win votes for us in the next election.

Those who found it politically appealing to vote to change the rules now would find it politically appealing to again vote to change the rules. We would be told, "Now you are casting a popular vote when you vote to say that 60 percent can shut off debate." If that should succeed, it would be as popular to say, 2 years from now, that 55 percent could shut off debate, or, 2 years thereafter, that 50 percent could shut off debate.

So the basic merit of free debate in this body could be destroyed if those of us who believe in free debate do not stand up and fight for it and insist on our right to debate in the Senate.

(At this point Mr. MANSFIELD assumed the chair as Presiding Officer.)

Mr. LONG of Louisiana. Mr. President, the right of unlimited debate has served, in good times and bad, to protect those in the minority at times when they were confronted with legislation which would have destroyed large segments of the economic, political, or cultural life of our Nation. This has been the case since before 1807.

There has been some argument about what the situation was in 1807. I believe it has been fairly well proved and documented by the document presented by the Senator from Alabama [Mr. SPARKMAN] that there never has been a time in the history of the Senate when a simple majority could cut off debate. The old motion of the previous question which existed prior to 1807 was not a motion to cut off debate. At a later date, if the debate continues that long, I should like to discuss that subject in some detail.

(At this point Mr. HOLLAND assumed the chair as Presiding Officer.)

Mr. LONG of Louisiana. Mr. President, in all those years, the practice of unlimited debate has resulted in no legislative harm. Prior to my time in the U.S. Senate, it might be said that the only legislation failing ultimately of enactment because of extended debate was the force bill of 1890. I venture the assertion that today very few Senators would advocate such legislation as the force bill of 1890. We find that in later years those who proposed it came to the conclusion that its failure worked for the common good.

It was by no accident on the part of the construction outfit which built this Nation that there was enacted a system of checks and balances which has served to keep the Republic alive and vigorous as governments elsewhere around the world collapsed into ruin. How many countries, both fledgling and established, have we seen dissolve into anarchy or explode in revolution almost before our eyes? But not so the United States. The framers of the Constitution worked long weeks in Philadelphia to reconcile the conflicting interests and the divergent views of the 13 States. The unique system of government which they conceived was predicated on liberty and justice for all—not liberty and justice for the majority; not liberty and justice for the minority; not liberty and justice for the landed gentry; not liberty and justice for the sharecroppers; but liberty and justice for all the people, regardless of section, economic interest, or political views. In numerous instances, that great document testifies to the interest of the delegates in forming a government which would prevent rebirth in America of the tyranny against which the Founding Fathers themselves had so recently rebelled.

The interests of manufacturing New England were delicately balanced against those of the agricultural South. The rights and privileges of the more populous States had to be balanced against those of the less populous ones. Problem after problem confronted those men; and their solution, in the whole, was found in a system of government which, rather than giving the reins to the majority, actually is constituted to restrain the majority. To say that this is a pure democracy or that it was ever intended to be such is to contradict the facts as they were. The existence of the Senate itself speaks eloquently of the intent of the Founding Fathers not to have a purely majority rule. They wanted certain restraints on the majority for the protection of minority rights. The constitutional provisions which require substantial majorities in certain cases are still further testimony that the Founding Fathers feared the rule of a majority in some respects and provided protection for the minority—whatever that minority—against the tyranny, which too often results from the workings of a majority.

One delegate to the Constitutional Convention in Philadelphia, who had much to do with the fashioning of the instrument which resulted, Gouverneur Morris, said:

> There remain three cases in which two-thirds of the whole number are required. These are, first, the expulsion of a Member; secondly, the passage of a law disapproved of by the President; and, thirdly, amendments to the Constitution. In these three cases, a provision is carefully made to defend a people against themselves, or, in other words, against that violence of party spirit which has hitherto proved fatal to republican government.

(At this point Mr. MUSKIE assumed the chair as Presiding Officer.)

Mr. LONG of Louisiana. At the time of the framing of this great document, the American Constitution, and before it was ever ratified, certain States began to feel that there was not yet enough restraint on majority rule in the new nation being formed. These States concluded that there must be included a bill of rights which could not be changed except by constitutional amendment approved by three-fourths of all the States in the Nation, and passed by two-thirds of the Members of the Congress.

The quotation from Gouverneur Morris, which I quoted a moment ago, points up the proposition which he and his colaborers at Philadelphia had recognized long ago and which some of us fail to acknowledge now—the need of protecting our people against themselves. These giants of a bygone era had acted, insofar as they could, to afford the necessary protection for all time to come.

Is it any wonder, then, in those times of great men, in those days before the violence of party spirit had so gripped us and when men of great ability had given of their best to form a great Republic, that free and unlimited debate was instituted in the Senate?

I know it will be said, as one Senator said the other day, that, oh, no, there was not free and unlimited debate in the Senate, because Jefferson's Manual called for the use of the previous question to curtail debate. It is true that Jefferson's Manual called for the previous question device to be employed, but—and here is the stopper—that previous question motion was itself debatable. The net effect—there was no effective procedure to curtail speech in the Senate, and, in fact, there was complete freedom of debate exercised, under the rules, until 1917.

In those days of molding and shaping a nation those great men forsaw the need for legislative restraints to keep us from pitfalls which could doom to failure that which they, with the help of God, had wrought.

Mr. President, make no mistake, those men knew what tyranny was. They knew, from bitter experience, about taxation without representation. They knew what it was to live at the point of an oppressor's sword, for they had lived in such an atmosphere. They knew how precious was the right of free speech, for they had been denied it. They knew in reality the bitterness of a denial of property and the rights of a man in his own home, for such rights had been too often transgressed by a cruel overlord. Mr. President, have we grown so immune to these principles for which those very men shed their blood that we would, by a single stroke, fell one of the great cornerstones which has so long supported them? Heed me well—if we change this rule, we are in effect saying to some substantial minority of the future, we are saying to any minority which any gentleman or lady of this body may represent, "You have no rights. The majority rules as and when it sees fit." We could, in effect, impose taxation without representation, for we would gag the representatives of the minority here. We could, by the passage of certain iniquitous measures which already are before us, say to a great minority that their destiny no longer is theirs—that their way of life and liberty must be cast aside in the pursuit of a transient political advantage by a majority.

Mr. President, the protection of minorities is the purpose of article after article of the Constitution of the United States. It is the purpose of the Bill of Rights and many other amendments to the Constitution.

It might even be said, Mr. President, that the reason for having a Constitution is to protect the rights of the minority. The majority can be satisfied with the ordinary statutes—it can work its will through the normal legislative process, through bylaws, so to speak. But to protect the minority—not just at the moment, but for all moments that have come and will come—there must be a cloth of more substantial fabric, a charter of more than temporal consequence, a Constitution.

This very body, the Senate of the United States, was created for the purpose of protecting the small States from the power of Members of the great States. Senators found early in our history that this great purpose of protecting the rights of the minorities should be further implemented by the right of unlimited debate, and for well over a century this forum had the most complete freedom of debate. And what brought about a change in the hallowed practice of unlimited debate?

It was in 1917, and the Nation was on the verge of war, that freedom of debate was in any way limited by the rules of the Senate. At that time it was intended that, in case of national emergency, debate could be ended on a pending measure. In my opinion, and I believe in the opinion of the majority of Members of the Senate, that limitation was intended to be used only in case of national emergency, so that debate could be ended on a measure which might involve the security of the United States.

Let me point out that the rule was finally changed in the face of a national emergency.

But what is the national emergency which faces us now? We are not even faced with a substantive piece of legislation at the present moment. Yet we are told that the rules must be changed.

Subsequently, in the year 1919, when a filibuster developed over certain reservations to the Treaty of Versailles, it was decided that this change of the rules applied only to a pending measure, meaning a pending bill, and not to motions or other questions before the Senate.

Until this day, no one has seen fit to provide a method for completely preventing unlimited debate. Such debate has served a useful purpose. The right of unlimited debate has made the U.S. Senate the foremost protector and defender of minority rights. That is why I should like to see the rules of the Senate remain in such state that minorities can be fully protected and can be heard in the U.S. Senate. I should like to have the rules of the Senate stay that way.

As I have said, today the U.S. Senate stands as the last great protector of the rights of the minority. Why is that true? It is because of the right of unlimited debate in these Halls. A mere handful of men, armed with sincere conviction, can hold off the majority for days on end. The minority, through its right of unlimited debate, may test the determination and the conscience as well as the endurance of the majority.

Mr. President, some Senators continue to suggest to me that a filibuster in the Senate cannot be broken if a substantial number of the Members of the Senate participate in it. It would appear that last year's experience with the satellite communications fiasco of a bill would have put the lie to such a suggestion. Prior to last year, I had always felt that any filibuster could be broken if the majority had the same determination and the same conviction of righteousness that the minority possessed. But there is where a question arises. Senators cannot do here in the Senate what can be done today in the State legislatures. The Members of the Senate cannot have this issue come up and have the majority end the debate by moving the previous question if they feel that the debate is cutting away their majority and that they are losing vote after vote because Senators are becoming convinced that they are wrong on the issue. That cannot occur in the Senate today. Here we do not have the situation existing in State legislatures, where the floor leader may move the previous question—a motion which is not debatable—because he feels that he will lose the issue if the debate goes on indefinitely.

No, Mr. President; the rules of the Senate give the minority the right to test out the majority and to see how convinced they are of their own righteousness, and whether they are attempting to play petty politics at home. The present rules of the Senate preserve the soundness of the system under which we operate in the United States, but that system will be destroyed by making a change in rule XXII, such as is here proposed.

Mr. President, all of us are human. All of us, besides being statesmen, are politicians; we have to be politicians if we are to win elections from time to time. Certainly the time may come when a Senator who is facing an election may feel that some piece of legislation should be forced through the Congress because its enactment will help him obtain reelection to the Senate. Mr. President, the right of unlimited debate is the greatest weapon we can have against having a Member of the Senate cast a vote which may not be wise or correct in the light of his own conscience.

### MINORITIES: TODAY—THE SOUTH; TOMORROW?

Today, we of the South are in the minority, Mr. President. We insist that the rules designed to protect the minority remain unchanged. Would not any minority do the same thing? Suppose the Senators from New England were in the minority? Would not they wish to see the rules stay as they are, so as to protect them? I know some persons will say, "The Senators from New England want to change this rule." But, Mr. President, the Senators from New England do not see legislation expressly drawn with peculiar application to their section of the country being forced upon them, as we of the South see legislation of that sort being proposed against us. If their minority were under attack and if their section of the country might be greatly harmed by some proposed legislation, if it were passed by the Congress, they would not wish to have this rule changed; but, on the contrary, they would be insisting that the rule remain unchanged, just as we of the South insist that it remain unchanged.

Mr. President, we know that pressure groups have a never ending store of laws designed to overhaul and disrupt the social pattern of our States. We know that this proposal to change the rules of the Senate stems primarily from the desire to prevent the southern Senators from having the opportunity of a full defense under the rules, against proposed legislation expressly designed to affect their States. It stems from the difficulty of pressure groups to endlessly hold prisoner the Senators who may have pledged their support. It stems from the inability of pressure groups to pop a whip over the heads of the Members of this august body. This proposed change in the rule is being forced upon us, Mr. President, because of that situation; it is being forced upon us because it is difficult for pressure groups to hold Senators in line over a period of time. This measure is not forced upon us on its merits alone.

But, Mr. President, we of the South are not the only minority in this great country. It merely happens that we are the whipping boy today. Actually, every American is both a member of the majority on some issues and the minority on others. Certainly, we should expect fairplay and respect from others who may later find themselves in the minority on issues on which we may be in the majority at a later date. It is the American concept that one should fight fairly and according to the rules. Americans have a reputation for fighting that way. I say that it is not right to change the rules merely to have the upper hand in passing proposed legislation before the Senate.

I say, Mr. President, that every move to obstruct free debate in the body undermines the very foundation of the American Government. The stability and durability of this Government were founded upon restraints to protect minorities and even the individuals. We must preserve these restraints, but leave not the other undone. Do not permit the violence of party spirit against which George Washington warned us to be the undoing of our great Nation.

We cannot always rely on the majority's meaning to do the right thing by minorities. If the day should ever come when the majority fails in this respect, how grateful would be the defenders of such groups that they had the rule to use, just as we in the South propose to use it to defend our rights.

It is possible that some day even the men who worship God may be in the minority in the United States, although I hope certainly that will never be the case. Suppose it should happen, and suppose laws should be introduced in the Senate imperiling the right of religion or discriminating against it in some way. Suppose there should be judges sitting in the U.S. Supreme Court who might feel the guaranty of religious liberty to be a very weak provision, and that there were a great number of modifications or a great number of different points of view regarding religious rights. Certainly those who wanted to protect minority rights, certainly those who wanted to protect the religious freedom of the people of America, if they found themselves in the minority, would be glad the rules of the Senate had been preserved just as they are.

One hundred and twenty-two years ago, William King, of Alabama, stood in this forum during the debates on the banking bill and said he would defend even unto death the right of unlimited debate, which was then 35 years old in this forum. Senator King and men of his caliber who succeeded him preserved that great right for another 122 years, and it has been preserved to us until this very day.

I tell you, Mr. President, far greater harm would come to the United States of America and to our Government through changing the rule than would be done to us of the South by adopting every proposal conceived by the minds of the northern agitators for ruling the Southern States. They could do us only a limited amount of harm; but ultimately the loss of the right of free debate in the the Senate might mean the destruction of our republican form of government.

Difficult as it *is* to acquire freedom, it is easily sacrificed. Once a majority has in hand the convenient weapon of gag rule, it would not be human nature to expect the majority to surrender it or not to use it.

We have seen legislation which, if passed, could do more harm to the Nation than it would do good. Consider, for a moment, the proposal for drafting manpower during a railroad strike.

Consider, also, the proposal to pack the Supreme Court. I heard a Senator say that he was of the opinion that, if that proposal had come to a vote when it was originally made, it would probably have been agreed to; but after extended debate, it did not pass.

If we destroy unlimited debate in the Senate, future majorities will take advantage of the rules. They will not take the chance of losing their majority by seeing day after day, first one vote and then another, leave the majority. When they see their votes getting away, they will move the previous question, and we shall have much harmful legislation passed, which could not stand the fight of free debate.

Mr. President, I assert that the weapon of unlimited debate is the greatest protection the rank and file of our people in the United States enjoy. It guarantees them a chance to know what is going on in the Senate before something that would do great harm to them is passed. This is the only House of Congress which has such a rule. No other parliamentary body in the world has free and unrestrained debate, which is the greatest protection of our liberty. That is one of the reasons why the American Government, made up of people with so many divergent views, and so many different classes and kinds of people, has been able to survive for more than 170 years, while all other nations throughout the world have crumbled, with the possible exception of the British democracy, where there is a different situation, in many respects, because of the stability caused by the existence of the monarchy, and because in that nation, there are not the great racial differences and the divergencies of viewpoint found in other nations.

Mr. President, the muttering of those who seek to change the rules of the Senate for selfish ends should not lead us to put aside these cherished liberties in which we take such pride. We are told that certain things will never happen here. We are told that there never will be the danger that men speaking in the cause of righteousness will be denied the right fully to be heard in the U.S. Senate. How can anyone give such a guarantee? So surely as the Senate changes the rule, and does what is now proposed by the majority in the Senate, as surely no such guarantee can ever be given, because the precedent will have been set for the further destruction of the rules of the U.S. Senate.

We are urged to believe that traditions and senatorial courtesy will continue to stand guard for the downtrodden and the oppressed. Perhaps today that may be true, although I doubt it, for I know too well what the proposed change is designed to do. In any event, we know not what tomorrow may bring forth and no one knows what will be done by way of further change, if the change now proposed is made.

Certainly that great American, James Madison, counseled wisely when he suggested that "Enlightened statesmen will not always be at the helm." He and others who have gone before us have through the years urged upon us the evils of great power, either in the hands of a few or in the hands of many. This democracy of ours, these traditions of ours, these rights of ours, these liberties of ours, should never be left to mere senatorial courtesy and the whim of the majority.

As all of us know, there have been many brilliant statements delivered by Senators, past and present, which spelled out the problems, even the evils attendant on a change in the Senate rules, a change calculated to weaken the voice of the minority.

For example, the present President pro tempore, the distinguished senior Senator from Arizona, a man who has been a part of the Senate for over 35 years, Senator HAYDEN, has been insistent in his feeling that there should be no further restriction on debate than is already contained in rule 22, which calls for a two-thirds vote to stop debate. I well remember the statement which Senator HAYDEN made to the Committee on Rules and Administration, which he chairmaned at the time of this statement. Here is what Senator HAYDEN said:

> In any event this committee must always remember that under the most favorable circumstances a two-thirds majority will be necessary to amend the existing rule. From a practical standpoint the burden of proof rests heavily upon those who advocate majority cloture. They must not only demonstrate why it should be done but how it can be done.
>
> In connection with permitting the majority to rule on all measures pending before the Senate there is a significant fact which this committee cannot afford to overlook. Unlike the House of Representatives, representation in the Senate is wholly without reference to the total population of the United States or to the population of any State. This is a situation that cannot be changed by an act of Congress since the Constitution provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate."
>
> The Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with only one-third of its membership to be elected every 2 years. Being solely responsible to the voters in their own States, tenure of office of Senators has no direct relation to the will of the majority of voters throughout the Nation.

That was part of the statement which Senator HAYDEN delivered to his Rules and Administration Committee, but Senator HAYDEN has also voiced his opinion in this matter on the floor of the Senate. He has said:

> I think that rule 22 is basically sound. There is no question of that, if we stop to consider the problem. Senators do not represent population. The popular vote is cared for at the other side of the Capitol. Senators represent States, large States, small States. There could not have been a union, had not each State been given an equal representation in this body. It is easy to conceive the time, when one more than half of the Senate, representing a very minor fraction of the population, would be in a position to do serious injury to the most populous parts of the country.
>
> For all those reasons it is sound that the rules should be two-thirds. It should be a two-thirds majority in order to protect the interest of Senators themselves, in their freedom of debate.

Mr. President, the requirement of a two-thirds majority is not unreasonable or unprecedented. Our law under which this great country was founded and under which it has progressed to the state where we are the foremost nation in the world imposes a two-thirds requirement in a number of different instances. My predecessor in this body, Senator John H. Overton, of Louisiana, demonstrated this fact quite well when he said:

> A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances.

I shall refer to those instances briefly:

> No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. 1, sec. 3).
>
> Each House, with the concurrence of two-thirds, may expel a Member (art. 1, sec. 5).
>
> A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. 1, sec. 7).
>
> The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. 2, sec. 2).
>
> Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. 5).
>
> Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. 5).
>
> When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).
>
> A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).
>
> The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

An outstanding speaker in defense of the rights of the minority on the floor of the Senate was the late Senator Kenneth Wherry, a Republican from Nebraska and a onetime minority leader of the Senate. This is what he said:

> It would be tragic beyond description if this body ever adopted a rule of procedure that would deny to any Senator an opportunity to be heard on any matter brought before the Senate. I would never be in favor of that.
>
> The Senate has been frequently referred to as the greatest deliberative body in the world. I know I speak the sentiments of every Senator when I say we all hope that it shall forever maintain that reputation. In no legislative body in the whole world is that right to deliberate more fully protected and guarded than it is in the Senate.
>
> The minority has rights that are just as inviolable as are those of the majority. The

truth of that statement goes to the very form and substance of our republican system of government.

We can cite many instances in our way of life to support that statement. Great reforms or great steps forward for our people often begin through the advocacy of small minorities that gradually, through the years, swell into majorities. In time, ideas for advancement that were almost universally frowned upon in years past come to be taken for granted as right and proper.

There have been notable instances in which waves of enthusiasm for legislation or actions by the Senate have given way to waves of enthusiasm for their rejection after the proposal had been thoroughly debated, thoroughly discussed, and understood by the people.

Therefore, plainly, we should take no action for revision of the rules that would in any way foreclose wholesome and necessary debate thorough exploration of controversial questions that come before us. Upon that proposition I feel sure every Member of this body fully agrees.

I do not want the Senate rules to permit the odious steamroller to crush the right of minorities to be heard and to be given the opportunity to persuade others to conversion to their views. In recent years we had a striking example of how the freedom of debate and freedom of deliberation in the Senate serve as a bulwark against revolutionary changes in our Government. I refer to the so-called Supreme Court-packing proposal which was made in 1937.

It was not my honor and privilege to be a Member of this body at that time, but that great moment in our history is fresh in all of our minds. It is conceivable that similar proposals, disastrous to our republican way of life, may be made in the future. Some of them are on our doorstep today. But I remind Senators that the most unfortunate Supreme Court-packing proposal never reached the stage in the Senate where resort to cloture was invoked.

The historic processes of the Senate committee hearings and full publicity worked so well that that threat to our form of government was averted by utter rout of the forces that had advocated the proposal.

I have an abiding faith in the confidence and wisdom of the Senate to adhere to its traditional character. Ours is a unique body as governments are constituted.

The State of Georgia is ably represented by two of the finest Members of this body, the distinguished senior Senator from Georgia [Mr. RUSSELL] and the distinguished junior Senator from Georgia [Mr. TALMADGE]. But other great men from Georgia have served in this great body. I recall now the words of one of them, the predecessor of Senator TALMADGE and a gentleman summa cum laude, Senator Walter George. Senator George said:

> I wish to begin my address with a further statement. In my judgment, the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.
>
> Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government.
>
> They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.
>
> Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two from each State—wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent, not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.
>
> Now let us suppose, if we can do so, that before the formation of the Constitution the several States which formed the Union had met in conference to decide some important matter affecting all of them, and let us suppose that someone had suggested a limitation on debate. How long would that conference have lasted under those circumstances? The representatives of those States would have marched away, and there would have been a dissolution of the whole effort to reach any agreement whatever.

But I could quote many fine speeches delivered in the Senate by the so-called southern bloc. However, I prefer to repeat some of the arguments delivered from time to time by Senators who were not so fortunate as to come from the South. Nevertheless, they had very strong feelings that the Senate should proceed in an orderly way, that the rights of the minority should be protected, and that the bill of the majority was not supreme in all events. There was, for example, a brilliant address by Senator Vandenberg:

> My point remains that our attitude toward the integrity of the rules, and not attitude toward cloture, is the one and only question legitimately at issue on the approaching rollcall.
>
> Let me emphasize this point, Mr. President. I feel it is cardinal. I have heard it erroneously argued in the cloakrooms that since the Senate rules themselves authorize a change in the rules through due legislative process by a majority vote, it is within the spirit of the rules when we reach the same net result by a majority vote of the Senate upholding a parliamentary ruling of the Vice President which, in effect, changes the rules. This would appear to be some sort of doctrine of amendment by proxy. It is argued that the Senate itself makes the change in both instances by majority vote; and it is asked, What is the difference? Of course, this is really an argument that the end justifies the means.
>
> I think there is a great and fundamental difference, Mr. President. When a substantive change is made in the rules by sustaining a ruling of the presiding officer by the Senate—and that is what I contend is being undertaken here—it does not mean that the rules are permanently changed. It simply means that regardless of precedent or traditional practice the rules hereafter mean whatever the Presiding Officer of the Senate, plus a simple majority of Senators voting at the time want the rules to mean. We fit the rules to the occasion instead of fitting the occasion to the rules. Therefore, in the final analysis, under such circumstances, there are no rules except the transient, unregulated wishes of a majority of whatever quorum is temporarily in control of the Senate. That, Mr. President, is not my idea of the greatest deliberative body in the world.
>
> The pending issue transcends any specific legislative program, no matter how notable or worthy. No matter how important its immediate incidence may seem to be to many today, the integrity of the Senate's rules is our paramount concern, today, tomorrow, and so long as this great institution lives.

Mr. President, it seems to me that as we review what was intended at the time of the creation of the Senate, it becomes obvious that the great statesmen of that day appreciated the value of free debate in the Senate.

So I beseech Senators not to turn their backs on the advice and wisdom of those who would save free debate in the Senate for posterity and for the great purposes which free debate in the U.S. Senate can serve, but, instead, permit us to continue to follow the wisdom, judgment, and discretion of the abler and more brilliant Members of this body, because only by so doing shall we be able to perform maximum service to our beloved country.

## RECESS UNTIL 11 A.M. TOMORROW

Mr. SCOTT. Mr. President, at this time there are no requests from Senators on this side of the aisle to make speeches. Therefore, I am ready to move that the Senate take a recess, unless the Senator from Mississippi [Mr. STENNIS] prefers to make the motion.

Mr. STENNIS. No. I assume that the Senator from Pennsylvania understands that an order for the Senate to convene at 11 a.m. tomorrow has previously been entered.

Mr. SCOTT. Yes, I so understand.

Mr. STENNIS. Very well. Then I am glad to have the Senator from Pennsylvania proceed to make the motion.

Mr. SCOTT. Mr. President, I move that the Senate now stand in recess, under the order previously entered, until tomorrow, at 11 a.m.

The motion was agreed to; and (at 6 o'clock and 4 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, January 30, 1963, at 11 o'clock a.m.

## NOMINATIONS

Executive nominations received by the Senate January 29 (legislative day of January 15), 1963:

### U.S. MARSHAL

Jack T. Stuart, of Mississippi, to be U.S. marshal for the southern district of Mississippi for the term of 4 years, vice Rupert H. Newcomb, resigned.

### IN THE NAVY

Rear Adm. George C. Towner, U.S. Navy, to have the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Ephraim P. Holmes, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

# EXTENSIONS OF REMARKS

## Address by Hon. Anthony J. Celebrezze Before the National Federation of Business and Professional Women's Clubs, Inc.

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EXTENSION OF REMARKS

OF

### HON. STEPHEN M. YOUNG

OF OHIO

IN THE SENATE OF THE UNITED STATES

*Tuesday, January 29, 1963*

Mr. YOUNG of Ohio. Mr. President, on January 19 the National Federation of Business and Professional Women's Clubs, was honored to have as their main speaker our great Secretary of Health, Education, and Welfare, Anthony J. Celebrezze. The speech given by my personal friend, Secretary Celebrezze, set forth as well as anything I have read regarding our national objectives in the fields of health, education, and welfare.

I ask unanimous consent that this speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS [1] BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Madam President, distinguished colleagues. Seldom do I have the opportunity to speak before an audience whose major concerns, both personal and professional, are so deeply meshed with my own and so broadly extended over the field of government.

We are, each of us, in one way or another, trustees of the public welfare. Together we share the task of administering to the needs of the American people, and together we share the tremendous responsibility of safeguarding the future of democratic institutions both here and around the world.

It is fitting, at the beginning of this new year—at the beginning of this new legislative session—that we should pause to redefine our common goals and to examine some of the issues surrounding them.

Abraham Lincoln once observed that, "If we could first see where we are and whither we are tending, we could better judge what to do and how to do it."

President Kennedy, on Monday, provided such an overview on the state of the Union.

Today, I would like to make some further observations concerning our national objectives in the fields of health, education, and welfare.

These objectives and the means of meeting them have often been the subject of vigorous public debate.

I am not dismayed by this attention. It reflects the fact that the programs of our Department touch directly, most intimately, the interests and concerns of the individual citizens of our Nation. Their spirited reaction to our programs and proposals is not something to be deplored. It is a very healthy sign of American democracy in action.

It is through such debate that we are able to reconcile differing points of view and produce a consensus that serves as a basis for action.

It is this that propels our Nation forward. When we fail to reach a consensus on matters of urgent public need, as in education, for example, then we are in trouble. For unless our Nation can move forward, not only we Americans but free peoples everywhere are imperiled.

How to resolve the differences that divide and tend to immobilize us, how to keep this Nation moving along on all fronts, is the function of government, the function of politics, the function of responsible citizenship. It is your job and mine.

It requires the free flow of ideas. It requires honest effort at accommodation among the special interests that are bound to exist in a pluralistic society such as ours. It requires broad perspective and broad understanding of all these interests.

I am most concerned that we should understand each other, you and I and the public at large, on the fundamental issues concerning our objectives in health, education, and welfare.

Let us see ourselves first in the broadest possible perspective before we attempt to resolve the finite issues that appear to divide us. There is much that we are agreed upon, and from this vantage point I am certain that we can move to even closer understandings and to more productive leadership for the Nation as a whole.

In a global and historic perspective we know these things:

That we are a nation of 185 million people in a world of 3 billion, one-third of whom live under the yoke of communism;

That we share grave responsibility for leadership of the free world;

That we are a people of diverse national origins and races, with differing religious and political beliefs, who have made a common commitment to defend the freedom of man and to support the rule of law.

We are also a compassionate people, a people of good conscience, whose concern for the well-being of others is a fundamental and active component of our democratic way of life.

In the history of the world, ours is a unique experiment in democracy. It is true that we have fulfilled many of the great expectations of our Founding Fathers. We have survived the bitter tests of civil strife and economic hardship—of world conflict and militantly challenging ideologies. Our people have prospered. Our national stature has grown.

But the time of testing is not yet over. We are not preordained either to succeed or to fail. Our destiny will be determined by our actions, by our response to the needs and the aspirations of mankind today and tomorrow, here and around the globe.

During the last 20 years, since the end of World War II, the world has been undergoing a remarkable change in human attitudes.

This social and political change which we are experiencing is still too close for objective evaluation. That will be a task for future historians. But we can perceive its general outlines in the changing social, political, and economic structure of Western democratic states.

The change was heralded by Franklin D. Roosevelt when he added "freedom from want" to the essential rights of man. It was echoed by Winston Churchill when he proclaimed our era "the century of the common man." One of its first major international expressions was the Marshall plan, a truly historic gesture of man's concern for his fellow man which infused the nations of Western Europe with new life and new hope.

The concept of the Atlantic Community, the growth of the European Common Market, the Truman doctrine, the decolonization of Asia and Africa, the Alliance for Progress in our own hemisphere, all these are manifestations of the interdependence of free nations and of the rising hopes and expectations of free peoples for a new kind of society, for creation of what President Kennedy has called "a new world of law, where the strong are just and the weak secure and the peace preserved."

This is the promise of democracy. Whether this new world of law ultimately comes into being will depend to a considerable extent on us, on our own continued strength, on our ability to achieve social and economic progress in our own land. We must continue to demonstrate that a free society is a viable society in which the rights of man are guaranteed, in which the common good is sought by common consent, in which civilization can grow and prosper.

This is the larger picture. But it is in this context that I would like you to consider this administration's objectives in health, education, and welfare. For we can no longer view the needs of our society or the obligations of our Government without an awareness of our place in the family of man.

Deterrents to progress in our land are no different from those in any other. Disease and poverty, ignorance and idleness all bear the same form and wear the same face. We are pledged to overcome them. Not all of them today, or tomorrow, or even perhaps in this generation. But we are pledged to make a fresh start. And we have made a fresh start.

We have begun by reaffirming our faith in the individual, in the 185 million men, women, and children who make up our national family. Our goal is to increase their personal freedom, to enlarge their capacity to build a good life for themselves and their families.

We believe that this can best be done by preventing the conditions that lead to dependency, to loss of personal freedom. Or, if we are too late, we would seek to restore their independence, to help them to help themselves.

In every field of social action, in health, in education, in welfare, these approaches are applicable. And they make sense.

Our social security system provides basic economic independence for retired or disabled workers, their widows, and surviving children. This does not intrude upon individual freedom and dignity. It makes them possible.

Our proposal to extend this insurance system to meet the basic health needs of the aged is another preventive measure, bearing no relation to socialized medicine. It would help protect the economic independence of older people by allowing them to insure themselves against some of the crippling costs of illness by prepaying part of these costs during their working years.

In the field of education we are facing a national crisis of alarming proportions. The growth of our economy is stunted on the one hand by the large and still growing number of educationally handicapped people, more than 8 million functional illiterates, 1 million school dropouts each year, and hundreds of thousands of men and women whose skills are becoming obsolete in today's highly developed industrial society. On the other hand we are experiencing a severe shortage of highly skilled manpower, particularly in the scientific and technical fields.

Thus, important national objectives are threatened by inadequacies in our educational system. Federal aid is clearly indicated, but of necessity can be only a small part of the total $30 billion invested annually in this country for education from all sources. Accordingly, the Federal contribution to education must be used to the maximum possible advantage of our schools.

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[1] Before the National Federation of Business and Professional Women's Clubs, Inc., Grand Ballroom, Mayflower Hotel, Washington, D.C., Saturday, Jan. 19, 1963, 12:30 p.m., e.s.t.

Primarily, as President Kennedy pointed out in his budget message, Federal aid must "provide a major impetus to the solution of a selected number of critical educational problems."

The President has proposed that the Office of Education be strengthened and that the National Science Foundation play an increasing role in supporting the education of scientists and engineers. Other phases of the program, to quote the President, are designed "to obtain improved quality in all levels and types of education * * * to help break crucial bottlenecks in the capacity of our educational system by providing funds for building expansion * * * to increase opportunities for individuals to obtain education and training by broadening and facilitating access to colleges and universities and by providing an expanded range of technical, vocational, and professional training opportunities for teachers and students."

This is not too ambitious a program for America. Every phase of it is geared to stimulate State and local activity in overcoming an immediate and urgent national need.

And every phase of the porgram, in one way or another, has this objective: To prevent the tragic waste of stunted intellectual development in individual human lives and to assure that the Nation has the skills and brainpower it will need for the long haul in the years to come.

This program stands on its merits.

In the field of health, the principle of preventive and protective Federal action in concert with the States and local communities has long been practiced with success. The record of the Public Health Service is one of progressive triumphs over the agents of death, human suffering, and disease.

These efforts will be continued and strengthened and hopefully expanded to include national programs to prevent the appalling waste of human lives resulting from mental retardation, from drug addiction, from accidents, and other causes.

Our public health needs today are further complicated by manmade hazards in the environment, by the pollution of our waterways and the contamination of our atmosphere from industrial wastes, automobile exhaust, and the very same chemicals that serve to protect us.

During the last Congress we sought and received authority to strengthen our nationwide program of water pollution control, a major legislative achievement. We believe that effective air pollution control will require a major joint effort of nationwide scope.

We are also concerned about our manpower needs in the health fields. Today's shortages of doctors and dentists, nurses and public health specialists will not be overcome because we are already too late to do much about them. Tomorrow's shortages we can prevent by preparing for tomorrow's needs. This will require a huge national effort to expand our medical teaching facilities, to increase enrollments in medical schools by at least 50 percent and in dental schools by 100 percent.

These are our major objectives in health, education, and welfare. I believe they are sound objectives. They are all aimed at guarding and conserving our human resources, protecting the health and well-being of the individual citizens of this Nation and promoting its general welfare.

They are forthright, practical, and responsible approaches to difficult social and economic problems that must be solved.

The tasks we face today are not the same as those of yesterday. They require new approaches, new tools, and the testing of new ideas. Only by remaining flexible in our thinking and in our attitudes can we meet the challenges of change.

And change we must, for the status quo is neither safe nor desirable. We are by nature an open society, a dynamic society, that is responsive to the needs of its people and protective of their human rights. Other nations are looking to us, and we shall not disappoint them.

Among our goals, as you are well aware, is the provision of equal rights and opportunities for women.

We have not yet provided a fully satisfactory answer to Susan Anthony's question: "Are women persons?" In spite of the progress we have made in securing for women their basic rights, there remain shameful inequalities and prejudices that prevent the full partnership of women in our democracy.

The establishment by the President of his Commission on the Status of Women is a frank acknowledgment that much more can and needs to be done to assure that women in our society are part of "the whole body of the people." The Federal Government has assumed its leadership responsibility in this area by translating intent into action. Our department has consistently supported a nondiscrimination policy in employment and promotions and will continue to do so.

But we do not need to be convinced of the huge contributions that women can make to the advancement of the Nation's welfare. We know how great it has been and can be.

We rely, perhaps more than any other Federal agency, on the efforts of women to further our programs of social improvement through voluntary and professional activity at national, State, and local levels.

We also rely on your leadership.

In the important unfinished business of achieving social progress in our land, this year and in the years to come, may we continue to benefit from your leadership, your talents, and from the high sense of purpose and dedication that you bring to the conduct of public affairs.

## George Maurer

EXTENSION OF REMARKS

OF

### HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. MORGAN. Mr. Speaker, it was with a deep sense of personal loss that I learned of the passing on November 16 of my dear friend, George J. Maurer, from a heart attack.

George was a native of Easton, Pa., who received his education in the parochial school of his hometown and at the George Washington University School of Law here in Washington.

At the time of his passing, he was only 56 years of age, but he had already distinguished himself by his long and outstanding career of service in the legislative branch. His first job was with the Library of Congress from where he was requisitioned as a clerk in the Speaker's Office in 1939. In September 1943 he began his work as a reading clerk of the House and during the long years that have since gone by George won the friendship and admiration of the Members of the House by his unstinting devotion to his work as well as by the efficient way in which he discharged his responsibilities.

We are all going to miss George and the smooth efficiency he displayed in discharging his duties has set a high target for his successor to achieve and emulate.

May I take this occasion to extend to George Maurer's widow and the other members of his family my heartfelt condolences and to assure them that their grief and sorrow is shared by the host of George's good friends here at the Capitol.

## Ohio's Favorite Son

EXTENSION OF REMARKS

OF

### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. VANIK. Mr. Speaker, in the 6 months since his appointment as Secretary of Health, Eduation, and Welfare, Secretary Anthony J. Celebrezze has proven himself a tireless worker dedicated to the successful administration of his far-reaching Department. More recently, Secretary Celebrezze rendered extra service in his cordial meetings with Premier Amintore Fanfani, of Italy, serving to strengthen the ties between our nations.

The State of Ohio is proud of its favorite son, who has distinguished himself and continues to bring great honors to Ohio.

On Saturday, January 26, at the dinner meeting of the Ohio Society of Washington at the Lawyers Club, Secretary Celebrezze delivered the following inspiring address:

REMARKS BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Since I am a lawyer by trade and since all of us here are from Ohio, it occurred to me that you would indulge me in a stipulation or two about our State.

Without making too fine a legal point of it, I think that in these circumstances we can stipulate that Ohio is a great State—and that all Ohioans are great people.

As a matter of fact, I suppose on this occasion I could probably stipulate that Ohio is the greatest of all States. But that would be bragging, and since—among our many other virtues—we are naturally modest, we'll simply stipulate that we're a great group of people from a great State, leaving the superlatives to someone else. There are, after all, only so many superlatives, and those that New York and Texas haven't cornered, Alaska and California have—or will.

So acknowledging our natural modesty, we will simply confine ourselves to the facts. We will merely note that Ohio was the pioneer State in one of the most brilliant chapters in American history—the development of the Northwest Territory—and that it has been a leader ever since.

We'll merely note that Ohio is blessed with rich soil, abundant water, healthful climate, and all other characteristics of a fine piece of real estate and that its people are industrious, imaginative, honest, forthright, progressive, conservative, and otherwise—by any standard—quite without fault.

I could, of course, go on. But having stipulated these self-evident facts, I am sure none of us wants to dwell overlong on the past or even on the present. The past is static—at least to the extent that it doesn't get rewritten. And there's not much any of us can do about the present—it, too, is in the process of freezing into the past.

But the future. That's where the great game is—always ahead of us. The seed not yet planted, the machine not yet invented, the song not yet sung—these are the things that lead us on.

Now, don't misunderstand me. I don't underrate the past. It is not only important, it is imperative that we understand and interpret the past. It is imperative that we grasp the significance of the present. We must know the past and appreciate the present if we are to command—and not be commanded by—the future.

But granted the most penetrating analysis of the past, the most sensitive appreciation of the present—granted all that, and the future is still an uncertain business.

What will the world be like—10, 20, 30 years from now? What will America be like? What will Ohio be like?

No one, of course, can know with certainty. But we do know that what each of us does or does not do tomorrow may—and in all probability will—have some bearing on the shape of things to come.

The other evening I was in Cleveland helping to celebrate the 70th birthday anniversary of a great and wonderful friend—Rabbi Abba Hillel Silver. And I quoted some of Rabbi Silver's own words from an address he had given several years ago.

"We have long been admonished by our sages not to observe the wind too closely lest we fail to sow, nor to regard the clouds with too much concern lest we fail to reap."

I like those words—let us not observe the wind too closely lest we fail to sow or regard the clouds with too much concern lest we fail to reap.

Somehow these words remind me of the traveler who stopped to ask the way of a local citizen. You all know the story of how the local citizen, after deep thought and a number of false starts, finally gave up and said to the traveler: "You can't get there from here."

We are seeking our way to the 21st century. It is just over the horizon, but how do we get there from here? Or more precisely, how do we go about making the world of the 21st century the kind of world we want it to be?

From some of the things you read, you sometimes get the notion that there's no way to get to the 21st century from here and that anyone who tries to figure it out ought to have his head—and even his motives—examined.

I expect that somehow we'll make it, but I think we can stipulate that it's going to take some doing. We're going to have to do a lot of sowing, wind or no wind, and a lot of reaping, clouds or no clouds.

It takes a lot of work to keep a nation like this humming. But work is no problem. We seem to like work, and I am sure we will continue to like it.

The point is that it isn't enough in this day and age—if indeed it ever was—merely to get "A" for effort. The really difficult part is making our efforts, as individuals and as a nation, count. And that means developing and using all our resources.

Up to now, I haven't mentioned my dominant concerns, and I don't intend to burden you with them this evening. But since we are making some stipulations, I think we must stipulate that progress in the fields of health, education, and welfare are essential to our progress as a nation.

And we have made progress in all these fields. We are spending more money for medical research than any nation on earth, we have provided more education for more people than any nation in history, and we are spending billions of dollars a year to see that no one is destitute.

In short, we have gone to considerable trouble to deal with those problems which are of manifest public concern. The question is, Are we really taking advantage of our opportunities in these fields?

I suggest that merely alleviating human problems is a costly investment. I suggest that this approach belongs to a less enlightened, less resourceful age.

The youth loitering on the street corner, out of school, out of work—is he merely a problem, or does he represent an opportunity?

The once-clean river, laden by waste and debris—is this merely a problem, or does cleaning it up represent an opportunity for progress?

The mentally ill, living out their lives in custodial institutions because known methods of treatment are not available to them—are they merely problems, or do they represent opportunities for constructive action?

In a less enlightened, less resourceful age, the most we could hope to do in dealing with problems of health, education, and welfare was to try to relieve the symptoms.

But times have changed. We now know that it is possible, through timely and constructive action, to prevent many of the problems that have beset humanity throughout the ages.

It seems to me the better part of prudence that we steadily move in that direction—in the direction not only of dealing with problems after they have arisen but in the direction of preventing them from occurring in the first place.

There is nothing, it seems to me, quite so important to our progress and well-being as a nation as increasing the vitality of our educational system. I think you will agree that this becomes more and more evident as we advance further and further into the age of technology.

Consider merely one product of technology—automation. Consider the problems it poses for our educational system—and the opportunities it offers for increased productivity and the manifold benefits that go with it. But we must look upon automation as an opportunity for all—rather than a problem for many—if its true value is to be realized.

Well, I said I wouldn't burden you this evening with these concerns. If I haven't kept my promise, I apologize. But in all candor, I think we must stipulate that the work of the great State of Ohio is not yet done.

I think we must stipulate that Ohio, in common with all the other States, must not rest on past achievements but must keep moving forward—toward the 21st century.

There is bound to be a way to get there from here—if we will but find it.

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## Exemption of Pension Payments by Retired U.S. Government Employees—H.R. 533

EXTENSION OF REMARKS
OF
**HON. ABRAHAM J. MULTER**
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, January 29, 1963*

Mr. MULTER. Mr. Speaker, on January 9, 1963, I introduced H.R. 533 to exempt from income tax, annuities, and pensions paid by the United States to its employees.

It has long been believed that most people should retire at 65 years of age. However, every day more and more people eligible for retirement refuse to quit because they find that their pension will be inadequate to live on. Especially is this true for the Government employee who finds that his small annuity is further reduced by income taxes.

Anyone who retires on a pension or annuity of $3,000, $4,000, or $5,000 will usually be forced to live on an income considerably less than his former income. Steadily rising living costs and the depreciation of the dollar will make life in the late years of life an even more unpleasant prospect. Therefore, the Government should not place further obstacles in the way by taxing the small income of these people during the declining years of their lives when their expenses are especially high. Rather, the Government should encourage its people to retire and take steps to insure financial independence in their old age. Exemption of Government employees' pension payments from the income tax will provide a long step in the right direction.

I do not urge that the Congress should restore to all annuitants the same purchasing power they once had, but it can and should allow them the same tax benefits that it allows others who draw pensions from the Federal Treasury. For example, pensions paid under the Railroad Retirement and Social Security programs are exempt from all Federal income taxes. As an illustration of how this discriminates against the retired Federal Government employee, I call attention to the fact that while a retired railway worker enjoys this tax relief for his pension, the retired railway postal employee who may have worked right beside him enjoys no such relief. This discrimination cannot be justified. Therefore, my proposal is introduced to promote equity where there is need for it.

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## A Tribute to Father Junipero Serra

EXTENSION OF REMARKS
OF
**HON. JAMES ROOSEVELT**
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, January 29, 1963*

Mr. ROOSEVELT. Mr. Speaker, I would like at this time to express my admiration for a man to whom the people of California owe an everlasting debt of gratitude; the man: Father Junipero Serra, a Franciscan missionary and an outstanding figure in the annals of California history.

Entering the Franciscan Order in the year 1730, Father Serra soon became engaged in a noble and praiseworthy undertaking that was to occupy his attention for the remainder of his life.

On July 16, 1769, the San Diego mission was founded, under the authority of the Franciscan Order, and Father Serra became president of the mission. During the next 15 years he served as the guiding force that resulted in the successful occupation of what is today the State of California. During his presidency nine missions were founded. At the close of 1783, 7 months before his death, more than 6,000 Indians were recorded as baptised, while more than 5,000 had been confirmed. Equally astounding was the material progress under the missions, which thrived and prospered under the direction of Father Serra.

This man—Father Serra—was a person of deep faith and boundless trust in God. Of keen mind and indomitable will, he secured the California region to the cause of civilization and, in so doing, set the stage for the mighty developments that have since occurred on our Pacific coast, to the wonderment of the world at large.

## Medical Aid for Senior Citizens Under the Social Security Program

EXTENSION OF REMARKS

OF

### HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. GILBERT. Mr. Speaker, I am giving top priority to the proposal to give medical aid to our senior citizens under the social security program, and further liberalization of the social security laws.

I have again introduced my bill providing for such medical aid, and will spare no efforts to secure its passage. I consider this a major responsibility of the Congress and one which should be met without further delay. It is inconceivable that we should continue to ignore the hardships being suffered by our older citizens because of their inability to pay for adequate medical care. It is estimated that half of our senior citizens over 65 years old—8,000,000 of them—live in abject poverty. The average per capita income of those over 65 is now estimated to be slightly over $20 a week—about $1,000 a year. Now consider that medical costs during the 1950's went up by 36 percent, hospitalization costs rose by 65 percent, and group hospitalization costs—Blue Cross premiums—rose by 83 percent. When our senior citizens can barely afford to eat, they have no alternative except to deny themselves necessary medical attention.

I consider it a sad commentary upon our great Nation that we have so blithely and shamefully neglected this large portion of our population. Congress must be made to face, and effectively deal with, this grave problem and help our senior citizens.

I have also reintroduced my bill to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under social security and to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55.

Under existing law, social security annuitants are permitted to earn only up to $1,200 per year; if they earn more than this sum, they are penalized; deductions are made from their social security payments. No one can possibly support a home on his social security check. When social security payments represent a pensioner's entire income, if he wishes to enjoy a dignified existence and not become an object of charity, he must find some employment. The law as it stands now hurts the very people for whose benefit it was originally intended—those who work for their living. If the morale and well-being of our older citizens is to be restored, the limitation must be removed.

Another important amendment provided in my bill would enable men to collect full social security benefits at the age of 60; women could collect at the age of 55. Many workers who wish to retire at an earlier age and are financially able to do so when they can include social security payments should be given that opportunity. They are entitled to enjoy their later years in leisure after many years of toil. Also, by retiring, they provide vacancies for the younger men and women who need employment. There are many workers in poor health who must struggle to work in their last years because they cannot afford to quit, looking forward to the age of 62 and their social security benefits and a lessening of their hardships. A realistic approach to the problem of assisting our senior citizens is to reduce the age limits as provided in my bill.

I have also introduced a bill to increase, in the case of children who are attending school, from 18 to 21 years the age until the child's insurance benefits may be received under the Social Security Act. Many of our young people are forced to leave high school after completing a year or two, upon reaching the age of 18, and go to work, because social security payments are stopped. Those who wish to attend college are prevented from doing so. This occurs when the family is in poor circumstances and dependent upon such payments to take care of the child's expenses and support. Education of our youth is important; the assistance provided by my bill is necessary, so that our young people may have the opportunity to secure the highest degree of education possible.

## Youth Conservation Corps

EXTENSION OF REMARKS

OF

### HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. TOLL. Mr. Speaker, I am again sponsoring the bill to create a Youth Conservation Corps. Under this bill unemployed young men between the ages of 17 and 23 would be given the opportunity to undertake useful conservation work in America's great out of doors. The bill authorizes the establishment of a Youth Conservation Corps of 150,000 young men for a year's service.

This bill presents an approach which would go a long way in directing the energies of the youth of America, in developing our young men physically and morally, besides having an inestimable value in conserving our natural forest lands and parks.

I have been active for many years in the legislative field to eliminate some of the hazards which are attached to the problem of youth. Dr. John Otto Reinemann, director of probation of the county court of Philadelphia, was a great supporter of the bill which I sponsored in the General Assembly of the Commonwealth of Pennsylvania to create forestry camps. It was enacted in the 1955 session and it operates under the supervision of the department of welfare and the department of forests and waters.

In Philadelphia under the leadership of Commissioner Randolph Wise the city's welfare department has had considerable success with a youth conservation corps program since 1959.

I hope that this important legislation will be enacted in the 1st session of the 88th Congress.

## Block Back-Door Spending

EXTENSION OF REMARKS

OF

### HON. FRANK J. HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. HORTON. Mr. Speaker, on January 24, I introduced a resolution—House Resolution 174—to amend the Rules of the House of Representatives so that bills authorizing loans or advance contractual obligations against the Treasury could not receive House consideration unless reported by the Appropriations Committee.

The resolution, if adopted, would provide conformity with the Constitution's clearly stated limitation:

> No money shall be drawn from the Treasury but in consequence of an appropriation made by law.

This provision was intended to assure that all expenditures from the Public Treasury would be carefully weighed in terms of necessity, available revenue and fiscal soundness.

However, because of an interpretation of the House rules in 1949, legislative scrutiny and control of billions of dollars annually expended were eliminated. Consequently, whenever an administration becomes impatient with the tried-and-true method of financing projects, it merely seeks authority to borrow from Treasury trust funds—in some cases amounting to many billions—without bothering to get a legislative appropriation.

At a time when our country is challenged to fight against inflation and for a stable economy, the power and ability to control the public purse must be restored to Congress. At stake is national solvency and public confidence in our economy, both here and abroad.

Further back-door drains on the Treasury will occur until Government agencies are compelled to go before the Appropriations Committee and justify their expenditures of the taxpayers' money.

In offering this resolution, I joined with more than 120 other Members who introduced similar measures or announced their support of this bipartisan effort to oppose back-door spending.

## Analyzing the President's Message on Education

EXTENSION OF REMARKS

OF

### HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. ALGER. Mr. Speaker, everyone is for education the best for the most; in quality second to none; in quantity, all of our people, if that is possible. We all agree with the President when he says, "Education is the keystone in the arch of freedom and progress." The many general statements he makes are good reading, such statements as, "fundamentally, education is and must be a local responsibility, for it thrives best when nurtured at the grassroots of our democracy."

Where then is there any disagreement with the President. Here it is, on page 13 of his message:

> The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control.

There it is, the nonsequitur. The President's inconsistencies are the basis for honest disagreement.

Federal aid requires Federal control or else we fail to do our fiscally responsible job as Congressmen. And Federal control contradicts the local control the President eulogizes.

There is no need for me to evaluate selectively, as the President endeavors to do, the various programs because the statement is utterly self-contradictory and self-defeating.

The best and only maximum educational program in a free society will come from local and private effort, not government. This is the maximum to follow.

Perhaps the President's own languge shows most pitilessly his misunderstanding and inconsistency:

> In all the years of our national life, the American people—in partnership with their governments—have continued to insist that "the means of education shall forever be encouraged," as the Continental Congress affirmed in the Northwest Ordinance. Fundamentally, education is and must always be a local responsibility, for it thrives best when nurtured at the grassroots of our democracy. But in our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient. These efforts must be reinforced by national support, if American education is to yield a maximum of individual development and national well-being.

Now study that statement. What did he say and mean. For example, "The American people, in partnership with their governments." This is impossible. We have a government of, by and for people, do we not? So it follows according to the President that people are in partnership with themselves—a rather ridiculous situation. Such error of judgment and of the role of government is particularly serious when it is our President who is erring. We must point out and correct his errors—not permit their acceptance as basic American thinking.

The President goes on:

> In our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient.

Mr. Speaker, under our system there is nothing but the private efforts and initiative of the people. The Government creates no wealth, only the industry of the people does that. What you propose is to take the wealth from the people at the local level and return it to them in whatever manner an all-encompassing Federal bureaucracy determines. This is not the way we have been taught to solve our problems. It is not in accordance with the spirit of the Constitution which gives to the people the right and the opportunity to do for themselves.

Because we are experiencing population growth, economic expansion, and technological advance are we to throw the Constitution out the window? Are we no longer sure the people can be the government? I do not believe it. The best way to handle education is still at the local level. The most help the Federal Government can give is to trim the fat from the budget so that people will be able to keep more of their own money and they, at the local level, will take care of building enough schools, hiring the best teachers, and providing for their children the best educational system.

## Small Business Administration

EXTENSION OF REMARKS

OF

### HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. LONG of Louisiana. Mr. Speaker, I have read with interest, and I may say some dismay, a series of articles which appeared recently in the Washington Daily News concerning the Small Business Administration.

The articles, written by Mr. Dickson Preston, give a biased, incomplete, and distorted account of both the functions of this agency and the services it offers to the Nation's small business firms.

If I may, Mr. President, I would like to mention just one of the several very important functions of SBA which Mr. Preston either overlooked or chose not to discuss. And I am rather surprised, too, at this omission, inasmuch as Mr. Preston's articles discussed at length SBA's lending activities.

One of the most important facets of SBA's lending program, is that of making loans to local development companies organized specifically to assist small firms.

This authority, given to SBA by Congress through enactment of the Small Business Investment Act of 1958, has proved invaluable to small communities interested in improving their economic position.

I know of one small community in my own State of Louisiana for example that formed its own local development company and got a $250,000 loan from SBA to assist a small lumber company. In this one instance alone, 150 new jobs were created.

Throughout the country, SBA has made about 250 of these local development company loans totaling over $32 million. SBA has advanced nearly $29 million and local banks have added another $3 million. The development companies have in addition put up about $13 million, and the total value of these projects is nearly $45 million.

These loans have resulted directly in the creation of nearly 16,000 new jobs.

Of course, the total effect of these loans is not apparent in the basic figures cited. But loans of this type have a cumulative or "snowballing" effect. As a result of these loans a community gains more people, more households, more schoolchildren, higher personal income, higher bank deposits, more passenger cars, more retail establishments, and more retail sales.

This beneficial effect on the Nation's economy is the net result of this one program offered by SBA.

Of course there are also other valuable services rendered by the SBA which were not mentioned in Mr. Preston's articles but which are, nevertheless, an integral part of the functions of SBA which represents the more than 4½ million small businesses in the country and does so most effectively.

That is why I do not wish to let Mr. Preston's slurs on the SBA—and his omissions—go unchallenged.

SBA is doing a good job and we should all work to help it become still more effective.

## Tariff Loophole

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. DENT. Mr. Speaker, I think, as we opened the new session, the fears that some of us had on our trade policies and where they would lead us are beginning to become realities. The case of stainless steel is one in point. I believe the following news release issued from my office on January 28 tells a story that should have the attention of every Member of Congress. Those of us who believe job protection is essential to the well-being of our Nation will find ourselves ofttimes condemned by those whose interest is subject to question on more than one ground. Those among us who believe that we can have free trade without having foolish trade and the defense of our Nation goes beyond that of military and physical defense, but must, of necessity, in order to guarantee the security of the Nation reach into economic defense. The economy of this Nation is dependent entirely upon the work security of the people. This Nation, which could not live half free and half enslaved, cannot live half working and half loafing. This economy cannot change into a prosperous and growing era unless we reevaluate our job security.

The release follows:

Congressman JOHN H. DENT today introduced legislation calling for an amendment to the Tariff Act to close a loophole which is causing a serious disruption in the domestic production of stainless steel. The attached memorandum covers the contents of the legislation and its purposes.

"This is a very serious matter because of a veto by GATT of the tariff schedules, included in last year's Tariff Classification Act of 1962, which would have closed this loophole, but since the GATT veto in October, this act of Congress has not been put into effect, thereby creating a situation which has become acute," said Dent.

"Before the discovery of a loophole by the Japanese in the spring of 1960, imports on stainless steel in 1959 totaled $14,000. In 1960, when the loophole was discovered, it jumped to $257,000, and in the first 11 months of 1962, $5,518,000.

"Specifically, stainless steel carries a duty of 14½ cents per pound but, by manipulation of the loophole interpretation, the Japanese—with their cheap labor—polish one side of a sheet of stainless steel and come in under paragraph 309–1001 of the Tariff Act of 1930, and thereby pay a duty of only 1¼ cents a pound on an ad valorem equivalent of less than 3 percent. This subterfuge was not employed by any exporters to the United States, but since the Japanese steel complex has grown to a surplus production unit, they are seeking any and all means to dump their surplus into the United States.

"This is not an attack against free trade as such. This is a move intended to preserve the jobs fast disappearing in the steel industry of the United States," concluded DENT.

The following memorandum is designed to bring to your attention a serious import problem facing U.S. producers of stainless steel and their employees and to urge remedial legislation which would eliminate threat of substantial economic injury to domestic firms.

The legislation we recommend is in the nature of a technical amendment to the Tariff Act of 1930; it would neither conflict with present foreign trade agreements nor interfere with trade expansion goals. It would merely close a disturbing loophole.

### TARIFF LOOPHOLES

The appropriate duty rate on stainless steel sheets is at least 14 percent ad valorem. Stainless steel sheets which are polished, however, enter under paragraph 309, 1001, Tariff Act of 1930, at a duty rate of 1¼ cents per pound, a figure which, based on recent import values, may be expressed at 2.9 percent in ad valorem equivalent.[1]

These contrasting duty rates can be outlined as follows:

| | Specific duty per pound (cents) | Ad valorem rate |
|---|---|---|
| A. 1. Plates and sheets, n.s.p.f. (par. 304). | ------------ | 9½ percent. |
| 2. Additional duty based on alloy content of stainless steel (par. 305). | ------------ | 4 percent plus 1 percent additional. |
| 3. Total | 5.94 | 14½ percent. |
| B. Plates and sheets, polished, planished, or glanced (total). | 1.25 | 2.9 percent. |

There is no justification for such a discrepancy in effective duty rate: Stainless steel sheets properly dutiable at 14 percent, are subject to a duty of less than 3 percent simply as a result of the polishing process. Ironically, since polishing necessitates greater labor content and commensurately increases the competitive labor cost advantage of foreign over U.S. stainless steel sheet, the process should militate in favor of a higher rather than a lower import duty.

The history of paragraph 309 of the Tariff Act of 1930 explains its illogical impact. Tariff provision for "sheets and plates of iron or steel, polished, planished, or glanced, by whatever name designated" as found in 309 has existed with only minor changes since 1883. Stainless steel, however, is of comparatively recent commercial importance, not being in production in significant quantities until well after World War I. It is apparent that the provision was intended to apply only to high-tonnage carbon steel. This duty, when applied to substantially higher value stainless steel sheets, however, presents the opportunity for tariff evasion. The apparent discovery of this loophole in 1960 creates the present serious problem.

### INCREASE IN IMPORTS

As a result of the discovery of the discrepancy, the importation of stainless steel sheets and plates has increased by more than 1,000 percent since 1960, a rate of increase which far exceeds any precedent. The level of importation itself, even assuming stabilization of the increase rate, threatens serious injury to domestic producers of stainless steel.

The import situation is clearly revealed by the following chart:

| | Imports, schedule A No. 6039700 [1] | |
|---|---|---|
| | Pounds | Value |
| 1955 | 32,755 | $19,102 |
| 1956 | 30,478 | 18,881 |
| 1957 | 32,574 | 31,168 |
| 1958 | 42,952 | 11,020 |
| 1959 | 15,650 | 14,251 |
| 1960 | 736,746 | 257,160 |
| 1961 | 1,872,909 | 814,059 |
| 1962 (11 months) | 14,056,178 | 5,518,943 |

[1] "Sheets or plates of iron or steel, polished, planished or glanced." Over 90 percent of this total is comprised of stainless steel.

Source: Bureau of Census, U.S. Department of Commerce.

Japan is by far the greatest source of these polished steel sheets, accounting for well over 90 percent of the imports during the first 10 months of 1962. Japan's share of imports under paragraph 309 during the month of October 1962 alone was 1,493,018 pounds, a figure which exceeds the all-nation total for the entire period from 1955 through 1960. Foreign competition of this nature threatens immediate injury to the U.S. industry. It is inexcusable that the threat is greatly enlarged by an obvious tariff loophole.

### THE ANOMALY HAS BEEN RECOGNIZED BY THE TARIFF COMMISSION

Acting under legislative mandate, the Tariff Commission has recently completed a series of tariff schedules which collate and simplify the U.S. tariff structure. In cognizance of the anomaly, the Commission would correct it by classifying plates and sheets in a single category, thereby eliminating the illogical result in accordance with the standards of the Customs Simplification Act of 1954. Congress authorized the proclamation of the tariff schedules early last year in the Tariff Classification Act of 1962 when the President implements this act, the schedules will have the force of law.

Unfortunately, by reason of the difficulty of conforming the schedules to trade agreements, the proclamation has been delayed. As the matter is dependent upon successful negotiation with principal foreign nations, there is no way in which domestic stainless steel producers can know when this loophole will be closed.

### LEGISLATION NECESSARY

Corrective legislation is the only solution which will effectively prevent the continuation of injury. Such legislation would provide for the deletion of the reference to polished, planished or glanced plates or sheets from paragraph 309. No tariff adjustment, or other adjustment assistance relief, may be sought, since polished, planished or glanced sheets have never been the subject of a trade agreement.

There is ample precedent for legislation to correct an inequity of this sort. See Public Law 749, 83d Congress; Public Law 454, 85th Congress. Furthermore, the proposed amendment would not constitute a discriminatory duty against foreign suppliers—the current import duty on polished stainless steel sheets is 15 percent ad valorem in Japan itself.

In conclusion the industry is certain that it was not and is not the intent of Congress to permit an obvious loophole in tariff structure to imperil the continued existence of a viable segment of domestic industry.

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[1] The average value of imports of this item is 42 cents per pound.

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## Part 3: Let's Keep the Record Straight—A Selected Chronology of Cuba and Castro, September 21, 1961–February 20, 1962

EXTENSION OF REMARKS

OF

## HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. SHORT. Mr. Speaker, in the third part of my chronology of events on Cuba and Castro—we find outlined the growing realization of Latin American countries that Cuba is indeed Communist controlled, and Castro's admission publicly that he is a Marxist-Leninist "and will be one until the day I die."

Fifteen Latin American countries and the United States have severed diplomatic relations with Cuba. The Organization of American States held a Foreign Ministers' Conference on January 31, 1962, and voted—14 to 1, with 6 abstentions—to exclude Cuba from participation in the inter-American system. Later this conference action was to culminate, on February 14, 1962, in Cuba being formally excluded from the Organization of American States.

We find that $12 million a year in U.S. exports is being sent to Cuba, via Mexico, and that 18 American firms and individuals later are penalized by the U.S. Commerce Department for their part in ignoring the U.S. embargo.

We find on February 3, 1962, that President Kennedy has decided it is necessary to proclaim an embargo on almost all U.S. trade with Cuba, with the exception "on humanitarian grounds" of exporting certain foods and medicines—thus continuing the embargo which President Eisenhower had originally proclaimed and which then-Candidate Kennedy had criticized as being a gesture which was almost meaningless.

It is good to review history—and with the continuing threat of a Communist Cuba only 90 miles from our shores—it is good to learn from history. Our 20th President, James A. Garfield said:

> History is philosophy teaching by example, and also by warning; its two eyes are geography and chronology. History is but the unrolled scroll of prophecy.

The article follows:

### A SELECTED CHRONOLOGY ON CUBA, SEPTEMBER 21, 1961–FEBRUARY 20, 1962,[1] BY THE LEGISLATIVE REFERENCE SERVICE, THE LIBRARY OF CONGRESS

September 21, 1961: President Osvaldo Dorticos leaves Moscow for Peking, after a 10-day visit to the Soviet Union. In a speech at the Kremlin on September 20, Dorticos expresses the solidarity of Cuba with the Soviet Union on all foreign policy issues, and says that Cuban industrial development is based on Soviet credits. "In Havana, Premier Fidel Castro announced that Socialist countries have guaranteed to buy 4,500,000 tons of Cuba's sugar for each of the next 5 years. The message was conveyed to Cuba's Premier by President Dorticos now visiting in Moscow. It means Cuba will be able to sell her total crop of some 6,500,000 tons of sugar for the next 5 years, a gratifying assurance to the Castro government which is having its economic difficulties."

September 22, 1961: President Dorticos is greeted on his arrival in Peking by Communist Chinese head of state, Liu Shao-chi, who praises Cuba as "standing in the forefront of the struggle against U.S. imperialism, which is the common enemy of the peoples of both our countries."

September 25, 1961: Dorticos (addressing a mass rally in Peking) declares that the Nationalist occupation of Taiwan "reminds us of the shameful occupation of a part of our territory in the Guantanamo Base. Cuba and China will recover these territories through a resolute and tenacious prolonged struggle; the imperialists will have to give up these territories." Five men are executed and 64 are imprisoned for terms ranging up to 30 years for alleged anti-Castro activities. "Firing squads already have executed 20 persons this month, 111 this year, and 944 since Castro came into power in January 1959."

October 9, 1961: Cuban Government (in a "white book" presented to heads of 31 foreign missions in Havana) accuses the United States of training anti-Castro invasion forces at 20 U.S. bases and 9 camps in the Caribbean (in Puerto Rico, Guatemala, Nicaragua, the Panama Canal Zone, and at Guantanamo).

October 10, 1961: U.S. State Department declares that Cuban accusations that the United States is training new invasion forces "are not only totally unfounded but are ridiculous." On the same day, Foreign Minister Raul Roa (in the U.N. General Assembly) accuses the United States of planning a new attack against Cuba which he described as the scene of "the building of a Socialist society 90 miles from a stubborn empire determined to repress the inexorable flow of history." He says that Cuba would welcome "the amicable mediation of a number of American governments to explore the possibilities of worthy and honest negotiations with the Government of the United States."—"Although he implied that these efforts had failed, Latin American sources said that this was Cuba's first public acceptance of the idea of mediation."

October 17, 1961: Council of the Organization of American States (meeting in Washington) votes 20 to 1 (Cuba) to study a Peruvian request for a meeting of American Foreign Ministers to consider taking collective action against Cuba. Peru claims that such action is both justified and necessary to protect the Western Hemisphere from Communist subversion. The Cuban Ambassador to the OAS accuses Peru of acting on orders from the United States.

October 18, 1961: U.S. Secretary of State Dean Rusk (in a press conference) praises the Peruvian Ambassador to the OAS for having "eloquently described the causes for hemisphere-wide concern with development in Cuba since the Castro government transformed that country into an accomplice of the Sino-Soviet bloc." Rusk adds: "The world will be watching the OAS approach to the Cuban problem. The central question here, as it is in other parts of the world, is: Can people who are devoted to a world of free choice, opposed to a world of coercion, keep Communist intervention from undermining and destroying independent nations?"

October 25, 1961: OAS Council votes to delay action on the Peruvian proposal by referring it to a committee for further study: "It is known that the United States was not in favor of bringing the issue before the OAS just yet, because it has not been able to persuade a majority of the Latin American nations to support any moves against Cuba. * * * Some of the larger and more influential South American countries, notably Argentina and Brazil, are firmly against such OAS action." Times, London, October 26, 1961: "Brazil and Ecuador led a movement to kill the proposal outright. The smaller Central American nations and the United States sought a compromise formula that would keep it alive. Opposition from the big nations, especially Argentina, Chile, and Mexico, made it impossible to expect outright approval by the council."

November 8, 1961: President Kennedy (at a press conference in Washington) declares that U.S. exports to Cuba now amount to about $12 million a year.

November 9, 1961: Colombia asks the Organization of American States to convene an Inter-American Foreign Ministers' Conference on January 10, 1962, to consider measures for the defense of the Western Hemisphere against any threat posed by the intervention of extracontinental powers. Although the request did not mention Cuba, the Colombian proposal is specifically designed to counter what is regarded, in effect, as the Habana alliance between Premier Fidel Castro's regime and the Communist bloc as well as the subversive activities of Cuban agents in most Latin American countries.

November 11, 1961: Venezuela severs diplomatic relations with Cuba.

November 21, 1961: Cuba requests urgent meetings of the U.N. Security Council and the OAS Council to consider her charge of U.S. military intervention in the Dominican Republic.

November 22, 1961: OAS Council meets (in Washington) to hear Cuban charges refuted by the U.S. delegate as a new low of irrelevance, hypocrisy, and slander, and adjourns without taking action.

November 28, 1961: U.N. Security Council ends its debate on Cuban charges of U.S. aggression against the Dominican Republic without taking any action. In the three-day debate, Cuba had asked the Council to brand the United States as an aggressor and to demand the recall of American ships from the Dominican coast. She was supported only by the Soviet Union, but Soviet support did not extend to submitting a resolution in the matters.

November 29, 1961: President Kennedy (at a press conference) declares that the United States would be most concerned if the Castro regime in Cuba attempted to overthrow the existing government in the Dominican Republic or in any other Latin American State.

December 2, 1961; Premier Castro (in a 5-hour television speech) declares: "I am a Marxist-Leninist, and will be one until the day I die." He says "the world is on the road to communism," and he is taking Cuba along that path. He also says: "We must study all the experience in the building up of the world's first Communist society [the Soviet Union]." He rejects neutralism, saying: "There is no half way between socialism and imperialism. Anyone maintaining a third [neutralist] position is, in fact, helping imperialism." Like Soviet Premier Khrushchev, he denounces the cult of personality, and says: "It would be absurd for a single man to make government decisions. * * * I firmly believe in collective leadership. * * * I never have wanted to be a Caesar." He announces that he is forming a "United Party of the Cuban Socialist Revolution," as a single, monolithic party which will lead Cuba to "a people's democracy or the dictatorship of the proletariat."

December 4, 1961: OAS Council adopts the Colombian proposal by a vote of 14 to 2 (Cuba and Mexico), with 5 abstentions (Argentina, Bolivia, Brazil, Chile, and Ecuador).

December 9, 1961: Colombia severs diplomatic relations with Cuba, a few hours after Premier Castro denounced Colombia and Panama as "accomplices of imperialism." Colombia is the 12th nation of the Americas to sever relations with Cuba. The others are the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Paraguay, Peru, and Venezuela.

December 14, 19611: Panama announces that it has severed diplomatic relations with Cuba, and that the break is to be considered effective as of December 8 when Premier Castro made insulting remarks about Panama.

December 18, 1961: Cuba (in a letter to the Organization of American States) rejects a request of the Inter-American Peace Commission that it be allowed to visit Cuba to investigate Peruvian charges of Communist subversion against other American republics and claims that the Castro government is violating human rights. The Cuban note refers to "the servile, corrupt, despotic" Government of Peru, and the "abject submission and repugnant immorality of the Inter-American Peace Commission." (The Commission is an autonomous body of the OAS, whose members are from the United States, Colombia, El Salvador, Uruguay, and Venezuela.)

December 20, 1961: U.S. Commerce Department announces it has taken action penalizing 18 firms and individuals for illegal shipments of aircraft, automotive and other equipment to Cuba via Mexico. A Department statement says: "There has been great effort on the part of the Castro regime to attempt to obtain U.S. parts and equipment in the face of the U.S. embargo."

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[1] Sept. 21, 1961–Sept. 20, 1962, excerpted from Deadline Data; reproduced with the permission of Deadline Data on World Affairs. September 1962–October 1962 from New York Times.

December 22, 1961: OAS Council (meeting in Washington) agrees to hold the Foreign Ministers' Conference, convoked at Colombia's request, at Punta del Este, Uruguay, on January 22 (originally scheduled for January 10). "The 19-to-0 vote [Cuba abstained; Mexico, which opposed the conference, was absent] did not reflect the sharp division that has persisted among the 21 member nations of the Organization of American States on the desirability of considering collective action on the Cuban problem. The question today was limited to the date and place of the ministerial conference."

January 2, 1962: Premier Castro (at a mass rally in Havana to celebrate the 3d anniversary of the overthrow of the Batista regime) declares: "We reiterate that we are Marxist-Leninists and we do not repent it." He attacks the OAS Foreign Ministers' meeting (to be held in Punta del Este on January 22), and warns "governments of America sold to [United States] imperialism who are willing to attack a brother people" against any military adventure. He says that if any new invasion force attacks Cuba, "we will exterminate [them] to the last man." "The Premier backed his statement with a display of military might supplied by his Communist allies. Soviet-built Mig fighter jets, multirocket launching units and twin antiaircraft guns were shown during a 90-minute military parade."

January 3, 1962: Expert on canon law, Msgr. Dino Staffa of the Vatican Secretariat of State, declares to the press that Premier Fidel Castro and certain officials of his regime have fallen under automatic excommunication because they are responsible for "impeding and imprisoning" Roman Catholic bishops. He says the excommunication has been incurred without formal announcement.

On the same day, the U.S. State Department makes public a document entitled "The Castro Regime in Cuba," which was submitted by the United States on December 6 to the Inter-American Peace Committee (an organ of the OAS). The document says that "as a bridgehead of Sino-Soviet imperialism within the inner defenses of the Western Hemisphere, Cuba under the Castro regime represents a serious threat to the collective security of the American Republics."

January 4, 1962: Government announces the execution of an anti-Castro guerilla leader, Margarito Lanza, convicted of killing three militiamen. "It was the first execution to be announced in 1962. Firing squads killed at least 136 Cubans in 1961 and an estimated 968 since Fidel Castro assumed power 3 years ago."

January 10, 1962: Soviet news agency Tass announces that the Soviet Union and Cuba have signed a trade protocol for 1962, which provides for "a considerable increase" of trade between the two countries. Under the agreement Cuba will export sugar, alcohol, rum, tobacco, canned fruit, nickel ore, and other products to the Soviet Union. The latter will export to Cuba oil and petroleum products, ferrous and nonferrous metals, chemicals, fertilizers, sawn timber, cellulose, paper, cotton, wheat, flour, animal fats and vegetable oils, various plants and equipment, instruments, and other commodities. The Associated Press quotes Cuban Foreign Ministry sources as having said that the Cuban-Soviet protocol provides for trade worth $700 million between the two countries, a rise of $150 million over 1961.

January 18, 1962: Inter-American Peace Committee publishes a report (approved unanimously by the five members of the committee—Colombia, El Salvador, Uruguay, Venezuela, and the United States), which denounces Cuba's ties with communism, subversion, and violations of human rights. The report declares: "Such acts represent attacks upon inter-American peace and security as well as on the sovereignty and political independence of the American States, and therefore [constitute] a serious violation of fundamental principles of the inter-American system."

January 22, 1962: Conference of Foreign Ministers of the 21 American Republics meets in Punta del Este, Uruguay, to consider collective action against Cuba.

January 31, 1962: OAS Foreign Ministers Conference votes by a two-thirds majority—14 to 1 (Cuba), with 6 abstentions (Argentina, Bolivia, Brazil, Chile, Ecuador, and Mexico), to exclude Cuba from participation in the inter-American system. President Osvaldo Dorticos of Cuba declares that the exclusion of Cuba from the OAS will convert the organization into a "political-military bloc at the service of the United States." He says: "You may expel us but you cannot extract us from America. You may put us out of the OAS, but the United States will continue to have a revolutionary Cuba 90 miles from its shores." On the same day (January 31), President Kennedy declares (at a press conference in Washington) that he is satisfied with the outcome of the Punta del Este Conference. He says: "It is the first time the independent American States have declared with one voice that the concept of Marxism-Leninism is incompatible with the inter-American system."

February 3, 1962: President Kennedy proclaims an embargo on almost all United States trade with Cuba, with the exception—"on humanitarian grounds"—of the export to Cuba of certain foods and medicines. The embargo (which goes into effect February 7) will stop U.S. imports from Cuba of tobacco, industrial molasses, and vegetables—thereby depriving Cuba of an annual income of about $35 million—"Through sales of sugar, tobacco and some other food products, the Cubans are thought to have earned about $100 million in the free world last year. The U.S. action thus is expected to reduce Cuban dollar income by about one-third." New York Times, February 4, 1962: "The embargo * * * is frankly described * * * in the serious Eastern press [of the United States] as a unilateral act meant to compensate in part for the failure of the OAS to act as a punitive body."

February 4, 1962: Premier Castro denounces (at a mass rally in Havana) the U.S. trade embargo as "another economic aggression." In answer to the exclusion of Cuba from the OAS, voted by the American Foreign Ministers at Punta del Este, Castro issues a "Second Declaration of Havana" which states that the Punta del Este Conference has shown the OAS "in its true light [as] nothing more nor less than the U.S. Ministry of Colonies."

February 7, 1962: Brazilian Foreign Minister Francisco San Tiago Dantas (in a report to the Brazilian Chamber of Deputies on the Punta del Este Conference) defends Brazil's abstention in the vote excluding Cuba from the OAS. He says that the American Republics should negotiate with Cuba rather than isolating her. He declares: "It is not true that Cuba is lost as a nation for coexistence with the other countries of the hemisphere." He denies that the U.S. delegation tried to use economic pressure on the six countries (Argentina, Bolivia, Brazil, Chile, Ecuador, Mexico) which abstained in the vote on Cuba.

February 8, 1962: Argentina severs diplomatic relations with Cuba.

February 11, 1962: Cuban Revolutionary Council, headed by Jose Miro Cardona, announces (in Miami, Fla.) the formation of a hemispherewide anti-Communist, anti-Castro alliance. The announcement lists among the adherents President Romulo Betancourt of Venezuela, former President Jose Figueres of Costa Rica, Gov. Luis Muñoz-Marin of Puerto Rico, former President Luis Batlle Berres of Uruguay, Gov. Carlos Lacerda of the State of Rio de Janeiro in Brazil, Victor Raul Haya de la Torre and Eudocio Ravines, leftist leaders in Peru, and many others. The primary object of the body is described by Cardona as inter-American action against the Castro regime and internationalization of the struggle of Cuban exiles to free their country from communism.

February 14, 1962: Cuba is formally excluded from the Organization of American States by the OAS Council—thereby carrying out the resolution voted by the Conference of Foreign Ministers at Punta del Este.

February 15, 1962: U.N. General Assembly's Political Committee rejects a Czechoslovak-Rumanian resolution calling on the United States to cease "interference in the internal affairs of Cuba." (All Latin American countries—except Cuba—vote against this resolution.)

February 20, 1962: United States asks its NATO allies to prohibit voluntarily trade in strategic materials with Cuba and to reduce in general their trade with that country. The request is submitted to the Permanent Council of NATO in Paris.

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## Homemakers Help

EXTENSION OF REMARKS
OF
### HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, January 29, 1963*

Mr. ROOSEVELT. Mr. Speaker, the President's Committee on Juvenile Delinquency and Youth Crime recently issued a release dramatizing a few of the many problems confronting youth in our Nation's slums, and indicating how the community, under the auspices of Mobilization for Youth, offers advice, service, and friendship to assist in the resolution of such problems. The release follows:

RELEASE BY THE PRESIDENT'S COMMITTEE ON JUVENILE DELINQUENCY AND YOUTH CRIME

(Chairman: The Attorney General. Members: The Secretary of Health, Education, and Welfare; the Secretary of Labor.)

Mrs. P. and her five children shared one bed and one blanket. The children couldn't sleep at night because the rats made so much noise.

When a doctor told Mrs. A., a 15-year-old mother, to feed her baby solid foods, she gave him bacon and eggs.

Mrs. L. had a beautifully furnished apartment complete with hi-fi, but no food in the refrigerator.

When the welfare department gave Mrs. M. powdered milk for her children, she threw it away because she didn't know what it was.

These are some of the situations that 15 visiting homemakers have encountered on the lower East Side of New York City. Under the auspices of Mobilization for Youth, a nonprofit organization conducting a variety of programs for young people and their families, these local women help their less experienced neighbors learn to cook, shop, budget, and care for their homes and children.

The homemakers' purpose is not to wait on the women but to help them help themselves. One homemaker took Mrs. P. on a shopping trip and showed her how to save

$16 of her $96 monthly welfare check by careful buying in a reputable store. "If I hadn't gone with her," the homemaker said, "Mrs. P. wouldn't have known where to shop, what to buy, how much things cost. The next time she can go by herself with confidence."

This homemaker showed Mrs. P. how to plug up ratholes by hammering tin can covers over them. She also notified the landlord and the welfare department about the rats.

Mrs. A. learned how to feed her baby correctly and how to change its diapers.

Mrs. L. was shown how to budget wisely so she would have enough money for food and necessities, instead of such luxuries as a hi-fi.

Mrs. M. learned what powdered milk was, and how to use it.

Mrs. Gertrude Goldberg, supervisor of the visiting homemakers and a member of the Mobilization for Youth staff, thinks one of the most important results of the program is the increased self-respect of the housewife and the increased respect shown her by her children. "When a mother stands up for her rights to the salesman, the butcher, or anyone else who is trying to pull a fast one, she is setting a positive example for her child to follow," Mrs. Goldberg said.

One homemaker accompanied a woman to a butcher shop. The woman selected several lean pieces of meat, but the butcher gave her fat meat from the back of the counter. The homemaker urged her to demand the pieces she had selected. "Everyone tries to take advantage of poor people," the homemaker said. "But if you stand up for your rights, they will usually respect you and treat you decently."

Another goal of the homemaker program is to make women aware of the services available in their community. When a child is sick, many housewives on the lower East Side do not know where to find a doctor. The homemakers show them where the clinics and hospitals are and how to schedule appointments.

Homemakers also work in cooperation with other Mobilization and social agency programs. Through the Urban Work Corps, a subsidized Mobilization work program, teenagers are employed as babysitters to enable mothers to do their errands, shopping, and visiting. A homemaker referred the unemployed husband of one woman to the Urban Works Corps where he now has a job as a carpenter.

Social workers in Mobilization's neighborhood service centers, managers of public housing projects, and other social agency personnel make requests for the homemaker service. Often, women who have been helped refer their neighbors to the homemakers program.

The lower East Side has been traditionally an area of great social mobility. In the 1800's, streams of European immigrants—Italians, Irish, Jews, Poles, and Czechs—settled there. The Chinese settled in Chinatown, bordering the lower East Side on the west. In this century, many of these groups have moved out, and Negroes and Puerto Ricans have replaced them.

The homemakers are concerned with the problems caused by this mobility. They greet newcomers to the community and try to ease the strangeness by offering advice, services, and friendship. They help the new arrivals move in, show them how to care for household equipment and how to make use of neighborhood facilities. Since most of the homemakers are minority group members themselves, they do not have to overcome language or cultural barriers.

To many of the inhabitants of the area, the school, the housing authority, the welfare department, and the police, loom as great, complex bureaucracies with which they feel powerless to cope. Here the homemakers act as intermediaries between the institutions and the individuals. One woman's refrigerator was broken for 2 weeks, but she was afraid to contact the housing authority. The homemaker made a phone call, and in 2 hours a new refrigerator was installed.

This month, the homemakers are setting up a four-room model apartment, provided at low rent by the housing authority. In the model apartment, homemakers will demonstrate cooking and sewing to groups of local women, will provide a babysitting service, and will teach refurbishing furniture. They will continue their home visits in the neighborhood as well.

The 15 homemakers were selected from over 60 applicants on the basis of their skills, background and personality. Two of them had been on welfare themselves before taking the job.

They went through 2 weeks of training, but as Mrs. Goldberg said, "We learned as much from them as they did from us." At first, the homemakers feared resentment from the women they wanted to help, but they found the women eager to learn and to improve their situations.

The homemaker program is only one part of the total mobilization for youth program, but it embodies the project's basic principle: offering people the opportunity to better themselves through constructive means will build better neighborhoods and prevent delinquency and crime.

Mobilization for youth is a $12 million, 2-year program, supported by the President's Committee on Juvenile Delinquency, the Ford Foundation, the National Institute of Mental Health, and the city of New York. Fifteen other cities in the country are in process of planning similar comprehensive delinquency prevention programs, supported by grants under the Juvenile Delinquency Act of 1961.

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## The Fight Against Organized Crime

EXTENSION OF REMARKS

OF

## HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 1963*

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to insert the report to the President from the Attorney General on the fight against organized crime. The report follows:

JANUARY 10, 1963.

DEAR MR. PRESIDENT: The administration during 1962 greatly expanded its coordinated drive against organized crime and racketeering.

In the Department of Justice, racketeering prosecutions involving the organized crime section of the criminal division increased approximately 300 percent over 1961 and 700 percent over 1960. Convictions increased more than 350 percent over 1961 and almost 400 percent over 1960.

Internal Revenue Service figures show a sharp decline in gambling, the source of the enormous profits which bankroll other forms of racketeering. We prosecuted gambling cases in 20 States and further gambling investigations are underway in 45 States. Federal law enforcement agencies also took major action against other types of racketeering, such as narcotics, labor-management payoffs, and, most important, corruption of public officials.

These actions, while significant and encouraging, are not conclusive. Organized crime continues to tap the pocketbooks and sap the morality of our citizens.

At the beginning of this administration's antiracketeering effort, we sought to develop close coordination among the 26 Federal law enforcement agencies; to develop within the Department of Justice the manpower and dedication required for an effective effort; and to obtain the antiracketeering laws necessary for the fight against modern crime.

### FEDERAL COORDINATION

I can report to you that all the Federal law enforcement agencies have participated with total dedication and cooperation. The successful record of 1962 is in large part the result of their activity.

With their help, we have been able to set up and expand a central information pool on the background and activities of more than 1,100 major racketeering figures. Because of this intelligence and because of the agencies' accelerating assistance, the criminal and tax divisions of the Department of Justice have been able to prosecute cases not previously possible.

I mention particularly the outstanding work of the FBI, the Immigration and Naturalization Service, Internal Revenue Service, Federal Bureau of Narcotics, Secret Service, Bureau of Customs, Postal Inspectors, and Bureau of Labor-Management Reports.

### DEPARTMENT OF JUSTICE ORGANIZATION

Within the Department of Justice, the work of the organized crime and racketeering section of the criminal division has been greatly expanded. Since January 1961, the personnel strength of this section has been more than tripled, from 17 attorneys to more than 60. Permanent field units have been set up in Chicago, New York, Los Angeles, and Miami and teams of special attorneys have been assigned to various other cities to develop and assist in specific cases. The work statistics of Assistant Attorney General Herbert J. Miller's entire criminal division reflect this section's intensified effort:

| | 1960 | 1961 | 1962 |
|---|---|---|---|
| Man-days in court | 283 | 555 | 809 |
| Man-days in field | 1,963 | 5,086 | 7,356 |
| Man-days before grand juries | 388 | 1,052 | 1,146 |

### NEW LEGISLATION

Passage of the new antiracketeering laws has been instrumental in this increased activity. Five of the laws now have been in effect for 15 months. They forbid interstate shipment or transmission of gambling information or paraphernalia and interstate travel in support of racketeering, and expand previous laws against flight to avoid prosecution and shipment of firearms.

In the 15-month period, the Federal Bureau of Investigation has investigated 852 cases under the new laws. Of these, we so far have secured indictments in 34 cases involving 134 defendants, and convictions in 12 cases involving 37 defendants. There were three acquittals but in one of these, the defendants were convicted under another law. While no case brought under these new laws has yet been appealed to the Supreme Court, the constitutionality of the new gambling laws has been upheld in lower courts.

Last year, I reported to you that the passage of these laws had the immediate effect of forcing many of the Nation's major racing wire services to shut down. Since then, two more have closed their doors. So have telephone gambling information services. So have large- and small-scale bookmakers across the country. Others have seen their business greatly reduced.

We have taken action under the five laws against a variety of gambling enterprises.

In one case, we uncovered a numbers game operation in an eastern seaboard State which alone took in more than $20,000 a day and nearly $6,250,000 annually.

In another numbers case, in the Northeast, we found that while the average daily bet was only about 30 cents, the annual gross of the operation exceeded $2 million.

Action in a large western city resulted in the closing down of a multimillion-dollar sports gambling operation. A total of 19 different outlets were involved; the annual gross in only 1 of these exceeded $600,000. Shortly afterward, the mayor declared that the city's policy of tolerating gambling had ended and sent police out to close down other betting operations.

Last fall, a national magazine conducted its own survey of the betting situation across the country. It concluded that "the new laws have succeeded surprisingly well. * * * Bookmakers all over the country are up against it as they never have been before."

Internal Revenue Service figures further indicate the decline in illegal gambling. Gamblers across the country reported accepting bets of $53,490,000 during fiscal 1962. This represents a 20-percent drop from fiscal 1961 and is the lowest total since 1952, the first year this tax was collected.

Even more graphic are the figures for specific localities in which there has been sustained law enforcement activity. In fiscal 1961, for example, Kentucky bookmakers reported accepting a total of $7,650,000 in bets. In fiscal 1962—following the cleanup of gambling in Newport, Ky.—the figure was $2,200,000.

A sixth antiracketeering law was enacted in the last session of Congress and went into effect December 17. This law, greatly expanding an earlier statute, forbids interstate shipment of gambling machines and requires manufacturers, repairers, and sellers of such machines to register with the Department of Justice. Enforcement of this statute will further assist local authorities in action against illegal gambling.

Nevertheless, betting on sports events particularly remains a major problem. In both 1962 and 1961 we investigated reported attempts by gamblers to fix professional and amateur athletic events. Federal responsibility in this area is limited and further legislation might well be necessary. We will continue, however, to take action under present authority should it be required.

The combination of new coordination, new organization and new legislation has enabled the Federal Government to launch a sustained and successful effort against not only gambling but against all organized crime and racketeering.

One of the most insidious of the other aspects of organized crime is illegal traffic in narcotics. This administration sponsored the first coordinated inquiry into the causes and treatment of addiction—the recent White House Conference on Narcotics and Drug Abuse and the resulting effort to draft new legislation dealing with the problem. At the same time, continued outstanding work by the Bureau of Narcotics has resulted in important prosecutions.

For example, John Ormento and Carmine Galante, among the most important narcotics dealers in the country, were convicted in New York of smuggling millions of dollars worth of heroin into this country over a 5-year period. Sentences for the 13 defendants in the case totaled 276 years, including 40 years for Ormento and 20 years for Galante.

In Chicago, Nathaniel Spurlark, organizer of a large-scale smuggling ring, and five other defendants were convicted and sentenced to terms of 5 or 10 years in prison. Other important cases were successfully prosecuted in Texas, Tennessee, California, Connecticut, Massachusetts, and elsewhere.

In the labor-management field, we have continued to intensify the efforts of the Federal Government both against employees who seek to bribe union representatives and against union officers who seek to extort funds from employers. In 1962, 79 persons were indicted and 44 so far convicted for violations of the Taft-Hartley, Hobbs, or Labor-Management Reporting Acts in cases involving our Organized Crime attorneys. These totals compare with 20 persons indicted and 11 convicted in 1961 and 15 indicted and 13 convicted in 1960.

During the year, the Department also secured favorable decisions in deportation actions against a number of foreign born racketeers, including Frank Costello and Paul "The Waiter" Ricca DeLucia.

Probably the most damaging of all the uses to which racketeers put their illicit profits is corruption of public officials, and we have exhorted particular effort to expose and prosecute such official corruption—in Newport, Ky.; Lake County, Ind.; New York City; and elsewhere. We have investigations of official corruption underway in 22 States.

The acceleration of our effort against all forms of organized crime is indicated by these statistics for cases involving the Organized Crime Section:

| | 1960 | 1961 | 1962 |
|---|---|---|---|
| Number of indictments | 17 | 45 | 118 |
| Number of convictions | 22 | 24 | 86 |
| Number of individuals indicted | 49 | 121 | 350 |
| Number individuals convicted [1] | 45 | 73 | 138 |

[1] Includes trials of indictments returned in previous years.

Other important convictions of the past year include—

Anthony (Tony Ducks) Carallo, New York labor racketeer, Justice James V. Keogh of the New York State Supreme Court, and Elliott Kahaner, a former assistant U.S. attorney, for conspiring to fix a Federal bankruptcy case;

George Chacharis, mayor of Gary, Ind., who recently pleaded guilty to charges that he failed to report and pay taxes on more than $250,000 in payoffs from construction firms;

Henry Grillo, an Internal Revenue Service official in Boston, and three attorneys, for attempting to bribe another IRS official to fix a tax case;

Frank Andrews, well-known Newport, Ky., numbers game operator;

George Roxburgh, business agent of Detroit Teamster Local 299 on Taft-Hartley payoff charges;

Frank (Buster) Wortman, of St. Louis, Michael Coppola of Miami, and Metro Holovachke, former prosecuting attorney of Lake County, Ind., all on tax charges.

Los Angeles gambler Alfred Sica, brother of Joseph Sica, who was convicted last year with Frankie Carbo and Frank "Blinky" Palermo, on charges of making false statements to the Government.

Irving Tolub, New York City, a former officer of the International Ladies Garment Workers Union, on extortion charges;

Samuel J. Marroso, Detroit, labor consultant, on charges of transporting $190,000 in stolen Ohio Turnpike bonds across State lines;

Anthony Zambito, West Virginia "layoff" gambler, on charges of conspiring to violate and actually violating the new antigambling statutes;

Christopher Columbus Parker, one of the leading gamblers in the Southeast, also on charges of violating the new laws.

We also have secured a number of important indictments, which have not yet come to trial. Defendants in these cases include James G. Cross, former president of the Baker & Confectionery Workers Union, on charges of embezzlement and conspiring to fix his trial for perjury; Leo Carlino, of New York on charges of making grossly exorbitant expense deductions; Benjamin Dranow, previously convicted for tax evasion and mail fraud, for jumping $25,000 bail in Minneapolis; August J. Lippi, president of United Mine Workers District No. 1, on charges of embezzling more than $300,000 from a Pennsylvania bank; Matthew (Mike) Rubino, Detroit, for a wide-ranging hundred-thousand-dollar retail sales fraud; Anthony Dolasco, Newark, N.J., and Abe Zimmerman, Chicago, gamblers charged with tax evasion.

The past year also was a successful one in law enforcement areas other than racketeering. The Department is charged with the responsibility for protecting the integrity of Government operations through enforcement of the bribery and conflict-of-interest laws.

Cases in this area include the indictment of two Members of Congress, Thomas F. Johnson and Frank Boykin, on charges involving nearly $25,000 in payments and more than $3 million in real estate transactions. Two military officials at Fort Monmouth, N.J., were indicted on charges of attempting to influence Government contracts. Continuing investigation also led to the return of additional indictments in Massachusetts in connection with Federal highway projects.

Cooperation with other agencies also has been extremely effective in areas other than organized crime. At the request of the Food and Drug Administration, the Department this year instituted more than 150 seizures of misbranded or otherwise legally sold food and drugs—including the sale of stale and falsely labeled human blood to hospitals.

In close cooperation with the Post Office Department, we have brought a record number of mail fraud arrests—an estimated 702—and have secured an estimated 500 convictions, also a record. Included in these cases was the initial prosecution of Texas Businessman Billie Sol Estes, for mail and securities fraud. He also is under indictment for filing false statements with the Government. The past year saw a particular resurgence of fraudulent retirement haven land sales and more than 150 investigations are underway in this area alone.

The record of the year, then, against crime generally and against organized crime in particular is an encouraging one. We have made significant progress. Again, let me make it clear, however, that no one believes the tide of the battle is turned. It is not likely to be decided by one set of laws, one anticrime program, or one administration. Ultimate success will require years of cooperation among Federal and local agencies. It will require energy and integrity on the part of all law enforcement officers. Most of all, it will require the interest and involvement of every citizen.

Sincerely,

ROBERT F. KENNEDY.

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## Forest Products Research in the South

EXTENSION OF REMARKS
OF

### HON. GILLIS W. LONG

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, January 29, 1963*

Mr. LONG of Louisiana. Mr. Speaker, I wish to call attention to the serious need for an expanded program of forest products research in the South.

As you are aware, 41 percent of this Nation's commercial timberland is in the South and produces more than 50 percent of the total sawlog growth of this country.

Ninety-one percent of the forest property is privately owned. Seventy-four percent is owned by farmers, cattlemen, lawyers, schoolteachers, doctors, and investors from all walks of life. Only 9 percent is owned by Government agencies.

Thirty-seven million acres of forest land in the South is under a high degree of scientific management by private owners.

Tree planting and direct seeding have restored over 1 million acres of bare, cutover land, to forests in Louisiana alone since 1952. Effective forest-fire control has added twice this amount to the land area now supporting a new crop of second-growth timber. The same is more or less true for at least eight other Southern States.

During the 1940–55 period, the South produced 10 to 12 billion board feet of lumber annually. In 1956, 16,000 sawmills closed down in the South and 63,000 men lost their jobs. In 1961, forest industry employment in my State of Louisiana dropped by 3,000 in a single year and is still declining.

Today the South is producing only 6 billion board feet of lumber—one-half the 1940 level—yet we have twice as much sawtimber today as we had 15 years ago.

The lumber industry, in the past, has consumed 50 percent of all timber cut in the South. This has traditionally been the ultimate market for the final forest crop.

In Louisiana 120,000 citizens own timberland. For the most part they are managing these lands in an intelligent manner, and as a consequence, growth now exceeds use by 200 percent. The same is more or less true for east Texas, south Arkansas, and west Mississippi.

Markets for timber in this region generally are depressed—in some areas there is no market at all.

Timber values cannot remain at present low levels without seriously damaging reforestation investments made by our people. Unless some action is taken to develop better markets for wood, 20 years of reforestation efforts by private landowners will be placed in jeopardy.

This would not be in the best interest of our Nation. The U.S. Forest Service has stated publicly that the future wood needs of our Nation can only be met if the forest lands of the South are brought to a high level of productivity.

I have discussed this matter with the forestry leaders of my State. They stand solidly against any plan of Federal subsidies to maintain timber growth on private lands—yet they do feel that the Federal Government has an important role to play.

New knowledge through forest products research can restore profits to existing forest industry and create new ones, thereby strengthening timber values.

We have recently witnessed the development of new wood glues and glueing techniques which have led to the manufacture of laminated wood beams, superior in many respects to steel, laminated 2 by 4 studs which will not twist or warp, and, quite recently, plywood from southern pine veneers.

All this has come from scientific research. These are solid cornerstones upon which new and substantial timber values will be built. Intensified forest products research offers the only real opportunity for healthy markets. This we must have in order to maintain the profit motive. The profit motive is the only force which will keep private landowners interested in growing a forest crop.

The 87th Congress, recognizing the need for such a program in the South, appropriated $450,000 for initial construction of a $900,000 forest research laboratory at Alexandria, La.

Funds for the completion of this laboratory are omitted in current budget recommendations. I am requesting the House Appropriations Subcommittee for Interior and Related Agencies to include $450,000 for the completion of this laboratory. It is my hope that each of you will weigh carefully the need for this facility and support appropriations necessary for its early completion.

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## Great Progress in Civil Rights in 1962 Reported by Attorney General Robert F. Kennedy

EXTENSION OF REMARKS
OF
**HON. EDWARD P. BOLAND**
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, January 29, 1963*

Mr. BOLAND. Mr. Speaker, 1962 was "a year of great progress in civil rights" and we are pleased to hear these words of reassurance from Attorney General Robert F. Kennedy in his report on the "Progress of Civil Rights" to the President.

Under unanimous-consent agreement, I include in the CONGRESSIONAL RECORD an editorial from the Washington Post, Monday, January 28, 1963, on the Attorney General's report, together with the complete report:

### CIVIL RIGHTS PROGRESS

The civil rights report which Attorney General Robert F. Kennedy has presented to the President has the especial value of putting into perspective the gains that were largely eclipsed by the spectacular events at Oxford, Miss.

Notwithstanding this untoward incident, it is plain that the year was one of achievement and one, moreover, in which the most notable progress was in the changing spirit of the South. The catalog of interventions to enforce voting rights, transportation rights, and education rights makes reading of which the country has reason to be proud. If there still remains a great deal of discrimination in the land, it is discrimination about which the Government continues a persistent and serious effort to do something. There must be no slacking in this effort, for as the Attorney General points out: "Substantial numbers of American citizens are being deprived of their right to vote because of race."

While progress sometimes seems slow, it is cheering to note, in the language of the report, that "there are no segregated airport facilities in the Nation" and that there is only one city in the Nation in which there still is segregation at interstate rail and bus facilities.

Prince Edward County, Va., continues to have the dubious distinction of being the only county in the Nation where there are no public schools. That nearly 1,500 of the 1,800 schoolchildren of that county have had no education in 3 years is, as the Attorney General puts it, "a disgrace to our country." It is to be hoped that the Court of Appeals for the Fourth Circuit will order the schools there opened, in accordance with the plea of the Justice Department.

The Attorney General has been wise to acknowledge that difficult racial problems remain throughout the country. He also has been wise to point out that they exist not only in the South "but throughout the country where Negroes are victims of school 'resegregation,' bias in housing, or employment or other facets of society."

The report will unnecessarily offend many objective people by an excessive effort to exhibit this administration's comparatively greater zeal in the civil rights fields. This repetition of comparative statistics on suits filed and actions undertaken introduces into the report a political note that might better have been omitted. If it had to be included, it would have been considerate and generous if the Attorney General had acknowledged that the Department of Justice under the administration of his predecessor pushed through to enactment in the face of great opposition the legislative foundation for many of the actions of this administration. Whatever progress that has been made is the result of the efforts of public men in all parts of the country and both parties.

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### A REPORT ON THE PROGRESS IN THE FIELD OF CIVIL RIGHTS BY ATTORNEY GENERAL ROBERT F. KENNEDY TO THE PRESIDENT, JANUARY 24, 1963

DEAR MR. PRESIDENT: For those only interested in headlines, rioting and violence at the University of Mississippi overshadowed the civil rights field and painted 1962 as a year of resistance by the South to law and the orders of our courts. The historian, however, will find, on the contrary, that 1962 was a year of great progress in civil rights, in large measures because of the responsibility and respect for law displayed by the great majority of the citizens of the South. In 1962, the United States took major steps toward equal opportunities and equal rights for all our citizens and in every area of civil rights—whether voting, transportation, education, employment, or housing.

There were outstanding efforts throughout the administration on behalf of the full and free exercise of civil rights. Let me take particular note of the successes of the Vice President and your Committee on Equal Employment Opportunity; the work of the Commission on Civil Rights; the impetus provided by the Executive order against segregation in housing; the impact area school efforts of the Department of Health, Education, and Welfare; and improved hiring practices and other activity by all parts of the executive branch.

This report, however, is limited to the work of the Department of Justice and here is a summary of our efforts in this field during the past year.

#### VOTING

The most significant civil rights problem is voting. Each citizen's right to vote is fundamental to all the other rights of citizenship and the Civil Rights Acts of 1957 and 1960 make it the responsibility of the Department of Justice to protect that right.

It has been the sustained policy of this administration—in all areas of civil rights—to consult with local officials and seek voluntary, peaceful compliance with the commands of our courts and our laws. Under this policy, legal action is brought only after such efforts fail. While we have secured cooperation and compliance in all civil rights areas, this policy has met with particular success in the voting field.

During this administration, officials in 29 counties in Georgia, Alabama, Mississippi, and Louisiana have voluntarily made voting records available to the Department in our investigations of voting complaints, without the need for court action.

In four southern counties we have been able to avoid bringing lawsuits because officials abandoned discriminatory registration or voting practices, and scores of other counties and cities, notably in Georgia, have abandoned segregated balloting at our request, in voluntary conformance with a court decision in one county.

There have, however, been a number of areas where voluntary local compliance was not forthcoming and where we were required to bring legal action. Between the passage of the 1957 Civil Rights Act and the change of administration, 10 voting suits were filed in southern counties and 7 were tried.

In this administration, 23 more voting suits have been filed, including 1 this week. A total of 17 suits have been tried, including the 3 pending January 20, 1961. Thus, of a total of 33 voting cases filed in both administrations, 24 have been tried so far. Satisfactory results have been achieved in 16 of these. Three cases have been tried but are not yet decided and the other five are on appeal.

There also has been an acceleration in voting records inspections. In the previous administration, records were inspected in 20 counties and photographed in 12 of these. In this administration, 62 voting records inspections have been undertaken, including photographing of records in 53 counties.

In short, the total number of counties in which the Department has taken action, ranging from records inspection to lawsuits, has increased from 30 at the beginning of this administration to 115 at present.

Each of the lawsuits filed has required extremely detailed preparation. In the suit brought against Montgomery County, Ala., for example, it was necessary to analyze 36,000 pages of voter applications and to subpena 185 witnesses at the trial. Such suits require the total attention of from 4 to 6 of the 40 attorneys in Assistant Attorney General Burke Marshall's Civil Rights Division for several months.

In some instances, we have had to take action even after obtaining court orders forbidding further discrimination against Negro registration applicants. In one of our suits, the registrar of Forrest County, Miss., was ordered by the Court of Appeals for the Fifth Circuit to register all qualified Negroes. He nevertheless rejected as unqualified 94 of the first 103 Negroes to apply after the judgment, including a National Science Foundation graduate student and a high-school science teacher with a master's degree. The Department prosecuted him in the first contempt case stemming from a court voter registration order. The case is awaiting decision.

In East Carroll Parish, La., the voting referee provisions of the 1960 act were used for the first time in 1962, with the Federal judge himself hearing registration applications. Although he approved the application of 26 Negroes, the State of Louisiana attempted to block their registration through a State court injunction. We acted to set aside the State injunction and obtained an order forbidding further interference. On July 28, 5 days later, Negroes voted in East Carroll Parish for the first time since Reconstruction.

The Department's total voting rights effort, from records inspections to law suits to followup activity, has produced significant results. In a number of counties such as East Carroll Parish, Madison Parish, La., and Clarke and Tallahatchie Counties, Miss., where no Negroes had been registered in decades, Negroes are now beginning to be registered.

In Macon County, Ala., Negro registration has risen from 1,100 to more than 3,000 since an end to discriminatory registration practices was ordered by the court in March 1961. Negro registration in Bullock County, Ala., has risen from 5 in September 1961 to more than 1,000. In Montgomery, Ala., the Department's suit was decided November 20, 1962, and 1,100 previously rejected Negroes were ordered registered immediately. All have now been registered.

Two particularly significant voting suits were filed in the past year. While our voting suits generally challenge discriminatory application of voter qualification laws in specific counties, we filed suits in both Louisiana and Mississippi challenging the constitutionality of the State voter qualification laws themselves. Both cases are in pretrial stages.

In addition to suits challenging general discrimination against Negro registration applicants, we also have sought to guard against specific attempts to frighten, intimidate, or penalize Negroes who seek to register or vote. Of the 33 voting suits filed so far, 7 have been directed against such attempts at intimidation, verbal, economic, and physical.

The importance of these cases exceeds their specific circumstances. Negroes' fear of attempting to register is, perhaps, as great a problem as their being prevented from registering. These suits, like our followup actions in such cases as Forrest County and East Carroll Parish, have helped eliminate the fear by making it clear that the Government will meet its responsibility to guarantee not only the right to register and vote, but also the right to do so without intimidation or coercion.

A vivid example is provided by Haywood and Fayette Counties, Tenn., where intimidation actions were filed in the previous administration and successfully concluded in this administration. Last summer, we secured assurances, by consent decrees, against economic intimidation. Between late 1960, when the cases were filed, and the present, the number of Negroes registered has increased from none to more than 2,000 in Haywood County and from 58 to more than 3,000 in Fayette County.

Last summer, four Georgia churches used as centers for Negro registration efforts were burned and burnings were attempted at two others. In another illustration of our efforts against intimidation, the FBI investigated immediately. In one case, the FBI turned its findings over to local authorities, who arrested four men in connection with one burning. They were convicted in State court and sentenced to prison terms. In the second case, two men were arrested and face Federal charges. Our investigations of the other burnings continue.

In the field of voting, then, we have been able to make progress through both negotiation and litigation. The fact remains, however, that the heavy burden of effort lies ahead. Substantial numbers of American citizens are being deprived of their right to vote because of race, and we continue to believe that additional legislation in this field is necessary.

In 1962, Congress adopted the anti-poll-tax constitutional amendment, but did not enact legislation forbidding the discriminatory use of voting qualification tests. Even where we have brought suit, we often have been confronted with considerable delays between the time of filing and the time of trial.

We believe that additional legislation is necessary to insure prompt relief in such instances—where the facts indicate that substantial numbers of Negroes are being deprived of the right to register and vote because of race.

TRANSPORTATION

As the result of action taken by the Department and the Interstate Commerce Commission last year, I can report to you that in the past year, segregation in interstate transportation has ceased to exist.

The majority of segregated bus and rail stations were desegregated in 1961 in accordance with new ICC regulations. Others followed in 1962. During 1962, we surveyed 165 airports in 14 States and found 15 airports in 6 of those States which were still segregated. All of these desegregated during the year, 13 voluntarily and 2 after the Department brought legal action.

At present, then, there are no segregated airport facilities in the Nation. There is only one city in the Nation, Jackson, Miss., in which systematic segregation at interstate rail and bus facilities—as exemplified by signs directing the use of separate facilities—is still attempted. Even in this case we have taken legal action, now on appeal.

There have been isolated instances of discrimination against Negroes in this field and there will no doubt be other such instances in the future. But systematic segregation of Negroes in interstate transportation has disappeared.

Again, I would like to emphasize that in the great majority of cases, this is the result of voluntary compliance with law and regulations by citizens and officials.

SCHOOLS

In the past year, the number of desegregated southern school districts increased 60, from 912 to 972. In a number of these districts the Department continued its policy of consulting informally with school officials to help assure peaceful and orderly desegregation. As in 1961, public schools in each of these districts were desegregated without incident.

Efforts also were made to secure peaceful compliance with a series of court orders requiring the admission of James Meredith to the University of Mississippi, before his scheduled enrollment. We appeared as a friend of the court in the case before the Supreme Court and the Court of Appeals for the Fifth Circuit and the Department sought continuously to induce Mississippi officials to fulfill their responsibilities to law and to order.

These efforts were unsuccessful, but the Federal Government's responsibility to enforce the laws and the orders of the courts remained. The responsibility was met.

In another area, the Department in the past year initiated action concerning impact area school funds. Various local school systems receive Federal funds because they educate children of Federal employees who may not be permanent residents. In the 12 years of this program, nearly $2.5 billion has been paid to school districts across the country.

Again, we have sought abandonment of segregation through negotiation first. The Department of Justice and the Department of Health, Education, and Welfare have succeeded in obtaining voluntary desegregation, without going to court, in several districts and other negotiations or field surveys are underway in approximately 120 districts. Additional inquiries are scheduled for the coming months.

Negotiating efforts failed, however, in Prince George County, Va., which educates children of defense personnel stationed at nearby Fort Lee, and we filed suit. Four similar suits were filed last week regarding segregation in Huntsville and Mobile, Ala.; Gulfport and Biloxi, Miss.; and Bossier Parish, La.

In another kind of school case, also in Louisiana, the Department brought a contempt action against State education officials for failing to desegregate a State trade school, as had been ordered by a Federal court in a private suit. When the State board of education passed a formal resolution stating there would be no racial discrimination as to race, the Department agreed to dismissal of the case, but withheld the right to inspect the school records.

The Department also took action in Prince Edward County, Va.—the only county in the Nation where there are no public schools. They have been closed since fall, 1959, in order to avoid court desegregation orders. That nearly 1,500 of the 1,800 school-age Negro children in the county should have had no education in more than 3 years is a disgrace to our country. Last month, we asked the Court of Appeals for the Fourth Circuit, as a friend of the court, to order the schools opened promptly without racial segregation.

EMPLOYMENT

The Department has continued its policy of seeking out qualified personnel on the basis of ability and irrespective of race. Negroes are not denied employment because of their race. Neither are they hired because of their race. They, like all our employees, are selected on the basis of ability and merit. This policy has resulted in notable gains for Negroes in the offices of U.S. attorneys and marshals in the Nation's 92 judicial districts.

Of the approximately 350 assistant U.S. attorneys appointed in this administration, 32 are Negroes. Of these 32, 16 were appointed in 1962. Approximately 35 Negro assistant U.S. attorneys are now in service. Two Negro U.S. attorneys were appointed last year. This year, the first Negro assistant U.S. attorneys were appointed in at least seven States, including Southern and border States.

Of the 114 deputy U.S. marshals appointed in this administration, 14 are Negroes. Of these, 11 were appointed in 1962. Approximately 30 Negro deputy marshals are now in service. Luke C. Moore was appointed U.S. marshal for the District of Columbia in the past year, the first Negro to hold that position in a century. As with assistant U.S. attorneys, appointments of Negro deputy marshals were made in several Southern and border States, where no one of their race had ever before served.

The effort to assure that qualified Negroes are properly considered for these positions is continuing and Negroes are among the candidates for vacancies in several districts.

Improved hiring practices within the Department as a whole have resulted in continued gains for Negro attorneys. There were 10 Negro attorneys in the Department at the beginning of this administration. Now there are more than 70, out of approximately 1,900 in the Department.

There have, as well, continued to be a number of Negroes appointed to distinguished positions in the Government, such as Homer L. Benson, appointed to the Board of Parole.

OTHER AREAS

Albany, Ga.: The Department acted to the limit of its authority in Albany, where a series of mass protests by Negroes against segregation resulted in numerous arrests and civil rights complaints. All such complaints were speedily investigated by the FBI. Although no violation of Federal law was found in most cases, prosecutive steps were taken where appropriate. In August, the Department filed a voting intimidation suit against 16 officials of nearby Sumter and Terrell Counties and also filed a friend of the court brief in a suit brought in Albany. The brief asked the court to ignore the city's request for an injunction against demonstrations until the city first complied with the law and abandoned segregation. The two sets of arrests for church burnings in the area previously referred to were the result of FBI action. Throughout the Albany difficulties, the Department consulted with leaders on both sides in an effort to encourage an amicable resolution of the racial difficulties. All matters of dispute have now been brought before the Federal court in Albany, and I have no doubt that the constitutional rights of all citizens of that city will be protected.

Sit-ins: In a friend of the court brief filed in October, the Department asked the Supreme Court of the United States to reverse convictions of more than 30 Negroes for sit-in violation in 4 States. The Department argued that States cannot arrest Negroes for trespass when the States themselves, by law and policies, foster the discrimination which led to the sit-ins.

Hospitals: In May, the Department sought to intervene in a private suit seeking the desegregation of two North Carolina hospitals which were built with Federal Hill-Burton Act financial assistance. The Department asked the court to declare unconstitutional the separate-but-equal provision of the act. While the Department was permitted to intervene, the court subsequently dismissed the suit, filed by Negro doctors, dentists, and patients. An appeal appears likely.

Employment suit: Problems of racial discrimination are by no means peculiar to the South. The Department appeared as a friend of the court in an appeal to the Colorado Supreme Court by a Negro pilot who charged he was denied employment with an airline in violation of a State antidiscrimination law. The Colorado court denied the appeal, but the Supreme Court of the United States has agreed to review the case.

Police brutality: During 1962, the Department brought 18 police brutality prosecutions, many of them in Northern States. These cases included one in Indiana where two Negro detectives were convicted of brutally beating a Negro defendant to coerce him to confess several crimes.

In summary, 1962 was a year of progress for the United States in the field of civil rights. This is not to say the problems are disappearing. They remain, and they remain difficult—not only in the South, with open discrimination, but throughout the country where Negroes are the victims of school "resegregation," bias in housing, or employment, or other facets of society. Ugly incidents like the Mississippi riot may occur again.

But we are accelerating our progress. Again, let me say this acceleration occurs in large measure because of the emerging spirit of the South. In 1962 this spirit was not the brutal one of rioting and violence at the University of Mississippi. The spirit was that exemplified in Georgia last week by Gov. Carl E. Sanders, in his inaugural address.

"We revere the past," he said. "We adhere to the values of respectability and responsibility which constitute our tradition." Then he added, "We believe in law and order and in the principle that all laws apply equally to all citizens."

Sincerely,

ROBERT KENNEDY,
*Attorney General.*

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# SENATE

## WEDNESDAY, JANUARY 30, 1963

*Legislative day of Tuesday, January 15, 1963)*

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, before the day's perplexities close in about us, we are grateful for this hushed moment dedicated to the upward look.

As we raise our eyes to the hills, even as did Thy servant, the Psalmist of old, we are conscious of peaks and powers beyond our puny reach. We confess that as we tread drab and dreary paths, we so often do not see high enough or far enough, and so are caught in a confusion which blinds and cheats us.

Teach us that today's duties will be edged with crimson and gold only as we look at the mountains which pierce the horizons of faith, as they speak of the truths and values which give confidence to our perturbed souls.

So this day, as we lift our eyes to the hills of Thy grace, may our prayers turn to pageants of living and giving.

We ask it in the Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 29, 1963, was dispensed with.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

### TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

### ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the

Senate concludes its session today, it stand in recess until 10 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### Alaska Communications Disposal Act

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes (with accompanying papers); to the Committee on Armed Services.

### Balance Sheet of Potomac Electric Power Co.

A letter from the President, Potomac Electric Power Co., Washington, D.C., transmitting, pursuant to law, a balance sheet of that company, as of December 31, 1962 (with accompanying papers); to the Committee on the District of Columbia.

### Temporary Increase in the Public Debt Limit

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act (with an accompanying paper); to the Committee on Finance.

### Report of Secretary of State, Relating to Steps Taken in the 17th Session of the General Assembly of the United Nations on Long-Term Financing of the United Nations

A letter from the Secretary of State, reporting, pursuant to law, on steps taken in the 17th session of the General Assembly of the United Nations on long-term financing of the United Nations (with accompanying papers); to the Committee on Foreign Relations.

### Report of Atomic Energy Commission on Disposal of Foreign Excess Property

A letter from the Assistant General Manager, U.S. Atomic Energy Commission, Washington, D.C., reporting, pursuant to law, on the disposal of foreign excess property by that Commission, during fiscal year 1962; to the Committee on Government Operations.

### Compensation of Certain Range Users for Authorized Range Improvements

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmilitary use (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### Reports on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Director, Federal Bureau of Investigation, U.S. Department of Justice, transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18, as of December 31, 1962 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18, during fiscal year 1962 (with accompanying papers); to the Committee on Post Office and Civil Service.

### Report of Atomic Energy Commission

A letter from the Chairman and members of the U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the year 1962 (with an accompanying report); to the Joint Committee on Atomic Energy.

## AUTHORIZATION FOR SENATOR EASTLAND TO TESTIFY, PURSUANT TO A SUBPENA, IN THE CASE OF U.S. v. ROBERT SHELTON—REPORT OF A COMMITTEE

Mr. MANSFIELD. Mr. President, on behalf of the chairman of the Committee on the Judiciary, the Senator from Mississippi [Mr. Eastland], from the Committee on the Judiciary, I report favorably, without amendment, the resolution (S. Res. 53) to authorize the Senator from Mississippi [Mr. Eastland] to appear and testify, pursuant to a subpena, in the case of U.S. against Robert Shelton. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read as follows:

Whereas the Senator from Mississippi [Mr. Eastland] has been subpenaed to appear and testify in the case of U.S. against Robert Shelton, in the United States District Court for the District of Columbia: Now, therefore, be it

*Resolved*, That the permission of this body for the Senator from Mississippi [Mr. Eastland] to appear and testify in response to the aforesaid subpena is hereby granted.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 53) was considered and agreed to.

The preamble was agreed to.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE (for himself and Mr. Clark):

S. 592. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 593. A bill to establish an Office of Federal Administrative Practice and to provide for the appointment and administration of a corps of hearing commissioners and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 594. A bill to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940; to the Committee on the District of Columbia.

By Mr. ERVIN:

S. 595. A bill for the relief of Dr. Edward Everard Low, his wife, Daisy, and their children, Helen Dawn and Michael Jonathan;

S. 596. A bill for the relief of Roswitha Seib;

S. 597. A bill for the relief of Lily Jinghua Pan; and

S. 598. A bill for the relief of San Kong Chen; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 599. A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; and

S. 600. A bill to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. MOSS:

S. 601. A bill to authorize and direct that the national land reserve and certain other lands exclusively administered by the Secretary of the Interior be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 602. A bill to authorize the President, in carrying out trade agreements with fully developed countries or areas, to reduce duties below the limitation set forth in section 201(b)(1) of the Trade Expansion Act of 1962, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

## RESOLUTION

## ADMISSION OF FORMER PRESIDENTS OF THE UNITED STATES TO A SEAT IN THE SENATE AS SENATORS-AT-LARGE WITH CERTAIN PRIVILEGES

Mr. PELL (for himself, Mr. Magnuson, Mr. Humphrey, and Mr. Cooper) submitted a resolution (S. Res. 78) admitting former Presidents of the United States to a seat in the Senate as Senators at Large with certain privileges, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when presented by Mr. Pell, which appears under a separate heading.)

## APPOINTMENT BY POSTMASTER GENERAL OF POSTMASTERS AT FIRST-, SECOND-, AND THIRD-CLASS POST OFFICES

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to put the appointment of postmasters under a strict merit system and to end the present requirement of Senate confirmation, which has put postmaster jobs on the political auction block.

Mr. President, every major study of the executive branch of Government since President Taft's Commission on Economy and Efficiency in 1912 has recommended that postmasters should be under a strict merit system. This includes

President Roosevelt's Committee on Administrative Management in 1937, and the Hoover Commission in 1949. And in 1952 President Truman recommended this step.

Since President Kennedy took office, 2 years ago, I have received over 5,000 letters, telegrams, phone calls, and personal visits on postmaster appointments. Our office has been swamped with this job, which has little to do with serving our State and Nation.

Whatever appointments have been made have resulted in far more grief for all concerned, including our Democratic Party in Wisconsin, than benefit. This is because for each successful postmaster applicant, there has been an average of five disappointed officeseekers.

From the public standpoint, the greatest disservice of the present system is that prospective applicants for postmaster positions who are best qualified—but are not active in party politics—rarely bother even to apply. Postal clerks with long experience and genuine ability, who in a similar position in another government agency or in private business would have opportunity for promotion, now are likely to be excluded.

My bill would end this discrimination against experience, and would place the appointment where it belongs—in the civil service merit system.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 592) to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices, introduced by Mr. PROXMIRE (for himself and Mr. CLARK), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am delighted to yield to the Senator from Pennsylvania.

Mr. CLARK. I concur fully in everything the Senator from Wisconsin has said. I wonder whether I may join him in sponsoring his bill.

Mr. PROXMIRE. I shall be delighted, honored, and flattered to have the Senator from Pennsylvania do so. Mr. President, I ask unanimous consent that the name of the Senator from Pennsylvania be added to my bill, as a cosponsor thereof.

The VICE PRESIDENT. Without objection, it is so ordered.

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## FEDERAL ADMINISTRATIVE PRACTICE ACT

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to establish an Office of Federal Administrative Practice and to provide for a corps of Federal agency hearing commissioners.

This bill, which is identical to S. 2189, which I introduced in the 87th Congress, has the strong endorsement and support of the American Bar Association. It is the culmination of much constructive and thoughtful study by lawyers in and out of Government who have sought to improve the workings of the administrative process.

At the heart of this proposed legislation is a recognition of the need for continuing scrutiny of administrative practice and procedure by a permanent Government agency free from executive and legislative domination. This need would be fulfilled by the creation of an independent agency known as the Office of Federal Administrative Practice. The Office would be responsible for engaging in continuous oversight of the administrative process, and would make recommendations covering the full gamut of agency functions. Its broad objective would be to promote the just, speedy, and efficient disposition of matters before the agencies, by working for adoption of uniform agency rules, devising means to cut the tremendous cost and burdens of protracted litigation, and improving generally the housekeeping and publication practices of each agency. The bill does not limit the many possible ways in which the Office, in cooperation with the agencies themselves, may be able to perform a valuable public service by clearing away the complexities which confront litigants and lawyers alike when they deal with our headless fourth branch of Government.

Like its rough counterpart in the judicial arena, the Administrative Office of the U.S. Courts, the Office of Federal Administrative Practice would report periodically to the Congress, and would submit recommendations for needed legislation to carry out the purposes of the act. It would also report directly to the President, and both the President and the Congress could require special reports.

Much headway, of course, has already been made by the Administrative Conference of the United States in the area of agency reform. But that body is an ad hoc creation of the President; and what is really necessary and desirable is a more permanent institution having a firm congressional mandate for specific action. This bill, as I have said, is designed to fill that gap in the structure.

The bill would also set up a hearing commissioner corps, and would regulate their qualifications. Its purpose is to insure that presiding officers at agency hearings, whose rulings affect the liberty and property of agency litigants, meet high standards of legal competency and judicial temperament. Only through upgrading the position of hearing examiner in such matters as qualifications, tenure, and compensation, can we hope to employ and retain in agency service the best men available for the job.

Time and time again in recent years we have been treated to a view of obvious shortcomings in the administrative process, shortcomings which are the combined result of congressional inattention and inertia; the inability of the agencies themselves, due to lack of time, personnel, and sometimes inclination, to direct a critical eye on their own workings; and, let us acknowledge it, the inexorable law of administrative decay. There is no panacea for all the problems that government by administrative agency has engendered. But we can make a fair start by building into the system a corrective force, an institution geared to expert evaluation of what the problems are and how they can best be resolved. That has been the story of judicial reform in this country. This bill would provide a means toward parallel reform in administrative practice. I sincerely hope that final and favorable action on it will be taken in the present Congress.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 593) to establish an Office of Federal Administrative Practice and to provide for the appointment and administration of a corps of hearing commissioners and for other purposes, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act, divided into titles and sections according to the following table of contents, may be cited as the "Federal Administrative Practice Act."

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### TITLE I—OFFICE OF FEDERAL ADMINISTRATIVE PRACTICE

SEC. 101. ESTABLISHMENT OF THE OFFICE.—There is hereby created an agency of Government to be known as the Office of Federal Administrative Practice (referred to in this Act as "Office"), which shall be under the Director of Federal Administrative Practice and maintained at the seat of government. The Office shall be an independent agency of the Government and shall not be subject to the Reorganization Act of 1947 as amended.

SEC. 102. APPOINTMENT OF DIRECTOR.—The Director of Federal Administrative Practice (referred to in this Act as "Director") and a Deputy Director shall be appointed by the President, with the advice and consent of the Senate, and shall receive basic compensation at the rate of $22,500 and $20,000 per annum, respectively. The Director and Deputy Director shall be experienced and learned in the law. The Deputy Director shall perform such duties as may be assigned to him by the Director. During the absence or incapacity of the Director, or during a vacancy in the office of Director, the Deputy Director shall act as Director.

Sec. 103. Tenure.—Except as otherwise provided in this section, the Director shall be appointed for a term of ten years and the Deputy Director for a term of six years. The Director or Deputy Director may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. The Director or Deputy Director shall be retired from office upon attaining the age of seventy years and shall receive retirement pay under the provisions of the Civil Service Retirement Act then in effect or otherwise as provided by law.

Sec. 104. Organization of Office.—The duties and functions of the Office shall be divided as assigned by the Director between a division of administrative procedure and a division of hearing commissioners. Each division shall be supervised by an Assistant Director. The Assistant Director of each division and the Executive Secretary shall be appointed by and report to the Director. Each Assistant Director shall receive a basic compensation at the rate of $20,000 per annum and the Executive Secretary shall receive a basic compensation at the rate of $18,000 per annum.

Sec. 105. Employees.—The Director, subject to the civil service laws, may appoint necessary employees for the administration of the Office. The Director, Deputy Director, and each Assistant Director, without regard to the civil service laws, but subject to the Classification Act, may appoint one administrative assistant and one secretary.

Sec. 106. Seal.—The Executive Secretary and seal of the Office shall be the secretary and seal of the Office and of each division thereof.

Sec. 107. Reports.—The Director shall make an annual report to the Congress and to the President and he shall make such special reports as the Congress or the President may direct. The Director, from time to time, shall submit recommendations directly to the Congress for additional legislation which he deems necessary or desirable for furthering the purposes of this Act.

Sec. 108. Advisory Committee.—The Director shall designate annually an advisory committee consisting of such agency members, other officers of the Government, and members of the bar not in Government service as he may determine. The advisory committee shall meet in general assembly at least annually and upon special call by the Director. The advisory committee shall assist and advise the Director and furnish information to him on matters pertaining to the performance of his duties under this Act. The Director is authorized to utilize, with the consent of any agency, the personnel or facilities of that agency and may utilize any other uncompensated personnel, service, or facilities.

Sec. 109. Expenditures.—The Director may make such expenditures (including expenditures for rent and personal services, for office employees, travel, lawbooks, periodicals, books of reference, for printing and binding and for studies or investigations) as he may deem necessary for execution of the functions vested in the Office and as from time to time are appropriated for by Congress. All expenditures of the Office shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Director or such other officers as may be designated by him for that purpose.

Sec. 110. Duties of the Director.—(a) The Director shall supervise and direct administration of the provision of this Act.

(b) The Director, as to this title I and matters of general application among the several agencies as set forth in the Administrative Procedure Act or successor statute of similar scope and purpose, shall—

(1) carry on continuous studies of and make recommendations regarding the adequacy of the procedures by which agencies determine the rights, duties, or privileges of persons;

(2) carry on continuous studies of and make recommendations regarding the adequacy of the procedures by which agencies exercise rulemaking and adjudicatory functions;

(3) carry on continuous studies and make recommendations regarding the adequacy of public information practices and procedures of the agencies related to rulemaking and adjudication;

(4) initiate consultative and cooperative efforts among the agencies and interested organizations for development and adoption, wherever feasible and appropriate, of uniform rules of practice and procedure;

(5) receive complaints regarding matters of practice and procedure and make investigations or recommendations as deemed appropriate;

(6) furnish assistance and advice upon request of any agency;

(7) examine the state of hearing dockets of agencies, secure information as to the agencies' need of assistance and prepare statistical data and reports on agency proceedings;

(8) study and make recommendations upon methods of organization appropriate for the separation of agency functions.

(c) Each agency shall furnish to the Director, upon request, information and data necessary to assist him in the administration of this Act and each agency shall designate a member or other officer who shall be authorized to represent the agency in liaison with the Director.

(d) The Director from time to time shall undertake special studies and make recommendation upon the following subjects and other subjects which may be recommended by the advisory committee, including—

(1) ways and means of minimizing undue delay and expense of agency proceedings;

(2) the feasibility of establishing a Federal reporter service covering agency decisions with current advance sheets, and a reporter service for agency practice and procedure decisions;

(3) methods for simplifying and reducing the cost of the agency hearing records and of agency records before the courts of appeals including incorporation, physically or by reference, without further printing of agency decisions and initial decisions;

(4) the feasibility of making the Code of Federal Regulations current by some looseleaf system and making the whole service or any part or subpart thereof available nationwide on subscription;

(5) the feasibility of correlating and annotating agency regulations with the related substantive provisions of statute or treaty and a periodic recodification of the rules for deletion of stale or obsolete regulations;

(6) procedures especially appropriate for multiparty proceedings, particularly in the fields of ratemaking or price regulation;

(7) procedures and methods for effective participation by the public in agency rulemaking proceedings;

(8) the desirability of a uniform statute for judicial review of agency proceedings and the adequacy of statutory provisions on judicial review;

(9) promulgation of a single code of rules on those subjects which are found acceptable for uniform application among the several agencies;

(10) the adequacy of agency law libraries and their management to improve the efficiency of Government legal services;

(11) improvements in the form of agency applications, reports, or questionnaires of the type which relate to agency proceedings;

### TITLE II—HEARING COMMISSIONERS

Sec. 201. Hearing Commissioner Positions.—Upon the effective date of this title all positions classified by the Civil Service Commission as trial examiner positions or hearing examiner positions under section 11 of the Administrative Procedure Act are hereby designated hearing commissioner positions. Within thirty days after this title takes effect each agency shall certify to the Director the number of such hearing commissioner positions authorized and filled as of the date of the passage of this Act. At least annually thereafter each agency, after consultation with the Director, shall certify to him the number of hearing commissioner positions deemed necessary for the efficient conduct of the agency's proceedings and such number, to the extent that appropriations are available to the Director shall constitute the authorized hearing commissioner positions of the agency.

Sec. 202. Incumbents.—Any person who, on the date of the passage of this Act, holds a position of trial examiner or hearing examiner under section 11 of the Administrative Procedure Act, if a citizen of the United States and a member of the bar of a State, territory, or the District of Columbia, shall become a hearing commissioner under this Act.

Sec. 203. Appointment and Assignment.—The Director from time to time shall appoint qualified hearing commissioners and, upon consultation with the agency concerned, assign them for duty among the several agencies. Such assignments shall be on a continuing basis subject only to reassignment by the Director as efficiency of operations or the needs of the service may require. The Director shall designate a selection committee to recruit, examine, and recommend appointment of persons found eligible and qualified for appointment to hearing commissioner positions. For each agency to which two hearing commissioners are assigned, the Director in consultation with the agency, shall designate one of them to serve as Chief Hearing Commissioner for a term of one year.

Sec. 204. Qualifications.—The Director shall determine the qualifications of persons for hearing commissioner appointment which shall include (1) United States citizenship, (2) membership in good standing for not less than seven years of the bar of a State, territory, or the District of Columbia, (3) capacity and experience to assure that high competence, impartiality, diligence, and independence of judgment essential to a proper discharge of the function of hearing commissioner, including the ability to preside at and control hearings with firmness and fairness, to determine the admissibility of evidence, to interpret and apply legal authorities and precedents, to arrive at decisions objectively and on the basis of law and evidence, and to write with clarity and conciseness.

Sec. 205. Tenure.—Hearing commissioners shall serve during good behavior and shall be removed only for cause by the Director, or furloughed or separated by reduction in force under the express authorization of an Act of Congress. The Director by regulation shall prescribe procedures for reductions in force or furloughs and the further functioning of hearing commissioners.

Sec. 206. Compensation and Retirement.—(a) Hearing commissioners shall receive compensation at the effective rate of grade GS–18, in accordance with the Classification Act of 1949, as amended. The provisions of the Performance Rating Act of 1950, as amended, shall not be applicable to hearing commissioners.

(b) Hearing commissioners shall be subject to retirement as provided in the Civil

Service Retirement Act of May 29, 1940, as amended.

Sec. 207. Suspension and Removal.—(a) Hearing commissioners may be suspended or removed by the Director, on his own motion or on complaint, for good cause established and determined by him after opportunity for hearing, conducted in compliance with such procedures as the Director shall by regulation prescribe in accordance with the Administrative Procedure Act or successor statute. The hearing shall be private unless the hearing commissioner affected requests that it be public.

(b) The suspension or removal of any hearing commissioner ordered under subsection (a) hereof shall be subject to judicial review upon appropriate petition therefor under section 10 of the Administrative Procedure Act or successor statute.

Sec. 208. Facilities and Services.—The Director shall make recommendations as necessary with regard to the needs of hearing commissioners for office space, secretarial assistance, law desks, library facilities, hearing rooms including field hearing rooms, and other services or facilities to be provided by each agency.

Sec. 209. Temporary Positions.—The Director, within the limits of available appropriations to the Office therefor, is authorized to establish temporary hearing commissioner positions to meet any special needs of the agencies. Hearing commissioners who have been separated by reason of reduction in force shall be given priority in appointments under this section.

Sec. 210. Field Hearings.—To facilitate the conduct of hearings at places of mutual convenience to the agency and to other parties in the field, the Director shall assist the agencies in coordinating the scheduling and assignment of hearings to be held outside of the District of Columbia.

Sec. 211. Duties and Assignment of Cases.—(a) The duties and powers of hearing commissioners shall be those specified in the Administrative Procedure Act or other applicable statutes. Hearing commissioners shall perform no duties inconsistent with their duties and responsibilities as hearing commissioners. The Director shall promulgate regulations for the assignment of cases among hearing commissioners in accordance with the provisions of section 11 of the Administrative Procedure Act (5 U.S.C. 1010) or other applicable statute.

(b) Except where otherwise provided by statute, the hearing commissioner who presides at an adjudicatory proceeding shall make and publish an initial decision which within the time provided by agency rule shall become the decision of the agency in the absence of an appeal based upon the filing of exception by a party or review by the agency upon its own motion.

Sec. 212. Transfers.—All functions vested in the Civil Service Commission under section 11 of the Administrative Procedure Act (5 U.S.C. 1010), are hereby transferred to the Office of Federal Administrative Practice to be administered by the Director to the extent not inconsistent with this Act, and wherever the term "examiner," "trial examiner," or "hearing officer," other than agency member, is used in the Administrative Procedure Act it shall hereafter be interpreted to mean hearing commissioner under this title II.

TITLE III—GENERAL PROVISIONS

Sec. 301. Agency.—The term "agency" as used in this Act shall include each executive and military department in the executive branch of the Government and any board, commission, authority, or independent establishment, including corporations of the Government, other than and not a part of an executive department.

Sec. 302. Committees.—Each member of the advisory committee or selection committee established under sections 108 and 203 of this Act who is not in Government service shall be entitled to compensation in the amount of $50 for each day or part of the day he shall be in attendance at any regularly called meeting of any such committee together with reimbursement for all travel expenses incident to such attendance: *Provided,* That nothing contained in sections 434, 283, and 281 of title 18, United States Code; or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States shall apply to such persons solely by reason of their appointment to and membership on any such committee. Facilities and services required by such committees shall be provided by the Director.

Sec. 303. Separability.—If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 304. Repeals.—All laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

Sec. 305. Effective Date.—This Act shall take effect on the one hundred and eightieth day after the date of its enactment, except that title I of this Act shall take effect on the ninetieth day after the date of enactment.

## REGULATION OF DEPRECIATION ACCOUNTING OF AIR CARRIERS BY CIVIL AERONAUTICS BOARD

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers. I ask unanimous consent to have printed in the Record the letter from the Chairman of the Civil Aeronautics Board, together with a statement of the need for the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 599) to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement presented by Mr. Magnuson are as follows:

Civil Aeronautics Board,
*Washington, D.C., January 16, 1963.*

Hon. Lyndon B. Johnson,
*President of the Senate, U.S. Senate, Washington, D.C.*

Dear Mr. President: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers."

The Board has been advised by the Bureau of the Budget that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the administration's program.

Sincerely yours,

Alan S. Boyd,
*Chairman.*

### Statement of Purpose and Need for Proposed Legislation

In common with other regulatory acts, and carrying forward the provision of section 407(d) of the Civil Aeronautics Act, the Federal Aviation Act of 1958 directs that the Board shall prescribe a system of accounts to be kept by air carriers.

Under the authority of section 407(d) to "prescribe the forms of any and all accounts," the Board has proceeded, since its establishment, to prescribe the uniform system of accounts required to be kept by all certificated air carriers. The controlling purpose of such a uniform system of accounts is to provide the Board with financial statements which fairly reflect the financial condition of the air carrier, on the one hand, and the operating results of the carrier for a given period of time, on the other hand. The purpose of the system of accounts is to prescribe uniform practices which will provide, in general substance, comparable information in respect to each of the various carriers subject to the accounting regulations. Financial statements would, of course, be useless to the Board unless they fairly reflected the actual condition of the carriers and the actual operating results of the services performed for the period reported.

Since the enactment in 1938 of the Civil Aeronautics Act, the Board has, in general, prescribed rates of depreciation as a part of its ratemaking process. The depreciation rates so prescribed through the ratemaking proceedings of the Board were generally used by air carriers for accounting purposes, and so long as the depreciation rates fairly reflected the depreciation costs as determined in the rate proceedings, further prescription of these rates through accounting regulation would have served no useful purpose. Moreover, while the industry was largely dependent upon Federal subsidies, the frequent review by the Board of the operating results of the carriers, including an appraisal of the reasonableness of charges to expense for depreciation on property and equipment, tended to insure uniformity in depreciation practices. However, with the emergence of a large part of the industry from dependence upon subsidy, the opportunity for such frequent review of the reasonableness of depreciation charges to expense by the Board no longer existed. Nevertheless, the need for reliable financial data from which to appraise the true financial condition and operating results of the various air carriers continued.

In recognition of this need, and in connection with the establishment of an adequate uniform system of accounts, the Board undertook to prescribe the depreciation accounting practices of air carriers by the issuance of appropriate regulations. (E.R. 224, adopted Nov. 18, 1957.) The courts held that the Board lacked authority to prescribe depreciation accounting practices. *Alaska Airlines et al.* v. *C.A.B.*, 257 F. 2d 229 (C.A.D.C., 1958); cert. den., 358 U.S. 881. Consequently, in order that the Board may effectively carry out its functions with respect to the depreciation accounting practices of air carriers, legislation is essential. Reliable financial data from which to appraise the true financial condition and operating results of the various air carriers is necessary to effective regulation and cannot be readily obtained under present conditions in which each carrier is at liberty to file its reports under whatever depreciation method or period it elects.

Furthermore, the proposed legislation would not involve any departure from well established concepts pertaining to the regulated industries generally. On the contrary, it would bring the powers of the Civil Aeronautics Board in this field in line with similar powers already expressly given to other agencies such as the Interstate Commerce Commission, the Federal Power Commission, and the Federal Communications Commission. (See 49 U.S.C., sec. 20(4), sec. 220(c), and sec. 913(d), 15 U.S.C. 717h(a), 16 U.S.C. 825a(a), and 47 U.S.C. 220(b).)

### COMPARISON WITH EXISTING LAW

(New matter in italic; matter stricken out in black brackets)

Under Title IV, "Air carrier economic regulation, accounts, records, and reports, the following new subsection is added, and subsequent subsections renumbered:

"*Depreciation accounting*

"SEC. 407(*e*) *The Board may prescribe for air carriers the classes of property for which depreciation charges may properly be included under operating expenses, the method of depreciation accounting, the rate or rates of depreciation which shall be charged, the depreciation period and the residual value, with respect to each of such classes of property, classifying the air carriers as it may deem proper for this purpose. The Board may, when it deems necessary, modify the classes and rates so prescribed. To the extent that the Board shall have exercised its authority under the foregoing provisions of this subsection, air carriers shall not charge to, or in any form include under, operating expenses any depreciation charges other than those prescribed by the Board, or employ a method of depreciation, depreciation period, or residual value other than those prescribed by the Board.*

"*Inspection of accounts and property*

"SEC. 407**[**(e)**]**(*f*) The Board shall at all times have access to all lands, buildings, and equipment of any carrier and to all accounts, records, and memoranda, including all documents, papers, and correspondence, now or hereafter existing, and kept or required to be kept by air carriers; and it may employ special agents or auditors, who shall have authority under the orders of the Board to inspect and examine any and all such lands, buildings, equipment, accounts, records, and memoranda. The provisions of this section shall apply, to the extent found by the Board to be reasonably necessary for the administration of this Act, to persons having control over any air carrier, or affiliated with any air carrier within the meaning of section 5(8) of the Interstate Commerce Act, as amended."

## CLARIFICATION OF AUTHORITY OF CIVIL AERONAUTICS BOARD TO EXAMINE BOOKS AND RECORDS OF CERTAIN PERSONS

**Mr. MAGNUSON.** Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Chairman of the Civil Aeronautics Board, together with a statement of the need for the proposed legislation.

**The VICE PRESIDENT.** The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 600) to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

CIVIL AERONAUTICS BOARD,
*Washington, D.C., January 16, 1963.*

Hon. LYNDON B. JOHNSON,
*President of the Senate,*
*U.S. Senate, Washington, D.C.*

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes."

The Board has been advised by the Bureau of the Budget that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the administration's program.

Sincerely yours,

ALAN S. BOYD,
*Chairman.*

### STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

Section 407(e) of the Federal Aviation Act provides that the Board shall have access to all accounts, records, and memoranda kept by air carriers and may inspect and examine the same. However, under the language of the section as written there is doubt as to the authority of the Board to examine the books and records of persons controlled by an air carrier, under common control with an air carrier, or of service organizations controlled by groups of air carriers. The activities of such persons and organizations are known to the Board in varying degrees from information presented at hearings and common carrier pooling agreements relating thereto submitted to the Board for approval. The Board has no means of determining the accuracy of financial data relating to such persons included in submissions to it, and, specifically, of compliance with the terms of agreements and the equity of formulas included therein.

The legislation herein proposed would implement the recommendation of the Comptroller General of the United States contained on pages 3 and 91 of his "Audit Report to the Congress of the United States, Civil Aeronautics Board, October 1955."

Accordingly, the Board believes that section 407(e) should be amended to make it clear that the Board's authority under section 407 embraces persons controlled by an air carrier, under common control with an air carrier, and service organizations controlled by groups of air carriers.

There is attached a detailed analysis of the proposed amendments and a comparison with existing law.

### ANALYSIS OF PROPOSED AMENDMENT TO SECTION 407 OF THE FEDERAL AVIATION ACT OF 1958

Section 407 of the Federal Aviation Act provides for the filing of reports, the prescription by the Board of the forms of accounts, and for the inspection of accounts and other records of air carriers by the Board. In addition, section 407(e) provides that "The provisions of this section shall apply, to the extent found by the Board to be reasonably necessary for the administration of this Act, to persons having control over any air carrier, or affiliated with any air carrier within the meaning of section 5(8) of the Interstate Commerce Act, as amended."

Thus the provisions of this section are limited in application to (1) air carriers, (2) persons having control over an air carrier, and (3) persons affiliated with any air carrier within the meaning of section 5(8) of the Interstate Commerce Act. "Affiliates," as defined in section 5(8), now section 5(6), of the Interstate Commerce Act does not specifically make reference to persons controlled by an air carrier, persons under common control with an air carrier, or to associations controlled by groups of air carriers. Consequently, there is doubt as to whether the provisions of section 407(e) extend to such persons or associations.

It is proposed to clarify this matter by amending the last sentence of section 407(e) of the Federal Aviation Act as heretofore indicated.

Precedent for the enactment of legislation along the lines here recommended may be found in the action taken by Congress relative to the auditing and inspection powers of the Interstate Commerce Commission.

Originally, the accounting and inspection provisions of the Interstate Commerce Act with respect to regulation of railroads extended only to rail carriers. In November 1938 the Interstate Commerce Commission recommended to the Congress that noncarrier railroad subsidiaries be brought within its jurisdiction with respect to accounting. (See the 52d Annual Report of the Interstate Commerce Commission, p. 121.) In 1940, and 1949, the Interstate Commerce Act was amended so as to greatly enlarge the scope of section 20(5) relating to the keeping of accounts and their inspection. The Commission was given authority to inspect the accounts of "carriers, lessors, and associations" and to inspect the accounts of "any person controlling, controlled by, or under common control with any such carrier." Further, "association" was defined in section 20(8) to mean "an association or organization maintained by or in the interest of any group of carriers subject to this part which performs any service, or engages in any activities, in connection with any traffic, transportation, or facilities subject to this act."

These changes were brought about, in part at least, as a consequence of the decision of the Commission in *Refrigeration Charges on Fruits, etc., from the South* (151 I.C.C. Reports, pp. 649, 651, 693 (1929)). That case involved the Fruit Growers Express Co., which was not a common carrier but all of its stock was owned by 18 railroads. The Commission stated that the Express Co. was not subject to its jurisdiction, and further stated on page 693:

"We are further of the opinion that when the carriers perform a part of their transportation service through a separate agency having a monopoly and not subject to the restraint of competition, they should, as they do here, control that agency, but its accounts and the contracts which it makes with the carriers should be subject to our jurisdiction. The investigation which we have made in this proceeding is essential to the determination of reasonable charges for a special service which by statute has been included in the transportation duties of respondents. Yet this investigation, so far as it involves the accounts and records of the Express Co. has been made as a matter of favor. Under the present law we have no access to the records of that company which we could have enforced as a matter of legal right. Plainly this is an indefensible situation which ought not to be permitted to continue."

COMPARISON WITH EXISTING LAW

(New matter in italic; stricken matter in black brackets)

Title IV: Air Carrier Economic Regulation, Accounts, Records, and Reports, Inspection of Accounts and Property, is amended, as follows:

"SEC. 407(e). The Board shall at all times have access to all lands, buildings, and equipment of any carrier and to all accounts, records, and memorandums, including all documents, papers, and correspondence, now or hereafter existing, and kept or required to be kept by air carriers; and it may employ special agents or auditors, who shall have authority under the orders of the Board to inspect and examine any and all such lands, buildings, equipment, accounts, records, and memorandums. The provisions of this section shall apply, to the extent found by the Board to be reasonably necessary for the administration of this Act, to persons having control over any air carrier, or affiliated with any air carrier within the meaning of section [5(8)] *5(6)* of the Interstate Commerce Act, as amended[.], *to persons controlled by, or under common control with, any air carrier, and to associations or organizations maintained by or in the interest of any group of air carriers which perform any service, or engage in any activities, in connection with any traffic, transportation, or facilities subject to this Act.*"

### MULTIPLE-USE AND SUSTAINED YIELD OF CERTAIN LANDS UNDER JURISDICTION OF BUREAU OF LAND MANAGEMENT

Mr. MOSS. Mr. President, so that it may receive careful study and evaluation, I introduce, for appropriate reference, a bill to set forth the policy of multiple use and sustained yield on the lands in the Department of the Interior which are under the exclusive jurisdiction of the Bureau of Land Management.

It is my hope that the Department of the Interior will give this legislation support in this session of the Congress. There is a need, in my opinion, to fully identify the management policies that will be followed on the public lands which are to be retained in Federal management. It is with this thought in mind that I am introducing this bill today.

This proposed legislation, if enacted, would affect about 500 million acres of Federal land.

The bill is almost identical in scope and purpose with the Multiple-Use Act of 1960, Public Law 86-517, which applies solely to the national forests.

It differs in two respects. First, it lists minerals as one of the specific purposes for which the lands may be administered. Second, it does not specifically state that "the establishment and maintenance of areas of wilderness are consistent with the purposes of this act" as does the Multiple-Use Act applicable to the national forests. This is not necessary inasmuch as the wilderness bill, S. 174, if enacted, will require an affirmative act of Congress to create new wilderness areas, and as far as I know there are no specific wilderness areas in the usual sense on the Bureau of Land Management holdings.

In the 87th Congress I introduced an identical bill and my remarks concerning it appear in the CONGRESSIONAL RECORD of September 7, 1961. At that time I placed in the RECORD statements of support for multiple-use legislation on the lands of the Department of the Interior from a number of organizations. These included the American National Cattlemen's Association, the Izaak Walton League of America, the Western Interstate Committee on Public Lands, the National Wildlife Federation, the American Society of Range Management, the American Petroleum Institute, the Western Forestry & Conservation Association, the Chamber of Commerce of the United States, and the American Forest Products Industries.

I wish to emphasize that my purpose in introducing the bill is to place it before our committee for study, consideration, and modification to the extent necessary to help achieve the best possible conservation management on the best holdings of the Bureau of Land Management.

I ask that the bill I am introducing today lie on the table for 5 days for cosponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 601) to authorize and direct that the national land reserve and certain other lands exclusively administered by the Secretary of the Interior be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

### ADMISSION OF FORMER PRESIDENTS OF THE UNITED STATES TO A SEAT IN THE SENATE AS SENATORS AT LARGE WITH CERTAIN PRIVILEGES

Mr. PELL. Mr. President, I submit for the consideration of my colleagues a Senate resolution according former Presidents of the United States a nonvoting seat in the Senate. I am glad to say that Senators HUMPHREY, MAGNUSON, and COOPER join me in cosponsoring this resolution.

At this time in our Nation's history, when we find ourselves exercising the leadership of the free world, adoption of this idea would be of special value because the wisdom and experience of those who have occupied our Presidency is unique to those few men who had this awesome responsibility. In view of the U.S. Senate's responsible role in guiding our country's destiny, it would seem particularly advantageous if, as a collective body, we could benefit by the unique wisdom of our retired Chief Executives.

The presence of former Presidents in the Senate would help give an awareness to the Senate of the problems of the Executive. It would be one further step toward increasing the cooperation and understanding between our legislative and executive branches of Government. This, I believe, is a much needed step today, when the legislative and executive branches of our Government too often think of themselves as antagonists rather than as allies.

Then, too, the presence of former Presidents in the Senate would prove of immeasurable value to we who are amongst the newer Senators here and might prove of value to those who have been here for many more years than I. I know how much I would appreciate the advice and reactions of former Presidents when it comes to some of these rather difficult problems on which we have to vote, particularly those problems where our own Senate committee recommendations run counter to those of our Chief Executive.

Moreover, these Senators at Large, as former Presidents no longer responsible to a single State, would tend to have a more national view than we as Senators from individual States are always able to achieve.

The presence of ex-Presidents would add an even further dignity and prestige to our Chamber making it more truly the golden legislative Chamber it should be.

No expense would be involved in the adoption of this resolution, since ex-Presidents presently receive $25,000 as salaries and $50,000 for staff expenses.

Finally, if this resolution were to be adopted at this time when the Democrats in the Senate are in a 2-to-1 majority and the Republican ex-Presidents are in a 2-to-1 majority, it would reflect a real spirit of nonpartisanship when it came to promoting the interest of our Republic.

Already both former President Truman and President Kennedy have the right to the Senate floor by virtue of their former membership in our body. But the luster of our body would be even further enhanced if former Presidents Herbert Hoover and Dwight D. Eisenhower were to sit among us.

Similar proposals have been advanced in the past, but no real action has ever been taken on them. The first such bill was presented in the Senate in 1947, and six similar measures have been offered to subsequent sessions of the Senate. Since 1944, 13 such proposals have been submitted to the House of Representatives.

It is my hope that the Senate will give serious consideration to this proposal and will see fit to enact it.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 78) was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That any person who heretofore or hereafter shall have held the Office of President of the United States, and shall have left such office other than by removal pursuant to section 4, article II, of the Constitution shall thereafter, except during any period for which he holds an office which would make him ineligible to hold the office of United States Senator, be entitled to a seat in the Senate of the United States as a Senator-at-Large with the right to speak on the floor of the Senate, and participate in the activities of any committee of the Senate, to the same extent and under the same conditions as a Senator. Nothing herein shall be construed to authorize a former President to introduce bills or resolutions, to make any motion, or to vote on any matter.

Sec. 2. The Committee on Rules and Administration is authorized, upon the request of any person entitled to a seat in the Senate of the United States as a Senator-at-Large by this resolution, to provide such person with such suitable office space in the Senate wing of the Capitol or in the Senate Office Building as it may deem appropriate. Such person shall also be provided with a desk for his use on the floor of the Senate.

## SMALL BUSINESS COMMITTEE

Mr. PROUTY. Mr. President, on January 15, 1963, for myself and Senators Scott, Young of North Dakota, Moss, Boggs, and Keating, I introduced Senate Resolution 30, which seeks to give full legislative authority to the Select Committee on Small Business. By unanimous consent the resolution was permitted to lie on the table for a time in order that additional Senators might add their names as cosponsors.

To date, Mr. President, there are some 32 Senators who are sponsors of the resolution. Since some of their names did not appear in the Record at the time the bill was introduced, I should like to include them at this point for the information of the Senate and others interested in the affairs of this Nation's small businesses. The complete list of cosponsors of Senate Resolution 30 is as follows: Senators Prouty, Hickenlooper, Scott, Young of North Dakota, Boggs, Moss, Keating, Randolph, McCarthy, Carlson, Miller, Mundt, Bartlett, Fong, Metcalf, Gruening, Nelson, McGovern, Kuchel, Allott, Humphrey, Magnuson, Long of Louisiana, Kefauver, McGee, Morse, Inouye, Case, Smathers, Burdick, Williams of New Jersey, Javits, and Ribicoff.

Mr. President, this list comprises almost one-third of the entire membership of the Senate. It represents Senators from rural and urban areas, from every geographical section of our country, of all viewpoints in the political spectrum. What is more, it is a group which is thoroughly bipartisan in its makeup.

This eminent array of Senators who have joined with me in this resolution gives me great hope that early consideration might be given to the resolution by the Senate Committee on Rules. It is my earnest hope also, that the resolution might be reported to the floor and adopted by the Senate during our present session.

I—and I am sure each of the Senators who are cosponsors of Senate Resolution 30—will work diligently toward that end.

## RACE RELATIONS—STATEMENT BY THE GOVERNOR OF NORTH CAROLINA ON DEVELOPMENTS IN SOUTH CAROLINA

Mr. MANSFIELD. Mr. President, on the subject of race relations in this country, I call to the attention of the Senate and the Nation a statement made recently by Gov. Terry Sanford, of North Carolina.

North Carolina has long been in the forefront of the movement to improve opportunities and the climate of cooperation for all its citizens. The movement was given great impetus by former Gov. Luther Hodges. It is being carried on by Governor Sanford. Governor Sanford has just established a new State agency, called the North Carolina Good Neighbor Council. Its purpose is to promote employment opportunities for all qualified persons, regardless of race, and to encourage better training of those persons. This commendable endeavor is outlined in a statement by Governor Sanford on January 18, which I ask to have printed in the Congressional Record at the end of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, I should also note that a chapter in good human relations is being written by the people and their public officials in South Carolina. I refer to the peaceable admittance of Mr. Harvey Gantt to Clemson College. The enrollment of Mr. Gantt has proceeded in orderly fashion. Those involved in his admittance may not be in favor of integration, but they have shown wisdom in not defying the law of the land.

I commend the people of South Carolina, the students and officials of Clemson College, and the State authorities for showing that a sense of fair play and a realization of legal responsibility are America's greatest protection of individual rights.

### Exhibit 1

### Observation for a Second Century

(Statement by Gov. Terry Sanford)

The American Negro was freed from slavery 100 years ago. In this century he has made much progress, educating his children, building churches, entering into the community and civic life of the Nation.

Now is a time not merely to look back to freedom, but forward to the fulfillment of its meaning. Despite great progress, the Negro's opportunity to obtain a good job has not been achieved in most places across the country. Reluctance to accept the Negro in employment is the greatest single block to his continued progress and to the full use of the human potential of the Nation and its States.

The time has come for American citizens to give up this reluctance, to quit unfair discriminations, and to give the Negro a full chance to earn a decent living for his family and to contribute to higher standards for himself and all men.

We cannot rely on law alone in this matter because much depends upon its administration and upon each individual's sense of fairplay. North Carolina and its people have come to the point of recognizing the urgent need for opening new economic opportunities for Negro citizens. We also recognize that in doing so we shall be adding new economic growth for everybody.

We can do this. We should do this. We will do it because we are concerned with the problems and the welfare of our neighbors. We will do it because our economy cannot afford to have so many people fully or partially unproductive. We will do it because it is honest and fair for us to give all men and women their best chance in life.

In North Carolina we will attempt to provide leadership for the kind of understanding America needs today.

To carry out these hopes we will do five things right now:

1. We have established the North Carolina Good Neighbor Council. It will consist of 24 outstanding citizens of the State. David S. Coltrane will be chairman; Dean James T. Taylor will be vice chairman. Coltrane is former director of administration and presently special consultant to the Governor. Taylor is former dean of men at North Carolina College.

We will also name an additional advisory committee to reach more sections of the economy and the State.

The council will have a twofold mission (1) to encourage employment of qualified people without regard to race, and (2) to urge youth to become better trained and qualified for employment.

2. We are asking all mayors and chairmen of county commissioners to establish local good neighbor councils.

3. We have issued a memorandum to heads of State agencies, departments, and institutions, asking them, if they have not already done so, to examine and formulate policies which do not exclude from employment qualified people because of race.

4. Being aware that complete success cannot be achieved without wise and vigorous leadership from private business and industry, we will conduct a conference this spring, inviting leading industrialists and businessmen to participate.

5. We call on church leaders, pastors, civic organizations, to support the objectives of the good neighbor councils in their own effective ways.

In addition to Coltrane and Taylor, the members of the North Carolina Good Neighbor Council are: J. Marse Grant, of Raleigh, editor of the Biblical Recorder, official publication of the North Carolina Baptist Convention; John H. Wheeler, president of Farmers & Mechanics Bank at Durham; J. P. Strother, managing editor of the Kinston Daily Free Press; John W. Winters, Raleigh realtor and member of the Raleigh City Council; Roy D. McLaurin, Laurinburg businessman; Dr. Reginald A. Hawkins, Charlotte dentist; Bruce F. Jones, Edenton automobile dealer; Clark S. Brown, Winston-Salem funeral director; J. S. Stewart, president of Mutual Savings & Loan Association and member of the Durham City Council; Edward Loewenstein, Greensboro architect; and Dr. John R. Larkins, State department of public welfare.

Other members of the council will be announced later.

## THE PRESIDENT'S MESSAGE ON EDUCATION

Mr. PROXMIRE. Mr. President, I wish to speak very briefly on the message on education which the President sent to the Congress yesterday. It seems to me that it is likely to be the most important message the President will send to the Congress at this session.

The President's message on education was an excellent one; and I believe that at this session, education, rather than tax reduction, should have the No. 1 priority, because certainly nothing would more greatly aid in the development and improvement of our Nation than improvement of the skills and understanding of its people.

A particularly noteworthy aspect of the President's message on education is that in it he emphasized that education must be handled at the local level. He appropriately quoted Thomas Jefferson, the great founder of our party, and his emphasis on education as the most important endeavor of government.

I understand that the President's very excellent message on education was printed on yesterday in the Congressional Record; therefore, I shall not request that the message be printed in the Record today. I commend a careful reading of the President's message on education to all my colleagues. I believe his proposal is moderate, thoughtful, and practical.

Mr. President, I yield the floor.

## TRIBUTE TO OTTO A. HARBACH

Mr. MOSS. Mr. President, there will be buried today in Salt Lake City one of America's greatest librettists—a man who has written the words to more than 1,000 songs, including such favorites as "Smoke Gets in Your Eyes," "Indian Love Call," and "One Alone." I am referring, of course, to Otto A. Harbach, world famous playwright and lyricist who died last week in New York City at the age of 89, but who chose to return to his birthplace, where many members of his family still live, for burial.

Otto Harbach was born in Salt Lake City on August 18, 1873, one of nine children. He was educated in the Salt Lake City schools, working after school hours selling papers and shining shoes for his pocket money. He was graduated from the old Salt Lake Collegiate Institute, now known as Westminster College, and left Salt Lake in 1891 to further his education at Knox College at Galesburg, Ill., where he received his B.A., his master of arts, and later his doctor of letters. He married Eloise Smith Dougall, also of Salt Lake City, in 1918, and he is survived by his widow, two sons, William and Robert, and three grandchildren, as well as both a sister and brother living in Salt Lake.

Mr. Harbach returned to Salt Lake City several times for visits, and was honored by civic officials, business leaders, and others in a "Tribute to Otto Harbach Night" in the Assembly Hall on Temple Square in 1957.

Otto Harbach's songs will never die. As it has been said, he wrote the love lyrics that grandmother sang, and granddaughter is still singing. He collaborated with most of the greats of the modern composers, including Friml, Hammerstein, Kern, Romberg, Youmans, and Gershwin. Shows which he wrote include "The Firefly," "Mary Kid Boots," "No, No, Nannette," "Rose Marie," "Sunny," "The Song of the Flame," "Desert Song," and "Roberta."

He was past president of the American Society of Composers, Authors & Publishers, and Stanley Adams, the current president said, upon learning of Harbach's death:

> All of us in the world of music and entertainment are deeply saddened by the death of Otto A. Harbach, dean of American librettists. But just as important as his great talent and fame, was his gentle thoughtful kindness to everyone. It can be truly said of Otto Harbach that he was a great man, and he will be sorely missed by all of those who knew and loved him.

The people of Utah are also saddened by the death of our great native son who has given so much pleasure to so many millions. We like to think that some of his inspiration came from the majestic mountains among which he grew up, and we are gratified that he chose to be buried in their shadow.

## SURVEY OF THE AMERICAN EDUCATIONAL SYSTEM

Mr. CURTIS. Mr. President, in August 1962, the Members of the Senate received a letter from Pageant magazine with a questionnaire enclosed on the subject of the American educational system. The survey was made by Mr. William V. Levy of the Pageant magazine staff.

Mr. Levy has long been interested in the American school system. He is a former staff writer of International News Service and a contributor to many leading magazines. A recent article of his on capital punishment, in Pageant magazine, has evoked considerable comment.

For his survey on American education Mr. Levy contacted virtually every Member of the 87th Congress. A large number returned the questionnaire, and the composite results of the survey provide an illuminating look at the status of education in the United States today. It is for that reason I insert the article, in its entirety, in the Record today in the belief that all Members will find it both of interest and of benefit.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Congressmen Look at Our Schools

(By W. V. Levy)

(Everybody has ideas about U.S. education, but Congress holds the key to which way it will be going. This revealing poll shows what the individual legislators have been thinking.)

Of all the domestic issues facing the people of the United States, none has generated more lip service and less action than the crisis in education.

Almost no one will argue with the fact that there is a desperate need for qualified teachers and thousands of new elementary and secondary school classrooms to meet the avalanche of new students resulting from a population explosion that is adding 2.5 million persons annually to America's ranks.

Enrollment in the Nation's public and nonpublic elementary and secondary schools last fall reached 46.7 million, up 1.7 million over 1961, and requiring 60,000 additional teachers. And the number of students is expected to increase another 3.8 million by 1965.

There also is near-unanimous opinion that the overall quality of teaching in the country's public schools needs to be upgraded. This judgment is substantiated when it is brought to light that currently there are 90,000 teachers in public schools whose preparation does not qualify them for certification.

And hardly a soul will raise a voice in dissent when it is pointed out that the Nation's colleges and universities will be hard pressed in future years to accommodate all of the students who will be looking for an advanced education. College enrollment, now 4.6 million, is up 300,000 over last year, with the first really sharp increase still 2 years away.

Virtually every knowledgeable American will agree that these conditions exist—and probably will get worse before they get better—that, in fact, a crisis exists in American education. And the situation is even more complicated by repeated threats from the Russians to bury us economically, culturally, and militarily.

Yet in the face of all this, there is no integrated program under way in this country to relieve our educational dilemma.

Right in the middle of the controversy over the present and future states of America's school system is the U.S. Congress, the only government body possessing the key that will unlock sufficient funds to make hasty progress in this area. But even Congress is divided on this weighty domestic issue; it is engaged in a bitter struggle over the role the Federal Government should play in education.

In February 1961, President John F. Kennedy submitted a $5.2 billion education bill. One of its major provisions provided grants of $2.3 billion to States for construction of elementary and high school classrooms and for raising the level of teacher salaries. (Church schools were excluded from the measure.)

President Kennedy referred to the bill as "probably the most important piece of domestic legislation."

In May 1961 the Senate passed a measure that would have provided $2.5 billion in grants to the States for teachers' salaries and operation, maintenance, and construction of public schools.

However, hope for a massive dose of Federal aid for education vanished when after protracted wrangling—which included fierce in-fighting over the issue of aid to parochial schools—the House voted against consideration of a compromise bill.

Undaunted, President Kennedy tried again in 1962, this time with a $5.6 billion package that also carried an urgent tag: provisions for new classrooms, raises for teachers, construction of college facilities, new medical and dental schools, and a start toward the professional improvement of public school teachers.

But again, perhaps because 1962 was an election year, Congress chose to ignore the President's wishes and education became the forgotten issue.

With any hope of a major education bill stymied until the new Congress convenes this month, Pageant surveyed Members of the outgoing 87th Congress last summer to see how they viewed the American educational system as a whole. Questionnaires were sent to all Members of the House and Senate. Though some of those who returned the questionnaires were retired by the voters in the November elections, the overall results of the survey provide an interesting appraisal of the status of education in this country. And in the opinions of their fellow Congressmen, the Members of the new 88th Congress may find a clue to successful legislation on this vital issue.

On the question of Federal aid to education, the viewpoints expressed by the surveyed Congressmen—who represent every section of the country—brought into focus the sharp and continuing division among them in this area.

Those Representatives and Senators who favor a wide program of Federal aid to education, claim that the level of our schools has become a matter of national concern, and that it can no longer be left for the States to decide. Further, the proponents say, tremendous population growth has left the States unable to provide sufficient tax revenues to meet the challenge.

On the other side of the fence are those bitterly opposed to Federal aid and interference. They argue that Federal aid ultimately would lead to Federal control in a function traditionally reserved for State and local governments.

In the survey, the lawmakers were asked: "Should the Federal Government become more involved in education than it is now?" Forty percent of the respondents answered "Yes," but the majority—60 percent—answered "No."

Only 60.3 percent of the Democrats participating in the survey favored the Federal Government taking a larger role in education.

Opposing this stand were 93 percent of the Republican respondents and a majority of the southern Democrats who returned questionnaires.

The adversaries of increased Federal involvement in education were more liberal with their comments than those favoring it:

"We have few problems in Indiana that we can't handle without Federal Government interference," said Republican Representative Richard L. Roudebush, of Indiana.

Senator Carl T. Curtis, Nebraska Republican, wrote that the most critical problem facing American education today was "the threat of Federal control." Representative Bruce Alger, of Texas, also a GOP member, expressed the same view.

"The Federal Government should not become involved from a financial standpoint, and a majority of my constituents express the same interest," Said Representative Robert T. Ashmore, South Carolina Democrat.

A Midwest Congressman, who declined the use of his name, cried: "Keep the Federal Government out of education."

On the other side of the aisle was Democratic Representative Emanuel Celler, of New York, who claimed Federal funds should be used to "pay better salaries for better teachers."

Senator Lee Metcalf, Democrat from Montana, suggested "general Federal aid for all areas of instruction instead of specialized aid under present laws."

Representative James Roosevelt, California Democrat, said a number of areas of study in American schools could be strengthened with better cooperation between the U.S. Office of Education and local and State school boards.

Another question posed to the lawmakers was: "What do you think of the American educational system as it compares with others in the world?"

While largely agreeing that there are a number of shortcomings in the U.S. system, 41 percent of the Representatives and Senators said they felt it superior as compared with others in the world; 37 percent voted it "good," and only 10 percent found it "fair," and 2 percent rated American education "poor."

Sixty percent of the legislators responded in the affirmative when asked: "Do you receive complaints from your constituents about the quality of American education today?"

However, 68 percent reported that their constituents were generally satisfied with the educational processes as they now exist. Almost a third said the voters they represented were generally dissatisfied.

Representative Fred Schwengel, Iowa Republican, declined to answer the question with a yes or no, but penned in, "Tragically, I fear they (his constituents) don't really care."

GOP Representative Frances P. Bolton, of Ohio, described her constituents as "rather too satisfied." Another Congressman, who did not sign his name to the questionnaire, explained that the voters he represented were generally satisfied, but added, "They should be informed of the true picture."

While the constituents of more than two-thirds of the lawmakers expressed general satisfaction with American education, the lawmakers themselves indicated they feel there is ample room for improvement in a number of areas of instruction.

The Members of Congress were asked: "Do you feel American youngsters are receiving adequate instruction in American history, government, world history, science, and the ideals for which American democracy stands?"

In only one area, and surprisingly that was science, did the Representatives and Senators feel that students were receiving adequate training—and then only by a 51- to 49-percent margin.

Only 44.4 percent of the respondents were satisfied with the training being given in American history. The remainder, 55.6 percent, answered "No" in that category.

In world history, the vote was almost identical, with 44.3 percent voting "Yes" and 55.7 percent casting "No" votes.

There was even more agreement that training left much to be desired in the two other areas—government and the ideals for which American democracy stands.

On the question of government, 69.6 percent of the legislators said American youngsters were receiving inadequate training in the subject, against 30.4 percent of those replying who felt it was adequate.

And 73.6 percent of the Congressmen answered "No" when asked if students were adequately grounded in the ideals for which American democracy stands. Less than 25 percent were satisfied that the schools were meeting their responsibility in this area.

As a followup to this broad question, Representatives and Senators were asked: "If you could strengthen any one of the above areas, which would it be?"

The ideals for which American democracy stands drew the largest number of votes: 34.5 percent. Next was American history with 20.8 percent, followed by government with 18.7 percent. Science was fourth with 14.9 percent, and world history trailed with 12.1 percent.

A number of lawmakers insisted that all of these areas of instruction needed to be strengthened and some offered suggestions.

"More fundamentals and less frills," said Representative Robert L. F. Sikes, Florida Democrat. His feeling was shared by Representative Ralph J. Scott, of North Carolina, a Democrat, who suggested that school systems "abolish fringe activities and get down to the serious business of education."

"Basic academic principles should be emphasized, and teachers should be better grounded in the arts and sciences," said Republican Senator John G. Tower, of Texas.

As a method for strengthening all five areas, Republican Senator Hugh Scott, of Pennsylvania suggested "more direct contacts with persons able to inform, outside the school." Along the same line, Senator Maurine B. Neuberger, Democrat, of Oregon, said students should "have more exposure to politicians" as a method for improving education in the subject of government.

Senator Herman Talmadge, Georgia Democrat, urged that "local boards of education require more courses and that teachers give greater emphasis to them."

"Provide adequate text material and have a teaching profession that is not afraid to stand up and give proper instruction" was the position of Representative James F. Battin, Montana Republican.

Representative Tom Steed, Democrat, of Oklahoma, proposed that instruction be strengthened "through better pay and gradually increasing requirements for teachers to have more courses in the field of their specialty, as compared to courses in education."

Representative Durward G. Hall, Republican, of Missouri, called for "less progressive education and a greater emphasis on heritage and moral, physical, and spiritual values."

One Congressman who did not sign the questionnaire suggested that schools "return to textbooks that glorify America rather than stress its world obligations."

To bring the matter of education closer to home, Members of the 87th Congress were asked this question: "If you have children of school age, are you satisfied with the kind of education they are receiving?"

Of those who answered, 68 percent said they were generally satisfied, while the remaining 32 percent said they were not satisfied.

Representative W. J. Bryan Dorn, Democrat, of South Carolina, sounded the keynote for those who had suggestions for improving the education of their children. He called for "more discipline, more physical fitness, and tougher standards to pass."

Senator Talmadge, another who claimed he was not satisfied, commented: "They should be inspired and/or required to work to the best of their ability."

Although most Congressmen are a long way from their school days, Pageant asked them this question about their educations: "Do you feel that your own education was all that you would have wanted it to be?"

Only 55.8 percent answered in the affirmative, while 44.2 percent said "No."

However, the answers to this next query would seem contradictory: "If you had a choice to repeat your basic education, would you still make the same choices of course?"

Of those responding, 69 percent said they still would make the same choices of courses. Only 31 percent said they would do things differently.

If the clock could be turned back, the lawmakers in the latter group would stress languages and science. Among other subjects that received prominent mention in this connection were history, law, English, economics, literature, and government.

"I assume all of us might well wish we were better prepared educationally in every subject," said Representative George A. Goodling, Pennsylvania Republican.

Returning to the current state of education, the survey asked the Congressmen this question: "In your opinion should American school children be taught (a) more about, (b) less about, or (c) the same amount about communism?"

Eighty percent of the respondents said students should be taught more about communism, 16 percent were of the opinion that current instruction was adequate, and 4 percent said students should be taught less about it.

In making a case for more indoctrination about the menace of communism, Representative Celler said, "You cannot shun evil unless you know more about it." Representative A. S. Herlong, Jr., Florida Democrat, added, "You can't know too much about the enemy."

In the face of the fact that instruction in communism is gaining in popularity in the Nation's junior and senior high schools, Representative Robert W. Kastenmeier, Democrat, of Wisconsin, was one of those who voted "less about." He puts his position this way: "I would rather have them learn more about communism when they are older and more mature."

Another area in which there was considerable, but by no means unanimous, agreement dealt with acute educational problems. The Congressmen were asked: "Of all the problems facing the American educational system today, what would you say was the most critical?"

On questionnaire after questionnaire, the lawmakers stressed the need for more teachers to keep pace with the expanding population and better trained teachers to improve the quality of education. Others cited the lag in building sufficient numbers of new classrooms.

"Of the problems facing American education today, the most critical is the too-general mediocrity of teachers, particularly notable among the graduates of State-sponsored schools," said a Congressman who did not wish to be quoted.

But one man who would be quoted, Republican Senator JOHN SHERMAN COOPER, of Kentucky, had this to say:

"The most critical problems in education are quality in teaching and curriculums and higher standards in education. I said in debate on the 1961 bill that what we seek first is quality, and that providing Federal money is not the whole answer. But I have supported bills providing Federal money for education because without money little can be done to promote quality."

Senator TOWER had another idea. He claimed that the American educational system was "too much diluted by the notion that psychological and social adjustment is the primary function of the schools." New York's Senator KENNETH B. KEATING, a Republican, cited the "need to stop high school dropouts and improve technical education."

One Congressman slapped at the conservative nature of most American public education, while another listed as the most critical problem an argument that the National Education Association lobby is not voicing the sentiments of its members. Others noted the lack of fundamental knowledge, failure to enforce proper respect and discipline in schools, absence of competent guidance and counseling, and the lack of equal opportunity for all children.

Virtually all of the Members of Congress—Democrats and Republicans alike—who responded to the Pageant survey agreed that there was room for improvement in varying degrees in America's educational process. Whether or not these Congressmen will vote for measures that will insure improvement is another matter.

But we shall soon see. For the Members of the 88th Congress will be asked by the President to provide the needed funds to correct the existing situations that make up the U.S. educational dilemma. It is hoped that those who sit in judgment will benefit from the views expressed here.

## PLIGHT OF THE CORN BROOM INDUSTRY

Mr. CURTIS. Mr. President, I would like to make a part of the RECORD some important and interesting material that has been made available to me by Mr. P. A. Lindenmeyer, secretary of the National Broom Manufacturers and Allied Industries Association dealing with the plight of the corn broom industry, including a list of the broom factories which have been closed during 1962. This serious situation has developed in the corn broom industry primarily as a result of its inability to compete with the low priced imports.

President Kennedy has within his grasp the opportunity to greatly improve this situation. Early in 1962 the Tariff Commission unanimously issued a recommendation that the rate of duty of 25 percent ad valorem be applied to brooms made of broomcorn on the basis of the American selling price. This recommendation has rested at the White House for over a year and during that period more than 100 factories have closed or have had to greatly curtail their activities.

I have sent another message to the White House today urging the President to seriously consider the plea of this American industry and make a favorable decision.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### RÉSUMÉ OF PLIGHT OF THE CORN BROOM INDUSTRY

Scores of broom factories have been and are continuing to be forced out of business because of inability to compete with low-priced imports—305 closed between 1956 and 1961 and approximately 80 in 1962.

In 1949, broom imports totaled 141,741, increasing steadily to 3,470,986 in 1961. Final figures are not available for 1962, but it is certain imports exceeded 4 million last year, totaling 3,927,454 in the first 11 months, according to the Bureau of the Census.

Broom making is a nationwide industry, with factories in most of the States, most of them small. Use of automation is not adaptable or economically justified in manufacturing broomcorn brooms. Instead, that and the harvesting of broomcorn is practically all a hand operation.

Making of brooms is a skill acquired by many blind persons in rehabilitation shops. In 1961, brooms were being produced in 32 workshops for the blind, 1 Federal prison and 6 State prisons. Some of the blind are employed in privately owned factories, others in workshops for the blind that are subsidized by State governments and various philanthropic agencies. At least five blind factories were forced to suspend broom production last year because of inability to compete with low-priced imports, thereby throwing many blind people out of employment.

Petition for investigation under section 336 of the Tariff Act of 1930, as amended, was filed with Tariff Commission in July 1960.

Public hearing on petition, after preliminary inquiry, was held April 18, 1961, followed by extensive thorough investigation.

Report to the President (Tariff Commission publication 49) was submitted by the Tariff Commission on January 17, 1962, with unanimous finding and decision duty should be changed to basis of American selling price which, the Commission pointed out, would only "partially equalize" difference in cost of production in this and exporting countries.

A year has passed and proclamation by the President, complying with finding and recommendation of the Tariff Commission, has not been issued. Why?

Meanwhile, low-priced imports are disrupting normal domestic price structure and demoralizing the corn broom industry in this country by quality downgrading, forced on manufacturers in attempt to retain volume.

Unless duty is increased, imports will surge further during coming year as world supply of broomcorn, now at an unprecedented low because of crop failures in 1962, returns to normal. Shortage of broomcorn in this and foreign countries (Italy, Hungary, Poland, Austria, Argentina, Mexico, etc.) held down imports the past year. Indications are that shortage will be alleviated with substantial increase in 1963 plantings. Importation of brooms will skyrocket then as factories in Poland, Hungary, Yugoslavia, Italy, and Mexico are set to increase their production just as soon as broomcorn becomes available.

Broom exports are of minor importance to exporting countries, individually and collectively, hence actually of small consequence to them. Total foreign valuation of all brooms imported by the United States in 1961 was $767,576 and $813,134 for the first 11 months of 1962. Therefore, they're only a minor item in overall trade consideration and should not be deterrent to issuance of the proclamation. Especially so since they are playing havoc with the broom industry in this country.

We are reliably advised, brooms have not been mentioned by foreign countries in our trade dealing with Mexico, Hungary and other exporting countries. That's indicative they're of little or no interest to them in trade negotiations.

Change of duty to basis of American selling price is not new. It has been and/or now is being used for some organic chemical products and rubber sole footwear. Hence that change is not without precedent.

Obviously Congress recognizes equalization of costs of production between this and exporting countries was and is sound, realizing there are instances where that is necessary. Else section 336, which provides that, would have been abolished in the Trade Expansion Act of 1962 or prior amendments to the Tariff Act of 1930. But is wasn't—it's still effective under the Trade Expansion Act passed last year.

No President has failed to comply with unanimous favorable finding and recommendation of Tariff Commission under section 336 of the Tariff Act of 1930.

The situation has become more critical since the report to the President by the Commission because of increased manufacturing costs, including higher labor costs, boost in transportation costs (brooms are sold on a delivered basis), and much higher cost of the principal raw material, broomcorn, resulting from the shortage. Broomcorn production in this country dropped to 25,100 tons last year as compared with an annual average of 31,690 tons in the 1951–60 decade.

Section 336(c), Tariff Act of 1930, provides: "The President shall by proclamation approve the rates of duty and changes in classification and in basis of value specified in any report of the Commission under this section, if in his judgment such rates of duty and changes are shown by such investigation of the Commission to be necessary to equalize such differences in cost of production."

The Tariff Commission definitely and unequivocably established, in its year-long investigation, changing of duty to basis of American selling price is necessary to equalize the differences in cost of production. It further found and advised such change would only partially equalize the incontrovertible difference.

It is firmly believed and maintained, therefore, that the President should issue the proclamation without further delay. Failure to do so will result in wiping out practically all of the corn broom and broomcorn industries in this country within a very few years. The alternative is to ask Congress for passage of a special bill affording the drastically needed protection.

Mexico, which is not a member of GAAT, and Hungary, are the largest broom exporters to the United States. Other principal sources are Poland, Italy, and Yugoslavia.

Broom factories and/or shops closed recently:

Industrial Home for the Blind, Brooklyn, N.Y.

Virginia Commission for the Visually Handicapped, Charlottesville, Va.[1]

Texas Industries for the Blind, Fort Worth, Tex.

Elliott Broom Co., Mesa, Ariz.

Washington Broom Co., San Francisco, Calif.

Connie Broom Manufacturing Co., Westminister, Calif.

Lorenz Broom & Mop Co., Arlington, Calif.

Plow City Broom Co., Moline, Ill.

Little Pelton Broom Co., Des Moines, Iowa.

University Broom Co., Somerville, Mass.

Wyandotte Broom Works, Wyandotte, Mich.

Eureka Broom Co., Detroit, Mich.

Lineer Broom Manufacturing Co., St. Paul, Minn.

Klondike Broom & Mop Co., Sanford, Miss.

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[1] Still manufacturing but production drastically curtailed.

Heblon Broom Factory, Meridian, Miss.

Simpson Broom Works, Norfolk, Nebr.

Kentucky Industries for the Blind, Louisville, Ky.

Mississippi Industries for the Blind, Jackson, Miss.[1]

Maryland Workshop for Blind, Baltimore, Md.[1]

Parish Broom & Brush Co., Syracuse, N.Y.

Kelley Manufacturing Co., Urbana, Ohio.

E.Z. Sweep Broom Co., Oklahoma City, Okla.

Parks Broom Co., Lawton, Okla.

Ripley Broom Co., Ripley, Okla.

Oklahoma Broom Co., Enid, Okla.

El Reno Broom Co., El Reno, Okla.

Keystone Broom Works, Millersburg, Pa.

J. R. Young Broom & Mop Co., Keene, Tex.

Star State Broom & Mop Co., Cisco, Tex.

Alamo Broom Factory, San Antonio, Tex.

Lawrence Broom & Mop Co., League City, Tex.

Round Rock Broom Works, Round Rock, Tex.

J. A. Turner Broom Factory, San Antonio, Tex.

Abilene Broom & Mop Co., Abilene, Tex.

Richey Broom Co., Salt Lake City, Utah.

Carland Broom Co., Washougal, Wash.

Hanset Broom Co., Seattle, Wash.

Vining Broom Co. of Wisconsin, Wausau, Wis.

Atlas Broom Co., Philadelphia, Pa.

Swartz Broom Factory, Harrisburg, Pa.

Dickson Broom Mfg. Co., Philadelphia, Pa.

E. Higginbotham, Birmingham, Ala.

Warrior Broom & Mop Co., Tuscaloosa, Ala.

United Broom Co., Tucson, Ariz.

Mansfield Broom Co., Mansfield, Ark.

Robb Mfg. Co., Berkeley, Calif.

L. S. Broom Co., Los Angeles, Calif.

Valley Broom & Mop Co., Marysville, Calif.

Derrick Broom Factory, San Jose, Calif.

Zan Mfg. Co., Gardena, Calif.

Jackie C. Johnston, Arlington, Calif.

Bassett Broom Works, Orlando, Fla.

B. N. Harris, West Palm Beach, Fla.

O. Campbell, West Palm Beach, Fla.

Vaughn & Evans Broom Works, Atlanta, Ga.

J. A. Galligan Co., Chicago, Ill.

Harry E. Kellogg, Rome, Ill.

Blakely Broom Co., Charleston, Ill.

Nate Anthony, West Frankfort, Ill.

Kenneth C. Riley, Danvers, Ill.

Martsie Stevens, Windsor, Ill.

W. R. Teets, Lewisville, Ill.

Clore Mfg. Co., Indianapolis, Ind.

Terre Haute Broom Co., Terre Haute, Ind.

Curtis Craft, Reelsville, Ind.

Charles Boes, Tipton, Ind.

Iowa Blind Products, Inc., Des Moines, Iowa.

Keystone Brooms, Keokuk, Iowa.

A. Guieteriez Broom & Mop Co., New Orleans, La.

Lee L. Acou, Lockport, La.

Cub-Hill-Mop & Specialty Co., Towson, Md.

Land Bros., Baltimore, Md.

Sugarman Bros., Cambridge, Mass.

Malden Mop & Brush Co., Everett, Mass.

University Broom Co., Somerville, Mass.

Arthur Juliano, Revere, Mass.

Danzik Broom Manufacturing Co., Battle Creek, Mich.

Vixie Broom Works, Berrien Springs, Mich.

Michigan Broom Co., Bay City, Mich.

Home-Aids, Hillsdale, Mich.

Smith Broom Co., St. Cloud, Minn.

E. M. Hayes, Fortuna, Mo.

Fred Thompson, Jr., West Branch, N.J.

M. T. Brown, Hagerman, N. Mex.

C. C. Gerhardt, New York City, N.Y.

Service Broom Co., Brooklyn, N.Y.

Amalga Manufacturing Co., Valley Stream, L.I., N.Y.

Andrew Lerch, Buffalo, N.Y.

Joe L. Hawkins, Forest City, N.C.

Thomasville Broom Co., Thomasville, N.C.

Conover Broom Corp., Conover, N.C.

B & R Industries, Columbus, Ohio

Johnson Broom Co., Toledo, Ohio

J & L Broom Co., Toledo, Ohio

James A. Burnette, Gallipolis, Ohio

Dan Kaufman, McClure, Ohio

C. M. Erbaugh, Verona, Ohio

A. J. Shires, Moore, Okla.

J. W. Suitor, Grants Pass, Oreg.

Association for the Blind, Johnstown, Pa.

Quaker City Broom Works, Philadelphia, Pa.

Nelson Epler, Reading, Pa.

Anstine Broom Co., York, Pa.

Steel City Broom Co., Pittsburgh, Pa.

Plainview Broom Co., Redfield, S. Dak.

F. R. Morton, Nashville, Tenn.

Davis-Weil Manufacturing Co., Inc., Memphis, Tenn.

Clifton Broom Co., Clifton, Tenn.

John Moughan, Abilene, Tex.

Morgan Bros. Mop & Broom Co., Dallas, Tex.

Spikes Bros., Terrell, Tex.

Central Texas Broom & Mop Co., Houston, Tex.

Ward Broom Co., Cisco, Tex.

William Singleton, Webster Springs, W. Va.

Strassburg Manufacturing Co., Milwaukee, Wis.

Ed C. Feldman, Kaukauna, Wis.

Chair City Broom Co., Sheboygan, Wis.

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## *TRIBUTES TO JUDGE GUNNAR H. NORDBYE*

Mr. McCARTHY. Mr. President, I am pleased to call the attention of the Senate today to the distinguished career of the senior judge of the U.S. District Court of the Fourth Judicial District in the State of Minnesota. The Honorable Gunnar H. Nordbye will celebrate his 75th birthday on February 4. He has been a judge for 41 years.

Born in Norway, he was brought to Montevideo, Minn., by his parents when he was 8 months old; his father, Halvor Nordbye, died a few years after he had settled in America. Young Nordbye, while in grammar school at Montevideo, helped his mother earn a living by picking up and delivering washing. He graduated from Granite Falls High School and then taught in a Yellow Medicine County rural school for 2 years at $40 a month to save enough money to earn a degree at the University of Minnesota Law School. He graduated in 1912 and began the private practice of law in that year. He was a member of the law firm of Arctander and Nordbye from 1912 to 1922, when he was appointed to the municipal bench in Minneapolis. Three years later, he was appointed to the Hennepin County district court, and in 1931 he was appointed by President Hoover to the Federal district court.

Two weeks before his 70th birthday he earned the highest commendation for efficiency by the office of the Attorney General of the United States.

He was 1 of 10 Minnesotans who were given distinguished service awards in 1954 by Northwestern University at the time of the university's centennial. The basis of making these awards to Judge Nordbye and some 290 other residents of the old Northwest Territory, was "the impact they have made upon their generation during a lifetime of distinguished service as residents of one of the States which comprised the original Northwest Territory." In the program of the ceremony there appeared this statement about Judge Nordbye:

> He has conducted the business of his court with industry, intelligence and integrity and enjoys the well-deserved respect of lawyers and laymen alike for his unswerving fairness and patient consideration of litigated matters.

Among the many outstanding cases presided over by Judge Nordbye were two involving public questions of unique interest. The first case—or rather a series of cases—upheld President Truman's order prohibiting flying into the wilderness area in northeastern Minnesota.

The other case involved a contest over ownership of the so-called Lewis and Clark papers, which were found in an attic in St. Paul.

On December 1, 1962, Judge Nordbye was honored at a ceremony in Minneapolis municipal court where he sat on the municipal bench, to which he had been appointed 40 years previously. The full bench of the Minneapolis municipal court, the fourth judicial district of Hennepin County and the State of Minnesota and all the Minnesota Federal judges were present on that occasion to honor Judge Nordbye.

He was grandmaster of Masons in 1939. He is an avid outdoor sportsman and has fished in all famous streams and lakes and has hunted migratory birds from Mexico to Hudson's Bay and he has shot big game in British Columbia. He is also an ardent bird watcher.

He once related that his proudest moment as a judge was in administering the oath of citizenship to his mother.

Judge Nordbye has received a number of distinguished awards, including an honorary doctor of laws degree awarded by the University of Minnesota on June 13, 1959.

I should like to insert in the RECORD here a series of awards received by Judge Nordbye.

The first is the Northwestern University Centennial Award to which I have already referred.

A tribute to Judge Nordbye from the members of the Law Alumni Association of the University of Minnesota;

A citation from President Morrill of the University of Minnesota to Judge Nordbye on the occasion of his receipt of the honorary doctor of laws degree;

The citation of the Hennepin County Bar Association and the citation of the Minnesota State Bar Association, conferring the title of senior counselor on Judge Nordbye.

I would like to insert in the RECORD the article which appeared in Bench and Bar, the official publication of the Minnesota State Bar Association, paying tribute to Judge Nordbye.

Next I would like to insert in the RECORD an article by Judge Nordbye entitled "No Thanks Are Needed for Performing Duty," which appeared in 1958 in the Hennepin Lawyer, the publication of the Hennepin County Bar Association of Hennepin County, Minn.

Finally, I would like to insert in the RECORD the latest commendation received by Judge Nordbye, a resolution adopted by the board of governors of the Minnesota State Bar Association on January 26, 1963.

I am proud of the Federal judges in Minnesota, and particularly proud that Minnesota has had the service of Judge Nordbye on the Federal bench for many years. I hope that we will enjoy his presence on the bench for many years to come.

There being no objection, the awards and tributes were ordered to be printed in the RECORD, as follows:

### Northwestern University Centennial Award Presented by Northwestern University at Its Centennial Convocation to Gunnar H. Nordbye

In recognition of the impress which he has made upon his generation during a lifetime of distinguished service as a resident of one of the States which comprised the Northwest Territory.

Done at Evanston, Ill., this 2d day of December in the year of our Lord 1951.

KENNETH F. BURGESS,
*President of the Board of Trustees.*
J. ROSCOE MILLER,
*President of the University.*
STANLEY J. HARRIS,
*Secretary of the Board of Trustees.*

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The members of the Law Alumni Association of the University of Minnesota present this tribute to the Honorable Gunnar H. Nordbye:

Distinguished graduate of the University of Minnesota Law School in 1912; diligent student of the law and jurist of preeminent qualifications—

Whose example and precepts have served so well to maintain the honor and dignity of the bench.

Whose years of service as a State and Federal judge have contributed so consistently to truth and justice without yielding to compromise or expediency.

Who has risen to a place of high esteem as one of the country's truly great U.S. district judges.

Who has devoted his every talent, his pen, his voice, and his mind to serve in unstinted measure the land of his adoption and its institutions.

Whose many accomplishments and signal attainments have justly won the profound appreciation of his fellow alumni and greatly enriched his alma mater.

*Dated this 9th day of May 1959.*

CHARLES L. HORN,
*Chairman, Awards Committee.*
JOSEPH A. MAUN,
*President.*

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### Gunnar H. Nordbye

Born in Urskog, Norway, and reared in Minnesota, he studied for his bachelor of laws degree at the University of Minnesota and upon admission to the bar entered practice in the city of Minneapolis; his career as jurist began in the municipal court of Minneapolis in 1922, followed by 6 years on the bench of the Hennepin County District Court, where the brilliance of his mind and the soundness of his legal knowledge foreshadowed the achievements of his later years; his appointment as judge in the Minnesota District of the U.S. District Court came in 1931, and his service on the Federal bench has thus spanned the administrations of four Presidents of the United States; during all these years his unquestioned mastery of the law and his ability to apply it dispassionately to the issues before him have won him the admiration and respect of bench and bar in this State and throughout the Nation.

Because your career has ever been shaped and guided by the highest of principles, thereby serving to strengthen and bulwark the legal institutions on which the security and freedoms of this country so firmly rest; and because as judge and private citizen you have devoted your manifold talents to the furthering of truth and justice, the regents of the University of Minnesota, upon recommendation of the faculties, confer upon you, Gunnar H. Nordbye, the degree of doctor of laws, honoris causa, with all the rights and privileges pertaining to that degree.

Conferred this 13th day of June, in the year of our Lord, 1959, and of the University of Minnesota, 108.

W. T. MIDDLEBROOK,
*Secretary.*
J. L. MORRILL,
*President.*

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### Memorial

In recognition of the many decades of distinguished service of a man truly learned in the law, first as an advocate and later as a judge presiding in our State and Federal courts, on behalf of the members of our bench and bar, we have the honor to present this memorial to the Honorable Gunnar H. Nordbye, chief judge, U.S. District Court, District of Minnesota, in order to express, with deep and abiding respect, our sincere and considered appreciation of his juristic achievements, of his high integrity and demonstrated competence, of his undiminished vigor and ceaseless industry and, above all, of his conscientious and unswerving devotion to the cause of justice.

In witness whereof we have hereunto placed our hands and affixed the seal of our association this 7th day of October, A.D., 1958.

HENNEPIN COUNTY BAR ASSOCIATION,
SIMON MESHBESHER, *President,*
CLAYTON L. LEFEVERE, *Secretary.*

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The Minnesota State Bar Association has conferred the honor of the title of senior counselor on Hon. Gunnar H. Nordbye in recognition of more than 50 years of honorable service at the bar of Minnesota, and continued interest in the advancement of the profession of law as an active member of the Minnesota State Bar Association.

He has set an inspiring example of devotion and fidelity to the duties and obligations of an attorney and counselor at law, of leadership and unselfish participation in the public affairs of his community, State, and Nation, and of those commendable personal qualities that characterize those who best exemplify the high ideals of the profession of the bar as officers of the courts in the administration of justice.

Presented by the Minnesota State Bar Association, this 14th day of June 1962.

R. B. REAVILL,
*President.*
PHILIP NEVILLE,
*Secretary.*

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[From Bench and Bar]

### Tribute To Be Paid Judge Nordbye at Annual Judges' Dinner

The Honorable Gunnar H. Nordbye, chief judge of the U.S. District Court, District of Minnesota, will be guest of honor at the Hennepin County Bar Association's annual judges' dinner, Tuesday, October 7, 1958, at the Hall of States, Leamington Hotel.

Judge Nordbye, with 38 years as a jurist on the municipal, State and Federal benches, observed his 70th birthday on February 4. Born in Urskog, Norway, in 1888, he was brought to the United States by his parents the same year and settled in Montevideo. He worked his way through the University of Minnesota Law School, graduating with an LL.B. degree in 1912. Following graduation he became engaged in the general practice of law in Minneapolis until 1922 when he was named judge of municipal court at the age of 34. Three years later, when he was 37, he was named a Hennepin County district judge. His career on the Federal bench has spanned the administrations of four Presidents: Herbert Hoover, who appointed him in 1931; Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Eisenhower.

Judge Nordbye is one of the best known and most highly respected Federal district judges in the United States. He has received the highest commendation for efficiency by the Office of the Attorney General and by a judge of the circuit court in Washington. He was 1 of 10 Minnesotans who were given distinguished service awards in 1954 by Northwestern University, Evanston, Ill., at the time of the university's centennial.

Judge Nordbye and his wife, Eleanor, reside at 4511 Fremont Avenue South, Minneapolis. They have two sons, Rodger L. and Richard A., both of whom are attorneys, and three grandchildren. In addition to his judicial duties, Judge Nordbye participates in civic, fraternal, and church activities and finds time to enjoy his hobbies—hunting, fishing, and gardening.

Chairmen of the special committee in charge of the event are John C. Benson, James E. Dorsey, and Henry C. Mackall. According to the committee, invitations have been extended to all municipal, district, and probate judges of Hennepin and Ramsey Counties; retired judges of Hennepin County; judges of the Minnesota Supreme Court and the U.S. district court; district judges in Minnesota who have served in Hennepin County, the past term, and the district judges of North and South Dakota.

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### Judge Nordbye Honored—No Thanks Are Needed for Performing Duty

(The Hennepin County Bar Association, at its annual judges' dinner in the Hall of States, Leamington Hotel, Tuesday, October 7, paid tribute to the Honorable Gunnar H. Nordbye, chief judge, U.S. District Court, District of Minnesota. More than 400 guests were present. In answer to a number of speeches dealing with his career and his contributions to the welfare of his community, Judge Nordbye replied with the remarks published herewith.)

Needless to say, I am deeply moved by the tributes which have been made anent my judicial career. I would not be human if I felt otherwise. But no judge should be thanked or complimented for doing his duty, and with all the encomiums which have been bestowed upon me, I am fully aware that they cannot raise my judicial stature above that which I have attained.

My judicial career has spanned some 36 years. When I commenced my career on the municipal bench in Minneapolis, I was 34 years of age, a mere youngster without any particular qualifications for that most important position. I remember so well the fears which encompassed me during those trying early months on the bench. I remember so well the kindly advice of the late Judge Baldwin whom I succeeded on the municipal bench and who counseled me not to be too quick in making my decisions on matters which were difficult, but to take due time to give them the consideration which they deserved.

In retrospect I turn back to the year 1925 when I was appointed to the district bench, and then to 1926 when I ran with Judges Montgomery and Nye for election. It was in 1931 that I was confronted with the most momentous decision of my life. Almost overnight I was thrown into the maelstrom of the judicial feud, so to speak, between the Hoover administration, led by Attorney General William Mitchell, and Senator Schall, over the question as to who was to receive the appointment as the fourth Federal judge in the district of Minnesota. Judges Cant, Molyneaux, and Sanborn were then the U.S. district judges.

An impasse had been reached in the Senate in 1931 over the confirmation of my nomination by President Hoover, and when the Congress adjourned I was asked by Attorney General Mitchell to accept an interim appointment. It meant that I would have to resign from the State bench to which I had been elected in 1926. I would have to accept an appointment which not only involved serving without salary for almost a year, but with the probability, if I was not confirmed, that no back salary could be allotted to me. That trying period was my Gethsemane. Had it not been for my close friends, Judge Waite and George Leonard, each of blessed memory, I doubt that I would have had the courage to make the break. But in addition, the members of the bar rallied to my support during those trying days. I shall be forever indebted to the laywers of the State bar who so faithfully stood by me when I so sorely needed encouragement.

Well, I lacked sufficient funds with which to support my family during the year of my interim appointment, and I had no collateral to aid me in obtaining a loan. I had to go to one of the local banks and frankly present my problem—could I obtain a loan of some $5,000 on my personal note to tide me over the time when I would be receiving no salary from Uncle Sam. The bank consented to make the loan. I resigned from the State bench in April 1931, and accepted the interim appointment. The Senate confirmed my appointment in February 1932, and the president of the bank attended the ceremony in my chambers when I took my oath of office. Someone said he was one of the most enthusiastic of my well wishers. Well, he had good reason to be happy.

### A GOOD JUDGE

In summing up the qualities which make a good judge, the late John C. Knox, of the southern district of New York, stated in 1949 that they are "independence, commonsense, patience; a firm sense of dignity, but at the same time a sense of humor, an affection for people and an understanding of them and their endless hopes, dreams, ambitions, religions, social beliefs, economic pursuits, and a will or iron if need be, and a complete detachment. He must never allow his personal opinions of the law to control decisions, but at the same time he must work to change the law if he thinks it is a bad one. He must have a broad capacity for understanding men and he must never be arrogant but always studious to keep abreast of the advancing law, and he must ever strive to improve the system within which he functions."

When I was on the Hennepin County bench, the two judges I attempted to emulate were Judges Leary and Bardwell. To me they seemed to fulfill the requirements of the qualities of a good judge as set forth in the definition of Judge Knox. They were good trial judges. And may I note in passing anent my work on the State court that the 2 months special term calendar which each Hennepin County judge has to assume each year presents as many, if not more, difficult legal problems than any judicial assignment I have ever undertaken. Many of our rulings on motions were made from the bench. We were unable to take many matters under advisement because, if we followed that plan, we would be deluged with uncompleted work. I believe we did a fairly good job, but I can't say we had the confidence in our rulings as the old baseball umpire had in his, who, when asked if he called balls and strikes as he saw them, he answered, "No, sir, I calls them as they are."

My days on the Hennepin County bench are rich in memories. I had the most pleasant associations with my contemporaries—Judges Dickinson, Waite, Montgomery, Bardwell, Leary, Nye, Baldwin, Salmon, Guilford, and Reed. My 6 years on the Hennepin County bench were of inestimable value to me in my work as a Federal judge.

When I came to the Federal bench, I had another mentor—lovable Judge John Sanborn. Minnesota never had a finer trial judge. His patience, commonsense, consideration of lawyers and litigants alike, and his fine judicial mind proved to be a never-ending inspiration to me. If I have in a small way lived up to the standards of a good judge as set forth by Judge Knox, I owe it in a large measure to Judge Sanborn, and perhaps most of all, to the bar of the State of Minnesota. You cannot develop good judges without good lawyers.

### THREE REQUISITES

Someone has said that there are but three fundamental requisites for a good judge—first, he should have patience; second, he should have patience; and third, he should have patience. A Mississippi judge once said, in suggesting to his fellow judges to be cautious so they did not usurp authority which was not lodged in the judiciary, that "Judges at least are but men encompassed by error, seasoned with sin, and fettered by fallibility." Perhaps we judges would not be too ready to admit that we are seasoned with sin, but that most judges are encompassed by error and fettered by fallibility seems only too evident when we read the divergent opinions of our judges on the various courts.

An Italian lawyer, Piero Calamandrei, wrote a book entitled "Eulogy of Judges," which was translated into English. He stated that "A judge does not need superior intelligence. He must, however, be a man of superior moral attainments in order to be able to forgive the lawyer for being more intelligent than he." This Italian lawyer made many pertinent observations in his little volume. For instance, he stated:

"If in writing his decision a judge speaks of one of the attorneys as 'able' or 'learned,' it is usually done to soften the blows which are to follow. That is, it is generally an indication that the court has been neither swayed by his ability nor convinced by his learning.

"If in reading a long-awaited decision a lawyer comes across any such laudatory epithets addressed to him, he need read no further, being already assured that he has lost the case."

And with respect to the diversions of judges, he stated: "Just as to divert themselves with exciting adventures, far removed from the monotonous routine of daily existence, the middle classes like to read detective stories or to see lurid melodramas, so the judge seeks in the theater or in novels happenings which contrast sharply with his daily existence. He likes pictures of loving spouses superimposed on pink and blue backgrounds, brothers who amicably divide their inheritance, merchants who do not go bankrupt, and landowners who meet on their common boundary to express with tears in their eyes their mutual joy at being neighbors."

The confidence of the American people in the integrity of our courts is one of the strongest anchors we have for the welfare of our ship of state. Once the confidence of the people in our courts is weakened, then evil days will fall on our democracy. That the American people have confidence in our courts is due in a large measure to the American lawyer. He may gripe when defeated by a judge's decision, and there may be substance to his complaint of the judge's lack of erudition, legal acumen, or other shortcomings of the court to which his defeat might be attributed. But rarely does any lawyer even remotely hint that the judge did not decide the controversy honestly. However, the American bar, as well as the people, should always feel free to offer constructive criticism of our judges and our courts. We judges are but human beings, subject to err, and there is nothing worse than an arbitrary, arrogant, supercilious judge. If we usurp power which belongs to the legislative branch of our Government, or if we are unmindful of the necessity of dispatching our judicial work with reasonable expedition, or if we do not operate efficiently and are not always mindful that we should try to improve the system in which we function, then there is no reason why we should be sheltered from constructive criticism.

### POLICYMAKER

The chief justices of the State supreme courts in the Nation had their annual meeting in Pasadena, Calif., on August 23, 1958, and undertook to issue a statement as to their views regarding some of the recent decisions of the Supreme Court of the United States. They concluded that that Court had "tended to adopt the role of policymaker, without proper judicial restraint."

And only recently a poll has been attempted of the Federal judges as to whether they are in accord with the conclusions of the chief justices of the State courts. Some members of the Federal judiciary have stated that it is a sad day for this country when the propriety or wisdom of the Supreme Court's decisions are to be determined by referendums—whether among the general public, members of the bar, or members of the judiciary. That is, they conclude that when the Supreme Court speaks, that is the law.

Now, no responsible person advocates that the decisions of the Supreme Court be subject to any public or private poll, and it may be that such procedure may tend to indicate to some people that the Supreme Court in the field of litigation, particularly as to school integration, should be swayed by the passing emotions of the public. But, on the other hand, we must recognize that the dissenters on the Supreme Court itself are the most caustic critics of the majority of the Court. And there is no reason why the Supreme Court, or any other court, should be immune from constructive criticism, or that they should refuse to listen to the views of the people, whether they be members of the public or of the bar. After all, our courts are manmade institutions, and they are manned by men prone to err.

Justice Frankfurter, according to a Washington dispatch last night, is quoted as stating in his concurring opinion in the recent integration decision that "Criticism of the Supreme Court's decision need not be stilled, but active obstruction or defiance is barred."

But recognizing the right of the citizenry and the bar to criticize our courts, we should never forget these memorable words of Edward George Ryan uttered before the Wisconsin Constitutional Convention in the year 1846:

"The law should be the just will of the people, but it should be administered according to no will but according to truth and justice. The office of the judiciary is interpretation, and interpretation cannot be a representative function. The principle of representative democracy does not apply to the judiciary. The judicial is not a representative function. If the executive and legislative officers are to work out the will of the people, it is well. Let the people choose them, that they may represent their constituents, the people. That is right, it is the very order and beauty of our system.

"But the judiciary—what is that to represent? Who are its constituents? Sir, the judiciary represents no man, no majority, no people. It represents the written law of the land; it represents the eternal principles of truth and justice; it holds the balance and weighs right between man and man, between the rich and the poor, between the weak and the powerful, between the stranger and the lord of the soil, between one man and many men, between the criminal and the whole people; and woe be to it if any influence of people or power touch the hesitating scale or sway the trembling balance.

"Truth, right, justice—these are the constituency of the judiciary; and woe to the land, woe to them who dwell in it, when they that sit on the judicial bench shall be responsible to other constituents, prince or people; when they who sit in judgment on all that man holds dear—life, liberty, character, honor, the daily bread man prays for to his God, and the daily peace to eat it—shall represent any voice save that voice in which God speaks in the consciences of all, their own deep and solemn convictions of right and truth."

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### RESOLUTION OF THE MINNESOTA STATE BAR ASSOCIATION, MINNEAPOLIS, MINN.

On motion by Mr. Dorsey, seconded by Mr. Holten, the following resolution was unanimously adopted by the board of governors of the Minnesota State Bar Association at a regular meeting held at the Kahler Hotel, Rochester, Minn., on Saturday, January 26, 1963:

"Whereas the Honorable Gunnar H. Nordbye, senior judge of the U.S. District Court, District of Minnesota, will celebrate his 75th birthday on February 4, 1963; and

"Whereas Judge Nordbye has spent 41 of his 75 years as a jurist, 3 years on the municipal bench of the city of Minneapolis, 6 years on the Minnesota District Court for the Fourth Judicial District, and 32 years on the Federal bench; and

"Whereas Judge Nordbye's judicial career has been distinguished by keen legal scholarship, practical wisdom, indefatigable industry, utter total integrity, and the lack of any and all bias except a predilection for truth and justice, so that his name and his fame in the highest tradition of Anglo-American jurisprudence are known throughout our Nation; and

"Whereas the lawyers of the State of Minnesota, having appeared before Judge Nordbye in court for many years and having appeared with him in more informal surroundings, unanimously regard him not only with deep respect as a judge, but also and equally importantly, with fond affection as a man: Now, therefore, be it

"*Resolved by the board of governors of the Minnesota State Bar Association,* That there we spread upon the minutes of this meeting our heartiest congratulations to the Honorable Gunnar H. Nordbye on the occasion of his 75th birthday, our appreciation of his many years of selfless, brilliant, dedicated public service, and our heartfelt wishes that our learned mentor and good friend may enjoy many, many more such years; and be it further

"*Resolved,* that the secretary be directed to convey to Judge Nordbye a suitably embossed copy of this resolution."

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## ADDRESS BY NEWTON MINOW, FCC CHAIRMAN, CITES FOUR DIMENSIONS OF TELEVISION

Mr. YARBOROUGH. Mr. President, the dynamic Chairman of the Federal Communications Commission, Newton Minow, delivered a speech on January 22, 1963, in New York, which he titles "Television: Four New Dimensions."

I find this speech provocative and timely, and I ask unanimous consent that it be printed in its entirety at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### TELEVISION: FOUR NEW DIMENSIONS

(By Newton N. Minow)

Asked not long ago to comment briefly on the mass media, a thoughtful man began this way: "Those who have written books on the mass media have taken the easy way out. They should have attempted something more difficult—like writing a paper. One can't say everything, and yet so much needs to be said. It is a question of choice comparable perhaps to the need for choice in the offerings of the media themselves."[1]

This paper makes the conscious choice to concentrate on broadcasting in the United States, more particularly on American television.

The word "television" does not even appear in Federal legislation providing for the regulation of broadcasting. What Congress did was to create the Federal Communications Commission with regulatory authority, under the standard of the "public interest, convenience, or necessity," over all forms of radio transmission, in order—in the words of the Supreme Court—to keep "a grip on the dynamic aspects" of this new means of communication.

"Dynamic" is too weak a word to describe television. Americans now own 55 million television sets. There are more television sets in American homes than bathtubs. On an average day, television in this country will reach an audience of 100 million people, with American children under 12 spending about 70 million hours each day in front of television receivers, more time than they spend with their teachers—and in some cases, with their parents.

Today, the estimates are that there are about the same number of television receivers in all other countries as there are in the United States alone.

After a study of current television growth around the world, Richard Cawston of the BBC concluded, "One thing is certain: two new television stations opened today. And two more will begin tomorrow."

The year 1450 in Mainz, Germany, marked a watershed in history—the introduction of the printing press and with it the beginning of modern communication. A history of mankind in terms of the history of communication has been formulated by the late Prof. Harold Adams Innis of Canada. The Innis thesis is that a major change in the method of communication from oral to cunieform, to papyrus, to the codex, to paper, to printing—all of these produce major changes throughout a society. Certainly the printing press has had profound effects on all societies that have used it, whether democratic or dictatorial, Old World or New World, Western or non-Western.

Nineteen hundred and seven should be regarded as another watershed date, because in that year DeForest's invention of the triode vacuum tube led to broadcasting. In these terms, we are still at the beginning of television—the year 1465, so to speak. Even Telstar, with its present technological sophistication, is but a crude vision of what will soon be the everyday, global marriage of sight and sound. I believe television is now having an impact on society as great as, if not greater than, the printing press had over the course of several centuries.

Are we rising to the profound challenges that television presents? Is our free society keeping what the Supreme Court called a grip on the dynamic aspects of this new communications media? Where is television going these next 10 years? How should it get there?

I would like to set out the present principles from which the next decade's developments in the United States will spring. It is my hope that this distinguished convocation will subject these springboard principles, as well as the direction and goals, to stern, searching, and critical examination.

Our single most important principle is the availability of broadcast channels to as many commercial and noncommercial broadcasters in as many communities and areas as is technically possible. We are opening all available channels with a commitment that broadcasting is a medium of free expression, and that the Government will not censor any programs. We have chosen that system on fundamental libertarian grounds. We have sought to encourage many diverse sources of broadcast programs. Our broadcast system rests on the same premise as does the first amendment—"that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public, that a free press is a condition of free society" (*Associated Press* v. *U.S.*, 326 U.S. 1, 20).

As a corollary, we have also opted for the maximum number of local stations to serve as outlets for local expression. There are now roughly 4,000 radio stations in over 2,300 communities in the United States. In television the figure is 625 stations in about 300 communities; and our present allocations policy contemplates the possibility of 2,229 TV stations in about 1,200 communities. We believe the public interest is best served when the broadcast bands are available as an outlet for all the interests of a local area.

We think this a wise policy, especially when we realize what is happening with newspapers. Since 1945 the daily newspaper circulation has increased from 40 to 60 million, while in the same period, the number of cities with dailies under competing ownership has decreased from 117 to 58.

Only 40 years ago, 552 U.S. cities had competing daily newspapers. And in the 19th century, newspapers were numerous and comparatively small, so that almost every significant shade of opinion and every variance of a local difference were represented. For example, when Hartford, Conn., had 13,000 people, it had 13 newspapers. Today—and this is typical—with an area population of roughly half a million, there are only two newspapers in Hartford.

Present trends, therefore, point toward fewer and fewer people deciding what more and more people will receive from the print media. Our basic principles should point us in the opposite direction for television.

The present television system in America is a mixed one, comprised of a limited number of advertiser-supported competitors, located mainly in the larger communities, and a smattering of noncommercial, educational stations. Its performance is likewise mixed. In 1960, President Eisenhower's Commission on National Goals concluded: "Thus far, television has failed to use its facilities adequately for educational and cultural purposes and reform in its performance is urgent."[2]

Although I believe there are signs of improvement in television's performance, I also believe that our television system has serious flaws. Given the television industry's present structure, the forces of commercial competition undeniably tend to limit the range of programing—particularly in the evening hours when the largest audiences are available. Those whose tastes and desires in entertainment are not shared by overwhelming majorities are often shortchanged. So long as this is true, our system may not be a failure, but it is certainly not a success. Suggest plans for reform have generally tended in one of two directions. The first assumes that there is something wrong with our basic principles and that competition—particularly commercial competition—must necessarily result in the disregard of minority tastes in favor of more profitable majority taste programing.

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[1] Rev. John M. Culkin, S.J., consultant on films and television, National Catholic Educational Association.

[2] President Eisenhower's Commission on National Goals also said this: "The American system of broadcasting is deeply entrenched and is founded on the rock of freedom from Government interference. It is not, however, beyond critical examination in the light of its performance. It is too easy to say that people are getting what they want. The fact that large audiences are attracted by fourth-rate material does not acquit the broadcasting companies or the Government which has ultimate responsibility for the use of this valuable and scarce resource, from asking whether the public interest is being adequately served."

We have rejected this assumption, and are going in the opposite direction. We believe that our problems stem not from too many voices but from too few. We believe that competition has not yet had a fair chance to show what it can do with television. In 1947, the Commission on Freedom of the Press recommended "that Government facilities new ventures in the communications industry * * *." That recommendation is the basis of our plans for the future. Our main hope for healthy growth rests on two bases: UHF television development through the all-channel TV receiver law, and methods of financing television other than through advertiser support.

In 1952 the FCC assigned enough channels to television to accomodate more than 1,900 commercial stations and 275 educational stations. Twelve channels (Nos. 2 to 13) were assigned in the VHF (very high frequency) range and 70 channels (Nos. 14 to 83) were assigned in the UHF (ultrahigh frequency) range.

The plan provides for 591 VHF and 1,362 UHF commercial stations. Yet today we have only 543 commercial stations, 458 in VHF and 85 in UHF.

In large part, the failure of UHF broadcasting to develop alongside VHF has been a chicken-and-egg problem. There were few receivers capable of receiving UHF signals and therefore advertisers, networks, educators and other groups shunned the UHF station; but without viable UHF stations presenting programing, the public had little incentive to purchase the so-called all-channel receiver.

The basic solution, we believe, will stem from congressional enactment in 1962 of the all-channel TV receiver law. Under this legislation, the FCC has directed that a television receiver manufactured after April 30, 1964, can be shipped in interstate commerce only if it can receive all 82 channels, not merely 12. With the anticipated purchase of some 5 to 6 million new sets each year, the sets in the hands of the public will become almost entirely all-channel within a period of roughly 8 years.[3]

We believe that lighting up 82 channels—and not only the 12 VHF—will lead to four new dimensions of television service to the public.

1. It will make possible a truly nationwide educational television system through a network of stations devoted to classroom instruction during the day and to broad, cultural adult programing in the evening. The future of educational television is clearly geared to UHF: Fully two-thirds of the channels reserved for educational television are UHF channels.

A first-rate educational network could be the most significant programing development in the broadcast field in the next decade and perhaps the next half-century. Free from commercial inhibitions, it could provide the experiments and discoveries needed in the medium.

2. Lighting up 82 channels will make possible nationwide pay television. In its simplest terms, the argument of pay television proponents is that if a minority part of the audience could pay directly for the programing it wishes, then its informational and entertainment needs could be met without detriment to the advertiser-supported TV system aiming largely at majority audiences. We have decided that pay TV deserves a fair trial in a competitive setting. For that reason, we have authorized pay-TV experiments in Hartford, Conn., and Denver, Colo.

If pay-TV passes its tests, the logical place for it would be in the UHF channels. This, again, would enlarge viewer choice.

3. Lighting up 82 channels will make possible a fourth commercial television network appealing to higher rather than lower common audience denominators. Until now, a fourth network had no chance to find a local outlet simply because the UHF channels lay fallow. With UHF, an alternative, national program service may emerge.

Such a new network might concentrate on serving the interests or programing areas not now met in content or time periods by the three present networks. There are some imaginative men in commercial television who are fully aware of the mounting cultural interests in this country. I believe that the commercial broadcaster will find it profitable to venture into this relatively unexplored territory.

A new network might well direct its programing to this emerging audience which many thoughtful observers think is larger than most present broadcasters believe. And a new network, by aiming consistently at higher levels and standards for less than a majority audience, could stimulate the entire industry to lift its sights.

4. Finally, more channels will make possible new stations to meet local needs. In some areas, it will provide a first TV outlet. A candidate for local office in Allentown, Pa., a proponent of a local school bond issue in Atlantic City, N.J., a local educator in Battle Creek, Mich.—now have no local television station to carry their views. It is our hope that as a result of the all-channel law many communities will be able for the first time to turn to a local television station.

These are our plans—our ideas and goals for broader television service during the next decade. The list is not complete—some of the plans may have to be revised, scrapped, and new and better ideas found to take their place. But I doubt any change in the bedrock on which they are founded: enlarging the citizen's range of choice.

Let me stress that our goal is not simply to enlarge the citizen's range of choice of television channels. We will have accomplished little if by twisting the dial to perhaps five channels instead of two, the viewer's real choice is unchanged. Is the viewer only to be able to choose between "Tweedledum" or "Tweedledee" or "Tweedletwaddle?" Is his selection to be between five old Hollywood movies or six new westerns?

Additional channels are a means, not an end. The goal must be true diversity of choice offered by the additional channels, a challenge which Henry David Thoreau anticipated more than 100 years ago when he wrote: "We are in great haste to construct a magnetic telegraph from Maine to Texas; but Maine and Texas, it may be, have nothing important to communicate. Either is in such a predicament as the man who was earnest to be introduced to a distinguished deaf woman, but when he was presented, and one end of her ear trumpet was put into his hand, had nothing to say. As if the main object were to talk fast and not to talk sensibly. We are eager to tunnel under the Atlantic and bring the Old World some weeks nearer to the New; but perchance the first news that will leak through into the broad, flapping American ear will be that the Princess Adelaide has the whooping cough."

Here lies the greatest challenge to our creativity, our vision, and our sense of responsibility. In addition to the new possibilities of UHF television I have discussed, what can be done in the next 10 years, through existing and new television channels, to use this medium more wisely and completely There are many pressing needs for the next decade. I should like to suggest several which seem to be of surpassing importance.

One crucial need is the provision of a sound economic base for educational television.

Presently, all educational television stations in this country spend less on programing in a year than the three commercial networks spend in a week.

Writing about an educational network, Walter Lippmann once said: "No doubt, this network would not attract the largest mass audience. But if it enlisted the great talents which are available in the industry, but are now throttled and frustrated, it might well attract an audience which made up in influence what it lacked in numbers. The force of a good example is a great force, and should not be underrated.

"We should not, I believe, shrink from the idea that such a network would have to be subsidized and endowed. Why not? Is there any doubt that television is a mighty instrument of education—education for good or education for evil? Why should it not be subsidized and endowed as are the universities and the public schools and the exploration of space and modern medical research, and indeed the churches—and so many other institutions which are essential to a good society, yet cannot be operated for profit."

Private philanthropy has started to meet this need.[4] The new educational channel serving parts of New York, New Jersey and Connecticut is a great step. Plans are underway to bring educational television to Los Angeles. The last Congress for the first time authorized Federal grants for educational television. Over 70 educational television stations are now broadcasting in the United States. Education is at last beginning to catch up with the communications revolution.

But to really advance, educational television must undertake great projects, great challenges. To do this, it must secure an adequate economic base of support. And it must do this in the next decade if it is to do it at all.

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[3] At the same time our Government is requiring the manufacture of sets designed to receive more channels, the East German government has constructed a television wall. The East Germans have directed that sets sold behind the wall shall be capable only of receiving the East Berlin TV channel—and not that of West Berlin television.

[4] When broadcasting began in America, many leaders searched for ways and means to finance its development. Gen. David Sarnoff, in June 1922, examined various alternatives, and at one point compared the endowment of a broadcasting network with the endowment of a public library. He wrote: "Mention of a library institution brings to mind the thought that great as is the public benefactor who endows a library for the purpose of educating the general public, the person who in the future may endow a broadcasting station or a broadcasting service will be a still greater public benefactor because of the many advantages which a broadcasting service offers to all classes of people, not only in the matter of education, but also in entertainment and health services, etc. Important as the library is, it can only provide the written word and at that, it is necessary for people to go to the library in order to avail themselves of its service, whereas in the matter of broadcasting the spoken word is projected into the home where all classes of people may remain and listen."

Another pressing need which must be met in the next decade is insuring fair access to the broadcast channels by candidates for public office. Ways and means to finance the use of broadcasting during political campaigns will be an ever-growing issue in the next decade. Political broadcasting in 1960 cost almost 1½ times more than it did in 1956. Our FCC reports indicate that in 1960 from September 1 through election day, total broadcast charges were $14,195,000 with adjusted totals of $7.5 million for Republican candidates, $6.2 million for Democratic candidates and $431,000 for all others. In the 1962 election in New York, 40 cents of every political campaign dollar went to television, with New York stations receiving more than $1.2 million.

In the simpler society of Athenian democracy, a candidate could reach all the electorate by raising his voice in a large open-air forum. Today, broadcasting over the public airwaves, an unparalleled avenue to the voter's mind and heart, is in danger of being limited only to the wealthy candidates, or to the not-so-wealthy candidates who are willing to become dependent on special interests to finance their campaigns. Our democracy cannot afford the commitments, the hostages, as it were, which a politician sometimes assumes if he is going to raise the necessary money to win.

A solution must be found to reduce the financial burden by offering some amount of free time to candidates, enough time so that during the campaign they are free to raise more issues and less money—and during their term of office free to vote their inner consciences instead of their overdue obligations.

Finally, much remains to be done in insuring that broadcasters live up to the obligations that their licenses impose. Among our present inquiries is whether the public in some areas is receiving adequate local community television service. We also question whether enough thought is being given to the needs of children and the special impact television has upon their world. In 1961, I proposed a joint venture in this field by all of the television networks, and the Attorney General of the United States indicated that the antitrust laws would not bar a good faith joint attempt to serve the needs of the Nation's youngsters. The networks chose to respond individually, rather than together, as is their right. And, at least, heightened efforts are presently underway to use television to stretch a child's mind and imagination.

One of broadcasting's main duties is to inform the public about the issues of our time. As Fred Friendly once said, "What the American people don't know can kill them." Broadcasters are doing an ever better job in covering hard news. But in today's complex world, "it is no longer enough to report the fact truthfully; it is now necessary to report the truth about the fact."[5]

An increasing amount of depth reporting with news analysis is appearing on radio and television, with examples such as the NBC "White Papers," the "CBS Reports," and the ABC "Close Ups."

Moreover, American broadcasting has traveled a long distance since that disastrous day in 1935 when Alexander Woollcott's "Town Crier" was tossed off the air because a sponsor complained that Mr. Woollcott had criticized Hitler and Mussolini, and might thus offend some listeners. Today, we encourage broadcasters to offer opinions every day, believing that the public will be the beneficiary of clashing views and attitudes.

We believe that broadcasting in the 1960's should be encouraged to become even more interested in controversy, and to help feed and shape public opinion. This doesn't mean tiptoeing with issues like greener grass, milk for children, and canoe safety. It does mean the presentation of such vital national issues as tax policy, disarmament, and race relations; and it also means presenting strong points of view on local problems such as a school bond issue, teenage driving and drinking, and local reapportionment.

The clash of conflicting opinions and attitudes is the true dialogue of a democracy. Television has unique powers to nourish the viewer's mind and to inflame the viewer's spirit—and thus help him decide whether Monday's villains are Friday's heroes.

But the presentation of controversy on the air carries with it serious obligations. In dealing with controversy, the law wisely requires the broadcasters "afford reasonable opportunity for the discussion of conflicting views on issues of public importance." Insuring that fairness is the responsibility of the FCC. Perhaps no agency can adequately meet that staggering duty. At the very least, it presents extraordinarily difficult problems, both to broadcasters and their Government.

In this part of our work at the FCC, we are engaged in the most sensitive relationship possible between Government and its citizens.[6]

Many actions we take in this area and others—or even public utterances we venture—are immediately labeled as "intrusions on free expression," "Government censorship," "attacks on freedom," and worse.[7]

The search for solutions to these knotty problems is often discouraging, but our efforts to find sensible answers will go on. The principle of full and fair exposition of controversial issues on the air is too indispensable a part of our free society to be discarded because we lack the courage to protect it. Controversy, watered down to avoid offending pressure groups, would offend the largest and most important group of all—the mass of our citizenry who by implication cannot be trusted to make up its own mind.

More freedom to engage in controversy, the sensible financing of political broadcasting, and the growth of educational television are but a few challenges of the next decade. In this paper, I have sought to set out the basic principles guiding present Government regulation of broadcasting and to offer some suggestions for the future. In so doing, I have become even more deeply conscious of our needs for outside criticism and independent review of our policies.

More than 11 years ago, one far-sighted U.S. Senator (by coincidence today a panelist in this convocation) proposed a Citizen's Advisory Board for Radio and Television. Senator William Benton on October 20, 1951, invited the Nation's attention to the television revolution. He said then: "With the imminent unfreezing of nearly 2,000 television channels and their allocation into private hands, the entire future of television, the future of what I call the most extraordinary communications instrument ever devised, surpassing the invention of printing, the invention of the motion picture, or any of the other great strides forward in the possibilities of communication between people, might be crystallized, and possibly irrevocably crystallized, for generations to come."

The board then proposed by Senator Benton would have issued an annual advisory report to the Congress, to the Federal Communications Commission, and to the public, reviewing the year's progress, or lack of progress in the public service rendered by radio and television, and made suggestions as to how such public service could be developed.

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[5] Report of the Commission on Freedom of the Press, 1947, p. 22.

[6] This is nothing new. The same issues at the beginning of American broadcast regulation are described in Lord Reith's book "Into the Wind," about his visit to the United States in 1931:

"In Washington, a courtesy visit on the Chairman of the Federal Radio Commission. I asked him what control he really had over broadcasting. He said there was a clause in their charter which stated that the Commissioners were not to exercise any censorship; they had refrained from doing so. I asked if they had power to put stations off the air if they felt it was not in the public interest to leave them there. He said they had, but it was an embarrassing question; he was not satisfied with things as they were; difficult to do what they wanted because of the troubles that ensued. Their decisions were subject to an appeal to an examiner and then to a court; several appeals were pending. I asked if he thought anything of the British system might be possible in America, beginning with the Commissioners taking more power and building up on the public interest clause rather than the no-censorship one.

"While he was debating the answer his secretary reported that the other Commissioners were waiting outside. He asked me to repeat the question to them. I enquired if it would not be possible for them to do what they thought right by cashing in on the public service clause in the expectation that public opinion would support them and that their reappointment would not be prejudiced; there were surely many stations not serving any useful purpose. They seemed amused at the idea that they should assert themselves; agreed that the political consequences of their shutting down one station or refusing a license to another ought not to stand in the way of the proper ordering of radio broadcasting. We were getting on excellently, but I had to leave to keep an appointment with President Hoover."

[7] A former FCC Chairman, James Lawrence Fly, after discussing FCC actions which led to the separation of the Red and Blue Radio Networks, and the adoption of other regulations to limit concentration of ownership and to provide greater diversity in program sources, described the problem this way:

"It is now a matter of history, though it is indicative of a great deal of the history in this entire field, that the networks opposed those regulations with two arguments. One was that the regulations would bring about economic ruination. This has already been answered. The networks are making more money now than they ever did. The other was that restoring to the many stations throughout the country greater control over their own time, the power to accept or reject programs, and the power to exercise their responsibilities as licensees was an infringement of free speech. Resort to the institutional guarantee of free speech in order to thwart a progressive step is not novel, but here, where the very regulations being attacked were designed to promote free speech, the application of the technique was at least unusual. The argument could not, and did not, stand analysis." Then he went on to say:

"Bear in mind there is one man at the transmitter, one man free to speak; but there are millions who are listening—the very people freedom of speech is designed to protect. Their interests are paramount. The station owner has a monopoly or quasi-monopoly over a wavelength, but that wavelength is licensed for use only in the public interest. If you conceive of free speech as a right of the listener, then you cannot take the position that the operator of the broadcasting station can do whatever he chooses with the powerful instrument he has been licensed to use."

The board was never created. I think it should have been. It is not too late.

At the FCC, we are trying through a variety of means to stimulate a greater degree of public participation in decisions about broadcasting. The public is becoming more aware of its rights, and I believe broadcasters are becoming more aware of their responsibilities. But are all of us doing enough?

The technological explosion in communications leaves those of us concerned with its day-to-day operations with little time to grasp its deeper meaning. I have not even attempted here to discuss the implications of international television. Last year, the United States exchanged live television programs with Europe through the miracle of active space communication satellites. In so doing, we achieved something more enduring than launching a man into space. We launched an idea into space—an idea to use communications to build, not a wall sealing in ignorance and prejudice, but a window opening toward truth and freedom.

Are we wise enough to sustain that idea?

I return to the thoughtful man whom I quoted at the beginning of this paper. Father Culkin closed his paper with this: "It is still early in the history of the new mass media but we are already on the brink of simultaneous global television. Someone must assume responsibility for insuring that these media fulfill their promise as instruments in the service of the mind and the spirit. If not us, who? If not now, when?"[8]

## PARE LORENTZ, DOCUMENTARY FILM PIONEER, HONORED DURING DEPARTMENT OF AGRICULTURE'S CENTENNIAL

Mr. YARBOROUGH. Mr. President, on Monday evening, January 28, the Department of Agriculture presented a special centennial award to Pare Lorentz, the author-producer-director of the award-winning films "The River" and "The Plow That Broke the Plains." The award was specifically made for Mr. Lorentz' great documentary on the Mississippi, "The River."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the program of the award ceremony which was held in the West Auditorium of the Department of State at 8 p.m. on Monday.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

### AN AWARD PROGRAM IN HONOR OF PARE LORENTZ

### PROGRAM

Presentation of award: Secretary Orville L. Freeman, U.S. Department of Agriculture.

Acceptance remarks: Pare Lorentz.

"The River": A film by Pare Lorentz.

Centennial announcements: Secretary Freeman.

"Agriculture U.S.A.": The Centennial Film, U.S. Department of Agriculture.

View centennial exhibit.

Adjourn to John Quincy Adams Room, eighth floor.

### PARE LORENTZ

Pare Lorentz is a native of Clarksburg, W. Va. He attended both West Virginia Wesleyan and the University of West Virginia. At 19, in his junior year, he left school to edit publications in New York for the General Electric Co. Later he was a columnist, critic, and motion picturer reviewer for magazines and newspapers. He is author of "Censored: The Private Life of the Movie" and "The Roosevelt Year."

In June 1935, the Resettlement Administration of the U.S. Department of Agriculture employed Lorentz to dramatize on film events of the times. His films "The Plow That Broke the Plains," and "The River" are among the most acclaimed documentary films in the United States.

After work with the U.S. Public Health Service and RKO Studios in Hollywood, he served as lieutenant colonel with the Army Air Force and was awarded the Air Medal and the Legion of Merit for his services. Lorentz later became a special consultant to the Secretary of Interior and then Chief of the Films and Theater Section for the Reorientation Branch of the Department of the Army. Today he operates a New York City motion picture consulting agency which bears his name.

### "THE RIVER"

This is the story of the Mississippi. It unfolds in the era when cotton was king and when lumber and mining industries flourished. It tells of the floods and desperate efforts to earn a living from impoverished land, of the cruelty of erosion and of first efforts to conserve land and water. The film includes the story of the Tennessee Valley Authority, the Farm Security Administration, and the reforestation projects of the Forest Service. But most of all, "The River" is a story about people—what they had done to the river and what it had done to them.

Lorentz and his cameramen traveled 20,000 miles to film their picture. Yet just as they began editing, the disastrous floods of 1937 began. So they went out again, traveling another 6,000 miles in 14 States. When they began editing the second time, they had nearly 100,000 feet of film from which they chose 29,000 for the final production.

Some critics have called this motion picture a visualized poem. James Joyce called the narrative the most beautiful prose he had heard in years.

Today "The River" is nearly 25 years old, and it remains, just as critics predicted, a classic with a fresh and distinct flavor.

### "AGRICULTURE U.S.A."

This film is a panoramic documentary of American agriculture on the march. It tells of agriculture's growth, its farms and products, its research and regulatory programs, and above all its people—from farmer to consumer, including the thousands in between that make up America's largest industry.

To produce the film, Chief of Motion Picture Service Calle Carrello sent his camera crew to farms in Virginia and Maryland and eventually to the west coast. The final product appears to have been photographed in every agricultural region of the Nation.

Each agency in the Department helped develop the story which was written by Sid L. Schwartz and R. Stephen Brode. Animation was devised by Seymour Payne, Judd Scott edited the film, and the musical team of Carelli and Jacobs conceived the music in New York. Under Max Madson, the sound department blended music with the distinguished voice of Alexander Scourby.

The movie was released on the occasion of the Department of Agriculture's centennial. Since its completion, "Agriculture U.S.A." has appeared on television more than 80 times and received 935 public showings. The interdepartmental committee on visual and auditory materials for distribution abroad has honored the film for showing at key foreign film festivals. The picture was shown in the Government pavillion at the recent Seattle World's Fair.

### THE CHANGING FACES OF OUR LAND

The remarkable story of American agriculture from 1862 to its unequaled productivity today is the wide-ranging theme of this photo exhibit. The exhibit of more than 325 photos was prepared by the Department of Agriculture as a major part of its centennial observance.

The pictures represent the work of 234 photographers and more than 70 organizations. The search for photos led through the picture archives of Government agencies, historical societies, national magazines, the files of professional and amateur photographers, private companies, and many other sources. All told, well over half a million pictures were reviewed.

The initial search was made by Russell Forte, of the photography division. Boyd Wolff, then of the exhibits service, made the final choice and wrote the text.

In producing the exhibit, the Department sought for more than outstanding pictures of farming, ranching, and forestry alone during the last century. To tell the whole story, the photographs selected also show the influence of growing industries, the changes made in agriculture by scientists and engineers, the high quality and variety of foods that Americans enjoy today, and the food this Nation sends to hungry people abroad. Thus the changing face of all America is also part of the broad panorama shown in this exhibit.

Mr. YARBOROUGH. Page 1 gives us the order of events of that evening. Page 2 is a brief biography of Pare Lorentz. Page 3 tells the story of the documentary film "The River." Page 4 describes the centennial film "Agriculture U.S.A." And page 5 tells the story of the picture exhibit, "The Changing Faces of Our Land."

Mr. Lorentz was one of the idealists of the New Deal in the 1930's. He made one of the first great documentary films ever filmed, and he made it for the land, for the people, for conservation, for agriculture, and for the future greatness of agriculture that has now come.

Upon receipt of the award Pare Lorentz made a few remarks, and I ask unanimous consent that the text of these remarks be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### SPEECH OF MR. PARE LORENTZ UPON ACCEPTING A CENTENNIAL AWARD FROM SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN, JANUARY 28, 1963, WASHINGTON, D.C.

Mr. Secretary, members of the Department of Agriculture, honored guests, relatives, I'm a little flummoxed by the evening and have been wondering about it. And it bemuses one greatly to be suddenly considered a part of the minor footnotes of the history of your great Department for a century. I thank you. It really is very gracious.

I had been thinking before I came here of how many people I might properly thank who helped, first, in my own education and in the preparation of the work we did; and, actually, alphabetically to list the men would take the whole evening. Your Department, sir, in the thirties really had the outpouring of years of thought, of work, and knowledge of what had happened to our land; and due to Franklin Delano Roosevelt—whose name somehow always people say embarrassingly instead of the way it was—the whole outpouring of that knowledge was made available to your departments and all departments.

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[8] Rev. John M. Culkin, S.J., consultant on films and television, National Catholic Educational Association.

In 1788, a rather tired soldier came home, but he was a rather prominent farmer in these places; and Mr. George Washington wrote a friend: "How much more delightful to an undebauched mind is the task of making improvements on the earth, than all the vain glory which can be acquired from ravaging it."

Sir, I would not take advantage of your gracious evening by haranguing you politically. But, I have two things, two pleas, to make to you:

There is no question in the minds of all men in all parts of the world of the ability we now have to ravage the land; and I doubt, in my lifetime, if there'll ever be a 24 hours where that prospect doesn't hang over them.

But, sir, let me make a plea to you, that you and Secretary Udall, yourselves, possess the trusteeship of a great deal of what is left of this great land of ours. I would like to recommend that you do an inventory of those things that worked. As old H. L. Davis from Oregon, a very great novelist, said: "What stuck? What in history has stuck?" What part of the forestry? What part of rural electrification? What has stuck?

And secondly, I bear a message from all your wonderful former still photographers that worked for Roy Stryker—I don't know whether you know how much you own over in the Library of Congress; but in the depression, the still photographers who recorded this land and its people provided a record unsurpassed in our history. You, yourself, sir, know that in the war, we did the same thing. Every branch of the service from training, to operations, to history. You have in the Defense Department an enormous record of extraordinary accomplishment, of victory in a global war.

Sir, I feel we must return to recording our country—the "good and the bad," as Dorothea Lange, one of your old photographers said—I don't mean old in spirit or age, but in the "old days"—that we should always hold a mirror to ourselves. After all, I hear rumors, hanging around outside the stockade of the New Frontier, that the Congress wouldn't allow this, or Congress wouldn't allow that. But, it is my considered opinion, sir, that if you look over the record: old William Henry Jackson, a marvelous old Union veteran, went out to photograph Bridger's "Hell"—he came in here and the eastern Congressmen had not believed any such place as Bridger's "Hell" existed. The result, sir, of that one man is that the Congress set aside Yellowstone Park.

A few weeks ago President Kennedy said: "The camera, I think, is actually going to be our best inspector." Sir, I would like to hope that you and Secretary Udall would also make it our best exchange to tell the city people what is happening to our land, as once we did.

I know your old regimental commander, Governor McMath. He told me what you did at Bougainville. I think it'll take the same type of courage and a longer haul, and more exasperating, for you to keep the hard-eyed men off the good land we have left and to cut through the hatred, the greed, the petty, petty things that go on in some regions of our country. Depend upon, which I believe, and I am sure you do, that you will find enough reasonable men in the Congress and the country to say: "This is a reasonable improvement of the land we made, and we wish to continue it."

I wish you very good luck, sir, and I thank you.

Mr. YARBOROUGH. In his excellent book, "Motion Pictures," published in 1960 by the University of Oklahoma Press, A. R. Fulton told the story of the production of this great film. I ask unanimous consent that an excerpt from this volume describing the production of "The River" be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Before Pare Lorentz wrote and directed "The River," he had made a documentary film for the U.S. Department of Agriculture—"The Plow That Broke the Plains." This film documents the mistreatment of the lands in the West and the resulting dust storms. "The Plow That Broke the Plains" was successful, and the Department had Lorentz make another one the next year to show how deforestation and other mistreatment of the land in the Mississippi River Basin caused millions of dollars of damage by floods. The result was "The River," similar to "Nanook of the North" in that its subject is man and his conflict with nature, and to "Night Mail" in that its subject is man and his use of civilization.

It is said that when Lorentz saw the Mississippi River, he threw away his scenario: the Mississippi seemed dull to him—just a vast flow of brownish water between flat, uninteresting shores. Then he realized that the subject should not be so much the river as its people; it should be about what they had done to the river and what the river had done to them. Lorentz and his cameraman traveled 26,000 miles, and then, when he thought he had completed the footage, there came the disastrous floods of 1936. So he commandeered space in Coast Guard boats and airplanes, and when he was through he had 80,000 feet of film. This he cut down to 29,000 feet. He has made of it a beautifully unified epic.

In the preface to the published text of "The River" Lorentz names three books which he says he found essential to any understanding of the Mississippi: Mark Twain's "Life on the Mississippi," "still the most accurate book ever written on the subject"; the Mississippi Valley committee's report (Department of the Interior, 1934), "the best written Government report" Lorentz had ever read; and Lyle Saxon's "Father Mississippi." Lorentz was soundly prepared to direct "The River."

The film opens with a titled prolog, which states the subject and implies the theme: "This is the story of a river; a record of the Mississippi: where it comes from, where it goes; what it has meant to us and what it has cost us."

The story is told chronologically, beginning with the river and its tributaries flowing naturally within their banks—the state of the basin before the land was despoiled. Then are shown the growing of cotton, the impoverishment of the South by the Civil War, lumbering and steelmaking and, finally, the results—the denuded land, the floods, the effects of the floods on the land, and the effects on the inhabitants of the valley. An epilog documents the way in which the Tennessee Valley Authority has started to put the valley together again.

The pictures in "The River" are so beautifully composed that they could almost stand by themselves without a sound track. But the sound track adds immeasurably to them—a blending of natural sounds, a musical score composed by Virgil Thomson and incorporating American folk tunes, and Lorentz' commentary spoken by the actor Thomas Chalmers. The generalizing chapters in John Steinbeck's novel on a corresponding subject—"The Grapes of Wrath"—have been compared to the sound track in "The River" because in each the rhythm pervades the story. Effective use is made of natural sounds merely by repetition. For example, the sounds of the steel mill early in the film are imitated in the frantic whistle of a Coast Guard boat later. Even in the commentary there is effective repetition—the names of the tributary rivers recited as the rivers are shown at first and recited again when the rivers are shown in flood. "Black spruce and Norway pine," Chalmer's voice is heard accompanying a shot of a beautiful stand of trees. "Black spruce and Norway pine" recited later is made ironic by the now accompanying shot of a landscape completely denuded except for charred tree trunks and stumps.

The commentary which Lorentz wrote to underline his shots has a different relationship to the shots than Auden's poem has in "Night Mail." Auden's poem is complete in itself. The pictures of the train are, as Ernest Lindgren points out, not even necessary to illustrate it. For the most part, in fact, the pictures do not illustrate it, except in a general way. The commentary for "The River," on the other hand, is only a comment on the pictures. The commentary is always under the pictures, never, as in "Night Mail," over them.

Lorentz' text is none the less literary. James Joyce called it the most beautiful prose he had heard in years. If the text is prose—in the published version it is represented as verse—it is poetic prose. In the manner of Walt Whitman and Thomas Wolfe, Lorentz effects much of his poetry by naming great place names of the Nation—words which are in themselves poetic:

"From as far West as Idaho,
Down from the glacier peaks of the Rockies—
From as far East as New York,
Down from the turkey ridges of the Alleghenies
Down from Minnesota, twenty-five hundred miles,
The Mississippi River runs to the gulf.
Carrying every drop of water that flows down two-thirds the continent,
Carrying every brook and rill, rivulet and creek,
Carrying all the rivers that run down two-thirds the continent,
The Mississippi runs to the Gulf of Mexico.
Down the Yellowstone, the Milk, the White and Cheyenne;
The Cannonball, the Musselshell, the James and the Sioux;
Down the Judith, the Grand, the Osage, and the Platte,
The Skunk, the Salt, the Black, and Minnesota;
Down the Rock, the Illinois, and the Kankakee,
The Allegheny, the Monongahela, Kanawha, and Muskingum;
Down the Miami, the Wabash, the Licking and the Green,
The Cumberland, the Kentucky, and the Tennessee;
Down the Ouachita, the Wichita, the Red, and Yazoo—
Down the Missouri three thousand miles from the Rockies;
Down the Ohio a thousand miles from the Alleghenies;
Down the Arkansas fifteen hundred miles from the Great Divide;
Down the Red, a thousand miles from Texas;
Down the great Valley, twenty-five hundred miles from Minnesota,
Carrying every rivulet and brook, creek and rill,
Carrying all the rivers that run down two-thirds the continent—
The Mississippi runs to the gulf."

Like "Night Mail," "The River" was produced as propaganda. "The River" is the story of our despoiling the Mississippi Basin by ruthlessly cutting timber, greedily mining for coal and iron, and unscientifically exploiting the land for cotton. The pictures and the text—in the first person plural—are accusatory:

"We built a hundred cities and a thousand towns—
But at what a cost.
We cut the top off the Alleghenies and sent it down the river.
We cut the top off Minnesota and sent it down the river.
We cut the top off Wisconsin and sent it down the river.
We left the mountains and the hills slashed and burned,
And moved on."

It is also the story of the river's savage retaliation. The purpose of the film is to show how we may repair the damage we have done, how, in fact, we have begun reclaiming the Mississippi by reforesting the burned-over and eroded land, properly cultivating the soil, and building dams in the tributaries. The epilog shows the accomplishments of the Tennessee Valley Authority.

But like "Night Mail," "The River" is an exemplary documentary in spite of its propaganda. Taking for its subject the natural world—nature and man's misuse of it—"The River" has a theme—nature's retaliatory power and man's being forced to reckon with it—and a unity—not only the story of a river, where it comes from and where it goes, but also the story of how it was, how it became despoiled, and how it can be restored. Telling this story in pictures embellished by sound—sound incorporated literally and creatively—it is a great documentary, if not the greatest that the art of the motion picture has produced.

Mr. YARBOROUGH. Mr. President, in the Washington Post, Tuesday, January 29, there was an interview with Mr. Lorentz by Mr. Sterling Segrave. I ask unanimous consent that the text of this story be included in the RECORD at this point.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

### PARE LORENTZ PLEADS FOR COORDINATED LAND USE

(By Sterling Segrave)

Secretary of Agriculture Orville L. Freeman presented a special centennial award last night to Pare Lorentz, the famed cinema genius and father of the documentary who produced the award-winning films "The River" and "The Plough That Broke the Plains."

Documentaries made by Lorentz during the decades following the depression gave the Roosevelt administration a close look at the face of the land of America and how it was being used and misused.

Lorentz appealed to the invitation-only audience of officials and dignitaries at the State Department Auditorium yesterday to take another close look at the face of America's land today.

"What we need is an inter-Cabinet council to coordinate the use of our land—or what is left of it," Lorentz said in an interview prior to the ceremony.

He said uncoordinated use of the land by different Government agencies and private enterprise has led to spoiling great areas of countryside and destruction of natural resources.

"For example," Lorentz said, "look at what happened to Baltimore. The city went looking for a source of pure water supply and finally found it in a lake in Pennsylvania. Then the Atomic Energy Commission decided to build a reactor 8 miles above the lake's intake pipe.

"And the Strategic Air Command built its headquarters in Omaha on prime farmland," he said.

An inter-Cabinet Council coordinating use of land in America today could also serve a second purpose by using educational television to make the public familiar with its country's great potential and use in rural areas, Lorentz said. Such a program is vitally necessary at a time when all communications media seemed to him to be involved with urban affairs to the exclusion of the open country.

Shown at the ceremony last night was Lorentz' film "The River," which shows the development of the Mississippi River, TVA, reforestation and the violence of nature that fought industrialization along its banks.

Acclaimed as a classic narrative, the film remains fresh and masterful in art despite 25 years that have passed since its making.

Lorentz made that and other films for the Agriculture Department, showing the natural and unnatural development of America.

During the war he served as a lieutenant colonel, making films for the Army Air Force, received the Air Medal, the Legion of Merit, and a citation for outstanding service. Following the war he produced films for the Reorientation Branch of the Department of the Army and became special consultant to the Secretary of the Interior.

Today he heads Pare Lorentz Associates in New York, motion picture and television consultants, and is working with scientists in the field of atomic energy. A book is forthcoming, he says, on radiobiological aspects of atomic energy, adding to several others he has written on film and of the Roosevelt years.

Lorentz said his primary concern is in recording America again today with the same attention and concern which showed after the depression and during World War II—and in educating the public about America through educational television.

Mr. YARBOROUGH. Mr. President, a press release from the Department of Agriculture for this occasion reviews the remarkable changes in agriculture in the 25 years since "The River" was filmed. I ask unanimous consent that the text of this release be printed in the RECORD at this point.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

WASHINGTON, January 28, 1963.—A dramatic emphasis on the amazing progress of American agriculture, and on its too-often unrecognized contributions to our high level of living and economic growth, featured the program at the State Department, Monday evening (January 28) honoring Pare Lorentz for his film "The River."

Secretary of Agriculture Orville L. Freeman presented Mr. Lorentz with an award for his great documentary on the Mississippi, a film which after nearly 25 years remains a remarkable story of the interrelationships of man and nature.

This classic of documentary films preceded a showing of the Department of Agriculture's centennial film "Agriculture U.S.A.," another vivid portrayal of what a century of progress has meant to the land, to the farmer, and to the men, women, and children whose living standards have become the highest in history because of the abundance made possible by agriculture's progress.

Secretary Freeman paid tribute to Pare Lorentz for awakening thousands of Americans to the broad problems of conservation, of the need for wise use of the land as our most basic resource, of the way that technological, scientific, and industrial change demands changes in social engineering to meet new conditions.

Secretary Freeman further emphasized the tremendous changes in agriculture in the 25 years since "The River" was filmed. The index of farm production per man-hour was 253 percent greater in 1961 than it was in 1937. Only 8 percent of our working force now produces food and fiber to spare and to share. Our consumers today get better food at lower real cost than at any time or place in history—spending only 19 percent of their take-home pay for food. This compares with 30 percent in Britain, 45 percent in Italy, 60 percent in the U.S.S.R., and 70 to 80 percent in much of the rest of the world.

During the 1930's, about the time "The River" was filmed, Americans spent an average of 23 percent of their incomes for food. The drop to the 19 percent we spend today tells only part of the story, because today our food is of better quality, and more of it is more elaborately processed—ready-mixed or ready to eat. If our diets were similar to those in the thirties our food would take only 14 percent of our income today.

Secretary Freeman credited this progress to many interrelated factors: agricultural research, by the USDA, by land-grant college experiment stations, by private companies; education, not only in our schools but through an extension service that brings the latest knowledge to farmers in their own communities and on their farms; to the ability, industry and hard work of the American farmer; and to a system of farm ownership based on the family farm, under which the farmer has the highest incentive to improve and conserve his land and manage his farm in the most efficient manner.

"American agriculture stands in shining contrast to that of those parts of the world where this incentive of individual farmownership is lacking," Secretary Freeman said.

"Khrushchev himself has openly confessed to Russian failures in agriculture. In China the food situation grows more and more serious and has become a substantial deterrent to economic growth. Cubans, who were among the better fed peoples of Latin America in 1958, now have diets seriously below minimum nutritional standards. Cuba's per capita consumption of food has gone down one-fifth in the past 4 years. Food is rationed. The per capita agricultural production index has dropped from 111 to 87 since 1958. Nearly half of Cuba's farmland has been nationalized, but very little was distributed to landless farmers. Rather, it is run by the state. In Cuba, as in other Communist countries, that part of the farming which is still carried out by the individual owners themselves, is the most productive.

"American agriculture now has the opportunity to demonstrate to the uncommitted and emerging nations of the world its superiority. It has unprecedented opportunity to contribute to economic growth in the developing nations. By means of food for peace and technical assistance, we are facing up to this challenge.

"And we are facing up to another challenge at home. In the 25 years since 'The River' was produced, changes in farming brought about by a scientific and technological revolution have come to a climax in their effect on rural America. Small towns and small cities throughout our Nation have been cut deeply by the outmigration from our farms, because agriculture has been the basic underpinning of these towns and cities. Rural underemployment and poverty are today far too prevalent to be tolerated in our affluent society.

"We are thus mobilizing our resources—in the USDA—in the States—in rural communities, in a rural area development program to adjust both human and natural resources to the needs of today and of tomorrow.

"Since the 1930's, and the filming of 'The River,' we have made great progress in conserving our soil and water. We have not finished the job—we cannot afford to relax our efforts. But the engineering most in need of study today is in the social and economic field. A predominantly industrial economy has replaced our earlier agricultural economy. The greatest unmet needs of the American people are not in the realm of food and fiber, of machines and material goods. They are in the realm of education, health, recreation, and other services, and the revival and renewal of rural America must take this into account.

"This administration is dedicated to the goal of insuring, for the American farmer, the reward to which he is justly entitled; and for rural America, a future in which it will continue and enhance its contribution to the values that have made this Nation great."

The **VICE PRESIDENT**. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON]. Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change, notwithstanding the provisions of the existing Senate rules?

The **VICE PRESIDENT**. The clerk will read the pending question.

The pending question was read by the legislative clerk, as follows:

> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rules change, notwithstanding the provisions of the existing Senate rules?

**Mr. MANSFIELD**. Mr. President, I suggest the absence of a quorum; and I wish to notify the attachés of the Senate that it will be a live quorum.

The **VICE PRESIDENT**. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 12 Leg.]

Aiken
Allott
Anderson
Bartlett
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

**Mr. MANSFIELD**. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. LONG], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

**Mr. KUCHEL**. I announce that the Senators from Kansas [Mr. CARLSON and Mr. PEARSON] are absent on official business.

The Senator from Kentucky [Mr. COOPER] is necessarily absent.

The **VICE PRESIDENT**. A quorum is present.

**Mr. MANSFIELD**. Mr. President, I send to the desk a proposed unanimous-consent order, and ask for its immediate consideration.

The **VICE PRESIDENT**. The clerk will state it.

**Mr. MANSFIELD**. This request is being presented on behalf of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] and myself.

The **VICE PRESIDENT**. The clerk will read it.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

*Ordered*, That on Thursday, January 31, 1963, at the conclusion of routine morning business, the Senate resume consideration of the following question submitted on the 28th instant by the Vice President to the Senate for its decision, namely, "Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?"

And that after debate of 3 hours, to be equally divided and controlled, respectively, by Mr. RUSSELL and Mr. HUMPHREY, the Senate proceed to vote on the issue of tabling the said question. Furthermore, that there be a live quorum before the debate limitation starts and after it ends.

The **VICE PRESIDENT**. The question is on the proposed unanimous-consent agreement? Is there objection?

**Mr. JAVITS**. Mr. President, will the Senator from Montana yield for a parliamentary inquiry?

**Mr. MANSFIELD**. I am happy to yield to the Senator from New York.

**Mr. JAVITS**. My parliamentary inquiry is as follows: In order that Members of the Senate may know what we are asked to consent to, first, Would a motion to table cut off debate even without a consent agreement?

The **VICE PRESIDENT**. As the Senator is aware, a motion to table is not debatable.

**Mr. JAVITS**. I thank the Chair.

Secondly, the question submitted by the Chair, which is recorded at page 1214 of the CONGRESSIONAL RECORD, reads as follows:

> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

My question is as follows: Does a vote "yea" on the motion to table mean to the Chair that the Chair will then submit to the Senate the question of whether the Senate should proceed to consider the Anderson resolution for a 60-percent cloture rule?

The **VICE PRESIDENT**. The Chair would prefer that the Senator read the unanimous-consent agreement and draw his own conclusion.

**Mr. JAVITS**. What the Senator from New York is trying to ascertain, if the Chair will allow him to explain, is the consequence of a vote; in other words, whether the consequence of the vote upon this motion means that the Chair will submit the substantive question to the Senate without further debate, which is what I think it must mean. Then Senators will know what they are voting on. If the Chair will not say, Senators will have no idea, but it will be left to each Senator to draw his own conclusion as to what the purport of the vote will be. In order that the Senate may be informed as to what its vote will mean, it seems to me the Senate should know what the Chair will do if there is an affirmative vote.

The **VICE PRESIDENT**. The Chair has not studied the unanimous-consent request. The Chair believes that if the Senator will read the unanimous-consent request, being the learned Senator he is, he can probably form his own judgment for himself rather than have the Chair make it for him. Unless the Senator finds himself unable to reach a decision, the Chair would prefer not to answer that parliamentary inquiry until the Senator studies the resolution and has formed his opinion about it.

**Mr. JAVITS**. The Senator from New York has studied the unanimous-consent request, if the Chair will permit me to explain. Does the Chair understand that when the tabling motion is acted upon, if the tabling motion is rejected, the original question will remain before the Senate? It seems to me every Member of the Senate will want to know what would be the consequence of a rejection of the tabling motion. That is what I am trying to ascertain. I am asking only to ascertain, by asking the Chair, what it means to the Chair, and what the Chair will do if the question to be put before the Senate is in the affirmative. I think every Senator is entitled to know. Otherwise how can we know how to proceed intelligently? The Chair has put it up to the Senate. I think the Chair owes the Senate an explanation of what the Chair will do if instructed affirmatively. Every Senator must know that before he votes on the question.

The **VICE PRESIDENT**. Has the Senator from New York read the unanimous-consent request?

**Mr. JAVITS**. He has.

The **VICE PRESIDENT**. The Chair has not. He has not been in consultation with Senators on either side. What is the Senator's opinion?

**Mr. JAVITS**. In my opinion—and I am glad the Chair asked me—an affirmative instruction to the Chair upon the constitutional question which has been submitted would require the Chair, if the vote were in the affirmative on the substantive question, to submit the question immediately, without further debate, on the motion to take up; and if the question should be decided in the affirmative, and if another motion were made by the Senator from New Mexico [Mr. ANDERSON], on the substantive resolution, the Chair would submit it to the Senate for a vote. That is my interpretation of what an affirmative instruction to the Chair would mean.

Mr. RUSSELL. Mr. President, I interpret the unanimous-consent to have a directly opposite effect than that submitted by the Senator from New York.

The VICE PRESIDENT. The Chair will say, in response to the question of the Senator from New York, that in the limited time he has had to consider this matter it appears to him that the present question before the Senate is: Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

If the unanimous-consent agreement should be agreed to, the Senate would be agreeing to a time to vote on tabling the question which is now before the Senate, and on that question alone.

If that question were tabled, it seems to the Chair that the Senate would then revert to the question pending before the Senate at the time the Vice President submitted the present question which was the Anderson motion to proceed to the consideration of Senate Resolution 9, a resolution to amend the cloture rule of the Senate.

The reason the Chair says that is that the unanimous-consent agreement points to the question submitted by the Chair, and then states that the Senate shall proceed to vote on the question of tabling "the said question," and "the said question" is the question submitted by the Vice President.

Therefore, if that question were tabled, the Senate would then revert to the question that was pending before "the said question" was tabled.

That is the Chair's opinion, and that opinion at the moment is shared by the Chair and the Parliamentarians, although it is very difficult to pass judgment on these complicated agreements without having ever seen them.

Mr. JAVITS. A further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JAVITS. I believe the Vice President has answered the question very directly and fairly. If the motion to table fails, then, in short, what does a "nay" vote mean? If the motion fails, will the Chair then, without further debate, ask the Senate to vote on the substantive question, or will he not?

The VICE PRESIDENT. If the question to table fails, the Senate will then be where it is now.

Mr. JAVITS. Then a "nay" vote means that the debate will continue upon the issue which the Chair has presented to the Senate. Is that correct?

The VICE PRESIDENT. The Chair believes it must be obvious that when a motion to table is made and it is lost, it is lost.

Mr. JAVITS. I wish we could understand each other. There is nothing in the rule which provides that the Chair must submit any question to the Senate, even a constitutional question. That has been the practice, and it has been so held many times. However, it has never been subjected to a filibuster, as it is now, which is throwing the Senate into anarchy, in the eyes of the country.

Be that as it may, in view of the fact that the rules do not require this question to be submitted to the Senate, the Chair could decide it.

What I have tried to ascertain is this: If the vote on the motion to table is in the negative, have we accomplished anything? Will the Chair take the authority then to put to the Senate at once, and without further debate, the substantive question?

The VICE PRESIDENT. The first thing that the Chair wishes to call to the attention of the Senator from New York is that, as he must have observed many times in these proceedings, paragraph 2 of rule XX provides:

> The Presiding Officer may submit any question of order for the decision of the Senate.

Mr. JAVITS. Yes.

The VICE PRESIDENT. The second point is that beginning in 1803, and continuing down to 1960, every Presiding Officer, at the insistence of Senators themselves, has submitted this question to the Senate for decision. That includes the Chair's immediate predecessor, who said that he would submit it if the question of constitutionality were raised.

The precedents are uniform in that respect, and the precedents are a part of the procedures of the Senate. However, even without precedents, the rule provides that the Presiding Officer may submit it to the Senate. Therefore it is appropriate to submit it to the Senate, as the Chair pointed out on January 14.

Some very distinguished Senators, including the Senator's predecessor, former Senator Ives, and the former Senator from Massachusetts, Mr. Kennedy, and the Senator from Michigan, Mr. McNamara, have held that when a question of constitutionality is raised it should be submitted to the Senate.

That has been done. The Chair does not believe it is a part of his duty to be called upon to discuss with Senators a list of what their achievements and accomplishments would be if a certain motion carried or failed.

The Senator must know that if a motion to table fails, it fails. The purpose of a motion to table is to stop debate. If that motion fails, it does not stop debate.

Mr. JAVITS. If I may propound one further parliamentary inquiry: The Chair has said that debate may continue if the motion to table fails; but debate will not continue upon the pending question—the question submitted by the Chair—because it will no longer be before the Senate. Is that not correct?

The VICE PRESIDENT. The question will be before the Senate until it has been voted upon, until it has been tabled, until it has been agreed to, or until it has been clotured—any of the four possibilities.

Mr. JAVITS. But if it is tabled, then it will no longer be before the Senate, and there will no longer be debate on that question.

The VICE PRESIDENT. The Chair has twice ruled or has twice stated his opinion by saying that the Senate would revert to the original question, which is a motion to proceed to the consideration of Senate Resolution 9.

Mr. JAVITS. If the motion were not tabled, then, as I understand the Chair, debate would continue, if any Senator chose to debate, upon the constitutional question framed by the Chair and put to the Senate. Is that correct?

The VICE PRESIDENT. That would be the question. Senators might discuss many subjects, but that would be the question.

Mr. KUCHEL. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Reserving the right to object, I say to my good friend, the able Democratic leader, that what puzzles me about the proposed unanimous-consent request is this. The Senator does not need a unanimous-consent request to move to table. The distinguished majority leader could announce right now that he intended to make a motion to table the pending question at 3 o'clock tomorrow afternoon. I understand that if some other Senator were speaking, the distinguished majority leader obviously would have to say that if he could get the floor at the conclusion of a speech at or about 3 o'clock tomorrow afternoon, or whenever he could get the floor, he would move to table. Therefore, I do not understand the reason for the unanimous-consent request.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. The purpose of the proposed unanimous-consent agreement is to maintain as great a degree of comity as is possible; to touch all bases; to keep as many Senators as possible informed; and to give ample notice.

If I made an announcement of the kind which the distinguished Senator from California has indicated I could make—and I could make it—situations might arise which might make it impossible for me to carry through my announced intention. But in the way being suggested, every Senator is on notice; every Senator knows that if the request shall be agreed to by all Senators concerned—the request offered by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and myself—they will be expected to be in the Senate Chamber in time to vote.

So all I can say is that in the interest of comity, of trying to reach as many Senators who are vitally interested as possible it was decided by both leaders to offer the unanimous-consent request in the form in which it is now presented.

**Mr. KUCHEL.** Yesterday afternoon I was in the Chamber when the majority leader offered a unanimous-consent request which provided that at a time certain the Senate would vote on the merits of the pending request. It was suggested by the distinguished Senator from Florida [Mr. HOLLAND] that prior to the entering into of any such unanimous-consent agreement a live quorum be developed. I thought that was a perfectly logical position; and acting completely within his rights, the distinguished majority leader withdrew the unanimous-consent request.

Could the majority leader state why he does not reoffer today the unanimous-consent request he was hoping yesterday might be agreed to?

**Mr. MANSFIELD.** The only difference between the request offered yesterday and the one offered today is that the one offered yesterday had to do with the substantive question itself; whereas the one proposed today is a request relating to a motion to table.

If the Senator from California will recall, there was no time certain, to my knowledge, suggested in the proposal offered yesterday. There were to have been 2 hours of debate after the morning hour. The proposal offered today provides 3 hours of debate after the morning hour, and also makes an allowance, exclusive of the 3 hours, for a live quorum call before the time limitation starts and a live quorum call at the time when the limitation on debate ends, with the suggestion of the distinguished senior Senator from Florida.

We have tried to take advantage of the advice suggested and given to us yesterday to make a better unanimous-consent request, possibly, for consideration by the Senate at this time.

**Mr. KUCHEL.** Let me see whether the able Senator from Montana agrees with me in this respect. Each Senator is responsible only for his own vote. If the unanimous-consent request offered by the majority leader yesterday were to be consented to, then, on the merits—up or down—the Senate would act.

But is it not true that under the unanimous-consent request offered today, if the Senate refuses to table the Anderson motion, unlimited debate will continue to be the order of the day. I ask the Senator if that is not a valid distinction between what is offered today and what was offered yesterday.

**Mr. MANSFIELD.** The Senator from California knows, if for no other reason than that of the position he holds in the Republican Party in the Senate, that there are different ways of doing things, and the leadership tries to reach the most reasonable compromise possible.

I do not think we could offer a unanimous-consent request today and have it considered favorably if it were a request based on the agreement which was offered yesterday afternoon. After scouting around, the distinguished minority leader [Mr. DIRKSEN] and I came to the conclusion that if there was a possibility of reaching a unanimous-consent agreement which would be reasonably satisfactory to both sides, or to all parties, this was the way in which it should be presented and considered by the Senate.

If any Senator does not wish to agree to this request—any Senator, be he the newest or the oldest in service, or any Senator in between—all he needs to do is to object. Today is the 15th or 16th day on which the Senate has been debating this particular subject. I am afraid the country is getting an untrue picture of the Senate because of the time we are literally wasting away. So far as the Senate as an institution is concerned, I do not think we are bettering ourselves either in our own eyes, or in the eyes of the people as a whole.

**Mr. KUCHEL.** Mr. President, will the Senator yield?

**Mr. MANSFIELD.** I yield.

**Mr. KUCHEL.** Reserving the right to object—and I shall not object—what the Senator from Montana has just said is completely correct. I believe that he and our leader on this side of the aisle have taken the only action available to them today.

**Mr. MANSFIELD.** The Senator is correct.

**Mr. KUCHEL.** It was done almost with a pistol at their heads, because it seems to me that this is a case of heads I win, tails you lose. On that basis I shall not object.

**The VICE PRESIDENT.** In response to the inquiry made by the Senator, the Chair is of the opinion that any Senator may rise in his place at any time, get recognition, and move to table. The unanimous-consent request, however, assures that there will be a time certain to vote, so that every Senator will know when it is to be; and in order to provide a time certain, it is required that there be a unanimous-consent agreement.

The proposed unanimous-consent agreement provides for an equal division of time between the two sides, and it is necessary to have unanimous consent to get that. Also, the unanimous-consent request provides that there be a live quorum. So the unanimous-consent request gives Senators three assurances which they otherwise would not have if a Senator chose now to move to table.

**Mr. HOLLAND.** Mr. President, will the Senator from Montana yield?

**Mr. MANSFIELD.** I yield.

**Mr. HOLLAND.** Reserving the right to object—and of course I shall not object—I think the two distinguished leaders have fully carried out the objective which I had in mind yesterday in suggesting that a live quorum be developed before a unanimous-consent request was offered.

**Mr. MANSFIELD.** The distinguished senior Senator from New York [Mr. JAVITS] also made that suggestion today.

**Mr. HOLLAND.** I have been a little concerned about the question the distinguished Senator from California has raised. Shall we understand the unanimous-consent request to preclude—if it be adopted—the making of a motion to lay on the table except under the terms of the unanimous-consent request?

**Mr. MANSFIELD.** Mr. President, I would assume that every Senator is a person of honor and integrity, and that if the proposed unanimous-consent agreement for a vote at a time certain tomorrow is entered into, no Senator will move to table, although perhaps any Senator would have the right to do so.

**Mr. HOLLAND.** Mr. President, further reserving the right to object—although I shall not object—the distinguished Senator will recall that yesterday in our colloquy I expressed concern that various Senators might necessarily be absent because of illness. At that time I understood there were two such cases. As I recall, the distinguished majority leader felt that live pairs should be arranged for Senators necessarily absent, regardless of what might be their point of view on this question. Does the Senator from Montana still entertain that expectation?

**Mr. MANSFIELD.** The Senator from Florida has correctly stated my feelings; and so far as the leadership is concerned—and I think I can also speak for my distinguished colleague on the other side of the aisle—every possible effort will be made to obtain a live pair for any Senator who is absent, regardless of what side of this particular issue he may be on.

**Mr. HOLLAND.** Mr. President, I commend both leaders for their desire to bring this matter to a head, as is set forth in the proposed unanimous-consent agreement.

**The VICE PRESIDENT.** Is there objection?

**Mr. RUSSELL.** Mr. President, I desire to make a brief statement.

First, I wish to exonerate the majority leader and the minority leader from any willful deviation from the proposal submitted the other day. At that time I said to them that in view of the various uncertainties as to the attendance of Senators, I did not believe it would be possible to obtain the unanimous-consent agreement in the form in which the agreement was then proposed. I had very grave misgivings about any unanimous-consent agreement at all at that time. I did not feel that those of us who feel so deeply about this matter had completed the educational campaign which seems to be necessary in order to convince Members of the Senate and a very few other people of the self-evident constitutional fact that the Senate is a continuing body and has been since the first Senate was organized.

But our opponents have risen from time to time and have demanded, "When will the Senate vote? I desire to vote. The Senator from California desires to vote. The Senator from New York desires to vote"—and they have called the roll of various other distinguished Senators who are consumed with the desire to vote.

So, Mr. President, in an effort to be accommodating, I agreed—although, as I have said, I did so with some misgivings—to this unanimous-consent request, which would permit Senators an opportunity to vote.

The present situation merely goes to show that our friends are very difficult to please. They are hard to please with the rules; they are hard to please with unanimous-consent requests. The senior Senator from New York [Mr. JAVITS] even suggested that a vote one way or the other on a motion to table would act to gag the Senate and preclude further debate on all sides, once the proposed unanimous-consent agreement were entered into.

Mr. President, that is a most remarkable suggestion. Motions to table have been made in the Senate without end. I do not favor them unless those on both sides of any pending question, have had an opportunity to speak, because a motion to table is a very summary way of ending debate and is a very summary form of gag rule. I do not vote to table until the subject in question has been very thoroughly debated. Even then I would not favor a motion to table if there is a very substantial desire on the part of Senators to continue the debate.

I consulted with my colleagues. They had not thoroughly expressed themselves on this question, vital and important as it is to the future of the Nation; but finally they did agree to this proposal in the terms stated.

So I am surprised that Senators who have been clamoring for an opportunity to vote do not seize such opportunity as they have, even though the vote would not have the effect—as suggested by the senior Senator from New York—of summarily bringing the whole question to an issue and gagging the Senate and preventing any further debate.

Of course, the Chair made the only ruling which could have been made in response to the parliamentary inquiry; namely, that if the motion to table should prevail, it would carry with it the original Anderson motion, as well as the question submitted by the Chair. That has always been the rule. If one examines the rules—although at the moment I cannot put my finger on the specific rule, and I have not tried to find it—one will find that there is a rule which provides that when a legislative proposal is laid on the table, it carries with it all pending amendments thereto.

It has been said that the rules do not spell out a requirement on the part of the Chair to submit to the Senate any question other than a constitutional question. That is true. It is not spelled out in those specific terms, and no limitation is placed on the Presiding Officer in regard to submitting points of order. They do not have to involve constitutional questions. Of his own right, the Presiding Officer can submit them to the Senate. That rule was adopted by Senators who had some pride in serving in this body. They were perfectly willing to assume their responsibilities as Senators. They did not expect the Presiding Officer to do all their work for them or to undertake to direct the activities of the Senate. They expected the Vice President to carry out his constitutional duty to preside over the Senate, and that implied that he would enforce the rules of the Senate as he found them, not as he might think they should be.

Once there was a Vice President who undertook to change the rules of the Senate, but he did not undertake to do so, himself, while sitting on the podium in this Chamber. He went to the country. He issued statements to the press to the effect that he believed the Senate rules should be changed. That was Vice President Dawes. He was very promptly rebuked by many Members of the Senate, without regard to party; and, if one examines the press for that period, he will find that not all those rebukes came from Senators who were here. Some Senators were scattered all over the country. Senator B, a Republican, would issue a blast, perhaps from California; and Senator A, a Democrat, would issue one from Hot Springs, Ark.; and Senator G, a Republican would issue one from even over in Europe—statements saying that the Vice President had no right to tell the Senate what kind of rules it should have.

The present situation shows to some degree how the importance which Senators attach to the Senate has declined, for now we have a demand that the Vice President not only be permitted to suggest rules, but also be permitted to prescribe them himself and to enforce them himself, without any regard to what the Senate may desire.

The distinguished majority leader and the distinguished minority leader should be absolved from any responsibility for the change in the proposed unanimous-consent agreement, because, due to the uncertainties as to the attendance of Senators, I could not have agreed to the request as it was originally submitted.

I thank the Senator from Montana for giving me this opportunity to make these observations.

Mr. KEATING, Mr. JAVITS, and other Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, before I yield to the Senator from New York [Mr. KEATING], I wish to say that the Senator from Georgia has been most accommodating; and so have the Senator from Minnesota [Mr. MCCARTHY], the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], the senior Senator from New York [Mr. JAVITS], the junior Senator from New York [Mr. KEATING], and a good many other Senators with whom this question was discussed.

At this time I yield to the Senator from New York [Mr. KEATING].

Mr. KEATING. Mr. President, in light of the statements made by the distinguished Senator from Georgia, I desire to address an inquiry to the Chair. Has the Chair ruled that if the motion to table this constitutional motion were to carry, the Senate would then revert to the original motion, made by the Senator from New Mexico [Mr. ANDERSON], to take up the resolution to amend the rules?

The VICE PRESIDENT. The Senator from New York is correct. The Chair realizes that a point of order could be tabled, in which case the Senate would revert to the question before the Senate before the point of order was raised. An amendment could be tabled, but that action would not necessarily table everything else which might have been brought before the Senate.

Rule XVII provides that when an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such a measure. If that motion were tabled, the question would then recur on the original Anderson motion to take up the resolution. On the question of whether or not the Chair could submit the question to the Senate, the Chair would like to quote very briefly the question submitted by the Senator from Pennsylvania [Mr. CLARK] the other evening:

> The Vice President ruled today that the constitutional questions must be submitted to the Senate for decision without a preliminary ruling on his part, and with this I agree. Does the Senator from Minnesota agree?

The Senator from Minnesota [Mr. HUMPHREY], who was acting majority leader at the time, said, "Yes."

The Senator from Pennsylvania then said:

> The Vice President ruled today, and even the Senator from Georgia agreed, that the Senate could change its rule by majority vote. Does the Senator from Minnesota agree?
>
> Mr. HUMPHREY. I agree.

The Chair would like that colloquy to follow the statement of the Chair in response to the parliamentary inquiry of the senior Senator from New York, if there is no objection.

Mr. KEATING. I thank the Chair.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KEATING. Mr. President, I shall not object to the unanimous-consent request because any Senator who objected would be subject to the charge that he was trying to prevent the Senate from acting——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. MANSFIELD. That would not be the position of the majority leader or the minority leader, because every Senator has that right. Whenever he wants to use it, he has the privilege of so doing, and he would not be criticized for taking action of that sort.

Mr. KEATING. I realize that any Senator can object. My reason for not objecting is that certainly some vote is desirable to indicate the sentiment of the Senate. But I point out that those of us who are seeking to change the rules will make no progress whether the motion should win or lose. The Vice President has made clear that he will not consider a vote on tabling as a vote on the merits of the pending submission. Therefore, if the motion to table should win, it would mean that the question would then recur on the original Anderson motion which would still be subject to the filibuster. If it should lose, we would still be in this filibuster on the constitutional proposal before the Senate.

I must join in the remark made by the distinguished senior Senator from California that this is a "heads I win, tails you lose" proposition.

I understand the problems of the majority leader. I recognize that he has his problems as we all do. Perhaps if the unanimous consent were worded as it was yesterday, there would be objection, as indicated by the distinguished

Senator from Georgia. But if that were the agreement, the Senate would have a genuine opportunity to vote on the merits of the constitutional issue.

The **VICE PRESIDENT**. The Chair has never indicated what the implications or merits of the tabling motion might be, other than to say that it is obvious to every Senator that when a motion to table fails, debate is not shut off. If the motion is agreed to, debate is shut off. The Chair desires to stand on that position with respect to that motion.

**Mr. KEATING.** Mr. President, I understood that that was the position of the distinguished Vice President. We all know the effect of a tabling motion under the Vice President's rulings. I understand that it is the view of the Vice President that it will not be possible for him to shut off the filibuster if the motion to table fails.

**Mr. JAVITS.** Mr. President, will the Senator yield?

**Mr. KEATING.** I yield.

**Mr. JAVITS.** I shall be very brief.

I have been taken to task time and again by the Senator from Georgia. This is not the first time and probably it will not be the last. He has said that my intention is to gag the Senate. To the contrary, I was trying to map out a course for the Chair, consistent with the rules, which would ungag the Senate. The Senate is now being gagged, because if the motion succeeds, the constitutional question will no longer be before us. If it fails, we still will not have settled the question. Either way, we will not have voted on it. As the Senators from California and New York have said, we will have gotten exactly nowhere.

There comes a time when the Chair must recognize that, as the Vice President of the United States, constitutionally elected, certain powers have been given him by the Constitution—not by us, but by the people. Whether those powers are exercised or not—and the Chair indicates that he will not do so—they must be exercised some day. The whole process of government can be frustrated completely by what is going on at the will of one-third of the Senate, at most—perhaps even less. Mr. President, the process we confront—and we all know it—leads absolutely nowhere.

What I was saying to the Chair was as follows: The Chair does not by law have to submit a constitutional question to the Senate. Although the precedents may say so, we have shattered many precedents. With the coming of the atomic age, a great many of our firmest precedents have been shattered.

If the constitutional question is then submitted to the Senate, as the Chair has the right to do, by law and by tradition—and the Chair is within his rights in doing it—and the Senate in some way manifests its will on the question, that will be a show vote. That is all we are talking about. When the Senate has manifested its will, the Vice President of the United States can then say, "I will put the question." Then if a Senator rises and says, "I appeal from the ruling of the Chair," as well he might, the rule itself provides for a motion to table the appeal. That is rule XX, the same one the Chair is reading. That would confirm the decision of the Vice President. Then the Vice President would put the constitutional question, "May the Senate close debate?" The Chair could add, "The question shall be voted on." That is how the Vice President could exercise his authority.

The Vice Presidency is not a hollow shell. Often it has been filled by men of the most outstanding attainments possible in our Nation, and that is certainly true of the present occupant of that office. History shows that it is a great and vital office in our Government. Here is an opportunity to demonstrate that it is.

This is the course that I was outlining. I was not seeking to gag the Senate. I would be only gagging myself and all of my colleagues. That would be most unfair. What I was suggesting was a way in which the Senate could vote on the historic constitutional question before the Senate. If the Senate should vote "nay" on the motion to table, and the Chair should follow what I believe would be the practice, the Senate would again have to vote "yea" or "nay" on the constitutional question. Then the Vice President would be armed with the necessary authority from the Senate.

The question is, Shall the Senate get its teeth into that question? I was only trying to outline a way in which the Chair could enable the Senate to get its teeth into that question, notwithstanding the fact that it is being filibustered to death.

**Mr. CLARK.** Mr. President, will the Senator yield?

**Mr. MANSFIELD.** I yield.

**Mr. CLARK.** A few moments ago the Vice President read to the Senate a part of a colloquy engaged in on the floor between the Senator from Minnesota [Mr. HUMPHREY] and myself. In that colloquy the Vice President correctly stated that I had said that I thought he was within his rights in submitting this constitutional question to the Senate. But the Vice President stopped short of reading the further comments which I made at that time, which were as follows:

That at some point the time must come when the Vice President will have to submit for a vote on the merits the question which is before the Senate for a decision; otherwise the Senate falls into chaos and anarchy. Otherwise a small group of able, honest, intelligent but willful men will have been able to frustrate the constitutional right of the Senate, by majority vote, to change its rules at the beginning of a session.

My point in that colloquy was then and is now that at some point the time comes when authority must intervene to avoid chaos and anarchy and permit the Senate to perform its constitutional function.

A few days ago reference was made to a great many precedents under which the constitutional question was submitted to the Senate for a decision by the Presiding Officer. But I challenge the parliamentarians to unearth one when that submission of the constitutional question to the Senate was followed by a filibuster. I ask my parliamentarian friends, in each instance did not the Senate, within a reasonable time, come to a decision on the constitutional question? Unless there can be found in the precedents cases in which filibusters followed the submission of the constitutional question, then I say the precedents are worthless—absolutely worthless—and it becomes the duty of the Presiding Officer, be he the Vice President or anybody else—to prevent chaos, to prevent anarchy, to prevent the good name of the Senate of the United States from continuing to fall into disrepute across the civilized world—to put the question to a vote.

**Mr. McCARTHY.** Mr. President, will the Senator yield?

**Mr. MANSFIELD.** I yield to the Senator from Minnesota.

**Mr. McCARTHY.** Mr. President, it was not the Vice President who proposed to table the motion. He should not be blamed for it.

The Vice President, in my judgment, has been fulfilling all of the duties of his office. In effect, what some Senators are asking is that he exceed his responsibility, that he exceed his duties, that he exceed what the Constitution imposes upon him; namely, to preside over the Senate according to the rules adopted by the Senate of the United States.

It may be that in the past, when constitutional questions were submitted by the Vice President, there was no filibuster, but that is no special tribute to the Presiding Officers of those times. That is a tribute to the Senate, or else a reflection of what was the issue.

For Senators to stand up and say that the Vice President, who is simply the Presiding Officer of this body, must save the Senate from itself is, in my judgment, most unfair. If anybody is on trial today it is not the Presiding Officer but it is the Senate of the United States. We have means. They may be hard and difficult, but if we want to save the Senate as a reputable body itself, or if we want to save the reputation of the Senate with the public, which seems to be of more concern to some Senators than the operation of the Senate itself, then let us proceed according to the Constitution or according to the rules adopted by the Senate of the United States, or by adopting new rules and not attempt to put the burden on the Vice President, who is fulfilling all his responsibilities and obligations at the present time. Let us not ask him to act either in the place of the Supreme Court or of the Senate, but to continue as he has in office showing respect for the Office of President and respect for the U.S. Senate.

**Mr. CASE.** Mr. President, will the Senator yield?

**Mr. MANSFIELD.** I yield.

**Mr. CASE.** I wish to associate myself with the Senator from Pennsylvania and the Senator from New York on the substantive point they have made.

I think it is true that we all recognize that under the precedents of the Senate and under the rules of the Senate, the Vice President is within his rights to, and under the precedents properly does, submit constitutional questions to the Senate.

I think the point has been made very tellingly by both the colleagues whom I have mentioned that there will come a time when the constitutional responsibility of the Vice President will be to do more than this. I do not presume to suggest to the Vice President when that time will arise, but it is quite true that he is not merely a figurehead. He is a constitutional officer and is constitutionally the Presiding Officer of this body, and if a filibuster can prevent this body from acting through a majority on a constitutional question, then I suggest very, very definitely that the two Senators from New York and Pennsylvania are utterly correct in saying that the Vice President does share a responsibility to exercise all powers he may have in whatever way and at whatever time, of course, seems to him to be the most appropriate—but he cannot avoid it—to help the Senate come to a conclusion which will permit a majority of Senators to exercise their constitutional function.

The VICE PRESIDENT. The Chair would like to observe at this point, without objection, that the Senator from Pennsylvania, the Senator from New York, and the Senator from New Jersey are aware that the Chair as an individual or as a public official has never been reluctant to exercise his responsibilities or to use any powers that he might have in the pursuit of discharging his duties. As a matter of fact, such criticism as the Chair has had in that connection has been that he used all the power he possessed instead of a part of it, as some of the Senators may recall.

This is not a question, as the Chair sees it, of whether the Vice President is a figurehead. It is a question of whether the Vice President is going to arrogate to himself a responsibility and a power which he does not have.

The question is, simply stated: Does the Vice President choose to appoint himself a dictator of the Senate to carry out the functions prescribed by the Constitution, the rules, and the precedents of the Senate?

There have been 37 Vice Presidents. None of them has ever sought to follow or even indicated that he would follow the suggestions and advice given by the Senators here today.

The Chair asked Senators the other day to give any citation in the Constitution, or in the rules, or in the precedents for the Chair to exercise the authority that they sought to have him exercise. They could not give a single precedent. They could not point to a single rule. They could not point to a single provision of the Constitution.

What they did was that they sought to ask the Chair to make rules for themselves that they could not deal with themselves.

The Constitution says that the Vice President shall be President of the Senate. The Chair believes that means that he is to preside over the Senate and that his duties shall be to enforce the rules of the Senate and the precedents of the Senate, and not to assume the authority of a military junta and start saying to the Senators what their rules will be.

The other evening I did not read all that the Senator from Pennsylvania said, because I thought it would take too long. I read the question and answer which were in point on submitting this question. The Senator said a good deal about his conception of the Vice President that I did not read, but since he has read it into the RECORD I should like to read the paragraph which the able Senator from Minnesota, who was then the acting majority leader, said in reply. This is only a part:

> Let me say in all candor that I was impressed today by the debate. I sat and listened. I believe that the majority leader and others made a point. Much as I should like to have the Vice President rule in my favor, I believe they made a point.
>
> I do not believe I have discussed this question with any of my colleagues, but the Senator asked me an honest question and I will give him an honest answer. I am not sure I want to give the Vice President of the United States the power to choke off debate. I should like to have the Senate itself face the responsibility.

That was said by the Senator from Minnesota [Mr. HUMPHREY].

The 100 Members of the Senate have the power and the responsibility and the duty to give the Vice President whatever power they want him to have as Presiding Officer under the rules. But, as anxious as I am to choke off debate at times, this Vice President is never going to choke it off except in accordance with the rules of the Senate, and not in accordance with the visionary opinions of a few who ask the Chair to do something for them that is reserved to them under the rules.

Mr. MANSFIELD. Mr. President, the Presiding Officer need have no worry that any extraordinary powers will be allocated to the Vice President. As the Presiding Officer has so ably indicated, what is the Senate's business the Senate will attend to and attend to alone.

Mr. RUSSELL rose.

Mr. MANSFIELD. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I desire to make a very brief statement. I shall not, of course, undertake to defend the Vice President in regard to the statements made out of the frustration of some of our colleagues in the Senate critical of his position. He is well able to defend himself and his rulings refute all unworthy imputations against his fairness and objectives.

I wish to say to the Senator from New York that I have not taken him to task. All I stated was that, in my judgment, if the Senate and the Vice President followed the course which the Senator from New York has suggested, we would not only have a gag rule in the Senate, but also we would have an absolute dictator sitting in the Vice President's chair to direct the destinies of the Senate. That is my view. I stated it, as I had a right to do. If the Senator thinks that is taking him to task, he has a right to hold that opinion. I say there is a difference of opinion. I am not in favor of making a dictator of this Vice President—though I am devoted to our Vice President—or any other Vice President of the United States.

I am aware that there is a considerable school of thought in this country that the Congress is completely outmoded; that it served some purpose in the late 1700's and the early 1800's, but is now outmoded; that, some way or another, through some mystic formula, we should remove the Congress from its position as one of the coordinate and coequal branches of our Government, and that we should depend for the regulation of our daily lives upon some edict or ukase or decree handed down by a super brain trust somewhere that has a bit more knowledge of what is best for our people than the people have expressed for themselves in the election of their representatives in the Congress.

I do not agree with that philosophy. I do not think the Congress is outmoded. I think we have indeed come to tragic days if we should depend upon proclamations and ukases of any brain trusters from whatever great educational institution they may come, or even if they are permitted to come from two or three great educational institutions or all the educational institutions. I would still be opposed to their issuing any orders that would have the effect of law, unless they had gone before the people who were going to be controlled and regulated by those laws for election to public office.

The Congress of the United States has not outlived its usefulness, and will not as long as Members of Congress meet their responsibilities. Of course, we may differ as to what those responsibilities are.

Some of those on the other side of this question have complained somewhat about this unanimous-consent request. One of the things that prompted me to agree to it was the fact that I had understood—indeed, I had read in the press—that some kind of roundrobin was being circulated and that all Senators were being approached and asked to sign a document indicating that they favored this or that, and that it was to be presented to the country to demonstrate what the views of certain Members of the Senate were on some of the issues.

It occurred to me that it would have been more orderly to have had a vote on this motion. A vote on the motion to table will be at least an expression of the Senate. We will see if 51 Senators vote against the motion to table. If they do, I will admit that the proponents will have made at least a point. It will not be a point that will be completely compelling to the Senator from Georgia. The Senator from Georgia has great faith in the people. We will still try to point out to the people how greatly in error 51 Senators were in voting to hold that the Senate is not a continuing body, if that number of the Members accept that fiction and vote against tabling the shortcut resolution.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, it has been inferred here that the Vice President might become either a dictator or a figurehead, depending on whose views he subscribes to. I have seen no evidence during this debate that the Vice President desires to become either a dictator or a figurehead, but that he simply desires to fill his position as Presiding Officer of the Senate, as he is supposed to do.

The Senator from Pennsylvania has said that "the time has come." I agree that the time has come when we should weigh values, and we should weigh the value of attempting to decide an issue which has been debated since colonial days, and devote our time to that question, for the next few weeks or months, or whether we should go on with the business of the United States.

We have some pretty important matters coming before the Congress, matters affecting the economy of the United States and the welfare of every person living in it. We have matters relating to the national defense. Are we going to let the Senate continue to debate and debate until it appears ridiculous in the eyes of the people, while other nations that may be our opponents in another war go ahead and prepare themselves for it?

We have to consider the matter of our relations with foreign countries, which is of extreme importance right now. There are ambassadors waiting to take their positions in foreign countries. We block them while we debate something else week after week, possibly month after month, if an end is not put to the debate.

While I normally would have sympathy with proponents of a lower percentage of Members of the Senate being permitted to choke off filibusters, I consider the business and the defense of this country and our relationships with other countries of vastly more importance. As far as I am concerned, I am ready to table the original motions and all motions pertaining to it and proceed with the essential business of the Senate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, let me make it very clear indeed that neither I nor any other Senator who desires to change rule XXII is seeking, expressly, implicitly, or indirectly, to make a dictator out of the Vice President. Nothing could be further from our thoughts. All we have said is that the time will come—and I believe it will come soon—when we will be justified in asking the Vice President to exercise his unquestioned and undoubted rights, under rule XX of the Senate, entitled "Questions of Order."

I invite the attention of each Member of the Senate to that rule. It reads, in part, as follows:

> A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate.

That rule clearly gives the Vice President authority to submit to the Senate, without debate, the Anderson motion.

The Vice President is quite within his right in submitting the question to the Senate, instead of deciding it immediately without debate, but he has the right and duty at some point to exercise his authority under rule XX to permit the Senate to resume the normal conduct of its business, which the Senator from Vermont so anxiously seeks.

May I point out that this question has come before the Senate four times since I was elected to this body. I suggest this is the time to decide it one way or the other, even if it means other business must stand aside until the Senate has had an opportunity to vote on the merits of the critical problem as to whether we are going to readjust our procedures to the needs of the modern world and enable the Senate to exercise again those constitutional functions which the Founding Fathers placed upon it and which in the opinion of this Senator we have neglected to perform in the Senate in a number of important areas.

Mr. PASTORE. I should like to ask a question of the Senator from Pennsylvania, because I am very much interested in this subject. I am sure my colleagues from the South understand my position on civil rights. I voted for part 3—for all rights. As a matter of fact, I do not fully agree with the strategy now being followed, although I shall not elaborate on it at this point. I do not quite agree with the strategy being employed to bring about a conclusion of this matter, because in my opinion we are engaged in an exercise in futility. I would rather expend myself, and, as a matter of fact, exhaust myself, in fighting specifically for civil rights, and in exalting the dignity of man, instead of fighting over what a rule should be. I think this strategy is wrong, but I will talk about it at another time.

However, addressing myself to the remarks which have been made by my distinguished friend from Pennsylvania, I should like to ask him, how long has the right of freedom of speech on the floor of the Senate been a question of order?

Mr. CLARK. I think the answer is very clear.

Mr. PASTORE. I do not believe it is.

Mr. CLARK. Does the Senator wish to have me answer the question, or does he wish to make another speech?

Mr. PASTORE. I will wait to have the Senator give me his answer.

Mr. CLARK. It is very clear, in my view. The right of free speech continues to exist until reasonable debate has been had, which is a matter of opinion of each individual Senator. It exists until reasonable debate has exhausted the possibility of fruitful discussion. I believe that time comes when the merits of the case have been exposed fully—perhaps only once, but fully—by every Senator who desires to speak on the merits of a proposition.

I suggest to my friend from Rhode Island—and he knows he is my friend—that we have come very close to that point in the last 15 days.

Mr. PASTORE. But is not the question of reasonableness, a question for the Senate itself to decide? If this body cannot do it, how can we expect the Vice President to do it for us? How can we expect him to decide what is reasonable?

Mr. CLARK. I do not expect him to. The Senate should do it. The Senate should have an opportunity to say whether it has reached that point.

Mr. PASTORE. Is that question not subject to debate?

Mr. CLARK. Not after a reasonable time.

Mr. PASTORE. But would the matter of reasonable time not be subject to debate?

Mr. CLARK. Does the Senator wish to have me answer that question?

Mr. PASTORE. Yes.

Mr. CLARK. I say that the same inherent right exists as exists in every other legislative body in the civilized world, when a constitutional question of importance comes before it. When such a question comes before the Senate, the Senate should be able to debate it but for a reasonable time only. What I am seeking to have is a decision on the merits of the constitutional question submitted by the Senator from New Mexico, who, I am sure my friend from Rhode Island will agree, is a splendid Senator and feels exactly on this subject as I believe the majority of the Members of the Senate do.

Mr. PASTORE. I hold the Senator from New Mexico in high regard and I agree implicitly with the remarks of the distinguished junior Senator from Minnesota that the Vice President of the United States, who now occupies the Chair, conducted himself with restraint and with decorum.

Mr. CLARK. Have I said he has not done so?

Mr. PASTORE. No; but there have been some implications in that regard.

Mr. CLARK. I wish the Senator would not look at me when he says that.

Mr. PASTORE. I am looking at the Senator, but I do not charge the Senator with anything, I am addressing the Senator. It is nothing short of courtesy to look at a Senator when I am addressing him.

Mr. CLARK. I hope what the Senator sees pleases him.

Mr. PASTORE. I have not accused the Senator from Pennsylvania of anything. When and if I am ready to do so, I will do it. There has been an implication as to the motives of the Presiding Officer of the Senate.

Mr. CLARK. Not by me.

Mr. PASTORE. I did not say by the Senator. Let me say that I believe the Vice President is absolutely correct in his position that the matter of constitutionality is a matter to be decided by the body of the Senate. He has ruled that that question is subject to debate. The only trouble with the strategy that has been employed here is the fact that we are compounding confusion upon confusion. If we had submitted a civil rights bill and had had it referred to the Judiciary Committee, the situation would be entirely different.

I know that the clamor would have been raised that the Senator from Mississippi [Mr. EASTLAND] would not report it from the committee. I can understand why he might not. If he did not, I would not question his sincerity. Perhaps the Senator from South Carolina [Mr. JOHNSTON] would not vote to report a civil rights bill from the Judiciary Committee. If he did not, I could understand why he would not do so. I would not question his sincerity.

I have heard a great deal of discussion on the floor of the Senate on the power of the majority. The only trouble is that a majority has never exercised the power it has. If the Judiciary Committee refused to act, we could rise and move to discharge the committee from further consideration of the bill. All of us who deeply believe in civil rights would not then appear before the Nation as merely debating day in and day out a rule of the Senate. We would, instead, be fighting for the dignity of man. We would be crusading for nobility. We are not doing that now. We are wasting our days over how a rule should read, whether it should provide for decision by two-thirds of the Senators present and voting, or three-fifths of the Senators present and voting. We should have met the situation by introducing proposed legislation. We could then move to discharge the committee if it did not report the legislation. Then if we should get ourselves into a filibuster, we would be fighting for something worth while.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. In due time I will yield to the Senator from Pennsylvania.

Instead of doing what I am suggesting, what do we do? We bring in a resolution to do it through the back door, and that question is subject to unlimited debate. Therefore, we are now engaged in a filibuster. So Senators rise and talk under the rules, which give them the opportunity to speak twice on the question, and only twice. However, we do not have the patience or the restraint to wait for them to exhaust themselves. There are times when those of us who want to change the rule would rather be heard than to vote. So we do most of the talking, and we give the opposition an opportunity to rest, while we do the talking. We are not wise enough to sit down and let them exhaust themselves. They can talk only twice. They eventually would have to come to the end of their talk, even though it might take a month or it might take 2 months, or 3 months, or the whole session. However, we would get to a vote eventually. As it stands now, we get nowhere.

After they have talked day in and day out on one proposition, what do we do? We make a new motion. We raise a constitutional question. What does that do? That starts them all over again, giving them another opportunity to speak twice. That is the position we are in today.

Therefore we have compounded confusion. Now we are clamoring: "Let's vote. Let's vote."

So we will vote tomorrow at 3 o'clock. On what will we vote? It will be a vote to decide the second motion that was made by the Senator from New Mexico. What do we do then? We start all over again, debating the question whether the Senate will give the right to the Vice President to gag the Senate. After we get through with that filibuster, where are we? We go back to the earlier resolution, Resolution 9, which once more starts everything all over. When we get all through, what are we fighting over? We are fighting over a change in the rule. We should be fighting over civil rights. If we want to do it right, we should introduce part 3 and send it to the Committee on the Judiciary. If the committee refuses to act, we can move to discharge the committee. Then we will have a crusade. We should not be fighting over whether it should be three-fifths or two-thirds. We should have an opportunity to talk on civil rights.

Therefore, I say to my friend, I do not know who planned the strategy. I am sorry, because indirectly I have become a part of it. I certainly believe it has been a waste of time.

Now I yield to my friend from Pennsylvania.

Mr. CLARK. Mr. President, I should like to make two points in reply to the eloquent remarks of my able friend from Rhode Island. First, speaking for myself only, I do not consider a change in the rules as a back-door way of getting civil rights legislation. Speaking for myself only, I believe that civil rights is only one of many matters of importance which require the Senate to so change its rules as to bring these rules into conformity with every other civilized legislative body in the world.

Second, I think if the Senator from Rhode Island were to read the *Congressional Record* of the last 2 weeks, he would inevitably have to agree with me that we who have been seeking a change in the rules have spoken perhaps one-third or one-quarter as much as our friends from the South, who seek to prevent a change in the rules. Therefore, it is unjust to charge that we have talked more than they or, indeed, have done anything more than to make very simply, usually through the able Senator from Minnesota [Mr. HUMPHREY], the points on which we rely to convince the majority of Senators that the rules should be changed.

Mr. PASTORE. If I remember correctly, the distinguished Senator from Pennsylvania made a statement last year that the only way in which civil rights could pass the Senate was by a change in the rules. I do not agree with him. I think that if we would enforce the rights of the majority, if we would stay here; if the majority leader would say, "I move to recess," or "I move to adjourn," and the majority would defeat that motion, and would stay here until every Senator who wanted to speak against civil rights had his opportunity to speak twice, we would succeed. But we are not proceeding in that way. I say that the majority of the Senate is very powerful. It has tremendous power. The only trouble is that sometimes we do not exercise the power we have. We seek to give it to the Vice President and retreat from our own responsibilities.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. I agree with the Senator from Rhode Island that if the Vice President, in his judgment and wisdom—and he is entitled to make that judgment in accordance with his wisdom; I do not criticize him for exercising that judgment—does not wish to exercise the unquestioned authority which he has under rule XX, then our only alternative is to continue to have the Senate recess until each Senator has spoken twice; and I am prepared to stay here and do so.

Mr. PASTORE. I simply say, in conclusion, that I do not agree that the Vice President has that unquestioned authority. If the Senator from Pennsylvania thinks the Vice President has that authority, he has a perfect right to say so. But I do not think the Senator can give me sound proof that the Vice President has that authority. I heard the Senator read rule XX. I do not interpret it in the way he does. I do not think the right to speak has anything to do with being out of order. I think the right to speak is an inherent right possessed by every Senator. I do not think rule XX can be applied so as to allow the Vice President to gag the Senate.

The VICE PRESIDENT. Neither does the Chair agree that he has that right; neither do the Parliamentarians. Their unanimous agreement is that the Senator from Pennsylvania, who says that the question of order is the same as a motion, is completely in error. Rule XX applies only to questions of order, and it vests discretion with respect to a question of order. It does not apply to a motion. If a Senator seeks to call up a bill on the calendar or to offer an amendment, and there is objection, it is necessary to make a motion and to get a majority vote.

So, in the opinion of the Chair and of the Parliamentarians, the Senator from Pennsylvania does not understand rule XX.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I doubt whether the Chair needs any intervention by me either as to his meticulous observance of all the amenities of the Senate, or with respect to his knowledge of the rules. There was a time when the occupant of the chair used to sit down here. I thought he knew more about the rules than I cared to have him know. So I have no doubt about his knowledge and his circumspect observance of the rules.

But I would intrude an entirely earthy note. The minority is holding a policy luncheon, at which world-shaking matters will be discussed. I am wondering if I could not get the majority leader to ask the distinguished occupant of the chair to put the question.

The VICE PRESIDENT. Is there objection to the unanimous-consent request?

Mr. MANSFIELD. I reserve the right to object. I hope that after the Senator from New York, who is seeking recognition, has finished, we may get action on the proposal.

**Mr. JAVITS.** Mr. President, I shall be brief. I could not, in self-respect, hear the blinding eloquence of the Senator from Rhode Island without responding. I love his eloquence, but it is blinding, because I have made a motion to discharge the Committee on the Judiciary from part III and other civil rights measures. That motion went on the calendar, after debate until 2 o'clock in the afternoon, and upon the calendar it rested. It could not be brought up, because it was known full well that it would run into a filibuster.

Second, I do not yield to anyone in my admiration of and regard for the Senator from Rhode Island on the civil rights issue. I know that he will understand my feelings on that point. I do not question at all that his devotion is as sincere as mine. But I do feel that having seen motions to table succeed, including motion on part III itself, which is dear to my heart, and which I think the Senator, very properly, applied as almost an acid test on the civil rights issue—having seen motions to table succeed under the threat of a filibuster, which resides in the hands of one-third of the Senate, I must respectfully say that, whatever may be the attributes and the equities of the application of this rule to many other issues, the Senate has always labored under this difficulty. After all, it has been on the civil rights issue that we have never succeeded in getting cloture, even when the Senate sat around the clock.

The Presiding Officer, when he was the majority leader, kept our nose to the grindstone, so that we got at least something. We did not, by any means, get what the majority of the Senate wanted. We have never succeeded on a civil rights measure by cloture. Even if we had succeeded by reason of cloture, we would have, reading history backward, succeeded in only two or three civil rights measures; and in a total of 25 attempts at cloture, we succeeded in only 5.

I therefore say this, and I shall conclude: I do not challenge the feeling, the desire, and the passionate interests of the Senator from Rhode Island at all; but I do say, in all sincerity, and based upon these facts, that he should not challenge our sincerity, we who feel that this rule is a very critical and important issue of civil rights, and of many other things, and that we are not merely fencing or wasting time about a change of the rules. Indeed, I wish the country understood this situation even better.

We are going to the very heart of the process by which civil rights and other kinds of proposed legislation are twisted and shaped in this Chamber by a small minority. All we want to do is to make the minority a little bit bigger.

In all fairness to us, we are fighting a battle, as is the Senator from Rhode Island. But when he speaks about a new motion being made, any Senator could make a motion with respect to the pending question, which is the consideration of the Anderson motion—it would not have to be the Anderson motion—and our southern friends would be entitled to make two speeches again.

It is possible to break a filibuster by holding sessions around the clock; but it is not possible to break a filibuster on civil rights, even by that method, and the Senator, I think, well knows it. Perhaps the Senator does not agree with me, but the Civil Rights Acts of 1957 and 1960 fell far short of the mark, not because the majority did not want them, but because we had that gun at our heads; we could not break the filibuster. In the final analysis, the process of attrition produced the minimum, just about what we had to take in the absence of some change in rule XXII.

**Mr. PASTORE.** Why is the Senator from New York so fearful of a filibuster on a motion to discharge the committee, when that is precisely where we are now in the changing of the rule? I never questioned the sincerity of the proponents of such motions; I merely say the strategy is wrong. We are all boxed in a state of confusion. We are getting nowhere.

If the motion to lay on the table succeeds tomorrow, we shall be back precisely where we are now, at this very moment. If the motion does not carry, we shall revert to the motion of the Senator from New Mexico [Mr. ANDERSON] on Senate Resolution 9. We are getting nowhere, and are getting there fast.

The reason why our argument becomes weaker day by day is that many Senators will vote for cloture on civil rights but will not vote for cloture to change the rules. So if we are to run the risk of a filibuster, let us run that risk when we talk about the dignity of man, because that is what we talk about when we talk about civil rights. We would have a better chance to invoke cloture if we sought to invoke it on civil rights rather than on a change of the rules. I repeat, there are many Senators who would vote for cloture on civil rights measures, because they believe in civil rights, but who will not vote for cloture on a proposal to change the rules.

**Mr. JAVITS.** I only say to the Senator that history is against him. We have not succeeded in obtaining cloture under this rule on a single civil rights proposal.

**Mr. PASTORE.** We have yet not succeeded in obtaining cloture by this procedure, and we will not succeed in obtaining it now, either.

**Mr. JAVITS.** But we do not fight the main battle in that way.

**Mr. PASTORE.** And we cannot fight it on this, either.

**Mr. JAVITS.** Oh, Mr. President, this is it.

**Mr. SALTONSTALL.** Mr. President, I would not want the discussion today, to which I listened very attentively throughout, to be concluded without some very brief remarks on my part as to what I believe are the fundamentals involved in the debate and the discussion as to the unanimous-consent agreement to vote tomorrow.

I make that statement because I believe that at times it requires courage, intelligence and much thought to obey the precedents that have been built up through the history of our Government. I believe the Vice President, in referring to the Senate the question of deciding constitutional questions, followed one of the fundamental principles upon which our Constitution and our laws have been built. I make that statement because the ruling recognizes the independence of the legislative branch of the Government from the executive. Today the Vice President is a part of the executive function of our Government, and not the legislative. So in referring constitutional questions to the Senate to decide, the Vice President has exercised his powers very wisely.

The second fundamental question with which we are concerned today relates to the reason for the continuity of the Senate, which was a part of the establishment provided in our Constitution by our forefathers. The provision relating to the Senate was based upon the fact that we wanted Members to have experience. We wanted intelligence backed by experience to continue in our legislative body until new Senators coming in had had an opportunity to obtain a degree of experience. That is so provided in order to protect minorities. Also, that is in order to protect the theories and the practices upon which our Government has been based. That is a fundamental reason for the continuity of the Senate. I feel very strongly that, regardless of any issue, the Senate is a continuing body, and thus it is necessary to have rules to guide it.

The third fundamental point relates to the question of civil rights. Many Senators, including myself, wish to continue to elaborate upon the problems of civil rights. They desire to give all our citizens a better and more equal opportunity. But that is another fundamental question in itself. We will not decide that question now. We will not assist in the civil rights program, with much of which I agree, unless we live up to the fundamentals on which our Government has been based and built. That is the reason why I believe we should take the action we are taking today after so many days of debate.

I wish to commend the Chair as an individual Presiding Officer for taking the stand and the attitude the Chair has assumed today and took in recent days, first, to refer to the Senate the decision of any constitutional question, and, second, not to be drawn into making decisions on parliamentary inquiries that are not essential at the moment, but are placed on the basis of hypothetical questions assuming what may happen.

The duty of the Presiding Officer is to make decisions on points of order and other questions when they are clearly a part of the business of the Senate. He should not be placed in the position of making decisions on parliamentary inquiries about situations that may or may not become realities.

I commend the Vice President, who is Presiding Officer at this time. I believe that the Senate is proceeding now to a vote which I hope will lead to a decision on the question of the rules; we want to see that question cleared up at the earliest possible opportunity.

Mr. President, I yield the floor.

**The VICE PRESIDENT.** Is there objection to the proposed unanimous-consent agreement? The Chair hears none. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, earlier I stated that there was much cooperation by Senators on both sides of the question. In that connection, I neglected to mention that among those who were most accommodating when I discussed the matter with them were the Senator from Oregon [Mr. Morse], who has a resolution at the desk, and also the Senator from New Mexico [Mr. Anderson], whose motion is now pending. I wish to have the Record show clearly that all these Senators on both sides were very accommodating in trying to reach a reasonable agreement which could be brought before the Senate at this time.

## ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, in view of the fact that the unanimous-consent agreement has been entered into, I ask unanimous consent that the previous order that the Senate convene at 10 o'clock tomorrow morning be changed to 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

## LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President——

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. I merely wish to ask how long the majority leader believes the Senate will be in session today.

Mr. MANSFIELD. The Senate can take a recess at any time from now on.

## COMMITTEE MEETINGS

Mr. MAGNUSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MAGNUSON. In view of the fact that there is a unanimous-consent agreement to have the Senate vote at a time certain on tomorrow on at least one motion, I wonder whether the majority leader and the minority leader will suspend their hold upon unanimous-consent requests that committees may meet tomorrow morning prior to the session of the Senate?

Mr. MANSFIELD. The Senate will meet at noon tomorrow; so the committees can meet.

And so far as the Senator's desire, along with that of the Senator from New Mexico, is concerned—I refer to the desire to have a bill referred to another committee—that action may be taken right now.

Mr. MAGNUSON. Very well.

## CHANGE OF REFERENCE

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill (S. 451) to prohibit the destruction of wild birds and animals in Yellowstone National Park for the purpose of controlling their number, and that the bill be referred to the Committee on Interior and Insular Affairs.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

## MEETINGS AND HEARINGS OF COMMERCE COMMITTEE

Mr. MAGNUSON. Mr. President, let me announce, for the Record—because there has been considerable confusion about committee meetings—that the Commerce Committee has two or three important nominations and some other business to handle, and had planned to meet tomorrow morning at 10 o'clock. I wish to announce for the Record and for the benefit of other committee members—I see the Senator from New York and others here—that the committee will meet tomorrow at 10:30 a.m.; and we shall see whether it can get these nominations on the way.

## SENATOR DENNIS CHAVEZ

Mr. ANDERSON. Mr. President, on last November 17, the people of New Mexico and, indeed the people of this entire Nation lost a good friend and servant of the public interest when Senator Dennis Chavez died. He has served in the House and the Senate of the United States for 32 years, and in that time was recognized as an advocate of the cause of the little man, the man who can sometimes be without an advocate in high places. Perhaps his greatest achievement in Congress was his service as chairman of the Defense Appropriations Subcommittee. He played an active part in helping to create the military strength that has enabled this country to pursue the international objectives of peace and the security of the free world.

On March 1, the Reserve Officers Association of the United States will honor our late colleague by bestowing on him posthumously the honor of "Minuteman of 1963."

I ask unanimous consent that an article from the Officers, a publication of the Reserve Officers Association, detailing some of the accomplishments Dennis Chavez achieved over a long and useful life, may be printed in the Record, at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Born in Adobe Hut, ROA's Minuteman Rose To Become Powerful Leader

(By John J. Ford)

Born in an adobe home with a dirt floor, too poor ever to go to high school and past 30 before he could afford to study law, Dennis Chavez rose to become chairman of the most powerful subcommittee in the U.S. Senate—the group that sets the annual appropriations for national defense. At the time of his death last November he was fourth senior Member of the U.S. Senate and had served as a Senator longer than any other man from New Mexico.

As a boy he was forced to leave school in the seventh grade to go to work and help support his family, driving a grocery wagon 12 hours a day for the princely salary of $2.75 a week. As a Senator he headed the unit that wrote awesomely expensive Defense bills, directing the spending of $40 billion or more annually. His first job had taught him the value of the dollar but in his last he never made the mistake of trying to put a price tag on defense. Chairman of the Defense appropriations unit during 8 years when Congress was showing renewed interest in strategic planning and exerting a big influence on such planning through the money bills, he consistently fought for a stronger Defense Establishment. He was in the forefront of the fight for a larger Army and Marine Corps, minimum strengths for the Reserves, speedier development of Polaris, a nuclear carrier, more conventional airpower, and development of the B–70.

The grocery wagon job was in Albuquerque, 25 miles north of Los Chavez, in Valencia County, where Dennis was born on April 8, 1888, the son of David and Paz Sanchez Chavez. The name of his birthplace was not coincidental; his roots went deep in the soil of Valencia County. He was on land deeded to his direct ancestors by Phillip II of Spain in 1597. One of his progenitors was the first jefe politico (Governor) of the New Mexican territory when Mexico won its independence from Spain in 1821.

The roots were deep but the soil was dry. David Chavez struggled in vain to provide a living for his family on the parched earth of his forebears. When Dennis was 7 the family moved to Albuquerque where there were jobs and also schools. In Los Chavez there were no schools, no books and only Spanish was spoken. Dennis later said he had become a Democrat because, "I saw that under the Republicans English-speaking communities had schools, Spanish-speaking communities had none."

#### TO WORK AT 13

But the family was still poor and at 13 Dennis, oldest of eight children, had to go to work. He not only drove the delivery wagon, he cared for the horse and stable. He once said he spent his youth "playing valet to a horse at 6 o'clock in the morning." The hours were from 6 a.m. to 7 p.m., except on Saturday. On Saturday he worked till 11 p.m. On weekday evenings he studied in the local library, reading his great hero, Jefferson.

After 4 years the pay was up to $11 a week but one day the store owner told him to deliver food to men hired to break a strike. He refused and was fired. At 17, he had taken his stand on the side of the underdog. It was the only side he was comfortable on for the rest of his life.

Examples of this come up again and again in his career. He worked tirelessly for the Mexican people of his State, who had discrimination problems, and for the often neglected Indians of the West.

A little known incident happened in connection with the defense money bill, which regularly contains restrictions against buying food and clothing from foreign suppliers. In 1955 Chavez added to the restriction the buying of "spun silk yarn for cartridge cloth." A man who owned a small silk plant who had supplied the cartridge covers to the Navy testified he was being forced out of business because the Navy was buying the covers from Japan. He had some evidence the Japanese product did not wear as well as his own. He had a small business and no lobbyist or Senator to fight his cause; he was a little man being disregarded by the Federal Government. Chavez put in the rider to protect him and the jobs of the people who worked for him. Senator Chavez had never seen the man before the committee hearing and never saw him after that but the rider stayed in the bill despite pressure from the State Department and other sources. It is still in the Defense bill today.

#### TAKES SENATE JOB

The ex-wagon driver studied at night to become a qualified surveyor, worked as assistant engineer for the city of Albuquerque. A job as interpreter for Senator A. A. Jones in 1916 brought an offer of a clerkship in the U.S. Senate. Encouraged by his wife, whom he had married in 1911, he gave up a promising start in the contracting business to come to Washington and fulfill his long dream of studying law. At the tender age of 30, a married man with two children who had never seen the inside of a high school or a college, he entered Georgetown Law School.

Years later, any young man who served on Senator Chavez's staff was required to use his spare time bettering his education. Among ex-Chavez staff men who got their higher education this way are a former Lieutenant Governor, a former district attorney, and a number of prominent lawyers and doctors.

With his law degree in 1920, Chavez started a notably successful law practice (though often defending clients who could not afford attorney fees). In 1923 he was elected to the State legislature where he introduced the first bill to provide free textbooks to the schoolchildren of New Mexico. In 1930 he was elected to the House of Representatives, unseating incumbent Republican Albert Simms.

Reelected in 1932, he tried unsuccessfully to defeat Republican Senator Bronson Cutting in 1934 in one of the more acromatic campaigns in New Mexico history. It was the only one of 13 major primary and general election campaigns he lost. When Cutting died in a plane crash in 1935, Chavez was appointed to the seat. He was elected to it in 1936 and reelected in 1940, 1946, and 1952. Early building a reputation as a fighter for the things he believed in, he fought some tough battles in the political arena, once complaining it was his fate "always to run against a million dollars."

### PROUD OF HERITAGE

The only Senator of Spanish descent, he was intensely proud of his heritage. Once, when asked his nationality, he replied, "American since before Plymouth Rock." An aid once said Chavez was recognized by his colleagues as "one of the last great individualists in the Senate." Like the great individualists throughout the history of the Senate, he had courage. His fellow Senators much admired that courage in 1950, at the height of the McCarthyism era, when many in the Congress were afraid to speak out. Chavez rose on the Senate floor to denounce McCarthy's favorite witness, Louis Budenz, as a man who gave "un-American, un-Christian, dubious testimony" under the "shield and cloak" of the Catholic Church. Chavez, himself a Catholic, said the period might be remembered as a time "when we have quietly shackled the growth of men's minds."

Early in the years of the war he showed that foresight on defense matters that marked his later service. The Senate was debating the Army appropriation bill in 1940 at a time when air power was still little understood and attempts were being made to cut the funds for pilot training. Chavez argued, "I maintain that our national defense in the future will be * * * the airplane of the future. I am for anything that may be done for the making of better pilots and for bringing about of technical improvements in this field."

### EQUAL PAY FOR NURSES

Senator Chavez often helped on defense matters in less conspicuous ways. Early in the war there was a terrible shortage of nurses in the Army. Looking into the problem Chavez learned the pay for nurse second lieutenants was below that of male officers of equal grade. He prodded the War Department into paying nurses the same as other officers and recruitment soon picked up.

He wanted a strong defense and he wanted Congress to take the lead in bringing it about. In 1959 his committee reported a bill providing a 200,000-man floor on the Marine Corps and minimum strengths of 300,000 and 400,000 respectively, for the Army Reserve and Army National Guard. (He had also voted for an Active Army of 900,000 but it had lost in committee.) When some in Congress questioned whether Congress should be setting strength minimums or other details of military policy, Chavez said:

"The fundamental issue involved far exceeds in importance the questions of what constitutes an adequate strength for the Marine Corps. What is in fact involved here is the constitutional role of the Congress in the formulation of national military policy. The Constitution places the ultimate responsibility for defense squarely on the shoulders of the Congress."

He then lectured his colleagues with precedents—dating back to the time when veterans of the Continental Congress served in Congress—of the legislature setting the size of the Armed Forces and such details as how many marines would be carried on specific naval vessels. He even brought up a case where Congress had specified the tensile strength of the steel to be used in construction of warships.

"In those occasional incidents where our most carefully considered judgments differ from that of the Executive," he concluded, "the Congress cannot in honor and good conscience absolve itself of the burden by supinely bowing to the Executive."

Senator Chavez had a clear understanding of the value of the Reserves. On July 13, 1959, he told the Senate:

"Over a period of years there have been progressive reductions in the strength of the Active Army. One of the factors compensating for this reduction has been the increasing effectiveness and readiness of the Army National Guard and Reserve.

"The Guard and the Reserve are the lowest cost military forces that we have. As an economical and effective alternative to large standing forces they should, at all times, be kept at the optimum levels comparable with the importance of their mission.

"Because no nation, however prosperous, can afford to maintain on active duty all of the personnel who might be needed in time of national emergency, it is imperative that there be a pool of trained manpower available at a moment's notice. The Guard and Reserve, if properly maintained at adequate strength levels, will be able to fulfill this requirement."

### LONG, USEFUL LIFE

The respect that fellow Senators had for Senator Chavez' service on national defense matters was well expressed by Vice President LYNDON JOHNSON who said, "I believe the Members of the Senate and every liberty-loving American looks with a great deal of approval upon his efforts. The Senator from New Mexico has had a long and useful life of public service; and I think the Senate is honored to have him head this important subcommittee."

Senator Chavez was thought to have won a year-and-a-half battle with cancer of the throat and was learning to talk again with a metal tube in his throat. He left the hospital last fall to campaign for his party's ticket in New Mexico. He contracted a virus which, coming after the long illness, led to a heart attack that took his life November 17, 1962.

Those who attended the funeral in Albuquerque noted that when the funeral procession moved through the poorer sections of the city the people lined the streets for miles to pay their last respects. They had lost a great friend and they knew it. They always do.

## OFFER OF FULL ECONOMIC PARTNERSHIP TO GREAT BRITAIN AND THE COMMONWEALTH COUNTRIES

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill designed to meet the impact of Gen. Charles de Gaulle's veto of Great Britain's application for membership in the European Common Market. This bill, which will amend the Trade Expansion Act of 1962, will enable the United States to offer "full economic partnership" to Great Britain and to the Commonwealth countries; and in that connection I emphasize Canada, New Zealand, and Australia, as well as the other Commonwealth countries.

Mr. President, the introduction of this bill, which I had offered as an amendment to the Trade Expansion Act when it was first debated in this Chamber, is directly attributable to President de Gaulle's action in bringing about rejection of Britain's application to join the Common Market.

Mr. President, we must look at that action with sorrow, rather than with anger; and we must not let it deter us from the greater mission of free world integration, to which we are dedicated.

This bill would authorize the President to make a determination as to which nations may be considered fully developed, and therefore it will enable the President to make more substantial concessions in tariff terms on products of industries which the President determines have the greatest demonstrated capacity and potential for export expansion and the greatest growth potential and highest productivity. The bill would unshackle the President's hands from the present provision of the Trade Expansion Act which would prevent exactly such arrangements, and therefore would prevent the United States from offering the United Kingdom and the other Commonwealth countries full economic partnership—the reason being that the Trade Expansion Act of 1962 contains an 80 percent clause as a condition for the elimination of the tariffs on certain items, the 80 percent clause being based on the amount of business done in those items by the European Economic Community and the United States in world trade. Under that provision, if Britain had been admitted to the European Economic Community, we would have had a rather important and inclusive list; but with Great Britain excluded, the list becomes rather small and minimal.

So, Mr. President, this bill will enable the United States to offer "full economic partnership" to Great Britain and to the Commonwealth countries—with special emphasis, as I have said, upon Canada, New Zealand, Australia, as well as the other Commonwealth countries; and by means of this bill we shall implement our deep concern with the mission of free world integration. We must do it in a practical way, by unshackling the President's hands from the particular restriction contained in the Trade Expansion Act of 1962, which was based on the assumption that the United Kingdom would join the Common Market—although now we find that Britain's application to join the Common Market has been rejected.

Mr. President, I believe this is a temporary crisis, and that there could not possibly survive the kind of isolationism and provincialism which is typified by this crisis, in view of the fact that there is no economic or political justification for it, as our President so very plainly has said.

I believe the following points need emphasis, in the light of this crisis:

First. Although France may have a determining influence on the short-run destinies of the EEC partners—in short, although she can veto, under President de Gaulle's direction, the application of the United Kingdom for membership in the EEC—there is no reason why this veto should apply to the destinies of the whole free world. My bill is designed to unshackle that.

Second. Political and economic realities and the need for a consolidation of free world strength against Communist aggression call for a policy of patience, coupled with positive action; and this bill will enable us to implement the profundity of our views on this subject.

Third. We must not allow this temporary disruption of the progress of the free world toward economic integration and political evolution to be made permanent. At the same time, we must not undertake retaliatory arrangements out of anger or out of distaste for what has occurred. Hence, I suggest that by means of this bill the Trade Expansion Act of 1962 be amended, so as to enable our country to offer full economic partnership to Great Britain and to the Commonwealth countries, including particularly Canada, New Zealand, and Australia, as well as the other Commonwealth countries, as I have already emphasized, and to implement that by means of the bill I am now introducing.

Fourth. Free world trade and other economic patterns must be developed along lines which are as rational as possible under the current circumstances, and must always look forward to the eventual full resumption by the EEC of its partnership role in free world integration.

Fifth. All elements of U.S. economic and political policy must take account of the interests of the other five members of the EEC and of their strongly stated desire for a responsible and full role as members of the free world.

Sixth. Whatever may be done now, in this temporary reverse to the cause of free-world economic strength, as typified by the denial of Britain's application for admission to the EEC, the potential of EEC strength remains an ever-growing reality. So we must free our hands, so as not only to be able to harness ourselves but also to be able to harness the United Kingdom and the Commonwealth countries to the common purposes and aspirations of the economic integration of the free world.

Mr. President, this bill makes possible an economic association of the English-speaking peoples, placed as the core of an economic force to which all other free-world nations will, in my opinion, adhere.

This is the outward-looking concept from which for the moment the European Economic Community has turned away. Yet it is absolutely vital to the freedom and to the success of freedom against communism in the world.

The administration's insistence last year on staking the success of the great new U.S. initiative in the trade field on the expectation of the admittance of the United Kingdom to EEC was an unhappy experience. The thing to do now is to take measures which will put us in a new posture.

Mr. President, in closing I wish to pay tribute to the farsighted leadership of my dear friend the distinguished Senator from Illinois [Mr. DOUGLAS], who, it will be remembered, enabled the Senate to amend the Trade Expansion Act by authorizing tariff elimination with the EEC and with members of the European Free Trade Association, of whom the United Kingdom is one, whether or not these two organizations actually combined into one. This amendment was lost in the conference. The amendment, which was lost in conference with the House, was reintroduced by the Senator from Illinois [Mr. DOUGLAS], and I commend him highly for that step, and I support him.

What I am adding in my proposal will allow not only the European Free Trade Community to be dealt with adequately, but the Commonwealth countries, including Canada as well. I have every confidence that the Senator from Illinois [Mr. DOUGLAS] will join me, or I will join him in the broadened concept which is absolutely essential as a step to give some feeling of reassurance and confidence to the people of Great Britain and the people of the Commonwealth who today might very well feel adrift in the economic turn of the world pending early action in the Senate upon the measure of the Senator from Illinois and myself.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 602) to authorize the President, in carrying out trade agreements with fully developed countries or areas, to reduce duties below the limitation set forth in section 201(b)(1) of the Trade Expansion Act of 1962, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Finance.

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### AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. ERVIN. Mr. President, we had a great judge in North Carolina named William Alexander Hoke. For many years he was a judge of our superior court. He was a trial judge.

During his later life he was elevated to membership upon our State supreme court, and ultimately became its chief justice. The discussion which has gone on in the Senate today has impressed me with the wisdom of the ancient Latin proverb that the greatest of all human virtues is patience.

On one occasion, Judge Hoke was called upon to hold a 1-week term of criminal court in a rural county. On the Saturday prior to the Monday on which this court convened, a man had allegedly committed a most atrocious crime in that county. He was speedily indicted by the grand jury on the Monday morning after the court had convened, and Judge Hoke had charged the grand jury. This particular defendant was indigent. When Judge Hoke found that he was in such a state of poverty that he could not retain counsel for his defense, Judge Hoke appointed counsel to defend him pursuant to the law of North Carolina.

After that counsel had been appointed and had consulted with his client, he returned to the courthouse and stated to the court that his client had furnished him with the names of certain witnesses whose testimony would tend to disprove the charge against the defendant, and assured the court that it would be impossible to obtain the attendance of these witnesses at the then term of the court, which was due to expire at the end of that week. So he moved the court that the case be continued until the next term in order that he might be able to procure the attendance of those witnesses and present a defense for the defendant.

The prosecuting attorney was a man who did not put very much value upon patience. He was a man who wanted justice administered speedily, even if it endangered justice itself. I could not help thinking of this prosecuting attorney when I heard the speeches of some of my brethren this morning, and I could not help thinking of this event in the life of Judge Hoke.

The prosecuting attorney rose in opposition to the motion of counsel for the defendant and told Judge Hoke that if he continued the case to the next term the defendant, whose alleged crime had aroused a great wave of popular sentiment against him, might be lynched by the mob. Thereupon Judge Hoke said, "The case is continued. If I have to take my choice between having the defendant lynched by the mob or mobbed by the court, I prefer that it shall be the former."

The Senate came into existence in the year 1789, and since 1789, for all practical intents and purposes, it has enjoyed what may be called in substance the right of unlimited debate. Even in the first days of the Senate, when it had what was called the "previous question," that was not the previous question in the sense that term is used in parliamentary law, because the previous question was itself debatable and the previous question could not be offered to any amendment.

The Senate has existed a long time and it has operated under rules which have always allowed a minority the right to speak their honest thoughts. We have a constitution which gives to all American, as private citizens, the right to think and speak their honest thoughts concerning all things under the sun.

I was astounded today to hear two Members of the Senate rise and suggest that the rules under which the Senate has been operating since 1789 ought to be set aside in an arbitrary manner by the Vice President of the United States. I could not help thinking about the value of patience.

I am glad that the Vice President ruled, as I knew he would rule, that the rules of the Senate are not going to be "mobbed" by him.

The Senate will command the respect of the country as long as it affords its Members a reasonable opportunity to stand upon the floor of the Senate and state their case. The Senate will forfeit—and rightly forfeit—the respect of the Nation whenever a majority of the Senate becomes so impatient it is willing for the Vice President of the United States to "mob" the rules of the Senate in order to silence Senators who seek to express their honest convictions as to what is best for our country.

I commend the Vice President for performing his duty and ignoring some very unfortunate statements made by some Senators in their impatience.

So long as the Vice President of the United States, who presides over the sessions of the Senate, stands by the rules which govern the conduct of the Senate, notwithstanding the fact that his action may not be popular in some quarters, the Senate of the United States will endure and command the respect of the American people, and fulfill the important purpose for which it was created by the Founding Fathers.

I was astounded to hear it suggested that the Senate of the United States should abandon the rules under which it has operated since 1789 and adopt foreign parliamentary procedures in which the emphasis is upon speed even at the cost of silencing the representatives of the States.

I thank God that the Senate of the United States is not like any other legislative body on the face of the earth. Its greatest value to our country lies in the fact that in the Senate of the United States a substantial minority of its Members can stand upon its floor and fight for the things they believe are best for our country under rules which give them an adequate opportunity to present their views. The worst thing that could ever happen to our country would be for the Senate of the United States to be remodeled in the form of some of the legislative bodies in which free speech is not permitted.

If the Senate ever amends rule XXII so as to permit a substantial majority of its members to be muzzled and thus denied the right to represent their States in a practical way, it will thereby destroy its chief distinctive feature, the only thing which gives it any priority in excellence over other legislative bodies on the earth.

The Senate is fortunate to have as its presiding officer the present Vice President, whose distinguished service as a Senator made him familiar with the precedents and traditions of the Senate and gave him an abiding love for the Senate as a legislative institution where deliberation is permitted. I want to commend him for his fidelity to the Senate's precedents and traditions.

Mr. President, I should like to ask unanimous consent, in this connection, that an article written by William S. White, which appears in the Evening Star for this date, may be printed at this point in the body of the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Attack on Constitutional Balance

(By William S. White)

Under cover of demands for seemingly dusty changes in Senate rules, a profound attack on the very constitutional balance in this country is now unfolding.

The ultimate objective is to reduce the power of the smaller, less urbanized States in the only national forum where such power still exists—the U.S. Senate. The ultimate effect would be the substitution of a Gallup Poll kind of majority rule, based almost wholly upon the wishes of the populous urban centers and States and interests, for the matchless system of checks and balances written into the Constitution nearly two centuries ago.

The end of it would be a new majoritarian rule based upon megalopolis—the supercity, the superstate—which would give little time and less heed to any and every section or interest in the United States which was not allied with the new majoritarianism.

In short, what is finally sought here is the creation of a new political system of totally unchecked majority rule—instant government like instant coffee—in spite of the fact that the whole heart of the Constitution is meant to restrain majorities from running over minorities. Not even a majority of 99 percent can presently take away the basic rights of minorities, even the irreducible minority of one man, to free speech, free religion, the private enjoyment of private property.

#### THE LAST BASTION

Those attempting this fateful amendment of the Constitution by unconstitutional means are naturally centering upon the one place where they have not already won the game—the Senate. They are generally called liberals and generally they are Democratic Senators from big urban-controlled States, plus a handful of Republican liberals from the same kind of States.

A more exact term for them, however, is majoritarians. Chief among them are such Democratic Senators as Paul Douglas, of Illinois; Wayne Morse, of Oregon; and Joseph Clark, of Pennsylvania; and such Republican Senators as Jacob Javits, of New York; and Clifford Case, of New Jersey.

Their immediate objective is to end the effective power of any minority to resist by prolonged talking in the Senate through applying a parliamentary gag. Their case is superficially attractive. The filibuster has a bad name because Southern Senators have long used it to retard civil rights legislation. The fact, however, is that what is poison to the majoritarians in other hands is meat in the hands of the majoritarians themselves. The same weapon has been used by them more often than their opponents, to retard legislation sought by conservatives generally.

#### CIVIL RIGHTS ONLY A VEHICLE

Civil rights therefore is only the vehicle by which the majoritarians really intend to break not merely Southern resistance to civil rights bills but any and all minority resistance on any and every issue with which minorities may dare to disagree with the majoritarians. For when a minority, however "wrong," can be gagged today, a minority, however "right," can be gagged tomorrow.

There was a time when 26 States were soundly estimated to be in control of the shadowy Ku Klux Klan. These 26 States could have voted a clear majority in the Senate and, under the new debate restrictions now being demanded, undeniably could have halted all debate on any issue whatever.

The great bottom truth is that the Senate is literally the only place left where political minorities have truly effective rights. The House is a strictly majority-rule-by-one institution. And minorities, including small populated States, have little to say about either the nomination or election of a President.

All this is specifically why the Constitution gave each State, regardless of size, two votes in the Senate.

Those demanding changes in the Senate rules are demanding infinitely more than this. They are demanding, consciously or not, a revolutionary overturn in the basic form of government toward a monolithic, automatic, foredoomed conformism to whatever megalopolis might decide at any given moment.

Mr. ERVIN. Mr. President, in closing I urge all the new Members of the Senate to read the book written by William S. White entitled "Citadel." It was written by a man who, like the Vice President, knows the history of the Senate and appreciates the value of the Senate as an institution in American life. I am convinced that if the new Senators would read "Citadel," they would understand that the Senate was constituted as it is as a matter of compromise so that the United States of America could be brought into existence and that the United States of America would not have been brought into existence if the Senate had been constituted in any other way. They would know that William S. White speaks an eternal truth when he states, in substance—these are not his exact words but this is the meaning of his words—"It is well to remember that any rule which can be used today to silence a troublesome demagog can be used tomorrow to silence a brave man fighting for a righteous cause, and that the pleading minority of today may be the arrogant majority of tomorrow."

Someone has said that the saddest epitaph which can be written for a lost right is that those who had the power failed to stretch forth a saving hand while there was yet time.

So I say, in expressing my beliefs about the matter under discussion, that the worst fate which could befall our system of government would be for Members of the Senate not to stretch forth saving hands when an effort is made to destroy the right which makes the Senate a distinctive and deliberative legislative body—the right of freedom of debate by freemen. I am confident that the overwhelming majority of the Senate sustains and upholds the action of the Vice President in refusing to depart from the precedents and rules of the Senate in order to follow what has been so well characterized as the course of a dictator. I thank the good Lord that we have in the office of Vice President a great former Senator, a great Vice President, and a great American, who loves his country too much to destroy what have been the precedents and rules of the Senate since this Nation was born.

Mr. BIBLE. Mr. President, if the Senator will yield, I simply do not want to let this opportunity pass without fully concurring in both the statement of the senior Senator from Massachusetts [Mr. SALTONSTALL] and the senior Senator from North Carolina [Mr. ERVIN]. I wish to echo the sentiments which have been expressed better in the words spoken by the senior Senator from Massachusetts and the senior Senator from North Carolina than I could have done.

Mr. ERVIN. I am deeply grateful to the Senator from Nevada, who knows the traditions of the Senate and who reveres the Senate as an institution.

Mr. CASE. Mr. President, several years ago, when I was a member of the Committee on Rules and Administration, I submitted, as part 2 of Report No. 1509 of the 85th Congress, 2d session, individual views on proposed amendments to rule XXII. The individual views discussed at some length the history of debate and limitation of debate in the early Senate, including the role and authority of the Vice President as Presiding Officer of the Senate.

Since we are to vote tomorrow, it seems to me appropriate, and, I say, perhaps with some immodesty, desirable, to make the material that I was able to put together at that time available for the information of the Members of the Senate and for reference in the debate tomorrow.

Accordingly, I ask unanimous consent that I may have printed in the RECORD excerpts from the report.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

At the time the Committee on Rules and Administration filed its report (S. Rept. 1509) on Senate Resolution 17 (Calendar No. 1534) I had not completed compiling certain historical data which I felt should be included in that report. Thus I obtained permission of the committee to file this information at a later date as part 2 of the report.

This report, in the form of my individual views, is in no sense a dissent to the brief majority views, to which I fully subscribe. This second part of Report No. 1509 is intended to supplement and support the fine work already done by giving more fully the history of control over debate in the Senate.

This history clearly shows, I believe, that up to about the time of the Civil War a majority of the Senate, under its rules and precedents and the dignity of its customs, did have the authority to—and for the most part did—effectively control debate and prevent filibusters by insisting that Senators confine their speeches to the question at issue and that Senators conduct themselves in a manner in keeping with the traditional courtesy and dignity of the Senate. Exceptions may be cited, but the truly representative picture of the Senate prior to the Civil War, as shown by the historical records of the Senate, is that of a body of men who observed dignity and restraint in debate, who did not consider talking to consume time a parliamentary instrument appropriate for use by the Senate. When delay by speech was tolerated the Senators engaged in this dilatory device either kept their remarks germane to the issue or the majority did not choose at the moment to insist upon strict observance of the rules and precedents. In short, as the evidence presented below demonstrates, the filibuster is a device not merely to delay but to prevent Senate action is a modern institution which finds no support or sanction in early Senate history and practice.

Under the present rules, moreover, there is an ever-present danger of this kind of stultifying filibuster. This is the evil which a majority of Senators desire to root out. Filibusters which are staged by one or more Senators merely for the purpose of delaying a vote in the Senate for a time and to bring the question dramatically to the attention of the country may or may not be justified in particular instances, depending on one's point of view.

But these filibusters do not prevent the majority from ultimately acting and are not the kind of conduct against which Senate Resolution 17 is aimed.

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### EARLY SENATE PRECEDENTS ON FREEDOM OF DEBATE

In support of their argument that the rules should not be changed to prevent a minority from imposing a bar to legislation by veto, the opponents of rule change rely on their interpretation of the spirit of the Constitution as shown by selected excerpts from the records available to us of the debates in the Constitutional Convention of 1787 and by selected passages from the Federalist Papers. The one source they do not rely on is the wording of the Constitution itself, which clearly states that except for the situations specifically mentioned therein, a majority of the whole Senate "shall constitute a quorum to do business."

They refer to the Constitution as a magnificent compromise worked out by the Founding Fathers between the big States and the little States. They speak of its checks and balances and refer to Senators as ambassadors from sovereign States. Out of all this, they have conjured up the power, even duty, of Senators to protect States rights by the senatorial privilege of filibustering permitted under the present rules.

The fact is, however, that the available information concerning the debates in the Constitutional Convention of 1787 as well as the views expressed in the Federalist Papers which even remotely touch on the question of debate are both meager and, especially so when taken out of context, conflicting.

The junior Senator from New York [Mr. JAVITS] in his analysis[1] of the ideas which governed the deliberations of the Constitutional Convention clearly showed, I think, that the prevailing view among the delegates favored majority control of the Senate and would have opposed the right to filibuster if that issue had been squarely raised. I am content to let this point rest on his brilliant analysis and shall not duplicate the evidence here.

The other principal bulwark of the case made out by those opposed to amending the cloture rule is the myth, previously alluded to, that from the Senate's early days the license of unrestrained and irrelevant speech—the right to free debate—has been a traditional and historic senatorial prerogative. The opponents to rule change rely on this myth as a strong precedent, taken alone, and also as support for their claims that the spirit of the Constitution would be somehow violated if the Senate rules were changed to make cloture a practical possibility.

The opponents of change do have trouble, however, with the fact that the first Senate rules did provide for a motion for the previous question, which under general parliamentary law, immediately closes debate and brings the pending issue to a vote. We can take it for granted, I am sure, that the Members of the first Senate, some of whom were delegates to the Convention of 1787, had freshly in mind, at the time they adopted their rules, the ideas which prevailed during the deliberations at Philadelphia.[2]

The opponents of rule change attempt to avoid this difficulty by contending that the modern use of the previous question is a perversion of that motion as used in the 17th century British Parliament and as inherited and used by the Continental Congress and the early U.S. Congress. They are aided in their contention by the confusion which has in recent years surrounded the early use of the previous question motion. Senator JAVITS in his incisive historical account of this motion, supported by the thorough and brilliant scholarshp of Mr. Irving Brant, the eminent biographer of James Madison, has dispelled the confusion and made it clear that in the 17th and 18th century House of Commons the motion for the previous question was a most effective instrument of cloture.

I shall therefore not burden this discussion with the historical details of the use of the previous question motion in the House of Commons but refer those interested in a full discussion to Senator JAVIT'S individual views.

In the Continental Congress the motion for the previous question was available to close debate.

In the U.S. Senate and the House of Representatives[3] also this motion was a device to bring debate to a close. That this motion could also be put to other uses such as delaying further consideration of an issue is beside the point. The use the motion would serve in any given situation depended upon how the members of the body voted. A majority by their affirmative or negative vote determined the effect of the motion.

A stronger argument available to opponents of rule change based upon the early use of this motion in the Senate (and in the House, too, for that matter) is that debate was originally permitted both on the motion for the previous question and thereafter, even if it carried, on the main question. This fact has led some students of this motion to the erroneous conclusion that debate on a motion for the previous question could be had "without let or hindrance."[4] Those who so hold, however, overlook two controlling factors: (1) Under the Senate rules in effect until 1828 the Vice President, as the President of the Senate, had authority to decide all questions of order and decorum without appeal; and (2) "Thomas Jefferson's Manual of Parliamentary Practice," which codified the general parliamentary law in effect at the time it was compiled and which was regarded as controlling on all questions not specifically covered by Senate rules, provided in section XVII: "No one is to speak impertinently or beside the question superfluously or tediously." In other words, in the British practice and the later American practice, an affirmative vote on a motion for the previous question usually was followed immediately by a vote on the main question without debate. This was so because the members of these parliamentary bodies knew that when a favorable vote was obtained on a motion for the previous question, the sense of the house was to close debate and vote on the main question. If, however, a member or two desired to develop a point considered by them important to the issue, the courtesy which prevailed in those houses would permit the additional remarks to be made, except in times of great political tension as in the years of the Cromwellian revolution in England in the middle of the 17th century or in the turbulent days in the House of Representatives in 1811 leading up to the War of 1812. Amendments could even be offered, and I do not doubt that on occasion a Senator, after a motion for the previous question had been made or following a favorable vote thereon, was indulged while he talked germanely, even though tediously, in order to allow a colleague to reach the Chamber from some nearby place in the Capital in time to vote. I dare say that on a few rare occasions a Senator or two was even permitted to engage in extended debate in this manner while a few or more much needed votes were hurrying by stagecoach, by horseback, or by boat to reach the Senate Chamber in time. Such situations, however, were usually cared for by adjourning the debate for a day or two.

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[1] See the first part of S. Rept. No. 1509, 85th Cong., 2d sess., issued Apr. 30, 1958.

[2] By the time the Senate adopted its first rules on April 16, 1789, 20 Senators had been chosen and 16 had appeared to take their seats in the Senate. Of these, 13 were present on April 16, of whom 9 had served in the Continental Congress. Of these 9, 6 had also served as delegates to the Constitutional Convention of 1787. Of the committee of 5 Senators elected to draft rules, the chairman and one other had served in the Continental Congress and another one had been a delegate to the 1787 Convention. When the first Senate reached its full strength on June 25, 1790, 18 of the 26 Senators had served in the Continental Congress and 12 had been delegates to the Convention.

In his inaugural address to the Senate on Apr. 21, 1789, Vice President John Adams said: "It would be superfluous, to gentlemen of your great experience, to urge the necessity of order."

[3] And later, in the Senate of the Confederacy.

[4] This contention was made during the debate in January 1957 on Senator ANDERSON'S motion to adopt rules at the beginning of the 85th Cong.

Thus it is that both sides to the controversy about the effect of a motion for the previous question are in part correct. Those who have held that the motion did bring debate to a close are right—that was certainly the usual practice. But the opponents of the rule change are also right in saying that a motion for the previous question did not shut off the opportunity to offer remarks, especially if they were brief and to the point at issue. But they are grossly incorrect in representing that in the House of Commons, in the Continental Congress, in the early Senate, or in the early House of Representatives, a Member could speak "impertinently, superfluously, or tediously" "without let or hindrance." The majority was always there to cut off a Member who was so foolish as to step beyond the boundaries of traditional parliamentary propriety and decorum and thus tempt too far the patience of the majority. In short, majority rule was absolute in those days—at least insofar as "free debate" was concerned. The privilege was generally extended fully because it was rarely abused. The privilege varied inversely with the abuse.

A look at the record is persuasive.

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### YEARS 1789 THROUGH 1828

Both John Adams and Thomas Jefferson presided with firmness and dignity over the Senate during their respective terms. Certainly they did not tolerate, and no one thought of attempting, the modern type of filibustering during their terms as Vice President. In the case of Adams, one can find complaints that he talked more than any Senator and lectured Senators whenever he felt it advisable to do so on matters of decorum and order in debate.

In the case of Aaron Burr, the next Vice President, some advocates for retaining the present rules have suggested that it was at his initiative that reference to the previous questions was deleted in the first general revision of the rules in March 1806. I have found no evidence to support this claim. In any case, the evidence we have indicates that Burr presided over the Senate in the tradition set by Adams and Jefferson and that if he suggested the deletion of the previous question from the rules it was because it was not needed. Furthermore, we know from his farewell address to the Senate that Aaron Burr was no advocate of unlimited and irrelevant debate. On page 71, volume 14 of the Annals of Congress—Eighth Congress, second session, March 2, 1805—the editor of the debates gave the following account:

"He [Vice President Burr] doubted not but that they [the Members of the Senate] found occasion to observe, that to act without delay was not always to act without reflection; that error was often to be preferred to indecision. * * *

"That his errors whatever they might have been, were those of rule and principle and not of caprice. * * *

"That if, in the opinion of any, the discipline which had been established approached to rigor, they would at least admit that it was uniform and indiscriminate. * * *

"That the ignorant and unthinking affected to treat as unnecessary and fastidious a rigid attention to rules and decorum. * * *

"But he thought nothing trivial which touched, however remotely, the dignity of that body, and he appealed to their experience for the justice of this sentiment and urged them in language the most impressive, and in a manner the most commanding to avoid the smallest relaxation of the habits which he had endeavored to inculcate and establish."

Further evidence that Burr was no friend of irrelevant speech is provided by William Plummer, a Senator from New Hampshire at the time, and of the opposite political party from Burr, who recorded in his private journal that—

"Mr. Burr, the Vice President presides in Senate with great ease, dignity, and propriety. He preserves grand order, silence, and docorum in debate—he confines the speeches to the point."

A succinct review of the early Senate parliamentary practice was made by Senator Robert S. Owen, of Oklahoma, on February 13, 1915. He said:

"Mr. President, that was the rule of the Senate up until 1806. At that time the rules were modified so as to omit the reference to the previous question, not by putting in any rule denying the right of the previous question, but merely omitting the previous question, on the broad theory that courtesy of free speech in the Senate would preclude any Member from the abuse of the courtesy of free speech extended to him by his colleagues, and would preclude a Senator from consuming the time of the Senate unduly, unfairly, or impudently, in disregard of the courtesy extended to him by his colleagues. The failure to move the previous question now is merely a matter of courtesy in this body, and carries with it, so long as it lasts, the reciprocal courtesy on behalf of those to whom this courtesy is extended that they shall not impose upon their colleagues who have extended the courtesy to them of freedom of debate or deny their courteous and long-suffering colleagues the right to a vote. Freedom of debate may not under such an interpretation be carried to the point of a garrulous abuse of the floor of the Senate by the reading of old records and endless speechmaking made against time, which has emptied the Senate Chamber and destroyed genuine debate in this body. At the time the previous question was dropped from the written rules of the Senate as a right under such written rules there had been no need for the 'previous question.' The previous question had only been moved four times and only used three times from 1789 to 1806—that is, during 17 years.

"There is no real debate in the Senate. Occasionally a Senator makes a speech that is worth listening to—occasionally, and only occasionally. The fact is that even speeches of the greatest value which are delivered on this floor have little or no audience now because of this gross abuse of the patience of the Senate, which has been brought to a point where men are no longer willing to be abused by loud-mouthed vociferation of robust-lunged partisans confessedly speaking against time in a filibuster, and are unwilling to keep their seats on this floor to listen to an endless tirade intended not to instruct the Senate, intended not to advise the Senate, intended not for legitimate debate, not for an honest exercise of freedom of speech, but for the sinister, ulterior, half-concealed purpose of killing time in the Senate and thereby preventing the Senate from acting, thus establishing a minority veto under the pretense, the bald pretense, the impudent and false pretense, of freedom of debate."

After Burr, the Vice President down to the beginning of John C. Calhoun's term in 1825 apparently followed the pattern set by their predecessors. During a great part of this time, owing to deaths and illnesses of the successive Vice Presidents, John Gaillard, of South Carolina, as President pro tempore presided with great dignity and firmness over the Senate deliberations for many years. His firmness in controlling debate has specific significance as he was chosen President pro tempore again and again for a period extending more than 15 years.

During Calhoun's tenure as Vice President (1826), for reasons not beyond the suspicion of faction, the Senate lost control over debate and the deliberations became, for the first time, unseemly and chaotic. This created a crisis and brought on the debate over rules in 1828.

The crisis in Senate decorum and order was caused by John Randolph, of Roanoke. Earlier he taught the House of Representatives to filibuster and caused the House to revise its precedents and change its rules to provide that a motion for the "previous question" immediately closed debate. Randolph came to the Senate in 1825 and during his 2 years as a Member of the Senate drove it to the point of desperation by endless days of talks for hours at a time without the slightest reference to the pending business, a state of affairs until then unknown to the punctilious and formal Senate. The then Vice President, John C. Calhoun—who never himself engaged in irrelevant speech—would not call Mr. Randolph to order, holding that he had no authority to call to order on a question of the latitude of debate.

Without a change in the rules the Senate was helpless to defend itself against Randolph's irrelevancies because under the rules the Presiding Officer's rulings on order and decorum in debate were final and could not be appealed. Calhoun was bitterly at odds with both President John Quincy Adams and Henry Clay, who was then Secretary of State. Randolph's tirades were directed mostly at these two men. Though he denied it, critics of Calhoun contended that he had broken with tradition and the precedents and refused to enforce the rules for partisan political reasons. In any case, charges and countercharges flew both in and out of the Congress.

In the fall of 1826 the Virginia Legislature relieved the distress of the Senate in the 20th Congress by replacing Randolph with John Tyler as one of the two Senators from Virginia. The Senate early in the 1st session of the 20th Congress set about to restore order and in February 1828 a thorough discussion of the rules governing decorum took place. It resulted in amendment of the rules to provide explicitly that the Vice President had such authority on his own initiative, and made his rulings subject to appeal. In making the Vice President's rulings appealable the Senate intended two things: First, to strengthen Senate discipline by adding the weight of the majority to the decision of the Chair on questions of order when an appeal was taken; second, to provide protections against any possible arbitrariness on the part of a Presiding Officer.

The debate preceding the changes is of particular interest because it involved such a full discussion of Senate practices relating to order and decorum in debate. Excerpts from it are set out below:

"[From Gales and Seaton's Register of Debates in Congress, 20th Cong., Feb. 11, 1828, pp. 295–296]

"Senator WILLIAM SMITH of South Carolina. * * * It was a rule of the Senate for 35 years, for the President to call to order, and he, himself, had been the subject of it. He had been called to order by his late venerable friend, Mr. Gaillard. He had appealed to the Senate to say whether he was out of order, and the decision was, that there could be no appeal. It seemed to be assumed by some gentlemen, that they were going to place a tyrant in the chair, and that against his lawless rule it was necessary to provide. This did not produce any effect on his mind. * * * Or, suppose that a Senator were to go at length into the consideration of a subject entirely foreign to the question in hand, and talk of the Army or the Navy when the question of the proper location of a road was before the Senate? Or discuss the expediency of an appropriation, when no appropriation was contemplated? Would the Chair sit silent and permit this irrelevancy? Certainly not. If he did, an individual might talk here a whole day, and arrive at nothing. There were rules, the enforcement of which could not be taken from the Chair without making the Senate a mere nullity. It would be, in fact, throwing a new and inconvenient duty into the hands of the Members by setting them to watch over and administer the rules, which, in reality, belongs to the President. * * * He believed that every deliberative body must have a presiding officer, and that individual ought to have the requisite authority for conserving the order of the meeting, and advancing the progress of the public business."

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"[From Gales and Seaton's Register of Debates in Congress, 20th Cong., Feb. 12, 1828, p. 305]

"Senator DAVID BARTON of Missouri. * * * Let me suppose, said Mr. B., that this Senate, being a permanent and continuous body of but a small number of men, had gone on, as it might have done, without any written rules at all for its government, to perform the duties imposed upon it by the Constitution, what then would have been the power and the duty of the Presiding Officer? The Constitution says in one brief sentence applicable to both Houses, "Each House may determine the rules of its proceedings." It does not say how the determination shall be made; whether the decisions of the Senate on each case as it might arise, growing up at length like the common law itself, into a code for the government of the body, shall be the rules of its proceedings; or, whether a set of arbitrary rules written a priori, and liable to be found either good or bad, upon experience, shall govern its proceedings. Either mode would be equally the determinations of the Senate, and equally obligatory on the Members and the President. Nay, sir, the long-settled practice of this body, that has gone on with the sanction of many years, might be considered a more deliberate determination of the Senate than any literal rule, even were there a literal rule to the contrary. Upon what principle is it that we daily hear the chair declare that the unanimous consent of the Senate will dispense with a written rule, even in cases where there is no written rule to authorize such dispensation? Is it not upon the plain principle that the power that can create, can dispense with the rule? This Senate has the same right to form for itself a parliamentary law or code for its own government, that the British Parliament or any other legislative body has. Precedents made in good times were the materials of which the great system of the common law itself, so highly and so justly eulogized the other day by the Senator from Kentucky [Mr. Rowan] was composed. Mr. B. said, it is an axiom derived from the experience of mankind, that we are not to look for those precedents that are worthy of being followed, or of entering into a code for our guide, to times of the highest and the worst of party excitements, such as the session of 1825–26 was. He should therefore look beyond that epoch to the halcyon days of the predecessor of the present Presiding Officer, and see what he [Mr. Gaillard] did. He was placed in a situation that gave him decided advantages over the present Presiding Officer—a situation that gave peculiar weight and dignity to his decisions, and to the practice of the Senate under his long and benign administration. He presided in a time when the present rancor of party strife was unknown. He stood aloof, in that chair, from the parties of the day. He was not looked to as the head of any great party in this Nation, contending for rule; nor were his decisions subjected to the illiberal imputation of having any ulterior object in view. Drawing precedents, then, from those times, (for his experience, he said, did not enable him to go back beyond that administration) he considered the law of the Senate clearly settled, that the Vice President possessed, and ought to have exercised, the power of restraining the wholly irrelevant latitude of debate of that period, which has been so unnecessarily drawn into review upon the discussion of this amendment.

"The officer to whom he had alluded (Mr. Gaillard) was in the constant practice of preserving order in the body, by calling back a rambling Member to the subject before the Senate, when he had gone entirely from it, even in the language of the most decent and orderly style. True, he did those things in so mild and affable manner that the Member himself did not feel that he had been reproved; and the audience who witnessed the exercise of the power, left the Senate Chamber without the impression that any Member had been out of order. His authority was the long practice of the Senate, sanctioning Mr. Jefferson's Manual as their parliamentary law, in conjunction with their few positive rules and practical determinations. Those long practices of the body, in its best days, with the uninterrupted sanction of the Senate, he contended, were as fair and as constitutional a determination of our rules of proceedings as if they had been written down and printed upon paper or parchment, subject to constant change, as experience should afterward either approve or condemn them. He thought, indeed, such long practice was the best mode of forming a code for the government of the Senate. He went on to instance some cases in which the present Presiding Officer had, as he thought, exercised the general power of preserving order in the cases where the written rules of the Senate were silent, as if an innumerable train of amendments should be offered consecutively to each other; and in cases of considering votes carried or rules dispensed with, where no objection was heard; all of which owed its authority to the unwritten practice or determination of the body.

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"He did not think the political friends of the Vice President ought to reject the offer to the other side of this House to settle the disputed power and duty of the Chair, to restrain the irrelevant or disorderly latitude of debate, restoring, at the same time, the right of appeal to the Senate, as a check upon the decisions of the Presiding Officer. He should, therefore, give to this amendment the support of his vote.

"Senator SAMUEL BELL, of New Hampshire. The Constitution creates the office of Vice President, and expressly imposes upon him the specific duty of presiding over the deliberations of the Senate. That duty cannot be performed, either usefully or efficiently, without the power of preserving order. The power to preserve order must therefore be necessarily incident to the office. The Senate itself cannot divest the Vice President of this power, because he holds it from the Constitution; but they may enlarge, or limit, or modify it, because this power is expressly vested in the body by the Constitution. When the Constitution gives to the Vice President the power of presiding over the Senate, it refers him to the well-known usages of all legislative bodies for the extent and nature of his powers and duties. It was necessary that he should be invested with this power, because it was to be exercised from the first moment the Senate assembled, and before it was possible that they could establish rules for this purpose. There could be no assignable motive why the power so universally held and exercised by the presiding officers of all other deliberative bodies should be withholden from the Vice President, since the Constitution gives to the Senate the power of modifying the rules he should adopt, or establishing others, as this body should think fit. The Vice President is required by the Constitution to conform to, and regulate his conduct, as a presiding officer, by the rules so amended or modified. Should he, from culpable motives refuse or neglect to conform to rules so established, he would be liable to impeachment and removal from office. Every exercise of the power of preserving order, however different in character, rests on the same principle for support. When the Presiding Officer calls the attention of the Members to business, or commands silence, he is performing an act of preserving order, equally as when he requires a Member to adhere to the rules of decorum in debate. The same power which authorized the one, authorizes the other; any attempt to distinguish between them is destitute of even a colorable foundation.

But should we believe that the language of the Constitution, which invests the Vice President with the power of preserving order in the Senate, to be ambiguous, has not that ambiguity been removed, and its meaning long since settled by the uniform practice of all the presiding officers of the Senate, and that, too, by the assent and approbation of the Senate? That construction of the Constitution which gives to the Vice President the power of preserving order in cases where the Senate have not established any rules, is not of modern date, nor established with a view to any temporary object, but is as old as the Constitution itself. It commenced with the existence of this Government, and was continued without interruption for 35 years. Within that time, some of the ablest men this country has ever produced have presided in the Senate. When I name Jefferson and Gaillard as the number of those presiding officers of the Senate, who believed that the Constitution invested the Vice President with this power, no man will have occasion to blush when he admits that he holds the same opinion. These were not of that class of men who are prone to claim or exercise powers which do not legitimately belong to them.

Mr. Jefferson, in his Manual, compiled expressly for the use of the Senate, declares expressly, that the Vice President possesses this contested power and gives us to understand distinctly that such had been the uniform practice in the Senate. Mr. Gaillard was a Member of the Senate more than 20 years, and for a great length of time discharged the duties of a presiding officer in it. His character is well known to every Member of this body. It will not be denied, that, to an unassuming and discriminating mind, he united a knowledge of the rules of proceeding in legislative bodies seldom equaled. That he not only adopted, but carried into practice, constant and uniform practice, the power of preserving order in the Senate, which Mr. Jefferson affirmed, but which is now denied to be constitutionally vested in the Vice President, is known to many of the Members of this body. It is true that all these distinguished men may have entertained erroneous opinions on this question, but I cannot admit it, unless upon stronger evidence than any I have yet heard. If the question were to be settled by the authority of names—and questions seem to be sometimes so settled—it would require no ordinary weight of such authority to outweigh that of such men as I have named, and several others that I might have named. I do not contend that this is the only way in which it should be settled, but I must be permitted to say that a construction of the Constitution so long and satisfactorily settled, and by such men, should not be overturned without great deliberation and reflection upon the consequence likely to result from it. By the unexpected course which the discussion of this question has taken, I have felt myself called upon to express my opinion on this question, and the grounds of that opinion. I have done it with reluctance, and with great respect for those who entertain a different opinion. It is a question on which an honest difference of opinion may exist, and as such it should be considered and treated. I do not feel any deep interest in the adoption of the amendment under consideration; yet, as I believe it will conduce to the better preservation of order under the present construction of the powers of the presiding officer of the Senate, I will give it my support."

"[From Debates in Congress, 20th Cong., 1st sess., 1827–28, vol. 4, pt. 1, pp. 313–315]

"Mr. William Smith, Senator from South Carolina. For his own part, he never had a doubt but that the President of the Senate had the right to call to order. The very nature of his office implies that power. He was not one of those who relied upon constructive powers where they were not expressly given, but in this case he had the invariable practice of the Senate, from its commencement in 1789, up to the session of 1825, a term of 36 years, to sanction this opinion. He recollected very well that he had himself been called to order by the President of the Senate, more than once. On one occasion, a gentleman in the chair [Mr. Gaillard] for whose memory he entertained the most profound respect, had called him to order for words spoken in debate, when he, Mr. S. himself, conceived he was correct, which induced him to appeal to the Senate, and was again told by the Chair, there was no appeal from his decision; and the Senate supported the Chair.

* * * * *

"It is the invariable practice of the presiding officer in every legislative body in the United States, to keep order in their respective bodies, and if a Member wanders from the question in debate, to call him to order.

"If the uninterrupted practice of the Senate for the 36 first years of existence, for the President, in all cases, and more especially if a Member wanders from the question before the Senate, in debate, to call him to order, and bring him back to that question, can weigh anything, or if the analogy of the universal usage in all other legislative bodies, and all public assemblies whatever, that look to their presiding officers to perform the office of calling to order, as an official duty, can have any weight in bringing us to a fair conclusion, we cannot doubt but that it belongs to the Chair, ex vi termini, to call to order. What higher duty can be required of the Chair? Merely putting the question upon bills and resolutions, is certainly a minor duty. Such a duty as could well be discharged by an additional Clerk, as the reading is now by the Secretary.

"One gentleman had said, there was 48 Senators in this House, either of whom could call to order. It is admitted. But suppose any one Senator should so far forget himself as to make, in the course of his argument, indecorous and unkind remarks upon any other Member to whom he might be opposed, that were foreign to the subject before the Senate; could it be expected that the Member assailed would rise to call the other to order in his own defense? There is no man of delicate sensibility who would do so. It would be a task too invidious for a Member who was not assailed, to take up the subject. And to what extravagance would it not lead, were the President to fold his arms and sit silent? Or suppose the question before the Senate to be upon an appropriation for a turnpike road, and a Senator should rise in his place and address the Chair upon the subject of an Indian treaty, or upon a naval expedition, for an hour, without once touching the subject submitted by the Chair, for the consideration of the Senate; could the President of the Senate sit in dignified silence? It is impossible to imagine he would."

"[From Debates in Congress, 20th Cong. 1st sess., 1827–28, vol. 4, pt. 1, pp. 318–319–322]

"Mr. Ezekiel F. Chambers, Senator from Maryland. * * * Then we are in this dilemma: We have rules, but no one has authority to call them into action. Our predecessors must have differed widely from ourselves on these matters, or they have applied their time and their talents to small account. The illustrious author of this book (Jefferson's Manual) had intimated a very different opinion on this subject. He had prepared and presented to the Senate for their use a parliamentary rule, sanctioned by its usage for more than 200 years, which pointed to the Presiding Officer as the individual to move in questions of order. He then alluded to what had been called by the honorable gentleman from Delaware [Mr. McLane] and he must be permitted to think very incorrectly called, inherent power. If the honorable gentleman had reference to power of the Presiding Officer, not derived from the Constitution or laws of the United States, or rules of the Senate, he knew of none such, and utterly denied that they existed. If, on the contrary, he had reference to powers derived from these sources, he could not well perceive with what propriety the term "inherent" could be applied to them.

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"With the conviction of the constitutional existence of these powers in the Presiding Officer and an entire willingness to rely on their exercise, the Senate, at an early period, 'formed,' to use Mr. Jefferson's language, some rules for its own government, but these going only a few cases, they have referred to the decision of their President, without debate and without appeal, all questions of order arising under their own rules, or where they have provided none: thus placing 'under his discretion,' as he continues, 'a very extensive field of decision.' "

On some of the plainest as well as the most important items of legislative order, the Senate had no written rule whatever. He believed in every legislative body it was held necessary to restrain the speaker from subjects wholly and obviously foreign and irrelevant to the matter in hand. But yet, unless it had eluded his research, there was no written rule of the Senate to secure this necessary result. Not one word on the subject. If he were now to leave the subject of the rules and practice of this body, and indulge himself in a history of the beauty, the splendor, and the utility, of the Chesapeake & Delaware Canal, he would deny the authority of any individual in this Chamber, whether President or Member, to charge upon him a violation of order, on the hypothesis, that the lex scripta is the only rule of this House. If the lex non scripta, if anything beside the Constitution, laws of Congress, or written rules of the Senate could restrain me, I ask (said Mr. C.), where is it found, and when found I ask, does it confine the primary call to the Member, and refuse it to the President except on appeal? This is the question, and we must not lose sight of it, and gentlemen will find the same argument which proves the authority of the Member, proves the authority of the President; and if they deny the authority of either or both, they leave us in a miserable condition, totally unable to secure the preservation of order or decorum at all. This is a state of things from which we wish to escape, and the interesting inquiry is, by what mode can we do so?

"Mr. Josiah S. Johnston, Senator of Louisiana. I believe the right of calling to order, preserving order, and deciding on all questions of order, belongs to the Presiding Officer. The Chair declines to exercise the power. [The Vice President rose and explained, that he stated specifically that he did call to order in all cases, except for words spoken.] I take the distinction of the Chair. As far as the decision goes it is correct. But it supports the very argument I have endeavored to maintain—that power by which you call to order in any case, which you distinguish as ministerial, is by virtue of a right inherent in the office. There is no rule that vests that power, in any case, in the Chair. But assuming that power, how is the distinction taken between those cases, where you can act from cases of disorder arising from words spoken? There is none in the rules. The distinction seems to be artificial. My mind cannot perceive the criterion on which the discrimination is made. The delicacy which declines the exercise of power, because it is doubtful, is meritorious. But I am sure the Chair will never avail itself of the pretense which has been urged in this debate, that the surrender of power is favorable to liberty. Power is delegated to be exercised for the security of liberty. Liberty depends not on its being without limits and without control, but on its being regulated. The power of the Presiding Officer is necessary to the dispatch of business, and the order and dignity of the body. To release every Member from the restraints of the rules, and restore him his liberty to say and do what he pleases, instead of being favorable, will be fatal to liberty. It is not liberty in that sense for which Government was instituted; it was regulated liberty secured by law (pp. 336–337)."

Randolph's role as the precursor of the modern filibuster is further indicated in Dr.

Franklin L. Burdette's book "Filibustering in the Senate." On page 16 he says:

"In any event, it seems likely that there were no major or extended filibusters in the dignified Senate prior to the advent of the remarkable John Randolph of Roanoke."

On page 19 he says:

"One is inclined strongly to suspect that the Senate's first extended and spectacular filibusters were staged by that southern opponent of the Adamses [John Randolph]. * * * If men filibustered in the years immediately following, they at least did so with gravity and beneath the cloak of relevancy."

### YEARS 1829 THROUGH 1841

Not until 1837 was there another serious attempt at filibustering. In that year the opponents of the resolution to expunge from the Senate records the 1834 resolution of censure against President Jackson attempted an "incipient filibuster," in the words of Dr. Burdette. But an incipient filibuster is far short of the object of our attention today.

In the course of debate on July 3, 1840, Senator Oliver H. Smith, of Indiana, called Senator Tappan to order—in the words of the editor of the debates—"for digressing from the question immediately before the Senate." The Chair ruled Senator Tappan out of order and he agreed that the entire debate was out of order. This appears at page 504 of volume 8 of the Congressional Globe.

A few minutes later Senator Robert Strange, of North Carolina, speaking of the Senate rules said:

"When we met here at the beginning of this session, we adopted the rules lying upon our tables (p. 505, id.) and thereafter Senator Albert S. White, of Indiana, is quoted as follows:

" 'Mr. White said that the rules of the Senate were adopted every session, and the same power which adopted could modify or abrogate them at its pleasure. It had been frequently asserted in the discussion that the rules of the body were designed for the protection of the minority. This he denied. The protection thus afforded was only incidental. They were framed for the regulation of our proceedings and the guidance of our Presiding Officer.' "

Neither Senator was refuted by anyone at the time or thereafter.

I do not attach any particular significance to these remarks but perhaps those who contend that the Senate is a continuous body in all respect to the rules may want to ponder them.

A list of outstanding filibusters contained in Limitation of Debate in the United States Senate, by Dr. George B. Galloway, begins with the year 1841. I submit that a close study of the course of the debate on the rechartering of the National Bank in that year will not leave one convinced that a genuine filibuster occurred—at least not the destructive kind I am talking about. In fact, the bank bill passed and was vetoed by President Tyler. In speaking of this debate, Dr. Burdette said in his book at page 24:

"Not yet was filibusterism so organized that it could completely paralyze the program of the Senate."

That 1841 debate is significant, however, in supporting my main contention that the gentlemen of the old school of the pre-Civil War days, did not and could not under the Senate rules and precedents filibuster.

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### YEARS 1846 THROUGH 1856

The next outstanding filibuster listed by Dr. Galloway occurred in 1846. The debate over this bill, relating to the Oregon territorial dispute with Great Britain, lasted about 2 monhts but the bill did not pass. The issue was of great importance to the Nation and many Senators on both sides wanted to make their views known. Though therefore protracted, the debate as recorded in the Congressional Globe was always relevant. Time was spent but the Senate was not frustrated. As the excerpts that follow indicate, the speaking was not for the purpose of deliberately delaying action by the Senate.

* * * * * *

One indication that Senate tradition was holding firm through the forties was the action of the Presiding Officer on July 5, 1848, in ruling Senator Clayton, of Delaware, out of order for speaking on matters not pending before the Senate. Senator Clayton at first appealed the decision but after discussion withdrew it.

Again on August 12 of the same session the Chair by a vote of 27 to 2 was overruled on an appeal from a ruling that a Senator had not been irrelevant in his remarks. This was indeed a strong demonstration that the Senate meant to live by its rules.

On April 3, 1850, Vice President Fillmore took occasion to address the Senate on the subject of decorum in debate. He reviewed the rules relating to debate in its various aspects and traced the precedents on the subject. His remarks and those of Senator William R. King, of Alabama, who presided over the Senate during the 31st and 32d Congresses as President pro tempore after Fillmore's elevation to the Presidency on June 10, 1850, follow:

### "DECORUM IN DEBATE[5]

"The VICE PRESIDENT. There being no further morning business, the Chair claims the indulgence of the Senate to submit a few remarks in relation to his own powers and duties to preserve order.

"On assuming the responsible duty as presiding officer of this body, I trusted that no occasion would arise when it would become necessary for the Chair to interpose to preserve order in debate. I could not disguise the fact that, by possibility, such a necessity might arise. I therefore inquired of some of the Senators to know what had been the usage on this subject, and was informed that the general practice had been, since Mr. Calhoun acted as Vice President, not to interfere unless a question of order was made by some Senator. I was informed that that distinguished and now lamented person had declined to exercise the power of calling to order for words spoken in debate, on the ground that he had no authority to do so. Some thought the rule had been since changed, and others not; but then there still seemed to be a difference of opinion as to the power. Under these circumstances though my opinion was strongly in favor of the power, with or without the rule to authorize it, I thought it most prudent not hastily to assume the exercise of it, but to wait until the course of events should show that it was necessary. It appears to me that that time has now arrived, and that the Senate should know my opinion on this subject, and the powers which, after mature reflection, I think are vested in the Chair, and the corresponding duties which they impose. If I am wrong in the conclusion at which I have arrived, I desire the advice of the Senate to correct me. I therefore think it better to state them now, when there is the opportunity for a cool and dispassionate examination, rather than wait until they are called into action by some scene of excitement which may be unfavorable to dispassionate deliberation and advice; for while I should shrink from no responsibilities which the office with which I am honored imposes upon me, I would most scrupulously avoid the assumption of any power not conferred by the Constitution and rules of this body.

"The question then presents itself, 'Has the Vice President, as Presiding Officer of this body, the power to call a Senator to order for words spoken in debate?'

"The sixth rule of the Senate is in the following words:

" 'When a Member shall be called to order by the President or a Senator, he shall sit down, and every question of order shall be decided by the President without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order.'

"It will be seen that this rule does not expressly confer the power of calling to order either upon the President or a Senator, but impliedly admits that power in each, and declares the consequences of such call.

"The constitutional provisions bearing upon this subject are very brief. The first is:

" 'The Vice President of the United States shall be President of the Senate, and shall have no vote unless they be equally divided.'

"The next is:

" 'Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and with the concurrence of two-thirds, expel a Member.'

"The first clause which I have quoted, confers no express powers, yet the general power and duties of a presiding officer, in a parliamentary debate, were well understood by the framers of the Constitution, and it can hardly be doubted that they intended to confer upon the Vice President those powers, and required of him the performance of those duties. But the power expressly conferred to make rules to regulate its proceedings, clearly conferred upon the Senate authority to make rules regulating the conduct of its Members, including its Presiding Officer. What, then, are we to understand from this rule?

"I have availed myself of the leisure afforded by the last recess, to look into the history of this rule, that I might, if possible, gather from it the intent of the Senate in adopting it. I find that one of the first acts of this body, in 1789, was to appoint a committee to prepare a system of rules for conducting business in the Senate.

"The committee reported a number of rules, which were adopted, and among the rest the two following:

" 'Sixteenth. When a Member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not. Every question of order shall be decided by the President without debate; and if there be a doubt in his mind, he may call for a sense of the Senate.

" 'Seventeenth. If a Member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge of the matter.'

"These rules remained the same until 1828; but in 1826, Mr. Calhoun, then Vice President, declared that, in his opinion, he had no authority to call a Senator to order for words spoken in debate. In 1828, the rules were referred to a committee for revision, and were reported without any amendment to these rules; but when they came up for consideration in the Senate, they were amended so as to read as they now do; namely:

" 'Sixth. When a Member shall be called to order by the President or a Senator, he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order.

" 'Seventh. If a Member be called to order by a Senator for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter.'

"It will be seen by the comparison, that the proposed rule expressly recognized the authority in the President to call to order, and gave an appeal from his decision, which the former rules did not.

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[5] Pp. 631 and 632, the Congressional Globe, vol. XXI, pt. I, 31st Cong., 1st sess.

"It also made a distinction between a call to order for words spoken by the President, and by a Senator for words spoken, by requiring in the latter case that the objectionable words should be reduced to writing, but not in the former. On this amendment, a long and interesting debate sprung up, which may be found in Gales and Seaton's Register of Debates, volume 4, part 1, pages 278 to 341; and in this debate, though Senators differed widely as to the power of the President to call to order without the amendment, and as to the policy of adopting it, yet all seemed to conclude that, if adopted, he would have less power, and the amendment was finally agreed to by a vote of more than 2 to 1; and thereupon it is reported that Mr. Calhoun—

" 'The Vice President then rose and said that he took this opportunity to express his entire satisfaction with that portion of the amendment giving to Senators the right of appeal from the decision of the Chair, as it was not only according to strict principle, but would relieve the Chair from a most delicate duty. As to the power conferred upon the Chair, it was not for him to speak, but he assured the Senate that he should always endeavor to exercise it with strict impartiality.'

"It appears to me, then, with all due respect to the opinions of others, that this rule recognized the power to call to order in the Vice President, and, by implication at least, conferred that power upon him.

"The next question is, Does the possession of the power impose any duty to exercise it?

"The power, it will be seen, is conferred equally upon the Chair and every Member of the Senate, and in precisely the same language. Is the duty, then, more imperative upon the President than upon any and every Member of the Senate, to perform the unpleasant but necessary task of exercising it? There is a marked distinction between this rule and the corresponding rule of the House of Representatives. By the 22d rule of that body, a Member may call to order, but it is made the imperative duty of the Speaker to do so. The words are:

" 'If any Member in speaking or otherwise transgresses the rules of the House, the Speaker shall, or any Member may, call to order,' and so forth.

"It is perhaps to be regretted, if the Senate desires that its Presiding Officer should perform this delicate and ungracious duty, that its rule had not been equally explicit with that of the House.

"The reason why Senators so seldom interfere by calling each other to order, is doubtless because they fear that their motives may be misunderstood. They do not like to appear as volunteers in the discharge of such an invidious duty. The same feeling must, to some extent, operate upon the Chair, unless his duty be palpable. But upon mature reflection, I have come to the conclusion, though the authority be the same, yet that the duty may be more imperative upon the Chair than upon the Senate, and that if the painful necessity shall hereafter arise, I shall feel bound to discharge my duty accordingly. I shall endeavor to do it with the utmost impartiality and respect. I know how difficult it is to determine what is and what is not in order, to restrain improper language, and yet not abridge the freedom of debate. But all must see how important it is that the first departure from the strict rule of parliamentary decorum be checked, as a slight attack, or even insinuation of a personal character, often provokes a more severe retort, which brings out a more disorderly reply, each Senator feeling a justification in the previous aggression. There is, therefore, no point so proper to interpose for the preservation of order as to check the first violation of it.

"If, in my anxiety to do this, I should sometimes make a mistake, I am happy to know that the Senate has the remedy in its own hands, and that, by an appeal, my error may be corrected without injury to anyone. Or if I have wholly mistaken my duty in this delicate matter, the action of the Senate will soon convince me of that fact, and in that event I shall cheerfully leave it to the disposition of the Senate. But I have an undoubting confidence that while I am right, I shall be fully sustained.

"I trust I shall be pardoned for making one or two suggestions on some points of minor importance. This body has been so long and so justly distinguished for its dignity and decorum, that I cannot but apprehend that some neglect on my part renders these remarks necessary. We all know that many little irregularities may be tolerated in a small body that would cause much disorder in a large one. The Senate has increased from 26 to 60 Members. The natural tendency of the increase of Members is, to relax the discipline—that when the strict observance of rules is most essential to the dignity and comfort of the body, it is the most difficult to enforce.

"The second rule is a very salutary one, but perhaps too stringent to be always observed in practice. It reads as follows:

" 'No Member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper while the Journals or public papers are reading, or when any Member is speaking in any debate.'

"Mr. Jefferson, in his Manual (p. 140), which seems to be a code of common law for the regulation of all parliamentary debates in the country, says that no one is to disturb another in his speech, etc., nor to pass between the Speaker and the speaking Member. These are comparatively trifling matters, and yet the rules and law of the Senate would seem to require that its Presiding Officer should see them enforced. I trust, however, that it is only necessary to call attention to them to insure their observance by every Senator. But the practice seems to have grown up of interrupting a Senator when speaking, by addressing him directly, instead of addressing the Chair, as required by the rule.

"The Manual declares that it is a breach of order for one Member to interrupt another while speaking, unless by calling him to order, if he departs from it. It seems to me that the objection should be a very urgent one, indeed, that can justify one Member in interrupting another while speaking, and that all would find it to their advantage if this rule were more strictly enforced than it has been, and that in all cases the Senator rising to explain should address the Chair, as required by the rule.

"As Presiding Officer of the Senate, I feel that my duty consists in executing its law, as declared by its rules and by its practice. If these rules are too strict, it would be better to modify than violate them. But we have a common interest and feel a common pride in the order and dignity of this body, and I therefore feel that I can appeal with confidence to every Senator to aid me in enforcing these salutary regulations. I feel it my duty to say this much before proceeding to the course of action I have decided upon.

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"Mr. KING. I have listened with great attention to the statement of the Presiding Officer, and entirely concur in the views he expresses of the rights and duties appertaining to that position. It is necessary—it is essentially necessary, that those duties should be strictly performed by the Vice President, or any other Presiding Officer whom the Senate may select in his absence. They should feel it to be their imperative duty to enforce order, to protect persons in debate, and put down every species of disorder. I hope, therefore, that we may have this statement placed on the Journal, as a guide to other Presiding Officers, and I move that it be placed there, if it meets, as I trust it will, the full approbation of the Senate.

"The motion to enter the Vice President's statement on the Journal was agreed to unanimously."

In 1956 the question of Senate decorum again became a matter of debate. A Senate committee reported a motion to amend the rules to provide, among other things, that Senators when speaking were to confine themselves to the question under debate. The suggested amendment was not adopted by general assent, but the Senators for the most part also agreed that the suggested amendment merely recited the rule which had been controlling since the beginning of the Congress in 1789.

* * * * *

The discussion of the rules in 1856 appears to have been the last one in which Senators were generally agreed that Jefferson's Manual was, in effect, a part of the rules and that Senators were required to be relevant in their remarks. Thereafter the picture began to change. In 1863 and again in 1865 the Senate was the scene of brief but intense filibusters staged a day or two just prior to final adjournment of the short session which ended on the 4th of March of each of those years.

The filibuster in 1863 was stopped by an arbitrary ruling of the chair. The filibuster in 1865 was successful in defeating legislation to grant the State of Louisiana again the full rights of a State. This filibuster is listed by Dr. George Galloway in his study of filibusters as the first one successfully to block legislation. By 1872 the Senate no longer required a Senator to be relevant in his remarks. In that year Vice President Schuyler Colfax ruled that "under the practice of the Senate the Presiding Officer could not restrain a Senator in remarks which the Senator considers pertinent to the pending issue."

With this ruling the Senate had abandoned effective control over debate. The day of the filibuster had arrived. In 1879 the Republicans, by successful filibuster, defeated legislation to repeal Federal election laws. In December 1890 and January 1891 in the 2d session of the 51st Congress, the Democrats staged a successful filibuster against passage of the so-called force bills. Thereafter almost every session of Congreses witnessed one or more successful stultifying filibusters.

The chapter headings of Dr. Burdette's book, "Filibustering in the Senate," significantly read as folows:

"An Instrument of Policy?" (This covers roughly the period from John Randolph's days in the Senate (1826) down through 1879); "Filibustering Unrestrained" (1880 through 1907); "The Modern Filibuster" (1908–17); and "Turmoil" (1917–40, date of publication of book).

In spite of the Senate's abandonment of Jefferson's Manual as controlling over debate, down through the years a Senator could be heard from time to time appealing to the Senate to return to the original practices. For instance, as recently as 1925 Senator Joseph T. Robinson, a distinguished and able Democratic senatorial floor leader, contended:

"No change in the written rules of the Senate is necessary to prevent irrelevant debate. Parliamentary procedure everywhere contemplates that a speaker shall limit his remarks to the subject under consideration. The difficulty grows out of the failure of the Presiding Officer of the Senate to enforce this rule."

Even today, however, the Senate does not have free or unlimited debate in certain aspects of its work. In its rule that an amendment may be tabled without prejudicing the principal measure under debate the Senate adopted a forceful check on debate—and one that was resisted for years.

For years one of the favorite but permissible and legitimate dilatory devices had been to offer amendments and then to talk about them at length.

Another instance is found in the Legislative Reorganization Act of 1949. It provides that debate on Presidential reorganization plans shall be limited to 5 hours on each side. Further evidence that it is not considered unreasonable to suggest that the Senate severely limit debate and prevent other dilatory tactics was recently provided in the reciprocal trade agreements bill as reported by the Senate Committee on Finance. While the bill did not pass the Senate as reported, the reported bill contained severe limitations on debate admittedly designed to prevent a filibuster against Senate action to support any Presidential decision to overrule the recommendations of the Tariff Commission. In reporting the bill with these provisions the committee said the provisions were intended to prevent a successful filibuster. Some Senators who have opposed any change in rule XXII voted for the committee's severe cloture language. Indeed, it seems that we do not hesitate to restrict ourselves except perhaps in one field—that of civil rights. If that issue be raised, then it is that we hear about the historic tradition of "free debate." But we have seen that this is a myth. It is time that the opponents of civil rights cease taking refuge in that argument and debate the issue on its merits.

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SUMMARY

We have seen how the early Senate by use of the motion for the previous question and the precedents in Jefferson's Manual and by the Vice President's unappealable authority to rule on questions of order and decorum held filibusters in effective check. We have noted the gradual erosion of that control over debate after the Civil War until finally it was lost.

Article I, section 5, clause 2 of the Constitution of the United States provides that each House may determine the rules of its proceedings. A majority of the Senate in the first instance adopted the Senate rules, and a majority of the Senate may amend the Senate rules. In view of this, is it not strangely undemocratic to require 64 Senators to vote affirmatively in order to close a debate on any measure and bring it to a vote? Is it not ever more strange to have a provision (sec. 3, of rule XXII) under which the Senate may not vote on a motion to change the rules as long as even one Senator wishes to prevent the vote by speaking? Of course, one Senator acting by himself cannot for long prevent a vote on changing the rules, but a few Senators (far less than a majority) can do so.

The problem of controlling filibusters is of the first magnitude because the mere threat of a filibuster affects, to more or less extent, all important and controversial legislation. In recent years, successful filibusters have involved solely the legislative struggles to assure Negroes equality under the law in fact as well as in theory.

This is the emotionally charged background behind the entire controversy over cloture and the question of the Senate's adoption of "rules" (either new or old) at the beginning of each new Congress.

The country needs to find solutions to the problems involving civil rights. These problems cannot find adequate solutions as long as a minority of Senators can, by filibuster or the threat of filibuster, block legislation designed to assist Negroes in their efforts to achieve first-class citizenship. Moreover, this basic problem influences many other aspects of American life, such as education and housing. Until the Senate reforms rule XXII, we shall face almost insurmountable obstacles in our efforts to make progress in these fields.

In order for the Senate to become a more effective and democratic body, responsive to the desires and needs of the majority of American citizens, it must reform its rules and return to practices of the early days. Senate Resolution 17 is a very moderate step in this direction.

CLIFFORD P. CASE.

## RECESS

(Mr. BREWSTER assumed the chair as the Presiding Officer.)

Mr. BIBLE. Mr. President, if there is no other Senator to speak, and apparently there is none, I now move that, under the previous order, the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 34 minutes p.m.) under the previous order, the Senate took a recess until tomorrow, Thursday, January 31, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate January 30 (legislative day of January 15), 1963:

### COMMUNICATIONS SATELLITE CORPORATION

The following-named persons to be incorporators of the Communications Satellite Corporation, to which offices they were appointed during the last recess of the Senate:

Edgar F. Kaiser, of California.
David M. Kennedy, of Illinois.
Sidney J. Weinberg, of New York.
Bruce G. Sundlun, of Rhode Island.
A. Byrne Litschgi, of Florida.
Beardsley Graham, of Kentucky.
Leonard Woodcock, of Michigan.
Sam Harris, of New York.
George Feldman, of New York.
Leonard Marks, of the District of Columbia.
John T. Connor, of New Jersey.
George L. Killion, of California.